

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2807

Wednesday, December 4, 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 | | Davis | Jordan, COT |
| Doctor | | Foster | Silman, COT |
| Fothergill | | Hoyt | VanValkenburgh, Legal |
| Kimbrel | | Miller | |
| McArtor | | Sawyer | |
| Ray | | Wilkerson | |
| Reeds | | | |
| Ritchey | | | |
| Shivel | | | |
| Van Cleave | | | |
| Walker | | | |

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Friday, November 27, 2019 at 1:45 p.m., posted in the Office of the City Clerk, as well as in the Office of the County Clerk.

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

REPORTS:

Chairman's Report:

None

Director's Report:

Ms. Miller stated that she didn't have much to report because City Council hasn't met much lately, with holidays and various other things going on. She stated she presented the dumpster screening ordinance at committee meeting this morning. Ms. Miller stated the agendas have been really full and it took a couple months

to get on an agenda that wasn't already too full. She stated that ordinance will move forward to tonight for first reading and probably next week for second reading. She stated she specifically asked about the short-term rental ordinance and was told that there's going to be another meeting in a couple weeks so that is still in Council and they think the meeting is still revolving around the license agreement. Ms. Miller stated the sidewalk fee in lieu of ordinance is still in City Council process but it's getting there. They are just working through some of the tiny details.

Ms. Kimbrel asked if Ms. Miller could give a general idea of how long it takes for a case that gets passed or recommended by the TMAPC to be heard at the City Council.

Ms. Miller stated she would make some general statements because we do need Ms. Sawyer to transcribe the minutes and when we've had such long meetings that takes a little bit longer but outside of that our goal is to transmit cases it to Council in a week to get it on their agenda. She stated it's usually about three to four weeks after you make a recommendation that it would go to a committee meeting where either Mr. Wilkerson or Ms. Miller will sit and talk about it with counselors and then the week after that it would be on the City Council Agenda for first reading and then the week after that for a second. Ms. Miller stated about five to six weeks after this process that process should be completed but they can always call our office or Council office to see where those things are on this agenda cycle.

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Minutes:

1. Amend the minutes of October 16, 2019 Meeting No. 2804 to correct the legal description for Z-7498

On **MOTION** of **REEDS**, the TMAPC voted 10-0-0 (Covey, Doctor, Kimbrel, McArtor, Ray, Reeds, Ritchey, Shivel, Van Cleave, Walker, "aye"; no "nays"; none "abstaining"; Fothergill, "absent") to **APPROVE** the minutes of the meeting of October 16, 2019 Meeting No. 2804.

Fothergill arrived at 1:35PM

CONSENT AGENDA

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

NONE

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

PUBLIC HEARINGS:

7. **Z-7515 GC Real Estate** (County) Location: Multiple parcels south and west of the southwest corner of East Latimer Place and North Peoria Avenue requesting rezoning from **IL, RM-1 and IM to CH with an optional development plan** to support a Mixed-Use development (Staff requests continuance to December 18, 2019)

Terry McGee 1436 North Norfolk Avenue Tulsa, OK 74106

Mr. Covey asked Mr. McGee if he is okay with staff request for a continuance to December 18, 2019, they apparently need to get some more information or do some more analysis.

Mr. McGee stated he was ok with the continuance but his question is kind of general in nature and maybe somebody could answer it today. Mr. McGee stated he thinks this general area is an area where a condominium of some sort or townhouses ought to be built. He stated he came before TMAPC and kind of shared the history of how a lot of North Tulsa was rezoned industrial after the race massacre. Mr. McGee stated the news the night before last talked about butane that is be stored west of the BMX racing park, and the subject property is just across the bridge. He stated he was curious if any kind of environmental impact studies of the environment or the quality of air had been performed.

Mr. Covey stated that the applicant or staff will address that when the case heard on December 18, 2019.

TMAPC Action; 11 members present:

On **MOTION** of **REEDS**, TMAPC voted 11-0-0 (Covey, Doctor, Fothergill, Kimbrel, McArtor, Ray, Reeds, Ritchey, Shivel, Van Cleave, Walker, "aye"; no "nays"; none "abstaining"; none "absent") to **CONTINUE** Item Z-7515 to December 18, 2019.

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2. **Stone Lake Phase V** (County) Preliminary Plat, Location: West of the southwest corner of North Sheridan Road and East 136th Street North

STAFF RECOMMENDATION:

Stone Lake Phase V - (County)

West of the southwest corner of North Sheridan Road and East 136th Street
North

This plat consists of 19 lots, 3 blocks on 14.09 ± acres.

The Technical Advisory Committee (TAC) met on November 7, 2019 and provided the following conditions:

1. **Zoning:** The property has been rezoned to RE (Residential – Estate). All lots are required to comply with the bulk and area requirements for the RE district in the Tulsa County Zoning Code.
2. **Addressing:** INCOG will assign addresses. Include assigned addresses on the face of the final plat.
3. **Transportation & Traffic:** Include street names on the final plat. Stub streets must be marked with notification for future extension per the Subdivision & Development Regulations.
4. **Sewer:** Oklahoma Department of Environmental Quality will be required to approve the use of on-site sewage disposal systems within the subdivision. Previous phases are also on aerobic septic systems.
5. **Water:** Water service to be provided by Rural Water District 3, Washington County. Final plat will require a release by the RWD.
6. **Engineering Graphics:** Submit a subdivision data control sheet with final plat. Provide C.A. number under surveyor information and provide renewal date. Update location map to reflect only platted properties and label all other property “Unplatted”. Indicate “Project Location” or “Site” in the location map for the property being platted. Add Tulsa County signature block to face of the plat for official endorsements. Ensure written legal description and face of the plat match. Remove contours from final plat.
7. **Stormwater, Drainage, & Floodplain:** Drainage plans must be submitted and approved by the Tulsa County Engineer. If additional easements are required, make sure they are included on the final plat.
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; 11 members present:

On **MOTION** of **McARTOR**, TMAPC voted **11-0-0** (Covey, Doctor, Fothergill, Kimbrel, McArtor, Ray, Reeds, Ritchey, Shivel, Van Cleave, Walker, "aye"; no "nays"; none "abstaining"; none "absent") to **APPROVE** the Preliminary Plat for Stone Lake Phase V per staff recommendation.

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3. **Battle Creek Park Phase III** (CD 6) Preliminary Plat, Location: East of the northeast corner of South 145th East Avenue and East 41st Street South

STAFF RECOMMENDATION:

Battle Creek Park Phase III - (CD 6)

East of the northeast corner of South 145th East Avenue and East 41st Street South

This plat consists of 110 lots, 5 blocks, 27.62± acres.

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

1. **Zoning:** The property is zoned RS-3 (Residential Single-Family). All lots proposed are required to conform to the RS-3 lot regulations found in the City of Tulsa Zoning Code.
2. **Addressing:** City of Tulsa will assign addresses to the plat. Address assignments must be shown on the face of the final plat.
3. **Transportation & Traffic:** Infrastructure Development Plans (IDP) must include all required streets, ADA ramps, and sidewalks within the public ROW. IDP must be approved prior to approval of the final plat. Correct street names on the face of the plat.
4. **Sewer:** Sanitary sewer extensions are required to obtain IDP approval prior to release of the final plat. Adequate easement must be provided to cover all proposed extensions.
5. **Water:** Water main extensions are required to obtain IDP approval prior to release of the final plat. Adequate easement must be provided to cover all proposed extensions.

6. **Engineering Graphics:** Submit a subdivision data control sheet with final plat. Provide C.A. number under surveyor information and provide renewal date. Update location map to reflect only platted properties and label all other property "Unplatted". Indicate "Project Location" or "Site" in the location map for the property being platted. Graphically show all property pins found or set that are associated with the plat. Ensure written legal and face of the plat match.
7. **Stormwater, Drainage, & Floodplain:** Drainage plans must be submitted and approved through the IDP process. Approval for IDP must be obtained prior to approval of the final plat.
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 was not present.

There were no interested parties wishing to speak.

TMAPC Action; 11 members present:

On **MOTION** of **REEDS**, TMAPC voted **11-0-0** (Covey, Doctor, Fothergill, Kimbrel, McArtor, Ray, Reeds, Ritchey, Shivel, Van Cleave, Walker, "aye"; no "nays"; none "abstaining"; none "absent") to **APPROVE** the Preliminary Plat for Battle Creek Park Phase III per staff recommendation.

4. **Z-7503 David Henke/City Council** (CD 4) Location: North of the Northeast corner of East 11th Street South and South Peoria Avenue requesting rezoning from **RS-4 and CH to MX1-U-U** west of the alley centerline and **MX1-F-35** east of the alley centerline (Continued from October 16, 2019, November 6, 2019 and November 20, 2019)

STAFF RECOMMENDATION:

SECTION I: Z-7503

DEVELOPMENT CONCEPT: This request for rezoning is responsive to a City Council initiative to encourage mixed-use development along the bus rapid transit system route on Peoria. The west half of the block is currently zoned CH and does not have a building height restriction. The east half of the block is zoned RS-4 and allows 35-foot-tall building construction adjacent to South Quaker.

The Mixed-Use rezoning as requested is for unlimited height on the west half of the block and 35-foot building height on the east side of the block.

The City of Tulsa initiated a land use study that resulted in zoning recommendations on property within ½ a mile of proposed enhanced stations along the bus rapid transit (BRT) route. The subject property was included in that recommendation and the owner of that property has opted-in to a voluntary rezoning program initiated by the Tulsa City Council.

The BRT study recommended MX1-P zoning on this site without height limitations and only provided recommendations on a 150-foot-wide strip west of the alley. This site is confined by power lines along Peoria and in the alley resulting in a site that needs a slightly less restrictive build to zone along Peoria to support a more pedestrian friendly environment that would allow street trees and building canopies.

The MX1-P recommendation of the BRT study requires building placement within 10 feet of the planned right of way forcing any trees or canopies under the power lines. MX1-U requires building placement within 20 feet of the planned right of way providing a wider pedestrian realm with opportunities for street trees and other pedestrian oriented amenities.

DETAILED STAFF RECOMMENDATION:

Z-7503 requesting MX1-U-U west of the alley requires building placement along Peoria and 10th Street that is consistent with the goals of the BRT study along South Peoria Avenue and,

MX1-F-35 east of the alley allows uses as anticipated in the Pearl District Small Area Plan and is supportive of development consistent with the Downtown Neighborhood and,

The bus rapid transit study recommended MX1-P without a height recommendation on this site. The uses and build-to-zone requirements of the requested MX1-U district are generally consistent with the Bus Rapid Transit System study and,

MX1-U-U is consistent with the Mixed Use Corridor land use designation west of the alley as identified in the Land Use designation of the Tulsa Comprehensive Plan therefore,

Staff recommends **APPROVAL** of Z-7503 to rezone property from CH and RS-3 to MX1-U-U west of the centerline of the alley and MX1-F-35 east of the centerline of the alley.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary:

MX1-U-U as originally submitted is consistent with the land use vision in the Tulsa Comprehensive Plan and is also consistent with the goals, objectives and strategies of the Executive Summary of the Pearl District Small Area Plan as adopted in July 2019. The Urban character zone requires building placement within 10 feet of the planned right of way.

MX1-P-U as currently requested on the subject property west of the alley supports the uses anticipated and building placement recommended by the BRT study and by the applicant. The pedestrian character zone requires the building to be placed within 20 feet of the planned right of way along Peoria and 10th street.

MX1-F-35 removes the build-to-zone requirements but provides building design requirements for transparency, front door entrances and facing the street and supports mixed use development for future expansion opportunities.

Land Use Vision:

Land Use Plan map designation: Downtown Neighborhood, Mixed-Use Corridor

Downtown Neighborhoods are located outside but are tightly integrated with the Downtown Core. These areas are comprised of university and higher educational campuses and their attendant housing and retail districts, former warehousing and manufacturing areas that are evolving into areas where people both live and work, and medium to high-rise mixed-use residential areas. Downtown Neighborhoods are primarily pedestrian-oriented and are well connected to the Downtown Core via local transit. They feature parks and open space, typically at the neighborhood scale.

A Mixed-Use Corridor is a plan category used in areas surrounding Tulsa's modern thoroughfares that pair high capacity transportation facilities with housing, commercial, and employment uses. The streets usually have four or more travel lanes, and sometimes additional lanes dedicated for transit and bicycle use. The pedestrian realm includes sidewalks separated from traffic by street trees, medians, and parallel parking strips. Pedestrian crossings are designed so they are highly visible and make use of the shortest path across a street. Buildings along Mixed-Use Corridors include windows and storefronts along the sidewalk, with automobile parking generally located on the side or behind. Off the main travel route, land uses include multifamily housing, small lot, and townhouse developments, which step down intensities to integrate with single family neighborhoods.

Areas of Stability and Growth designation: Area of Growth

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

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

Transportation Vision:

Major Street and Highway Plan: South Peoria Avenue is classified as Multi Modal Corridor.

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

lanes, bicycle lanes, landscaping and sidewalk width are higher priorities than the number of travel lanes on this type of street. To complete the street, frontages are required that address the street and provide comfortable and safe refuge for pedestrians while accommodating vehicles with efficient circulation and consolidated-shared parking.

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

Trail System Master Plan Considerations: None

Small Area Plan: Pearl District Small Area Plan

The small area plan was updated July 3rd, 2019. The land use designations are Mixed Use Corridor and Downtown neighborhood. The priorities of the small area plan and some of the redevelopment goals of that plan include:

Priority 1: Stabilize and revitalize existing residential areas, promote homeownership and housing affordability and increase housing choice.

Priority 2: Promote development that retains existing businesses and increases employment, mixed-use, commercial and retail opportunities

Goal 6: Revitalize and redevelop vacant properties

Goal 7: Provide more retail, dining, and entertainment options

Goal 8: Encourage higher density development in transit rich areas

Goal 9: Improve commercial transportation access

Goal 10: Ensure adequate parking supply using shared parking approach in the Pearl District.

Action Items:

10.1 Work with businesses to develop a shared parking approach to provide adequate parking as corridors redevelop.

10.2 Identify potential sites for off-street shared parking lots, especially within walking distance to major destinations and Aero BRT transit station areas.

10.3 Create a public/private parking strategy that includes a centrally located parking structure.

10.4 Explore the use of alleys for private parking, as feasible.

Priority 3: Increase safety and security throughout the district.

Priority 4: Improve targeted infrastructure to support health and wellness and catalyze development.

Special District Considerations:

This site is included in the Bus Rapid Transit Corridor Study area along Peoria. MX1-U zoning was recommended along the west half of this block.

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site west of the alley is empty. East of the alley only two homes on the northeast corner of the block remain. The alley is not maintained by the city but is paved and utilities are in the alley. The northwest corner of the block is not included in this development and it is unlikely that the alley could be vacated unless the remaining property owners agree to removal of the alley.

Remaining driveways and repair curb during development. Sidewalks are also in poor condition and will require reconstruction.

View from southeast corner of site looking northwest:



View from Northeast Corner of site looking southwest:
 (See next page)



Environmental Considerations: None that affect site redevelopment

Streets:

| <u>Exist. Access</u> | <u>MSHP Design</u> | <u>MSHP R/W</u> | <u>Exist. # Lanes</u> |
|------------------------------------|--|-----------------|-----------------------|
| South Peoria Avenue | Secondary arterial with multi modal corridor | 100 feet | 4 |
| East 8 th Street South | None | 50 feet | 2 |
| East 10 th Street South | None | 50 feet | 2 |
| South Quaker Avenue | None | 50 feet | 2 |

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

| Location | Existing Zoning | Existing Land Use Designation | Area of Stability or Growth | Existing Use |
|----------|-----------------|--|-----------------------------|-------------------------------|
| North | RS-4 and CS | Mixed use corridor / downtown neighborhood | Growth | Single story office buildings |
| East | RS-4 | Downtown neighborhood | Growth | Single family residential |
| South | CH and RM-2 | Mixed use corridor / downtown neighborhood | Growth | Office and surface parking |
| West | MPD-FBC1 | Park and open space/ mixed use corridor | Growth | Cemetery across Peoria Avenue |

SECTION III: Relevant Zoning History

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

Subject Property:

CPA-81 July 2019: All concurred in **approval** to *adopt* CPA-81, The Pearl District Small Area Plan as an amendment to the Tulsa Comprehensive Plan. The plan area boundary is located east of Downtown Tulsa, bordered by Interstate 244 to the north, Utica Avenue to the east, 11th Street to the south, and Highway 75 to the west.

Surrounding Property:

SA-4 (Route 66 Overlay) June 2018: All concurred in approval to apply supplemental RT66 (Route 66 Overlay) zoning to multiple properties along South 193rd East Avenue, East 11th Street, South Mingo Road, East Admiral Boulevard, East Admiral Place, West 11th Street South, and Southwest Boulevard.

BOA-22410 March 2018: The Board of Adjustment **approved** a request for a *variance* to allow required accessible parking spaces to be located off site from the principal use, on property located at 1007 South Peoria Avenue East.

TMAPC Comments:

Mr. Reeds stated staff mentioned the MX1-U-U is consistent with the Pearl District Small Area Plan and asked if the MX1-F-35 consistent as well.

Staff stated the Small Area Plan still recognizes this as a downtown neighborhood on the east side of the alley and downtown neighborhood supports all kinds of things. He stated he wouldn't generally say that a parking lot was necessarily the best use but to build this building and to have parking that's required by code there's just not enough width on the west side of the alley they have to look at other options on the east side. Staff stated the downtown neighborhood designation recognizes that there would be an eclectic mix of uses in this area but it needs to be treated sensibly and the flexible characters does provide a few design standards to help integrate it into the edge of that neighborhood.

Applicant Comments:

Mr. Beckman and Mr. Boatright came to the podium together.

Tim Beckman CJC architects 1401 South Denver Avenue, Tulsa, OK

Mr. Beckman stated he is here to answer any questions Commissioners might have based on the changes we've made from our last meeting.

Bart Boatright Red Dog Construction 116 South 1st Street, Jenks, OK

Mr. Reeds asked the applicant if they are going to provide any kind of screening.

Mr. Boatright stated, "yes", the zoning code requires us in the MX1-F district to provide a landscape buffer, street trees, a screen fence and there is also a required setback from the property line to the edge of the parking when it abuts a residential district and they will comply with all that.

Mr. McArtor asked what the biggest change was between today and the previous meeting.

The applicant stated last time they asked for both the east half and the west half to be MX1-F-U and today they have changed the east half where the parking lot is proposed to be to MX1-F-35. He stated the east half they changed from MX1-F to the urban character and that brings with it build-to-zone requirements. One of the build to zones is at the street intersection where they are required to locate the building within 25 feet of the street intersection which holds that corner of the

intersection. He stated on the primary street which in this case would be Peoria Avenue they are required to build 60% of the building within 20 feet of the property line and on the secondary street, which would be 10th Street in this situation they are required to build 30% of the building frontage within 20 feet. The applicant stated that anchors it to that section in the street and you cannot have parking between the building in the streets.

Ms. Kimbrel asked if any of the applicant's changes address the concerns that was presented by the surrounding residents in that area.

The applicant answered it did not address the view concerns. He stated the height across the street is being reduced to 35 feet which keeps it at an approximately two-story level on the east so it does somewhat help with the view.

Mr. Fothergill asked if the applicant was still going to keep it 4 stories on the west side.

The applicant stated "yes".

Mr. Doctor stated a lot of these changes were initiated by a lot of questions that he had at the last meeting, specifically to comply with the BRT land use study to make sure it was a pedestrian and walkable corridor. He stated moving to that urban designation is a big step in terms of going from zero percent to 60 percentage in the build to zone. He stated he appreciates the applicant doing that for the western side of the property. Mr. Doctor stated his hope is a height limitation from the two stories on the eastern side that at least allows for a stair stepping down to the neighborhood for development so it doesn't have the unlimited height piece and it recognizes the need to blend into that residential character. He stated thank you for taking that feedback and coming back with this proposal.

Interested Parties:

Sarah Hetherington 1335 East 10th Street, Tulsa, OK 74120

Ms. Hetherington stated she wanted to start today by saying she is not at all opposed to development along Peoria only the rezoning of residential properties along Quaker Avenue within the Pearl District neighborhood. She stated Noria plan doesn't fit into the current zoning of RS-4 and the zoning change from RS-4 to MX1-F-35 doesn't fit with the Land Use map which shows a Mixed-Use Corridor directly adjacent to Peoria Avenue. She stated this looks like a request for spot zoning and at no other point does development along the Peoria Avenue route jet into residential areas. Ms. Hetherington stated the Pearl Small Area Plan actively works to move away from adding new parking lots, advising instead to utilize street parking, this project will significantly impact traffic. Ms. Hetherington stated the Peoria Avenue BRT Land Use Framework says that this area already has elevated pedestrian-car conflicts and the improved bus line may

ease that but there are other variables a large one being that most residents don't have off-street parking. She stated garages have long been converted to rentals and driveways are nearly non-existent and alleys are one-lane wide. Ms. Hetherington stated some residents already pay for premium City service to have backyard pick-up of their garbage as the curbs around their homes are used for customer parking and are no longer accessible to trash collection vehicles. She stated this hasn't become a neighborhood wide problem yet as most businesses nearby are small. The Bramble, for example, can only hold so many diners at one time but it was mentioned at the last TMAPC meeting the potential occupancy of each floor of the Noria project will be 100 people per floor with 3 floors of office space which is 300 occupants and that's not factoring in employees and customers of the first-floor retail with 80 parking spots. Ms. Hetherington stated so literally hundreds of people will be competing for street parking with residents which includes 92-year-old Stephen Yoakum on Quaker her neighbor who wrote a letter of opposition. She stated the Small Area Plan proposes a walkable community with neighborhood scale businesses and this neighborhood is not set up to accommodate or support parking for hundreds of employees renting out these offices. Ms. Hetherington stated just months ago Tulsa started the Housing Market Demand Study & Strategy to assess the demand for residential development in the downtown and near downtown neighborhoods. This study includes the Pearl, where demand for housing is far greater than supply and as she mentioned in November around 45 properties are tied up in the eminent domain issue and homes near the Laura Dester site have been bought up by the City and now these residential addresses are at risk. She stated how many more can they afford to lose. Opportunities for homeownership are disappearing and the first priority of the Pearl District Small Area Plan is to stabilize and revitalize existing residential areas, promote homeownership & housing affordability, and increase housing choice. Ms. Hetherington stated the current project is the opposite of the very first listed objective of the plan. She stated the design has changed significantly over the past few months and Mr. Darden stressed at the most recent Pearl Association meeting that the design of the space hasn't begun yet and won't for some time so while the glass and brick mock-up is pretty it's just a drawing. There is no level of certainty or accountability or recourse to rely on. Ms. Hetherington stated the Pearl is struggling to exist and although they haven't yet built anything Noria is already her neighbor and over the past year that has meant the leveling of trees and century old bungalows leaving behind a nearly 2-acre trash-filled field with knee-high weeds. She stated the only resident has been a cop who occasionally parks his SUV in the middle of the field which has helped deter some problems. Ms. Hetherington stated if this project moves along how does Noria plan to be a good neighbor and prevent the backslide of this area and what does the proposed screen fencing actually entail, does it fulfill the adequate screening proposed by the Small Area Plan. She asked how many future structures does this rezoning legally allow in the future. Can Noria ensure that its parking lot each night doesn't increase noise, crime, foot traffic, and trash. Ms. Hetherington asked what are their plans to avoid off-site impacts and the requirements for the

landscaping buffer and is that adequate to alleviate increased flooding concerns. Ms. Hetherington asked if the Noria project continues what benefits will they bring to the neighborhood and what guarantees will the neighborhood have of their promises.

Ms. Kimbrel asked Ms. Hetherington if she was a part of the Small Area Plan process for the Pearl District.

Ms. Hetherington stated “no”, she lived in Lortondale Neighborhood at the time.

Ms. Kimbrel asked if Ms. Hetherington was aware that the land use vision for this area is Downtown Neighborhood and Mixed Use Corridor.

Ms. Hetherington stated “yes”.

Ms. Kimbrel asked if Ms. Hetherington was opposed to the vision for this area?

Ms. Hetherington stated not in the way that it further continues to explain that. She stated she read that it does expect a step down from higher intensities to single home residences and some sort of transition between the two and it mentioned more density as far as housing or the larger open spaces but it doesn't show any RS-4 single family residences abutting against those and on the Land Use Plan map it shows it's totally outside of it. She stated the BRT current zoning and the BRT proposed planning is outside of it also.

Adam Hetherington 1335 East 10th Street, Tulsa, OK 74120

Mr. Hetherington stated he is talking about a parking lot. He stated 8 affordable residential properties in a downtown corridor becoming a parking lot. He stated a little over an acre of residential land within the downtown corridor was acquired by Noria for about \$800,000, yet there is nearby commercial land available but it's all priced at fair market value. Mr. Hetherington stated if this moves forward what does that mean for the Pearl District and what is for sale. He asked is every home on outside edge of the neighborhood up for grabs for anyone who can afford to buy it, bulldoze it, and apply for rezoning and if not why not. Mr. Hetherington stated if in a year or two someone buys every house on the east side of Quaker Avenue across from this proposed parking lot then bulldozes them and applies for a rezoning will the residents who live on the west side of Quincy Avenue have to go through this same thing he is doing today. What about all the houses just off Utica on Troost Avenue can the east side of Troost become a parking lot and where exactly does this end. If this rezoning goes through the whole neighborhood is going to look like a prospective commercial development area as almost all of the houses are cheap and relatively close to commercial zones. Mr. Hetherington stated following Noria's lead what's to stop a developer from buying up affordable residential homes bulldozing them then applying for rezoning and he doesn't mean that as a hypothetical he thinks if this is approved all the potential residents of the Pearl District deserve to know

exactly which blocks can become parking lots so that they don't make the same mistakes his wife and he made by assuming that because they moved into a neighborhood of houses, not next to a parking lot. Mr. Hetherington stated speaking of living next to a parking lot he has to ask about the drainage because half a mile away from the lots in question today the city is using eminent domain to take around 45 properties to build a detention pond. He stated he is sure that with their rezoning request Noria filed some kind of engineering studies to show that this huge parking lot somehow won't cause or increase flooding so he needs to ask did the city's engineers look at Noria's study and agree with it and were they the same engineers who say the Elm Creek Basin is 100% necessary. Mr. Hetherington asked if this is approved can the residents who are fighting eminent domain of their homes use Noria's study in any legal battles they're waging against the City. To him and to many of his neighbors it simply does not compute that the Pearl has a problem that requires 3 retention ponds and that pouring a football field sized parking lot where green grass has been through literally every hundred year flood won't exacerbate this problem. Mr. Hetherington stated if despite all his objections this goes through, he has a request he would like to completely wall it off and give residents a buffer, some grass and some trees. He stated a 15 or 20-foot-tall wall all down Quaker and up 8th and 10th. Mr. Hetherington stated Noria is never going to be my neighbor he stated he is not going to be able to borrow a cup of sugar from this parking lot and they are not going to water his garden when they go out of town. He stated this project is going to end like every other office building on earth bleak and empty at 6 pm. Mr. Hetherington stated he is sure the applicant will tell you whatever you want to hear about being part of the neighborhood but I would prefer to totally drop the pretense. This project is not going to improve the neighborhood experience for anyone, owners or renters are not going to be excited about the light pollution, noise pollution, or regular pollution that comes with a parking lot. He stated no one driving Route 66 is going to be excited to have the back of an office building in their photo of Buck Atoms and no one visiting Tulsa is going to post this cute parking lot on Instagram. Mr. Hetherington stated this will negatively impact life in the neighborhood in every way he can imagine so he is asking Planning Commission to mitigate that and give Noria strict guidelines forcing them to totally separate this parking lot from the neighborhood where people are trying to live.

Mr. Covey asked the applicant when they purchased the subject property.

The applicant stated last December.

Mr. Covey asked staff if they knew where the Hetherington's lived.

Staff stated he believed it was just across Quaker Avenue.

Mr. Covey asked staff what the zoning was.

Staff stated RS-4.

Mr. Covey asked staff what the Hetherington's land use designation was.

Staff stated Downtown Neighborhood.

Mr. Covey asked staff if they were looking to buy a house a year ago and it had RS-4 zoning with a Downtown Neighborhood designation and were buying what the Hetherington's bought, what do you rely on for the vision for this area.

Staff stated more than just the map there are the words that are in the Small Area Plan. He stated the edges where commercial meets residential are always the challenge. Staff stated if he was the property owner and had studied the map, he thinks there would be a reasonable expectation to think that a downtown neighborhood would continue to be across the street. He stated as you get deeper into the Small Area Plan and look at the text it states that priority 1 is to stabilize and revitalize existing residential areas and goes to say priority 2 is to promote development than retains existing businesses, increase employment, mixed-use commercial and retail opportunities. Staff stated that's not just defined to the where the Mixed-Use Corridor is located it's throughout the whole layer. He stated some of the goals that follow are things like revitalize and redevelop vacant and abandoned properties, provide more retail and provide dining and entertainment options. He stated goal 10 says ensure adequate parking using shared parking approach in the Pearl District. Staff stated the Small Area Plan recognizes that in the Pearl District boundary that there are going to be parking conflicts and parking solutions that will be a part of every development that happens. Staff stated just looking at it in a very superficial level in context with how the map is drawn he would expect that to be similar to the rest of the neighborhood but the goals that are identified tell us more of how we can expect to see them in the long term.

Mr. Covey stated if you take the property just to the south of the subject property and apply the same scenario do you come up with the same analysis.

Staff stated the property immediately south of the subject property on the east side of the alley is a parking lot.

Mr. Covey stated "Okay", then let's go north, same analysis. Does it matter. He stated basically we are saying those blocks going up and down Peoria are open for business for the east most blocks to be parking lots.

Staff stated he wouldn't say it's open for business for a parking lot but part of the redevelopment considerations along the corridor has to consider parking. He stated the decision then is where is that parking, is it going to be required to be

structured parking as part of the building and maintain the neighborhood street character on the back. Or is it going to be surface parking that may be available to other users. He stated those are the decisions and it's not unusual for staff to have these edge conversations every time. Staff stated he wouldn't go as far as saying it's open for business because that's why they are going through the process.

Ms. Kimbrel stated considering the goals or the action items related to template 1 through 10 one of the items under priority 2 deals with so much related to parking. Are there any recommendations that staff can make that can provide a more balanced or harmonious parking approach to mitigate some of the parking conditions that was not intended for this type of community in terms of preserving some of the pedestrian and residential components of this neighborhood. She asked if there is anything that can be adopted or considered here.

Staff stated there is nothing in the Small Area Plan that has made a strong effort to keep existing buildings in place but it does say that the priorities of rehabbing and refurbishing and stabilizing the neighborhood are all a part of the fabric of that neighborhood. He stated there is nothing in the code that said even though this is outside of the Mixed-Use Corridor there's nothing that says there's a hard line and we aren't going to make any other decision except residential. Staff stated they don't have that kind of guidance. The kind of guidance that they do have is in mixed-use zoning there is a robust landscape edge and it does provide landscaping. He stated although the individual homes are no longer there the sidewalks will be a part of a very robust landscape buffer. Staff stated that type of design requirement is in the zoning code and kind of protects it from a design standpoint. He stated if this is ever converted to a different building type those building types are required to have the front facing Quaker Avenue and have design requirements for transparency that would make this a more active use than just a parking lot. Staff stated he didn't know if that answered Ms. Kimbrel's question or not, but there's really nothing that prohibits but there are guidelines and some requirements or zoning that will make a much better edge and a much better neighbor than the parking lot to the south.

Mr. Reeds asked staff what the height limit in an RS-4 was.

Staff stated "35 feet".

Mr. Reeds asked if there are any provisions whether it's in the Pearl District Small Area Plan or within either of the two mixed-use zones that is designated for shared parking.

Staff stated there is commentary in goal 10.2 that does say that one of one of the goals in the Small Area Plan is to identify potential sites for off street shared parking. He stated it talks about it in a very general way recognizing again that parking is going to be a premium in this area as it continues to evolve. Staff stated there are not requirements in a Small Area Plan, it's a guide.

Mr. Reeds stated he is talking about after business hours when there is a lot of people coming down to the Pearl District to enjoy it and are they going to be able to park in this lot.

Mr. Fothergill stated he wants to thank the Hetherington's for coming down four times for these meetings, but to address some of their concerns, time can't be turned back the houses that are gone are gone and it's either a field or a parking lot that accommodates the building that's going to be there. He stated the applicant can already build on the subject lot where they are unlimited height because its commercial heavy. Mr. Fothergill stated throughout his time as a public servant he has known one thing to be constant and that is change. He stated there is a plan to guide us but it's not written in stone and that's why it's called a plan because those things change from time to time. Mr. Fothergill stated Planning Commission looks at what's the best use of the land and he thinks that the applicant has found that with the modifications that they have done.

Mr. Ritchey stated he also wants to echo that he has been in the Pearl District since he moved back to Tulsa in 2007 so he has about 12 years involved in various Pearl District things and it's his involvement in the Pearl that actually made him want to get involved in this community. He stated he has a passion for zoning and responsible urban development. Mr. Ritchey stated there are multiple attorneys on the Planning Commission and there's nothing we love more than a slippery slope argument. He stated the only assurances he could give the residents is The Pearl is special, all the downtown connected neighborhoods are very special and they are all coming back in a big way. There are corporate partners that want to be involved and you have residential partners that want to be involved. Mr. Ritchey stated he thinks what the City of Tulsa is looking for is something more like a Cherry Street or Brookside where you have businesses and shops activated on the first floors mixed closely with various residential options. He stated they are not looking for a 21st and Yale where the businesses are going to be many, many blocks back from the main intersection. Mr. Ritchey stated as long as he is on this Board the residents have an ally and that is where it stops. He stated he knows this is not what the Hetherington's want to hear but he is comfortable supporting this plan going back to Quaker and he fully recognize that's not ideal for the residents at 10th and Quaker but he thinks one block off of Tulsa's most major street is okay to have a responsible development with a good community partner that has told us their going to have that activated

first floor and it's going to be pedestrian friendly. Mr. Ritchey stated he knows in the resident's mind right now it's all or nothing and they don't like this development so they want it walled off. He stated he thought the opposite he thought can we remove a fence so it's just really nice trees and things that people could walk out of the neighborhood walk into the parking lot and support the local shops and businesses that are going to be on the first floor. Mr. Ritchey stated the final thing regarding parking, the Pearl District does need more parking for all of the urbanists like me that say get rid of all parking requirements. There's at least three or four people that come to all the meetings and say where we're going to park we need way more parking so he does hope that the applicant will be a good community partner and share their parking with Bramble and all these other restaurants and shops that could really thrive if there were more places for the modern consumer to park. Mr. Ritchey stated hopefully people can ride the bus, Lyft, Uber, carpool, ride their bikes and walk but until that day there needs to be parking.

Mr. Doctor stated he would echo Mr. Ritchey in a lot of ways. He stated he appreciates the residents showing up and articulating their argument in such a great way. He stated he thinks this board is committed to prevent something like a slippery slope from happening in that context but for this development making sure that there are pieces that are in place for the future build out of that parking lot and if it is a parking lot that there are landscaping requirements and screening requirements that are in place so it's not just an asphalt half block that is directly across from the residents and those requirements are in place and will be enforced from the City side. Mr. Doctor stated he has been thinking about this development as the first step towards something like a Brookside or a Cherry Street District where you have that parking that's immediately behind and it does go back a block into the neighborhood. He stated as 11th Street and Route 66 begins to develop and 6th Street takes off as well this development is in a position to have that same kind of a feel to it. Mr. Doctor stated in thinking about how to balance this development right now with ultimately meeting those kinds of needs, and then providing those protections like landscaping and height requirements to make sure that doesn't just become deeply intrusive into the neighborhood. He stated with those requirements from the height restrictions, mirroring with the RS-3 or RS-4 has in place right now, the landscaping requirements that are there and then really building the pedestrian environment on Peoria specifically and shifting that to the urban category for mixed use. He stated that checks the boxes of this being a wonderful development that begins to realize that larger vision of what the Pearl District could be and takes a vacant and abandoned block out.

TMAPC Action; 11 members present:

On **MOTION** of **McARTOR**, TMAPC voted **11-0-0** (Covey, Doctor, Fothergill, Kimbrel, McArtor, Ray, Reeds, Ritchey, Shivel, Van Cleave, Walker, "aye"; no "nays"; none "abstaining"; none "absent") to recommend **APPROVAL** of Z-7503

to rezone property from CH and RS-3 to MX1-U-U west of the centerline of the alley and MX1-F-35 east of the centerline of the alley per staff recommendation.

Legal Description for Z-7503:

LT 1-13 BLK 3, EAST LYNN ADDN

* * * * *

- 5. **Z-7513 Natalie Funk** (CD 5) Location: South of the southwest corner of South Hudson Avenue and East 11th Street South requesting rezoning from **CH to IL** to permit light manufacturing and a medical marijuana grow facility

STAFF RECOMMENDATION:

SECTION I: Z-7513

DEVELOPMENT CONCEPT: The applicant is proposing to rezone from CH to IL in order to permit a medical marijuana cultivation facility and all allowable light industrial uses on the subject lot.

The proposed facility will be required to follow all city and state requirements for a medical marijuana cultivation facility. The City of Tulsa zoning code requires the facility to be indoors with an air filtration / ventilation system installed that prevents odors from being detected from outside the boundaries of the lot. An electronic security system and surveillance camera are also required to be installed.

DETAILED STAFF RECOMMENDATION:

Z-7513 is requesting IL zoning. That zoning classification is intended to provide areas suitable for manufacturing, wholesaling, warehousing and other industrial activities that have few if any adverse land use or environmental impacts and is not expected to have adverse impacts on surrounding properties and,

IL zoning is consistent with the anticipated future development pattern of the surrounding property and;

IL zoning is consistent with the Employment land use designation of the Comprehensive Plan, therefore;

Staff recommends **Approval** of Z-7513 to rezone property from CH to IL.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The subject lot is located within the Employment designation and an area of Growth. This location is surrounded by CH and IM districts and is at the northwest corner of a larger industrial area.

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: South Hudson Ave does not have a designation in the vicinity of the subject lot.

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: The lot is located within the Route 66 Overlay, which permits special signage allowances and does not affect the uses of the lots themselves.

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site currently contains two building used for a welding shop.

Environmental Considerations: None

Streets:

| <u>Exist. Access</u> | <u>MSHP Design</u> | <u>MSHP R/W</u> | <u>Exist. # Lanes</u> |
|----------------------|--------------------|-----------------|-----------------------|
| S Hudson Ave | None | N/A | 2 |

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

| Location | Existing Zoning | Existing Land Use Designation | Area of Stability or Growth | Existing Use |
|-----------------|------------------------|--------------------------------------|------------------------------------|-----------------------|
| North | CH | Employment | Growth | Auto Sales |
| South | CH | Employment | Growth | Commercial |
| East | CH/IM | Employment | Growth | Commercial |
| West | CH | Employment | Growth | Commercial/Industrial |

SECTION III: Relevant Zoning History

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

Subject Property:

BOA-04972 February 1966: The Board of Adjustment **approved** a request to continue manufacturing trailers in a U-3-E District, on property located at NE ¼, NE ¼, NW ¼, of Section 10-19-13, Tulsa County, Oklahoma.

BOA-04321 March 1964: The Board of Adjustment **denied** a *Special Exception* to permit an apartment in a one-family residential district due to a lack of a hardship, on property located at NW ¼, NE¼, of Section 10-19-13, Tulsa County, Oklahoma.

BOA-03134 November 1958: The Board of Adjustment **approved** a request for permission to change non-conforming use of machine shop to a sheet metal works in a U-3-e District, on property located at NE ¼, NE ¼, NW ¼, of Section 10-19-13, Tulsa County, Oklahoma.

BOA-02722 July 1955: The Board of Adjustment **approved** a request for a waiver of set-back requirements of 10 feet on Eleventh Street, on property located a part of NE ¼, Section 10-19-13.

Surrounding Property:

BOA-19444 September 2002: The Board of Adjustment **approved** a *Special Exception* to permit a welding shop in a CH district, on property located 1120 South Hudson.

TMAPC Comments:

Mr. McArtor asked staff why there was not an optional development plan to restrict possibilities.

Staff stated the surrounding area has High Commercial and Industrial zoning and there isn't a lot of residential that would adversely affect.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 11 members present:

On **MOTION** of **REEDS**, TMAPC voted **11-0-0** (Covey, Doctor, Fothergill, Kimbrel, McArtor, Ray, Reeds, Ritchey, Shivel, Van Cleave, Walker, "aye"; no "nays"; none "abstaining"; none "absent") to recommend **APPROVAL** of the IL zoning for Z-7513 per staff recommendation.

Legal Description for Z-7513:

BEG 185S & 25W NEC NW TH S150 W319 TO EL RR R/W TH NW ALG R/W 156.74 TO PT 185S NL NW TH E365.72 POB SEC 10 19 13 1.179ACS, City of Tulsa, Tulsa County, State of Oklahoma

* * * * *

Mr. Doctor left at 2:20 PM

6. **PUD-533-C Lou Reynolds** (CD 5) Location: Northeast of the northeast corner of I-44 East and South Memorial Drive requesting a **PUD Major Amendment** to allow a truck rental facility on the subject lot

STAFF RECOMMENDATION:

SECTION I: PUD-533-C

DEVELOPMENT CONCEPT: The applicant is requesting a PUD Major Amendment in order to permit a commercial truck rental facility on the subject lot. The facility is intended to provide commercial trucks for rent to companies doing business within the Tulsa area to provide hauling and transport solutions needed on a temporary basis.

DETAILED STAFF RECOMMENDATION:

Uses allowed in PUD-533-C are not consistent with the Town Center land use vision of the comprehensive plan however permitted uses are consistent with the vision of the original PUD and:

The original PUD did not clearly identify development area boundaries. This PUD amendment clarifies development area boundaries and provides development standards that require landscaping and other standards that will help integrate the subject property into the surrounding area and:

PUD-533-C has provided updates to allow development standards that are consistent with the current City of Tulsa Zoning Code and;

PUD-533-C is consistent with the provision of the PUD chapter of the Tulsa Zoning Code therefore: staff recommends **Approval** of PUD-533-C as defined in Section II.

SECTION II: PUD-533-C DEVELOPMENT STANDARDS:

GENERAL PROVISIONS:

All district use regulations, supplemental regulations, building types, lot and building regulations, along with other relevant regulations shall conform with the provision of the Tulsa Zoning Code for development in a CG zoning district except as further limited below.

Permitted Uses:

All specific uses within the Public, Civic and Institutional and the Commercial Subcategories that are permitted by right within the CG – Commercial General District and uses accessory thereto.

Maximum Building Floor Height: 45 FT

Minimum Building Setbacks:

| | |
|--------------------------------------|-------|
| From the North boundary of PUD | 50 FT |
| From the West boundary of PUD | 0 FT |
| From the internal PUD boundaries | 10 FT |
| From South 85 th East Ave | 10 FT |
| From I-44 Frontage Road right-of-way | 10 FT |
| From other street rights-of-way | 50 FT |

Minimum Parking Lot Setbacks:

| | |
|---|-------|
| From the north boundary | 50 FT |
| From I-44 Frontage Road right-of-way | 10 FT |
| From other street rights-of-way | 10 FT |
| From Lots 1-5, if they contain residential uses | 10 FT |

Signage:

1. Ground Signage:
 - A. One (1) ground sign shall be permitted along the I-44 Frontage Road not to exceed thirty feet (30 FT) in height or one hundred fifty square feet (150 SF) of display surface area. Such ground sign shall be at least one hundred feet (100 FT) from a residential district boundary or residentially used lot.
2. Wall Signs:
 - A. Wall Signs shall not exceed two square feet (2 SF) per linear foot of building wall to which such sign is attached. Wall signs shall only be permitted on walls which face the I-44 frontage.
3. Directional Signs:
 - A. Directional signs may be applicable at the entry onto South 85th East Avenue in accordance with a Detail Sign Plan as approved by the TMAPC.
4. Dynamic Displays:

- A. A maximum of one (1) of the wall signs or ground signs allowed herein may include a dynamic display. The dynamic display may not exceed the maximum sign area allowed for the respective sign or 48 feet, whichever is less. Dynamic displays shall comply with the applicable provisions of Chapter 60 of the City of Tulsa Zoning Code.

Landscaping:

A minimum of a 50' wide landscape buffer strip and seven foot (7 FT) high screening fence shall be provided along the entire northern boundary of the PUD. A minimum of 52 trees plus additional groundcover landscaping shall be planted within the 50' wide landscaped buffer along the north line. These requirements exceed the F1 screen standards of the City of Tulsa Zoning Code.

Additional screening fences may be required around the residential lots (Lots 1 through 5, inclusive, Tri-Center Village) depending upon the configuration of non-residential development. These screening requirements will be determined by the TMAPC when they review the detail site plan.

The 10' wide parking lot setback along E Skelly Drive shall additionally be maintained as a 10' wide landscape buffer. A minimum of 33 landscaping trees and additional groundcover landscaping shall be planted and maintained within the landscaped area containing the 10' wide landscaped buffer.

Along the west side of the PUD, a seven foot (7 FT) minimum width landscaped strip shall be planted and the landscaped area containing same shall contain a minimum of 10 landscaping trees and additional groundcover landscaping.

In addition to the minimum number of trees required to comply with zoning code buffering standards, plus the additional buffering trees along the perimeters as described above (proposed to be required by this PUD), 34 landscaping trees shall be planted and maintained within parking islands or on the peripheries of the parking areas.

Lighting:

- 1. Lighting standards shall be hooded and directed downward and shall not exceed sixteen feet (16 FT) in height within fifty feet (50 FT) of residentially zoned districts or residentially developed property.
- 2. Building mounted lights shall be directed downward and comply with City of Tulsa requirements for building mounted lighting.

Trash and mechanical equipment areas:

All trash and mechanical equipment areas (excluding utility service transformers, pedestals or equipment provided by franchise utility providers) including building mounted, shall be screened from public view in such a manner that the same cannot be seen by a person standing on any part of the property line at ground level.

Trash dumpster areas shall be screened by a masonry construction with steel doors. The doors shall be covered with an appropriate covering containing a minimum of 95% opacity on the gate frame.

Outside Storage:

There shall be no outside storage of recycling material, trash or similar materials outside of a screened receptacle. Truck trailers and shipping containers shall not be used for storage. No inoperable trucks or other vehicles shall be parked or stored on the property.

Pedestrian Access and Circulation:

Pedestrian access will be provided via a sidewalk along East Skelly Drive connecting to the existing sidewalk abutting to the west/south.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The site is located within an area designated as a Town Center and an Area of Growth by the City of Tulsa Comprehensive Plan. The previously approved PUD allowed many uses that are not consistent with the Town Center land use designation. PUD 533-A allowed agricultural implements including consumer goods equipment and services related to home and business landscaping.

Land Use Vision:

Land Use Plan map designation: Town Center

Town Centers are medium-scale, one to five story mixed-use areas intended to serve a larger area of neighborhoods than Neighborhood Centers, with retail, dining, and services and employment. They can include apartments, condominiums, and townhouses with small lot single family homes at the edges. A Town Center also may contain offices that employ nearby residents. Town centers also serve as the main transit hub for surrounding neighborhoods, and can include plazas and squares for markets and events. These are pedestrian-

oriented centers designed so visitors can park once and walk to number of destinations.

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: E Skelly Drive is designated as a Residential Collector.

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 subject lot is currently vacant.*

Environmental Considerations:

Streets:

| <u>Exist. Access</u> | <u>MSHP Design</u> | <u>MSHP R/W</u> | <u>Exist. # Lanes</u> |
|----------------------|--------------------|-----------------|-----------------------|
|----------------------|--------------------|-----------------|-----------------------|

| | | | |
|----------------|-----------------------|---------|---|
| E Skelly Drive | Residential Collector | 60 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 | RM-2 | Existing Neighborhood | Growth | Multi-Family |
| South | RS-2 | N/A | N/A | I-44 |
| East | RS-2 | N/A | N/A | I-44 |
| West | CS | Town Center | Growth | Commercial |

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11816 dated June 26, 1970 established zoning for the subject property.

Subject Property:

BOA-20377 November 2006: The Board of Adjustment **approved** a *Verification* of the spacing requirement for an outdoor advertising sign, 1,200 ft. from another outdoor advertising sign on the same side of the expressway, having met the requirement for spacing, on property located at the northeast corner of East Skelly Drive and East 27th Street South.

BOA-05201 September 1966: The Board of Adjustment **approved** a request for permission to allow temporary use of Lot 2, Block 1, Tri-Center Addition as a golf driving range in a U-2-B District for a period of two years.

Z-4293 October 1972: All concurred in **approval** of a request for *rezoning* a 8± acre tract of land from RM-2/CS to OM/CS, on property located west of Skelly Bypass and North of 27th Street.

Z-7039/PUD-553-B May 1995: All concurred in **approval** of a proposed *Minor Amendment* to PUD and request to *rezone* a 1.55± acre tract of land from CS to CG on a 1.55± acre tract of land to permit the retail sale and manufacture of rustic furniture, on property located northwest corner of East 27th Street South and South Skelly Drive (I-44).

PUD-533-A June 1995: All concurred in **approval** of a proposed *Major Amendment* to PUD on a 7.9± acre tract of land to allow agricultural sales on property located northwest corner of East 27th Street South and South Skelly Drive (I-44).

PUD-533 May 1995: All concurred in **approval** of a proposed *Planned Unit Development* on a 8.6± acre tract of land for on property located northwest corner of East 27th Street South and South Skelly Drive (I-44).

Surrounding Property:

PUD-550-B March 2014: All concurred in **approval** of a proposed *Major Amendment* to PUD on a 1.78± acre tract of land to abandon PUD-550-A, on property located east of South 87th East Avenue and East 24th Place.

PUD-550-A September 2004: All concurred in **approval** of a proposed *Major Amendment* to include a hotel/motel use within the PUD on a 1.7± acre tract, on property located east of South 87th East Avenue and East 24th Place.

PUD-550 December 1996: All concurred in **approval** of a proposed *Planned Unit Development* on a 60± acre tract of land for a proposed commercial/industrial mixed use development on property located south side of East 21st Street and west of South 91st East Avenue.

Z-5158/PUD-212 August 1978: All concurred in **approval** to abandon PUD-90, **approve** a new proposed *Planned Unit Development*, and rezone a 10.5± acre tract of land to RM-1/RS-3/PUD to RM-2/PUD-212 to convert the existing recreational center and day nursery into apartments, on property located on the southeast corner of East 25th Place and South Memorial Drive.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 10 members present:

On **MOTION** of **McARTOR**, TMAPC voted **10-0-0** (Covey, Fothergill, Kimbrel, McArtor, Ray, Reeds, Ritchey, Shivel, Van Cleave, Walker, "aye"; no "nays"; none "abstaining"; Doctor, "absent") to recommend **APPROVAL** of PUD-533-C per staff recommendation.

Legal Description for PUD-533-C:

LOT SIX (6), TRI-CENTER VILLAGE, AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF; LESS AND EXCEPT A TRACT OF LAND SITUATED IN LOT 6, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT THE NORTHEAST CORNER OF LOT THREE (3), SAID TRI-CENTER VILLAGE, SAID POINT BEING THE WEST RIGHT OF WAY LINE OF SOUTH 85TH EAST AVENUE; THENCE NORTH 00°37'30" WEST AND PARALLEL TO THE WEST LINE OF SAID LOT SIX (6) FOR 20.40 FEET; THENCE NORTH 60°37'30" WEST FOR 0.0 FEET; THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 50.00 FEET FOR 261.80 FEET; THENCE SOUTH 00°37'30" EAST FOR 12.57 FEET TO THE NORTHWEST CORNER OF LOT FOUR (4), SAID TRI-CENTER VILLAGE; THENCE SOUTH 00°37'30" EAST AND ALONG THE WEST LINE OF SAID LOT FOUR (4) FOR 8.00 FEET; THENCE SOUTH 89°34'25" WEST FOR 50.00 FEET TO THE POINT OF BEGINNING. AND LESS AND EXCEPT BEGINNING AT A POINT ON THE EASTERLY LINE OF SAID LOT SIX (6) A DISTANCE OF 243.34 FEET NORTHEASTERLY OF THE SOUTHEAST CORNER OF SAID LOT SIX (6); THENCE SOUTHEASTERLY ALONG A JOG IN SAID EASTERLY LINE A DISTANCE OF 25.00 FEET; THENCE NORTHEASTERLY ALONG SAID EASTERLY LINE A DISTANCE OF 388.25 FEET; THENCE SOUTH 51°19'53" WEST A DISTANCE OF 389.05 FEET TO THE POINT OF BEGINNING. ALSO LESS AND EXCEPT A TRACT OF LAND THAT IS PART OF LOT 6 OF TRI-CENTER VILLAGE, FORMERLY PLATTED AS HOLIDAY VILLAGE, A RE-SUBDIVISION OF LOT THREE (3) AND PART OF LOT TWO (2), BLOCK ONE (1), TRI-CENTER, AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT NUMBER 4354 THEREOF, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT THAT IS THE MOST SOUTHERLY SOUTHWEST CORNER OF SAID LOT SIX (6); THENCE N 45°25'35" W ALONG THE SOUTHWESTERLY LINE OF LOT SIX (6) FOR 10526 FEET; THENCE N 45°00'00" E ALONG A WESTERLY LINE OF LOT SIX (6) FOR 5.87 FEET TO A POINT OF CURVE; THENCE NORTHEASTERLY AND NORTHERLY ALONG SAID WESTERLY LINE ON A CURVE TO THE LEFT WITH A CENTRAL ANGLE OF 45°37'30" AND A RADIUS OF 143.87 FEET FOR 114.56 FEET TO A POINT OF TANGENCY; THENCE N 00°37'30" W ALONG SAID TANGENCY AND ALONG SAID WESTERLY LINE FOR 3.97 FEET TO A POINT THAT IS A CORNER OF LOT SIX (6), SAID POINT ALSO BEING THE SOUTHWESTERN CORNER OF LOT FIVE (5) OF SAID TRI-CENTER VILLAGE; THENCE N 89°34'25" E ALONG A NORTHERLY LINE OF LOT SIX (6) AND THE SOUTHERLY LINE OF SAID LOT FIVE (5) FOR 106.33 FEET TO A POINT THAT IS THE SOUTHEAST CORNER OF LOT FIVE (5); THENCE N 00°37'30" W ALONG A WESTERLY LINE OF LOT SIX (6) AND THE EASTERLY LINE OF LOT FIVE (5) AND LOT FOUR (4) OF TRI-CENTER FOR 133.00 FEET TO A POINT THAT IS THE NORTHEAST CORNER OF SAID LOT FOUR (4); THENCE S 89°34'25" W ALONG A SOUTHERLY LINE OF LOT SIX (6) AND THE NORTHERLY LINE OF LOT FOUR (4) FOR 106.33 FEET TO A POINT THAT IS A CORNER OF LOT SIX (6), SAID POINT ALSO BEING THE NORTHWEST CORNER OF LOT FOUR (4); THENCE N 00°37'30" W ALONG THE NORTHERLY EXTENSION OF THE WESTERLY LINE OF LOT FOUR (4) FOR 12.41 FEET; THENCE N 59°21'43" E FOR 0.00 FEET TO A POINT OF CURVE; THENCE NORTHEASTERLY, NORTHERLY AND NORTHWESTERLY ALONG A CURVE TO THE LEFT WITH A CENTRAL ANGLE OF 95°47'01" AND A RADIUS OF 50.00 FEET FOR 83.59 FEET; THENCE N 89°34'25" E AND PARALLEL WITH THE NORTHERLY LINE OF LOT SIX (6) FOR 240.79 FEET; THENCE S 00°37'30" E AND PARALLEL WITH THE EASTERLY LINE OF SAID LOTS FOUR (4) AND FIVE (5) FOR 209.35 FEET TO A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY 44; THENCE S 52°15'33" W ALONG SAID RIGHT-OF-WAY LINE FOR 56.94 FEET TO A CORNER OF LOT SIX (6); THENCE S 48°34'30" W ALONG THE SOUTHEASTERLY LINE OF LOT SIX (6) FOR 243.34 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND. NOW PLATTED AS GRIZZLY MOUNTAIN MERCANTILE, AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA.

* * * * *

Mr. Reeds left at 2:33PM

8. **Z-7516 Justin Moura** (CD 3) Location: West of the southwest corner of East Admiral Place and North Harvard Avenue requesting rezoning from **CH to IL with optional development plan** to permit a medical marijuana growing facility and low-impact processing

STAFF RECOMMENDATION:

SECTION I: Z-7516

DEVELOPMENT CONCEPT: The applicant is proposing to rezone from CH to IL with an Optional Development Plan to permit a Medical Marijuana Growing and processing facility. The site currently houses a commercial kitchen for a catering company, which would remain, if rezoning is approved. The intent is to use the three existing buildings on the site for the various functions of growing and processing medical marijuana, including office, grow and processing while also maintaining the existing commercial kitchen for both catering and medical marijuana related uses. The applicant may encounter issues with setbacks if the site is ever redeveloped as IL zoning requires a 75 ft building setback from R zoned districts. This would require the applicant to conform to those setbacks or seek a variance of those requirements from the Board of Adjustment if they could not be met.

DETAILED STAFF RECOMMENDATION:

Z-7516 is requesting IL zoning with an optional development plan as outlined in Section II below. That zoning classification is intended to provide areas suitable for manufacturing, wholesaling, warehousing and other industrial activities that have few if any adverse land use or environmental impacts. IL zoning without the optional development plan would have negative impacts on the surrounding properties and would not be supported and,

Z-7516 is consistent with the anticipated future development pattern of the surrounding property;

Many uses allowed in an IL zoning district are not consistent with the Mixed-Use Corridor land use designation of the Comprehensive Plan however the development plan outlined below only allows light industrial uses related to medical marijuana processing and horticultural nursery. All commercial uses normally associated with a Mixed-Use Corridor included in the allowed uses in the development plan, therefore;

Staff recommends **Approval** of Z-7516 to rezone property from CH to IL with the provisions of the optional development plan outlined in Section II.

SECTION II: OPTIONAL DEVELOPMENT PLAN STANDARDS:

General Provisions:

All district use regulations, supplemental regulations, building types, lot and building regulations, along with other relevant regulations shall conform to the provisions of the City of Tulsa Zoning Code for development in an IL zoning district except as further limited below.

Permitted Use Category:

A) Residential

- Household Living
 - Single Household
 - Two Households on a single lot
 - Three or more households on a single lot

B) Public, Civic and Institutional

- Safety Service
- Utilities and Public Service Facility (minor)
- Wireless Communication Facility (includes all permitted specific uses)

C) Commercial

- Animal Service (includes all permitted specific uses)
- Broadcast or Recording Studio
- Commercial Service (includes all permitted specific uses)
- Financial Services (includes all permitted specific uses)
- Funeral or Mortuary Service
- Office (includes all permitted specific uses)
- Parking, Non-Accessory
- Restaurants and Bars
 - Restaurants (Bars allowed as an accessory use)
- Retail Sales (includes all permitted specific uses)
- Self-Service Storage Facility
- Studio, Artist or Institutional Service
- Trade School
- Vehicle Sales and Service
 - Commercial Vehicle repair and maintenance
 - Commercial sales and rentals
 - Fueling Station
 - Personal Vehicle sales and rental
 - Vehicle part and supply sales
 - Vehicle body and paint finishing shop

D) Industrial

Low-Impact Manufacturing & Industry – Only allowing production of medical marijuana edibles using medical marijuana components processed elsewhere.

E) Recycling

Consumer Material Drop-off Station

F) Agricultural

Community Garden
Farm, Market or Community-supported
Horticulture Nursery

G) Other

Drive-in or drive-through facility

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The subject lot is located within a Mixed-Use Corridor and an Area of Growth. It is also located within the Kendall-Whittier Sector Plan area which calls for the subject lot and surrounding area along Admiral PI between College Ave and Harvard Ave to be a Mixed-Use Corridor.

Land Use Vision:

Land Use Plan map designation: Mixed-Use Corridor

Mixed-Use Corridors are Tulsa’s modern thoroughfares that pair high capacity transportation facilities with housing, commercial, and employment uses. Off the main travel route, land uses include multifamily housing, small lot, and townhouse developments, which step down intensities to integrate with single family neighborhoods. Mixed-Use Corridors usually have four or more travel lanes, and sometimes additional lanes dedicated for transit and bicycle use. The pedestrian realm includes sidewalks separated from traffic by street trees, medians, and parallel parking strips. Pedestrian crossings are designed so they are highly visible and make use of the shortest path across a street. Buildings along Mixed-Use Corridors include windows and storefronts along the sidewalk, with automobile parking generally located on the side or behind.

Areas of Stability and Growth designation: Area of 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 automobile.

Transportation Vision:

Major Street and Highway Plan: E Admiral PI is classified as a Residential Collector in the area near the subject lot. E Admiral PI becomes a Secondary Arterial approximately 900 feet to the east of the lot.

Trail System Master Plan Considerations: None

Small Area Plan: Kendall-Whittier Sector Plan (adopted November 2016)

The sector plan calls for the subject lot and the surrounding area along Admiral PI to be a Mixed-Use Corridor and states that these areas include a variety of non-residential uses, such as retail, restaurants and offices. However, some industrial uses may be appropriate as well, assuming they minimize the impacts on surrounding development and the overall character of the corridor.

Special District Considerations: The lot is located within the Route 66 Overlay, which permits special signage allowances and does not affect the uses of the lots themselves.

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site currently contains a catering company and multiple existing commercial buildings.

Environmental Considerations: None

Streets:

| <u>Exist. Access</u> | <u>MSHP Design</u> | <u>MSHP R/W</u> | <u>Exist. # Lanes</u> |
|----------------------|-----------------------|-----------------|-----------------------|
| E Admiral Place | Residential Collector | 60 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 | CH | Mixed-Use Corridor | Growth | Single-Family |
| South | RS-3 | Mixed-Use Corridor | Growth | Single-Family |
| East | CH | Mixed-Use Corridor | Growth | Commercial |
| West | CH | Mixed-Use Corridor | Growth | Commercial |

SECTION IV: Relevant Zoning History

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

Subject Property:

No Relevant History.

Surrounding Property:

PUD-594 September 1998 : All concurred in **approval** of a proposed *Planned Unit Development* on a 1.68± acre tract of land for on property located northwest corner of South Harvard Avenue and East Admiral Place.

BOA-06354 May 1969: The Board of Adjustment **approved** a *Variance* to permit the operation of a light industrial machine shop, on property located at 16 N. College.

TMAPC Comments:

Mr. Reeds stated a couple meetings ago Planning Commission had a similar case further north where the applicant tried to do IL zoning in an existing residential zone. He stated this application is in commercial with the optional develop plan so he is okay with designating this an IL in a commercial zone as opposed to trying to do an optional development for IL in a residential zone.

Mr. Covey stated his takeaway from the last case was that staff didn't have an optional development plan and staff said that even with an optional development plan it wouldn't help. He stated this current application before Planning Commission as Mr. Reeds pointed out is in a CH District which is different than residential and it has an optional development plan attached.

Staff stated the previous application had a different existing business character than what this particular location is even if all you do is just look at the map then there are some similarities but one big difference is the land use designation on this particular side is not an existing neighborhood and it abuts Martin Luther King Expressway.

Ms. Kimbrel stated the land use designation for this application is Mixed-Use corridor and the Stability and Growth Designation is Area of Growth and it seems like last time it was in RS-3 and it was an existing neighborhood. She stated she thinks those types of distinctions are important when thinking about the future land use and how to be consistent with this option development plan.

Mr. Ritchey stated he appreciates the efforts to have these optional development plans he thinks it almost creates a new zoning category because it is so low impact to have these grow operations because they really can't go in a lot of different places. He stated it is important what the land use designations are and neighbors coming to be actively involved. Mr. Ritchey stated he thinks the application before Planning Commission today is clearly different than the one, they had a few weeks ago and he is in full support of approving this plan. He asked staff procedurally what happens when a parcel of land gets rezoned to IL with optional development and 10 years from now that parcel of land is sold and the next person doesn't want to do any of these agricultural uses what happens to the land.

Staff stated there are options to change that development plan but if you're changing the use of the site it would be considered a new rezoning. He stated every application staff has tried to make sure that if that grow operation whether it's marijuana or tomatoes in that development plan are consistent with that original CH zoning. Staff stated they are hopeful that not many of those will come back and ask to rezone.

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 **FOTHERGILL**, TMAPC voted **9-0-0** (Covey, Fothergill, Kimbrel, McArtor, Ray, Ritchey, Shivel, Van Cleave, Walker, "aye"; no "nays"; none "abstaining"; Doctor, Reeds, "absent") to recommend **APPROVAL** of IL rezoning with an optional development plan for Z-7516 per staff recommendation.

Legal Description for Z-7516:

LTS 7-8-9-10 BLK 2, UNIVERSITY PARK, City of Tulsa, Tulsa County, State of Oklahoma

* * * * *

9. **Z-7517 Tulsa Habitat for Humanity, INC** (CD 5) Location: West of the southwest corner of East 31st Street South and South Sheridan Avenue requesting rezoning from **RS-3 to RS-4** to permit single family housing

STAFF RECOMMENDATION:

SECTION I: Z-7517

DEVELOPMENT CONCEPT: The applicant is proposing to rezone from RS-3 to RS-4 in order to permit single-family homes on lots that are smaller than the currently existing RS-3 zone. RS-3 zones require 6,900 sf per single-family detached house and a minimum lot width of 75 Feet. RS-4 would require 5,500 sf per single-family detached house and a minimum lot width of 50 Feet. This would be a minor increase in density over the current zoning of the subject lot and would be compatible with existing homes in the vicinity of the subject lot.

DETAILED STAFF RECOMMENDATION:

Z-7517 requesting RS-4 zoning allows single family residential uses that are compatible with the surrounding properties;

Lot and building regulations in a RS-4 district allow a greater density than the abutting RS-3 zoned properties however RS-4 zoning is consistent with the anticipated future development pattern of the surrounding property;

RS-4 zoning is consistent with the Existing Neighborhood land use designation of the Comprehensive Plan, therefore;

Staff recommends **Approval** of Z-7517 to rezone property from RS-3 to RS-4.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The subject site is located in an area designated as an Existing Neighborhood and an Area of Stability.

Land Use Vision:

Land Use Plan map designation: Existing Neighborhood

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

Areas of Stability and Growth designation: Area of Stability

The Areas of Stability includes approximately 75% of the city's total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal for the Areas of Stability is to identify and maintain the valued character of an area while accommodating the rehabilitation, improvement or replacement of existing homes, and small scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life. 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: E 32nd St S does not have a designation.

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 currently contains a garage associated with a neighboring property which will be removed prior to construction of the proposed dwellings.

Environmental Considerations: None

Streets:

| <u>Exist. Access</u> | <u>MSHP Design</u> | <u>MSHP R/W</u> | <u>Exist. # Lanes</u> |
|-------------------------|--------------------|-----------------|-----------------------|
| E 32 nd St S | None | N/A | 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 | OL | Mixed-Use Corridor | Growth | Commercial |
| South | RS-3 | Existing Neighborhood | Stability | Single-Family Residential |
| East | RS-3 | Existing Neighborhood | Stability | Single-Family Residential |
| West | RS-3 | Existing Neighborhood | Stability | Single-Family Residential |

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11824 dated June 26, 1970 established zoning for the subject property.

Subject Property:

No Relevant History.

Surrounding Property:

No Relevant History.

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, Fothergill, Kimbrel, McArtor, Ray, Ritchey, Shivel, Van Cleave, Walker, "aye"; no "nays"; none "abstaining"; Doctor, Reeds "absent") to recommend **APPROVAL** of the RS-4 zoning for Z-7517 per staff recommendation.

Legal Description for Z-7517:

LT 16 BLK 1, LORRAINE HGTS, City of Tulsa, Tulsa County, State of Oklahoma

OTHER BUSINESS

10. **TMAPC Meeting Time** amend 2020 TMAPC schedule to change meetings from 1:30PM to 1:00PM

TMAPC Action; 9 members present:

On **MOTION** of **FOTHERGILL**, TMAPC voted **9-0-0** (Covey, Fothergill, Kimbrel, McArtor, Ray, Ritchey, Shivel, Van Cleave, Walker, "aye"; no "nays"; none "abstaining"; Doctor, Reeds "absent") to **APPROVE** the 2020 TMAPC schedule to change start time of meetings from 1:30PM to 1:00PM

11. Commissioners' Comments

ADJOURN

TMAPC Action; 9 members present:

On **MOTION** of **FOTHERGILL**, TMAPC voted **9-0-0** (Covey, Fothergill, Kimbrel, McArtor, Ray, Ritchey, Shivel, Van Cleave, Walker, "aye"; no "nays"; none "abstaining"; Doctor, Reeds "absent") to **ADJOURN** TMAPC meeting of December 4, 2019, Meeting No. 2807.

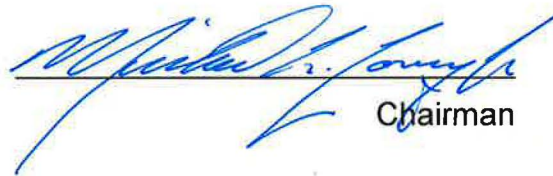
There being no further business, the Chair declared the meeting adjourned at 2:45 p.m.

CD = Council District

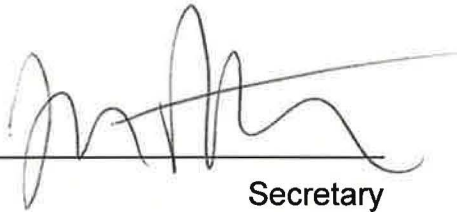
NOTE: If you require special accommodation pursuant to the Americans with Disabilities Act, please notify Tulsa Planning Office (918) 584-7526. Exhibits, Petitions, Pictures, etc., presented to the Planning Commission may be received and deposited in case files to be maintained at Tulsa Planning Office.

Date Approved:

01-22-2020


Chairman

ATTEST:


Secretary