

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2685

Wednesday, November 5, 2014, 1:30 p.m.

City Council Chamber

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

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

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Monday, November 3, 2014 at 1:56 p.m., posted in the Office of the City Clerk, as well as in the Office of the County Clerk.

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

REPORTS:

Director's Report:

Ms. Miller reported on the TMAPC receipts for the month of September and stated that they are consistent with last September and August. Ms. Miller reported on the City Council agenda and actions taken. Ms. Miller mentioned the new Zoning Code update and the progress at this time.

In response to Mr. Covey, Ms. Miller stated that she understands that there are three proposals for outlet malls in Tulsa. Land Development staff hasn't had any communication with the two proposals in the East Tulsa area. Ms. Miller indicated that staff has met with the Simon Group for the proposed site at 61st and Highway 75 and they are continuing to move forward with their plans.

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1. **Minutes:**

Approval of the minutes of October 15, 2014 Meeting No. 2684

On **MOTION** of **LIOTTA**, the TMAPC voted 8-0-1 (Covey, Fretz, Liotta, Millikin, Reeds, Shivel, Stirling, Walker "aye"; no "nays"; Dix "abstaining"; Carnes, Midget "absent") to **APPROVE** the minutes of the meeting of October 15, 2014, Meeting No. 2684.

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CONSENT AGENDA

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

2. **LS-20702** (Lot-Split) (CD-6) – Location: Southwest corner of East Admiral Place and South 145th East Ave
3. **LS-20732** (Lot-Split) (County) – Location: East of the northeast corner of West Wekiwa Road and South 177th West Avenue (Related to LC-621)
4. **LC-621** (Lot-Combination) (County) – Location: East of the northeast corner of West Wekiwa Road and South 177th West Avenue (Related to LS-20732)
5. **LS-20734** (Lot-Split) (CD-9) – Location: South of the southeast corner of E 31st Street South and South Harvard Avenue (Related to LC-622)
6. **LC-622** (Lot-Combination) (CD-9) – Location: Southeast corner of East 31st Street South and South Harvard Avenue (Related to LS-20734)
7. **LS-20735** (Lot-Split) (County) – Location: Southwest corner of East 94th Street South and South 193rd East Avenue
8. **LS-20736** (Lot-Split) (CD-3) – Location: North of the northeast corner of East Seminole Street and North 105th East Avenue
9. **LS-20737** (Lot-Split) (County) – Location: East of the southeast corner of East 171st Street South and South Sheridan Road

10. **Nickel Creek Phase IV – Final Plat**, Location: Northeast corner of South Union Avenue and West 81st Street South, (CD-2)

STAFF RECOMMENDATION:

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

Staff has received release letters for this plat and can recommend **APPROVAL** of the final plat.

11. **PUD-814 – AAB Engineering, LLC/Alan Betchan**, Location: Southwest corner of East 49th Place and South Quaker Avenue, requesting a PUD Detail Site Plan for new multifamily apartments, **RM-2/PUD-814**, (CD-9)

STAFF RECOMMENDATION:

CONCEPT STATEMENT:

The applicant is requesting detail site plan approval on a 1.41 Acre site in a Planned Unit Development for new multifamily apartments including six, two story buildings.

PERMITTED USES:

Uses permitted by right (including all uses customary accessory thereto) within the following Use Units: Use Unit 1: Area Wide Uses; Use Unit 8: Multifamily Dwelling & Similar Uses. The proposed multifamily apartments are allowed as a matter of right.

DIMENSIONAL REQUIREMENTS:

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

ARCHITECTURAL GUIDELINES:

The new building meets all applicable architectural guidelines in the Planned Unit Development.

OFF-STREET PARKING AND VEHICULAR CIRCULATION:

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

LIGHTING:

Site lighting plans are not provided; however the site plan calls for lights 30 ft in height. Per the PUD development standards, this height exceeds the allowable height. No building mounted light fixtures will be placed greater than 20 feet above finished ground. All fixtures must be pointed down and away from residential zoned properties across a public street. Any pole mounted light will be limited to 15 feet above finished ground. All

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

SIGNAGE:

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

SITE SCREENING AND LANDSCAPING:

The open space, landscape area and screening are consistent with the Planned Unit Development requirements and meet the minimum standards of the Landscape portion of the Tulsa Zoning Code. 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 Quaker Avenue and East 49th Place. Internal circulation pathways are also shown to be provided on the site adjacent to the buildings.

MISCELLANEOUS SITE CONSIDERATIONS:

There are no concerns regarding the development of this area.

SUMMARY:

Staff has reviewed the applicant's submittal of the site plan as it relates to the approved **PUD-814**. The site plan submittal meets or exceeds the minimum requirements of the Planned Unit Development, with the exception of the light mounting height mentioned above. Staff finds that the uses and intensities proposed with this site plan are consistent with the approved Planned Unit Development, and the stated purposes of the Planned Unit Development section of the Zoning Code.

Staff recommends **APPROVAL** of the detail site plan for the proposed new Multifamily Apartments with the stipulation that building mounted light fixtures shall not exceed 20 feet above finished ground and pole mounted light fixtures shall not exceed 15 feet above finished ground.

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

12. **Z-7164-SP-1 – Cedar Creek Consulting/Jason Emmett**, Location: Southeast corner of West 81st Street South and Highway 75, requesting a Corridor Detail Site Plan for a new restaurant within a corridor district, **CO/Z-7164-SP-1**, (CD-2)

STAFF RECOMMENDATION:

CONCEPT STATEMENT:

The applicant is requesting detail site plan approval on a 1.62 Acre site in a Corridor District for a new restaurant including one, one story building.

PERMITTED USES:

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

DIMENSIONAL REQUIREMENTS:

The submitted site plan meets all applicable building height, floor area, density, open space, and setback limitations. No modifications of the previously approved Corridor 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. The plan illustrates a design that will meet the minimum standards outlined in the Corridor Plan and in the Zoning Code and shall be pointed down and away from adjacent property lines. All site lighting, including building mounted shall not exceed 35-feet in height. All site lighting shall be hooded and directed downward and away from the east and south boundaries of the project to the extent that light producing elements and reflectors will not be visible to a person

standing at ground level within abutting residential districts or residentially used property.

SIGNAGE:

The site plan illustrates new ground and 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:

Internal circulation pathways are also shown to be provided on the site adjacent to the building as well as a sidewalk connecting to the sidewalks along Olympia Avenue.

MISCELLANEOUS SITE CONSIDERATIONS:

There are no concerns regarding the development of this area.

SUMMARY:

Staff has reviewed the applicant's submittal of the site plan as it relates to the approved **Z-7164-SP-1**. 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 restaurant.

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

13. **PUD-815-1 – Costco Wholesale/Michael Okuma**, Location: Northwest corner of East 103rd Street & South Memorial Drive, requesting a PUD Minor Amendment to revise screening along the northern property line, **CS/PUD-815**, (CD-8)

STAFF RECOMMENDATION:

Amendment Request: Modify the PUD to revise the screening along the northern property line by removing 6 ft high masonry wall along Costco driveway, adding new 10 ft high masonry wall at Costco's northern property line behind 6 Village homes, remove low level shrubs between new 10 ft high wall and previously approved retaining wall.

Staff Comment: *This request can be considered a Minor Amendment as outlined by Section 1107.H.13 PUD Section of the City of Tulsa Zoning Code.*

“Modification to approved screening and landscaping plans provided the modification is not a substantial deviation from the original approved plan.”

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) The Village Home Owner's Association has expressed agreement with the proposed modifications.
- 3) All remaining development standards defined in PUD-815 shall remain in effect.

With considerations listed above, staff recommends **approval** of the minor amendment request to revise the screening along the northern property line.

14. **AC-132 – Flintco Companies, Inc./Jeremy Carlisle, ASLA**, Location: Northeast corner of East 51st at South Darlington Avenue, north of LaFortune Park, requesting an Alternative Compliance Landscape Plan in lieu of the irrigation requirement on the street yard, additional trees, gravel parking has been removed. Required trees will be irrigated with Gator Bags, **RM-3/RS-3**, (CD-5)

STAFF RECOMMENDATION:

The applicant is requesting TMAPC approval for an Alternative Compliance Landscape Plan for a renovation/expansion of the YMCA

facility, located at the northeast corner of East 51st at South Darlington Ave., north of LaFortune Park.

The landscape plan submitted does not meet the technical requirements of Chapter 10 of the code for the following reasons:

- 1) The required street yard is not irrigated as required by Section 1002.D.2.a of the Code.

In exchange for site development that would meet the provisions of the Landscape Chapter of the Tulsa Zoning Code noted above, the applicant has voluntarily agreed to provide the required street trees on all three frontages and irrigate with Gater Bags until the trees are established. Also the applicant has agreed to remove an existing gravel parking lot adjacent to the Fulton Street right-of-way. After pavement removal the applicant will add topsoil, fine grade, provide sod, remove railroad ties and repair the curb in Fulton where access to the parking area was provided.

Staff contends the applicant has met the requirement that the submitted Alternative Compliance Landscape Plan “be equivalent or better than” the technical requirements of Chapter 10 of the code and recommends **APPROVAL** of Alternative Compliance Landscape Plan AC-132.

15. **PUD-538-10 – Anita Ewing**, Location: Northeast corner of South Yale Avenue and East 101st Street South, requesting a PUD Minor Amendment to increase allowable wall signage area from 1 square foot per lineal foot to 1.5 square foot per lineal foot, **CS/PUD-538**, (CD-8)

STAFF RECOMMENDATION:

Amendment Request: Modify the PUD to increase the allowable wall signage area from 1 SF per lineal foot of building wall to 1.5 SF per lineal foot for Development Area A.

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

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

Staff has reviewed the request and determined:

- 1) The requested amendment does not represent a significant departure from the approved development standards in the PUD.

- 2) All remaining development standards defined in PUD-538 shall remain in effect.

With considerations listed above, staff recommends **approval** of the minor amendment request to increase the allowable wall signage area from 1 SF per lineal foot of building wall to 1.5 SF per lineal foot for Development Area A.

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** (Covey, Dix, Fretz, Liotta, Millikin Reeds, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Carnes, Midget "absent") to **APPROVE** the consent agenda Items 3 through 15 per staff recommendation.

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

COMPREHENSIVE PLAN PUBLIC HEARING:

16. **CPA-30 – Tulsa Engineering & Planning/Tim Terral**, Location: South of southeast corner of East Admiral Place and South 145th East Avenue, requesting amendment to The Comprehensive Plan for an Employment land use designation, **AG to IL**, (CD-6) (Resolution) (Related to Z-7284)

STAFF RECOMMENDATION:

The applicant has requested a continuance to December 3, 2014.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **DIX**, TMAPC voted **9-0-0** (Covey, Dix, Fretz, Liotta, Millikin, Reeds, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Carnes, Midget "absent") to **CONTINUE** CPA-30 to December 3, 2014.

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PUBLIC HEARINGS:

17. **Z-7284 – Tulsa Engineering & Planning/Tim Terral**, Location: South of southeast corner of East Admiral Place and South 145th East Avenue, requesting rezoning from **AG to IL**, (CD-6) (Related to CPA-30)

STAFF RECOMMENDATION:

The applicant has requested a continuance to December 3, 2014.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **DIX**, TMAPC voted **9-0-0** (Covey, Dix, Fretz, Liotta, Millikin, Reeds, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Carnes, Midget "absent") to **CONTINUE** Z-7284 to December 3, 2014.

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- 17.a.*LS-20728** (Lot-Split) (CD 2) – Location: Southeast corner of West 78th Street South and South Union Avenue. (Continued from 10/15/14)

STAFF RECOMMENDATION:

Mrs. Fernandez stated that this was heard at the last meeting. Mrs. Fernandez further stated that this was put on today's agenda because it was continued from the October 15, 2014. There is still a sewer issue and staff doesn't know if the subject property will need to be tied into the sewer. This decision will not be made until December or later. Mrs. Fernandez suggested striking this application from the agenda and then staff will bring it back to the TMAPC at a later date if it is viable. Mrs. Fernandez explained that there is not legal notice for this application if it doesn't require a waiver of the Subdivision Regulations.

In response to Mr. Covey, Ms. VanValkenburgh asked if the applicant would consider withdrawing this application.

Applicant's Comments:

Jay Menger, 7805 South Xenophon Avenue, 74132, stated that he owns the subject property. Mr. Menger stated that he is not dropping this application.

Mr. Covey explained that it has been suggested that Mr. Menger withdraw this application and once the issues are resolved, then it would be put back onto the agenda without any additional cost to the applicant. Mr. Menger indicated that would be acceptable to him.

Mr. Menger withdrew his application LS-20728 with the understanding that when the issues with the City sewer are resolved by the staff then it will be put back on the agenda for hearing.

Mr. John Southern stated that he would be in agreement with this if he is notified when this is rescheduled for hearing. Mr. Southern explained that he was not notified of the previous lot-split request.

Mrs. Fernandez stated that Mr. Southern is welcomed to call the office to find out the status and staff will also be happy to notify him.

Mr. Covey stated that Mr. Southern will be notified by staff.

TMAPC Action; 9 members present:

On **MOTION** of **DIX**, TMAPC voted **9-0-0** (Covey, Dix, Fretz, Liotta, Millikin, Reeds, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Carnes, Midget "absent") to **APPROVE** the withdrawal of LS-20728 and upon reapplication there will be no additional charge.

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18. **Oil Capital Heights** – Preliminary Plat, Location: North of East 4th Place South, East of South Memorial Drive, (CD 3)

STAFF RECOMMENDATION:

This plat consists of one lot, one block, on 25 acres.

The following issues were discussed September 18, 2014, at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned Planned Unit Development 820 pending, OL, CS, CH existing.
2. **Streets:** Right-of-way on 89th and 4th should be called out as "dedicated by plat" or reference provided such as book or page number. Provide 25 foot radius at intersection of 89th and 4th (note that 25 foot is required along 4th Place and 30 feet along 89th East Avenue). Use standard language for right-of-way dedication. Include sidewalk section.
3. **Sewer:** No comment.
4. **Water:** The extension of looped water mainline is proposed. Connecting to the existing dead end water mainline along South 85th East Avenue is required.

5. **Storm Drainage:** Review of Infrastructure Development Plan will determine acceptable drainage plan.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** Additional easements may be required especially around perimeter of property.
7. **Other: Fire:** Two remote access roads are required for this site per the International Fire Code 1009 edition, Section D104.3.
8. **Other: GIS:** Identify all subdivisions on location map. Legal description needs to match plat. Subdivision control data sheet is required.

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:

Sue Culbert, 3505 Crestview Lane, Catoosa, 74015, stated that she is here to speak to the noise and intrusion of lights from the trucks at the beverage distribution property. Ms. Culbert suggested that a solid concrete fence should be placed around the subject property.

Ms. VanValkenburgh called for a point of order. Ms. VanValkenburgh stated that the comments are not related to the platting of the property. Today the TMAPC is here to talk about the preliminary plat and the matters that Ms. Culbert are mentioning are things that were considered during the zoning process and that can be raised at the City Council when it comes up for hearing.

Carla Harrison, 8909 East 4th Street, 74112, stated that she lives across the street from the subject property. Ms. Harrison expressed concerns about the noise and lights. Ms. Harrison stated that there are a lot of children at Lindbergh Elementary School and she fears for their safety.

Mr. Covey advised Ms. Harrison that she needs to go before the City Council when this case is heard.

Mr. Watts stated that since he is here for the plat there is no need for rebuttal.

TMAPC Action; 9 members present:

On **MOTION** of **DIX**, TMAPC voted **9-0-0** (Covey, Dix, Fretz, Liotta, Millikin, Reeds, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Carnes, Midget "absent") to **APPROVE** the preliminary plat for Oil Capital Heights per staff recommendation.

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Mr. Wilkerson stated that he will present Items 19 and 20 together.

19. **Z-7285 – Eller & Detrich/Lou Reynolds**, Location: North of the northwest corner of South Sheridan Road and East 46th Street, Requesting rezoning from **OM to CS**, (CD-5) (Related to PUD-823)

STAFF RECOMMENDATION:

DEVELOPMENT CONCEPT: In Conjunction with PUD 823 the rezoning request will support WillSam Business Park which is a planned upscale business park for restaurants, retail, offices and small businesses that primarily depend on and service the midtown area.

DETAILED STAFF RECOMMENDATION:

In Conjunction with PUD-823 Z-7285 is consistent with the goals and vision of the Comprehensive Plan; and

The project is in harmony with the existing and expected development pattern of the surrounding area; therefore

Staff recommends **APPROVAL** of Z-7285 to rezone property from OM to CS in conjunction with PUD-823.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: Z-7285 request to rezone the site to CS in conjunction with PUD 823 is consistent with all aspects of the City of Tulsa Comprehensive Plan.

Land Use Plan map designation: Employment

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

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

Areas of Stability and Growth designation: 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: Secondary Arterial with a Multi Modal Overlay

Multi-modal streets emphasize plenty of travel choices such as pedestrian, bicycle and transit use. Multimodal streets are located in high intensity mixed-use commercial, retail and residential areas with substantial pedestrian activity. These streets are attractive for pedestrians and bicyclists because of landscaped medians and tree lawns. Multi-modal streets can have on-street parking and wide sidewalks depending on the type and intensity of adjacent commercial land uses. Transit dedicated lanes, bicycle lanes, landscaping and sidewalk width are higher priorities than the

number of travel lanes on this type of street. To complete the street, frontages are required that address the street and provide comfortable and safe refuge for pedestrians while accommodating vehicles with efficient circulation and consolidated-shared parking.

Streets on the Transportation Vision that indicate a transit improvement should use the multi-modal street cross sections and priority elements during roadway planning and design.

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The existing property was developed several decades ago as a 2 story office building complex. The buildings will be removed and replaced with a single story building mixed use project. There are no other significant existing conditions affecting the redevelopment of the site. A single family residential neighborhood abuts the project on the south. Significant considerations for the neighbors are included in the details of the PUD.

Environmental Considerations:

Stormwater drainage will be collected in inlets and underground pipes. Approximately the east 1/3 of the site will drain to the existing storm sewer in South Sheridan Road and the remainder will drain to the west, into a stormwater detention pond to be constructed in Lot 4.

The proposed and existing drainage is shown on Exhibit "F" – Drainage Plan.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Sheridan Road	Primary Arterial	120 feet	5

Utilities:

An existing eight-inch waterline serves the site however; the eight-inch waterline will need to be extended to loop through the west end of the site and north-south across the site at midway point.

This line will provide adequate fire coverage for the proposed lot configuration as well as allow domestic taps.

An existing eight-inch sanitary sewer line is located along the south boundary of the PUD. A new eight-inch sanitary sewer main will be extended from an existing manhole near the southwest corner of the PUD, east through the middle of the site.

The proposed and existing utilities are shown on Exhibit "E" – Utilities Plan.

Other utilities, including electricity, gas, telephone and cable television are currently available to the site.

Surrounding Properties: The subject tract is abutted on the east by South Sheridan Road, and then a little further, a large mixed use area, zoned IL; on the north by a car dealership, zoned CS; on the south and west a single-family residential area, zoned RS-3.

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 12357 dated January 27, 1972, established zoning for the subject property.

Subject Property:

BOA-15432 May 17, 1990: The Board of Adjustment **approved** a *Special Exception* to permit a nail salon (Use Unit 13) as an accessory use and as a principal use in, on property located at 4528 S. Sheridan Rd. and also known as part of the subject property.

Z-3989 January 1972: All concurred in approval of a request for rezoning a tract of land from RS-2/ RS-3/ OL to RD/ OM/ CS, on property located north and northwest of the northwest corner of S. Sheridan Rd and E. 46th St. and included the subject property.

Surrounding Property:

BOA-21005 January 12, 2010: The Board of Adjustment **approved** an *Amendment* to a condition of a previously approved *Special Exception* to change the limitation of Trade School use from an "automotive technical school" to permit general Use Unit 15 "trade school" uses in a CS district, on property located at 4444 S. Sheridan Rd.

BOA-20793 October 14, 2008: The Board of Adjustment **approved** a *Special Exception* to permit a trade school (automotive technical school – Use Unit 15) in a CS district (Section 701), subject to all revving of engines and other appreciable noise shall be inside the building; that the OM area to the west be screened from the R district with a solid board fence, and if a gate is installed it shall be locked; existing screening to be repaired and make a neat appearance; per plan as shown on page 13.6 of the agenda, on property located at 4444 S. Sheridan Rd.

BOA-15365 February 1, 1990: The Board of Adjustment **approved** a *Variance* of the maximum of one ground sign per lot of record to permit one additional ground sign, or a total of four ground signs only; and to **approve** a *Variance* to exceed the permitted square footage for signage; per sign plan submitted; subject to the applicant providing satisfactory evidence to the City Attorney's office that there is 445 ft. of street frontage on Sheridan Rd. before installing the sign, on property located at 4444 S. Sheridan Rd.

BOA-9709 October 20, 1977: the Board **approved** an *Exception* to use property for sale of new and used automobiles and related activities, subject to the property being platted, no access to the west, low lighting directed away from the office and duplex properties on the west, on property located at 4444 S. Sheridan Rd.

Items 19 and 20 are related:

20. **PUD-823 - Eller & Detrich/Lou Reynolds,** Location: North of the northwest corner of South Sheridan Road and East 46th Street, Requesting PUD to demolish existing buildings and construct single-story commercial and service center, **OM to CS/PUD**, (CD-5) (Related to Z-7285)

STAFF RECOMMENDATION:

APPLICANTS DEVELOPMENT CONCEPT:

WillSam Business Park has been planned as an upscale business park for restaurants, retail, offices and small businesses that primarily depend on and service the midtown area.

The Project is located on the west side of South Sheridan Road at the northwest corner of the intersection of East 46th Street South and South Sheridan Road. The Project is adjacent to and abuts the Park Plaza neighborhood on its south and west boundaries. The Project abuts commercial development on its north boundary.

The Concept Plan for WillSam Business Park is shown on Exhibit “A”.

Exhibit “B” is an aerial photograph indicating the land uses around the Project.

Along the South Sheridan Road frontage, development will most likely be for restaurant use. To ensure compatibility with the neighborhood to the south, no drive-in restaurants will be permitted and all drive-thru food ordering and pickup facilities will be set back from the south boundary of the Project. Behind this retail/commercial area along South Sheridan Road, WillSam Business Park will be developed as a “service center” for offices and small businesses. The service center building walls will include aluminum and glass store front and entry doors facing the north and south boundaries with stone and/or brick veneer on the lower front, side walls and EIFS on the front and side walls above the lower masonry band. Above the store front exteriors will be metal or fabric awnings and signage. The interior courtyard between the service center buildings will have EIFS and/or metal panels with metal sectional overhead doors for deliveries and metal exit doors. The remainder of the Project will be developed for stormwater detention and landscaping purposes.

Because of the proximity to the single family neighborhood to the south, buildings will be limited to one story and together with the use restrictions, building setbacks, landscaping and screening will ensure a compatible relationship with the residential neighborhood to the south and west of the Project.

Approximately 2.3 acres of OM – Office Medium Intensity District will need to be rezoned CS – Commercial Shopping Center District to provide the floor area for the proposed commercial activity.

PUD-823 DEVELOPMENT STANDARDS:

Land Area:

Gross:	6.92 acres	301,813 SF
Net Land Area:	6.54 acres	285,300 SF

Permitted Uses:

Principal uses permitted as allowed by right:

Use Unit 1, Area-Wide Uses by Right;

Limited to Stormwater Detention Facility, Open Space and Landscaping Buffer;

Use Unit 11, Offices, Studios and Support Services;

Use Unit 12, Eating Establishments other than Drive-Ins*, **;

* Eating establishments are only permitted within the east 400 feet of the project.

** Speakers or other similar communication systems for “drive-up” windows will not be allowed on the south, west or east face of any building within 125 feet of the south boundary of the Project. The actual pick up or delivery window may be placed on the south, west or east side but not within 30 feet of the south boundary of the Project.

Use Unit 13, Convenience Goods and Services;

Use Unit 14, Shopping Goods and Services; and

Use Unit 15, Other Trades and Services,

Trade Establishments Including Incidental Fabricating, Processing, Installation and Repair, but limited to:

Air Conditioning and Heating,
Carpeting,
Decorating,
Fence,
Glass,
Greenhouse,
Heating Equipment,
Jewelry Fabrication,
Offset Printing and Engraving,
Plastic Materials,
Plumbing Shop,
Reproduction Services,
Trades and Services, NEC,
Vending Machines, Sales and Services,

Service Establishments, including but not limited to:

Building Services including the following:

Disinfecting and Exterminating Services,
Janitorial Service and Window Cleaning,

Contract Construction Service,

Business Service but limited to:

Air Freight,

Armored Car Service and
Mail Service,

Personal Services but limited to:

Auctioneer,
Bindery,
Cabinet Maker,
Drapery Service,
Packaging of Manufactured Products,
Rug Cleaning,
Tool and Equipment Rental Center,
Woodworking Shop,

Repair Services, including but not limited to:

Business Machine Repair
Computer Repair
Data Processing Machine Repair
Electrical Repair Service
Furniture Repair
Household Major Appliance Repair
Lawnmower Repair
Re-upholstery
Rug Repair

Schools:

Barber
Beauty
Trade School, NEC

Uses Customarily Accessory to the Permitted Principle Uses including, but not limited to the following:

Warehousing and storage facilities for the storage, repair, service and distribution of the machines, equipment, products and supplies displayed and sold within the Project.

Maximum Building Floor Area: 62,600 SF

Maximum Building Height: 25 FT*

* Architectural Elements (elements extending above building roof line): 1) Within 300 FT from the centerline of South Sheridan Road, up to 35 FT for unoccupied architectural features shall be subject to Detail Site Plan approval; and (2) greater than 300 FT

from the centerline of South Sheridan Road, up to 30 FT for unoccupied architectural features shall be subject to Detail Site Plan approval.

Off-Street Parking:

As permitted by the applicable Use Unit of the Tulsa Zoning Code.

Minimum Building Setbacks:

From the north boundary:

Within 300 FT from the centerline of South Sheridan Road 0 FT

Greater than 300 FT from the centerline of South Sheridan Road: 50 FT

From the east boundary 10 FT

From the south boundary

Within 300 FT from the centerline of South Sheridan Road 30 FT

Greater than 300 FT from the centerline of South Sheridan Road 80 FT

From the west boundary 80 FT

Internal boundaries 0 FT

For purposes of calculating the street yard for landscape purposes, the building setback on South Sheridan Road shall be considered to be 50 FT.

Landscape Area:

A minimum of 10% of the total net area of each Lot shall be improved as internal landscape open space in accordance with the provisions of the Landscape Chapter of the Tulsa Zoning Code.

Signs:

1. Business Signs: A maximum of three (3) ground signs including the project identification sign will be allowed on the PUD frontage abutting South Sheridan Road. One (1) ground sign shall be permitted on each lot with frontage on South Sheridan Road with a maximum 150 SF of display surface area and 25 FT in height. All business signage will be subject to the provisions of the provisions of Section 1221.C of the Tulsa Zoning Code and the PUD Chapter of the Zoning Code except as noted below.
2. Wall signs:
 - A. Within 300 FT from the centerline of South Sheridan Road wall signs are permitted not to exceed 2 SF of display

surface area per linear building foot to wall to which attached. The length of wall signs shall not exceed 75% of the frontage of the building.

- B. Greater than 300 FT from the centerline of South Sheridan Road wall signs are not permitted to exceed 0.5 SF of display surface area per linear building foot of wall to which attached.
 - C. South facing wall signs within the PUD will not be internally lit and will not include electronic messaging display.
3. Project Signs: One (1) Project ground sign along South Sheridan Road may be used to advertise the businesses in the Project with a maximum of 330 SF of display surface area and 25 FT in height. The project sign will not be placed closer than 125 feet from the south boundary of the PUD.
4. Projecting Signs:
- A. Projecting signs may only be allowed on the service center buildings depicted on Conceptual Plan Exhibit A.
 - B. Projecting signs within 125 feet of the south boundary of the project will not be internally lit and will not include any electronic display.
 - C. Projecting signs will not exceed 48 square feet of display surface area and not be placed within 30 feet of any other projecting sign. The display surface area will be calculated based on one side of a double sided sign.
 - D. Projecting sign display surface area will be considered part of the wall signage allocation outlined above.

Building Facades:

All exterior building walls shall primarily be of like materials. The building walls of the service center buildings in Lot 3 will include aluminum and glass storefronts with customer front entry doors facing the north and south boundaries of the Project. A stone and or brick veneer band will be included on the lower portion of the front façade and on the side walls. EIFS will be placed above the lower masonry band on the front façade and side walls. The front of such buildings will also include metal or fabric awnings with signage on or above the awnings.

The interior courtyard between the service center buildings on Lot 3 will have EIFS and or metal panels with metal sectional overhead doors for deliveries and metal pedestrian exit doors.

Landscaping and Screening:

The WillSam Landscaping and Screening Concept will meet or exceed the requirements of the Tulsa Zoning Code for street yard and parking area landscaping.

The Project will also include a landscaped buffer separating WillSam from the residences on East 46th Street adjacent to the Project on the south (see Exhibit "A" – Concept Plan). The buffer will include a minimum 10 FT wide landscaped strip along the south boundary of the PUD.

The minimum concept for tree plantings within the buffer area is shown on Exhibit "A".

In addition to the normally required landscaping a minimum of 20 trees will be placed along the south boundary within the buffer area. Trees within that buffer area will be 10 and 12 feet tall at planting to create an immediate visual barrier over and above the screening fence.

In addition to the landscape strip illustrated in Exhibit A, a minimum 8 FT wooden screening fence will be located along the south boundary of the Project prior to release of any occupancy permit for any building on the site.

The landscaping features within the Project will exceed the minimum standards and maintained in accordance with the requirements of the Landscape Chapter of the Tulsa Zoning Code.

Lighting:

Within the south 50 FT of the Project, light standards shall not exceed 15 FT in height; within the remainder of the Project, light standards shall not exceed 25 FT in height.

Except for bollard lighting, no light standards shall be permitted within 25 FT of the south boundary.

All light standards including building mounted shall be hooded and directed downward and away from the boundaries of the Project. 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. Consideration of topography must be considered in such calculations.

Additionally, as part of the Detail Site Plan review, an accurate Lighting Plan illustrating light poles and fixtures with a Photometric Plan will be provided illustrating height and fixtures facing down and away from the residential area to the south. The Lighting Plan will show that the lighting from the Project does not exceed zero foot candles at the southern boundary of the Project.

Trash and Mechanical Areas:

All trash, mechanical and equipment areas (excluding utility service transformers, pedestals or other equipment provided by franchise utility providers), including building mounted, shall be screened from public view in such a manner that the areas cannot be seen by persons standing at ground level.

Trash dumpster areas shall be screened by masonry construction with steel framed doors. The doors shall be covered with an appropriate covering containing a minimum of 95% opacity on the gate frame.

Dumpster enclosures shall be placed similar to the locations shown on Exhibit A however in no instance will they be allowed closer than 100 feet from the south boundary of the Project.

Outside Storage:

There shall be no outside storage of recycling material, trash or similar materials outside of a screened receptacle. Nor shall trucks or trailer trucks be parked unless they are actively being loaded or unloaded. Truck trailers and shipping containers shall not be used for storage.

VEHICULAR ACCESS AND CIRCULATION:

WillSam has excellent access to the expressway system. Skelly Drive is approximately a half mile to the north and the Broken Arrow Expressway is approximately a mile and a half to the north.

At the intersection of East 46th Street and South Sheridan Road, WillSam is well located for a business park accessing the Tulsa arterial street system.

Internally, mutual access and parking easements will provide, where appropriate, convenient parking for visitors to more than one business within WillSam as shown on Exhibit "C" – Access and Circulation Plan.

PEDESTRIAN ACCESS:

Sidewalks will be reconstructed or installed to provide pedestrian access along South Sheridan Road. Internal pedestrian access will be provided to allow access among all the lots defined in the PUD.

PLATTING REQUIREMENT:

It is anticipated that the project will be re-platted from its current configuration however the re-plat is not a condition of site plan approval.

SITE PLAN REVIEW

No building permit will be issued for any building within WillSam until a Planned Unit Development Detail Site Plan and Detail Landscape Plan for that lot or parcel shall have been submitted to Tulsa Metropolitan Area Planning Commission and approved as being in compliance with the approved Planned Unit Development Standards.

SCHEDULE OF DEVELOPMENT

Development within WillSam will begin within the Spring of 2015 after final approval of the Planned Unit Development, Detail Site Plan approval and the platting of the property.

LEGAL DESCRIPTION

The legal description of the Project is as follows: Lot 1, Block 1, South Sheridan Plaza Resubdivision of Lots 7-9, Richland Addition, an addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof.

DETAILED STAFF RECOMMENDATION:

PUD-823 is consistent with the goals and vision of the Comprehensive Plan; and

The project is in harmony with the existing and expected development pattern of the surrounding area; and

The PUD provides a unified treatment of the development possibilities of the project site; and

The PUD is consistent with the stated purposes and standards of the PUD chapter of the Tulsa Zoning Code; therefore

Staff recommends **APPROVAL** of PUD-823 as outlined in Section I above.

SECTION II: Supporting Documentation**RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

Staff Summary: PUD 823 is consistent with all aspects of the City of Tulsa Comprehensive Plan.

Land Use Vision:

Land Use Plan map designation: Employment

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

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

Areas of Stability and Growth designation: 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: Secondary Arterial with a Multi Modal Overlay

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

Streets on the Transportation Vision that indicate a transit improvement should use the multi-modal street cross sections and priority elements during roadway planning and design.

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The existing property was developed several decades ago as a 2 story office building complex. The buildings will be removed and replaced with a single story building mixed use project. There are no other significant existing conditions affecting the redevelopment of the site. A single family residential neighborhood abuts the project on the south. Significant considerations for the neighbors are included in the details of the PUD.

Environmental Considerations:

Stormwater drainage will be collected in inlets and underground pipes. Approximately the east 1/3 of the site will drain to the existing storm sewer in South Sheridan Road and the remainder will drain to the west, into a stormwater detention pond to be constructed in Lot 4.

The proposed and existing drainage is shown on Exhibit "F" – Drainage Plan.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Sheridan Road	Primary Arterial	120 feet	5

Utilities:

An existing eight-inch waterline serves the site however; an eight-inch waterline will need to be extended to loop through the west end of the site and north-south across the site at a midway point.

This line will provide adequate fire coverage for the proposed lot configuration as well as allow domestic taps.

An existing eight-inch sanitary sewer line is located along the south boundary of the PUD. A new eight-inch sanitary sewer main will be extended from an existing manhole near the southwest corner of the PUD, east through the middle of the site.

The proposed and existing utilities are shown on Exhibit "E" – Utilities Plan.

Other utilities, including electricity, gas, telephone and cable television are currently available to the site.

Surrounding Properties: The subject tract is abutted on the east by South Sheridan Road then further a large mixed use area, zoned IL; on the north by a car dealership, zoned CS; on the south and west a single family residential area, zoned RS-3.

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 12357 dated January 27, 1972, established zoning for the subject property.

Subject Property:

BOA-15432 May 17, 1990: The Board of Adjustment **approved** a *Special Exception* to permit a nail salon (Use Unit 13) as an accessory use and as a principal use in, on property located at 4528 S. Sheridan Rd. and also known as part of the subject property.

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BOA-9709 October 20, 1977: the Board **approved** an *Exception* to use property for sale of new and used automobiles and related activities, subject to the property being platted, no access to the west, low lighting directed away from the office and duplex properties on the west, on property located at 4444 S. Sheridan Rd.

Applicant's Comments:

Lou Reynolds, 2727 East 21st Street, 74114, stated that he is in agreement with staff's recommendation. Mr. Reynolds pointed out that he held a neighborhood meeting and the project was well received at the meeting. Mr. Reynolds cited the setbacks and heights within the PUD. Mr. Reynolds explained the layout and the plans for the PUD development. Mr. Reynolds described the subject property as infill and urban renewal mixed into one.

Mr. Covey asked Mr. Reynolds if he is in agreement with the revised staff report. Mr. Reynolds indicated that he is in agreement and has been in contact with Mr. Wilkerson.

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 **DIX**, TMAPC voted **9-0-0** (Covey, Dix, Fretz, Liotta, Millikin, Reeds, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Carnes, Midget "absent") to recommend **APPROVAL** of the CS zoning for Z-7285 per staff recommendation.

Legal Description for Z-7285:

East 604 ft. of the north 166 ft. of Lot 1, Block 1, SOUTH SHERIDAN PLAZA RESUB L7-9 RICHLAND ADDN, City of Tulsa, Tulsa County, State of Oklahoma.

TMAPC Action; 9 members present:

On **MOTION** of **DIX**, TMAPC voted **9-0-0** (Covey, Dix, Fretz, Liotta, Millikin, Reeds, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Carnes, Midget "absent") to recommend **APPROVAL** of PUD-823 per staff recommendation.

Legal Description for PUD-823:

Lot 1, Block 1, SOUTH SHERIDAN PLAZA RESUB L7-9 RICHLAND ADDN, City of Tulsa, Tulsa County, State of Oklahoma.

* * * * *

OTHER BUSINESS

21. Resolutions finding two downtown multifamily housing projects within Tax Incentive District Number One in conformance with the Tulsa Comprehensive Plan

- a) Adopt resolution finding the 625 South Elgin Avenue project within Tax Incentive District Number One, City of Tulsa, Oklahoma is in Conformance with the City of Tulsa Comprehensive Plan, Resolution No. 2685:929
- b) Adopt resolution finding the 200 South Greenwood Avenue project within Tax Incentive District Number One, City of Tulsa, Oklahoma is in

Conformance with the City of Tulsa Comprehensive Plan, Resolution No. 2685:930

STAFF RECOMMENDATION:

Item for consideration: Resolutions finding two downtown multifamily housing projects within Tax Incentive District Number One in conformance with the Tulsa Comprehensive Plan.

Background: In Resolution No. 19509 published Feb. 21, 2014, the City of Tulsa established the Local Development Act Review Committee in accordance with the Local Development Act, 62 O.S. Supp. 1992, § 851 et seq. The Local Development Act provides a significant economic development tool for local governments. Cities and Counties are able to create incentive districts to stimulate economic activity which the City of Tulsa did by the creation of Tax Incentive District No. 1 in 1993 (Amended 1997). This incentive, commonly referred to as an abatement, provides for a full or partial exemption of ad valorem taxes to the owner on the new investment made within the designated district for a period of 5 years, or 6 years (if located within an enterprise zone). Per Title 62, this incentive is not available for retail development or the retail portions of mixed use developments. Currently, the only approved area for this incentive within the City of Tulsa is properties generally located in downtown (inside the Inner Dispersal Loop). The value of the rehabilitation must be at least 50% of the current market value of the building as contained on the most recent Tulsa County assessment rolls. This incentive has been approved in the past for projects including the Mayo Hotel, Mayo 420 building, Atlas Life building, Ambassador Hotel and GreenArch residential.

The Local Development Act requires that the Tulsa Metropolitan Area Planning Commission (TMAPC) review proposed project plans, make recommendations, and certify to the City of Tulsa as to the conformity of any proposed Project Plans to the City of Tulsa. The TMAPC reviewed four downtown housing/mixed use projects in March, 2014 and found them to be in conformance with the Tulsa Comprehensive Plan.

On October 2, 2014, the Local Development Act Review Committee voted to recommend to the Tulsa City Council that the following two additional proposed projects be approved and adopted:

- 625 S. Elgin Avenue
- 200 S. Greenwood Avenue

Prior to submittal to City Council, the TMAPC is asked to review the proposed projects and adopt a resolution stating that the proposed projects are in conformance with the adopted Tulsa Comprehensive Plan.

Summary: The proposed projects are located in the *Downtown* land use designation in the Tulsa Comprehensive Plan, described as:

“Downtown Tulsa is a unique area, the centerpiece of the city and region with the highest intensity of uses. Many uses are attracted to the centralized location –government entities, major employers, regional entertainment venues, unique restaurants, specialty stores, nightclubs, cultural entertainment and hotels. Downtown is a significant employment center. Downtown also is a unique and eclectic neighborhood offering a special variety of housing for people who prefer to live in the midst of the activity and amenities.”

“Downtown Core is Tulsa’s most intense regional center of commerce, housing, culture and entertainment. It is an urban environment of primarily high density employment and mixed-use residential uses, complemented by regional-scale entertainment, conference, tourism and educational institutions. Downtown core is primarily a pedestrian-oriented area with generous sidewalks shaded by trees, in-town parks, open space, and plazas. The area is a regional transit hub. New and refurbished buildings enhance the pedestrian realm with ground-floor windows and storefronts that enliven the street. To support downtown’s lively and walkable urban character, automobile parking ideally is located on-street and in structured garages, rather than in surface parking lots.”

The proposed projects will contribute to the variety of housing opportunities and pedestrian nature of *Downtown*, as described above. The Coliseum project involves the reuse and rehabilitation of an important historic structure to the City of Tulsa. These projects support the *Downtown* land use designation, as well as multiple goals in the Land Use, Economic Development and Housing sections of the Tulsa Comprehensive Plan.

The proposed projects are also in conformance with the Downtown Area Master Plan. The addition of residential units downtown will contribute to the vitality of the downtown beyond the hours of Monday-Friday 8:00 am-5:00 pm.

Staff recommendation: *Staff recommends that TMAPC adopt the resolutions finding the two multifamily housing projects within Tax Incentive District Number One in conformance with the Tulsa Comprehensive Plan.*

RESOLUTION 2685:929

A RESOLUTION FINDING THE 625 S. ELGIN AVENUE PROJECT WITHIN TAX INCENTIVE DISTRICT NUMBER ONE, CITY OF TULSA, OKLAHOMA IS IN CONFORMANCE WITH THE TULSA COMPREHENSIVE PLAN

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 22nd of July 2010, all according to law, and which has been subsequently amended; and

WHEREAS, the Tulsa Comprehensive Plan contains sections dealing with the needs and desirability of economic programs; and,

WHEREAS, pursuant to Resolution No. 19509 published Feb. 21, 2014, the City of Tulsa established the Local Development Act Review Committee in accordance with the Local Development Act, 62 O.S. Supp. 1992, § 851 et seq.; and,

WHEREAS, said Local Development Act requires that the Tulsa Metropolitan Area Planning Commission review proposed project plans, make recommendations, and certify to the City of Tulsa as to the conformity of any proposed project plans to the Tulsa Comprehensive Plan; and,

WHEREAS, on October 2, 2014 the Local Development Act Review Committee voted to recommend to the Tulsa City Council that the 625 S. Elgin Avenue project (in the location depicted on Exhibit A) be approved and adopted; and,

WHEREAS, said 625 S. Elgin Avenue project has been submitted to the Tulsa Metropolitan Area Planning Commission for review;

NOW THEREFORE, BE IT RESOLVED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, that:

The proposed 625 S. Elgin Avenue project, within Tax Incentive District Number One, City of Tulsa, Oklahoma is hereby found to be in conformity with the Tulsa Comprehensive Plan.

Certified copies of this Resolution shall be forwarded to the City Council of the City of Tulsa.

APPROVED AND ADOPTED THIS 5th day of November, 2014 by the Tulsa Metropolitan Area Planning Commission.

RESOLUTION 2685:930

A RESOLUTION FINDING THE 200 S. GREENWOOD AVENUE PROJECT WITHIN TAX INCENTIVE DISTRICT NUMBER ONE, CITY OF TULSA, OKLAHOMA IS IN CONFORMANCE WITH THE TULSA COMPREHENSIVE PLAN

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 22nd of July 2010, all according to law, and which has been subsequently amended; and

WHEREAS, the Tulsa Comprehensive Plan contains sections dealing with the needs and desirability of economic programs; and,

WHEREAS, pursuant to Resolution No. 19509 published Feb. 21, 2014, the City of Tulsa established the Local Development Act Review Committee in accordance with the Local Development Act, 62 O.S. Supp. 1992, § 851 et seq.; and,

WHEREAS, said Local Development Act requires that the Tulsa Metropolitan Area Planning Commission review proposed project plans, make

recommendations, and certify to the City of Tulsa as to the conformity of any proposed project plans to the Tulsa Comprehensive Plan; and,

WHEREAS, on October 2, 2014 the Local Development Act Review Committee voted to recommend to the Tulsa City Council that the 200 S. Greenwood Avenue project (in the location depicted on Exhibit A) be approved and adopted; and,

WHEREAS, said 200 S. Greenwood Avenue project has been submitted to the Tulsa Metropolitan Area Planning Commission for review;

NOW THEREFORE, BE IT RESOLVED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, that:

The proposed 200 S. Greenwood Avenue project, within Tax Incentive District Number One, City of Tulsa, Oklahoma is hereby found to be in conformity with the Tulsa Comprehensive Plan.

Certified copies of this Resolution shall be forwarded to the City Council of the City of Tulsa.

APPROVED AND ADOPTED THIS 5th day of November, 2014 by the Tulsa Metropolitan Area Planning Commission.

Jim Coles, City of Tulsa Economic Development Department, 175 E 2nd Street, 74103, stated that he would like to thank Mr. Walker for serving on the Local Development Act Review Committee and helping to review all of these projects. Mr. Coles stated that the two developers are present today for the proposed projects.

Mr. Coles cited the role of the Local Development Act and that it allows for six years of tax abatement. Mr. Coles explained the process of the review and the tax abatement. Mr. Coles stated that the City of Tulsa is supportive of these two projects.

TMAPC COMMENTS:

Mr. Shivel stated that he is excited about this project and great things that are happening along Greenwood.

Mr. Dix asked if it would be all rental apartments. In response, Mr. Cole stated that they are all rental apartments.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **DIX**, TMAPC voted **9-0-0** (Covey, Dix, Fretz, Liotta, Millikin, Reeds, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Carnes, Midget "absent") to recommend **APPROVAL** of the resolutions for 625 South Elgin Avenue project and 200 South Greenwood Avenue per staff recommendation.

22.Commissioners' Comments: None.

TMAPC Action; 9 members present:

On **MOTION** of **DIX**, TMAPC voted **9-0-0** (Covey, Dix, Fretz, Liotta, Millikin, Reeds, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Carnes, Midget "absent") to **ADJOURN** TMAPC meeting No. 2685.

ADJOURN

There being no further business, the Chair declared the meeting adjourned at 2:13 p.m.

Date Approved:

11-19-2014


Chairman

ATTEST:


Secretary