

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No.2747

Wednesday, June 7, 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
Carnes	Adams	Foster	Silman, COT
Covey	Dix	Hoyt	VanValkenburgh, Legal
Doctor	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, June 1, 2017 at 3:36 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: None

Director's Report:

Mr. Wilkerson reported that Ms. Miller was at UED meeting and expected to return to this meeting to give Director's Report.

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1. Minutes:

Approval of the minutes of May 17, 2017, Meeting No. 2746

On **MOTION** of **REEDS**, the TMAPC voted 7-0-0 (Carnes, Covey, Fretz, Krug, Millikin, Reeds, Walker, "aye"; no "nays"; none "abstaining"; Adams, Dix, Doctor, Shivel, "absent") to **APPROVE** the minutes of the meeting of May 17, 2017, Meeting No. 2746.

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-903** (Lot-Combination) (CD 4) – Location: Northwest corner of East 13th Street and South Trenton Avenue
3. **LS-21009** (Lot-Split) (CD 6) – Location: Northeast of the northeast corner of South 129th East Avenue and East 61st Street South
4. **LS-21010** (Lot-Split) (CD 6) – Location: West of the southwest corner of East Admiral Place and South Lynn Lane Road (Related to LC-904)
5. **LC-904** (Lot-Combination) (CD 6) – Location: West of the southwest corner of East Admiral Place and South Lynn Lane Road (Related to LS-21010)
6. **LS-21012** (Lot-Split) (CD 1) – Location: Southeast corner of North Peoria Avenue and East 56th Street North
7. **PUD-397-B-2 Sack and Associates, Inc./Ted Sack** (CD 7) Location: South of the southeast corner of South 90th East Avenue and East 61st Street requesting a **PUD Minor Amendment** to allow single-family residences and revise development standards

STAFF RECOMMENDATION:

SECTION I: PUD-397-B-2 Minor Amendment

STAFF RECOMMENDATION

Amendment Request: Modify the PUD Development Standards to allow single-family development within Development Area D-1 and revise development standards to reflect single-family use.

The applicant proposes to construct a single-family subdivision containing approximately 41 residential lots. The development will be a private neighborhood with gated entry. The revised development standards are included in the Applicant's Minor Amendment packet, included with this report.

The conceptual site plan included with the applicant's packet does not show accommodation for vehicles approaching the emergency gate in the NE corner of the site on S 92nd East Ave to turn around if approaching from outside of the development. This should be taken into account in order to prevent what would effectively be a dead-end street, since this gate is for emergency access. A cul-de-sac or other type of turn around should be provided within the boundaries of ~~PUD-397-B the proposed Woodland Valley development~~ to allow for vehicles to turn around.

Staff Comment: *This request can be considered a Minor Amendment as outlined by Section 30.010.1.2.c(9) of the City of Tulsa Zoning Code:*

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

As well as Section 30.010.1.2.c(15):

"Changes in an approved use to another use may be permitted, provided the underlying zoning on the particular site within the PUD would otherwise permit such use as of right and the proposed use will not result in any increase of incompatibility with the present and future use of nearby properties."

Staff has reviewed the request and determined:

- 1) The requested amendment does not represent a significant departure from the approved development standards in the PUD.
- 2) A cul-de-sac or other turn around shall be provided within the boundaries of ~~PUD-397-B the proposed development~~ to allow traffic approaching outside the gate at the NE corner to turn around.
- 3) All remaining development standards defined in PUD-397-B and subsequent minor amendments shall remain in effect.

With considerations listed above, staff recommends **approval** of the minor amendment request to allow single-family residences and revise development standards.

8. **Stone Lake Phase IV** (County) Final Plat, Location: West of the southwest corner of East 136th Street North and North Sheridan Road
9. **Stone Creek Commercial Center** (CD 6) Change of Access, Location: North of the northwest corner of East 51st Street South and South 193rd East Avenue

TMAPC Action; 7 members present:

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

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

Mr. Covey stated the continuances would be addressed first.

Mr. Doctor arrived at 1:35 pm.

COMPREHENSIVE PLAN AMENDMENT PUBLIC HEARING:

10. **LS-21001** (Lot-Split) (CD 4) – Location: Northeast corner of East 3rd Street and South Greenwood Avenue (Related to LC-902, LS-21002, LS-21003, LS-21004, LS-21005, LS-21006 and LS-21007) (Continued from May 17, 2017) **(Applicant requests continuance to June 21, 2017)**
11. **LS-21002** (Lot-Split) (CD 4) – Location: Northeast corner of East 3rd Street and South Greenwood Avenue (Related to LC-902, LS-21001, LS-21003, LS-21004, LS-21005, LS-21006 and LS-21007) (Continued from May 17, 2017) **(Applicant requests continuance to June 21, 2017)**
12. **LS-21003** (Lot-Split) (CD 4) – Location: Northeast corner of East 3rd Street and South Greenwood Avenue (Related to LC-902, LS-21001, LS-21002, LS-21004, LS-21005, LS-21006 and LS-21007) (Continued from May 17, 2017) **(Applicant requests continuance to June 21, 2017)**
13. **LS-21004** (Lot-Split) (CD 4) – Location: Northeast corner of East 3rd Street and South Greenwood Avenue (Related to LC-902, LS-21001, LS-21002, LS-

21003, LS-21005, LS-21006 and LS-21007) (Continued from May 17, 2017)
(Applicant requests continuance to June 21, 2017)

14. LS-21005 (Lot-Split) (CD 4) – Location: Northeast corner of East 3rd Street and South Greenwood Avenue (Related to LC-902, LS-21001, LS-21002, LS-21003, LS-21004, LS-21006 and LS-21007) (Continued from May 17, 2017)
(Applicant requests continuance to June 21, 2017)

15. LS-21006 (Lot-Split) (CD 4) – Location: Northeast corner of East 3rd Street and South Greenwood Avenue (Related to LC-902, LS-21001, LS-21002, LS-21003, LS-21004, LS-21005 and LS-21007) (Continued from May 17, 2017)
(Applicant requests continuance to June 21, 2017)

16. LS-21007 (Lot-Split) (CD 4) – Location: Northeast corner of East 3rd Street and South Greenwood Avenue (Related to LC-902, LS-21001, LS-21002, LS-21003, LS-21004, LS-21005 and LS-21006) (Continued from May 17, 2017)
(Applicant requests continuance to June 21, 2017)

17. LC-902 (Lot-Combination) (CD 4) – Location: Northeast corner of East 3rd Street and South Greenwood Avenue (Related to LS-21001, LS-21002, LS-21003, LS-21004, LS-21005, LS-21006, and LS-21007) (Continued from May 17, 2017) (Applicant requests continuance to June 21, 2017)

24. CPA-62 Pam Chandler (CD 3) Location: West of the southwest corner of East 36th Street North and North Sheridan Road requesting to amend the Comprehensive Plan Land Use Map from **Existing Neighborhood** to **Employment** (Related to Z-7396) (Staff requests a continuance to June 21st, 2017)

25. Z-7396 Pam Chandler (CD 3) Location: West of the southwest corner of East 36th Street North and North Sheridan Road requesting rezoning from **RMH** to **IM** (Related to CPA-62) (Staff requests a continuance to June 21st, 2017)

28. Z-7394 Lou Reynolds (CD 2) Location: North of the northwest corner of South 57th West Avenue and West 23rd Street requesting rezoning from **RS-3** to **IL** (Staff requests continuance to June 21, 2017)

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **COVEY**, TMAPC voted **8-0-0** (Carnes, Covey, Doctor, Fretz, Krug, Millikin, Reeds, Walker "aye"; no "nays"; none "abstaining"; Adams, Dix, Shivel, "absent") to **CONTINUE** items 10 through 17 and items 24, 25 and 28 to June 21, 2017

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Mr. Covey stated item 30 has been withdrawn

30. PUD-93-D GSS Sign Design-(CD 7) Location: 6010 South Memorial requesting **PUD Sign Plan. (Withdrawn by applicant)**

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18. BOA-22245 Plat Waiver (CD 6) Location: East of the northeast corner of East 21st Street South and South 145th East Avenue

STAFF RECOMMENDATION:

The platting requirement for this property is being triggered by a special exception approval by the City of Tulsa Board of Adjustment. The special exception approved the expansion of an existing church into two adjacent parcels. Special exceptions granted for any Public, Civic, or Institutional use require the filing of a subdivision plat per Section 70.080 of the City of Tulsa Zoning Code.

The Technical Advisory Committee met on May 18, 2017 and the following items were determined:

1. The properties under application are 3 separate parcels that have never been platted.
2. There have been no plats filed on any adjacent property to the site.
3. A dedication of an additional 10' of right-of-way for East 21st Street is required to comply with the Major Street and Highway Plan.
4. Water line extension will be required.
5. There is currently no sanitary sewer service within 250' of the site. An extension of a sewer line will be required along with any necessary easements.
6. Detention facilities are required on-site with necessary easements and maintenance access per Section 1304.8 of the Stormwater Management Criteria Manual.

Due to multiple infrastructure requirements and the need for additional right-of-way and easement dedication, staff recommends the processing of a subdivision plat on the property and **denial** of the plat waiver request.

TMAPC Action; 8 members present:

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

"abstaining"; none "absent") to **DENY** Plat Waiver BOA-22245 per staff recommendation

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19. Z-7391 Plat Waiver (CD 9) Location: Southwest corner of East 51st Street South and South Oswego Avenue

STAFF RECOMMENDATION:

The platting requirement for this property is being triggered by a rezoning request (Z-7391) that was recommended for approval by TMAPC on May 17, 2017. If approved by City Council, the property will be rezoned from OL to CS.

The Technical Advisory Committee met on May 18, 2017 and the following items were determined:

1. All required right-of-way has been dedicated and is in place.
2. Necessary easements and utilities are all in place and no additional easements will be needed at this time.
3. Property boundary is defined by adjacent plats and right-of-way on all sides.
4. Use will take place within existing buildings on the property. No additional permits are being sought at this time.

Staff recommends **approval** of the plat waiver with the following condition of the subdivision regulations:

If unplatted property is approved for a plat waiver, a current ALTA/ACSM/NSPS Land Title Survey is required to be filed of record with the Tulsa County Clerk's office per the Subdivision Regulations Section 1.9. **This document must be filed prior to the issuance of building permits and a filed copy must be submitted concurrently with any building permit application.**

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, TMAPC voted **8-0-0** (Carnes, Covey, Doctor, Fretz, Krug, Millikin, Reeds, Walker "aye"; no "nays"; none "abstaining"; Adams, Dix, Shivel, "absent") to **APPROVE** Plat Waiver Z-7391 per staff recommendation

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20. CPA-56 JR Donelson (CD 9) Location: North and east of the northeast corner of South Lewis Avenue and East Skelly Drive requesting to amend the Comprehensive Plan Land Use Map from **Existing Neighborhood** to **Mixed-**

Use Corridor and the Stability and Growth Map from **Area of Stability** to an **Area of Growth** (Related to Z-7373) (Continued from February 15, 2017, March 1, 2017, April 19, 2017 and May 17, 2017)

STAFF RECOMMENDATION:

1. PROPERTY INFORMATION AND LAND USE REQUEST

Existing Land Use: <i>Existing Neighborhood</i> Existing Stability and Growth designation: <i>Area of Stability</i>
Proposed Land Use: <i>Mixed-Use Corridor</i> Proposed Stability and Growth designation: <i>Area of Growth</i>
Location: <i>N and E of NE/c corner of S. Lewis Ave. and E. Skelly Dr.</i>
Size: <i>.17 acre</i>

A. Background

The site that is subject to this Comprehensive Plan amendment application is located north of I-44, on the east side of Lewis Ave. Currently the subject site is vacant and surrounded by established residential homes to the north and east and low-intensity office development to the south and west. According to the applicant, the ODOT owned property immediately to the east serves as the new entrance to the subject lot and was designed and constructed during the I-44 improvement efforts.

The lots immediately to the north, east, and west of the subject lot are designated as *Existing Neighborhood* and *Areas of Stability*. The area immediately south of the site designated as a *Mixed-Use Corridor* and an *Area of Growth*. The applicant has submitted this proposed Comprehensive Plan amendment and a concurrent rezoning application (Z-7373) with an optional development plan to permit an accessory parking area for the office use immediately north of the site.

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

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

“The *Existing Neighborhood* residential area is comprised of a plan category by the same name. 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 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 amenities.”

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

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

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

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

“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.”

“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 Use Designation	Land Area of Stability or Area of Growth	Existing Use
North	RS-1	<i>Existing Neighborhood</i>	<i>Area of Stability</i>	Vacant Lot- ODOT owned property
South	OL	<i>Mixed-Use Corridor</i>	<i>Area of Growth</i>	Office
East	RS-1	<i>Existing Neighborhood</i>	<i>Area of Stability</i>	Single-Family Residential
West	RS-1	<i>Existing Neighborhood</i>	<i>Area of Stability</i>	ODOT owned property- Access Road

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:

1. *"The request is to change the land use from existing residential neighborhood to a mixed use corridor and from an area of stability to an area of growth. The desire is to rezone the property from "RS-1" to "OL". This zoning is compatible with the office complex to the south and the office complex to the west. The rezoning from "RS-1" to "OL" will allow a parking lot to be constructed on the property. A single family residential home was removed from this property prior to the new construction and modification of South Lewis Ave. and I-44."*
2. *"The Oklahoma Department of Transportation closed the entrance to the Twenty-Six Oaks office complex from South Lewis Ave., when I-44 and South Lewis Ave. was widened and improved. A new entrance to the Twenty-Six Oaks office complex was designed and constructed by ODOT during the widening and improvement to I-44. The new entrance is shown on the attachment. The new entrance constructed for the Twenty-Six Oaks office complex will not permit another residential house to be constructed on the property."*
3. *"The proposed parking lot and proposed amendment to the Comprehensive Plan will not have an adverse impact on surrounding properties. The property to the south is the Twenty-Six Oaks office complex. The property to the north is vacant. The property to the east is a single family residence. The property to the west of South Lewis is a parking lot and office complex. The proposed parking lot will provide a use for this property. The property will provide additional parking for the Twenty-Six Oaks office complex. This additional parking space will enhance the Twenty-Six Oaks office complex for employees, guest and clients."*

F. Staff Summary:

The residential vacant subject lot was designated as *Existing Neighborhood* and an *Area of Stability* when the Comprehensive Plan was adopted in 2010. The subject site is abutted by *Existing Neighborhood* land use and an *Area of Stability* designation to the north, east, and west.

The planning area immediately to the south is designated a *Mixed-use Corridor* and an *Area of Growth*. Since 2010 there have been no noted changes in zoning and land use designations in the area surrounding the subject site.

In order to accommodate the proposed rezoning to OL, the applicant is requesting to expand the *Mixed-Use Corridor* land use and *Areas of Growth* designation to provide additional parking relief for the Twenty-Six Oaks office complex immediately south of the subject lot. The proposed amendment would be an extension of *Mixed-Use Corridor* and *Areas of Growth* land use designation immediately to the south of the subject lot. According to the original site plan submitted for PUD-227, the Twenty-Six Oaks office complex has 143 off-street parking spaces, which was consistent with the OL zoning parking requirements at the time of the PUD approval. The new Tulsa Zoning Code does not require additional parking on the Twenty-Six Oaks office complex site.

The subject lot abuts two ODOT owned properties (see attached) to the west and north that are currently designated *Existing Neighborhood* and *Areas of Stability*. According to the applicant, during the widening and improvements to I-44, ODOT closed the South Lewis Avenue entrance to the Twenty-Six Oaks office complex. These events were taking place during the same time period as when the Comprehensive Plan was being developed and adopted. The parcel to the west of the subject site serves as the new entrance to the office complex that was designed and constructed by ODOT. If the proposed amendments are approved on the subject site, the ODOT owned parcels west and north of the site will be included as part of the annual housekeeping amendments to the same designations.

The applicant has stated, "*The new entrance constructed for the Twenty-Six Oaks office complex will not permit another residential house to be constructed on the property.*" The RS-1 zoned subject site is a non-conforming lot that is 7,405 SF while the minimum lot area and lot area per dwelling unit requirement within the RS-1 district is 13,500 SF. Therefore, the subject site does pose some constraints in building a home that is consistent with the size of the typical homes found in the surrounding RS-1 zoning district.

The location and existing size of the subject site could limit the type of uses and development allowed on this lot. If developed residentially, a new residence at this location would not be oriented toward the adjacent neighborhoods, leaving it isolated. An expansion of the *Mixed-Use Corridor* land use and *Areas of Growth* designation into this lot 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 and Area of Growth* land use designation as submitted by the applicant.

Mr. Covey asked staff if the parcels owned by ODOT would go to mixed use instead of existing neighborhood.

Ms. Ulmer stated that staff is currently working on Housekeeping Amendments and the two ODOT properties would be a part of this and the parcels are proposed for Mixed Use Corridor and Area of Growth.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, TMAPC voted **8-0-0** (Carnes, Covey, Doctor, Fretz, Krug, Millikin, Reeds, Walker "aye"; no "nays"; none "abstaining"; Adams, Dix, Shivel, "absent") to recommend **APPROVAL** of CPA-56 per staff recommendation

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21. Z-7373 JR Donelson (CD 9) Location: North and east of the northeast corner of South Lewis Avenue and East Skelly Drive requesting rezoning from **RS-1** to **OL with optional development plan** (Related to CPA-56) (Continued from February 15, 2017, March 1, 2017, April 19, 2017 and May 17, 2017)

STAFF RECOMMENDATION:

SECTION I: Z-7373

DEVELOPMENT CONCEPT: Twenty-Six Oaks plans to construct a small parking lot on the subject tract, which abuts the Twenty-Six Oaks office complex, in order to replace a portion of the office complex's parking lot that ODOT removed during the widening of I-44. The applicant has submitted an optional development plan to provide additional design standards that satisfy concerns of neighboring property owners regarding screening, lighting, and landscaping.

SECTION II: OPTIONAL DEVELOPMENT PLAN STANDARDS

The optional development plan standards proposed in Z-7373, as set forth below, will conform to the provisions of the Tulsa Zoning Code for development of

unenclosed off-street parking in an OL zoning district and will additionally conform to certain supplemental standards defined below:

- A. Permitted Uses: The subject tract shall only be used for the purposes of off-site parking accessory to the OL zoned property located in existing PUD-227.
- B. Minimum Parking Setbacks: The unenclosed off-site parking area must be set back from abutting streets at least 25 feet.
- C. Screening:
 - a. The unenclosed off-site parking area must be screened from abutting RE-zoned lots and RS-zoned lots by a F1 screening fence or wall.
 - b. The northern and eastern sides of the lot must be screened by installation of an opaque wooden fence at least 6 feet in height and at least one tree per 25 linear feet of fence.
 - c. All braces and supports shall be constructed on the interior, unless both sides are of the same design and appearance.
- D. Landscaping:
 - a. At least 20% of the required street setback area must be established and maintained as landscaped area. At least one tree must be preserved or planted and maintained or replaced in required street yard landscape areas for each 1,200 square feet of area, or fraction thereof. The landscaped area must be at least 5 feet in width and extend along the entirety of abutting street right-of-way, except at points of vehicular or pedestrian access. This area may be counted towards satisfying the minimum landscaped area required in (b) below.
 - b. The parking area must be separated from the abutting rights-of-way, residential districts and abutting residential development areas by a landscaped area that is at least 10 feet in width and that contains an S1 screen containing at least 3, 5-gallon shrubs per 10 linear feet. This landscaped area may be counted towards satisfying minimum street landscaping set forth in (a) above if it is located within the street yard.
 - c. All parking spaces must be located within 50 feet of a tree. Required parking lot trees must be located in a landscaped area that is at least 64 square feet in area and that has a minimum width or diameter of 8 feet.
 - d. The Land Use Administrator will inform neighboring property owners, when the landscape plan application is made, and the applicant will cooperate with neighboring property owners to reach a mutually agreeable landscape plan.

E. Lighting:

- a. Shielding. Light sources must be concealed or shielded with cutoffs so that no more than 2.5% of the light emitted directly from the lamp or indirectly from the fixture is projected at an angle of more than 90 degrees above nadir and no more than 10% of the light emitted directly from the lamp or indirectly from the fixture is projected at an angle of more than 80 degrees above nadir.
- b. Spillover Light. Light trespass along the lot line of the subject property may not exceed 0.5 foot-candles when abutting a residential zoning district and may not exceed 3.0 foot-candles when abutting any other zoning district or public right-of-way. Maximum illumination levels are measured 3 feet above grade or from the top of any opaque screening fence or wall along the property line.
- c. Fixture Height. Maximum fixture height shall not exceed 5 feet.
- d. Number of Lights Posts. No more than 3 light posts shall be placed on the lot.

F. Signs:

- a. Signs Allowed. A maximum of one on-premise sign shall be allowed. The on-premise sign may be a wall sign or a free-standing sign. Roof signs and off-premise outdoor advertising signs are prohibited.
- b. Maximum Area. Signs may not exceed 32 square feet in area or 0.30 square feet of sign area per linear foot of street frontage, whichever is greater, but in no case may the sign exceed 150 square feet in area.
- c. Maximum Height. Freestanding signs may not exceed 20 feet in height.
- d. Dynamic Displays. Dynamic displays are prohibited.

DETAILED STAFF RECOMMENDATION:

The rezoning request (with or without the optional development plan) included in Z-7373 is consistent with the anticipated land use vision proposed in the Tulsa Comprehensive Plan amendment as identified in CPA-56 (Mixed Use Corridor) and,

OL zoning typically supports small office development and is a compatible use with adjacent residential and office zoning districts. The proposed use is for a small surface parking lot abutting the rear yard of adjacent to a single family residential lot. The abutting residential property owners have worked with the applicant to

prepare an optional development plan to help mitigate possible negative impacts to the residential use and,

OL rezoning requested is consistent with the anticipated future development of the surrounding property and also consistent with the anticipated redevelopment of the land acquired by ODOT during highway reconstruction therefore,

Staff recommends Approval of Z-7373 to rezone property from RS-1 to OL with the optional development plan as outlined in Section II above.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The site was purchased by ODOT with the reconfiguration of the interchange of I-44 at South Lewis homes on the site were demolished as part of the highway reconstruction. After construction the properties were left vacant and could now be considered for uses other than an existing neighborhood. CPA-56 supports the request to change the land use from Existing Neighborhood land use designation to Mixed Use Corridor. With approval of the amendment to the Comprehensive Plan, OL zoning would be consistent with the plan.

Existing Land Use Vision:

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.

Areas of Stability and Growth designation: Area of Stability

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

Proposed Land Use as associated with CPA-56:

Land Use Plan Map Designation: Mixed Use Corridor

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

Areas of Stability and Growth designation: Area of Growth

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

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

Transportation Vision:

Major Street and Highway Plan: Secondary Arterial with Multi Modal Overlay

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

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

Trail System Master Plan Considerations: None that affect the site

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: As part of the reconstruction of I-44 existing homes were demolished and a new access drive was constructed to serve the offices immediately south of the request. This small vacant tract of land is remaining east of the new driveway.

Street view snippet looking east from ODOT driveway:



Environmental Considerations: None that would affect site redevelopment.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Lewis Avenue	Secondary Arterial with Multi Modal overlay	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-1	Existing Neighborhood	Stability	Vacant
East	RS-1	Existing Neighborhood	Stability	Single Family Residential
South	OL/PUD 227	Mixed Use Corridor	Growth	Office
West	OL west of Lewis	Town Center	Growth	Vacant

SECTION IV: Relevant Zoning History

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

Subject Property:

No relevant history.

Surrounding Property:

Z-5364 March 1980: All concurred in **approval** of a request for *rezoning* a 2.9+ acre tract of land from RS-1 to OL for an office development, on property located on the northeast corner of S. Lewis Avenue and Interstate 44 and abutting south of subject property.

PUD-227 March 1980: All concurred in **approval** of a proposed *Planned Unit Development* on a 2.9+ acre tract of land for an office development, on property located on the northeast corner of S. Lewis Avenue and Interstate 44 and abutting south of subject property.

Applicant's Comments:

JR Donelson 12820 South Memorial Drive, Tulsa, OK

Mr. Donelson stated the applicant has met with adjacent property owners and over a number of weeks came up with the current plan. Mr. Donelson believes these properties could only be a parking lot and would take the place of properties that were lost due to the ODOT construction of I-44 and Lewis.

Mr. Reeds asked Mr. Donelson if he had any letters or documentation from the adjacent property owners.

Mr. Donelson stated Ms. Huckabee could answer that question.

INTERESTED PARTIES COMMENTS:

Mary Huckabee 1820 East 16th Place, Tulsa, OK

Ms. Huckabee stated she is the attorney for the neighbors to the east of the project. Ms. Huckabee stated her clients are very supportive of the resolution that the neighbors and the applicant has agreed upon.

TMAPC Action; 8 members present:

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

Shivel, "absent") to **APPROVE** Z-7373 rezoning from **RS-1** to **OL with optional development plan** per staff recommendation.

Legal Description for Z-7373

A strip, piece or parcel of land lying in part of the NW ¼ SW ¼ SW ¼ of Section 29, T-19-N, R-13-E, of the Indian Base Meridian, in Tulsa County, Oklahoma. Said parcel of land being described by metes and bounds as follows: Commencing at the SW corner of said NW ¼ SW ¼ SW ¼, thence N 88°47'04"E along the South line of said NW ¼ SW ¼ SW ¼ a distance of 165.00 feet, said point being the point of beginning, thence N 01°18'57"W a distance of 100.00 feet, thence N 88°47'04"E a distance of 75.00 feet, thence S 01°18'57"E a distance of 100.00 feet, thence S 88°47'04"W a distance of 75.00 feet to the point of beginning.

22. CPA-61 Stuart Van De Wiele (CD 6) Location: North of the northeast corner of South Garnett Road and East 19th Street South requesting to amend the Comprehensive Plan Land Use Map from **Existing Neighborhood** to **Town Center** (Related to Z-7395)

STAFF RECOMMENDATION:

1. PROPERTY INFORMATION AND LAND USE REQUEST

Existing Land Use: <i>Existing Neighborhood</i> Existing Stability and Growth designation: <i>Area of Growth</i>
Proposed Land Use: <i>Town Center</i>
Location: N of the NE/c of S Garnett Rd and E 19 th St S
Size: 9.82 ± acres

A. Background

The land use assignment for this site at the time of adoption of the 2010 Tulsa Comprehensive Plan is *Existing Neighborhood*, with a Stability and Growth Map designation of *Area of Growth*. The subject site is located in East Tulsa, surrounded by a mixture of uses. The areas to the east and north are single family residences, with a land use designation of *Existing Neighborhood* and a Stability and Growth Map designation of *Area of Stability*. The commercial and office uses to the south and west are designated *Town Center* and *Area of Growth*.

The applicant has submitted a Comprehensive Plan amendment and a rezoning application from RS-2 to OM with an optional development plan. The current site contains three existing buildings that have previously been used as a church and a church sponsored school. The applicant has stated the owner of the subject property “has no current plans to construct further improvements, with the exception of one or more community garden spaces”.

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

An *Existing Neighborhood* land use designation was assigned for the subject area 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 Designation (Tulsa Comprehensive Plan)

The applicant is proposing a *Town Center* land use designation on the subject site.

“*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.”

D. Zoning and Surrounding Uses:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Area of Growth	Existing Use
North	RS-3	<i>Existing Neighborhood</i>	<i>Area of Stability</i>	Single family residential
South	CS	<i>Town Center</i>	<i>Area of Growth</i>	Commercial
East	RS-3	<i>Existing Neighborhood</i>	<i>Area of Stability</i>	Single family residential
West	OL & CS	<i>OL parcel: Existing Neighborhood</i> <i>CS parcels: Town Center</i>	<i>Area of Growth</i>	Commercial/ Office

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:

4. How conditions on the subject site have changed, as well as those on adjacent properties and immediate area;
5. How changes have impacted the subject site to warrant the proposed amendment; and;
6. 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:

HOW CONDITIONS OF THE SUBJECT AREA HAVE CHANGED

The Subject Property is pending a change of zoning from RS-2 to OM.

The current Comprehensive Plan designation "Existing Neighborhood" is a misnomer in that the Subject Property has not been utilized in a residential capacity for decades (if ever). The "Existing Neighborhood" designation seems to have been a carryover from the neighborhoods which are adjacent to the North and East.

The Subject Property has been used for many years as a church and, at certain times, a church sponsored school. However, the church has disbanded, consolidated with other congregations, or relocated to a new location. The existing facilities (as will be repurposed and utilized by the applicant), along with (i) the existing single family neighborhoods to the North and to the East (zoned RS-3), (ii) the commercial properties to the South (zoned CS), and (iii) the commercial and office properties to the West (zoned CS and OL), seem to place the Subject Property squarely within the concept of a "Town Center" designation (similar to the properties extending several blocks to the South).

Additionally, Tulsa (and East Tulsa in particular), has experienced years of cultural diversification, and there are now approximately 3,000 members of the Hmong community living and working in this area of Tulsa. The current property owner, Mouasu Bliaya, has acquired the Subject Property to provide facilities for Tulsa's growing Hmong community to congregate, hold religious ceremonies, celebrate family and cultural events, and conduct other activities related to their religious, cultural and community events.

HOW THESE CHANGES HAVE IMPACTED THE SUBJECT AREA AND WARRANT THE PROPOSED CHANGE

The changes to the cultural diversification and makeup of East Tulsa and the desire of Tulsa's Hmong community to meet, worship and celebrate together in facilities that are near their homes and places of work just is as important to the Hmong community as it is to other religious or cultural groups or communities in other parts of the City. This amendment to the Comprehensive Plan is a necessary first step in providing for the zoning change that is a simple reflection of the beneficial use of the Subject Property and its existing improvements.

Additionally, the Subject Property contains a large building that was once used a church sponsored school that is now vacant and unused. The applicant desires to repurpose this building to provide small to medium office space for lease to the public.

HOW THESE PROPOSED CHANGE WILL ENHANCE THE SURROUNDING AREA AND THE CITY OF TULSA

The Subject Property is also designated as an "Area of Growth" which would appear to support the change of the Land Use Designation to a "Town Center" in order to help facilitate growth in the area by bringing online new office space, business growth and resulting employment opportunities.

Providing for infill office space and places of employment should be an important goal for the City and can only serve to enhance not only a previously unused property but also the surrounding areas and the City as a whole. This repurposing of an existing space into an area of employment and business growth should be welcomed to the City.

Further, the applicant intends that portions of the open space on the Subject Property (East of the improvements) will be utilized as garden spaces. These gardens will provide not only beautification of the Subject Property but also will provide opportunities to congregate and socialize as well as providing healthy locally grown produce.

F. Staff Summary:

The applicant is proposing to expand the *Town Center* designation and rezone the subject site to OM with an optional development plan to allow the Hmong Community to “congregate, hold religious ceremonies, celebrate family and cultural events, and conduct other activities related to their religious, cultural and community events”. Additionally, the property owner plans to repurpose one of

the existing buildings “to provide small to medium office space for lease to the public”.

The subject site was designated as *Existing Neighborhood* and an *Area of Growth* when the Comprehensive Plan was adopted in 2010. The applicant has stated that, “the Subject Property has not been utilized in a residential capacity for decades (if ever)”. This is a unique situation in which the subject lot and the OL zoned tract to the west were 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 commercial zoned areas immediately to the south and southwest are designated *Town Center* and *Area of Growth*.

There is always concern that changes in land use designations will destabilize existing residential uses on adjacent properties. The RS-3 zoned lots immediately to the east and north are occupied by single-family residences. To ensure appropriate setbacks between the existing structures and the established residential neighborhood the requested rezone will be accompanied by a development plan that will require lighting limitations and appropriate building setbacks along the north and eastern boundary of the subject site.

Providing infill office space and the repurposing of vacant buildings align with the Comprehensive Plan’s goals for *Areas of Growth*. As stated by the Comprehensive Plan, common traits of an *Area of Growth* are “to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop”. An expansion of the *Town center* land use designation onto this tract would eliminate inconsistencies with the *Area of Growth* map designation.

STAFF RECOMMENDATION

- Staff recommends **approval** of the *Town Center* land use designation as submitted by the applicant.

The applicant indicated his agreement with staff’s recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **MILLIKIN**, TMAPC voted **8-0-0** (Carnes, Covey, Doctor, Fretz, Krug, Millikin, Reeds, Walker "aye"; no "nays"; none “abstaining”; Adams, Dix, Shivel, "absent") to recommend **APPROVAL** of CPA-61 per staff recommendation

* * * * *

23. Z-7395 Stuart Van De Wiele (CD 6) Location: North of the northeast corner of South Garnett Road and East 19th Street South requesting rezoning from RS-2 to OM with optional development plan. (Related to CPA-61)

STAFF RECOMMENDATION:

SECTION I: Z-7395

APPLICANTS DEVELOPMENT CONCEPT:

The Subject Property, although currently zoned RS-2, has not been utilized in a residential capacity for decades (if ever). The Subject Property has been used for many years as a church and, at certain times, a church sponsored school. The applicant has acquired the Subject Property and has no current plans to construct further improvements on the Subject Property, with the exception of one or more community garden spaces. The applicant intends on utilizing (i) the portions of the Subject Property previously utilized as the church sanctuary ("Building A" shown below) and the church dining hall / cafeteria ("Building B" shown below) for religious, cultural and community events, meetings and ceremonies for Tulsa's Hmong community residing in the surrounding area, (ii) the portions of the Subject Property previously utilized as the church sponsored school ("Bldg C" shown below) as office space available for lease to the public, and (iii) the open portions of the Subject Property lying East of the parking lot for one or more community gardens and other uses compatible with the religious, cultural and community activities on the Subject Property, all in accordance with the Tulsa Zoning Code. The Optional Development Plan is proposed to provide guidance and limitation on future development on the Subject Property and to lessen the perceived or potential impact of future development on those residential areas to the North and East.



SECTION II OPTIONAL DEVELOPMENT PLAN STANDARDS

II. Optional Development Plan Standards

Z-7395 with the optional development plan standards will conform to the provision of the Tulsa Zoning Code for development in an OM zoning district and its supplemental regulations except as further refined below:

A. Permitted Uses:

- a. Residential Use Category limited to the subcategories and specific uses defined below and uses that are customarily accessory to the permitted uses.
 - i. Townhouse
- b. Public, Civic and Institutional
 - i. Day Care
 - ii. Library or Cultural Exhibit
 - iii. Natural Resource Preservation
 - iv. Parks and Recreation
- b. Religious Assembly
- c. School
- c. Commercial
 - a. Financial Services
- d. Office
 - a. Business or professional office
 - b. Medical, dental or health practitioner
- e. Studio, Artist or Instructional Service
- f. Agricultural
 - a. Community Garden
 - b. Farm Market or Community Supported

B. Building Setbacks

- a. Building Setbacks (North and East). The Subject Property shall maintain a thirty foot (30') building setback along the North edge and the East edge of the Subject Property in which only currently existing improvements, existing or future utilities, existing or future landscaping, and existing or future fencing or screening may be constructed.
- b. Other Setbacks. The remaining building setbacks shall be in accordance with the Tulsa Zoning Code.

C. Building Heights

- a. Building height shall not exceed 50 feet.

- D. Floodplain Restrictions. To the extent that any portion of the Subject Property lies within a regulatory floodplain, there shall be no improvements constructed in such portion of the Subject Property other than one or more community garden spaces, utilities, landscaping, and fencing or screening unless the same are approved by a minor amendment to this Optional Development Plan.
- E. Fencing, Screening and Landscaping. All fencing, screening and landscaping shall be in compliance with the Tulsa Zoning Code.
- F. Lighting Limitations.
- a. North and East Property Lines. The Subject Property shall contain no outdoor lighting fixtures within the thirty foot (30') building setback along the North edge and East edge of the Subject Property.
 - b. Other Lighting. Any outdoor lighting fixtures on the Subject Property (other than existing lighting, if any) shall not exceed sixteen feet (16') in height unless the same are approved by a minor amendment to this Optional Development Plan.

DETAILED STAFF RECOMMENDATION:

Z-7395 requests a zoning change on the property from RS-2 to OM with an optional development plan. The request is not consistent with the current Existing Neighborhood land use designation. Staff supports the concurrent Comprehensive Plan Amendment # CPA-61 to Town Center and,

OM zoning with the optional development plan is consistent with the Town Center vision of the Comprehensive Plan and,

Z-7395 is consistent with the expected development pattern of the area and,

Z-7395 is considered non injurious to the proximate properties therefore,

Staff recommends **Approval** of Z-7395 to rezone property from RS-2 to OM but only with the optional development plan standards identified in section II above.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The existing church was considered part of the Existing Neighborhood land use designation in the Tulsa Comprehensive Plan.

Conversion of the church property to add certain specific uses will still be an asset to the stability of the adjacent neighborhood but also adds a mixed use component and design standard that is appropriate in the Town Center designation.

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 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 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:

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 contains a vacant church with a single story assembly area and a two story building. The site is generally flat except that the east end of the property is in a regulated floodplain.

See street view snippet below:

View from the northwest corner looking southeast from South Garnett Road:



Environmental Considerations:

Floodplain snippet:

Snippet illustrating FEMA floodway in blue and the 100 Year floodplain mapped in grey (2016).



Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Garnett Road	Secondary Arterial with Multi modal corridor overlay	100 feet	5 (2 each direction and a center turn lane)

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	Existing Neighborhood	Stability	Single Family detached
East	RS-2	Existing Neighborhood	Stability	Single Family detached
South	CS	Town Center	Growth	Miscellaneous office warehouse
West	OL (North 1/3 rd) CS(South 2/3 rd)	Town Center (south 2/3 rd) Existing Neighborhood (north 1/3 rd)	Growth	Vacant/ Restaurants

SECTION IV: Relevant Zoning History

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

Subject Property:

BOA-6626 April 7, 1970: The Board of Adjustment approved a special exception to permit a day nursery in conjunction with a church use, on property located at 1801 S. Garnett Rd., and also known as the subject property.

BOA-5172 September 14, 1966: The Board of Adjustment approved a special exception to permit a church, on property located north of northeast corner of S. Garnett Rd. and E. 19 St. S., and also known as the subject property.

Surrounding Property:

No relevant history.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **REEDS**, TMAPC voted **7-0-0** (Covey, Doctor, Fretz, Krug, Millikin, Reeds, Walker "aye"; no "nays"; none "abstaining"; Adams, Carnes, Dix, Shivel, "absent") to **APPROVE** Z-7395 rezoning from **RS-2** to **OM with optional development plan** per staff recommendation.

Legal Description for Z-7395

N THE NORTH HALF OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (N/2 N/2 SW/4 SW/4) OF SECTION EIGHT (8), TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF.

* * * * *

Mr. Covey stated the applicant would like for TMAPC to reconsider item 18 because the applicant was not in attendance when this item was presented.

Ms VanValkenburgh stated there would need to be a motion to reconsider.

TMAPC Action; 7 members present:

On **MOTION** of **REEDS**, TMAPC voted **5-2-0** (Doctor, Krug, Millikin, Reeds, Walker "aye"; Covey, Fretz, "nays"; none "abstaining"; Adams, Carnes, Dix, Shivel, "absent") to **RECONSIDER** item 18 per applicants request.

* * * * *

Item # 18 was reconsidered below.

18. BOA-22245 Plat Waiver (CD 6) Location: East of the northeast corner of East 21st Street South and South 145th East Avenue

STAFF RECOMMENDATION:

The platting requirement for this property is being triggered by a special exception approval by the City of Tulsa Board of Adjustment. The special exception approved the expansion of an existing church into two adjacent parcels. Special exceptions granted for any Public, Civic, or Institutional use require the filing of a subdivision plat per Section 70.080 of the City of Tulsa Zoning Code.

The Technical Advisory Committee met on May 18, 2017 and the following items were determined:

7. The properties under application are 3 separate parcels that have never been platted.
8. There have been no plats filed on any adjacent property to the site.
9. A dedication of an additional 10' of right-of-way for East 21st Street is required to comply with the Major Street and Highway Plan.
10. Water line extension will be required.
11. There is currently no sanitary sewer service within 250' of the site. An extension of a sewer line will be required along with any necessary easements.
12. Detention facilities are required on-site with necessary easements and maintenance access per Section 1304.8 of the Stormwater Management Criteria Manual.

Due to multiple infrastructure requirements and the need for additional right-of-way and easement dedication, staff recommends the processing of a subdivision plat on the property and **denial** of the plat waiver request.

Applicant's Comments:

Jim Beach 200 Matthew Brady Boulevard, Tulsa, OK

Mr. Beach stated he would like to apologize for not being present when his item was called. Mr. Beach stated all the parcels of the existing church have been tied together by a lot combination. One of the purposes of platting is to clearly define a boundary of a piece of property so future surveyors and land owners can determine exactly where that property begins and ends. Because this property is defined on 2 sides by street right of way and the boundaries described in the applicants lot combination the applicant believes the property is fully described and easily found by surveyors. Mr. Beach stated there have not been any plats filed on adjacent properties but the lot combination has been recorded. Mr. Beach stated there is dedication of an additional 10 feet of right of way for East 21st Street currently being processed by staff. Mr. Beach stated the waterline

extension that would be required would be extended within the existing right of way that runs north and south along the west side of subject property. Mr. Beach stated there is no sanitary sewer service within 250 feet of the property and it is the applicant's intent to extend the sanitary sewer service to serve this property and several other properties that do not have sanitary sewer service currently.

Mr. Beach stated a detention facility would require a separate instrument for detention easement. Mr. Beach stated this plat waiver is not a plat waiver the Planning Commission would normally consider favorably when looking at the standard checklist but Mr. Beach stated these are strong reasons for going forward with a plat waiver on this property.

Mr. Covey asked Mr. Foster if he had already heard the applicant's explanation.

Mr. Foster stated he had spoke with the applicant about the same issues at the Technical Advisory Committee meeting and Mr. Beach is not incorrect in saying that those things could be done via separate instrument. However, the preference and policy of the Planning Commission on plat waivers has been that those items stack up and become unfavorable to a plat waiver and forces platting for those properties.

Mr. Reeds asked Mr. Foster if there was any difference in the amount of time it takes to do this by individual easements or do it the right way.

Mr. Foster stated Mr. Beach would say he could get through separate instrument filings quicker than he could get through the process of a subdivision plat but it could vary based on how quick a preliminary plat could be submitted by applicant and what comments the City of Tulsa would have about that plat. Mr. Foster believes a plat could be processed and filed in the same amount of time as the process of filing separate instruments with the City of Tulsa.

Mr. Beach stated Mr. Foster is correct that both of those processes could be done in the same time frame but the difference is a building permit cannot be issued until a plat is completed and filed of record. Whereas the City of Tulsa will issue certain permits to allow construction to progress while waiting for easements to be completed. Mr. Beach stated the next step would be to file a preliminary plat and request an accelerated release of a building permit. If th plat waiver is denied, Mr. Beach stated this would be the applicant's next move. Mr. Beach stated the platting process has to ordinarily run its full course before building permits are issued.

TMAPC Action; 7 members present:

On **MOTION** of **MILLIKIN**, TMAPC voted **7-0-0** (Covey, Doctor, Fretz, Krug, Millikin, Reeds, Walker "aye"; no "nays"; none "abstaining"; Adams, Carnes, Dix, Shivel, "absent") to **DENY** Plat Waiver BOA-22245 per staff recommendation

* * * * *

26. CZ-458 Kevin Vanover (County) Location: South and west of the southwest corner of East 66th Street North and North Yale Avenue requesting rezoning from **AG** to **IM**

STAFF RECOMMENDATION:

SECTION I: CZ-458

DEVELOPMENT CONCEPT: The applicant is proposing to rezone from AG to IM in order to permit a moderate manufacturing facility. Currently, a facility is planned for the northeast corner of the subject tracts, adjacent to N. Yale Ave. The remaining area will be held by the owner for future use or possibly marketing to other industrial uses.

DETAILED STAFF RECOMMENDATION:

CZ-458 is non injurious to the existing proximate properties and;

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

Staff recommends Approval of CZ-458 to rezone property from AG to IM.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: This area is outside of the City of Tulsa Comprehensive Plan area.

Land Use Vision:

Land Use Plan map designation: N/A

Areas of Stability and Growth designation: N/A

Transportation Vision:

Major Street and Highway Plan: Both East 66th Street North and North Yale Ave are Secondary Arterials

Trail System Master Plan Considerations: None

Small Area Plan: N/A

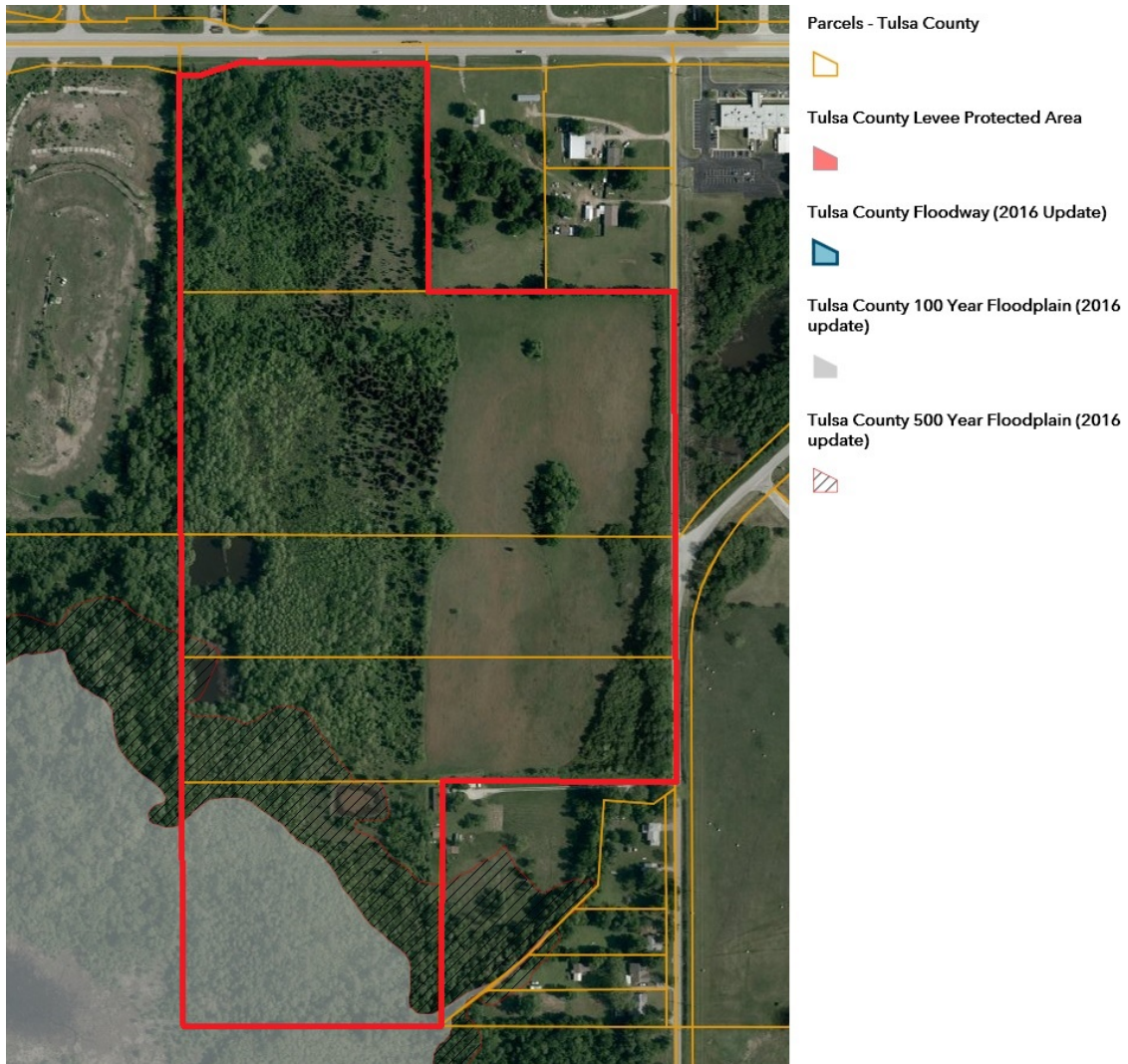
Special District Considerations: N/A

Historic Preservation Overlay: N/A

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site consists of five vacant tracts. Portions of the tracts are forested. Multiple ponds exist on the tracts.

Environmental Considerations: A portion of the southern tracts is located within the Tulsa County 100 year and 500 year flood plains. The applicant will need to work with Tulsa County to mitigate any floodplain issues that may be required before developing those portions of the tracts.



Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 66 th Street North	Secondary Arterial	100 Feet	4
North Yale Avenue	Secondary Arterial	100 Feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	AG/IM	N/A	N/A	Single-Family/Light Industrial/Cemetery
South	AG	N/A	N/A	Single-Family/Vacant
East	IL/IM	N/A	N/A	Industrial
West	AG/IM	N/A	N/A	Vacant/Former Race Track

SECTION III: Relevant Zoning History

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

Subject Property:

No relevant history.

Surrounding Property:

CBOA-2381 July 20, 2010: The Board of Adjustment a Special Exception to permit a cemetery and accessory funeral home (Use Unit 2) in the AG district (Section 301), on property located at 4301 E. 66th St. N. and is north of subject property across E. 66th St.

CZ-298 March 2002: All concurred in approval of a request for rezoning a 19± acre tract of land from AG to IL for light industrial use on property located on the northwest corner of East 66th Street North and North Yale Avenue and south of subject property.

CZ-269 September 2000: All concurred in approval of a request to rezone a 17± acre tract from AG to IM for a proposed office and warehouse, on property located west of the northwest corner of East 66th Street North and North Whirlpool Drive and fronting East 66th Street and U. S. Highway 75 North.

CBOA-1683 November 16, 1999: The Board of Adjustment a to allow mining/dirt removal (non-coal) in an AG district, with conditions, on property located at north and west of the northwest corner of E. 56th St. N. and N. Yale Ave. and abutting south of subject property.

CBOA-666 July 15, 1986: The Board of Adjustment approve a Special Exception to permit a rifle and pistol range in an IM district subject to conditions, on property located south and west of the southwest corner of N. Yale Ave. and E. 66th St. N. and is abutting west of subject property.

The applicant indicated his agreement with staff's recommendation.

INTERESTED PARTIES COMMENTS:

David Baxter 6106 North Yale Avenue, Tulsa, OK 74117

Mr. Baxter stated he lives adjacent to the subject property and is here today to find out how this development will affect his property. Mr. Baxter states he feels like he is being boxed in by industrial businesses. Mr. Baxter stated since he has moved to this area, the industrial park has added more facilities and is now just constant noise of trucks. Mr. Baxter stated he is concerned about his land values and his peace of mind.

Mr. Covey stated he understands Mr. Baxter's concerns.

Mr. Baxter stated he has never been through this process before.

Ms. Millikin asked Mr. Baxter if his property was solely residential or did Mr. Baxter operate a business out of his home.

Mr. Baxter stated "no", it was solely residential.

Applicant's Comments:

Kevin Vanover 1717 South Boulder, Tulsa, OK

Mr. Vanover stated the area adjacent to Mr. Baxter's property is in a flood plain so the chances of this area developing into industrial property are very slim. The owners of the property are developing the northeast corner of the subject property and the rest of the property was purchased because it was all a part of the same package. Mr. Vanover does not foresee the area adjacent to Mr. Baxter's property developing anytime in the near future.

Mr. Covey asked Mr. Vanover what business was going on this site.

Mr. Vanover answered Allen Edwards Incorporated they make weight systems for pipelines with concrete. All work is done indoors during normal daytime working hours except for storing the forms outdoors for drying.

Mr. Covey asked if the applicant had plans to build immediately.

Mr. Vanover stated "Yes".

Mr. Covey asked if the applicant only had plans to use the northeast area of the subject property.

Mr. Vanover stated "Yes".

Mr. Covey asked if the applicant was going to market other parts of the subject property.

Mr. Vanover stated he was unsure of this currently, but maybe in the future this could be marketed. Mr. Vanover stated his client may just hold the property to expand if needed.

Ms. Millikin asked if the concrete will be mixed on site or will trucks deliver the concrete.

Mr. Vanover stated trucks would deliver the concrete.

Ms. Millikin asked staff about the requirements for landscaping of this type of property.

Mr. Vanover stated there is several hundred feet between Mr. Baxter's property and where the work is going to happen and therefore doesn't see the need for landscaping.

Ms. Millikin stated to Mr. Vanover there is nothing to prevent you from building adjacent to Mr. Baxter's property or you selling the property and someone putting a moderate industrial enterprise there that could interfere with Mr. Baxter's property. That is why Ms. Millikin is curious about the landscaping and boundary requirements for this property.

Ms. Millikin asked if there was discussion about the optional development plan.

Mr. Hoyt stated "no", this was in the county and an optional development plan is not available.

Ms. VanValkenburgh stated there is still a PUD option for this property.

Ms. Millikin stated she has mixed feelings about the item and believes the Planning Commission needs to take into consideration the residents who live by this subject property. Ms. Millikin stated she understands that the owners of the subject property have no plans to develop the property next to Mr. Baxter's but there is a possibility that this could happen and Ms. Millikin doesn't see that much consideration about if and when the southern part of this tract is developed.

Mr. Reeds stated his concerns are lack of definition of separation of use between agricultural and industrial light.

Ms. Millikin asked Ms. VanValkenburgh if Planning Commission could move to continue this item to have those concerns addressed.

Ms. VanValkenburgh stated "Yes".

Ms. Millikin stated she moved to continue to the next meeting to have feedback from the staff on how to address the concerns of the residential properties to the south of the subject property.

Mr. Reeds seconded the motion.

Mr. Covey stated the focus is on the residents to the south and there are residents to the north and they are much closer. Mr. Baxter is going to have a good distance between him and the subject property.

Ms. Millikin stated this just enforces the need to discuss the concerns further. Ms. Millikin would like staff to see what could be done to address the concerns of Mr. Baxter and how to create a boundary between the subject property and the residential properties.

Mr. Vanover stated the zoning code provides for buffering between Industrial use and residential use and Mr. Vanover stated they are complying with the zoning code. Mr. Vanover stated all the protections have been put in place with the Comprehensive Plan and Zoning Code and now Planning Commission is asking for more than is required.

Ms. Millikin stated to Mr. Vanover that she understands Mr. Baxter's concerns.

Ms. Miller stated the Tulsa County Code is pretty minimal on requirements, there are no landscape requirements, there is a screening fence requirement and a 75 building setback requirement between the IM and AG zoning designations. A PUD can be used to require more stringent standards. Ms. Miller stated a PUD would be needed to enhance what the code requires if that is what Ms. Millikin is asking of the applicant.

Mr. Covey stated the options are to approve the application as stated today, to deny the application or continue the application to a later time as to allow applicant to file a PUD application.

Ms. Miller stated if the applicant wanted to submit a PUD the cutoff date is tomorrow for July 19th, 2017 TMAPC meeting but Ms. Miller could extend that for the applicant or perhaps the August 2, 2017 meeting would allow the applicant a few weeks to submit a PUD application.

Mr. Covey asked the applicant if he was interested in submitting a PUD application.

Mr. Vanover asked TMAPC if they wanted to add a landscaping component, or additional setback requirements or is it other types of screening.

Ms. Millikin answered that would be important to discuss with Mr. Baxter.

Mr. Vanover stated in light of a denial the best thing is to take the recommendation back to his client.

Mr. Covey asked Mr. Baxter if he was interested in more landscaping between the subject property and his property.

Mr. Baxter answered he knows the area is going to grow and develop and doesn't think the answer is to deny Mr. Vanover's application for rezoning. Mr. Baxter states he does have questions for Mr. Vanover that maybe he could ask him after the meeting.

Ms. Millikin asked Mr. Baxter are you saying you are not interested in continuing to a later date so you can talk with the applicant about a PUD or are you just interested in talking to Mr. Vanover after the meeting because Mr. Vanover is not obligated to change anything at that point.

Mr. Baxter stated Mr. Vanover is not obligated to change anything now.

Ms. Millikin stated to Mr. Baxter that Mr. Vanover would be obligated if the application is continued and Mr. Vanover were required to file an application for a PUD that addresses Mr. Baxter's concerns. Ms. Millikin asked Mr. Baxter if he is saying he doesn't care and just wants to speak with Mr. Vanover after the meeting.

Mr. Baxter stated it's not that he doesn't care. He would hope Mr. Vanover would have enough respect for the residents to listen.

Ms. Millikin stated there is no guarantee if this application is approved that Mr. Vanover is going to do anything. Ms. Millikin stated to Mr. Baxter that it sounds like Mr. Baxter is withdrawing his concern and doesn't want this to be denied.

Mr. Baxter stated "yes".

Ms. Millikin stated that she withdraws her motion for a continuance and makes the motion to approve this application per staff recommendation.

TMAPC Action; 7 members present:

On **MOTION** of **MILLIKIN**, TMAPC voted **7-0-0** (Covey, Doctor, Fretz, Krug, Millikin, Reeds, Walker "aye"; no "nays"; none "abstaining"; Adams, Carnes, Dix, Shivel, "absent") to **APPROVE** CZ-458 rezoning from **AG** to **IM** per staff recommendation.

Legal Description for CZ-458

The West 660 feet of the North 660 feet of Lot 1, otherwise known as the Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of Section 4, T20N,

R13E, Tulsa County, Oklahoma consisting of 10 acres more or less: **AND** A tract of land in the NE 1/4 of the NE 1/4 of Section 4, T20N, R13E, more particularly described as beginning at a point 660 feet South of the Northeast corner of said Section thence West a distance of 1321.30 feet to a point, thence South a distance of 634.48 feet, thence East a distance of 1320.60 feet to the East line of said Section, thence North along the East line of said Section a distance of 634.48 feet to the point of beginning, containing 19.24 acres more or less. **AND** The North half of the Northeast quarter of the Southeast quarter of the Northeast quarter (N/2, NE/4, SE/4, NE/4) and the North half of the Northwest quarter of the Southeast quarter of the Northeast quarter (N/2, NW/4, SE/4, NE/4) all in Section 4, T20N, R13E **AND** The South half of the Northeast quarter of the Southeast quarter of the Northeast quarter (S/2, NE/4, SE/4, NE/4) and the South half of the Northwest quarter of the Southeast quarter of the Northeast quarter (S/2, NW/4, SE/4, NE/4) all in Section 4, T20N, R13E **AND** The Southwest Quarter of the Southeast Quarter of the Northeast Quarter (SW/4, SE/4, NE/4) of Section 4, T20N, R13E, all of the Indian Base and Meridian, Tulsa County, State of Oklahoma according to the United States Government Survey thereof.

* * * * *

27. CZ-459 Brian Doyle (County) Location: East of the northeast corner of East 86th Street North and North Sheridan Road requesting rezoning from **AG** to **RS**

STAFF RECOMMENDATION:

SECTION I: CZ-459

DEVELOPMENT CONCEPT: Rezone subject tracts from AG to RS to permit construction of a single-family subdivision.

DETAILED STAFF RECOMMENDATION:

CZ-459 is non injurious to the existing proximate properties and;

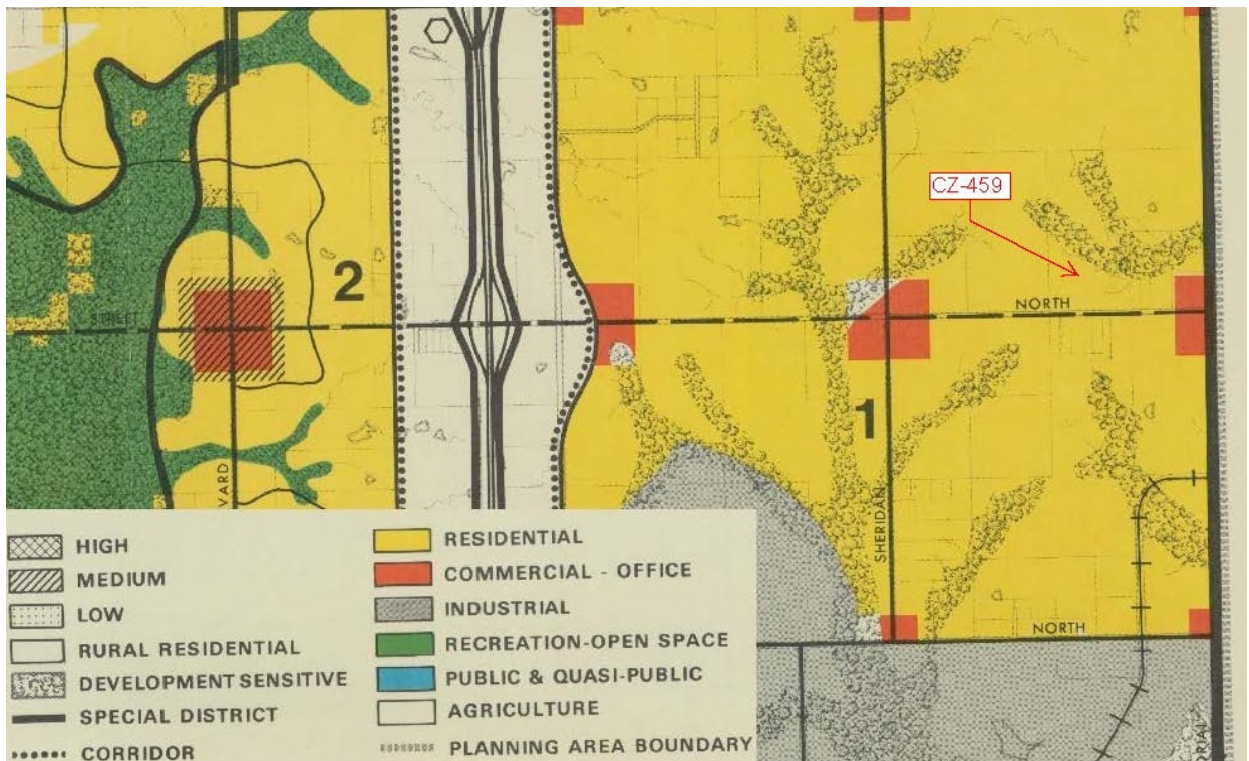
RS zoning is consistent with the anticipated future development pattern of the surrounding property therefore;

Staff recommends Approval of CZ-459 to rezone property from AG to RS.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: No current comprehensive plan contains a designation for CZ-459 however it is designated as Residential, Low Intensity in the North Tulsa County Comprehensive Plan 1980-2000.



The subject tracts are located adjacent to the City of Owasso. Karl Fritschen, Planning Manager with Owasso and Bronce Stephenson, Community Development Manager with Owasso have been contacted regarding this proposal. Mr. Fritschen stated that RS would be appropriate here, as Owasso also has single-family development in the area. Mr. Stephenson has stated that the City of Owasso supports the proposal. He also noted that sanitary sewer for this proposed development would be provided by the City of Owasso.

Land Use Vision:

Land Use Plan map designation: N/A

Areas of Stability and Growth designation: N/A

Transportation Vision:

Major Street and Highway Plan: East 86th Street North is a Primary Arterial

Trail System Master Plan Considerations: None

Small Area Plan: None

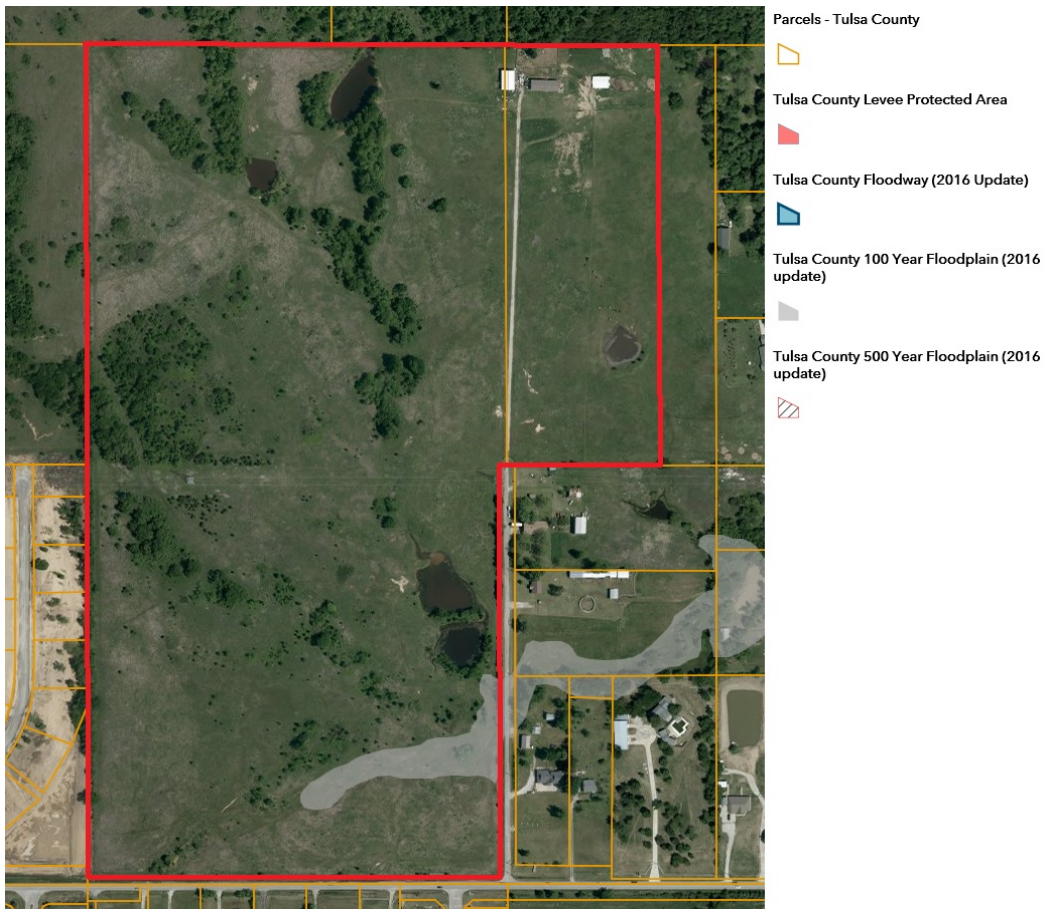
Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is primarily vacant land with ponds at various locations throughout the site. A mobile home and two bards are currently located in the northeast corner of the subject tract.

Environmental Considerations: A small area in the southeast, near the intersection of N 77th East Ave and E 86th St N is located in the Tulsa County 100 year floodplain. The applicant will need to work with Tulsa County to mitigate any floodplain issues that may be required before developing those portions of the tracts.



Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 86 th Street North	Primary Arterial	120 feet	2
North 77 th East Avenue	None	N/A	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	AG	N/A	N/A	Vacant
South	AG/RE/RS-2/RS-3	N/A	N/A	Single-Family
East	AG	N/A	N/A	Single Family
West	RE	N/A	N/A	Vacant / Single-Family

SECTION III: Relevant Zoning History

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

Subject Property:

No relevant history.

Surrounding Property:

CZ-423 April 2013: All concurred in approval of a request for rezoning a 160± acre tract of land from AG to RE for residential development, on property located northeast corner of East 86th Street North and North Sheridan Road.

CZ-347 September 2004: All concurred in approval of a request for rezoning a 160± acre tract of land from AG to RE for residential development, on property located on the southeast corner of East 86th Street North and North Sheridan Road and abutting south of subject property.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **MILLIKIN**, TMAPC voted **7-0-0** (Covey, Doctor, Fretz, Krug, Millikin, Reeds, Walker "aye"; no "nays"; none "abstaining"; Adams, Carnes, Dix, Shivel, "absent") to **APPROVE** CZ-459 rezoning from **AG** to **RS** per staff recommendation.

Legal Description for CZ-459

A tract of land located in the Southeast Quarter (SE/4) of Section Twenty-three (23) of Township Twenty-one (21) North and Range Thirteen (13) East of the Indian Base and Meridian (I.B.&M.), according to the U.S. Government Survey, thereof, Tulsa County, State of Oklahoma; being more particularly described as follows: Commencing at the SW corner of the SE/4 of Sec. 23, T-21-N, R-13-E, I.B.&M.; Thence N 01°25'11" W along the west line of said SE/4 a distance of 16.50 feet to the Point of Beginning; Thence N 01°25'11" W a distance of 2616.84 feet to the NW corner of said SE/4; Thence N 88°54'11" E a distance of 1976.55 feet to the NE corner of the W/2 NE/4 of said SE/4; Thence S 01°23'27" E a distance of 1313.08 feet to the SE corner of said W/2 NE/4 SE/4; Thence S 88°47'57" W a distance of 658.62 feet to the SW corner of said W/2 NE/4 SE/4; Thence S 88°47'57" W a distance of 25.00 feet; Thence S 01°24'02" E a distance of 1297.82 feet; Thence S 88°41'42" W parallel with the south line of said SE/4 a distance of 1291.80 feet to the Point of Beginning, and containing 98.181 acres, more or less.

* * * * *

31. ZCA-4 - Various amendments to the City of Tulsa Zoning Code to correct omissions and errors from Ordinance 23668 in the following tables and sections: Table 5-3 (R District Lot and Building Regulations); Table 10-5 (Lot and Building Regulations for –U Character Zones); Table 10-6 (Lot and Building Regulations for –V Character Zones); Section 10.030-E2; Table 10-7 (Lot and Building Regulations for –F Character Zones); Table 15-2.5 (O, C and I District Building Type Regulations for Household Living); Section 20.050-C; Table 20-1 (RDO District Use Regulations); Section 40.400-B; and Section 70.030-G.

STAFF RECOMMENDATION:

Item: Various amendments to the City of Tulsa Zoning Code to correct omissions and errors from Ordinance 23668 in the following tables and sections: Table 5-3 (R District Lot and Building Regulations); Table 10-5 (Lot and Building Regulations for –U Character Zones); Table 10-6 (Lot and Building Regulations for –V Character Zones); Section 10.030-E2; Table 10-7 (Lot and Building Regulations for –F Character Zones); Table 15-2.5 (O, C and I District Building Type Regulations for Household Living); Section 20.050-C; Table 20-1 (RDO District Use Regulations); Section 40.400-B; and Section 70.030-G.

A. Background: The new City of Tulsa Zoning Code became effective on January 1, 2016. After almost a year of implementation, a number of items were identified that required amendments to the new Zoning Code. Primarily these items were identified through interactions with the public, both through the zoning and building permit processes. The amendments were adopted in Ordinance No. 23668 and became effective on **May 10, 2017**.

During incorporation of the amendments contained in the 48-page ordinance into the Zoning Code, staff identified several items in Ordinance No. 23668 that require cleanup. A follow-up ordinance has been drafted to correct these errors and omissions. TMAPC is asked to consider and provide a recommendation on these items at the **June 7, 2017**, public hearing.

The clean-up amendments proposed to the City of Tulsa Zoning Code, Title 42 Tulsa Revised Ordinances, are in **Attachment I** shown in **strike through/underline**.

B. Staff recommends APPROVAL of proposed amendments to the City of Tulsa Zoning Code as shown in Attachment I.

TMAPC Action; 7 members present:

On **MOTION** of **KRUG**, TMAPC voted **7-0-0** (Covey, Doctor, Fretz, Krug, Millikin, Reeds, Walker "aye"; no "nays"; none "abstaining"; Adams, Dix, Carnes, Shivel, "absent") to recommend **ADOPTION** of the amendments to the City of Tulsa Zoning Code to correct omissions and errors from Ordinance 23668 in the following tables and sections: Table 5-3 (R District Lot and Building Regulations); Table 10-5 (Lot and Building Regulations for –U Character Zones); Table 10-6 (Lot and Building Regulations for –V Character Zones); Section 10.030-E2; Table 10-7 (Lot and Building Regulations for –F Character Zones); Table 15-2.5 (O, C and I District Building Type Regulations for Household Living); Section 20.050-C; Table 20-1 (RDO District Use Regulations); Section 40.400-B; and Section 70.030-G per staff recommendation .

* * * * *

OTHER BUSINESS

31. Refund Request – GSS Sign Design, PUD-93-D – PUD Sign Plan, Location: 6010 South Memorial, requesting a refund of \$200.00, Applicant has withdrawn this application (CD 7)

REQUEST FOR REFUND

Case No. PUD-93-D

The applicant, GSS Sign Design, 17424 S. Union Ave., Mounds, Oklahoma 74047, made application to TMAPC, asked for a refund of fees paid for an application for: PUD Sign Plan

Sign Plan		
From TMAPC (X)		
	Fees Paid	Fees Used
Base Request	200.00	00.00
Additional Requests	00.00	00.00
Newspaper Publication	00.00	00.00
Sign (Special Exception Uses in COT only)	00.00	00.00
300' Property Owners Mailing and Postage	00.00	00.00
<i>Application Subtotal:</i>	200.00	00.00
Notice Subtotal:	00.00	00.00
Total Fees Paid:	200.00	00.00

Recommended Refund:

\$200.00

The application was withdrawn: yes (X) no ()

Application withdrawn by staff.

The staff recommends the refund listed above.

TMAPC Action; 7 members present:

On **MOTION** of **MILLIKIN**, TMAPC voted **7-0-0** (Covey, Doctor, Fretz, Krug, Millikin, Reeds, Walker "aye"; no "nays"; none "abstaining"; Adams, Carnes, Dix, Shivel, "absent") to **APPROVE** the refund request of two hundred dollars.

32. Commissioners' Comments

Ms. Millikin stated if you received a save the date card in the mail that is for her daughter's wedding.

Ms. Miller requested to speak to Planning Commission.

Ms. Miller apologized for not being present for the Director's report because she was held up in City Council meetings. Ms. Miller reported that there would be a

TMAPC Work Session July 19, 2017 and would like to discuss Mixed Use zoning incentive program and Ms. Miller and Ms. Warrick would be bringing a resolution for Planning Commission to consider waiving the fees for Mixed Use zoning requests within the Bus Rapid Transit (BRT) corridor. Ms. Miller stated staff is compiling promotional material to notify certain property owners in the Peoria Avenue BRT corridor of this incentive program. Ms. Miller stated there will be a presentation of the GO Plan at the Work Session and staff is working on the Housekeeping Amendments. Ms. Miller stated if there is time Luisa Krug will give a presentation of health and land use and how they work together.

* * * * *

ADJOURN

TMAPC Action; 7 members present:

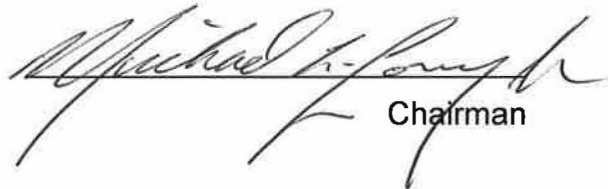
On **MOTION** of **WALKER**, TMAPC voted **7-0-0** (Covey, Doctor, Fretz, Krug, Millikin, Reeds, Walker "aye"; no "nays"; none "abstaining"; Adams, Carnes, Dix, Shivel, "absent") to **ADJOURN** TMAPC meeting 2747.

ADJOURN

There being no further business, the Chair declared the meeting adjourned at 2:35 p.m.

Date Approved:

06-21-2017


Chairman

ATTEST:



Secretary