

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2690

Wednesday, January 21, 2015, 1:30 p.m.

City Council Chamber

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

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

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Tuesday, January 20, 2015 at 10:53 a.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:

Work Session Report: Mr. Covey stated that the work session will not be held February 4, 2015 at 11:00 a.m., instead it will be held in this meeting room immediately following the TMAPC meeting.

Director's Report:

Ms. Miller reported that at the February 4th work session the Zoning Code update will not be discussed. Ms. Miller indicated that tentatively March 4th is the next work session for the Zoning Code update.

Ms. Miller reported on the TMAPC receipts for the month of December 2014. Ms. Miller further reported on the City Council agendas and possible upcoming applications.

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1. **Minutes:**

Approval of the minutes of December 17, 2014 Meeting No. 2688

On **MOTION** of **SHIVEL**, the TMAPC voted 10-0-0 (Carnes, Covey, Dix, Fretz, Liotta, Millikin, Reeds, Shivel, Stirling, Walker “aye”; no “nays”; none “abstaining”; Midget “absent”) to **APPROVE** the minutes of the meeting of December 17, 2014, Meeting No. 2688.

2. Minutes for January 7, 2015, Meeting No. 2689 were stricken from the agenda.

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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-640** (Lot-Combination) (County), Location: North and east of the northeast corner of West 11th Street South and South 263rd West Ave
4. **LC-641** (Lot-Combination) (CD-1), Location: North of the northeast corner of East 31st Place North and North Wheeling Place
5. **Henry Orthodontics – Final Plat**, Location: South of the southeast corner of South Harvard Avenue and 41st Street South, (CD-9)
6. **PUD-819 – AAB Engineering, LLC**, Location: Northeast corner of South Garnett Road and East 11th Street South, requesting a **PUD Detail Site Plan** for a new convenience store, **CS/PUD-819**, (CD-3)
7. **AC-134 – AAB Engineering, LLC**, Location: Northeast corner of South Garnett Road and East 11th Street South, requesting an **Alternative Compliance Landscape Plan** to provide additional street yard landscaping in lieu of providing 30% in Development Area C and provide additional parking trees in lieu of providing 15% net landscape area within Development Area A, **CS/PUD-819**, (CD-3)

- 7a. **1100 Garnett Center, Final Plat**, Location: East of the northeast corner of East 11th Street South and South Garnett Road, (CD-3)

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 10 members present:

On **MOTION** of **DIX**, TMAPC voted **10-0-0** (Carnes, Covey, Dix, Fretz, Liotta, Millikin, Reeds, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Midget "absent") to **APPROVE**

* * * * *

Mr. Midget in at 1:37 p.m.

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

PUBLIC HEARINGS:

8. **Open Arms – Minor Subdivision Plat**, Location: North of the northeast corner of East 51st Street South and South 177th East Avenue, (CD-6) **(Continued from December 17, 2014) (Requesting a continuance to 2/18/15.)**

STAFF RECOMMENDATION:

The applicant is requesting a continuance to February 18, 2015 to work through some engineering issues.

There were no interested parties wishing to speak.

TMAPC Action; 11 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"; none "absent") to **CONTINUE** the minor subdivision plat for Open Arms to February 18, 2015.

* * * * *

Mr. Wilkerson stated that he will be presenting Items 9 and 10 together.

9. **CZ-437 – Presley Family Ministries**, Location: Southeast corner of West 41st Street and Gilcrease Expressway, requesting a rezoning from **AG to RM-2/CG**, (County) (Related to PUD-824 and The Land Preliminary Plat)

STAFF RECOMMENDATION:

CZ-437 is required for the support of Planned Unit Development No. 824 comprises 21.50 acres located at the southeast corner of the Gilcrease Expressway and W. 41st Street South, at the present northerly terminus of the Gilcrease Expressway. The rezoning request will modify the underlying zoning from AG to CG and RM-2. The CG is approximately the north 1/3rd of the site with the remaining 2/3rd of the site being zoned RM-2.

The Land is a mixed-use neighborhood based on a Duany Plater-Zyberk & Company (DPZ) Master Plan. The existing site consists of about 21.50 acres that will be developed in 5 phases over an approximate 20 year period. A charrette was held in May 2012 to come to a consensus on the neighborhood concept and a 3-day infrastructure workshop was held in January 2013. The Land neighborhood is located at 5151 West 41st Street, on the south side of the road, and east of and adjacent to the proposed Gilcrease Freeway extension and off ramp. The Land is located in Tulsa County. There are some existing improvements to the property consisting of some office buildings, blueberry fields, ponds, sand volleyball courts, and as much as 8' of mulch fill over existing ground south of the ponds. Vacant lands exist to the south and east of the property, and single family residences to the north of 41st Street.

DETAILED STAFF RECOMMENDATION:

Rezoning request CZ-437 in conjunction with PUD 824 is consistent with the existing development pattern north and east of the site and is in harmony with the light industrial uses on the south. The proposed expressway along the west border is also complementary with the anticipate mixed use project defined in the PUD and;

The Vision 2000 Tulsa Metropolitan Area Comprehensive Plan contemplated this as a light industrial area and specifically mentioned that the use should be complementary of the surrounding residential area, furthermore the Plan recommended use of a PUD as a tool for providing appropriate standards to complement surrounding neighborhood uses and;

The unusual zoning pattern is only consistent with a specific site development plan. PUD 824 accurately respects the patterns of the uses

that will be allowed with these zoning descriptions. Future modifications to the PUD may require adjustments to the underlying zoning and;

The PUD is consistent with the PUD standards of the Tulsa County Zoning Code therefore;

Staff recommends **APPROVAL** of CZ-437 to rezone property from AG to RM-2, CG in conjunction with PUD 824

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The Land is outside the limits of the City of Tulsa Comprehensive Plan. The Vision 2000 Tulsa Metropolitan Area Comprehensive Plan defined this as a Special District inside the District 9 Planning District. The text for Special District 6 recommends that this property should be developed as an industrial area however there are specific recommendations that the industrial uses should be respectful of the adjacent residential areas. Industrial uses which have external impacts such as noise, smoke, fumes, etcshould be developed with light to medium manufacturing and should be arranged so that the more intense uses occur at the interior of the area with the least intense uses in relationship to adjoining land.

CZ-437 in conjunction with PUD-824 is respectful of the adjacent properties and existing neighborhood.

Vision 2000 suggest in section 3.6.3.2 that the PUD provisions of the Tulsa County Zoning Ordinance will be encouraged to reduce the adverse impacts upon Jane Addams School and to increase the potential for residential use of the land east and north of the school. Jane Addams School is approximately one mile southwest of this project and does not affect the school except that it may add student population when the project is completed.

Land Use Vision:

Land Use Plan map designation: None

Areas of Stability and Growth designation: None

Transportation Vision:

Major Street and Highway Plan: None

Trail System Master Plan Considerations: None

Small Area Plan: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The Land is located in Tulsa County. There are some existing improvements to the property consisting of some office buildings, blueberry fields, ponds, sand volleyball courts, and as much as 8' of mulch fill over existing ground south of the ponds. Vacant lands exist to the south and east of the property, and single family residences to the north of 41st Street.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
West 41 st Street South	Secondary Arterial	100 feet	2
Gilcrease Expressway	Expressway	As required by ODOT	2

Utilities:

The subject tract has municipal water and sewer available from the City of Tulsa.

Surrounding Properties: The subject tract is abutted on the east by a Church, zoned Industrial Research (IR); on the north by single family residential, zoned RS; on the south and east is light industrial development zoned IL; and on the west by the Gilcrease Expressway.

SECTION III: Relevant Zoning History

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

Subject Property:

CBOA-2099 May 18, 2004: The Board of Adjustment **denied** a *Special Exception* to permit a temporary structural tent on previously approved church property, finding it would be difficult to enforce the code for the temporary and changeable conditions; located at 5310 W. 41st St., on property located at and also known as the subject property.

CBOA-1650: The Board of Adjustment **approved** a *Special Exception* to permit a church in the AG district, subject to activities so specified on the submitted site plan; all exterior lighting be shown as on the submitted site plan; light should be directed down and away from the north boundary;

and **approved** a *Special Exception* to permit the use of a tent on a temporary basis until construction is completed (to cover construction materials), for a period not to exceed eight months, per plan submitted; located at 5310 W. 41st St., on property located at and also known as the subject property.

BOA-7563 September 21, 1972: The Board of Adjustment **approved** a *Special Exception* to operate a rodeo grounds in an AG district, subject that the property be used by a non-profit organization and that public activities be restricted to one event per month, on property located at 5520 W. 41st St. and also known as the subject property.

Surrounding Property:

CBOA-2352 November 17, 2009: The Board of Adjustment **approved** a *Special Exception* to permit a church use (Use Unit 5) in an IL district (Section 910), on property located at 5010 W. 41st St. S. and is abutting east of subject property.

CBOA-2268 June 19, 2007: The Board of Adjustment **approved** a *Special Exception* to permit a fireworks stand, a pumpkin patch, and Christmas tree sales (Use Unit 2) in a CS district; with conditions for days and hours of operation: fireworks for sale only, with no displays June 15th to July 5th, pumpkins for sale October 1st to November 5th, and Christmas trees November 23rd to December 24th; from 10a to 10p; and the approval is limited to the next three years; and **approved** the *Variance* of the paving requirement to permit a temporary gravel driving surface, finding the temporary nature of the requested use, for the dates listed in the special exception; approved for three years., on property located at 5010 W. 41st St. S. and is abutting east of subject property.

CZ-162 January 1988: All concurred in approval of a request for rezoning a 40± acre tract of land from AG to CS/ IR/ IL for commercial and light industrial, on property located on the southwest corner of W. 41st St. and S. 49th W. Ave. and abutting east of subject property.

CZ-156 May 1987: A request was made for rezoning a 80± acre tract of land from AG to OM/ IR/ IM/ CO for offices, research and industrial uses, on property located on the northwest corner of S. 49th W. Ave. and W. 46th St. S. and abutting south of subject property. All concurred in approval of excluding the west 525 ft. from application to remain AG, with the north 660 ft. of the balance being IL and the south 660 ft. being IM and IR zoning the east 400 ft.

RELATED ITEM TO ITEM 10:

10. **PUD-824 - Presley Family Ministries**, Location: Southeast corner of West 41st Street and Gilcrease Expressway, requesting a PUD for a mixed-use development, single-family, multifamily and mixed use community, **AG to RM-2/CG/PUD-824**, (County) (Related to CZ-437 and The Land Preliminary Plat)

STAFF RECOMMENDATION:

DEVELOPMENT CONCEPT:

Planned Unit Development No. 824 comprises 21.50 acres located at the southeast corner of the Gilcrease Expressway and W. 41st Street South, at the present northerly terminus of the Gilcrease Expressway.

The Land is a mixed-use neighborhood based on a Duany Plater-Zyberk & Company (DPZ) Master Plan. The existing site consists of about 21.50 acres that will be developed in 5 phases over an approximate 20 year period. A charrette was held in May 2012 to come to a consensus on the neighborhood concept and a 3-day infrastructure workshop was held in January 2013. The Land neighborhood is located at 5151 West 41st Street, on the south side of the road, and east of and adjacent to the proposed Gilcrease Freeway extension and off ramp. The Land is located in Tulsa County. There are some existing improvements to the property consisting of some office buildings, blueberry fields, ponds, sand volleyball courts, and as much as 8' of mulch fill over existing ground south of the ponds. Vacant lands exist to the south and east of the property, and single family residences to the north of 41st Street.

Presley Family Ministries is undertaking the development of the The Land Mixed Use Development, which is in accordance with the Tulsa County Comprehensive Plan. The Property is to be developed into a single family, multifamily and mixed use community, which will serve as a new neighborhood center. The Land is designed to include quality construction, uniform vernacular architectural styles, neighborhood amenities, and to provide mixed-income housing opportunities. The Land will be designed to achieve a mixed use, walkable neighborhood, which is pedestrian and bicycle friendly and incorporates green light imprint rainwater treatment. The Land will provide connector streets to W 41st Street, and to future streets to the east and south.

Some particular community benefits are:

- a) Could set an example for the City and County of a high quality walkable neighborhood,
- b) The proposed street network will be safe, walkable and highly aesthetic,
- c) The neighborhood will provide varieties of housing types, including market-rate affordable,

- d) The neighborhood will provide a commercial node for the surrounding neighborhoods.
- e) The neighborhood will incorporate cutting edge, yet low-tech, stormwater treatment systems.
- f) The neighborhood is oriented well for rooftop solar pv installations.

GENERAL NOTES regarding the PUD Site Plan (See Exhibit A):

- a. Building footprints are illustrative - exact building design and setbacks to be determined at final site plan review. Compliance with Environmental, Engineering, Public Works, FEMA / Floodplain, Architecture, Signage, Landscape Architecture, Building and Accessibility Regulations are the responsibility of the architects and engineers of record.
- b. All tree locations and parking layouts are illustrative and subject to engineering refinements. Canopies and galleries supported by columns in Transect Zone 5 shall be subject to reciprocal public access easements to allow pedestrian access to the frontage sidewalks.
- d. The Transect Zones are generally defined as; T5 Urban Center- Vertical mixed use, T4 General Urban- Cottages and attached housing, T3 Sub Urban – small Detached Single Family residences. See Development Standards Tables below for more details.
- e. This will be a Planned Unit Development under the management of a property owner's association(s).

The mixed use buildings will include office and retail services for the proposed adjoining residents and neighborhood. Additionally, most of the single family and multifamily residential will consist of smaller units that will support market-rate affordability, and potential student and volunteer tenants. These affordable, market rate and student/volunteer units are to be dispersed throughout the neighborhood.

Each residential unit and commercial space will have its own mechanical equipment and toilet/ bathroom fixtures, and separate meters will be provided for each residential unit and commercial space. For the mixed use building, residential and commercial AC equipment will be located on the roof of buildings with maintenance access from the top floor. All rooftop units will be screened by a parapet to cover and minimize its visibility from the ground plane.

Land Use Table

Public Access and Utility Easements (Property Owner's Association Owned and Maintained)								
Uses	Land Areas (SF)	Land Areas (%)	Number of Lots	Primary Structures	Off-street Prkg Spcs	Accessory Dwelling Unit	Number of Dwelling Units	Non-Residential Floor Area (SF)
Streets	268,773	29%		0				
Rear Lanes	52,077	5%		0				
Pedestrian Ways	15,418	2%		0				
Sub-Total	336,248	36%	0	0	0	0	0	0
Common Areas (Property Owner's Association Owned and Maintained)								
Civic Space	124,076	14%	9	2				3,600
Parking Lots	13,075	1%	1	0	Below			
Drainage Ways	115,494	12%	2	0				
Sub-Total	252,645	27%	12	2	0	0	0	3,600
Transect Zones								
T5- Urban Center	51,312	6%	7	6	32		25	29,941
T4- General Urban	78,764	8%	13	34	15		30	3,775
T3- Sub-Urban	217,635	23%	46	46	92	46	92	
Sub-Total	347,711	37%	66	86	139	46	147	33,716
Site Totals								
Total	936,604	100%	78	86	139	46	147	37,316

Section II: Development Standards Tables

The following Tables are from the Smart Code Model Form-based Code v9.2, and adapted to context and urban design of The Land.


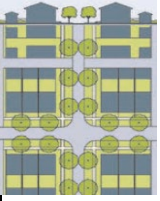
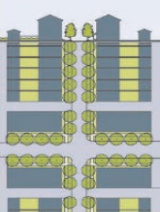
Table 1: Transect Zone Descriptions. This table provides descriptions of the character of each Transect Zone.			
T3 	T-3 SUB-URBAN T-3 Sub-Urban Zone consists of low density residential areas, adjacent to higher zones that have some mixed use. Home occupations and outbuildings are allowed. Planting is naturalistic and setbacks are relatively deep. Blocks may be large and the roads irregular to accommodate natural conditions.	General Character:	Lawns and landscaped yards surrounding detached single-family houses. Pedestrians are accommodated.
		Building Placement:	Large and variable front and side yard Setbacks
		Frontage Types:	Porches, fences, naturalistic tree planting
		Typical Building Height:	1- to 2-Story.
		Type of Civic Space:	Parks, Greenways
T4 	T-4 GENERAL URBAN T-4 General Urban Zone consists of a mixed use but primarily residential urban fabric. It may have a wide range of building types: single, Sideyard, and Rowhouses. Setbacks and landscaping are variable. Streets with curbs and side-walks define medium-sized Blocks.	General Character:	Mix of Houses, Townhouses and small Apartment buildings with scattered Commercial activity; balance between landscape and buildings. Pedestrians are prioritized.
		Building Placement:	Shallow to medium front and side yard Setbacks
		Frontage Types:	Porches, fences, Dooryards
		Typical Building Height:	2- to 3-Story Mixed Use buildings.
		Type of Civic Space:	Squares, Greens
T5 	T-5 URBAN CENTER T-5 Urban Center Zone consists of higher density mixed use building that accommodate Retail, Offices, Row- houses and Apartments. It has a tight network of streets, with wide sidewalks, steady street tree planting and buildings set close to the sidewalks.	General Character:	Shops mixed with Townhouses, larger Apartment houses, Offices, work place and Civic buildings; predominantly attached buildings; trees within the public right-of-way; substantial pedestrian activity.
		Building Placement:	Shallow Setbacks or none; buildings oriented to street defining a street wall
		Frontage Types:	Stoops, Shopfronts, Galleries
		Typical Building Height:	2- to 3-Story with some variation
		Type of Civic Space:	Parks, Plazas, and Squares, median landscaping

TABLE 7: Private Frontages. The Private Frontage is the area between the building Façade and the Lot lines.

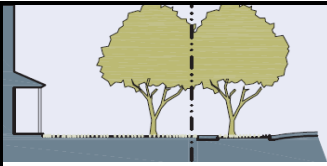
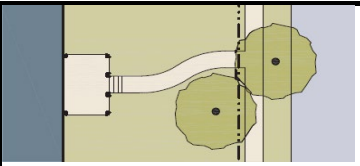
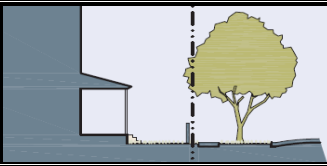
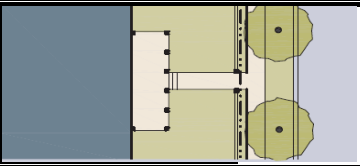


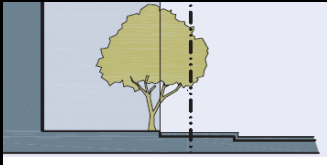
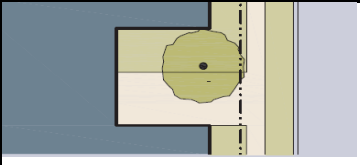
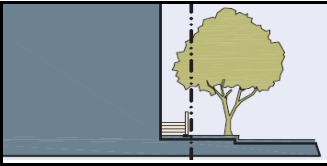
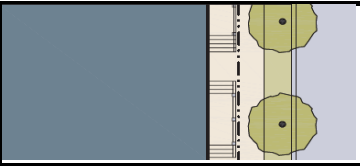


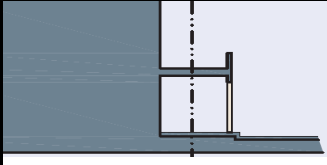
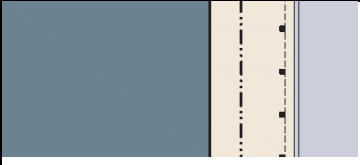
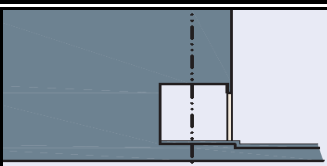

	SECTION		PLAN		
	LOT ▶	◀ R.O.W.	LOT ▶	◀ R.O.W.	
	PRIVATE ▶	◀ PUBLIC	PRIVATE ▶	◀ PUBLIC	
	FRONTAGE	FRONTAGE	FRONTAGE	FRONTAGE	
a. Common Yard: a planted Frontage wherein the Façade is set back substantially from the Frontage Line. The front yard created remains unfenced and is visually continuous with adjacent yards, supporting a common landscape. The deep Setback provides a buffer from the higher speed Thoroughfares.					T3
b. Porch & Fence: a planted Frontage where the Façade is set back from the Frontage Line with an attached porch permitted to Encroach. A fence at the Frontage Line maintains street spatial definition. Porches shall be no less than 8 feet deep.					T3 T4
c. Terrace or Lightwell: a frontage wherein the Façade is setback back from the Frontage Line by an elevated terrace or sunken Lightwell. This type buffers Residential use from urban Sidewalks and removes the private yard from public encroachment. Terraces are suitable for conversion to outdoor cafes. Syn: Dooryard .					T4 T5
d. Forecourt: a Frontage wherein the Façade is close to the Frontage Line and the central portion is set back. The forecourt created is suitable for vehicular drop-offs. This type should be allocated in conjunction with other Frontage types. Large trees within the Forecourts may overhang the Sidewalks.					T4 T5
e. Stoop: a Frontage wherein the Façade is aligned close to the Frontage Line with the first Story elevated from the Sidewalk sufficiently to ensure privacy for the windows. The entrance is usually an exterior stair and landing. This type is recommended for ground-floor Residential use.					T4 T5
f. Shopfront: a Frontage wherein the Façade is aligned close to the Frontage Line with the building entrance at Sidewalk grade. This type is conventional for Retail use. It has substantial glazing on the Sidewalk level and an awning that should overlap the Sidewalk to within 2 feet of the Curb. Syn: Retail Frontage .					T4 T5
g. Gallery: a Frontage wherein the Façade is aligned with the Frontage Line with an attached cantilevered shed or lightweight colonnade overlapping the Sidewalk. This type is conventional for Retail use. The Gallery should be no less than 10 feet wide and should overlap the sidewalk to within 2 feet of the Curb.					T4 T5
h. Arcade: a collonade supporting habitable space that overlaps the Sidewalk, while the Façade at Sidewalk level remains at or behind the Frontage Line. This type is conventional for Retail use. The Arcade shall be no less than 12 feet wide and should overlap the Sidewalk to within 2 feet of the Curb.					T5

TABLE 9: Building Disposition. This table approximates the location of the structure relative to the boundaries of each individual Lot, establishing suitable basic building types for each Transect Zone.

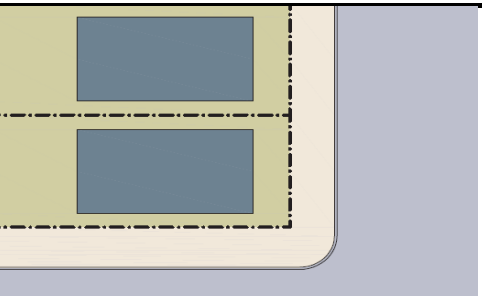
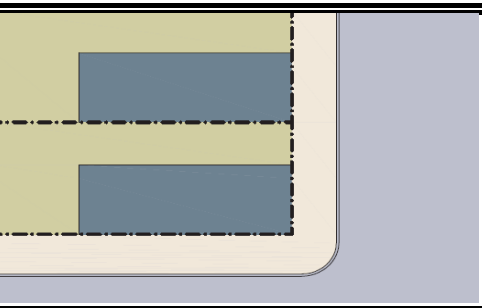
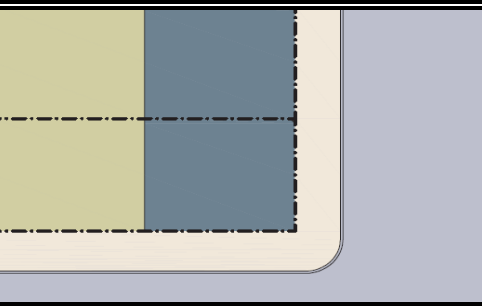
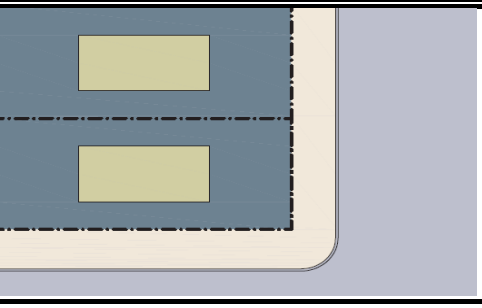
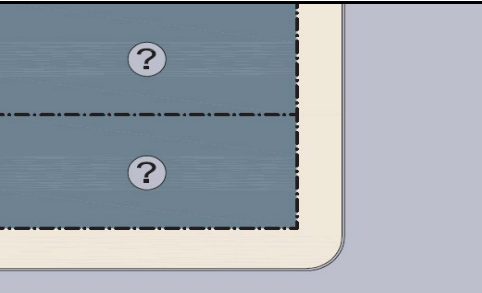
<p>a. Edgeyard: Specific Types - single-family House, Cottage, villa, Estate House, urban villa. A building that occupies the center of its Lot with Setbacks on all sides. This is the least urban of types as the front yard sets it back from the Frontage, while the side yards weaken the spatial definition of the public Thoroughfare space. The front yard is intended to be visually continuous with the yards of adjacent buildings. The rear yard can be secured for privacy by fences and a well placed Backbuilding and/or Outbuilding.</p>		<div>T3</div> <div>T4</div>
<p>b. Sideyard: Specific Types - Charleston single-House, double house, zero-lot-line house, twin. A building that occupies one side of the Lot with the Setback to the other side. A shallow Frontage Setback defines a more urban condition. If the adjacent building is similar with a blank side wall, the yard can be quite private. This type permits systematic climatic orientation in response to the sun or the breeze. If a Sideyard House abuts a neighboring Sideyard House, the type is known as a Twin or double house. Energy costs, and sometimes noise, are reduced by sharing a party wall in this disposition.</p>		<div>T4</div> <div>T5</div>
<p>c. Rearyard: Specific Types - Townhouse, Rowhouse, Live-work unit, loft building, Apartment House, Mixed use Block, Flex Building, perimeter Block. A building that occupies the full Frontage, leaving the rear of the Lot as the sole yard. This is a very urban type as the continuous Facade steadily defines the public Thoroughfare. The rear Elevations may be articulated for functional purposes. In its Residential form, this type is the Rowhouse. For its Commercial form, the rear yard can accommodate substantial parking.</p>		<div>T4</div> <div>T5</div>
<p>d. Courtyard: Specific Types - patio House. A building that occupies the boundaries of its Lot while internally defining one or more private patios. This is the most urban of types, as it is able to shield the private realm from all sides while strongly defining the public Thoroughfare. Because of its ability to accommodate incompatible activities, masking them from all sides, it is recommended for workshops, Lodging and schools. The high security provided by the continuous enclosure is useful for crime-prone areas.</p>		<div>T5</div>
<p>e. Specialized: A building that is not subject to categorization. Civic buildings, which may express the aspirations of institutions, are included, and subject to Site Plan Review.</p>		<div>Civic</div>

TABLE 10: Building Function. This table categorizes Building functions within Transect Zones. Parking requirements are correlated to functional intensity. On street parking spaces at the lot frontage as well as onsite parking spaces are credited toward the parking space requirement.

	T3	T4	T5
a. RESIDENTIAL	Restricted Residential: The number of dwellings on each Lot is restricted to one within a Principal Building and one within an Accessory Building, with 2 parking spaces for each. Both dwellings shall be under single ownership. The habitable area of the Accessory Unit shall not exceed 440 sf, excluding the parking area.	Limited Residential: The number of dwellings on each Lot is limited by the requirement of 1.5 parking spaces for each dwelling, a ratio which may be reduced according to the the shared parking standards (See Table 11).	Open Residential: The number of dwellings on each Lot is limited by the requirement of 1.0 parking places for each dwelling, a ratio which may be reduced according to the shared parking standards (See Table 11).
b. LODGING	Restricted Lodging: The number of bedrooms available on each Lot for lodging is limited by the requirement of 1.0 assigned parking place for each bedroom, up to five, in addition to the parking requirement for the dwelling. The Lodging must be owner occupied. Food service may be provided in the a.m. The maximum length of stay shall not exceed ten days.	Limited Lodging: The number of bedrooms available on each Lot for lodging is limited by the requirement of 1.0 assigned parking place for each bedroom, up to twelve, in addition to the parking requirement for the dwelling. The Lodging must be owner occupied. Food service may be provided in the a.m. The maximum length of stay shall not exceed ten days.	Open Lodging: The number of bedrooms available on each Lot for lodging is limited by the requirement of 1.0 assigned parking place for each bedroom. Food service may be provided at all times. The area allocated for food service shall be calculated with parking according to Retail Function.
c. OFFICE	Restricted Office: The building area available for office use on each Lot is restricted to the first Story of the Principal or the Accessory Building and by the requirement of 3.0 assigned parking places per 1,000 square feet of net office space in addition to the parking requirement for each dwelling.	Limited Office: The building area available for office use on each Lot is limited to the first Story of the Principal Building and/or the Accessory Building, and by the requirement of 3.0 assigned parking places per 1,000 square feet of net office space in addition to the parking requirement for each dwelling.	Open Office: The building area available for office use on each Lot is limited by the requirement of 2.0 assigned parking places per 1,000 square feet of net office space.
d. RETAIL	Restricted Retail: The building area available for Retail use is restricted to one Block corner location at the first Story for each 300 dwelling units and by the requirement of 4.0 assigned parking places per 1,000 square feet of net Retail space in addition to the parking requirement of each dwelling. The specific use shall be further limited to neighborhood store, or food service seating no more than 20.	Limited Retail: The building area available for Retail use is limited to the first Story of buildings at corner locations, not more than one per Block, and by the requirement of 4.0 assigned parking places per 1,000 square feet of net Retail space in addition to the parking requirement of each dwelling. The specific use shall be further limited to neighborhood store or food service seating no more than 40.	Open Retail: The building area available for Retail use is limited by the requirement of 3.0 assigned parking places per 1,000 square feet of net Retail space. Retail spaces under 1,500 square feet are exempt from parking requirements.
e. CIVIC (SWIMMING POOL, VISITOR CENTER, CHAPEL)	Special Site Plan review.	Special Site Plan review.	Special Site Plan review.
f. VOLLEYBALL COURTS, PONDS, DRAINAGE, TRAILS	No parking requirements.	No parking requirements.	No parking requirements.

Table 11: Parking Calculations. The Shared Parking Factor for two Functions, when divided into the sum of the two amounts as listed on the Required Parking table below, produces the Effective Parking needed for each site involved in sharing. Conversely, if the Sharing Factor is used as a multiplier, it indicates the amount of building allowed on each site given the parking available.

REQUIRED PARKING (See Table 10)			
	T2 T3	T4	T5 T6
RESIDENTIAL	2.0 / dwelling	1.5 / dwelling	1.0 / dwelling
LODGING	1.0 / dwelling	1.0 / dwelling	1.0 / dwelling
OFFICE	3.0 / 1,000 sq.ft.	3.0 / 1,000 sq.ft.	2.0 / 1,000 sq.ft.
RETAIL	4.0 / 1,000 sq.ft.	4.0 / 1,000 sq.ft.	3.0 / 1,000 sq.ft.
CIVIC	To be determined by Warrant		
OTHER	To be determined by Warrant		

REQUIRED PARKING FACTOR		
Function	with	Function
RESIDENTIAL		RESIDENTIAL
LODGING		LODGING
OFFICE		OFFICE
RETAIL		RETAIL

Table 15A. Form-based Code Graphics - T3

T3

(See Table 1)

BUILDING CONFIGURATION

1. Building height shall be measured in number of Stories, excluding Attics and raised basements.
2. Stories may not exceed 14 feet in height from finished floor to finished ceiling, except for a first floor Commercial function which must be a minimum of 11 ft with a maximum of 25 feet
3. Height shall be measured to the eave or roof deck.
4. Porch required

i. BUILDING FUNCTION (See Table 10)

Residential	restricted use
Lodging	restricted use
Office	restricted use
Retail	restricted use

k. BUILDING CONFIGURATION

Principal Building	2 stories max.
Outbuilding	2 stories max.

f. LOT OCCUPATION

Lot Width	35 ft. min. 120 ft. max.
Lot Coverage	60% max.

i. BUILDING DISPOSITION (See Table 9)

Edgeyard	permitted
Sideyard	permitted
Rearyard	not permitted
Courtyard	not permitted

g. SETBACKS - PRINCIPAL BUILDING

(g.1) Front Setback Principal	8 ft. min.
(g.2) Front Setback Secondary	8 ft. min.
(g.3) Side Setback	5 ft. min.
(g.4) Rear Setback	20 ft. min.**
Frontage Buildout	40% min. at setback

h. SETBACKS - OUTBUILDING

(h.1) Front Setback Principal	20 ft. min. + bldg. setback
(h.2) Front Setback Secondary	8 ft. min. or 6 ft. at corner
(h.3) Side Setback	3 ft. min.
(h.4) Rear Setback	3 ft. min.*

j. PRIVATE FRONTAGES (See Table 7)

Common Lawn	permitted
Porch & Fence	permitted
Terrace or Lightwell	not permitted
Forecourt	not permitted
Stoop	not permitted
Shopfront & Awning	not permitted
Gallery	not permitted
Arcade	not permitted

PARKING PROVISIONS

(See Table 10 & 11)

SETBACKS - PRINCIPAL BLDG.

1. The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as shown.
2. Facades shall be built along the Principal Frontage to the minimum specified width in the table.

SETBACKS - OUTBUILDING

1. The Elevations of the Outbuilding shall be distanced from the Lot lines as shown.

PARKING PLACEMENT

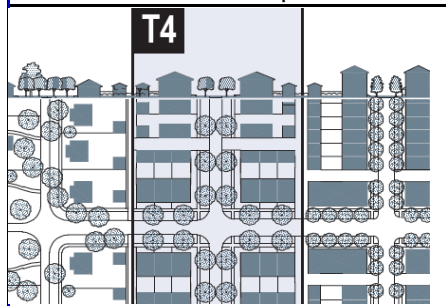
1. Uncovered parking spaces may be provided at the street frontage and/or within the second and third Layer as shown in the diagram (see Table 17d).
2. Covered parking shall be provided within the third Layer as shown in the diagram (see Table 17d). Side- or rear-entry garages may be allowed in the first or second Layer by Special Site Plan review.
3. Trash containers shall be stored within the third Layer.

** Attached garages with no more than one floor of habitable space above, shall be setback from lot lines in accordance with h. Setbacks - Outbuilding.

* or 15 feet from center line of alley

"N" stands for any Stories above those shown, up to the maximum. Refer to metrics for exact minimums and maximums.

Table 15B. Form-based Code Graphics - T4



(See Table 1)

I. BUILDING FUNCTION (See Table 10 & Table 12)

Residential	limited use
Lodging	limited use
Office	limited use
Retail	limited use

k. BUILDING CONFIGURATION (See Table 8) ***

Principal Building	3 stories max., 1 min.
Outbuilding	2 stories max.

f. LOT OCCUPATION (See Table 14f)

Lot Width	18 ft. min.,
Lot Coverage	70% max.

i. BUILDING DISPOSITION (See Table 9)

Edgeyard	permitted
Sideyard	permitted
Rearyard	permitted
Courtyard	not permitted

g. SETBACKS - PRINCIPAL BUILDING (See Table 14g) ***

(g.1) Front Setback Principal	3 ft. min.,
(g.2) Front Setback Secondary	3 ft. min.,
(g.3) Side Setback	3 ft. min.
(g.4) Rear Setback	3 ft. min.*
Frontage Buildout	Not applicable.

h. SETBACKS - OUTBUILDING (See Table 14h)

(h.1) Front Setback Principal	20 ft. min. + bldg. setback
(h.2) Front Setback Secondary	0 ft. min. or 3 ft. at corner
(h.3) Side Setback	0 ft. min. or 3 ft. at corner
(h.4) Rear Setback	3 ft. min. *

j. PRIVATE FRONTAGES (See Table 7)

Common Lawn	not permitted
Porch & Fence	permitted
Terrace or Lightwell	not permitted
Forecourt	not permitted
Stoop	permitted
Shopfront & Awning	not permitted
Gallery	not permitted
Arcade	not permitted
	Refer to approved Site Plan.

PARKING PROVISIONS

(See Table 10 & 11)

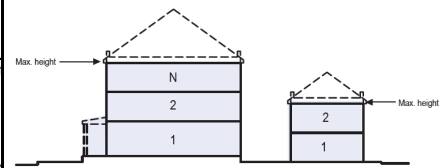
*** Multiple bldgs. on one lot shall be permitted and sited to allow a minimum separation of 6 ft. between buildings.

* or 15 feet from center line of alley

"N" stands for any Stories above those shown, up to the maximum. Refer to metrics for exact minimums and maximums.

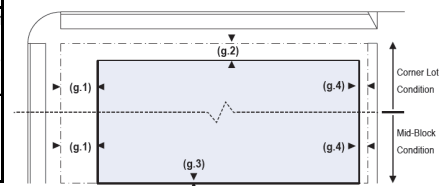
BUILDING CONFIGURATION

1. Building height shall be measured in number of Stories, excluding Attics and raised basements.
2. Stories may not exceed 14 feet in height from finished floor to finished ceiling, except for a first floor Commercial function which must be a minimum of 11 ft with a maximum of 25 feet.
3. Height shall be measured to the eave or roof deck.



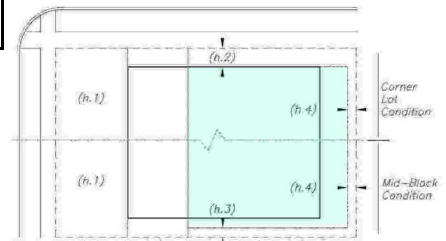
SETBACKS - PRINCIPAL BLDG.

1. The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as shown.
2. Facades shall be built along the Principal Frontage to the minimum specified width in the table.



SETBACKS - OUTBUILDING

1. The Elevations of the Outbuilding shall be distanced from the Lot lines as shown.



PARKING PLACEMENT

1. Uncovered parking spaces may be provided on the street frontage and within the third Layer as shown in the diagram (see Table 17d).
2. Covered parking shall be provided within the third Layer as shown in the diagram (see Table 17d).
3. Trash containers shall be stored within the third Layer.

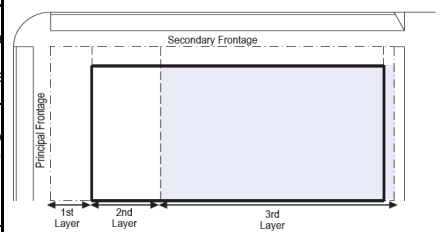


Table 15C. Form-based Code Graphics - T5

T5

(See Table 1)

l. BUILDING FUNCTION(See Table 10)

Residential	open use
Lodging	open use
Office	open use
Retail	open use

k. BUILDING CONFIGURATION

Principal Building	3 stories max., 2 min.
Outbuilding	2 stories max.

f. LOT OCCUPATION

Lot Width	18 ft. min.
Lot Coverage	100% max.

i. BUILDING DISPOSITION(See Table 9)

Edgeyard	not permitted
Sideyard	permitted
Rearyard	permitted
Courtyard	permitted

g. SETBACKS - PRINCIPAL BUILDING(See Table 14g)

(g.1) Front Setback Principal	0 ft. min.
(g.2) Front Setback Secondary	0 ft. min.
(g.3) Side Setback	0 ft. min.
(g.4) Rear Setback	0 ft. min.*
Frontage Buildout	80% min. at setback

h. SETBACKS - OUTBUILDING

(h.1) Front Setback Principal	40 ft. max. from rear property line
(h.2) Front Setback Secondary	0 ft. or 2 ft. at corner
(h.3) Side Setback	0 ft. or 2 ft. at corner
(h.4) Rear Setback	3 ft. min. *

j. PRIVATE FRONTAGES(See Table 7)

Common Lawn	not permitted
Porch & Fence	not permitted
Terrace or Lightwell	permitted
Forecourt	permitted
Stoop	permitted
Shopfront & Awning	permitted
Gallery	permitted
Arcade	permitted

Refer to approved Site Plan

PARKING PROVISIONS

(See Table 10 & 11)

BUILDING CONFIGURATION

1. Building height shall be measure number of Stories, excluding Attic and raised basements.
2. Stories may not exceed 14 feet in height from finished floor to finish ceiling, except for a first floor Commercial function which must minimum of 11 ft with a maximum 25 feet.
3. Height shall be measured to the or roof deck.

SETBACKS - PRINCIPAL BLDG.

1. The Facades and Elevations of Principal Buildings shall be dista from the Lot lines as shown.
2. Facades shall be built along the Principal Frontage to the minimu specified width in the table.

SETBACKS - OUTBUILDING

1. The Elevations of the Outbuilding shall be distanced from the Lot l as shown.

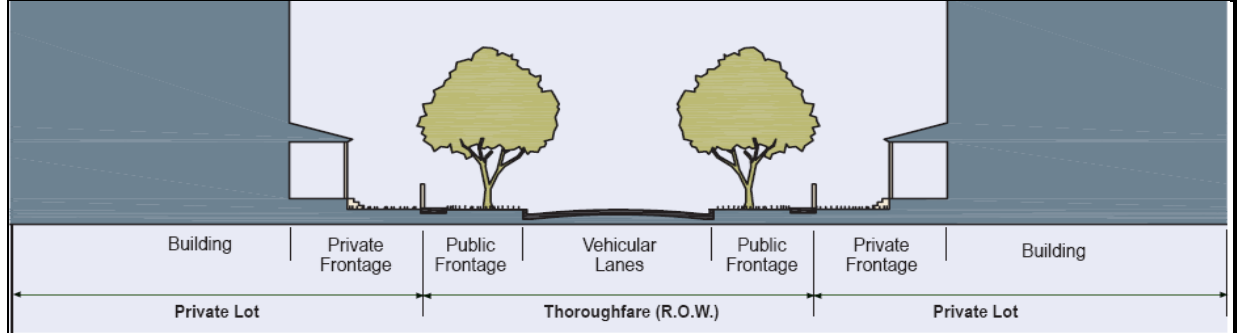
PARKING PLACEMENT

1. Uncovered parking spaces ma provided on the street frontage shared parking lot, or within the Layer as shown in the diagram Table 17d).
2. Covered parking shall be prov a shared parking structure, underground, or within the thir as shown in the diagram (see 17d).
3. Trash containers shall be stor within the third Layer.

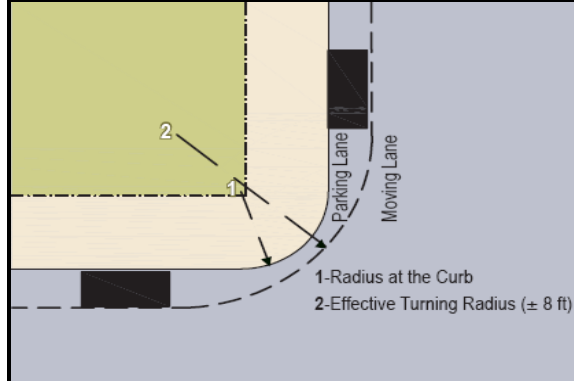
* or 15 feet from center line of alley
"N" stands for any Stories above those shown, up to the ma
Refer to metrics for exact minimums and maximums.

TABLE 17. DEFINITIONS ILLUSTRATED

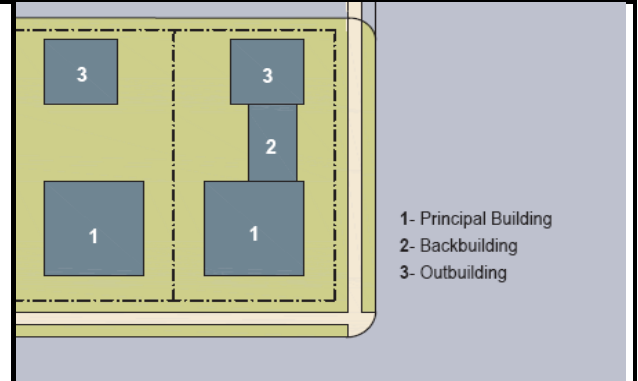
a. THOROUGHFARE & FRONTAGES



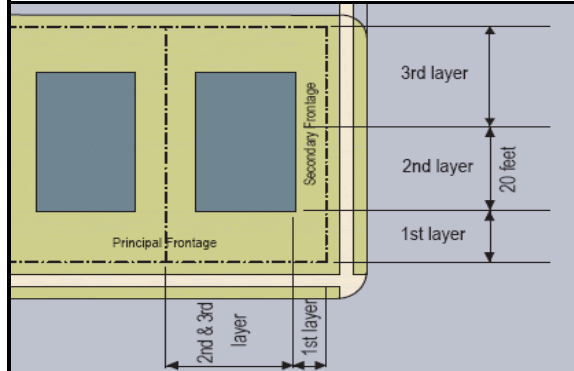
b. TURNING RADIUS



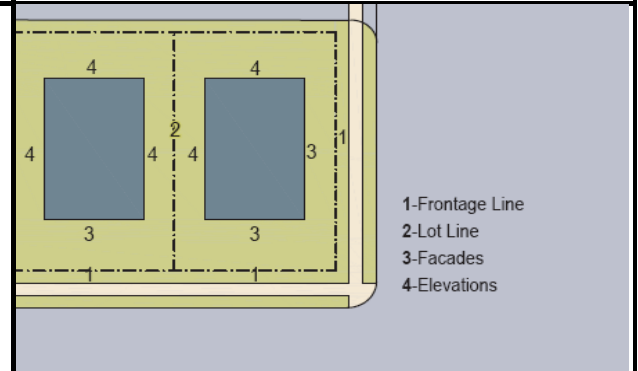
c. BUILDING DISPOSITION



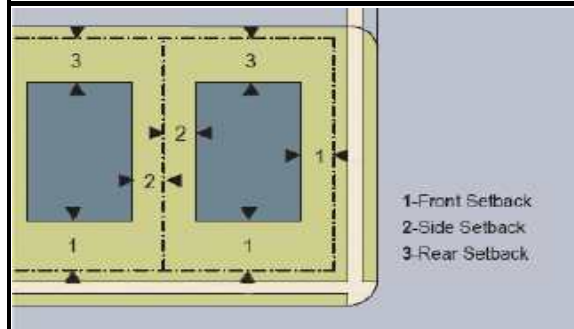
d. LOT LAYERS



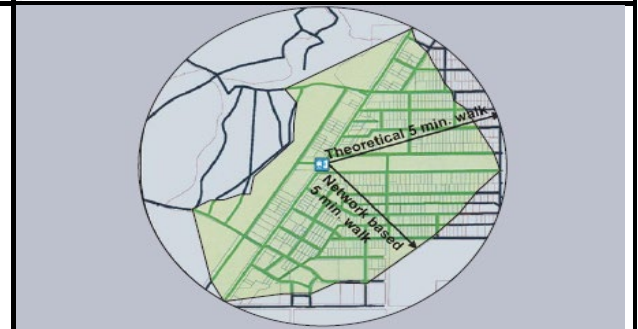
e. FRONTAGE & LOT LINES



f. SETBACK DESIGNATIONS



g. NETWORK-BASED PEDESTRIAN SHED



General Provisions and Development Standards

A. Landscaping and Fencing

Within the street yard of West 41st a minimum of one tree for each 1200 square feet shall be installed. Parallel to The Gilcrease expressway a landscape edge with a minimum width of 20 feet will be required. Within that landscape edge a minimum of one tree for each 1200 square feet shall be installed. For the purposes of determining the street yard as defined herein, the minimum setback from all street ROWs adjacent to and within the PUD Mixed Use Development shall be deemed to be that shown in the Development Standards Tables.

All trees installed in the West 41st Street front yard and in the landscape edge parallel to the Gilcrease Expressway shall be a minimum of 2" caliper and 8 feet in height and may be deciduous or evergreen

B. Parking

Shared Parking and on street parking shall be employed, and shall conform to Table 11 of the Development Standards Tables.

C. Access and Pedestrian Circulation

Access and Pedestrian Circulation shall comply with the Pedestrian Access Plan (Exhibit C) and Conceptual Street Sections (Exhibit E).

D. Lighting

Exterior area lighting shall be limited to shielded fixtures designed to direct light downward and away from residential properties. No light fixture shall be installed in excess of 25 feet in height.

E. Signs

1. Mixed-Use Buildings:

Signs shall be limited to wall or canopy signs not exceeding 2 square feet of display surface area per lineal foot of the main building wall to which it is affixed, provided however, the aggregate length of wall signs shall not exceed 75% of the wall or canopy to which it is affixed.

2. Multi-Family Residential:

Two project signs not exceeding 8 feet in height and 64 square feet of display surface area may be located along the project roads.

F. Infrastructure (Streets, Utilities and Drainage)

Streets. The streets are designed to provide a high-quality public realm and walking experience while still accommodating the automobile and emergency vehicles. See proposed street cross-sections at Exhibit E. The u-shaped drive is of Pervious Pavers; plus head-in parking of Macadam (crushed stone). See Street Section ST-72-24 of the Conceptual Street Cross-sections exhibit. Residential Street drive lanes shall be of Pervious Pavers; parking lanes shall be Macadam (crushed stone) with a 6" wide flat curb (flush with top of pavers/Macadam) on each side. Rear lane paving material to be Macadam or pervious pavers.

The street system does not conform to the conventional standards of the public works department and shall not be maintained by the County. The streets shall be maintained in good working order by the POA.

Stormwater Runoff. Stormwater Runoff will be handled in accordance with the Conceptual Engineering Plans. Drainage will be handled through Light Imprint methods (green streets and other green infrastructure) which act to infiltrate rainwater on site and reduce runoff to less than predevelopment levels; to help replenish groundwater; and filter out pollutants prior to entering natural streams. Fee in lieu of storm water detention is not required because the project provides onsite detention ponds, as well as innovative light imprint green streets for reduction of stormwater impacts to below the pre-development levels in terms of both peak runoff rate and stormwater volume. The streets are designed to absorb and convey runoff rather than concentrate and pipe it.

Peak Hour Trip Generation	Commercial SF	Peak Hour Trip Rate	Peak Hour Traffic	Residential units	Peak Hour Trip Rate	Peak Hour Traffic	Cumulative Total
Phase 1 2015	12,846	3.75/1000	48	10	1.5	15	63
Phase 2 2020	13,640	3.75/1000	51	19	1.5	28	142
Phase 3	7,232	3.75/1000	27	36	1.5	54	223

2025							
Phase 4		3.75/1000	0	46	1.5	69	292
2030							
Phase 5		3.75/1000	0	14	1.5	21	313
2035							
Total	33,718		126	125		187	313

Traffic: Traffic generation for the neighborhood has been evaluated conceptually based on the Site Plan and Phasing Plan:

Water Supply: The domestic water for the project is supplied by City of Tulsa Utilities Services. There are water mains in 41st Street and parallel and a few feet east of the easterly property line. See attached Conceptual Engineering Plans.

Sanitary Waste Disposal: The site presently has a septic system for the existing uses. The project site is, however, served by City of Tulsa Utilities Services and there is a trunk main located parallel to, and just a few feet south of, the southerly property line, and the sewer lift station has the capacity to serve the project. Sewer mains will be extended into the property starting with Phase One, in order that all of the existing septic system can be abandoned, and all of the improvements will be served by the public utility. See attached Conceptual Engineering Plans.

Dry Utilities. All dry utilities are located in 41st Street, and will be extended to serve the entire project. Gas is provided by Oklahoma Gas Co and Electricity is provided by Public Service Company of Oklahoma.

G. Environmental.

Flood Hazards. The project has no 100-year Flood Zones, as confirmed by the attached DFIRM map.

Drainage: Ponds have been built on the site to help with stormwater control, and will continue to operate as stormwater control facilities. The streets are designed as green streets to infiltrate and slow down runoff rather than piping and concentrating it.

Geologic Hazards: The attached Soils Conservation Service report shows that there are no known geologic hazards at the site.

Soil Suitability: The underlying soils are predominantly clays, so will require appropriately designed roadbeds, and foundations or piers for buildings

Open Space. Over 250,000 SF (5.5+ acres) of Open and Civic Space (volleyball courts and ponds) is set aside for the public good, which far exceeds the base requirement.

Solar: The neighborhood is laid out with most lots oriented with the long axis in the east-west direction, which lends itself well to both passive solar and solar photovoltaic implementations.

- H. Trash, Mechanical and Equipment Area Screening All trash, recycling, mechanical and equipment areas, 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, provided however, that one side of the screening of a trash receptacle area may be open to permit access and gating shall not be required.
- I. Site Plan Review Development will be developed in phases. No building permit shall be issued until a detailed site plan (including landscaping) of the proposed improvements has been submitted to the Tulsa Metropolitan Area Planning Commission and approved as being in compliance with the development concept and the development standards. No certificate of occupancy shall be issued for a building until the landscaping of the applicable building site has been installed in accordance with a landscaping plan and phasing schedule submitted to and approved by the Tulsa Metropolitan Area Planning Commission.
- J. Platting Requirement. The PUD Mixed Use Development will be developed in phases. No building permit shall be issued until the development phase for which a permit is sought has been included within a subdivision plat submitted to and approved by the Tulsa Metropolitan Area Planning Commission and the Tulsa County Commissioners, and duly filed of record, unless an accelerated release of a building permit has been approved by the Tulsa Metropolitan Area Planning Commission. The required subdivision plat shall include covenants of record implementing the development standards of the approved Planned Unit Development and Tulsa County shall be a beneficiary thereof.

- K. Expected Schedule of Development Phase I Development is expected to commence within 12 months following the award of funding and construction completed within 18 months thereafter. See Phasing Plan exhibit. The expected build out period is approximately 20 years.

DETAILED STAFF RECOMMENDATION:

PUD 824 is consistent with the existing development pattern north and east of the site and is in harmony with the light industrial uses on the south. The proposed expressway along the west border is also complementary with the anticipate mixed use project defined in the PUD and;

The Vision 2000 Tulsa Metropolitan Area Comprehensive Plan contemplated this as a light industrial area and specifically mentioned that the use should be complementary of the surrounding residential area, furthermore the Plan recommended use of a PUD as a tool for providing appropriate standards to complement surrounding neighborhood uses and;

The PUD is consistent with the PUD standards of the Tulsa County Zoning Code therefore;

Staff recommends **APPROVAL** of PUD-824 as outlined in Section I and Section II above.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The Land is outside the limits of the Tulsa Comprehensive Plan. The Vision 2000 Comprehensive Plan defined this as a Special District inside the District 9 Planning District.

The text for Special District 6 recommends that this property should be developed as an industrial area however there are specific recommendations that the industrial uses should be respectful of the adjacent residential areas. Industrial uses which have external impacts such as noise, smoke, fumes, etc., should be developed with light to medium manufacturing and should be arranged so that the more intense uses occur at the interior of the area with the least intense uses in relationship to adjoining land.

PUD-824 is respectful of the adjacent properties and existing neighborhood.

Vision 2000 suggest in 3.6.3.2 suggest that the PUD provisions of the Tulsa County Zoning Ordinance will be encouraged to reduce the adverse impacts upon Jane Addams School and to increase the potential for residential use of the land east and north of the school. Jane Addams School is approximately one mile southwest of this project and does not affect the school except that it may add student population when the project is completed.

Land Use Vision:

Land Use Plan map designation: None

Areas of Stability and Growth designation: None

Transportation Vision:

Major Street and Highway Plan: None

Trail System Master Plan Considerations: None

Small Area Plan: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The Land is located in Tulsa County. There are some existing improvements to the property consisting of some office buildings, blueberry fields, ponds, sand volleyball courts, and as much as 8' of mulch fill over existing ground south of the ponds. Vacant lands exist to the south and east of the property, and single family residences to the north of 41st Street.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
West 41 st Street South	Secondary Arterial	100 feet	2
Gilcrease Expressway	Expressway	As required by ODOT	2

Utilities:

The subject tract has municipal water and sewer available from the City of Tulsa.

Surrounding Properties: The subject tract is abutted on the east by a Church, zoned Industrial Research (IR); on the north by single family

residential, zoned RS; on the south and east is light industrial development zoned IL; and on the west by the Gilcrease Expressway.

SECTION III: Relevant Zoning History

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

Subject Property:

CBOA-2099 May 18, 2004: The Board of Adjustment **denied** a *Special Exception* to permit a temporary structural tent on previously approved church property, finding it would be difficult to enforce the code for the temporary and changeable conditions; located at 5310 W. 41st St., on property located at and also known as the subject property.

CBOA-1650: The Board of Adjustment **approved** a *Special Exception* to permit a church in the AG district, subject to activities so specified on the submitted site plan; all exterior lighting be shown as on the submitted site plan; light should be directed down and away from the north boundary; and **approved** a *Special Exception* to permit the use of a tent on a temporary basis until construction is completed (to cover construction materials), for a period not to exceed eight months, per plan submitted; located at 5310 W. 41st St., on property located at and also known as the subject property.

BOA-7563 September 21, 1972: The Board of Adjustment **approved** a *Special Exception* to operate a rodeo grounds in an AG district, subject that the property be used by a non-profit organization and that public activities be restricted to one event per month, on property located at 5520 W. 41st St. and also known as the subject property.

Surrounding Property:

CBOA-2352 November 17, 2009: The Board of Adjustment **approved** a *Special Exception* to permit a church use (Use Unit 5) in an IL district (Section 910), on property located at 5010 W. 41st St. S. and is abutting east of subject property.

CBOA-2268 June 19, 2007: The Board of Adjustment **approved** a *Special Exception* to permit a fireworks stand, a pumpkin patch, and Christmas tree sales (Use Unit 2) in a CS district; with conditions for days and hours of operation: fireworks for sale only, with no displays June 15th to July 5th, pumpkins for sale October 1st to November 5th, and Christmas trees November 23rd to December 24th; from 10a to 10p; and the approval is limited to the next three years; and **approved** the *Variance* of the paving requirement to permit a temporary gravel driving surface, finding the temporary nature of the requested use, for the dates listed in the

special exception; approved for three years., on property located at 5010 W. 41st St. S. and is abutting east of subject property.

CZ-162 January 1988: All concurred in approval of a request for rezoning a 40± acre tract of land from AG to CS/ IR/ IL for commercial and light industrial, on property located on the southwest corner of W. 41st St. and S. 49th W. Ave. and abutting east of subject property.

CZ-156 May 1987: A request was made for rezoning a 80± acre tract of land from AG to OM/ IR/ IM/ CO for offices, research and industrial uses, on property located on the northwest corner of S. 49th W. Ave. and W. 46th St. S. and abutting south of subject property. All concurred in approval of excluding the west 525 ft. from application to remain AG, with the north 660 ft. of the balance being IL and the south 660 ft. being IM and IR zoning the east 400 ft.

Mr. Wilkerson stated that he is adding to the staff recommendation the terminology, charts and tables from the Smart Code that was submitted by the applicant.

Mr. Wilkerson indicated that he received a few phone calls regarding there being a possible spacing requirement if the subject property had a church on the subject property. Mr. Wilkerson commented that he doesn't know if there is a church proposed.

TMAPC COMMENTS:

Mr. Carnes expressed concerns with the limited ingress/egress and the ability to have emergency vehicles in and out. Mr. Wilkerson stated that the egress to the south wasn't a concern for the Technical Advisory Committee. Mr. Wilkerson indicated that there are multiple accesses along 41st Street and an opportunity for access to the east. Mr. Wilkerson stated that to the south is storage of cars and RVs with a large metal screening fence and he doesn't expect there to be access to the south for a long time. Mr. Carnes stated that this will be directing traffic onto 41st Street and if there was a disaster event it could be a problem. Mr. Carnes further stated that he would like to make sure that there would be some ingress/egress other than 41st Street for emergencies. Mr. Wilkerson stated that the way this project will develop, he believes that that opportunity could exist and there is nothing about this to stop that access should the property to the south redevelop. There will be access limitations along the entire west side of the subject property where the Gilcrease Expressway will be. Mr. Wilkerson stated that this is not a gated community and there are no problems with anyone connecting to the subject property in the future along the east side.

Applicant's Comments:

Paul Crabtree, Crabtree Group, Inc., 325 D Street, Salida, Colorado 81201, Civil Engineer for the applicant, presented a PowerPoint presentation of the proposed development for The Land Master Plan. Mr. Crabtree explained that connectivity, density and walkability are very important and the proposed Master Plan meets the criteria. The proposal was modeled after a famous New Urbanism Plan, the Seaside Florida Plan.

Dr. Richard Presley, 3724 South 74th Place, 74107, stated that currently there is a blueberry farm and the only way to promote it is through a Face book page and one of the first goals is create a pick your own blueberry farm. The homes will be built in a later phase and will be single-home developments. The pump house will be used as a gathering place for some of the activities. Some of the young missionaries will work at the pick your own blueberry farm to earn money for their missions. Dr. Presley stated that he will be developing a Farmer's Market and invite the community. Dr. Presley indicated that some of the cottages will be built and possibly used as a bed and breakfast. The business offices for Dr. Richard Presley and Associates, and other offices through leased space. Dr. Presley explained that through his travels this is the type of development he always wanted to live in. The first phase would be the beginning with the pick your own blueberries, the farmer's market and a gathering place.

Mr. Crabtree stated that Mr. Carnes asked about the connectivity and along the east property line connects all the way to the south and in the future connectivity could happen. Mr. Crabtree explained that the connectivity will eventually be good.

TMAPC COMMENTS:

Ms. Millikin asked when the single-family or multifamily residences were scheduled for development and will they be built by private developers. Dr. Presley stated that private developers would probably have the opportunity to develop according to certain guidelines that would be in place. The development for single-family and multifamily is far down the line because the life of blueberries is about 15 to 20 years and there will be a gravel base road in that area, but primarily the development will be in the front and around the pond in the near future. There is mulch on the back 2/3rds of the property and it will have to decay back to the land before the housing can be built. Dr. Presley explained that he wanted the Master Plan because he wanted to know where the roads and utilities would be located. Dr. Presley described how he eventually wants the streets to be canopied with trees eventually.

Mr. Reeds congratulated Dr. Presley for hiring DPZ for designing this.

INTERESTED PARTIES COMMENTS:

Thomas Barclay, 14320 East Yost Road, Glencoe, 74032, stated that he is part owner adjacent to the subject property. He explained that he is impressed with the outline of the development, but he has some concerns about the sewer lines that will service the subject property. If the sewer lines were brought directly to 41st Street, along with the east side of the subject development, it would serve everybody's interest when it comes to economic development of the properties in the subject area. Mr. Barclay expressed concerns about drainage and hoped that the Planning Commission would look at the surrounding properties and provide sewer so that they could develop also.

TMAPC Action; 11 members present:

On **MOTION** of **CARNES**, TMAPC voted **11-0-0** (Carnes, Covey, Dix, Fretz, Liotta, Midget, Millikin, Reeds, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; none "absent") to recommend **APPROVAL** of Items 9 and 10 for the RM-2/CG zoning for CZ-437 and PUD-824 per staff recommendation.

Legal Description for CZ-437/PUD-824:

NE LESS NE NE & LESS S/2 NE & LESS TR BEG NWC NW NE TH E657.85 S460.02 SW880.41 TO SL NW NE TH W476.96 TO SWC NW NE TH N POB SEC 29 19 12 21.846ACS, GILCREASE RESEARCH CENTER PRT RSB USPCI RESEARCH & BUS PARK ADD, CHURCH OF GOD, PARKS ACRES, City of Tulsa, Tulsa County, State of Oklahoma.

* * * * *

11. **The Land – Preliminary Plat**, Location: Southeast corner of West 41st Street South and South 57th West Avenue/Gilcrease Expressway Alignment, (County) (Related to CZ-437 and PUD-824)

STAFF RECOMMENDATION:

This plat consists of 87 lots, 9 blocks, on 21.50 acres.

The following issues were discussed November 20, 2014, and January 7, 2015 at the Technical Advisory Committee (TAC) meetings:

1. **Zoning:** The property is zoned AG (agricultural) with Planned Unit Development 824 pending.

2. **Streets:** Outside of City of Tulsa limits. Streets are not in conformance with typical standards for City of Tulsa or subdivision regulations but per Planned Unit Development standards may be acceptable.
3. **Sewer:** The infrastructure phasing plan is not acceptable. All platted lots are required to have access to a sanitary sewer main for service. According to record drawings for the USPC1 Lift Station and sanitary sewer there is an existing 25-foot sanitary sewer easement adjacent to your south boundary line of the plat. Show this easement on the face of the plat and provide the document number where it is filed of record. In the covenants Section I C, the City of Tulsa will be responsible for all matters concerning the sanitary sewer system. All sanitary sewer lines under paved driving surfaces must be constructed using ductile iron pipe.
4. **Water:** The PUE designation on the plat should be denoted as U/E (utility easement) which matches the covenant language for allowing the installation and maintenance of the water main line. All proposed water main lines are installed on the south and east side of the roadways in green areas; 8 feet off of the property line or roadway right of way. A minimum of 20 feet is required for the proposed waterline look at the area of Block 9, Lot 7.
5. **Storm Drainage:** There are no drainage easements shown. If there are no drainage easements then remove the reference from the legend and from the covenants. Section IH, implies that Civic and access reserves are only used for storm water runoff. Recommend they be combined and referred to as Reserves.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** The utilities expressed concern about the placement of their lines and if they would be located in alleys with pavers in them and with the connections to main lines. They agreed that there would have to be several meetings to coordinate these important issues, especially with City of Tulsa water and sewer service with their lines.
7. **Other: Fire:** Out of City Limits. No comment. Contact Sand Springs fire department for comments. It should be taken into consideration that this may be annexed into the Tulsa City Limits and would be required to meet the code requirements at that time.

8. **Other: GIS:** Complete and clarify location map. Show monuments, date of preparation, clarify legal description, submit control data sheet. Change last sentence of section IC3 needs to be changed. Reserve areas need to be called Reserve areas (not some other name). **County Engineer:** Provisions for maintenance of the private streets need to be shown in covenants, drainage studies and drainage plan will need to be approved by the County Engineer. Lots are disconnected by reserves and numbering needs to be fixed. The purpose of the existing ponds regarding detention needs to be clarified and additional overland drainage easements shown. The County plans to widen 41st Street so those plans should be considered and reviewed. Drainage easements must be shown.

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 need to 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; 11 members present:

On **MOTION** of **CARNES**, TMAPC voted **11-0-0** (Carnes, Covey, Dix, Fretz, Liotta, Midget, Millikin, Reeds, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; none "absent") to **APPROVE** the preliminary plat for The Land per staff recommendation.

* * * * *

12. **Z-7292 – Carol Brown**, Location: 6818 East 96th Place, requesting a rezoning from **AG to RS-1**, (CD-8)

STAFF RECOMMENDATION:

DEVELOPMENT CONCEPT:

The applicant has requested RS-1 rezoning to allow future lots splits and subdivision development of the property. Anticipated lot layout has not been provided.

DETAILED STAFF RECOMMENDATION:

RS-1 request will only allow large lot development that is consistent with the lot sizes west of the boundary of Z-7292 and larger than the lots in the subdivision east of the site. The rezoning and infill is not injurious to the surrounding properties and;

Infill may be supported in this area however there are several stub streets that ultimately need to be connected to complete the street network that was contemplated during the previous subdivision designs. Staff will not support redevelopment without completing the street network and removing the temporary cul-de-sac at the west end of East 97th Street South which dead ends at the east side of the boundary of CZ-7292 and;

The possible infill is consistent with the Tulsa Comprehensive Plan vision for a New Neighborhood and an Area of Growth therefore;

Staff recommends **APPROVAL** of Z-7292 to rezone property from AG/ to RS-1.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: Rezoning is consistent with the Land Use map and Growth designation of the Comprehensive plan. This property is a critical link to complete the street network in this neighborhood. Future redevelopment will require an east-west street connection between the two subdivision abutting the property.

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 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: None that affect this site.

Trail System Master Plan Considerations: This site is very close to the multipurpose trail system on the south side of the Creek Turnpike. Connections to the trail system with future subdivision on vacant property northeast of this site will be required.

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The existing property is occupied by one residence. The residential access is provided from the north side of the site. Existing stub streets stop at the west border of the property and on the east border of the property. Northeast of the site is a large undeveloped tract south of the Creek Turnpike.

Environmental Considerations: None that would affect site redevelopment.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 96 th Place South	None	50 feet	2
East 97 th Street South	None	50 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties: The subject tract is abutted on the west, north and east by single family residential development zoned RS-3; on the south by horse stables, zoned AG.

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11813 dated June 26, 1970, established zoning for the subject property.

Surrounding Property:

Z-6377 January 1993: All concurred in approval of a request for rezoning a 22+ acre tract of land from AG to RS-3 for a residential subdivision, on property located on the east side of South Sheridan Road at East 97th Street and abutting west of subject property.

INTERESTED PARTIES COMMENTS:

Jim Furr, 6713 East 97th Street, 74133, Saddlebrook Homeowners Association, stated that the HOA opposes this rezoning and do not want connectivity to the new tract and subdivision to the east. Mr. Furr stated that the Saddlebrook Homeowners enjoy the buffer that the subject property provides. Mr. Furr further stated that if homes were to be built on the subject property the charm of Saddlebrook would change and there would be heavy trucks entering and exiting throughout the neighborhood during construction. Mr. Furr commented that the HOA is concerned about their safety is there is connectivity and home values decreasing. Mr. Furr requested that if this application is approved that the applicant and the new homeowners become members of the Saddlebrook HOA.

Applicant's Comments:

Carol Brown, Realtor representing the property owners, Dvorak, 10130 South Yale Avenue, 74137, stated that this process began when she talked about the property owner's potential sale of their property. This is a large tract and it is unusual with a zoning of AG. Her clients were not aware of their zoning and the potential for new owners to have freedom for agricultural use. Her clients wanted to determine how to accomplish the sale and by dividing the parcels it makes it more saleable. Ms. Brown stated that RS-3, which is what both adjoining neighborhoods are zoned,

would allow too much density and that is why they are requesting RS-1 and keep the impact to the adjacent neighborhoods down. Ms. Brown commented that the most likely buyer for the subject property is someone wanting an estate very similar to the Dvorak's property. Ms. Brown stated that the land will be expensive and the development will be expensive so it makes sense that the home or homes built will also be expensive and not bring the property values down. Once the homes are built the construction traffic will be gone and the new homes should improve the surrounding homes value.

Mr. Covey asked Ms. Brown if the subject property is currently for sale. Ms. Brown answered negatively.

TMAPC Action; 11 members present:

On **MOTION** of **MIDGET**, TMAPC voted **11-0-0** (Carnes, Covey, Dix, Fretz, Liotta, Midget, Millikin, Reeds, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; none "absent") to recommend **APPROVAL** of the RS-1 zoning for Z-7292 per staff recommendation.

Legal Description for Z-7292:

PRT NW SW BEG 230S NEC NW SW TH S582.95 W200 N582.94 E200 POB SEC 23 18 13 2.68ACS, City of Tulsa, Tulsa County, State of Oklahoma.

* * * * *

Mr. Covey stated that Mr. Fretz will be conflicted out of Items 13, 14 and 15. Mr. Covey stated that he will take Item 16 out of order to vote for the election of TMAPC officers and allow Mr. Fretz to leave immediately following the elections.

16. Election of TMAPC Officers for 2015

Mr. Covey stated that he has talked with everyone and under the current TMAPC rules; no one person can serve in the same position for more than two years and everyone has been in the position for one year. Mr. Covey recommended that everyone remain in their same position and change next year.

Chairman, Michael Covey; 1st Vice Chair, John Dix; 2nd Vice Chair, John Shivel; Secretary, Ryon Stirling.

There were no interested parties wishing to speak.

TMAPC Action; 11 members present:

On **MOTION** of **FRETZ**, TMAPC voted **11-0-0** (Carnes, Covey, Dix, Fretz, Liotta, Midget, Millikin, Reeds, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; none "absent") to **APPROVE** the TMAPC Officers as follows: Chair, Covey; 1st Vice Chair, Dix; 2nd Vice Chair, Shivel; and Secretary, Stirling.

* * * * *

Mr. Fretz out at 2:34 p.m.

Mr. Wilkerson indicated that he will be presenting Items 13 and 14 together and Ms. Fernandez will present Item 15, which are all related Items.

13. **Z-7288 – John Moody**, Location: North of the northeast corner of East 51st Street and South 177th East Avenue, requesting rezoning from **AG to RM-1**, (CD-6) (Related to PUD-825 and Brookstone Park at Lynn Lane Preliminary Plat) (Continued from 12/3/14, 12/17/14 and 1/7/15)

STAFF RECOMMENDATION:
DEVELOPMENT CONCEPT:

The rezoning request to change the zoning from AG to RM-1 is required to support PUD 825 for a multifamily residential development. The zoning code does not provide adequate transition standards to integrate this project into the existing and developing surrounding neighborhood. RM-1 zoning alone is not appropriate however when standards defined in PUD 825 are added to the project the multifamily project is appropriate for this area.

DETAILED STAFF RECOMMENDATION:

The proposed use presented for this site is consistent with the New Neighborhood vision of the Comprehensive Plan; and

RM-1 zoning without a PUD overlay does not provide appropriate transition and screening adjacent to the existing and proposed residential development; and

RM-1 zoning allows a density and development standards that are not appropriate for the long term vision of new neighborhood development at this location without a PUD overlay; therefore

Staff recommends **APPROVAL** of Z-7288 to rezone property from AG to RM-1. But only in conjunction with PUD-825

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The request for RM-1 zoning is consistent with the vision of a New Neighborhood which may include “low-rise apartments or condominiums”. However, the RM-1 zoning does not provide adequate provisions for screening and vehicular setbacks from the adjacent single family residential neighborhood.

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 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:

The Major Street and Highway Plan illustrates South 177th East Avenue as a secondary collector without a multi modal consideration. The Major Street and Highway Plan illustrates a 4 lane street with sidewalks on both sides of the street.

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 site is at the south and west end of stub streets that are shown on the conceptual plan. Provisions of the PUD will require connections to the north and provide options for a pedestrian connection to the east. The existing stub street will be removed and integrated into the existing subdivision. The Comprehensive Plan suggests connectivity for vehicular and pedestrian circulation. The applicant should anticipate some connectivity requirement to those streets during the plat process.

Environmental Considerations: There are no environmental concerns regarding steep terrain, flood plain or other sensitive development considerations that would affect this site or its site plan.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South 177 th East Avenue	Secondary Arterial	100 feet	2
South 178 th East Place	None	50 feet	2
East 49 th Place South	None	50 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties: The subject tract is abutted on the east by a single family residential subdivision, zoned RS-3; on the north by a single family residential subdivision and undeveloped property, zoned RS-3 and AG respectively; on the south by a senior living center that has been approved but not constructed, zoned RM-2; and on the west by undeveloped property, zoned AG.

SECTION III: Relevant Zoning History

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

Surrounding Property:

Z-7273 September 2014: All concurred in approval of a request for rezoning a 11± acre tract of land from AG to RM-2 for assisted/independent living, on property located east of northeast corner of E. 51st St. and S. 177th E. Ave.

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

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

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

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

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

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

BOA-21256 May 24, 2011: The Board of Adjustment **approved** a *Variance* of the maximum amount of required front yard permitted to be covered with an all-weather surface in the RS-3 district from 34% to 45% to permit three car wide driveways in front of three car garages (Section 1303.D), subject to the Council approving the PUD (PUD-784) which has been recommended, on property located east of the northeast corner of E. 51st St. and S. 177th E. Ave.

RELATED ITEM 14:

14. **PUD-825 - John Moody**, Location: North of the northeast corner of East 51st Street and South 177th East Avenue, requesting a **PUD, AG to RM-1/PUD**, (CD-6) (Related to Z-7288 and Brookstone Park at Lynn Lane Preliminary Plat) (Continued from 12/3/14, 12/17/14 and 1/7/15)

STAFF RECOMMENDATION:

APPLICANTS DEVELOPMENT CONCEPT:

The design concept for BrookStone is governed by several extrinsic factors - established development, market values, street systems and zoning.

Established Development:

The zoning and development of the area is now predominantly multi-family on the south side of BrookStone and church use and single family on the north, east and west sides of BrookStone.

Street Systems and Pedestrian Access:

South Lynn Lane (S. 177th E. Ave.) is a secondary arterial street. E. 51st St. to the south is a secondary arterial street. Two residential streets stub or dead end into BrookStone from StoneGate Addition on the north and from Stonegate III Addition on the east.

The primary vehicular entrance to BrookStone will be through the large entry on the west boundary of the property on S. Lynn Lane as shown the Exhibit B attached. The Developer will also install a left turn only lane on S. 177th E. Ave. (S. Lynn Lane) similar to the detail shown on the attached Exhibit B-1 and as approved by the City of Tulsa Development Services department.

South 178th E. Pl. that dead ends into BrookStone from Stonegate Addition will not be extended for normal vehicular circulation, but will be reserved for emergency access only. A

locked gate for emergency vehicle access only shall be installed on S. 178th E. Pl. to prevent public access onto S. 178th E. Pl. The type and design of the gate shall be submitted to and approved by the City of Tulsa Fire Department and other emergency services prior to installation and will also be shown on the detailed site plan that is presented to the Planning Commission.

East 49th Pl. South stubs into BrookStone on its east side from StoneGate III Addition. It is proposed to close this stub street, remove the pavement and vacate the street right of way so that the vacated stub street can be added to the small open space area on the south side of the street. This will allow pedestrian access and making usable open space area that will be owned and maintained by the homeowners association for StoneGate III.

South access may be provided but only if the City of Tulsa requires the owner of the property abutting the Project on its south boundary to provide a street or mutual access provision that would provide vehicular and or pedestrian access from the Project to East 51st Street South. The Applicant will connect the parking and drive on its southern boundary to the access road at such time as the construction of the access road is completed and the Applicant or its successors in title are granted the legal right to use such access road for ingress and egress from the Project to East 51st Street South. This condition shall not be in force and effect unless and until such right of access is required by the City of Tulsa and provided by the owner of the abutting property. Nothing contained in this PUD shall or may be construed as requiring or imposing a condition on the Applicant to acquire any easement or right-of-way, construct or pay for any such access road.

Pedestrian Access will be provided to the proposed day care center adjacent to the north boundary on the western end of the Project and to the existing street right of way on the north and east sides of the property.

Zoning:

The proposed RM-1 Zoning and the proposed use are consistent with the uses and zoning of the properties in the surrounding area and the designation of the Comprehensive Plan as residential growth area.

Storm Water Drainage and Detention:

On site storm water detention will be provided in the northeast portion of the property as shown on the Conceptual Site Plan and the Utility Plan and Drainage Plan attached hereto as Exhibit F. The storm sewer system is designed to drain the property to the northeast into the storm water detention facility and open space area located along the northern side of the property and into the existing storm sewer system in compliance with the policies of the City of Tulsa. The maximum finished floor elevations of the apartment buildings shall be as shown on Exhibit F. The final engineering and design will be completed as part of the final plat approval by the Tulsa Metropolitan Area Planning Commission.

PUD-825 DEVELOPMENT STANDARDS:

Gross Area 11.477 Acres

Permitted Uses: Use Unit 8, Multifamily Dwellings and Accessory Uses, including leasing office and recreation facility.

Maximum Dwelling Units 180

Minimum Lot Size 479,160 SF

Minimum Land Area per Dwelling Unit 1,700 SF

Minimum Livability Space per Dwelling Unit 900 SF

Landscaping and Screening:

Minimum Open Landscape Area: 149,986 SF (30%) of Lot Area

In addition to the landscape and screening standards defined in the Tulsa Zoning Code the following shall apply:

A minimum of 30% of the Lot Area will be landscaped open space provided throughout the project as shown on Exhibit C. The Developer will construct and maintain a six feet "tilt up" masonry wall with a minimum height of 6 feet and a maximum height of 8 feet as measured from the

existing ground at the property line. The wall will be constructed on the north and east boundaries of the project that abut the single-family homes. The wall will be solid and will prevent any lights from cars that would shine through a wood, screening fence. A six (6) feet high wood screening fence will be erected on the north boundary adjacent to the church/day care property on S. 177th.

Double fencing should be avoided and the developer will remove existing fences on the adjacent residential lots. However, in the event that the home owner on the adjacent lot refuses to allow the existing wood fence to be removed the developer may leave the existing wood fence.

The parking lot on the east side of the project adjacent to the single-family homes will be set back a minimum of ten (10) feet from the property line. This 10 feet area will be landscaped and there will be oak or maple trees installed on approximately 20 feet centers to create a natural visual barrier in addition to the solid wall.

Within the street yard on South Lynn Lane a minimum of one tree for each 750 square feet will be installed and maintained.

Along the south and southwest border of the stormwater detention facility a 20 foot wide landscape area will be maintained with a double row of trees installed on approximately 20 foot centers to create a natural visual barrier between the drive and parking area and the single family residential areas north of the site.

A detail landscape plan shall be submitted to and approved by the Planning Commission staff in accordance with the Planned Unit Development and the Landscape Standards of the Tulsa Zoning Code.

Fencing adjacent to the day care at the northwest corner of the property shall be double sided fencing.

Building Standards:

Minimum Building Setback from	85 feet
the section line in the S. Lynn Lane right-of-way.	

Minimum Building Setback from the East Boundary Adjacent to Stonegate III Addition	80 feet
Minimum Building Setback from the North Boundary of the East 590 feet Adjacent to Stonegate Addition	90 feet
Minimum Building Setback from the North boundary of the west 635 feet of the Property adjacent to Church Property	17.5 feet
Minimum Building Setback from the South Boundary	17.5 feet
Maximum Building Height:	
3 Story Buildings	45 feet
2 Story Buildings	35 feet

Windows and balconies are prohibited on the north sides of any of the three (3) story buildings located closest to the north property line abutting the single family lots.

Minimum Internal Setback between Buildings	10 feet
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Lighting:

Lights will be will be shielded, located and restricted in height so that no light can shine into the adjacent single family homes on the north and east boundaries. Under no circumstances will pole or wall lights exceed 20 feet in height.

Trash Containers and Enclosure:

Neighborhood trash collection devices of any kind must be a minimum of 150 feet from any adjacent single family residential area. .

Enclosures shall be of sufficient height to screen the container from view and will be masonry construction. The minimum height allowed will be 6 feet. The doors will be the full height of the masonry enclosure and will be steel frame construction with metal screen providing a minimum opacity of 80%.

Vehicular and Bicycle Parking:

Vehicular parking and drive aisles will meet or exceed the minimum dimensional standards defined in the Tulsa Zoning Code. The

parking will also meet or exceed the minimum parking ratio defined in the Tulsa Zoning Code.

Bicycle racks will be provided at each common area such as the club house, pool and play ground area. A rack with a minimum storage for 6 bicycles will be required at each of those locations and the rack will be surrounded with a hard pavement surface where the bicycles are stored.

Each covered parking area will also include a minimum of one bicycle rack under the covered parking area with a minimum storage area for 4 bicycles. In the event that the covered parking is not constructed the bicycle parking will still be required for each area illustrated as covered parking on the conceptual plan.

All other development standards and bulk and area requirements will conform to the requirements outlined in the RM-1 District of the Tulsa Zoning Code.

VEHICULAR ACCESS AND CIRCULATION:

Street Improvements to East 177th East Avenue will be constructed by the Developer as required by the Director of Development Services at the City of Tulsa.

PEDESTRIAN ACCESS:

Full pedestrian access will be required through this site for all adjacent single family subdivisions, the church and day care site north and west of the PUD.

The internal sidewalk network will be connected to the existing sidewalk systems on the north and east sides of the PUD. The sidewalk system will also connect to the sidewalk required in the 177th street right of way.

PLATTING REQUIREMENT:

A subdivision Plat will be required meeting all relevant requirements in the City of Tulsa.

EXPECTED SCHEDULE OF DEVELOPMENT:

Project construction is expected to begin in 2015 as soon as zoning process, subdivision plat and construction drawings are completed.

DETAILED STAFF RECOMMENDATION:

The proposed PUD presented for this site is consistent with the New Neighborhood vision of the Comprehensive Plan; and

RM-1 zoning without a PUD overlay does not provide appropriate transition and screening adjacent to the existing and proposed residential development; and

PUD-825 provides adequate architectural and site planning standards to provide appropriate transition areas between this site and the adjacent single family residential areas; and

PUD-825 is consistent with the provision of the PUD chapter of the Tulsa Zoning Code.

The proposed multifamily project is consistent with the anticipated future and existing development patterns in this part of Tulsa therefore.

Staff recommends **APPROVAL** of PUD-825 as outlined in Section I above.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The request for RM-1 zoning with a PUD overlay is consistent with the vision for a New Neighborhood which may include “low-rise apartments or condominiums”.

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 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:

The Major Street and Highway Plan illustrates South 177th East Avenue as a secondary collector without a multi modal consideration. The Major Street and Highway Plan illustrates a 4 lane street with sidewalks on both sides of the street.

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 site is at the south and west end of stub streets that are shown on the conceptual plan. Provisions of the PUD will require connections to the north and provide options for a pedestrian connection to the east. The existing stub street will be removed and integrated into the existing subdivision. The Comprehensive Plan suggests connectivity for vehicular and pedestrian circulation.

Environmental Considerations: There are no environmental concerns regarding steep terrain, flood plain or other sensitive development considerations that would affect this site or its site plan.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South 177 th East Avenue	Secondary Arterial	100 feet	2
South 178 th East Place	None	50 feet	2
East 49 th Place South	None	50 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties: The subject tract is abutted on the east by a single-family residential subdivision, zoned RS-3; on the north by a single family residential subdivision and undeveloped property, zoned RS-3 and AG respectively; on the south by a senior living center that has been approved but not constructed, zoned RM-2; and on the west by undeveloped property, zoned AG.

SECTION III: Relevant Zoning History

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

Surrounding Property:

Z-7273 September 2014: All concurred in approval of a request for rezoning a 11± acre tract of land from AG to RM-2 for assisted/independent living, on property located east of northeast corner of E. 51st St. and S. 177th E. Ave.

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

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

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

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

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

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

BOA-21256 May 24, 2011: The Board of Adjustment **approved** a *Variance* of the maximum amount of required front yard permitted to be covered with an all-weather surface in the RS-3 district from 34% to 45% to permit three car wide driveways in front of three car garages (Section 1303.D), subject to the Council approving the PUD (PUD-784) which has been recommended, on property located east of the northeast corner of E. 51st St. and S. 177th E. Ave.

Mr. Wilkerson noted that the conceptual plan is not the final product and some things will have to be moved.

Applicant's Comments:

John Moody, 6004 South Marion Avenue, 74135, stated that his client is presenting a low-density project, with 180 dwelling units, which is only 15.6 dwelling units per acre and is barely above the RM-0 zoning. Mr. Moody indicated that he held a meeting with the Stonegate Homeowners Association on November 24, 2014.

Mr. Moody stated that the following issues were the biggest concerns of the neighborhood: 1. Traffic on South 177th, which is Lynn Lane, particularly going south. Mr. Moody proposes to install a left-turn lane at the developer's expense. Mr. Moody indicated that the Open Arms Daycare is also going to install a left-turn lane, which is adjacent to the subject property. Mr. Moody stated that an additional left-hand turn lane will be installed by another development along the same street. Mr. Moody explained that the left-hand turn lanes will help prevent traffic stacking up. Mr. Moody stated that his client redesigned the entrance to help prevent stacking and to allow emergency vehicles better entrance; 2.

The neighborhood does not want the stub streets opened and connected to the apartment project. Mr. Moody stated that his client would vacate East 49th Place South and close the stub street, and then the land would be made available to be placed into the HOA to use for recreational purposes. The other stub street, which is South 178th Street on the northern boundary, has to remain open with an emergency gate for emergency access. The City of Tulsa, accordance with their connectivity, is requesting and part of the conditions of the PUD is that there be a pedestrian access provided to the stub street and the HOA do not want any pedestrian access in the neighborhood. The HOA feel that a pedestrian access into their neighborhood could cause a security threat or pose some problems to the neighborhood. Mr. Moody indicated that he agreed to request that the pedestrian access requirement be waived. 3. The HOA was concerned about the screening fence and his client has agreed to install a masonry screening wall along east and north boundaries adjacent to all of the single-family homes. Mr. Moody explained that his client has also agreed to remove the residences wood screening fence and place the masonry wall where it would be most advantageous for maintenance and not have any no man's land area or maintenance problem. 4. The HOA was concerned about three-story apartments and his client has agreed that there would not be any three-story apartments located closer than 90 feet to the north side and to the east side and there will be no windows and no balconies on the north-faces of the apartment buildings. The finished floor elevation, on the ground level, will not be greater than three feet on any point of the existing topography.

Mr. Moody stated that 30% will have open landscaped area and that does include a stormwater detention area. Mr. Moody further stated that his client has agreed that if the opportunity is available that there would be connection to south, which would be 51st Street. Mr. Moody explained that he believes that the RM-1 zoning is compatible and consistent with the existing development and the new neighborhood concept. The property on the corner of Lynn Lane and 51st is for sale as commercial and the proposed apartment complex will provide a good buffer and natural transition from commercial. Mr. Moody cited the existing apartment complexes along 51st Street within the subject area. Mr. Moody stated that his client has listened and tried to accommodate everything the City has requested and attempt to address the neighborhoods issues. This is not a low-income project. Mr. Moody concluded that he is in agreement with the staff recommendation, but he is requesting a waiver of the pedestrian access requirement at the request of the HOA.

TMAPC COMMENTS:

Mr. Midget asked if there was any consideration of moving the three-story apartments to the interior and away from the residential homes to prevent any peering over into the neighborhood.

Mr. Liotta out at 3:05 p.m.

Scott Branton, Architect, P.O. Box 43, Fort Smith, AR 72902, there are two buildings that are more toward the center that are slightly angled and there is not enough room within these buildings to rotate them to be close enough to the streets and the Fire Department has required that all of the three-story apartments be within 30 feet of the roadway. Mr. Branton stated that the proposal lost a building due to this requirement and this is the configuration that could be done.

Mr. Midget out at 3:11 p.m.

INTERESTED PARTIES OPPOSING:

Jeff Williams, 4734 South 178th East Avenue, 74134, **John M. Beavers**, 4727 South 177th East Place, 74134; **Sylvia Dewey**, 18308 East 46th Street, 74134.

INTERESTED PARTIES OPPOSING COMMENTS:

Additional traffic congestion on Lynn Lane and 51st Street; property values declining and homes already for sale that back up to the proposed apartment property; low water pressure; Mr. Moody overlooking that several neighbors at the meeting were opposed to the apartments; emergency access; there are no immediate plans for the City to improve the streets; the letter indicating that the HOA is not opposed to the proposal is not true, most were opposed and were not a part of the decision regarding the letter; Stonegate homeowners feel betrayed because when they purchased their homes they were told the subject property would be Phase III and Phase IV, with one exception that part of the subject property was being reserved for a church, now they find out that it is not a church, but a business and an apartment complex; this is the wrong development in the wrong place; within one mile of 51st and Lynn Lane there are three major apartment complexes and two miles out there are six apartment complexes; the subject property is not equipped to provide proper access to the street and a left-hand turn lane will not serve the existing traffic problems; a traffic study should be done before taking action on this application; the homeowners will now be looking at a masonry fence and a flat wall; do not want to offer any access into the neighborhood from this apartment complex; the neighbors pay HOA dues to provide the common areas and amenities; the pedestrian access shouldn't be allowed into the neighborhood because there are homeowners amenities by the HOA fees, which include a stocked pond,

trails; there is currently other people driving in and using the ponds and trails, walking their dogs and not picking up after them; the pond area and walking trails are on private property.

Mr. Walker out at 3:21 p.m.

INTERESTED PARTIES IN SUPPORT:

Joani Dotson, representing the Tulsa Health Department, 5051 South 129th East Avenue, 74134; **Charlie Gilmore**, 3257 East 74th Street, 74136.

INTERESTED PARTIES IN SUPPORT COMMENTS:

Ms. Dotson stated that on behalf of the Health Department, she is encouraged by the plan as it is and support the staff's recommendation for approval and do not agree with the waiver for limiting the pedestrian access. Ms. Dotson read a statement about obesity and health in Oklahoma and the importance of exercise. Providing the pedestrian access will encourage exercise. By cutting off pedestrian access it discourages physical activity and encourages unhealthy behavior. Mr. Gilmore stated that he is representing the Church, Our Savior Lutheran Church, which is north of the subject proposal. Mr. Gilmore indicated that he is in favor of the project. Mr. Gilmore stated that the Church's Child Development Center will serve Sunday as the home for the mission start. Mr. Gilmore requested that the face of the screening fence be facing toward the Church's property to have a finished look.

Applicant's Rebuttal:

Mr. Moody stated that he has addressed the traffic issues the best that he can. Because of the low density of this project it will not be low-income apartments. The very nature of the subject project and the density requires these to be upper-end income type of apartments. Mr. Moody commented that he has tried to address all of the neighbors' concerns the best he could. He understands the need for pedestrian access, but he also understands the HOA's concerns and will do whatever is required.

TMAPC COMMENTS:

Mr. Dix stated that sympathizes with the HOA pedestrian issue, but he sees nothing wrong with the project except the pedestrian access.

Mr. Reeds stated that he supports the project and they are building a lot less than they could build. Mr. Reeds further stated that he believes that connectivity is a good and having a mixed housing types next door that is less dense than is allowed is certainly a smart way to go. Mr. Reeds commented that the HOA wouldn't be objecting if it were single-family homes. Mr. Reeds concluded that he supports this project with the pedestrian connection.

Mr. Stirling stated that he will support the project either way, but at some point a decision has to be made that pedestrian access is an important goal of the Planning Commission and want to continue to do that. Mr. Stirling wanted to clarify that there are still plans to have pedestrian access to the potential child care center and stipulate the wood fencing.

Mr. Dix moved to approve the proposed applications per staff recommendation, exception that the fence along the Open Arms Child Care Development on the east and south side is double sided, subject to the pedestrian access to the single-family neighborhood not be allowed.

Ms. Millikin seconded.

Mr. Midget in at 3:34 p.m.

Mr. Carnes stated that he has mixed emotions about the pedestrian right-of-way, because the Planning Commission has been fighting for those for the last few years and in every development that is done. Mr. Carnes further stated that if the Planning Commission gives up on this one will it mean we give up on all of them for the rest of the City. Mr. Dix stated that all he is doing is making a motion and it can be voted up or down.

Mr. Covey asked Mr. Moody if he was in agreement with the double-sided screening fence. Mr. Moody stated that he is agreeable to putting the finished side on the Open Arms Child Development property on both sides.

Mr. Covey stated that he understands the argument of paying homeowner's dues and not allowing the public to come in and use their amenities. Mr. Covey further stated that it does seem like in the past few years the Planning Commission has been trying to approve as many sidewalk projects and access points as possible.

Mr. Dix stated that he simply made a motion to allow for a vote up or down. He reminded the neighborhood that the streets are public streets that were built with public money and do not belong to the HOA. The request for denying the public access to those streets is not in-keeping with the public good.

Mr. Covey restated the motion to approve Items 13 and 14 per staff recommendation, subject to the addition of a double-sided wood screening fence along the east and south side of the Open Arms property and remove all public access.

TMAPC Action; 8 members present:

On **MOTION** of **DIX**, TMAPC voted **2-6-0** (Dix, Millikin "aye"; Carnes, Covey, Midget, Reeds, Shivel, Stirling "nays"; none "abstaining"; Fretz, Liotta, Walker "absent") to recommend **APPROVAL** of the RS-1 zoning for Z-7288 and PUD-825 per staff recommendation, subject to a double-sided wood screening fence along the east and south side of the Open Arms property and subject to removing all public access to the single-family neighborhood to the north, and the stub street, which will be vacated to the east and pedestrian access will be allowed to the Open Arms and 177th.

MOTION FAILED.

TMAPC Action; 8 members present:

On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Carnes, Covey, Dix, Midget, Millikin, Reeds, Shivel, Stirling "aye"; "nays"; none "abstaining"; Fretz, Liotta, Walker "absent") to recommend **APPROVAL** of the RS-1 zoning for Z-7288 and PUD-825 per staff recommendation, subject to no waivers for public access to any portion of the subject property and subject to the fence along the Open Arms on the east and south side shall be have a double-sided wood screening fence.

Legal Description for Z-7288/PUD-825:

A TRACT OF LAND THAT IS PART OF THE SOUTHWEST QUARTER (SW/4) OF SECTION TWENTY-FIVE (25), TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT OF LAND BEING DESCRIBED AS FOLLOWS: COMMENCING AT A POINT THAT IS THE SOUTHWEST CORNER OF SAID SW/4; THENCE NORTH 01°19'25" WEST ALONG THE WESTERLY LINE OF SAID SW/4 FOR 660.00 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND; THENCE CONTINUING NORTH 01°19'25" WEST ALONG SAID WESTERLY LINE FOR 275.44 FEET; THENCE NORTH 88°40'26" EAST FOR 635.06 FEET: THENCE NORTH 01°19'34" WEST FOR 275.00 FEET TO A POINT ON THE SOUTHERLY LINE OF STONEGATE SUBDIVISION, A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA; THENCE NORTH 88°40'26" EAST ALONG SAID SOUTHERLY LINE FOR 590.38 FEET TO THE NORTHWEST CORNER OF LOT SEVEN (7), BLOCK ONE (1), STONEGATE III SUBDIVISION, A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA; THENCE SOUTH 01°18'37" EAST ALONG THE WESTERLY LINE OF SAID STONEGATE III SUBDIVISION FOR 550.60 FEET TO A POINT THAT IS 660.00 FEET NORTHERLY OF THE SOUTHERLY LINE OF SAID SW/4; THENCE SOUTH 88°40'53" WEST PARALLEL WITH SAID SOUTHERLY LINE

FOR 1225.30 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND. THE ABOVE DESCRIBED TRACT OF LAND CONTAINING 499,951.54 SQUARE FEET OR 11.477 ACRES, MORE OR LESS.

RELATED ITEM 15:

15. **Brookstone Park at Lynn Lane - Preliminary Plat**, Location: North of the northeast corner of East 51st Street South and South 177th East Avenue, (CD 6) (Related to Z-7288 & PUD-825) (Continued from 12/3/14, 12/17/14 and 1/7/15)

STAFF RECOMMENDATION:

This plat consists of one lot, one block, on 11.7 acres.

The following issues were discussed December 4, 2014, at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned AG with RM-1 (residential multifamily) with Planned Unit Development 825 pending.
2. **Streets:** Drive entrance will need to be reworked to 40 feet maximum width or 50-foot width with middle island, which should be placed to accommodate ultimate widening of 177th. Delete section on mutual access easement in the covenants if there are none platted. Revise sidewalk section in covenants to reflect actual conditions. Are there any “abutting lots having access to minor streets...” etc? Sidewalks to be built as part of Infrastructure Development Plan if applicable. Left turn lane at drive will be required unless a warrant study proves operations on 277th will not degrade from traffic accessing the development during peak times. Any orphan street stubs will need to be vacated prior to final plat approval unless not practical or feasible.
3. **Sewer:** Sanitary sewer will not flow into the Stone Creek Farms Lift Station. Therefore the project will be assessed the \$700/acre Broken Arrow fees, City of Tulsa Administration fees, and the Trinity Creek Payback fees. To be assessed during development approval.
4. **Water:** Additional easement may be required for water meter locations. Water service meter must be installed inside a green space not in the pavement.
5. **Storm Drainage:** The covenants need to address detention.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** Additional easements may be needed.
7. **Other: Fire:** No comment.

8. **Other: GIS:** Add north arrow to the location map. Correct misspelling of Arkansas. Submit data control sheet. Show pending subdivisions on location map. Remove Section IG in covenants. Check street names for typos.

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.

TMAPC Action; 8 members present:

On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Carnes, Covey, Dix, Midget, Millikin, Reeds, Shivel, Stirling "aye"; no "nays"; none "abstaining"; Fretz, Liotta, Walker "absent") to **APPROVE** the preliminary plat for Brookstone Park at Lynn Lane per staff recommendation.

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OTHER BUSINESS

16. Election of TMAPC Officers for 2015

This Item was moved to public hearing.

Mr. Covey stated that Item 16 has already been approved, but Mr. Dix has a question and would like to have discussion on this item.

Ms. VanValkenburgh stated that the Planning Commission could revisit this item.

Mr. Dix asked where the rule came from that states the Planning Commission Officers can't succeed their positions over two years. Ms. Miller stated that it is in the TMAPC Rules and Regulations. Mr. Dix asked if this can be changed. Mr. Covey stated that Ms. Miller and Ms. VanValkenburgh have been reviewing the Rules and Regulations and hopefully in the next few months there can be a work session specifically on revising the rules.

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17. Commissioners' Comments: None.

TMAPC Action; 8 members present:

On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Carnes, Covey, Dix, Midget, Millikin, Reeds, Shivel, Stirling "aye"; no "nays"; none "abstaining"; Fretz, Liotta, Walker "absent") to **ADJOURN** TMAPC meeting 2690.

ADJOURN


There being no further business, the Chair declared the meeting adjourned at 3:45 p.m.

Date Approved:

02-04-2015


Chairman

ATTEST:


Secretary