

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2752

Wednesday, August 16, 2017, 1:30 p.m.

City Council Chamber

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

Members Present	Members Absent	Staff Present	Others Present
Adams	Carnes	Chapman	Edmiston, Legal
Covey	Krug	Foster	Ling, COT
Dix		Hoyt	Silmon, COT
Doctor		Miller	
Fretz		Sawyer	
Millikin		Ulmer	
Reeds		Wilkerson	
Shivel			
Walker			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Thursday, August 14, 2017 at 10:43 p.m., posted in the Office of the City Clerk, as well as in the Office of the County Clerk.

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

REPORTS:

Chairman's Report:

Director's Report:

Ms. Miller reported on the City Council agenda and actions taken. Ms. Miller stated there would be a work session on September 6, 2017 prior to the TMAPC Meeting and the Subdivision Regulation working group has been invited and 6 have confirmed they would attend. The meeting will be in the 10 North Conference Room. Ms. Miller stated work continues on Route 66 overlay that is focusing on signage. Downtown Coordinating Council has agreed to some

downtown zoning standards and work will start on this soon. Also the Landscape Ordinance work is continuing to progress.

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1. **Minutes:**

Approval of the minutes of August 2, 2017 Meeting No. 2751

On **MOTION** of **DIX**, the TMAPC voted 7-0-1 (Adams, Covey, Dix, Fretz, Reeds, Shivel, Walker, "aye"; no "nays"; Millikin "abstaining"; Carnes, Doctor, Krug "absent") to **APPROVE** the minutes of the meeting of August 2, 2017 Meeting No. 2751.

CONSENT AGENDA

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

2. **LS-21031** (Lot-Split) (County) – Location: South of the southwest corner of South 43rd East Avenue and East 193rd Place
3. **LS-21034** (Lot-Split) (CD-1) – Location: East of the southeast corner of North Lewis Avenue and East 49th Street North
4. **LC-925** (Lot-Combination) (CD 8) – Location: West of the southwest corner of South Yale Avenue and East 111th Street South (Related to LS-21036)
5. **LS-21036** (Lot-Split) (CD 8) – Location: West of the southwest corner of South Yale Avenue and East 111th Street South (Related to LC-925)
6. **LC-927** (Lot-Combination) (CD 4) – Location: Northwest corner of East 3rd Street South and South Trenton Avenue
7. **LC-928** (Lot-Combination) (CD 1) – Location: Northwest corner of North Elwood Avenue and West 63rd Place North
8. **PUD-493-4 M. Scott Pohlenz** (CD 9) Location: North of the northeast corner of South Yorktown Place and East 41st Street South requesting a **PUD Minor Amendment** to decrease rear yard setback

STAFF RECOMMENDATION:

SECTION I: PUD-493-4 Minor Amendment

STAFF RECOMMENDATION

Amendment Request: Modify the PUD Development Standards to reduce the rear yard setback from 25 ft to 9 ft.

The applicant is requesting the revised setback due to the addition of a covered patio. The design for the patio encroaches 16 ft into the current 25 ft rear yard setback.

Staff Comment: *This request can be considered a Minor Amendment as outlined by Section 30.010.I.2.c(9) of the City of Tulsa Zoning Code.*

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

Staff has reviewed the request and determined:

- 1) The requested amendment does not represent a significant departure from the approved development standards in the PUD.
- 2) All remaining development standards defined in PUD-493 and subsequent minor amendments shall remain in effect.

With considerations listed above, staff recommends **approval** of the minor amendment request to decrease the rear yard setback from 25 ft to 9 ft.

8.a LS-21037 (Lot-Split) (County) – Location: East of the southeast corner of West 31st Street South and South 54th West Avenue

8.b Airpark Distribution Center (CD 3) Change of Access, Location: Northeast corner of East Apache Street and North Garnett Road

8.c Lansing Industrial Park II (CD 1) Change of Access, Location: West of the southwest corner of East Pine Street and North Peoria Avenue

TMAPC Action; 8 members present:

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

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

PUBLIC HEARINGS:

13. **Z-7404 AAB Engineering, LLC/Alan Betchan** (CD 9) Location: East of Riverside Drive between East 37th Place and East 38th Place South requesting rezoning from **RS-3** to **RM-2** (**Applicant requests continuance to September 6, 2017**)

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Adams, Carnes, Covey, Dix, Doctor, Fretz, Krug, Millikin, Reeds, Shivel, Walker "aye"; no "nays"; none "abstaining"; none "absent") to **CONTINUE Z-7404** to September 6, 2017

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9. **QTD/K Addition** (CD 3) Request authorization for an accelerated release of a building permit, Location: East of North Garnett Road between East 36th Street North and East 46th Street North

STAFF RECOMMENDATION:

The applicant has requested that the Planning Commission authorize the City of Tulsa to issue building permits prior to the filing of a final plat. A preliminary plat for the project was approved on March 1, 2017. Infrastructure Development Plans (IDP) have been approved by the City of Tulsa and a second draft of the final plat was submitted on July 21, 2017.

The Technical Advisory Committee (TAC) met on August 3, 2017 and provided the following information:

- Right-of-way dedications must be made prior to the issuance of building permits to ensure adequate frontage and access to the site
- Tulsa Fire Department will require all weather access and fire hydrants prior to any combustible construction
- The subject property is partially located within the City of Tulsa Regulatory Floodplain and may be subject to flooding from Mingo Creek. Proposed new development is all shown to be outside of the floodplain. Floodplain boundary will be required to be shown on final plat.

No objections were raised to the authorization of an accelerated release of a building permit.

Staff recommends **approval** of the accelerated release of a building permit with the following conditions:

1. Right-of-way dedications must be made prior to the issuance of building permits.
2. No certificates of occupancy will be issued until the filing of the final plat.

Applicant's Comments:

The applicant stated his preference would be to not have to do the road by separate instrument but if that's going to hold up the accelerated building permit the applicant would agree to this.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 8 members present:

On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Adams, Covey, Dix, Fretz, Millikin, Reeds, Shivel, Walker "aye"; no "nays"; none "abstaining"; Carnes, Doctor, Krug, "absent") to **APPROVE** the accelerated release of a building permit for **QTD/K Addition** per staff recommendation.

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10. **QuikTrip No. 0083** (CD 7) Preliminary Plat, Location: Northwest corner of East 61st Street South and South Garnett Road

STAFF RECOMMENDATION:

This plat consists of 1 lot, 1 block on 2.47± acres.

The Technical Advisory Committee (TAC) met on August 3, 2017 and provided the following conditions:

1. **Zoning:** The property is currently zoned CS (Commercial – Shopping). The proposed subdivision conforms to the lot regulations of the zoning district.
2. **Addressing:** Assigned address is 6020 South Garnett Road, include address on final plat.
3. **Transportation & Traffic:** Eliminate proposed access shown 37.12' from the intersection of East 61st Street and South Garnett Road and include within limits of no access.
4. **Sewer:** Provide 17.5' utility easement for the entire perimeter of the subdivision.

5. **Water:** Water connections will not be permitted off of the existing 48 inch water main line. Water service connections must be made on the existing 12 inch water main on the south side of East 61st Street.
6. **Engineering Services:** Submit a subdivision control data sheet with final plat. Remove contour lines from final plat. Provide addresses for individual lots. Spell out "Indian Base & Meridian" in the plat subtitle. On the location map, include Highway 169 and identify/label all platted subdivisions. All other property should be labeled as "unplatted". Coordinate closure and vacation of any easement proposed for removal.
7. **Fire:** No comments.
8. **Stormwater, Drainage, & Floodplain:** No comments.
9. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** All utilities indicated to serve the site must provide a release prior to final plat approval. Provide a Certificate of Records Search from the Oklahoma Corporation Commission to verify no oil & gas activity on the site.

Waivers of Subdivision Regulations:

1. None Requested

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

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 8 members present:

On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Adams, Covey, Dix, Fretz, Millikin, Reeds, Shivel, Walker "aye"; no "nays"; none "abstaining"; Carnes, Doctor, Krug, "absent") to **APPROVE** the Preliminary Plat QuikTrip No. 0083 per staff recommendation.

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11. **CZ-461 GCC&R, LLC/Aleen McLain** (County) Location: Northwest corner of North Yale Avenue and East 106th Street North requesting rezoning from **AG** to **CG**

STAFF RECOMMENDATION:

SECTION I: CZ-461

DEVELOPMENT CONCEPT: The applicant has requested to rezone from AG to CG to permit an RV Resort. The conceptual sketch, provided by the applicant, illustrates the proposed layout. The sketch shows approximately 90 spaces for RV parking. The request for CG zoning covers the entire subject lots 43.8 acres. The site plan sketch provided by the applicant shows an initial conceptual layout lying south of the powerline easement which runs from SW to NE. The applicant states that future expansion to the north is intended at some time, however, the amount of CG that would be put in place without a specific development plan would be excessive. Staff recommends the CG zoning be limited to the portion of the lot south of the northern edge of the powerline easement.

DETAILED STAFF RECOMMENDATION:

CG zoning be limited to the portion of the subject tract south of the north edge of the powerline easement;

CG zoning on the southern portion is non-injurious to the existing proximate properties and;

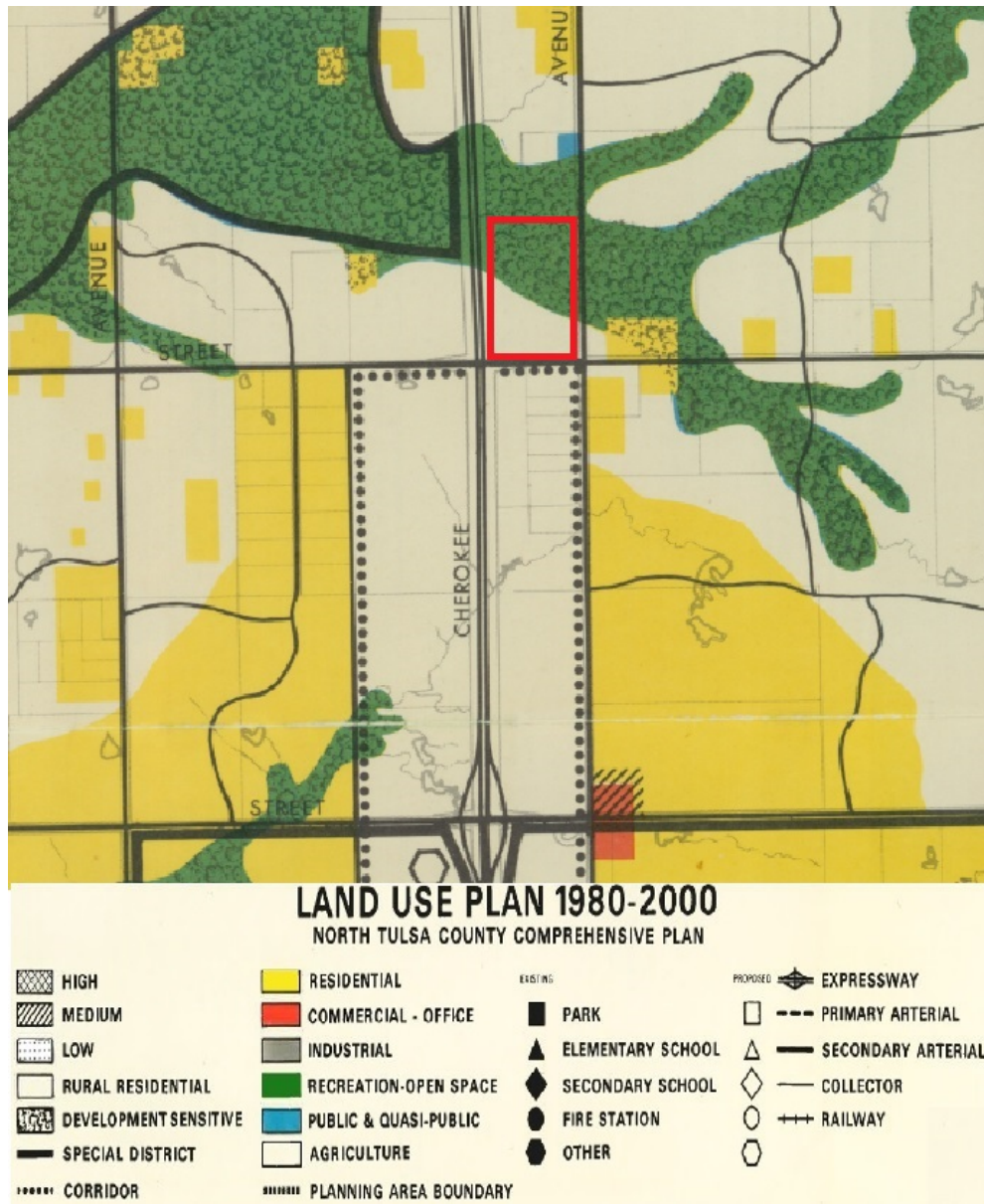
CG zoning on the southern portion is consistent with the anticipated future development pattern of the surrounding property therefore;

Staff recommends Approval of CZ-461 to rezone property from AG to CG on the portion of the subject tract south of the northern edge of the powerline easement and denial of CG on the remainder.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: No current comprehensive plan contains a designation for CZ-461 however it is designated as Agriculture and Recreation-Open Space in the North Tulsa County Comprehensive Plan 1980-2000.



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: North Yale Avenue and East 106th Street North are both designated as Secondary Arterials.

Trail System Master Plan Considerations: None

Small Area Plan: None

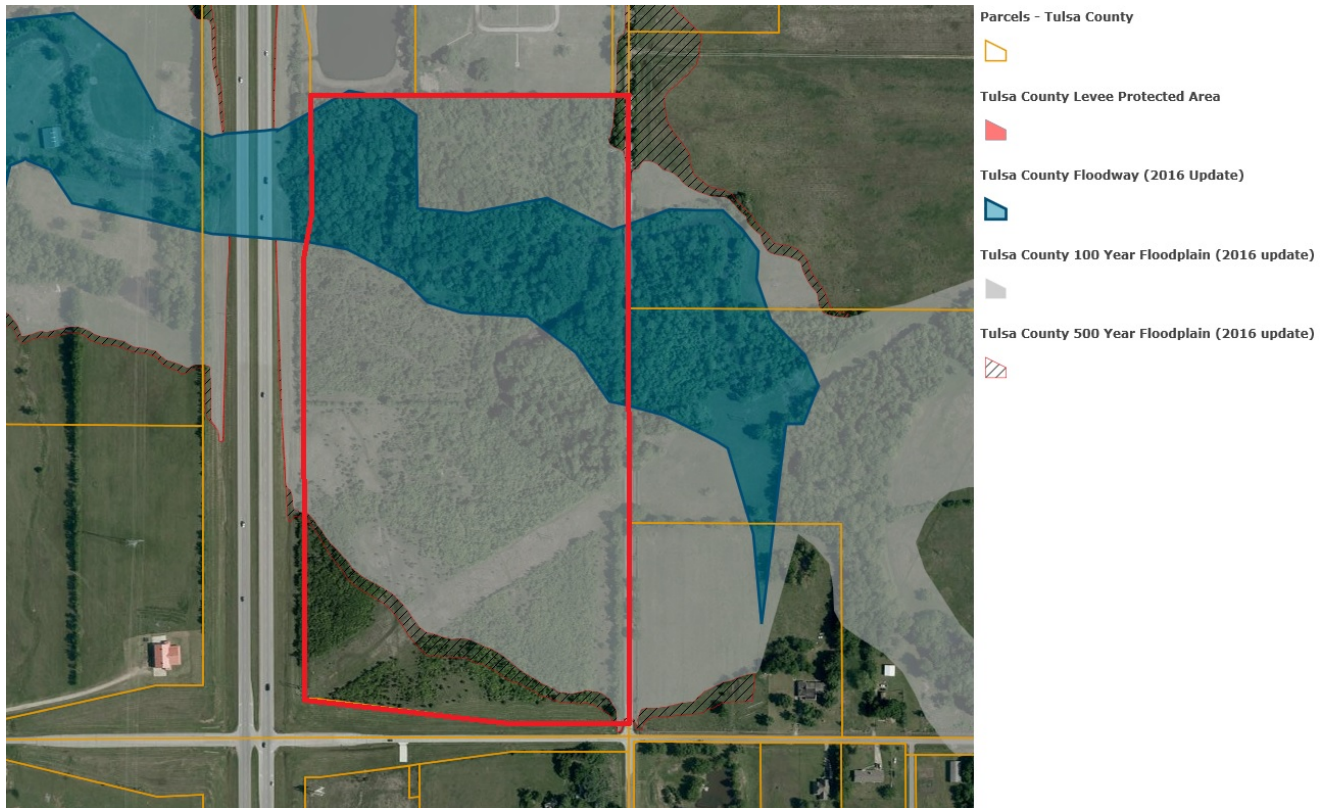
Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is currently vacant forested land. GRDA power lines cross the southern half of the subject lot.

Environmental Considerations: The site currently contains 100 year and 500 year Floodplain as well as Floodway. The applicant will need to work with Tulsa County to mitigate any floodplain issues that may be required before development of the proposed facility.



Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
North Yale Avenue	Secondary Arterial	100 feet	2
East 106 th Street North	Secondary Arterial	100 feet	2

Utilities:

The subject tract has municipal water available. The applicant is currently working on solutions for sewer, but stated that a septic system would be used if sewer service was not feasible.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	AG	N/A	N/A	Cemetery
South	AG/CS	N/A	N/A	Single-Family/Agriculture
East	AG	N/A	N/A	Single-Family/Agriculture
West	AG	N/A	N/A	Single-Family/Agriculture / Hwy 75

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-173 July 1989: All concurred in denial of a request for rezoning a 12+ acre tract of land from AG to CG and approval of CS zoning, for commercial use, on property located on the southeast corner of E. 106th St. N. and Highway 75, and south of subject property across E. 106th St.

TMAPC COMMENTS:

Mr. Fretz asked staff about the relationship between this application and the Tulsa County Comprehensive Plan.

Staff stated the Comprehensive Plan has not been updated recently and shows agricultural on the southern half and the northern half is Park and Recreation. The subject property lies north of a commercial corridor.

APPLICANTS COMMENTS:

David McClain 4740 East 106th Street North, Sperry, OK 74073

Mr. McClain stated the subject property has a large portion of area that cannot be developed because it is Grand River Dam Authority (GRDA) right-of-way or floodplain. There is about 7 acres of land that the applicant wants to develop into a RV resort. Mr. McClain stated he is currently speaking with RWD 3 of Washington County, The Department of Environmental Quality in Bartlesville, Oklahoma. Mr. McClain stated if the rezoning takes place he would be working with officials to comply with the safety standards and code regulations set forth by Tulsa County to ensure the resort is compliant. Mr. McClain stated there will be 90 spaces in the resort and the resort will be on quiet hours all the time. Mr. McClain hopes to attract an out of state tax base as well as local. The applicant stated there would not be an exit onto north Yale Avenue and all traffic flow would come from 106th Street North. Mr. McClain stated he has been in communication with ODOT. Mr. McClain stated the south side of 106th Street North and Highway 75 is currently zoned CS and this is right across the street from the subject property. The resort will be family oriented with no long term stays. The visitors would be allowed to stay up to 30 days and then would have to leave. Mr. McClain stated there will be very strict requirements to use this facility. The trash will be controlled by the resort with dumpsters on site. Mr. McClain stated there will be a wall around the resort.

Mr. Dix asked applicant if there would be an exit from the RV Resort on to Yale Avenue.

Applicant answered "no", that had been changed because there is not enough room to pull RV's out on to Yale Avenue.

Mr. Dix stated "he agreed", and asked applicant how the traffic would leave the resort.

The applicant answered through the same entrance, it would be widened to accommodate both in and out traffic.

Mr. Walker asked the applicant what the results of the meeting with the neighborhood were.

The applicant answered there were positive and negative comments.

Mr. Walker asked the applicant when he met with the residents.

Mr. McClain answered there has not been an official meeting with the neighbors; the applicant stated he has knocked on doors in the area to speak with neighbors. Mr. McClain stated the nearest house is 0.1 mile away, about 580 feet away and that's not including the setback or the easements.

Mr. Dix asked the applicant if he understood that he could not bring dirt into a floodplain area.

Mr. McClain stated "yes".

Mr. Reeds asked the applicant if the exit on Yale Avenue would be used as a fire exit.

The Applicant stated he has called the Fire Marshall to come out and help with a plan for emergency vehicles.

Mr. Covey asked applicant if there would be any limitations on the hours guests could arrive or leave the resort.

The applicant stated the operating hours would be 9am to 9pm.

Mr. Covey asked if that meant guests could not leave before 9am.

The applicant answered "no"; the guests could leave at their preference.

Mr. Covey stated but the office will be open 9am to 9pm.

Applicant stated "yes".

Mr. Reeds asked if the applicant would be providing water to the facility.

The applicant stated "yes".

Mr. Dix asked the applicant if the drawing submitted to staff was the best he could provide.

The applicant stated he is working with an architect and engineers now to do a drawing but the applicant stated he doesn't want to spend 10,000 dollars on a set of plans that potentially may not be used.

Mr. Dix asked if Mr. McClain had reached out to ODOT about access.

Mr. McClain stated he had reached out to ODOT and was waiting to hear back from them.

Mr. Dix stated there are so many unanswered questions that he is struggling with approving the application.

Mr. Dix asked staff if a development plan was required or was this straight zoning.

Staff stated it was straight zoning.

Ms. Adams asked applicant to explain what quiet hours were and how the applicant will enforce these.

Applicant answered quiet hours means there would be no parties or nonsense going on in the RV resort and to enforce the applicant would have a manager that lives on site.

Mr. Reeds stated it is really hard to make a decision based on the drawing submitted, it's not a complete thought and Mr. Reeds would recommend a continuance until the applicant presents a more detailed rendering.

Mr. Walker asked Mr. McClain to explain how the business works.

Mr. McClain stated the RV slips are rented daily.

Mr. Covey stated but they can rent the slip daily for up to 30 days.

Mr. McClain stated "yes".

Mr. Dix stated the guest could stay 30 days and pull out of the drive and then pull back in and stay another 30 days.

Mr. McClain stated the guests would not be allowed to stay again for 14 days.

Ms Millikin asked if all the vehicles parked at the resort are owned by the renters.

Mr. McClain answered "yes".

Mr. Fretz stated he would support a continuance until the applicant could get proper drawings of resort. Also the applicant has not had a meeting with the neighbors and it may be helpful to have several meeting with them to hear their concerns.

Mr. McClain stated he would get that arranged.

INTERESTED PARTIES

David Remington 10437 North Yale Avenue, Sperry, OK 74073

Mr. Remington stated he is south of the subject property. Mr. Remington stated the applicant did not knock on his door but Mr. Remington is opposed to this application.

Mr. Covey asked Mr. Remington why he was opposed to the application.

Mr. Remington stated he believes the property values would be affected and he is worried about crime in the neighborhood.

Leroy Broaddrick 5018 East 106th Street North, Sperry, OK 74073

Mr. Broaddrick stated he has lived in the area for 33 years and live within 500 feet of the subject property. Mr. Broaddrick stated he strongly objects to the zoning change to allow the RV Park. Mr. Broaddrick stated he is concerned for the safety of his children and grandchildren as well as his own well being and believes property values will dramatically decrease. Mr. Broaddrick further stated there would be a continuous stream of strangers with gypsy style living and some of those strangers could possibly consist of criminals, thieves, predators or just bad people coming and going all hours of the night. The intersection of Highway 75 and 106th Street North is very dangerous for regular cars and more dangerous for larger vehicles turning from highway 75 and then immediately turning into the RV Park. Mr. Broaddrick stated there have been 11 injury accidents and 4 fatalities at this intersection since 1998. The surrounding country roads are in terrible shape and are probably some of the worst in the county and could not withstand heavy RV traffic. Mr. Broaddrick stated the Charlie Creek Bridge has a 12 ton load limit and some RV's have a gross weight of 59,000 lbs. which is twice the load limit of the bridge. Mr. Broaddrick stated that Charlie Creek had flooded in the past and that he had seen the water over the bridge and developing this area will only cause more flooding in the area. The RV Park is not a good fit for this area. Mr. Broaddrick stated the residents in the area are worried about the RV Park becoming a mobile home park in the future. Mr. Broaddrick stated he moved to the country for a peaceful living. A majority of the land owners oppose this application and have sent in letters to help stop this application.

Jamie McDoulett 5310 East 96th Street North, Sperry, OK 74073

Ms. McDoulett stated she agrees with everything Mr. Broaddrick stated and she is concerned about the safety of her daughter. Ms. McDoulett stated she is opposed to this application.

Randy Perez 5421 East 96th Street North, Sperry, OK 74073

Mr. Perez stated he was a federal employee for 30 years with different agencies and after he retired he became a campground host for 9 seasons. Mr. Perez stated he worked in Colorado, Wyoming, New Mexico, Oklahoma and Texas. Mr. Perez stated he has seen people pull in with vans and kids doing basically what they wanted to do because you could not control them. Stealing was the biggest problem along with drugs being manufactured in the camp grounds. Mr. Perez stated he is opposed to this application.

Henry North 10429 North Yale Avenue, Sperry, OK 74073

Mr. North stated he lives approximately 600 feet from the subject property. Mr. North stated he has several concerns. When looking at the plans Mr. North stated he did not see plans for a dump site and would like to know where the black water is going. Mr. North stated he also has concerns about the flooding in

the area because in the past Tulsa County has had to come out and close the road due to flooding. Mr. North stated he didn't know what the company was going to do with the waste water but with the stream nearby Mr. North was worried the waste would end up in the stream.

Rick Carruthers 11110 North Yale Avenue, Sperry, OK 74073

Mr. Carruthers stated his property is adjacent to the north side of the subject property. Mr. Carruthers stated he has a pond that is stocked with fish and has trouble with strangers parked on the highway accessing his property to fish and if an RV Park is allowed on the proposed site those residents will roam and trespass on his property. Mr. Carruthers stated he believes crime will increase. Mr. Carruthers stated the applicant said he contacted the neighbors but Mr. Carruthers had not spoken with the applicant. Mr. Carruthers stated he had the same concerns as the others who had spoke before him.

Jeannie Winton 12844 South Lombard Lane, Sperry, OK 74070

Ms. Winton stated she was in support of this application because growth is inevitable. Ms. Winton stated 106th Street North was going to be improved to 5 lanes in the future but Ms. Winton did not have a date yet. Ms. Winton stated she spoke with Tulsa County and the roads in the area were in the process of being redone. Ms. Winton stated progress was going to happen in the area whether it's wanted or not and if the residents can have some control over the process by expressing what we would like to see then Ms. Winton believes that is a good thing.

Andrea Richards 11210 North Yale Avenue, Sperry, OK 74073

Ms. Richards stated she is a plan planner and her forward thinking goes to the regulations. Ms. Richards believes the applicant is setting himself up for failure because he is putting rules and stipulations on customers. Ms. Richards stated if he fails and sells the property what will happen with this property next. Ms. Richards stated she has 2 children that she is petrified for if this is allowed. Ms. Richards stated she did an interview with Fox23 on a Wednesday at 3:30 p.m. and 4 people ran the stop sign in a fifteen minute time frame. Ms. Richards stated she saw the drawing during this interview and since then it has changed. Ms. Richards stated the bridge in the area will not sustain the weight of an RV and the road is a two lane road. Everything in this area is zoned AG and the residents have moved here for that reason.

Eric Crandell 11210 North Yale Avenue, Sperry, OK 74073

Mr. Crandell stated he has same concerns as Ms. Richards and Mr. Carruthers. Mr. Crandell stated the intersection at Highway 75 and North 106th Street North is one of the few that does not have an overpass so to find an overpass you would have to go to 86th Street North or 116th Street North which is in front of Mr. Crandell's house.

Toulee Yang 5110 East 106th Street North, Sperry, OK 74073

Mr. Yang would like to give his time for next speaker

Chou Yang 5110 East 106th Street North, Sperry, OK 74073

Ms. Yang did not wish to speak.

Yia Xiong 5122 East 106th Street North, Sperry, OK 74073

Mr. Xiong stated his concerns are the children and traffic and believes this intersection is not a good place for RV Park.

Nou Lor 5278 East 106th Street North, Sperry, OK 74073

Mr. Lor stated he is concerned about the children and the traffic.

Lee Lor 5278 East 106th Street North, Sperry, OK 74073

Mr. Lor stated he would like to know how the applicant would keep the RV Park family oriented, would a background check be performed. Mr. Lor stated he didn't know why the applicant wanted to located in an area that had possible flooding. Mr. Lor stated the traffic is bad and he had doubts an RV could get to this park off of Highway 75 because the exit is very short.

Tracy Pipkin 7211 East 106th Street North, Sperry, OK 74055

Mr. Pipkin stated there was a recent variance application to allow a rodeo that was denied by the Board of Adjustment at 106th Street North and Sheridan Road and during the discussion Tulsa County Commissioner John Smaligo and he indicated that there were no plans to improve the road and he was well aware of how bad the road was. Mr. Pipkin stated the subject property is not the best place for this RV Resort. Mr. Pipkin stated he has not been contacted by applicant about this application. Mr. Pipkin stated 106th Street North is the road that would be used to get to Owasso where there would be restaurants and this road is the worst one with crumbling asphalt. Mr. Pipkin stated his friend's daughter was killed at the intersection of Highway 75 and 106th Street North, this is a dangerous intersection. Mr. Pipkin stated he believes the subject property would be developed some day but with some other business. Mr. Pipkin stated he would like TMAPC to deny this application.

Bruce Hoover 10322 North Sheridan Road, Sperry, OK 74073

Mr. Hoover stated the applicant states he is in talks with INCOG, BBC, ODOT and RWD 3 and Mr. Hoover would like to see proof of those talks. Mr. Hoover stated it is his opinion that the applicant has not invested any money for engineering. Mr. Hoover stated he has seen this rezoning game before. While living in Owasso there was a lot down the street from Mr. Hoover that applied for rezoning to build a movie theater after the zoning was changed commercial and industrial building were built but no movie theater. Mr. Hoover believes this application is a sham and is an effort to rezone the property to sell. Mr. Hoover states there is an RV Park on Mingo and its terrible that is where problems come from and Mr. Hoover doesn't want it on this property. Mr. Hoover stated this property is in the proposed fence line of the City of Tulsa and anything that

TMAPC allows in the County will be a City problem soon. Mr. Hoover stated the City has tried to annex before.

Delbert Mayberry 11280 North Yale Avenue, Sperry, OK 74073

Mr. Mayberry stated he is a half of a mile from subject property he stated he is between North 106th Street and 116th Street North. Mr. Mayberry agrees with his neighbors concerns and would also like to mention that 106th Street North, Highway 75 and North Yale are emergency routes to the hospitals and the RV's in the area will slow those emergency vehicles down.

John Ocden PO Box 2505, Claremore, OK 74018

Mr. Ocden stated the property immediately south of the subject property is zoned CS and a piece of property one mile north of subject property is zoned IH. Mr. Ocden stated he knows most of the people speaking about this application and they are good people but maybe a better approach would be PUD because with a PUD it would require a detail plan be put in place and the construction meets the plan. Mr. Ocden stated he took offense to the comment that the applicant is a liar because Mr. Ocden states he is an honest guy. Mr. Ocden suggests continuing the application to allow the applicant to address the neighbors would be the best approach.

Robin Conde 10526 North Yale Avenue, Sperry, OK 74073

Ms. Conde stated she owns the property directly across the street from the subject property and it is zoned AG and not commercial as another speaker suggested. Ms. Conde stated the property behind her property nearer to the highway is commercial. Ms. Conde stated she is worried about crime and traffic. Ms. Conde stated she is so angry about having an RV Park across from her property. Ms. Conde stated she works for DHS and knows about the problems of drugs, sex trafficking and prostitution. Ms. Conde stated she would like TMAPC to deny this application.

Applicant's Comments:

Ilene McClain stated she is David McClain's wife. Ms. McClain stated she is a local resident and lives in Skiatook with her family this area is her home and she understands the concerns of the neighborhood. Ms. McClain stated her family is avid RV users and they attend the type of RV Park's she is trying to create. Yes the drawing is rudimentary but she is not submitting plans she is submitting an idea so that she can have the subject property rezoned and then create detailed plans to bring before the Planning Commission. Ms. McClain stated she has been in contact with Tulsa County and the inspectors in Tulsa, County and Ms. McClain stated she has proof of who she has spoken with but has not submitted anything because there are no plans to submit until she gets through the rezoning process. Ms. McClain stated this is labeled an RV Resort because she wants it plush with restrictions of what type of vehicles can or can't use this facility. This is not a state park. They can discriminate.

Mr. McClain stated that he and his wife respect the neighbors concerns and the goal is to create a high end RV Resort not a Podunk, crack head, drug dealing, meth making, and theft ring business. This will be a multimillion dollar project and it will be beautiful and very controlled.

Mr. Walker asked what the daily fees would be to use the facility.

Ms McClain stated 35 to 55 dollars during off season and 45-80 dollars during the season depending on the vehicle.

Mr. Walker asked if the applicant would be willing to have the application continued to meet with the neighbors.

The applicant answered "yes".

Mr. Covey asked staff what happens after the Comprehensive Plan is no longer current.

Staff stated it is still referenced to see what the plan is in the past.

Mr. Covey stated if there is no plan today then the last plan was 2000

Staff stated "correct".

Mr. Covey stated so the last plan for this area shows the subject property as AG.

Staff answered "'yes".

Mr. Covey stated if the last plan was AG could staff explain the CG recommendation.

Staff answered the subject property was just north of former corridor and this plan is 20 years old and after talking with the applicant it seemed like an appropriate fit.

Mr. Fretz stated the Land Use Plan says commercial and office and this seems like heavier zoning. Mr. Fretz stated he would be against this change.

Ms. Millikin suggests a continuance for the applicant to speak with the neighbors. Ms. Millikin suggests everyone have an open mind and refrain from the name calling and try to reach a solution that could work for everyone.

Mr. Covey stated the motion to continue for neighborhood meeting would be called for vote first.

TMAPC Action; 9 members present:

On **MOTION** of **DIX**, TMAPC voted **4-5-0** (Adams, Millikin, Reeds, Walker "aye"; Covey, Doctor, Fretz, Shivel, Dix, "nays"; none "abstaining"; Carnes, Krug, "absent") to **CONTINUE** CZ-461 rezoning from **AG** to **CG** to allow the applicant to speak with neighbors about their concerns and submit a PUD to be heard October 4, 2017.

The motion for continuance failed. A motion to deny the rezoning was made.

TMAPC Action; 9 members present:

On **MOTION** of **DIX**, TMAPC voted **7-2-0** (Adams, Covey, Dix, Doctor, Fretz, Shivel, Walker "aye"; Millikin, Reeds, "nays"; none "abstaining"; Carnes, Krug, "absent") to **DENY** CZ-461 rezoning from **AG** to **CG**.

* * * * *

12. **Z-7403 Alisha Bennett** (CD 4) Location: Southeast corner of South Lewis Avenue and East 17th Place South requesting rezoning from **RS-3** to **OL with optional development plan**

STAFF RECOMMENDATION:

SECTION I: Z-7403

DEVELOPMENT CONCEPT:

SECTION II: OPTIONAL DEVELOPMENT PLAN STANDARDS

Z-7403 with the optional development plan standards will confirm to the provisions of the Tulsa Zoning Code for development in an OL 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. Single household
- b. Office
 - i. Business or professional office
 - ii. Medical, dental or health practitioner

B. Hours of Operation: Offices may not be open for business except as follows:

- a. Monday through Friday 7:30am to 6:00pm
- b. Saturday 7:30am through 1:00pm

C. Building and lot Preservation:

- a. Demolition and/or reconstruction of the existing buildings is prohibited except as permitted through the amendment process defined in the Tulsa Zoning Code for Development Plans. Demolition and or Reconstruction of the existing building for any reason will require approval through the Minor Amendment process defined in Section 70.040.I of the Tulsa Zoning Code.
- b. Sidewalk, or vehicular driveway / parking rehabilitation, bicycle parking areas and landscaping, would not be considered demolition or construction for the purposes of this Development Plan. Cosmetic improvements are allowed including but not limited to general maintenance items such as painting, window and door repair or replacement and roofing replacement.
- c. Prior to occupancy for any office use the driveway access to South Lewis shall be removed. The sidewalk and curb shall be repaired as required.
- d. The detached garage must be used for car, motorcycle or bicycle parking, conversion for business or residential occupancy is prohibited.
- e.

D. Signage:

- a. One monument style ground sign with a maximum display surface area of 16 square feet and a maximum height of 5 feet may be placed in the street yard abutting South Lewis Avenue.
- b. Two wall signs will be allowed on the existing structure. One sign is allowed facing west and one wall sign facing north. Each sign is limited to a maximum display surface area of 6 square feet.
- c. No banners or temporary signage related to the property's business shall be permitted.
- d. Internally illuminated signs and digital signage of any kind shall be prohibited.

E. Lighting:

- a. Pole lights are prohibited.
- b. All lighting shall be pointed down. The light emitting element shall be shielded from view from any abutting property or street right of way.

F. Trash Disposal

- a. Dumpsters will not be allowed. Residential style trash bins as provided by the City of Tulsa shall used and, except on the day of

trash pickup, the bins shall be stored so they are not visible from a public street.

DETAILED STAFF RECOMMENDATION:

Z-7403 requesting OL zoning with the Optional Development Plan standards identified in Section II is consistent with the Lewis Study approved in 2007 and,

Z-7403 is consistent with the Mixed Use Corridor land use designation in the Tulsa Comprehensive Plan and,

OL zoning with the optional development plan is found to be non-injurious to the abutting property and,

The optional development plan standards are consistent with the provisions for Development Plans in the Tulsa Zoning Code therefore,

Staff recommends Approval of Z-7403 with the optional development plan as outlined in Section II above.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The subject lot is located within the Mixed-Use Corridor designation as well as an Area of Growth.

Land Use Vision:

Land Use Plan map designation: Mixed-Use Corridor

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

Areas of Stability and Growth designation: Area of Growth

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

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

Transportation Vision:

Major Street and Highway Plan: South Lewis Avenue is designated as an Urban Arterial/Multi-Modal Corridor. East 17th Place South is designated as a Residential Collector.

Trail System Master Plan Considerations: None

Small Area Plan: The subject lot was included in the Lewis Study, approved in 2007. The study states that light office uses shall be permitted on lots fronting Lewis, such as the subject lot. The study also states that existing residential structures shall be utilized.

Special District Considerations: Lewis Study

The Lewis Study recommended OL zoning only when accompanied by a PUD or when appropriate special zoning district – the preferred method – is adopted. The Lewis Study supported the conversion of existing homes to office uses as long as the existing structures remain relatively untouched to retain the residential character of the neighborhood.

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site currently contains a single-family residence with a detached garage.

See street view image below from northwest corner of lot looking southeast:



Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Lewis Avenue	Urban Arterial	70 feet	4
East 17 th Place South	Residential Collector	60 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	RS-3	Mixed-Use Corridor	Growth	Single-Family
South	RS-3	Mixed-Use Corridor	Growth	Single-Family

East	RS-3	Existing Neighborhood	Stability	Single-Family
West	RS-3	Existing Neighborhood	Stability	Single-Family

SECTION IV: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11815 dated June 26, 1970, established zoning for the subject property.

Subject Property:

Z-6934 February 2004: An application to rezone a lot located on the southeast corner of East 17th Place and South Lewis from RS-3 to OL was withdrawn by the applicant prior to TMAPC hearing.

Surrounding Property:

Z-7095/ PUD-752 June 2008: All concurred in approval of a request for rezoning on a .2± acre tract of land from RS-3 to OL, and a proposed Planned Unit Development for office use, where the existing structures will be utilized for office and residential uses, on property located southeast corner E.16th St. and S. Lewis Ave. and north of subject property.

Z-6985 January 2008: All concurred in denial of a request for rezoning a .19± acre tract of land from RS-3 to OL on property located on the southeast corner of East 16th Street and South Lewis Avenue. Case is to be resubmitted with accompanying PUD, per TMAPC recommendation.

Z-5509 May 1981: All concurred in approval of a request for rezoning a tract of land from RS-3 to RT, for a townhouse development, on property located north of the northeast corner of S. Lewis Ave. and E. 17th Pl.

Z-4357 April 1973: All concurred in denial of a request for rezoning a 1.5± acre tract of land from RS-3 to OL for office use, on property located east of S. Lewis Ave., between E. 17th Pl. and E. 16th St.

Mr. Covey asked staff to explain The Lewis Study.

Staff stated the neighborhood actively participated in The Lewis Study and helped establish zoning review guidelines. The Lewis Study was approved in 2008 and is a fairly current study. The study identified specific sites as office use. These sites were mostly the houses that faced Lewis Avenue. Staff stated it was very clear what the neighborhood expectations were for these residential lots along Lewis Avenue. Staff stated this study was signed by the City Council.

Mr. Covey asked staff if this was like a Small Area Plan.

Staff answered, it was not a Small Area Plan but was similar. There was a resolution that was approved by City Council in August 2007, but it was a resolution supporting the study.

Mr. Covey asked why the study was for certain properties along Lewis Avenue, was this because these were properties that fronted Lewis Avenue.

Staff answered "yes". Staff stated the character of Lewis has changed over time with the burning of Bernard Elementary School on the west side of Lewis Avenue. A new subdivision was built on that site.

Mr. Covey stated in The Comprehensive Plan the subject property is Mixed Use Corridor and is being used as residential right now as well as the property to the south of the subject property. Mr. Covey stated in a Mixed Use Corridor OL is appropriate with an optional development plan.

Staff answered "correct".

Patrick Fox 624 South Boston, Tulsa, OK 74119

Mr. Fox stated he represents the applicant to discuss issues related to the subject property. Mr. Fox stated he was a staff planner for the Preservation Commission in the City of Tulsa planning department in 2007 when the corridor study was done and Mr. Fox stated he could possibly answer questions about the study. Mr. Fox stated the applicant is in agreement with staff recommendation for the most part. Mr. Fox stated there would be chiropractors in the office. Mr. Fox stated he has read the concerns of the neighbors about parking and increased traffic flow in the neighborhood and would take under advisement any recommendations to mitigate those issues. Mr. Fox stated the Lewis Study references the subject property by address, 1733 South Lewis, the intention was to limit rezoning from Residential to Office Light so the neighborhood it not encounter another heavy commercial use encroaching into the neighborhood. Mr. Fox stated the conclusion of the corridor study was that OL is appropriate but nothing more intense than that.

Mr. Covey asked Mr. Fox if he met with the neighborhood.

Mr. Fox replied the applicant met with some of the neighbors but there was not an organized meeting.

Ms Adams stated she travels Lewis Avenue everyday to go to work and if one of the complaints is added traffic it is too late for that complaint because there is already a lot of traffic on that street so Ms. Adams does not see that as a problem.

Mr. Fox stated a parking surface plan will have to be created but the number of spaces has not yet been determined. Mr. Fox stated the only recommendation from staff that he was concerned about was to block access from Lewis Avenue. Mr. Fox stated he would prefer to maintain that access. Mr. Fox stated the applicant could have a monument sign but they would like to limit the sign to the front of the house.

INTERESTED PARTIES:

Jack Bryant 2520 East 18th Street, Tulsa, OK 74104

Mr. Bryant stated he is here to oppose this application. Mr. Bryant stated there are a number of reasons but Mr. Bryant is focusing on the parking. Mr. Bryant stated he believes the Zoning Code requires 6.8 minimum parking spaces for 2000 square feet. Mr. Bryant stated if you count on your fingers 2 chiropractors, 2 current patients and 2 waiting and 1 staff person that gets you to 7 spaces, maybe 8 or 9 for additional staff. Mr. Bryant stated currently there is a driveway that goes into a 2 car garage and Mr. Bryant stated he believes they will need an ADA compliant ramp which will eliminate a large portion of the driveway space. Mr. Bryant stated realistically the most cars that could park in the driveway now would be 4 or 3 with a handicap space. Mr. Bryant stated the current proposal is to close off the existing curb cut to Lewis Avenue and that would put all the traffic on to the residential street where there are kids playing. Mr. Bryant stated about 30 years ago some properties further north along Lewis a few single family residences were rezoned for a condominium project and the advice of an engineer was ignored and as a result the City of Tulsa has spent several 100,000 dollars to buy 3 lots to alleviate run off problems in the neighborhood. If the applicant tries to concrete the front yard for parking area Mr. Bryant believes that would cause flooding and the City would have to buy additional property to alleviate that problem again.

Mr. Covey asked how long Mr. Bryant has lived in the neighborhood.

Mr. Bryant replied since 2001 he has lived in the house full time but the house has been in his wife's family and she grew up there.

Susan Connor 1741 South Lewis Avenue, Tulsa, OK 74104

Ms. Connor stated she lives next door to the subject property to the south. Ms. Connor stated her family purchased the home she lives in when it was 2 years old and it has been in her family for 70 years. Ms. Connor stated there a lot of families that have lived in these homes for generations. Ms. Connor stated there is a Sonic Drive In at 16th and Lewis and north of that is where all the commercial businesses are located. Going south on Lewis from 16th to the YMCA is all residential and Ms. Connor would like to keep it that way. The subject property is in surrounded by residential. The Bernard Elementary School was across the street on Lewis and when that burned the residents fought to keep it residential

and won with Tulsa Public Schools help. There are 700,000 dollar houses being built in that area currently. Ms. Connor stated there are lots of options in midtown for chiropractor offices and would be better suited for that area. Ms. Connor stated the traffic is awful and wrecks happen in this area all the time. Ms. Connor stated she doesn't think this is the best use for that property she believes it should stay residential.

Mr. Covey asked Ms. Connor if she was aware of the Lewis Study.

Ms. Connor answered "not until recently".

Mr. Covey asked if Ms. Connor participated in the study.

Ms. Connor stated she did not and did not know anyone who did.

Robert Harrington 2448 East 20th Street, Tulsa, OK 74104

Mr. Harrington stated there was a neighborhood meeting but the applicant was not there. There were 16 people at the meeting of the Lewiston Garden Association. Mr. Harrington stated it was very nice to live in a neighborhood that is multi generational. Mr. Harrington stated there are 15 chiropractic offices is a 4 block radius of the subject property. Mr. Harrington stated there is not enough parking at this location for two chiropractors, two assistants, two patients and two patients waiting to be seen. Mr. Harrington stated the traffic will also be an issue and feels like rezoning this property as commercial doesn't make sense. Mr. Harrington stated he is opposed to rezoning this property.

Mr. Covey asked Mr. Harrington to point out the neighborhood his homeowner's association covers.

Mr. Harrington stated it is from 15th Street east to Highway 51 and then follows Highway 51 south to 21st Street and then comes west to Lewis Avenue and the north on Lewis Avenue to 15th Street.

Mr. Covey asked how many residents were in that area.

Mr. Harrington stated around 300.

Mr. Covey asked Mr. Harrington if he was aware of the Lewis Study.

Mr. Harrington stated not until recently.

Carol Lambert 2548 East 19th Street, Tulsa, OK 74104

Ms. Lambert stated she has lived in the neighborhood for 30 years and also owns rental property in the neighborhood and she knows about the Lewis Study because she was President of the neighborhood association at that time. Ms Lambert served on the Lewis Study committee and also on the midtown redux

committee through the OU Design Center. Ms. Lambert stated her concerns are the same that has been mentioned, parking is a big issue and Ms. Lambert does not see how there will be enough parking on the subject property lot. Ms. Lambert stated if the Lewis access is closed she doesn't know how the cars will get out of the driveway. Ms. Lambert stated the reason the Lewis Study stopped at the subject property is because the houses beyond this one to the south all face the residential streets. The Lewis Study was done with several neighborhoods in the area participating, not just Lewiston Gardens. The City Council was involved and it was a long process but everyone worked together and agreed on what was in The Lewis Study. Ms. Lambert stated the group working on The Lewis Study realized at some point the possibility of an office to develop on the subject property so a list of providers was created to show what may be appropriate for that type of building. Ms. Lambert stated medical and dental was excluded because of the higher number of people coming into the area. Some of the allowed uses were accounting office, advertising, architecture, artist studio, computer service, data processing, engineering office and interior design with no retail sales. Ms. Lambert stated she is against having a medical use of this property because it is not consistent with The Lewis Study and will certainly allow more traffic into the neighborhood.

Bernadette Ward 2407 East 17th Place, Tulsa, OK 74104

Ms. Ward stated she lives opposite the garage of the subject property. Ms. Ward said all of her concerns have already been stated. She doesn't know where the applicant is going to put the parking. Ms. Ward stated the traffic on 17th Place moves quickly. Ms. Ward stated she was a part of The Lewis Study and could see accounting office in the subject property but not medical.

Robert Reeds 2504 East 20th Street, Tulsa, OK 74104

Mr. Reeds stated he is opposed to this application and submitted a letter and listed in some detail why he was opposed. Mr. Reeds stated he does not see a justification for this rezoning. Mr. Reeds stated while the proposed office zoning is in compliant with the Comprehensive Plan, Mr. Reeds believes the residential zoning is also in compliance. Mr. Reeds stated there is vacant office space all over the city. Mr. Reeds stated the existing property works fine as residential.

Eric Bolusky 2545 East 18th Street, Tulsa, OK 74104

Mr. Bolusky stated he has worked as an attorney and argued cases before the Planning Commission, he was also an over the road trucker and lived in Coffeyville Kansas and sat on the Planning Commission there. Mr. Bolusky stated in the 1970's he was a Transportation Planner at INCOG. Mr. Bolusky stated according to The Lewis Study parking cannot exist past the front line of the building so therefore the parking would be from the front line of the house back so this driveway would only accommodate 2 cars. Mr. Bolusky stated when you go to the doctor there is always people waiting so there will be 2 chiropractors each with a patient and at least one patient waiting per doctor. Patients can't park on the street because there is a fire hydrant so now the

parking has moved further down the street in front of peoples residences. Mr. Bolusky stated the drive way is only the width of one car so patients will be backing out of that driveway on to 17th Place. Mr. Bolusky stated he looked at The Lewis Study and it does not list a medical office as one of the uses. People depend on plans and that is why it is done in Tulsa because people who move to an area want to know what is around them. Mr. Bolusky stated when he was in planning people expected you to follow the plans, now you might bend things a little bit for cases that might benefit the city in some way. Such as businesses that may create jobs or additional revenue for the city. Mr. Bolusky stated in South Tulsa there would be a buffer between the business and the residential development.

Mr. Fox thanked the neighborhood for their comments and stated he would have liked to be invited to the neighborhood meeting to address some of the comments heard here. Mr. Fox stated there is an entire lot between the subject property and the residential on the east side. That property will never be developed it is in a flood plain. Mr. Fox stated the applicant wouldn't be here today if they were not attempting to follow the plan, which is the Comprehensive Plan that calls for Mixed Use development on this property. Mr. Fox stated as far as parking is concerned the applicant has to go to the Board of Adjustment for the parking issue. Mr. Fox stated behind the property is a sizable rear yard that can take care of the parking requirement. Mr. Fox stated the applicant would like to retain the garage to use as staff parking for the 2 Chiropractor's, there are no assistants. Mr. Fox stated he believes the applicant will meet the parking requirement. Mr. Fox stated the size of the property is 1582 square feet and not 2000 as a speaker stated. Mr. Fox stated he would concur with some of the residents about closing off the access to Lewis Avenue. Mr. Fox stated having been a Transportation Planner at INCOG himself and working on several developments within Historic Districts he was surprised by staff's comment because he thought a concern would be people leaving the property and cutting through the neighborhood.

Dr. Lacy Wilson stated the reason for choosing this location is because she wants to build a community within Tulsa. Dr. Wilson stated the office will specialize in prenatal and pediatrics and have looked at Cherry Street and Brookside and wanted to find an area in a neighborhood that parents could bring their children and it feel like all the comforts of home. Dr. Wilson stated she has seen this done in Dallas and it worked very well at growing the community and wanted to bring this to Tulsa.

Mr. Walker asked the applicant if the detached garage was going to be torn down.

Mr. Fox stated he has been asked to keep it by staff.

Mr. Walker asked if there was room to drive behind the garage.

Mr. Fox stated he thought there was room but would require an additional curb cut. Mr. Fox stated they have not done a parking plan yet.

Mr. Walker stated to applicant that there would need to be a parking plan to get this approved.

Mr. Reeds stated move the garage to the east so cars can go in front of it to park in the back. Mr. Reeds asked applicant if they knew what the parking requirement was for the subject property.

Applicant stated it was 3.5 parking spaces per thousand square feet and the house was bought at 1587 square feet so that is 4.5 parking spaces.

Mr. Covey stated to staff that he brought up The Lewis Study and it states permitted office like uses and excludes medical uses.

Mr. Wilkerson asked Mr. Covey does it specifically exclude it or just not list it.

Mr. Covey stated it doesn't list it. Mr. Covey stated the River Design Overlay specifically listed uses and that is what was done in the Lewis Study.

Mr. Wilkerson stated The Lewis Study list was not intended to be an all inclusive list of what might be approved and certainly not a regulator document it is a visionary study.

Ms. Miller stated The Lewis plan is a study and doesn't have any status currently. Ms. Miller stated staff looked at it in respect to the neighbors work but it is a study but it doesn't establish regulations or policy. In the study itself it talks about establishing these regulations and policies but it doesn't do that in its self.

Mr. Covey stated what he heard was because of the study the subject property and others were changed to Mixed-Use Corridor otherwise they would be residential.

Ms. Miller stated she doesn't know what made the decision for Mixed-Use Corridor in The Comprehensive Plan but this is a study and doesn't establish any kind of Land Use Policy.

Mr. Covey stated he understood what Ms. Miller was saying but the study was used to make a land use category decision.

Ms Miller stated she did not know if the study was used to make the Land Use category decision but this is not a plan it is a study that called for plan amendment and some zoning design guidelines that were never followed through

with but we tried to respect the neighbors and the work they did even though the study was never carried out.

Mr. Covey stated he gets tired of the number of studies and plans in general that someone has to go through to figure out what is going on. There are a whole group of neighbors here relying on a study. Mr. Covey stated why back in 2007 did we waste all their time participating in this study if it was not going to be carried out.

Mr. Fox stated he didn't know if The Lewis Study was a part of The Comprehensive Plan update but it was recognized in August 2007 by City Council at the time and knowing how slow implementation moves after completing a study, consultants were being hired to recreate The Comprehensive Plan.

Mr. Dix asked staff when a study is approved by the City Council what affect does this have.

Ms. Miller stated that since she has been here she didn't move forward with a study that was not immediately implemented. Ms. Miller stated the study doesn't happen as much anymore.

Mr. Covey asked if anyone had copy of the Resolution signed by City Council.

Ms. Miller stated on the front of the Resolution it shows City Council approved it but the study was laying out future actions that never happened.

Mr. Reeds stated he wished the applicant and the neighborhood had met before this meeting so that the questions on parking could be resolved. Mr. Reeds stated that he believes traffic would resolve after Riverside Drive reopened.

Mr. Doctor asked if the parking isn't approved by the Board of Adjustment is the rezoning contingent on their approval.

Mr. Wilkerson stated "no, not as it stands", just like any other zoning requirement the applicant has to satisfy the parking requirement.

Mr. Covey stated the subject property is clearly in a Mixed-Use Corridor and OL zoning is clearly appropriate in the Mixed-Use Corridor and then the Lewis Study was brought up and Mr. Covey does not like how a group of citizens were asked to help with a study that makes specific recommendations that excludes medical and that study went to City Council and was approved and then a Comprehensive Plan put in place. Mr. Covey stated he doesn't know exactly why these certain properties are in Mixed-Use Corridor but Mr. Covey believes there is a possibility if not a probability that they relied on the Lewis Study to put those land use designations because of the study. Mr. Covey stated if it was not for the

Lewis Study Mr. Covey doesn't believe any of the land use designations would be Mixed-Use Corridor he thinks they would still be residential.

TMAPC Action; 9 members present:

On **MOTION** of **DIX**, TMAPC voted **6-3-0** (Adams, Dix, Fretz, Millikin, Shivel, Walker "aye"; Covey , Doctor, Reeds "nays"; none "abstaining"; Carnes, Krug, "absent") to **APPROVE** Z-7403 rezoning from **RS-3** to **OL with optional development plan** per staff recommendation.

Legal Description for Z-7403:

LT 9 & N21 LT 10 BLK 4, LEWISTON GARDENS AMD SUB L12&15 GLEN ACRES, an addition to the City of Tulsa, Tulsa County, State of Oklahoma

* * * * *

14. **CPA-54** - Consider adoption of the GO Plan (Bicycle and Pedestrian Master Plan) as an amendment to the Tulsa Comprehensive Plan

STAFF RECOMMENDATION:

- A. Item for consideration:** Adoption of the *GO Plan* (Bicycle/Pedestrian Master Plan) as an amendment to the *Tulsa Comprehensive Plan*.
- B. Related Plans:** Both the *Tulsa Comprehensive Plan* and the *Tulsa Metropolitan Area Trails Master Plan and Map* informed this planning effort. PLANiTULSA, the *Tulsa Comprehensive Plan* adopted in 2010, contains multiple references, priorities, goals and policies encouraging an efficient and connected bicycle and pedestrian network. When TMAPC adopted the *Tulsa Comprehensive Plan* by Resolution 2581:900, language was included that the *Tulsa Metropolitan Area Trails Master Plan and Map* (adopted in 1999) would remain in effect. This plan served as an important resource during development of the GO Plan. The *Go Plan* updates and expands upon the previously adopted Trails Master Plan and Map.
- C. Background/Process:** In December 2013, INCOG engaged Toole Design Group to conduct a two-year study of the INCOG area's bicycle and pedestrian infrastructure. The plan, branded as the *GO Plan* includes an analysis of bicycle level of stress and recommendations for infrastructure improvements based on data about activity centers and existing street parameters. The plan also includes an analysis of missing links in the arterial street sidewalk network. In total, the plan recommends 355 miles of bicycle facilities including signed routes, shared

lane markings, bike lanes, cycle tracks, sidepath and trails. The plan also includes a listing of prioritized missing sidewalk links along arterials streets.

An extensive public involvement process informed the plan. Numerous meetings with the public, the Transportation Advisory Board and the city planning and engineering staff informed the projects that were included in the plan. A presentation was made to the TMAPC at a work session on May 20, 2015 and most recently at a TMAPC work session on July 19, 2017.

The *GO Plan* was adopted during the INCOG Transportation Policy Committee on December 2, 2015 and endorsed by the INCOG Board of Directors on December 8, 2015. All plan documents can be found at www.TulsaTRC.org/GOPlan.

The *GO Plan* is a guide to determine street design, but engineering constraints and judgement will be considered as street projects are designed and implemented, with connectivity of the overall network of bicycle and pedestrian facilities as the primary goal. During implementation, the *GO Plan* recommendations will be cross-referenced with the latest version of the Highway Capacity Manual Multimodal Level of Service (MMLOS) to ensure the best levels of service are achieved for all users in the design process, and in choosing appropriate bicycle and pedestrian improvements.

D. Conformance with the Tulsa Comprehensive Plan: The *Go Plan* furthers several priorities, goals and policies in the Transportation Chapter of the Comprehensive Plan, specifically:

Transportation Priority 1 - Provide a Wide Range of Reliable Transportation Options So Every Tulsan Can Efficiently Get Where They Want To Go

Goal 2— Tulsa has a sustainable network of roadways, trails and transit infrastructure that is well maintained and not a burden on future generations to operate. Policies to support this goal include:

2.1 Adopt a network approach to transportation projects that focuses on connecting people to places — ultimately allowing places to become more intense centers of economic development.

Transportation Priority 4 - Provide Multiple Transportation Choices to All Tulsans

Goal 14—

Tulsans safely and efficiently use bicycles to go to work, shop and recreation areas. Policies to support this goal include:

14.1 Develop a Bicycle Master Plan and revise the Trails Master Plan as necessary to focus on connecting neighborhoods with destinations, such as employment, shopping and recreation.

The master plan should include priorities to:

- *Improve integration of on-street bicycle facilities with Tulsa parks and off-street trail system through the use of road diets, traffic calming, signage, bike lanes, and shared lane markings.*
- *Improved circulation into and around downtown. This includes additional on-street pavement markings and exploring a bicycle boulevard concept using a lane of existing traffic.*
- *Continued efforts to expand bicycle advocacy, education, and enforcement.*
- *Adopt a complete streets policy and add coordinate funding and simultaneous construction of bike facilities with street, drainage, and other infrastructure improvements.*
- *Review of private and public development projects to ensure adequate bicycle parking and access.*
- *Amend Tulsa's zoning ordinance to require bicycle parking in new development, based on a review of best practices. The number of bike parking spaces required by the ordinance should be determined based on the total off-street parking spaces required. Specific rules and regulations governing the dimensions and design of bicycle parking should be adopted.*
- *Develop detailed inventory of bicycle facilities (routes, parking, amenities) and bicycle plans as part of the small area planning process.*
- *Establish dedicated funding to implement the Bicycle Master Plan and revised Trails Master Plan.*

E. Staff Comments: The *GO Plan* is in conformance with the direction provided and provides a framework for the implementation of multiple priorities, goals and policies in the Comprehensive Plan. Adoption of the *GO Plan* as an amendment to Tulsa's Comprehensive Plan will ensure that projects identified within the plan may be considered when engineering or development projects occur within the city limits.

The *GO Plan* will also provide a comprehensive plan for pedestrian and bicycle improvements; provide connectivity to the existing regional trail network using on-street treatments; improve pedestrian and bicycle safety; provide a more strategic approach to competing for pedestrian and bicycle funding; and identify barriers, with solutions, for residents to safely access destinations using walking or bicycling modes within the Tulsa region.

The vision of the *GO Plan* is that the Tulsa metropolitan area would be a place where walking and biking are viable and appealing choices for transportation and recreation. Safety, comfort and convenience for users are addressed along roads, at crossings, on multi-use trails and at key destinations. This vision is carried out through the following six goals.

Goal 1: Implement and maintain a connected network of walking and bicycling facilities focusing on linking destinations to neighborhoods.

Goal 2: Improve safety and security for all users of the transportation system by applying strategies that reduce fatal and injury crash rates in the Tulsa metropolitan area.

Goal 3: Establish or increase local bicycle and pedestrian mode share goals across the Tulsa metropolitan area with target milestones for 2017 and 2022.

Goal 4: Develop implementation of public education campaigns and programs that include targeted efforts for law enforcement, students, traditionally underserved populations and other key stakeholders with target outreach goals set for 2017.

Goal 5: Position Tulsa and the surrounding areas as officially recognized Walk and Bicycle Friendly Communities by engaging or continuing efforts to achieve status with the national certification programs applicable to walk and bicycle friendliness.

Goal 6: Pursue funding toward bicycle and pedestrian infrastructure within local transportation funding bond and sales tax packages.

The *GO Plan* contains six elements to help implement the goals. Those elements are a bicycle strategy, pedestrian strategy, project implementation, non-infrastructure strategies, and individual community plans. The TMAPC is asked to consider adopting the *GO Plan* including the Tulsa Community Plan and Appendices.

Based on the information provided above, staff finds that the *GO Plan* is in conformance with the City of Tulsa Comprehensive Plan.

F. Staff recommendation: Staff recommends that the Tulsa Metropolitan Area Planning Commission adopt the *GO Plan* (Bicycle/Pedestrian Master Plan) as an amendment to the Comprehensive Plan.

TMAPC COMMENTS:

Mr. Covey asked Ms Jennifer Haddaway of INCOG Transportation Department of the \$75 million how much has been funded so far.

Ms Haddaway answered about 7 million dollars has been funded for implementation.

Mr. Doctor stated that a decent portion of the Go Plan will be implemented as road construction and repairs to the streets take place and also will be incorporated into existing projects as well.

Ms. Haddaway stated when looking at bicycle projects sometimes just paint is all that is needed.

Mr. Reeds stated this plan will help us with city ratings and the different thresholds that the cities are rated on and will put us in a league with Austin and Denver. Mr. Reeds stated it is very important to implement the Go Plan.

Ms. Haddaway stated we have very good trail system and people come here because of that trail system and this will take it a step further.

TMAPC Action; 9 members present:

On **MOTION** of **REEDS**, TMAPC voted **9-0-0** (Adams, Covey, Dix, Doctor, Fretz, Millikin, Reeds, Shivel, Walker "aye"; no "nays"; none "abstaining"; Carnes, Krug, "absent") to recommend **ADOPTION** of CPA-54 Bicycle and Pedestrian Master Plan (GO Plan) per staff recommendation

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15. Consider adoption of 2017 Housekeeping Amendments to the Tulsa Comprehensive Plan:

CPA-64 - Amend designation on Land Use Map from "New Neighborhood" to "Existing Neighborhood" and a designation on the Areas of Stability and Growth Map from "Area of Growth" to "Area of Stability" on approximately 1.78 acres located east of the NE corner of East 32nd Street South and South Yale Avenue; and

CPA-65 - Amend designation on Land Use Map from "Existing Neighborhood" to "Mixed-Use Corridor" and a designation on the Areas of Stability and Growth Map from "Area of Stability" to "Area of Growth" on approximately 1.59 acres located north of the NE corner of South Lewis Avenue and East Skelly Drive; and

CPA-66 - Amend designation on Land Use Map from "Existing Neighborhood" to "Main Street" and a designation on the Areas of Stability and Growth Map from "Area of Stability" to "Area of Growth" on approximately 0.9 acres located south of the SE corner of East 67th Street South and South Peoria Avenue; and

CPA-67 - Amend designation on Land Use Map from "Arkansas River Corridor" to "Park and Open Space" and a designation on the Areas of

Stability and Growth Map from “Area of Growth” to “Area of Stability” on approximately 25 acres located 1,242 south of the SW corner of South Riverside Drive and East 71st Street South; and

CPA-68 - Amend designation on Land Use Map from “Arkansas River Corridor” to “Employment” on approximately 42 acres located on West side of the River and South of West 71st Street South, between levee and railroad tracks.

STAFF RECOMMENDATION:

- A. Item:** Annual Housekeeping Amendments to the Comprehensive Plan.
- B. Background:** The Tulsa Comprehensive Plan was adopted in July, 2010 and the first housekeeping amendments were adopted in 2013. There has been a substantial amount of amendments adopted, since that time - relating to the *Land Use Map*, *Areas of Stability and Growth Map* and the text of the Comprehensive Plan. This year, staff is proposing five map amendments.

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

The Comprehensive Plan states that the Land Use Plan and Areas of Stability and Growth Map “should be updated at five year intervals with projections toward the future. Housekeeping updates and maintenance to reflect development approvals should be made annually.” (p. LU-77)

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

There are five areas and/or parcels that have been identified as proposed map amendments to the Comprehensive Plan. The attachments to this report contain information on each of these, including general information, justification for the change, and supporting maps. This information was presented at a TMAPC Work Session on July 19, 2017.

- C. Staff Recommendation:** Approval of Comprehensive Plan housekeeping amendments (CPA-64 through CPA-68) as requested

ATTACHMENT 1
Comprehensive Plan Amendment CPA-64
Change of Land Use and Area of Stability & Growth Designations

Location: East of the NE corner of East 32nd Street South and South Yale Avenue.

Size: ±1.78 **Zoning** RS-2/RS- **Existing** Residential
Acres **District:** 3/PUD-130 **Use:**

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

Development Approval History:

- **2017: CPA 55** - The TMAPC approved a Comprehensive Plan Amendment from *New Neighborhood* to *Mixed-Use Corridor* to accompany a rezoning application (Z-7359) to accommodate a gym/recreational facility for the property to the west of the subject lots.
- **2017: CPA 57**- The TMAPC approved a Comprehensive Plan Amendment from *New Neighborhood* to *Mixed-Use Corridor* to accompany a rezoning application (Z-7374) to allow for the expansion of the gym/recreational facility immediately west of the subject lots.

Justification: At the time of adoption of the Comprehensive Plan in 2010, the Land Use designation was identified as *New Neighborhood* and an *Area of Growth*. On two parcels immediately west of the subject area to the amendment request, TMAPC approved a request to change zoning from Single-Family Residential (RS-2) to Commercial General (CG) with an optional development plan (Z-7359) and from Residential Duplex (RD) to Commercial General (CG) with an optional development plan (Z-7374) to allow a gym/recreational facility and adjacent parking.

While considering this request and in response to feedback from neighborhood residents and property owners at the public hearing, TMAPC expressed concerns about the Comprehensive Plan's land use designation of *New Neighborhood* and *Area of Growth* for the adjacent properties. It is part of an existing neighborhood. The current Land Use and Growth and Stability designation assigned to the properties do not adequately reflect the existing

residential single family use. An *Existing Neighborhood* and *Area of Stability* land use designation will more appropriately do that.

Staff Recommendation: Staff recommends changing the subject site to the *Existing Neighborhood* land use designation and an *Area of Stability*.

ATTACHMENT 2
Comprehensive Plan Amendment CPA-65
Change of Land Use and Area of Stability & Growth Designations

Location: North of NE corner of South Lewis Ave. and East Skelly Drive

<u>Size:</u>	+1.59 Acres	<u>Zoning</u>	RS-1	<u>Existing</u>	Vacant Lots and Access
		<u>District:</u>		<u>Use:</u>	Road

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

Development Approval History:

- **2017: CPA-56-** The TMAPC approved a Comprehensive Plan Amendment from *Existing Neighborhood* to *Mixed-Use Corridor* to accompany a rezoning application (Z-7373) to accommodate a parking area for the property immediately west of the subject lots.

Justification: The subject area is designated as an *Existing Neighborhood* and *Area of Stability*.

On the parcel immediately east of the subject area to the amendment request, TMAPC approved a request to change zoning from Single-Family Residential (RS-1) to Office-Light (OL) with an optional development plan (Z-7373) and a Comprehensive Plan Amendment (CPA-56) to expand *Mixed-Use Corridor* land use and *Areas of Growth* designations to provide additional parking relief for the Twenty-Six Oaks office complex immediately south of the lot. As sited in the original staff report for CPA- 56, staff found it would be appropriate, based on approval, to recommend the same designations to the current subject site in the 2017 Housekeeping Amendments Report.

The character of the subject site has changed as I-44 was widened. The southernmost parcel of the subject site serves as the new entrance to the office complex that was designed and constructed by ODOT. Although the two parcel included in the overall subject area are designated *Existing Neighborhood* and *Area of Stability*, both are currently owned by ODOT and are unlikely to be developed residentially. The current Land Use and Growth and Stability designation assigned to the properties do not adequately reflect the existing and future potential use.

Staff Recommendation: Staff recommends changing the subject site to the *Mixed-Use Corridor* land use designation and an *Area of Growth*.

ATTACHMENT 3

Comprehensive Plan Amendment CPA-66

Change of Land Use and Area of Stability & Growth Designations

Location: South of the SE corner of East 67th Street South and South Peoria Avenue

<u>Size:</u>	±.9 Acres	<u>Zoning District:</u>	RM- 2/PUD- 183	<u>Existing Use:</u>	Multi-Family Residential
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<u>Land Use Designation</u>		<u>Stability & Growth Designation</u>
<u>Existing</u>	<i>Existing Neighborhood</i>	<i>Area of Stability</i>
<u>Proposed</u>	<i>Main Street</i>	<i>Area of Growth</i>

Development Approval History:

- **1976: PUD-183-** The PUD designates the subject area as Development Area-Block 1, and the standards permit townhouses, cluster patio homes or garden apartments, to include customary accessory uses such as clubhouse, pools, tennis courts, etc.

Justification: The subject site is part of a larger multi-family housing complex that consists of three parcels in total. The two parcels to the west of the subject site are designated as *Main Street* and *Areas of Growth*. This Comprehensive Plan Amendment would allow the site to be consistent with the entire condo development. The current Land Use and Growth and Stability designation assigned to the properties do not adequately reflect the existing residential multi-family use. A *Main Street* and *Area of Growth* land use designation will more appropriately do that.

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

ATTACHMENT 4
Comprehensive Plan Amendment CPA-67
Change of Land Use and Area of Stability & Growth Designations

Location: 1,242 feet south of southwest corner of S. Riverside Dr. and E. 71st St. S
Size: ± 25 Acres **Zoning** AG **Existing** Park and Open Space
District: **Use:**

	<u>Land Use Designation</u>	<u>Stability & Growth Designation</u>
<u>Existing</u>	<i>Arkansas River Corridor</i>	<i>Area of Growth</i>
<u>Proposed</u>	<i>Park and Open Space</i>	<i>Area of Stability</i>

Development Approval History:

- **2015: PUD-128-I**- Abandoned to remove the park approval for Helmerich Park, leaving the site as a legally nonconforming use.
- **2016: CPA-43**- The TMAPC approved a Comprehensive Plan Amendment to establish and define an *Arkansas River Corridor* Land Use category; and amendments to Land Use and Stability and Growth maps in support of the proposed River Design Overlay District.
- **2017: SA-2**- The TMAPC approved a City Council initiated proposal to apply RDO-1 (River Design Overlay) zoning to the approximately 25 acre subject site.

Justification: During the map amendment process (SA-1) to assign RDO-1, RDO-2, and RDO-3 to certain properties along the river, several members of the public voiced concern regarding the proposed RDO-2 zoning designation for Helmerich Park. The City Council removed this 25 acre portion (the subject site) of Helmerich Park from the area being considered for the initial zoning map amendment (SA-1) and voted to initiate applying supplement zoning of RDO-1.

Concurrently with the adoption of the RDO in the Zoning Code in 2016, the Comprehensive Plan was amended to include a new land use category, *Arkansas River Corridor* and was given an *Area of Growth* map designation (CPA-43). The Land Use and Areas of Stability and Growth Maps were changed to align with proposed RDO designations. At the time, the site was originally proposed for RDO-2, therefore the land use designation was assigned *Arkansas River Corridor* and the Area of Stability and Growth designation as *Area of Growth*. The staff found that the Land Use and Area of Growth map designations were not significantly incompatible and could be resolved through the 2017 housekeeping amendment process.

In 2017, the RDO-1 zoning designation (SA-2) was adopted for this 25 acre site. With the approval of the supplemental zoning of RDO-1 (SA-2) for the subject

site, the current Land Use and Growth and Stability designation assigned to the property do not adequately reflect the existing zoning. The *Park and Open Space* Land Use designation and *Area of Stability* will be consistent with the supplemental zoning of RDO-1.

Staff Recommendation: Staff recommends changing the subject site to the *Park and Open Space* land use designation and an *Area of Stability*.

ATTACHMENT 5
Comprehensive Plan Amendment CPA-68
Change of Land Use Designation

Location: West side of River, south of W. 71st Street South – between levee and RR tracks

Size: ± 42 **Zoning** IL **Existing** Vacant
District: **Use:**

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

Development Approval History:

- **2016: CPA-43-** The TMAPC approved a Comprehensive Plan Amendment to establish and define an *Arkansas River Corridor* Land Use category; and amendments to Land Use and Stability and Growth maps in support of the proposed River Design Overlay District.
- **2017: SA-1-** The TMAPC approved supplemental rezoning to RDO-1, RDO-2, and RDO-3 of properties located generally east and west of the Arkansas River extending from West 11th Street South to East 121st Street South.

Justification: In 2016, the TMAPC approved a Comprehensive Plan Amendment to establish and define an *Arkansas River Corridor* Land Use category; and amendments to Land Use and Stability and Growth maps in support of the proposed River Design Overlay District (CPA-43). During that time, the subject area was designated as *Arkansas River Corridor* and an *Area of Growth*.

The subject site was originally proposed to be rezoned to RDO-2 to align with the *Arkansas River Corridor* land use designation. At the end of the River Design Overlay zoning process staff found that the underlying IL zoning was more appropriate for the site and was removed from the final RDO zoning proposal (SA-1) approved in 2017. The *Arkansas River Corridor* land use designation should align with RDO-2 or RDO-3 zoning. The *Employment* land use designation will eliminate inconsistencies with the *Area of Growth* map designation.

Staff Recommendation: Staff recommends changing the subject area to an *Employment* land use designation.

TMAPC COMMENTS:

Mr. Covey stated all the interested parties were here for CPA-65. Mr. Covey asked staff what was going to be built on the subject property.

Ms. Miller stated it was parking for the office development that fronts on Skelly Drive.

Mr. Covey asked if ODOT owns the property.

Ms. Miller stated "yes".

Mr. Covey asked Ms. Miller what ODOT was going to do with the property.

Ms. Miller stated she didn't know of any plans with the property.

Mr. Covey asked if there was any reason for ODOT to keep the property as opposed to selling it.

Ms. Miller answered ODOT still has the access road through the property to maintain, but Ms. Miller stated she could not speak for ODOT.

Mr. Dix asked Ms. Miller what benefit it would have to change this property to mixed use corridor.

Ms. Miller answered it is to clean the map up, this property could very well be left alone. Ms. Miller stated this does not have any affect if ODOT continues ownership of the property.

INTERESTED PARTIES:

Gigi Parker 2424 East 49th Street, Tulsa, OK 74105

Ms. Parker stated her property is adjacent to the subject property (CPA-65) and everything around it is residential. Ms. Parker stated if you change it to mixed use Ms. Parker would be back in 5 years because someone will try to build there after buying it from ODOT.

Mr. Covey asked Ms. Parker if she knew the small area was going to parking.

Ms. Parker answered her understanding was there was an argument from neighbors about the parking and she believes that was blocked from happening. But she just bought the property so she wasn't sure about that comment. Ms. Parker stated this would be against her backyard so she hopes a wall will be put up between the subject property and hers.

Robert Piland 2446 East 49th Street, Tulsa, OK 74105

Mr. Piland stated he owns the property next to the Jon's. Mr. Piland stated he opposed the change (CPA-65) because someone could come in and build a commercial building and if that happens the main access would be off of Lewis and this would create a traffic issue at an already busy intersection. Mr. Piland stated he doesn't see a need to change this property to mixed use at this time. Mr. Piland stated the area that is supposed to be a parking lot does not have access from anywhere. Mr. Piland stated it's just a housekeeping issue to staff but it is something the residents have to live with.

Hong Jon 2424 East 49th Street, Tulsa, OK 74105

Mr. Jon stated he agrees with his wife and neighbor that this property needs to remain residential.

Ms. Miller stated TMAPC could as an alternative change the small west parcel to Mixed-Use Corridor and leave the adjacent parcel as Existing Neighborhood.

Ms. Adams asked staff who wanted to put parking on the adjacent parcel and who is using it and how are they accessing it.

Mr. Wilkerson stated the parking was for the office building that fronts Skelly Drive and access was from adjacent parcel to the west.

Mr. Covey stated he would be voting no because he would keep both parcels residential.

TMAPC Action; 8 members present:

On **MOTION** of **DIX**, TMAPC voted **7-1-0** (Adams, Dix, Doctor, Fretz, Millikin, Reeds, Shivel, "aye"; Covey, "nays"; none "abstaining"; Carnes, Krug, Walker "absent") to recommend **ADOPTION** of 2017 Housekeeping Amendments CPA-64, CPA-66, CPA-67 and CPA-68 per staff recommendation and CPA-65 with a modification to only approve the south parcel that includes the majority of the access street.

OTHER BUSINESS

16. Commissioners' Comments

None

* * * * *

ADJOURN

TMAPC Action; 8 members present:

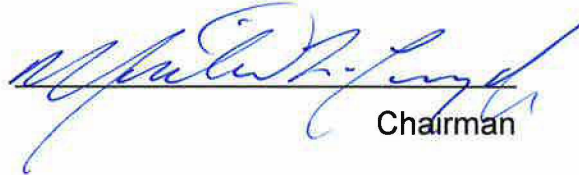
On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Adams, Covey, Dix, Doctor, Fretz, Millikin, Reeds, Shivel, "aye"; no "nays"; none "abstaining"; Carnes, Krug, Walker "absent") to **ADJOURN** TMAPC meeting 2752.

ADJOURN

There being no further business, the Chair declared the meeting adjourned at 4:45 p.m.

Date Approved:

09-06-2017


Chairman

ATTEST:


Secretary