TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 2677
Wednesday, July 9, 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                Stirling              Fernandez           Edmiston, Legal
Covey                 Hoyt                 Fernandez           VanValkenburgh, Legal
Dix                   Huntsinger           Fernandez           Warrick, COT
Fretz                 Miller               Fernandez           Schroeder, COT
Liotta                White                Fernandez           Other Present
Midget                Wilkerson            Fernandez
Millikin              Fernandez
Reeds                 Fernandez
Shivel                Fernandez
Walker                Fernandez

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Monday, July 7, 2014 at 4:41 p.m., posted in the Office of the City Clerk, as well as in the Office of the County Clerk.

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

REPORTS:
Director’s Report:
Ms. Miller reported on the TMAPC receipts for the month of May. Ms. Miller further reported that the receipts for May 2014 are lower than the receipts for May 2013.

Ms. Miller reported on the City Council agenda and the Board of County Commission agenda.

Ms. Miller informed the Planning Commission that there will be three items on the July 23rd work session.

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1. **Minutes:**
   Approval of the minutes of June 18, 2014 Meeting No. 2676
   On MOTION of DIX, the TMAPC voted 10-0-0 (Carnes, Covey, Dix, Fretz, Liotta, Midget, Millikin, Reeds, Shivel, Walker “aye”; no “nays”; none “abstaining”; Stirling “absent”) to APPROVE the minutes of the meeting of June 18, 2014, Meeting No. 2676.

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

2. **LC-579** (Lot-Combination) (CD-7) – Location: East of the northeast corner of East 47th Street South and South 103rd East Avenue

3. **LC-584** (Lot-Combination) (CD-4) – Location: Northeast corner of East 7th Street South and South Elgin Avenue

4. **LC-585** (Lot-Combination) (CD-9) – Location: Southeast corner of East 31st Street South and South Harvard Avenue

5. **LC-586** (Lot-Combination) (CD-3) – Location: Southwest corner of East Ute Street and North Joplin Avenue

6. **LS-20698** (Lot-Split) (CD-7) – Location: Northwest corner of East 50th Street South and South Yale Avenue

7. **LS-20699** (Lot-Split) (CD-8) – Location: East of the northeast corner of East 79th Street South and South Mingo Road (related to LC-587)

8. **LC-587** (Lot-Combination) (CD-8) - Location: East of the northeast corner of East 79th Street South and South Mingo Road (related to LS-20699)

9. **LC-588** (Lot-Combination) (CD-2) – Location: North and east of the northeast corner of West 41st Street South and South Union Avenue

10. **LC-589** (Lot Combination) (County) – Location: Northeast corner of West 13th Street South and South 215th West Avenue

11. **Cherry Street Ridge Amended – Final Plat**, Location: Northwest corner of South Troost Avenue and East 15th Street South, (CD-4)

   This Item removed from the consent agenda.
12. **PUD-766-6 – Tanner Consulting, LLC**, Location: Northwest corner of South Yale Avenue and East 50th Street South, requesting a **PUD Minor Amendment** to re-allocate floor area to permit a lot-split and to modify signage standards, **CH/PUD-766**, (CD-9)

**STAFF RECOMMENDATION:**
- **Amendment Request:** Modify the PUD Development Standards to allocate floor area to permit a lot split and to modify signage standards for Lot 8, Block 1

The current maximum allowable building floor area is 43,470 SF for Lot 8. The proposed maximum building floor area is 41,970 SF for Lot 8 and 1,500 SF for the Lot 8, Block 1.

*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.”

The signage standards are proposed to be modified for Lot 8, Block 1 to:

1. Increase permitted square footage for a pole sign from 125 square feet to 150 square feet. Permitted maximum sign height to remain.

2. Decrease the permitted wall signage from 2 square feet to 1.5 square feet per lineal foot of the building wall to which affixed.

*Staff Comment:* This request can be considered a Minor Amendment as outlined by Section 1107.H.12 PUD Section of the City of Tulsa Zoning Code.

“Modifications to approved signage, provided the size, location, number and character (type) of the sign(s) is not substantially altered.”

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-766-6 shall remain in effect.
With considerations listed above, staff recommends APPROVAL of the minor amendment request to allocate floor area to permit a lot split and to modify signage standards for Lot 8, Block 1.


**STAFF RECOMMENDATION:**

**CONCEPT STATEMENT:**
The applicant is requesting detail site plan approval on a 1.838 Acre site in a Planned Unit Development for a new Hotel including one, four story building.

**PERMITTED USES:**
Uses included within Use Unit 11, Office Studios and Support Services; Hospitals, as provided within Use Unit 5, Community Services and Similar Uses; Hotels and Motels as provided within Use Unit 19, Hotel Motel and Recreation Facilities; and Restaurants with Accessory Bar as provided in Use Unit 12, Eating Establishments Other Than Drive-Ins; and those uses customary and accessory thereto. The proposed Hotel is 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 building meets all applicable architectural guidelines 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. Exterior light standards for Development Area D shall not exceed 25 feet in height and shall be hooded and directed downward and away from the boundaries of the planned unit development. Shielding of outdoor lighting shall be designed so as to prevent the light producing element or reflector of the light fixture
from being visible to a person standing at ground level in adjacent residential areas. Compliance with these standards shall be verified by application of the Kennebunkport Formula. Consideration of topography must be included in the calculations.

SIGNAGE:
The site plan illustrates ground and wall sign locations. 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 sidewalks South Olympia Avenue, as well as a pedestrian path leading from South Olympia Avenue to the 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-648-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.

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-595-B-7 – Eller & Detrich/Andrew A. Shank, Location: West of Highway 169 and north of East 71st Street South on the east side of South 101st East Avenue, requesting a PUD Minor Amendment to revise the sign standards in Development Area A, CO/PUD-595-B, (CD-7) 

(Continued from 6/18/14)

STAFF RECOMMENDATION:
APPLICANT AMENDMENT REQUEST:

I. Minor Amendment Summary
The Applicant requests a minor amendment to PUD 595-B limited to Lot 1, Block 1, HOMECENTER AMD (the “Property”) to revise the sign standards for the Property only in order to permit the installation of an approximately 150sf non-digital display surface area (the “Sign”) on the existing support structure of the project identification sign for PUD 595-B (the “Project Identification Sign”). The conceptual site plan for the Sign is attached as Exhibit “B”. The Sign will advertise exclusively for the owner/tenant of the Property and will count as the one ground sign permitted by the PUD for the Property. Except as amended by this application, the development standards for PUD 595-B, as amended, remain unchanged.

II. Case Narrative
The existing sign standards in PUD-595-B allow for a 150sf (display surface area) by 20ft (height) ground sign on the Property. The requested minor amendment increases the permitted height of the Sign to 40ft in order to locate the Sign on the existing support structure of the Project Identification Sign located on the Property. Because the Sign will count as the one ground sign dedicated to exclusive advertising for the owner/tenant of the Property, the requested minor amendment will reduce the total number of sign structures in the PUD. The current development standards for the Project Identification Sign were approved in 2008 in PUD 595-B-1. The development standards for the Project Identification Sign provide in pertinent part that the Project Identification Sign may advertise for the owners and tenants occupying a building within the PUD in accordance with City of Tulsa Zoning Code provisions concerning changeable copy signs. Historically, the Project Identification Sign has advertised for Mathis Brothers because (1) it was originally approved as a business sign for Development Area A and (2) Mathis Brothers was the first development in the PUD (and thus the only “owner of a building” entitled to use the Project Identification Sign). The current owners of property within PUD-595-B are finalizing the property owner association documentation that will allocate advertising time on the Project Identification Sign.
among the owners/tenants in the PUD. As soon as that documentation is completed, the Project Identification Sign will begin advertising for the other owners/tenants of the PUD in addition to Mathis Brothers. Advertising time will be regulated by the property owners and will be outside the regulatory authority of this PUD.

STAFF RECOMMENDATION

Minor Amendment:

Amendment Request: Modify the PUD Development Standards as follows:

1) Prohibit Ground Signs on Lot-1, Block-1 Home Center.
2) Add 156 square feet of display surface area to the existing project identification sign but only for a non-digital sign similar to the sign represented on Exhibit B.
3) Prohibit any additional project identification sign on Lot-1 Block-1 Home Center.

Staff Comment: This request can be considered a Minor Amendment as outlined by Section 1107.H.12 PUD Section of the City of Tulsa Zoning Code.

“Modifications to approved signage, provided the size, location, number and character (type) of the sign(s) is not substantially altered.”

Staff has reviewed the request and determined:

1) 156 square feet of display surface area has been added to the overall sign allocation on the existing Project Identification Sign located on Lot-1 Block-1 Home Center.
2) The potential for an additional ground sign with 150 square feet of display surface area has been removed from said Lot-1.
3) The potential for additional project identification as defined in PUD-595 has been removed from Lot-1. That ground sign can be placed at another location in PUD 595 B however the 64 square feet that could have been placed on said Lot-1 will no longer be allowed on that tract.
4) The requested amendment does not represent a significant departure from the approved development standards in the PUD in the character of the allowed ground sign.
With considerations listed above, staff recommends **APPROVAL** of the minor amendment request to modify the Sign Standards in Development Area A, PUD-595-B.

15. **PUD-793-1 – Roy D. Johnsen**, Location: West of southwest corner of East 41st Street and South 177th East Avenue, requesting a **PUD Minor Amendment** to increase the maximum coverage of all-weather material from 550 SF to 700 SF in the required front yard, **RS-4/PUD-793**, (CD-6)

**STAFF RECOMMENDATION:**
Amendment Request: Modify the PUD Development Standards to increase the maximum coverage of all-weather material from 550 SF to 700 SF in the required front yard.

The original maximum coverage of all-weather material allowed in the required front yard is currently 550 sf. This is independent of lot size, meaning that a smaller or larger lot would still be limited to this amount. The applicant is proposing to increase the allowable area to 700 sf.

*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 requested amendment does not represent a significant departure from the approved development standards in the PUD.
2) All remaining development standards defined in PUD-793 shall remain in effect.

With considerations listed above, staff recommends **approval** of the minor amendment request to increase the maximum coverage of all-weather material from 550 SF to 700 SF in the required front yard.
16. **PUD-805 – Khoury Engineering, Inc.**, Location: East of South Memorial Drive and East 87th Court South, requesting a **PUD Detail Site Plan** for a new tunnel car wash facility, **OL/PUD-805, (CD-7)**

**STAFF RECOMMENDATION:**
**CONCEPT STATEMENT:**
The applicant is requesting detail site plan approval on a 1.033 Acre site in a Planned Unit Development for a new Tunnel Car Wash facility including one, one story building.

**PERMITTED USES:**
Use Unit 17 but limited to Tunnel Car Wash only; and Use Unit 11, Offices, Studios and Support Services. The proposed Tunnel Car Wash facility is 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 building meets all applicable architectural guidelines 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. Exterior lighting, whether ground or building mounted, shall not exceed 16 ft in height and shall be pointed down. Outdoor lighting 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 adjacent residential areas.

**SIGNAGE:**
The site plan illustrates ground and wall sign locations. 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 sidewalks along the building frontage. The Planned Unit Development does not address pedestrian access and circulation requirements.

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-805. 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 Tunnel Car Wash facility.

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

17. Z-7115-SP-1 – Kinslow, Keith & Todd/Nicole Watts, Location: Southeast corner of West 81st Street and South Union Avenue, requesting a Corridor Detail Site Plan for a new office building and parking garage in a Corridor District, CO/Z-7115-SP-2, (CD-2)

STAFF RECOMMENDATION:
CONCEPT STATEMENT:
The applicant is requesting detail site plan approval for one new six-story office building and one four-story parking garage on a 28.5 acre site in a Corridor District.

PERMITTED USES:
Office used permitted by right within Use Unit 10 and 11. The Office 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 Corridor Plan are required for approval of this site plan.

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

OFF-STREET PARKING AND VEHICULAR CIRCULATION:
The site plan exceeds the minimum parking defined in the Tulsa Zoning Code and the Corridor Plan.

LIGHTING:
Site lighting plans are provided. The plan illustrates a design that will meet the minimum standards outlined in the Corridor Plan and in the Zoning Code. 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, street or highway right of way.

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

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

PEDESTRIAN ACCESS AND CIRCULATION:
The plan displays sidewalks throughout the site, along the access roads, along West 81st Street and along South Union 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 Z-7115-SP-2. The site plan submittal meets or exceeds the minimum requirements of the Corridor Plan. Staff finds that the uses and intensities proposed with this site plan are consistent with the approved
Corridor Plan, and the stated purposes of the Corridor District section of the Zoning Code.

Staff recommends APPROVAL of the detail site plan for the proposed new Office Building and Parking Garage.

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

18. AC-129 – Sack and Associates, Inc./Eric Sack, Location: Northwest corner of East 11th Street South and South Columbia Avenue, requesting an Alternative Compliance Landscape Plan to reduce interior landscape requirements, CH, (CD-4)

STAFF RECOMMENDATION:

ALTERNATIVE COMPLIANCE CONCEPT STATEMENT:
The parking lot, as approved by the Board of Adjustment, will be a private lot with controlled access and a high level of security including cameras. The interior parking lot landscape requirements limit the effectiveness of the security cameras therefore we are asking for an alternative compliance solution.

All requirements of the Landscape ordinance are met with the exception of Section 1002.B.1; which requires “that no parking space shall be located more than 50 feet from a landscaped area containing at least 30 square feet, with a minimum width or diameter of three feet”

CH zoning does not have a street yard requirement. The alternative compliance concept is to move the trees that are required on the interior of the lot to the street yard and perimeter of the site. The proposal is to increase the number of trees required in Section 1002.C.2 by a minimum of 25% and place them around the perimeter of the parking lot.

DETAILED STAFF RECOMMENDATION:

Section 1003.D the Zoning Code states that the applicant may request that the “Planning Commission review and determine that, although not meeting the technical requirements of this Chapter, it is equivalent to or better than the requirements of this Chapter.”; and

The applicant has included in the Exhibits below an Alternative Compliance Landscape Plan that provides substantial improvements in the perimeter of the parking area which will provide street trees that would not otherwise be part of this plan; and
Staff has reviewed the request and is confident that the proposed plan is equivalent or better than the requirements of Chapter 1003 of the Tulsa Zoning Code; therefore

Staff recommends APPROVAL of AC-129 as outlined in Section I above.

Mr. Covey announced 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; 10 members present:
On MOTION of CARNES, TMAPC voted 10-0-0 (Carnes, Covey, Dix, Liotta, Midget, Millikin, Reeds, Shivel, Walker "aye"; no "nays"; none "abstaining"; Stirling "absent") to APPROVE the consent agenda Items 2 through 10 and 12 through 18 per staff recommendation.

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

CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA:

11. Cherry Street Ridge Amended – Final Plat, Location: Northwest corner of South Troost Avenue and East 15th Street South, (CD-4)

STAFF RECOMMENDATION:
The applicant is requesting a continuance to July 23, 2014 in order to do more work on the accompanying PUD.

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:
On MOTION of CARNES, TMAPC voted 10-0-0 (Carnes, Covey, Dix, Frey, Liotta, Millikin, Midget, Reeds, Shivel, Walker "aye"; no "nays"; none “abstaining”; Stirling "absent") to CONTINUE the final plat for Cherry Street Ridge Amended to July 23, 2014.

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CITY OF TULSA ZONING CODE PUBLIC HEARINGS:

19. Consideration will be given to proposed amendments to Title 42 Tulsa Revised Ordinances (the Zoning Code of the City of Tulsa, Oklahoma) to add a new zoning district titled “Mixed-Use Institutional District” (MX-I)

STAFF RECOMMENDATION:
Ms. Warrick stated that the fine tuning has been accomplished and notices have been given. Ms. Warrick indicated that this has gone through a rigorous review and she is confident that it does what it is intended to do. This will implement concept recommendations from the Utica Midtown Corridor Small Area Plan that has recently been adopted. This serves as a base zoning district and will be available for properties to come before the Planning Commission and request a change in zoning to Mixed-Use Institutional.

Item: Provide recommendation to City Council on ordinance regarding Mixed-Use Institutional (MX-I) Zoning District.

Background & Purpose: On January 9, 2014 the Tulsa City Council approved the Utica Midtown Corridor Small Area Plan. Recommendations within both sub-areas of this plan call for a new zoning tool and outline desired outcomes. This tool will represent one of the most significant implementation steps for the adopted plan. To begin the process, TMAPC initiated a text amendment to the zoning code when the plan was adopted.

With direction from this newly adopted policy, the planning team from Perkins & Will generated a mixed use zoning district in a working format for staff to review and collaborate. Initially the proposed district was specific to the geography of this plan area. But it was determined that a more desirable application would be to develop a zoning district that could be available for broader use. Areas with educational or medical campuses exist within other parts of the City that may wish to enjoy the benefits of this kind of land use designation as well.

Below is a summary of the review process to date for the proposed MX-I ordinance:

May 1, 2014 Finalized draft ordinance for public engagement and posted on TMAPC.org website for public review
May 7, 2014 TMAPC work session - provided update and draft of ordinance
May 7 – July 9, 2014 Public review/engagement period
May 29, 2014 Held public meeting at First Lutheran Church, 1244 S. Utica Avenue, 6:00 p.m.
June 4, 2014 TMAPC work session – provided update on outreach efforts, latest draft
of ordinance and set a public hearing date.

July 9, 2014  TMAPC public hearing

Throughout the review process, staff from various departments (City’s Planning and Development Department, City legal and TMAPC staff) and the consultant team has worked continually to refine the ordinance and address any issues raised in the public process.

The review team has consulted with Kirk Bishop from Duncan Associates who is leading the City’s zoning code update project. The MX-I zoning district is being created as an additional district with the City of Tulsa’s current zoning code. It will later be integrated into the overall code update and will include illustrations of concepts described in the district.

**General Description of the MX-I Zoning District:** Mixed use zoning introduces diverse land uses within a single zoning district. It is intended to encourage the kind of environment that supports all modes of transportation. This particular district was recommended through the adoption of the Utica Midtown Corridor Small Area Plan because it allows flexibility that is needed for larger institutions to grow and change over time while providing predictability for adjacent property owners, especially residential neighbors, regarding buffers or transitions so there is a recognition and respect for the character of all of the unique areas that come together in a corridor such as Utica Ave. between 11th and 21st Streets.

**Key points of the MX-I District:**
- Applied as a base zoning district
- Supports institutional uses (educational and medical) and fosters development of complementary uses in the vicinity of these campuses
- Provides a transition between large campus/institutional uses and established residential neighborhoods and historic preservation districts
- Allows flexibility within defined campus environments and surrounding areas
- Encourages compatibility between land uses and transportation options within the district
- Provides standards for signage to accommodate pedestrian scale developments as well as large structures often found in a campus setting
- Encourages a walkable environment through standards addressing transparency of store-fronts, build-to zones, landscaping, screening that create an animated, cohesive pedestrian realm

**Staff Recommendation:** Provide a recommendation of approval to City Council on ordinance to establish Mixed-Use Institutional (MX-I) Zoning District.
(Published in the Tulsa Business & Legal News, ________________, 2014)

ORDINANCE NO. ________________

AN ORDINANCE AMENDING TITLE 42, TULSA REVISED ORDINANCES, TITLED "ZONING AND PROPERTY RESTRICTIONS", RELATED TO RESTRICTIONS ON LAND USES WITHIN THE CITY OF TULSA; AMENDING CHAPTER 2, TITLED "GENERAL PROVISIONS"; AMENDING SECTION 200, TITLED "ZONING AND SUPPLEMENTAL ZONING DISTRICTS ESTABLISHED"; ADDING A NEW ZONING DISTRICT TITLED "MIXED-USE INSTITUTIONAL DISTRICT", DESIGNATED BY THE ABBREVIATION "MX-I"; ADDING A NEW CHAPTER, CHAPTER 7a, ESTABLISHING A NEW ZONING DISTRICT TITLED "MIXED-USE INSTITUTIONAL DISTRICT"; PROVIDING THE PURPOSES AND MINIMUM REQUIREMENTS FOR THE MX-I DISTRICT; ESTABLISHING DEFINITION OF TERMS; PROVIDING PRINCIPAL AND ACCESSORY USES PERMITTED WITHIN THE MX-I DISTRICT AND ESTABLISHING REQUIREMENTS AND CONDITIONS FOR SUCH USES; PROVIDING USES PERMITTED BY SPECIAL EXCEPTION WITHIN THE MX-I DISTRICT AND ESTABLISHING REQUIREMENTS AND CONDITIONS FOR SUCH USES; ESTABLISHING BULK AND AREA REQUIREMENTS FOR DEVELOPMENT WITHIN THE MX-I DISTRICT; AND PROVIDING OTHER REQUIREMENTS FOR DEVELOPMENT WITHIN THE MX-I DISTRICT; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY OF TULSA:

Section 1. That Title 42, Chapter 2, Section 200, Tulsa Revised Ordinances, be and the same is hereby amended to read as follows:

"SECTION 200. ZONING AND SUPPLEMENTAL ZONING DISTRICTS ESTABLISHED.

The Zoning Districts and Supplemental Zoning Districts set forth below are hereby established. The District symbol is in the column to the left.

<table>
<thead>
<tr>
<th>District</th>
<th>Description</th>
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<tbody>
<tr>
<td>AG</td>
<td>Agriculture District</td>
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<tr>
<td>RE</td>
<td>Residential Single-Family, Estate District</td>
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<tr>
<td>RS-1</td>
<td>Residential Single-Family Low Density District</td>
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</tbody>
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07:09:14:2677(16)
RS-2  Residential Single-Family Medium Density District
RS-3  Residential Single-Family High Density District
RS-4  Residential Single-Family Highest Density District
RD    Residential Duplex District
RT    Residential Townhouse District
RM-0  Residential Multifamily Lowest Density District
RM-1  Residential Multifamily Low Density District
RM-2  Residential Multifamily Medium Density District
RM-3  Residential Multifamily High Density District
RMH   Residential Manufactured Home District
PK    Parking District
OL    Office Low Intensity District
OM    Office Medium Intensity District
OMH   Office Medium - High Intensity District
OH    Office High Intensity District
CS    Commercial Shopping Center District
CG    Commercial General District
CH    Commercial High Intensity District
CBD   Central Business District
CO    Corridor District
SR    Scientific Research and Development District
IL    Industrial Light District
IM    Industrial Moderate District
IH    Industrial Heavy District
PUD   Planned Unit Development (Supplemental Zoning District)
HP    Historic Preservation District (Supplemental Zoning District)
FBC*  Form Based Code District
MX-I  Mixed-Use Institutional District

*Form Based Code Districts are regulated by Title 42-B and only by this Code to the extent provided in Title 42-B."

Section 2. That title 42, Tulsa Revised Ordinances, be and the same is hereby amended to add Chapter 7a thereto to read as follows:

"CHAPTER 7a

MIXED-USE INSTITUTIONAL (MX-I) DISTRICT PROVISIONS

750. Purposes, Minimum Requirements and Definitions
751. Principal Uses
752. Accessory Uses
753. Bulk and Area Requirements
754. Special Exception Uses, Requirements
755. Other Requirements
SECTION 750. PURPOSES OF THE MIXED-USE INSTITUTIONAL DISTRICT, MINIMUM REQUIREMENTS AND DEFINITIONS

A. General Purpose. The Mixed-Use Institutional District (MX-I) is designed to:

1. Achieve the economic objectives of the Comprehensive Plan by encouraging sustainable growth of regional job centers anchored by institutions.

2. Meet the need for medical and educational services in the metropolitan area and trade area.

3. Provide an environment conducive to the development and conservation of medical and educational institutions.

4. Permit the establishment of uses which are customarily located in proximity to such institutions.

5. Accommodate a mix of uses and encourage a compatible relationship with adjoining land uses and thoroughfares by:
   a. Establishing bulk and area requirements, including transitional heights that provide adequate buffers between uses and intensities.
   b. Requiring off-street loading and parking facilities to mitigate vehicular impacts in surrounding residential areas.
   c. Controlling the number, size, height, display surface area, location and types of signs.
   d. Preserving, enhancing and creating open space.

B. Minimum Requirements.

Properties proposed for Mixed-Use Institutional zoning shall include one or more hospitals, colleges, or universities. The minimum land area required for a Mixed-Use Institutional district shall be 5 acres, provided that properties of less than 5 acres in size which are contiguous with areas zoned Mixed-Use Institutional or which are separated there from only by a non-arterial street, alley or railroad right-of-way, may be approved for Mixed-Use Institutional zoning.
C. Definitions.

The following terms shall have the meanings indicated when used in this Chapter 7a:

1. “Business establishment” shall mean a space within a building occupied for a use permitted by right or special exception in this District, except for residential uses.

2. “Ground-floor level” shall mean the first level of a building at or above grade.

3. “Planned right of way” shall mean the right of way designated in the Tulsa Metropolitan Area Major Street and Highway Plan. If the particular street is not designated on the Tulsa Metropolitan Area Major Street and Highway Plan, the planned right of way shall be deemed to extend twenty-five feet (25’) on both sides of the centerline of the right of way of the particular street.

4. “Liner building” shall mean a building specifically designed to mask a parking garage or structure from frontage on a public street.

5. “Buffer Yard” shall mean the area where landscaping and screening is required as set forth in Table 3.

6. “Frontage Yard” shall mean an area 10 feet in depth between the planned right of way and the closest edge of the build-to zone within the lot, extending the full width of the lot.

SECTION 751. PRINCIPAL USES PERMITTED IN THE MIXED-USE INSTITUTIONAL DISTRICT

The principal uses permitted in the Mixed-Use Institutional District are designated by use unit. The use units are groupings of individual uses and are fully described, including their respective off-street parking, loading and screening requirements and other use conditions in Chapter 12. Additional requirements are contained in this Chapter 7a. The use units permitted in the Mixed-Use Institutional District are set forth below in Table 1.
### Table 1

**Use Units Permitted in the Mixed-Use Institutional District**

<table>
<thead>
<tr>
<th>No.</th>
<th>Name</th>
<th>District</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Area-Wide Uses By Right</td>
<td>X</td>
</tr>
<tr>
<td>2</td>
<td>Area-Wide Special Exception Uses</td>
<td>E</td>
</tr>
<tr>
<td>4</td>
<td>Public Protection &amp; Utility Facilities</td>
<td>X</td>
</tr>
<tr>
<td>5</td>
<td>Community Services and Similar Uses</td>
<td>X</td>
</tr>
<tr>
<td>6</td>
<td>Single-Family Dwelling</td>
<td>X</td>
</tr>
<tr>
<td>7</td>
<td>Duplex Dwelling</td>
<td>X</td>
</tr>
<tr>
<td>7a</td>
<td>Townhouse Dwelling</td>
<td>X</td>
</tr>
<tr>
<td>8</td>
<td>Multifamily Dwelling and Similar Uses</td>
<td>X</td>
</tr>
<tr>
<td>10</td>
<td>Off-Street Parking Areas</td>
<td>X*</td>
</tr>
<tr>
<td>11</td>
<td>Offices, Studios, and Support Services</td>
<td>X</td>
</tr>
<tr>
<td>12</td>
<td>Eating Establishments, Other Than Drive-Ins</td>
<td>X</td>
</tr>
<tr>
<td>12a</td>
<td>Adult Entertainment Establishments</td>
<td>X**</td>
</tr>
<tr>
<td>13</td>
<td>Convenience Goods and Services</td>
<td>X</td>
</tr>
<tr>
<td>14</td>
<td>Shopping Goods and Services</td>
<td>X***</td>
</tr>
<tr>
<td>15</td>
<td>Other Trades and Services</td>
<td>E</td>
</tr>
<tr>
<td>19</td>
<td>Hotel, Motel and Recreational Facilities</td>
<td>E</td>
</tr>
<tr>
<td>22</td>
<td>Scientific Research and Development</td>
<td>X</td>
</tr>
<tr>
<td>X</td>
<td>Use by Right</td>
<td></td>
</tr>
<tr>
<td>E</td>
<td>Special Exception</td>
<td></td>
</tr>
</tbody>
</table>

* No surface parking lot, whether principal use or accessory use, shall be permitted within 100 ft. of any Historic Preservation District.

** Use Unit 12a uses require Board of Adjustment approval of a special exception if the lot containing the use is within 150 ft. of an RS District other than streets or freeways which are in RS Districts.

*** Liquor stores, pawn shops, all Retail Building Material Establishments, and all Service Establishments require Board of Adjustment approval of a special exception.
SECTION 752. ACCESSORY USES PERMITTED IN THE MIXED-USE INSTITUTIONAL DISTRICT

A. Accessory Uses Permitted.

Accessory uses customarily incident to a principal use permitted in the Mixed-Use Institutional District are permitted in such District. In addition, the following uses set forth in Table 2, are permitted as accessory uses.

Table 2
Accessory Uses Permitted in the Mixed-Use Institutional District

<table>
<thead>
<tr>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Heliport</td>
</tr>
<tr>
<td>Loading Dock and Storage Facilities</td>
</tr>
<tr>
<td>Repair and Service Facilities, including Vehicle Repair</td>
</tr>
<tr>
<td>Laundry Facilities</td>
</tr>
<tr>
<td>Physical Plant</td>
</tr>
<tr>
<td>Disaster Shelters</td>
</tr>
<tr>
<td>Antennas and Supporting Structures</td>
</tr>
<tr>
<td>Business Signs (as permitted in this Chapter)</td>
</tr>
<tr>
<td>Building Signature Signs (as defined in this Chapter)</td>
</tr>
<tr>
<td>Directional and Wayfinding Signs (as defined in this Chapter)</td>
</tr>
</tbody>
</table>

B. Accessory Use Conditions.

1. General Conditions

   a. Accessory buildings shall meet the minimum building setback requirements of this District.

   b. An accessory building erected as an integral part of the principal building shall be made structurally a part thereof, shall have a common wall therewith, and shall comply with the requirements applicable to the principal building.

2. Signage

   a. General Conditions
(1) Signs that have not been issued a sign permit shall not be located in the Mixed-Use Institutional District.

(2) Type:

[a] Signs within the Mixed-Use Institutional District shall be limited to building signature signs as herein defined, directional and wayfinding signs as herein defined, and to business signs of the following types: wall signs, projecting signs, canopy signs, marquee signs, and monument-style ground signs.

[b] Signs shall not be permitted to exceed an illumination of seventy foot candles (70 FC) measured at two foot (2') distance.

[c] Signs shall comply with the sign setback regulations set forth in paragraph 1221.C.1.

b. Business Signs

(1) Wall signs, projecting signs, canopy signs, and marquee signs.

[a] Uses for which permitted: wall, projecting, canopy and marquee signs shall be permitted only for business establishments located within the ground-floor level, second-floor level, and third-floor level of a building.

[b] Number:

[1] Ground-floor level business establishments: A maximum of three such signs shall be permitted for each business establishment located within the ground-floor level of a building and having a façade that faces a street.

[2] Second-floor level and third-floor level business establishments: A maximum of two such signs shall be permitted for each business establishment located within the second-floor level or third-floor level of a building and having a façade that faces a street.

[3] Corner business establishments:
i. One additional such sign shall be permitted for each business establishment located within the ground-floor level, second-floor level or third-floor level of a building and occupying a corner space that faces two streets.

ii. Such sign shall be oriented toward the additional street.

[4] Only one of such signs may be projecting along each street-facing façade of the particular business establishment.

[5] If the particular business establishment is identified on a ground sign that is permitted for the building in which the business establishment is located, the number of wall, projecting, canopy and marquee signs otherwise permitted for the business establishment shall be reduced by one for each ground sign in which the business establishment is identified.

[c] Display Surface Area:

[1] Only one (1) side of a double-faced sign shall be included in the computation of display surface area.

[2] No individual projecting sign shall exceed twelve square feet (12 SF) in display surface area, and no other individual sign shall exceed sixty square feet (60 SF) in display surface area, provided that the total display surface area of all wall, projecting, canopy and marquee signs permitted for a business establishment shall not exceed ten percent (10%) of the area of the street-facing façade of the particular business establishment.

[d] Location and Height:

Permitted signs shall be located directly above the independent entrance to the business establishment identified on the sign or directly above or adjacent to windows in the street-facing façade of the business establishment and within the area of the street-facing façade of the building establishment, provided, however:
[1] No portion of a sign permitted for a ground-floor level business establishment shall be located more than thirty-five feet (35’) in height above the elevation of the nearest curb.

[2] No portion of a sign permitted for a second-level or third-level business establishment shall be located more than fifty feet (50’) in height above the elevation of the nearest curb.

[3] No portion of any sign shall extend above the top of a parapet or building wall upon which it is located.

(2) Ground signs:

[a] Uses for which permitted: Ground signs shall be permitted only for business establishments within a building containing more than twenty-five thousand square feet (25,000 SF) of gross floor area.

[b] Number: If the building for which a ground sign is permitted faces only one street, a maximum of one ground sign shall be permitted. If the building faces two or more streets, a maximum of two ground signs shall be permitted, provided that each shall be oriented toward a different street.

[c] Location: Ground signs shall only be located on private property provided that under no circumstances shall a ground sign encroach into a sidewalk or obstruct traffic visibility.

[d] Size and height: Ground signs shall not exceed eighteen feet (18’) in length and two feet (2’) in depth measured from the outer edges of the ground sign, and five feet (5’) in height measured from the lowest point of the elevation of the nearest curb to the highest point of the ground sign.
c. Building Signature Signs:

(1) A building signature sign is a sign that identifies the owner of the building or a business establishment located in the building and occupying more than fifty percent (50%) of the gross floor area of the building.

(2) Building signature signs shall be permitted only on buildings four (4) or more stories in height, provided no part of such sign shall extend above the top of the parapet or building wall upon which it is located.

(3) Only one building signature sign shall be permitted per exterior building wall.

(4) The display surface area of a building signature sign shall not exceed five percent (5%) of the area of the wall to which it is affixed or three hundred square feet (300 SF), whichever is less.

(5) All sides of the building which display a building signature sign shall display the exact copy which is displayed on any other side which displays a building signature sign.

d. Directional and wayfinding signs:

Directional and wayfinding signs for business establishments within the Mixed-Use Institutional District may be permitted by special exception within the lot containing the use and shall be subject to the conditions (including but not limited to regulation of the location, number, display surface area and height of such signs) established by the Board of Adjustment in granting the special exception. Signs described in Section 225 B.3. shall not require a special exception.

e. Prohibited signs:

The following signs are prohibited in the Mixed-Use Institutional District:

(1) Outdoor advertising signs.

(2) Animated, flashing, revolving or rotating, and changeable copy signs, and signs with movement.

(3) Inflatable signs.
(4) Digital displays.

(5) Roof signs.

f. Sign exceptions:

Sign exceptions are permitted in accordance with Section 225, and the terms within Section 225 applicable to a C District shall apply to the Mixed-Use Institutional District; provided however that the sign exceptions listed in Section 225.B.2. shall not be applicable in the Mixed-Use Institutional District.

SECTION 753. BULK AND AREA REQUIREMENTS FOR THE MIXED-USE INSTITUTIONAL DISTRICT

Table 3
Bulk and Area Requirements for the Mixed-Use Institutional District

<table>
<thead>
<tr>
<th>MINIMUM DISTRICT AREA (acres)</th>
<th>5 acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>LOT AREA MINIMUM (SF)</td>
<td></td>
</tr>
<tr>
<td>Single family</td>
<td>5,500</td>
</tr>
<tr>
<td>Duplex</td>
<td>6,900</td>
</tr>
<tr>
<td>Townhouse</td>
<td>1,600</td>
</tr>
<tr>
<td>Multi-family</td>
<td>7,500</td>
</tr>
<tr>
<td>Other uses / buildings</td>
<td>3,500</td>
</tr>
<tr>
<td>LOT FRONTAGE (Min. Ft.)</td>
<td></td>
</tr>
<tr>
<td>Arterial or Freeway Service Road</td>
<td>50 FT</td>
</tr>
<tr>
<td>All other streets</td>
<td>20 FT</td>
</tr>
<tr>
<td>BUILDING SETBACK</td>
<td>See “Build-to Zone” Requirements</td>
</tr>
<tr>
<td>BUILD-TO ZONE or BTZ (Min./Max. Ft)*</td>
<td></td>
</tr>
<tr>
<td>Measured from the planned right-of-way</td>
<td></td>
</tr>
<tr>
<td>Arterial or Freeway Service Road</td>
<td>10/20 FT</td>
</tr>
<tr>
<td>All other streets</td>
<td>20/30 FT</td>
</tr>
<tr>
<td>MINIMUM PERCENTAGE OF STREET-FACING BUILDING FACE&quot;ADE IN BUILD-TO ZONE:</td>
<td></td>
</tr>
<tr>
<td>Arterial or Freeway Service Road</td>
<td>70%</td>
</tr>
<tr>
<td>All other streets</td>
<td>50%</td>
</tr>
<tr>
<td>MAXIMUM FLOOR AREA RATIO</td>
<td>None</td>
</tr>
<tr>
<td>SIDE YARD (Min.)</td>
<td>None**</td>
</tr>
<tr>
<td>REAR YARD (Min.)</td>
<td>5 ft.***</td>
</tr>
<tr>
<td>FRONTAGE YARD</td>
<td>10 ft. See Section 750 C. 6. and 755 C.2.</td>
</tr>
<tr>
<td><strong>PARKING SETBACK (Min. Ft)</strong></td>
<td>30 ft.****&lt;br&gt;Measured from the planned right-of-way</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>-------------------------------------------------</td>
</tr>
<tr>
<td><strong>SURFACE PARKING SEPARATION</strong></td>
<td>100 ft. from HP</td>
</tr>
<tr>
<td><strong>BUILDING HEIGHT (Max. Ft.)</strong></td>
<td>NA*****</td>
</tr>
<tr>
<td><strong>STREET-FACING BUILDING ENTRANCES</strong></td>
<td>A functional entrance is required on each street-facing building façade, and each multi-family unit on the ground-floor level shall have a functional pedestrian entrance facing the street. The length of street-facing facade without an intervening entrance shall not exceed 150 ft. An angled or curved entrance may be provided at either corner of a building along the street to meet the street-facing entrance requirements of the two streets.</td>
</tr>
<tr>
<td><strong>TRANSPARENCY</strong></td>
<td></td>
</tr>
<tr>
<td>Arterial or Freeway Service Road</td>
<td>A minimum transparency of 50% is required along the length of the street-facing building façade measured between 3 and 8 ft. above the nearest curb.</td>
</tr>
<tr>
<td>All other streets</td>
<td>A minimum transparency of 40% is required along the length of the street-facing building façade measured between 3 and 8 ft. above the nearest curb.</td>
</tr>
<tr>
<td>**** A minimum distance of 12 ft. is required between the edge of curb and the face of the building</td>
<td></td>
</tr>
<tr>
<td>**** A side yard of 10 ft. shall be provided where this District abuts an R District, a Historic Preservation District, or a lot occupied by a single-family dwelling, duplex or townhouse without an intervening right-of-way. Such side yards shall not be used for the purpose of parking, paving, loading, servicing or any other activity, and shall comply with the buffer yard landscaping and screening requirements in Section 755.C.</td>
<td></td>
</tr>
<tr>
<td>***** A rear yard of 20 ft. shall be provided where this District abuts an R District, a Historic Preservation District, or a lot occupied by a single-family dwelling, duplex or townhouse without an intervening right-of-way. Such rear yards shall not be used for the purpose of parking, paving, loading, servicing or any other activity, and shall comply with the buffer yard landscaping and screening requirements in Section 755.C.</td>
<td></td>
</tr>
<tr>
<td>**** A 10 ft. wide buffer yard compliant with the landscaping requirements in Section 755.C. shall be provided to separate parking from the sidewalk, provided that no buffer yard is required where the ground-floor level of a parking garage or structure is masked by a liner building.</td>
<td></td>
</tr>
</tbody>
</table>
****Exceptions:

a. When this District abuts a Historic Preservation District with an intervening right of way that is not an alley, a maximum height requirement of 3 stories or 35 ft., whichever is less, applies within 100 ft. of the right-of-way centerline.

b. When this District abuts an R District with an intervening right of way that is not an alley, a maximum height requirement of 4 stories or 48 ft., whichever is less, applies within 100 ft. of the right-of-way centerline.

c. When this District abuts an R District or a Historic Preservation District with an intervening alley, a maximum height requirement of 24 ft. applies within 40 ft. of the alley centerline AND a maximum height requirement of 4 stories or 48 ft., whichever is less, applies at a distance between 40 ft. and 90 ft. of the alley centerline.

d. When this District abuts an R District or a Historic Preservation District without an intervening right of way, a maximum height requirement of 24 ft. applies within 50 ft. of the lot boundary AND a maximum height requirement of 4 stories or 48 ft., whichever is less, applies at a distance between 50 and 100 ft. of the lot boundary.

e. A maximum height requirement of 8 stories or 96 ft., whichever is less, applies for a distance of 100 ft. from the 4 story / 48 ft. zone where the District abuts a Historic Preservation District.

A. **Build-to Zone**

1. The build-to zone is the area on the lot where all or a portion of the street-facing building facade must be located, measured as a minimum and maximum yard (setback) range from the planned right-of-way.

2. The street-facing façade of a building within a lot shall be located within and shall extend along the length of the build-to zone for a minimum distance equal to a particular percentage of the width of the lot. The applicable percentage is set forth in Table 3 and shall be calculated by dividing the width of the building façade located within the build-to zone by the width of the lot. For purposes of this calculation, the width of the lot shall be the most narrow width of the lot within the build-to zone.

B. **Transparency**

1. Transparency regulations govern the percentage of a street-facing building façade that must be covered by glazing (e.g., transparent windows and/or doors).

2. The transparency of a street-facing building facade is measured between three (3) and eight (8) feet above the elevation of the nearest curb.

3. Glazed elements must be clear and non-reflective and not be painted or tinted (transparent, low-emissivity glass is permitted).
SECTION 754. SPECIAL EXCEPTION USES IN THE MIXED-USE INSTITUTIONAL DISTRICT, REQUIREMENTS

A. Requirements.

The special exception uses permitted in the Mixed-Use Institutional District, as designated in Table 1, are subject to the minimum requirements set out below and such additional safeguards and conditions as may be imposed by the Board of Adjustment. Except as provided above, all special exception uses shall comply with the bulk and area requirements of this District.

B. Additional Requirements for Use Unit 14, 15 and 19 Uses.

Uses included within Use Units 14, 15, and 19 where permitted by special exception are subject to the following additional requirements:

1. The permitted uses will not interfere with or detrimentally affect any adjoining or nearby residential properties.

2. Vehicular and pedestrian circulation shall be reviewed by Traffic Engineering, including the location of ingress and egress points.

SECTION 755. OTHER REQUIREMENTS

A. Structured Parking Facilities

1. Shall conceal cars housed at ground-floor level through the second story from street view with architectural detailing and/or liner buildings.

2. Shall provide a 10 foot buffer yard compliant with the landscaping requirements in Section 755.C. when the ground-floor level use is parking.

B. Loading Areas and Dumpsters

1. Loading dock entrances along the street shall be screened with masonry from public view at ground level from the lot on which such loading docks are located.

2. Dumpsters shall be placed at the side or the rear of the building and shall be screened with masonry from public view at ground level from the lot on which such dumpsters are located.
C. Additional Landscaping and Screening Requirements

Landscaping and screening in the Mixed Use Institutional District shall meet or exceed the minimum standards set forth as follows and shall meet or exceed the standards set forth in Section 1002.B. and 1002.D. Landscaping and screening in the Mixed-Use Institutional District shall not be required to meet the standards set forth in Section 1002.A. or 1002.C.

1. Buffer Yards

   a. Trees meeting the following standards shall be provided in all buffer yards:

      (1) A minimum of one large or medium tree as defined in Section 1003 shall be provided per twenty-five linear feet (25 LF) of lot frontage and within a buffer yard. A professional landscape architect licensed in Oklahoma may submit plans substituting tree species not included in Section 1003.

      (2) In the event that large or medium trees are not appropriate due to overhead utilities or other obstructions one small tree shall be provided per twenty linear feet (20 LF) of lot frontage.

      (3) Trees shall generally be evenly spaced.

      (4) Large and medium trees shall be a minimum of two and one-half inches (2.5") in caliper and twelve feet (12') in height at time of planting. Small trees shall be a minimum of two inches (2") in caliper and eight feet (8') in height at time of planting.

   b. Understory plantings meeting the following standards shall be provided in all required buffer yards:

      (1) Ground covers and/or shrubs shall be provided at a size and density in order to protect tree roots and to prevent erosion within a three (3) year growth cycle.

      (2) Sod shall not be permitted in required landscape areas.

      (3) Where used to meet the landscape requirement, shrubs shall be maintained at a minimum height of three (3) feet and a maximum height of eight (8) feet with no more than fifty percent (50%) opacity.

   c. Screening shall be provided as follows:
(1) Opaque walls or fences a minimum of six feet (6') in height shall be provided if the buffer yard is a required side or rear yard and shall be maintained in good condition. Screening shall not be required if the lot is a lot occupied by a single-family dwelling, duplex or townhouse.

(2) Opaque walls with a minimum height of thirty-six inches (36") shall be provided within ten feet (10') of a surface parking edge where surface parking is located within one hundred feet (100') of any Mixed-Use Institutional district boundary except when a building is located between the Mixed-Use Institutional district boundary and the surface parking lot. Walls shall be maintained in good condition.

2. Frontage Yards

Trees meeting the following standards shall be provided in all frontage yards:

a. A minimum of one large or medium tree as defined in Section 1003 shall be provided per twenty-five linear feet (25 LF) of lot frontage and within a frontage yard. A professional landscape architect licensed in Oklahoma may submit plans substituting tree species not included in Section 1003.

b. In the event that large or medium trees are not appropriate due to overhead utilities or other obstructions one small tree shall be provided per twenty linear feet (20 LF) of lot frontage.

c. Trees shall generally be evenly spaced.

d. Large and medium trees shall be a minimum of two and one-half inches (2.5") in caliper and twelve feet (12') in height at time of planting. Small trees shall be a minimum of two inches (2") in caliper and eight feet (8') in height at time of planting.

D. Walls and Fences

1. Except as otherwise required in this chapter, the maximum height of fences or walls within a frontage yard shall be thirty-six inches (36").

2. The maximum height of other fences or walls shall be eight feet (8').
E. Mechanical Equipment

1. Mechanical equipment is not permitted between the building and the street.

2. An opaque wall or fence exceeding the height of the equipment shall be required if the equipment is visible from a public street or from adjacent properties at the level where such equipment is located.

3. Rain barrels, cisterns, and similar equipment shall be designed as part of the building and shall not require screening.

4. Chiller Plants and similar utility structures:
   a. Shall provide a minimum 15 ft. landscape strip that meets the landscaping requirements of a buffer yard.
   b. Opaque walls or fences a minimum of six feet (6’) in height shall be provided between the chiller and the public right-of-way and between the chiller and an abutting R District, Historic Preservation District, or lot occupied by a single-family dwelling, duplex or townhouse, without an intervening right-of-way.

5. There is no obligation that equipment belonging to a public utility be screened.”

Section 3. SEVERABILITY CLAUSE. If any section, sentence, clause or phrase of this ordinance or any part thereof is for any reason found to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of this ordinance or any part thereof.

Section 4. REPEAL OF CONFLICTING ORDINANCES. That all ordinances or parts of ordinances in conflict herewith be and the same are now expressly repealed.

Section 5. EMERGENCY CLAUSE. That an emergency is now declared to exist for the preservation of the public peace, health and safety, by reason whereof this ordinance shall take effect immediately from and after its passage, approval and publication.
**TMAPC COMMENTS:**
Mr. Shivel stated that he attended some of the public meetings and he is delighted with the degree of responsiveness to the plans and the feedback received.

Mr. Reeds stated that he attended some of the meetings as well and he appreciates the format and he believes it will serve as a good template and makes our job easier.

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

**TMAPC Action; 10 members present:**
On **MOTION** of MIDGET, TMAPC voted **10-0-0** (Carnes, Covey, Dix, Fretz, Liotta, Midget, Millikin, Reeds, Shivel, Walker "aye"; no "nays"; none "abstaining"; Stirling "absent") to recommend **APPROVAL** of the proposed amendments to Title 42 Tulsa Revised Ordinances (The Zoning Code of the City of Tulsa, Oklahoma) to add a new zoning district titled "Mixed-Use Institutional District (MX-I) per staff recommendation.

* * * * * * * * * * * *

Mr. Midget out at 1:47 p.m.

**PUBLIC HEARINGS:**

20. **LS-20696** (Lot-Split) (County) – Location: North of the northeast corner of East 96th Street North and North Harvard Avenue

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

Technical Advisory Committee met on June 19, 2014 and had the following comments: a 50-foot right of way easement along North Harvard Avenue and sidewalks to be constructed on North Harvard.

The proposed lot-split would not have an adverse affect on the surrounding properties and staff recommends **APPROVAL** of the lot-split and the waiver of the subdivision regulations that no lot have more than three side lot lines.
TMAPC COMMENTS:
Mr. Covey stated that the Planning Commission received a letter of protest and they make reference to possibly some covenants. Mr. Covey asked staff if they know anything about covenants. Ms. White stated that she doesn't know anything about covenants. She further stated that this letter was received the day before the meeting and that would require some significant research at the County Clerk's office to locate.

Mr. Dix asked if the subject property is unplatted. Ms. White answered affirmatively. Mr. Dix asked how could there be covenants on unplatted property. Ms. White stated that there could possibly be some sort of private covenants, but that would be private and not enforced by the County.

Ms. White stated that she spoke with the applicant this morning and was informed that his wife is ill and he wasn’t sure he could attend today’s meeting. Ms. White further stated that the applicant indicated that he was in agreement with staff recommendation.

TMAPC Action; 9 members present:
On MOTION of DIX, TMAPC voted 9-0-0 (Carnes, Covey, Dix, Fretz, Liotta, Millikin, Reeds, Shivel, Walker "aye"; no "nays"; none "abstaining"; Midget, Stirling "absent") to APPROVE of the lot-split and the waiver of the subdivision regulations that no lot have more than three-side lot lines.

* * * * * * * * * * * *

21. CVS Tulsa Addition- Minor Subdivision Plat, Located: Northwest corner of East 31st Street South and South Garnett Road, (CD-6)

STAFF RECOMMENDATION:
Applicant is requesting a continuance to July 23, 2014.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:
On MOTION of LIOTTA, TMAPC voted 9-0-0 (Carnes, Covey, Dix, Fretz, Liotta, Millikin, Reeds, Shivel, Walker "aye"; no "nays"; none "abstaining"; Midget, Stirling "absent") to CONTINUE the minor subdivision plat for CVS Tulsa Addition to July 23, 2014.

* * * * * * * * * * * *
22. **PUD-811 – Roy D. Johnsen**, Location: Northwest corner of South Trenton Avenue and East 15th Street, requesting a PUD, (CD-4), (Continued from 6/4/14) (Staff is requesting a continuance to July 23, 2014)

**STAFF RECOMMENDATION:**
Staff is requesting a continuance to July 23, 2014.

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, Liotta, Millikin, Reeds, Shivel, Walker "aye"; no "nays"; none "abstaining"; Midget, Stirling "absent") to **CONTINUE** PUD-811 to July 23, 2014.

***************

Mr. Wilkerson stated that he will be presenting Items 23 and 24 together.

23. **Z-7269 – Costco Wholesale/Michael Okuma**, Location: Northwest corner of East 103rd Street and South Memorial Drive, requesting rezoning from AG/CS to CS, (CD-8) (Continued from 6/18/14)

**STAFF RECOMMENDATION:**

**DEVELOPMENT CONCEPT:**

The applicant is requesting a rezoning from AG to CS for construction of a Wholesale Club. The site is adjacent to existing single family residential on the west side of the site and on a portion of the north side of the site.

The Comprehensive Plan illustrates this area as a Regional Center. The terrain of the site slopes down from South Memorial Drive and construction requirements for a stormwater detention facility and normal grading standards will require a large retaining wall at the west and north boundary of the property adjacent to the residential areas. The final result will include a proposed 36 foot tall building on top of a retaining wall.

The CS bulk and area, landscape and screening guidelines defined in the Tulsa Zoning Code do not provide adequate neighborhood transition in this circumstance, therefore a PUD will be provided to require appropriate landscaping, building setbacks, lighting standards and other details to provide a
compatible relationship between this new facility and the existing residential development.

DETAILED STAFF RECOMMENDATION:
A) The proposed development of this site is consistent with the Regional Center vision of the Comprehensive Plan; and

B) CS without a PUD overlay does not provide appropriate transition and screening areas adjacent to the existing residential development. In conjunction with PUD 815 this site can be respectful to the existing single family residential properties north and west of this site. The property owners immediately west and north of the site will be significantly affected by the development of this property. The northwest corner of this site will be elevated, retaining walls will be constructed and earth fill will be placed so the finished floor elevation of the proposed building will be significantly above the adjacent residential structures. Staff has worked with the applicant to provide significant and appropriate standards for landscaping, screening, lighting, trash management, delivery management and other considerations that are part of the PUD which will help mitigate the physical effects of this site as it relates to the adjacent and surrounding property owners. Considerations for stormwater management and building placement have been implemented into the PUD providing appropriate transition zones between this site and the adjacent single family residential areas; and

C) Approval of CS Zoning in conjunction with PUD 815 is not consistent with the connectivity vision of the Comprehensive Plan. As a result, additional traffic congestion will be added to South Memorial Drive without allowing relief west through Bridal Trails. The public streets leading east out of Bridal Trails will be blocked by this PUD and will not achieve a connection to Memorial as originally planned. Future development of the property immediately south of this PUD will be required to access their site from those stub streets at South 104th and South 108th and through a mutual access provisions discussed in the applicants concept statement. Appropriate improvements to South Memorial Drive along with private access agreements with the Warren Foundation are in place between the effected property owners. Those agreements are intended to implement private vehicular and pedestrian access solutions without adding to public maintenance responsibilities that would be part of future additional public street construction projects; and
D) CS zoning in conjunction with PUD 815 is consistent with the anticipated future development of the remaining surrounding properties; therefore

Staff recommends Approval of Z-7269 only in conjunction with PUD-815.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: Many building blocks are included as part of staff analysis in context with the Comprehensive Plan. Some of those building blocks include Land Use Designation, Transportation Vision, Open Space and Connectivity. In this instance, Z-7269 as a base zoning would allow future connections with a public street network. PUD 815 satisfies most of the components of the Comprehensive Plan however the public street connections that were anticipated during construction of Bridal Trails at 104th and/or 108th will not be constructed. Staff recognizes the impact on the Bridal Trails subdivision should vehicular access be required providing connection to South Memorial as part of this project or future projects. TMAPC staff determined with input from the City of Tulsa Development Services Division that a public street connection from Bridal Trails to South Memorial is not essential to the vehicular circulation system in this part of Tulsa. Abandoning that concept at this particular location should not be considered setting precedence for other locations.

Land Use Vision:
Land Use Plan map designation:

The entire site is considered a Regional Center
Regional Centers are mid-rise mixed-use areas for large-scale employment, retail, and civic or educational uses. These areas attract workers and visitors from around the region and are key transit hubs; station areas can include housing, retail, entertainment, and other amenities. Automobile parking is provided on-street and in shared lots. Most Regional Centers include a parking management district.

Areas of Stability and Growth map designation:
The entire site is considered 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:**
The most widespread commercial street type is the strip commercial arterial, these arterials typically serve commercial areas that contain many small retail strip centers with buildings set back from front parking lots. Because of this, strip commercial arterials have many intersections and driveways that provide access to adjacent businesses. Historically, this type of street is highly auto-oriented and tends to discourage walking and bicycling. On-street parking is infrequent.

Commuter streets are designed with multiple lanes divided by a landscaped median or a continuous two way left turn lane in the center. Commuter streets are designed to balance traffic mobility with access to nearby businesses. However, because there are so many intersections and access points on commuter streets, they often become congested. Improvements to these streets should come in the form of access management, traffic signal timing and creative intersection lane capacity improvements.

**Trail System Master Plan Considerations:**
Less than one mile north of this site is a significant multipurpose trail adjacent to the Creek Turnpike. The sidewalk system along South Memorial adjacent to this project has been identified as a connection link to the trail system and should be widened to 8’
along the entire frontage. Future development north of this site will be required to meet the same standard.

DESCRIPTION OF EXISTING CONDITIONS:

*Staff Summary:* Significant terrain considerations at the northwest corner of the site will require a retaining wall system to raise the proposed building and to enclose an onsite stormwater detention facility. The effects of this wall adjacent to the single family residential area west and north of the site are significant. It is anticipated that at the extreme low point of the existing property the northwest corner the top of the building will be approximately 50 feet above existing ground elevation. Detailed cross sections and landscape screening have been provided to represent this relationship in the PUD.

*Site Analysis:* The subject property is approximately 18.18+- acres in size and is located northwest of the intersection of East 103rd Street South at South Memorial Drive. The property appears to be vacant and is zoned AG.

*Surrounding Properties:* The subject tract is abutted on the east by South Memorial Drive then further east across the street is a large mixed use commercial area in the City of Bixby, zoned commercial with a PUD overlay; on the north by single family residential zoned PUD 378-A/RS-2, and commercial property zoned PUD 378/CS and RM-1; on the south by vacant land, zoned AG and a Medical Clinic under construction zoned CS; and on the west by a large lot single family residential subdivision, zoned RS-1.

*Terrain:* The site generally slopes from east to west toward an existing single family residential subdivision. The northwest corner of this site is approximately 40 feet below the east edge of the site.

**STREETS:**

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<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
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**UTILITIES:**
The subject tract has municipal water and sewer available.

**SECTION III: Relevant Zoning History:**

Subject Property:
Z-7212 January 2013: A request was made for rezoning a 25+ acre tract of land from AG to CS. All concurred in approval of the south 1,050 feet (13 acres) to CS zoning, on property located south of southwest corner so East 101st Street and South Memorial Drive, and also known as part of subject property.

BOA-17835 September 23, 1997: The Board of Adjustment approved a Special Exception to permit a 90’ monopole cellular antenna supporting tower (Use Unit 4) in an AG district, per plan submitted, on property located at south of the southwest corner of East 101st Street and South Memorial Drive and also known as part of subject property.

Surrounding Property:
PUD-378-A March 1997: All concurred in approval of a proposed Major Amendment to a PUD on a 7+ acre tract of land to allow single family use of the previously approved office development, on property located west of the southwest corner of East 101st Street and South Memorial Drive and abutting north of subject property.

PUD-378 November 1984: All concurred in approval of a proposed Planned Unit Development on a 20+ acre tract of land, for an office and commercial development, subject to conditions, on property located on the southwest corner of East 101st Street South and South Memorial Drive and abutting north of subject property.

Item 23 and 24 are related items:

24. PUD-815 – Costco Wholesale/Michael Okuma, Location: Northwest corner of East 103rd Street and South Memorial Drive, requesting a PUD to construct new Costco Retail and Automotive Fuel Sales, from AG/CS to CS/PUD-815, (CD-8) (Continued from 6/18/14)

STAFF RECOMMENDATION:

DEVELOPMENT CONCEPT:
I. Applicants Development Concept
The proposed Costco Wholesale development (hereinafter the “Project”) comprises of Rezoning approximately 18.18 gross acres of land (hereinafter the “Property”) located at the Northwest quadrant of South Memorial Drive and East 103rd Street South from Agricultural (AG) to Commercial Shopping Center District (CS)/-
Planned Unit Development (PUD) and concurrent Plat for 2 new parcels consisting of:

(i) +/- 17.21 acres for the Costco Warehouse, including the existing cell tower area;
(ii) +/- 0.97 acres for the Costco Gas Station.

Costco Wholesale Corporation is in the process of purchasing the 18.18 acres from the Foundation Land Holding Co.- Memorial #1, LLC (hereinafter the “Foundation”). In other words, the Foundation is current owner of the Property, as noted on the PUD application. The Foundation’s affiliate Warren Professional Building Corporation (WPBC) is also the owner of the other adjacent properties to the south of the Property that is comprised of the approximate 20.05 acre Life Estate Tract (southwest of Property), the approximate 4.882 acre Foundation MOB Tract (southeast of Property) and the 2.494 acre WPBC MOB Tract (does not abut Property). The Property, after the sale, will be a standalone project.

The Property is bordered by the following: single family residences to the west, single family/ multifamily residences and a shopping center to the north, Memorial Drive to the east, vacant land/life estate to the south. The Foundation owned vacant land, along the southeastern boundary of the Property, is in the process of being developed as a medical center. The Foundation owned Life Estate, along the southwestern side of the Property, consists of a single family structure and barn. The Life Estate is a tenant of the Foundation, leasing the property at no cost.

Although the Property will be a standalone Project, the Project has been coordinated with the Foundation, (including cross access agreements and temporary construction easements between the 3 properties that have mutual access, drainage and utility rights within E. 103rd Street) so that no property will be landlocked post-sale. Please see attached Recorded Access Easement Agreement, particularly Exhibit E.2 showing the access easements between the 2 post sale owners (Costco and the Foundation), where Costco will own the 45 foot cross access easement on Tract No. 1 of the Access Easement Agreement.

The Project has also been coordinated with the Foundation and City Traffic Engineer for provisions to maintain thru traffic along South Memorial Drive and a new dedicated left turn pocket into the Costco site (and Future Regional Center) via a modified median and adjusted signalization at the existing traffic signal on 103rd St. South. We have included the City of Tulsa Approved IDP# 6562 Warren Memorial Site- Phase I Infrastructure plans for reference.
Project design is consistent with the approved City of Tulsa Phase I Infrastructure plans.

It is important to note that there is no roadway access to the residential neighborhood on the west side of the Project contemplated by the City, the Foundation or Costco Wholesale at this time. In several meetings (April 2013 and April 2014) with the Bridle Trails Estates neighborhood group, the residences very strongly objected to any connection (vehicular or pedestrian) from E 103rd St to E 104th St though the Property. Also the connection from E 103rd St to E 104th St requires acquiring a portion of the Foundation’s southwestern Life Estate Tract in order to make the connection and Costco Wholesale does not have any rights to use or encumber the Foundation’s property. However, the layout of the Project site plan will provide the maximum flexibility for the future if the connection is required when the Foundation property is developed.

The site Property is undeveloped land covered with trees and grasses. The proposed Project will demolish an existing approximately 1,000sf structure and three sheds as well as removal of 18.18 acres of overgrown non-heritage trees and shrub. The existing cell tower at the northeast portion of the Property will remain in place with its existing access easement relocated as part of the Project.

The Project will provide a new +/- 149,469sf Costco Warehouse including a Tire Center and Food Center, a 4,000sf Exterior Liquor Sales structure with separate entrance from the Warehouse (per Oklahoma ABLE Commission requirements), a fuel station and associated site improvements, such as (i) parking, (ii) landscape, (iii) buffers between the existing northerly and westerly residences and the Costco Warehouse via: (i) screen/retaining walls along the North Property line, (ii) sloped landscaping/onsite detention basin along the West Property line, (iii) retaining wall along the South Property line. These elements are shown in the enclosed Site Plan, Site Sections, perspective view and Landscape Plan.

The Costco Warehouse perimeter walls would be an average of 30'-6" high, with an accentuated entrance at 34'-0" high. The Costco Fuel Canopy height will be 17'-6" high. The proposed building design provides architectural articulation (via combination of metal panel system and split face and smooth concrete masonry blocks, with steel canopy and braces at the main entry) so that the overall massing of the building is reduced. Vertical elements, such as the cantilevered steel canopy at the main entry, create a pedestrian scale element in addition to providing functional shading.
and living shadow play throughout the day. All service elements of the building, such as the loading dock, trash compactor and transformers are screened from the public view. Wall fixtures with direct down lights on the building keep glare away from adjacent properties and provide security luminance. These elements are shown in the enclosed Exterior Elevations, Site Plan, and Site Sections Illustrative Landscape Plan.

The proposed Costco Warehouse Use can be categorized as Uses Unit 13 (Convenience Goods and Services: Retail trade establishments engaged in the merchandising of groceries) and Unit 14 (Shopping Goods and Services- Retail establishments engaged in the merchandising of shopping goods and services and liquor stores). Specifically, Costco sells items such as electronics, household appliances and furnishings, including outdoor furnishings such as barbecues, patio furniture and pool accessories, products associated with home and personal improvement including health and beauty aids. The proposed Project includes ancillary businesses such as photo kiosk, optical kiosk, optical exam, pharmacy, hearing aid center, food service, tire center sales and installation, fresh program including a bakery, meat preparation, deli and produce cooler, point of sales coolers and freezers as well as a separate liquor sales area. Seasonal sales of items, such as boat, RV, automobiles, etc. would occur in designated Seasonal Display Areas throughout the year.

The Project also proposes a fuel dispensing facility, which encompasses a 32’ x 120’ pump island canopy over multi-product dispensers and underground fuel storage tanks. The fueling facility is located at the northeast corner of the site and obtains direct access from S. Memorial Drive. Future fuel dispensing units may include compressed natural gas, electrical charging stations and other systems may be part of our future automotive fuel options.

The Warehouse operating hours to the public are limited to: Monday thru Friday from 10:00 AM to 8:30 PM, Saturday from 9:30 AM to 6:00 PM and Sunday from 10:00 AM to 6:00PM.

Truck deliveries will occur every day from 2:00AM to 12:00AM PM and 9:00PM to 11:00PM.

The Gas Station operating hours is limited to Monday thru Friday from 5:00AM to 10:00PM, Saturday and Sunday from 6:00AM to 8:00PM.

II. Development Standards
A. Land Uses, Bulk and Area Requirements

Gross Land Area: 18.18 acres +/-

Existing Zoning: Agricultural

Proposed Zoning: CS Commercial Shopping Center District

Permitted Uses and Accessory Uses customarily incident to the following:

Use Unit 11 (Offices studio and Support Services: Offices, studios, medical and certain other compatible or supporting services.)

Unit 13 (Convenience Goods and Services: Retail trade and service establishments.)

Unit 14 (Shopping Goods and Services- Retail establishments engaged in the merchandising of shopping goods and services.)

Maximum Floor Area Permitted: 0.50 FAR (395,960 square feet)

Minimum Building Setbacks Required: East (½ of right of way width designated on Major Street Plan plus 50 feet):

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Retaining Wall Setbacks:

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Retaining Wall Standards:

Retaining walls facing north and west that are not internal to the stormwater detention facility shall be non painted earth tone masonry walls. It is anticipated that the walls will be constructed as a segmental block retaining wall system and will be an integral part of the landscape screening concept. Alternative wall systems may be considered during the site plan review process.

Maximum building height above finished floor: 36’-0”

Off Street Parking Spaces Required Ratio: 1 sp/300 SF
(There will be no distinction between uses in the PUD. The total floor area for the entire PUD including outparcels will be used to calculate the required minimum parking based on this ratio)

Bicycle Parking:
A bicycle rack with room to secure and store a minimum of 6 bicycles will be required near the main entrance to the building.

B. Landscaping:
The site landscaping will meet or exceed the standards illustrated on the conceptual landscape plan submitted by the applicant and included in the staff report as described in concept below:

1. Trees and shrubs shall be placed at different levels within a wide buffer along the north property line to provide a tiered affect in order to provide the maximum amount of landscape screening adjacent to the north and west perimeter of the site.

2. Landscaping along the southern property line shall consist of a combination of native rough seeded areas, large and medium shrubs and small ornamental trees. Each parking lot landscape planter shall be planted with a minimum of one medium or large shade tree, small shrubs, grasses, perennials, accent plants.

3. Landscaping will be designed in accordance with the Proposed Landscape Plan attached in this PUD package and will be subject to final approval in a Detailed Landscape Plan submitted and approved by the Tulsa Metropolitan Area Planning Commission staff prior to building permit issuance.

4. Minimum landscape standards not defined in the Conceptual Landscape Plan will meet or exceed the requirements stated City of Tulsa Zoning Code.

Landscape Plans that have been signed and sealed by a Professional Landscape Architect in Oklahoma may use any appropriate plant material selection in the design and is not limited to the approved tree list in the Tulsa Zoning Code.
C. Trash, Mechanical and Equipment Area Screening and Outdoor Display Areas

Screening:
All mechanical, equipment, trash and recycling areas shall be screened from public view. These areas shall not be seen by persons standing at ground level from the west or north side of the site. Screening walls shall be masonry with a minimum height of 6 feet shall be earth tone, not painted and will be incorporated at the following locations.

1. The service area on the west side at the truck dock,

2. Between the northern single family residential lots and the Costco fire department access lane. The screening wall will be placed south of the landscape buffer at the top of the retaining wall and as illustrated on the conceptual plan.

3. Adjacent to the easterly wall of the detention basin. The exact length will be determined during detailed site plan review however this screening fence will not be less than the north south dimension measured from the north edge of the compactor to the loading dock.

Trash Management:
The self contained trash compactor and/or cardboard baler are located between the west detention basin and Costco building and shall not be seen by the residences on the North or West sides. The self contained compactor and balers are inherently screened from the public since they are operated from inside the Costco warehouse and baled within the unit.

Removal of the baler, by a Costco vendor shall only occur during business hours. There shall be no outdoor storage of any trash or trash bales at any time.

Outside trash storage of any kind is prohibited therefore no dumpster or dumpster enclosure is allowed.

Rooftop HVAC units:
No ground HVAC systems are allowed. Rooftop units shall be screened from public view from the property line via building parapets. Mechanical units near the north or west sides of the building will be prohibited within 50 feet of the parapet.
Display/ Seasonal Sales
Seasonal sales of items, such as boat, RV, automobiles, etc. may only occur in designated Seasonal Display Areas on the south side of the site as illustrated on the conceptual landscape and site plan. Seasonal sales may occur throughout the year.

D. Lighting
Lighting design shall meet the standards as shown on attached photometric plan. Lighting used to illuminate the parking lot shall be arranged to shield and direct light away from property within an R district. Shielding of such light shall be designed to prevent the light producing element from being visible to a person standing in an R district.

Maximum mounting height for site lighting shall be 40 feet.

Maximum mounting height for wall mounted lighting shall be 14 feet.

Full cutoff light fixtures are required along the residential neighborhoods to the west and north as illustrated on the photometric plan included.

E. Signage
Ground signage shall be limited to 1 monument sign placed near the southeast corner of the site. The monument sign will not exceed 25 feet in height and 100 square feet of display surface area. Only one (1) side of a double faced sign shall be included in the computation of the display surface, per Tulsa Zoning Code.

Wall Signage Standards:
Internally illuminated wall signage or fuel canopy signage is prohibited. All wall signage shall be illuminated with wall mounted downward facing light fixtures.

South Wall:
Maximum display surface area of 400 square feet.
No south facing wall signage will be allowed within 500 feet of the west line of the PUD.

East Wall:
Maximum display surface area: 440 SF

On the entrance canopy:
Maximum display surface area: 130 SF
Wall signs are prohibited on the north or west side of the building.

**F. Access and Pedestrian Circulation**

**Vehicular Access:**

Full vehicle access onto the Property will be provided from an existing signalized intersection at South Memorial Drive and East 103rd Street South. Improvements in the Memorial Drive right-of-way and in a private mutual access easement on the west side of the signalized intersection have been implemented as follows:

1) New southbound deceleration/right turn lane with new curb, gutter and sidewalk,
2) New eastbound approach with dual lefts, a dedicated through and a right-turn lane,
3) Extended northbound left-turn bay via raised concrete median,
4) Traffic Signal modifications to address channelization/turning needs extended signal mast arms, loops, etc.

This full access entry drive is shared with the adjacent Foundation/Medical/Regional Center property (southeast of Property) and the adjacent Foundation/Life Estate property (south of Property) via cross access agreements. Project shall be in substantial compliance with Recorded Access Easement Agreement, between the two post sale owners (Costco and the Foundation), where Costco will own the 45 foot cross access easement on Tract No. 1 of the Access Easement Agreement. Vehicle circulation patterns into and out of the parking area have been coordinated with project and City Traffic Engineers.

The Foundation currently owns 100% of the +/- 46 acres Property, including the 18.18 acres Costco parcel. The Costco parcel will become 2 separate parcels via Plat and access to and from Memorial Drive will be granted to both Costco and the Foundation via aforementioned Recorded Access Easement Agreement. To be clear, post sale, Costco will own 2/3 of the east/west access driveway (45 foot wide), which is part of Tract No. 1, and the Foundation will own 1/3 of the access driveway as part of Tract No. 2. Per same Access Easement Agreement, ingress and egress access to the Foundation/Life Estate (Tract No. 3) is via Foundation’s Tract No. 2 via a north/south 30 foot
wide access driveway. To further emphasize that there shall be no landlocked parcel, the Agreement Exhibit shows 2 ingress and egress access points further south on Memorial Drive, which can be used by users of Foundation’s Tract No. 3.

Secondary vehicle access to the Costco warehouse and gas station site will be located along the northern edge of the Property along South Memorial Drive so that there is no residual gas station traffic backup onto the main/ primary access at the south entry drive.

In order to minimize noise emanating from the Project onto the residential neighbors, Costco Delivery Truck access and the unlikely event of Fire Dept. access shall be limited to the following routes:

1) Fire/ Life Safety access via Fire Dept. trucks shall occur southbound on Memorial Drive by entering the northerly access drive and going behind Costco building, turning along the westerly detention basin and along the south property line and exiting onto S. Memorial Drive. For aerial building access, Fire trucks can stage between the loading dock and the Liquor Sales pod.

2) Costco delivery trucks shall enter the Property at the Memorial/ 103rd intersection and proceed westward along the south internal drive, pull forward towards the Liquor Pod and back up into the screened loading dock. Normal deliveries will not be allowed on the north side of the building. Medium sized trucks/vans, such as vendor truck/vans (i.e. FedEx, UPS bread trucks etc) shall be allowed on the west side.

3) Gas fueling trucks shall enter the Property from Memorial Drive and shall be limited to the east side of the warehouse.

Pedestrian Access:
Pedestrian circulation systems will be provided throughout the Project parking area via pedestrian walkways provided from the public right of way (South Memorial Drive) to the Costco Wholesale front entry. Public sidewalks along Costco’s S. Memorial Drive frontage will be a minimum of 8 feet to provide off street bicycle access to the trail system north of the site.

Bicycle Storage and Access:
This store is within one mile of a major multi use trail system in Tulsa. Provisions for employee or guest bicycle storage will be
provided on site. The site will require a bicycle rack a minimum of 6 bicycles near the store entrance.

G. Utilities and Drainage

The following Public Improvements to the existing utility infrastructure will be necessary in conjunction with the proposed development of the site:

1) New Off Site Public Storm drain system beyond the Northwest corner of the Costco property, connecting Costco’s proposed detention basin to the existing stream,
2) New On Site Public Sanitary sewer from the Gas Station grease/oil interceptor (thru Costco’s parking lot) to the City’s sewer point of connection in East 104th Street South,
3) New On Site Public water line from South Memorial Drive

Site drainage will include a natural swale on the northern property line to route the existing drainage across the site to provide a low impact drainage via area drains and landscaping.

A stormwater detention basin of approximately 16 feet deep and approximately 600 feet long along the western property line shall be constructed of either cast in place concrete or modular concrete brick to contain the site drainage. The basin shall be screened on the west with bermed or tiered landscaping consisting of medium shrubs, coniferous trees and medium shade trees, as shown on attached site sections. The bottom of the basin will be sodded lawn. Site drainage, detention and retaining walls will be designed in accordance with the proposed Grading, Drainage, Utility and Site Sections within this PUD package and will meet the City of Tulsa Engineering guidelines required for a building permit package.

Fuel Station:
Retaining wall along the north property line of the gas station parcel will be designed to accommodate a future fifth fueling island. Should Costco determine that additional pumps would better supply its members in the future, provisions for 2 additional multiproduct dispensers shall be allowed, including a Canopy extension for a total of 10 dispensers.

H. Detailed Site and Landscape Plan Reviews

No building permit shall be issued until a Detailed Site Plan Review package (site plan, elevations, and lighting plan) of the proposed improvements has been submitted to the Tulsa Metropolitan Area
Planning Commission and approved as being in compliance with the development concept herein and the development standards.

No certificate of occupancy shall be issued for a building until the landscaping of the Project has been installed in accordance with a landscaping plan and phasing schedule submitted to and approved by the Tulsa Metropolitan Area Planning Commission staff. A temporary certificate of occupancy may be appropriate as determined by the Building Permit office in the event that landscaping cannot be completed due to weather conditions leading up to the opening date.

I. Plat Requirement
No building permit shall be issued until the property for which a permit is sought has been included within a subdivision plat submitted to and approved by the Tulsa Metropolitan Area Planning Commission and the Council of the City of Tulsa, and filed of record.

The subdivision plat shall include covenants of record implementing the development standards of the approved Planned Unit Development and the City of Tulsa shall be a beneficiary thereof.

III. Tentative Development Schedule
Submittal of Rezone/ PUD & Plat applications: 4/29/14
TMAPC Hearing for of Rezone/ PUD & Plat application: 7/9/14
City Council Hearing for Rezone/ PUD: 8/7/14
Final Plat TMAPC Hearing: 8/22/14
City Council Hearing for Final Plat: 9/5/14
Memorial Drive and Signal retrofit/IDP
Major Construction Permit work: Fall 2014
Stormwater connection watershed Development Permit: Spring 2015
Building Permit: Spring 2015
Costco Pad delivery: Summer 2015
Stormwater connection: Summer 2015
Costco Store Opening: Fall 2015

DETAILED STAFF RECOMMENDATION:
E) The proposed development of this site is consistent with the Regional Center vision of the Comprehensive Plan; and

F) PUD 815 is complementary to the existing properties north and west of this site. The single family residential property owners immediately west and north of the site will be significantly affected by the
development of this property. The northwest corner of this site will be elevated and retaining walls and earth fill will be placed so the finished floor elevation of the proposed building will be significantly above the adjacent residential structures. Staff has worked with the applicant to provide significant and appropriate standards for landscaping, screening, lighting, trash management, delivery management and other considerations that are part of the PUD which will help mitigate the physical effects of this site as it relates to the adjacent and surrounding property owners. Considerations for stormwater management and building placement have been implemented into the PUD providing appropriate transition zones between this site and the adjacent single family residential areas; and

G) Approval of this PUD is not consistent with the connectivity vision of the Comprehensive Plan. As a result this development additional traffic pressure will be added to South Memorial Drive without allowing relief west through Bridal Trails. The public streets leading east out of Bridal Trails will be blocked by this PUD and will not achieve a connection to Memorial as originally planned. Future development of the property immediately south of this PUD will be required to access their site from those stub streets at South 104th and South 108th and through a mutual access provisions discussed in the applicants concept statement. Appropriate improvements to South Memorial Drive along with private access agreements with the Warren Foundation are in place between the affected property owners. Those agreements are intended to implement private vehicular and pedestrian access solutions without adding to public maintenance responsibilities that would be part of future additional public street construction projects; and

H) PUD 815 is consistent with the anticipated future development of the remaining surrounding properties therefore;

Staff recommends Approval of PUD-815 as outlined in Section I above.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: Many building blocks are included as part of staff analysis in context with the Comprehensive Plan. Some of those building blocks include Land Use Designation, Transportation Vision, Open Space and Connectivity. In this instance, Z-7269 as a base zoning would allow future connections with a public street network. PUD 815 satisfies most of the components of the Comprehensive Plan however the public street connections that
were anticipated during construction of Bridal Trails at 104th and/or 108th will not be constructed. Staff recognizes the impact on the Bridal Trails subdivision should vehicular access be required providing connection to South Memorial as part of this project or future projects. TMAPC staff has determined with input from the City of Tulsa Development Services Division that a public street connection from Bridal Trails to South Memorial is not essential to the vehicular circulation system in this part of Tulsa. Abandoning that concept at this particular location should not be considered setting precedence for other locations.

Land Use Vision:
Land Use Plan map designation:

The entire site is considered a Regional Center:
Regional Centers are mid-rise mixed-use areas for large-scale employment, retail, and civic or educational uses. These areas attract workers and visitors from around the region and are key transit hubs; station areas can include housing, retail, entertainment, and other amenities. Automobile parking is provided on-street and in shared lots. Most Regional Centers include a parking management district.

Areas of Stability and Growth map designation:
The entire site is considered 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:
The most widespread commercial street type is the strip commercial arterial, these arterials typically serve commercial areas that contain many small retail strip centers with buildings set back from front parking lots. Because of this, strip commercial arterials have many intersections and driveways that provide access to adjacent businesses. Historically, this type of street is highly auto-oriented and tends to discourage walking and bicycling. On-street parking is infrequent.

Commuter streets are designed with multiple lanes divided by a landscaped median or a continuous two way left turn lane in the center. Commuter streets are designed to balance traffic mobility with access to nearby businesses. However, because there are so many intersections and access points on commuter streets, they often become congested. Improvements to these streets should come in the form of access management, traffic signal timing and creative intersection lane capacity improvements.

Trail System Master Plan Considerations:
Less than one mile north of this site is a significant multipurpose trail adjacent to the Creek Turnpike. The sidewalk system along South Memorial adjacent to this project has been identified as a connection link to the trail system and should be widened to 8’ along the entire frontage. Future development north of this site will be required to meet the same standard.

DESCRIPTION OF EXISTING CONDITIONS:
Staff Summary: Significant terrain considerations at the northwest corner of the site will require a retaining wall system to raise the proposed building and to enclose an onsite stormwater detention facility. The effects of this wall adjacent to the single family residential area west and north of the site are significant. It is anticipated that at the extreme low point of the existing property the northwest corner the top of the building will be approximately 50 feet above existing ground elevation. Detailed cross sections and landscape screening have been provided to represent this relationship in the PUD.
Site Analysis: The subject property is approximately 18.18+/- acres in size and is located northwest of the intersection of East 103rd Street South at South Memorial Drive. The property appears to be vacant and is zoned AG.

Surrounding Properties: The subject tract is abutted on the east by South Memorial Drive then further east across the street is a large mixed use commercial area in the City of Bixby, zoned commercial with a PUD overlay; on the north by single family residential zoned PUD 378-A/RS-2, and commercial property zoned PUD 378/CS and RM-1; on the south by vacant land, zoned AG and a Medical Clinic under construction zoned CS; and on the west by a large lot single family residential subdivision, zoned RS-1.

Terrain: The site generally slopes from east to west toward an existing single family residential subdivision. The northwest corner of this site is approximately 40 feet below the east edge of the site.

STREETS:

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<tr>
<th>Exist. Access</th>
<th>MSHP Design</th>
<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
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<tbody>
<tr>
<td>South Memorial Drive</td>
<td>Commuter Primary Arterial</td>
<td>120 feet</td>
<td>6 +</td>
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UTILITIES:
The subject tract has municipal water and sewer available.

SECTION III: Relevant Zoning History:


Subject Property:

**Z-7212 January 2013:** A request was made for rezoning a 25+ acre tract of land from AG to CS. All concurred in approval of the south 1,050 feet (13 acres) to CS zoning, on property located south of southwest corner so East 101st Street and South Memorial Drive, and also known as part of subject property.

**BOA-17835 September 23, 1997:** The Board of Adjustment approved a Special Exception to permit a 90' monopole cellular antenna supporting tower (Use Unit 4) in an AG district, per plan submitted, on property located at south of the southwest corner of East 101st Street and South Memorial Drive and also known as part of subject property.
Surrounding Property:

**PUD-378-A March 1997:** All concurred in approval of a proposed Major Amendment to a PUD on a 7+ acre tract of land to allow single family use of the previously approved office development, on property located west of the southwest corner of East 101st Street and South Memorial Drive and abutting north of subject property.

**PUD-378 November 1984:** All concurred in approval of a proposed Planned Unit Development on a 20+ acre tract of land, for an office and commercial development, subject to conditions, on property located on the southwest corner of East 101st Street South and South Memorial Drive and abutting north of subject property.

Mr. Wilkerson presented the zoning and PUD proposal. Mr. Wilkerson further stated that the use is appropriate and it was a simply matter of working through the details on the site to make this project a good neighbor to the adjacent single-family residences.

Mr. Wilkerson indicated that there was discussion on the Comprehensive Plan vision and connectivity. Mr. Wilkerson stated that there will be future discussion about access possibly into Bridle Trails, but it is not part of this conversation.

Mr. Wilkerson stated that there is a correction on 24.4 that should read: “truck deliveries will occur every day from 2:00 AM to 12:00 PM and 9:00 PM to 11:00 PM”.

Mr. Wilkerson stated that the building is placed where the quiet side of the building will be adjacent to the neighbors. There is roughly 30-foot wide landscape strip between the property line and the vehicular traffic along the north boundary of Costco. Within that 30-foot area there is significant landscaping of large trees, shrubs and a retaining wall approximately 18 feet from the property line and the retaining wall stretches the entire length of the site. Mr. Wilkerson explained that with the topography there will be approximately a 15-foot tall retaining wall at the northwest corner of the site and on top of the retaining wall there will be a landscaped ledge and behind the ledge will be a masonry screening fence, then a driveway and then a 35-foot tall building will be visible behind the retaining wall. The PUD is written to where the north side cannot be used for heavy deliveries and there will never be tractor-trailers or any large deliveries on that side. The driveway on the north side will be for emergency access, fire lane and possible some light truck deliveries. Mr. Wilkerson stated that the north side of the building is the quiet part of the building and that is an important part of this overall concept.
Mr. Wilkerson stated that on the west side it starts to get a little more active, but is further from the residential development. Mr. Wilkerson pointed out the screening fence locations and explained that there is a lot of detail associated with the west and north boundary. Mr. Wilkerson stated that there are some details that still need to be worked out during the detail site plan process. Mr. Wilkerson concluded that the uses are consistent with the Comprehensive Plan and compatible with future-expected development of the subject site.

**TMAPC COMMENTS:**
Ms. Millikin asked Mr. Wilkerson how wide the landscape buffer would be on the west side. Mr. Wilkerson referred to page 24.20 of the agenda packet has the dimensions. Mr. Reeds stated that 24.34 shows the section and dimensions.

Mr. Midget in at 1:50 p.m.

Mr. Covey reminded everyone that the Planning Commission is considering 23 and 24 together for hearing purposes. Applicants will have 20 minutes to give a presentation for the zoning and PUD and then interested parties that are signed up will have five minutes per person. Mr. Covey stated that with everyone that is signed up it will take about one hour and then the applicant will have ten minutes for rebuttal. Mr. Covey concluded that the Planning Commission will go into review and make a decision after public comments.

**Applicant’s Comments:**
**Michael Okuma,** Director of Real Estate Development, 9 Corporate Park, Suite 230, Irvine, California 92606, stated that Costco has been looking for a long time for the right spot to open their first Costco in the State of Oklahoma. Mr. Okuma further stated that he wanted to take a lot of care to make sure that location is right and successful. Mr. Okuma indicated that Costco would like to roll out a program to open several more stores in the State of Oklahoma. Mr. Okuma commented that the subject site is the right location and he believes the store will do quite well at the subject location. Mr. Okuma explained what Costco Wholesale is and what type of products they sell. Mr. Okuma cited the history of Costco and its present activities.

Mr. Okuma explained that he has been working with the Warren Foundation to purchase the 18 acre parcel, which is part of a larger parcel and hopes to be in a contract by the end of the month. Mr. Okuma stated that he has had several meetings with the neighbors, as early as January 2013 and had a second meeting in April of this year.
Mr. Okuma described the subject site and the proposed layout for the Costco building. Mr. Okuma stated that their attempt in laying out the site is to reduce and mitigate most of the high activity-noisy elements and that is why the rear of the building to the north-end of the subject site. Mr. Okuma stated that the parking will be located on the Memorial side of the site. Mr. Okuma explained that Costco wants to be sensitive to the neighbors and so all truck traffic will be restricted from the north portion and is designed for emergency vehicles. Mr. Okuma cited the traffic flow through the subject site and parking stalls. Truck deliveries will enter on the south and back into the loading dock. Mr. Okuma explained the light deliveries and the location for the deliveries. There will be a screening wall that will trap the noise and site of trucks delivering at the loading dock. Mr. Okuma described the additional screening along the drive where the loading docks are located and residents to the north. Mr. Okuma explained that there will be signage to restrict truck traffic on the north side of the building. Mr. Okuma demonstrated the lighting proposed for the subject property and explained how they would dim certain lights after hours and have security lighting only.

Mr. Okuma presented PowerPoint slides, conceptual plan (A-2); preliminary landscaping plan (A-3); elevations (A-4); site sections (A-5); view from adjacent neighborhood (A-6); solar diagram (A-7); grading plan (A-8), and key map (A-9). Mr. Okuma described the grading and landscaping that is proposed.

David K. Kochalka, P.E./Kimley-Horn, 5750 Genesis Ct., Suite 200, Frisco, TX 75034, stated that from the utilities standpoint there is nothing really to mention, utilities are available to connect. Mr. Kochalka stated that the main topic he would like to address is the grading and drainage. The site has a roughly 40-foot drop at the northernmost edge and drains to the northwest. Mr. Kochalka stated that the detention pond will be on the west side and utilize some retaining walls to build the facility to limit the amount space that it would take up. The water will be metered out of the pond release and route it in the same location it is currently going, but when this is finished the route will be improved and put in an enclosed system. The facility will hold back more water than it is currently doing today and let less water leave the site than what it is doing today. The ultimate goal is to not affect the watershed in the creek. Mr. Kochalka stated that he is working with the City of Tulsa staff to create a new model that incorporates the subject site and prevents the water surface elevation from being raised in the creek.

TMAPC COMMENTS:
Mr. Walker asked Mr. Okuma if he has offered or disclosed to the City of Tulsa any sales tax revenue estimates that the City would enjoy from this project. Mr. Okuma stated that he is not party to that, but he believes that
there has been discussion. Mr. Walker asked Mr. Okuma if there has been any opposition to the subject project that he has dealt with. Mr. Okuma stated that he hasn’t dealt with opposition, but he has addressed concerns about details for landscaping and screening that he believes can be worked out.

Mr. Dix asked how the trash would be handled and the frequency of pickups. Mr. Okuma stated that there is a compactor in the west side of the site and is collected once a week. Mr. Dix asked if the trash truck will be allowed to come around the north side. Mr. Okuma stated that it will be restricted on the north side and no trucks should be on the north side. Mr. Okuma explained that the trash pickup time can be controlled by the warehouse, but that time hasn’t been set yet. Mr. Dix asked Mr. Okuma if there is a phone number where residents can call if they have any issues and have them addressed. Mr. Okuma stated that it is typically the warehouse manager and that is the best source.

Ms. Millikin asked why the screening buffer on the northwest side is not as wide as the west side. Mr. Okuma explained that the site has to meet parking regulations and pushing the building south doesn’t gain buffering because then the store would be forced to place parking in the back of the store. Ms. Millikin asked what materials would be used to create the screening wall where the trucks make their deliveries. Mr. Okuma stated that the screening wall that will be in the loading dock area will be of the same material as the building so that it makes the building look continuous. The screening walls proposed along the driveway will probably be of similar material, but that hasn’t been decided yet. Mr. Okuma explained that the intent is to blend in with the site. Ms. Millikin stated that her concerns would be the effectiveness of blocking out the noise from the delivery trucks. Mr. Okuma stated that the truck itself will be in a depressed area that is about 4.6 feet low and the wall itself onsite will be to the top of the cab and the distance from the dock to the property line is over 152 feet away with an additional 71 to 75 feet from the parking lot to the homes, and there is more than adequate distance to mitigate the noise.

INTERESTED PARTIES COMMENTS:

Jack Herrold, 7718 East 102nd Street, 74133, stated that his property adjoins the subject property on the northwest corner at the lowest end where the retention pond is proposed and where there is an existing retention pond. Mr. Herrold cited the history of “The Village” where he lives, which is a gated community. Mr. Herrold expressed concerns with the changing of the elevations for the subject property and causing stormwater issues. Mr. Herrold stated that he will be losing his view of an agricultural property with wild animals. Mr. Herrold commented that the screening fence should be of masonry and not a wood fence to protect the
Mr. Herrold expressed concerns with landscaping dying and never being replaced as seen in other developments in Tulsa.

Mr. Walker out at 2:35 p.m.

**TMAPC COMMENTS:**
Mr. Shivel asked Mr. Herrold who placed their own drainage pipe and where is it located as mentioned previously. Mr. Herrold pointed out the location of “The Village’s” retaining pond and where his neighbor placed a small pipe.

**INTERESTED PARTIES COMMENTS:**

Rachel Parrilli, 10142 South 77th East Avenue, 74133, Bridle Trails, which is across the street from the gentlemen that installed his own drainage pipe. Ms. Parrilli expressed concerns that the new development will flood her home and trap her in her addition. Ms. Parrilli indicated that the creek that runs through her neighborhood is in a flood zone according to the City of Tulsa. The creek is already at capacity and become twice as large and twice as wide in over the 12 years that she has lived in the subject area. Ms. Parrilli indicated that she has lost ten feet of property because of the creek. Ms. Parrilli also commented that she is opposed to any ingress or egress on 104th Street because it would turn her neighborhood street into a cut-through street to Costco. Ms. Parrilli reiterated that her biggest concern is the drainage issues.

Mr. Carnes informed Ms. Parrilli that the Planning Commission cannot control stormwater; it has to be dealt with by the City of Tulsa Stormwater Department. Ms. Parrilli stated that she understands that and her point is that as an agricultural development there is 18 acres of soil to absorb the water runoff now, but when it is paved to develop Costco it will then be funneled into a small detention pit that will be directed to the creek. Mr. Carnes reminded Ms. Parrilli that again that is a stormwater issue. Ms. Parrilli explained that is why she is requesting that the Planning Commission deny this application because she doesn’t want the subject property to change from agricultural use to commercial use.

Carm Campbell, 7334 East 102nd Street, 74133, stated that she would like to address the esthetics. Ms. Campbell expressed concerns with seeing a huge wall that is a neutral two-tone color with a major red line that goes completely around the building. Ms. Campbell stated that she has asked in meetings to remove the red line from the back side of the building. Ms. Campbell indicated that the neighbors were also told that nothing but emergency vehicles would use the 102nd side and now she is getting from today’s meeting that small delivery trucks will also be going down that road several times during the day on the north side. Ms. Campbell requested the Planning Commission to take into consideration
that there are homeowners adjacent to the subject property and have invested in their forever homes. Ms. Campbell expressed concerns that her property values will go down.

Mike Alexander, 10119 South 78th East Avenue, 74133, stated that he has been a realtor for 30 years and this will be devastating to the neighborhood and property values.

Mitch Robinson, 10136 South 77th East Place, 74133, stated that he understands that Costco has purchased the home that has the underground piping. Mr. Robinson commented that he comes from the standpoint that probably this is a pre-decided conclusion. Mr. Robinson stated that to the west of the Lifetime Fitness facility there is a wall and he thinks it is a great example of what would be attractive and enhance the site. Mr. Robinson further stated that another good example of screening, in the subject area, is Target. Mr. Robinson commented that at the very least Costco should allow representation from the neighborhood as to what type of screening will be put in place.

TMAPC COMMENTS:
Mr. Dix stated that he takes exception to Mr. Robinson’s comment that this is a pre-determined issue. Mr. Dix assured Mr. Robinson and the audience that there is nothing about this application that is pre-determined. Mr. Robinson apologized for his comment. Mr. Dix stated that the Planning Commission doesn’t meet behind closed doors and make a decision; they listen to every comment in a public meeting and then make a decision.

INTERESTED PARTIES COMMENTS:
Carol Robinson, 10118 South 77th East Place, 74138, stated that she is concerned with the landscaping, the barrier and irrigation. She further stated that one can see all over the City of Tulsa that developers do planting and then they die. She commented that it would nice if they would pick plants that will survive in Oklahoma. Ms. Robinson stated that it appears that their plan is good.

TMAPC COMMENTS:
Mr. Dix and Mr. Reeds informed Ms. Robinson that the developers have to use plantings that are approved by the City of Tulsa that should survive in Oklahoma and they have to comply with the landscaping ordinance.

Janine VanValkenburgh out at 2:51 p.m.
Bob Edmiston in at 2:51 p.m.
INTERESTED PARTIES COMMENTS:

Karen Onderick, 7738 East 102nd Street, 74133, asked who would be responsible for the landscaping that faces the neighborhood on the Costco side. She further asked if Costco would have their own landscaping people to maintain the landscaping and if a tree dies who has to replant the trees. Ms. Onderick asked if there would be two detention ponds next to each other and what will it be separated by.

Dave Campbell, 7734 East 102nd Street, 74133, stated that there is complete opposition by the residents with this Costco. Mr. Campbell commented that Costco has been very easy to work with and trying to be cooperative but the residents will be looking at a 50-foot building from their home. Mr. Campbell stated that if this is approved there needs to be good screening, and he suggested a three-level screening with irrigation. Mr. Campbell commented that this isn’t harmonious with the neighborhood.

INTERESTED PARTIES COMMENTS:

Mr. Carnes stated that he understood that the building is 35 feet in height. Mr. Campbell stated that it is not 35 feet in height due to the elevations.

Mr. Covey asked Mr. Campbell how many meetings Costco has had with the neighbors. Mr. Campbell stated that he has attended two meetings. Mr. Campbell further stated that Costco has been cooperative and easy to work with and he truly appreciates that, but he is completely opposed to the development. Mr. Campbell stated that he doesn’t want the Costco on the subject property, but if it is approved he would like a three-level screening walls and landscaping. Mr. Covey asked Mr. Campbell if he has ever proposed this to Costco. Mr. Campbell stated that they have discussed screening.

Tom Everley, 10131 South 77th East Place, 74133, read from the staff report and stated that it is concerning to hear from an outside source that the neighbors will be significantly impacted by the subject development. Mr. Everley expressed concerns that his property value will go down, which would mean lower property taxes for the 90 homes in the subject area.

Applicant’s Rebuttal:
Mr. Okuma stated that Costco has not purchased the home earlier mentioned, and is not purchasing the home. Mr. Okuma stated that it is correct that he promised to remove the red strip on the north and west side of the property and have it on the east and south side. Mr. Okuma addressed the delivery trucks on the west side and indicated that it is Costco’s intention to not have any deliveries on the north and it will be posted to not deliver or drive there. Mr. Okuma commented that if it should happen they will be informed to not do it again. Mr. Okuma
indicated that the landscaping plantings will be according to the City of Tulsa Code and picking from their list of approved plants. Mr. Okuma stated that he assumes that the plants on the City of Tulsa’s list will survive in the subject area. Mr. Okuma further stated that he is in contact with a local landscape architect to make sure that the right plants are chosen and will grow quickly. The landscaping will be irrigated with drip irrigation and there will be a vigorous maintenance program. If a plant dies it is replaced and they are pruned as needed. Mr. Okuma cited the grade difference between The Village and the subject property. Mr. Okuma stated that he is trying to address all of the issues and Costco is very open-minded to everything, but sometimes they do conflict. Mr. Okuma indicated that he is not opposed to having a property line wall, but in his opinion it will not work successfully, but he is not opposed to installing a property line wall along the resident’s home in The Village.

Mr. Kochalka stated, regarding the comment from Ms. Parrilli, there will be an open channel that does flow from subject property to the creek and there is a portion of it through a neighbor’s pipe. Costco is going to install a concrete structure underground to wrap the water in a closed system so that all of this site cannot run overland, it will run into a pipe and then make its way to the ditch. The water will be released at less of a rate than is occurring today and doing more than is required by ordinance to help the impact. This is not a small retention pond by any regard, but is somewhere in the neighborhood of 250,000.00 cubic feet of water that it can store. Mr. Kochalka stated that the detention is using Oklahoma Design Standards with the City Ordinance Standards per what is required and actually go a step further and hold more water back. This is in discussion with the City of Tulsa right now.

Mr. Okuma stated that the stormwater runoff is an issue that was brought up very early in the first meetings and Costco has engaged the City to learn what should and can be done about this. Costco is not taking this issue lightly and is working with the City to resolve the issues.

**TMAPC COMMENTS:**
Mr. Reeds asked if Costco tried to flip this and build on the south. Mr. Okuma stated that due to the required parking if the quiet side was built on the south there would be parking, tire center, etc. on the north side. Mr. Okuma further stated that he believes that this layout is better because all of the activities will be all on the south side, which is the AG side.

Mr. Reeds asked about the type of irrigation. Mr. Okuma stated that it will be done per LEEDS standards, but he can’t tell you the details. Mr. Reeds suggestion that Costco look at the numbers ran at 41st and Harvard regarding the retention for stormwater runoff. Mr. Okuma indicated that there is a meeting scheduled with the City to discuss the retention ponds.
In response to Ms. Millikin, Mr. Okuma stated that Costco is making their parking spaces larger than required to accommodate their members and he believes that it will meet the City of Tulsa requirements for parking.

Mr. Covey asked Mr. Okuma if he would be open to the concept of the three-level staging that the interested parties mentioned for landscaping. Mr. Okuma stated that he couldn’t answer that since it is something new, but it could be discussed.

Mr. Covey stated that he would like to be clear about what is coming back to the Planning Commission if this is approved. Mr. Wilkerson stated that the first thing would be a preliminary and final plat. Mr. Wilkerson further stated that within context of the site development itself the next thing would be the detail site plan and at that point a lot of the details on exactly what type of fencing for screening and materials would be identified. Mr. Wilkerson indicated that typically the landscaping plan doesn’t come back before the Planning Commission. Mr. Covey asked if the Planning Commission could request that the landscape plan come back before them as a condition. Mr. Wilkerson stated that the Planning Commission could require the landscaping plan to come back before them. Mr. Wilkerson commented that the staff has worked with the consultant regarding the tree sizes and Costco is very good about making sure the plantings are bigger than the standards.

Mr. Reeds requested that the landscaping plan be three dimensional. Mr. Wilkerson stated that he would see if they could come up with something that shows the landscaping in three dimensional drawing.

Mr. Wilkerson stated that from day one the stormwater runoff and retention has been discussed and the question has always been can this site work with the stormwater requirements that would be needed. This has been worked on diligently.

Kent Schroeder, Development Services Engineer, stated that he is responsible for reviewing stormwater design and the newly appointed Floodplain Administrator for the City of Tulsa, replacing Harold Tohlen who recently retired. Mr. Covey asked Mr. Schroeder to address the concerns the neighbors have for the runoff from the subject site. Mr. Schroeder stated that the City ordinances require that there be no adverse impact in any direction and especially downstream. Mr. Schroeder explained that it is his job to review the plans and make sure that there is no increase in the discharge. Mr. Schroeder stated that he hasn’t seen the plans yet, but from what he has heard today the engineer is going to go above and beyond what is asked by the ordinances.
Mr. Carnes asked Legal if there is a State Law that one cannot put extra water on your neighbor. Mr. Edmiston stated that it is State Law, City Law and Universal Law and no one will get away with it without someone challenging them. There is a common enemy rule that talks about both land owners abutting in common deal with the surface water, but is absolutely against the law, State and local, to create a condition on ones property that intentionally diverts water to your neighbor.

Mr. Dix stated that he would like to give comfort to the residents that in his experience he has not come across a developer who was as willing to meet the neighbors’ needs and concerns. Mr. Dix further stated that he realizes that there will be large building on the subject property that they will be looking at, but the neighbors didn’t buy the view and it can’t be controlled. Costco seems to be willing to meet with the neighbors and take all the needs and considerations into account on their site plan. Mr. Dix stated that he hopes that when this motion comes from the floor that it is stated that the landscape plan will come back for our review.

Mr. Reeds stated that he has probably presented three to four hundred of Costco’s competitors in similar settings as this across the nation as an architect. Mr. Reeds further stated that he understands the neighbors’ concerns, but he can say that the Costco’s competitors were not as conciliatory after four meetings as he has been at this one. Mr. Reeds commented that he has shopped at Costco and it is a different world from their competitors. Mr. Reed stated that he realizes it is a large building, but he believes that through landscaping their issues can be addressed.

Ms. Millikin stated that while she is glad that Costco is coming to Oklahoma because she is personally a Costco shopper; however, she does have concerns that this progress will significantly impact the residents to the north and to the west. Ms. Millikin indicated that she believes that the concerns can be addressed and she believes that both the residents and Costco have behaved wonderfully in trying to work with each other. It sounds like the residents are willing to consider some options that would allow Costco to proceed with their plans, but she doesn’t believe all the concerns have been addressed yet and she would rather address them now rather than getting through gate 1 with a conditional of a later approval that the landscape plan be a part of the detail site plan review.

Mr. Shivel stated that he contacted friends that have significant Costco stores nearby and they were very impressed with the thoroughness and willingness to be flexible with the planning process and the appearance of quality for the area. Mr. Shivel further stated that anytime there is a change in a neighborhood it causes some heart ache. Mr. Shivel indicated that he is in support of this application.
TMAPC Action; 9 members present:
On MOTION of DIX, TMAPC voted 8-1-0 (Carnes, Covey, Dix, Fretz, Liotta, Midget, Reeds, Shivel "aye"; Millikin "nays"; none "abstaining"; Stirling, Walker "absent") to recommend APPROVAL of the PUD-815 per staff recommendation, subject to correction on page 24.4 to read “truck deliveries will occur every day from 2:00 AM to 12:00 PM and 9:00 PM to 10:00 PM, Saturday and Sunday from 6:00 AM to 8:00 PM; subject to the redline being removed on the north- and west-facing of the building; subject to the landscaping plan being included with the detail site plan.

TMAPC Action; 9 members present:
On MOTION of MIDGET, TMAPC voted 8-1-0 (Carnes, Covey, Dix, Fretz, Liotta, Midget, Reeds, Shivel "aye"; Millikin "nays"; none “abstaining”; Stirling, Walker "absent") to recommend APPROVAL of the CS zoning for Z-7269 per staff recommendation.

Legal Description for PUD-815/Z-7269:
A tract of land being a part of the South Half of the Northeast Quarter of the Northeast Quarter (S/2 NE/4 NE/4) of Section Twenty-six (26), Township Eighteen (18) North, Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the United States Government Survey thereof, being more particularly described by metes and bounds as follows: COMMENCING at the Northeast Corner of the South Half of the Northeast Quarter of the Northeast Quarter of said Section 26; THENCE South 88°49'03" West, along the north line of said S/2 NE/4 NE/4, a distance of 120.00 feet to a point on the west right of way line of South Memorial Drive, said point being the POINT OF BEGINNING; THENCE South 01°00'34" East, parallel with the east line of said Section 26 and along said west right of way line of South Memorial Drive, a distance of 660.08 feet to a point on the south line of said S/2 NE/4 NE/4; THENCE South 88°48'36" West, along the south line of said S/2 NE/4 NE/4, a distance of 1199.75 feet to the southwest corner of said S/2 NE/4 NE/4; THENCE North 01°00'33" West, along the west line of said S/2 NE/4 NE/4, a distance of 660.24 feet to the northwest corner of said S/2 NE/4 NE/4; THENCE North 88°49'03" East, along the north line of said S/2 NE/4 NE/4, a distance of 1199.75 feet to the POINT OF BEGINNING. Said described tract contains a gross area of 792,044 square feet or 18.1828 acres, more or less.

* * * * * * * * * * * *
25. **Z-7271 – Tulsa Engineering & Planning Association, Inc./Tim Terral.**
Location: West of northwest corner of East 49th Street South and South Peoria Avenue, requesting rezoning from **RS-3 to OL, (CD-9)**

**STAFF RECOMMENDATION:**
**DETAILED STAFF RECOMMENDATION:**
The Tulsa Comprehensive Plan recognizes this area as a Mixed Use Corridor which considers parking behind business along the Peoria corridor as an appropriate use. This concept is not exactly the relationship considered appropriate however over time it is anticipated that the Mixed Use Corridor will continue to expand west into the residential neighborhood allowing future business to build adjacent to Peoria. When that happens parking will ultimately be placed behind the businesses and therefore this rezoning request is consistent with the long term vision of the Comprehensive Plan; and

Z-7271 is consistent with the existing development pattern north, east and south of the site however the encroachment into the neighborhood west of the site is not consistent with the Brookside Infill Development Recommendations at this location. Previous parking lot construction east of this site also violated that vision; and

The OL zoning request at this location is consistent with the anticipated development pattern of the property surrounding this site; therefore staff recommends **APPROVAL** of Z-7271 as outlined in Section I above.

**SECTION II: Supporting Documentation**

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:**
*Staff Summary:* This project is well within the limits of the Mixed Use Corridor identified in the Comprehensive Plan however it is also within the Area of Stability which represents the single family character of the adjoining neighborhood. This expansion of the existing OL zoning is an appropriate transition from the single family residential neighborhood to the Peoria Corridor.

*Land Use Vision:*
Land Use Plan map designation: The entire site is classified as a 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 store fronts along the sidewalk, with automobile parking generally located on the side or behind.

Areas of Stability and Growth designation: The entire site is classified as 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:
East 49th Street South is a non arterial street however this site is just west of Peoria and adjacent to an existing parking lot. Peoria is a Bus Rapid Transit corridor and a Multi Modal primary arterial street. Providing sidewalk access along 49th to provide safe pedestrian access from the neighborhood to the multi modal corridor is an important consideration to the walkability of this neighborhood.

Trail System Master Plan Considerations:
This site is within one half mile of the Riverparks Trail System. Sidewalks will be required to the 49th street right of way during the plat or plat waiver process.

Special District Considerations:
This site is included in the Brookside Infill Neighborhood Detailed implementation Plan. The specific rezoning request is part of the Southern Brookside Residential Area and was originally considered an area that should preserve existing residential development patterns.
DESCRIPTION OF EXISTING CONDITIONS:

**Staff Summary:** The requested zoning will continue an encroachment into the edge of a single family residential neighborhood. The Comprehensive Plan recognizes the significance of maintaining the character of the neighborhood but it also considers this area as a potential expansion of the Mixed Use Corridor. The minimal screening standards and lighting standards within an OL district adjacent to a single family residential area will be implemented and will be very similar to the existing parking lot standards that have been implemented east of this site. This rezoning request will ultimately provide an opportunity to remove an existing single family structure and provide additional parking for the motorcycle dealership north of the site.

**Site Analysis:** The subject property is approximately 0.18-+ acres in size and is located west of Peoria on the north side of East 49th Street South. The property appears to be single family residential and is zoned RS-3.
Environmental Considerations: There is no terrain or obvious environmental considerations that would affect the development of this site.

Surrounding Properties: The subject tract is abutted on the east by a surface parking lot, zoned OL; on the north by Myers-Duren Harley Davidson, zoned CH; on the south by a single family residence, zoned RS-3; and on the west by single family residential, zoned RS-3.

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

SECTION III: Relevant Zoning History:

ZONING ORDINANCE: Ordinance number 11822 dated June 26, 1970, established zoning for the subject property.

Z-7064 September 2007: All concurred in approval of a request for rezoning a 1+ acre tract of land from RS-3 to CH on property located on the northeast corner of East Skelly Drive and South Newport Avenue.

Z-6971 February 2005: All concurred in approval of a request for rezoning a .20+ acre tract of land from RS-3 to OL for a small office on property located on the northwest corner of East 49th Street and South Peoria Avenue.

Z-6752 March 2000: All concurred in approval of a request for rezoning a 1.33+ acre tract of land from RS-3 to RM-2 on property located west of the northwest corner of East 48th Street and South Peoria Avenue.

Applicant's Comments:  
Tim Terral, TEP, Inc., 9820 East 41st Street South, Suite 102, Tulsa, Ok 74146, stated that he is in agreement with staff recommendation. Mr. Terral further stated that he is requesting OL zoning to expand the parking lot. The landscaping and lighting will be the same as what is in place currently today on the existing parking. Mr. Terral indicated that his client isn't asking for an additional access point onto 49th Street. The circulation will be internal and out to Peoria.
**TMAPC COMMENTS:**
Mr. Covey asked Mr. Terral if he has met with any of the neighbors regarding this application. In response, Mr. Terral answered negatively. Mr. Covey stated that he doesn’t know what the current landscaping looks like and asked Mr. Terral what the landscaping would be. Mr. Terral stated that whatever is required by the ordinance. Mr. Covey stated that whatever is out there today is what the neighbors can expect on this expansion. Mr. Terral answered affirmatively and explained that there may be more open space and more trees.

Mr. Reeds asked Mr. Terral how he would handle the drainage of his new impervious surfaces. Mr. Terral stated that he didn’t bring that with him because it is a work in progress, but there is storm drainage to the north and will be taken care of internally.

**INTERESTED PARTIES COMMENTS:**
**Tulio Remington,** 4916 South Detroit, 74105, stated that he is a new homeowner in the subject area and loves living in midtown. He has noticed that when the motorcycle shop has events there is a lot of congestion on 49th and it is hard to maneuver off of Peoria to the west because only one car can get through. Mr. Remington cited his background in commercial real estate and stated that he knows that it is good practice to meet the neighbors. Mr. Remington cited the various zonings in the subject area. Mr. Remington stated that one of the neighbors will be losing the site of a house and seeing parking lot without any barrier except a neighborhood street to separate them.

**Matt Lemon,** 1145 East 49th Street, 74105, submitted a photograph of his backyard that abuts the Harley Davidson property (Exhibit B-4). Mr. Lemon commented that there are usually tires stacked up between the fences the building and there is a storage building where they store parts. There is a light mounted on the back of the building that shines into his French doors on the back of his home. Mr. Lemon explained that he has approached the business several times about raising the fence for better screening and to clean up their lot. Mr. Lemon stated that he helped circulate a petition in the neighborhood and Ms. McCurdy will submit the petition. Mr. Lemon expressed concerns that his property will depreciate with the expansion and he hasn’t been approached by the applicant. Mr. Lemon stated that the applicant has a band once a month and they have been approached numerous times to relocate the band to the north side where Car Mart is located, but the applicant says it would bother the neighbors on that side and Car Mart. Mr. Lemon explained that this is on a Sunday and Car Mart is closed on Sundays.
Monica McCurdy, 1156 East 49th Street, 74105, submitted photographs of the events and activities at the Harley Davidson store, pictures of the home that would be torn down for the parking lot, which is directly across from her home (Exhibit B-4). Ms. McCurdy stated that she purchased her home three years ago with hopes that being on Brookside it would keep its value, but with a parking lot across from her and the Harley shop location it would make it harder to sell when she chooses to sell it. Ms. McCurdy stated that the motorcycle shop is loud from revving up their engines. Ms. McCurdy further stated that she understands that she didn't pay for her view, but she paid for her property value and to not depreciate. Ms. McCurdy commented that by rezoning the subject property is going beyond the boundary and comes into the neighborhood. Ms. McCurdy stated that during their events they do not use their parking for the vehicles they use it for their event. The events usually last from 11:00 a.m. to 3:00 p.m. with the band playing loudly.

Ms. McCurdy stated that her neighbors remodeled their home to resell it and it is a good piece of property. Ms. McCurdy explained that she doesn’t blame them for selling their property because it is hard to rent due to it being next to the Harley shop with no sound barrier and only a five-foot fence between them. Ms. McCurdy submitted photographs of the remodeled home and the existing parking that the Harley shop could utilize (Exhibit B-4). Ms. McCurdy expressed concerns that the proposed parking lot would be for the Harley shop’s events and not used for parking. Ms. McCurdy stated that the Harley shop displays their inventory in their parking area and she doesn’t understand why since they have a large building for display. Ms. McCurdy indicated that she submitted a petition by email to the INCOG and submitted a paper copy at the meeting (Exhibit B-3).

Mr. Carnes out at 3:55 p.m.

Applicant’s Rebuttal:
Mr. Terral stated that he is sympathetic to the surrounding neighbors and their concerns. Mr. Terral further stated that to his knowledge the parking lot is not for events, but for parking need and will hopefully solve some of the parking issues on the street. Mr. Terral commented that he can’t really address the events because he doesn’t know the answer to that. Mr. Terral stated that the lighting will be directed away from the residential areas as directed by the Zoning Code and shouldn’t be a problem to the next door neighbors. Mr. Terral explained that the proposed parking lot would get cars out of the street and help with the congestion in the neighborhood. Mr. Terral stated that if the Planning Commission would like him to meet with the neighbors and come back then this application could be continued. Mr. Terral reiterated that this is part of the
Comprehensive Plan, and in the future this is predicted to be a Mixed-Use Corridor.

Mr. Liotta stated that in a situation like this he typically looks at the landowner and what they want to do, but he also expects the property owner to take into consideration the effect they will have on their neighbors and the first way to do that is to talk to them. Mr. Liotta further stated that he was shocked that no discussions have been held with the neighbors when this would impact the neighborhood. Mr. Liotta suggested that this item be deferred until the applicant does visit the neighbors and work out something that will work for everyone. Mr. Liotta commented that it is common sense and way to move forward without creating future animosity. Mr. Terral stated that he understands what Mr. Liotta is saying and he can meet with the neighbors.

Mr. Midget asked Mr. Terral if the Harley shop owns the property to the north that Ms. McCurdy pointed out. Mr. Terral stated that he doesn’t know.

Ms. Millikin stated that this is an area where the character of the neighborhood dictates preserving the look and feel of the neighborhood. Ms. Millikin asked Mr. Terral if he has taken this under consideration and what could be done about the competing interest between the mixed-use that is present. Mr. Terral stated that he goes by what the Zoning Code requires and the Brookside Development Plan regarding the screening and landscaping.

Mr. Fretz asked if the requested zoning going to be appropriate for the activities that they have. Mr. Terral stated that the current zoning on the existing parking lot is OL and evidently parking is allowed in the OL zoning. Mr. Terral further stated that in terms of activities and events he doesn’t know.

Mr. Reeds stated that given that the applicant or his client didn’t meet with the neighbors he wouldn’t support this application today.

Mr. Terral stated that he would request that it be continued and allow him to meet with the homeowners to see if there are some solutions.

Mr. Dix stated that there was a reference made to Brookside Plan, which he always thought the plan was kind of silly in its entirety that it didn’t take into consideration future expansions of businesses. This area was somewhat resolved when the new Comprehensive Plan was adopted and it took that into consideration and extended it back four lots into the neighborhoods for potential expansions. The Area of Growth and Stability didn’t take into consideration by labeling it an area of growth. Mr. Dix
further stated that he looks at zonings that the property owner has the right to do with the property as they choose, unless there is a compelling reason they shouldn’t be allowed to do it. Mr. Dix commented that he hasn’t seen a more compelling reason why they shouldn’t be allowed to do this. It would infringe on the neighborhood, if the applicant was coming in and buying all three houses, including Mr. Lemon’s home, and the four on the other side of the street, then he could say that the applicant has made a plan, but in this case he hasn’t really seen an application that is more lacking in information when this application comes before us. There are no pictures of what the landscaping is like, the applicant has flippantly said that they will do whatever is there now and that is not good enough. The Planning Commission needs an idea of what is going to be done and how one is going to protect the neighborhood. The applicant didn’t even talk to the neighbors and he can’t support this application.

**TMAPC Action; 8 members present:**
On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Covey, Dix, Fretz, Liotta, Midget, Millikin, Reeds, Shivel "aye"; no "nays"; none “abstaining”; Carnes, Stirling, Walker "absent") to recommend **DENIAL** of the OL zoning for Z-7271.

26. **Plat Waiver - Z-7271** – Location: West of northwest corner of South Peoria Avenue and East 49th Street South, (CD-9)

**STAFF RECOMMENDATION:**
Ms. Fernandez stated that since the rezoning was denied for Z-7271, the plat waiver is no longer necessary.

Mr. Edmiston stated that because of what has preceded on this particular number on the agenda there should be a motion to deny the plat waiver.

**TMAPC Action; 8 members present:**
On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Covey, Dix, Fretz, Liotta, Midget, Millikin, Reeds, Shivel "aye"; no "nays"; none “abstaining”; Carnes, Stirling, Walker "absent") to **DENY** the plat waiver for Z-7271.
27. **Z-7272 – Eller & Detrich/Lou Reynolds**, Location: North of northeast corner of South Troost Avenue and East 15th Street, requesting a rezoning from **RM-2 to CH**, (CD-4)

**STAFF RECOMMENDATION:**

**DEVELOPMENT CONCEPT:**
The applicant has requested CH zoning on a small tract of land that was zoned years ago as RM-2 and currently has duplexes on the property. All of the surrounding property has been rezoned to a much more intense use. This rezoning request will remove the last of the RM-2 zoning east of South Troost Avenue between the Broken Arrow Expressway and East 15th Street South. Additional redevelopment opportunities provided by this rezoning request will continue to expand use the existing infrastructure.

**DETAILED STAFF RECOMMENDATION:**
Z-7272 requesting CH (Commercial High Intensity) as identified in the Tulsa Zoning Code is consistent with the vision identified in the Comprehensive Plan; and

CH zoning is harmonious with existing surrounding property; and

CH zoning is consistent with the expected future development pattern of the proximate properties; therefore

Staff recommends Approval of Z-7272 to rezone property from RM-2 to CH.

**SECTION II: Supporting Documentation**

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

_Staff Summary:_ This is a very small site that does not meet the vision of a large scale project however the rezoning request allows the development of this property to be part of a much larger Regional Center designation and allows flexibility for future Regional Center growth opportunities.

Land Use Vision:
Land Use Plan map designation: The entire site is part of a Regional Center Designation.

Regional Centers are mid-rise mixed-use areas for large-scale employment, retail, and civic or educational uses. These areas attract workers and visitors from around the region and are key transit hubs; station areas can include housing, retail, entertainment, and other amenities. Automobile parking is provided
on-street and in shared lots. Most Regional Centers include a parking management district.

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: There are no special considerations for this site.

Trail System Master Plan Considerations: There are no special considerations for this site.

Small Area Plan: This site is included in the recently completed Utica Midtown Small Area Plan. The rezoning will allow future development to be consistent with the vision identified in that plan. Z-7272 is in the High Intensity Development area west of Utica and north of 15th Street as shown in Figure S-4.1 below.
Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The applicant has indicated that the existing duplex properties will be torn down in anticipation of new commercial development. The CH zoning designation will not allow duplex dwellings except in a mixed use buildings. Staff has discussed the resulting non conforming use with the applicant and is planning on removing the buildings so it will not be a future concern.

Site Analysis: The subject property is approximately 0.28+ acres in size and is located north of the northeast corner of South Troost Avenue and East 15th Street South. The property appears to be residential duplex and is zoned RM-2
Environmental Considerations: There are no terrain or known environmental concerns that would require special consideration for redevelopment of this site.

Surrounding Properties: The subject tract is abutted on the east by a mix of retail, fuel sales, convenience goods and services, car wash and a small office, zoned CH; on the north by vacant land, zoned OH; on the south by a mix of retail, zoned CH; and on the west by retail and restaurants, zoned CH/PUD 760.

STREETS:

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<td>South Troost Avenue</td>
<td>None</td>
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UTILITIES:
The subject tract has 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.

Subject Property:
Z-7038 October 2006: A request for rezoning a 2+ acre tract of land from RM-2 to CH for new commercial development and parking was withdrawn by applicant, on property located north of the northeast corner of South Troost Avenue and East 15th Street and also known as the subject property.

Surrounding Property:
PUD-760-A January 2012: All concurred in approval of a proposed Major Amendment to PUD on a 1+ acre tract of land to add Use Unit 12a to permitted uses to allow for a bar, on property located on northwest corner of East 15th Street and South Troost Avenue.

PUD-760 October 2008: All concurred in approval of a proposed Planned Unit Development on a 1.35+ acre tract of land for retail and office use on property located on northwest corner of East 15th Street and South Troost Avenue.

Z-7102 October 2008: All concurred in approval of a request for rezoning a 2.7+ acre tract of land from OL/RM-2 to OH for office use on property located southwest corner of the Broken Arrow Expressway and South Utica Avenue.
**PUD 553 April 1997:** All concurred in approval of a proposed Planned Unit Development on a 2.14+ acre tract of land to permit a bank, including drive-in facility, and office use per conditions on property located on the southwest corner of East 15th Street and South Utica Avenue.

**PUD-437 August 1988:** All concurred in approval of a proposed Planned Unit Development a 1.35+ acre tract of land for uses as permitted by right in an OL district excluding drive-in banks and funeral homes and allowing 2 stories on property located on the southeast corner of East 14th Place and South Utica Avenue.

**Z-6111 September 1986:** A request was made to rezone a .2 acre tract from OL to CS; a portion of the subject property was recommended for approval by Staff if the property continues with the commercial lot to the south and if TMAPC amends the Comprehensive plan to include this area otherwise Staff recommended denial. The TMAPC recommended denial, however the City Council approved the CS zoning, on property located north of the northwest corner of East 15th Street and Utica Avenue and abutting to the east of subject property.

**Applicant's Comments:**
Lou Reynolds, 2727 East 21st Street, 74114, stated that this project is intended to eventually tie the commercial property to the south into the OH property to the north. Mr. Reynolds indicated that both neighboring properties are supportive of this application. Mr. Reynolds stated that the subject property is the only piece of the block that doesn't have commercial or office zoning on it.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff’s recommendation.

**TMAPC Action; 8 members present:**
On MOTION of DIX, TMAPC voted 8-0-0 (Covey, Dix, Fretz, Liotta, Midget, Millikin, Reeds, Shivel "aye"; no "nays"; none “abstaining”; Carnes, Stirling, Walker "absent") to recommend APPROVAL of the CH zoning for Z-7272 per staff recommendation.

**Legal Description for Z-7272:**
The North 25 feet of Lot 15 and all of Lot 16, Block 4, LAKE VIEW ADDITION, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat thereof AND The West Half (W/2) of the vacated alley lying adjacent to the North 25 feet of Lot 15 and all of Lot 16, Block 4, LAKE VIEW ADDITION to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat thereof.
Mr. Covey stated that Mr. Fretz has a conflict with Item 28 and will be recusing himself.

Mr. Fretz out at 4:14 p.m.
Mr. Midget out at 4:15 p.m.

28. **Z-7273 – Crafton Tull/George Marquez**, Location: East of the northeast corner of East 51st Street and South 177th East Avenue, requesting a rezoning from **AG to RM-3**, (CD-6)

**STAFF RECOMMENDATION:**
**DEVELOPMENT CONCEPT:**
The proposed development for this site with this application is an assisted care independent living center. The property is immediately north of a large Multi Family Project in the City of Broken Arrow. This rezoning request is immediately west of a single family residential project currently under construction.

**DETAILED STAFF RECOMMENDATION:**
A) The proposed development plans presented for this site are consistent with the New Neighborhood vision of the Comprehensive Plan; and
B) RM-3 zoning without a PUD overlay does not provide appropriate height transition and screening areas adjacent to the existing and proposed residential development. Unlimited height standards are not appropriate at this location; and
C) RM-3 zoning allows a density and development standards that are not appropriate for the long term vision of new neighborhood development at this location.
D) RM-2 zoning appears to support the current project proposed for the site and is compatible with the existing and future development pattern of the proximate properties.

Therefore staff recommends Denial of the applicant’s RM-3 zoning request.

Staff recommends Approval of RM-2 zoning for Case Z-7273.

**SECTION II: Supporting Documentation**

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:**
*Staff Summary:* The request for RM-3 zoning is not consistent with the vision of a New Neighborhood which may include “low-rise apartments or condominiums”. The RM-3 zoning does not provide any limitation in building height and is therefore inconsistent with
the Comprehensive Plan. Staff has met with the architect who agrees that the RM-2 height restriction of 35 feet can be achieved without compromising the design of the facility being proposed at this time.

Land Use Vision:
Land Use Plan map designation: The entire project area is included in a New Neighborhood Designation.

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 designation: The entire project area is included in 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: East 51st is a Secondary Arterial street that defines the border with Broken Arrow. Rezoning this property will require a subdivision plat and dedication of the ultimate street right of way at this location. Future development plans will be shared with Broken Arrow, Tulsa County and the City of Tulsa.
Trail System Master Plan Considerations: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The existing site is at the west end of stub streets that are not shown on the conceptual plan. The future development of this area will require consideration of what to do with those stub streets. The Comprehensive Plan suggests connectivity for vehicular and pedestrian circulation. The applicant should anticipate some connectivity requirement to those streets during the plat process.

Site Analysis: The subject property is approximately 11+ acres in size and is located East of northeast corner of E. 51st St. and S. 177th E. Ave. The property appears to be used residentially and is zoned AG.

Environmental Considerations: There is no significant terrain or other obvious environmental conditions that would affect development of this site.

Surrounding Properties: The subject tract is abutted on the east by single family residential properties being developed zoned RS-3; on the north by vacant land, zoned AG; on the south by the City of Broken Arrow, zoned RM; and on the west by vacant land, zoned AG.

STREETS:

<table>
<thead>
<tr>
<th>Exist. Access</th>
<th>MSHP Design</th>
<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
</tr>
</thead>
<tbody>
<tr>
<td>East 51st Street</td>
<td>Secondary Arterial</td>
<td>100 feet</td>
<td>2</td>
</tr>
</tbody>
</table>

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

SECTION III: Relevant Zoning History:

ZONING ORDINANCE: Ordinance number 11826 dated June 26, 1970, established zoning for the subject property.

Subject Property:

BOA-21265 June 14, 2011: The Board of Adjustment approved a Special Exception to permit a (Use Unit 5) Child Care Center and Church use in the AG district (Section 301); and a Variance to permit Recreational Vehicles parked on the site during construction of the facility to be used for dwelling purposes and to be connected to utilities (Section 302.B.3.b); and a Variance to permit the RV's to be parked on a non-all-weather surface (Section 222), with multiple conditions, on property located north of northeast corner of E. 51st St. and S. 177th E. Ave. and also known as the subject property.
Surrounding Property:

**PUD-784 June 2011:** All concurred in approval of a proposed Planned Unit Development on a 39+ acre tract of land for single-family residential development, on property located east of northeast corner of East 51st Street and South 177th East Avenue, and abutting east of subject property.

**PUD-780 March 2011:** All concurred in approval of a proposed Planned Unit Development on a 9.93+ acre tract of land for a gated single-family development, on property located north of the northwest corner of East 51st Street and South 177th East Avenue.

**Z-6970 February 2005:** All concurred in approval of a request to rezone a 10+ acre tract from AG to RS-3, located north of the northwest corner of East 51st Street and South 177th East Avenue.

**Z-6945 August 2004:** All concurred in approval of a request to rezone a 126.5+ acre tract from AG to RS-3, on property located north and east of the northeast corner of East 51st Street and South 177th East Avenue.

**October 2001 Z-6834:** All concurred in approval of a request to rezone a 10+ acre tract from AG to RS-3 on a property located north of the northwest corner of East 51st Street South and South 177th East Avenue.

Mr. Wilkerson stated that he has discussed the request with the applicant and staff cannot support the RM-3 designation because there is no height limit and more intense than what is contemplated. Staff is recommending denial of the RM-3 and can recommend approval of the RM-2, which has 35-foot height limit and fits the applicant’s development standards better than the RM-3. Mr. Wilkerson commented that he is confident that the applicant supports the RM-2 recommendation.

Applicant’s Comments:

George Marquez, Crafton Tull, 214 East Main, Oklahoma City, 73014, stated that he is in agreement with staff’s recommendation.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff’s recommendation.

TMAPC Action: 6 members present:

On MOTION of DIX, TMAPC voted 6-0-0 (Covey, Dix, Liotta, Millikin, Reeds, Shivel, "aye"; no "nays"; none "abstaining"; Carnes, Fretz, Midget, Stirling, Walker "absent") to recommend DENIAL RM-3 zoning request and recommends APPROVAL of RM-2 zoning for Case Z-7273 per staff recommendation.
Legal Description for Z-7273:
A tract of land situate within the Southwest Quarter of Section Twenty-five (25), Township Nineteen North (T19N), Range Fourteen West (R14W) of the Indian Meridian (I.M.), Tulsa, Tulsa County, Oklahoma; being more particularly described by metes and bounds as follows: COMMENCING from the Southeast Corner of said SW/4; thence S 88° 40' 18" a distance of 1411.00 feet; thence N 01° 19' 13" a distance of 50.00 feet to the POINT OF BEGINNING; thence S 88° 40' 18" W a distance of 565.16 feet; thence S 01° 20' 00" E a distance of 50.00 feet to a point on the South line of said SW/4; thence S 88° 40' 18" W along said South line a distance of 195.00 feet; thence N 01° 20' 00" W a distance of 660.00 feet; thence N 88° 40' 18" E a distance of 760.30 feet; thence S 01° 19' 13" E a distance of 610.00 feet to the POINT OF BEGINNING. Said tract contains 473,490 Square Feet or 10.870 Acres more or less.

* * * * * * * * * * * *

Mr. Fretz in at 4:19 p.m.

29. **PUD-636-C/Z-5457-SP-5 – Eller & Detrich/Lou Reynolds**, Location: North of northwest corner of Highway 75 and West 81st Street, requesting a **PUD Major Amendment** to establish new development area boundaries, from **CO/PUD-636 to CO/PUD-636-C**, (CD-2)

**STAFF RECOMMENDATION:**
**DEVELOPMENT CONCEPT:** The original development areas that were prepared for this project were prepared with a hand sketch that was impossible to accurately define. This amendment clearly defines the use boundaries that were necessary for implementation of a subdivision plan and subsequent site plan development.

**APPLICANTS CONCEPT STATEMENT:**
The purpose of PUD Major Amendment 636-C ("PUD 636-C") and Corridor Plan Major Amendment No. Z-5457-SP-5 ("Corridor District Site Plan") is to reconfigure the boundaries of the Development Areas and portions of Development Areas remaining to be developed (the "Project"). The Development Areas within the Project that remain to be developed are a part of Development Areas “D” and “G” and all of Development Area “F”.

This Amendment is necessary to remove the discrepancies between the boundaries of these remaining Development Areas as originally proposed and the grades and features of the Project site. These discrepancies have been magnified by the construction of South Santa Fe West Avenue, West
80th Street South and the channelization and improvement of Hager Creek for both drainage and detention purposes.

The Project will provide a 6 FT wooden fence along the North boundary of Development Area “F”. The East, South and West boundaries of the Project and the internal boundaries of the Project will not be required to be screened.

The Project will not have on-site detention or pay a fee in lieu of detention, but instead will drain into existing detention ponds and structures in Hager Creek as detention from the Property has been accounted for in such existing detention structures. Lot Owners within the Project will be members of the Nickel Creek Phase III Property Owners Association, Inc., and will pay their proportionate share of the costs to maintain the detention ponds, structures and the channel within Hager Creek.

Because the underlying zoning of the Property is CO-Corridor District, no rezoning is necessary to support the Project as proposed in this PUD Major Amendment and Corridor District Site Plan.

The Development Standards for Development Areas “F”, “G” and “H” are set forth herein below.

SECTION I: DEVELOPMENT STANDARDS:

Development Area “F”

GROSS LAND AREA: 12.10 AC

PERMITTED USES:
As permitted by right and exception within a CS – Commercial Shopping Center District, excluding Use Unit 12A.

MAXIMUM BUILDING FLOOR AREA: 158,122 SF

MAXIMUM FLOOR AREA RATIO PER LOT: .30 FAR

MAXIMUM LAND COVERAGE OF BUILDINGS PER LOT: 30%

MAXIMUM BUILDING HEIGHT: Two (2) stories, not to exceed 35 FT Unoccupied architectural features not to exceed 50 FT may exceed the Maximum Building Height with Detail Site Plan and Corridor Site Plan approval.

MINIMUM BUILDING SETBACKS:
From the centerline of West 81st Street South 110 FT
From the centerline of South Union Avenue 100 FT
From the centerline of South Tacoma West Avenue  80 FT
From the centerline of West 80th Street South  80 FT
From the north boundary        60 FT
From internal boundaries of the Project  10 FT

MINIMUM PARKING SETBACK:
  From North boundary    10 FT
  From South boundary    10 FT
  From West boundary     10 FT
  From East boundary along South Tacoma West Avenue 10 FT
  From internal boundaries of the Project  5 FT

OFF-STREET PARKING:
  As provided by the applicable Use Unit.

OTHER BULK AND AREA REQUIREMENTS:
  As provided in the CS – Commercial Shopping Center District.

SIGNS:

GROUND SIGNS:
Lots fronting on West 81st Street and South Union Avenue.

Ground signs shall be limited to one (1) per lot on each such arterial street frontage with a maximum of 80 SF of display surface area and 12 FT in height; provided, further, any lot with frontage on both West 81st Street and South Union Avenue may have such a ground sign on both such street frontage.

Lots fronting on West 80th Street and South Tacoma Avenue.

Ground signs shall be limited to one (1) per lot on each such street frontage with a maximum of 64 SF of display surface area and 6 FT in height; provided, further, any lot with frontage on both West 80th Street and South Tacoma Avenue may have such a ground sign on each such street frontage.

WALL SIGNS:
Wall signs shall be permitted not to exceed 2 SF of display surface area per linear foot of building wall to which attached.
**DIRECTIONAL SIGNS:**
Signs not visible from a public street and signs not exceeding 5 SF of display surface area, including without limitation, wayfinding, directional and informational signs, will be permitted without requiring Detail Sign Plan approval.

**PROJECT SIGNS:**
In addition to the ground signage provided above, a Project identification sign ("Project Sign") shall be permitted along each arterial street with a maximum of 300 SF of display surface area and 30 FT in height. Along South Union Avenue, a Project Sign shall not be located more than 360 FT North of the center of the intersection of West 81st Street South and South Union Avenue.

**Development Area “G”**

<table>
<thead>
<tr>
<th>Category</th>
<th>Specification</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>GROSS LAND AREA:</strong></td>
<td>3.98 AC</td>
</tr>
<tr>
<td><strong>PERMITTED USES:</strong></td>
<td>As permitted by right and exception within a CS – Commercial Shopping Center District, including nightclub and/or bar if located within a principal hotel or motel building, but excluding other Use Unit 12A uses.</td>
</tr>
<tr>
<td><strong>MAXIMUM BUILDING FLOOR AREA:</strong></td>
<td>104,021 SF</td>
</tr>
<tr>
<td><strong>MAXIMUM FLOOR AREA RATIO PER LOT:</strong></td>
<td>.60 FAR</td>
</tr>
<tr>
<td><strong>MAXIMUM LAND COVERAGE OF BUILDINGS PER LOT:</strong></td>
<td>30%</td>
</tr>
<tr>
<td><strong>MAXIMUM BUILDING HEIGHT:</strong></td>
<td>65 FT</td>
</tr>
<tr>
<td>Unoccupied architectural features not to exceed 75 FT may exceed the Maximum Building Height with Detail Site Plan and Corridor Site Plan approval.</td>
<td></td>
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<tr>
<td><strong>MINIMUM BUILDING SETBACKS:</strong></td>
<td></td>
</tr>
<tr>
<td>From the centerline of West 80th Street South</td>
<td>80 FT</td>
</tr>
<tr>
<td>From the centerline of South Santa Fe West Avenue</td>
<td>80 FT</td>
</tr>
<tr>
<td>From the north boundary</td>
<td>30 FT</td>
</tr>
<tr>
<td>From internal boundaries of the Project</td>
<td>10 FT</td>
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</tbody>
</table>
MINIMUM PARKING SETBACK:
From North boundary  13 FT
From West boundary   5 FT
From South Santa Fe West Avenue  10 FT
From West 80th Street South  10 FT
From internal boundaries of the Project  5 FT

OFF-STREET PARKING:
As provided by the applicable Use Unit.

OTHER BULK AND AREA REQUIREMENTS:
As provided in the CS – Commercial Shopping Center District.

SIGNS:
GROUND SIGNS:
Ground signs shall be limited to one (1) per lot on each street frontage with a maximum of 64 SF of display surface area and 6 FT in height.

WALL SIGNS:
Wall signs shall be permitted not to exceed 2 SF of display surface area per linear foot of building wall to which attached.

DIRECTIONAL SIGNS:
Signs not visible from a public street and signs not exceeding 5 SF of display surface area, including without limitation, wayfinding, directional and informational signs, will be permitted without requiring Detail Sign Plan approval.

PROJECT SIGNS:
In addition to the ground signage provided above, any business within Development Area “G” may have a sign panel located upon any Project Sign in Development Area “F” or Development Area “H”.

**Development Area “H”**

GROSS LAND AREA: 2.96 AC

PERMITTED USES:
As permitted by right and exception within a CS – Commercial Shopping Center District, excluding Use Unit 12A.
MAXIMUM BUILDING FLOOR AREA: 38,762 SF

MAXIMUM FLOOR AREA RATIO PER LOT: .30 FAR

MAXIMUM LAND COVERAGE OF BUILDINGS PER LOT: 30%

MAXIMUM BUILDING HEIGHT: Two (2) stories, not to exceed 35 FT

MAXIMUM BUILDING HEIGHT: 35 FT
Unoccupied architectural features not to exceed 40 FT may exceed the Maximum Building Height with Detail Site Plan and Corridor Site Plan approval.

MINIMUM BUILDING SETBACKS:
From the centerline of West 81st Street South 100 FT
From the centerline of West 80th Street South 80 FT
From the centerline of South Tacoma West Avenue 80 FT
From the East boundary of the Project 30 FT

MINIMUM PARKING SETBACK:
From North boundary 5 FT
From West boundary 10 FT
From East boundary 5 FT
From South boundary 10 FT
From internal boundaries of the Project 0 FT

OFF-STREET PARKING:
As provided by the applicable Use Unit.

OTHER BULK AND AREA REQUIREMENTS:
As provided in the CS – Commercial Shopping Center District.

SIGNS:

GROUND SIGNS:
Lots fronting on West 81st Street.
Ground signs shall be limited to one (1) per lot on each such arterial street frontage with a maximum of 80 SF of display surface area and 12 FT in height.

Lots fronting on South Tacoma Avenue and West 80th Street South.
Ground signs shall be limited to one (1) per lot on each such street frontage with a maximum of 64 SF of display surface area and 6 FT in height.

WALL SIGNS:
Wall signs shall be permitted not to exceed 2 SF of display surface area per linear foot of building wall to which attached.

DIRECTIONAL SIGNS:
Signs not visible from a public street and signs not exceeding 5 SF of display surface area, including without limitation, wayfinding, directional and informational signs, will be permitted without requiring Detail Sign Plan approval.

PROJECT SIGNS:
In addition to the ground signage provided above, a Project identification sign shall be permitted along West 81st Street South with a maximum of 300 SF of display surface area and 30 FT in height.

All Development Areas

LANDSCAPED AREA:
A minimum of ten percent (10%) of the Net Land Area of each lot within the Project shall be improved as landscaped open space.

TRASH AND MECHANICAL EQUIPMENT AREAS:
All trash and mechanical equipment areas (excluding utility service transformers, pedestals or equipment provided by franchise utility providers) including building mounted, shall be screened from public view in such a manner that the same cannot be seen by a person standing on any part of the property line at ground level.

Trash dumpster areas shall be screened by a masonry construction with steel doors. The doors shall be covered with an appropriate covering containing a minimum of 95% opacity on the gate frame.
**NO OUTSIDE STORAGE:**
There shall not be no outside storage or recycling material, trash or similar materials outside of a screened receptacle, nor shall trucks or trailer trucks be parked unless they are actively being loaded or unloaded. Truck trailers and shipping containers shall not be used for storage.

**LANDSCAPING AND SCREENING DETAILS:**
The Project landscaping and screening details will comply with the requirements of the Tulsa Zoning Code for street frontage and parking area landscape and will establish a minimum of 10 FT landscape buffer separating the North boundary of the parking area from the stormwater detention facility to the North.

**ACCESS AND CIRCULATION:**
The Project will have access and circulation as shown on Exhibit “C”. The Project will not have direct vehicular access to West 81st Street and with Detail Site Plan approval the Project may have not more than three (3) access points onto South Union Avenue.

**PEDESTRIAN ACCESS AND CIRCULATION:**
Sidewalks shall be provided along East 81st Street South, South Tacoma West Avenue, West 80th Street South and South Union Avenue. In addition, designated pedestrian access (i.e., paving or striping) shall be provided from arterial streets to each building with frontage on an arterial street.

**II. SCHEDULE OF DEVELOPMENT:**
Development is expected upon final approval of this PUD Major Amendment and Corridor District Site Plan, plating of the Property and Detail Site Plan, Corridor Site Plan and Landscape Plan approval. The anticipated construction start date within the Project is the second quarter of 2015.

**DETAILED STAFF RECOMMENDATION:**
The major amendment is consistent with the land use standards of the original PUD/Corridor plan the Tulsa Comprehensive Plan; and

The previously approved development standards do not completely align with the goals of the West Highlands/Tulsa Hills Small Area Plan however there are no obstacles to many of the goals of the West Highlands/Tulsa Hills Small Area Plan; and
Future site plan development in this area can continue efforts toward meeting the applicable goals identified in the West Highlands/Tulsa Hills Small Area Plan; and

The major amendment is consistent with the PUD chapter of the Tulsa Zoning Code; and

The proposed development standards are consistent with the existing and development under construction in this area; therefore

Staff recommends Approval of PUD-636-C/ Corridor Development Plan Z-5457-SP-5 as outlined in Section I above.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The major amendment is a reconstruction of the original PUD and Corridor Development Plan and was primarily prepared to reinstate the original standards. Unfortunately the West Highlands/Tulsa Hills Small Area Plan was implemented and approved years after the original PUD was developed. The remainder of this development will be reviewed in context with those standards however detailed site plan review will encourage implementing the goals of the West Highlands/Tulsa Hills Small Area Plan.

Land Use Vision:

Land Use Plan map designation: The entire site is included in a Town Center 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 map designation: The entire site is located in an Area of 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:
The Comprehensive Plan designates South Union Avenue as a Multi Modal Secondary Arterial Street. West 81st is only classified as a secondary arterial with no other considerations.

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

Streets on the Transportation Vision that indicate a transit improvement should use the multi-modal street cross sections and priority elements during roadway planning and design.
**Staff Comment:** The future vision of the Comprehensive Plan is years away from full implementation. This project will require street right-of-way dedication and will encourage interior connectivity consistent with the Corridor District vision defined in the Zoning Code. The West Highlands/Tulsa Hills Small Area Plan for this area is complete. Landscaping and sign limitations adjacent to the secondary arterial streets should be a significant component of new development. This landscape edge will encourage a “rural” feel consistent with the existing development pattern west of South Union Avenue.

Trail System Master Plan Considerations: None

**Small Area Plan:** West Highlands/Tulsa Hills Small Area Plan considers this area as a Town Center but the goals defined in the plan are oriented toward preservation and development of the natural environment. The following outline defines a few of the goals that are part of the Comprehensive plan.

1: Encourage substantial buffering along Union.
2: Employ transition sensitive design strategies within CO zoned sites.
3: Encourage CO zoned project to include points of access on multiple roads.
4: Take deliberate measures to preserve existing healthy, substantive trees and integrate them into site plans.
5: Allow for transition sensitive development of both residences and offices between Union Avenue and Us 75.
6: Encourage development of natural drainage areas where appropriate. Examples should include natural stream bed restoration and green space preservation.

**Special District Considerations:** None

**DESCRIPTION OF EXISTING CONDITIONS:**

**Staff Summary:** The site has been previously developed with public streets, utilities and stormwater detention. This major amendment has been prepared to clarify details that were not previously defined in a way that could not be accurately implemented.

**Site Analysis:** The subject property is approximately 20+ acres in size and is located north of northwest corner of Highway 75 and W. 81st St. The property appears to be vacant and is zoned CO/ PUD-636.

**Environmental Considerations:** Terrain is not a significant obstacle to development however details will be required beyond what is necessary.
for a relatively flat site. Detailed site plan review will be an important part of maintaining the natural environment that is recognized in the West Highlands/Tulsa Hills Small Area Plan.

**STREETS:**

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<tr>
<th>Exist. Access</th>
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<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
</tr>
</thead>
<tbody>
<tr>
<td>West 81&lt;sup&gt;st&lt;/sup&gt; Street</td>
<td>Secondary Arterial</td>
<td>100</td>
<td>2+</td>
</tr>
<tr>
<td>South Union Avenue</td>
<td>Multimodal Secondary Arterial</td>
<td>100</td>
<td>2</td>
</tr>
<tr>
<td>South Tacoma Avenue</td>
<td>None</td>
<td>50</td>
<td>2</td>
</tr>
<tr>
<td>West 80&lt;sup&gt;th&lt;/sup&gt; Street</td>
<td>None</td>
<td>50</td>
<td>2</td>
</tr>
</tbody>
</table>

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

**SECTION III: Relevant Zoning History:**

**ZONING ORDINANCE:** Ordinance number 19935 dated October 2, 2000 and Ordinance number 14912 dated December 5, 1980, established zoning for the subject property.

**Subject Property Area:**

**PUD-636-B/I-Z-5457-SP-4 January 2014:** All concurred in approval of a proposed Major Amendment to PUD on a 2+ acre tract of land to add commercial use to Development Area E of PUD-636, on property located north of northwest corner of West 81<sup>st</sup> Street and Highway 75.

**PUD-636-A/ Z-5457-SP-3 November 6, 2013:** All concurred in approval of a proposed Major Amendment to PUD on a 6+ acre tract of land for a commercial development, called The Main Event, on property located north of northwest corner of West 81<sup>st</sup> Street and U.S. Highway 75.

**PUD-636/ Z-5457-SP-2/ Z-4825-SP-1 October 2000:** All concurred in approval for a proposed Planned Unit Development, on a 108+ acre tract of land for a mixed use development including, single-family, townhouse dwellings, multifamily and commercial uses subject to conditions of the PUD located on the northwest corner of West 81<sup>st</sup> Street South and South Highway 75 and includes the subject property.

**Surrounding Property:**

**Z-7236-SP-1/ Z-7115-SP-2 August 2013:** All concurred in approval of a request for Corridor Development Plans on a 31+ acre tract of land for and office development permitting a 6-story building with a maximum building
square footage of 566,000, on property located on the southeast corner of West 81st Street and South Union Avenue.

**Z-7236/ PUD-765-A September 2013:** All concurred in approval of a Major Amendment to PUD to abandon and a request for rezoning on a 5+ acre tract of land for office development, on property located on the southeast corner of West 81st Street and South Union Avenue.

**Z-5993/PUD-377 November 1984:** All concurred in approval of request for rezoning a 2.06+ acre tract of land from RS-3 to OL/CS/PUD and a proposed Planned Unit Development for a printing and graphic art reproduction & associated sales business on property located on the southwest corner of West 81st Street South and West Union Avenue.

Mr. Midget in at 4:23 p.m.

**Applicant’s Comments:**
Lou Reynolds, 2727 East 21st Street, 74114, stated that the PUD is about 15 years old and that he is removing the multifamily zoning and expanding Development F to have a commercial use. Mr. Reynolds further stated that he spoke with Kaye Price about this proposal and she is supportive of getting rid of the multifamily zoning.

Mr. Reynolds cited the various development areas and how the boundaries will be changed.

Mr. Covey stated that he wanted to get it on the record that Kaye Price did sign off on this proposal. Mr. Reynolds stated that Ms. Price is in support of this application.

There were no interested parties wishing to speak.

**TMAPC Action; 8 members present:**
On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Covey, Dix, Fretz, Liotta, Midget, Millikin, Reeds, Shivel, "aye"; no "nays"; none “abstaining”; Carnes, Stirling, Walker "absent") to recommend **APPROVAL** of the major amendment for PUD-636-C/Z-5457-SP-5 per staff recommendation.

**Legal Description for PUD-636-C/Z-5457-SP-5:**
A tract of land lying in the Southwest Quarter of Section 11, Township 18 North, Range 12 East of the Indian Meridian, City of Tulsa, Tulsa County, Oklahoma being more particularly described as follows: COMMENCING at the northwest corner of said Southwest Quarter; THENCE North 89°02’15” East a distance of 50.00 feet to a point on the east right of way line of South Union Avenue; THENCE South 01°15’01” East, along said east right of way line parallel with the west line of said Southwest Quarter, a
distance of 1,215.13 feet to the POINT OF BEGINNING; THENCE South 39°53’10” East a distance of 140.84 feet; THENCE North 88°59’27” East a distance of 24.53 feet; THENCE South 24°31’26” East a distance of 40.93 feet; THENCE South 11°17’28” West a distance of 23.99 feet; THENCE South 28°06’59” East a distance of 125.85 feet; THENCE South 87°24’34” East a distance of 178.52 feet; THENCE South 34°54’22” East a distance of 91.07 feet; THENCE North 88°04’53” East a distance of 92.59 feet; THENCE South 17°35’07” East a distance of 53.99 feet; THENCE South 46°26’02” East a distance of 149.29 feet; THENCE South 30°17’17” East a distance of 90.89 feet; THENCE South 59°02’58” East a distance of 53.01 feet; THENCE South 44°38’40” East a distance of 51.69 feet; THENCE South 66°26’33” East a distance of 53.96 feet; THENCE South 31°16’21” East a distance of 116.69 feet; THENCE South 04°51’06” East a distance of 56.19 feet; THENCE South 47°03’32” East a distance of 51.70 feet; THENCE North 72°33’35” East a distance of 27.71 feet; THENCE South 55°05’57” East a distance of 66.36 feet; THENCE South 79°26’34” East a distance of 74.99 feet; THENCE South 64°56’31” East a distance of 60.00 feet to a point on the east right of way line of South Santa Fe West Avenue; THENCE South 25°03’29” West along said east right of way line a distance of 166.30 feet; THENCE continuing South 25°03’29” West a distance of 250.43 feet; THENCE South 88°56’53” West a distance of 580.12 feet to a point on the west right of way line of South Tacoma West Avenue; THENCE along said westerly right of way line the following Two (2) courses: 1) South 01°03’20” East a distance of 2.17 feet to a point of curvature; 2) Southwesterly along a curve to the right having a radius of 30.00 feet (said curve subtended by a curve which bears South 43°56’40” West a distance of 42.43 feet) for an arc distance of 47.12 feet to a point on the northerly right of way line of West 81st Street South; THENCE along said northerly right of way, the following Two (2) courses: 1) South 88°56’40” West a distance of 232.22 feet; 2) North 46°09’48” West a distance of 97.95 feet to a point on the east right of way line of said South Union Avenue; THENCE North 01°15’01” West along said east right of way line, a distance of 1,307.31 feet to the POINT OF BEGINNING. Said tract containing 20.557 acres or 895,465.52 square feet more or less.

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30. **Z-7008-SP-6 – Cross Engineering Consultants, Inc./Jonathan Hake**, Location: East of southeast corner of West 71st Street and South Olympia Avenue, requesting a **Corridor Development Plan** to add Automotive Use with limitations to part of Development Area B, CO, (CD-2)

**STAFF RECOMMENDATION:**

**DEVELOPMENT CONCEPT:**
The applicant has requested a very limited Use Unit 17: Automotive and Allied Activity on one lot in Development Area B. The site is at the northeast corner of Tulsa Hills and is remote without access directly to West 71st Street South or to South Olympia Ave.

The request limits the uses to light automobile/vehicle repair, provides limitations to the hours of operation, outdoor storage, and prohibits other uses that might otherwise be objectionable if allowed in this development.

**CORRIDOR DEVELOPMENT PLAN STANDARDS:**
Allow Use Unit 17 Automotive and Allied Activities in Lot 19 Block 2 of the Tulsa Hills Addition. The following restrictions apply:

1) Automobile/vehicle repair only
2) No overnight outdoor storage of automobiles, parts or accessories of any kind.
3) Operating hours shall be limited to 7:00 am to 7:00 pm Monday through Friday.
4) No tire installation
5) No body work

All additional development standards outlined in Z-7008-SP-1 shall apply.

**PLATTING REQUIREMENT:**
A plat waiver will be required.

**DETAILED STAFF RECOMMENDATION:**
Adding Use Unit 17 with restrictions as an amendment is consistent with the Tulsa Comprehensive plan; and

A light automotive repair facility, planned architectural style, hours of operation and other operational standards is consistent with the vision of the corridor chapter of the Tulsa Zoning Code; and

Z-7008- SP-6 is harmonious with the existing businesses surrounding this property: therefore

Staff recommends Approval of Corridor Plan Z-7008-SP-6 as outlined in Section I above.
SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: This parcel is part of a much larger Regional Center and is one added service component that is consistent with Comprehensive Plan.

Land Use Vision:
Land Use Plan map designation: The entire site is in Regional Center.

Regional Centers are mid-rise mixed-use areas for large-scale employment, retail, and civic or educational uses. These areas attract workers and visitors from around the region and are key transit hubs; station areas can include housing, retail, entertainment, and other amenities. Automobile parking is provided on-street and in shared lots. Most Regional Centers include a parking management district.

Areas of Stability and Growth map designation: The entire site is in 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:
West 71st south is a primary arterial and commuter street:

The most widespread commercial street type is the strip commercial arterial, these arterials typically serve commercial areas that contain many small retail strip centers with buildings set back from front parking lots. Because of this, strip commercial arterials have many intersections and driveways that provide access to adjacent businesses. Historically, this type of street is highly auto-oriented and tends to discourage walking and bicycling. On-street parking is infrequent.

Commuter streets are designed with multiple lanes divided by a landscaped median or a continuous two way left turn lane in the center. Commuter streets are designed to balance traffic mobility with access to nearby businesses. However, because there are so many intersections and access points on commuter streets, they often become congested. Improvements to these streets should come in the form of access management, traffic signal timing and creative intersection lane capacity improvements.

Trail System Master Plan Considerations: None

Small Area Plan: West Highlands Small Area Plan

Special District Considerations: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is the last undeveloped property located on the north end of Tulsa Hill's shopping area. The site is on top of a large retaining wall that separates this site from the adjacent property approximately 15 feet below this building.

Site Analysis: The subject property is approximately 1+ acres in size and is located east of southeast corner of W. 71st St. and S. Olympia Ave. The property appears to be vacant and is zoned CO.

Environmental Considerations: None

Surrounding Properties: The subject tract is abutted on the east by single family residential, zoned RS-3; on the north by a variety of business including a convenience store, multi family and vacant land, zoned CSRM-
2/PUD and AG; on the south and west by Tulsa Hills Shopping center, zoned CO-Z-7008-SP-1.

**STREETS:**

<table>
<thead>
<tr>
<th>Exist. Access</th>
<th>MSHP Design</th>
<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
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</thead>
<tbody>
<tr>
<td>West 71st Street</td>
<td>Primary Arterial</td>
<td>120</td>
<td>6+</td>
</tr>
</tbody>
</table>

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

**SECTION III: Relevant Zoning History:**

**ZONING ORDINANCE:** Ordinance number 21266 dated March 24, 2006, established zoning for the subject property.

**Z-7008-SP-5 December 2012:** All concurred in approval of a request for a Corridor Development Plan on a 1+ acre tract of land to permit a drive-in restaurant as a permitted use, on property located west of northwest corner of West 81st Street and South Olympia Avenue.

**Z-7008-SP-4 September 2011:** All concurred in approval of a Corridor Plan for a 2.29+ acre tract of land to add Use Unit 17 to the permitted uses and to re-allocate floor area, on property located north of northwest corner of West 81st Street and South Olympia Avenue.

**Z-7008-SP-3 December 2009:** All concurred in approval of a Corridor Site Plan on a 6.56+ acre tract of land to add auto wash only within Use Unit 17 on tract 2-C, in the Tulsa Hills development, on property located north of northeast corner of West 81st Street and South Olympia Avenue.

**Z-7008-SP-2 March 2008:** All concurred in approval of a Corridor Site Plan on a 1.31+ acre tract of land to add tire sales, brake repair/replacement, chassis alignment, shock absorber maintenance and installation, battery sales, oil changes and lubrication, and engine tune-up services only, to the permitted uses of Tract A, in the Tulsa Hills development, and to approve specific building materials as well as orientation of service bay doors, on property located north of northwest corner of West 81st Street and South Olympia Avenue.

**Z-7008-SP-1/Z-6966-SP-1/Z-6967-SP-1 March 2006:** All concurred in approval of a Corridor Site Plan on 176+ acres to permit a regional shopping center know as the Tulsa Hills site with a total of 1,554,194 square feet of maximum building floor area approved at a .25 floor area ratio. On property located east of US Highway 75 between West 71st Street South and West 81st Street South.
There were no interested parties wishing to speak.

The applicant indicated his agreement with staff’s recommendation.

TMAPC Action; 8 members present:
On MOTION of MIDGET, TMAPC voted 8-0-0 (Covey, Dix, Fretz, Liotta, Midget, Millikin, Reeds, Shivel "aye"; no "nays"; none “abstaining”; Carnes, Stirling, Walker "absent") to recommend APPROVAL of the corridor development plan for Z-7008-SP-6 per staff recommendation.

Legal Description for Z-7008-SP-6:
Lot 19, Block 2, Tulsa Hills Addition, an addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof.

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31. **CZ-433 – Coulter Law Firm, P.C.** Location: South of southeast corner of South 65th West Avenue and West 51st Street, Request rezoning from AG to IM, (County) (Staff is requesting a continuance to July 23, 2014 for proper notice to be given.)

**STAFF RECOMMENDATION:**
Staff is requesting a continuance to July 23, 2014 in order to give proper notice.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff’s recommendation.

TMAPC Action; 8 members present:
On MOTION of MIDGET, TMAPC voted 8-0-0 (Covey, Dix, Fretz, Liotta, Midget, Millikin, Reeds, Shivel, "aye"; no "nays"; none “abstaining”; Carnes, Stirling, Walker "absent") to CONTINUE CZ-433 to July 23, 2014.

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**OTHER BUSINESS**

32. **Commissioners' Comments:**

Ms. Miller stated that she failed to introduce Nikita Moye, INCOG’s new BOA Planner. Ms. Miller further stated that she is excited to have Nikita as part of our team. Ms. Moye has a Bachelors and Masters in Urban Planning.
Mr. Covey welcomed Ms. Moye.

* * * * * * * * * * * *

TMAPC Action; 8 members present:
On MOTION of DIX, TMAPC voted 8-0-0 (Covey, Dix, Fretz, Liotta, Midget, Millkin, Reeds, Shivel "aye"; no "nays"; none "abstaining"; Carnes, Stirling, Walker "absent") to ADJOURN TMAPC meeting no. 2677.

ADJOURN

There being no further business, the Chair declared the meeting adjourned at 4:32 p.m.

Date Approved: 8-6-14

[Signature]
1st Vice Chairman
Acting Chair

ATTEST: [Signature]
Secretary