

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2665

Wednesday, January 8, 2014, 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	Midget	Fernandez	VanValkenburgh, Legal
Covey		Foster	
Dix		Huntsinger	
Edwards		Miller	
Leighty		White	
Liotta		Wilkerson	
Perkins			
Shivel			
Stirling			
Walker			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Thursday, January 2, 2014 at 2:42 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:

Chairman's Report:

Mr. Walker reported that there will be an election of officers at the end of this meeting.

Work Session Report:

Mr. Walker reported that the next work session will be held after the January 22, 2014 TMAPC meeting.

Director's Report:

Ms. Miller reported on the TMAPC receipts for the month of November and indicated that they are down slightly.

Ms. Miller thanked the Planning Commissioners for responding to her survey and if there are members still wanting to respond there is still some time to do so. The survey will be the basis for the January 22, 2014 meeting.

Ms. Miller reported that INCOG staff has started to attend weekly meetings with the City of Tulsa staff to work on the MXI zoning district (Mixed Use Institutional Zoning District). The goal is to have it ready for public comment and bring it to a work session in March.

Ms. Miller reported on the City Council agenda and cited the cases that were on the agenda and approved. Ms. Miller further reported that Councilor Bynum requested a meeting with a couple of Planning Commissioners with regard to the 6th Street Infill Plan Amendments. Ms. Miller indicated that she is communicating with City Council staff on potential meeting dates.

Ms. Miller stated that on behalf of staff, she would like to thank Chairman Walker for always being respectful of the public, staff and other Commissioners.

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

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CONSENT AGENDA

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

1. **LC-544** (Lot-Combination) (CD 5) – Location: Southwest corner of East 14th Street South and South 89th East Avenue
2. **LC-545** (Lot-Combination) (CD 4) – Location: West of the southwest corner of South Utica Avenue and East 8th Street South
3. **LS-20663** (Lot-Split) (County) – Location: East of the southeast corner of West 30th Street South and South 49th West Avenue (Related to LC-546)
4. **LC-546** (Lot-Combination) (County) – Location: East of the southeast corner of West 30th Street South and South 49th West Avenue (Related to LS-20663)

5. **LC-547** (Lot-Combination) (CD 2) – Location: Northeast corner of West 51st Street South and South 63rd West Avenue
6. **LC-549** (Lot-Combination) (CD 3) – Location: Northeast corner of I-244 and North Sheridan Road
7. **LS-20665** (Lot-Split) (County) – Location: West of the southwest corner of West 166th Street South and Highway 75 (Related to: LC-548)
8. **LC-548** (Lot-Combination) (County) – Location: West of the northwest corner of West 166th Street South and Highway 75 (Related to: LS-20665)
9. **LS-20668** (Lot-Split) (CD 1) – Location: North of the northwest corner of West Pine Street and North Martin Luther King Jr. Boulevard (North Cincinnati Avenue)
10. **DVIS** – Final Plat, Location: 2424 North Harvard Avenue, south of East Apache Street, west of North Harvard Avenue (0329) (CD 3)

STAFF RECOMMENDATION:

This plat consists of one lot, one block on 4.46 acres.

Staff has received release letters for this plat and can recommend approval of the final plat.

11. **Third and Greenwood Addition** – Final Plat, Location: East of Greenwood Avenue, north of East 3rd Street (1912) (CD 4)

STAFF RECOMMENDATION:

This plat consists of ten lots, two blocks on 3.1 acres.

Staff has received release letters for this plat and can recommend approval of the final plat.

12. **11400 Yale Center** – Final Plat, Location: South of southwest corner of East 116th Street North and North Yale Avenue (2309) (County)

STAFF RECOMMENDATION:

This plat consists of one lot, one block on 12 acres.

Staff has received release letters for this plat and can recommend approval of the final plat.

13. **PUD-136-A-3 – Impact Engineering & Planning**, Location: Southwest corner of East 74th Street South and South Yale Avenue, Requesting a **Minor Amendment** to reduce the building setback line along the east

property line of Lot 2, Block 1, Silver Ridge Addition from 80 feet to 78 feet, **OL/PUD-136-A** (CD-8)

STAFF RECOMMENDATION:

The applicant is requesting a minor amendment to reduce the building setback for a building that has been constructed over the building setback line. This request is for a single lot.

This request can be considered a Minor Amendment as outlined by Section 1007.H.9 PUD Section of the City of Tulsa Zoning Code.

“Changes in structure heights, building setbacks, yards open space, building coverage and lot widths or frontages, provided the approved Development Plan, the approved PUD standards and the character of the development are not substantially altered.”

The requested amendment to reduce the east building setback by two feet is not significant at this location. The face of the building is hidden from South Yale by an existing retaining wall.

Staff has reviewed the request and determined:

- 1) The two foot reduction in the building setback line at this location that it is not injurious to the proximate properties.
- 2) Does not change the character of the original Planned Unit Development
- 3) The request is consistent with the Planned Unit Development Chapter of the Zoning Code.

Therefore staff recommends approval of the request for a side yard reduction as outlined at the location above from 80 to 78 feet.

14. **PUD-800 – AAB Engineering, LLC/Alan Betchan**, Location: East of the southeast corner of South Garnett Road at East 21st Street South, Requesting a **Detail Site Plan** for a new retail building, **OL/PUD-800** (CD-6)

STAFF RECOMMENDATION:

CONCEPT STATEMENT:

The applicant is requesting detail site plan approval for a new retail building. The proposed development is located in PUD 800 for this facility.

PERMITTED USES:

Allowed uses are principal and accessory uses permitted in PUD 1,4,5,6,7,7A,10,11,12,13,14 and 19 (Section 701). Any additional uses will require an amendment to the PUD. This project is classified as a Use Unit 14 (Shopping Goods and Services)

DIMENSIONAL REQUIREMENTS:

The submitted site plan meets all applicable building height, floor area, density, open space, and setback limitations. No modifications of the previously approved Planned Unit Development are required for approval of this site plan.

ARCHITECTURAL GUIDELINES:

The new buildings are not limited by architectural style in the Planned Unit Development.

OFF-STREET PARKING AND VEHICULAR CIRCULATION:

The site plan exceeds the minimum parking defined in the Tulsa Zoning Code and the Planned Unit Development. Access to South Mingo Road from the north of the subject property is being processed through a change of access and will need to be approved prior to construction. Additionally, a Mutual Access Easement needs to be dedicated along the north property line of the subject tract to facilitate access.

LIGHTING:

Site lighting plans and details are provided. The plan illustrates a design that will meet the minimum standards outlined in the Planned Unit Development and in the Zoning Code.

SIGNAGE:

The site plan illustrates ground, and wall sign locations which require a separate permit. All signage will be required to be meet the PUD Development Standards. Any ground or monument signs placed in an easement will require a license agreement with the City prior to receiving a sign permit. This staff report does not remove the requirement for a separate sign plan review process.

SITE SCREENING AND LANDSCAPING:

The open space, landscape area and screening is consistent with the Planned Unit Development requirements and it meets the minimum standards of the Landscape portion of the Tulsa Zoning Code. All trash, mechanical and equipment areas shall be screened from public view. This staff report does not remove the requirement for a separate landscape plan review process.

PEDESTRIAN ACCESS AND CIRCULATION:

Additional sidewalk improvements are not needed along South Mingo Road. The plan displays pedestrian connectivity to already constructed sidewalks along South Mingo Road. Furthermore, the site plan displays adequate pedestrian circulation interior to the development.

MISCELLANEOUS SITE CONSIDERATIONS:

There are no concerns regarding the development of this area as it relates to the terrain modifications.

SUMMARY:

Staff has reviewed the applicant’s submittal of the site plan as it relates to the approved **PUD-800**. The site plan submittal meets or exceeds the minimum requirements of the PUD. Staff finds that the uses and intensities proposed with this site plan are consistent with the approved PUD, and the stated purposes of the Planned Unit Development Section of the Zoning Code.

Therefore, staff recommends **APPROVAL** of the detail site plan for the proposed new retail building.

(Note: Detail site plan approval does not constitute sign plan or landscape plan approval.)

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, , Perkins, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Midget "absent") to **APPROVE** the consent agenda Items 1 through 14 per staff recommendation.

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PUBLIC HEARINGS:

- 15. **LS-20662** (Lot-Split) (CD 6) – Location: North of the northwest corner of East 31st Street South and South 129th East Avenue

STAFF RECOMMENDATION:

The lot-split proposal is to split an existing CS (Commercial Shopping Center) tract into two tracts. Tract 2 received a Variance of the frontage requirement from 150 feet to 61.76 from the Board of Adjustment on

November 12, 2013. Tract 1 exceeds all of the Bulk and area requirements of the City of Tulsa Zoning Code.

The Technical Advisory Committee met on December 13, 2013. Development Services is requiring language, approved by City legal, on the deed to establish that the owner is responsible for maintenance of the floodplain located in Tract 2. Floodplain must be placed in an ODE (Overland drainage Easement). Also, should the extension of a water main be required then a 20' restrictive waterline easement is needed. During the building permit application additional fire department apparatus access drives and fire hydrants may be required depending on placement and size of the buildings. Both proposed tracts appear to have access to an eight-inch sanitary sewer main for service. However, no service connections will be allowed on the 18-inch sewer main.

South 129th East Avenue, between East 21st Street South and East 31st Street South is existing four lanes. Per Subdivision Regulations, sidewalks should be constructed if non-existing or maintained if existing.

This property is currently in the platting process. A Preliminary Plat for "Brookhollow Landing" was approved on November 20, 2013.

Staff believes this lot-split would not have an adverse affect on the surrounding properties and recommends **APPROVAL** of the lot-split with the maintenance of the floodplain located in Tract 2 on the deed.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 10 members present:

On **MOTION** of **COVEY**, TMAPC voted **10-0-0** (Carnes, Covey, Dix, Edwards, Leighty, Liotta, Perkins, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Midget "absent") to **APPROVE** the lot-split with the maintenance of the floodplain located in Tract 2 on the deed for LS-20662 per staff recommendation.

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16. **LS-20664** (Lot-Split) (County) – Location: East of the southeast corner of West 31st Street South and South 177th West Avenue

STAFF RECOMMENDATION:

The lot-split proposal is to split an existing AG (Agriculture) tract into two tracts. Both of the resulting tracts will exceed the Bulk and Area Requirements of the Tulsa County Zoning Code.

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

The County Engineer reviewed the Lot-Split and has no comments or Right-of-Way requirements.

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

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 10 members present:

On **MOTION** of **CARNES**, TMAPC voted **10-0-0** (Carnes, Covey, Dix, Edwards, Leighty, Liotta, Perkins, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Midget "absent") to **APPROVE** the waiver of the Subdivision Regulations and the lot-split for LS-20664 per staff recommendation.

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17. **Olson Industrial No. 1** – Preliminary Plat, East of the southeast corner of East Pine Street and Garnett Road (0432) (CD 3)

STAFF RECOMMENDATION:

This plat consists of 382 lots, 18 blocks, on 100 acres.

The following issues were discussed December 5, 2013, at the Technical Advisory Committee (TAC) meetings:

1. **Zoning:** The property is zoned RS-3.

2. **Streets:** With dimension lines call out right-of-way along all streets. Where sidewalks are located outside the right-of-way designate sidewalk easement. Include curve data for intersection at 145th East Avenue. Show name for street from 145th East Avenue. Limits of Access and No Access only apply to arterial streets. Remove designation from north property line. Include section on sidewalks.
3. **Sewer:** Several additional easements will be required, such as back to back 11-foot utility easements along the middle of the blocks. Provide width and type of easement for all easements shown. What is the four-foot shouthwest for where it is shown adjacent to the street? The 15-foot side lot easements for sanitary sewer should be sanitary sewer easements instead of utility easement. If they will be used by other utilities, or if the sewer pipe will be deep, then the width must be increased. Use standard language in the covenants. Take out redundancies. Remove Reserve Area section if there are none. Additional easements required. Make sure that all lots within the development can be served by the proposed sewer main extension. Lots 1 and 2, Block 4 do not appear to abut the sewer main since manholes must extend a minimum of 15 feet into the property to be served.
4. **Water:** On each lot include a 17.5-foot perimeter utility easement. Along South 145th East Avenue show that the existing 12-inch waterline is inside the street right-of-way or a dedicated easement with book and page. Column 4 can be removed because it is a repeat of Column 1. Show the existing location of the 12-inch waterline along South 145th East Avenue. The existing 12-inch waterline must be extended to southwest property corner of this site. Designed waterlines are installed on the south and east sides of streets. Show conduits for water service lines crossing the streets. No dead end water lines; looped waterlines are required.
5. **Storm Drainage:** Place all detention ponds in reserves and add the appropriate standard language to the covenants.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** Additional easements are needed.
7. **Other: Fire:** No comment.

8. **Other: GIS:** Location map does not show the Range, no e-mail address or surveyor/engineer, scale back the line weight for all but the plat boundary, major street mislabeled – should be 145th Avenue, label streets at intersection, show all bearings and distances on the plat boundary, label the point of beginning, need both graphic and written drawing scale, cannot verify plat boundary. Provide a sheet location map on each sheet to show what area the sheet covers. Addresses are to be shown on the face of plat. Verify street names with Development Services. All abbreviations and symbols should be included in the legend. Reduce line widths so that street names can be more easily read. Infrastructure is not to appear on the face of plat Many lines are inadequately identified. Show all adjacent right-of-way and easements and identify them with their dedication document. Review the subdivision regulations and comply. These are inadequate for preliminary plat. Use City of Tulsa standard language.

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.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 10 members present:

On **MOTION** of **COVEY**, TMAPC voted **10-0-0** (Carnes, Covey, Dix, Edwards, Leighty, Liotta, Perkins, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Midget "absent") to **APPROVE** the preliminary plat for Olson Industrial No. 1, subject to special conditions and standard conditions per staff recommendation.

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18. **Z-7251 – AAB Engineering, LLC/Alan Betchan**, Location: Southwest corner of North 129th East Avenue and East Pine Street, Requesting rezoning from **AG TO IL**, (CD-3) (Related to Olson Industrial No. 2 Preliminary Plat)

STAFF RECOMMENDATION:

ZONING ORDINANCE: Ordinance number 11811 dated June 26, 1970, established zoning for the subject property.

RELEVANT ZONING HISTORY:

Subject Property:

BOA-17355 April 23, 1996: The Board of Adjustment approved a Special Exception to permit 100 ft. free standing tower for cellular telephone antenna in an AG district, per plan submitted, subject to the auxiliary equipment being contained on the 50' x 50' lot, on property located at 11366 East Independence and also known as part of the subject property.

Surrounding Property:

Z-7117 January 2009: All concurred in approval of a request for rezoning a 2.5± acre tract of land from RS-3 to IL on property for machine parts processing, located west of southwest corner of East Pine Street and North 129th East Avenue.

Z-6917 January 2004: All concurred in approval of a request for rezoning a 2.25± acre tract of land from RS-3 to IL for storage of portable mini storages on property located west of the southwest corner of East Pine Street and North 129th East Avenue.

PUD-647 May 2001: All concurred in approval of a proposed Planned Unit Development on a 43± acre tract of land for a manufactured home park development, on property located south side of I-244 between North Garnett Road and North 129th East Avenue.

Z-6808 March 2001: All concurred in approval of a request to rezone a 7.3± acre tract from RS-3 to IL located in the northeast corner of East Independence and North Garnett Road extending from North Garnett Road to North 177th East Avenue.

Z-6764 June 2000: All concurred in approval of a request for rezoning a 5.5± acre tract from RS-3 to IL for a machine shop located west of southwest corner of East Pine Street and North 129th East Avenue.

Z-6229 February 1989: All concurred in approval of a request for rezoning a 5± acre tract from RS-3 to IL on property located north of the subject tract.

Z-5676 April 1982: All concurred in approval of a request to rezone a 2.3-acre tract from RS-3 to IL located west of the southwest corner of East Pine and North 129th East Avenue.

Z-4192 September 1972: All concurred in approval of a request for rezoning a tract of land from RS-3 to IL on property located west of the southwest corner of East Pine Street and North 129th East Avenue.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 230+ acres in size and is located Southwest corner of North 129th East Avenue and East Pine Street. The property appears to be vacant and is zoned AG.

SURROUNDING AREA: The subject tract is abutted on the east by North 129th East Avenue, further east across the street property is a large church and school site, zoned IL; on the north by a broad mix of developed and undeveloped property zoned IL, OL, AG, RS-3 and IL, on the south by Interstate 244 and on the west by a neighborhood in transition with a mix sites zoned RS-3 and IL.

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

TRANSPORTATION VISION:

The Comprehensive Plan designates East Pine as a Multi Modal Street.

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

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

Staff Comment: There are no immediate plans for significant street widening or other improvements to East Pine or North 129th that affect the vision of this project. The Major Street and Highway Plan illustrates an east-west and a north-south collector street in this area. Collector street construction will be required during the plat process. Future development will require a subdivision plat for future development opportunities. During that process the street right of way will be required to satisfy future Secondary Arterial and Multi Modal Street requirements. Collector Streets improvements will be required by the developer during the subdivision plat process.

STREETS:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East Pine Street	Secondary Arterial	100	2
North 129 th East Avenue	Secondary Arterial	100	2

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Employment Area:

The entire site is designated an Employment Area on the Land Use Maps inside the Comprehensive Plan. Employment areas contain office, warehousing, light manufacturing and high tech uses such as clean manufacturing or information technology. Sometimes big-box retail or warehouse retail clubs are found in these areas. These areas are distinguished from mixed-use centers in that they have few residences and typically have more extensive commercial activity.

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

Area of Growth:

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

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

Staff Comment: The entire parcel included in the rezoning request is included in an Employment Area and an Area of Growth. The IL zoning request is consistent with the vision of both components of the Comprehensive Plan. The City infrastructure for arterial streets, water and sanitary sewer are in place. Additional development using existing infrastructure is an important component of City Growth opportunities. This rezoning request will encourage future development opportunities in this part of Tulsa.

STAFF RECOMMENDATION:

The requested rezoning is not injurious to the surrounding property.

Z-7251 request for IL zoning is consistent with the Comprehensive Plan and the expected development pattern in this area

Therefore **staff recommends approval of Z-7251** for a rezoning request from AG to IL.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 10 members present:

On **MOTION** of **COVEY**, TMAPC voted **10-0-0** (Carnes, Covey, Dix, Edwards, Leighty, Liotta, Perkins, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Midget "absent") to recommend **APPROVAL** of the IL zoning for Z-7251 per staff recommendation.

Legal Description for Z-7251:

THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW/4 NE/4) AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SW/4 SE/4 NE/4) OF SECTION 32, TOWNSHIP 20 NORTH, RANGE 14 EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF. **AND**, THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (N/2 SE/4 NE/4) AND THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (S/2 NE/4 NE/4) AND THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE/4 NE/4 NE/4) AND THE EAST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (E/2 E/2 NW/4 NE/4 NE/4) AND THE EAST HALF OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (E/2 W/2

NW/4 NW/4 NE/4) AND THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (S/2 NW/4 NE/4) AND THAT PART OF THE WEST HALF OF THE SOUTHEAST QUARTER (W/2 SE/4) LYING NORTH OF THE CROSSTOWN EXPRESSWAY RIGHT-OF-WAY (U.S. HIGHWAY I244) ALL IN SECTION 32 TOWNSHIP 20 NORTH, RANGE 14 EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF. **AND**, THE EAST HALF OF THE NORTHWEST QUARTER (E/2 NW/4) AND THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE/4 SW/4) OF SECTION 32, TOWNSHIP 20 NORTH, RANGE 14 EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF, LYING NORTH OF THE HIGHWAY RIGHT-OF-WAY FOR I-244 (CROSSTOWN EXPRESSWAY). **LESS AND EXCEPT**, A TRACT OF LAND THAT IS PART OF THE NORTHEAST QUARTER (NE/4) AND THE SOUTHEAST QUARTER (SE/4) OF SECTION THIRTY-TWO (32), TOWNSHIP TWENTY (20) NORTH, RANGE FOURTEEN (14) 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, TO-WIT: COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER (NE/4); THENCE NORTH 00°58'44" WEST ALONG THE EASTERLY LINE OF SAID NORTHEAST QUARTER FOR 660.66 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE/4 SE/4 NE/4) SAID POINT BEING THE POINT OF BEGINNING; THENCE SOUTH 88°38'51" WEST ALONG THE NORTHERLY LINE OF SAID (SE/4 SE/4 NE/4) AND ALONG THE NORTHERLY LINE OF LOT ONE (1), BLOCK ONE (1), WWTC-2 ADDITION, AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF FOR 657.83 FEET TO THE NORTHWEST CORNER OF SAID LOT ONE (1), BLOCK ONE (1) AND THE NORTHWEST CORNER SAID SE/4 SE/4 NE/4; THENCE SOUTH 00°59'32" EAST ALONG THE WESTERLY LINE OF SAID LOT ONE (1), BLOCK ONE (1) AND THE WESTERLY LINE OF SAID SE/4 SE/4 NE/4 FOR 660.57 FEET TO A POINT THAT IS THE SOUTHWEST CORNER OF SAID LOT ONE (1), BLOCK ONE (1), SAID POINT BEING THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SW/4 SE/4 NE/4); THENCE SOUTH 88°39'16" WEST ALONG THE SOUTHERLY LINE OF SAID SW/4 SE/4 NE/4 FOR 657.72 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER

(NW/4 SE/4); THENCE SOUTH 01°01'25" EAST ALONG THE EASTERLY LINE OF SAID NW/4 SE/4 FOR 228.36' FEET; THENCE SOUTH 85°43'59" WEST FOR 479.79 FEET; THENCE NORTH 01°23'18" WEST FOR 464.57 FEET TO A POINT OF CURVE; THENCE NORTHERLY AND NORTHEASTERLY ALONG SAID CURVE TO THE RIGHT WITH A CENTRAL ANGLE OF 46°14'05", A RADIUS OF 224.00 FEET, A CHORD BEARING OF NORTH 21°43'44" EAST, AND A CHORD DISTANCE OF 175.89 FEET FOR AN ARC LENGTH OF 180.76 FEET TO A POINT OF TANGENCY; THENCE NORTH 44°50'47" EAST ALONG SAID TANGENCY FOR 1265.10 FEET TO A POINT OF CURVE; THENCE NORTHEASTERLY AND EASTERLY ALONG SAID CURVE TO THE RIGHT WITH A CENTRAL ANGLE OF 43°56'48", A RADIUS OF 163.00 FEET, A CHORD BEARING OF NORTH 66°49'11" EAST, AND A CHORD DISTANCE OF 121.98 FEET FOR AN ARC LENGTH OF 125.02 FEET TO A POINT OF TANGENCY; THENCE NORTH 88°47'35" EAST ALONG SAID TANGENCY FOR 709.33 FEET; THENCE SOUTH 00°58'44" EAST THE EASTERLY LINE OF SAID NE/4 FOR 632.45 FEET TO THE POINT OF BEGINNING.

* * * * *

19. **Olson Industrial No. 2** – Preliminary Plat, Southwest corner of East Pine Street and 129th East Avenue (0432) (CD 3) (Related to Z-7251)

STAFF RECOMMENDATION:

This plat consists of 1 lot, 1 block, on 12 acres.

The following issues were discussed December 19, 2013, at the Technical Advisory Committee (TAC) meetings:

1. **Zoning:** The property is zoned AG (agricultural) with IL (industrial light) pending.
2. **Streets:** Show limits of no access along Pine Street and 129th East Avenue. Provide appropriate corner clip. Include section on LNA. Right-of-way dedication/acquisition should be coordinated with City of Tulsa street project.
3. **Sewer:** The street name should be North 129th East Avenue. The existing sewer is a 12 inch instead of the 8 inch line shown. The required mainline extension to serve the proposed plat must be designed to serve the entire basin, which means a 12 inch extension, deep enough to extend to the rest of the basin, is required. Due to the depth of the line a 20 foot sanitary sewer easement will be required.

4. **Water:** Should the extension of a water main line be required then a 20 foot restrictive waterline easement is needed. There are future plans for upgrading the 6 inch waterline along East Pine Street to a 12 inch line; how soon this happens has not yet been determined.
5. **Storm Drainage:** Label the floodplain as Tributary to Eagle Creek and place it in an overland drainage easement. No storm system is provided. Detention appears to be needed.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** Additional easements may be needed.
7. **Other: Fire:** No buildings shown on the conceptual drawings. Because of the size of the lot additional fire department apparatus access drives and fire hydrants may be required.
8. **Other: GIS:** Basis of bearing should not be assumed since the basis of bearing is the line between two known monuments of corners which serve as the reference and is the basis for the survey. Nearings for the north line that states "due east" should read 90 degrees instead of 00 degrees.

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.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 10 members present:

On **MOTION** of **CARNES**, TMAPC voted **10-0-0** (Carnes, Covey, Dix, Edwards, Leighty, Liotta, Perkins, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Midget "absent") to **APPROVE** the preliminary plat for Olson Industrial No. 2, subject to special conditions and standard conditions per staff recommendation.

* * * * *

20. **Plat Waiver, Z-7241** – West of the southwest corner of East 8th Street and South Utica Avenue (9306) (CD 4)

STAFF RECOMMENDATION:

The platting requirement is being triggered by a rezoning from RS-4 to CH for a commercial kitchen.

Staff provides the following information from TAC for their December 19, 2013 meeting:

ZONING: TMAPC Staff: The property has been previously platted.

STREETS: Sidewalk rehab should be addressed as the sidewalk along this frontage appears to be overgrown and in poor shape.

SEWER: No comment.

WATER: No comment.

STORMWATER: No comment.

FIRE: No comment.

UTILITIES: No comment.

Staff recommends **APPROVAL** of the plat waiver for the platted property.

A YES answer to the following 3 questions would generally be FAVORABLE to a plat waiver:

	Yes	NO
1. Has Property previously been platted?	X	
2. Are there restrictive covenants contained in a previously filed plat?	X	
3. Is property adequately described by surrounding platted properties or street right-of-way?	X	

A YES answer to the remaining questions would generally NOT be favorable to a plat waiver:

	YES	NO
4. Is right-of-way dedication required to comply with Major Street and Highway Plan?		X
5. Would restrictive covenants be required to be filed by separate instrument if the plat were waived?		X

- 6. Infrastructure requirements:
 - a) Water
 - i. Is a main line water extension required? X
 - ii. Is an internal system or fire line required? X
 - iii. Are additional easements required? X
 - b) Sanitary Sewer
 - i. Is a main line extension required?
 - ii. Is an internal system required?
 - iii. Are additional easements required?
 - c) Storm Sewer
 - i. Is a P.F.P.I. required?
 - ii. Is an Overland Drainage Easement required?
 - iii. Is on site detention required?
 - iv. Are additional easements required?
- 7. Floodplain
 - a) Does the property contain a City of Tulsa (Regulatory) Floodplain?
 - b) Does the property contain a F.E.M.A. (Federal) Floodplain?
- 8. Change of Access
 - a) Are revisions to existing access locations necessary?
- 9. Is the property in a P.U.D.?
 - a) If yes, was plat recorded for the original P.U.D.
- 10. Is this a Major Amendment to a P.U.D.?
 - a) If yes, does the amendment make changes to the proposed physical development of the P.U.D.?
- 11. Are mutual access easements needed to assure adequate access to the site?
- 12. Are there existing or planned medians near the site which would necessitate additional right-of-way dedication or other special considerations?

Note: If, after consideration of the above criteria, a plat waiver is granted on unplatted properties, a current ALTA/ACSM/NSPS Land Title Survey (and as subsequently revised) shall be required. Said survey shall be prepared in a recordable format and filed at the County Clerk's office by the applicant.

Mr. Carnes moved to approve the plat waiver for Z-7241, seconded by Mr. Shivel.

TMAPC COMMENTS:

Mr. Leighty stated that during the public hearing for Z-7241 he voted against this application due to the location and the current uses in the subject area. He indicated that he will be abstaining from today's application for the plat waiver.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 10 members present:

On **MOTION** of **CARNES**, TMAPC voted **9-0-1** (Carnes, Covey, Dix, Edwards, Liotta, Perkins, Shivel, Stirling, Walker "aye"; no "nays"; Leighty "abstaining"; Midget "absent") to **APPROVE** the plat waiver for Z-7241 per staff recommendation.

* * * * *

21. **PUD-550-4 – Sisemore Weisz & Assoc., Inc./Darin Akerman**, Location: Southwest of southwest corner of East 22nd Place and South 91st East Avenue, Requesting a **Minor Amendment**, (CD-5) (**Applicant is requesting a continuance to January 22, 2014**)

STAFF RECOMMENDATION:

Mr. Wilkerson stated that the applicant is requesting the continuance in order to meet with the neighbors. Staff supports the continuance.

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **COVEY**, TMAPC voted **10-0-0** (Carnes, Covey, Dix, Edwards, Leighty, Liotta, Perkins, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Midget "absent") to **CONTINUE** PUD-550-4 to January 22, 2014.

* * * * *

22. **PUD-215-15 – James Newell**, Location: Northwest corner of East 87th Street South and South 73rd East Avenue, Requesting a **Minor Amendment** to reduce the building setback line along the south property line of Lots 5, Block 19, Chimney Hills Estates from 15 feet to 10 feet, **RS-3/PUD-215**, (CD-8) (Continued from December 18, 2013)

STAFF RECOMMENDATION:

The applicant is requesting a minor amendment to reduce the building setback from 15 feet, as required in the PUD, to 10 feet along the south property line of the residence located at 8638 South 73rd East Avenue. This request is for a single lot.

This request can be considered a Minor Amendment as outlined by Section 1007.H.9 PUD Section of the City of Tulsa Zoning Code.

“Changes in structure heights, building setbacks, yards open space, building coverage and lot widths or frontages, provided the approved Development Plan, the approved PUD standards and the character of the development are not substantially altered.”

The requested amendment to the south building setback would change the character of the street edge on East 87th Street South by placing a building five feet beyond the standards provided in the original PUD. The PUD standards for a side yard on a non-arterial street are consistent and the building setback defined in the RS-3 standards of the Zoning Code.

Staff has researched the area and determined the following:

- 1) There are no significant encroachments into the street side yard along East 87th Street South.
- 2) The requested five-foot encroachment into the right of way is not consistent with the approved development standards that have been implemented since the 1978 approval date.
- 3) All the single family residential lots in this neighborhood have been developed meeting the front and side yard standards with one minor amendment PUD 215-4 for a similar request allowing a lot to be developed with a porte-cochere. That amendment was approved in 1982.

The consistency of the neighborhood form throughout its development should be respected therefore staff recommends **DENIAL** of the request for a side yard reduction from 15 to 10 feet.

TMAPC COMMENTS:

In response to Mr. Walker, Mr. Wilkerson stated that he misunderstood the original application and he did recommend approval. However, upon further review and clarification of the request he realized that it would affect the character of the drive through 87th Street.

Applicant's Comments:

Mr. Newell declined to speak.

TMAPC COMMENTS:

Mr. Perkins stated that he is very familiar with the subject area. Mr. Perkins further stated that he agrees with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **DIX**, TMAPC voted **10-0-0** (Carnes, Covey, Dix, Edwards, Leighty, Liotta, Perkins, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Midget "absent") to **DENY** the minor amendment for PUD-215-15 per staff recommendation.

* * * * *

23. **Z-7250 – Bruce Robbins, Jr.**, Location: East of southeast corner of East 11th Street and South 177th East Avenue, Requesting rezoning from **AG TO IL**, (CD-6) (**Staff is requesting a continuance to January 22, 2014 for further review**)

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **COVEY**, TMAPC voted **10-0-0** (Carnes, Covey, Dix, Edwards, Leighty, Liotta, Perkins, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Midget "absent") to **CONTINUE** Z-7250 to January 22, 2014.

* * * * *

24. **Z-4900-SP-9 – Continental 302 Fund, LLC**, Location: Southeast corner of Mingo Road and East 75th Street, Requesting Corridor Development Plan, (CD-7) (**Staff is requesting a continuance to January 22, 2014 for further review**)

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **COVEY**, TMAPC voted **10-0-0** (Carnes, Covey, Dix, Edwards, Leighty, Liotta, Perkins, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Midget "absent") to **CONTINUE** Z-4900-SP-9 to January 22, 2014.

* * * * *

25. **Z-5636-SP-3 – Khoury Engineering, Inc.**, Location: Southwest corner of East 45th Street and South Garnett Road, Requesting a **Corridor Development Plan** for a mixed-use project for a hotel site and office building, (CD-7)

STAFF RECOMMENDATION:

ZONING ORDINANCE: Ordinance number 15263 dated January 25, 1982, established zoning for the subject property.

RELEVANT ZONING HISTORY:

BOA-20803 November 25, 2008: The Board of Adjustment accepted a Verification of Spacing Requirement for an outdoor advertising sign from another outdoor advertising sign on the same side of the highway (Section 1221.G.9), based upon the facts in this matter as they presently exist, subject to the action of the Board being void should another outdoor advertising sign be constructed prior to this sign, on property located at 10903 East Broken Arrow Expressway and also known as part of the subject property.

Z-7101/ Z-7101-SP-1 October 2008: All concurred in approval of a request for rezoning a 10± acre tract of land from OM to CO for offices, commercial and outdoor advertising sign on property located south of southeast corner of East 41st Street South and South 109th East Avenue.

BOA-20702 June 24, 2008: The Board of Adjustment accept a Verification of the spacing requirement for an outdoor advertising sign of 1,200 ft. from another outdoor advertising sign on the same side of the highway (Section 1221.F.2), based upon the facts in this matter as they presently exist, subject to the action of the Board being void should another outdoor advertising sign be constructed prior to this sign, on property located at 10903 East Broken Arrow Expressway and also known as part of the subject property.

Z-5636-SP-2 October 1994: All concurred in approval of a proposed Corridor Site Plan on a 7± acre tract of land for an outdoor advertising sign which is 40 feet high and 10 feet from the south and east property lines of Lot 1, Block 2, Towne Centre II, on property located east of the northeast corner of the Broken Arrow Expressway and the Mingo Valley Expressway and abutting east of subject property.

Z-5636 January 1982: All concurred in approval of a request for rezoning a 20± acre tract of land from OM/CS to CO to add additional buildings with multiple uses on property that had several new high-rise office buildings on property located west of the South Garnett Road and the Broken Arrow Expressway and abutting east of subject property.

Z-5048 February 1978: All concurred in approval of a request for rezoning a tract of land from RM-3/OM/CS to AG/RM-2/OM/CS on property located on the southeast corner of East 41st Street South and U.S. Highway 169 South and a part of the subject property.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 10± acres in size and is located Southwest corner of East 45th Street and South Garnett Road. The property appears to be vacant with a billboard on the property, and is zoned CO.

SURROUNDING AREA: The subject tract is abutted on the east by a multi story office building, zoned CO on the north by an apartment complex zoned RM-2 and CS; on the south by the Broken Arrow Expressway, further south across the expressway multi story office buildings and a regional detention pond are all included in PUD 312 with an underlying IL zoning; and on the west by multi story office buildings zoned CO.

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

TRANSPORTATION VISION:

The Comprehensive Plan Transportation vision does not have an impact on this parcel. The east end of the panhandle included in this request is all part of an open channel stormwater drainage system and is not developable at this time. South Garnett is planned to have a multi modal component in the future and is years away from implementation.

Staff Comment: The multimodal system on Garnett will not be affected with this development.

STREETS:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Garnett Road	Secondary Arterial	100	4
East 45 th Street	Collector	60 feet	2

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Employment Area:

The entire site is designated an Employment Area on the Land Use Maps inside the Comprehensive Plan. Employment areas contain office, warehousing, light manufacturing and high tech uses such as clean manufacturing or information technology. Sometimes big-box retail or warehouse retail clubs are found in these areas. These areas are distinguished from mixed-use centers in that they have few residences and typically have more extensive commercial activity.

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

Area of Growth:

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

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

Staff Comment: The entire parcel included in the rezoning request is included in an Employment Area and an Area of Growth. The Corridor Development Plan request is consistent with the vision of both components of the Comprehensive Plan. The City infrastructure for arterial streets, water and sanitary sewer are in place. Additional development using existing infrastructure is an important component of City Growth opportunities. This Corridor Development Plan request will encourage future development opportunities in this part of Tulsa.

Z 5636- SP-3 Development Standards:

Development Concept:

The development will be a mixed use project for a hotel site and office building and is prepared as a Corridor Development Plan pursuant to the

provision of the Tulsa Zoning Code. The site is approximately 10.1 acre parcel of land located near East 45th Street at South Garnett Road.

The proposed use consists of a 4 story hotel and outdoor advertising in Development Area A and a multistory office building in Development Area B. A conceptual Development Plan for the project is shown on Exhibit "A". The existing outdoor advertising sign adjacent to the Highway 51 (Broken Arrow Expressway) will remain on this property.

Development Standards:

Development Area A:

Permitted Uses: Use Unit 19 and 21

Net Development Area 3.16 Acres (137,685 square feet)

Maximum floor Area Ratio: 0.50

Minimum Building Setback:

From East Boundary	17.5 feet
From West Boundary	17.5 feet
From the South Boundary	25 feet
From the North Boundary	0 feet
From internal lot lines	15 feet

Maximum Building Height: 65 feet

Parking Ratio: As required by Use Unit 19 of the Tulsa Zoning Code

Landscape:

Landscape areas shall not be less than 15% of the net land area and shall meet or exceed the minimum standards outlined in the Landscape Chapter of the Zoning Code.

Trees shall be placed along the Broken Arrow Expressway meeting a street yard calculation equaling or exceeding one tree for each 1500 square feet assuming a 25' street yard. Trees shall be placed within 50 feet of the highway right of way and may be spaced evenly or grouped. These trees cannot be counted as part of any other tree requirement.

Lighting:

Parking lot and building mounted lighting shall not exceed 30 feet in height and shall be pointed downward.

Trash Enclosures:

Outside Trash containers shall be screened with masonry construction not less than 6' tall. Gates shall be steel frame with a minimum opacity of not less than 85%.

Signs:

All signage accessory to use unit 19 shall comply with the standards of the Tulsa Zoning Code as defined in Section 802.B.3.

Outdoor advertising signs are subject to the use conditions for outdoor advertising signs in section 1221.F and section 804 of the Tulsa Zoning Code. .

Detail Site Plan Review:

A detailed site Plan Shall be approved by TMAPC prior to the issuance of a Building Permit.

Development Area B:

Permitted Uses:	Use Unit 11
Net Development Area	6.93 Acres (302,024 square feet)
Maximum floor Area Ratio:	0.50
Minimum Building Setback:	
From East Boundary	17.5 feet
From West Boundary	17.5 feet
From the South Boundary	10 feet
From the North Boundary	200 feet
From internal lot lines	15 feet
Maximum Building Height:	65 feet
Parking Ratio:	As required by Use Unit 11 of the Tulsa Zoning Code

Landscape:

Landscape areas shall not be less than 15% of the net land area and shall meet or exceed the minimum standards outlined in the Landscape Chapter of the Zoning Code.

Trees shall be placed along South Boundary of the mutual access meeting a street yard calculation equaling or exceeding one tree for each 1500 square feet assuming a 25' street yard. Trees shall be placed within 50 feet of the highway right of way and may be

spaced evenly or grouped. These trees cannot be counted as part of any other tree requirement.

Lighting:

Parking lot and building mounted lighting shall not exceed 30 feet in height and shall be pointed downward.

Trash Enclosures:

Outside Trash containers shall be screened with masonry construction not less than 6' tall. Gates shall be steel frame with a minimum opacity of not less than 85%.

Signs:

All signage accessory to use unit 19 shall comply with the standards of the Tulsa Zoning Code as defined in Section 802.B.3.

Outdoor advertising signs are subject to the use conditions for outdoor advertising signs in section 1221.F and section 804 of the Tulsa Zoning Code. .

Detail Site Plan Review:

A detailed site Plan Shall be approved by TMAPC prior to the issuance of a Building Permit.

Applicant Exhibits:

Conceptual Site Plan Exhibit
Development Area A Building Exhibits
Wall Signage Exhibits
Pylon Sign Exhibits

STAFF RECOMMENDATION:

The proposed Corridor Development Plan is consistent with the Comprehensive Plan.

The Corridor Development plan is in harmony with the existing and expected development of surrounding areas.

The Corridor Development plan provides a unified treatment of the development possibilities of the project site.

The Corridor Development Plan is consistent with the stated purposes and standards of Corridor Chapter of the Tulsa Zoning Code.

Therefore staff recommends **APPROVAL** of Z-5636-SP-3 as outlined in the Development Standards referenced above and further represented in concept as shown in the applicant exhibits included.

TMAPC COMMENTS:

Mr. Carnes asked if the façade is masonry up to a point and then wood siding. Mr. Wilkerson stated that is correct. Mr. Carnes stated that is certainly nothing like the surrounding development. Mr. Wilkerson stated that there is a wide variety of architectural styles in the subject area with brick and glass on the other buildings.

In response to Mr. Leighty, Mr. Wilkerson stated that in a corridor plan the architectural features can be considered.

TMAPC COMMENTS:

Mr. Perkins stated that this is an important corridor and would his client would consider the building full masonry.

Applicant's Comments:

Malek Khoury, P.O. Box 52231, Tulsa, Oklahoma 74152, stated that his client would consider the masonry façade if it is required by the TMAPC.

Mr. Leighty asked Mr. Khoury if he was involved with the property at 36th and Sheridan, which is similar to today's application. Mr. Khoury stated that he was not the engineer on that property, except for the drainage to the south of the project. Mr. Khoury stated that the building proposed today is the exact same building that is at 36th and Sheridan. Mr. Khoury further stated that he understands that his client is adding more masonry and more landscaping. He explained that the cost will be more and that has to be considered by this client. Mr. Khoury stated that the property on Sheridan was developed by a different developer, but recently purchased by his client.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 10 members present:

On **MOTION** of **PERKINS**, TMAPC voted **10-0-0** (Carnes, Covey, Dix, Edwards, Leighty, Liotta, Perkins, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Midget "absent") to recommend **APPROVAL** of the Corridor Development Plan for Z-5636-SP-3 per staff recommendation, with the modification of full masonry.

Legal Description for Z-5636-SP-3:

LOT ONE (1), BLOCK TWO (2), TOWNE CENTRE II, AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO. 3797. AND, LOT ONE (1), BLOCK TWO (2), TOWNE CENTRE, AN ADDITION TO THE CITY

OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO. 3744, LESS AND EXCEPT THE PROPERTY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT ONE (1); THENCE NORTH 89°51'31" WEST ALONG THE NORTH LINE OF LOT TWO (2) A DISTANCE OF 272.51 FEET; THENCE ALONG THE NORTH LINE OF LOT TWO (2), ON A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 22°57'17" AND A RADIUS OF 299.71 FEET A DISTANCE OF 120.07; THENCE ALONG THE NORTH LINE OF LOT TWO (2) NORTH 66°54'14" WEST A DISTANCE OF 413.65 FEET; THENCE NORTH 21°25'56" EAST A DISTANCE OF 96.50 FEET; THENCE NORTH 66°54'14" WEST A DISTANCE OF 27.70 FEET; THENCE NORTH 23°05'15" EAST A DISTANCE OF 232.43 FEET; THENCE NORTH 68°34'10" WEST A DISTANCE OF 19.96 FEET; THENCE NORTH 23°05'15" EAST A DISTANCE OF 35.75 FEET; THENCE SOUTH 70°51'31" EAST A DISTANCE OF 178.86 FEET; THENCE ON A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 19°00'00" AND A RADIUS OF 492.18 FEET A DISTANCE OF 163.21 FEET; THENCE SOUTH 89°51'31" EAST A DISTANCE OF 13.51 FEET; THENCE ON A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 35°00'00" AND A RADIUS OF 193.87 FEET A DISTANCE OF 118.43 FEET; THENCE SOUTH 54°51'31" EAST DISTANCE OF 127.63 FEET; THENCE ON A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 35°00'00" AND A RADIUS OF 202.58 FEET A DISTANCE OF 123.75 FEET TO A POINT ON THE WEST R/W OF SOUTH GARNETT ROAD; THENCE SOUTH 00°08'29" WEST ALONG SAID R/W A DISTANCE OF 310.03 FEET TO THE POINT OF BEGINNING.

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OTHER BUSINESS

Mr. Walker stated that this is his last meeting as chairman and he would like to thank some people. Mr. Walker thanked his fellow Commissioners and staff, Barbara Huntsinger, Susan Miller, Diane Fernandez and everyone on TMAPC staff. Mr. Walker further thanked the previous chairman and attorneys. Mr. Walker stated that it has been a good two years, but long two years that he has enjoyed.

26. Election of TMAPC Officers for 2014

Mr. Walker stated that the nominating committee consisted of Dwain Midget, Mark Liotta, and himself and the nominations are as follows: Michael Covey, Chair; John Dix, 1st Vice Chair; Ryon Stirling, 2nd Vice Chair; John Shivel, Secretary.

TMAPC COMMENTS:

Mr. Dix stated that he doesn't believe that Mr. Stirling can be 2nd Vice Chair for a third term.

After discussion the following nominees were made: Michael Covey, Chair; John Dix, 1st Vice Chair; John Shivel, 2nd Vice Chair; Ryon Stirling, Secretary.

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **LIOTTA**, TMAPC voted **10-0-0** (Carnes, Covey, Dix, Edwards, Leighty, Liotta, Perkins, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Midget "absent") to **APPROVE** the following for TMAPC Officers for 2014: Chair, Michael Covey; 1st Vice Chair, John Dix; 2nd Vice Chair, John Shivel; Secretary, Ryon Stirling.

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27. Commissioners' Comments: Mr. Perkins stated that he would like to thank the staff and fellow Planning Commissioners for their work and dedication. Mr. Perkins explained that his term is coming to an end and he will not be seeking reappointment, but he is willing to serve until his position is filled.

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TMAPC Action; 10 members present:

On **MOTION** of **COVEY**, TMAPC voted **10-0-0** (Carnes, Covey, Dix, Edwards, Leighty, Liotta, Perkins, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Midget "absent") to **ADJOURN** TMAPC meeting No. 2665.

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Ms. Miller stated that Nathan Foster has been hired and will be a Land Regulation Specialist for the Land Development Services Department.

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ADJOURN

There being no further business, the Chair declared the meeting adjourned at 2:03 p.m.

Date Approved:

01-22-2014


Chairman

ATTEST: 
Secretary