

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2697

Wednesday, May 6, 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	Midget	Fernandez	VanValkenburgh, Legal
Covey		Hoyt	Southern, COT
Dix		Huntsinger	
Fretz		Miller	
Liotta		White	
Millikin		Wilkerson	
Reeds			
Shivel			
Stirling			
Walker			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Tuesday, May 5, 2015 at 1:30 p.m., posted at 1:21 p.m. in the Office of the City Clerk, as well as in the Office of the County Clerk.

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

REPORTS:

Chairman's Report:

Mr. Covey reported that Mark Liotta's last day with the TMAPC will be May 20, 2015.

Work Session Report:

Mr. Covey reported that there will be a work session on May 20, 2015 following the TMAPC meeting.

Director's Report:

Ms. Miller reported that the receipts for March 2015 were down a little, but it seems to have turned around in the last couple of weeks.

Ms. Miller reported on the City Council Agenda and BOCC Agenda.

Ms. Miller reiterated that there will be a work session on May 20, 2015.

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

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1. **Minutes:**

Approval of the minutes of April 15, 2015 Meeting No. 2696

On **MOTION** of **CARNES**, 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 April 15, 2015, Meeting No. 2696.

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CONSENT AGENDA

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

2. ***LC-294-** Modification of Declaration (CD-7) – Location: Northwest corner of East 51st Street South and South 129th East Avenue (Related to LS-20777)
3. **LS-20777** (Lot-Split) (CD-7) – Location: Northwest corner of East 51st Street South and South 129th East Avenue
4. **LS-20778** (Lot-Split) (CD-8) – Location: East of the southeast corner of East 96th Place South and South 68th East Avenue
5. **LS-20779** (Lot-Split) (County) - Location: South of the southeast corner of East 144th Street North and North Yale Avenue (Related to: LC-660)
6. **LC-659** (Lot-Combination) (CD-3) – Location: North of the northwest corner of East Marshall Street and North Yale Avenue
7. **LC-660** (Lot-Combination) (County) - Location: South of the southeast corner of East 144th Street North and North Yale Avenue (Related to: LS-20779)

8. **Change of Access** – Part of Lot 3, Block 1, Amberjack, Location: Northwest corner of East 51st Street South and South 129th East Avenue

STAFF RECOMMENDATION:

This application is made to allow a change of access to add an access point on East 51st Street South to the East ad to add an access point on South 129th East Avenue. The property is zoned CS & CO (Commercial Shopping Center & Corridor).

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.

9. **Change of Access** – Lot 1, Block 1, GoFit, Location: North of the northeast corner of East Apache Street and North 129th East Avenue

STAFF RECOMMENDATION:

This application is made to allow a change of access to shift the existing access points and add three additional access points along North 129th East Avenue. The property is zoned IM (Industrial Moderate).

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.

10. **PUD-342-4 – Amax Sign Co., Inc./Lori Worthington**, Location: South of the southeast corner of East 71st Street South and South Mingo Road, requesting a **PUD Minor Amendment** to modify Development Standards to increase allowable ground sign height from 20 feet to 23 feet, **CS/OL/PUD-342**, (CD-7)

STAFF RECOMMENDATION:

Amendment Request: To modify Development Standards to increase allowable ground sign height from 20 ft to 23 ft.

Section 1103.B.2.b.4 of the City of Tulsa Zoning Code allows ground signs and promotional business signs within a PUD a maximum of 25 ft in height, without the additional setback requirements that would be imposed if the sign were to exceed 25 ft in height.

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

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

Staff has reviewed the request and determined:

- 1) The requested amendment does not represent a significant departure from the approved development standards in the PUD.
- 2) All remaining development standards defined in PUD-342 and subsequent amendments shall remain in effect.

With the considerations listed above, staff recommends **APPROVAL** of the minor amendment request to modify the Development Standards to increase allowable ground sign height from 20 ft to 23 ft.

11. **Z-6078-SP-5 – Dennis Hendrix**, Location: North of northeast corner of South 101st East Avenue and East 66th Street South, requesting a Corridor Detail Site Plan for Gymnasium/office/warehousing facility in a Corridor District, **CO/Z-6078-SP-5**, (CD-7)

STAFF RECOMMENDATION:

CONCEPT STATEMENT:

The applicant is requesting detail site plan approval on a 2.36 Acre site in a Corridor District for a new Gymnasium/office/warehousing facility, including one, one story building.

PERMITTED USES:

Uses permitted as a matter of right; Use Unit 11; Offices, Studios and Support Services, Use Unit 19; Hotel, Motel and Recreation Facilities, Use Unit 23; Warehousing and Wholesaling. The facility proposed for this project is allowed by right.

DIMENSIONAL REQUIREMENTS:

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

ARCHITECTURAL GUIDELINES:

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

OFF-STREET PARKING AND VEHICULAR CIRCULATION:

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

LIGHTING:

Site lighting plans are not provided. 35 ft maximum height for lighting in parking areas. Lighting used to illuminate an off-street parking area shall be so arranged as to shield and direct the light away from properties within an R District which do not contain uses for which the parking is being provided. Shielding of such light shall be designed so as to prevent the light-producing element of the light fixture from being visible to a person standing in an R District.

SIGNAGE:

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

SITE SCREENING AND LANDSCAPING:

The open space, landscape area and screening are consistent with the Corridor Development Plan requirements and meet the minimum standards of the Landscape portion of the Tulsa Zoning Code. This staff report does not remove the requirement for a separate landscape plan review process.

PEDESTRIAN ACCESS AND CIRCULATION:

The plan displays sidewalks along South 101st East Avenue.

MISCELLANEOUS SITE CONSIDERATIONS:

There are no concerns regarding the development of this area.

SUMMARY:

Staff has reviewed the applicant's submittal of the site plan as it relates to the approved **Z-6078-SP-5**. The site plan submittal meets or exceeds the minimum requirements of the Corridor Development Plan. Staff finds that the uses and intensities proposed with this site plan are consistent with the approved Corridor Development Plan, and the stated purposes of the Corridor Development Plan section of the Zoning Code.

Staff recommends **APPROVAL** of the detail site plan for the proposed facility.

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

12. **PUD-360-A – Blake A. Burks**, Location: South of the southeast corner of South 79th East Avenue and South 91st Street, requesting a PUD Detail Site Plan for a new commercial building within the PUD, **CS/PUD-360-A**, (CD-8)

STAFF RECOMMENDATION:

CONCEPT STATEMENT:

The applicant is requesting detail site plan approval on a 1.22 Acre site in a Planned Unit Development for a new Commercial Building including one, one story building.

PERMITTED USES:

As permitted within the CS district. The Commercial Building proposed for this project is allowed by right.

DIMENSIONAL REQUIREMENTS:

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

ARCHITECTURAL GUIDELINES:

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

OFF-STREET PARKING AND VEHICULAR CIRCULATION:

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

LIGHTING:

Site lighting plans provided. Lighting used to illuminate an off-street parking area shall be so arranged as to shield and direct the light away from properties within an R District which do not contain uses for which the parking is being provided. Shielding of such light shall be designed so as to prevent the light-producing element of the light fixture from being visible to a person standing in an R District.

SIGNAGE:

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

sign permit. This staff report does not remove the requirement for a separate sign plan review process.

SITE SCREENING AND LANDSCAPING:

The open space, landscape area and screening are consistent with the Planned Unit Development requirements and meet the minimum standards of the Landscape portion of the Tulsa Zoning Code. This staff report does not remove the requirement for a separate landscape plan review process.

PEDESTRIAN ACCESS AND CIRCULATION:

The plan displays pedestrian paths adjacent to the proposed building.

MISCELLANEOUS SITE CONSIDERATIONS:

There are no concerns regarding the development of this area.

SUMMARY:

Staff has reviewed the applicant's submittal of the site plan as it relates to the approved **PUD-360-A**. The site plan submittal meets or exceeds the minimum requirements of the Planned Unit Development. Staff finds that the uses and intensities proposed with this site plan are consistent with the approved Planned Unit Development, and the stated purposes of the Planned Unit Development section of the Zoning Code.

Staff recommends **APPROVAL** of the detail site plan for the proposed new Commercial Building.

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

13. **PUD-531-A – Sisemore Weisz & Assoc./Mark Capron**, Location: East of the northeast corner of South Mingo Road and East 81st Street South, requesting a PUD Detail Site Plan for a new office building within the PUD, **CO/CS/PUD-531-A**, (CD-7)

STAFF RECOMMENDATION:

CONCEPT STATEMENT:

The applicant is requesting detail site plan approval on a 6.521 Acre site in a Planned Unit Development for a new Office Building including one, six story building.

PERMITTED USES:

As permitted within the CS district. The Office Building proposed for this project is allowed by right.

DIMENSIONAL REQUIREMENTS:

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

ARCHITECTURAL GUIDELINES:

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

OFF-STREET PARKING AND VEHICULAR CIRCULATION:

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

LIGHTING:

Site lighting plans provided. Lighting used to illuminate an off-street parking area shall be so arranged as to shield and direct the light away from properties within an R District which do not contain uses for which the parking is being provided. Shielding of such light shall be designed so as to prevent the light-producing element of the light fixture from being visible to a person standing in an R District.

SIGNAGE:

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

SITE SCREENING AND LANDSCAPING:

The open space, landscape area and screening are consistent with the Planned Unit Development requirements and meet the minimum standards of the Landscape portion of the Tulsa Zoning Code. This staff report does not remove the requirement for a separate landscape plan review process.

PEDESTRIAN ACCESS AND CIRCULATION:

The plan displays an existing sidewalk along East 81st Street South as well as a pedestrian connection from 81st Street and pedestrian paths adjacent to the proposed building.

MISCELLANEOUS SITE CONSIDERATIONS:

There are no concerns regarding the development of this area.

SUMMARY:

Staff has reviewed the applicant’s submittal of the site plan as it relates to the approved **PUD-531-A**. The site plan submittal meets or exceeds the minimum requirements of the Planned Unit Development. Staff finds that the uses and intensities proposed with this site plan are consistent with the approved Planned Unit Development, and the stated purposes of the Planned Unit Development section of the Zoning Code.

Staff recommends **APPROVAL** of the detail site plan for the proposed new Office Building.

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

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, Millikin, Reeds, Shivel, Stirling, Walker “aye”; no "nays"; none “abstaining”; Midget "absent") to **APPROVE** the consent agenda Items 2 through 13 per staff recommendation.

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

Mr. Covey stated that he will first take the items that have requested a continuance.

15.CPA-33 – Roy D. Johnsen, Location: One half mile south of East Admiral Place, east of South 145th East Avenue, requesting Amendment to The Comprehensive Plan for Land Use Designation from “New Neighborhood” to “Employment” on approximately 20 acres (CD-6) **(Applicant is requesting a continuance to May 20, 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, Millikin, Reeds, Shivel, Stirling, Walker "aye"; no "nays"; none “abstaining”; Midget "absent") to **CONTINUE** CPA-33 to May 20, 2015.

17. **Z-7301 – Roy Johnsen**, Location: South of southeast corner of South 145th East Avenue and East Admiral Place, requesting rezoning from **AG to IL**, (CD-6) (Related to CPA-33) (**Applicant has requested a continuance to May 20, 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, Millikin, Reeds, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Midget "absent") to **CONTINUE** Z-7301 to May 20, 2015.

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18. **Open Arms Child Development Center –** Minor Subdivision Plat, Location: North of the northeast corner of east 51st Street South and South 177th East Avenue, (CD-6) (Continued from 12/17/14, 1/21/15, 2/18/15, 3/18/15 and 4/15/15)

STAFF RECOMMENDATION:

Mrs. Fernandez stated that the staff and the applicant request that this be stricken from the agenda at this time. This will be re-notified when the applicant is ready to come back. This item has been continued numerous times and the applicant is in agreement.

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, Millikin, Reeds, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Midget "absent") to **STRIKE** the minor subdivision plat for Open Arms Child Development Center.

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COMPREHENSIVE PLAN PUBLIC HEARINGS:

14. **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) (Continued from April 1, 2015)

STAFF RECOMMENDATION:

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: N of NE/c of S. Delaware Ave. and E. 15th St. S
Size: .24 acre

A. Background

The area that is subject to this Comprehensive Plan amendment application is located along E. 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	S. Delaware Ave., 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:

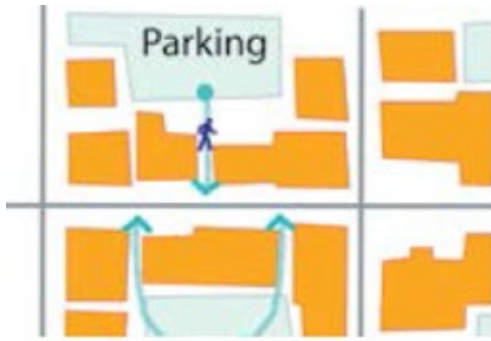
Requests to the amend land use in an *Existing Neighborhood* for expansion of an adjacent commercial use are challenging, however, the Comprehensive Plan provides some guidance in considering such applications.

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 E. 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 S. Delaware Ave. (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.

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

This proposal meets several of the criteria. For instance, E. 15th Street S. 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 Ave. and E. 15th Street S. 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 E. 15th Street S. In response to transit provision, a bus route that runs every 45 minutes on E. 15th Street serves this site.

II. STAFF RECOMMENDATION

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

RESOLUTION

TULSA METROPOLITAN AREA PLANNING COMMISSION

Resolution No.: 2697:932

A RESOLUTION OF THE TULSA METROPOLITAN AREA PLANNING COMMISSION, PURSUANT TO TITLE 19 OKLAHOMA STATUTES, SECTION 863.7; AMENDING THE TULSA COMPREHENSIVE PLAN BY ADOPTING AMENDMENTS (CPA-32) TO THE LAND USE MAP AND AREAS OF STABILITY AND GROWTH MAP OF THE TULSA COMPREHENSIVE PLAN.

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

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

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

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

WHEREAS, on March 9, 2015, the owner of property identified on the attached maps as CPA-32 applied for an amendment of the Tulsa Comprehensive Plan to change the designations of such property on the Land Use Map and Areas of Stability and Growth Map; and

WHEREAS, a public hearing was held on May 6, 2015 and after due study and deliberation, this Commission deems it advisable and in keeping with the purpose of this Commission, as set forth in Title 19 Oklahoma Statutes, Section 863.7, to adopt amendments to the Tulsa Comprehensive Plan, as hereafter described.

CPA-32: Amend Land Use designation from "Existing Neighborhood" to "Main Street" and Areas of Stability and Growth designation from "Area of Stability" to "Area of Growth" on approximately .24 acres located north of northeast corner of South Delaware Avenue and East 15th Street South

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

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

Section 2. That a true and correct copy of the pertinent portion of the Land Use Map and Areas of Stability and Growth Map, showing the amendments, is attached to this Resolution.

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

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

ADOPTED on this 6th day of May, 2015, by a majority of the full membership of the Tulsa Metropolitan Area Planning Commission, including its *ex officio* members.

Michael Covey, Chairman
TMAPC

ATTEST:

Ryon Stirling, Secretary
Tulsa Metropolitan Area Planning Commission

Applicant's Comments:

Lou Reynolds, 2727 East 21st Street, Tulsa, Oklahoma 74114, cited the past uses on the subject property and history of the entire Patel's property. Mr. Reynolds submitted photographs of the subject property and surrounding properties from the past and how they look today (Exhibit B-1). Mr. Reynolds submitted an attendance log from a neighborhood meeting (Exhibit B-3). Mr. Reynolds stated that his client employs about 40 employees at their present site. The medical practice is heated and cooled with geothermal wells. Mr. Reynolds cited the many improvements that his client has made to the medical practice building and the site where it is located.

Mr. Reynolds stated that his client is looking at continuing the OL pattern in the subject area. He indicated that there is other parking deep into the neighborhood and has been present for a long time. Mr. Reynolds indicated that the existing warehouse building will eventually be demolished and incorporate office use, which will require more parking. Mr. Reynolds stated that this expansion will be to the north, west and possibly east. Mr. Reynolds further stated that OL is a historic buffer between high density commercial uses and residential use. Mr. Reynolds explained that OL has most of our hard set standards compared to other Zoning Codes. Mr. Reynolds cited the standards regarding height of the building, setbacks, etc. Mr. Reynolds commented that the OL zoning is a none-intrusive and is very consistent with what his client wants to do. Mr. Reynolds stated that the proposal is consistent with the Comprehensive Plan and consistent with the existing property and uses in the subject area. Mr. Reynolds submitted a conceptual site plan (Exhibit B-2).

TMAPC COMMENTS:

Mr. Walker asked Mr. Reynolds if the intent is to tear down the entire warehouse building or just a portion. Mr. Reynolds stated that the intent is to tear down the entire warehouse.

Mr. Liotta asked if there is any thought to weekend business hours at the subject location. Mr. Reynolds stated that he doesn't know if they have any weekend business.

Mr. Dix asked if there would be an emergency room or urgent care facility proposed. Mr. Reynolds answered negatively.

Mr. Covey asked if the applicant intends to come back in a year and expand to the north. Mr. Reynolds explained the areas of expansion that is anticipated.

INTERESTED PARTIES COMMENTS:

Bucky Cordray, 1248 South Columbia Avenue, 74104, stated that he is the current President of the Renaissance Neighborhood Association. Stated that the Board has had several meetings with the applicant and the Board has come together and put six requirements that they requesting in order to support this application. Mr. Cordray submitted document with the six requirements (Exhibit B-4). Mr. Cordray stated that there is an agreement for the first four requirements, but after meeting with Mr. Reynolds recently they wouldn't sign off on the letter with Item 5 and 6. Mr. Cordray expressed concerns about how much further the applicant would come into the neighborhood to the north. Mr. Cordray stated that there is a big concern with taking more homes down and developing OL into the neighborhood to the north. Mr. Cordray expressed concerns that the "bead" building will be torn down and the applicant will not agree on this requirement. Mr. Cordray stated that the neighborhood is opposed to this application.

TMAPC COMMENTS:

Mr. Liotta asked if the neighborhood is interested in the architecture of the "bead" building and want to keep it in tact. Mr. Cordray stated that he would like to keep as much historic in the neighborhood as possible.

INTERESTED PARTIES COMMENTS:

Chip Atkins, 1638 East 17th Place, 74120, stated that he was asked by one of the Renaissance Neighbors to come to this meeting. Mr. Atkins

stated that the neighbors were not aware of the proposed Comprehensive Plan Amendment and he doesn't believe that it is a good idea at this point. The rezoning for one lot of OL can be done without amending the Comprehensive Plan. Mr. Atkins stated that he doesn't understand why this didn't go to the public with all of the past transparency. Mr. Atkins questioned why this item was on the agenda without true public input. Mr. Atkins spoke about the existing buildings in the subject area and that they are the gateway to the neighborhood. The historic character of 15th Street is being destroyed one building at a time in the subject area.

Dottie Trizza, 1204 South Florence Avenue, 74104, stated that she has never met Dr. Patel until today, but she wanted to come on his behalf to say what a wonderful thing he has done for the neighborhood. The old abandoned carpet store was nothing but an eyesore and the building across the street, the 'bead' store, is also an eyesore. Ms. Trizza stated that Dr. Patel has installed a geothermal system in the parking lot and as far as she is concerned whatever he wants to do would be a benefit to the neighborhood. Ms. Trizza stated that the proposal will not encroach into the neighborhood. Many of the properties are run-down and need to be torn down to benefit everyone. Ms. Trizza stated that building across the street isn't a landmark and she doesn't understand why anyone would want to save it.

Applicant's Rebuttal:

Mr. Reynolds stated that the building that is being discussed is not part of the application that is before the TMAPC today. Mr. Reynolds stated that it is difficult for him, as a lawyer, to bring settlement negotiations into the hearing, because what is talked about or agreed upon is no one's business as far as he is concerned. Mr. Reynolds stated that since the interested parties have brought the negotiations up he will discuss them. Mr. Reynolds further stated that an eight-foot fence is inappropriate against the residential properties. Mr. Reynolds commented that consistently where he has done office PUDs throughout the City he has used six-foot walls. Mr. Reynolds stated that there will be a one-story building with no windows. Mr. Reynolds commented that he doesn't understand what the problem is with the six-foot fence because the Campbell Hotel that Mr. Cordray mentioned is a two-story hotel and on the south side it has windows that look out to the residential properties to the south. All the lighting will be directed down and away from residential properties. Mr. Reynolds stated that his client would be happy to plant evergreen trees. Mr. Reynolds explained that his client is not expanding north, but try to put this other lot within the addition. There are no other plans to go any further than what is proposed today. Mr. Reynolds reiterated that the bead store

is not part of the application. Mr. Reynolds concluded that his client will build a six-foot wall, which is an over requirement and is not needed, but will do so to keep them happy.

Mr. Reynolds stated that he wanted to briefly address the Comprehensive Plan. There is a misnomer and words are difficult for people. There is a map that states area of growth and area of stability and if one took it as that one would have to say that everything has to grow on this side of the line and everything has to be stabled on the other side, which means it can't grow. Mr. Reynolds stated that the area of stability has to prosper or it will not remain stable. Area growth will not be allowed to grow without prosperity, which is a common thread throughout PLANiTULSA. Mr. Reynolds pointed out that change is expected in an area of stability and to maintain the character of the subject area. The proposal is minimal and does maintain the character of the neighborhood. This is a huge enhancement to the neighborhood and has brought 40 employees to the neighborhood. Area of growth is simply to channel growth where it would be beneficial and these are not hard lines on the Comprehensive Plan. Mr. Reynolds further stated that there are six employees that live one half mile from the subject property and most of them walk to work, which is what a lot of the Comprehensive Plan was about. This is beneficial redevelopment and there is some misplacement of houses with this proposal, but look at how many people it is bringing with a light touch. Mr. Reynolds stated that the lines on the Comprehensive Plan Maps are fluid and if a business is in bad shape, he can guarantee that the houses are not far behind. If the commercial is in good shape the houses will be on the upswing.

Mr. Covey stated that an interested party signed up to speak during Mr. Reynolds's rebuttal and he is not going to allow him to speak at this time unless a Planning Commissioner would like to recognize him.

Mr. Stirling recognized Tom Neal.

Mr. Covey stated that he will allow Mr. Reynolds an additional rebuttal.

Tom Neal, 2502 East 11th Place, 74104, stated that he needs some clarification because he is looking at a screen shot of the Zoning Code, Section 6, Office, states that a screening fence or masonry wall to be determined by the Board of Adjustment, a minimum of eight-foot in height is required along the lot lines in common with an R district. Mr. Neal asked if that requirement apply to the subject proposal.

Mr. Covey stated that he is getting a head shake from staff that it doesn't apply.

Ms. Miller stated that she doesn't know and will have to look it up.

Mr. Reynolds explained that the Section being quoted deals with Board of Adjustment and requests for Special Exceptions for offices. The Board of Adjustment has the power to put conditions on their approvals because they are not zoning property. The Planning Commission is rezoning property and is unable to put additional conditions on the zoning application. Special Exceptions is requesting a use that is not permitted by right. Mr. Reynolds stated that he is asking for rezoning to allow the use by right with the Zoning Code requirements and his client has gone over and above those requirements, and will be happy to install a six-foot screening fence.

In response to Mr. Liotta, Ms. Miller explained that the maps included with the proposed Comprehensive Plan amendments show the proposal as it would be if approved.

Mr. Reeds asked staff to address the process for notifying the proposed amendment for the Comprehensive Plan. Ms. Miller stated that when a Comprehensive Plan is developed there will be a lot of public input, just as there was for PLANiTULSA process, which is not driven by State Statute. The only requirements driven by State Statutes, when one adopts a Comprehensive Plan or amend the Comprehensive Plan, is that it be published a newspaper at least 15 days prior to the hearing and that has been done for this proposal and every amendment that has come before the Planning Commission. This meeting is the public process for an amendment. Staff hopes that the applicant meets with the neighbors and has that discussion, but every Comprehensive Plan amendment that comes along will not have a big public engagement process because it is not feasible based on our work load and everything we have going on, or for just the nature of this type of application. Ms. Miller stated that staff did follow State Statute and its requirements for the Comprehensive Plan amendment.

Ms. Miller stated that regarding the designations, because there is a lot of back and forth about existing neighborhoods and areas of stability and growth. Existing neighborhood is supported by staff for redevelopment and infill of a residential character. When there is a change such as the proposal, then staff looks at that differently. This is not a residential infill project, but an office project. Therefore, it is not consistent with existing

neighborhood designation and it is a change. Staff is recommending approval because we believe that it can be complementary to the neighborhood, but it is not enforcing that existing neighborhood area of stability concept for that parcel. Staff believes that the Comprehensive Plan needs to be amended for the subject application.

Mr. Reeds asked if part of the process is to notify people within 300 feet. Ms. Miller stated that it is not a part of the Comprehensive Plan amendment process. The zoning case was notified in that manner, which is a companion to the Comprehensive Plan amendment. Mr. Reeds asked if the notice for the zoning application mention the fact that the Comprehensive Plan would need to be amended. Ms. Miller answered negatively. Mr. Reeds asked why it didn't mention that. Ms. Miller stated that it could be and that is something staff could look at, and there are other notification options that could possibly be a little higher cost to the applicant.

Mr. Liotta stated that when the Planning Commission looks at any issue that is potentially going to intrude into a neighborhood it is looked at very closely. One significant evaluation is if it is a reasonable transition. It has been his experience that parking lots are fairly good transitions up against a neighborhood, especially if they are not used on weekends. The major problem with parking lots as a transition is that every day in the morning and evening there are people locking and unlocking their cars and their horns honk, and while that is an irritation it wouldn't be happening on weekends. Looking at the demands from the Renaissance Neighborhood, items one through four is attempting to minimize the effect on the neighborhood and items 5 and 6 really go to the business plan of the property. Mr. Liotta stated that he has some affinity for items one through four, but not five and six. Mr. Liotta stated that a six-foot fence is a transitional structure, but an eight-foot fence is really more of a massive intrusion and a stark line rather than a transition. Mr. Liotta stated that he supports the applicant.

In response to Mr. Dix, Ms. Miller stated that the Zoning Code requires a six-foot screening fence and it doesn't require a masonry screening fence, just a screening fence. Ms. Miller reminded Mr. Dix that this is a straight zoning request and the Planning Commission cannot add any conditions to the request. Mr. Dix agreed that a six-foot screening is all that is needed, because eight-foot screening walls are barriers and difficult to construct. Mr. Dix commented that he would have liked the other house to be included in this application because it would have squared it off. Mr. Dix thanked Ms. Trizza for coming today and speaking in support of this

application. Mr. Dix explained that sometimes the Planning Commission only hears the negative and to hear someone in support was nice. Mr. Dix stated that he will be supporting the staff recommendation.

Ms. Millikin stated that she would like to voice her agreement with Mr. Liotta's comments in favor of this application. However, she does believe the car horns for locking and unlocking cars will be inconsequential in this case because the subject neighborhood is so near a major artery with commercial and office parking along the subject area. Ms. Millikin indicated that she is in favor of this application.

Mr. Shivel stated that the owner has done a good job of remodeling what was already present and it looks much better. Mr. Shivel further stated that he is in favor of this application.

Mr. Reeds stated that looking at the design it was done in the least impactful way on the neighborhood in his opinion. Mr. Reeds agrees that an eight-foot fence is not neighborly and he doesn't understand it. Mr. Reeds stated that he would prefer a lower fence with good landscaping. Mr. Reeds stated that he will not address the building across the street since it is not part of the application, but he would hope that the owner would look at keeping it in the future. Mr. Reeds indicated that he supports this application.

Mr. Carnes stated that historically when parking is permitted in a situation like this it has helped everyone.

TMAPC Action; 10 members present:

On **MOTION** of **CARNES**, TMAPC voted **10-0-0** (Carnes, Covey, Dix, Fretz, Liotta, Millikin, Reeds, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Midget "absent") to recommend **APPROVAL** of the Comprehensive Plan amendment for CPA-32 per staff recommendation.

PUBLIC HEARINGS:

Related Item to CPA-32:

16. **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) (Related to CPA-32) (Continued from March 18, 2015 and April 1, 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.”

“**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.”

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 2 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 2 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 Ave. 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	S. 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 S. Delaware Ave.

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 E. 15th St. and S. Evanston Ave.

TMAPC Action; 10 members present:

On **MOTION** of **CARNES**, TMAPC voted **10-0-0** (Carnes, Covey, Dix, Fretz, Liotta, Millikin, Reeds, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Midget "absent") to recommend **APPROVAL** of the OL zoning for Z-7293 per staff recommendation.

Legal Description for Z-7293:

LTS 32, 33 & 34, BLK 5, ROSEMONT HGTS, and addition to the City of Tulsa, Tulsa County, State of Oklahoma.

* * * * *

Ms. Millikin recused herself from Item 19.
Ms. Millikin out at 2:33 p.m.

19. **BOA-21844/Plat Waiver – Catholic Charities**, Location: 2450 North Harvard, Lot 1, Block 1, (CD-3)

STAFF RECOMMENDATION:

The platting requirement is being triggered by Board of Adjustment case BOA 21844 to allow a hospice use.

Staff provides the following information from TAC for their April 16, 2015 meeting:

ZONING: TMAPC Staff: The property has been previously platted.

STREETS: No comment.

SEWER: No comment.

WATER: No comment.

STORMWATER: No comment.

FIRE: No comment.

UTILITIES: No comment.

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

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

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

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

	YES	NO
4. Is right-of-way dedication required to comply with Major Street and Highway Plan?		X
5. Would restrictive covenants be required to be filed by separate instrument if the plat were waived?		X

- | | | |
|-----|---|---|
| 6. | Infrastructure requirements: | |
| | a) Water | X |
| | i. Is a main line water extension required? | X |
| | ii. Is an internal system or fire line required? | X |
| | iii. Are additional easements required? | |
| | b) Sanitary Sewer | |
| | i. Is a main line extension required? | X |
| | ii. Is an internal system required? | X |
| | iii. Are additional easements required? | X |
| | c) Storm Sewer | |
| | i. Is a P.F.P.I. required? | X |
| | ii. Is an Overland Drainage Easement required? | X |
| | iii. Is on site detention required? | X |
| | iv. Are additional easements required? | |
| 7. | Floodplain | X |
| | a) Does the property contain a City of Tulsa (Regulatory) Floodplain? | X |
| | b) Does the property contain a F.E.M.A. (Federal) Floodplain? | X |
| 8. | Change of Access | |
| | a) Are revisions to existing access locations necessary? | X |
| 9. | Is the property in a P.U.D.? | X |
| | a) If yes, was plat recorded for the original P.U.D. | |
| 10. | Is this a Major Amendment to a P.U.D.? | X |
| | a) If yes, does the amendment make changes to the proposed physical development of the P.U.D.? | |
| 11. | Are mutual access easements needed to assure adequate access to the site? | X |
| 12. | Are there existing or planned medians near the site which would necessitate additional right-of-way dedication or other special considerations? | X |

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

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 9 members present:

On **MOTION** of **CARNES**, TMAPC voted **9-0-0** (Carnes, Covey, Dix, Fretz, Liotta, Reeds, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Midget, Millikin "absent") to **APPROVE** the plat waiver for BOA-21844 per staff recommendation.

Ms. Millikin in at 2:34 p.m.

20. **LS-20775** (Lot-Split) (County) – Location: West of the southwest corner of East 161st Street South and South 161st East Avenue

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.

INTERESTED PARTIES COMMENTS:

Brett Hudson, 16029 South 161st East Avenue, Bixby, 74008, stated that he owns 120 acres of land to the north of the subject tract. Mr. Hudson expressed concerns with the potential development of the subject property into a subdivision with little or no regulations. There is no public water and utilities in the subject area and he would like to know what the implications would be and how addressing making a subdivision out of agricultural ground without water and utilities.

Applicant's Rebuttal:

Mitch Ingram, 103 West Honolulu Street, Broken Arrow, 74012, stated that the subject four lots are for a family and it will not be a neighborhood. There is a working well that has been measured and can supply four houses. Mr. Ingram reiterated that he is requesting to have four lots in order to have four homes. Mr. Ingram stated that he understands that there is another property in the subject area with multiple homes, but he wanted to do this legally. It will all be family living in the homes.

TMAPC COMMENTS:

Mr. Dix explained that this is a lot-split application and the Subdivision Regulations at the County are being adhered to and the water and other issues are not an issue here because it is a permit issue.

Ms. Miller stated that she has talked with Mr. Hudson a few times and has explained the situation. Ms. Miller explained that the subject property has

already been to the County Board of Adjustment to seek relief and today is simply for the lot-split.

TMAPC Action; 10 members present:

On **MOTION** of **CARNES**, 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 lot-split and the waiver of the Subdivision Regulations that no lot have more than three side lot lines for LS-20775 per staff recommendation.

* * * * *

21. **Z-7299 – Coulter Law Firm, PC/Ryan Coulter**, Location: Southeast corner of South Jackson Avenue and West 37th Street, requesting rezoning from **RS-3/IL to IM**, (CD-2)

STAFF RECOMMENDATION:
DEVELOPMENT CONCEPT:

The applicant is proposing to rezone a property that is currently in RS-3 and IL zones to IM zone. The applicant proposes to construct office and warehouse space at this location.

EXHIBITS:

INCOG Case map
INCOG Aerial
Tulsa Comprehensive Plan Land Use Map
Tulsa Comprehensive Plan Areas of Stability and Growth Map
Applicant Survey

DETAILED STAFF RECOMMENDATION:

Z-7299 requesting IM (Industrial Moderate) as identified in the Tulsa Zoning Code is consistent with the vision identified in the Comprehensive Plan; and

IM zoning is harmonious with existing surrounding property; and

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

Staff recommends **APPROVAL** of Z-7299 for the rezoning from RS-3/IL` to IM

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: Z-7299 is included in an Employment and an Area of Growth. The rezoning request will complement the vision identified. The IM zoning designation will provide many future opportunities for development and allow density to match the long term vision for the area.

Land Use Vision:

Land Use Plan map designation: Employment

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

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

Areas of Stability and Growth designation: Area of Growth

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

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are in close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an

abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.

Transportation Vision:

Major Street and Highway Plan: 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 currently being utilized as an outside equipment storage area with a gravel surface.

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 37 th Place	No Designation	50 feet	2
South Jackson Avenue	No Designation	50 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties: The subject tract is abutted on the east by single-family houses, zoned RS-3 and vacant land, zoned IM; on the north by vacant, zoned RS-3; on the south by outside equipment storage, zoned IM; and on the west by single-family houses, zoned RS-3.

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11822 dated June 26, 1970, and number 12489 dated June 8, 1972, established zoning for the subject property.

Surrounding Property:

Z-7217 March 2013: All concurred in approval of a request for rezoning a 2+ acre tract of land from RS-3 to IL for use units 10, 11 and 25, on property located on the northeast corner of S. Olympia Ave. and W. 37th St.

INTERESTED PARTIES COMMENTS:

Deborah Lardizgoal, 3716 South Jackson, 74107, stated that she lives directly across the street from the subject property. She further stated that the applicant is parking semi-trucks in front of her house that have signs stating it has “flammable gas” “danger”. There a few trash dumpsters and truckers sleeping in their trucks on the subject property. She is concerned about what they are actually going to put in this office/warehouse. There is a concern that if one of the trucks blew up it would take out her whole family.

Ms. Lardizgoal stated that she also owns 3708 South Jackson and 3712 South Jackson in the subject area. When the truckers sleep in their trucks in front of her home they leave their trucks running all night.

Applicant’s Rebuttal:

Ryan Coulter, Coulter Law Firm, 7366 East 119th Street, Bixby 74008, stated that he was not aware that his client was allowing trailers to park on the lot and he will speak to his client about that. He explained that his client purchased the subject property last year. The subject property has been used as a truck storage yard since 1964 and has been through a number of ownerships. Mr. Coulter stated that he doesn’t know why it was zoned RS-3 as opposed to being zoned industrial as it has been used for a number of years as that use. Holly Refinery is the previous owner and they still own the property to the north of the subject property. The property to the south is industrial and to the west there is a neighborhood. Mr. Coulter indicated that his client plans to meet with the neighbors to determine how the development would look. The use will be an office/warehouse for a trucking company. Mr. Coulter explained that the current uses of the subject property will be cleaned up and storage removed and a nice office/warehouse will be built there. Today is simply to correct the zoning since the use has been a truck yard for almost 40 years.

TMAPC COMMENTS:

Mr. Dix asked the applicant why he is requesting IM zoning. Mr. Coulter stated that the reason he is requesting IM is because it adjoins other property. Mr. Dix stated that if the goal is build a warehouse then why the need for IM zoning. Mr. Coulter stated that he is trying to get a commonality of zoning and the property to the south is zoned IM. Mr. Dix

stated that he is not buying that and there is IL already on part of the property along with RS-3. Mr. Dix asked why not expand the RS-3 to IL. Mr. Coulter stated that IM opens up larger uses for the owner. Mr. Dix stated that he has a problem with the IM and potential uses. Mr. Dix asked Mr. Coulter again why IM zoning. Mr. Coulter stated that the owner plans to put a trucking facility on there and his particular use would require IM zoning rather than the IL. Mr. Dix stated that would be a problem for the neighbors. Mr. Dix asked Mr. Coulter what the difference between the IM and IL that his client wants the IM. Mr. Coulter stated that he hasn't looked specifically at the Zoning Code and he doesn't have it with him to look at the specific use. Mr. Coulter stated that when he met with Dwayne Wilkerson it was determined that IM would be the appropriate zoning for the particular use that his client wanted.

Mr. Wilkerson stated that when he originally looked at this project he was looking at obviously at a global kind of way. There has been some IL zoning approved within the neighborhood and the IL was really sort of transitional zoning. This is an employment district designation in the Comprehensive Plan and over time it is expected, at staff level, that the IM would be an appropriate request given the surrounding zoning. Mr. Wilkerson stated that they looked at IL, but he felt strongly at the time that with the anticipated uses that could be in there that staff would support the industrial in the subject area and now is the time to do that. Mr. Wilkerson stated that there are significant screening requirements from residential uses adjacent to industrial, which helps protect the existing residences that area there. Staff is looking forward and anticipating what we think is going to be there in the not too distance future and IM seemed to be the best solution.

Mr. Dix stated that he is not sure he got an answer out of Mr. Wilkerson's explanation. Mr. Dix asked Mr. Wilkerson what the difference is between IL and IM that causes this application to need IM zoning. Mr. Wilkerson stated that with this specific application there is not enough information on the proposed use of the site to say that IM is what it should be. Mr. Wilkerson stated that it is a truck storage yard and it has been there forever. Mr. Wilkerson further stated that he could have recommended IL or IM, but there is nothing about the use that staff knows about today that would require an IM zoning, but it is more about what staff thinks the area is going to be in the future. Mr. Dix stated that he is struggling with this request and IL looks legitimate. Mr. Dix further explained that the residences to the south that are across the street from IM had full knowledge of that, but for the residences north on Jackson off of 37th Place to now be faced with IM as opposed to IL is unreasonable. Mr. Wilkerson stated that if the Planning Commission chooses to approve something, it can be recommended for IL zoning.

Mr. Reeds stated that it doesn't seem right to group the houses and the industrial all together and put them in "employment" and not keep them residential or stable. Mr. Reeds further stated that he agrees with Mr. Dix to support IL.

Mr. Walker asked Mr. Coulter if the IL zoning would be a deal killer for the applicant. Mr. Coulter reviewed the Zoning Code provided by staff and determined that IL would work for his client.

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 recommend **APPROVAL** of IL zoning for Z-7299 as amended by the Planning Commission.

Legal Description for Z-7299:

Lots 2, 3, 4, 5, 6, 7 and the South 294 feet of Lot 1, all in Block 5 of the Amended Plat, of Blocks 5, 6, 7 and 8, Garden City, Tulsa County, Oklahoma, according to the recorded plat thereof. AND, A tract of land being dedicated by Hardesty Addition, plat 1302, in Tulsa County, Oklahoma, and said tract being more particularly described as follows to-wit: That portion of 37th Place beginning at its intersection with the easterly right of way line of South Jackson Avenue and continuing easterly to its intersection with the westerly right of way line of the Midland Valley Railroad; and legally described as follows: Commencing at the Southeast corner of said W/2 of the SE/4 of Section 23, Township 19 North, Range 12 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma; thence due West along the South line of said Section 23, for 520.99 feet; thence North 00o16'30" West for 691.06 feet; thence North 00o16'30" West for 874.65 feet to the South line of 37th Place to the Point of Beginning; thence in a Northerly direction to the Southwest corner of Block 1 of Hardesty Addition; thence East along the South line of Block 1 to the Right of Way line of the Midland Valley Railroad; thence Southerly along the Right of Way line of the Midland Valley Railroad to the South line of 37th Place; thence West along the South line of 37th Place to the Point of Beginning. AND, Lots 1 and 2 of Block 1 of Hardesty Addition in Tulsa County, Oklahoma, according to the recorded Plat thereof. Containing 1.87 acres more or less, City of Tulsa, Tulsa County, State of Oklahoma

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22. **Z-7300 – John Sanford**, Location: West of northwest corner of East Admiral Place and North 193rd East Avenue, requesting rezoning from **RS-1/RS-3 to IL**, (CD-6)

STAFF RECOMMENDATION:

DEVELOPMENT CONCEPT:

The applicant is proposing to rezone a property that is currently in RS-1 and RS-3 zones to IL zone. The applicant proposes to construct a hotel at this location.

DETAILED STAFF RECOMMENDATION:

Z-7300 requesting IL (Industrial Light) as identified in the Tulsa Zoning Code is consistent with the vision identified in the Comprehensive Plan as well as the East Tulsa Phase II plan; and

IL zoning is harmonious with existing surrounding property; and

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

The proposed Hotel, Use Unit 19, is allowed by special exception the IL zone. The applicant has indicated that they intend to apply for a special exception with the Board of Adjustment.

Staff recommends **APPROVAL** of Z-7300 for the rezoning from RS-1//RS-3 to IL

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: Z-7300 is included in an Employment and an Area of Growth. The rezoning request will complement the vision identified. The IL zoning designation will provide many future opportunities for development and allow density to match the long term vision for the area.

Land Use Vision:

Land Use Plan map designation: Employment

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

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

Areas of Stability and Growth designation: Area of Growth

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

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

Transportation Vision:

Major Street and Highway Plan: East Admiral Place – Secondary Arterial

Trail System Master Plan Considerations: None

Small Area Plan: East Tulsa Phase II

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *The site currently contains a single-family home*

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>
East Admiral Place	Secondary Arterial	100 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties: The subject tract is abutted on the east by a hotel, zoned IL; on the north by I-44, zoned RS-3; on the south by single-family residences, zoned RS-3; and on the west by a dental supply company, zoned IL.

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11818 dated June 26, 1970, established zoning for the subject property.

Surrounding Property:

BOA-19793 April 13, 2004: The Board of Adjustment **approved** a *Special Exception* to allow Use Unit 19, hotel/motel use, in an IL district; and a *Variance* of the required 75' setback to 25', per plan, finding this is a commercial use rather than industrial use; the parking is located on the east side of the property instead of adjacent to the existing residential use, on property located at 18701 E. Admiral Pl. and abutting subject property to the east.

INTERESTED PARTIES COMMENTS:

Ted Sack, Sack & Associates, PO Box 50070, Tulsa, 74150, representing several property owners, stated that the drainage in the subject area is very sensitive and his clients have had to take care of their issues and would like to go on record of how sensitive the drainage is in the subject area and needs to be taken care of. Mr. Sack stated that his clients are not opposed to the zoning request and feel that it is appropriate for the area.

Applicant's Rebuttal:

Bill Lewis, Lewis Engineering, 6427 South 221st East Avenue, Broken Arrow 74012, stated that he is aware of the drainage in the subject area is

very complicated and it will be taken care of. Mr. Lewis cited the various connections the drainage will tie into.

TMAPC Action; 10 members present:

On **MOTION** of **CARNES**, TMAPC voted **10-0-0** (Carnes, Covey, Dix, Fretz, Liotta, Millikin, Reeds, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Midget "absent") to recommend **APPROVAL** of the IL zoning for Z-7300 per staff recommendation.

Legal Description for Z-7300:

THE WEST HALF (W/2) OF A TRACT OF LAND BEGINNING 269.45 FEET WEST OF THE NORTHEAST CORNER OF GOVERNMENT LOT TWO (2), IN SECTION ONE (1), TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST, OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF; **THENCE** WEST 370.65 FEET; **THENCE** SOUTH 701.30 FEET; **THENCE** EAST 370.65 FEET; **THENCE** NORTH 702.22 FEET TO THE **POINT OF THE BEGINNING.**, City of Tulsa, Tulsa County, State of Oklahoma.

* * * * *

23. **Z-7302 – 120 Development Group**, Location: Southeast corner of East 11th Street and South 145th East Avenue, requesting rezoning from **RS-3/CS to CS** (CD-6)

STAFF RECOMMENDATION:

DEVELOPMENT CONCEPT:

The applicant is proposing to rezone a property that is currently in RS-3 and CS zones to a CS zone. The portions of the subject property currently zoned RS-3 had been previously zoned CS, but were rezoned in March 2006.

DETAILED STAFF RECOMMENDATION:

Z-7302 requesting CS (Shopping Center) as identified in the Tulsa Zoning Code is consistent with the vision identified in the Comprehensive Plan; and

CS zoning is harmonious with existing surrounding property; and

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

Staff recommends **APPROVAL** of Z-7302 for the rezoning from RS-3/CS to CS

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: Z-7302 is included in a Mixed-Use Corridor and an Area of Growth. The rezoning request will complement the vision identified. The CS zoning designation will provide many future opportunities for development and allow density to match the long term vision for the area.

Land Use Vision:

Land Use Plan map designation: Mixed-Use Corridor

Mixed-Use Corridors are Tulsa's modern thoroughfares that pair high capacity transportation facilities with housing, commercial, and employment uses. Off the main travel route, land uses include multifamily housing, small lot, and townhouse developments, which step down intensities to integrate with single family neighborhoods. Mixed-Use Corridors usually have four or more travel lanes, and sometimes additional lanes dedicated for transit and bicycle use. The pedestrian realm includes sidewalks separated from traffic by street trees, medians, and parallel parking strips. Pedestrian crossings are designed so they are highly visible and make use of the shortest path across a street. Buildings along Mixed-Use Corridors include windows and storefronts along the sidewalk, with automobile parking generally located on the side or behind.

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: East 11th Street – Secondary Arterial, South 145th East Avenue – Primary Arterial

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 currently vacant*

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>
East 11 th Street	Secondary Arterial	100 feet	2
South 145 th East Avenue	Primary Arterial	120 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties: The subject tract is abutted on the east by single-family residences, zoned RS-3; on the north by vacant land, zoned CS; on the south by single-family residences, zoned RS-3; and on the west by a service station and car sales, zoned CS and single family residences, zoned RS-3.

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 21252 dated March 13, 2006 (RS-3), and 11818, dated June 26, 1970 (CS), established zoning for the subject property.

Subject Property:

Z-7014 March 2006: All concurred in approval of a request for rezoning a 2± acre tract of land from CS to RS-3 for housing, on property located south and east of the southeast corner of E. 11th St. and S. 145th Ave. and a part of the subject property.

Surrounding Property:

Z-6661 January 1999: A request for rezoning a 20± acre tract from AG to CS/IL was recommended for denial by staff. The commission, staff and applicant, however, all concurred in the approval of rezoning a 4± acre tract from AG to CS for commercial use located on the northeast corner of East 11th Street South and South 145th East Avenue.

INTERESTED PARTIES COMMENTS:

Christy Boggs, 1127 South 157th East Avenue, 74108, stated that she is one of the five Board of Directors on the Tower Heights Neighborhood Association, which has approximately 200 homes. Ms. Boggs submitted a petition with 92 signatures opposing the zoning change (Exhibit C-1). Ms. Boggs stated that it is the neighborhood's desire to see more homes rather than a commercial business.

Mr. Covey asked Ms. Boggs if she is aware that the actual corner is zoned commercial. Ms. Boggs stated that she understands, but she doesn't want commercial for the entire property. Ms. Boggs further stated that she wants to see more homes in the subject area and not a strip of commercial development. Mr. Covey asked Ms. Boggs if she is aware that the Comprehensive Plan calls for mixed-use on the subject area and not residential. Ms. Boggs stated that right now it is zoned residential/commercial and there is a reason for that. Mr. Covey stated that he understands the current zoning, but the Comprehensive Plan calls for mixed-use and not residential. Ms. Boggs stated that she is telling the Planning Commission what the Neighborhood Association wants for their neighborhood. Ms. Boggs stated that she is aware of the Comprehensive Plan and how it can be manipulated to allow people what they want to do, but the Tower Heights Association opposes that strip being all commercial.

Jennifer Weaver, 14343 East 12th Street, 74108, stated that she is directly behind the convenience store and car lot. Ms. Weaver stated that there is already a mistake behind her property and that mistake will have

to be resolved through Code Enforcement. A mistake was made long ago and that is why special exceptions are no longer allowed to run in perpetuity and now have a five year time limit. Ms. Weaver stated that she has watched many Board of Adjustment meetings and Mr. Reynolds pointed out earlier that the TMAPC has no authority over CS conditions and there are certain uses by right that can go in there. Ms. Weaver reiterated that the lot behind her home is a mistake that was allowed by special exception and to her a special exception is special and not in perpetuity. Ms. Weaver commented that originally seven homes were supposed to go on the subject property that is zoned RS-3 and evidently the financing fell through. Ms. Weaver stated that she has talked with the applicant and he wants to rezone it to CS and then turn around and sell it. New homes are needed in the subject area and commercial wouldn't fit with the neighborhood. There is not enough information to approve this application.

Debbi Waid, 14677 East 11th Place, 74108, stated that she is three houses down from the subject area on the same side of the street. Expressed concerns with the unknown and doesn't understand why it doesn't remain RS-3. Ms. Waid described the traffic issues in the subject area. Ms. Waid stated that as a neighbor in the subject area she has rights too and she doesn't want to live down the street from a store or anything except homes.

Applicant's Rebuttal:

William Wilkins, 615 North Cheyenne Avenue, 74103, stated that he represents the property owner Sharpe Mortgage Company. The subject property, prior to 2006, was in keeping with the Master Plan previously developed back in the 1970's for CS zoned area. Mr. Wilkins stated that in today's market he believes it is more beneficial to market the subject area as CS and in keeping with today's Comprehensive Plan that calls for a commercial corridor through that area. East to the subject property are two vacant lots currently owned by Public Service Company and it is for a future substation for the subject area, which has made it difficult to market the subject property as residential.

Mr. Wilkins stated that he rezoning is to make the subject property more marketable. The subject property would become a buffer for what could become the outlet mall and future plans for development to the north. Mr. Wilkins stated that under any zoning standards there are development standards that have to be met and certain uses that can or cannot take place within that zoning.

TMAPC COMMENTS:

Mr. Reeds asked Mr. Wilkins if he feels that the commercial on the subject property would make it a more viable neighborhood than it is now. Mr.

Wilkins stated that he believes that it does. For any residential growth in the subject area that hasn't seen a significant amount for the last couple of decades will need access to services and to have a buffer between busy intersections and residential neighborhood.

Mr. Covey stated that he would like to better understand the zoning. The Comprehensive Plan calls for mixed-use corridor and the current zoning is RS-3. Mr. Covey asked if the two designations are compatible or does something need to give. Ms. Miller stated that mixed-use is a mixed-use and therefore it could be multiple uses or more. The way it is described in the Comprehensive Plan doesn't necessarily talk about single-family uses as we see it described. Ms. Miller stated that it could be apartments, it could be a mixture of commercial with a small residential. Basically it is intended to be something a little bit more intense the single-family. Mr. Covey asked if this could happen under RS-3. Ms. Miller stated that the RS-3 zoning wouldn't allow it. Mr. Covey asked if a better explanation can be given because the subject property is zoned RS-3, but the Comprehensive Plan calls for mixed-use. Ms. Miller stated that any Comprehensive Plan is not an exercise of actual zoning and land use, because the Plan is looking out to the future and how the future would develop. The zoning is not always in place to accommodate a lot of the long-term vision of what the land use is going to be in the City.

In response to Mr. Dix, Mr. Wilkerson stated that access is one of the things he discussed with the applicant. In this instance it would require a plat and during the platting process we would ensure a limit of no access to the residential streets.

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 recommend **APPROVAL** of the CS zoning for Z-7302 per staff recommendation.

Legal Description for Z-7302:

LT 1 BLK 1, TOWER VILLAGE CTR ADDN RES L7-10 B1 & L9-10 B2 CAROL ACRES, an addition to the City of Tulsa, Tulsa County, State of Oklahoma.

* * * * *

Mr. Covey announced that Ms. Millikin will be recusing from Items 24 and 25 and Mr. Walker needed to step out.

Mr. Walker out at 3:24 p.m.
Ms. Millikin out at 3:24 p.m.

Mr. Wilkerson stated that he will be presenting Items 24 and 25 together.

24. **Z-7303 – Kevin Vanover**, Location: East of northeast corner of East 91st Street and South Toledo Avenue, requesting rezoning from **RS-3 to OM**, (CD-8) (Related to PUD-831)

STAFF RECOMMENDATION:
DEVELOPMENT CONCEPT:

DETAILED STAFF RECOMMENDATION:

In conjunction with PUD-831, Z-7303 is consistent with the Comprehensive Plan; and

In conjunction with PUD-831, Z-7303 is compatible with the existing development pattern surrounding the property; and

OM zoning is not compatible with adjacent existing development without the PUD overlay; and

Z-7303 is compatible with the transportation vision for the area. The increased density of land use is an effective infill opportunity increasing the multi modal demand along this street corridor; therefore

Staff recommends **APPROVAL** of Z-7303 to rezone property from RS-3 to OM in conjunction with PUD-831.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The western edge of the site will be similar in size and scale to residential development adjacent to that side of the project. The eastern area in the PUD allows a building height consistent with the development pattern of the office project adjacent to the east edge of the site.

Neighborhood Centers do not include office development in the ideal vision statement however small businesses play a critical role in Tulsa's economy and support neighborhood commercial districts contribute to the City quality of life, and create vibrant neighborhoods where people want to live and work. This infill project is consistent with the Economic Development goals for small business development supported in the Comprehensive Plan

Land Use Vision:

Land Use Plan map designation: Neighborhood Center

Neighborhood Centers are small-scale; one to three story mixed-use areas intended to serve nearby neighborhoods with retail, dining, and services. They can include apartments, condominiums, and townhouses, with small lot single family homes at the edges. These are pedestrian-oriented places served by transit, and visitors who drive can park once and walk to number of destinations.

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:

East 91st Street South is considered a Secondary Arterial with a Multi Modal overlay. Multi-modal streets emphasize plenty of travel choices such as pedestrian, bicycle and transit use. Multimodal streets are located in high intensity mixed-use commercial, retail and residential areas with substantial pedestrian activity. These streets are attractive for pedestrians and bicyclists because of

landscaped medians and tree lawns. Multi-modal streets can have on-street parking and wide sidewalks depending on the type and intensity of adjacent commercial land uses. Transit dedicated lanes, bicycle lanes, landscaping and sidewalk width are higher priorities than the number of travel lanes on this type of street. To complete the street, frontages are required that address the street and provide comfortable and safe refuge for pedestrians while accommodating vehicles with efficient circulation and consolidated-shared parking.

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

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site was a large single family residential lot that has never been included in a redevelopment area so it has been surrounded by single family and office development. The home will be removed and the site will be redeveloped. Terrain considerations will be important to the site designer and will be detailed during the site plan approval process. American Disability Act guidelines and Fire Department access considerations will require significant grading on the site. At this time it is anticipated that the building floor elevations will be close to the existing ground surface however retaining walls and or tall stem wall construction may be required as part of the final site design. Without a PUD none of the environmental or existing conditions would be part of the site design. Detailed site considerations as part of the associated PUD will help insure appropriate infill development.

Environmental Considerations:

The site slopes from north to south with a collection of large trees. Many of the trees will be destroyed during construction however during detailed site plan approval the developer will be required to illustrate how the trees that may be saved will be protected.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 91 st Street	Secondary Arterial	100 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

The subject tract is abutted on the east and the north by an office project with multiple buildings, zoned OL/PUD-693; on the south by a single family residential condominium development, zoned RS-3, RM-0 / PUD 275; and on the west by single family residential homes, zoned RS-2.

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11828 dated June 26, 1970, established zoning for the subject property.

Surrounding Property:

Z-6915/ PUD-693 December 2003: All concurred in approval of a request for rezoning a 5± acre tract of land from RS-3/ RD to OL with a Planned Unit Development for office use, on property located west of the northwest corner of E. 91st St. and S. Yale Ave.

PUD-600-A August 2000: All concurred in approval of a Major Amendment to PUD-600 to allow a barber and beauty shop on a lot within Development Area A, on property located south of E. 91st St. at S. Toledo Ave.

Z-6670/ PUD-600 December 1998: A request to rezone a 34± acre tract from AG to OL on 13.5 acres and RS-3 on 20.5 acres for offices and residential townhouse development. All concurred in approval of the rezoning request as submitted subject to standards and conditions of the PUD, on property located south of E. 91st St. at S. Toledo Ave.

PUD-275 January 1982: All concurred in approval of a request for a Planned Unit Development on a 60± acre tract, zoned RS-3/ RM-0/ RM-2/ CS, for a two Development Area project. Development Area A allowed for commercial and office uses and Development Area B allowed for residential condominium dwelling units and accessory uses; and later in a Minor Amendment allowed for single-family dwellings on the south portion of the PUD, located on the southwest corner of E. 91st St. and S. Yale Ave.

boundary of the PUD. 75 feet for any building east of the west 50 feet of the PUD.

Landscape Buffer and Screening:

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

Existing mature trees may be used to reduce the required tree requirements per Section 1002.C.4. Detailed site and landscape plan will illustrate the tree preservation methods to be implemented during the construction phase of the project.

Provide a minimum 10 Foot wide landscape screening buffer along the south and western boundary of the PUD. The minimum concept for tree plantings in those landscape edges is shown on Exhibit 'A'. In addition to the normally required landscaping an attempt to keep the existing trees will be made along the western boundary.

In addition to the landscape strip illustrated in Exhibit A, a minimum 6 foot wooden screening fence will be located along the entire western boundary of the project prior to the release of any occupancy permit for building on the site.

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

The landscape and screening concept will comply with the requirements of the Tulsa Zoning Code for street frontage and parking area landscaping and establish a landscaped buffer separating the project from the residences along the western boundary.

Signage

Business Signs

One (1) ground mounted monument sign shall be permitted along East 91st Street South with a maximum display area of 250 S.F. and a maximum height of 25 Feet. The sign shall be located no closer than 10 feet from the western boundary of the PUD.

All business signage will be subject to the provisions of the provisions of Section 1221.C of the Tulsa Zoning Code and the PUD Chapter of the Zoning Code except as noted below.

No flashing signs, digital signs, changeable copy signs, running light or twinkle signs, animated signs, revolving or rotating signs or signs with movement shall be allowed on any ground mounted or wall mounted sign in the PUD.

Wall Signs

Each Building may install signs on the fascia or canopies with the total sign area not to exceed 2 S.F. per linear foot of building along the wall the sign is to be attached.

West or south mounted wall signage will not be illuminated from internal or external sources except that one south mounted wall sign may be installed with internally illumination and placed on the building closest to the east property line as illustrated on the conceptual plan. No illuminated wall sign will be allowed within 150 feet of the south boundary of the PUD. The internally illuminated wall sign will be constant light.

Building Mounted Plaque Signs

Plaque style signage may be mounted to the building facade near the main entrance. Each building plaque sign shall be no larger than 7 S.F.

Ground Mounted Tenant Signs

Each building will be allowed a single ground mounted sign to list the tenant located in each individual office building. Each sign shall be no more than 12 S.F. and no taller than 3 feet from the surrounding grade and must be located in the open space between parking/drive aisles and the building wall.

Building Features

All exterior walls, openings and roofing shall primarily consist of like materials and appearance. The exterior walls of each Office Building shall include a stone or brick veneer with the inclusion of stucco or EIFS. The exterior materials and appearance for the rear and side walls of any building shall be similar to and compatible with the front of the building. Architectural features may include metal or fabric awnings and wood accents. Conceptual building elevations have been included as Exhibit B.1, B.2 and B.3.

Lighting

Within the western 40 feet of the project, light standards, non-building mounted, shall not exceed 16 foot in height. Within the remainder of the project, light standards shall not exceed 25 foot in height.

All light standards including building mounted shall be hooded (full cut-off) lenses and directed downward and away from the western boundary of the project. Shielding of outdoor lighting shall be designed so as to prevent the light producing element or reflector of the light fixture from being visible to a person standing at a ground level in adjacent residential areas. Consideration of topography must be considered in such calculations.

Additionally as part of the Detail Site Plan review, an accurate lighting plan illustrating light poles and fixtures with a Photometric Plan will be provided illustrating height and fixtures facing down and away from the residential area to the west. The lighting plan will show that the lighting from the project does not exceed four (4) foot-candles at the western boundary of the project.

Trash and Mechanical Areas

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

Trash dumpster areas shall be screened using construction materials similar to the materials used to construct the main project structures. The doors shall be covered with an appropriate covering containing a minimum of 90% opacity on the gate frames.

Dumpster enclosures shall be placed similar to the locations shown on Exhibit A however in no instance will they be allowed closer than 50 feet to the western boundary of the project.

Outside Storage

There shall be no outside storage or recycling material, trash or similar materials outside of a screened receptacle. Nor shall trucks or trailer trucks be parked unless they are

actively being loaded or unloaded. Truck trailers and shipping containers shall not be used for storage.

Vehicular Access and Circulation

Cadent Park is located a half mile north of the Creek Turnpike on E. 91st Street S. between Yale Avenue and Harvard Avenue. The site is served by a single drive that feeds into the site from E. 91st Street S. and provides access to the three proposed office units. The internal circulation is sufficient for all fire apparatus and meets the IFC 2009 requirements for access to all three buildings. A Circulation Plan has been included as Exhibit D.

Pedestrian Access

Sidewalks will be constructed or installed to provide pedestrian access from E. 91st Street S. Internal circulation will likewise be provided connecting all buildings on site.

Sidewalks are required within the East 91st Street right of way along the entire frontage of PUD 831 and shall be constructed to meet or exceed City of Tulsa standards for public sidewalks.

Platting Requirement

The project will require that a Subdivision Plat be created and filed with Tulsa County prior to release of a building permit. Building permits for any retaining wall is not subject to this requirement.

Site Plan Review

No individual building permit will be issued for any building within Cadent Park until a Planned Unit Development Detail Site Plan and Detail Landscape Plan has been submitted for each individual building (or buildings) to the Tulsa Metropolitan Area Planning Commission and approved as being in compliance with the approved Planned Unit Development standards.

Schedule of Development

It is anticipated the development within Cadent Park will begin within the second half of 2015, or early 2016, after final approval of the Planned Unit Development, Detail Site Plan approval and the Platting of the Property.

DETAILED STAFF RECOMMENDATION:

The proposed office development is consistent with the Comprehensive Plan; and

PUD-831 is consistent with the stated provisions of the PUD chapter of the Tulsa Zoning Code; and

PUD-831 is compatible with the existing development pattern surrounding the property; and

This project is compatible with the transportation vision for the area. The increased density of land use is an effective infill opportunity increasing the multi modal opportunities along this street corridor; and

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

Staff recommends **APPROVAL** of PUD-831 as outlined in Section II above.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The western edge of the site will be similar in size and scale to residential development adjacent to that side of the project. The eastern area in the PUD allows a building height consistent with the development pattern of the office project adjacent to the east edge of the site.

Neighborhood Centers do not include office development in the ideal vision statement however small businesses play a critical role in Tulsa's economy and support neighborhood commercial districts contribute to the City quality of life, and create vibrant neighborhoods where people want to live and work. This infill project is consistent with the Economic Development goals for small business development supported in the Comprehensive Plan

Land Use Vision:

Land Use Plan map designation: Neighborhood Center

Neighborhood Centers are small-scale; one to three story mixed-use areas intended to serve nearby neighborhoods with retail, dining, and services. They can include apartments, condominiums, and townhouses, with small lot single family homes at the edges.

These are pedestrian-oriented places served by transit, and visitors who drive can park once and walk to number of destinations.

Areas of Stability and Growth designation: Area of Growth

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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:

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

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site was a large single family residential lot that has never been included in a redevelopment area so it has been surrounded by single family and office development. The home will be removed and the site will be redeveloped. Terrain considerations will be important to the site designer and will be detailed during the site plan approval process. American Disability Act guidelines and Fire Department access considerations will require significant grading on the site. At this time it is anticipated that the building floor elevations will be close to the existing ground surface however retaining walls and or tall stem wall construction may be required as part of the final site design.

Environmental Considerations:

The site slopes from north to south with a collection of large trees. Many of the trees will be destroyed during construction however during detailed site plan approval the developer will be required to illustrate how the trees that may be saved will be protected.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 91 st Street	Secondary Arterial	100 feet	2

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

Surrounding Properties:

The subject tract is abutted on the east and the north by an office project with multiple buildings, zoned OL/PUD-693; on the south by a single family residential condominium development, zoned RS-3, RM-0 / PUD 275; and on the west by single family residential homes, zoned RS-2.

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11828 dated June 26, 1970, established zoning for the subject property.

Surrounding Property:

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PUD-600-A August 2000: All concurred in approval of a Major Amendment to PUD-600 to allow a barber and beauty shop on a lot within Development Area A, on property located south of E. 91st St. at S. Toledo Ave.

Z-6670/ PUD-600 December 1998: A request to rezone a 34± acre tract from AG to OL on 13.5 acres and RS-3 on 20.5 acres for offices and residential townhouse development. All concurred in approval of the rezoning request as submitted subject to standards and conditions of the PUD, on property located south of E. 91st St. at S. Toledo Ave.

PUD-275 January 1982: All concurred in approval of a request for a Planned Unit Development on a 60± acre tract, zoned RS-3/ RM-0/ RM-2/ CS, for a two Development Area project. Development Area A allowed for commercial and office uses and Development Area B allowed for residential condominium dwelling units and accessory uses; and later in a Minor Amendment allowed for single-family dwellings on the south portion of the PUD, located on the southwest corner of E. 91st St. and S. Yale Ave.

Mr. Wilkerson stated that he knows that the applicant met with the neighbors. The project will look very similar to the development to the north and east. Staff feels like the building size limitations along the west side and the lighting standards are complimentary with the residential development on the west.

TMAPC COMMENTS:

Mr. Dix asked staff if there were any differences between the westernmost building of the proposal and the building of the previous development to the north. Mr. Wilkerson stated that he doesn't know the exact dimensions on height, but the building to the north is a one-story building with a steep-pitched roof. Mr. Wilkerson further stated that the scale of the building is consistent with the PUD provisions.

Mr. Dix asked if the neighbors were okay with the two-story building to the south being closer to the property line. Mr. Wilkerson answered affirmatively.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 8 members present:

On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Carnes, Covey, Dix, Fretz, Liotta, Reeds, Shivel, Stirling "aye"; no "nays"; none "abstaining"; Midget, Millikin, Walker "absent") to recommend **APPROVAL** of the OM zoning for Z-7303 and recommend **APPROVAL** of PUD-831 per staff recommendation.

Legal Description for Z-7303/PUD-831:

A TRACT OF LAND IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SW, SE, SE) OF SECTION SIXTEEN (16), TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, DESCRIBED AS FOLLOWS: THE SOUTH 417.50 FEET OF THE WEST 208.75 FEET OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SW/4 SE/4 SE/4) OF SECTION SIXTEEN (16), TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, LESS AND EXCEPT THE SOUTH 50.00 FEET THEREOF, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER (SE/4) OF SECTION SIXTEEN (16), TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN; THENCE S 90° 00' 00" W, ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER (SE/4), A DISTANCE OF 826.45 FEET; THENCE N 00° 03' 21" E, ALONG A PROJECTION OF THE EAST LINE OF SOUTHERN WOODS PARK III, AN ADDITION TO THE CITY OF TULSA, RECORDED AS PLAT NO. 6062 IN THE OFFICE OF THE TULSA COUNTY CLERK, A DISTANCE OF 50.00 FEET, TO THE SOUTHEAST CORNER OF LOT 2, BLOCK 1 OF SAID SOUTHERN WOODS PARK III; THENCE S 90° 00' 00" W, ALONG THE SOUTH LINE OF SAID SOUTHERN WOODS PARK III AND 50.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST QUARTER (SE/4), A DISTANCE OF 287.11 FEET, TO THE SOUTHWEST CORNER OF RESERVE A OF SAID SOUTHERN WOODS PARK III AND THE POINT OF BEGINNING; THENCE CONTINUING S 90° 00' 00" W, 50.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST QUARTER (SE/4), A

DISTANCE OF 208.75 FEET, TO THE SOUTHEAST CORNER OF LOT 4, BLOCK 3, THOUSAND OAKS, A SUBDIVISION TO TULSA COUNTY, RECORDED AS PLAT NO. 4130 IN THE OFFICE OF THE TULSA COUNTY CLERK, SAID CORNER BEING A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SW/4 SE/4 SE/4); THENCE N 00° 04' 10" E, ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SW/4 SE/4 SE/4) AND THE EAST LINE OF SAID THOUSAND OAKS, A DISTANCE OF 367.50 FEET, TO THE SOUTHWEST CORNER OF LOT 10, BLOCK 1, OF SAID SOUTHERN WOODS PARK III; THENCE N 90° 00' 00" E, ALONG THE SOUTH LINE OF LOTS 10 AND 9 OF BLOCK 1 OF SAID SOUTHERN WOODS PARK III, A DISTANCE OF 208.75 FEET, TO A POINT ON THE WEST LINE OF LOT 5, BLOCK 1 OF SAID SOUTHERN WOODS PARK III; THENCE S 00° 04' 10" W, ALONG THE WEST LINE OF LOTS 5 AND 4 OF BLOCK 1 AND RESERVE A OF SAID SOUTHERN WOODS PARK III, A DISTANCE OF 367.50 FEET, TO THE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINING 1.76 ACRES / 76,715.57 SQUARE FEET, City of Tulsa, Tulsa County, State of Oklahoma

OTHER BUSINESS

26. **PUD-342-A – Amax Sign Co., Inc.** – Refund Request, after review staff determined that the minor amendment request is not necessary. Staff recommends a full refund of \$100.00.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Carnes, Covey, Dix, Fretz, Liotta, Reeds, Shivel, Stirling "aye"; no "nays"; none "abstaining"; Midget, Millikin, Walker "absent") to **APPROVE** the refund request for PUD-342-A, minor amendment for \$100.00.

27. **PUD-820-A – American Crating Co.** – Refund Request, Applicant withdrew the major amendment request prior to processing and staff recommends a full refund of \$2,103.00.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Carnes, Covey, Dix, Fretz, Liotta, Reeds, Shivel, Stirling "aye"; no "nays"; none "abstaining"; Midget, Millikin, Walker "absent") to **APPROVE** the refund for PUD-820-A major amendment for a full refund in the amount of \$2,103.00.

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28. **Commissioners' Comments:** None.

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TMAPC Action; 8 members present:

On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Carnes, Covey, Dix, Fretz, Liotta, Reeds, Shivel, Stirling "aye"; no "nays"; none "abstaining"; Midget, Millikin, Walker "absent") to **ADJOURN** TMAPC meeting 2697.

ADJOURN

There being no further business, the Chair declared the meeting adjourned at 3:34 p.m.

Date Approved:

06-03-2015


Chairman

ATTEST:



Secretary