

# TULSA METROPOLITAN AREA PLANNING COMMISSION

## Minutes of Meeting No. 2703

Wednesday, August 5, 2015, 1:30 p.m.

City Council Chamber

One Technology Center – 175 E. 2<sup>nd</sup> Street, 2<sup>nd</sup> Floor

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

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Monday August 3, 2015 at 1:30 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:

#### Work Session Report:

Mr. Covey reported that there will be a work session to discuss the draft Zoning Code update prior to the next TMAPC meeting, August 19, 2015.

#### Director's Report:

Ms. Miller reported the TMAPC June receipts are about the same as last year at this time and a little more than in May of this year.

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

Ms. Miller reported that the draft Zoning Code update has been delivered to the Planning Commissioners today and are currently working on dates for work sessions and public hearings. The TMAPC will be having a work session August 19<sup>th</sup>, at 10:30 a.m. in the Presentation Room, City Hall, 3<sup>rd</sup> Floor. A joint

TMAPC/City Council work session has been scheduled for September 1, at 1:30 p.m. and will probably be in one of the 10<sup>th</sup> Floor Conference Rooms. TMAPC will hold public hearings for September 28<sup>th</sup> and 29<sup>th</sup> if it is needed, at 6:00 p.m., City Council Chamber, 2<sup>nd</sup> Floor. Ms. Miller stated that if there is additional work needed, it can be continued to October 7, 2015 at the regular TMAPC meeting.

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1. **Minutes:**

**Approval of the minutes of July 15, 2015 Meeting No. 2702**

On **MOTION** of **DIX**, the TMAPC voted 9-0-0 (Covey, Dix, Fretz, Midget, Millikin, Reeds, Shivel, Stirling, Walker “aye”; no “nays”; none “abstaining”; Carnes, Willis “absent”) to **APPROVE** the minutes of the meeting of July 15, 2015, Meeting No. 2702.

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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 166<sup>th</sup> East Avenue (related to LC-662) (Continued from 7/15/15)

**Withdrawn by the applicant.**

3. **LC-662** (Lot-Combination) (CD 6) – Location: East of the southeast corner of East Admiral Place and South 166<sup>th</sup> East Avenue (related to LS-20781) (Continued from 7/15/15)

**Withdrawn by the applicant.**

4. **LC-685** (Lot-Combination) (CD 4) – Location: Northwest corner of East 5<sup>th</sup> Street South and South Detroit Avenue

5. **LS-20798** (Lot-Split) (CD 9) – Location: Southwest corner of East 36<sup>th</sup> Place South and South Utica Avenue (related to LC-686)

**Withdrawn by the applicant.**

6. **LC-686** (Lot-Combination) (CD 9) – Location: West of the southwest corner of East 36<sup>th</sup> Place South and South Utica Avenue (related to LS-20798)

**Withdrawn by the applicant.**

7. **LC-687** (Lot-Combination) (CD 3) – Location: East of the northeast corner of East 11<sup>th</sup> Street South and South 71<sup>st</sup> East Avenue
8. **LS-20799** (Lot-Split) (CD 6) – Location: South of the southwest corner of East 41<sup>st</sup> Street South and South 193<sup>rd</sup> East Avenue
9. **LS-20800** (Lot-Split) (CD 4) – Location: East of the southeast corner of East 27<sup>th</sup> Place South and South Lewis Avenue (related to: LC-688)
10. **LC-688** (Lot-Combination) (CD 4) – Location: East of the southeast corner of East 27<sup>th</sup> Place South and South Lewis Avenue (related to: LS-20800)
11. **LS-20801** (Lot-Split) (County) – Location: South of the southwest corner of East 66<sup>th</sup> Street North and North 131<sup>st</sup> East Avenue
12. **LC-689** (Lot-Combination) (CD 8) – Location: Southeast corner of East 119<sup>th</sup> Street South and South Norwood Avenue
13. **LC-690** (Lot-Combination) (CD 2) – Location: Northeast corner of West 41<sup>st</sup> Street South and South Elwood Avenue
14. **LC-691** (Lot-Combination) (CD 6) – Location: Northwest corner of East 41<sup>st</sup> Street South and South Garnett Road
15. **LS-20802** (Lot-Split) (CD 1) – Location: West of the southwest corner of East 29<sup>th</sup> Street North and North Harvard Avenue (related to: LC-692)
16. **LC-692** (Lot-Combination) (CD 1) – Location: Northwest corner of East Apache Street and North Harvard Avenue (related to: LS-20802)

17. **The Crossing at Battle Creek Phase 1 – Final Plat**, Location: North of northeast corner of South 145<sup>th</sup> East Avenue and East 41<sup>st</sup> Street South, (CD 6)

**STAFF RECOMMENDATION:**

This plat consists of 83 lots on six blocks on 25 acres.

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

18. **Change of Access –Crossbow Center II**, Location: Northwest corner of East 41<sup>st</sup> Street and South Garnett Road, (CD 6)

**STAFF RECOMMENDATION:**

This application is made to allow a change of access to add one access and shift an existing access along South Garnett Road, and shift an access along East 41<sup>st</sup> Street South. The property is zoned CS/PUD-801.

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

19. **Change of Access – Riverview Addition**, South of West 7<sup>th</sup> Street, West of South Houston Avenue, (CD 4)

**STAFF RECOMMENDATION:**

This application is made to allow a change of access to add Limits of No Access along South Houston Avenue and add one larger access and deleting one existing access along West 7<sup>th</sup> Street South. The property is zoned CBD.

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

20. **PUD-801-1 – QuikTrip Corp./Mike Ward**, Location: Northwest corner of South Garnett Road and East 41<sup>st</sup> Street South, requesting a **PUD Minor Amendment** to revise signage and landscape requirements, **CS/PUD-801**, (CD-6)

**STAFF RECOMMENDATION:**

This item has been removed from the consent agenda and placed on the public hearing.

21. **PUD-168-11 – Joseph M. Sasko**, Location: East of the southeast corner of South Harvard Avenue and East 81<sup>st</sup> Street South, requesting a **PUD Minor Amendment** to modify Development Areas C3 and D2 to permit residential use, **RS-2/PUD-168**, (CD-8)

**STAFF RECOMMENDATION:**

Amendment Request: Modify the PUD to modify Development Areas C3 and D2 to permit residential use.

Lot 31 is located within Development Area C3. The applicant has requested to lease a portion of Lot 33, located in Development Area D2, from Country Oaks Homeowners Association II, Inc. The Homeowners Association has agreed to the lease. In the Development Standards for the PUD, Development Area D2 is intended for open space use. In order for the proposed leased portion of D2 to be allowed for residential use, it would need to be included in Development Area C3.

*Staff Comment: This request can be considered a Minor Amendment as outlined by Section 1107.H.1 PUD Section of the City of Tulsa Zoning Code.*

*“Adjustment of internal development area boundaries provided the allocation of land to particular uses and the relationship of uses within the project are not substantially altered.”*

Staff has reviewed the request and determined:

- 1) The requested amendment does not represent a significant departure from the approved development standards in the PUD.
- 2) All remaining development standards defined in PUD-168 and subsequent minor amendments shall remain in effect.

With considerations listed above, staff recommends **approval** of the minor amendment request to modify Development Areas C3 and D2 to permit residential use.

22. **PUD-610-1 – Tom’s Outdoor Living**, Location: East of the northeast corner of South Fulton Avenue and East 118<sup>th</sup> Street South, requesting a **PUD Minor Amendment** to reduce the side yard setback from 10 feet to 0 feet to permit a covered patio, **RS-2/PUD-610**, (CD-8)

**STAFF RECOMMENDATION:**

Amendment Request: Modify the PUD to reduce the side yard setback from 10 ft to 0 ft to permit a covered patio.

The Development Standards of the PUD indicated that bulk and area requirements are per the RS-2 zone, which requires one side yard of 10 ft and another of 5 ft. The applicant is requesting the 10 ft yard be reduced to 0 ft for the subject lot. Documents provided by the applicant indicate that the 11 ft Utility Easement along the western boundary of the property has been vacated.

*Staff Comment: This request can be considered a Minor Amendment as outlined by Section 1107.H.9 PUD Section of the City of Tulsa Zoning Code.*

*“Changes in structure heights, building setbacks, yards, open spaces, building coverage and lot widths or frontages, provided the approved Development Plan, the approved PUD standards and the character of the development are not substantially altered.”*

Staff has reviewed the request and determined:

- 1) The requested amendment does not represent a significant departure from the approved development standards in the PUD.
- 2) All remaining development standards defined in PUD-610 shall remain in effect.

With considerations listed above, staff recommends **approval** of the minor amendment request to reduce the side yard setback from 10 ft to 0 ft to permit a covered patio.

23. **PUD-738 – Architects Collective/Ken Ruse**, Location: South of the southwest corner of South Elwood Avenue and West 71<sup>st</sup> Street South, requesting a **PUD Detail Site Plan** for a new multifamily development within the PUD, **CS/RM-0/RS-3/PUD-738**, (CD-2)

**STAFF RECOMMENDATION:**

**CONCEPT STATEMENT:**

The applicant is requesting detail site plan approval on a 22 Acre site in a Planned Unit Development for a new multifamily development.

**PERMITTED USES:**

Uses permitted as a matter of right in Use Units 5, Community Services and Similar Uses, Children's Nursery and Church only; 7a, Townhouse Dwellings; 8, Multifamily Dwellings and Similar Uses; 10, Off-Street Parking; 11, Offices and Studios; and uses customarily accessory to permitted principal uses. The multifamily development proposed for this project is allowed by right.

**DIMENSIONAL REQUIREMENTS:**

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

**ARCHITECTURAL GUIDELINES:**

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

**OFF-STREET PARKING AND VEHICULAR CIRCULATION:**

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

**LIGHTING:**

Site lighting plans provided. Exterior light standards shall not exceed 15 feet in height and shall be hooded and directed downward and away from the boundaries of the planned unit development. Shielding of outdoor lighting shall be designed so as to prevent the light producing element or reflector of the light fixture from being visible to a person standing at ground level in adjacent residential areas.

**SIGNAGE:**

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

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

**SITE SCREENING AND LANDSCAPING:**

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

**PEDESTRIAN ACCESS AND CIRCULATION:**

The plan displays pedestrian paths adjacent to the proposed buildings.

**MISCELLANEOUS SITE CONSIDERATIONS:**

There are no concerns regarding the development of this area.

**SUMMARY:**

Staff has reviewed the applicant's submittal of the site plan as it relates to the approved **PUD-738**. The site plan submittal meets or exceeds the minimum requirements of the Planned Unit Development. Staff finds that the uses and intensities proposed with this site plan are consistent with the approved Planned Unit Development, and the stated purposes of the Planned Unit Development section of the Zoning Code.

Staff recommends **APPROVAL** of the detail site plan for the proposed new multifamily development.

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

Mr. Covey announced that Items 2, 3, 5, and 6 have been withdrawn by the applicant. Item 20 will be pulled from the consent agenda and heard during the public hearing. Mr. Covey announced that Item 34 will be heard first under public hearings.

**There were no interested parties wishing to speak.**

**TMAPC Action; 9 members present:**

On **MOTION** of **DIX**, TMAPC voted **9-0-0** (Covey, Dix, Fretz, Midget, Millikin, Reeds, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Carnes, Willis "absent") to **APPROVE** Items 4, 7 through 19, and 21 through 23 per staff recommendation.

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

**PUBLIC HEARINGS:**

24. **Z-7308 – AM Contractors, Inc.,** Location: North and west of the northwest corner of East 21<sup>st</sup> Street and South 145<sup>th</sup> East Avenue, requesting a rezoning from **CS to CG**, (CD 6) (Continued from 7/15/15) **(Applicant is requesting a continuance to 9/16/15)**

**There were no interested parties wishing to speak.**

**TMAPC Action; 9 members present:**

On **MOTION** of **DIX**, TMAPC voted **9-0-0** (Covey, Dix, Fretz, Midget, Millikin, Reeds, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Carnes, Willis "absent") to **CONTINUE** Z-7308 to September 16, 2015.

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25. **PUD-835 - AM Contractors, Inc.,** Location: North and west of the northwest corner of East 21<sup>st</sup> Street and South 145<sup>th</sup> East Avenue, requesting a **PUD**, (CD 6) (Continued from 7/15/15) **(Applicant is requesting a continuance to 9/16/15)**

**There were no interested parties wishing to speak.**

**TMAPC Action; 9 members present:**

On **MOTION** of **DIX**, TMAPC voted **9-0-0** (Covey, Dix, Fretz, Midget, Millikin, Reeds, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Carnes, Willis "absent") to **CONTINUE** PUD-835 to September 16, 2015.

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Mr. Covey announced that Item 27 has been stricken from the agenda.

34. **PUD-128-E – Sack & Associates, Inc./Ted Sack**, Location: Southwest corner of East 71<sup>st</sup> Street South and South Riverside Drive, requesting a **PUD Detail Site Plan** for a new retail development, **CS/OMH/RM-2/PUD-128-E**, (CD-2)

**STAFF RECOMMENDATION:**

**CONCEPT STATEMENT:**

The applicant is requesting detail site plan approval on a 12.3 Acre site in a Planned Unit Development for a new retail development.

**PERMITTED USES:**

Uses permitted as a matter of right in the OM – Office Medium District and accessory uses customarily incident to a principal use permitted in the OM District, restaurants, barber shops and beauty and convenience goods and services, and shopping goods and services and restaurant, with indoor / outdoor dining, bar and music area as permitted in Use Units 12, 13, and 14 and accessory uses customarily accessory thereto. Restaurants, private clubs, barber and beauty shops which are located within a building having offices as its principal use shall be considered as permitted accessory uses if such restaurants and clubs do not occupy more than 5% of the gross floor area of the principal building in which it is located. The retail development proposed for this project is allowed by right.

**DIMENSIONAL REQUIREMENTS:**

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

**ARCHITECTURAL GUIDELINES:**

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

**OFF-STREET PARKING AND VEHICULAR CIRCULATION:**

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

**LIGHTING:**

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

#### SIGNAGE:

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

#### SITE SCREENING AND LANDSCAPING:

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

#### PEDESTRIAN ACCESS AND CIRCULATION:

The plan displays pedestrian paths adjacent to the proposed buildings, connecting to the trail system. A sidewalk is also shown along East 71<sup>st</sup> Street South and Riverside Parkway.

#### MISCELLANEOUS SITE CONSIDERATIONS:

Utility easements shall be located so as to not interfere with the preservation of existing trees.

#### SUMMARY:

Staff has reviewed the applicant's submittal of the site plan as it relates to the approved **PUD-128-E**. The site plan submittal meets or exceeds the minimum requirements of the Planned Unit Development. Staff finds that the uses and intensities proposed with this site plan are consistent with the approved Planned Unit Development, and the stated purposes of the Planned Unit Development section of the Zoning Code.

Staff recommends **APPROVAL** of the detail site plan for the proposed new retail development.

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

Mr. Wilkerson cited the history of the PUD and amendments requested in the past. Mr. Wilkerson explained that the today's application is to review the site plan for the subject property. The uses that are defined on the site plan are approved as part of the PUD. Staff looks at the allowable uses, maximum floor area ratio, building setbacks, signage and landscaping area, which is approved administratively, and this PUD meets all the requirements. The landscape plan that was included with the agenda packet is not part of today's review but is there for information only. Mr.

Wilkerson explained the transparency requirement and vehicular access. Mr. Wilkerson addressed the parking spaces and bicycle storage for the subject site. Mr. Wilkerson stated that all of the development standards that were identified in the PUD have been met as part of this site plan. In context with the PUD that has evolved over several decades this site is consistent with all of those standards and exceeds the minimum standards in many areas and staff recommends **APPROVAL** of the detail site plan.

Mr. Covey stated that he wanted to be clear that the TMAPC's purview today is does the site plan meet the development standards that were in the already approved PUD. Mr. Wilkerson agreed with Mr. Covey's statement.

**Applicant's Comments:**

**Lou Reynolds**, 2727 East 21st Street, 74114, stated that the entire development team is present to answer any questions. Mr. John Helmerich is present to answer any questions if necessary. Mr. Reynolds reiterated that the subject site plan complies with the standards of PUD-128-E. Mr. Reynolds stated that the TMAPC's review is primarily administrative in function and there is one small detail that is not administrative, which is the westerly boundary of the building that was to be determined at PUD site plan time. Mr. Reynolds pointed out that it is identical to conceptual site plan that was submitted with PUD-128-E minor amendment two months ago. Mr. Reynolds requested that the detail site plan be approved.

**INTERESTED PARTIES COMMENTS:**

**Mayor Dewey Bartlett**, City of Tulsa, stated that he wanted to make it very clear that his administration, as well as himself, are 110% in support of the approval and implementation of this site plan, the concept and the implementation of the use that is anticipated. Mayor Bartlett stated that in his view when this RFP was sent out two or three years ago, it has changed drastically from where the first concept was to where it is now. There have been a number of meetings that have been utilized and public input has been taken, private input has been taken and things have changed tremendously. What we are seeing now is a very good step toward the proper development of a portion of this River. There are 22 miles of river bank within the city limits of Tulsa. Mayor Bartlett stated that in his opinion this proposal honors the concept of River Parks, it doesn't affect the trail but enhances the trail and enhances the facility to give an opportunity for us to show that we have the capability of encouraging development in a responsible way and involving the public in that process. The public must have their opportunity to express their support, recommendations or opposition, but in the end of the day, compromises to a good sense of that word have occurred. The developer has already invested and made significant compromises and understanding what this

community thinks of the Arkansas River. If it is utilized properly and done in a responsible and respectful way that honors, not only the rules and regulations, but also the wishes of a community as a whole, it will be a good thing toward helping the development of the River and the City.

**Bill Leighty**, 410 West 7<sup>th</sup> Street, 74119, Executive Director of Smart Growth Tulsa Coalition, requesting the TMAPC to check with Legal to see if there is any precedent or if the TMAPC has the discretion ability to continue this item, based on the emails received and request that the TMAPC review all of the circumstances. Mr. Leighty stated that he would like to take this opportunity to apologize to the Mayor and his staff for coming in at the last hour. This is an issue that has been flying beneath the radar from the public and it has only been recently that it has been getting media attention. This is an enormously important decision and he invites the TMAPC to view the Facebook page, Smart Growth, Tulsa Coalition to read a healthy discussion going on about this particular project. Mr. Leighty stated that he will be attending the Tulsa Public Authorities who have the final determination of how the subject land will be used. Mr. Leighty commented that this is not the kind of desirable development that people want to see at the subject location. Most of the people would like to retain this land as open space used for a public park. The fact that the subject property has not had a lot of capital investment to improve it really should not be a factor considered as a reason to grant that a developer can come in and put what he perceives as a very routine, mundane big box store with acres of surface parking on a prime piece of publicly owned property. Mr. Leighty requested a continuance and read from the Comprehensive Plan, page 11 of the Parks, Trails and Open Space Chapter. Mr. Leighty commented that the proposed site plan provides very little of what the Comprehensive Plan calls for in the Parks, Trails and Open Space Chapter, page 11. Mr. Leighty stated that he disagrees with the Mayor that this proposal will affect the trail, since there will be a 30- to 33-foot masonry wall 20 feet from the trail. Mr. Leighty believes that it was a mistake to amend the Comprehensive Plan for the retail use. Mr. Leighty requested that the map amendment be revisited.

**Craig Immel**, 4203 South Cincinnati Avenue, 74105, stated that he visits Helmerich Park often and this goes back to what was the intent when Mr. Helmerich donated the subject property. Presumably, the gift of land was meant to be an asset to the City to use as recreation. Mr. Immel stated that he searched the title to see if the intended use was memorialized. Mr. Immel indicated that he went to the County Clerk's office and followed the chain of ownership. Mr. Immel commented that there was a restriction for Tract H, which is 12.3 acres along the River on the subject property. Mr. Immel read the restriction for Tract H from Book 574, page 1588. The restriction states that for 99 years Tract H can only be used for passive recreational facilities. Mr. Immel indicated that he didn't find anything

removing this restriction and it shows the intent of the subject property. Mr. Immel requested that this issue be tabled.

**Terry Young**, 5311 South Zunis Place, 74105, stated that he is a former Tulsa County Commissioner and former Tulsa Mayor. Mr. Young cited his accomplishments as District 2 Tulsa County Commissioner. Mr. Young stated that he lists all of these accomplishments to say that he was somewhat involved and can state with some authority of what were the intentions of those who were engaged in establishing a River Parks system. In the area of 71<sup>st</sup> bridge there was never any expectation of anything but public recreation and preservation and enhancement of the natural state of the land and the river. There was never an expectation of anything but natural state use on 71<sup>st</sup> between the river and Elwood, which is the Turkey Mountain area. Commercial and other moderate to high density uses were expected and encouraged from Riverside Parkway east to Lewis and on the west side from Elwood to Highway 75. Mr. Young stated that the proposal for the subject property should not be allowed. Mr. Young quoted Mr. Covey regarding land along the river at 121<sup>st</sup> and Yale, which was donated for Cousin's Park. Mr. Young stated that he is not against development and is for responsible use of the subject land that was donated for and is currently in use as park land. Mr. Young requested that the Chairman make a motion to vacate all undeveloped pieces of PUD-128.

**Applicant's Rebuttal:**

Mr. Reynolds stated there was a lot of eloquence and sentiment, but there was no one that brought anything to this Planning Commission's attention that said that the detail site plan doesn't comply with PUD-128-E and as a result he respectfully requests this Planning Commission to approve the detail site plan as approved by staff and submitted by the applicant.

**TMAPC COMMENTS:**

Mr. Covey asked Legal if the Planning Commission can continue this application and what would be the basis for the continuance. Mr. Covey asked Legal if the Planning Commission could do a motion to vacate the PUD. Ms. VanValkenburgh stated that there is nothing in the Planning Commission's policy about what their guideline is for continuance; however, under the circumstances, what is before the Planning Commission is the approval of the detail site plan and knowing that the Commission's view is to whether it complies with the approved PUD, then if the Commission decided that they needed additional time to determine whether it complied with the PUD that would make sense for a continuance. As to whether the Commission can vacate the PUD is interesting because the City Council has directed that the Planning Commission take under consideration vacating the remainder of the PUD that is not developed and is not included in PUD-128-E-5. The

Commission has already approved PUD-128-E-5 and there is an appeal time for that and that appeal time has expired. Mr. Covey stated that what he understands is that the Commission could make a motion to continue but the basis would need to be does the site plan meet the development standards in the PUD. Mr. Covey stated that there is nothing the Planning Commission can do to vacate this at this time because the appeal time has run. Ms. VanValkenburgh agreed with Mr. Covey's statements.

Mr. Reeds asked about offering a continuance to verify the restrictions that were found in the title by Mr. Immel. Ms. VanValkenburgh stated that Mr. Reynolds has some details on that information. Mr. Reynolds stated that he reviewed the title commitment from First American Title Insurance Company and the Land Survey and there are no restrictive covenants on the subject property. Ms. VanValkenburgh stated that Tract H is a wrap around piece that is near the apartments on the south end. Mr. Reynolds stated that Tract H is  $\frac{1}{4}$  of a mile south of the subject land.

Mr. Fretz stated that he had ex parte communication with John Remington, but it hasn't influenced him.

Mr. Dix stated that for the request of the continuance, there is no official position or standing to add, delete or change any of the conditions that this Commission has required in its review of the PUD and its site plan, which has had extensive public review before this Commission and staff and has been approved by the City Council. A continuance would only serve to delay the project without any legitimate purpose. Mr. Dix moved to approve the detail site plan per staff recommendation and Mr. Fretz seconded.

Mr. Reeds stated that he feels more needs to happen, especially more consistent with smart growth principles, which Mr. Leighty so avidly backs. Mr. Reeds indicated that he also backs the smart growth principles. Mr. Reed further stated that he thought there was an agreement during the minor amendment to have transparency along the trail and a certain threshold minimum put on there and Mr. Reeds asked if that has been met. Mr. Reynolds stated that the detail site plan exceeds that agreement. Mr. Reeds stated that ultimately ignoring the fact that trying to perhaps put more density on it by stacking the parking and build more on it to get more value out of it, and an esplanade separating it more from the river, on down the road really good planning principles we still end up with the same thing that does meet the PUD standards, but frankly he still believes it is a sea of parking. Mr. Reeds commented that he doesn't mind the buildings and he has looked up the architect that does the REI's and they do handsome buildings and this building will be good, but what he is disturbed about the land around it and it is still just a suburban parking lot. There is no attempt to really have any kind of vistas through landscaping

to the river or any kind of allowance of open space that could be captured by stacking one layer of parking. Just make it a little softer, this is Tulsa Hills on the river and this is not Tulsa Hills. Mr. Reeds stated that he is bound by law to go by what is already approved, but he just wanted to make his point clear that these items have been discussed and while this is the final approval of the site plan he hopes he takes this into consideration when he begins his working drawings and put out a lot better product.

**TMAPC Action; 9 members present:**

On **MOTION** of **DIX**, TMAPC voted **9-0-0** (Covey, Dix, Fretz, Midget, Millikin, Reeds, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Carnes, Willis "absent") to **APPROVE** the detail site plan for PUD-128-E per staff recommendation.

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20. **PUD-801-1 – QuikTrip Corp./Mike Ward**, Location: Northwest corner of South Garnett Road and East 41<sup>st</sup> Street South, requesting a **PUD Minor Amendment** to revise signage and landscape requirements, **CS/PUD-801**, (CD-6)

**STAFF RECOMMENDATION:**

Amendment Request: Modify the PUD to revise the signage and landscape requirements.

The site the proposed QuikTrip is to be located on is currently composed of three lots. A lot combination is proposed to combine these lots into one. The current Development Standards allow one ground sign for each lot with frontage on Garnett Road and 41<sup>st</sup> Street. With the three lots combined, this would only allow one sign for the combined lot. The applicant proposes one ground sign on the Garnett Road frontage and one ground sign on the 41<sup>st</sup> Street frontage. This reduces the overall amount of signs that would have been permitted with three separate lots.

The applicant is also proposing to reduce the number of street trees required. Currently one tree is required to be preserved or planted in the street yard for each 1,500 SF of street yard area. Based on the conceptual landscape plan provided by the applicant, the approximate calculation would be one tree per 2,100 SF of street yard area. Staff cannot support reducing the number of required trees. The trees required may be located elsewhere on the site outside of the street yard.

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

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

*And Section 1107.H.13*

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

Staff has reviewed the request and determined:

- 3) The requested amendment does not represent a significant departure from the approved development standards in the PUD.
- 4) The required number of trees should not be reduced, but may be located outside of the street yard.
- 5) All remaining development standards defined in PUD-801 shall remain in effect.

With considerations listed above, staff recommends **APPROVAL** of the minor amendment request to revise signage requirements and **APPROVAL** of the amendment to allow required street trees to be located outside of the street yard.

**TMAPC COMMENTS:**

Mr. Dix stated that he fails to understand why this application was taken off of the consent agenda. Ms. VanValkenburgh stated that she requested that it be removed from the consent agenda because she thought it was unclear what the Planning Commission would be approving since the applicant is requesting one thing and staff is recommending something else.

Mr. Hoyt stated that he spoke with the applicant and they are in agreement with the staff recommendation.

**There were no interested parties wishing to speak.**

**The applicant indicated his agreement with staff's recommendation.**

**TMAPC Action; 9 members present:**

On **MOTION** of **DIX**, TMAPC voted **9-0-0** (Covey, Dix, Fretz, Midget, Millikin, Reeds, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Carnes, Willis "absent") to **APPROVE** the minor amendment for PUD-801-1 per staff recommendation.

\* \* \* \* \*

26. **Crosstown Learning Center –Minor Subdivision Plat**, Location: East of the northeast corner of East Archer Street and South Lewis Avenue, (CD 3) (Continued from 5/20/2015, 6/3/2015, 6/17/2015, 7/1/2015, and 7/15/2015)

**STAFF RECOMMENDATION:**

This plat consists of 1 Lot, 1 Block, on 1.97 acres.

The following issues were discussed May 7, 2015, at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned PUD 829.
2. **Streets:** No comments.
3. **Sewer:** No comments.
4. **Water:** Sheet C300 – In the demo permit check water service disconnection box, indicate location and cap. Two long water service connections are required. A single connection for the fire line and the other connection for both domestic and irrigation.
5. **Storm Drainage: Sheet C600** – Dedicate a drainage easement for the proposed storm drain. Tie double grate into detention basin: Detention Basin location south side of property 50 foot x 120 foot. Dedication language and bearings for detention basin as "Reserve A".
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** No comment.
7. **Other: Fire:** No comment.

8. **Other: GIS:** Submit subdivision data control sheet. Identify all subdivisions in location map. Tie to section corner. Correct typos and directions.

Staff recommends **APPROVAL** of the Minor Subdivision plat as release letters have been received.

**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; 9 members present:**

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

\* \* \* \* \*

27. **G4 Hospitality – Minor Subdivision Plat**, Location: West of southwest corner of Interstate Hwy 44 and South 193<sup>rd</sup> West Avenue, (CD 6) (Continued from 7/15/2015) (**Staff recommends the plat be removed from the agenda, renoticed to the public, and heard after release by Development Services.**)

**Stricken from the agenda.**

\* \* \* \* \*

28. **Yorktown Villas – Preliminary Plat**, Location: West of South Lewis Avenue and Joe Creek, South of East 61<sup>st</sup> Street South (CD 2)

**STAFF RECOMMENDATION:**

The plat consists of 16 Lots, 1 Block, on 2.75 acres.

The following issues were discussed July 16, 2015, at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned Planned Unit Development 640.

2. **Streets:** A 90-foot access seems excessive. Reduce to 60 feet. Include sidewalk section in covenants.
3. **Sewer:** Add utility easement to Reserve A. Private street reference to Section 1.
4. **Water:** No comment.
5. **Storm Drainage:** Indicate the north and south elevations of Joe Creek of the plat. The lowest storm drain elevation must be a minimum of one foot above the Joe Creek elevations.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:**
7. **Other: Fire:** If gated, KNOX access will be required.
8. **Other: GIS:** Not all subdivisions are identified correctly in the location map. Utica Place should be South Utica Place according to the Tulsa County Assessor/shapefiles for subdivisions. Submit data control sheet. Tie plat to a section corner of choice in Section 6 and label point of beginning and show point of commencement. Add expiration date for engineer and surveyor CA number. Add "An Addition to the" next to the City of Tulsa, Tulsa County, Oklahoma.

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.

Applicant indicated that he is in agreement with staff's recommendation.

**INTERESTED PARTIES COMMENTS:**

**Lee Thurman**, 6247 South Yorktown Place, 74136, stated that she is in support of the subject proposal. She explained that she lives adjacent to the subject property and welcomes the development. Ms. Thurman stated that currently the property is not being well kept and she welcomes a development that will take care of the property and rid the neighborhood of rats and snakes from the overgrown subject property.

**Dian Peacock**, 6726 South Atlanta Avenue, 74136, President of Williamsburg Neighborhood Association, stated that this is one of the biggest Section 8 districts in the City of Tulsa and she doesn't want any more apartments in the subject area.

**David George**, 6213 South Yorktown Place, 74136, stated that he lives next to the subject property and he did some research on this before coming to today's meeting. He commented that someone had told him it was a proposed Section 8 apartment complex and it is not. This will be high-end villas and there will be 16 of them. Mr. George stated that the best thing the Planning Commission could do today is to approve this application. This will be a gated community and it is the finest thing that could happen in the subject area. Mr. George did request that there be sidewalks on the street in front of the subject property.

**TMAPC COMMENTS:**

Mr. Reeds asked Mr. George if he stated that it would be a gated community. Mr. George stated that it will be a gated development. Mr. Reed stated that he doesn't see it on the plan. Mr. George stated that he researched it and talked to the developer and engineer and they stated it would be a gated community. Mr. Reeds stated that he wouldn't want to see this as a gated community. Mr. Reeds further stated that gated communities separate them from the neighborhood and defeats the whole purpose of trying to make the neighborhood better. Mr. George stated that if one lives in the subject neighborhood one would see the reason why the gated community would help people from driving through in the middle of the night looking for homes to break into or breaking into cars. Mr. George commented that there are a lot of circulating people in the subject area driving and looking for opportunities. Mr. Reed stated that is a good point, but actually through streets are safer than gated communities and he is not going to argue with Mr. George, he just wanted him to understand that. Mr. George stated that this is not a through street, it is just a cul-de-sac.

**Applicant's Comments:**

**Ted Sack**, 3530 E 31st St, 74135, stated that the PUD was established 15 years ago and it has been recently purchased by his client and they are developing it as a single-family development with 16 lots. Mr. Sack stated that he has met with the Fire Marshal and Traffic Engineering and a gate has been approved for the entrance and it could be made a gated community. There is a trail system behind the subject property and it will be opened up at the back end of the cul-de-sac to go out to the trail system. This is a single-family development and it is not a Section 8 development, nor apartments.

Mr. Sack stated that he isn't sure where the idea came that it would be apartments other than possibly the zoning, and he is attempting to save the trees and have the utility easements around the perimeter in order to keep the trees.

**TMAPC Action; 9 members present:**

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

\* \* \* \* \*

**29. Tulsa Rehabilitation Hospital – Preliminary Plat, Location: South of 91<sup>st</sup> Street South, and east of South Mingo Road (CD 7)**

**STAFF RECOMMENDATION:**

This plat consists of one lot, one block, on 4.3 acres.

The following issues were discussed July 16, 2015, at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned Corridor Z-7562-SP-3.
2. **Streets:** Call out right-of-way on both streets and provide reference such as plat number. Change street name from East 91<sup>st</sup> Court South to East 91<sup>st</sup> Place South. Provide standard covenants.
3. **Sewer:** No comment.
4. **Water:** No comment.
5. **Storm Drainage:** Drainage report will be required. Predevelopment meeting is strongly recommended for the project. The property is located within both City of Tulsa regulatory and FEMA floodplains; clip the southwest corner of the property. Plot by elevation and show in a drainage easement for the floodplains.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** No comment.
7. **Other: Fire:** Fire access road cannot be over 100 feet dead ended without an approved turnaround. The access road is measured from the center of the cross road to the dead end. The road on the south end seems to be over 150 feet dead ended. If building height is over 30 feet high from the level of fire department access to the eave of a pitched roof or the top of the parapet

then aerial access will be required. If any part of the building height is over 30 feet high from the level of fire department access a second remote access will be required. A fire hydrant is required within 600 feet of any part of a sprinkled building as the hose lay. Would suggest a predevelopment be scheduled for this property.

8. **Other: GIS:** Not all subdivisions are identified correctly in the elevation map. The boundary for Cedar Ridge Park is incorrect according to the Tulsa County Assessors subdivision shapefiles. Show the address for the plat. Submit control data sheet. Tie plat to northwest section corner of Section 19. Add and identify the point of commencement and point of beginning. To the northwest corner of the plat. Provide utility easement dimensions to the nearest one hundredth foot. Add email addresses to the owner and surveyors information. Add street address for the engineer. CA number has expired. Define the basis of bearing for this plat. Label South Tulsa Medical Office Center on the face of the plat. Change the found 3/8 inch iron pin symbol to a n fill circle. Since portion of the existing plat will be vacated indicate within the plat "vacated by document number". Verify and provide confirmation that the district court has granted a vacation and that an ordinance has been approved for the vacation, with accurate dates and an ordinance number. Separate detention and overland drainage easements are required.

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

**Waivers of Subdivision Regulations:**

1. None requested.

**Special Conditions:**

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

**Standard Conditions:**

1. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
2. Water and sanitary sewer plans shall be approved by the Public Works Department prior to release of final plat. (Include language for W/S facilities in covenants.)

3. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures shall be borne by the owner(s) of the lot(s).
4. Any request for creation of a Sewer Improvement District shall be submitted to the Public Works Department Engineer prior to release of final plat.
5. Paving and/or drainage plans (as required) shall be approved by the Public Works Department.
6. Any request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Public Works Department.
7. A topography map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
8. Street names shall be approved by the Public Works Department and shown on plat.
9. All curve data, including corner radii, shall be shown on final plat as applicable.
10. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.
11. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
12. It is recommended that the developer coordinate with the Public Works Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
13. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City/County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
14. The method of sewage disposal and plans therefor shall be approved by the City/County Health Department. [Percolation tests (if applicable) are required prior to preliminary approval of plat.]
15. The owner(s) shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type, size and general location. (This information to be included in restrictive covenants on plat.)

16. The method of water supply and plans therefor shall be approved by the City/County Health Department.
17. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
18. The key or location map shall be complete.
19. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.)
20. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
21. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
22. All other Subdivision Regulations shall be met prior to release of final plat.
23. All PUD standards and conditions shall be included in the covenants of the plat and adequate mechanisms established to assure initial and continued compliance with the standards and conditions.
24. Private streets shall be built to City or County standards (depending upon the jurisdiction in which the plat is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.

**Mr. Stirling out at 2:35 p.m.**

**There were no interested parties wishing to speak.**

**The applicant indicated his agreement with staff's recommendation.**

**TMAPC Action; 8 members present:**

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

\* \* \* \* \*

Mr. Wilkerson stated that Items 30 and 31 are related Items and he will be presenting them together:

30. **Z-7309 – Roy D. Johnsen**, Location: East of the northeast corner of East 101<sup>st</sup> Street South and South Yale Avenue, requesting rezoning from **AG to RS-2**, (CD-8)

**STAFF RECOMMENDATION:**

**APPLICANTS DEVELOPMENT CONCEPT:**

**Hudson Place** is the next highly successful single-family family subdivision developed by the team of Rick Dodson and Danny Brumble. The subject tract is one of the last remaining large, undeveloped properties in the South Tulsa area. The approximate 20-acre property is similar to an “infill” development, in that it has existing developments abutting on all sides. Typical lot sizes are anticipated to be 70-feet in width, with an approximate lot area of 8,400 square feet.

The property is currently zoned AG (Agriculture) and this rezoning application for RS-2 (Residential Single-Family Medium Density) will accompany a companion PUD application. The requested RS-2 zoning is consistent with other developments located in the immediate area. The PUD will limit the maximum number of lots in the development to less than could be permitted if the development were to occur without a PUD.

The PLANiTULSA Land Use Plan designates the subject tract as a “New Neighborhood”, which is described in the plan text as an area that “combines the best aspects of Tulsa’s single-family neighborhoods – spacious, quiet and affordable.” **Hudson Place** will be designed to meet high standards of internal and external connectivity, in accordance with the comprehensive plan. Effort will be made to continue the articulated aesthetic of adjacent established neighborhoods to the north, east and south.

The development team behind **Hudson Place** has taken care to work with an adjacent church to the west in order to produce a subdivision that is both beneficial and aesthetically-pleasing for the neighborhood.

**DETAILED STAFF RECOMMENDATION:**

The zoning and accompanying PUD as outlined in Section II above are consistent with the New Neighborhood vision of the Comprehensive Plan; and

RS-2 zoning requested by Z-7309 is harmonious with the existing and expected development of the surrounding areas; and

Z-7309 will be supported by existing street and utility infrastructure. Expansion of the street system and utility systems inside the subdivision will help maximize the existing infrastructure investments without overloading the system; therefore

Staff recommends **APPROVAL** of Z-7309 to rezone property from AG to RS-2.

## **SECTION II: Supporting Documentation**

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: The site is consistent with the New Neighborhood vision of the Comprehensive Plan. Emergency access is provided west of the site otherwise the property is not connected to any other street system except East 101<sup>st</sup> Street South. Normally staff would recommend stub streets however the previous development surrounding the property has not included opportunities for connectivity.*

### Land Use Vision:

#### *Land Use Plan map designation: New Neighborhood*

The New Neighborhood is intended for new communities developed on vacant land. These neighborhoods are comprised primarily of single-family homes on a range of lot sizes, but can include townhouses and low-rise apartments or condominiums. These areas should be designed to meet high standards of internal and external connectivity, and shall be paired with an existing or new

#### *Areas of Stability and Growth designation: Area of Growth*

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

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

Transportation Vision:

*Major Street and Highway Plan:*

East 101<sup>st</sup> Street South is considered a secondary arterial without special overlay designations. The existing two lane street infrastructure on 101st is not expected to be significant after construction of the 65 single family residential lots.

*Trail System Master Plan Considerations:* None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

ENVIRONMENTAL ANALYSIS AND TOPOGRAPHY:

The subject tract is relatively flat but does slope in a northeast to southwest direction. This relatively flat, vacant site is well suited for a slightly larger lot development. Soil type for the subject tract consists of Larton-Glenpool complex, 0 to 3 percent slopes according to the USDA Web Soil Survey. The Soil Survey additionally states that this soil type, "...has features that are very favorable" for single-family use. A detailed geotechnical (soils report) will be prepared prior to construction and used in the design of streets and infrastructure. Additionally, a Phase I environmental report will be prepared to identify any historic issues dealing with the land.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 101 <sup>st</sup> Street South	Secondary Arterial	100 feet	2

Utilities and Drainage:

Hudson Place will be served by City of Tulsa public utilities. An internal waterline loop will supply all lots and each lot will connect to a City of Tulsa sanitary sewer system. Stormwater runoff will be collected on site and discharged into the existing detention facility on the abutting property to the west.

Surrounding Properties:

The subject tract is abutted on the east and north by single-family residential, zoned RS-1; on the south by single-family residential, zoned RS-2; and on the west by a church, zoned AG.

**SECTION III: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 11833 dated June 26, 1970, established zoning for the subject property.

***Subject Property:*** No relevant history.

***Surrounding Property:***

**PUD-486 May 1992:** All concurred in approval of a proposed Planned Unit Development on a 30± acre tract of land for single-family subdivision that allows for smaller required side yards, on property located west of the southwest corner of E. 101<sup>st</sup> St. S. and S. Sheridan Rd.

**PUD-420-A July 1987:** All concurred in approval of a proposed Major Amendment to PUD on a 40± acre tract of land to increase the number of dwelling units from 91 to 120, on property located east of the southeast corner of E. 101<sup>st</sup> St. and S. Yale Ave.

**PUD-420 August 1986:** All concurred in approval of a proposed Planned Unit Development on a 40± acre tract of land for a residential development where they adjusted some of the RS-2 bulk and requirements within the Development Standards, on property located east of the southeast corner of E. 101<sup>st</sup> St. and S. Yale Ave.

**BOA-18663 February 22, 2000:** The Board of Adjustment **approved** a *Special Exception* to allow church and accessory uses in an AG district, subject to a future approved detailed site plan; located at 5415 E. 101<sup>st</sup> St. S., and abutting west of subject property.

**BOA-15806 August 13, 1991:** The Board of Adjustment **approved** a *Special Exception* for master plan approval for church use in an AG zoned district; per master plan submitted; located at 5415 E. 101<sup>st</sup> St. S., and abutting west of subject property.

**BOA-11659 October 15, 1981:** The Board of Adjustment **approved** an *Exception* to permit a church in an AG district; subject to dedication of right-of-way for 101<sup>st</sup> St, granting minimum 10 ft. utility easements on the north, east, and west, approval by the City Hydrologist as to drainage, and approval of access points along 101<sup>st</sup> St. by the City Traffic Engineer, per plot plan; located at 5415 E. 101<sup>st</sup> St. S., and abutting west of subject property.

**RELATED ITEM:**

31. **PUD-836 – Roy D. Johnsen,** Location: East of the northeast corner of East 101<sup>st</sup> Street South and South Yale Avenue, requesting a **PUD** for a gated community with private streets and up to 65 single-family lots, **AG to RS-2/PUD-836**, (CD-8)

**STAFF RECOMMENDATION:**  
**DEVELOPMENT CONCEPT:**

**APPLICANTS DEVELOPMENT CONCEPT:**

**Hudson Place** is the next highly successful single-family family subdivision developed by the team of Rick Dodson and Danny Brumble. The subject tract is one of the last remaining large, undeveloped properties in the South Tulsa area. The approximate 20-acre property is similar to an “infill” development, in that it has existing developments abutting on all sides. Typical lot sizes are anticipated to be 70-feet in width, with an approximate lot area of 8,400 square feet.

The property is currently zoned AG (Agriculture) and a companion rezoning application for RS-2 (Residential Single-Family Medium Density) will accompany this PUD application. The requested RS-2 zoning is consistent with other developments located in the immediate area. The PUD will limit the maximum number of lots in the development to less than could be permitted if the development were to occur without a PUD.

The PLANiTULSA Land Use Plan designates the subject tract as a “New Neighborhood”, which is described in the plan text as an area that “combines the best aspects of Tulsa’s single-family neighborhoods – spacious, quiet and affordable.” **Hudson Place** will be designed to meet high standards of internal and external connectivity, in accordance with the comprehensive plan. Effort will be made to continue the articulated aesthetic of adjacent established neighborhoods to the north, east and south.

The development team behind **Hudson Place** has taken care to work with an adjacent church to the west in order to produce a subdivision that is both beneficial and aesthetically-pleasing for the neighborhood.

**SECTION II: PUD-836 DEVELOPMENT STANDARDS:**

DEVELOPMENT STANDARDS:

Gross Land Area:	877,870 SF	20.15 Acres
Net Land Area:	844,760 SF	19.39 Acres

Permitted Uses:  
Uses permitted as a matter of right in RS-2, zoning district in the City of Tulsa Zoning Code, including landscaped features and secured entrances and recreational facilities and uses customarily accessory to permitted uses.

Maximum Number of Lots:	65
Minimum Lot Width*:	65'
Minimum Lot Size:	8,000 SF
Minimum Livability Space Required (per lot):	5,000 SF
Minimum Building Setbacks:	
Front Yard	20 Feet
Rear Yard	20 Feet
Side Yard	5 Feet
Side Yard abutting a public street	15 Feet

*\* The minimum lot width of a corner lot shall be measured at the building setback line and shall not be less than 55'.*

Maximum Building Height:	40 Feet **
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*\*\* Architectural features may extend a maximum of five (5) feet above the maximum permitted building height.*

Maximum Front Yard Coverage by Parking Area:	40%
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Off Street Parking:  
Minimum two (2) enclosed off-street parking spaces per dwelling unit

Signs:

Two (2) along the 101<sup>st</sup> frontage, not to exceed 32 square feet each in size and six (6) feet in height each

**ACCESS AND CIRCULATION:**

Hudson Place will contain private streets which are gated for the privacy of the residents. The residential lots will be accessed by off of 101<sup>st</sup> Street South through an oversized entry. Connections to abutting streets to the north and east shall be made as agreed upon with the City of Tulsa Traffic Engineering Department. A passageway and crash gate will be constructed to the property to the west in order to provide an additional access point for emergency vehicles.

**PEDESTRIAN ACCESS:**

Sidewalks will be installed throughout the subdivision in the street right of way on both sides of the street and in the street right of way along East 121<sup>st</sup> Street South. One pedestrian access will be provided at the entrance gate.

**EXISTING ZONING AND LAND USE:**

The subject tract is currently zoned AG. It is abutted to the north and east by RS-1 zoning. Property to the west is an existing church zoned AG and to the south, a single-family neighborhood zoned RS-2 and PUD 420A.

The Tulsa Comprehensive Plan designates the subject tract as “New Neighborhood”.

**DETAILED SITE PLAN REVIEW:**

The subdivision plat filed with the Tulsa County Clerk’s office shall serve as the PUD Detail Site as required by the City of Tulsa Zoning Code.

**PLATTING REQUIREMENT:**

In accordance with Section 213 of the City of Tulsa Zoning Code, no building permit or occupancy permit shall be issued until a subdivision plat or plat waiver has been approved by the TMAPC.

**EXPECTED SCHEDULE OF DEVELOPMENT:**

Development of the project is expected to commence and be completed as market conditions permit.

**DETAILED STAFF RECOMMENDATION:**

The PUD as outlined in Section II above is consistent with the New Neighborhood vision of the Comprehensive Plan; and

PUD 836 is harmonious with the existing and expected development of the surrounding areas; and

PUD 836 provides an opportunity for a unified treatment of the development possibilities of the project site and allows flexibility for wider driveways supporting the market trend for three car garages; and

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

Staff recommends **APPROVAL** of PUD-836 as outlined in Section II above.

### **SECTION III: Supporting Documentation**

#### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: The site is consistent with the New Neighborhood vision of the Comprehensive Plan. Emergency access is provided west of the site otherwise the property is not connected to any other street system except East 101<sup>st</sup> Street South. Normally staff would recommend stub streets however the previous development surrounding the property has not included opportunities for connectivity.*

#### Land Use Vision:

*Land Use Plan map designation:* New Neighborhood

The New Neighborhood is intended for new communities developed on vacant land. These neighborhoods are comprised primarily of single-family homes on a range of lot sizes, but can include townhouses and low-rise apartments or condominiums. These areas should be designed to meet high standards of internal and external connectivity, and shall be paired with an existing or new

*Areas of Stability and Growth designation:* Area of Growth

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

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

provide Tulsa with the opportunity to focus growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.

Transportation Vision:

*Major Street and Highway Plan:*

East 101<sup>st</sup> Street South is considered a secondary arterial without special overlay designations. The existing two lane street infrastructure on 101<sup>st</sup> is not expected to be significant after construction of the 65 single family residential lots.

*Trail System Master Plan Considerations:* None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

ENVIRONMENTAL ANALYSIS AND TOPOGRAPHY:

The subject tract is relatively flat but does slope in a northeast to southwest direction. This relatively flat, vacant site is well suited for a slightly larger lot development. Soil type for the subject tract consists of Larton-Glenpool complex, 0 to 3 percent slopes according to the USDA Web Soil Survey. The Soil Survey additionally states that this soil type, "...has features that are very favorable" for single-family use. A detailed geotechnical (soils report) will be prepared prior to construction and used in the design of streets and infrastructure. Additionally, a Phase I environmental report will be prepared to identify any historic issues dealing with the land.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 101 <sup>st</sup> Street South	Secondary Arterial	100 feet	2

Utilities and Drainage:

Hudson Place will be served by City of Tulsa public utilities. An internal waterline loop will supply all lots and each lot will connect to a City of Tulsa sanitary sewer system. Stormwater runoff will be collected on site and discharged into the existing detention facility on the abutting property to the west.

Surrounding Properties:

The subject tract is abutted on the east and north by single-family residential, zoned RS-1; on the south by single-family residential, zoned RS-2; and on the west by a church, zoned AG.

**SECTION IV: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 11833 dated June 26, 1970, established zoning for the subject property.

***Subject Property:*** No relevant history.

***Surrounding Property:***

**PUD-486 May 1992:** All concurred in approval of a proposed Planned Unit Development on a 30± acre tract of land for single-family subdivision that allows for smaller required side yards, on property located west of the southwest corner of E. 101<sup>st</sup> St. S. and S. Sheridan Rd.

**PUD-420-A July 1987:** All concurred in approval of a proposed Major Amendment to PUD on a 40± acre tract of land to increase the number of dwelling units from 91 to 120, on property located east of the southeast corner of E. 101<sup>st</sup> St. and S. Yale Ave.

**PUD-420 August 1986:** All concurred in approval of a proposed Planned Unit Development on a 40± acre tract of land for a residential development where they adjusted some of the RS-2 bulk and requirements within the Development Standards, on property located east of the southeast corner of E. 101<sup>st</sup> St. and S. Yale Ave.

**BOA-18663 February 22, 2000:** The Board of Adjustment **approved** a *Special Exception* to allow church and accessory uses in an AG district, subject to a future approved detailed site plan; located at 5415 E. 101<sup>st</sup> St. S., and abutting west of subject property.

**BOA-15806 August 13, 1991:** The Board of Adjustment **approved** a *Special Exception* for master plan approval for church use in an AG zoned district; per master plan submitted; located at 5415 E. 101<sup>st</sup> St. S., and abutting west of subject property.

**BOA-11659 October 15, 1981:** The Board of Adjustment **approved** an *Exception* to permit a church in an AG district; subject to dedication of right-of-way for 101<sup>st</sup> St, granting minimum 10 ft. utility easements on the north, east, and west, approval by the City Hydrologist as to drainage, and approval of access points along 101<sup>st</sup> St. by the City Traffic Engineer, per plot plan; located at 5415 E. 101<sup>st</sup> St. S., and abutting west of subject property.

**Applicant's Comments:**

**Roy Johnsen**, Williams Center Tower One, One West 3rd Street, Suite 1010, 74103, stated that his clients are great developers and this is a good project that will be high quality. Mr. Johnsen indicated that he is in agreement with the staff recommendations.

**There were no interested parties wishing to speak.**

**TMAPC Action; 8 members present:**

On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Covey, Dix, Fretz, Midget, Millikin, Reeds, Shivel, Walker "aye"; no "nays"; none "abstaining"; Carnes, Stirling, Willis "absent") to recommend **APPROVAL** of RS-2 zoning for Z-7309 per staff recommendation.

**TMAPC Action; 8 members present:**

On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Covey, Dix, Fretz, Midget, Millikin, Reeds, Shivel, Walker "aye"; no "nays"; none "abstaining"; Carnes, Stirling, Willis "absent") to recommend **APPROVAL** of PUD-836 per staff recommendation.

**Legal Description for Z-7309/PUD-836:**

A TRACT OF LAND LOCATED WITHIN THE EAST HALF OF THE SOUTHWEST QUARTER (E/2 SW/4) OF SECTION 22, TOWNSHIP 18 NORTH, RANGE 13 EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA ACCORDING TO THE U.S. GOVERNMENT SURVEY, AND BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 22, THENCE NORTH 88°51'54" EAST, ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER, FOR A DISTANCE OF 1987.59 FEET TO A POINT AT THE SOUTHWEST CORNER OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 22 AND THE POINT OF BEGINNING. THENCE NORTH 1°07'43" WEST, ALONG THE WEST LINE OF SAID EAST HALF, FOR A DISTANCE OF 1325.56 FEET; THENCE NORTH 88°51'29" EAST, PARALLEL TO THE NORTH LINE OF SAID EAST HALF, FOR A DISTANCE OF 661.96 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 22; THENCE SOUTH 1°09'13" EAST, ALONG SAID EAST LINE, FOR A DISTANCE OF 1325.64 FEET TO A POINT AT THE SOUTHEAST CORNER OF THE SAID SOUTHWEST QUARTER; THENCE SOUTH 88°51'54" WEST, ALONG SAID SOUTH LINE, FOR A DISTANCE OF 662.53 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 877,870 SQUARE FEET OR 20.153 ACRES.

32. **PUD-742-A – Eller & Detrich/Lou Reynolds**, Location: South of the southeast corner of South Elwood Avenue and West 71<sup>st</sup> Street, requesting a **PUD Major Amendment** to add Use Unit 5, Elementary School, **OL/PUD-742 to OL/PUD-742-A**, (CD-2)

**STAFF RECOMMENDATION:**

**APPLICANTS DEVELOPMENT CONCEPT:**

PUD Major Amendment 742-A (“PUD 742-A”) is an amendment to Planned Unit Development 742 to permit Jenks Public Schools to build a much needed elementary school on the Property.

PUD 742-A is comprised of approximately 24 acres.

The Project is located west of the intersection of West 77<sup>th</sup> Street South and South Elwood Avenue.

The new school will be designed to accommodate the steeply sloped site. The building will be embedded into the hillside with a unique floor plan where classroom wings spur from a central spine of administration and vertical circulation. The building is designed to enhance the School District’s focus on academics and study while, at the same time, with two (2) gymnasiums in the center of the spine, reinforcing the School District’s commitment to health and physical activity. In addition to classrooms, gymnasiums and cafeteria, this new campus will have a health clinic, STEM lab, offices, kitchen and three (3) playground areas.

The Conceptual Site Plan for the Project is shown on Exhibit “A” attached hereto.

An Aerial Photograph of the area land uses around the Project is attached hereto as Exhibit “B”.

Jenks Public Schools has experienced increasing demand necessitating the construction of an elementary school within this area and the proposed elementary school will allow Jenks Public Schools to meet this need in a timely fashion.

Access to the Project will be from South Elwood Avenue. The Project will not have any direct access into properties to the north or south thereof.

The Conceptual Access and Circulation Plan for the Project is attached hereto as Exhibit “C”.

The Project is located within an “Area of Growth” and designated in the Land Use Plan as “Employment”. Thus, the Project is consistent with and complies with the Comprehensive Plan.

The Project is currently zoned OL – Office Light District and no rezoning is necessary to support PUD742-A.

The existing zoning for the Project is shown on the City of Tulsa Zoning Map attached hereto as Exhibit “D”.

Water, sanitary sewer, electric, gas, telephone and cable television are either currently available on the site or can be readily extended as needed.

Storm water runoff from the entire Project within which the grade will be changed will be collected and piped into a detention pond north and east of the bus drive and parking area. Otherwise, the remainder of the storm water will flow in the same direction prior to the development thereof. No fee in lieu of detention will be necessary for the Project.

The Conceptual Utilities and Drainage Plan for the Project is attached hereto as Exhibit “E”.

The Legal Description for the Project is attached hereto as Exhibit “F”.

On April 27, 2015, a neighborhood meeting was held in the cafeteria at Jenks West Elementary at 1251 West 91<sup>st</sup> Street to discuss the details of the Project with the Project’s neighbors. An invitation to the April 27<sup>th</sup> meeting was sent to all the property owners within 300 feet of the Project.

**PUD-742-A DEVELOPMENT STANDARDS:**

**NET AREA:** 24 AC

**PERMITTED USES:**

Uses permitted as a matter of right in Use Unit 1, Area-Wide Uses by Right; Use Unit 5, Community Services & Similar Uses, limited to schools offering a compulsory education curriculum; Use Unit 21, Business Signs and Outdoor Advertising Signs, limited to Ground Signs identifying the Project, Wall Signs and Directional Signs; and Uses customarily accessory to the Permitted Uses.

**MAXIMUM BUILDING FLOOR AREA RATIO:** .35

**MINIMUM LOT FRONTAGE:** 200 FT

**MAXIMUM BUILDING HEIGHT:** 3 Stories/57 FT

**MINIMUM BUILDING SETBACKS:**

From the centerline of Elwood 100 FT  
From north and south PUD boundaries 75 FT  
From east PUD boundary

17.

**PARKING AND ACCESS DRIVE SETBACK:**

Parking and access drives shall be setback a minimum of thirty feet (30 FT) from the north and south boundaries of the PUD.

**TRASH DUMPSTER SETBACK:**

Trash dumpsters and related enclosures shall be setback a minimum of seventy-five feet (75 FT) from the north and south boundaries of the PUD.

**PARKING AND QUEUING REQUIREMENTS:**

Minimum vehicular parking will be provided as required by the applicable Use Unit of the Tulsa Zoning Code. Adequate queuing and parking for drop off and pick up along with special event parking is shown on the conceptual site plan. Reductions in the parking and queuing areas from what is shown on the conceptual plan will require detailed site plan approval at the Planning Commission. The parking and traffic movement goal is to limit the impact of vehicular traffic on Elwood. Additional parking and queuing may be added without Planning Commission Approval as long as minimum landscape standards are maintained as defined herein.

**MINIMUM LANDSCAPED AREA:**

Twenty percent (20%) of the net land area.

**SCREENING AND BUFFERING:**

A minimum twenty foot (20 FT) wide landscape buffer and five foot (5 FT) high chain link fence will be required on the north and south boundaries of the PUD.

**LIGHTING:**

Within fifty feet (50 FT) of the boundary of the PUD, no light standard or building-mounted light shall exceed sixteen feet (16 FT) in height. Greater than fifty feet (50 FT) from the PUD boundary, no light standard or building-mounted light shall exceed thirty feet (30 FT) in height. All light standards shall be hooded and directed downward and away from the boundary of the PUD. Shielding of outdoor lighting shall be designed so as to prevent the light producing element or reflector of the light fixture from being visible to persons standing at ground level along the boundary of adjacent

properties. Consideration for topography must be considered in any such calculations.

A lighting photometric plan must be submitted with the detailed site plan illustrating zero foot candles on the north, south and east boundaries of the site. The west boundary of the site will be limited to 5 foot candles at the street right of way line.

**VEHICULAR AND PEDESTRIAN ACCESS AND CIRCULATION:**

A maximum of three (3) access points to South Elwood Avenue shall be provided. Sidewalks shall be provided along South Elwood Avenue and in and around the school building and parking areas.

**SIGNAGE:**

In addition to the sign provisions identified in the Permitted Uses mentioned above signs are limited as follows:

Illuminated signage if installed must be internally lit. Brightness standards as defined in Section 1221.C.2 will apply to internally illuminated signage.

Flashing signs, running light or twinkle signs animated signs, revolving or rotating signs with movement are all prohibited.

One digital sign shall not be changed more than once every eight (8) seconds, and is allowed and only when integral to the Identification Sign. The digital component is limited to 50% of the total sign area allowed in the Identification Sign definition below. Any digital sign component must be turned off between the hours of 9:00 pm and 7:00am. Brightness standards as defined in Section 1221.C.2 will apply to any digital sign component.

Ground Signs:

Ground signs within the Project shall be permitted as follows:

A. Identification Sign:

One (1) project sign on South Elwood Avenue with a maximum of 64 SF of surface display area and 20 FT in height for such sign. The Identification Sign will be a monument style supported by two masonry columns or with full masonry base construction.

B. Monument Sign:

One (1) monument sign on South Elwood Avenue with a maximum of 64 SF of surface display area and 11 FT in height for such sign.

Wall Signs:

Wall signs shall be permitted not to exceed 0.25 SF of surface display area per linear foot of building wall to which attached; provided, however, the surface display area of any such wall sign shall not exceed 60 SF. Wall signs may not be illuminated.

Directional Signs:

Directional signs for wayfinding purposes within the Project may be freestanding if not exceeding 4 SF of surface display area and 4 FT in height.

**TRASH AND MECHANICAL EQUIPMENT AREAS:**

All trash and mechanical equipment areas (excluding utility service transformers, pedestals or equipment provided by franchise utility providers), including building-mounted, shall be screened from public view in such a manner that such areas cannot be seen by persons standing at ground level along the boundary of the PUD. If such trash dumpster or dumpsters are located in close proximity to the north side of the main building and not readily visible from South Elwood, such dumpster or dumpsters may be screened using landscaping and other materials as approved by the TMAPC as a part of the Detailed Landscape Plan review process, otherwise trash screening will be provided with a masonry enclosure with a minimum height of 6' or as required to fully screen the dumpster or dumpsters. Enclosure gates must be steel frame with wood or other opaque material that screens a minimum of 85% of the dumpster gate.

**LANDSCAPING AND SCREENING DETAILS:**

Landscaping within the Project, as proposed, will substantially exceed the requirements of the Landscaping and Planned Unit Development Chapters of the Tulsa Zoning Code and where appropriate, will incorporate healthy existing trees and natural vegetation and shall be designed to achieve an attractive streetscape and appropriate buffering from adjacent residential areas.

The Project landscaping and screening details will comply with the requirements of the Tulsa Zoning Code for street frontage and

parking area landscaping and will establish a minimum thirty foot (30 FT) wide landscape buffer separating the north and south boundary of the PUD from the adjacent property. (See Exhibit "G", Conceptual Landscaping and Screening Plan.)

A five foot (5 FT) chain link fence will be constructed along the north boundary and south boundary of the PUD. Because of the proximity of the residential use to the south of the Project, landscaping along the westerly six hundred feet (600 FT) of the PUD will be comprised of evergreen trees between eight feet (8 FT) and ten feet (10 FT) in height at planting and will be planted and maintained as shown on the Conceptual Landscaping and Screening Plan shown as Exhibit "G".

Within the street, yard a minimum of three trees will be planted and maintained as suggested in the West Highlands Small Area Plan.

#### **ACCESS AND CIRCULATION:**

Vehicular and Pedestrian access to the Project will be from South Elwood Avenue. The Project will not have any direct access into properties to the north or south thereof. Additionally, to mitigate the impact of additional traffic generated by the Project, traffic is designed to be handled at the back of the school building. The driveway and parking areas for the student drop-off area and the bus drop-off area provide more than enough capacity to mitigate the impact of the additional traffic generated by the Project. A copy of the Conceptual Access and Circulation Plan is attached hereto as Exhibit "C".

#### **ENVIRONMENTAL ANALYSIS**

##### **TOPOGRAPHY:**

The Project generally slopes easterly. The proposed grading will be designed to follow the natural topography of the site with a balanced cut and fill sloping easterly. Where the topography is changed, most of the runoff will be collected in catch basins that will convey the storm water to the detention pond located north and east of the bus drive and staff parking lot. Storm water from a small area at the southwest corner of the Project will flow west to the bar ditch along South Elwood Avenue that flows into Hager Creek.

The Proposed Site Elevation along the south boundary line, from west to east, at the highest point is six hundred eighty-five feet (685 FT) above mean sea level, continuing to the east parking lot edge to an elevation of six hundred fifty-one feet (651 FT).

The elevation along the northerly boundary line runs west to east and the existing ravine along the northerly boundary will not be changed from the existing site topography.

See the Conceptual Grading Plan with Topography attached hereto as Exhibit "H".

**SITE PLAN REVIEW:**

No building permits shall be issued for any building within the Project until a Detail Site Plan and Detail Landscape Plan have been submitted to the Tulsa Metropolitan Area Planning Commission and approved as being in compliance with the Development Standards of PUD 742-A.

**SCHEDULE OF DEVELOPMENT:**

Initial development of the Project is expected to begin in the fall of 2015, after approval of the Detail Site Plan and the platting of the Property in accordance with the Development Standards of PUD 742-A.

**DETAILED STAFF RECOMMENDATION:**

The major amendment to PUD 742 changes the original office park intent however it permits and encourages innovative land development while maintaining appropriate limitation on the character and intensity of use and assuring compatibility with adjoining proximate properties; and

The PUD provides greater flexibility within the development to best utilize the unique physical features of the particular site; and

PUD 742-A permits and encourages creative land use design and is harmonious with the existing and expected development of the surrounding areas; and

PUD 742-A provides meaningful open space as defined on the conceptual site plan in conjunction with the storm water detention facility and along the steep slopes on the east side of the site; and

PUD 742-A achieves a continuity of function within the development with the proposed new school site and is consistent with vision identified in the West Highlands Small Area Plan; therefore

Staff recommends **APPROVAL** of PUD-742-A as outlined in Section II above.

### **SECTION III: Supporting Documentation**

#### **RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

*Staff Summary: The development of this site as a school is eliminating the future potential for an employment area that was previously part of the original PUD. The school use is an Area Wide Special Exception use that can be allowed in any zoning category and is consistent with the vision of employment areas throughout the City.*

The existing street system on Elwood has not been upgraded to meet the anticipated Secondary Arterial standards for the long term vision of the Tulsa Major Street and Highway Plan. Additional traffic will be generated on Elwood for this site however the school has proposed significant provisions for onsite student drop off and pick up zones outside of the public street system. A traffic study has not been submitted with the PUD to determine the effect of the new school on the existing 2 lanes of South Elwood. The historic policy of the City of Tulsa has been to widen streets when the traffic demand is adequate. There are no impact fees or requirements typically imposed on any developer to widen public streets during the zoning or development process.

There is no known public funding for future widening of South Elwood Avenue at this location.

The placement of the school at this location supports the general provision of increasing density as development approaches the eastern edge of the Small Area Plan.

#### **Land Use Vision:**

*Land Use Plan map designation:* Employment

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

Employment areas require access to major arterials or interstates. Those areas, with manufacturing and warehousing uses must be able to accommodate extensive truck traffic, and rail in some instances. Due to the special transportation requirements of these

districts, attention to design, screening and open space buffering is necessary when employment districts are near other districts that include moderate residential use.

*Areas of Stability and Growth designation: Area of Growth*

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

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

**Transportation Vision:**

*Major Street and Highway Plan:* South Elwood is considered a secondary arterial and the implementation of that street widening by the City of Tulsa is expected as traffic increases from new development in the area. This site provides ample parking and stacking for student drop off and pick up from buss and normal vehicular traffic.

The Major Street and Highway Plan as well as the West Highlands Small Area Plan contemplate sidewalk construction in the street right of way and room for bicycle traffic ultimately connecting to the Riverparks Trail System north of 71<sup>st</sup> at Elwood.

*Trail System Master Plan Considerations:* None that affect site development opportunities or potential.

**Small Area Plan:** West Highlands Small Area Plan

This site is on the eastern edge of the West Highlands small area plan that was approved by City Council with resolution# 2670:322 and effective April 2014.

The original PUD 742 was approved prior to the adoption of the West Highlands Small area plan however the small area plan recognized that some of the area had already been zoned but development had not occurred. The small area plan recognized that “Improvements in road capacity and mass transit have been identified, but only road capacity improvements are programmed. Specific improvements-like new trails or mass-transit upgrades- are planned, though funding has yet to be identified.

The land use designation in the small area plan recognized that this area would also be considered an Employment Area but encouraged development strategies to maintain the existing character such as:

- 1) Retaining tree cover;
- 2) Maintaining significant amounts of open space, through strategies such as clustering, land banking and conservation easements;
- 3) Installing lot line fencing;
- 4) Clustering new homes to maximize open space;
- 5) Use of native stone, darker brick, corrugated metal and/or wooden building materials in home construction; and
- 6) Lowering parking lot requirements, so as to preserve open space.

One of the specific goals of the area was to “concentrate most-intense development in the eastern area”. Placement of the school on this eastern edge of the small area plan seems to accommodate that goal.

The street system is an important consideration for future development. The following snippet illustrates the significant tree cover anticipated adjacent to street networks with 4 lanes of traffic sidewalks medians and street trees.

Figure 2:7: Three lanes of traffic in a 100' right-of-way, applicable anywhere

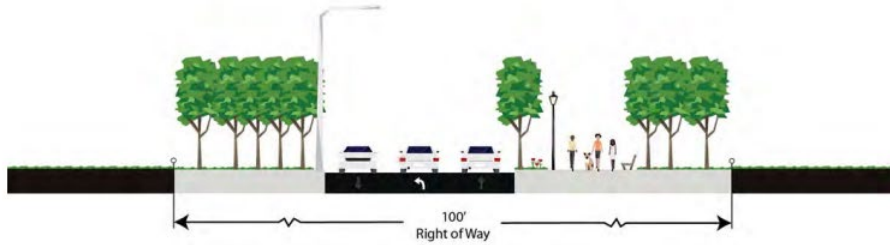


Figure 2:8: Four lanes of traffic in a 100' right-of-way, with green median (applicable on roads east of US-75)

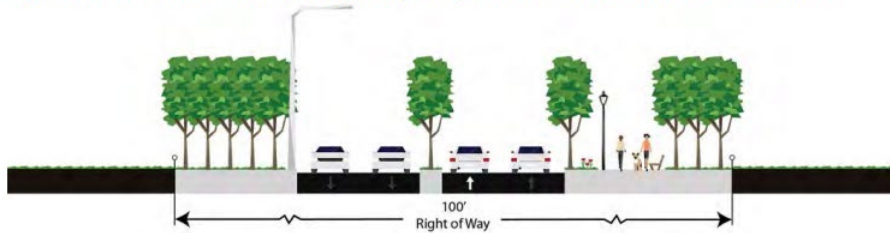
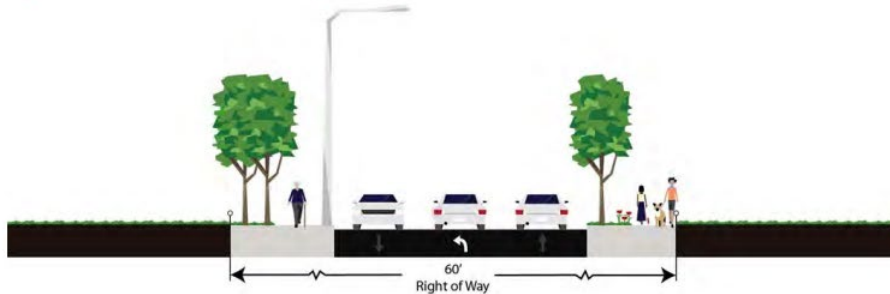


Figure 2:9: Three lanes of traffic in 60' right-of-way, with multi-use trails on both sides.



**Special District Considerations:** Significant special considerations are identified in the West Highlands Small Area Plan.

**Historic Preservation Overlay:** None

#### DESCRIPTION OF EXISTING CONDITIONS:

*Staff Summary: Preservation of the naturally wooded site is an important consideration of the West Highlands Small area plan. Obviously a large percentage of the vegetative cover will be removed but in this instance the terrain can be used to the advantage of the school user. There are no existing conditions that*

*will prohibit development of the site and the existing terrain will be an advantage for the natural character preservation north and east of the proposed building and parking area.*

Environmental Considerations: The site is heavily wooded with severe terrain on the north and east portions of the site. The terrain offers an opportunity for a dry storm water detention facility that will remain wooded except where the outlet structure and dam will be constructed. This area will provide a natural area consistent with the vision of the West Highlands small area plan for preserving natural drainage areas and the wooded character of the area.

Soils: The site soils are comprised primarily of silty lean clay and lean clay. Soils shall be stabilized within the areas of building and parking lot construction in accordance with geotechnical report recommendations.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Elwood Avenue	Secondary Arterial	100 feet	2

Utilities:

Water: An eight inch (8 IN) water line is in place in the South Elwood Avenue right-of-way along the west boundary of the Project.

Sanitary Sewer: A thirty-six inch (36 ") sanitary sewer main is located near the east boundary of the Project in a dedicated easement.

Other Utilities: Other utilities, including electric, gas, telephone and cable television are currently available at or on the site.

Stormwater Drainage: All of the Project in which the grade of the Property is changed will drain easterly and within the paved area storm water will be collected and piped to a detention pond to the north and east of the bus parking area.

The storm water detention facility will remain in a naturally wooded environment except where the dam and outlet structure will be constructed. It is anticipated that underbrush and some of the small growth trees will be removed to allow limited maintenance. Earthwork operations are not anticipated except around the outlets structure and dam.

Surrounding Properties: The subject tract is abutted on the east by vacant land, zoned IL; on the north and south by single-family residences, zoned AG; and on the west by single-family residences, zoned AG/RS-3.

#### **SECTION IV: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 21613 dated September 5, 2007, established zoning for the subject property.

##### **Subject Property:**

**Z-7065/ PUD-742 September 2007:** All concurred in approval of a request for rezoning a 24± acre tract of land and a proposed Planned Unit Development for an office park, on property located south of southeast corner of East 71<sup>st</sup> Street and South Elwood Avenue.

##### **Surrounding Property:**

**Z-7052/ PUD-738 May 2007:** All concurred in approval of a request for rezoning a 40± acre tract of land from AG to RS-3/RM-0/CS and a proposed Planned Unit Development for a mixed use development, on property located on the southwest corner of West 71<sup>st</sup> Street and South Elwood Avenue. The multifamily portion of this project has been recently submitted for a detailed site plan approval.

**Z-6942 May 2004:** TMAPC and Staff concurred in denial of a request to rezone a 60± acre tract from IL to RS-3 for a single-family subdivision, on property located east of northeast corner of West 81<sup>st</sup> Street and South Elwood. The request was appeal to City Council and was denied.

**Z-6871 November 2002:** All concurred in approval of a request to rezone a 141± acre tract of land, from AG to RS-3 for residential development, on property located on the northwest corner of West 81<sup>st</sup> Street and South Elwood Avenue.

**Z-6679 March 1999:** All concurred in approval of a request to rezone a 9.8± acre tract of land from AG to IL for a proposed auto sales business, on property located east of the northeast corner of West 81<sup>st</sup> Street and South Elwood Avenue.

**Z-6177 December 1987:** All concurred in approval of a request for rezoning a tract of land from AG to IL, on property located east of the northeast corner of W. 81<sup>st</sup> St. and S. Elwood Ave.

**Applicant's Comments:**

**Lou Reynolds**, 2727 East 21st Street, 74114, stated that he expects 1,100 children to attend the subject school. There will be the ability to handle 1,500 children when the western portion of the district continues to develop. Mr. Reynolds indicated that he met with the neighbors back in April and there were concerns expressed about the traffic rush two times a day.

Mr. Reynolds stated that a third of the subject property is divided by a creek and there is no intention to improve it on the other side of the creek. Mr. Reynolds further stated that his client intends to use the creek for stormwater detention. Mr. Reynolds explained that stormwater will be gathered in drains and then piped to the detention. There will be very little stormwater escaping the subject property, except what is going north and east into the detention facility in the creek.

Mr. Reynolds pointed out that on the cover page of the PUD application the street address was 7701 South Elwood, which is incorrect. The correct street address, according to the Post Office is 7625 South Elwood. It is not an error in notice and doesn't affect what was applied for or what was on the PUD application.

Mr. Reynolds stated that this is the new Northwest Jenks Elementary School. The subject property is in the middle of the district for this proposed school and makes it a great location. Pre-K through the 4<sup>th</sup> grade will attend the subject school. Mr. Reynolds stated that the school will be staggering the hours in order to help with the traffic. Mr. Reynolds described the access points and where the bus and staff access would be located at the north drive. Mr. Reynolds commented that with the stacking and drive areas he believes that it can handle vehicles and keep them off of the street. The middle drive is for visitor parking and the south drive is for student pickup and drop off. Mr. Reynolds demonstrated that there is a stacking capacity of 150 cars.

Mr. Reynolds stated that the landscape plan exceeds the requirements. Mr. Reynolds pointed out that all of the landscape is conceptual today, except for where it indicates evergreen trees, off-set spaced, eight to ten feet in height, four to five feet in spread at the time of the planting. At maturity the trees will be 30 feet in height and 15 feet in spreads. The reason for staggering the trees is to create a buffer as quickly as possible. Mr. Reynolds summarized the parking, the stacking and indicated that he is in agreement with staff's recommendation. Mr. Reynolds requested that this application be approved per staff recommendation.

### **INTERESTED PARTIES COMMENTS:**

**Larry Buxton**, 655 West 78<sup>th</sup> Street South, 74132, stated that he lives west of the subject property. He explained that he is not opposed to construction, but this will need more preplanning. Mr. Buxton stated that there is a lot of commercial construction happening in the subject area and traffic is a train wreck. There is infrastructure that needs work on Elwood Avenue. Mr. Buxton commented that he has put his kids through the Jenks Schools and he has yet to see one of their campuses work the way that they describe that it will work regarding parking. Mr. Buxton indicates that he is opposed to this proposal until infrastructure is in place and improved.

**Mel Hair**, 7703 South Elwood, 74132, opposed to the development, would like a buffer for his property like the people to the north and flooding issues addressed.

**Susan Redwood**, 519 West 77<sup>th</sup> Street, 74132, stated that the infrastructure should be in place first. Traffic is too heavy on Elwood now and it is a two-lane street. Ms. Redwood requested that the Planning Commission postpone this application.

### **Applicant's Rebuttal:**

Mr. Reynolds stated the issue with traffic will be dealt with during the platting process, just like the stormwater and detention features will be dealt with at that time as well. The traffic study has been submitted to the City of Tulsa. This proposal eliminates cuing from Elwood and it has 5150 trips a day, which is very little traffic. Mr. Reynolds stated that everything is in order; the City has been given advanced notice of the proposal and doing what we can to address the traffic.

### **TMAPC COMMENTS:**

Mr. Reynolds stated that the address on the original PUD text was incorrect, but the notice and mailings were correct. Mr. Reynolds explained that the address was supplied to him and it had carried on.

### **TMAPC Action; 8 members present:**

On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Covey, Dix, Fretz, Midget, Millikin, Reeds, Shivel, Walker "aye"; no "nays"; none "abstaining"; Carnes, Stirling, Willis "absent") to recommend **APPROVAL** of the major amendment for PUD-742-A per staff recommendation. (Language underlined has been added and language with a strike-through has been deleted.)

**Legal Description for PUD-742-A:**

THE NORTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (N/2 NW/4 SW/4) AND THE NORTH HALF OF THE NORTH HALF OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (N/2 N/2 S/2 NW/4 SW/4) IN SECTION TWELVE (12), TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF, LESS AND EXCEPT THE WEST FIFTY (50) FEET THEREOF. **AND LESS AND EXCEPT:** A TRACT OF LAND SITUATED IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW/4 SW/4) OF SECTION TWELVE (12), TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW/4 SW/4) OF SAID SECTION 12; THENCE S89°12'58"E, ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW/4 SW/4), A DISTANCE OF 50.01 FEET, TO THE EAST RIGHT OF WAY OF SOUTH ELWOOD AVENUE AND THE POINT OF BEGINNING; THENCE CONTINUING S89°12'58"E, CONTINUING ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW/4 SW/4), A DISTANCE OF 274.69 FEET; THENCE SOUTH 60°00'00"W, A DISTANCE OF 48.55 FEET; THENCE N89°12'58"W, PARALLEL WITH THE NORTH LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW/4 SW/4), A DISTANCE OF 232.57 FEET, TO THE EAST RIGHT OF WAY OF SOUTH ELWOOD AVENUE; THENCE N00°09'07"W, ALONG THE EAST RIGHT OF WAY OF SOUTH ELWOOD AVENUE, A DISTANCE OF 24.85 FEET, TO THE POINT OF BEGINNING.

\* \* \* \* \*

33. **PUD-235-A-7 – Professional Permits/Adam Skrzyszewski**, Location: West of the northwest corner of South Mingo Road and East 71<sup>st</sup> Street South, requesting a **PUD Minor Amendment** to increase allowable wall sign area, **OL/PUD-235-A**, (CD-7)

**STAFF RECOMMENDATION:**

Amendment Request: Modify the PUD to increase allowable wall sign area.

The Development Standards for the PUD currently allow 1 ½ SF of display surface area for each lineal foot of building wall to which attached or width of tenant space. The applicant has proposed to install two signs with a total of 156 SF of display surface area for a tenant space 54 FT in width. This would be just under a 100% increase in display surface area allowed.

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

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

Staff has reviewed the request and determined:

- 1) The requested amendment represents a significant departure from the approved development standards in the PUD.
- 2) If approved, all remaining development standards defined in PUD-235-A and subsequent minor amendments shall remain in effect.

With considerations listed above, staff recommends ~~denial~~ of the minor amendment request to increase allowable wall sign area. **Approval** recommended after discussion with applicant. Applicant is willing to reduce request to 2 SF per lineal foot.

Mr. Hoyt explained that he spoke with the applicant earlier today and he is willing to go down to two square feet of display surface area for each lineal foot of building wall to which attached or width of tenant space. Therefore, staff can now recommend **APPROVAL** of the minor amendment for PUD-235-A-7 per staff recommendation. (Language underlined has been added and language with a strike-through has been deleted.)

**There were no interested parties wishing to speak.**

**The applicant indicated his agreement with staff's recommendation.**

**TMAPC Action; 8 members present:**

On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Covey, Dix, Fretz, Midget, Millikin, Reeds, Shivel, Walker "aye"; no "nays"; none "abstaining"; Carnes, Stirling, Willis "absent") to **APPROVE** the minor amendment for PUD-235-A-7 per amended staff recommendation.

\* \* \* \* \*

## OTHER BUSINESS

35. **PUD-817-1 – David A. Peck, Refund Request**, Applicant withdrew this application and will file a major amendment.

### **STAFF RECOMMENDATION:**

Ms. Miller stated that the applicant withdrew the minor amendment and staff recommends a refund in the amount of \$400.00.

### **TMAPC Action; 8 members present:**

On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Covey, Dix, Fretz, Midget, Millikin, Reeds, Shivel, Walker "aye"; no "nays"; none "abstaining"; Carnes, Stirling, Willis "absent") to **APPROVE** the refund in the amount of \$400.00 for PUD-817-1.

\* \* \* \* \*

36. **Plat Waiver for PUD-834/Kinslow, Keith & Todd, Inc., Refund Request**, Applicant withdrew the PUD and therefore the plat waiver is no longer necessary.

### **STAFF RECOMMENDATION:**

Ms. Miller stated that the applicant withdrew the PUD and therefore the plat waiver is no longer necessary and staff recommends a refund in the amount of \$250.00.

### **TMAPC Action; 8 members present:**

On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Covey, Dix, Fretz, Midget, Millikin, Reeds, Shivel, Walker "aye"; no "nays"; none "abstaining"; Carnes, Stirling, Willis "absent") to **APPROVE** the refund in the amount of \$250.00 for the plat waiver of PUD-834.

\* \* \* \* \*

37. **PUD-840/CZ-433 – Ryan McCarty, Refund Request**, Applicant withdrew his applications before processing and is requesting a full refund.

### **STAFF RECOMMENDATION:**

Ms. Miller stated that these two applications were withdraw before processing and therefore staff recommends a full refund in the amount of \$1,539.00.

**TMAPC Action; 8 members present:**

On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Covey, Dix, Fretz, Midget, Millikin, Reeds, Shivel, Walker "aye"; no "nays"; none "abstaining"; Carnes, Stirling, Willis "absent") to **APPROVE** the refund in the amount of \$1,539.00 for PUD-840/CZ-433.

\*\*\*\*\*

**38. Commissioners' Comments: None.**

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**TMAPC Action; 8 members present:**


On **MOTION** of **MIDGET**, TMAPC voted **8-0-0** (Covey, Dix, Fretz, Midget, Millikin, Reeds, Shivel, Walker "aye"; no "nays"; none "abstaining"; Carnes, Stirling, Willis "absent") to **ADJOURN** TMAPC meeting 2703.

**ADJOURN**

There being no further business, the Chair declared the meeting adjourned at 3:24 p.m.

Date Approved:

8-19-15

  
ACTING Chairman

ATTEST:



Secretary