

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 2758

Wednesday, November 15, 2017, 1:30 p.m.

City Council Chamber

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

Members Present	Members Absent	Staff Present	Others Present
Adams	Carnes	Foster	Silmon, COT
Covey	Doctor	Hoyt	VanValkenburgh, Legal
Dix		Miller	
Fretz		Sawyer	
Krug		Ulmer	
Millikin		Wilkerson	
Reeds			
Shivel			
Walker			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Monday, November 13, 2017 at 9:39 a.m., posted in the Office of the City Clerk, as well as in the Office of the County Clerk.

After declaring a quorum present, Chair Covey called the meeting to order at 1:30 p.m.

REPORTS:

Chairman's Report: NONE

Director's Report:

Ms. Miller reported on the City Council agenda items and special projects.

1. **Minutes:**

Approval of the minutes of November 1, 2017 Meeting No. 2757

On **MOTION** of **DIX**, the TMAPC voted 8-0-0 (Adams, Covey, Dix, Fretz, Krug, Millikin, Reeds, Shivel, “aye”; no “nays”; none “abstaining”; Carnes, Doctor, Walker, “absent”) to **APPROVE** the minutes of the meeting of November 1, 2017 Meeting No. 2757.

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. **LC-947** (Lot-Combination) (CD 1) – Location: East of the southeast corner of East Reading Street and North Frankfort Place
3. **LS-21075** (Lot-Split) (CD 9) – Location: Northwest corner of East 41st Street South and South Birmingham Place
4. **LS-21076** (Lot-Split) (County) – Location: East of the southeast corner of North Sheridan Road and East 156th Street North
5. **LC-949** (Lot-Combination) (CD 2) – Location: Southwest corner of West 36th Place South and South Elwood Avenue
6. **LC-950** (Lot-Combination) (CD 3) – Location: Southwest corner of East 46th Street North and North Mingo Road
7. **LC-951** (Lot-Combination) (CD 4) – Location: East of the northeast corner of South Trenton Avenue and East 4th Street South
8. **LS-21078** (Lot-Split) (CD 4) – Location: Southwest corner of East 25th Street South and South Delaware Place
9. **LC-953** (Lot-Combination) (County) – Location: South of the southeast corner of East 191st Street South and South Harvard Avenue (Related to LS-21080)
10. **LS-21080** (Lot-Split) (County) – Location: South of the southeast corner of East 191st Street South and South Harvard Avenue (Related to LC-953)

TMAPC Action; 8 members present:

On **MOTION** of **DIX**, the TMAPC voted 8-0-0 (Adams, Covey, Dix, Fretz, Krug, Millikin, Reeds, Shivel, “aye”; no “nays”; none “abstaining”; Carnes, Doctor, Walker, “absent”) to **APPROVE** Items 2 through 10 per staff recommendation.

Ms. Millikin read the opening statement and rules of conduct for the TMAPC meeting.

PUBLIC HEARINGS:

12. **PUD-310-1 Joy Ward** (County) Location: Southeast corner of South Campbell Creek Road and Highway 51 requesting a **PUD Minor Amendment** to add Use Unit 17 (Continued from October 4, 2017 and October 18, 2017) (**Staff requests continuance to December 20, 2017**)

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **DIX**, the TMAPC voted 8-0-0 (Adams, Covey, Dix, Fretz, Krug, Millikin, Reeds, Shivel, "aye"; no "nays"; none "abstaining"; Carnes, Doctor, Walker, "absent") to **CONTINUE** PUD-310-1 to December 20, 2017 per staff's request.

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13. **LS-21066** (Lot-Split) (County) – Location: South of the southeast corner of East 86th Street North and North Harvard Avenue (**Applicant has requested a continuance to December 6, 2017**)

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **DIX**, the TMAPC voted 8-0-0 (Adams, Covey, Dix, Fretz, Krug, Millikin, Reeds, Shivel, "aye"; no "nays"; none "abstaining"; Carnes, Doctor, Walker, "absent") to **CONTINUE** LS-21066 to December 6, 2017 per applicant's request.

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24. **Z-7421 Janelle Moore, Wallace Engineering** (CD 2) Location: East of the southeast corner of South 33rd West Avenue and West 81st Street South requesting rezoning from **AG** to **RS-3**

Applicant had requested a continuance to December 20, 2017 but because of the holidays residents would prefer this application to be continued until after the first of the year.

Mr. Covey asked staff why the applicant needed the continuance.

Staff responded the applicant was requesting RS-3 on subject property but staff recommended denial of RS-3 and approval of RS-1 instead. Staff has met with

the applicant and there has been discussion between staff and the applicant about having a neighborhood meeting and meeting with the City Councilor in that district. The continuation request is to give the applicant time to set up these meetings.

Mr. Covey stated there are many speakers signed up to speak but all the interested parties will be allowed to speak on is the continuance. Mr. Covey stated the normal course of action is Planning Commission grants one continuation for each side.

INTERESTED PARTIES:

Joyce Kaye Price 5815 South 31st West Avenue, Tulsa, OK 74107

Ms. Price stated she is against the continuance. The developer has not met with the community to discuss the subject property. Ms. Price would like to be heard today.

Tish Dingmon 2828 West 81st Street, Tulsa, OK 74132

Ms. Dingmon stated she is in favor of the continuance to allow legal counsel time to address concerns.

Matt Dingmon 2828 West 81st Street, Tulsa, OK 74132

Mr. Dingmon stated he is favor of a continuance and has tried to contact the builder and he has not responded. Mr. Dingmon stated this would allow his legal counsel time to research a course of action.

Jana Proffitt Davis PO Box 702773, Tulsa, OK 74170

Ms. Davis stated she is against the continuance and would prefer to hear today instead of coming back at the holidays. Ms. Davis stated if the applicant wanted to meet with the neighbors this should have been done before this hearing.

Jody Cole 2440 West 81st Street, Tulsa, OK 74132

Mr. Cole is against the continuance and doesn't believe this development will fit within the Small Area Plan.

Allan Breedlove 8119 South 33rd West Avenue, Tulsa, OK 74132

Mr. Breedlove stated he is against the continuance and believes December 20th is unacceptable because of the holidays.

Mr. Covey stated he is sympathetic to the neighbors' concerns about continuing this application to December 20th because of the holidays. Mr. Covey stated he would be in favor of continuing this application until after the first of the year.

TMAPC Action; 8 members present:

On **MOTION** of **DIX**, the TMAPC voted 8-0-0 (Adams, Covey, Dix, Fretz, Krug, Millikin, Reeds, Shivel, "aye"; no "nays"; none "abstaining"; Carnes, Doctor,

Walker, “absent”) to **CONTINUE** Z-7421 to January 17, 2018 to allow applicant time to meet with the neighbors.

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This item was removed from Consent Agenda and placed on Public Hearing:

11. **PUD-232-B-1 Michelle Guillory** (CD 1) Location: Southwest corner of West Pine Street and North Union Avenue requesting a **PUD Minor Amendment** to reduce required street yards.

STAFF RECOMMENDATION:

SECTION I: PUD-232-B-1 Minor Amendment

STAFF RECOMMENDATION

Amendment Request: Modify the PUD Development Standards to reduce the required street yards abutting Pine Pl and Union Ave

The applicant is requesting to decrease the required street yard abutting Pine Place from 35 ft. to 20 ft. and the street yard abutting Union Avenue from 25 ft. to 18 ft. This is to permit the construction of a single-family home on the subject lot.

Staff Comment: *This request can be considered a Minor Amendment as outlined by Section 30.010.1.2.c(9) of the City of Tulsa Zoning Code.*

“Changes in structure heights, building setbacks, yards, open spaces, building coverage and lot widths or frontages, provided the approved PUD development plan, the approved standards and the character of the development are not substantially altered.”

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) All remaining development standards defined in PUD-232-B and subsequent amendments shall remain in effect.

With considerations listed above, staff recommends **approval** of the minor amendment request to reduce the required street yards abutting Pine Place and Union Avenue.

TMAPC COMMENTS:

Mr. Dix asked staff how the setback modification would fit with the houses next door.

Staff answered he was unsure.

Mr. Dix asked if the applicant could answer his question.

Mr. Covey stated the applicant was not present.

INTERESTED PARTIES:

Barbara Thompson PO Box 54741, Tulsa, OK 74155

Ms. Thompson stated she lives in the community of the subject property. Ms. Thompson stated this is the first time the community has seen the exhibit on page 11.5 of the agenda packet and the neighbors did not know what was going to be built at the entrance to the neighborhood. Ms. Thompson stated she would like to know how far the house will be sitting back on West Pine Place in relation to the other homes located there. Ms. Thompson asked if by reducing the setback would that be because the house will be bigger. Ms. Thompson wants to make sure the subject property will be single family and not apartments.

Fayette Willis 1720 West Pine Place, Tulsa, OK 74127

Ms. Willis stated she lives 3 houses down from the subject property. Ms. Willis stated there was a neighborhood meeting on November 5, 2017 and all the neighbors in attendance objected to the proposed development because they feel it will take away from the conformity of the neighborhood if the applicant builds her house closer to the road than the others. Ms. Willis states this would obstruct her view and the views of all the neighbors on Pine Place.

Tracy D. Moore 1208 West Reading Street Tulsa, OK 74127

Mr. Moore stated he has lived in the neighborhood since its beginning. Mr. Moore stated he heard the applicant was building duplexes or apartments and if that is what the applicant is trying to do he strongly objects to this development.

Tina Johnson 1001 West Tecumseh Street, Tulsa, OK 74127

Ms. Johnson stated she has been a resident in the Gilcrease Hills addition for over 35 years and has concerns about what is proposed for the subject property. Ms. Johnson stated her neighborhood is quiet and they still have the deer and the antelope playing and do not want a lot of congestion. Ms. Johnson stated most of the people in this neighborhood are retired and there is a concern that the applicant is proposing apartments or duplexes and Ms. Johnson stated she is against both of those developments.

Rob Lewis 1202 West Reading Street, Tulsa Oklahoma 74127

Mr. Lewis stated he didn't have a lot of information regarding this application. Mr. Lewis stated if this is a multi-family dwelling he and his wife would object to that type of development.

Jay Cooper 2717 East 93rd Street, Apt 414, Tulsa, OK 74137

Mr. Cooper stated he is the owner of holly heights development and would love to see plans for the subject property. Mr. Cooper has also heard that multi-family is what is proposed.

Staff stated that the PUD prohibits anything but single family on this lot.

Mr. Covey stated the underlying zoning is RM-1 and then it is subject to a PUD that only allows single family on this lot.

Mr. Dix stated to staff his concern is the adjacent houses. If there could be an assurance that the proposed development was no closer to Pine Place than the current houses Mr. Dix would be okay with that.

Staff stated the application could be continued to get more information from the applicant, without the applicant present staff could not commit to anything on the applicant's behalf.

Mr. Dix asked if the approval could be conditioned to state the subject development could not be any closer to Pine Place than the current houses.

Staff answered you could but that would be amending the recommendation.

Ms. VanValkenburgh stated it would be better to have the applicant here.

Mr. Dix stated since it was on the Consent Agenda he understood why the applicant was not present.

TMAPC Action; 8 members present:

On **MOTION** of **DIX**, the TMAPC voted 8-0-0 (Adams, Covey, Dix, Fretz, Krug, Millikin, Reeds, Shivel, "aye"; no "nays"; none "abstaining"; Carnes, Doctor, Walker, "absent") to **CONTINUE** PUD-232-B-1 Minor Amendment to December 6, 2017.

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14. **Rubio Addition** (County) Preliminary Plat, Location: Southwest corner of East 76th Street North and North Yale Avenue

STAFF RECOMMENDATION:

This plat consists of 3 lots, 1 block on 4.52 ± acres.

The Technical Advisory Committee (TAC) met on November 2, 2017 and provided the following conditions:

1. **Zoning:** All property contained within the proposed subdivision is zoned IL and is required to meet the lot regulations of the Tulsa County Zoning Code. Lot 3 on the preliminary plat does not provide the required 150' of frontage and will need to be revised or labeled as "Reserve A". All other proposed lots conform to the zoning requirements.
2. **Addressing:** Addresses will be assigned by INCOG and need to be shown on the final plat.
3. **Transportation & Traffic:** ~~County Engineer recommends removal of the proposed access onto East 76th Street North.~~ Provide a 25' corner clip at the intersection of 76th St N & N Yale Ave. Include limits of no access language in the deed of dedication. Sidewalks are required along arterial streets.
4. **Sewer:** Submit sewer extension plans to City of Tulsa and include any required easements on final plat.
5. **Water:** Submit water extension plans to City of Tulsa and include any required easements on the final plat.
6. **Engineering Graphics:** Submit a subdivision control data sheet with final plat. Remove contours from final plat submittal. Add "State of" before Oklahoma in the plat subtitle and spell out "Indian Base Meridian". Define the basis of bearing between two known points and state/provide the bearing angle. Under the basis of bearing heading add 3501 after North Zone. Include only platted property in the location map and label all other property as "unplatted". Provide date of preparation in the lower left hand or lower right hand corner. Include ownership information on the face of the plat. Include surveyor and engineer information on the face of the plat including a CA number and renewal date. Show scale both written and graphically. Provide a summary statistic for the plat (lots, blocks, acreage).
7. **Fire:** Local fire service approval is required.
8. **Stormwater, Drainage, & Floodplain:** Label Lot 3/Detention Easement as "Reserve A" and provide reserve language in the deed of dedication.
9. **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.

Waivers of Subdivision Regulations:

1. None Requested

Staff recommends **APPROVAL** of the preliminary subdivision plat subject to the conditions provided by TAC and the requirements of the Subdivisions Regulations.

The applicant indicated his agreement with staff's recommendation.

INTERESTED PARTIES:

Ronnie Hill 4702 East 76th Street North, Sperry, OK 74073

Mr. Hill stated he came to meeting seeking information about what was being considered for the subject property. Mr. Hill stated he did not know if this was going to be houses or apartments.

Applicant's Comments:

Mr. Vanover stated the intent on the northern lot is retail development and the middle lot will be an event center.

Mr. Dix asked why the applicant requested Industrial Light.

Mr. Vanover stated when his client bought the property he was thinking about having a shop in the southern end.

Mr. Covey asked applicant what he meant by event center.

Mr. Vanover stated an event center for weddings, reunions and gatherings.

Staff stated this property is in the County and these type of event centers require a Special Exception by the Board of Adjustment before this use would be permitted. There would be a hearing and the neighbors would be notified if that was proposed.

Mr. Dix stated he was a little concerned about the Industrial Light with an unknown site plan.

Staff stated there is no request today for zoning, the zoning is already in place. Light Industrial zoning is already on the property. This is just the preliminary plat.

Mr. Hill stated this application was before the Board of Adjustment and they limited the hours. He stated that this is a bar not an event center.

Staff stated the motion today in no way makes it easier for the event center to operate or changes any of the conditions added by the Board of Adjustment. If the applicant wants to change the conditions they would have to go back to the Board of Adjustment. Staff stated the applicant is just subdividing the property.

TMAPC Action; 8 members present:

On **MOTION** of **DIX**, the TMAPC voted 8-0-0 (Adams, Covey, Dix, Fretz, Krug, Millikin, Reeds, Shivel, “aye”; no “nays”; none “abstaining”; Carnes, Doctor, Walker, “absent”) to **APPROVE** Rubio Addition Preliminary Plat per staff recommendation.

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15. **Z-7416 Plat Waiver** (CD 8) Location: Northwest corner of East 66th Street South and South Yale Avenue

STAFF RECOMMENDATION:

The platting requirement for this property is being triggered by a rezoning request (Z-7416). The property owner is requesting a rezoning from OM to CH to permit office and laboratory uses in an existing building on the site.

The Technical Advisory Committee met on November 2, 2017 and the following items were determined:

1. The property was previously platted as part of the Warren Center Second Amended plat.
2. Existing lot conforms to all zoning requirements of the proposed zoning district.
3. All required right-of-way has been dedicated and is in place.
4. Utilities are all existing within required easements.
5. No additional development is proposed at this time.
6. No land divisions or combinations are proposed at this time.

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; 8 members present:

On **MOTION** of **DIX**, the TMAPC voted 8-0-0 (Adams, Covey, Dix, Fretz, Krug, Millikin, Reeds, Shivel, “aye”; no “nays”; none “abstaining”; Carnes, Doctor, Walker, “absent”) to **APPROVE** Z-7416 Plat Waiver per staff recommendation.

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16. **PUD-166-M Josh McFarland** (CD 8) Location: Northwest corner of South Sheridan Road and East 93rd Street South requesting a **PUD Major Amendment** to allow restaurant, retail and office uses

STAFF RECOMMENDATION:

DEVELOPMENT CONCEPT: Add restaurant, retail and office uses to allowable uses for the site. A new retail building is proposed on the subject lot. The applicant proposes allowing the requested uses to be located within the new building.

DETAILED STAFF RECOMMENDATION:

The applicant's proposal is consistent with the Tulsa Comprehensive Plan, and;

The applicant's proposal is consistent with the provisions of the PUD chapter of the Tulsa Zoning Code, and;

The development standards identified in this PUD are non-injurious to the existing proximate neighborhood, therefore;

Staff recommends Approval of PUD-166-M to add restaurant, retail and office uses.

PUD-166-M DEVELOPMENT STANDARDS: Allow restaurant, retail and office uses in addition to previously approved uses. **Bars, liquor stores, tattoo establishments and sexually-oriented business shall be prohibited.** No other standards are proposed to be amended at this time. All remaining development standards of PUD-166-I will remain in effect.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The subject parcel is designated as a Town Center and an Area of Growth.

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

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: South Sheridan Road is designated as a Secondary Arterial

Trail System Master Plan Considerations:

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is currently occupied by Fiesta Pools and Spas and associated structures

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Sheridan Road	Secondary Arterial	100 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	RM-1/PUD-166-J	Town Center	Growth	Carwash / Self-Storage
South	RS-3	Existing Neighborhood	Stability	Single-Family
East	RM-1/RS-3/PUD-166-D	Town Center	Growth	Daycare
West	RM-1/PUD-206-B	Town Center	Growth	Retail / Post Office

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11833 dated June 26, 1970, established zoning for the subject property.

Subject Property:

PUD-166-I June 1996: All concurred in **approval** of a proposed Major Amendment to PUD-166 on a 1± acre tract of land to expand the permitted retail uses on property located on the northeast corner of South Sheridan Road and east 93rd Street South.

PUD-166-E January 1993: All concurred in **approval** of a proposed Major Amendment to PUD-166 on a .95± acre tract of land to make a garden center the only permitted use on the subject property.

Z-4243 July 1972: All concurred in **denial** of a request for rezoning a 29.6± acre tract of land on the SE corner of 91st Street South and Sheridan Road from AG to CS and **approval** of RS-3; All concurred in **approval** of a request for rezoning a 66.5± acre tract of land on the southeast from AG to RS-3.

Surrounding Property:

PUD-166-L May 2000: All concurred in **denial** of a proposed Major Amendment to PUD-166 on a .77± acre tract of land for a 50' square enclosed pool yard for swimming pools and spa store on property located on the northeast corner of East 93rd Street South and South Sheridan Road.

PUD-166-K October 1997: A major amendment was **approved** to allow a retail dry cleaning and laundry plant on the southeast corner of East 91st Street and South Sheridan Road.

PUD-166-J January 1997: Request for a major amendment to allow a cellular tower within the PUD development was **approved**.

PUD-206-B May 1996: All concurred in **approval** of a major amendment to the PUD to allow a U.S. Post office within Development A of the PUD.

PUD-166-H December 1995: All concurred to **approve** a request for a major amendment to increase the allowable square feet of CS zoning within the RM-1 development area.

PUD-166-G April 1995: A request to add Use Units 16 and 17 in Development Area 2-2; redistribute the square footage allowed; and increase the allowable signage within this PUD area. All amendments were **approved** with conditions, on property located south of the southeast corner of East 91st Street South and South Sheridan Road.

PUD-166-F August 1993: All concurred in **approval** of a proposed Major Amendment to divide Development Area 2 into three separate areas to permit a mini-storage and car wash, on property located north of the northeast corner of South Sheridan Road and east 93rd Street South.

PUD-166-D August 1986: All concurred in **approval** of a proposed Major Amendment to PUD-166 on a 11.12± acre tract of land to divide 11.12 acres into four areas with Area 2 being approved for CS uses, with the exception of Use Units 17 and 20; installation and maintenance of screening and landscaping materials were a condition of approval, on property located north of the northeast corner of South Sheridan Road and east 93rd Street South.

PUD-336 September 1983: All concurred in **approval** of a request to rezone a 5.8± acre tract of land from AG to RM-1 for multi-family use.

PUD-166-C July 1983: All concurred in **approval** to allow a tire store on property within the same PUD.

PUD-166-B April 1983: All concurred in **approval** of a proposed Major Amendment to PUD-166 on a 6.69± acre tract of land to allow 168 dwelling units, on property located on the SE corner of South 91st Street and South Sheridan Road.

PUD-166-A April 1981: All concurred in **approval** to amend PUD-166 to allow a 9,000 square-foot office building on the SE corner of South 91st Street and South Sheridan Road.

PUD-206 November 1977: All concurred, subject to conditions, in **approval** of a proposed Major Amendment on a 60± acre tract of land to allow 200,000 square-feet of commercial, 200 multi-family units, 174 duplexes and 148 single-family units. Approximately 4.9 acres will serve as open area and detention for storm water runoff, on property located at the southwest corner of South 91st Street and south Sheridan Road.

PUD-166 September 1975: All concurred in **approval**, with conditions, of a proposed Planned Unit Development on a 96± acre tract of land, with 13 acres commercial and 83 acres residential under PUD controls. Permitted were 126,500 square feet of commercial floor area on a roughly 588' x 1,125' tract on the corner (Area "A), and 168 apartment units on an adjacent 515' x 893' tract to the south (Area "B). The balance of the PUD permitted 121 apartments east of the southeast corner (Area C) and 117 single-family units on the interior (Area D) on property located on the southeast corner of East 91st Street South and South Sheridan Road.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **DIX**, the TMAPC voted 8-0-0 (Adams, Covey, Dix, Fretz, Krug, Millikin, Reeds, Shivel, "aye"; no "nays"; none "abstaining"; Carnes, Doctor, Walker, "absent") to **APPROVE** PUD-166-M Major Amendment and prohibiting bars, liquor stores, tattoo establishments and sexually-oriented businesses.

Legal Description of PUD-166-M:

PRT LT 2 BEG SWC TH N185 E224.88 S181.51 SW19.30 TH ON CRV RT 40.71 W165 POB BLK 1, SHERIDAN SQUARE, City of Tulsa, Tulsa County, State of Oklahoma

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Items 17 and 18 were presented together

17. **PUD-360-F Lou Reynolds** (CD 8) Location: Northwest of the northwest corner of East 91st Street South and South Memorial Drive requesting a **PUD Major Amendment** to increase allowable floor area to permit a 2-story office building, allocate floor area and update development standard language (related to Z-7420)

STAFF RECOMMENDATION:

SECTION I: PUD-360-F

DEVELOPMENT CONCEPT: Increase allowable floor area for Lots 1 and 2 to permit a 2-story office building and to update the development standard language for Lot 1 to conform to the current City of Tulsa Zoning Code. The updated development standards are shown on the Applicant's Exhibit A, included with this report. This case is accompanied by zoning case Z-7420 to rezone the underlying zone for Lot 1 from RM-0 to OL. This is to allow the requested increase in allowable floor area. Based on current floor area allocations, Lots 1 and 2 have 10,836 sf of unused floor area available. PUD-360-F has 49,852 sf of unallocated and unused floor area available. If the proposed OL underlying zoning is approved, based on a land area of 76,120 sf and a Floor Area Ratio for OL zones of 0.4, Development Area 2-A-2 would be allowed a floor area of 30,448 sf, without reallocation of floor areas within the PUD. This would allow the 23,000 sf allocation of floor area, for Lot 1, that is proposed. Between the unallocated floor area of the PUD, in general, the unused floor area currently allocated to Development Area 2-A-2 and the increased area allowed if the proposed OL zoning is approved, the requested increases and allocations are within what is allowed by the zoning code.

DETAILED STAFF RECOMMENDATION:

PUD 360-F with a concurrent request for OL zoning (Z-7420) is a major amendment to allow office uses is consistent with the Town Center land use designation in the Tulsa Comprehensive plan and,

Offices uses when paired with the development standards identified in the major amendment to the PUD is considered non-injurious to the proximate properties and,

Office uses are consistent with the expected development pattern and the PUD amendment clarifies language for Lot 1 to conform with the current City of Tulsa Zoning Code therefore,

Staff recommends Approval of PUD 360-F to allow office uses in this area but only if Z-7420 is also approved.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The subject parcels are designated as Town Centers and Areas of Growth.

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

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: South Memorial Drive is a Primary Arterial. East 91st Street South is a Secondary Arterial

Trail System Master Plan Considerations: The GO Plan designates East 91st St S as needing a bike lane from Mingo Road to Riverside Parkway. The site is approximately ¾ miles from the Creek Turnpike Trail.

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The subject lots are located within a commercial center. Lot 1 is currently vacant. Lot 2 currently contains a portion of the commercial center retail area.

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Memorial Drive	Primary Arterial	120 feet	6
East 91 st Street South	Secondary Arterial	100 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	AG/RS-3	Town Center	Growth	Vacant/Utilities (gas)

South	RM-O/PUD-360-B&C	Town Center	Growth	Retail Center
East	RM-0/CS/PUD-360-A&E	Town Center	Growth	Retail Center
West	RS-3	Existing Neighborhood	Stability	Single-Family

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11829 dated June 26, 1970, established zoning for the subject property.

Subject Property:

PUD-360-E October 2008: All concurred in **approval** of a proposed Major Amendment to PUD-360 on a 20± acre tract of land to add a dog grooming and boarding facility (Use Unit 15) on property located north of the northwest corner of East 91st Street South and South Memorial Drive and part of the subject property.

PUD-360-C April 2005: All concurred in **approval** of a proposed Major Amendment to PUD-360 on a 20± acre tract of land to allow a woman’s health facility on property located north of the northwest corner of East 91st Street South and South Memorial Drive and part of the subject property.

PUD-360-B February 2003: All concurred in **approval** of a minor amendment to permit an hourly daycare center on property located north of the northwest corner of East 91st Street South and South Memorial Drive and part of the subject property.

PUD-360-A September 1989: All concurred in **approval** of a Major Amendment to a PUD to reduce the setbacks and required landscaped area within the original PUD-360 tract located on property located north of the northwest corner of East 91st Street South and South Memorial Drive and part of the subject property.

PUD-360 August 1984: All concurred in **approval** of a request to rezone a 20± acre tract for commercial use, zoned CS/RM-0, on property located north of the northwest corner of East 91st Street South and South Memorial Drive and part of the subject property.

Surrounding Property:

PUD-448-A January 2017: All concurred in **approval** to abandon PUD-488-A, on property located east of the northeast corner of East 91st Street South and South Memorial Drive.

Z-7342/PUD-386-C August 2016: All concurred in **approval** of a request to rezone a 10± acre tract of land from RM-1/CS/PUD-386 to CG with an Optional Development Plan, approving all uses and customary accessory uses as allowed by right in a CS district on the entirety of subject parcels, and restricts the allowed use of a vehicle sales and service on the western 578 feet to that and a Major Amendment to abandon PUD, on property located north of northeast corner of South Memorial Drive East and East 91st Street South.

Z-7227 July 2013: All concurred in **denial** of a request for rezoning a 2± acre tract of land from AG to CS and **approval** to OL with accompanied PUD on property located on the east side of South Memorial Drive at East 87th Court.

BOA-20894 April 2008: The Board of Adjustment **approved** a *variance* of the setback requirement abutting a public street from 25 feet to 22 feet (Section 903); to permit a building addition; per plan, on property located within PUD-360, east of the subject property.

PUD-704/ Z-5620-SP-12 May 2004: All concurred in **approval** of a proposed Planned Unit Development on a 12.08± acre tract of land for an automobile dealership on property and with modifications located south of the southeast corner of east 91st Street South and South Memorial Drive.

PUD-405-H June 2000: All concurred in **approval** of a request for a major amendment to PUD-405 to add 16,000 square feet of allowable floor area to the existing automobile dealership on Lot 5 to expand the business on the adjoining Lot 6. The property is located on the northeast corner of East 92nd Street and South 78th East Avenue.

Z-6516 January 1996: All concurred in **approval** of a request for rezoning a 4.17± acre tract of land from CS to OL for mini-storage on property located north of the northwest corner of East 91st Street South and south Memorial Drive.

Z-6475/PUD-529 January 1995: All concurred in **denial** of a request for rezoning a 4± acre tract of land from AG to CS and **approval** of AG to OL with accompanied PUD on property located north of the northwest corner of East 91st Street South and south Memorial Drive.

PUD-448 May 1989: All concurred in **approval** of a proposed Planned Unit Development on a 32.6± acre tract of land for mixed use development on property located on the northeast corner of East 91st Street South and South Memorial Drive.

TMAPC COMMENTS:

Mr. Dix asked if the subject property had city streets.

Applicant stated this is a portion of a larger PUD and there is a mutual access easement.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **DIX**, the TMAPC voted 8-0-0 (Adams, Covey, Dix, Fretz, Krug, Millikin, Reeds, Shivel, "aye"; no "nays"; none "abstaining"; Carnes, Doctor, Walker, "absent") to **APPROVE** PUD-360-F Major Amendment per staff recommendation.

Legal Description of PUD-360-F:

Lots 1 and 2, Block 1, Commercial Center, a resubdivision of part of Lot 2, Block 1, Homeland No. 0102, City of Tulsa, Tulsa County, Oklahoma

* * * * *

18. **Z-7420 Lou Reynolds** (CD 8) Location: Northwest of the northwest corner of East 91st Street South and South Memorial Drive requesting rezoning from **RM-0** to **OL** (related to PUD-360-F)

STAFF RECOMMENDATION:

SECTION I: Z-7420

DEVELOPMENT CONCEPT: Rezone from RM-0 to OL, in combination with PUD-360-F to permit a 2-story office building.

DETAILED STAFF RECOMMENDATION:

Z-7420 requesting OL zoning with a concurrent request for a major amendment to allow office uses are consistent with the Town Center land use designation in the Tulsa Comprehensive plan and,

OL zoning with the development standards identified in the major amendment to the PUD is considered non-injurious to the proximate properties and,

OL zoning is consistent with the expected development pattern in the area therefore,

Staff recommends Approval of Z-7420 to rezone property from RM-0 to OL but only if PUD 360-F is also approved.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The subject parcel is designated as a Town Center and an Area of Growth.

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

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: South Memorial Drive is a Primary Arterial. East 91st Street South is a Secondary Arterial

Trail System Master Plan Considerations: The GO Plan designates East 91st St S as needing a bike lane from Mingo Road to Riverside Parkway. The site is approximately ¾ miles from the Creek Turnpike Trail.

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The subject lot is located within a commercial center. Lot 1 is currently vacant.

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Memorial Drive	Primary Arterial	120 feet	6
East 91 st Street South	Secondary Arterial	100 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	AG/RS-3	Town Center	Growth	Vacant/Utilities (gas)
South	RM-O/PUD-360-B&C	Town Center	Growth	Retail Center
East	AG RM-0/CS/PUD-360-A&E	Town Center)	Growth	Retail Center
West	RS-3	Existing Neighborhood	Stability	Single-Family

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11829 dated June 26, 1970, established zoning for the subject property.

Subject Property:

PUD-360-E October 2008: All concurred in **approval** of a proposed Major Amendment to PUD-360 on a 20± acre tract of land to add a dog grooming and boarding facility (Use Unit 15) on property located north of the northwest corner of East 91st Street South and South Memorial Drive and part of the subject property.

PUD-360-C April 2005: All concurred in **approval** of a proposed Major Amendment to PUD-360 on a 20± acre tract of land to allow a woman's health facility on property located north of the northwest corner of East 91st Street South and South Memorial Drive and part of the subject property.

PUD-360-B February 2003: All concurred in **approval** of a minor amendment to permit an hourly daycare center on property located north of the northwest corner of East 91st Street South and South Memorial Drive and part of the subject property.

PUD-360-A September 1989: All concurred in **approval** of a Major Amendment to a PUD to reduce the setbacks and required landscaped area within the original PUD-360 tract located on property located north of the northwest corner of East 91st Street South and South Memorial Drive and part of the subject property.

PUD-360 August 1984: All concurred in **approval** of a request to rezone a 20± acre tract for commercial use, zoned CS/RM-0, on property located north of the northwest corner of East 91st Street South and South Memorial Drive and part of the subject property.

Surrounding Property:

PUD-448-A January 2017: All concurred in **approval** to abandon PUD-488-A, on property located east of the northeast corner of East 91st Street South and South Memorial Drive.

Z-7342/PUD-386-C August 2016: All concurred in **approval** of a request to rezone a 10± acre tract of land from RM-1/CS/PUD-386 to CG with an Optional Development Plan, approving all uses and customary accessory uses as allowed by right in a CS district on the entirety of subject parcels, and restricts the

allowed used of a vehicle sales and service on the western 578 feet to that and a Major Amendment to abandon PUD, on property located north of northeast corner of South Memorial Drive East and East 91st Street South.

Z-7227 July 2013: All concurred in **denial** of a request for rezoning a 2± acre tract of land from AG to CS and **approval** to OL with accompanied PUD on property located on the east side of South Memorial Drive at East 87th Court.

BOA-20894 April 2008: The Board of Adjustment **approved** a *variance* of the setback requirement abutting a public street from 25 feet to 22 feet (Section 903); to permit a building addition; per plan, on property located within PUD-360, east of the subject property.

PUD-704/ Z-5620-SP-12 May 2004: All concurred in **approval** of a proposed Planned Unit Development on a 12.08± acre tract of land for an automobile dealership on property and with modifications located south of the southeast corner of east 91st Street South and South Memorial Drive.

PUD-405-H June 2000: All concurred in **approval** of a request for a major amendment to PUD-405 to add 16,000 square feet of allowable floor area to the existing automobile dealership on Lot 5 to expand the business on the adjoining Lot 6. The property is located on the northeast corner of East 92nd Street and South 78th East Avenue.

Z-6516 January 1996: All concurred in **approval** of a request for rezoning a 4.17± acre tract of land from CS to OL for mini-storage on property located north of the northwest corner of East 91st Street South and south Memorial Drive.

Z-6475/PUD-529 January 1995: All concurred in **denial** of a request for rezoning a 4± acre tract of land from AG to CS and **approval** of AG to OL with accompanied PUD on property located north of the northwest corner of East 91st Street South and south Memorial Drive.

PUD-448 May 1989: All concurred in **approval** of a proposed Planned Unit Development on a 32.6± acre tract of land for mixed use development on property located on the northeast corner of East 91st Street South and South Memorial Drive.

TMAPC Action; 8 members present:

On **MOTION** of **DIX**, the TMAPC voted 8-0-0 (Adams, Covey, Dix, Fretz, Krug, Millikin, Reeds, Shivel, “aye”; no “nays”; none “abstaining”; Carnes, Doctor, Walker, “absent”) to **APPROVE** Z-7420 rezoning from RM-0 to OL per staff recommendation.

Legal Description of Z-7420:

LT 1 BLK 1, HOMELAND NO 0102, CHIMNEY HILLS SOUTH RESUB BLK 32
33 34 39, COMMERCIAL CENTER RSB PT L2 B1 HOMELAND NO 0102, City
of Tulsa, Tulsa County, State of Oklahoma

19. **PUD-521-B C Brody Glenn** (CD 7) Location: South of the southeast corner
of South 101st East Avenue and East 71st Street South requesting a **PUD
Major Amendment** to allow self-storage and increase allocated floor area

STAFF RECOMMENDATION:

SECTION I: PUD-521-B

DEVELOPMENT CONCEPT: The Applicant proposes to add self-storage as an
allowed use. In addition the applicant is requesting an allocation of 70,000 sf of
floor area from Development Area A-1 to Development Area D, as well as a 15%
overall increase of allowable floor area.

Currently a total of 324,500 sf in floor area has been allotted to PUD-521. Based
on the amount of CS underlying zoning available (approx. 772,000 sf) and a
Floor Area Ratio of 0.5 in the CS district, the total potential floor area allowable
is approximately 386,000 sf. This leaves a total of 61,500 sf that can be added to
the total allowable floor area of the PUD. The applicant has requested a 15%
increase in overall floor area. This works out to an additional 48,675 sf of floor
area to be added, and an additional 12,825 sf that could be added at a later date.

The applicant proposes to construct a Self-Storage facility, which is shown, on
the included conceptual site plan, to be 103,950 sf in floor area. If approved, the
allocation of 70,000 sf from Tract A (Lowe's Tract) to the proposed self-storage
site (Tract C) would leave an additional 33,950 sf needed for the proposed
layout. 35,000 sf should be allocated to the proposed storage facility, leaving
13,675 sf available from the 15% overall increase of 48,675 sf for PUD-521, as a
whole. This excess should be allocated back to Tract A to compensate for the
loss of 70,000 sf in previously allotted floor area.

DETAILED STAFF RECOMMENDATION:

The applicants proposal is consistent with the Tulsa Comprehensive Plan,
and;

The applicant's proposal is consistent with the provisions of the PUD
chapter of the Tulsa Zoning Code, and;

The PUD development standards are consistent with the anticipated growth and future uses in this area, and;

The development standards identified in this PUD are non-injurious to the existing proximate neighborhood, therefore;

Staff recommends Approval of PUD-521-B to add Self-Storage use, increase floor area by 15% and allocate floor area

PUD-521-B DEVELOPMENT STANDARDS:

Uses Allowed:

As currently permitted by PUD-521 and amendments, with the addition of Self-Storage as an allowable use for Tract C in Development Area D.

Floor Area Allocations:

PUD-521	Current Total Allocation –	324,500 sf
	Proposed Total Allocation -	373,175 sf
Tract A (Lowe’s)	Current Allocation –	230,000 sf
	Proposed Allocation –	173,675 sf
Tract C (Self-Storage)	Current Allocation -	30,000 sf
	Proposed Allocation -	105,000 sf

All other allowable areas and development standards of remaining tracts and development areas within PUD-521 to remain unchanged.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The subject lot is located within the Regional Center designation of the City of Tulsa Comprehensive Plan.

Land Use Vision:

Land Use Plan map designation: Regional Center

Regional Centers are mid-rise mixed-use areas for large-scale employment, retail, and civic or educational uses. These areas attract workers and visitors from around the region and are key transit hubs; station areas can include housing, retail, entertainment, and other amenities. Automobile parking is

provided on-street and in shared lots. Most Regional Centers include a parking management district.

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: East 71st St S is a Primary Arterial

Trail System Master Plan Considerations: The site is adjacent to the Mingo Trail.

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is currently a vacant lot between the current Staples store and Highway 169.

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 71 st St S	Primary Arterial	120 feet	8

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	CS	Regional Center	Growth	Shopping Center
South	CO/RM-2	New Neighborhood	Growth	Vacant
East	AG	None (Highway)	Growth	Highway 169
West	CS/OM/CO	Regional Center / Existing Neighborhood	Growth	Retail / Multi-Family

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11830 dated June 26, 1970, established zoning for the subject property.

Subject Property:

BOA-21168 November 2010: The Board of Adjustment accepted the verification of the spacing requirement for an outdoor sign, on property located at 10322 East 71st Street South (southwest corner of HW169 and East 71st Street South).

BOA-20725 June 2008: The Board of Adjustment accepted the verification of the spacing requirement for a digital outdoor sign of 1,200 feet from another outdoor advertising sign on the same side of the highway (Section 1221.G.9 & 1221.G.14, on property located at 10322 East 71st Street South (southwest corner of HW169 and East 71st Street South).

PUD-521-A/ February 1995: All concurred in **approval** to add to the uses permitted in Development Area C of PUD 521-A, on property located west and south of the southwest corner of East 71st Street and Mingo Valley Expressway.

PUD-521/ Z-6469 January 1995: All concurred in **approval** to rezone an 8.1± acre tract of land from OL and CO to CS/RM-2/PUD for a retail shopping center

with restaurant use on property located south of the southwest corner on East 71st Street South and South 101st East Avenue.

Surrounding Property:

PUD-498-A/ Z-6714 October 1999: All concurred in **approval** of a request to rezone the for property located south of the southwest corner on East 71st Street South and South 101st East Avenue.

PUD-498/ Z-6402 June 1993: All concurred in **approval** to rezone a 11.4± acre tract of land from CS and CO to CS/PUD on property located south of the southwest corner on East 71st Street South and South 101st East Avenue.

Z-6131 January 1997: All concurred in **approval** of a request for rezoning a .32± acre tract of land from OL to CS on property located north and east of the northeast corner of South Mingo Road and 73rd Street South.

Z-4900 May 1976: All concurred in **approval** of a request for rezoning a 70± acre tract of land from AG to CO on property located on the southeast corner of East 71st Street South and South Mingo Road.

Applicant was not present.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **MILLIKIN**, the TMAPC voted 8-0-0 (Adams, Covey, Dix, Fretz, Krug, Millikin, Reeds, Shivel, “aye”; no “nays”; none “abstaining”; Carnes, Doctor, Walker, “absent”) to **APPROVE** PUD-521-B Major Amendment per staff recommendation.

Legal Description of PUD-521-B:

PRT LT 2 BEG 76.86W NEC LT 2 TH S223.82 E18 S76.19 W28.31 S377.31 W69.01 NWLY CRV LF 93.64 NWLY CRV RT 16.92 N337.98 W20 N266.07 E169.81 POB BLK 1; PRT LT 2 BEG MOST EASTERLLY NEC THEREOF TH S14.69 SE636.58 S147.53 W40 N25 W30 S10 W353.43 CRV LF89.97 E69.01 N377.31 E28 N76.19 W18 N225.82 E76.86 TO POB BLK 1; LT 2 BEG 246.67W MOST EASTERLY NEC THEREOF TH S266.07 E20 S337.98 SELY CRV LF 16.92 SELY CRV RT183.59 E353.43 N10 E30 S25 W619.17 S25 W25 S35 W587.17 N521.08 NELY CRV RT209.65 NE45.25 NELY CRVLF76.59 SE42.50 E311.39 N129.10 W306.62 NELY CRV LF19.93 E; PRT LT 2 BEG MOST EASTERLY NEC LT 2 246.67W & 266.07S & 20E 337.98S & CRV LF16.92 &

CRV RT183.59 & 353E & 10N & 30E & 25S & 619.17W & 25S 25W & 35S & 574.17W & 5213.08N & CRV RT209.65 & 45.25NE & CRV LF76.59 TH SE42.50 E311.39 N129.10 W306.62 CRV RT, VALLEY CROSSING, CHANCELLOR ACRES, City of Tulsa, Tulsa County, State of Oklahoma

Walker arrived at 2:12 p.m.

20. **CZ-463 Mark Schlosser** (County) Location: West of the northwest corner of East 171st Street South and South 145th East Avenue requesting rezoning from **CS** to **RS**

STAFF RECOMMENDATION:

SECTION I: CZ-463

DEVELOPMENT CONCEPT: Rezone from CS to RS in order to permit the development of the property for a single-family dwelling.

DETAILED STAFF RECOMMENDATION:

CZ-463 is non injurious to the existing proximate properties and;

CZ-463 is consistent with the anticipated future development pattern of the surrounding property therefore;

Staff recommends Approval of CZ-463 to rezone property from CS to RS.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: No current comprehensive plan contains a designation for CZ-463.

Land Use Vision:

Land Use Plan map designation: N/A

Areas of Stability and Growth designation: N/A

Transportation Vision:

Major Street and Highway Plan: East 171st St S does not have a designation on the Major Street and Highway Plan

Trail System Master Plan Considerations: None

Small Area Plan: N/A

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site currently contains a single family home and a barn.

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 171 st St S	None	None	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	AG	N/A	N/A	Hwy 64
South	AG	N/A	N/A	Vacant
East	CS	N/A	N/A	Mobile Home
West	CG	N/A	N/A	Commercial

SECTION III: Relevant Zoning History

History: CZ-463

ZONING ORDINANCE: Ordinance number 98254 dated September 15, 1980, established zoning for the subject property.

Subject Property:

CZ-661 July 1986: The Board of Adjustment **approved** a *special exception* (Section 710 – Principal Use Permitted in Commercial Districts – Use Unit 1215) to permit an auction house in a CS District; and to **approve** a *variance* (Section 1340(d) – Design Standards for Off-Street Parking Areas – Use Unit 1215) of the all-weather material required for off-street parking to permit travel off-street parking; subject to no more than 2 auctions being conducted each week; subject to filing of a plat; and subject to outside sales being conducted on either Friday, Saturday, or Sunday, 10 a.m. to 5 p.m. and inside sales being conducted on either Friday, Saturday, or Sunday, 7 p.m. to 11 p.m., on the subject property.

Surrounding Property:

CZ-275 January 2001: All concurred in **approval** of a request for rezoning a 2.91± acre tract of land from CS and AG to CS on property located west of the northwest corner of East 171st Street South and South 145th East Avenue.

CZ-139 December 1985 : All concurred in **denial** of a request for rezoning a 6.25± acre tract of land from AG to CH; however, all concurred in **approval** to rezone from AG to CS except the east 150' which remained AG, on property located at the intersection of U.S. Highway 64 and East 171st Street South.

The applicant indicated his agreement with staff's recommendation.

Applicant's Comments:

Mark Schlosser 1600 S Cypress Avenue, Broken Arrow, OK 74012

Mr. Schlosser stated he and his wife tried to have the property rezoned to residential so it could be sold Adam Holley and his family who would like to continue using the house as residential as it has been used since 1960. Mr. Story stated the home is currently zoned CS and he tried to sell it as commercial but did not have any potential buyers. But many families were interested as most properties are single family homes. Mr. Schlosser stated he had the property rezoned in 2001 to CS with the idea that he might use as a business. Mr. Schlosser stated the family who will be purchasing the home has been approved for a residential loan with the stipulation that the property is rezoned for how it has been used. The bank refused their loan in the beginning because the property was zoned CS. Mr. Schlosser stated he has informed his neighbor to the east about the rezoning of the property and the neighbor was okay with this change.

Mr. Dix asked Mr. Schlosser if he owned the CG property and the CS property.

Mr. Schlosser stated “no”, just the CS.

Mr. Dix asked Mr. Schlosser if the Buyer understands the property adjacent to him could be CS zoned property.

Mr. Schlosser answered “yes”.

INTERESTED PARTIES:

Jason Storey 12141 East 131st Street South, Tulsa, OK 74001

Mr. Story stated he bought the property adjacent to the subject property because it was zoned commercial and would like to rezone to light industrial. Mr. Story states he has spoken with the buyers as well and they are okay with his business. Mr. Storey supports the rezoning of the subject property.

TMAPC Action; 9 members present:

On **MOTION** of **DIX**, the TMAPC voted 9-0-0 (Adams, Covey, Dix, Fretz, Krug, Millikin, Reeds, Shivel, Walker, “aye”; no “nays”; none “abstaining”; Carnes, Doctor, “absent”) to **APPROVE** CZ-463 rezoning from CS to RS per staff recommendation.

Legal Description of CZ-463:

PRT SW SE BEG 335WSECR SW SE TH W388 N227.73 NE APPROX402.05 S333.13 TO POB LESS S25 THEREOF & LESS BEG 25N & 335W SECR SW SE TH W4 N118 E4 S118 TO POB SEC 28 17 14 2.259ACS, WEALAKA, City of Tulsa, Tulsa County, State of Oklahoma

* * * * *

Nathan Foster provided a brief explanation of the City Council initiated Mixed Use designation rezoning within the Bus Rapid Transit Corridor to encourage more transit oriented and pedestrian friendly development. This is the first application for Mixed Use zoning along the BRT corridor.

21. **Z-7417 City Council/Dan Mordhorst** (CD 2) Location: Northeast corner of South Peoria Avenue and East 66th Place South requesting rezoning from **CS** to **MX1-V-65**

STAFF RECOMMENDATION:

SECTION I: Z-7417

DEVELOPMENT CONCEPT:

In anticipation of the Bus Rapid Transit (BRT) route implementation along Peoria Avenue, Tulsa City Council is seeking rezoning on key properties within the corridor to encourage mixed-use and transit-oriented development. In May of this year, the City initiated a land use study that resulted in zoning recommendations on property within ½ a mile of proposed “enhanced stations” along the BRT route. The subject property was included in that recommendation and the owner of that property has opted-in to a voluntary rezoning program initiated by the Tulsa City Council. No immediate development of the property is proposed.

DETAILED STAFF RECOMMENDATION:

The zoning change requested is in conformance with both the City of Tulsa Comprehensive Plan and the Riverwood Neighborhood Plan. Additionally, it conforms to the recommendations included within the BRT Land Use Study. The change in zoning will not be injurious to surrounding property owners.

Staff recommends approval of Z-7417 to rezone property from CS to MX1-V-45.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: MX1-V-65 is consistent with the land use vision in the Tulsa Comprehensive Plan and is also consistent with the goals, objectives and strategies of the Riverwood Neighborhood Small Area Plan.

Land Use Vision:

Land Use Plan map designation: Main Street

Main Streets are Tulsa’s classic linear centers. They are comprised of residential, commercial, and entertainment uses along a transit-rich street usually two to four lanes wide, and includes much lower intensity residential neighborhoods situated behind. Main Streets are pedestrian-oriented places with generous sidewalks, storefronts on the ground floor of buildings, and street trees and other amenities. Visitors from outside the surrounding neighborhoods can travel to Main Streets by bike, transit, or car. Parking is provided on street, small private off street lots, or in shared lots or structures.

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: South Peoria Avenue is designated a Secondary Arterial by the Tulsa Major Street and Highway Plan. In addition, the section of Peoria abutting the subject property is designated as a multi-modal corridor. Future improvements to the street system will include considerations for pedestrians, bicycles, public transit, and automobiles. The Bus Rapid Transit (BRT) route will run adjacent to the subject property once implemented.

Trail System Master Plan Considerations: None

Small Area Plan: Riverwood Neighborhood Plan

Staff has reviewed the proposed zoning change for conformance with the adopted *Riverwood Neighborhood Plan* and has determined it to be consistent with the goals and objectives of the plan. The small area plan recommends the redevelopment of commercial areas and a mixture of uses to ensure the creation of more walkable commercial corridors and a mixture of housing options that integrate with the commercial areas.

The small area plan supports the change in zoning mixed-use.

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The property under application includes one commercial building with associated parking. The majority of the property is vacant and undeveloped.

Environmental Considerations: None that would affect site redevelopment

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Peoria Avenue	Secondary Arterial – Multi-Modal	100'	2 lanes
East 66 th Place South	None	50'	2 lanes, residential

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-2	Main Street	Growth	Vacant
East	RS-2	Existing Neighborhood	Growth	Residential
South (Across E 66 th Pl. S)	CS/RS-2	Main Street	Growth	Commercial/Residential
West (Across Peoria)	CS	Mixed-Use Corridor	Growth	Commercial

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11828 dated June 26, 1970, established zoning for the subject property.

Subject Property: No relevant history.

Surrounding Property:

SA-1 September 2016: The Board of Adjustment **approved** a request for a Special Area Overlay on multiple properties along the Arkansas River extending from W. 11th St. S. to E. 121st St. S., to establish the River Design Overlay as a supplemental zoning, RDO-1, RDO-2, or RDO-3, to establish regulations

governing form function, design and use for properties located within the boundaries of the River Design Overlay District. The regulations are generally intended to maintain and promote the Arkansas River corridor as a valuable asset to the city and region in terms of economic development and quality of life.

BOA-21311 August 2011: The Board of Adjustment **approved** a *variance* of the minimum frontage required in the CS District (Section 703) to permit a lot-split; and **approved** a *variance* to permit an additional structure to be erected in connection with a nonconforming use of land (Section 1401.B.3), on property located south of the southwest corner of East 64th Street South and South Peoria Avenue.

BOA-19912 June 2004: The Board of Adjustment **approved** a *variance* of parking requirement for mini-storage from 14 spaces to 11 spaces; a variance of the 10 foot setback in an R District to 8.4 feet; and Variance of setback from centerline of South Peoria Avenue from 100 feet to 99.6 feet, on property located north of East 66th Place and South Peoria Avenue.

BOA-19546 April 2003: The Board of Adjustment **approved** a *special exception* to allow Use Unit 13 in an OM zoned District as accessory uses to office use, on property located on the southeast corner of East 66th Place South and South Peoria Avenue.

BOA-19151 August 2001: The Board of Adjustment **approved** a *special exception* to permit an overhead door sales office in a CS district; a *variance* of the 26' setback requirement from an R District to 16'8" on the east and 22'4" on the north; a *variance* of the 150' frontage requirement in the CS District to 147'; a *variance* of the 100' setback requirement on the west to 95'; and a *special exception* of screening requirement from the south and north back 50' in front and to allow alternative landscaping on the east for property located north of the subject property at 6501 South Peoria Avenue.

BOA-18763 June 2000: The Board of Adjustment **approved** a *special exception* to permit a mini-storage with a residence and office in a CS/RM-1/RM-2 zoned district to include a reduction of perimeter setbacks to 5' and to use perimeter buildings to meet screening requirements on property located north of the subject property in the 6400 block of S. Peoria Ave.

BOA-18589 December 1999: The Board of Adjustment **approved** a *variance* of maximum height for a fence in the required front yard from 4' to 6'6" with condition that fence is wrought-iron or other open-type fence with a hardship that a four-foot fence would not be a security fence on property located west of E 66th Pl. S. and S Peoria Ave.

BOA-17209 October 1995: The Board of Adjustment **denied** a *special exception* to permit a private law office to be located in the homeowners

management office of a condominium complex – SECTION 401, on property located on the southeast corner of E. 66th Pl. S. and S. Peoria Ave.

Z-6571 November 1996: The Board of Adjustment **approved** a request for rezoning a tract of land from OM to CS on the west 200 ft. of tract and denial of the remainder, on property located on the northeast corner of E. 67th St. and S. Peoria Ave.

Z-6567 November 1996: The Board of Adjustment **denied** a request for rezoning a 1.7± acre tract of land from RS-2 to RM-2 and approval of RS-2 to RM-1 for on property located south of E. 64th St. S and S. Peoria Ave, which is north of the subject property.

BOA-15441 May 1990: The Board of Adjustment **approved** a *variance* of the minimum frontage requirement in the CS district to 139.2' to permit a lot split on property located north of the subject property at 6500 S. Peoria Ave.

BOA-15391 March 1990: The Board of Adjustment **approved** a *special exception* to permit construction of mini-storage warehouses, on property located north of E. 66th Place and S. Peoria Avenue.

BOA-15382 February 1990: The Board of Adjustment **approved** a *special exception* to permit an automobile body shop in a CS zoned district on property located north of the northwest corner of E. 66th Place South and S. Peoria Avenue. (This property has a pending case: Z-7423)

BOA-15177 June 1989: The Board of Adjustment **approved**, per conditions, a *special exception* to permit automobile sales and related uses in a CS zoned district on property located south of the southwest corner of E. 64th St. S. and S. Peoria Ave.

Z-6215 January 1989: The Board of Adjustment **approved** a rezoning of a .7± acre tract of land from RM-2 to CS and OL on property located east of the southeast corner of W. 67th St. and S. Peoria Ave.

PUD-341-A November 1985: All concurred in **approval** to delete Lots 4 – 10, Raintree II Amended Addition, from PUD-341, and allow these lots to retain the RM-2 underlying zoning, on property located on the southwest corner of E. 66th Pl. S. and S. Peoria Ave.

PUD-352 January 1984: The Board of Adjustment **approved** a proposed Planned Unit Development on a 3.2± acre tract of land for rezoning from CS and RM-2 to CS/RM-2/PUD to allow for an office, display, and storage complex on property located north of the northeast corner of E. 64th St. S. and S. Peoria Ave. All concurred in approval of the PUD standards to allow for the requested uses, which included a mini storage with caretaker's quarters.

Z-5994 October 1984: The Board of Adjustment **approved** a request for rezoning a .5± acre tract of land from RS-2 to CS on property located south of the subject property at the southeast corner of S. Peoria Ave. and E. 66th Place S.

BOA-12469 February 1983: The Board of Adjustment **approved** a *special exception* to permit a car wash in a CS District (Section 710 – Principal Uses Permitted in the Commercial Districts), on property located on the northwest corner of East 66th Place South and South Peoria Avenue, directly west of the subject property.

PUD-341 October 1983: The Board of Adjustment **approved** a proposed Planned Unit Development on a 5.98± acre tract of land for multi-family uses, on property located on the southwest corner of E. 66th PL. S. and S. Peoria Ave.

BOA-11825 March 1982: The Board of Adjustment **approved** a *special exception* to allow a multifamily complex in a CS zoned district; a *variance* of the number of dwelling units to 224; and a *variance* of the building height to 36' on property south and west of the subject property.

BOA-11381 February 1981: The Board of Adjustment **approved** a *variance* of the height requirements from 26' to 60'9" to permit the erection of a six-story building, and **approved** a *variance* of the number of parking spaces from 150 to 81 to permit the erection of a six-story building to be occupied by the elderly on property located west of E. 66th Place S. and S. Peoria Ave.

PUD-183 January 1976: All concurred in **approval** of a proposed Planned Unit Development on a 40± acre tract of land for townhouses, patio homes and garden apartments and accessory uses, on property located on the northeast corner of W. 68th St. and S. Peoria Ave.

Z-3232 August 1968: The Board of Adjustment **approved** a request for rezoning a 41± acre tract of land from U-2B to RM-2 and a 2.36± acre tract of land from U-3D to CS on the subject property located north of the northwest corner of East 66th Place South and South Peoria Avenue. (This property has a pending case: Z-7418.)

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC COMMENTS:

Mr. Dix asked staff what is the benefit to the owner.

Mr. Foster answered the subject property was identified as being within .25 miles of an enhanced bus station and redevelopment is expected along the BRT. The benefits to the owners will vary, some owners will see it as an opportunity to get their zoning changed free of charge. Mr. Foster stated some owners are saving approximately 1500 dollars by taking advantage of this program. Mr. Foster stated the City's incentive is to encourage appropriate development within the BRT corridor.

Mr. Reeds stated the subject property is also enhanced by the previous rezoning of the RDO-3 which encourages similar development.

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 (Adams, Covey, Dix, Fretz, Krug, Millikin, Reeds, Shivel, Walker, "aye"; no "nays"; none "abstaining"; Carnes, Doctor, "absent") to **APPROVE** Z-7417 rezoning from CS to MX1-V-65 per staff recommendation.

Legal Description of Z-7417:

LTS 1 & 2 BLK 1, KEIM GARDENS, DELL ROSE PLACE RESUB L1-3 B2 L1-4 B1 KEIM GARDENS, City of Tulsa, Tulsa County, State of Oklahoma

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22. **Z-7418 City Council/Dan Mordhorst** (CD 2) Location: North of the northwest corner of South Peoria Avenue and East 66th Place South requesting rezoning from **CS** to **MX1-V-65**

STAFF RECOMMENDATION:

SECTION I: Z-7418

DEVELOPMENT CONCEPT: This request for rezoning is responsive to a City Council initiative to encourage mixed use development along the proposed bus rapid transit system route. The site is currently zoned and currently does not have any height restriction. The rezoning request will limit maximum height to 65 feet which is consistent with the abutting multi story residential building west of the site.

In May of this year, the City initiated a land use study that resulted in zoning recommendations on property within ½ a mile of proposed "enhanced stations" along the bus rapid transit route. The subject property was included in that

recommendation and the owner of that property has opted-in to a voluntary rezoning program initiated by the Tulsa City Council. No immediate development of the property is proposed.

DETAILED STAFF RECOMMENDATION:

Case Z-7418 request MX1-V-65 is consistent with the expected development pattern in the area and,

MX1-V-65 is not injurious to the surrounding property owners and,

The bus rapid transit study recommended MX1-V without a height recommendation on this site. The rezoning request is consistent with the Bus Rapid Transit System study and its land use recommendations and,

MX1-V-65 is consistent with the Mixed-Use Corridor land use vision in the Tulsa Comprehensive Plan therefore

Staff recommends Approval of Z-7418 to rezone property from CS to MX1-V-65.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: MX1-V-65 is consistent with the land use vision in the Tulsa Comprehensive Plan and is also consistent with the goals, objectives and strategies of the Riverwood Neighborhood Small Area Plan.

Land Use Vision:

Land Use Plan map designation: Mixed-Use Corridor

A Mixed-Use Corridor is a plan category used in areas surrounding Tulsa's modern thoroughfares that pair high capacity transportation facilities with housing, commercial, and employment uses. The streets usually have four or more travel lanes, and sometimes additional lanes dedicated for transit and bicycle use. The pedestrian realm includes sidewalks separated from traffic by street trees, medians, and parallel parking strips. Pedestrian crossings are designed so they are highly visible and make use of the shortest path across a street. Buildings along Mixed-Use Corridors include windows and storefronts along the sidewalk, with automobile parking generally located on the side or behind. Off the main travel route, land uses include multifamily housing, small lot, and

townhouse developments, which step down intensities to integrate with single family neighborhoods.

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:

Multi-modal streets 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 that affect site development however the river trail system is less than ½ mile from this site. Pedestrian and

bicycle connectivity should be an important concept with any new redevelopment opportunity.

Small Area Plan:

Riverwood Neighborhood Small Area Plan (Completed in 2008).

Phase One infrastructure recommendations included Transit Connections and shelters specifically for Inhofe Plaza which is directly west of this site.

The Riverwood Community identified the viability of retail and land uses along South Peoria corridor as a key element of the community plan. These activities contribute to greater livability and convenience within the neighborhood and can convey a neighborhood identity to visitors as well as residents from other areas of the City. Rezoning considerations should consider a walkability community especially for frequent users that may be elderly or physically challenged.

The primary goal identified in this small area plan:

Provide diversified, convenient, concentrated, and efficient commercial activities. This will add to the quality of area as a self-sufficient unit of the total urban pattern.

Objectives include:

1. Locate commercial facilities where compatible commercial uses can support one another and where community services and facilities are capable of supporting commercial activities.
2. Provide a reasonable ratio of commercial activities in relation to the population residing within the area.

Strategies for redevelopment included in the small area plan include:

1. Add continuous sidewalks on both sides of the street
2. Redesign the fronts of large parking lots and build small closely spaced or attached storefronts with courtyard parking behind
3. Encourage a mix of housing within walking distance of commercial areas
4. Encourage site store entrances near street fronts and parking lots to the rear of buildings so transit riders and cyclist have easy access to the store areas.

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is a small retail single story building on a nearly flat lot. See snippet below:

Street View from southeast looking northwest:



Environmental Considerations: None that would affect site redevelopment

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Peoria Avenue	Secondary Arterial / multi modal corridor	100 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	CS	Mixed Use Corridor	Growth	Outdoor storage of RV-s, campers, boats etc
East	RS-2 and CS	Mixed Use Corridor	Growth	Ministorage
South	CS	Mixed Use Corridor	Growth	Car Wash
West	RM-2	Mixed Use Corridor	Growth	Inhofe apartments

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11829 dated June 26, 1970, established zoning for the subject property.

Subject Property:

Z-3232 August 1968: The Board of Adjustment **approved** a request for rezoning a 41± acre tract of land from U-2B to RM-2 and a 2.36± acre tract of land from U-3D to CS on the subject property located north of the northwest corner of East 66th Place South and South Peoria Avenue.

Surrounding Property:

SA-1 September 2016: The Board of Adjustment **approved** a request for a Special Area Overlay on multiple properties along the Arkansas River extending from W. 11th St. S. to E. 121st St. S., to establish the River Design Overlay as a supplemental zoning, RDO-1, RDO-2, or RDO-3, to establish regulations governing form function, design and use for properties located within the boundaries of the River Design Overlay District. The regulations are generally intended to maintain and promote the Arkansas River corridor as a valuable asset to the city and region in terms of economic development and quality of life.

BOA-21311 August 2011: The Board of Adjustment **approved** a *variance* of the minimum frontage required in the CS District (Section 703) to permit a lot-split; and **approved** a *variance* to permit an additional structure to be erected in connection with a nonconforming use of land (Section 1401.B.3), on property located south of the southwest corner of East 64th Street South and South Peoria Avenue.

BOA-19912 June 2004: The Board of Adjustment **approved** a *variance* of parking requirement for mini-storage from 14 spaces to 11 spaces; a variance of the 10 foot setback in an R District to 8.4 feet; and Variance of setback from centerline of South Peoria Avenue from 100 feet to 99.6 feet, on property located north of East 66th Place and South Peoria Avenue.

BOA-19546 April 2003: The Board of Adjustment **approved** a *special exception* to allow Use Unit 13 in an OM zoned District as accessory uses to office use, on property located on the southeast corner of East 66th Place South and South Peoria Avenue.

BOA-19151 August 2001: The Board of Adjustment **approved** a *special exception* to permit an overhead door sales office in a CS district; a *variance* of the 26' setback requirement from an R District to 16'8" on the east and 22'4" on the north; a *variance* of the 150' frontage requirement in the CS District to 147'; a *variance* of the 100' setback requirement on the west to 95'; and a *special exception* of screening requirement from the south and north back 50' in front and to allow alternative landscaping on the east for property located at 6501 South Peoria Avenue.

BOA-18763 June 2000: The Board of Adjustment **approved** a *special exception* to permit a mini-storage with a residence and office in a CS/RM-1/RM-2 zoned district to include a reduction of perimeter setbacks to 5' and to use perimeter buildings to meet screening requirements on property located in the 6400 block of S. Peoria Ave.

BOA-18589 December 1999: The Board of Adjustment **approved** a *variance* of maximum height for a fence in the required front yard from 4' to 6'6" with condition that fence is wrought-iron or other open-type fence with a hardship that a four-foot fence would not be a security fence on property located west of E 66th Pl. S. and S Peoria Ave.

BOA-17209 October 1995: The Board of Adjustment **denied** a *special exception* to permit a private law office to be located in the homeowners management office of a condominium complex – SECTION 401, on property located on the southeast corner of E. 66th Pl. S. and S. Peoria Ave.

Z-6571 November 1996: The Board of Adjustment **approved** a request for rezoning a tract of land from OM to CS on the west 200 ft. of tract and denial of the remainder, on property located on the northeast corner of E. 67th St. and S. Peoria Ave.

Z-6567 November 1996: The Board of Adjustment **denied** a request for rezoning a 1.7± acre tract of land from RS-2 to RM-2 and approval of RS-2 to RM-1 on property located south of E. 64th St. S and S. Peoria Ave.

BOA-15441 May 1990: The Board of Adjustment **approved** a *variance* of the minimum frontage requirement in the CS district to 139.2' to permit a lot split on property located at 6500 S. Peoria Ave.

BOA-15391 March 1990: The Board of Adjustment **approved** a *special exception* to permit construction of mini-storage warehouses, on property located north of E. 66th Place and S. Peoria Avenue.

BOA-15382 February 1990: The Board of Adjustment **approved** a *special exception* to permit an automobile body shop in a CS zoned district on property located north of the northwest corner of E. 66th Place South and S. Peoria Avenue. (This property has a pending case: Z-7423.)

BOA-15177 June 1989: The Board of Adjustment **approved**, per conditions, a *special exception* to permit automobile sales and related uses in a CS zoned district on property located south of the southwest corner of E. 64th St. S. and S. Peoria Ave.

Z-6215 January 1989: The Board of Adjustment **approved** a rezoning of a .7± acre tract of land from RM-2 to CS and OL on property located east of the southeast corner of W. 67th St. and S. Peoria Ave.

PUD-341-A November 1985: All concurred in **approval** to delete Lots 4 – 10, Raintree II Amended Addition, from PUD-341, and allow these lots to retain the RM-2 underlying zoning, on property located on the southwest corner of E. 66th Pl. S. and S. Peoria Ave.

PUD-352 January 1984: The Board of Adjustment **approved** a proposed Planned Unit Development on a 3.2± acre tract of land for rezoning from CS and RM-2 to CS/RM-2/PUD to allow for an office, display, and storage complex on property located north of the northeast corner of E. 64th St. S. and S. Peoria Ave. All concurred in approval of the PUD standards to allow for the requested uses, which included a mini storage with caretaker's quarters.

Z-5994 October 1984: The Board of Adjustment **approved** a request for rezoning a .5± acre tract of land from RS-2 to CS on property located at the southeast corner of S. Peoria Ave. and E. 66th Place S.

BOA-12469 February 1983: The Board of Adjustment **approved** a *special exception* to permit a car wash in a CS District (Section 710 – Principal Uses Permitted in the Commercial Districts), on property located on the northwest corner of East 66th Place South and South Peoria Avenue.

PUD-341 October 1983: The Board of Adjustment **approved** a proposed Planned Unit Development on a 5.98± acre tract of land for multi-family uses, on property located on the southwest corner of E. 66th Pl. S. and S. Peoria Ave.

BOA-11825 March 1982: The Board of Adjustment **approved** a *special exception* to allow a multifamily complex in a CS zoned district; a *variance* of the number of dwelling units to 224; and a *variance* of the building height to 36' on property south and west of the subject property.

BOA-11381 February 1981: The Board of Adjustment **approved** a *variance* of the height requirements from 26' to 60'9" to permit the erection of a six-story building, and **approved** a *variance* of the number of parking spaces from 150 to 81 to permit the erection of a six-story building to be occupied by the elderly on property located west of E. 66th Place S. and S. Peoria Ave.

PUD-183 January 1976: All concurred in **approval** of a proposed Planned Unit Development on a 40± acre tract of land for townhouses, patio homes and garden apartments and accessory uses, on property located on the northeast corner of W. 68th St. and S. Peoria Ave.

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 (Adams, Covey, Dix, Fretz, Krug, Millikin, Reeds, Shivel, Walker, "aye"; no "nays"; none "abstaining"; Carnes, Doctor, "absent") to **APPROVE** Z-7418 rezoning from CS to MX1-V-65 per staff recommendation.

Legal Description of Z-7418:

LT 1 BLK 1, CLINE ADDN, COMPTON ADDN RESUB PRT L1B1 CLINE ADD, City of Tulsa, Tulsa County, State of Oklahoma

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23. **Z-7419 KKT Architects, INC** (CD 6) Location: East of the northeast corner of East 31st Street South and South 161st East Avenue requesting rezoning from **AG to RS-1**

STAFF RECOMMENDATION:

SECTION I: Z-7419

DEVELOPMENT CONCEPT:

The proposed use for his project is a residential subdivision for detached homes.

DETAILED STAFF RECOMMENDATION:

Z-7419 request RS-1 zoning which is consistent with the expected development pattern in the area and,

RS-1 zoning is non-injurious to the proximate properties and,

RS-1 zoning is consistent with the New Neighborhood Vision of the Tulsa Comprehensive Plan therefore,

Staff recommends Approval of Z-7419 to rezone property from AG to RS-1.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: RS-1 zoning is consistent with the expected long term development of the area.

Land Use Vision:

Land Use Plan map designation: New Neighborhood

The New Neighborhood residential building block is comprised of a plan category by the same name. It 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: The major street and highway plan recognizes East 31st as a secondary arterial street. Currently East 31st is a gravel road and will be improved to a minimum standard required by the City of Tulsa Engineering department. Staff supports any engineering requirement to pave East 31st Street from the East boundary of the site to 171st East Avenue to minimize dust on the abutting properties.

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 and all surrounding properties is either undeveloped or has a detached home on a large parcel. The arterial streets on East 31st and South 161st are either gravel or non-improved statutory right of way.

Environmental Considerations: None that would affect site development however some consideration will need to be given to limestone that is obvious on surrounding properties.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 31 st Street South	Secondary Arterial	100 feet	Narrow gravel

Utilities:

The subject tract has City of Tulsa water service available. Wastewater service is not available. The lots will be large enough to support Oklahoma Department of Environmental Quality standards for individual treatment and a dry sanitary sewer system will be required anticipating connections to future development in the area.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	AG	New Neighborhood	Growth	Undeveloped
East	AG	New Neighborhood	Growth	Single detached home on large parcel
South	AG	New Neighborhood	Growth	Undeveloped
West	AG	New Neighborhood	Growth	City of Tulsa water tank

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11818 dated June 26, 1970, established zoning for the subject property.

Subject Property:

Z-6482 March 1995: All concurred in approval of a request for rezoning a 40± acre tract of land from RM-1/RS-3 to AG for Experimentation/ Testing Seismic Recording Systems, on property located on the subject property.

BOA-16956 March 1995: The Board of Adjustment **approved** a *special exception* to permit experimentation and testing of RF Telemetry Digital Seismic Recording Systems for 5 years only – SECTION 301. PRINCIPAL USES PERMITTED IN THE AGRICULTURE DISTRICTS – Use Unit 24; subject to City Council approval of AG zoning on the RM-1 zoned portion; subject to days and hours of operation being Monday through Friday, 8 a.m. to 6 p.m.; subject to a maximum dynamite charge of one-quarter pound, being detonated no more than once per hour; subject to the test site being 300' or more from abutting boundary lines, on the subject property.

Surrounding Property:

BOA-13626 June 1985: The Board of Adjustment **approved** a *special exception* to permit a mobile home in an AG zoned district, on property located west of the northwest corner of East 31st Street South and South 177th East Avenue.

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**, TMAPC voted **9-0-0** (Adams, Covey, Dix, Fretz, Krug, Millikin, Reeds, Shivel, Walker, “aye”; no “nays”; none “abstaining”; Carnes, Doctor, “absent”) to **APPROVE** Z-7419 rezoning from AG to RS-1 per staff recommendation.

Legal Description of Z-7419:

A TRACT OF LAND THAT IS A PART OF THE SOUTHWEST QUARTER OF SECTION FOURTEEN (14), TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEROF, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS TO WIT:

COMMENCING AT THE SOUTHWEST QUARTER (SW/4) OF SECTION FOURTEEN (14), TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14); THENCE N88°41'01"E A DISTANCE OF 650.24 FEET TO THE POINT OF BEGINNING; THENCE N01°11'02"W A DISTANCE OF 1320.49 FEET; THENCE N88°43'03"E A DISTANCE OF 1,562.34 FEET; THENCE S01°21'48"E A DISTANCE OF 1,319.56 FEET; THENCE S88°41'01"W A DISTANCE OF 1,566.48 FEET TO THE POINT OF BEGINNING

* * * * *

25. **Z-7422 City Council/Nordic LLC** (CD 9) Location: South of the southeast corner of East 41st Street South and South Peoria Avenue requesting rezoning from **RM-1/RM-2/CH/ PUD-744/PUD-744-A to MX3-U-U**

STAFF RECOMMENDATION:

SECTION I: Z-7422

DEVELOPMENT CONCEPT: This request for rezoning is responsive to a City Council initiative to encourage mixed-use development along the proposed bus rapid transit system route. The current zoning on the site is CH, RM-1, RM-2 and PUD/RS-3. The site does not have any height restriction within the CH district abutting South Peoria. The PUD will also be abandoned as part of a separate action and is currently planned for a December 6th TMAPC meeting.

DETAILED STAFF RECOMMENDATION:

Case Z-7422 request MX3-U-U is consistent with the expected development pattern in the area and,

MX3-U-U is not injurious to the surrounding property owners and,

The MX3 requested is considered more of a Regional Mixed-Use district intended to accommodate larger scale development and supports the anticipated uses in this area location along South Peoria. The rezoning request is consistent with the Bus Rapid Transit System study and its land use recommendations and,

MX3-U-U is consistent with the Brookside Infill Plan and,

MX3-U-U is consistent with the Mixed-Use Corridor land use vision in the Tulsa Comprehensive Plan therefore

Staff recommends Approval of Z-7422 to rezone property from RM-1, RM-2, CH, PUD-744, PUD-744-A / to MX3-U-U.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: MX3-U-U is consistent with the land use vision in the Tulsa Comprehensive Plan and is also consistent with the goals, objectives and strategies of the Brookside Infill Plan.

Land Use Vision:

Land Use Plan map designation: Mixed-Use Corridor

A Mixed-Use Corridor is a plan category used in areas surrounding Tulsa's modern thoroughfares that pair high capacity transportation facilities with housing, commercial, and employment uses. The streets usually have four or more travel lanes, and sometimes additional lanes dedicated for transit and bicycle use. The pedestrian realm includes sidewalks separated from traffic by street trees, medians, and parallel parking strips. Pedestrian crossings are designed so they are highly visible and make use of the shortest path across a street. Buildings along Mixed-Use Corridors include windows and storefronts along the sidewalk, with automobile parking generally located on the side or behind. Off the main travel route, land uses include multifamily housing, small lot, and townhouse developments, which step down intensities to integrate with single family neighborhoods.

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:

Multi-modal streets 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 that affect site development however the Rivertrail system is less than ½ mile from this site. Pedestrian and bicycle connectivity should be an important concept with any new redevelopment opportunity.

Small Area Plan: Brookside Infill Design Recommendations (Completed 2002)

Concept statement: “As Tulsa continues to mature as a city, infill development will become more important as land on the perimeter is no longer available for development. Infill will no longer be the exception; it will be the rule in terms of predominant types of development. Support and encouragement of infill development are strongly recommended and

should be implemented through City regulations, policies and philosophies in order to ensure quality and consistency in future development”.

Staff comment: This was a statement from the infill task force prepared by the Mayor’s office and the Planning Commission in 1999 and continues to be more relevant today with implementation of the Bus Rapid Transit system and the construction of the Gathering Place. It has taken almost 20 years for the City to adopt zoning categories to support infill development strategies that will encourage design standards and building placement strategies to help create an urban fabric along Peoria from East 36th South street to I-44. Many design recommendations were restricted to the street right of way. Some of that has been implemented from 41st Street to Crow Creek.

Peoria from 38th Street South to 51st Street South (Skelly Drive) Goals:

- A. It is intended that the physical environment and services in the business areas are maintained and enhanced to benefit existing business, as well as to promote and encourage revitalization, redevelopment and reuse of undervalued, vacant lots and obsolete buildings.
- B. Improvements in the area will be made to help provide a continuity of image and to foster an improved emphasis on pedestrians. This is to be accomplished in part by providing sidewalk design and replacement crosswalks at selected locations, streetscape elements and other features will link this area and connect with the other portions of Brookside
- C. The historical context of business development patterns in this area is encouraged to continue, but with the additional emphasis of accommodating pedestrians and linking with the overall Brookside marketplace.
- D. Business in this area along Peoria Avenue and those streets intersecting with Peoria Avenue may develop with buildings constructed nearer to the abutting street property line. Developments with storefront parking should provide no more than one or two rows of double-loaded parking in the front of buildings. Zero-setback from the front property lines is encouraged.
- E. Sufficient parking for all business land uses is intended to be provided for all new development and redevelopment.

Special District Consideration: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The east 2/3rds of the site is vacant and undeveloped property. The area was included in a PUD that was prepared for a townhome type development that never was completed. The middle

section of the site is an existing three story multifamily residential site and the western portion abutting Peoria is a two-story mixed-use building. The PUD will be abandoned as part of a separate action and is currently planned for a December 6th TMAPC meeting.

Environmental Considerations: None that would affect site redevelopment

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Peoria Avenue	Secondary Arterial with Multi Modal Corridor	100 feet	4 lanes with a center turn lane
East 42 nd Street South	None	50 feet	2 lanes
East 41 st Place South	None	50 feet	2 lanes with on street parking on the north side of the street

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	PUD/RM-2 and RM-1	Mixed-Use Corridor	Growth	Multi-family and Townhomes
East	RM-2 and RS-3	Mixed-Use Corridor	Growth	Multi-family and single family
South	CH and RS-3	Mixed-Use Corridor and existing neighborhood	Growth along mixed-use corridor / Stability where RS-3 zoned properties abut	Restaurant with drive thru window and single family residential
West	CH	Mixed-Use Corridor	Growth	Commercial and auto repair

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11823 dated June 26, 1970, established zoning for the subject property.

Subject Property:

PUD-744-A March 2009: All concurred in **approval** of a proposed Major Amendment to PUD on a 2± acre tract of land to amend the standards to allow for 14 single-family patio homes, on property located east of the northeast corner of east 42nd Place and south Peoria avenue and the subject property.

PUD-744 September 2007: All concurred in **approval** of a proposed Planned Unit Development on a 1.97± acre tract of land for town house development with 25 units on property located east of the northeast corner of east 42nd Place and south Peoria avenue and the subject property.

BOA-20356 October 2006: The Board of Adjustment **approved** a *special exception* to permit a bar (Use Unit 12a) on a lot within 150' of an R district (Section 701), with conditions for no outside activity on the east but parking; the special exception would be permitted for one space in this center not to exceed 1,500 square feet; limiting approval to 3 years, on the subject property.

BOA-20335 April 2006: The Board of Adjustment **approved** a *Verification of Spacing Requirements* for a Use Unit 12a- Adult Entertainment establishment, on the subject property.

Surrounding Property:

PUD-476-A October 2013: All concurred in **approval** of a request to abandon PUD-476 on property located south and east of southeast corner of east 41st Street and South Peoria Avenue.

Z-7097 / PUD-758 August 2008: All concurred in **approval** of a request for rezoning and proposed Planned Unit development on a 6.35± acre tract of land, from RM-1/RM-2 to RM-3/PUD, for apartments, on property located east of southeast corner of South Peoria Avenue and east 39th Street.

BOA-20581 October 2007: The Board of Adjustment **approved** a *variance* of the maximum permitted height of 35 feet for buildings located in the RM-1 district to permit town homes up to 42 feet in height, on property located on the northwest corner of East 41st Place and South Quincy Avenue and north of the subject property.

PUD-480 April 1992: All concurred in **approval** of a proposed Planned Unit Development on a 5.35± acre tract of land for a grocery store and restaurant (Albertson's) subject to no access from 39th Street on property located north and east of northeast corner of east 41st Street and South Peoria Avenue.

BOA-12311 December 1982: The Board of Adjustment **approved** a *special exception* for off-street parking on a tract in an RS-3 district; and a *special exception* for a temporary waiver of the screening requirement on the north boundary of the off-street parking location to allow for fan fence or shrubbery, in lieu of screening wall for one year, subject to no access to 42nd street and that the screening fence on the south and east boundary line be erected on the property immediately on property located at 4143 South Peoria Avenue.

BOA-14625 October 1987: The Board of Adjustment **approved** a *special exception* to allow off-street parking in an RM-2 zoned district; **approved** a *variance* to permit access through an RM-2 district to a commercial district; and **approved** a *special exception* of the screening requirements, per plan submitted, on property located at 1315-19 East 41st Place.

INTERESTED PARTIES:

George P. Garrick 4943 South Quincy Avenue, Tulsa, OK 74105

Mr. Garrick stated he has lived in this neighborhood for 15 years. Mr. Garrick stated the Brookside Neighborhood Association was formed 25 years ago because Albertson's grocery store opened at 41st and Peoria and the Neighborhood Association was concerned about parking. Mr. Garrick stated he is in support of this project because there is a great need for parking in the Brookside area. Mr. Garrick stated there is a park going in called The Gathering Place and there is not enough parking surrounding this park. The guests to this park will park on the lawns of Maple Ridge because of the shortage of parking. Mr. Garrick stated a multi-level parking facility is needed. Mr. Garrick stated every time private money has come to Brookside it has become more beautiful.

Janine Billings 4401 South Peoria Avenue, Tulsa, OK 74105

Ms. Billings stated she supports this application it will help all of Brookside. Ms. Billings stated Brookside does not end at 41st Street it continues to 51st Street and Brookside needs some south development. She stated the HOA and the Brookside Neighborhood Association support this development.

TMAPC Action; 9 members present:

On **MOTION** of **DIX**, the TMAPC voted 9-0-0 (Adams, Covey, Dix, Fretz, Krug, Millikin, Reeds, Shivel, Walker, "aye"; no "nays"; none "abstaining"; Carnes, Doctor, "absent") to **APPROVE** Z-7422 rezoning from RM-1/RM-2/CH/ PUD-744/PUD-744-A to MX3-U-U per staff recommendation.

Legal Description of Z-7422:

Lots 1, 2, 3, 4 & 5, Block 4, Jennings-Robards Addition; All of The Retreat at Brookside South, City of Tulsa, Tulsa County, State of Oklahoma

OTHER BUSINESS

26. **Refund Request**-BOA-17765 Plat Waiver, Dan Ashbaugh, PE in the amount of \$250.00. Staff determined that the plat waiver would not be required.

TMAPC Action; 9 members present:

On **MOTION** of **DIX**, the TMAPC voted 9-0-0 (Adams, Covey, Dix, Fretz, Krug, Millikin, Reeds, Shivel, Walker, "aye"; no "nays"; none "abstaining"; Carnes, Doctor, "absent") to **APPROVE** the Refund Request of \$250.00 per staff recommendation.

27. Commissioners' Comments

Mr. Reeds asked Ms. Miller why TMAPC must approve refunds and why can't this be done at the staff level. Mr. Reeds stated he did not understand why staff had to ask for a refund when staff knows that a refund is needed.

Ms. Miller stated that is the INCOG accounting policy.

Mr. Reeds stated so much time is spent on streamlining the processes for zoning and other issues that this also could be improved.

Mr. Dix stated it removes the possibility of impropriety of staff.

Ms. Miller stated it doesn't delay the process by much

ADJOURN

TMAPC Action; 9 members present:

On **MOTION** of **DIX**, the TMAPC voted 9-0-0 (Adams, Covey, Dix, Fretz, Krug, Millikin, Reeds, Shivel, Walker, "aye"; no "nays"; none "abstaining"; Carnes, Doctor, "absent") to **ADJOURN** TMAPC meeting 2758.

ADJOURN

There being no further business, the Chair declared the meeting adjourned at 2:47 p.m.

Date Approved:

Chairman

ATTEST: _____

Secretary

DRAFT