

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2599

Wednesday, April 6, 2011, 1:30 p.m.

City Council Chamber

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

Members Present	Members Absent	Staff Present	Others Present
Carnes	Cantrell	Alberty	Boulden, Legal
Edwards	Dix	Bates	Steele, Sr. Eng.
Leighty	McArtor	Fernandez	Keller, Dev. Cord.
Liotta		Huntsinger	
Midget		Matthews	
Shivel		Sansone	
Stirling			
Walker			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Friday, April 1, 2011 at 9:20 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 Leighty, called the meeting to order at 1:30 p.m.

REPORTS:

Chairman's Report:

Mr. Leighty reported that at the invitation of Mayor Bartlett and as acting TMAPC Chair, he attended a meeting at City Hall on March 28, 2011 composed of the Mayor and members of his staff and chairs of many of Tulsa's Authorities, Boards and Commissions. He was asked to submit a report outlining our concerns for the coming year. Mr. Leighty stated that he didn't receive any input from the other Commissioners so he prepared a report based upon the concerns and priorities as he viewed them. The report has been made available to the TMAPC members.

Work Session Report:

Mr. Leighty reported that an April 20th agenda item has been set to revisit the City Council's request for the TMAPC to consider text amendments to the Zoning Code regarding protecting HP district borders. After several lengthy meetings, the TMAPC voted to not make any changes, but did vote to revisit this issue.

Director's Report:

Mr. Alberty reported that the City Council Consensus will be scheduled for the work session on April 20, 2011.

Mr. Alberty reported that on the TMAPC Receipts for the month of February 2011, it is down 50% from this time last year and down seven percent for total receipts this time last year.

Mr. Alberty reported on the BOCC and City Council agendas.

Minutes:

Approval of the minutes of March 2, 2011 Meeting No. 2597

On **MOTION** of **CARNES**, the TMAPC voted 6-0-1 (Carnes, Leighty, Liotta, Midget, Stirling, Walker "aye"; no "nays"; Shivel "abstaining"; Cantrell, Dix, Edwards, McArtor "absent") to **APPROVE** the minutes of the meeting of March 2, 2011, Meeting No. 2597.

Minutes:

Approval of the minutes of March 16, 2011 Meeting No. 2598

On **MOTION** of **CARNES**, the TMAPC voted 6-0-1 (Carnes, Leighty, Liotta, Midget, Stirling, Walker "aye"; no "nays"; Shivel "abstaining"; Cantrell, Dix, Edwards, McArtor "absent") to **APPROVE** the minutes of the meeting of March 16, 2011, Meeting No. 2598.

Mr. Leighty stated that Commissioner John Dix is not present today and is in the TMAPC's thoughts and prayers. Mr. Leighty explained that Mr. Dix lost a family member today.

Mr. Walker read the opening statement and rules of conduct for the TMAPC meeting.

Mr. Edwards in at 1:35 p.m.

Mr. Leighty announced that he would like to take Item 21 out of order.

21. TMAPC's Appointee to the River Parks Authority

TMAPC COMMENTS:

Mr. Leighty stated that the current TMAPC appointee to the River Parks Authority, Andie Doyle, is moving out of state and the River Parks Authority staff and leadership has submitted Leslie Paris as a potential candidate to fill the vacancy. According to the rules, the TMAPC Chair makes the appointment and requires confirmation of the vote of the full Commission. Mr. Leighty read Ms. Paris's resume and recommended her for the vacancy.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, TMAPC voted **8-0-0** (Carnes, Edwards, Leighty, Liotta, Midget, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Cantrell, Dix, McArtor "absent") to recommend to **CONFIRM** the appointment of Leslie Paris to River Parks Authority Trust.

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CONSENT AGENDA

3. **LS-20421 – Brad Lewis**, (Lot-Split) (CD-9) Location: Southwest corner of East 35th Place South and South Quincy Avenue
4. **LS-20422 – Brad Lewis**, (Lot-Split) (CD-9) Location: West of the southwest corner of East 35th Place South and South Quincy Avenue
5. **LS-20423 – Kenny Joe Smith**, (Lot-Split) (CD-2) Location: Northwest corner of East 67th Street South and South Birmingham Avenue
6. **LS-20424 – Sack and Associates, Inc.**, (Lot-Split) (CD-2) Location: North of East 87th Street South and east of South Lewis Avenue
8. **AC-105 – HRAOK/Dwayne Wilkerson/Kum & Go**, Location: Southwest corner of East Apache Street and North Harvard Avenue, Requesting Alternative Compliance Landscape plan for the Kum & Go Store, **(IM)** (CD-3)

STAFF RECOMMENDATION:

The applicant is requesting approval of an alternative compliance landscape plan for the Kum & Go Store to be located at the Southwest corner of East Apache Street and North Harvard Avenue. The applicant seeks alternative compliance approval because eight (8) parking spaces are not within 50' of a landscaped area as required by Section 1002, B-1 of the Code (see attached Exhibit LS10).

The landscape alternative compliance section of the code states that the Planning Commission may determine that, although not meeting the technical requirements of Chapter 10 the submitted plan is equivalent to or better than the requirements of Chapter 10 of the code.

Section 1002, A-5 of the code waives street yard landscaping on lots that have no street yard. The subject tract is zoned IM which has no building setback requirement from the property line along the arterial streets. By definition there is no street yard and therefore no trees required along the property lines in common with the streets.

In the alternative to having all parking spaces within 50-feet of a landscaped area, the applicant is proposing to landscape the entire street yard along North Harvard Avenue and Apache Street and plant more trees in these areas than are required by code. A total of 16 trees will be planted along the streets, when only one tree would be required in the parking area to meet the one tree for every 12 parking spaces requirement.

Staff contends that this alternative meets or exceeds the requirements of Chapter 10 of the code and therefore recommends **APPROVAL** of AC-105.

9. **PUD-775 – Architects Collective/Russel McDaris/Victory Christian**, Location: Southwest of the southwest corner of 71st Street South and South Lewis Avenue, Requesting Detail Site Plan for a gated entry to an apartment complex, **(RM-1/PUD) (CD-2)**

STAFF RECOMMENDATION:

The applicant is requesting approval of a detail site plan for a gated entry to an apartment complex.

The proposed gated entry meets all applicable setback requirements, height limitations and has received the approval of the Tulsa Fire Marshal and City of Tulsa Traffic Engineering.

Staff recommends **APPROVAL** of the detail site plan for the gated entry to PUD-775.

Note: Detail site plan approval does not constitute landscape and sign plan approval.

10. **PUD-488 – Wallace Engineering/Jim Beach/BOK**, Location: Northeast corner 33rd Street South and South Peoria Avenue, Requesting Detail Site Plan for a 1,680 square foot temporary office for a period of one year, (CH/OL/RS-3/PUD) (CD-9)

STAFF RECOMMENDATION:

The applicant is requesting approval of a detail site plan for a 1,680 square foot temporary office for a period of one (1) year to allow the interior of the existing bank to be remodeled (see attached Exhibit A). The proposed use, Use Unit 11 – Offices, Studios and Support Services is a permitted use in PUD-488.

The submitted site plan meets all applicable building floor area, open space, building height and setback limitations. Parking is provided per the applicable Use Unit of the Zoning Code. There is no new sight lighting proposed. A trash enclosure is provided as required by the PUD.

Staff recommends **APPROVAL** of the detail site plan for PUD-488 for a period of one year from April 6, 2011 to April 6, 2012.

Note: Detail site plan approval does not constitute landscape and sign plan approval.

11. **Z-7008-SP-1 – Sack & Associates/Mark Capron/Tulsa Hills/L6, Tract 6A, B2**, Location: South of southeast corner West 71st Street South and South Olympia Avenue, Requesting Corridor Detail Site Plan for a 6,400 square foot commercial building, (CO) (CD2)

STAFF RECOMMENDATION:

The applicant is requesting approval of a detail site plan for a 6,400 square foot (SF) commercial building. The proposed use, Use Unit 12 – Eating Establishments Other Than Drive-ins, is a permissible use within this development area of the Tulsa Hills Corridor District.

The submitted site plan meets all applicable building floor area, open space, building height and setback limitations. Parking has been provided per the applicable Use Unit of the Zoning Code. Landscaping is provided per the Corridor Plan and the landscape chapter of the Zoning Code. Sight lighting is limited to 35-feet in height and will be directed down and away from adjoining properties in such a manner that the light producing element and reflector are not visible to a person standing in any adjacent residential area. A trash enclosure has been provided as required by the Corridor District Development Plan. Sidewalks have been provided along West 71st Street as required by CO District Development Standards and Subdivision Regulations. Direct pedestrian access is provided from the Olympia Avenue sidewalk to

the storefront and will not traverse any parking stalls. Pedestrian access shall be distinguished by either raised pavement or striping on the ground where it intersects with vehicular traffic.

Staff recommends **APPROVAL** of the detail site plan for Lot 6/Tract 6A, Block 2 – Tulsa Hills.

Note: Detail site plan approval does not constitute landscape plan or sign plan approval.

12. **Z-6010-SP-3 – Sooner Land Partners/Tulsa Cancer Institute**, Location: Northwest corner of 51st Street South and 129th East Avenue, Requesting Corridor Site Plan for an 86,700 square foot medical office building, **(CO/CS)** (CD-6)

STAFF RECOMMENDATION:

The applicant is requesting approval of a detail site plan for an 86,770 square foot (SF) medical office building. The proposed use, Use Unit 11 – Offices, Studios and Support Services is a permitted use within this Corridor District.

The submitted site plan meets all applicable building floor area, open space, building height and setback limitations. Parking has been provided per the applicable Use Unit of the Zoning Code. Landscaping will be provided per the landscape chapter of the Zoning Code. All site lighting will be limited to 20-feet in height and is directed down and away from adjoining properties. A trash enclosure has been provided as required by the Corridor District Development Plan. Sidewalks exist along 129th Avenue East and will be constructed along 51st Street South with a four-foot wide pedestrian path planned for the interior of the site (see Sheet 1).

Staff recommends **APPROVAL** of the detail site plan for Z-6010-SP-3.

Note: Detail site plan approval does not constitute landscape plan or sign plan approval.

Mr. Leighty stated that there is a request to remove Item 7 from the consent agenda.

The Planning Commission considered the consent agenda.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, TMAPC voted **8-0-0** (Carnes, Edwards, Leighty, Liotta, Midget, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Cantrell, Dix, McArtor "absent") to **APPROVE** the consent agenda Items 1 through 6 and 8 through 12 per staff recommendation.

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CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA:

7. **Riverbend Gardens –** (9211) (CD 4) – Final Plat, Location: South and west of southwest corner of West 7th Street and South Elwood Avenue

STAFF RECOMMENDATION:

This plat consists of 41 lots in seven blocks on 2.62 acres.

Staff has put this item on the agenda for the applicant as they have financial time constraints on the project. If release letters have not been received by the time of the meeting the agenda item will be pulled.

TMAPC Action; 8 members present:

On **MOTION** of **MIDGET**, TMAPC voted **8-0-0** (Carnes, Edwards, Leighty, Liotta, Midget, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Cantrell, Dix, McArtor "absent") to **CONTINUE** the final plat for Riverbend Gardens to April 20, 2011.

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PUBLIC HEARING

13. **All Tribes Community Church –** (9403) (CD 6) – Minor Subdivision Plat, Location: North of East 11th Street, East of South 145th East Avenue

STAFF RECOMMENDATION:

This plat consists of one lot, one block, on 18.198 acres.

The following issues were discussed March 17, 2011, at the Technical Advisory Committee (TAC) meetings:

1. **Zoning:** The property is zoned AG (agricultural) with Special Exception # 21095 which permits the church use.
2. **Streets:** Modify sidewalk language for one-lot one-block subdivision.

3. **Sewer:** No comment.
4. **Water:** Add City of Tulsa Development Services; Address and Phone # 918-596-2569 for water on conceptual plans. Call out to stabilize the entrance drive from 11th Street over the existing eight-inch waterline. Show the existing eight-inch waterline inside the right-of-way of 11th Street. All water service meters are installed inside the street right of way or a dedicated easement.
5. **Storm Drainage:** No overland drainage easements (ODE's) are identified on the face of plat. Either show them or delete the paragraphs discussing them. All offsite runoff should be collected at the property line and conveyed across the site in either a drainage easement (if piped) or an ODE.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** No comments.
7. **Other: Fire:** A fire hydrant will be required to be located within 400 feet of any part of the structure if the building is not sprinkled and within 600 feet if the building is sprinkled. The building at this time is over 400 feet away from the existing hydrant. Also the inside radius need to be 28 feet based on a 20-foot wide road the ten-foot radius will not work.

GIS: Label all subdivisions within the mile section of the location map. Tie plat from a section corner using bearings and distances from a labeled point of commencement to the labeled point of beginning. On face of plat add a leading zero in bearing degree descriptions on the west and east side of the plat for consistency. Submit control data sheet. Provide a metes and bounds legal description of the subdivision with bearings and distances to match what is shown on the face of plat.

Staff recommends **APPROVAL** of the Minor Subdivision plat subject to the TAC comments and the special and standard conditions below.

Waivers of Subdivision Regulations:

1. None requested.

Special Conditions:

1. The concerns of the Public Works Department and Development Services staff must be taken care of to their satisfaction.

Standard Conditions:

1. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
2. Water and sanitary sewer plans shall be approved by the Public Works Department prior to release of final plat. (Include language for W/S facilities in covenants.)
3. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures shall be borne by the owner(s) of the lot(s).
4. Any request for creation of a Sewer Improvement District shall be submitted to the Public Works Department Engineer prior to release of final plat.
5. Paving and/or drainage plans (as required) shall be approved by the Public Works Department.
6. Any request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Public Works Department.
7. A topography map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
8. Street names shall be approved by the Public Works Department and shown on plat.
9. All curve data, including corner radii, shall be shown on final plat as applicable.
10. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.
11. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
12. It is recommended that the developer coordinate with the Public Works Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)

13. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City/County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
14. The method of sewage disposal and plans therefor shall be approved by the City/County Health Department. [Percolation tests (if applicable) are required prior to preliminary approval of plat.]
15. The owner(s) shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type, size and general location. (This information to be included in restrictive covenants on plat.)
16. The method of water supply and plans therefor shall be approved by the City/County Health Department.
17. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
18. The key or location map shall be complete.
19. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.)
20. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
21. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
22. All other Subdivision Regulations shall be met prior to release of final plat.
23. All PUD standards and conditions shall be included in the covenants of the plat and adequate mechanisms established to assure initial and continued compliance with the standards and conditions.
24. Private streets shall be built to City or County standards (depending upon the jurisdiction in which the plat is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, TMAPC voted **8-0-0** (Carnes, Edwards, Leighty, Liotta, Midget, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Cantrell, Dix, McArtor "absent") to **APPROVE** the minor subdivision plat for All Tribes Community Church per staff recommendation, subject to special conditions and standard conditions.

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14. **2317 South Jackson Avenue** – (9214) (CD 2) – Plat Waiver, Location: West and east of South Elwood Avenue, south of West 21st Street

STAFF RECOMMENDATION:

The platting requirement is being triggered by a record search previously requiring a plat.

Staff provides the following information from TAC at their March 17, 2011 meeting:

ZONING:

TMAPC Staff: The City is requesting a plat waiver on the public works facility located at 23rd and Jackson for building permits related to the existing use.

STREETS:

No comment.

SEWER:

No comment.

WATER:

No comment.

FIRE:

No comment.

UTILITIES:

No comment.

Staff recommends **APPROVAL** of the plat waiver for the existing site and developed use.

A YES answer to the following 3 questions would generally be FAVORABLE to a plat waiver:

	Yes	NO
1. Has Property previously been platted?		X
2. Are there restrictive covenants contained in a previously filed plat?		X
3. Is property adequately described by surrounding platted properties or street right-of-way?	X	

A YES answer to the remaining questions would generally NOT be favorable to a plat waiver:

	YES	NO
4. Is right-of-way dedication required to comply with Major Street and Highway Plan?		X
5. Would restrictive covenants be required to be filed by separate instrument if the plat were waived?		X
6. Infrastructure requirements:		
a) Water		
i. Is a main line water extension required?		X
ii. Is an internal system or fire line required?		X
iii. Are additional easements required?		X
b) Sanitary Sewer		
i. Is a main line extension required?		X
ii. Is an internal system required?		X
iii. Are additional easements required?		X
c) Storm Sewer		
i. Is a P.F.P.I. required?		X
ii. Is an Overland Drainage Easement required?		X
iii. Is on site detention required?		X
iv. Are additional easements required?		X
7. Floodplain		
a) Does the property contain a City of Tulsa (Regulatory) Floodplain?		X
b) Does the property contain a F.E.M.A. (Federal) Floodplain?		X
8. Change of Access		
a) Are revisions to existing access locations necessary?		X
9. Is the property in a P.U.D.?		X
a) If yes, was plat recorded for the original P.U.D.		
10. Is this a Major Amendment to a P.U.D.?		X
a) If yes, does the amendment make changes to the proposed physical development of the P.U.D.?		
11. Are mutual access easements needed to assure adequate access to the site?		X
12. Are there existing or planned medians near the site which would necessitate additional right-of-way dedication or other special considerations?		X

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, TMAPC voted **8-0-0** (Carnes, Edwards, Leighty, Liotta, Midget, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Cantrell, Dix, McArtor "absent") to **APPROVE** the plat waiver for 2317 South Jackson Avenue per staff recommendation.

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15. **PUD-628 B – (8419) (CD 8) – Plat Waiver, Location: East of South Mingo Road at East 93rd Street South**

STAFF RECOMMENDATION:

The platting requirement is being triggered by a major PUD amendment for a veterinary use.

Staff provides the following information from TAC at their March 17, 2011 meeting:

ZONING:

TMAPC Staff: The property has been previously platted.

STREETS:

No comment.

SEWER:

No comment.

WATER:

No comment.

FIRE:

No comment.

UTILITIES:

No comment.

Staff recommends **APPROVAL** of the plat waiver for the previously platted property.

A YES answer to the following 3 questions would generally be FAVORABLE to a plat waiver:

	Yes	NO
1. Has Property previously been platted?	X	
2. Are there restrictive covenants contained in a previously filed plat?	X	
3. Is property adequately described by surrounding platted properties or street right-of-way?	X	

A YES answer to the remaining questions would generally NOT be favorable to a plat waiver:

	YES	NO
4. Is right-of-way dedication required to comply with Major Street and Highway Plan?		X
5. Would restrictive covenants be required to be filed by separate instrument if the plat were waived?		X
6. Infrastructure requirements:		
a) Water		
i. Is a main line water extension required?		X
ii. Is an internal system or fire line required?		X
iii. Are additional easements required?		X
b) Sanitary Sewer		
i. Is a main line extension required?		X
ii. Is an internal system required?		X
iii. Are additional easements required?		X
c) Storm Sewer		
i. Is a P.F.P.I. required?		X
ii. Is an Overland Drainage Easement required?		X
iii. Is on site detention required?		X
iv. Are additional easements required?		X
7. Floodplain		
a) Does the property contain a City of Tulsa (Regulatory) Floodplain?		X
b) Does the property contain a F.E.M.A. (Federal) Floodplain?		X
8. Change of Access		
a) Are revisions to existing access locations necessary?		X
9. Is the property in a P.U.D.?	X	
a) If yes, was plat recorded for the original P.U.D.	X	
10. Is this a Major Amendment to a P.U.D.?	X	
a) If yes, does the amendment make changes to the proposed physical development of the P.U.D.?		X
11. Are mutual access easements needed to assure adequate access to the site?		X
12. Are there existing or planned medians near the site which would necessitate additional right-of-way dedication or other special considerations?		X

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, TMAPC voted **8-0-0** (Carnes, Edwards, Leighty, Liotta, Midget, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Cantrell, Dix, McArtor "absent") to **APPROVE** the plat waiver for PUD-628-B per staff recommendation.

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16. **PUD-728-A** – (9307) (CD 4) – Plat Waiver, Location: South of East 12th Street South and East of South Peoria Avenue

STAFF RECOMMENDATION:

The platting requirement is being triggered by a PUD major amendment to allow a hospital use.

Staff provides the following information from TAC at their March 17, 2011 meeting:

ZONING:

TMAPC Staff: The property has been previously platted.

STREETS:

No comment.

SEWER:

No comment.

WATER:

No comment.

FIRE:

No comment.

UTILITIES:

No comment.

Staff recommends **APPROVAL** of the plat waiver for the previously platted property.

A YES answer to the following 3 questions would generally be FAVORABLE to a plat waiver:

	Yes	NO
1. Has Property previously been platted?	X	
2. Are there restrictive covenants contained in a previously filed plat?	X	
3. Is property adequately described by surrounding platted properties or street right-of-way?	X	

A YES answer to the remaining questions would generally NOT be favorable to a plat waiver:

	YES	NO
4. Is right-of-way dedication required to comply with Major Street and Highway Plan?		X
5. Would restrictive covenants be required to be filed by separate instrument if the plat were waived?		X
6. Infrastructure requirements:		
a) Water		
i. Is a main line water extension required?		X
ii. Is an internal system or fire line required?		X
iii. Are additional easements required?		X
b) Sanitary Sewer		
i. Is a main line extension required?		X
ii. Is an internal system required?		X
iii. Are additional easements required?		X
c) Storm Sewer		
i. Is a P.F.P.I. required?		X
ii. Is an Overland Drainage Easement required?		X
iii. Is on site detention required?		X
iv. Are additional easements required?		X
7. Floodplain		
a) Does the property contain a City of Tulsa (Regulatory) Floodplain?		X
b) Does the property contain a F.E.M.A. (Federal) Floodplain?		X
8. Change of Access		
a) Are revisions to existing access locations necessary?		X
9. Is the property in a P.U.D.?	X	
a) If yes, was plat recorded for the original P.U.D.	X	
10. Is this a Major Amendment to a P.U.D.?	X	
a) If yes, does the amendment make changes to the proposed physical development of the P.U.D.?		X
11. Are mutual access easements needed to assure adequate access to the site?		X
12. Are there existing or planned medians near the site which would necessitate additional right-of-way dedication or other special considerations?		X

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, TMAPC voted **8-0-0** (Carnes, Edwards, Leighty, Liotta, Midget, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Cantrell, Dix, McArtor "absent") to **APPROVE** the plat waiver for PUD-728-A per staff recommendation.

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17. **CZ-406 – Robert Cook/Barry Pollard**, Location: South of southeast corner of North 115th East Avenue and East 66th Street North (east of U.S. 169 and South of East 66th Street North), Requesting **RMH/AG TO IL**, (County)

STAFF RECOMMENDATION:

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

RELEVANT ZONING HISTORY:

CZ-266 June: All concurred in approval of a request for rezoning a 16± acre tract of land from RMH to IL, for portion outside of the regulatory floodplain only, to permit mini-storage use, on property located on the southeast corner of East 66th Street North and North Mingo Valley Expressway and abutting north of subject property. There is no record of resolution.

CZ-234 May 1997: All concurred in approval of a request to rezone a 5± acre tract located in the southwest corner of East 66th Street North and North Mingo Valley Expressway from AG to IL.

CZ-225 July 1996: A request to rezone a 6± acre tract located on the east side and along the Mingo Valley Expressway and south of East 66th Street North from AG to CS or IL. Staff recommended denial of CS or IL and recommended the tract remain AG and undeveloped due to the development sensitive nature of the property (flood prone). The applicant argued his position in that the request for IL zoning was consistent with the existing zoning and development. TMAPC recommended approval of IL zoning with the Board of County Commissioners concurring.

CZ-224 April 1996: A request to rezone a 21± acre tract located on the southwest corner of East 66th Street North and North Mingo Valley Expressway from AG to CS or IL was recommended by staff for denial. TMAPC recommended approval of IL zoning of the north 550' approximately 330' from the eastern boundary, with the balance of the tract to remain AG.

CZ-223 February 1996: All concurred in approval of a request to rezone a 4± acre tract located north of the northwest corner of East 66th Street North and North Mingo Valley Expressway from AG to IM.

CZ-182 April 1990: A request to rezone two tracts, one located in the southeast corner of East 66th Street North and North Mingo Valley Expressway and the other tract located south of the southeast corner of East 66th Street North and North Mingo Valley Expressway. All concurred in approval of IL zoning for the northern lot and denial of the remainder.

CZ-146 June 1986: A request to rezone 3± acres abutting the subject tract to the west from RMH to CG. Staff and TMAPC recommended denial of CG and approval of IL for recreational vehicle sales.

CBOA-199 June 18, 1982: The Board of Adjustment approved a Variance of the setback from an abutting an R District from 75' to 25' in an IL district, on property located at 6509 North 115th East Avenue.

BOA-10698 September 27, 1979: The Board of Adjustment denied a Variance of the setback requirements from 75' to 30' on the east and north property line and approved a Special Exception to modify the screening requirement until such time as development is initiated on the property to the east, on property located south and east of East 66th Street North and North Mingo Valley Expressway.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 7.38± acres in size and is located south of southeast corner of North 115th East Avenue and East 66th Street North. The property appears to be vacant, and is zoned AG/ RMH.

SURROUNDING AREA: The subject tract is abutted on the east by vacant and wooded land, zoned RMH; on the north by industrial and related uses, zoned RMH and IL; on the south by vacant/large-lot residential/mixed uses, zoned IL and AG; and on the west by U.S. 169, zoned AG.

UTILITIES: The subject tract has water and sewer available.

TRANSPORTATION VISION:

The Comprehensive Plan designates the nearby U.S. 169 as a freeway and does not designate East 115th Street. This property is located in the unincorporated portion of Tulsa County and therefore not included in the City of Tulsa Comprehensive Plan.

STREETS:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
North 115 th East Avenue	N/A	N/A	2

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The North Tulsa County Plan, an adopted part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates this area as in Special District 3 for industrial uses and also for residential and recreational uses. It is Development Sensitive as it is within the Bird Creek floodplain area. As this lies within a Special District, any use **may be found** in accord with the plan.

STAFF RECOMMENDATION:

Based on the subject property's location adjacent to a highway and between two industrially-zoned properties, the proposed IL zoning seems appropriate for the site. Therefore, staff recommends **APPROVAL** of IL zoning for CZ-406.

INTERESTED PARTIES COMMENTS:

Michael Lewis, 11843 East 66th Street North, Owasso, 74055, stated that he is not in opposition to the application, but wanted clarification of what property is under application.

Ms. Matthews clarified the property under application.

TMAPC Action; 8 members present:

On **MOTION** of **MIDGET**, TMAPC voted **8-0-0** (Carnes, Edwards, Leighty, Liotta, Midget, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Cantrell, Dix, McArtor "absent") to recommend **APPROVAL** of the IL zoning for CZ-406 per staff recommendation.

Legal Description for CZ-406:

Tract A:

A PARCEL OF LAND LOCATED IN LOT ONE (1), BLOCK ONE (1), VILLA VILLAGE PARK, AN ADDITION TO TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, AND A PART OF GOVERNMENT LOT FOUR(4) OF SECTION FIVE (5), TOWNSHIP TWENTY (20) NORTH, RANGE FOURTEEN (14) EAST, OF THE I.B.M., TULSA COUNTY, STATE OF OKLAHOMA ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT OF LAND BEING DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 1108 FEET SOUTH AND 928 FEET

WEST OF THENORTHEAST CORNER OF GOVERNMENT LOT THREE (3),
THENCE N 0° 05' 59" EFOR 330.25 FEET; THENCE N 89° 51' 01" W FOR
595.53 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY OF MINGO
VALLEY EXPRESSWAY; THENCE S 0° 03'00" E ALONG SAID EASTERLY
LINE FOR 99.40 FEET; THENCE S 89° 53' 16" E FOR 3.06 FEET; THENCE S
24° 48' 47" E FOR 52.63 FEET; THENCE S 30° 51' 01" E FOR 112.29 FEET;
THENCE S 70° 09' 05" E FOR 291.21 FEET; THENCE N 87° 26' 23" E FOR
238.46 FEET TO THE POINT OF BEGINNING OF SAID TRACT 'A' AND
CONTAINING 4.0 ACRES, MORE OR LESS;

Tract B:

A PARCEL OF LAND LOCATED IN LOT ONE (1), BLOCK ONE (1), VILLA
VILLAGE PARK, AN ADDITION TO TULSA COUNTY, STATE OF OKLAHOMA,
ACCORDING TO THE RECORDED PLAT THEREOF, AND A PART OF
GOVERNMENT LOT FOUR (4) OF SECTION FIVE (5), TOWNSHIP TWENTY
(20) NORTH, RANGE FOURTEEN (14) EAST, OF THE I.B.M., TULSA
COUNTY, STATE OF OKLAHOMA ACCORDING TO THE U.S. GOVERNMENT
SURVEY THEREOF, SAID TRACT OF LAND BEING DESCRIBED AS
FOLLOWS: BEGINNING AT A POINT 1108 FEET SOUTH AND 928 FEET
WEST OF THE NORTHEAST CORNER OF GOVERNMENT LOT THREE (3),
THENCE S 0° 05' 59" W FOR 209.16 FEET; THENCE S 89° 55' 06" W FOR
594.12 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY OF MINGO
VALLEY EXPRESSWAY; THENCE N 0° 03' 00" W ALONG SAID EASTERLY
LINE FOR 442.14 FEET; THENCE S 89° 53' 16" E FOR 3.06 FEET; THENCE S
24° 48' 47" E FOR 52.63 FEET; THENCE S 30° 51' 01" E FOR 112.29 FEET;
THENCE S 70° 09' 05" E FOR 291.21 FEET; THENCE N 87° 26' 23" E FOR
238.46 FEET TO THE POINT OF BEGINNING OF SAID TRACT 'B' AND
CONTAINING 3.38 ACRES, MORE OR LESS;

* * * * *

18. **PUD-741-B – Sack & Associates/Eric Sack**, Location: West of northwest
corner of East 111th Street and South Sheridan Road, Requesting Major
Amendment to increase the total number of permitted dwelling units from 45
to 55; decrease minimum required lot size from 13,000 SF to 9,100 SF, and
reduce the minimum lot width from 80 feet to 65 feet, **(RS-2/PUD-741-A to
RS-3/PUD-741-B)** (CD-8)

STAFF RECOMMENDATION:

ZONING ORDINANCE: Ordinance number 21825 dated June 10, 2008,
established zoning for the subject property.

RELEVANT ZONING HISTORY:

PUD-741-A June 2008: All concurred in approval of a proposed Planned Unit Development on a 60± acre tract of land to modify development area boundaries, increase number of dwelling units, to decrease the minimum lot size, and to reconfigure the reserve areas, on property located west of northwest corner of East 111th Street and South Sheridan Road and the subject property.

Z-7060/PUD-741 August 2007: All concurred in approval of a request to rezone a tract of land from AG to RS-2 and a proposed Planned Unit Development on a 60± acre tract of land for a single-family residential development, on property located west of the northwest corner of 111th Street South and South Sheridan and the subject property.

Z-6933/PUD-702 May 2004: All concurred in approving a request to rezone a 4.64± acre tract from AG to RS-2 and a Planned Unit Development for Single Family Residential development on property located north of northwest corner of East 111th Street and South Sheridan Road.

Z-6810/PUD-646 July 2001: An application was filed to rezone a 35± acre tract located north and east of the northeast corner of East 111th Street South and South Sheridan Road from AG to RS-2 and PUD. The request for RS-2 zoning was denied and RE zoning was recommended with a maximum of 20 lots if the development provided only one access point. The applicant revised the request by including an additional 4.1 acres of land and TMAPC and City Council approved RS-1 zoning and approved the PUD for a maximum of 30 lots with two points of access being provided.

Z-6807/PUD-645 May 2001: A request to rezone the 10± acre node, located on the northwest corner of East 111th Street and South Sheridan Road from AG to CS and OL for future commercial and office development. TMAPC recommended approval of the request as submitted but City Council denied the request for rezoning. The request was appealed to district court and the district court upheld the decision of City Council.

Z-6753/PUD-450-A March 2000: All concurred in approval of a request for a major amendment and the rezoning of the 4.5-acre tract located on the southwest corner of East 111th Street and South Sheridan Road from CS/PUD-450 to RS-4/PUD-450-A for a gated single family development.

Z-6730/PUD-627 March 2000: A request to rezone a 10± acre tract from AG to RS-2/PUD for single-family development, located on the southwest corner of East 108th Street South and South Sheridan Road. Staff and TMAPC recommended denial of RS-2 and recommended approval of RS-1 with PUD-627. City Council concurred in approval per TMAPC recommendation.

Z-6700/PUD-611 June 1999: All concurred in approval of a request to rezone a 20+ acre tract located west of the northwest corner of East 111th Street South and South Sheridan Road from AG to RS-2/PUD for a residential development.

Z-6249/PUD-450 July 1989: A request to rezone a 4.5-acre tract located on the southwest corner of East 111th Street South and South Sheridan Road, from AG to CS/PUD for commercial shopping center. The request was approved subject to the PUD standards and conditions.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 60 acres in size, includes rolling terrain, is partially wooded and is located approximately 660 feet west of the northwest corner of the intersection of South Sheridan Road and East 111th Street South. The property appears to be vacant, and is zoned RS-2.

UTILITIES: The subject tract has municipal water and sewer available.

SURROUNDING AREA: The subject tract is abutted on the southwest by PUD-611 - Preston Woods, a single family residential development, zoned RS-2; on the northwest by Southern Parks Estates a single-family residential development, zoned RS-1; on the north by Forest Park III and Forest Park 2nd Amended, both single family residential developments and both zoned RS-2; on the northeast by Forest Park South and the Gates at Forest Park, both single family residential developments, zoned RS-2; on the east by vacant AG zoned land and PUD-702, a single-family residential development zoned RS-2; and on the south by 111th Street and Hudson Meadows, a single-family residential development zoned RS-1, as well as, Woodfield, a single-family residential development zoned RS-2.

TRANSPORTATION VISION:

The Tulsa Comprehensive Plan does not designate 111th Street.

STREETS:

The Tulsa City-County Major Street and Highway Plan designates 111th Street South as a secondary arterial.

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 111 th Street	Secondary Arterial	100'	2

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The Tulsa Comprehensive Plan designates the subject property as an Area of Growth and an Existing Neighborhood.

Areas of Growth are defined as, "(land that is) likely to be under-used land along corridors and downtown and undeveloped land. Care must be taken to ensure that reinvestment is well-integrated with existing neighborhoods. Undeveloped land at the

edges of the city should be planned for complete communities that balance homes, jobs, and amenities”.

Existing Neighborhoods are defined as, “intended to preserve and enhance Tulsa’s existing single family neighborhoods. Development activities in these areas should be limited to the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code. In cooperation with the existing community, the city should make improvements to sidewalks, bicycle routes, and transit so residents can better access parks, schools, churches, and other civic amenities”.

Staff finds the proposed major amendment to be **in accord** with the plan.

STAFF RECOMMENDATION:

PUD-741 comprises 60 gross acres of land located approximately 660 feet west of the northwest corner of the intersection of South Sheridan Road and East 111th Street South. PUD-741 was approved in July 2007. PUD-741 was planned for development of detached single-family residences, with homes located within Development Area A to be accessed by public streets and residences located within Development Areas B and C to be accessed by gated private streets (see attached Exhibit A).

Approved in May 2008, PUD-741-A adjusted the development area boundaries to increase the total number of permitted dwelling units from 100 to 118. The amendment also reconfigured the reserve areas, increased the minimum required livability space within each lot in Development Area B, and decreased the minimum required lot size of six lots in Development Area B, resulting in a minimum lot size of 12,800 square feet (SF) within the six lots (noting that the minimum lot size per the underlying RS-2 zoning is 9,000 SF) The remaining development standards were unaltered from those approved in PUD-741.

PUD-741-B as proposed affects Development Area C only of PUD-741/PUD-741-A (see Exhibit B). The amendment proposes to:

1. Increase the total number of permitted dwelling units in Area C from 45 to 55;
2. Decrease the minimum required lot size from 13,000 SF to 9,100 SF (noting the underlying RS-2 zoning allows a minimum lot size of 9,000 sq. ft.); and
3. Reduce in the minimum lot width from 80 ft. to 65 ft.

The underlying zoning of the PUD is RS-2. The residential chapter of the zoning code requires 10,875 SF of land area per dwelling unit in the RS-2 District. The 22.6 acres that comprises Development Area C would allow 90 homes to be built.

Staff has reviewed the development proposal and conducted sight visits. The property is identified by the Comprehensive Plan as an Area of Growth as well as, an Existing Neighborhood. Provided the aforementioned and the underlying RS-2 zoning permitting 90 homes staff can support the request.

Staff finds the uses and intensities of development proposed to be in harmony with the spirit and intent of the Code. Staff finds PUD-741-B to be: (1) consistent with the Comprehensive Plan; (2) in harmony with the existing and expected development of surrounding areas; (3) a unified treatment of the development possibilities of the site; and (4) consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Therefore, staff recommends **APPROVAL** of PUD-741-B subject to the following conditions:

1. The applicant's Outline Development Plan and Text be made a condition of approval, unless modified herein.
2. Development Standards (Development Standards for Development Areas A and B will remain the same as Outlined in PUD-741):

DEVELOPMENT AREA C

Land Area: 22.6 acres (net)

Permitted Uses:

Use Unit 6 accessed by gated private streets and uses customarily incidental to principal permitted uses.

Maximum Number of Dwelling Units:	55
Minimum Lot Area:	9,100 SF
Minimum Lot Width:	65 feet
Maximum Building Height:	40 feet

Setbacks:

From minor street:	
Front -	20 FT
Corner lot-side yard -	15 FT*

Interior Side-yards:	
One side yard -	5 FT
Other side yard -	5 FT

* Garages fronting a private street shall be setback a minimum of 20 feet.

Livability Space:

Per Dwelling Unit:	5,000 SF
Minimum within each lot;	3,000 SF
Minimum within Common Area:	100,000 SF

Other Bulk and Area Requirements: Per the RS-2 District

Signs: Signs shall comply with the provisions of the residential district.

Vehicle and Pedestrian Circulation:

Access to the development area may be by private, gated streets. All private roadways shall have a minimum right-of-way of 30' and be a minimum of 26' in width for two-way roads and 18' for one-way loop roads, measured face-to-face of curb. All curbs, gutters, base and paving materials used shall be of a quality and thickness which meets the City of Tulsa standards for a minor residential public street. The maximum vertical grade of private streets shall be ten percent.

Sidewalks shall be provided along East 111th Street South and on both sides of interior private streets. Sidewalks along private streets shall be contained within easements or reserve areas.

3. No building permit shall be issued until the platting requirements of Section 1107-F of the Zoning Code have been satisfied and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the restrictive covenants the PUD conditions of approval and making the City beneficiary to said covenants that relate to PUD conditions.

The final plat of the property shall serve as the detail site plan on a lot by lot basis.

4. No sign permits shall be issued for erection of a sign within the PUD until a detail sign plan has been submitted to the TMAPC and approved as being in compliance with the applicable development standards.

5. The Department of Public Works or a professional engineer registered in the State of Oklahoma shall certify to the appropriate City official that all required stormwater drainage structures and detention areas serving a lot have been installed in accordance with the approved plans prior to issuance of an occupancy permit on that lot.
6. A homeowners association shall be created and vested with sufficient authority and financial resources to properly maintain all private streets, sidewalks and common areas, including any stormwater detention areas, security gates, guard houses or other commonly owned structures within the PUD.
7. The City shall inspect all private streets and certify that they meet City standards prior to any building permits being issued on lots accessed by those streets. The developer shall pay all inspection fees required by the City.
8. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.
9. Entry gates or guardhouses, if proposed, must receive detail site plan approval from TMAPC, Traffic Engineering and Tulsa Fire Department, prior to issuance of a building permit for the gates or guard houses.
10. Approval of the PUD is not an endorsement of the conceptual layout. This will be done during detail site plan review or the subdivision platting process.

TAC COMMENTS:

General: No comments.

Water: An IDP water main line must be extended to serve each lot.

Fire: No comments.

Stormwater: No comments.

Wastewater: A sanitary sewer mainline extension must be constructed to provide sanitary sewer access to all lots within the development area.

Transportation: No comments.

INCOG Transportation:

- **MSHP:** E. 111th St. S., between S. Sheridan Rd and S. Yale Ave, designated secondary arterial.
- **LRTP:** E. 111th St. S., between S. Sheridan Rd and S. Yale Ave, planned 4 lanes. Sidewalks should be constructed if non-existing or maintained if existing, per Subdivision Regulations.
- **TMP:** No comment
- **Transit:** No comments.

Traffic: No comments.

GIS: No comments.

Street Addressing: No comments.

County Engineer:

The applicant indicated his agreement with staff's recommendation.

INTERESTED PARTIES COMMENTS:

Tom Thompson, 11010 South Sheridan, 74133, expressed concerns regarding drainage issues. He explained that he called Sack and Associates and they never returned his phone calls. Mr. Thompson stated that he is opposed to a 20% increase.

TMAPC COMMENTS:

Mr. Leighty explained to Mr. Thompson that the Planning Commission can only consider land use issues and that he would need to speak with Stormwater Management regarding drainage issues. Mr. Leighty informed Mr. Thompson that Mr. David Steele, Senior Engineer, City of Tulsa, is present at today's meeting and he would be able to discuss drainage issues with him.

Applicant's Rebuttal:

Eric Sack, Sack and Associates, 111 South Elgin, 74120, stated that the proposal is for Development Area C and the increase in lot area will be concentrated in the central portion of the development, the lower southwest corner of Area C. There is an existing detention facility located in the southeast corner of Area C. It was built as part of the first phase of the development. The developer doesn't wish to disturb the existing vegetation.

Mr. Sack stated that regarding the drainage issues, there is an existing detention facility and he will be required to take this project through the City's IDP process and have it reviewed and approved by Development Services.

Mr. Sack stated that he was contacted by Preston Woods for additional information and it was provided to them. He offered to have a meeting with the neighborhood association and they felt it wouldn't be necessary. He also received a phone call from a gentleman to the east of Development Area A and discussed the proposal and he didn't request any additional information. Mr. Sack stated that if the Thompsons called his office, he apologizes that he didn't receive that information. He would be happy to sit down with them and discuss the drainage issues.

TMAPC COMMENTS:

Mr. Leighty encouraged Mr. Steele and Mr. Sack to meet with Mr. Thompson.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, TMAPC voted **8-0-0** (Carnes, Edwards, Leighty, Liotta, Midget, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Cantrell, Dix, McArtor "absent") to recommend **APPROVAL** of the major amendment for PUD-741-B per staff recommendation.

Legal Description for PUD-741-B:

A TRACT OF LAND THAT IS PART OF THE SE/4 of SECTION 27, T-18-N, R-13-E, OF THE INDIAN BASE AND MERIDIAN, CITY OF TULSA, TULSA COUNTY, OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (E/2 SW/4 SE/4) AND E/2 OF NW/4 OF SE/4 AND W/2 OF SE/4 OF SE/4 OF SECTION 27, T-18-N, R-13-E OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

* * * * *

19. **PUD-696-(A) B – Roy Johnsen/9200 Delaware**, Location: South of southwest corner East 91st Street and South Delaware Avenue, Requesting Major Amendment proposing the assembly of two most western lots and a part of two adjoining lots for the development of 128 upscale apartments, **OL/CS/PUD-696 to OL/CS/PUD-696-B**, (CD-2)

STAFF RECOMMENDATION:

ZONING ORDINANCE: Ordinance number 20803 dated February 26, 2004, established zoning for the subject property.

RELEVANT ZONING HISTORY:

Z-7051/PUD-696-A March 2007: A request was made for rezoning a 3± acre tract of land a proposed Major Amendment to Planned Unit Development on a 9± acre tract of land to add Use Unit 16, mini-storage in permitted uses on property located south of southwest corner East 91st Street and South Delaware Avenue and the subject property. The applications were withdrawn.

Z-6923/PUD-696 February 2004: All concurred in approval of a request for rezoning a 10± acre tract of land from AG to OL/CS/PUD and a proposed Planned Unit Development for retail use on property located south of southwest corner of East 91st Street and South Delaware Avenue and the subject property.

BOA-18347 March 1999: The Board of Adjustment approved a special exception to allow outdoor fruit sales for three years and a special exception of the required hard surface parking to permit a gravel parking area on the subject property.

BOA-17347 April 1996: The Board of Adjustment approved a special exception to allow an open air vending business for produce for three years, a variance to allow a sign and a special exception of the required hard surface parking for the open air business on the subject property.

PUD-563 July 1997: All concurred in approval of a proposed Planned Unit Development on a 10.45± acre tract of land to permit multifamily apartments, with 256 permitted dwelling units on property located on the southeast corner of East 91st Street and South Riverside Drive and abutting west and south of subject property.

Z-6178/PUD-306-B February 1995: In September 1987, the Tulsa City Commission approved the rezoning of five acres located on both sides of 95th Street South, from RM-1 and RS-3 to CS. Publication of the ordinance was withheld until February 1995 at which time the right-of-way of Riverside Parkway Extension was established and a proper legal description had been prepared.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 9± acres in size and is located south of southwest corner East 91st Street and South Delaware Avenue. The property is vacant and is zoned OL/CS/PUD-696.

UTILITIES: The subject tract has municipal water and sewer available

SURROUNDING AREA: The property is abutted on the north by unplatted vacant land, zoned AG; to the east by South Delaware Avenue and then unplatted vacant property, zoned AG; to the south by unplatted land zoned AG with a single-family residence being used an office and the Crown Woods apartment complex, zoned OL/PUD-563, zoned AG; and to the west by the Crown Woods apartment complex, zoned OL/PUD-563.

TRANSPORTATION VISION:

The Comprehensive Plan designates South Delaware Avenue as a Multi-Modal Corridor. The Plan defines the Multi-Modal Corridor as, "streets (that) 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.

SUBJECT AREA

STREETS:

The Tulsa City-County Major Street and Highway Plan Designates this stretch of South Delaware Avenue as a secondary arterial.

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Delaware Avenue	Secondary Arterial	100'	5 (including center turn)

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The Tulsa Comprehensive Plan designates the subject tract as an Area of Growth with a land use designation of Town Center.

Areas of Growth are defined as, "(land that is) likely to be under-used land along corridors and downtown and undeveloped land. Care must be taken to ensure that reinvestment is well-integrated with existing neighborhoods. Undeveloped land at the edges of the city should be planned for complete communities that balance homes, jobs, and amenities".

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.

Given the Comprehensive Plan designations as an Area of Growth and Town Center, staff contends that this proposed mixed use development is **in accord** with the Plan.

STAFF RECOMMENDATION:

PUD-696 comprises 10.01 gross acres located on the west side of Delaware Avenue approximately 600 feet south of East 91st Street South and extending south along Delaware Avenue a distance of 660 feet. The property is relatively flat.

PUD-696 is located within a triangular shaped corridor between Riverside Parkway and Delaware Avenue extending south from 91st Street to the point of intersection of Riverside Parkway and South Delaware (see Exhibit A). The arterial streets, 91st Street, Riverside Parkway, and Delaware Avenue are improved to Major Street Plan standards and the Creek Turnpike interchange with Riverside Parkway is located approximately 1600 feet south, which provides the corridor with exceptional local and regional accessibility. Recent development within the corridor comprises commercial and multifamily developments, including the Crown Woods apartments, which abut the west boundary of PUD 696.

PUD 696 was submitted as a commercial and retail center and approved in February 2004. PUD-696 has been platted as "9200 Delaware". The plat establishes six retail lots deriving access from an interior private street extending from Delaware Avenue. Infrastructure has been completed but the six lots are currently vacant

As an alternative to the all-commercial PUD-696, major amendment PUD-696-(A)-B proposes the assembly of the two most western lots (lots 3 and 4) and a part of two adjoining lots (lots 2 and 6), comprising 3.74 acres for the development of 128 upscale apartments (see Exhibits B and C). The proposed apartment complex, to be known as the Village at Crown Woods seeks to provide a more urban design and density than customary suburban apartments. A finer point of the project includes pedestrian connectivity with the adjoining Crown Woods development, the River Parks Trail along Riverside Drive and the surrounding commercial properties (see Exhibits D and E). Sidewalks exist along Delaware Avenue and will be installed on both sides of the collector street. A bus transit stop is planned at the perimeter of the property giving future residents and employees another transportation alternative.

Staff contends this proposal is more consistent with the goals of the Tulsa Comprehensive Plan versus the existing PUD-696, since PUD-696-(A)-B would permit the above described apartment development with the remainder of the tract developed as retail and office uses creating a mixed-use, dense urban development.

The PUD is intended to establish a conceptual site plan with designation of development areas, allocation of uses and intensity of uses with development standards and conditions to be followed by detailed site plan review of each phase of development to be approved by the TMAPC. The frontage of the property, extending west from the centerline of Delaware Avenue a distance of 460 feet, is zoned CS Commercial District and the west 200 feet of the property is zoned OL Office Low Intensity. No change of the underlying zoning districts is proposed.

Staff has reviewed the development proposal, conducted site visits and can support the proposal believing PUD-696-(A)-B is better suited for the area versus an all-commercial development.

Staff finds the uses and intensities of development proposed to be in harmony with the spirit and intent of the Code. Staff finds PUD-696-(A)-B to be: (1) consistent with the Comprehensive Plan; (2) in harmony with the existing and expected development of surrounding areas; (3) a unified treatment of the development possibilities of the site; and (4) consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Therefore, staff recommends **APPROVAL** of PUD-696-(A)-B subject to the following conditions as amended by the TMAPC (items with strikethrough have been removed; underlined items added in):

1. The applicant's Concept Development Plan and Text be made a condition of approval, unless modified herein.
2. Development Standards:

DEVELOPMENT AREA A – RETAIL/OFFICE

Permitted Uses:

Uses permitted as a matter of right in the CS district, excluding uses within Use Unit 12a and uses customarily incidental to permitted principal uses.

Maximum Building Floor Area (.45 FAR): 103,192 SF

Setbacks:

From centerline Delaware Avenue:	135'
From the North Boundary of the PUD:	17.5'
From the South Boundary of the PUD:	17.5'
From the West Boundary of the PUD:	11'
From Interior Lot Lines:	0'

Maximum Building Height: 40'

Off Street Parking:

Shall be per the applicable use unit within the Tulsa Zoning Code.

Minimum Landscaped Open Space: 10%

Building Design Limitations:

The exterior of all buildings shall be masonry.

Lighting:

All site lighting, including building mounted, shall be limited to shielded fixtures designed to direct light down and away from residential properties. Lighting shall be designed in a manner that light producing elements and reflectors of the fixtures may not be visible to a person standing at ground level in an adjacent residential area. No light standard may exceed 25-feet in height. Verification shall be through the submittal of a photometric plan at detail site plan review.

Signs:

Signs shall be limited to:

Wall or canopy signs may not exceed 1.5 SF of display surface area per lineal foot of building wall to which the sign is affixed. The aggregate length of wall signs shall not exceed 75% of the wall or canopy to which the sign is affixed. No wall signs are permitted on west facing building walls or canopies.

One ground sign may be located along the Delaware frontage not to exceed 35 feet in height and 230 SF of display area, provided however, the permitted ground sign shall setback on additional foot from Delaware for every foot exceeding 25 feet in height.

One ground sign may be located along the Delaware frontage not to exceed 25 feet in height and 75 SF of display area which may include identification of the multi-family development in Development Area B.

DEVELOPMENT AREA B – MULTI-FAMILY**Permitted Uses:**

Multi-family dwellings and uses customarily accessory to the principal permitted use.

Maximum Number of Dwelling Units: 130 DUS

Minimum Livability Space Per Dwelling Unit: 440 SF
[Open space not allocated to parking or drives]

Minimum Masonry Exterior Finish: 65% (25% brick, stone, or stucco)
(Exclusive of Windows and Doors)

Minimum Landscaped Area: 30%

Maximum Building Height: 60 FT

Maximum Stories: 4 stories

Minimum Building Perimeter Setbacks:

From private street:	20 FT
From easternmost boundary:	10 FT
From north boundary:	20 FT
From west boundary:	0 FT
From south boundary:	20 FT

Minimum Off-street Parking Spaces:

One bedroom unit:	1.5 spaces
Two bedroom unit:	2.0 spaces

Signs:

Signs shall be limited to:

- (a) One identification sign located within Development Area B not exceeding 32 square feet of display surface area and not exceeding 20 feet in height.
- (b) One ground sign located within Development Area A and along the Delaware frontage, not exceeding 25 feet in height and 75 square feet of display surface area.

Elevations:

Elevations as submitted are conceptual, and variation of building exteriors and sitting, may occur during site plan review. Roof design is submitted in the alternative of pitched or flat roof.

GENERAL DEVELOPMENT STANDARDS (Both Development Areas)

Landscaping and Screening

Landscaping shall meet the requirements of the Landscape Chapter of the Tulsa Zoning Code. Within Development Area A, for the purposes of determining the street yard as defined by the Code, the minimum setback from Delaware Avenue shall be deemed to be 50 feet. In addition to the requirements of the Landscape Chapter, a minimum landscape perimeter of not less than 10 feet in width shall be maintained along the Delaware Avenue frontage and along the west boundary of Development Area A. The required perimeter landscaping shall include plant materials designed

to achieve an attractive street view. A screening fences not less than 6 feet in height shall be constructed and maintained along the north and south boundary of Development Areas A and B if the abutting property is developed for residential purposes. A screening fence shall not be required along the common boundary of Development Area A and Development Area B.

Access and Pedestrian Circulation

Vehicular access is to be derived from the existing private street extending from Delaware Avenue. The entry to Development Area B may be gated. A second point of vehicular access to Development Area B will be established by easement extending from the southwest corner of Development Area B through the adjoining Crown Woods.

Sidewalks will be provided, if not currently existing, along Delaware Avenue. Sidewalks along the interior private street shall be constructed by the owner of each abutting lot prior to occupancy of a building within the lot.

Pedestrian connectivity to the adjoining Crown Woods will be established by easement and provided substantially as graphically depicted within Exhibit D and Exhibit E.

All pedestrian walkways through parking lots that intersect vehicle travel ways will be clearly distinguished from said travel lanes by the use of ground stripes, raised concrete or other method that will make the pedestrian walkways visible to vehicular traffic. It is recommended that pedestrian crossing signs, less than three (3) square feet in display surface area be provided where practical.

Parcelization

Within Development Area A, division of lots may occur by approved lot split application and subject to the further approval by the Tulsa Metropolitan Area Planning Commission of a minor amendment for proposed floor area allocations and confirmation of the existence of any necessary cross parking and mutual access easements.

Transfer of Allocated Floor Area

Allocated floor area may be transferred to another lot or lots by approval of a minor amendment by the TMAPC and by written instrument executed by the owner of the lot from which the floor area is to be allocated provided however the allocation shall not exceed 10 % of the initial allocation to the lot to which the transfer of floor area is to be made.

Site Plan Review

Development may be phased. No building permit shall issue until a detailed site plan (including landscaping) of the proposed improvements has been submitted to the Tulsa Metropolitan Area Planning Commission and approved as being in compliance with the development concept and the development standards. No certificate of occupancy shall issue for a building until the landscaping of the applicable building site has been installed in accordance with a landscaping plan and phasing schedule submitted to and approved by the Tulsa Metropolitan Area Planning Commission.

Platting Requirement

It is proposed that the recorded plat of 9200 Delaware be accepted as the required plat of PUD 696-A and that the planned adjustment of two existing lot boundaries shall be implemented by lot split application submitted to and approved by the Tulsa Metropolitan Area Planning Commission. Covenants setting forth the development standards of PUD 696-A will be implemented by separate instrument submitted to and approved by the Tulsa Metropolitan Area Planning Commission and filed of record.

3. No zoning clearance permit shall be issued for a lot within the PUD until a detail site plan for the lot, which includes all buildings, parking and landscaping areas, has been submitted to the TMAPC and approved as being in compliance with the approved PUD development standards.
4. A detail landscape plan for each development area shall be approved by the TMAPC prior to issuance of a building permit. A landscape architect, architect or engineer registered in the State of Oklahoma shall certify to the zoning officer that all required landscaping and screening fences will be installed by a specific date in accordance with the approved landscape plan for the lot, prior to issuance of an occupancy permit. The landscaping materials required under the approved plan shall be maintained and replaced as needed, as a continuing condition of the granting of an occupancy permit.
5. No sign permits shall be issued for erection of a sign on a lot within the PUD until a detail sign plan for that lot has been submitted to the TMAPC and approved as being in compliance with the approved PUD development standards.
6. Flashing signs, changeable copy signs, running light or twinkle signs, animated signs, revolving or rotating signs or signs with movement shall be prohibited.

7. All trash, mechanical and equipment areas, including building mounted, shall be screened from public view in such a manner that the areas cannot be seen by persons standing at ground level.
8. The Department of Public Works or a professional engineer registered in the State of Oklahoma shall certify to the appropriate City official that all required stormwater drainage structures and detention areas serving a lot have been installed in accordance with the approved plans prior to issuance of an occupancy permit on that lot.
9. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.
10. Entry gates or guardhouses, if proposed, must receive detail site plan approval from TMAPC, Traffic Engineering and Tulsa Fire Department, prior to issuance of a building permit for the gates or guard houses.
11. Approval of the PUD is not an endorsement of the conceptual layout. This will be done during detail site plan review or the subdivision platting process.
12. There shall be no outside storage of recyclable material, trash or similar material outside a screened receptacle, nor shall trucks or truck trailers be parked in the PUD except while they are actively being loaded or unloaded. Truck trailers and shipping containers shall not be used for storage in the PUD.

TAC COMMENTS:

General: No comments.

Water: The proposed security gate must not interfere with the maintenance or operation of the existing 6-inch waterline or the three way fire hydrant. The fire hydrant must stay outside of the gated fence area.

Fire:

1. Fire hydrant will need to be located within 400 feet of any part of the structure if structure is not sprinkled and 600 feet if sprinkled.
2. Aerial access will be required per International Fire Code 2006 Appendix D section 105 for any structure over 30 feet in height.
3. Emergency access roads need to be 20 feet wide minimum with 28 foot inside radius on all corners unless it is aerial access then it needs to be 26 feet wide.
4. Stand pipe is required for any structure with the highest floor level over 30 feet.

5. If standpipe is required then a fire hydrant will need to be located within 100 feet of the connection.
6. Knox access is required for all gates.
7. All gates will need to have 20 foot minimum clearance.
8. Fire Department connections need to be located on the address side of the structure it services.

Stormwater: No comments.

Wastewater: No comments.

Transportation: The emergency access crosses over a sliver of land that is not part of this property. A mutual access easement is required.

INCOG Transportation:

- **MSHP:** Recommend Sidewalks with appropriate ramps to be included along Delaware per subdivision regulations.
- **LRTP:** 91st St. S., between S. Harvard Ave and S. Lewis Ave, planned 4 lanes.
- **TMP:** No Comment
- **Transit:** Currently, Tulsa Transit operates an existing route on 91st St. S. and S. Delaware Avenue. According to MTTA future plans, this location will continue to be served by transit routes. Therefore, consideration for access to public transportation should be included in the development.

Traffic: No comments.

GIS: No comments.

Street Addressing: No comments.

TMAPC COMMENTS:

Mr. Leighty stated that none of the exhibits were labeled as development plans and if the Planning Commission is going to be approving them, he asked if they should be labeled as such. In response, Mr. Sansone stated that what the Planning Commission is considering today is basically the use, and the exhibits are conceptual in nature. Conceptual plans are close to what it will be; however, the case reports state: "Approval of the PUD is not an endorsement of the conceptual layout. This will be done during detail site plan review or the subdivision platting process." Mr. Leighty asked if the site plan isn't normally based upon the conceptual development plans. Mr. Sansone stated that the conceptual development standards establish where everything needs to be and the concept plans are generally not to scale and they don't show setback requirements or dimensioning on anything. It is conceptual to show the general layout of the development areas and where the buildings are proposed to be. In the text of the PUD is where the development standards are and the applicant will be held to these standards during the detail site plan review.

In response to Mr. Leighty, Mr. Sansone stated that he is confused by what he means by "labeling". Mr. Leighty stated that they are usually labeled as a development plan or a site plan, etc. Mr. Sansone stated that this is a concept plan and a detail site plan will come back before the Planning Commission when

the developer has all the details of the project ironed out. What the Planning Commission is looking at today is the use of the development areas and the general layout of the property. Mr. Sansone stated that all of the exhibits provided are labeled.

In response to a question from Mr. Midget, Mr. Leighty stated that he isn't finished and would like to continue. Mr. Midget apologized.

In response to Mr. Leighty, Mr. Sansone stated that if the Planning Commission desires to have additional language regarding pedestrian walkways, he can include that in the staff report.

Applicant's Comments:

Roy D. Johnsen, Williams Center Tower One, One West 3rd Street, Suite 1010, 74103, stated that he is surprised by Mr. Leighty's comments on the exhibits because all of them are labeled and made part of the record.

TMAPC COMMENTS:

Mr. Leighty stated that he isn't opposing the project, but simply asking some questions.

Mr. Johnsen stated that the reason he is speaking on the exhibit labeling comments is because the process is important. This idea of a conceptual site plan has been workable over the years and it has great meaning because when staff looks at it and one departs from it too greatly, they will have to be back before the Planning Commission. It sets the tone of the development and there are also specific numbers (dwelling units, heights, setbacks, etc.). Mr. Johnsen indicated that he submitted a chapter on pedestrian access. The process is quite detailed. Mr. Johnsen cited other developments that his client has developed and how they have connectivity for pedestrians. Mr. Johnsen stated that this proposal meets the requirements of the Code and he is not aware of a requirement that an interior of a multifamily project has to have sidewalks from the parking lot.

Mr. Leighty stated that currently there isn't a requirement, but the Planning Commission is dealing with a new Comprehensive Plan and use a PUD as a bridge until the Zoning Code is rewritten. He would like to make sure that the Planning Commission is trying to do their very best meet the intent, vision and purpose of the new plan. Mr. Johnsen stated that the process works well and he will accept the condition that there be consideration given to interior pedestrian movement, but he doesn't want it to be required that there be sidewalks around all of the buildings because it isn't needed in all instances. Mr. Johnsen suggested that the Planning Commission should allow detail site plan review accomplish the circulation details. Mr. Leighty stated that that sounds like a reasonable approach. He agreed with Mr. Johnsen that this is the best PUD he has seen in quite some time.

INTERESTED PARTIES COMMENTS:

Pat Thomas, 3106 East 87th Place, 74137, asked if the adjacent property owners receive notice for the detail site plan hearings.

Mr. Leighty informed Ms. Thomas that if she asked to be notified, then she will be notified.

Ms. Thomas requested to be notified regarding the detail site plan hearings.

Mr. Sansone provided additional language for pedestrian walkways.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, TMAPC voted **8-0-0** (Carnes, Edwards, Leighty, Liotta, Midget, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Cantrell, Dix, McArtor "absent") to recommend **APPROVAL** of the major amendment for PUD-696-(A) B per staff recommendation and additional language for pedestrian walkways.

Legal Description for PUD-696-(A) B:

All of Lots 1 through 6 and Reserve A, Block 1, 9200 Delaware, an addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof.

* * * * *

20. **Z-7024-SP-2 – Tulsa Engineering and Planning/Tim Terral**, Location: South of the southwest corner of East 81st Street and South Garnett Road, Corridor Plan for a 20-acre residential development), **(CO)** (CD-7)

STAFF RECOMMENDATION:

ZONING ORDINANCE: Ordinance Number 21320 dated June 15, 2006, established zoning for the subject property.

RELEVANT ZONING HISTORY:

Z-7024-SP-1 August 2006: All concurred in approval of a proposed Corridor Site Plan on a 20± acre tract of land for Use Unit 8, multifamily dwellings and similar uses, with a maximum of 93 dwelling units, on property located south of the southwest corner of East 81st Street and South Garnett Road and the subject property.

Z-7024 May 2006: All members of TMAPC concurred in recommending approval of CO zoning for the subject property on May 17, 2006. All members of City Council concurred in approval of TMAPC recommendation on June 8, 2006.

Z-6989/PUD-716 August 2005: A request to rezone this property from CO to CS was withdrawn. All concurred in approval of a proposed Planned Unit Development on a 9.37± acre tract for a mixed use development including office, hotel/motel and mini-storage uses, on property located east of the southeast corner of East 81st Street and U.S. Highway 169.

PUD-569-A/Z-6054-SP-3 December 1997: All concurred in approval of a request for a corridor site plan and Planned Unit Development on a 30.7-acre tract abutting the subject property on the west for a mixed use development.

Z-6054 July 1985: All concurred in approval of CO zoning on a 137-acre tract located at the southeast corner of East 81st Street South and Mingo Valley Expressway.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 20 ± acres in size and is located south of the southwest corner of East 81st Street South and South Garnett Road. The property is partially developed and is zoned CO.

SURROUNDING AREA: The subject tract is abutted on the east by a commercial recreation use (Golf Driving Range), zoned R-1 in Broken Arrow and the R.C. Dickerson Family YMCA zoned R-1/RD/PUD-117-A also in Broken Arrow; on the north by an un-platted and vacant PUD-716 zoned CO and Union Place with commercial uses also zoned CO; on the south by Oak Tree Village a single-family residential use, zoned CO and Oak Tree Center with office uses also zoned CO; and on the west by St. Therese Marionite Church zoned CO and Stonehaven at Meadowbrook residential use zoned CO/PUD 569-A. To the northeast is Golf World, zoned C-5 with a commercial use (QT); and to the southeast is single-family residential, zoned R-3/RD/PUD 117, both in Broken Arrow.

UTILITIES: The subject tract has municipal water and sewer available.

TRANSPORTATION VISION:

The Comprehensive Plan designates Garnett Road as a Multi-Modal Corridor. The Plan defines the Multi-Modal Corridor as, "streets (that) 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:

The Tulsa City-County Major Street and Highway Plan designates Garnett Road as a Secondary Arterial and South 107th East Avenue as a Collector.

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Garnett Road	Secondary Arterial	100 feet	2 lanes
South 107 th E. Ave.	Collector	60 feet	2 lanes

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The Tulsa Comprehensive Plan designates this area as an Area of Stability and an Existing Neighborhood. The Existing Residential Neighborhood category is intended to preserve and enhance Tulsa's existing single family neighborhoods. Development activities in these areas should be limited to the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code. In cooperation with the existing community, the city should make improvements to sidewalks, bicycle routes, and transit so residents can better access parks, schools, churches, and other civic amenities.

According to the Plan the creation of 24 single family detached homes within this townhome development **is in accord** with the plan.

STAFF RECOMMENDATION:

Z-7024-SP-1, also known as Ridgecrest, is a 20-acre residential development located south of the southwest corner of East 81st Street South and South Garnett Road. The tract has 660 feet of frontage along South Garnett Road and approximately 178 feet of frontage along the South 107th East Avenue collector street. The property is moderately flat and has been partially developed.

Ridgecrest was approved in 2006 as a single-family townhome development with buildings containing two or more attached dwelling units and no unit above another unit with each unit located on a separate lot within the development. Each lot within the development is to be sold.

This proposed Corridor Site Plan is to allow single-family detached residential uses to be added to the existing duplex and townhome uses. Currently, there are 93 townhome lots in Ridgecrest. This application requests that 31 existing duplex and townhome lots be reconfigured to form 24 lots for single-family detached dwellings (see Exhibit A). The reconfigured lot count would be 24 single-family detached lots and 62 duplex and townhome lots, for a total of 86 lots. This will reduce the overall project density from 4.65 dwelling units per acre to 4.30 dwelling units per acre.

Staff has reviewed the applicant's development proposal, conducted site visits and concludes that a reduction in density within the development by the addition of 24 single-family detached dwellings is in keeping with the intent of the Existing Residential Neighborhood designation within the Tulsa Comprehensive Plan.

Staff finds the uses and intensities of development proposed to be in harmony with the spirit and intent of the Code. Staff finds Z-7024-SP-2 to be: (1) consistent with the Comprehensive Plan; (2) in harmony with the existing and expected development of surrounding areas; (3) a unified treatment of the development possibilities of the site; and (4) consistent with the stated purposes and standards of the Corridor Chapter of the Zoning Code.

Therefore, staff recommends **APPROVAL** of Z-7024-SP-2 subject to the following conditions:

1. The applicant's Outline Development Plan and Text be made a condition of approval, unless modified herein.

Total Project Area:	20.00 acres (Gross)
	19.24 acres (Net)

Total Number of Lots:	86
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2. **DEVELOPMENT STANDARDS: SINGLE-FAMILY DETACHED DWELLINGS**

(Includes Lots 3-7 and Lots 29-37, Block 1 and Lots 16-25, Block 3)

Permitted Uses:

Uses permitted as a matter of right in Use Unit 6 - Single-Family Dwelling and uses customarily accessory to permitted principal uses.

Maximum Number of Single Family Detached Dwelling Units: 24

Minimum Lot Size:	5,000 sq. ft.
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Minimum Lot Frontage:	50 feet*
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Setbacks:

Front Yard:	20 feet
Side Yard:	5 FT/5 FT
Side Yard abutting private street:	15 feet**
Rear Yard:	15 feet
Rear Yard abutting South Garnett:	35 feet

Maximum Building Height: 35 feet***

*Measured at the front building line for cul-de-sac and eyebrow lots.

**Garage openings shall not be permitted to face the 15 foot building setback.

***Architectural decorative features such as chimneys and cupolas may extend to a maximum height of 45 feet. However, no habitable portion of any dwelling may exceed the 35-foot height limitation.

DEVELOPMENT STANDARDS: SINGLE-FAMILY ATTACHED DWELLINGS

(Includes Lots 1 and 2 and Lots 9-28, Block 1, all of Block 2 and Lots 1-15, Block 3)

Permitted Uses:

Uses permitted as a matter of right in Use Unit 7 - Duplex Dwelling and Use Unit 7a – Townhouse Dwelling and uses customarily accessory to permitted principal uses.

Maximum Number of Dwelling Units Proposed: 62

Minimum Lot Size: 4,000 sq. ft.

Maximum Building Coverage Per Lot: 2,780 sq. ft.

Minimum Lot Frontage: 40 feet*

Setbacks:

Front Yard: 20 feet

Side Yard: 0 ft

Side Yard Abutting Private Street: 15 feet**

Rear Yard: 15 feet

Rear Yard abutting South Garnett: 35 feet

Maximum Building Height: 35 feet***

*Measured at the front building line for cul-de-sac and eyebrow lots.

**Garage openings shall not be permitted to face the 15 foot building setback.

***Architectural decorative features such as chimneys and cupolas may extend to a maximum height of 45 feet. However, no habitable portion of any dwelling may exceed the 35 foot height limitation.

Pedestrian Circulation and Transit Access:

Sidewalks shall be required along the frontage of South Garnett Road, South 107th East Avenue and internally within easements or private street reserve areas. In addition, a concrete pad for a bus stop shall be provided

along South Garnett Road no more than 50 feet from the south boundary of the development area, adjacent to the reserve area.

Signs:

One identification sign may be erected on each perimeter street frontage. The sign shall not exceed two-tenths (2/10) of a square foot of display surface area per lineal foot of street frontage; provided that in no event shall the sign be restricted to less than 32 square feet nor permitted to exceed 150 square feet of display surface area. The sign shall not exceed eight feet in height, and illumination, if any, shall be by constant light.

3. No zoning clearance permit shall be issued for a lot within the Corridor Site Plan until a detail site plan for the lot, which includes all buildings, parking and landscaping areas, has been submitted to the TMAPC and approved as being in compliance with the approved Corridor Site Plan development standards.

Once approved, the minor subdivision re-plat of the project shall serve as the detail site plan for the single-family detached dwellings only.

4. A detail landscape plan for each lot shall be approved by the TMAPC prior to issuance of a building permit. A landscape architect registered in the State of Oklahoma shall certify to the zoning officer that all required landscaping and screening fences have been installed in accordance with the approved landscape plan for the lot, prior to issuance of an occupancy permit. The landscaping materials required under the approved plan shall be maintained and replaced as needed, as a continuing condition of the granting of an occupancy permit.
5. No sign permits shall be issued for erection of a sign on a lot within the Corridor Site Plan until a detail sign plan for that lot has been submitted to the TMAPC and approved as being in compliance with the approved Corridor Site Plan development standards.
6. All trash, mechanical and equipment areas, including building mounted, shall be screened from public view in such a manner that the areas cannot be seen by persons standing at ground level.
7. The Department of Public Works or a professional engineer registered in the State of Oklahoma shall certify to the appropriate City official that all required storm-water drainage structures and detention areas serving a lot have been installed in accordance with the approved plans prior to issuance of an occupancy permit on that lot.

8. A homeowners association shall be created and vested with sufficient authority and financial resources to properly maintain all private streets, sidewalks and common areas, including any storm-water detention areas, security gates, guard houses or other commonly owned structures within the Corridor Site Plan.
9. All private roadways shall have a minimum right-of-way of 30 feet. Paving of combined roll curb and gutter two-way streets shall be a minimum of 26 feet in width; roads servicing parking shall be a minimum of 22 feet in width; and "half-streets" serving no more than two lots shall be a minimum of 18 feet in width, measured face-to-face of curb in accord with Exhibit 'D'. All curbs, gutters, base and paving materials used shall be of a quality and thickness which meets the City of Tulsa standards for a minor residential public street. The maximum vertical grade of private streets shall be ten percent.
10. The City shall inspect all private streets and certify that they meet City standards prior to any building permits being issued on lots accessed by those streets. The developer shall pay all inspection fees required by the City.
11. No building permit shall be issued until the requirements of Section 805-E of the Zoning Code have been satisfied and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the restrictive covenants the Corridor Site Plan conditions of approval and making the City beneficiary to said covenants that relate to Corridor Site Plan conditions.
12. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.
13. Entry gates and guardhouses, if proposed, must receive detail site plan approval from TMAPC, Traffic Engineering and Tulsa Fire Department, prior to issuance of a building permit for the gates or guard houses.
14. Approval of the Corridor Site Plan is not an endorsement of the conceptual layout. This will be done during detail site plan review or the subdivision platting process.
15. There shall be no outside storage of recyclable material, trash or similar material outside a screened receptacle, nor shall trucks or truck trailers be parked in the Corridor Site Plan except while they are actively being loaded or unloaded. Truck trailers and shipping containers shall not be used for storage in the Corridor Site Plan.

TAC Comments:

General: No comments.

Water: No comments.

Fire: No comments.

Stormwater: No comments.

Wastewater: No comments.

Transportation: Details e.g. LNAs are not shown.

INCOG Transportation:

- MSHP: Garnett Road is a designated secondary arterial.
- LRTP: S. Garnett Road, between 81st St. S. and 91st St. S., planned 4 lanes. Sidewalks should be constructed if non-existing or maintained if existing, per Subdivision Regulations.
- TMP: No comments.
- Transit: No comments.

Traffic: No comments.

GIS: No comments.

Street Addressing: No comments.

County Engineer:

The applicant indicated his agreement with staff's recommendation.

INTERESTED PARTIES COMMENTS:

Ann Knutson, 10956 East 83rd Place South, 74133, stated that she protests a portion of the plan that faces 81st Street. She explained that she has lived in the subject development almost two years and looked for her home for almost five years. When she moved in the entire development was supposed to be duplexes and that is one of the reasons she moved in there. To put in single-family homes will decrease the value of her duplex-style home. Most people don't want to live in a duplex because they don't like the connecting wall and prefer the single-structured home, but she feels it will decrease the value of her duplex. Ms. Knutson stated that she would like to see the development completed. She feels that by having the single-family residences, it would be chopping up the development and giving the message that the duplexes didn't take off as they thought it would. Ms. Knutson commented that the entire frontage of the development should be uniform. She further commented that if the single-family homes were in the back of the development together, she could understand that concept. Single-family homes will bring more families in the development with children, which is one of the reasons she moved into the subject property to live with people that were her age or older. Ms. Knutson concluded that she is protesting the six lot changes to five lots in the front of the subject development.

Applicant's Comments:

Tim Terral, Tulsa Engineering and Planning Associates, 6737 South 85th East Avenue, 74133, stated that he respectfully disagrees that the proposal will be decreasing the value of the duplex and triplex units. The single-family detached dwellings will be located on Garnett will have the same architectural style as the duplexes and triplexes. The single-family units will have a ten-foot separation

and five-foot side yards on each lot. He doesn't feel that the look will be any different. There is only one duplex existing at this time and he doesn't see this being chopped up. Mr. Terral concluded that this will increase the value of the entire development because the new lots will be more expensive.

TMAPC COMMENTS:

Mr. Leighty stated that he would agree with Mr. Terral regarding the value increasing rather than decreasing. He explained that he has been in residential real estate for quite a long time and he believes that this proposal will increase the value of all properties. The lower density in the long term will serve the project well.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, TMAPC voted **8-0-0** (Carnes, Edwards, Leighty, Liotta, Midget, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Cantrell, Dix, McArtor "absent") to recommend **APPROVAL** of the corridor plan for Z-7024-SP-2 per staff recommendation.

Legal Description for Z-7024-SP-2:

Ridgecrest, an addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat No. 6129 thereof.

* * * * *

OTHER BUSINESS:

22. Proposed amendments of the Zoning Code, City of Tulsa, Oklahoma to Section 601, Table 1; Section 603, Table 3; Section 701, Table 1; Section 703, Table 2; Chapter 8; Section 902.A.1 and 2; Section 1106; Section 1212.C.1.a.; and Section 1212a.C.4.a. to attempt to provide Code amendments responsive to the new Comprehensive Plan. These are proposed "bridge" amendments until the Zoning Code will receive a thorough study and update. (Public Hearing closed 3/2/11 and final revision continued to 3/16/11, 4/6/11.) **Staff requests a continuance to April 20, 2011.**

STAFF RECOMMENDATION:

Mr. Alberty stated that staff is requesting a continuance to April 20, 2011.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, TMAPC voted **8-0-0** (Carnes, Edwards, Leighty, Liotta, Midget, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; Cantrell, Dix, McArtor "absent") to **CONTINUE** the proposed amendments of the Zoning Code to April 20, 2011.

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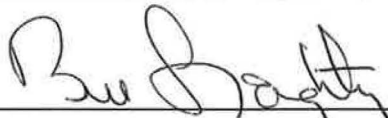
Commissioners' Comments

None.

There being no further business, the Chair declared the meeting adjourned at 2:30 p.m.

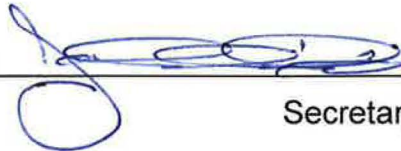
Date Approved:

4-20-11



Chairman

ATTEST:



Secretary

