

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 2775

Wednesday, August 1, 2018, 1:30 p.m.

City Council Chamber

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

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

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Thursday, July 26, 2018 at 11:00 a.m., posted in the Office of the City Clerk, as well as in the Office of the County Clerk.

After declaring a quorum present, Vice-Chairman Dix called the meeting to order at 1:33 p.m.

REPORTS:

Chairman’s Report: None

Director’s Report:

Ms. Miller reported on City Council and Board of County Commission actions taken and other special projects. Ms. Miller stated a work session will be needed on September 5, 2018.

1. **Minutes:**

Approval of the minutes of July 18, 2018 Meeting No. 2774

On **MOTION** of **SHIVEL**, the TMAPC voted 7-0-0 (Dix, Fretz, Krug, Millikin, Reeds, Ritchey, Shivel, "aye"; no "nays"; none "abstaining"; Covey, Doctor, Fothergill, Walker, "absent") to **APPROVE** the minutes of the meeting of July 18, 2018, Meeting No. 2774.

2. **Minutes:**

Amend the minutes of April 4, 2018 Meeting No. 2767

On **MOTION** of **SHIVEL**, the TMAPC voted 7-0-0 (Dix, Fretz, Krug, Millikin, Reeds, Ritchey, Shivel, "aye"; no "nays"; none "abstaining"; Covey, Doctor, Fothergill, Walker, "absent") to **APPROVE** the amended minutes of the meeting of April 4, 2018, Meeting No. 2767.

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.

None

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

PUBLIC HEARINGS:

Mr. Dix stated the continuance would be addressed first.

6. **PUD-757-A Stuart Van De Wiele** (CD 4) Location: North of the northwest corner of South Norfolk Avenue and East 15th Street South requesting a **PUD Major Amendment** to change development standards to original PUD

INTERESTED PARTIES:

Douglas Boyd 1445 South Newport, Tulsa, OK 74120

Mr. Boyd stated he was in support of a continuance.

TMAPC Action; 7 members present:

On **MOTION** of **SHIVEL**, TMAPC voted **7-0-0** (Dix, Fretz, Krug, Millikin, Reeds, Ritchey, Shivel, “aye”; no “nays”; none “abstaining”; Covey, Doctor, Fothergill, Walker, “absent”) to **CONTINUE** PUD-757-A Major Amendment to August 15, 2018 per staff recommendation.

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3. CPA-73, Consider adoption of amendments to the Major Street and Highway Plan

STAFF RECOMMENDATION:

A. Item: CPA-73, Major Street and Highway Plan Amendments

B. Background: The Major Streets & Highway Plan is adopted as part of the Comprehensive Plan and provides for a hierarchical street classification system that distinguishes streets based on their ability to move traffic. It identifies roadways based on their functional classification, which serves as the official basis for determining right-of-way requirements and numbers of traffic lanes. This map was last amended in 2014.

INCOG Transportation Technical Advisory Committee and INCOG Transportation Policy Committee have recommended the following changes to the Tulsa Metropolitan Area Major Street and Highway Plan, based on the input from sponsoring entity engineers.

1. Rename the Special Trafficway classification to Scenic Drive and modify cross-section to reduce the (new) Scenic Drive classification from 6 lanes to 4 lanes. The Special Trafficway classification was only for Riverside Drive from E. 21st Street South to I-44. With the reconstruction of Riverside Drive in conjunction with the Gathering Place, the new name and cross-section are appropriate. (City of Tulsa)
2. Add various Industrial Collectors in the square mile between W. 51st Street South to W. 61st Street South and S. 49th West Avenue to S. 65th West Avenue. The Industrial Collectors reflect the development of the Paulsen Industrial Park and the relocation of the rail crossing at S. 49th West Avenue. (Tulsa County)

C. Staff Recommendation: Adopt proposed amendments to the Major Street and Highway Plan.

TMAPC COMMENTS:

Mr. Reeds asked staff if changing the name of Riverside Drive from Special Trafficway classification to Scenic Drive has any impact on the 1960 plan recommendation of making this road a highway.

Ms. Miller stated the MSHP is the guiding document and Ms. Miller thinks the 1960 plan may be historical but doesn't have status any longer.

Mr. Dix asked staff why the Industrial Streets need an amendment?

Ms. Miller answered the MSHP generally doesn't have collectors identified but this is where an Industrial Park was established, and those collectors have now been identified and need to be reflected in the plan.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **SHIVEL**, TMAPC voted **7-0-0** (Dix, Fretz, Krug, Millikin, Reeds, Ritchey, Shivel, "aye"; no "nays"; none "abstaining"; Covey, Doctor, Fothergill, Walker, "absent") to recommend **ADOPTION** of amendments to the Major Street and Highway Plan, a functional plan of the Tulsa Comprehensive Plan per staff recommendation.

- 4. **Cherokee Extension Industrial Park** (County) Preliminary Plat, Location: Southeast corner of East 76th Street North and North Sheridan Road

STAFF RECOMMENDATION:

This plat consists of 1 lot, 1 block on 14.21± acres.

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

1. **Zoning:** All property contained within the subdivision is currently zoned IL (Industrial – Light) and IM (Industrial – Moderate). Proposed lots conform to the zoning districts.
2. **Addressing:** Graphically include assigned lot addresses on final plat. Address will be assigned by INCOG.
3. **Transportation & Traffic:** Provide recording information for the North Sheridan Road right-of-way or dedicate by plat. Provide dimension for right-of-way. Reduce point of access to the width at the property line and extend

LNA on East 76th Street North.

4. **Sewer:** Offsite easement required for the sanitary sewer mainline extension. Clarify limits of both on-site and offsite easements. IDP will be required for sewer line and must be approved prior to approval of the final plat.
5. **Water:** IDP is required for the proposed water line extension. IDP must be approved prior to approval of the final plat.
6. **Engineering Graphics:** Submit a subdivision control data sheet with final plat. Remove contours on the final plat submittal. Provide name and email address for surveyor and engineer on face of plat. Graphically show all property pins found or set that are associated with this plat. Remove parcel lines from the location map and only show platted boundaries. Label all other property as unplatted. Label this plat boundary as "site" or "project location". Ensure accuracy of written legal description.
7. **Fire:** Provide release for local fire service serving the property.
8. **Stormwater, Drainage, & Floodplain:** Property must comply with all County drainage standards. All delineated floodplain boundaries should be clearly and accurately shown on the plat with base flood elevations labeled. Proposed changes to the floodplain boundaries or flood elevations may be subject to floodplain map revisions.
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.

Modification of Subdivision and Development Regulations:

1. None requested

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

The applicant was not present.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **SHIVEL**, TMAPC voted **7-0-0** (Dix, Fretz, Krug, Millikin, Reeds, Ritchey, Shivel, "aye"; no "nays"; none "abstaining"; Covey, Doctor, Fothergill, Walker, "absent") to **APPROVE** Cherokee Extension Industrial Park Preliminary Plat per staff recommendation.

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5. **Specific System** (CD 5) Preliminary Plat, Location: West of the northwest corner of East 41st Street South and South 79th East Avenue

STAFF RECOMMENDATION:

This plat consists of 10 lots, 2 blocks on 17.295± acres.

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

1. **Zoning:** All property contained within the subdivision is currently zoned IL (Industrial – Light). Proposed lots conform to the requirements of the zoning district.
2. **Addressing:** Correct street label for South 79th East Avenue (*currently shown as N 4th st*). Graphically include assigned lot addresses on final plat.
3. **Transportation & Traffic:** Proposed public street must be labeled and right-of-way dedications dimensioned. Subdivision & Development Regulations limit dead-end streets to 750 feet. Modification is required to allow cul-de-sac longer than 750 feet.
4. **Sewer:** Call out width of existing COT sanitary sewer easement. Clarify limits of internal utility easement throughout Block 2. IDP is required for the proposed sewer line extension. IDP must be approved prior to approval of the final plat.
5. **Water:** Add additional 15' utility easement for Lot 1 Block 1 along the right-of-way for South 79th East avenue. IDP is required for the proposed water line extension. IDP must be approved prior to approval of the final plat.
6. **Engineering Graphics:** Submit a subdivision control data sheet with final plat. Remove contours on the final plat submittal. Provide name and email address for surveyor on face of plat. Under basis of bearing, provide a bearing angle shown on the face of this plat. Correct plat section. Graphically show all property pins found or set that are associated with this plat. Correct written legal description to match the face of the plat. Add an arrow or leader line to the site on the location map and label all unplatted property in the section.
7. **Fire:** Dead-end street requires approval of the Fire Chief. Dead-end street length with no secondary access will limit allowable height & square footage of any buildings constructed on the proposed lots. All requirements of the Fire Marshal must be met prior to the approval of the final plat. Additional language will be required in the covenants.
8. **Stormwater, Drainage, & Floodplain:** If on-site detention is required, an additional easement will be required with specific language contained in the covenants. Portions of the subject property are located within the City of Tulsa regulatory floodplain. All delineated floodplain boundaries, including

City of Tulsa Regulatory Floodplain, should be clearly and accurately shown on the plat with base flood elevations labeled. All public utilities and facilities should be located and constructed to minimize flood damage. Any proposed development within the floodplain must meet the floodplain development requirements of the City of Tulsa Revised Ordinances, Title 11-A and Title 51 as well as all City drainage standards. Proposed changes to the floodplain boundaries or flood elevations will be subject to floodplain map revisions.

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.

Modification of Subdivision and Development Regulations:

1. Section 5.060.5.B.2 – Permanent dead-end streets may not exceed 750 feet in length measured from the centerline of the intersecting street to the center of the turnaround.

Staff recommends **APPROVAL** of the modification to the Subdivision & Development Regulations finding the property to be uniquely isolated with several challenges to external connectivity including a railroad right-of-way, existing buildings, and a drainage channel.

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. Reeds asked what the length of the dead end was?

Staff responded roughly 1700 feet.

The applicant indicated her agreement with staff’s recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **SHIVEL**, TMAPC voted **7-0-0** (Dix, Fretz, Krug, Millikin, Reeds, Ritchey, Shivel, “aye”; no “nays”; none “abstaining”; Covey, Doctor, Fothergill, Walker, “absent”) to **APPROVE** the modification to the Subdivision & Development Regulations and the Specific System Preliminary Plat per staff recommendation.

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7. **Z-7448 Lou Reynolds** (CD 3) Location: South and east of the southeast corner of East Pine Street and North Mingo Road requesting rezoning from **AG to IL**

STAFF RECOMMENDATION:

SECTION I: Z-7448

DEVELOPMENT CONCEPT:

Rezoning is requested to support additional light industrial growth in the area between Mingo Creek and North Mingo Road on the south side of East Pine Street. The property is surrounded by light industrial uses and an area abutting the south boundary zoned for a mobile home community. Infrastructure for that community has never been constructed.

DETAILED STAFF RECOMMENDATION:

Z-7448 requesting IL zoning is consistent with the Employment land use designation in the Tulsa Comprehensive Plan and,

IL uses are consistent with the expected development pattern in the area and,

Uses allowed in an IL district is considered non-injurious to the abutting property therefore,

Staff recommends Approval of Z-7448 to rezone property from AG to IL.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: Light industrial uses are consistent with the Employment Land Use designation of the Comprehensive 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: Multi Modal Street

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

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

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

Trail System Master Plan Considerations:

The Go Plan illustrates a proposed trail on the west side of the Mingo creek channel abutting this property. During the plat process a trail easement may be part of the requirement along the east side of this property. Additional discussions with the INCOG transportation planning staff will be required during that process to determine the width and location of that easement.

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is vacant with a large electrical transmission line along the east side of the property and also abuts an engineered section of the Mingo Creek Channel. Some of the perimeter of the site is heavily vegetated and most of the site is grass and low shrubs. Staff supports the IL zoning with the knowledge that the site appears to be inside the FEMA floodplain and site development will be required to meet the storm water ordinances of the City of Tulsa.

Environmental Considerations:

Most of the site is included in the FEMA flood plain or the City of Tulsa regulatory flood plain. Engineering solutions on this site will be carefully studied by the City of Tulsa prior to release of any building permit. All development on this site will meet or exceed the minimum standards for development by FEMA and the City of Tulsa.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East Pine Street	Secondary Arterial with Multi-Modal Corridor	100 feet	2 Lane

	designation		
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Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North across Pine	IL	Employment	Growth	Light Manufacturing
East across Mingo creek channel	IL	Employment	Growth	Small scale light manufacturing
South	RMH east 2/3rds IL west 1/3rd	Employment	Growth	Undeveloped and some unknown industrial uses
West	IL	Employment	Growth	Mixed industrial, auto repair, salvage and light industrial uses

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11811 dated June 26, 1970, established zoning for the subject property.

Subject Property: No relevant history

Surrounding Property:

Z-7363 December 2016: All concurred in **approval** of a request for *rezoning* a 2.08+ acre tract of land from AG to CG on property located on the southeast corner of North Mingo Road and East Pine Street.

Z-7223 June 2013: All concurred in **approval** of a request for *rezoning* a 1.02+ acre tract of land from CS to IL, for future industrial use, on property located east of northeast corner of North Mingo Road and East Pine Street North

Z-7199 May 2012: All concurred in **approval** of a request for *rezoning* a 3+ acre tract of land from CS to IL for future industrial use, on property located east of northeast corner of North Mingo Road and East Pine Street.

Z-7127 May 2009: All concurred in **approval** of a request for *rezoning* a 5.89+ acre tract of land from AG to IL for light manufacturing on property located, south of southeast corner East Pine Street and North Mingo Road and abutting south of subject property.

Z-6998 September 2005: All concurred in **approval** of a request for *rezoning* a 38.03+ acre tract of land from RM-2 to IL for light industrial park use, on property located south and west of southwest corner of East Pine Street North and Highway 169 North.

Z-6946 July 2004: All concurred in **approval** of a request for *rezoning* a 5+ acre tract of land from OL to IL for light manufacturing and warehouse use, on property located east of northeast corner of East Pine Street and North Mingo Road.

BOA-18238 November 24, 1998: The Board of Adjustment **approved** a *Special Exception* to permit a convenience store (QuikTrip) in an IL district, on property located at the northwest corner of E. Pine St. and N. Mingo Rd.

Z-5789 May 1984: All concurred in **approval** of a request for *rezoning* a 25+ acre tract of land from IL to RMH on property located south and east of the southeast corner of North Mingo Road and East Pine Street. The property abuts a portion of the southern border of the subject property.

Z-5367 March 1980: All concurred in **approval** of a request for *rezoning* two tracts of land from RS-2 to IL on property located south of the southeast corner of North Mingo Road and East Pine Street. The property abuts a portion of the western border of the subject property.

Z-5312 November 1979: All concurred in **approval** of a request for *rezoning* a tract of land from RS-2 to IL on property located south of the southeast corner of North Mingo Road and East Pine Street. The property abuts a portion of the southern border of the subject property.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **SHIVEL**, TMAPC voted **7-0-0** (Dix, Fretz, Krug, Millikin, Reeds, Ritchey, Shivel, "aye"; no "nays"; none "abstaining"; Covey, Doctor, Fothergill, Walker, "absent") to **APPROVE** Z-7448 rezoning from AG to IL per staff recommendation.

Legal Description of Z-7448:

Part of Government Lot One (1), Beginning 270 feet East of the Southwest corner of Lot One (1), thence North 567.96 feet, East 388 feet, North 390 feet, West 213.66 feet, North 309.34 feet, East 820.34 feet, South 1267.30 feet, West 994.68 feet to the Point of

Beginning, and the Northwest Quarter of the Northeast Quarter of the Northwest Quarter (NW/4 NE/4 NW/4), LESS Beginning at the Northeast corner of the NW/4 NE/4 NW/4, thence South 660 feet, West 520 feet, Northeasterly 666.1 feet, East 430 feet to the Point of Beginning, and LESS the North 50 feet thereof for roadway right-of-way, Section Thirty-one (31), Township Twenty (20) North, Range Fourteen (14) East, Tulsa County, State of Oklahoma, according to the United States Government Survey thereof.

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8. **Z-7449 KKT Architects, Inc., Nicole Watts** (CD 6) Location: Southwest corner of East 31st Street South and South 120th East Place requesting rezoning from **AG to OL**

STAFF RECOMMENDATION:
SECTION I: Z-7449

DEVELOPMENT CONCEPT:

None provided by the applicant. The application submittal included a reference to Community Health Connection.

Community Health Connection is represented as follows on their website:

“Community Health Connection will provide quality and accessible health care across all life cycles regardless of ability to pay and we will respect the dignity and culture of our community now and in the future.

Community Health Connection is a Federally Qualified Health Center (FQHC) committed to meeting the lifelong health care needs of the northeast Oklahoma community. We provide the highest quality, affordable and accessible primary health care services in a culturally effective, language-appropriate and compassionate manner. We serve individuals who are uninsured by offering a sliding fee scale to those who qualify, and those with Medicaid (SoonerCare) and Medicare, Insure Oklahoma and many with private insurance.

We focus on meeting the health care needs of the patients in our community by providing a broad array of services. If you are looking for medical providers and clinic staff who will treat you with respect and dignity, then Community Health Connection is for you. We want our medical practice to be your connection to a healthy life.”

DETAILED STAFF RECOMMENDATION:

Z-7449 request OL zoning. That zoning district is primarily intended to facilitate the development and preservation of low-intensity office development. The OL zoned district requested by the applicant is not consistent with the Existing Neighborhood land use designation and the applicant has not provided any details illustrating the expected development intensity on the site. A health clinic is complimentary to the new school site recently constructed immediately west of this site. The property is currently owned by the Independent School District 9 of Tulsa County and,

OL zoning is consistent with the school site conceptual plan that was heard by the City of Tulsa Board of Adjustment in 2014 so the anticipated use is consistent with the expected development in the area and,

OL zoning is normally considered a transitional zoning category between higher intensity districts and single family residential style of development therefore,

Staff recommends Approval of Z-7449 to rezone property from AG to OL.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: Light office uses are not generally consistent with the Existing Neighborhood land use designation. In some circumstances on the edges where that land use abuts arterial streets and are complimentary with public uses such as schools OL zoning may be an appropriate zoning designation. This application does not provide additional limitations or design considerations other than those offered by the Zoning Code. In consideration with the previously approved uses at the Board of Adjustment and the street infrastructure that isolates this site from abutting single family development staff can support OL zoning to allow a medical office that has the stated purposed of providing community health care in conjunction with the school on the property. OL zoning at this location is consistent with the Area of Growth designation that encourages access to services with fewer and shorter auto trips and supports economic activity in the area.

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 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: None

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The property is undeveloped and surrounded by private drives or public streets with no significant elevation changes or vegetation. The zoning boundary has been prepared without regard to the existing vehicular circulation pattern.

Environmental Considerations: None that would affect site development

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 31 st Street South	Secondary Arterial	100 feet	5 lanes (4 with a center turn lane)

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North Across E. 31 st Street	AG	Park and open space	Stability	Regional storm water detention
East	RS-3	Existing Neighborhood	Stability	Single family residential
South	AG	Existing Neighborhood	Stability	Undeveloped open space
West	AG	Existing Neighborhood	Stability	School

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11825 dated June 26, 1970, established zoning for the subject property.

Subject Property:

BOA-22272 June 27, 2018: The Board of Adjustment **approved** a *special exception* to permit a dynamic display located within 200 feet of an R zoned district; a *variance* to increase the number of permitted wall signs on a building in an AG district from one to two; a *variance* to increase the permitted sign display area of wall signs from 32 sq. ft. to 95.5 sq. ft.; and a *special exception* to permit a dynamic display in an AG zoned district, on property located at the southwest corner of East 31st Street South and South 120th East Place, a part of the subject tract.

BOA-21749 July 22, 2014: The Board **approved** a *special exception* to permit a Elementary School in an AG district, on property located at the southwest corner

of East 31st Street South and South 120th East Place, a part of the subject tract. (Note: The conceptual plan approved by the Board of Adjustment included a CAP building at the northeast corner of the site. The CAP building was an office use)



10.16

BOA-20984 January 12, 2010: The Board of Adjustment **approved** a *variance* of the requirement that illumination of a sign shall be by constant light to permit an LED element on a sign for a church in the AG district (Section 302.B.2); and a *variance* of the maximum display surface area permitted for a sign in the AG district from 150 sq. ft. to 245 sq. ft. (Section 302.B.2.b), noting there is no need for the variance of the height as it has been reduced to limits allowed in the code; with conditions that there be no animated flashing, no rolling or other unusual illuminations, etc., on property located east of the southeast corner of the South Garnett Road and East 31st Street South.

BOA-17541 October 22, 1996: The Board **approved** a *special exception* to allow a 100' self-supported tower antenna in an AG district subject, on property located at the southwest corner of East 31st Street South and South 120th East Place, a part of the subject tract.

BOA-14405 March 5, 1987: The Board of Adjustment **denied** a use *variance* to permit a retirement complex in an AG district; and **denied** a *variance* of land area per dwelling unit of 2.2 acres, on property located at the southwest corner of East 31st Street South and South 120th East Place, a part of the subject tract.

BOA-9735 November 3, 1977: The Board **approved** a *special exception* to use the property for church and church related uses, on property located at the southwest corner of East 31st Street South and South 120th East Place, a part of the subject tract.

Surrounding Property:

PUD-428/Z-6156 June 1987: All concurred in **approval** of a proposed *Planned Unit Development* on a 4.65± acre tract of land for a senior development and all concurred in **approval** for *rezoning* from AG to RS-3 on property located south and west of the corner of East 31st Street South and South 120th East Place.

There were no interested parties wishing to speak.

TMAPC COMMENTS:

Mr. Dix asked staff if the School District still owned this property.

Staff responded “yes”, the applicant is present and could speak more about the specifics.

Applicant stated this is a land lease to Community Health Connections and is a Vision Project. Union School is the owner of the land and will not be operating the facility. The applicant stated the previous BOA application was for a 3-story office building and it was approved, this building is a one story medical office building and the applicant believes it is a better fit for the neighborhood than what was originally approved.

TMAPC Action; 7 members present:

On **MOTION** of **SHIVEL**, TMAPC voted **7-0-0** (Dix, Fretz, Krug, Millikin, Reeds, Ritchey, Shivel, “aye”; no “nays”; none “abstaining”; Covey, Doctor, Fothergill, Walker, “absent”) to **APPROVE** Z-7449 rezoning from AG to OL per staff recommendation.

Legal Description of Z-7449:

COMMENCING AT THE NORTHERNMOST NORTHWEST CORNER OF GARNETT VILLAGE, ALSO BEING THE POINT OF BEGINNING; THENCE SOUTH 01° 28' 29" EAST FOR A DISTANCE OF 633.85 FEET ALONG THE WEST LINE OF GARNETT VILLAGE; THENCE, SOUTH 88° 33' 54" WEST FOR A DISTANCE OF 337.00 FEET; THENCE, NORTH 01° 28' 29" WEST FOR A DISTANCE OF 635.66 FEET; THENCE, NORTH 88° 52' 21" EAST FOR A DISTANCE OF 337.00 FEET TO THE POINT OF BEGINNING; City of Tulsa, Tulsa County, State of Oklahoma SAID TRACT OF LAND CONTAINING 4.91 ACRES, MORE OR LESS.

* * * * *

9. **Z-7450 Ted Sack** (CD 4) Location: Northeast corner of South Lewis Avenue and East 6th Street South requesting rezoning from **RM-2/CS to MX1-U-45**

STAFF RECOMMENDATION:
SECTION I: Z-7450

DEVELOPMENT CONCEPT:

DETAILED STAFF RECOMMENDATION:

Case Z-7450 requesting MX1-U-45 zoning is consistent with the expected development pattern in the and,

MX1-U-45 zoning is non-injurious to the surrounding property owners and,

MX1-U-45 zoning is consistent with the Existing Neighborhood land use vision identified the Tulsa Comprehensive Plan and,

MX1-U-45 zoning is consistent with the Kendall Whittier Small Area Plan therefore,

Staff recommends Approval of Z-7450 to rezone property from RM-2,CS/ to MX1-U-45.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The mixed-use zoning requested for is consistent with the expected small-scale infill project and mixed residential components of the Kendall Whittier Small area plan and the Tulsa Comprehensive 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 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: None affecting site redevelopment

Trail System Master Plan Considerations: None affecting site redevelopment

Sector Plan: This area is included in the Kendall-Whittier Sector Plan that was adopted November of 2016.

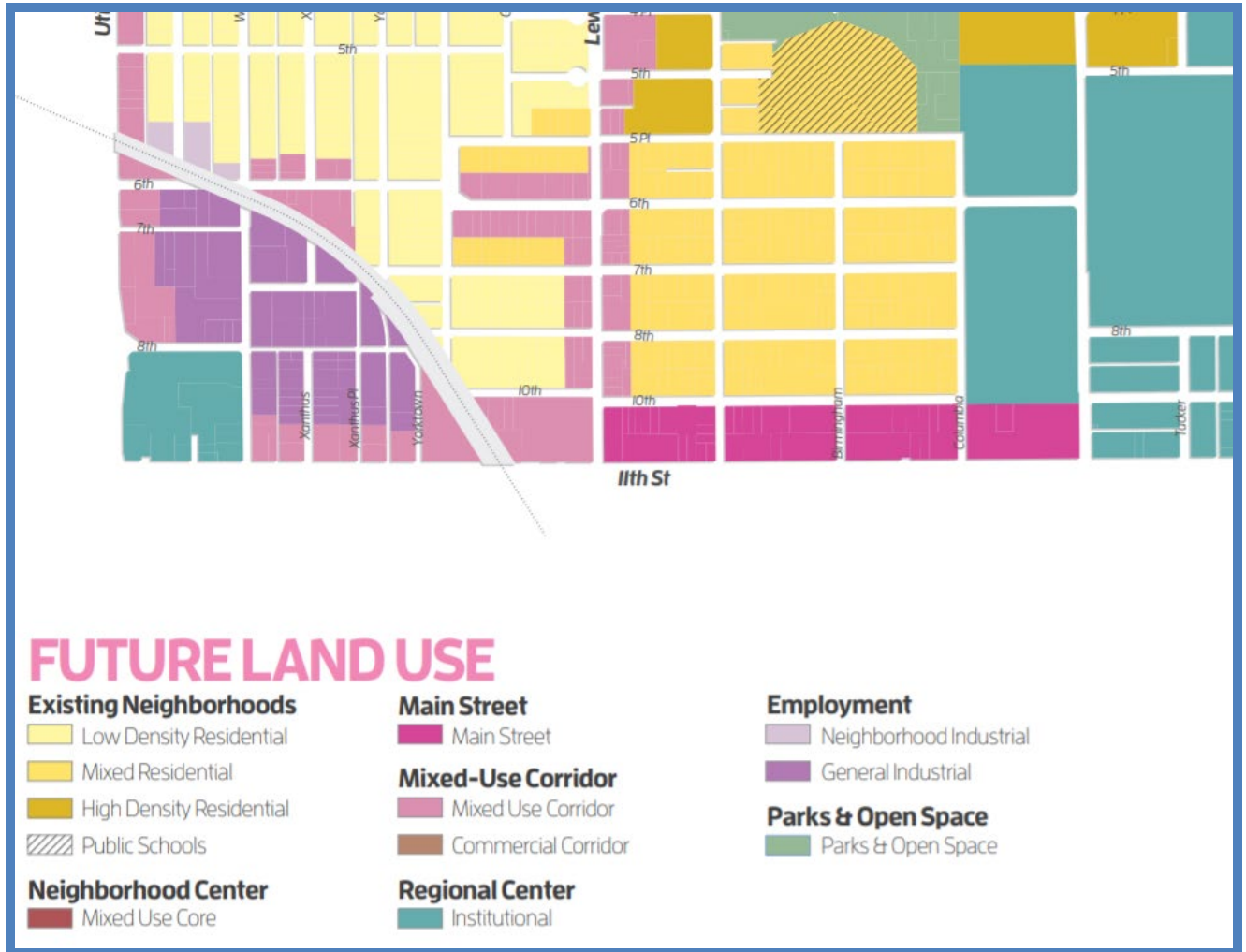
The small area plan provides a land use table demonstrating the relationship between the sector plan and the Tulsa Comprehensive plan. In this instance the existing neighborhood anticipated low, medium and high density residential uses. This mixed-use development is expected to be a medium density residential with some possible commercial or office component. At least two goals in the recognize the importance of high quality redevelopment opportunities in this area

Goal 1 in the plan recommends supporting the development of quality high-density residential development that appeals to a broad spectrum of potential tenants including students, seniors, young professionals and families of mixed incomes around the University of Tulsa.

Goal 4.2 specifically recognizes that senior and multifamily housing should be assessed on and approved on a case by case basis, especially in

areas where it is expected to increase housing choice within Kendall Whittier and supports nearby commercial or public uses.

**KENDALL WHITTIER SECTOR PLAN
LAND USE MAP: (see next page)**



Special District Considerations: None

Historic Preservation Overlay: None

Staff Summary: The site is vacant land. Previously the property was developed with a single family residential homes and an alley in the middle of the block. The surrounding properties have been developed with a mix of small scale multifamily and single family residential.

Environmental Considerations: None that would affect site redevelopment

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
6 th Street South	Residential Collector	60 feet	4 lanes <i>(2 through lanes with additional lanes for on street parking)</i>
5 th Street South	None	50 feet	2 lanes
South Lewis Avenue	Urban Arterial	75 feet	4 lanes
South Atlanta Avenue East	None	50 feet	2 lanes

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	RM-2 with CH along Lewis	Mixed Use Corridor and Existing Neighborhood	Growth	Multi family
East	RM-2	Existing Neighborhood	Growth	Multi Family and Single family
South	MX-1-U-45 with CS abutting Lewis	Mixed Use Corridor and Existing Neighborhood	Growth	Office, Vacant and Multi Family
West	CS	Mixed Use Corridor and Existing Neighborhood	Growth	Office and Church

SECTION III: Relevant Zoning History

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

Subject Property: No relevant history

Surrounding Property:

Z-7436 May 2018: All concurred in **approval** of a request for *rezoning* a 1.21+ acre tract of land from RM-2 to MX1-U-45 for mixed-use development on property located east of the southeast corner of South Lewis Avenue and East 6th Street South.

Z-7405 November 2017: All concurred in **approval** of a request for *rezoning* an 8.29+ acre tract of land from RM-2/OL/CH/IM to MX2-P-U/MX2-P-45, on property located on the northwest corner and the southwest corner and south of the southeast corner of East 11th Street and South Lewis Avenue.

BOA-21334 November 8, 2011: The Board of Adjustment **approved** a *variance* of height limitation from 35 ft. to 44 ft.; and a *variance* of required parking from 200 spaces to 192 spaces, on property located east of the northeast corner of East 5th Place South and South Lewis Avenue.

The applicant indicated his agreement with staff's recommendation. There were no interested parties wishing to speak.

TMAPC COMMENTS:

TMAPC Action; 7 members present:

On **MOTION** of **SHIVEL**, TMAPC voted **7-0-0** (Dix, Fretz, Krug, Millikin, Reeds, Ritchey, Shivel, "aye"; no "nays"; none "abstaining"; Covey, Doctor, Fothergill, Walker, "absent") to **APPROVE** Z-7450 rezoning from RM-2/CS to MX1-U-45 per staff recommendation.

Legal Description of Z-7450:

ALL OF BLK 7, COLLEGE VIEW ADDN AMD, City of Tulsa, Tulsa County, State of Oklahoma

* * * * *

OTHER BUSINESS

10. Commissioners' Comments

ADJOURN

TMAPC Action; 7 members present:

On **MOTION** of **MILLIKIN**, TMAPC voted **7-0-0** (Dix, Fretz, Krug, Millikin, Reeds, Ritchey, Shivel, "aye"; no "nays"; none "abstaining"; Covey, Doctor, Fothergill, Walker, "absent") to **ADJOURN** TMAPC meeting 2775.

ADJOURN

There being no further business, the Chair declared the meeting adjourned at 2:06 p.m.

Date Approved:

08-15-2018


Chairman

ATTEST:


Secretary