

**TULSA METROPOLITAN AREA PLANNING COMMISSION**  
**Minutes of Meeting No. 2680**

Wednesday, August 20, 2014, 1:30 p.m.

City Council Chamber

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

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

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Friday, August 15, 2014 at 1:08 p.m., posted in the Office of the City Clerk, as well as in the Office of the County Clerk.

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

**REPORTS:**

**Chairman's Report:**

Mr. Covey thanked Mr. Dix for covering for him at the last meeting.

Mr. Covey reported that at the last meeting Items 7 and 8 from the consent agenda (LS-20705 and LC-594) were continued to this meeting; however, they were not put on today's agenda so they will not be heard today and continued to September 3, 2014.

**Director's Report:**

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

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1. **Minutes:**  
**Approval of the minutes of July 23, 2014 Meeting No. 2678**

Pulled from the agenda per City Legal.

\* \* \* \* \*

2. **Minutes:**  
**Approval of the minutes of August 6, 2014 Meeting No. 2679**

On **MOTION** of **DIX**, the TMAPC voted 9-0-0 (Carnes, Covey, Dix, Fretz, Midget, Millikin, Shivel, Stirling, Walker “aye”; no “nays”; none “abstaining”; Liotta, Reeds “absent”) to **APPROVE** the minutes of the meeting of August 6, 2014, Meeting No. 2679.

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**CONSENT AGENDA**

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

3. **LC-596** (Lot-Combination) (CD-4) – Location: East of the southeast corner of East 3<sup>rd</sup> Street South and South Quincy Avenue
4. **LS-20706** (Lot-Split) (CD-8) – Location: South of the southwest corner of East 91<sup>st</sup> Street South and South Sheridan Road
5. **PUD-206-17 – Tanner Consulting, LLC**, Location: South of southwest corner of East 91<sup>st</sup> Street and South Sheridan Road, requesting a **PUD Minor Amendment** to allocate floor area for a lot-split, **RM-1/CS/PUD-206**, (CD-8)

**STAFF RECOMMENDATION:**

**Amendment Request:** Modify the PUD Development Standards to allocate floor area for a lot-split.

Within the current Development Standards, the Maximum Building Floor Area is 30,900 SF. The subject property contains three separate buildings. The intent is to split the existing Lot 1 Block 1 Boatman’s Bank into three separate lots, one for each existing building.

The proposed revised standards are: Tract A (28,688 SF Land Area) - 10,375 SF Maximum Building Floor Area; Tract B – 26,664 SF Land Area

– 10,375 SF Maximum Building Floor Area; Tract C – 27,096 SF Land Area – 10,150 SF Maximum Building Floor Area.

*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-206 and subsequent amendments shall remain in effect.

With considerations listed above, staff recommends **approval** of the minor amendment request to allocate floor area for a lot split.

6. **PUD-757-2 – Wallace Engineering/Jim Beach**, Location: North of the northwest corner of East 15<sup>th</sup> Street and South Norfolk Avenue, requesting a **PUD Minor Amendment** to reduce the setback from South Norfolk Avenue to ten feet from the property line, **RT/PUD-757**, (CD-4)

**STAFF RECOMMENDATION:**

Amendment Request: Modify the PUD Development Standards to reduce the setback from South Norfolk Avenue to 10 ft from the property line.

Within the current Development Standards, the Minimum Building Setback is 50 ft from the centerline of South Norfolk Avenue.

*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-757 and subsequent amendments shall remain in effect.

With considerations listed above, staff recommends **approval** of the minor amendment request to reduce the setback from South Norfolk Avenue to 10 ft from the property line.

7. **Z-6503-SP-2 – Wallace Engineering/Jim Beach**, Location: Northeast corner of East 91<sup>st</sup> Place and South 102<sup>nd</sup> East Avenue, requesting a **PUD Detail Site Plan** for a new medical facility, **CO/Z-6503-SP-2**, (CD-7)

**STAFF RECOMMENDATION:**

**CONCEPT STATEMENT:**

The applicant is requesting detail site plan approval on a 3.14 Acre site in a Corridor District for a new medical facility including one, two story building.

**PERMITTED USES:**

Use Units 11, 12, 13, 14, 19 and 21 and those uses customary and accessory thereto. The proposed medical 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 Corridor Development Plan are required for approval of this site plan.

**ARCHITECTURAL GUIDELINES:**

The new building meets all applicable architectural guidelines in the Corridor Development Plan.

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

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

**LIGHTING:**

Site lighting plans are provided. Exterior light standards shall not exceed 25 feet in height and shall be hooded and directed downward and away from the boundaries of the Corridor District. 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.

**SIGNAGE:**

The site plan illustrates a new wall signage. Any new signage will require a separate permit. All signage will be required to meet the Corridor Development Plan 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 Development Plan requirements and meet the minimum standards of the Landscape portion of the Tulsa Zoning Code. This staff report does not remove the requirement for a separate landscape plan review process.

**PEDESTRIAN ACCESS AND CIRCULATION:**

The plan displays existing sidewalks along South 102<sup>nd</sup> East Avenue. Internal circulation pathways are also shown to be provided on the site.

**MISCELLANEOUS SITE CONSIDERATIONS:**

There are no concerns regarding the development of this area.

**SUMMARY:**

Staff has reviewed the applicant's submittal of the site plan as it relates to the approved **Z-6503-SP-2**. The site plan submittal meets or exceeds the minimum requirements of the Corridor Development Plan. Staff finds that the uses and intensities proposed with this site plan are consistent with the approved Corridor Development Plan, and the stated purposes of the Corridor Development Plan section of the Zoning Code.

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

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

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

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

**TMAPC Action; 9 members present:**

On **MOTION** of **DIX**, TMAPC voted **9-0-0** (Carnes, Covey, Dix, Fretz, Liotta, Midget, Millikin Reeds, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; "absent") to **APPROVE** the consent agenda Items 3 through 7 per staff recommendation.

\* \* \* \* \*

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

**COMPREHENSIVE PLAN AMENDMENT PUBLIC HEARINGS:**

- 8. Consider adoption of amendments to the Major Street and Highway Plan, a functional plan of the Tulsa Comprehensive Plan**

**STAFF RECOMMENDATION:**

**CITY RESOLUTION:**

**RESOLUTION**

**TULSA METROPOLITAN AREA PLANNING  
COMMISSION**

**Resolution No.:2680-923**

**A RESOLUTION OF THE TULSA METROPOLITAN AREA  
PLANNING COMMISSION (TMAPC), PURSUANT TO  
TITLE 19 OKLAHOMA STATUTES, SECTION 863.7;  
AMENDING THE MAJOR STREET AND HIGHWAY  
PLAN, PART OF THE "TULSA COMPREHENSIVE PLAN."**

WHEREAS, the Tulsa Metropolitan Area Planning Commission ("Planning Commission") is required to prepare, adopt and amend, as needed, a master plan, also known as a comprehensive plan, for the Tulsa metropolitan area, in accord with Title 19 Oklahoma Statutes, Section 863.7; and

WHEREAS, the purpose of such a comprehensive plan is to bring about coordinated physical development of an area in accord with present and future needs and is developed so as to conserve the natural resources of an area, to

ensure the efficient expenditure of public funds, and to promote the health, safety, convenience, prosperity and general welfare of the people of the area; and

WHEREAS, pursuant to Title 19 Oklahoma Statutes, Section 863.7, the Tulsa Metropolitan Area Planning Commission (TMAPC) did, by Resolution on the 29th day of June 1960, adopt a Comprehensive Plan for the Tulsa Metropolitan Area, which was subsequently approved by the Mayor and Board of Commissioners of the City of Tulsa, Oklahoma, and by the Board of County Commissioners of Tulsa County, Oklahoma, and was filed of record in the Office of the County Clerk, Tulsa, Oklahoma, all according to law, and which has been subsequently amended; and

WHEREAS, the Tulsa Metropolitan Area Planning Commission (TMAPC) did, by Resolution on the 28<sup>th</sup> day of February 1968, adopt the Tulsa Metropolitan Area Major Street and Highway Plan as part of the Comprehensive Plan for the Tulsa Metropolitan Area, which was subsequently approved by the Mayor and Board of Commissioners of the City of Tulsa, Oklahoma, and by the Board of County Commissioners of Tulsa County, Oklahoma, and was filed of record in the Office of the County Clerk, Tulsa, Oklahoma, all according to law, and which has been subsequently amended; and

WHEREAS, the Tulsa Metropolitan Area Planning Commission did, by Resolution on the 6th of July 2010, adopt an amendment to the Comprehensive Plan for the Tulsa Metropolitan Area, which pertains only to those areas within the incorporated City limits of the City of Tulsa, known as the Tulsa Comprehensive Plan, which was subsequently approved by the Tulsa City Council on the 22nd of July 2010, all according to law, and which has been subsequently amended; and

WHEREAS, a public hearing was held on August 20, 2014 and after due study and deliberation, this Commission deems it advisable and in keeping with the purpose of this Commission, as set forth in Title 19 Oklahoma Statutes, Section 863.7, to adopt the following amendments to the Tulsa Metropolitan Area Major Street and Highway Plan:

- 1) Remove North 145th East Ave between 156th Street North and 165th Street North.
- 2) Remove 66th Street North between Garnett Road and Mingo Road.
- 3) Change the classification of the 21st Street linkage that begins at 21st Street and terminates at Riverside Drive from a Secondary Arterial to a Residential Collector.

NOW THEREFORE, BE IT RESOLVED, by the Tulsa Metropolitan Area Planning Commission:

Section 1. That the Tulsa Metropolitan Area Major Street and Highway Plan, part of the Tulsa Comprehensive Plan, as originally adopted by the Tulsa Metropolitan Area Planning Commission on February 28th, 1968 and as amended from time to time, is hereby amended as above set forth.

Section 2. That a true and correct copy of the Tulsa Metropolitan Area Major Street and Highway Plan as hereby amended is attached to this Resolution and incorporated by reference as if fully written herein.

Section 3. That upon adoption by the Tulsa Metropolitan Area Planning Commission, this Resolution shall be transmitted and submitted to the City Council of the City of Tulsa for consideration, action and requested approval within forty-five (45) days of its submission.

Section 4. That upon approval by the Tulsa City Council, or should the City Council fail to act on this amendments to the Tulsa Metropolitan Area Major Street and Highway Plan within forty-five (45) days of its submission, it shall be approved with the status of an official plan and immediately have full force and effect as to the area within the incorporated City limits of the City of Tulsa.

ADOPTED on this 20<sup>th</sup> day of August, 2014 by a majority of the full membership of the Tulsa Metropolitan Area Planning Commission, including its ex officio members.

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Michael Covey, Chairman  
TMAPC

ATTEST:

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Ryon Stirling, Secretary  
Tulsa Metropolitan Area Planning Commission



**COUNTY RESOLUTION:**

**RESOLUTION**

**TULSA METROPOLITAN AREA PLANNING COMMISSION**

**Resolution No.:2680-924**

**A RESOLUTION OF THE TULSA METROPOLITAN AREA PLANNING COMMISSION (TMAPC), PURSUANT TO TITLE 19 OKLAHOMA STATUTES, SECTION 863.7; AMENDING THE MAJOR STREET AND HIGHWAY PLAN, PART OF THE “COMPREHENSIVE PLAN OF THE TULSA METROPOLITAN AREA.”**

WHEREAS, the Tulsa Metropolitan Area Planning Commission (“Planning Commission”) is required to prepare, adopt and amend, as needed, a master plan, also known as a comprehensive plan, for the Tulsa metropolitan area, in accord with Title 19 Oklahoma Statutes, Section 863.7; and

WHEREAS, the purpose of such a comprehensive plan is to bring about coordinated physical development of an area in accord with present and future needs and is developed so as to conserve the natural resources of an area, to ensure the efficient expenditure of public funds, and to promote the health, safety, convenience, prosperity and general welfare of the people of the area; and

WHEREAS, pursuant to Title 19 Oklahoma Statutes, Section 863.7, the Tulsa Metropolitan Area Planning Commission (TMAPC) did, by Resolution on the 29th day of June 1960, adopt a Comprehensive Plan for the Tulsa Metropolitan Area, which was subsequently approved by the Mayor and Board of Commissioners of the City of Tulsa, Oklahoma, and by the Board of County Commissioners of Tulsa County, Oklahoma, and was filed of record in the Office of the County Clerk, Tulsa, Oklahoma, all according to law, and which has been subsequently amended; and

WHEREAS, the Tulsa Metropolitan Area Planning Commission (TMAPC) did, by Resolution on the 28<sup>th</sup> day of February 1968, adopt the Tulsa Metropolitan Area Major Street and Highway Plan as part of the Comprehensive Plan for the Tulsa Metropolitan Area, which was subsequently approved by the Mayor and Board of Commissioners of the City of Tulsa, Oklahoma, and by the Board of County Commissioners of Tulsa County, Oklahoma, and was filed of record in the Office of the County Clerk, Tulsa, Oklahoma, all according to law, and which has been subsequently amended; and

WHEREAS, a public hearing was held on August 20, 2014 and after due study and deliberation, this Commission deems it advisable and in keeping with

the purpose of this Commission, as set forth in Title 19 Oklahoma Statutes, Section 863.7, to adopt the following amendments to the Tulsa Metropolitan Area Major Street and Highway Plan:

- 4) Remove North 145th East Ave between 156th Street North and 165th Street North.
- 5) Remove 66th Street North between Garnett Road and Mingo Road.
- 6) Change the classification of the 21st Street linkage that begins at 21st Street and terminates at Riverside Drive from a Secondary Arterial to a Residential Collector.

NOW THEREFORE, BE IT RESOLVED, by the Tulsa Metropolitan Area Planning Commission:

Section 1. That the Tulsa Metropolitan Area Major Street and Highway Plan, part of the Comprehensive Plan of the Tulsa Metropolitan Area, as originally adopted by the Tulsa Metropolitan Area Planning Commission on February 28th, 1968 and as amended from time to time, is hereby amended as above set forth.

Section 2. That a true and correct copy of the Tulsa Metropolitan Area Major Street and Highway Plan as hereby amended is attached to this Resolution and incorporated by reference as if fully written herein.

Section 3. That upon adoption by the Tulsa Metropolitan Area Planning Commission, this Resolution shall be transmitted and submitted to the Tulsa County Board of County Commissioners for consideration, action and requested approval within forty-five (45) days of its submission.

Section 4. That upon approval by the Tulsa County Board of County Commission, or should the Commission fail to act upon the amendments to the Tulsa Metropolitan Area Major Street and Highway Plan, within forty-five (45) days of its submission, it shall be approved with the status of an official plan and immediately have full force and effect as to the unincorporated area of Tulsa County.

ADOPTED on this 20<sup>th</sup> day of August, 2014 by a majority of the full membership of the Tulsa Metropolitan Area Planning Commission, including its ex officio members.

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Michael Covey, Chairman  
TMAPC

ATTEST:

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Ryon Stirling, Secretary  
Tulsa Metropolitan Area Planning Commission

Ms. Miller reviewed the proposed changes and reasoning for the three proposed changes.

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

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

**TMAPC Action; 9 members present:**

On **MOTION** of **CARNES**, TMAPC voted **9-0-0** (Carnes, Covey, Dix, Fretz, Midget, Millikin, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Liotta, Reeds "absent") to recommend **APPROVAL** of the adoption of amendments to the Major Street and Highway Plan, a functional plan of the Tulsa Comprehensive Plan per staff recommendation.

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**9. Consider adoption of Housekeeping Amendments to the Tulsa Comprehensive Plan**

**STAFF RECOMMENDATION:**

**RESOLUTION**

**TULSA METROPOLITAN AREA PLANNING  
COMMISSION**

**Resolution No. 2680-925**

A RESOLUTION OF THE TULSA METROPOLITAN AREA PLANNING COMMISSION, PURSUANT TO TITLE 19 OKLAHOMA STATUTES, SECTION 863.7; AMENDING THE TULSA COMPREHENSIVE PLAN BY ADOPTING AMENDMENTS TO THE LAND USE MAP; AREAS OF STABILITY & GROWTH MAP; AND TEXT IN THE LAND USE CHAPTER OF THE TULSA COMPREHENSIVE PLAN.

WHEREAS, the Tulsa Metropolitan Area Planning Commission is required to prepare, adopt and amend, as needed, a master plan, also known as a comprehensive plan, for the Tulsa metropolitan area, in accord with Title 19 Oklahoma Statutes, Section 863.7; and

WHEREAS, the purpose of such a comprehensive plan is to bring about coordinated physical development of an area in accord with present and future needs and is developed so as to conserve the natural resources of an area, to ensure the efficient expenditure of public funds, and to promote the health, safety, convenience, prosperity, and general welfare of the people of the area; and

WHEREAS, pursuant to Title 19 Oklahoma Statutes, Section 863.7, the Tulsa Metropolitan Area Planning Commission did, by Resolution on the 29th of June 1960, adopt a Comprehensive Plan for the Tulsa Metropolitan Area, which was subsequently approved by the Mayor and Board of Commissioners of the City of Tulsa, Oklahoma, and by the Board of County Commissioners of Tulsa County, Oklahoma, and was filed of record in the Office of the County Clerk, Tulsa, Oklahoma, all according to law, and which has been subsequently amended; and

WHEREAS, the Tulsa Metropolitan Area Planning Commission did, by Resolution on the 6th of July 2010, adopt an amendment to the Comprehensive Plan for the Tulsa Metropolitan Area, which pertains only to those areas within the incorporated City limits of the City of Tulsa, known as the Tulsa Comprehensive Plan, which was subsequently approved by the Tulsa City Council on the 22<sup>nd</sup> of July 2010, all according to law, and which has been subsequently amended; and

WHEREAS, the Tulsa Comprehensive Plan states that housekeeping updates and maintenance to reflect development approvals should be made annually; and

WHEREAS, a public hearing was held on August 20, 2014 and after due study and deliberation, this Commission deems it advisable and in keeping with the purpose of this Commission, as set forth in Title 19 Oklahoma Statutes, Section 863.7, to adopt the following housekeeping amendments to the Tulsa Comprehensive Plan:

**CPA-10:** Amend designation on Land Use Map to “Park and Open Space” and designation on Areas of Stability and Growth Map to “Area of Growth” on approximately 800 acres located from Southwest Boulevard to 71<sup>st</sup> Street South along the Arkansas River (River Parks); and

**CPA-11:** Amend designation on Land Use Map from “Existing Neighborhood” and “Mixed Use Corridor” to “Park and Open Space” and designation on Areas of Stability and Growth designation from “Area of Stability” to “Area of Growth” on approximately 66.5 acres located along Riverside Drive from East 26<sup>th</sup> Street South to East 33<sup>rd</sup> Place (1<sup>st</sup> Phase Gathering Place); and

**CPA-26:** Amend designation on Land Use Map from “New Neighborhood” to “Employment” on approximately 20 acres located southeast of the southeast corner of East Admiral Place and South 145<sup>th</sup> East Avenue; and

**CPA-28:** Amend designation on Land Use Map to consolidate the “Park” and “Open Space” Land Use designations into one “Park and Open Space” Land Use designation (Citywide); and

**CPA-29:** Amend text in Land Use Chapter to clarify definition of “Mixed-Use Corridor” Land Use designation; Create a definition of a new “Parks and Open Space” Land Use designation; and clarify process for amending the Land Use Plan.

NOW THEREFORE, BE IT RESOLVED, by the Tulsa Metropolitan Area Planning Commission:

Section 1. That the Tulsa Comprehensive Plan, as adopted by the Tulsa Metropolitan Area Planning Commission on July 6, 2010 and as amended from time to time, shall be and is hereby amended, to include the amendments as described above.

Section 2. That a true and correct copy of the aforementioned amendments are attached to this Resolution.

Section 3. That upon adoption by the Tulsa Metropolitan Area Planning Commission, this Resolution shall be transmitted and submitted to the City Council of the City of Tulsa for its

consideration, action and requested approval within forty-five (45) days of its submission.

Section 4. That upon approval by the Tulsa City Council, or should the City Council fail to act upon this amendment to the Tulsa Comprehensive Plan within forty-five (45) days of its submission, it shall be deemed approved with the status of an official plan and immediately have full force and effect.

ADOPTED on this 20<sup>th</sup> day of August, 2014 by a majority of the full membership of the Tulsa Metropolitan Area Planning Commission, including its *ex officio* members.

\_\_\_\_\_  
Michael Covey, Chairman  
TMAPC

ATTEST:

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Ryon Stirling, Secretary  
Tulsa Metropolitan Area Planning Commission

Ms. Miller reviewed and explained the proposed five changes. Ms. Miller explained that the proposed changes help clean up the Comprehensive Plan.

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

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

**TMAPC Action; 9 members present:**

On **MOTION** of **SHIVEL**, TMAPC voted **9-0-0** (Carnes, Covey, Dix, Fretz, Midget, Millikin, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Liotta, Reeds "absent") to recommend **APPROVAL** of the adoption of Housekeeping Amendments to the Tulsa Comprehensive Plan per staff recommendation.

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## PUBLIC HEARINGS:

10. **Cypress Creek Estates** – Preliminary Plat, Location: West of South 193<sup>rd</sup> East Avenue, north of East 51<sup>st</sup> Street South (CD-6)

### **STAFF RECOMMENDATION:**

This plat consists of 119 lots, 8 blocks, on 20.73 acres.

The following issues were discussed August 7, 2014, at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned RS-4.
2. **Streets:** No comment.
3. **Sewer:** Lot 9, Block 6 shows a 17.5 foot perimeter utility easement where it appears it should be a 15 foot utility easement, as shown in Lot 5, Block 6. Section 1 – C-2. Omit the words “In Excess of 3 feet. Section 1-C-3 & 4 refers to “The Lift Station” and “Reserve Area F”. However, I didn’t find these on the face of the plat. Center the sewer pipe within the easement between Lots 3 & 5 Block 3. The developer will be required to pay Broken Arrow Excess Capacity Fees of \$700.00/acre; City of Tulsa Lift Station Relief Fees of \$150.00/acre; & Trinity Creek Sanitary Sewer payback contract of \$640.00/acre.
4. **Water:** Add a note that conduits for residential future service lines Std. 302 and residential dual long services lines Std. 301 and 303. Must have special approval from Director. Reference City of Tulsa Ordinance Title 11-C Chapter 2 Section 204. Service Connections. Follow City of Tulsa standards for line separations, fire protection, hydrant locations, etc. The director must approve dual services. The waterline must be a minimum of 3 feet behind the curb? At the cul-de-sac on the east side of the subdivision the roadway and proposed waterline appears to be in the platted lot over the right-of-way. Please verify the right-of-way limits. Install the proposed water main line inside a shown platted 15 foot utility easement on Lot 10, Block 3, On block 1, lot 1 extends the proposed water main line 15 feet beyond the east property line along the property frontage; this will shorten the dead-end line issue.
5. **Storm Drainage:** Remove the section on roof drains. Each building permit will be reviewed for the need to tight line. In Section IF 2 remove the allowance of trees in the Overland Drainage Easement. Along East 45<sup>th</sup> Street South the proposed storm sewer appears to connect to a sanitary sewer.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** Provision for overhead power lines need to be made. Cox Cable may need additional

easements.

7. **Other: Fire:** Fire hydrants placement shall meet the spacing requirements of International Fire Code Section 507.
8. **Other: GIS:** On the location map identify all subdivisions or show the property as unplatted. Remove property owner's names. Section 3.3.3 (c). Need point of commencement and point of beginning Section 3.3.3 (d) and submit subdivision data control sheet section 3.3.3 (r). Addresses are required to be shown on the final plat.

Staff recommends **APPROVAL** of the preliminary subdivision plat with the TAC recommendations and the special and standard conditions listed below.

**Waivers of Subdivision Regulations:**

1. None requested.

**Special Conditions:**

1. The concerns of the Development Services and Engineering Services staffs must be taken care of to their satisfaction.

**Standard Conditions:**

1. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
2. Water and sanitary sewer plans shall be approved by the Public Works Department prior to release of final plat. (Include language for W/S facilities in covenants.)
3. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures shall be borne by the owner(s) of the lot(s).
4. Any request for creation of a Sewer Improvement District shall be submitted to the Public Works Department Engineer prior to release of final plat.
5. Paving and/or drainage plans (as required) shall be approved by the Public Works Department.



6. Any request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Public Works Department.
7. A topography map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
8. Street names shall be approved by the Public Works Department and shown on plat.
9. All curve data, including corner radii, shall be shown on final plat as applicable.
10. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.
11. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
12. It is recommended that the developer coordinate with the Public Works Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
13. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City/County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
14. The method of sewage disposal and plans therefor shall be approved by the City/County Health Department. [Percolation tests (if applicable) are required prior to preliminary approval of plat.]
15. The owner(s) shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type, size and general location. (This information to be included in restrictive covenants on plat.)
16. The method of water supply and plans therefor shall be approved by the City/County Health Department.
17. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
18. The key or location map shall be complete.
19. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any

wells not officially plugged. If plugged, provide plugging records.)

20. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
21. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
22. All other Subdivision Regulations shall be met prior to release of final plat.
23. All PUD standards and conditions shall be included in the covenants of the plat and adequate mechanisms established to assure initial and continued compliance with the standards and conditions.
24. Private streets shall be built to City or County standards (depending upon the jurisdiction in which the plat is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.

**INTERESTED PARTIES COMMENTS:**

**Leon Billingsley**, 4404 South 193<sup>rd</sup> East Avenue, 74014, stated that he has ten acres that backs up to the subject property. Mr. Billingsley further stated that about five years ago his fence was taken down in order to install the sewer for the subject property and left his fence down. Mr. Billingsley complained of kids trespassing on his property and building fires. Mr. Billingsley expressed concerns about flooding his property and his neighbor's property. Mr. Billingsley indicated that there are some beaver dams that are causing flooding issues as well.

**TMAPC COMMENTS:**

Mr. Dix asked Mr. Billingsley if he has talked with the property owners regarding the beaver dams. In response, Mr. Billingsley stated that he doesn't know who owns the property and he doesn't know if they live in Oklahoma.

Mr. Covey stated that this application will be reviewed by the Public Works Department and they will know about this discussion while reviewing.

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

**TMAPC Action; 9 members present:**

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

11. **BlueFlame 47 Addition:** Preliminary Plat, Location: East of South Garnett Road, south of East 171<sup>st</sup> Street South, (County)

**STAFF RECOMMENDATION:**

This plat consists of one lot, one block on 37.97 acres.

The following issues were discussed August 7, 2014, at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned AG (agricultural) with a Special Exception (CBOA 02497) to allow a church use. Lot splits will be needed as this plat is for a parcel in the entire tract.
2. **Streets:** Right-of-way width varies and should be called out at both east and west property line. Provide reference for the right-of-way dedication.
3. **Sewer:** No comment.
4. **Water:** No comment.
5. **Storm Drainage:** Floodplains should be placed in an overland drainage easement. Any additional runoff directed to the ODOT right-of-way will need to be coordinated with them. Recommend that scenario be avoided. A LOMR (floodplain letter of Map Revision) will be required. (Entire parcel is susceptible to floodwater.)
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** No comment.
7. **Other: Fire:** This is outside the City of Tulsa. Responding fire department will need to release site for service.
8. **Other: GIS:** Scale is off slightly. Show all highways in Section 3.3.3. Need addresses for all lots Section 3.3.3. Need subdivision data control sheet Section 3.3.3.

Staff recommends **APPROVAL** of the preliminary subdivision plat with the TAC recommendations and the special and standard conditions listed below.

**Waivers of Subdivision Regulations:**

1. None requested.

**Special Conditions:**

1. The concerns of the County Engineer must be taken care of to his satisfaction.

**Standard Conditions:**

1. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
2. Water and sanitary sewer plans shall be approved by the Public Works Department prior to release of final plat. (Include language for W/S facilities in covenants.)
3. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures shall be borne by the owner(s) of the lot(s).
4. Any request for creation of a Sewer Improvement District shall be submitted to the Public Works Department Engineer prior to release of final plat.
5. Paving and/or drainage plans (as required) shall be approved by the Public Works Department.
6. Any request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Public Works Department.
7. A topography map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
8. Street names shall be approved by the Public Works Department and shown on plat.
9. All curve data, including corner radii, shall be shown on final plat as applicable.
10. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.
11. All adjacent streets, intersections and/or widths thereof shall be shown on plat.

12. It is recommended that the developer coordinate with the Public Works Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
13. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City/County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
14. The method of sewage disposal and plans therefor shall be approved by the City/County Health Department. [Percolation tests (if applicable) are required prior to preliminary approval of plat.]
15. The owner(s) shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type, size and general location. (This information to be included in restrictive covenants on plat.)
16. The method of water supply and plans therefor shall be approved by the City/County Health Department.
17. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
18. The key or location map shall be complete.
19. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.)
20. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
21. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
22. All other Subdivision Regulations shall be met prior to release of final plat.
23. All PUD standards and conditions shall be included in the covenants of the plat and adequate mechanisms established to assure initial and continued compliance with the standards and conditions.

24. Private streets shall be built to City or County standards (depending upon the jurisdiction in which the plat is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.

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

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

**TMAPC Action; 9 members present:**

On **MOTION** of **CARNES**, TMAPC voted **9-0-0** (Carnes, Covey, Dix, Fretz, Midget, Millikin, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Liotta, Reeds "absent") to **APPROVE** the preliminary plat for BlueFlame 47 Addition per staff recommendation, subject to special conditions and standard conditions.

\* \* \* \* \*

12. **Plat Waiver Z-7008-SP-6:** Location: East of Olympia Avenue, south of West 71<sup>st</sup> Street, Tulsa Hills, (CD-2)

**STAFF RECOMMENDATION:**

The platting requirement is being triggered by a corridor revision plan.

***Staff provides the following information from TAC for their August 7, 2014 meeting:***

**ZONING:** TMAPC Staff: The site is located in the Tulsa Hills plat.

**STREETS:** No comment.

**SEWER:** Sanitary sewer is available to the property.

**WATER:** Will the existing retaining walls adversely impact the site from obtaining water services from the 8 inch or 12 inch water main lines?

**STORMWATER:** No issue with the waiver. However, drainage will need to be discussed with Development Services staff early in the design phase.

**FIRE:** No comment.

**UTILITIES:** No comment.

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

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

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

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

	YES	NO
4. Is right-of-way dedication required to comply with Major Street and Highway Plan?		X
5. Would restrictive covenants be required to be filed by separate instrument if the plat were waived?		X
6. Infrastructure requirements:		
a) Water		
i. Is a main line water extension required?		X
ii. Is an internal system or fire line required?		X
iii. Are additional easements required?		X
b) Sanitary Sewer		
i. Is a main line extension required?		X
ii. Is an internal system required?		X
iii. Are additional easements required?		X
c) Storm Sewer		
i. Is a P.F.P.I. required?		X
ii. Is an Overland Drainage Easement required?		X
iii. Is on site detention required?		X
iv. Are additional easements required?		X
7. Floodplain		
a) Does the property contain a City of Tulsa (Regulatory) Floodplain?		X
b) Does the property contain a F.E.M.A. (Federal) Floodplain?		X
8. Change of Access		
a) Are revisions to existing access locations necessary?		X
9. Is the property in a P.U.D.?		X
a) If yes, was plat recorded for the original P.U.D.?		
10. Is this a Major Amendment to a P.U.D.?		X
a) If yes, does the amendment make changes to the proposed physical development of the P.U.D.?		
11. Are mutual access easements needed to assure adequate access to the site?		X

12. Are there existing or planned medians near the site which would necessitate additional right-of-way dedication or other special considerations?

X

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

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

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

**TMAPC Action; 9 members present:**

On **MOTION** of **WALKER**, TMAPC voted **9-0-0** (Carnes, Covey, Dix, Fretz, Midget, Millikin, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Liotta, Reeds "absent") to **APPROVE** the plat waiver for Z-7008-SP-6 per staff recommendation.

\* \* \* \* \*

13. **Z-7264 – CBC Builds, LLC/Harry D. Grande Sr.**, Location: East of South Madison Avenue between 38<sup>th</sup> Place and East 39<sup>th</sup> Street, Requesting rezoning from **RS-3 to RS-4**, (CD-9) (Continued from 5/21/14 and 6/18/14) (Applicant is requesting a continuance to December 3, 2014 in order to allow time for the pending legal process to conclude)

**STAFF RECOMMENDATION:**

The applicant is requesting a continuance to December 3, 2014.

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

**TMAPC Action; 9 members present:**

On **MOTION** of **MIDGET**, TMAPC voted **9-0-0** (Carnes, Covey, Dix, Fretz, Midget, Millikin, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Liotta, Reeds "absent") to **CONTINUE** Z-7264 to December 3, 2014.

\* \* \* \* \*



14. **39<sup>th</sup> and Madison** – Preliminary Plat, Location: West of South Peoria Avenue, between 38<sup>th</sup> Place and East 39<sup>th</sup> Street, (CD 9) (Request continuance to December 3, 2014 in coordination with rezoning approval.)

**STAFF RECOMMENDATION:**

The applicant is requesting a continuance to December 3, 2014.

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

**TMAPC Action; 9 members present:**

On **MOTION** of **MIDGET**, TMAPC voted **9-0-0** (Carnes, Covey, Dix, Fretz, Midget, Millikin, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Liotta, Reeds "absent") to **CONTINUE** the preliminary plat to December 3, 2014.

\* \* \* \* \*

15. **CZ-434 – Joseph Watt**, Location: Northeast corner of East 86<sup>th</sup> Street North and North Yale Avenue, requesting a rezoning from **RE/CS to CS**, (CD-1)

**STAFF RECOMMENDATION:**

**CONCEPT STATEMENT:**

The total parcel of land is approximately 12 acres. Portions of the parcel, along the north and east boundaries are currently zoned RE, with the remaining area zoned CS. This rezoning request reduces the amount of RE zoned area on this site, but does not request it to be removed completely. The expanded CS zoned area is intended to be used for mini-storage and retail space.

**SECTION I: Detailed Staff Recommendation**

CZ-434 is adjacent to existing CS zoned sites to the West and Southwest, and:

Expanded CS zoning is harmonious with the existing and expected development on the site and the existing surrounding properties, and;

The site is currently primarily zoned CS with this request expanding the CS zone 70 feet north and 40 feet west, therefore;

Staff recommends **APPROVAL** of CZ-434 for the rezoning from RE to CS

## SECTION II: Supporting Documentation

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

This site is outside the limits of the Comprehensive Plan in the City of Tulsa and was not included in the Tulsa Metropolitan Area Comprehensive Plan.

### DESCRIPTION OF EXISTING CONDITIONS:

Site Analysis: The subject property is approximately 12± acres in size and is located at the northeast corner of East 86<sup>th</sup> Street North and North Yale Avenue. The property appears to be vacant and is zoned RE/CS.

Surrounding Properties: The subject tract is abutted on the east by farm land, zoned RE; on the north by a single-family residence, zoned RE; on the south by a church, zoned AG/RE; and on the west by a single-family residence, zoned AG and vacant land, zoned CS.

### STREETS:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
North Yale Avenue	Secondary Arterial	100'	2
East 86 <sup>th</sup> Street North	Primary Arterial	120'	2

### UTILITIES:

The subject tract does not have municipal water and sewer available.

## SECTION III: Relevant Zoning History:

**ZONING RESOLUTION:** Resolution number 108292 dated December 10, 1984, established zoning for the subject property.

### ***Subject Property:***

**CZ-120 December 1984:** All concurred in approval of a request for rezoning an 80± acre tract of land from AG to 5 acres to CS and the remainder 75 acres to RE, for residential and commercial use, on property located on the northeast corner of E. 86<sup>th</sup> St. N. and N. Yale Ave., and also includes the subject property.

### ***Surrounding Property:***

**CZ-306 May 2002:** All concurred in rezoning a property from AG to CS for commercial use, on property located on the northwest corner of Highway 75 and E. 86<sup>th</sup> St. N.

**CZ-296 February 2002:** All concurred in approval of a request to rezone a 15± acre tract from AG to CS for commercial use, on property located south of southwest corner E. 86<sup>th</sup> St. and N. Yale Ave.

**CBOA-1321 January 19, 1995:** The Board of Adjustment approved a Special Exception to permit mini-storage use in a CS district, per plan submitted, subject to platting and building permit and subject to the installation of a 6' screening fence, on property located on the northwest corner of E. 86<sup>th</sup> St. N. and N. Yale Ave. and abutting across N. Yale Ave. from the subject property.

**CZ-214 July 1994:** A request to rezone a 4± acre tract of land from AG to CG for mini-storage use, on property located on the northwest corner of East 86<sup>th</sup> Street North and North Yale Avenue. All concurred in approval of rezoning to CS in the alternative.

**CZ-174 July 1989:** All concurred in approval of a request for rezoning a 254± acre tract of land from AG to RE for residential use, on property between E. 76<sup>th</sup> St. N. and E. 86<sup>th</sup> St. N. on both sides of U.S. Highway 75 and at the southeast corner of N. Yale Ave and E. 86<sup>th</sup> St. N..

**CZ-158 June 1987:** All concurred in approval of a request for rezoning a 12± acre tract of land from AG to CS for commercial use, on property located southwest corner of E. 86<sup>th</sup> St. N. and N. Yale Ave.

#### **INTERESTED PARTIES COMMENTS:**

**Samuel T. Slavens**, 5115 East 86<sup>th</sup> Street North, Owasso, 74055, stated that he lives east of the subject property. Mr. Slavens indicated that he has an organic farm and sells at the Farmer's Market in Owasso. Mr. Slavens expressed concerns with the paving of the subject property and causing stormwater to flow onto his garden space and everything that is on the pavement. This will cause him a great deal of problems to have this material running across his place. There should be a plan for holding ponds so that stormwater doesn't wash down onto his property. Mr. Slavens stated that to consider the RE for CS goes against the regulations that were in place when he purchased his property over 20 years ago.

#### **Applicant's Rebuttal:**

**Joseph Watt, C.J. Watt, Inc.**, 9936 East 55<sup>th</sup> Place, stated that the majority of the water will go west and not east. Mr. Watt explained that he will be changing the flow of the ground so that it can be drained to the existing culvert on North Yale and not drain back to Mr. Slavens's property. The RE lot is unusable and it is not possible to build a home on it because of the size of the lot. The RE lot will be used as a buffering zone with landscaping for the neighbors to the north and east. The RE lot is not being completely rezoned, but rather reduced to provide the buffer and to give his client the amount of property needed for his storage units. All stormwater is subject to review by the Tulsa County Engineer and he doesn't want to be a bad neighbor by dumping water.

**TMAPC COMMENTS:**

In response to Mr. Dix, Mr. Watt stated that the detention placement hasn't been decided at this time. Mr. Watt further stated that it will probably be in the south and west corners. Mr. Watt commented that he will be following the County guidelines and ordinances regarding the development of the subject property. Mr. Dix stated that he thought in good faith the applicant should have shown the placement of the detention on the conceptual site plan. Mr. Watt stated that he went through a number of site plans with the owner trying to get this out and inappropriately left it off. Mr. Dix stated that the TMAPC is not approving a site plan today, but that will come back through. Ms. Miller stated that this is a straight zoning and won't require a site plan. Mr. Dix stated that he has some problems here.

Mr. Midget stated that it looks as though the main entry for the storage facility will be up to the north near the residents in the subject area. Mr. Watts stated that is where the entry is located at this time. Mr. Midget indicated that it bothers him that the entry is up to the north near the residents. Mr. Midget stated that he feels that Mr. Watts did a great job with the buffering. Mr. Watts stated that he wanted the entry away from the intersection because it is not improved at this time and he didn't want traffic stacking up on the street trying to get in and out. Mr. Watts indicated that the intersection is a two-way stop north and south bound.

Mr. Dix stated that he would like to see a better site plan. Mr. Watts stated that he could have one in the next couple of days. Mr. Dix stated that it is needed at today's public meeting. Mr. Dix proposed that this case be continued until the next meeting. Mr. Dix expressed concerns with the impervious parking lot and retaining stormwater.

Ms. Miller stated that the next meeting is September 3, 2014. Ms. Miller stated that she knows that the Planning Commission knows this, but she just wanted to reiterate that since this is a straight rezoning, the conceptual site plan wasn't required to be submitted and there is no way to connect a site plan with a rezoning application. The drainage and how it will be handled and not allowed to drain onto other people's property are issues that will be dealt with during the platting process. Mr. Dix stated that he would be satisfied with the platting process to handle the drainage issues.

In response to Mr. Watts, Mr. Dix stated that he can't require over and above what the County requires. Mr. Dix further stated that he is happy with the platting process handling the drainage concerns. Mr. Dix stated that he will support the zoning, but will be critical on the plat.

Mr. Midget stated that he agrees with the zoning, but his main concern is the drive on Yale and Whirlpool being so close to the residents. In response to Mr. Watts, Mr. Midget stated that he doesn't know the best alternative, but it is a concern to him.

**Calvin Swindell**, 1506 South Harvard, Tulsa, 74112, stated that he owns the property to the south. He asked where the drainage will be going. In response, Mr. Dix stated that the platting will address the drainage and the direction of drainage.

Mr. Covey recognized Mr. Slavens.

Mr. Slavens stated that we are talking about something that has already been platted and drawn out. Mr. Slavens further stated that the residents should have a say in whether the residential lot is rezoned.

**TMAPC Action; 9 members present:**

On **MOTION** of **MILLIKIN**, TMAPC voted **9-0-0** (Carnes, Covey, Dix, Fretz, Midget, Millikin, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Liotta, Reeds "absent") to recommend **APPROVAL** of the CS zoning for CZ-434 per staff recommendation.

**Legal Description for CZ-434:**

Beginning at the Southwest corner of the Southwest Quarter (SW ¼) of Section 22, Township 21 North, Range 13 East; Thence Due North a distance of 628.00 feet; Thence N88°52'54"E a distance of 540.25 feet; Thence S01°19'36"E a distance of 628.18 feet; Thence N89°49'21"W a distance of 540.36 feet to the point of Beginning, said tract containing 339,409.06square feet or 7.791 acres, more or less, Tulsa County, State of Oklahoma.

\* \* \* \* \*

Mr. Wilkerson stated that he will be presenting Items 16 and 17 together.

- Z-7277 – Khoury Engineering, Inc.**, Location: Southeast corner of East 4<sup>th</sup> Street South and South Madison Avenue, requesting a rezoning from **CH to IL**, (CD-4)

**STAFF RECOMMENDATION:**

**DEVELOPMENT CONCEPT:**

The site is approximately 0.5 acre parcel of land located 1004 East 4<sup>th</sup> Street South and includes an existing building. The subject tract is zoned CH with an existing building that will contain microbrewery operations. The existing Zoning Code only allows a brewery (use

unit 26) in industrial areas and only contemplated large industrial scale breweries.

The site has approximately 140 feet of street frontage along East 4<sup>th</sup> Street and 154 feet of street frontage on South Madison Avenue. A zoning designation for IL without a PUD overlay allows uses that are objectionable to the neighborhood and are not completely consistent with the Downtown Neighborhood Vision of the Tulsa Comprehensive Plan. The only IL use allowed in the associated PUD is Use Unit 26 (Moderate Manufacturing) but limited to micro-brewery is consistent with the Comprehensive Plan for the area. The associated PUD will define a micro-brewery with a maximum output of 5,000 beer barrels annually. Any increase in production will require a PUD major amendment.

**DETAILED STAFF RECOMMENDATION:**

The applicants proposal is consistent with the Tulsa Comprehensive Plan, and;

The applicant's proposal is consistent with the goals of The 6<sup>th</sup> Street Infill (Pearl District) Small Area Plan and;

The IL zoning with the associated PUD development standards are consistent with the anticipated growth and future uses in this area, and;

The IL zoning with development standards identified in the associated PUD are non-injurious to the existing proximate neighborhood, therefore;

Staff recommends **APPROVAL** of Z-7277 to rezone property from CH to IL with a PUD overlay.

**SECTION II: Supporting Documentation**

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: The rezoning with a PUD overlay request is consistent with the Land Use and Growth and Stability vision identified for this area in the Tulsa Comprehensive Plan. The Downtown neighborhood vision anticipated former warehousing and manufacturing areas that are evolving into areas where people both live and work. The IL zoning with a PUD overlay will allow that to happen by continuing to provide uses allowed in the original CH zoning district while adding a microbrewery use to the location. The PUD will allow single-family, townhouse,*

*multifamily and many office, business dining and shopping opportunities. The underlying IL zoning request would not be appropriate without the PUD overlay.*

Land Use Vision:

*Land Use Plan map designation:*

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

*Areas of Stability and Growth map designation:*

The entire site is part of 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:* East 4<sup>th</sup> Street South is a Commercial CBD collector with 4 lanes of traffic. The anticipated vision of this type street could include on street parking.

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

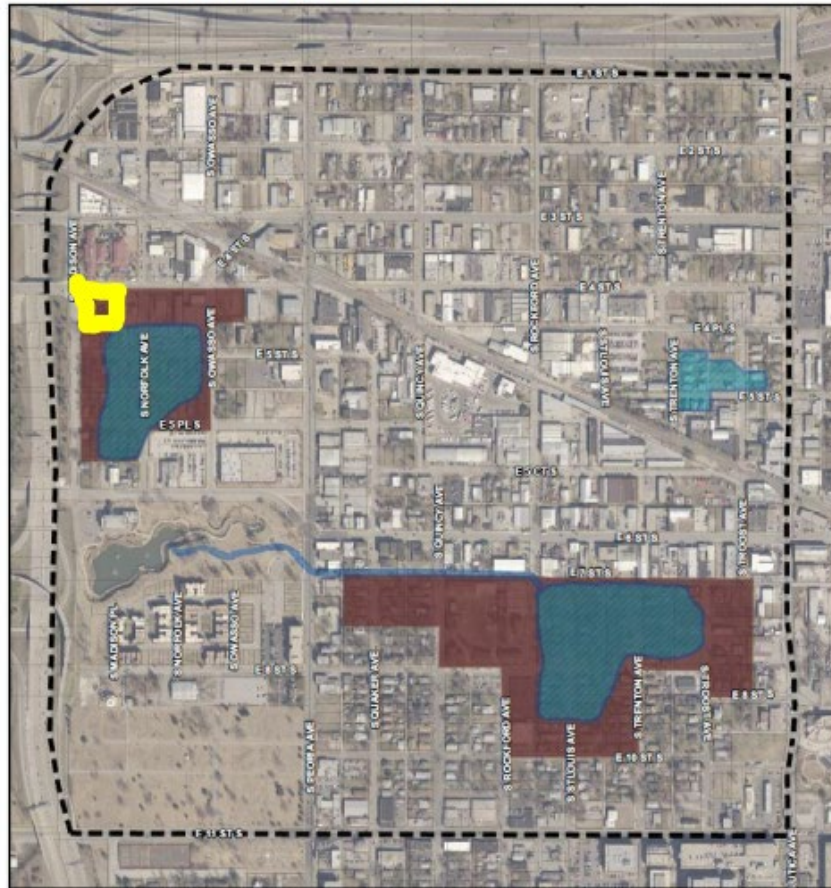
Small Area Plan: (The 6<sup>th</sup> Street Infill/Pearl District Small Area Plan)

*Staff Comment: The anticipated development for this site includes a re-use of an existing building. The associated PUD removes future redevelopment obstacles such as building setbacks, excessive parking requirements and provides opportunities for future building expansions that are consistent with the vision for The 6<sup>th</sup> Street Infill (Pearl District) Small Area plan. During future redevelopment staff will have the opportunity to encourage that style of development during detailed site plan review.*

The 6<sup>th</sup> Street Infill (Pearl District) Small Area Plan. The Small Area Plan considers this area a redevelopment subarea and is north of a planned flood control area. The vision for the Small Area Plan includes high-quality new development successfully integrated into the neighborhood. The goals include high density housing, mixed use development and complements and enhances the existing neighborhood. Infill development in these kinds of neighborhoods needs to reflect those traits.



## 16.6. Redevelopment Subareas



Around the new flood control parks and in the vicinity of the Metropolitan Tulsa Transit “bus barn” area at 5<sup>th</sup> Place and Quincy Avenue, there are extraordinary opportunities for higher density redevelopment. The 6<sup>th</sup> Street Task Force would like to see high-quality new development successfully integrated into this neighborhood.

Special District Considerations: There are no special district considerations for this site.

Historic Preservation Overlay: This site is not part of a Historic Preservation Overlay.

### DESCRIPTION OF EXISTING CONDITIONS:

*Staff Summary:* The existing single story metal building was formerly an automotive repair facility and can be reused for a micro brewery. The surrounding properties are a wide variety of residential, commercial and community service facilities. The site is within the freeway corridor and an existing outdoor advertising site is located above the existing building.

Environmental Considerations: There are no environmental considerations beyond the flood considerations that are part of The 6<sup>th</sup> Street Infill (Pearl District) Small Area Plan

Streets:

<u>Existing Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Madison Avenue	None	50 feet	2
East 4 <sup>th</sup> Street South	Commercial/C BD Collector	80 feet	4

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

Surrounding Properties: The subject tract is abutted on the east by commercial property, zoned CH; on the north by Youth Services, zoned CH with a Special Exception granted by the Board of Adjustment; on the south by single family residential, zoned RM-2; and on the west by Highway 75 with an underlying zoning of RS-3.

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

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

#### ***Subject Property:***

**BOA-13654 July 11, 1985:** The Board of Adjustment denied a Variance of the 1200' spacing between outdoor advertising signs to 960' to permit an existing sign in a CH district; finding that the applicant did not demonstrate a hardship, on property located at 1004 E. 4<sup>th</sup> St. and also known as the subject property. The case was appealed to District Court and was overturned by the judge (CJ8-5-4884).

#### ***Surrounding Property:***

**BOA-18040 May 26, 1998:** The Board of Adjustment approved a Special Exception to permit an emergency and protective shelter, Youth Services of Tulsa, in a CH and IM district, on property located on the southeast corner of E. 3<sup>rd</sup> St. and S. Madison Ave.

Item 16 and 17 are related:

17. **PUD-817 – Khoury Engineering, Inc.,** Location: Southeast corner of East 4<sup>th</sup> Street South and South Madison Avenue, requesting a **PUD** for uses allowed in a CH district and Use Unit 26, but limited to a microbrewery, **CH to IL/PUD**, (CD-4)

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

Construct a Micro-Brewery. The site is approximately 0.5 acre parcel of land located 1004 E. 4<sup>th</sup> Street and includes an existing building. The subject tract is zoned CH with an existing building that will contain the brewery operations. The existing zoning code only allows a brewery (use unit 26) in industrial areas and only contemplated large industrial scale breweries.

The site has approximately 140 feet of street frontage along East 4<sup>th</sup> Street South and 154 feet of street frontage on South Madison Avenue. Use Unit 26 is limited to micro-brewery only. For the purpose of this PUD a micro-brewery is considered a brewery with a maximum output of 5,000 beer barrels annually. Any increase in production will require a PUD major amendment.

**PUD-817 DEVELOPMENT STANDARDS:**

This PUD shall be governed by the use and development regulations of the IL Districts of the Tulsa Zoning Code except as follows:

**DEVELOPMENT AREA A**

Gross Land Area: 33,030 SF (Incl. 30' ROW on Madison Ave. & 40' ROW on E. 4<sup>th</sup> Street)

Net Land Area: 21,601 SF (No ROW included)

Permitted Uses and accessory uses customarily incident to a principal use: Use Unit 1 (Area-wide uses); Use Unit 4 (Public Protection and Utility Facilities); Use Unit 11 (Offices, studios, and Support Services); Use Unit 12 (Eating Establishments, Other than Drive-ins; Use Unit 13 (Convenience Goods and Services); Use Unit 14 (Shopping Goods and Services); Use Unit 15 (Other Trades and Services); Use Unit 21 Business Signs, Outdoor Advertising); Use Unit 26 but limited to a micro-brewery with a production of less than 5,000 beer barrels annually. No outside storage of any kind allowed.

Net Development Area: 0.50 Acres (21,602 SF)

Maximum Building Floor Area: Not Applicable: Refer to height, building setback, landscape and parking standards.

Minimum Building Setbacks:

From existing street right of way on South Madison Ave.: 10  
FT

From existing street right of way on East 4<sup>th</sup> Street South: 10 FT

From South Boundary of the PUD: 5 FT

From the east lot lines of 4, 5 and the south 30 feet of Lot 6 block 15 Hodge Addition (PUD east edge): 0 FT

Maximum Building Height: 55 feet

Vehicular Parking: 9 parking spaces will be provided for the existing building of 7,200 SF; a total of 15 parking spaces will be provided for a maximum of 10,000 square feet of building floor area without regard to the building use. Additional building expansion over 10,000 square feet is not anticipated however if expansion exceeds that size no additional parking is required by this PUD.

**LANDSCAPING & SCREENING:**

A minimum of ten percent (10%) of the land area shall be improved as internal landscape open space. Landscape standards shall meet or exceed the minimum standards outlined in Landscape Chapter of the Tulsa Zoning Code.

The existing six-foot tall chain link fence shall be replaced with a six-foot tall wood screening fence along the entire length of the south property line.

**LIGHTING:**

Parking area light standards shall not exceed 20 feet in height and shall be equipped with deflectors directing the light downward and away from the south boundary of the property. Lighting shall be designed so that the light producing elements and the polished light reflecting elements of exterior lighting fixtures shall not be visible to a person standing within an adjacent residential area or street right-of-way.

**TRASH CONTAINERS:**

Outside trash containers shall be screened from the view from the residential area and roadways. The enclosure shall be constructed with wood, masonry, or a combination with a sufficient height to exceed the trash container. The door or doors to the enclosure shall be a steel frame with covering achieving opacity of 95%.

**SIGNS:**

Any signage within this PUD shall be limited as follows:

1. The existing billboard sign is subject to the use conditions for outdoor advertising signs in section 1221.F and section 804 of the Tulsa Zoning Code.
2. The name of the building or development will be attractively displayed in a horizontal fashion across the north, west or east face of the building.
3. Wall signs shall not exceed 15 square feet of display surface with a maximum of 3 wall signs allowed.
4. Projecting signs from the building toward the street are not allowed.
5. Neon signage, if desired, will be static and will not be used for any other purpose except for the Brewery.
6. Storefront windows may contain signs indicating: The name of the business or a logo, description of services or goods, and the hours of operation. Such signs will not contain in excess of twelve words plus the hour of operation, and the lettering size shall be at least 4" and not more than 6" in height.
7. No sign permits shall be issued for erection of a sign on a lot within the PUD until a detail sign plan for that lot has been submitted to the TMAPC and approved as being in compliance with the approved PUD development standards.
8. Flashing signs, changeable copy signs, running light or twinkle signs, animated signs, revolving or rotating signs with movement shall be prohibited.
9. No signage of any kind is allowed on the south side of the building.

**DETAIL SITE PLAN REVIEW:**

A Detailed Site Plan shall be approved by TMAPC prior to the issuance of a Building Permit. The applicant shall submit the Site Plan to INCOG and supply all information required.

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

**ACCESS AND CIRCULATION:**

Ingress and egress to the site will be from E. 4<sup>th</sup> Street South and South Madison Avenue.

**PEDESTRIAN ACCESS:**

Existing sidewalks along East 4<sup>th</sup> Street South and South Madison Avenue frontages shall be preserved, or reinstalled if damaged.

**PLATTING REQUIREMENTS:**

No building permit or zoning clearance permit shall be issued until that portion of the tract on which the permit is sought has been included within a subdivision plat, or plat waiver is submitted to and approved by the Planning Commission, and filed of record in the office of the County Clerk where the property is situated.

**EXPECTED SCHEDULE OF DEVELOPMENT:**

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

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

**DETAILED STAFF RECOMMENDATION:**

The applicants proposal is consistent with the Tulsa Comprehensive Plan, and;

The applicant's proposal is consistent with the provisions of the PUD chapter of the Tulsa Zoning Code, and;

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

The applicant's proposal is consistent with the goals of The 6<sup>th</sup> Street Infill (Pearl District) Small Area Plan and;

The development standards identified in this PUD are non-injurious to the existing proximate neighborhood, therefore;

Staff recommends **APPROVAL** of PUD-817 as outlined in Section I above.

## **SECTION II: Supporting Documentation**

### **RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

*Staff Summary: The PUD request is consistent with the Land Use and Growth and Stability vision identified for this area in the Tulsa Comprehensive Plan. The Downtown neighborhood vision anticipated former warehousing and manufacturing areas that are evolving into areas where people both live and work. This PUD will allow that to happen by continuing to provide uses allowed in the original CH zoning district while adding a microbrewery use to the location. The PUD will allow various office, business dining and shopping opportunities. The underlying IL zoning request would not be appropriate without the PUD overlay.*

### **Land Use Vision:**

#### *Land Use Plan map designation:*

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

#### *Areas of Stability and Growth map designation:*

The entire site is part of 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:* East 4<sup>th</sup> Street South is a Commercial CBD collector with 4 lanes of traffic. The anticipated vision of this type street could include on street parking.

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

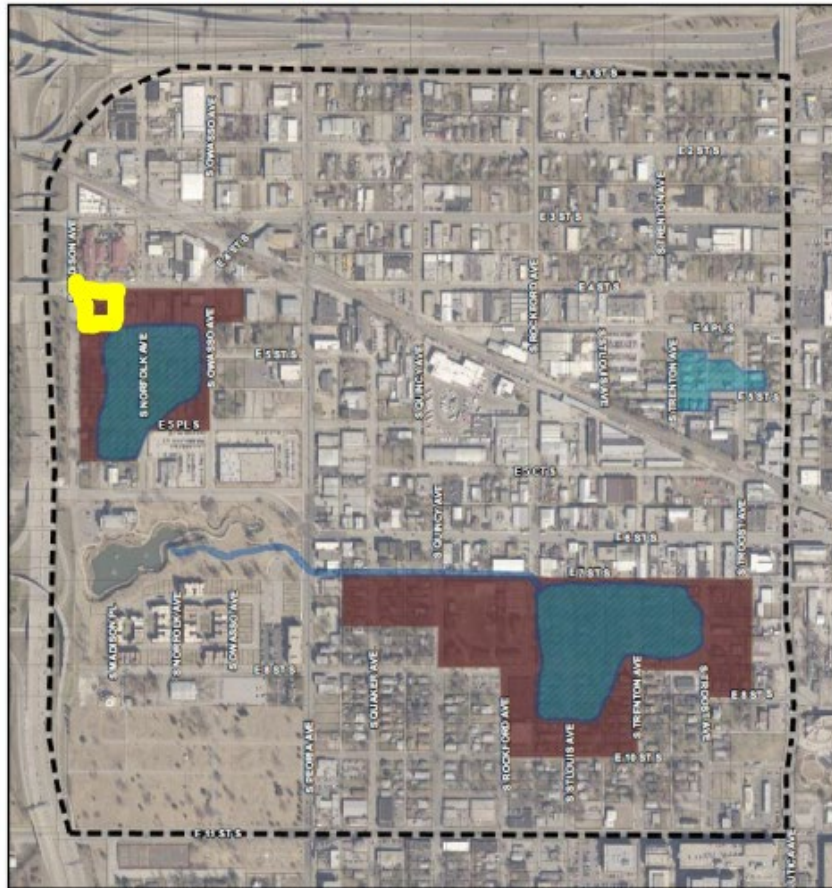
Small Area Plan: (The 6<sup>th</sup> Street Infill/Pearl District Small Area Plan)

*Staff Comment:* The anticipated development for this site includes a re-use of an existing building. The PUD removes future redevelopment obstacles such as building setbacks, excessive parking requirements and provides opportunities for future building expansions that are consistent with the vision for The 6<sup>th</sup> Street Infill (Pearl District) Small Area plan. During future redevelopment staff will have the opportunity to encourage that style of development during detailed site plan review.

The 6<sup>th</sup> Street Infill (Pearl District) Small Area Plan. The Small Area Plan considers this area a redevelopment sub area and is north of a planned flood control area. The vision for the Small Area Plan includes high-quality new development successfully integrated into the neighborhood. The goals include high density housing, mixed use development and complements and enhances the existing neighborhood. Infill development in these kinds of neighborhoods needs to reflect those traits.



## 16.6. Redevelopment Subareas



Around the new flood control parks and in the vicinity of the Metropolitan Tulsa Transit “bus barn” area at 5<sup>th</sup> Place and Quincy Avenue, there are extraordinary opportunities for higher density redevelopment. The 6<sup>th</sup> Street Task Force would like to see high-quality new development successfully integrated into this neighborhood.

Special District Considerations: There are no special district considerations for this site.

Historic Preservation Overlay: This site is not part of a Historic Preservation Overlay.

### DESCRIPTION OF EXISTING CONDITIONS:

*Staff Summary: The existing single story metal building was formerly an automotive repair facility and can be reused for a micro brewery. The surrounding properties are a wide variety of residential, commercial and community service facilities. The site is within the freeway corridor and an existing outdoor advertising site is located above the existing building.*

Environmental Considerations: There are no environmental considerations beyond the flood considerations that are part of The 6<sup>th</sup> Street Infill (Pearl District) Small Area Plan

Streets:

<u>Existing Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Madison Avenue	None	50 feet	2
East 4 <sup>th</sup> Street South	Commercial/ CBD Collector	80 feet	4

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties: The subject tract is abutted on the east by commercial property, zoned CH; on the north by Youth Services, zoned CH with a Special Exception granted by the Board of Adjustment; on the south by single family residential, zoned RM-2; and on the west by Highway 75 with an underlying zoning of RS-3.

**SECTION III: Relevant Zoning History:**

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

***Subject Property:***

**BOA-13654 July 11, 1985:** The Board of Adjustment denied a Variance of the 1200' spacing between outdoor advertising signs to 960' to permit an existing sign in a CH district; finding that the applicant did not demonstrate a hardship, on property located at 1004 E. 4<sup>th</sup> St. and also known as the subject property. The case was appealed to District Court and was overturned by the judge (CJ8-5-4884).

***Surrounding Property:***

**BOA-18040 May 26, 1998:** The Board of Adjustment approved a Special Exception to permit an emergency and protective shelter, Youth Services of Tulsa, in a CH and IM district, on property located on the southeast corner of E. 3<sup>rd</sup> St. and S. Madison Ave.

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

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

**TMAPC Action; 9 members present:**

On **MOTION** of **CARNES**, TMAPC voted **9-0-0** (Carnes, Covey, Dix, Fretz, Midget, Millikin, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Liotta, Reeds "absent") to recommend **APPROVAL** of the IL zoning for Z-7277 per staff recommendation.

**TMAPC Action; 9 members present:**

On **MOTION** of **CARNES**, TMAPC voted **9-0-0** (Carnes, Covey, Dix, Fretz, Midget, Millikin, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Liotta, Reeds "absent") to recommend **APPROVAL** of PUD-817 per staff recommendation.

**Legal Description for Z-7277/PUD-817:**

N 1/2 LT 4 ALL LT 5 & S. 30 LT 6 BLK 15; S1/2 LT 4 BLK 15, HODGE ADDN, City of Tulsa, Tulsa County, State of Oklahoma.

\*\*\*\*\*

Mr. Fretz recused himself from Item 18 and left the room at 2:11 p.m.

- 18. **PUD-816 – Sisemore Weisz & Associates/Mark Capron**, Location: South of southeast corner of South 177<sup>th</sup> East Avenue and East 41<sup>st</sup> Street South, Requesting PUD to increase the maximum front yard coverage for surface parking from 36% in RS-4 zoned property to 45%, a large common area has been provided to mitigate this request, **RS-3/RS-4 to RS-3/RS-4/PUD-816**, (CD-6) (Continued from 7/23/14)

**STAFF RECOMMENDATION:**

**DEVELOPMENT CONCEPT:**

Cypress Creek West is a proposed single-family subdivision in east Tulsa, situated approximately ¼ mile south of E. 41<sup>st</sup> St. S. on the east side of S. 177<sup>th</sup> Ave. E. (S. Lynn Lane Rd.). Immediately south of the subject property are the developed, RS-3 zoned single-family subdivisions of Stonegate I & II, while developed, RS-3 and RS-4 zoned subdivisions of Oak Ridge Park and Cypress Creek are immediately north and east of the subject property. Exhibit "A" within this report illustrates the location of Cypress Creek West relative to the surrounding subdivisions cited above.

Cypress Creek West proposes development of approximately 308 single-family homes on RS-4 zoned lots, with development to occur in two phases upon the overall approximate 80-acre site, as conceptually illustrated on Exhibit "B" of this report. As is the case with several other previously approved and developed single-family subdivisions in this area, a PUD application is proposed for the primary purpose of allowing a greater percentage of the front yard area to be covered with an all-weather

surface material, versus current zoning code allowances. With approval of this PUD application, current market demands of 3-car garages with supporting additional-width driveways can be met for many of the proposed homes within the development, which greatly reduces the need for on-street parking throughout the subdivision. To offset the front-yard coverage increase request, a minimum 5% of the net land area within the overall two-phase subdivision will be utilized and dedicated for common-area use, as conceptually presented upon Exhibit "C" of this report, which shall benefit the overall development community.

Utilities:

Regarding utility services for the Cypress Creek West development project, all necessary utilities are either presently upon or adjacent to the subject site. Extension of required utilities to serve each of the proposed lots within the subdivision shall occur, and shall be closely coordinated with city staff and all franchise utility service providers during subdivision platting efforts of the property.

With approval of this PUD application, a desirable new residential community shall be designed and constructed to meet the needs of an expanding population in this easterly region of the City of Tulsa.

**PUD-816 DEVELOPMENT STANDARDS:**

LAND AREA (GROSS): 82.767 Acres (3,605,343 SF +/-)

LAND AREA (NET): 81.140 Acres (3,534,465 SF +/-)

EXISTING ZONING: RS-4

PROPOSED ZONING: PUD 816/RS-4

PERMITTED USES: Uses permitted as a matter of right in RS-4 zoning districts, including customary accessory uses allowed per the City of Tulsa zoning code.

MAXIMUM NUMBER OF LOTS ALLOWED (LOT YIELD, WITH PUD):  
534

MAXIMUM NUMBER OF LOTS PROPOSED: 327

MINIMUM LOT WIDTH: 50 feet (See note 1 below)

MINIMUM LOT AREA: 5,500 SF

MINIMUM LIVABILITY SPACE REQUIRED (PER LOT): 2,000 SF

**MINIMUM BUILDING SETBACKS:**

Front yard abutting a public street:	20 FT
Rear yard abutting a public street:	25 FT
Rear yard not abutting a public street:	20 FT
Side yard abutting a public street:	15 FT (See note 2 below)
Side yards not abutting a public street:	5 FT

**MAXIMUM BUILDING HEIGHT:** 35 Feet (See note 3 below)

**MAXIMUM FRONT YARD COVERAGE BY PARKING:** 45%

**OTHER BULK AND AREA REQUIREMENTS:** Per City of Tulsa Zoning Code standards.

**NOTES:**

- 1. As measured from the building setback line for lots fronting cul-de-sacs, eyebrows, courts, or other nonlinear street frontages. All other lots shall maintain a minimum 35 feet of lot frontage at the street right-of-way limit.*
- 2. For side yard areas which abut a public street, a minimum 20' building setback shall be required for such side yards in which a garage shall be accessed from.*
- 3. Architectural features may extend a maximum of five (5) feet above the maximum permitted building height.*
- 4. The subdivision and lot area boundaries shown on the exhibits within this report are conceptual in nature and minor reconfiguration of such boundaries shall be permitted during the subdivision platting and approval process.*

**Access and Circulation:**

Regarding site accessibility and circulation, the principle vehicular entrance into the subdivision shall be from S. 177<sup>th</sup> Ave. E. (S. Lynn Lane Ave.), with street connectivity to existing stub streets within the abutting Stonegate I & II subdivisions to the south; and Oak Ridge Park to the north. Installation of sidewalks along the full S. 177<sup>th</sup> Ave. E frontage of the property shall also occur during the Phase I build-out of the subdivision, and each lot builder is required to construct sidewalks along the full street frontage(s) of each respective lot within the proposed Phase I & II subdivision developments.

**PEDESTRIAN ACCESS:**

Sidewalks will be provided throughout the subdivision. Sidewalks are required on both sides of the public streets. Sidewalks will be constructed by the developer adjacent to any Reserve Areas and in the street right of

way along South Lynn Lane (South 177<sup>th</sup> East Avenue). The developer may construct sidewalks elsewhere or each lot builder may construct sidewalks meeting City of Tulsa standards on all street frontages prior to receipt of an occupancy permit.

**PLATTING REQUIREMENT:**

The overall project site shall be included within a subdivision plat, or plats, submitted to and approved by the Tulsa Metropolitan Area Planning Commission (TMAPC) and the Tulsa City Council, and duly filed of record in the Tulsa County Clerk's office.

**EXPECTED SCHEDULE OF DEVELOPMENT:**

It is the intent of the owner / developer to commence initial site grading activity for the Phase I development area following zoning and preliminary plat approvals and acquisition of an Earth change Permit. Following receipt of other required project plan and permit approvals from the city, and recording of the required subdivision plat, it is anticipated that the Phase I construction efforts will commence in fall, 2014. Phase II subdivision platting and development efforts are anticipated to occur within one to two years following full approvals of the Phase I development, subject to Phase I build-out and prevailing market conditions.

**NEIGHBORHOOD IDENTIFICATION SIGN, FENCING AND LIGHTING:**

One identification sign may be erected on the arterial street frontage (S.177<sup>th</sup> East Avenue). The sign shall not exceed two tenths (2/10) of a square foot of display surface area per lineal foot of arterial street (S. 177<sup>th</sup> East Avenue) frontage; provided that in no event shall the sign be restricted to less than thirty-two (32) square feet nor permitted to exceed one hundred fifty (150) square feet of display surface area. The sign shall not exceed twenty (20) feet in height and illumination if any shall be by constant light.

Sign plan approval is required through the Planning Commission staff. A public hearing is not required for sign plan approval.

Fencing or screening walls for all lots abutting the street right of way on South 177<sup>th</sup> East Avenue will be maintained by a homeowners association and will be located in a fence easement or reserve area.

**DETAILED STAFF RECOMMENDATION:**

PUD-816 is consistent with the PUD chapter of the Zoning Code, and;

The PUD is consistent with the vision outlined in the Land Use Plan and Area of Growth map in the Comprehensive Plan, and;

This project is consistent with the anticipated growth pattern of the area, and;

The staff recommendation is not an endorsement of the conceptual plan, and the final plat will satisfy the detailed site plan requirements in a single family residential PUD, therefore;

Staff recommends **APPROVAL** of PUD-816 as outlined in Section I above.

## **SECTION II: Supporting Documentation**

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

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

*The internal street system is provided throughout the subdivision in a classic grid system similar to the examples in the comprehensive plan however the long straight streets may present a potential speeding problem. Alternate street alignments will be considered in the plat process and will not require PUD revisions if changes are made to the plan contained in this report.*

*The connectivity is limited on the north and south to match existing stub streets. On the east side of the subdivision there is only one feasible stub street that will connect to future development.*

### Land Use Vision:

Land Use Plan map designation: New Neighborhood

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

Areas of Stability and Growth map designation: Area of Growth

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

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

Transportation Vision:

Major Street and Highway Plan: South 177<sup>th</sup> East Avenue is a secondary arterial street. There are no multi modal overlays for the street at this location.

Trail System Master Plan Considerations: There are no trail system considerations at this location.

DESCRIPTION OF EXISTING CONDITIONS:

*Staff Summary: The site is surrounded by single family residential development in all directions except half of the north side of the project. That portion of the surrounding property is zoned RS-3 but not yet developed.*

Environmental Considerations: None that will affect site development with the exception that storm water detention will require significant green space that is planned to be part of the green space for the neighborhood.

Utilities:

The subject tract has municipal water and sewer available.



Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South 177 <sup>th</sup> East Avenue	Secondary Arterial	100 feet	2

Surrounding Properties: The subject tract is abutted on all sides by RS-3 single family residential property. The east property is also abutted by RS-4 single family residential zoned but undeveloped property.

**SECTION III: Relevant Zoning History:**

**ZONING ORDINANCE:** Ordinance number 21229 dated January 30, 2006, established zoning for the subject property.

***Subject Property:***

**Z-7006 January 2006:** All concurred in approval of a request to rezone an 80± acre tract from RS-3 to RS-4 for residential purposes located south of the southeast corner of East 41<sup>st</sup> Street South and South 177<sup>th</sup> East Avenue and also known as the subject property.

***Surrounding Property:***

**PUD-779 November 2010:** All concurred in approval of a proposed Planned Unit Development on a 57± acre tract of land for a single-family development that allows for 28 foot driveways in the required front yard, subject to the approval of the Board of Adjustment, on property located south of southwest corner of East 41<sup>st</sup> Street and South 177<sup>th</sup> East Avenue.

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

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

**Z-6999 September 2005:** All concurred in approval of a request to rezone a ninety-acre tract abutting the subject property on the east from RS-3, AG, OL and CS to RS-4 for single-family development.

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

**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** (Carnes, Covey, Dix, Midget, Millikin, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Fretz, Liotta, Reeds "absent") to recommend **APPROVAL** of PUD-816 per staff recommendation.

**Legal Description for PUD-816:**

A TRACT OF LAND THAT IS PART OF THE NORTHWEST QUARTER (NW/4) OF SECTION TWENTY FIVE (25), TOWNSHIP NINETEEN (19) NORTH , RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT OF LAND BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER (NW/4) OF SECTION TWENTY FIVE (25); THENCE NORTH 01°19'46" WEST ALONG THE WESTERLY LINE OF THE NORTHWEST QUARTER OF SECTION 25 FOR 1417.58 FEET TO A POINT THAT IS 100.00 FEET NORTHERLY OF THE NORTHERLY LINE OF THE SOUTHWEST QUARTER (SW/4) OF THE NORTHWEST QUARTER (NW/4) OF SAID SECTION TWENTY-FIVE (25); THENCE NORTH 88°38'02" EAST PARALLEL WITH AND 100.00 FEET NORTHERLY OF SAID NORTHERLY LINE FOR 1317.66 FEET TO A POINT ON THE WESTERLY LINE OF OAK RIDGE PARK SUBDIVISION, A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA; THENCE SOUTH 01°21'58" EAST ALONG SAID WESTERLY LINE FOR 100.00 FEET TO THE SOUTHWEST CORNER OF SAID OAK RIDGE PARK SUBDIVISION; THENCE NORTH 88°38'02" EAST ALONG THE SOUTHERLY LINE OF OAK RIDGE PARK SUBDIVISION FOR 1317.91 FEET TO THE SOUTHEAST CORNER OF SAID OAK RIDGE PARK SUBDIVISION ALSO BEING A POINT ON THE WESTERLY LINE OF CYPRESS CREEK SUBDIVISION, A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA; THENCE SOUTH 01°20'22" EAST ALONG SAID WESTERLY LINE ALSO BEING THE EASTERLY LINE OF THE NORTHWEST QUARTER OF SECTION 25 FOR 1318.16 FEET TO THE NORTHEAST CORNER OF STONEGATE II, A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA; THENCE SOUTH 88°38'47" WEST ALONG THE NORTHERLY LINE OF SAID STONEGATE II AND THE NORTHERLY LINE OF STONEGATE, A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, FOR 2635.86 FEET TO POINT OF BEGINNING OF SAID TRACT OF LAND. THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 3605343 SQ. FT. OR 82.767 ACRES, MORE OR LESS, City of Tulsa, Tulsa County, State of Oklahoma.

Mr. Fretz in at 2:14 p.m.

19. **PUD-683-A – Eller & Detrich/Andrew A. Shank**, Location: Southwest corner of North Yale Avenue and East 136<sup>th</sup> Street North, Requesting a PUD Abandonment to allow construction of an outdoor advertising sign on an IL property, **IL/PUD-683 to IL/PUD-683-A**, (County), (Continued from 7/23/14 and 8/6/14)

**STAFF RECOMMENDATION:**

Mr. Wilkerson stated that this would be the third request for a continuance by the applicant. He has requested a continuance to September 17, 2014.

Mr. Wilkerson described the surrounding properties and history on the subject property. Mr. Wilkerson indicated that the applicant wants to build a billboard on the subject site.

Mr. Wilkerson stated that he doesn't have a problem with the continuance request, but if the Planning Commission is not supportive of the continuance the applicant would like to withdraw the application.

**TMAPC COMMENTS:**

Mr. Dix asked if the applicant is proposing to remove the propane tank. In response, Mr. Wilkerson answered negatively.

Mr. Wilkerson stated that there are issues he has been discussing with the applicant regarding requirements that never happened within the PUD, such as a paved parking lot, landscaping, and berming that were required.

Mr. Dix stated that he would move to deny the application. Mr. Midget stated that the applicant would rather withdraw the application rather than have it denied.

Discussion ensued regarding the email from the applicant requesting a withdrawal of the application if the continuance was not approved.

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

**TMAPC Action; 9 members present:**

On **MOTION** of **CARNES**, TMAPC voted **9-0-0** (Carnes, Covey, Dix, Fretz, Midget, Millikin, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Liotta, Reeds "absent") to **DENY** the continuance request and accept the applicant's withdrawal.

**OTHER BUSINESS**

20. **PUD-206-C-3, Claude Neon Federal Signs, Robert Dail, Refund Request:** During review of the applicant's request Staff determined that the minor amendment is not necessary. Some work had already commenced and therefore staff recommends a partial refund in the amount of \$200.00.

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

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

**TMAPC Action; 9 members present:**

On **MOTION** of **MIDGET**, TMAPC voted **9-0-0** (Carnes, Covey, Dix, Fretz, Midget, Millikin, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Liotta, Reeds "absent") to **APPROVE** the refund of \$200.00 per staff recommendation for PUD-206-C-3.

\* \* \* \* \*

21. **Commissioners' Comments: None.**

\* \* \* \* \*

**TMAPC Action; 9 members present:**

On **MOTION** of **MIDGET**, TMAPC voted **9-0-0** (Carnes, Covey, Dix, Fretz, Midget, Millikin, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Liotta, Reeds "absent") to **ADJOURN** TMAPC meeting 2680.

**ADJOURN**


There being no further business, the Chair declared the meeting adjourned at 2:21 p.m.

Date Approved:

09-17-2014

  
Chairman

ATTEST:

  
Secretary