

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2760

Wednesday, December 20, 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	Silman, COT
Covey	Doctor	Hoyt	VanValkenburgh, Legal
Dix		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, December 14, 2017 at 1:24 p.m., posted in the Office of the City Clerk, as well as in the Office of the County Clerk.

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

REPORTS:

Chairman's Report:

Director's Report: Ms. Miller reported on the City Council and Board of County Commission actions taken.

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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.

1. **LS-21087** (Lot-Split) (CD 5) – Location: Northeast corner of East 46th Street South and South 70th East Avenue
2. **LC-962** (Lot-Combination) (CD 9) – Location: West of the northwest corner of East 34th Street South and South Rockford Avenue
3. **LC-959** (Lot-Combination) (CD 3) – Location: South of the southwest corner of East 36th Street North and North Sheridan Road
4. **LS-21088** (Lot-Split) (CD 7) – Location: North of the northeast corner of East 51st Street South and South 83rd East Avenue (Related to LC-961)
5. **LC-961** (Lot-Combination) (CD 7) – Location: North of the northeast corner of East 51st Street South and South 83rd East Avenue (Related to LS-21088)
6. **LS-21070** (Lot-Split) (CD 4) – Location: East of the northeast corner of North 25th West Avenue and West Easton Street
7. **Sequoyah Hill II** (CD 8) Amendment to Deed of Dedication, Location: East of South Delaware Avenue at East 116th Place South
8. **Crane Carrier Industrial Addition** (CD3) Change of Access, Location: Northeast corner of East 46th Street North and North Mingo Road
9. **Enclave at Addison Creek** (CD 8) Final Plat, Location: South of the southwest corner of East 121st Street South and South Sheridan Road
10. **PUD-310-1 Joy Ward** (County) Location: South of the southeast corner of South Campbell Creek Road and Highway 51 requesting a **PUD Minor Amendment** to add Use Unit 17 (Continued from September 20, 2017, October 18, 2017 and November 15, 2017)

STAFF RECOMMENDATION:

SECTION I: PUD-310-1 Minor Amendment

STAFF RECOMMENDATION

Amendment Request: Modify the PUD Development Standards to add Use Unit 17 to allow an RV park. The applicant is required to and has sought a use

variance for the RV park in an RS zone, to be heard at the 12/19/17 Tulsa County Board of Adjustment. Once approved, this use may be added to the allowable uses of the PUD. The current allowed use is Mobile Home Dwellings and Accessory Units.

Staff Comment: *This request can be considered a Minor Amendment as outlined by Section 1170.7 of the Tulsa County Zoning Code.*

“Minor changes in the PUD may be authorized by the Planning Commission, which may direct the processing of an amended subdivision plat, incorporating such changes, so long as a substantial compliance is maintained with the outline development plan and the purposes and standards of the PUD provisions hereof. Changes which would represent a significant departure from the outline development plan shall require compliance with the notice and procedural requirements of an original Planned Unit Development.”

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) Use Unit 17 use shall be restricted to an RV Park.
- 3) All remaining development standards defined in PUD-310 shall remain in effect.

With considerations listed above, staff recommends **approval** of the minor amendment add Use Unit 17 to allow an RV park.

TMAPC Action; 9 members present:

On **MOTION** of **DIX**, TMAPC voted **9-0-0** (Adams, Covey, Dix, Fretz, Krug, Millikin, Reeds, Shivel, Walker, “aye”; no “nays”; none “abstaining”; Carnes, Doctor, “absent”) to **APPROVE** Items 1 through 10 per staff recommendation.

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

PUBLIC HEARINGS:

Mr. Covey stated the continuances would be addressed first.

12. **LS-21085** (Lot-Split) (County) – Location: North of the northeast corner of East 146th Street North (Hwy 20) and North Trenton Avenue

TMAPC Action; 9 members present:

On **MOTION** of **DIX**, TMAPC voted **9-0-0** (Adams, Covey, Dix, Fretz, Krug, Millikin, Reeds, Shivel, Walker, “aye”; no “nays”; none “abstaining”; Carnes, Doctor, “absent”) to **CONTINUE** LS-21085 to January 3, 2018 per applicant’s request.

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13. **LS-21086** (Lot-Split) (County) – Location: South of the southeast corner of West 41st Street South and South 61st West Avenue

TMAPC Action; 9 members present:

On **MOTION** of **DIX**, TMAPC voted **9-0-0** (Adams, Covey, Dix, Fretz, Krug, Millikin, Reeds, Shivel, Walker, “aye”; no “nays”; none “abstaining”; Carnes, Doctor, “absent”) to **CONTINUE** LS-21086 to January 3, 2018 per applicant’s request.

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11. **LS-21066** (Lot-Split) (County) – Location: South of the southeast corner of East 86th Street North and North Harvard Avenue (Continued from November 15, 2017 and December 6, 2017)

STAFF RECOMMENDATION:

The Lot-Split proposal is to split an existing Agriculture (AG) tract into two tracts. On November 14, 2017, The County Board of Adjustment granted a Variance of the minimum frontage requirement on a public street/dedicated right of way from 30 ft. to 0 ft. on Tract 1 and Tract 2. Therefore, both tracts will meet the Bulk and Area requirements of the Tulsa County Zoning Code.

The Technical Advisory Committee met on November 2, 2017. Washington County Rural water district # 3 stated that at such time as water service is requested, all requirements of the district must be met.

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

The applicant indicated his agreement with staff’s recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **DIX**, TMAPC voted **9-0-0** (Adams, Covey, Dix, Fretz, Krug, Millikin, Reeds, Shivel, Walker, “aye”; no “nays”; none “abstaining”; Carnes, Doctor, “absent”) to **APPROVE** LS-21066 per staff recommendation.

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14. **BOA-22362 Plat Waiver** (CD 4) Location: East of the southeast corner of East 21st Street South and South Lewis Avenue

STAFF RECOMMENDATION:

The platting requirement for this property is being triggered by a special exception approval by the Board of Adjustment on December 12, 2017 to permit an assisted living facility in the OL district. The use will take place within an existing building on the site and no new construction is proposed at this time.

The Technical Advisory Committee met on December 7, 2017 and the following items were determined:

1. The property was previously platted as part of the Harter's Second Subdivision.
2. Necessary utilities are all in place and no additional utility 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. The property does contain portions of the Crow Creek floodplain. Floodplain will be required to be placed in an easement prior to any new construction on the property.

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

The applicant indicated her agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **DIX**, TMAPC voted **9-0-0** (Adams, Covey, Dix, Fretz, Krug, Millikin, Reeds, Shivel, Walker, “aye”; no “nays”; none “abstaining”; Carnes, Doctor, “absent”) to **APPROVE** BOA-22362 Plat Waiver per staff recommendation.

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15. **BOA-22359 Plat Waiver** (CD 3) Location: Southwest corner of East 46th Street North and North Mingo Road

STAFF RECOMMENDATION:

The platting requirement for this property is being triggered by a special exception approval by the Board of Adjustment on December 12, 2017 to permit a Governmental Services use in the IL & RS-3 districts. The approval was granted to allow for the development of a flight simulator to support the Air National Guard. The project is partially funded by Vision Tulsa with other funding being provided by federal and state partnerships. When completed, the new facility will include four combat flight simulators.

The City of Tulsa will retain ownership of the property and the facility will be operated under a long-term lease.

The Technical Advisory Committee met on December 7, 2017 and the following items were determined:

1. The property has received lot combination approval to ensure all lots can be developed as one. No further subdivision of the property is proposed.
2. Utility extensions are being completed by the City of Tulsa and no easements will be granted due to City ownership. Notice of location will be filed on public utility lines on the property.
3. Portions of East 44th Street North from Mingo will be closed and vacated to ensure a secure facility. Public access will be maintained via N 93rd East Ave from E 46th Street North.
4. Federal Aviation Administration permits are required and are currently under review due to proximity to Tulsa International Airport.
5. Due to portions of the property being unplatted, a filed ALTA survey will be required upon completion of the project per the requirements of the subdivision regulations.

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

The applicant indicated her agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **DIX**, TMAPC voted **9-0-0** (Adams, Covey, Dix, Fretz, Krug, Millikin, Reeds, Shivel, Walker, "aye"; no "nays"; none "abstaining"; Carnes, Doctor, "absent") to **APPROVE** BOA-22359 Plat Waiver per staff recommendation.

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Mr. Hoyt presented Items 16 and 17 together.

16. **Z-7425 Kathleen Mowry** (CD 4) Location: North of the Northwest corner of South Lewis Avenue and East 17th Street South requesting rezoning from **RS-3** to **OL** (Related to PUD-750-A)

STAFF RECOMMENDATION:

SECTION I: Z-7425

DEVELOPMENT CONCEPT: Rezone the subject parcel from RS-3 to OL. No development is planned at this time. The applicant has indicated that this lot will be landscaped and serve as a green space to help beautify the area. The subject lot is located between OL zones to the North and South.

DETAILED STAFF RECOMMENDATION:

Z-7425 requested OL zoning is consistent with the expected development pattern in the area,

OL zoning is non-injurious to the proximate properties and,

OL zoning is consistent with the City of Tulsa Comprehensive Plan therefore,

Staff recommends Approval of Z-7425 to rezone property from RS-3 to OL.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: OL zoning is consistent with the Mixed-Use Corridor land use designation and is compatible with the recommendations of the Lewis Study.

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 Stability

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

Trail System Master Plan Considerations: The GO Plan recommends a bike lane along S Lewis Ave

Small Area Plan: None

Special District Considerations: The subject parcel is located within the Lewis Study area. OL zoning is consistent with the recommendations of this study.

Historic Preservation Overlay: The subject parcel is located within the Yorktown District. Any new development shall comply with the Historic Preservation requirements of that district.

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *The subject lot is currently vacant.*

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
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S Lewis Ave	Urban Arterial	70 feet	4
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Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	OL	Mixed-Use Corridor	Growth	Parking Lot
South	PUD-750/OL/HP	Mixed-Use Corridor	Stability	Offices
East	CH	Town Center	Growth	Drive-In Restaurant
West	RS-3/HP	Existing Neighborhood	Stability	Single-Family

SECTION III: Relevant Zoning History

ZONING ORDINANCE:

- Ordinance 18524 dated August 18, 1995 (Z-6490 & Z-6490a) established a Historic Preservation (HP) Overlay zoning;
- Ordinance number 11815 dated June 26, 1970, established zoning for the subject property.

Subject Property:

Z-6490 & Z-6490-A August 1995: All concurred in **approval** of a request for rezoning a 74± acre tract of land for an HP (Historic Preservation) overlay zoning, on property located between East 15th Street and East 21st Street and between South Utica Avenue and South Lewis Avenue and includes the subject property.

Surrounding Property:

BOA-22112 August 2016: The Board of Adjustment **approved** a *special exception* to permit an existing detached house in the CH District (Section 15.020, Table 15-2), subject to being “as built”, on property located north of the northeast corner of East 16th Street South and South Lewis Avenue.

Z-7077/PUD-750 April 2008: All concurred in **approval** of a request for rezoning three lots, (a .50± acre tract of land), from RS-3 to OL/PUD-750 for office use in

accord with the provisions of the 15th Street/Lewis Study, on property located north of the northwest corner of East 17th Street and South Lewis Avenue.

BOA-20054 June 2005: The Board of Adjustment **denied** a *special exception* to permit a home occupation (real estate management) in an RS-3 District (Section 402.B.6.b), on property located north of the northwest corner of East 17th Street South and South Lewis Avenue.

PUD-809 November 1995: All concurred in **approval** of a proposed Planned Unit Development on a 3.96± acre tract of land for single-family residential, on property located on the southwest corner of East 17th Street South and South Lewis Avenue.

Z-7095/PUD-752 April 2008: All concurred in **approval** of a request for rezoning a .19± acre tract of land from RS-3/HP to OL/HP/PUD-752; All concurred in **approval** of a proposed Planned Unit Development, subject to screening along the south 95' boundary line and the north 11' of the "north-south 20' boundary line, on property located on the southeast corner of East 16th Street South and South Lewis Avenue.

Z-7090/PUD-753 April 2008: All concurred in **approval** of a request for rezoning a .17± acre tract of land from RS-3/HP to OL/HP/PUD; All concurred in **approval** of a proposed Planned Unit Development, subject to an existing, non-required six-foot fence or any six-foot fence may be permitted along the north or south boundaries of the lot, but may not extend beyond the front wall of the principal structure, on property located on the northwest corner of East 17th Street South and South Lewis Avenue.

The applicant indicated her agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **DIX**, TMAPC voted **9-0-0** (Adams, Covey, Dix, Fretz, Krug, Millikin, Reeds, Shivel, Walker, "aye"; no "nays"; none "abstaining"; Carnes, Doctor, "absent") to **APPROVE** Z-7425 rezoning from RS-3 to OL per staff recommendation.

Legal Description of Z-7425:

LOT 12 BLK1, HOPPING'S ADDN, City of Tulsa, Tulsa County, State of Oklahoma

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17. **PUD-750-A Kathleen Mowry** (CD 4) Location: North of the Northwest corner of South Lewis Avenue and East 17th Street South requesting to **Abandon PUD-750-A** (Related to Z-7425)

STAFF RECOMMENDATION:

SECTION I: PUD-750-A

DEVELOPMENT CONCEPT: The applicant proposes to abandon PUD-750 in order to utilize the underlying OL zoning. This is in conjunction with zoning case Z-7425 for the lot immediately to the north of PUD-750 to rezone from RS-3 to OL. The applicant indicates that no new development is planned at this time.

DETAILED STAFF RECOMMENDATION:

The request to abandon PUD-750 is consistent with the expected development pattern in the area,

PUD-750-A is non-injurious to the proximate properties and,

PUD-750-A is consistent with the City of Tulsa Comprehensive Plan therefore,

Staff recommends Approval of PUD-750-A to for the Abandonment of PUD-750.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: OL zoning is consistent with the Mixed-Use Corridor land use designation and is compatible with the recommendations of the Lewis Study.

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 Stability

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

Trail System Master Plan Considerations: The GO Plan recommends a bike lane along S Lewis Ave

Small Area Plan: None

Special District Considerations: The subject parcel is located within the Lewis Study area. OL zoning is consistent with the recommendations of this study.

Historic Preservation Overlay: The subject parcels are located within the Yorktown District. Any new development shall comply with the Historic Preservation requirements of that district.

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: PUD-750 currently contains three lots, two of which contain professional offices and another that is vacant.

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
S Lewis Ave	Urban Arterial	70 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/HP	Mixed-Use Corridor	Stability	Vacant
South	PUD-753/OL/HP	Mixed-Use Corridor	Stability	Single-Family
East	OL/RS-3	Mixed-Use Corridor	Growth	Single-Family
West	RS-3/HP	Existing Neighborhood	Stability	Single-Family

SECTION III: Relevant Zoning History

ZONING ORDINANCE:

- Ordinance 21774 dated April 3, 2008 (Z-7077 & PUD-750) established OL/PUD-750 zoning;
- Ordinance 18524 dated August 18, 1995 (Z-6490 & Z-6490a) established a Historic Preservation (HP) Overlay zoning;
- Ordinance number 11815 dated June 25, 1970, established zoning for the subject property.

Subject Property:

Z-7077/PUD-750 April 2008: All concurred in **approval** of a request for rezoning three lots, (a .50± acre tract of land), from RS-3 to OL/PUD-750 for office use in accord with the provisions of the 15th Street/Lewis Study, on property located north of the northwest corner of East 17th Street and South Lewis Avenue.

BOA-20054 June 2005: The Board of Adjustment **denied** a *special exception* to permit a home occupation (real estate management) in an RS-3 District (Section 402.B.6.b), on property located north of the northwest corner of East 17th Street South and South Lewis Avenue.

Z-6490 & Z-6490-A August 1995: All concurred in **approval** of a request for rezoning a 74± acre tract of land for an HP (Historic Preservation) overlay zoning, on property located between East 15th Street and East 21st Street and

between South Utica Avenue and South Lewis Avenue and includes the subject property.

Surrounding Property:

BOA-22112 August 2016: The Board of Adjustment **approved** a *special exception* to permit an existing detached house in the CH District (Section 15.020, Table 15-2), subject to being “as built”, on property located north of the northeast corner of East 16th Street South and South Lewis Avenue.

PUD-809 November 1995: All concurred in **approval** of a proposed Planned Unit Development on a 3.96± acre tract of land for single-family residential, on property located on the southwest corner of East 17th Street South and South Lewis Avenue.

Z-7095/PUD-752 April 2008: All concurred in **approval** of a request for rezoning a .19± acre tract of land from RS-3/HP to OL/HP/PUD-752; All concurred in **approval** of a proposed Planned Unit Development, subject to screening along the south 95’ boundary line and the north 11’ of the “north-south 20’ boundary line, on property located on the southeast corner of East 16th Street South and South Lewis Avenue.

Z-7090/PUD-753 April 2008: All concurred in **approval** of a request for rezoning a .17± acre tract of land from RS-3/HP to OL/HP/PUD; All concurred in **approval** of a proposed Planned Unit Development, subject to an existing, non-required six-foot fence or any six-foot fence may be permitted along the north or south boundaries of the lot, but may not extend beyond the front wall of the principal structure, on property located on the northwest corner of East 17th Street South and South Lewis Avenue.

The applicant indicated her agreement with staff’s recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **DIX**, TMAPC voted **9-0-0** (Adams, Covey, Dix, Fretz, Krug, Millikin, Reeds, Shivel, Walker, “aye”; no “nays”; none “abstaining”; Carnes, Doctor, “absent”) to **ABANDON** PUD-750 per staff recommendation.

Legal Description of PUD-750-A:

LOT 13 BLK1; LT 14 BLK1; LOT 15 BLK 1, HOPPING'S ADDN, City of Tulsa, Tulsa County, State of Oklahoma

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18. **Z-7428 Tulsa City Council/Janine Billings** (CD 9) Location: East of the southeast corner of South Peoria Avenue and East 44th Place South requesting rezoning from **CS** to **MX1-V-U**

STAFF RECOMMENDATION:

SECTION I: Z-7428

DEVELOPMENT CONCEPT: This request for rezoning is responsive to a City Council initiative to encourage mixed-use development along the proposed bus rapid transit system route. The current zoning on the site is CS. The site does not have height restrictions within the CS district abutting South Peoria.

DETAILED STAFF RECOMMENDATION:

Case Z-7428 request MX1-V-U is consistent with the expected development pattern in the area and,

MX1-V-U is not injurious to the surrounding property owners and,

The MX1 requested is considered a neighborhood Mixed-Use district intended to accommodate small scale retail, service and dining uses that serve nearby residential neighborhoods. MX1 zoning supports the anticipated uses in this area location along South Peoria. The rezoning request is consistent with the Bus Rapid Transit System study and its land use recommendations and,

MX1-V-U is consistent with the Brookside Infill Plan and,

MX1-V-U is consistent with the Mixed-Use Corridor land use vision in the Tulsa Comprehensive Plan therefore

Staff recommends Approval of Z-7428 to rezone property from CS / to MX1-V-U.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: MX1-V-U is consistent with the land use vision in the Tulsa Comprehensive Plan and is also consistent with the goals, objectives and strategies of the Brookside Infill Plan.

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 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 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:

The trail system along the Riverside Drive is approximately ½ mile from this site. Pedestrian and bicycle connectivity should be an important concept with any new redevelopment opportunity.

Small Area Plan: Brookside Infill Design Recommendations (Completed 2002)

Concept statement: "As Tulsa continues to mature as a city, infill development will become more important as land on the perimeter is no longer available for development. Infill will no longer be the exception; it will be the rule in terms of predominant types of development. Support and encouragement of infill development are strongly recommended and should be implemented through City regulations, policies and philosophies in order to ensure quality and consistency in future development".

Staff comment: This was a statement from the infill task force prepared by the Mayor's office and the Planning Commission in 1999 and continues to be more relevant today with implementation of the Bus Rapid Transit system and the construction of the Gathering Place. It has taken almost 20 years for the City to adopt zoning categories to support infill development strategies that will encourage design standards and building placement strategies to help create an urban fabric along Peoria from East 36th South street to I-44. Many design recommendations were restricted to the street right of way. Some of that has been implemented from 41st Street to Crow Creek.

Peoria from 38th Street South to 51st Street South (Skelly Drive) Goals:

- A. It is intended that the physical environment and services in the business areas are maintained and enhanced to benefit existing business, as well as to promote and encourage revitalization, redevelopment and reuse of undervalued, vacant lots and obsolete buildings.
- B. Improvements in the area will be made to help provide a continuity of image and to foster an improved emphasis on pedestrians. This is to be accomplished in part by providing sidewalk design and replacement crosswalks at selected locations, streetscape elements and other features will link this area and connect with the other portions of Brookside

- C. The historical context of business development patterns in this area is encouraged to continue, but with the additional emphasis of accommodating pedestrians and linking with the overall Brookside marketplace.
- D. Business in this area along Peoria Avenue and those streets intersecting with Peoria Avenue may develop with buildings constructed nearer to the abutting street property line. Developments with storefront parking should provide no more than one or two rows of double-loaded parking in the front of buildings. Zero-setback from the front property lines is encouraged.
- E. Sufficient parking for all business land uses is intended to be provided for all new development and redevelopment.

Special District Consideration: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is currently occupied by a single-story office building. The building placement is consistent with the building placement requirements for MX1-V-U.

Environmental Considerations: No known environmental considerations that would affect rezoning decisions or redevelopment opportunities.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Peoria Avenue	Secondary Arterial with Multi Modal Corridor	100 feet	4 lanes with a center turn lane this site also has access to two lanes of a South Peoria Avenue frontage road.

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 (Across E. 44 th Pl. S)	CS/PUD-541	Mixed Use Corridor	Growth	Commercial
East	RS-3	Mixed Use Corridor	Stability	Single Family Residential
South	CS	Mixed Use Corridor	Growth	Office
West (across Peoria)	CS	Mixed Use Corridor	Growth	Commercial

SECTION III: Relevant Zoning History

ZONING ORDINANCE:

- Ordinance number 18950 dated March 24, 1997, (Z-6581), established (CS) zoning;
- Ordinance number 11823 dated June 26, 1970, established (RM-2) zoning for the subject property.

Subject Property:

BOA-20608 November 2007: The Board of Adjustment **approved** a *variance* of the setback requirement for a commercial parking lot within 50 ft. of an R district from 50' to 33' from the centerline of an abutting street (Section 1302.B) per plan, on the subject property.

BOA-19988 September 2004: The Board of Adjustment **approved** a *variance* of the required 25 ft. building setback to 10 ft. along South Peoria Avenue for Lot 14 and along South Peoria Avenue for Lot 13 to allow for the construction of an office building, on the subject property.

BOA-18897 November 2000: The Board of Adjustment **approved** a *special exception* to allow multifamily in a CS zoned district, subject to submitting a detail site plan to the BOA for approval on property located on the southeast corner of East 44th Place South and South Peoria Avenue, including the subject property.

Z-6581 January 1997: All concurred in **approval** of a request for rezoning a .69± acre tract of land from RM-2 to CS on property located on the southeast corner of East 44th Place South and South Peoria Avenue.

Surrounding Property:

BOA-19916 September 2004: The Board of Adjustment **approved** a *variance* to reduce the off-street parking requirement from 117 spaces to 111 spaces to

permit the enclosure of 400 square feet of outdoor dining space and deletion of two rear parking spaces, on property located on the northeast corner of South Peoria Avenue and East 44th Place South.

PUD-541-B July 1998: All concurred in **approval** of a proposed Major Amendment to PUD-541 permit an auto repair use subject to modifications on property located on the northeast corner of East 44th Place and South Peoria Avenue.

PUD-541-A October 1996: All concurred in **approval** of a proposed Major Amendment to PUD-541 to increase the PUD area by adding a 74.6 x 140' lot for off-street parking on property located on the northwest corner of East 44th Place and South Quaker Avenue.

PUD-541 January 1996: All concurred in **approval** of a proposed Planned Unit Development on a 16.8± acre tract of land from IM, CH, CS, PK and RS-3 to IM, CH, CS, PK, RS-3/PUD-541 for mixed use with commercial and office uses on property located on the east side of South Peoria between East 43rd Street South and West 44th Street South.

TMAPC COMMENTS:

Mr. Dix asked staff what was going to happen with the street in front of the project.

Mr. Wilkerson stated the street had just been resurfaced and would remain the same.

The applicant indicated her agreement in a letter attached to staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **DIX**, TMAPC voted **9-0-0** (Adams, Covey, Dix, Fretz, Krug, Millikin, Reeds, Shivel, Walker, "aye"; no "nays"; none "abstaining"; Carnes, Doctor, "absent") to **APPROVE** Z-7428 rezoning from CS to MX1-V-U per staff recommendation.

Legal Description of Z-7428:

LT 14 BLK 5, WILDER ADDN, City of Tulsa, Tulsa County, State of Oklahoma

* * * * *

Mr. Wilkerson presented Items 19 and 20 together.

19. **Z-7429 Lou Reynolds** (CD 4) Location: North and east of the northeast corner of South Xanthus Avenue and East 21st Street requesting rezoning from **CS/OL** to **CH** (Related to Z-7429 Plat Waiver)

STAFF RECOMMENDATION:

SECTION I: Z-7429

DEVELOPMENT CONCEPT: The CH zoning request is consistent the Regional Center land use designation in the Tulsa Comprehensive Plan and is consistent with the expected development of the abutting St. Johns medical complex along East 21st Street South.

DETAILED STAFF RECOMMENDATION:

Case Z-7429 requesting CH zoning is consistent with the expected development pattern in the area and,

CH zoning is not injurious to the surrounding property owners and,

CH zoning is consistent with the Utica Midtown Corridor Plan and,

CH zoning is consistent with the Regional Center land use vision in the Tulsa Comprehensive Plan therefore,

Staff recommends Approval of Z-7429 to rezone property from CS,OL to CH.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The proposed CH zoning is consistent with the Regional Center designation of the Comprehensive plan. The Utica Midtown Corridor small area plan offers several recommendations for mixed use zoning, building height considerations and active ground floor considerations and that can be accomplished in CH zoning district. CH zoning does not specifically require those development standards. It should be noted that CH zoning removes any building setbacks and allows multi story buildings with parking structures. It is unlikely that a site this small would be constructed with anything greater than 8 stories as recommended in the small area plan.

Land Use Vision:

Land Use Plan map designation: Regional Center

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

Areas of Stability and Growth designation: Area of Growth

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

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

Transportation Vision:

Major Street and Highway Plan: East 21st Street is classified as an Urban Arterial with a Multi Modal Overlay.

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

street, frontages are required that address the street and provide comfortable and safe refuge for pedestrians while accommodating vehicles with efficient circulation and consolidated-shared parking.

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

Trail System Master Plan Considerations: None

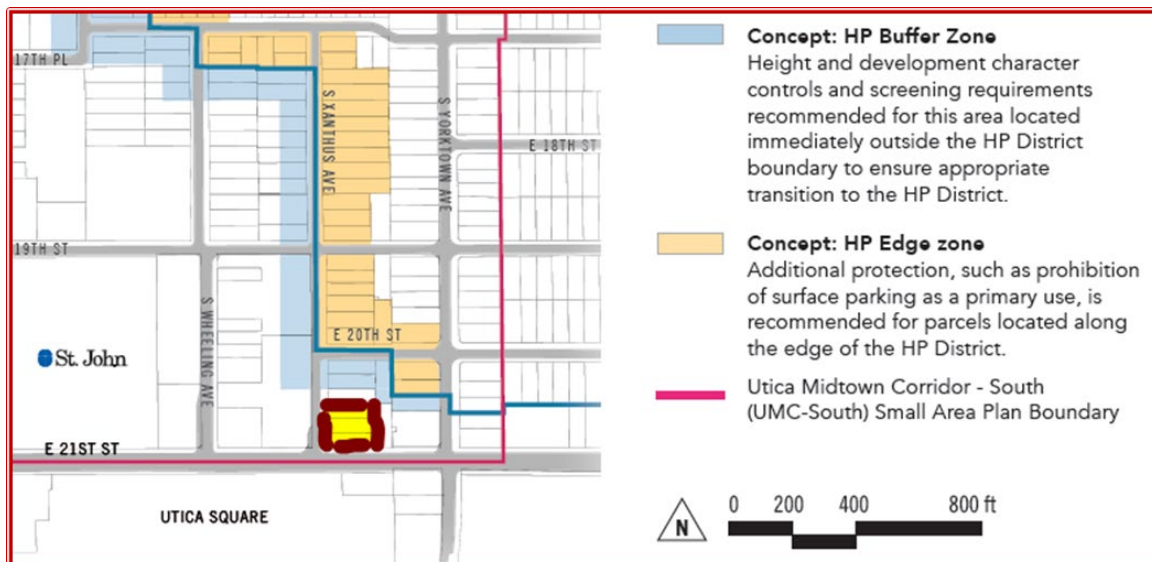
Small Area Plan: Utica Midtown Corridor South Plan

This site is included in the plan area boundary and outside the Yorktown Historic District

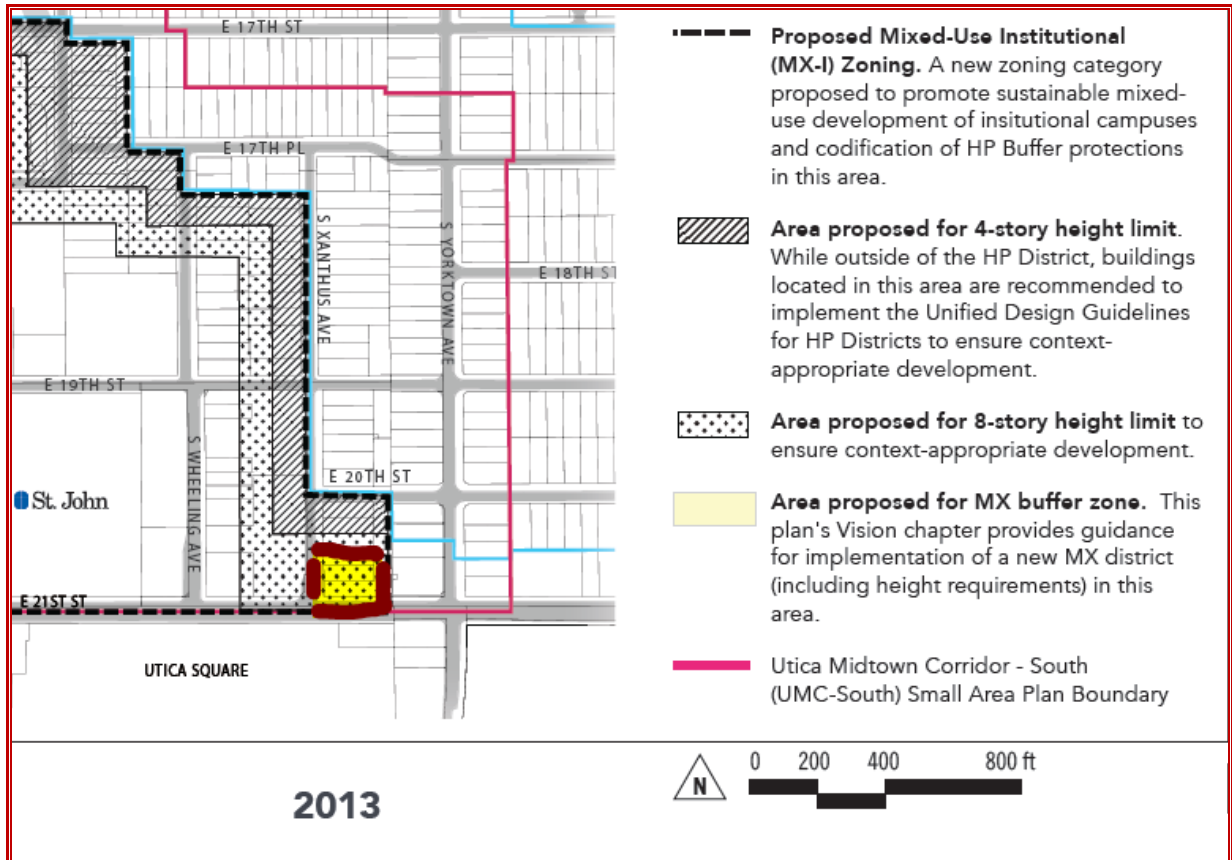
Land use recommendations in the small area plan encourage transition guidelines in areas that are identified in the following illustration. The guidelines recommended included Height and development character controls and screening requirements for area immediately outside the HP District boundary to ensure appropriate transition to the HP district. Z-7429 is outside of the transition zone identified in the small area plan.

The Mixed-Use Zoning conceptual boundary includes all of Z-7429 however the mixed-use zoning established for St. Johns did not include this site. Mixed-use zoning would also be an acceptable zoning category for this site.

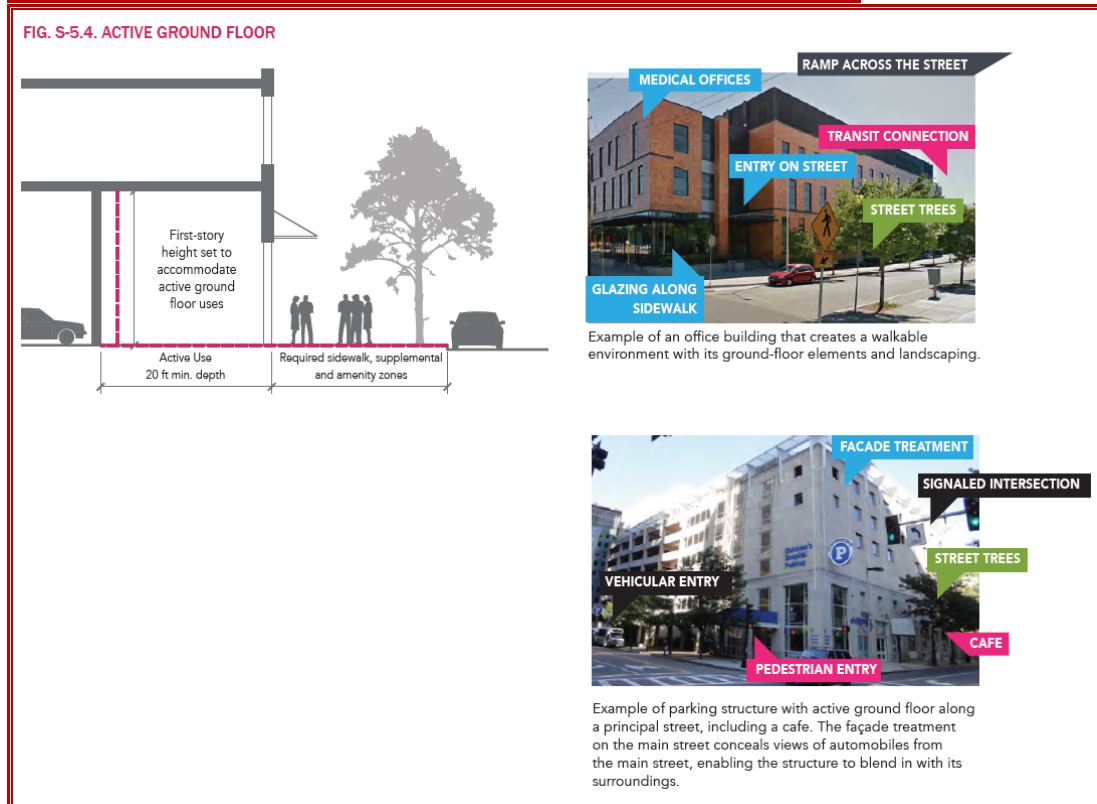
SMALL AREA PLAN FIG. S-5.1: TRANSITION ZONE RECOMMENDATIONS:



SMALL AREA PLAN FIG. S-5.2 PROPOSED MIXED USE ZONING DESIGNATIONS:



SMALL AREA PLAN FIG. S-5.4 ACTIVE GROUND FLOOR:



Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *The site is occupied with a restaurant.*

Environmental Considerations: No known environmental concerns have been presented.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Xanthus	None	50 feet	2
East 21 st Street South	Urban Arterial	70 feet	4 with center turn lane

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	OL	Regional Center	Area of Growth	Single Family Residential
East	OM	Regional Center	Area of Growth	Drive-thru bank
South (Across 21 st)	CH	Regional Center	Area of Growth	Utica Square Shopping Center
West	IMX	Regional Center	Area of Growth	St. John's Hospital complex

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-417-E (Abandonment) / Z-7325 January 2016: All concurred in **approval** of IMX zoning for Z-7325 and abandonment for PUD-417-E, a Planned Unit Development on a 35± acre tract of land on property located north and east of the northeast corner of East 21st Street South and South Utica Avenue.

PUD-508 March 1994: All concurred in **approval**, with conditions, of a proposed Planned Unit Development on a tract of land for a drive-in bank facility on property located on the northwest corner of East 21st Street South and South Yorktown Avenue.

BOA-15936 February 1992: The Board of Adjustment **approved** a *variance* of front setback from the centerline of East 21st Street South from 80' to 51' and from the centerline of South Yorktown Avenue from 55' to 0' for additions to a non-conforming building; **approved** a *variance* of the screening fence requirement on the north property line; **approved** a *variance* to permit required parking on a lot other than the lot of principal use; and **approved** a *special exception* to exceed FAR from 30% to 34%, per plot plan, subject to the execution of a tie contract between the lot containing the principal use and the

parking lot to the north, on property located on the northeast corner of South Yorktown Avenue and East 21st Street South.

Z-6138 January 1987: All concurred in **denial** of a request for rezoning a tract of land from RS-3 to OL on property located on the southwest corner of East 20th Street South and South Yorktown Avenue.

PUD-218 July 1979: All concurred in **approval** of a proposed Planned Unit Development on a 7± acre tract of land for a multi-story residential building and accessory uses, on property located on the southeast corner of South Yorktown Avenue and East 21st Street.

Applicant's Comments:

Lou Reynolds 2727 East 21st Street, Tulsa, OK

Mr. Reynolds stated there is 3 things his client wants to see in this project. One is to build to the property line. Two is his client wants at least three stories. Three is to meet or exceed the Zoning Code minimum parking requirements. Mr. Reynolds stated this project is very nice and is in conformance with The Comprehensive Plan.

Mr. Walker asked applicant if the intent was medical use.

Mr. Reynolds stated "no", the intent is office use.

Mr. Reeds stated this is a nice building.

Mr. Fretz asked if there would be adequate parking for the size of the building.

Mr. Reynolds stated "yes" it exceeds the Zoning Code requirement.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **DIX**, TMAPC voted **9-0-0** (Adams, Covey, Dix, Fretz, Krug, Millikin, Reeds, Shivel, Walker, "aye"; no "nays"; none "abstaining"; Carnes, Doctor, "absent") to **APPROVE** Z-7429 rezoning from CS/OL to CH per staff recommendation.

Legal Description of Z-7429:

The West 150 feet of the South 13.07 feet of Lot Five (5) and the West 150 feet of the North 32.37 feet of Lot Six (6), Block Five (5), REDDIN THIRD ADDITION to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof.

AND

All of Lots Seven (7) and Nine (9); the East 13.50 feet of the South 19.50 feet of Lot Four (4); the East 13.50 feet of Lots Five (5) and Six (6); the West 150 feet of the South 6.63 feet of Lot Six (6); the West 150 feet of the South 19.51 feet of Lot Four (4); the West

150 feet of the North 25.93 feet of Lot Five (5), all in Block 5, REDDIN THIRD ADDITION to the City of Tulsa, Tulsa County, State of Oklahoma, according to recorded plat thereof.

* * * * *

20. **Z-7429 Plat Waiver** (CD 4) Location: North and east of the northeast corner of South Xanthus Avenue and East 21st Street South (Related to Z-7429)

STAFF RECOMMENDATION:

The platting requirement for this property is being triggered by a request to rezone the property from the current CS/OL designation to a CH designation in anticipation of a redevelopment.

The Technical Advisory Committee met on December 7, 2017 and the following items were determined:

1. The property was previously platted as part of the Reddin Third Addition.
2. All right-of-way dedications have been made to comply with the Major Street Highway Plan.
3. No floodplain exists on the property.
4. No further subdivision of the property is proposed.
5. A lot combination will be required if the proposed development crosses existing property lines.
6. Storm sewer improvements may be required as part of the development. IDP approval will be required and necessary easements will be dedicated at that time.

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

The applicant indicated in his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **DIX**, TMAPC voted **9-0-0** (Adams, Covey, Dix, Fretz, Krug, Millikin, Reeds, Shivel, Walker, "aye"; no "nays"; none "abstaining"; Carnes, Doctor, "absent") to **APPROVE** Z-7429 Plat Waiver per staff recommendation.

OTHER BUSINESS

21. Commissioners' Comments

* * * * *

ADJOURN

TMAPC Action; 9 members present:

On **MOTION** of **DIX**, TMAPC voted **9-0-0** (Adams, Covey, Dix, Fretz, Krug, Millikin, Reeds, Shivel, Walker, "aye"; no "nays"; none "abstaining"; Carnes, Doctor, "absent") to **ADJOURN** TMAPC meeting 2760.

ADJOURN

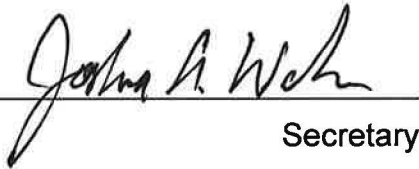
There being no further business, the Chair declared the meeting adjourned at 2:05 p.m.

Date Approved:

01-03-2018


Chairman

ATTEST:


Secretary