

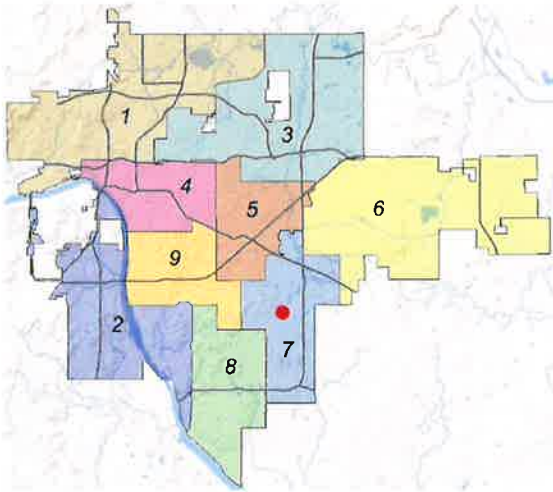


**Case Number:** PUD-281-12  
**Minor Amendment**  
**Hearing Date:** December 6, 2017

**Case Report Prepared by:**  
 Jay Hoyt

**Owner and Applicant Information:**  
 Applicant: Lou Reynolds  
 Property Owner: Country Club of Woodland Hills LP, c/o Eller & Detrich, P.C.

**Location Map:**  
 (shown with City Council Districts)



**Applicant Proposal:**  
 Concept summary: PUD minor amendment to consolidate previous amendments and clarify the development standards  
 Gross Land Area: 7.6± acres  
 Location: West of the NW/c E 65<sup>th</sup> St S and S Mingo Rd  
 All of Lot 1, Block 6, Blocks 4, 5 & 6 of Glen Eagles  
 6333 S 91<sup>st</sup> E Ave  
 Development Area F

**Zoning:**  
 Existing Zoning: RS-3/PUD-281  
 Proposed Zoning: No Change

**Comprehensive Plan:**  
 Land Use Map: Mixed-Use Corridor  
 Growth and Stability Map: Growth

**Staff Recommendation:**  
 Staff recommends **approval**.

**Staff Data:**  
 TRS: 8301  
 CZM: 53  
 Atlas: 1732

**City Council District:** 7  
*Councilor Name:* Anna America  
**County Commission District:** 3  
*Commissioner Name:* Ron Peters

**SECTION I:** PUD-281-12 Minor Amendment

**STAFF RECOMMENDATION**

Amendment Request: Modify the PUD to consolidate previous amendments and clarify the development standards.

The current development standards for Development Area F contain ambiguities in regards to several of the requirements, including bulk and area and uses, which are spread over several amendments. As such, determining development standards within area F is confusing and an unnecessarily convoluted process. This amendment seeks to clear up the development standards and eliminate potential confusion.

Applicant Exhibit 'A' reiterates the reason for the request and also lays out the proposed development standards.

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."*

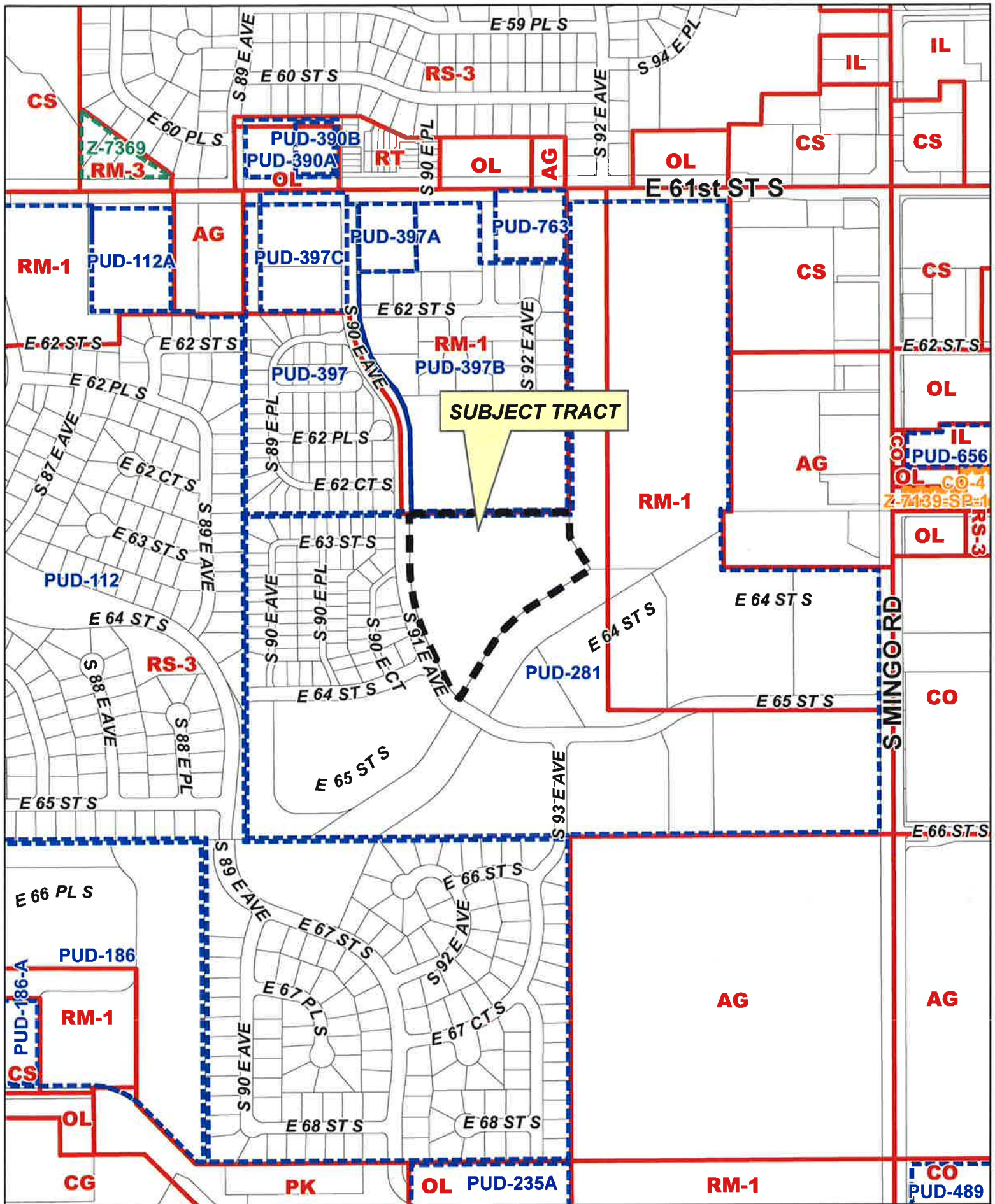
Staff has reviewed the request and determined:

- 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-281 and subsequent amendments shall remain in effect.

Exhibits included with staff recommendation:

INCOG zoning case map  
INCOG aerial photo  
INCOG aerial photo enlarged  
Applicant Exhibit 'A' – Description of Proposal/Nature of Amendment  
Applicant Exhibit 'B' – ALTA Survey of subject property

With considerations listed above, staff recommends **approval** of the minor amendment request to consolidate previous amendments and clarify the development standards.



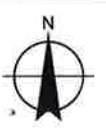
**SUBJECT TRACT**



**PUD-281-12**

18-13 01

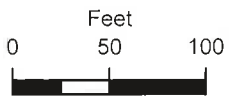
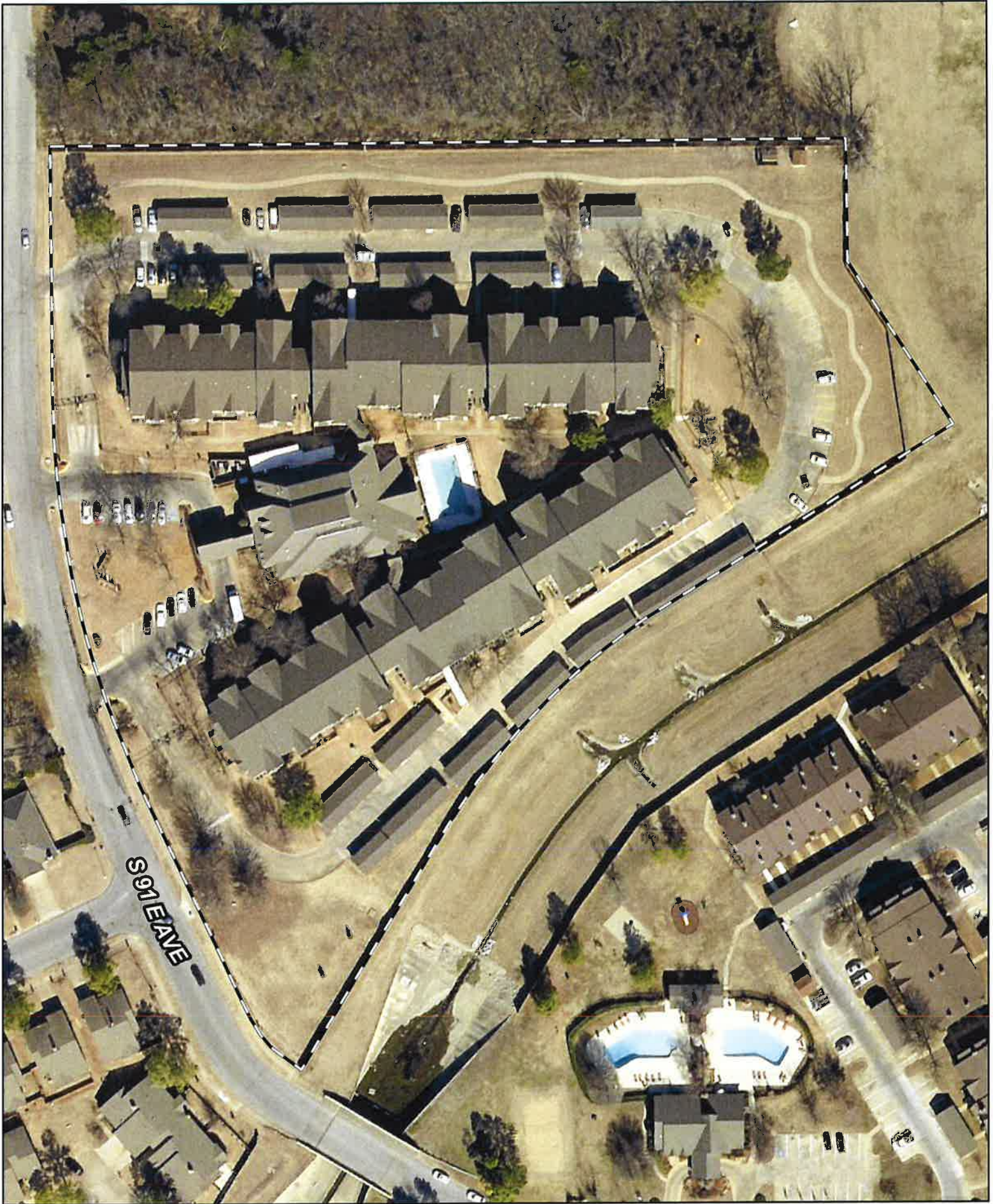
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 Subject Tract

**PUD-281-12**

18-13 01

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

Aerial Photo Date: February 2016





**EXHIBIT "A"**

**DESCRIPTION OF PROPOSAL/ NATURE OF AMENDMENT**

**PUD-281-12 MINOR AMENDMENT**

**Development Area "F"**

The purpose of this Minor Amendment is more to clarify the Development Standards of the PUD that are applicable to the Property and to memorialize such Development Standards in one document, rather than to amend the PUD. Within the PUD and the recorded Development Standards there are ambiguities with respect to the Development Standards governing the use of the Property.

PUD 281 was originally approved in 1982 and encompassed approximately 100 acres.

PUD 281 contained eight (8) separate development areas that are described as Development Areas "A", "B", "C", "D", "E", "F" and "H". Several such Development Areas were developed in phases which had the practical effect of further subdividing the original Development Areas. However, the Property is wholly contained in Development Area "F".

Various amendments to PUD 281 have confused the Development Standards that are applicable to the Property. Further compounding the matter is the Development Restrictions recorded against the Property are not consistent with the PUD or the use of the Property as well as the physical characteristics of the improvements on the Property that underwent PUD Site Plan approval in 1985 and 2005.

The permitted use of the Property, as originally approved in PUD 281, was:

Attached dwelling units and related accessory uses such as jogging paths, off-street parking, covered parking, open spaces, drainage way, etc.

After the approval of PUD 281, the Property was platted as a part of Lot 1, Block 6, Blocks 4, 5 & 6, Gleneagles, and the permitted uses of the Property as provided in the Deed of Dedication that was filed as a part of such Plat were as follows:

Attached and detached residential dwelling units, garden apartments and customary accessory uses such as clubhouses, tennis courts, swimming pools and similar recreational facilities, laundry facilities and drainage ways shall be the only uses permitted.

A year later a subsequent amendment to the Deed of Dedication of Blocks 4, 5 & 6, Gleneagles, provided that the permitted uses of the Property were as originally stated in the Plat and Deed of Dedication of Blocks 4, 5 & 6, Gleneagles.

Later, in 1985, a Detail Site Plan was approved for the Property with permitted uses of the Property being attached residential and accessory uses for the elderly.

**EXHIBIT "A"**

**DESCRIPTION OF PROPOSAL/ NATURE OF AMENDMENT**

**PUD-281-12 MINOR AMENDMENT**

**Development Area "F"**

Although not clearly stated that at the time PUD 281 was approved, a review of PUD 281 and its history indicates that it was clear that PUD 281 planned the Property for more than multi-family purposes, as all of the other Development Areas in PUD 281, except Development Areas "G" and "H", that were for detention and recreational purposes, respectively, qualified the use of the Property for attached residential dwelling units and not just dwelling units.

For over 30 years the Property has been developed and used as an assisted living/nursing care facility.

These inconsistencies do not appear to manifest themselves in the other Development Areas.

Therefore, in order to conform the Development Standards and the use of the Property under approved Detail Site Plan, the Applicant respectfully requests that the Development Standards for Development Area "F" are hereby amended as follows:

**PERMITTED USES:**

Attached and detached residential dwelling units, garden apartments, assisted living center, elderly/retirement center and customary accessory uses such as club houses, tennis courts, swimming pools and similar recreational facilities, laundry facilities and drainage ways shall be the only uses permitted.

**MAXIMUM DWELLING UNITS:**

A maximum of one hundred eighty-two (182) dwelling units shall be permitted within Lot 1, Block 6, Gleneagles, Blocks 4, 5 & 6.

**MAXIMUM BUILDING HEIGHT:**

The maximum building height shall be three (3) stories having a maximum building height of forty-four (44) feet.

**EXHIBIT "A"**

**DESCRIPTION OF PROPOSAL/ NATURE OF AMENDMENT**

**PUD-281-12 MINOR AMENDMENT**

**Development Area "F"**

**MINIMUM BUILDING SETBACK:**

The minimum building setbacks within Lot 1, Block 6, Gleneagles, Blocks 4, 5 & 6, shall be:

From the centerline of South 91 <sup>st</sup>	90 feet
From the south boundary	3 feet
From the east boundary	150 feet
From the north boundary	20 feet
Between parking and building	10 feet

**MINIMUM BUILDING SEPARATION:**

All buildings within Lot 1, Block 6, Gleneagles, Blocks 4, 5 & 6, shall be separated by at least fifteen (15) feet.

**MINIMUM LIABILITY AREA PER DWELLING UNIT:**

A minimum of one thousand (1,000) square feet of livability space, as defined in the Tulsa Zoning Code, as the same existed on April 7, 1982, shall be provided for each dwelling unit.

**MINIMUM OFF-STREET PARKING RATIO:**

1. Apartment Use:

A minimum of 1.5 off-street parking spaces shall be provided for each efficiency or one-bedroom dwelling unit, and a minimum of 2 off-street parking spaces shall be provided for each dwelling unit having two or more bedrooms.

2. Assisted Living Center and Elderly/Retirement Center Use:

A minimum of .75 off-street parking spaces shall be provided for each dwelling unit for Assisted Living Center and Elderly/Retirement Center Use.



**EXHIBIT "A"**

**DESCRIPTION OF PROPOSAL/ NATURE OF AMENDMENT**

**PUD-281-12 MINOR AMENDMENT**

**Development Area "F"**

An ALTA Survey of the Property is attached hereto as Exhibit "B". The ALTA Survey shows the Property developed in accordance with the foregoing Development Standards and the previously approved PUD Detail Site Plan.

Finally, to fully conform the Property to the PUD, the recorded Development Standards will also need to be corrected by an amendment approved by the TMAPC and the City and filed in the land records.

**EXHIBIT "B"**

**ALTA SURVEY OF THE PROPERTY**

*10.10*





