

**TULSA METROPOLITAN AREA PLANNING COMMISSION**  
**Minutes of Meeting No. 2853**

Wednesday, November 3, 2021, 1:00 p.m.

City Council Chamber

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

<b>Members Present</b>	<b>Members Absent</b>	<b>Staff Present</b>	<b>Others Present</b>
Bayles	Adams	Davis	Jordan, COT
Blair		Foster	Silman, COT
Covey		Hoyt	VanValkenburgh, Legal
Craddock		Miller	
Kimbrel		Sawyer	
Reeds		Wilkerson	
Shivel			
Walker			
Whitlock			
Zalk			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Thursday October 28, 2021 at 4:32 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:**

Mr. Covey welcomed new Commissioner, Stacey Bayles.

**Director’s Report:**

Ms. Miller stated there were two letters included in the materials given to Commissioners at todays meeting that were written by Susan Savage in response to the 31st and Peoria initiation item from the last meeting. She stated the letters are to clarify on the record that she wasn't aware that a case was pending when she wrote the letter to Commissioner Walker, and she didn't intend to participate in ex parte communication. Ms. Miller stated that Ms. Savage wanted to be sure that this was clear for the record.

Ms. Miller reported on City Council and Board of County Commissioner actions and other special projects.

Ms. Miller stated the Planning Office is working with the Mayor's Office, Tulsa Authority for Economic Opportunity (TAEO), Wallace, Roberts and Todd consultants on a master plan for the Kirkpatrick Heights Greenwood Master Plan, which has three specific properties that are publicly owned and a part of the UCAT property that wasn't utilized. She stated there has been two meetings that were well attended. Ms. Miller stated this will be presented at a work session in the future.

Ms. Kimbrel asked if the same process would be followed for the Evans Fintube site as the Kirkpatrick Heights site.

Ms. Miller stated the adoption process for Kirkpatrick Heights hasn't been decided yet but the Evans Fintube site is a little different because they have issued an RFP for a specific development for the site. She stated the Kirkpatrick Heights Greenwood master planning effort is more of a visioning of what types of things they want to see, so that's more of the Planning Commission function. The Evans Fintube is more of a request for proposals for specific development.

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**Minutes:**

- 1. Minutes of October 20, 2021 Meeting No. 2852

Minutes were moved to the November 17th meeting for approval.

**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.**

2. **Z-5578-SP-1a Stuart Van De Wiele** (CD 7) Location: South of the southeast corner of Highway 169 and East 61st Street South requesting a **Corridor Minor amendment** to reduce the building setback line from the east property line from 25 feet to 10 feet.

**STAFF RECOMMENDATION:**

**SECTION I:** Z-5578-SP-1a Minor Amendment

Amendment Request: Modify the Corridor Plan to reduce the building setback line from the east property line from 25 ft to 10 ft. This reduction in setback would not apply to the portions of the east property line that abut S 107<sup>th</sup> E Ave, which would retain the 25 ft setback.

The original approval of the corridor zone established a 25 ft setback from the eastern property line for the multi-family development, however, when constructed two buildings in the southeast corner of the development were constructed within the 25 ft setback. The purpose of this minor amendment request is to bring those buildings into compliance with the corridor plan.

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-5578-SP-1.
- 2) All remaining development standards defined in Z-5578-SP-1 shall remain in effect.

With considerations listed above, staff recommends **approval** of the minor amendment request to reduce the building setback line from the east property

line from 25 ft to 10 ft, other than portions of the east property line that abut S 107<sup>th</sup> E Ave.

**Legal Description for Z-5578-SP-1a:**

Lot One (1), Block One (1) and Lot One (1), Block Two (2), South Port, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat No. 4303; LESS AND EXCEPT a strip, piece or parcel of land lying in Lot One (1), Block One (1) South Port, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, said parcel of land being described by metes and bounds as follows, to-wit:

Beginning at the Northwest corner of said Lot One (1); Thence Southwesterly along the West line of said Lot One (1) a distance of 151.34 feet; Thence North 88 degrees, 43 minutes, 42 seconds East a distance of 35.14 feet to a point on the East line of said Lot One (1); Thence North along said East line a distance of 52.45 feet to the Northeast corner of said Lot One (1); Thence Southwesterly along the North line of said Lot One (1) a distance of 14.92 feet to the Point of Beginning.

**TMAPC Action; 9 members present:**

On **MOTION** of **COVEY**, the TMAPC voted 9-0-0 (Bayles, Blair, Covey, Craddock, Kimbrel, Reeds, Shivel, Whitlock, Zalk, “aye”; no “nays”; none “abstaining”; Adams, Walker, “absent”) to **APPROVE** Consent Agenda Item 2 per staff recommendation.

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3. **PUD-360-E-1 Ryan Kuzmic** (CD 8) Location: Northwest corner of East 91st Street South and South Memorial Drive requesting a **PUD Minor Amendment** to allow Retail Sales uses within the west 200 feet of the PUD to allow a Medical Marijuana dispensary.

**TMAPC Action; 9 members present:**

On **MOTION** of **COVEY**, the TMAPC voted 9-0-0 (Bayles, Blair, Covey, Craddock, Kimbrel, Reeds, Shivel, Whitlock, Zalk, “aye”; no “nays”; none “abstaining”; Adams, Walker, “absent”) to **CONTINUE** Item 3 to November 17, 2021.

**PUBLIC HEARING-REZONING**

Item 4 was withdrawn by applicant.

4. **Z-7624 Hall Estill, Stuart Van De Wiele** (CD 8) Location: Southeast corner of East 111th Street South and South Yale Avenue requesting rezoning from **AG to CH with optional development plan** (Continued from October 6, 2021 and October 20, 2021) (withdrawn by applicant)

\* \* \* \* \*

5. **Z-7629 Leonora Bustos** (CD 5) Location: North of the northeast corner of East 14th Street South and South Yale Avenue requesting rezoning from **RS-3 to OL with optional development plan**

**STAFF RECOMMENDATION:**  
**SECTION I: Z-7629**

**DEVELOPMENT CONCEPT:** Remodel existing building for use as residential or light office use.

**DETAILED STAFF RECOMMENDATION:**

Z-7629 requesting OL zoning with the optional development plan is consistent with the development plan provisions allowed in the Tulsa Zoning Code and,

Z-7629 is consistent with the Existing Neighborhood land use designation in the Tulsa Comprehensive Plan only with the optional development plan and,

OL zoning is intended to accommodate and promote neighborhood, community and some employment uses, and the optional development plan provides clear and objective setback, height, and other development standards and,

The optional development plan standards are consistent with the provisions for Development Plans in the Tulsa Zoning Code therefore,

**Staff recommends Approval of Z-7629 to rezone property from RS-3 to OL with the optional development plan as outlined in Section II below.**

**SECTION II: Optional development plan standards:**

Z-7629 with the optional development plan standards will confirm to the provisions of the Tulsa Zoning Code for development in an OL zoning district and its supplemental regulations except as further refined below.

A. Permitted Uses:

Household living (if in allowed building type identified below)

- a. Residential Use Category limited to the subcategories and specific uses defined below and uses that are customarily accessory to the permitted uses.
    - i. Single household
  - b. Office
    - i. Business or professional office
    - ii. Medical, dental or health practitioner
  - c. Studio, artist, or Instructional Service
- B. Hours of Operation: Offices may not be open for business except as follows:
- a. Monday through Friday 7:30am to 7:00pm
  - b. Saturday 7:30am through 1:00pm
- C. Signage:
- a. One monument style ground sign with a maximum display surface area of 16 square feet and a maximum height of 8 feet may be placed in the street yard abutting South Yale Avenue.
  - b. One wall sign will be allowed on the existing structure. One sign is allowed facing west and is limited to a maximum display surface area of 18 square feet.
  - c. No banners or temporary signage related to the property's business shall be permitted.
  - d. Internally illuminated signs and digital signage of any kind shall be prohibited.
- D. Lighting:
- a. Pole lights are prohibited.
  - b. All lighting shall be pointed down. The light emitting element shall be shielded from view from any abutting property or street right of way.
- E. Trash Disposal
- a. Dumpsters will not be allowed. Residential style trash bins as provided by the City of Tulsa shall be used and, except on the day of trash pickup, the bins shall be stored so they are not visible from a public street.
- F. Building Type Regulations for Household Living:
- Residential
    - Household living
      - Single household
        - Detached house

## Townhouse

### **SECTION III: Supporting Documentation**

#### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: The uses and building types identified in the development plan provide adequate regulations that will support appropriate home and building redevelopment along South Yale Avenue that is consistent with the Existing Neighborhood. The proposed redevelopment also supports a small-scale infill development that will enhance the qualities of older neighborhoods that is an important part of redevelopment in an Area of Stability.*

#### Land Use Vision:

*Land Use Plan map designation: Existing Neighborhood*

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

*Areas of Stability and Growth designation: Area of Stability*

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

#### Transportation Vision:

*Major Street and Highway Plan:*

South Yale Avenue is considered a multi-modal corridor. Future development should emphasize plenty of travel choices such as pedestrian, bicycle and transit use. Multimodal streets are located in high intensity mixed-use commercial, retail, and residential areas with substantial pedestrian activity. These streets are attractive for pedestrians and bicyclists because of landscaped medians and tree

lawns. Multi-modal streets can have on-street parking and wide sidewalks depending on the type and intensity of adjacent commercial land uses. Transit dedicated lanes, bicycle lanes, landscaping and sidewalk width are higher priorities than the number of travel lanes on this type of street. To complete the street, frontages are required that address the street and provide comfortable and safe refuge for pedestrians while accommodating vehicles with efficient circulation and consolidated-shared parking.

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

*Trail System Master Plan Considerations:* None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

*Staff Summary: The subject property is currently a one-story single family residential home with approximately 1100 square feet of floor area with a shared single access to South Yale Avenue. The shared access is with the property immediately south of this site.*





Environmental Considerations: None that would affect site development for a residential renovation for light office use.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Yale Avenue	Secondary Arterial with Multi modal corridor designation	100 feet	4 (two lanes each direction)

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

<b>Location</b>	<b>Existing Zoning</b>	<b>Existing Land Use Designation</b>	<b>Area of Stability or Growth</b>	<b>Existing Use</b>

North	RS-3	Existing Neighborhood	Stability	Single family home
East	RS-3	Existing Neighborhood	Stability	Single family home
South	RS-3	Existing Neighborhood	Stability	Single family home
West	RS-3	Existing Neighborhood	Stability	Single family home

**SECTION IV: Relevant Zoning History**

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

***Subject Property:***

No Relevant History

***Surrounding Property:***

**BOA-13695 August 1985:** The Board of Adjustment **approved** a *Special Exception* to permit a home occupation for micro-filming business in an RS-3 zoned district, on property located at Lot 6, Block 1, Adamson Heights, City of Tulsa, Tulsa County, Oklahoma.

**The applicant indicated her agreement with staff's recommendation.**

**There were no interested parties wishing to speak.**

**TMAPC Comments:**

Mr. Covey stated on 5.7 of the agenda packet it shows RS-3 in the area and the subject property is almost in the middle of that RS-3. He stated on 5.11 of the agenda packet the Land Use Map shows that entire area as an Existing Neighborhood. Mr. Covey asked if the intent is to have Yale Avenue in this area become businesses because he thinks this is the precursor to that happening if that's the intent.

Staff stated he thinks that on a site by site basis, staff looks at repurposing existing homes along arterial streets fairly routinely. He stated there's nothing in the Comprehensive Plan that gives guidance on whether or not that entire strip would become OL. Staff stated but the idea of repurposing existing structures in an Existing Neighborhood does give some guidance and along an arterial street where there are single family homes that in some cases be a home occupation or needs light office zoning and in this instance what the applicant wants to do cannot be done as a home occupation so it needs to be rezoned. He stated he would agree that straight OL zoning doesn't make sense without some heavy limitations on what can be done on this site. Staff stated the idea that it could allow a small business and still be residential is just adding additional uses that might be available. He stated he knows that is not a very direct answer to Mr. Covey's question, but staff looks at each application as a standalone request.

Mr. Craddock asked if staff was aware of any existing uses within a half mile of the subject property that may be nonconforming.

Staff stated there are some uses across the street that may be nonconforming, but he is not aware of any Board of Adjustment actions or anything else that might have allowed any other uses besides this one.

Mr. Craddock stated he recalls the City making a fairly strong effort several years ago to eliminate those illegal office uses in residential areas along major arterials.

Staff stated all of the City's code enforcement is complaint driven so he is not aware of any policy changes that would bring those nonconforming uses to the surface.

**Applicant Comments:**

**Leonora Bustos** 1339 South Yale Avenue, Tulsa, Oklahoma 74112

The applicant stated she wants the zoning change to allow her to have a bookkeeping accounting office without her living on site. She stated the office hours would be 8-5 Monday through Friday for business taxes or corporate taxes. The applicant stated the majority of taxes she does is business taxes, they don't get a lot of individuals.

Mr. Craddock asked how much customer traffic she anticipates at this location because he noticed in the rendering it looks like there is sign advertising.

The applicant stated It is by appointment only. She stated walk ins are not accepted. She stated they prepare the paperwork and the clients only come in to sign their tax returns.

Ms. Kimbrel asked if the applicant had talked with the neighbors about the zoning change.

The applicant stated one of the neighbors has moved out and put the house up for sale. She stated she has not spoken with the other neighbor because they work but has left notes for them but has not had a verbal conversation.

Mr. Zalk asked if the applicant has found a lack of conforming commercial space in the city where this office could be located.

The applicant stated she likes the area and has already established business clients in this location. She stated she has not looked for other locations.

Mr. Reeds asked if the applicant talked to Development Services first or went to the Planning Office first.

The applicant stated she went to the Permit Center first and told them what she wanted to do and they told her she would need to talk with INCOG first.

Mr. Reeds asked if INCOG talked to the applicant about using it as an accessory use to the residential.

The applicant stated "yes", they said if she lived there that it would be easier to change the zoning. She stated she has small children and doesn't think that would be safe for them with such a busy street like Yale Avenue.

Ms. Kimbrel asked if someone would be living in the house.

The applicant stated "no".

Mr. Whitlock asked if the applicant did more than just send letters to the neighbors because this house is in the middle of the neighborhood.

The applicant stated "no". She stated they see a neighbor who is running a plumbing business across the street.

Mr. Covey asked if the plumber lived in the house.

The applicant stated she did not know.

**TMAPC Comments:**

Mr. Zalk stated at a time when housing is the one of the greatest needs that we have in the City of Tulsa. He stated the subject property would be an island on its own as somebody rightly pointed out it strikes him as strange to make this one space designated commercial space right in the middle of a residential neighborhood.

Mr. Reeds stated it's not the first time that this trend has started in the city. He stated 15th Street was all residential and the mansions were converted to a restaurant, a dental office or a children's chiropractor. Mr. Reeds stated we can look at this two ways we can say it's an island but so were the others when they began. He stated sometimes in zoning you kind of got to roll with it. He stated he can see a lot of this happening in this area.

Mr. Craddock stated Planning Commission has approved cases like this in the past however this is an Area of Stability and that is what everyone knows about this area. He stated if we need to change this from an Area of Stability to a different classification that would let the neighbors know what the future zoning for this area would be, he would not be opposed to that. Mr. Craddock stated everyone would know what the future was for that neighborhood but this is not the case to do that with. He stated he cannot see approving this rezoning because it will have a big impact. Mr. Craddock stated he doesn't think they should start doing one offs in the hopes that the rest of the houses might also go commercial.

Ms. Kimbrel stated she agrees with Mr. Craddock she feels like Planning Commission has markers and guideposts for how they examine and assess these decisions and she doesn't feel like there is enough information to approve this rezoning to office in the middle of this residential area. She stated there needs to be more neighbor communication and notices sent out.

Mr. Blair stated he agrees with Mr. Reeds but understands the points other Commissioners made. He stated to the point that was made that this was fronting Yale Avenue. He said this isn't some isolated residential enclave it is on one of the city's largest arterial streets. Mr. Blair stated there's a reason why the property is in poor shape which was stated in the application. He stated he thinks the investment that would be made by the applicant will add value and then when you layer on top, the really tight restrictions and development plan on signage and lighting and the things that keep will keep the residential character even though the use is by appointment professional accounting, he thinks the trade is worth it in this particular case.

Mr. Reeds stated and it doesn't preclude turning it back into housing because under the optional development plan you can still make it a single family house if it doesn't work out.

Mr. Craddock stated he understands the comments but we can't predict the future and if we want to have this area as an Area of Growth then it needs to be changed. He stated we need to say what we mean and mean what we say. Mr. Craddock stated he can see this area as an Area of Growth for small office but that's not what it currently is and he thinks it harms the area more than helps it.

Mr. Covey stated he had not thought about the perspective that Mr. Reeds and Mr. Blair had brought up. He stated when he first reviewed this case he thought it's in the middle of a residential neighborhood. He stated as he was analyzing he didn't think he would have a problem if this property was located next to the Neighborhood Center area. Mr. Covey stated where he is having the problem is that it's so far removed from the Neighborhood Center to the south and the Regional Center or Main Street on 11th Street. He stated but to make Mr. Craddock's point, it does say it's in an Area of Stability and according to the Growth and Stability map, the land use is an Existing Neighborhood and it is in the middle of that neighborhood. Mr. Covey stated there is a Comprehensive Plan Amendment coming up so does this area need to be looked at for changing this to an Area of Growth. He stated if you were a homeowner and you bought a property along Yale thinking this would be residential you would probably be disappointed if Planning Commission approved a commercial zoning designation next door or down the street. Mr. Covey stated he is going to vote no today but certainly Mr. Reeds and Mr. Blair brought a perspective that he had not considered.

Mr. Reeds stated he doesn't disagree it would be great if this were designated as an Area of Growth but if this were a larger project Planning Commission would have changed the Comprehensive Plan to allow for their proposed use. He stated the applicant as an individual provider can't afford it she doesn't have those resources and he doesn't think that's fair.

Mr. Zalk stated he would agree with that if it were not being established in this facility. He stated there is plenty of commercial in this neighborhood and other parts of town that would make more sense for a tax provider. He stated he thinks this is a great service being provided to the community but he thinks in the middle of a residential neighborhood is not the right place for this. Mr. Zalk stated looking at the map in the agenda packet although it is designated as a Neighborhood Center it doesn't look like it's being used for commercial.

Mr. Blair stated to that point as mentioned there is a law office a few doors down to the South that is used as an accessory, but there is a sign in the front. He stated last week staff mentioned the transitory nature of the Growth and Stability Map could staff say how many zoning approvals have there been that were contrary to the Growth and Stability designation.

Staff stated there have been some but not sure of the number. She stated one thing she would say is first of all Areas of Stability and Existing Neighborhood do allow for small infill projects so it's not like nothing happens in these designations. Staff stated the code allows for home occupation but the key here is they are not living in the house. She stated based on the little bit that she knows about this use this would be a type two home occupation which would require approval by the Board of Adjustment because she does have people coming occasionally by appointment only.

**TMAPC Action; 9 members present:**

On **MOTION** of **CRADDOCK**, the TMAPC voted 7-2-0 (Bayles, Covey, Craddock, Kimbrel, Shivel, Whitlock, Zalk, “aye”; Blair, Reeds, “nays”; none “abstaining”; Adams, Walker, “absent”) to recommend **DENIAL** of the OL zoning for Z-7629.

\* \* \* \* \*

Items 6 and 7 were presented together.

6. **Z-7630 Lou Reynolds** (CD 9) Location: West of the southwest corner of South Yale Avenue and East 51st Street South requesting rezoning from **OL, PUD-630 and RS-2 to OM, PUD-630-A and RS-2** (Related to PUD-630-A)

**STAFF RECOMMENDATION:**  
**SECTION I: Z-7630**

**APPLICANTS DEVELOPMENT CONCEPT:**

The Applicant request a Major Amendment to PUD-630 to rezone the portion of the property fronting East 51<sup>st</sup> Street from RS-2 and OL to OM and add a compounding pharmacy with a drive-thru as permitted principal use of the property, which is located at 4132 East 51<sup>st</sup> Street South (the “Property”)

The north 210 feet of the Property is zoned OL, and the PUD currently allows uses permittee by right in the OL District and included drive-in banking facilities. When the PUD was approved in 2000, prescription pharmacies selling no sundry or other merchandise were classified as Use Unit 11 and permitted by right in the OL District. The current Code does not differentiate between a pharmacy and a drug store, which is classified as Retail Sales/Consumer Shopping Goods use and permitted by Special Exception in the OM District.

The Applicant proposed to rezone the underlying zoning of the property to OM and amend the permitted uses of Lot 1 in PUD 630-A.

**DETAILED STAFF RECOMMENDATION:**

Z-7630 requesting OM zoning in conjunction with PUD-630-A is consistent with the Town Center vision of the Tulsa Comprehensive Plan and,

Z-7630 requesting OM zoning in conjunction with PUD-630-A is consistent with the expected development of surrounding properties and,

All remaining development standards defined in PUD-630-A and subsequent amendments shall remain in effect, therefore,

Staff recommends **Approval** of Z-7630 to rezone property from OL to OM but only with the approval of PUD-630-A and to revise the language of the use restrictions for the PUD.

**SECTION II:**

Refer to PUD-630-A for Development Standards

**SECTION III: Supporting Documentation**

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: The allowed Uses, supplemental regulations and development standards identified in Z-7630 and PUD 630-A are consistent with the Town Center land use designation.*



## Land Use Vision:

### *Land Use Plan map designation: Town Center*

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

### *Areas of Stability and Growth designation: Area of Growth*

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

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

## Transportation Vision:

### *Major Street and Highway Plan: Multi Modal Corridor*

East 51<sup>st</sup> Street South is considered a multi-modal corridor. Future development should emphasize plenty of travel choices such as pedestrian, bicycle and transit use. Multimodal streets are located in high intensity mixed-use commercial, retail, and residential areas with substantial pedestrian activity. These streets are attractive for pedestrians and bicyclists because of landscaped medians and tree lawns. Multi-modal streets can have on-street parking and wide sidewalks depending on the type and intensity of adjacent commercial land uses. Transit dedicated lanes, bicycle lanes, landscaping and sidewalk width are higher priorities than the number of travel lanes on this type of street. To complete the street, frontages are required that address the street and provide comfortable

and safe refuge for pedestrians while accommodating vehicles with efficient circulation and consolidated-shared parking.

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

*Trail System Master Plan Considerations: None*

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

**DESCRIPTION OF EXISTING CONDITIONS:**

*Staff Summary: The site is developed with a single-story building that conforms to the provisions of PUD 630. The existing building contains drive through facilities that were originally constructed for a bank.*

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 51 <sup>st</sup> Street South	Secondary Arterial	50 feet	4 Lanes

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

<b>Location</b>	<b>Existing Zoning</b>	<b>Existing Land Use Designation</b>	<b>Area of Stability or Growth</b>	<b>Existing Use</b>
North	RM-2	Town Center	Growth	Multi Family
East	OL and RS-2	Town Center and Existing Neighborhood	Growth and Stability	Office and
South	RS-2	Existing Neighborhood	Stability	

West	OM and RD	Town Center and Existing Neighborhood	Growth and Stability	Office and duplex
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### SECTION III: Relevant Zoning History

**ZONING ORDINANCE:** Ordinance number 19837 dated May 25, 2000, amended Ordinance 11823 and established OL zoning for the subject property.

#### ***Subject Property:***

**BOA-20199 February 14, 2006:** The Board of Adjustment **denied** a *Variance* to permit building signage from 1 sign to 2 signs; and **approved** a *Variance* for permitted square footage from 32 square feet to 43 square feet on the north side only, on property located at 4132 East 51<sup>st</sup> Street South.

**PUD-630 April 2000:** All concurred in **approval** of a proposed *Planned Unit Development* on a 1.9+ acre tract of land for on property located West of the southwest corner of East 51<sup>st</sup> South and South Richmond Avenue.

**Z-6760 April 2000:** All concurred in **approval** of a request for *rezoning* a 1.9+ acre tract of land from RS-2 to OL on property located West of the southwest corner of East 51<sup>st</sup> South and South Richmond Avenue.

#### ***Surrounding Property:***

**Z-6873 November 2002:** All concurred in **approval** of a request for *rezoning* a tract of land from RS-3 to OL on property located 165 ft south of the southeast corner of East 51<sup>st</sup> Street and South Oswego.

**Z-6590 April 1997:** All concurred in **approval** of a request for *rezoning* land from RS-2 to OL on property located at 4148 E 51<sup>st</sup> Street.

**BOA-13756 June 1985:** The Board of Adjustment **approved** a *Special Exception* to permit Use Unit 2 (self-service postal facility) in a CS zoned district; and **denied** a *Variance* to permit the setback from the centerline of Harvard Avenue from 100' to 50', on property located south of the SE/c of 51<sup>st</sup> and Harvard.

**PUD-253-A October 1983:** All concurred in **approval** of a proposed *Planned Unit Development* on a 2.2+ acre tract of land for on property located East of the SE corner of 51<sup>st</sup> Street and Harvard Avenue.

**Z-6590 April 1997:** All concurred in **approval** of a request for *rezoning* land from RS-2 to OL on property located at 4148 E 51<sup>st</sup> Street.

**The applicant indicated his agreement with staff's recommendation.**

**There were no interested parties wishing to speak.**

**TMAPC Action; 9 members present:**

On **MOTION** of **COVEY**, the TMAPC voted 9-0-0 (Bayles, Blair, Covey, Craddock, Kimbrel, Reeds, Shivel, Whitlock, Zalk, "aye"; no "nays"; none "abstaining"; Adams, Walker, "absent") to recommend **APPROVAL** of the **OM** zoning for Z-7630 per staff recommendation.

**Legal Description for Z-7630:**

LT 1 BLK 1, OIL CAPITAL FEDERAL CREDIT UNION

\* \* \* \* \*

7. **PUD-630-A Lou Reynolds** (CD 9) Location: West of the southwest corner of South Yale Avenue and East 51<sup>st</sup> Street South requesting a **PUD Major Amendment** to allow drive-through pharmacy (Related to Z-7630)

**STAFF RECOMMENDATION:**

**SECTION I: Z-7630**

**APPLICANTS DEVELOPMENT CONCEPT:**

The Applicant request a Major Amendment to PUD-630 to rezone the portion of the property fronting East 51<sup>st</sup> Street from RS-2 and OL to OM and add a compounding pharmacy with a drive-thru as permitted principal use of the property, which is located at 4132 East 51<sup>st</sup> Street South (the "Property")

The north 210 feet of the Property is zoned OL, and the PUD currently allows uses permitted by right in the OL District and included drive-in banking facilities. When the PUD was approved in 2000, prescription pharmacies selling no sundry or other merchandise were classified as Use Unit 11 and permitted by right in the OL District. The current Code does not differentiate between a pharmacy and a drug store, which is classified as Retail Sales/Consumer Shopping Goods use and permitted by Special Exception in the OM District.

The Applicant proposed to rezone the underlying zoning of the property to OM and amend the permitted uses of Lot 1 in PUD 630-A.

**DETAILED STAFF RECOMMENDATION:**

PUD-630-A with Z-7630 requesting OM is consistent with the Town Center vision of the Tulsa Comprehensive Plan and,

PUD-630-A with Z-7630 requesting OM zoning is consistent with the expected development of surrounding properties and,

PUD-630-A is a major amendment that is consistent with the Tulsa Zoning Code standards for modifying the legacy PUDs and,

All remaining development standards defined in PUD-630-A and subsequent amendments shall remain in effect however current supplemental regulations defined in zoning code will regulate new building permit approvals, therefore,

Staff recommends **Approval** of PUD-630-A with the underlying zoning change to OM.

## **SECTION II: PUD-630-A Development Standards**

### **Permitted Uses:**

The Uses of Lot 1 shall be limited to the uses permitted by right within an OL District, drive-through banking facilities and a drive-through pharmacy.

All remaining development standards defined in PUD-630 and subsequent amendments shall remain in effect.

## **SECTION II: Supporting Documentation**

### **RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

*Staff Summary: The allowed uses, supplemental regulations and development standards identified in Z-7630 and PUD 630-A are consistent with the Town Center land use designation.*

### **Land Use Vision:**

*Land Use Plan map designation: Town Center*

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

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

*Areas of Stability and Growth designation: Area of Growth*

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

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

Transportation Vision:

*Major Street and Highway Plan: Multi Modal Corridor*

East 51<sup>st</sup> Street South is considered a multi-modal corridor. Future development should emphasize plenty of travel choices such as pedestrian, bicycle and transit use. Multimodal streets are located in high intensity mixed-use commercial, retail, and residential areas with substantial pedestrian activity. These streets are attractive for pedestrians and bicyclists because of landscaped medians and tree lawns. Multi-modal streets can have on-street parking and wide sidewalks depending on the type and intensity of adjacent commercial land uses. Transit dedicated lanes, bicycle lanes, landscaping and sidewalk width are higher priorities than the number of travel lanes on this type of street. To complete the street, frontages are required that address the street and provide comfortable and safe refuge for pedestrians while accommodating vehicles with efficient circulation and consolidated-shared parking.

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

*Trail System Master Plan Considerations: None*

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

*Staff Summary: The site is developed with a single-story building that conforms to the provisions of PUD 630. The existing building contains drive through facilities that were originally constructed for a bank.*

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 51 <sup>st</sup> Street South	Secondary Arterial	50 feet	4 Lanes

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

<b>Location</b>	<b>Existing Zoning</b>	<b>Existing Land Use Designation</b>	<b>Area of Stability or Growth</b>	<b>Existing Use</b>
North	RM-2	Town Center	Growth	Multi Family
East	OL and RS-2	Town Center and Existing Neighborhood	Growth and Stability	Office and
South	RS-2	Existing Neighborhood	Stability	
West	OM and RD	Town Center and Existing Neighborhood	Growth and Stability	Office and duplex

**SECTION III: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 19837 dated May 25, 2000, amended Ordinance 11823 and established OL zoning for the subject property.

**Subject Property:**

**BOA-20199 February 14, 2006:** The Board of Adjustment **denied** a *Variance* to permit building signage from 1 sign to 2 signs; and **approved** a *Variance* for permitted square footage from 32 square feet to 43 square feet on the north side only, on property located at 4132 East 51<sup>st</sup> Street South.

**PUD-630 April 2000:** All concurred in **approval** of a proposed *Planned Unit Development* on a 1.9+ acre tract of land for on property located West of the southwest corner of East 51<sup>st</sup> South and South Yale Avenue.

Snippet of Development standards allowed in PUD-630

<b>II. Development Standards</b>	
Net Land Area:	44,550 sq.ft.
Permitted Uses:	As permitted by right within an OL District and drive-in banking facilities.
Maximum Floor Area:	7,250 sq. ft.
Maximum Building Height:	1 story, 30 ft.
Minimum Building Setbacks:	
From centerline of 51 <sup>st</sup> Street	100 ft.
From east boundary	25 ft.
From south boundary	50 ft.
From west boundary	25 ft.
Parking Ratio:	As provided within the applicable use unit
Minimum Landscaped Area:	15% of net lot area
Building Design Limitations:	
	The office building shall be one story, pitched roof and of an architectural style compatible with residential structures.
Parking Area Lighting Limitations	
	Parking area lighting shall be limited to shielded fixtures designed to direct light downward and away from residential properties, and no light standard nor building mounted light shall exceed 12 feet in height.



**Z-6760 April 2000:** All concurred in **approval** of a request for *rezoning* a 1.9± acre tract of land from RS-2 to OL on property located West of the southwest corner of East 51<sup>st</sup> South and South Richmond Avenue.

***Surrounding Property:***

**Z-6873 November 2002:** All concurred in **approval** of a request for *rezoning* a tract of land from RS-3 to OL on property located 165 ft south of the southeast corner of East 51<sup>st</sup> Street and South Oswego.

**Z-6590 April 1997:** All concurred in **approval** of a request for *rezoning* land from RS-2 to OL on property located at 4148 E 51<sup>st</sup> Street.

**BOA-13756 June 1985:** The Board of Adjustment **approved** a *Special Exception* to permit Use Unit 2 (self-service postal facility) in a CS zoned district; and **denied** a *Variance* to permit the setback from the centerline of Harvard Avenue from 100' to 50', on property located south of the SE/c of 51<sup>st</sup> and Harvard.

**PUD-253-A October 1983:** All concurred in **approval** of a proposed *Planned Unit Development* on a 2.2± acre tract of land for on property located East of the SE corner of 51<sup>st</sup> Street and Harvard Avenue.

**Z-6590 April 1997:** All concurred in **approval** of a request for *rezoning* land from RS-2 to OL on property located at 4148 E 51<sup>st</sup> Street.

**The applicant indicated his agreement with staff's recommendation.**

**There were no interested parties wishing to speak.**

**TMAPC Action; 9 members present:**

On **MOTION** of **COVEY**, the TMAPC voted 9-0-0 (Bayles, Blair, Covey, Craddock, Kimbrel, Reeds, Shivel, Whitlock, Zalk, "aye"; no "nays"; none "abstaining"; Adams, Walker, "absent") to recommend **APPROVAL** of the PUD major amendment for PUD-630-A per staff recommendation.

**Legal Description for PUD-630-A:**

LT 1 BLK 1, OIL CAPITAL FEDERAL CREDIT UNION

\* \* \* \* \*

8. **Z-7631 Mike Thedford** (CD 2) Location: South of the southeast corner of West 81st Street and South Maybelle Avenue requesting rezoning from **AG to RS-2 with optional development plan**

**STAFF RECOMMENDATION:**  
**SECTION I: Z-7631**

**APPLICANTS DEVELOPMENT CONCEPT:** The applicant is proposing to rezone the subject lots from AG to RS-2 with an optional development plan for private streets and single-family residential lots. The lots in the plan area will gain access to East 82<sup>nd</sup> Place South which is being constructed adjacent to the south line of the subject tract.

**DETAILED STAFF RECOMMENDATION:**

Z-7631 requesting RS-2 zoning with an optional development plan for private street access. The private street subdivision does not exceed the maximum land area for private street subdivision as identified in the Tulsa Development and Subdivision regulations and,

The development plan outlined in Section II below is consistent with the optional development plan standards defined in the Tulsa Zoning Code and,

RS-2 zoning allows residential building types and lot sizes that are consistent with the anticipated future development pattern of the surrounding property and,

RS-2 zoning is consistent with the New Neighborhood land use designation of the Comprehensive Plan, therefore,

Staff recommends Approval of Z-7631 to rezone property from AG to RS-2 zoning with an optional development plan for private street access.

**SECTION II: Z-7631 DEVELOPMENT STANDARDS:**

The optional development plan standards will conform to the provisions of the Tulsa Zoning Code for development in a RS-2 district with its supplemental regulations except as further refined below. All uses categories, subcategories or specific uses and residential building types that are not listed in the following permitted uses categories are prohibited:

**PERMITTED USE CATEGORY**

**RESIDENTIAL**

Household Living (if in allowed building type identified below)

- Single Household
  - Detached house

## PERMITTED RESIDENTIAL BUILDING TYPES

### Household Living

- Single Household
  - Detached house

### SIDEWALKS:

Sidewalks will be required and constructed as defined in the Subdivision and Development Regulations for the Tulsa Metropolitan area. Sidewalks in a public street right-of-way and adjacent to private streets where they abut common open space and existing residential structures shall be constructed prior to issuance of any building permit for residential building types. Remaining sidewalks will be constructed as part of the normal building permit process

### VEHICULAR ACCESS:

- A. Vehicular access to lots in the development plan area will be provided by a privately owned and maintained street system. The private streets are being construed as part of the Maybelle Villas infrastructure plan and abuts the subject property boundary. The subject property owners will join and pay annual dues to the Maybelle Villas Homeowners Association.
- B. Private streets will conform to the City of Tulsa engineering standards for a minor residential street.
- C. Private streets will conform to the Subdivision Regulations for the City of Tulsa.
- D. A mandatory homeowners association shall be established for maintenance of the street system. The City of Tulsa shall have no street maintenance or repair obligations of any kind.

## **SECTION III: Supporting Documentation**

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary:* The subject property is designated as a New Neighborhood Land Use and an Area of Growth. Residential development is consistent with the land use designation however, the private street network does not support the connectivity concepts in the comprehensive plan.

### Land Use Vision:

*Land Use Plan map designation:* New Neighborhood

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

Transportation Vision:

*Major Street and Highway Plan: None*

*Trail System Master Plan Considerations: None*

Small Area Plan: West Highlands Small area plan as approved July 10<sup>th</sup>, 2019

Priorities are listed below and the goals in Priority #'s 1 and 2 that may be specific to this redevelopment area.

Priority 1: Proposed land uses balance West Highlands/ Tulsa Hills stakeholder vision with Planitulsa vision.

3.1 Encourage substantial buffering in C0-zoned lands between U5-75 and Union Avenue, including, but not limited to, dense tree or native plantings along Union Avenue, commensurate with degree of land use intensity.

Priority 2: Prioritize the preservation of open space and the natural environment in future development.

4.1 For new construction in New and Existing Neighborhood land-use areas, and Town and Neighborhood Center each 1,500 square

feet of street yard should have three trees. The Zoning Code (Section 1002.C.1) currently requires only one (1) tree.

4.2 Facilitate partnerships between neighborhood stakeholders, developers and regional land trusts such as Land Legacy.

4.3 Develop easily understood, coherent standards for conservation subdivisions which will allow developers to apply conservation subdivision design for new home construction, while minimizing the need to apply for new zoning.

4.4 Develop and implement code updates to allow low-impact development (LID) practices more easily, by identifying current elements of zoning, building and other regulatory codes that do not allow LID practices. Ensure developer incentives, such as a streamlined development review process.

4.5 Develop a matrix (or checklist), to be used by City of Tulsa Planning staff, of rural design elements which can be used to easily measure how well new construction integrates with bucolic aesthetic. These design elements should pertain less to actual design of homes, and more to the units' siting, green space preservation, screening and the use of other nonstructural design material, such as fencing materials.

4.6 Revise zoning code to include a "rural residential" district which allows a limited number of livestock and horses as a use by right and has larger minimum lot sizes. This can be done by either amending an existing district, or creating a new one.

4.7 Support planting of shade trees in public right-of-way during road construction.

Priority 3: Sustain area's economic Growth through the future.

Priority 4: Improve local connections to the metropolitan transportation system.

Priority 5: Protect public welfare and safety.

Priority 6: Ensure implementation of recommendations of West Highlands/Tulsa Hills Small Area Plan.

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

*Staff Summary: The site currently contains single-family residences on large lots.*

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
S Maybelle Ave	None	50	2
West 82 <sup>nd</sup> Street South (private)	None	50	Construction phase

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

<b>Location</b>	<b>Existing Zoning</b>	<b>Existing Land Use Designation</b>	<b>Area of Stability or Growth</b>	<b>Existing Use</b>
North	AG	New Neighborhood	Growth	Single-Family
South	AG	New Neighborhood	Growth	Single-Family/AG
East	AG	New Neighborhood	Growth	Single-Family
West	CO	Regional Center	Growth	Retail/Commercial

**SECTION IV: Relevant Zoning History**

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

***Subject Property:***

**BOA-16312 April 1993:** The Board of Adjustment **approved** a *Variance* to permit the required frontage on a dedicated right-of-way from 30' to 0' to permit a lot -split, on property located south of the southeast corner of South Maybelle Avenue and West 81<sup>st</sup> Street South.

***Surrounding Property:***

**BOA-21404 March 2012:** The Board of Adjustment **approved** a *Special Exception* to permit a Church in an AG district; and **approved** a *Variance* to permit parking in the required front yard on property located at Southeast corner of West 81<sup>st</sup> Street and South Maybelle Avenue.

**Z-7506 with Optional Development Plan September 2020 (Maybelle Villas):** The development plan for Maybelle Villas was approved by City Council requiring a private street system for a single-family residential development.

**Maybelle Villas Draft Final Plat submitted 9.17.2021:** The subdivision plat status has been included to provide context that the abutting property where West 82<sup>nd</sup> Street South is near the end of the subdivision conformance process and staff recognizes that access from the subject property will be required through the Maybelle Villas development with a private street network.

**The applicant indicated his agreement with staff's recommendation.**

**There were no interested parties wishing to speak.**

**TMAPC Action; 9 members present:**

On **MOTION** of **COVEY**, the TMAPC voted 9-0-0 (Bayles, Blair, Covey, Craddock, Kimbrel, Reeds, Shivel, Whitlock, Zalk, "aye"; no "nays"; none "abstaining"; Adams, Walker, "absent") to recommend **APPROVAL** of the RS-2 zoning with an optional development plan for Z-7631 per staff recommendation.

**Legal Description for Z-7631:**

COMM SWC S/2 N2/3 N/2 NE TH E180 POB TH E666.50 N213.56 W846.50 TO WL NE TH S13.50 E180 S200 POB SEC 14 18 12 3.32ACS; COMM SWC S/2 N2/3 N/2 NE TH E846.50 POB TH E712.78 N227.12 W1559.28 TO WL NE TH S13.50 E846.50 S213.56 POB SEC 14 18 12 3.98ACS

\* \* \* \* \*

**PUBLIC HEARING-PLATS**

9. **Quiktrip No. 0046** (CD 3) Preliminary Plat, Location: Southwest corner of East 46<sup>th</sup> Street North and North 125<sup>th</sup> East Avenue

**STAFF RECOMMENDATION:**

**QuikTrip No. 0046** - (City of Tulsa, CD 3)  
Southwest corner of East 46<sup>th</sup> Street North and North 125<sup>th</sup> East Avenue

This plat consists of 1 lot, 1 block, on 5.15 ± acres.

The Technical Advisory Committee (TAC) met on October 21, 2021 and provided the following conditions:

1. **Zoning:** The subject property is zoned IH (Industrial – High). The proposed lot conforms to the requirements of the IH district.
2. **Transportation & Traffic:** Sidewalks, ADA ramps, and driveways in the public right-of-way require approval of IDP. IDP approval is required prior to final plat approval.
3. **Sewer/Water:** Sanitary sewer extensions require IDP approval. IDP approval is required prior to final plat approval.
4. **Engineering Graphics:** Submit a subdivision control data sheet with final plat. In the plat subtitle, add “City of Tulsa” before Tulsa County. In the Location Map, only show platted subdivision boundaries and label each. All other land should be labeled as “Unplatted”. Under the basis of bearings information include the coordinate system used. Provide a bearing angle preferably shown on the face of the plat. Graphically label all plat boundary pins that were found or set. Provide address assigned by City of Tulsa on face of the plat.
5. **Stormwater, Drainage, & Floodplain:** Public storm sewers proposed as part of this project will require IDP approval. IDP approval is required prior to final plat approval. No floodplain on property.
6. **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 the requirements of the Subdivisions Regulations. City of Tulsa release 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; 9 members present:**

On **MOTION** of **COVEY**, the TMAPC voted 9-0-0 (Bayles, Blair, Covey, Craddock, Kimbrel, Reeds, Shivel, Whitlock, Zalk, “aye”; no “nays”; none “abstaining”; Adams, Walker, “absent”) to **APPROVE** the Preliminary Subdivision Plat for Quiktrip No.0046 per staff recommendation.

## **OTHER BUSINESS**

### **10. Commissioners' Comments**

None



**ADJOURN**

**TMAPC Action; 9 members present:**

On **MOTION** of **COVEY**, the TMAPC voted 9-0-0 (Bayles, Blair, Covey, Craddock, Kimbrel, Reeds, Shivel, Whitlock, Zalk, "aye"; no "nays"; none "abstaining"; Adams, Walker, "absent") to **ADJOURN** TMAPC meeting of November 3, 2021, Meeting No. 2853.

**ADJOURN**

There being no further business, the Chair declared the meeting adjourned at 1:50 p.m.

Date Approved:

11-17-2021

  
Chairman

ATTEST:

Jason G. Wick (acting)

Secretary