

# TULSA METROPOLITAN AREA PLANNING COMMISSION

## Minutes of Meeting No. 2671

Wednesday, April 2, 2014, 1:30 p.m.

City Council Chamber

One Technology Center – 175 E. 2<sup>nd</sup> Street, 2<sup>nd</sup> Floor

<b>Members Present</b>	<b>Members Absent</b>	<b>Staff Present</b>	<b>Others Present</b>
Covey	Carnes	Fernandez	Duke, COT
Dix	Reeds	Hoyt	VanValkenburgh, Legal
Liotta		Huntsinger	
Midget		Miller	
Shivel		White	
Stirling		Wilkerson	
Walker			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Thursday, March 27, 2014 at 3:09 p.m., posted in the Office of the City Clerk, as well as in the Office of the County Clerk.

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

### **REPORTS:**

#### **Director's Report:**

Ms. Miller reported on updating the Zoning Code and the new MXI designation and possible work session dates. Ms. Miller further reported on the City Council agenda items. Ms. Miller indicated that Ms. Millikin will be on the Thursday, April 3, 2014 City Council meeting for confirmation to the TMAPC.

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#### **Chairman's Report:**

Mr. Covey recognized Mr. Brandon Perkins for his time served on the TMAPC. The TMAPC presented a certificate of appreciation to Mr. Perkins. Mr. Covey thanked Mr. Perkins for his service and time on the TMAPC. Mr. Perkins thanked the Planning Commission, staff and the Mayor for appointing him and allowing his to serve. [Applause.]

\* \* \* \* \*

1. **Minutes:**

**Approval of the minutes of March 19, 2014 Meeting No. 2670**

On **MOTION** of **WALKER**, the TMAPC voted 7-0-0 (Covey, Dix, Liotta, Midget, Shivel, Stirling, Walker “aye”; no “nays”; none “abstaining”; Carnes, Reeds “absent”) to **APPROVE** the minutes of the meeting of March 19, 2014, Meeting No. 2670.

\* \* \* \* \*

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

**CONSENT AGENDA**

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

2. **LC-570** (Lot-Combination) (CD-4) – Location: Northwest corner of East Archer Street and North Boston Avenue
3. **LS-20682** (Lot-Split) (County) – Location: South of the southwest corner of West 51<sup>st</sup> Street South and South 107<sup>th</sup> West Avenue
4. **Vacation of ABSO subdivision plat** – Location: South of East 76<sup>th</sup> Street North, west of North Memorial Drive (County, City Fence line)
5. **Sunset Hills** – Final Plat, Location: South of East 41<sup>st</sup> Street South, west of South 177<sup>th</sup> East Avenue (CD-6)

**STAFF RECOMMENDATION:**

This plat consists of 235 lots, 12 blocks on 82 acres.

Staff has received release letters for this plat. Staff recommends **APPROVAL** of the final plat.

6. **PUD-686-9 – Josh Nave**, Location: Southwest corner of South Oswego Avenue at East 120<sup>th</sup> Street South, Requesting a **Minor Amendment** to increase driveway coverage in front yard of a pie-shaped lot from 32% to 50% on Lot 40, Block 2, Wind River, **RS-1/PUD-686**, (CD-8)

**STAFF RECOMMENDATION:**

Amendment Request: The underlying zoning for this parcel is RS-2 which allows up to 32% driveway coverage in the front yard. That requirement is referenced in the Planned Unit Development. During the development of the PUD the RS-2 standards were used for the bulk and area guidelines. The requested driveway is not expected to be larger than any other driveways in the subdivision however the driveway covers much larger percentage of the pie shaped lot.

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

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

Staff has reviewed the request and determined:

- 1) Modification of the front yard coverage is consistent with previously constructed homes and circle drives in the neighborhood.
- 2) The applicant has provided support from the homeowners association for the request.
- 3) The requested amendment does not represent a significant departure from the approved development standards in the PUD.
- 4) All remaining development standards defined in PUD 5896-9 shall remain in effect.

With considerations listed above, staff recommends **approval** of the minor amendment request to change the driveway coverage permitted on Lot 40, Block 2 of Wind River from 32% to 50%.

7. **Z-4900-SP-9 – Continental 302 Fund, LLC**, Location: Southeast corner of South Mingo Road and East 75<sup>th</sup> Street South, Requesting a **Detail Site Plan** for new multifamily neighborhood with two-story buildings in a Corridor District, **CO**, (CD-7)

**STAFF RECOMMENDATION:**

**CONCEPT STATEMENT:**

The applicant is requesting detail site plan approval for multifamily dwellings in eleven two story buildings on a 19-acre site in a Corridor District. The detailed site plan includes a clubhouse with a swimming pool and other amenities for the residences.

**PERMITTED USES:**

The allowed use defined in Z-4900-SP-9 is to permit Use Unit 8, Multifamily Dwelling and Similar Uses. Multifamily dwellings proposed for this project are allowed by right.

**DIMENSIONAL REQUIREMENTS:**

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

**ARCHITECTURAL GUIDELINES:**

The new buildings are not limited by architectural style in the Corridor Plan.

**OFF-STREET PARKING AND VEHICULAR CIRCULATION:**

The site plan exceeds the minimum parking defined in the Tulsa Zoning Code and the Corridor Plan.

**LIGHTING:**

Site lighting plans and details are provided. The plan illustrates a design that will meet the minimum standards outlined in the Corridor Plan and in the Zoning Code and shall be pointed down and away from adjacent property lines.

**SIGNAGE:**

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

**SITE SCREENING AND LANDSCAPING:**

The open space, landscape area and screening are consistent with the Corridor Plan Development requirements and meet the minimum standards of the Landscape portion of the Tulsa Zoning Code. Trash enclosures are consistent with the Corridor Plan Development requirements.

**PEDESTRIAN ACCESS AND CIRCULATION:**

The plan displays sidewalks along the full length of frontage of East 75<sup>th</sup> Street as well as along the full length of frontage of South Mingo Road. The site plan also shows adequate pedestrian circulation interior to the development.

**MISCELLANEOUS SITE CONSIDERATIONS:**

The property is bisected by an existing drainage way. Portions of the drainage way are designated as FEMA floodplain and City of Tulsa Regulatory floodplain. Retaining walls and improvements to grading in these areas are proposed to address the floodplain issues. The North portion of the project requires a 30 foot public right of way dedication for future street construction allowing vehicular and pedestrian access. The 30 foot right-of-way is also considered adequate for utility extensions for the property east of the site.

**SUMMARY:**

Staff has reviewed the applicant's submittal of the site plan as it relates to the approved **Z-4900-SP-9**. The site plan submittal meets or exceeds the minimum requirements of the Corridor Plan. Staff finds that the uses and intensities proposed with this site plan are consistent with the approved Corridor Plan, and the stated purposes of the Corridor District section of the Zoning Code.

Therefore, staff recommends **APPROVAL** of the detail site plan for the proposed new multifamily dwellings.

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

8. **PUD-687-1 – South 71 Building, LLC**, Location: West of the southwest corner of East 71<sup>st</sup> Street South and South Memorial Drive (corrected address west of the southwest corner of East 71<sup>st</sup> Street South and South Harvard Avenue; see agenda Item No. 8, removed from the consent agenda), Requesting a **Minor Amendment** to modify the sign standards to allow a twelve square foot wall sign for tenant identification mounted on the north façade of buildings two and three, **OL/PUD-687**, (CD-2)

**STAFF RECOMMENDATION:**

This Item removed from consent agenda.

9. **Z-7008-SP-1 – Bradley Moss**, Location: Northwest of the intersection of South Olympia Avenue and West 81<sup>st</sup> Street, Requesting a **Corridor Detail Site Plan** for a new medical office building in part of Lot 11, Block 1 of Tulsa Hills, CO, (CD-2)

**STAFF RECOMMENDATION:**

**CONCEPT STATEMENT:**

The applicant is requesting detail site plan approval for a new medical clinic building. The proposed development is located in Z-7008-SP-1, Development Area F for this facility.

**PERMITTED USES:**

Uses permitted as a matter of right are Use Units 10, Off Street Parking; 11, Offices and Studies, Including Drive-Thru Banking Facilities; 12, Entertainment and Eating Establishments, Other Than Drive-Ins; 13, Convenience Goods and Services; 14, Shopping Goods and Services; and uses customarily accessory to permitted principal uses. The Medical Clinic proposed for this project is classified Use Unit 11 and is allowed by right.

**DIMENSIONAL REQUIREMENTS:**

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

**ARCHITECTURAL GUIDELINES:**

The new buildings are not limited by architectural style in the Corridor Plan except that individual buildings adjacent to US Highway 75, West 71<sup>st</sup> Street South and West 81<sup>st</sup> Street South shall have elevations which are consistent in color and similar materials on all sides.

**OFF-STREET PARKING AND VEHICULAR CIRCULATION:**

The site plan meets the minimum parking defined in the Tulsa Zoning Code and the Corridor Plan.

**LIGHTING:**

Site lighting is shown on the site plan and site lighting details are provided. The plan illustrates a design that will meet the minimum standards outlined in the Corridor Plan and in the Zoning Code. Light standards whether pole or building mounted are not to exceed 35 feet in height and shall be hooded and directed downward and away from the west boundary.

**SIGNAGE:**

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

**SITE SCREENING AND LANDSCAPING:**

The open space, landscape area and screening are consistent with the Corridor Plan Development requirements and meet the minimum standards of the Landscape portion of the Tulsa Zoning Code. Landscape plan has been provided for reference only. This staff report does not remove separate landscape plan review process. Trash enclosure must be of masonry construction.

**PEDESTRIAN ACCESS AND CIRCULATION:**

The plan displays sidewalks along South Olympia Avenue. In addition the plan displays adequate pedestrian circulation interior to the development. Sidewalk shall be constructed along South Olympia Avenue across reserve area immediately to the South of the project site.

**MISCELLANEOUS SITE CONSIDERATIONS:**

There are no concerns regarding the development of this area.

**SUMMARY:**

Staff has reviewed the applicant's submittal of the site plan as it relates to the approved **Z-7008-SP-1**. The site plan submittal meets or exceeds the minimum requirements of the Corridor Plan. Staff finds that the uses and intensities proposed with this site plan are consistent with the approved Corridor Plan, and the stated purposes of the Corridor District section of the Zoning Code.

Therefore, staff recommends **APPROVAL** of the detail site plan for the proposed new medical clinic.

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

10. **Z-7164-SP-1 – Cedar Creek Consulting/Jason Emmett**, Location: South and east of the intersection of US Highway 75 and West 81st, Requesting a **Corridor Detail Site Plan** for a retail building in the Walk, CO, (CD-2)

**STAFF RECOMMENDATION:**

**CONCEPT STATEMENT:**

The applicant is requesting detail site plan approval for a new retail building. The proposed development is located in Z-7164-SP-1 for this facility.

**PERMITTED USES:**

Uses permitted as a matter of right are Use Units 1, Area Wide Uses by Right; 10, Off Street Parking; 11, Offices and Studies, Including Drive-Thru Banking Facilities; 12, Entertainment and Eating Establishments, Other Than Drive-Ins; 13, Convenience Goods and Services; 14, Shopping Goods and Services; 15, Other Trade and Services, Limited to Dry Cleaning, Computer Repair, Data Processing Machine Repair and Electrical Repair Service; 18, Drive-In Restaurants; 19, Hotel, Motel and Recreational Facilities, Limited to Gymnasium, Motion Picture Theater (Enclosed) Health Club/Spa and Swimming Pool; 21, Limited to Private Streets, Service Roads, Storm Water Drainage, Storm Detention Facilities, Water Cisterns, Water Features, Wind Turbines and Open Spaces. Shopping Goods and Services proposed for this project are allowed by right.

**DIMENSIONAL REQUIREMENTS:**

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

**ARCHITECTURAL GUIDELINES:**

The new buildings are not limited by architectural style in the Corridor Plan.

**OFF-STREET PARKING AND VEHICULAR CIRCULATION:**

The site plan meets the minimum parking defined in the Tulsa Zoning Code and the Corridor Plan.

**LIGHTING:**

Site lighting plans are provided. The plan illustrates a design that will meet the minimum standards outlined in the Corridor Plan and in the Zoning Code and shall be pointed down and away from adjacent property lines. All site lighting, including building mounted shall not exceed 18-feet in height. All site lighting shall be hooded and directed downward and



away from the east and south boundaries of the project extent that light producing elements and reflectors will not be visible to a person standing at ground level within abutting residential districts or residentially used property.

#### SIGNAGE:

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

#### SITE SCREENING AND LANDSCAPING:

The open space, landscape area and screening are consistent with the Corridor Plan Development requirements and meet the minimum standards of the Landscape portion of the Tulsa Zoning Code.

#### PEDESTRIAN ACCESS AND CIRCULATION:

The plan displays sidewalks along the site access road. In addition the plan displays pedestrian connectivity to the existing sidewalks in the Southwest corner of the lot which lead to the property directly to the South.

#### MISCELLANEOUS SITE CONSIDERATIONS:

There are no concerns regarding the development of this area.

#### SUMMARY:

Staff has reviewed the applicant's submittal of the site plan as it relates to the approved **Z-7164-SP-1**. The site plan submittal meets or exceeds the minimum requirements of the Corridor Plan. Staff finds that the uses and intensities proposed with this site plan are consistent with the approved Corridor Plan, and the stated purposes of the Corridor District section of the Zoning Code.

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

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

11. **AC-128 – Gregory S. Helms**, Location: Southeast corner of West 36<sup>th</sup> Place South at South Olympia Avenue, Requesting an **Alternative Compliance Landscape Plan** for a bus maintenance facility, **IL**, (CD-2)

**STAFF RECOMMENDATION:**

The applicant is requesting TMAPC approval for an Alternative Compliance Landscape Plan for improvements to an existing bus storage and maintenance facility for Tulsa Public School System. Previously alternative compliance landscape plan AC-125 was approved with more trees that were smaller and not visible from the surrounding neighborhood.

The landscape plan submitted does not meet the technical requirements of Chapter 10 of the code because many of the parking spaces for the storage lot will not be within 50 feet of a required landscaped area, as required by section 1002.B.1 of the Code.

In exchange for allowing large areas with storage spaces greater than 50-feet from a landscaped area, the applicant proposes to voluntarily landscape the street yard and areas surrounding the buildings with trees and provide more trees than the storage area would require. The overall landscape plan and street yard, including sidewalk improvements, is part of the application.

The code allows the Planning Commission to approve Alternative Compliance Landscape Plans that do not meet the technical requirements of Chapter 10 of the Code, so long as the submitted plan is, “equivalent to or better than” the requirements of Chapter 10.

The subject property is zoned IL. Chapter 10 of the Code states that 15% of the street yard on non-residential lots shall be landscaped. The alternative compliance landscape plan provides a larger grouping of trees and more street yard than is required by Chapter 10. The grouping provides a more significant urban forest than would be created if the a few trees were scattered through the parking area. This design solution provides greater benefit to the surrounding residential area.

Staff contends the applicant has met the requirement that the submitted Alternative Compliance Landscape Plan “be equivalent or better than” the technical requirements of Chapter 10 of the Code and recommends **APPROVAL** of Alternative Compliance Landscape Plan AC-128.

12. **PUD-619-C – Michael F. Dwyer, AIA**, Location: Northwest of the intersection of East 108<sup>th</sup> Street South and South Memorial Drive, Requesting a **Detail Site Plan** for a new 3,300 square foot credit union with drive-through lanes on part of Lot 5, Block 1 of the Vineyard on Memorial, **CS/PUD-619-C**, (CD-8)

**STAFF RECOMMENDATION:**

**CONCEPT STATEMENT:**

The applicant is requesting detail site plan approval for a new credit union building. The proposed development is located in PUD-619-C, Development Area A.

**PERMITTED USES:**

Uses permitted as a matter of right include those permitted in the CS – Commercial Shopping District; Use Unit 19, Hotel, Motel and Recreation for a Health Club/Spa and an enclosed swimming pool use only; Use Unit 20, Recreation: Intensive for an unenclosed swimming pool only; and uses customarily accessory to permitted uses but shall exclude Use Unit 12A. The credit union proposed for this project is classified Use Unit 11 and is allowed by right.

**DIMENSIONAL REQUIREMENTS:**

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

**ARCHITECTURAL GUIDELINES:**

New buildings beyond 300 feet from the West boundary of the Planned Unit Development are not limited by architectural style in the Planned Unit Development. This project is more than 300 feet from the West boundary therefore is not limited by architectural style in the Planned Unit Development.

**OFF-STREET PARKING AND VEHICULAR CIRCULATION:**

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

**LIGHTING:**

Site lighting is shown on the site plan. The plan illustrates a design that will meet the minimum standards outlined in the Planned Unit Development and in the Zoning Code. Light standards are not to exceed 25 feet in height. All lights, including building mounted, shall be hooded and directed downward and away from the North and West boundaries of the Planned Unit Development. 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 adjacent AG or RS zoned areas.

**SIGNAGE:**

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

**SITE SCREENING AND LANDSCAPING:**

The open space, landscape area and screening are consistent with the Planned Unit Development requirements and meet the minimum standards of the Landscape portion of the Tulsa Zoning Code. This staff report does not remove separate landscape plan review process.

**PEDESTRIAN ACCESS AND CIRCULATION:**

The plan displays sidewalks around the building at the parking areas. Pedestrian access will be required to be constructed to the building from sidewalks along South Memorial Drive.

**MISCELLANEOUS SITE CONSIDERATIONS:**

There are no concerns regarding the development of this area.

**SUMMARY:**

Staff has reviewed the applicant's submittal of the site plan as it relates to the approved **PUD-619-C**. The site plan submittal meets or exceeds the minimum requirements of the Planned Unit Development. Staff finds that the uses and intensities proposed with this site plan are consistent with the approved Planned Unit Development, 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 credit union.

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

**The Planning Commission considered the consent agenda.**

**There were no interested parties wishing to speak.**

**TMAPC Action; 7 members present:**

On **MOTION** of **DIX**, TMAPC voted **7-0-0** (Covey, Dix, Liotta, Midget, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Carnes, Reeds "absent") to **APPROVE** the consent agenda Items 2 through 7 and 9 through 12 per staff recommendation.

## CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA:

8. **PUD-687-1 – South 71 Building, LLC**, Location: West of the southwest corner of East 71<sup>st</sup> Street South and South Harvard Avenue, Requesting a **Minor Amendment** to modify the sign standards to allow a twelve square foot wall sign for tenant identification mounted on the north façade of buildings two and three, **OL/PUD-687**, (CD-2)

### **STAFF RECOMMENDATION:**

**Amendment Request:** Modify the PUD sign standards to allow one wall sign on the north façade of Building #2 and one wall sign on the north façade of Building #3. The maximum sign size allowed will be 12 square feet and will be used for tenant identification only. The signs will be non-lighted signs.

**Staff Comment:** *This request can be considered a Minor Amendment as outlined by Section 1007.H.12 PUD Section of the City of Tulsa Zoning Code. “Modifications to approved signage, provided the size, location, number and character of the signs is not substantially altered.”*

Staff has reviewed the request and determined:

- 1) Modification allowing tenant identification wall signage is not injurious to the other properties in the Planned Unit Development.
- 2) The requested amendment for wall signage is less than 10% of wall signage allowed by the PUD section of the Zoning Code.
- 3) All remaining development standards defined in PUD-687 shall remain in effect.
- 4) The PUD requires City Council approval for any amendment to this PUD therefore this amendment will proceed to City Council for final approval.

With considerations listed above, staff recommends **approval** of the minor amendment request to allow one (1), twelve (12) square foot tenant identification sign on the north face of buildings 2 and 3 as illustrated on the exhibits in Section II.

### **Section II:** Applicant Exhibits

Wall Signage Concept

Site plan illustrating Building 1 and 2 locations.

**TMAPC COMMENTS:**

Mr. Walker asked staff if Building 3 is allowed street signage. In response, Mr. Wilkerson stated that they are not allowed street signage. Mr. Walker asked if the wall sign would be the only signage they would have. Mr. Wilkerson answered affirmatively. Mr. Wilkerson explained that there was one ground sign allowed for the entire project and the bank on the corner has used that ground sign in its entirety.

Mr. Covey asked staff if the sign is non-lit and what color is the signage. Mr. Wilkerson stated that there are no lights on the signage and the color of the sign is to be compatible with the architectural style of the existing buildings.

The applicant indicated his agreement with staff's recommendation.

**INTERESTED PARTIES COMMENTS:**

**John S. Denney**, 3130 East 70<sup>th</sup> St, 74136, submitted a letter of opposition and photographs (Exhibit A-1), stated that he is concerned that this sign will be seen from his home. He suggested that the sign be behind a pillar where it is not visible. Mr. Denny indicated that the existing lighting is intrusive to him and he doesn't want the sign to have any lights. Mr. Denny stated that the signage would be bright blue and that is not compatible with the area and it should be of muted colors. Mr. Denny requested that there be a requirement that the building have full curtains that are to be closed at night to reduce the light from being visible and he requested that the existing lighting be reduced.

**Applicant's Rebuttal:**

**Andy Levinson**, 3124 East 71<sup>st</sup> Street, 74136, stated that he doesn't know where the blue and white signage idea came from, because the sign will be much like the signs mounted on the City Council walls, metal with raised lettering in white. Mr. Levinson assured the Planning Commission that the sign will be very tasteful and match the building. Mr. Levinson commented that if anyone knows his wife, there is no way she is going to allow anything to not match the subject building. The lights in the building have an automatic on/off. If there is no one in the building they turn off automatically. The only lights on at night are small LED lights above the walls. Mr. Levinson stated that the lights are motion and if the cleaning crew is cleaning at night they are only on while they are cleaning.

Mr. Levinson stated that the sign will not be intrusive and is nicely designed by A-Max Signs. Mr. Levinson explained that the wall sign is for identification and location of the office.

Mr. Midget asked Mr. Levinson where the sign would be placed on the building. Mr. Levinson stated that it would be exactly where it is indicated on the proposal.

Mr. Walker stated that he tried to find where it is proposed to be blue and he couldn't find it, it looks like it is oil-rubbed bronze with the brass, which goes perfectly with this style of building. Mr. Levinson stated that is exactly correct. Mr. Levinson stated that the building has no blue anywhere; the roof is green with copper everywhere. The blue would stand out and be obnoxious on this, there is no blue.

**TMAPC Action; 7 members present:**

On **MOTION** of **MIDGET**, TMAPC voted **7-0-0** (Covey, Dix, Liotta, Midget, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Carnes, Reeds "absent") to **APPROVE** the minor amendment for PUD-687-1 per staff recommendation, subject to the sign being placed as presented in the agenda on page 8.6.

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**COMPREHENSIVE PLAN PUBLIC HEARINGS:**

**13. Consider approving new capital improvement projects for the Capital Improvement Plan, Fiscal Year 2015-2019.**

**STAFF RECOMMENDATION:**

**Item:** Public hearing approving new capital improvement projects for the Capital Improvement Plan, Fiscal Year 2015-2019.

**Background**

The Capital Improvement Plan (CIP), containing recommended capital projects for the next five years, is a tool to implement the Comprehensive Plan. State Statutes provide that once a comprehensive plan has been adopted, no capital project shall be constructed or authorized without approval of its location, character and extent by the Planning Commission.

City departments generated the list of new capital improvements in the plan. The City of Tulsa prepares an annual Capital Improvement Plan that is published with the fiscal year budget. The Planning Commission generally reviews any new additions proposed for inclusion in the proposed capital plan before the draft budget and capital plan are published.

## **Staff Analysis**

TMAPC staff reviewed the new proposed Capital Improvement Plan projects for consistency with the City of Tulsa's Comprehensive Plan. In general, the improvements listed are consistent with the Comprehensive Plan.

A new CIP projects summary is attached. Below is a summarized list of those items, including: the name of the department, the item number(s) that correspond with the attached chart, location and staff comments regarding relationship and consistency with the Comprehensive Plan.

- **Working in Neighborhoods**

- 1) Backup Generators at Animal Shelter  
Location: 3031 S. Erie Ave.

***Staff Comments:** This proposed project is related to rehabilitation and system upkeep and is generally consistent with the Comprehensive Plan's direction on infrastructure maintenance.*

- **Equipment Management Department**

- 2) Replace Roofing at Newblock Facilities  
Location: 1720 and 1790 Newblock Drive
- 3) Compressed Natural Gas (CNG Fleet Fueling Infrastructure)  
Location: Citywide
- 4) Replace Underground Fuel Lines at EMD Fueling Facilities  
Location: Citywide

***Staff Comments:** Projects #2 and #4 are related to rehabilitation and system upkeep and are consistent with the Comprehensive Plan's direction on infrastructure maintenance. Project #3 is consistent with the Transportation Priorities in the Plan, which states: "Transportation decisions should be focused on improving the range and quality of Tulsa's travel options, supporting land use goals and maintaining fiscal responsibility." (p. TR 36)*

- **Engineering Services**

- 5) Levee District 12 Levee Study and Repairs  
Location: Along Arkansas River in West Tulsa

***Staff Comments:** This proposed project is to develop a study to determine the extent of deficiencies with the levee system and begin repairs needed to maintain FEMA certification. This proposed project furthers the vision of the Arkansas River Corridor Master Plan, which was brought forward and included in the 2010*



*adoption of the Comprehensive Plan. No specific guidance on the levee system is currently offered in the Comprehensive Plan, though this is generally consistent with references to improving quality of life. Therefore, this proposed project is in conformance with the Comprehensive Plan.*

- **Performing Arts Center (PAC)**

- 6) Chapman Ceiling/Lighting Unit  
Location: Chapman Music Hall, PAC
- 7) Doenges Seating Replacement  
Location: Chapman Music Hall, PAC
- 8) Tulsa Performing Arts Center HVAC Upgrade  
Location: Chapman Music Hall, PAC

**Staff Comments:** *The proposed improvements to the Performing Arts Center (PAC) is consistent with the Comprehensive Plan's understanding of the downtown core as Tulsa's "...most intense regional center of commerce, housing, culture and entertainment." (p. LU 31).*

- **Parks**

- 9) Henthorne Rehabilitation  
Location: 4825 S. Quaker Ave.
- 10) Lacy Tennis Expansion  
Location: 2134 N. Madison Ave.
- 11) Reed Community Center Rehabilitation  
Location: 41<sup>st</sup> & Union Ave.
- 12) Hicks Park Site Improvements  
Location: 31<sup>st</sup> & Mingo Road
- 13) Waterworks Rehabilitation  
Location: 1710 W. Charles Page Boulevard

**Staff Comments:** *The proposed capital improvement projects are consistent with:*

- *Parks, Trails and Open Space Priority 5 (Improve Access and Quality of Parks and Open Space)*
  - Goal 14 – Parks and recreational facilities are updated to address changing needs and desires.*
    - *Policy 14.1 Add comfort and convenience features to parks.*
    - *Policy 14.2 Identify parks components that need to be updated or replaced and develop a schedule, budget and methodology to complete improvements.*
    - *Policy 14.4 Identify Parks throughout the City for upgrade and develop an action plan to accomplish upgrades. (p. PA 29)*

*Based on the above and similar policies regarding parks, the proposed projects are in conformance with the Tulsa Comprehensive Plan.*

- **Library**

- 14) Tulsa Central Library Rehabilitation  
Location: 4<sup>th</sup> Street and S. Denver Ave.

**Staff Comments:** *This proposed project will provide for a full renovation of the 1965 era Tulsa Central Library, addition of a parking garage and covered walkway connecting the parking garage and the main building, and addition of café with outside seating.*

*The proposed project is in consistent with:*

- *Land Use Priority 3 (Focus redevelopment, revitalization and enhancement programs on areas that have been severely economically disadvantaged)*
  - *Policy 8.3 Enhance the quality of educational opportunities to provide Tulsa residents with a greater opportunity for economic stability – prepare students for the workforce. (p. LU 81)*

*The proposed improvement was included in the Downtown Area Master Plan and contributes to the quality of life for the downtown, as well as the entire City of Tulsa. Therefore, this proposed project is in conformance with the Comprehensive Plan.*

- **Planning and Development Department**

- 15) Route 66 Village, Required Restrooms and Parking  
Location: 3770 Southwest Boulevard

**Staff Comments:** *The proposed project is to add restrooms and parking to Route 66 Village, a popular attraction for local, national and international visitors. Currently, there is insufficient parking and no restrooms for visitors.*

*This proposed capital improvement project is in consistent with:*

- *Parks, Trails and Open Space Priority 5 (Improve Access and Quality of Parks and Open Space)*
  - *Policy 14.1 Add comfort and convenience features to parks. (p. PA 29)*

*Based on the above and similar policies regarding the provision of amenities in parks, this proposed project is in conformance with the Tulsa Comprehensive Plan.*

- **Engineering Services**

- 16) Bicycle/Pedestrian Master Plan Implementation  
Location: Citywide

**Staff Comments:** *The proposed project will implement prioritized improvements recommended in the upcoming FY 2014 INCOG Regional Bicycle/Pedestrian Master Plan. The plan will identify locations for improvements in the City of Tulsa to the bicycle and pedestrian network including but not limited to bikeways, trails, sidewalks and pedestrian crossings. The Bicycle/Pedestrian Master Plan is a key component in furthering the City's Complete Streets Policy and creating a more walkable and bicycle-friendly community, which may lead to economic development opportunities.*

*This proposed project furthers many of the transportation priorities in the Comprehensive Plan, to name a few:*

- *Transportation Priority 3 (Ensure That Transportation Investments Enhance The Land Uses They Serve)*
  - *Policy 7.1 Enhance transportation Tulsa's right of ways so they serve as great public places and promote multi-modal travel. (p. TR 38)*
- *Transportation Priority 4 (Provide Multiple Transportation Choices to All Tulsans)*
  - *Policy 13.4 Ensure the continued development of sidewalk improvements with other improvements on major arterial corridors where opportunities to enhance the pedestrian environment exist. (p. TR 40)*
- *Parks, Trails and Open Space Priority 5 (Improve Access and Quality of Parks and Open Space)*
  - *Policy 12.4 Look for opportunities for trails in areas that currently have few or none and connect these areas to existing trails. (p. PA 28)*

*Based on the above policies and many others found throughout the Comprehensive Plan, as well as the Tulsa Metropolitan Area Trails Master Plan, this proposed project is in conformance with the Comprehensive Plan.*

- **Engineering Services**

- 17) ODOT Bridge Rehabilitation and Replacement Program  
Local Match

Location: Citywide

**Staff Comments:** *This proposed project would provide funds to coordinate with the ODOT rehabilitation and replacement program for bridges. The Comprehensive Plan stresses that an important component of land use planning is to ensure that adequate transportation infrastructure exists. Although no specific guidance on the bridge rehabilitation and maintenance is currently offered in the Comprehensive Plan, the proposed project is generally consistent with the Comprehensive Plan's direction on infrastructure maintenance.*

- **Tulsa Zoo**

18) Renovate/Expand Elephant Exhibit and rename Lost Kingdom

Location: 6421 E. 36<sup>th</sup> Street North

19) Replace Chimpanzee Exhibit with New Chimpanzee Exhibit

Location: 6421 E. 36<sup>th</sup> Street North

**Staff Comments:** *The Zoo Master Plan was adopted as an amendment to the Comprehensive Plan on August 15, 2012. The proposed improvements are consistent with the Zoo Master Plan and contribute to the quality of life for the City of Tulsa. Therefore, these projects are in conformance with the Comprehensive Plan.*

**Recommendation**

Approve based on the finding that the new capital improvement projects for the Capital Improvement Plan, FY 2015-2019 are in conformance with the Tulsa Comprehensive Plan.

**There were no interested parties wishing to speak.**

**The applicant indicated his agreement with staff's recommendation.**

**TMAPC Action; 7 members present:**

On **MOTION** of **MIDGET**, TMAPC voted **7-0-0** (Covey, Dix, Liotta, Midget, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Carnes, Reeds "absent") to recommend **APPROVAL** of the new capital improvement projects for the Capital Improvement Plan, Fiscal Year 2015-2019 per staff recommendation, finding them in compliance with the Comprehensive Plan.

\* \* \* \* \*

## PUBLIC HEARINGS:

14. **Nickel Creek Phase IV** – Preliminary Plat, Location: Northeast corner of South Union Avenue and West 81<sup>st</sup> Street South (CD-2)

### **STAFF RECOMMENDATION:**

This plat consists of three lots, one block, on 19 acres.

The following issues were discussed March 20, 2014, at the Technical Advisory Committee (TAC) meetings:

1. **Zoning:** The property is zoned CO (corridor district) Z-5457-SP-3.
2. **Streets:** With dimension lines show right-of-way and provide reference such as plat number and book/page number. Show sidewalks and ramps.
3. **Sewer:** Add a 17.5-foot perimeter easement along the south and east boundary line of Lot 3 and revise the ten-foot building line to match the utility easement. Add a 17.5-foot perimeter easement along the south line of lot where it is adjacent to West 81<sup>st</sup> Street.
4. **Water:** Label right-of-way widths and 17.5-foot utility easements along South Tacoma West Avenue and West 81<sup>st</sup> Street.
5. **Storm Drainage:** State on the face of plat that detention is provided offsite. Define responsibilities for maintenance of the detention pond.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** Additional easements may be required.
7. **Other: Fire:** A fire hydrant will be required within 400 feet of any part of a non-sprinkled structure and within 600 feet of any part of a sprinkled structure. Aerial access will be required for any structure over 30 feet in height from the level of fire department access.
8. **Other: GIS:** Show all subdivisions in location map. Need basis of bearing, monument information, surveyor certification stamp, and 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; 7 members present:**

On **MOTION** of **SHIVEL**, TMAPC voted **7-0-0** (Covey, Dix, Liotta, Midget, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Carnes, Reeds "absent") to **APPROVE** the preliminary plat for Nickel Creek Phase IV per staff recommendation, subject to special conditions and standard conditions.

\*\*\*\*\*

15. **Z-7259 – Sisemore Weisz & Assoc., Inc./Darin Akerman**, Location: East side of Highway 75 and north of West 91<sup>st</sup> Street South, Requesting rezoning from **AG to RS-3**, (CD-2)

**STAFF RECOMMENDATION:**

**SECTION I:** Detailed Staff Recommendation:

Requested RS-3 zoning is consistent with the vision identified in the Tulsa Comprehensive Plan and the expected development pattern in the area.

The requested RS-3 zoning is harmonious with the existing development on the site and the existing surrounding properties.

Therefore **staff recommends APPROVAL** of Z-7259 for the rezoning from AG to RS-3.

**SECTION II:** Supporting Documentation

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

*Staff Summary:*

*Z-7259 is included in a New Neighborhood and an Area of Growth. The rezoning request will complement the vision identified in The Plan. RS-3 zoning designation will provide opportunities for single-family residential development and allow density to match the long term vision for the area.*

*An important component of the Comprehensive Plan is to provide connectivity through many forms. The Jenks Intermediate School located immediately south of this property will be a prime pedestrian connectivity opportunity and will be an important consideration during the plat process.*



**Land Use Designation (New Neighborhood):**

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

**Growth and Stability Map: (Area of Growth)**

The purpose of an Area 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 agreements exist that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

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

**Transportation Vision:**

Vehicular and Pedestrian transportation systems do not currently serve the site. Street improvements for South Maybelle will be required as part of the plat process.

The Comprehensive Plan designates West 91<sup>st</sup> South as a Secondary Arterial. There is no vision identified for a multimodal corridor component for this portion of West 91<sup>st</sup>. South Maybelle is not an improved street adjacent to the east boundary of this site. Right-of-way has been granted by the Jenks Public School System south of this site for an extension to 91<sup>st</sup> street. No street right of way has been granted for Maybelle Avenue on or adjacent to this property. Ultimately this site will require a connected street system from the dead end of South Maybelle at the north east corner of this property to West 91<sup>st</sup> Street south.

The alignment of Maybelle will be determined during the subdivision plat process. Alternate street alignment considerations in this area could provide meaningful traffic calming features for this site, the adjacent property east of this site and in the right of way adjacent to the Jenks school site.

Sidewalks will be required throughout the area as defined in the Subdivision Regulations for Tulsa. Pedestrian connections to the school site will be an important consideration for this project.

**AREA DESCRIPTION:**

**SITE ANALYSIS:** The subject property is approximately 49+ acres in size and is located north of northeast West 91<sup>st</sup> Street and Highway 75. The property appears to be vacant and is zoned AG.

**SURROUNDING AREA:** The subject tract is abutted on the east by undeveloped land, zoned AG; on the north by Hyde Park Subdivision, zoned CO; on the south by Jenks West Intermediate School, zoned AG and CO; and on the west by Highway 75, further west unplatted large residential tracts, zoned AG.

**UTILITIES:** The subject tract has municipal water and sewer available. Significant infrastructure improvements for all utilities will be required for water, sanitary sewer and storm water systems.

**STREETS:**

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
Highway 75	Expressway	As required by ODOT	4
West 91 <sup>st</sup> Street	Secondary Arterial	100 feet	2
South Maybelle Ave.	Residential Collector	60 feet	0

**SECTION III:** Relevant Zoning History:

**ZONING ORDINANCE:** Ordinance number 11827 dated June 26, 1970, established zoning for the subject property.

**RELEVANT ZONING HISTORY:**

**Z-7140/ Z-7140-SP-1 December 2009:** All concurred in approval of a request for rezoning a 41+ acre tract of land from AG to CO and a Corridor Site Plan for residential use, garden and patio homes, on property located south of southwest corner of South Maybelle Avenue and West 81<sup>st</sup> Street and abutting north of subject property. The TMAPC recommended approval per staff recommendation and subject to adding Use Unit 1, to

impose the additional buffer along the north end across to the detention pond. City Council approved the applications per TMAPC recommendation with condition of Maybelle getting upgraded in accordance with the Major Street and Highway Plan and per City of Tulsa design standards within the project limits, and resurfaced to 22' wide with improved borrow ditch from the northern boundary of the subdivision to West 81<sup>st</sup> Street.

**Z-7083/Z-7083-SP-1 January 2008:** All concurred in approval of a proposed Corridor Site Plan on a 12± acre tract of land for the Tulsa Hills South development including multiple commercial, mixed use developments on property located on the northeast corner of West 91<sup>st</sup> Street South and U. S. Highway 75 and abutting south of subject property.

**BOA-21238 March 22, 2011:** The Board of Adjustment approved a Special Exception to permit a public school (Use Unit 5) in an AG district, subject to conceptual plan presented March 22, 2011; with the conditions that sidewalks are to be constructed along the north side of 91<sup>st</sup> Street to the extent of the property boundaries. All parking or driving surfaces are to be concrete or asphalt; landscaping is to be per code; lighting is required and is to be per code, on property located east of the northeast corner of West 91st Street and South U.S. Highway 75 and abutting south of subject property.

**TMAPC COMMENTS:**

Mr. Covey asked staff if that is a condition that the applicant has to build the road. Mr. Wilkerson stated that the applicant will have to build the road, but it may be some kind of combination with the property owner on the east or the City may build some of the road. Mr. Wilkerson further stated that he doesn't really think the City will be involved. In response to Mr. Covey, Mr. Wilkerson stated that it will be a public road. Mr. Covey questioned the City not building the road and having the applicant pay for a public road. Mr. Wilkerson stated that he doesn't believe that they have gone that far into discussion to know one way or the other. Mr. Wilkerson stated that the road is a requirement and normally the City doesn't build a street and then let the developers come back and pay for it.

**There were no interested parties wishing to speak.**

**The applicant indicated his agreement with staff's recommendation.**

**TMAPC Action; 7 members present:**

On **MOTION** of **MIDGET**, TMAPC voted **7-0-0** (Covey, Dix, Liotta, Midget, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Carnes, Reeds "absent") to recommend **APPROVAL** of the RS-3 zoning for Z-7259 per staff recommendation.

**Legal Description for Z-7259:**

A TRACT OF LAND THAT IS A PART OF THE NORTH HALF OF THE SOUTHWEST QUARTER (N/2 SW/4) LYING EAST OF THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 75 IN SECTION FOURTEEN (14), TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT OF LAND BEING DESCRIBED AS FOLLOWS: *BEGINNING* AT A POINT THAT IS THE NORTHEAST CORNER OF SAID N/2 SW/4, THE SAME BEING THE SOUTHEAST CORNER OF SOUTH MAYBELLE AVENUE WEST RIGHT-OF-WAY AS DEDICATED AND SHOWN ON THE RECORDED PLAT OF HYDE PARK AT TULSA HILLS, A SUBDIVISION IN TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF; THENCE SOUTH 01°05'44" EAST ALONG THE EASTERLY LINE OF SAID N/2 SW/4 FOR 1326.72 FEET TO THE SOUTHEAST CORNER OF SAID N/2 SW/4, THE SAME BEING THE NORTHEAST CORNER OF SOUTH MAYBELLE AVENUE WEST RIGHT-OF-WAY AS DEDICATED AND SHOWN ON THE RECORDED PLAT OF JENKS WEST 3<sup>RD</sup> & 4<sup>TH</sup> GRADE CENTER ADDITION, A SUBDIVISION IN TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF; THENCE SOUTH 88°58'18" WEST ALONG THE SOUTHERLY LINE OF SAID N/2 SW/4, THE SAME BEING THE NORTHERLY LINE OF SAID JENKS WEST 3<sup>RD</sup> & 4<sup>TH</sup> GRADE CENTER ADDITION AND ITS WESTERLY EXTENSION THEREOF, FOR 1620.45 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 75; THENCE NORTH 09°56'36" EAST ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR 9.80 FEET; THENCE NORTH 80°03'24" WEST ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR 110.00 FEET; THENCE NORTH 09°56'36" EAST ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR 64.50 FEET TO A POINT OF CURVE; THENCE NORTHEASTERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE AND ALONG A CURVE TO THE LEFT WITH A CENTRAL ANGLE OF 01°18'31", A RADIUS OF 34,497.50 FEET, A CHORD BEARING OF NORTH 09°17'21" EAST, A CHORD LENGTH OF 787.88 FEET, FOR AN ARC LENGTH OF 787.90 FEET; THENCE NORTH 19°39'36" EAST ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR 307.20 FEET; THENCE NORTH 07°55'36" EAST ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR 171.85 FEET TO A POINT ON THE NORTHERLY LINE OF SAID N/2 SW/4, THE SAME BEING THE SOUTHWEST CORNER OF RESERVE "D" OF SAID HYDE PARK AT TULSA HILLS; THENCE NORTH 88°56'58" EAST ALONG SAID NORTHERLY LINE, THE SAME BEING THE SOUTHERLY LINE OF SAID HYDE PARK AT TULSA HILLS, FOR 1436.35 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND. SAID TRACT OF

LAND CONTAINING 2,114,742 SQUARE FEET OR 48.548 ACRES,  
MORE OR LESS.

\* \* \* \* \*

16. **PUD-759-A – Crestwood at the River, LLC**, Location: Northwest corner of the intersection of East 121<sup>st</sup> Street South and South Sheridan Road, Requesting a **Major Amendment** to modify development area boundaries and to allocate floor area ratio standards to new development areas, **RS-3/CS/PUD-759**, (CD-8)

**STAFF RECOMMENDATION:**

**APPLICANTS DEVELOPMENT CONCEPT**

The purpose of PUD Major Amendment No. 759-A (“PUD-759-A”) is to redefine the usage for a portion of Crestwood Village’s Development Area “A” (Residential) and to establish new Crestwood Village Development Standards for Development Area “A” – Residential and Development Area “B” – Commercial (the “Project”).

Crestwood Village, PUD-759-A, was originally approved as PUD-759 on September 10, 2008 with 24 lots in Development Area “A”, residential in usage, and 1 lot in Development Area “B”, commercial in usage. The Crestwood Village Plat was recorded as Document #6286 on May 13, 2009.

Below is a chronology of approvals of requests and revisions to the PUD 759 since 2008.

CRESTWOOD VILLAGE - DATE CHRONOLOGY OF PUD/ZONING SUBMISSIONS ALONG WITH MINOR AMENDMENTS			
	<u>TMAPC APPROVAL</u>	<u>TULSA CITY COUNCIL</u>	<u>Description</u>
PUD 759 & REZONING	6/25/2008	7/10/2008	ORIGINAL APPLICATION AND REZONING REQUEST
FINAL PLAT	4/15/2009	5/13/2009	FINAL PLAT RECORDED
PUD 759-1 MINOR AMENDMENT	8/5/2009	NA	DETAILED SIGN PLAN AND INCREASE WALL ENTRY HGT TO 10' WITH ARCHITECTURAL TOWERS

CRESTWOOD VILLAGE - DATE CHRONOLOGY OF PUD/ZONING SUBMISSIONS ALONG WITH MINOR AMENDMENTS			
PUD 759-2 MINOR AMENDMENT	12/16/2009	NA	INCREASE FLOOR AREA FROM 35,000 SF TO 40,250 SF LOT 1 BLK 1; INCREASE BUILDING HEIGHT FROM 35 FT TO 40 FT IN DEV AREA B; REDUCE SIDE SETBACK FROM 5 FEET TO 2 FEET FOR 10 RESIDENTIAL LOTS LOT 3 BLK 2; LOTS 4,5 BLK 3; LOTS 1, 3, 4 BLK4; LOTS 3, 5, 6, 10 BLK 5
PUD 759-3 MINOR AMENDMENT	9/7/2010	NA	BUILDING SETBACK DEV AREA B WEST PROPERTY LINE 70' TO 30'; REDUCTION OF THE 25' LANDSCAPE BUFFER FROM WEST PROPERTY LINE TO 5'; BUILDING HEIGHT FOR DEV AREA B SHALL BE LIMITED TO TWO STORIES NOT TO EXCEED 35' IN HEIGHT AND WITHIN THE WESTERN 300' OF DEV AREA B; EXCEPT FOR THE WESTERN MOST BUILDINGS OF DEV AREA B ONE STORY NOT TO EXCEED 30'; FOR THE EAST 300' OF DEV AREA B, TWO STORIES NOT TO EXCEED 40' REDUCTION OF THE 25' LANDSCAPE BUFFER FROM WEST PROPERTY LINE TO 5'
DETAILED SITE PLAN	12/7/2010	NA	TRACT 1A
PUD 759-4 MINOR AMENDMENT	12/7/2010	NA	REALLOCATION OF FAR; ORIGINAL LOT 1 BLK 1 40,250 SF REALLOCATED AS FOLLOWS: 3,100 SF TRACT 1A; 3,000 SF TRACT 1B; 34,050 SF TRACT 1C; ESTABLISH BUILDING LINE SETBACK OF 0 FEET FOR ALL INTERNAL LOT LINES IN DEVELOPMENT AREA B
LOT SPLIT 20402	12/7/2010		SPLIT LOT 1 BLK 1 INTO THREE TRACTS; TRACT 1A; TRACT 1B; AND TRACT 1C
LANDSCAPE PLAN	4/19/2011		TRACT 1A & TRACT 1B
PUD 759-5 Minor Amendment	6/20/2012	NA	REALLOCATE FLOOR AREA IN DEV AREA B FROM EXISTING TRACT 1C OF 34,050 SF TO TRACT 1C; 28,750 SF REMAINING AND TO TRACT 1D 5,300 SF

CRESTWOOD VILLAGE - DATE CHRONOLOGY OF PUD/ZONING SUBMISSIONS ALONG WITH MINOR AMENDMENTS			
LOT SPLIT 20526	6/20/2012	NA	SPLIT LOT 1 BLK 1 TRACT 1C INTO TRACT 1C AND 1D
PUD 759-6 MINOR AMENDMENT	11/28/2012	NA	REALLOCATE FLOOR AREA IN DEV AREA B FROM TRACT 1C TO TRACT 1D TO INCREASE FROM 5,300 SF TO 7,300 SF; REDUCE THE ALLOWED FLOOR AREA IN TRACT 1C FROM 28,750 SF TO 26,750 SF; MODIFY THE PARKING RATIO REQUIRED FOR GENERAL OFFICE SPACE FROM 1 PER 300 SF TO 1 PER 400 SF; MODIFY THE PARKING RATIO REQUIRED FOR MEDICAL OFFICE SPACE FROM 1 PER 250 SF TO 1 PER 350 SF; DECREASE NORTH BUILDING LINE ON TRACT 1D FROM THE CURRENT 35' TO 32.5'
PUD 759-7 MINOR AMENDMENT	12/19/2012	NA	REALLOCATE FLOOR AREA FROM TRACT 1C TO TRACT 1B TO INCREASE FLOOR AREA FROM 3,100 SF TO 4,300 SF
PUD 759 MINOR REVISION TO DETAILED SITE PLAN	2/19/2013	NA	STAFF REVIEW ONLY; MINOR REVISION TO PUD SITE PLAN TO SHOW INCREASED FLOOR AREA OF TRACT 1B
DETAIL SITE PLAN	3/20/2013	NA	TRACT 1D
LANDSCAPE PLAN	11/19/2013	NA	TRACT 1D
LOT SPLIT AND LOT COMBINE	2/19/2014	NA	DEVELOPMENT AREA A LOT 2 BLK 3 LOT SPLIT; LOTS 1 AND 2 BLK 2; LOTS 3 AND 4 BLK 4; LOTS 3 AND 4 BLK 3; LOTS 5 AND 6 BLK 3; LOTS 2 AND 3 BLK 2; LOTS 1 AND 2 BLK 5 WERE COMBINED

On February 19, 2014, the Project was approved to combine eight lots (Lot Combo A; Lot Combo B; Lot Combo C; and Lot Combo D) in Development Area "A" along with a lot split, which was required for Lot Combo D ("Combined Lots") as depicted in the attached Exhibit "A". It is these Combined Lots that the Applicant is requesting be designated for commercial purposes as shown in the Conceptual Redevelopment Site Plan, Exhibit "B".

It is the Applicant's intended purpose to construct four residential-style office buildings on these Combined Lots. Further, the Applicant intends to

relocate the existing eight-foot masonry wall now separating Development Areas “A” and “B” to the North to separate the Combined Lots from the residential lots in Development Area “A”. This relocation depiction is shown in Exhibit “C” as well as actual photos of the existing wall in Exhibit “C-1”. This wall will be completely relocated prior to any request for a building permit on the newly designated commercial lots.

An Aerial Photography and Surrounding Context of the Project are attached as Exhibit “D”. Exhibit “E” depicts the Access and Circulation Diagram to the Project. There currently exists a Vehicular and Pedestrian Mutual Access Easement (Document #2011030740 Recorded 4/8/2011) for Development Area “B”. This Easement will be amended to include the Combined Lots.

**APPLICANT EXHIBITS:**

Combined Lots:	<u>Exhibit “A”</u>
Conceptual Redevelopment Site Plan:	<u>Exhibit “B”</u> .
Masonry Wall Relocation Plan:	<u>Exhibit “C”</u>
Existing Wall along north edge of Development Area A:	<u>Exhibit “C-1”</u>
The Environmental Soils Analysis:	<u>Exhibit “F”</u> .
The FEMA Flood Map:	<u>Exhibit “G”</u> .
Future Pedestrian/Bicycle Access Plan:	<u>Exhibit “H”</u> .
Current Zoning Map:	<u>Exhibit “I”</u> .
Comprehensive Plan Land Use Map:	<u>Exhibit “J”</u> .

**PUD-759-A DEVELOPMENT STANDARDS**

DEVELOPMENT STANDARDS PUD-759-A DEVELOPMENT AREA “A” - RESIDENTIAL

Land Area:

Gross:	184,527 SF	4.236 AC
Net:	170,527 SF	3.915 AC

Permitted Uses:

Those uses permitted as a matter of right in RS-3 district and those uses considered customarily accessory to single-family uses.

Permitted Uses in Reserve Areas:

Open space/park area, landscaped features, secured entrances and recreational facilities and uses customarily accessory to permitted area.

Maximum Number of Lots:	15
Minimum Lot Size:	6,800 SF
Minimum Lot Width:	59 FT



Minimum Livability Space Required: 3,031 SF\*

\*Section 403.A of the City of Tulsa Zoning Code requires 4,000 SF of livability space per lot which equals 60,000 SF for the 15 lots. As provided for in the original PUD-759, a portion of the required livability spaces was comprised in neighborhood parks (landscaped Reserve Areas B & C) and landscaped common elements in the form of street medians and entry roundabout.

The 'common' livability space of 14,541 SF may be equally distributed among the 15 lots thus reducing the required amount of livability space required for each lot to 3,031 SF.

Maximum Building Height: 35 FT

Off Street Parking:

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

Minimum Yards:

Front:

From the property line of abutting street	15 FT
Garages	20 FT

Side:

Side yards	5 FT
Side yards	2 FT*

\*For these lots only:

Lot 1 Blk 4; Lot 3 Blk 5; Lot 5 Blk 5; Lot 6 Blk 5; and Lot 10 Blk 5

Side yard abutting internal private street	15 FT
Garages accessing internal private street	20 FT
Side yard abutting Development Area "B"	5 FT

\*The side setback along the non-arterial street ROW for Lot 1 Blk 5 will be permitted to be 5 FT, so long as the access to the lot is limited to the west boundary of the lot.

Rear:

Adjacent to S. Sheridan Road	17.5 FT*
From north development boundary	20 FT
From west development boundary	15 FT
Internal Lots	15 FT

\*See photos in Exhibit "K" depicting the eight-foot masonry wall at the rear of the two lots adjacent to South Sheridan Road, creating both a visual and sound barrier for these lots.

Maximum front yard overage for unenclosed  
Off-street parking area 40%

Private Streets: Minimum street right-of-way width of 30 feet with minimum 26 feet of paving already constructed to the standards of The City of Tulsa for minor residential public streets and Record Plans on file with the City of Tulsa.

Signs: Two (2) entry wall signs are in place at the entrance along South Sheridan Road on opposite of the entrance and they do not exceed a display surface area of 32 square feet each.

Sidewalks: A fee in lieu of sidewalks has been paid for the frontage between the entry to Development Area "A" and S. Sheridan Road.

Screening Wall: An eight-foot masonry wall with columns has been constructed between the residential lots and S. Sheridan Road. The masonry wall continues into the entry and terminates at two towers which support a gate entry system.

Utility Easements: Utility Easements are in place per Plat.

**DEVELOPMENT STANDARDS PUD-759-A DEVELOPMENT AREA "B"**  
**- COMMERCIAL**

Land Area:

Gross:	251,095 SF	5.764 AC
Net:	191,473 SF	4.400 AC

Permitted Uses:

Those uses permitted by right in the CS zoning district and those uses considered customarily incidental to those permitted principal uses, excluding sexually-oriented businesses.

Maximum Building Floor Area:

95,000 SF; this represents a 37% FAR and of this amount 14,600 SF has been constructed to date. That floor area has been allocated as outlined in the chronology noted in Section I above.

Each platted lot will be allocated a prorated share of floor area based on the net land area for each lot. Each detailed site plan will require a summary of the remaining floor area for the total PUD. Any additional floor area request above 95,000 square feet will require a major amendment to this PUD.

Maximum Building Height:  
40 FT limited to two stories\*

\*Maximum permitted height includes all building mounted equipment and screening parapets. Architectural features and elements may exceed permitted building height with Detailed Site Plan approval.

Minimum Building Setbacks:

From Centerline of South Sheridan Road Lot 1 Blk 1 Tract 1C	100 FT
From Centerline of South Sheridan Road Lots 2 & 3 Blk 2 (Lot Combo "D")	67.5 FT
From Centerline of E. 121 <sup>st</sup> St. South	100 FT
From North Boundary of Development Area "B"	11 FT
From West Boundary of Development Area "B"	17.5 FT
Internal Lot Lines	0 FT

Other Bulk and Area As provided in the CS – Commercial Shopping Center Requirements: District.

Parking Ratio:

1 per 400 SF for general office space; 1 per 300 SF for medical, retail or restaurant uses.

Signs:

Ground: Two ground signs shall be permitted; one along the South Sheridan Road frontage at the entry/exit and one along the E. 121<sup>st</sup> St. South east entry/exit.

Wall: Front building wall mounted sign shall be permitted not to exceed two (2) square feet of display surface area per lineal foot of

building wall to which it is attached. Wall signs on the North boundary buildings wall shall be prohibited on the building's north side.

Monument: One monument sign shall be permitted along the South Sheridan Road frontage entry/exit and one monument sign shall be permitted at the East 121<sup>st</sup> St. South west frontage entry/exit.

Lighting: All lighting shall be shielded, pointed down or away from adjacent residential areas or from the public street right of way. 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 the adjacent residential area. As part of the Detail Site Plan review, an accurate Lighting Plan illustrating light poles and fixtures will be provided illustrating height and fixtures facing down and away from the residential area. No light, whether pole or building mounted, shall exceed 25 feet in height.

Landscaping: A minimum of 15% of the net land area of each lot in Development Area "B" shall be improved as internal landscaped open space and a Landscape Plan shall be approved by INCOG staff prior to any building permit approval.

Sidewalks: A fee in lieu of sidewalks has been paid for the frontage between Development Area "B" and East 121<sup>st</sup> St. South.

Screening Wall: The current eight-foot masonry screening wall will be relocated to the North thereby screening Development Area "A's" residential lots from the Combined Lots and from any other commercial/retail construction on Lot 1 Blk 1. This relocation also includes moving the two emergency vehicular access gates and the one pedestrian access gate.

Pedestrian Circulation: Each building shall have a three (3) foot wide walkway, separated from vehicular travel lands to provide safe access to building entrances. The three (3) foot width shall not include any vehicle overhangs. Pedestrian walkways shall be clearly distinguished from traffic circulation, especially where vehicular and pedestrian routes intersect and such walkways have high contrast striping or contrasting pavement. The pedestrian walkway from Development Area "A" shall be marked in the same manner.

Trash and Mechanical Areas: No trash or mechanical equipment shall be visible from any viewpoint of the Development Area "A" at ground level.

No Outside Storage: There shall not be any outside storage or recycling material, trash or similar materials outside of a screening receptacle, nor shall trucks or trailer trucks be parked unless they are being loaded or unloaded. Truck

trailers and shipping containers shall not be used for storage.

#### ALL DEVELOPMENT AREAS

1. The Plat serves as the detail site plan for Development Area “A” and residential building permits issued accordingly. For Development Area “B”, Detailed Site Plans shall be required; such plans to include buildings, parking and landscaping areas to be submitted and approved by the TMAPC as being in compliance with the approved PUD development standards.
2. Development Area “B” shall submit Detail Landscape Plans, such plans to be prepared by a licensed landscape architect, architect or engineer in the state of Oklahoma and shall meet or exceed the development standards defined in the PUD.
3. No sign permits shall be issued for erection within the PUD until a Detailed Sign Plan is submitted and approved by the TMAPC as being in compliance with the approved PUD development standards.
4. Flashing signs, changeable copy signs, running light or twinkle signs, animated signs, revolving or rotating signs or signs with movement shall be prohibited.
5. A homeowner’s association shall be created for the owners of lots in Development Area “A” and a property owner’s association shall be created for the owners of lots in Development Area “B”. Each association shall be vested with sufficient authority and financial resources to properly maintain all private streets and common areas, including any storm water detention areas, security gates, guard houses, fencing or other commonly owned structures within the PUD.
6. Approval of the PUD-759-A Major Amendment is not an endorsement of the conceptual layout of Development Area “B”. This will be done during the Detail Site Plan review.
7. In accordance with Section 213 of the City of Tulsa Zoning Code, PUD-759-A will be subject to plat after approval. It is the intent of the Applicant to submit a plat waiver for approval before the Tulsa Metropolitan Area Planning Commission. No building permit shall be issued until the plat waiver of subdivision plat has been approved by the City of Tulsa.

#### **DETAILED STAFF RECOMMENDATION:**

The single-family residential and commercial uses are consistent with the New Neighborhood and Neighborhood Center vision and Area of Growth as outlined in the Comprehensive Plan.

The PUD provides development standards consistent with the expected development pattern in the area.

The PUD is consistent with the PUD Chapter of the Tulsa Zoning Code.

**Staff recommends Approval of PUD-759-A as outlined in Section I above.**

## **SECTION II** Supporting Documentation

### Relationship to the Comprehensive Plan:

*Staff Summary:* *The entire site is consistent with the vision of The Comprehensive Plan and provides a small scale office and retail center with vehicular and pedestrian connections between both development areas.*

### Land use Vision:

#### *New Neighborhood:*

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

#### *Neighborhood Center:*

The Neighborhood Center is small-scale; one to three story mixed-use areas intended to serve nearby neighborhoods with retail, dining, and services. They can include apartments, condominiums, and townhouses, with small lot single-family homes at the edges. These are pedestrian-oriented places served by transit, and visitors who drive can park once and walk to number of destinations.

#### *Area of Growth:*

The purpose of an Area 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 a general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

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

Transportation Vision:

Major Street and Highway Plan:

The Comprehensive Plan designates South Sheridan Road as a Secondary Arterial and East 121<sup>st</sup> Street South is a primary arterial. Neither street is considered a multi-modal street in the Major Street and Highway Plan.

*Staff Comment: The development of this site will provide additional pressure on the street system to ultimately provide a complete street including sidewalks and enclosed storm water drainage system. This project will not create any obstacles to the vision of the street system.*

Area Description:

Site Analysis:

The subject property is approximately 8± acres in size and is located Northwest corner of East 121<sup>st</sup> Street and South Sheridan Road. The property is partially vacant however some office and residential structure are scattered on site. This PUD does not affect any existing structures. The entire site is zoned RS-3/ CS/ PUD-759.

Surrounding Area:

The subject tract is abutted on the east by the City of Bixby and is zoned single-family residential and agricultural; on the north by a single-family residence, zoned RS-3; on the south by vacant property, zoned AG; and on the west by a single-family residential subdivision zoned RS-1/PUD677-A.

Utilities:

The subject tract has municipal water and sewer available. The redevelopment pattern anticipated with this major amendment does not affect the existing easements or utility infrastructure.



### **SECTION III Relevant Zoning History:**

**ZONING ORDINANCE:** Ordinance number 21854 dated July 31, 2008 and 19643 dated September 24, 1999, established zoning for the subject property.

**PUD-806 February 2014:** All concurred in approval of a proposed Planned Unit Development on a 5± acre tract of land for a 9 dwelling single-family development, on property located north of northwest corner of South Sheridan Road and East 121<sup>st</sup> Street.

**PUD-759 July 2008:** All concurred in approval of a proposed Planned Unit Development on a 10± acre tract of land for single-family and commercial on property located northwest corner of East 121<sup>st</sup> Street South and South Sheridan Road and abutting south of subject property.

**There were no interested parties wishing to speak.**

**The applicant indicated his agreement with staff's recommendation.**

#### **TMAPC Action; 7 members present:**

On **MOTION** of **MIDGET**, TMAPC voted **7-0-0** (Covey, Dix, Liotta, Midget, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Carnes, Reeds "absent") to recommend **APPROVAL** of the major amendment for PUD-759-A per staff recommendation.

#### **Legal Description for PUD-759-A:**

A TRACT OF LAND THAT IS PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE/4 SE/4 SE/4) OF SECTION THIRTY-FOUR (34), TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAME BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SE/4, SE/4, SE/4; THENCE NORTH 89° 58' 12" WEST, ALONG THE SOUTHERLY LINE THEREOF, AND THE SOUTHERLY LINE OF A DEED OF DEDICATION PARCEL DESCRIBED IN DOCUMENT NO. 2004130817 OF THE DEED RECORDS OF SAID TULSA COUNTY, PASSING AT 340.92 FEET THE MOST SOUTHERLY SOUTHWEST CORNER OF SAID PARCEL, IN ALL A DISTANCE OF 658.75 FEET TO THE SOUTHWEST CORNER OF SAID SE/4, SE/4, SE/4; THENCE NORTH 00° 12' 58" EAST, ALONG THE WESTERLY LINE OF SAID SE/4, SE/4, SE/4, A DISTANCE OF 60.00 FEET TO A POINT ON THE NORTHERLY ULTIMATE RIGHT-OF-WAY LINE OF EAST 121ST STREET SOUTH, AS DEPICTED ON THE TULSA METROPOLITAN AREA PLANNING

COMMISSION MAJOR STREET AND HIGHWAY PLAN, SAME BEING THE POINT OF BEGINNING; THENCE CONTINUING NORTH 00° 12' 58" EAST, ALONG SAID WESTERLY LINE, A DISTANCE OF 600.95 FEET TO THE NORTHWEST CORNER OF SAID SE/4, SE/4, SE/4; THENCE SOUTH 89° 58' 53" EAST, ALONG THE NORTHERLY LINE THEREOF, A DISTANCE OF 609.30 FEET TO A POINT ON THE WESTERLY ULTIMATE RIGHT-OF-WAY LINE OF SOUTH SHERIDAN ROAD AS DEPICTED ON SAID TULSA METROPOLITAN AREA PLANNING COMMISSION MAJOR STREET AND HIGHWAY PLAN, FROM SAID POINT THE NORTHEAST CORNER OF SAID SE/4, SE/4, SE/4 BEARS SOUTH 89° 58' 53" EAST A DISTANCE OF 50.00 FEET; THENCE SOUTHERLY, ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) CALLS: SOUTH 00° 15' 50" WEST, PARALLEL WITH THE EASTERLY LINE OF SAID SE/4, SE/4, SE/4, A DISTANCE OF 272.73 FEET; NORTH 89° 44' 10" WEST A DISTANCE OF 8.00 FEET; SOUTH 00° 15' 50" WEST, PARALLEL WITH THE EASTERLY LINE OF SAID SE/4, SE/4, SE/4, A DISTANCE OF 168.16 FEET TO A POINT ON THE WESTERLY LINE OF THE AFOREMENTIONED DEED OF DEDICATION PARCEL; THENCE SOUTHERLY, WESTERLY AND SOUTHWESTERLY ALONG SAID WESTERLY LINE THE FOLLOWING FOUR (4) CALLS: SOUTH 05° 03' 08" WEST A DISTANCE OF 143.75 FEET; SOUTH 46° 17' 24" WEST A DISTANCE OF 17.37 FEET; NORTH 89° 58' 12" WEST A DISTANCE OF 28.57 FEET SOUTH 80° 06' 40" WEST A DISTANCE OF 29.01 FEET TO A POINT ON THE AFOREMENTIONED NORTHERLY ULTIMATE RIGHT-OF-WAY LINE; THENCE NORTH 89° 58' 12" WEST, ALONG SAID RIGHT-OF-WAY LINE AND PARALLEL WITH THE SOUTHERLY LINE OF SAID SE/4, SE/4, SE/4, A DISTANCE OF 519.17 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINS **362,000** SQUARE FEET OR **8.310** ACRES WITHIN THE METES RECITED HEREON.

\*\*\*\*\*

17. **PUD-809 – Barnard Trace, LLC**, Location: West of South Lewis Avenue, between East 17<sup>th</sup> Street and East 17<sup>th</sup> Place, Requesting a **PUD** to construct single-family residences, **RS-3/HP to RS-3/HP/PUD-809**, (CD-4)

**STAFF RECOMMENDATION:**  
**DEVELOPMENT CONCEPT**

Barnard Trace is a proposed re-development project of single-family residences on a 3.96 acre property. The property is located on the west side of South Lewis Avenue between East 17<sup>th</sup> Street South and East 17<sup>th</sup> Place South. The property although platted as Maywood Addition with 20 single-family lots was never developed residentially. The Barnard

Elementary School was constructed on the site in the late 1920's and remained so until recently closed due to the fire that destroyed the building.

The Tulsa Public Schools invited bids on the property to purchase with a proposal for re-development. The developers of this proposal were awarded the contract and now own the property. The TPS awarded the contract primarily based on this proposed development proposal. There were neighborhood meetings held by TPS for their input and several meetings with the neighborhood since by the developers.

At a pre-purchase open meeting of the TPS Board attended by several representatives of the surrounding neighborhood the developers pledged to develop the property with no more than 18 single-family homes consistent with the character and style of the surrounding historic neighborhood. The developers answered questions, and their presentation was well received by those attending the meeting.

The developers have pledged to make every effort in the design of the project to maintain the architectural character of this historic area. Each residential structure will be submitted to the Tulsa Preservation Commission for their review and approval. The developers will maintain architectural control and approval of all residential structures until the time it will be turned over to the Architectural Design Committee of the Barnard Trace Homeowners Association with mandatory membership of all lot owners.

Much of the existing character of the property will be preserved and maintained such as the perimeter retaining walls. Every effort will be made to protect and preserve existing trees on the property. Additionally, there will be mandatory landscape requirements including a provision to maintain a minimum of 2 trees on each lot (1 in the front; 1 in the back yard). The landscape requirements will be privately managed by the Homeowners Association.

The project will be divided into two development areas. Development Area A will consist of 12 single-family lots on the interior 2.54 acres of the development. All dwellings in Area A will be designed to front the street with all vehicular access from the interior alley. Development Area B will consist of 6 single-family lots designed to include an interior private courtyard however the front façade of the homes will face East 17<sup>th</sup> Street and East 17<sup>th</sup> Place. Area B will abut South Lewis Avenue and is comprised of 1.42 acres.

## **PUD 809 DEVELOPMENT STANDARDS**

Land Area (gross) -	215,600 SF/4.94 AC
Land Area (net) -	172,640 SF/3.96 AC
Permitted Uses -	Single-Family Dwellings
Maximum Dwellings -	18
Maximum Building Height -	35 Feet
Maximum Building Floor Area -	4,000 SF
Minimum Building Floor Area -	1,800 SF
Minimum Off-Street Parking Spaces Per Dwelling -	4 (2 enclosed/2 open)

### **Build To Lines \* –**

Development Area A -	
From East 17 <sup>th</sup> Street South	25 Feet
From East 17 <sup>th</sup> Place South	25 Feet

Development Area B –	
From East 17 <sup>th</sup> Street South	25 Feet
From East 17 <sup>th</sup> Place South	25 Feet

*\*A “build-to-line” shall be the line on the lot facing East 17th Street or East 17th Place where the front façade of a home shall be placed. If lot circumstances prohibit placement at that line because of physical characteristics recognized by the Preservation Commission the structure may be moved up to 10’ further from the public street as approved by the Preservation Commission without amending the Planned Unit Development.*

Minimum Side Yards including (South Lewis Avenue)	5 Feet
Minimum Livability Area Per Lot -	4,000 SF
Other Bulk and Area Requirements:	As provided in the RS-3 – Single-family Residential district.

## **HISTORIC PRESERVATION OVERLAY STANDARDS**

No residential building permit shall be issued until a Certificate of Appropriateness is granted by the Tulsa Preservation Commission. The architectural character of all structures in this PUD shall meet the standards defined in Tulsa Preservation Commission Unified Design Guidelines for Residential Structures.

The Historic Preservation consideration of this PUD shall be in conformance with Chapter 10a of the Tulsa Zoning Code. The Tulsa Preservation Commission shall approve each new structure and future modifications through the review of an application for a Certificate of Appropriateness.

## **UTILITIES**

All utilities are available to the property. City of Tulsa waterlines are on East 17<sup>th</sup> Street South and East 17<sup>th</sup> Place South. The sanitary sewer is located on the property. The property currently has stormwater pipes that drain to the southeast corner of the property and into the stormwater manhole located in the center of the intersection of East 17<sup>th</sup> Place South and South Lewis Avenue. Gas, electric, cable and telephone are all available to the property.

## **VEHICULAR ACCESS AND CIRCULATION:**

Vehicular access will be from East 17<sup>th</sup> Street South to the interior alley for the lots in Development Area A and to the private street for the lots in Development Area B.

## **PEDESTRIAN ACCESS:**

Pedestrian Access will continue to be provided in public street right of way. Sidewalk improvements may be required during the plat process to enhance the standards defined provided in the American Disability Act. It is anticipated that stairs will be added from the public sidewalk to many of the homes in this subdivision. Stair details will be part of the site development considerations reviewed by the Tulsa Preservation Commission.

## **PLATTING REQUIREMENT**

No building permit shall be issued until a subdivision plat of the proposed development has been submitted to and approved by the Tulsa Metropolitan Area Planning Commission and accepted by the Tulsa City Council and duly filed of record.

## **EXPECTED SCHEDULE OF DEVELOPMENT**

It is anticipated that site development will commence as soon as all necessary approvals are obtained. The anticipated date is summer of 2014.

## **NEIGHBORHOOD IDENTIFICATION SIGN AND LIGHTING**

Any anticipated neighborhood identification sign at the entrance shall comply with the Tulsa Zoning Code for permitted single-family residential subdivision signage. Neighborhood identification signage or lettering shall also receive a certificate of appropriateness from the Tulsa Preservation Commission.

All building or common area lighting shall be pointed down and away from adjacent properties. Prior to installation of any lighting in any reserve areas contained in the PUD a Certificate of Appropriateness shall be approved by the Preservation Commission.

**DETAILED STAFF RECOMMENDATION:**

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

The PUD provides development standards consistent with the Historic Character of the Yorktown Neighborhood.

The Tulsa Preservation Commission will review and issue Certificates of Appropriateness as required in Chapter 10a of the Tulsa Zoning Code.

The PUD is consistent with the PUD chapter of the Tulsa Zoning Code.

**Staff recommends Approval of PUD-809 as outlined in Section I above.**

**SECTION II** Supporting Documentation

Relationship to the Comprehensive Plan:

*Staff Summary: The entire project is included in an Existing Neighborhood and an area of Stability. As stated in the Applicants Concept in Section I, the site was previously a school site which was demolished after a fire. The infill project, as proposed in this PUD, is consistent with the Comprehensive Plan for new development in an existing neighborhood. The additional Historic Overlay for this area will provide significant development guidelines as defined by the Unified Design Guidelines for residential structures. The Tulsa Preservation will issue Certificates of Appropriateness as required in Section 10-A of the Tulsa Zoning Code.*

Land use Vision:

*Existing Neighborhood:*

The 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.

*Area of Stability:*

The 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.

Transportation Vision:

*Major Street and Highway Plan:*

The Comprehensive Plan designates South Lewis as an Urban Arterial with a Multi Modal Overlay. 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 existing retaining wall along the east side of the property will not be removed as part of this development. The orientation of the houses with side lot lines on Lewis will not provide an interesting or attractive area for pedestrians or bicyclist however the historic significance of the wall is also an important part of the neighborhood character. In this instance staff supports the idea of preserving the wall and orienting homes so that the front facade will be placed perpendicular to South Lewis.*

Area Description:

**SITE ANALYSIS:** The subject property is approximately 4+ acres in size and is located west of South Lewis Ave between East 17<sup>th</sup> Street and East 17<sup>th</sup> Place. The property appears to be vacant and is zoned RS-3/HP. The site was a Tulsa Public School property.

**SURROUNDING AREA:** The subject tract is abutted on the east by South Lewis Avenue, further east across Lewis a large residential area, zoned RT and RS-3; on the north, south and west by single-family residential property, zoned RS-3 and HP.

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

**STREETS:**

<b><u>Exist. Access</u></b>	<b><u>MSHP Design</u></b>	<b><u>MSHP R/W</u></b>	<b><u>Exist. # Lanes</u></b>
South Lewis Avenue	Urban Arterial	70 feet	4
East 17 <sup>th</sup> Street	Residential	50 feet	2
East 17 <sup>th</sup> Place	Residential	50 feet	2

**SECTION III Relevant Zoning History:**

**ZONING ORDINANCE:** Ordinance number 11815 dated June 26, 1970, established zoning for the subject property.

**Z-6490 & Z-6490-A August 1995:** All concurred in approval of a request for rezoning a 74± acre tract of land for an HP (Historic Preservation) overlay zoning, on property located between East 15<sup>th</sup> Street and East 21<sup>st</sup> Street and between South Utica Avenue and South Lewis Avenue and includes the subject property.

**BOA-16019 April 28, 1992:** The Board of Adjustment approved a Special Exception to permit a public school (Use Unit 5) in an R District per plan submitted, on property located at 2324 East 17<sup>th</sup> Street and also known as the subject property.

**Applicant's Comments:**

**Wayne Alberty**, 9302 North 129<sup>th</sup> East Avenue, Owasso, 74055, stated that he couldn't have selected a better application to be back before the Planning Commission for the first time. Mr. Alberty indicated that the two gentlemen that are the principals under Barnard Trace, LLC, are Lindsey Perkins and Phil Marshall that are neighbors of the development community that are not strangers and have sterling reputations for the type of product that they produce.

Mr. Alberty stated that he appreciates staff's recommendation and agree with their recommendation. This application has been well vetted with the community. Tulsa Public Schools held two public hearings and he believes that Mr. Marshall and Mr. Perkins were awarded with the contract because they had done something prior to submitting their bid that was acceptable to the community. Mr. Marshall and Mr. Perkins recognize the fact that they are in a historic area and they want to comply with the



conditions of the historic area. Mr. Alberty stated that the property was platted in 1920 with 20 lots, 50-foot lots. Mr. Alberty further stated that the lots could be developed without the PUD, but in Development Area A was designed with rear-entry garages and all vehicular access will be to the rear of Development Area A, which will be 12 single-family homes. The area that faces Lewis Avenue, between 17<sup>th</sup> Street and 17<sup>th</sup> Place is a little more problematic. The intention of the development is to retain and preserve the retaining wall that goes around the subject property that has been in place for almost 100 years. Mr. Alberty explained that access from 17<sup>th</sup> Place is not possible and so the access will be internal and the lots were reoriented to the interior to a court cull that will be heavily landscaped and will be like a community within itself. Mr. Alberty stated that he has been in communication with the neighborhood and there are probably some here today to speak.

**INTERESTED PARTIES COMMENTS:**

**Gary Watts**, 1564 South Gillette Avenue, 74104, stated that he has lived in the subject area for 35 plus years. Mr. Watts commented that he was sad when the school burned down. Mr. Watts stated that he feels that the staff has given a very reasonable summary of how to view this proposed development and consistent with the underlying zoning and surrounding neighborhood. Mr. Watts indicated that he took part in the entire process and he was supportive of the plan. Mr. Watts pointed out that as the plan was presented through the School Boards action the lots in Area B have been reoriented due to some difficulty and this was not a part of the full public process. Mr. Watts commented that this would not be an impact for him, but it may be an impact for others that are across from Area B.

**Jim Turner**, Chairman of Tulsa Preservation Commission, 1719 South Rockford Avenue, 74120, stated that the commission has reviewed the application and are generally in favor of the application and excited about the subject property going back to single-family residences. Mr. Turner stated that the Tulsa Preservation Commission is looking forward to reviewing the individual applications as they come in.

**TMAPC COMMENTS:**

Mr. Walker stated that Mr. Alberty is a natural at the podium. Mr. Walker asked where the driveways are located on the six houses facing Lewis. Mr. Alberty stated that they will be accessed at the front and face the interior. Mr. Alberty explained that all of the lots north of 17<sup>th</sup> that front into Lewis is part of a Lewis Avenue Study that he was responsible for years ago and all of those lots have been approved for office and that is another reason he didn't feel it would be appropriate to front the houses to Lewis. The six houses will front 17<sup>th</sup> Street and it will be up to the individual builders how the houses are oriented and it will have to go before the Tulsa Preservation Commission.

Ms. VanValkenburgh stated that staff's report states that the houses in Development Area B will face the streets. Mr. Wilkerson stated that the architectural front will need to look like that is the front of the house, but it doesn't mean that is where the driveway will come in, etc. Mr. Wilkerson stated that the design guidelines in the Historic Preservation are very clear about the building orientation and what the façade of these houses will look like, whether there is a driveway coming to it or not. Mr. Wilkerson reminded the Planning Commission that every lot developed has to go before the Tulsa Preservation Commission for review. Mr. Wilkerson stated that the front of the house will face 17<sup>th</sup> Street and 17<sup>th</sup> Place.

Mr. Marshall requested to be recognized. Mr. Midget recognized Mr. Marshall.

Phil Marshall, P.O. Box 701315, Tulsa, 74170, stated that there was quite a challenge on the bottom portion of Development Area B due to the elevation. Mr. Marshall explained that the entrance will be off of 17<sup>th</sup> Street and the houses will be facing the interior with side driveways coming into the back/rear of the property. Due to the retaining wall being so tall, he didn't want to damage it so this is the alternative and meets the Preservation Guidelines by having the garages in the back. The garages will face 17<sup>th</sup> Place and 17<sup>th</sup> Street.

Mr. Wilkerson stated that it is the staff recommendation in support of Historic Preservation Guidelines that wherever the driveways come from the front façade of the house will face either north or south on these lots.

Mr. Covey asked Mr. Wilkerson if Mr. Marshall said anything that staff disagrees with. Mr. Wilkerson stated that he doesn't know if it is semantics without knowing the exact architectural character, which is what they will get into at the Preservation Commission review. Mr. Wilkerson indicated that he is not concerned with what Mr. Marshall said, but all of the details will be worked out at the Preservation Commission. Mr. Wilkerson reiterated that each lot will have to go before the Preservation Commission before a permit will be allowed.

Mr. Covey asked Mr. Turner if the Preservation Commission is comfortable with this and wants to make sure everyone is on the same page.

Mr. Turner stated that his understanding from the language is that the houses would be facing 17<sup>th</sup> and 17<sup>th</sup> Place. Mr. Turner further stated that he agrees with the staff recommendation as it has been presented today. Mr. Turner indicated that each lot will be reviewed on a case-by-case basis.

**Lindsey Perkins**, 4748 South Atlanta Avenue, 74105, stated that he doesn't want there to be any confusion on anyone's part today. Mr. Perkins further stated that he believes that this is a well thought out plan and makes a lot of sense. Mr. Perkins stated that the retaining wall is what they are trying to preserve and it was built by the WPA and is a historical piece in itself. Mr. Perkins described the size of the lots and the flexibility for placement/orientation of the homes, drives and garages. Mr. Perkins explained that the homes in Development Area B would face a rain garden rather than a side view of a house and garage across the street and it will allow him to preserve the retaining wall.

Mr. Covey asked Mr. Perkins if the rear of the homes would have a front façade. Mr. Perkins stated that that would be determined in the planning process. Mr. Perkins explained that the lots would be sold to developers and they would have to take their plans to the Tulsa Preservation Commission.

**Joan Crager**, 1620 South Lewis, 74104, stated that she owns a home and duplexes in the subject area and has lived in the subject area for 30 years. Ms. Crager commented that she is thrilled with Mr. Perkin's low impact development. Ms. Crager stated that her home is long and narrow and she rarely uses her front door. Ms. Crager indicated that she uses her side yard that faces the subject development and she doesn't want to be looking at a ten-foot privacy fence. Ms. Crager stated that the Preservation Commission only has authority on the front of the houses and possibly the person who purchases the home could do some tricky things because the Preservation Commission doesn't have authority on the back or side of the house. Ms. Crager commented that her concerns are not with Mr. Perkins or Mr. Marshall, but who they may sell to and if the orientation is to the rear to 17<sup>th</sup>.

Mr. Perkins stated that the plan is to install wrought-iron style fence around at a minimum of three sides of the subject property (East, West and South), and there may be some small portion that will extend along the retaining wall on the north side as it gets close to Lewis. Mr. Perkins explained that it would be a see-through fence and the chain-linked fence will come down. Mr. Perkins stated that he commits that every lot will go through the Historic Preservation for review and approval. Mr. Perkins further stated that he would be happy to put it in the covenants if necessary.

In response to Mr. Covey, Mr. Wilkerson stated that page 17.3 of the agenda may have already taken care of the condition that each lot will have to go before the Tulsa Preservation Commission. Mr. Wilkerson read page 17.3 of the agenda.

Mr. Turner stated that as a general rule the Tulsa Preservation Commission review what is visible from the street and that would 17<sup>th</sup> Street and 17<sup>th</sup> Place. Mr. Covey asked Mr. Turner if he was good with the staff recommendation language. Mr. Turner indicated that he was in agreement with the staff recommendation.

Ms. Crager stated that if the Tulsa Preservation was okay with the staff recommendation, she would also be in agreement.

**TMAPC Action; 7 members present:**

On **MOTION** of **DIX**, TMAPC voted **7-0-0** (Covey, Dix, Liotta, Midget, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Carnes, Reeds "absent") to recommend **APPROVAL** of PUD-809 per staff recommendation.

**Legal Description for PUD-809:**

Lots 1 to 10, inclusive and Lots 33 to 42, inclusive, Block 5, Maywood Addition, an addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat No. 339.

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**OTHER BUSINESS**

**18. Commissioners' Comments**

**None.**

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**TMAPC Action; 7 members present:**

On **MOTION** of **WALKER**, TMAPC voted **7-0-0** (Covey, Dix, Liotta, Midget, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Carnes, Reeds "absent") to **ADJOURN** TMAPC meeting No. 2671.

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**ADJOURN**

There being no further business, the Chair declared the meeting adjourned at 2:42 p.m.

Date Approved:

04-16-2014

  
Chairman

ATTEST: John G. Wake (acting)  
Secretary