

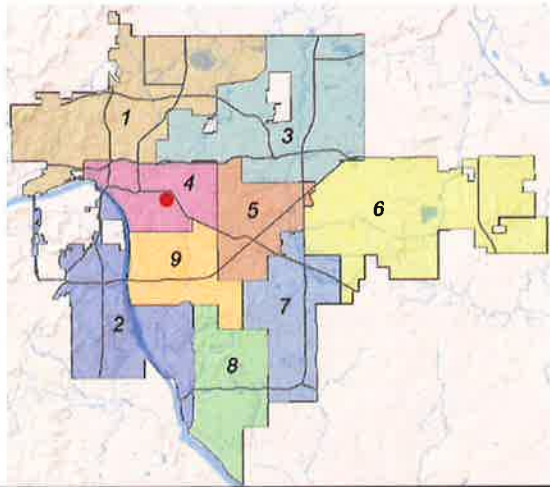


Case Number: PUD-761-B-1
Minor Amendment
Hearing Date: January 16, 2019

Case Report Prepared by:
 Jay Hoyt

Owner and Applicant Information:
 Applicant: Lou Reynolds
 Property Owner: Armstrong Harvard & 41st LLC

Location Map:
 (shown with City Council Districts)



Applicant Proposal:
 Concept summary: PUD minor amendment to allow 24 hour access to studio space
 Gross Land Area: 4.5 acres
 Location: SE/c E 41st St S and S Harvard Ave
 Lot 2, Block 1 Harvard Square South Amended
 4123 S Harvard Ave, Suites 104 & 105

Zoning:
 Existing Zoning: CS/OL/PUD-761-B
 Proposed Zoning: No Change

Comprehensive Plan:
 Land Use Map: Neighborhood Center
 Growth and Stability Map: Growth

Staff Recommendation:
 Staff recommends **approval**.

Staff Data:
 TRS: 9328

City Council District: 9
Councilor Name: Ben Kimbro
County Commission District: 2
Commissioner Name: Karen Keith

SECTION I: PUD-761-B-1 Minor Amendment

STAFF RECOMMENDATION

Amendment Request: Revise the PUD Development Standards to allow 24 hour access to a studio space.

The applicant proposes to allow 24 hour access to a studio space located within the existing retail center. The access would be granted via active keycards to members of the studio with normal, public hours limited to 6:00 am to 11:00 pm, as outlined in the existing standards for the PUD.

Staff Comment: *This request can be considered a Minor Amendment as outlined by Section 30.010.1.2.c (15) of the City of Tulsa Zoning Code.*

“Changes in an approved use to another use may be permitted, provided the underlying zoning on the particular site within the PUD would otherwise permit such use as of right and the proposed use will not result in any increase of incompatibility with the present and future use of nearby properties.”

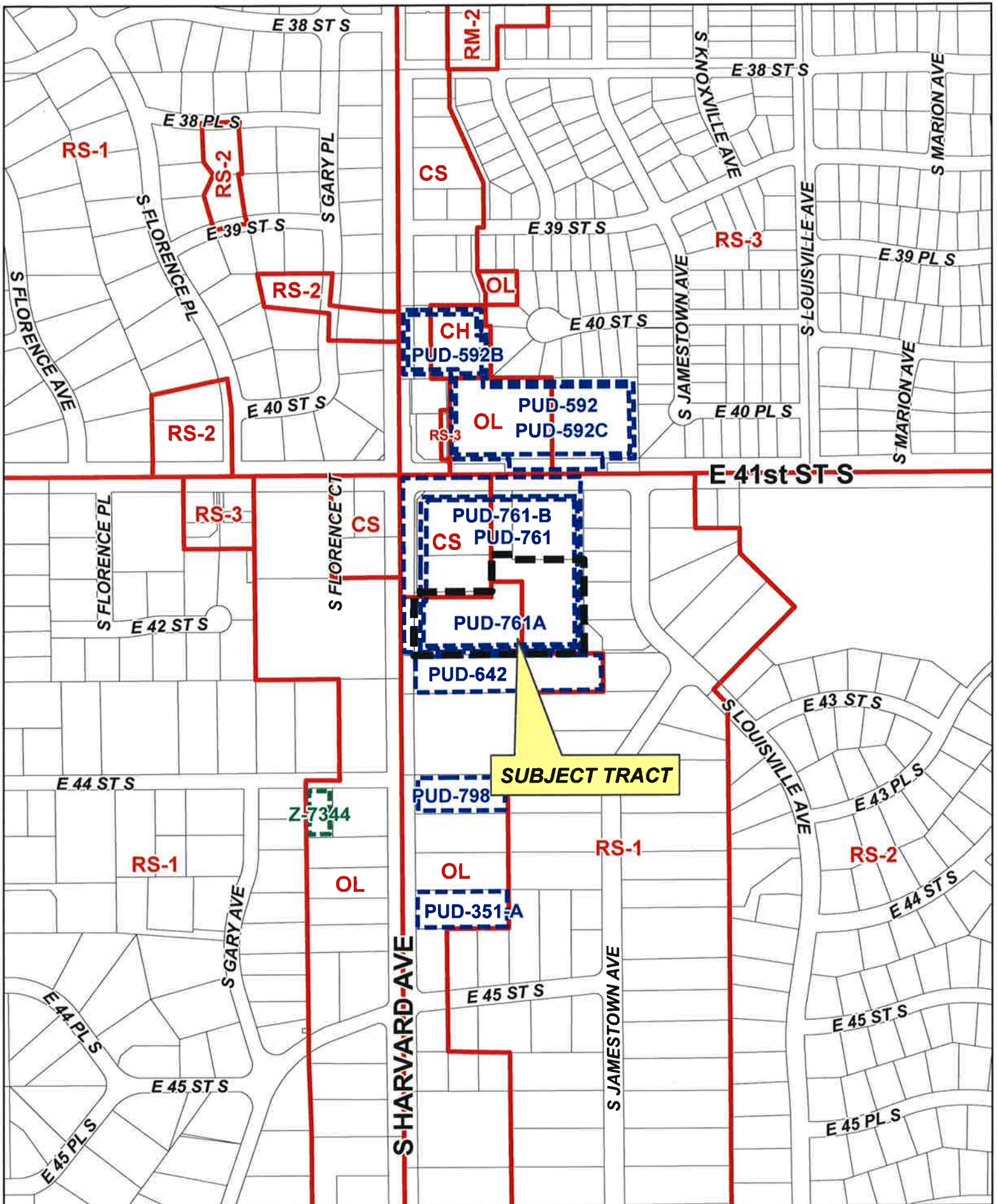
Staff has reviewed the request and determined:

- 1) The requested amendment does not represent a significant departure from the approved development standards in the PUD.
- 2) The request shall be limited to Suites 104 & 105. All other business hour shall remain as stated in the PUD Development Standards.
- 3) All remaining development standards defined in PUD-761 shall remain in effect.

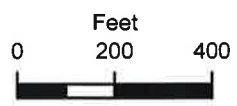
Exhibits included with staff recommendation:

INCOG zoning case map
INCOG aerial photo
INCOG aerial photo (enlarged)
Applicant Exhibit A

With considerations listed above, staff recommends **approval** of the minor amendment request to allow 24 hour access to the subject studio space.



PUD-761-B-1



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Subject Tract

PUD-761-B-1

19-13 28

Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2018



E 41st ST S

S HARVARD AVE



Subject Tract

PUD-761-B-1

19-13 28

Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2018



Exhibit "A"

Applicant requests a Minor Amendment to PUD-761-B to permit a yoga studio (the "Studio") operating in Suite 104-105, containing approximately 2400 SF (the "Premises") located at 4123 S. Harvard Avenue (the "Project") to permit 24-hour, member-only use.

The PUD currently permits a business to operate between the hours of 6:00 a.m. to 11:00 p.m. ("Permitted Hours"). The Studio will maintain business hours within the Permitted Hours, at which time it will be open to the public and its members. In addition to the Studio's business hours, the Studio will offer 24-hour access to its members only. The 24-hour access shall be subject to the following conditions:

- In addition to the business hours that the Studio is open, the members of the Studio shall be permitted to use the Premises on a 24-hour basis.
- The members of the Studio shall mean those paying members with active keycards, which keycards will allow after-hours entry onto the Premises.
- The Studio shall be closed to the public and the doors shall otherwise remain locked after business hours; and in no event shall the Studio be open to the public beyond the Permitted Hours.
- All other businesses located on the Project shall remain subject to the Permitted Hours of 6:00 a.m. to 11:00 p.m. set forth in PUD-761-B.