

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2745

Wednesday, May 3, 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	Ling, COT
Covey	Doctor	Hoyt	VanValkenburgh, Legal
Dix	Shivel	Miller	
Fretz		Sawyer	
Krug		Ulmer	
Millikin		Wilkerson	
Reeds			
Walker			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Thursday April 27, 2017 at 4:05 p.m., posted in the Office of the City Clerk, as well as in the Office of the County Clerk.

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

REPORTS:

Chairman's Report:

Director's Report:

Ms. Miller reported on the City Council and Board of County Commissioners agenda and actions taken.

1. Minutes:

Approval of the minutes of April 19, 2017 Meeting No. 2744

On **MOTION** of **DIX**, the TMAPC voted 7-0-0 (Adams, Covey, Dix, Fretz, Krug, Reeds, Walker, "aye"; no "nays"; none "abstaining"; Carnes, Doctor, Millikin, Shivel, "absent") to **APPROVE** the minutes of the meeting of April 19, 2017, Meeting No. 2744.

Millikin arrived 1:35 p.m.

CONSENT AGENDA

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

2. **LS-20983** (Lot-Split) (County) – Location: Northwest corner of East 146th Street North and North Memorial Drive
3. **LS-20985** (Lot-Split) (CD 3) – Location: North of the northwest corner of East Archer Street and North Delaware Place
4. **LC-886** (Lot-Combination) (CD 4) – Location: South of the southwest corner of East 26th Place South and South Boston Avenue
5. **LC-887** (Lot-Combination) (CD 7) – Location: Northeast corner of East 55th Place South and South 99th East Avenue (related to LS-20986)
6. **LS-20986** (Lot-Split) (CD 7) – Location: Northeast corner of East 55th Place South and South 99th East Avenue (related to LC-887)
7. **LC-888** (Lot-Combination) (County) – Location: North and East of South 263rd West Avenue and South 257th West Avenue
8. **LS-20987** (Lot-Split) (County) – Location: North of the northwest corner of West 9th Street South and South 174th West Avenue (Related to LC-889)
9. **LC-889** (Lot-Combination) (County) – Location: North of the northwest corner of West 9th Street South and South 174th West Avenue (Related to LS-20987)
10. **LS-20988** (Lot-Split) (County) – Location: Southeast corner of West Skyline Drive and South 60th West Avenue
11. **LS-20989** (Lot-Split) (County) – Location: Southeast corner of North Jamestown Avenue and East 186th Street North (Related to LC-890)
12. **LC-890** (Lot-Combination) (County) – Location: Southeast corner of North Jamestown Avenue and East 186th Street North (Related to LS-20989)

- 13. **LS-20991** (Lot-Split) (County) – Location: North of the northwest corner of East 126th Street North and North 143rd East Avenue
- 14. **LS-20993** (Lot-Split) (CD 3) – Location: North of the northeast corner of North Mingo Road and East 46th Street North
- 15. **LS-20994** (Lot-Split) (CD 8) – Location: Southwest corner of South 77th East Avenue and East 106th Street South (Related to 891)
- 16. **LC-891** (Lot-Combination) (CD 8) – Location: Southwest corner of South 77th East Avenue and East 106th Street South (Related to LS-20994)

Items 17, 18 and 19 were removed from consent and placed on public hearing

- 20. **LS-20995** (Lot-Split) (CD 9) – Location: North of the northeast corner of East 53rd Street South and South Columbia Place
- 21. **LS-20996** (Lot-Split) (CD 7) – Location: Northwest corner of East 61st Street South and South 129th East Avenue (Related to LC-895)
- 22. **LC-895** (Lot-Combination) (CD 7) – Location: Northwest corner of East 61st Street South and South 129th East Avenue (Related to LS-20996)
- 23. **LS-20997** (Lot-Split) (CD 3) – Location: Northwest corner of East Independence Street and North Birmingham Place
- 24. **FD Development 1st Addition** (CD 3) Final Plat, Location: Southeast corner of East Pine Street North and North Mingo Road

TMAPC Action; 8 members present:

On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Adams, Covey, Dix, Fretz, Krug, Millikin, Reeds, Walker "aye"; no "nays"; none "abstaining"; Carnes, Doctor, Shivel, "absent") to **APPROVE** Items 2 through 16 and items 20 through 24 per staff recommendation.

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CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA:

- 17. **LC-892** (Lot-Combination) (CD 4) – Location: Northeast corner of 7th Street South and South Norfolk Avenue (Related to LC-893 and LC-894)

18. LC-893 (Lot-Combination) (CD 4) – Location: Northeast corner of 7th Street South and South Norfolk Avenue (Related to LC-892 and LC-894)

19. LC-894 (Lot-Combination) (CD 4) – Location: Northeast corner of 7th Street South and South Norfolk Avenue (Related to LC-892 and LC-893)

TMAPC Action; 8 members present:

On **MOTION** of **DIX**, TMAPC voted **7-0-1** (Adams, Covey, Dix, Fretz, Krug, Millikin, Walker "aye"; no "nays"; Reeds, "abstaining"; Carnes, Doctor, Shivel, "absent") to **APPROVE** Items 17 through 19 per staff recommendation.

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

PUBLIC HEARINGS:

25. LS-20990 (Lot-Split) (County) – Location: South of the southeast corner of East 161st Street South and South Harvard Avenue

STAFF RECOMMENDATION:

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

The Technical Advisory Committee met on April 20, 2017 and had the following comment. The County Engineer requests a Right-of-Way dedication to total 50' along South Harvard Avenue.

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.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 8 members present:

On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Adams, Covey, Dix, Fretz, Krug, Millikin, Reeds, Walker "aye"; no "nays"; none "abstaining"; Carnes, Doctor, Shivel, "absent") to **APPROVE** LS-20990 per staff recommendation

26. LS-20992 (Lot-Split) (County) – Location: West of the southwest corner of West 51st Street South and South 85th West Avenue

STAFF RECOMMENDATION:

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

The Technical Advisory Committee met on April 20, 2017 and had the following comment. The County Engineer requests a Right-of-Way dedication to total 50' along West 51st Street South.

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.

There were no interested parties wishing to speak.

Ms. Ulmer spoke with the applicant and indicated his agreement with staff's recommendation.

TMAPC Action; 8 members present:

On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Adams, Covey, Dix, Fretz, Krug, Millikin, Reeds, Walker "aye"; no "nays"; none "abstaining"; Carnes, Doctor, Shivel, "absent") to **APPROVE** LS-20992 per staff recommendation

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27. Z-7275 Plat Waiver (CD 4) Plat Waiver, Location: Northeast corner of South Norfolk Avenue and East 6th Street South

STAFF RECOMMENDATION:

The platting requirement for this property is being triggered by a rezoning approval (Z-7275) in August 2014. The property was included in the city-initiated rezoning to Form-Based Code in November of 2011. In 2014, the property owner obtained approval to rezone the property back to CH zoning and remove it from the FBC.

The property owner is now seeking building permits to update an existing use within the building with no plans to expand the footprint of the structure or add any additional structures to the lot.

The Technical Advisory Committee met on March 16th, 2017 and the following items were determined:

1. All required right-of-way has been dedicated and is in place.
2. Necessary easements are all in place and no additional easements will be needed at this time.
3. The property was previously platted under the Central Park Place plat.

Staff recommends **approval** of the plat waiver on the previously platted property.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 8 members present:

On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Adams, Covey, Dix, Fretz, Krug, Millikin, Reeds, Walker "aye"; no "nays"; none "abstaining"; Carnes, Doctor, Shivel, "absent") to **APPROVE** the Plat Waiver Z-7275 per staff recommendation.

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28. Z-7325 Plat Waiver (CD 4) Plat Waiver, Location: Northeast corner of South Utica Avenue and East 21st Street South

STAFF RECOMMENDATION:

The platting requirement for this property is being triggered by a rezoning approval (Z-7325) in February 2016 for St. John Medical Center.

The property covered by the plat waiver application includes the existing St. John Medical facility. There are currently no plans for construction or development on the property included in this application. Additional property covered by the rezoning (Z-7325) has been intentionally excluded from the waiver request so that new development proposals will remain subject to a platting review.

The property has developed over a 90 year period. All property included under application is currently served by public utilities and public streets with no need for additional extensions or dedication at this time.

Staff recommends **approval** of the plat waiver with the following conditions previously agreed to by the applicant:

1. Any expansion of existing buildings or addition of new buildings within the subject tract of this application will require the recordation of an ALTA survey provided by the property owner prior to building permits.
2. If it is determined that any public facilities are not located within an easement, an easement shall be granted.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 8 members present:

On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Adams, Covey, Dix, Fretz, Krug, Millikin, Reeds, Walker "aye"; no "nays"; none "abstaining"; Carnes, Doctor, Shivel, "absent") to **APPROVE** the Plat Waiver Z-7325 per staff recommendation.

29.NP 36 (CD 1) Preliminary Plat, Location: Southwest corner of North Lewis Avenue and East 36th Street North

STAFF RECOMMENDATION:

This plat consists of 2 lots, 1 block, 1 reserve area on 138± acres.

The Technical Advisory Committee (TAC) met on April 20, 2017 and provided the following conditions:

1. **Zoning:** The property is zoned IM (Industrial-Moderate) with an optional development plan (Z-7367). Add the optional development plan number to the face of the plat and include all optional development plan standards in the deed of dedication. A bikeway 8' in width is required along Mohawk Boulevard. Ensure adequate right-of-way is provided or provide an easement.
2. **General Development:** Any existing utilities located within existing easements/right-of-way proposed to be closed must be relocated or provided a new easement on the final plat.
3. **Transportation & Traffic:** Label Mohawk Boulevard. Provide a legal survey closure form. Provide full width of all existing and proposed street right-of-way. Indicate whether monuments were set or found at each boundary corner and provide monument size.
4. **Sewer:** As shown, the 17.5 utility easement at the northeast corner of the property is encroaching into right-of-way. U/E must be offset 17.5' from the R-O-W. Provide language for sanitary sewer easement in the deed of dedication. Proposed sewer line extension from Reserve to Lot 2 Block 1 needs to be in an easement.
5. **Water:** Proposed water line easement abandonments must be processed through City of Tulsa.
6. **Engineering Graphics:** Submit a subdivision control data sheet with final plat. Remove contours on the final plat submittal. Provide individual lot addresses on final plat. Add "City of Tulsa" in the plat subtitle before "Tulsa

County". Add "3501" to the basis of bearings statement after "North Zone".

7. **Fire:** No comments.
8. **Stormwater, Drainage, & Floodplain:** Portions of the subject property are located within the Dirty Butter Creek floodplain. All delineated floodplain boundaries, including City of Tulsa Regulatory Floodplain, should be clearly and accurately shown on the plat with base flood elevations labeled. Any proposed development within the floodplain must meet the floodplain development requirements of the City of Tulsa Revised Ordinances, Title 11-A and Title 51 as well as all City drainage standards. Proposed changes to the floodplain boundaries or flood elevations will be subject to floodplain map revisions.
9. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** All utilities indicated to serve the site must provide a release prior to final plat approval. Provide a Certificate of Records Search from the Oklahoma Corporation Commission to verify no oil & gas activity on the site.

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.

INTERESTED PARTIES COMMENTS:

Charles Williams 2103 East Mohawk Boulevard, Tulsa, OK 74110

Mr. Williams stated he lives next to the proposed property and would like to commend everyone involved in the development, the project looks very good. Mr. Williams is concerned because after the developers removed the trees Mr. Williams stated he can hear a pin drop across the street. Mr. Williams would like a barrier between his property and the project property. Mr. Williams stated the truck traffic was a concern also, but since the approval of this application signs have been installed on Mohawk Boulevard prohibiting trucks with more than 2 axles this has significantly helped with this issue but Mr. Williams would like to see law enforcement stop the trucks that ignore the signs. Mr. Williams stated he supports the development.

Mr. Dix asked applicant if there were any plans for sound barriers.

Josh Miller, GKFF 7030 S Yale Avenue, Tulsa, OK

Mr. Miller stated the developers will protect his property in regards to landscaping and screening.

Mr. Dix asked Mr. Miller what the zoning regulation calls for.

Mr. Miller stated to protect the neighborhood across the street the discussion was to offer several options, including the option of a wall, which the applicant strongly discourages. Another option was berming and landscaping, that is the preferred option.

Mr. Dix asked staff what the zoning regulations require with this development adjacent to a residential property on site.

Staff stated there will have to be a screening fence adjacent to the residential lot, but there is also requirements such as within 300 feet there can't be any outdoor storage or buildings within 75 feet of a residential property.

Mr. Dix stated to Mr. Williams that what the zoning code requires is the best the Planning Commission can do.

TMAPC Action; 8 members present:

On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Adams, Covey, Dix, Fretz, Krug, Millikin, Reeds, Walker "aye"; no "nays"; none "abstaining"; Carnes, Doctor, Shivel, "absent") to **APPROVE** the Preliminary Plat NP 36 per staff recommendation.

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30. Sheridan Crossing Phase IV (County) Preliminary Plat, Location: North and east of the intersection of East 86th Street North and North Sheridan Road

STAFF RECOMMENDATION:

This plat consists of 44 lots, 8 blocks, 4 reserve areas on 44± acres.

The Technical Advisory Committee (TAC) met on April 20, 2017 and provided the following conditions:

1. **Zoning:** The property is zoned RE (Residential – Estate). The proposed lots comply with the bulk and area requirements of the Tulsa County Zoning Code
2. **General Development:** A stub street to the east may be required as determined by the Tulsa County Engineer.
3. **Transportation & Traffic:** No comments.
4. **Sewer:** Proposed aerobic systems must be reviewed and approved by the Oklahoma Department of Environmental Quality.
5. **Water:** Submit plans for water to Rural Water District No. 3, Washington County and provide release.
6. **Engineering Graphics:** Submit a subdivision control data sheet with final plat. In the Location Map, remove individual parcel lines. Only show platted

subdivision boundaries and label each. All other land should be labeled as "Unplatted". Provide the basis of bearings with a specific bearing angle between two known points associated with this plat. Graphically label all plat boundary pins that were found or set. Provide street names associated with the plat. Add "State of" before Oklahoma in the plat subtitle. Spell out Indian Base & Meridian in the plat subtitle.

7. **Fire:** No comments.
8. **Stormwater, Drainage, & Floodplain:** No comments.
9. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** All utilities indicated to serve the site must provide a release prior to final plat approval. Provide a Certificate of Records Search from the Oklahoma Corporation Commission to verify no oil & gas activity on the site.

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.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 8 members present:

On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Adams, Covey, Dix, Fretz, Krug, Millikin, Reeds, Walker "aye"; no "nays"; none "abstaining"; Carnes, Doctor, Shivel, "absent") to **APPROVE** the Preliminary Plat Sheridan Crossing Phase IV per staff recommendation.

Items #31 and 32 were presented together but voted on separately.

31. **CPA-60 April McConnell** (CD 4) Location: Location: Northeast corner of West Admiral Boulevard and South Gilcrease Museum Road requesting to amend the Comprehensive Plan Land Use Map on approximately 1.62 acres from Existing Neighborhood to Employment (**Related to Z-7380**)

STAFF RECOMMENDATION:

I. PROPERTY INFORMATION AND LAND USE REQUEST

<p>Existing Land Use: <i>Existing Neighborhood</i> Existing Stability and Growth designation: <i>Area of Growth</i></p>
<p>Proposed Land Use: <i>Employment</i></p>
<p>Location: NE/c of W Admiral Blvd and N Gilcrease Museum Rd</p>
<p>Size: 1.62 ± acres</p>

A. Background

The land use assigned for this area at the time of adoption of the 2010 Tulsa Comprehensive Plan is *Employment*, with a Stability and Growth Map designation of *Area of Growth*. The currently undeveloped subject area is west of Downtown Tulsa, within the boundary of the Charles Page Boulevard Area Neighborhood Revitalization Plan. This small area plan was adopted in 1996, to assist and progress the revitalization of this area. The small area plan attempts to increase equitable employment opportunities and create a built-environment that combats declining population trends.

The eleven (11) parcels subject to the amendment application are located south of Highway 412, on the east side of North Gilcrease Museum Road. The surrounding area contains a mixture of uses including vacant residential lots to the east; large IM zoned lots to the south; and the Katy Jogging Trail directly to the north of the subject site. The applicant has submitted this proposed Comprehensive Plan amendment and a concurrent rezoning application (Z-7380) to permit a vehicle restoration and maintenance commercial use. The rezoning application applies to one of the eleven lots owned by the applicant. While reviewing the rezoning application, staff found it appropriate to evaluate the land use designation of all eleven (11) parcels and the possibility of changing them to *Employment* through an amendment to the Comprehensive plan.

B. Existing Land Use and Growth Designations (Tulsa Comprehensive Plan and Charles Page Boulevard Area Neighborhood Revitalization Plan)

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

“The Existing Residential Neighborhood category is intended to preserve and enhance Tulsa’s existing single family

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

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 an *Employment* land use designation on the subject site.

“*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.”

D. Zoning and Surrounding Uses:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Area of Growth	Existing Use
North	RS-3	N/A	N/A	Right-of-way/ Katy Jogging Trail
South	IM	<i>Employment</i>	<i>Area of Growth</i>	residential
East	RS-3	<i>Existing Neighborhood</i>	<i>Area of Growth</i>	Vacant
West	IM	<i>Existing Neighborhood</i>	Area of Stability	Veterinary Hospital

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:

“All the surrounding pieces of property are industrial, commercial, QT, Hotels, Restaurants, Veterinarian, City of Tulsa garage, Fire Department training center. And we are preparing the land for commercial issue at a later date. Right now we are cleaning up the land, trees, trash,

and leveling. The lots are too small to build a subdivision, and land is not laid out to build houses. The utilities have not been ran to the property as far as water and sewer, it should not be purposed for residential at all. I would appreciate if the city would make the comprehensive plan no longer residential”.

F. Staff Summary:

To accommodate a vehicle restoration and maintenance commercial use the applicant is proposing to expand the *Employment* into an *Existing Neighborhood* as designated by the Comprehensive Plan. However, there are no residences in this area and it does not meet the definition of *Existing Neighborhood* as defined in the Comprehensive Plan. The rezoning application (Z-7380) applies to one of the eleven lots owned by the applicant. While reviewing the rezoning application, staff found it appropriate to evaluate the land use designation for all surrounding tracts owned by the applicant. This is a unique situation in which the subject lots and surrounding areas to the east and west are designated *Existing Neighborhood* and *Area of Growth* when the Comprehensive Plan was adopted in 2010. *Existing Neighborhood* designations are typical coupled with *Areas of Stability*. The planning area immediately to the south and southwest are designated *Employment* and an *Area of Growth*.

The Board of Adjustment approved a variance to allow a storage building as the principal use of a RS-3 zoned lot to the parcel directly to the east of the rezoning application subject site under the previous Zoning Code. The right-of-way that separates the subject area was never developed. According to the applicant, they plan to vacate the right-of-way and prepare the land to be developed for commercial use at a later date.

A few important factors warrant consideration of a Comprehensive Plan amendment in the subject area. The subject lots are in close proximity to large industrial and commercial uses. The property to the west, across North Gilcrease Museum Road, is an IM zoned veterinary hospital with an *Existing Neighborhood* land designation. The IM zoned residential property to the south is currently for sale and will likely redevelop with industrial type uses. As stated by the Comprehensive Plan, common traits of an *Area of Growth* 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”. An expansion of the *Employment* land use designation onto these lots would eliminate inconsistencies with the *Area of Growth* map designation.

The City of Tulsa Planning and Development Department has provided planning comments and considerations that are attached to the end of this staff report. There is always a concern that new commercial development

will create a significant increase in traffic for the surrounding residential properties. The surrounding terrain varies from rolling to significantly steep. The terrain buffers the site from the existing residences to the east as there is no right-of-way access directly from the neighborhood to the site.

STAFF RECOMMENDATION

- Staff recommends approval of the *Employment* land use designations as submitted by the applicant.

TMAPC Action; 8 members present:

On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Adams, Covey, Dix, Fretz, Krug, Millikin, Reeds, Walker "aye"; no "nays"; none "abstaining"; Carnes, Doctor, Shivel, "absent") to **APPROVE** CPA-60 per staff recommendation

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32. Z-7380 April McConnell (CD 4) Location: Northeast corner of West Admiral Boulevard and South Gilcrease Museum Road requesting rezoning from **RS-3** to **CS (Related to CPA-60) (Continued from April 5, 2017)**

STAFF RECOMMENDATION:

SECTION I: Z-7380

DEVELOPMENT CONCEPT: The applicant owns several lots surrounding this site which was originally platted as a single family residential area in the 1920's however the street and utility infrastructure was never installed. Site development as a residential area is unlikely due to access limitations and severe terrain considerations. The applicant has submitted a concurrent comprehensive plan revision (CPA-60) requesting a change from Existing Neighborhood to Employment land use designation on all lots under her ownership in the area with anticipation of future development similar to the property south of her site.

DETAILED STAFF RECOMMENDATION:

Z-7380 requesting CS zoning is consistent with the Employment land use designation of the Tulsa Comprehensive Plan and;

Z-7380 is consistent with the expected development pattern of the surrounding area and;

The anticipated development allowed in a CS zoning district is non injurious to the proximate properties therefore;

Staff recommends Approval of Z-7380 to rezone property from RS-3 to CS.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The current Land Use designation for the subject lot is Existing Neighborhood. Proposed Comprehensive Plan amendment CPA-60, if approved, would change the Land Use designation to Employment.

Land Use Vision:

Existing Land Use Plan map designation: Existing Neighborhood

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

Proposed Land Use as associated with CPA-60: 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: South Gilcrease Museum Road is a Secondary Arterial

Trail System Master Plan Considerations: The site is adjacent to the Newblock Park Trail and within 300 feet of Katy Trail.

Small Area Plan: The site is located within the Charles Page Boulevard Small Area Plan

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is currently vacant, forested land.

Environmental Considerations: The site is located within the Tulsa County 500 year flood plain.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
West Admiral Boulevard	None	None	2
South Gilcrease Museum Road	Secondary Arterial	100 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	RS-3	Existing Neighborhood	Growth	Vacant
South	IM	Employment	Growth	Single-Family
East	RS-3	Existing Neighborhood	Growth	Storage
West	IM	Existing Neighborhood	Growth	Vacant/Veterinary Hospital

SECTION III: Relevant Zoning History

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

Subject Property:

No relevant history.

Surrounding Property:

BOA-16463 October 26, 1993: The Board of Adjustment **approved** a *Special Exception* to permit and expansion of the existing juvenile detention center (Use Unit 2); per plan, finding that the use is existing, on property located at 315 S. Gilcrease Museum Rd. and south across drainage ditch from subject property.

BOA-13475 February 21, 1985: The Board of Adjustment **approved** a *Special Exception* to allow a veterinary hospital in an IM district; a *Variance* of the frontage requirement and of the 100 ft. setback from the centerline of 25th W.

Ave. to 65 ft., finding that the topography and size of the lot inflict an unnecessary hardship; and a *Variance* to permit off-site parking, subject to the applicant acquiring and maintaining a lease with MD&T Railroad for the parking lot adjacent to the subject tract (if lease is lost the applicant must provide parking on site), on property located on the northeast corner of Admiral Blvd. and N. 25th W. Ave.

BOA-13028 March 22, 1984: The Board of Adjustment **approved** a *Use Variance* to permit a storage building as the principal use on an RS-3 zoned lot; a *Variance* of the required setback from the centerline of Archer Pl. from 50 ft. to 45 ft.; and a *Variance* of the screening requirement to permit a chain link fence in an RS-3 district to permit a storage building, per plot plan, on property located at the southeast corner of S. 25th W. Ave. and Archer Pl. and abutting east of subject property.

TMAPC COMMENTS:

Mr. Dix asked staff what the approximate elevation difference between Gilcrease Museum Road and the west most dotted lines on page 31.11 of the agenda.

Mr. Wilkerson stated there is about 30 feet of elevation change between the top corner and the paving surface; there is not much elevation change on the bottom corner.

Mr. Dix asked staff in the future if there was going to be a request for vacation and a request to close Archer Place.

Mr. Wilkerson stated not in this application but in the future Mr. Wilkerson thought there would be a request to vacate the partial right-of-way.

Ms. Ulmer stated the applicants have already applied for the vacation of right-of-way.

Mr. Dix stated there appears to be a trail adjacent to the roadway.

Mr. Wilkerson stated that is connected to the Riverparks Trail System.

Mr. Dix asked staff what the access was going to be across the trail.

Mr. Wilkerson stated there would not be any access to Gilcrease Museum Road.

Mr. Dix stated it is allowed on the other side of the highway at QuikTrip and McDonalds.

Mr. Wilkerson stated at this time there is currently no plan for access to Gilcrease Museum Road; all access is from Admiral Place.

Mr. Dix stated his future concern is will access be allowed across the jogging trail.

Mr. Wilkerson stated there is nothing prohibiting that access but the engineering details would be very difficult with this project.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff’s recommendation.

TMAPC Action; 8 members present:

On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Adams, Covey, Dix, Fretz, Krug, Millikin, Reeds, Walker "aye"; no "nays"; none “abstaining”; Carnes, Doctor, Shivel, "absent") to **APPROVE** Z-7380 rezoning from **RS-3** to **CS** per staff recommendation.

Legal Description for Z-7380

LT 12 LESS S3 THEREOF BLK 5, NEW IRVING PLACE SECOND ADDN, City of Tulsa, Tulsa County, State of Oklahoma

* * * * *

33. CZ-457 Mingo Storage, LLC (CD 3) Location: South of the southeast corner of South Mingo Road and East 131st Street South requesting rezoning from **AG** to **CG**

STAFF RECOMMENDATION:

SECTION I: CZ-457

DEVELOPMENT CONCEPT: The applicant has requested CG zoning in order to permit a mini-storage facility.

DETAILED STAFF RECOMMENDATION:

CZ-457 is non injurious to the existing proximate properties and;

CG zoning is consistent with the anticipated future development pattern of the surrounding property therefore;

Staff recommends Approval of CZ-457 to rezone property from AG to CG.

SECTION II: Supporting Documentation

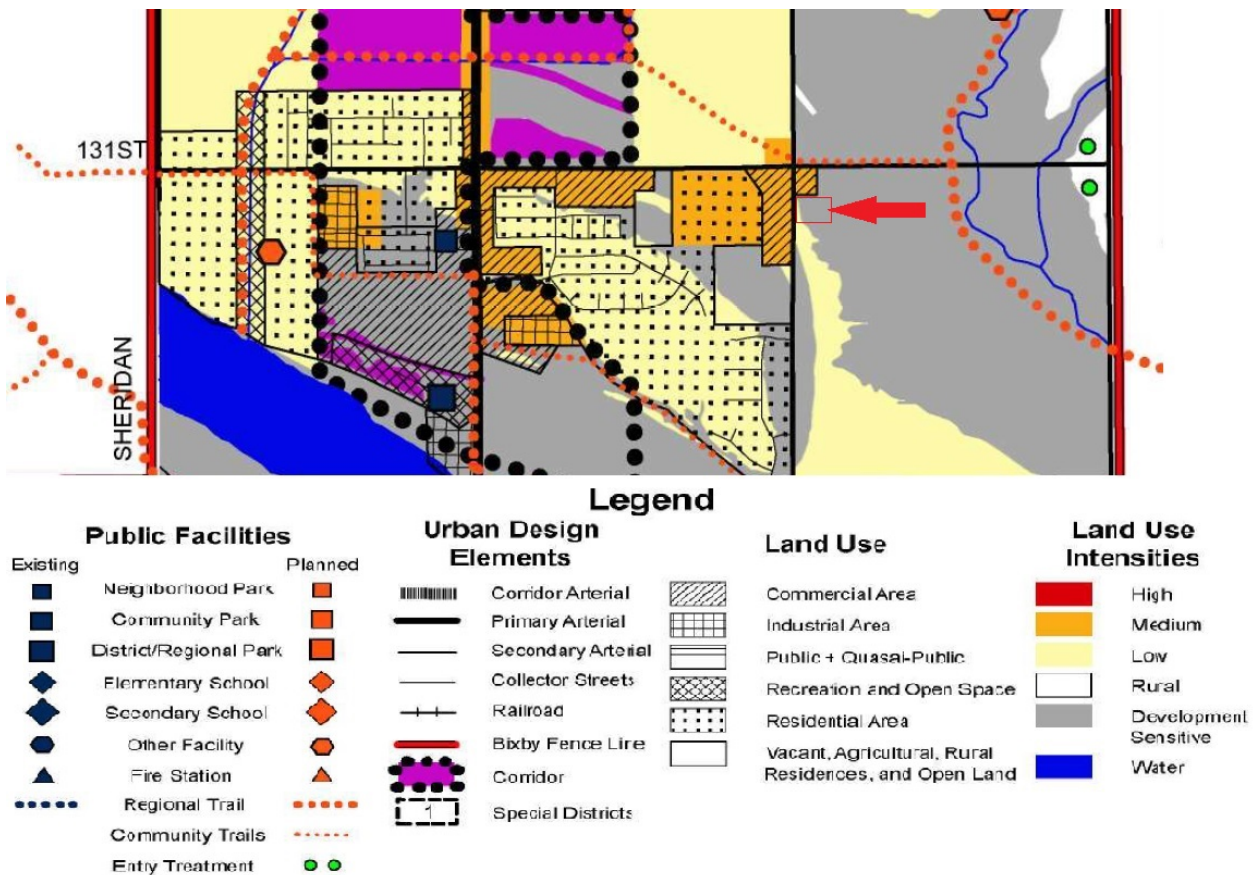
RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The site is located within the City of Bixby Comprehensive Plan Area and is designated as “Vacant, Agricultural, Rural Residences and Open Land” Land Use with a Low Intensity and Development Sensitive Land Use Intensities. See excerpt from City of Bixby Comprehensive Plan (Below). Development Sensitive Land Use generally indicates areas prone to flooding, have excessive slopes or require special consideration of public safety and health. It appears this site has been included due to the floodplain in the vicinity.

Land Use Vision:

Land Use Plan map designation: Vacant, Agricultural, Rural Residences and Open Land

Areas of Stability and Growth designation: N/A



Transportation Vision:

Major Street and Highway Plan: South Mingo Road is a Secondary Arterial

Trail System Master Plan Considerations: The site is approximately 1.25 miles from the Bixby Trail

Small Area Plan: None

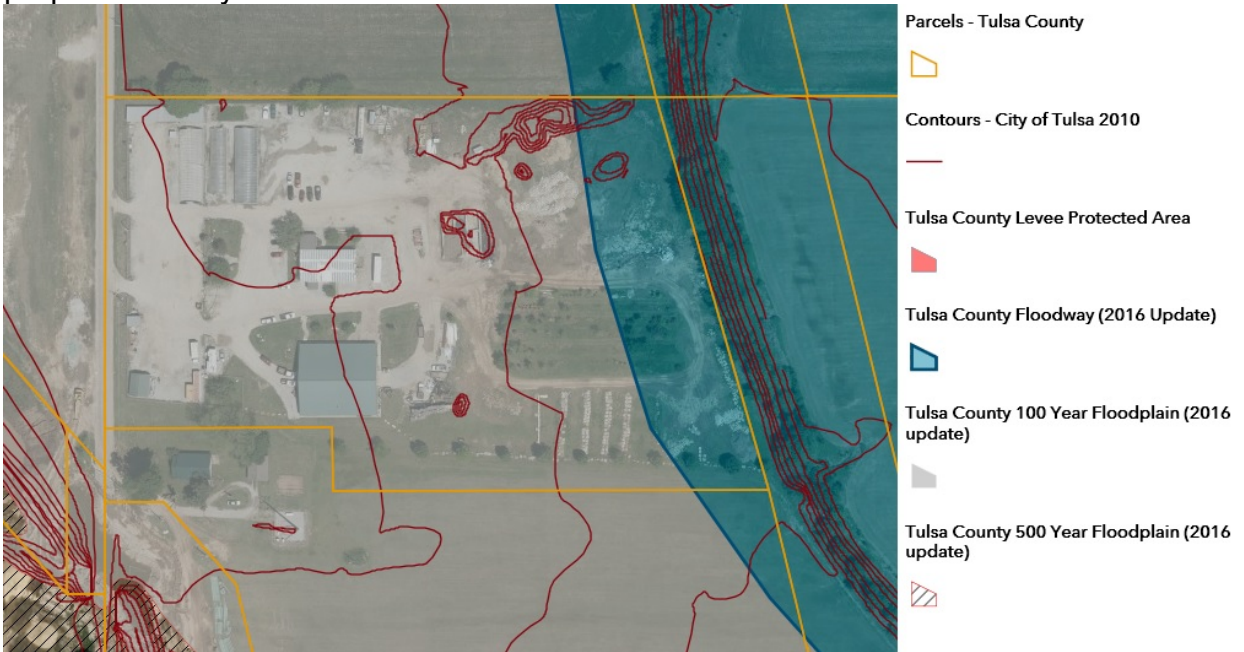
Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site currently contains a landscape contracting service and associated greenhouses and equipment.

Environmental Considerations: The site is located within the Tulsa County 100 Year Floodplain. A portion of the eastern part of the site is located within the Tulsa County Floodway. The applicant will need to work with Tulsa County to mitigate any floodplain issues that may be required before development of the proposed facility.



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	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	OL/FD	N/A	N/A	Vacant/Agricultural
South	AG	N/A	N/A	Vacant/Single-Family
East	AG	N/A	N/A	Vacant/Agricultural
West	CS	N/A	N/A	Vacant/Agricultural

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 98254 dated September 15, 1980, established zoning for the subject property.

Subject Property:

CBOA-2366 April 20, 2010: The Board of Adjustment **approved** a *Use Variance* to permit and existing landscape business in an AG district, and a *Variance* of the paving material to permit gravel, per plan submitted, understanding that the landscape business in located in a flood plain, on property located at 13243 S. Mingo Rd. and also known as the subject property.

CBOA-1486 February 20, 1997: The Board of Adjustment **approved** a *Special Exception* to exceed the height limit of 60 ft. for a PCS telephone antenna supporting tower to allow 100 ft. subject to the tower location being setback 110% from the road, on property located at 13243 S. Mingo Rd. and also known as the subject property.

Surrounding Property:

CZ-178 January 1990: All concurred in **approval** of a request for *rezoning* an 8± acre tract of land from AG to FD (Floodway), for on property located east of the southeast corner of E. 131st St. and S. Mingo Rd. and abutting north of subject property.

CZ-175 January 1990: All concurred in **approval** of a request for *rezoning* a 83± acre tract of land from AG to RS/ RM-2/ RD/ OL/ and CS, except a portion of property to remain AG because it is in the floodplain, on property located on the southeast corner of E. 131st St. and S. Mingo Rd. and abutting north of subject property.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 8 members present:

On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Adams, Covey, Dix, Fretz, Krug, Millikin, Reeds, Walker "aye"; no "nays"; none "abstaining"; Carnes, Doctor, Shivel, "absent") to **APPROVE** CZ-457 rezoning from **AG** to **CG** per staff recommendation.

Legal Description for CZ-457

PRT NW BEG NWC S/2 NW NW TH S425.6 E296 S80.6 E564.90 NW525.8 W711.7 POB SEC 7 17 14 8.6AC, Tulsa County, State of Oklahoma

34. Z-7385 Stephen Schuller (CD 3) Location: Northeast corner of the East 46th Street North and Highway 169 requesting rezoning from **AG** to **IM**

STAFF RECOMMENDATION:

SECTION I: Z-7385

DEVELOPMENT CONCEPT: The 97 acre tract is surrounded by Highway 169 on the west and port road on the south. All property in the area is zoned AG, IL and IM. The site is in a Regional Center and is anticipated to be developed similar to industrial areas south of Port Road.

DETAILED STAFF RECOMMENDATION:

Z-7385 requesting IM zoning is consistent with the Regional Center land use designation of the Tulsa Comprehensive Plan and;

Z-7385 is consistent with the expected development pattern of the surrounding area and;

The anticipated development allowed in an IM zoning district is non injurious to the proximate properties therefore;

Staff recommends Approval of Z-7385 to rezone property from AG to IM.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: Z-7385 is included in Regional Center and an Area of Growth. The rezoning request will complement the vision identified.

Land Use Vision:

Land Use Plan map designation: Regional Center

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

Areas of Stability and Growth designation: Area of Growth

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

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

Transportation Vision:

Major Street and Highway Plan: East 46th Street North is a Primary Arterial

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 currently contains vacant agricultural land. East of this site is a large limestone quarry operation less than 1000 feet from the east property line. The excavation and crushing components will be a significant consideration for future development east of this property.

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 46 th Street North	Primary Arterial	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	Regional Center	Growth	Single-Family
South	AG/IM	Employment	Growth	Industrial
East	AG	Regional Center	Growth	Vacant
West	AG/IL	Employment	Growth	Vacant

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11804 dated June 26, 1970, established zoning for the subject property.

Subject Property:

No relevant history.

Surrounding Property:

Z-7203 May 2012: All concurred in **approval** of a request for *rezoning* a 13± acre tract of land from AG/RMH to IM for aviation use, on property located south and east of the southeast corner of N. Mingo Rd. and E. 46th St. N., and west and south of subject property.

Z-7197 May 2012: All concurred in **approval** of a request for *rezoning* a 120± acre tract of land from RS-3 to IM for aviation use, on property located south of southeast corner of S. Mingo Rd. and E. 46th St. N., and west and south of subject property.

Z-7196 May 2012: All concurred in **approval** of a request for *rezoning* a 36± acre tract of land from AG to IM for aviation use, on property located west of the northwest corner of E. 36th St. N. and Highway 169, and west and south of subject property.

BOA-20800 January 27, 2009: The Board of Adjustment **approved** a *Special Exception* to permit a rock quarry (Use Unit 24) in an AG district, subject to the conditions submitted, including narrative and use conditions, as from Case No. 19674 on 9/23/03, subject to the differences in the changes in setbacks according to new requirements, on property located northwest of northwest corner of E. 46th St. N. and N. 129th E. Ave. and abutting the subject property to the east.

BOA-19674 September 23, 2003: The Board of Adjustment **approved** a *Special Exception* to permit within an 80 acre tract in the IH and AG zoning districts the mining, quarrying and extraction of stone, sand and gravel including processing, crushing, washing, sale and loading of crushed rock, sand and gravel for utilization off the premises, to include all conditions in applicant's Exhibit A: 1) the quarry shall be operated in accord with the following: a) The Oklahoma Department of Mines, Non-Coal Mining Rules and Regulations and permits thereunder; b) the Oklahoma Department of Environmental Quality Rules and Regulations and permits thereunder; c) the federal Mining Safety and Health Act (MSHA) which establishes safety regulations for quarry operations; d) all applicable ordinances and regulation of the City of Tulsa and the City-County Health Department; 2) the quarry walls shall be setback a minimum distance from the property boundaries as follows: a) 50 ft. from the northern right-of-way line of E. 46th St. N. b) 400 ft. from the centerline of the southernmost City of Tulsa Spavinaw water flow line; c) 10 ft. from the west property line; d) 0 ft. from the east property line; 3) No fly-rock from the quarry shall be permitted; the conditions in Title 460:10-31-8 Chapter 10 of the Department of Mines Non-Commercial Rules and Regulations as follows: (attached); located on E. 46th St. N. approximately ½ mile east of N. Garnett Rd., and east of the subject property.

Z-6837 October 2001: All concurred in **approval** of a request for *rezoning* a 155± acre tract of land from AG to IM and IH, for industrial use, on property located at the southeast corner of E. 46th St. N. and Highway 169 and abutting south, across E. 46th St. N., of subject property.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 8 members present:

On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Adams, Covey, Dix, Fretz, Krug, Millikin, Reeds, Walker "aye"; no "nays"; none "abstaining"; Carnes, Doctor, Shivel, "absent") to **APPROVE** Z-7385 rezoning from **AG** to **IM** per staff recommendation.

Legal Description for Z-7385

A TRACT OF LAND THAT IS A PART OF THE WEST HALF (W 1/2) OF SECTION EIGHT (8), TOWNSHIP TWENTY (20) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN , TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID STRIP OF LAND BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION KNOWN AS THE POINT OF COMMENCEMENT; THENCE NORTH 88°41'41.07" EAST ALONG THE SOUTHERLY LINE OF SAID SECTION FOR 1711.47 FEET TO A POINT ALONG SAID SECTION LINE; THENCE NORTH 0°49'37" WEST FOR 95.95 FEET TO THE POINT OF BEGINNING; THENCE ALONG A NON-TANGENT CURVE WITH A CENTRAL ANGLE 1°25'59", A RADIUS OF 34,517.50 FEET, ARC LENGTH OF 863.27 FEET WHOSE CORD BEARS NORTH 89°07'05.09" WEST; THENCE NORTH 68°33'36.29" WEST FOR 292.59 FEET; THENCE NORTH 45°30'52.34" WEST FOR 593.83 FEET; THENCE NORTH 31°22'10.94" WEST FOR 234.02 FEET; THENCE NORTH 13°23'06.26" WEST FOR 206.81 FEET; THENCE NORTH 01°01'44.67" WEST FOR 565.00 FEET; THENCE NORTH 9°53'46.99" EAST FOR 719.01 FEET; THENCE NORTH 13°09'23.40" EAST FOR 494.20 FEET; THENCE NORTH 88°37'30.56" EAST FOR 1475.09 FEET; THENCE SOUTH 0°21'56 " EAST FOR 1370.65 FEET; THENCE SOUTH 0°49'37 " EAST FOR 1356.71 FEET; TO THE POINT OF BEGINNING OF SAID TRACT OF LAND. THE PROPERTY CONTAINS 4,237,358.84 SQUARE FEET OR 97.28 ACRES MORE OR LESS.

Items 35 and 36 were presented together but voted on separately

35. Z-7386 Stuart Van De Wiele (CD 5) Location: 5154 East Skelly Drive requesting rezoning from **CG** to **CH (Related to Z-7386 Plat Waiver)**

STAFF RECOMMENDATION:
SECTION I: Z-7386

DEVELOPMENT CONCEPT: The small site needs to be developed vertically. CH zoning does not have a height or floor area limitations. Development size is only limited by the number of required parking spaces.

DETAILED STAFF RECOMMENDATION:

Z-7386 requesting CH zoning is consistent with the land use vision of the comprehensive plan and,

Uses permitted by right in the CH zoning are considered non injurious to the surrounding property and,

CH zoning is primarily intended to accommodate high intensity commercial and related uses primarily in the core area of the City and encourage use of properties and existing buildings along older commercial corridors therefore,

Staff recommends Approval of Z-7386 to rezone property from CG to CH.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: CH zoning is consistent with the multi story vision supported in the Town Center Land Use designation and is adjacent to a multi story office building. The proposed self storage facility is a service use adjacent to I-44 and is not necessarily a use that is part of a pedestrian oriented center recognized in the Town Center land use designation. The storage facility is compatible with the automobile oriented development surrounding the property.

Land Use Vision:

Land Use Plan map designation: Town Center

Town Centers are medium-scale, one to five story mixed-use areas intended to serve a larger area of neighborhoods than Neighborhood Centers, with retail, dining, and services and employment. They can include apartments, condominiums, and townhouses with small lot single family homes at the edges. A Town Center also may contain offices that employ nearby residents. Town centers also serve as the main transit hub for surrounding neighborhoods, and can include plazas and squares for markets and events. These are pedestrian-oriented centers designed so visitors can park once and walk to number of destinations.

Areas of Stability and Growth designation: Area of Growth

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

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

Transportation Vision:

Major Street and Highway Plan: East Skelly Drive and East 46th Street South are both Residential Collectors

Trail System Master Plan Considerations: East Skelly Drive and East 46th Street South are both part of the Tulsa North /South Linkage on-street trails system.

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site previously contained a commercial use, however the structure has been removed. Parking area paving for the previous use remains on site as well as an existing billboard.

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
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East Skelly Drive	Residential Collector	60 Feet	2
East 46 th Street South	Residential Collector	60 Feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	RS-2	N/A (I-44)	N/A (I-44)	I-44
South	OMH/SR	Town Center	Growth	Office/Church
East	CG/SR/OMH	Town Center	Growth	Bank/Church
West	RS-2/OMH	Town Center	Growth	Office/I-44

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 12926 dated August 29, 1973, established zoning for the subject property.

Subject Property:

BOA-21058 April 13, 2010: 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 1221.F.2) and a Verification of the spacing requirement for a digital outdoor advertising sign of 1,200 ft. from any other digital outdoor advertising sign facing the same traveled way, on property located at 5154 E. Skelly Dr., and is also known as the subject property.

Z-4460 August 1973: All concurred in approval of a request for rezoning a tract of land from IR (SR) to CG, for commercial use, on property located at 5154 E. Skelly Dr., and is also known as the subject property.

Surrounding Property:

PUD-650-A March 2006: Staff and TMAPC recommended denial, however City Council **approved** a proposed *Major Amendment to PUD-650*, to open E. 46th St. as a through street between Darlington Ave. and Fulton Ave., providing that the circular turnaround or cul-de-sac on E. 46th St. S. immediately west of S.

Fulton Ave. shall be removed and eastbound and westbound access on E. 46th St. between S. Hudson Ave. at E. 46th St. and E. Skelly Dr. shall be restored and reconfigured, using a traffic chicane as presented to the City Council and recommended by the City of Tulsa Traffic Operations Division of the public Works and Development Department, on property located at E. 46th St., between S. Darlington Ave. and S. Fulton Ave.

Z-6814/PUD-650 October 2001: Staff recommended denial of a request to rezone the adjacent Midtown Village property from OM, OL and SR to CS; staff also recommended denial of the accompanying PUD that proposed a retail development on the property. TMAPC and City Council **approved** the request for the *rezoning* for CS zoning on the northwest 300' that fronts the Skelly Bypass frontage road. The OM and OL remained unchanged. TMAPC and City Council **approved** the *Planned Unit Development* subject to conditions as recommended by staff.

Z-6382 December 1992: All concurred in **approval** of a request for *rezoning* a 1± acre tract, from RM-1 to OM, located west of the southwest corner of E. 46th St. and S. Fulton Ave.

TMAPC COMMENTS:

Mr. Dix asked staff if Meridian Tower was the building directly south west of the subject property.

Staff responded "yes".

Mr. Dix stated there appears to be a parking structure just south of the Meridian building. Mr. Dix asked staff if that was the Meridian Buildings parking garage.

Staff stated "yes".

Mr. Dix asked is staff knew how many stories were in the parking structure.

Staff answered the structure is about 3 stories.

Mr. Dix stated on page 35.7 it shows cars parked on the subject parking lot. Mr. Dix asked staff if those were employees from the Meridian Building.

Staff answered there is no way to know for sure but there is no reason for those cars to be there except as it relates to the Meridian Building or the church across the street.

INTERESTED PARTIES COMMENTS:

Stuart Van De Wiele 320 S Boston Ave STE 200, Tulsa, OK 74103

Mr. Van De Wiele stated he represents the owners of this property. Mr. Van De Wiele stated the change in zoning from CG to CH is a minor change. Everything the applicant can do in the CG zoning can be done in CH zoning.

Mr. Reeds asked applicant the height of The Meridian Tower.

Applicant answered 10 stories or more.

Gary Johnson 5100 E Skelly Drive, STE 100, Tulsa, OK 74135

Mr. Johnson stated he is an employee of Matrix Service Company, the largest tenant in The Meridian Tower. Matrix employees about 200 people currently. Mr. Johnson stated Matrix just acquired another Tulsa based company in December called Houston Interest and will be moving those employees to Meridian Tower in July and August of this year. Mr. Johnson stated Matrix has a very vested interest in keeping this area moving in a positive direction. Mr. Johnson stated this area has seen positive growth with Best Buy, World Market and a host of eating establishments that are planning to move in the area which is very positive for this area, but Mr. Johnson doesn't see how a self storage facility in that location would keep that area moving in a positive direction. Mr. Johnson stated Matrix's growth plan in Tulsa consists of hiring Engineers, Accountants and other professionals and The Meridian Tower is where they would be working so the aesthetics and the neighborhood is very important factors. Mr. Johnson stated Matrix also brings in outside clients who may want to make large purchases on a frequent basis and Mr. Johnson does not believe a self storage next to such a nice office building would be beneficial to Matrix or the City of Tulsa.

Paul Selid 5100 E Skelly Drive, Tulsa, OK 74135

Mr. Selid stated he is the vice president of Wiggins Properties who own and manage Meridian Tower. Mr. Selid stated Wiggins Properties purchased the property in December 2016. Mr. Selid stated Wiggins Properties bought a Class A office building and as Mr. Johnson mentioned we have Class A tenants and they pay Class A rent. Mr. Selid stated he heard Mr. Wilkerson state this project was not injurious to adjacent property owners, Mr. Selid respectfully but strongly disagrees with Mr. Wilkerson and that this project is injurious to adjacent property owners. Mr. Selid stated there are tenants who lease space in a building next to a property that was zoned as a low density property. Mr. Selid stated the likelihood of something being erected in their tenant's view, that close the building was not in the cards when the tenants signed long term leases at some of the highest rates in suburban Tulsa. Mr. Selid stated only a few other buildings in Tulsa are in the same class as Meridian Tower with structured parking and the quality of this building. Mr. Selid stated he believes the proposal is strongly injurious to his building and the tenants. Mr. Selid stated owner of the subject property wanted to rezone the property because it would add value to the property and Mr. Selid stated the value added to the subject property is being taken from Meridian Tower. Tenants who now have obstructed views on floors 1 through 7 because even at floors 4 and 5 are going to be staring at the roof of a

warehouse instead of out at the City of Tulsa. Mr. Selid stated it is a stretch to say this fits in with a Town Center development in which the objective is to encourage and develop employment, walkability and vitality of a community and putting a warehouse on a main thoroughfare through Tulsa does not contribute to what the city is trying to build in that corridor that runs through the city. Mr. Selid stated this is what people in other cities look at all over and recognize that warehouses don't contribute employment and economic activity like a restaurant, a retail shop, an office building, a dentist office and a bank branch does to make a community look alive.

Mr. Van De Wiele stated as far as the positive direction of the development in the area the subject property has been vacant for quite a while. Mr. Van De Wiele stated when you hear storage facility you think of the old U-Haul roll up metal door barbed wire facility. Mr. Van De Wiele stated this development isn't that, this company builds first class facilities and has built them in some of the most developer unfriendly cities such as Austin, Seattle and Portland. Mr. Van De Wiele stated these are nice facilities that are climate controlled. Mr. Van De Wiele stated the parking garage for the Meridian Tower is a solid tan concrete wall that has no visibility around it, over it or through it and Wiggins Property bought the building. The subject property would have landscaping that is in compliance with city code between it and the Meridian Tower. Mr. Van De Wiele stated the view is not a protectable interest and the owners of the subject property whether it be Mr. Van De Wiele's client or other owners have the right to develop the property in accordance with the zoning code. What can be build now with CG zoning is not materially different than what can be done with CH zoning.

Mr. Covey asked if it was climate controlled storage.

Mr. Van De Wiele answered "yes".

Mr. Covey asked how many employees the company will have.

Mr. Van De Wiele answered 3 full time employees.

Mr. Reeds asked if landscaping was going to be provided between the office building and the storage facility.

Mr. Van De Wiele stated it will certainly meet the code.

Mr. Reeds stated he did a quick drawing on the preliminary plat that was provided. Mr. Reeds stated he wasn't trying to make either case but it's at least 50 feet away from Meridian Tower and the tenants should maintain their current sight lines and Mr. Reeds stated the morning light would not be impacted.

Mr. Covey asked Mr. Van De Wiele, CG to CH zoning there is no difference in the height that can be built, setback is different but the setback falls into CG zoning.

Mr. Van De Wiele answered “yes” the reason for the CH Zoning is the floor area ratio and part of the problem is the sewer line that clips off a significant portion of the property and a building can’t be built on top of that.

Mr. Selid stated the Meridian Tower parking garage does create shading for the building by design. There are office spaces on the 2nd floor that face that side of the parking garage that are empty and have been for a while because no one wants to lease office space that is dark. Mr. Selid stated Wiggins Property knew that when they bought it and didn’t attribute any value to office space that looks out to a parking garage, that is not the case on the other side. Wiggins Properties did not buy office space that is looking out to the side of a warehouse. Mr. Selid stated this is about light and view and although Wiggins Properties didn’t buy light and view Mr. Selid stated his company did buy adjacent to a property that is limited on floor density. Mr. Selid stated Mr. Van De Wiele is correct height is not restricted by CG zoning but as a practical matter no one is going to build a 5 story building with the floor density issues.

Mr. Dix stated his issue is the back of Meridian Tower is covered by a parking garage that tenants have to look at and the saying at TMAPC is you didn’t buy the view. Mr. Dix stated he didn’t see the blocking of the sunlight as an issue because the building is 100 feet away.

Mr. Reeds asked applicant if they were doing rooftop HVAC units.

Applicant stated it could be rooftop or at the side of building.

Mr. Reeds stated he would prefer the units to not be on the rooftop because they are ugly.

Applicant stated they would screen them.

Ms. Millikin stated it seems like the primary issue with this project is the height and blocking the view but the applicant would be able to build a 3 story building by right currently with the existing zoning. Ms Millikin stated this isn’t a typical mini storage the applicant is upgrading the exterior of the building and willing to work on the HVAC issues and landscaping so Ms Millikin is in favor of the application.

TMAPC Action; 8 members present:

On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Adams, Covey, Dix, Fretz, Krug, Millikin, Reeds, Walker "aye"; no "nays"; none “abstaining”; Carnes, Doctor,

Shivel, "absent") to **APPROVE** Z-7386 rezoning from **CG** to **CH** per staff recommendation.

Legal Description for Z-7386

A part of Block One (1), ADMIRAL BENBOW ADDITION, an addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded plat thereof, and being more particularly described as follows, to-wit: BEGINNING at the Northmost corner of Block One (1), of ADMIRAL BENBOW ADDITION, said corner also being the Southwest Corner of the intersection of the Right of Way lines of East Skelly Drive (1-44) and East 46th Street South; THENCE S 40° 51' 07" E along the Southerly Right of Way line of East 46th Street South a distance of 161.64 feet to the Southwest Corner of intersection of the Right of Way lines of East 46th Street South and South Darlington Avenue; THENCE S 49° 08' 53" W ALONG THE West Right of Way line of South Darlington Avenue a distance of 9.60 feet to a point of curve to the left; THENCE along said curve to the left having a central angle of 49° 03' 53" and a radius of 150 feet a distance of 128.45 feet; THENCE S 0° 05' 00" W a distance of 14.43 feet to a point of intersection of the West Right of Way line of South Darlington Avenue and the North line of the Southwest Quarter (SW/4) of Section 27, Township 19 North, Range 13 East; THENCE S 0° 01' 54" E along said West Right of Way line of South Darlington Avenue a distance of 22.12 feet; THENCE S 49° 08' 53" W and parallel to the Southerly line of East Skelly Drive a distance of 159.77 feet; THENCE N 40° 51' 07" W and perpendicular to said Southerly Right of Way line a distance of 167.84 feet to a point of intersection with the North line of the Southwest Quarter (SW/4) of Section 27, Township 19 North, Range 13 East; THENCE continuing N 40° 51' 07" W a distance 73.16 feet to a point of intersection with the Southerly Right of Way line of East Skelly Drive (1-44); THENCE N 49° 08' 53" E along said Southerly Right of Way line a distance of 306.60 feet to the POINT OF BEGINNING

* * * * *

36. Z-7386 Plat Waiver (CD 5) Plat Waiver, Location: 5154 East Skelly Drive
(Related to Z-7386 Rezoning)

STAFF RECOMMENDATION:

The platting requirement for this property is being triggered by a rezoning request (Z-7386). The property owner is proposing a rezoning from CG to CH to permit a climate-controlled self-storage facility.

The Technical Advisory Committee met on April 20th, 2017 and the following items were determined:

1. All required right-of-way has been dedicated and is in place.

2. Necessary easements are all in place and no additional easements will be needed at this time.
3. A Change of Access has been approved by TMAPC and filed of record with Tulsa County to align newly proposed access with previously filed plat.
4. The property was previously platted under the Admiral Benbow Addition plat.

Staff recommends **approval** of the plat waiver.

TMAPC Action; 8 members present:

On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Adams, Covey, Dix, Fretz, Krug, Millikin, Reeds, Walker "aye"; no "nays"; none "abstaining"; Carnes, Doctor, Shivel, "absent") to **APPROVE** the Plat Waiver Z-7386 per staff recommendation.

* * * * *

Items #37 and 38 were presented together

37. PUD-564-C Andrew Shank (CD 5) Location: North and east of northeast corner of East 31st Street and South Memorial Drive requesting major amendment to add outdoor advertising (**Related to PUD-564-C Plat Waiver**)

STAFF RECOMMENDATION:

SECTION I: PUD-564-C

DEVELOPMENT CONCEPT:

SECTION II: PUD development standards

Development Area "A"

No changes will be made to the Development Standards of Development Area A as a result of this Major Amendment.

Development Area "B"

Major Amendment PUD 564-C seeks to add Outdoor Advertising as a permitted principal use to Development Area B for an outdoor advertising sign (the "Sign") along the I-44 corridor. This Major Amendment revises the Development Standards of Development Area B as follows:

A.	Land Area:	
	Net	2.595 Acres
	112,055 SF	

B. Permitted Uses:

Those uses included within Use Unit 10, Off-Street Parking, Use Unit 11, Offices and Studios, display for sale of new and used automobiles and light trucks, Use Unit 15, Other Trades and Services, limited to Contract Construction Services, and Use Unit 21, Business Signs and Outdoor Advertising Signs, and uses customarily and accessory thereto.

C. Maximum Building Floor Area:
13,500 SF

D. Maximum Building Height:
20 FT

E. Minimum Building Setbacks:
From easterly boundary of the Development Area
90 FT
From southerly boundary of the Development Area
85 FT
From westerly boundary of the Development Area
0 FT
From northerly boundary of the Development Area
50 FT

F. Minimum Bulk Waste Container Setback:
No exterior trash collection facilities shall be located within 150 feet of the easterly boundary of Development Area B.

G. Off-Street Parking:
All parking areas for the display for sale of automobiles and light trucks shall have an all-weather, dust-free surface.

H. Signs:

Ground Signs:

One ground sign shall be permitted along the I-44 service road frontage which shall not exceed 160 square feet of display surface area and 25 feet in height. Such ground sign shall be located at least 225 feet from the easterly boundary of Development Area B.

Wall Signs:

Wall signs shall be permitted not exceeding two (2) square feet of display surface area per lineal foot of building wall to which attached, provided wall signs shall not be permitted on the easterly or southerly facing building walls within Development Area "B".

Outdoor Advertising Signs:

1. One (1) outdoor advertising sign will be permitted along East Skelly Drive within the I-44 Freeway Sign Corridor with 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 Sign may contain digital technology, including without limitation, an LED display surface area conveying changeable copy.
2. The Sign shall be separated a minimum distance of 1200 FT from any other outdoor advertising sign on the same side of the freeway.
3. The Sign shall be located at least 225 FT from the easterly boundary of Development Area B.
4. 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.
5. 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.
6. The Sign shall not contain more than two (2) sign faces.
7. The illumination of the face of the Sign shall not exceed 70 foot-candles.
8. The Sign shall not contain any flashing, blinking or traveling lights or reflective glitter.
9. The Sign shall be oriented to be primarily visible from the adjacent freeway.
10. The Sign shall not be supported by more than one post or column.
11. The Sign shall not be converted to any other type of sign without first obtaining a permit from the City of Tulsa.

12. 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.

13. 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.

14. 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.

15. 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.

16. 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.

17. The Sign shall be equipped with a light detector/photocell that automatically adjusts the display's brightness according to natural ambient light conditions.

18. 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.

19. 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.

Except as outlined above, sign standards shall conform to the guidelines identified in the Sign Section of the Tulsa Zoning Code in effect at the time of Detailed Sign Plan Approval.

I. Internal Landscaped Areas:

1. A minimum of fifteen percent (15%) of the net land area shall be developed in accord with the Landscape Chapter of the Tulsa Zoning Code and in accord with the screening and landscape plan. Provided areas for the display for sale of automobiles and light trucks shall not be considered as required off-street parking for the administration of the off-street parking and landscape chapter requirements of the Tulsa Zoning Code in effect at the time of the Detailed Site and Landscape Plan approval

2. The landscaped buffer area in Development Area A shall be tapered to follow the existing easternmost driveway in Development Area B and then widened to include an area approximately 140 feet wide at the northeastern corner of Development Area B. Deciduous trees shall be installed within the new landscaped area, as shown on the screening and landscaping plan, with a minimum caliper of two inches and minimum height of ten to twelve feet at planting, spaced approximately 25 feet apart to permit canopy development.

J. Screening

An eight (8) foot high solid screen masonry type wall shall be constructed on the westerly side of the landscaped area within Development Area B to a point at the north boundary of Lot 11, Block 2, Candlelight Addition and then connect to the northwest corner of that lot. The extension of the screening fence shall create a visual barrier between the two residences adjacent to Development Area B and the vehicles displayed and an effective physical barrier to prevent trespassers from entering the landscaped buffer area.

K. General Provisions

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

A detail landscape plan for each lot shall be approved by the TMAPC prior to issuance of a building permit. A landscape architect registered in the State of Oklahoma shall certify to the zoning officer that all required landscaping and screening fences have been installed in accordance with the approved landscape plan for the lot, prior to issuance of an occupancy permit. The landscaping materials required under the

approved plan shall be maintained and replaced as needed as a continuing condition of the granting of an occupancy permit.

No sign permits shall be issued for erection of a sign on a lot within the PUD until a detail sign plan for that has been submitted and approved as being in compliance with the approved PUD development standards.

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.

Lighting used to illuminate the subject tract shall be so arranged as to shield and direct the light away from adjacent residential areas. Shielding of such light shall be designed so as to prevent the light-producing element or reflector of the light fixture from being visible to a person standing in the adjacent residential areas or street right-of-way. No light standard shall be located within 80 feet of the east boundary of Development Area

No light standard shall be located within the landscape buffer area along the easterly boundary of Development Area B as shown on the screening and landscape plan. Light standards within 100 feet of the easterly boundary of Development Area B shall not exceed 16 feet in height. No light standard nor building-mounted light shall exceed 25 feet in height.

The Department of Public Works or a professional engineer registered in the State of Oklahoma shall certify to the appropriate City official that all required stormwater drainage structures and detention areas serving a lot have been installed in accordance with the approved plans prior to issuance of an occupancy permit on that lot.

There shall be no outside storage of the recyclable material, trash or similar material outside a screened receptacle, nor shall trucks or truck trailers be parked in the PUD except while they are actively being loaded or unloaded. Truck trailers shall not be used for storage.

An external public address speaker system shall be prohibited.

There shall be no access from the PUD to East 28th Place South.

DETAILED STAFF RECOMMENDATION:

The major amendment requested in PUD 564-C is consistent with the PUD provisions of the Tulsa Zoning Code and,

PUD 564-C is consistent with the Regional Center land use designation in the Tulsa Comprehensive Plan and,

PUD 564-C is considered non injurious to the proximate properties surrounding the PUD and,

PUD 564-C is consistent with the expected development pattern along I-44 and the surrounding properties therefore,

Staff recommends Approval of PUD-564-C to rezone property from RS-2/ OM/ CS/ PUD-564 to RS-2/ OM/ CS/ PUD-564-C as outlined in Section II above.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The proposed site is located within a Regional Center land use designation.

Land Use Vision:

Land Use Plan map designation: Regional Center

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

Areas of Stability and Growth designation: Area of Growth

The purpose of 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: East Skelly Drive is designated as a Residential Collector

Trail System Master Plan Considerations: The site is located approximately ½ mile from Mingo Trail

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is currently occupied by Community Builders. The PUD amendment has no effect on the existing user.

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
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East Skelly Drive	Residential Collector	60 Feet	2
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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	None (I-44)	Growth	I-44
South	CS/RS-2/PUD-564	Regional Center	Growth	Auto Dealership
East	RS-2	Existing Neighborhood	Growth/Stability	Single-Family/Church
West	CS/RS-2	Regional Center	Growth	Auto Dealership/I-44

SECTION IV: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 22286 dated August 27, 2010 (PUD-564-B), and 19067, dated August 23, 2010 (CS/ PUD-564), and 11816 dated June 26, 1970 (OM), established zoning for the subject property.

Subject Property:

PUD-564-B August 2010: All concurred in approval of a proposed Major Amendment to PUD on a 2.6± acre tract of land, for a home improvement and remodeling business, on property located north and east of northeast corner East 31st Street and South Memorial Dr., and also known as the subject property.

PUD-564-A May 2003: All concurred in approval of a proposed Major Amendment to PUD-564 to include an 8± acre tract that was originally the Carpenters' Union, to permit office use for the auto/truck dealership, on the property located North and east of northeast corner East 31st Street and South Memorial Drive and a part of the subject property.

Z-6557/PUD-564 September 1997: All concurred in approval of a request to rezone the 5.4-acre tract from RS-2 to CS/PUD for indoor automobile and light truck service and repair, on the property located North and east of northeast corner East 31st Street and South Memorial Drive and a part of the subject property.

Surrounding Property:

Z-6993 August 2005: All concurred in approval of rezoning a tract from CS to CG, on property located north of the northwest corner of South Memorial Drive and East Skelly Drive.

Andrew Shank 2727 East 21st Street, STE 200, Tulsa, OK
Mr. Shank stated he sent additional correspondence to the neighbors within 300 feet and had a neighborhood meeting that no one attended. Mr. Shank also stated he received one phone call and Mr. Shank explained that the sign would be 300 feet from the neighbors and that was 100 feet more than code required. Mr. Shank stated since the gentleman wasn't at the meeting he assumed he was satisfied.

Mr. Dix asked what kind of billboard was being installed.

Mr. Shank answered it incorporates all of the use 21 in the zoning request and the decision is made by the developer but it allows for LED.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 8 members present:

On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Adams, Covey, Dix, Fretz, Krug, Millikin, Reeds, Walker "aye"; no "nays"; none "abstaining"; Carnes, Doctor, Shivel, "absent") to **APPROVE** the **Major Amendment PUD-564-C** to add outdoor advertising per staff recommendation.

Legal Description for PUD-564-C

A tract of land being part of Lot 8, Block 1, Groveland Addition, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat thereof, said tract being more particularly described as follows, to-wit: BEGINNING at the Northeast corner of Lot 8; thence S 48°34'30" W along the Northerly line of Lot 8 a distance of 528.67 feet to the Northwesterly corner of Lot 8; thence S 00°35'30" E along the West line of Lot 8 a distance of 351.82 feet to a point; thence Northeasterly to a point on the East line of Lot 8, said point being N 00°35'30" W a distance of 505 feet from the Southeast corner of Lot 8; thence N 00°35'30" W along the East line of Lot 8 a distance of 572.19 feet to the Northeast corner of Lot 8 and the point of beginning. (A) AND Lot 1, Block 1, Riverside Nissan Addition, a Re-subdivision of part of Lot 7, Block 1, Groveland Addition, City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat thereof. (B)

* * * * *

38. PUD-564-C Plat Waiver (CD 5) Location: North and east of northeast corner of East 31st Street and South Memorial Drive (Related to PUD-564-C Major Amendment)

STAFF RECOMMENDATION:

The platting requirement for this property is being triggered by a major amendment request to an existing Planned Unit Development. The property owner is proposing a major amendment to permit a principal use of outdoor advertising on the subject property. There are no additional structures or building expansions proposed at this time. If approved, the rezoning will allow the addition of a billboard on the property.

The Technical Advisory Committee met on April 20th, 2017 and the following items were determined:

1. All required right-of-way has been dedicated and is in place.
2. Necessary easements are all in place and no additional easements will be needed at this time.
3. No changes in access to the site are currently proposed.
4. The property was previously platted under the Riverside Nissan Addition plat which was filed following the approval of the initial PUD.

Staff recommends **approval** of the plat waiver.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 8 members present:

On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Adams, Covey, Dix, Fretz, Krug, Millikin, Reeds, Walker "aye"; no "nays"; none "abstaining"; Carnes, Doctor, Shivel, "absent") to **APPROVE** the Plat Waiver PUD-564-C per staff recommendation.

OTHER BUSINESS

39. Commissioners' Comments

ADJOURN

TMAPC Action; 8 members present:

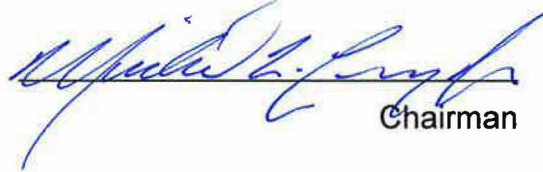
On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Adams, Covey, Dix, Fretz, Krug, Millikin, Reeds, Walker "aye"; no "nays"; none "abstaining"; Carnes, Doctor, Shivel, "absent") to **ADJOURN** TMAPC meeting 2745.

ADJOURN

There being no further business, the Chair declared the meeting adjourned at 2:58 p.m.

Date Approved:

05-17-2017


Chairman

ATTEST:


Secretary