

# TULSA METROPOLITAN AREA PLANNING COMMISSION

## Minutes of Meeting No. 2771

Wednesday, June 6, 2018, 1:30 p.m.

City Council Chamber

One Technology Center – 175 E. 2<sup>nd</sup> Street, 2<sup>nd</sup> Floor

<b>Members Present</b>	<b>Members Absent</b>	<b>Staff Present</b>	<b>Others Present</b>
Adams		Chapman	Jordan, COT
Covey		Foster	Silman, COT
Dix		Hoyt	VanValkenburgh, Legal
Doctor		Miller	Warrick, COT
Fothergill		Sawyer	
Fretz		Wilkerson	
Krug			
Millikin			
Reeds			
Ritchey			
Shivel			
Walker			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Thursday, May 31, 2018 at 3:17 p.m., posted in the Office of the City Clerk, as well as in the Office of the County Clerk.

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

### **REPORTS:**

**Chairman's Report: None**  
**Work Session Report: None**

**Director's Report:**

Ms. Miller reported on the TMAPC Receipts for the month of April 2018. Ms. Miller stated intake of zoning cases were light. Ms. Miller reported on City Council and Board of County Commission actions taken and other special projects

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1. **Minutes:**

**Approval of the minutes of May 16, 2018 Meeting No. 2770**

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 May 16, 2018, Meeting No. 2770.

2. **Minutes:**

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

On **MOTION** of **DIX**, the TMAPC voted 10-0-1 (Covey, Dix, Doctor, Fothergill, Fretz, Krug, Millikin, Reeds, Ritchey, Walker, “aye”; no “nays”; Shivel, “abstaining”; none “absent”) to **APPROVE** the amended 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.

3. **LC-1025** (Lot-Combination) (CD 4) – Location: West of the northwest corner of South Xanthus Place and East 15<sup>th</sup> Street South
4. **LC-1026** (Lot-Combination) (CD 1) – Location: Southeast corner of North Rockford Avenue and East 48<sup>th</sup> Street North
5. **Z-5444-SP-1d Justin Schroeder** (CD 7) Location: West of the southwest corner of East 41<sup>st</sup> Street South and South Garnett Road requesting a **CO Minor Amendment** to increase the allowable floor area by 15 percent.

**STAFF RECOMMENDATION:**

**SECTION I:** Z-5444-SP-1d Minor Amendment

**STAFF RECOMMENDATION**

Amendment Request: Modify the Corridor Plan to increase the allowable floor area 15%.

Currently, the allowable floor area permitted by the development plan is 221,000 sf. The applicant is proposing to increase the allowable floor area by 15%, or 33,150 sf, for a total of 254,150 sf allowable.

The requested increase is due to an addition of a 3,000 sf gym facility to the existing hotel, which would have exceeded the total allowable area for the hotel. The requested 15% increase would allow this expansion and provide for some additional room for expansion in the future, if so desired. Even with the requested 15% added, the proposed total floor area of 254,150 sf would be significantly less than the 387,372 sf of floor area maximum that would be allowed in a CO district, based on an allowed 1.25 Floor Area Ratio.

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

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

Staff has reviewed the request and determined:

- 1) The requested amendment does not represent a significant departure from the approved development standards in the Corridor Development Plan.
- 2) All remaining development standards defined in Z-5444-SP-1 and subsequent minor amendments shall remain in effect.

With considerations listed above, staff recommends **approval** of the minor amendment request to increase the allowable floor area by 15%.

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6. **Z-7345-a Gregory Helms** (CD 9) Location: East of the Southeast corner of South Peoria Avenue and East 35<sup>th</sup> Street South requesting a **Minor Amendment to optional development plan** to reduce the setback from 50 feet to 35 feet.

**STAFF RECOMMENDATION:**

**SECTION I:**        Z-7345-a Minor Amendment

**STAFF RECOMMENDATION**

Amendment Request:    Modify the Optional Development Plan standards to reduce the setback for kitchen exhaust equipment from an R district from 50 feet to 35 feet.

The applicant is proposing to revise the setback standard for the kitchen exhaust equipment due to the nature of the existing building. The furthest wall from the adjacent R building is 40 feet distant. This would mean that the existing building could not comply with the 50 ft. restriction. The reduction to 35 ft would allow an exhaust hood to be installed on the existing building.

The applicant states that the exhaust hood will be on the opposite side of the building's ridge line from the adjacent R district and will be shielded by that ridge line, or otherwise screened from the R district if the ridge line is not sufficient. Based on the information provided by the applicant, the reduction in setback would not adversely affect the adjacent R district properties.

Staff Comment: *This request can be considered a Minor Amendment as outlined by Section 70.040I.1.a of the City of Tulsa Zoning Code.*

“The planning commission is authorized to approve amendments to approved development plans as minor amendments if the planning commission determines that substantial compliance is maintained with the approved development plan. “

Staff has reviewed the request and determined:

- 1) The requested amendment does not represent a significant departure from the approved development standards in the Optional Development Plan.
  
- 2) All remaining development standards defined in Z-7345 shall remain in effect.

With considerations listed above, staff recommends **approval** of the minor amendment request to reduce the setback for kitchen exhaust equipment from an R district.

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7. **PUD-712-5 Scott Eudey** (CD 6) Location: North of the northwest corner of East 51<sup>st</sup> Street South and South 193<sup>rd</sup> East Avenue requesting a **PUD Minor Amendment** to permit an additional ground sign.

**STAFF RECOMMENDATION:**

**SECTION I:** PUD-712-5 Minor Amendment

**STAFF RECOMMENDATION**

Amendment Request: Revise the PUD Development Standards to permit an additional ground sign.

The proposed ground sign would be for tenant identification for the retail center located in Lot 3, Block 1 (Development Area A). The sign would be limited to 20 ft in height and 160 sf in display surface area.

The requested ground sign would be consistent with the others that had been allowed for other retail lots within the PUD and would be less than what could be allowed for commercial signs within the PUD. Commercial signs in the PUD could be allowed up to 25 ft in height and 2 sf per ft of street frontage.

Staff Comment: *This request can be considered a Minor Amendment as outlined by Section 30.010.I.2.c(1) of the City of Tulsa Zoning Code.*

*“Modification to approved signage, provided the size, location, number and character (type) of signs is not substantially altered.”*

Staff has reviewed the request and determined:

- 3) The requested amendment does not represent a significant departure from the approved development standards in the PUD.
- 4) All remaining development standards defined in PUD-712 and subsequent amendments shall remain in effect.

With considerations listed above, staff recommends **approval** of the minor amendment request to permit an additional ground sign.

**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 3 through 7 per staff recommendation.

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

### **PUBLIC HEARINGS:**

8. **The Estates at the River III** (CD 8) Preliminary Plat, Location: South of the southwest corner of East 121<sup>st</sup> Street South and South Hudson Avenue

### **STAFF RECOMMENDATION:**

This plat consists of 60 lots, 5 blocks, 17.86 ± acres.

The Technical Advisory Committee (TAC) met on May 17, 2018 and provided the following conditions:

1. **Zoning:** Proposed lot conforms to the requirements RS-3 zoning. PUD-803 permits a gated subdivision.
2. **Addressing:** Address will be assigned to final plat. Provide lot address graphically on the face of the final plat.
3. **Transportation & Traffic:** Reserve C should be excluded from the plat or language should be added to permit use of the area for future extension of South Hudson Avenue and a connection to proposed subdivisions to the east.
4. **Sewer:** Proposed fence easement along 125<sup>th</sup> Place has a sanitary sewer located under it. Agreements will be required prior to construction in any easement.
5. **Water:** IDP submittal must be approved prior to approval of the final plat.
6. **Engineering Graphics:** Submit a subdivision data control sheet with final plat submittal. Graphically show all pins found or set associated with this plat. Add legend entries for found/set property pins. Platted subdivisions at the time of final plat approval must be shown in the location map. All other property should be labeled unplatted. Label plat location as "Site" or "Project Location".
7. **Fire:** No comments.
8. **Stormwater, Drainage, & Floodplain:** Illustrate existing FEMA floodplain boundary on the face of the plat.
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.

**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 Estates at the River III Preliminary Plat per staff recommendation.

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9. **Enclave II at Addison Creek** (CD 8) Preliminary Plat, Location: West of South Sheridan Road at East 123<sup>rd</sup> Street South

**STAFF RECOMMENDATION:**

This plat consists of 106 lots, 9 blocks, 27.8 ± acres.

The Technical Advisory Committee (TAC) met on May 17, 2018 and provided the following conditions:

1. **Zoning:** Proposed lot conforms to the requirements RS-3 zoning. Boundary for PUD-828 should be delineated on the face of the plat to indicate which lots are included and subject to the development standards.
2. **Addressing:** Address will be assigned to final plat. Provide lot address graphically on the face of the final plat.
3. **Transportation & Traffic:** No comment.
4. **Sewer:** Easements in which sanitary sewer is located must be a minimum of 15' wide. Revise easements or obtain release from City of Tulsa for reduced easement widths.
5. **Water:** IDP submittal must be approved prior to approval of the final plat.
6. **Engineering Graphics:** Submit a subdivision data control sheet with final plat submittal. Graphically show all pins found or set associated with this plat. Add legend entries for found/set property pins. Platted subdivisions at the time of final plat approval must be shown in the location map. All other property should be labeled unplatted. Label plat location as "Site" or "Project Location".
7. **Fire:** No comments.

8. **Stormwater, Drainage, & Floodplain:** Illustrate existing FEMA floodplain boundary on the face of the plat.
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.

**TMAPC COMMENTS:**

Mr. Covey asked Mr. Foster if Bixby was still going to build a school near this site.

Mr. Foster stated he thought the school system had decided not to build in that area.

**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** Enclave II at Addison Creek Preliminary Plat per staff recommendation.

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10. **PUD-737 Plat Waiver** (CD 6) Location: South of the southeast corner of East 11<sup>th</sup> Street South and South 161<sup>st</sup> East Avenue

**STAFF RECOMMENDATION:**

The platting requirement for this property is being triggered by the approval of a Planned Unit Development (PUD-737) in 2007 that was never developed. In 2010, the landowner divided the property into several large tracts and sold tracts to individual owners without addressing the need or requirement to plat the property. The current proposal is to permit the construction of one single-family home on the subject property.

The Technical Advisory Committee met on May 17, 2018 and the following items were determined:

1. Single-family residential uses are a permitted use on the site.



2. No additional easements are required at this time.
3. A right-of-way dedication is required for S 161<sup>st</sup> East Ave to comply with the Major Street and Highway Plan
4. Water service is available on the site through service connections.
5. The property meets and exceeds the minimum requirements of the Oklahoma Department of Environmental Quality to permit on-site sewage disposal.

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

1. The required right-of-way dedication for S 161<sup>st</sup> East Ave must be made.
2. An ALTA survey is required to be filed of record with Tulsa County due to the property being unplatted.

**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** PUD-737 Plat Waiver per staff recommendation.

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Item 11 was withdrawn by applicant.

11. **Z-7444 Deborah Richards** (CD 4) Location: East of the southeast corner of South Peoria Avenue and East 10<sup>th</sup> Street South requesting rezoning from **RM-2 to PK (Withdrawn by applicant)**

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12. **Z-7440 Kyle Sewell** (CD 2) Location: East of the southeast corner of West 71<sup>st</sup> Street South and South Elwood Avenue requesting rezoning from **AG to CG with optional development plan** (Continued from May 2, 2018)

**STAFF RECOMMENDATION:**

**SECTION I: Z-7440**

**DEVELOPMENT CONCEPT:**

The anticipated immediate use for a portion of this site is an automobile car wash. The applicant has provided design standards and use limitations which

help integrate this site into the expected development along west 71<sup>st</sup> Street South near the Turkey Mountain Wilderness area.

The applicant has stated that the allowed uses are consistent with the Employment Land Use designation of the comprehensive plan.

## **SECTION II: OPTIONAL DEVELOPMENT PLAN STANDARDS**

The following Use Categories, Subcategories and Specific Uses shall be allowed in conjunction with all supplemental regulations and all other zoning regulations as defined in the Tulsa Zoning Code except as further limited below:

### PERMITTED USE CATEGORIES:

1. Commercial Use Category: Limited to the following Subcategories
  - a. Public, Civic and Institutional
    - i. College or University
    - ii. Day Care
    - iii. Hospital
    - iv. Library or Cultural Exhibit
    - v. Religious Assembly
    - vi. Safety Service
    - vii. School
    - viii. Utilities and Public Service Facility (Minor)
  - b. Commercial
    - i. Animal Service and all specific uses
    - ii. Assembly and Entertainment (Small)
    - iii. Broadcast or Recording Studio
    - iv. Commercial Service and all specific uses
    - v. Financial Services and all specific uses
    - vi. Funeral or Mortuary Service
    - vii. Lodging (Hotel/motel)
    - viii. Office and all specific uses
    - ix. Restaurants and Bars and all specific uses
    - x. Retail Sales with all specific uses
    - xi. Studio, Artist or Instructional Service
    - xii. Trade School
    - xiii. Vehicle Sales and Services
      1. Personal Vehicle repair & maintenance within this specific use only automatic car washes with accessory vacuum bays are permitted.
  - c. Other
    - i. Drive-in or Drive-through Facility (as a component of an allowed principal use)

#### BUILDING SETBACKS:

The minimum Building Setback from the 71<sup>st</sup> Street right of way line shall not be less than 10 feet.

#### BUILDING STANDARDS:

The initial anticipated use for the property is an automatic car wash facility. That use will not exceed a maximum building foot print greater than 5000 square feet. All future uses shall conform to the lot and building regulations of a CS district.

The car wash and all future buildings shall meet the following building design standards.

- 1) The front of the building cladding will be a minimum 75% masonry (CMU, brick and mortar, or decorative concrete panel) excluding window or door openings.
- 2) All sides of the building will have a minimum 50% hard surface (CMU, brick and mortar, or decorative concrete panel). Trash enclosures shall be masonry construction with metal gates.
- 3) No outdoor storage will be permitted.
- 4) Mechanical equipment such as condensing units, car wash vacuums, etc. shall be a minimum of 25' from any lot line

#### LANDSCAPE STANDARDS:

All lots within the boundary of the optional development plan shall provide the following landscape and screening standards except where penetrated by vehicular and pedestrian circulation systems.

- 1) Deciduous and evergreen trees shall be placed on the lot within 20 feet of the street right of way.
- 2) Deciduous and evergreen trees shall be placed within 20 feet of the east and west boundary of the development plan area.
- 3) The quantity of trees shall be identified on the landscape plan however those trees shall be placed so no tree is further than 25 feet from any other tree as measured in any horizontal dimension to the trunk of the tree. These required trees are additional to any other landscape requirements identified in the Zoning Code.
- 4) Landscaping shall be installed prior to release of an occupancy permit for any building.

#### PEDESTRIAN ACCESS AND CIRCULATION:

- 1) Provide sidewalks within the street right of way as required by the Tulsa Subdivision regulations and shall be constructed to meet or exceed the City of Tulsa engineering design standards for sidewalks along an arterial street right of way.

#### SIGN STANDARDS:

- 1) All freestanding signs shall be monument style with a maximum height not exceed 25 feet.
- 2) Signage shall conform to all City of Tulsa Sign standards for signs in a CS district as defined in the Tulsa Zoning Code.
- 3) Signage on any south facing wall may not be illuminated.

**LIGHT STANDARDS:**

The maximum height of all wall or pole mounted lighting shall not exceed 16 feet within 50 feet of the street right of way. The maximum fixture height for the remainder of the site shall not exceed 25 feet.

**DETAILED STAFF RECOMMENDATION:**

Many uses allowed in a CG zoning district may be consistent with expected the employment land use designation recognized in the comprehensive plan however some uses offer very little employment opportunities and some uses allowed in a CG district are not compatible with the surrounding property. CG zoning allows some uses that are not consistent with the goals of the employment land use designation. Staff has reviewed the development plan and determined that the objectionable uses have not been included in the development plan and,

Z-7440 abuts property with design and use limitations and is directly south across W. 71<sup>st</sup> Street South from the Turkey Mountain Wilderness area. The small area plan recognizes that this area should be treated with a higher level of aesthetics and encourage development that is complimentary with the employment opportunities near the wilderness area. The optional development plan provides building material limitations and landscaping requirements that are consistent with the expected development across the street from Turkey Mountain wilderness area and,

CG zoning as requested by Z-7440 with the optional development plan prohibits some uses that are not compatible with the existing surrounding office properties east and west of the site therefore,

Staff recommends Approval of Z-7440 where the applicant has requested rezoning from AG to CG but only with the optional development plan as identified in Section II.

**SECTION III: Supporting Documentation**

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

*Staff Summary: This site abuts the east edge of the West Highlands Small Area Plan boundary. CG zoning with an optional development plan is consistent with the recommendations of the small area plan.*

Land Use Vision:

*Land Use Plan map designation:* Employment

Employment areas contain office, warehousing, light manufacturing and high tech uses such as clean manufacturing or information technology. Sometimes big-box retail or warehouse retail clubs are found in these areas. These areas are distinguished from mixed-use centers in that they have few residences and typically have more extensive commercial activity.

Employment areas require access to major arterials or interstates. Those areas, with manufacturing and warehousing uses must be able to accommodate extensive truck traffic, and rail in some instances. Due to the special transportation requirements of these districts, attention to design, screening and open space buffering is necessary when employment districts are near other districts that include moderate residential use.

*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:* The Commuter Corridor consideration of West 71<sup>st</sup> Street South is a high capacity traffic corridor that is generally not pedestrian oriented.

*Trail System Master Plan Considerations:* None, but it should be noted that this site is immediately south of the Turkey Mountain Wilderness Area. Existing sidewalks provide access to the trail system on the north of West 71<sup>st</sup> Street.

Small Area Plan: West Highlands Small Area Plan

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

*Staff Summary:* The site is vacant except the remnants of a single-family residence driveway and fencing.

Environmental Considerations: No known environmental concerns that affect site redevelopment.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
West 71 <sup>st</sup> Street	Primary Arterial with Commuter Corridor	120 feet	4

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

<b>Location</b>	<b>Existing Zoning</b>	<b>Existing Land Use Designation</b>	<b>Area of Stability or Growth</b>	<b>Existing Use</b>
North	AG	Park and Open Space	Stability	Turkey Mountain Wilderness Area
East	CS with PUD 384-A	Employment	Growth	Vacant immediately east but Mini Storage within the PUD

South	AG with PUD 384-A	Employment	Growth	Vacant
West	CS North/2 AG South/2	Employment	Growth	Veterinarian Clinic on north half and Vacant on AG property

**SECTION IV: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 11827 dated June 26, 1970, established zoning for the subject property.

**Subject Property:** no relevant history

**Surrounding Property:**

**Z-7432 April 2018:** (pending) TMAPC concurred in **approval** of a request for *rezoning* a 20± acre tract of land from AG to RS-3, for residential use, on property located south of the southwest corner of East 71<sup>st</sup> Street and South Elwood Avenue. (Case is pending approval from City Council.)

**Z-7375 (with optional development plan) March 2017:** All concurred in **approval** of a request for *rezoning* a 2± acre tract of land from AG to CG on property located east of the southeast corner of West 71<sup>st</sup> Street South and South Elwood Avenue.

**Z-7366 December 2016:** All concurred in **denial** of a request for *rezoning* a 1.47± acre tract of land from AG to CG on property located south of the southeast corner of South Elwood Avenue and West 71<sup>st</sup> Street South.

**Z-7052/ PUD-738 May 2007:** All concurred in **approval** of a request for *rezoning* a 39.19± acre tract of land from AG to RS-3/RM-0/CS and a Planned Unit Development for a mixed use development on property located at the southwest corner of West 71<sup>st</sup> Street South and South Elwood Avenue.

**PUD-660/ Z-6858 July 2002:** All concurred in **approval** of a proposed *Planned Unit Development* on a 2.2± acre tract of land and in **approval** of a request for *rezoning* from AG to CS/PUD for commercial uses, on property located east of the southeast corner of South Elwood Avenue and West 71<sup>st</sup> Street.

**PUD-384A April 1987:** The applicant requested a *major amendment* to PUD-384 to abandon previous uses that had originally been allowed and requested approval for Use Units 11, 14, 15, and 17. All concurred in **approval** of the request subject to conditions for the following uses, a mini-storage facility, a retail lawn and garden business with office and showroom. Use Unit 17 permitted the mini-storage facility only and all outdoor display for retail lawn and garden

business would be only for seasonal merchandise, on property located east of the southeast corner of South Elwood Avenue and West 71<sup>st</sup> Street South.

**Z-6017/ PUD-384 May 1985:** All concurred in **approval** of a request for *rezoning* a 10± acre tract of land from AG to CS zoning on the north 550' and **denial** of the requested IL zoning and all concurred in **approval** of a proposed *Planned Unit Development*, on property located east of the southeast corner of South Elwood Avenue and West 71<sup>st</sup> Street South.

**Z-6006 October 1984:** All concurred in **approval** of a request for *rezoning* a tract of land from AG to CS, for commercial use, on property located on the southeast corner of East 71<sup>st</sup> Street and South Elwood Avenue.

**TMAPC COMMENTS:**

Mr. Dix asked staff if the east portion and the west portion are on the same lot?

Staff answered “yes”, the applicant’s plan currently is to have a car wash on the east portion of the lot. Staff stated the land area that is left after the car wash will have building provisions.

Mr. Dix asked if the applicant would have to have a development plan for the west portion of the subject property.

Staff answered “no” the current development plan would cover the entire subject property but the applicant would need to submit a site plan that satisfies all the requirements in the development plan.

**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-7440 rezoning from AG to CG with optional development plan per staff recommendation.

**Legal Description of Z-7440:**

The East 253 feet of the West 481.22 feet of the North 520 feet of the Northwest Quarter of the Northwest Quarter (NW/4 NW/4) of Section Twelve (12), Township Eighteen (18) North, Range Twelve (12) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the United States Government Survey thereof.

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Items 13 and 14 were presented together.



13. **LS-21134** (Lot-Split) (CD 8) – Location: North and east of the northeast corner of East 98<sup>th</sup> Street South and South Sandusky Avenue (Related to LC-1023)

**STAFF RECOMMENDATION:**

The Lot-Split/Combination proposal is to split a portion of the property located at 9703 S. Sandusky and combine it with the property located at 9726 S. Urbana. Both tracts will meet the Lot and Area requirements of the City of Tulsa Zoning Code for an RS-1 zoning District and for PUD-216.

The Technical Advisory Committee met on May 17, 2018 and had no comments.

The proposed lot-split/combination would not have an adverse effect on the surrounding properties and staff recommends **APPROVAL** of the lot-split/combination 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-21134 per staff recommendation.

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14. **LC-1023** (Lot-Combination) (CD 8) – Location: South and west of the southwest corner of East 97<sup>th</sup> Place South and South Urbana Avenue (Related to LS-21134)

**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 Combination LC-1023 per staff recommendation.

\* \* \* \* \*

Items 15 and 16 were presented together.

15. **Z-7445 Curtis Branch** (CD 2) Location: East of the southeast corner of South 26<sup>th</sup> West Avenue and West 71<sup>st</sup> Street South requesting rezoning from **RS-3/PUD-159 to AG** (related to PUD-159-B)

**STAFF RECOMMENDATION:**  
**SECTION I: Z-7445**

**DEVELOPMENT CONCEPT:** The applicant is requesting AG rezoning and abandonment of the PUD is requested to allow agricultural uses and building types on the property.

**DETAILED STAFF RECOMMENDATION:**

Large lot development required in AG zoning is consistent with West Highlands Small area plan at this location and,

Uses as allowed in AG zoning are not considered injurious to the surrounding properties and,

Abandonment of a portion of PUD 159 does not adversely affect the remaining developable property in the PUD therefore,

Staff recommends Approval of Z-7445 to rezone property from RS-3/ to AG only if the accompanying PUD 159-B is also approved.

**SECTION II: Supporting Documentation**

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

*Staff Summary: AG zoning is consistent with the Existing Neighborhood and Area of Stability components of the Tulsa Comprehensive Plan and with the West Highlands Small Area Plan*

**Land Use Vision:**

*Land Use Plan map designation: Existing Neighborhood*

The Existing Neighborhood category is intended to preserve and enhance Tulsa's existing single-family neighborhoods. Development activities in these areas should be limited to the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code. In cooperation with the existing community, the city should make improvements to sidewalks, bicycle routes, and transit so residents can better access parks, schools, churches, and other civic amenities.

*Areas of Stability and Growth designation: Area of Stability*

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

Transportation Vision:

*Major Street and Highway Plan:* Secondary arterial with a commuter street overlay

The most widespread commercial street type is the strip commercial arterial, these arterials typically serve commercial areas that contain many small retail strip centers with buildings set back from front parking lots. Because of this, strip commercial arterials have many intersections and driveways that provide access to adjacent businesses. Historically, this type of street is highly auto-oriented and tends to discourage walking and bicycling. On-street parking is infrequent.

Commuter streets are designed with multiple lanes divided by a landscaped median or a continuous two way left turn lane in the center. Commuter streets are designed to balance traffic mobility with access to nearby businesses. However, because there are so many intersections and access points on commuter streets, they often become congested. Improvements to these streets should come in the form of access management, traffic signal timing and creative intersection lane capacity improvements.

*Trail System Master Plan Considerations:* None

Small Area Plan: West Highlands Small Area Plan

This portion of the small area plan is considered an area of stability and an existing neighborhood. One of the major threats to the agricultural character favored by the residents in this area is increased density that would be allowed if the RS-3 zoning remained on this site.

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

*Staff Summary: The site is currently wooded and has a private pool and recreational area.*

Environmental Considerations: None that would affect the possible uses in an AG district.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
W. 71 <sup>st</sup> Street South	Secondary Arterial with Commuter Street Overlay	100 feet	2

Utilities:

The subject tract does not abut municipal water service.

Connections to municipal sanitary sewer will require an extension or an on site solution.

Surrounding Properties:

<b>Location</b>	<b>Existing Zoning</b>	<b>Existing Land Use Designation</b>	<b>Area of Stability or Growth</b>	<b>Existing Use</b>
North	RS-3 / PUD 159	Park and Open Space	Stability	Golf Course

East	RS-3 / PUD 159	Park and open space	Stability	Golf Course
South	RS-3 / PUD 159	Existing Neighborhood	Stability	Single Family Residential
West	AG	Existing Neighborhood	Stability	Single Family Residential

### PUD 159-B Summary

Abandonment of a portion of development area SF-3 south of 71<sup>st</sup> street will reduce that area to 13.2 acres. Detached single family residential uses are the only uses allowed in that development area. The uses along with the bulk and area requirements identified in the remainder of SF-3 will remain unchanged.

### DEVELOPMENT AREA MAP FOR PUD 159 SOUTH OF W. 71<sup>ST</sup> STREET SOUTH:



## SECTION III: Relevant Zoning History

### History: Z-7445

**ZONING ORDINANCE:** Ordinance number 11827 dated June 26, 1970, established zoning for the subject property.

### *Subject Property:*

**PUD-159 April 1974:** All concurred in **approval** of a proposed *Planned Unit Development* on a 597± acre tract of land to develop the entire residential zoned portion of Section 3 and an RS-3 zoned area near the SW corner of West 71<sup>st</sup> Street and South Union Avenue. Permitted were 954 houses, 876 apartments and a 36-hole golf course.

### *Surrounding Property:*

**PUD-606 March 1999:** All concurred in **approval** of a proposed *Planned Unit Development* on a 30.3± acre tract of land for residential development, on property located south of the southwest corner of West 71<sup>st</sup> Street South and South Union Avenue.

**BOA-18183 September 1998:** The Board of Adjustment **approved** a *variance* to permit 0' frontage in an AG District, per plan submitted, on property located at 7424 ± S. Union.

**BOA-18163 September 1998:** The Board of Adjustment **approved** a *variance* of the required 30' frontage on a public street to 25', per plan submitted, on property located west of the southwest corner of West 73<sup>rd</sup> Street South and South 26<sup>th</sup> West Avenue.

**BOA-17869 November 1997:** The Board of Adjustment **approved** a *variance* to allow two dwelling units on one lot of record (guesthouse), per plan submitted and subject to a covenant being filed or record stating that the second dwelling may not be used as rental property, on property located at 7354 South 26<sup>th</sup> West Avenue.

**BOA-17098 July 1995:** The Board of Adjustment **approved** a *variance* of the required rear yard from 40' to 15' to permit construction of a new residence and detached garage, per plan submitted, on property located at 7171 South 26<sup>th</sup> West Avenue.

**BOA-15898 December 1991:** The Board of Adjustment **approved** a *variance* of the required 30' of frontage on a public street or dedicated ROW to 0' to permit access by mutual access easement, and dedicated of necessary easements to serve the lots, on property located at 7500 S. Union.

**BOA-14188 September 1986:** The Board of Adjustment **denied** a *variance* of lot width and area to permit lots with 165' and 168' widths and lot areas of approximately 1.2 acres each in an AG district to permit a lot-split located at Lot 4, Block 2, and Lots 2-4, Block 2, Rosewood Acres 2<sup>nd</sup>, on property located on the northeast corner of West 73<sup>rd</sup> Street South and South 26<sup>th</sup> West 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-7445 rezoning from RS-3/PUD-159 to AG per staff recommendation.

**Legal Description of Z-7445:**

A tract of land that is part of the Northeast Quarter (NE/4) of Section Ten (10), Township Eighteen (18) North, Range Twelve (12) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, said tract being more particularly described as follows, to-wit:

BEGINNING AT A POINT that is the Northwest corner of the NE/4 of the said Section 10; THENCE due East along the Northerly line of Section 10 for 470.54 feet;

THENCE due South for 50.00 feet to the most Northerly Northwest corner of Lot 1 in Block 2 of PAGE BELCHER GOLF COURSE, a Subdivision in Tulsa County; THENCE South 21°22'59" West along the Westerly line of said Lot 1 for 722.20 feet; THENCE West for 212.28 feet to a point on the Westerly line of the NE/4 of said Section 10; Thence North 00°24'04" East along said Westerly line for 722.50 feet to the POINT OF BEGINNING of said tract of land.

\* \* \* \* \*

16. **PUD-159-B Curtis Branch** (CD 2) Location: East of the southeast corner of South 26<sup>th</sup> West Avenue and West 71<sup>st</sup> Street South requesting **PUD Major Amendment** to abandon the PUD and rezone to AG (related to Z-7445)

**STAFF RECOMMENDATION:**

**SECTION I: PUD-159-B**

**DEVELOPMENT CONCEPT:** The applicant is requesting AG rezoning and abandonment of the PUD is requested to allow agricultural uses and building types on the property.

**DETAILED STAFF RECOMMENDATION:**

Large lot development required in AG zoning is consistent with West Highlands Small area plan at this location and,

Uses as allowed in AG zoning are not considered injurious to the surrounding properties and,

Abandonment of a portion of PUD 159 does not adversely affect the remaining developable property in the PUD therefore,

Staff recommends Approval of PUD 159-B which will abandon a portion of PUD 159.

**SECTION II: Supporting Documentation**

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: AG zoning is consistent with the Existing Neighborhood and Area of Stability components of the Tulsa Comprehensive Plan and with the West Highlands Small Area Plan*

Land Use Vision:

*Land Use Plan map designation: Existing Neighborhood*

The Existing Neighborhood category is intended to preserve and enhance Tulsa's existing single-family neighborhoods. Development activities in these areas should be limited to the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code. In cooperation with the existing community, the city should make improvements to sidewalks, bicycle routes, and transit so residents can better access parks, schools, churches, and other civic amenities.

*Areas of Stability and Growth designation: Area of Stability*

The Areas of Stability includes approximately 75% of the city's total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal



for the Areas of Stability is to identify and maintain the valued character of an area while accommodating the rehabilitation, improvement or replacement of existing homes, and small scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.

Transportation Vision:

*Major Street and Highway Plan:* Secondary arterial with a commuter street overlay

The most widespread commercial street type is the strip commercial arterial, these arterials typically serve commercial areas that contain many small retail strip centers with buildings set back from front parking lots. Because of this, strip commercial arterials have many intersections and driveways that provide access to adjacent businesses. Historically, this type of street is highly auto-oriented and tends to discourage walking and bicycling. On-street parking is infrequent.

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*Trail System Master Plan Considerations:* None

Small Area Plan: **West Highlands Small Area Plan**

This portion of the small area plan is considered an area of stability and an existing neighborhood. One of the major threats to the agricultural character favored by the residents in this area is increased density that would be allowed if the RS-3 zoning remained on this site.

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *The site is currently wooded and has a private pool and recreational area.*

Environmental Considerations: None that would affect the possible uses in an AG district.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
W. 71 <sup>st</sup> Street South	Secondary Arterial with Commuter Street Overlay	100 feet	2

Utilities:

The subject tract does not abut municipal water service.

Connections to municipal sanitary sewer will require an extension or an onsite solution.

Surrounding Properties:

<b>Location</b>	<b>Existing Zoning</b>	<b>Existing Land Use Designation</b>	<b>Area of Stability or Growth</b>	<b>Existing Use</b>
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South	RS-3 / PUD 159	Existing Neighborhood	Stability	Single Family Residential
West	AG	Existing Neighborhood	Stability	Single Family Residential

**PUD 159-B Summary**

Abandonment of a portion of development area SF-3 south of 71<sup>st</sup> street will reduce that area to 13.2 acres. Detached single family residential uses are the only uses allowed in that development area. The uses along with the bulk and area requirements identified in the remainder of SF-3 will remain unchanged.

**DEVELOPMENT AREA MAP FOR PUD 159 SOUTH OF W. 71<sup>ST</sup> STREET SOUTH:**



### SECTION III: Relevant Zoning History

#### History: Z-7445

**ZONING ORDINANCE:** Ordinance number 11827 dated June 26, 1970, established zoning for the subject property.

#### Subject Property:

**PUD-159 April 1974:** All concurred in **approval** of a proposed *Planned Unit Development* on a 597± acre tract of land to develop the entire residential zoned portion of Section 3 and an RS-3 zoned area near the SW corner of West 71<sup>st</sup> Street and South Union Avenue. Permitted were 954 houses, 876 apartments and a 36-hole golf course.

#### Surrounding Property:

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**BOA-15898 December 1991:** The Board of Adjustment **approved** a *variance* of the required 30' of frontage on a public street or dedicated ROW to 0' to permit access by mutual access easement, and dedicated of necessary easements to serve the lots, on property located at 7500 S. Union.

**BOA-14188 September 1986:** The Board of Adjustment **denied** a *variance* of lot width and area to permit lots with 165' and 168' widths and lot areas of approximately 1.2 acres each in an AG district to permit a lot-split located at Lot 4, Block 2, and Lots 2-4, Block 2, Rosewood Acres 2<sup>nd</sup>, on property located on the northeast corner of West 73<sup>rd</sup> Street South and South 26<sup>th</sup> West 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 **ABANDON** PUD-159-B and rezone to AG per staff recommendation.

**Legal Description of PUD-159-B:**

A tract of land that is part of the Northeast Quarter (NE/4) of Section Ten (10), Township Eighteen (18) North, Range Twelve (12) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, said tract being more particularly described as follows, to-wit:

BEGINNING AT A POINT that is the Northwest corner of the NE/4 of the said Section 10; THENCE due East along the Northerly line of Section 10 for 470.54 feet; THENCE due South for 50.00 feet to the most Northerly Northwest corner of Lot 1 in

Block 2 of PAGE BELCHER GOLF COURSE, a Subdivision in Tulsa County; THENCE South 21°22'59" West along the Westerly line of said Lot 1 for 722.20 feet; THENCE West for 212.28 feet to a point on the Westerly line of the NE/4 of said Section 10; Thence North 00°24'04" East along said Westerly line for 722.50 feet to the POINT OF BEGINNING of said tract of land.

\* \* \* \* \*

17. **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. (Continued from May 2, 2018)

**STAFF RECOMMENDATION:**

**Item:** Zoning Code text amendments to modify standards for residential driveways Chapter 55 Parking: Sections 55.090-F

**A. Background:** The City was asked by the Home Builders Association of Greater Tulsa, to consider amendments to the residential driveway requirements to better facilitate market demands for wider driveways. Once a proposal was developed and vetted, the TMAPC, on April 4, 2018, initiated text amendments to the Zoning Code. The May 2, 2018 TMAPC hearing for this item was continued in order to conduct an additional work session which occurred on May 16, 2018. Additional adjustments to the proposal were made as a result of the discussion at the work session.

The Tulsa Zoning Code establishes a maximum width for residential driveways based on zoning district. This measurement sets the width of driveways both on private property and within the public right of way. Generally, the purpose for having a maximum width is to support the residential character of neighborhoods and prevent lots from becoming fully paved parking areas in front of single family homes. Narrower driveways on smaller lots are more consistent with existing development patterns in older parts of the community. As average home sizes have increased, market demands have resulted in properties having three garages, for vehicles, boats, storage, or any number of other uses.

Under previous versions of the City's zoning code developers used a PUD as a means of modifying open space requirements to allow additional paved (impervious) surface for wider driveways accessing three-car garages. The current code provides that a greater driveway width may be approved by special exception or by amendment of existing PUDs.

Proposed amendments address lot dimensions instead of zoning district which allows the amount of lot frontage along the street to serve as context for the maximum width of a driveway within the public right of way. This proposal allows larger lots to install wider driveways, which seems consistent with the request under consideration.

Open space requirements are not proposed to change and will take precedence if they are more stringent than the allowed maximum driveway width. A provision is included to ensure no more than 50% of the lot frontage is occupied by a driveway. This proposal was adjusted after the May 16, 2018 work session to add; 1) a provision for very narrow lots (30' or less) to have maximum 12' wide driveways, and 2) a cap on the overall driveway area within the required street setback which is not to exceed 50% of the required street setback area.

The following table compares methodologies for determining maximum driveway width:

<b>Pre-2016 Zoning Code</b>	<b>Current Code</b>	<b>Proposed</b>
Based on zoning district	Based on zoning district	Based on lot frontage
Maximum coverage calculation within street setback (17% - 36%)	Specific dimensions within right-of-way & on the lot (12' – 30')	Specific dimensions within right-of-way; Maximum coverage within street setback (50%); Maximum width of all driveways (50% of lot frontage)
Livability space required	Open space per unit required	Open space per unit required

Note: The definition of “Open Space per Unit” in the current code closely matches the definition (and prescribed dimensions) of “Livability Space” from the previous zoning code.

Engineering standards for residential driveways have been amended to allow widths ranging from 10'-30'. The previous standard limited residential driveways to a maximum width of 24'.

Proposed amendments to the City of Tulsa Zoning Code, Title 42 Tulsa Revised Ordinances, are shown in ~~strike through~~/underline format in **Attachment I**.

The new City of Tulsa Zoning Code became effective on January 1, 2016. Since that time, fourteen (14) applications for special exceptions allowing wider residential driveways have been processed; all were approved. **Attachment II** includes examples of special exception requests which have been granted by the Board of Adjustment. These approvals allow wider driveway widths based on individual review relative to the approval criteria for all special exceptions. While

some of these applications would no longer be required under the proposed amendments, others would still have needed BOA approval to be permitted. **Attachment III** shows the single PUD amendment that was approved to allow for wider driveways.

**Attachment IV** contains graphic examples of proposed maximum driveway widths for lots with various frontages/dimensions. These examples show the difference between earlier proposals and the current version which reflects changes made after the May 16, 2018 TMAPC work session.

**Attachment V** is a document provided by the HBA of Greater Tulsa at the request of the TMAPC for discussion at the May 16, 2018 Work Session.

And **Attachment VI** is a code comparison showing driveway allowances for cities within the region as well as for comparable cities nationally.

Public comment received by the TMAPC staff prior to distribution for this public hearing is found in **Attachment VII**.

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

## Attachment I

Proposed Amendments:

55.090-F Surfacing

3. In RE and RS zoning districts, driveways ~~serving residential dwelling units within the street right-of-way~~ may not exceed 50% of the lot frontage or the following maximum widths, whichever is less, unless a greater width is approved in accordance with the special exception procedures of Section 70.123, or, if in a PUD, in accordance with the amendment procedures of Section 30.010-1.2. (Refer to City of Tulsa Standard Specifications and Details for Residential Driveways #701-704).

Maximum Driveway Width	RE	RS-1	RS-2	RS-3	RS-4	RS-5
<del>Within Right-of-Way (feet)</del>	<del>20</del>	<del>20</del>	<del>20</del>	<del>20</del>	<del>20</del>	<del>12</del>
<del>On the Lot (Outside ROW) (feet)</del>	<del>30</del>	<del>30</del>	<del>30</del>	<del>30</del>	<del>20</del>	<del>12</del>

~~For approvals granted under the terms of the zoning code in effect prior to January 1, 2016, including (1) variances of maximum driveway coverage measured by width, square footage or percentage of yard and (2) establishment of PUD development standards that increase the maximum permitted driveway coverage measured by any such means, the foregoing maximums do not apply.~~

	<u>Maximum Driveway Width</u>				
<u>Lot Frontage</u>	<u>75'+</u>	<u>60' - 74'</u>	<u>46'-59'</u>	<u>30' - 45'</u>	<u>Less than 30'</u>
<u>Driveway Within Right-of-Way (feet)</u> <u>[1]</u>	<u>30'</u>	<u>28'</u>	<u>24'</u>	<u>20'</u>	<u>12' [2]</u>

[1] Maximum width applies to the composite of all driveways if multiple curb cuts are provided.

[2] Provided that for lot frontages less than 24 feet, a driveway up to 12 feet in width is permitted.

In RE and RS zoning districts, the total area of all driveways within the required street setback may not exceed 50% of the area of the required street setback.

**TMAPC COMMENTS:**

Mr. Fretz asked Ms. Warrick if Historic Preservation Districts regulation have precedence over the zoning code.



Ms. Warrick stated “Yes”, anything that requires a permit in Historic Preservation Overlay District would have to demonstrate compliance with the HP guidelines and be approved as an HP permit before applying for a building permit.

Mr. Dix asked Ms. Warrick if the numbers on the Special Exception Approval sheet is correct.

Ms. Warrick stated “Yes” they are correct and those are multiple lots.

Ms. Miller stated Ms. Warrick recently issued a letter of interpretation saying the width only applies in the front setback and some of the wide widths were not in the front setback they were deeper on the lot.

**INTERESTED PARTIES:**

**Jeffrey Smith** 11545 East 43<sup>rd</sup> Street, Tulsa, OK 74146

Mr. Smith stated he is the CEO for the Homebuilders Association. Mr. Smith stated the current zoning code allows lots in RS-3 districts and larger, which is the clear majority of lots in Tulsa, to have a 20-foot curb cut and a 30-foot-wide driveway once past the street right of way. Mr. Smith stated those numbers are being drastically modified. He stated what the HBA is asking for is up to 30 feet in a curb cut and up to 50 percent in the street setback, this will add 50 to 100 square feet of concrete on a 7000 to 8000 square foot lot which is a very minimal change. Mr. Smith stated it is very important to meet the consumer demand for individuals that wish to move into Tulsa and have a 3-car garage and not have to be bottlenecked getting out of their driveways. Mr. Smith stated by allowing the minimal increases in driveway widths it will allow residents to have a full 3 car garage and 3 car driveways. Mr. Smith stated the livability space or green space will not be changed and therefore it will not create heat islands. Mr. Smith stated Board of Adjustment had 14 cases in the last year and a half and all of them were approved but if the current amendment is approved 11 of those 14 would still have to go before the BOA. Mr. Smith stated this amendment would not make much of a difference at the BOA but would give families who want to move into the City of Tulsa near The Gathering Place and build a standard size house with a standard size three car garage the option to do a straight shot 3 car driveway between 26 and 28 feet depending on the lot width. Mr. Smith stated consumer demand is a huge issue and The Gathering Place and development downtown is a game changer. Tulsa needs to capitalize on the opportunity for the City to grow and if that is limited based on the size of driveway allowed, families will move to the suburbs. Mr. Smith stated Tulsa wants to capture the sales tax dollars and property tax dollars within the City of Tulsa. Mr. Smith stated Planning Commission has received several comments over the last few weeks and Mr. Smith would like to address a few. The first one is a conflict over bicycling and walking across driveways, Mr. Smith stated this amendment is not adding any driveways to the City it is just expanding the width of a driveway in that conflict area by 4 feet, 6 feet or maybe 8 feet. Mr. Smith stated it is not

anticipated that vehicles will be able to pull into their driveways any faster than they currently do. There is still 25 feet in front of them to slow them down. Mr. Smith said runoff and drainage was another concern and it is important to note that when a building permit is applied for in any city including the City of Tulsa the applicant is required to give a site plan with drainage and it is expected that City staff and inspectors in the field will follow the site plan and drainage that is required on the site so as not to create drainage issues for the neighbors. Mr. Smith stated as far as neighborhood safety he hears that with 3 car garages there are less windows in the front of homes and that is true but he believes families will be outside their home riding bikes, tricycles and playing basketball and making the neighborhood safer. Mr. Smith stated it will also allow for more parking off street because residents will park in the driveway instead of on the street making it safer for kids playing in the neighborhood. Mr. Smith stated 10 years ago everyone in this room went to a box store on the corner and 5 years after that because Blockbuster didn't want to change to meet consumer demand they filed for bankruptcy. Mr. Smith stated let's not have development in the City of Tulsa become the next Blockbuster.

Ms. Millikin asked Mr. Smith how he would respond to the comments from residents in midtown that this amendment would destroy the charm and history of their neighborhood.

Mr. Smith answered change is always inevitable and if neighborhoods are in a Historic District the rules in that district would take precedence over any others, however if you have a willing seller and a willing buyer and they want to develop the property into a new home he wants the customer and the consumer have the option. Mr. Smith states the Home Builders Association members have been building homes in midtown and across Tulsa for 75 years. They built the character of midtown and don't want to destroy the character of midtown they just want to respond to consumer demand.

Mr. Ritchey asked Mr. Smith if he had any statistics that show you have polled people and the reason they don't want to move to Tulsa is because they cannot have a 3-car driveway.

Mr. Smith stated there are no statistics out there but the HBA Parade of Homes has 151 homes across every community in town and 129 of those homes have 3 car garages or larger and the vast majority of people looking at new construction or remodeling their home are choosing 3 car garages or larger. Mr. Smith stated if there is regulation in the City of Tulsa that prevents a person from having an easy accessible 3 car garage they will find a different place to live.

Mr. Ritchey stated he understands Mr. Smith's Blockbuster analogy but thinks it is the inverse. Mr. Ritchey stated 10 years ago everyone owned a car, Mr. Ritchey stated he doesn't own a car any longer and statistics he has read show 16-year olds are not getting their driver's license and therefore the modern family

is not going to have 3 or 4 cars any longer, so are you concerned that we may overbuild three car garage homes and they won't sell as easily sell later?

Mr. Smith stated he was not concerned about that issue. He believes individuals that choose to ride bicycles or walk to work is about 2 percent of the population. Mr. Smith stated the vast majority are using their automobile and bicycles and walking are secondary travel.

Mr. Ritchey asked Mr. Smith if he wants the automobile to be the primary mode of transportation in Tulsa.

Mr. Smith stated he thinks all transportation is good for Tulsa.

Mr. Reeds stated Mr. Smith mentioned the 3<sup>rd</sup> garage is typically for a utility vehicle or a boat and not used daily like the other 2 spaces are. Mr. Reeds asked if they looked at a design where one of the spaces is stacked.

Mr. Smith answered, there are homes being built that have stacked garages but HBA is always going to respond to the demand of the consumer and if the consumer says they want 3 car garages because they have 3 automobiles or for whatever reason, that is what the builders and developers are going to build to.

Mr. Reeds stated everyone thought Urban Renewal would work but it didn't. It tore down the City and now there are a lot of vacant lots that don't have buildings on them and there is no soul to them. Mr. Reeds stated he doesn't understand why HBA doesn't try to help the consumer make a better decision with less concrete.

Mr. Smith stated he believes architects and developers provide advice to the consumer on what would best fit in the neighborhood but the ultimate decision is made by the consumer. Mr. Smith stated what the HBA is seeing in midtown is lots that have dilapidated homes on them for quite some time and are now being sold for 3 times the value so that someone can come in and tear it down and rebuild on that lot. Mr. Smith stated that is not a developer that is making that choice. A developer is not going to go spent \$200,000 a lot because it's a hobby, they won't build an \$800,000 home because it's a hobby they are going to do it because there is a consumer out there saying they want it. Mr. Smith stated the HBA feels like with opening of The Gathering Place a lot more families will want to move to Tulsa and request the 3-car driveway.

Mr. Covey stated there were emails that referenced the Special Exceptions. There were 5 in 2016, 8 in 2017 and 2 in 2018, so is there really a problem to go and get a Special Exception.

Mr. Smith stated the Special Exceptions are being approved 100 percent of the time but it is not a guarantee that it will be approved and the developers are

seeing that they are deciding not to add on to the driveway. The consumer is seeing the model home in the neighborhood with the 3-car garage and they are being told by the developer or builder that they cannot do this because of Zoning Code or they can pay an extra 500 dollars and delay the project by 5 weeks to get a Special Exception. Mr. Smith said the consumer sometimes doesn't want to pay the extra funds to do that.

Mr. Covey stated that is their choice.

Mr. Smith stated their choice is also adding on to that driveway after the developer is finished and not be in code compliance. Mr. Smith stated if you walk around midtown or any part of Tulsa you will find the same thing.

**Tom Neal** 2507 East 11<sup>th</sup> Place, Tulsa, OK 74104

Mr. Neal stated he is a 20-year design professional and a former Architectural Historian of the Preservation Commission. Mr. Neal stated he is also representing Renaissance Neighborhood Association who is opposing this amendment. Mr. Neal stated he hears what Mr. Smith is saying and he doesn't believe Mr. Smith has it quite right. Mr. Smith stated in his neighborhood it is mostly 1920's trolley car suburban development with single car drives and garages in the back and that is the character of the neighborhood that Mr. Neal chose to move into and the current code allows for a 20 feet driveway but that is not characteristic of the neighborhood and the same case could be made for Yorktown, Swan Lake and Maple Ridge neighborhoods. Mr. Neal stated the residents are deeply concerned about an amendment that would make it easier to mcmansion historic midtown neighborhoods whether they are HP zoned or merely historic. Mr. Neal stated it does not seem like going through the Special Exception process is that much of a burden. Mr. Neal stated his neighborhood board that represents about 1000 households would like to urge the HBA to look for another solution. Mr. Neal stated he found out about this meeting accidentally because he was attending the Route 66 Overlay Hearing and he is concerned there appears to be a failure either deliberately or ineptly from the administration to use the resources to reach out to Neighborhood Associations. They have the phone numbers and emails and the HOA has come into this process a little late and that is troubling because that was not the case when the planning department was changing the overall Zoning Code. There was a lot of effort to notify residents, particularly those directly affected by the change in the code. Mr. Neal stated if this amendment is critical then in the spirit of compromise maybe there is a way for this to apply in certain areas of town such as South Tulsa and East Tulsa and doesn't apply north of I-44, west of Highway 169, the river on the west and I-244 on the north and address Brady Heights, Reservoir Hill and the neighborhoods in between.

**Mitch Drummond** 1723 South Delaware, Tulsa, OK 74120

Mr. Drummond stated he is Vice Chairman of the Bicycle Pedestrian Committee that operates under INCOG. Mr. Drummond would like to thank Planning

Commission for their time and would also like to thank Jeffery Smith and Stacey Bayles with the Home Builders Association. They reached out to members of BPAC last week to meet with them and give some information on the background and reasoning for this request. Mr. Drummond stated it was good meeting and pointed out there is a gap in the communication with the Bike and Pedestrian Committee and they will work to address that issue and make sure the development community is involved early in the process. Mr. Drummond stated everyone has heard about the environmental impact of more concrete and less grass. Mr. Drummond stated he wanted to address the addition of the 30-foot curb allowance in the right of way widths and the negative impact this will have on the safety and comfort of the citizens of Tulsa. Mr. Drummond stated the wider driveways create a much larger conflict with cars and pedestrians. The wider driveways enable higher driving speeds on residential streets especially in and out of the driveway since the turning radius is increased. Mr. Drummond stated wider driveways allow drivers to pay less attention to their surroundings. Mr. Drummond stated while drivers are not watching out for their mailbox, landscaping or parked cars they are also not watching out for pedestrians or bicyclists. Mr. Drummond stated Mr. Smith stated the need for 3 car garages facing the street is driven by consumers. From the BPAC perspective the walls and highways create barriers and so do the garages. The garages separate the residents that are in their home from people who are in the street and further isolates the pedestrians and bicyclists from the community. Mr. Drummond stated that in some of the homes that are being built closer to the street, because the garages are front facing it is blocking the view from adjacent neighbors and creates further isolation. Mr. Drummond stated there is a process for the Special Exceptions and it has been used some in the last 3 years and seems to be working and he doesn't see a need to change it. Mr. Drummond stated he joined BPAC a little over a year ago because he wanted this region to become a safe, comfortable and pedestrian friendly community. Mr. Drummond stated Tulsa's pedestrian fatality rate is well above the national average and its increasing. He stated he has evaluated the crash data and reviewed police reports and visited most of the sites of the pedestrian's deaths in Tulsa over the last 10 years and currently the issues are along the arterial streets and not an issue on the residential streets and Mr. Drummond doesn't want to see this become an issue on the residential streets.

Mr. Fothergill asked Mr. Drummond if he had any statistics that say a wider driveway causes more accidents.

Mr. Drummond answered it is more related to the speed of the car and the attention of the driver. Mr. Drummond stated the larger width would allow higher speeds because of the larger turning radius and the driver is paying less attention to the surroundings.

Mr. Fothergill asked if this was because of a wider driveway.

Mr. Drummond answered “yes”, because when you’re backing out you don’t have to look for a mailbox or a tree so the driver knows there is a clear shot.

Mr. Fothergill stated so are you saying people gun it and go for it with a wider driveway?

Mr. Drummond stated “yes”, that is a great analogy. You look once and know where the mailbox is and its 15 feet away.

Mr. Fothergill stated so the extra 4 feet that is proposed will make the difference.

Mr. Drummond stated it is 10-feet that is allowed on the largest lot.

Mr. Fothergill asked if that was including the radius.

Mr. Drummond stated “yes”, the curb cut width is currently 20-feet and the proposal for the larger lots would be 30 feet.

**Larry Mitchell** 1211 West 2<sup>nd</sup> Street, Tulsa, OK 74127

Mr. Mitchell stated he is the chairperson for the Bicycle Pedestrian Advisory Committee. Mr. Mitchell stated Jeff Speck recently completed a study of walkability of downtown Tulsa and he stated there were more curb cuts in downtown Tulsa than he had seen anywhere in the country and strongly advised we have a policy regarding curb cuts because it negatively impacts the safety of people who walk and ride bikes. Mr. Mitchell stated it seems like the amendment takes the curb cut policy and moves it into the residential areas. Mr. Mitchell stated after World War II this city along with most cities designed roads, highways and streets primarily with the automobile and truck traffic in mind. But in recent years around the nation and around the world people are realizing they may need to think about the needs of alternate modes of transportation and they should be included in the mix for planning purposes. Mr. Mitchell stated Tulsa City Council has adopted a complete streets policy that states the city is required to consider all modes of transportation and City Council has also adopted the Go Plan which is a comprehensive network of bike lanes and pedestrian enhancements. Mr. Mitchell stated he is a lifelong resident by choice and the fact is Tulsa is changing and realizing they need to think about the needs of pedestrians and bikers in addition to cars because roads are a shared space and not just the domain of vehicular traffic but the domain of several different options such as transit which includes pedestrians and bicyclists. Mr. Mitchell stated BPAC enjoyed speaking with Stacey and Jeff from the HBA and agreed to talk more regardless of the decision today but the wider curb cuts are detrimental to people who ride bikes.

**Joe Westervelt**, 1630 South Boston Avenue, Tulsa, OK

Mr. Westervelt stated he represents HBA along with Jeff Smith and a few others. Mr. Westervelt stated Mr. Smith did a very good job of going over the details to help the Planning Commission to make good decisions. Mr. Westervelt stated he thought the last work session was very informative. Mr. Westervelt stated when he first moved to Tulsa 30 years ago he bought a house in Brookside and paid \$35,000 for the house, it had a floor furnace and a window air conditioner in the back and needed paint and a roof. Mr. Westervelt stated he lived there for 4 years and fixed the house up and sold the house for \$38,000. Mr. Westervelt stated if you look at the home prices over the last 30 years as of 4 years ago that same neighborhood between 31<sup>st</sup> Street to 51<sup>st</sup> Street and Peoria Avenue to Riverside Drive most were built post war was still priced around \$68,000 that is an annual increase of 3 percent a year. Mr. Westervelt stated since The Gathering Place was announced 4 years ago the lot prices have increased to \$151,000 to \$220,000 for an opportunity to scrape the house currently on the lot and built a new house. That is 54 percent a year over the last four years. Mr. Westervelt stated Tulsa has lost jobs, corporations and first-time home buyers to surrounding communities and Jeff has touched on one of the problems. But the other problem is Tulsa does not have much market demand and nothing to drive growth to the city until The Gathering Place was built. Mr. Westervelt stated half a million dollars and a 14-mile river plan makes a real change in the area. Mr. Westervelt stated Tulsa needs to find a way to welcome those younger families into these neighborhoods to improve our ad valorem tax base. Mr. Westervelt stated Tulsa has an opportunity to see a change in this area of town and the HP Districts are protected, this area is ripe for opportunity and a gift has been given to the city and we should do what we can to take advantage of that gift and to take advantage of the market that has appeared because of that gift and find a way for everyone to find a place in the older areas of town.

Mr. Dix stated he is struggling with this amendment. Mr. Dix stated Mr. Ritchey believes the way to attract younger people is to build a more walkable city like the downtown area and Mr. Westervelt thinks to attract younger people is to allow them to build bigger houses and that seems to be at odds with the lots in this area. Mr. Dix asked how wide the lots are in the area Mr. Westervelt spoke of.

Mr. Westervelt stated 50 to 60 feet. Mr. Westervelt stated there is a difference in young people versus young families. That is the difference, young people may want something different.

Mr. Dix stated if the numbers Mr. Westervelt quoted are correct, 150,000 to 160,000 dollars, for a lot to build a house on that is 60-75 feet wide for the economics of the type of house you would need to build to be affordable would dictate to Mr. Dix that you would need two lots.

Mr. Westervelt stated the average house that young families want to build is 2400-3200 square feet and the builders don't make the demand. They meet the demand and the demand is there.

Mr. Dix stated he is struggling with 35-foot driveways on 65-foot lots.

Mr. Westervelt stated he doesn't have anything that would change Mr. Dix's mind but if you want to discuss the technical details please speak with Mr. Smith.

Mr. Dix stated he is trying to understand why the change is needed to allow the types of homes the HBA and Developers are speaking about.

Mr. Westervelt stated because the HBA and Developers would like to see the young families have the product they want in the older parts of town because there is room for everyone. Mr. Westervelt stated he doesn't think this paving change will make a tremendous difference. Mr. Westervelt stated in his neighborhood there are various examples of extra paving added incrementally over the years yet all the neighbors walk by and say isn't it beautiful; its midtown the old part of town.

**Brandon Jackson** 1216 North Lansing Avenue, STE A, Tulsa, OK 74106

Mr. Jackson stated he is a local developer and President of the Developers Council and past President of the HBA. Mr. Jackson stated he agrees with staff's recommendation and Jeff Smith's comments. Mr. Jackson stated he had a minor amendment approved to allow wider driveways in a development in northwest Tulsa. Mr. Jackson stated his Parade of Homes house has a three-car garage with a 30-foot driveway and that is what his customers want. Mr. Jackson stated he has some houses that have a 20-foot curb cut and then widen to 30 feet but people run over the grass and is inconvenient for the residents. Mr. Jackson stated he is 15 minutes from Skiatook Lake and his customers have boats, trailers, ATV's and motorcycles and they want to keep these items at their residence and Mr. Jackson believes in property owners rights if it is not injurious to the neighbors. Mr. Jackson stated that just because 4 midtown neighbors don't want this amendment the rest of Tulsa should not be denied. Mr. Jackson stated he builds around Peoria area and those customers want a 2 or 3 car garage but in most instances, they want something wider than a 2-car driveway.

Mr. Ritchey asked if Mr. Jackson had any personal experiences he could share where a client has indicated any issues with getting a Special Exception.

Mr. Jackson stated he has a client who bought a \$250,000 lot near 37<sup>th</sup> and Rockford and it is going to cost him 6500-7000 dollars to get a permit because it is in the City Regulatory Floodplain and the customer is asking why they must pay this money because it has not flooded in the area since 1982. Mr. Jackson stated he also has a customer looking at a model home in Owasso and they want to build it in Tulsa. Mr. Jackson told the customer he could build it but he couldn't



give a closing date because they would need to apply for Board of Adjustment action and pay 500 dollars. The customer asked where else he could build it and Mr. Jackson told them about other neighborhoods and the customer decided to go back to Owasso. Mr. Jackson stated he doesn't have those problems in Owasso or Broken Arrow and most people are going to take the path of least resistance because they do have automobiles and will drive.

**Howard Kelsey** 6726 East 103<sup>rd</sup> Street, Tulsa, OK 74133

Mr. Kelsey stated he is president and owner of Kelsey Company and past president of the state HBA as well as the local HBA. Mr. Kelsey stated his family is in the home building business in the city of Tulsa since 1958. Mr. Kelsey stated Tulsa is dedicated to the automobile. He stated the last 2 car garage home he built was in 1981 and everything else has been 3 cars or above by request. Mr. Kelsey stated his company has continually built in midtown districts not based on his acquisition of property but based on consumers. Mr. Kelsey stated Mr. Westervelt was correct on the acquisition costs for these lots. A midtown scraper is 165000 to start and if you move inside 41<sup>st</sup> and Harvard the cost is 400000 and above and that dictates a home value of 1.8 million dollars or above. Mr. Kelsey stated those customers have the money they need to buy the toys they want to put in a 3-car garage. Mr. Kelsey stated they have always been sensitive by permit or otherwise to tastefully build homes that suit the property. Mr. Kelsey stated he would encourage Planning Commission to adopt the staff proposal, it is a market driven issue that is driven by consumers and not the builder or developers.

Mr. Shivel asked Mr. Kelsey about his statement that he had not built a 2-car garage home since 1981 and if the 3 car garages had been built in Owasso or Broken Arrow.

Mr. Kelsey stated "no" his business is primarily building in Tulsa.

**Chip Adkins** 1638 East 17<sup>th</sup> Place, Tulsa, OK 74120

Mr. Adkins stated he has heard everyone's comments and Mr. Adkins thinks Mr. Westervelt has lost value of what a small family is. He mentioned he bought his first house for \$34,000 in Brookside, that is what a small family can afford today is between 34,000 and 175000 dollars. Mr. Adkins stated that is what Tulsa needs is new families not multimillionaire families that can afford these 1.6 million-dollar homes. Mr. Adkins stated he is the landlord in Swan Lake, he owns property in Swan Lake. Mr. Adkins stated he owns over 16 homes in historic districts and is known as the discount landlord because he wants small families to come and enjoy the neighborhood. Mr. Adkins stated his houses are rented for about 1100 dollars in midtown, Mr. Adkins stated he has 3 houses up for rent now and the young families who have requested those houses have a rental income of under 1000 dollars. Mr. Adkins asked where are these people coming from that can afford these lots of 200000 plus. Mr. Adkins stated

according to growthpopulationview.com population is declining. He stated the list shows -3% growth in the city of Tulsa. Mr. Adkins stated there has been a flat growth in the city of Tulsa since 2000. Mr. Adkins stated he doesn't know where these builders are coming up with the statement that these families are coming into the city of Tulsa, Mr. Adkins does not see that according to the data of the population growth. Mr. Adkins stated he asked Jed Porter in a Preservation meeting about the driveway width in an HP area, Mr. Porter stated on the street that could be the 50% applied even though it's an HP area but Mr. Adkins stated he doesn't know if that is accurate. Mr. Adkins asked how many public meetings have been held? He stated he has heard the HBA has met with a group from INCOG and he talked to INCOG and they were not included in some of the meetings. Mr. Adkins asked who has been in these meetings that have been going on for a year and a half, not the stakeholders. Mr. Adkins stated he has not been asked his opinion about the amendment and he is a stakeholder so who have these meetings been going on with. Is it just City Hall? Mr. Adkins stated there has been two meetings with INCOG but those were just for staff and no questions could be asked. There has been no public input at these meetings. Mr. Adkins stated yesterday at the TPC meeting there was a request to have a driveway in the Maple Ridge area widened so the resident could go fast into his driveway and that is a direct quote. Mr. Adkins stated they like cars on the streets in midtown because they don't have the luxury of having speed bumps built in the area so the cars parked on the streets are used as traffic control devices to slow the traffic down. Mr. Adkins stated if you go to a new neighborhood in South Tulsa they have speed bumps to slow the cars down, but in midtown there are no speed bumps and they are lucky if a car slows down to 25 to 30 mph while going through the neighborhood. Mr. Adkins stated speed bumps are needed and maybe if they were installed in midtown maybe the driveway width amendment would get the support of the neighborhood. Mr. Adkins stated but currently 25 feet on a 50-foot lot creates a flood issue in the future by adding miles of concrete to the surface in the city of Tulsa. Mr. Adkins stated Tulsa has spent over 100 million dollars on flood control and no one has looked at the flood control issue this will create. Mr. Adkins stated does one system work for the whole city. Please vote against this amendment.

Mr. Fothergill stated he has about 50 emails total of public comments and this meeting is about public comments. Mr. Fothergill stated he has attended one meeting which was a work session and public comments are not accepted at work sessions but the HBA was an invited guest. Mr. Fothergill stated he wanted Mr. Adkins to know there was no conspiracy involved.

Mr. Adkins stated he knows there was no conspiracy involved but he finds it odd that after a year and a half of no public input there was none whatsoever from the stakeholders, the people who pay the property taxes. Mr. Adkins stated the homebuilders don't pay the property taxes, he does. Mr. Adkins stated the Commission needs to understand the stakeholders are against this amendment and the stakeholders are the ones who pay the city salaries and keep this going

and he thinks George Kaiser understands that by the amount of money he has put into the city of Tulsa over his lifetime and Mr. Adkins thanks him for his contributions but the stakeholders have a say in this and they have not had a say except at this meeting during this year and a half long process.

**Blake Ewing** 175 East 2<sup>nd</sup> Street, Tulsa, OK 74103

Councilor Ewing stated he did not intend to speak and he doesn't typically address the Planning Commission at this point in the process. Mr. Ewing stated he wanted to represent his constituents in this matter. Mr. Ewing stated this isn't the first time there has been an issue before Planning Commission where midtown specifically had an issue and it won't be the last and that is OK. Mr. Ewing stated a great city has something for everyone. Mr. Ewing stated he shares Mr. Westervelt's sentiments and that is the first time that has happened in half a decade. Mr. Ewing stated he thinks Mr. Jackson's comments were well made we should be a city that has a diverse offering we should have something for everyone. Mr. Ewing stated he is not an urbanist that believes that the entire city should look the same, that all streets should be the same, that all homes should be the same. Mr. Ewing stated Tulsa has areas of town that are so attractive, so interesting that by their very nature have changed the conditions of residential development around them. Brookside neighborhoods look very different today than it did 20 years ago. Mr. Ewing stated Brookside is such a destination people want to have their cake and eat it too and that isn't a negative they want to be in walking distance of their favorite watering hole but go home to a walk-in closet, granite counter tops and a bigger garage. Mr. Ewing stated we have seen smaller homes come down to be replaced by larger homes that eat up most of the lot and undeniably alter the character of the neighborhood. There will forever be a question of whether that is appropriate or injurious to those who choose to live in smaller homes. Mr. Ewing stated he doesn't believe that driveway width should be the mechanism used to control the character of a neighborhood. There are different tools in the box should we decide to prescribe different character for neighborhoods. Mr. Ewing stated but he believes his constituents have a point and overwhelmingly he has heard that they chose the neighborhoods they live in based on the character of that neighborhood. Mr. Ewing stated it isn't just based on where it is in town, it isn't just based on the near-by commercial district, it's based on the look and feel on the neighborhood as well. Mr. Ewing stated the comments from the BPAC committee should be taken seriously. More than ever Tulsan's are thinking about how to get around in our city, not just in a car but biking and walking. A few google searches show that transportation agencies across the country agree that the width of the street impacts the speed of which people drive down the street. The width of the driveway impacts the speed at which people will enter it or exit the driveway. Mr. Ewing stated the built environment has more to do with how we behave in our city than anything we do, not how many signs we put up telling people how to drive or the codes that council comes up with, just how it is built. Mr. Ewing stated the new information that came before him today that caused him to speak was that subdivision builders who are building in the more suburban parts of

town were frustrated by the prospect that they would not be able to provide en masse what the customer is looking for. Mr. Ewing stated his thought is if you want to build a new subdivision on the outskirts of town in what is currently a greenfield he knows what it will look like, there will be one or two entrances into the neighborhood, cul-de-sacs, tree lined boulevard medians and super wide streets with speedbumps and the widest driveways under the sun and more garage than house and that is probably the highest demand for new homes and this should be allowed in greenfield developments in the suburban parts of the community. Mr. Ewing what he heard today is The Gathering Place is causing people to scrape historic homes in midtown and build bigger houses with bigger driveways and that should be concerning to all of us because we care more about that customer on that property than we do about the impact of that development on its surroundings. Mr. Ewing stated we owe it to the people who live in that neighborhood today to protect them when these decisions are made because they moved there for the character of that neighborhood. Mr. Ewing stated as it stands today if you want an exception there is a process to get it and the BOA does not see a lot of those applications. Mr. Ewing stated if the Planning Commission chooses to approve this amendment he would like to request that Planning Commission work to find a solution that allows for different parts of town to choose something that works for them before it goes to City Council. Mr. Ewing stated while this amendment would be great for some parts of town it would not be great for the part of town Mr. Ewing represents. Mr. Ewing stated if this is something this commission does not want to do then he will do it at the City Council level but Mr. Ewing thinks planning Commission is better equipped to handle this issue and come up with a creative solution. Mr. Ewing stated he would ask Planning Commission not to approve this amendment and allow applicants to go to BOA for a Special Exception.

Mr. Walker asked Mr. Ewing if midtown was carved out how would he propose to that.

Mr. Ewing stated what he doesn't want to see is historic neighborhoods initiate overlays specifically to deal with this issue repeatedly. This isn't the way to deal with this issue. Mr. Ewing stated he believes if this passes neighborhoods will say they can pursue an overlay that specifically addresses driveways. The existing neighbors will define the standard for the neighborhood and say they don't want large driveway widths and come up with some other things they don't want and it will make it harder for an infill project to get approved. Mr. Ewing stated this is a fluid process and residents will try to figure out how to protect their interests and make sure no one builds McMansions in the Brookside neighborhoods. Mr. Ewing stated he hopes this is not the avenue residents take because it muddies up the Zoning Code and makes it harder for everyone.

Mr. Covey stated 6 of the properties that have gone through the Special Exception process are in midtown and asked Mr. Ewing if he had driven by any of those.

Mr. Ewing answered “no” but that is what he likes about the Special Exception process. The Board of Adjustment’s very nature is to look at things on a case by case basis to make sure there is a hardship or a reason for that variance or Special Exception. Mr. Ewing stated he thinks when you try to solve a problem city wide you might solve a problem on one side of town but create a problem on another. Mr. Ewing stated if you want to build something out of character to the surroundings then the process says make your case and your neighbors have the chance to show up and learn about it and voice their opinions and an appointed board makes a ruling and everyone agrees to live with that ruling and that is a much fairer process for the citizens of Tulsa as it relates to this issue and issues like it. Mr. Ewing stated there have been so few of these that if it had come to him and it was happening all the time and all over the place he might look at it differently but the Special Exceptions are so few and far between that it makes perfect sense to leave it as it is and let the Board of Adjustment do their job.

Mr. Covey asked if one property whose driveway is over 30 feet destroys the character of the neighborhood and if one property has that Special Exception granted why shouldn’t everyone else be granted a Special Exception?

Mr. Ewing stated that is why the Board of Adjustment process is what it is, they can look at it on a case by case basis and decide if the project as it stands alters the integrity of the neighborhood. Mr. Ewing stated and they are finding the cases so far do not.

Mr. Covey asked Mr. Ewing what it said to him that the Board of Adjustment had granted all the applications that have come before them.

Mr. Ewing stated it says that a case was made that none of these projects would be injurious to the neighborhood. Mr. Ewing stated the concern is that without a process for someone to make the case or appear before their neighbors or contemplate the impacts of their development of their surroundings the door is opened for a rich developer to scrape a block in a neighborhood close to The Gathering Place. Mr. Ewing stated what you are voting for is to give up the opportunity to evaluate these things on a case by case basis. Mr. Ewing stated he knows the struggle Commissioners are going through trying to decide. The City Council will deal with the same kind of struggle when this amendment comes before them but government is at its best when you give people the most opportunities to weigh in and the current process gives people that extra opportunity to stand before elected or appointed people and make a case for why something should or shouldn’t happen.

Mr. Fothergill asked Mr. Ewing what he would say to Mr. Jackson when the customer comes to him to say he wants a 3-car garage and he tells the customer they must go to the Board of Adjustment and that takes 6 more weeks and costs

500.00 extra dollars and the customer says no they are going to Owasso or Broken Arrow.

Mr. Ewing stated that is the dynamic of cities in America today. People are choosing if they want the amenities of urban life or suburban life or some mixture of the two. Mr. Ewing stated there are a million people in the Tulsa area and there are a lot of living opportunities and a lot of greenfield to develop. Mr. Ewing stated Tulsa can't get in the game of trying to out-suburban the suburbs. The aim should be to offer the best quality of life available in the core of the urban environment. Mr. Ewing stated but Tulsa should not get into a suburban competition with the suburbs. Mr. Ewing stated this is not to discredit them because the suburbs are a vital part of the city's economy or the counties economy and all those things work together, the suburbs need to be strong as well but a great city has something for everyone and not just a house but a neighborhood for everyone. Mr. Ewing stated some people want a neighborhood where the kids can play in the cul-de-sac and some people want something very different. Mr. Ewing stated some people want something different. They want 8 access points into the neighborhood, they want a gridded neighborhood, they want cars parked on the street, they want narrower streets, they want a mixture of multifamily and single family all in a neighborhood and Tulsa has that if that is what they want. Mr. Ewing stated something for everyone does not just mean if you want a suburban style home in midtown you should be able to have that. It means if you want to live in a historic neighborhood with narrow streets and narrow drive that's walkable and bikeable you should be able to protect that.

**Jane Halliwell** 2235 South Rockford, Tulsa, OK 74114

Ms. Halliwell stated her residence has been in her family since 1949. Ms. Halliwell stated she appreciates everything Councilor Ewing said. Ms. Halliwell stated she is the president of her neighborhood association but is not representing them but she knows they would like this amendment denied. Ms. Halliwell stated the lots in her neighborhood are 50 feet and the current size of a single driveway is all they need.

**Ann Howell** 5313 South Mingo Road, Tulsa, OK 74146

Ms. Howell stated she is the corporate pricing director for Metro Appliance and More. Ms. Howell stated she did not intend to speak today but she is here lobbying on behalf of progress in Tulsa. Ms. Howell stated she moved to Tulsa in October of 2011 from Springfield Missouri with her 4 children, and the code there required a narrower cut out at the curb and you could have the bigger driveway and that is what she did. Ms. Howell stated when she moved to Tulsa she wanted to live in South Tulsa. Ms. Howell stated she originally wanted to live in midtown but didn't have the budget. She stated her budget was 350,000-500,000 dollars and she looked at different lots in South Tulsa and found to get what she wanted as far as space, 3000-4000 square feet, she would have to build up instead of out. Ms. Howell stated if she wanted a 3-car driveway she would have

to apply for a Special Exception. Ms. Howell stated she chose to move to Broken Arrow because she wanted to get things rolling. Ms. Howell stated at the time of the move she was 41 and a young family that consisted of her and her son and they live in a 3400-square foot house and they have a 3-car driveway cut out to the curb. Ms. Howell stated they have a lawn mower, golf clubs, bicycles, footballs and everything else. Just because you have a 3-car garage doesn't mean you have 3 cars. Ms. Howell stated some of her employees wanted to live in Tulsa but chose Jenks and Owasso because they couldn't get what they wanted for their families in Tulsa. Ms. Howell stated she hears everything focused on midtown and in Ms. Howell's neighborhood there is a homeowner's association and if a neighborhood doesn't want 3-car driveways that is something a neighborhood association should do. Ms. Howell stated she wants to see Tulsa grow and doesn't think Tulsa would be hurt by approving this driveway amendment.

**TMAPC COMMENTS:**

Mr. Dix asked Ms. Warrick under the proposed amendment how many of the applications would have required a Special Exception.

Ms. Warrick stated the most significant relief that was granted through the Special Exception was a curb cut within a right of way which is narrower in most situations under the current code than the driveway width allowed on the private part of the lot. Ms. Warrick stated there are 6 large lots that are 75 feet plus in width in the list of Special Exceptions that would still need BOA approval under the proposed amendment. Ms. Warrick stated the more typical single-family lot size in the RS-3 or RS-4 districts there were 8 approved Special Exceptions under the current code. Using the proposed code of those 8 there is 1 that would not have needed a Special Exception at all by the interpretation of how the driveway width is measured, 2 would have been allowed and the last 4 would have still required a Special Exception but only for 2 feet.

Mr. Dix asked if Ms. Warrick had a feel for how many permits may have been withdrawn or not applied for because of the need for a Special Exception.

Ms. Warrick stated "no", she has looked at the numbers and there were 14 requests plus a PUD amendment in the past 3 years and that represents between 1-2 percent of all new home starts within the City of Tulsa.

Mr. Dix stated he is sympathetic to Mr. Jackson's statement about people wanting to build in the city of Tulsa but paying the \$500.00 for the Special Exception, the loan commitments and time involved to build those homes is detrimental.

Mr. Dix asked Mr. Smith how detrimental the effects of getting the Special Exception are to the applicants.

Mr. Smith stated he would encourage Mr. Dix to drive around midtown and look at the driveways not in compliance with the zoning code currently. That is not the developers doing that. It is the homeowners widening the driveways. Mr. Smith stated the homeowners are choosing not to go to the Board of Adjustment. Mr. Smith stated from the developer stand point there are builders who will not build in the city of Tulsa because of regulations like the current driveway regulations. Mr. Smith stated those developers are choosing to stay in the outlying areas so they don't have to fight with as much regulation as there is currently in the city of Tulsa.

Mr. Reeds asked Ms. Warrick if Mr. Jackson was developing a subdivision in Tulsa that has 120 homes in it can he apply to the Board of Adjustment for a Special Exception to allow larger driveway widths for all 120 homes and pay a \$500.00 fee for all 120 homes.

Ms. Warrick answered "yes", and it can be done at the time of the planning process.

Ms. Millikin stated she wasn't sure if this regulation would affect the character of the neighborhoods in midtown but she is sympathetic to the position that the character of midtown and other historic neighborhoods are being changed, and you can see that just driving through the area but she is not sure the driveway width regulation is going to significantly impact the character of the neighborhood one way or the other. Ms. Millikin asked what are some of the other tools available to protect the residents?

Ms. Warrick stated there is the Historic Preservation Zoning Overlay utilized in 7 neighborhoods in midtown. Ms. Warrick stated if those neighborhoods wish to use that and they qualify it's an avenue that can be explored that does have design guidelines for the site as well as the structures. Ms. Warrick stated there is an overlay that may work in some cases but not all because of ensuring consistency in an eclectic neighborhood that offers variety. Ms. Warrick stated the tools depend on the neighborhood.

Mr. Reeds asked what if the neighbors create a covenant within the neighborhood? Mr. Reeds asked what if the residents say they don't want 3 car garages?

Ms. Warrick stated Neighborhood associations can do those things, it is a civil agreement amongst the property owners and those type of agreements are not enforced by the city. If there is an issue where a covenant covered a particular issue such as driveway width and someone chose to evade the covenant and build something different it would be up to the property owners to self-enforce.

Mr. Ritchey stated to Ms. Warrick not to lose her job and to say no comment if she would like, but the City of Tulsa asked the planning department to create this



plan related to driveway width. Mr. Ritchey asked if this plan had just come before the planning department would Ms. Warrick have recommended the plan?

Ms. Warrick stated she felt the process that was conducted to get to an updated Zoning Code was inclusive and complete and the regulations that were adopted were appropriate. Clearly there were some challenges in the industry regarding those regulations. Ms. Warrick stated those merited being addressed.

Mr. Doctor stated to address the issue of planning staff, this was a request of the administration who asked staff to try and strike a balance between the demands of industry and what is currently being looked at with the Jeff Speck walkability assessment. Mr. Doctor stated he would like to speak to the broader concerns. There were comments in the emails and writings that were received with some negative comments towards the planning staff both at the city and INCOG and Mr. Doctor found this completely unacceptable. The staff was asked to look at this amendment and try to find a balance between those competing needs and they are a team of experts and very bright individuals who help make these kinds of decisions.

Ms. Millikin asked legal counsel if Planning Commission could exempt certain parts of the city from this amendment.

Ms. VanValkenburgh answered, "no".

Mr. Fretz stated he is supporting staff recommendation because he thinks this amendment is good for Tulsa. Mr. Fretz stated the market demands it and it is needed to compete with nearby cities. Mr. Fretz stated Tulsa driveway width is 20 feet wide and at least 4 of the surrounding cities had growth in 2017 and Tulsa lost 1533 residents and Tulsa can't afford to lose residents because that loses sales tax dollars. Mr. Fretz stated this amendment is needed so every house built doesn't need a Board of Adjustment approval.

Ms. Millikin stated she is also supporting staff recommendation but not because she is not sympathetic to some of the older neighborhoods that have a unique character but Ms. Warrick spoke of how eclectic certain neighborhoods are and it may be difficult to come up with an overlay that captures everything needed. Ms. Millikin doesn't see this amendment affecting the neighborhoods negatively or positively. Ms. Millikin stated she doesn't believe by supporting this amendment Planning Commission is contributing to the deterioration of midtown and other historic neighborhoods.

Mr. Ritchey stated he thinks if you are making it easier to build a 3-car garage and a giant driveway by necessity you are changing the character of those neighborhoods and Mr. Ritchey stated he isn't against large driveways, he has a three-car garage. Mr. Ritchey stated he has heard Tulsans may want to drive to their mailbox and that we are going to be like Blockbuster but Mr. Ritchey doesn't

want Tulsa to be a Blockbuster for the wrong reasons. Mr. Ritchey doesn't want Tulsa to be the Blockbuster that still relies on automobiles and 3 car garages when our peer cities are moving away from that and considering other transportation options. Mr. Ritchey stated it is true that people follow the path of least resistance and they want what is cheap and easy and they want to have their cake and eat it too. Mr. Ritchey stated they want to have a large oversized house in a traditionally nice neighborhood next to all the nice amenities. Mr. Ritchey stated he thinks Tulsa is a city that can choose to be better and he doesn't think this amendment does anything for Tulsa. There were only 8 cases in the last 3 years so why is this even being considered and why would we want to give up the right to review these applications at Board of Adjustment. Is it to save 8 people that are building large house 500 dollars? Mr. Ritchey stated he is not in support of staff recommendation.

Mr. Dix asked Ms. Miller if this amendment goes to City Council.

Ms. Miller stated all Zoning Code text amendments go to City Council regardless of what action is taken at Planning Commission.

Mr. Dix stated with that having been said, Council will do what Council wants to do. Mr. Dix stated a couple of key points in his decision was Mr. Jackson's comment about cost and time for someone wanting to build a house in North Tulsa was very instrumental in Mr. Dix making his decision. Why would we prevent a person from living where they want to live because of the cost of the Special Exception and time involved to get it approved and if that is preventing other people from doing the same thing which is a big unknown. Mr. Dix stated the city doesn't know how many people or developers or subdivision haven't been built because of this issue and that is bothersome to Mr. Dix. Mr. Dix stated Mr. Ewing is a smart fellow and wants to protect the people that live in the midtown neighborhoods and he is all for that but he is not for the government control in making it happen. Mr. Dix stated even though there were only 14 of these in the last 3 years he thinks there are 100's that didn't apply for the Special Exception. Mr. Dix stated as the HBA stated this is market driven but he personally wouldn't do it. Mr. Dix stated he will support staff recommendation.

Mr. Reeds stated he is okay with the proportional width based on the width of the lot. He thinks that is a sensible solution that was agreed upon. Mr. Reeds stated he has a problem beyond the right of way where 50 percent of the lot width is what was proposed. Mr. Reeds stated Ms. Millikin stated she doesn't think this amendment affects the character of the neighborhood, but how it affects the character is instead of having windows and front porches looking out on the street there will be 3 garage doors that have nothing in them except a static space for cars. This will be a difference in character of the neighborhood. Design is important and infill is what really is the concern in midtown neighborhoods. Mr. Reeds stated as Mr. Westervelt stated there is a ton of teardowns going on and those will always be expensive and those should always require a Special

Exception or it will stand out like a sore thumb and then the property can't be sold. Mr. Reeds stated if you're building in a greenfield and have 120 or 250 homes in a subdivision you can pay 500 dollars for a Special Exception to approve the driveway widths needed. Mr. Reeds doesn't think this is a burden. He thinks this is a flexible option to the developers that want to do new development in the city of Tulsa. Mr. Reeds stated a new home in Tulsa Oklahoma does not require an architect, a licensed professional. Most of the homes are designed by designers and they are good but as a licensed architect in 48 states and the District of Columbia he would not do a 3-car garage in a midtown district because of his design ethics. Mr. Reeds states in an inverse way this reminds Mr. Reeds of Urban Renewal. Mr. Reeds stated a pedestrian mall was opened downtown and it killed downtown for several reasons but physically because there was not automobile access to the buildings. Mr. Reeds stated he is not anti-car he just wants a balance in midtown neighborhoods between design and the way we live. Mr. Reeds stated he will not be supporting staff recommendation.

Ms. Millikin stated her comment was there were only 8 Special Exceptions in the last three years so with that number she didn't see it as making a significant impact.

Mr. Reeds stated he agrees with Ms. Millikin on the 8 over the last three years but if this amendment is passed any infill will be wiped out and it will be significant because it will be made easier.

Mr. Doctor stated he appreciates the approach that has been taken on a pretty contentious issue by this panel of Commissioners by looking at this issue broadly and that is a rarity on the heated issues that he has witnessed. Mr. Doctor stated 10 years ago when he worked with Mr. Fothergill on the council staff there were bloody meetings with knives thrown at people and terrible things so Mr. Doctor appreciates the manner of discussion. Mr. Doctor stated he would like for the planning staff to know that he greatly appreciates the tightrope staff has had to walk on this issue and he doesn't know if he appreciated how complex and how tense it would become when the request was made for staff to evaluate this issue and build to a balanced approach that allowed more flexibility, so thank you to staff for walking that tight rope. Mr. Doctor stated the current driveway standards allow for 20 feet within the right of way and 30 feet beyond that for residential area by right. Mr. Doctor stated he finds himself on the opposite end of the spectrum from Mr. Ritchey where he has a smaller driveway and will be voting in favor of this amendment. Mr. Doctor stated for him that means on a 50-foot lot by right he could have a 20-foot curb cut and then 30 feet beyond that and this leads to a more restricted driveway on Mr. Doctor's lot. That is why that incremental stair step approach was taken. Mr. Doctor stated how do we provide a relief valve for larger lots that are not going to be as injurious to the context of a neighborhood to allow for those exceptions? Mr. Doctor stated what is really is being discussed is a midtown infill issue and not a driveway issue. Mr. Doctor

stated the driveway issue is speaking to removing the bureaucratic process for minor changes and Mr. Doctor thinks the incremental approach accomplishes that for minor changes to allow for a 3-car garage. Mr. Doctor stated frustrations are coming up as infill becomes more frequent and Councilor Ewing was exactly right that this isn't the vehicle for that discussion. Mr. Doctor stated there are ways to have that discussion about what infill means and how that is constructive to a conversation about how to preserve the neighborhoods. Mr. Doctor stated the driveway width isn't going to exacerbate that or solve that problem. Mr. Doctor stated this will provide a release valve where a 3-car garage is desired. Mr. Doctor stated he will be voting to support staff recommendation.

Mr. Shivel stated he appreciates the time and effort everyone has spent on this issue whether it's on the development side or the neighborhood side. He also appreciated Councilor Ewing's comments. Mr. Shivel stated he is an open market person and some of what was talked about was the government control issue. But at the same time it changes the rules after the fact which affects many people that it had no intent of affecting. Mr. Shivel stated he sees the value of infill versus greenfield and in greenfield blanket rules apply because you are starting from ground zero and building versus infill where you are replacing sequentially. Mr. Shivel said he will not be supporting staff recommendation.

**TMAPC Action; 11 members present:**

On **MOTION** of **DIX**, TMAPC voted **7-4-0** (Covey, Dix, Doctor, Fothergill, Fretz, Millikin, Walker, "aye"; Krug, Reeds, Ritchey, Shivel, "nays"; none "abstaining"; none "absent") to recommend **ADOPTION** of ZCA-10 amendments to the City of Tulsa Zoning Code in the following section: 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 per staff recommendation.

## **OTHER BUSINESS**

### **18. Commissioners' Comments**

Mr. Reeds stated he thought this had been a very constructive meeting.

Mr. Ritchey stated he wanted to share a personal story of what originally got him interested in city planning in general. Mr. Ritchey stated in 2012 his wife and he purchased a property at 5<sup>th</sup> and Peoria and the reason he knew TMAPC existed is because he came before this board 4 times in support of small businesses that wanted to use that land in ways that were going to be outside of the use at the time. Mr. Ritchey stated as a result he is opening a brewery today at 5<sup>th</sup> and Peoria if anyone wants to come hang out, so thanks to Planning Commission for

spurring his interest in zoning. Mr. Ritchey stated it is exciting to see Planning Commission all working together because we all care about Tulsa.

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**ADJOURN**

**TMAPC Action; 11 members present:**

On **MOTION** of **MILLIKIN**, 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 2771.

**ADJOURN**

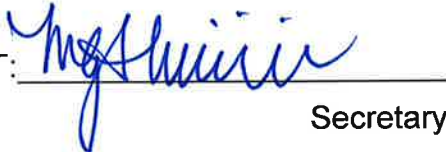
There being no further business, the Chair declared the meeting adjourned at 4:05 p.m.

Date Approved:

07-18-2018

  
Chairman

ATTEST:

  
Secretary