

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 2695

Wednesday, April 1, 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	Stirling	Fernandez	VanValkenburgh, Legal
Covey		Hoyt	
Dix		Huntsinger	
Fretz		Miller	
Liotta		White	
Midget		Wilkerson	
Millikin			
Reeds			
Shivel			
Walker			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Thursday, March 30, 2015 at 11:00 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:

Director's Report:

Ms. Miller reported on the upcoming cases and request for continuances.

Ms. Miller reported on the Zoning Code updates and upcoming public meetings.

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1. **Minutes:**

Approval of the minutes of March 15, 2015 Meeting No. 2964

On **MOTION** of **CARNES**, the TMAPC voted 9-0-0 (Carnes, Covey, Dix, Fretz, Liotta, Millikin, Reeds, Shivel, Walker “aye”; no “nays”; none “abstaining”; Midget, Stirling “absent”) to **APPROVE** the minutes of the meeting of March 15, 2015, Meeting No. 2964.

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Mr. Midget in at 2:32 p.m.

CONSENT AGENDA

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

2. **LC-649** (Lot-Combination) (CD-4) – Location: Northwest corner of East 15th Street South and South Trenton Avenue
3. **LS-20769** (Lot-Split) (CD-3) – Location: North and west of the northwest corner of East Woodrow Place and North Birmingham Place (Related to: LC-650)
4. **LC-650** (Lot-Combination) (CD-3) – Location: North and west of the northwest corner of East Woodrow Place and North Birmingham Place (Related to: LS-20769)
5. **LS-20771** (Lot-Split) (County) - Location: Southeast of the intersection of West Coyote Trail and South 209th West Avenue
6. **Change of Access –** Lot 1, Block 1, Triple’s Addition, Location: South of southeast corner of North Lewis Avenue and East Pine Street, (CD-3)

STAFF RECOMMENDATION:

This application is made to allow a change of access to shift one access along North Lewis Avenue. The property is zoned CS (Commercial Shopping).

Staff recommends approval of the change of access. The Traffic Engineer has reviewed and approved the request. Staff recommends **APPROVAL** of the change of access as submitted.

7. **PUD-659-6 – Roy Johnsen**, Location: West of the southwest corner of South Utica Avenue and East 31st Street South, requesting a PUD Minor Amendment to eliminate the condition to provide turnarounds, **RS-3/PUD-659**, (CD-9)

STAFF RECOMMENDATION:

Amendment Request: Modify the PUD Development Standards to eliminate the condition to provide turnarounds.

The original PUD-659 approval required turnarounds at the ends of the two access drives for the use of emergency vehicles, guest and deliveries. These turnarounds would be located in Lot 7.

The applicant is requesting that the requirement for the turnarounds be eliminated.

The Fire Marshall has stated that the elimination of the turnarounds would be acceptable if each structure is equipped with required sprinklers.

Staff Comment: This request can be considered a Minor Amendment as outlined by Section 1107.H.5 PUD Section of the City of Tulsa Zoning Code.

“Modification of the internal circulation system provided the system is not substantially altered in design, configuration or location.”

Staff has reviewed the request and determined:

- 1) The requested amendment does not represent a significant departure from the approved development standards in the PUD.
- 2) All remaining development standards defined in PUD-659 and prior minor amendments shall remain in effect.

With considerations listed above, staff recommends **Approval** of the minor amendment request to eliminate the condition to have turnarounds.

8. ***LS-20309 – Rescission of Approval – Riddle & Wimbish, P.C.**, Location: West of the northwest corner of East 61st Street South and South 129th East Avenue

9. **The Little Lighthouse Extended** – Final Plat, Location: Southeast corner of East 36th Street South and South Yale Avenue, (CD 5)

STAFF RECOMMENDATION:

This plat consists of one lot, one block on 6.1 acres.

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

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

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

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

Mr. Covey stated that he will be taking the requests for continuances first:

12. **PUD-151-1 – Four Season’s Sunrooms/Jana McBride**, Location: 3305 East 68th Place South, requesting a PUD Minor Amendment, (CD-8) **(Request for a continuance to April 15, 2015)**

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **DIX**, TMAPC voted **10-0-0** (Carnes, Covey, Dix, Fretz, Liotta, Midget, Millikin, Reeds, Shivel, Walker "aye"; no "nays"; none "abstaining"; Stirling "absent") to **CONTINUE** the minor amendment for PUD-151-1 to April 15, 2015.

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13. **CZ-440 – Roy Johnsen**, Location: South of southeast corner of East 133rd Street and South Garnett Road, requesting rezoning from **AG to RE**, (County) (Continued from March 4, 2015 and March 18, 2015) (Related to PUD-827/Oak Estates Preliminary Plat) **(Withdrawn by applicant)**

Withdrawn by applicant.

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14. **PUD-827 – Roy Johnsen**, Location: South of southeast corner of East 133rd Street and South Garnett Road, requesting PUD, **AG to RE/PUD**, (County) (Continued from March 4, 2015 & March 18, 2015.) (Related to CZ-440/Oak Estates Preliminary Plat) **(Withdrawn by applicant)**

Withdrawn by applicant.

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15. **Oak Estates – Preliminary Plat**, Location: South of southeast corner of East 133rd Street and South Garnett Road, (County) (Continued from March 4, 2015 and March 18, 2015), (Related to PUD 827/CZ440) **(Withdrawn by applicant)**

Withdrawn by applicant.

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20. **PUD-826 – AAB Engineering/CBC Builds**, Location: Northeast corner of East 23rd Street and South Delaware Place, requesting a **PUD** to split two large lots into four lots for single-family residential use, **RS-2/PUD-826**, (CD-4) (Continued from March 4, 2015 and March 18, 2015)

STAFF RECOMMENDATION:

Mr. Landis, representing the Neighborhood Association has requested a continuance to April 15, 2015.

TMAPC COMMENTS:

Mr. Covey stated that the applicant has been granted a couple of continuances in the past and now the homeowners association is requesting a continuance to April 15, 2015. Mr. Covey further stated that staff emailed their agreement with the continuance.

Mr. Covey asked the interested parties if they are opposed to the continuance.

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **DIX**, TMAPC voted **10-0-0** (Carnes, Covey, Dix, Fretz, Liotta, Midget, Millikin, Reeds, Shivel, Walker "aye"; no "nays"; none "abstaining"; Stirling "absent") to **CONTINUE** PUD-826 to April 15, 2015.

COMPREHENSIVE PLAN PUBLIC HEARINGS:

- 10. **CPA-32 – Eller & Detrich/Lou Reynolds**, Location: North of the northeast corner of South Delaware Avenue and East 15th Street South, requesting Amendment to The Comprehensive Plan for Main Street Land Use and Area of Growth designations, **RS-3 to OL**, (CD-4) (Related to Z-7293)

STAFF RECOMMENDATION:

Ms. Miller stated that this application is associated with Z-7293, Item 11. The applicant intends to redevelop the entire site for expansion of medical use and parking. Ms. Miller presented the following staff recommendation:

COMPREHENSIVE PLAN LAND USE MAP AMENDMENT REQUEST

North of NE/c of South Delaware Avenue and East 15th Street South (CPA-32)

I. PROPERTY INFORMATION AND LAND USE REQUEST

Existing Land Use: <i>Existing Neighborhood</i>
Existing Stability and Growth designation: <i>Area of Stability</i>
Proposed Land Use: <i>Main Street</i>
Proposed Stability and Growth designation: <i>Area of Growth</i>
Location: North of NE/c of South Delaware Avenue and East 15th Street South
Size: .24 acre

A. Background

The area that is subject to this Comprehensive Plan amendment application is located along East 15th Street South, an area characterized by a fairly narrow strip of commercially designated property surrounded by single-family residential neighborhoods. Currently the subject site contains a duplex and is surrounded by established residential neighborhoods to the north and west and commercially designated property to the south. This site and area immediately north and west were designated as a *New Neighborhood* and an *Area of Stability* when the Comprehensive Plan was adopted in 2010. The commercially designated area immediately south was designated as a *Main Street* and an *Area of Growth*.

B. Existing Land Use/Area of Stability and Growth Designations (Tulsa Comprehensive Plan)

When the new Tulsa Comprehensive Plan was developed and adopted in 2010, this area was designated as an *Area of Stability*:

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

An *Existing Neighborhood* land use designation was assigned to the area subject to the amendment request at the time of the adoption of the Tulsa Comprehensive Plan in 2010:

“The Existing Residential Neighborhood category is intended to preserve and enhance Tulsa’s existing single-family neighborhoods. Development activities in these areas should be limited to the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code. In cooperation with the existing community, the city should make improvements to sidewalks, bicycle routes, and

transit so residents can better access parks, schools, churches, and other civic amenities.

C. Proposed Land Use/Area of Stability and Growth Designations (Tulsa Comprehensive Plan)

The applicant is proposing an *Area of Growth* and *Main Street* land use designation on the subject site.

“The purpose of **Areas 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 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.”

“**Main Streets** are Tulsa’s classic linear centers. They are comprised of residential, commercial, and entertainment uses along a transit-rich street usually two to four lanes wide, and includes much lower intensity residential neighborhoods situated behind. Main Streets are pedestrian-oriented places with generous sidewalks, storefronts on the ground floor of buildings, and street trees and other amenities. Visitors from outside the surrounding neighborhoods can travel to Main Streets by bike, transit, or car. Parking is provided on street, small private off street lots, or in shared lots or structures.”

“**Main streets** represent some of Tulsa’s most interesting and lively streetscapes today, and will continue in the future. They will serve surrounding neighborhoods, and also will attract visitors to cafes,

shops and eateries — lending each main street its own unique flavor and vibe. Traffic travels slower on main streets than on arterials, and they will have fewer lanes. It will be easy to park once on the street or in a shared parking lot, then walk to destinations. The walking environment will be pleasant, with wide sidewalks, street trees, benches, and other pedestrian amenities. In older parts of the city, main streets will serve as linear neighborhood centers, where grocery stores, restaurants, and other local-serving businesses are located. Because they also tend to specialize in different types of businesses, such as dining, galleries, or apparel, they will continue to attract visitors from around the region. Buildings along main streets will typically be built up to the sidewalk, and generally range from one- to three-stories in height, but can be taller, depending on the urban design plans for an area.”

“**Main streets** serve the highest intensity retail and mixed land uses in Tulsa’s areas such as downtown and in regional and neighborhood centers. Like multimodal streets, main streets are designed to promote walking, bicycling, and transit within an attractive landscaped corridor. Generally, main street activities are concentrated along a two to eight block area, but may extend further depending on the type of adjacent land uses and the area served. “

“**Main streets** can be designed with two to four travel lanes, although typically have only two lanes. On street parking usually is provided to serve adjacent land uses. Unlike typical strip commercial developments, main streets offer the ability to park-once and walk amongst various destinations, thus reducing arterial trip making. The key is to create convenient parking that is on-street or provided in a shared public parking lot. In order to ensure the walkability of a main street, careful consideration must be made to the design elements and amount of parking lots. To further create a pedestrian friendly atmosphere, main streets have wide sidewalks, street furniture, outdoor cafes, plazas, and other public spaces.”

D. Zoning and Surrounding Uses:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	RS-3	<i>Existing Neighborhood</i>	Stability	Single-family residential
South	CH	<i>Main Street</i>	Growth	medical office & associated parking

East	RS-3	<i>Existing Neighborhood</i>	Stability	Single-family residential
West	RS-3	<i>Existing Neighborhood</i>	Stability	South Delaware Avenue, then single-family residential

E. Applicant’s Justification:

As part of the amendment application, the applicant is asked to justify their amendment request. Specifically, they are asked to provide a written justification to address:

1. how conditions on the subject site have changed, as well as those on adjacent properties and immediate area;
2. how changes have impacted the subject site to warrant the proposed amendment; and
3. how the proposed change will enhance the surrounding area and the City of Tulsa.

The applicant provided the following justification addressing the above as part of their application:

1. *“The subject property is subject to a pending rezoning to the OL District in TMAPC Case No. 7293. The purpose of the OL zoning is to provide for the expansion of a recently repurposed medical facility owned by Drs. Jayen and Nicole Patel. The Patels recently acquired the former Carpet City property on the northeast corner of East 15th Street and South Delaware Avenue and repurposed the carpet showroom into a state of the art medical facility. The Patels desire to continue to expand their medical facility and redevelop the remainder of the former Carpet City property which consists of a two (2) story warehouse that was used to manufacture and store carpet dating back to the 1940’s. To expand their medical facility, the Patels intend to raze the two (2) story warehouse and the existing duplex to the north thereof (which property is the subject of the rezoning) in order to expand their medical building to the north along Delaware and to provide for the necessary parking. The Patels’ redevelopment of the Carpet City showroom has been the catalyst for new development in this area as evidenced by the recent razing of several “far gone” buildings on the west side of Delaware Avenue, all of which has enhanced the redevelopment prospects for this area.*

2. *The subject area is designated as “Existing Neighborhood” when most of the post Comprehensive Plan growth in the immediate area has been more supportive of a land use designation of “Main Street” based upon the continued redevelopment of the commercial zoned property around the subject property.*
3. *The Comprehensive Plan did little if anything to, in fact, plan this area for either growth or stability. Instead, the Comprehensive Plan merely followed the then existing development pattern in this area and “planned” the residentially zoned area as an “Existing Neighborhood” and the commercially zoned area as a “Main Street”.*

At the time of the Comprehensive Plan, 15th and Delaware was the location of mostly dated and decaying commercial structures and facilities along with the usual occupants. Despite this area’s proximity to the economic vibrance of TU and Cherry Street, such economic vibrance has, until recently, like the Comprehensive Plan, overlooked 15th and Delaware.

The vitality of the Existing Neighborhood is directly related to the vitality of the Main Street. Likewise, the vitality of the Main Street is directly related to the vitality of the Existing Neighborhood.

The Comprehensive Plan failed to recognize this relationship in this area and thus failed to designate any additional area of growth necessary to rejuvenate and permit redevelopment of the Main Street area.

The change in land use designation to Main Street from Existing Neighborhood to permit the expansion of the Patels’ medical facility will replace dilapidated structures with modern facilities and will enhance the relationship between the existing neighborhood and the adjacent office and commercial uses as well as enhance the employment and development opportunities within the surrounding area and provide growth and economic development for the City of Tulsa.”

F. Staff Response:

Requests to the amend land use in an *Existing Neighborhood* for expansion of an adjacent commercial use are challenging, however, the Comprehensive Plan provides some guidance in considering such applications.

First, a Guiding Principle of the Comprehensive Plan (p. 6) states: *“Business owners are able to easily find adequate and attractive space for*

expanding businesses into downtown, along main streets, or in employment centers.”

This particular lot currently contains a duplex and is directly adjacent to an existing commercial use and *Main Street* land use designation to the south. It appears that the *Main Street* land use designation was assigned to this segment of East 15th Street South to reflect existing conditions. When examining the depth of other *Main Street* land use designations in other locations around the City, several others appear to be of slightly greater depth, therefore better accommodating future development potential.

In evaluating if an increase depth of the *Main Street* land use designation at this location would be appropriate, consideration is given to the immediately surrounding area. There are unique physical circumstances that help to support a land use change on this parcel. The subject site faces west, and across South Delaware Avenue (a 4 lane Residential Collector) is a residence that faces north. Therefore, there is not a direct relationship with the existing duplex to the residential area to the west and expansion of the *Main Street* designation could be appropriate here. Screening would be required between a future non-residential use on the subject site and the residential use to the north.

Parking is proposed on the subject site to support the expansion of the medical office use to the south. The Comprehensive Plan (p. 30) supports the concept of shared parking located behind buildings in *Main Street* land use designations.



In addition to on-street parking, shared lots in centers and main streets can be located behind buildings.

This request also includes a change to the Areas of Stability and Growth Map. The Plan provides criteria for areas of growth and for selecting additional areas of growth in the future: (p LU 57)

“The following criteria were used to select the Areas of Growth in the plan.

After the plan is adopted, new or revised Areas of Growth can be proposed based on these same criteria.

- *Underutilized land, especially surface parking lots or vacant buildings downtown or along corridors*
- *Areas already undergoing positive change which is expected to continue*
- *Areas adjacent to transit and around transit stations, existing and planned*
- *Areas along corridors with frequent bus service that can accommodate development on underutilized land*
- *Locations where appropriate infill development will promote shorter and less frequent trips*
- *Areas with special opportunities such as where major public or private investments are planned"*

This proposal meets several of the criteria. For instance, East 15th Street South in this area is experiencing positive change that is expected to continue. There are other revitalization efforts in this area, most significantly on the site to the west - on the northwest corner of Delaware Avenue and East 15th Street South. Parking has been an ongoing constraint in the redevelopment of this corridor and there have been some discussions between business/homeowners and the City to allow for on-street parking along East 15th Street South. In response to transit provision, a bus route that runs every 45 minutes on East 15th Street South serves this site.

II. STAFF RECOMMENDATION

- Staff recommends **Approval** of the *Main Street and Area of Growth* designations as submitted by the applicant.

PUBLIC HEARINGS:

Related Item to CPA-32:

11. **Z-7293 – Eller & Detrich/Lou Reynolds**, Location: North of the northeast corner of South Delaware Avenue and East 15th Street South, requesting a rezoning from **RS-3 to OL**, (CD-4) (Continuance from March 18, 2015)

STAFF RECOMMENDATION:

DEVELOPMENT CONCEPT:

The applicant is requesting a rezoning from RS-3 to OL. The OL zoning will support an expansion of the existing medical clinic immediately south of Z-7293. In conjunction with this zoning request the applicant has

requested a Comprehensive Plan amendment to change the site from Existing Neighborhood to Main Street designation. The site is north of East 15th Street on the east side of South Delaware Ave.

DETAILED STAFF RECOMMENDATION:

The rezoning request from RS-3 to OL is consistent with the historic character of zoning buffers between high intensity development and residential areas and;

OL is consistent with the expected development plan for this particular user. Future development in an OL district would still be compatible with the expected development pattern for this area and;

OL is consistent with the anticipated Comprehensive Plan revision that is being presented in conjunction with this application and:

OL is consistent with the existing proximate properties, therefore;

Staff recommends **APPROVAL** of Z-7293 to rezone property from RS-3 to OL.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The proposed zoning has been prepared in conjunction with the anticipated Comprehensive Plan Land Use and Growth and Stability modifications outlined in CPA-32. The proposed OL zoning pattern has been used in other locations along 15th street as a transition between CH and residential uses. The Comprehensive Plan at this location did not recognize the potential growth pattern that would be associated with a vibrant Main Street land use. Staff has recommended approval for the Comprehensive Plan amendment and this report has been prepared with the assumption that the plan will be amended as outlined below.

Land Use Vision:

Land Use Plan map designation: Main Street

“Main streets represent some of Tulsa’s most interesting and lively streetscapes today, and will continue in the future. They will serve surrounding neighborhoods, and also will attract visitors to cafes, shops and eateries — lending each main street its own unique flavor and vibe. Traffic travels slower on main streets than on arterials, and they will have

fewer lanes. It will be easy to park once on the street or in a shared parking lot, then walk to destinations. The walking environment will be pleasant, with wide sidewalks, street trees, benches, and other pedestrian amenities. In older parts of the city, main streets will serve as linear neighborhood centers, where grocery stores, restaurants, and other local-serving businesses are located. Because they also tend to specialize in different types of businesses, such as dining, galleries, or apparel, they will continue to attract visitors from around the region. Buildings along main streets will typically be built up to the sidewalk, and generally range from one- to three-stories in height, but can be taller, depending on the urban design plans for an area.”

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Areas of Stability and Growth designation: Area of Growth

“The purpose of **Areas 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 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:

15th Street is considered an Urban Arterial with a Main Street designation. Delaware is considered a Residential Collector at this location but not considered a Main Street. Ultimately both streets anticipate the following:

15th Street anticipates two lanes of through traffic with on-street parking on both sides with sidewalks and buildings close to the ultimate right of way line.

Delaware anticipates two lanes of through traffic and sidewalks without on-street parking.

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The existing site is a duplex that will be removed to accommodate growth potential for the existing business on 15th Street. There are no existing conditions that would complicate development of this site. The north line of the rezoning request would require screening fencing between OL and residential.

Environmental Considerations: Immediately south of this site an existing abandoned building will be demolished to allow expansion of the medical facility at the corner of 15th and Delaware. There are no obvious or known environmental considerations that affect the redevelopment of this site. Reconstruction adjacent to an existing neighborhood is always sensitive and the developer will be encouraged to work with the neighbors and minimize the impact on the neighborhood during that process. Standard screening fencing as required by the Zoning Code will be required between the OL and Residential areas north and east of the Z-7293 boundary.

Streets:

South Delaware Avenue is fully developed meeting the ultimate build potential recognized in the major street and highway plan.

East 15th Street is one lot south. The East 15th Street vision includes on street parking and two lanes of vehicular travel. This project will not adversely affect that plan.

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Delaware Ave.	Residential Collector	60 feet	4
East 15 th Street South	Urban Arterial with Main Street Overlay	70 feet	4

Utilities:

The subject tract has municipal water and sewer available.

Zoning and Surrounding Uses:

The surrounding property has previously been platted and developed as outlined in the following summary.

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	RS-3	<i>Existing Neighborhood</i>	Stability	Single-family residential
South	CH	<i>Main Street</i>	Growth	medical office & associated parking
East	RS-3	<i>Existing Neighborhood</i>	Stability	Single-family residential
West	RS-3	<i>Existing Neighborhood</i>	Stability	South Delaware Ave., then single-family residential

SECTION III

Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11815 dated June 26, 1970, established zoning for the subject property.

Subject Property:

BOA-2392 December 10, 1952: The Board of Adjustment approved a Special Exception to permit a duplex on Lots 32, 33 and 34 Block 5, Rosemont Heights, on property located at 1431 South Delaware Avenue.

Surrounding Property:

PUD-234 July 1980: All concurred in approval of a proposed Planned Unit Development on a 28,000± square foot tract of land for an auto body repair shop and permitting uses as a matter of right in the CH district and off-street parking, on property located on the northeast corner of East 15th Street and South Evanston Avenue.

Ms. Miller stated that at the last minute staff received a phone call from Tom Neal indicating that the letter from Mr. Shuyler was not in fact the Neighborhood President and shouldn't have written a letter speaking on behalf of the neighborhood. Ms. Miller stated that staff hasn't had time to sort this out due to receiving the call in the past hour.

Ms. Miller stated that the related zoning case, Z-7293, is very similar to the amendment, it is a request from RS-3 to OL, which is office light and could accommodate either parking or expansion of the office. Ms. Miller stated that the associated site plan that staff viewed is not associated with the zoning and so it may or may not happen as it shows today, which is a parking lot. Staff feels that either use will be a transitional use that would be appropriate at the subject location. Ms. Miller indicated that staff recommends approval of the zoning as well.

TMAPC COMMENTS:

Mr. Dix asked if staff has had time to verify the validity to anything that was put in that letter. Ms. Miller stated that she and Mr. Wilkerson had already left the office for lunch and this meeting when Mr. Neal called. Barbara Huntsinger talked with Mr. Neal and shortly after their discussion he emailed the letter stating that Mr. Shuyler was the past President and shouldn't have mailed the letter. Mr. Dix stated that right now we do not know which letter may or may not be valid. Ms. Miller stated staff doesn't know which letter is valid at this time.

Applicant's Comments:

Lou Reynolds, 2727 East 21st Street, 74114, representing Doctors Nichole and Patel, owners of the subject facility, stated that his clients acquired the subject property about three years ago. The subject property is the former Carpet City Show Room and Warehouse. The clinic has been a big success and his clients would like to demolish the two-story warehouse and expand the medical clinic to the north. His clients would like to use some of the subject property for office use and the rest for parking. Mr. Reynolds submitted photographs of before and after (Exhibit A-1).

Mr. Reynolds stated that he learned from Dr. Patel that the letter from Mr. Shuyler was signed during the time he was President, but in a recent election he was not reelected. Mr. Reynolds explained that he understands that the current neighborhood association believes that they should be supporting residential development and be more neutral as opposed to the proposal.

INTERESTED PARTIES COMMENTS:

Bucky Cordray, 1248 South Columbia Avenue, 74104, stated that he is the current President of the Renaissance Neighborhood Association. Mr. Cordray stated that members met with Dr. Patel several weeks ago, when Mr. Shuyler was the President and after the meeting it was agreed that there wasn't enough evidence and information from them to make a decision whether to support or oppose. Mr. Neal found the letter that wasn't approved by the Board and we apologize for any misrepresentation and the letter submitted today is supposed to have stated that there is not enough information to determine whether to support it or oppose it at this time.

Tom Neal, 2507 East 11th Place, 74104, member of the Renaissance Neighborhood Association, stated that he is extremely concerned about the fact that the neighborhood association has not been able to see some kind of some significant documentation of their intentions. Mr. Neal stated that he would like to see a site plan. Mr. Neal stated that the letter from the former President is not in good faith and is fraudulent. There are four members present today to state that the letter from Mr. Shuyler is fraudulent. Mr. Neal requested a continuance in order to give the applicant's an opportunity to demonstrate to the neighborhood that they intend to be good neighbors and what kind of buildings they plan and where they plan to place them. Mr. Neal stated that he would like to see the screening go significantly beyond the minimum requirement and ask for the Planning Commission's help and cooperation.

TMAPC COMMENTS:

Mr. Midget asked Mr. Neal if the Planning Commission decided to grant an extension, what would be his idea of a reasonable time. Mr. Neal stated that he would leave that to the doctors. Mr. Neal explained that he would like to see a detail site plan to see how they intend to develop the property and give the association and the Planning Commission time to see if it would be compatible with the neighborhood. Mr. Neal suggested two months.

Ms. Miller stated that she wanted to note that staff has seen a site plan and there is one that has already been generated for the intent of the subject property. However, this is a straight zoning application and the Planning Commission’s decision isn’t tied to a site plan.

Applicant’s Rebuttal:

Mr. Reynolds stated that he wasn’t aware of this much miscommunication with regard to what is going to be on the subject property. Mr. Reynolds further stated that he has no problem with a continuance and suggested a one month continuance, May 6, 2015.

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **DIX**, TMAPC voted **10-0-0** (Carnes, Covey, Dix, Fretz, Liotta, Midget, Millikin, Reeds, Shivel, Walker "aye"; no "nays"; none "abstaining"; Stirling "absent") to **CONTINUE** CPA-32 and Z-7293 to May 6, 2015.

* * * * *

Mr. Walker out at 1:55 p.m.

- 16. **LS-20770** (Lot-Split) (County) – Location: Southeast corner of East 209th Street South and South Mingo Road

STAFF RECOMMENDATION:

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

Technical Advisory Committee met on March 19, 2015. The County Engineer is requesting a 50’ right of way Easement along South Mingo Road.

The proposed lot-split would not have an adverse affect on the surrounding properties and staff recommends **APPROVAL** of the lot-split and the waiver of the Subdivision Regulations that no lot have more than three side lot lines.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 9 members present:

On **MOTION** of **CARNES**, TMAPC voted **9-0-0** (Carnes, Covey, Dix, Fretz, Liotta, Midget, Millikin, Reeds, Shivel "aye"; no "nays"; none "abstaining"; Stirling, Walker "absent") to **APPROVE** the lot-split and the waiver of the Subdivision Regulations that no lot have more than three side lot lines for LS-20770 per staff recommendation.

* * * * *

Mr. Walker in at 1:56 p.m.

- 17. **Z-7297 – John Shafer**, Location: East of southeast corner of West Archer Street South and North Denver Avenue, requesting a rezoning from **IL to CBD**, (CD-4)

STAFF RECOMMENDATION:

DEVELOPMENT CONCEPT:

The applicant is proposing to rezone the site from IL to CBD to reflect the redevelopment character of the area. CBD also removes the parking requirement that is imposed by IL zoning.

DETAILED STAFF RECOMMENDATION:

Z-7297 requesting CBD zoning is consistent with the vision defined for a Downtown Neighborhood in the Tulsa Comprehensive Plan and;

The rezoning request is consistent with the goals and concepts expressed in the Downtown Master Plan and;

CBD zoning is consistent with the expected re-development pattern in this site and;

The CBD rezoning request is consistent with the existing development pattern in this site therefore;

Staff recommends **APPROVAL** of Z-7297 to rezone property from IL to CBD.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: This rezoning request is a continuation of the trend to remove industrial uses from the Urban Core of the City and is consistent with the Comprehensive Plan vision in a Downtown Neighborhood. The rezoning request will allow all uses by right except mining, industrial uses and salvage operations.

Land Use Vision:

Land Use Plan map designation: Downtown Neighborhood

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

Areas of Stability and Growth designation: 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 an ultimate 80 foot right-of-way along Archer Street which was dedicated in the plat for the Original Town site of Tulsa. No additional street right of way is required at this location.

Trail System Master Plan Considerations: None

Small Area Plan: Downtown Master Plan completed in July 2010

This area is at the western end of the Brady Village designated in this plan and was considered a mixed use area. There are no gateways or street improvements suggested by the plan that would affect this site.

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is a small existing building that covers almost the entire lot. The existing building has high potential for redevelopment into a CBD use.

Environmental Considerations: No known environmental considerations that would affect the redevelopment opportunity for this site.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
West Archer Street	Downtown Collector	Existing 80'	2 plus on street parking on both sides of the street.

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties: The subject tract is abutted on the east by small industrial buildings that are still zoned IL; on the north south and west by a mix of empty lots and buildings that are available for redevelopment

opportunities. Many of those lots and buildings have recently been rezoned from IL to CBD.

SECTION III: Relevant Zoning History

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

Surrounding Property:

Z-7290 January 2015: All concurred in approval of a request for rezoning a .14± acre tract of land from IL to CBD for mini-storage or office, on property located east of northeast corner of W. Archer St. and N. Denver Ave. and abutting north across W. Archer St. from subject property. Staff has not received the Affidavit of the published Ordinance.

There have been many rezoning actions in the downtown area since 1980 that involved rezoning to CBD designation. The patterns of redevelopment for all of the rezoning requests have been consistent with the Tulsa Comprehensive Plan.

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, Midget, Millikin, Reeds, Shivel, Walker "aye"; no "nays"; none "abstaining"; Stirling "absent") to recommend **APPROVAL** of the CBD zoning for Z-7297 per staff recommendation.

Legal Description for Z-7297:

A part of Lot 6, Block 62, ORIGINAL TOWN, now CITY OF TULSA, Tulsa County, State of Oklahoma, according to the official Plat thereof, described as: Beginning at a point on the Northerly boundary line of said Lot 6, Block 62, aforesaid, at a point 40 feet from the Northwest corner of said Lot; thence running Easterly on a straight line and along the boundary line of said Lot to the Northeast corner of said Lot, on an alley, a distance of 100 feet; thence Southerly along the Easterly boundary of said Lot 6, to a point on the Easterly boundary line of said Lot 6, and parallel with the Western boundary line of said Lot 6, a distance of 65 feet; thence Westerly on a straight line parallel with the Northerly boundary line of said Lot 6, to a point, a distance of 100 feet; thence Northerly on a straight line parallel with the Westerly boundary line of said Lot 6, to a point on the Northerly boundary line of Lot 6, a distance of 65 feet and to the place of beginning, City of Tulsa, Tulsa County, State of Oklahoma.

18. **PUD-830 – Roy Johnsen**, Location: South and west of southwest corner of East 41st Street and South 193rd East Avenue, requesting a PUD for increased front yard coverage for three car driveway, building height, and livability space distribution from lot to common open space, **RS-4/PUD-830**, (CD-6)

STAFF RECOMMENDATION:

DEVELOPMENT CONCEPT:

The subject property (the “Property”) comprises 40.3 acres located approximately one fourth of a mile west of South 193rd East Avenue and approximately located one half of a mile south of East 41st South and the north boundary adjoins Cypress Creek which is a subdivision of upscale single-family residences. The pending Cypress Creek Estates is planned for 119 upscale single-family residences. A copy of the preliminary plat of Cypress Creek Estates is attached and is being developed by Cypress Creek Residential Development, LLC (Steve Brown, Manager).

This is part of a previously planned and partially constructed subdivision. Three car driveways to support three car garages is the recent trend at this price point for single-family residential construction. The existing Zoning Code does not allow that much pavement in the front yard and a PUD provides an alternative solution for that style of construction in new subdivisions.

PUD-830 DEVELOPMENT STANDARDS:

The Property is zoned RS-4 and a permitted use of a Lot shall be limited to a single-family residence and customary accessory use. All single-family and RS-4 requirements remain applicable with the following exceptions:

- (a) Maximum Area of Off-Street Parking allowed
in a required Front Yard: 700 square feet
- (b) Maximum Height of Dwelling 40 feet
- (c) Minimum Livability Space 2000 square feet

VEHICULAR AND PEDESTRIAN ACCESS AND CIRCULATION:

Access will be derived from existing residential subdivisions which adjoin the subject property and interior streets and sidewalks shall be constructed in accordance with the standards of the City of Tulsa.

Additional pedestrian and open space opportunities are provided through the green space reserved for storm water detention on the south and northeast corners of the site. Pedestrian access is provided from street

right of way and from reserve areas as shown on the plat. Additional pedestrian opportunities may be provided by the homeowners association.

Sidewalk construction will be constructed across the reserve area frontages as part of the Infrastructure Development Plan requirements.

SITE PLAN REVIEW:

For the purposes of site plan review requirements, the approved final plat shall constitute the required detailed site plan.

PLATTING REQUIREMENT:

No building permit shall be issued until the area comprising the planned unit development has been included within a subdivision plat submitted to and approved by the Tulsa Metropolitan Planning Commission and the Tulsa City Council, and duly filed of record. The required subdivision plat shall include covenants of record implementing the development standards of the approved planned unit development and the City of Tulsa shall be a beneficiary thereof.

EXPECTED SCHEDULE OF DEVELOPMENT:

The project is partially constructed and it is anticipated that the infrastructure will be completed in 2015.

NEIGHBORHOOD IDENTIFICATION SIGN AND LIGHTING: None except where allowed in the Tulsa Zoning Code for residential development.

DETAILED STAFF RECOMMENDATION:

Staff recommends **APPROVAL** of PUD-830 as outlined in Section I above.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: This New Neighborhood is consistent with the land use designation and is also consistent with the Area of Growth designations.

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, Area of Stability

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

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 surrounded by existing storm water detention facilities and there is very little slope except what has been created. Other than the storm water management there is

very little concern or restrictions for redevelopment of this site as a single-family residential development.

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South 187 th East Place	Residential	50 feet	2
South 186 th East Avenue	Residential	50 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties: The subject tract is abutted on all sides with single-family residential development. The north side is zoned RS-4, the west and South are zoned RS-3. East of the site there are several large lot residences still zoned AG.

SECTION III: Relevant Zoning History

Staff Comment: Within the last seven years the Planning Commission and the Board of Adjustment have provided solutions to the zoning restriction which prohibits three car drives and surface parking in the front yard. The solutions have been provided by Planned Unit Developments for an entire subdivision and Special Exceptions for individual lots. The PUD is encouraged for entire subdivision development and has been considered appropriate where the surrounding area has seen new development.

Appropriate Infill development is encouraged in the Tulsa Comprehensive Plan. Infill projects with excessive front yard parking, when surrounded by existing neighborhoods with small drives and large front yard green space, can disrupt the character of the existing neighborhood. These solutions to current market considerations should be reviewed carefully for infill projects where the character of the homes is smaller drives and smaller garages spaces.

ZONING ORDINANCE: Ordinance number 21135 dated September 23, 2005, and number 18555 dated September 21, 1995, established zoning for the subject property.

Subject Property:

Z-6999 September 2005: All concurred in approval of a request to rezone a 90+ acre tract from RS-3, AG, OL and CS to RS-4 for single-family development, on property located west of the southwest corner East 41st Street South and South 193rd East Avenue and also a part of the subject property

Z-6500 September 1995: All concurred in approval of a request for rezoning a 107± acre tract of land from AG to RS-4, for single-family development, on a property north of East 51st Street between South 177th East Avenue and South 193rd East Avenue and also a part of the subject property

Surrounding Property:

PUD-816 October 2014: All concurred in approval of a proposed Planned Unit Development on a 82± acre tract of land for new neighborhood and the purpose primarily to increase the maximum front yard coverage for surface parking from 36% in RS-4 zoned property to 45%, on property located south of southeast corner S. 177th E. Ave. and E. 41st St.

PUD-784 June 2011: All concurred in approval of a proposed Planned Unit Development on a 39± acre tract of land for new neighborhood and the purpose primarily to increase the maximum front yard coverage for surface parking from 36% in RS-4 zoned property to 45%, on property located east of northeast corner of East 51st Street and South 177th East Avenue

Z-7247 February 2014: All concurred in approval of a request for rezoning a 10± acre tract of land from RS-3 to RS-4 for single-family residential, on property located North of northwest corner of South 193rd East Avenue and East. 51st Street

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

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

TMAPC COMMENTS:

Mr. Reeds asked if the impervious soil counts will have to be resubmitted to make sure that the runoff is captured. In response, Mr. Wilkerson answered affirmatively.

Mr. Wilkerson stated that he did receive emails this morning concerning stormwater runoff and the management of the open space, but it doesn't really have any impact on the PUD itself, this is more maintenance and management of the facilities. Mr. Wilkerson stated that he will bring this to the attention of the Engineering Department.

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, Midget, Millikin, Reeds, Shivel, Walker "aye"; no "nays"; none "abstaining"; Stirling "absent") to recommend **APPROVAL** PUD-830 per staff recommendation.

Legal Description for PUD-830:

A TRACT OF LAND SITUATED IN THE EAST HALF (E/2) OF SECTION 25, TOWNSHIP 19 NORTH, RANGE 14 EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, OKLAHOMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: Commencing at the Northwest corner of the Northeast Quarter (NE/4) of said Section 25, said Northwest corner also being the Northwest corner of Cypress Creek, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma (Plat #6097); Thence S 00° 02' 30" W, along the West line of said Northeast Quarter (NE/4) and the West line of said Cypress Creek, a distance of 1917.90 feet, to the Southwest corner of said Cypress Creek, and The Point of Beginning; Thence N 90° 00' 00" E, along the South line of said Cypress Creek, a distance of 919.13 feet; Thence S 00° 02' 38" W, continuing along the South line of said Cypress Creek, a distance of 12.77 feet; Thence N 90° 00' 00" E, continuing along the South line of said Cypress Creek, a distance of 124.77 feet; Thence S 00° 00' 00" W, continuing along the South line of said Cypress Creek, a distance of 120.12 feet; Thence N 90° 00' 00" E, continuing along the South line of said Cypress Creek, a distance of 274.20 feet to a point on the East line of the West Half of said Northeast Quarter (W/2, NE/4), and the Southeast corner of said Cypress Creek; Thence S 00° 01' 56" W and along the East line of the West Half of said Northeast Quarter (W/2, NE/4) a distance of 586.38 feet to the Southeast corner of the West Half of said Northeast Quarter (W/2, NE/4); Thence S 89° 58' 29" E, along the South line of said Northeast Quarter (NE/4), a distance of 329.82 feet, to the Northeast corner of the West Half of the Northwest Quarter of the Northeast Quarter of the Southeast Quarter (W/2, NW/4, NE/4, SE/4) of said Section 25; Thence S 00° 01' 50" W, along the East line of the West Half of the Northwest Quarter of the Northeast Quarter of the Southeast Quarter (W/2, NW/4, NE/4, SE/4) of said Section 25, a distance of 400.00 feet, to the Northeast corner of Stone Creek Farms III, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma (Plat #6037); Thence N 89° 58' 02" W, along the North line of said Stone Creek Farms III, a distance of 178.19 feet; Thence N 37° 33' 26" W, continuing along the North line of said Stone Creek Farms III, a distance of 109.04 feet; Thence N 51° 46' 48" W, continuing along the North line of said Stone Creek Farms III, a

distance of 91.50 feet; Thence S 46° 00' 05" W, continuing along the North line of said Stone Creek Farms III, a distance of 510.77 feet; Thence N 89° 57' 40" W, continuing along the North line of said Stone Creek Farms III, a distance of 964.32 feet to the West line of the Southeast Quarter (SE/4) of said Section 25, and the Northwest corner of said Stone Creek Farms III; Thence N 00° 02' 30" E and along the West line of said East Half (E/2) a distance of 1330.41 feet, to the Southwest corner of said Cypress Creek and the Point of Beginning; SAID TRACT CONTAINS 1,774,780.86 SQUARE FEET / 40.74 ACRES., City of Tulsa, Tulsa County, State of Oklahoma.

* * * * *

19. **Z-7298 – Eller & Detrich/Lou Reynolds**, Location: West of northwest corner of South Peoria Avenue and East 37th Place, requesting a rezoning from **RS-3 to PK**, (CD-9)

STAFF RECOMMENDATION:

DEVELOPMENT CONCEPT:

Redevelopment plans for property abutting South Peoria require additional parking. The buildings abutting South Peoria between East 37th Street South and East 37th Place will all be demolished for new commercial development and reconstructed with a larger parking area west of the new buildings. Property immediately north and south of this proposal are already zoned PK establishing a similar zoning pattern in this block.

DETAILED STAFF RECOMMENDATION:

PK zoning is consistent with the Main Street designation of the Tulsa Comprehensive Plan at this location and;

PK zoning is consistent with the existing zoning pattern north and south of the site and necessary for the continued re-development of the Main Street vision along South Peoria and;

The protection of the adjacent single-family residential areas for significant screening fences, landscaping and lighting details mentioned in the Brookside Infill Plan cannot be required without a PUD however, the general concept of parking behind the main street area is consistent with that therefore;

Staff recommends Approval of Z-7298 to rezone property from RS-3 to PK.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: This zoning request supports the vision of the Tulsa Comprehensive Plan and the Brookside Infill Development Plan. The details of the Brookside plan cannot be required without a Planned Unit Development through our current Zoning Code. In this instance a PUD was not requested and the adjacent PK zoning was previously established in anticipation of parking expansion at this location.

Land Use Vision:

Land Use Plan map designation: Main Street

Main Streets are Tulsa's classic linear centers. They are comprised of residential, commercial, and entertainment uses along a transit-rich street usually two to four lanes wide, and includes much lower intensity residential neighborhoods situated behind. Main Streets are pedestrian-oriented places with generous sidewalks, storefronts on the ground floor of buildings, and street trees and other amenities. Visitors from outside the surrounding neighborhoods can travel to Main Streets by bike, transit, or car. Parking is provided on street, small private off street lots, or in shared lots or structures.

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: South Peoria is classified as an Urban Arterial with a Main Street Overlay and a planned Bus Rapid Transit System.

Trail System Master Plan Considerations:

None however this area is one of the significant pedestrian destinations in Tulsa. Sidewalk reconstruction and sidewalk extensions into the neighborhood are anticipated.

Small Area Plan: Brookside Infill Development Plan (Effective November 2002)

Z-7298 is on the west side of South Peoria and included in the Sub Area from Crow Creek to 38th Street illustrated on the following page:

Special District Considerations:

The existing buildings east of this request were considered significant opportunities for establishing unique qualities and providing a sense of place during the analysis for the infill plan. Those buildings have been recently demolished. The PK zoning requires screening adjacent to the residential areas however there are no special provisions than can be applied without a Planned Unit Development were developed for this site.

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The existing site is a single-family residential lot. The removal of that residence will be required for parking lot construction. PK zoning will require a minimum 6 foot screening fence adjacent to the residential development.

Environmental Considerations: None that would affect the redevelopment of this site.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 37 th Place South	Residential	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 mix of small business that are scheduled to be demolished prior to approval of this project, zoned CH; on the north by vacant land, zoned PK; on the south by a parking lot, zoned PK; and on the west by single-family residential properties, zoned RS-3.

SECTION III: Relevant Zoning History

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

Surrounding Property:

Z-7107 October 2008: All concurred in approval of a request for rezoning a .5± acre tract of land from RS-3 to PK for parking lot, on property located west of southwest corner of E. 37th St. and S. Peoria Ave.

Z-6992 July 2005: All concurred in approval of a request for rezoning a 50' x 138' tract of land from RS-3 to PK for parking, on property located south of the southeast corner of S. Owasso Ave. and E. 39th St., also known as 3921 S. Owasso Ave.

Z-6886 April 2003: All concurred in approval of a request to rezone a 50' x 144' lot, from RS-3 to OL, for office use, on property located west of the northwest corner of East 39th Street and South Peoria Avenue and north of the subject property.

Z-6749 March 2000: All concurred in approval of a request for rezoning a .457± acre tract of land from RS-3/RM-1 to PK for parking on property located east of northeast corner of S. Peoria Ave. and E. 38th St. S.

Z-6597 August 1997: All concurred in approval of a request to rezone a .19+ acre tract of land from RS-3 to PK for a parking lot, located west of the southwest corner of E. 37th Pl. and S. Peoria Ave. and south of subject property.

PUD-535 June 1995: All concurred in approval of a request for a Planned Unit Development, on 1+ acre tract from CH and RS-3 to PUD-535 and to abandon the existing PUD-491, subject to no parking on the north side of the buildings, no access to South Owasso or East 39th Street from the PUD within 175 feet east of the centerline of South Owasso Avenue, on property located on the southwest corner of East 39th Street and South Peoria Avenue between South Owasso and South Peoria.

Mr. Wilkerson demonstrated how the subject proposal will line up with the existing PK zoning in the subject area.

Mr. Shivel stated that the PK zoning will work very well as long as it is adequately screened from the additional residential properties. Mr. Wilkerson stated that with the rezoning request it is only the screening that is required by our Zoning Code that will be enforced.

Applicant's Comments:

Lou Reynolds, 2727 East 21st Street, 74114, stated that he talked with Herb Beatty before the meeting and discovered that the Brookside Homeowners Association did not receive a notice of this application and would like a continuance. Mr. Reynolds suggested a two weeks continuance, which would allow him the opportunity to meet with the HOA.

Mr. Wilkerson stated that staff did advertise to a neighborhood association and apparently the information on file is probably incorrect and just found this out prior to the start of the meeting today.

INTERESTED PARTIES COMMENTS:

Gordon Shelton, 3144 South Owasso Avenue, 74105, President Brookside HOA, stated that he is in agreement with the continuance. Mr. Shelton explained that the notices were being sent to the past President.

TMAPC COMMENTS:

Mr. Midget stated that he is sure that the TMAPC staff uses the City of Tulsa Neighborhood list and since he is over that list he encouraged Mr. Shelton and addressed the general public as well, to either have the past President update the list or the elected new President update the list. There are almost 410 neighborhood associations and there is no way of knowing when neighborhood associations elect new officials and change of address.

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **DIX**, TMAPC voted **10-0-0** (Carnes, Covey, Dix, Fretz, Liotta, Midget, Millikin, Reeds, Shivel, Walker "aye"; no "nays"; none "abstaining"; Stirling "absent") to **CONTINUE** Z-7298 to April 15, 2015.

OTHER BUSINESS

20. Commissioners' Comments: None.

TMAPC Action; 10 members present:


On **MOTION** of **DIX**, TMAPC voted **10-0-0** (Carnes, Covey, Dix, Fretz, Liotta, Midget, Millikin, Reeds, Shivel, Walker "aye"; no "nays"; none "abstaining"; Stirling "absent") to **ADJOURN** TMAPC meeting 2695.

ADJOURN

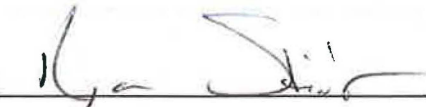
There being no further business, the Chair declared the meeting adjourned at 2:15 p.m.

Date Approved:

04-15-2015


Chairman

ATTEST:


Secretary