

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2700

Wednesday, June 17, 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	Walker	Fernandez	VanValkenburgh, Legal
Covey		Hoyt	Southern, COT
Dix		Huntsinger	Duke, COT
Fretz		Miller	
Midget		White	
Millikin		Wilkerson	
Reeds			
Shivel			
Stirling			
Willis			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Thursday, June 10, 2015 at 2:35 p.m., posted in the Office of the City Clerk, as well as in the Office of the County Clerk.

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

REPORTS:

Director's Report:

Ms. Miller reported that the APA 2015 Planning Law Review Webinar will be rescheduled to July 1, 2015. The Webinar is being held at the St Francis Conference Room in Williams Tower I from 3:00 a.m. to 4:30 p.m.

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

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1. **Minutes:**

Approval of the minutes of May 20, 2015 Meeting No. 2698

On **MOTION** of **DIX**, the TMAPC voted 10-0-0 (Carnes, Covey, Dix, Fretz, Midget, Millikin, Reeds, Shivel, Stirling, Willis "aye"; no "nays"; none "abstaining"; Walker "absent") to **APPROVE** the minutes of the meeting of May 20, 2015, Meeting No. 2698.

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CONSENT AGENDA

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

2. **LS-20781** (Lot-Split) (CD-6) – Location: East of the southeast corner of East Admiral Place and South 166th East Avenue (Related to LC-662) (continued from 5/20/15) (Removed from consent agenda, see below)
3. **LC-662** (Lot-Combination) (CD-6) – Location: East of the southeast corner of East Admiral Place and South 166th East Avenue (Related to LS-20781) (continued from 5/20/15) (Removed from consent agenda, see below)
4. **LC-667** (Lot-Combination) (CD-2) – Location: Southwest corner of East 66th Place South and South Troost Avenue
5. **Carriage Park** – Final Plat, Location: Northwest corner of North Sheridan Road and East 126th Street North, (County)
6. **PUD-221-F-5 – Shaw Homes**, Location: Northwest corner of East 129th East Avenue and East 43rd Street South, requesting a PUD Minor Amendment to increase allowable front yard coverage from 30% to 50%, **RS-3/PUD-221-F**, (CD-6)

Mr. Covey announced that Items 2 and 3 have requested a continuance and will be removed from the consent agenda.

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, Midget, Millikin, Reeds, Shivel, Stirling, Willis "aye"; no "nays"; none "abstaining"; Walker "absent") to **APPROVE** Items 4 through 6 per staff recommendation.

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

Mr. Covey stated that he will consider the continuances first:

2. **LS-20781** (Lot-Split) (CD-6) – Location: East of the southeast corner of East Admiral Place and South 166th East Avenue (Related to LC-662) (continued from 5/20/15)
3. **LC-662** (Lot-Combination) (CD-6) – Location: East of the southeast corner of East Admiral Place and South 166th East Avenue (Related to LS-20781) (continued from 5/20/15)

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **CARNES**, TMAPC voted **10-0-0** (Carnes, Covey, Dix, Fretz, Midget, Millikin, Reeds, Shivel, Stirling, Willis "aye"; no "nays"; none "abstaining"; Walker "absent") to **CONTINUE** LS-20781 and LC-662 to July 15, 2015.

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15. **7100 Riverside Revised** – Accelerated Building Permits, Location: West of Riverside Parkway, South of 71st Street South, (CD-2)

STAFF RECOMMENDATION:

Applicant is requesting a continuance to July 15, 2015.

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **CARNES**, TMAPC voted **10-0-0** (Carnes, Covey, Dix, Fretz, Midget, Millikin, Reeds, Shivel, Stirling, Willis "aye"; no "nays"; none "abstaining"; Walker "absent") to **CONTINUE** the accelerated building permits for 7100 Riverside Revised to July 15, 2015.

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10. Z-7296 – Simon Acquisition II, LLC, Location: Northeast corner of Highway 75 and West 61st Street, requesting a rezoning from **OL/CS/CO to CO**, (CD-2) (Continued from 3/18/15 and 4/15/15) (**Applicant is requesting a continuance to August 19, 2015 in order to explore its options with respect to this project.**)

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **CARNES**, TMAPC voted **10-0-0** (Carnes, Covey, Dix, Fretz, Midget, Millikin, Reeds, Shivel, Stirling, Willis "aye"; no "nays"; none "abstaining"; Walker "absent") to **CONTINUE** Z-7296 to August 19, 2015.

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11. Z-7296-SP-1 – Simon Acquisition II, LLC, Location: Northeast corner of Highway 75 and West 61st Street, requesting a Corridor Development Plan , (CD-2) (Continued from 3/18/15 and 4/15/15) (**Applicant is requesting a continuance to August 19, 2015 in order to explore its options with respect to this project.**)

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **CARNES**, TMAPC voted **10-0-0** (Carnes, Covey, Dix, Fretz, Midget, Millikin, Reeds, Shivel, Stirling, Willis "aye"; no "nays"; none "abstaining"; Walker "absent") to **CONTINUE** the Corridor Development Plan for Z-7296-SP-1 to August 19, 2015.

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12. Crosstown Learning Center – Minor Subdivision Plat, Location: East of the northeast corner of East Archer Street and South Lewis Avenue, (CD-3) (Continued from May20, 2015, and June 3, 2015) (**Staff requests a continuance until July 1, 2015**)

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **MIDGET**, TMAPC voted **10-0-0** (Carnes, Covey, Dix, Fretz, Midget, Millikin, Reeds, Shivel, Stirling, Willis "aye"; no "nays"; none "abstaining"; Walker "absent") to **CONTINUE** the minor subdivision plat for Crosstown Learning Center to July 1, 2015.

13. Mayra's Addition – Minor Subdivision Plat, Location: East of the northeast corner of East 21st Street South and South Memorial Drive, (CD-5) (Continued from May 20, 2015, and June 3, 2015) (Staff requests a continuance until July 1, 2015)

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **MIDGET**, TMAPC voted **10-0-0** (Carnes, Covey, Dix, Fretz, Midget, Millikin, Reeds, Shivel, Stirling, Willis "aye"; no "nays"; none "abstaining"; Walker "absent") to **CONTINUE** the minor subdivision plat for Mayra's Addition to July 1, 2015.

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17. QuikTrip 0007 – Preliminary Plat, Location: Northeast corner of Admiral and Yale, (CD-3) (Staff is requesting a continuance to July 1, 2015)

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **MIDGET**, TMAPC voted **10-0-0** (Carnes, Covey, Dix, Fretz, Midget, Millikin, Reeds, Shivel, Stirling, Willis "aye"; no "nays"; none "abstaining"; Walker "absent") to **CONTINUE** the preliminary plat for QuikTrip 0007 to July 1, 2015.

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21. 71 at Tulsa Hills – Preliminary Plat, Location: South of southwest corner of West 71st Street South and South Elwood Avenue, (CD-2)

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **MIDGET**, TMAPC voted **10-0-0** (Carnes, Covey, Dix, Fretz, Midget, Millikin, Reeds, Shivel, Stirling, Willis "aye"; no "nays"; none "abstaining"; Walker "absent") to **CONTINUE** the preliminary plat for 71 At Tulsa Hills to July 1, 2015.

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COMPREHENSIVE PLAN PUBLIC HEARINGS
(And Related Zoning Applications):

7. **Consider approving additional new capital improvement projects for the Capital Improvement Plan, Fiscal Year 2016-2020**, finding projects are consistent with the Tulsa Comprehensive Plan

STAFF RECOMMENDATION:

Item: Public hearing approving additional new capital improvement projects for the Capital Improvement Plan, Fiscal Year 2016-2020, finding the projects are consistent with the Tulsa Comprehensive Plan.

Background

The Capital Improvement Plan (CIP), containing recommended capital projects for the next five years, is a tool to implement the Comprehensive Plan. State Statutes provide that once a comprehensive plan has been adopted, no capital project shall be constructed or authorized without approval of its location, character and extent by the Planning Commission.

City departments generated the list of new capital improvements in the plan. The City of Tulsa prepares an annual Capital Improvement Plan that is published with the fiscal year budget. The Planning Commission generally reviews any new additions proposed for inclusion in the proposed capital plan before the draft budget and capital plan are published.

An initial list of FY 2016-2020 CIP projects were reviewed and found to be in conformance with the Comprehensive Plan by the TMAPC in March, 2015. Four additional projects for FY 2016-2020 have been submitted for consideration.

Staff Analysis

TMAPC staff reviewed the new proposed Capital Improvement Plan projects for consistency with the City of Tulsa's Comprehensive Plan. In general, the improvements listed are consistent with the Comprehensive Plan.

Below is a summarized list of those items, including: the name of the department, the item number(s) that correspond with the attached chart, and staff comments regarding relationship and consistency with the Comprehensive Plan.

- **Asset Management Department (AMD)**

1) New Facilities Maintenance Building

Staff Comments: *The Asset Management Department is proposing a new facilities maintenance building in order to vacate and sell their existing building due to its' prime location in downtown. The concept of making this property located in the Brady District available for a more active use supports multiple policies in the Comprehensive Plan regarding creating a vibrant downtown and allowing for business expansion downtown. The proposal also contributes to the quality of life for the downtown, and, therefore, is in conformance with the Comprehensive Plan.*

2) Citywide Lighting Upgrades

Staff Comments: *The Asset Management Department seeks to replace old inefficient lighting systems with new energy efficient lighting technology at various City of Tulsa facilities. The Comprehensive Plan encourages energy efficiency, specifically, Land Use Policy 15.5, mentions the need to promote sustainable practices that increase energy efficiency. Therefore, the proposed project is consistent with the Comprehensive Plan's direction on sustainable development.*

- **Planning and Development Department**

3) Evans/Fintube – Ingress/Egress improvements

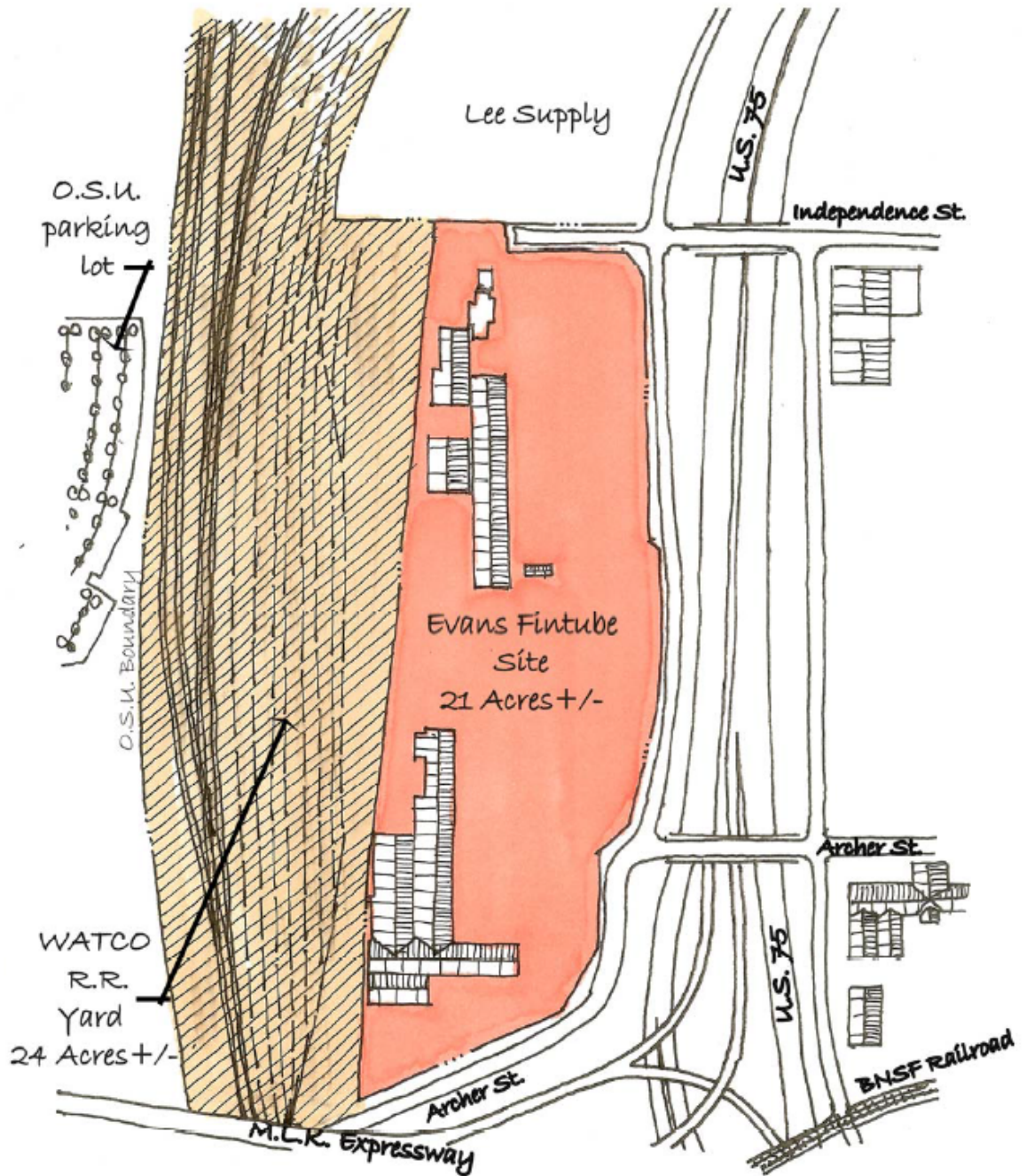
Staff Comments: *This project involves the voluntary acquisition for redevelopment, infrastructure and streetscaping to support commercial and residential development, enhance neighborhood connector streets to Evans Fintube redevelopment site, downtown districts and North Peoria Avenue from Archer Street to the terminus of the North Peoria TIF boundary. The intended result is to create an area destination serving downtown, universities, and neighborhoods.*

Evans Fintube is identified as a priority development site in the Downtown Area Master Plan. Specifically, the Plan speaks to the need for access improvements to the approximate 21 acre site located north and west of the intersection of U.S. 75 and I-244 (M.L. King Expressway) abutting downtown. Presently the site has very poor road access and is separated from O.S.U./Langston Campus by the approximate 24 acre WATCO Railroad yard.

The Tulsa Comprehensive Plan has identified this site as a Regional Center, which is described as: "Regional Centers are mid-rise mixed-use areas for large scale employment, retail, and civic or educational uses. These areas attract workers and visitors from around the region and are key transit hubs; station areas can include housing, retail, entertainment, and other amenities. Automobile parking is provided on-street and in shared lots. Most Regional Centers include a parking management district."

Based on its general proximity to university campuses, the downtown and major arterials, this is an important site for a transit hub and mixed use development, contributing to a regional center at this location. Improved access as a result of the proposed capital improvement project would support such a development. Therefore, this proposed project is in conformance with the Comprehensive Plan.

EVANS-FINTUBE SITE - EXISTING CONDITIONS



Planning Department
Community Development & Education Division
Tulsa, Oklahoma



- **Water & Sewer Department**

4) Tulsa County Property – E. 56th Street South and S. Garnett Road

Staff Comments: *This project involves the acquisition of a 9.53 acre parcel of land and associated buildings located at 5625 S Garnett Road, adjacent to the Water Distribution Maintenance Facility. The additional land would allow for future expansion and improvement of the 56th and Garnett maintenance facility.*

The intent is that the West Bank facility will develop in the future consistent with the Arkansas River Corridor Development Plan and there will be a need to relocate these services. An expansion of the facilities that already exist at E. 56th Street South and S. Garnett Road to accommodate this need will increase efficiencies and provide convenient access to the Broken Arrow Expressway and Highway 169.

One of the Guiding Principles for Economic Development is “The City invests in the critical infrastructure necessary to develop a robust and diversified economy.” This proposal will increase efficiencies in service provision by locating near an already existing facility and allow for the implementation of the Arkansas River Corridor Development Plan on the west bank. Therefore, this project is in conformance with the Comprehensive Plan.

Ms. Miller stated that the four new CIP proposals are in conformance with the Comprehensive Plan.

TMAPC COMMENTS:

Mr. Willis stated that he needs to make known that Item 4 on this list is currently a County-owned property. He indicated that he supports all of the CIP proposals, but he will be abstaining due to the County-owned property on Item 4.

Ms. Miller asked Legal if the four items could be taken separately for a vote so that Mr. Willis could vote on three of the four items.

Ms. VanValkenburgh stated that Mr. Willis could tell us what he would prefer because they could be voted on as one item or separate items.

After discussion it was determined to vote on the CIP's separately.

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **MIDGET**, TMAPC voted 10-0-0 (Carnes, Covey, Dix, Fretz, Midget, Millikin, Reeds, Shivel, Stirling, Willis "aye"; no "nays"; none "abstaining"; Walker "absent") to **APPROVE** Items 1 through 3, New Facilities Maintenance Building, Citywide Lighting Upgrades, Evans/Fintube–Ingress/Egress Improvements finding the Capital Improvement projects are consistent with the Tulsa Comprehensive Plan.

On **MOTION** of **MIDGET**, TMAPC voted 9-0-1 (Carnes, Covey, Dix, Fretz, Midget, Millikin, Reeds, Shivel, Stirling, "aye"; no "nays"; Willis "abstaining"; Walker "absent") to **APPROVE** Item 4, Tulsa County Property-East 56th Street South and South Garnett Road finding the Capital Improvement project is consistent with the Tulsa Comprehensive Plan.

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8. **CPA-36 – Eller & Detrich/Lou Reynolds**, Location: North of the northwest corner of South Delaware Place and East 15th Street South, requesting Amendment to The Comprehensive Plan for Land Use designation from "Existing Neighborhood" to "Main Street" on approximately .16 acre and to amend Stability and Growth designation from an "Area of Stability" to an "Area of Growth" on approximately .16 acre (CD-4) (Related to Z-7306)

STAFF RECOMMENDATION:

COMPREHENSIVE PLAN LAND USE MAP AMENDMENT REQUEST

N of NW/c of S. Delaware Pl. and E. 15th St. S (CPA-36)

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 NW/c of S. Delaware Pl. and E. 15th St. S
Size: .16 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 single family home and is surrounded by established residential neighborhoods to the north, east and west and commercially designated property to the south. This site and area immediately north, east 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*.

On May 6, 2015 the TMAPC voted unanimously to adopt a resolution for a Comprehensive Plan amendment (CPA-32) to change the land use from *Existing Neighborhood* to *Main Street* and on the lot immediately west of the subject site. As in this case (CPA-36), CPA-32 was also subject to a concurrent zoning application (Z-7293) to OL. As of the writing of this staff report, these cases have not been heard by City Council.

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 (pending proposed change to Main Street)</i>	Stability (pending proposed change to Area of Growth)	duplex

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.: Z-7306. 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. Three (3) years ago, the Patels 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. Last year, the Patels acquired the duplex to the west of the subject project and are seeking to rezone that property to OL from RS-3 (See TMAPC Case No. CPA-32 and TMAPC Case No. 7293). 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. In order to expand their medical building to the north along Delaware Avenue and Delaware Place and to provide for the necessary parking, the Patels intend to raze: (1) the two (2) story warehouse; (2) the existing duplex to the north of such warehouse (which property is also subject to rezoning Z-7293); and (3) the house on this property. 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.

Additionally, in the TMAPC Case No. CPA-32, the TMAPC voted unanimously to recommend the Comprehensive Plan be amended to plan the duplex property to the west of the property as an “Area of Growth” with a “Main Street” use designation.”

- 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 Summary:

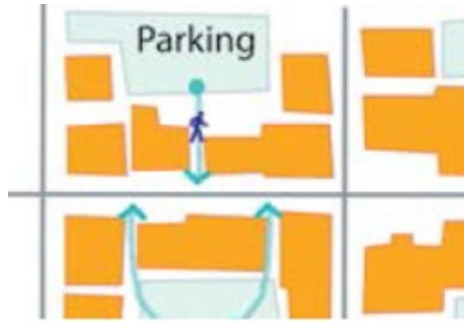
The subject site is a residential lot that contains a house built in 1927 and is the first house on the west side Delaware Place leading into the neighborhood, north of the existing *Main Street* land use designation and CH zoning. The homes in the surrounding neighborhood were primarily built prior to World War II and, therefore, are an important part of Tulsa's history.

The lot immediately to the west is also subject to pending Comprehensive Plan amendment (CPA-32) and rezoning (Z-7293) applications. On May 6, 2015 the TMAPC voted unanimously to adopt a resolution for a Comprehensive Plan amendment (CPA-32) to change the land use from *Existing Neighborhood* to *Main Street* and to recommend approval of a concurrent zoning application (Z-7293) to OL. As of the writing of this staff report, these cases have not been heard by City Council.

Requests to amend land use in an *Existing Neighborhood* for expansion of an adjacent commercial use are challenging, and 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.*"

Also, Land Use Policy 2.7 calls for the need for transition zones between intensities and uses: "*Use the Stability and Growth Map as a guide to where future growth and development will occur. The Stability and Growth map helps establish the implementation priorities for PLANiTULSA in specific geographic areas. Edges between the areas of stability and areas of growth are variable and in most cases are transition zones between intensities of uses.*" If the proposed request (CPA-36) and pending CPA-32 are approved, it would represent such a transition and any adverse impacts to the neighborhood from the adjacent *Area of Growth* would need to be mitigated. If both Comprehensive Plan amendment applications to *Main Street* and *Area of Growth* and both rezoning applications to OL are approved, screening will be required between the non-residential uses and the residential neighborhood to the north.

Parking is proposed on the subject site to support the expansion of the medical office use to the south and should serve as a transition between the residential and commercial uses. 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 East 15th Street South serves this site.

It appears that the *Main Street* land use designation was assigned to this segment of E. 15th Street South to reflect existing conditions in 2010 when the Comprehensive Plan was adopted. When examining the depth of other *Main Street* land use designations in around the City, several appear

to be of slightly greater depth, therefore better accommodating future development potential. The parking requirements in the Zoning Code often constrain properties from redeveloping in their current configuration. This fact, in addition to the concern of further encroachments into an existing residential neighborhood creates difficult situations.

In this particular instance, due primarily to the fact that the subject lot may be bordered by *Main Street* land use designations to the south and west, an expansion into this site is appropriate. However, any further encroachment into the residential neighborhood in the area would not be supported until such time that a larger evaluation could be done of the appropriate depth of a *Main Street* land use designation for this segment of E. 15th Street South.

II. STAFF RECOMMENDATION

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

Related Item to CPA-36:

9. **Z-7306 – Lou Reynolds**, Location: North of the northwest corner of South Delaware Place and East 15th Street South, requesting rezoning from **RS-3 to OL**, (CD-4) (Related to CPA-36)

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-7306 and is consistent with the same request (Z-7293) that was recently heard and recommended for approval by Planning Commission on the site immediately west of the subject site. In conjunction with this zoning request the applicant has requested a Comprehensive Plan amendment (CPA-36) to change the site from Existing Neighborhood to Main Street designation. The site is north of East 15th Street on the west side of South Delaware Place.

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 in a Main Street Land Use designation and;

OL is consistent with the expected development plan for this particular user and will require a lot combination and Plat or Plat Waiver to be used for the expansion of the existing medical facility.

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-7306 to rezone property from RS-3 to OL.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The proposed zoning request has been prepared in conjunction with the anticipated Comprehensive Plan Land Use and Growth and Stability modifications outlined in CPA-36. The proposed OL zoning pattern has been used in other locations along 15th street as a transition between CH and residential uses in a Main Street land use designation. The Comprehensive Plan at this location did not recognize the potential growth pattern that would be associated with a vibrant Main Street land use and did not recognize adequate expansion to support the Main Street designation. 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 street at this location but not considered part of the Main Street designation. 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 Place 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 single family residence 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 will require a screening fence 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 East 15th Street South and Delaware Place. 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.

South Delaware Place 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 Place	Residential	50 feet	2
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:

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 (pending proposed change to Main Street)</i>	Stability (pending proposed change to Area of Growth)	duplex

SECTION III: Relevant Zoning History

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

Subject Property:

No relevant history for the subject property.

Surrounding Property:

Z-7293 May 2015: Staff and TMAPC concurred in recommending approval, to City Council, of a request for rezoning a 10,498± square foot tract of land from RS-3 to OL for medical office and parking use, on property located north of northeast corner of S. Delaware Ave. and E. 15th St. S. and abutting the subject property to the west. As of the writing of this staff report (6/11/15), the case has not yet been heard by City Council.

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.

Applicant's Comments:

Lou Reynolds, 2727 East 21st Street, 74114, stated that he is in agreement with the staff recommendation. Mr. Reynolds reiterated that the proposal would be for a parking lot. Mr. Reynolds indicated that the existing curb-cut to the south will be used for access to the parking lot.

INTERESTED PARTIES COMMENTS:

Charles Letcher, 1434 South Delaware Place, 74104, stated that he and his wife are invested in Tulsa and the subject neighborhood. Mr. Letcher indicated his support of the proposed rezoning.

TMAPC Action; 10 members present:

On **MOTION** of **CARNES**, TMAPC voted **10-0-0** (Carnes, Covey, Dix, Fretz, Midget, Millikin, Reeds, Shivel, Stirling, Willis "aye"; no "nays"; none "abstaining"; Walker "absent") to recommend **APPROVAL** of CPA-36 and the OL zoning for Z-7306 per staff recommendation.

Legal Description for Z-7306:

LTS 16 & 17 BLK 5, ROSEMONT HGTS, City of Tulsa, Tulsa County, State of Oklahoma.

* * * * *

PUBLIC HEARINGS:

14. **7100 Riverside Revised** – Preliminary Plat, Location: West of Riverside Parkway, South of 71st Street South (CD-2)

STAFF RECOMMENDATION:

This plat consists of two lots, one block on 12.3 acres.

The following issues were discussed May 21, 2015, at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned Planned Unit Development 128-E-5 Minor Amendment with OMH, CS and RM2 underlying zoning. All PUD conditions must be met.
2. **Streets:** Clarify if right-of-way on Riverside and 71st are existing or dedicated per this plat. Confirm 120-foot right-of-way from centerline of 71st. If correct, further technical review will result in potential to affect site layout as proposed. The purpose and need of the Reserve Areas should be better defined, and also owner responsibilities for each, accesses must be approved by Development Services with fire department consent.
3. **Sewer:** No comment.
4. **Water:** Show bearings and distances along the proposed 20 foot restrictive waterline easements.
5. **Storm Drainage:** Any portion of storm sewer system that conveys runoff from within platted properties should be private systems. No public dedication or easements are necessary.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** PSO has existing underground that can serve trails.
7. **Other: Fire:** A mutual access easement is needed to access property. If any structure being built requires a second remote fire access then a mutual access agreement will be required between lots.
8. **Other: GIS** Identify all subdivisions in location map. Engineer/surveyor needs to show certificate of authorization expiration date. Show addresses. Move scale and scale bar to same location. Submit data control sheet. Note that area falls inside the 500 year floodplain. . **River Parks:** Trails will remain where they are located. Property is owned by the public park facility and a lease will be signed.

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

Waivers of Subdivision Regulations:

1. None requested.

Special Conditions:

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

Standard Conditions:

1. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
2. Water and sanitary sewer plans shall be approved by the Public Works Department prior to release of final plat. (Include language for W/S facilities in covenants.)
3. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures shall be borne by the owner(s) of the lot(s).
4. Any request for creation of a Sewer Improvement District shall be submitted to the Public Works Department Engineer prior to release of final plat.
5. Paving and/or drainage plans (as required) shall be approved by the Public Works Department.
6. Any request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Public Works Department.
7. A topography map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
8. Street names shall be approved by the Public Works Department and shown on plat.
9. All curve data, including corner radii, shall be shown on final plat as applicable.
10. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.
11. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
12. It is recommended that the developer coordinate with the Public Works Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)

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

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 10 members present:

On **MOTION** of **MIDGET**, TMAPC voted 10-0-0 (Carnes, Covey, Dix, Fretz, Midget, Millikin, Reeds, Shivel, Stirling, Willis "aye"; no "nays"; none "abstaining"; Walker "absent") to **APPROVE** the preliminary plat for 7100 Riverside Revised per staff recommendation.

* * * * *

16. **Centerpoint Business Park** – Preliminary Plat, Location: North of northeast corner of East 61st Street South and South 129th East Avenue, (CD-6)

STAFF RECOMMENDATION:

This plat consists of eight lots, two blocks on 71 acres.

The following issues were discussed May 21, 2015, at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned IL (industrial light).
2. **Streets:** Review on-going. No major issues identified that should prevent the preliminary plat from proceeding.
3. **Sewer:** Existing sanitary sewer line shown in northwest part of Lot 3, Block 2 of this plat is a private sanitary sewer line and should be labeled as such or the entire private system will have to convert to a public system.
4. **Water:** Proposed waterlines are being installed under the IDP process.
5. **Storm Drainage:** No comment.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** No comment.
7. **Other: Fire:** No comment.
8. **Other: GIS:** Show all subdivisions in location map. Show addresses for individual lots shown with standard caveat. Submit control data sheet and proper legal description. "All easements, access points, and other pertinent plat details are subject to change upon further review of design plans."

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

Waivers of Subdivision Regulations:

1. None requested.

Special Conditions:

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

Standard Conditions:

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

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

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 10 members present:

On **MOTION** of **MIDGET**, TMAPC voted **10-0-0** (Carnes, Covey, Dix, Fretz, Midget, Millikin, Reeds, Shivel, Stirling, Willis "aye"; no "nays"; none "abstaining"; Walker "absent") to **APPROVE** the preliminary plat for Centerpoint Business Park per staff recommendation.

* * * * *

18. **Project 19 –** Preliminary Plat, Location: South of East 106th Street North, East of North Memorial Drive, (County)

STAFF RECOMMENDATION:

This plat consists of 23 lots, 2 blocks, on 17.59 acres.

The following issues were discussed May 21, 2015, at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned RE (residential estate) pending, AG (agricultural) existing.
2. **Streets:** No comment.
3. **Sewer:** Septic or Aerobic will be used.
4. **Water:** See attached Rural Water District # 3 comments.
5. **Storm Drainage:** Storm water drainage study and resulting drainage easements must meet with County Engineer approval.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** No comment.
7. **Other: Fire:** Outside of City Limits. Owasso Fire Marshall should be contacted for comments/release letter.
8. **Other: GIS:** Label unplatted area in location map. Show addresses and caveat. Submit data control sheet. Add location description under plat title. Show phone number and email for owner information.

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

Waivers of Subdivision Regulations:

1. None requested.

Special Conditions:

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

Standard Conditions:

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

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

23. All PUD standards and conditions shall be included in the covenants of the plat and adequate mechanisms established to assure initial and continued compliance with the standards and conditions.
24. Private streets shall be built to City or County standards (depending upon the jurisdiction in which the plat is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.

INTERESTED PARTIES:

Carl Clay, 10414 North 88th East Avenue, Owasso, 74055 (Submitted photographs of stormwater runoff, Exhibit A-1); **Herb Genatowski**, Ranch Creek Homeowner's Association, 8913 East 106th Street North, Owasso, 74055; and **Dustin Bococks**, 10402 North 88th East Avenue, Owasso, 74055.

INTERESTED PARTIES COMMENTS:

Concerns were expressed for stormwater runoff and ingress/egress to the subject property. Natural dry creek beds have been filled and causing stormwater overflow onto neighbors' property. Concerns expressed regarding what type of retention pond will be developed.

STAFF COMMENTS:

Mrs. Fernandez stated that the Assistant County Engineer was present at the Technical Advisory Committee meeting and he always makes sure that there is a drainage study done on the plats. Mrs. Fernandez further stated that she will make sure that he is aware of the interested parties' concerns.

Mr. Reeds asked Mr. Genatowski where his current drainage flowing. Mr. Genatowski stated that there are drainage ditches on either side of 105th Street, 104th Place and 104th Street. He stated that the stormwater runs through the ditches to the east side and eventually goes into Ranch Creek at the low end. Mr. Genatowski stated that the neighborhood is getting all of the runoff from the top of the hill and from the subject development. In response to Mr. Reed, Mr. Genatowski stated that there wasn't a problem until the subject land was cleared.

Applicant's Rebuttal:

Alan Betchan, AAB Engineering, LLC, PO Box 2136, 74063, stated that there will be a detention facility in the southeast corner of the subject property to capture and release stormwater at a slower rate. Mr. Betchan explained that the subject property cannot direct stormwater overflow onto the neighbors' property more than is currently flowing and with the proposed detention facility it will be released at a slower rate than it is currently. Mr. Betchan stated that there is a natural draw that runs behind

Mr. Clay's house. Mr. Betchan stated that he doesn't know about how many changes happened when grading, but he doesn't see a way that it could have diverted all of the water to the neighbors from a place it didn't go before because it drains substantially toward the center.

Mr. Betchan stated that the access point is at the least intrusive point given what is present. There are 23 lots on ½ acre plus lots and will not be an intense development.

Mr. Betchan stated that he is currently working through the design for the detention facility. It will come in as part of the overall grading plan and engineering requirements through the County. It will be reviewed by the County Engineer before development.

Mr. Dix asked whether it would be a wet or dry detention. Mr. Betchan stated that right now he is planning on a dry detention facility. If becomes a wet detention facility it would be six feet deep with a concrete runoff.

Mr. Reeds asked Mr. Betchan if he believes that the new detention facility will eliminate the issue that currently exists where it fills the neighboring streets and stands. Mr. Betchan stated that that is a loaded question. The reality is the barrow ditch system was probably a five-year design system. It is really hard to compare the last year or two regarding runoff because of the rains we have been dealing with. Mr. Betchan stated that he can't say it would get rid of it, but he can say that the new development will mitigate the impacts that it would cause. Legally he has to put the water back where it went before and can't divert it onto someone else. The plan is to put the water back where it went in no faster of a rate than it went prior to development.

Mr. Carnes out at 2:11 p.m.

TMAPC Action; 9 members present:

On **MOTION** of **DIX**, TMAPC voted 9-0-0 (Covey, Dix, Fretz, Midget, Millikin, Reeds, Shivel, Stirling, Willis "aye"; no "nays"; none "abstaining"; Carnes, Walker "absent") to **APPROVE** the preliminary plat for Project 19 per staff recommendation.

* * * * *

Mr. Carnes in at 2:12 p.m.

19. **Northern Territory** – Preliminary Plat, Location: West of North 113th Street, North of 176th Street North, (County)

STAFF RECOMMENDATION:

This plat consists of nine lots, one block, on 20 acres.

The following issues were discussed June 4, 2015, at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned RE (residential estate) (pending), AG (existing) (agricultural). Cul-de-sac must meet proper length. Show square footages to meet zoning on plat. Setbacks shown need to be per zoning requirements.
2. **Streets:** Dedicate 50 feet of right of way and an 8 foot turn lane dedication with book and page number. Lot 3 may need additional access with driveway location.
3. **Sewer:** Septic systems will be used.
4. **Water:** Rural water district # 3 must approve and provide water service.
5. **Storm Drainage:** Construction plans and drainage plans must be submitted and approved through County Engineer. A dry pond may become part of Lot 3. A drainage easement may be needed on Lot 2.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** No comment.
7. **Other: Fire:** Outside of City Limits. Contact Collinsville Fire Department for comments.
8. **Other: GIS:** Provide owner and engineer surveyor email addresses and CA number/PE number. Add location description under plat title. Plat boundary line weight should be the heaviest so it stands out. Correct location map section street names. Provide individual lot addresses and address caveat disclaimer. Add date of preparation to plat. State basis of bearing. Fix legal description. Remove small north arrow symbols on lots 5 and 10. Label all unplatted areas in the location map. Submit control data sheet. Provide street name in subdivision. Remove topographical features on final plat.

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

Waivers of Subdivision Regulations:

1. None requested.

Special Conditions:

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

Standard Conditions:

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

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

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 10 members present:

On **MOTION** of **DIX**, TMAPC voted **10-0-0** (Carnes, Covey, Dix, Fretz, Midget, Millikin, Reeds, Shivel, Stirling, Willis "aye"; no "nays"; none "abstaining"; Walker "absent") to **APPROVE** the preliminary plat for Northern Territory per staff recommendation.

* * * * *

20. **AEP Transmission Services Center** – Preliminary Plat, Location: South of the southeast corner of East Archer Street and South 145th East Avenue, (CD-6)

STAFF RECOMMENDATION:

This plat consists of one lot, one block, on 70 acres.

The following issues were discussed June 4, 2015, at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned IL (industrial light).
2. **Streets:** Consulting Engineer is waiting for a letter about the dedication of the right-of-way and not having to build the roadway from Development Services. A 30-foot corner clip is required at the intersection of 145th East Avenue and 4th Street. Label 4th Street. Modify sidewalk language in covenants to reflect one lot, one block not multiple lots.
3. **Sewer:** Sewer location needs to be approved through Development Services.
4. **Water:** Waterline is not to be built in collector street.
5. **Storm Drainage:** No comment.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** No comment.
7. **Other: Fire:** No comment.

8. **Other: GIS:** Provide address to plat. Add City of Tulsa, Tulsa County to location description under plat title. Remove contours from face of plat on final plat. Add contours to conceptual. Symbolize property pins as to what is found or set. Submit data control sheet. Identify all subdivisions in location map. Fix street name to East Admiral Place. Show locations and widths of and the recording references for all oil, gas and petroleum easements on plat. Show building setback lines. Show bench mark locations.

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

Waivers of Subdivision Regulations:

1. None requested.

Special Conditions:

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

Standard Conditions:

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

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

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

Mrs. Fernandez stated that the road issue is a big deal and the applicant is still waiting for a letter from the City of Tulsa.

Mr. Carnes suggested that this application should be continued until this issue is resolved.

Mrs. Fernandez suggested that the TMAPC speak with the applicant before continuing this application.

Applicant's Comments:

Tim Terral, TEP, Inc., 9820 East 41st Street South, Suite 102, 74146, stated that at the predevelopment meeting Mr. Duke did say that he wanted us to dedicate the entire 60 feet of easement on AEP side and they wouldn't be required to build the road. Mr. Terral indicated that Mr. Duke was supposed to send him a letter stating this, but he has never received it. Mr. Terral stated that he does have an email from Mr. Duke stating the agreement regarding the 60-foot dedication and no requirement to build the road. Mr. Terral commented that he doesn't have a copy of the email with him today.

After discussion it was determined to move this item down the agenda and wait for Mr. Duke to arrive at the meeting.

Resume AEP Transmission Services Center:

Doug Duke, Infrastructure Development Manager for the City of Tulsa arrived at the TMAPC meeting and confirmed that if the applicant dedicated 60 feet of right-of-way on their side of the property line he would not be required to build a road. Mr. Duke commented that he discussed

this with his Director, Dawn Warrick, and they felt that the best outcome for this situation was to have AEP dedicate 60 feet of right-of-way. Mr. Duke explained that he did discuss with the AEP representative about the 30 feet of right-of-way that is normally done, but there is no certainty that the other 30 feet would be obtained in the near future. Mr. Duke explained that there are several properties along the subject road where there is only 30 feet of right-of-way dedicated.

TMAPC COMMENTS:

Mr. Dix commented that he feels that this is heavy-handed and questioned if it was legal. Mr. Duke stated that the City requested the entire 60 feet through the Major Street and Highway Plan and they agreed to it. AEP is welcome to question the legality of it, but they haven't gotten to that point and seem willing to dedicate it.

Mr. Carnes stated that there are quite a few places within the City that only have 30 feet of right-of-way dedicated and he can definitely understand Mr. Duke's decision. Mr. Midget stated that if the property owner is amenable to the request, then it is their decision and it gets the development moving forward.

In response to Mr. Covey, Mr. Duke stated that AEP has agreed to dedicate 60 feet of right-of-way along their entire southern boundary with no requirement to construct a road. Part of the justification for this decision is that the City doesn't feel like the collector street provided any benefit to the AEP property but did directly benefit the properties to the east and therefore and it should be the obligation of those properties to construct the road in the future as those properties developed.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 10 members present:

On **MOTION** of **DIX**, TMAPC voted **10-0-0** (Carnes, Covey, Dix, Fretz, Midget, Millikin, Reeds, Shivel, Stirling, Willis "aye"; no "nays"; none "abstaining"; Walker "absent") to **APPROVE** the preliminary plat for AEP Transmission Services Center per staff recommendation.

* * * * *

22. **BOA – 21906 –** Plat Waiver, Location: 1621 East 11th Street South, (CD-4)

STAFF RECOMMENDATION:

The platting requirement is being triggered by a Board of Adjustment Case to allow an outdoor stage in a CH (commercial heavy) zoning district.

Staff provides the following information from TAC for their June 19, 2014 meeting:

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

STREETS: Sidewalks must be provided along 49th Street.

SEWER: No comment.

WATER: No comment.

STORMWATER: The entire lot lies within the City of Tulsa Regulatory Floodplain. All floodplain requirements for development must be comply with.

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.? | | |
| 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? | | |
| 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; 10 members present:

On **MOTION** of **MIDGET**, TMAPC voted **10-0-0** (Carnes, Covey, Dix, Fretz, Midget, Millikin, Reeds, Shivel, Stirling, Willis "aye"; no "nays"; none "abstaining"; Walker "absent") to **APPROVE** the plat waiver for BOA-21906 per staff recommendation.

* * * * *

23. **Z-7298** – Plat Waiver, Location: 1131 East 37th Place South, (CD-9)

STAFF RECOMMENDATION:

The platting requirement is being triggered by a rezoning to Parking (PK).

Staff provides the following information from TAC for their June 4, 2015 meeting:

ZONING: TMAPC Staff: Typically a new plat would be required but items and requirements have been satisfied by separate instrument.

STREETS: Sidewalk will be needed along 37th Place.

SEWER: No comment.

WATER: No comment.

STORMWATER: No comment.

FIRE: No comment.

UTILITIES: No comment.

Staff can recommend **APPROVAL** of the plat waiver as most requirements have been met 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		
i. Is a main line water extension required?		X
ii. Is an internal system or fire line required?		X

- | | |
|---|---|
| iii. Are additional easements required? | X |
| b) Sanitary Sewer | |
| i. Is a main line extension required? | X |
| ii. Is an internal system required? | X |
| iii. Are additional easements required? | X |
| c) Storm Sewer | |
| i. Is a P.F.P.I. required? | X |
| ii. Is an Overland Drainage Easement required? | X |
| iii. Is on site detention required? | X |
| iv. Are additional easements required? | X |
| 7. Floodplain | |
| a) Does the property contain a City of Tulsa (Regulatory) Floodplain? | X |
| b) Does the property contain a F.E.M.A. (Federal) Floodplain? | X |
| 8. Change of Access | |
| a) Are revisions to existing access locations necessary? | X |
| 9. Is the property in a P.U.D.? | X |
| a) If yes, was plat recorded for the original P.U.D. | |
| 10. Is this a Major Amendment to a P.U.D.? | X |
| a) If yes, does the amendment make changes to the proposed physical development of the P.U.D.? | X |
| 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; 10 members present:

On **MOTION** of **CARNES**, TMAPC voted **10-0-0** (Carnes, Covey, Dix, Fretz, Midget, Millikin, Reeds, Shivel, Stirling, Willis "aye"; no "nays"; none "abstaining"; Walker "absent") to **APPROVE** the plat waiver for Z-7298 per staff recommendation.

* * * * *

25. **Z-7305 – Gary Ketchum**, Location: Northwest corner of South 33rd West Avenue and West 59th Street South, requesting rezoning from **RS-3 to CS**, (CD-2)

STAFF RECOMMENDATION:
DEVELOPMENT CONCEPT:

The applicant has submitted a request for CS zoning that will support future redevelopment for office and commercial space. The proposed building will be a Teamster Union office and is planned to be a single story building with the quality that is illustrated in the example photographs supplied by the applicant.

DETAILED STAFF RECOMMENDATION:

Z-7305 request for CS zoning is consistent with the Mixed-Use Corridor land use classification in the Comprehensive Plan. Immediately south across West 59th Street South is an existing single family residence, included in a Neighborhood Center land use designation, which may ultimately be developed with CS zoning and,

CS zoning is consistent with the anticipated development pattern along the west side of South 33rd West Avenue from West 61st Street South north to West 56th Street South and,

Property south and near the west border of the site is in Tulsa County and is not included in a Comprehensive Plan however the CS zoning request at this location is non-injurious to the proximate properties therefore,

Staff recommends **APPROVAL** of Z-7305 to rezone property from RS-3/ to CS.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The proposed CS zoning is consistent with the anticipated development pattern for a Mixed Use Corridor. The proposed use for the Teamsters Union Tulsa Office is consistent with the mix of uses along 33rd West Avenue. The existing development along S. 33rd West Avenue is a wide variety of uses and includes a Retirement Community at the north end of the Mixed-Use Corridor near West 56th Street, a mini storage just south of the Retirement Community, a City of Tulsa Water system building and 4 single family residential homes. South of the site on South 33rd West Avenue are a wide variety of uses including a single-family residence, donut shop, trophy shop and convenience store.

Land Use Vision:

Land Use Plan map designation: Mixed-Use Corridor

A Mixed-Use Corridor is a plan category used in areas surrounding Tulsa's modern thoroughfares that pair high capacity transportation facilities with housing, commercial, and employment uses. The streets 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. 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.

Areas of Stability and Growth designation: Area of Growth

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

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

Transportation Vision:

Major Street and Highway Plan: Secondary Arterial

33rd West Avenue is a Secondary Arterial with a street right of way requirement of 100 feet. No multi-modal overlay affects the anticipated development of street or this site.

Trail System Master Plan Considerations: None

Small Area Plan: Southwest Tulsa Plan (Phase 1 adopted in 2009 Phase 2 adopted in 2011.)

The Southwest Tulsa Plan does not specifically define land use patterns in this area however the Phase two plan provides several references to the Tulsa Comprehensive Plan supporting the land use patterns.

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is a green field site with no evidence of previous building construction. Terrain is generally flat with grass and tree cover only around the perimeter of the site.

Environmental Considerations: None that will affect development patterns on the site

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South 33 rd West Avenue	Secondary Arterial	100 feet	4
West 59 th Street	Residential	50 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties: The subject tract is abutted on the east by a church Allowed by Special Exception and zoned RS-3; on the north by single family residential, zoned RS-3; on the south by single family residential, zoned RS-3; and on the west by single family residential property, zoned RS-3.

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11821 dated June 26, 1970, established zoning for the subject property.

Subject Property:

No relevant history for subject property.

Surrounding Property:

Z-6562/ PUD-551 November 1996: All concurred in approval of a request for rezoning a 4± acre tract of land from RS-3 to RM-0 and a proposed Planned Unit Development on a for multifamily elderly housing, on property located on the northwest corner of W. 57th St. and S. 33rd W. Ave.

Z-6543 September 1996: All concurred in approval of a request for rezoning a 1± acre tract of land from RS-3 to CS for a Laundromat, on property located on the south of the southwest corner of W. 9th St. and S. 33rd W. Ave.

Z-6348/ PUD-483 April 1992: All concurred in approval of a request for rezoning a 5± acre tract of land from RS-3 to RS-3/ CS and a proposed Planned Unit Development for mini-storage and auto repair business, on property located southwest corner of W. 57th St. and S. 33rd W. Ave.

Z-6298 May 1991: All concurred in approval of a request for rezoning a .5± acre tract of land from RS-3 to CS for commercial use, on property located north of the northeast corner of S. 33rd W. Ave. and W. 61st St.

BOA-11944 May 13, 1982: The Board of Adjustment a Special Exception to permit church use and activities in an RS-3 district, per plot plan submitted, on property located at 5900 S. 33rd W. Ave. and abutting across S. 33rd W. Ave. to the east.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 10 members present:

On **MOTION** of **CARNES** TMAPC voted **9-1-0** (Carnes, Covey, Dix, Fretz, Midget, Reeds, Shivel, Stirling, Willis "aye"; Millikin "nays"; none "abstaining"; Walker "absent") to recommend **APPROVAL** of the CS zoning for Z-7305 per staff recommendation.

Legal Description for Z-7305:

BEG 50W & 439S NEC SE SE W240 S129.5 E240 N129.5 POB SEC 33 19 12, City of Tulsa, Tulsa County, State of Oklahoma.

26. **PUD-168-A – Eller & Detrich/Lou Reynolds**, Location: South of southeast corner of East 81st Street South and South Harvard Avenue, requesting a PUD Major Amendment to add Use Unit 17 – Automotive and Allied Activities to permitted uses with geographic and size limitations, and add development standards, **RS-2/OL/CS/PUD-168**, (CD-8)

STAFF RECOMMENDATION:
DEVELOPMENT CONCEPT:

The applicant has requested the addition of Use Unit 17 - Automotive and Allied Activities to the permitted uses in the southwest corner of Development area A, PUD 168. This proposed addition to allowable uses is to allow a car care center to be located within an existing building and is limited to a maximum floor area of 10,000 square feet.

The applicant has proposed modifications to the site to soften any impact the addition of a car center may have, such as the addition of a masonry screening wall along with additional landscaping and screening as illustrated on the applicant's Exhibit B-1. Limits on hours of operation, storage of materials and direction of service doors will also be requirements of the PUD.

PUD-168-A DEVELOPMENT STANDARDS:

1. The maximum floor area for this use and car care center in Development Area A shall not exceed 10,000 square feet of floor area in the area depicted in Exhibit B-1.
2. Provide a masonry screening wall as illustrated on Exhibit B-1 dated May 20, 2015. The minimum wall heights noted on the Exhibit will be measured from the adjacent top of curb elevations in the parking area. Standard concrete block (CMUs) will not be allowed and the wall materials and colors must be complimentary to the existing building and properties on the south side of East 83rd Street South.
3. Provide landscape and screening that meets or exceeding the minimum concept as shown on Exhibit B-1.
 - A. Trees will be spaced with a maximum 30 feet spacing measured from each tree trunk. The minimum install size will be 2.5 inch caliper and 12 foot height.
 - B. Shrub areas, illustrated in concept on Exhibit B-1, will be installed with a minimum planting height and density to provide additional continuous landscape

edge between the street and screening wall and surface parking with a minimum of 30 inch height with a 3 season growing cycle.

4. Automobiles and light trucks will be the only vehicles serviced at this location.
5. Hours of operation will be limited to 7:00 am to 6:00 pm Monday through Saturday.
6. All automobile or light truck repair will be performed inside the building
7. All vehicles left overnight will be parked inside the building.
8. All merchandise will be stored and displayed inside the building.
9. All vehicle service doors will face west (i.e. South Harvard Avenue).
10. No vehicle service doors will face south (i.e. East 83rd Street).
11. Wall mounted business signs are prohibited on the south face any building in Development Area A.
12. Any Mechanical equipment required for use unit 17 will be prohibited south of the existing building wall.
13. Wall mounted lighting is prohibited on the south side of the area where Use Unit 17 is allowed. Any ground lighting will be pointed down and away from the residential area south of East 83rd Street south and is limited to 16' height.

All remaining development standards defined in PUD-168 and all previous amendments shall remain in effect.

VEHICULAR ACCESS AND CIRCULATION:

Ingress and egress to the site will be from E. 83rd Street South and South Harvard Avenue.

PEDESTRIAN ACCESS:

Existing pedestrian paths adjacent to the building are to remain.

PLATTING REQUIREMENT:

Major amendments to the PUD require a plat or plat waiver.

EXPECTED SCHEDULE OF DEVELOPMENT:

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

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

DETAILED STAFF RECOMMENDATION:

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

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

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

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

The addition of Use Unit 17 shall be limited to a car and light truck care facility in the specific location defined on Site Exhibit B-1.

Staff recommends **APPROVAL** of PUD-168-A as outlined in Section I above.

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

Staff Summary: The PUD request is consistent with the Land Use and Growth and Stability vision identified for this area in the Tulsa Comprehensive Plan. The Neighborhood Center vision anticipated small-scale mixed use areas that provide the neighborhood with a variety of goods and services. This PUD will allow that to happen by continuing to provide uses allowed in the original PUD while adding a car care center to this location.

Land Use Vision:

Land Use Plan map designation:

The entire site is part of the Neighborhood Center designation.

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 map designation:

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

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

Transportation Vision:

Major Street and Highway Plan: South Harvard Avenue is a Secondary Arterial with 2 lanes of traffic. East 83rd Street South is a Residential Collector with 2 lanes of traffic.

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

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The proposed space is located in a retail shopping center and has been vacant for several years. Areas to the North

and West are commercial/retail. Areas to the South and East are residential.

Environmental Considerations: There are no environmental considerations.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Harvard Avenue	Secondary Arterial	100 feet	2
East 83 rd Street South	Residential Collector	60	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties: The subject tract is abutted on the east and south by single-family residences zoned RS-2/PUD-168; on the north by commercial/retail, zoned CS/PUD-168; and on the west by commercial/retail/offices, zoned CS/OL.

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 13470 dated September 3, 1975 (PUD-168) and 13422 dated June 5, 1975 (Z-4758), established zoning for the subject property.

Subject Property:

PUD-168 September 1975: All concurred in approval of a proposed Planned Unit Development on a 26± acre tract of land for commercial, office and residential development, on property located on the southeast corner of E. 81st St. and S. Harvard Ave.

Surrounding Property:

No relevant history for surrounding properties.

Related Item to PUD-168-A Major Amendment:

24. **PUD-168 A –** Plat Waiver, Location: South of southeast corner of East 81st Street South and South Harvard Avenue (CD-8)

STAFF RECOMMENDATION:

The platting requirement is being triggered by a major amendment to PUD-168.

Staff provides the following information from TAC for their June 4, 2015 meeting:

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

STREETS: Sidewalks are required.

SEWER: No comment.

WATER: No water service connections can be made onto the 24 inch water main line without approval.

STORMWATER: No comment.

FIRE: No comment.

UTILITIES: No comment.

Staff can recommend **APPROVAL** of the plat waiver as most requirements have been met 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		
i. Is a main line water extension required?		X
ii. Is an internal system or fire line required?		X
iii. Are additional easements required?		X
b) Sanitary Sewer		
i. Is a main line extension required?		X
ii. Is an internal system required?		X
iii. Are additional easements required?		X

c) Storm Sewer		
i. Is a P.F.P.I. required?		X
ii. Is an Overland Drainage Easement required?		X
iii. Is on site detention required?		X
iv. Are additional easements required?		X
7. Floodplain		
a) Does the property contain a City of Tulsa (Regulatory) Floodplain?		X
b) Does the property contain a F.E.M.A. (Federal) Floodplain?		X
8. Change of Access		
a) Are revisions to existing access locations necessary?		X
9. Is the property in a P.U.D.?	X	
a) If yes, was plat recorded for the original P.U.D.		
10. Is this a Major Amendment to a P.U.D.?	X	
a) If yes, does the amendment make changes to the proposed physical development of the P.U.D.?		X
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.

Applicant's Comments:

Lou Reynolds, 2727 East 21st Street, 74114, stated that he is in agreement with staff's recommendation on the PUD amendment, but not in agreement with staff's recommendation of the plat waiver.

Mr. Reynolds stated that the text in the old PUD doesn't use the language that is used today. In the applicant's presentation to the Planning Commission the applicant stated that there wouldn't be any automotive use. In the deed of dedication of Walnut Creek Shopping Center it states that the uses permitted in CS zoning. Out of fairness to the process, one could say that CS was allowed but the applicant specifically stated in his presentation that automotive wouldn't be allowed. Mr. Reynolds stated that the major amendment is requesting to add automotive use to the subject property. Mr. Reynolds submitted photographs (Exhibit C-3) of the existing subject building that has been empty for about eight years and a superimposed photograph to demonstrate how the subject property will look if approved. Mr. Reynolds explained that all of the doors to the proposed facility will be pointing west and none facing the neighborhood to

the south. Mr. Reynolds stated that this would be the only place that automotive use would be allowed within the shopping center. Mr. Reynolds indicated that the subject property would have 6,000 square feet. The use would be for automobiles and light trucks only and the hours of operation would be between 7:00 a.m. and 6:00 p.m., Monday through Saturday. All vehicles left over night would be stored inside and all vehicles have to be in working condition and not towed to the facility. Mr. Reynolds explained that his client primarily does tune-ups, transmissions fluid changes, oil changes, etc. Mr. Reynolds stated that he has added landscaping along the west side and deepened the amount of landscaping on the south side, four-foot masonry wall in addition to the landscaping. Mr. Reynolds explained that sidewalks are in place along part of Harvard and part of 81st Street. The subject project has about 1900 feet of frontage on a public street and probably about 1100 linear feet that does not have sidewalks in place. Mr. Reynolds stated that the cost of putting in sidewalks is anywhere from \$30.00 to \$50.00 per lineal foot. Today's request is for a single use change and it is for a use that is permitted in CS zoning by special exception. The proposed use will be in an existing building and there will be no added buildings and no new improvements. The subject property is already platted and there is a deed of dedication in place. Mr. Reynolds submitted the deed of dedication (Exhibit C-1) and read from the Zoning Code, Section 1102 (Exhibit C-2).

INTERESTED PARTIES:

Holly Yeagle, (representing Forest Creek HOA), 3737 East 85th Place, 74137; **Nancy McKee**, 3775 East 82nd Court, 74137.

INTERESTED PARTIES COMMENTS:

Concerned about the zoning change and how it would look as residents enter their neighborhood; expressed concerns that auto uses will not look nice and there are two automotive service buildings empty in the subject neighborhood. The shopping center has been empty for a long time and she walks by the subject property every day and the retaining wall is dilapidated and termite eaten. Sidewalk along 81st and Harvard is unlikely to happen until they widen the street, right now it is a ditch. Oppose the automotive uses and should be in an industrial area. There are two empty service stations in the subject area.

Applicant's Rebuttal:

Mr. Reynolds stated that he agrees that it is how it will look and that is why his client has tried very hard to address it. He agrees that it needs to look nice and he has tried to set standards so that it will look nice and operate nicely. Mr. Reynolds stated that the use he is proposing is allowed by special exception in the CS zoning. Mr. Reynolds reiterated that his client doesn't want to be required to build sidewalks.

After discussion regarding the possible cost of sidewalks, considering that the proposal is not new construction, the Planning Commission determined that the applicant shouldn't be required to build a sidewalk except in front of the proposed facility.

TMAPC Action; 10 members present:

On **MOTION** of **DIX**, TMAPC voted **10-0-0** (Carnes, Covey, Dix, Fretz, Midget, Millikin, Reeds, Shivel, Stirling, Willis "aye"; no "nays"; none "abstaining"; Walker "absent") to recommend **APPROVAL** of the major amendment per staff recommendation for PUD-168-A.

TMAPC Action; 10 members present:

On **MOTION** of **DIX**, TMAPC voted **10-0-0** (Carnes, Covey, Dix, Fretz, Midget, Millikin, Reeds, Shivel, Stirling, Willis "aye"; no "nays"; none "abstaining"; Walker "absent") to **APPROVE** the plat waiver for PUD-168-A per staff recommendation, subject to installing sidewalks in front or beside the existing structure.

Legal Description for PUD-168-A:

A part of Lot One (1), Block One (1), FOREST CREEK CENTER, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded plat thereof, more particularly described as follows, to-wit: BEGINNING at the Southwest corner of said Lot 1, Block 1, FOREST CREEK CENTER, thence due North along the West line of Lot 1, Block 1, a distance of 550.10 feet to a point; thence due East a distance of 5.00 feet to a point; thence due North parallel to and 5 feet perpendicularly distant from the West line of said Lot 1, Block 1, a distance of 54.90 feet to a point; thence due East 495.00 feet to a point on the East line of said Lot 1, Block 1; thence due South a distance of 606.86 feet to the Southeast corner of Lot 1, Block 1; thence N 83°58'26" W a distance of 0.00 feet; thence along a curve to the left with a central angle of 6°01'34" and a radius of 336.72 feet, a distance of 35.41 feet to a point; thence due West a distance of 464.65 feet to the Point of Beginning. **AND** A part of Lot One (1), Block One (1), FOREST CREEK CENTER, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded plat thereof, being more particularly described as follows, to-wit: Commencing at a point on the West line of Lot 1, Block 1, FOREST CREEK CENTER, said point being 750.10 feet North of the Southwest corner of said Lot 1, Block 1; thence due East a distance of 5.00 feet to the POINT OF BEGINNING; thence due North parallel to and 5.00 feet perpendicularly distant from the West line of said Lot 1, Block 1, a distance of 14.99 feet to a point; thence due East a distance of 5.00 feet to a point; thence due North a distance of 145.00 feet to a point; thence N 44°56'54" E a distance of 28.34 feet to a point; thence N 89°53'48" E a distance of 40.00 feet to a point; thence N 0°06'12" W a distance of 10.00 feet to a point; thence N 89°53'48" E along the North line of Lot 1,

Block 1, FOREST CREEK CENTER, a distance of 224.31 feet to a point; thence due South a distance of 170.00 feet to a point; thence S 89°53'48" W a distance of 35.81 feet to a point; thence due South 20.00 feet; thence S 89°53'48" W a distance of 253.50 feet to the POINT OF BEGINNING. **AND** A part of Lot One (1), Block One (1), FOREST CREEK CENTER, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded plat thereof, to-wit: Commencing at the Southwest corner of Lot 1, Block 1, FOREST CREEK CENTER, thence due North along the East right of way line of South Harvard Avenue and the West line of Block 1, a distance of 550.10 feet to a point; thence due East a distance of 5.00 feet; thence due North parallel to and 5.00 feet perpendicularly distant from the west line of said Lot 1, Block 1, a distance of 54.90 feet to the POINT OF BEGINNING; thence continuing due North parallel to and 5.00 feet perpendicularly distance from the West line of said Lot 1, Block 1, a distance of 145.1 feet to a point; thence N 89°53'48" E a distance of 253.50 feet to a point; thence due South 145.56 feet to a point; thence due West 253.50 feet to the POINT OF BEGINNING., City of Tulsa, Tulsa County, State of Oklahoma

* * * * *

27. **PUD-817-A – David A. Peck**, Location: Southeast corner of East 4th Street South and South Madison Avenue, requesting a PUD Major Amendment to add Use Units 12A and 20, limited to a microbrewery and accessory uses and to modify some standards, **IL/PUD-817**, (CD-4)

STAFF RECOMMENDATION:

DEVELOPMENT CONCEPT:

The applicant has requested the addition of Use Unit 12A – Adult Entertainment Establishments and Use Unit 20 – Commercial Recreation: Intensive in order to provide a potential taproom to the brewery and to allow recreation and occasional events in an outdoor space on site. The proposed uses would be limited to those associated with the operation of a microbrewery, thereby limiting any potential development that would fall into either Use Units.

In approved PUD-817, Use Unit 26 for the microbrewery contained a limitation of 5,000 on the number of beer barrels that could be produced annually. This limitation is proposed to be amended to 15,000 beer barrels annually to allow for future growth of the microbrewery.

PUD-817-A DEVELOPMENT STANDARDS:

Permitted Uses and accessory uses customarily incident to a principal use:

Uses previously allowed in PUD-817

Use Unit 12A (Adult Entertainment Establishments) Limited to uses associated with the operation of a microbrewery

Use Unit 20 (Commercial Recreation: Intensive) Limited to uses associated with the operation of a microbrewery

Use Unit 26 but limited to a micro-brewery with a production of less than 15,000 beer barrels annually. No outside storage of any kind allowed.

VEHICULAR ACCESS AND CIRCULATION:

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

PEDESTRIAN ACCESS:

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

PLATTING REQUIREMENT:

Major amendments to the PUD require a plat or plat waiver.

EXPECTED SCHEDULE OF DEVELOPMENT:

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

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

DETAILED STAFF RECOMMENDATION:

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

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

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

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

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

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

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The PUD request is consistent with the Land Use and Growth and Stability vision identified for this area in the Tulsa Comprehensive Plan. The Downtown neighborhood vision anticipated former warehousing and manufacturing areas that are evolving into areas where people both live and work. The original PUD will allowed that to happen by continuing to provide uses allowed in the original CH zoning district while adding a microbrewery use to the location and this amendment would add additional opportunities for the growth of this microbrewery.

Land Use Vision:

Land Use Plan map designation:

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

Areas of Stability and Growth map designation:

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

economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

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

Transportation Vision:

Major Street and Highway Plan: East 4th Street South is a Commercial CBD collector with 4 lanes of traffic. The anticipated vision of this type street could include on street parking.

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

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

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

DESCRIPTION OF EXISTING CONDITIONS:

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

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

Streets:

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

Utilities:

The subject tract has municipal water and sewer available.

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

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 23195 dated October 14, 2014, established zoning for the subject property.

Subject Property:

Z-7277 October 2014: All concurred in approval of a request for rezoning a .5± acre tract of land from CH to IL for a microbrewery, on property located southeast corner of East 4th St. South & South Madison Ave.

PUD-817 October 2014: All concurred in approval of a proposed Planned Unit Development on a .5± acre tract of land for uses allowed in a CH district and Use Unit 26, limited to a micro-brewery, on property located southeast corner of East 4th St. South & South Madison Ave.

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

Surrounding Property:

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

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 10 members present:

On **MOTION** of **MIDGET**, TMAPC voted **10-0-0** (Carnes, Covey, Dix, Fretz, Midget, Millikin, Reeds, Shivel, Stirling, Willis "aye"; no "nays"; none "abstaining"; Walker "absent") to recommend **APPROVAL** of the major amendment for PUD-817-A per staff recommendation.

Legal Description for PUD-817-A:

The South Half (S/2) of Lot 4, Block 15, and the North Half (N/2) of Lot 4, Block 15, and Lot 5 and the South 30 feet of Lot 6, in Block 15, in HODGE ADDITION, and addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat No. 288.

* * * * *

OTHER BUSINESS

28. Commissioners' Comments: Mr. Dix requested that there be a work session to discuss continuances.

* * * * *

TMAPC Action; 10 members present:

On **MOTION** of **WILLIS**, TMAPC voted **10-0-0** (Carnes, Covey, Dix, Fretz, Midget, Millikin, Reeds, Shivel, Stirling, Willis "aye"; no "nays"; none "abstaining"; Walker "absent") to **ADJOURN** TMAPC meeting 2700.

* * * * *

ADJOURN

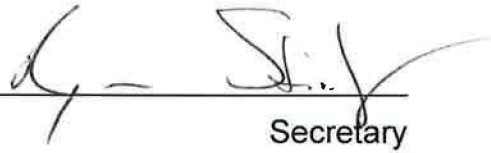
There being no further business, the Chair declared the meeting adjourned at 3:01 p.m.

Date Approved:

07-01-2015


Chairman

ATTEST:


Secretary