

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 2668

Wednesday, February 19, 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
Covey	Carnes	Fernandez	Duke, COT
Dix	Liotta	Huntsinger	VanValkenburgh, Legal
Midget	Perkins	Miller	
Shivel		White	
Stirling		Wilkerson	
Walker			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Tuesday, February 18, 2014 at 10:34 a.m., posted in the Office of the City Clerk, as well as in the Office of the County Clerk.

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

REPORTS:

Chairman’s Report:

Mr. Covey reported that Mr. Gene Edwards has submitted his resignation from the TMAPC. Mr. Edwards was going to be presented a certificate of appreciation today; however, his schedule wouldn’t allow for that.

Director’s Report:

Ms. Miller reported on the TMAPC receipts for the month of January 2014. Ms. Miller indicated that the receipts were up and consistent with January 2013. Ms. Miller reported on the City Council agenda and the Board of County Commissioner’s agenda.

Ms. Miller reported that Mr. Reeds will be before the City Council on Thursday, February 20, 2014 for confirmation to the TMAPC.

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1. **Minutes:**

Approval of the minutes of January 22, 2014, Meeting No. 2666

On **MOTION** of **DIX**, the TMAPC voted 6-0-0 (Covey, Dix, Midget, Shivel, Stirling, Walker “aye”; no “nays”; none “abstaining”; Carnes, Liotta, Perkins “absent”) to **APPROVE** the minutes of the meeting of January 22, 2014, Meeting No. 2666.

2. **Minutes:**

Approval of the minutes of February 5, 2014 Meeting No. 2667

On **MOTION** of **DIX**, the TMAPC voted 6-0-0 (Covey, Dix, Midget, Shivel, Stirling, Walker “aye”; no “nays”; none “abstaining”; Carnes, Liotta, Perkins “absent”) to **APPROVE** the minutes of the meeting of February 5, 2014, Meeting No. 2667.

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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.

3. **LS-20675** (Lot-Split) (CD 4) – Location: Northeast corner of East 26th Place South and South Lewis Avenue (Related to: LC-556)
4. **LC-556** (Lot-Combination) (CD 4) – Location: East of the northeast corner of East 26th Place South and South Lewis Avenue (Related to: LS-20675)
5. **LC-557** (Lot-Combination) (County) – Location: West of the southwest corner of West 58th Street South and South 170th West Avenue
6. **LS-20677** (Lot-Split) (CD 8) – Location: South of the southwest corner of East 119th Street South and South Sheridan Road (Related to: LC-558 & LC-559)
7. **LC-558** (Lot-Combination) (CD 8) – Location: Southwest corner of East 119th Street South and South Sheridan Road (Related to: LS-20677)
8. **LC-559** (Lot-Combination) (CD 8) – Location: South of the southwest corner of East 119th Street South and South Sheridan Road (Related to: LS-20677)
9. **LC-560** (Lot-Combination) (CD 8) – Location: South of the southwest corner of East 119th Street South and South Oxford Avenue

10. **LC-561** (Lot-Combination) (CD 8) – Location: South of the southeast corner of East 119th Street South and South Norwood Avenue
11. **LC-562** (Lot-Combination) (CD 8) – Location: South of the southwest corner of East 119th Street South and South Norwood Avenue
12. **LC-563** (Lot-Combination) (CD 8) – Location: Northwest corner of East 119th Street South and South Sheridan Road
13. **LC-564** (Lot-Combination) (County) – Location: West of the northwest corner of West 15th Street South and South 263rd West Avenue
14. **LC-565** (Lot-Combination) (CD 8) – Location: North of the northwest corner of East 121st Street South and South Braden Avenue

LC-565 has been withdrawn.

15. **Change of Access** – Lot 1, Block 1, Airport Quick Parking Facility, South of Apache Street, east of North Sheridan Road (CD 3)

STAFF RECOMMENDATION:

This application is made to allow a change of access to shift one access along North Sheridan Road. The property is zoned IL (Industrial Light).

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

16. **PUD-793 – Craig Thurmond**, Location: West of South 177th East Avenue (Lynn Lane) on the south side of East 41st Street South, Requesting **Detail Site Plan** for an entry feature on East 41st Street South and a clubhouse facility inside this subdivision, **RS-4** (CD-6)

STAFF RECOMMENDATION:

CONCEPT STATEMENT:

The applicant is requesting detail site plan approval for an entry feature on East 41st Street South and a clubhouse facility inside this subdivision. Both facilities are located in reserve areas and will be operated and maintained by a home owners association.

PERMITTED USES:

Allowed uses are single-family residences and customary accessory uses. The entry feature and clubhouse facility are accessory uses typical of this style of single-family dwelling projects historically developed in Tulsa.

DIMENSIONAL REQUIREMENTS:

The submitted site plans meets all applicable building height, floor area, and setback limitations. No modifications of the previously approved Planned Unit Development are required for approval of this site plan. The draft final plat is working its way through the approval process and is consistent with the conceptual plan included in the PUD package.

ARCHITECTURAL GUIDELINES:

The new clubhouse and entry features 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 the clubhouse will be through a combination of residential street construction and a private trail system meandering along the west property line.

LIGHTING:

Site lighting will meet the minimum standards outlined in the Planned Unit Development and in the Zoning Code.

PEDESTRIAN ACCESS AND CIRCULATION:

Sidewalk improvements are part of the subdivision construction and are part of a pedestrian system that provides circulation through large open space and on street sidewalk systems. The Clubhouse area is pedestrian friendly and multiple access points have been provided.

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-793**. 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 entry feature and clubhouse facility.

17. **AC-126 – Lou Reynolds**, Location: West of the southwest corner of South Utica Avenue at East 8th Street South, Requesting **Alternative Compliance Landscaping Plan** for a commercial kitchen on East 8th Street South, **CH** (CD-4)

STAFF RECOMMENDATION:

See consideration of items removed from the consent agenda.

18. **PUD-579-A – Khoury Engineering, Inc.**, Location: West of Highway 169 and north of East 81st Street South, Requesting **Detail Site Plan** for a new 5,834 square foot office building, **CO** (CD-7)

STAFF RECOMMENDATION:

CONCEPT STATEMENT:

The applicant is requesting detail site plan approval for a new 5,834 square foot office building

PERMITTED USES:

Church, nursing home, schools, private clubs as permitted in Use Unit 2; community centers, as permitted in Use Unit 5; townhouse dwellings and multifamily dwellings; offices and studios as permitted in Use Unit 11; and uses customarily accessory to permitted uses. This building is Use Unit 11 and allowed by right.

DIMENSIONAL REQUIREMENTS:

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

ARCHITECTURAL GUIDELINES:

The architectural style is not limited 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.

LIGHTING:

Site lighting will meet the minimum standards outlined in the Planned Unit Development and in the Zoning Code.

PEDESTRIAN ACCESS AND CIRCULATION:

Sidewalk improvements are adequately shown on this project.

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-579-A**. 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 office building.

19. **Z-5636-SP-3 – Khoury Engineering, Inc.**, Location: West of South Garnett Road on the north side of the Broken Arrow Expressway, Requesting **Corridor Detail Site Plan** for a new 45,432 square foot three-story hotel, **CO** (CD-5)

STAFF RECOMMENDATION:

See consideration of items removed from the consent agenda.

Mr. Covey stated that Items 14, 17 and 19 will be moved to the public hearing.

The Planning Commission considered the consent agenda.

There were no interested parties wishing to speak.

TMAPC Action; 6 members present:

On **MOTION** of **DIX**, TMAPC voted **6-0-0** (Covey, Dix, Midget, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Carnes, Liotta, Perkins "absent") to **APPROVE** the consent agenda Items 3 through 13, 15, 16 and 18 per staff recommendation.

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

CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA:

14. **LC-565** (Lot-Combination) (CD 8) – Location: North of the northwest corner of East 121st Street South and South Braden Avenue

STAFF RECOMMENDATION:

The applicant has withdrawn this application.

17. **AC-126 – Lou Reynolds**, Location: West of the southwest corner of South Utica Avenue at East 8th Street South, Requesting **Alternative Compliance Landscaping Plan** for a commercial kitchen on East 8th Street South, **CH** (CD-4)

STAFF RECOMMENDATION:

Applicant has requested a continuance to March 5, 2014.

There were no interested parties wishing to speak.

TMAPC Action; 6 members present:

On **MOTION** of **MIDGET**, TMAPC voted **6-0-0** (Covey, Dix, Midget, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Carnes, Liotta, Perkins "absent") to **CONTINUE** the AC-126 to March 5, 2014.

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19. **Z-5636-SP-3 – Khoury Engineering, Inc.**, Location: West of South Garnett Road on the north side of the Broken Arrow Expressway, Requesting **Corridor Detail Site Plan** for a new 45,432 square foot three-story hotel, **CO** (CD-5)

STAFF RECOMMENDATION:

CONCEPT STATEMENT:

The applicant is requesting detail site plan approval for a new 45,432 square foot ~~three~~ four-story hotel.

PERMITTED USES:

Use Units 19 (Hotel, Motel and Recreation) and Use Unit 21(outdoor advertising) are permitted within this section of the Corridor District. This project is Use Unit 19 and allowed by right.

DIMENSIONAL REQUIREMENTS:

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

ARCHITECTURAL GUIDELINES:

The City Council has approved the masonry, cement board siding and EIFS exterior finishes after the Planning Commission recommendation to require full masonry exterior construction. The Building elevation is the same building elevation approved by the City Council 2/6/2014.

OFF-STREET PARKING AND VEHICULAR CIRCULATION:

The site plan exceeds the minimum parking defined in the Tulsa Zoning Code and the Planned Unit Development.

LIGHTING:

Site lighting will meet the minimum standards outlined in the Corridor Development Plan and will be pointed down. Flood lighting from the ground or building is not permitted.

SIGNAGE:

The site plan illustrates ground sign locations which require a separate permit. All signage will meet the Corridor Development guidelines. 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 site plan as it relates to open space, landscape areas and screening is consistent with the Corridor Development standard requirements and it meets the minimum standards of the Landscape portion of the Tulsa Zoning Code. All trash receptacles are screened from public view. This staff report does not remove the requirement for a separate landscape plan review process.

PEDESTRIAN ACCESS AND CIRCULATION:

Sidewalk improvements are adequately shown on this project.

MISCELLANEOUS SITE CONSIDERATIONS:

There are no concerns regarding the development of this area as it relates to the terrain modifications or its effects on adjacent property owners.

SUMMARY:

Staff has reviewed the applicant's submittal of the site plan as it relates to the approved **Corridor Development Plan Z-7536-A (Development Area A)**. The site plan submittal meets or exceeds the minimum requirements of the Corridor standards.

Staff finds that the uses and intensities proposed with this site plan are consistent with the approved Corridor Development Plan, 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 hotel.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 6 members present:

On **MOTION** of **SHIVEL**, TMAPC voted **6-0-0** (, Covey, Dix, Midget, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Carnes, Liotta, Perkins "absent") to **APPROVE** the corridor detail site plan for Z-5636-SP-3 per staff recommendation as amended. (Language underlined has been added and language with a strike-through has been deleted.)

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PUBLIC HEARINGS:

20. **LS-20676** (Lot-Split) (County) – Location: North of the northwest corner of West Fourth Street and North Willow Road

STAFF RECOMMENDATION:

The Lot-Split proposal is to split an existing RS (Residential Single Family) 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 Technical Advisory Committee met on February 6, 2014 and had no comments.

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

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 6 members present:

On **MOTION** of **MIDGET**, TMAPC voted **6-0-0** (Covey, Dix, Midget, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Carnes, Liotta, Perkins "absent") to **APPROVE** the waiver of *Subdivision Regulations* and the lot-split for LS-20676 per staff recommendation.

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21. **Wind River Crossing** – Preliminary Plat, Location: West of the northwest corner of East 121st Street South and South Yale Avenue (CD 8)

STAFF RECOMMENDATION:

This plat consists of 65 Lots, 4 Blocks, on 18.9 acres.

The following issues were discussed February 6, 2014, at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned Planned Unit Development 804. Bixby will be sent a referral and may have concern about a future bridge location. Any least tern and eagle habits will have to be protected per Department of Fish and Wildlife. Private streets and a gated community are proposed.
2. **Streets:** Provide 6 foot wide sidewalk easement along both sides of all streets. Provide street names and widths. Provide sidewalks along all streets. Entrance bulb areas subject to adjustment based on design conditions to be reviewed for IDP (infrastructure development plan) process.
3. **Sewer:** Along the east boundary line of Lots 23 – 25, Block 1, change the proposed 15 foot utility easement to a 17.5 foot utility easement. A 17.5 foot utility easement is also required along the south boundary line of Blocks 1, 3 and 4. In Section I.13, the word planning should be planting. Since lots 1-16 Block 1 already have access to the existing sanitary sewer line in Wind River, we don't need the proposed sewer line shown on the conceptual plans. The proposed sewer lines in Blocks 2 and 4 are not in the standard location. They should be in the west and south side of the property line. If TAC members have no objection, the line can remain as shown.

4. **Water:** The proposed location of the water mains within the subdivision does not allow for maintenance repairs. Center the water mainline inside the 10 foot restricted waterline easement. On block 1, lot 23; the proposed 18.5 foot utility easement should be denoted as a restricted waterline easement. Within the subdivision entrances it appears something is being constructed over the water lines. That will not be allowed. A 12 inch ductile iron pipe will be required along East 121st Street South.
5. **Storm Drainage:** Much of the property is within the City of Tulsa regulatory floodplain. All floodplain requirements must be addressed. Note that the 1986 flood is being evaluated for adoption as the Tulsa Regulatory Floodplain. Reference section 1.7; the phrase "and from property outside the subdivision" has been removed and should be added back in. Add a note that the area was flooded in 1986.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** Additional easements may be needed. Bixby telephone will serve the addition.
7. **Other: Fire:** Fire hydrants will be required per IFC 2009 section 507.5. Knox access will be required on all gates. All gates shall have a 20 foot clear opening. All hammerheads shall meet the requirements of IFC 2009 Appendix D103.4.
8. **Other: GIS:** No email address for engineer and surveyor, not all subdivisions shown on location map, street names needed before final plat, are you vacating South Toledo Avenue?, need subdivision control data sheet. Separate ONG and general utility easements. Clarify fence easement with the ONG easement.

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; 6 members present:

On **MOTION** of **MIDGET**, TMAPC voted **6-0-0** (Covey, Dix, Midget, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Carnes, Liotta, Perkins "absent") to **APPROVE** the preliminary plat for Wind River Crossing per staff recommendation, subject to special conditions and standard conditions.

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22. **Legends on Memorial – Preliminary Plat**, Location: East of South Memorial Drive and north of East 91st Street South (CD 7)

STAFF RECOMMENDATION:

This plat consists of 2 Lots, 1 Block, on 2 acres.

The following issues were discussed February 6, 2014, at the Technical Advisory Committee (TAC) meetings:

1. **Zoning:** The property is zoned Planned Unit Development 805. Standards for PUD must be met.
2. **Streets:** Access designation should be same width as mutual access easement unless it is existing. Modify sidewalk language to reflect actual condition on site. Remove sentence "The owner/developer shall construct... onto minor streets." Modify last sentence to read "Owner/developer shall construct required sidewalks. Sidewalks must be constructed by developer and not "By Others". Sidewalk installation will need to meet with approval of IDP plan and Development Services staff approval.
3. **Sewer:** The standard location of the proposed sanitary sewer line is 12.5 feet from the property line within a 17.5-foot perimeter easement.
4. **Water:** No comment.
5. **Storm Drainage:** Reference is made to the floodplain atlas dated June 2010. Use the latest edition, presently April 2013. Runoff may not be allowed to sheet flow off of the property. Submit a detention determination.

6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** Additional easements may be needed. Reference the dedication document for the northern PSO easement. Does the ONEOK easement allow drives and parking?
7. **Other: Fire:** A fire hydrant will be required within 400 feet of any part of a non-sprinkled structure as the hose lays and within 600 feet of any part of a sprinkled structure.
8. **Other: GIS:** Scale not correct, State coordinate system used in Basis of Bearing, show all subdivisions on location map, remove contours from plat drawing, change outer boundary format to show total distance of the east and west line. Then show the individual lot dimensions (if different then total line distance) inside the lot, lots need addressing before final plat, need subdivision data control sheet.

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; 6 members present:

On **MOTION** of **MIDGET**, TMAPC voted **6-0-0** (Covey, Dix, Midget, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Carnes, Liotta, Perkins "absent") to **APPROVE** the preliminary plat for Legends on Memorial per staff recommendation, subject to special conditions and standard conditions.

23. Authorization for an Accelerated Release of Building Permit –
Location: South of the southwest corner of East 103rd Street and South Memorial Drive (CD 8)

STAFF RECOMMENDATION:

The property is zoned CS (commercial shopping) and AG (agricultural). Full permits are requested. A preliminary subdivision plat for the subdivision was approved on June 5, 2013.

Review of this application must focus on the extraordinary or exceptional circumstances that extend the normal processing schedule and on the benefits and protections to the City that may be forfeited by releasing the Building Permit prior to filing of the final plat and must comply in all respects with the requirements of the approved preliminary plats per Section 2.5 of the Subdivision Regulations.

The applicant offers the following explanation of the extraordinary and exceptional circumstances that serve as the basis for this request: There is no detriment to the City in releasing the building permit prior to filing of the final plat and the City will be benefitted by improving the scope and availability of medical services in an area where similar services and facilities are lacking and providing high quality jobs to the area. All IDP plans have been approved by the City. There have been additional easements recorded to take care of access and utility issues between the property and the abutting property.

The following information was provided by the Technical Advisory Committee in its meeting February 6, 2014:

ZONING: TMAPC Staff: Full permits are requested.

STREETS: Transportation: No comment.

SEWER: Public Works, Waste Water: No water or sanitary sewer taps for service can be issued until the proposed sanitary sewer main extension has been completed and accepted by the City for service.

WATER: Public Works, Water: No comments.

STORM DRAIN: Public Works, Storm Water: No comments.

FIRE: Public Works, Fire: No comments.

UTILITIES: Franchise Utilities: No comments.

The accelerated building permits were originally designed to accommodate large campus style type of developments and should concentrate upon “the benefits and protections to the City that may be forfeited by releasing the building permit prior to the filing of the plat”. These requested permits could adhere to this ideal.

The TAC (Technical Advisory Committee) did not object to the accelerated building permit.

Applicant’s Comments:

Lou Reynolds, 2727 East 21st Street, 74114, representing Warren Clinic, stated that the release of the plat has been tied up with an off-site issue related to its access and the centerline of Memorial and the median. This is something that he didn’t have control over and the City of Tulsa had no control over it, but it is now being resolved with ODOT. Mr. Reynolds explained that his client has missed a lot of nice weather and are falling behind on their schedule. The project is ready to pour the pad and tie it in to lines for sewer and water. The electric lines are in place to come out of the ground for the lights. Mr. Reynolds stated that his client has been delayed by problems that are not of his making or the Cities making for some time and need to forward with the project.

Mr. Dix stated that he is normally against accelerated permits and show his disapproval in his vote.

There were no interested parties wishing to speak.

TMAPC Action; 6 members present:

On **MOTION** of **MIDGET**, TMAPC voted **4-2-0** (Midget, Shivel, Stirling, Walker "aye"; Covey, Dix "nays"; none “abstaining”; Carnes, Liotta, Perkins "absent") to recommend **APPROVAL** the authorization for an accelerated release of building permit per staff recommendation.

* * * * *

24. **PUD-807 – Association For Direct Care Trainers, Inc.**, Location: Northwest corner of North Yorktown Place and East Apache Street, Requesting PUD for an assisted living facility, from **RS-3 to RS-3/PUD-807**, (CD-1)

STAFF RECOMMENDATION:

ZONING ORDINANCE: Ordinance number 11809 dated June 26, 1970, established zoning for the subject property.

RELEVANT ZONING HISTORY:

BOA-12253 October 28, 1982: The Board of Adjustment approved a Special Exception to allow a pre-school in an RS-3 district, on property located at 2703 North Yorktown Place and abutting east, across N. Yorktown Pl., of subject property.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 6760± square feet in size and is located Northwest corner of North Yorktown Place and East Apache Street. The property appears to be a single family residence and is zoned RS-3. The site is an existing single family residential structure which will remain but will be renovated to accommodate a group home.

SURROUNDING AREA: The subject tract is abutted on the east by Board of Education Property, zoned RS-3; on the north, south and west by single family residential, zoned RS-3.

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

TRANSPORTATION VISION:

The Comprehensive Plan designates East Apache as a secondary arterial. There are no special considerations in the Comprehensive Plan for this street. The Existing structure locations along Apache Street will prohibit the dedication of any additional right of way for the foreseeable future.

STREETS:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
North Yorktown Place	NA	50 feet	2
East Apache Street	Secondary Arterial	100 feet	4

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Land Use Designation:

PUD 807 is entirely within an **Existing Neighborhood** land use designation. An 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.

Staff Comment: PUD 807 is consistent with the vision identified for appropriate infill. The applicant had already submitted plans to the building permit office and received a letter of deficiency suggesting a presentation to the Board of Adjustment however due to the number of items that need relief it was staff opinion that the best method for accomplishing this infill development was through a PUD.

Growth and Stability Designation:

This PUD is part of an area mapped as an **Area of Growth** in the Areas of Stability and Growth map. 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.

Staff Comment: PUD 807 is consistent with the vision identified for appropriate infill in Existing Neighborhood and Areas of Growth designations.

APPLICANTS DEVELOPMENT CONCEPT:

The Association for Direct Care Trainers, Inc., (AFDCT, Inc.) provides Habilitation Training Services to persons with developmental disabilities in a home setting. We help these individuals increase their independence and to live in the community successfully. We help with daily living skills such as cooking housekeeping, laundry safety skills, money management, accessing medical care, participation in community activities, advocacy and employment skills. AFDCT, Inc. has been successfully providing these services for more than 21 years to the greater Tulsa area. More than 100 families are being served by the more than 120 AFDCT, Inc. employees. AFDCT, Inc. is a For Profit Business contracting with the state of Oklahoma.

This facility will be located in an existing structure located at 2604 North Yorktown Place East in Tulsa and will accommodate up to five residents in an existing residential structure which will be remodeled and an addition added to the structure. The 0.16 acre lot is a platted property and is zoned RS-3. The proposed addition/renovations shall provide adequate space and shall maintain the residential character of the neighborhood.

The client base are individuals who are currently living in their families home and life changes have affected their families' ability to provide an around the clock, sound and secure in-home supervised environment. The residents shall be provided 24 hour supervision which will require six employees. This staff and its facility will be monitored by The Department of Human Services. Van transportation may be provided. Not more than 4 vehicles will be located on the site at any time with additional accommodations for at least one vehicle that has capacity to carry up to 10 passengers which may be parked temporarily on the property. AFDCT, Inc. will utilize additional security and monitoring services to insure the safety and welfare of the residents and community.

APPLICANTS REFERENCED EXHIBITS:

- Exhibit 1 Conceptual Site Plan
- Exhibit 2 Privacy Fence Details
- Exhibit 3 Fred Thompson Addition Subdivision and deed of dedication
- Exhibit 4 Residential Driveway

PUD 807 DEVELOPMENT STANDARDS:

Gross land area: 0.316 acres

Permitted uses:

Use Unit 6 (Single-Family Dwelling) and Use Unit 8 (Multifamily and Similar Uses) but limited to an assisted living facility with 24 hour supervision as required for a community group home monitored by the Department of Human Services.

Maximum Dwelling Units Bedrooms: 5

Minimum Lot Width: 53 feet

Minimum Lot Size: 6890 square feet

Minimum Livability Space:

2000 square feet (Open space not allocated to parking or drives but includes drives within the rear yard)

Maximum Building Height: 35 feet

Minimum Setbacks:

- From centerline of North Yorktown Pl. East 55 feet*
- From centerline of East Apache Street 44 feet**
- From North boundary of PUD 10 feet
- From West boundary of PUD 25 feet

*The existing front porch illustrated on the conceptual site plan may remain and be maintained in its present form.

**The existing structure is located 44'-7" from the centerline. New construction shall match the existing structure setback.

Other Bulk and Area Requirements:

As provided within an RS-3 District

Off-street parking:

Within the lot, a minimum of 3 parking spaces shall be provided with at least one space being accessible and meeting American Disability Act guidelines for a van accessible space.

Landscape and Screening Requirements:

The site will be screened from the abutting properties on the north and west. A six-foot wood screening fence will be installed along those property lines except where a four-foot height limit is required between the property line and the building setback lines.

Trees and shrubs shall be planted and maintained within the Apache and the Yorktown Place street yard. A minimum of four trees shall be planted in the Apache Street Yard. The existing tree shall be saved and maintained in the Yorktown Street Yard. In the event that the Yorktown tree is replaced it shall be replaced with a minimum 2.5" caliper shade tree with a minimum height of 14 feet.

Shrubs shall be placed on the south and east sides of the lots between the building and property line. A minimum of 40 – five-gallon shrubs shall be installed creating an effective foundation planting adjacent to the house.

All shrubs and trees shall be irrigated with an underground irrigation system and maintained in a healthy condition.

Lighting:

All lighting shall be residential style lighting and directed down and away from adjacent property lines. No lighting will be more than 12' height whether building or ground mounted.

Signage:

Ground signage is not allowed. One wall mounted sign may be installed on the structure. The maximum size of the sign shall not exceed 12 square feet and may not be illuminated.

ACCESS AND CIRCULATION:

Vehicular access shall be derived from East Apache and North Yorktown. The materials and construction standards and specifications for the driveway access inside the private street right of way shall meet or exceed the City of Tulsa standards for residential and arterial street construction.

Sidewalks shall be constructed and maintained in the Apache and Yorktown right of way meeting City of Tulsa standards for sidewalk construction.

UTILITIES AND DRAINAGE:

There are no significant concerns regarding the Planned Unit Development related to any of the infrastructure requirements for utilities and drainage.

SITE PLAN REVIEW:

A detailed site plan shall be submitted and approved in a public hearing at the Planning Commission meeting or exceeding the standards of the PUD.

STAFF RECOMMENDATION:

PUD-807 is consistent with the stated purposes of the PUD Chapter of the Tulsa Zoning Code

The Planned Unit Development is an infill project that is consistent with the concepts presented in the Existing Neighborhood and Areas of Growth sections of the Comprehensive Plan.

The Planned Unit Development provides specific, signage, screening, landscaping and lighting guidelines which provide a site that is harmonious with the existing and expected development of the surrounding areas.

Therefore staff recommends **APPROVAL** of PUD-807 as outlined in the Applicant's Development Concept, referenced exhibits and development standards outlined above.

Mr. Wilkerson stated that he discussed with Legal the references to dwelling unit and the Zoning Code as it relates to this application. Mr. Wilkerson stated that he would like to change the wording from "dwelling unit" to "bedroom".

TMAPC COMMENTS:

Mr. Midget questioned the parking and access points. Mr. Wilkerson stated that there will be a driveways built off of Apache and Yorktown. Mr. Wilkerson indicated that the Yorktown driveway is an existing driveway. Mr. Midget stated that there is an existing driveway on Apache as well.

Mr. Wilkerson stated that during the detail site plan the parking and access points can be addressed.

In response to Mr. Covey, Mr. Wilkerson described the facility as a transitional living center. He suggested that the applicant could better explain the facility. Mr. Wilkerson stated that there is always a caregiver present and it is a licensed facility with the Health Department. Mr. Covey asked Mr. Wilkerson if staff was comfortable with this use going into a land use plan category of "Existing Neighborhood". Mr. Wilkerson stated that it is something that is allowed in the Zoning Code through the Board of Adjustment with a special exception or through a Planned Unit Development. Mr. Wilkerson further stated that the Comprehensive Plan allows for small scale infill in an existing neighborhood environment.

Applicant's Comments:

Delanor Smith, 3831 Lakehurst Drive, Memphis, TN 38128, indicated that he is in agreement with staff's recommendation.

Mr. Midget asked if there would be staff at the facility at all times. Mr. Smith stated that this is a 24-hour facility and there would be staff there at all times. The facility is for people that require 24-hour supervision when family members are unable to provide it.

In response to Mr. Midget, Mr. Smith stated that the van will be located on off-site and used when there are scheduled off-site activities. Mr. Midget explained that he is interested in maintaining as much as possible the residential character of the neighborhood. Mr. Midget commented that this is a good use and appreciated that the applicant filed a PUD.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 6 members present:

On **MOTION** of **MIDGET**, TMAPC voted **6-0-0** (Covey, Dix, Midget, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Carnes, Liotta, Perkins "absent") to recommend **APPROVAL** of PUD-807 per staff recommendation as modified by staff changing " Dwelling Unit " to " Bedroom ". (Language underlined has been added and language with a strike-through has been deleted.)

Legal Description for PUD-807:

Lot 5, Block 5, Fred Thompson Addition, an addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof.

* * * * *

25. **Z-7253 – TMAPC**, Location: Berryhill Annexation Area, Requesting rezoning from **AG to RS-3/IL/IM**, (CD-2)

STAFF RECOMMENDATION:

ZONING ORDINANCE: Ordinance number 22727 dated August 16, 2012, states the annexation into the City of Tulsa and established zoning for the subject property as AG.

** Resolution number 98254 dated September 15, 1980 established zoning for the subject properties when they were in the unincorporated Tulsa County limits, unless noted below.

RELEVANT ZONING HISTORY:

CZ-291 October 2001: All concurred in approval of a request for rezoning a 10± acre tract of land from RS to IL for light industrial/ mini-storage on property located west of the northwest corner of West 51st Street and South 49th West Avenue and a part of subject property.

CZ-240 February 1998: All concurred in approval of a request for rezoning a 1± acre tract of land from IL to RS for residential use, on property located west of southwest of West 50th Street and South 49th West Avenue and a part of subject property.

CZ-58 August 1982: All concurred in approval of a request for rezoning a 2± acre tract of land from RS to IL for light industrial use, on property located west of northwest corner of West 51st Street and South 49th West Avenue and a part of subject property.

AREA DESCRIPTION:

SITE ANALYSIS: The subject properties are some of the annexed parts of Berryhill into the City limits of Tulsa and is zoned AG because of the annexation.

UTILITIES: The subject tract has water and sewer available.

TRANSPORTATION VISION:

The Comprehensive Plan designates

STREETS:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
West 21 st Street	Secondary Arterial	100'	N/A
South 57 th West Avenue	Commercial Collector	80'	N/A
West 31 st Street	Secondary Arterial	100'	N/A
South 49 th West Avenue	Secondary Arterial	100'	N/A
West 51 st Street	Secondary Arterial	100'	N/A

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Comprehensive Plan designations for the property along the Expressway alignment may be determined through a future land use plan analysis in a subsequent phase of study for this area.

STAFF RECOMMENDATION:

The Planning Commission initiated rezoning for the Berryhill Annexation Area on October 2, 2013. Staff has held three separate meetings for the public at Chandler Park for each of the three general areas proposed for rezoning. The meetings were held October 22, and 29, and November 5, of 2013.

The Tulsa City Council annexed properties along the Gilcrease Expressway alignment in 2011 along with a correction ordinance in August of 2012. All property that was annexed at that time was brought in to the City Limits with a zoning classification of AG (agricultural zoning) per the annexation ordinance and the City of Tulsa existing Zoning Code regulations.

The primary purpose of this rezoning effort is to correct nonconformities that exist as a result of the annexation and resulting AG zoning. Staff identified three subareas in need of rezoning consideration. Attached to this staff report, are maps detailing information in the area – the larger map includes all three subareas; and three smaller maps show each subarea in more detail. Ownership tracts have been established and are shown on the maps. A corresponding spreadsheet provides detailed information on ownership, previous and proposed zoning. A comparison of the zoning in place before the annexation and after the annexation has determined that certain properties should be rezoned per past zoning patterns and compatibility of existing land uses.

Parcels highlighted on the maps that are proposed for rezoning includes a total of fifty-three parcels of land. Parcels containing industrial uses that were previously zoned for industrial uses are proposed to be rezoned for these uses. Parcels utilized for and previously zoned for residential single family uses in residential subdivisions are proposed to be zoned for these

uses using comparable zoning in the City zoning categories. With the exception of the existing County Maintenance Facility, staff recommends that property owned by the City of Tulsa, Oklahoma Department of Transportation or Tulsa County within the expressway functional alignment be left in the existing AG zoning category since there are no existing uses on these properties that are nonconforming with the AG zoning district. Also, the functional expressway alignment for the Gilcrease Expressway has been put on the maps for the annexation area.

Comprehensive Plan designations for the property along the Expressway alignment may be determined through a future land use plan analysis in a subsequent phase of study for this area.

Staff recommends **APPROVAL** of the rezoning to RS-3 (Residential Single-Family), IL (Industrial Light) and IM (Industrial Medium) per the maps included for the case.

Mrs. Fernandez explained that there is one parcel that was left out of the rezoning. She further explained that at the next meeting staff will ask TMAPC to direct staff to initialize rezoning for this property.

Mr. Midget complimented staff for holding the public meetings with the residents in the subject area.

There were no interested parties wishing to speak.

TMAPC Action; 6 members present:

On **MOTION** of **MIDGET**, TMAPC voted **6-0-0** (Covey, Dix, Midget, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Carnes, Liotta, Perkins "absent") to recommend **APPROVAL** of the RS-3/IL/IM zoning for Z-7253 per staff recommendation.

Legal Description for Z-7253:

Area 1: 5. LT 3 BLK 1 SECOND WEST TULSA VIEW ACRES SUB; 6. LT 2 BLK 1 SECOND WEST TULSA VIEW ACRES SUB; 8. LT 8 BLK 1 SECOND WEST TULSA VIEW ACRES SUB; 9. LT 7 BLK 1 SECOND WEST TULSA VIEW ACRES SUB; 10. LT 1 BLK 2 SECOND WEST TULSA VIEW ACRES SUB; 11. LT 2 BLK 2 SECOND WEST TULSA VIEW ACRES SUB; 12. LTS 3 & 4 BLK 2 SECOND WEST TULSA VIEW ACRES SUB; 13. W/2 LT 5 BLK 2 SECOND WEST TULSA VIEW ACRES SUB; 14. E/2 LT 5 BLK 2 SECOND WEST TULSA VIEW ACRES SUB; 15. W170' LT 1 BLK 3 SECOND WEST TULSA VIEW ACRES SUB; 16. E125 LT 1 BLK 3 SECOND WEST TULSA VIEW ACRES SUB; 17. LT 2 BLK 3 SECOND WEST TULSA VIEW ACRES SUB; 18. LT 3 BLK 3 SECOND WEST TULSA VIEW ACRES SUB; 19. LT 4 BLK 3 SECOND WEST TULSA VIEW ACRES SUB; 20. LT 5 BLK 3 SECOND

WEST TULSA VIEW ACRES SUB; 21. LT 1 BLK 4 SECOND WEST TULSA VIEW ACRES SUB; 22. LT 2 BLK 4 SECOND WEST TULSA VIEW ACRES SUB; 23. LT 3 BLK 4 SECOND WEST TULSA VIEW ACRES SUB; 24. LT 4 BLK 4 SECOND WEST TULSA VIEW ACRES SUB; 25. LT 5 BLK 4 SECOND WEST TULSA VIEW ACRES SUB; 26. 1.11AC IN NW NE MORE FULLY DESC IN BK3817 PG1273 & BK3818 PGS 1&2 & BK3828 PG741 & BK3918 PGS 284 287 289 ALL IN OFFICE OF THE TULSA COUNTY CLERK SEC 17 19 12 1.11AC; 27. PRT NW NE BEG 433.41S NWC NE TH NE753.39 E62.48 SE137.62 SW245.38 SE63.66 SW391.32 S99.90 SE127.87 NE901.24 NW217.79 SE865 S708.4 W1320 N886.6 POB LESS N50 & W50 THEREOF FOR STS SEC 17 19 12 27.71ACS

Area 2: 91. N/2 LT 25 & ALL LT 26 BLK B BERRY HILL GARDENS; 92. LT 24 & S/2 LT 25 BLK B BERRY HILL GARDENS; 93. LT 23 BLK B BERRY HILL GARDENS; 94. LT 22 BLK B BERRY HILL GARDENS; 95. LT 21 BLK B BERRY HILL GARDENS; 96. LT 20 BLK B BERRY HILL GARDENS; 97. LT 19 BLK B BERRY HILL GARDENS; 98. LT 18 BLK B BERRY HILL GARDENS; 99. LT 17 BLK B BERRY HILL GARDENS; 100. LT 16 BLK B BERRY HILL GARDENS; 101. LT 15 BLK B BERRY HILL GARDENS; 102. LT 14 BLK B BERRY HILL GARDENS

Area 3: 128. THE SOUTH 300 FEET OF LOTS 4 & 5 BLOCK 2 AND A TRACT BEG 826.6N & 512.8W SECR SE TH S250.54 W325.2 S300.53 E162.6 S195.92 WLY61.64 NW294.12 N60.45 W122.6 NW287.47 N21.79 W35.02 NW289.52 E298.67 N189.75 E813 POB LESS BEG 826.6N & 512.8W SECR SE TH S250.54 W65 N130.42 WLY748.42; 131. This tract is part of 128; 132. This tract is part of 128; 135. LT 13 BLK 2 LESS BG SWC LT 13 TH N 54.61 SE 163.22 S 40.35 W 162.6 TO POB WILCO ADDN RESUB L1-16 B2 AUSTINS SUB; 137. LT 15 BLK 2 LESS BEG SWC LT 15 TH N34.83E162.6 S34.81 W162.6 TO POB WILCO ADDN RESUB L1-16 B2 AUSTINS SUB; 138. THE SOUTH 300 FEET OF LT 1 BLK 1 WILCO ADDN RESUB L1-16 B2 AUSTINS SUB; 139. THE SOUTH 300 FEET OF LTS 1 THRU 8 BLK 3 GREATER TULSA INDUSTRIAL DISTRICT; 140. THE SOUTH 300 FEET OF LTS 11, 12, 13 & W 25 LT 14 BLK 2 GREATER TULSA INDUSTRIAL DISTRICT; 141. THE SOUTH 300 FEET OF E75 LT 14 & ALL LTS 15 & 16 BLK 2 GREATER TULSA INDUSTRIAL DISTRICT; 142. THE SOUTH 70 FEET OF N245.5 E80 LT 17 & THE SOUTH 70 FEET OF N245.5 LTS 18 THRU 20 BLK 2 GREATER TULSA INDUSTRIAL DISTRICT; 143. THE SOUTH 300 FEET OF N245.5 W20 LT 17 & S245.5 LTS 17 THRU 20 BLK 2 GREATER TULSA INDUSTRIAL DISTRICT; 144. THE SOUTH 100 FEET OF LT 14 BLK 1; 145. LT 15 BLK 1 GREATER TULSA INDUSTRIAL DISTRICT; 146. BG 995.3 W SEC SW TH NELY ON RR ROW 36.2 TO TRUE BG TH W 75 N 200 E TO RR SWLY ONROW TO BEG SEC 28-19-12; 147. THE SOUTH 300 FEET OF PRT SE SW COMM ATINTSEC CL

RR R/W & SL SEC TH NE ON CL 518.9 TH NW24.5 TO POB TH NW75.50 W289.55 SW587.75 E398.86 NW508.71 POB SEC 28 19 12 3.649ACS; 149. THE SOUTH 300 FEET OF PRT SW SE BEG 277.8N & 346.66E SWC SE TH N25.24 NE47.30 NE56.39 NE252.99 NE63.60 NE203.16 NE187.78 NE283.38 NE40.54 E252.98 S683.22 SW247.75 W331.22 SW138.38 S137.90 W192.73 N252.8 W224.6 W8.24 POB SEC 28 19 12 14.635ACS; 150. PRT SW SE BEG 358E SWC SE TH E224.6 N277.8 W224.6 S277.8 POB LESS TR BEG 358E SWC SE TH E134.6 N25 NW73.36 NW67.2 NW63.13 NW81.06 S POB SEC 28 19 12 1.24ACS; 151. PRT SW SE BEG 25N & 775E SWC SE TH N137.90 NE138.38 E331.22 SW312.12 W225 POB SEC 28 19 12 1.736AC; 152. LOT 6 BLK 24 FREELAND ADDN

26. **Z-7255 – Lou Reynolds**, Location: South of southeast corner of East 13th Street and South Owasso Avenue, Requesting rezoning from **RS-3 to PK**, (CD-4)

STAFF RECOMMENDATION:

ZONING ORDINANCE: Ordinance number 11814 dated June 26, 1970, established zoning for the subject property.

RELEVANT ZONING HISTORY:

BOA-21141 September 24, 2010: The Board of Adjustment approved a **Variance** of the parking requirement from 31 spaces to 0 existing spaces (Section 1200) to permit commercial use of existing buildings; finding that this neighborhood and particularly these lots are legal nonconforming, that years ago when the buildings were built they were in conformance with the code but with the changes in later years they are not. According to the site plan 3.8 there may be 17 parking spaces although for legal purposes the parking availability is still zero. The Board will require the applicant applies to TMPAC for a lot combination for the two CH zoned lots, on property located at 1312-18 South Peoria Avenue and abutting east of subject property.

BOA-19090 July 24, 2001: The Board of Adjustment approved a **Variance** of the 200' setback requirement to allow for a 672 sq. ft. outdoor advertising sign to be located within 50' of an RS district; a **Variance** of the aggregate display surface area per lineal foot of street frontage requirement to allow a 672 sq. ft. sign to be located on the subject property which includes 132' of freeway corridor frontage and 100' of street frontage in a CH zoned area; and a **Variance** of the 10 feet setback requirement for outdoor advertising signs from a freeway right-of-way, finding the sign is exactly the same size and height as the existing sign

and at the same location, on property located at 1312 South Peoria Avenue and abutting east and south of subject property.

BOA-8278 June 6, 1974: The Board of Adjustment approved a *Special Exception* to permit off-street parking in conjunction with commercial on adjoining property, waiving the screening requirement on the south property line of the property in an RS-3 district, on property located south of southeast corner of South Owasso Avenue and East 13th Street.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 7,405± square feet in size and is located south of southwest corner of E. 13th St. and S. Owasso Ave. The property appears to be vacant and is zoned RS-3. This lot will create a small parking area and should be part of an overall parking strategy with the existing parking lot south of this site. It is anticipated that Board of Adjustment action and an Alternative Compliance Landscape Plan will be required to achieve the overall goals for this site.

SURROUNDING AREA: The subject tract is abutted on the east by a printing business, zoned CH; on the north by vacant single family lots, zoned RS-3; on the south by a surface parking lot, zoned RS-3; and on the west by highway and street right of way, zoned RS-3.

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

TRANSPORTATION VISION:

The Comprehensive Plan does not provide special considerations for South Owasso or for East 13th street. The transportation vision contained in the Comprehensive Plan will not be affected with this rezoning request. It is anticipated that this lot will be used for the common benefit of existing business owners east and south east of this site. It is also anticipated that this could be a parking destination for users of the public trail adjacent to Highway right of way. All of those considerations should be part of the plan for this project.

STREETS:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Owasso Avenue	None	50 feet	2

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

This entire site is considered a **Main Street** within the Comprehensive Plan. 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.

Staff Comment: This zoning request is exactly what the Comprehensive Plan contemplates for this area however the size of this lot will only allow one row of parking and one drive aisle. The new parking lot construction will require screening adjacent to all RS-3 property including screening the parking lot south of this site. Staff strongly supports a coordinated parking strategy with the property owner to the south to create a parking solution that meets design requirements for the City of Tulsa.

The existing parking lot to the south appears to be approved as part of a Board of Adjustment Case. Unfortunately the existing lot does not conform to City of Tulsa Zoning Code standards for landscaping, parking or aisle sizes, screening or other requirements required by the normal building permit process at the City of Tulsa. The parking lot also appears to be constructed outside of the lot boundaries into the City of Tulsa trail system.

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

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

Staff Comment: Areas of Growth are intended to provide value to the city as a whole. This site can add that value however it would require a coordinated effort with the property owner to the south to improve the vehicular relationship to the trail system users. With appropriate design considerations this facility will also add value to the Main Street vision as stated in the Comprehensive Plan for South Peoria Ave. and to the neighborhood north and west of this site.

STAFF RECOMMENDATION:

The requested rezoning is not injurious to the surrounding property.

Z-7255 request for PK zoning is consistent with the vision outlined for this area in Comprehensive Plan.

PK zoning is harmonious with the expected development pattern in this area.

Therefore staff recommends **APPROVAL** of Z-7255 for a rezoning request from RS-3 to PK.

TMAPC COMMENTS:

In response to Mr. Dix, Mr. Wilkerson stated that the parking lot will be utilized by all three businesses and there will not be any attempt to limit the parking. Mr. Wilkerson cited the three uses in the subject area.

Applicant's Comments:

Lou Reynolds, 2727 East 21st Street, 74114, stated that he wasn't expecting any speakers because he went to the neighborhood and had support from the neighborhood association. Mr. Reynolds suggested that he would listen to the interested party and then have a rebuttal.

INTERESTED PARTIES COMMENTS:

Michael Callahan, 1149 East 13st Street, 74120, expressed concerns that his view will now be of a parking lot. Mr. Callahan stated that the developer did speak with him and at first he was neutral about the zoning change, but since that time he has changed his mind. Mr. Callahan further stated that the lot should be kept residential and could set a precedent. Mr. Callahan stated that the parking lot will not be a benefit to Tracy Park and it will negatively impact him. Mr. Callahan expressed concerns that the additional parking will cause more traffic in front of his house. Mr. Callahan stated that no one wants to live across the street from a parking lot. Mr. Callahan further stated that he fears the other two residential lots would also become parking lots. Mr. Callahan concluded by requesting that the rezoning be denied.

Applicant's Rebuttal:

Mr. Reynolds cited the surrounding zonings and the Comprehensive Plan designation for the subject property. Mr. Reynolds stated that in December 2013, he sent a letter to 112 different property owners within Tracy Park. The same letter was mailed again on January 2, 2014 and held a neighborhood meeting on January 7, 2014 at the Café Cabana across Peoria. There were 16 people at the meeting and presented their proposal. Mr. Reynolds stated that his client has had several meetings with Mr. Callahan and this is the first time that he has learned that Mr. Callahan is opposed to the project. This in accord with the Comprehensive Plan and supported by staff. Mr. Reynolds requested that the rezoning to PK be approved.

Mr. Callahan was recognized by Mr. Covey for one minute.

Mr. Callahan stated that the woman, who signed the letter, representing Tracy Park Neighborhood Association, lives several blocks away and never sees the subject property. Mr. Callahan stated that he has lived in the subject area for over 25 years and this will be seen from his front yard every day.

Mr. Midget moved to approve the PK zoning.

Mr. Dix stated that the interested party didn't buy the view and he will second the motion to approve the PK zoning.

TMAPC Action; 6 members present:

On **MOTION** of **MIDGET**, TMAPC voted **6-0-0** (Covey, Dix, Midget, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Carnes, Liotta, Perkins "absent") to recommend **APPROVAL** of the PK zoning for Z-7255 per staff recommendation.

Legal Description for Z-7255:

Lot 8, Block 1, Broadmoor Addition, an addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof.

* * * * *

27. **PUD-808 – Lou Reynolds**, Location: South of southeast corner of South Riverside Drive and East 71st Street, Requesting PUD for a family medical clinic under construction and Tulsa Police Department from **RM-2/OM to RM-2/OM/PUD-808** (CD-2)

STAFF RECOMMENDATION:

ZONING ORDINANCE: Ordinance number 21682 dated November 27, 2007; number 21640 dated October 15, 2007; and number 15154 dated October 6, 1981 established zoning for the subject property.

RELEVANT ZONING HISTORY:

Subject Property:

BOA-21277 May 24, 2011: The Board of Adjustment **approved** a *Variance* of the maximum number of signs permitted for a non-residential use in the RM district (Section 402.B.4), on property located at 7515 South Riverside Drive.

BOA-20842 January 13, 2009: The Board **approved** a *Minor Special Exception* to amend a previously approved plan to permit a canopy and walkway cover to an existing police station, per plan on page 15.6, on property located at 7515 South Riverside Drive.

Z-7074 November 2007: All concurred in approval of a request for rezoning a 12± acre tract of land from RS-2/ RS-4 to OM for future office development, on property located south of southeast corner of South Quincy Avenue and East 71st Street, and is also a part of the subject property.

Z-7066 October 2007: All concurred in approval of a request for rezoning a 5± acre tract of land from RS-2 to OM for office use, on property located on the northeast corner of East 75th Place and South Riverside Drive and is also a part of the subject property.

BOA-17779 August 12, 1996: The Board of Adjustment approved a Special Exception to permit accessory car wash for Uniform South Police Sub-station; per plan submitted (site #1), subject to that there be no blower or drying equipment exceeding the City's ban on noise pollution; subject to there being no lights shining toward the residence to the east; subject to proper landscaping installed between the subject site and the neighborhood to the east; subject to the Department looking for an alternate site for the existing vacuum cleaner; on property located at 7515 South Riverside Drive. This case went to District Court (CJ-97-4646) and addressed the landscaping on the east property line.

BOA-17169 September 12, 1995: The Board of Adjustment **approved** an amendment to a previously approved site plan for a police station, on property located at 7515 South Riverside Drive.

BOA-16283 March 9, 1993: The Board of Adjustment **approved** a *Minor Special Exception* to amend a previously approved site plan to permit a canopy over existing gas pumps, on property located at 7515 South Riverside Drive.

BOA-15393 March 1, 1990: The Board of Adjustment **approved** a *Special Exception* to permit the expansion of the parking area accessory to the police station, per plot plan submitted; finding that the expansion will not be closer to the residential area than the existing parking lot, on property located at 7515 South Riverside Drive.

BOA-14434 July 23, 1991 the Board **approved** an *amendment* to a previously approved site plan as submitted, to permit identification signs; located at 7515 South Riverside Drive.

On **February 4, 1988** the Board **approved** the detail plot plan (attached), building elevations, landscape and fencing plans for a police substation which was approved by the Board on March 19, 1987.

On **March 19, 1987** the Board **approved** a *Special Exception* to allow for a police station in an RM-2 zoned district; subject to a police department representative returning to the Board with a detailed plot plan, building elevations, landscape and fencing plans; subject to parking for the late shift being restricted to the western portion of the property (not against east boundary); subject to a living fence being planted along the north boundary on 75th Pl.

Z-5598 October 1981: All concurred in approval of a request for rezoning a tract of land from AG to RM-2 on property located on the southeast corner of East 75th Place and Riverside Drive and is also a part of the subject property.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 14± acres in size and is located south of southeast corner of South Riverside Drive and East 71st Street. Development Area A is under construction as St. Johns Family Medical Center, Development Area B is an existing Tulsa Police Department Riverside Division and the subject property is zoned RM-2/OM.

SURROUNDING AREA: The subject tract is abutted on the east by single family residential subdivision, zoned RM-1 /PUD-128A; on the north by vacant property zoned OM; on the south and west by Riverparks, a Credit Union and Assisted Care Living Center, zoned OM, RS-4 and RS-2/PUD-128E.

UTILITIES: The subject tracts have municipal water and sewer available.

TRANSPORTATION VISION:

The Comprehensive Plan designates Riverside Drive as a Multi Modal Parkway. The Parkway designation provides design considerations for capital improvement projects however there is no specific component of the Comprehensive Plan outlining the vision of that building block.

Riverside Drive is considered 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: The implementation of this PUD does not provide challenges for future development.

STREETS:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Riverside Parkway	Parkway	150 feet	4 +
South Quincy Avenue	None	50 feet	2

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

This site is located at the south end of a large **Town Center** Area centered near 71st at Riverside Parkway. 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.

Staff Comment: This PUD is unique because it covers an area that has been previously developed. The existing development is not greatly affected however the PUD overlay will help provide a cohesive strategy for landscaping and signage that will help provide visual continuity. The medical center and the police department are consistent with the Town Center vision of an area that provides some employment and serves the neighborhood.

This site is also designated an **Area of Growth** 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: This project is consistent with the Comprehensive Plan vision of an Area of Growth. Both sites provide employment and service opportunities to the residents of the City of Tulsa and the plan successfully uses infrastructure that is already in place.

OUTLINE OF PUD 808:

I. DEVELOPMENT CONCEPT:

The purpose of Planned Unit Development No. 808 is to provide a PUD overlay providing a cohesive framework for future development and to enhance the safety and flow of vehicular and pedestrian traffic through the existing St. John's Family Medical

Center and Tulsa Police Department Riverside Division (the "Project").

The Project is comprised of approximately 14.14 acres of land south and east of the intersection of East 71st Street and South Riverside Drive and is a little unique in that the Police station and the first phase of St John's Family Medical Center are already constructed.

An Aerial Photograph of the Project and surrounding area land uses is attached hereto as Exhibit "B".

The Project is in the vicinity of a mix of single family neighborhoods, apartments and offices. The Project will enhance the safety and flow of vehicular traffic, improve the aesthetic appeal of the underlying property and better inform the public of the hospital and public protection uses contained thereon by adding innovative joint landscaping and project identification to the Project.

Attached hereto as Exhibit "A" is a Conceptual Site Illustration of the proposed plan for the Project.

No zoning change is necessary to support PUD No. 808. The existing zoning is shown on the Area Zoning Map attached hereto as Exhibit "G".

APPLICANTS REFERENCED EXHIBITS:

- Exhibit A: Conceptual Site Plan
- Exhibit B: Aerial Photograph
- Exhibit C: Development Area Exhibit
- Exhibit D: Access and Circulation Plan
- Exhibit E: Landscape Plan
- Exhibit F: Existing Utilities and Topography
- Exhibit G: Existing Zoning
- Exhibit H: Signage Plan
- Exhibit I: Zoning Map
- Exhibit J: Legal Description

II. PUD 808 DEVELOPMENT STANDARDS – DEVELOPMENT AREA "A":

A. LAND AREA:

1. GROSS:	457,490 SF	10.50 AC
2. NET:	434,626 SF	9.98 AC

B. PERMITTED USES:

Uses permitted as a matter of right and special exception in the OM-Office Medium Intensity District, and uses of a nature customarily accessory thereto.

C. MAXIMUM BUILDING FLOOR AREA: 228,745 SF

D. MAXIMUM BUILDING HEIGHT: NA

E. OFF-STREET PARKING:

As specified in the applicable use units and in conformance with the requirements of Chapter 13, Off-Street Parking and Loading, of the Tulsa Zoning Code.

F. MINIMUM BUILDING SETBACKS:

From the North boundary	25 FT
From the East boundary (S. Quincy Ave.)	25 FT
From the South boundary (E. 75 th Pl. S.)	25 FT
From the West boundary	25 FT
From internal lot lines	0 FT

G. LANDSCAPED AREA; SCREENING:

A minimum of fifteen percent (15%) of the total area of Development Area "A" will be improved as internal landscaped open space in accordance with the provisions of the Landscape Chapter of the Tulsa Zoning Code. The minimum landscaped area of Development Area "A" shall be established at Detailed Site Plan Review. The landscaping of Development Area "A" shall include landscaping along East 75th Place South that is consistent with the design features located on that portion of Development Area "B" along East 75th Place South so that the combined landscaping elements convey a united entry feature to the Project in accordance with Exhibit "E". The eastern boundary of Development Area "A" shall be appropriately landscaped and/or screened from the abutting R zoned property.

H. SIGNS:

GROUND SIGNS:

One (1) ground sign will be permitted along South Quincy Avenue with a maximum of 72 SF of display surface area and 12 FT in height.

One (1) ground sign will be permitted along East 75th Place South with a maximum of 16 SF of display surface area and 5.5 FT in height.

WALL SIGNS:

One (1) wall sign will be permitted on the North building wall with a maximum of 200 SF of display surface area.

One (1) wall sign will be permitted on the South building wall with a maximum of 200 SF of display surface area.

One (1) wall sign will be permitted on the West building wall with a maximum of 150 SF of display surface area.

Three (3) wall signs will be permitted on the East building wall with a maximum of 10 SF of display surface area each.

*Signs not visible from a public street, including, without limitation way finding, directional and informational signs, will be permitted without requiring Detail Sign Plan approval.

I. LIGHTING:

The erection of lighting fixtures on Tract "A" is being installed during the review process for this PUD. All future lighting elements in Tract "A" shall be subject to the following: lighting standards including building mounted shall be hooded and directed downward and away from the boundaries of the Project. Shielding of outdoor lighting shall be designed so as to prevent the light producing element or reflector of the light fixture from being visible to a person standing at ground level in an adjacent residential area.

J. TRASH AND MECHANICAL EQUIPMENT AREAS:

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

III. DEVELOPMENT STANDARDS – DEVELOPMENT AREA "B":

A. LAND AREA:

1. GROSS:	246,019 SF	5.65 AC
2. NET:	181,038 SF	4.16 AC

B. PERMITTED USES:

Uses permitted as a matter of right and special exception in the RM-2 Residential Multifamily Medium Density District, and uses of a nature customarily accessory thereto.

C. MAXIMUM BUILDING FLOOR AREA: 123,009.5 SF

D. MAXIMUM BUILDING HEIGHT: 35 FT

E. OFF-STREET PARKING:

As specified in the applicable use units and in conformance with the requirements of Chapter 13, Off-Street Parking and Loading, of the Tulsa Zoning Code.

F. MINIMUM BUILDING SETBACKS:

From the North boundary (East 75 th Place South)	10 FT
From the East boundary*	25 FT
From the South boundary	25 FT
From the West boundary (South Riverside Drive)	35 FT
From internal lot lines	0 FT

*The existing accessory building located along the East boundary of Tract "B" is not subject to the setback requirements herein.

G. LANDSCAPED AREA; SCREENING:

A minimum of fifteen percent (15%) of the total area of Development Area "B" will be improved as internal landscaped open space in accordance with the provisions of the Landscape Chapter of the Tulsa Zoning Code. The minimum landscaped area of Development Area "B" shall be established at Detailed Site Plan Review. The landscaping of Development Area "B" shall include landscaping along East 75th Place South that is consistent with the design features located on that portion of Development Area "A" along East 75th Place South so that the combined landscaping elements convey a united entry feature to the Project in accordance with Exhibit "E". Because of the public protection use of Tract "B", the ten (10) FT gated screening fence located around the existing improvements as shown on Exhibit "A" is appropriate.

H. SIGNS:

PROJECT IDENTIFICATION SIGNS:

One (1) Project identification sign will be permitted along South Riverside Drive with a maximum of 120 SF of display surface area and 12 FT in height. The Project identification sign may contain digital technology, including without limitation an LED display surface area conveying changeable copy subject to the illumination standards for digital sign standards provided for business sign standards of the Tulsa Zoning Code. This sign must be included as part of a unified landscape area similar to the concepts illustrated in Exhibit E.

The Project Identification sign will be reviewed by staff separately however in this instance the landscape design along with the Project Identification Sign must be reviewed simultaneously.

GROUND SIGNS:

One (1) ground sign will be permitted along South Riverside Drive with a maximum of 84 SF of display surface area and 12 FT in height and shall be lit by constant light.

One (1) ground sign will be permitted along East 75th Place South with a maximum of 64 SF of display surface area and 8 FT in height and shall be lit by constant light.

*Signs not visible from a public street, including, without limitation way finding, directional and informational signs, will be permitted without requiring Detail Sign Plan approval.

**The existing monument artwork consisting of the fraternal police emblem located along South Riverside Drive is not a sign and pursuant to the Tulsa Zoning Code is not subject to regulation.

I. LIGHTING:

The erection of lighting fixtures on Tract "B" is complete. All future lighting elements in Tract "B" shall be subject to the following: lighting standards including building mounted shall be hooded and directed downward and away from the boundaries of the Project. Shielding of outdoor lighting shall be designed so as to prevent the light producing element or

reflector of the light fixture from being visible to a person standing at ground level in an adjacent residential area.

J. TRASH AND MECHANICAL EQUIPMENT AREAS:

The trash and mechanical equipment areas located on Tract “B” are already constructed and are sufficiently screened by the existing buildings. All future trash, mechanical and equipment areas (excluding utility service transformers, pedestals or equipment provided by franchise utility providers) including building mounted, shall be screened from public view in such a manner that the areas cannot be seen by a person standing at ground level.

K. LANDSCAPING AND SCREENING CONCEPT:

The Project will meet the current landscaping requirements as set forth in the City of Tulsa Zoning Code, Chapter 10 or as amended by an Alternative Compliance Landscape Plan. The landscaping of Development Area “A” and Development Area “B” along East 75th Place South will include consistent design features so that the combined landscaping elements convey a united entry feature to the Project similar to the concept shown in Exhibit “E”. The landscaping and screening along the eastern boundary of Development Area “A” will appropriately screen the use of Development Area “A” from the abutting residential property to the East. Because of the public protection use of Tract “B”, the ten (10) FT gated screening fence located around the existing improvements as shown on Exhibit “A” is appropriate.

L. ACCESS AND CIRCULATION:

The Project has two access points along South Riverside Drive and one access point along South Quincy Avenue. Cross-access for all Development Areas within the PUD will be provided for. There will be no direct vehicular connections between the Project and the abutting residential property to the East. Pedestrian connectivity from the neighborhood will be allowed at the east end of East 75th Street South.

M. AREA ZONING:

The existing Comprehensive Plan Map is attached hereto as Exhibit “I” and the Area Zoning Map is attached hereto as Exhibit “G”.

N. SITE PLAN REVIEW:

No building permits shall be issued for any future building within the Project until a Planned Unit Development Detail Site Plan and Detailed Landscape Plan for that lot or parcel have been submitted to the Tulsa Metropolitan Area Planning Commission and approved as being in compliance with the approved Planned Unit Development Standards. For the purpose of this Section, the term “future building” shall mean any building that does not exist or has not been permitted within the Project prior to the final approval of PUD 808.

O. SCHEDULE OF REDEVELOPMENT:

The Project is scheduled to begin in early 2014 after approval of the Planned Unit Development, Detailed Site Plan approval, and the re-platting or plat waiver of the Project.

STAFF RECOMMENDATION:

PUD-808 is consistent with the stated purposes of the PUD chapter of the Tulsa Zoning Code

The Planned Unit Development is an infill project that is consistent with the concepts presented in the Town Center and Areas of Growth designations of the Comprehensive Plan.

The Planned Unit Development provides specific, development standards for screening, landscaping lighting and signage which provide a site that is harmonious with the existing and expected development of the surrounding areas.

Therefore staff recommends **APPROVAL** of PUD-808 as outlined in the Applicants Development Concept, Referenced Exhibits and Development Standards outlined above.

Applicant’s Comments:

Lou Reynolds, 2727 East 21st Street, 74114, cited the zoning for the subject area. Mr. Reynolds stated that Riverside Drive is a high speed corridor and people can’t find it and can’t see it and there is a need to have signage on Riverside so people won’t be slowing down and looking for the subject site. Mr. Reynolds stated that he believes the signage would prevent people from cutting through the neighborhood looking for the facility. Mr. Reynolds explained that the signage would be for traffic safety and a vocal point and identity.

Mr. Reynolds stated that the uses on Tract B have been approved in the PUD as they are and the project signs will all be on Tract B. Mr. Reynolds stated that St. John's Hospital will landscape the intersection and maintain it. Mr. Reynolds cited the locations and sizes of the Police Department signage and the St. John signage.

Mr. Reynolds stated that the only question he has received is about stormwater. He explained that currently on about 25 acres of land stormwater went back to the east and into the neighborhood; which was approximately 62 cubic feet per second of stormwater. As part of the St John project the elevation has been raised in almost all of Development Area A and it will take all of the stormwater from the north and the subject property's stormwater and pipe it under Riverside Drive and then into the Arkansas River. Today there is only about three cubic feet per second of stormwater that will enter the neighborhood, which is a 94% reduction of stormwater as a result of this project.

In response to Mr. Dix, Mr. Reynolds explained that in a PUD an off premise sign is allowed.

INTERESTED PARTIES COMMENTS:

Kent Claggett, 1517 East 75th Place, 74136, stated that he is representing many of the neighbors in the community. He explained that the Kensington Neighborhood doesn't have an operating HOA at this time because it is in transition with many renters in the subject area. Mr. Claggett indicated that his home and approximately 20 more will be impacted by what has already been done. He is concerned that there will be a visible impact with the proposed sign. Mr. Claggett stated that there was no communication with the neighbors from St. John's regarding this project. Mr. Claggett expressed concerns with stormwater drainage, lighting and fencing. He explained that with the subject property being raised several feet he can now see over his six-foot fence everything that is being done on the subject property. He is concerned that the lighting will be an intrusion to his property and shine through his windows. Mr. Claggett stated that the neighbors would like to meet with St. John's and see if they want to be good neighbors.

Applicant's Rebuttal:

Mr. Reynolds stated that the lighting meets or exceeds all of the Zoning Code standards and requirements. The lighting has been permitted and approved by the City of Tulsa and built in accordance to those permits. The reason for electing to use higher poles is because it is less poles and lesser need to light it. The stormwater issue has been helped by this project greatly and the slope is not too relevant in the sandy soil and there is a ditch that has been created to catch it and slow it down. There is 25

feet of green space between the fence in most places and should have a minimum affect on the subject area.

TMAPC Action; 6 members present:

On **MOTION** of **MIDGET**, TMAPC voted **6-0-0** (Covey, Dix, Midget, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Carnes, Liotta, Perkins "absent") to recommend **APPROVAL** PUD-808 per staff recommendation.

Legal Description for PUD-808:

Development Area A

LOTS FOUR (4), FIVE (5) AND SIX (6), BLOCK ONE (1), RIVER GROVE SUBDIVISION, AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF; AND A TRACT OF LAND BEING A PART OF LOTS SEVEN (7) AND EIGHT (8), BLOCK ONE (1), RIVER GROVE SUBDIVISION, AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, SAID TRACT OF LAND BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 7; THENCE SOUTH 01°24'00" EAST ALONG THE EASTERLY LINE OF SAID LOTS 7 AND 8 FOR 328.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 8; THENCE SOUTH 88°19'00" WEST ALONG THE SOUTHERLY LINE OF SAID LOT 8 FOR 420.00 FEET; THENCE NORTH 01°24'00" WEST PARALLEL WITH SAID EASTERLY LINE FOR 48.00 FEET; THENCE NORTH 49°38'15" EAST FOR 81.00 FEET; THENCE NORTH 01°24'00" WEST PARALLEL WITH SAID EASTERLY LINE FOR 229.38 FEET TO A POINT OF THE NORTHERLY LINE OF SAID LOT 7; THENCE NORTH 88°19'00" EAST ALONG SAID NORTHERLY LINE FOR 357.02 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINING 434,626.2 SQUARE FEET OR 9.9776 ACRES, MORE OR LESS.

Development Area B: A PART OF LOTS ONE (1), TWO (2), AND THREE (3), BLOCK THREE (3), RIVER GROVE SUBDIVISION, A DULY RECORDED SUBDIVISION LOCATED IN SECTION 7, TOWNSHIP 18 NORTH, RANGE 13 EAST, OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, OKLAHOMA, WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS TO WIT: COMMENCING AT THE SOUTHEAST CORNER OF LOT 1, BLOCK 3, RIVER GROVE, AS THE POINT OF BEGINNING; THENCE SOUTH 88°36'50" WEST A DISTANCE OF 72.89 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY FOR THE RIVERSIDE PARK-WAY; THENCE NORTH 37°46'15" WEST ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 545.06 FEET TO A POINT OF CURVATURE; THENCE ALONG A 44,939.56 FOOT RADIUS CURVE TO THE LEFT, HAVING AN INITIAL TANGENT BEARING OF NORTH 37°46'15" WEST, A CENTRAL ANGLE OF 0°12'46" FOR AN ARC DISTANCE OF 166.89 FEET TO A

POINT ON THE WEST LINE OF LOT 3, BLOCK 3; THENCE NORTH 1°25'42" WEST ALONG SAID WEST LINE A DISTANCE OF 35.88 FEET TO A POINT; THENCE NORTH 88°17'18" EAST ALONG THE NORTH BOUNDARY OF BLOCK 3, RIVER GROVE AND THE SOUTH RIGHT OF WAY OF EAST 75TH PLACE SOUTH A DISTANCE OF 495.00 FEET TO A POINT; THENCE SOUTH 1°25'42" EAST ALONG THE WESTERLY BOUNDARY OF BLOCK 8, KENSINGTON II AMENDED, A DISTANCE OF 611.60 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINING 181,038.3 SQUARE FEET OR 4.1561 ACRES, MORE OR LESS.

* * * * *

Mr. Covey announced that the TMAPC will be taking a five-minute break at 2:40 pm.

Mr. Covey reconvened the TMAPC meeting at 2:45 p.m.

28. Adopt Resolution No. 2668:917 amending The 6th Street Infill Plan to supersede Resolution No. 2662:915 adopted by TMAPC on November 20, 2013

STAFF RECOMMENDATION:

Item: Consider adoption of a Resolution amending The 6th Street Infill Plan of the Tulsa Comprehensive Plan to supersede Resolution No. 2662:915 as adopted on November 20, 2013.

Background: Subsequent to the TMAPC adoption of The 6th Street Infill Plan amendments on November 20, 2013, the amendments were transmitted to City Council (See **Attachment I**, TMAPC adopted Map 11/20/13). Oklahoma Statutes, Title 19, Section 863.7, provides City Council the following options regarding plan amendments:

“The council ... may approve the plan in whole or in part, or return the plan or any portion thereof to the commission for further consideration.”

The 6th Street Infill Plan amendments were presented to City Council on January 30, 2014 for consideration. The Council unanimously voted to send the entirety of The 6th Street Infill Plan amendments back to the TMAPC with two suggested map revisions.

The two suggested map changes are identified on **Attachment II** of this report and are as follows:

- 1) **South of E. 4th St. and west of S. Peoria Ave.** – This suggested revision is to change the designation on the land use map (and related subarea maps) to *Auto-Oriented Commercial*. As a result of a scrivener's error, the applicant's map extended the *Redevelopment* subarea one block east where it did not previously exist. The original land use map showed this area as *Mixed Use Infill* and it was the applicant's intent that this be changed to the *Auto-Oriented Commercial* subarea.
- 2) **E. 11th St. between S. Troost Ave. and S. Peoria Ave.** – This suggested revision is to return the land use map designation (and related subarea maps) on E. 11th St. between S. Troost Ave. and S. Peoria Ave. to the *Mixed Use Infill* subarea, as it was on the original land use map. This change was a negotiated item between the applicant and the District Councilor during the City Council review process.

Staff Recommendation: Adopt attached Resolution superseding Resolution No. 2662:915.

A RESOLUTION OF THE TULSA METROPOLITAN
AREA PLANNING COMMISSION, PURSUANT TO
TITLE 19 OKLAHOMA STATUTES, SECTION 863.7;
SUPERSEDING RESOLUTION NO.: 2662:915;
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; and

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 6th 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 deemed 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 6th Street Infill Plan; and

WHEREAS, on November 20, 2013, this Commission approved Resolution No. 2662:915 adopting the amendments to The 6th Street Infill Plan and thereafter submitted the Resolution to the Tulsa City Council; and

WHEREAS, on January 30, 2014, the Tulsa City Council reviewed the amendments to the 6th Street Infill Plan included in Resolution No. 2662:915 and, as set forth in Title 19 Oklahoma Statutes, Section 863.7, voted to return the plan to the Commission for further consideration of two additional map amendments; and

WHEREAS, a public hearing was held by this Commission on February 19, 2014 and after due study and deliberation, this Commission deemed 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 6th 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 this Resolution shall supersede Resolution No. 2662:915.

Section 2. That The 6th 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 3. That a true and correct copy of the amendments are attached to this Resolution.

Section 4. 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 5. 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 19th day of February, 2014, by a majority of the full membership of the Tulsa Metropolitan Area Planning Commission, including its *ex officio* members.

Michael Covey, Chairman
TMAPC

ATTEST:

Ryon Stirling, Secretary
Tulsa Metropolitan Area Planning Commission

Ms. Miller stated that Legal requested that she state the recommendation correctly: Staff's recommendation is to adopt amendments as reflected in the resolution and adopt the resolution superseding the previous resolution.

There were no interested parties wishing to speak.

TMAPC Action; 6 members present:

On **MOTION** of **MIDGET**, TMAPC voted **6-0-0** (Covey, Dix, Midget, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Carnes, Liotta, Perkins "absent") to recommend **APPROVAL** of The 6th Street Infill Plan amendments per staff recommendation as amended in the presentation and Resolution No. 2668:917. (Language underlined has been added and language with a strike-through has been deleted.)

OTHER BUSINESS

29. **LC-566** (Lot-Combination) (CD-8) – Request for refund \$100 application duplicated in error.

STAFF RECOMMENDATION:

Ms. Miller stated that this application was a duplication and the \$100.00 needs to be returned to the applicant.

There were no interested parties wishing to speak.

TMAPC Action; 6 members present:

On **MOTION** of **MIDGET**, TMAPC voted **6-0-0** (Covey, Dix, Midget, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Carnes, Liotta, Perkins "absent") to **APPROVE** the refund of \$100.00 for LC-566.

30. **LS-20678 and LC-567** (Lot-Split and Lot-Combination) (CD-8) – Request for refund \$200. Applicant withdrew his applications before processing.

STAFF RECOMMENDATION:

Ms. Miller stated that this application was withdrawn before processing.

There were no interested parties wishing to speak.

TMAPC Action; 6 members present:

On **MOTION** of **MIDGET**, TMAPC voted **6-0-0** (Covey, Dix, Midget, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Carnes, Liotta, Perkins "absent") to **APPROVE** the refund of \$200.00 for LS-20678 and LC-567.

31. **Commissioners' Comments: None.**

TMAPC Action; 6 members present:

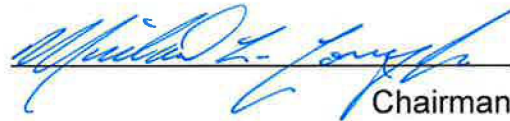
On **MOTION** of **DIX**, TMAPC voted **6-0-0** (Covey, Dix, Midget, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Carnes, Liotta, Perkins "absent") to **ADJOURN** TMAPC meeting No. 2668.

ADJOURN

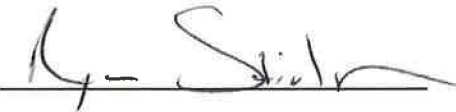
There being no further business, the Chair declared the meeting adjourned at 2:52 p.m.

Date Approved:

03-19-2014


Chairman

ATTEST:



Secretary