

The Technical Advisory Committee met on November 16, 2017 and the following items were determined:

1. All required right-of-way has been dedicated and is in place.
2. Necessary easements and utilities are all in place and no additional easements will be needed at this time.
3. No further subdivision of the property is proposed at this time.
4. The property has a minor amount of floodplain present in the far northeast corner. Development will be restricted within the floodplain.

Staff recommends **approval** of the plat waiver with the following condition: Per the Subdivision Regulations, plat waivers granted on unplatted properties will require the filing of a current ALTA/ACSM/NSPS survey with the County Clerk's office.

**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 **DIX**, the TMAPC voted 9-0-0 (Covey, Dix, Doctor, Fothergill, Fretz, Krug, Millikin, Reeds, Shivel, "aye"; no "nays"; none "abstaining"; Carnes, Walker, "absent") to **APPROVE** CZ-465 Plat Waiver per staff recommendation.

\*\*\*\*\*

Items 28, 29, 30 and 31 were presented together.

28. **Z-7426 Capital Homes Residential Group, LLC** (CD 1) Location: Northwest corner of East Latimer Street and North Boston Avenue requesting rezoning from **RM-3/CS/PUD-786** to **RS-5** (Related to PUD-786-A, Z-7427 and Z-7426/Z-7427/PUD-786-A Plat Waiver)

**STAFF RECOMMENDATION:**

**SECTION I: Z-7426**

**DEVELOPMENT CONCEPT:**

The current zoning was a PUD prepared anticipating development of a senior living center however the center was never constructed. The site is immediately north of the Emmerson elementary site that is being renovated and expanded. The proposal is to construct detached houses on the original lot configuration.

## **DETAILED STAFF RECOMMENDATION:**

Case Z-7426 requesting RS-5 zoning is consistent with the expected development pattern in the area and,

RS-5 zoning is non-injurious to the surrounding property owners and,

RS-5 zoning is consistent with the Tulsa Comprehensive Plan and,

RS-5 zoning is consistent with the Unity Heritage Neighborhoods Plan therefore,

**Staff recommends Approval of Z-7426 to rezone property from RM-3, CS, PUD-786/ to RS-5.**

## **SECTION II: Supporting Documentation**

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: The abandonment of the PUD and rezoning are consistent with the Existing Neighborhood designation in the Tulsa Comprehensive Plan and the rezoning request is consistent with the anticipated redevelopment of the area identified in the Unity Heritage Neighborhoods Plan.*

### 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:* None that affect the site.

*Trail System Master Plan Considerations:* None that affect the site

Sector Plan: Unity Heritage Neighborhoods Plan adopted November 2016

The neighborhood plan was recently adopted with seven goals in the implementation action matrix that are important to this redevelopment opportunity. Emerson school redevelopment was not specifically identified as a growth opportunity area however redevelopment of this school site along with Tulsa Development Authority collaboration has provided an opportunity to help transform and revitalize neighborhoods most impacted by vacancy or poor maintenance as identified in goal 3.

Special District Considerations: None

Historic Preservation Overlay:

DESCRIPTION OF EXISTING CONDITIONS:

*Staff Summary:* All parcels included in the RS-5 zoning request are vacant. The lot configuration of the original Burgess Hill Addition has been manipulated over the years for purposes that are no longer valid. The developer has begun preparation of lot splits and lot combination to assemble the lots back to the original Burgess Hill lot configuration with an alley on the block.

Environmental Considerations: None that might affect site redevelopment.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
North Boston Avenue	None	50 feet	2
East Latimer Street	None	50 feet	2
North Main Street	Residential Collector	60 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	RS-4	Existing Neighborhood	Stability	Single Family Residential
East	RS-4	Existing Neighborhood	Stability	Single Family Residential
South	RS-4	Existing Neighborhood	Stability	Tulsa Public School Emmerson Elementary
West	RS-4/CS	Existing Neighborhood	Stability	3 story multifamily and single family residential

**SECTION III: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 11918 dated September 1, 1970, established zoning for the subject property.

***Subject Property:***

**Z-7179 September 2011:** All concurred in **approval** of a request for rezoning a 2.32± acre tract of land from RS-3/CS to RM-3/CS on property located north and east of the northeast corner of East Latimer Street and North Main Street on the subject property.

**Z-7178 September 2011:** All concurred in **approval** of a request for rezoning a .315± acre tract of land from RS-4 to RM-3/CS on property located north of the northeast corner of East Latimer Street and North Main Street on the subject property.

**PUD-786 September 2011:** All concurred in **approval** of a proposed Planned Unit Development on a 2.63± acre tract of land for on property located north and east of the northeast corner of East Latimer Street and North Main Street on the subject property.

**Z-6373 October 1992:** All concurred in **approval** of a request for rezoning a 195± acre tract of land from RM-2 to RS-4 on property located north of the northeast corner of East Latimer Street and North Main Street on the subject property as part of a larger blanket rezoning study.

***Surrounding Property:***

**PUD-727 March 2006:** All concurred in **approval** of a request for rezoning a 7.6± acre tract of land from RS-4 to RS-4/PUD-727 on property fronting North Cincinnati Avenue between East Oklahoma Street and East Latimer Place, east of the subject property.

**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 **DIX**, the TMAPC voted 9-0-0 (Covey, Dix, Doctor, Fothergill, Fretz, Krug, Millikin, Reeds, Shivel, "aye"; no "nays"; none "abstaining"; Carnes, Walker, "absent") to **APPROVE** Z-7426 rezoning from RM-3/CS/PUD-786 to RS-5 per staff recommendation.

**Legal Description of Z-7426:**

ALL OF LOTS ONE (1) THROUGH SIX (6), IN BLOCK EIGHTEEN (18), BURGESS HILL ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.

AND

ALL OF LOTS FOUR (4) THROUGH SEVEN (7), BLOCK EIGHT (8), POWDER AND POMEROY ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF;

AND

ALL OF LOTS THREE (3) THROUGH SEVEN (7), BLOCK FOUR (4), POWDER AND POMEROY SECOND ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF;

AND

A TRACT OF LAND BEING A PART OF A VACATED ALLEY IN BLOCK EIGHTEEN (18), BURGESS HILL ADDITION, AND BLOCK EIGHT (8), POWDER AND POMEROY ADDITION, AND BLOCK FOUR (4), POWDER AND POMEROY SECOND ADDITION, ALL IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLATS THEREOF, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT THREE (3), BLOCK FOUR (4), POWDER AND POMEROY SECOND ADDITION; THENCE SOUTH 01°04'54" EAST AND ALONG THE WEST LINE OF SAID BLOCK 4 IN POWDER AND

POMEROY ADDITION AND THE WEST LINE OF LOTS 1 THROUGH 6, BLOCK 18 IN BURGESS HILL ADDITION, FOR A DISTANCE OF 513.40 FEET TO THE SOUTHWEST CORNER OF LOT 6, IN SAID BLOCK 18; THENCE SOUTH 88°55'06" WEST AND PERPENDICULAR TO SAID WEST LINE, FOR A DISTANCE OF 14.00 FEET TO THE SOUTHEAST CORNER OF LOT 7, IN SAID BLOCK 18; THENCE NORTH 01°04'54" WEST AND ALONG THE EAST LINE OF LOTS 7 THROUGH 10, IN SAID BLOCK 18, FOR A DISTANCE OF 195.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 10, BLOCK 18; THENCE NORTH 88°55'06" EAST AND PERPENDICULAR TO SAID EAST LINE, FOR A DISTANCE OF 7.00 FEET; THENCE NORTH 01°04'54" WEST AND PARALLEL WITH SAID EAST LINE, FOR A DISTANCE OF 98.40 FEET; THENCE SOUTH 88°55'06" WEST AND PERPENDICULAR TO SAID EAST LINE, FOR A DISTANCE OF 7.00 FEET TO THE SOUTHEAST CORNER OF LOT 7, BLOCK 8, POWDER AND POMEROY ADDITION; THENCE NORTH 01°04'54" WEST AND ALONG THE EAST LINE OF LOTS 5 THROUGH 7, IN SAID BLOCK 8, FOR A DISTANCE OF 128.00 FEET TO THE NORTHEAST CORNER OF LOT 5, SAID BLOCK 8; THENCE NORTH 88°55'06" EAST AND PERPENDICULAR TO THE EAST LINE OF SAID BLOCK 8, FOR A DISTANCE OF 7.00 FEET; THENCE NORTH 01°04'54" WEST AND PARALLEL WITH SAID EAST LINE, FOR A DISTANCE OF 92.00 FEET; THENCE NORTH 88°55'06" EAST AND PERPENDICULAR TO SAID EAST LINE, FOR A DISTANCE OF 7.00 FEET TO THE POINT OF BEGINNING;

\*\*\*\*\*

29. **Z-7427 Capital Homes Residential Group, LLC** (CD 1) Location: Northeast corner of North Main Street and East Latimer Street requesting rezoning from **RM-3/CS/PUD-786** to **MX2-U-45** (Related to PUD-786-A, Z-7427 and Z-7426/Z-7427/PUD-786-A Plat Waiver)

**STAFF RECOMMENDATION:**

**SECTION I: Z-7427**

**DEVELOPMENT CONCEPT:**

The current zoning was a PUD which was prepared anticipating development of a senior living center however the center was never constructed. The site is immediately north of Tulsa public school (Emerson elementary) that is being renovated and expanded. The application submitted includes proposal for MX2 zoning district however our correspondence seems to reference MX-1 zoning as recommended by staff. MX1-U-45 will replace CS zoning at the southwest

corner of the PUD. MX-1 uses are intended to accommodate small scale retail, service, and dining uses that serve nearby residential neighborhoods. The district also allows a variety of residential uses and building types.

**DETAILED STAFF RECOMMENDATION:**

After several meetings with staff the applicant submitted a request for MX2 zoning. As the project concept has refined we have had further discussions with the applicant and determined that MX1 is the appropriate request at this location and still supports the goals of the Tulsa Development Authority and the developer.

Case Z-7427 requesting MX2-U-45 zoning may allow some uses that are not consistent with the expected development pattern in the area however MX1-U-45 removes those concerns and,

MX1-U-45 zoning is non-injurious to the surrounding property owners and,

MX1-U-45 zoning is consistent with the Tulsa Comprehensive Plan and,

MX1-U-45 zoning is consistent with the Unity Heritage Neighborhoods Plan therefore,

**Staff recommends Approval of Z-7427 to rezone property from RM-3,CS to MX1-U-45.**

**SECTION II: Supporting Documentation**

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: The abandonment of the PUD and rezoning are consistent with the Existing Neighborhood designation in the Tulsa Comprehensive Plan and the rezoning request is consistent with the anticipated redevelopment of the area identified in the Unity Heritage Neighborhoods Plan.*

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:* None that affect the site.

*Trail System Master Plan Considerations:* None that affect the site

Sector Plan: Unity Heritage Neighborhoods Plan adopted November 2016

The neighborhood plan was recently adopted with seven goals in the implementation action matrix that are important to this redevelopment opportunity. Emerson school redevelopment was not specifically identified as a growth opportunity area however redevelopment of this school site along with Tulsa Development Authority collaboration has provided an opportunity to help transform and revitalize neighborhoods most impacted by vacancy or poor maintenance as identified in goal three.

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *Two of the lots contained in the MX1-U zoning recommendation contain single family residential homes, two lots are vacant. All parcels included in the abutting RS-5 zoning request are vacant. The lot configuration of the original Burgess Hill Addition is largely the same as originally platted. The developer has begun preparation of lot splits and lot combination to reconfigure the lots back to the original Burgess Hill lot configuration. The plat was filed in 1909 with lots that are consistent with MX1-U zoning lot and building regulations and with the concurrent RS-5 zoning request abutting this site.*



Environmental Considerations: None that might affect site redevelopment.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP RW</u>	<u>Exist. # Lanes</u>
North Boston Avenue	None	50 feet	2
East Latimer Street	None	50 feet	2
North Main Street	Residential Collector	60 feet	2

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-4	Existing Neighborhood	Stability	Single Family Residential
East	RS-4	Existing Neighborhood	Stability	Single Family Residential
South	RS-4	Existing Neighborhood	Stability	Tulsa Public School Emmerson Elementary
West	RS-4/CS	Existing Neighborhood	Stability	3 story multifamily and single family residential

**SECTION III: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 11918 dated September 1, 1980, established zoning for the subject property.

***Subject Property:***

**Z-7179 September 2011:** All concurred in **approval** of a request for rezoning a 2.32± acre tract of land from RS-3/CS to RM-3/CS on property located north and

east of the northeast corner of East Latimer Street and North Main Street on the subject property.

**Z-7178 September 2011:** All concurred in **approval** of a request for rezoning a .315± acre tract of land from RS-4 to RM-3/CS on property located north of the northeast corner of East Latimer Street and North Main Street on the subject property.

**PUD-786 September 2011:** All concurred in **approval** of a proposed Planned Unit Development on a 2.63± acre tract of land for on property located north and east of the northeast corner of East Latimer Street and North Main Street on the subject property.

**Z-6373 October 1992:** All concurred in **approval** of a request for rezoning a 195± acre tract of land from RM-2 to RS-4 on property located north of the northeast corner of East Latimer Street and North Main Street on the subject property as part of a larger blanket rezoning study.

***Surrounding Property:***

**PUD-727 March 2006:** All concurred in **approval** of a request for rezoning a 7.6± acre tract of land from RS-4 to RS-4/PUD-727 on property fronting North Cincinnati Avenue between East Oklahoma Street and East Latimer Place, east of the subject property.

**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 **DIX**, the TMAPC voted 9-0-0 (Covey, Dix, Doctor, Fothergill, Fretz, Krug, Millikin, Reeds, Shivel, "aye"; no "nays"; none "abstaining"; Carnes, Walker, "absent") to **APPROVE** Z-7427 rezoning from RM-3/CS/PUD-786-A to MX1-U-45 per staff recommendation.

**Legal Description of Z-7427:**

LT 10 BLK 18; LT-9-BLK-18; LT-8-BLK-18; W/2 LT 7 BLK-18; E/2 LT 7 BLK 18, BURGESS HILL ADDN, City of Tulsa, Tulsa County, State of Oklahoma

\*\*\*\*\*

30. **PUD-786-A Capital Homes Residential Group, LLC** (CD 1) Location: Northwest corner of East Latimer Street and North Boston Avenue requesting

to **Abandonment of PUD-786** (Related to Z-7426, Z-7427 and Z-7426/Z-7427/PUD-786-A Plat Waiver)

**STAFF RECOMMENDATION:**

**SECTION I: PUD-786-A**

**DEVELOPMENT CONCEPT:**

The current zoning was a PUD which was prepared anticipating development of a senior living center however the center was never constructed. The site is immediately north of the Emerson elementary site that is being renovated and expanded. The proposal is to construct detached houses on the original lot configuration and will include a request for Mixed Use zoning to replace CS zoning at the southwest corner of the PUD.

**DETAILED STAFF RECOMMENDATION:**

PUD 786-A will abandon the PUD that was prepared anticipating a senior living center and remove any development restrictions except what will remain either the existing underlying zoning districts or the proposed rezoning. Abandonment of the PUD is non-injurious to the surrounding property owners and,

The underlying zoning or the anticipated rezoning is consistent with the Tulsa Comprehensive Plan and,

The underlying zoning or the anticipated rezoning is consistent with the Unity Heritage Neighborhoods Plan therefore,

**Staff recommends approval of PUD 786-A which will abandon PUD 786 with or without the related zoning request.**

**SECTION II: Supporting Documentation**

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

*Staff Summary: The abandonment of the PUD and rezoning are consistent with the Existing Neighborhood designation in the Tulsa Comprehensive Plan and the rezoning request is consistent with the anticipated redevelopment of the area identified in the Unity Heritage Neighborhoods Plan. If for any reason the related zoning request are not approved the abandonment request of the existing PUD is appropriate at this location.*

**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:* None that affect the site.

*Trail System Master Plan Considerations:* None that affect the site

Sector Plan: Unity Heritage Neighborhoods Plan adopted November 2016

The neighborhood plan was recently adopted with seven goals in the implementation action matrix that are important to this redevelopment opportunity. Emerson school redevelopment was not specifically identified as a growth opportunity area however redevelopment of this school site along with Tulsa Development Authority collaboration has provided an opportunity to help transform and revitalize neighborhoods most impacted by vacancy or poor maintenance as identified in goal 3.

Special District Considerations: None

Historic Preservation Overlay:

**DESCRIPTION OF EXISTING CONDITIONS:**

*Staff Summary: Two lots facing North Main Street which are included in the PUD abandonment request have single family residential homes. The remainder of the lots are vacant. The lot configuration of the original Burgess Hill Addition has been manipulated over the years for purposes that are no longer valid. The developer has begun preparation of lot splits and lot combination to assemble the lots back to the original Burgess Hill lot configuration with an alley on the block.*

Environmental Considerations: None that might affect site redevelopment.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
North Boston Avenue	None	50 feet	2
East Latimer Street	None	50 feet	2
North Main Street	Residential Collector	60 feet	2

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-4	Existing Neighborhood	Stability	Single Family Residential
East	RS-4	Existing Neighborhood	Stability	Single Family Residential
South	RS-4	Existing Neighborhood	Stability	Tulsa Public School Emmerson Elementary
West	RS-4/CS	Existing Neighborhood	Stability	3 story multifamily and single family residential

### **SECTION III: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 11918 dated September 1, 1980, established zoning for the subject property.

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

**Z-7179 September 2011:** All concurred in **approval** of a request for rezoning a 2.32± acre tract of land from RS-3/CS to RM-3/CS on property located north and east of the northeast corner of East Latimer Street and North Main Street on the subject property.

**Z-7178 September 2011:** All concurred in **approval** of a request for rezoning a .315± acre tract of land from RS-4 to RM-3/CS on property located north of the northeast corner of East Latimer Street and North Main Street on the subject property.

**PUD-786 September 2011:** All concurred in **approval** of a proposed Planned Unit Development on a 2.63± acre tract of land for on property located north and east of the northeast corner of East Latimer Street and North Main Street on the subject property.

**Z-6373 October 1992:** All concurred in **approval** of a request for rezoning a 195± acre tract of land from RM-2 to RS-4 on property located north of the northeast corner of East Latimer Street and North Main Street on the subject property as part of a larger blanket rezoning study.

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

**PUD-727 March 2006:** All concurred in **approval** of a request for rezoning a 7.6± acre tract of land from RS-4 to RS-4/PUD-727 on property fronting North Cincinnati Avenue between East Oklahoma Street and East Latimer Place, east of the subject property.

**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 **DIX**, the TMAPC voted 9-0-0 (Covey, Dix, Doctor, Fothergill, Fretz, Krug, Millikin, Reeds, Shivel, "aye"; no "nays"; none "abstaining"; Carnes, Walker, "absent") to **APPROVE** PUD-786-A per staff recommendation.

#### **Legal Description of PUD-786-A:**

**ALL OF LOTS ONE (1) THROUGH TEN (10), IN BLOCK EIGHTEEN (18),  
BURGESS HILL ADDITION TO THE CITY OF TULSA, TULSA COUNTY,**

STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.

**AND** ALL OF LOTS FIVE (5) THROUGH SEVEN (7), BLOCK EIGHT (8), POWDER AND POMEROY ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.

**AND** ALL OF LOTS THREE (3) THROUGH SEVEN (7), BLOCK FOUR (4), POWDER AND POMEROY SECOND ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.

**AND** A TRACT OF LAND BEING A PART OF A VACATED ALLEY IN BLOCK EIGHTEEN (18), BURGESS HILL ADDITION, AND BLOCK EIGHT (8), POWDER AND POMEROY ADDITION, AND BLOCK FOUR (4), POWDER AND POMEROY SECOND ADDITION, ALL IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLATS THEREOF, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT THREE (3), BLOCK FOUR (4), POWDER AND POMEROY SECOND ADDITION; THENCE SOUTH  $01^{\circ}04'54''$  EAST AND ALONG THE WEST LINE OF SAID BLOCK 4 IN POWDER AND POMEROY ADDITION AND THE WEST LINE OF LOTS 1 THROUGH 6, BLOCK 18 IN BURGESS HILL ADDITION, FOR A DISTANCE OF 513.40 FEET TO THE SOUTHWEST CORNER OF LOT 6, IN SAID BLOCK 18; THENCE SOUTH  $88^{\circ}55'06''$  WEST AND PERPENDICULAR TO SAID WEST LINE, FOR A DISTANCE OF 14.00 FEET TO THE SOUTHEAST CORNER OF LOT 7, IN SAID BLOCK 18; THENCE NORTH  $01^{\circ}04'54''$  WEST AND ALONG THE EAST LINE OF LOTS 7 THROUGH 10, IN SAID BLOCK 18, FOR A DISTANCE OF 195.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 10, BLOCK 18; THENCE NORTH  $88^{\circ}55'06''$  EAST AND PERPENDICULAR TO SAID EAST LINE, FOR A DISTANCE OF 7.00 FEET; THENCE NORTH  $01^{\circ}04'54''$  WEST AND PARALLEL WITH SAID EAST LINE, FOR A DISTANCE OF 98.40 FEET; THENCE SOUTH  $88^{\circ}55'06''$  WEST AND PERPENDICULAR TO SAID EAST LINE, FOR A DISTANCE OF 7.00 FEET TO THE SOUTHEAST CORNER OF LOT 7, BLOCK 8, POWDER AND POMEROY ADDITION; THENCE NORTH  $01^{\circ}04'54''$  WEST AND ALONG THE EAST LINE OF LOTS 5 THROUGH 7, IN SAID BLOCK 8, FOR A DISTANCE OF 128.00 FEET TO THE NORTHEAST CORNER OF LOT 5, SAID BLOCK 8; THENCE NORTH  $88^{\circ}55'06''$  EAST AND PERPENDICULAR TO THE EAST LINE OF SAID BLOCK 8, FOR A DISTANCE OF 7.00 FEET; THENCE NORTH  $01^{\circ}04'54''$  WEST AND PARALLEL WITH SAID EAST LINE, FOR A DISTANCE OF 92.00 FEET; THENCE NORTH  $88^{\circ}55'06''$  EAST AND PERPENDICULAR TO SAID EAST LINE, FOR A DISTANCE OF 7.00 FEET TO THE POINT OF BEGINNING; SAID TRACT CONTAINING 114,586.79 SQUARE FEET, OR 2.631 ACRES, MORE OR LESS.

\*\*\*\*\*

31. **Z-7426/Z-7427/PUD-786-A Plat Waiver** (CD 1) Location: Northeast corner of North Main Street and East Latimer Street (Related to Z-7426, Z-7427 and PUD-786-A)

**STAFF RECOMMENDATION:**

The platting requirement for this property is being triggered by a rezoning request (Z-7426 & Z-7427) and an abandonment of an existing Planned Unit Development. The property is currently zoned RM-3 and CS. The property owner has proposed RS-5 on the majority of the property with MX2-U-45 at the hard corner of E Latimer St. & N. Main St. The intent of the zoning change is to align the zoning with the underlying plat and ensure conformance of lots for single-family residential uses.

The Technical Advisory Committee met on November 16, 2017 and the following items were determined:

1. The property is previously platted under the Burgess Hill and Pouders & Pomeroy subdivision plats. The existing plats align with the proposed zoning and comply with all lot requirements.
2. Utilities are all available and no main line extensions are required.
3. Required right-of-way dedications have all been made by previous plat.
4. Lots proposed for MX zoning will be required to be combined if development is proposed across current lot lines.
5. Detention easements may be required by the City of Tulsa at the time of development.

Staff recommends **approval** of the plat waiver.

**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 **DIX**, the TMAPC voted 9-0-0 (Covey, Dix, Doctor, Fothergill, Fretz, Krug, Millikin, Reeds, Shivel, "aye"; no "nays"; none "abstaining"; Carnes, Walker, "absent") to **APPROVE** Z-7426/Z-7427/PUD-786-A Plat Waiver per staff recommendation.

\*\*\*\*\*