

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2739

Wednesday, February 1, 2017, 1:30 p.m.

City Council Chamber

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

Members Present	Members Absent	Staff Present	Others Present
Adams	Carnes	Foster	VanValkenburgh, Legal
Covey	Millikin	Hoyt	
Dix	Reeds	Miller	
Doctor	Walker	Moye	
Fretz		Sawyer	
Krug		Ulmer	
Shivel		Wilkerson	

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Friday, January 27, 2017 at 1:58 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: Mr. Covey stated Ms Millikin, the TMAPC Secretary is out today and Mr. Doctor is substituting. Mr. Covey would like to welcome Luisa Krug and Vicki Adams to TMAPC.

Director's Report: Ms. Miller welcomed new Commissioners Luisa Krug and Vicki Adams. Ms. Miller reported on the City Council and Board of County Commissioners agenda items and actions taken. Ms. Miller further stated a Peoria Avenue Bus Rapid Transit (BRT) Land Use Study workshop was being held February 1, 2017 at Central Center at 5:30 p.m. to discuss Land Use recommendations for the Peoria Avenue corridor.

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1. **Minutes:** January 18, 2017, Meeting No. 2738

Approval of the minutes of January 18, 2017 Meeting No. 2738

On **MOTION** of **DIX**, the TMAPC voted 7-0-0 (Adams, Covey, Dix, Doctor, Fretz, Krug, Shivel “aye”; no “nays”; none “abstaining”; Carnes, Millikin, Reeds, Walker “absent”) to **APPROVE** the minutes of the meeting of January 18, 2017, Meeting No. 2738.

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CONSENT AGENDA

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

2. **LC-852** (Lot-Combination) (CD 1) – Location: Northwest corner of East Admiral Place and North Trenton Avenue
3. **LC-853** (Lot-Combination) (CD 4) – Location: South of the southwest corner of East 26th Street South and South Boston Place
4. **LS-20956** (Lot-Split) (County) – Location: South of the southwest corner of East 131st Street South and South 129th East Avenue
5. **LC-855** (Lot-Combination) (CD 7) – Location: Southwest corner of East 41st Street and South Garnett Road (Related to LS-20957)
6. **LS-20957** (Lot-Split) (CD 7) – Location: Southwest corner of East 41st Street and South Garnett Road (Related to LC-855)
7. **LC-856** (Lot-Combination) (CD 1) – Location: South of the southwest corner of North Elwood and West Woodrow Place
8. **LC-857** (Lot-Combination) (CD 7) – Location: North of the northwest corner of East 61st Street South and South Mingo Road
9. **LC-861** (Lot-Combination) (CD 4) – Location: East of the northeast corner of East 27th Street South and South Utica Avenue
- 9.a **LS-20958** (Lot-Split) (CD 9) – Location: North of the Northeast corner of South Columbia Place and East Skelly Drive

TMAPC Action; 7 members present:

On **MOTION** of **DIX**, TMAPC voted **7-0-0** (Adams, Covey, Dix, Doctor, Fretz, Krug, Shivel “aye”; no “nays”; none “abstaining”; Carnes, Millikin, Reeds, Walker “absent”) to **APPROVE** Items 2 through 9 and 9.a per staff recommendation.

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

PUBLIC HEARINGS:

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15. CZ-448 Jim Beach (County) Location: North of the northwest corner of South Peoria Avenue and East 141st Street requesting rezoning from **AG** to **CS**. (Continued from December 21st, 2016) (**Staff requests a continuance to February 15, 2017**)

TMAPC Action; 7 members present:

On **MOTION** of **DIX**, TMAPC voted **7-0-0** (Adams, Covey, Dix, Doctor, Fretz, Krug, Shivel “aye”; no “nays”; none “abstaining”; Carnes, Millikin, Reeds, Walker “absent”) to **CONTINUE** CZ-448 to February 15, 2017 per staff request

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16. CZ-450 JR Donelson (County) Location: Northwest corner of West 161st Street South and Highway 75 requesting rezoning from **AG** to **IL**

TMAPC Action; 7 members present:

On **MOTION** of **DIX**, TMAPC voted **7-0-0** (Adams, Covey, Dix, Doctor, Fretz, Krug, Shivel “aye”; no “nays”; none “abstaining”; Carnes, Millikin, Reeds, Walker “absent”) to **CONTINUE** CZ-450 to March 1, 2017 requested by the neighbors to allow them time to meet with applicant.

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10, 11 and 12 were taken together

COMPREHENSIVE PLAN AMENDMENT PUBLIC HEARING:

10. CPA-57 Jason Burks (CD 5) Location: East of the northeast corner of East 32nd Street South and South Yale Avenue requesting to amend the Land Use designation from New Neighborhood to Mixed Use Corridor (Related to Z-7374 and The Cliffs of Yale)

STAFF RECOMMENDATION:

1. PROPERTY INFORMATION AND LAND USE REQUEST

Existing Land Use: <i>New Neighborhood</i> Existing Stability and Growth designation: <i>Area of Growth</i>
Proposed Land Use: <i>Mixed-Use Corridor</i> Proposed Stability and Growth designation: <i>N/A</i>
Location: <i>E of NE/c corner of S. Yale Ave. and E. 32nd St. S.</i>
Size: <i>.6 acres</i>

A. Background

The site that is subject to this Comprehensive Plan amendment application is located in midtown Tulsa, immediately south of the Broken Arrow Expressway. The surrounding area contains a mixture of uses including residential on the south and east; and commercial/retail abuts the subject lot on the west. The applicant has submitted this proposed Comprehensive Plan amendment and a rezoning application (Z-7374) with an optional development plan to permit construction of a rock climbing gym which is classified as a Commercial/Assembly and Entertainment use under the current Zoning Code.

The TMAPC approved a zoning change from RS-2 to CG and a Comprehensive Plan amendment from New Neighborhood to Mixed-Use Corridor on the existing gym site immediately west of the subject lot in September, 2016. The applicant is requesting the Comprehensive Plan amendment and associated rezone request to support development of a health club/gym use on the site.

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

A *New 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 *New Neighborhood* residential building block is comprised of a plan category by the same name. It is intended for new communities developed on vacant land. These neighborhoods are comprised primarily of single-family homes on a range of lot sizes, but can include townhouses and low-rise apartments or condominiums. These areas should be designed to

meet high standards of internal and external connectivity, and shall be paired with an existing or New Neighborhood or Town Center.”

When the new Tulsa Comprehensive Plan was developed and adopted in 2010, the subject tract was designated as 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.”

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

The applicant is proposing a *Mixed- Use Corridor* 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.”

D. Zoning and Surrounding Uses:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Area of Growth	Existing Use
North	RS-2	N/A	N/A	Broken Arrow Expressway
South	RS-2	<i>Existing Neighborhood</i>	<i>Area of Stability</i>	Residential
East	RS-2	<i>New Neighborhood</i>	<i>Area of Growth</i>	Residential
West	CG	<i>Mixed-Use Corridor</i>	<i>Area of Growth</i>	Vacant Lot

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:

THE CURRENT STATE OF 32ND AND YALE

The area near 32nd and Yale also known as The Highland Park Neighborhood has set relatively dormant to new residential development for several decades now. The lot sitting at 4923 E 32nd Street has not been purchased or developed because of a few very specific reasons. Some financial and some practical. First it's western facing lot boundary (over 300 feet) sit's directly against a very active commercial parking lot with over a dozen daily active businesses and it's north facing boundary sits against the Broken Arrow Expressway. With traffic on the BA expressway having tripled over the last 20 years the noise level has also increased dramatically. In Tulsa the average percentage of a total home construction budget for a lot is around 22%. This lot is listed for \$250,000 which means any serious single residential builder with any economic sense would need to build over a 1 million dollar home on this lot to justify the lot cost. Considering the neighborhood, the noise, the proximity to commercial development, and the area of town it is in, this is certainly not going to happen. I have spoke with several duplex developers that have

said the pricing also makes it not favorable in terms of ROI for a duplex development. With these 2 options being the only options the current zoning allows for, the lot continues to sit vacant for decades now. What it has created is a haven for homeless people and other mischievous activity. I personally woke up on a homeless person sleeping in a tent buried deep in the trees 2 weeks ago. It's no surprise as it is heavily treed and with the unfenced vacant lot beside it over 2 full acres in the middle of town with no supervision. It is also an eye sore to all the businesses and residents that sit directly around it. I have spoken with many of the business owners including those at the Celebrity Club and they have expressed to me how badly they would like to see it developed. The lot makes the area feel "run down and underdeveloped" as I have heard from business owners and residents in area. I have personally met with over 30 of the neighbors and at this point the consensus has been that this gym will be the best thing for that land and the neighborhood.

THE FUTURE OF 32ND AND YALE

Our climbing gym will create community both inside the walls and in the surrounding area. Most climbers can be described as healthy, responsible, environment conscientious, hard working, and incredibly friendly people that love their dogs. In addition to bringing quality people to the area our gym will become an anchor and an identifier for the intersection of 31st and Yale. It will become an icon in Tulsa that people associate that area with instead of the strip club located at the intersection. The unique architecture and curb appeal both from the BA Expressway and 32nd will be something all Tulsans will be proud of. We will be creating a world class facility and a destination for climbers from all over the US. With a 3 million dollar investment in a 16,000 square foot climbing gym we will certainly be creating a first class facility. We will put our city on the map for the USA climbing circuit which will bring competitions to our gym thus stimulating more revenue for the city. We will be creating over 15 new jobs and more importantly meeting a need for Tulsans that no one is meeting. Our gym will be in the top 15% of largest and nicest facilities in the US of its kind. It will continue to move Tulsa forward into the future with other progressive cities such as Nashville, Albuquerque, Little Rock, and Kansas City who have realized the value of climbing gyms. In the last 2 years alone climbing gyms have gone up in over 25 cities similar in size to Tulsa. Why? Because many have said climbing gyms are the fitness gym of the future. Climbing was announced to be an Official Olympic sport just this last month which will certainly only fuel the current interest. Tulsa does not have a facility for these athletes to train or for kids to even entertain the sport as a pursuit. I believe a great city should have something for everyone and with this facility Tulsa would be one step closer to that. In addition our current facility is packed and growing which simply shows Tulsa loves climbing. It is only 3000 square feet and located in a very rough area of town and yet attendance is increasing month by

month. The current facility has been in business since 1997 and has grown every year. Since I have taken ownership this last year the facility has doubled in attendance and revenue. We have parents from Broken Arrow, Jenks, Owasso, Bixby, Claremore, and Tulsa asking us monthly when we will have more space to accommodate kids, training and birthdays. We launched kids camp this past summer for the first time and sold out every class. We then added another instructor and doubled our available spaces and sold them out in 1 day. Tulsa wants and needs this gym as bad as I do and I believe 32nd and Yale is the perfect spot. I believe 32nd and Yale is a great area to draw people to from the suburbs and this will certainly increase business for the surrounding area. We anticipate our facility to be open 7 days a week from 10AM till 10PM. Our core traffic will be between 5PM and 8PM Monday through Friday; between 9PM and 10PM there will typically be less than 10 members there. Our core customer is typically upper middle class with expendable income. Our gym will offer kids camps, birthday parties, training, climbing teams, competitions, corporate events, outdoor climbing excursions and community involvement days for the City of Tulsa.

F. Staff Summary:

To accommodate the gym/recreational facility the applicant is proposing to expand the *Mixed-Use Corridor* into an existing and planned residential neighborhood as designated by the Comprehensive Plan. The City of Tulsa Planning and Development Department has provided planning comments and considerations that are attached to the end of this staff report. The City has stated that in no instances are high levels of non-residential traffic on this portion of E 32nd St S appropriate. The proposed development will not create a significant increase in traffic along E 32nd St S or through the neighborhood as access to E 32 St S will be oriented towards the southwest to discourage east bound vehicular traffic through the neighborhood.

The City Planning staff 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 in the existing residential neighborhood. To address these concerns the concurrent rezoning application for this property will be accompanied by an optional development plan. To ensure appropriate design control and edge treatment between the project area and the established residential neighborhood the development plan will require setbacks, building height standards, landscaping and screening requirements for the proposed facility to supplement those required by the Tulsa Zoning Code. As stated by the Comprehensive Plan, a major goal of the surrounding area, an *Area of Growth*, is to increase economic activity in the area to benefit existing residents and businesses. The proposed development is an infill

project that is likely to stimulate economic activity and job growth in the area that will benefit existing residents and businesses.

This is the last remaining vacant lot in the immediate vicinity that backs up to the Broken Arrow Expressway. If developed residentially, a new residence at this location would be not be oriented toward the adjacent neighborhoods, leaving it isolated. An expansion of the Mixed-Use Corridor land use designation into this lot, combined with the optional development plan, could provide an adequate transition to the existing residences and utilize a lot that has limited development options.

STAFF RECOMMENDATION

- Staff recommends approval of the ***Mixed-Use Corridor*** land use designation as submitted by the applicant.

TMAPC Action; 7 members present:

On **MOTION** of **DIX**, TMAPC voted **7-0-0** (Adams, Covey, Dix, Doctor, Fretz, Krug, Shivel “aye”; no “nays”; none “abstaining”; Carnes, Millikin, Reeds, Walker “absent”) to **APPROVE** CPA-57 per staff recommendation

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11. Z-7374 Jason Burks (CD 5) Location: East of the northeast corner of East 32nd Street South and South Yale Avenue requesting rezoning from **RD** and **CG with an optional development plan to CG with optional development plan** (Related to CPA-57 and The Cliffs of Yale with an optional development plan)

STAFF RECOMMENDATION:

DEVELOPMENT CONCEPT:

The subject property is located at 4923 East 32nd Street South. It is currently undeveloped and zoned CG (Z-7359 with optional development plan) and RS-2. The applicant is proposing to construct an indoor climbing gym on the property, which is expected to be categorized as Commercial – Assembly and Entertainment Use. This use is not permitted with the existing RS-2 zoning for the property and the applicant wishes to have the property rezoned to Commercial General CG with an optional development plan. Residential zoning exists to the east and south of the property. After meeting with neighborhood residents and INCOG staff, the applicant proposes to use the optional development plan.

In order to accommodate Assembly and Entertainment uses for the undeveloped property, the property must be rezoned to CS or CG. Certain restrictions must be established with the optional development plan to lessen the impact of the development next to abutting residential areas. The plan restrictions should include limiting the use categories allowed, provide additional landscaping and screening requirements, signage limitations and building height standards. Therefore, the applicants believe that use of an optional development plan in this case achieves greater public benefit than straight rezoning by allowing development of the property while lessening the impact on the abutting residential district.

SECTION II: Optional development plan standards

Z-7374 with the optional development plan standards will conform to the provisions of the Tulsa Zoning Code for development in a CG zoning district and its supplemental regulations except as further refined below:

Use Limitations:

- A. Permitted Uses*. The subject property shall only be used for the following uses.
 - a. Public, Civic and Institutional Use Category
 - i. Day Care
 - ii. Library or Cultural Exhibit
 - iii. Natural Resource Preservation
 - iv. Parks and Recreation
 - v. Safety Service
 - vi. School
 - b. Residential Use Category, Household Living Sub Category
 - i. Townhouse
 - c. Commercial Use Category,
 - i. Office Use Sub-Category
 - 1. Business or professional office
 - d. Assembly and Entertainment Sub-Category
 - i. Other Indoor
 - 1. Small (up to 250-person capacity, as allowed by right but limited to health club, and climbing gyms). Any other Assembly and Entertainment venue will require a major amendment to the Development Plan.

*Any special exception use that could be allowed through the Board of Adjustment process in a CG District must also receive either a minor or major amendment approval to the optional development plan.

Building setbacks, landscape and tree preservation:

- a. The topographic survey illustrates 5 trees with a caliper greater than 12". Those trees must be saved during the construction phase. The detailed site plan and landscape plan must provide details for root zone protection to insure the health of those trees during construction. If these trees are removed for any reason each removed tree must be replaced with 3 deciduous trees with a caliper greater than 3" and taller than 14 feet.
- b. The Subject Property shall maintain a minimum 15 foot landscaped area along the southern boundary of the subject property in which only access driveways, perimeter fencing/ gates, landscaping (including trees, shrubs, irrigation, landscape lighting and other typical items which are a part of a landscape edge as required or permitted by the Tulsa Zoning Code) may be constructed.
- c. The Subject Property shall maintain a landscape area with a minimum width of 35 feet along the eastern boundary of the development plan. That landscaped area along the eastern boundary shall contain a minimum of 15 trees with a minimum caliper of 2.5" and minimum height of 12 feet.
- d. Buildings shall be placed further than 25 feet north of the north right-of-way of East 32nd Street South.
- e. Buildings shall be placed further than 50 feet west of the east edge of the development area boundary.

Lighting:

Wall mounted lighting or parking lot lighting shall be pointed down and away from all adjacent residentially zoned property. No exterior light fixture shall be further than 16 feet above the ground below the light.

Signage:

- a. All ground signs shall be a monument style and will not be illuminated from any internal or exterior source. Ground signs shall not exceed 8 feet in height and shall not exceed 64 square feet of display surface area.
- b. Ground signs are only allowed further than 100 feet west from the east edge of the development area boundary.
- c. Wall signage is prohibited on any east facing wall.
- d. Wall signage is allowed on the south facing wall however the maximum display surface area shall not exceed 128 square feet and may not be illuminated from any internal or exterior source.
- e. Wall signage on the west and north may be illuminated from internal sources only. Dynamic display shall not be allowed. The maximum size of the west facing wall shall not exceed 256 square feet. The maximum size of the north facing wall sign shall not exceed 256 square feet.
- f. Off premise business signs are prohibited.

Vehicular Access and Circulation:

The access to East 32nd street shall be oriented toward the south west discouraging east bound vehicular traffic through the neighborhood.

Pedestrian Access:

Sidewalks shall be installed along the frontage of East 32nd street. Pedestrian and bicycle access from the neighborhood shall be encouraged by placing access points near the southeast end of the site.

Building Height:

Buildings shall not be taller than 45 feet as measured from the first floor elevation. Mechanical equipment on the ground shall be screened with masonry screening with the minimum height at least one foot taller than the mechanical equipment. Roof top mechanical equipment shall be screened from persons standing at ground level within three hundred feet of the abutting residential development area.

Trash Dumpsters and Enclosures:

All enclosures shall be masonry and must be at least one foot taller than the container. Any door frame shall be metal with a screening material blocking view through a minimum of 80 % of the opening. The Dumpster shall not be placed within 120 feet of the south or east property line.

DETAILED STAFF RECOMMENDATION:

Z-7374 request to zone property CG with an optional development plan is consistent with the existing and proposed Mixed-Use Corridor land use designation of the Comprehensive Plan and;

CG zoned property without additional provisions does not provide appropriate land use limitations to integrate with the surrounding residential properties on the east and south however the design standards and use limitations integrated into the development plan provide those standards and;

The provisions of the optional development plan outlined in Section II above are consistent with the development plan provisions of section 70.040 of the Tulsa Zoning Code therefore;

Staff recommends Approval of Z-7374 with the optimal development plan as outlined in Section II above.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary:

To accommodate the gym/recreational facility the applicant is proposing to expand the *Mixed-Use Corridor* into an existing and planned residential neighborhood as designated by the Comprehensive Plan. The City of Tulsa Planning and Development Department has provided planning comments and considerations. The City has stated that only access for the proposed commercial site is from E 32nd St S, which is a residential street; in no instances are high levels of non-residential traffic on this portion of E 32nd St S appropriate. The proposed development will not create a significant increase in traffic along E 32nd St S or through the neighborhood as the development will be a medium intensity use with the highest levels of traffic occurring between 5:00 P.M. and 8:00 P.M. Monday through Friday.

The City Planning staff 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 in the existing residential neighborhood. To address these concerns the concurrent rezoning application for this property will be accompanied by an optional development plan. To ensure appropriate design control and edge treatment between the project area and the established residential neighborhood the development plan will require setbacks, landscaping and screening requirements for the proposed facility to supplement those required by the Tulsa Zoning Code.

Land Use Vision:

Land Use Plan map designation: Mixed-Use Corridor (West portion)/ New Neighborhood(East portion)

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

Concurrent land use plan request and existing map designation: Mixed Use Corridor for east parcel.

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: None that 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: The site is vacant with no evidence of any recent development. The site is gently sloping with trees.

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 32 nd Street South	None	50 feet	2 without curb

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-2	N/A	N/A	Broken Arrow Expressway
East	RS-2	New Neighborhood	Area of Growth	Single family residential
South	RD and RS-2	Existing Neighborhood	Area of Growth	Single family residential Duplex
West	CS and CG	Mixed-Use Corridor	Area of Growth	Commercial Retail

SECTION IV: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11824 dated June 26, 1970, and 23591 dated October 26, 2016, established zoning for the subject property.

Subject Property:

Z-7359 October 2016: All concurred in approval of a request for rezoning a 1.44± acre tract of land from RS-2 to CG for a climbing gym, on property located east of northeast corner of S. Yale Ave. and E. 32nd St. S. (This request included the west portion of the property)

Z-7323 January 2016: Staff recommended approval of a request for *rezoning* a 2± acre tract of land from RS-2/RD to RM-3, for a multifamily development, on property located east of northeast corner of S. Yale Ave. and E. 32nd St. S. and

also known as a part of the subject property. It was continued multiple times before the applicant finally **withdrew** the application.

Z-4066 February 1972: A request for *rezoning* a .59± acre tract of land from RS-2 to RM-1 on property located east of the northeast corner of E. 32nd St. and S. Yale Ave. and also known as a part of the subject property. Staff recommended RS-3, but TMAPC recommended approval of RM-1. The City Council **approved** RD.

Surrounding Property:

No relevant history.

STAFF COMMENTS:

Mr. Covey asked staff how this property became New Neighborhood.

Staff stated this was vacant property at one time and a multi family project was considered here and was met with neighbor opposition.

Mr. Covey asked staff if this application was approved today would staff recommend the remainder of the property in this area should continue to be New Neighborhood.

Staff stated there were existing houses on the remainder.

Mr. Covey answered “agreed”. Mr. Covey asked staff to look at this area to see if it needed to be changed.

Mr. Dix stated TMAPC routinely does lot combinations and lot splits so why was this required of a plat instead of a lot combination.

Staff stated there is infrastructure development issues that need to be resolved such as identifying land that is in the expressway right of way but this is unplatted land. Staff further stated a vast majority of the property on the east side of development would be landscape area or open space for the benefit of the property owner but also for the benefit of the neighbors. The owner who couldn't be here today has done a nice job of speaking with the neighbors.

INTERESTED PARTIES:

Joe Kelly 10035 North 177th East Avenue, Owasso, OK

Mr. Kelly stated he is the senior agent on this project. The project has a lot of support from the neighborhood. Mr. Kelly stated he and the architect decided to submit a site plan with larger building since combining these lots. The owner was unaware of this and stated he was not using this site plan. Mr. Kelly stated they have gone back to the original site plan. Mr. Kelly further stated that the reason the rezone was needed was because the adjacent lot was not zoned CG and

parking spaces were needed. Mr. Kelly stated the parking has moved to the east to allow a 17.5 foot easement all the way around the lot.

Mr. Dix asked if the angled driveways were voluntary or staff requested.

Mr. Kelly stated it was requested by the neighbors to restrict traffic away from the neighborhood.

Josh McFarland Red Dog Construction 116 South 1st Street, Jenks, OK 74037
Mr. McFarland stated the design team recommended a straight drive into the parking lot but the owner told neighbors the driveway would be angled.

Ron Pool 4940 East 32nd Street, Tulsa, OK 74135

Mr. Pool stated all the parking on the east side was not in the original agreement between the neighbors and the owner but at today's TMAPC meeting, Mr. Kelly and Mr. McFarland showed us the modified site plan that reflected most of what the neighbors agreed. There is a middle section of parking that is not in the original design and therefore not consist with what the neighbors were expecting. The owner told the neighbors if he could purchase the adjacent property to the east he would leave it as green space. Mr. Pool stated he asked the owner multiple times if he was planning to expand and the owner stated he had no intentions of expanding and it's been a few months and that is what is happening. Mr. Pool stated in September 2016 the neighbors agreed on a site plan submitted to them by the owner. Mr. Pool stated city planning staff had comments and considerations. On page 10.8 of CPA 57 item number 1 says this proposed change would further extend non residential use into a designated Residential Neighborhood which is a continuing concern. In item number 2 it is mentioned this historically leads to destabilization of an existing development and number 3 states in no instance is added traffic on this portion on 32nd Street appropriate. Then in number 4 it states the original plan back in September CPA-55 provided sufficient parking and the building expansion is not consistent with the plan.

Jake Ledgerwood 3221 South Braden Avenue, Tulsa, OK 74135

Mr. Ledgerwood stated he is a resident in the area and it is his first time to look at the plan in detail. Mr. Ledgerwood stated his initial response is that he is against commercial development in a residential area and what Mr. Ledgerwood is seeing with this development is that the encroachment has already started. It started with residential to commercial and is marching eastward with the purchase of the adjacent lot. Mr. Ledgerwood stated at what point does the Commission or the neighborhood say that is enough of rezoning from residential to commercial use. Mr. Ledgerwood stated his concern as a resident is if or when this business decides to go out of business for any reason we have yet another empty building. Mr. Ledgerwood does not see what value this business brings to the neighborhood certainly not as a resident.

Mr. Kelly stated the original site plan did not leave enough room to get the needed parking on the site and he would like to fix that if they can.

Mr. McFarland stated after sitting down with all the planning people one of things needed was a paved space for movement of a fire truck and that is provided by the proposed plan.

Mr. McFarland stated the advantages to the neighbors are that this is a sales tax generator for the City. Before this development there were apartments proposed for this site. Mr. McFarland stated he would like to see a welcomed park and rock climbing wall than apartments. Mr. McFarland stated they knocked on every door and have done a very good job of communicating with the neighbors and all but a few are in favor of this development.

Mr. Covey asked if Mr. McFarland or Mr. Kelly had any knowledge of the applicant stating the adjacent land would remain a green space as Mr. Pool stated.

Mr. McFarland stated yes he believes the applicant did say that and he wants it to be a green space.

Mr. Kelly stated that was the reason for reverting back to the original site plan.

Mr. Dix asked staff if this was a development plan.

Staff stated "yes"

Mr. Dix asked Mr. Kelly and Mr. McFarland if they could do without the extra parking and then if it was needed due to demand they could amend the development plan.

Mr. Kelly stated the spaces are on there because of the Zoning Code. The applicant doesn't believe he needs that many spots but the Zoning Code requires that many spots.

Mr. McFarland stated the owner does not want that many spaces but felt that was the only way he could get his plan approved.

Mr. Dix asked staff if parking was a Board of Adjustment issue.

Staff stated "yes".

Mr. Dix asked staff if TMAPC could specify parking with a development plan.

Staff stated with the optional development plan TMAPC can't reduce the amount of parking required.

Staff stated there are provisions to replace parking spaces with bicycle parking or motorcycle parking to reduce the footprint.

Mr. Dix stated if the only reason that parking is on the site plan is because of a Zoning Code requirement the applicant could apply to the Board of Adjustment for relief. The extra parking costs thousands of dollars and Board of Adjustment costs are significantly lower.

Mr. Covey stated to staff Mr. Ledgerwood's comment was, "when does it stop", and if you were living here you would want to know the same thing and that goes

back to Mr. Covey's comment about what is this going to be designated as, New Neighborhood or Existing Neighborhood.

Staff stated with the existing lot configuration the argument could be made for Mixed Use Corridor to stop at the applicant's lot or you could make the argument that it stops at the next lot over. But once you get into the traditional residential small lot development area it makes it difficult to expand any further. Staff stated the applicant's lot is an unusual shape and it would be difficult to develop it for residential use. Staff further stated by including that in a single project development and having substantial requirements for setbacks and landscaping that would anchor that edge and keep it from moving any further east. Staff will be looking at this area to recommend changing the designation to Existing Neighborhood and an Area of Stability including this lot.

Mr. Dix asked if this development had a plan that was approved before.

Staff answered that there was an optional development plan for the original lot.

Mr. Dix stated the size of the land doesn't change the parking requirements it's the size of the building.

Staff stated there were other design considerations and that the concept plan for the previously approved optional development plan did not adequately show landscape items and didn't take into consideration fire department access. Once the size of the building was identified there were things in the final that didn't work.

Mr. Doctor asked staff if the Planning Commission can't waive parking requirements it has to go to the Board of Adjustment, and the reason for the extra parking need is to accommodate an easement on the westside of the project needing to be wider than previously thought and the need to meet the Zoning Code parking requirements.

Mr. Kelly stated the building moved to the east to accommodate a 17.5 foot easement.

Staff stated the commission is not approving the physical plan but is approving the development standards. Staff stated optional development plans can only restrict and not loosen the parking requirements.

Mr. Dix stated if we approve as is, the applicant can go to Board of Adjustment to ask for a variance of the parking requirement if they so choose.

TMAPC Action; 7 members present:

On **MOTION** of **DIX**, TMAPC voted **7-0-0** (Adams, Covey, Dix, Doctor, Fretz, Krug, Shivel "aye"; no "nays"; none "abstaining"; Carnes, Millikin, Reeds, Walker

“absent”) to **APPROVE** Z-7374 with optional development plan per staff recommendation

Legal Description of Z-7374:

LT 1 LESS BEG NW COR TH SE 76.18 S 70.5 NW 70.4 N 75 TO BEG FOR HWY BLK 1, TWIN ACRES ADDN, BEG 300E & 50S NWC NW TH S470 E450 N TO SL RR R/W TH NW ALG R/W POB LESS BG 750E & 520S NWC NW TH W300 N 183.8 E31 N202.8 TO SL RR R/W TH SE297 S260 POB & LESS BEG 300E & 50S NWC NW TH S89.2 SE183.3 N75.1 NW187.9 POB SEC 22 19 13, City of Tulsa, Tulsa County, State of Oklahoma

* * * * *

12. The Cliffs of Yale (CD 5) Preliminary Subdivision Plat, Location: East of the northeast corner of East 32nd Street South and South Yale Avenue (Related to CPA-57 and Z-7374)

STAFF RECOMMENDATION:

This plat consists of 1 lot, 1 block, on 1.91 acres.

The Technical Advisory Committee (TAC) met on January 19, 2017 and provided the following conditions:

1. **Zoning:** The property is currently zoned CG and RD. The applicant has proposed CG for the entire lot with an extension of the existing optional development plan. The rezoning and optional development plan (Z-7374) will need to be approved prior to submittal of a final plat and the approved development standards must be included on the deed of dedication.
2. **Transportation & Traffic:** Use the standard plat covenants in the deed of dedication provided by the City of Tulsa. Provide limits of access and limits of no access along East 32nd Street South.
3. **General Development:** Infrastructure Development Process (IDP) plans for proposed public improvements have not been submitted. IDP plans must be submitted prior to or simultaneous with the final plat.
4. **Sewer:** Sewer main extension required for the site will need to extend a minimum of 15' into the subject property and shall be contained within a 5' utility easement around all sides of the manhole.
5. **Water:** Should a water main extension be required within the site, a 6" diameter pipe will be required, centered within a 20' restricted waterline easement.
6. **Storm Drainage:** There currently appears to be offsite drainage coming from the east. The conveyance of off-site storm water needs to be addressed in the plat covenants. Additional drainage easements may be

required depending on the design and location of the proposed stormwater system. **Floodplain:** The northern portion of the subject property appears to be adjacent to the City of Tulsa Regulatory Floodplain. All delineated floodplain boundaries should be clearly and accurately shown on the plat. Any development within the floodplain must meet the floodplain development requirements of the City of Tulsa Revised Ordinances, Title 11 A and Title 51 and city drainage standards. Any proposed changes to the floodplain boundaries or flood elevations will be subject to Floodplain Map Revisions.

7. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** No comments.
8. **Fire:** No comments
9. **Engineering Graphics:** Submit a subdivision data control sheet. Add missing subdivisions in location map. Provide individual addresses. Graphically label lot with unique address (4923 East 32nd Street South). State address caveat/disclaimer on face of plat. Provide a north arrow for the location map. Provide coordinate system used under the basis of bearing. Remove individual parcel lines in the location map. Only show platted subdivision boundaries and label all other land as unplatted.
10. **Legal:** See attached conditions provided by the City of Tulsa legal department.

Waivers of Subdivision Regulations:

1. None requested

Staff recommends **APPROVAL** of the preliminary subdivision plat subject to the conditions provided by TAC and the requirements of the Subdivisions Regulations.

TMAPC Action; 7 members present:

On **MOTION** of **DIX**, TMAPC voted **7-0-0** (Adams, Covey, Dix, Doctor, Fretz, Krug, Shivel “aye”; no “nays”; none “abstaining”; Carnes, Millikin, Reeds, Walker “absent”) to **APPROVE** the Preliminary Subdivision Plat, The Cliffs of Yale per staff recommendation

* * * * *

13. **Leinbach Apartments Stuart Tract** (CD 6) Preliminary Subdivision Plat,
Location: West of the southwest corner of East 51st Street South and South
145th East Avenue

STAFF RECOMMENDATION:

This plat consists of 1 lot, 1 block, on 37.45 acres.

The Technical Advisory Committee (TAC) met on January 19, 2017 and provided the following conditions:

1. **Zoning:** The property is currently zoned CO with an approved Corridor Development Plan (CO-1). Development plan number needs to be shown on the face of the plat.
2. **Transportation & Traffic:** Include right-of-way dimensions for all public streets. Provide limits of access and limits of no access along East 51st Street South.
3. **General Development:** Plat scale must be corrected. Not currently 1" = 40' as depicted. Add 17.5' perimeter utility easement except along western property line. All public infrastructure shall be located in easements and shown on the plat, including the on-site detention facility and public utility main lines.
4. **Sewer:** Any proposed extension of the public sanitary sewer main line shall be located in a 15' utility easement.
5. **Water:** Any proposed extension of the public water main line shall be centered in a 20' restrictive waterline easement.
6. **Storm Drainage:** Any proposed public stormwater line shall be located in a minimum 15' utility easement. **Floodplain:** Portions of the property are located within the Ford Creek Floodplain. Some areas of this parcel flooded during the 1984 flood event. All delineated floodplain boundaries should be clearly and accurately shown on the plat. Any development within the floodplain must meet the floodplain development requirements of the City of Tulsa Revised Ordinances, Title 11 A and Title 51 and city drainage standards. Any proposed changes to the floodplain boundaries or flood elevations will be subject to Floodplain Map Revisions.
7. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** No comments.
8. **Fire:** An approved remote secondary access road will be required before occupancy will be allowed. Indicate the location and show mutual access easement to be dedicated by separate instrument. KNOX access will be required on any gated entrances.
9. **Engineering Graphics:** Submit a subdivision data control sheet. Add missing subdivisions in location map. Provide individual addresses. Graphically label lot with unique address. State address caveat/disclaimer on face of plat. Define the basis of bearing between two known points and provide bearing angle to what is already stated. Provide the date of preparation in the lower left or lower right hand corner. Remove contours from final plat. Label the point of beginning (POB). Create a text label that provides the size of the project by stating number of lots, blocks, reserves, and total acreage/square feet. Provide a scale for the location map. Correct legal description on the face of the plat. Provide/label arc length, radius, delta angle, chord bearing, and chord length for all curves. Graphically show all iron pins found or set associated with this plat.

Waivers of Subdivision Regulations:

1. None requested

Staff recommends **APPROVAL** of the preliminary subdivision plat subject to the conditions provided by TAC and the requirements of the Subdivisions Regulations.

TMAPC Action; 7 members present:

On **MOTION** of **DIX**, TMAPC voted **7-0-0** (Adams, Covey, Dix, Doctor, Fretz, Krug, Shivel “aye”; no “nays”; none “abstaining”; Carnes, Millikin, Reeds, Walker “absent”) to **APPROVE** the Preliminary Subdivision Plat, Leinbach Apartments Stuart Tract per staff recommendation

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14. BOA-22162 (CD 4) Plat Waiver, Location: Southwest corner of West Archer Street and North Elwood Avenue

STAFF RECOMMENDATION:

The platting requirement is being triggered by a special exception approval by the Board of Adjustment on November 8, 2016 to permit a governmental service and juvenile detention facility in the IM district. The subject property was platted in the early 1900's under the Original Townsite subdivision plat.

The following requirements were provided by the Technical Advisory Committee on January 19, 2017 and will need to be satisfied prior to the issuance of permits:

ZONING: The subject property is zoned IM and the proposed use was approved by special exception. Additionally, a variance approved by the Board of Adjustment permits a 0' setback from North Elwood Avenue and West Archer Street. All other requirements of the Zoning Code applicable to IM districts and the permitted use must be met. All lots must be appropriately combined with vacated streets and alleys.

TRANSPORTATION & TRAFFIC: No comment.

SEWER: Proposed sanitary sewer layout is generally acceptable. Proposed service line connections are allowed only on 12" lines or smaller. Further review is required with the submittal of Infrastructure Development Process (IDP) plans.

No additional easements necessary at this time. Tulsa Metropolitan Utility Authority (TMUA) action will be required for the abandonment of existing public sewer lines.

WATER: Proposed water utility layout is generally acceptable. Proposed service line connections are allowed only on 12" lines or smaller. The proposed 6" water meter and vault shall be relocated into the right-of-way. The existing waterline along West Archer Street is required to be 4' below the proposed driving surface. The waterline will need to be replaced with ductile-iron pipe (DIP) if stated criteria is not met.

STORMWATER: All proposed stormwater infrastructure located on-site will be privately maintained. Tulsa Metropolitan Utility Authority (TMUA) approval is required for the abandonment of existing public stormwater lines. No additional easements required with the private system.

FIRE: No comment.

UTILITIES: No comment.

Staff recommends **APPROVAL** of the plat waiver application.

Mr. Dix asked staff if streets were going to be vacated.

Staff answered "yes", the street and two alleyways have been closed and the vacation of the street is in process and will be complete before any permits will be issued for construction. Staff stated the site plan included in Planning Commissioner's packets was what was submitted with the Board of Adjustment approval and that may have changed somewhat because that was a conceptual plan at the time. Staff further stated there would be a requirement the applicant comes back to TMAPC to combine the lots, alleys and streets through the lot combination process to absolve those lines so they won't affect the plan.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 7 members present:

On **MOTION** of **DIX**, TMAPC voted **6-0-1** (Covey, Dix, Doctor, Fretz, Krug, Shivel "aye"; no "nays"; Adams "abstaining"; Carnes, Millikin, Reeds, Walker "absent") to **APPROVE** Plat Waiver BOA-22162 per staff recommendation

17.Z-7375 Khoury Engineering/Malek Khoury (CD 2) Location: East of the southeast corner of West 71st Street South and South Elwood Avenue requesting rezoning from **AG** to **CG** with **optional development plan**

STAFF RECOMMENDATION:

SECTION I: Z-7375

DEVELOPMENT CONCEPT:

The anticipated immediate use for this site is an automobile collision repair shop. The applicant has submitted an optional development plan to provide additional design standards which help integrate this site into the anticipated future development along West 71st Street near the Turkey Mountain Wilderness area. Additional considerations have also been provided in the development plan to help screen and mitigate the effects of this use on the adjacent properties immediately west of this site.

SECTION II OPTIONAL DEVELOPMENT PLAN STANDARDS:

The following Use categories, Subcategories and Specific Uses shall be allowed in conjunction with all supplemental regulations and all other zoning regulations as defined in the Tulsa Zoning Code except as further limited below:

PERMITTED USE CATEGORIES:

1. Commercial Use Category: Limited to the following Subcategories
 - Animal Service and all specific uses
 - Broadcast or Recording Studio
 - Commercial Service and all specific uses
 - Financial Services and all specific uses
 - Office and all specific uses, (except plasma Centers are prohibited)
 - Restaurants and Bars with all specific uses
 - Retail Sales with all specific uses
 - Studio, Artist or Instructional Service
 - Trade School
 - Commercial vehicle repair and maintenance
 - Vehicle body and paint finishing shop

BUILDING SETBACKS:

The minimum building setback from the South side of the West 71st Street South right of way line shall not be less than 25 feet.

OUTDOOR STORAGE:

Outdoor storage is prohibited

LANDSCAPE AND SCREENING STANDARDS:

Landscape: A mix of deciduous and evergreen trees shall be placed on the lot within 20 feet of the street right-of-way and the west property line. Those trees shall be placed at a maximum spacing of not more than 25 feet measured in any horizontal dimension and not closer than 10 feet. These trees are additional to any other landscape requirements identified in the Zoning Code.

Along the west lot line those trees are not required where a masonry screening wall is required as outlined below.

Screening: The subcategories for commercial vehicle repair and maintenance facilities or vehicle body and paint finish shops must store inoperable vehicles or vehicles that are waiting for repair in a masonry wall enclosure. The masonry enclosure must be complimentary to the building design materials with a minimum height of 6 feet. The area must be gated where vehicular access is required with an opaque gate also complimentary the building design. The gate must also be a minimum height of 6 feet.

SITE LIGHT STANDARDS:

All lighting shall be pointed down and away from the boundary of the development plan. Under no circumstance shall the lighting be greater than 25 feet in height. All other lighting provisions of the zoning code are required.

DETAILED STAFF RECOMMENDATION:

Z-7375 requesting CG zoning with the optional development plan is consistent with the Employment land use designation of the Tulsa Comprehensive Plan and;

Z-7375 is consistent with the expected development pattern of the surrounding area and;

Z-7375 with the optional development plan provides consideration for existing surrounding property development and the Turkey Mountain Wilderness and provides some design standards that are consistent with the West Highlands Small Area Plan and;

The proposed development is non injurious to the proximate properties therefore;

Staff recommends Approval of Z-7375 to rezone property from AG to CG but only with the optional development Plan.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: *The allowed uses identified in the optional development plan and its associated design standards are consistent with the Employment land use designation in the Tulsa Comprehensive Plan. This site is not included in the West Highlands Small Area Plan or in the River*

Design Corridor Overlay however the landscape and screening standards reflect the concepts of the West Highlands Small Area Plan.

Land Use Vision:

Land Use Plan map designation: Employment

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

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

Areas of Stability and Growth designation: Area of Growth

The purpose of 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: The Commuter Corridor consideration of West 71st Street South is a high capacity traffic corridor that is generally not pedestrian oriented.

Trail System Master Plan Considerations: None, but it should be noted that this site is immediately south of the Turkey Mountain Wilderness Area. Existing sidewalks provide access to the trail system on the north of West 71st Street.

Small Area Plan: None that affect the site

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

***Staff Summary:** The site is undeveloped with few existing trees. There are no specific existing conditions that affect development.*

Environmental Considerations: No known environmental considerations that affect site development.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
West 71 st Street	Primary Arterial with Commuter Corridor	120 feet	4

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	Park and Open Space	Stability	Turkey Mountain Wilderness Area
East	CS with PUD 384-A	Employment	Growth	Vacant immediately east but Mini Storage within the PUD
South	AG with PUD 384-A	Employment	Growth	Vacant

West	CS with PUD 660	Employment	Growth	Medical Office (vision clinic)
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SECTION IV: 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:

Z-7052/PUD-738 May 2007: All concurred in approval of a request to rezone a 39.19+ acre tract from AG to RS-3/RM-0/CS and a Planned Unit Development for a mixed use development on property located at the southwest corner of West 71st Street South and South Elwood Avenue.

Z-6858/PUD-660 July 2002: All concurred in approval of a request to rezone a 2.2+ acre tract from AG to CS/PUD and a Planned Unit Development for commercial uses on property located east of the southeast corner of South Elwood Avenue and West 71st Street and abutting west of subject property.

PUD-384-A April 1987: All concurred in approval of a proposed Major Amendment to PUD-384 to modify permitted uses to Use Units 11, 14, 15 and 17. All concurred in approval of the request subject to conditions for the following uses, a mini-storage facility, a retail lawn and garden business with office and showroom. Use Unit 17 permitted the mini-storage facility only and all outdoor display for retail lawn and garden business would be only for seasonal merchandise. The property is located east of the southeast corner of South Elwood Avenue and West 71st Street, and abutting east of subject property.

Z-6017/PUD-384 May 1985: A request was made to develop a 10+ acre tract of land from AG to CG or IL, with an overlay of a Planned Unit Development for commercial uses. All concurred in denial of CG and IL zoning and approval of CS zoning, on the north 550' with the remainder to stay AG, per conditions. The applicant also proposed. On property located east of the southeast corner of South Elwood Avenue and West 71st Street, and abutting west of subject property.

Z-6006 October 1984: All concurred in approval of a request for rezoning a tract of land from AG to CS, for commercial use, on property located on the southeast corner of E. 71st St. and S. Elwood Ave.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 7 members present:

On **MOTION** of **DIX**, the TMAPC voted **7-0-0** (Adams, Covey, Dix, Doctor, Fretz, Krug, Shivel “aye”; no “nays”; none “abstaining”; Carnes, Millikin, Reeds, Walker “absent”) to **RECOMMEND APPROVAL** of rezoning of Z-7375 from AG to CG with optional development plan per staff recommendations

Legal Description of Z-7375:

The East 210.26 feet of the West 901.74 feet of the North 520.00 feet of the Northwest Quarter of the Northwest Quarter (NW/4 NW/4) of Section Twelve (12), Township Eighteen (18) North, Range Twelve (12) East, Tulsa County, Oklahoma. ***Less and Except*** The North 90.00 feet of the East 210.26 feet of the West 901.74 feet of the North 520.00 feet of the NW ¼ NW ¼ of Section 12, Township 18 North, Range 12 East of the Indian Base and Meridian, Tulsa County, Oklahoma, and the South 50.00 feet of the North 140.00 feet of the East 46.00 feet of the East 210.26 feet of the West 901.74 feet of the North 520.00 feet of the NW ¼ NW ¼ of Section 12, Township 18 North, Range 12 East of the Indian Base and Meridian, Tulsa County, Oklahoma.

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OTHER BUSINESS

18. Consider initiation of an amendment to the Comprehensive Plan Land Use Map from Employment to New Neighborhood on approximately 52.14 acres south of the southeast corner of West 71st Street South and South Elwood Avenue

STAFF RECOMMENDATION:

Consider initiation of an amendment to the Comprehensive Plan Land Use Map from *Employment* to *New Neighborhood* on approximately 52.14 acres south of the southeast corner of W. 71st Street S. and S. Elwood Avenue

At the December 7, 2016 public hearing, the TMAPC voted to deny a rezoning application to CG with an optional development plan (Z-7366) and for a 1.47 acre site south of the southeast corner of W. 71st Street and S. Elwood Avenue. At the public hearing, neighbors and TMAPC members expressed concerns that the existing land use category of *Employment* may not be appropriate given the established character and the new residents moving into the area. At the end of that meeting, TMAPC Chairman Covey stated that he would like to request that TMAPC initiate a land use change to New Neighborhood for this area. After initial staff review, it was determined that an appropriate area for consideration

would include 13 parcels totaling 52.14 acres, most with existing residences, located between the PSO substation to the north, the City of Tulsa facility to the east and the new Jenks school to the south.

The Comprehensive Plan defines the *Employment* land use category as containing “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.” The *Employment* land use category was assigned to the east side of S. Elwood Avenue, south of W. 71st Street S. at the time of the 2010 adoption of the Tulsa Comprehensive Plan. A contributing factor to that decision could have been the proximity to the City of Tulsa sewage treatment facility to the east and the anticipation that the area may transition over time to more intense uses. However, the topographic difference between this area and the City facility and the established residential character of the area may not have been considered for the 52.14 acres subject to this consideration.

The Comprehensive Plan specifically allows TMAPC to initiate land use map amendments. Land Use policy 2.5 states that the Land Use Plan of the Comprehensive Plan “is amended by TMAPC and approved by City Council. Amendments can be initiated by landowners of affected property, the Planning Commission, or the City Council.”

Mr. Dix asked if staff has had a conversation with the neighbors affected by these changes.

Staff stated at minimum a notice will be mailed to all property owners within 300 feet but Ms. Warrick would like to assign members of her staff to meet with the neighborhood.

Mr. Dix stated prior to this meeting the neighbors don't know about the changes.

Staff stated no but this was just to initiate the amendment to the Comprehensive Plan Land Use Map.

TMAPC Action; 7 members present:

On **MOTION** of **DIX**, TMAPC voted **7-0-0** (Adams, Covey, Dix, Doctor, Fretz, Krug, Shivel “aye”; no “nays”; none “abstaining”; Carnes, Millikin, Reeds, Walker “absent”)to **INITIATE** an amendment to the Comprehensive Plan Land Use Map changing 52.14 acres south of the southeast corner of W. 71st Street S. and S. Elwood Avenue from Employment to New Neighborhood

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19. Consider adoption of Resolution No. 2739:962 finding the Tulsa Urban Forest Master Plan in conformance with the Tulsa Comprehensive Plan

STAFF RECOMMENDATION:

Item: TMAPC consider adoption of Resolution No. 2739:962 finding the Tulsa Urban Forest Master Plan in conformance with the Tulsa Comprehensive Plan

A. Background: Up with Trees worked with Davey Resource Group to develop a comprehensive Tulsa Urban Forest Master Plan that includes a vision set by tree experts, city officials, invested stakeholders, public feedback, and various reports assessing the health and quantity of Tulsa's trees. The Tulsa Urban Forest Master Plan was completed and presented to the public in late 2016. This Plan will assist in coordinating the planting and maintenance efforts of Tulsa to grow a larger and healthier urban forest for our city. The online version of the plan can be found here: <https://www.upwithtrees.org/trees-signs/master-plan/>

Steve Grantham, Executive Director of Up with Trees, presented the Tulsa Urban Forest Master Plan at a January 18, 2017 work session of the Planning Commission. The Tulsa Urban Forest Master Plan is considered a functional plan and falls under the category of "other types of plans, studies and initiatives" in the TMAPC Policies and Procedures, which requires that the plan be reviewed for conformance with the Tulsa Comprehensive Plan. Following this action, the City Council will be asked to concur with the finding of conformance.

B. Comprehensive Plan Conformance: When the Tulsa Comprehensive Plan (PlaniTulsa) was adopted in 2010, it included a recommendation to develop an Urban Forest Master Plan (see attached). The goals and recommendations in the master plan reflect many of the concepts that were identified in the Comprehensive Plan. In addition, much of the baseline information established during the development process of the master plan will help to implement Comprehensive Plan goals by providing a baseline for monitoring tree canopy and forest cover over time. The master plan will also provide guidance during development of updated landscape regulations within the City of Tulsa Zoning Code, which will further provide regulatory tools to implement the Comprehensive Plan. Staff finds that based on the above, the Urban Forest Master Plan is in conformance with the Tulsa Comprehensive Plan.

C. Staff Recommendation: Adopt a resolution finding the Tulsa Urban Forest Master Plan in conformance with the Tulsa Comprehensive Plan.

TMAPC Action; 7 members present:

On **MOTION** of **DIX**, TMAPC voted **7-0-0** (Adams, Covey, Dix, Doctor, Fretz, Krug, Shivel "aye"; no "nays"; none "abstaining"; Carnes, Millikin, Reeds, Walker "absent") to **ADOPT** a resolution finding the Tulsa Urban Forest Master Plan in conformance with the Tulsa Comprehensive Plan

20. Commissioners' Comments

ADJOURN

TMAPC Action; 7 members present:

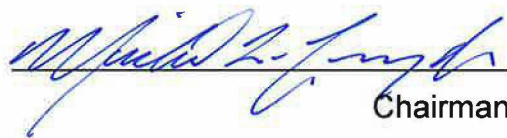
On **MOTION** of **DIX**, TMAPC voted **7-0-0** (Adams, Covey, Dix, Doctor, Fretz, Krug, Shivel "aye"; no "nays"; none "abstaining"; Carnes, Millikin, Reeds, Walker "absent") to **ADJOURN** TMAPC meeting 2739.

ADJOURN

There being no further business, the Chair declared the meeting adjourned at 2:45 p.m.

Date Approved:

02-15-2017


Chairman

ATTEST: 
Secretary