

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 2672

Wednesday, April 16, 2014, 1:30 p.m.

City Council Chamber

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

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

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Thursday, April 10, 2014 at 2:25 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 that there will be work sessions for the revised Zoning Code. Ms. Miller further reported on the City Council agenda and TMAPC appointments that are pending.

1. **Minutes:**

Approval of the minutes of April 2, 2014 Meeting No. 2671

On **MOTION** of **SHIVEL**, the TMAPC voted 7-0-0 (Carnes, Covey, Dix, Liotta, Reeds, Shivel, Walker “aye”; no “nays”; none “abstaining”; Midget, Stirling “absent”) to **APPROVE** the minutes of the meeting of April 2, 2014, Meeting No. 2671.

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-571** (Lot-Combination) (CD-4) – Location: West of the southwest corner of East 8th Street South and South Utica Avenue
3. **LS-20683** (Lot-Split) (CD-2) – Location: South of the southwest corner of East 31st Street South and Southwest Boulevard

This item pulled from the consent agenda.

4. **LS-20685** (Lot-Split) (CD-7) – Location: Southeast corner of East 48th Street South and South 102nd East Avenue
5. **Amendment to Covenants** – Plaza 41 Neighborhood Center, Planned Unit Development 566 B, Location: Northwest corner of South 57th West Avenue and West 41st Street South (CD-2)

This item pulled from the consent agenda.

6. **Stone Lake II** – Final Plat, Location: South of East 136th Street North, west of North Sheridan Road, (County)

STAFF RECOMMENDATION:

This plat consists one 13 lots, one block on 9.46 acres.

Release letters have been received for this plat. Staff recommends **APPROVAL** of the final plat.

7. **PUD-779-1 – Tanner Consulting, LLC**, Location: 17617 East 44th Place South, Lot 2, Block 8 of Oxford Court, Requesting **PUD Minor Amendment** to reduce the required rear yard from 20 feet to 15 feet to permit an existing, newly constructed single-family dwelling, **RS-3/PUD-738**, (CD-6)

STAFF RECOMMENDATION:

Amendment Request: Modify the PUD Development Standards to reduce the required rear yard from 20 feet to 15 feet to permit an existing, newly constructed single-family dwelling.

The underlying zoning for this parcel is RS-3 which requires a 20-foot rear yard. The original plat depicted the rear yard as 15 feet. This distance was used during construction.

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 rear yard requirement is needed to reconcile the error in the plat for this lot.
- 2) The requested amendment does not represent a significant departure from the approved development standards in the PUD.
- 3) All remaining development standards defined in PUD 779 shall remain in effect.

With considerations listed above, staff recommends **approval** of the minor amendment request to change the rear yard requirement for Lot 2, Block 8.

8. **PUD-738-1 – Architects Collective/Mark Thomas**, Location: Southwest corner of West 71st Street and South Elwood Avenue, Requesting a **PUD Minor Amendment** to modify development standards in Development Areas A & B due to the requirements of a multifamily development in Area B & allow a senior living or similar development in Area A, **CS/RM-0/RM-3/PUD-738**, (CD-2)

STAFF RECOMMENDATION:

Amendment Request: Modify the PUD Development Standards due to the requirements of a proposed Multifamily Development in Development Area B and the desire to allow a senior living or similar use in Development Area A.

Proposed Modifications:

Development Area A:

Land Area

Reduce the Development Area from 18.07 Acres to 14.75 Acres

Maximum Building Floor Area

Reduce the maximum allowable area from 263,000 SF to 214,000 SF

Permitted Uses

Add Use Unit 8 Elderly/Retirement; Assisted Living; and Life Care Retirement Center as permitted uses.

Maximum Height

Add Elderly/Retirement; Assisted Living; and Life Care Retirement Center 75 FT

Minimum Building Setbacks

Clarification: Revise setback from east boundary from 100 FT to 50 FT

Development Area B:

Land Area

Increase the Development Area from 17.94 Acres to 21.26 Acres

Maximum Number of Dwelling Units

Increase the Maximum Number for Dwelling Units from 264 to 344

Minimum Building Setbacks

Correct typographical error; revise setback from east boundary from 100 FT to 50 FT

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

Staff has reviewed the request and determined:

- 1) The requested amendment does not represent a significant departure from the approved development standards in the PUD.
- 2) All remaining development standards defined in PUD-738 shall remain in effect.

With considerations listed above, staff recommends **approval** of the minor amendment request to change the specific development standards within PUD-738.

9. **PUD-636-A – Cedar Creek Consulting/Jason Emmett**, Location: Northeast of the intersection of West 81st Street South and South Union Avenue, Requesting a **PUD Detail Site Plan** for a new 49,810 square foot entertainment and event center on Lot 2, Block 1 of Nickel Creek Phase 3, **CO/PUD-636**, (CD-2)

STAFF RECOMMENDATION:

CONCEPT STATEMENT:

The applicant is requesting detail site plan approval for an Entertainment and Event Center. The proposed development is located in PUD-636-A.

PERMITTED USES:

Uses permitted as a matter of right include those permitted in the CS – Commercial Shopping District. The Event and Entertainment Center proposed for this project is classified Use Unit 19 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 are 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. All building mounted lighting within 100 feet of the west boundary shall be shielded and designed so as to prevent the light producing element or reflector of the light fixture from being visible to a person standing at ground level in the adjacent residential area. Light levels shall not exceed zero-foot candles at the westerly boundary of the project and the westerly 150 feet of the north boundary of the project.

SIGNAGE:

The site plan illustrates wall sign locations which will 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 the requirement for a separate landscape plan review process.

PEDESTRIAN ACCESS AND CIRCULATION:

The plan displays sidewalks around the building at the parking areas. Pedestrian access is shown being provided from the existing sidewalk along South Santa Fe West Avenue.

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-636-A**. 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 Event and Entertainment Center.

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

Mr. Covey stated that Items 3 and 5 will be removed from the consent agenda.

The Planning Commission considered the consent agenda.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **CARNES**, TMAPC voted **7-0-0** (Carnes, Covey, Dix, Liotta, Reeds, Shivel, Walker "aye"; no "nays"; none "abstaining"; Midget, Stirling "absent") to **APPROVE** the consent agenda Items 2, 4, 6 through 9 per staff recommendation.

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

CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA:

- 3. **LS-20683** (Lot-Split) (CD-2) – Location: South of the southwest corner of East 31st Street South and Southwest Boulevard

STAFF RECOMMENDATION:

The applicant is requesting a continuance to May 7, 2014.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **SHIVEL**, TMAPC voted **7-0-0** (Carnes, Covey, Dix, Liotta, Reeds, Shivel, Walker "aye"; no "nays"; none "abstaining"; Midget, Stirling "absent") to **CONTINUE** the lot-split for LS-20683 to May 7, 2014.

- 5. **Amendment to Covenants – Plaza 41 Neighborhood Center, Planned Unit Development 566 B, Location: Northwest corner of South 57th West Avenue and West 41st Street South (CD-2)**

STAFF RECOMMENDATION:

The applicant is requesting a continuance to May 7, 2014.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **SHIVEL**, TMAPC voted **7-0-0** (Carnes, Covey, Dix, Liotta, Reeds, Shivel, Walker "aye"; no "nays"; none "abstaining"; Midget, Stirling "absent") to **CONTINUE** the amendment to covenants for Plaza 41 Neighborhood Center to May 7, 2014.

PUBLIC HEARINGS:

10. **Springs at Mingo Crossing** – Preliminary Plat, Location: South of southeast corner of East 71st Street South and South Mingo Road, (CD-7)

STAFF RECOMMENDATION:

This plat consists of one lot, one block on 19.6 acres.

The following issues were discussed April 3, 2014, at the Technical Advisory Committee (TAC) meetings:

1. **Zoning:** The property is zoned CO (corridor) Z-4900-SP-9 for multifamily uses. A park trail dedication is needed per transportation planning staff approval.
2. **Streets:** Provide reference for right-of-way along Mingo such as plat number and page number. Modify sidewalk section to read: "Sidewalks shall be provided along the east side of South Mingo and along the south side of East 75th Street..." Need to show platted Limits of No Access along Mingo frontage. Widths need to match drive throats. For 30-foot right-of-way dedication along north boundary, show 25-foot corner clip of right-of-way dedication on south side (where south right-of-way line intersects with 75th Street right-of-way).
3. **Sewer:** Provide a dimension for the existing utility easement located along the west boundary of the plat, and continue the easement to the south until it intersects the 17.5-foot utility easement located along the south boundary. Provide distances and bearings for the proposed sanitary sewer easement, and provide a distance from a known point to the beginning of the sanitary sewer easement. Provide an 11-foot utility easement along the north boundary, adjacent to the 30-foot right-of-way as shown on the IDP (infrastructure development plan). In Section 1 C, use the standard language for paving and landscaping.
4. **Water:** Add standard covenants language for Section 1 B. Water, sewer and storm sewer services. Water service meters must be inside a dedicated easement or within the waterline easement.
5. **Storm Drainage:** Floodplains are to be plotted by elevation and placed in an overland drainage easement (ODE). There is also a floodplain in the southeast corner of the plat. The ODE will need to be sized to facilitate the requirements of section 1605.1.1 of the Stormwater Criteria Manual. Similar requirements for detention easements can be found in section 1303.4.3. Add standard language for ODE and drainage easement as necessary.

6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** No comment.
7. **Other: Fire:** No comment.
8. **Other: GIS:** Not all subdivisions shown in location map which should be in upper right hand corner of plat. Submit subdivision data control sheet. Remove contours from face of plat map.

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.

Mrs. Fernandez stated that the applicant expressed concerns with that standard easement language, which is normally reviewed by City Legal before the final plat. Mrs. Fernandez requested that the language be approved through the City Legal office.

Applicant's Comments:

Ricky Jones, Tanner Consulting, 5323 South Lewis Avenue, 74105, stated that there was a condition about the trail requirement and he believes that it is no longer a requirement. Mr. Jones indicated that as long as the 12-foot trail requirement easement being shown has gone away, then he is in agreement with the staff recommendation.

Mr. Duke and Mrs. Fernandez indicated that the trail requirement has gone away.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

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

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11. **PUD-808** - Plat Waiver, Location: 7201 South Quincy Avenue, north and east of Riverside Parkway and east of South Quincy Avenue (CD-2)

STAFF RECOMMENDATION:

The platting requirement is being triggered by a rezoning to PUD 808 for Saint John’s medical center and the Tulsa police department.

Staff provides the following information from TAC for their April 3, 2014 meeting:

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

STREETS: No comment.

SEWER: No comment.

WATER: No comment.

STORMWATER: No comment.

FIRE: No comment.

UTILITIES: No comment.

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

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

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

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

	YES	NO
4. Is right-of-way dedication required to comply with Major Street and Highway Plan?		X
5. Would restrictive covenants be required to be filed by separate instrument if the plat were waived?		X
6. Infrastructure requirements:		
a) Water		
i. Is a main line water extension required?		X

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

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

*primarily dealing with signs and landscaping

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 **CARNES**, TMAPC voted **9-0-0** (Carnes, Covey, Dix, Liotta, Reeds, Shivel, Walker "aye"; no "nays"; none "abstaining"; Midget, Stirling "absent") to **APPROVE** the plat waiver for PUD-808 per staff recommendation.

12. **CZ-431 – Lloyd Garrison**, Location: Northwest corner of North Sheridan Road and East 126th Street North, Requesting rezoning from **AG TO RS**, (County)

STAFF RECOMMENDATION:

SECTION I: Detailed Staff Recommendation:

- The requested RS zoning is consistent with the vision identified in the City of Collinsville Comprehensive Plan and the expected development pattern in the area; and
- RS zoning is harmonious with the existing and expected development on the site and the existing surrounding properties.

Therefore **staff recommends APPROVAL** of CZ-431 for the rezoning from AG to RS.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

This site is outside the limits of the Comprehensive Plan in the City of Tulsa and was not included in the Tulsa Metropolitan Area Comprehensive Plan. The site is within the limits of the City of Collinsville Comprehensive Plan with a Land Use designation of Residential. This site is located within the City of Collinsville SH-20 West Development Area.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 39± Acres in size and is located at the northwest corner of North Sheridan Road and East 126th Street North. The property appears to be undeveloped and is currently zoned AG.

SURROUNDING AREA: The subject tract is abutted on the North, South, East and West by undeveloped land, zoned AG; also abutted on the South by a single family residence, zoned AG.

UTILITIES: The subject tract does not currently have 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>
North Sheridan Road	Secondary Arterial	100 feet	2
East 126 th Street North	Secondary Arterial	100 feet	2

SECTION III: Relevant Zoning History:

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

RELEVANT ZONING HISTORY:

CZ-392 August 2008: All concurred in approval of a request for rezoning a 160± acre tract of land from AG to RE for single-family use, on property located east of the southeast corner of North Yale Avenue and East 136th Street North.

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 **DIX**, TMAPC voted **7-0-0** (Carnes, Covey, Dix, Liotta, Reeds, Shivel, Walker "aye"; no "nays"; none "abstaining"; Midget, Stirling "absent") to recommend **APPROVAL** of the RS zoning for CZ-431 per staff recommendation.

Legal Description for CZ-431:

SE/4 of the SE/4 of Section 34, T-22-N, R-13-E, Tula County, Oklahoma. Less the east 16.5 ft. thereof.

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13. **Z-7260 – Glenn Hall**, Location: Northeast corner of South Lewis Avenue and East 12th Street South, Requesting rezoning from **CH to IL**, (CD-4)

STAFF RECOMMENDATION:

SECTION I: Detailed Staff Recommendation:

This Zoning Request has been filed in conjunction with PUD-810. Requested IL zoning is not consistent with the vision identified in the Tulsa Comprehensive Plan and the expected development pattern in the area unless accompanied with a PUD.

The requested IL zoning (limited to a microbrewery within a PUD) is harmonious with the existing development on the site and the existing surrounding properties.

Staff recommends APPROVAL of Z-7260 for the rezoning from CH to IL in conjunction with PUD-810.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary:

Z-7260 is included in a Main Street and an Area of Growth. The rezoning request will complement the vision identified in The Plan. IL zoning designation will provide the opportunity for to construct a microbrewery on the site in conjunction with pedestrian oriented commercial/retail development.

Land Use Designation: *Main Street*

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

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:

Major Street and Highway Plan:

South Lewis is an urban arterial and multi-modal street. The Tulsa Comprehensive Plan emphasizes plenty of travel choices on this street system and includes 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.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 6,750± SF in size and is located at the northeast corner of South Lewis Avenue and East 12th Street South. The property appears to be vacant and is zoned CH.

SURROUNDING AREA: The subject tract is abutted on the West by industrial development, zoned IM; on the north and south by commercial development, zoned CH; and on the east by single family housing, zoned RS-3.

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

STREETS:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Lewis Avenue	Urban Arterial	70 feet	4
East 12th Street	N/A	N/A	2

SECTION III: Relevant Zoning History:

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

BOA-16875 December 27, 1994: The Board of Adjustment approved a Variance of the number of required parking spaces and a Variance of the required setback from the centerline of S. Lewis Ave. to permit the existing building, existing parking and proposed canopy (Use Unit 15); per plan and development standards submitted, with exception that Use Unit 15 be limited to lumber yard use only; subject to 50 on-site parking spaces being provided; subject to no enclosed expansion of the existing building; subject to the proposed 10,000 sq. ft. storage shed being open sides; subject to the applicant completing purchase agreement with PSO; and subject to the exit being placed on the south end of the property; on property located at 1124 South Lewis Avenue.

Items 13 and 14 are related items and presented to the TMAPC together:

14. **PUD-810 – Glenn Hall,** Location: Northeast corner of South Lewis Avenue and East 12th Street South, Requesting a **PUD** for mixed use building and micro brewery, **CH to CH/IL/PUD,** (CD-4)

STAFF RECOMMENDATION:

DEVELOPMENT CONCEPT:

Construct a two story mixed use building including office, residential and a micro brewery. The current zoning code does not allow a brewery without IL zoning therefore this site will be developed with a PUD and includes a concurrent IL zoning request. The building will be placed adjacent to the street right of way on South Lewis and East 12th Street South.

The only IL use allowed in this PUD is Use Unit 26. The only use allowed in Use Unit 26 is a micro brewery. For the purposes of this PUD a micro brewery is considered a brewery with a maximum output of 5000 beer barrels annually. Any increase in production will require a PUD major amendment.

EXHIBITS:

- INCOG Case map
- INCOG Aerials
- Land Use Map
- Growth and Stability Map
- Applicant Exhibits:
 - Site Plan
 - Building Elevations
 - Floor Plan
 - Building Illustrations

PUD 810 DEVELOPMENT STANDARDS:

Gross Land Area: 20,629 SF (includes 35' right of way on Lewis Ave.)

Net Land Area: 13,499 SF (includes 25' right of way on 12th Street)

Permitted Uses:

Current Zoning: CH

Proposed: CH and IL with a PUD overlay and will allow the following uses:

- Use Unit 14; Shopping goods and services
- Use Unit 8; Multi family, but limited to the second floor of a mixed use building.
- Use Unit 11; Offices, Studios and Support Services
- Use Unit 12; Eating Establishments other than drive-in's
- Use Unit 26; Limited to micro brewery with a production of less than 5,000 beer barrels annually. (No outside storage of any kind will be allowed for this use)

Maximum Building Floor Area:

Commercial:	2000 SF
Micro Brewery:	3100 SF
Office or loft apartments (future build out):	<u>2000 SF</u>
Total:	7100 SF

Minimum Building Setbacks*:

From centerline of South Lewis Avenue:	35 FT
From centerline of East 12 th Street:	25 FT
From north boundary:	None
From east boundary:	10 FT

*The building setback lines have been provided to encourage building placement adjacent to the existing Street Right of Way

Proposed Maximum Height: 35 FT

Off Street Parking:

12 parking spaces will be provided for a maximum of 7100 square feet of building floor area without regard to the building use.

Signs:

Signs shall be limited as follows:

1. The name of the building or development will be attractively displayed in a horizontal fashion across the face of the building, above the main entrance on the diagonal corner of the building at 12th and Lewis.
2. Ground floor tenants with entrances facing the street may install horizontal signs in the space between the awning and the second floor windows.
3. Sign sizes will be uniform for each tenant; all such signs will be tastefully designed to be compatible with the building facade and other signage and will not exceed 12 square feet of display surface area for each tenant with a maximum of 4 wall signs.
4. Projecting signs from the building toward the street are not allowed.
5. The primary user, Renaissance Brewery will have a neon sign reproducing the tree logo (mostly blue and green neon) placed at the diagonal corner upper half round parapet, visible from Lewis Avenue and the Broken Arrow Expressway. Neon signage will be static and will not be used for any other purpose except for the Brewery. Future neon signage on the diagonal corner may be considered but only with a minor amendment to the PUD.
6. Storefront windows may contain signs indicating: The name of the business or a logo, description of services or goods, and the hours of operation. Such signs will not contain in excess of twelve words plus the hours of operation, and the lettering size shall be at least 4" and not more than 6" in height.
7. Upper level windows may contain signs indicating the name of the business or logo and a description of services. Such signs should not contain in excess of six words, and the lettering shall be at least 1 1/2" and not more than 4" in height.
8. No sign permits shall be issued for erection of a sign on a lot within the PUD until a detail sign plan for that lot has been submitted to the TMAPC and approved as being in compliance with the approved PUD development standards.
9. Flashing signs, changeable copy signs, running light or twinkle signs, animated signs, revolving or rotating signs or signs with movement shall be prohibited.

Site Lighting:

Exterior area lighting shall be limited to shielded fixtures designed to direct light downward and away from residential properties. Lighting shall be so designed that the light producing elements and the polished light reflecting elements of exterior lighting fixtures shall not be visible to a person standing within an adjacent residential area or street right-of-way. No light standard shall exceed 20 feet in height.

Landscaping and Screening:

All landscaping shall meet or exceed the minimum standards identified in the landscape chapter of the zoning code.

A minimum 10% net lot area shall be provided and maintained as landscaped open space.

A wood screening fence with brick columns and cast stone caps approximately eight (8) feet on center and not less than eight (8) feet in height shall be provided along the entire north and east boundaries and those parts of the west and south boundaries not enclosed by the building or being driveway.

A five-foot landscaped strip along the lot-lines in common with residential districts will be provided to further provide screening. Landscaping throughout the Planned Unit Development shall meet the adopted standards of the City of Tulsa.

A detail landscape plan for the development area shall be approved by the TMAPC prior to issuance of a building permit. A landscape architect, architect or engineer registered in the State of Oklahoma shall certify to the zoning officer that all required landscaping and screening will be installed by a specific date in accordance with the approved landscape plan, prior to issuance of an occupancy permit. The landscaping materials required under the approved plan shall be maintained and replaced as needed, as a continuing condition of the granting of an occupancy permit.

Site Plan and other site considerations:

Approval of the PUD is not an endorsement of the conceptual layout. This will be done during detail site plan review or the subdivision platting process.

Any outside storage of recyclable material, trash or similar material must be behind the building in an enclosed area where it will be screened by the perimeter fencing and the buildings themselves.

A single standard sized truck or small trailer (20' or less) may be parked in the PUD for the purpose of removing recyclable materials as long as either is concealed from the either street by the privacy fencing.

VEHICULAR ACCESS AND CIRCULATION:

Access to the property will be limited to, one (1) drives off of South Lewis Avenue and one drive off of 12th Street as shown in Exhibit "A". .

PEDESTRIAN ACCESS:

Existing Sidewalks along 12th Street and Lewis Avenue will be preserved, or installed along 12th Street and Lewis Avenue for the limits of the project.

PLATTING REQUIREMENT:

A professional engineer registered in the State of Oklahoma shall certify to the appropriate City official that all required storm water drainage structures or existing storm water drainage structures and detention areas serving the development area have been installed in accordance with the approved plans prior to issuance of an occupancy permit on that lot.

EXPECTED SCHEDULE OF DEVELOPMENT

No building permit shall be issued until the platting requirements of Section 1107F of the Zoning Code have been satisfied or a plat waiver shall be approved by the TMAPC.

No zoning clearance permit shall be issued until a detail site plan for the lot, which includes all buildings, parking and landscaping areas, has been submitted to the TMAPC and approved as being in compliance with the approved PUD development standards.

DETAILED STAFF RECOMMENDATION:

The applicant's proposal is consistent with the PUD chapter of the Zoning Code.

The PUD development standards are consistent with the anticipated growth and future uses in this area

The development standards identified in this PUD are non injurious to the existing proximate neighborhood.

Staff recommends APPROVAL of PUD-810 as outlined in Section I above.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: This PUD request is consistent with the Land Use and Growth and Stability vision identified for this area in the Tulsa Comprehensive Plan.

Land use Designation: *Main Street*

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

Growth and Stability Map: *Area of Growth*

The entire PUD site is part of an 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 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:

South Lewis is an urban arterial and multi-modal street. The Tulsa Comprehensive Plan emphasizes plenty of travel choices on this street system and includes 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.

Trail System Master Plan Considerations:

An on-street bikeway is planned for East 11th Street just north of this site. The sidewalk improvements required for this site will improve connectivity to that system from the single family neighborhood east of this PUD. There is not Trail System improvements contemplated at this location.

Small Area Plan:

The Utica Corridor Small Area plan has recently been adopted west of this site however; this site is not included in that Small Area Plan.

Historic Preservation Overlay:

Several historic preservation districts are located south west of this site however; this site is not part of a historic district or adjacent to a historic district.

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The existing site is bordered on the north and south with commercial uses and on the west with industrial properties. A single family neighborhood borders the site on the east. Our Zoning Code only contemplates breweries as a large scale industrial use. There are no provisions for small scale micro breweries. In this location a microbrewery, as part of a multiuse property, is not part of a large industrial complex and is compatible with the existing neighborhood. The site does not include any significant terrain challenges and there are no known obstacles for normal construction techniques.

Environmental Considerations:

The site is not impacted by existing site constraints for floodplain, steep terrain or significant vegetation areas that might affect site development.

The proposed used in the PUD are not considered objectionable for the proximate properties.

Surrounding Properties: The subject tract is abutted on the east by single family residential properties zoned RS-3; on the north and south the site is adjacent to commercial properties zoned CH; on the west by industrial building, zoned IM.

STREETS:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Lewis Avenue	Urban Arterial	70 feet	4
East 12th Street	N/A	N/A	2

UTILITIES:

The subject tract does have municipal water and sewer available.

SECTION III: Relevant Zoning History:

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

BOA-16875 December 27, 1994: The Board of Adjustment approved a Variance of the number of required parking spaces and a Variance of the required setback from the centerline of S. Lewis Ave. to permit the existing building, existing parking and proposed canopy (Use Unit 15); per plan and development standards submitted, with exception that Use Unit 15 be limited to lumber yard use only; subject to 50 on-site parking spaces being provided; subject to no enclosed expansion of the existing building; subject to the proposed 10,000 SF storage shed being open sides; subject to the applicant completing purchase agreement with PSO; and subject to the exit being placed on the south end of the property; on property located at 1124 South Lewis Avenue.

TMAPC COMMENTS:

In response to Mr. Dix, Mr. Wilkerson explained that the rezoning on the southern portion to IL because the underlying zoning has to align with the use and a micro brewery can only be allowed in an IL district. The IL zoning is necessary to be in the PUD overlay.

Mr. Carnes expressed concerns that the proposed parking will be inadequate for the additional retail spaces and the brewery. Mr. Wilkerson

stated that depending on the uses it could be tight, but staff was careful to state in the PUD that what the requirements would be and if there is an issue with parking then it is on the applicant to deal with. Mr. Carnes stated that he is looking at the proposed retail space and they will have employees as well as customers.

Mr. Reeds asked if the applicant would be serving his product from the brewery that is proposed because he understands that the State law prohibits that. Mr. Wilkerson stated that they can't serve their product but they can have a tasting room. Mr. Reeds indicated that one of the retail spots is directly connected to the brewery and perhaps that is where they plan to sell their product. Mr. Wilkerson stated that the applicant is present and could answer these types of questions.

Applicant's Comments:

Glenn Hall, 2643 East 14th Street, 74104, read his statement explaining how he chose the subject property to build the proposed micro brewery.

TMAPC COMMENTS:

Mr. Reeds asked Mr. Hall if he planned to sell his beer out of the front corner that is designated as retail. Mr. Hall stated that the State of Oklahoma doesn't allow him to sell his beer on the subject property. Mr. Hall further stated that he plans to have a retail space to sell merchandise and to receive visitors for tours.

Mr. Carnes stated that he believes that this is a great idea, but he is concerned about the lack of parking. Mr. Carnes explained that he would like to bring this subject up so that in some future date the applicant won't be disappointed when he doesn't have enough parking. Mr. Hall stated that he understands Mr. Carnes concerns and he does have plans to talk with the neighboring businesses close by to share parking.

Mr. Dix asked Mr. Hall if he has ever been in retail. Mr. Hall stated that he worked in restaurants while attending college. Mr. Dix expressed concerns that the lack of parking will ruin the retail space success. Mr. Dix explained that mix-used developments depend on walk-in traffic and Tulsa to date is not a walk-in City, it is a car-bound City. Mr. Dix stated that he is struggling with the lack of parking that is being provided for the retail businesses. Mr. Hall explained that he has satisfied the parking for the bottom floor of retail space and the micro brewery. Mr. Dix stated that he believes the retail spaces will be difficult to lease without available parking or enough available parking.

Mr. Reeds stated that street parking is available and the employees could park on the street and leave the available parking for customers. Mr. Hall stated that he plans to ride his bike to work each day and that will free up

another space. Mr. Hall stated that there is only two employees at the micro brewery currently and the maximum would be four or five.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **WALKER**, TMAPC voted **7-0-0** (Carnes, Covey, Dix, Liotta, Reeds, Shivel, Walker "aye"; no "nays"; none "abstaining"; n Midget, Stirling "absent") to recommend **APPROVAL** of the IL zoning for Z-7260 per staff recommendation.

TMAPC Action; 7 members present:

On **MOTION** of **WALKER**, TMAPC voted **7-0-0** (Carnes, Covey, Dix, Liotta, Reeds, Shivel, Walker "aye"; no "nays"; none "abstaining"; n Midget, Stirling "absent") to recommend **APPROVAL** of PUD-810 per staff recommendation.

Legal Description for Z-7260:

Lot 13, Block 4, Boswell's Addition, an addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof.

Legal Description for PUD-810:

Lots 13 and 14, Block 4, Boswell's Addition, an addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof.

- 15. **PUD-811 – Roy D. Johnsen**, Location: Northwest corner of South Trenton Avenue and East 15th Street, **(Applicant has requested a continuance to June 4, 2014 due to property owner requesting more time to prepare application.)**

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **SHIVEL**, TMAPC voted **7-0-0** (Carnes, Covey, Dix, Liotta, Reeds, Shivel, Walker "aye"; no "nays"; none "abstaining"; Midget, Stirling "absent") to **CONTINUE** PUD-811 to June 4, 2014.

OTHER BUSINESS

16. Commissioners' Comments

Mr. Liotta thanked staff for the new staff reports and stated that they are helpful.

Mr. Liotta congratulated Kevin Canfield, Tulsa World Reporter for TMAPC, for his recent marriage.

TMAPC Action; 7 members present:

On **MOTION** of **CARNES**, TMAPC voted **7-0-0** (Carnes, Covey, Dix, Liotta, Reeds, Shivel, Walker "aye"; no "nays"; none "abstaining"; Midget, Stirling "absent") to **ADJOURN** TMAPC meeting No. 2672.

ADJOURN

There being no further business, the Chair declared the meeting adjourned at 2:00 p.m.

Date Approved:

05-07-2014


Chairman

ATTEST:


Secretary