# TULSA METROPOLITAN AREA PLANNING COMMISSION

# For Meeting No. 2561

September 23, 2009, 1:30 PM 175 East 2<sup>nd</sup> Street, 2<sup>nd</sup> Level, One Technology Center **Tulsa City Council Chambers** 

## CONSIDER, DISCUSS AND/OR TAKE ACTION ON

Call to Order:

#### REPORTS

## **Chairman's Report:**

## **Worksession Report:**

## Comprehensive Plan Report:

Report on the update of the Comprehensive Plan

## **Director's Report:**

#### CONSENT AGENDA

All matters under "Consent" are considered by the Planning Commission to be routine and will be enacted by one motion. Any Planning Commission member may, however, remove an item by request.

1. LC-209 – James Shelby Navarro (9202)/Lot Combination

(PD 1) (CD 4)

East of North Main Street and north of East Cameron Street, 302 North Boston Avenue

2. Change of Access - (2392) 1115 West 41st Street

(PD 9) (CD 2)

East of U.S. 75, north of 41<sup>st</sup> Street

3. Change of Access – (2483) South Town Market, Lot 4

(PD 18 C) (CD 8)

East of South Memorial, north of East 101st Street South

4. **Place 41** – (9319) Final Plat

(PD 6) (CD 9)

North of East 41<sup>st</sup> Street South, and east of South Utica

5. The Offices at Holland Lake - (8310) Final Plat

(PD 18) (CD 8)

East of Yale Avenue, north of East 81st Street South

PUD-636-5 - Architects Collective/The Villas at Nickel Creek 6.

(PD-8) (CD-2)

North of the northwest corner of West 81st Street South and U.S. 75/7805 South Union Avenue (Minor Amendment to establish sign standards for the Nickel Creek Apartment complex in Development Areas B, D, and E.)

7. AC-090 - C. Dwayne Wilkerson/HROAK/QuikTrip

(PD-17) (CD-6)

Southwest corner East 51st Street South and South 129th East Avenue (Landscape Alternative Compliance to relocate tree plantings due to obstructions, and add five additional planting beds.)

## 8. AC-089 - C. Dwayne Wilkerson/HROAK/QuikTrip

(PD-5) (CD-5)

Northeast corner East 21<sup>st</sup> Street South and South Memorial (Landscape Alternative Compliance to substitute planting materials not on Zoning Code list, vary required distance of parking spaces from landscaped areas.)

## 9. AC-091 - C. Dwayne Wilkerson/HROAK/QuikTrip

(PD-6) (CD-9)

Southwest corner of 36<sup>th</sup> Street South and South Peoria Avenue (Landscape Alternative Compliance to install 13 new trees on the lot and preserve two large mature trees along the west boundary of the site.)

## CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA

#### PUBLIC HEARINGS

## 10. **Z-7140/Z-7140-SP-1 – Roy Johnsen**

AG to CO

South of southwest corner of South Maybelle Avenue and West 81st Street South (Corridor Plan for a single-family residential development with a maximum of 185 dwelling units in two development areas and private streets.)

## (PD-8) (CD-2)

## ZONING CODE PUBLIC HEARINGS

- 11. Public Hearing to Consider Amending the City of Tulsa Zoning Code, Title 42 Tulsa Revised Ordinances, (Chapter 10A, Section 1052.J Quorum Seven members of the Preservation Commission shall constitute a quorum for the transaction of business.)
- 12. Public Hearing to Consider possible approaches to screening requirements for outhouses or temporary latrines in residentially zoned areas for more than six months.

#### OTHER BUSINESS

- 13. Discussion regarding TMAPC holding evening meetings.
- 14. Commissioners' Comments

#### **ADJOURN**

PD = Planning District/CD = Council District

NOTICE:

If you require special accommodation pursuant to the Americans with Disabilities Act, please notify INCOG (918) 584-7526

Exhibits, Petitions, Pictures, etc., presented to the Planning Commission may be received and deposited in case files to be maintained at Land Development Services, INCOG.

Ringing/sound on all <u>cell phones</u> and <u>pagers</u> must be turned off during the Planning Commission.

Visit our website @ www.tmapc.org

The Mission of the Tulsa Metropolitan Area Planning Commission (TMAPC) is to provide unbiased advice to the City Council and the County Commissioners on development and zoning matters, to provide a public forum that fosters public participation and transparency in land development and planning, to adopt and maintain a comprehensive plan for the metropolitan area, and to provide other planning, zoning and land division services that promote the harmonious development of the Tulsa Metropolitan Area and enhance and preserve the quality of life for the region's current and future residents.

# AGENDA

# **TULSA METROPOLITAN AREA PLANNING COMMISSION**

## **TRAINING SESSION**

INCOG Two West 2<sup>nd</sup> Street, Suite 800 Large Conference Room/North

Wednesday, September 23, 2009 11:00 a.m.

## CONSIDER, DISCUSS AND/OR TAKE ACTION ON:

1. Presentation of 2009 APA National Convention by John Shivel

Adjourn

www.tmapc.org

# AGENDA

# **TULSA METROPOLITAN AREA PLANNING COMMISSION**

## **WORK SESSION**

175 East 2<sup>nd</sup> Street, 2<sup>nd</sup> Level, One Technology Center Tulsa City Council Chambers

Wednesday, September 23, 2009–1:45 p.m.\* (\*Or immediately following adjournment of the TMAPC Meeting)

## CONSIDER, DISCUSS AND/OR TAKE ACTION ON:

1. Presentation of Draft Vision for Tulsa/PLANitULSA/Fregonese

Adjourn.

Visit our website at www.tmapc.org

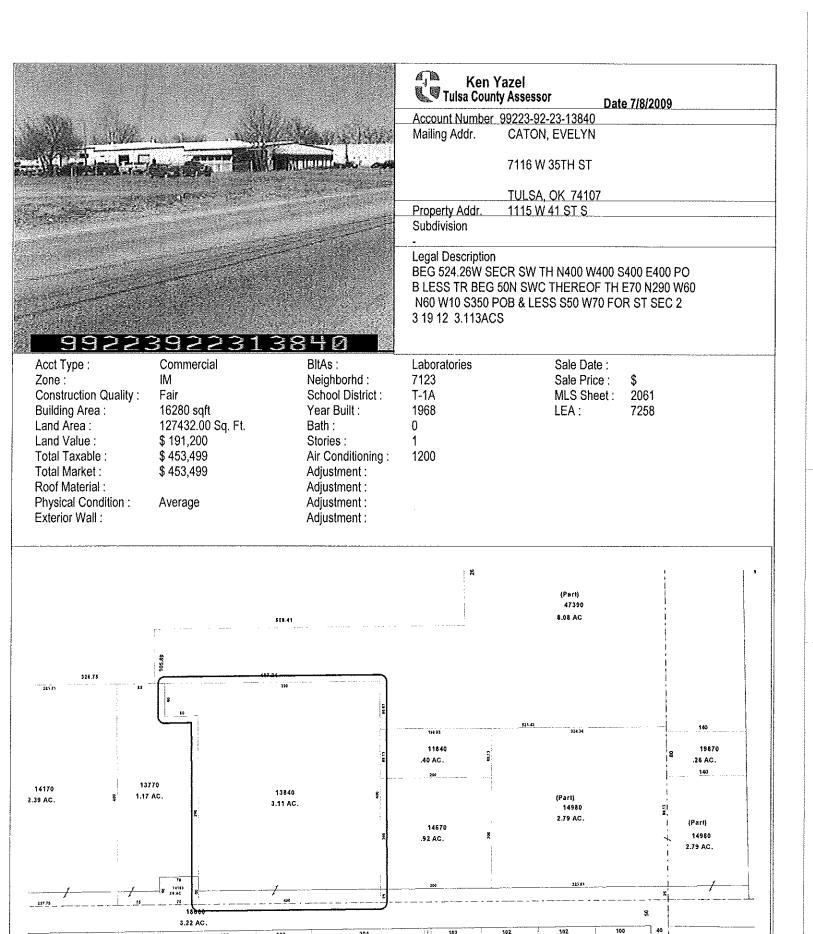
If you require special accommodation pursuant to the Americans with Disabilities Act, please notify INCOG (918) 584-7526

# Change of Access on Recorded Plat TMAPC September 23, 2009

**1115 West 41st Street** – (2392) (PD 9) (CD 2) East of U.S. 75, North of 41<sup>st</sup> Street

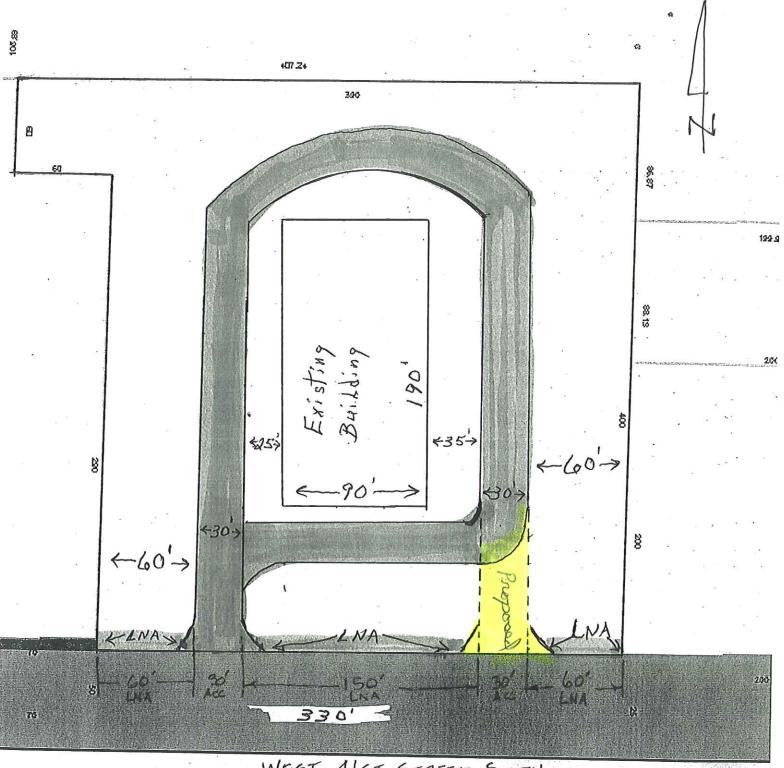
This application is made to allow a change of access to add access along East 41st<sup>t</sup> Street South. The property is zoned IM (industrial medium).

Staff recommends approval of the change of access. The Traffic Engineer has reviewed and approved the request. Staff recommends **APPROVAL** of the change of access as submitted.



Original Copy

EXHIBIT A



WEST 41ST STREET SOUTH

Scale 1" = 60'

Mark L. Brown Traffic Engineer 8 July 2009

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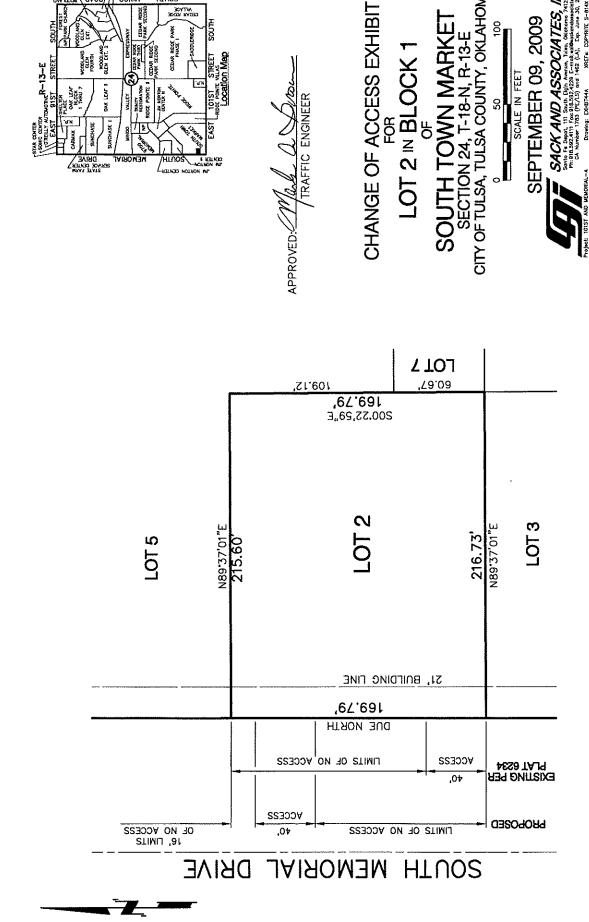
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# Change of Access on Recorded Plat TMAPC September 23, 2009

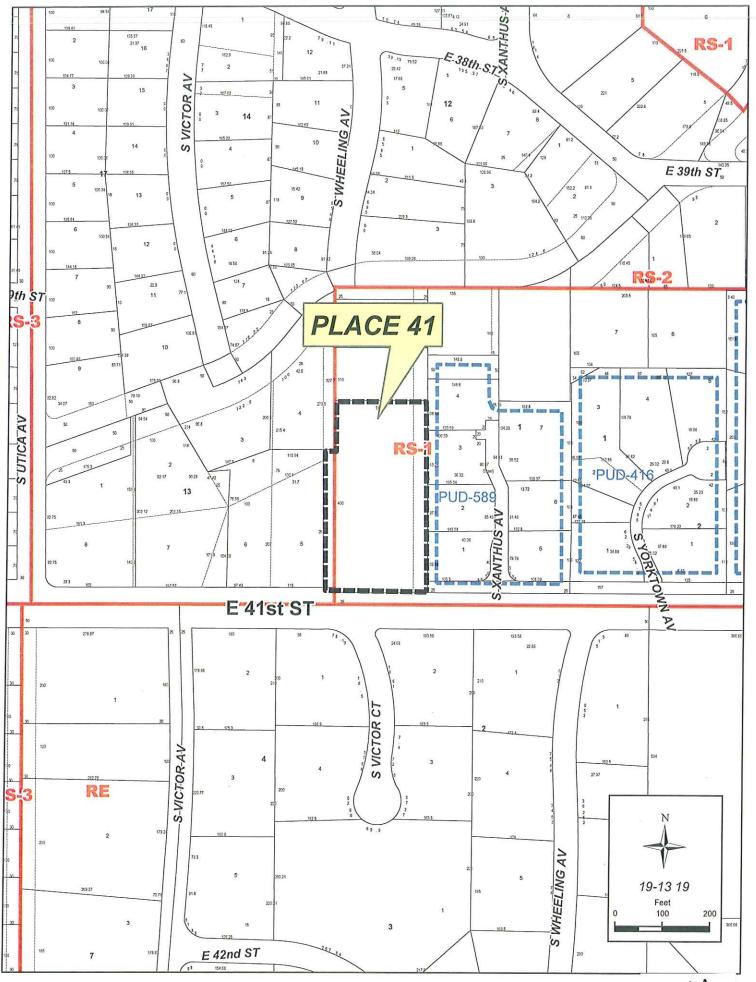
South Town Market, Lot 4 – (2483) (PD 18 C) (CD 8) East of South Memorial, North of East 101st Street South

This application is made to allow a change of access to move an existing access to the north and delete the existing access along South Memorial Drive. The property is zoned PUD 411 C 12.

Staff recommends approval of the change of access. The Traffic Engineer has reviewed and approved the request. Staff recommends **APPROVAL** of the change of access as submitted.



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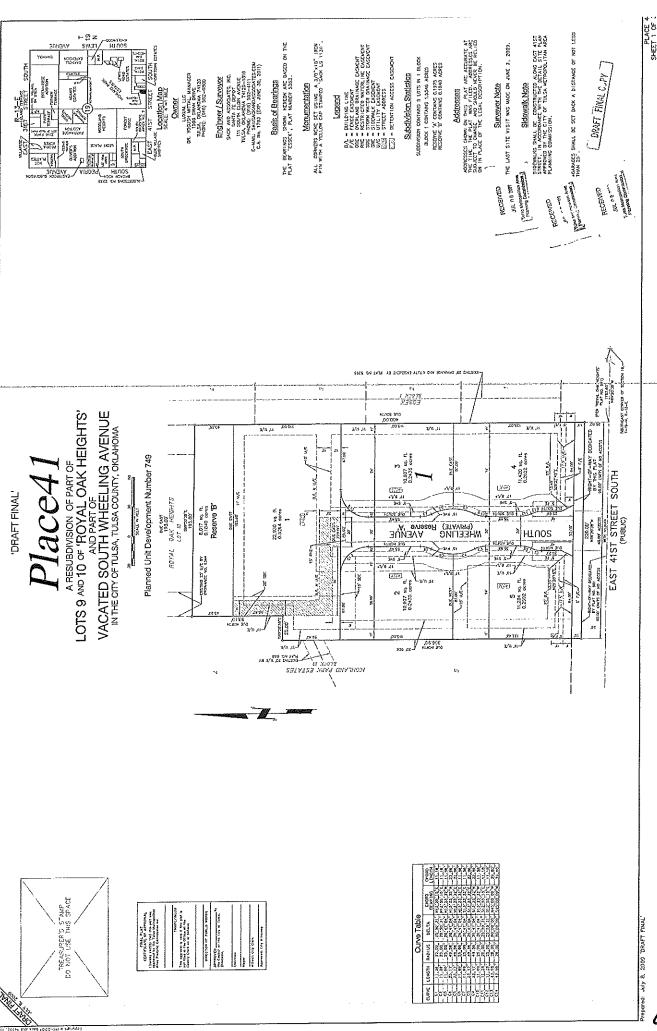
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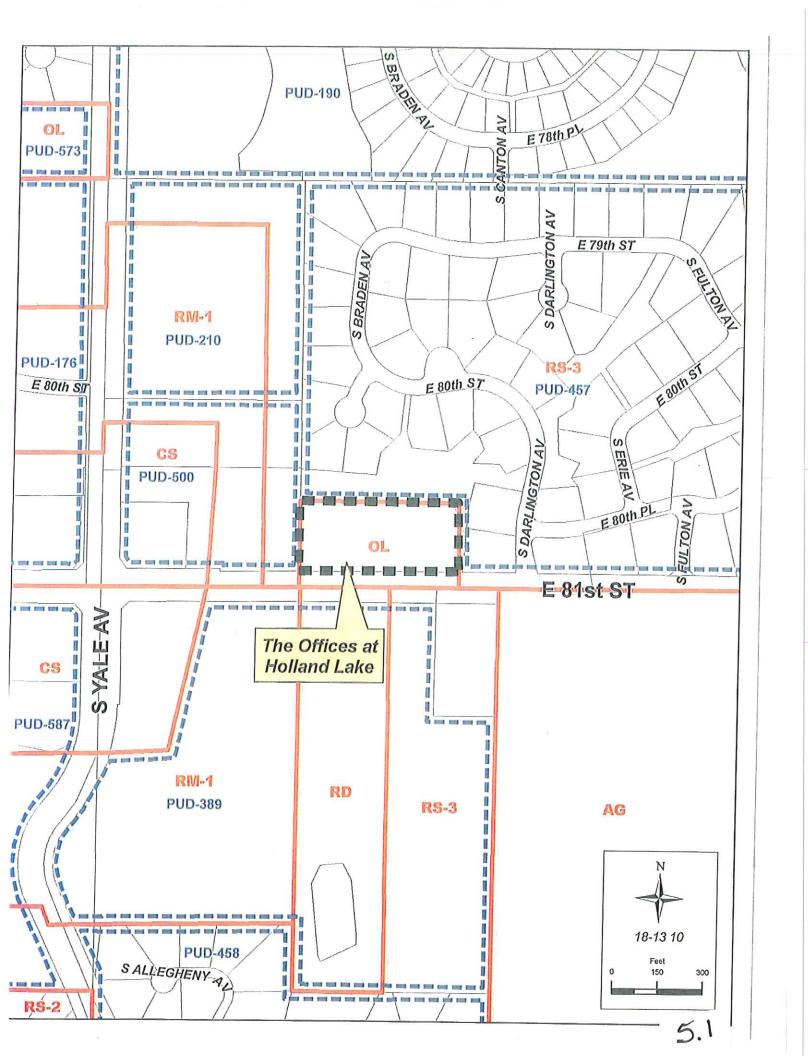
# **Final Subdivision Plat**

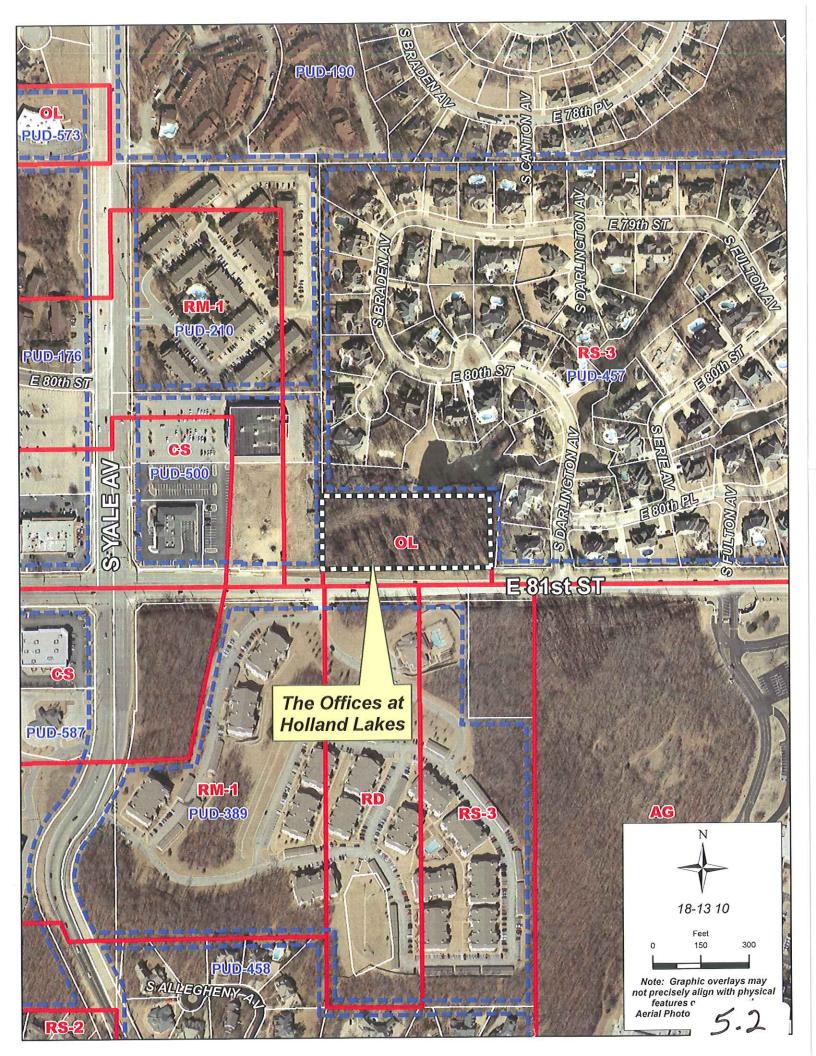
Place 41 - (9319) (PD 6) (CD 9) North of East 41<sup>st</sup> Street South, and East of South Utica

This plat consists of 5 Lots in 1 Block on 2.07 acres.

Staff recommends APPROVAL of the Final Plat. All release letters have been received.





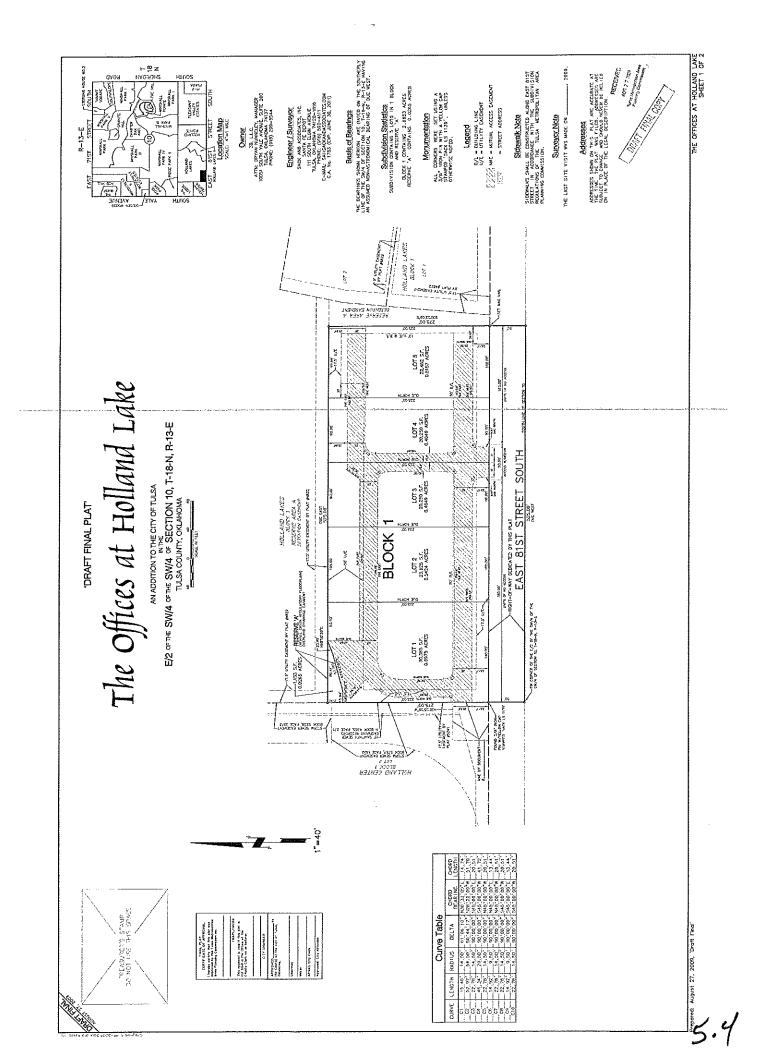


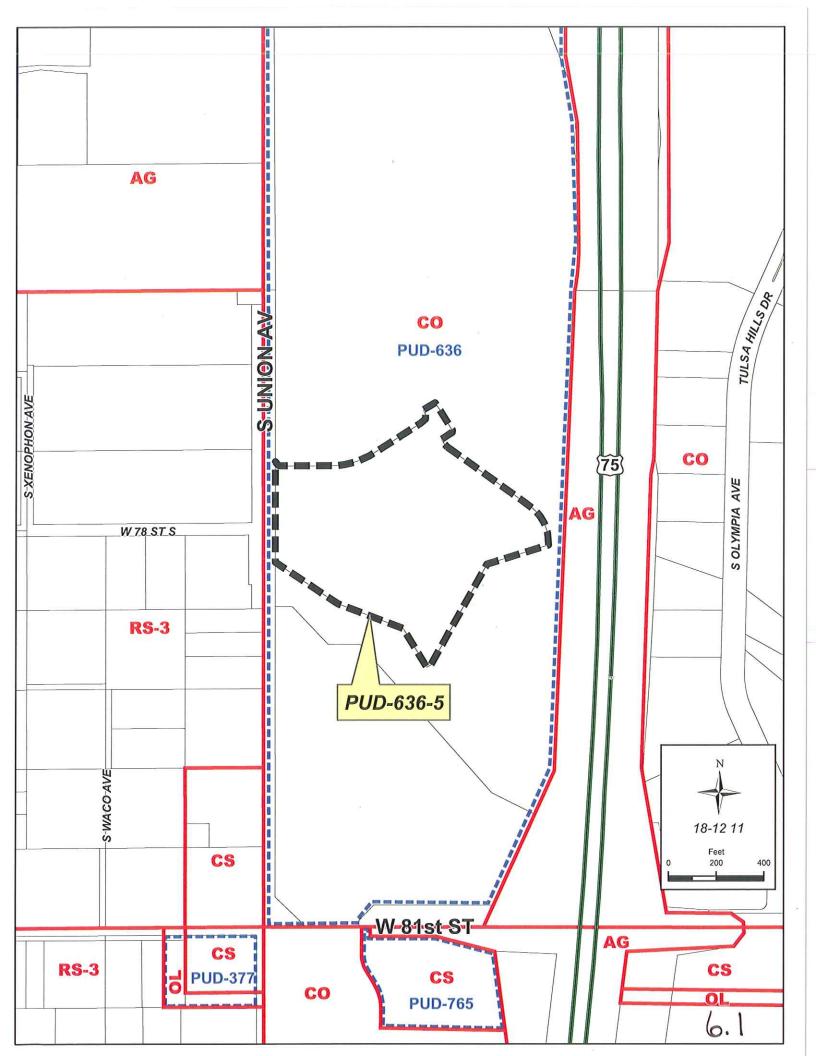
# **Final Subdivision Plat**

**The Offices at Holland Lake -** (8310) (PD 18) (CD 8) East of Yale Avenue, North of East 81<sup>st</sup> Street South

This plat consists of 5 Lots in 1 Block on 2.71 acres.

Staff recommends APPROVAL of the Final Plat. All release letters have been received.







#### STAFF RECOMMENDATION

PUD-636-5: Minor Amendment – North of the northwest corner of West

81st Street South and Union Avenue; 7805 S. Union Ave.;

TRS 8211; CZM 51; PD 8; CD 2; CO/PUD.

The applicant is requesting a minor amendment to establish sign standards for the Nickel Creek Apartment complex located in Development Areas B, D, and E of PUD-636. The original approval of the PUD did not establish sign standards for these development areas in which the underlying zoning is Corridor (CO).

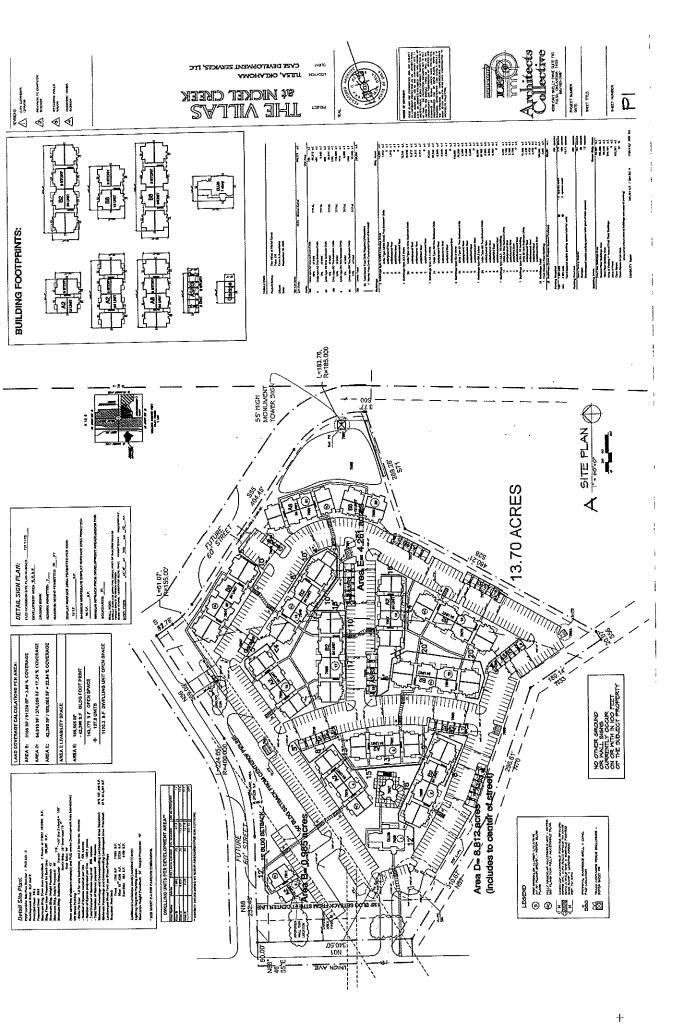
The apartment complex does not cover the entirely of the development areas in question, so the proposed sign standards would be applicable to the Nickel Creek Apartments only. Should other development occur within these development areas the sign standards will be addressed through the PUD chapter of the zoning code.

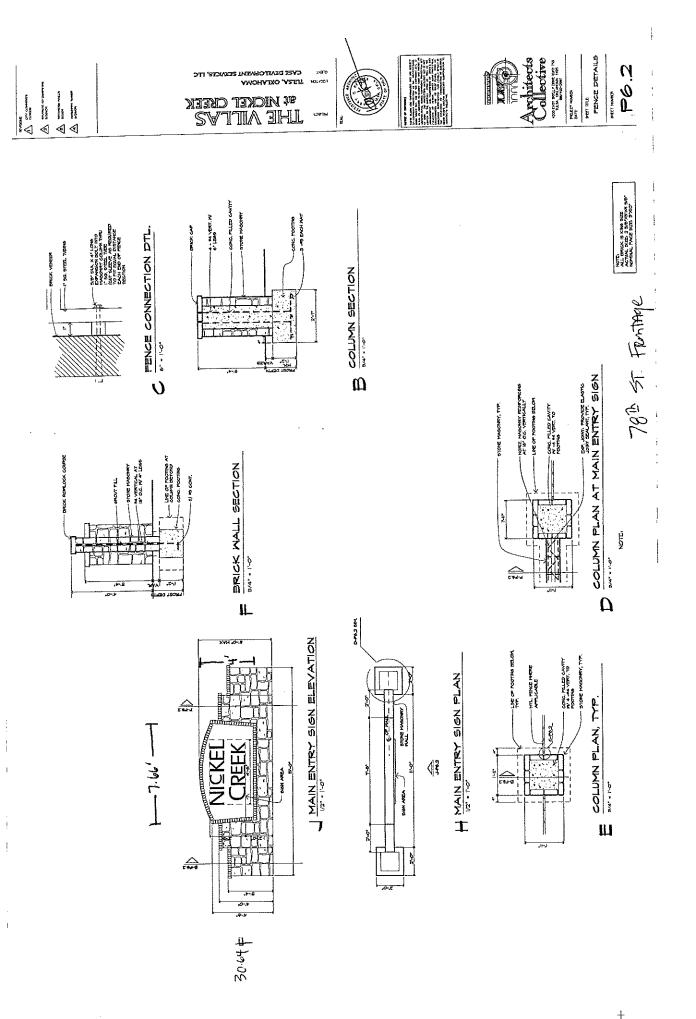
Proposed sign standards are as follows (see attached exhibits):

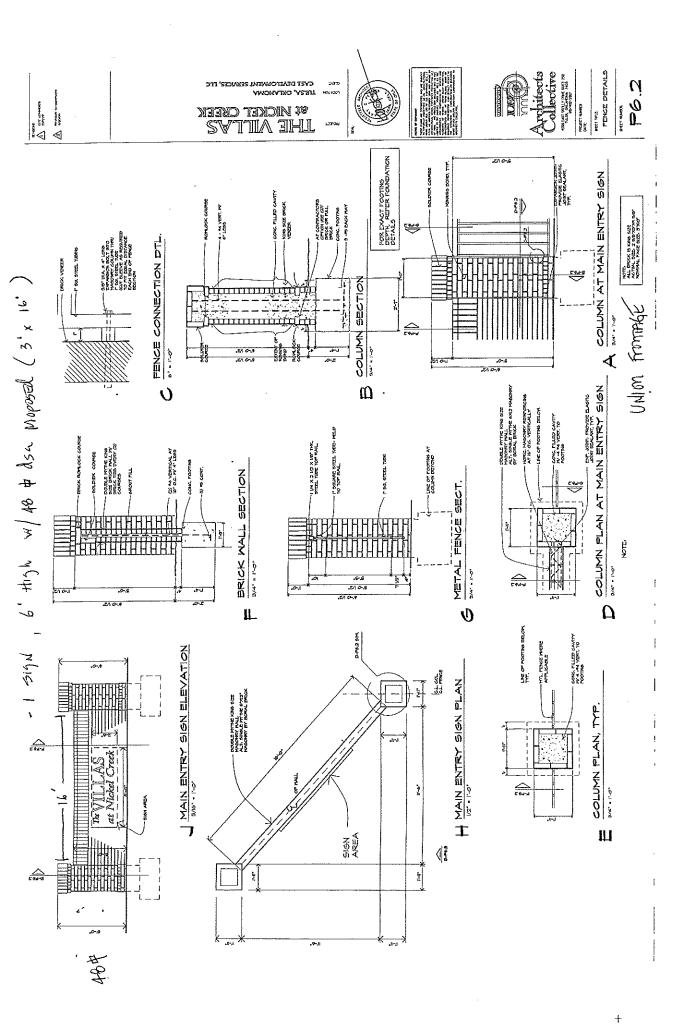
- 1. One 39 square foot (sf) wall sign in Development Area B;
- 2. One 48 sf monument style ground sign not to exceed 6' in height at the access point along Union Avenue in Development Area B; and
- 3. One 31 sf monument style ground sign not to exceed 6' in height at the access point along 78<sup>th</sup> Street in Development Area D.

The proposed sign standards are within the limits of the PUD chapter of the code, as well as, within the limits of the underlying Corridor District zoning and do not substantially alter the character of the development nor the intent of the approved PUD concept plan. Therefore, staff recommends **APPROVAL** of minor amendment PUD-636-5.

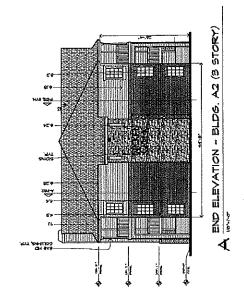
Note: Approval of a minor amendment does not constitute detail site, landscape or sign plan approval.

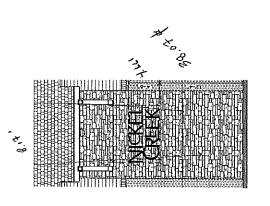










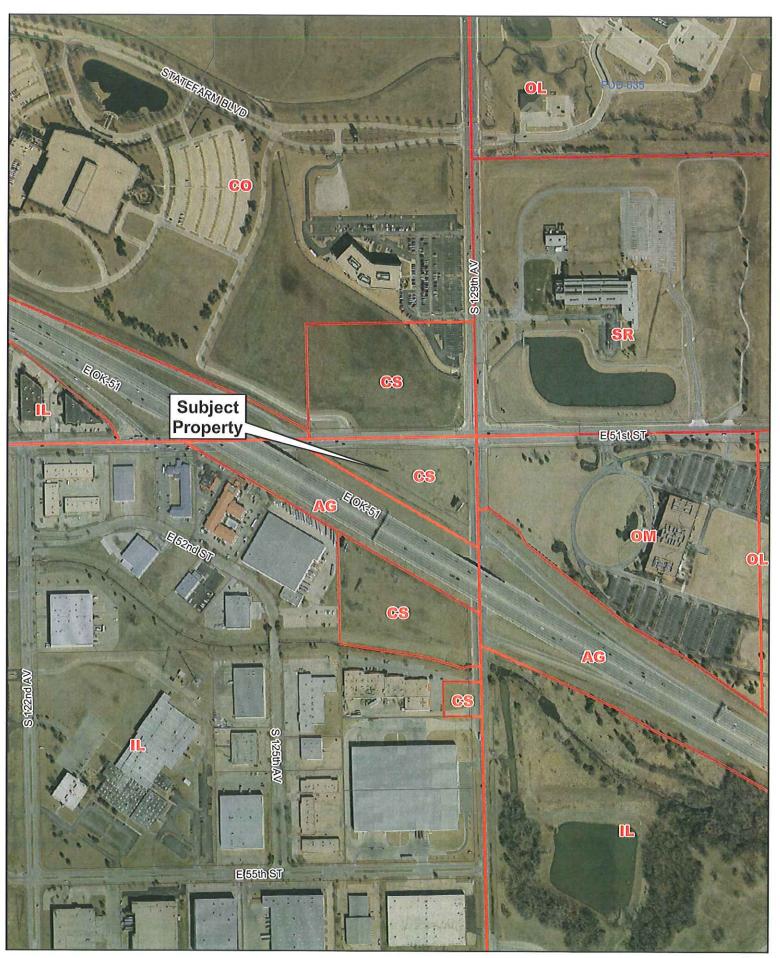


PARTIAL ELEVATION - BLDG. A2 (3 STORY)

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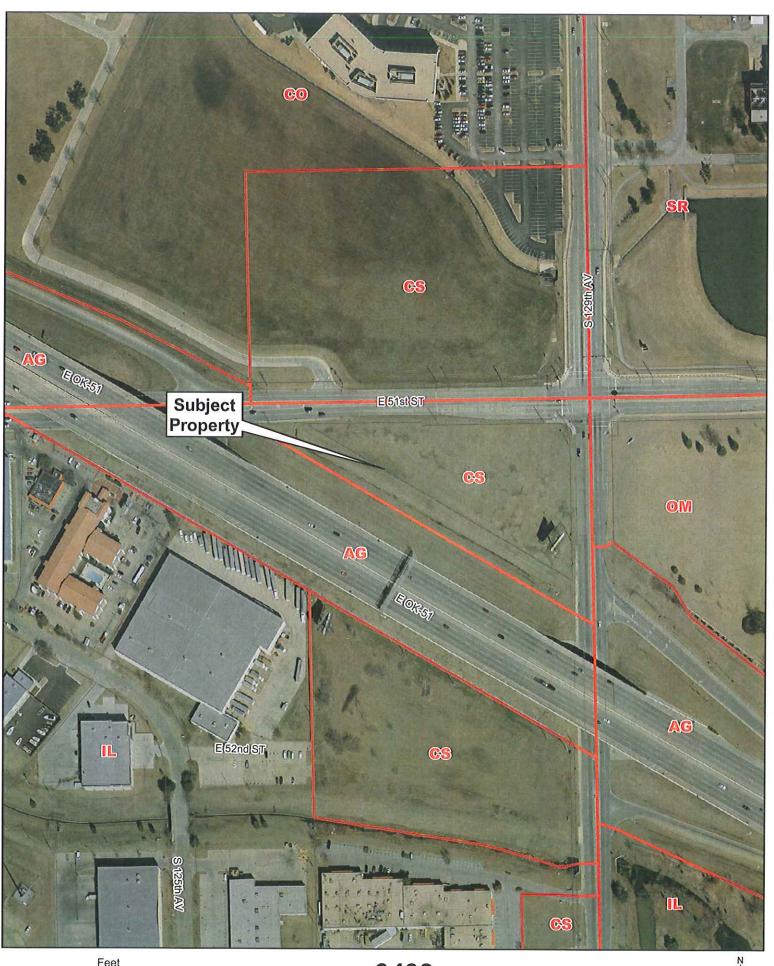




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#### STAFF RECOMMENDATION

AC-090

Alternative Compliance Landscape Plan – Southwest corner East 51<sup>st</sup> Street South and South 129<sup>th</sup> East Avenue; TRS 9432; CZM 49; Atlas 988; PD 17; CD 6; CS.

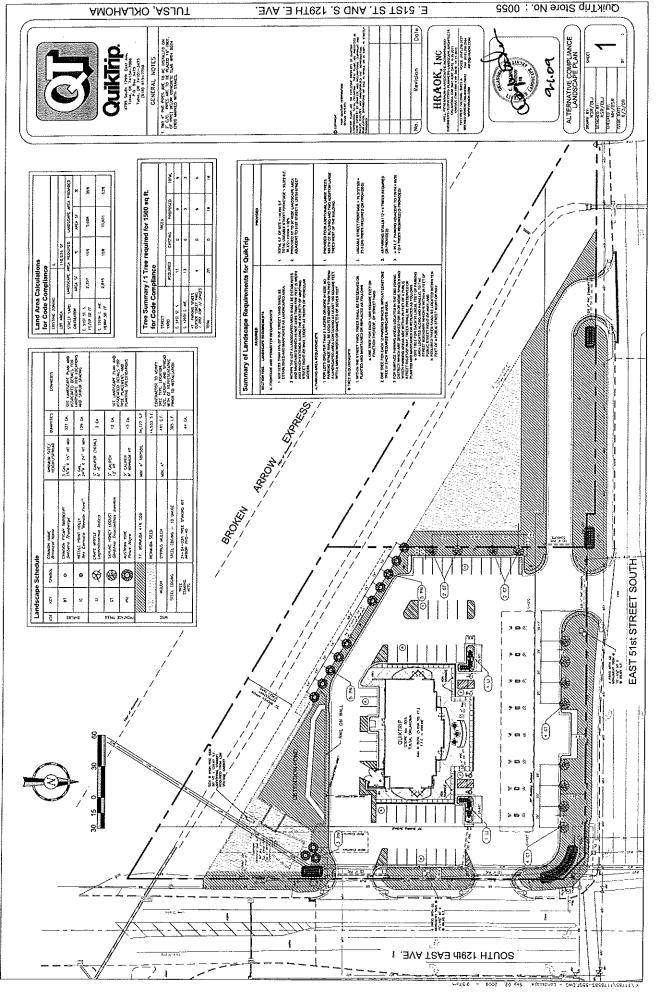
The applicant is seeking approval of an alternative compliance landscape plan at the above described location. The proposed landscape plan does not meet the technical requirements of Chapter 10 of the Zoning Code in that it fails to meet the required number of trees located in the street yards along 129<sup>th</sup> East Avenue and 51<sup>st</sup> Street South.

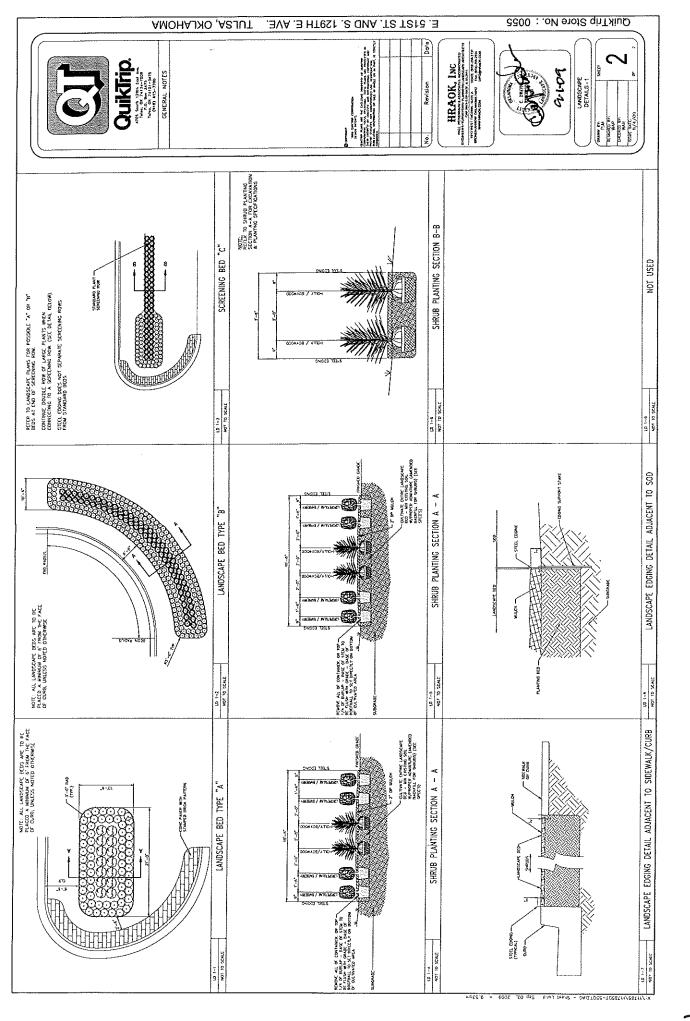
Street trees along the 129<sup>th</sup> East right-of-way (ROW) are limited by the presence of overhead power lines, an exiting outdoor advertising sign and by how much of the street frontage the access points will occupy as required by the Subdivision Regulations (approximately 33%). Also, there are significant underground waterlines and the presence of a sanitary sewer that could prevent the proper installation of irrigation as required by Chapter 10. Three trees will be planted within this street yard. The applicant is not seeking a waiver of the trees altogether and is proposing to plant the required trees along the Broken Arrow Expressway right-of-way.

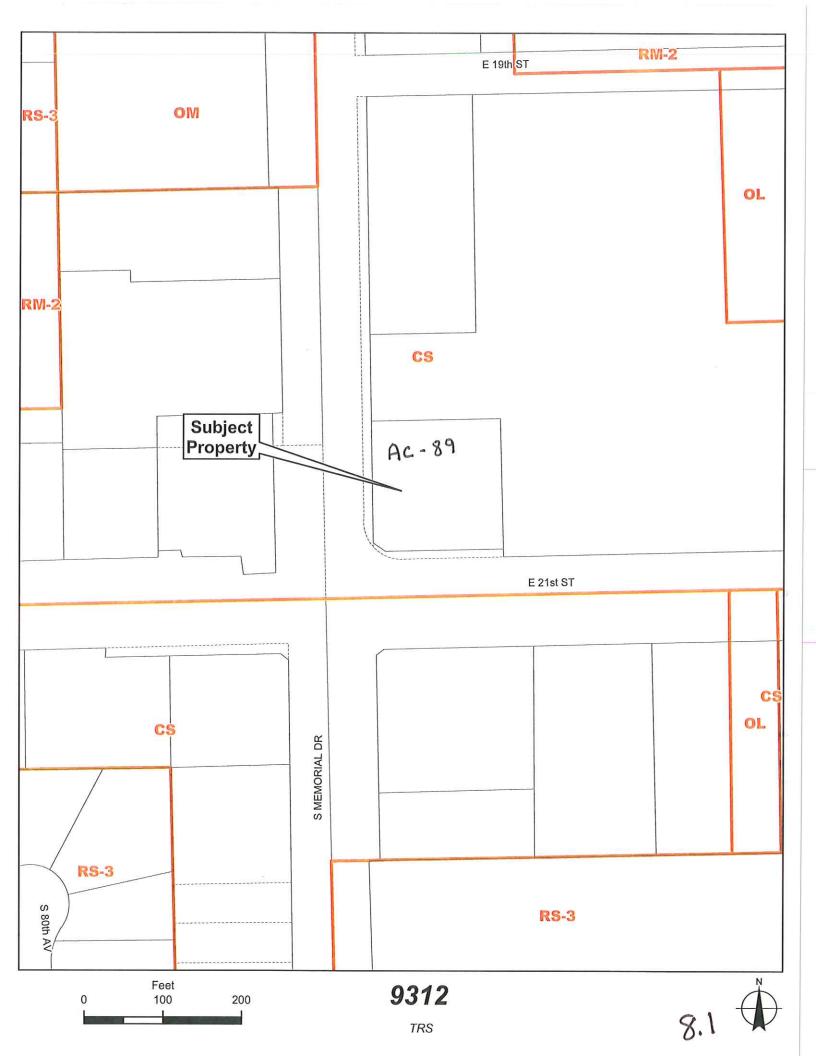
With respect to the 51<sup>st</sup> Street frontage the applicant is seeking to relocate three of the required trees along the frontage to the west side of the parking lot. The applicant is proposing to plant eight Honey Locust trees along the 51<sup>st</sup> Street frontage. The Honey Locust tree is known to achieve a canopy width of 25-35 feet wide which will allow eight trees to be planted on center along the frontage and still allow for each canopy to achieve full growth potential.

Additionally five planting beds will be installed containing 331 Crimson Pygmies, 129 Needle Point Hollies and two Crape Myrtles.

Staff contends that the proposed alternative compliance landscape plan will achieve the intent of Section 1000 of the Code. Also, it is staff's opinion that as required by Section 1003-D of the Code, the proposed plan meets or exceeds the technical requirements of Chapter 10 of the Code and therefore recommends APPROVAL of alternative compliance landscape plan AC-90.





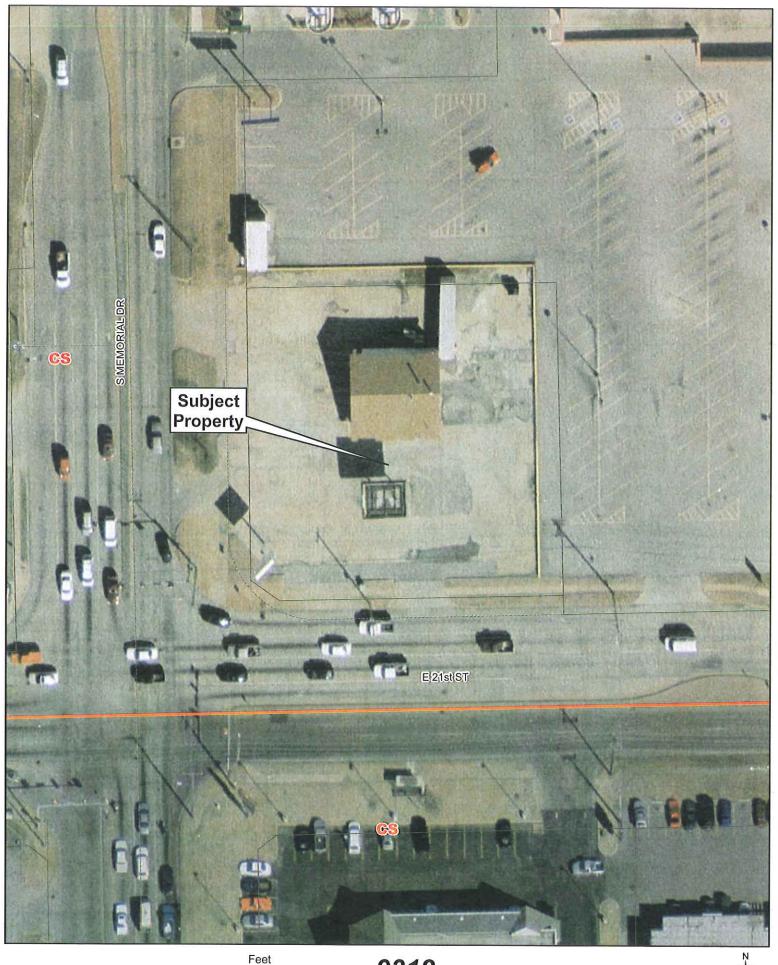




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#### STAFF RECOMMENDATION

AC-089: Alternative Compliance Landscape Plan – Northeast corner of

21<sup>st</sup> Street and South Memorial Drive; Part of lot 1, Block 9 – O'Connor Park; TRS 9312; CZM 38; Atlas 455; PD 5; CD 5; CS.

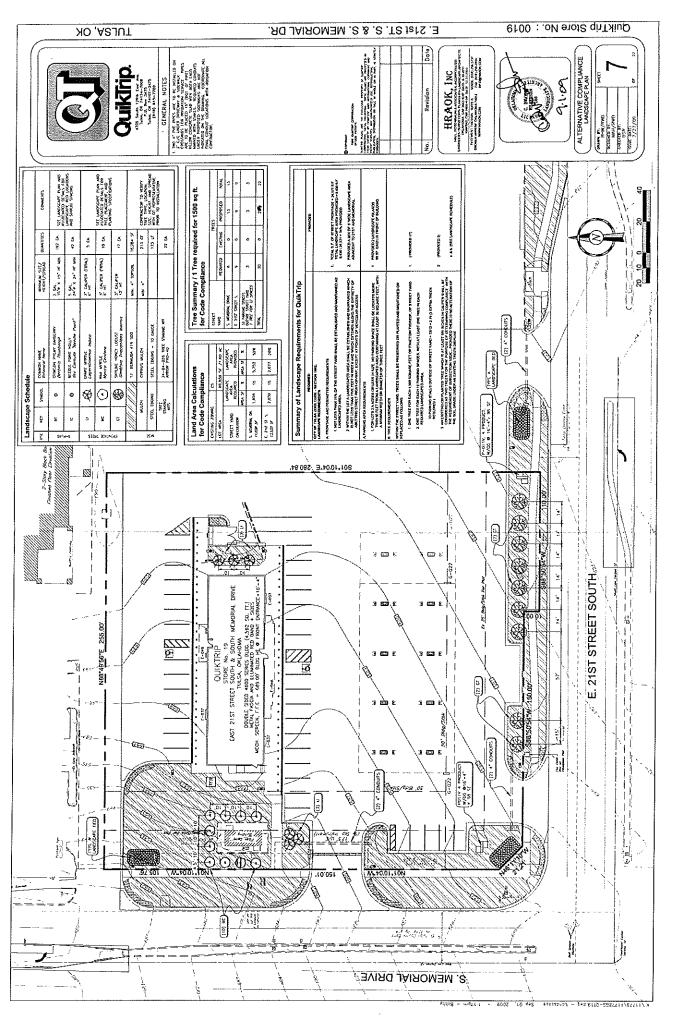
The applicant is requesting TMAPC approval of an alternative compliance landscape plan in conjunction with the construction of a new QuikTrip® (QT) store at the above described location. Referring to the attached case map aerial photograph, this project is an infill development proposal which will appears to greatly improve a currently vacant and under utilized CS zoned tract at a major intersection.

The proposed landscape plan does not meet the technical requirements of Chapter 10 of the Zoning Code in that there are not enough approved trees in the street yard along Memorial Drive. While the number of trees being planted will exceed the required amount by five trees, the proposed Wax Myrtles do not appear on the approved tree list within Chapter 10 of the Code. However, since these trees are known to grow to 20' in height with flowers at the extremities staff contends the Wax Myrtle is a viable alternative given the aesthetic improvement this will provide to the site over existing conditions.

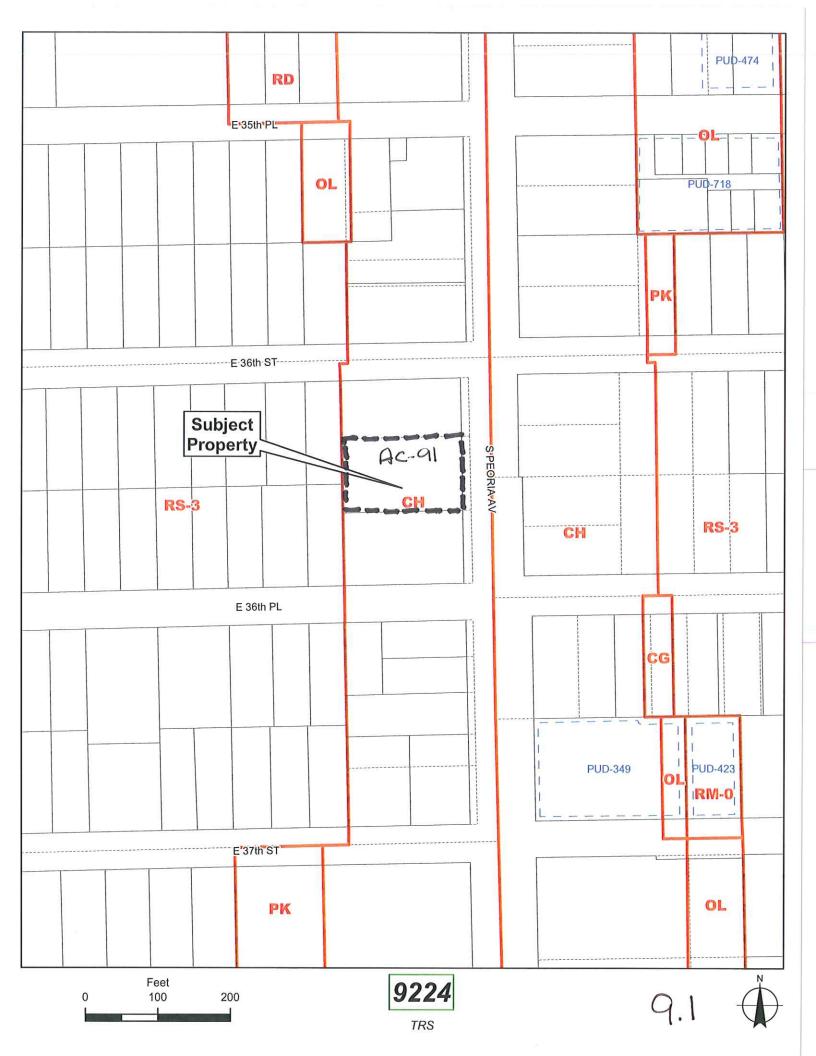
Also, four parking spaces at the back and four at the front of the store are not within 50' of a landscaped area. This is generally true of almost every QT store given the general design of the building with its very long rectangular shape. Since this represents eight spaces out of 40 proposed parking spaces staff does not view this as detrimental to the stated purposes of Section 1000 of the Code as stated below.

Section 1103-D of the Code states that the Planning Commission may review alternative compliance landscape plans and determine that, although not meeting the technical requirements of the chapter, it is equivalent to or better than the requirements of the Landscape Chapter of the Code. Staff has reviewed the proposed plan and believes that approval of the plan will not limit the reasonable preservation and replenishment of valued trees and vegetation within the city; the plan will still aid in establishing ecological balance by contributing to air purification, oxygen regeneration, ground water recharge and will not retard stormwater runoff; and can achieve a meaningful urban forest while permitting economically feasible urban development to occur (Section 1000-A, City of Tulsa Zoning Code).

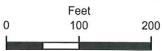
Therefore, staff recommends **APPROVAL** of alternative compliance landscape plan AC-89.



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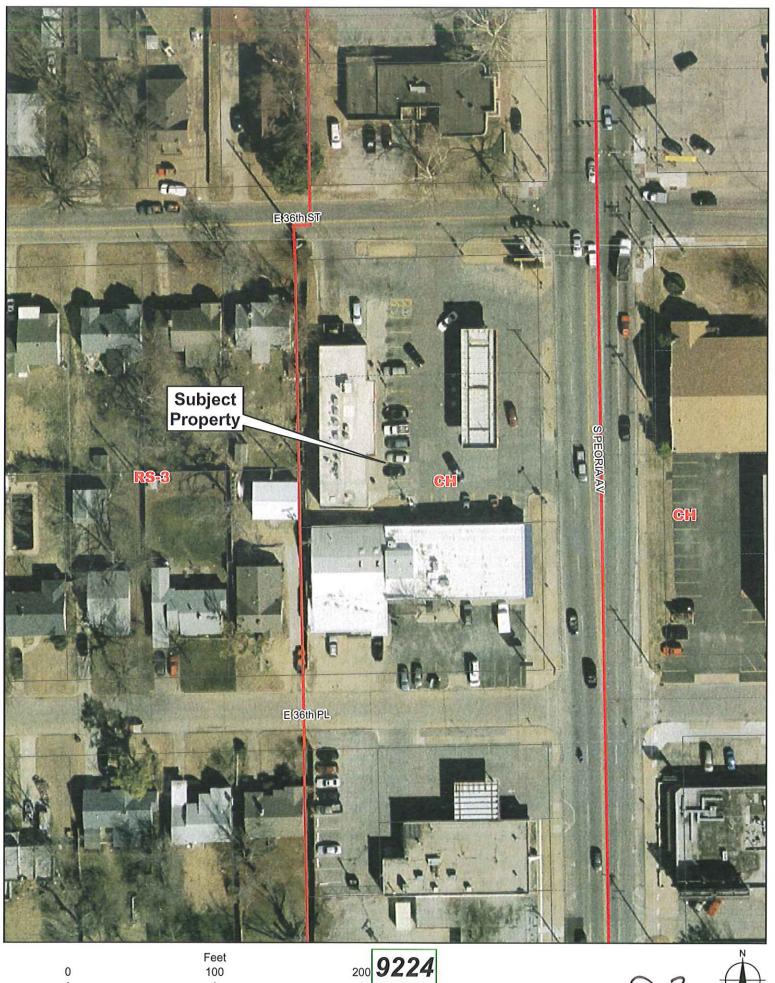






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### STAFF RECOMMENDATION

AC-091

Alternative Compliance Landscape Plan – Southwest corner of 36<sup>th</sup> Street South and South Peoria Avenue; Lots 5 - 7, Block 5 – Peoria Gardens Addition Amended; TRS 9224; CZM 46; Atlas 190; PD 6; CD 9; CH.

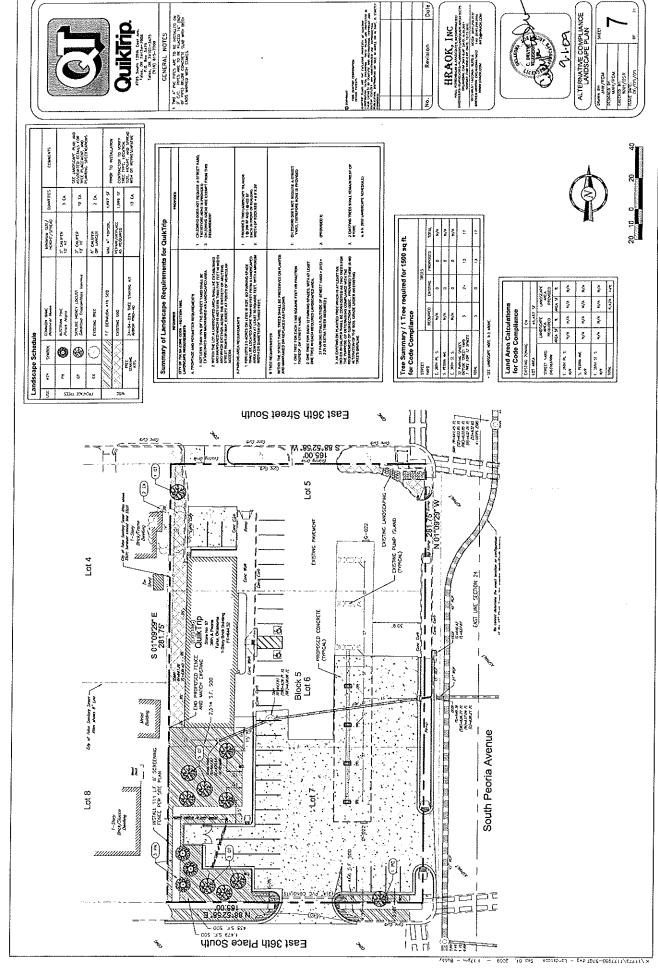
The applicant is seeking approval of an alternative compliance landscape plan for the remodel of the QuikTrip® lot located at the above referenced location. The proposed landscape plan does not meet the technical requirements of Chapter 10 of the Code in that four parking spaces at the front of the store will not be within 50-feet of a landscaped area as required by Section 1002, B-1 of the Code. This is true of many of the local QuikTrip stores given the long, narrow rectangular design of the stores.

This property is located in a CH district with no setback requirement from the street right-of-way (ROW). As a result, there is no street yard setback and therefore no required trees along the street frontage. The required trees for the lot are then limited to the requirement of Section 1002, C-2 which states there will be one tree planted for every 12 parking spaces provided. Since there are 32 parking spaces provided the tree requirements for the lot are limited to three trees.

In order to compensate for the spaces that are not within 50-feet of a landscaped area and in an effort to meet or exceed the requirements of Chapter 10 of the Code as prescribed by Section 1003, D of the Code, the applicant is proposing to install 13 new trees on the lot. In addition, the applicant will preserve two large mature trees along the west boundary of the site.

Staff feels that the proposed plan fulfills the intent and purpose of Section 1000 of the Landscape Chapter of the Code. In addition it is staff's opinion that the proposed plan meets or exceeds the technical requirements of Chapter 10 of the Code and therefore recommends **APPROVAL** of alternative compliance landscape plan AC-91.

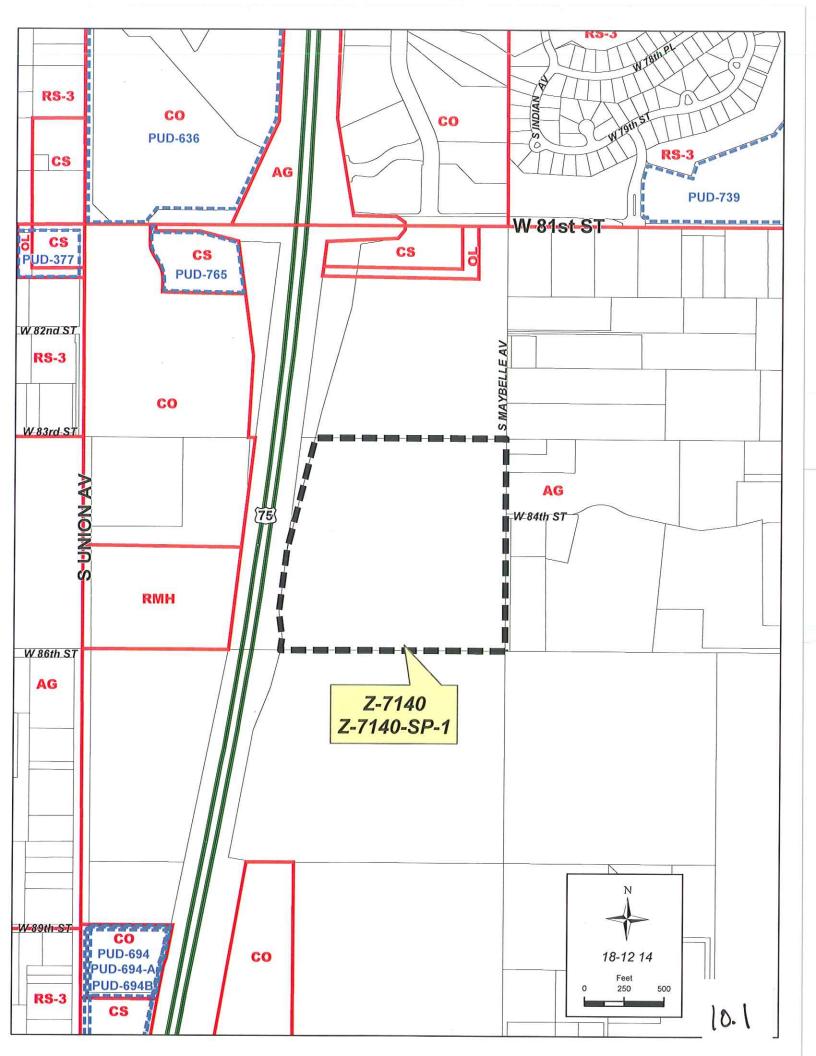
QuikTrip Store No.: 0057



E. 36TH ST. AND S. PEORIA AVE.

TULSA, OKLAHOMA

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### TULSA METROPOLITAN AREA PLANNING COMMISSION CASE REPORT

**APPLICATION:** Z-7140/Z-7140-SP-1

TRS 8214 Atlas 1584

CZM 51 PD-8 CD-2

**TMAPC Hearing Date:** September 23, 2009 \*continued from 9/2/09 for proper posting of legal

notice on property

Applicant: Roy Johnsen Tract Size: 41.02+ acres

ADDRESS/GENERAL LOCATION: South of southwest corner of South Maybelle Avenue

and West 81st Street South

EXISTING ZONING: AG EXISTING USE: Vacant

PROPOSED ZONING: CO PROPOSED USE: Residential

ZONING ORDINANCE: Ordinance number 11827 dated June 26, 1970, established zoning for

the subject property.

### **RELEVANT ZONING HISTORY:**

<u>Z-7116/PUD-765 February 2009:</u> All concurred in approval of a request for rezoning a 4.64± acre tract of land from AG to CS/PUD for retail use on property located on the southwest corner of Highway 75 South and West 81<sup>st</sup> Street South.

<u>Z-7115/Z-7115-SP-1 February 2009:</u> All concurred in approval of a request for rezoning a 25.97<u>+</u> acre tract of land from AG to CO and a Corridor Site Plan for mixed use development with retail, office, hotel and multifamily, on property located at the southwest corner of Highway 75 South and West 81<sup>st</sup> Street South and northwest of subject property.

<u>BOA-20857 February 10, 2009:</u> The Board of Adjustment accepted a verification of spacing requirement between outdoor advertising signs subject to the action of the Board being void should another outdoor advertising sign be constructed prior to this sign per surveyor's certificate on page 10.6, on property located at the southeast corner of West 81<sup>st</sup> Street and Highway 75 and abutting north of subject property.

<u>Z-7083/Z-7083-SP-1 January 2008:</u> All concurred in approval of a proposed Corridor Site Plan on a 12± acre tract of land for the Tulsa Hills South development including multiple commercial, mixed use developments on property located on the northeast corner of West 91<sup>st</sup> Street South and U. S. Highway 75.

<u>PUD-739 June 2007:</u> All concurred in approval of a proposed Planned Unit Development on a 25± acre tract of land for a single-family development on property located on the northwest corner of West 81<sup>st</sup> Street South and South Elwood Avenue.

PUD-694-B/Z-6916-SP-3 January 2007: All concurred in approval of a proposed Major Amendment to a Planned Unit Development on a 8.3± acre tract of land to reallocate and approve Use Unit 21 from Development Area A (Lot 1) to Development Area B (Lot 2) in order

- to meet the 1,200 foot spacing requirement for an outdoor advertising sign, on property located north of the northwest corner of West 91<sup>st</sup> Street and Highway 75 South.
- **Z-7008-SP-1/Z-6966-SP-1/Z-6967-SP-1 March 2006:** All concurred in approval of a Corridor Site Plan on 176± acres to permit a regional shopping center known as the Tulsa Hills site with a total of 1,554,194 square feet of maximum building floor area approved at a .25 floor area ratio, on property located east of US Highway 75 between West 71<sup>st</sup> and West 81<sup>st</sup> Streets.
- <u>PUD-694-A/Z-6916-SP-2 September 2005:</u> A request for a major amendment to a PUD on a 4.61<u>+</u> acre tract to allow a Use Unit 16 to permit a mini storage was approved on property located north of the northwest corner of West 91<sup>st</sup> Street and Highway 75 South.
- <u>Z-6916/PUD-694 December 2003:</u> Approval was granted for rezoning request and a PUD on property located north of the northwest corner of West 91<sup>st</sup> Street and Highway 75 South. CS zoning was approved on the south 467' of the subject property and CO zoning was approved on the balance. PUD-694 was also approved subject to Use Unit 15 being removed as an allowable use.
- PUD-636/Z-5457-SP/Z-4825-SP October 2000: All concurred in approval for a proposed Planned Unit Development, on a 108± acre tract of land for a mixed use development including single-family townhouse dwellings, multifamily and commercial uses subject to conditions of the PUD located on the northwest corner of West 81<sup>st</sup> Street South and South Highway 75.
- <u>Z-4948-SP-3 March 2000:</u> All concurred in approval of a proposed Corridor Site Plan on a 7.26± acre tract of land to allow Use Unit 9 to place a 14'x70' mobile home on the site for residence for an employee/security/additional office and storage space, on property located south of the southeast corner of West 81<sup>st</sup> Street South and South Union Avenue and abutting west of subject property across Highway 75.
- **Z-4948-SP-2 January 1999:** Staff recommended denial of a proposed Corridor Site Plan on a 4.7± acre tract of land allowing Use Unit 21 for an outdoor advertising sign, on property located south of the southeast corner of West 81<sup>st</sup> Street South and South Union Avenue and abutting west of subject property across Highway 75. The TMAPC and City Council concurred in approval of the application.
- <u>Z-4948-SP-1 October 1985:</u> All concurred in approval of a proposed Corridor Site Plan on a 14.94± acre tract of land allowing Use Units 11 and 15 for an x-ray company, on property located south of the southeast corner of West 81<sup>st</sup> Street South and South Union Avenue and abutting west of subject property across Highway 75.
- <u>Z-5993/PUD-377 November 1984:</u> All concurred in approval of request for rezoning a 2.06± acre tract of land from RS-3 to OL/CS/PUD and a proposed Planned Unit Development for a printing and graphic art reproduction & associated sales business on property located on the southwest corner of West 81<sup>st</sup> Street South and West Union Avenue.

### AREA DESCRIPTION:

<u>SITE ANALYSIS:</u> The subject property is approximately 41.02± acres in size and is located south of southwest corner of South Maybelle Avenue and West 81<sup>st</sup> Street South. The property appears to be vacant and is zoned AG.

### STREETS:

Exist. Access South Maybelle Avenue MSHP Design

MSHP R/W

Exist. # Lanes

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

SURROUNDING AREA: The subject tract is abutted on the east by largely vacant land, zoned AG with residential single-family uses along Maybelle Ave.; on the north by vacant land, zoned AG; on the south by vacant land, zoned AG; and on the west by U.S. 75.

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The District 8 Plan, a part of the adopted Comprehensive Plan for the Tulsa Metropolitan Area, designates this area as being within a Corridor, a designation generally for higher intensity types of development. According to the Zoning Matrix, the requested CO zoning is in accord with the Plan.

STAFF RECOMMENDATION FOR ZONING:
Staff has some concerns regarding new single-family residential development within areas that were originally planned for more intense development, typically mixed uses. If approved, this application may be setting the precedent for no or limited medium intensity uses on the north. south and east of the property in the future. Conversely, should medium intensity developments be approved adjacent to this site in the future, there is the potential to adversely affect this development. However, if the TMAPC deems the accompanying Corridor Site Plan appropriate, staff can recommend APPROVAL of CO zoning for Z-7140.

### STAFF RECOMMENDATION FOR CORRIDOR SITE PLAN:

Corridor District Site Plan #Z-7140-SP-1, also known as Hyde Park, is a 41.02 gross acre tract Concurrently with this application is re-zone application #Z-7140. (39.49 net acres). requesting a change from AG zoning to Corridor (CO) zoning. Approval of this Corridor plan would be contingent upon the TMAPC approving the aforementioned rezone request.

Existing topography of the site is gently rolling with the high point of the property having an elevation of 717' and located in the south central portion of the project site. The site gently slopes from the high point to three low points located at the northeast, southeast and southwest corners of the site with elevations of 680', 681' and 690' respectively. Based on discussions with the City Stormwater Management team, three on-site detention facilities are required each being located in the general area of the site's low points. Exhibit A depicts a pond in the northeast corner of the site. This pond is proposed to maintain a static water level and will serve as an amenity and aid in necessary on-site detention. The detention facilities located in the southeast and southwest portions of the property are proposed as dry detention ponds.

Referring to Exhibit A, the proposed corridor district plan is for a single-family residential development with a maximum of 185 dwelling units in two development areas and private streets. Development Area A would have 55' x 100' lots while Development Area B would have 45' x 100' lots.

Principal access to the development would be from Maybelle Avenue with a secondary point of access in the southwest portion of the site that will have a crash gate providing only restricted

emergency access to a future roadway. Per TAC recommendation, Maybelle Avenue will be improved to City Standards and sidewalks required along Maybelle Avenue and on both sides of interior streets per subdivision regulations.

Staff understands that the intent of the developer is to have smaller sized, low maintenance lots while providing maximum common open space with amenities such as a pool and pool/house, tennis courts, putting green, water features, landscaping and walking trails. There will be a fully screened area located in the northeast corner of the site that will have a maintenance barn and small amount of associated parking for use in storing the equipment necessary to maintain the common/open spaces. A homeowners association will be formed responsible for the maintenance of all common areas including private streets.

A 6' privacy wall would surround the site with an 8' section along Highway 75 used as a buffer. The section along Highway 75 would be of masonry construction with the remainder being wood and masonry.

The Corridor Site Plan is submitted to establish a conceptual site plan with designation of development areas, allocation of uses and intensity of uses, development standards and use conditions. The entire site will be platted and will be submitted to and approved by the Tulsa Metropolitan Area Planning Commission and accepted by the Tulsa City Council, and constitute the required detail site plan. Detail site plan review will be required for the perimeter wall/fence, the entry gate and guard house if proposed, the pool and pool house, and the proposed maintenance barn.

Staff has reviewed the proposal, conducted site visits and has some reservations about residential development within districts that are targeted by the Comprehensive Plan as being planned for more intensive, mixed use developments under the corridor designation. While residential development is permitted in CO districts and this proposal is well within the limits of density permitted for residential uses in the Corridor District, approval of this application may limit future medium to high intensity development to the north and south. Also, the future approval of medium to high intensity development adjacent to this site could have a negative impact on this development.

However, staff does recognize the following factors specific to this site:

- The amount of commercial development approved along Highway 75, from the Interstate-44/U.S. Highway 75 interchange to West 81<sup>st</sup> Street South, including the Tulsa Hills Regional Shopping Center. Residential development would seem appropriate to help further support these areas;
- · Proximity to larger-lot, residential single-family development to the east and northeast; and
- That the approximate 51-acre tract located south of the subject tract, at the northeast corner of U.S. Highway 75 and West 91<sup>st</sup> Street South is owned by the Jenks Public Schools and is targeted for new school construction. With the approval of development on the subject tract, construction of a public school on the "Jenks" tract, combined with the amount of commercial development approved in this corridor area, proposed commercial development of the lot between the subject property and the "Jenks" tract could become very limited and would receive great scrutiny.

10.6

Based on the factors cited above, staff can support this application. Based upon the proposed Concept Plan staff finds Z-7041-SP-1 to be: (1) in harmony with the existing development of surrounding areas; (2) a unified treatment of the development possibilities of the site given the surrounding approved developments; and (3) consistent with the stated purposes and standards of the CO Chapter of the Zoning Code.

Therefore, staff recommends **APPROVAL** of Z-7140-SP-1 contingent upon approval of rezone application Z-7140 and subject to the following conditions as modified by staff:

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

Land Area: 41.02 gross acres

39.49 acres (Net)

Maximum Number of Dwelling Units: 185/4.51 DU per acre

### **DEVELOPMENT AREA A - GARDEN HOMES**

### Permitted Uses:

Uses permitted by right in Use Unit 6, Single-Family Dwelling; and Use Unit 5, Community Services and similar uses and uses customarily incidental to permitted principal uses.

Maximum Number of Dwelling Units: 145

Minimum Livability Space Per Dwelling Unit: 2,000 sq. ft.\*

\*Livability Space is defined as open space not used for parking or drives. Parking or drives located between the front lot line and building setback line shall count against livability space.

Minimum Lot Size: 5,500 sq. ft.

Minimum Lot Frontage: 55 feet

Setbacks:

Front Yard: 20 feet

Side Yards: 0 ft/10 ft. or 5 ft./5 ft.

Side Yard abutting private street: 15 feet\*\*

Rear Yard: 15 feet

### Maximum Building Height:

35 feet\*\*\*

10.7

<sup>\*\*</sup>Garage openings shall not be permitted to face the 15 foot building setback.

<sup>\*\*\*</sup> 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.

### SIGNS:

One monument style sign permitted at the principal entry of the development not to exceed 8' in height or 64 sf. of display area *or*, 2 signs on each side of the entry each not exceeding 8' in height and 32 sf. in display area. The sign or signs may be incorporated into the perimeter wall.

### **DEVELOPMENT AREA B - PATIO HOMES**

### **Permitted Uses:**

Uses permitted by right in Use Unit 6, Single-Family Dwelling; and Use Unit 5, Community Services and similar uses and uses customarily incidental to permitted principal uses.

Maximum Number of Dwelling Units: 40

Minimum Livability Space Per Dwelling Unit: 2,000 sq. ft.\*

\* Livability Space is defined as open space not used for parking or drives. Parking or drives located between the front lot line and building setback line shall count against livability space.

Minimum Lot Size: 4,500 sq. ft.

Minimum Lot Frontage: 45 feet

### Setbacks:

Front Yard 20 feet

Side Yards 0 ft/10 ft. or 5 ft./5 ft.

Side Yard abutting private street 15 feet\*\*
Rear Yard 15 feet

### **Maximum Building Height:**

35 feet\*\*\*

SIGNS: No signs permitted in Area B

### RESERVE A

### **Permitted Uses:**

Open space and recreational uses, such as: swimming pool, clubhouse, tennis courts, putting green, and associated parking, passive and active open space, stormwater detention facilities.

<sup>\*\*</sup>Garage openings shall not be permitted to face the 15 foot building setback.

<sup>\*\*\*</sup> 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.

### **RESERVE B**

### Permitted Uses:

Passive and active open space, stormwater detention facilities, maintenance barn/facility and associated parking and landscaped entryways.

### RESERVE C

### **Permitted Uses:**

Passive and active open space, stormwater detention facilities and landscaped entryways.

### **CONDITIONS FOR DEVELOPMENT AREAS A AND B:**

### OFF-STREET PARKING:

As required per applicable use unit of the City of Tulsa zoning code.

### **ACCESS AND CIRCULATION:**

Access shall be provided in substantial conformance with the Conceptual Site Plan, Exhibit "A" (dated August 4, 2009). Sidewalks shall be provided on both sides of all interior streets, and the west side of Maybelle Avenue within the project limits per subdivision regulations

- 4. No building permit shall be issued until the 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 and conditions of approval and making the City beneficiary to said covenants that relate to PUD conditions. Approval of the final plat shall serve as the detail site plan approval for individual lots containing single-family dwellings only.
- 5. No sign permits shall be issued for erection of a sign within the development until a detail sign plan has been submitted to the TMAPC and approved as being in compliance with the approved PUD development standards.
- 6. 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.
- 7. 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.
- 8. 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.

- 9. 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.
- 10. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC and contained below.
- 11. Entry gates and/or guardhouses, if proposed, as well as perimeter walls, pools and pool house, maintenance barn and associated parking 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.
- 12. Approval of the PUD is not an endorsement of the conceptual layout. This will be done during the subdivision platting process.

### TAC COMMENTS:

General: No comments.

<u>Water</u>: A water main line must be extended along the whole property frontage along the eastside. A looped water main line must be installed for the water services and fire protection of all lots.

<u>Fire</u>: Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

### **Exceptions:**

- 1. For Group R-3 and Group U occupancies, the distance requirement shall be 600 feet (183 m).
- 2. For buildings equipped throughout with an approved automatic sprinkler system the distance requirement shall be 600 feet.

Concerning the south loop, developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with separate and approved fire apparatus access roads.

### **Exceptions:**

- 1. Where there are more than 30 dwelling units on a single public or private access way and all dwelling units are protected by approved residential sprinkler systems, access from two directions shall not be required.
- 2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.

Where two access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

Added by staff based on comments at TAC meeting: Street layout per conceptual site plan 'Exhibit A' acceptable with respect to emergency access.

**Stormwater**: No comments.

<u>Wastewater</u>: Sanitary sewer service must be provided for all lots within the proposed development. The mainline extension must be sized to handle the anticipated flow from the entire basin.

<u>Transportation</u>: Maybelle must be upgraded to its full width in accordance with Major Street and Highway Plan and per City of Tulsa design standards. Not enough information is available on the internal streets. Are the internal streets private or public? In the Development standards include reference to pedestrian access and circulation and include sidewalks.

### **INCOG Transportation**:

- MSHP: U.S. 75 between 81<sup>st</sup> St. S. and 91<sup>st</sup> St. S. is a designated freeway. S. Maybelle Avenue is a designated residential collector.
- LRTP: US-75, between 81<sup>st</sup> St. S. and 91<sup>st</sup> St. S., planned 6 lanes. S. Elwood, between 81<sup>st</sup> St. S. and 91<sup>st</sup> St. S., existing 2 lanes. Sidewalks should be constructed if non-existing or maintained if existing, per Subdivision Regulations.
- TMP: No comment.
- Transit: Currently, Tulsa Transit operates existing route on W. 81<sup>st</sup> St. S., from Union Avenue to ½ a mile east. 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.

<u>Jones Airport Authority</u>: Applicant must submit construction evaluation air study to FAA and receive approval prior to commencement of construction or issuance of building permits. Include navigation note/notice on plat.

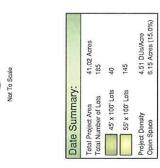
GIS: No comments.

Street Addressing: No comments.

09/02/09

Conceptual Site Plan





# EXHIBIT'A' yde Park Fulsa Hills



Surrounding Aerial Plan

### Location Map P. 12-E P. 12-E Socion 14 Tulas County Tulas County 165 Lots - 41.02 Acres Not To Scalo

### Hyde Park at Tulsa Hills

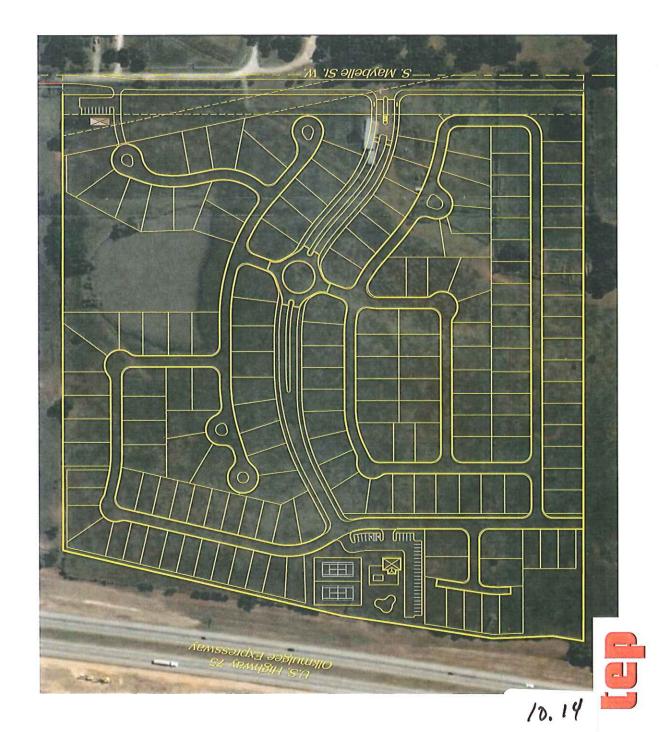






# EXHIBIT'C' yde Park Tulsa Hil

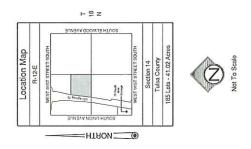
## Site Aerial with Conceptual Site Plan

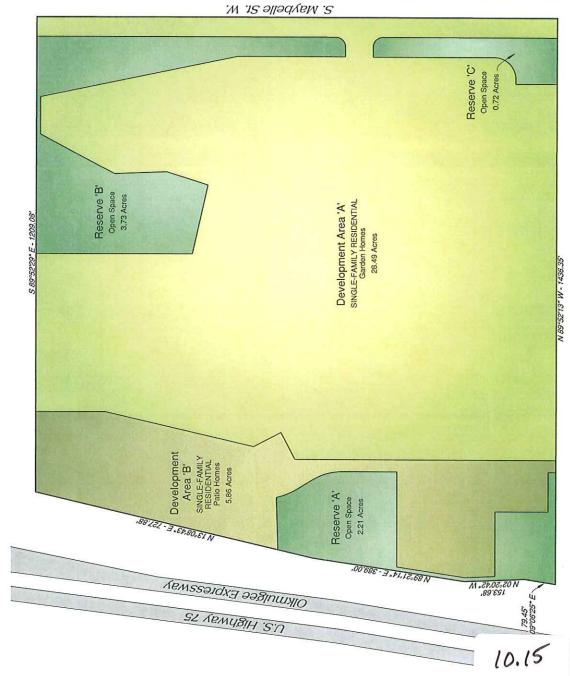


Development Area Plan

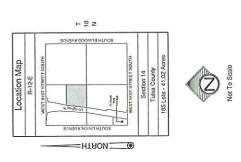
### Hyde Park t Tulsa Hills

### EXHIBIT 'D'



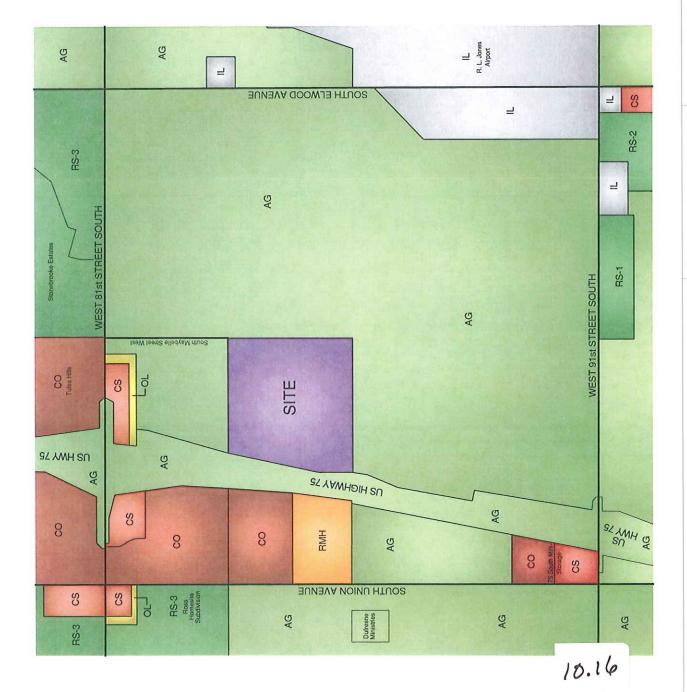






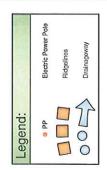
# EXHIBIT 'E'

# Surrounding Zoning and Land Use Plan

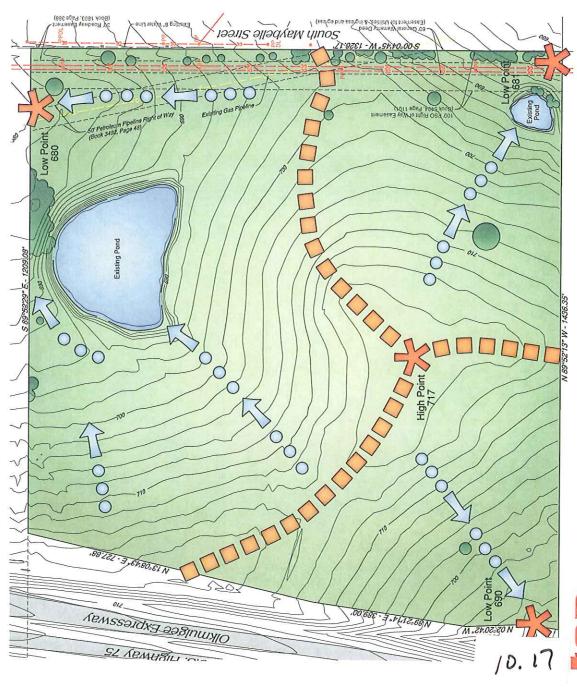


Existing Conditions Plan





## EXHIBIT F. yde Parl Tulsa Hil





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PLANNING DEPARTMENT

Community Development and Education Division 175 East 2nd Street, Suite 570 Tulsa, OK 74103-3216 e-mail: planning@cityoftulsa.org

June 16, 2009

Dane Matthews
Tulsa Metropolitan Area Board of Adjustment
Williams Tower II
Two West Second Street, Suite 800
Tulsa, Oklahoma 74103

Dear Ms. Matthews,

Tulsa Preservation Commission requests that Tulsa Metropolitan Area Planning Commission hold a public hearing on a proposed zoning text amendment regarding quorum requirements. A quorum for the Preservation Commission is presently established in Title 42 Tulsa Revised Ordinances, Chapter 10A, Section 1052.J, as follows:

J. Quorum. Seven members of the Preservation Commission shall constitute a quorum for the transaction of business, except that in the matter of Certificate of Appropriateness reviews and action, there shall be at least four members, of the seven, from the Professional Group in the quorum.

When the Preservation Commission has difficulty obtaining a quorum, Certificate of Appropriateness applicants are negatively impacted. The Preservation Commission wishes to eliminate the application of the "Professional Group" requirement from the quorum provision. This could be easily accomplished by removing the language which is shown as strikeout below.

J. Quorum. Seven members of the Preservation Commission shall constitute a quorum for the transaction of business, except that in the matter of Certificate of Appropriateness reviews and action, there shall be at least four members, of the seven, from the Professional Group in the quorum.

This recommended language was approved by the Preservation Commission on June 11, 2009. The Preservation Commission requests that the Planning Commission reviews the proposed change forwards its recommendation to City Council. Please contact staff at (918) 576-5669. We look forward to hearing from you.

Sincerely,

Amanda DeCort, Preservation Planner

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WILLIAMS TOWER II. SUITE 800

TWO WEST SECOND STREET 74103

918.584.7526 • FAX 918.583.1024

### MEMORANDUM

TO:

TMAPC MEMBERS

FROM:

DANE MATTHEWS, AICP

DATE:

**SEPTEMBER 23, 2009** 

SUBJECT:

PORTABLE LATRINE PUBLIC HEARING

In response to the City Council's request by consensus to study the possibility of requirements for screening portable latrines ("Porta-Potties", "Porta Johns", etc.), staff has conducted research and found the following issues to be relevant:

- 1. If screening is to be required, how, by what materials and who would enforce these requirements?
- 2. Where may these latrines be placed on a property? This is directly related to the ability of the contractor to provide cleaning service to the unit(s) and the accessibility of the latrines to the contractor.
- 3, Length of time in place what is reasonable?
- 4. Design of units relates to exterior appearance, environmental conditions, industrial standards (need for sealing and placement above water tables); ADA requirements
- 5. Alternatives to portable latrines and screening
- 6. If requirement is passed, how enforced and who enforces?
- 7. In what zoning categories is any regulation to be applicable? Only residential?
- 8. What permits are currently required (through the City/County Health Department at this time)? What, if any, additional permits should be required?

These and other issues will be discussed at the September 23, 2009 TMAPC public hearing. Providers and other interested parties have been notified. Please feel free to call me if you have questions. Thanks in advance.

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