

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 2769

Wednesday, May 2, 2018, 1:30 p.m.

City Council Chamber

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

Members Present	Members Absent	Staff Present	Others Present
Covey		Chapman	Jordon, COT
Dix		Foster	Ling, COT
Doctor		Hoyt	VanValkenburgh, Legal
Fothergill		Miller	Warrick, COT
Fretz		Sawyer	
Krug		Wilkerson	
Millikin			
Reeds			
Ritchey			
Shivel			
Walker			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Thursday, April 26, 2018 at 2:36 p.m., posted in the Office of the City Clerk, as well as in the Office of the County Clerk.

After declaring a quorum present, Chair Covey called the meeting to order at 1:33 p.m.

REPORTS:

Chairman’s Report:

Director’s Report:

Ms. Miller reported on TMAPC Receipts for the month of March 2018 and City Council and Board of County Commission actions and other special projects.

1. **Minutes:**

Approval of the minutes of April 18, 2018 Meeting No. 2768

On **MOTION** of **DIX**, the TMAPC voted 11-0-0 (Covey, Dix, Doctor, Fothergill, Fretz, Krug, Millikin, Reeds, Ritchey, Shivel, Walker, “aye”; no “nays”; none “abstaining”; none “absent”) to **APPROVE** the minutes of the meeting of April 18, 2018, Meeting No. 2768.

CONSENT AGENDA

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

2. **LC-1003** (Lot-Combination) (CD 4) – Location: Northwest corner of East 31st Street South and South Harvard Avenue (Related to LS-21123)
3. **LS-21123** (Lot-Split) (CD 4) – Location: Northwest corner of East 31st Street South and South Harvard Avenue (Related to LC-1003)
4. **LC-1018** (Lot-Combination) (CD 4) – Location: Southwest corner of South Kenosha Avenue and East 4th Street South (Related to LS-21131)
5. **LS-21131** (Lot-Split) (CD 4) – Location: Southwest corner of South Kenosha Avenue and East 4th Street South (Related to LC-1018)
6. **LC-1011** (Lot-Combination) (CD 4) – Location: Southeast corner of South Atlanta Avenue and East 6th Street South
7. **LC-1012** (Lot-Combination) (CD 4) – Location: East of the northeast corner of South Atlanta Avenue and East 6th Street South
8. **LC-1013** (Lot-Combination) (CD 4) – Location: East of the southeast corner of South Atlanta Avenue and East 6th Street South
9. **LC-1014** (Lot-Combination) (CD 4) – Location: East of the southeast corner of South Atlanta Avenue and East 5th Place South
10. **LC-1015** (Lot-Combination) (CD 4) – Location: East of the southeast corner of South Atlanta Avenue and East 6th Street South
11. **LC-1016** (Lot-Combination) (CD 4) – Location: Southeast corner of South Atlanta Avenue and East 6th Street South

- 12. **LC-1017** (Lot-Combination) (CD 4) – Location: East of the southeast corner of Forest Boulevard and South Yorktown Avenue
- 13. **LC-1019** (Lot-Combination) (CD 1) – Location: Northeast corner of North Peoria Avenue and East Pine Street
- 14. **LC-1020** (Lot-Combination) (CD 4) – Location: East of the northeast corner of South Detroit Avenue and East 20th Street South

TMAPC Action; 11 members present:

On **MOTION** of **DIX**, TMAPC voted **11-0-0** (Covey, Dix, Doctor, Fothergill, Fretz, Krug, Millikin, Reeds, Ritchey, Shivel, Walker, “aye”; no “nays”; none “abstaining”; none “absent”) to **APPROVE** Items 2 through 14 per staff recommendation.

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

PUBLIC HEARINGS:

- 21. **Z-7440 Kyle Sewell** (CD 2) Location: East of the southeast corner of West 71st Street South and South Elwood Avenue requesting rezoning from **AG to CG**

TMAPC Action; 11 members present:

On **MOTION** of **DIX**, TMAPC voted **11-0-0** (Covey, Dix, Doctor, Fothergill, Fretz, Krug, Millikin, Reeds, Ritchey, Shivel, Walker, “aye”; no “nays”; none “abstaining”; none “absent”) to **CONTINUE** Z-7440 to June 6, 2018.

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- 23. **ZCA-10, TMAPC**, Amendment of the City of Tulsa Zoning Code to Section 55.090-F3 (Maximum Width of Residential Driveways in RE and RS Districts) to revise the maximum driveway width regulations established by that section.

All interested parties supported a continuance.

TMAPC Action; 11 members present:

On **MOTION** of **DIX**, TMAPC voted **11-0-0** (Covey, Dix, Doctor, Fothergill, Fretz, Krug, Millikin, Reeds, Ritchey, Shivel, Walker, “aye”; no “nays”; none “abstaining”; none “absent”) to **CONTINUE** ZCA-10 to June 6, 2018.

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15. **PUD-712-4 Larry McCool** (CD 6) Location: Northwest corner of East 51st Street and South 193rd East Avenue requesting a **PUD Minor Amendment** to remove 11-foot landscape strip along northern boundary (continued from April 18, 2018) (**withdrawn by applicant**)

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16. **LS-21130** (Lot-Split) (County) – Location: South of the southwest corner of East 122nd Street North and North 145th East Avenue

STAFF RECOMMENDATION:

The Lot-Split proposal is to split an Agriculture (AG) into two tracts. One tract requires a waiver of the subdivision regulations requiring that no lot have more than three side lot lines. Both tracts will meet the Bulk and Area requirements of the Tulsa County Zoning Code for an AG zoning District. The applicant has an application pending before the Tulsa County Board of Adjustments to be heard on May 15, 2018 to reduce the required land area per dwelling unit from 2.1 acres on Tract B. The applicant will not be able to get a residential building permit on Tract B until a variance is approved. If the Board of Adjustment were to deny this variance request Tract B would be restricted solely to Agricultural uses.

The Technical Advisory Committee met on April 19, 2018 and had the following comments. The County Engineer is requesting that 50’ of right-of-way be dedicated along East 145th Street North from both tracts, including any previously dedicated right-of-way. Additionally, the approval will be conditioned on confirmation from Washington County Rural Water District 3 that they can supply water to the new tract.

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; 11 members present:

On **MOTION** of **DIX**, TMAPC voted **11-0-0** (Covey, Dix, Doctor, Fothergill, Fretz, Krug, Millikin, Reeds, Ritchey, Shivel, Walker, “aye”; no “nays”; none “abstaining”; none “absent”) to **APPROVE** Lot Split LS-21130 per staff recommendation.

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17. **West Park Phase II** (CD 4) Preliminary Plat, Location: Northeast corner of East 6th Street South and South Lewis Avenue

STAFF RECOMMENDATION:

This plat consists of 1 lot, 1 block, 4.17 ± acres

The Technical Advisory Committee (TAC) met on April 19, 2018 and provided the following conditions:

1. **Zoning:** Proposed plat currently contains CS & RM-2 zoning. The proposed lot meets requirements of the existing zoning; however, conceptual site plan would require zoning relief or a rezoning. If rezoning is sought, it is recommended that the filing of the final plat occur after such rezoning.
2. **Addressing:** Address will be assigned to final plat. Provide lot address graphically on the face of the final plat and state address disclaimer.
3. **Transportation & Traffic:** Required ROW is shown on plat. If no access to Lewis is proposed, LNA is recommended.
4. **Sewer:** Existing sanitary sewer line located within alley to-be vacated. Line must be relocated to appropriate easement/right-of-way or covered by appropriate easement prior to vacation of easement. Establish easements over any other existing lines to remain on-site.
5. **Water:** No comments.
6. **Engineering Graphics:** Submit a subdivision data control sheet with final plat submittal. Graphically show all property pins found or set on the face of the plat with the correct symbols. Show scale both written and graphically on the face of the plat. Remove contours prior to final plat submittal. Label all platted property in the location map and label all other property unplatted. Under the basis of bearing, add the following: “The bearings base of this survey is grid bearings based on Oklahoma State Plane Coordinate System, North Zone 3501, North American Datum (NAD83)”. Provide legals as required by Engineering Services.
7. **Fire:** No comments.

8. **Stormwater, Drainage, & Floodplain:** Existing storm sewer lines will require easements or relocation. All stormwater improvements must comply with requirements of Development Services.
9. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** All utilities indicated to serve the site must provide a release prior to final plat approval. Provide a Certificate of Records Search from the Oklahoma Corporation Commission to verify no oil & gas activity on the site.

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

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

Applicant's Comments:

INTERESTED PARTIES:

TMAPC COMMENTS:

Mr. Dix asked staff what was the need for platting?

Staff answered currently the applicant wants to use the property as a single development and they are proactively getting out in front of the zoning changes they may have to do to get the preliminary plat approved.

Mr. Dix asked if the applicant could have proceeded without platting.

Staff answered it could have been accomplished through lot combinations and abandonments but this was the cleaner route to clean the property up.

Mr. Reeds asked staff if this gives the applicant more options.

Staff replied it assures all the existing easements, alleyways and things that were previously platted as part of a single-family subdivision are cleaned up and it brings everything into one lot for development.

Mr. Reeds asked if the applicant was abandoning the alleys.

Staff answered the preliminary plat shows it will be vacated.

Mr. Dix asked if the easements would be closed and what was going to be done about the utilities.

Staff answered because the applicant has identified the alley to be vacated the existing utilities would need to be relocated before a final plat is approved.

Mr. Dix asked if RM-2 on the backside and CS on the front, will that limit the uses to those zoning designations.

Staff stated it would allow the applicant to use both in conjunction but staff has discussed with the applicant rezoning the entire site into one zoning designation that would remove some barriers that exist.

Applicant’s Comments:

Josh Miller 7030 South Yale, Tulsa, OK

Mr. Miller stated he represents George Kaiser Family Foundation. Mr. Miller stated GKFF helped develop the mixed income West Park Apartments to the north of the subject property and this is the second phase of those apartments. Mr. Miller stated this will include 107 mixed income units.

The applicant indicated his agreement with staff’s recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 11 members present:

On **MOTION** of **DIX**, TMAPC voted **11-0-0** (Covey, Dix, Doctor, Fothergill, Fretz, Krug, Millikin, Reeds, Ritchey, Shivel, Walker, “aye”; no “nays”; none “abstaining”; none “absent”) to **APPROVE** the Preliminary Plat West Park Phase II per staff recommendation.

18. **CO-4 Plat Waiver** (CD 7) Location: Northeast corner of East 63rd Street South and South Mingo Road

STAFF RECOMMENDATION:

The platting requirement for this property is being triggered by the approval of a new Corridor Development Plan (CO-4). The development plan changes were constrained to the addition of a use to permit a public school facility on the site. No additional site revisions are being made at this time.

The Technical Advisory Committee met on April 19, 2018 and the following items were determined:

1. The property was previously platted as Lot 1 Block 1 of Stavros Corner.
2. All required right-of-way has been dedicated and is in place.
3. No additional subdividing of the land is proposed.

4. Necessary utilities and easements are in place and nothing further is required

Staff recommends **approval** of the plat waiver with the following conditions:

1. If approved, the development standards for CO-4 must be recorded with the Tulsa County Clerk's office.

The applicant indicated her agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 11 members present:

On **MOTION** of **DIX**, TMAPC voted **11-0-0** (Covey, Dix, Doctor, Fothergill, Fretz, Krug, Millikin, Reeds, Ritchey, Shivel, Walker, "aye"; no "nays"; none "abstaining"; none "absent") to **APPROVE** the Plat Waiver CO-4 per staff recommendation.

19. **CZ-471 Kevin Vanover** (County) Location: Northeast corner of East 121st Street North and North Mingo Road requesting rezoning from **AG to RE**

STAFF RECOMMENDATION:

SECTION I: CZ-471

DEVELOPMENT CONCEPT: The applicant proposes to rezone the subject property from AG to RE to permit a new single-family, residential subdivision. The first phase of the proposed development would consist of four lots along N 97th E Ave (Mingo Rd) developed by lot splits as each is sold. The next phase will be a platted subdivision to the east if demand is great enough.

DETAILED STAFF RECOMMENDATION:

RE zoning is non injurious to the existing proximate properties and;

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

Staff recommends Approval of CZ-471 to rezone property from AG to RE.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The subject lot is outside of Tulsa County Comprehensive Plan boundaries. It is located within the City of Owasso Comprehensive Plan boundary and is designated as Industrial/Regional Employment, however staff has spoken with the Community Development Director with the City of Owasso. He says that given the location of the lot and the difficulty of extending sewer to this area, he has no objection to the rezoning of the subject property.

Land Use Vision:

Land Use Plan map designation: N/A (County), Industrial/Regional Employment (Owasso)

Areas of Stability and Growth designation: N/A

Transportation Vision:

Major Street and Highway Plan: N 97th E Ave (Mingo Rd) is designated as a Secondary Arterial. A residential collector is designated along the Northern boundary of the lot. No improvements currently exist along this proposed route.

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is currently vacant agricultural land.

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
N 97 th E Ave (Mingo Rd)	Secondary Arterial	100 feet	2

Utilities:

The subject tract has municipal water available. Sanitary Sewer will be provided by individual septic systems for each lot.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	AG	N/A	N/A	Single-Family/Horse Farm
South	AG-R	N/A	N/A	Single-Family
East	AG	N/A	N/A	Single-Family
West	AG-R	N/A	N/A	Single-Family

SECTION III: Relevant Zoning History

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

Subject Property:

The subject property was annexed into the city of Owasso in January, 2003.

While in the jurisdiction of Owasso, the property was rezoned from AG to RS-3 with a PUD overlay in May, 2004.

In 2011, property owners requested to be de-annexed from Owasso stating that they wanted to use the property as it was prior to annexation, which was primarily used for raising horses, and they had no intention of developing the property for single family homes.

On April 11, 2011, the Owasso Planning Commission and the Owasso City Council reviewed and approved the request and the property was de-annexed from the city limits of Owasso.

Surrounding Property:

CBOA-2316 January 2009: The Board of Adjustment **denied** a *special exception* to permit a manufactured home in the AG-R district (Section 310); and a *variance* to permit two dwellings on a lot of record (section 208), on property located south of North Mingo Road and East 120 Street North.

TMAPC COMMENTS:

Mr. Covey asked staff if the subject property was outside of Tulsa city limits.

Staff answered “yes”, Its Tulsa County.

Mr. Covey asked if there was a Comprehensive Plan for this area.

Staff answered the subject property is covered by the Owasso Comprehensive plan and the development director in Owasso is fine with this rezoning.

INTERESTED PARTIES:

Sharie Moore 12047 North 97th East Avenue, Collinsville, OK 74021

Ms. Moore stated she lives south of the subject property. Ms. Moore stated she talked to all the neighbors on 120th Street which backs up to the subject property and most of the neighbors across the front of 97th East Avenue and they are concerned about the water runoff in this area causing flooding if this rezoning is approved. Ms. Moore stated the neighbors have not seen any plans for what is being proposed here and there was not a neighborhood meeting to talk about the plans. Ms. Moore stated most of the neighbors are elderly and could not come to meeting today in Tulsa. Ms. Moore stated the area has sewer problems and there is concern about sewer flow unless using aerobic system. Ms. Moore stated the neighbors would like to see footprints of the homes that would be built on the subject property and the price point. Ms. Moore stated the applicant wants to put half acre lots and all the homes in the area are 2.5 acres. Ms. Moore stated if the applicant is approved she would like to see a privacy fence with metal fence posts and screening trees. Ms. Moore stated the streets in this area need to be improved to accommodate the extra traffic this development would provide. Ms. Moore stated this property was for sale last year and didn't sell because it was agriculture instead of residential.

Mr. Covey stated this application is just for a rezoning to get it to residential and after that there will be other applications on this property but this is just for the rezoning. Mr. Covey stated if a subdivision is going to be built the plats will have to come back to the planning Commission and Tulsa County would have to look at the sewer issues and utilities in the area.

Staff stated as a point of information the rezoning would allow the applicant to do 4 lot splits and if that is the process used there would not be additional notice to the neighbors about those lot splits. Staff stated if they come back later to plat more of the property for a subdivision the neighbors would then receive a notice.

Applicant stated the subject property was annexed into Owasso and 20 acres was rezoned RS-3 at that time and 90 homes were planned for that area. The applicant stated if the RE is approved they are planning to split these lots as they are sold. Applicant stated a covenant has been created to carry with the lots that defines minimum building size and materials used to maintain the look and feel of the neighborhood. Applicant stated the lots will be served by aerobic systems

and all are about an acre in size. Applicant stated the stormwater drains to the southeast and into a pond on the applicant's property. Applicant stated to Ms. Moore that the City of Owasso is widening 116th Street and the intersection will be improved.

Mr. Ritchey asked what the AG-R zoning designation allowed. Mr. Ritchey stated the properties surrounding this one is AG-R.

Staff answered AG-R is large lot agricultural residential zoning.

Mr. Ritchey asked if that zoning designation was still offered.

Staff stated "yes".

Mr. Ritchey asked what the minimum lot size was in AG-R.

Staff answered "1 acre".

TMAPC Action; 11 members present:

On **MOTION** of **MILLIKIN**, TMAPC voted **10-0-1** (Covey, Doctor, Fothergill, Fretz, Krug, Millikin, Reeds, Ritchey, Shivel, Walker, "aye"; no "nays"; Dix, "abstaining"; none "absent") to **APPROVE** CZ-471 rezoning from AG to RE per staff recommendation.

Legal Description of CZ-471:

A TRACT OF LAND LYING IN THE SOUTH HALF OF THE NORTHWEST QUARTER (S/2 NW/4) OF SECTION SIX (6), TOWNSHIP TWENTY-ONE (21) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS,

TO WIT:

BEGINNING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER (NW/4) SAID POINT ALSO BEING THE SOUTHWEST CORNER OF GOVERNMENT LOT 5; THENCE NORTH 00°06'48" WEST AND ALONG THE WEST LINE OF SAID NORTHWEST QUARTER (NW/4) FOR A DISTANCE OF 647.85 FEET; THENCE SOUTH 89°42'19" EAST FOR A DISTANCE OF 660.02 FEET; THENCE SOUTH 00°06'48" EAST FOR A DISTANCE OF 645.19 FEET TO A POINT ON THE SOUTH LINE OF SAID NORTHWEST QUARTER (NW/4); THENCE NORTH 89°56'11" WEST AND ALONG SAID SOUTH LINE FOR A DISTANCE OF 660.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 9.80 ACRES.

20. **Z-7439 Tanner Consulting, LLC** (CD 2) Location: South of the southwest corner of West 81st Street and South Maybelle Avenue requesting rezoning from **RS-3 to RS-4** with optional development plan

STAFF RECOMMENDATION:

SECTION I: Z-7439

DEVELOPMENT CONCEPT: The property has previously been developed and platted as a RS-3 zoned property. The applicant has stated that the market for this area seems to support single story residential construction that covers more of the lot than allowed in a RS-3 district. The concept is simply to rezone the property which will allow a larger foot print on the lot. All setbacks, building heights and other development standards will meet or exceed RS-3 minimum standards except the open space. The developer has chosen to submit an optional development plan rather than ask for RS-4 zoning alone.

The summary below outlines the differences between zoning categories and the optional development plan standards:

- The current open space requirement for RS-3 zoning is 4000 square feet
- The minimum open space requirement for RS-4 zoning is 2500 square feet
- The minimum open space requirement for the optional development plan defined in Z-7439 is limited at 3500 square feet

DETAILED STAFF RECOMMENDATION:

Z-7439 request RS-4 zoning with an optional development plan for an existing single family residential development. Single family residential uses in this location are consistent with the Existing Neighborhood land use designation in the Comprehensive Plan and in the West Highlands Small Area Plan and,

Z-7439 is east of the rural residential area that was identified in the small area plan. RS-3 or RS-4 densities and land uses are not a threat to that concept in the small area plan area,

The property has previously been platted and the infrastructure is in place. It is unlikely that the site will be redeveloped to maximize RS-4 zoning density. RS-4 zoning allows a lot density that is similar to the abutting property owners north of this site. The optional development plan requires more open space per lot than was required in the abutting Corridor Development plan north of this site. The development style will be similar to surrounding property owners and this rezoning request is considered non- injurious to the proximate properties therefore,

Staff recommends Approval of Z-7439 to rezone property from RS-3 to RS-4.

SECTION II: Optional Development Standards

All uses, building types, lot and building regulations, along with all supplemental regulations as set forth in the City of Tulsa Zoning Code for

the RS-3 zoning district, and in particular, Section 5.030-A Table 5-3 except the following:

- Minimum Open Space per Dwelling Unit: 3,500 square feet

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The rezoning request for RS-4 zoning with an optional development plan is consistent with the Tulsa Comprehensive Plan and the West Highlands Small Area Plan.

Land Use Vision:

Land Use Plan map designation: New Neighborhood

The New Neighborhood residential building block is comprised of a plan category by the same name. It is intended for new communities developed on vacant land. These neighborhoods are comprised primarily of single-family homes on a range of lot sizes, but can include townhouses and low-rise apartments or condominiums. These areas should be designed to meet high standards of internal and external connectivity, and shall be paired with an existing or New Neighborhood or Town Center.

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: None that would be affected by site rezoning.

Major Street and Highway Plan: South Maybell is considered a residential collector street. The street right of way has been dedicated to the City of Tulsa by the subdivision plat for this project.

Trail System Master Plan Considerations: None

Small Area Plan: This site is in the West Highlands small area plan. There are no special considerations at this location that would be affected by the rezoning approval.

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site has been platted and infrastructure improvements are being installed.

Environmental Considerations: We have received complaints that silt is existing the site on to Jenks School property. Redevelopment must satisfy pollution prevention plans as approved by the City of Tulsa and maintained by the developer. Rezoning this site will not affect poor storm water pollution management practices. Enforcement measures regarding storm water pollution must be made outside the zoning process.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Maybelle Ave.	Residential Collector	60 feet	2 lanes under construction

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use	Area of Stability or Growth	Existing Use
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		Designation		
North	CO (approved for single family residential development)	Existing Neighborhood	Growth	Single family residential
East	AG	New neighborhood	Growth	Undeveloped
South	AG and CO (approved commercial uses)	New neighborhood	Growth	Jenks School
West	AG west of highway 75	Mixed Use Corridor	Growth	Appears to be tribal land outside the jurisdiction of the Tulsa Zoning Code. Tribal schools and community centers are on site

SECTION IV: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 23111 dated May 8, 2014, established RS-3 zoning for the subject property

Subject Property:

Z-7259 April 2014: All concurred in **approval** of a request for *rezoning* a 48.5± acre tract of land from AG to RS-3 on property located northeast of West 91st Street South and Highway 75, the subject property. Ordinance number 11877 dated June 26, 1970, established AG zoning for the subject property.

Surrounding Property:

Z-7377 April 2017: All concurred in **approval** of a request for *rezoning* a 3.39± acre tract of land from AG to RS-2 on property located south of the southwest corner of South Maybelle Avenue and West 81st Street South.

Z-7164/ Z-7164-SP-1 March 2011: All concurred in **approval** of a request for *rezoning* and a request for a Corridor Development Plan on a 30± acre tract of land for commercial mixed use development, The Walk at Tulsa Hills, on property located on the southeast corner of U.S. Highway 75 and West 81st Street

Z-7140/ Z-7140-SP-1 December 2009: All concurred in **approval** of a request for *rezoning* a 41± acre tract of land from AG to CO and a Corridor Site Plan for residential use, garden and patio homes, on property located south of southwest corner of South Maybelle Avenue and West 81st Street and abutting south of

subject property. The TMAPC recommended approval per staff recommendation and subject to adding Use Unit 1, to impose the additional buffer along the north end across to the detention pond. City Council approved the applications per TMAPC recommendation with condition of Maybelle getting upgraded in accordance with the Major Street and Highway Plan and per City of Tulsa design standards within the project limits, and resurfaced to 22' wide with improved borrow ditch from the northern boundary of the subdivision to West 81st Street, on property located north of the northwest corner of West 91st Street South and South Maybelle Avenue.

Z-7083/ Z-7083-SP-1 January 2008: All concurred in **approval** of a request for a *Corridor Development Plan* on a 12+ acre tract of land for The Tulsa Hills South development including multiple commercial, mixed use developments on property located on the northeast corner of West 91st Street South and U.S. Highway 75.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 11 members present:

On **MOTION** of **DIX**, TMAPC voted **11-0-0** (Covey, Dix, Doctor, Fothergill, Fretz, Krug, Millikin, Reeds, Ritchey, Shivel, Walker, "aye"; no "nays"; none "abstaining"; none "absent") to **APPROVE** Z-7439 rezoning from RS-3 to RS-4 with optional development plan per staff recommendation.

Legal Description of Z-7439:

All of Winchester Park, a Subdivision in the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat (No. 6741) thereof.

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22. **Z-7441 Tulsa City Council/Village at Brookside, LLC** (CD 9) Location: East of the southeast corner of South Peoria Avenue and East 41st Street South requesting rezoning from **RM-2 to MX2-F-65**

STAFF RECOMMENDATION:

SECTION I: Z-7441

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 RM-2.

DETAILED STAFF RECOMMENDATION:

Case Z-7441 requesting MX2-F-65 is consistent with the expected development pattern in the area and,

MX2-F-65 is not injurious to the surrounding property owners and,

The MX2 is considered a community mixed use district and is intended to accommodate retail, service, entertainment and employment uses that serve many surrounding neighborhoods. The district also allows a variety of residential uses and building types. MX2 zoning is generally intended for application in areas designated by the comprehensive plan as town centers, main streets and mixed-use corridors. MX2 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,

MX2-F-65 is consistent with the Brookside Infill Plan and,

MX2-F-65 is consistent with the Mixed-Use Corridor land use vision in the Tulsa Comprehensive Plan therefore

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: MX2-F-65 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. The City has adopted 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 multifamily residential buildings.*

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>
East 41 st Street South	Urban Arterial with a Multi modal overlay	70 feet	4
East 41 st Place South	None	50 feet	2
South Quincy	None	50 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	CH and CS	Mixed Use Corridor	Growth	Commercial retail uses
East	RM1 and RM-2	Mixed Use Corridor	Growth	Multi Family and Townhomes
South	MX3-U-U and RS-3	Mixed Use Corridor	Growth	Vacant and single family residential
West	MX3-U-U and CH and RM-1 and RM-2	Mixed Use Corridor	Growth	Vacant and Commercial and townhomes and multi family

SECTION III: Relevant Zoning History

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

Subject Property:

BOA-19236/BOA-19237/BOA-19238 November 2001: The Board of Adjustment **approved** multiple *variances* to the lot and building regulations and a *special exception* to permit required off-street parking to be located on a lot other than the lot containing the principal use, on property located on the subject property.

Surrounding Property:

Z-7422 November 2017: All concurred in **approval** of a request for *rezoning* a 1.41± acre tract of land from RM-1/RM-2/CH/PUD-744/PUD-744-A to MX3-U-U on property located on the southeast corner of East 41st Place South and South Peoria Avenue.

PUD-802 May 2014: All concurred in **approval** of a proposed *Planned Unit Development* on a 1± acre tract of land for a branch banking facility with an approximately 4,000 sq. foot bank building, four drive-in lanes, and a 24-hour ATM, on property located on the northeast corner of East 41st Place and South Peoria Avenue.

BOA-20581 October 2007: The Board of Adjustment **approved** a *variance* of the maximum permitted height of 35 feet for buildings located in the RM-1 district to permit town homes up to 42 feet in height, on property located on the northwest corner of East 41st Place and South Quincy Avenue.

BOA-20192 January 2006: The Board of Adjustment **approved** a *variance* of the minimum frontage required for an office use lot in an RM-2 district from 100 ft. to 60 ft.; and a variance of the minimum lot size for an office use lot in an RM-2 district from 12,000 sq. ft. to 9,000 sq. ft. (Section 404.F), on property located on the south side of 41st Street, ¼ mile east of South Peoria Avenue.

PUD-480 April 1992: All concurred in **approval** of a proposed *Planned Unit Development* on a 5.35± acre tract of land for a grocery store and restaurant (Albertson's) subject to no access from 39th Street, on property located north and east of the northeast corner of East 41st Street and South Peoria Avenue.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 11 members present:

On **MOTION** of **DIX**, TMAPC voted **11-0-0** (Covey, Dix, Doctor, Fothergill, Fretz, Krug, Millikin, Reeds, Ritchey, Shivel, Walker, "aye"; no "nays"; none "abstaining"; none "absent") to **APPROVE** Z-7441 rezoning from RM-2 to MX2-F-65 per staff recommendation.

Legal Description of Z-7441:

Lots 1, 2, 3, 4, 5, 6, 7, 8, & 9, Block 2, Jennings-Robards Addition
Lots 1, 2, 3, 4, & 5, Block 3, Jennings-Robards Addition
Lots 16 & 17, Block 1, Jennings-Robards Addition, City of Tulsa, Tulsa County,
State of Oklahoma

Items 24 and 25 were presented together

24. **ZCA-8, Tulsa City Council**, Amendment to the City of Tulsa Zoning Code to add Section 20.070 establishing the regulations of a Special Area (SA) overlay district (**Route 66 Overlay – RT66**), pertaining to sign regulations for properties which may subsequently be supplementally rezoned RT66; to amend height provisions for roof signs in Section 60.080; and to add a definition for “Neon” in Section 95-170. (related to SA-4)

STAFF RECOMMENDATION:

Item: Public hearing to provide a recommendation to the City Council regarding amending the City of Tulsa Zoning Code to add Section 20.070 establishing the regulations of a Special Area (SA) overlay district (**Route 66 Overlay – RT66**), pertaining to sign regulations for properties which may subsequently be supplementally rezoned RT66; to amend height provisions for roof signs in Section 60.080; and to add a definition for “Neon” in Section 95-170. **[See Attachment I]**

A. Background: A working group, comprised of representatives from the Mayor’s office, City Council, INCOG planners, and local experts, met regularly to develop a zoning overlay and related mapping efforts for properties along Route 66 since early 2017. An overlay was anticipated in the Route 66 Master Plan to “protect and enhance the cultural, economic, historic and architectural significance of the Route”. The proposed overlay is focused on relaxing certain sign regulations in order to encourage the use of neon within the corridor. Under current zoning code provisions, signs are limited in size, location, and illumination which prevents the establishment of new signage that is consistent with the elements of signs typically associated with Route 66.

A draft ordinance for the proposed Route 66 Overlay was developed through meetings with the working group and refined by input from the public meetings. The Route 66 Overlay “establishes zoning regulations and incentives intended to ensure the enhancement, development, and revitalization of the authentic Route 66 through the promotion of historic and historically inspired signage, especially neon, along and adjacent to the two alignments of Route 66 in Tulsa.”

Under the proposal, the overlay would apply to all portions of Route 66 with the exception of downtown. This includes 11th Street, Admiral Boulevard, Southwest Boulevard, and appropriate extensions along intersecting streets.

The proposed boundary along the corridor is 300 feet in depth on either side of the street and extended to 600 feet in depth at major intersections.

The proposed Route 66 Overlay was initiated by Tulsa City Council on February 21, 2018. Since initiation, four public meetings were held to communicate details of the overlay with property owners and interested parties:

- **District 5 Town Hall**
February 27, 2018
Nathan Hale Library

- **Route 66 Overlay: Public Input Meeting #1**
March 5, 2018
Goodwill Industries, Southwest Boulevard

- **District 6 Town Hall**
March 6, 2018
Martin Regional Library

- **Route 66 Overlay: Public Input Meeting #2**
March 13, 2018
Central Center

The public meetings were well attended and members of the working group presented and had significant discussion with attendees on how the proposed overlay would impact properties along the Route 66 corridor and surrounding areas. The public engagement process satisfies the zoning code requirement that Special Area (SA) overlays “be based on an adopted plan or be prepared following an inclusive, transparent, and equitable planning and public involvement process that includes opportunities for affected property owners and residents to participate in the formulation of the district regulations or otherwise offer recommendations and provide input.”

INCOG/TMAPC staff has kept a log of all calls and emails from property owners inquiring as to how the overlay impacts their property. As of the printing of this report, approximately 54 calls and/or emails have been received. Most are inquiries of a general nature, not necessarily in support or opposition. Both the Route 66 Commission and Kendall Whittier Main Street has reviewed and support the proposed overlay. Their letters of support are included in this report as ***Attachment II***.

B. Route 66 Overlay Conformance with the Comprehensive Plan: The area is included in several adopted plan areas:

- ***Crutchfield Neighborhood Revitalization Master Plan (2004)***
- ***East Tulsa Neighborhood Plans Phases 1 & 2 (2005)***
- ***Route 66 Master Plan (2005)***
- ***6th Street Infill Plan (2006, amended in 2014)***
- ***Sequoyah Area Neighborhood Implementation Plan (2007)***
- ***Tulsa Comprehensive Plan (2010)***
- ***Eugene Field Small Area Plan (2013)***
- ***Utica Midtown Corridor North Small Area Plan (2013)***
- ***Kendall-Whittier Sector Plan (2016)***

Initially design guidelines were recommended in the ***Route 66 Master Plan***, which was adopted in 2005. The Route 66 Master Plan mentions the importance of standards for various design elements, including signage to accomplish the following objectives:

- to create a theme that provides identity to the entire route,
- to alert motorists and tourists that they have entered into and are traveling through a significant, historical district,
- to provide visual continuity from one end of the corridor to the other, and
- to create a “sense of place” that will attract private investors who want to capitalize on the new found awareness and interest in Route 66. (p. 4-1)

There is diversity in existing and anticipated uses along the corridor, as evidenced by the fact that every land use designation in the City of ***Tulsa Comprehensive Plan***, or PlaniTulsa, is represented along the 26 miles of Route 66, except for Downtown:

- Existing Neighborhood
- New Neighborhood
- Main Street
- Mixed-use Corridor
- Neighborhood Center
- Employment
- Town Center
- Regional Center
- Downtown Neighborhood
- Park and Open Space
- Arkansas River Corridor

The ***Utica Midtown Corridor North Small Area Plan*** included urban design recommendations specific to Route 66, including the following regarding signage:



RETRO STYLE SIGNS

Neon lights are encouraged in the whimsical spirit of Route 66.

The ***Kendall-Whittier Sector Plan*** references the urban design recommendations of the Route 66 Master Plan, and includes the following:

“Goal 8 Providing a Long-Term Regulatory Framework – provide a regulatory framework that minimizes barriers to quality development and supports the long-term health of Kendall-Whittier

8.3 Establish a Historic Route 66 Special Area Overlay: The 2005 Route 66 Master Plan establishes a vision for the design of public streets and development along 11th Street and Admiral Place. A design overlay should be adopted along designated Route 66 corridors to ensure that the character of private development aligns with the long-term investments in the design of the public right-of-way. This would allow base zoning districts to continue to govern basic land use and bulk allowances, while creating consistent character through many different places throughout the City.”

Staff analysis: The standards in the proposed overlay will be consistent with the context and uniqueness of the original development along Route 66. As outlined above, the proposed overlay implements multiple Comprehensive Plan goals and policies and the proposed overlay is in conformance with the Comprehensive Plan and is consistent with the Zoning Code’s general purposes (Section 1.050) and the stated purpose and intent of the applicable overlay. Several of the adopted plans along the Route do not provide specific references or recommendations regarding a design overlay.

C. Staff Recommendation: Staff recommends **approval** of Zoning Code amendments to add Section 20.070 establishing the regulations of a Special Area (SA) overlay district (**Route 66 Overlay- RT66**), and to amend Section 60.080 and Section 95-170 based on the above findings.

INTERESTED PARTIES:

Ed Sharrer 1719 West Easton Court, Tulsa, OK 74127

Mr. Sharrer stated he is the Director of Kendall Whittier Main Street and the Chairman of the Route 66 Commission. Mr. Sharrer stated creating a vibrant neon corridor through both alignments of Route 66 through Tulsa is an idea that has been around for about 10 years and picked up steam a few years ago. Mr. Sharrer stated the Route 66 Commission believes a great opportunity is missing in this community by not promoting Route 66 to the full extent. Mr. Sharrer stated Tulsa has as much or more of a story to tell about Route 66 than any other community in the country. The father of Route 66 Cyrus Avery is a Tulsan and gave the highway the number 66 and routed the highway through Oklahoma instead of a more direct route through Kansas because of the existing concrete and steel reinforced bridge across the Arkansas River. Mr. Sharrer stated in the past visitors from all over the world come and stop at the Blue Whale in Catoosa and pass by Tulsa and the next stop is either the Rock Café or Pops in Arcadia, Oklahoma. Mr. Sharrer stated this Overlay will help bring back the look and feel of the Route 66 from the past and help people who want to do neon signs bypass the lengthy and pricey process that exists to make this possible today.

TMAPC COMMENTS:

Ms. Millikin stated she had a client visit from Australia and wanted to see the Route 66 corridor and he was a little underwhelmed. Ms. Millikin stated she is in favor of this application and thinks it will be a great economic opportunity.

Mr. Fothergill asked if the historic 11th Street bridge is included in the overlay.

Staff answered “yes” it’s in the boundaries.

Mr. Fothergill asked why the overlay didn’t go through the inner dispersal loop.

Mr. Sharrer answered property owners inside the IDL felt the overlay tool was not of interest. Mr. Sharrer stated when the new Zoning Code was approved and adopted it not allow, in fact it prohibited overlay zoning in the CBD. Mr. Sharrer stated this is unfortunate for property owners in that area.

Mr. Fothergill stated if TCC wanted to put up a neon sign they would have to go to the Board of Adjustment.

Mr. Sharrer stated, “yes”.

Mr. Dix asked staff to explain in the shortest possible terms what the overlay does. Mr. Dix stated his son owns property there and as he understands it does not change the use or the ability to use the property in conjunction with the current zoning code and regulations and only affects his ability to use different types of signage on his property that other parts of the City cannot.

Staff answered that is correct the overlay does not impact use and will not require anything additional of property owners. Staff stated it is an optional program and if they choose to use neon they can qualify for the allowances that are being offered.

Mr. Reeds stated what is the difference between using neon and LED.

Staff stated LED limits the colors available and the shapes created and authentic neon offers more opportunity. Staff stated they expect to see a mixture of both LED and neon.

INTERESTED PARTIES:

Theresa Landers 6930 East 7th Street, Tulsa, OK 74112

Ms. Landers stated she lives by McClure Park and her neighborhood sees the value of building up Route 66 more than anyone else in this room because we are in the blighted area. Ms. Landers stated a lot of the yards on the Admiral end back up to a business-like restaurant who have bright lights. Ms. Landers stated around Yale 11th Street runs closer to residential areas with some on 11th Street and those are the houses that will mostly be affected. Ms. Landers stated she lives on 7th Street but at the top of the hill and in the winter, she can see the rooftop off 11th Street and she doesn't want to look at flashing neon lights while sitting on her back porch. Ms. Landers stated it sounds like staff has addressed a lot of the issues and in her case a properly placed tree or shrub will handle her rooftop but that is not going to work for people in other neighborhoods because shrubs under windows is not a good security measure. Ms. Landers stated she is just asking for everyone on the street or abutting the street to be protected from the visual pollution.

Tom Neal 2507 East 11th place, Tulsa, OK 74104

Mr. Neal stated he is representing Renaissance Neighborhood Association and is here to get information and take back to the Board. Mr. Neal stated as a neighborhood from Lewis to Harvard and 11th Street to 15th Street this impacts this area. Mr. Neal stated the Boards history is to be supportive of development along Route 66 and in the past a vote was taken to specifically support a variance for the Campbell Hotel to erect a neon sign. Mr. Neal stated he can't officially speak for the Board but he believes they will be supportive.

Staff stated there is language in the overlay to ensure orientation of signs to the major street they are located on, and spacing requirement for certain sizes of signs from residential districts or uses.

Mr. Doctor thanked staff, Mr. Sharrer and everyone who worked on this Route 66 Overlay

TMAPC Action; 11 members present:

On **MOTION** of **DIX**, TMAPC voted **11-0-0** (Covey, Dix, Doctor, Fothergill, Fretz, Krug, Millikin, Reeds, Ritchey, Shivel, Walker, “aye”; no “nays”; none “abstaining”; none “absent”) to **AMEND** the City of Tulsa Zoning Code to add Section 20.070 establishing the regulations of a Special Area (SA) overlay district (**Route 66 Overlay – RT66**), pertaining to sign regulations for properties which may subsequently be supplementally rezoned RT66; to amend height provisions for roof signs in Section 60.080; and to add a definition for “Neon” in Section 95-170.ZCA-8 per staff recommendation.

* * * * *

- 25. **SA-4, Route 66 Overlay (RT66), Tulsa City Council** (CD 2, 3, 4, 5, 6)
Location: multiple properties along South 193rd East Avenue, East 11th Street South, South Mingo Road, East Admiral Boulevard, East Admiral Place, West 11th Street South, and Southwest Boulevard (related to ZCA-8)

STAFF RECOMMENDATION:

SECTION I: SA-4

Route 66 Overlay (RT66)

The proposed overlay is focused on relaxing certain sign regulations in order to encourage the use of neon within the corridor. Under current zoning code provisions, signs are limited in size, location, and illumination which prevents the establishment of new signage consistent with the elements of signs typically associated with Route 66.

RT66 Purpose

The Route 66 Overlay establishes zoning regulations and incentives intended to ensure the enhancement, development, and revitalization of the authentic Route 66 through the promotion of historic and historically inspired signage, especially neon, along and adjacent to the two alignments of Route 66 in Tulsa. The

regulations are generally intended to guide the character of both public and private development as it occurs along Route 66.

RT66 Background

A working group, comprised of representatives from the Mayor's office, City Council, INCOG planners, and local experts, met regularly and developed a zoning overlay and related mapping efforts for properties along Route 66 since early 2017. An overlay was anticipated in the Route 66 Master Plan to "protect and enhance the cultural, economic, historic and architectural significance of the Route". The proposed overlay is focused on relaxing certain sign regulations in order to encourage the use of neon within the corridor. Under current zoning code provisions, signs are limited in size, location, and illumination which prevents the establishment of new signage that is consistent with the elements of signs typically associated with Route 66.

The proposed Route 66 Overlay was initiated by Tulsa City Council on February 21, 2017 for 3,496 properties along the Route. Both the Route 66 Commission and Kendall Whittier Main Street have reviewed and support the proposed overlay. Letters of endorsement are included in this packet.

RT66 Public Process Summary

Since initiation, four public meetings were held to communicate details of the overlay with property owners and interested parties:

District 5 Town Hall Meeting – February 27, 2018 – Nathan Hale Library
Route 66 Overlay: Public Input Meeting #1 – March 5, 2018 – Goodwill Industries, SW Boulevard
District 6 Town Hall Meeting – March 6, 2018 – Martin Regional Library
Route 66 Overlay: Public Input Meeting #2 – March 13, 2018 – Central Center

Each meeting included a presentation of the proposed overlay and time for questions/comments to be provided by attendees. The majority of feedback from attendees was supportive with the exception of a few concerns presented by residential neighbors about the potential impact on their property.

Per zoning requirements, notices were mailed directly to all property owners within the proposed overlay, as well as property owners within 300' of the proposed overlay. A total of 5,146 letters were distributed to notify property owners about the proposed overlay. Staff has logged correspondence with neighbors when possible. The current log indicates 54 conversations with interested parties, most of a general nature, not necessarily in support or opposition.

DETAILED STAFF RECOMMENDATION:

Staff recommends approval of SA-4 to apply supplemental RT66 (Route 66 Overlay) zoning to multiple properties along S. 193rd East Ave., E. 11th St. S, S. Mingo Rd., E. Admiral Blvd., E. Admiral Pl., W. 11th St. S, and Southwest Boulevard. The proposed overlay will assist in the implementation of several goals identified in the City's Comprehensive Plan, as well as several small area plan areas within the boundary.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Route 66 Overlay Conformance with the Comprehensive Plan: The area is included in several adopted plan areas:

- ***Crutchfield Neighborhood Revitalization Master Plan*** (2004)
- ***East Tulsa Neighborhood Plans Phases 1 & 2*** (2005)
- ***Route 66 Master Plan*** (2005)
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- ***Tulsa Comprehensive Plan*** (2010)
- ***Eugene Field Small Area Plan*** (2013)
- ***Utica Midtown Corridor North Small Area Plan*** (2013)
- ***Kendall-Whittier Sector Plan*** (2016)

Initially design guidelines were recommended in the ***Route 66 Master Plan***, which was adopted in 2005. The Route 66 Master Plan mentions the importance of standards for various design elements, including signage to accomplish the following objectives:

- to create a theme that provides identity to the entire route,
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- to create a "sense of place" that will attract private investors who want to capitalize on the new found awareness and interest in Route 66. (p. 4-1)

There is diversity in existing and anticipated uses along the corridor, as evidenced by the fact that every land use designation in the ***Tulsa***

Comprehensive Plan, or PlaniTulsa, is represented along the 26 miles of Route 66, except for Downtown:

- Existing Neighborhood
- New Neighborhood
- Main Street
- Mixed-use Corridor
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- Employment
- Town Center
- Regional Center
- Downtown Neighborhood
- Park and Open Space
- Arkansas River Corridor

The **Utica Midtown Corridor North Small Area Plan** included urban design recommendations specific to Route 66, including the following regarding signage:



RETRO STYLE SIGNS

Neon lights are encouraged in the whimsical spirit of Route 66.

The **Kendall-Whittier Sector Plan** references the urban design recommendations of the Route 66 Master Plan, and includes the following:

“Goal 8 Providing a Long-Term Regulatory Framework – provide a regulatory framework that minimizes barriers to quality development and supports the long-term health of Kendall-Whittier

8.3 Establish a Historic Route 66 Special Area Overlay: The 2005 Route 66 Master Plan establishes a vision for the design of public streets and development along 11th Street and Admiral Place. A design overlay should be adopted along designated Route 66 corridors to ensure that the character of private development aligns with the long-term investments in the design of the public right-of-way. This would allow base zoning districts to continue to

govern basic land use and bulk allowances, while creating consistent character through many different places throughout the City.”

Staff analysis: The standards in the proposed overlay will be consistent with the context and uniqueness of the original development along Route 66. As outlined above, the proposed overlay implements multiple Comprehensive Plan goals and policies and the proposed overlay is in conformance with the Comprehensive Plan and is consistent with the Zoning Code’s general purposes (Section 1.050) and the stated purpose and intent of the applicable overlay. Several of the adopted plans along the Route do not provide specific references or recommendations regarding a design overlay.

TMAPC Action; 11 members present:

On **MOTION** of **DIX**, TMAPC voted **11-0-0** (Covey, Dix, Doctor, Fothergill, Fretz, Krug, Millikin, Reeds, Ritchey, Shivel, Walker, “aye”; no “nays”; none “abstaining”; none “absent”) to **APPROVE** SA-4 to apply supplemental RT66 (Route 66 Overlay) zoning to multiple properties along S. 193rd East Ave., E. 11th St. S, S. Mingo Rd., E. Admiral Blvd., E. Admiral Pl., W. 11th St. S, and Southwest Boulevard as shown on maps contained in the staff report per staff recommendation.

OTHER BUSINESS

26. Commissioners' Comments

* * * * *

ADJOURN

TMAPC Action; 11 members present:

On **MOTION** of **DIX**, TMAPC voted **11-0-0** (Covey, Dix, Doctor, Fothergill, Fretz, Krug, Millikin, Reeds, Ritchey, Shivel, Walker, “aye”; no “nays”; none “abstaining”; none “absent”) to **ADJOURN** TMAPC meeting 2769.

ADJOURN

There being no further business, the Chair declared the meeting adjourned at 2:43 p.m.

Date Approved:

05-16-2018


Chairman

ATTEST: 
Secretary