

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2734

Wednesday, November 16, 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
Carnes	Dix	Fernandez	Ling, COT
Covey	Willis	Hoyt	VanValkenburgh, Legal
Fretz		Miller	Warrick, COT
Midget		Sawyer	
Millikin		Ulmer	
Reeds		Wilkerson	
Shivel			
Stirling			
Walker			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Thursday, November 10, 2016 at 10:16 a.m., posted in the Office of the City Clerk, as well as in the Office of the County Clerk.

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

REPORTS:

Chairman's Report:

Mr. Covey stated officer elections are coming up the first meeting in January 2017 if anyone wants to serve as an officer.

Director's Report:

Ms. Miller reported on TMAPC Receipts for October 2016. Ms. Miller stated the first draft of the Subdivision Regulations has been received from Kirk Bishop and there will be a Skype meeting with him to review those. Ms. Miller reported Bus Rapid Transit (BRT) Land Use consultant has drafted some recommendations and those will be presented to Planning Commission in January 2017. Ms. Miller

further stated a work session would be needed for Planning Commission prior to the December 7, 2017 TMAPC meeting to talk about the Zoning Code Amendments.

1. **Minutes:**

Minutes of November 2, 2016, Meeting No. 2733

Approval of the minutes of November 2, 2016, Meeting No. 2733

On **MOTION** of **SHIVEL**, the TMAPC voted 6-0-2 (Covey, Fretz, Millikin, Reeds, Shivel, Walker “aye”; no “nays”; Carnes, Stirling “abstaining”; Dix, Midget, Willis “absent”) to **APPROVE** the minutes of the meeting of November 2, 2016, Meeting No. 2733.

CONSENT AGENDA

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

2. **LC-825** (Lot-Combination) (CD 2) – Location: Southeast corner of East 81st Street South and South Lewis Avenue (related to LS-20932) (continued from November 2, 2016) **(This item was withdrawn)**
3. **LS-20932** (Lot-Split) (CD 2) – Location: East of the Southeast corner of East 81st Street South and South Lewis Avenue (related to LC-825) (continued from November 2, 2016) **(This item was withdrawn)**
4. **LC-826** (Lot-Combination) (CD 3) – Location: East of the Southeast corner of North Yale Avenue and East Pine Street
5. **LS-20927** (Lot-Split) (CD 4) – Location: South of the Southeast corner of South Evanston Avenue and East 27th Street South (continued from November 2, 2016)
6. **LS-20933** (Lot-Split) (County) – Location: North of Northeast corner of East 161st Street South and South Yale Avenue
7. **LS-20934** (Lot-Split) (County) – Location: Northwest corner of South Harvard Avenue and East 191st Street South
8. **PUD-538-11 Lou Reynolds** (CD 8) Location: Northeast corner of East 101st Street and South Yale Avenue, **PUD Minor Amendment** to increase permitted floor area from 2,000 sf. to 10,000 sf. for retail liquor store.

On **MOTION** of **SHIVEL**, TMAPC voted **8-0-0** (Carnes, Covey, Fretz, Millikin, Reeds, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Dix, Midget, Willis "absent") to **APPROVE** Items 4 through 8 per staff recommendation.

* * * * *

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

PUBLIC HEARINGS:

Midget in at 1:34 p.m.

- 9. **LS-20935** (Lot-Split) (County) – Location: North of the Northwest corner of East 181st Street South and South Memorial Drive

STAFF RECOMMENDATION:

The Lot-Split proposal is to split an existing AG (Agriculture) tract into three tracts. Tracts 4 B and 2 C of the resulting tracts will meet the Bulk and Area requirements of the Tulsa County Zoning Code. On, October 18th, The County Board of Adjustment granted a Variance of the minimum lot width from 150' to 30' for Tract 3 D.

The Technical Advisory Committee met on November 3, 2016 and had the following comment. The County Engineer requests a Right-of-Way dedication to total 50' along South Memorial Drive.

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.

TMAPC Action; 9 members present:

On **MOTION** of **SHIVEL**, TMAPC voted **9-0-0** (Carnes, Covey, Fretz, Midget, Millikin, Reeds, Shivel, Stirling, Walker, "aye"; no "nays"; none "abstaining"; Dix, Willis "absent") to **APPROVE** LS-20935 per staff recommendation.

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- 10. **Ridge Park – Final Plat**, Location: North of northwest corner of East 101st Street South and South 74th East Avenue, (CD 2) **Applicant has withdrawn this plat.**

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11. **BOA-22136** – Plat Waiver, Location: Southeast corner of North Lewis Avenue and East 29th Street North, (CD 1)

STAFF RECOMMENDATION:

The platting requirement is being triggered by a Special Exception granted through the Board of Adjustment for a daycare in an OL district.

Staff provides the following information from TAC for their November 3, 2016 meeting:

ZONING: TMAPC Staff: The property has been previously platted. A permit will be requested for interior remodeling and an outdoor fence.

STREETS: No comment.

SEWER: An 8 inch sanitary sewer line is available along the east property line.

WATER: A 12 inch waterline exists along Lewis Avenue and a 6 inch waterline exists along 29th Street North.

STORMWATER: No comments.

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 |

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 9 members present:

On **MOTION** of **SHIVEL**, TMAPC voted **9-0-0** (Carnes, Covey, Fretz, Midget, Millikin, Reeds, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Dix, Willis "absent") to **APPROVE** Plat Waiver BOA-22136 per staff recommendation.

12. **CO-3 Andrew Shank** (CD 9) Location: West of the Northwest corner of East Skelly Drive and South Harvard Avenue requesting a **Corridor Development Plan** to convert an existing sign to a digital display (continued from November 2, 2016)

STAFF RECOMMENDATION:

SECTION I: CO-3

APPLICANTS DEVELOPMENT CONCEPT:

The Applicant requests a Major Amendment to the Corridor Site Plan in order to digitize the existing outdoor advertising sign (the “Sign”) in the Project and raise the same to a maximum height of sixty feet (60 FT) to accommodate the difference in grade from the base of the sign to the road surface of I-44. The Sign is located on the southwest corner of the Property as depicted on the Survey attached hereto as Exhibit “B”. The ground elevation of the Sign is sixteen and one-half feet (16.5 FT) below the road surface of I-44 as shown on Exhibit “C” prepared by professional land surveyor, Andy Fritz. Additionally, the existing development standards have been updated to conform with the language of the Tulsa Zoning Code (as of 01/01/2016). No changes are anticipated except for the height and digitization of an existing outdoor advertising sign as described herein.

Staff Comment:

The applicant has requested a 60’ tall sign which is 12.5’ taller than the existing signage. The signage in the area has been limited to 50 feet during Corridor Development Plan decisions immediately east of this zoning request.

SECTION II CO-3 DEVELOPMENT STANDARDS:

A. LAND AREA:

GROSS: 154,647.90 SF
3.55 AC

B. PERMITTED USES:

Only the following Use Subcategories as identified in the Tulsa Zoning Code shall be permitted:

Lodging, Hotel/motel
Restaurants and Bars
Office (Plasma centers are prohibited); and customary
Accessory Uses

C. MAXIMUM FLOOR AREA RATIO:

2.0

E. MAXIMUM LAND COVERAGE OF A BUILDING:

75%

F. MAXIMUM BUILDING HEIGHT: 80 feet from the finished first floor elevation.

G. OFF-STREET PARKING: 110 spaces for Lodging, Hotel/motel uses, all other use as required in the Tulsa Zoning Code for uses in a CH district.

H. MINIMUM BUILDING SETBACKS:

From the North boundary (E. 49th Street ROW line)
25 FT
From the West boundary (Oklahoma DEQ Office)
25 FT
From the East boundary (QuikTrip)
0 FT
From the South boundary (Skelly Drive ROW line)
15 FT*
From internal lot lines
0 FT

*Excluding any canopy.

I. LANDSCAPED AREA; SCREENING:

Any new building or remodel in the Project will meet or exceed the landscaping requirements as set forth in the City of Tulsa Zoning Code in effect at the time of Detailed Site Plan review or as amended through an Alternative Landscape Compliance Plan process.

J. SIGNS:

Ground Signs:

One (1) ground sign will be permitted with a maximum of 340 SF of display surface area and 50 FT in height and shall be lit by constant light.

Wall Signs:

Wall signs shall not exceed an aggregate display surface area of 2 SF per lineal foot of the building wall to which the sign is affixed.

North facing wall signs are prohibited except that non illuminated signage may be installed with a maximum aggregate display surface area of less than 32 square feet.

Outdoor Advertising Signs:

1. One (1) outdoor advertising sign exist and was previously approved in an earlier Corridor Development Plan. The existing sign will be converted to a digital sign meeting the standards of the Tulsa Zoning Code and as further refined below.

- a) Maximum of 672 SF of display surface area and 50 FT in height measured from the base of the structure at current ground level. The outdoor advertising sign may contain digital technology, including without limitation an LED display surface area conveying changeable copy.
- b) The Sign shall be separated a minimum distance of 1,200 FT from any other outdoor advertising sign on the same side of the freeway.
- c) The Sign shall be separated a minimum distance of 150 FT from any public park, as measured in a straight line from the nearest point on the Sign structure to the nearest point on the property of the park.
- d) The Sign shall not be located within 200 FT of an R district, or designated residential development area, as measured in a straight line from the nearest point on the Sign structure to the nearest point of an R district or residential development area boundary line.
- e) The Sign shall not contain more than two (2) sign faces.

- f) The illumination of the face of the Sign shall not exceed 70 foot-candles.
- g) The Sign shall not contain any flashing, blinking or traveling lights or reflective glitter.
- h) The Sign shall be oriented to be primarily visible from the adjacent freeway.
- i) The Sign shall not be supported by more than one post or column.

- j) The Sign shall not be converted to any other type of sign without first obtaining a permit from the City of Tulsa.
- k) The Sign shall have a minimum dwell time of at least eight (8) seconds and shall not contain any movement, animation, audio, video, pyrotechnics or other special effects.
- l) The transition or change from one message to another on the Sign shall occur in one second or less and involve no animation or special effects.
- m) The Sign shall not be located within 50 FT of the driving surface of a signalized intersection, measured horizontally in a straight line from the nearest point of the sign structure to the nearest point of the intersection.
- n) The Sign shall not be located within or within 20 FT of the driving surface of a street, measured horizontally in a straight line from the nearest point of the sign structure to the nearest point of the street curb or edge of the traveled roadway marked or understood as such.
- o) The Sign shall be equipped with a default mechanism that freezes the display in one position or presents a static or blank display if a malfunction occurs.
- p) The Sign shall be equipped with a light detector/photocell that automatically adjusts the display's brightness according to natural ambient light conditions.
- q) The maximum brightness level of the dynamic display of the Sign shall not exceed 6,500 NITS during daylight hours or 500 NITS between 30 minutes after sunset and 30 minutes before sunrise, as those times are determined by the National Weather Service.
- r) The foregoing minimum dwell time and maximum illuminative brightness levels shall be subject to future modification and regulation in the exercise of the City's police powers and no vested right shall ever be created in these conditions.

Signs – Miscellaneous:

Signs not visible from a public street, including without limitation, way finding, directional, and informational signs, will be permitted without requiring Detail Sign Plan approval.

Except as outlined above, sign standards shall conform to the guidelines identified in Chapter 60, Signs, of the Tulsa Zoning Code.

K. LIGHTING:

Lighting for the Project will comply with all applicable City of Tulsa Standards.

L. TRASH AND MECHANICAL EQUIPMENT AREAS:

All trash and mechanical areas (excluding utility service pedestals, transforms and equipment provided by franchise utility providers) shall be screened from the public view of a person standing at ground level adjacent thereto. A fabric mesh with a minimum opacity of 95% shall be allowed on enclosure doors.

III. GENERAL PROVISIONS

A. ACCESS AND CIRCULATION

The Project has access onto East Skelly Drive at two (2) locations. It has two (2) shared access drives to the East with QuikTrip, one (1) onto East 49th Street and one (1) onto South Harvard Avenue.

B. PEDESTRIAN ACCESS

Sidewalks will be constructed along the East 49th Street frontage, along Skelly Drive as part of any building remodel or building permit project.

C. SITE PLAN REVIEW

No new building permit shall be issued and no new building or new development may occur within the Project until a subdivision plat incorporating the approved development plan has been approved and filed of record in the Tulsa County Clerk's Office. For the purposes of this Corridor Development Plan the digitization and raising of the existing outdoor advertising sign is not considered new development.

DETAILED STAFF RECOMMENDATION:

Staff has carefully reviewed this proposal, conducted site visits and finds the uses and intensities of development proposed to be in harmony with the spirit and intent of the Zoning Code.

Staff finds Corridor Development Plan CO-3 to be:

- 1) In harmony with the existing development patterns surrounding the site.
- 2) Not in complete harmony with the development pattern as defined by the Comprehensive Plan. The proposed plan provides incremental improvements for pedestrian connections and provisions for bicycle traffic. The recent public infrastructure project improved highway and street vehicular patterns but have created significant obstacles toward implementing the multimodal street system identified in the plan and;
- 3) Provides a unified treatment of the development possibilities of the site and;
- 4) Staff does not support a sign height above 50 feet remaining consistent with the other sign height limitations in the adjacent properties and;
- 5) Consistent with the stated purposes and standards of the Corridor Chapter of the Zoning Code.

Staff recommends Approval of CO-3 as outlined in Section II above.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Land Use Vision:

Land Use Plan map designation: Mixed-Use Corridor

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

Staff Comment: Many details of this proposal do not meet the Mixed Use Corridor Development pattern identified in the Comprehensive Plan. This existing site provides parking on the

side and behind the building but there is no proposed opportunity for providing windows and storefront along the sidewalk as mentioned in the Comprehensive Plan vision for this Mixed Use Corridor.

The Corridor Development Plan removes obstructions in the building setback standards so future development can occur closer to the street.

New sidewalk construction along East Skelly Drive and East 49th Street will improve pedestrian connectivity in this area.

While the existing building does not meet all of the goals of the Mixed Use Corridor the Corridor Plan does provide opportunities for incremental improvements to improve pedestrian and alternative modes of transportation and the landscape and lighting requirements identified in the development plan will require updates as the property evolves over time.

Areas of Stability and Growth designation: Area of Growth

The Comprehensive Plan designates the entire property that is subject of this Corridor Development Plan application as an “Area of Growth”.

The purpose for “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 exist 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.”

Staff Comment: *This Corridor Development plan is primarily prepared for installation of a digital outdoor advertising sign*

however additional provisions have been included that support future re-development or expansion of this property. New economic activity in the area will benefit existing residents and businesses. An important I-44 project has recently been completed which completely changed traffic movement in this area and provided safe pedestrian zones at the intersection of Harvard and I-44. Additional vehicular capacity in this area was the primary focus of those recent improvements. ODOT and City of Tulsa infrastructure improvements provide a refreshed core for this Area of Growth but will not meet the goals of the Mixed Use Corridor regarding transit options and parallel parking for the foreseeable future.

Transportation Vision:

Major Street and Highway Plan: Reconstruction of the street infrastructure in this area supports a much higher level of vehicular traffic that currently exists. There are no additional improvements that are shown in the transportation vision that would affect redevelopment of this site.

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

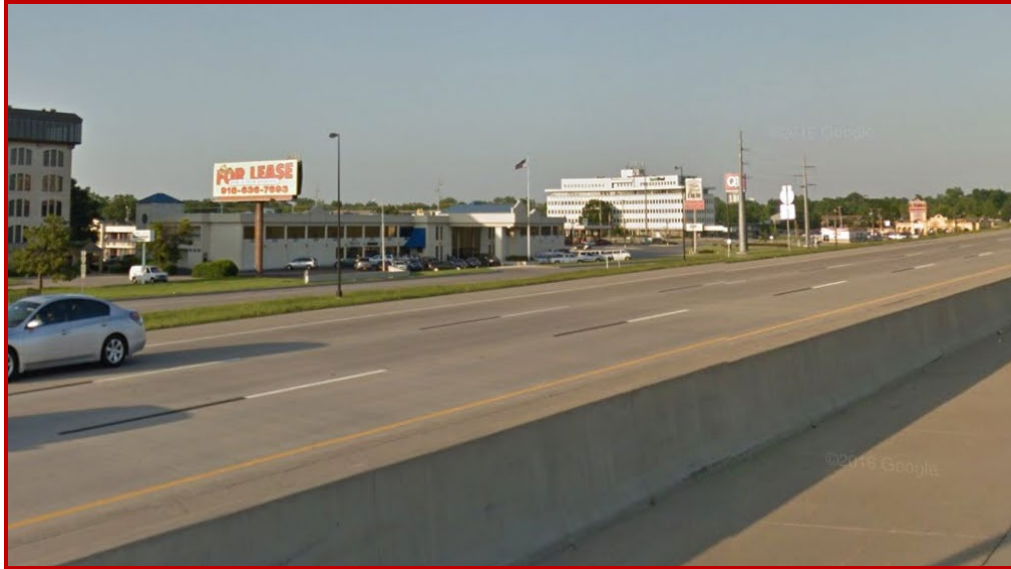
DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: CO-3 is being used as the 2 story Trade Winds Motor Hotel.

REFER TO STREET VIEW SNIPPET ON FOLLOWING PAGE:

View shown is from east bound traffic lane on I-44 looking at the existing outdoor advertising sign.

Applicant's exhibit illustrates the existing sign as 47.5 feet tall from the base of the sign.



Environmental Considerations: None that affect current redevelopment plans or future development opportunities.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East Skelly Drive	Residential Collector Highway Frontage Road	NA	One way west bound 2 lanes

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	Mixed Use Corridor	Growth	Vacant
East	CO	Mixed Use Corridor	Growth	Two story hotel with accessory restaurant and bar
South	I-44	NA, Town Center south of I-44	Growth	Commercial
West	OM	Mixed Use Corridor	Growth	7 Story Office Building

SECTION IV: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 15130 dated August 31, 1981, established zoning for the subject property.

Subject Property:

BOA-22090 June 14, 2016: The Board of Adjustment **accepted** a *Verification of the spacing requirement* for an outdoor advertising sign of 1,200 ft. from another outdoor advertising sign on the same side of the highway (Section 60.080-F.5) and a *Verification of the spacing requirement* for a dynamic display outdoor advertising sign of 1,200 ft. from any other dynamic display outdoor advertising sign facing the same traveled way (Section 60.100), as shown on page 13.7 of agenda packet, on property located at 3141 E. Skelly Dr. S., and also known as the subject property.

BOA-20953 August 25, 2009: The Board of Adjustment **approved** a *Variance* of the setback requirement for a 50 ft. tall ground sign from an abutting street from 25 ft. to 17 ft. in a CO district; with condition for no LED technology, digital or flashing, finding that of necessity this sign has to be moved because of the realignment of I-44, on property located at 3141 E. Skelly Dr. S., and also known as the subject property.

Z-5412-SP-2 February 2009: A request for a *Corridor Development Plan* a 3.54+ acre tract of land to allow for a digital outdoor advertising sign Use Unit 21, was **withdrawn** by applicant, on property located west of northwest corner East Skelly Drive and South Harvard Avenue and also known as a part of subject property.

BOA-20785 October 14, 2008: The Board of Adjustment **accepted** a *Verification of the spacing requirement* for a digital outdoor advertising sign of 1,200 ft. from another outdoor advertising sign on the same side of the highway (Section 1221.G.9), based upon the facts in this matter as they presently exist, subject to the action of the Board being void should another outdoor advertising sign be constructed prior to this sign, on property located at 3141 E. Skelly Dr. S., and also known as the subject property.

Z-5412 February 1981: A request for rezoning a 7.5+ acre tract of land from RS-3/RM-1/CS to CG/CH/PUD (PUD-238) or CO with the intent to expand the existing motel, on property located on the southwest corner of South Harvard Avenue and East 49th Street, and also known as a part of the subject property. Staff recommended that Corridor was the best zoning for the area and all others concurred and approved for CO zoning less the north 10 feet and PK zoning on Lots 1, 2, and 3 Block 1, Trade Winds; less the north 10 feet.

Z-5412-SP-1 November 1987: All concurred in **approval** of a request for a Corridor Sign Plan to replace a ground sign, for an existing motel development, which was constructed when the property was zoned CS, on property located west of the northwest corner of South Harvard Avenue and I-44 Skelly Bypass Frontage Road and also known as the subject property.

Surrounding Property:

Z-7221/ Z-7221-SP-1 May 2013: All concurred in approval of a request for rezoning and a Corridor Development Plan on a 4± acre tract of land from RS-2/CS to CO for a convenience store (QT), on property located northwest corner of I-44 Highway and South Harvard Avenue.

Z-7192 March 2012: All concurred in approval of a request for rezoning a 2± acre tract of land from OM to CS for retail/commercial uses on property located northwest corner of 49th Street South and South Harvard Avenue, and is north across E. 49th St. of subject property.

Z-7138 September 2009: All concurred in approval of a request for rezoning a 1250± square foot tract of land from RS-3 to PK for parking and access on property located west of southwest corner of East 49th Street and South Harvard Avenue and abutting north so subject property.

BOA-15839 September 24, 1991: The Board of Adjustment approved a Variance to permit three wall signs which exceed the permitted display surface area by a total of 29.5 sq. ft.; subject to the internal illumination of the awning being less than 25 foot candles measured at a two foot distance; finding that similar variances have been granted to other businesses in the Tulsa Area, on property located at 4970 South Harvard Avenue and abutting east of subject property.

Applicant's Comments:

Andrew Shank 2727 East 21st Street Suite 200, Tulsa, OK 74114

Mr. Shank stated he is in agreement with most of the staff report. Mr. Shank stated this is a good exercise in pursuing what the applicant is requesting and some give and take to add additional development standards that will further the purpose of the Comprehensive Plan for major redevelopment of the future. The only disagreement with staff is the additional 10 foot request for the height of sign. Mr. Shank disagrees with staff's interpretation of the Zoning Code. The biggest signs in town have always been outdoor advertising signs. So staff pointed to the 50 foot QuikTrip sign next to his client's property. Mr. Shank stated QuikTrip came to TMAPC and asked for an 80 foot sign, 30 feet higher than they are allowed under the law and TMAPC gave them a 50 foot sign. Mr. Shank further stated he is asking for a 60 foot sign that Mr. Shank estimates this is 2 feet less than the law would give him. Mr. Shank stated the previous Zoning Code stated

outdoor signs are capped at 50 feet unless you're located in a hole on the highway that is 10 feet or less than the freeway. If that was the case by right applicants could have a 60 foot sign. In the new Zoning Code it is Mr. Shank's opinion that the new code is an attempt to give more rights to the sign company's than the previous Zoning Code. The new Zoning Code says if you are in a hole 10 feet or more there is no cap on the height but may be a maximum of 20 feet in height above the centerline of the elevation of the freeway. At 91st and the Creek Turnpike that is the highest point of freeway in town, over 100 feet in the air. This provision in the code by right would give an outdoor sign advertising company a 130 foot sign. But with staff's interpretation they are saying it should penalize the applicant and restrict them to a 50 foot or less sign. Mr. Shank doesn't think that is the intent of the Zoning Code. More importantly the Planning Commission has the power to give the applicant what he is asking for. The applicants engineer shows the proposed sign is 16.5 feet in the hole and are asking for 2 more feet. Mr. Shank's stated they are asking TMAPC to approve a 60 foot sign.

Mr. Walker asked applicant if he was asking for 10 more feet.

Mr. Shank replied yes 10 more feet a 60 foot sign.

Mr. Walker stated staff recommendation is 50 feet.

Mr. Shank replied correct.

Mr. Covey asked applicant if his sign was off premise.

Mr. Shank replied yes but its more than 10 feet below the freeway.

Mr. Covey asked what height the freeway is at.

Mr. Shank replied it is 16.5 feet higher than the base of applicant's sign.

Mr. Covey asked Mr. Shank to give his argument again on this provision.

Mr. Shank stated this provision is a relief valve to extend the height of signs in areas along the freeway where the freeway is taller than the ground where the sign is located. Mr. Shank further stated the beginning of the new Zoning Code is verbatim with the old code where stated, if location is in a hole 10 feet, by right you could have a 60 foot sign. Mr. Shank stated the intent of this provision was to give more flexibility if the freeway is taller and a 60 foot sign can't be seen you can track with the freeway like 91st and the Creek Turnpike and be 130 feet in the air the driving factor being the driving surface of the freeway instead of an arbitrary number that doesn't account for the height of the freeway. Mr. Shank stated this gave him 20 feet to play with and all he is asking for is 10 feet.

Mr. Carnes stated Tulsa is not Las Vegas and every time sign companies come before TMAPC they want another 10 feet and Mr. Carnes supports staff recommendation.

In Mr. Shank's mind the law gives him 70 feet and he is only asking for 60 feet.

Mr. Reeds asked Mr. Shank if any studies had been done to see if the 10 feet makes a difference.

Mr. Shank replied the sign companies say it absolutely makes a difference. Mr. Shank stated he didn't do a traffic study or anything like that.

Ms. VanValkenburgh asked Mr. Shank what was the current height of the sign.

Mr. Shank responded 47 feet.

Mr. Midget asked staff if applicant would have been allowed 60 feet in the previous Zoning Code.

Staff stated yes.

Mr. Midget stated he didn't see how 10 feet was going to help the applicant.

Mr. Shank stated 10 feet will make an impact on visibility traveling on the freeway.

Mr. Wilkerson stated the 50 feet is consistent with the other signs in the area. Mr. Wilkerson stated in the old Zoning Code the maximum height for outdoor advertising is 60 feet and that was the end of discussion unless you went before the Board of Adjustment and went through that process. What the new Zoning Code did is to recognize that there are places where a 60 foot sign may not make work, and the change that was made to allow a 50 foot sign but if there are circumstances where the highway is elevated you can go 20 feet above the highway. There have been significant changes in the sign standards for outdoor advertising in the new Zoning Code. Mr. Wilkerson stated if we are going to go back and regulate based on the old Zoning Code then it needs to be looked at city wide and not just at this one location. Mr. Wilkerson stated he looked at the aerial topography in the area and the contour that touches the QuikTrip sign is exactly the same contour that touches the applicants sign also.

Mr. Covey asked if TMAPC approves 50 feet and applicant isn't happy with that can they go to the Board of Adjustment.

Ms. VanValkenburgh answered there is nothing in the Zoning Code that prevents them from asking the Board of Adjustment for a variance, however it is

contemplated that these matters are handled within the context of the Planning Commission.

Mr. Walker asked staff if applicant’s elevation argument is a legitimate argument.

Mr. Wilkerson answered if you look at the current Zoning Code and take the height of the travel lanes of the highway and add 20 feet to that, the sign could only be 36 feet tall. That is not staff’s position. Staff states the sign can be 50 feet or 20 feet above the adjacent roadway, whichever is higher.

Mr. Midget asked staff if at this location the freeway was 100 feet applicant could build a sign 120 feet regardless if everything else is at 50 feet, correct.

Mr. Wilkerson stated yes that is correct.

Mr. Shank stated Mr. Midget is accurate; applicant disagrees with staff’s interpretation of the Zoning Code. Mr. Shank doesn’t think a courtroom would interpret this new provision of the code to penalize the applicant who is in the same position as someone at the Creek Turnpike and 91st Street. Both are more than 10 feet in the hole on a freeway and the applicant can’t move their sign at all and others can move it 100 feet high. Mr. Shank stated he believes the intent could have been drafted a little more eloquently and should be something added to the Zoning Code Amendments in the future.

TMAPC Action; 9 members present:

On **MOTION** of **CARNES**, TMAPC voted **7-2-0** (Carnes, Covey, Fretz, Millikin, Shivel, Stirling, Walker “aye”; Reeds, Midget "nays"; none “abstaining”; Dix, Willis "absent") to **APPROVE** the Corridor Development Plan per staff recommendation.

Legal Description of CO-3:

LT 4 BLK 1, TRADE WINDS ADDN RES L4-6 & PRT L14-16&17 B2 VILLA GROVE, City of Tulsa, Tulsa County, State of Oklahoma

13. **CO-4 Andrew Shank** (CD 7) Location: South of the Southeast corner of East 61st Street and South Mingo Road requesting to modify the existing **Corridor Development Plan** to include school uses and modify development standards to match the current zoning code.

STAFF RECOMMENDATION:

SECTION I: CO-4

DEVELOPMENT CONCEPT:

Applicant request a Major Amendment to the Corridor Site Plan in order to add Office and school uses to the Permitted Uses, as set forth below. Additionally, the existing development standards have been updated to conform with the Tulsa Zoning Code as currently adopted.

SECTION II, CO-4 DEVELOPMENT STANDARDS:

LAND AREA: 1.82 gross acres 1.61 net acres

PERMITTED USE CATEGORIES:

Warehousing (Wholesale, Distribution & Storage Use) but limited to the following subcategory uses: 1) Warehouse, 2) Wholesale Sales and Distribution

Public, Civic and Institutional but limited to the following subcategory uses: 1) School (~~Public, Civic and Institutional Use~~)

All Office uses as defined in the Subcategory permitted within the Commercial Use Category ~~outlined in the Corridor District section~~ of the Tulsa Zoning Code. ~~excluding the following:~~

- ~~Outdoor Kennels for Animal Service~~
- ~~Assembly and Entertainment < 250-person capacity~~
- ~~Marina~~
- ~~Non-Accessory Parking~~
- ~~Self-Service Storage~~
- ~~Sexually-Oriented Business Establishment~~
- ~~Vehicle Sales and Service.~~

Also includes ~~T~~those customary accessory uses to principal permitted uses listed above., and also including supplemental regulations as referenced in the Tulsa Zoning Code.

MAXIMUM BUILDING FLOOR AREA:

105,000 square feet

MAXIMUM LOT COVERAGE BY BUILDINGS:

50%

MINIMUM BUILDING SETBACKS:

From planned right of way on S Mingo Road:	10 feet
From South property line:	10 feet
From East boundary:	25 feet
From North boundary:	0 feet

MAXIMUM BUILDING HEIGHT: 50 feet

OFF STREET PARKING:

Provide a minimum of 45 spaces for the existing building. Any new building or renovation that expands the existing building per applicable Use Categories within the Tulsa Zoning Code and shall be based on the Minimum Parking Ratios set forth in Chapter 55 of the Tulsa Zoning Code

LANDSCAPING AND SCREENING:

Landscaping shall meet the requirements of Chapter 65 of the Tulsa Zoning Code. In addition, a landscaped area shall be established and maintained which in not less than five feet in width and which extends along the entirety of the abutting street right of way, except at points of vehicular access. The required perimeter landscaping shall include plant materials designed to achieve an attractive street view and screening for nearby residential areas. An eight-foot masonry type wall is required along the east property line. On the west side of the wall there shall be a landscape strip of no less than 20' with landscaping in the form of trees planted in such a manner as to provide further buffering.

SIDEWALKS:

Sidewalks will be maintained where existing and constructed where not existing along Mingo Road and 53rd Street as required by Tulsa Subdivision Regulations.

LIGHTING:

All exterior lighting, including building mounted, shall be limited to shielded fixtures designed to direct light downward and away from adjoining residential properties. No light standard shall exceed 16 feet in height. Lighting shall be so designed that the light producing elements and the polished light reflecting elements of exterior lighting fixtures shall not be visible to a person standing within an adjacent residential area or residential street right-of-way. Compliance with Section 65.090 of the Zoning Code will be by submittal of a detailed photometric plan complete with manufacturer's cut-sheets for each type of lighting unit and will be verified at detail site plan review.

SIGNS:

Signs shall be permitted as set out in Section 60.090-C of the Tulsa Zoning Code. Also, flashing signs, changeable copy signs, running light or twinkle signs, animated signs, revolving or rotating signs or signs with movement shall be prohibited.

TRASH, MECHANICAL AND EQUIPMENT AREAS:

All trash, mechanical and equipment areas, including building mounted, shall be screened from public view in such a manner that the areas cannot be seen by persons standing at ground level and as further defined in Chapter 65 of the Tulsa Zoning Code.

DETAILED STAFF RECOMMENDATION:

Staff has carefully reviewed this proposal, conducted site visits and finds the uses and intensities of development proposed to be in harmony with the spirit and intent of the Zoning Code.

Staff finds Corridor Development Plan CO-4 to be:

- 1) In harmony with the existing development patterns surrounding the site and;
- 2) Not in complete harmony with the development pattern as defined by the Land Use Designation in the Comprehensive Plan however, the proposed plan provides incremental improvements for building massing, and location and brings many of the development standards in alignment with the current zoning code. Provides a unified treatment of the development possibilities of the site and;
- 3) Consistent with the stated purposes and standards of the Corridor Chapter of the Zoning Code therefore;

Staff recommends Approval of CO-4 as outlined in Section II above.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The proposed school use and existing site configuration is not consistent with the long term vision for this land use designation. The Corridor Development Plan and its reduced setbacks and increased building height and density are removing zoning obstacles that would support a future redevelopment opportunity.

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 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: Mingo is a secondary arterial without special designations.

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

The site image below shows the existing building. The view from southwest corner of the site looking northeast:



Staff Summary:

The existing site has been a commercial use as allowed by the previous Corridor Plan and was approved through the Corridor Site Plan process. The current anticipated use will convert the building to a school use. There are no known existing site conditions that would affect repurposing of this building into a school use.

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Mingo Road	Secondary Arterial	100 feet	5 (includes center left turn lane)
East 63 rd Street	None	50 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use	Area of Stability or	Existing Use
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		Designation	Growth	
North	OL and IL/PUD 656	Mixed-use corridor	Growth	Industrial and small office
East	RS-3	Mixed-use corridor	Growth	Single family residential
South	RS-3 and OL	Mixed-use corridor	Growth	2 story office and single family residential
West	AG	Mixed-use corridor	Growth	Single family residential

SECTION IV: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 22115 dated September 14, 2009 (Z-7139), and 17230 dated October 13, 1989 (Z-6254), established zoning for the subject property.

Subject Property:

BOA-21018 January 26, 2010: The Board of Adjustment **approved** a *Variance* of the maximum permitted land coverage of a building in the CO district from 30% to 35% (Section 803); a *Variance* of the requirement that any corridor development's access shall be principally from internal collector service streets (Section 804); and a *Modification of a previously approved plan* and conditions related to the building setback from an arterial street (BOA-15242), modified to 100 ft., per the plan submitted on 1/26/10, on property located at the northeast corner of S. Mingo Rd. and E. 63rd St. and also known as the subject property.

Z-7139/ Z-7139-SP-1/ Z-6254-SP-2 September 2009: All concurred in **approval** of a request for *rezoning* a 1± acre tract of land from RS-3 to CO for Metro Builders – Outdoor business, on property located on the northeast corner of South Mingo Road and East 63rd Street and also known as the subject property.

Z-6254/Z-6254-SP-1 September 1989: All concurred in **approval** of *rezoning* a .4-acre lot located on the northeast corner of East 63rd Street South and South Mingo Road from RS-3 to CO and approval was also granted on a detail corridor site plan, Z-6254-SP-1 on the property for a small appliance business in the existing building.

BOA-15242 September 7, 1989: The Board of Adjustment **approved** a *Variance* of the required 200 ft. setback from Mingo Rd. to 74 ft. to permit an existing building; per plot plan submitted; finding that the structure that already exists is a small structure (1,500 sq. ft.).

BOA-14324 December 18, 1986 The Board of Adjustment **approved** a *Special Exception* to allow a day care center in an RS-3 district; per plan submitted; subject to a maximum of 30 children being cared for at the center; subject to the hours of operation being from 6:30am to 11:30pm; finding that there are multiple zoning classifications in the vicinity and many business already in operation.

Surrounding Property:

Z-7080 January 2008: A request was made to *rezone* a 4.7+ acre tract of land from CO to OM. All concurred in denial of the OM and **approval** of OL for Public school play fields, on property located at the southeast corner of East 62nd Street and South Mingo Road and north of subject property.

BOA-20611 December 11, 2007: The Board of Adjustment **approved** a *Special Exception* to permit public school accessory uses (Use Unit 5) in RS-3/ OL/ OM districts (Section 401 and 601); *Variance* of the building setback requirement in an RS-3 district from 55 ft. to 38 ft. (Section 403); *Special Exception* to permit required parking on a lot other than the one containing the principal use (Section 1301.D); and a *Special Exception* to modify the height of a fence located in the required front yard from 4 ft. (Section 210.B.3), noting specifically that the relief is subject to the downgrading of zoning of the present CO district to OL and that such proof of the City Council approval of the downgrading will be furnished to INCOG (Z-7080); subject to the narrative and exhibits on page 6.12 of the agenda packet; with the exception that practices and games on lighted fields will conclude no later than 9:30pm and all field lights be off and the park closed by 10:00pm; no practice or games to begin earlier than 7:00 a.m.; the 70 ft. field lights be as shown as type 3 lights on page 6.7 of the agenda packet; the photo-electric lights as type 2 shall comply with the Kennebunkport formula; landscaping per the plan Exhibit D, on property located on the south side of E. 62nd St., between S. Mingo Rd. and S. 101st E. Ave. and also 10100 E. 61st St. S.

Z-7061 August 2007: All concurred in **approval** of a request for *rezoning* a .87+ acre tract of land from RS-3 to OL for office use, on property located on the southeast corner of East 63rd Street and South Mingo Road.

Z-6840/PUD-656 November 2001: A request to *rezone* a 2.37+ acre tract from CO to IL/PUD on property located south of southeast corner of East 61st Street South and South Mingo Road and abutting north of subject property, for uses permitted by right and exception in an IL district excluding Use Unit 12A. Staff recommended denial of IL zoning and for the PUD but the TMAPC recommended approval per modifications. The City Council **approved** the rezoning and PUD per modifications.

Z-5903-SP-1 April 1995: All concurred in **approval** of a proposed *Corridor Site Plan* on 3.25+ acre tract for indoor and outdoor skating rinks, on property located south of southeast corner of East 63rd Street and South Mingo Road.

Z-5908-SP-1 February 1989: All concurred in **approval** of a request for *rezoning* a 3.24+ acre tract of land for a softball and baseball hitting arena and building for video games, concessions, control area for batting machines and restrooms with conditions that no lights shall be placed in the north 150' of the east 200' and all lights in east half of property shall be turned off by 11pm; limit to one-story height of any structure; and no gravel for parking area on property located on the southeast corner of East 62nd Street South and South Mingo Road.

Applicant's Comments:

Andrew Shank 2727 East 21st Street Suite 200, Tulsa, OK 74114
Mr. Shank stated this development will be a mixed use building.

Mr. Covey asked applicant if his client owned the building to the north.

Mr. Shank stated these are separate tracts.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 9 members present:

On **MOTION** of **MILLIKIN**, TMAPC voted **9-0-0** (Carnes, Covey, Fretz, Midget, Millikin, Reeds, Shivel, Stirling, Walker, "aye"; no "nays"; none "abstaining"; Dix, Willis "absent") to **MODIFY** the Corridor Development Plan per staff recommendation.

Legal Description of CO-4:

LOT 1 BLOCK 1, STAVROS CORNER RESUB PT L5 B4 UNION GARDENS, City of Tulsa, Tulsa County, State of Oklahoma

* * * * *

Stirling out at 1:34 p.m.

14. Z-7366-Dr. John Day-(CD 2) Location: South of the Southeast corner of South Elwood Avenue and West 71st Street requesting rezoning from **AG to CG** with **Optional Development Plan**.

STAFF RECOMMENDATION:

SECTION I: Z-7366

DEVELOPMENT CONCEPT:

The initial development anticipated for this project is for the construction and operation of a dog training and kennel facility. The applicant proposes an appearance of a country farm and will ultimately assimilate with the surrounding land. Operations are not expected disrupt surrounding residents either visually or with excessive unnatural noises, smells, or disturbances.

SECTION II: Z-7366 OPTIONAL DEVELOPMENT STANDARDS:

PERMITTED USES:

All principle and customarily accessory uses for the following Use **sub**Categories:

- Animal Service
- Commercial Service
- Financial Services
- Lodging (except campgrounds and RV parks are prohibited)
- Office
- Studio, Artist or Instructional Services

Site development within this optional development plan must meet or exceed the standards of the Tulsa Zoning Code except as further refined below:

GENERAL OPTIONAL DEVELOPMENT PLAN REQUIREMENTS:

Building Setbacks:

1. Buildings shall be set back from South Elwood a minimum of 17.5 feet from the planned right of way.
2. Building setbacks from the north and south lot line shall be a minimum of 11 feet.

Parking Standards:

1. Parking shall not exceed 20% of the minimum required for each use.
2. Parking islands where provided shall be greater than 128 square feet with a minimum 15 feet of green space measured from the edge of pavement or back of curb.
3. No parking space shall be further than 50 feet from a tree.

Building design standards:

1. Buildings will have decorative facades facing Elwood Drive and shall include a minimum of 25% masonry facade on the west facing wall.
2. Vinyl siding is not permitted.

Business hours of operation:

1. Business hours **other than boarding** will be no later than 7:30pm.

Landscaping and screening:

1. Landscaping within the Project, as proposed, will substantially exceed the requirements of the Landscaping and Planned Unit Development Chapters of the Tulsa Zoning Code and where appropriate, will incorporate healthy existing trees and natural vegetation and shall be designed to achieve an attractive streetscape and appropriate buffering from adjacent residential areas.
2. On the lot and within 20 feet of the street right-of-way a minimum of one tree shall be placed or preserved for each 25 linear feet of street frontage. Preserved trees must exceed 4" caliper to be included in the minimum tree count.
3. Trash enclosures must be provided with a masonry enclosure and a minimum height of 6' or as required to fully screen the dumpster or dumpsters. Enclosure gates must be steel frame with wood or other opaque material that screens a minimum of 85% of the dumpster gate. Trash enclosures may not be within 25 feet of the perimeter of the optional development plan boundary.

Light standards:

1. Pole lights with 25 feet of the north and south boundaries of the lot will be prohibited. All wall mounted building lighting shall be pointed down and shall not be greater than 12 feet above finished floor elevation of the first floor. Pole mounted lighting shall not be taller than 16 feet from finished ground elevation at the base of the pole and shall be pointed down in conformance with the Tulsa Zoning Code.
- ~~2. There will not be any exterior storage of trash or materials attractive to wild animals unless contained in secure waste bins emptied on a weekly schedule.~~
- ~~3. Fencing will include slatted chain link, for privacy, along all outer edges of the "natural" areas on the north and south edges of the property.~~

Signage:

1. Digital display signage is prohibited
2. Ground signs within the Project shall be permitted as follows:
 - A. One (1) ground sign on South Elwood Avenue with a maximum of 64 SF of display surface area and a maximum height of 20 FT. The sign will be a monument style supported by two masonry columns or with full masonry base construction.
 - B. Said ground sign shall not be placed closer than 50 feet from the north or south boundaries of the project.
3. Wall Signs:
 - A. Wall signage on north, south or east facing walls is prohibited.

B. West facing wall signage shall not to exceed 0.10 SF of surface display area per linear foot of building wall to which attached; provided, however, the surface display area of any such wall sign shall not exceed 125 SF. Wall signs may not be illuminated.

4. ~~Directional Driveway~~ Signs:

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

ANIMAL SERVICE OPERATIONS: In addition to the provisions of the Tulsa Zoning Code and the General provisions outlined above, any principal use or customarily accessory use associated with animal service use category shall also conform to the following operational standards:

1. Animal play and boarding activities must be indoors before 7:00 am and after 9:00 pm.
2. Facilities for a 24-hour attendant on-site will be included in the building.
3. Sanitation for disease and parasite controls will follow strict guidelines and standards set forth by the American Boarding Kennel Association inside of the facility.
4. External “natural” areas will be kept properly mowed and maintained, including pest control measures taken to limit and control naturally occurring rodents and insects.
5. Sanitary sewer lines will be constructed into the facility to handle the volume of waste water estimated for cleaning indoor kennel areas, and outdoor play areas adjacent to the building.
6. Buildings will be set back from Elwood a comfortable distance with the parking area between them and Elwood Drive.
7. Business hours will be no later than 7:30pm.
8. Screening fencing will be provided along all outer edges of the “natural” areas on the north and south edges of the property. Slatted chain link fencing may be used on internal fencing however the screening fencing abutting the north and south property lines must be wood, composite or masonry fencing.

DETAILED STAFF RECOMMENDATION:

The proposed CG zoning is not consistent with the Employment Use identified in the comprehensive plan without an optional development plan and;

The optional development plan provides use limitations and design standards to integrate the proposed facility into the surrounding neighborhood and to add consistency with the West Highlands Small Area Plan and;

Z-7366 with the optional development plan is non injurious to the surrounding property and;

Z-7366 with the optional development plan is consistent with the expected development pattern of the surrounding area therefore;

Staff recommends Approval of Z-7366 to rezone property from AG to CG with the optional Development Plan Standards outlined in Section II above.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The requested CG zoning with an optional development plan is consistent with the Employment Land Use vision of the comprehensive plan.

Land Use Vision:

Land Use Plan map designation: Employment

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

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

Areas of Stability and Growth designation: Area of Growth

The purpose of 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: Elwood does not have any special overlay considerations that would affect site development.

Trail System Master Plan Considerations: None

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

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

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

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

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

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

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

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

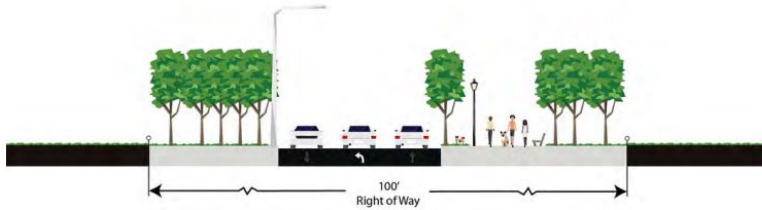


Figure 2:8: Four lanes of traffic in a 100' right-of-way, with green median (applicable on roads east of US-75)

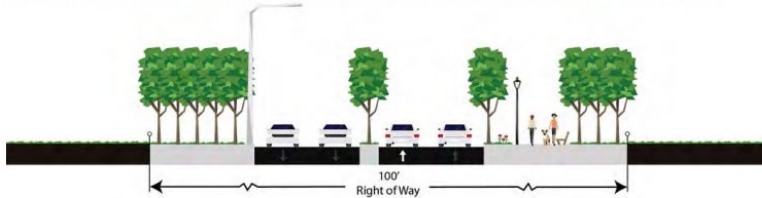
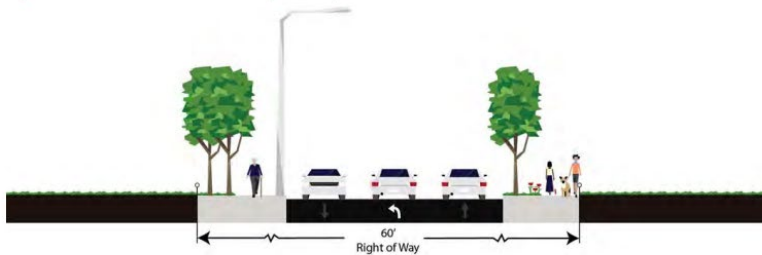


Figure 2:9: Three lanes of traffic in 60' right-of-way, with multi-use trails on both sides.



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

Historic Preservation Overlay: none

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: Preservation of the naturally wooded site is an important consideration of the West Highlands Small area plan. Obviously a large

percentage of the vegetative cover will be removed but in this instance the terrain can be used to the advantage of the school user. There are no existing conditions that will prohibit development of the site and the existing terrain will be an advantage for the natural character preservation north and east of the proposed building and parking area.

Environmental Considerations: The site is heavily wooded with Careful and thoughtful development on this site will provide a natural area consistent with the vision of the West Highlands small area plan for preserving natural drainage areas and the wooded character of the area.

Streets:

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

Utilities:

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	AG	Employment	Growth	Single Family Residential
East	AG	Employment	Growth	City of Tulsa sanitary sewer sludge beds
South	AG	Employment	Growth	Single Family Residential
West	AG	New Neighborhood	Growth	Single Family Residential

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11827 dated June 26, 1970, established zoning for the subject property.

Subject Property:

No relevant history.

Surrounding Property:

PUD-742-A October 2015: All concurred in **approval** of a proposed *Major Amendment to PUD* on a 25± acre tract of land for elementary school use (Use Unit 5), on property located south of southeast corner of S. Elwood Ave. and W. 71st St. City Council put conditions on the approval.

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

INTERESTED PARTIES COMMENTS:

Steve Lauterwasser 7325 South Elwood Avenue, Tulsa, OK 74132

Mr. Lauterwasser stated he has the property to the north. Mr. Lauterwasser stated he will be looking at this facility every day. The hours of the facility will be 7:00 a.m. to 9:00 p.m. it will be very noisy. Mr. Lauterwasser stated he isn't sure how many dogs it could be 5, it could be 10, and maybe it will be 15. Mr. Lauterwasser further stated people move there because they like the woods and the privacy and the convenience. Mr. Lauterwasser is opposed to this because it opens the door for other commercial business next door.

Rustan Schwichtenberg 7405 S Elwood Avenue, Tulsa, OK 74132

Mr. Schwichtenberg stated his property is adjacent to the subject property. Mr. Schwichtenberg stated he bought his house with the intention of that being his last home after moving 17 times in the Air Force. When Mr. Schwichtenberg purchased his home he stated he put 350,000 dollars in improvements for this long term investment. Mr. Schwichtenberg stated he has two primary concerns, one being the zoning change to commercial, because this sets precedence for this area. Mr. Schwichtenberg stated the City of Tulsa has a document stating that the highest priority of the Planning Commission is to ensure that current residents are not displaced by changes. The second concern is the rezoning is incompatible with the neighborhood. The applicant could put dog runs 75 feet from Mr. Schwichtenberg's front porch. Mr. Schwichtenberg asked Planning Commission would they want to come home to dog feces or dog barking. Mr. Schwichtenberg stated he would love to have the applicant for neighbors but not the dog kennel. Mr. Schwichtenberg disagrees with staff when they say this use is not injurious to the neighborhood because it will have an effect on property values and be difficult to sell if potential buyers pull up and see, smell and hear are dogs.

Dennis Hall 404 West 81st Street, Tulsa, OK 74132

Mr. Hall stated he is a realtor and resident in the area and is here to observe. Mr. Hall stated the entire area is in a state of transition. Mr. Hall stated he would like to see improvements made to the road at Elwood Avenue. Mr. Hall stated the road doesn't have shoulders. Mr. Hall stated he would like the Planning

Commission if they approve this application to send a message to City Council that the road needs improvements.

Applicant's Comments:

Dr. John Day 5407 South Lewis Avenue, Tulsa, OK

Dr. Day stated there will be a training facility and if the dogs are outside someone will be watching them. Dr. Day stated he has a similar facility in Broken Arrow now and because the dogs are well trained the neighbors are not aware that the facility is there. Dr. Day stated no dogs will be boarded outside and everything will be inside at night. Dr. Day is building his house on this property also.

Mr. Midget asked if the entire property would be zoned commercial.

Dr. Day answered no.

Mr. Reeds asked if his house would be a buffer.

Dr. Day answered no he would not call it a buffer.

Ms. VanValkenburgh asked if the area for the house was outside the subject property under consideration.

Dr. Day answered yes.

Mr. Reeds asked how many dogs maximum would be at this facility.

Dr. Day answered probably 75.

Ms. Millikin asked if there would be dogs outside from 9:00 pm to 7:00 am.

Dr. Day responded no all dogs will be inside.

Ms. Millikin asked how many feet is it from the outdoor play area to the neighbor's property and what kind of buffer will be in place.

Dr. Day stated there is a 30 foot easement on the north side of the kennel, so from neighbors house 150 feet.

Ms Millikin asked what about on the south side of property.

Dr. Day answered it will be close.

Ms. Millikin asked if applicant would be open to fencing other than chain link.

Dr. Day answered he had not thought of any other type. It would be chain link with slats that go through it to block view but would consider something other than chain link.

Ms. Millikin asked how many dogs would be outside at a time during daylight hours.

Dr. Day answered 15-18 dogs that would be supervised by at least two people.

Mr. Carnes asked staff what fencing would be required for the zoning change.

Staff responded it would require something other than a chain link fence abutting AG zoning, basically a wood fence on the north, south and east sides. Staff stated they cannot loosen the zoning code standards on fencing.

Ms. Millikin stated the staff report states chain link fence is something that can be used internally but the boundary would be wood composite or masonry. Which would provide the best acoustic buffer for the neighbors?

Staff stated masonry, but it would be the most expensive. The wood composite would be almost as good as masonry and less expensive.

Ms. Millikin asked staff if they had any concerns about that many dogs outside during daylight hours that may be a disruption to the neighbors on the north and south sides.

Staff answered of course if it was 75 unsupervised dogs, but for this particular use the dogs are there for training exercises. Applicant will have to meet veterinarian standards for cleanliness also.

Mr. Covey asked staff how the east side of Elwood Avenue was designated an employment use.

Staff answered it was done with a PlaniTulsa project and then re-enforced in the West Highlands Small Area Plan. This was a very public process and had a lot of public input.

Mr. Covey asked staff why CG zoning without an optional development plan didn't work.

Staff answered if you take out the optional development plan CG zoning would allow car lots. It would be a very high density development.

Mr. Covey stated this area is designated an employment center and what that tells Mr. Covey is the expectation is employment center and that could mean a car lot or office building.

Staff stated it could also mean light industrial, but the staff thought some of the employment uses that were visualized were not compatible with the existing conditions.

Mr. Reeds asked if planning commission could mandate the applicant build a masonry fence.

Staff stated that could be something included in the optional development plan.

Ms. Millikin proposes that the application be continued so the applicant can visit with the neighbors.

Mr. Midget stated he would support a continuation but doesn't think it is a good use for the neighborhood.

Mr. Reeds could support a continuance and would encourage applicant to bring some examples of the current site in Broken Arrow to show you would be a good neighbor. Mr. Reeds stated this neighborhood has changed and a large mixed use facility has been approved on the corner of 71st and Elwood Avenue that is under construction and a school under construction will increase the traffic in this area. The quietude the neighbors bought into will be gone within a year. The economics have changed this neighborhood.

Mr. Covey stated he understands the neighbors concerns if he lived there he wouldn't want to be in the neighbors position. Mr. Covey stated what frustrates him is hearing people that buy these homes in these nice wooded areas with large tracts to retire there when the entire area is labeled as employment use. Mr. Covey stated he doesn't know when it's going to change but it is going to change. Mr. Covey asked applicant if he was in favor of meeting with the neighbors to try and come to an agreement or do you want a vote today.

Dr. Day stated he went to neighbors to show them a plan in the beginning and was shocked at all the objections. Dr. Day stated he would meet with the neighbors.

TMAPC Action; 8 members present:

On **MOTION** of **MILLIKIN**, TMAPC voted **8-0-0** (Carnes, Covey, Fretz, Midget, Millikin, Reeds, Shivel, Walker, "aye"; no "nays"; none "abstaining"; Dix, Stirling, Willis "absent") to **CONTINUE Z-7366 to December 7, 2016.**

Legal Description of Z-7366:

A TRACT OF LAND THAT IS PART OF THE NORTHWEST QUARTER (NW/4) OF THE SOUTHWEST QUARTER (SW/4) OF THE NORTHWEST QUARTER (NW/4) OF SECTION TWELVE (12), TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA

COUNTY, STATE OF OKLAHOMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE SW/4 OF THE NW/4 OF SAID SECTION 12; THENCE SOUTH 00°09'11" EAST ALONG THE WEST LINE OF THE NW/4 OF SECTION 12 A DISTANCE OF 166.52 FEET; THENCE SOUTH 89°01'21" EAST 50.01 FEET; THENCE SOUTH 00°09'11" EAST 30.01 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°01'21" EAST 391.77 FEET; THENCE SOUTH 00°09'11" EAST 133.30 FEET; THENCE NORTH 89°03'00" WEST 391.77 FEET; THENCE NORTH 00°09'11" WEST 133.49 FEET TO THE POINT OF BEGINNING, City of Tulsa, Tulsa County, State of Oklahoma

* * * * *

Robert Shears (Globalchange) with Tulsa Preservation Commission presented item # 15

15. Public hearing to review and provide recommendation to the City Council regarding proposed revisions to the **Tulsa Preservation Commission Unified Design Guidelines**.

Item: Public hearing to review and provide recommendation to the City Council regarding proposed revisions to the **Tulsa Preservation Commission Unified Design Guidelines**

A. Background: The Tulsa Preservation Commission is proposing revisions to their Unified Design Guidelines for Residential, Non-Residential, and Mixed-Use Structures and is requesting a recommendation from TMAPC to forward to City Council. The proposed changes are in response to public comment and changes that resulted from the adoption of the new City of Tulsa Zoning Code. Overall, the changes are minimal - offering consistency in terminology with the new Zoning Code, as well as clarity and flexibility in the guidelines.

B. Staff recommends APPROVAL of proposed amendments to the **Tulsa Preservation Commission Unified Design Guidelines** as proposed.

Mr. Reeds stated the proposed amendments brings clarity to the properties that lie within the Historic Preservation Commission by announcing on the title abstract or the City Clerk that the property is in Historic District. These changes will promote value and development in the Historic Preservation Districts.

Chip Atkins 1638 East 17th Place, Tulsa, OK 74120

Mr. Atkins stated he is owner of several lots in Swan Lake District and Yorktown District. Mr. Atkins stated he attended several of the meetings but not all of them and he is asking for a continuance because the information regarding the meetings was only available on the internet or by going to the previous meeting. Elderly people and other residents don't have access to internet or doesn't

understand how Tulsa Preservation Commission works were not informed of the changes that were coming. The draft on the TPC website did not state that it was the final draft. Mr. Atkins objections are section F, a moratorium of 30-90 days has been removed from guidelines. Mr. Atkins would like a one year moratorium. Mr. Atkins stated section A, windows for Brady Heights states back to historic material, Mr. Atkins believes this should be for all Historic Districts so there isn't the fight against vinyl or plastics or whatever new material comes up. Mr. Atkins would like the Brady Heights recommendation extended to all 5 Historic Districts. Mr. Atkins stated page 19 Section B regarding the metal roof issue, Mr. Atkins is against the recommendation because there are other materials out there to do the roof correct besides asphalt shingles. Mr. Atkins would like the section about replacing the roof on moved houses clarified to state if it had been torn off before moving or after. Mr. Atkins is asking for a continuance until after the next TPC meeting which is December 8, 2016.

Mr. Shear stated the demolition is per zoning code 60 day moratorium. Mr. Shear stated as for home owners or property owners who don't have access to the internet a flyer of the public meeting was mailed out to all property owners in all districts. There were 4 public meetings to review the guidelines or request a copy from staff. Mr. Shear stated the window provision comments were considered and the commission voted to leave them as they are because it allows more flexibility to review on a case by case basis. Mr. Shear stated the Historic Preservation Commission has done its due diligence through public meetings and mailing and would like the planning commission to recommend approval to the City Council of the proposed revisions.

Mr. Midget asked Mr. Shear how the revisions of windows in Brady Heights have changed.

Mr. Shear answered he was not aware of any provisions changing that would make Brady Heights guidelines more stringent.

TMAPC Action; 7 members present:

On **MOTION** of **REEDS**, TMAPC voted **7-0-0** (Covey, Fretz, Midget, Millikin, Reeds, Shivel, Walker, "aye"; no "nays"; none "abstaining"; Carnes, Dix, Stirling, Willis "absent") to **RECOMMEND APPROVAL** of the proposed revisions to the Tulsa Preservation Commission Unified Design Guidelines per staff recommendation.

Mr. Covey stated to staff a work session would be good to discuss things that would be beneficial to potential homeowners that would be included on abstracts things such as land use designations.

* * * * *

16. **ZCA-2** Public hearing to provide a recommendation to City Council regarding adoption of amendments to the City of Tulsa Zoning Code Section 30.010-I 2 c (9) (Minor amendments of Planned Unit Developments) and Section 55.090-F 3 (Maximum width of residential driveways in RE and RS Districts).

REVISED
Attachment I

Chapter 30| Legacy Districts

Section 30.010 PUD, Planned Unit Development (Legacy) District

30.010-I Amendment to Approved Plans

2. Minor Amendments

c. *The following may be processed as minor amendments:*

- (9) Changes in structure heights, building setbacks, yards, **driveway coverage measured by width, square footage or percentage of the yard**, open spaces, building coverage and lot widths or frontages, provided the approved PUD development plan, the approved PUD standards and the character of the development are not substantially altered;

Chapter 55 | Parking

Section 55.090 Parking Area Design

55.090-F Surfacing

3. In RE and RS zoning districts, driveways serving residential dwelling units may not exceed the following maximum widths unless a greater width is approved in accordance with the special exception procedures of Section 70.120, or, if in a PUD, in accordance with the amendment procedures of Section 30.010-I2.

Maximum Driveway Width	RE	RS-1	RS-2	RS-3	RS-4	RS-5
Within Right-of-Way (feet)	20	20	20	20	20	12
On the Lot (Outside ROW) (feet)	30	30	30	30	20	12

~~In instances where a variance of maximum driveway coverage measured by width, square footage or percentage of the yard has been granted, and in PUDs where development standards specify such maximum driveway coverage, the foregoing maximums do not apply.~~

For approvals granted under the terms of the zoning code in effect prior to January 1, 2016, including (1) variances of maximum driveway coverage measured by width, square footage or percentage of yard and (2) establishment of PUD development standards that increase the maximum permitted driveway coverage measured by any such means, the foregoing maximums do not apply.

INTERESTED PARTIES COMMENTS:

Brandon Jackson 11545 East 43rd Street, Tulsa, OK 74128

Mr. Jackson stated he is the current president of the Home Builders Association and is in agreement with staff's recommendation based on the PUD structure however; this change is causing problems with customers. Customers with straight zoned lots prefer 30 foot driveways. Mr. Jackson stated the customer was shown a 30 foot driveway with the model home. Mr. Jackson stated they could go to Board of Adjustment but that was another 90 day delay.

Allen Jenkins 10901 South Memorial Drive, Tulsa, OK 74133

Mr. Jenkins stated he is a local home builder and the past president of the Home Builders Association. Mr. Jenkins stated him and his partners developed an addition in the City of Tulsa called Cypress Creek and have been building in Cypress Creek for about 10 years. Mr. Jenkins stated they put model homes in the addition and sell homes off the model homes. In the past 10 years about 200 homes have been built in Cypress Creek. Mr. Jenkins stated he was one of the builders caught in this change. Mr. Jenkins stated he sold one of his customers a

house based off of the model home that had a three car wide driveway and Mr. Jenkins built the customers house with a three car wide driveway. Mr. Jenkins stated the change became effective this year and when Mr. Jenkins went to get final inspection Mr., Jenkins was given an official notice from Kevin Mitten that the driveway was poured past the 20 foot limit and gave Mr. Jenkins an application for a temporary use permit. Mr. Jenkins said there are people living in the home but he did not have a final inspection on the home. Mr. Jenkins was also given the Board of Adjustment phone number to apply for variance. Mr. Jenkins stated all the houses in this neighborhood have 3 car garages and driveways and his customers ask why they couldn't have a 3 car drive when people across the street have one. Mr. Jenkins stated those are the problems he has run into.

Ms Miller stated staff realizes this is a desired amenity for some home owners and there is an option in the zoning code to get there. This was a deliberate point of discussion of the zoning code citizen Advisory Team and from a planning perspective driveway width can impact the character of the neighborhood. It's important to respect the character of the neighborhood and that is the reason this regulation is drafted this way.

Ms. Miller stated the intent was not to prohibit PUD's that were approved for wider driveways or if approved for a variance for wider driveways.

Mr. Reeds stated the Home Builders Association participated in the writing of the Zoning Code at a very high level so how did arrive at something that didn't work for builders. Were there disagreements expressed during the development of the zoning code which has been effect since January 2016.

Ms. Miller stated there were discussions but in the end this was not something people were having issues with.

Mr. Midget stated the intent was not to prohibit PUD's from finishing out their projects just as planned, but there are other issues with the ordinance in the zoning code as written but that is something for a future discussion because what we discussed with the citizen advisory team was how to protect the character of an existing neighborhood from the one offs that ruin the character of the neighborhood.

Mr. Walker asked Ms. Miller when you say impact the character of the neighborhood specifically how is it impacted.

Ms. Miller answered even though the citizen advisory team kept reminding themselves this would have city wide impacts, the team kept going back to infill situations. The character of a neighborhood is smaller driveways 12 feet 20 feet and then you have one driveway that is 30 feet when you look down the street

that drastically changes the character of the neighborhood when you start adding those into existing neighborhoods.

Mr. Fretz asked what the process was to change the zoning code to widen the driveways to 30 feet instead of going to Board of Adjustment and paying 400 to 500 dollars every time even if they don't approve the application.

Ms. Miller answered that is something that would need discussion because there would be people on both sides of the issue. There may be a compromise there but not everyone is on board with opening it up so everyone could do that.

Mr. Reeds stated that in other cities there are formulas based on the lot size to determine what size the Driveway can be, has that been looked at.

Ms. Miller stated in general that is the methodology here.

TMAPC Action; 7 members present:

On **MOTION** of **MIDGET**, TMAPC voted **6-0-1** (Covey, Midget, Millikin, Reeds, Shivel, Walker "aye"; no "nays"; Fretz, "abstaining"; Carnes, Dix, Stirling, Willis "absent") to recommend **ADOPTION** of the amendments to the City of Tulsa Zoning Code Section 30.010-I 2 c (9) (Minor amendments of Planned Unit Developments) and Section 55.090-F 3 (Maximum width of residential driveways in RE and RS Districts) per staff recommendation.

17. Commissioner Comments

Mr. Midget stated the discussion about driveway widths should be revisited after the first of the year to look at how this can be adjusted to accommodate both the character of the neighborhood and the buyer's preference. Mr. Midget gave example of North Tulsa Heritage Hills area North of Pine near Carver school where there is new housing. The buyers want the 3 car garages but there are a lot of old houses with single car garages. So there needs to be a balance.

Mr. Covey stated to staff to put this on a work session.

Mr. Fretz stated what concerns him about the 3 car driveways is people want them and if we make them to hard to get they may go to adjoining community and buy. That would lose taxes for Tulsa and would be a huge economic impact.

* * * * *

ADJOURN

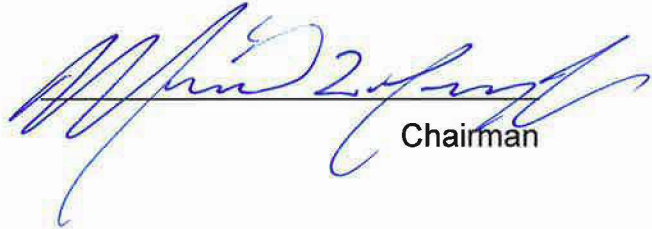
TMAPC Action; 7 members present:

On **MOTION** of **SHIVEL**, TMAPC voted **7-0-0** (Covey, Fretz, Midget, Millikin, Reeds, Shivel, Walker "aye"; no "nays"; none "abstaining"; Carnes, Dix, Stirling, Willis "absent") to **ADJOURN** TMAPC meeting 2734.

There being no further business, the Chair declared the meeting adjourned at 3:35 p.m.

Date Approved:

12-07-2016


Chairman

ATTEST: 
Secretary