

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2724

Wednesday, June 15, 2016, 1:30 p.m.

City Council Chamber

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

Members Present	Members Absent	Staff Present	Others Present
Covey	Carnes	Fernandez	Berry, COT
Dix	Reeds	Hoyt	Gates, COT
Fretz		Miller	Hulse, COT
Midget		Moye	Ling, COT
Millikin		Sawyer	Schultz, COT
Shivel		White	VanValkenburgh, Legal
Stirling		Wilkerson	Warrick, COT
Walker			
Willis			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Thursday, June 9, 2016 at 4:15 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:

Chairman's Report:

Director's Report:

Review TMAPC Receipts for the month of April 2016

Review TMAPC Receipts for the month of May 2016

Ms. Miller reported monthly receipts are consistent.

Ms. Miller reported on City Council items. City Council meetings will move from Thursdays to Wednesdays and Ms Miller will talk to Council office to see how this will impact TMAPC meetings. The River Design Overlay was adopted by City Council

including the Zoning Code text amendments, the Comprehensive Plan amendment and the moratorium.

Update on Subdivision Regulations - Kirk Bishop

Mr. Bishop reported that the Subdivision Regulations update has begun. In this phase we will be learning and exploring how the existing regulations work in getting a plat approved here in the City of Tulsa and Tulsa County. Next month there will be a meeting of the Subdivision Regulation Work Group. Mr. Bishop stated the project should be a one year process.

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Willis in at 1:40 p.m.

1. **Minutes:** June 1, 2016 Meeting No. 2723

Approval of the minutes of June 1, 2016 Meeting No. 2723

On **MOTION** of **Dix**, the TMAPC voted 8-0-0 (Covey, Dix, Fretz, Millikin, Shivel, Stirling, Walker, Willis "aye"; no "nays"; none "abstaining"; Carnes, Midget, Reeds, "absent") to **APPROVE** the minutes of the meeting of June 1, 2016 Meeting No.2723.

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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.

1. **LS-20889** (Lot-Split) (County) – Location: North of the northeast corner of East 97th Street North and North 43rd East Avenue
2. **LS-20890** (Lot-Split) (County) – Location: North of the northwest corner of West 51st Street South and South 65th West Avenue
3. **LC-780** (Lot-Combination) (CD 1) – Location: South of the southeast corner of East Haskell Street and North Norfolk Avenue
4. **LS-20892** (Lot-Split) (CD 3) – Location: North and East of the northeast corner of East 11th Street South and South 107th East Avenue (Related to: LC-781)

5. **LC-781** (Lot-Combination) (CD 3) – Location: East of the northeast corner of East 11th Street South and South 107th East Avenue (Related to: LS-20892)
6. **PUD-806-1– JR Donaldson**, Location: North of the Northwest corner of East 121st Street South & South Sheridan Road requesting **PUD Minor Amendment** to reduce required lot width from 100 feet to 30 feet to permit an access drive (CD 8)

SECTION I: PUD-806-1 Minor Amendment

STAFF RECOMMENDATION

Amendment Request: Modify the PUD Development Standards to reduce the required lot width from 100 feet to 30 feet to permit an access drive.

The applicant did not state a specific lot this request is to apply to, however the intent of the request is to permit an access drive to allow Lot 1 (as shown on Savannah Crossing Preliminary Plat) access to South Sheridan Road.

Staff Comment: *This request can be considered a Minor Amendment as outlined by Section 30.010.1.2.c (9) 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 PUD development plan, the approved 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) The request is to apply to the lot shown as Lot 1 on the Savannah Crossing Preliminary Plat. All other lots shall meet 100 foot lot width requirement.
- 3) All remaining development standards defined in PUD-806 shall remain in effect.

With considerations listed above, staff recommends **approval** of the minor amendment request to reduce the required lot width from 100 feet to 30 feet to permit an access drive for Lot 1 as shown on the Savannah Crossing Preliminary Plat.

7. **PUD-257-6 – Andrew Shank**, Location: West of the Southwest corner of East 51st Street South & South Delaware Place requesting **PUD Minor Amendment** to revise the sign standards from one (1) wall and one (1) ground sign to two (2) wall signs. (CD 9)

SECTION I: PUD-257-6 Minor Amendment

STAFF RECOMMENDATION

Amendment Request: Modify the PUD Development Standards to revise the sign standards from one (1) wall and one (1) ground sign to two (2) wall signs.

Per Exhibit A, provided by the applicant, one of the proposed wall signs will be located on the north elevation and consist of approximately 95 sf of display surface area and the second wall sign will be located on the west elevation and consist of approximately 75 sf of display surface area.

Staff Comment: *This request can be considered a Minor Amendment as outlined by Section 30.010.1.2.c(12) of the City of Tulsa Zoning Code.*

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

Staff has reviewed the request and determined:

- 1) The requested amendment does not represent a significant departure from the approved development standards in the PUD.
- 2) All remaining development standards defined in PUD-257 and subsequent minor amendments shall remain in effect.

With considerations listed above, staff recommends **approval** of the minor amendment request to revise the sign standards from one (1) wall and one (1) ground sign to two (2) wall signs with allowable display surface areas as defined in applicant Exhibit A.

TMAPC Action; 8 members present:

On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Covey, Dix, Fretz, Millikin, Shivel, Stirling, Walker, Willis “aye”; no “nays”; none “abstaining”; Carnes, Midget, Reeds, “absent”) to **APPROVE** Items 1 through 7 per staff recommendation.

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Ms. Millikin read the opening statement and rules of conduct for the TMAPC meeting.

Continued items 15 and 22 taken out of order

15. Z-7331-Dr. S. Lee Hays-(CD 9) Location: North of the northwest corner of South Columbia Avenue and Skelly Drive requesting rezoning from **RS-1 to OL**.(Continued from April 20, 2016, May 18, 2016 and June 1, 2016)

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, Millikin, Shivel, Stirling, Walker, Willis "aye"; no "nays"; none "abstaining"; Carnes, Midget, Reeds "absent") to **CONTINUE Z-7331 to July 6, 2016.**

Legal Description of Z-7331:

LT 4 BLK 2, SOUTH LEWIS VIEW, City of Tulsa, Tulsa County, State of Oklahoma

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22. CO-1 Lou Reynolds-(CD 6) Location: West of the Southwest Corner of South 145th East Avenue and East 51st Street South requesting a **Corridor Development Plan**. (continued from May 18, 2016) (**Applicant requests continuance to 7/6/2016**)

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, Millikin, Shivel, Stirling, Walker, Willis "aye"; no "nays"; none "abstaining"; Carnes, Midget Reeds" absent") to **CONTINUE CO-1 to July 6, 2016.**

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Midget in at 1:48 P.M.

Items 8 and 9 taken together

COMPREHENSIVE PLAN AMENDMENT PUBLIC HEARING:

8. CPA-44-Nathan Cross-(CD 9) Location: West of the Southwest corner of East 44th Street South and South Harvard Avenue requesting Land Use Map change from **Existing Neighborhood** to **Mixed-Use Corridor** and a change to the Stability and Growth Map to an **Area of Growth**. (related to Z-7344)

COMPREHENSIVE PLAN LAND USE MAP AMENDMENT REQUEST

W of the SW/c of E. 44th St. S. and S. Harvard Ave. (CPA-44)

I. PROPERTY INFORMATION AND LAND USE REQUEST

Existing Land Use: <i>Existing Neighborhood</i> Existing Stability and Growth designation: <i>Area of Stability</i>
Proposed Land Use: <i>Mixed-Use Corridor</i> Proposed Stability and Growth designation: <i>Area of Growth</i>
Location: W of the SW/c of E. 44th St. S. and S. Harvard Ave.
Size: .25 acre

A. Background

The site that is subject to this Comprehensive Plan amendment application is located in midtown Tulsa, within an existing residential neighborhood. The surrounding area contains a mixture of uses including single family residential on the north, and west; medical office and general office use abuts the subject lot on the south and east. On May 5, 2016 the applicant submitted a rezoning application (Z-7344) from RS-1 to OL on the .25 acre site to support the requested comprehensive plan amendment.

The applicant has submitted a Comprehensive Plan amendment and a rezoning application with an optional development plan to accommodate expansion of a parking lot for the medical office building immediately east of the subject lot. The applicant has stated that there is a lack of access to medical care within the surrounding area which has created a high demand for the existing Utica Park Clinic east of the subject lot. The high number of patients/clients visiting the medical clinic on a daily basis has created an increased demand for parking on the Utica Park Clinic site. The proposed parking area on the subject site will provide additional parking for the doctors, nurses and staff members of the existing medical office building.

B. Existing Land Use and Growth Designations (Tulsa Comprehensive Plan)

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

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

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

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

C. Proposed Land Use and Growth Designations (Tulsa Comprehensive Plan)

The applicant is proposing a *Mixed- Use Corridor* and an *Area of Growth* and designation on the subject site.

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

“The purpose of **Areas of Growth** is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips.

Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

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

D. Zoning and Surrounding Uses:

Location	Existing Zoning	Existing Use Designation	Land Area of Stability or Area of Growth	Existing Use
North	RS-1	<i>Existing Neighborhood</i>	Area of Stability	Single family residential
South	OL	<i>Mixed-Use Corridor</i>	Area of Growth	Office
East	OL	<i>Mixed-Use Corridor</i>	Area of Growth	Office
West	RS-1	<i>Existing Neighborhood</i>	Area of Stability	Single family residential

E. Applicant's Justification:

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

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

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

“GROWTH AND STABILITY MAP AMENDMENT

The subject property was developed as a single family home in 1946 when the growth and development pattern along Harvard Avenue between 41st and 51st was drastically different. At that time, this area was primarily smaller single-family homes in south Tulsa. In or around 1955, Edison Preparatory School was built just west of the subject property. From and since that time the homes in the neighborhood to the west of the subject property have grown in size to be larger single-family residences that are consistent with today’s homes. As such, the subject property is now far smaller than the homes in the neighborhood it abuts and, as a two-bedroom home; it is not consistent with the other homes in the neighborhood.

Comparing the Land Use Map and the Growth and Stability Map, it appears that the growth and stability map was laid over the existing development pattern along Harvard Avenue without regard for practical uses of properties in this area. This is clear because the “Growth” and “Stability” districts follow the existing zoning exactly. Unfortunately at .25 acres, the subject lot is likely too small to convert into a larger single-family home. Further, because of the development of Harvard Avenue in this area, the subject property is abutted on the east and south by commercial properties.

Reviewing the Growth and Stability Map it is clear that most area designated as anything other than residential zoning districts lie in “Areas of Growth”. The applicant has filed an application to rezone the subject lot to OL consistent with pattern of development along Harvard Avenue to allow the applicant to increase parking for its existing office structure at 4408 S Harvard Ave. In order to accommodate the proposed rezoning to OL, the applicant is requesting that the subject property be re-designated an “Area of Growth” consistent with the parcels to the east and south of the subject property.

LAND USE MAP AMENDMENT

The applicant is also seeking to have the subject lot re-designated as a “Mixed-Use Corridor” consistent with the properties to the east and south. A review of the Land Use Map demonstrates that the balance of property east of Harvard all the way south to I-44 at the east to west depth of the subject property is designated “Mixed-Use Corridor”. The subject property and one parcel to the north are the only properties at this depth for Harvard that are not designated “Mixed-Use Corridor”. Considering this and the discussion above, it seems clear that the land use designation was overlaid according to the existing zoning along the west side of Harvard rather than with forethought as to the potential development patterns of the area. The applicant is attempting to remove a small home that is inconsistent with the single-family homes in the neighborhood and have the property rezoned to OL to accommodate a parking lot for the applicant’s existing office building at 4408 S Harvard Ave. As part of this request, the applicant is seeking to

amend the Land Use Map to be consistent with the development pattern along Harvard.

F. Staff Summary:

The .25 acre subject site and the area to the north, and west were designated as an *Existing Neighborhood* and *Area of Stability* when the Comprehensive Plan was adopted in 2010. The subject site is abutted by *Mixed-Use Corridor* and *Areas of Growth* designations on the south and east. Since 2010 there have been no noted changes in zoning and land use designations in the area surrounding the subject site.

The applicant is proposing to expand the *Mixed-Use Corridor* into an established neighborhood to accommodate the expansion of an off-street parking area for the Utica Park Clinic immediately east of the subject lot. The applicant has stated, *"The subject property was developed as a single family home in 1946. From and since that time the homes in the neighborhood to the west of the subject property have grown in size to be larger single-family residences that are consistent with today's homes. As such, the subject property is now far smaller than the homes in the neighborhood it abuts."* The RS-1 zoned subject site is a non-conforming lot that is 10,500 SF while the minimum lot area and lot area per dwelling unit requirement within the RS-1 district is 13,500 SF. Therefore the subject site does pose some constraints in building a home that it is consistent with the size of the typical homes found in the surrounding RS-1 zoning district. Due to the existing size of the subject lot the site appears to be out of character with the surrounding RS-1 zoned neighborhood and the proposed change to the land use map and rezoning will eliminate a non-conforming lot.

The applicant has stated that additional parking is needed to accommodate the parking demands of the medical office building during peak hours. There is no on-street parking available along S Harvard Ave; and significant amounts of on-street parking along E 44th St S should be discouraged to ensure that surrounding homeowners can easily navigate the street as well as back safely out of their driveways. Buildings along *Mixed-Use Corridors* include storefronts along the sidewalk, with vehicle parking generally located on the side or behind. The *Mixed-Use Corridor* designation on the subject lot appears consistent with the goal and policies of the Comprehensive Plan as the proposed expansion of the parking area onto the subject site will be located behind the Utica Park Clinic. The City of Tulsa Planning/Development Department has provided planning comments and considerations that are attached to the end of this staff report. The City has stated that the proposed land use designation/zoning on the lot will result in different uses facing each other and will likely destabilize land uses across E 44th St S. To address these concerns the concurrent rezoning application for this property will be accompanied by an Optional Development Plan. The development plan will require setbacks, landscaping and screening requirements for the parking area to supplement those required by the Tulsa Zoning Code. The development plan will require additional landscaping along the northern boundary of the subject site and a masonry wall along the western boundary of the site to ensure appropriate design control and edge treatment

between the proposed parking area and the established residential neighborhood.

STAFF RECOMMENDATION

- Staff recommends Approval of the ***Mixed-Use Corridor and Area of Growth*** land use designation as submitted by the applicant.

TMAPC Action; 9 members present:

On **MOTION** of **DIX**, TMAPC voted **9-0-0** (Covey, Dix, Fretz, Midget, Millikin, Shivel, Stirling, Walker, Willis "aye"; no "nays"; none "abstaining"; Carnes, Reeds "absent") to **APPROVE** CPA-44 per staff recommendation

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PUBLIC HEARINGS:

- 9. Z-7344-Nathan Cross**-(CD 9) Location: West of the Southwest corner of East 44th Street South and South Harvard Avenue requesting rezoning from **RS-1 to OL** with Optional Development Plan. (related to CPA-44)

SECTION I: Z-7344

DEVELOPMENT CONCEPT:

BACKGROUND OF PROPERTY:

The Subject Property is a single-family residential property with a 1,034 square foot single-family home that was constructed in 1946. At the time of its development, the home on the Subject Property was likely of the same characteristic of the bulk of the homes in the neighborhood. The development of Edison Preparatory School in 1950s, however, led to an explosion of larger single-family homes in the neighborhood and the home on the Subject Property is now much smaller than the surrounding homes and somewhat out of character for the neighborhood.

REZONING REQUEST:

Because of its proximity to Harvard Avenue, the Subject Property has been abutted on two sides by commercial development. A review of the zoning map shows that the commercial zoning extends south along Harvard Avenue at the east to west depth of the Subject Property for several blocks. As such, it appears that the Subject Property actually cuts into the commercial development and rezoning the Subject Property to OL would even out the western boundaries of the OL zoning district along Harvard.

Several years ago, the Applicant purchased the property immediately to the east of the Subject Property at 4408 S. Harvard Avenue. The Applicant has since completely renovated the 4408 S. Harvard parcel and leased the entirety to Utica

Park Clinic. This development has been such a success that Utica Park Clinic is in need of additional parking to continue to be able to serve the needs of the community at the 4408 S. Harvard location. To allow Utica Park Clinic to continue to serve its patients, the Applicant proposes to purchase the Subject Property and rezone it to OL with an Optional Development Plan as allowed under the Code. The purpose of the Optional Development Plan is to govern the proposed design of the parking lot and limit the future use to that of a parking lot. Therefore, the Applicant proposes to rezone the Subject Parcel OL with the intent of razing the existing single-family home and constructing a parking lot with an 8 foot wood screen fence and landscaping as a buffer from the neighborhood.

STATEMENT OF INTENT:

The proposed rezoning is being undertaken to allow the Applicant to build a parking lot on for its existing office building at 4408 S. Harvard Avenue. To lessen the impact of the rezoning on the abutting residential neighborhood, the Applicant has chosen to propose an Optional Development Plan that restricts the future development on the Subject Property. The goal of the Optional Development Plan is to ensure that the density does not encroach on the use and enjoyment of homes by the abutting neighbors. The Code does not provide a mechanism to allow the Applicant to rezone the Subject Property to accommodate its parking need while also ensuring that no structures will be built onto the Subject Property. Therefore, the Applicant is agreeing to self-restrict its uses and options on the Subject Property in the name of redeveloping the Subject Property in concert with the development pattern along Harvard Avenue while also preventing overburden of the abutting residential homes.

SECTION II: OPTIONAL DEVELOPMENT PLAN

Uses Allowed:

The Subject Property may only be used as a parking lot.

Parking Lot

1. Maximum lot coverage shall not exceed 90% of the lot area.
2. Minimum setback from street right of way line: 20 feet
3. Existing driveway approach shall be removed and curb replaced on East 44th Place.

Lighting:

Maximum Height:	16 feet from ground. Pole mounted lighting shall not be placed within 25 feet of the west lot line.
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General Standards:	Consistent with Section 65.090 of the Code
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Screening:**Fencing:**

Eight (8) foot fencing shall be installed and maintained on the north, west, and south sides of the lot. Fencing material shall be masonry or composite fencing system similar to Tyrex fencing with interlocking picket system.

The north fence shall be placed a minimum of 15 feet from the street right of way line.

Landscaping:

In addition to the normal parking lot landscape standards a minimum of 4 trees shall be installed and maintained within the street yard on the north side of the fence. These trees shall be a minimum 10' height with a 2.5" caliper at the time they are planted. Salvaging and maintain the existing tree near the northeast corner of the site can replace two of the 4 required trees in the East 44th Street Yard.

Additional Restrictions:**Ingress/Egress:**

All vehicular ingress/egress to the Subject Property shall be through the Applicant's property at 4408 S Harvard as depicted on the attached Site Plan. Vehicular access directly to the street right of way on East 44th Street South is prohibited. Trash dumpsters are prohibited.

DETAILED STAFF RECOMMENDATION:

Staff recommends Approval of Z-7344 to rezone property from RS-1 to OL with an optional development plan.

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

Staff Summary: The proposal is not consistent with the existing land use vision of the Comprehensive Plan however a concurrent amendment (CPA-44) has been submitted by the applicant. Staff recommends approval of the requested Plan amendment to a Mixed Use Corridor and an Area of Growth. Parking lot expansion to support the business facing South Harvard is consistent with the vision of the Comprehensive Plan. Further intrusion into the neighborhood is not appropriate at this location primarily because of the existing lot configuration and home orientation.

Land Use Vision:

Proposed Land Use Plan map designation (refer to CA-44): Mixed Use Corridor

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

Proposed Areas of Stability and Growth designation (refer to CA-44): Area of Growth

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

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

Transportation Vision:

Major Street and Highway Plan: None
Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The existing property is a single family residential site with a house on the property. The site also has large trees that could provide some relief from the urban heat island effect of the parking lot if they can be saved. The existing tree near the northeast corner of the lot if saved can be counted toward two of the trees required in the landscape standards defined above.

Environmental Considerations: Site grading and drainage considerations may be an important consideration of the detailed site plan. Detailed Site Plan and Landscape Plan submittals must provide proposed grading for proper consideration of screening location and landscaping.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 44 th Street South	None	50 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	RS-1	Existing Neighborhood	Area of Stability	Single family residential
East	OL	Mixed Use Corridor	Area of Growth	Office
South	OL	Mixed Use Corridor	Area of Growth	Office
West	RS-1	Existing Neighborhood	Area of Stability	Single family residential

SECTION IV: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11823 dated June 26, 1970, established zoning for the subject property.

Subject Property:

No relevant history.

Surrounding Property:

BOA-18568 December 14, 1999: The Board of Adjustment **approved** a *Variance* of the maximum building height in an OL district from one-story to tow-story; and a *Special Exception* to increase FAR from .30 to .34, subject to the condition of requirements listed in a letter dated 11/19/99 about drainage, lighting and a privacy fence, on property located at 4416 S. Harvard Ave., and southeast of subject property.

BOA-12336 December 16, 1982: The Board of Adjustment **denied** a *Variance* to permit access on E. 44th St. to parking lot, on property located at 4408 S. Harvard Ave., and abutting east of subject property.

BOA-10399 March 29, 1979: The Board of Adjustment **approved** a *Special Exception* to permit a floor area ratio of .40 and a two-story building in an OL district, subject to there being no access on 44th St.; as per plot plan and elevations and the entire presentation; 8' double-faced screening fence or 8' fence finished side to the neighborhood on the west; if a request is granted by the Planning Commission to waive the plant, drainage plans for the lot would require approval by the City Engineering Department and a copy signed by the City Hydrologist be filed with the Board prior to the issuance of a building permit; the building to be constructed with redwood siding, with real stone columns, earth tone colors, roof to be of 345 lb. composition grey shingles, on property located at the southwest corner of E. 44th St. and S. Harvard Ave., and abutting east of subject property.

BOA-10280 January 8, 1979: The Board of Adjustment **approved** a *Special Exception* to permit the floor area ratio of .40 and for a two-story building in an OL district, subject to the plot plans, elevation plans submitted, absence of visibility of air-conditioning or heating units or any other units which may be placed on top of the building and representations as to building materials and color (white or tan and facade, on property located at 4172 S. Harvard Ave., and northeast of subject property.

Z-5134 September 21, 1978: All concurred in approval of a request for rezoning a tract of land from RS-1 to OL on property located south of the southwest corner of S. Harvard Ave. and E. 44th St. and abutting south and east of subject property.

Z-4817 November 26, 1975: All concurred in approval of a request for rezoning a tract of land from RS-1 to OL on property located on the southwest corner of S. Harvard Ave. and E. 44th St. and abutting east of subject property.

Z-4272 February 1, 1973: All concurred in approval of a request for rezoning a tract of land from RS-1 to OL on property located on the northwest corner of S. Harvard Ave. and E. 44th St. and northeast of subject property.

Mr. Covey stated the Land Use Designation clearly says Existing Neighborhood.

Mr. Wilkerson agrees and states without the Comprehensive Plan amendment staff would not have recommended approval.

Applicant states this is necessary because the staff at Utica Park Clinic that is to the east does not have adequate parking.

Mr. Covey stated he thought applicant was increasing the setback on the west side.

Stephan Gray 3101 North Hemlock Circle, Broken Arrow, OK 74012

Mr. Gray is an attorney representing the property owner on the west Mr. Allen Kilian. Mr. Gray states his client has been in constructive dialog with applicant to make this a win for the neighbors as well as the developer. Mr. Gray states his client is not opposed to the OL zoning change given Mr. Wilkerson's recommendation that this will only be used for parking and can never be amended to something else. Mr. Gray states his client is in negotiations with the applicant for a license agreement or lease agreement to allow Mr. Kilian the right to use the property on the west boundary line that would be recorded as a matter of public record. Mr. Gray further states if a detention pond is going to be built his client would like a clay liner.

Ms Millikin asked Mr. Gray if the agreement being negotiated runs with the property or personal to the client Mr. Kilian.

Mr. Gray stated personal to his client and an adjacent neighbor.

Alan Kilian 4407 South Gary Avenue

Mr. Kilian stated he and his neighbor are in agreement with applicant but would prefer to not a retention pond but other than that he is in agreement.

Applicant states they are working with the City of Tulsa to make sure the water flow does not increase on this street and that there is no negative impact on neighbors property.

TMAPC Action; 9 members present:

On **MOTION** of **DIX**, TMAPC voted **9-0-0** (Covey, Dix, Fretz, Midget, Millikin, Shivel, Stirling, Walker, Willis "aye"; no "nays"; none "abstaining"; Carnes, Reeds "absent") to **APPROVE** rezoning Z-7344 with Optional Development Plan per staff recommendation.

Legal Description of Z-7344:

W 70 OF LT 1 BLK 2, VILLA GROVE PARK, City of Tulsa, Tulsa County, State of Oklahoma

* * * * *

10. LS-20888 (Lot-Split) (County) – Location: West of the northwest corner of East 166th Street North and North Memorial Drive

The Lot-Split proposal is to split an existing AG (Agriculture) tract into four tracts. All of the resulting tracts will meet the Bulk and Area requirements of the Tulsa County Zoning Code.

The Technical Advisory Committee met on June 2, 2016 and had the following comments. A 50' right-of-way Easement is needed along East 166th Street North. Water service is available through Washington County RWD #3. For each tap, a copy of the General Warranty Deed, DEQ form 581 with log number, address assigned, property lines staked and pinned along East 166th Street North and membership fee by each property owner.

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

The applicant indicated his agreement with staff's recommendation.

Mr. Dix stated the Exhibit shows two drives is this common drive or two singular drives.

Morgan Powell 12315 East 86th Street North, Owasso, OK

Mr. Powell is the attorney for the applicant he states this is two separate drives.

TMAPC Action; 9 members present:

On **MOTION** of **DIX**, TMAPC voted **9-0-0** (Covey, Dix, Fretz, Midget, Millikin, Shivel, Stirling, Walker, Willis "aye"; no "nays"; none "abstaining"; Carnes, Reeds "absent") to **APPROVE** LS-20888 per staff recommendations.

* * * * *

11. LS-20891 (Lot-Split) (County) – Location: North of the northeast corner of East 76th Street North and North 71st East Avenue

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

The Technical Advisory Committee met on June 2, 2016 and had the following comments. An additional 5' right-of-way Easement is needed along North 71st East Avenue. Water service is available through Washington County RWD #3. A copy of the General Warranty Deed, DEQ form 581 with log number, address assigned and membership fee will be required to tap.

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

The applicant indicated his agreement with staff's recommendation.

Lucile Thierry 7803 North 71st East Ave, Owasso, OK 74055

Ms. Thierry stated she lives on the north side of the applicant she opposes the lot split because when she bought her property the lots were five acre tracts with one dwelling on the tract and the large tracts is the reason she moved there and Ms. Thierry is concerned that in the future these tracts would be further split and allow multiple units on the tracts.

Mike McCally 7717 North 71st East Avenue states the land is owned by his Daughter and Son-in-Law and they wanted to split the land and build a house to be closer to family. There are no plans for the future to further split existing tracts.

Mr. Fretz asked staff and applicant if there were any deed restrictions on lot splits for this property.

Staff and applicant states they are not aware of any deed restrictions.

Mr. Dix states that would not be a lot split issue but a permitting issue and not addressed by TMAPC.

TMAPC Action; 9 members present:

On **MOTION** of **DIX**, TMAPC voted **9-0-0** (Covey, Dix, Fretz, Midget, Millikin, Shivel, Stirling, Walker, Willis "aye"; no "nays"; none "abstaining"; Carnes, Reeds "absent") to **APPROVE** LS-20891 per staff recommendations.

* * * * *

12. **Savannah Crossing (revised)** – Preliminary Plat, Location: North of northwest corner of East 121st Street South and South Sheridan Road, (CD 8)

PRELIMINARY SUBDIVISION PLAT

Savannah Crossing (revised) - (CD 8)

North of northwest corner of east 121st Street South and South Sheridan Road

The plat consists of 3 Lots, 1 Block, on 5 acres.

The following issues were discussed June 2, 2016, at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned PUD 806.
2. **Streets:** Existing driveway is not shown at the correct location. It is situated further to the north. Call out drive to Lot 1 as Mutual Access Easement. Access to Lots 2 and 3 will be from mutual access easement. It must be constructed to City of Tulsa design standards. Designate entire property line along Sheridan as Limits of No Access except for the 30 foot mutual access easement. Rework 50 foot road way easement dedicated by plat to 50 foot right of way dedicated by this plat.
3. **Sewer:** Provide 17.5 foot utility easement along north, west and east property lines. Sanitary sewer main extension is required to serve Lot 3.
4. **Water:** On the conceptual layout plan sheet it is unclear how the existing structure water service line is laid from Sheridan Road. City water service ordinance does not allow water services lines to cross property boundary lot lines.
5. **Storm Drainage:** The Creek across the property is shown as a City of Tulsa regulatory flood plain and needs to be shown in an Overland Drainage Easement. The easement needs to line up with offsite drainage swale. Any proposed modifications to the ditch will need to conform to the City of Tulsa's flood plain and drainage criteria. .
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** No comments.
7. **Other: Fire:** No comments.
8. **Other: GIS:** Submit data control sheet. Fix scale to read accurately {at 1"-50'}. Provide addresses for individual lots Graphically label them. Bold the outer plat boundary lines and text. Remove contours from face of plat. The subdivision boundary for Hudson Meadows is incorrect. Correct subdivision names. Provide accurate legal description for the plat. . Engineering Services prefers to see the POC graphically labeled and the bearing angles and distances incorporated into the legal description. Graphically label the point of beginning. Please provide these graphically on the plat. Add sub-title with City of Tulsa, Tulsa County, Oklahoma. **County Engineer:** Proposed drive density

is 3 per 170 feet, which is inappropriate for County maintained roadways.

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 therefore 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 therefore 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.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **Midget**, TMAPC voted **9-0-0** (Covey, Dix, Fretz, Midget, Millikin, Shivel, Stirling, Walker, Willis "aye"; no "nays"; none "abstaining"; Carnes, Reeds" absent") to **APPROVE** Preliminary Plat per staff recommendations.

* * * * *

13. Bent River (revised) – Preliminary Plat, Location: South of southwest corner of East 121st Street South and South Sheridan Road, (CD 8)

The plat consists of 89 Lots, 6 Blocks, on 25 acres.

The following issues were discussed June 2, 2016, at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned PUD 828.
2. **Streets:** Call out 50 feet of right of way along Sheridan as "dedicated by proposed plat". On 124th Street, there cannot be a private reserve area in the middle of a public street.
3. **Sewer:** Lot 1, Block 1, west property line should have minimum 15 foot utility easement.
4. **Water:** ODEQ separation requirements are being met with the lines on Sheridan (10 foot offset from sanitary).
5. **Storm Drainage:** Design should confirm that no offsite drainage needs to be conveyed across the property.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** No comments. .
7. **Other: Fire:** No comments.
8. **Other: GIS:** Submit data control sheet. Property appears to be in the 500 year floodplain. Engineering Services would prefer to see the point of commencement graphically labeled and bearing angles and distances incorporated into the legal description up to point of beginning. Possibly relocate the point of beginning to the northeast corner of said plat.

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

Waivers of Subdivision Regulations:

1. None requested.

Special Conditions:

1. The concerns of the 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 therefore 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 therefore 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.

The applicant indicated his agreement with staff's recommendation.

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, Shivel, Stirling, Walker, Willis "aye"; no "nays"; none "abstaining"; Carnes, Reeds "absent") to **APPROVE** Preliminary Plat per staff recommendations.

* * * * *

14. BOA – 22087 – Plat Waiver, Location: Northwest Corner of East 11th Street South and South Atlanta Avenue, (CD 4)

The platting requirement is being triggered by a Board of Adjustment approval for a food truck park area.

Staff provides the following information from TAC for their June 2, 2016 meeting:

ZONING: TMAPC Staff: The property has been previously platted. The use permitted is a food truck court with mobile trucks and a permanent 60 year old structure on site.

STREETS: 11th Street is an Urban Arterial with 35 feet of right of way required from centerline of 11th. Existing right of way is 30 feet. Additional 5 feet of right of way dedication is required along 11th. A 25 foot corner clip is required at the intersection of 11th and Atlanta.

SEWER: No comment.

WATER: No comment.

STORMWATER: No comment.

FIRE: No comment.

UTILITIES: No comment.

OTHER/GENERAL: No comment.

Staff can recommend **APPROVAL** of the plat waiver as most requirements have been met for the platted property.

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

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

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

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

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

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, Shivel, Stirling, Walker, Willis "aye"; no "nays"; none "abstaining"; Carnes, Reeds" absent") to **APPROVE** the Plat Waiver per staff recommendations.

16. Z-7343-Nathan Cross-(CD 9) Location: West of the Northwest corner of South Peoria Avenue and East Skelly Drive requesting rezoning from **PK/OL/CS/CH** to **CH** with Optional Development Plan.

SECTION I: Z-7343 with Optional Development Plan

APPLICANT CONCEPT STATEMENT:

In order to lessen the impact of the rezoning on the surrounding properties, the Applicant has elected to impose additional restrictions on the Subject Parcels by requesting the implementation of an Optional Development Plan as is allowed under Section 70.040(2) of the Code.

The Applicant has chosen to propose an Optional Development Plan for the Subject Parcels to lessen the impact on the residential neighborhood to the west. Straight rezoning of the Subject Parcel to CH would not allow for restriction on use, lighting, and screening as has been proposed under the optional development plan. The proposed Optional Development Plan allows the Applicant to achieve its desired use on a commercial property while also controlling the impact of the structure and the operation of the self-service storage business on the abutting residential homes. This concept allows for commercial use of the Subject Parcel as is set forth in the Comprehensive Plan while also achieving a greater public good by agreeing to building and design standards that reduce the effects of the commercial operation on the abutting residential neighborhood.

SECTION II: OPTIONAL DEVELOPMENT PLAN PROVISIONS:

All land development shall meet the standards of CH zoning districts except as outlined below:

Lot and Building Regulations:

- | | |
|---|---------|
| 1. Minimum Building Setback from AG/R District: | 20 feet |
| 2. Maximum Building Height: | 45 feet |

Use Limitation:

1. The use on the Subject Parcel is a self-service storage facility with attendant office for rental of the units and ancillary sales of packing supplies. No other uses will be allowed on the Subject Parcel.
2. Outdoor storage is prohibited.

Signage:

1. Consistent with the allowed Sign Budget in a Commercial District except as follows.
2. Off-premise outdoor advertising signs are prohibited.
3. Wall signs are prohibited on the west and north facing wall of any structure.

Lighting:

1. All lighting fixtures affixed to the structure shall be at a height of 16 feet or less from the ground level and shall be pointed down and away from adjacent property lines.

2. No pole lighting will be allowed on the property between the structure and the abutting R district on the north and west. Pole lighting will not be greater than 16 feet in height.

Additional Design Standards:

1. All staircases will be inside the structure.
2. Except where doors and window awnings and other architecture elements may be included in the design the entire structure will be stone, brick or stucco and similar to the attached building elevations attached.
3. Doors on the west facing wall shall not exceed 10 feet in height.

Landscape and Screening:

1. An 8 foot tall masonry wall similar to the building design provided is required along all boundaries abutting an R district. The masonry wall may be moved east up to 15 feet from the west property line to accommodate existing utilities and mature trees.
2. Prepare a tree protection plan for existing mature trees along the west property line. Include those trees in a landscape plan that includes installation and maintenance of at least one tree for each 25 feet of street frontage South Newport Avenue. At the time of installation the new trees shall be a minimum height of 10 feet with a minimum caliper of 2.5".

DETAILED STAFF RECOMMENDATION:

Z-7343 requesting CH zoning with an Optional Development Plan is consistent with the Mixed-Use land use designation of the Comprehensive Plan and;

CH zoning provides a variety of uses and almost unlimited density however the optional development plan limits objectionable uses and requires greater site design standards than would be allowed with the current zoning pattern and;

Z-7343 with an Optional Development Plan is consistent with the anticipated future land development opportunities. CH zoning without the Optional Development plan is injurious to the single family residential area north and west of the site and;

The Optional Development Plan is consistent with the Development Plan Provisions of the Tulsa Zoning Code therefore;

Staff recommends Approval of Z-7343 to rezone property from CS to CG with optional development plan provisions outlined in section II above.

Staff Comment: *Timing for the variance request and Optional Development Plan are essential. If the zoning is approved with the optional development plan and the variance request is not granted then nothing on this site can be developed because the only use allowed is the self storage facility.*

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: *The Comprehensive Plan is silent regarding self storage use in a mixed used corridor however it does mention stepping down commercial intensity into the neighborhood with multi family, small lot and townhouse developments. Staff recognizes that this does not step down intensity as defined however it is not likely that new residential development would occur adjacent to I-44 at this location and much of the property had previously been zoned with high intensity commercial zoning. The low intensity use can provide noise and light buffers for the existing residential areas while not creating significant intrusions into the neighborhood. The Zoning Code also requires self-storage facilities to have access to an arterial street. A variance from the Board of Adjustment will be required prior to construction.*

Land Use Vision:

Land Use Plan map designation: Mixed-Use Corridor

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

Areas of Stability and Growth designation: Area of Growth

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

displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

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

Transportation Vision:

Major Street and Highway Plan: None

Trail System Master Plan Considerations: This site is within ¼ mile of the Riverparks trail system. The site plan should not obstruct pedestrian or bicycle traffic connections to the trail system or to the Peoria Corridor.

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site has been vacant since the City demolished the old Camelot Hotel that occupied the site for decades. The original hotel parcel has been previously split for a convenience store and bank leaving this remaining site. The surrounding residential properties on the west and north side of the site are important considerations in the Optional Development Plan.

Environmental Considerations: None that would affect site development.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East Skelly Drive	Residential Collector	60 feet	2 west bound lanes
South Newport Avenue	None	50 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	RS-3 and CH	Existing neighborhood and mixed use corridor	Stability and Growth	Single family residential and bank with drive thru
East	CH	Mixed use corridor	Growth	Convenience Store with fueling station
South (south of I-44)	CS and CH	Mixed use corridor	Growth	Repurposed retail store with private college
West	RS-3	Existing neighborhood	Stability	Single family residential

SECTION IV: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 21628 dated September 18, 2007 (Z-7064), and 11822 dated June 26, 1970, established zoning for the subject property.

Subject Property:

Z-7064 September 2007: Staff recommended **denial** of a request for *rezoning* a 1± acre tract of land from RS-3 to CH **and approval** of PK/ OL/ CS with some of the property remaining RS-3 and CH, on property located on the northeast corner of East Skelly Drive and South Newport Avenue and is also known as the subject property.

BOA-22075: The Board of Adjustment a *Variance* from the requirement that all lots occupied by a self-service storage facility have frontage onto an arterial street (Sec.40.360), on property located west of the northwest corner of S. Peoria Ave. and E. Skelly Dr. and is also known as the subject property.

Surrounding Property:

BOA-21368 January 10, 2012: The Board of Adjustment **approved** a *Variance* of the maximum permitted height for a business sign in the CH district, abutting a designated freeway, from 50 ft. to 60 ft. (Section 1221.E.1), on property located at 4970 S. Peoria Ave. E., also known as QuikTrip.

The applicant indicated his agreement with staff's recommendation.

Applicant stated the property owners thought this would be a good fit for this commercial area that backs up to a neighborhood. This structure will also provide a noise barrier for neighbors from the QuikTrip. The Brookside Neighborhood Association is in favor of this project.

Peggy McBride 4966 South Newport, Tulsa OK 74105

Julie Waul 4936 South Newport Avenue, Tulsa, OK 74105

Ms. Waul stated her and her husband has owned their home in this neighborhood almost forty years and have seen lots of changes. After speaking with Dwayne Wilkerson and meeting with neighbors, The Brookside Neighborhood Association and Preserve Midtown all agreed there were not many options with this property and determined that the self storage facility may be the least intrusive type of commercial operation on the abutting neighborhood and will offer the added protection of buffering the noise from the QuikTrip.

Applicant states his client will maintain the trees on the west side of Newport and the wall will be painted a color other than white to deter graffiti.

Mr. Shivel states when the developer talks with the community and is proactive this makes for a more positive difference and it is gratifying to see in this application.

Dr. Dix stated he is in support of this application and believes the wall will provide a good barrier for the noise coming from the QuikTrip.

TMAPC Action; 9 members present:

On **MOTION** of **DIX**, TMAPC voted **9-0-0** (Covey, Dix, Fretz, Midget, Millikin, Shivel, Stirling, Walker, Willis "aye"; no "nays"; none "abstaining"; Carnes, Reeds "absent") to **APPROVE** Z-7343 with Optional Development Plan per staff recommendations.

Legal Description of Z-7343:

A TRACT OF LAND THAT IS ALL OF LOTS TWELVE (12), THIRTEEN (13), FOURTEEN (14), FIFTEEN (15), SIXTEEN (16), AND SEVENTEEN(17), BLOCK SIXTEEN (16) AND A PART OF BLOCK SEVENTEEN (17), OF "BLOCKS 14, 15, 16, 17, 18, 19, 20, RIVERVIEW VILLAGE", AN ADDITION ON TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, SAID TRACT OF LAND BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 17, BLOCK 16; THENCE NORTH 01°11'45" WEST ALONG THE WESTERLY LINE OF SAID LOTS 17, 16, 15, 14, 13, AND 12 FOR 393.60 FEET TO THE NORTHWEST CORNER OF SAID LOT 12; THENCE NORTH 88°51'33" EAST ALONG AND THROUGH THE NORTHERLY LINE OF LOT 12 FOR 192.36 FEET TO A POINT; THENCE SOUTH 1°11'45" EAST FOR A DISTANCE OF 103.49 FEET TO A POINT; THENCE SOUTH 88°49'35" WEST FOR A DISTANCE OF 10.50 FEET TO A POINT; THENCE SOUTH 1°11'45" EAST FOR .A

DISTANCE OF 295.37 FEET TO A POINT ON THE PRESENT NORTH RIGHT-OF-WAY LINE OF EAST SKELLY DRIVE; THENCE SOUTH 79°56'30" WEST ALONG SAID RIGHT-OF-WAY LINE FOR A DISTANCE OF 62.61 FEET TO A POINT; THENCE NORTH 1°11'45" WEST CONTINUING ALONG SAID RIGHT-OF-WAY LINE FOR A DISTANCE OF 14.97 FEET TO A POINT; THENCE SOUTH 88°51'33" WEST AND CONTINUING ALONG SAID RIGHT-OF-WAY LINE, FOR A DISTANCE OF 120.00 FEET TO THE POINT OF BEGINNING; SAID TRACT CONTAINING 73,292 SQUARE FEET OR 1.683 ACRES

* * * * *

Items 17 and 18 were taken together

17. Z-7345-Gregory Helms-(CD 9) Location: East of the southeast corner of East 35th Street South and South Peoria Avenue requesting rezoning from **OL to CH** with Optional Development Plan. (related to Plat Waiver Z-7345)

SECTION I: Z-7345

DEVELOPMENT CONCEPT:

Applicants Statement of intent:

The proposed use for the property is a restaurant with an accessory bar. The existing building is part of the Consortium Shopping and Dining center which includes four restaurants operating on the property. The proposed restaurant will be located within the existing 2,400 square foot building located along the east property line.

The existing property has multiple zoning classifications. The western three-fourths of the property is zoned CH, while the portion of the property where the new restaurant will be located is zoned OL.

The property directly east is zoned RS-3. A new residence has been recently constructed on that lot. In March of 2016 the applicant visited with the current home owner. They were excited about having it next door.

Properties located north across 35th Street are zoned OL and RS-3(PUD-430). The properties house offices. Directly west of these properties the zoning changes back to CH.

Applicants Concept:

The restaurant concept is an Oyster Restaurant with an accessory wine bar. The Kitchen will be a cold kitchen. While all of the meats are handmade, they are not made on site, they are all imported from Italy. No cooking will take place on site,

therefore no kitchen hood is required and no restaurant exhaust will be generated near the residence.

Applicants Request for Re-zoning:

Prior to commencement of a lease for this building and preparation of the associated renovation drawings, a Zoning Clearance application was made to the City of Tulsa. The Zoning Clearance permit was approved by the building permit office and the lease and design work for the restaurant began. Upon application for a Building Permit, it was discovered that the Zoning Clearance was granted in error, since the proposed location for the restaurant was in the OL zoned portion of the property.

Since the proposed property is adjacent to a residentially zoned property, and straight CH zoning could possibly prove detrimental to the adjacent area given its more lenient use requirements, the applicant has elected to impose additional restrictions on the property through an Optional Development Plan.

SECTION II: Z-7345

Optional Development Plan Provisions:

All CH district zoning guidelines shall apply except as provided below:

Use Limitation:

Only the uses listed below are allowed with this Optional Development Plan:

3. Subcategory Restaurant Use with an accessory bar shall be allowed with a maximum occupancy of 150 including dining, kitchen, and storage and business areas. Kitchen exhaust and externally vented mechanical equipment shall be a minimum of 50 feet from R districts and directed toward the west or south. Air handling units may be placed anywhere on the site except for a building greater than 5000 square feet when the above mentioned spacing standard apply.
4. Outdoor dining shall be limited to 500 square feet.
5. Outdoor storage is prohibited.
6. All Office uses except Plasma centers are permitted
7. Financial Services except personal credit establishment
8. Parking, Non-accessory
9. Studio, Artist or instructional Service

Signage:

4. Signs shall be consistent with the allowed Sign Budget in a Commercial District except as follows.
5. Wall signs facing north shall not be illuminated with internal or external light sources. Aggregate total of display surface area of all north facing wall signs shall not exceed 64 square feet in size.

6. Wall signs are prohibited on the East and south side of any building.

Lighting:

3. All lighting fixtures affixed to the structure within 25 feet of R districts shall mounted at a maximum height of 12 feet or less from the ground level and shall be pointed down and away from adjacent property lines.
4. No pole lighting will be allowed on the property between the structure and the abutting R district on the east.

Additional Design Standards:

4. Future building construction or renovation shall not exceed 45 feet in height.
 5. Window placement or wall openings on the east wall shall be limited to the first floor and not further than 10 feet above ground elevation.
 6. Minimum Building setback from East 35th Street south shall be 25 feet from the street right of way.
- Construction drawings for current remodel request. Not intended to represent all future development possibilities.

DETAILED STAFF RECOMMENDATION:

Z-7345 requesting CH zoning with an Optional Development Plan is consistent with the Main Street Land Use designation of the Comprehensive Plan and;

The Optional Development Plan provisions are consistent with the goals identified in the Brookside Infill Plan and;

CH zoning provides a variety of uses and almost unlimited density however the Optional Development Plan limits objectionable uses and requires greater site design standards than would be allowed with the proposed zoning and;

Z-7345 with an Optional Development Plan is consistent with the anticipated future land development opportunities. CH zoning without the Optional Development plan is potentially injurious to the single family residential area east of the site and;

The Optional Development Plan is consistent with the Development Plan provisions of the Tulsa Zoning Code therefore;

Staff recommends Approval of Z-7345 with the optional development plan as outlined in Section II above.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The CH zoning is consistent with the Main Street vision identified in the Comprehensive Plan. The Optional Development Plan is consistent with the Brookside Infill plan goals.

Land Use Vision:

Land Use Plan map designation: Main Street

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

Areas of Stability and Growth designation: Area of Growth

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

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

Transportation Vision:

Major Street and Highway Plan: None

Trail System Master Plan Considerations:

Trail master plans do not affect this area however pedestrian access to this area is an important consideration. Site development should provide adequate area for pedestrian movement from the adjoining neighborhood to the Peoria Corridor. Bicycle parking should also be provided.

Small Area Plan: Brookside Infill Plan:

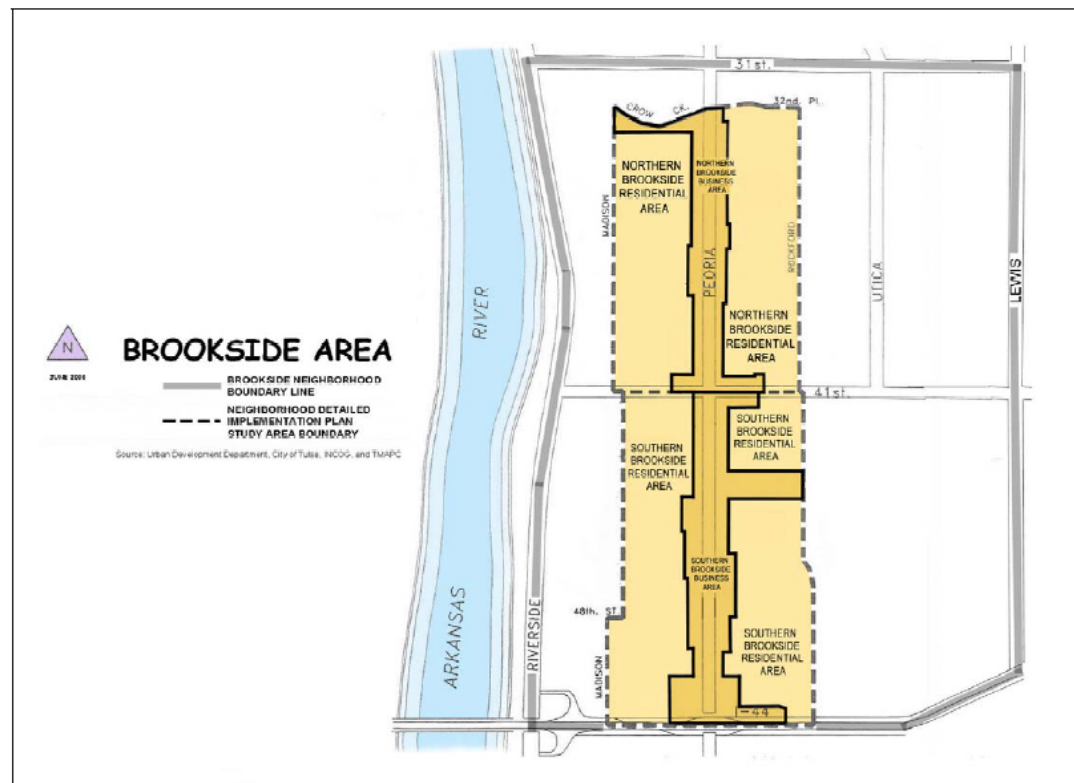
This site is included in the neighborhood detailed implementation plan study area boundary.

The overall design policies include providing pedestrian pathways, slowing traffic encourage high quality residential, office and commercial in-fill development.

An effect strategy to implement the design policies outlined in the plan was through the implementation PUD's which are no longer an option. This zoning request satisfies many of those goals through the Optional Development Plan Process.

BROOKSIDE INFILL DEVELOPMENT DESIGN RECOMMENDATIONS - A COMPONENT OF THE BROOKSIDE INFILL NEIGHBORHOOD DETAILED IMPLEMENTATION PLAN

**EXHIBIT 1 -
BROOKSIDE
AREA**



Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The rezoning request with the Optional Development Plan is currently occupied with a single story building with surface parking that was previously used as an office in the OL zoned district. The current proposal is to convert this structure to a restaurant with accessory bar.

Environmental Considerations:

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 35 th Street South	None	50 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	PK/CH/ PUD-430	Main Street	Growth	Office
East	RS-3	Existing Neighborhood	Stability	Single Family Residential
South	OL/ PUD-474	Main Street	Growth	Salon
West	CH	Main Street	Growth	Surface parking and mixed use building.

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11823 dated June 26, 1970, established zoning for the subject property.

Subject Property:

BOA-18247 November 24, 1998: The Board of Adjustment **approved** a *Variance* of the off-street parking required for health club on the third floor of the consortium

building, on property located at the southeast corner of E. 35th St. and S. Peoria Ave. and including the subject tract.

Surrounding Property:

BOA-21879 April 28, 2015: The Board of Adjustment **approved** a *Variance* of the allowed coverage of the required front yard in RS-3 from 34% to 38% (Section 1303.D), on property located at 1332 E. 35th St. S.

BOA-21468 September 11, 2012: The Board of Adjustment **approved** a *variance* to reduce the minimum lot width from 60' to 50' and a *variance* to reduce the land area per dwelling unit requirement from 8400 sf to 8200 sf.

BOA-18031 June 9, 1998: The Board of Adjustment **approved** a *variance* to reduce the required side yard from 5' to 0' and a variance of the required land area per dwelling unit requirement per submitted site plan.

BOA-17766 July 8, 1997: The Board of Adjustment **approved** a *special exception* to allow a duplex in the RS- 3 district per submitted plan.

Z-6324/ PUD-474 November 1991: All concurred in **approval** of *rezoning* a tract of land from RS-3 to OL/PUD-474 for office use, on a property located east of the northeast corner of E. 35th St. and S. Peoria Ave.

BOA-17090 June 27, 1995: The Board of Adjustment **approved** a *Variance* of required number of parking spaces from 20 to 11, on property located at the southeast corner of E. 35th St. and S. Peoria Ave.

BOA-16244 January 12, 1993: The Board of Adjustment **approved** a *Variance* of the required parking and amended site plan, on property located at the southeast corner of E. 35th St. and S. Peoria Ave.

BOA-15485 July 19, 1990: The Board of Adjustment **approved** a *Minor Variance* of the minimum setback from the centerline of Peoria from 50' to 48' to permit a projecting sign, on property located at the southeast corner of E. 35th St. and S. Peoria Ave.

BOA-14734 February 4, 1988: The Board of Adjustment **approved** a *Variance* of the setback from the centerline of Peoria Ave. from 50' to 42.5', on property located at the southeast corner of E. 35th St. and S. Peoria Ave.

Z-6170/ PUD-430 October 1987: All concurred in **approval** of a request for *rezoning* a .32± acre tract of land from PK to the west 55' to OL and the balance remain PK, with a Planned Unit Development, for office development, on property located east of the northeast corner of E. 35th St. and S. Peoria Ave.

BOA-14129 July 10, 1986: The Board of Adjustment **approved** a *Variance* of the setback from centerline of 35th Pl. for parking from 50' to 25' and a *Special exception* to

waive the screening requirement between parking and abutting R district, on property located at the southeast corner of E. 35th St. and S. Peoria Ave.

BOA-13106 April 19, 1984: The Board of Adjustment **approved** a *Variance* of the required setback from the centerline of E. 35th St. to 25' to allow off-street parking in a PK district, on property located at east of the northeast corner of E. 35th ST. and S. Peoria Ave.

BOA-12527: The Board of Adjustment **approved** a *Variance* to permit office use in an RS-3 district; and a *Variance* of the screening requirement from abutting R district, on property located at 1321 E. 35th St.

18. Z-7345 – Plat Waiver, Location: East of the southeast corner of East 35th Street South and South Peoria Avenue (CD 9) (related to rezoning Z-7345)

The platting requirement is being triggered by a rezoning from OL to CH.

Staff provides the following information from TAC for their May 19, 2016 meeting:

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

STREETS: No comment.

SEWER: No comments.

WATER: No comments.

STORMWATER: No comment.

FIRE: No comments.

UTILITIES: No comments.

Staff can recommend **APPROVAL** of the plat waiver for the previously platted property.

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

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

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

	YES	NO
4. Is right-of-way dedication required to comply with Major Street and Highway Plan?		X
5. Would restrictive covenants be required to be filed by separate instrument if the plat were waived?		X
6. Infrastructure requirements:		
a) Water		
i. Is a main line water extension required?		X
ii. Is an internal system or fire line required?		X
iii. Are additional easements required?		X
b) Sanitary Sewer		
i. Is a main line extension required?		X
ii. Is an internal system required?		X
iii. Are additional easements required?		X
c) Storm Sewer		
i. Is a P.F.P.I. required?		X
ii. Is an Overland Drainage Easement required?		X
iii. Is on site detention required?		X
iv. Are additional easements required?		X
7. Floodplain		
a) Does the property contain a City of Tulsa (Regulatory) Floodplain?		X
b) Does the property contain a F.E.M.A. (Federal) Floodplain?		X
8. Change of Access		
a) Are revisions to existing access locations necessary?		X
9. Is the property in a P.U.D.?		X
a) If yes, was plat recorded for the original P.U.D.		
10. Is this a Major Amendment to a P.U.D.?		X
a) If yes, does the amendment make changes to the proposed physical development of the P.U.D.?		X
11. Are mutual access easements needed to assure adequate access to the site?		X
12. Are there existing or planned medians near the site which would necessitate additional right-of-way dedication or other special considerations?		X

William R. Grimm 110 W 7th Street Suite 900, Tulsa, OK 74119

Mr. Grimm represents the land owner, the proposed tenant and the applicant Mr. Helms who is the architect for Mr. Aberson. Mr. Aberson has brought multiple national tenants to the area and has renovated several buildings in the Brookside area. Mr. Grimm stated after tenants had moved out of the 36th and Peoria property a national tenant expressed interest in the property for an oyster and wine bar and will be for pre-cooked

cold food. Mr. Aberson spoke with City originally he received a Zoning Clearance Permit saying the zoning was fine but was held up during the building permit process.

Mr. Covey asked if it is an existing building with the same footprint.

Mr. Grimm stated yes, the doorway was shifted from the north side to the west side to face the parking lot.

Ms. VanValkenburgh stated the Optional Development Plan authorizes an additional 2500 square feet so if the owner wanted to build something additional, he could.

Mr. Grimm stated that there were no plans to build currently.

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, Shivel, Stirling, Walker, Willis "aye"; no "nays"; none "abstaining"; Carnes, Reeds "absent") to **APPROVE** item 17 Z-7345 with Optional Development Plan and item 18 Plat Waiver per staff recommendations.

Legal Description of Z-7345:

Lot 6, Block 3, Oliver's Addition, City of Tulsa, Tulsa County, State of Oklahoma

* * * * *

Items 19 and 20 were taken together

19. Z-7346-Wallace Engineering/Jim Beach-(CD 4) Location: Northwest corner of North Main Street and East Brady Street requesting rezoning from **IL to CBD**.(related to Plat Waiver Z-7346)

SECTION I: Z-7346

DEVELOPMENT CONCEPT:

DETAILED STAFF RECOMMENDATION:

The requested CBD zoning is consistent with the Downtown Neighborhood vision of the Comprehensive Plan which includes the Downtown Master Plan and;

Uses as allowed by right in the CBD district are non injurious to the proximate properties and;

CBD zoning is consistent with the anticipated development of the surrounding properties therefore:

Staff recommends Approval of Z-7346 to rezone property from IL to CBD.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: This site is within the inter dispersal loop in an area that historically has been considered the Central Business District. The existing structures appear to have been constructed as part of an industrial facility. This particular project will renovate that building into an affordable multifamily project. Central Business District zoning will prohibit future industrial uses except that light manufacturing uses may be used when allowed by the Board of Adjustment through the special exception process defined in the Zoning Code. This rezoning request complements the vision identified in the Downtown Tulsa Master Plan.

Land Use Vision:

Land Use designation:

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

Growth and Stability:

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

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

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

Transportation Vision:

Major Street and Highway Plan:

All streets surrounding this block are Commuter Streets. The vision for those streets and are included in the Downtown Master Plan and include a broad mix of public transit, pedestrian and vehicular uses.

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *The existing site is a light industrial site and surrounded by a wide mix of Central Business District uses including surface parking, mixed use buildings, restaurant and hotel properties.*

Site Analysis: The subject property is approximately 1± acre in size and is located north of the railroad tracks two blocks east of the Brady Theater. The property appears to be unoccupied and is zoned IL. A small area of IL zoning will remain on the remainder of the block when this project is rezoned. CBD zoning does not indirectly affect the remaining IL zoned property.

Surrounding Properties: The subject tract is abutted on the east and west by Central Business District (CBD) properties, on the north by small warehouse and industrial buildings, zoned IL; on the south by the railroad and further south a wide mix of property uses all zoned CBD;

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
North Main Street	Downtown Collector	80 feet	2 with angled parking both sides
East Brady Street	Downtown Collector	80 feet	2 with parallel parking on north and angled parking out south

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing	Existing Land Use	Area of Stability	Existing Use
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	Zoning	Designation	or Growth	
North	CBD	Downtown Neighborhood	Growth	Restaurant and surface parking lot
West	IL	Downtown Neighborhood	Growth	Surface parking lot
South	CBD	Downtown Neighborhood	Growth	Mixed Use Building
East	CBD	Downtown Neighborhood	Growth	Mixed use Building

SECTION III: Relevant Zoning History

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

Surrounding Property:

BOA-20207 February 28, 2006: The Board of Adjustment **accepted** a *Verification of spacing requirements* for a bar/nightclub – public entrance doors located at least 50 feet from R district and use located a minimum 300 feet from public park, school or church, on property located at 222 N. Main St.

BOA-6902 February 4, 1971: The Board of Adjustment **approved** a *Variance* to permit a dance hall; a self-service laundry; and a restaurant in an IL district, on property located at 218-224 N. Main St.

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

20. Z-7346 – Plat Waiver, Location: Northwest corner of North Main Street and South Brady Street, (CD 4)(related to rezoning Z-7346)

The platting requirement is being triggered by a rezoning from IL to CBD.

Staff provides the following information from TAC for their June 2, 2016 meeting:

ZONING: TMAPC Staff: The property has been previously platted. The property is in IL zoning with pending CBD (commercial business district) zoning.

STREETS: No comment.

SEWER: No comment.

WATER: No comment.

STORMWATER: No comment.

FIRE: No comment.

UTILITIES: No comment.

OTHER/GENERAL: No comment.

Staff can recommend **APPROVAL** of the plat waiver for the platted property.

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

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

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

	YES	NO
4. Is right-of-way dedication required to comply with Major Street and Highway Plan?		X
5. Would restrictive covenants be required to be filed by separate instrument if the plat were waived?		X
6. Infrastructure requirements:		
a) Water		
i. Is a main line water extension required?		X
ii. Is an internal system or fire line required?		X
iii. Are additional easements required?		X
b) Sanitary Sewer		
i. Is a main line extension required?		X
ii. Is an internal system required?		X
iii. Are additional easements required?		X
c) Storm Sewer		
i. Is a P.F.P.I. required?		X
ii. Is an Overland Drainage Easement required?		X
iii. Is on site detention required?		X
iv. Are additional easements required?		X
7. Floodplain		
a) Does the property contain a City of Tulsa (Regulatory) Floodplain?		X

- | | | |
|-----|---|---|
| | b) Does the property contain a F.E.M.A. (Federal) Floodplain? | X |
| 8. | Change of Access | |
| | a) Are revisions to existing access locations necessary? | X |
| 9. | Is the property in a P.U.D.? | X |
| | a) If yes, was plat recorded for the original P.U.D. | |
| 10. | Is this a Major Amendment to a P.U.D.? | X |
| | a) If yes, does the amendment make changes to the proposed physical development of the P.U.D.? | X |
| 11. | Are mutual access easements needed to assure adequate access to the site? | X |
| 12. | Are there existing or planned medians near the site which would necessitate additional right-of-way dedication or other special considerations? | X |

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **Midget**, TMAPC voted **9-0-0** (Covey, Dix, Fretz, Midget, Millikin, Shivel, Stirling, Walker, Willis "aye"; no "nays"; none "abstaining"; Carnes, Reeds "absent") to **APPROVE** item 19 Z-7346 for rezoning from IL to CDB and item 20 Plat Waiver per staff recommendations.

Legal Description of Z-7346:

S30 LT 2 & ALL LT 3 BLK 29, TULSA-ORIGINAL TOWN, City of Tulsa, Tulsa County, State of Oklahoma

* * * * *

- 21. Z-7347-Nathan Cross-**(CD 6) Location: West of the Northwest corner of East 21st Street and South 145th East Avenue requesting rezoning from **CS to CG** with Optional Development Plan.

SECTION I: Z-7347

DEVELOPMENT CONCEPT:

Background

The Subject Property consists of six (6) parcels within the existing Eastland Plaza development located at is at 14207 E 21st St. The property was developed as traditional "strip center" type mall in 1987 to house retail space with "big box" stores as anchor tenants. Starting in the early 2000s, retail tenancy

began to wane with rise of e-commerce and the changes in consumer demand. As a result of these changes, retail strip center developments have become less popular and tenant demand has dwindled to almost nothing. In recent years, anchor tenant Target and several other retail tenants have vacated the Subject Property.

In 2009, the Applicant, AM Contractors, Inc. (the "Applicant"), purchased the Subject Property. In recent years, the trend in many cities around the country, including Tulsa, has been to repurpose otherwise vacant retail space to accommodate new uses that were otherwise not conceived of at the time many of the strip center malls were originally developed. In keeping with this trend, the Applicant is seeking to expand the uses allowed on the Subject Property while maintaining the look and feel of a strip center type mall development.

An overhead depicting the outline of the six (6) parcels is attached as Exhibit D and a detailed sight plan is attached as Exhibit C.

Development Area A:

Development Area A consists of two grass and concrete detention areas located west side of the existing Eastland Plaza development. A legal description of both parcels is attached hereto. Development Area A is labeled on the attached detailed site plan. No new development is proposed on Development Area A. It will remain a detention area as set forth in the original platting of Eastland Plaza. The Applicant intends to "soften" the look of the west side of the former Target building (Development Area B) by planting foliage of between 6 and 8 ft height on the eastern boundary of Development Area A. No other changes to Development Area A are being proposed.

Development Area B:

Development Area B is a 77,156 square foot building formerly housing a Target. A legal description of Development Area B is attached hereto and Development Area B is labeled on the attached detailed site plan. The intent of this Application is to expand the uses allowed in this structure to give the Applicant more flexibility in locating prospective tenants for long-term leases. No exterior changes to the structure are planned other than painting and signage.

Current Use

Development Area A is a detention area. Development Area B is a vacant former Target building. Due to the dramatic decline in demand for strip center type mall developments and the current restrictions on use on the subject property under the current CS zoning, Development Area B has been vacant for some time with the exception of a small piece which has been used as an event center in the past.

Basis of Application

As discussed above, demand for strip center type developments has changed drastically in the last decade. Around the City of Tulsa and nationwide, strip

center developments are facing decreased demand. In addition to this change in tenant demand, e-commerce has forced many former brick and mortar retail operations out of business. As such, there are fewer potential tenants. The combined effect of these two shifts, has forced property owners to think differently about development of strip center malls.

Much like the owners successful conversion of the former Eastland Mall concept directly south of the Subject Property, the Applicant would like to repurpose the Subject Property into a development that is more directed at attracting a different type of tenant mix than the original zoning and platting of Eastland Plaza contemplated. The Applicant property owners believe that the proposed rezoning and Optional Development Plan operate to allow a more diversified tenant mix that would potentially drive much higher occupancy at the Subject Property and give the Applicant additional rent roll income with which to make further improvements. In Addition, the Applicant and is a resident in this part of town and would like to see more growth in the area (as has happened with the redevelopment of the former Eastland Mall) in the spirit of hopefully revitalizing a larger portion of east Tulsa.

SECTION II OPTIONAL DEVELOPMENT PLAN:

Proposed Uses:

Development Area A:

Storm water detention.

Development Area B:

The only uses outlined below are permitted within the Optional Development Plan.

Within development area B, outdoor storage of any kind is prohibited.

Hours of operation for all uses shall be limited from 7:00 am to 10:00pm.

Note: An existing event center was allowed through the jurisdiction of the Tulsa Zoning Code prior to January 1, 2016. The building permit authorized the event center with a maximum occupancy of 998, but did not authorize a bar or nightclub. The code adopted January 1, 2016 would classify an event centers as an Assembly and Entertainment Use. With the current code that use can only be allowed through Board of Adjustment special exception process in the CG district. The optional development plan does not have authority to change that process. The optional development plan cannot allow an Assembly and Entertainment Use with a capacity greater than 250.

Residential Uses:

Only those uses permitted in a CS zoned district are allowed.

Public, Civic and Institutional Uses:

All Public, Civic, and Institutional uses allowed in a CG zoned property are allowed except Wireless Communication Facility shall not be allowed.

Commercial Uses:

All Commercial Uses permitted in a CG zoned district shall be allowed except as follows:

- Campgrounds and RV parks are prohibited
- Commercial vehicle repair/maintenance is prohibited
- Commercial vehicle sales and rentals is prohibited
- Personal vehicle sales and rentals is prohibited
- Vehicle body and paint finishing shop is prohibited

Wholesale, Distribution & Storage:

Warehouse and Warehouse Sales and Distribution uses only.

Industrial:

No Industrial uses shall be allowed.

Recycling:

No recycling uses shall be allowed.

Other Uses:

Drive-in or Drive-through Facilities as components of an allowed onsite principal use shall be allowed in a CG district.

Lot and Building Regulations:

Minimum Street Frontage:

East 21st Street: 150 feet

Maximum Floor to Area Ratio:

Development Area A: N/A

Development Area B: .75

Minimum Building Setbacks as measured from Planned Right of Way:

Development Area A: N/A

Development Area B: 10 feet

Minimum Setback from Residential:

Development Area A: N/A

Development Area B: 10 Feet plus 2 feet for each foot of building height above 15 feet

Parking:

Parking shall meet or exceed the minimum standards identified in the Tulsa Zoning Code at the time of site plan approval. Interior remodeling shall provide a parking summary with the site plan approval illustrating the minimum parking required and the parking provided for the entire center. The site plan shall provide that information as required for each development areas and lot configuration.

Lighting:

The Applicant does not anticipate adding additional lighting at this time. Any future lighting will be consistent with the requirements of the City of Tulsa Zoning Code as adopted January 1, 2016 or as may be amended.

All lighting shall be limited to shielded fixtures designed to direct light down and so that the light producing elements and polished light reflecting elements are not visible to a person standing within an adjacent residential area or street right-of-way.

No pole mounted light fixture shall exceed 20 feet in height.

No light fixture affixed to any structure shall be higher than 20 feet.

Light fixtures affixed to the north side of any structure within 100 feet of the north parcel line of Development Area B shall not be further than 16 feet above the ground surface.

Minimum Landscaping requirements:**Development Area A:**

- 1) The Applicant will plant install and maintain a double row trees along and within 50 feet the boundary east right-of-way line for of S. 140th E. Avenue within 12 months after the zoning ordinance is published. No occupancy permit will be issued until after the trees have been installed. With the exception where the existing driveways are located trees will be planted and maintained in connection with this proposed landscaping will be planted not less than twenty five (25) feet apart as measured from the tree trunk and will be not less than ten (10) feet in height when installed with a minimum 2.5" caliper. The Applicant will engage a licensed landscape architect to plan and facilitate such planting.

Development Area B:

- 1) Any new outparcel construction will meet or exceed the minimum landscape standards as defined in the Tulsa Zoning Code at the time of site plan approval.
- 2) New building construction and associated parking improvements on existing parcels will meet or exceed the minimum landscape standards as defined in the Tulsa Zoning Code at the time of site plan approval.
- 3) Interior remodeling will not require landscape improvements except as noted in paragraph 1 above.

Screening:

The Subject Property is currently screened from the RD zoned district to the north by a series of interconnected wooden fences running the entire length of the property from west to east.

New fencing must be installed and maintain along the entire north boundary of Development Areas A and B prior to issuance of any new building permit. The fence shall have a minimum 8' height with a cap detail. Dog ear style fencing is not allowed. The fence post will be galvanized metal pipe not less than 2" diameter and placed not further than 8 feet on center. In instances where the single family residential property owner north of the PUD agrees, the old fence will be removed to eliminate double fencing.

All dumpsters will remain in their existing locations behind the existing structure and screened from the abutting RD district by the aforementioned wooden fence and from the balance of the property by the existing structure.

The existing space between the building and residential area will be closed to vehicular and pedestrian traffic with gates at all times by the installation of gates on the east and west ends of the existing structure contained in Z-7347. The gates will be locked after 9:00 pm and before 7:00am.

Only emergency access by the fire department, police or ambulance service will be allowed when the gates are locked.

New outparcel construction shall meet or exceed the minimum screening standards for dumpsters and defined in the Tulsa Zoning Code at the time of the site plan approval. All new dumpster enclosures shall be masonry construction with a minimum height of 6 feet and be complimentary to the building design.

Platting Requirement:

Any new construction on the Subject Property will require replatting of the Subject Property. No interior build out, however, whether done by the Applicant or its successor in interest or a tenant, will require a replatting of the Subject Property.

DETAILED STAFF RECOMMENDATION:

Z-7347 requesting CG zoning with an optional development plan is consistent with the Regional Center land use designation of the Comprehensive Plan and;

CG zoning provides a variety of uses not previously allowed in the failed CS zoned district however the Optional Development Plan limits objectionable uses and requires greater site design standards than would be required under CG zoning standards and;

Z-7347 with an Optional Development Plan is consistent with the anticipated future land development opportunities. CG zoning without the Optional Development plan is injurious to the single family residential area north of the site and;

The Optional Development Plan is consistent with the provision of the Tulsa Zoning Code therefore;

Staff recommends Approval of Z-7347 to rezone property from CS to CG with optional development plan.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: Repurposing of the existing center into a wider variety of uses is supported in the Regional Center land use vision of the comprehensive plan and is anticipated in the Comprehensive Plan. The uses allowed and additional provisions that will require a higher level of screening and landscape standards for future construction.

Land Use Vision:

Land Use Plan map designation: Regional Center

Regional Centers are mid-rise mixed-use areas for large-scale employment, retail, and civic or educational uses. These areas attract workers and visitors from around the region and are key transit hubs; station areas can include housing, retail, entertainment, and other amenities. Automobile parking is provided on-street and in shared lots. Most Regional Centers include a parking management district.

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: Multi Modal Corridor

Multi-modal streets emphasize plenty of travel choices such as pedestrian, bicycle and transit use. Multimodal streets are located in high intensity mixed-use commercial, retail and residential areas with substantial pedestrian activity. These streets are attractive for pedestrians and bicyclists because of landscaped medians and tree lawns. Multi-modal streets can have on-street parking and wide sidewalks depending on the type and intensity of adjacent commercial land uses. Transit dedicated lanes, bicycle lanes, landscaping and sidewalk width are higher priorities than the number of travel lanes on this type of street. To complete the street, frontages are required that address the street and provide comfortable and safe refuge for pedestrians while accommodating vehicles with efficient circulation and consolidated-shared parking.

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

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The property is part of a shopping center that has been abandon and repurposed with a small event center. The center is prime for redevelopment opportunities provided by the successful renovation of the old Eastland Mall south of 21st street.

Environmental Considerations: None that would affect redevelopment.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 21 st Street South	Primary with Multi	120 feet	4

	Modal overlay		
South 140 th East Avenue	None	50 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	PUD-181 with underlying RS-3 and RD zoned property	Existing neighborhood	Stability	Single Family Residential
East	CS	Regional Center	Growth	Shopping Center
South	CS	Regional Center	Growth	Repurposed shopping center but mostly an office complex.
West	CS	Regional Center	Growth	vacant

SECTION IV: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 12831 dated June 11, 1973, and 11817 dated June 26, 1970 established zoning for the subject property.

Subject Property:

Z-7326/ PUD-844 April 2016: A request for *rezoning* a 20+ acre tract of land from CS to CG, and a Planned Unit Development, for a mixed use development, was **withdrawn** by the applicant, on property located North and west of the northwest corner of E. 21st St. S. and S. 145th E. Ave.

Z-7308/ 835 September 2015: A request for *rezoning* a 20+ acre tract of land from CS to CG, and a Planned Unit Development, for a mixed use development, was **withdrawn** by the applicant, to re-evaluate PUD submittal, on property located North and west of the northwest corner of E. 21st St. S. and S. 145th E. Ave.

Surrounding Property:

PUD-181 April 1976: All concurred in **approval** of a proposed *Planned Unit Development* on a 166+ acre tract of land that is broken up into Development Areas, to allow for single-family, duplex, townhouses, and garden apartments, and clustered single-family residences, on property located north and west of E. 21st St. and S. 145th E. Ave. and is a part of the subject property.

The applicant indicated his agreement with staff's recommendation.

Applicant stated there were two parties interested this space one was an indoor storage facility and the other was a trade school and the zoning restricted both of these. The applicant stated he looked at developing the entire site without any prospective tenants and upgrading was a significant cost with no guarantees of return in a short amount of time. Applicant stated new fence and landscaping would be added to site.

Skip Steele 13380 East 33rd Street Tulsa Ok 74134

Mr. Steele stated everyone would like to see this site developed but in the center of this area is an event center that is operated as a night club. The night club is a problem in the neighborhood and it receives citations weekly. Mr. Steele would like TMAPC at some point during this rezoning to make the nightclub disappear maybe after some percentage of occupancy. If zoning change is approved Mr. Steele would like it reversed if operator or owner violates any city ordinance.

Willard Koch 1709 South 141 East Avenue Tulsa OK 74108

Mr. Koch stated he is talking on behalf of Eastland Park Addition which is included in the umbrella of Tower Heights Neighborhood Association. Mr. Koch has been a resident of Eastland Park for 36 years and a board member of the Tower Heights Neighborhood Association and is disappointed in what is going on around 11th Street and 21st Street and wonder when it will get better or move into the Eastland Park Addition. Mr. Koch has counted numerous used car lots that are not very well maintained, along with food vendor trucks and other questionable businesses along a road noted as Route 66. Those types of businesses are bad on our community and the neighborhood doesn't want those types of businesses around the Eastland Park Addition. Mr. Koch further states that he cannot find any malls or retail centers that are zoned differently than CS. Changing the zoning from CS to CG will be more intrusive when located next to adjacent neighborhoods without the appropriate restrictions in place. The quality of life and property values in Eastland Park Addition are being affected now with the current zoning of CS and with a zoning change to CG this will continue to get worse. The Applicant would like the homeowners to think that changing the zoning classification would allow them to achieve a development like Eastland Metroplex which is directly across 21st Street from the applicants property, any neighborhood would be proud to have this in their area and their success was all done with a CS zoning designation. The Eastland Park Addition asked INCOG staff to recommend and TMAPC to adopt a policy of no outdoor uses on this property. At the neighborhood meeting Mr. Koch thought the applicant and the neighbors were in agreement that the changes would be within the building and its uses and no outdoor parking would be changed.

Kim King 1414 East 19th Place, Tulsa, OK 74108

Ms King stated looking at a map the Imperio is 58 feet from her back door, so she is the number one person that has filed the complaint with City of Tulsa in the last 5 years. There are three areas in this building, an overhead door is on the back and this area is used for building materials, next is the event center known as the Imperio and the third is the event center the applicant is here today trying to change the zoning on. During the

weekends there could be something going on at both event centers and residents can only place one call to the City of Tulsa and that does not mean the noise stops. Rather, the noise goes up in volume after the police officers leave. This happens until early morning hours. The police issue citations and Ms. King has gone to court but the noise continues.

Douglas Stone 14124 East 19th Place Tulsa OK 74108

Mr. Stone stated his house is immediately across the alley from the loading dock and would ask Planning Commission to put something in the decision to make the applicant abide by noise restrictions.

Applicant stated there is some confusion over the difference in the two event centers. The one known as the Imperio is the one the applicant believes everyone is referring to for the noise issues. It is permitted use, it is there because the City of Tulsa allows it to be there. It is outside the scope of the event center that is being discussed today. Applicant states the property is leased to clients who then have their own events.

Mr. Covey asked what the applicant would be marketing the property for.

Applicant stated anything they could get except a car dealership or bar.

Mr. Covey stated to applicant you want to develop this like the Eastland Metroplex across the street and their zoning is CS. When the argument is you want same type as tenants as across the street but zoning is prohibiting it, you have the exact zoning as Eastland Metroplex does.

Applicant stated he should have been clearer he meant national tenants, large nice tenants. Applicant further states he has had to turn down two national tenants because of zoning.

Ms VanValkenburgh stated applicant said he would not do a bar but does not see this listed under prohibited use.

Applicant stated this was an oversight on his part and will commit to this today.

Mr. Midget stated he would be concerned about extending the existing event center uses because of neighbors concerns, also would be against all automotive related business.

Applicant states he is fine with the vehicle restriction but not the event center usage because this is the only revenue source for this property.

Mr. Wilkerson states the new code does not reference event centers instead they are called assembly and entertainment centers and the small assembly and entertainment center are a permitted use in CG area up to 250 occupancy and that is determined by

the permit office, anything above that can only be approved by the special exception process at the Board of Adjustment.

Ms. VanValkenburgh stated in the new code there cannot be any alcohol served or sold within 150 feet of R district without going before the Board of Adjustment.

Mr. Wilkerson stated that prohibiting bar use is something that TMAPC can do.

Mr. Dix asked applicant if the owner told the Lessee they were not allowed to serve alcohol.

Applicant stated that serving alcohol is a permitted use of the Lessee

Ms VanValkenburgh stated this is determined when this business was permitted.

Mr. Dix asked applicant if he owned an event center and leased it to the same person every Friday and Saturday night and they served alcohol out of a catering cup this is permitted by the City of Tulsa.

Mr. Midget stated we have heard the neighbor's complaints but legally this is a permitted use. Then we fall back to the noise issue.

Arnie Murillo 13029 East 27th Place, Tulsa, OK 74134

Mr. Murillo stated he is the owner of property and leases the event center to other parties.

Harold Scott East 19th Street

Mr. Scott stated he lives directly behind the Imperio and the music is very loud and there are recreational vehicles parked there all night with the diesel motors running, the parking lot is full of cars and people are lined up to get inside. It may be called the Tulsa Event Center but there is a large sign out front that says Imperio which implies more like it is a bar. The morning after all you hear for about three hours is beer bottles being dumped into the dumpsters behind Mr. Scott's house. Mr. Scott would like to see the entire fence that's goes out to 21st Street replaced.

Applicant stated the larger event center at point of controversy here today is not part of this application but he understands why it is a part of the discussion but not sure it should have a bearing on what is being presented today. Mr. Cross stated that is the owners intent to replace the fence all the way to 21st Street.

Mr. Midget stated this has been an ongoing problem and he understands the the problem is not this application property but he is sure the neighbors would like to see something different in the building. Mr. Midget does supports changing to CG to maybe get a better tenant in this space.

Mr. Dix stated the need to address this application instead of trying to resolve all the problems of the neighbors but the owner needs to address the problem of the neighbors. Mr. Dix does not support the changing to CG.

Mr. Willis stated he was involved in the development of the Eastland Metroplex and is in agreement with Mr. Midget to change the zoning to attract tenants.

Mr. Shivel asked the broker of property if there have been any contingency offers

Mike Lester 2021 South Lewis, #410, Tulsa, OK

Mr. Lester stated he is one of two brokers for this property and an indoor storage facility looked at the property. The problem is they don't want to wait for the rezoning to occur.

Mr. Shivel asked neighbors if the noise was coming from adjacent property or the property referred to in this application

Neighbors indicated both properties.

Mr. Covey stated we are only focused on the property under application by keeping it CS that doesn't solve any of applicant's problems. The zoning change to CG does open up a lot more potential uses that are not allowed under CS but leaving it as CS zoning will not help neighbors complaints.

Ms Miller stated that both of the uses self storage and trade school are allowed by special exception under CS zoning so there are other ways to get to those uses other than rezoning. Also, an Optional Development Plan could establish standards and limit the uses.

Mr. Dix stated supporting this with the restrictions we can place on the development plan is probably a better solution than leaving it as it is.

TMAPC Action; 9 members present:

On **MOTION** of **Millikin**, TMAPC voted **9-0-0** (Covey, Dix, Fretz, Midget, Millikin, Shivel, Stirling, Walker, Willis "aye"; no "nays"; none "abstaining"; Carnes, Reeds "absent") to **APPROVE** Z-7347 per staff recommendation with the following restrictions: prohibit all vehicle sales and service uses under the vehicle use category of the zoning code, no bar as a principal use and the event center will not be expanded beyond the 20,000 square feet or one fourth of the current building.

Legal Description of Z-7347:

Development Area A:

Parcel 1:

That part of Lot One (1), Block One (1), EASTLAND PLAZA, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat thereof, more

particularly described as follows, to-wit: The West 60 feet of the North 283.6 feet of the South 570.6 feet thereof.

Parcel 2:

That part of Lot One (1), Block One (1), EASTLAND PLAZA, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat thereof, lying in the Southeast Quarter of Section 9, Township 19 North, Range 14 East of the Indian Base and Meridian, more particularly described as follows, to-wit: The West 73 feet of the South 257 feet thereof.

Development Area B:

All That Part Of Lot 1, Block 1, Eastland Plaza, An Addition In The City Of Tulsa, Tulsa County, Oklahoma, According To The Official Recorded Plat Thereof; More Particularly Described As Follows, To-Wit: BEGINNING at the Northwest Corner of said Lot 1; Thence S 89°59'46" E along the North boundary of said Lot 1 a distance of 582.79 feet; THENCE due South a distance of 104.77 feet; THENCE due West a distance of 69.92 feet; THENCE due South a distance of 49.65 feet; THENCE due West a distance of 10.00 feet; THENCE due South a distance of 149.94 feet; THENCE due East a distance of 10.00 feet; THENCE due South a distance of 19.00 feet; THENCE due East a distance of 35.54 feet; THENCE due South a distance of 277.20 feet to a point on the South boundary of said Lot 1 (North right-of-way line of East 21st Street South) 832.24 feet from the South Southeast Corner thereof; THENCE due West along the South boundary of said Lot 1 (North right-of-way line of East 21st Street South) a distance of 476.30 feet to a point 73.00 feet from the Southwest Corner thereof; THENCE N 0°05'04" E parallel to the West boundary of said Lot 1 a distance of 257.00 feet; THENCE due West a distance of 73.00 feet to a point on the West boundary of said Lot 1 (East right-of-way line of South 140th East Avenue) 257.00 feet from the Southwest Corner thereof; THENCE N 0°05'04" E along the West boundary of said Lot 1 (East right-of-way line of South 140th East Avenue) a distance of 30.00 feet; THENCE due East a distance of 60.00 feet; THENCE N 0°05'04" E parallel to the West boundary of said Lot 1 a distance of 283.60 feet; THENCE due West a distance of 60.00 feet to a point on the West line of said Lot 1 (East right-of-way line of South 140th East Avenue) thereof; THENCE N 0°05'04" E along the West boundary of said Lot 1 (East right-of-way line of South 140th East Avenue) a distance 30.00 feet to the POINT OF BEGINNING; containing 288,188 square feet or 6.61589 acres, more or less.

Mr. Walker left at 4:07 p.m.

* * * * *

23. Consider initiation of Comprehensive Plan housekeeping amendments (CPA-45 through CPA-49) and set for future TMAPC hearing (July 20, 2016)

A. Item for discussion: Annual Housekeeping Amendments to the Comprehensive Plan.

- B. Background:** The Tulsa Comprehensive Plan was adopted in July, 2010 and the first housekeeping amendments were adopted in 2013. There were a substantial amount of amendments adopted, all relating to the *Land Use Map* and the *Areas of Stability and Growth Map* of the Comprehensive Plan. This year, staff is proposing four map amendments and a series of text amendments.

As the Plan is used on a daily basis to guide development decisions in Tulsa (both public and private), a consequence of implementation is finding certain areas and/or parcels of land do not have the most appropriate map designations. Some of these are discovered through review of development applications, some by the need to proactively designate lands for future activity and some areas or parcels simply did not receive the most appropriate map designation when the Plan was adopted.

The Comprehensive Plan states that the Land Use Plan and Areas of Stability and Growth Map “should be updated at five year intervals with projections toward the future. Housekeeping updates and maintenance to reflect development approvals should be made annually.” (p. LU-75)

The Policies and Procedures and Code of Ethics of the Tulsa Metropolitan Area Planning Commission include a specific process regarding how to proceed with housekeeping amendments. The document states: “TMAPC staff will establish a system to track all housekeeping amendments needed to reflect development approvals and present a comprehensive plan amendment to TMAPC annually, generally in July. These annual amendments will include updates to the Land Use Plan and, if necessary, changes to the Growth and Stability Maps.”

There are four areas and/or parcels that have been identified as proposed map amendments to the Comprehensive Plan, in addition to a series of text amendments. The attachments to this report contain information on each of these, including general information, justification for the change, and supporting maps.

- C. Staff Recommendation:** Consider initiation of Comprehensive Plan housekeeping amendments (CPA-45 through CPA-49) and set for future TMAPC hearing (July 20, 2016).

ATTACHMENT 1
Comprehensive Plan Amendment (CPA-45)
Change of Land Use and Area of Stability & Growth Designations

Location: South of the SW corner of East 11th Street South and S. 83rd E. Ave.
Size: .5 Acres **Zoning** OL **Existing** Office
District: **Use:**

	<u>Land Use Designation</u>	<u>Stability & Growth Designation</u>
<u>Existing</u>	<i>Existing Neighborhood</i>	<i>Area of Stability</i>
<u>Proposed</u>	<i>Town Center</i>	<i>Area of Growth</i>

Development Approval History:

- **2014: Z-7267:** The TMAPC approved a rezoning on the subject lot from RS-1 to OL.

Justification: At the time of adoption of the Comprehensive Plan in 2010, the Land Use designation was identified as *Existing Neighborhood* and an *Area of Stability*. In Z-7267 the TMAPC approved a request to rezone the site to OL to facilitate the development of a light office use on the site. The existing Land Use and Growth and Stability designation assigned to the property does not adequately reflect the existing and future uses intended for the site. A *Town Center* and *Area of Growth* land use designation will more appropriately do that.

Staff Recommendation: Staff recommends changing the subject site to the *Town Center* land use designation and an *Area of Growth*.

ATTACHMENT 2

Comprehensive Plan Amendment (CPA-46)

Change of Area of Stability & Growth Designations

Location: West of the NW corner of E. 49th St. S. and S. Peoria Ave.

n:

Size: .5 Acres **Zoning District:** OL and RS-3 **Existing Use:** Vacant Lots and Residential

	<u>Land Use Designation</u>	<u>Stability & Growth Designation</u>
<u>Existing</u>	<i>Mixed Use Corridor</i>	<i>Area of Stability</i>
<u>Proposed</u>	<i>N/A</i>	<i>Area of Growth</i>

Development Approval History:

- **2015: Z-7310:** The TMAPC approved a rezoning from RS-3 to OL to permit expansion of a parking area.
- **2015: PUD-837:** Established a commercial/parking area on the property to support the existing Myers-Duren Harley Davidson store.

Justification: The site is designated as a *Mixed-Use Corridor* and *Area of Stability*. The development standard of the PUD allow for the expansion of an existing parking area for the Myers-Duren Harley Davidson store. The existing Stability & Growth designation is not in alignment with current Land Use designation and it does reflect the potential uses intended for the site.

Staff Recommendation: Staff recommends changing the subject area to an *Area of Growth*.

ATTACHMENT 3
Comprehensive Plan Amendment (CPA-47)
Change of Land Use and Area of Stability & Growth Designations

Location: Northeast corner of S Lewis Ave and Interstate 44
Size: 1.5 **Zoning** CS **Existing** I-44 Right-of-Way
Acres **District:** **Use:**

	<u>Land Use Designation</u>	<u>Stability & Growth Designation</u>
<u>Existing</u>	<i>Town Center</i>	<i>Area of Growth</i>
<u>Proposed</u>	<i>None</i>	<i>None</i>

Justification: The use and character of the site has changed as I-44 was recently widened and the property is no longer developable. Therefore, any land use designations or growth and stability designations should be removed from the site.

Staff Recommendation: Staff recommends removing the *Town Center* and *Area of Growth* designation from the subject site.

ATTACHMENT 4
Comprehensive Plan Amendment (CPA-48)
Change of Land Use Designation

Location: SW/c of E 96th St S & S Garnett Rd

Size:

26.7
Acres

Zoning

AG

District:

Existing

Vacant

Use:

	<u>Land Use Designation</u>	<u>Stability & Growth Designation</u>
<u>Existing</u>	<i>Regional Center</i>	<i>Area of Growth</i>
<u>Proposed</u>	<i>New Neighborhood</i>	<i>N/A</i>

Development Approval History:

- **2015: CPA 38** - The TMAPC approved a Comprehensive Plan Amendment from New Neighborhood to Regional Center to accompany a rezoning application (Z-7320) to allow a medical office corridor use.

Justification: In 2015 the property owner submitted a rezoning application (Z-7320) from AG to CO to permit development of medical office space and commercial uses on the subject site. To support the rezone request the applicant requested that land use amendment (CPA 38) be approved at the November 18, 2015 TMAPC hearing and stated that he would return to the TMAPC at later date to request approval for the rezoning application. Since that time the request to rezone the subject site to CO has been withdrawn and the proposed medical office corridor development has been discarded. At this time there is no clear vision for the redevelopment of the AG zoned lot and the current Regional Center designation is no longer in alignment with the existing and intended zoning and use of the site. A *New Neighborhood* designation is more compatible with existing use and zoning of the site and would ensure compatibility with the surrounding land uses until that time when a clear vision for redeveloping the site is identified.

Staff Recommendation: Staff recommends changing the subject area to a *New Neighborhood*.

ATTACHMENT 5

Comprehensive Plan Amendment (CPA-49)

Text Amendments

1) Page LU: 80

Goal 4.3 -

Ensure that adequate land to accommodate desired development is zoned and ready for development through implementation of ~~city-initiated~~ zoning cases following the adoption of small area plans. ~~City-initiated~~ All zoning recommendations should be consistent with ~~small-area-plans~~ the Comprehensive Plan.

Justification: The majority of zoning changes are initiated through private parties and City initiated zoning has happened through one Small Area Plan for a Form Based Code. The City should work with interested private parties to initiate zoning changes that are consistent with the Comprehensive Plan, Small Area Plans, which amend the Comprehensive Plan, or other plans and studies.

2) Page LU: 86-87

Goal 17 -

Tulsa's natural and sensitive areas are protected and conserved. Policies to support this goal include:

~~17.1 Establish sensitive area criteria/establish areas of conservation.~~

~~• Obtain comprehensive information in order to prioritize programs that would protect key resources.~~

~~• Establish a system of designating specific areas as ecologically sensitive areas worthy of protection.~~

~~• Particularly in riparian areas, establish a standardized buffer widths based on resource type and adjacent topography. For riparian areas, buffer widths will be based on water quality function and wildlife habitat needs. Establishing standardized buffers may require that precise boundaries be delineated prior to environmental review for new development, particularly in riparian areas.~~

~~• Identify key public natural landmarks and scenic views.~~

~~17.2 Establish buffer zones and protection areas around key ecologically sensitive areas to prevent future development within those boundaries except for recreational facilities.~~

are included in Parks, Trails and Open Space Goals 8 and 9.

Justification: This goal and associated policies are a repeat of *Goals 8 and 9* found in the Parks Trails and Open Space section

3) Page LU: 87

Goal 18

Development on impacted sites or areas is regulated to protect sensitive areas. Policies to support this goal *include*:

~~18.1 In areas of growth expected to develop, continue to conduct watershed-wide master drainage planning consistent with the citywide master drainage plan, in coordination with small area planning process.~~

~~18.2 Preserve undeveloped floodplain areas for storm water conveyance.~~

~~18.3 Investigate compensation programs or zoning measures to allow transfer of development rights from environmentally constrained areas to unconstrained areas.~~

~~18.4 Continue to use best management practices for development within floodplain areas.~~

are included in Parks, Trails and Open Space Goal 10.

Justification: This goal and associated policies are a repeat of *Goal 10* found in the Parks Trails and Open Space section.

Staff Recommendation: Staff recommends approval of the comprehensive plan text amendments as presented.

Ms. Miller asked Planning Commission to Consider initiation of Comprehensive Plan housekeeping amendments (CPA-45 through CPA-49) and set for future TMAPC hearing (July 20, 2016).

TMAPC Action; 8 members present:

On **MOTION** of **Midget**, TMAPC voted **8-0-0** (Covey, Dix, Fretz, Midget, Millikin, Shivel, Stirling, Willis "aye"; no "nays"; none "abstaining"; Carnes, Reeds, Walker "absent") to **INITIATE** item 23 the Comprehensive Plan housekeeping amendments (CPA-45 through CPA-49)per staff recommendation and set for future TMAPC hearing (July 20, 2016)

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24.City Planning staff presents findings and recommendations of adopted small area plan reviews and outlines next steps

This review was conducted in response to the following directive from the Tulsa Comprehensive Plan, Page LU-63.

*Existing neighborhood plans will continue to serve their role guiding City Council decisions. However, existing neighborhood plans vary somewhat in their format and may be out of date. **Reviewing** existing small area and neighborhood plans for **conformance and effectiveness** is one of the key PLANiTULSA implementation strategies. Thus, existing and future plans will all work toward implementing Our Vision for Tulsa.*

Small Area Plans (SAPs) are important tools to implement the PLANiTULSA Comprehensive Plan. SAPs are focused on a specific geographic area, guided by a Citizen Advisory Team (CAT), and involve collaboration and consensus from residents, businesses, and other neighborhood stakeholders. SAPs provide a vision to guide change in the neighborhood, update the Comprehensive Plan including land use designations, and recommend public projects and programs to implement the plan's vision.

Tulsa's history with neighborhood and small area planning predates PLANiTULSA. Twelve plans were adopted prior to PLANiTULSA's adoption in July of 2010. These plans demonstrate diverse approaches, formats, and visions. In 2015, the Planning Division reviewed these plans to determine whether they conform with the vision and requirements of PLANiTULSA and continue to be effective. This effort represents the first step in determining their conformance and effectiveness.

A review matrix supported the analysis of adopted plans. The matrix was based on PLANiTULSA's SAP process, which includes the following steps: define boundary, community participation, existing conditions assessment, vision statement, civic responsibilities and city-wide context, and plan recommendations. To complete the matrix, we determined whether the plan provided land use recommendations that can be converted to PLANiTULSA's building blocks and/or transportation elements. Consideration was also given to the status of easily identifiable public projects and whether incomplete projects were feasible.

Each plan's analysis was summarized as one of four recommendations:

- Continue
- Supersede
- Roll into New Plan
- Return and Readdress

These recommendations help guide next steps in determining each adopted plans effectiveness and how to better align it with PLANiTULSA and position it for implementation.

Plans determined to conform with PLANiTULSA's recommendations and vision are **Continued**. Planning staff will summarize each plan with executive summaries and implementation matrices. This will allow the TMAPC to use these plans as you use more current SAPs in addressing discretionary land use requests.

Those plans with recommendations that are largely completed or that have been found to be ineffective or non-conforming with PLANiTULSA are recommended to be **Superseded** by PLANiTULSA. Before doing so, staff will meet with each area's key stakeholders to identify outstanding projects or priorities that need to be addressed before superseding the plan. If a neighborhood plan is superseded, its planning area will continue to be addressed by PLANiTULSA and any other plans still in effect in the area.

For any plan whose planning area is undergoing a current planning effort, it is recommended that its recommendations and vision be rolled into the new document which would supersede the existing plan. These plans are labeled as **Roll into New Plan**. New plans should address outstanding projects that align with the current vision and goals of PLANiTULSA.

Plans labeled as **Return and Readdress** have important capital projects and visions that have not been completed; however, conditions have changed such that reevaluation is necessary. This reevaluation may include working with other city departments and key stakeholders to update existing recommendations. A work plan will outline the level of engagement required to bring each plan into alignment with PLANiTULSA. Executive summaries and implementation matrices for these plans will be developed.

All resulting Executive Summaries and Implementation Matrices will be presented to the TMAPC for adoption. These items will represent the plans' recommendations, goals, land use designations, and other items needed to guide decision-making.

Plan Name	Adoption Date	Status Summary	Recommendation
Kendall-Whittier Area Neighborhood Master Plan	May 1991	New sector plan will largely overlap this plan. Outstanding items should be incorporated into the new plan.	Roll into new Kendall-Whittier Sector Plan.

Springdale Area Plan	November 1993	A majority of the plan's goals and objectives have been successfully implemented. Remaining items are adequately addressed in the superseding guidelines, goals and policies of the current Comprehensive Plan.	Supersede
Whittier Square Plan	1996	This plan has had some successful implementation efforts, but the area has also experienced some setbacks. This plan is within the Kendall-Whittier Sector plan update area. Its recommendations and status should be reassessed and incorporated into the new plan.	Roll into new Kendall-Whittier Sector Plan.
Charles Page Boulevard Plan	October 1996	Some projects from this plan have been implemented. Due to the current Crosbie Heights SAP, the obsolete structure of this plan and many of its recommendations, this plan should be rolled into the Crosbie Heights SAP and then readdressed.	Roll some recommendations into Crosbie Heights SAP. Return and Readdress on remainder of plan.
Brookside Infill Development Recommendation	November 2002	Since adoption a fair amount of the identified goals and objectives continue to seek implementation. Evaluate newly adopted regulatory tools provided in the Zoning Code for implementation opportunities.	Return and Readdress

Brady Village Infill Development Plan	December 2002	All plan recommendations outlined in the Brady Village Infill plan have been superseded by the Brady Arts District SAP adopted in 2012 (Resolution No. 2641:906).	Roll into new Brady Arts District SAP.
Crutchfield Neighborhood Revitalization Master Plan	June 2004	The Crutchfield Neighborhood Revitalization Master Plan and neighborhood objectives should be further assessed for implementation based on current priorities, funding, and local interest.	Continue
East Tulsa Phase I	November 2006	Land use characteristics of certain plan areas have experienced notable changes. This includes "East Land," designated as a major activity center and a main focus of the overall plan. While plan recommendations conform to the Comprehensive Plan they should be updated to address current issues and specific implementation strategies.	Return and Readdress

East Tulsa Phase II	May 2007	The plan boundary takes in a large study area, some of which is heavily influenced by the ongoing development of land outside of TMAPC jurisdiction. The overall plan recommendations conform to the Comprehensive Plan but should be updated to address current issues and specific implementation strategies.	Return and Readdress
Sequoyah Area Neighborhood Implementation Plan	May 2007	The plan should be updated and reformatted based on the completion of objectives, PLANiTULSA's street and land use recommendations, and current conditions.	Continue
Riverwood Neighborhood Implementation Plan	October 2008	Some of the Riverwood recommendations have been successfully implemented with the Phase One plan. Subsequent phases were initially intended to address other key issues, but were never adopted for implementation. Any remaining objectives specific to Phase One should be summarized into a matrix for further implementation.	Continue
Southwest Tulsa Neighborhood Revitalization Plan Phase I	May 2009	Due to its recent approval and relationship with the Southwest Neighborhood Plan Phase II, this plan should continue to be implemented, monitored, and updated.	Continue

Summary

Staff will maintain responsibility to ensure all plans identified as “Roll into New Plan” are adequately incorporated into any current and future Small Area Plan efforts. For “Continued” plans, staff will begin to reformat and update each plan with an Executive Summary and Implementation Matrix. Once those two plan components have been created, staff will present the updated plans to TMAPC and City Council for review and consideration.

TMAPC Action Requested

- 1) Accept the Adopted Plan Review report and recommendations.
- 2) Retire any plan identified as “Supersede.”
- 3) Initiated amendment process to address follow up items for plans identified as “Return and Readdress.”

Philip Berry and Travis Hulse, City of Tulsa Planners presented the Adopted Plan Review and discussed next steps.

25. Commissioners' Comments

Mr. Covey asked Ms VanValkenburgh if the City of Tulsa can do regarding alcohol in the establishment of item 21.

Ms. VanValkenburgh stated that the City is aware of the problems in enforcement but the new zoning code is helpful as it establishes that 150 foot distance from R districts. Applicants would have to apply for Special Exception with the Board of Adjustment if alcohol would be served. We could discuss further in a worksession.

Mr. Midget stated he would like to discuss further in a work session.

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TMAPC Action; members present:

On **MOTION** of **Dix**, TMAPC voted **7-1-0** (Covey, Dix, Fretz, Millikin, Shivel, Stirling, Willis “aye”; Midget “nays”; none “abstaining”; Carnes, Reeds, Walker “absent”) to **ADJOURN** TMAPC meeting 4:40 p.m.

ADJOURN

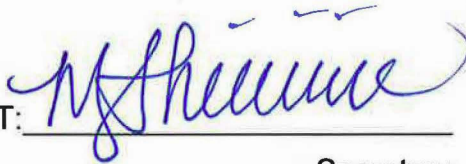
There being no further business, the Chair declared the meeting adjourned at 4:40 p.m.

Date Approved:

02-06-2016


Chairman

ATTEST:


Secretary