

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2789

Wednesday, March 6, 2019, 1:30 p.m.

City Council Chamber

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

Members Present	Members Absent	Staff Present	Others Present
Covey	Millikin	Chapman	Jordan, COT
Doctor		Foster	Silman, COT
Fothergill		Hoyt	VanValkenburgh, Legal
McArtor		Miller	
Reeds		Sawyer	
Ritchey		Whitaker	
Shivel		Wilkerson	
Van Cleave		Wing	
Walker			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Thursday, March 4, 2019 at 4:00 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: Mr. Covey welcomed Ms. Van Cleave to the Planning Commission. Mr. Covey announced that Ms. Millikin will be stepping down as soon as a replacement is found.

Director's Report: Ms. Miller reported on the City Council and Board of County Commission actions. Ms. Miller stated there will be a work session on April 3, 2019 to discuss the Landscape Ordinance update, Destination District Program, Small Area Plan process, Communication Strategy and website. Ms. Miller stated staff is also working on implementing recommendations in the West Highlands Small Area Plan as well as revisions to clean up inconsistencies.

CONSENT AGENDA:

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

1. **The Crossing at Battle Creek, Phase III** (CD 6) Final Plat, Location: East of South 145th East Avenue at East 36th Place South
2. **Z-7083-SP-2a Eric P. Nelson** (CD 2) Location: Northeast corner of West 91st Street and Highway 75 requesting a **Corridor Minor amendment** to add School uses as an allowable use within the Corridor.

STAFF RECOMMENDATION:

SECTION I: Z-7083-SP-2a Minor Amendment

STAFF RECOMMENDATION

Amendment Request: Modify the Corridor Plan to add school uses as an allowable use within the Corridor.

The current Corridor Development standards allow commercial uses and outdoor advertising on this lot, but do not allow school uses. The applicant is proposing to add school uses to the allowable uses in order to facilitate possible future expansion of Jenks West Elementary School. The school does not have a proposed site plan, at this time.

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-7083-SP-2 shall remain in effect.

With considerations listed above, staff recommends **approval** of the minor amendment request to add School uses as an allowable use within the Corridor.

TMAPC Action; 9 members present:

On **MOTION** of **WALKER**, TMAPC voted **9-0-0** (Covey, Doctor, Fothergill, McArtor, Reeds, Ritchey, Shivel, Van Cleave, Walker “aye”; no “nays”; none “abstaining”; Millikin, “absent”) to **APPROVE** Items 1 and 2 per staff recommendation.

Mr. Shivel read the opening statement and rules of conduct for the TMAPC meeting.

PUBLIC HEARINGS:

3. **Ernest Childers VA Clinic** (CD 7) Preliminary Plat, Location: Northeast corner of East 91st Street South and South Mingo Road (Related to Accelerated Release of Building Permit) (Continued from February 6, 2019 and February 20,2019) (**Applicant requests continuance to March 20, 2019**)

TMAPC Action; 9 members present:

On **MOTION** of **WALKER**, TMAPC voted **9-0-0** (Covey, Doctor, Fothergill, McArtor, Reeds, Ritchey, Shivel, Van Cleave, Walker “aye”; no “nays”; none “abstaining”; Millikin, “absent”) to **CONTINUE** the Preliminary Subdivision Plat for Ernest Childers VA Clinic to March 20, 2019.

4. **Ernest Childers VA Clinic** (CD 7) Authorization for Accelerated Release of Building Permit, Location: Northeast corner of East 91st Street South and South Mingo Road (Related to Preliminary Plat) (Continued from February 6, 2019 and February 20,2019) (**Applicant requests continuance to March 20, 2019**)

TMAPC Action; 9 members present:

On **MOTION** of **WALKER**, TMAPC voted **9-0-0** (Covey, Doctor, Fothergill, McArtor, Reeds, Ritchey, Shivel, Van Cleave, Walker “aye”; no “nays”; none

“abstaining”; Millikin, “absent”) to **CONTINUE** the Authorization for Accelerated Release of Building Permit, for Ernest Childers VA Clinic to March 20, 2019.

- 5. **MPD-2 Nathan Cross** (CD 1) Location: West and north of the northwest corner of West Edison Street and North 41st West Avenue requesting a Master Plan Development for private street mixed use community (Continued from February 20, 2019) (**Staff requests a continuance to March 20, 2019**)

TMAPC Action; 9 members present:

On **MOTION** of **WALKER**, TMAPC voted **9-0-0** (Covey, Doctor, Fothergill, McArtor, Reeds, Ritchey, Shivel, Van Cleave, Walker “aye”; no “nays”; none “abstaining”; Millikin, “absent”) to **CONTINUE** MPD-2 to March 20, 2019.

- 6. **The Concord** (CD 6) Preliminary Plat, Location: Southwest corner of East 31st Street South and South 177th East Avenue

STAFF RECOMMENDATION:

The Concord - (CD 6)

Southwest corner of East 31st Street South and South 177th East Avenue

This plat consists of 404 lots, 57 blocks on 117 ± acres.

The Technical Advisory Committee (TAC) met on February 21st, 2019 and provided the following conditions:

- 1. **Zoning:** The property is zoned AG (Agriculture). A Master Planned Development (MPD-1) was presented to TMAPC on February 20th, 2019. TMAPC voted 7-0-0 to recommend approval of the MPD to City Council. The lots proposed on the preliminary plat conform to the proposed MPD. MPD-1 must be approved and effective prior to the approval of a final plat.
- 2. **Addressing:** City of Tulsa addresses and public street names must be assigned and affixed to the face of the final plat along with address disclaimer.
- 3. **Transportation & Traffic:** Label all adjacent right-of-way with recording information and appropriate dimensions. If right-of-way is to be dedicated by this plat, indicate “by plat”. Correct dimensions for limits of no access along East 31st Street and South 177th East Avenue. Provide a 25’ corner clip at

the intersection of East 31st Street and South 177th East Avenue. Sidewalks are required to be installed on both sides of all public streets within the subdivision as well as East 31st Street South and South 177th East Avenue. Sidewalk language must be included in the deed of dedication. All streets must comply with Section 503 and appendix D of the International Fire Code, 2015 edition.

4. **Sewer:** A public sanitary sewer extension is required to provide service to the proposed subdivision. Infrastructure Development Plans (IDP) must be submitted and approved prior to approval of the final plat. Easements required by Development Services must be affixed to the face of the plat including any offsite easements required to bring service to the site. Correct covenant language and remove references to "Public Works".
5. **Water:** Water mainline extensions are required to serve the proposed subdivision. Infrastructure Development Plans (IDP) must be submitted and approved prior to approval of the final plat. Easements required by Development Services must be affixed to the face of the plat. Correct covenant language and remove references to "Public Works".
6. **Engineering Graphics:** Submit a subdivision control data sheet with final plat. Add all platted boundaries to the location map and label all other property unplatted. Label the subject property as "site" or "project location". Number all lots shown on the face of the plat. Include total number of reserve areas under "Subdivision Statistics". Under the basis of bearing heading include the coordinate system used and provide a bearing angle associated with this plat. Graphically show all pins found or set that are associated with this plat. Label Point of Beginning (POB) and Point of Commencement (POC). Tie plat to a section corner, half-section, or quarter section. Provide surveyor CA information and renewal date. Add signature block for official signature.
7. **Stormwater, Drainage, & Floodplain:** Multiple areas of City regulatory floodplain exist on the subject lot and are required to be delineated on the final plat. All floodplain areas are required to be contained within an overland drainage easement. Infrastructure Development Plans (IDP) are required for drainage and stormwater plans. Onsite detention pond, outflow pipe, and any storm sewer which conveys offsite storm water discharges are required to be placed in proper easements. Correct covenant language and remove references to "Public Works".
8. **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 all other requirements of the Subdivision and Development Regulations.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **WALKER**, TMAPC voted **9-0-0** (Covey, Doctor, Fothergill, McArtor, Reeds, Ritchey, Shivel, Van Cleave, Walker "aye"; no "nays"; none "abstaining"; Millikin, "absent") to **APPROVE** the Preliminary Subdivision Plat for The Concord per staff recommendation.

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7. **Z-7466 Lou Reynolds** (CD 1) Location: South and West of the southwest corner of East 36th Street North and North Yale Avenue requesting rezoning from **IL and AG** to **IH** (Continued from January 2, 2019, January 16, 2019, February 6, 2019 and February 20, 2019)

STAFF RECOMMENDATION:

SECTION I: Z-7466

DEVELOPMENT CONCEPT:

Continued expansion of the existing industrial use may not comply with IL zoning that is on the site.

DETAILED STAFF RECOMMENDATION:

The applicant for case Z-7466 has requested IH zoning. IH zoning is the most intensive and environmentally objectionable zoning allowed in Tulsa and can typically be associated with oil refineries, mining, cement plants and other uses that may constitute substantial adverse land use or environmental impacts and hazards and,

IH zoning is only available on approximately 2% of the land area of the City of Tulsa. The industrial uses surrounding Z-7466 are classified as light and moderate industrial uses. Uses that are allowed in IH zoning districts are not consistent with the expected development in the surrounding area and,

Much of the surrounding property was an abandoned coal strip mine and City dump that is now being use for industrial uses that fall within the IL and IM zoning categories. The comprehensive plan encourages aggregation of existing industrial areas but does not provide guidance on where future heavy industrial

should be in Tulsa. The comprehensive plan recognizes that the heaviest industrial uses are expected to be on the periphery of Tulsa and possibly not in Tulsa at all but encourages regional coordination and,

The city zoning code enforcement does not have any records of use violations for the existing business that is located in IL an IM districts within this application boundary, so we must conclude that the existing business are working well within IM zoning classifications and,

IH and IM zoning are both consistent with the Employment land use vision identified the Tulsa Comprehensive Plan however IH zoning is not compatible with the surrounding properties and,

The building permit office has reviewed the facility operations and determined that IM zoning is appropriate for this use is compatible with the expected development in this area therefore,

Staff recommends denial of Z-7466 to rezone property from IL,AG/ to IH, however staff recommends approval to rezone the property to IM.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary:

Excerpts from the Economic Development priorities section of the Comprehensive Plan:

“Industrial development is an important component of a strong economy. Industrial firms provide high-paying jobs, and produce goods for export, bringing new money into the local economy. It can be challenging however, to provide adequate land for industrial uses. In the past these firms required lots of space on flat affordable land and needed be located away from residential commercial areas, as they often generate noise, heavy truck traffic and air pollution. With modern pollution laws and other regulations, the line between industrial uses and other commercial uses is blurred. Industrial uses have an increasing need for high accessibility, visibility, and multimodal transportation connections.

Staff has met with the building permit office and determined that this facility could also be supported through the special exception process at the Board of Adjustment.

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: None that affects industrial expansion.

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is the headquarters for a large energy equipment manufacturing company that transports, manufactures and assembles large equipment for the energy sector. The site is covered by several large warehouse style buildings and ships assembled and partially assembled heat exchangers across the nation. The site appears to be constructed on top of a coal strip mine and has recently purchased the former Mohawk Steel Plant facility. Much of the large assembly is done at their assembly operation located at the Port of Catoosa.

Environmental Considerations: None that would be affected further industrial expansion.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
Toledo Avenue	Residential Collector	60 feet	2
East 36 th Street North	Secondary Arterial	100 feet	2
North Yale Avenue	Primary Arterial / Residential Collector near 36 th Street	120 feet 60 feet	2
Gilcrease Expressway Ramps on and off expressway from N. Yale	Expressway	As needed	4+ divided highway

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	AG	New Neighborhood	Growth	Large single family residential parcels
East	IL	Employment	Growth	vacant
South	IL	Employment	Growth	Light industrial uses
West	RS-3 and AG	New neighborhood	Growth	Vacant residential subdivision with no infrastructure

SECTION III: Relevant Zoning History

ZONING ORDINANCE:

Ordinance number 14704 dated March 11, 1980, established zoning on a portion of the subject property.

Ordinance number 14325 dated December 5, 1978, established zoning on a portion of the subject property.

Ordinance number 12802 dated April 24, 1973, established zoning on a portion of the subject property.

Subject Property:

BOA-16734 July 1994: The Board of Adjustment **approved** a *variance* of the required number of parking spaces from 45 to 10 (Section 1225.D) subject to the use remaining an equipment manufacturing business; subject to the execution of a tie contract between the subject property and the lot containing the business offices (across the street), on property located east of the northeast corner of the Gilcrease Expressway and North Pittsburg Avenue; on a parcel within the subject tract.

Z-5369 March 1980: All concurred in **approval** of a request for *rezoning* a tract of land from AG to IL on property located south of the southeast corner of East 36th Street North and North Pittsburg Avenue; this is part of the subject property. (Ordinance #14704)

Z-5071 December 1978: All concurred in **approval** of a request for *rezoning* a 2.97+ acre tract of land from AG to IL on property located north of the northwest corner of the Gilcrease Expressway and North Toledo Avenue; this is part of the subject property. (Ordinance #14325)

BOA-8457 January 1975: The Board of Adjustment **approved** a *special exception* to permit the operation of a welding shop for fabrication of oil field equipment units, separators and heaters, in an IL district, on property located north and east of the northeast corner of the Gilcrease Expressway and North Pittsburg Avenue; on a parcel within the subject tract.

Z-4340 April 1973: All concurred in **approval** of a request for *rezoning* a tract of land from AG to IL on property located south of the southeast corner of East 36th Street North and North Pittsburg Avenue; this is part of the subject property. (Ordinance #12802)

Surrounding Property:

BOA-20816 December 2008: The Board of Adjustment **approved** a *special exception* to allow (Use Unit 26) indoor sand blasting operation in an IL district, on property located at the southeast corner of the Gilcrease Expressway and North Pittsburg Avenue.

Z-6637 June 1998: All concurred in **denial** of a request for *rezoning* an 8.7+ acre tract of land from IL to IH on property located south of the southwest corner of East 36th Street North and North Yale Avenue.

BOA-14679 December 1987: The Board of Adjustment **denied** a *special exception* to allow for an existing landfill in an IL zoned district; finding that the landfill has been in operation for a number of years and has proved to be incompatible with the area, on property located south of the southeast corner of East 36th Street North and North Yale Avenue.

Z-5548 July 1981: All concurred in **approval** of a request for *rezoning* a tract of land from AG to IL on property located on the southeast corner of the Gilcrease Expressway and North Pittsburg Avenue.

IM zoning on property located on the southeast corner of East 36th Street North and North Pittsburg Avenue appears to have been zoned IM with Ordinance number 11809 on June 26, 1970. Maps from April 4, 1971 and February 7, 1973 both indicate that the property was already zoned IM at that time.

Applicant Comments:

Mr. Walker asked staff if the original application was for IH zoning?

Staff replied "yes", the notice was advertised as IH, but staff recommendation is IM.

Mr. Fothergill asked staff if they could explain the hole in the property that is not included in this request.

Staff stated someone bought the property that is not included at a tax sale and the owner of the subject property did not have opportunity to buy.

The applicant stated his client Heater Specialist owns the property and the property to the north. The applicant stated the property was bought 5 years ago. The applicant stated for over a mile to the east all the way to Sheridan Road in the 1920's the subject property was a coal mine. He stated in the middle of World War II they quit coal mining and the property became a landfill. The applicant stated Heater Specialist has been located on the property for about 50 years and the applicant doesn't know why the zoning is currently IL. The applicant stated he agrees with staff recommendation of IM.

TMAPC Action; 9 members present:

On **MOTION** of **WALKER**, TMAPC voted **9-0-0** (Covey, Doctor, Fothergill, McArtor, Reeds, Ritchey, Shivel, Van Cleave, Walker "aye"; no "nays"; none "abstaining"; Millikin, "absent") to recommend **APPROVAL** of rezoning from IL and AG to IM for Z-7466 per staff recommendation.

Legal Description Z-7466:

A TRACT OF LAND THAT IS A PART OF THE NORTH HALF OF (N/2) OF SECTION TWENTY-ONE (21), TOWNSHIP TWENTY (20) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 1, BLOCK 8, "GILCREASE FREEWAY INDUSTRIAL PARK, BLOCKS 3-10", ACCORDING TO THE RECORDED PLAT THEREOF (PLAT NO. 2543), COUNTY OF TULSA, STATE OF OKLAHOMA; THENCE SOUTH 1°20'03" EAST AND ALONG THE EAST LINE OF BLOCK 7 AND 8, SAID "GILCREASE FREEWAY INDUSTRIAL PARK, BLOCKS 3-10" FOR A DISTANCE OF 1245.19 FEET; THENCE SOUTH 89°02'23" WEST FOR A DISTANCE OF 30.00 FEET; THENCE SOUTH 1°20'03" EAST FOR A DISTANCE OF 335.17 FEET; THENCE SOUTH 88°39'57" WEST FOR A DISTANCE OF 1.00 FEET; THENCE ALONG A 437.47 FOOT RADIUS CURVE TO THE RIGHT, HAVING AN INITIAL TANGENT BEARING OF SOUTH 1°16'33" EAST, A CENTRAL ANGLE OF 70°31'46", A CHORD BEARING AND DISTANCE OF SOUTH 33°59'20" WEST FOR 505.15 FEET, FOR AN ARC

DISTANCE OF 538.51 FEET; THENCE SOUTH 75°25'21" WEST FOR A DISTANCE OF 96.81 FEET; THENCE SOUTH 88°40'42" WEST FOR A DISTANCE OF 191.02 FEET TO A POINT AT THE NORTHWEST CORNER OF LOT 4, SAID BLOCK 7, "GILCREASE FREEWAY INDUSTRIAL PARK, BLOCKS 3-10"; THENCE SOUTH 1°22'57" EAST AND ALONG THE WEST LINE OF SAID LOT 4, FOR A DISTANCE OF 45.71 FEET; THENCE SOUTH 75°22'02" WEST AND ALONG THE NORTH LINE OF THE TRACT OF LAND DESCRIBED IN WARRANTY DEED, RECORDED DECEMBER 6, 1984, IN BOOK 4832, AT PAGE 1145, COUNTY OF TULSA, STATE OF OKLAHOMA RECORDS, FOR A DISTANCE OF 308.28 FEET; THENCE NORTH 86°29'22" WEST FOR A DISTANCE OF 472.57 FEET TO A POINT ON THE WEST LINE OF LOT 5, SAID BLOCK 7, "GILCREASE FREEWAY INDUSTRIAL PARK, BLOCKS 3-10"; THENCE NORTH 40°44'16" WEST FOR A DISTANCE OF 78.68 FEET ; THENCE SOUTH 88°55'58" WEST FOR A DISTANCE OF 1149.12 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST QUARTER (NE/4) OF SAID SECTION 21; THENCE NORTH 1°10'22" WEST AND ALONG SAID WEST LINE FOR A DISTANCE OF 1602.43 FEET TO A POINT AT THE NORTHWEST CORNER OF LOT 1, BLOCK 1, "NORTH TOLEDO INDUSTRIAL PARK", AN ADDITION TO THE CITY OF TULSA, ACCORDING TO THE RECORDED PLAT THEREOF (PLAT NO. 3522); THENCE NORTH 80° 26' 23" EAST AND ALONG THE NORTH LINE OF SAID LOT 1, BLOCK 1, "NORTH TOLEDO INDUSTRIAL PARK" FOR A DISTANCE OF 863.10 FEET; THENCE NORTH 9°33'37 WEST AND CONTINUING ALONG SAID NORTH LINE FOR A DISTANCE OF 50.00 FEET; THENCE NORTH 80°26'23" EAST CONTINUING ALONG SAID NORTH LINE AND ALONG THE NORTH LINE OF SAID LOT 1, BLOCK 8, "GILCREASE FREEWAY INDUSTRIAL PARK, BLOCKS 3-10" FOR A DISTANCE OF 1744.37 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT

LOT 2, BLOCK 8, "GILCREASE FREEWAY INDUSTRIAL PARK, BLOCKS 3-10", ACCORDING TO THE RECORDED PLAT THEREOF (PLAT NO. 2543), COUNTY OF TULSA, STATE OF OKLAHOMA;

LESS AND EXCEPT

A PART OF LOT 5, BLOCK 7, "GILCREASE FREEWAY INDUSTRIAL PARK, BLOCKS 3-10", ACCORDING TO THE RECORDED PLAT THEREOF (PLAT NO. 2543), COUNTY OF TULSA, STATE OF OKLAHOMA; DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT, BLOCK 7, THENCE NORTH 177.51 FEET; THENCE EAST 502.76 FEET TO THE POINT OF BEGINNING; THENCE EAST 267.92 FEET; THENCE NORTH 355.23 FEET; THENCE WEST 267.69 FEET; THENCE SOUTH 355.23 FEET TO THE POINT OF BEGINNING; SAID TRACT CONTAINS 4,215,595 SQUARE FEET OR 96.777 ACRES.

Staff stated items 8 and 9 will be presented together

8. **CZ-484 Stuart Van De Wiele** (County) Location: West of the northwest corner of East 56th Street North and Highway 75 requesting rezoning from **AG to IL** to permit a pipe, valve and fitting distributor facility (**Related to PUD-853**)

STAFF RECOMMENDATION:

SECTION I: CZ-484

DEVELOPMENT CONCEPT: Rezone from AG to IL/PUD-853 to permit a pipe, valve and fitting distributor facility. The development is intended to follow the standards of proposed PUD-853 as well as those of the proposed underlying IL district not covered by the PUD.

DETAILED STAFF RECOMMENDATION:

IL zoning in conjunction with a PUD overlay is non-injurious to the existing proximate properties and;

Is consistent with the anticipated future development pattern of the surrounding property;

And is consistent with the Tulsa County Zoning Code, therefore;

Staff recommends Approval of case CZ-484 to rezone property from AG to IL

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: This area is outside of the City of Tulsa Comprehensive Plan area. The subject lots are within the Medium and Low Intensity designations of the Tulsa County District 24 plan.

Land Use Vision:

Land Use Plan map designation: N/A

Areas of Stability and Growth designation: N/A

Transportation Vision:

Major Street and Highway Plan: East 56th St North is a Secondary Arterial

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is currently undeveloped, forested land without existing structures.

Environmental Considerations: A small area of Tulsa County 100 year floodplain exists in the Northeast corner of the lot. This area also contains FEMA Floodway, Zone AE. The applicant will need to work with Tulsa County if development is intended for the floodplain portion of the site.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 56 th St North	Secondary Arterial	100 Feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	RS/AG	N/A	N/A	Agricultural / Industrial / Single-Family
South	RS-3/AG (City of Tulsa)	Parks & Open Space / New Neighborhood	Growth	Single-Family / Skate Park
East	AG	N/A	N/A	Hwy 75
West	AG	N/A	N/A	Radio Antenna

SECTION III: Relevant Zoning History

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

Subject Property: *No relevant history*

Surrounding Property:

BOA-20464-A January 2010: The Board of Adjustment **approved** the *plans* submitted for lighting and landscaping of the skate park, noting there is no amplification of sound planned; provided that all parking will be asphalt with concrete curb and gutters; lighting will be shielded down and away so as to light the parking and activity areas only; this approval is for a skate park only and does not include a BMX bike park planned south of the skate park, per plans as shown on pages 2.5, 2.6, 2.7, and 2.8 of the agenda packet. On property located at the Southeast and Southwest corners of East 56th Street North and Hwy 75.

BOA-20464 June 2007: The Board of Adjustment **approved** a *special exception* to permit park use in an AG district and a modification of a previously approved plan to permit an expansion of Mohawk Park, with conditions on the property west of Hwy 75 that there be a six-foot chain link fence around the proposed skateboard park; all lighting and amplified sound systems be directed away from the residential areas to the west and south; *future submittal of lighting, landscape, and amplified sound plans to the Board of Adjustment before final approval.* On property located at the Southeast and Southwest corners of East 56th Street North and Hwy 75.

BOA-20193 February 2006: The Board of Adjustment **approved** an *amendment* of the previously approved Mohawk Park master plan and a Special Exception to permit a public park to expand Mohawk Park, less and except the two airport parcels and the west half of the proposed soccer fields, pending the amended legal description and map from staff at the next meeting March 14, 2006, on property located at the Southeast and Southwest corners of East 56th Street North and Hwy 75.

Z-6909 September 2003: All concurred in **approval** of a request for *rezoning* a 4.62+ acre tract of land from RS-3 to AG on property located East of the Southeast corner of North Birmingham Avenue and East 56th Street North.

CBOA-01927 February 2002: The Board of Adjustment **approved** a *special exception* to permit the installation of two AM radio towers, on property located East of the Southeast corner of North Lewis Avenue East & East 59th Street North.

BOA-17509 September 1996: The Board of Adjustment **denied** a *special exception* to allow a 150' telecommunications tower in an AG district, on property located East of the Northeast corner of North Birmingham Avenue & East 54th Street North.

BOA-9766 December 1977: The Board of Adjustment **approved** a *special exception* to use property for a public park. Improvements will consist of the following: Nature center, interpretive building, shelter, observation towers, parking, group camping site, outdoor conference area and foot trail in an AG district; as presented; and subject to the approval of the building elevation by the City Engineer to be filed with the Board of Adjustment and subject of the building moratorium waiver by the City Commission on a portion of the subject property (480 acres). Property located at Southeast and Southwest corners of East 56th Street and Hwy 75.

CBOA-00204 June 1982: The Board of Adjustment **approved** a *special exception* to allow a sanitary landfill in an AG District, subject to the County Engineer's requirements, subject to the Tulsa City-County Health Department, for a period of three years, on property located at the Southeast corner of East 61st Street North and Hwy 75.

CBOA-00008 October 1980: The Board of Adjustment **approved** a *variance* to permit oil and gas wells and related storage tanks within 1320 ft. from an incorporated area on property located at the Northeast corner of East 56th Street North and Hwy 75.

Applicant Comments:

The applicant stated the property is being acquired for the expansion of Lee Supply facility. The applicant stated to the northeast the property is land locked prohibiting his client from expanding in that direction. The applicant stated the related PUD addresses the screening issues. The applicant stated a Landfill is directly east across the highway from the subject property. The applicant stated the plan is to develop the eastern side of these 2 lots, where the primary building and the pipe cutting facility would be located. The applicant stated the tract to the west would be the pipe yard and shipping and receiving area.

Interested Parties:

Roy Cameron 5905 North Atlanta Court, Tulsa, OK 74130

Mr. Cameron stated he lives close to the subject property on the northeast corner. Mr. Cameron stated when he moved into the area there was cattle on 40 acres of his property and to the south is a skate park. Mr. Cameron stated he would like to stay rural and not turn into industrial.

The applicant stated he thinks Mr. Cameron's concerns have to do with screening. The applicant stated he had discussions with INCOG staff and

anything along 56th Street North or along the northern property, will not have any storage of materials between the building and the street. He stated the building will be kept within 200 feet of 56th Street North. The applicant stated any pipe yard within the other area that is within 50 feet of the northern boundary or southern boundary would be screened by natural berms no less than 8 feet tall and 20 feet wide with vegetation on top. The applicant stated the subject property is just outside the city limits but will be landscaped in accordance with the City Landscaping Code.

Mr. Covey asked the applicant where the nearest IL zoning was located.

The applicant stated he wasn't sure about the zoning but from a use standpoint the property directly west of the subject property is cell towers or communication towers which will prohibit some development. The applicant stated the Landfill which is in the County is directly east of the subject property across the highway, directly south is the skate park and the Mohawk Golf Facilities.

Mr. Reeds asked the applicant where Mr. Cameron's property was located.

The applicant stated it is northwest of the subject property.

Mr. Reeds asked if the applicant was going to berm the corner where Mr. Cameron lives.

The applicant stated if there is storage within 50 feet of that north line, but the current plan has development on the eastern third of that lot. The applicant stated it doesn't make sense to have storage that far from the building.

Ms. Van Valkenburg asked if the berm would be 8 feet and then the landscaping on top of that or is it a combination of the berm and landscaping.

The applicant stated the berm would be 8 feet.

Mr. Covey stated he is a little concerned that there is no IL around the subject property. He is less concerned since the skate park is to the south and the landfill to the east.

TMAPC Action; 9 members present:

On **MOTION** of **WALKER**, TMAPC voted **8-1-0** (Covey, Doctor, Fothergill, McArtor, Reeds, Shivel, Van Cleave, Walker "aye"; Ritchey, "nays"; none "abstaining"; Millikin, "absent") to recommend **APPROVAL** of rezoning from AG to IL for CZ-484 per staff recommendations.

Legal Description CZ-484:

The Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼), of Section Five (5), Township Twenty (20) North, Range Thirteen (13) East, Tulsa, Tulsa County, Oklahoma, and containing 40 acres + or –.

and

The Southwest Quarter of the Southeast Quarter (SW¼ SE¼), of Section Five (5), Township Twenty (20) North, Range Thirteen (13) East, Tulsa County, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, LESS AND EXCEPT the Cherokee Expressway and LESS AND EXCEPT East 56th Street North.

* * * * *

- 9. **PUD-853 Stuart Van De Wiele** (County) Location: West of the northwest corner of East 56th Street North and Highway 75 requesting PUD to permit a pipe, valve and fitting distributor facility (**Related to CZ-484**)

STAFF RECOMMENDATION:
SECTION I: PUD-853

DEVELOPMENT CONCEPT: Rezone from AG to IL/PUD-853 to permit a pipe, valve and fitting distributor facility. The development is intended to follow the standards of proposed PUD-853 as well as those of the proposed underlying IL district not covered by the PUD.

DETAILED STAFF RECOMMENDATION:

PUD-853 is non injurious to the existing proximate properties and;

PUD-853 is consistent with the anticipated future development pattern of the surrounding property;

PUD-853 is consistent with the PUD chapter of the Tulsa County Zoning Code, therefore;

Staff recommends Approval of PUD-853 to rezone property from AG to IL/PUD-853.

Development Standards

Land Area: 2,960,773 Square Feet (67.97 acres)

Permitted Uses: Manufacturing, wholesaling, warehousing. All activities under Use Units 1, 11, 14, 15, 21, 23, and 25.

- Parking / Driving Surfaces:** All areas intended for driving or parking of pedestrian vehicles (i.e. employee and customer parking) shall be impervious surface such as concrete or asphalt. Pipe and equipment laydown, delivery and loading areas may be gravel or similar materials.
- Signs:** All signage to be in compliance with the Tulsa County Zoning Code, including Section 1130.2(B) thereof.
- Lighting:** Any exterior lighting shall be shielded down and away from all abutting tracts, including U.S. Highway 75. Any outdoor lighting fixtures on the Property shall not exceed twenty feet (20') in height.
- Building Placement:** The principal use building (office building) shall be located within two hundred feet (200') feet of the south property line. Only surface parking, landscaping, signage, and similar customary office building features may be located between the principal use building (office building) and the south property line. Any other buildings (warehousing, fabrication, etc.) shall be located no closer to the south property line than the principal use building (office building) described above.
- Landscaping / Screening:** The southern property line of the Property shall be landscaped along the 56th Street North right-of-way in general conformity with the edge treatment standards set forth in the Tulsa County Zoning Code. No pipe or equipment laydown areas shall be located within fifty feet (50') of the planned right-of-way of 56th Street North. No Pipe or equipment laydown areas shall be within fifty feet (50') of the north or west boundaries of the proposed PUD and any such areas, within the PUD, shall be screened by either (a) a screening wall or fence or (b) as an alternative to such requirements, by natural vegetation and/ or berms not less than twenty feet (20') in width or less than 8 feet in height in accordance with a landscaping / screening plan approved by INCOG staff.
- Street Connectivity:** To the extent that the Property is later split in to multiple tracts to be developed as smaller lots then a street system addressing not only internal traffic

flow but also connectivity to the adjacent parcels will be required.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: This area is outside of the City of Tulsa Comprehensive Plan area. The subject lots are within the Medium and Low Intensity designations of the Tulsa County District 24 plan.

Land Use Vision:

Land Use Plan map designation: N/A

Areas of Stability and Growth designation: N/A

Transportation Vision:

Major Street and Highway Plan: East 56th St North is a Secondary Arterial

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is currently undeveloped, forested land without existing structures.

Environmental Considerations: A small area of Tulsa County 100 year floodplain exists in the Northeast corner of the lot. This area also contains FEMA Floodway, Zone AE. The applicant will need to work with Tulsa County if development is intended for the floodplain portion of the site.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 56 th St North	Secondary Arterial	100 Feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	RS/AG	N/A	N/A	Agricultural / Industrial / Single-Family
South	RS-3/AG (City of Tulsa)	Parks & Open Space / New Neighborhood	Growth	Single-Family / Skate Park
East	AG	N/A	N/A	Hwy 75
West	AG	N/A	N/A	Radio Antenna

SECTION III: Relevant Zoning History

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

Subject Property: *No relevant history*

Surrounding Property:

BOA-20464-A January 2010: The Board of Adjustment **approved** the *plans* submitted for lighting and landscaping of the skate park, noting there is no amplification of sound planned; provided that all parking will be asphalt with concrete curb and gutters; lighting will be shielded down and away so as to light the parking and activity areas only; this approval is for a skate park only and does not include a BMX bike park planned south of the skate park, per plans as shown on pages 2.5, 2.6, 2.7, and 2.8 of the agenda packet. On property located at the Southeast and Southwest corners of East 56th Street North and Hwy 75.

BOA-20464 June 2007: The Board of Adjustment **approved** a *special exception* to permit park use in an AG district and a modification of a previously approved plan to permit an expansion of Mohawk Park, with conditions on the property west of Hwy 75 that there be a six-foot chain link fence around the proposed skateboard park; all lighting and amplified sound systems be directed away from the residential areas to the west and south; *future submittal of lighting, landscape, and amplified sound plans to the Board of Adjustment before final*

approval. On property located at the Southeast and Southwest corners of East 56th Street North and Hwy 75.

BOA-20193 February 2006: The Board of Adjustment **approved** an *amendment* of the previously approved Mohawk Park master plan and a Special Exception to permit a public park to expand Mohawk Park, less and except the two airport parcels and the west half of the proposed soccer fields, pending the amended legal description and map from staff at the next meeting March 14, 2006, on property located at the Southeast and Southwest corners of East 56th Street North and Hwy 75.

Z-6909 September 2003: All concurred in **approval** of a request for *rezoning* a 4.62+ acre tract of land from RS-3 to AG on property located East of the Southeast corner of North Birmingham Avenue and East 56th Street North.

CBOA-01927 February 2002: The Board of Adjustment **approved** a *special exception* to permit the installation of two AM radio towers, on property located East of the Southeast corner of North Lewis Avenue East & East 59th Street North.

BOA-17509 September 1996: The Board of Adjustment **denied** a *special exception* to allow a 150' telecommunications tower in an AG district, on property located East of the Northeast corner of North Birmingham Avenue & East 54th Street North.

BOA-9766 December 1977: The Board of Adjustment **approved** a *special exception* to use property for a public park. Improvements will consist of the following: Nature center, interpretive building, shelter, observation towers, parking, group camping site, outdoor conference area and foot trail in an AG district; as presented; and subject to the approval of the building elevation by the City Engineer to be filed with the Board of Adjustment and subject of the building moratorium waiver by the City Commission on a portion of the subject property (480 acres). Property located at Southeast and Southwest corners of East 56th Street and Hwy 75.

CBOA-00204 June 1982: The Board of Adjustment **approved** a *special exception* to allow a sanitary landfill in an AG District, subject to the County Engineer's requirements, subject to the Tulsa City-County Health Department, for a period of three years, on property located at the Southeast corner of East 61st Street North and Hwy 75.

CBOA-00008 October 1980: The Board of Adjustment **approved** a *variance* to permit oil and gas wells and related storage tanks within 1320 ft. from an

incorporated area on property located at the Northeast corner of East 56th Street North and Hwy 75.

TMAPC Action; 9 members present:

On **MOTION** of **WALKER**, TMAPC voted **8-1-0** (Covey, Doctor, Fothergill, McArtor, Reeds, Shivel, Van Cleave, Walker “aye”; Ritchey, “nays”; none “abstaining”; Millikin, “absent”) to recommend **APPROVAL** of PUD-853 per staff recommendations.

Legal Description PUD-853:

The Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼), of Section Five (5), Township Twenty (20) North, Range Thirteen (13) East, Tulsa, Tulsa County, Oklahoma, and containing 40 acres + or –.

and

The Southwest Quarter of the Southeast Quarter (SW¼ SE¼), of Section Five (5), Township Twenty (20) North, Range Thirteen (13) East, Tulsa County, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, LESS AND EXCEPT the Cherokee Expressway and LESS AND EXCEPT East 56th Street North.

* * * * *

- 10. **CZ-483 Jason Trotter** (County) Location: East of the southeast corner of Highway 51 and South 161st West Avenue requesting rezoning from **AG to CG** to permit a boat storage facility

STAFF RECOMMENDATION:

SECTION I: CZ-483

DEVELOPMENT CONCEPT: The applicant proposes to rezone the subject lots from AG to CG to permit a boat storage facility. The site has been used for boat storage since 1970. The proposed rezoning would bring the facilities use into compliance with the Tulsa County Zoning Code. Commercial zoning currently exists immediately to the east of the site as well as industrial zoning within a mile east of the site.

DETAILED STAFF RECOMMENDATION:

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

Is consistent with the anticipated future development pattern of the surrounding property;

And is consistent with the Tulsa County Zoning Code, therefore;

Staff recommends Approval of case CZ-483 to rezone property from AG to CG

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: CZ-483 is located within the Sand Springs fence line along Highway 51. According to the Sand Springs 2030 Comprehensive Plan, the Land Use Designation is Residential. It abuts property to the east which has a Commercial Land Use Designation. The parcel has been used for boat storage since 1970.

Land Use Vision:

Land Use Plan map designation: Residential (Sand Springs 2030 Comprehensive Plan)

Areas of Stability and Growth designation: n/a

Transportation Vision:

Major Street and Highway Plan: Highway 51 is designated as a Primary Arterial

Trail System Master Plan Considerations: None

Small Area Plan: N/A

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site currently contains a boat storage facility that has been in operation since 1970.

Environmental Considerations: The site is located within the Tulsa County 100 year floodplain. The applicant will need to work with Tulsa County to mitigate any issues with development in the floodplain.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
Highway 51	Primary Arterial	120 feet	4

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	AG	N/A	N/A	Hwy 51
South	AG	N/A	N/A	Vacant/Single-Family
East	CS	N/A	N/A	Vacant
West	AG	N/A	N/A	Private Garage

SECTION III: Relevant Zoning History

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

Subject Property: No relevant history

Surrounding Property: No relevant history

Applicant Comments:

The applicant stated they purchased the property, which is a boat storage facility, and want to clean it up and make it more modern. The applicant stated after purchasing he found out he needed to rezone the property.

Mr. Covey asked the applicant when he purchased the property.

The applicant stated September of 2018.

Mr. Covey asked if the applicant knew there was a zoning issue when he purchased the property.

The applicant stated “no”. The previous owner had a boat storage business on the property and the applicant thought there was no problem with continuing the same use.

Mr. Covey asked the applicant if he knew how long the property had been a boat storage.

The applicant stated since before the zoning code, over 40 years.

Interested Parties:

Frank Phillips 2024 South 159th West Avenue, Sand Springs, OK 74063

Mr. Phillips stated his property adjoins the subject property on the south side. Mr. Phillips stated his concern is flooding because the area is a flood zone. He stated there are 4-7 floods a year for his property. Mr. Phillips stated the applicant's property is in what Mr. Phillips calls a relief channel, its about 4 feet below Mr. Phillips property and in the big floods the water level is about 18 inches in the street. Mr. Phillips stated the water comes up under his house and runs across his property to the applicant's property and it is about 4 feet deep on the applicant's property. Mr. Phillips stated the water will get up to the top of the first step to his house but never gets into his house. Mr. Phillips stated the way the applicant's buildings are designed now will close 50 percent of the relief channel. Mr. Phillips stated the current boat storage building is 18-20 feet by 300 feet long and run east and west so there is only an 18 feet section that impedes the flow of water, but the applicants design closes the relief area. Mr. Phillips stated he believes the flooding can be improved by the applicant if he keeps the eastern section open. Mr. Phillips stated if the applicant builds his building the way it is shown on the drawing it will reduce the relief flow of the water by 50 percent and Mr. Phillips house will flood. Mr. Phillips stated he doesn't want to stand in the applicant's way because he has invested in the property. But Mr. Phillips stated if he doesn't make a change in his plans then the residents will be in trouble with flood waters.

Mr. Shivel asked Mr. Phillips if he had spoken with the applicant.

Mr. Phillips stated he talked with the applicant the day before the meeting. Mr. Phillips stated if the applicant can open the east end of the property Mr. Phillips believes it won't change the water level much for the residents.

Mr. Covey asked Mr. Phillips if the subject property had always been a boat facility.

Mr. Phillips stated it has been a boat facility since the early 70's. Mr. Phillips stated he moved there in February of 1966 and it did not flood until the boat storage was built in the 70's.

Mr. Covey asked Mr. Phillips if he was more concerned about what is going to be done to the property than he is the zoning change.

Mr. Phillips stated, "that is true". Mr. Phillips stated what the applicant is proposing will make the subject property look nicer.

Janice Selby 2025 South 159th West Avenue, Sand Springs, OK 74063

Ms. Selby stated what Mr. Phillips said is true. Ms. Selby stated she feels like the proposed development would impede her quality of life if something was built that would cause more flood issues that what already exists. Ms. Selby stated she has lived here since 1996 and there has not been any water in her house. Ms. Selby believes if the applicant builds the way he has designed she believes she will flood. Ms. Selby stated she would like to see the property improve because it currently looks dumpy. Ms. Selby stated the applicant just needs to change the design.

Mr. Covey stated so you're not opposed to the zoning just what structure may be built on the property.

Ms. Selby stated "yes".

Mr. Covey stated to Ms. Selby and Mr. Phillips that the applicant will have to go through the development compliance process at the County and there the County Engineer will review the plans.

Phillis Wheeler 2007 South 161st West Avenue, Sand Springs, OK 74063

Ms. Wheeler stated she is west of the proposed development. Ms. Wheeler stated the creek is holding the water half full since the County has not cleaned it out in several years. She stated the water comes in front of her house on 161st West Avenue then passes under her house and then goes through the draw the other speakers spoke about. Ms. Wheeler stated her house is elevated and water does not come into her house. Her concern was when the realtor came to have her sign a concession because the subject property is partially on her land Ms. Wheeler asked the realtor if she told the buyer's the property was in a floodplain the realtor stated "no". Ms. Wheeler stated when she built her garage she had to have a relief on both ends and it had to be above the flood elevation. Ms. Wheeler stated she has lived out there for many years and takes care of her property and would not like any further damage.

The applicant stated when he purchased the land he was informed that it was in a flood zone. The applicant stated he doesn't know how much it floods but he would be fine with adjusting his plans to help with the flooding.

Mr. Reeds asked the applicant if the existing buildings have a slab on grade.

The applicant stated "no", they are gravel.

Mr. Reeds stated a simple solution is to leave an open skirt around the bottom.

Mr. Covey asked if the applicant was aware he had to go through the County process.

The applicant stated "yes".

Mr. Covey suggested the applicant exchange phone numbers with the neighbors to help keep them informed.

The applicant stated he didn't want mad neighbors.

TMAPC Action; 9 members present:

On **MOTION** of **WALKER**, TMAPC voted **9-0-0** (Covey, Doctor, Fothergill, McArtor, Reeds, Ritchey, Shivel, Van Cleave, Walker "aye"; no "nays"; none "abstaining"; Millikin, "absent") to recommend **APPROVAL** of rezoning CZ-483 from AG to CG per staff recommendations.

Legal Description CZ-483:

PRT SW SW BEG 408.72N & 600.38E SWC SW TH E131.62 N169.90 NW140 S203.43 POB LESS BEG 611.56N & 596.75E SWC SW TH SE135.61 S99.17 NW137.25 N92.90 POB SEC 8 19 11 0.33AC; PRT SW SW BEG 408.72N & 402.45E SWC SW TH E197.93 N203.43 CRV LF 129 NW73 S245.22 POB LESS BEG 654.42N & 394.53E SWC SW TH SE206.73 S92.90 NW51.20 NW155.82 N92.26 POB SEC 8 19 11 .60AC, City of Tulsa, Tulsa County, State of Oklahoma

11. **Z-7468 John Miggins** (CD 4) Location: East of the Southeast corner of East Admiral Place and North Pittsburg Avenue requesting rezoning from **CH to IL with an optional development plan** (Continued from February 6, 2019)

STAFF RECOMMENDATION:

SECTION I: Z-7468

DEVELOPMENT CONCEPT:

Applicant has noted on his plan to combine all 5 lots into a single parcel. The parcels can be combined with or without the rezoning approval.

DETAILED STAFF RECOMMENDATION:

IL zoning without a development plan is not consistent with the Main Street Land Use designation in the comprehensive plan and,

Uses that may be allowed in an IL district without a development plan are not consistent with the Sequoyah implementation plan and,

IL zoning allows low-impact manufacturing and industry uses that may be considered injurious to the proximate properties and,

IL zoning allows low-impact manufacturing and industry uses that are not consistent with the expected development of the surrounding properties however,

The optional development plan outlined in Section II prohibits uses in the Industrial Use Category uses and,

All other uses and residential building types allowed in Section II are consistent with the expected main street land use designation of the comprehensive plan and,

The uses allowed in the optional development plan are considered non-injurious to the proximate properties therefore,

Staff recommends approval of Z-7468 to rezone property from CH to IL but only with the optional development plans standards outlined below.

SECTION II: OPTIONAL DEVELOPMENT PLAN STANDARDS

Z-7468 with the optional development plan standards will conform to the provisions of the Tulsa Zoning Code for development in an IL district and its supplemental regulations except as further refined below. All uses categories, subcategories or specific uses and residential building types that are not listed in the following permitted uses categories are prohibited:

PERMITTED USE CATEGORY

A) RESIDENTIAL (see allowed residential building types below)

Household Living

Three or more households on single lot

Group Living

Assisted living facility

Community group home

Elderly/retirement center

Room/boardings house

B) PUBLIC, CIVIC, AND INSTITUTIONAL

College or University

Library or Cultural Exhibit

Parks and recreation
Religious Assembly
Safety Service

C) COMMERCIAL

Animal Service (includes all specific uses)
Assembly and entertainment
 Other indoor
 (small up to 250-person capacity)
Broadcast or Recording Studio
Commercial Service (includes all permitted specific uses)
Financial Services (includes all permitted specific uses)
Office (includes all specific uses)
Parking, Non-accessory
Restaurants and Bars (includes all permitted specific uses)
Retail Sales (includes all permitted specific uses)
Studio, Artist, or Instructional Service
Trade School
Vehicle Sales and Service
 Personal vehicle repair and maintenance
 Personal vehicle sales and rentals
 Vehicle part and supply sales
 Vehicle body and paint finishing shop

D) WHOLESALE, DISTRIBUTION AND STORAGE

Warehouse
Wholesale Sales and Distribution

E) AGRICULTURAL

Community Garden
Farm, Market or Community-supported
Horticulture Nursery (not allowed in the north 70 feet of the
development plan area)

F) OTHER

Off-Premise Outdoor Advertising Signs

RESIDENTIAL BUILDING TYPES

A) Household Living

Three or more households on single lot
Multi-unit House
Apartment / Condo
Mixed-use building
Vertical Mixed-use building

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: Main Street land use vision does not include light industrial uses the building setbacks and density are consistent with the main street vision. The optional development plan allows only those uses, supplemental regulations and lot and building regulations that are consistent with the Main Street designation.

Land Use Vision:

Land Use Plan map designation: Main Street

Main Streets are Tulsa's classic linear centers. They are comprised of residential, commercial, and entertainment uses along a transit-rich street usually two to four lanes wide and includes much lower intensity residential neighborhoods situated behind. Main Streets are pedestrian-oriented places with generous sidewalks, storefronts on the ground floor of buildings, and street trees and other amenities. Visitors from outside the surrounding neighborhoods can travel to Main Streets by bike, transit, or car. Parking is provided on street, small private off street lots, or in shared lots or structures.

Areas of Stability and Growth designation: Area of Growth

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

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

Transportation Vision:

Major Street and Highway Plan: None except the secondary arterial designation

Trail System Master Plan Considerations: None

Small Area Plan: Sequoyah Area Neighborhood Implementation Plan (Effective May 2007)

This location is considered a major activity center:

Major Activity Centers include Admiral Place corridor, Salvation Army Boys and Girls Club, and neighborhood churches. Such centers are generally thought of as urban areas that include concentrations of business, commercial and other uses which draw a large number of people from the region on a daily basis.

Most of the recommendations outlined in the implementation plan are public improvement strategies to help encourage redevelopment

This implementation plan was completed prior to the current City of Tulsa Comprehensive Plan and does not align itself with the current land use designations for the area.

Special District Considerations: None except recommended public improvements outlined in the Sequoyah Neighborhood Implementation Plan.

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The existing site is a mix of several small buildings historically used as an auto repair shop with gravel parking areas..

Snippet from northeast looking south west toward site.



Environmental Considerations: None that would affect site redevelopment

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East Admiral Place	Secondary Arterial	100 feet	4 with center turn lane

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Land Use Designation	Area of Stability or Growth	Existing Use
North	RS-3 w/ RT 66 overlay	Parks and open space	Stability	Cemetery across E. Admiral
East	CH w/ RT66 overlay	Main street	Growth	Commercial use
South (across expressway)	RS-3	Existing Neighborhood	Stability)	Detached house
West	CH w/ RT 66 overlay	Main Street	Growth	Commercial

SECTION III: Relevant Zoning History

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

Subject Property: No relevant history

Surrounding Property:

BOA-21285 June 2011: The Board of Adjustment **approved** a *variance* of the paving requirement for a permitted automobile storage yard in a CH District (Section 1303.D), on property located south and east of the southeast corner of East Admiral Place and South Pittsburg Avenue.

The applicant was not present.

There were no interested parties wishing to speak.

TMAPC Comments:

Mr. Shivel stated he was glad staff and the applicant could work out the issues for this application.

Mr. Fothergill asked staff how the Route 66 Overlay affects the subject property.

Staff stated the Route 66 Overlay is about signage and has no affect on buildings or usage.

Mr. Reeds asked staff if the optional development plan limits horticultural use to the rear of the subject property.

Staff stated the existing building is approximately 80 feet from the north lot line, so a provision was added to say they had to be 70 feet from north lot line.

Mr. Doctor thanked staff for doing the extra work on this application at Planning Commission's request.

Mr. Covey stated he was adamantly against this application when it was before Planning Commission the first time, but he will be voting yes, this time on this very limited circumstance because the subject property is blocked by cemetery to the rear and a highway to the front.

Mr. Reeds thanked staff for doing a great job on this application.

TMAPC Action; 9 members present:

On **MOTION** of **WALKER**, TMAPC voted **9-0-0** (Covey, Doctor, Fothergill, McArtor, Reeds, Ritchey, Shivel, Van Cleave, Walker “aye”; no “nays”; none “abstaining”; Millikin, “absent”) to recommend **APPROVAL** of rezoning Z-7468 from CH to IL with optional development per staff recommendation.

Legal Description Z-7468:

LT 7 BK 1 LESS N. 29.25 TO CITY; LT 6 BK 1 LESS N. 29.25 TO CITY; N.100'LT 47 BK 1; N.100'LT 46 BK 1, RODGERS HGTS SUB, City of Tulsa, Tulsa County, State of Oklahoma

Mr. Fothergill left at 2:45PM

* * * * *

Mr. Covey explained the background of Z-7471 to new Commissioners.

12. **Z-7471 Crystal Keller** (CD 2) Location: East of the southeast corner of South 33rd West Avenue and West 81st Street South requesting rezoning from **AG to RS-1 with optional development plan**

STAFF RECOMMENDATION:

SECTION I: Z-7471

DEVELOPMENT CONCEPT:

The applicant has requested rezoning to allow large lot single-family residential development. The minimum lot size is 0.48 acres in size. The streets will be public and are configured to allow future connectivity to abutting parcels. During the plat process the developer will be required to establish some type of property owner’s association to manage maintenance of common open space for storm water detention areas, public open space and possible entrance features. One of the private deed restrictions is expected to require houses to be separated by at least 30 feet.

SECTION II: Optional Development Plan Standards

Z-7471 with the optional development plan standards will conform to the provision of the Tulsa Zoning Code for development in an RS-~~2~~-1 zoning district and all its supplemental regulations except as further refined below:

Uses allowed:

- A. Permitted Uses: The subject property may only be used as follows:
 - a. Residential Use category
 - i. Single Household

- B. Public, Civic and Institutional
 - a. Natural Resource Preservation
 - b. Minor Utilities and Public Service Facilities

Residential building types allowed: The subject property may only be used as follows:

- A. Single Household
 - a. Detached House

Lot and Building Regulations:

Minimum Lot Area:	21,000 square feet (.48 acres)
Minimum Average Lot Width:	100 feet
Minimum Street Frontage	30 feet
Minimum Building Setbacks	
Street	
Arterial	35 feet
Other streets	35 feet*
Side (Interior)	10 feet
Rear	25 feet
Minimum open space per lot	10,000 square feet
Maximum building height	35 feet

AMENDED 12.2

*For detached houses and accessory buildings on corner lots street setbacks for non-arterial streets shall also be 35 feet.

DETAILED STAFF RECOMMENDATION:

Z-7471 request RS-1 zoning with an optional development plan for a residential development with public streets and a single household in a detached house. Single family residential uses in this location are consistent with the Existing Neighborhood land use designation in the Comprehensive Plan and in the West Highlands Small Area Plan and,

Single family residential uses are consistent with the land use vision of the West Highlands Small Area Plan however the density allowed by RS-1 zoning with the optional development plan outlined above is contradictory to the rural residential uses recommended by the West Highlands Small area plan and has consistently been considered injurious to the surrounding property owners and,

RS-1 zoning with the optional development plan at this specific location may not be consistent with the provisions identified in an Area of Stability as outlined in the Tulsa Comprehensive Plan, however the optional development plan provides standards for wider side yards and larger front setbacks that are consistent with the large lot neighborhood character expected in the small area plan and,

RS-1 zoning with the optional development plan standards allows a lot density that may still not be consistent with the existing land use pattern in the area. That pattern was established years ago without sanitary sewer availability but the existing zoning in those areas would allow property to be developed with RS-3 lots with a minimum of 6900 square feet when connected to a sanitary sewer system. The City of Tulsa has recently completed sanitary sewer construction south of this site that would allow much greater density on property that is currently zoned RS-3 and,

The lot setbacks and building regulations included in the optional development plan meet or exceed the standards defined in a RS-1 zoning which is consistent with the optional development plan limitations allowed in the Tulsa Zoning Code therefore,

Staff recommends approval of Z-7471 to rezone property from AG to RS-1 with the optional development plan outlined in Section II.

SECTION III: Supporting Documentation

Bulk and Area Summary chart illustrating differences in zoning categories and last years application

Zoning category	Lot Area (sq. ft.)	Lot width (ft.)	Street Setback (ft.)	Rear Setback (ft.)	Side Setback (ft.)	Open Space (sq. ft)
Z-7421 RS-1 w/ODP	21,000	100	35	25	10/10	10,000
RS-1	13,500	100	30	25	5/5	7,000
AG	87,120	200	25	40	10/5	None required
RE	22,500	150	35	25	15	12,000
RS-2	13,500	100	30	25	5/5	5,000
RS-3	6,900	60	25	20	5/5	4,000
Z-7446 (9.18.2018)	21,780	100	35	25	10/10	12,000

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

AMENDED 12.3

Staff Summary: Within the West Highlands Small Area plan a development concept illustrates a single family residential development with a variety of lot sizes, greenspace wildlife corridor for local fauna and a perimeter greenspace buffer that summarize the goals for a context sensitive neighborhood. Without using an optional development plan or recommending a larger lot zoning designation staff does not have any regulatory method to support the visioning concepts illustrated in the plan.

Land Use Vision:

Land Use Plan map designation: Existing Neighborhood

The Existing Residential 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: None that would affect site development

Trail System Master Plan Considerations: None that affect site development

Small Area Plan: West Highlands Small Area Plan (Adopted 2014)

The recommendations of the small area plan include many references to supporting residential single family uses within a rural context and a rural residential zoning use. Revisions to the Tulsa Zoning Code have not implemented those concepts.

Special District Considerations: None except those design considerations recommended in the West Highlands Small Area Plan

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site abuts property on the south that does not have a public connection to any street. The preliminary plat will require stub street construction that will allow access to the arterial streets anticipating future development. Street connectivity is an important consideration in the West Highlands Small Area Plan and in the Tulsa Comprehensive Plan.

The density illustrated on the conceptual plan can only be supported by a connection to a public sewer system.

Environmental Considerations: The southwest corner of the site is included in the City of Tulsa regulatory floodplain. Development of that portion of the tract will require adequate engineering analysis during the design process to meet or exceed City standards for development in the floodplain.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
West 81 st Street South	Secondary Arterial	100 feet	2

Utilities:

The subject tract has municipal water available.

A City of Tulsa sanitary sewer extension will be required to serve this site from approximately ½ mile south of the south boundary of the site.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	RS-3	Existing Neighborhood	Stability	Large lot single family homes
East	AG	Existing Neighborhood	Stability	One single family home
South	AG	Existing Neighborhood	Stability	Undeveloped
West	RS-3	Existing Neighborhood	Stability	Single family homes

SECTION IV: Relevant Zoning History

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

Subject Property:

Z-7446 July 2018: All concurred in **denial** of a request for *rezoning* a 14.69+ acre tract of land from AG to RS-1 on property located East of the Southeast corner of West 81st Street South & South 33rd West Avenue, the subject property. The planning commission vote was 4 votes to approve and 5 votes to deny a proposal to allow 13,500 square foot lots.

Z-7421 February 2018: All concurred in **denial** of a request for *rezoning* a 14.69+ acre tract of land from AG to RS-2 on property located east of the southeast corner of West 81st Street South & South 33rd West Avenue, the subject property.

BOA-11166 September 1980: The Board of Adjustment **approved** a *special exception* to permit the location of a mobile home in an AG District for a period of 10-years, or until such time as the dairy ceases to operate, whichever comes first, on the subject property.

Surrounding Property:

BOA-21242 March 2011: The Board of Adjustment **approved** a *variance* of the maximum permitted size of a detached accessory building in the RS-3 district (Section 402.B.1.d) from 1,235 Sq. ft. finding that the proposed structure is to replace what was destroyed by a tornado last year, and the tract is 2.51 acres in size on property located south of the southeast corner of South 33rd West Avenue and West 81st Street South and abutting the subject property.

BOA-20256 April 1997: The Board of Adjustment **approved** a *variance* of the maximum size of an accessory building in an RS-3 District; and a *variance* of the maximum height of the top plate for an accessory building from 10 feet to 12 feet, finding that by reason of extraordinary or exceptional conditions or circumstances which are peculiar to the land, structure or building involved, specifically the large lot size in the RS-3 zoned area; contingent on there being no commercial activities, no living quarters and removal of the existing building, and total square footage of 1,500 for accessory buildings, on property located on the Northeast corner of West 81st Street South and South 28th West Avenue.

BOA-17934 February 1998: The Board of Adjustment **denied** a *variance* to allow 2 dwelling units on one lot of record; a *special exception* to allow a manufactured home in an RS-3 zoned district; and a *variance* of the one year

time limit to allow the manufactured home permanently, on property located east of the Northeast corner of South 33rd West Avenue and West 81st Street South.

BOA-15954 February 1992: The Board of Adjustment **denied** a *special exception* to permit a community group home in an RS-3 zoned district, on property located East of the corner of South 33rd West Avenue and West 81st Street South.

TMAPC Comments:

Mr. Covey stated he was looking at the West Highland Small Area Plan and would like staff to confirm recommendation 3.7 that refers to zoning west of Union Avenue and states zoning west of Union Avenue in areas with Existing Area Neighborhood Land Use should strongly support residential single family uses or support changes to new rural residential zoning use. Mr. Covey stated in recommendation 4.6 of the Small Area Plan it states to revise Zoning Code to include a rural residential district which allows a limited number of livestock and horses as a use by right and has larger minimum lot sizes.

Staff stated that recommendation has not been implemented yet. There have been several meetings about how to accomplish that. Staff stated one suggestion was an opt in zoning category for this area or some neighborhood private restrictions.

Mr. Covey stated “larger minimum lot size” is that larger from RS-1 or larger from RE because the application today is larger than RS-1 but its short of RE.

Staff stated there was a conversation about using RE as the base zoning but RE has a requirement of a minimum average lot width of 150 feet and with this development because of its shape, if there was a street down the middle of it or anywhere in it, the shape of the lots are narrow and deeper. Staff stated the RE zoning doesn't allow the flexibility in the optional development plan to allow smaller than 150 feet, so staff used the RS-1 zoning and required the lots to be larger. Staff stated in the RS-1 zoning the requirement is 13,500 feet and for RE it is 22,500 feet. Staff stated that the proposed lots are close to the RE land area size but not the width.

Mr. Covey stated when the phrase larger minimum lot size is used and then look at the map there is RS-3 to the west of the subject property and RS-3 to the north of the subject tract. Mr. Covey stated that is a blanket statement. What is it really referring to? The area in general?

Mr. Walker asked what details in the applicant's letter did staff not support.

Staff stated there is a statement of minimum lot area of 21,780 feet and that is fine but there should be some wiggle room in case the lots changed a little. Staff stated the letter referenced a subdivision request of an average 15-foot setback

and there was not a way to quantify what that average setback was. Staff stated more importantly, if there is 30 feet between dwellings and one of the neighbors was 10 feet away that would potentially affect someone else's lot.

Applicant Comments:

The applicant stated they started this process back in November 2017 and the initial thought was to make the subject property RS-3 like the property next to the subject property. The applicant stated after looking at the Small Area Plan he realized that was not what the residents were looking for. The applicant stated he spoke with INCOG and invitations were sent out and there were 2 community meetings held and entertained thoughts and processes. The applicant stated there were 2 meetings in the City Council Chambers listening to conversations and ideas. The applicant stated the first concept was RS-3 with 39 lots and he felt that met the Small Area Plan with diversity of lot sizes. The applicant stated he then bumped it down to RS-2 with 29 lots and that was what was presented to TMAPC on February 21, 2018 and that application was denied. The applicant stated during the meetings with the community the biggest concern was the size of the lot. Most wanted a minimum of 2 acres. The applicant stated in July he decided to try again with half acre larger lots and was denied a second time. The applicant stated he is back today with full half acre lots and there has been a discussion on 30-foot separation between structures. The applicant stated also there is 100 to 110-foot lot width. The applicant stated the detention has been addressed, a traffic study has been done and there are no problems with that. The applicant stated the sewer line is being built in the area and will at some point service this area but until that time the subject property will have aerobic service.

Mr. Covey asked the applicant what the time frame was for getting sanitary sewer to the neighborhood.

The applicant stated he could not get a definite commitment from City Engineering, but he thinks its about 10 years out.

Interested Parties:

Jana Proffitt Davis PO Box 702773, Tulsa, OK 74170

Ms. Davis stated she has lived in the area for 45 years. Ms. Davis stated here she is again before Planning Commission. She stated there are 15 responses in the agenda packet that are against this development. Ms. Davis stated this development was voted against last time and nothing has changed. How many times does he get to come back and keep hitting the neighborhood with this application. Ms. Davis stated as a compromise 1.25 acres would be the minimum that belongs in this area. Ms. Davis stated back in the 70's the City came, and blanket zoned this area as RS-3 and none of the property owners were notified. Ms. Davis stated they wouldn't be allowed to have livestock if they were RS-3. Ms. Davis thinks the applicant's examples of the Small Area Plan were deceiving.

Ms. Davis stated the Engineering Department has just launched a major study of the area between 71st to 91st to Union to 33rd because of the flooding issues.

Mr. Shivel asked who was leading the study for the City.

Ms. Davis stated Brooke Caviness with the Stormwater Management and Michael Ling.

Mr. Covey asked Ms. Davis what size lots does she think is appropriate for the area.

Ms. Davis stated personally she would like 2.5 acres, but she would compromise and agree to 1.25 acres.

Lyle Seefeldt 3059 West 77th Street, Tulsa, OK 74132

Mr. Seefeldt stated he is opposed to the lot sizes because of the flooding in the area. Mr. Seefeldt stated the smallest size lot in the area is 1.25 acres and this application is proposing splitting the lots down more than half of the 1.25 acres. Mr. Seefeldt stated there was a lot split on 78th that was denied because there was no sanitary sewer. Mr. Seefeldt stated with the runoff and the concrete from the proposed houses the aerobic systems are going to smell bad because there is so much more water running down the hill. Mr. Seefeldt stated he agrees with Ms. Davis he would like the lots no less than 1.25 acres.

Silvia Powell 8611 South 33rd West Avenue, Tulsa, OK 74132

Ms. Powell stated her property is to the south of the subject property. Ms. Powell stated if all the proposed homes are built she will flood because she is taking all the water from Creek County at the top of the hill. Ms. Powell stated the front of her property is in a flood zone. Ms. Powell stated the home owner at the far southwest corner of 91st and South 33rd West Ave was bought out because of flooding. Ms. Powell stated the applicant stated the lot size would be half acre lots, but the staff report stated .48 acres and that is not half acre lots. Ms. Powell stated she doesn't want the aerobic system water coming down into her property. Ms. Powell stated she was heavily involved in the Small Area plan process and there are several things that were put into the document without the Citizen Advisory Team's knowledge. Ms. Powell stated the original intend of the Small Area Plan was to make this area a rural country feel with at least 1 acre lots where you can have a pony. Ms. Powell stated she does not want this to change.

Councilor Cue 175 East 2nd Street, Tulsa, OK 74101

Councilor Cue stated she has the City Engineers over floodplain working on a plan for the area. Councilor Cue stated she is working with Susan Miller on how to protect the neighbors. Councilor Cue stated she missed the change in the Small Area Plan to the acreage size when reviewing it. Councilor Cue stated she wanted to thank the residents for coming out again and the Commissioners for listening.

Kathy Menger 7805 South Xenophon Avenue Tulsa, OK 74132

Ms. Menger stated she lives in the neighborhood to the north of the subject property that is being referred to as RS-3. Ms. Menger stated she hears people using this as reasoning behind the development they are trying to get approved but when it was rezoned there was no infrastructure in place to support the rezoning and 50 years later there is still no infrastructure to support RS-3. Ms. Menger stated so this is an argument that has no bearing. Ms. Menger stated her concern is the standing water and provisions for handling that stormwater runoff are nonexistent and are the same as when the area was developed in the mid 60's. Ms. Menger stated the houses that have been put on 0.50 acre lots have the worst standing water of any houses in the neighborhood. Ms. Menger stated she is not against development however in this area the infrastructure is not in place to support rezoning and Ms. Menger believes until it is no rezoning should be allowed.

Mr. Covey asked Ms. Menger the size of the lots she would prefer.
Ms. Menger stated no less than 1 acre.

Allen Breedlove 8119 South 33rd West Avenue, Tulsa, OK 74132

Mr. Breedlove stated the City rezoned the properties in the area and they found out when they received their tax bill. Mr. Breedlove stated the citizens had no control over the rezoning. Mr. Breedlove stated there was nothing about .25 acre lots in the Small Area Plan west of Union Avenue and between 71st and 91st West Avenue. Mr. Breedlove stated on his property he has a small amount of black dirt and the rest is heavy clay. Mr. Breedlove stated .50 acre lots can not accommodate aerobic system because of the soil. Mr. Breedlove stated he looked at the geological survey and it stated for 20 homes they will be distributing 240,000 gallons of water per month and that does not include rainwater. Mr. Breedlove stated everything will gravitate to the south where his neighbors live. Mr. Breedlove stated the plan calls for 20 homes, but the applicants plan is to buy the adjacent 15 acres and extend the road and build 20 more houses. Mr. Breedlove stated this property cannot take an aerobic system.

Mr. Covey asked Mr. Breedlove what size of lots he would like to see in this area.

Mr. Breedlove stated 1.25 acres.

Frances Thompson 8215 South 33rd West Avenue, Tulsa, OK 74132

Ms. Thompson stated she has lived in the area 56 years. Ms. Thompson stated her property is still registered AG. Ms. Thompson stated she is concerned about the water. She stated she must mow 2.5 acres that she has trouble walking on sometimes. Ms. Thompson stated she wants to stay AG because she wants a horse for her granddaughter. Ms. Thompson stated she moved to the area before it was a part of the city. The residents had to dig their own well, get a propane

tank, install their own fire hydrant and the electric was from Sapulpa. Ms. Thompson stated she had to rough it to live in this neighborhood and she wants her grandchildren to experience the rural area just as her children did.

Mr. Covey asked Ms. Thompson what size of lots he would like to see in this area.

Ms. Thompson stated 1.25 acres, but she would want it on sewer not on aerobic.

Jane Duenner 2320 West 92nd Street, Tulsa, OK 74132

Ms. Duenner read another residents email that could not be there that stated they were against the application and that the proposed development did not fit with the character of the neighborhood. The email stated 1 acre lots were typical of the area.

Ms. Duenner stated the applicant has at least 5 more developments in or around District 2. Ms. Duenner stated there are many new developments in South Tulsa that are rooftop to rooftop without many trees. Ms. Duenner stated the City has no money for infrastructure improvements with the increased density this development will bring. Ms. Duenner stated the soil in the area has a high-density clay and does not perk well and this development with the proposed density. One house per .48 acres, the surrounding houses will be flooded. Ms. Duenner stated she would like 2.5 acres but will accept 1.25 acres at the very least. Ms. Duenner stated the applicant has been denied before and asks Planning Commission to deny the application again.

Mr. Covey asked Ms. Duenner what size of lots she would like to see in this area. Ms. Duenner stated 1.25 acres at the very least.

Mary Beth Dolan 2500 West 81st Street, Tulsa, OK 74132

Ms. Dolan stated per property shares two sides with the subject property. Ms. Dolan stated she owns the 100 acres and has no plans to develop it. Ms. Dolan stated she would prefer larger lots. Ms. Dolan stated a there is a retention pond on the subject property and a question she has is where the water goes if the retention pond gets full.

Mr. Covey asked Ms. Dolan what size of lots she would like to see in this area.

Ms. Dolan stated she would settle for an acre and maybe .75 acres if it was the right plan.

Tish Dingmon 2828 West 81st Street, Tulsa, OK 74132

Ms. Dingmon stated the infrastructure is not in place for this development. If aerobic system is used there will be a bad smell from people not maintaining their systems. Ms. Dingmon stated it adds a lot of untreated water on the soil and animals will bring that into the house. Ms. Dingmon stated this development will

add a lot more water to an area that is a lot of clay. Ms. Dingmon stated she understands there needs to be a compromise and that is why the neighbors have gone to 1.25 acres but there are things that need to be done before the application passes.

Mr. Covey asked Ms. Dingmon what size of lots she would like to see in this area.

Ms. Dingmon stated she would settle for an acre and maybe .75 acres as a compromise.

Steve Brown 7716 South Galveston Avenue, Tulsa, OK 74132

Mr. Brown stated he lives in Stone Brook area and stands in support of the subject development. He stated there has been significant growth in the area with a new school. Mr. Brown stated this area commands more expansion and home development. Mr. Brown stated the more development the better the tax revenue which is good for the City and the County and additional commercial development in the area. Mr. Brown stated the subdivision he lives in had nothing near it in 2005 but is now completely developed and the properties have appreciated in value and Mr. Brown believes this is what would happen in this area also. Mr. Brown stated he is in support of the development.

Applicant Rebuttal:

The applicant stated he would try to address some of the neighbor's concerns. He stated the proposed development will have aerobic system and the DEQ will be the governing body that will oversee the process and will require perk tests. A .50 acre is a minimum and they may require more depending on the perk test. The applicant stated there will be a City of Tulsa standard detention pond on the south side of the property. The property drains from the north to the south and ties into a Tulsa regulatory flood plain in the southwest corner. The applicant stated the Planning Commission has a lot of voices to listen to and decide. The applicant stated there are many residents in favor of the development and stated they would be supplying emails to Councilor Cue. The applicant stated the reason he is using the Small Area Plan as the emphasis for this plan in this area is because it was a document that had been to Planning Commission and City Council and approved by both groups.

Mr. Walker asked the applicant if there was any constructive conversation with the neighbors during the neighborhood meetings for this application.

The applicant stated when the last application was denied there were community meetings prior to that but since that time the applicant stated they had gone from the RS-2 to the 0.50 acre lots that is being proposed there has not been any additional meetings only one on one conversations. The applicant stated the

reason for choosing not to have the meeting is because there is not a consensus among the neighbors on what size the lots should be.

Mr. Walker asked the applicant if his economic threshold is .50 acre.

The applicant stated "yes".

Mr. Reeds asked the applicant if the property had issues with percolation at .50 acres would the applicant then try .75 acres.

The applicant stated they may have to walk away at that point. If DEQ states, the lots need to be .75 acre it may be a no build project.

Mr. Reeds asked why the applicant didn't have that study done before presenting it to Planning Commission.

The applicant stated hundreds of thousands of dollars can be invested in just engineering just prior to trying to get zoning.

Mr. Reeds stated he understands but the residents know the soil, and the applicant knows the soil, and a study would be easy to ask for.

The applicant stated he knows what he is being told about the soil.

Mr. Reeds stated you have had no soil tests.

The applicant stated he has had no geotechnical work done to date.

Mr. Reeds asked the applicant why he wouldn't want to spend about \$5000 to understand if you can go forward with the project. He did not understand that.

Mr. Reeds asked staff what the average lot size in the area was currently.

Staff answered they didn't calculate an average.

Mr. Reeds stated he could support this if the applicant went to .75 acre, but he can't support it at .50 acre.

The applicant stated he is trying to put an anchor into the Small Area Plan that calls for .25 acre to 1 acre. The applicant stated in 50 years this land is going to become denser and what he is proposing is to anchor .50 acre lots right in the middle of the Small Area Plan.

Mr. Reeds stated he could see doing the anchor piece with .75 lots just as easy.

Mr. Covey asked if the applicant has seen the amended staff report that compares the last application lot size to this application lot size. Mr. Covey stated the lot are for this application is 21,000 square feet and the lot area last time was 21,780 square feet. Mr. Covey asked why the lot size went down.

The applicant stated he thinks a lot of this is just miscommunication between the applicant and staff it is his intent to make the lot size 21,780 square feet a minimum of .50 acre.

Mr. Covey asked if anything has changed on the open space because staff has that going down from 12,000 square feet to 10,000 square feet also.

The applicant stated no its not a problem keeping that at 12,000 square feet.

Mr. Covey asked the applicant if all the numbers should be the same as last time with the only difference being the configuration.

The applicant stated there is a larger lot width 110 feet instead of 100 feet and 10 feet on the side yards. The difference is the applicant would put in the deed of dedication that there would be 30 feet between structures.

TMAPC Comments:

Mr. Covey asked staff when the Small Area Plan was enacted.

Staff answered in 2014.

Mr. Covey stated at least one speaker stated some things had been added to the document that was not agreed upon by the participants of the Small Area Plan.

Staff stated since TMAPC adopted it and City Council approved it there have been no changes to the document. Staff stated in the last portion of the process before it came to TMAPC or City Council there was a lot of moving parts in the end and staff doesn't know what came back to Citizen Advisory Team or what some of the final adjustments were.

Mr. Ritchey stated Planning Commission was faced with a seemingly similar decision at the last meeting. Mr. Ritchey stated when the land is already zoned RS-3 the board is not being asked to decide if that is right or wrong the property owner owns it and its already RS-3 and within reason they can do what they want with that property according to the code. Mr. Ritchey stated where we can control the issue is where we see properties that need to change their zoning. Mr. Ritchey stated we see the AG properties asking for RS-1 with 0.50 acre lots which is an improvement over the last application, but we have all the people from the neighborhood show up to oppose the application and have seen the same people every time an application comes up in this area. Mr. Ritchey stated

he appreciates the one person who came in support of the project, but it seems the lots are still too small for what the neighborhood wants in their area.

Mr. Reeds stated where it differs from previous application is that he has attached an optional development plan with much larger lots. Mr. Reeds applauds the applicant for that and for eliminating the gate and not making this a gated community. Mr. Reeds thinks the applicant has not gone far enough to meet the surrounding neighborhoods context and he won't be supporting the application.

Mr. Doctor stated this was considered last summer and shifts have been made to make it better. Mr. Doctor stated this application down zones the property to RS-1 from the RS-2 that was before the Planning Commission last time. Mr. Doctor stated the lot size on both applications are the same but thanks to Mr. Covey's questions to each applicant there is a consensus for maybe .75 acre lots to 1.0 acre lots. Mr. Doctor stated this application isn't much different than what was brought before Planning Commission last time and for that reason he will still be voting against it.

Mr. Covey stated what if we didn't have the Small Area Plan. There is RS-3 to the north, RS-3 to the west, there is RS-3 everywhere which apparently no one likes but it is there and there is nothing Planning Commission can do about that. Mr. Covey stated without the Small Area Plan he thinks staff would look at the application and say RS-3 is probably a good fit. Mr. Covey stated but there is a Small Area Plan that drives what is suppose to happen in that area. The Small Area Plan states zoning west of Union and areas with Existing Neighborhood Land Use should strongly support residential single family uses. Mr. Covey stated RS-1 is a single-family use. Mr. Covey stated the Small Area Plan states to support changes to a new designation of rural residential zoning, allowing limited livestock, a larger minimum lot size. Mr. Covey stated he doesn't know what a larger minimum lot size is but when he looks at it in context with the zoning map it would be something more than RS-3. Mr. Covey stated it would be an RS-2, RS-1 or an RE. That is the document that Mr. Covey states he must base his decision on. Mr. Covey stated in the Small Area Plan there is a conceptual development that is a guide of what development in this area should look like. It shows an 80-acre site with 67 single family homes with lots varying in size between 0.25 and 1.0 acre. Mr. Covey stated he read every word of the Small Area Plan and if that is the document that is supposed to guiding the development in this area that is what he was going to rely on. If that is not the document, he should be relying on for his decision then Mr. Covey stated he doesn't know why we do Small Area Plans. Mr. Covey stated he will be voting yes just like he did last time, not because he doesn't have sympathy for drainage or wanting to maintain a rural designation but because there was a Small Area Plan adopted.

TMAPC Action; 8 members present:

On **MOTION** of **COVEY**, TMAPC voted **5-3-0** (Covey, McArtor, Shivel, Van Cleave, Walker “aye”; Doctor, Reeds, Ritchey, “nays”; none “abstaining”; Fothergill, Millikin, “absent”) to recommend **APPROVAL** of rezoning from AG to RS-1 with optional development for Z-7471 per staff recommendations.

Legal Description Z-7471:

A TRACT OF LAND IN THE NORTHWEST QUARTER (NW/4) OF SECTION 15, TOWNSHIP 18 NORTH, RANGE 12 EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID NW/4; THENCE SOUTH 89°45'13" WEST ALONG THE NORTH LINE OF SAID NW/4 FOR 1,656.70 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND; THENCE SOUTH 0°02'57" EAST FOR 1,322.68 FEET; THENCE SOUTH 89°45'13" WEST FOR 495.11 FEET; THENCE NORTH 01°42'30" EAST FOR 3.65 FEET; THENCE NORTH 00°02'57" WEST FOR 1,319.04 FEET TO THE NORTH LINE OF SAID NW/4; THENCE NORTH 89°45'13" EAST ALONG SAID NORTH LINE FOR 495.00 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND. LESS AND EXCEPT ALL OIL, GAS, COAL AND OTHER MINERAL INTERESTS.

- 13. **CPA-80** Consider adoption of the **Crutchfield Small Area Plan** as an amendment to the Tulsa Comprehensive Plan.

STAFF RECOMMENDATION:

- A. Item for consideration:** Consider adoption of the **Crutchfield Small Area Plan** as an amendment to the Tulsa Comprehensive Plan.

Location: The Crutchfield Neighborhood plan boundary encompasses .73 square mile, approximately 467 acres, located northeast of the Inner Dispersal Loop (I-244) and downtown Tulsa. Bordered on the north by Pine Street, Utica Avenue to the east, Highway 75 on the west and Admiral Place on the south.

- B. Related Plans:** The existing Crutchfield Neighborhood Revitalization Master Plan will be superseded by the adoption of this Small Area Plan. The Crutchfield Sector Plan will be implemented in tandem with the strategies and goals of this Small Area Plan.
- C. Background:** The Tulsa Development Authority and the City of Tulsa engaged the services of Fregonese Associates, a planning and design firm that partnered with Tharp Planning Group and DRW Planning Studio to

develop a Small Area Plan and Sector Plan for the Crutchfield Neighborhood. The Sector Plan, previously presented to the TMAPC and recommended to be in conformance with the Comprehensive Plan, is a specific tool guiding the actions of the Tulsa Development Authority (TDA) to make strategic investments that create desired change in the Crutchfield Neighborhood. The purpose of both Plans is to provide clear and updated guidance for investment decisions, but also other catalytic actions necessary to address anticipated needs of the neighborhood on the immediate and long-term horizons. Both Plans were guided by feedback from the Citizens Advisory Team (CAT), Community Design Workshop, and other public engagement.

Preparation of the Crutchfield Small Area Plan followed the small area planning process prescribed in PLANiTULSA, the Tulsa Comprehensive Plan, and will further assist in facilitating neighborhood stabilization, infill housing development, job creation, public infrastructure upgrades, parks and open space enhancements.

This Small Area Plan's coordination with the recently completed efforts of the Crutchfield Sector Plan establishes a community-based vision for the area and address issues not covered, mobility, long term land use, adjacency and other neighborhood compatibility standards.

D. Conformance with the Tulsa Comprehensive Plan:

The Crutchfield Small Area Plan is in conformance with the following Priorities, Goal and Policies in the Comprehensive Plan.

1. Land Use Map

The Crutchfield Small Area Plan recommends the following land use designations from the **Tulsa Comprehensive Plan**.

Downtown Neighborhood

The Downtown Neighborhood land use category is reflective of the area's established character and proximity to downtown. These areas are primarily pedestrian-oriented and are well connected to the Downtown Core via local transit. They feature neighborhood-scale parks and open spaces.

Existing Neighborhood

The Existing Neighborhood category is intended to preserve and enhance Tulsa's existing single-family neighborhoods. Development activities in those 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.

Main Street

Main Street categories are Tulsa's classic linear centers. They are comprised of residential, commercial and entertainment uses along a transit-rich street usually two to four lanes wide and includes much lower intensity residential neighborhoods situated behind. Main Streets are pedestrian-oriented places with generous sidewalks, storefronts on the ground floor of buildings, and street trees and other amenities. Parking is provided on-street, small private off-street lots or structures. This is a recommended Land Use change along Peoria Avenue, Independence Street between Peoria Avenue and Hwy 75, and for Archer Street between Peoria Avenue and Hwy 75.

Employment

Employment Area uses are intended to focus on commercial activities such as offices, warehousing, light manufacturing and information technology. The northeastern and southern portions of the Plan area are among the city's most active centrally located industrial lands. These areas have been historically industrial and are anticipated to remain so in the future. The area currently designated Town Center is an active employment land use and will likely remain employment. It is recommended that the Land Use designation be changed from Town Center to Employment.

Mixed-Use Corridor

Sections of Utica Avenue and Latimer Street in the northeast portions of the Plan area are designated **Mixed-Use Corridor**. Mixed-Use Corridors pair high capacity transportation facilities with housing, commercial, and employment uses. Pedestrian safety and comfort are emphasized and buildings along the corridor are built to the sidewalk with windows, storefronts and active ground floors.

Town Center

Town Centers are medium scale, one to five story mixed-use areas intended to serve areas of neighborhoods other than Neighborhood Centers, with retail, dining, and services and employment. They can include apartments, condominiums, and townhouses with small lot single-family homes on the edges. A Town Center also may contain offices that employ nearby residents. The area currently designated as Town Center is active employment and likely to remain employment for the next 10 – 20

years. It is therefore recommended that the Land Use be changed from Town Center to Employment.

2. Areas of Stability and Growth Map

The Crutchfield Small Area Plan uses the “Areas of Stability” and “Area of Growth” designations from the **Tulsa Comprehensive Plan**.

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

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. The Comprehensive Plan designates most of the Crutchfield neighborhood as an Area of Growth.

3. Comprehensive Plan Priorities and Recommendations

LAND USE PRIORITY 3

Focus redevelopment, revitalization and enhancement programs on areas that have been severely economically disadvantaged.

Goal 8— *Underutilized land in areas of growth is revitalized through targeted infill and reinvestment.*

Goal 9— *Tulsa North's economy is at least as robust, sustainable and as stable as the remainder of Tulsa's economy.*

Policies to support this goal include:

9.1 Focus planning, reinvestment and rehabilitation programs in Goal 8 in the Tulsa North area to provide opportunities for residents and businesses to improve economic stability.

LAND USE PRIORITY 4

Maintain, stabilize and strengthen existing neighborhoods, making them places where new residents are attracted to live.

Goal 11— *Residents in established neighborhoods have access to local commercial areas, schools, libraries, parks and open space areas within walking distance of their homes.*

Goal 12— *Residents in established neighborhoods have access to multiple modes of transportation.*

Policies to support this goal include:

12.2 Leverage the benefits of urban design to create walking and biking transportation options in neighborhoods.

- Develop urban design guidelines for small area and neighborhood planning that encourage walkable mixed-use centers or main streets.
- Use Context Sensitive Solutions process to ensure that centers and corridors are designed to support transit riders.

Goal 13— *Existing neighborhoods are stable and infill development revitalizes, preserves and enhances these urban areas. Policies to support this goal include:*

13.1 Promote the unique characteristics of existing neighborhoods as key to the city's long-term health and vitality.

- Maintain the desirability of existing neighborhoods through public and private investment.

Recognize adopted area/neighborhood plans in guiding development and zoning decisions.

- Encourage neighborhood-serving office, retail, or other non-residential uses to be located in residential community areas, primarily on significant roadways or at key intersections.
- Provide appropriate transitions between nonresidential uses and neighborhoods to protect stability and quality of life.
- Create and encourage the use of an infill and revitalization toolkit to help facilitate

housing development in existing residential neighborhoods.

- Ensure that neighborhoods are served by and accessible to neighborhood commercial areas, parks, cultural areas and open space, libraries and schools. Encourage the development of these facilities in Small Area Plans.

Goal 14— *The city’s historic resources are protected and programs promote the reuse of this important cultural resource. Policies to support this goal include:*

14.1 Support the Tulsa Strategic Preservation Action Plan preservation objectives and actions.

14.2 Assure that Neighborhood Plans & Small Area Plans support preservation and revitalization objectives.

Transportation Priority 1

Provide a wide range of reliable transportation options so every Tulsan can efficiently get where they want to go

Goal 1—*All Tulsans have a variety of transportation options for getting around the city.*

Goal 2— *Tulsa has a sustainable network of roadways, trails and transit infrastructure that is well maintained and not a burden on future generations to operate. Policies to support this goal include:*

2.1 Adopt a network approach to transportation projects that focuses on connecting people to places — ultimately allowing places to become more intense centers of economic development.

Goal 12— *Tulsans can rely on a variety of transit options to take them to jobs, shopping and entertainment.*

Goal 13— *Pedestrians have easy access to jobs, shopping and recreation.*

Housing Priority 1

Promote Balanced Housing Across Tulsa

Goal 1— *A robust mix of housing types and sizes are developed and provided in all parts of the city.*

Goal 5— *Tulsa’s existing housing inventory is revitalized, preserved and maintained.*

Housing Priority 2

Ensure Housing Affordability for All Residents

Goal 7— *Low-income and workforce affordable housing is available in neighborhoods across the city.*

Goal 8— *The combined cost of housing and transportation to Tulsa’s residents is reduced. Policies to support this goal include:*

8.1 Coordinate planning of housing and public transportation with the goal of helping residents reduce housing and transportation costs to less than 48% of gross income.

Parks, Trails and Open Space Priority 5

Improve Access and Quality of Parks and Open Space

GOAL 12— *Neighborhoods have adequate access to parks and open space areas. Policies to support this goal include:*

12.1 Work with other government agencies and community partners to improve walkable access to parks and recreation opportunities throughout Tulsa.

12.2 Make parks desirable destinations for walking by providing comfort and convenience facilities, especially restrooms and drinking fountains, wherever possible and feasible.

12.3 Partner with schools, libraries and other public places to provide amenities close to homes.

12.4 Look for opportunities for trails in areas that currently have few or none and connect these areas to existing trails.

12.5 Provide trails and loop walks within existing parks.

12.6 Develop partnerships with utility companies for trail corridors.

12.7 Work with public agencies and community groups to ensure safe pedestrian corridors.

12.8 Provide trail links to specific destinations like schools.

12.9 Add and improve sidewalks through a sidewalk improvement program; prioritize areas based on adjacency to schools and community centers.

12.10 Connect existing undeveloped areas in parks with developed park areas.

12.11 Convert parts of existing parks to more natural conditions, where feasible.

12.12 Create a series of Local Destination Parks throughout Tulsa.

12.13 Achieve appropriate levels of parks services for all parts of Tulsa.

12.14 Maintain existing facilities as appropriate.

12.15 Provide additional components in areas with relatively low levels of service.

12.16 Provide new parks and components as warranted by population growth and changing demographics.

Goal 13— *Partnerships and collaborative efforts support the management and provision of parks and open space.*

Goal 14— *Parks and recreational facilities are updated to address changing needs and desires. Policies to support this goal include:*

14.1 Add comfort and convenience features to parks.

As included above, the Tulsa Comprehensive Plan contains Priorities, Goals and Policies that have provided guidance regarding land use, transportation, housing, and open space for the strategies proposed in the Crutchfield Small Area Plan. Therefore, the Crutchfield Small Area Plan is in accordance with the Tulsa Comprehensive Plan.

E. Staff Recommendation: Staff recommends that TMAPC adopt the Crutchfield Small Area Plan as an amendment to the Tulsa Comprehensive Plan.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **WALKER**, TMAPC voted **8-0-0** (Covey, Doctor, McArtor, Reeds, Ritchey, Shivel, Van Cleave, Walker “aye”; no “nays”; none “abstaining”; Fothergill, Millikin, “absent”) to **ADOPT** CPA-80 as an amendment to the Tulsa Comprehensive Plan per staff recommendation.

* * * * *

Ms. Van Valkenburgh stated she believes an Executive Session is warranted to discuss pending litigation because discussion of those matters in a public forum would seriously impair the abilities to represent the Planning Commission in the litigation.

14. Consider a motion and vote to enter Executive Session pursuant to Title 25 O.S. Section 307(B)(4) to discuss pending litigation in case of Wilson et al v. TMAPC et al, Tulsa County District Court Case No. CV-2019-00013, for the purpose of allowing confidential communications between a public body and its attorney concerning a pending claim, investigation, or litigation.

TMAPC Action; 8 members present:

On **MOTION** of **COVEY**, TMAPC voted **8-0-0** (Covey, Doctor, McArtor, Reeds, Ritchey, Shivel, Van Cleave, Walker “aye”; no “nays”; none “abstaining”; Fothergill, Millikin, “absent”) to enter Executive Session pursuant to Title 25 O.S. Section 307(B)(4) to discuss pending litigation.

15. Leave Executive Session on discussion of pending litigation in case Wilson et al v. TMAPC et al, Tulsa County District Court Case No. CV-2019-00013 for the purpose of taking any appropriate related actions.

TMAPC Action; 8 members present:

On **MOTION** of **MCARTOR**, TMAPC voted **8-0-0** (Covey, Doctor, McArtor, Reeds, Ritchey, Shivel, Van Cleave, Walker “aye”; no “nays”; none “abstaining”; Fothergill, Millikin, “absent”) to leave Executive Session pursuant to Title 25 O.S. Section 307(B)(4) to discuss pending litigation.

Mr. Covey stated TMAPC has exited the Executive Session and nothing was discussed other than the items listed in item 14. There was discussion of appointing Chairman Covey as Client Representative.

TMAPC Action; 8 members present:

On **MOTION** of **COVEY**, TMAPC voted **8-0-0** (Covey, Doctor, McArtor, Reeds, Ritchey, Shivel, Van Cleave, Walker “aye”; no “nays”; none “abstaining”; Fothergill, Millikin, “absent”) to **APPOINT** Chairman Covey as the Client Representative in the case of Wilson et al v. TMAPC et al, Tulsa County District Court Case No. CV-2019-00013.

OTHER BUSINESS

16. Commissioners' Comments

Mr. Ritchey stated he didn't know how it worked can applicants pay their money and come before Planning Commission as many times as they want.

Mr. Covey stated every 6 months.

* * * * *

ADJOURN

TMAPC Action; 8 members present:

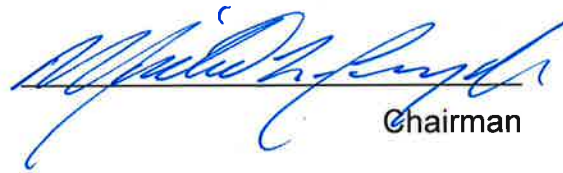
On **MOTION** of **WALKER**, TMAPC voted **8-0-0** (Covey, Doctor, McArtor, Reeds, Ritchey, Shivel, Van Cleave, Walker, “aye”; no “nays”; none “abstaining”; Fothergill, Millikin, “absent”) to **ADJOURN** TMAPC meeting 2789.

ADJOURN

There being no further business, the Chair declared the meeting adjourned at 4:34 p.m.

Date Approved:

04-03-2019


Chairman

ATTEST: 
Secretary