

# TULSA METROPOLITAN AREA PLANNING COMMISSION

## Minutes of Meeting No. 2675

Wednesday, June 4, 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>
Carnes	Liotta	Fernandez	Duke, COT
Covey	Reeds	Hoyt	VanValkenburgh, Legal
Dix		Huntsinger	Keller, COT
Fretz		Miller	
Midget		White	
Millikin		Wilkerson	
Shivel			
Stirling			
Walker			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Thursday, May 29, 2014 at 3:51 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:**

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

Mr. Covey welcomed the two new Planning Commissioners, Peggy Millikin and Mike Fretz.

Mr. Covey reported that he appointed Josh Walker to the Tulsa Development Authority Citizen's Advisory Team for the Sector Plan updates.

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

Ms. Miller reported on the City Council agenda and actions.

Ms. Miller reported on the upcoming work session for the revised Zoning Code, which is scheduled for June 18, 2014 at 11:00 a.m.

1. **Minutes:**

**Approval of the minutes of May 21, 2014 Meeting No. 2674**

On **MOTION** of **DIX**, the TMAPC voted 6-0-3 (Carnes, Dix, Fretz, Midget, Shivel, Walker “aye”; no “nays”; Covey, Millikin, Stirling “abstaining”; Liotta, Reeds “absent”) to **APPROVE** the minutes of the meeting of May 21, 2014, Meeting No. 2674.

\* \* \* \* \*

**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. **LS-20687** (Lot-Split) (CD-3) – Location: Southwest corner of East Archer Street and North Utica Avenue (related to: LC-574)
3. **LC-574** (Lot-Combination) (CD-3) – Location: South of the Southwest corner of East Archer Street and North Utica Avenue (related to: LS-20687)
4. **LS-20689** (Lot-Split) (County) – Location: South of the southwest corner of East 121<sup>st</sup> Street North and North 93<sup>rd</sup> East Avenue (related to: LC-577)
5. **LC-577** (Lot-Combination) (County) – West of the northwest corner of East 116<sup>th</sup> Street North and North Mingo Road (related to: LS-20689)
6. **LC-578** (Lot-Combination) (CD-5) – Location: West of the northwest corner of East 41<sup>st</sup> Street South and South 79<sup>th</sup> East Avenue
7. **LS-20690** (Lot-Split) (County) – Location: North and East of the northeast corner of East 161<sup>st</sup> Street South and South Lewis Avenue
8. **LS-20691** (Lot-Split) (CD-9) – North of the northwest corner of East 58<sup>th</sup> Street South and South Quincy Place
9. **LS-20692** (Lot-Split) (CD-2) – Location: North of the northwest corner of West 81<sup>st</sup> Street South and South 26<sup>th</sup> West Avenue
10. **PUD-805-1 – L. Ryan Collins**, Location: East of South Memorial Drive at East 87<sup>th</sup> Court South, requesting **PUD Minor Amendment** to add Use Unit 10, Off-Street Parking Areas to permitted uses of Development Area B, **OL/CS/PUD-805**, (CD-7)

**STAFF RECOMMENDATION:**

Amendment Request: Modify the PUD Development Standards to add Use Unit 10 – Off Street Parking Areas to allowable uses of Development Area B.

*Staff Comment: This request can be considered a Minor Amendment as outlined by Section 1107.H.15 PUD Section of the City of Tulsa Zoning Code.*

*“Changes in an approved use to another use may be permitted, provided the underlying zoning on the particular site within the PUD would otherwise permit such use by right and the proposed use will not result in any increase of incompatibility with the present and future uses of the proximate properties.”*

Staff has reviewed the request and determined:

- 1) Underlying zoning for Development Area B is CS, which permits Use Unit 10 – Off Street Parking Areas by right.
- 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-805 shall remain in effect.

With considerations listed above, staff recommends **approval** of the minor amendment request to add Use Unit 10 – Off Street Parking Areas to allowable uses within Development Area B.

11. **PUD-309-A-1 – CEI Eng. Assoc., Inc./Kofi Addo**, Location: East of the northeast corner of South Memorial Drive and East 68<sup>th</sup> Street South, requesting **PUD Minor Amendment** to reallocate floor area to permit a lot-split for a gas service station, **CS/PUD-309-A**, (CD-7)

**STAFF RECOMMENDATION:**

This Item has been removed from the consent agenda.

12. **PUD-307-C – Sisemore, Weisz & Assoc., Inc./Darin Akerman,**  
Location: West of the northwest corner of East 71<sup>st</sup> Street South and South Lewis Avenue, requesting a **PUD Detail Site Plan** for new buildings within the PUD, **OM/PUD-307-C**, (CD-2)

**STAFF RECOMMENDATION:**

**CONCEPT STATEMENT:**

The applicant is requesting detail site plan approval on a 20 acre site in a Planned Unit Development for three new buildings/additions, including: adding four assisted living apartment units to an existing 4 story assisted living building, one 1 story swimming pool building to be connected to existing assisted living building and one 1 story addition of an entrance and lobby to an existing 1 story museum building.

**PERMITTED USES:**

Uses permitted as a matter of right within the Northern Development Area are Elderly Housing Apartments, Extended Care Facility, Administrative Office, Dining Facilities and accessory uses. Uses permitted as a matter of right within the Southern Development Area are School, Community Center and Museum Uses, as included within Use Unit 5. The proposed additional to the Northern and Southern Development Areas are permitted as a matter of 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:**

The 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 plans are not provided. No new site lighting is proposed. Existing site lighting is to remain. Existing site lighting complies with the requirements of the Planned Unit Development.

**SIGNAGE:**

The site plan does not illustrate ground and wall sign location. Any new signage 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.

**PEDESTRIAN ACCESS AND CIRCULATION:**

The plan displays existing sidewalks throughout the development. Proposed assisted living and pool additions are shown to utilize the existing sidewalks. The proposed museum addition is shown as including new sidewalks to connect to existing.

**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-307-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.

Staff recommends **APPROVAL** of the detail site plan for the proposed new buildings/additions.

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

13. **PUD-766 – John Sanford**, Location: South of I-44, west of South Yale Avenue (4860 East Skelly Drive), requesting a **PUD Detail Site Plan** for new hotel, **CS/PUD-766**, (CD-9)

**STAFF RECOMMENDATION:**

**CONCEPT STATEMENT:**

The applicant is requesting detail site plan approval for a new four story hotel on a 1.65 acre site in a Planned Unit Development.

**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; 19, Hotel, Motel and Recreational Facilities; and uses customarily accessory to permitted principal uses. Convenience Hotel, Motel and Recreational Facilities uses 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 Planned Unit Development are required for approval of this site plan.

**ARCHITECTURAL GUIDELINES:**

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

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

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

**LIGHTING:**

Site lighting plans are provided. The plan illustrates a design that will meet the minimum standards outlined in the Planned Unit Development and in the Zoning Code and shall be limited to shielded fixtures designed to direct light downward and away from residential properties. Lighting shall be so designed that 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. No light standard shall exceed 30 feet in height.

**SIGNAGE:**

The site plan illustrates ground and wall sign locations which 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.

**PEDESTRIAN ACCESS AND CIRCULATION:**

The plan displays existing sidewalks along the access drive connecting to existing sidewalks of adjacent lots. Pedestrian circulation is provided internal to the site around the perimeter of the proposed hotel.

**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-766**. 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.

Staff recommends **APPROVAL** of the detail site plan for the proposed new Hotel.

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

14. **PUD-795 – Wallace Engineering/Jim Beach**, Location: Southwest corner of West Edison Street and North Union Avenue, requesting a **PUD Detail Site Plan** for reuse of existing school building for multifamily housing in a PUD, **CS/RS-2/PUD-795**, (CD-4)

**STAFF RECOMMENDATION:**

**CONCEPT STATEMENT:**

The applicant is requesting detail site plan approval for re-use of an existing, three story school building on a 2.07 acre site in a Planned Unit Development for multifamily housing.

**PERMITTED USES:**

Uses permitted as a matter of right are Use Units 5, Community Services & Similar Uses; 8, Multifamily Dwelling & Similar Uses; 10, Off Street Parking Areas; 11, Offices and Studies & Support Services; 14, Shopping Goods and Services; and uses customarily accessory to permitted principal uses. The multifamily housing use proposed for this project 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:

The existing 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 plans are provided. The plan illustrates a design that will meet the minimum standards outlined in the Planned Unit Development and in the Zoning Code and shall be limited to shielded fixtures designed to direct light downward and away from residential properties. Lighting shall be so designed that 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. No light standard shall exceed 25 feet in height, provided that within the north 50 feet of the property, no light standard shall exceed 18 feet in height.

#### SIGNAGE:

The site plan illustrates ground sign locations which 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:

Pedestrian circulation is provided internal to the site and around the perimeter of the existing building.

#### 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-795**. 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.

Staff recommends **APPROVAL** of the detail site plan for the proposed multifamily housing.

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

Mr. Covey stated that Item 11 will be removed from the consent agenda.

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

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

**TMAPC Action; 9 members present:**

On **MOTION** of **CARNES**, TMAPC voted **9-0-0** (Carnes, Covey, Dix, Fretz, Midget, Millikin, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Liotta, Reeds "absent") to **APPROVE** the consent agenda Items 2 through 10 and 12 through 14 per staff recommendation.

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**CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA:**

11. **PUD-309-A-1 – CEI Eng. Assoc., Inc./Kofi Addo**, Location: East of the northeast corner of South Memorial Drive and East 68<sup>th</sup> Street South, requesting **PUD Minor Amendment** to reallocate floor area to permit a lot-split for a gas service station, **CS/PUD-309-A**, (CD-7)

**STAFF RECOMMENDATION:**

Amendment Request: Modify the PUD Development Standards to reallocate floor area to permit a lot-split.

The current maximum allowable building floor area is 217,500 SF. The proposed maximum building floor area is 216,000 SF for the Wal-Mart tract and 1,500 SF for the Murphy Oil tract.

*Staff Comment: This request can be considered a Minor Amendment as outlined by Section 1107.H.9 PUD Section of the City of Tulsa Zoning Code.*

*“Changes in structure heights, building setbacks, yards, open spaces, 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) The proposed Gas Service Station, Use Unit 14, is allowed by right within PUD-309-A.
- 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-309-A shall remain in effect.

With considerations listed above, staff recommends **APPROVAL** of the minor amendment request to reallocate floor area to permit a lot split.

**Applicant’s Comments:**

**Kofi Addo**, CEI Engineering Assoc., Inc., 3030 LBJ Freeway, Ste 100, Dallas, TX 75234, representing Murphy Oil, stated that his client is proposing a gas station on the subject property.

**INTERESTED PARTIES COMMENTS:**

**Roy Johnsen**, Williams Center Tower One, One West 3rd Street, Suite 1010, 74103, stated that he received a call today regarding this application. Mr. Johnsen explained that his client owns adjacent property, which is a bank and they unfortunately didn’t receive the notice through their own mail system until Tuesday at 4:00 p.m. Mr. Johnsen stated that his client would like to request a continuance to June 18, 2014 to review this proposal and meet with the applicant.

Mr. Addo and his client agreed to a continuance to June 18, 2014 and requested that they meet with each other quickly to keep everything on schedule.

**TMAPC Action; 9 members present:**

On **MOTION** of **CARNES**, TMAPC voted **9-0-0** (Carnes, Covey, Dix, Frey, Millikin, Midget, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Liotta, Reeds "absent") to **CONTINUE** the minor amendment for PUD-309-A-1 to June 18, 2014.

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**PUBLIC HEARINGS:**

- 15. New Paul** – Minor Subdivision Plat, 15202 East Admiral Place, south of East Admiral Place, east of South 145<sup>th</sup> East Avenue, (CD-6) (**Applicant requests continuance to June 18, 2014 to resolve issues with the plat.**)

**STAFF RECOMMENDATION:**

Applicant has requested a continuance to June 18, 2014.  
**There were no interested parties wishing to speak.**

**TMAPC Action; 9 members present:**

On **MOTION** of **MIDGET**, TMAPC voted **9-0-0** (Carnes, Covey, Dix, Frey, Millikin, Midget, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Liotta, Reeds "absent") to **CONTINUE** the minor subdivision for New Paul to June 18, 2014.

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- 16. 39<sup>th</sup> and Madison** – Preliminary Plat, Location: West of South Peoria Avenue, between East 38<sup>th</sup> Place and East 39<sup>th</sup> Street (CD-9) (**Continue to June 18, 2014 meeting to be heard after rezoning request Z-7264 for this site**)

**STAFF RECOMMENDATION:**

Staff is requesting a continuance to allow the plat to be heard after the zoning case scheduled for June 18, 2014.

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

**TMAPC Action; 9 members present:**

On **MOTION** of **MIDGET**, TMAPC voted **9-0-0** (Carnes, Covey, Dix, Frey, Millikin, Midget, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Liotta, Reeds "absent") to **CONTINUE** the Preliminary Plat for 39<sup>th</sup> and Madison to June 18, 2014.

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- 17. PUD-814 – AAB Engineering, LLC/Alan Betchan**, Location: Southwest corner of South Quaker Avenue and East 49<sup>th</sup> Place, requesting a **PUD** to construct a new multifamily project where an existing multifamily site has been demolished, **RM-2 to RM-2/PUD-814**, (CD-9) (Related to Item 18)

**STAFF RECOMMENDATION:**

**DEVELOPMENT CONCEPT:**

PUD-814 is a Planned Unit Development overlay of an existing RM-2 zoned parcel (see Exhibit A for existing zoning map) on the southwest corner of South Quaker Avenue and 49<sup>th</sup> Place South. The developers have demolished the 2 story dilapidated apartment buildings that formerly occupied the property and plan to construct a mix of one and two story, externally accessed, townhome style apartments on the tract. The proposed development conforms to RM-2 zoning bulk and area requirements with the exception of a reduction in the internal building setback line from 10' to 5'. The conceptual site plan for the project can be seen in the attached Exhibit B.

**PUD-814 DEVELOPMENT STANDARDS:**

This PUD will consist of one development area subject to the following development standards:

**Land Area**

Net Lot Area	59,914 SF
Gross Lot Area	79,144 SF

**Permitted Uses**

Uses permitted by right (including all uses customarily accessory thereto) within the following Use Units: Use Unit 1: Area-Wide Uses; Use Unit 8: Multifamily Dwelling & Similar Uses

**Maximum Number of Units:** 40 (regardless of number of bedrooms)

**Minimum Building Setbacks:**

Quaker Avenue	15'
49 <sup>th</sup> Place South	15'
Internal Property Line	5'
West Property Line	10'
South Property Line	10'

**Maximum Building Height:** 37' (2 Story) except that any building within 12.5 feet of the west property line shall be limited to one story in height.

**Parking**

Parking shall be provided at a ratio of 1.5 parking spaces for each dwelling unit (regardless of number of bedrooms). The parking requirement for PUD 814 shall be calculated in its entirety disregarding any existing or proposed lot lines.

**Lighting**

All lighting standards shall be constructed in a manner that prevents visibility of the light emitting element from residentially zoned properties.

No building mounted light fixture will be placed greater than 20 feet above finished ground.

All light fixtures must be pointed down and away from residentially zoned properties across a public street.

Any pole mounted light will be limited to 15 feet above finished ground.

**Screening**

All trash and mechanical areas shall be screened from public view of person standing at ground level. A fabric mesh with a minimum opacity of 95% shall be allowed on enclosure doors.

**Landscaping**

Minimum internal landscaped space	10%
Minimum landscape width abutting streets (except at points of access)	5'

In lieu of providing a landscaped island and tree within 50' of every parking space, two trees shall be planted or preserved within the street yard for every 1,000 square feet thereof. New trees shall be a minimum size of 2.5" caliper and 12' tall. Trees shall be placed evenly in the street yard green space along the street right of way lines.

The PUD shall meet the requirements of the Landscape Chapter of the City of Tulsa Zoning code in all other manors.

**VEHICULAR AND PEDESTRIAN ACCESS AND CIRCULATION:**

The attached Exhibit D depicts the vehicular and pedestrian access points and circulation anticipated to accommodate the conceptual site plan. Each pair of buildings will be served by a parking lot dividing them with access to each lot being derived from Quaker. Internal sidewalks will be connected to the existing sidewalk system along Quaker and 49<sup>th</sup> Place.

**PLATTING REQUIREMENT:**

The property will be re-plated as part of the development of this site however building permits may be issued because the underlying plat is still in effect.

**EXPECTED SCHEDULE OF DEVELOPMENT:**

Development of the project is expected to begin in Spring of 2014.

**DETAILED STAFF RECOMMENDATION:**

PUD-814 is consistent with the PUD Chapter of the Tulsa Zoning Code

The development standards identified in the PUD are in harmony with the existing development

The PUD is consistent with the City of Tulsa Comprehensive Plan.

Staff recommends **APPROVAL** of PUD-814 as outlined in Section I above.

**SECTION II: Supporting Documentation**

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: This site is a redevelopment of an existing RM-2 site with an existing apartment project that is being removed and replaced with this product. The multi family component of this project is included in the vision of the Comprehensive Plan for the Mixed Use Corridor.*

Land Use Vision:

Land Use Plan map designation: Mixed Use Corridor

Mixed-Use Corridors are Tulsa’s modern thoroughfares that pair high capacity transportation facilities with housing, commercial, and employment uses. Off the main travel route, land uses include multifamily housing, small lot, and townhouse developments, which step down intensities to integrate with single family neighborhoods. Mixed-Use Corridors usually have four or more travel lanes, and sometimes additional lanes dedicated for transit and bicycle use. The pedestrian realm includes sidewalks separated from traffic by street trees, medians, and parallel parking strips. Pedestrian crossings are designed so they are highly visible and make use of the shortest path across a street. Buildings along Mixed-Use Corridors include windows and storefronts along the sidewalk, with automobile parking generally located on the side or behind.

Areas of Stability and Growth map designation: 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:

This site is not adjacent to any street that is part of the Major Street and Highway Plan. The neighborhood streets have previously been platted with appropriate right of way except that corner clips may be required as part of the redevelopment plan for this site.

Trail System Master Plan Considerations:

This site is within a mile of the River Parks System however there are no planned trail considerations that would be affected by this site reconstruction.

DESCRIPTION OF EXISTING CONDITIONS:

*Staff Summary: This existing apartment project is being redeveloped in context with the surrounding neighborhood.*

Site Analysis: The subject property is approximately 1.37± acres in size and is located southwest corner of S. Quaker Ave. and E. 49<sup>th</sup> PI. The property appears to be vacant and is zoned RM-2.

Surrounding Properties: The subject tract is abutted on the east by single family residential property developed in the 1950's, zoned RS-3 on the north by a Church site, zoned RS-3 with multiple Board of Adjustment approvals; on the south and west by commercial property, zoned CH.

STREETS:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 49 <sup>th</sup> Place	none	50 feet	2
South Quaker Avenue	none	50 feet	2

UTILITIES:

The subject tract has municipal water and sewer available.

**SECTION III: Relevant Zoning History:**

**ZONING ORDINANCE:** Ordinance number 11823 dated June 26, 1970, established zoning for the subject property.

**BOA-13408 January 10, 1985:** The Board of Adjustment **approved** a *Special Exception* for church, school and related uses and purposes (construction of a church sanctuary) in an RS-3 district; and a *Variance* of the required all-weather material for off-street parking areas; per plot plan submitted; finding that the applicant demonstrated a hardship caused by the dual use of the land for parking and play area, finding that sod can be deemed a suitable substitute in this instance, and finding that the variance requested is only on the surfacing requirements, not on the required number of off-street parking, on property located at the northwest corner of E. 49<sup>th</sup> Pl. and S. Quincy Ave. and also north of subject property.

**BOA-2520 February 10, 1954:** The Board of Adjustment **approved** church and school use for Catholic Parish of St. Mary, on property located at the northwest corner of E. 49<sup>th</sup> Pl. and S. Quincy Ave. and also north of subject property.

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

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

**TMAPC Action; 9 members present:**

On **MOTION** of **MIDGET**, TMAPC voted **9-0-0** (Carnes, Covey, Dix, Fretz, Midget, Millikin, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Liotta, Reeds "absent") to recommend **APPROVAL** of PUD-814 per staff recommendation.

**Legal Description for PUD-814:**

Lots 1 through 8, Block 19, Bellaire Acres Second Extension, an addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof.



18. **Quaker Apartments – Preliminary Plat**, Location: Southwest corner of intersection of East 49<sup>th</sup> Place and South Quaker Avenue, (CD-9) (Related to Item 17)

**STAFF RECOMMENDATION:**

This plat consists of 6 Lots, 1 Block, on 1.37 acres.

The following issues were discussed May 15, 2014, at the Technical Advisory Committee (TAC) meetings:

1. **Zoning:** The property is zoned RM-2 existing with Planned Unit Development 814 pending.
2. **Streets:** With dimension lines show right-of-way to centerline of all streets and provide reference such as plat number and book and page number. Radius at intersection of 49<sup>th</sup> Place and Quaker must be 25 feet. Dedicate additional right-of-way at the intersection. Include right-of-way dedication language. Modify sidewalk language.
3. **Sewer:** Provide an additional five-foot utility easement along the south line of Lot 6. If there is not any private service easement on the face of plat, then Section 1-1 is not necessary in the covenants.
4. **Water:** Along the east side of the property provide a 17.5-foot utility easement. Confirm no additional fire hydrants needed.
5. **Storm Drainage:** Storm sewer collects water from various lots and is therefore public, requiring easements. Replace the last sentence of Section I.H with the standard language.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** PUD will restrict stories near PSO work areas. Additional easements may be necessary.
7. **Other: Fire:** If lots are not combined an emergency access easement will need to be in place. Access crossing property lines will need an emergency access easement in place.
8. **Other: GIS:** Do not show contours on face of plat. Show all subdivisions on location map. Identify unplatted areas. Show basis of bearing properly. Show addressing. Label point of commencement and point of beginning. Boundary needs to close properly. Show regulatory floodplain. Submit subdivision data 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; 9 members present:**

On **MOTION** of **SHIVEL**, TMAPC voted **9-0-0** (Carnes, Covey, Dix, Fretz, Midget, Millikin, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Liotta, Reeds "absent") to **APPROVE** the preliminary plat for Quaker Apartments per staff recommendation, subject to standard conditions and special conditions.

\*\*\*\*\*

- 19. PUD-811 – Roy D. Johnsen**, Location: Northwest corner of South Trenton Avenue and East 15<sup>th</sup> Street, requesting a **PUD**, (CD-4), (**Applicant has requested a continuance to July 23, 2014 for revised conceptual site plan and related documents.**)

**STAFF RECOMMENDATION:**

Mr. Wilkerson stated that the applicant has changed his request and would like a continuance to July 9, 2014.

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

**TMAPC Action; 9 members present:**

On **MOTION** of **MIDGET**, TMAPC voted **9-0-0** (Carnes, Covey, Dix, Frey, Millikin, Midget, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Liotta, Reeds "absent") to **CONTINUE** PUD-811 to July 9, 2013.

\*\*\*\*\*

20. **Z-7266 – All Steel Building Company/Scott Dawes**, Location: West of northwest corner of East Pine Street and North 129<sup>th</sup> East Avenue, requesting rezoning from **AG TO IM**, (CD-3)

**STAFF RECOMMENDATION:**

**DEVELOPMENT CONCEPT:**

The Kirby Smith equipment company east of Z-7266 is proposing a building expansion into this site. The existing zoning for the property is AG which does not allow that use. The total property has never been rezoned and is surrounded by industrial uses. Following the rezoning additional Planning Commission action may be required including a Plat and possibly a lot split or combination.

**DETAILED STAFF RECOMMENDATION:**

The requested zoning is consistent with all aspects of the Tulsa Comprehensive Plan.

Anticipated future development surrounding this site will continue to be industrial. This request is compatible with proximate properties.

There are no apparent physical obstructions that would prevent this property from being developed for industrial uses.

**Staff recommends APPROVAL of Z-7266 to rezone approximately 10 acres of land from AG to IM.**

**SECTION II: Supporting Documentation**

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

*Staff Summary: The anticipated industrial use on this property will continue to expand as visualized in the Comprehensive Plan. This request is primarily to support the expansion of the Kirby Smith business east of this property. The Employment and Area of Growth designations completely support this rezoning request. The transportation vision of Pine is considered as a multi modal street. The anticipated use will not provide obstacles for future streetscape development. Many of the components of the Multi Modal street, including on-street parking and pedestrian realm improvements, building placement visualized for this section of Pine will not be implemented for decades.*

**Land Use Vision:**

Land Use Plan map designation: The entire site is part of an Employment Area designation.

Employment areas contain office, warehousing, light manufacturing and high tech uses such as clean manufacturing or information technology. Sometimes big-box retail or warehouse retail clubs are found in these areas. These areas are distinguished from mixed-use centers in that they have few residences and typically have more extensive commercial activity.

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

Areas of Stability and Growth designation: The entire site is designated as 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:

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.

**DESCRIPTION OF EXISTING CONDITIONS:**

*Staff Summary: The existing property has two residential structures which will not be used for future residential purposes. The property owner is planning to remove the structures and is aware that the residential component of this existing property will no longer be an allowable use.*

Site Analysis: The subject property is approximately 10± acres in size and is located west of northwest corner of E. Pine St. and N. 129<sup>th</sup> E. Ave. The property has two unoccupied single family frame structures and is zoned AG. The applicant has stated that the structures are scheduled to be removed and will not be used for any residential use.

Surrounding Properties: The subject tract is surrounded by industrial uses. IM is north and east of the site. IL is west and south of the site.

**STREETS:**

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East Pine Street	Secondary Arterial Multi Modal Street	100 feet	2

**UTILITIES:**

The subject tract has municipal water and sewer available.

**SECTION III: Relevant Zoning History:**

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

**BOA-21725 Pending:** The Board of Adjustment will hear, on June 10, 2014, a Variance of the building setback, in an IM district, from an abutting

AG district from 75 ft to 22 ft to permit an addition, on property located at 12321 E. Pine St. N. and abutting east of subject property.

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

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

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

**Z-6229 February 1989:** All concurred in approval of a request for rezoning a 5± acre tract from RS-3 to IL on property located south of the subject tract, across E. Pine St.

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

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

**TMAPC Action; 9 members present:**

On **MOTION** of **CARNES**, TMAPC voted **9-0-0** (Carnes, Covey, Dix, Fretz, Midget, Millikin, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Liotta, Reeds "absent") to recommend **APPROVAL** of the IM zoning for Z-7266 per staff recommendation.

**Legal Description for Z-7266:**

THE WEST HALF OF THE EAST HALF OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (W/2 E/2 W/2 SW/4 SE/4) OF THE SECTION TWENTY-NINE (29), TOWNSHIP TWENTY (20) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE GOVERNMENT SURVEY THEREOF. **AND** THE EAST HALF OF THE EAST HALF OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (E/2 E/2 W/2 SW/4 SE/4) OF SECTION TWENTY-NINE (29), TOWNSHIP TWENTY (20) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE GOVERNMENT SURVEY THEREOF.



21. **Z-7267 – Lou Reynolds**, Location: South of southwest corner of East 11<sup>th</sup> Street and South 83<sup>rd</sup> East Avenue, requesting a rezoning from **RS-1 to OL**, (CD-5)

**STAFF RECOMMENDATION:**

**DEVELOPMENT CONCEPT:** The subject property is adjacent to the east line of a RM-2 property which is an existing multifamily site. This site has been classified as home office for years supporting the Chili Bowl in Tulsa. The requested OL designation can be an effective buffer zoning from the existing Multi Family. The site is adjacent to a large drainage channel on the north boundary and an existing residential structure on the south.

**DETAILED STAFF RECOMMENDATION:**

The requested zoning is not consistent with the vision identified in the current Land Use Map. This site can be an appropriate expansion area for the Town Center designation. At this location there are several unique characteristics that would support a revision of the Comprehensive Plan to include this in the adjacent Town Center designation.

The unique characteristics of this property include:

- 1) The property is adjacent to a large concrete drainage ditch.
- 2) The site is a small site between the edge of a Town Center boundary and a public street. This rezoning would provide an opportunity expand the Town center designation to include the entire block.
- 3) OL zoning will provide light office transition zoned between the neighborhood east of the site and the ultimate development anticipated in the Town Center designation.

The rezoning request is non injurious to the surrounding neighborhood and is consistent with the expected future development of this area.

Staff recommends **APPROVAL** of Z-7267 to rezone the site from RS-1 to OL

**SECTION II: Supporting Documentation**

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

*Staff Summary: This site is not consistent with the vision of the Comprehensive Plan however staff could support a future Comprehensive Plan revision to include this site and the property immediately south within the Town Center area.*

**Land Use Vision:**

Existing Land Use Map designation: The site is currently classified as an Existing Residential 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.

Suggested Land Use Plan map designation:

Town Centers are medium-scale; one to five story mixed-use areas intended to serve a larger area of neighborhoods than Neighborhood Centers, with retail, dining, and services and employment. They can include apartments, condominiums, and townhouses with small lot single family homes at the edges. A Town Center also may contain offices that employ nearby residents. Town centers also serve as the main transit hub for surrounding neighborhoods, and can include plazas and squares for markets and events. These are pedestrian-oriented centers designed so visitors can park once and walk to number of destinations.

Areas of Stability and Growth designation: The request is in an Area of Stability

The Areas of Stability includes approximately 75% of the city's total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal for the Areas of Stability is to identify and maintain the valued character of an area while accommodating the rehabilitation, improvement or replacement of existing homes, and small scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.

Transportation Vision:

Major Street and Highway Plan:

There are no specific Major Street and Highway Plan considerations for South 83<sup>rd</sup> East Avenue. Ultimately the Town Center Designation would support Vehicular and Pedestrian access to the Town Center through this area.

**Trail System Master Plan Considerations:**

Plans indicate a planned Bikeway on East 11<sup>th</sup> Street however there are no trail system expansion plans affecting this site or the adjacent drainage system.

**DESCRIPTION OF EXISTING CONDITIONS:**

**Site Analysis:** The subject property is approximately 20,000± square feet in size and is located south of the southwest corner of E. 11<sup>th</sup> St. and S. 83<sup>rd</sup> E. Ave. The property appears to be home occupation and is zoned RS-1.

**Surrounding Properties:** The subject tract is abutted on the east and south by Single Family Residential property zoned RS-1; and on the west by Multi Family property zoned RM-2. The north property is Zoned CS however is completely covered by a large concrete drainage channel.

**STREETS:**

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South 83 <sup>rd</sup> East Avenue	NA	50 feet	2

**UTILITIES:**

The subject tract has municipal water and sewer available.

**SECTION III: Relevant Zoning History:**

**ZONING ORDINANCE:** Ordinance number 11816 dated June 26, 1970, established zoning for the subject property.

**BOA-21707 May 13, 2014:** The Board of Adjustment agreed to *Continue*, to 6/24/14, an Appeal of an Administrative Official determining that there is a home occupation on the subject property; and in the alternative, a Special Exception to permit a home occupation, on property located at 1140 S. 83<sup>rd</sup> E. Ave. and also known as subject property.

**Z-6626 May 1998:** All concurred in denial of a request for rezoning a .40± acre tract of land from RS-1 to CG and approval of CS, for commercial use, on property located on the southeast corner of E. 11<sup>th</sup> St. and S. Memorial Dr.

**TMAPC COMMENTS:**

Mr. Covey asked Mr. Wilkerson asked if the existing use a residential home. Mr. Wilkerson stated that it has been a home/occupation for about 20 years and supports the Chili Bowl. Mr. Covey asked if anyone lives in the existing home. Mr. Wilkerson stated that it is no longer a home/occupation at this time. Mr. Wilkerson indicated that he received

approximately five letters of support from the surrounding neighbors. (Mr. Wilkerson submitted the letters after the meeting.)

**Applicant’s Comments:**

**Lou Reynolds**, 2727 East 21<sup>st</sup> Street, 74114, stated that he is in support of staff’s recommendation. Mr. Reynolds further stated that there is one interested party present today who is in favor of this application and has written a letter in support. Mr. Reynolds indicated that there are four or five letters from the adjacent letters in support of this application. Mr. Reynolds commented that this no longer meets the home/occupation because no one lives in the home. Mr. Reynolds stated that the house is used to do the ticketing for the Chili Bowl and have done so for over 12 years.

**TMAPC COMMENTS:**

Mr. Dix asked if the trailers that are in the aerial a permanent fixture. Mr. Reynolds stated that trailers are not permanent. The trailers were there for a short time because a truck had broken down after a race.

**INTERESTED PARTIES COMMENTS:**

**Bob Webster**, 2110 East 73<sup>rd</sup> Street North, 74130, stated that he owns property in the subject area and it would be a detriment to have them go anywhere else. Mr. Webster indicated his support for the application.

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

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

**TMAPC Action; 9 members present:**

On **MOTION** of **MIDGET**, TMAPC voted **8-1-0** (Carnes, Covey, Dix, Fretz, Midget, Shivel, Stirling, Walker "aye"; Millikin "nay"; none "abstaining"; Liotta, Reeds "absent") to recommend **APPROVAL** of the OL zoning for Z-7267 per staff recommendation.

**Legal Description for Z-7267:**

N/2 LT 12, BLK 2, FOREST ACRES, an addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof.

\* \* \* \* \*

- 22. **PUD-813 – Roy D. Johnsen**, Location: West of southwest corner of East 41<sup>st</sup> Street and South 177<sup>th</sup> East Avenue, requesting a **PUD** for three-car driveway, increase building height from 35 feet to 40 feet and permit rear access to garage on cul-de-sac/double frontage lots, **RS-4 to RS-4/PUD-813**, (CD-6)

**STAFF RECOMMENDATION:**

**APPLICANTS DEVELOPMENT CONCEPT:**

Sunset Hills II comprises approximately 40 acres of land located approximately one fourth of a mile east of the southeast corner of East 41<sup>st</sup> Street South at South 161<sup>st</sup> East Avenue in the City of Tulsa, Oklahoma and is described within Exhibit F and hereinafter referred to as the "Site". The Site is zoned RS-4, Residential Single Family District.

Property to the north and west of the Site is generally rural in nature and zoned AG, Agriculture District. The east boundary of the Site is abutted by the Sunset Hills single-family subdivision which is zoned RS-4 and Planned Unit Development 793. Sunset Hills (PUD 793) phase I is currently under construction.

The Site was originally planned for development as a small lot single family residential subdivision, but in response to market demand the developer now plans to configure larger lots than lots permitted within the existing RS-4 zoning and it should be noted that the proposed lots are also larger than the minimum permitted lots within a RS-3 zoning district. Residences are planned for a maximum height of 40 feet which permits higher ceilings and pitched roofs and are planned to include 3 car garages.

The Planned Unit Development is submitted to permit a driveway of sufficient width to access a 3-car garage which results in paving within the required front yard that exceeds the limitation of Section 1303D. of the Tulsa Zoning Code and to permit the increased height of the residences from 35 feet to 40 feet and to permit rear access to the garage for any lots within a cul-de-sac that have street frontage at the front and rear yards.

No rear yard access will be allowed from East 41<sup>st</sup> Street South.

Sunset Hills phase I (PUD 793) is being developed by a related entity and it is anticipated that the Sunset Hills II residents will have access to the planned recreational facilities which will be located adjacent to the east boundary of Sunset Hills II.

**PUD 813 DEVELOPMENT STANDARDS:**

Development Area A- Single Family Lots

Permitted Uses: Single-family residences and customary accessory uses

Minimum Lot Width: 65 feet

Maximum Area of Off-Street: 550 square feet. Parking allowed in a required Front Yard

Maximum Height of Dwelling: 40 feet

Other Bulk and Area Requirements: As set forth within an RS-4 District

Screening along East 41<sup>st</sup>: Match wall or fence construction standards in PUD 793 and provide reserve area on plat for homeowner's association maintenance of wall along East 41<sup>st</sup> Street South.

Open Space and Common Areas: Reserve areas will also be provided for open space, recreation, and storm water detention. All reserve areas will be shown on the face of the Plat and maintained by a homeowners association.

**VEHICULAR ACCESS AND CIRCULATION:**

Stub streets will be provided to connect with the existing stubs east of the site and anticipated future connections south and west.

**PEDESTRIAN ACCESS:**

The Developer shall construct sidewalks in the 41<sup>st</sup> Street Right of way and in any street right of way adjacent to reserve areas prior to completion of the Infrastructure Development Plan construction process. No building permit for residential construction will be released until sidewalks are constructed in those areas.

**PLATTING REQUIREMENT:**

A Subdivision Plat must be filed at the Tulsa County Courthouse prior to release of a residential building permit.

**EXPECTED SCHEDULE OF DEVELOPMENT:**

The project is expected to begin as soon as plans and zoning are completed. Expected construction for the infrastructure will be less than one year after the project is released from City Engineering.

**DETAILED STAFF RECOMMENDATION:**

PUD-813 is consistent with the PUD chapter of the Zoning Code.

The PUD is consistent with the vision outlined in the Land Use Plan and Area of Growth map in the Comprehensive Plan. This project is consistent with the anticipated growth pattern of the area.

The staff recommendation is not an endorsement of the conceptual plan provided.

Staff recommends **APPROVAL** of PUD-813 as outlined in Section I above.

## **SECTION II: Supporting Documentation**

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary:* This area is one of the primary Single Family Residential opportunities available for development in Tulsa. The water and sewer systems are available to the site however most of the arterial street infrastructure is still two lane unimproved streets. Continued suburban style development in this area will add pressure to the City of Tulsa to provide additional vehicular street capacity. The Comprehensive Plan clearly defines future street construction in this area to be a multi modal including bike lanes, bus and pedestrian access. It may be years before this street system is completed to the standards defined in the Comprehensive Plan.

*The internal street system is provided throughout the subdivision in a system of cul-de-sac's which creates vehicular circulation patterns that are unnecessarily complex on this site. The street system provides little incentive to encourage bicycle or pedestrian circulation alternatives.*

*The internal street system on the conceptual plan is not consistent with the inter-connected street system contemplated in the Comprehensive Plan.*

### Land Use Vision:

Land Use Plan map designation: 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.

Areas of Stability and Growth map designation: 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: East 41<sup>st</sup> is a Secondary Arterial Street with a Multimodal 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.

Trail System Master Plan Considerations:

A private trail system and sidewalks along all public streets are an important part of this plan however there are no trail system considerations at this location. The major street and highway plan recognizes that East 41<sup>st</sup> Street South may have bicycle lanes.



**Pedestrian Connection Systems:**

The abundance of cul-de-sacs illustrated on the conceptual plan is not consistent with the comprehensive plan.

During the plat process the developer shall provide pedestrian access to encourage pedestrian connections to the trail system and green space adjacent to the east boundary of this PUD.

**DESCRIPTION OF EXISTING CONDITIONS:**

*Staff Summary: The south portion of this site is near a significant floodplain. As a result a large scale single family development is not likely. One stub street to the south has been provided in anticipation of a small future single family residential development. There are no significant terrain concerns for this proposed development.*

Site Analysis: The subject property is approximately 40± acres in size and is located west of southwest corner E. 41<sup>st</sup> St. and S. 177<sup>th</sup> E. Ave. The property appears to be mostly vacant and is zoned RS-4.

Surrounding Properties: The subject tract is abutted on the east by Sunset Hills I, zoned RS-4/PUD 793; on the north by vacant land, zoned AG; on the south by vacant land, zoned AG; and on the west by vacant land, zoned AG.

**STREETS:**

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 41 <sup>st</sup> Street	Secondary Arterial with multi modal overlay	100 feet	2

**UTILITIES:**

The subject tract has municipal water and sewer available.

**SECTION III: Relevant Zoning History:**

**ZONING ORDINANCE:** Ordinance number 21690 dated December 20, 2007, established zoning for the subject property.

*Subject Property:*

**Z-7075 December 2007:** All concurred in approval of a request for rezoning a 122± acre tract of land from AG to RS-3 on the east 80± acres and RS-4 on the northwest 40 acres, on property located west of the

southwest corner of East 41<sup>st</sup> Street and South 177<sup>th</sup> East Avenue and a part is the subject property.

*Surrounding Property:*

**PUD-793 August 2012:** All concurred in approval of a proposed Planned Unit Development on a 82± acre tract of land for single-family residential use, on property located west of southwest of East 41<sup>st</sup> Street and South 177<sup>th</sup> East Avenue and abutting east of subject property.

**PUD-779 November 2010:** All concurred in approval of a proposed Planned Unit Development on a 57± acre tract of land for residential development, on property located south of southwest corner of East 41<sup>st</sup> Street South and South 177<sup>th</sup> East Avenue.

**Z-7156 August 2010:** All concurred in approval of a request for rezoning an 82± acre tract of land from RS-3 to RS-4 on property located West of southwest of East 41<sup>st</sup> Street and South 177<sup>th</sup> East Avenue and is abutting east of the subject property.

**Z-7048 March 2007:** All concurred in approval of a request for rezoning a 46.7± acre tract of land from AG to RS-4 for single-family development on property located south of southwest corner of East 41<sup>st</sup> Street South and South 177<sup>th</sup> East Avenue.

**Z-7028 August 2006:** All concurred in approval of a request to rezone a 10+ acre tract from AG to RS-3 on property located south of southwest corner of East 41<sup>st</sup> Street and South 177<sup>th</sup> East Avenue.

**Z-6911 September 2003:** All concurred in approval of a request to rezone a 160± acre tract of land from AG to RS-3 for single-family development, located east of the northeast corner of East 51<sup>st</sup> Street South and South 161 East Avenue.

Mr. Wilkerson stated that he is not necessarily endorsing the conceptual site plan. Mr. Wilkerson further stated that the conceptual site plan doesn't have a reserve area, engineering is underway and there is always something that is in flux. Mr. Wilkerson stated that this development is being developed by the same developer who developed the first phase and there are some issues with lack of connectivity. Mr. Wilkerson explained that the Comprehensive Plan strongly encourages connectivity and he would like to leave the option opened for a possible pedestrian connection to the green space from the southeast corner of the subdivision. Mr. Wilkerson stated that all of this will be discussed during the platting process, but he felt that the concept was important enough to mention.

**Applicant's Comments:**

**Roy Johnsen**, Williams Center Tower One, One West 3rd Street, Suite 1010, 74103, stated that he is representing the developer of the subject project. Mr. Johnsen explained that the green space is an amenity for both sites and there is connectivity and in his opinion a very significant amount of connectivity. Mr. Johnsen stated that he considers the connection to the west and east is achieving the connectivity in a high standard. Mr. Johnsen further stated that there are sidewalks and a person can walk about six minutes to get to the common areas and he feels that this meets the concept of connectivity. Mr. Johnsen stated that there really isn't a set of standards presently existing and so it is a judgment call. Mr. Johnsen explained that this is an upscale development and meets and exceeds the zoning designation.

**TMAPC COMMENTS:**

Mr. Stirling asked Mr. Johnsen if it would be possible to have some connectivity in the southeast corner. Mr. Johnsen stated that he doesn't believe it is necessary and after talking with his client it was determined that putting some sort of path between the properties would put the property owners in an uncomfortable situation. Mr. Johnsen indicated that he would discuss this further with this client and consider it, but it only takes six minutes to walk around to the open space area.

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

**TMAPC Action; 9 members present:**

On **MOTION** of **CARNES**, TMAPC voted **9-0-0** (Carnes, Covey, Dix, Fretz, Midget, Millikin, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Liotta, Reeds "absent") to recommend **APPROVAL** of PUD-813 per staff recommendation.

**Legal Description for PUD-813:**

THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE/4, NW/4) OF SECTION 26, T-19-N, R-14-E OF THE INDIAN BASE AND MERIDIAN, CITY OF TULSA, TULSA COUNTY, OKLAHOMA.

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23. **Z-7268 – Lou Reynolds**, Location: North of northwest corner of East 21<sup>st</sup> Street and South Boston Avenue, requesting a rezoning from **RM-2/OL to CS**, (CD-4)

**STAFF RECOMMENDATION:**

**DEVELOPMENT CONCEPT:**

The requested zoning is to support a redevelopment of the northwest corner of South Boston Avenue at East 21<sup>st</sup> Street for a retail use.

**DETAILED STAFF RECOMMENDATION:**

The requested zoning is consistent with the vision outlined in the Tulsa Comprehensive Plan for an Area of Growth and for a Downtown Neighborhood.

CS zoning is consistent with the existing development pattern in the area.

Staff recommends **APPROVAL** of Z-7268 to rezoned property from RM-2/OL to CS.

**SECTION II: Supporting Documentation**

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

*Staff Summary: The site is part of the Downtown Neighborhood area which allows a wide variety of uses. This zoning request for CS would allow a large variety of small commercial uses, multi family, offices and townhome development consistent with the Downtown Neighborhood vision.*

**Land Use Vision:**

Land Use Plan map designation: This site is entirely located inside of a Downtown Neighborhood designation.

Downtown Neighborhoods are located outside but are tightly integrated with the Downtown Core. These areas are comprised of university and higher educational campuses and their attendant housing and retail districts, former warehousing and manufacturing areas that are evolving into areas where people both live and work, and medium- to high-rise mixed use residential areas. Downtown Neighborhoods are primarily pedestrian-oriented and are well connected to the Downtown Core via local transit. They feature parks and open space, typically at the neighborhood scale.

**Areas of Stability and Growth designation:**

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:

Trail System Master Plan Considerations:

Z-7268 is near two major trail systems. River parks just west of the site and is an important consideration. The Midland Valley Trail east of the property is also a significant trail in Tulsa. There are no specific plans for the trail systems that affect this site however future development should be respectful of that connectivity option. Adequate provisions for bicycle parking and pedestrian connectivity to any planned facility should be an essential component for future development.

Special Considerations:

Rezoning will require a subdivision plat and a sidewalk along East 21<sup>st</sup> Street South. The site is also adjacent to Veterans Park. Future development should encourage visual and physical connectivity to the park as well as the trail system.

This area is part of the Arkansas River Master Plan and classified as a Key Development Area with Commercial Uses contemplated in that plan. CS zoning is consistent with the vision identified in the Arkansas River Master Plan.

Historic Preservation Overlay:

This site is not part of an Historic Preservation Overlay District

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The existing site contains a residential structure on the north side and a vacant office building near 21<sup>st</sup> Street. The site is relatively flat and appears to be suited well for an infill project in this area. There are no obvious concerns that would restrict commercial development.

Site Analysis: The subject property is approximately 33,000± square feet in size and is located on the northwest corner of E. 21<sup>st</sup> St. and South Boston Avenue. Z-7268 includes an existing office building and home.

Surrounding Properties: The subject tract is abutted on the east by South Boston Avenue. Further east across Boston is primarily Multi Family Residential and zoned RM-2 and OL.

STREETS:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Boston Avenue	none	50 feet	2
East 21 <sup>st</sup> Street	Primary Arterial with Multi Modal Overlay	120 feet	4

UTILITIES:

The subject tract has municipal water and sewer available.

**SECTION III: Relevant Zoning History:**

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

**Z-7210 March 2013:** Staff and TMAPC concurred in denial of a request for rezoning a 7,992± square foot tract of land from RM-2 to CS on property located north of the northwest corner of E. 21<sup>st</sup> St. and S. Boston Ave. and north of subject property. It was appealed to City Council and City Council approved the request.

**Z-6883 April 2003:** All concurred in approval of a request for rezoning a .44± acre tract of land from OM to CS for mixed use development, and related to PUD-639-A, on property located on the southeast corner of E. 21<sup>st</sup> St. and S. Main St.

**PUD-639-A April 2003:** All concurred in approval of a request for a Major Amendment to PUD, on a 2.58± acre tract of land, for a mixed-use development containing residential single-family and multifamily units, retail space and office use. The property is located at the southeast corner of East 21<sup>st</sup> Street South and South Main Street.

**BOA-19079 May 22, 2001:** The Board of Adjustment Approved a Special Exception to allow for office use in an RM-2 zoning district and a Variance of the required rear and side setbacks from 10 ft. to 5 ft. 1 in., per conceptual site plan and with condition that all landscape requirements be met, on property located west of the northwest corner of E. 21<sup>st</sup> St. and S. Boston Ave. and also known as part of the subject property.

**PUD-639 October 2000:** All concurred in approval of a request for a Planned Unit Development on a 2.4± acre tract, for a 74-unit multifamily/townhouse, multi-story development with accessory parking, subject to conditions, and located between East 21<sup>st</sup> Street and East 22<sup>nd</sup> Street, South Main Street and South Boston Avenue.

**Applicant's Comments:**

**Lou Reynolds**, 2727 East 21<sup>st</sup> Street, 74114, stated that the south-half of the subject property is under a lease for a bicycle shop and when the rezoning is completed they would like to move the bicycle shop into the existing building and in the north two lots it will be marketed for a retail-type use. Mr. Reynolds indicated that he is in agreement with staff's recommendation.

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

**TMAPC Action; 9 members present:**

On **MOTION** of **MIDGET**, TMAPC voted **8-1-0** (Carnes, Covey, Dix, Fretz, Midget, Shivel, Stirling, Walker "aye"; Millikin "nay"; none "abstaining"; Liotta, Reeds "absent") to recommend **APPROVAL** of the CS zoning for Z-7268 per staff recommendation.

**Legal Description for Z-7268:**

Lots 23, 24, 25 and 26, Block 1, Boston Addition, an addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof.

\* \* \* \* \*

**OTHER BUSINESS**

24. **Request that TMAPC find a 9 month extension of existing Sector Plans (formerly known as Urban Renewal Plans) in conformance with the Tulsa Comprehensive Plan.**

**STAFF RECOMMENDATION:**

Item: Request that TMAPC find a nine-month extension of existing Sector Plans (formerly known as Urban Renewal Plans) in conformance with the Tulsa Comprehensive Plan

**Background:**

The Tulsa Development Authority (TDA) is in the process of updating the existing Sector Plans. Currently the plans have an expiration date of June 2, 2014 and this date needs to be extended until time that the Sector Plans are updated. State Statutes require that modifications to these plans be reviewed for conformance with the Comprehensive Plan by the Planning Commission. Since this is a technical change, rather than substantive, this does not require a public hearing.

In May, 2012, a two-year extension of these plans was reviewed and found to be in conformance with the Comprehensive plan by the TMAPC. Subsequently, the extension was approved by City Council.

An additional nine-month extension to allow for completion of the plan updates would remain in conformance with the Comprehensive Plan.

**Recommendation:**

Approve the finding that the requested nine-month extension of the existing Sector Plans is in conformance with the Tulsa Comprehensive Plan.

Ms. Miller stated that Mr. O.C. Walker is not present today and she will answer any questions that the Planning Commission may have. Ms. Miller further stated that in the past the Planning Commission has renewed the extension by two years and Mr. O.C. Walker is requesting nine months. Ms. Miller commented that she recommended that he request a longer timeframe, but a small extension of the timeframe is definitely consistent with the Comprehensive Plan.

**TMAPC COMMENTS:**

Mr. Midget asked Ms. Miller what she would recommend because he agrees that it needs to be stretched out a little bit longer than nine months. Ms. Miller stated that she discussed this with Ms. Warrick and they had the same answer and it was suggested to eliminate it or tie it to the adoption of updated Sector Plans. Ms. Miller stated that she would tie to the adoption of the updated plans. Ms. Miller explained that there is no reason to keep adding time and coming back to the TMAPC.

Ms. Miller stated that staff needs a recommendation that it be in conformance with the Comprehensive Plan until those plans are updated.



Mr. Midget moved to approve per staff's recommendation mentioned above.

Ms. VanValkenburgh stated that she is a little confused and asked for clarification. Ms. Miller stated that the existing Sector Plans have an expiration date and this request is for an extension of those plans. Ms. Miller explained that when the original plans were drafted and adopted, the Tulsa Comprehensive Plan, as we have it today, was not in place. Ms. Miller stated that we are only looking at the extension request and moving forward with updated plans is consistent with the Comprehensive Plan. Ms. VanValkenburgh asked if extending the existence of the current plans until the adoption of the updated plans is in conformance with the Comprehensive Plan.

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

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

**TMAPC Action; 9 members present:**

On **MOTION** of **MIDGET**, TMAPC voted **9-0-0** (Carnes, Covey, Dix, Fretz, Midget, Millikin, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Liotta, Reeds "absent") to recommend **APPROVAL** of extending the existing Sector Plans finding that an extension is in conformance with the Comprehensive Plan until the adoption of the updated Sector Plans.

\* \* \* \* \*

**25. Commissioners' Comments: None.**

\* \* \* \* \*

**TMAPC Action; 9 members present:**

On **MOTION** of **MIDGET**, TMAPC voted **9-0-0** (Carnes, Covey, Dix, Fretz, Midget, Millikin, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Liotta, Reeds "absent") to **ADJOURN** TMAPC meeting No. 2675.

**ADJOURN**

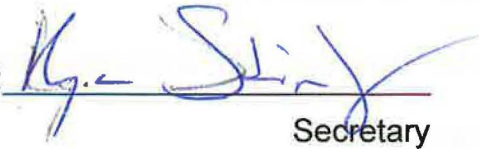
There being no further business, the Chair declared the meeting adjourned at 2:24 p.m.

Date Approved:

06-18-2014

  
Chairman

ATTEST:

  
Secretary