

**TULSA METROPOLITAN AREA PLANNING COMMISSION  
Meeting No. 2899**

**October 4, 2023, 1:00 PM  
175 East 2nd Street, 2nd Level, One Technology Center  
Tulsa City Council Chamber**

<b>Members Present</b>	<b>Members Absent</b>	<b>Staff Present</b>	<b>Others Present</b>
Carr	Bayles	Foster	Jordan, COT
Covey	Krug	Miller	Stephens, Jeff, Legal
Craddock		Sawyer	
Hood		Siers	
Humphrey			
Shivel			
Walker			
Whitlock			
Zalk			

The notice and agenda of said meeting were posted in the Office of the City Clerk, as well as in the Office of the County Clerk on September 27, 2023, at 3:56 p.m.

After declaring a quorum present, Chair Covey called the meeting to order at 12:57 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 stated September 25, 2023 there was a public meeting at Union High School to talk about the 71st Street Corridor Plan project that the Planning Office has been working on. She stated about 40 people were present and a lot of the media covered it. Ms. Miller stated it was a good meeting. She stated the zoning map amendment to abandon PUD's and rezone all the underlying zoning to Corridor (CO) with the development plan will be

presented at the next meeting along with Historic Preservation Overlay and Preservation Guideline amendments. She stated they will also present family Day Care amendments at the next meeting.

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**Minutes:**

1. Minutes of September 20, 2023 Meeting No. 2898

Approval of the Minutes of **September 20, 2023 Meeting No. 2898**

**TMAPC Action; 7 members present:**

On **MOTION** of **WALKER**, the TMAPC voted 7-0-0 (Covey, Craddock, Hood, Shivel, Walker, Whitlock, Zalk, “aye”; no “nays”; none “abstaining”; Carr, Bayles, Humphrey, Krug, “absent”) to **APPROVE** the minutes of **September 20, 2023 Meeting No. 2898**

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**PUBLIC HEARING - REZONING**

2. **CZ-544** (County) Location: North of the Northwest corner of North Memorial Drive and East 166th Street North requesting a rezoning from **AG to AG-R.**(**Staff requests a continuance to October 18, 2023**)

**TMAPC Action; 7 members present:**

On **MOTION** of **COVEY**, the TMAPC voted 7-0-0 (Covey, Craddock, Hood, Shivel, Walker, Whitlock, Zalk, “aye”; no “nays”; none “abstaining”; Carr, Bayles, Humphrey, Krug, “absent”) to **CONTINUE** Item 2 to October 18, 2023.

\* \* \* \* \*

Ms. Carr arrived at 1:04pm and Mr. Humphrey arrived at 1:07pm.

3. **Z-7733 Abdul Alhlou** (CD 3) Location: North of the northeast corner of 11<sup>th</sup> Street South and South 129<sup>th</sup> East Avenue requesting rezoning from **CS and RS-2 to CG with an optional development plan** (Continued from August 2 2023, August 16, 2023 and September 20, 2023)

**STAFF RECOMMENDATION:**

**SECTION I: Z-7733**

**DEVELOPMENT CONCEPT:** Z-7733 is a project planned for a single development area\*. The overall site totals 6.81 acres. The site is located north of the northeast corner of East 11<sup>th</sup> Street and 129<sup>th</sup> E. Ave. The property is in the southwest quarter of the of Section 4, Township 19 North, Range 14 East, in Tulsa County, Oklahoma.

\*The original application submitted included two development areas as shown in the exhibits provided by the applicant. What is referred to as Development Area A has been removed from the application and what is referred to as Development Area B remains.

**DETAILED STAFF RECOMMENDATION:**

Staff finds that the requested CG zoning to allow a Truck Terminal, Warehouse and Storage uses would not be compatible with recommendations in the Comprehensive Plan and Plan 66. Staff finds that CS zoning is supported by those documents and by the proposed change of the Comprehensive Plan to Multiple Use land use designation. The proposed Trucking and Transportation Terminal, Warehousing and Storage uses proposed by the applicant could be allowed by Special Exception inside the CS Zoning district but would not be allowed by right.

Staff recommends **Denial** of CG with an optional development plan but recommends **Approval** of CS without an optional development plan.

**SECTION II: Z-7733 OPTIONAL DEVELOPMENT PLAN STANDARDS FOR CG**

*(Recommended for Denial):*

All uses categories, subcategories, or specific uses and residential building types that are not listed in the following permitted uses categories are prohibited.

Those uses marked with a \* require a Special Exception approved in accordance with Sec. 70.120 of the City of Tulsa Zoning Code.

**PERMITTED USES: PERMITTED USE CATEGORIES:**

RESIDENTIAL (IF IN ALLOWED BUILDING TYPE LISTED BELOW)

Household Living

Single household

Two households on a single lot

Three or more households on a single lot

Group Living

Assisted living facility

Community group home

Convent/monastery/novitiate

Elderly/retirement center

Life care retirement center

Residential treatment center\*

Rooming/boarding house

Shelter, emergency and protective\*

Transitional living center\*

PUBLIC, CIVIC, AND INSTITUTIONAL

College or University

Day Care

Fraternal Organization\*

Governmental Service or Similar Functions\*

Hospital

Library or Cultural Exhibit

Natural Resource

Preservation Parks and

Recreation

Postal

Services\*

Religious

Assembly

Safety

Service

School

Utilities and Public Service Facility

Minor

Major\*  
Wireless Communication Facility  
    Freestanding tower  
    Building or tower-mounted antenna

## COMMERCIAL

Animal service  
    Boarding or Shelter  
    Grooming  
    Veterinary  
Assembly and Entertainment  
    Indoor  
        Small (Up to 250-person capacity)\* (Special Exception only  
        required if serving alcohol within 150-feet of a residential district)  
        Large (Greater than 250-person capacity) \*  
Broadcast or Recording Studio  
Commercial Service  
    Building service  
    Business support service  
    Consumer maintenance/repair service  
    Personal improvement service  
    Research service\*  
Financial Services  
Funeral or Mortuary  
Service Lodging  
    Bed & Breakfast  
    Short-term rental  
    Hotel/motel  
Office  
    Business or professional office  
    Medical, dental or health practitioner office  
    Plasma Center  
Parking, Non-accessory  
Restaurants and Bars  
    Restaurant  
    Bar \* (Special Exception only required if serving alcohol within 150-feet  
    of a residential district)  
    Brewpub\*  
Retail Sales  
    Building supplies and equipment  
    Consumer shopping goods  
    Convenience goods

Grocery Store  
Small Box Discount Store  
Medical Marijuana Dispensary  
Studio, Artist or Instructional Service  
Trade School  
Vehicle Sales and Service  
Fueling station

#### WHOLESALE, DISTRIBUTION AND STORAGE

Equip. & Materials Storage, Outdoor  
Trucking and Transportation Terminal  
Warehouse  
Wholesale Sales and Distribution

#### INDUSTRIAL

Low-impact Manufacturing & Industry\*

#### AGRICULTURAL

Community Garden  
Farm, Market- or Community supported

#### OTHER

Drive-in or Drive-through Facility (as a component of an allowed principal use)

#### PERMITTED RESIDENTIAL BUILDING TYPES

##### Household living

Single household  
Detached House\*  
Townhouse  
Patio House\*  
Mixed-Use building  
Vertical mixed-use building  
Two households on a single lot  
Mixed-use building  
Vertical-mixed use building  
Three or more households on a single lot  
Multi-unit House\*  
Apartment/Condo  
Mixed-use building  
Vertical-mixed use building

**MINIMUM LOT WIDTH:** 280-feet

**MINIMUM LOT AREA:** 250,000 square feet

**MAXIMUM NUMBER LOTS:** 4

**MAXIMUM BUILDING HEIGHT:** 35-feet

**MINIMUM BUILDING SETBACKS (from the lot line):**

From South 129 <sup>th</sup> E. Ave.	50-feet
Rear Yard	20-feet
Side Yard	20 feet

**SECTION III: Supporting Documentation**

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

**Staff Summary:** The Land Use Designation amendment on this site from Neighborhood/Multiple Use to Multiple (CPA-109) was recommended for approval by TMAPC on 8/16/2023. The Multiple Use land use coupled with the recommendation of Plan 66 would not support the rezoning of this property to support of trucking/ transportation terminal and warehousing and storage uses.

**Land Use Vision:**

**Existing:**

**Multiple Use/ Neighborhood**

Neighborhoods are “Mostly Residential Uses” which includes detached, missing middle, and multi-dwelling unit housing types. Churches, schools, and other low-intensity uses that support residents’ daily needs are often acceptable, particularly for properties abutting Multiple Use, Local Center, or Regional Center land use areas. Multi-dwelling unit housing that takes access off of an arterial is considered Multiple Use, Local Center, or Regional Center. If a multi-dwelling unit housing property takes access off of a lower-order street separated from the arterial, then it would be considered Neighborhood.

**Proposed in CPA-109:**

**Multiple Use**



Multiple Use areas are “Mostly Commercial or Retail Uses” which include restaurants, shops, services, and smaller format employment uses. This land use designation is most common in areas of the city from earlier development patterns, with Local Centers being more commonplace in newer parts of the city. For single properties that are commercial but surrounded by Neighborhood, Multiple Use is the preferred designation.

**Transportation Vision:**

The property began to develop during the Late Automobile Era (1950-present):

In the late 1950s and early 1960s the suburbs grew at a tremendous rate in the Tulsa metropolitan area. It was at this time that surrounding communities, such as Broken Arrow, began to grow at a rapid pace. At this time, the City of Tulsa annexed more than 100 square miles, and neighborhood subdivisions began to proliferate from the core of the city toward the suburban communities.

***Major Street and Highway Plan:***

Both S. 129<sup>th</sup> and E. 11<sup>th</sup> Street are Secondary Arterials, and the ultimate right-of-way has been acquired on both streets.

***Trail System Master Plan Considerations:*** None.

**Small Area Plan:** Plan 66 (December 2020)

**The purpose of Plan 66 is as follows:**

Highlight the historic significance of Route 66 in Tulsa by identifying elements that contribute to its past, present, and future legacy. Acknowledge past successes from project implementation along the corridor and promote future investment. Improve opportunities for visitors and Tulsa residents of all ages to explore along the Route. Develop strategies for supporting established businesses while encouraging further growth, and contribute to a diverse, sustainable economy. Support Route 66’s potential to create a thriving tourism industry. Create recommendations for the built environment to assist with branding, marketing, mobility, public perception, preservation, and new conditions.

Included on the plan is Strategy 2.1 which is to encourage pedestrian-oriented development by implementing elements of the City’s Complete Streets Policy and existing planning documents. The proposed development as outlined in the optional development plan would be in contradiction to the following actions:

- Action 2.1.1 Encourage development built up to the right-of-way to mirror historical built form and promote parking behind buildings.
- Action 2.1.2 Enhance the Route through higher density, infill, and mixed-use development.
- Action 2.1.3 Redevelop vacant or underutilized lots into green spaces and public use spaces where appropriate.
- Action 2.1.8 Adopt design standards for vehicle sales and service businesses.

The majority of the development would be limited to the Trucking and Transportation/ Warehousing use that is designed with little consideration for pedestrian infrastructure or for a mix of uses that would be built at or near the right-of-way.

**Special District Considerations:**

The southern portion of this site lies within the Route 66 Overlay. The purpose and intent of the Route 66 Overlay is to establish zoning regulations and incentives intended to ensure the enhancement, development, and revitalization of the authentic Route 66 through the promotion of historic and historically inspired signage, especially neon, along and adjacent to the two alignments of Route 66 in Tulsa. The regulations are generally intended to guide the character of both public and private development as it occurs along Route 66.

**Historic Preservation Overlay:** None.

**DESCRIPTION OF EXISTING CONDITIONS:**

**Staff Summary:** The property is a vacant lot that sits near the intersection of two arterial streets. The subject property is surrounded by a variety of uses, some of which are conforming to the current zoning code. The subject property site is roughly a half mile from Interstate 44.

**Environmental Considerations:** None currently.

**Streets:**

Existing Access	MSHP Design	MSHP R/W	Exist. # Lanes
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E. 11 <sup>th</sup> St.	Secondary Arterial	100-feet	2
129 <sup>th</sup> E. Ave.	Secondary Arterial	100-feet	4

**Utilities:**

The subject tract has municipal water and sewer available, through there is not sewer running the length of the property. Additional infrastructure may be needed along 129<sup>th</sup> East Avenue to support the proposed development.

**Surrounding Properties:**

Location	Existing Zoning	isting Land Use Designation	Existing Use
North	RS-2	Neighborhood	Church
West	RS-2, CO, CS	Employment/ Multiple Use	al, HVAC Business, Landscaping Business, Vehicle Sales
South	CS	Multiple Use	Vacant
East	RS-2, CH	ighborhood/ Multiple Use	Vacant

**Relevant Zoning History:**

**ZONING ORDINANCE:** Ordinance number 11817 dated June 26, 1970, established RS-2 and CS zoning for the subject property.

**TMAPC Comments:**

Mr. Covey asked what differentiates the CG that is to the south from this application.

Staff stated that zoning was in place prior to the adoption of Plan 66 and the Route 66 overlay and if that was before staff today, he doesn't believe the recommendation would be for approval. He stated the sheer volume, and the size of the subject site would make a difference in what could be done at this site if it were zoned CG.

Mr. Zalk stated if CG is approved the applicant could have the trucking and storage by right but if not, they would need to go to the Board of Adjustment for a Special Exception.

Staff stated, "that is correct."

**Applicant Comments:**

**JR Donaldson**, 12820 S Memorial Drive in Bixby, OK

Mr. Donelson stated he represents the applicant for this project. He stated he has met with the Planning Office staff with regards to this application several times and they understand why staff is asking them to backoff the CG zoning and keep the CS, but they want Planning Commission to look at a specific use only for this truck terminal. Mr. Donelson stated they don't care about warehousing or storage. He stated there is existing CG to the south of and they feel like this is going to be a good fit for 129<sup>th</sup> East Ave. Mr. Donelson stated there are various businesses like this one on both sides of 129<sup>th</sup> East Avenue and especially to the north of this site. Mr. Donelson stated the owner is not going to be using the entire piece of property for the truck terminal, but only 400 feet of what they are going to call this Lot 2, Development area A, and Development area B is where the truck terminal would be. Development area A would still be CS which would work well with the overlay for Route 66. Mr. Donelson stated he has spoken with some of the landowners in the adjacent areas and they have no issues with the rezoning of CG.

**TMAPC Comments:**

Mr. Walker asked if the applicant wanted straight CG zoning on the entire property.

Mr. Donelson stated "yes".

Mr. Walker asked if there was a compromise with CS and that specific use.

Mr. Donelson stated in the development plan they show that they are in favor of the CS on the corner and CG for the remaining part.

Mr. Zalk asked if staff could help them understand the rationale for doing this CS with no optional development plan instead of the CG as it relates to the Route 66 overlay.

Staff stated the encouragement of that plan is towards more active uses. He stated obviously staff understands that not every corner is going to be retail or an active use like that, but they do have a plan in place that really speaks to making it a kind of cultural center for the many people that travel that area. He stated when looking at the actual use of a trucking transportation terminal on Route 66, they have a little bit of heartburn to say that this is going to be aligned with those goals. Staff stated if the applicant had another use in CG that they were interested in they may be able to move forward with the development plan. He stated the applicant wishes to go forward with the trucking transportation terminal and the CS would still give them the avenue to take it to the Board of Adjustment as a Special Exception.

Mr. Zalk asked, "as opposed to a denial."

Staff stated "correct." He stated staff has no issue with it being CS and with the applicant to pursue all the allowances including the Special Exceptions allowed in CS

but as far as allowing the trucking transportation terminal by right is where they are splitting hairs.

Mr. Zalk stated but it sounds like staff is saying they don't think trucking should be there because of what they have decided the other the users should be, but they don't want to make the decision that it should not be there at that location, and they want another board to make the decision that it should not be there.

Staff stated they would generally find CS zoning compatible with the Route 66 Plan and Multiple Use, but they are saying there probably should be a second step in that process to make sure that that is in alignment.

Mr. Covey asked if staff gave recommendations on Board of Adjustment cases.

Staff stated they do not.

Mr. Covey stated he agrees with Mr. Zalk that it sounds like the staff does not want trucking here because of the Route 66 Plan and yet there is no one here to speak against this application. He stated the applicant is willing to invest money and put a truck terminal on the subject property and there are no neighbors here that that have any issue with this.

Staff stated if the applicant wanted to pursue an additional Comprehensive Plan Amendment for an Employment Designation or something that would fit more of an industrial alignment staff recommendation might change based on that.

Mr. Covey stated if we give the applicant the CG zoning, anyone could have the truck terminal by right and if the day came when this applicant is gone from that property staff would rather it be CS so that if anyone else moves to the subject property, they would have to get the Special Exception.

Staff stated the Board of Adjustment has the authority to put additional conditions on the subject property and theoretically the Planning Commission does as well, but the Board of Adjustment could also put time limits or other more detailed items that they look to in those developments.

Mr. Zalk stated he appreciates staff's explanation, and he understands the reason of not wanting to automatically grant the right to have the CG zoning permanently on the subject property, but to choose instead to put a time limit on it with a Special Exception. He stated but it feels like we don't want the applicant to change the zoning because it is in the Route 66 overlay, and it's suggested that is not a good use of that space. Mr. Zalk stated and yet we don't want to put our foot down all the way and say no, we are just passing the buck to some other Board.

Mr. Covey stated this is a tough one for him he understands that there is a Route 66 Plan in place and that they want certain types of developments in that plan but at the same time here is an applicant here who is willing to spend their time and money to develop a project and there is no opposition present. He asked, "what do you do." Do you go ahead and give the applicant what they want, which is the CG zoning to put in the truck terminal or do you deny it and make them go to the Board of Adjustment.

Ms. Carr stated cities need to make plans, and they made the decision to include the subject property in the Route 66 overlay. She stated the plan is important but there are no neighbors here to protest. She stated that is concerning and she wonders if the plan should be changed.

Mr. Covey stated looking at the aerial in the agenda packet on page 3.9 there are not a lot of residential dwellings within the 300-foot radius of the subject property, so he understands why there are no protestants here today.

Mr. Craddock stated this is Route 66, are we saying that we don't want vehicular types of businesses on Route 66. He stated the Route 66 experience talks about the historic significance of Route 66 by identifying elements that contributed to its past, present, and future legacy and vehicles is exactly what Route 66 was about and he thinks this application fits that mold.

Mr. Hood stated he understands the staff's recommendation and they don't want to set a precedent by approving this request because CG does not fit the vision of the area so staff would prefer CS.

Mr. Covey stated from his personal standpoint, it is one more CG along Route 66 that will give future applicants a precedent.

Mr. Hood stated that is his concern also. He stated the CG across the street from the subject property existed prior to the update to the Route 66 overlay and the Comprehensive Plan being approved, but if this change is approved now that is where the precedent happens.

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

**TMAPC Action; 9 members present:**

On **MOTION** of **CRADDOCK**, the TMAPC voted 6-3-0 (Craddock, Humphrey, Shivel, Walker, Whitlock, Zalk, "aye"; Carr, Covey, Hood, "nays"; none "abstaining"; Bayles, Krug, "absent") to recommend **APPROVAL** of CG zoning with the optional development plan for Z-7733.

**Legal Description for Z-7733:**

A TRACT OF LAND THAT IS PART OF THE WEST HALF OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (W/2 W/ SW/4 SW/4) OF SECTION FOUR (4), TOWNSHIP NINETEEN (19) NORTH RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN I TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U. GOVERNMENT SURVEY THEREOF BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER; THENCE N 01°35'36" W. ALONG THE WESTERLY LINE OF SAID SW/4, FOR 1316.52 FEET TO THE NORTHWEST CORNER OF SAID W/2 W/2 SW/4 SW/4; THENCE N 55°35'27" E. ALONG THE NORTHERLY LINE OF SAID SW/4 SW/4 FOR 50.00 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND; THENCE N 88°36'27" E, CONTINUING ALONG SAID NORTHERLY LINE, FOR 280.64 FEET TO A POINT ON THE EASTERLY LINE OF SAID W/2 W/2 SW/4 SW/4; THENCE S 01°34'15" E, ALONG SAID EASTERLY LINE. FOR 1,058.89 FEET; THENCE S 88°40'21" W FOR 280.23 FEET; THENCE N 01°35'36" W, PARALLEL WITH THE WESTERLY LINE OF SAID SW/4, FOR 1058.57 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND.

**PUBLIC HEARING - PLATS**

- 4. **Jack Wills** (CD 7) Preliminary Plat, Location: North of the northwest corner of East 67<sup>th</sup> Street South and South 105<sup>th</sup> East Avenue (Continued from September 20, 2023) (**Staff requests a continuance to November 1, 2023**)

**TMAPC Action; 7 members present:**

On **MOTION** of **COVEY**, the TMAPC voted 7-0-0 (Covey, Craddock, Hood, Shivel, Walker, Whitlock, Zalk, “aye”; no “nays”; none “abstaining”; Carr, Bayles, Humphrey, Krug, “absent”) to **CONTINUE** Item 4 to November 1, 2023.

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5. **Northwest Passage I** (CD 1) Preliminary Plat, Location: East of the northeast corner of North Gilcrease Museum Road and Apache Street North

**STAFF RECOMMENDATION:**

**Northwest Passage I** - (CD 1)

East of the northeast corner of North Gilcrease Museum Road and Apache Street North

This plat consists of 101 lots, 9 blocks on 27.5 ± acres.

The Technical Advisory Committee (TAC) met on September 21, 2023 and provided the following conditions:

1. **Zoning:** The property is zoned RS-3 with a Planned Unit Development (PUD-624-A). Final subdivision plans are required to comply with the standards adopted in PUD-624-A. PUD number must remain on the face of the plat and applicable standards must be included in the deed of dedication.
2. **Addressing:** City of Tulsa addresses and street names must be assigned and affixed to the face of the final plat along with the address disclaimer.
3. **Transportation & Traffic:** Sidewalks and appropriate ADA compliant ramps are required along all street frontages. Right-of-way permits will be required for driveways connecting to public streets. IDP approval is required prior to final plat approval. Label and dimension all street right-of-way included in the plat or adjacent to the plat with either recording information or “dedicated by plat”. Right-of-way dedications are required to comply with major street and highway plan. Provide a connection to the unplatted property in the center of the subdivision to establish connectivity for potential future development. Reconfigure West 26<sup>th</sup> Place North to eliminate Reserve C. Stub streets are required to comply with Section 5-060.5 of the Subdivision Regulations including notes on the face of the plat and signage installed to indicate future connections. Any stub streets exceeding 150 feet in length will be required to provide approved turnarounds.
4. **Sewer/Water:** Label and dimension all required or existing easements. Any required offsite easements are required to be recorded and recording information must be provided on the final plat. IDP approval is required for all sewer and water extensions prior to approval of the final plat.
5. **Engineering Graphics:** Submit subdivision control data sheet with final plat. Remove contours from final plat. Under the basis of bearing information, include the coordinate system used. Provide a bearing angle shown on the face of the plat. Graphically show all pins found or set that are associated with the plat.
6. **Stormwater, Drainage, & Floodplain:** IDP approval for storm sewer improvements is required prior to final plat approval. Label and dimension all required or existing easements. Any required offsite easements are required to be recorded and recording information must be provided on the final plat.

7. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** All utilities indicated to serve the site must provide a release prior to final plat approval. Provide a Certificate of Records Search from the Oklahoma Corporation Commission to verify no oil & gas activity on the site.

Staff recommends **APPROVAL** of the preliminary subdivision plat subject to the conditions provided by TAC and all other requirements of the Subdivision and Development Regulations. City of Tulsa release letter is required prior to final plat approval.

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

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

**TMAPC Action; 9 members present:**

On **MOTION** of **ZALK**, the TMAPC voted 9-0-0(Carr, Covey, Craddock, Hood, Humphrey, Shivel, Walker, Whitlock, Zalk, "aye"; no "nays"; none "abstaining"; Bayles, Krug, "absent") to **APPROVE** the Preliminary Subdivision Plat for Northwest Passage I per staff recommendation.

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6. **Forrest Warehouse and Distribution Center** (CD 3) Preliminary Plat, Location: East of the southeast corner of East Pine Street and North Mingo Road

**STAFF RECOMMENDATION:**

**Forrest Warehouse & Distribution Center** - (CD 3)

East of the southeast corner of East Pine Street and North Mingo Road

This plat consists of 3 lots, 2 blocks on 32.4 ± acres.

The Technical Advisory Committee (TAC) met on September 21, 2023 and provided the following conditions:

1. **Zoning:** The property is zoned IL (Industrial – Light). The proposed lots conform to the requirements of the IL district.
2. **Addressing:** City of Tulsa addresses and street names must be assigned and affixed to the face of the final plat along with the address disclaimer.
3. **Transportation & Traffic:** Sidewalks and appropriate ADA compliant ramps are required along all street frontages. Right-of-way permits will be required for driveways connecting to public streets. IDP approval is required prior to final plat approval. Label and dimension all street right-of-way included in the plat or adjacent to the plat with either recording information or “dedicated by plat”. Right-of-way dedications are required to comply with major street and highway plan. Street names must be added to face of plat.
4. **Sewer/Water:** Label and dimension all required or existing easements. Any required offsite easements are required to be recorded and recording information must be provided on the final plat. IDP approval is required for all sewer and water extensions prior to approval of the final plat.
5. **Engineering Graphics:** Submit subdivision control data sheet with final plat. Remove contours from final plat. Update location map to include only platted property boundaries and label all other areas as unplatted. Under the basis of bearing heading, provide a bearing angle shown on the face of the plat. Graphically label the point of beginning on the face of the plat. Provide the date of the last site visit by the surveyor.
6. **Stormwater, Drainage, & Floodplain:** Floodplain areas are present on the proposed lots. Development within floodplain areas will be required to follow all floodplain development ordinances. Add floodplain line types to legend. IDP approval for storm sewer improvements is required prior to final plat approval. Label and dimension all required or existing easements. Any required offsite easements are required to be recorded and recording information must be provided on the final plat.
7. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** All utilities

indicated to serve the site must provide a release prior to final plat approval. Provide a Certificate of Records Search from the Oklahoma Corporation Commission to verify no oil & gas activity on the site.

Staff recommends **APPROVAL** of the preliminary subdivision plat subject to the conditions provided by TAC and all other requirements of the Subdivision and Development Regulations. City of Tulsa release letter is required prior to final plat approval.

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

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

**TMAPC Action; 9 members present:**

On **MOTION** of **WALKER**, the TMAPC voted 9-0-0(Carr, Covey, Craddock, Hood, Humphrey, Shivel, Walker, Whitlock, Zalk, "aye"; no "nays"; none "abstaining"; Bayles, Krug, "absent") to **APPROVE** the Preliminary Subdivision Plat for Forrest Warehouse and Distribution Center per staff recommendation.

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Items 7 and 8 were presented together.

7. **Phoenix at 36N** (CD 1) Preliminary Plat and Modification of the Subdivision and Development Regulations to remove requirement for performance guarantees, Location: Southeast corner of East 36<sup>th</sup> Street North and North Peoria Avenue (Related to Phoenix at 36N Request for Authorization of Accelerated Release of Building Permits)

**STAFF RECOMMENDATION:**

**Phoenix at 36N** - (CD 1)

Southeast corner of East 36<sup>th</sup> Street North and North Peoria Avenue

1 lot, 1 block, on 3.62 ± acres

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

1. **Zoning:** The property is zoned MX1-U-U. Proposed lot conforms to the requirements of the zoning district.
2. **Addressing:** City of Tulsa will assign addresses to the lot. The assigned address is required to be affixed to the face of the final plat prior to approval.
3. **Transportation & Traffic:** Sidewalks and appropriate ADA compliant ramps are required along all street frontages. Right-of-way permits will be required for driveways connecting to public streets. Label and dimension all street right-of-way included in the plat or adjacent to the plat with either recording information or “dedicated by plat”. Right-of-way dedications are required to comply with major street and highway plan.
4. **Sewer/Water:** Sewer extension is being constructed through a capital project with public funds. Publicly funded infrastructure must have final plans for infrastructure prepared prior to final plat approval and filing to ensure accuracy of all easements/ROW. Any offsite easements required for this project will be required to be recorded and shown on the face of the plat.
5. **Engineering Graphics:** Submit a subdivision control data sheet with final plat. Show all platted properties in the location map and label all other property as unplatted. Provide the date of the last site visit by the surveyor on the face of the plat. Add contact information for the engineer. Under the basis of bearing heading include the coordinate system used. Provide a bearing angle preferably shown on the face of the plat.
6. **Stormwater, Drainage, & Floodplain:** Publicly funded infrastructure must have final plans for infrastructure prepared prior to final plat approval and filing to ensure accuracy of all easements/ROW. Any offsite easements required for this project

will be required to be recorded and shown on the face of the plat.

- 7. 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.

**Modification to the Subdivision & Development Regulations:**

The applicant has requested a modification to Section 10-110.6-C of the *Subdivision and Development Regulations* which would require the developer to submit a financial guarantee to the City of Tulsa for outstanding infrastructure improvements required for the project. The public infrastructure supporting this project is being done through a publicly funded capital improvement project. Because the infrastructure is already being funded by the City, the performance guarantee would not be necessary. Staff supports the request for modification.

Staff recommends **APPROVAL** of the preliminary subdivision plat and the modification to the Subdivision & Development Regulations subject to the conditions provided by TAC and all other requirements of the Subdivisions Regulations. City of Tulsa release letter is required prior to final plat approval.

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

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

**TMAPC Action; 9 members present:**

On **MOTION** of **WALKER**, the TMAPC voted 9-0-0(Carr, Covey, Craddock, Hood, Humphrey, Shivel, Walker, Whitlock, Zalk, "aye"; no "nays"; none "abstaining"; Bayles, Krug, "absent") to **APPROVE** the Preliminary Subdivision Plat for Phoenix at 36N and the Modification of the Subdivision and Development Regulations to remove requirement for performance guarantees per staff recommendation.

\* \* \* \* \*

8. **Phoenix at 36N** (CD 1) Request for Authorization of Accelerated Release of Building Permits, Location: Southeast corner of East 36<sup>th</sup> Street North and North Peoria Avenue (Related to Phoenix at 36N Preliminary Plat)

**STAFF RECOMMENDATION:**

**Phoenix at 36N** - (CD 1)

Southeast corner of East 36<sup>th</sup> Street North and North Peoria Avenue

The applicant has requested that the Planning Commission authorize the City of Tulsa to issue building permits prior to the filing of a final plat. The *Subdivision & Development Regulations* require the approval of a preliminary plat prior to authorization for an accelerated release of building permits.

This project is being managed by the Tulsa Housing Authority in partnership with the City of Tulsa and the U.S. Department of Housing and Urban Development along with other private partners. The site was awarded a federal CHOICE neighborhood grant through HUD that seeks to revitalize areas through the creation of affordable, walkable, and safe neighborhoods. The project is also receiving low-income housing tax credits. The required infrastructure projects will be coordinated and installed by the City of Tulsa.

The associated grant and awarded tax credits with this project require construction to begin on a specific timeline where delays could create issues. The applicant has requested to defer the requirement for the plat to be filed to the certificate of occupancy to prevent delays on building permits.

The attached email from Jeff Hall, Vice President of The Housing Authority of the City of Tulsa, provides further details on the financing and timelines.

The Technical Advisory Committee met on Thursday, September 21, 2023, and no objections were raised to the authorization of an accelerated release of building permits.

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

Staff recommend **approval** of the accelerated release of a building permit. Approval of the Phoenix at 36N preliminary plat is required.

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

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

**TMAPC Action; 9 members present:**

On **MOTION** of **WALKER**, the TMAPC voted 9-0-0(Carr, Covey, Craddock, Hood, Humphrey, Shivel, Walker, Whitlock, Zalk, “aye”; no “nays”; none “abstaining”; Bayles, Krug, “absent”) to **APPROVE** the Authorization of Accelerated Release of Building Permits for Phoenix at 36N per staff recommendation.



**OTHER BUSINESS**

9. Proposed 2024 TMAPC Meeting Dates

**2024 PROPOSED SCHEDULE**

**Tulsa Metropolitan Area Planning Commission  
(TMAPC)**

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Regular meetings of the TMAPC are held on the first and third Wednesday of each month at 1:00 p.m. in the One Technology Center, 175 E. 2nd Street, City Council Chambers, 2nd Level, Tulsa, Oklahoma.

Work sessions of the TMAPC are held, as necessary, typically prior to regular TMAPC business in the One Technology Center, 175 E. 2nd Street, in a room location to be announced at the time an agenda is posted.

<b>JANUARY</b>		<b>FEBRUARY</b>		<b>MARCH</b>	
<b>3</b>		<b>7</b>		<b>6</b>	
<b>17</b>		<b>21</b>		<b>20</b>	
<b>APRIL</b>		<b>MAY</b>		<b>JUNE</b>	
<b>3</b>		<b>1</b>		<b>5</b>	
<b>17</b>		<b>15</b>		<b>26*</b>	
<b>JULY</b>		<b>AUGUST</b>		<b>SEPTEMBER</b>	
<b>July 3-No Meeting</b>		<b>7</b>		<b>4</b>	
<b>17</b>		<b>21</b>		<b>18</b>	
<b>OCTOBER</b>		<b>NOVEMBER</b>		<b>DECEMBER</b>	
<b>2</b>		<b>6</b>		<b>4</b>	
<b>16</b>		<b>20</b>		<b>18</b>	

**\*Moved to 4<sup>th</sup> Wednesday due to Juneteenth holiday**

**TMAPC Action; 9 members present:**

On **MOTION** of **WALKER**, the TMAPC voted 9-0-0(Carr, Covey, Craddock, Hood, Humphrey, Shivel, Walker, Whitlock, Zalk, “aye”; no “nays”; none “abstaining”; Bayles, Krug, “absent”) to **APPROVE** the proposed 2024 TMAPC meetings with the modification of the 2nd meeting in June to move from June 19, 2024, which is the Juneteenth holiday, to June 26, 2024 and only one meeting in July instead of two.

**10. Commissioners' Comments**

None

**ADJOURN**

**TMAPC Action; 9 members present:**

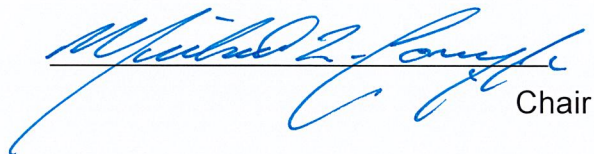
On **MOTION** of **WALKER**, the TMAPC voted 9-0-0(Carr, Covey, Craddock, Hood, Humphrey, Shivel, Walker, Whitlock, Zalk, "aye"; no "nays"; none "abstaining"; Bayles, Krug, "absent") to **ADJOURN** TMAPC meeting of October 4, 2023, Meeting No. 2899.

**ADJOURN**


There being no further business, the Chair declared the meeting adjourned at 1:35 p.m.

Date Approved:

10-17-2023

  
Chair

ATTEST:



Secretary