

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 2830

Wednesday, November 18, 2020, 1:00 p.m.

City Council Chamber

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

Members Present	Members Absent	Staff Present	Others Present
Blair	McArtor	Foster	Jordan, COT-R
Covey	Reeds	Hoyt	Silman, COT-R
Craddock	Ritchey	Miller	Skates, COT-R
Kimbrel	Walker	Sawyer	VanValkenburgh, Legal-R
Shivel		Wilkerson	
Van Cleave			

R=Remote

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Monday, November 16, 2020 at 10:18 am, posted in the Office of the City Clerk, as well as in the Office of the County Clerk.

TMAPC held this meeting in person.

Staff and members of the public were allowed to attend and participate in the TMAPC meeting in person or via videoconferencing and teleconferencing via **GoToMeeting**, an online meeting and web conferencing tool.

After declaring a quorum present, Chair Covey called the meeting to order at 1:03 p.m.

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

REPORTS:

Chairman's Report:
None

Director's Report:
None

Minutes:

1. Approval of the minutes of November 4, 2020 Meeting No. 2829

On **MOTION** of **COVEY**, the TMAPC voted 6-0-0 (Blair, Covey, Craddock, Kimbrel, Shivel, Van Cleave, "aye"; no "nays"; none "abstaining"; McArtor, Reeds, Ritchey, Walker, "absent") to **APPROVE** the minutes of the meeting of November 4, 2020, Meeting No. 2829.

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

PUBLIC HEARINGS

Item 2 was withdrawn by applicant.

- 2. PUD-498-C C. Brody Glenn (CD 7) Location: West of the southwest corner of East 71st Street South and South 101st Street East Avenue requesting a **PUD Major Amendment (Withdrawn by applicant)****

- 3. Cooper Valley Estates (County) Minor Subdivision Plat, Location: South and west of East 181st Street South and South Memorial Drive**

STAFF RECOMMENDATION:

Cooper Valley Estates - (County)

South and west of East 181st Street South and South Memorial Drive

This plat consists of 9 lots, 1 block on 76.96 ± acres.

The Technical Advisory Committee (TAC) met on November 5, 2020 and provided the following comments:

1. **Zoning:** Proposed lots conform to the requirements of the AG district.
2. **Addressing:** Addresses provided by INCOG must be shown on face of the final plat.
3. **Transportation & Traffic:** Add limits of no access to South Memorial Drive on final plat.
4. **Sewer/Water:** On-site sewage disposal. Water service to be provided by Rural Water District #6. Any improvements to existing water lines must be approved through the RWD.
5. **Stormwater, Drainage, & Floodplain:** Approved as submitted.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** All release letters have been received. Oil & Gas certificate was submitted.

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

The applicant was not present.

There were no interested parties wishing to speak.

TMAPC Action; 6 members present:

On **MOTION** of **COVEY**, TMAPC voted **6-0-0** (Blair, Covey, Craddock, Kimbrel, Shivel, Van Cleave, "aye"; no "nays"; none "abstaining"; McArtor, Reeds, Ritchey, Walker, "absent") to **APPROVE** the Minor Subdivision Plat for Cooper Valley Estates per staff recommendation.

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Items 4 and 5 were presented together.

4. **9100 Delaware** (CD 2) Preliminary Plat, Location: West of the northwest corner of East 91st Street South and South Delaware Avenue (Related to 9100 Delaware Authorization for Accelerated Release of Building Permits)

STAFF RECOMMENDATION:

9100 Delaware - (CD 2)

West of the northwest corner of East 91st Street South and South Delaware Avenue

This plat consists of 1 lot, 1 block on 8.17 ± acres.

The Technical Advisory Committee (TAC) met on November 5, 2020 and provided the following conditions:

1. **Zoning:** The subject tract is zoned MX2-V-U. The proposed lot conforms to the requirements of the zoning district.
2. **Addressing:** City of Tulsa addresses and street names must be assigned and affixed to the face of the final plat along with an address disclaimer.
3. **Transportation & Traffic:** Corner clip dedication required at the intersection of South Lewis Place and East 91st Street South. Access limitations approved as submitted. Sidewalks will be required along street frontages in conjunction with permits for any new buildings.
4. **Sewer/Water:** Easements must be provided as required to cover existing/proposed public infrastructure. All easements are required to be labeled and dimensioned on the face of the final plat. Perimeter easements to be shown on the final plat as required by Development Services.
6. **Engineering Graphics:** Submit subdivision data control sheet with final plat submittal. Remove contours on the final plat submittal. Add City of Tulsa before Tulsa County in the plat subtitle. In the location map, show all platted boundaries in Section 17, label all other property as unplatted and label the plat location as "project location" or "site". Under the basis of bearing information, add 3501 after North Zone and provide a bearing angle shown on the face of the plat.
7. **Stormwater, Drainage, & Floodplain:** City of Tulsa Regulatory Floodplain exists on the northern portion of the property. Overland drainage easement will be required for any on-site floodplain. Any development proposed in the future within the floodplain area will be required to comply with all city floodplain ordinances and criteria.
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. City of Tulsa release letter including Development Services, City Legal, and Engineering Services is required prior to final plat approval.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 6 members present:

On **MOTION** of **COVEY**, TMAPC voted **6-0-0** (Blair, Covey, Craddock, Kimbrel, Shivel, Van Cleave, "aye"; no "nays"; none "abstaining"; McArtor, Reeds, Ritchey, Walker, "absent") to **APPROVE** the Preliminary Subdivision Plat for 9100 Delaware per staff recommendation.

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5. **9100 Delaware** (CD 2) Authorization for Accelerated Release of Building Permits and Modification of Subdivision & Development Regulations to defer performance guarantee requirements and dedications to final plat, Location: West of the northwest corner of East 91st Street South and South Delaware Avenue (Related to 9100 Delaware Preliminary Plat)

STAFF RECOMMENDATION:

9100 Delaware- (CD 2)

West of the northwest corner of East 91st Street South and South Delaware Avenue

The subject property is required to obtain full compliance with the Subdivision & Development Regulations due to a recently approved rezoning. The applicant has requested that the Planning Commission authorize the City of Tulsa to issue building permits prior to the filing of a final plat. The *Subdivision & Development Regulations* require the approval of a preliminary plat prior to authorization for an accelerated release of building permits. The preliminary plat has been submitted and reviewed by the Technical Advisory Committee and is being presented concurrently with this request.

The plat includes the dedication of utility easements, access limitations, and additional right-of-way dedications at the corner of East 91st Street South and South Lewis Place. Improvements to infrastructure on the site, primarily sanitary sewer, will be required prior to the filing of the final plat in order to accommodate future development goals; Existing buildings on site are already served by the required infrastructure and the improvement of those buildings would not negatively impact the progress of the plat and infrastructure as required.

The Technical Advisory Committee met on November 5th and had no objections to the authorization for accelerated release of building permits on the existing buildings.

If approved, this authorization only removes the requirement that the final plat be filed prior to building permits being issued. All other codes and requirements of the City of Tulsa remain in place.

Modification to the Subdivision & Development Regulations:

The applicant has requested a modification to Section 10-110.6-B and C that require the dedication of all required ROW and easements and the submittal of a performance guarantee for outstanding infrastructure. Due to the fact that the ROW dedications are not being made for the purpose of any immediate infrastructure, staff supports a deferral of this requirement so that the ROW can be dedicated by plat. Given that sidewalks are the only required infrastructure

and no main extensions or other improvements are required for the existing buildings, staff also supports the deferral of performance guarantee requirements to the final plat.

Staff recommends **approval** of the accelerated release of a building permit and the requested modification with the following conditions:

1. If an accelerated release is approved, no final inspection of buildings or structures may occur, and no certificate of occupancy may be issued until a final plat for the subject property has been approved and recorded.
2. Accelerated permits shall only be allowed for the existing structures shown on the conceptual site plan to include interior remodeling, exterior improvements, and accessory improvements.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 6 members present:

On **MOTION** of **COVEY**, TMAPC voted **6-0-0** (Blair, Covey, Craddock, Kimbrel, Shivel, Van Cleave, "aye"; no "nays"; none "abstaining"; McArtor, Reeds, Ritchey, Walker, "absent") to **APPROVE** the modification of the Subdivision and Development Regulations and the Accelerated Release of a Building Permit for 9100 Delaware per staff recommendation.

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Items 6 and 7 were continued to December 16, 2020 to allow applicant to explore an optional development plan. This date was decided on by Planning Commission after discussion with applicant who requested a continuance to December 2, 2020 and the neighborhood who requested a continuance January 6, 2021.

6. **CPA-89 CBC Builds c/o AAB Engineering LLC** (CD 9) Location: East of the Northeast corner of East 36th Street South and South Peoria Avenue requesting to amend the Land Use Map designation from **Existing Neighborhood** to **Main Street** and amend the Areas of Stability and Growth Map from an **Area of Stability** to an **Area of Growth**. (Related to Z-7571) (Continued from September 2, 2020 and September 16, 2020 and October 21, 2020)

STAFF RECOMMENDATION:

**TMAPC Staff Report
CPA-89
Comprehensive Plan Amendment**

Property Information and Land use Request

The applicant has submitted this proposed Comprehensive Plan amendment (CPA-89) with a concurrent rezoning request (Z-7571) to request a change in both the Land Use and the Growth and Stability designation of the subject property from *Existing Neighborhood* to *Main Street* and *Area of Stability* to *Area of Growth*. The concurrent zoning request proposes MX1-U-40 from RS-3 for a mixed-use development.

Background

The Land Use and Area of Stability or Growth designations for the subject property were made in 2010 with the adoption of the 2010 Tulsa Comprehensive Plan. At this time, the subject property was assigned a Land Use designation of *Existing Neighborhood* and an Area of Stability or Growth designation of *Area of Growth*. As there are no other plans that cover this area that offer land use recommendations, the 2010 Tulsa Comprehensive Plan solely provides guidance regarding land use for this area.

The site is currently made up of three separate parcels, each with a single-family detached home. The proposed development will remove those homes and construct a mixed-use building that includes commercial on the ground floor and residential units above. The parcels abutting the subject property to the north and west are currently zoned OL/PUD-718 and PK/CH, respectively, both carrying a Land Use Map designation of *Main Street*, as well as an Area of Growth and Stability Map designation of *Area of Growth*. These parcels contain office space and townhomes to the north and a commercial strip mall to the west. The parcel abutting the subject property to the south is zoned MX1-P-U/RS-3 and carries both a *Main Street* and *Existing Neighborhood* Land Use designation, as well as both *Area of Growth* and *Area of Stability* designations due to the location of both single-family detached homes and the Brookside Church. The Brookside Church is zoned MX1-P-U and was rezoned as part of the City Council initiated rezoning opportunities along the Bus Rapid Transit Corridor. The land use designation was changed from *Existing Neighborhood* to *Main Street* in 2019. Abutting to the east are more RS-3 zoned parcels with single-family detached homes that carry a land use designation of *Existing Neighborhood* and a growth designation of *Area of Stability*.

The Brookside Infill Development Design Recommendations was a plan adopted in 2002 that generally provide design guidance for development along and on either side of South Peoria Avenue immediately west of the subject property. The plan did not specifically make any recommendations to this site.

Existing Land Use and Growth Designations

An *Existing Neighborhood* land use designation was assigned to the area subject to the amendment request at the time of the adoption of the Tulsa Comprehensive Plan in 2010:

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

When the Tulsa Comprehensive Plan was developed and adopted in 2010, the subject tract was designated as an *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.”

Proposed Land Use and Growth Designations (Tulsa Comprehensive Plan)

The applicant is proposing the *Main Street* land use designation for the subject property:

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

The applicant is also proposing the *Area of Growth*, growth designation for the subject property:

“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.”

Zoning and Surrounding Uses

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	OL/PUD-718	Main Street	Area of Growth	Offices and Townhomes
South	MX1-P-U / RS-3	Main Street/ Existing Neighborhood	Area of Growth	Brookside Church and Single-family Residential
East	RS-3	Existing Neighborhood	Area of Stability	Single-family Residential
West	PK/CH	Main Street	Area of Growth	Commercial Strip Center

Applicant's Justification

As part of the amendment application, the applicant is asked to justify their amendment request. Specifically, they are asked to provide a written justification to address:

1. How conditions on the subject site have changed, as well as those on adjacent properties and immediate area;
2. How changes have impacted the subject site to warrant the proposed amendment; and;
3. How the proposed change will enhance the surrounding area and the City of Tulsa.

“To Whom It May Concern,

We have made application to modify the comprehensive plan designation for three lots along the North side of 36th Street and East of Peoria Avenue. We propose to change the designation of these lots from Existing Neighborhood to Main Street and from Area of Stability to Area of Growth as depicted on the attached exhibits. This modification is submitted in conjunction with a request to change the zoning from RS-3 to MX1-U-45.

The three lots are currently used a single-family residence but are under contract for purchase and redevelopment. As you can see on the exhibits these lots represent a "leave out" from the normally rectangular area of main street designation. The eastern boundary of this designation seems to have followed the existing development pattens regardless of the suitability of these areas for other use. Given that the parcels are currently under contract for redevelopment this area warrants reconsideration as Main Street. The parcels are abutted by a multi-story apartment project to the north which is contained in a PUD and PK/CH zoning to the west. The areas south of 36th Street fronting this tract are zoned MX1-P-U. The surrounding development patterns support the requested re-designation."

Staff Summary & Recommendation

The applicant is currently requesting a *Main Street* land use designation and growth designation of *Area of Growth*, which are the current land use and growth designations held by the parcels abutting this property to the north, south, and west. Main Streets are typically comprised of residential, commercial, and entertainment uses along a transit-rich street usually two to four lanes wide and includes much lower intensity residential neighborhoods situated behind. They are also pedestrian-oriented places with generous sidewalks, storefronts on the ground floor of buildings, and street trees and other amenities.

Areas of Growth 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. Additionally, a major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

The Comprehensive Plan outlines the following criteria that was used to previously identify areas of growth that can be used to identify new areas of growth:

- Underutilized land, especially surface parking lots or vacant buildings downtown or along corridors
- Areas already undergoing positive change which is expected to continue
- Areas adjacent to transit and around transit stations, existing and planned
- Areas along corridors with frequent bus service that can accommodate development on underutilized land
- Locations where appropriate infill development will promote shorter and less frequent auto trips
- Areas with special opportunities such as where major public or private investments are planned

While the subject property may not necessarily be underutilized as there are currently houses on them, the property is close to Bus Rapid Transit (BRT) stops along Peoria Avenue and the surrounding area has been undergoing positive

change, offering special opportunities with both existing and planned major public or private investments. Higher density opportunities, such as this, are appropriate along BRT corridors.

The character of the abutting developments, the Go Plan's designation of this stretch of 36th Street as a suggested shared bike route and the subject property's proximity to Peoria Avenue, which offers BRT access, the *Main Street* land use designation and *Area of Growth*, growth designation would appear to be an appropriate fit for this property and the neighborhood and help create a more uniform boundary between the existing single-family neighborhood and the Peoria Avenue commercial corridor.

Staff recommends **approval** of the *Main Street* and *Area of Growth* designations.

TMAPC Action; 6 members present:

On **MOTION** of **CRADDOCK**, TMAPC voted **6-0-0** (Blair, Covey, Craddock, Kimbrel, Shivel, Van Cleave, "aye"; no "nays"; none "abstaining"; McArtor, Reeds, Ritchey, Walker, "absent") to **CONTINUE** Item 6 to December 16, 2020.

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7. **Z-7571 CBC Builds c/o AAB Engineering LLC** (CD 9) Location: East of the Northeast corner of East 36th Street South and South Peoria Avenue requesting rezoning from **RS-3 to MX1-U-45** (related to CPA-89) (Continued from September 2, 2020 and September 16, 2020 to re-notice a modified request to 45' in height, and October 21, 2020)

STAFF RECOMMENDATION:
SECTION I: Z-7571

DEVELOPMENT CONCEPT: The applicant is requesting to rezone the subject property from RS-3 to MX1-U-45 to allow a mixed-use development. The applicant has also submitted a subsequent Comprehensive Plan Amendment request to change the Land-use designation and the Growth and Stability Designation from "Existing Neighborhood" to "Main Street" and "Area of Stability" to "Area of Growth", respectively.

DETAILED STAFF RECOMMENDATION:

The requested zoning is compatible with the properties north and west of the subject property however it is not consistent with the existing neighborhood land use designation. The applicant has also submitted an amendment to the land use map and growth and stability map in Tulsa's Comprehensive Plan. Staff supports those changes and,,

Establishing MX1-U (neighborhood mixed-use) zoning designation with a 45-foot maximum height provides use limitations and design standards that are consistent with the abutting Main Street designation and,

MX1-U building placement requirements will enhance the pedestrian nature of East 36th Street South and establish a consistent corridor edge on the east side of the main street corridor and,

MX1-U is the least intensive mixed-use zoning district defined in the code and provides appropriate design considerations for abutting adjacent residential uses and,

This designation, combined with the Urban character designation and the height limit of 45 feet, would allow this property a greater variety of neighborhood compatible building types to choose from, while increasing the walkability and access of the neighborhood to goods and services, and protecting neighborhoods from objectionable uses therefore,

Staff recommends Approval of Z-7571 to rezone property from RS-3 to MX1-U-45.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary:

The applicant is currently requesting a *Main Street* land use designation and growth designation of *Area of Growth*, which are the current land use and growth designations held by the parcels abutting this property to the north, south, and west. Main Streets are typically comprised of residential, commercial, and entertainment uses along a transit-rich street usually two to four lanes wide and includes much lower intensity residential neighborhoods situated behind. They are also pedestrian-oriented places with generous sidewalks, storefronts on the ground floor of buildings, and street trees and other amenities. The MX1, Neighborhood Mixed-use district is intended to accommodate small scale retail, service and dining uses that serve nearby residential neighborhoods. The district also allows a variety of residential uses and building types. MX1 zoning is generally intended for application in areas designated by the comprehensive plan as neighborhood centers, main streets and mixed-use corridors

Current Land Use Vision:

Land Use Plan map designation: Existing Neighborhood

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

Areas of Stability and Growth designation: Area of Stability

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

Proposed Land Use Vision as supported by staff in CPA-89

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

Staff also supports the applicants request to consider a change to the existing Area of Stability to an 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: This site is not included in the City Council initiated MX zoning initiative.

Major Street and Highway Plan: None that affect site redevelopment.

Trail System Master Plan Considerations: The Go Plan recommends East 36th Street South from Riverside Drive to South Hudson Avenue as bike path with shared lane markings, which runs along the southern portion of the subject property.

Small Area Plan:

Much of the area immediately west of this site is included in the Brookside Infill Development Design Recommendation plan and was adopted in 2002. The plan and has not been amended. This site is not directly affected by the concepts illustrated in that plan.

Special District Considerations: There are no special districts that require consideration in this area.

Historic Preservation Overlay: There are no historic preservation overlays that require consideration in this area.

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary:

The site is currently made up of three separate parcels, each with a single-family detached home to be demolished and replaced a mixed-use building that includes commercial on the ground floor and apartments up above. Across the street from the subject property to the south are single-family detached homes and the Brookside Church, which was recently rezoned to MX-1-P-U. As part of that request, the land use designation was

amended from *Existing Neighborhood* to *Main Street* on the residential lot immediately east of the church. To the north of the subject property, there is an office space and townhomes, to the west there is a popular commercial strip center which offer a variety of services to the neighborhood, and to the east there are more single-family detached homes.



Figure 1. Street view from directly south of the property facing north.



Figure 2. Street view from the front of the property, facing south.



Figure 3. Street view from directly south of the property facing east.



Figure 4. Street view from the front of the property looking west.

Environmental Considerations: There are no environmental considerations that would affect site re-development.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
E. 36 th St. S.	Residential Collector	60 ft.	2 lanes

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or	Existing Use
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			Growth	
North	OL/PUD-718	Mainstreet	Area of Growth	Offices and Townhomes
South	MX-1-P-U/RS-3	Mainstreet/ Existing Neighborhood	Area of Growth	Brookside Church and Single-family Residential
East	RS-3	Existing Neighborhood	Area of Stability	Single-family Residential
West	PK/CH	Mainstreet	Area of Growth	Commercial Strip Center

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11838 dated June 26, 1970 established zoning for the subject property.

Subject Property:

BOA-12466 February 1983: The Board of Adjustment **denied** a *Special Exception* to permit a duplex in an RS-3 District, a *Variance* of the lot area from 9,000 square feet to 7,000 square feet and a *Variance* of the frontage from 75' to 50', on property located at 1333 East 36th Street.

BOA-12422 January 1983: The Board of Adjustment **approved** a *Variance* of the frontage requirement in an RS-3 district from 60' to 50' to permit a lot split, on property located at 1333 East 36th Street.

Surrounding Property:

Z-7478/CPA-83 June 2019: All concurred in **approval** of a request for *rezoning* a 2.14± acre tract of land from RS-3/CH to MX-1-P-U for a church and a *Comprehensive Plan Amendment* to change the Land Use designation from Existing Neighborhood to Main Street, on property located at the southeast corner of East 36th Street South and South Peoria Avenue.

Z-7345 July 2016: All concurred in **approval** of a request for *rezoning* a .51± acre tract of land from OL to CH for a restaurant with an accessory bar, on property located east of the southeast corner of East 5th Street South and South Peoria Avenue.

PUD-718 September 2005: All concurred in **approval** of a proposed *Planned Unit Development* on a .64± acre tract of land for offices and townhomes, on property located east of the southeast corner of East 35th Place South and South Peoria Avenue.

Z-6960 November 2004: All concurred in **approval** of a request for *rezoning* a .32± acre tract of land from RS-3 to OL for an Office, on property located east of the southeast corner of East 35th Place and South Peoria Avenue.

Z-6944 July 2004: All concurred in **approval** of a request for *rezoning* a .32± acre tract of land from RS-3 to OL for an Office, on property located east of the southeast corner of 35th Place and South Peoria Avenue.

BOA-17728 June 1997: The Board of Adjustment **approved** a *Special Exception* to permit school use on the subject tract, finding that the school has existed for 50 years, on property located at the northwest corner of 36th Place and Rockford.

Z-6334 November 1991: All concurred in **approval** of a request for *rezoning* a .16± acre tract of land from RS-3 to CH for a commercial building, on property located east of the northeast corner of East 36th Street and South Peoria Avenue.

Z-6324 October 1991: All concurred in **approval** of a request for *rezoning* a .32± acre tract of land from RS-3 to OL for an office, on property located 1325 East 25th Place.

Z-6326/PUD-474. October 1991: All concurred in **approval** of a request to rezone a 1± acre tract of land from OL to CS and **approval** of a proposed *Planned Unit Development* for mini-storage, on property located east of the southeast corner of South Peoria Avenue and East 58th Street.

Z-6003 December 1984: All concurred in **approval** of a request for *rezoning* a .2± acre tract of land from RS-3 to CH for commercial/office, on property located west of the southwest corner of 35th Place and Peoria Avenue.

BOA-07436 May 1972: The Board of Adjustment **approved** a *Special Exception* to permit parking use for employees and customers, with the restrictions that the lot not be used for retail operations, on property located at 1315 East 36th Street.

BOA-06400 August 1967: The Board of Adjustment **approved** a *Special Exception* to permit establishing off-street parking for church use in a U-1C district, subject to the parking requirements of the Board, on property located at 1331 East 36th Place.

BOA-03878 August 1962: The Board of Adjustment **granted** permission to allow church uses, on property located at Lot 7, Peorian Addition and Lots 4,6-8, Block 1, Peorian Second Addition.

BOA-02164 October 1950: The Board of Adjustment **granted** permission to allow a church, on property located at Lots 8 and 9, Peorian Addition.

BOA-01902 April 1947: The Board of Adjustment **approved** a request for permission to erect an outdoor type electric substation, on property located at E-58' of W-65' of Lot 5, and N-40.87' of E-58' of W-65' of Lot 6, Block 3, Peoria Gardens Addition.

BOA-01606 July 1943: The Board of Adjustment **granted** permission to allow a church, on property located at Lots 10 and 11, Peorian Addition.

TMAPC Comments:

The applicant stated a meeting was held Monday November 16, 2020 with the subject project's neighbors. He stated at the last neighborhood meeting there was objections to the project having commercial uses. The applicant stated his client reconfigured the building and shifted it west and made an offer to the project's neighbors to use the building for apartment use only, with no commercial, in an effort to draw some support. He stated he felt like they had made some progress with the neighbors who agreed that a continuance was needed to the next to TMAPC meeting to give his client time to submit an optional development plan restricting the project to apartment type uses and give the neighbors some time to consider this request. The applicant stated this case does not need to be continued for a month or 45 days.

Mr Craddock asked how much time staff needs to prepare the optional development plan.

Staff stated if there is a continuance for an optional development plan typically staff would like to have 21 days, however, from what he has heard from the neighbors and from the applicant the only thing that an optional development plan would really contemplate would be to change the use. He stated he believes that could be accomplished by December 2, 2020.

Ms. Kimbrel asked if that is enough time to give adequate notice to the community.

Staff stated they are not required to renotice for a development plan because it tightens up the zoning that's already been advertised.

Interested Parties:

Ross Snider 1337 East 36th Street South, Tulsa, OK 74105

Mr. Snider stated his concern with December 2, 2020 is the Thanksgiving holiday with some residents traveling at that time he would prefer something later because of the reduced timeframe for neighbors to get together.

Joe Bessler 1341 East 36th Street, Tulsa, OK 74105

Mr. Bessler stated he agrees with the comments of his colleagues. He stated he is concerned that adding the optional development plan will require time to think about and work through the neighbor's options because it can be removed pretty easily. Mr. Bessler stated there's an anxiety that the land can simply be flipped even though the developers have said that's not their intention. He stated the neighbors would like some time to help convince the applicant that a multifamily designation would really be much more logically consistent for the residential commitment that they actually made on Monday evening.

Cindy Woodward 1334 East 36th Street, Tulsa, OK 74105

Ms. Woodward stated the reason neighbors selected the January 6 date is because that was one of the dates that staff offered in their email. She stated there is a large group of residents that aren't available because of holiday travels so they are asking for the very last date that staff offered.

Clark Plost 1330 East 36th Street, Tulsa, OK 74105

Mr. Plost stated the neighbors requested a continuance to January 6, 2020 not only because of the holidays and the traveling but 3 continuances have been granted to this point from the developer side and the neighborhood side have not had a continuance to this point. He stated the applicant held a neighborhood meeting on Monday less than 36 hours of the TMAPC meeting date to give the neighborhood this information, and the neighbors need time to digest it, do the research on it and mobilize the neighborhood that has banded together through this whole process. He stated with the holiday coming up and with COVID numbers really high right now they need until January 6, to do that effectively and to have the neighborhood come together.

Laura Dempsey 1341 East 36th Street, Tulsa, OK 74105

Ms. Dempsey stated she would reiterate what the previous speakers have said. She thinks the impact on this well-developed neighborhood is pretty significant. Ms. Dempsey stated homes are most of the neighborhoods main investments and she feels like 2 days' notice before each of these meetings is not enough. She stated the neighborhood needs to know their legal rights perhaps get an attorney. Ms. Dempsey stated she is concerned about the same things seen in other neighborhoods such as rising crime because of more transients in the neighborhood, more Airbnb's, etc. She stated she would like a more authentic partnership as stated in TMAPC guidelines with the developer. Ms. Dempsey stated when the applicant has a meeting, he not really interested in the views of

the neighborhood he really wants to tell us what they are going to do. She stated the new optional development plan does not change the commercial zoning.

Applicant Comments:

The applicant stated he doesn't believe he needs 45 days or even 30 days to consider the optional development plan. He stated that there's plenty of time to accomplish this by December 2, 2020. The applicant stated there's not a logical basis to the issue at hand and the time request.

Mr. Covey asked if the original proposal continuance was simply to increase the height to 45 feet.

The applicant stated it was to make the zoning consistent with the plan. He stated that someone else had filed the case prior to him and they didn't ask for enough height.

Mr. Covey stated and now what we're talking about is simply switching the current plan to just residential.

The applicant stated, "that's correct".

Ms. Kimbrel asked what hardship it would cause the applicant if this application was continued to January 6, 2021.

The applicant stated there is a tremendous timing hardship, and loss of investment expectations. He stated a lot of money was spent designing this building.

Mr. Blair asked if the applicant could speak a little bit to the durability of the optional development plan versus what was discussed in terms of multifamily? Is that something that could be considered over this period of time?

The applicant stated the optional development plan is a condition that is imposed on the zoning and in order for it to be changed, there would need to be a hearing before the Planning Commission that would be noticed, just like this hearing and then go to City Council to be approved. He stated he doesn't expect that will be very easy to undo.

Mr. Blair stated staff had described upcoming dates for the continuance and there is a middle ground which is December 16, 2020.

The applicant stated December 16 is obviously much better than January 2021.

TMAPC Action; 6 members present:

On **MOTION** of **CRADDOCK**, TMAPC voted **6-0-0** (Blair, Covey, Craddock, Kimbrel, Shivel, Van Cleave, "aye"; no "nays"; none "abstaining"; McArtor, Reeds, Ritchey, Walker, "absent") to **CONTINUE** Item 7 to December 16, 2020.

8. **Z-7578 August Wakat** (CD 6) Location: East of the southeast corner of East Admiral Place and South 225th East Avenue on the south side of Highway 412 requesting rezoning from **AG to IH** (Continued from October 21, 2020)

STAFF RECOMMENDATION:
SECTION I: Z-7578

DEVELOPMENT CONCEPT:

The applicant submitted a request for IH zoning to bring the salvage operations into conformance with the Tulsa Zoning Code. Establish AG zoning for the site during the 2001 annexation process.

DETAILED STAFF RECOMMENDATION:

The subject tract and surrounding properties are located within an Employment Land Use designation in the City of Tulsa Comprehensive plan. The site was annexed into the city with AG zoning and is not part of a small area plan that might provide additional guidance and,

The uses allowed in the requested IH zoning along with normal supplemental regulations is not consistent with the anticipated land use in the area and,

Uses allowed in IL zoning district along with normal supplemental regulations are compatible with the surrounding proximate properties and,

Staff recommends approval of Z-7578 to rezone property from AG to IL to allow a long list of permitted uses that are not available to the property owner today but recommends denial of IH zoning as requested by the applicant. The salvage business will remain a non-conforming use.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: Industrial zoning categories are generally consistent with employment land use designation. The Tulsa Comprehensive plan does not provide clear guidance for locating heavy industrial uses.

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

Transportation Vision:

Major Street and Highway Plan: None

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: Prior to the adoption of the Tulsa Comprehensive Plan a resolution adopting a comprehensive plan for the Town of Fair Oaks was adopted in 1998. This area was included in that comprehensive plan and the current land use designations are generally reflected in the current land use maps.

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is an existing salvage operation. Much of the surrounding property was a coal strip mine. Redevelopment will require salvage and strip mine mitigation.

Environmental Considerations: Redevelopment and expanded uses of this site will require some environmental mitigation.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East Admiral Place	Secondary Arterial	100 feet	2

Utilities:

The subject tract has municipal water service available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	NA	NA	NA	Vacant
East	AG	Employment	Growth	Vacant
South	AG	Employment	Growth	Vacant
West	AG	Employment	Growth	Vacant

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 20244 dated November 20, 2001 established zoning for the subject property.

No records could be found for the subject property or properties within 300 ft of the subject property other than the ordinance above which annexed this property.

(as well as many others into the City of Tulsa's corporate limits from Wagoner County)

Wagoner County was subsequently contacted to see if they had any records for this property prior to its annexation into the City of Tulsa or if they could point staff in the direction of who to else to contact, but staff never received a response.

The applicant has provided a letter from the Wagoner Metro Area Planning Commission dated May 17th, 2010 regarding the non-conforming status of his business/use.

It should be noted all properties included in this ordinance were zoned AG prior to their annexation into the City of Tulsa's corporate limits and remained AG upon their annexation.

TMAPC Comments:

Mr. Craddock asked if IL allows the uses that's currently there.

Staff stated this salvage operation has been in operation for decades. He stated it was in operation in Wagoner County inside the City of Tulsa. Staff stated Wagoner County did not have zoning that guided this property. He stated so it is a non-conforming use that can continue to stay in operation just like it is today without changing any of the zoning. But IL zoning would not satisfy the non-conforming use of the existing salvage yard.

Mr. Craddock asked staff what the impact would be to the neighbors if the IL zoning was approved.

Staff stated if the IL zoning was approved, the Zoning Code requires setbacks from abutting AG and R zoning so there would still be non-conforming buildings on the site so there would be no impact on the current use. He stated the IL would mean it would allow things like a medical marijuana dispensary. Staff stated those kind of uses are not allowed in an AG district, so if approved there would be an opportunity for commercial and office uses and light industry on the site that's not allowed today.

Mr. Covey asked what zoning is needed for marijuana dispensary and why the applicant wants IH.

Staff stated the IH is an attempt to rezone the property to allow the salvage yard. Mr. Covey stated the IL doesn't do anything for the salvage operation. Staff stated "correct".

Mr. Covey stated with regard specifically to the salvage operation, either granting the IL or not granting IL does not affect the applicant one way or another.

Staff stated that is correct with respect to the salvage operation.

Mr. Covey stated but giving the applicant IL would allow them to if they wanted to move the salvage operation it would allow them to do something else if they wanted.

Staff stated "yes". He stated the applicant submitted a building permit application for an interior remodel or a new building and the letter of deficiency came back and said, zoned AG, and he couldn't do that.

Mr. Covey asked if staff was comfortable with the hypothetical of the salvage operation going away and something else whether it be marijuana or something else going in there.

Staff stated the Comprehensive Plan recognize this as an employment area and the IL is typically in line with employment uses.

Applicant Comments:

Gayle Runnels 2021 South Lewis, Tulsa OK

Mr. Runnels stated he represents the applicant August Wakat. He stated his client has been the operator of the salvage yard for about 20 years and has continued to operate in that location. Mr. Runnels stated his client contacted City of Tulsa when he decided to make minor modifications in plumbing and electrical to his business. When it came time for the certificate of occupancy the permit department stated all the work was done correctly but there's no zoning on the property. Mr. Runnels stated his client then spoke with INCOG staff to find out what it took to get the zoning to match his use. He stated staff told him he needed IH zoning and that is what his client applied for. Mr. Runnels stated the intention is not to change the salvage operation in any respect but to continue to do that as needed. He stated that operation is one of the activities that is necessary in our society, where there are 10 to 15 million cars a year and have a life of about 10 years and the salvage is used to answer that particular problem. Mr. Runnels stated in terms of the concerns with the zoning, this is a piece of land that was carved out of the Robson Ranch 30 years ago. He stated in 2000, a portion of that about 4800 acres was added to the City of Tulsa and at the time, there was no notice given to the owner and it would have been appropriate at that time for any zoning or rezoning to be done then. Mr. Runnels stated the entire 4800 acres that came in was given an AG zoning and frankly it was unknown to Mr. Wakat. He stated a concern that has been expressed by Robson Ranch is that this might lead to spot zoning but spot zoning can only happen if an owner of a property desires to change it and they don't own the land for miles in all directions. Mr. Runnels stated his client's position is simply to bring his

property in conformance with its actual use and comply with the rules of the City of Tulsa.

Mr. Covey asked if Mr. Runnels client has any intention of doing any other types of business or is it just salvage?

Mr. Runnels stated It's a salvage yard and any associated uses. He stated medical marijuana is not a circumstance at all.

Mr. Blair asked if adding the designation of IL does anything with regard to the certificate of occupancy.

Mr. Runnels stated any zoning, which is all permitting was asking for, would permit the certificate of occupancy.

Mr. Blair asked even if it was non-conforming.

Mr. Runnels stated the whole activity is non-conforming.

Mr. Covey asked if the applicant is acceptable to IL zoning.

Mr. Runnels stated if the IH is not possible then yes.

Mr. Blair asked staff if the property is IL can the applicant get a Certificate of Occupancy for their modification.

Staff stated the only letter of deficiency that he has seen that had anything to do with a certificate of occupancy was for a dispensary. He stated he believes that, from what was submitted from the applicant, there's other things that have to happen, but this will be the first step in getting a certificate of occupancy.

Interested Parties:

Bart James 7910 South 101st East Avenue, Tulsa OK

Mr. James stated he submitted a packet to staff from himself and Mr. Robson. He stated to summarize that packet he and Mr. Robson would like the denial of the IL zoning. Mr. James stated he hopes that TMAPC will instruct INCOG to do a comprehensive study of the area. He stated he thinks it's been probably been 20 years or more since this area has been looked at. Mr. James stated if the IL zoning is approved there are buildings that sit within that 75 foot setback area and to be able to use those non-conforming buildings for an approved IL use would not be appropriate. He stated the grandfathered use on the subject property is strictly an auto salvage it's not other operations for example, he believes that there's been a scrap metal business going on the subject property and that requires a separate dealer license. Mr. James stated he wants to make

sure that the subject property gets platted and proper sewer or alternatives that are acceptable is installed.

Joe Robson 7665 Timberline Road, Tulsa, OK

Mr. Robson stated his property surrounds the subject property. He stated the attitude seems to be that since this area is so remote you can do whatever you want in this area. Mr. Robson stated this is the first time in a public meeting that the land use in the area has been talked about. He stated the salvage operation started in 1951 before any planning or zoning regulations and has been operating since that time. Mr. Robson stated the problem is this application is trying to expand and legitimize expansion of their business in the non-conforming use. He stated you can't expand your line of business, or the operation of what was grandfathered in if it's a non-conforming use. Mr. Robson stated the applicant has started a metal recycling business and a different permit is needed for that business. It's not part of the same operation. He stated now he wants to do a marijuana outlet. Mr. Robson stated this area is very ripe for development in the not too distant future. He stated he appreciates Mr. Runnels description, but he's completely wrong on being able to use this property for other businesses. He stated this is spot zoning.

Mr. Covey asked what type of zoning would need to take place for this area?

Mr. Robson stated he believes employment is the correct designation.

Mr. Runnels stated the basic statement that you heard from both Mr. Robson and Mr. James, is they want to hold the applicants five acres ransom until they get ready to do something with their 15,000 acres and this is not an appropriate use of the zoning code to restrict use and activities.

Mr. Covey asked City Legal if the IL zoning is approved will that alleviate the applicants concerns regarding the permits that he needs.

Ms. VanValkenburgh stated she doesn't think there would be an issue getting a certificate of occupancy for the salvage operation because its grandfathered in.

Mr. Covey stated he thinks it's the actual permits to do the plumbing work and things like that.

Ms. VanValkenburgh stated she doesn't think that's the case. She stated she believes Mr. Runnels was talking about if they bring in another use and that would not be permitted now and could not be permitted unless it's an AG use or it gets rezoned.

Mr. Covey asked Staff if this is a case that would benefit from an optional development plan giving the applicant the IH but limiting it to the salvage yard and maybe some more uses that are compatible with that.

Staff stated that possibility exists but it has never been brought to us for discussion. He stated he believes IH zoning in this location is not something that staff thinks is appropriate. Staff stated IH zoning is limited around town and staff is very concerned about opening that up at this particular site.

Mr. Covey asked if the applicant needs the IH zoning for the salvage yard or can he have something less.

Staff stated he had to look back at the code but he might be able to do IM and then go to the Board of Adjustment for a special exception but in any case, its IM or IH.

Mr. Craddock stated he knows what the applicant would like but it doesn't make sense to have IL and not have your operation. He stated but he can continue his operation without any zoning. Mr. Craddock stated he is confused of why we need to rezone a tract out in the middle of this area that probably does need to be reviewed but he is inclined to deny the change to IL zoning.

Mr. Blair stated he intends to agree with Mr. Craddock, he knows the non-conforming use is allowed in AG as it is in IL and he doesn't think the approval changes much.

Mr. Covey stated if the specific reason Planning Commission were doing this is for the applicant to obtain the permits to continue to operate as he is right now, he would be more inclined to grant it. But also, if the applicant wants to open a different business and it fits in IL zoning why shouldn't it be allowed if it is embedded in an employment area. Mr. Covey asked if the salvage operation were stripped out and a completely new business went in is staff comfortable with IL zoning in this area.

Staff stated "yes", based on the land use maps. He stated if IH is approval there's no zoning restrictions on how environmentally objectionable that site can be. So, staff felt like treading lightly was a much better plan on this site, based on the land use designations and the lack of infrastructure and development around the property.

Ms. Kimbrel stated nothing that Planning Commission can do is going to allow the appropriate zoning for the applicant to operate the salvage yard.

Staff stated if you approve IH zoning.

Ms. Kimbrel stated Staff is recommending a denial of IH.

Staff stated "correct".

Ms. Kimbrel stated the proposed use is the salvage yard and all other uses allowed by right. She asked if all other uses allowed by right conditional with the IL.

Staff stated "yes". He stated the applicant can still have the salvage yard as a non-conforming use so it can stay just like it has the last 50 years. Staff stated IH would allow that use to become a conforming use and staff doesn't feel like that's appropriate at this site.

Mr. Craddock made a motion to deny this application.

TMAPC Action; 6 members present:

On **MOTION** of **CRADDOCK**, TMAPC voted **2-4-0** (Blair, Craddock, "aye"; Covey, Kimbrel, Shivel, Van Cleave, "nays"; none "abstaining"; McArtor, Reeds, Ritchey, Walker, "absent") to recommend **DENIAL** of the application (IH or IL zoning) for Z-7578.

The motion of denial fails.

Mr. Covey made motion to approve IL zoning per staff recommendation. That motion passes.

TMAPC Action; 6 members present:

On **MOTION** of **COVEY**, TMAPC voted **4-2-0** (Covey, Kimbrel, Shivel, Van Cleave, "aye"; Blair, Craddock, "nays"; none "abstaining"; McArtor, Reeds, Ritchey, Walker, "absent") to recommend **APPROVAL** of the IL zoning for Z-7578 per staff recommendation.

Legal Description for Z-7578 :

04-19-15 A TRCT OF LAND BEING A PORTION OF THE W 10.14 AC OF L-1 DES C COMM FROM THE NW CORNER OF SD TRACT ON A BEARING OF S 01 DEG 35'25" E A DIST OF 283.13' TO POB - N 88 DEG 45'34" E A DIST OF 660.91' TO A PT ON THE EAST LINE OF TH EW 10.14 AC OF SAID L-1 -S-01 DEG 32'28" EA DIST OF 385 64' TO PT ON THE S LINE OF SD L 1 - S 88 DEG 40'38" W A DIST OF 660.57' TO PT BEING THE SW COR OF L-1 - N 01 DEG 35'25" W DIS OF 386.59' TO POB CONT 5.86 AC (W2 OF L-1 CONT 10.14 AC)

9. **Z-7583 Fernando Bejarano** (CD 1) Location: Northeast corner of East 41st Street North and North Columbia Avenue requesting rezoning from **RS-3 to AG**

STAFF RECOMMENDATION:
SECTION I: Z-7583

DEVELOPMENT CONCEPT: The subject property is zoned RS-3 but has never been developed. The property abuts a large area in northwest Tulsa that is zoned AG is unlikely to see residential developed as a new neighborhood. The applicant seeks to rezone to AG to allow all agriculture uses until an opportunity for future development when the property can be appropriately zoned.

DETAILED STAFF RECOMMENDATION:

Use allowed in an AG district allow very low-density residential and other uses and serves as a holding zone pending an orderly transition to a more urban development that can be efficiently served by public facilities and services are generally compatible with the surrounding uses and,

Uses allowed in the AG district are consistent with the anticipated future development of surrounding properties and,

Infrastructure for streets and utilities is sufficient for uses anticipated and there are no known environmental concerns for redevelopment of this property in an AG district,

The requested AG zoning will support redevelopment of the existing buildings on the property therefore,

Staff recommends Approval of Z-7583 to rezone property from RS-3 to AG.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

***Staff Summary:** AG zoning is typically used a holding pattern zoning for property in the City that also can be used for very low-density residential uses. Anticipated future development will require rezoning as supported by the Existing Neighborhood land use designation.*

Land Use Vision:

Land Use Plan map designation: Existing Neighborhood

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

Areas of Stability and Growth designation: Area of Growth

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

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

Transportation Vision:

Major Street and Highway Plan: None

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *The site has never been developed as a residential use and is on the edge of the Tulsa City Limits.*

Environmental Considerations: None that affect AG zoning or future rezoning considerations for neighborhood development.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 41 st Street North	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	RS-3	Existing Neighborhood	Growth	Single family
East	CS	Existing Neighborhood	Growth	Commercial (auto repair)
South	RS-3	Existing Neighborhood	Growth	School Traice Academy
West	AG	New Neighborhood	Growth	Large lot Single family home

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11802 dated June 26, 1970 established zoning for the subject property.

Subject Property:

No Relevant History.

Surrounding Property:

BOA-13645 July 1985: The Board of Adjustment **approved** a *Special Exception* to permit a head start program in Lindsey Elementary School in an RS-3 zoned district, subject to the program working with the Tulsa Public School System and the number of students being limited to 70, on property located at 2740 East 41st Street North.

BOA-06235 March 1969: The Board of Adjustment **determined** that the use is a legal non-conforming **approved** an *Exception* to permit a 30,000 square foot addition to an existing school in a U-1C district, on property located at the southwest corner of Delaware and 41st Street North.

BOA-02849 June 1956: The Board of Adjustment **granted** the First Baptist Church permission to use the E ½ of SE ¼, SE ¼, NW ¼, of Section 17-10-13 for church purposes.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Comments:

Mr. Craddock asked what the applicant was using the subject property for.

The applicant stated for cattle and goats and growing fruits and vegetables.

TMAPC Action; 6 members present:

On **MOTION** of **COVEY**, TMAPC voted **5-1-0** (Blair, Covey, Kimbrel, Shivel, Van Cleave, "aye"; Craddock, "nays"; none "abstaining"; McArtor, Reeds, Ritchey, Walker, "absent") to recommend **APPROVAL** of AG zoning for Z-7583 per staff recommendation.

Legal Description for Z-7583:

W/2 W/2 SE SE NW SEC 17 20 13

* * * * *

10. **CO-9 Planning Design Group, Katy O'Meilia** (CD 7) Location: North of the northwest corner of East 88th Street South and South Mingo Road requesting **Corridor Development Plan**

STAFF RECOMMENDATION:

SECTION I: CO-9

APPLICANTS DEVELOPMENT CONCEPT:

8600 S. Mingo is a ± 20-acre parcel of land located on the west side of S. Mingo Road mid-block between 81st Street and 91st Street. The property is bounded on the north by Meadowbrook Golf Course, S. Mingo Rd. on the east, agricultural land to the south, and a combination of floodplain and the Shadow Ridge Estates neighborhood to the west.

Current development patterns in the projects immediate area include suburban style

apartments located on the east side of S. Mingo Rd., single-family residential at the southwest corner of the project site, and undeveloped agricultural and golf course properties. North of the project site at the E. 81st Street and S. Mingo Rd intersection is a mix of commercial strip style development, fast food establishments, a hotel, and professional offices. East of the intersection adjacent to Highway 64 is the Tulsa Community College Southeast Campus. South of the project site at the E. 91st St. and S. Mingo Rd. intersection includes undeveloped agricultural land planned for medical development and a gas station located on the southeast corner. Just east of the intersection is the Hillcrest Hospital's South campus, The Utica Park Clinic, a hotel, professional offices, and the St. Francis Hospital South Campus. Existing zoning patterns between 81st and 91st along S. Mingo Rd. included a mix of corridor zoning, several PUD's, Office, commercial, multi-family, and two tracts of RS-3 residential zoning.

The 8600 S. Mingo Rd. rezoning application is a proposed Corridor ~~Overlay~~ Zoning District consisting of Mixed-Use, Residential, Retail, Restaurant, Office, Professional Medical Offices, and Senior/Assisted Living facilities. These proposed land uses are consistent with existing and planned development patterns within the project area.

The Corridor ~~Overlay~~ Development area is proposed to be served by a combination of public and private streets. The developments main entrance will be from S. Mingo Road. A centrally located public street is envisioned to run through the site with future public street connection points that allow north and south bound vehicular access from the project site.

A significant amount of Tulsa Regulatory Floodplain bisects the site. The taller, more intense land uses are planned to occur east of the floodplain, with the tallest buildings being allowed along the S. Mingo Rd. frontage. Less intense office and senior living uses are planned for areas west of the floodplain. These development tracts limit height and require greater setbacks and screening where adjacent to the existing single-family neighborhood in the southwest corner of the site.

Open space in the form of detention ponds, plazas, streetscapes, and parks are planned for the site. The open space will be dispersed throughout the project site and will serve as amenity space for future development.

DETAILED STAFF RECOMMENDATION:

Uses and development standards outlined in CO-9 are consistent with the new neighborhood land use designation in the Tulsa Comprehensive Plan and,

~~Permitted Uses, building types and supplemental standards outlined in CO-9 are consistent~~ The corridor development plan is consistent with the provisions of the ~~Corridor chapter of the~~ stated purposes of the Tulsa Zoning Code and,

~~Anticipated development as allowed in CO-9 is consistent with the development pattern in this area of Tulsa and,~~
The corridor development will be compatible with the existing and expected development of surrounding areas,

~~The development plan provides appropriate internal vehicular circulation system that is consistent goals of the Corridor chapter of the Tulsa Zoning Code and,~~
Provisions have been made for proper access, circulation, and functional relationships of uses and,

The corridor development plan is a unified treatment of the development possibilities of the project site and,

The development plan has provided adequate consideration for the existing environmental conditions specifically as it relates to the storm water drainage on the site and provided some level of protection for wildlife habitat on the western edge of the site and,

The applicant has met with many of the surrounding property owners and has had meaningful neighborhood engagement therefore,

Staff recommends Approval of CO-9 to rezone property from AG to CO-9 as outlined in Section II below.

SECTION II: CORRIDOR DEVELOPMENT PLAN

1. Development Area A Standards

Gross Land Area: +/- ~~40~~ 11.3 acres

A. Permitted Use Categories, Subcategories, and Specific Uses for Development Area A

Residential - Limited to subcategories and building types below.

- Household Living – [Single, Two, Three or more households on single lot]

Residential uses may be permitted only in the following building types.

- Mixed-use building
- Vertical mixed-use building

Group Living – Limited to the following specific uses

- Assisted Living
- Community Group Home
- Elderly/Retirement Center

- Life Care Retirement Center

Public, Civic, and Institutional – Limited to all specific uses included in the subcategories identified in listed below:

- Governmental service or Similar Functions
- Hospital
- Parks and Recreation
- Natural Resource Preservation
- Safety Services

Commercial – Limited to all specific uses included in the subcategories identified in the Tulsa Zoning Code listed below:

- Financial services
- Lodging – limited to specific hotel use
- Office
- Restaurants and bars
- Retail Sales
- Studio, Artist, or Instructional Services

B. Lot & building Regulations for Development Area A

Maximum Building Coverage	75% of net lot area
Minimum lot size	43,560 10,890 square feet
Open space per dwelling unit	600 square feet per unit on the lot where the dwelling unit is located.
Minimum Building Setbacks (feet)	
From the north boundary	30
From the east boundary / S. Mingo Rd.	10
From the south boundary	30
From the west boundary / Floodplain	0
Internal lot lines	0
Maximum Building Height (stories/feet)	
Any building within 200 feet of the Mingo Road planned right of way.	Unlimited
Remainder of Development Area	75'

C. Minimum Off-Street Parking & Bicycle Parking Spaces Requirements

Parking standards shall apply as required by Chapter 55 of the Tulsa Zoning Code.

2. Development Area B Standards

Gross Area: +/- ~~3.88~~ 5.3 acres

A. Permitted Use Categories, Subcategories, and Specific Uses for Development Area B

Group Living – limited to specific uses below

- Assisted Living
- Community Group Home
- Elderly/Retirement Center
- Life Care Retirement Center

Commercial – Limited to all specific uses included in the subcategories identified in the Tulsa Zoning Code listed below:

- Office

B. Lot & building Regulations for development area B

Maximum Building Coverage	40% of net lot area
Minimum Lot Area	43,560 10,890 square-feet
Open space per dwelling unit	600 square feet per unit on the lot where the dwelling unit is located.
Minimum Building Perimeter Setbacks (feet)	
From the north boundary	30
From the east boundary / Floodplain	0
From the south boundary	20
From the west boundary	30
Maximum Building Height (feet)	
Building or any part of a building within 200 feet of the west edge of the development area	2 stories / 30'
Building or any part of a building further than 200 feet from the west edge of the	3 stories / 40'

development area.	
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C. Minimum Off-Street Parking & Bicycle Parking Spaces Requirements

Parking standards shall apply as required by Chapter 55 of the Tulsa Zoning Code.

3. Development Area C Standards

Gross Area: +/- ~~2.95~~ 3.4 acres

A. Permitted Use Categories, Subcategories, and Specific Uses for Development Area C

Group Living – limited to specific uses below

- Assisted Living
- Community Group Home
- Elderly/Retirement Center
- Life Care Retirement Center

Commercial – Limited to subcategories below

- ~~Light~~ Office

B. Lot & building Regulations for development area C

Minimum Maximum Building Coverage	40% of net land area
Minimum Lot Area	43,560 10,890 square feet
Open space per dwelling unit	600 square feet per unit on the lot where the dwelling unit is located.
Minimum Building Perimeter Setbacks (feet)	
From the north boundary	30
From the east boundary / Floodplain	0
From the south boundary	20
From the west boundary	100
Maximum Building Height (feet)	2 stories/ 30'

~~* Second floor windows facing west are prohibited.~~

*West facing windows on the second floor may only be allowed if required by the building code. In that instance windows may be allowed but must be opaque.

C. Minimum Off-Street Parking & Bicycle Parking Spaces Requirements

Parking standards shall apply as required by Chapter 55 of the Tulsa Zoning Code.

4. General Provisions for all three development areas.

A. All the applicable supplemental regulations referenced in table 25-4 of the Tulsa zoning code for use in a CO zoning district apply.

B. Landscape & Screening Requirements

- All required landscaping shall be installed and irrigated in accordance with the provisions of the Landscape Chapter 65 of the Tulsa Zoning Code.
- A portion of the southwest corner of Development Area C contains Tulsa Regulatory Floodplain. The portion of the southwest corner abutting existing single-family homes where future stormwater detention is not required, shall maintain the existing tree canopy that falls within the required 100-foot building setback.
- A min. 6 ft. tall opaque screening fence shall be constructed and maintained by the property owner's association along the entire length of on the site's western property line.
- Fencing locating in the project areas southwest corner shall be designed to satisfy the Tulsa Regulatory Floodplain regulations.
- In addition to the landscape requirements in the Tulsa Zoning Code, Development Area C additional screening shall also be provided by planting evergreen trees within a 30-foot-wide landscape buffer along the west boundary of Area C. Said evergreen trees must meet or exceed the minimum tree size outlined in the Tulsa Zoning Code for a large tree at the time of planting. Trees shall be planted in a line or grouped so not more than 40 feet of spacing exist between trees.

Parking considerations

- The ground floor of parking structures must be screened from view of abutting public sidewalks by a liner building and/or landscape screening. The street-facing façade of parking structures must be oriented horizontally (maintain a horizontal line) on all street-facing facades, so that the sloping nature of parking floors is not repeated on the exterior façade.

- Surface parking lots and all vehicular use areas abutting public or private streets must satisfy the provisions for a street frontage buffer in the Tulsa zoning code.

C. Access, Circulation and Lot Frontage

- The Corridor Development plan will have a maximum of two access points to S. Mingo Rd.
- The development will consist of both public and private streets. At a minimum, the public streets will connect vehicular traffic from the S. Mingo Rd. entrance, through the development, and provide both a public stub out street to the north of the property and to the south of the property (See Exhibit F: Street Diagram).
 - The north and the south stub out locations depicted on the conceptual site plan are proposed locations. Final locations shall be determined during the subdivision compliance plan phase of development.
 - North and South stub outs shall be public streets and accommodate future development.
 - Lots are not required to have frontage on a public or private street however provisions for vehicular and pedestrian access to any public or private street must be provided on the subdivision plat.
- Sidewalks shall be constructed on both sides of public and private streets as defined in the Tulsa Subdivision and Development Regulations.

D. Open Space (Stormwater & Drainage, noted as a floodplain area on the concept plan)

- Large areas of open space are illustrated on the conceptual plan and will be maintained by a property owners association established as defined in the subdivision regulations. The open space shall be for the common benefit of the property owners in the development plan area.

E. Signage

- All signage within the 3600 Mingo CO District shall comply with Corridor District signage standards required in the City of Tulsa Zoning Code Chapter 60.090-C.
- CO District signage regulations with the additional limitations as follows.
 - Internally Illuminated wall signage on any west facing wall is prohibited.
 - Dynamic display signage is prohibited
 - All free-standing signage shall be monument style signage.

F. Lighting

- All development within the 3600 Mingo CO ~~Overlay~~ District shall comply with City of Tulsa Chapter 67 Outdoor Lighting regulations.
- Exterior lighting shall be limited to shielded fixtures designed to direct light downward and away from adjoining and nearby residential properties, provided that decorative lighting directed from ground level toward a building shall be permitted. Shielding shall be further designed to prevent the light producing element or reflector of the light from being visible to a person standing within a residential district.

G. Trash, Mechanical, and Equipment Areas

- All trash, mechanical, and equipment areas (including utility service transformers, pedestals, or other equipment provided by franchise utility providers), including building mounted shall be screened from public view in such a manner that such areas cannot be seen by person standing at ground level.
- Trash dumpsters shall be screened by masonry construction with solid material doors and conform to the screening provisions outlined in Section 65.070 of the Zoning Code

H. Site Plan Review

- No building permit shall be issued until a detailed site plan has been submitted to the TMAPC and approved as following the mandatory development plan provisions of the Tulsa Zoning Code.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: CO-9 supports a wide range of residential uses as normally contemplated in the new neighborhood vision and it also includes opportunities for a broader range of uses including office and residential uses closer to Mingo.

Land Use Vision:

Land Use Plan map designation: New Neighborhood

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

Areas of Stability and Growth designation: Area of Growth

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

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are 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:

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *The site is undeveloped except a single-family home and accessory structures.*

Environmental Considerations: The significant environmental concern on this site is storm water drainage and possible regulatory floodplain considerations.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Mingo Rd.	Secondary Arterial	100 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	AG	Park and Open space	Growth	Golf course / country club
East	CO/PUD-559	Regional Center	Growth	Multi Family
South	AG	New Neighborhood	Growth	Undeveloped
West	RS-3 / PUD298	Existing neighborhood	Stability	Single Family residential and open space with flood plain

SECTION IV: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11829 dated June 26, 1970 established zoning for the subject property.

Subject Property:

No Relevant History.

Surrounding Property:

CO-8 March 2019: All concurred in **approval** of a request for a *Corridor Development Plan* on a 29.83± acre tract of land for healthcare (Veterans Administration Clinic)/mixed-use, on property located at the northeast corner of East 91st Street South and South Mingo Road.

CO-6 May 2018: All concurred in **approval** of a request for a *Corridor Development Plan* on a 5.12± acre tract of land for a skilled nursing facility, on property located at the northwest corner of East 88th Street South and South 101st East Avenue.

Z-7003/PUD-721 January 2006: All concurred in **approval** of a request to rezone a 40± acre tract of land from AG to CS/OL/RS-3 and **approval** of a proposed *Planned Unit Development* for commercial, office, and residential, on property located south of the southwest corner of East 71st Street South and South Yale Avenue.

PUD-559/Z-5888-SP-1 May 1997: All concurred in **approval** of a proposed *Planned Unit Development Corridor Development Plan* on a 111.34± acre tract of land for multi-family and office, as modified by staff and the Planning Commission, on property located north and east of East 91st Street South and South Mingo Road.

PUD-298 December 1982: All concurred in **approval** of a proposed *Planned Unit Development* on a 120± acre tract of land for residential and multi-family, on property located 91st Street and South 91st East Avenue.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

Interested Parties:

Lori Decter Wright 175 East 2nd Street, Tulsa, OK

Ms. Wright is a Tulsa City Councilor. She thanked the Tulsa Planning Office staff and the applicants for working with the residents of the existing neighborhood.

Ms. Wright stated she lives in this neighborhood and she let the neighbors know that she would be here today just to let Commissioners know that there has been a series of meetings about this property and they understand that they could be setting some precedent as that west side of that corridor begins to rezone and build out from AG. She stated the biggest consideration will be the existing golf course.

Ms. Kimbrel asked if there is objection to the application.

Ms. Wright stated the initial application had some neighbors on the curve that had been there for 30 years, concerned obviously, because they backed up to a very forested backyard view. There's wildlife in that area, there's an existing Creek and flooding that is already happening in that area. She stated their understanding is, after the rezoning when development starts to happen, they'll look further into that and that will be worked out. Ms. Wright stated she thinks the compromise is acceptable to the existing neighborhood.

TMAPC Action; 6 members present:

On **MOTION** of **COVEY**, TMAPC voted **6-0-0** (Blair, Covey, Craddock Kimbrel, Shivel, Van Cleave, "aye"; no, "nays"; none "abstaining"; McArtor, Reeds, Ritchey, Walker, "absent") to recommend **APPROVAL** of the Corridor Development Plan for CO-9 per staff recommendation.

Legal Description for CO-9 :

THE NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (N/2 NE/4 SE/4) OF SECTION THIRTEEN (13), TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION THIRTEEN (13); THENCE N 01°18'59" W, ALONG THE EAST LINE OF SAID SECTION THIRTEEN (13), A DISTANCE OF 1980.10 FEET TO THE SOUTHEAST CORNER OF SAID NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER THE POINT OF BEGINNING.

THENCE S 88°29'32" W, ALONG THE SOUTH LINE OF SAID NORTH HALF OF THE SOUTHEAST QUARTER, A DISTANCE OF 1,319.15 FEET TO THE WEST LINE OF THE SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER; THENCE N 01°20'23" W, ALONG THE WEST LINE OF SAID NORTH HALF OF THE SOUTHEAST QUARTER, A DISTANCE OF 659.90 FEET TO THE NORTHEAST CORNER OF SAID NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER; THENCE N 88°29'31" W, ALONG THE NORTH LINE OF SAID NORTH HALF OF THE SOUTHEAST QUARTER, A DISTANCE OF 1319.42 FEET TO THE EAST LINE OF SAID SECTION THIRTEEN (13); THENCE S01°18'59"E, ALONG THE EAST LINE OF SAID SECTION THIRTEEN, A DISTANCE OF 660.03 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 872,560 SQUARE FEET, OR 20.03 ACRES MORE OR LESS.

The Mayor addressed the Planning Commission on the importance of wearing their masks in City Hall.

11. **CPA-92** Consider adoption of the **Plan 66** (Route 66 Master Plan update) Executive Summary and Chapter 5-Recommendations as an amendment to the Tulsa Comprehensive Plan.

STAFF RECOMMENDATION:

Item

Consider adoption of the **Plan 66** Executive Summary and Chapter 5, Recommendations, as an amendment to the Tulsa Comprehensive Plan.

Background

Over the past 15 years since the original Route 66 Enhancements and Promotion Master Plan of Development (2005) was released, several initiatives have been implemented, accounting for a list of successes. Last year, a Master Plan update was commissioned to the Tulsa Planning Office by the City of Tulsa and the Route 66 Commission to continue working and improving on previous recommendations.

The update, Plan 66, envisions the route as a place that will draw locals and visitors to celebrate its heritage significance. Tulsa's 2005 Route 66 Master Plan was based on an intensive program that pumped economic development through capital improvement investment. Plan 66 focuses on leveraging past project implementation to encourage private investment, preservation, promotion and celebration of the route, and to cater to a more diverse crowd. Under Plan 66's vision, Route 66 in Tulsa will continue to become an attractive destination; a source of employment that favors economic growth and opportunity creation; and a landmark for Tulsa.

Plan 66 focuses on 4 main goals: Preservation, Revitalization, Connection and Celebration. Staff researched case studies and past efforts along the Route; did data analysis and mapping to identify assets and compare before and after conditions during the past 15 years; compiled a list of projects implemented and their impact; conducted an outreach process that included a workshop meeting with a Steering Committee, one-on-one interviews with subject matter experts, a business and culture roundtable, launched a public survey that gathered over

1000 responses; and drafted final recommendations and a list of implementation resources.

Staff presented the draft plan to the Planning Commission at an October 21, 2020 Work Session. Staff has also worked with and provided periodic updates to the Route 66 Commission during the process. Plan 66 presented at the Route 66 Commission's November 10, 2020 meeting and received a recommendation of approval to carry forward through the Planning Commission and City Council process.

Comprehensive Plan Conformance

Plan 66 is in conformance with the following Priorities, Goals, and Actions of the Tulsa Comprehensive Plan:

Comprehensive Plan Priorities	Plan 66 Goals
LAND USE: For new and existing businesses and for residential neighborhoods, including mixed-use developments.	PRESERVATION and REVITALIZATION: Stabilize and adaptively reuse while investing in new construction for businesses and housing including mixed-use developments.
TRANSPORTATION: A wide variety multi-modal choices to reach destinations.	CONNECT: Multi-modal transportation along Rt 66 and via Route 66 and other Tulsa destinations.
ECONOMIC DEVELOPMENT: Expand opportunity and improve quality of life.	REVITALIZATION and CELEBRATE: Investment into commercial and residential property; create public spaces enjoyed by residents and tourists.
HOUSING: Provide a range of housing types and prices.	REVITALIZATION: Encourage private investment to also keep abutting neighborhoods affordable.
PARKS, TRAILS and OPEN SPACES: Accessible public spaces connected to residential neighborhoods.	CELEBRATE: Provide public open spaces along Route 66, which create outdoor opportunities for events and diversity of culture.

Staff Recommendation

Staff recommends that TMAPC adopt **Plan 66** Executive Summary and Chapter 5- Recommendations as an amendment to the Tulsa Comprehensive Plan.

There were no interested parties wishing to speak.

TMAPC Action; 6 members present:

On **MOTION** of COVEY, TMAPC voted **6-0-0** (Blair, Covey, Craddock, Kimbrel, Shivel, Van Cleave, “aye”; no “nays”; none “abstaining”; McArtor, Reeds, Ritchey,

Walker, "absent") to **ADOPT** Plan 66 as an amendment to the Comprehensive Plan of the per staff recommendation.

* * * * *

12. **TCCP-4** consider adoption of an amendment to the **Comprehensive Plan of the Tulsa Metropolitan Area** for unincorporated areas within the unincorporated areas of North Tulsa County, West Central Tulsa County and Turley.

STAFF RECOMMENDATION:

Item

TCCP-4 consider adoption of an amendment to the Tulsa County Comprehensive Land Use Plan for unincorporated areas within the unincorporated areas of North Tulsa County, West Central Tulsa County and Turley.

Background

Comprehensive Land Use Maps of the unincorporated areas in North Tulsa County, West Central Tulsa County and Turley have been prepared for adoption. On November 18, 2020, TMAPC will be asked to adopt these maps into the Tulsa County Comprehensive Land Use Plan.

The Tulsa County Comprehensive Plan will serve as a guide to decision makers when determining Land Use decisions in these unincorporated areas of Tulsa County. The following unincorporated areas within the fenceline of these municipalities were adopted by Tulsa Metropolitan Area Planning Commission on June 19, 2019 and approved by Tulsa County Commission on August 15, 2019: Bixby, Glenpool, Jenks, Owasso, and Skiatook (TCCP-1). Additionally, the unincorporated areas within the fenceline of the following municipalities were adopted by Tulsa Metropolitan Area Planning Commission on August 21, 2019 and approved by Tulsa County Commission on September 9, 2019: Collinsville and Sperry (TCCP-2). On October 7, 2020, the unincorporated areas within the fencelines of Broken Arrow and Sand Springs along with the unincorporated areas in South Tulsa County and Keystone area (TCCP-3) were adopted by Tulsa Metropolitan Area Planning Commission and were approved by Tulsa County Commission on October 26, 2020.

The area we are calling **North Tulsa County** was previously a part of the North Tulsa County Comprehensive Plan 1980-2000. The plan has been revised to better reflect current growth trends and land uses.

The area we are calling **West Central Tulsa County** was previously included in several District Plans: District 8 (1976), District 9 (1976) and District 10 (1976). Other portions of the plan area were never included in the Tulsa County Metropolitan Area Comprehensive Plan.

The area we are calling **Turley** was previously part of the District 24 Plan (1976) and the North Tulsa County Comprehensive Plan 1980-2000. This area includes the community of Turley.

All areas have received public input into the desired Land Use Plan through community surveys, Community Advisory Team input, a public meeting was held in Turley, and a virtual public meeting was held in the West Central Tulsa area. **These final three plans will complete the Tulsa County Comprehensive Land Use Plan.**

Staff Recommendation

Staff recommends that TMAPC adopt an amendment to the Comprehensive Plan of the Tulsa Metropolitan Area for the unincorporated areas of Tulsa County referred to as North Tulsa County, West Central Tulsa County, and Turley.

There were no interested parties wishing to speak.

TMAPC Action; 6 members present:

On **MOTION** of **COVEY**, TMAPC voted **6-0-0** (Blair, Covey, Craddock, Kimbrel, Shivel, Van Cleave, "aye"; no "nays"; none "abstaining"; McArtor, Reeds, Ritchey, Walker, "absent") to **ADOPT** TCCP-4 as an amendment to the Comprehensive Plan of the Tulsa Metropolitan Area per staff recommendation.

OTHER BUSINESS

13. Commissioners' Comments

Mr. Craddock expressed his concerns about the Mayor's comments. He thought it could have been handled in a more professional way to help the Commissioners understand better what they have been working through for the past six months. Mr. Craddock stated he thought there was a public speaking exception to the mask mandate.

* * * * *

ADJOURN

MAPC Action; 6 members present:

On **MOTION** of **COVEY**, TMAPC voted **6-0-0** (Blair, Covey, Craddock, Kimbrel, Shivel, Van Cleave, "aye"; no "nays"; none "abstaining"; McArtor, Reeds, Ritchey, Walker, "absent") to **ADJOURN** TMAPC meeting of November 18, 2020, Meeting No. 2830.

ADJOURN

There being no further business, the Chair declared the meeting adjourned at 2:17 p.m.

Date Approved:

12-02-2020


Chairman

ATTEST:


Acting Secretary