

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2756

Wednesday, October 18, 2017, 1:30 p.m.

City Council Chamber

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

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

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Thursday, October 12, 2017 at 2:40 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 the receipts for September 2017 was consistent with last month's receipts and receipts for the same time last year except for plan reviews. Ms. Miller reported on the City Council and Board of County Commission agenda and actions taken. Ms. Miller stated the Technical Team and the Working Group for the Subdivision Regulations met and was interrupted by a fire alarm. There will be another meeting to finish the discussion on Tuesday October 24, 2017. Ms. Miller stated the draft Landscape Ordinance is out for public review and she

will send a link to the document for Planning Commission to review. Ms. Miller stated Kirk Bishop will be here for the November 1, 2017 work session and will also be leading the October 31, 2017 Landscape Ordinance review at Central Center. Ms. Miller reported the downtown TIF project was recommended for approval yesterday and this will be presented to TMAPC for conformance review on November 1, 2017 and then to City Council.

Mr. Dix stated he would like to elaborate of Ms. Millers comments. Mr. Dix stated of the 25 items he thinks an agreement with the Working Group was reached on 3 items. Mr. Dix stated he would be at the meeting next Tuesday and would like to appoint himself moderator and have a time limit per item to get through all the items in 2 hours.

Ms. VanValkenburgh stated she believed that was Travis Hulse's job to lead this meeting.

Ms. Miller stated it was City staff's job to oversee that project.

Mr. Dix stated he felt there should be someone to manage the time and he would like to be there to keep the time. Mr. Dix stated if an agreement could not be reached on these 25 items he would recommend to Commissioners not to adopt any of the items or delay them until an agreement can be reached.

Ms. Miller stated we didn't expect an agreement to be made on every single item. Ms. Miller stated staff would state their recommendation and the Working Group would state their remaining issues and Planning Commission would decide their recommendation.

Mr. Dix stated he didn't expect the two groups to come to an agreement but they can at least be adults and state their position and why. The Working Group is taking paid time to volunteer for this task and I am admonishing them for leaving the meeting early and admonishing staff to listen to them and take their needs into consideration and understand that if you just want to present a point of view and not come to an agreement that is your prerogative to do. Then Planning Commission will make the choice about which group they want to consider.

Ms. Miller stated everyone's perspective is different and the balance of that is where staff tries to arrive at and those items that are still issues is what we ask Planning Commission to help with. Staff is charged with looking at what is good for the community and achieving the objectives of the Comprehensive Plan as well as the goals set out by the City so staff has a different look than the engineers and its all important but it needs to be a balance of all those things.

Mr. Dix stated Mr. Hulse spoke about traffic impact assessment and the Work Group has a severe problem with that and they want to remove that entire section and Mr. Hulse disagreed. Mr. Dix stated that wasn't Mr. Hulse's choice.

Ms. Miller stated that request was never brought up during the entire Working Group process or the public review process so it's hard to deal with something that is at the very end of this year long process. Ms. Miller stated staff thought they had compromised to a point to address their concerns on several issues and now it is something else.

Mr. Dix stated quite frankly he agrees with the Working Group and believes the section should be removed.

Ms. Miller stated that section is something that came from City Council during the Zoning Code approval process. Ms. Miller stated the City Council doesn't have a role in adopting the Subdivision Regulations but that is something staff has been charged with bringing forward for consideration.

Mr. Dix stated he would be at the Subdivision Regulation meeting and would watch the time closely so they could get through as much as they could.

Mr. Reeds asked if other Commissioners could attend.

Ms. Miller answered everyone is invited to observe but it isn't the appropriate place to participate and this will be discussed later at the TMAPC Work Session.

Mr. Dix stated he participated on one item about the Change of Access because this item was brought up by Mr. Dix.

Ms. Miller stated she would send out the information to Commissioners and if they could come and observe it may be helpful for the Work Session.

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1. Minutes:

Approval of the minutes of October 4, 2017 Meeting No. 2755

On **MOTION** of **DIX**, the TMAPC voted 10-0-0 (Adams, Covey, Dix, Doctor, Fretz, Krug, Millikin, Reeds, Shivel, Walker, "aye"; no "nays"; none "abstaining"; Carnes, "absent") to **APPROVE** the minutes of the meeting of October 4, 2017, Meeting No. 2755.

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2. Correction of minutes of June 21, 2017, meeting number 2748 to correct legal description for Z-7397

Approval of the corrected minutes of June 21, 2017 Meeting No. 2748

On **MOTION** of **DIX**, the TMAPC voted 10-0-0 (Adams, Covey, Dix, Doctor, Fretz, Krug, Millikin, Reeds, Shivel, Walker, “aye”; no “nays”; none “abstaining”; Carnes, “absent”) to **APPROVE** the corrected minutes of the meeting of June 21, 2017, Meeting No. 2748.

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CONSENT AGENDA

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

- 3. **LS-21055** (Lot-Split) (CD 7) – Location: West of the southwest corner of East 91st Street South and South Mingo Road (Related to PUD-268-C-3)
- 4. **PUD-268-C-3 Jerry Huffman** (CD 7) Location: West of the southwest corner of East 91st Street South and South Mingo Road requesting a **PUD Minor Amendment** to redefine development areas & revise development standards. (Related to LS-21055)

STAFF RECOMMENDATION:

SECTION I: PUD-268-C-3 Minor Amendment

STAFF RECOMMENDATION

Amendment Request: Modify the PUD Development Standards to redefine development areas and revise development standards.

Currently, PUD-268-C is divided into three development areas, intended for three lots. The applicant is proposing to reduce the number of development areas to two, for two lots. This is to accommodate the proposed two buildings shown on the applicant’s preliminary site plan included with this report. The internal vehicular and pedestrian circulation system will be modified to match this revised site plan layout.

The development standards are proposed to be modified to address required floor area and landscape area for each of the two proposed lots. The revised standards are as follows:

Lot 1

Land Area: 49,450.26 sf
Maximum Building Floor Area: 14,835.08 sf (0.30 FAR)
Minimum Landscape Area: 17.5%

Lot 2

Land Area: 48,349.38 sf
Maximum Building Floor Area: 14,504.81 sf (0.30 FAR)
Minimum Landscape Area: 17.5%

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 PUD 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-268-C and subsequent amendments shall remain in effect.

With considerations listed above, staff recommends **approval** of the minor amendment request to redefine development areas and revise development standards

5. **LS-21064** (Lot-Split) (County) – Location: South of the southeast corner of West Coyote Trail and South 203rd West Avenue
6. **LS-21067** (Lot-Split) (County) – Location: West of the northwest corner of East 167th Street South and South Peoria Avenue
7. **LS-21068** (Lot-Split) (CD 1) – Location: Northwest corner of West Golden Street and North Cheyenne Avenue
8. **LC-944** (Lot-Combination) (CD 9) – Location: West of the northwest corner of East 31st Street South and South Louisville Avenue (Related to Z-7414 and Z-7414 Plat Waiver on Public Hearing)
9. **LC-945** (Lot-Combination) (CD 1) – Location: East of the southeast corner of South 51st West Avenue and West 8th Street South

10. PUD-696-B-4 Pete Webb (CD 2) Location: South of the southwest corner of East 91st Street South and South Delaware Avenue requesting a **PUD Minor Amendment** to allow ground sign with 92 sq. ft. of display area and an EMC

STAFF RECOMMENDATION:

SECTION I: PUD-696-B-4 Minor Amendment

STAFF RECOMMENDATION

Amendment Request: Modify the PUD Development Standards to allow a ground sign with 92 sf in area and an Electronic Message Center (EMC).

Currently the ground sign allowed for the subject lot would be limited to 75 sf of display area and no EMC would be allowed. The underlying zoning of the site, CS, would allow a ground sign with an area of 2 sf per linear foot of street frontage, which, at nearly 300 feet, the frontage of the subject lot would allow 600 sf of display area, however the maximum in CS is 500 sf of display area. The 92 sf request is well within what would be allowed within the underlying zoning.

The underlying zoning would permit the use of an EMC. EMCs fall within the sign category of Dynamic Displays within the City of Tulsa Zoning Code). The EMC would be limited to a maximum display area of 48 sf, per the CS zone requirements. The EMC would be required to comply with all applicable provisions of the City of Tulsa Zoning Code regarding Dynamic Displays in a CS district.

Staff Comment: *This request can be considered a Minor Amendment as outlined by Section 30.010.1.2.c(1) of the City of Tulsa Zoning Code.*

“Modification to approved signage, provided the size, location, number and character (type) of signs is 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-696-B and subsequent amendments shall remain in effect.

With considerations listed above, staff recommends **approval** of the minor amendment request to allow a ground sign with 92 sf of display area and an Electronic Message Center (Dynamic Display).

11. Z-6051-SP2b Matt Ellicott (CD 7) Location: Northeast corner of South Mingo Road and East 82nd Place South requesting a **CO Minor Amendment** to increase allowable ground sign height from 8 feet to 16 feet

STAFF RECOMMENDATION:

SECTION I: Z-6051-SP-2b Minor Amendment

STAFF RECOMMENDATION

Amendment Request: Modify the Corridor Plan to increase allowable ground sign height from 8 feet to 16 feet.

Currently, signs for lots fronting on Mingo Road are limited, by the development standards of the corridor, to a ground sign that is a maximum of 8 feet in height. The applicant is proposing to increase this allowance to 16 feet. The applicant does not propose to increase the allowable display area of the sign. Commercial zoning allows a sign height of 25 feet. The proposed increase to 16 feet is 9 feet shorter than what could otherwise be allowed.

Staff Comment: *This request can be considered a Minor Amendment as outlined by Section 25.040D.3.b(5) of the Corridor District Provisions of the City of Tulsa Zoning Code.*

“Minor amendments to an approved corridor development plan may be authorized by the Planning Commission, which may direct the processing of an amended development plan and subdivision plat, incorporating such changes, so long as substantial compliance is maintained with the approved development plan. “

Staff has reviewed the request and determined:

- 1) The requested amendment does not represent a significant departure from the approved development standards in the Corridor Development Plan.
- 2) All remaining development standards defined in Z-6051-SP-2 and subsequent minor amendments shall remain in effect.

With considerations listed above, staff recommends **approval** of the minor amendment request to increase allowable ground sign height from 8 feet to 16 feet.

12. Enclave at Addison Creek (CD 8) Reinstatement of Preliminary Plat (Formerly Bent River) Location: South of the southwest corner of East 121st Street South and South Sheridan Road

13. BlueFlame47 (County) Final Plat, East of the southeast corner of East 171st Street South and South Garnett Road

TMAPC Action; 10 members present:

On **MOTION** of **DIX**, the TMAPC voted 10-0-0 (Adams, Covey, Dix, Doctor, Fretz, Krug, Millikin, Reeds, Shivel, Walker, “aye”; no “nays”; none “abstaining”; Carnes, “absent”) to **APPROVE** Items 3 through 13 per staff recommendation.

**CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA:
None**

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

PUBLIC HEARINGS:

Mr. Covey stated item 17 has been withdrawn by applicant.

17. PUD-803-2 Baker Pools/ Ashley Martin (CD 8) Location: West of the southwest corner of East 121st Street South and South Sheridan Road requesting a **PUD Minor Amendment** to allow swimming pool in 35-foot setback area (**Withdrawn by applicant**)

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Mr. Covey stated item 16 is asking for continuance to November 15, 2017

16. PUD-310-1 Joy Ward (County) Location: Southeast corner of South Campbell Creek Road and Highway 51 requesting a **PUD Minor Amendment** to add Use Unit 17 (Continued from October 4, 2017) (**Applicant requests continuance to November 15, 2017**)

TMAPC Action; 10 members present:

On **MOTION** of **DIX**, the TMAPC voted 10-0-0 (Adams, Covey, Dix, Doctor, Fretz, Krug, Millikin, Reeds, Shivel, Walker, “aye”; no “nays”; none “abstaining”;

Carnes, "absent") to **CONTINUE** PUD-310-1 to November 15, 2017 per applicant's request.

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18. Storage Center I Amended (CD 2) Minor Subdivision Plat, Location: East of the southeast corner of East 101st Street South and South Delaware Avenue

TMAPC Action; 10 members present:

On **MOTION** of **DIX**, the TMAPC voted 10-0-0 (Adams, Covey, Dix, Doctor, Fretz, Krug, Millikin, Reeds, Shivel, Walker, "aye"; no "nays"; none "abstaining"; Carnes, "absent") to **CONTINUE** Minor Subdivision Plat Storage Center I Amended to November 1, 2017 per staff request.

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14. LS-21063 (Lot-Split) (County) – Location: East of the northeast corner of East 121st Street South and South Garnett Road

STAFF RECOMMENDATION:

The Lot-Split proposal is to split an existing Agriculture (AG) tract into three tracts. Tract A and Tract C of the resulting tracts will meet the Bulk and Area requirements of the Tulsa County Zoning Code. On October 17, 2017, The County Board of Adjustment granted a Variance of the required lot area and land area per dwelling unit for Tract B.

The Technical Advisory Committee met on October 5, 2017 and had no comment.

The proposed lot-split would not have an adverse effect on the surrounding properties and staff recommends **APPROVAL** of the lot-split and the waiver of the Subdivision Regulations that no lot have more than three side lot lines.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **DIX**, the TMAPC voted 10-0-0 (Adams, Covey, Dix, Doctor, Fretz, Krug, Millikin, Reeds, Shivel, Walker, "aye"; no "nays"; none "abstaining"; Carnes, "absent") to **APPROVE** LS-21063 per staff recommendation.

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15. LS-21069 (Lot-Split) (CD 2) – Location: Southeast corner of West 46th Street South and Highway 75

STAFF RECOMMENDATION:

The Lot-Split proposal is to split an existing Single-Family Residential (RS-3) tract into four tracts. All resulting tracts will meet the Bulk and Area requirements of the City of Tulsa Zoning Code.

The Technical Advisory Committee met on October 5, 2017 and had the following comments. Development Services is requiring fire hydrant coverage if structures are built on Tract C and D and possibly A.

The proposed lot-split would not have an adverse effect on the surrounding properties and staff recommends **APPROVAL** of the lot-split and the waiver of the Subdivision Regulations that no lot have more than three side lot lines.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **DIX**, the TMAPC voted 10-0-0 (Adams, Covey, Dix, Doctor, Fretz, Krug, Millikin, Reeds, Shivel, Walker, “aye”; no “nays”; none “abstaining”; Carnes, “absent”) to **APPROVE** LS-21069 per staff recommendation.

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19. BOA-22300 Plat Waiver (CD 9) Location: South of the southwest corner of East 41st Street South and South Owasso Avenue (4138 S. Owasso Ave.)

STAFF RECOMMENDATION:

The platting requirement for this property is being triggered by a special exception approval by the Board of Adjustment on September 12, 2017 to permit a Bed & Breakfast use on the property.

The Technical Advisory Committee met on October 5, 2017 and the following items were determined:

1. The property was previously platted as Lot 13 Block 3 of the Alta Dena Place Addition.
2. Necessary utilities are all in place and no additional easements will be needed at this time.
3. All right-of-way dedications have been made to comply with the Major Street Highway Plan.
4. No new construction is planned at this time.

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

Mr. Walker asked staff if City Council had ruled on Airbnbs yet.

Staff answered “no”, there has been a series of public meetings, Town Halls to gather input and understand both sides and what the different options are and how to handle them.

Mr. Walker asked staff if it would be a while.

Mr. Foster answered “yes” staff has not begun to draft language yet but it will be an issue that will be addressed in the future.

Mr. Dix asked if all that can be done is operate under the existing Subdivision regulations.

Mr. Foster answered “yes” because of the Zoning Code requirement there is no way to issue a building permit without violating the Zoning Code if the applicant doesn’t come in and ask for a waiver of that requirement and that is typically so staff can review it.

The applicant indicated her agreement with staff’s recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **DIX**, the TMAPC voted 10-0-0 (Adams, Covey, Dix, Doctor, Fretz, Krug, Millikin, Reeds, Shivel, Walker, “aye”; no “nays”; none “abstaining”; Carnes, “absent”) to **APPROVE** the Plat Waiver BOA-22300 per staff recommendation.

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20. BOA-22302 Plat Waiver (CD 4) Location: South of the southeast corner of West 7th Street South and South Quanah Avenue (723 S. Quanah Ave.)

STAFF RECOMMENDATION:

The platting requirement for this property is being triggered by a special exception approval by the Board of Adjustment on August 22, 2017 to permit a Bed & Breakfast use on the property.

The Technical Advisory Committee met on October 5, 2017 and the following items were determined:

1. The property was previously platted as Lot 18 Block 1 of the Mitchell-Crosbie Addition.
2. Necessary utilities are all in place and no additional easements will be needed at this time.
3. All right-of-way dedications have been made to comply with the Major Street Highway Plan.
4. No new construction is planned at this time.

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

Mr. Reeds asked staff if his application was in the Crosbie Heights Small Area Plan.

Staff answered "yes".

Mr. Reeds stated that is good to see.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **DIX**, the TMAPC voted 10-0-0 (Adams, Covey, Dix, Doctor, Fretz, Krug, Millikin, Reeds, Shivel, Walker, "aye"; no "nays"; none "abstaining"; Carnes, "absent") to **APPROVE** the Plat Waiver BOA-22302 per staff recommendation.

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21.Z-7408 Plat Waiver (CD 1) Location: North of the northeast corner of East Seminole Street and North Quincy Avenue

STAFF RECOMMENDATION:

The platting requirement for this property is being triggered by an approved rezoning from RS-3 to RM-2 to permit use of the property in conjunction with the adjacent multifamily residential project.

The Technical Advisory Committee met on October 5, 2017 and the following items were determined:

1. The property was previously platted as Lot 1 & 12 Block 6 of the Bullette Heights Addition and a vacated portion of East Ute Street.
2. Necessary utilities are all in place and no additional easements will be needed at this time.
3. All right-of-way dedications have been made to comply with the Major Street Highway Plan.
4. A lot combination must be filed to combine the property with the existing apartment complex prior to construction of any accessory buildings.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

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

TMAPC Action; 10 members present:

On **MOTION** of **DIX**, the TMAPC voted 10-0-0 (Adams, Covey, Dix, Doctor, Fretz, Krug, Millikin, Reeds, Shivel, Walker, "aye"; no "nays"; none "abstaining"; Carnes, "absent") to **APPROVE** the Plat Waiver Z-7408 per staff recommendation.

22.Z-7413 Carly Goodnight (CD 3) Location: West of the northwest corner of East Admiral Boulevard and North Harvard Avenue requesting rezoning from **RS-3 to CH**

STAFF RECOMMENDATION:

SECTION I: Z-7413

DEVELOPMENT CONCEPT:

Existing single family residential property is abutting highway 412 on the south and CH zoned property on the north. The single family residential tracts are vacant and suitable for a redevelopment opportunity.

DETAILED STAFF RECOMMENDATION:

Z-7413 which request CH zoning is consistent with the anticipated land use vision of the Tulsa Comprehensive Plan and,

CH zoning is consistent with the future land use identified in the Kendall-Whittier Sector Plan and,

CH zoning is consistent with the existing development north, east and south and abuts RS-3 zoning west of this site. The zoning code provides adequate protection from the abutting RS-3 zoned lots west of the site and,

CH zoning is considered non-injurious to the proximate properties, therefore:

Staff recommends Approval of Z-7413 to rezone property from RS-3 to CH.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The Tulsa Comprehensive Plan and the recently adopted Kendall-Whittier Sector plans both expected a mixed-use corridor in this area and anticipated commercial redevelopment along this corridor.

Land Use Vision:

Land Use Plan map designation: Mixed-Use Corridor

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

Areas of Stability and Growth designation: Area of Growth

The 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.

Transportation Vision:

Major Street and Highway Plan:

None that affect site redevelopment.

Trail System Master Plan Considerations:

None that affect site redevelopment.

Small Area Plan: Kendall-Whittier Sector Plan (City of Tulsa and Tulsa Development Authority November 2016)

The Sector Plan identified this site as part of a Mixed-Use Corridor and the Tulsa Comprehensive Plan is in alignment with the Future Land Use map identified in the small area plan.

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is generally flat and elevated above the abutting highway 412 corridor. Homes have been removed and preliminary demolition has been starting anticipating future redevelopment.

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>
East Admiral Blvd	None	50 feet	2 (one way west bound)

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	Commercial on west end then vacant
East	CS	Mixed Use Corridor	Growth	Office
South	RS-3 (highway right of way)	Mixed Use Corridor (south of highway)	Stability (south of highway 412)	Highway right of way (single family residential south of highway 412)
West	RS-3	Mixed Use Corridor	Growth	Single Family

SECTION III: Relevant Zoning History

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

Subject Property: No relevant history

Surrounding Property:

PUD-594 August 1998: All concurred in approval of a proposed Planned Unit Development on a 1.68± acre tract of land for a convenience store, subject to a four-foot solid fence on the north property line, 50’ setback from Harvard, subject to two signs being 17’ in height and 95 square feet of display area, on property located on the southeast corner of E. Admiral Pl. and S. Harvard Ave.

BOA-12221 October 1982: The Board of Adjustment **approved** a *variance* of the required setback from the centerline of Harvard Avenue from 50’ to 46’ on the southwest corner of E. Admiral Pl. and S. Harvard Ave.

TMAPC COMMENTS:

Mr. Covey asked staff if all properties that abut Admiral Place are zoned commercial.

Mr. Wilkerson answered “yes”.

Mr. Covey asked if the ones abutting Admiral Boulevard all residential.

Mr. Wilkerson stated they are all residential style homes but he is not confident of their use.

Mr. Covey stated according to the Growth and Stability and the Land Use Map should Planning Commission assume that in the future this area will become all commercial zoning.

Mr. Wilkerson answered "yes" this is not a real desirable housing location, looking out over the expressway.

Mr. Dix asked if the 2 properties on the corner will be included in this development.

Mr. Wilkerson answered they were not included as part of this zoning application but he has not heard from the applicant if they will be included in the development.

INTERESTED PARTIES:

Russell Stotts 3207 East Admiral Boulevard, Tulsa, OK 74110

Mr. Stotts stated his mother lives next door to him and they are the two houses that abut this development. Mr. Stotts stated when he and his mother bought the houses 20 years ago it was a tucked away street and there was not much traffic on the highway. Mr. Stotts stated everyone in the area owned their houses and everyone knew their neighbors. Mr. Stotts stated QuikTrip has now bought all the properties and tore down the houses so his mother will be next to this development and Mr. Stotts is concerned because he works nights and his mom will be alone. Mr. Stotts stated his mother does not feel safe located near the QuikTrip currently because of the robbery's, carjacking and shootings that have been reported at QuikTrip's all over the city but also recently at the QuikTrip next to his house and Mr. Stotts believes this will be worse with this development. Mr. Stotts stated in the beginning when QuikTrip started buying houses and speaking with the neighbors a representative for QuikTrip spoke with Mr. Stotts and his mother about buying their house's because they wanted to be good neighbor's even though they were not in the development. But after acquiring the other houses QuikTrip backed out and stated they were not buying any more houses. Mr. Stotts stated now he and his mother are stuck there and to sell their houses they would have to invest at least \$10,000 dollars in repairs to get market value for them. Mr. Stotts stated QuikTrip told them if they bought his and his mom's house they would not have to pay commission fee or closing cost's but they backed out of this deal. Mr. Stotts stated there will be trucks unloading and driving on his street all night, there will be bright lights and people coming and going all hours of the night. Mr. Stotts stated there will be a lot more noise and a lot more trouble on their street.

Mr. Dix stated to Mr. Stott's that his property was not a part of the rezoning application and that if your house was rezoned it would not be taxed on the zoning designation it is taxed on the use so if it continues to be residential it will be taxed as residential.

Applicant's Comments:

Carly Goodnight 4075 South 129th East Avenue, Tulsa, OK

Ms. Goodnight stated she represents QuikTrip. Ms. Goodnight stated Mr. Dix is correct and the rezoning does not cover any lots that QuikTrip does not own. Ms. Goodnight stated this project has been ongoing for several years and she cannot speak to any offers that were made to the property owners prior to her involvement. Ms. Goodnight stated when she took over this project all the lots had been purchased. Ms. Goodnight stated to Mr. Dix that the CS lot on the corner that Mr. Dix was asking about is not a part of this development because they were unable to obtain that lot. Ms. Goodnight stated this development has a significant landscape buffer exceeding 50 feet. Also, the lot will have to be screened with at least a 6-foot fence and the lighting will be shielded from residential areas as required by the Zoning Code.

Ms. Millikin asked the applicant where traffic will be entering and exiting the site.

Ms. Goodnight stated there is an entrance on Admiral Place, Harvard Avenue and an entrance on Admiral Boulevard to the rear of this site.

Ms. Millikin stated so the entrances and exiting are not adjacent to residential properties.

Ms. Goodnight answered "correct".

Ms. Millikin stated so you are designing the site so the impact on residents located on Admiral Boulevard are minimal.

Ms. Goodnight stated "absolutely".

Mr. Dix stated Ms. Goodnight can correct me if I am wrong but a real estate manager oversaw the property negotiations and then is handed off to Ms. Goodnight as Project Manager.

TMAPC Action; 10 members present:

On **MOTION** of **DIX**, the TMAPC voted 10-0-0 (Adams, Covey, Dix, Doctor, Fretz, Krug, Millikin, Reeds, Shivel, Walker, "aye"; no "nays"; none "abstaining"; Carnes, "absent") to **APPROVE** Z-7413 rezoning from **RS-3** to **CH** per staff recommendation.

Legal Description of Z-7413:

W 20 LT 18 & E 45 LT 19 BLK 1; LT 21 BLK1; W 5 LT 19 & ALL LT 20 BLK 1; W 30 LT 17 & E 30 LT 18 BLK 1; W 40 LT 16 & E 20 LT 17 BLK 1; LT 15 & E 10 OF LT 16 BLK 1, UNIVERSITY PARK

* * * * *

Items 23 and 24 were presented together

23. Z-7414 KKT Architects (CD 9) Location: Northwest corner of East 31st Street South and South Louisville Avenue requesting rezoning from **OM to CS** (Related to LC-944 on Consent Agenda and Z-7414 Plat Waiver)

STAFF RECOMMENDATION:

SECTION I: Z-7414

DEVELOPMENT CONCEPT:

Rezoning request to support commercial development on abutting property adjacent to the west boundary. This request is consistent with the Main Street Vision of the Tulsa Comprehensive Plan

DETAILED STAFF RECOMMENDATION:

Z-7414 which request CS zoning is consistent with the anticipated land use vision of the Tulsa Comprehensive Plan and,

CS zoning is consistent with the existing development west, east and south and abuts RS-3 zoning north of this site. The zoning code provides adequate protection from the abutting RS-3 zoned lots north of the site and,

CS zoning is considered non-injurious to the proximate properties, therefore:

Staff recommends Approval of Z-7413 to rezone property from OM to CS.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The rezoning request is consistent with the Main Street Vision of the Comprehensive Plan.

Land Use Vision:

Land Use Plan map designation: Main Street
Main Streets are Tulsa’s classic linear centers. They are comprised of residential, commercial, and entertainment uses along a transit-rich street usually two to four lanes wide, and includes much lower intensity

residential neighborhoods situated behind. Main Streets are pedestrian-oriented places with generous sidewalks, storefronts on the ground floor of buildings, and street trees and other amenities. Visitors from outside the surrounding neighborhoods can travel to Main Streets by bike, transit, or car. Parking is provided on street, small private off street lots, or in shared lots or structures.

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: Multi modal corridor.

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 would affect site re-development

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: A home that has been converted to an office is the most recent use on the property. The plan is to remove the building. There are no existing conditions that would affect site redevelopment. Redevelopment of this site should consider no vehicular access to South Louisville or to East 31st Street. Combining this site with abutting properties will provide opportunities to limit access to East 31st Street. The abutting properties that are owned by the same entity have 5 access points to East Harvard that should be limited to 2 with site redevelopment.

Environmental Considerations: None that affect site redevelopment

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Louisville	None	50 feet	2
East Harvard Avenue	Secondary Arterial with a Multi Modal Corridor designation	100 feet	4

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	RS-3	Existing Neighborhood	Stability	Single Family Residential

East	OL	Main Street	Growth	Banks
South	CS	Main Street	Growth	Small offices
West	CS	Main Street	Growth	Vacant

SECTION III: Relevant Zoning History

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

Subject Property: No relevant history

Surrounding Property:

BOA-19527 March 2003: The Board of Adjustment **approved** a *variance* of the 45 square feet requirement to 107.5 square feet for a pole sign, per plan, on property located on the northeast corner of E. 31st St. S and S. Louisville Ave.

Z-6393 March 1993: All concurred in **approval** of a request for rezoning a 0.4+ acre tract of land from RS-3 to OL on property located east of the northeast corner of E. 31 St. S. and S. Louisville Ave.

Z-6227 January 1989: All concurred in **approval** of a request for rezoning a 1.3+ acre tract of land from RS-3 to OL on the north 150' and PK zoning on the south tract of the property located on the southeast corner of E. 31 St. S. and S. Louisville Ave.

PUD-345 January 1984: All concurred in **approval** of a proposed Major Amendment to PUD on a 3.1+ acre tract of land for office use, including the Tulsa Teacher's Credit Union, on property located west of the southwest corner of E. 31st St. S. and S. New Haven Ave.

Z-5464 January 1981: All concurred in **approval** of a request for rezoning a 0.68+ acre tract of land from RS-3 to OL zoning on property located on the northeast corner of E. 31 St. S. and S. Louisville Ave.

BOA-16586 February 1994: The Board of Adjustment **approved** a *special exception* to allow a drive-through facility in an OL-zoned district and for an existing bank on property located on the northeast corner of E. 31st St. S and S. Louisville Ave.

INTERESTED PARTIES:

Jesse Fettkether 3719 East 28th Street, Tulsa, OK 74114

Mr. Fettkether stated he lives about 3 blocks north of the proposed development and is not here to oppose the project but would like to address the lot combination related to this rezoning. Mr. Fettkether stated if the development of

this property continues to lag as it has done for the past 7 or 8 years a lot combination would make this property harder to use for another development. This property has had a sign on it indicating a convenience store was coming for the last 7 to 8 years and no progress had been made but the sign had been replaced several times. Mr. Fettkether stated if this project continues forward he would like some of the access ways cleaned up. Mr. Fettkether stated again he was not there to oppose the application just would like the developer to address some of the neighborhood concerns about this remaining a vacant lot in the future.

Nicole Watts 2200 South Utica Place, Tulsa, OK

Ms. Watts stated she represents the applicant and the proposed development is going to be a Fiesta Mart. Ms. Watts stated during the pre-development meeting there were discussions with development services and some of the driveways will be closed on 31st Street, currently there are 5 and the applicant anticipates reducing the amount to 3. Ms. Watts stated there will also be sidewalks constructed as required by the plat waiver and site plan. Ms. Watts stated there have been discussions with the Homeowners Association and they are in support of the project also.

Mr. Covey asked the applicant what the expected timeframe for completion of this project.

Applicant answered the work will start as soon as the rezoning and lot combination is complete and all documents are in place. Ms. Watts stated that should be at the beginning of 2018.

TMAPC Action; 10 members present:

On **MOTION** of **DIX**, the TMAPC voted 10-0-0 (Adams, Covey, Dix, Doctor, Fretz, Krug, Millikin, Reeds, Shivel, Walker, “aye”; no “nays”; none “abstaining”; Carnes, “absent”) to **APPROVE** Z-7414 rezoning from **OM** to **CS** per staff recommendation.

Legal Description of Z-7414:

LT 24 BLK 8, BELLAIRE HGTS ADDN, City of Tulsa, Tulsa County, State of Oklahoma

* * * * *

24.Z-7414 Plat Waiver (CD 9) Location: Northwest corner of East 31st Street South and South Louisville Avenue (Related to Z-7414 rezoning and LC-944 on Consent Agenda)

STAFF RECOMMENDATION:

The platting requirement for this property is being triggered by a request to rezone from OM to CS to permit commercial uses.

The Technical Advisory Committee met on September 21, 2017 and the following items were determined:

1. The property was previously platted as Lot 24 Block 8 of the Bellaire Heights Addition.
2. Necessary utilities are all in place and no additional easements will be needed at this time.
3. All right-of-way dedications have been made to comply with the Major Street Highway Plan.
4. A lot combination has been filed to combine the property with other commercially owned property to the west.

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

TMAPC Action; 10 members present:

On **MOTION** of **DIX**, the TMAPC voted 10-0-0 (Adams, Covey, Dix, Doctor, Fretz, Krug, Millikin, Reeds, Shivel, Walker, “aye”; no “nays”; none “abstaining”; Carnes, “absent”) to **APPROVE** Plat Waiver Z-7414 per staff recommendation.

OTHER BUSINESS

25. Refund Request-PUD-803-2 Baker Pools/ Ashley Martin in the amount of \$250.00. This application is no longer needed because City of Tulsa has issued the pool permit.

On **MOTION** of **DIX**, the TMAPC voted 10-0-0 (Adams, Covey, Dix, Doctor, Fretz, Krug, Millikin, Reeds, Shivel, Walker, “aye”; no “nays”; none “abstaining”; Carnes, “absent”) to **APPROVE** refund of \$250.00 for Baker Pools/ Ashley Martin per staff recommendation.

* * * * *

26. Proposed 2018 TMAPC Meeting Dates

**PROPOSED
2018 SCHEDULE**

Tulsa Metropolitan Area Planning Commission (TMAPC)

Regular meetings of the TMAPC are held on the first and third Wednesday of each month at 1:30 p.m. in the One Technology Center, 175 E. 2nd Street, City Council Chambers, 2nd Level, Tulsa, Oklahoma.

**Work sessions of the TMAPC are held, as necessary, either prior to or following regular TMAPC business in the One Technology Center, 175 E. 2nd Street, in a room location to be announced at the time the agenda is posted.

***TMAPC first meeting for the month of July has been moved to Tuesday July 3, 2018 due to holiday.**

JANUARY	FEBRUARY	MARCH
3 rd	7 th	7 th
17 th	21 st	21 st
APRIL	MAY	JUNE
4 th	2 nd	6 th
18 th	16 th	20 th
JULY	AUGUST	SEPTEMBER
3 rd *	1 st	5 th
18 th	15 th	19 th
OCTOBER	NOVEMBER	DECEMBER
3 rd	7 th	5 th
17 th	21 st	19 th

On **MOTION** of **DIX**, the TMAPC voted 10-0-0 (Adams, Covey, Dix, Doctor, Fretz, Krug, Millikin, Reeds, Shivel, Walker, “aye”; no “nays”; none “abstaining”; Carnes, “absent”) to **APPROVE** the proposed 2018 TMAPC meeting dates per staff recommendation.

27. Commissioners' Comments

None

ADJOURN

TMAPC Action; 10 members present:

On **MOTION** of **DIX**, TMAPC voted **10-0-0** (Adams, Covey, Dix, Doctor, Fretz, Krug, Millikin, Reeds, Shivel, Walker, "aye"; no "nays"; none "abstaining"; Carnes "absent") to **ADJOURN** TMAPC meeting 2756.

ADJOURN

There being no further business, the Chair declared the meeting adjourned at 2:20 p.m.

Date Approved:

11-01-2017


Chairman

ATTEST:



Secretary