

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 2850

Wednesday, September 15, 2021, 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	Adams	Davis	Jordan, COT
Covey	Craddock	Foster	Skates, COT
Kimbrel	Reeds	Hoyt	VanValkenburgh, Legal
Shivel	Zalk	Miller	
Walker		Sawyer	
Whitlock		Wilkerson	
		Hulse	
		Ulmer	

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Monday September 13, 2021 at 1:40 p.m., posted in the Office of the City Clerk, as well as in the Office of the County Clerk.

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

After declaring a quorum present, Chair Covey called the meeting to order at 1:00 p.m.

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

REPORTS:

Chairman's Report:

None

Director's Report:

Ms. Miller reported on City Council actions and other special projects. She introduced Dylan Siers who is a new employee in the Tulsa Planning Office.

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Minutes:

1. Minutes of September 1, 2021 Meeting No. 2849

Approval of the minutes of **September 1, 2021 Meeting No. 2849**

TMAPC Action; 6 members present:

On **MOTION** of **WALKER**, the TMAPC voted 6-0-0(Blair, Covey, Kimbrel, Shivel, Walker, Whitlock, “aye”; no “nays”; none “abstaining”; Adams, Craddock, Reeds, Zalk, “absent”) to **APPROVE** the minutes of September 1, 2021 Meeting No. 2849

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.

Item #2 was removed from Consent Agenda and placed on Public Hearing.

PUBLIC HEARING-REZONING

2. **Z-6051-SP-2f Katy O’Meilia** (CD 7) Location: East of the southeast corner of South Mingo Road and East 82nd Place South requesting a **Minor Amendment** to a Corridor Development Plan requesting modifications to window requirements, add evergreen screening, and add restrictions on lighting and trash pickup time

STAFF RECOMMENDATION:

SECTION I: Z-6051-SP-2f Minor Amendment

Amendment Request: Modify the Corridor Plan to revise window requirements, add evergreen screening, and add restrictions on lighting and trash pickup time.

Currently windows on the south and east side are to be for decorative purposes only. The applicant proposes that windows on the second floor, east side be allowed, but required to be frosted, rectangular, transom style windows with a minimum bottom sill height of 7 feet. First floor windows on the east side are not required to be frosted but are to be a standard height that does not allow for visibility over the required 8 foot masonry screening wall. Windows on the north, west and south sides of the building would not be subject to these requirements.

In addition, the applicant proposes to add the restriction that all lighting on the east side of the building shall utilize cut off style fixtures that direct light downward and shall be placed at or below the 8 foot screening wall height.

Evergreen screening is proposed to be required along the east property line, running the length of the building. The trees are to be located in a landscape strip provided between the parking area and the required 8 foot masonry screening wall. The evergreen trees shall be a minimum of 2" caliper and a minimum of 10 feet in height at the time of installation.

The hours for trash pickup are proposed to be limited to 7:00 am – 7:00 pm.

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

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

Staff has reviewed the request and determined:

- 1) The requested amendment does not represent a significant departure from the approved development standards in Z-6051-SP-2.
- 2) All remaining development standards defined in Z-6051-SP-2 and subsequent amendments shall remain in effect.

With considerations listed above, staff recommends **approval** of the minor amendment request to revise window requirements, add evergreen screening, and add restrictions on lighting and trash pickup time.

Applicant Comments:

Katy O’Meilia 203 Utica Square, Tulsa, Oklahoma 74114

The applicant stated this case might look familiar because TMAPC saw it a couple of months ago. She stated since that denial they went back and had the

District City Councilor facilitate a meeting with the neighbors. Those discussions resulted in the current application. She stated all the items in the current application were agreed upon by the residents and the applicant and is a path forward so the property owner could get their office building built. She stated she feels like they have accommodated every request that the homeowners asked for in those meetings and asks that Planning Commission approve the application.

Interested Parties:

Derek Steeley 8232 S. 100th E. Avenue, Tulsa, OK 74133
Mr. Steeley stated he supports this application.

Lori Dector Wright, District 7 City Councilor, 175 E. 2nd Street, Tulsa, OK 74103
Councilwoman Dector Wright confirmed that there were a couple of meetings to find concessions. She stated that Mr. Steele was one of the residents whose property was affected along with another neighbor. She stated they were able to work through some concerns and is very grateful that the applicant was able to make the accommodations that are outlined before TMAPC. Councilwoman Dector Wright stated she supports the recommendation.

TMAPC Action; 6 members present:

On **MOTION** of **WHITLOCK**, TMAPC voted **6-0-0** (Blair, Covey, Kimbrel, Shivel, Walker, Whitlock, “aye”; no “nays”; none “abstaining”; Adams, Craddock, Reeds, Zalk, “absent”) to **APPROVE** Item 2 per staff recommendation.

Legal Description: Z-6051-SP-2f:

Development Area B
Part of Lot 4, Block 1 South Mingo Plaza

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- Z-7617 Alexis Overstreet** (CD 1) Location: East and south of the southeast corner of North Hartford Avenue and East 49th Street North requesting rezoning from **RS-3 to RM-0**

STAFF RECOMMENDATION:

SECTION I: Z-7617

DEVELOPMENT CONCEPT: The applicant has requested RM-0 zoning because it is the least intensive multifamily zoning district in the Tulsa Zoning Code and allows a wide variety of housing options. RM-0 zoning allows a detached house, patio house, townhouse, cottage house development, duplex, multi-unit house and apartment/condo development. This is a similar concept

that is supported by the Neighborhood Infill Overlay concept that has been included in the Tulsa Zoning Code.

The lot is approximately .34 acres or 14,810 square feet. RM-0 zoning on this corner will require 1200 square feet of open space and 2900 square feet for each dwelling unit so the parcel size would ultimately allow a maximum of three dwelling units. By comparison the existing RS-3 zoning would allow for a lot split resulting in potentially 2 dwelling units. The logistics for additional utility infrastructure makes a lot split unlikely at this location.

DETAILED STAFF RECOMMENDATION:

Z-7617 is in the Existing Neighborhood land use designation. RM-0 zoning is consistent with the goals of the Comprehensive Plan to provide opportunities for small scale infill projects that provide a variety of housing choices. RM-0 zoning provides building type opportunities to accomplish those goals and,

The existing RS-3 zoning does not allow apartment/condo development however this lot is large enough for a lot split and could ultimately support up to 2 dwelling units. RM-0 zoning requires 1200 square feet of open space per dwelling unit in a triplex configuration. This site is near the Osage Prairie trail system and provides direct trail access to downtown and the rest of the trail system that ends in Skiatook. Increased opportunities for density on the site are mitigated by a 35-foot-tall building height in both the RS-3 and RM-0 zoning district and,

RM-0 zoning allows uses and building types that are consistent with the Existing Neighborhood land use designation therefore,

Staff recommends approval of Z-7617 to rezone property from RS-3 to RM-0.

Land Use Plan map designation: Existing Neighborhood

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

Areas of Stability and Growth designation: Area of Stability

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

Transportation Vision: None that affect this site

Major Street and Highway Plan: None

Trail System Master Plan Considerations: None on site however the property is within two hundred feet of the Osage Prairie trail system. The neighborhood does not provide a direct connection to the trail from this site.

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The parcel is empty with several large trees and a concrete slab and drive.

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
North Johnstown Avenue	None	50 feet	2 lanes without curb
East 48 th Street North	None	50 feet	2 lanes without curb

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	Stability	Single Family Residential
East	RS-3	Existing Neighborhood	Stability	Single Family Residential
South	RS-3	Existing Neighborhood	Stability	Single Family Residential
West	RS-3	Existing Neighborhood	Stability	Single Family Residential

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11914 dated September 1, 1970, established zoning for the subject property.

Subject Property: None

Surrounding Property:

BOA-15175 June 1989: The Board of Adjustment **approved** a *Variance* to permit required front yard setback from 25' to 18' more or less, and a Variance of the required side yard setback from 5' to 4' to allow for an addition to the existing dwelling; per plot plan submitted; on property located at Lot 10, Block 4, Amended Fairhill Addition

BOA-5021 April 1966: The Board of Adjustment grants **approval** of a waiver to permit erection of a car port three feet from side yard on Lot 7, Block 4, Fairhill Addition, on property located at Lot 7, Block 4, Fairhill Addition.

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 **WALKER**, TMAPC voted **6-0-0** (Blair, Covey, Kimbrel, Shivel, Walker, Whitlock, "aye"; no "nays"; none "abstaining"; Adams, Craddock, Reeds, Zalk, "absent") to recommend **APPROVAL** of the RM-0 zoning for Z-7617 per staff recommendation.

Legal Description Z-7617:

LT 9, BLK 3, FAIRHILL ADDN

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4. **Z-7618 RC Parker LLC** (CD 4) Location: East of the southeast corner of East 2nd Street South and South Quincy Avenue requesting rezoning from **IL and RM-2 to CH**

STAFF RECOMMENDATION:
SECTION I: Z-7618

DEVELOPMENT CONCEPT: The applicant has proposed constructing a warehouse building for antique car storage. CH zoning allows the immediate use and supports a wide variety of employment opportunities for future site development opportunities.

DETAILED STAFF RECOMMENDATION:

The applicants request for all uses allowed in an CH zoning district is supported by the Employment land use designation in the Tulsa Comprehensive Plan and,

The existing residential uses abutting the property, as well as uses allowed in a CH district are consistent with the expected development pattern in the area and,

CH zoning allows a wide range of commercial, office, residential and warehouse uses. Supplemental regulations identified in the zoning code require site design considerations that offer predictable outcome important to the abutting light industrial (IL) and RM-2 properties, therefore

Staff recommends Approval of Z-7618 to rezone property from IL and RM-2 to CH.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The subject lot is located within an area of Employment and an Area of Growth as designated by the City of Tulsa Comprehensive Plan as well as being located within the Pearl District Small Area Plan.

Land Use Vision:

Land Use Plan map designation: Employment
Employment areas contain office, warehousing, light manufacturing and high tech uses such as clean manufacturing or information technology. Sometimes big-box retail or warehouse retail clubs are found in these areas. These areas are distinguished from mixed-use centers in that they

have few residences and typically have more extensive commercial activity.

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

Areas of Stability and Growth designation: Area of Growth

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

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

Transportation Vision:

Major Street and Highway Plan:

Trail System Master Plan Considerations:

Small Area Plan: Pearl District Small Area Plan. The executive summary of the Pearl District Small Area Plan was updated and adopted in July 2019.

The small area plan recognizes this area as an employment designation with residential areas containing office, warehousing, light manufacturing, and high tech uses such as manufacturing or information technology. These areas may also have residences, residential and office lofts in industrial buildings, and more extensive commercial activity. Employment

with residential areas require access to major arterials or interstates. Those areas, with manufacturing and warehousing uses must be able to accommodate extensive truck traffic. Since residential and industrial uses are allowed in this district, extensive screening and buffering between these uses within the district are not required for many of the existing uses.

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is currently a vacant lot with existing industrial uses located immediately to the South and North.

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 2 nd Street South	None	N/A	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	RM-2 and CH	Employment	Growth	Single Family Residential and warehousing
East	RM-2	Employment	Growth	Single family residential
South	CH	Mixed Use Corridor	Growth	Glass Company
West	IL	Employment	Growth	Vacant

SECTION III: Relevant Zoning History

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

Subject Property: Z-7581 November 2020: The applicant withdrew a request for rezoning from RM-2 to IL on property located East of the Southeast corner of East 2nd Street South & South Quincy Avenue.

Surrounding Property:

Z-7585 January 2021: All concurred in **approval** of a request for *rezoning* a 0.32+ acre tract of land from IL to CH on property located Southeast corner of East 2nd Street South & South Quincy Avenue.

BOA-21052 April 2010: The Board of Adjustment **approved** a *Variance* to permit 75 ft. Building setback from an abutting R district boundary line to the south (Section 903); & **approved** a *Variance* of the building setback from the centerline of an abutting non-arterial street to the east from 50 ft. to 25 ft. (Section 903); and **approved** a *Special Exception* to remove the screening requirement on the south boundary of the subject property abutting the alley (Section 212.C); all to permit a new building on an IL zoned parcel, on property located at SW/c of South Rockford Avenue and East 1st Street.

BOA-19204 August 2001: The Board of Adjustment **approved** a *Special Exception* to permit Use Unit 25 (roofing contractor) in a CH zoned district. Section 701 and a *Special Exception* to waive screening on north property, Section 701, on property located at 1411 E. 3rd Street.

Z-7523 March 2020: All concurred in **approval** of a request for *rezoning* a 0.32+ acre tract of land from CH to IL with an optional development plan on property located East of the southeast corner of East 3rd Street South & South Quincy Avenue.

BOA-18317 February 1999: The Board of Adjustment **approved** a *Variance* to permit setback from an R district boundary from 75' to 10' on the east and west, and 20' on north across E. 2nd street, to permit construction of IL zoned lots on property located at West of SW/c East 2nd St. & South Quincy.

BOA-15187 July 1989: The Board of Adjustment **approved** a *Special Exception* to permit a machine shop in a CH zoned district; per plot plan submitted; subject to hours of operation being 8:00AM to 6:00PM, Monday through Friday; finding that there are multiple zoning classifications in the area, and numerous uses similar to the one in question; on property located at Lots 17 and 18, Block 15, Lynch and Forsythe Addition.

BOA-14372 January 1987: The Board of Adjustment **approved** a *Variance* to permit the setback from the abutting R districts from 75' to 18' to allow for the construction of building, on property located at West of SW/c of 1st Street and Rockford Avenue.

BOA-14411 March 1987: The Board of Adjustment **approved** a *Variance* to permit the setback from the east property line from 75' to 48'; from the west property line from 75' to 0' and from the north property line of Lot 20 from 75' to 20'; & to **approve** a *Variance* of the screening requirement along the west, east, north and south property lines; & to **approve** a **variance** of the required all

weather surface to allow for gravel parking; per plot plan submitted; on property located at Lots 20 and 21, Block 14, Lynch-Forsythe Addition.

BOA-13690 August 1985: The Board of Adjustment **deny** a *Variance* to permit existing nonconforming use (private club) in an RM-2 zoned district, on property located at 1421 East 1st Street.

BOA-10856 January 1980: The Board of Adjustment **approved** a *Variance* to permit the setback requirements from 50' to 30' from the centerline of Peoria Avenue to permit the erection of a pole sign at 123 South Peoria, on property located at Lot 11 and 12, Block 13, Lynch Forsythe's Addition.

BOA-12011 June 1982: The Board of Adjustment **approved** a *Variance* to permit the building setback to permit the building to be 18 inches from the lot line instead of on the lot lines; and **approved** a *Variance* of the screening requirements when abutting on R District, on property located at Lots 2, 20 and 21, Block 14, Lynch-Forsythe Addition.

Z-6117 September 1986: All concurred in **approval** of a request for *rezoning* a 0.1± acre tract of land from RM-2 to IL, on property located Southeast corner of East 2nd Street South and South Quincy Avenue.

Z-5905 April 1984: All concurred in **approval** of a request for *rezoning* a tract 50' x 140' in size of land from RM-2 to IL on property located East of the southeast corner of East 1st street south and south Peoria Avenue.

Z-5682 June 1982: All concurred in **approval** of a request for *rezoning* a tract of land from RM-2 to IL on property located 1433 East 2n Street South.

Z-5078 February 1978: All concurred in **approval** of a request for *rezoning* a tract of land from RM-2 to IL on property located 1414 East 1st Street South.

BOA-5881 August 1968: The Board of Adjustment **approved** a *Variance* of the permitted use provisions of U-2B to permit an office with four employees, subject to no storage, and no signs on the premises, on property located at 1439 East 2nd Street.

BOA-4695 June 1965: The Board of Adjustment **grants** permission to permit an 14' x 28' addition to present building to be used for woodworking shop, on property located at Lot 1, Block 16, Lynch-Forsythe.

BOA-4493 October 1964: The Board of Adjustment **grants** permission to change a non-conforming use which was built as a grocery store and has been used for a church, to permit a woodshop in a U-2-B district, on property located at Lot 1, Block 16, Lynch-Forsythe Addition.

BOA-4102 July 1963: The Board of Adjustment **grants** permission to extend a non-conforming use in a U-2-B district, on property located at Lot 11, Block 14, Lynch Forsythe Addition.

BOA-2681 May 1955: The Board of Adjustment **grants** permission to erect a building 10 ½ feet, on property located at Lot 13, Block 15, Lynch & Forsythe Addition.

BOA-1966 April 1948: The Board of Adjustment **approved** a waiver of set-back requirements along third street to permit enclosure of front porch of residence, being approximately 10 feet beyond the established setback line, on property located at Lot 21, Block 15 Lynch & Forsythe.

BOA-1658 March 1944: The Board of Adjustment **grants** permission for the compounding of roach powder, with the understanding that no chemical or mechanical processes be used, and that the building inspector be instructed to issue Certificate of Occupancy with these restrictions, on property located at Lot 11, Block 14 Lynch & Forsythe.

BOA-1230 March 1938: The Board of Adjustment **grants** a permission to permit erection of a temporary store building 25 ft over the existing setback line, on property located at Lot 22, Block 15, Lynch & Forsythe.

BOA-646 May 1929: The Board of Adjustment **grants** a 50 ft extension of use for business purposes, providing a 10 ft setback is observed, on property located at 1404 East 3rd Street South.

The applicant was not present.

There were no interested parties wishing to speak.

TMAPC Action; 6 members present:

On **MOTION** of **WALKER**, TMAPC voted **6-0-0** (Blair, Covey, Kimbrel, Shivel, Walker, Whitlock, “aye”; no “nays”; none “abstaining”; Adams, Craddock, Reeds, Zalk, “absent”) to recommend **APPROVAL** of the CH zoning for Z-7618 per staff recommendation.

Legal Description Z-7618:

LT 8 & LT 9 BLK 15, LYNCH & FORSYTHE'S ADDN

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Items 5 and 6 were presented together.

- CZ-518 Ryan McCarty** (County) Location: East of the southeast corner of East 151st Street South and South Lewis Avenue requesting rezoning from **AG to RE** (Related to PUD-859)

STAFF RECOMMENDATION:

SECTION I: CZ-518

DEVELOPMENT CONCEPT: The applicant is requesting to rezone from AG to RE to permit a single-family subdivision. A PUD (PUD-859) is being concurrently proposed with this rezoning to establish the allowable use and the bulk and area requirements. The lots are intended to be just over half acre minimum in size. Sewer is proposed to be provided through aerobic systems. The proposal lies

primarily within the Medium Density Residential designation of the City of Bixby Comprehensive Plan, which has been adopted as part of the Tulsa County Comprehensive Plan with a small portion to the north designated as Commercial. Given the current zoning of the area, current use and anticipated use, the proposal to rezone the subject lot to RE would be compatible with the development pattern of the area.

DETAILED STAFF RECOMMENDATION:

CZ-518 is non-injurious to surrounding proximate properties;

CZ-518 is consistent with the anticipated future development pattern of the surrounding property therefore

Staff recommends Approval of CZ-518 to rezone property from AG to RE.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The site is located within the fenceline of the City of Bixby and is designated as Medium Density Residential and Commercial. The City of Bixby's Comprehensive Plan – Bixby 2030 Our Vision, Our Future was adopted as part of the Tulsa County Comprehensive Plan on August 15, 2019. The Plan follows the City of Bixby's fenceline which includes unincorporated areas of Tulsa County. A city's fenceline is an area preserved for future annexation by virtue of a narrow annexation strip which encloses the area of municipal influence and prevents annexation by other cities. One of the most critical components of a comprehensive plan update is community engagement. Participation by a broad cross section of interests increases the likelihood that the plan's goals and policies will be based on community consensus, which increases the likelihood for successful plan implementation. Gaining community input was achieved through the following public engagement efforts: Stakeholder Interviews, Steering Committee Meetings, Community Kiosks, Informal Brochures, Project Website, Surveys, and Public Workshops.

Land Use Vision:

Land Use Plan map designation: Medium Density Residential / Commercial

Medium Density Residential

The Medium Density Residential designation denotes areas within Bixby where there is a sense of neighborhood cohesion. Medium Density Residential mostly consists of attached and detached single-family homes but may also include

other integrated land uses that support the neighborhood, such as shops, religious institutions, small offices, and educational institutions that reflect the neighborhood's character.

Commercial

The Commercial designation denotes areas that create retail and commercial destinations for City residents, as well as others throughout the region. This designation may also support offices and business parks. Development shall have direct access to major roads and transit.

Areas of Stability and Growth designation:

Transportation Vision:

Major Street and Highway Plan: E 151st St S is designated as a Primary Arterial

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *The subject tract is currently vacant agricultural land.*

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
E 151 st St S	Primary Arterial	120 Feet	4

Utilities:

The subject tract has municipal water available. Sewer is to be provided by utilizing an ODEQ approved septic system.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	AG	Medium Density Residential / Commercial	N/A	Single-Family Residences
South	AG	Low Density Residential	N/A	Single-Family Residence/Agricultural Land
East	AG	Medium Density Residential / Commercial	N/A	Agricultural Land
West	AG	Medium Density Residential / Commercial	N/A	Agricultural Land

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11842 dated June 26, 1970, established zoning for the subject property

Subject Property:

CBOA-1994 August 2002: The Board of Adjustment deny a Variance to permit a wholesale and retail brick and stone use in an AG district; and a Variance of required all-weather surface to permit gravel on back part of road, finding it would cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or Comprehensive Plan, on property located at 1320' E of SE/c S. Lewis & 151st St. S.

Surrounding Property:

CBOA-2006 October 2002: The Board of Adjustment **deny** a *Use Variance* to permit a warehouse in an AG district, finding a lack of hardship and that re-zoning would better serve the purpose, on property located at 15025 South Lewis.

CBOA-1611 November 1998: The Board of Adjustment **approved** a *Variance* to permit the required land area per dwelling from 2.2 to .91 acres to construct a single-family dwelling and a *Variance* of required lot width from 200' to 150', on property located at 15116 South Lewis Ave.

CBOA-1453 September 1996: The Board of Adjustment **approved** a *Use Variance* to permit a kennel in an AG zoned district-Use Unit 15, on property located at 2808 E. 151st St. South.

CBOA-1194 October 1993: The Board of Adjustment **approved** a *Special Exception* to permit the raising of one adult cougar in an AG zoned district- Use Unit 3; subject to approval by USDA and the State of Oklahoma; subject to each litter being sold prior to maturity; finding that the State inspects the property regularly; and finding the use, per conditions, on property located at 2808 E. 151st St. South.

CBOA-562 July 1985: The Board of Adjustment **deny** a *Special Exception* to permit a home occupation to sell automobiles in AG zoned district & a *Variance* to allow a sign, an employee other than a family member, and to conduct the business outside of the principal building & a *Variance* to allow gravel in lieu of an all-weather parking surface, on property located at 15080 S. Columbia Ave E.

CBOA-137 December 1981: The Board of Adjustment **approved** a *Special Exception* to permit the operation of a flower and gift shop in an AG district, and a *Variance* to permit a 4' x 8' sign in an AG district for a home occupation, for a period of one year, on property located at 2606 East 151st Street South.

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, Kimbrel, Shivel, Walker, Whitlock, "aye"; no "nays"; none "abstaining"; Adams, Craddock, Reeds, Zalk, "absent") to recommend **APPROVAL** of the RE zoning for CZ-518 per staff recommendation.

Legal Description CZ-518:

A TRACT OF LAND THAT IS THE WEST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER (W/2 E/2 NW/4) OF SECTION TWENTY (20), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, LESS AND EXCEPT THE NORTH 250 FEET THEREOF.

SAID TRACT OF LAND CONTAINS 1,587,345.24 SQUARE FEET OR 36.44 ACRES

* * * * *

- PUD-859 Ryan McCarty** (County) Location: East of the southeast corner of East 151st Street South and South Lewis Avenue requesting a **Planned Unit Development (PUD)** (Related to CZ-518)

STAFF RECOMMENDATION:

SECTION I: PUD-859

DEVELOPMENT CONCEPT: The applicant is requesting to rezone from AG to RE with a PUD overlay to permit a single-family subdivision. A rezoning is being concurrently proposed with this PUD (CZ-518). The proposed PUD will establish the allowable use as well as bulk and area requirements. Lots will need to be large enough to provide sewer systems on each lot and meet Oklahoma Department of Environmental Quality regulations.

DETAILED STAFF RECOMMENDATION:

PUD-859 allows lots sizes and uses that are consistent with the anticipated future development pattern of the surrounding property;

PUD-859 is consistent with the provisions of the PUD chapter of the Tulsa County Zoning Code, therefore

Staff recommends Approval of PUD-859 to rezone property from AG to RE, PUD-859.

DEVELOPMENT STANDARDS:

Permitted uses: All uses allowed by right in the RE zoning district specifically Use Unit 6 – Single Family Dwelling and customary facilities and amenities.

Maximum dwelling units (residential lots) allowed by this PUD: 31

Minimum lot width (at building setback line): 140 feet *

* Lots with cul-de-sac frontage may have a minimum width of 30 feet at the right-of-way line but shall meet the minimum requirements for lot area as specified in this PUD.

Minimum lot area: 22,500 square feet

Minimum land area per dwelling unit: 26,250 square feet

Maximum structure height: 40 feet *

* With the exception of chimneys, cupolas, or other architectural structures which may extend to a maximum height of 45 feet.

Off-Street Parking: Two (2) enclosed off-street parking spaces per dwelling unit

Front yard building setback from private street reserve: 50 feet

Rear yard building setback:..... 25 feet

Interior side yard building setback:..... 15 feet *

* No residence shall be built nearer than fifteen (15) feet to any side lot on one side, and fifteen (15) feet on the other side, thus requiring a combined total of at least thirty (30) feet between the residences.

Signage

Two entry identification signs shall be permitted with a maximum of 64 square feet of display signage surface. Additional signage for amenities will be allowed with a maximum of 16 square feet.

Access and Circulation

The subject tract shall be accessed from Highway 67 (East 151st Street South). Interior vehicular access shall be derived from a single private street with an approved turnaround for emergency vehicles.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The site is located within the fenceline of the City of Bixby and is designated as Medium Density Residential and Commercial. The City of Bixby’s Comprehensive Plan – Bixby 2030 Our Vision, Our Future was adopted as part of the Tulsa County Comprehensive Plan on August 15, 2019. The Plan follows the City of Bixby’s fenceline which includes unincorporated areas of Tulsa County. A city’s fenceline is an area preserved for future annexation by virtue of a narrow annexation strip which encloses the area of municipal influence and prevents annexation by other cities. One of the most critical components of a comprehensive plan update is community engagement. Participation by a broad cross section of interests increases the likelihood that the plan’s goals and policies will be based on community consensus, which increases the likelihood for successful plan implementation. Gaining community input was achieved through the following public engagement efforts: Stakeholder Interviews, Steering Committee Meetings, Community Kiosks, Informal Brochures, Project Website, Surveys, and Public Workshops.

Land Use Vision:

Land Use Plan map designation: Medium Density Residential / Commercial

Medium Density Residential

The Medium Density Residential designation denotes areas within Bixby where there is a sense of neighborhood cohesion. Medium Density Residential mostly consists of attached and detached single-family homes but may also include other integrated land uses that support the neighborhood, such as shops, religious institutions, small offices, and educational institutions that reflect the neighborhood's character.

Commercial

The Commercial designation denotes areas that create retail and commercial destinations for City residents, as well as others throughout the region. This designation may also support offices and business parks. Development shall have direct access to major roads and transit.

Areas of Stability and Growth designation:

Transportation Vision:

Major Street and Highway Plan: E 151st St S is designated as a Primary Arterial

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The subject tract is currently vacant agricultural land.

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
E 151 st St S	Primary Arterial	120 Feet	4

Utilities:

The subject tract has municipal water available. Sewer is to be provided by utilizing an ODEQ approved septic system.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	AG	Medium Density Residential / Commercial	N/A	Single-Family Residences
South	AG	Low Density Residential	N/A	Single-Family Residence/Agricultural Land
East	AG	Medium Density Residential / Commercial	N/A	Agricultural Land
West	AG	Medium Density Residential / Commercial	N/A	Agricultural Land

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11842 dated June 26, 1970, established zoning for the subject property.

Subject Property:

CBOA-1994 August 2002: The Board of Adjustment **deny** a Variance to permit a wholesale and retail brick and stone use in an AG district; and a Variance of required all-weather surface to permit gravel on back part of road, finding it would cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or Comprehensive Plan, on property located at 1320' E of SE/c S. Lewis & 151st St. S.

Surrounding Property:

CBOA-2006 October 2002: The Board of Adjustment deny a Use Variance to permit a warehouse in an AG district, finding a lack of hardship and that re-

zoning would better serve the purpose, on property located at 15025 South Lewis.

CBOA-1611 November 1998: The Board of Adjustment approved a Variance to permit the required land area per dwelling from 2.2 to .91 acres to construct a single-family dwelling and a Variance of required lot width from 200' to 150', on property located at 15116 South Lewis Ave.

CBOA-1453 September 1996: The Board of Adjustment approved a Use Variance to permit a kennel in an AG zoned district-Use Unit 15, on property located at 2808 E. 151st St. South.

CBOA-1194 October 1993: The Board of Adjustment approved a Special Exception to permit the raising of one adult cougar in an AG zoned district- Use Unit 3; subject to approval by USDA and the State of Oklahoma; subject to each litter being sold prior to maturity; finding that the State inspects the property regularly; and finding the use, per conditions, on property located at 2808 E. 151st St. South.

CBOA-562 July 1985: The Board of Adjustment deny a Special Exception to permit a home occupation to sell automobiles in AG zoned district & a Variance to allow a sign, an employee other than a family member, and to conduct the business outside of the principal building & a Variance to allow gravel in lieu of an all-weather parking surface, on property located at 15080 S. Columbia Ave E.

CBOA-137 December 1981: The Board of Adjustment approved a Special Exception to permit the operation of a flower and gift shop in an AG district, and a Variance to permit a 4' x 8' sign in an AG district for a home occupation, for a period of one year, on property located at 2606 East 151st Street South.

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, Kimbrel, Shivel, Walker, Whitlock, "aye"; no "nays"; none "abstaining"; Adams, Craddock, Reeds, Zalk, "absent") to recommend **APPROVAL** of the PUD-859 per staff recommendation.

Legal Description PUD-859:

A TRACT OF LAND THAT IS THE WEST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER (W/2 E/2 NW/4) OF SECTION TWENTY (20), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, LESS AND EXCEPT THE NORTH 250 FEET THEREOF.

SAID TRACT OF LAND CONTAINS 1,587,345.24 SQUARE FEET OR 36.44 ACRES

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7. **SA-5, Neighborhood Infill Overlay, Tulsa City Council** (CD 1 and 4)
Location: multiple properties located within certain neighborhoods adjacent to downtown

STAFF RECOMMENDATION:

Item

Public hearing to provide a recommendation to the City Council regarding amending the zoning map to supplementally rezone various properties to Neighborhood Infill Overlay (NIO), a Special Overlay Area.

SECTION I:

SA-5, Neighborhood Infill Overlay (NIO)

The goal of the proposed overlay is to encourage “missing middle” housing by allowing additional residential building types, decreasing the parking requirement, allowing accessory dwelling units (ADU’s) by-right, and reducing the minimum lot and building regulations. The overlay would apply only to RS-3 thru RM-3 zoned lots within the proposed boundary (see Attachment I).

NIO Purpose and Intent

The Neighborhood Infill Overlay (NIO) establishes zoning regulations that are intended to promote the development of alternative infill housing in established neighborhoods. The overlay allows for a variety of residential housing types in a manner that is compatible, in mass and scale, with the character of surrounding properties. The regulations are also intended to promote housing types that accommodate households of varying sizes and income levels and provide for a more efficient use of residential land and available public infrastructure.

Background

In 2019 the city commissioned a Downtown & Surrounding Neighborhoods Housing Study & Strategy (DSNHSS) to comprehensively assess housing needs in those areas included in the proposed overlay. Properties located with the Inner Dispersal Loop (IDL) were also part of that effort but are excluded from the overlay. The final study results were presented to the City Council in June 2020 and released to the public in July 2020. The study identified the need to support ‘Missing Middle’ housing by addressing regulatory barriers found in the Zoning Code. According to the study, ‘Missing Middle’ housing could “potentially foster redevelopment in older neighborhoods with housing that “fits in” with the historic housing stock and land use patterns” in Tulsa.

‘Missing Middle’ housing, a term coined by Opticos Design, refers to the lack of housing options other than detached houses and large apartment complexes. Other residential building types available in the Zoning Code are often similar in size to a detached house but have two or more units, such as duplexes, multi-

unit homes, townhouses, and smaller-scale multi-family apartments/condos. The term 'missing' suggests these other options have typically not been allowed to be built since the mid-1940s and 'middle' because size-wise they fit between the more common detached homes and large multi-family complexes.

In May 2020, The Tulsa Planning Office began to identify possible Zoning Code amendments that would remove barriers to 'Missing Middle' housing types by making a few changes, both, applicable citywide, and by creating an overlay for neighborhoods within the study area outside of the IDL. In August 2020, a Housing and Neighborhoods Survey was launched citywide to help collect additional feedback on housing preferences and to gauge the general support for a variety of 'Missing Middle' housing options. Based upon the adopted policies of various City plans, and feedback from over 1,500 survey responses, on October 14, 2020 the City Council initiated the development of 'Missing Middle' text amendments.

A draft of the NIO and citywide text amendments was developed by a staff working group and refined from input received during numerous meetings with neighborhood residents, local builders, licensed architects, and various City officials. The Planning Commission recommended approval of the proposed text amendments on June 16th, 2021. The City Council adopted the text amendments and the (text only) ordinance was published in the Tulsa World on August 1, 2021 and became effective on August 31, 2021.

On June 16th, 2021 The City Council initiated the map amendments to apply NIO zoning to properties in alignment with the DSNHSS boundaries, excluding properties located within the Inner Dispersal Loop (IDL), depicted in the attached map (see Attachment I).

Public Engagement

Throughout the development of the proposed Zoning Code text and map amendments, a developer's roundtable was held virtually in October 2020 to discuss the housing market, infill opportunities, and ideas for supporting 'Missing Middle.' In January 2021, Tulsa Planning Office staff and District 1 and District 4 City Councilors participated in 5 separate virtual neighborhood meetings in neighborhood areas within the proposed NIO boundaries to discuss various topics regarding housing. The meeting schedule is listed below:

- Riverview & Cherry Street Residents – Mon., Jan. 11
- Pearl District Residents – Tues., Jan. 12
- Crutchfield Residents – Thurs., Jan. 14
- Owen Park & Crosbie Heights Residents – Tues., Jan. 19
- Greenwood & Unity-Heritage Residents – Thurs., Jan. 21

There were approximately 90 participants total. During those virtual neighborhood meetings, residents were asked to participate in a poll that asked

which type of missing middle housing options they supported being built in their neighborhood. Most of the residents who participated were in support of additional housing types being built in their neighborhoods. More specifically, support was expressed for duplexes, multi-unit homes, townhouses, and smaller-scale multi-family apartments/condos. The participants were also asked to submit comments and questions that staff answered during the meeting. This input was used in the development of the overlay standards.

Staff used feedback from the developer's roundtable, community meeting sessions, and any additional commentary to continue to develop the NIO zoning and other citywide changes. In May 2021, staff presented the final draft of the proposed text amendments in two virtual public meetings.

The meeting schedule is listed below:

- Final Text Draft Meeting #1- Mon., May 3 (approx. 17 in attendance)
- Final Text Draft Meeting #2- Thurs., May 6 (approx. 64 in attendance)

The first virtual meeting was targeted to residents in the proposed boundary and most attendees indicated that they lived in the proposed overlay boundaries. In the second virtual meeting, staff discussed the proposed citywide changes to the Zoning Code. All virtual meetings were shared by City Councilors and advertised on the Tulsa Planning Office website, newsletter, and social media accounts. The public meetings were well attended and members of the staff working group presented and had significant discussion with attendees on how the proposed changes would impact properties.

All virtual meetings were recorded, and the presentation slides and video recordings have been available on the Tulsa Planning Office website. The Tulsa Planning Office website was updated to have a dedicated 'Housing Zoning Code Amendments' page. The dedicated page includes information such as the draft proposed text amendments with a brief explanation of what those changes mean, frequently asked questions, and other educational resources.

On June 16th, 2021 the City Council initiated the Neighborhood Infill Overlay (NIO) map amendments to apply NIO zoning to properties in alignment with the DSNHSS boundaries depicted in the attached map (see Attachment I).

Approximately 5,280 notices were mailed to property owners within the proposed overlay boundary, as well as properties within a 300 ft. buffer. A public notice was also published in the Tulsa World and 20 signs were posted within and on the perimeter of the subject neighborhoods to notify people of the affected area.

The public notices included information regarding 3 in-person City Council sponsored town halls and 1 virtual meeting option. The notices also included the time, location, and date of the September Planning Commission meeting. The public meeting schedule is listed below:

- Owen Park & Crosbie Heights- Tues., August 17 (approx. 30 in attendance)
- Pearl District/Cherry St./Riverview/ Forest Orchard/ Tracy Park- Mon., August 23 (approx. 21 in attendance)
- Joe Louis/ Dunbar/ Greenwood? University Park/ Legacy/ The Heights/ Lacy Park- Tues., August 24 (approx. 35 in attendance)
- All Neighborhoods (Virtual Meeting)- Mon., August 30 (approx. 30 in attendance)

Per zoning requirements, a map was generated (see Attachment II) identifying those property owners within the proposed overlay who have indicated, in writing, their support or opposition to the overlay. A similar map (see Attachment III) was also generated to identify those properties where tenants have indicated, in writing, their support or opposition.

At the completion of the neighborhood public meetings well over ~~300250~~ written responses ~~have been~~were received from property owners and tenants within the overlay boundary. Most responses ~~have~~ came from the Owen Park, ~~Tracy Park,~~ and ~~Buena Vista~~Tracy Park neighborhoods, ~~216446, 69,~~ and ~~1530~~ respectively. Out of the ~~4724~~ total properties in the Owen Park neighborhood, ~~14643~~ (30.94%) ~~were stated~~ opposed and ~~53~~ (1.1-6%) ~~were in stated~~ support. Out of the ~~867~~total properties in the Tracy Park neighborhood, ~~5329~~ (61.633-3%) ~~were stated~~ opposed and ~~04~~ (04-2%) ~~were in stated~~ support. Out of the 22 total properties in the Buena Vista neighborhood, 10 (45.5%) stated opposed and 0 (0 %) stated support.

The public engagement process satisfies the zoning code requirement that Special Area (SA) overlays “be based on an adopted plan or be prepared following an inclusive, transparent, and equitable planning and public involvement process that includes opportunities for affected property owners and residents to participate in the formulation of the district regulations or otherwise offer recommendations and provide input.”

SECTION II: Supporting Documentation

The Tulsa Planning Office compiled various Small Area Plan and Comprehensive Plan recommendations that show a similar desire for opportunities for a full range of housing types to fit every income, household and preference. Listed below are just a few recommendations from Planitulsa that could target ‘missing middle’ housing types both within the Study Area and Citywide.

PlaniTulsa:

- PlaniTulsa Goal #1: **Robust mix of housing types and sizes are developed and provided in all parts of the city.**
- PlaniTulsa Goal #7: **Low-income and workforce affordable housing is available in neighborhoods across the city.**
 - 7.2: Ensure that land use and zoning regulations allow a mix of housing types, including single family homes, cottage homes, townhomes, condominiums and apartments that serve people at a variety of income levels.

Crutchfield Small Area Plan:

- Goal #5: **Increase housing choices available in Crutchfield.**
 - 5.1: Support the development of an expanded range of housing types, including single-family housing types such as cottage housing, clustered homes, and narrow-lot homes and appropriately scaled “missing middle” (mid-density) housing types such as townhomes, multi-unit houses (duplexes, triplexes, quads), live-work units, and accessory dwelling units.

Crosbie Heights Small Area Plan:

- Goal #2: **Promote development of complete neighborhoods, defined in the Comprehensive Plan (p. LU-18) as “neighborhoods that blend...amenities, connectivity, and housing options together.”**
 - 2.4 In accordance with land use designations, support redevelopment to include a mix of smaller residential structures (e.g., duplexes, triplexes and cottage houses) to provide housing for the socioeconomic diversity (e.g, income, age, mobility) in the neighborhood.

Pearl District Small Area Plan:

- Goal #1: **Support compatible residential infill and reinvestment.**
 - 1.1 Support infill housing that fits with the character of the neighborhood. Encourage development that maintains the existing block and street patterns when feasible.

**SECTION III:
Staff Analysis**

The proposed overlay boundary is consistent with the 2019 Downtown & Surrounding Neighborhoods Housing Study & Strategy (DSNHSS) recommendations, which was the basis for the proposed overlay boundary. The proposed boundary also allows for the implementation of multiple Comprehensive Plan goals and policies and Small Area Planning recommendations. The map amendments are consistent with the Zoning Code’s general purposes (Section 1.050) and the stated purpose and intent of the applicable overlay. Given the level of opposition to the NIO received from a

significant portion of residents in Owen Park and Tracy Park, staff also offers an alternative recommendation to exclude those neighborhoods.

Staff Recommends Approval of:

- 1) Proposed Neighborhood Infill Overlay (NIO) map amendments, including all neighborhood areas outside of the IDL as identified within the boundary of the Downtown & Surrounding Neighborhoods Housing Study & Strategy as shown in Attachment I;

OR, in the alternative

- 2) Proposed Neighborhood Infill Overlay (NIO) map amendments as shown on Attachment I – with the exclusion of the Owen Park, Tracy Park, and Buena Vista Tracy Park neighborhoods.

TMAPC Comments:

Mr. Walker asked how would staff characterize the opposition.

Staff stated the primary concern was character. He stated in the Owen Park, Tracy Park and Buena Vista neighborhoods each of these are registered historic neighborhoods on the National Register but they don't have Historic Preservation overlay zoning. Staff stated so there's nothing that protects that design and character. He stated the sentiment from most of what was heard was that if a new development was to come into these neighborhoods, what does that mean for character since there is nothing that protects or guides those decisions. Staff stated the Neighborhood Infill Overlay does not deal with character there are other tools like the Historic Preservation overlay that does that. He stated a lot of people generally supported the idea of infill and what staff is trying to do but is concerned about losing that character.

Mr. Covey asked Commissioners if they currently agree with the staff recommendation of excluding Owen Park, Tracy Park and Buena Vista neighborhoods.

All Commissioners stated they were currently in agreement with staff recommendation.

Interested Parties:

Robert McClendon 1818 West Easton Place, Tulsa, OK 74127

Mr. McClendon stated he lives in Owen Park and has owned his house since 2012. He stated he supported this change even though he thought there were some aspects about it that were imperfect. Mr. McClendon stated he would like to thank the Staff for their hard work on this overlay. He stated he used to be a

newspaper reporter and covered many of these types of meetings but this is the first time he has spoken at one. Mr. McClendon stated he supports this because he thinks that increasing density is necessary, especially in areas around a central business district like Tulsa, or like downtown Tulsa. He stated he has lived in historic neighborhoods his entire life, first in the Oakley Garden District in Mobile, Alabama and then in the seventh ward of New Orleans. Mr. McClendon stated in both of those cases he lived in multifamily housing because that was the housing that he could afford. He stated he thinks that artificially holding down the supply of housing in neighborhoods near employment is a form of discrimination in and of itself and leads to economic segregation. Mr. McClendon stated he was able to buy his house in Owen Park because at the time it was fairly inexpensive to buy in that neighborhood. He stated that is no longer the case, he could no longer afford to buy a house or probably even to rent a house in Owen Park and for that reason he supports increasing the housing supply in Owen Park. Mr. McClendon stated in the future TMAPC should think of stakeholders not just as the people who live already in desirable neighborhoods, but who would like to live in those neighborhoods but can't afford it because the housing supply is restricted through zoning.

Mr. Covey asked if Mr. McClendon was in support of not excluding Owen Park from the overlay.

Mr. McClendon stated, "That is correct".

Kyle Tresh 332 North Rosedale Avenue, Tulsa, OK 74127

Mr. Tresh stated he agrees with excluding those 3 neighborhoods from the overlay. He stated he doesn't oppose density, he thinks applicants should have to go through the process to change single family to multifamily as opposed to getting automatic permission.

Dale Lawton 1232 South Owasso Avenue, Tulsa, Oklahoma 74120

Mr. Lawton stated he agrees with the recommendations of the Staff. He stated it is important what the people who live in these neighborhoods think because it's their lives that are going to change when or if the zoning is changed. Mr. Lawton stated there's going to be less parking on the street because of the recommendation for two parking spots for a duplex instead of four and that will put two cars out on the street. He stated he thought these neighborhoods were protected by the National Historic Register but now he finds out that is just a plaque that means nothing. Mr. Lawton stated he thinks they need to talk about an overlay of these neighborhoods to preserve their historic status and preserve them the way they are. He stated if you start putting up condos and apartment buildings, all sudden, they're not going to be an historic neighborhood anymore.

Fletcher Stewart 328 South Nogales Avenue, Tulsa, OK 74127

Mr. Stewart stated he lives in Crosbie Heights neighborhood and very much supports this infill overlay and thinks it would be an excellent tool for the future of

his neighborhood. He stated he sees a lot of potential and some problems and unique challenges developing this neighborhood into a nicer place in the future. Mr. Stewart stated the challenges that face this neighborhood are not the same ones that other downtown neighborhoods face. He stated there is an overabundance of parking, significant vacant properties, and a lack of population density. Mr. Stewart stated new construction has been nonexistent for decades. He stated for all the reasons just stated and downtown's continued growth this would make Crosbie Heights an ideal place for missing middle housing. Mr. Stewart stated this neighborhood is already zoned multifamily residential and new construction would add density and encourage the construction of affordable housing units that would fit with the character of the mixed income neighborhood. Mr. Stewart stated he hopes the concerns that exist in other neighborhoods, however valid they are, don't derail the discussion of this Overlay for the Crosby Heights neighborhood. He stated this overlay would be an immensely positive thing for this neighborhood's future growth.

Coy Johnson 1233 South Newport Avenue
Mr. Johnson did not wish to speak.

Jeffrey J. Noftsger 1233 South Newport Avenue, Tulsa, OK 74120
Mr. Noftsger stated he lives in the Tracy Park historical neighborhood which is also listed on the National Registry of historical places and structures. He stated he has represented and sat as president of the neighborhood association in the past. Mr. Noftsger stated he is here to express Tracy Parks and his own deep concerns and thoughts regarding the Neighborhood Infill Overlay proposal. He stated the NIO zoning proposal does have some good qualities and aspects behind it but is not appropriate for the densely populated historical neighborhood setting such as Tracy Park. Mr. Noftsger stated Tracy Park homeowners, residents and other historical neighborhoods has never formally requested or given consent to have the zoning changed. He stated they are not interested in changing the zoning now or in the foreseeable future. Mr. Noftsger stated they are not interested in losing the historic RS-3 zoning status, infill setbacks, covenants and ordinances that Eclipse the historical neighborhood setting. He stated they are passionate about working with the planners on strengthening and protecting the integrity of the neighborhood for the future. Mr. Noftsger stated some of the items and topics detrimental to the NIO proposed zoning start with infrastructure. He stated there is not adequate or sufficient infrastructure, electric gas, sewer, refuge or even parking to maintain the low income subsidized multifamily influx and structures proposed in this zoning for a historical neighborhood setting. Mr. Noftsger stated the current infrastructure is not adequate for the residents who currently live there. He stated when the homeowners asked Staff if this plan will even work, the answer was a direct, we don't know. Mr. Noftsger stated he would like to make sure Tracy Park is excluded from this proposal in its entirety.

Jennifer Cavarra 1218 S Newport Avenue, Tulsa, OK 74120

Ms. Cavarra was not present to speak.

Richard Hill 1322 West Easton Place, Tulsa, OK 74127

Mr. Hill stated he has owned his home in Owen Park for about 20 years. He stated his mother and father had lived in the neighborhood and he went to Roosevelt Junior High when it was a new school. Mr. Hill stated he loves the area and the community. He stated the residents has had very good luck in Owen Park dealing with zoning variances and changes. Mr. Hill stated back when Tom Wallace decided to invest his money and his reputation into renovating Pershing School into an art colony with artists, galleries, studios and apartments all in one footprint and the Owen Park neighbors had to deal with the City for all the zoning changes. He stated it was a sticky wicket as far as all the zoning changes that had to be made for him to do that and the City worked well with the residents. Mr. Hill stated the neighborhood supported it completely and its worked out great and is a real addition to our community. He stated currently there is a way for someone who wants higher density, they can come before the Board of Adjustment and seek a variance. Mr. Hill stated the NIO takes zoning decisions out of the hands of this Commission because those decisions will already have been made by the overlay itself. He stated by removing that transparency it seems to go against the mission statement of this very board and will cut out the forum for public input.

Eldie Lois Morris 328 North Santa Fe Avenue, Tulsa, Oklahoma 74127

Ms. Morris stated she is against the proposed NIO for her Owen Park neighborhood but not for others if they choose to have it. She stated she believes allowing a builder to reduce parking spaces per unit from two to one is reckless and will result in more street parking. Ms. Morris stated Owen Park is over 100 years old and some of the streets are narrow. She stated there have been times when emergency responders have had a great difficulty reaching people who need help because fire trucks and ambulances were essentially blocked from reaching their destination. Ms. Morris stated in years past a person tragically died in a fire and the family's home was destroyed because emergency vehicles were blocked. She stated more recently EMSA had great difficulty in driving between cars parked on both sides of Santa Fe Avenue despite the no parking signs on the west side of the street. Ms. Morris asks that Planning Commission exclude Owen Park from this plan for the safety of the residents, children, disabled and seniors who may have to cross streets from a greater distance to reach their home.

Lynn Nabb 327 North Santa Fe Avenue, Tulsa, Oklahoma 74127

Ms. Nabb stated she understands that the proposal on the table is to exclude Owen Park but she would like to highlight a few things since it's still being discussed. She stated she is opposed to the NIO and believes Owen Park is still a pretty affordable neighborhood even though property is going up in other parts of town and in the downtown area. Ms. Nabb stated the phrase affordable housing has been thrown around as though there isn't any now and that bringing

in multifamily housing would increase available housing that would be affordable to people. She stated there is no guarantee that multi-family housing will be affordable it may be that it would be more in line with the downtown multi-family housing which is very expensive. Ms. Nabb stated she is not convinced that the argument for affordable housing is really valid. She stated she also thinks the historic nature of the neighborhood would change as homes are bought up and replaced with multi housing because that would not be consistent with the historic nature of the neighborhood and the historic aspect of the neighborhood would deteriorate over time. Ms. Nabb stated she also agrees with the last speaker about the parking. She stated she purchased a home in Owen Park because of the cultural, historic, and quality of life in this neighborhood and if the NIO is approved, she would have no control over what goes in next door to her. It could be a 2 story, 35 foot high building. Ms. Nabb stated currently she can look out her window and see trees and is concerned if a large building goes in the trees might be gone.

Roxanne Snyder 1424 West Easton Place, Tulsa, OK 74127

Ms. Snyder stated she has lived in Owen Park for 28 years. She stated she wanted to read a thought she had written down. Ms. Snyder reads: Tulsey town was a typical little prairie settlement but when oil was discovered and the railroad arrived it blossomed into a city. Neighborhoods were built to meet the demand for housing. Ms. Snyder stated the very neighborhoods that are targeted in this proposal. The very neighborhoods that are the oldest in Tulsa. She asked why are these neighborhoods targeted? Was it because of infill? She stated, yes some would benefit. Ms. Snyder stated nowhere in this proposal is there any language that addresses the heritage of these neighborhoods. She asked what is TMAPC planning to do? Is the Commission going to endorse developers and builders to use the same blueprints they have used to build homes or buildings at 91st and Yale. She stated the cookie cutter designs squeezed onto lots. Maybe modern builders don't know what bungalow or craftsman or prairie school designs are. Maybe they should be required to educate themselves. Ms. Snyder stated she is here to protest my neighborhood historic Owen Park from being included in this proposal. She stated but she is also here to advocate for all of the neighborhoods in this proposal. She would be sorry to see these neighborhoods become a hodgepodge of ultra-modern and ugly homes. Tulsa has a history of chasing the newest shiny toy. Never mind that the old toys are still viable. She stated let's not perpetuate that trend.

Marcia Clements 1815 West Easton Street, Tulsa OK 74127

Ms. Clements stated she purchased her 100 year old craftsman bungalow airplane porch style home in historic Owen Park in 2005 and opposes this NIO. Because of the artistic neighborhood character, the value she receives is not from its closeness to downtown, but the tight neighborhood community of lovers of tiny old homes built with large front porches and sidewalks so you can visit with neighbors walking by. She stated Owen Park is also the steward of hundreds of healthy old growth trees which provide habitats for wildlife which

include a family of Falcons and owls, geese and ducks at the Owen Park pond. Ms. Clements stated this proposal would reduce street setbacks and lot width requirements eliminating front yards on already narrow lots. She stated construction will stress tree roots and kill the over 100 year old trees. Ms. Clements stated she understands the desire to build multi-unit dwellings adjacent to downtown but empty lots many in Crosbie Heights and other areas in the proposal. She stated don't tear down the 100 year old treasures in historic Owen Park.

Julie Reinke 542 North Tacoma Avenue, Tulsa, OK 74127
Ms. Reinke stated she opposes this proposal.

Freeze March 4157 S Harvard Avenue, STE 113, Tulsa, OK 74135
Mr. March did not wish to speak.

Keith McArtor 515 North Union Avenue, Tulsa, OK 74127
Mr. McArtor was not present.

Robert Farr 539 North Tacoma Avenue, Tulsa, OK 74127
Mr. Farr stated he appreciates the Commission for considering excluding Owen Park from the infill overlay. He stated he is surprised at the lack of feedback from other neighborhoods and would encourage the Commission to seek more feedback from those neighborhoods before approving infill overlay.

Chrissy Iman 1204 South Newport Avenue, Tulsa, OK 74120
Ms. Iman stated she lives in the Tracy Park area. She stated her and her neighbors have already expressed their concerns. Ms. Iman stated she wants to second what the gentleman just a moment ago. They we did not have a lot of feedback prior to the residents actually going door to door knocking so she would encourage staff to seek out input from the neighborhoods that maybe aren't well represented today.

Cathy Scala 1626 South Florence Avenue Tulsa, OK 74104
Ms. Scala stated her and her husband owns 3 properties in Riverview specifically Childers Heights on South Frisco Avenue. She stated her late mother in law was a continuous resident since 1959 up until 2 years ago. She stated her husband grew up there. Ms. Scala stated there is an under abundance of available parking, as is the case with all of these historic neighborhoods. She stated there are very few if any vacant lots that are just sitting there begging for development. Ms. Scala stated as the previous speakers have spoken to the irreplaceable character of these prewar neighborhoods, which will most certainly be altered to the detriment of the quality of life there. She stated there is plenty of available land north of the areas that have been encompassed by this infill overlay for development. Ms. Scala stated she is not against the idea of affordable housing, but it seems like if you take the opportunity for public comment like this on a case by case basis away from the taxpayers who are helping support our cities tax

revenues then you effectively silencing the public to have any input in the quality of the neighborhoods. She stated she thinks Tulsa should step up and be interested in preservation and restoration rather than homogenization which surely a new development will bring upon these properties. She stated she is very much opposed to the overlay as it is now.

Alfonso Scott 1127 N Greenwood Avenue, Tulsa, OK 74106

Mr. Scott stated he appreciates everybody speaking on behalf of the communities. But he noticed he is the only one speaking for his community. He stated his community was left out of the Heritage Hills Greenwood area. He stated it is historical and it needs to be preserved like the gentleman said about Tracy Park and Owen Park areas. Mr. Scott stated no one has come to the homes in his community. He stated he did not know about any town meeting where some of the people from the community can actually have a say so they can voice their opinion.

Melanie Hamilton 515 North Union Avenue, Tulsa, OK 74127

Ms. Hamilton stated she has lived in the neighborhood for 20 years and a lot of these neighborhoods that are in the plan may have large vacant lots but that is not the case for Owen Park. She stated in Owen Park there is limited if any vacant lots for development. Ms. Hamilton stated development is happening organically in Owen Park. She said there are a few new homes that are being constructed and she thinks that that's the way it should happen for the neighborhood. Ms. Hamilton stated the homes under construction are being built in the styles of the homes that already exist in the neighborhood and she thinks that's the preference for most of the residents in Owen Park. She stated most in the neighborhood oppose the NIO for Owen Park neighborhood.

Chip Atkins 1638 East 17th Place, Tulsa, OK 74120

Mr. Atkins stated he does not live in the areas of the Overlay but he does speak for the people in the area. He stated one of the talking points that he has heard tonight is, what is affordable housing? Mr. Atkins stated the definition of affordable housing for one person is different from another. He stated there is a term called workforce affordability and workforce affordability is 30% of the net profit of a paycheck that will be spend on housing. He stated a person in this area earning \$1,000 would have \$300 dollars or 30% to spend on housing. Mr. Atkins asked where they are going to find affordable housing for \$300. He stated In today's building world a building, apartment building, house or duplex, you are looking at hundreds of 1000's of dollars or in some cases over a million dollars in the building material cost. Mr. Atkins states the largest density is in large cities. He stated they have the highest populations in the United States, but they also have the highest rent in the United States. The lower density areas have a lower rent so higher density doesn't always mean lower rent unless you are looking at the perimeters that have these higher density areas. Mr. Atkins stated he supports multifamily but we have to look at it outside the box. He stated he lives in one of the most historic neighborhoods, the Tulsa Swan Lake area has the

most density of multifamily in historic neighborhoods. Mr. Atkins stated what they learned when they down zoned for multifamily is because of the multifamily units were more crimes in our neighborhood. He stated real estate agents came in the neighborhood and said property values would decrease because of multifamily next to RS-3 zoning. Mr. Atkins stated quality of life is very important for people and when speaking with a city auditor they found out there been studies done on quality of life in multifamily units. These studies show that after five to 10 years these units depreciate and go down in quality, which brings in high maintenance and more cost to the people. Mr. Atkins asked why this zoning is happening without the permission of the people. He stated when he did down zoning with staff, he had to get a signature sheet from everyone on the deed before this was possible. Why is this different from any other zoning. Mr. Atkins asked why TMAPC can do a blanket zoning without their permission and without property owners even knowing in some cases. He stated when he went to the NIO meeting on the north side the people didn't want this at all. He stated he did not find anybody that was in support of this overlay in that area. Mr. Atkins stated more studies need to be done. He stated he would be glad to sit on a committee and help get this multifamily done in a proper way in a proper place besides devaluating the properties and the quality of life for people.

Jonathan Belzley 1220 S Owasso Avenue, Tulsa, OK 74120
Mr. Belzley was not present.

Demetrius Bereolos 1929 South Cheyenne, Tulsa, OK 74119
Mr. Bereolos stated he has had the pleasure of living his 103 year old home for 66 years. He stated he wanted to thank Staff for listening to the Buena Vista neighborhood and removing it from the NIO proposal. Mr. Bereolos stated his neighborhood is opposed because Buena Vista is a small Historic District that is from 18th Street to 21st Street on South Cheyenne and involves probably two dozen single family homes. He stated this proposal talks about wanting to include more multifamily housing and their entire housing district all of the West and all the North is flanked by multifamily dwellings such as apartment complexes. Mr. Bereolos stated he feels like they have their fair share in terms of the density arguments. He stated he would like to suggest removing any language, text or tables in the proposed regulation that would permit an apartment, or condo up to eight units on a single lot by right and the two tables that are attached to that. Mr. Bereolos stated he did a casual drive through of most of the southern and eastern track of this proposal and found that there were more than 30 existing examples of an apartment or condo up to eight units on a single lot in an area surrounded by single family dwellings and in every case it was painfully obvious that the existing examples were hardly compatible with the character of the surrounding properties which is something that's discussed in the NIO purpose and intent in the public hearing staff report. He stated according to the NIO proposal anyone could purchase a single lot in an RS neighborhood build an apartment or condo up to eight units that is incompatible with the surrounding properties by right and the neighbors wouldn't have an opportunity to challenge

that the apartment or condo construction doesn't fit in with the housing stock in some of the older neighborhoods. He stated he thinks missing middle housing like duplexes and cottage homes and two or three units that are compatible with a characteristic of surrounding single family homes could be an appealing, advantageous and even efficient land use. Mr. Bereolos stated we have enough existing examples of apartment condo developments up to eight units that are crammed on a single lot near downtown neighborhoods that demean the character of the older neighborhoods in general and the surrounding single family homes in particular. He stated he hopes that the language will be removed because of the importance of it.

Tamra Taylor Cotton 1332 North Main Street, Tulsa OK 74106

Ms. Cotton stated according to the NIO proposal some of the properties affected are on Main, Denver and Cheyenne but there's a lot of people in that area that could not attend this meeting because of the time. She stated there is conflict on Main Street because the properties from the 1200 block heading back towards downtown seems to be split. Ms. Cotton stated from way back that whole street was considered Brady Heights addition not just from where the new homes have been built but from Emerson back to downtown, a lot of the neighbors from the 1300 block, including Denver, Cheyenne and Main Street were not notified of these meetings. Ms. Cotton stated she knew about the proposal because of the signs in the neighborhood. She stated there is a lot of people in this area against this change whose voices need to be heard but they cannot come at 1:00PM because of work commitments.

Douglas Boyd 1445 South Newport, Tulsa, OK 74120

Mr. Boyd asked if this NIO proposal overrides restrictive covenants. He stated in other words if only single family houses were allowed in a neighborhood would this NIO proposal, if approved, override the number of units could go on a 55 foot wide lot.

Carrie Arnaud Lee 1315 South Guthrie Avenue, Tulsa, OK

Ms. Lee stated she bought her house twice. She stated they lived all over the world and there isn't another place they would rather live than Tulsa. Ms. Lee stated she or her husband was not born here and did not go to school here. But they love Tulsa. She stated they love the people who live around them and socialize with them. She is opposed to the NIO proposal and wants this neighborhood to stay the way it is.

Barbara Mormon 1067 North Norfolk Avenue, Tulsa, OK

Ms. Mormon stated her mother who lived in the house at 1067 North Norfolk Avenue passed away last Friday. She stated she is opposed to this change because they want to keep her mother's home and this neighborhood has older people in it.

Sonia Borne 320 North Tacoma Avenue, Tulsa, OK 74127

Ms. Borne stated she lives in Owen Park and I'm not speaking for myself. She stated the zoning overlay would allow her to build a wonderful grandmother's house but it would affect a lot of people. Ms. Borne stated she hopes Commissioners take into consideration all that the speakers have said today and set aside their presuppositions because everyone stated they were in support of excluding the 3 neighborhoods before hearing from speakers. She stated there are a lot of people that aren't here today and she encourages Commissioners to either delay the decision or deny.

Mr. Covey stated the reason he asked Commissioners where they stood with their vote was to avoid wasting anyone's time. He stated there were over 2 and a half hours of speakers signed up to speak and wanted to give interested parties a sense of where Commissioners were on the issue. Mr. Covey stated they will listen to everyone who wants to speak.

Staff stated per the Zoning Code a mailed notice was sent to property owners and those within 300 feet of the proposed change. He stated signs were posted in the neighborhoods. Staff stated the whole design and purpose of this process is to get the input of the neighborhood. He stated they have had both in person and virtual meetings to try and accommodate residents that could attend during the day versus at night. Staff stated there were 10 or so neighborhood meetings where people could come and talk with us. He stated these are requirements for noticing which is 20 days in advance of the public hearing but they mailed out notice and included all of the information about neighborhood meetings far in advance of that because they wanted to make sure that as many people as possible were captured in that mailout. Staff stated over 5000 notices were mailed to the property owners and in case the property owner didn't live in the house they had conversations with City Council to go through their social media to reach out to people. He stated it was in the newsletter and on the website. Staff stated they felt like they did a good job on outreach.

Ms. Kimbrel asked if staff could speak about the consistency of the neighborhood engagement? She stated were any of those meetings more in a neighborhood, then another neighborhood.

Staff stated in January the meetings were all virtual meetings due to the pandemic. He stated some of the neighborhoods in the virtual meetings were Riverview, Cherry Street, Pearl and Crutchfield. Staff stated they didn't exclude other people from joining those meetings, even if you weren't in the overlay, it was a public meeting. The links to those meeting was posted online. Staff stated in August things changed a little bit and we were at a place to where we did meet in person. He stated they only had four meetings instead of five, designed to fit around those neighborhood areas. But the fifth meeting was neighborhood wide, everyone within the boundary could come to talk to staff and there was a virtual option. Staff stated they tried to spread it out and be creative and do it differently so that they could capture different people each time.

Ms. Kimbrel stated there was mention of door to door activity in certain neighborhoods was that something that was done by the Planning Office.

Staff stated that was the initiative of certain neighborhoods on their own. He stated they don't have the staff to go out and knock doors and spread the word that way. He stated he thought Owen Park went out and canvassed the neighborhood in a way to get the word out, as well as Tracy Park. Those are the only two that he is aware of that chose to do that and that was largely led by their Neighborhood Association leadership. Staff stated they met with Tracy Park because they asked staff to come and have a one off conversation with them and they were more than happy and willing to do that.

Mr. Covey asked if staff could speak to Mr. Scotts concern in the Heritage Hills, Greenwood University Park area.

Staff stated this is a question more than a comment, he was looking at his phone, not because he was distracted, but because he was trying to understand where Heritage Hills was. He stated his understanding is that Heritage Hills is just north of Peoria and east of MLK and that is technically not in the Neighborhood Infill Overlay boundary. Staff stated they would have been noticed of it, because they fall within 300 feet of the perimeter of the boundary but their property wouldn't be impacted by the decision that's made today. He stated not to say that their input is not valuable because it certainly is but that is why Heritage Hills wasn't included in some of those other meetings and conversations.

Mr. Covey asked what the feedback was from the Greenwood area.

Staff stated a meeting was held at the Rudisill Library with Councilor Hall Harper. He stated there was a lot of concern about homes being demolished or taken away through eminent domain. Staff was able to address that to talk about that is not what the Neighborhood Infill Overlay is or does. He stated there were questions about what effect the NIO would have on property values and the whole appraisal process. Councilor Hall Harper talked to the people that attended about what that appraisal process looks like because that was not in the Planning Office wheelhouse, nor does it even mention it in the Zoning Code. Staff stated they didn't get a whole lot of feedback one way or the other to say, we don't want this or we do want it. Staff stated in some of the meetings there were a lot of questions about historic preservation zoning and staff guided people on how to initiate that process if there was a desire to protect the design and the aesthetics and materials and those types of things because this overlay doesn't address those. He stated the Historic Preservation Overlay doesn't conflict with the Neighborhood Infill Overlay, since the Neighborhood Infill Overlay is really about what types of homes can be built and the HP overlay is about what do those homes have to look like. Staff stated there was a comment about private restrictive covenants. This zoning doesn't do anything to undo those private

covenants. He stated the City has never had that authority, it is up to the private property owners or their HOA. Staff stated he thinks it's worth mentioning that a lot of the neighborhoods within this Neighborhood Infill Overlay are currently zoned residential multifamily. He stated parking was a lot of the conversation and the concerns about what happens if we reduce the minimum parking requirements. He stated they reduced the minimum parking requirements in the language of the text that was approved. That does not mean that you can't provide more parking if you need it.

Ms. Kimbrel asked how did staff decide on the eight unit condo number and benchmark?

Staff stated right now there's really not a limitation if we said apartments were allowed in the Zoning Code and where apartments are allowed it's really restricted by design. He stated when they surveyed the community there was not a lot of support for apartments. Staff stated an apartment can mean a lot of different things. It can mean 200 units, it could mean eight units. It can be one single building, it can take a lot of different shapes or forms. He stated when they polled people they asked very directly 12 units, 10 units, 8 units and 8 units was really what was determined to be the kind of consensus or the balance between what we were hearing.

Mr. Blair stated just to confirm the fact that Neighborhood Infill Overlay allows apartments and condo units by right doesn't do away with minimum lot size, setback requirements and the other things that could constrain that kind of construction on a particular lot. He stated and then to the discussion about 8 versus another number, that's already been settled by the text amendment that the Council already approved. Mr. Blair stated all that is being discussed today is whether it makes sense to apply it to these geographies or not.

Staff stated, "that's correct".

Mr. Blair stated he would like to praise staff for a pretty remarkable engagement effort. He stated there's no perfect way to engage the public and there are always cracks that folks fall through in terms of time of day or availability but he thanks staff for the exhaustive effort given the constraints of COVID and everything else. He stated that is not the end of the process the Commission provides a recommendation that goes to the City Council and that's another opportunity for engagement with your representatives on the City Council and a public hearing which is in the evening. Mr. Blair stated he is supportive of excluding those neighborhoods but otherwise he supports the proposal.

TMAPC Action; 6 members present:

On **MOTION** of **COVEY**, TMAPC voted **6-0-0** (Blair, Covey, Kimbrel, Shivel, Walker, Whitlock, "aye"; no "nays"; none "abstaining"; Adams, Craddock, Reeds, Zalk, "absent") to recommend **APPROVAL** of SA-5 with the exclusion of Tracy

Park, Owen Park and Buena Vista neighborhoods as depicted on attachment one of the staff report per staff's recommendation number 2.

OTHER BUSINESS

Commissioners' Comments

None

* * * * *

ADJOURN

TMAPC Action; 6 members present:

On **MOTION** of **COVEY**, TMAPC voted **6-0-0** (Blair, Covey, Kimbrel, Shivel, Walker, Whitlock, "aye"; no "nays"; none "abstaining"; Adams, Craddock, Reeds, Zalk, "absent") to **ADJOURN** TMAPC meeting of September 15, 2021, Meeting No. 2850.

ADJOURN

There being no further business, the Chair declared the meeting adjourned at 3:10 p.m.

Date Approved:

10-06-2021


Chairman

ATTEST:



Secretary