TULSA METROPOLITAN AREA PLANNING COMMISSION  
For Meeting No. 2585  
September 7, 2010, 4:00 PM  
175 East 2nd Street, 2nd Level, One Technology Center  
Tulsa City Council Chamber  

CONSIDER, DISCUSS AND/OR TAKE ACTION ON  

Call to Order:  

REPORTS  

Chairman's Report:  

Worksession Report:  

Director's Report:  

Review of TMAPC Receipts for the Month of July 2010  

1. Minutes of August 18, 2010, Meeting No. 2584  

CONSENT AGENDA  

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

2. LC-274— Sisemore Weisz & Associates, Inc. (9317) Lot-Combination  

   West of the Southwest corner of East 21st Street South and South Harvard Avenue (related to Items 3 & 4)  


   West of the Southwest corner of East 21st Street South and South Harvard Avenue (related to Items 2 & 4)  

4. LC-275— Sisemore Weisz & Associates, Inc. (9317) Lot-Combination  

   Southwest corner of East 21st Street South and South Harvard Avenue (related to Items 2 & 3)  

5. LC-276— Sisemore Weisz & Associates, Inc. (9324) Lot-Combination  

   Northeast corner of East 41st Street South and South Memorial Drive  

6. LS-20394— White Surveying Company (0235) Lot-Split  

   North of the Northeast corner of West Latimer Street and North Cheyenne Street (Related to Items 7 & 8)  

7. LC-277— White Surveying Company (0235) Lot-Combination  

   North of the Northeast corner of West Latimer Street and North Cheyenne Street (related to Items 6 & 8)  

8. LC-278— White Surveying Company (0235) Lot-Combination  

   North of the Northeast corner of West Latimer Street and North Cheyenne Street (Related to Items 6 & 7)  

9. LC-279— Dale Chronister (9204) Lot-Combination  

   Northeast corner of West 7th Street South and South 46th West Avenue  

CD-9  

CD-9  

CD-9  

CD-9  

CD-5  

CD-1  

CD-1  

CD-1  

CD-1  

CD-1  

CD-1
10. **LS-20395** – Dean Solberg (8321) Lot-Split
   South of East 91st Street South and South Toledo Avenue

11. **Stone Lake – Phase 1 (formerly known as Solow Ranch – Phase 1)**
    Final Plat – (2334)
    East of Southeast Corner of North Yale Avenue and East 136th Street North

12. **PUD-595-B-3/Z-5970-SP-5c** – Brian Ward/Aloft Hotel
    North of the northwest corner of 71st Street South and US 169 (Minor Amendment to allow two roof signs, increase the permitted display surface area from 1 square foot per lineal foot of building wall to 2 square foot and to increase the permitted display surface area for a canopy sign from 1 square foot per lineal foot of building wall to 6.52 square foot.)

13. **PUD-268-B – Todd Werndli/Oklahoma Heart**
    South of the southwest corner of 91st Street South and South Mingo Road (Detail Site Plan for a 7,376 square foot addition to an existing medical office.)

    West of the southwest corner of 81st Street South and Riverside Drive (Minor Amendment to reduce the required parking from 63 spaces to 59 spaces.)

15. **PUD-489-11 – Kristopher Koepsel/71 Mingo Center**
    Northeast corner of 71st Street South and South Mingo Road (Minor Amendment to transfer excess floor area from one lot to another.)

16. **PUD-411-D-2 – John Trinder/Bill Knight Ford**
    Southeast corner of Memorial Drive and the Creek Turnpike (Minor Amendment to permit a temporary trailer on an automotive dealership lot for a period of one year.)

17. **PUD-511-2 – Tulsa Engineering & Planning/Tim Terral/Helmrich Estates**
    East of the northeast corner of 31st Street South and South Peoria (Minor Amendment to increase the driveway coverage of the required front yard from 17% to 25%.)

18. **PUD-370-B – Duvall Architects**
    South of the southwest corner of 101st Street South and South Memorial Drive (Detail Site Plan for a 4,940 square foot office building.)

**CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA**

**COMPREHENSIVE PLAN PUBLIC HEARING**

19. Public Hearing to consider adopting the Downtown Area Master Plan Map and Text, a part of the Comprehensive Plan for the Tulsa Metropolitan Area. (Resolution No. 2585:901)
PUBLIC HEARINGS

20. **Stavros Corner** – (8406) Preliminary Plat
   South of the southeast corner of East 62nd Street South and South Mingo

21. **Dirty Butter – Heritage Hills Extension** – (0225) Preliminary Plat
   Northwest corner of Virgin and Hartford (Staff requests a continuance to 9/15/2010 for further review of floodplain issues.)

22. **Tuscany Hills at Nickel Creek** – (8211) Preliminary Plat
   North of West 81st Street South and East of South Union Avenue

23. **DOA-21128** – (0327) Plat Waiver
   6304 East Apache Street North

24. **Z-7155** – (0327) Plat Waiver
   1917 and 1919 North Fulton Avenue

25. **PUD-779** – (9426) Plat Waiver
   South of East 41st Street South and West of South 177th East Avenue
   (Related to Item 26.)

   South of southwest corner of East 41st Street and South 177th East Avenue
   (PUD to reflect what the applicant describes as market demand for three car garages and associated extra wide driveway to accommodate the garage.) (Related to Item 25.)

27. **Z-7158/PUD-737-A – Jim Litchfield/Stratford Ridge**
   Southeast corner of East 11th Street and South 161st East Avenue
   (Abandonment of PUD-737 and rezone to AG zoning.) (Continued from 7/21/10, 8/3/10 and 8/18/10)

28. **Z-7157/PUD-778 – DeShazo, Tang & Assoc./Hendrix Properties**
   Northwest corner East 101st Street and South Garnett Road (PUD proposes a two lot, one block subdivision. Lot 1 proposes personal office/warehouse building for applicant, Lot 2 proposes two sports activity buildings for a private volleyball club.) (Continued from 9/7/10)

29. **PUD-628-B/Z-6467-SP-6 – Roy D. Johnsen/Care**
   North of northeast corner of South Mingo Road and US 169 (Major Amendment to add a veterinarian clinic only as provided within Use Unit 14 – Shopping Goods and Services on Lot 2 only.)

30. **PUD-728-A – Roy D. Johnsen/Tulsa**
   Southwest corner of East 12th Street and South Trenton Avenue (Major Amendment proposes the addition of hospital use within Use Unit 5 – Community Services and Similar Uses as a permitted use within Area One.)
31. **PUD-759-3 – Tanner Consulting, LLC/Crestwood at the River, LLC**

Northwest corner of 121st Street South and South Sheridan Road (Minor Amendment to reduce building setback, landscape buffer, establish building height limitations and limit the use of the westernmost 160’ of Development Area B to office use.)

**OTHER BUSINESS**

32. **Commissioners’ Comments**

**ADJOURN**

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 cell phones and pagers 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.

**TMAPC Mission Statement**
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Final Subdivision Plat

Stone Lake – Phase 1 (formerly known as Solow Ranch – Phase 1) - (2334) (County)
East of the Southeast Corner of North Yale Avenue and East 136th Street North

This plat consists of 23 Lots, in 6 Blocks, on 22.70 acres.

Staff recommends APPROVAL of the Final Plat. All release letters have been received.
September 7, 2010

STAFF RECOMMENDATION

PUD-595-B-3/Z-5970-SP-5c: Minor Amendment – North of the northwest corner of 71st Street South and US 169; Lot 4, Block 1 – Homecenter Amended; TRS 18-14-06; CZM 54; Atlas 996; CD 7; CO/PUD.

The applicant is requesting a minor amendment to allow two roof signs, increase the permitted display surface area (dsa) for wall signs on the east elevation only from one (1) square foot (sf) per lineal foot of building wall (lfbw) to 2 sf/lfbw, and an increase in the permitted display surface area for a canopy sign from 1 sf/lfbw to 6.52 sf/lfbw (see attached case photographs and sign plans). These signs have been installed.

On August 10, 2010 the City of Tulsa Board of Adjustment (BOA) in case #21104 granted variances for the aforementioned siting the location of the hotel and the perceived difficulty travelers may have finding the hotel (see attached BOA meeting minutes). Section 1107, H-12 of the code requires changes to approved signage in a PUD must be reviewed by the TMAPC through the minor amendment process.

In keeping with the spirit of results of the BOA case, staff can support this request. However, it is staff's contention that the canopy sign is unnecessary, since the sign is barely visible from US 169 or anywhere outside the PUD.

In considering the request for an increase in the dsa for the canopy sign, the TMAPC may wish to consider the context of the signs on the east elevation. When looking at the canopy sign alone the request is for a 5.52 sf increase in dsa/lfbw. However, looking at the entire 240 lineal feet of the east elevation and considering the canopy sign as a part of the entire east elevation, the increase would be from 1 sf/lfbw to 2.67 sf/lfbw (see "Aloft Hotel east elevation" in case photographs).

Considering this, staff recommends APPROVAL of minor amendment PUD-595-B-3/Z5970-SP-5c.

Note: Approval of a minor amendment does not constitute detail site, landscape or sign plan approval.
Aloft Hotel canopy sign
f. Mr. Mautino informed the Board that Mr. Wathen had promised to remove the animals and take down the kennels but as of today it does not look like it has been done.

Comments and Questions:
Ms. Stead stated she had been by the property on two separate occasions and had not seen any dogs in the kennels either time.

Ms. Stead stated the applicant needed a lot combination to be legal with a 30 ft. frontage, and did not know how long the Board could continue to postpone this hearing.

Mr. Cuthbertson informed the Board the applicant had come into the office the day before this hearing, and attempted to apply for a lot combination. Mr. Cuthbertson asked Mr. Wathen if he had been to the permit office to resolve the square footage issues and Mr. Wathen had not.

Mr. White told Councilman Mautino that in the previous hearing Mr. Wathen was granted a continuance because the property legal description showed there was no legal access to the property; the driveway going to the house is on the Harvey Young Airport property. The Board requires a lot combination for the property to the north, where the kennels are located, to have legal access to the property.

The Board discussed further continuance of the application, however, determined that the applicant had been provided plenty of opportunity to resolve the issues and that no further continuances should be granted.

Board Action:
On MOTION of WHITE the Board voted 5-0-0 (Henke, Stead, Tilwell, White, Van De Wiele, "aye"; no "nays"; no "abstentions") to DENY without prejudice the request in Case No. 21086. The Variance of the maximum permitted floor area for detached accessory buildings in the RS-2 district (Section 402.B.1.d); and Variance of the 30 ft. of frontage required on a public street to permit a lot to be used for residential purposes (Section 2.6); to permit an existing dwelling and detached building(s) due to the requested paperwork and processing has not been accomplished in a reasonable length of time; for the following property:

BEG NEC NW SW TH W322.5 S660 E322.5 N660 POB SEC 9 19 14

Case No. 21104-AMAX Sign Company

Action Requested:
Variance of the maximum display surface area permitted for wall signs in a PUD from 2 sq. ft. (Section 1103.B.2.a); and a Variance to permit roof signs on a building in a PUD (Section 1103.B.2.b.1) Location: 6716 South 104th East Avenue

08/10/2010-1030 (3)
Presentation:
Brian Ward, 9520 East 55th Place, Tulsa, OK; was before the Board requesting a variance for two roof signs, and a variance for a display surface. Mr. Ward stated that both type signs are branding requirements by ALOFT Hotels. The roof sign had been approved previously but the language was not correct.

Mr. White asked Mr. Ward if the sign configuration was a corporate requirement, and Mr. Ward confirmed it was and that he had brought photographs of other hotels that had the same type signage in place but those hotels were not located in Tulsa.

The Board asked Mr. Ward where the ALOFT letters were attached; Mr. Ward stated the letters were attached atop the parapet. He determined the variance of the display surface area for the sign area on the porte-cochere structure.

Interested Parties:
There were no interested parties present.

Comments and Questions:
Ms. Stead stated that according to the zoning code Section 1221.C.11, page 12-35, a wall or projecting sign shall not extend above the top of the parapet or building wall provided where the height of the parapet or building wall or architectural features will not permit a wall sign it may then extend 3 ft. above the parapet or building wall. This paragraph indicates there may be circumstances or architectural features that have been considered for such signs.

Board Action:
On MOTION of STEAD the Board voted 5-0-0 (Henke, Stead, Tidwell, White, Van De Wiele, "aye"; no "nays"; no "abstentions") to APPROVE the Variance of the maximum display surface area permitted for wall signs in a PUD from 2 sq. ft. (Section 1103.B.2.a); and a Variance to permit roof signs on a building in a PUD (Section 1103.B.2.b.1). The Board has found that the structure which is located in the midst of other corridor and/or commercial areas is difficult to locate; traveling on the nearest freeway the roof signs applied for would greatly enhance the ability to locate the facility. That with the approval by the Board of Adjustment the applicant will amend the PUD as required by Tulsa ordinances. The Board has found that there are extraordinary or exceptional conditions or circumstances, which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan, subject to conceptual plans as submitted by the applicant; for the following property:

LT 4 BLK 1, HOME CENTER AMD RESUB L1B1 HOME CENTER

************

08/10/2010-1030 (4)
Quotation:

From: Brian Ward  Date: 7/26/2010

To: DUANE CUTHBERTSON  Project: ALOFT HOTEL
    INCOG  6716 S 104TH STREET
    2 W SECOND STREET

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12.9
21'-6" OVERALL LETTER SET

AVISIONOF W HOTELS

BLUE AREA REPRESENTS WALL WHERE LETTERS MOUNT.

GREY AREA REPRESENTS WALL WHERE REVERSE CHANNEL LETTERS MOUNT.

10-1/2" x 4" deep alurn, reverse channel letters coated metal, silver EP-0100 paint. Vinyl channel letters are poly carbonate sheets, coated in acrylic paint, mounted on jet black wall screen flange.

 incredibly white LED's .13" thick translucent white polycarbonate faces, used plain or coated in metal internal frame with letters per org. Dept.

10-1/2" x 4" deep alurn, reverse channel letters, coated metal, with white LED's, painted mounted to wall leaving 1" space, painted letters RP-0104.

LED power supply, UL Listed conduit to primary circuits feed.

SIGN TYPE A1 - ROOF SIGN - END VIEW - NOT TO SCALE

SIDE ELEVATION - SCALE - 1/16" = 1'
September 7, 2010

STAFF RECOMMENDATION

PUD-268-B: Detail Site Plan – South of the Southwest corner of 91st Street South and South Mingo Road; Lot 1, Block 1 – 9300 Mingo Center; TRS 8324; CZM 57; Atlas 1903; CD 8; RM-1/PUD.

The applicant is requesting approval of a detail site plan for a 7,376 square foot (sf) addition to an existing medical office. The proposed use, Use Unit 11 – Offices, Studios, and Support Services is a permitted use in PUD-268-B.

The submitted site plan for the building addition meets all applicable building floor area, open space, building height and setback limitations. Existing access to the site is provided from Mingo Road and 93rd Street South and will not be changed. Parking has been provided per the applicable Use Unit of the Zoning Code. Landscaping is provided per PUD requirements and the landscape chapter of the Zoning Code. There is no new lighting proposed at this time.

Staff recommends APPROVAL of the detail site plan for Area A of PUD-268-B.

(Note: Detail site plan approval does not constitute landscape and sign plan approval.)
Site Development Plans

Site Address
9228 South Mingo Road
Tulsa, OK 74135

Owner / Developer
Copley Company, Inc.
2201 North 23rd East Ave., Suite 205
Tulsa, OK 74110
Phone: 918-582-5200
Fax: 918-582-5202
Email: Tulsa@erdmancorp.com

Engineer
Erdman Company, Inc.
2201 North 23rd East Ave., Suite 205
Tulsa, OK 74110
Phone: 918-582-5200
Fax: 918-582-5202
Email: Tulsa@erdmancorp.com

Architect
Copley Company, Inc.
2201 North 23rd East Ave., Suite 205
Tulsa, OK 74110
Phone: 918-582-5200
Fax: 918-582-5202
Email: Tulsa@erdmancorp.com

Project Description

This project consists of the proposed new construction of a 1,500 SF, single-story, steel-frame addition to the South Point Medical Center located in Tulsa, OK. The addition will house a surgery/procedure laboratory and is anticipated to remain open during normal business hours without patient interruption. The building will be connected by a covered walkway to the existing center. The site will be dedicated for surgery/procedure services and will be designed to meet the needs of the facility. The design includes provisions for future expansion. The site will be developed in three phases. The first phase includes the construction of the surgery/procedure area. The second phase includes the construction of the parking area. The third phase includes the construction of the administering area.

Site Information

Location: Section 24, Township 16N, Range 35W

Total Property Area: 2.50 acres

Building Area: 1,500 SF

Site Area: 1.50 acres

Paved Area: 1.50 acres

Parking Area: 1.50 acres

Site Development Area: 1.50 acres

Legal Description

The property is located in Section 24, Township 16N, Range 35W, in the City of Tulsa, Oklahoma, according to the following description:

Development Information

This project is a proposed medical facility expansion. The project will include the construction of a new surgery/procedure area, parking area, and administering area. The addition will be connected by a covered walkway to the existing center.

Site Cover Sheet

C001
Tulsa, OK
1606
September 7, 2010

STAFF RECOMMENDATION

PUD-684-A-1: Minor Amendment – West of the Southwest corner of 81st Street South and Riverside Drive; Part of Lot 1, Block 1 – Riverbend Addition; TRS 18-19-18; CZM 52; Atlas 1424; CD 2; CS/RM-1/PUD.

The applicant is requesting a minor amendment to reduce the required parking on this lot from 63 spaces to 59 spaces based on the current tenant mix.

On August 10, 2010 the City of Tulsa Board of Adjustment (BOA) in case #21125 granted a parking variance reducing the required parking on the lot to 59 spaces (see attached BOA meeting minutes and case photographs) citing there not being more than one or two peak times that the BOA believes the 59 parking spaces would be inadequate. §1107, H-6 of the Code requires that minor changes in parking capacity be implemented in the PUD through the minor amendment process.

Staff recommends APPROVAL of minor amendment PUD-684-A-1.

Note: Approval of a minor amendment does not constitute detail site, landscape or sign plan approval.
Interested Parties:
There were no interested parties present.

Comments and Questions:
Ms. Stead asked Mr. Hawley about the customers that visit his company and Mr. Hawley stated they rarely have customers come to the building.

Board Action:
On MOTION of STEAD, the Board voted 4-0-0 (Stead, Tidwell, White, Van De Wiele, "aye"; no "nays"; no "abstentions") to APPROVE the Variance of the parking requirement (Section 1211, 1214, 1215, 1223) to permit an addition to an existing furniture design company. This approval is limited to the furniture design industry only, and is per conceptual plan 10.6. The Board finds the Tulsa Comprehensive Plan designates this area an area of growth and part of the Pearl District where a general agreement exists, that development is beneficial. The Board finds this furniture design company’s expansion is in accordance with Tulsa’s comprehensive plan and that these circumstances are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan, for the following described property:

LTS 5 THRU 8 BLK 1, NICHOL’S RESUB L1-6 B1 PARK DALE ADDN

Mr. Henke entered the room and took his seat on the bench.

************

Case No. 21125-Roy Johnsen

Action Requested:
Variance of the parking requirement for a mixed use commercial building (Section 1211-14) from 63 required parking spaces to 59 existing parking spaces. Location: SW/c of South Yorktown Avenue and East 81st Street

Presentation:
Roy Johnsen, Williams Tower One, One West 3rd Street, Suite 1010, Tulsa, OK; Mr. Johnsen represented Riverbend Self Storage, LLC. Mr. Johnsen stated the facility is a new building and there are 59 parking spaces currently. The mini-storage is on the second level and the office for the mini-storage is on the first level. The prompt for this application is the new tenant Subway has signed a lease pending on the variance of parking. There is a pending transaction with a pick-up cleaner, and they will have a window on the west end of the building for the pick-up service. South Yorktown is in

08/10/2010-1030 (10)
close proximity to the subject property and can be used for off-site parking because it is 36 ft. wide and is rarely used for parking because of its arrangement; there is a driveway leading into the shopping center that is located east; there are no other driveways leading off Yorktown in the area. The property is a PUD and the building was built slightly smaller than the approved site plan. The site plan allowed for a tenant mix of mini-storage and retail but did not take into account eating establishments. When the site plan was recalculated there were less parking spaces needed, and that is the reason for the application.

**Interested Parties:**
There were no interested parties present.

**Comments and Questions:**
Ms. Stead asked Mr. Johnsen what restaurant was being referred to in the staff comments, and he stated it was the Wing Stop; it is classified as an eating establishment per code.

Ms. Stead asked Mr. Johnsen what the hours of operation were for the various businesses in the center. Mr. Johnsen provided them.

**Board Action:**
On MOTION of STEAD, the Board voted 5-0-0 (Henke, Stead, Tidwell, White, Van De Wiele, "aye"; no "nays"; no "abstentions") to APPROVE the Variance of the parking requirement for a mixed use commercial building (Section 1211-14) from 63 required parking spaces to 59 existing parking spaces, noting that by reduction of the original plan only 62 parking spaces are required whereas 59 parking spaces are furnished. The Board finds according to the tenant list there should not be any one or two peak times that we believe the 59 parking spaces will be adequate. It is noted this property is in a PUD and the PUD will need to be amended; finding by reason of extraordinary or exceptional conditions or circumstances, which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; and that the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan; for the following described property:

PRT L 1 BEG 29.85S NEC TH S124.56 TH ON CRV RT 46.57 W191.61 N200 E170.16 TH ON CRV RT 46.97 POB BLK 1, RIVERBEND ADDN

***********
Views of the front of the subj. prop.
Views of the front of the subj. prop.
Views of the rear of the subj. prop.
Board of Adjustment Case No. 21125  
Southwest Corner of 81st and Yorktown  
Parking Review

Gross Floor Area  22,300 square feet

<table>
<thead>
<tr>
<th>Tenant List</th>
<th>Floor Area</th>
<th>Parking Ratio</th>
<th>Parking Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wing Stop</td>
<td>1,600 sq.ft.</td>
<td>1 per 100 sq.ft.</td>
<td>16.00</td>
</tr>
<tr>
<td>Haircuts Now</td>
<td>900 sq.ft.</td>
<td>1 per 225 sq.ft.</td>
<td>4.00</td>
</tr>
<tr>
<td>Ministorage</td>
<td>12,358 sq.ft.</td>
<td>1 per 5000 sq.ft.</td>
<td>2.47</td>
</tr>
<tr>
<td>Subway</td>
<td>1,130 sq.ft.</td>
<td>1 per 100 sq.ft.</td>
<td>11.30</td>
</tr>
<tr>
<td>Future Retail</td>
<td>6,312 sq.ft.</td>
<td>1 per 225 sq.ft.</td>
<td>28.05</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>22,300 sq.ft.</strong></td>
<td></td>
<td><strong>61.82 round to</strong></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>62.00</strong></td>
</tr>
</tbody>
</table>
October 7, 2010

STAFF RECOMMENDATION

PUD-489-11: Minor Amendment – Northeast corner of 71st Street South and South Mingo Road; Lots 3, 3A and 6, Block 1 – 71 Mingo Center; TRS 18-14-06; CZM 54; Atlas 996; CD 7; CS/CO/PUD.

The applicant is requesting a minor amendment to transfer excess floor area from one lot to another. Specifically, the applicant seeks to transfer 2,876 square feet (sf) of existing floor area from Lot 3 and 5,324 square feet (sf) of existing floor area from Lot 3A to Lot 6 to allow for the expansion of the building on Lot 6 (see Exhibits A and B and case photographs). There is no request to increase the permitted floor area allowed by the PUD.

Floor area in PUD-489 is currently allocated as follows:

<table>
<thead>
<tr>
<th>Lot</th>
<th>Floor Area Allocation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>47,147</td>
</tr>
<tr>
<td>2</td>
<td>34,000</td>
</tr>
<tr>
<td>3</td>
<td>112,676</td>
</tr>
<tr>
<td>3A</td>
<td>9,324</td>
</tr>
<tr>
<td>4</td>
<td>11,000</td>
</tr>
<tr>
<td>5</td>
<td>7,000</td>
</tr>
<tr>
<td>6</td>
<td>187,731</td>
</tr>
<tr>
<td>6A</td>
<td>3,769</td>
</tr>
<tr>
<td>TOTAL</td>
<td>422,647</td>
</tr>
</tbody>
</table>

In transferring 8,200 sf of floor area from Lot 3 (2,876 sf) and Lot 3A (5,324 sf) to Lot 6, the existing 422,647 sf of floor area allowed in PUD-489 would be allocated as follows:

<table>
<thead>
<tr>
<th>Lot</th>
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<tbody>
<tr>
<td>1</td>
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<tr>
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<td>3,769</td>
</tr>
<tr>
<td>TOTAL</td>
<td>422,647</td>
</tr>
</tbody>
</table>

The underlying corridor zoning (CO) and CS zoning within PUD-489 would allow over 1,000,000 sf in commercial floor area. Since there is no request to increase the permitted floor area staff recommends APPROVAL of minor amendment PUD-489-11.

Note: Approval of a minor amendment does not constitute site, landscape or sign plan approval.
PUD-411-D-2: Minor Amendment – Southeast corner of Memorial Drive and the Creek Turnpike; Lots 2 and 3, Block 1 – 9700 Memorial L2&3 B1;

The applicant is requesting a minor amendment to permit a temporary trailer on an automobile dealership lot for a period of one year. The trailer would serve as a temporary office for Bill Knight Ford’s Fleet Sales Division (please refer to attached Exhibits and case photographs).

The trailer will not occupy any required parking, will need to meet the minimum setback requirements of the PUD and would be temporary. The trailer would be permitted from September 7, 2010 to September 7, 2011. Additional time would require further review by the TMAPC in the form of a minor amendment application.

Since the request is temporary in nature and the trailer will not occupy any required parking staff can support the request.

Staff recommends APPROVAL of minor amendment PUD-411-D-2 allowing a temporary trailer for a period of one year dating from 9/7/10 to 9/7/11.

Note: Approval of a minor amendment does not constitute detail site, landscape or sign plan approval.
Temporary trailer site from the south, across 97th Place.

Temporary trailer site from the southeast.
Temporary trailer site from the north.
STAFF RECOMMENDATION

PUD-511-2: Minor Amendment – East of the northeast corner of 31st Street South and South Peoria Avenue; Lots 3 and 4, Block 1 – Helmerich Estates; TRS 19-13-18; CZM 37; Atlas 138; CD 9; RE/PUD.

The applicant is requesting a minor amendment to increase the driveway coverage of the required front yard from 17% to 25% (please refer to Exhibits A and B).

The Required Front Yard is defined in the Zoning Code as the area located between the street right-of-way (ROW) line and the front setback/building line.

This lot is 2.8514 acres/124,207 square feet (sf) with an open space requirement of 20,000 sf. The underlying zoning of the PUD is RE, which requires 12,000 sf of open space. Review of the concept plan indicates there will be in excess of 20,000 sf of open space on this lot.

Considering the size of the area defined as the required front yard on this lot and the fact that the entire area is behind a gated masonry wall (see Exhibit B), staff contends an 8% increase in the coverage of the required front yard will have little to no impact.

Staff recommends APPROVAL of minor amendment PUD-511-2.

Note: Approval of a minor amendment does not constitute detail site, landscape or sign plan approval.
Lot 2, Block 1
Lot 3, Block 1
South Rockford Road
Privacy Wall
18
Proposed Drive
Lot 4, Block 1
S 39 Building Line

Location Map
R-10-E
Lot 13
T 19 N
S 7600 18th Street SW
Lot 12
Tulsa County
S 7600 - 18.00 Acres (Closes)

Date Summary:
FRONT YARD AREAS:
Open Space 5,548 S.F. (75.9%)
Driveway/Paving 1,317 S.F. (20.1%)

EXHIBIT 'B'
Helmerich Estates
Front Yard Coverage Area Analysis Plan
September 7, 2010

STAFF RECOMMENDATION

PUD-370-B: Detail Site Plan – South of the Southwest corner of 101st Street South and South Memorial Drive; Lot 20, Block 1 – Avalon Park on Memorial; TRS 18-13-26; CZM 57; Atlas 2468; CD 8; CS/OL/RM-1/RS-2/PUD.

The applicant is requesting approval of a detail site plan for a 4,940 square foot (sf) office building. The proposed use, Use Unit 11 – Office, Studios and Support Services is a permitted use in PUD-370-B.

The submitted site plan meets all applicable building floor area, open space, building height anc setback limitations. Access to the site is provided from one point along 106th Street South. Parking will be provided per the applicable Use Unit of the Zoning Code and parking area dimensioning meets the requirements of Chapter 13 of the Code. Landscaping is provided per the PUD and the landscape chapters of the Zoning Code. All sight lighting including building mounted is limited to 15’ in height. A trash enclosure is being provided as required by the PUD. Sidewalks will be provided along 106th Street as required by Subdivision Regulations.

Staff recommends APPROVAL of the detail site plan for Lot 20, Block 1 – Avalon Park on Memorial.

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

TULSA METROPOLITAN AREA PLANNING COMMISSION

Resolution No. 2585:901


WHEREAS, the Tulsa Metropolitan Area Planning Commission ("Planning Commission") is required to prepare, adopt and amend, as needed, a master plan, also known as a comprehensive plan, for the Tulsa metropolitan area, in accord with Title 19 Oklahoma Statutes, Section 863.7; and

WHEREAS, the purpose of such a comprehensive plan is to bring about coordinated physical development of an area in accord with present and future needs and is developed so as to conserve the natural resources of an area, the insure the efficient expenditure of public funds, and to promote the health, safety, convenience, prosperity and general welfare of the people of the area; and

WHEREAS, pursuant to Title 10 Oklahoma Statutes, Section 863.7, the Tulsa Metropolitan Area Planning Commission (TMAPC) did, by Resolution on the 29th day of June 1960, did adopt a Comprehensive Plan for the Tulsa Metropolitan Area, which was subsequently approved by the Mayor and Board of Commissioners of Tulsa County, Oklahoma, and was filed of record in the Office of the County Clerk, Tulsa, Oklahoma, all according to law; and

WHEREAS, a public hearing was held on the 7th day of September 2010 and after due study and deliberation, this Commission deems it advisable and in keeping with the purpose of this Commission, as set forth in Title 19 Oklahoma Statutes, Section 863.7, to adopt The Downtown Master Plan as part of the Tulsa Comprehensive Plan for the Tulsa Metropolitan Area, as contained in the attached plan maps and text.

NOW THEREFORE, BE IT RESOLVED, by the Tulsa Metropolitan Area Planning Commission:

Section 1. That the Comprehensive Plan of the Tulsa Metropolitan Area, as originally adopted by the Tulsa Metropolitan Area Planning Commission on June 29, 1960 and as amended from time to time, shall be and is hereby amended, regarding portions of the City of Tulsa, situated within the downtown area (Central Business
District), to adopt and include "The Downtown Master Plan" map and text, as part of the Comprehensive Plan for the Tulsa Metropolitan Area.

Section 2. That a true and correct copy of the "Downtown Master Plan" map and text identified in the foregoing Section One is attached to this Resolution and incorporated by reference as if fully written herein.

Section 3. That upon adoption by the Tulsa Metropolitan Area Planning Commission, this Resolution shall be transmitted and submitted to the City Council of the City of Tulsa for its consideration, action and requested approval within forty-five (45) days of its submission.

Section 4. That upon approval by the Tulsa City Council, or should the City Council fail to act upon this amendment to the Comprehensive Plan within forty-five (45) days of its submission, it shall be approved with the status of an official plan and immediately have full force and effect as to the downtown Tulsa area.

ADOPTED on this 7th day of September 2010 by a majority of the full membership of the Tulsa Metropolitan Area Planning Commission, including its ex officio members.

_____________________________________
Michelle Cantrell, Chairman
Tulsa Metropolitan Area Planning Commission

ATTEST:

_____________________________________
Joshua Walker, Secretary
Tulsa Metropolitan Area Planning Commission

_____________________________________
APPROVAL OF THE TULSA CITY COUNCIL

APPROVED by the City Council of the City of Tulsa, Oklahoma on this ______ day of ______, 2010.

_____________________________________
Rick Westcott, Chairman of the City Council

APPROVED AS TO FORM:

_____________________________________
Assistant City Attorney

Resolution No. 2585:901(2)
MINOR SUBDIVISION PLAT

Stavros Corner - (6406) (PD 18) (CD 8)
Northeast corner of South Mingo Road and East 63rd Street South

This plat consists of 1 Lot, 1 Block, on 1.62 acres.

The following issues were discussed August 5, 2010, at the Technical Advisory Committee (TAC) meetings:

1. **Zoning:** The property is zoned CO (corridor) SP1/Z-6254-SP-2. Approved standards need to be shown in covenants.

2. **Streets:** Access on Mingo is limited to 36 feet maximum. On Mingo and 63rd Street show right-of-way and reference plat number or book and page number. Section 1. A should read “Public and Utility Easements.” Drive way width is not shown for any access. Driveway widths must be 24-36 feet. Driveways on 63rd Street must be at least 100 feet apart, measured from tangent to tangent.

3. **Sewer:** No comment.

4. **Water:** Show the existing 48 inch water main line along South Mingo Road.

5. **Storm Drainage:** An overland drainage easement will be required for all off-site flow coming onto the site from the east property line to the inlet that intercepts the Fully-Urbanized, 100 Year rainfall event. The entire storm drainage system down stream of that inlet, and the west inlet separated from this system, but connecting to the existing public storm drainage system, are public. Therefore, all storm sewer pipes in this system must be reinforced concrete pipes (cmp cannot be used in the City of Tulsa). All portions of the storm sewer system located outside of the 17.5 foot utility easement must be placed in a storm sewer easement, with a minimum width of 15 feet centered on the pipe. Section 1.C.2: revise to say “Within the utility easement and storm sewer easement areas…” Please add standard language for roof drainage, to insure that it is piped to the adjacent public storm sewer system. Show and label all easements by type and width. Driveway culverts (minimum 18 inch RCP) are required to convey the Fully-Urbanized, 100 Year rainfall event under the entrances. The westernmost catch basin does not have an outflow pipe shown. An outflow pipe will be required to connect this inlet to the public storm sewer system and this inlet and pipe will both be public and located in a utility easement or a storm sewer easement. The public drainage system must be designed to collect and convey the Fully-
Urbanized, 100 Year Rainfall event.

6. **Utilities:** Telephone, Electric, Gas, Cable, Pipeline, Others: AT&T needs language about easements (PB2) clarified with standard language on maintenance and repair responsibilities.

7. **Other:** Fire: No comment. **GIS:** Provide CA number and renewal date for the engineer. For the basis of bearing, state the bearing in degree, minutes and seconds, along with the description of it. Add a written scale under the location map. Tie the plat from a Section corner using bearings and distances from a labeled point of commencement to a labeled point of beginning and add to the legend (pob and poc). "Date of preparation" is the preferred label for date identification on the face of plat. Submit subdivision control data sheet. Add "less and except" for 10 feet of additional right-of-way dedication to legal description.

Staff recommends **APPROVAL** of the Preliminary 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.
PRELIMINARY SUBDIVISION PLAT

Tuscany Hills at Nickel Creek - (8211) (PD 8) (CD 2)
North of West 81st Street South and East of South Union Avenue

This plat consists of 1 Lot, 1 Block, on 17.50 acres.

The following issues were discussed August 19, 2010, at the Technical Advisory Committee (TAC) meetings:

1. **Zoning**: The property is zoned PUD 636 B/CO Z-5457-SP-2/Z-4825-SP-1. Density must be in conformance with PUD standards. Covenants need to refer to CO (corridor) and PUD standards and requirements. A plan showing Development Areas involved in the project and a gate plan are needed. Attached is a letter from the City of Jenks concerning drainage for the project. Attached are comments from the airport staff.

2. **Streets**: Label Union Avenue (public street), show Limits of No Access on Union Avenue. Call out right-of-way of 78th Street and label as public street. Include emergency access easement, shown on the conceptual plan, in the plat. Section 1.H Sidewalks should read "...arterial and collector streets..." since developer has to construct sidewalk along 78th Street as well. Add a section on Limits of No Access in the covenants. Provide language in the covenant for emergency access easement.

3. **Sewer**: Add the width of the easement that was added for the sanitary sewer main extension located within Development Area B, and describe its use. If the above easement is to be a sanitary sewer easement, then you must include restrictions for its use in the covenants. Sanitary sewer mains constructed under all paved driving surfaces must use ductile iron pipe.

4. **Water**: At station 4 + 36.93 the proposed 12 inch line must tie into the existing 16 inch to create a dual feed system.

5. **Storm Drainage**: The area platted for a stormwater detention facility is a stormwater detention easement only. However, the perimeter utility easement should be shown along the east and southwest boundaries of this area. The proposed Hager Creek Regulatory Floodplain must be shown. The area, where the entire 100 year runoff of the upstream Hager Creek Watershed is conveyed in pipe, should be placed in a storm sewer easement. The floodplain channel, downstream of the storm sewer easement and upstream of the detention easement, should be placed in an Overland Drainage Easement. Label darker shaded area on conceptual plan. The pipe conveying the upstream floodplain drainage should not be
discharging into an area inlet.

6. Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others: No comment.

7. Other: Fire: No comment. GIS: Submit subdivision control data form. Airport: See attached comment. Development Services General Comments: The message sent out by Robert Bell outlining the City of Jenks' concerns about runoff from this project and other development in the Hagar Creek drainage basin has been reviewed by City of Tulsa staff. Staff does not agree with the content of that message and will respond by separate correspondence.

Please remove Lot 2, Block 1 from the face of the plat. Right-of-way for the public collector street must be dedicated to the City of Tulsa and referenced by book and page number. Please note that the final plat will not be approved until the collector street is constructed to 81st Street. Label the point of commencement and remove the reference to lot addresses from the face of plat. Assure that all lettering is complete and readable. In I.6 there will be no prorata share of the cost of maintenance. Assure labels are readable.

Staff recommends APPROVAL of the Preliminary 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.
Fernandez, Diane

From: White, Kenneth [KennethWhite@cityoftulsa.org]
Sent: Wednesday, August 25, 2010 2:11 PM
To: tuttle-associates@stcglobal.net
Cc: Fernandez, Diane
Subject: Tuscany Hills

Sir,

Please note that the proposed development falls within the parameters of the new Aircraft Pilot and Passenger Protection Act, State House Bill 1960 and State Senate Bill 1960. Part 77 for the building site limits obstruction elevations to 788'. The proposed structures are listed at 42' AGL with a base elevation of 750’MSL. For the above reasons the proposal should be submitted to the Oklahoma Aeronautics Board (OAB) for their review and possible issue of new building permit.

Please advise the Tulsa Airport Authority of their response.

Contacts for the OAB are:

Dale Williams
405-604-6904

Vivek Khana
405-604-6902

If I can be of assistance please call.

Thank you,

Kenneth White
Special Projects Manager
Tulsa Airport Authority
7777 E Apache
Tulsa OK 74115
phone: (918) 838-5107
fax: (918) 838-5448
kennethwhite@cityoftulsa.org
From: Robert Bell [robell@enksok.org]
Sent: Wednesday, August 25, 2010 2:27 PM
To: Bates, Brad; A Wilkins; Alan Hutchins; Allen Holdman (City, DS); Andrew; Angela Rahe (Windstream); Armer, Tim; BILLY INGRAM (COX NORTH TULSA & SS); BIXBY PS; BIXBY PUBLIC SCHOOLS; BROKEN ARROW PS; CIMMARON TELEPHONE; CIMMARON TELEPHONE; Dan Salls (Owasso fire); David Chester (ONG); David Spear (City, DS); Dawn Borelli (ODOT); Doug Moore (Dir); E. M. Shelton (AEP); EAST CENTRAL ELECTRIC COOP; Eric Enyart (Bixby); Farhad Daroga (Broken Arrow); G. David Steele; G. Hall (KAMO Power); Gerald Buckley (City, DS); GLENPOOL PS; Harold Tohlen (City, DS); Hodges, Jim; James Jounyecake (Con-Phil-Tul); Jared Rutledge (Cox BA); Jeff Hough (Airport); JENKS PS; JENKS PS; Jerry Brabander; Jerry Brabander; Jerry Gammill; Jim Dunlap/Skiatook (jdulap@townofskiatook.com); Jim Paterson (Bixby Tele); John Heiden (SWBT; John Kiska (ONG); John Vanscoy (Cox); Keith Delozier (VVEC); Kenneth White (Airport); Kent Schroeder; Kevin Catlett (Cox); Larrissa Darnaby (Owasso); Larry Clark (Cox); Lloyd Payne (City, DS); Loyda Mercado; Marcus Ware; Mark Babb (Bixby Tele); Mark Brown; Matt Vaughn; Michael Kemp (Con-Phil; Michael Ott; Nahid Egan (City, DS); Patrick Boulden (City Legal); Patrick Nwakoby (Explorer); Patrick Sears; Clyne, Rachel; Randle White (ODOT); Rick Bynum (AEP); Rick Shoemaker (ONG); Rob Collins (Easytel); Robert Drew (Cox); Russ Martin (Explorer); SAND SPRINGS PS; Sansone, Christopher; Scott Gideon (ONG); Scott Hamilton (windstream); Steve Woodward (City, DS); SUSAN PITTS (PLANNER); Terry West; Terry Whiteley; TITAN BROADBAND SERVICES; Tom Rains (Co Eng); Tory Patete; TULSA PS; Wagner, James
Cc: Mike Tinker; Randy Ewing; Steve Oakley; Robert Carr; Fernandez, Diane

Subject: RE: Tuscany Hills Plat and Conceptual Plans

To: Diane Fernandez, Senior Planner INCOG
Brad Bates, Land Regulations Analyst INCOG

RE: Tuscany Hills Subdivision Plat TAC Mtg.

Dear Diane Fernandez,

This correspondence is being written to re-establish an ongoing concern related to the lack of storm water detention facilities that meter flow from the Nickel Creek Residential Development, Stonebrook Residential Development, and the Tulsa Hills Commercial Development.

The City of Jenks has had discussion with the City of Tulsa concerning the increased storm water flow off of these developments. This increased flow has caused numerous flooding problems on 81st Street and Elwood Avenue, along with property flooding for individuals along these roadways, and at the Jones Riverside Airport. The City of Jenks is negatively impacted due to the interruption of traffic flow on an arterial roadway leading to the City and with increased water flow entering our drainage basins. These conditions have caused the City of Tulsa to close 81st Street just east of Elwood and Elwood Avenue just south of 81st on numerous occasions during minimal rain fall events.

Research of these conditions and interviews with the subject developments has indicated that the original design for the Stonebrook detention facilities submitted by Tulsa Engineering and Planning, was required by the City of Tulsa, to be modified to increase the flow rates through the Stonebrook development presumably to accommodate the increase flows from the Tulsa Hills project and surrounding lands. This would appear to be the conditions that have created these circumstances, and conditions that are not in conformance with the development criteria for the City of Tulsa. It is these conditions that are creating negative impacts on downstream properties to include lands within the City of Jenks.

The proposed Tuscany Hills development appears to utilize the same drainage course through the Stonebrook Development. The City of Jenks requests that metering devices be established within the Stonebrook detention facilities that release water to the east and south at a rate that existed prior to the Stonebrook Development up to a 100 year storm event and accommodating...
any increase flows from Tulsa Hills and the residential developments to the west.

These conditions have placed property within the drainage basin at grave danger and have created a safety concern for the various roadways in the area.

I respectfully request that this correspondence be made a part of the record for the Tuscany Hill subdivision plat and that this information be passed to the appropriate Departments for follow up.

Sincerely,
Robert Bell
Planning Director
City of Jenks
918-290-5883
robell@jenksok.org

From: Bates, Brad [mailto:bbates@incog.org]
Sent: Tuesday, August 24, 2010 11:20 AM
To: A Wilkins; Alan Hutchins; Allen Holdman (City, DS); Andrew; Angela Rahe (Windstream); Armer, Tim; BILLY INGRAM (COX NORTH TULSA & SS); BIXBY PS; BIXBY PUBLIC SCHOOLS; BROKEN ARROW PS; CIMMARON TELEPHONE; CIMMARON TELEPHONE; Dan Salts (Owasso fire); David Chester (ONG); David Spear (City, DS); Dawn Borelli (ODOT); Doug Moore (Dir); E. M. Shelton (AEP); EAST CENTRAL ELECTRIC COOP; Eric Enyart (Bixby); Farhad Daroga (Broken Arrow); G. David Steele; G. Hall (KAMO Power); Gerald Buckley (City, DS); GLENPOOL PS; Harold Tohlen (City, DS); Hodges, Jim; James Journey Cake (Con-Phil-Tul); Jared Rutledge (Cox BA); Jeff Hough (Airport); JENKS PS; JENKS PS; Jerry Brabander; Jerry Brabander; Jerry Gammill; Jim Dunlap/Skilaook (j dunlap@townofskilaook.com); Jim Peterson (Bixby Tele); John Heiden (SWBT; John Kiska (ONG); John Vanscoy (Cox); Keith Delozier (VVEC); Kenneth White (Airport); Kent Schroeder; Kevin Catlett (Cox); Larrissa Darnaby (Owasso); Larry Clark (Cox); Lloyd Payne (City, DS); Loyda Mercado; Marcus Ware; Mark Babb (Bixby Tele); Mark Brown; Matt Vaughn; Michael Kemp (Con-Phil; Michael Ott; Nahid Egan (City, DS); Patrick Boulden (City Legal); Patrick Nwakoby (Explorer); Patrick Sears; Clyne, Rachel; Randle White (ODOT); Rick Bynum (AEP); Rick Shoemaker (ONG); Rob Collins (Easytel); Robert Bell; Robert Drew (Cox); Russ Martin (Explorer); SAND SPRINGS PS; Sansone, Christopher; Scott Gideon (ONG); Scott Hamilton (windstream); Steve Woodworth (City, DS); SUSAN PITTS (PLANNER); Terry West; Terry Whiteley; TITAN BROADBAND SERVICES; Tom Rain (Co Eng); Tony Patete; TULSA PS; Wagner, James
Subject: FW: Tuscany Hills Plat and Conceptual Plans

These are the revised plans for Tuscany Hills. Please review and send comments to Diane Fernandez once you have reviewed the new plans. Thanks.
<table>
<thead>
<tr>
<th>Area Name</th>
<th>Acres</th>
<th>DU / Acre allowed</th>
<th>DU allowed</th>
<th>DU as Designed</th>
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<td>Area B</td>
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<td>20</td>
<td>150.62</td>
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<tr>
<td>Area C</td>
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<td>23</td>
<td>228.666</td>
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<td>379.286</td>
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<table>
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<tr>
<th>Development Area</th>
<th>Zoning</th>
<th>Net Acres</th>
<th>Gross Acres</th>
<th>Developed Acres</th>
<th>Proposed Project Developed Acres</th>
<th>Remaining Net Acres</th>
<th>Remaining Gross Acres</th>
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<td>25.39</td>
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<td>0</td>
<td>25.29</td>
<td>25.39</td>
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<td></td>
<td>Park</td>
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<td>1.88</td>
<td>0</td>
<td>0</td>
<td>1.88</td>
<td>1.88</td>
</tr>
<tr>
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<td>Multi-family</td>
<td>15.65</td>
<td>16.84</td>
<td>1.865</td>
<td>7.531</td>
<td>7.135</td>
<td>7.444</td>
</tr>
<tr>
<td>D</td>
<td>Multi-family</td>
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<td>15.09</td>
<td>8.601</td>
<td>0</td>
<td>4.761</td>
<td>6.489</td>
</tr>
<tr>
<td>E</td>
<td>Multi-family</td>
<td>16.53</td>
<td>17.51</td>
<td>4.26</td>
<td>0</td>
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<td>14.84</td>
<td></td>
<td></td>
<td>13.87</td>
<td>14.84</td>
</tr>
<tr>
<td>G</td>
<td>Commercial</td>
<td>2.14</td>
<td>2.8</td>
<td></td>
<td></td>
<td>2.14</td>
<td>2.8</td>
</tr>
</tbody>
</table>
PLAT WAIVER

September 7, 2010

BOA-21128 – 6304 East Apache Street North (0327) (PD 16) (CD 3)

The plating requirement is being triggered by a Special Exception for an accessory building for a fiber optic cable communication use.

Staff provides the following information from TAC at their August 19, 2010 meeting:

ZONING:
• TMAPC Staff: This is a portion of a leased area for a building for fiber optic cable.

STREETS:
• Apache is a secondary arterial; what other accesses are present on that lot? Depending on number of other accesses, any new access may or may not be granted. Drive cannot be grave; it must be asphalt or concrete.

SEWER:
• No comment.

WATER:
• No comment.

FIRE:
• No comment.

UTILITIES:
• No comment.

Staff recommends APPROVAL of the plat waiver for this small triangular shaped parcel. The use is similar to the cell tower communication buildings that are routinely approved by the planning commission.

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

<table>
<thead>
<tr>
<th></th>
<th>Yes</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Has Property previously been platted?</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>2. Are there restrictive covenants contained in a previously filed plat?</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>3. Is property adequately described by surrounding platted</td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>
properties or street right-of-way?

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

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

September 7, 2010

Z-7155 – 1917 and 1919 North Fulton Avenue (0327) (PD 16) (CD 3)

The platting requirement is being triggered by a rezoning from CS (commercial) to R4 (single family residential).

Staff provides the following information from TAC at their August 19, 2010 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.

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

1. Has Property previously been platted? Yes NO
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

24.4
A YES answer to the remaining questions would generally NOT be favorable to a plat waiver:

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
   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
PLAT WAIVER

September 7, 2010

PUD 779- (9426) (PD 17) (CD 6)
South of East 41st Street South and West of South 177th East Avenue

The platting requirement is being triggered by a new Planned Unit Development #779 as a result of a variance granted through the Board of Adjustment to allow a maximum driveway width of 28 feet in the existing platted Oxford Park addition.

Staff provides the following information from TAC at their August 19, 2010 meeting:

ZONING:
• TMAPC Staff: The property has been platted previously (2008).

STREETS:
• No comment.

SEWER:
• No comment.

WATER:
• No comment.

STORM DRAIN:
• No comment.

FIRE:
• No comment.

UTILITIES:
• No comment.

Staff recommends APPROVAL of the plat waiver.

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

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

<table>
<thead>
<tr>
<th></th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.</td>
<td>Is right-of-way dedication required to comply with Major Street and Highway Plan?</td>
<td>X</td>
</tr>
<tr>
<td>5.</td>
<td>Would restrictive covenants be required to be filed by separate instrument if the plat were waived?</td>
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</tr>
<tr>
<td>6.</td>
<td>Infrastructure requirements:</td>
<td></td>
</tr>
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<td>a) Water</td>
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<tr>
<td></td>
<td>i. Is a main line water extension required?</td>
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<td></td>
<td>iii. Are additional easements required?</td>
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<td></td>
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<td></td>
<td>iii. Are additional easements required?</td>
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<td></td>
<td>c) Storm sewer</td>
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<td>Floodplain</td>
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<tr>
<td></td>
<td>b) Does the property contain a F.E.M.A. (Federal) Floodplain?</td>
<td>X</td>
</tr>
<tr>
<td>8.</td>
<td>Change of Access</td>
<td></td>
</tr>
<tr>
<td></td>
<td>a) Are revisions to existing access locations necessary?</td>
<td>X</td>
</tr>
<tr>
<td>9.</td>
<td>Is the property in a P.U.D.?</td>
<td></td>
</tr>
<tr>
<td></td>
<td>a) If yes, was plat recorded for the original P.U.D.</td>
<td>X*</td>
</tr>
<tr>
<td>10.</td>
<td>Is this a Major Amendment to a P.U.D.?</td>
<td></td>
</tr>
<tr>
<td></td>
<td>a) If yes, does the amendment make changes to the proposed physical development of the P.U.D.?</td>
<td>X</td>
</tr>
<tr>
<td>11.</td>
<td>Are mutual access easements needed to assure adequate access to the site?</td>
<td>X</td>
</tr>
<tr>
<td>12.</td>
<td>Are there existing or planned medians near the site which would necessitate additional right-of-way dedication or other special considerations?</td>
<td>X</td>
</tr>
</tbody>
</table>

* PUD is pending. Covenants need to reflect PUD standards. This can be accomplished by separate instrument.
TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT

APPLICATION: PUD-779

TRS 9426
CZM 50

TMAPC Hearing Date: September 7, 2010

Applicant: Tim Terral/ TEP, Inc. Tract Size: 56.69+ acres

ADDRESS/GENERAL LOCATION: South of southwest corner of East 41st Street and South 177th East Avenue

EXISTING ZONING: RS-3 EXISTING USE: Residential
PROPOSED ZONING: RS-3/PUD-779 PROPOSED USE: Residential

ZONING ORDINANCE: Ordinance number 21482 dated March 6, 2007, established zoning for the subject property.

RELEVANT ZONING HISTORY:

Z-7075 December 2007: All concurred in approval of a request for rezoning a 122+ acre tract of land from AG to RS-3/RS-4 for single-family residential on property located west of the southwest of East 41st Street and South 117th East Avenue.

Z-7048 March 2007: All concurred in approval of a request for rezoning a 46.7+ acre tract of land from AG to RS-4 for single-family development on property located south of southwest corner of East 41st Street South and South 177th East Avenue and the subject property.

PUD-733 October 2006: All concurred in approval of a request for a PUD for commercial development at the northeast corner of South 177th East Avenue and East 41st Street South, with underlying zoning of CS, RS-3 and AG. This case is to be heard by the City Council on December 19, 2006.

Z-7028 August 2006: All concurred in approval of a request to rezone a 10+ acre tract from AG to RS-3 on property located south of southwest corner of East 41st Street and South 177th East Avenue.

Z-7006 January 2006: All concurred in approval of a request to rezone an 80+ acre tract from RS-3 to RS-4 for residential purposes located south of the southeast corner of East 41st Street South and South 177th East Avenue.

Z-6970 February 2005: All concurred in approval of a request to rezone a 10+ acre tract from AG to RS-3, located south of the southwest corner of East 49th Street and South 177th East Avenue.

PUD-711 February 2005: Approval was granted for a gated single-family development for 38 lots. The property is located west of the northwest corner of East 51st Street and South 177th East Avenue.

26.3
Z-6945 August 2004: All concurred in approval of a request to rezone a on a 126.5± acre tract from AG to RS-3, on property located north and east of the northeast corner of East 51st Street and South 177th East Avenue.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 56.69± acres in size and is located south of southwest corner of East 41st Street and South 177th East Avenue. The property is partially developed and is zoned RS-3.

TRANSPORTATION VISION:

The Transportation chapter of the recently adopted and updated City of Tulsa Comprehensive Plan identifies 41st Street, west of 177th East Avenue as a future Multi-Modal Corridor. Multi-Modal Corridors are identified on page 15 of the Transportation chapter as "emphasizing 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". This may indicate that the requested downzone of the subject property may not provide the density needed to justify this type of transportation corridor.

177th East Avenue is not identified in the Plan. 177th East Avenue is identified as a secondary arterial by the Major Street and Highway Plan which remains effective under the Tulsa Comprehensive Plan.

STREETS:

<table>
<thead>
<tr>
<th>Exist. Access</th>
<th>MSHP Design</th>
<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
</tr>
</thead>
<tbody>
<tr>
<td>South 177th East Avenue</td>
<td>Secondary Arterial</td>
<td>100'</td>
<td>2</td>
</tr>
</tbody>
</table>

UTILITIES: The subject tract has municipal water and sewer available.
SURROUNDING AREA: Please refer to the attached "surrounding area" exhibit. The subject tract is abutted on the east by vacant land with 40 acres of CS/RM-0/RS-3 zoning and 80 acres of RS-4 zoning; on the north by a 15 acre tract with a single home, zoned AG; on the south by Oxford Park a single family subdivision, zoned RS-3; and on the west by a 122 acre lot with one single-family home, zoned RS-3 and RS-4.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The recently adopted and updated City of Tulsa Comprehensive Plan identifies this area as an Area of Stability and an Existing Neighborhood. Staff finds that the existing, platted RS-3 zoning is in accord with development objectives as outlined in the Plan.
STAFF RECOMMENDATION:

Proposed PUD-779 is an existing, platted RS-3 zoned subdivision located south of the southwest corner of East 41st Street South and South 177th East Avenue (see attached Plat #6201). The site is relatively flat and clear and has existing homes and homes currently under construction.

The purpose of PUD-779 is to reflect what the applicant describes as market demand for three car garages and associated extra wide driveway to accommodate the garage. In an RS-3 zoned district driveways are limited to covering 34% of the required front yard per §1303-D of the Zoning Code. With the smaller sized lots located in the RS-3 district a three car driveway inevitably exceeds the 34% limitation (see attached photographs).

On June 22, 2010 in case #21102 the applicant sought relief from the 34% limit in the form of a “blanket” variance from the Board of Adjustment (BOA). In 2005 (case #20016), 2007(case #20458) and twice in 2008 (cases #20888 and #20890) the BOA granted blanket variances from the 34% limit in RS-3 zoned subdivisions. In the June 2010 case the BOA determined that the Board does no: have the authority to grant “blanket” variances and that relief from the requirement needed to be granted on a case by case basis. The applicant withdrew the BOA application and was encouraged to submit a PUD application.

Staff has conducted site visits and can support the application since all other requirements of the RS-3 district will continue to be met. Most importantly, each lot will still need to meet the 4,000 square foot (sf) livability/open space requirement. There is no other relief being sought from any other requirement of the RS-3 district or subdivision regulations. Additionally, the applicant proposes to limit the width of any driveway to 28’.

Staff finds the uses and intensities of development proposed to be in harmony with the spirit and intent of the Code. Staff finds PUD-779 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-779 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:

   Land Area: 56.69 acres

   Maximum Number of Dwelling Units: 177

   Minimum Livability Space: 4,000 sf

**DRIVEWAYS:**

Driveways may exceed the requirements of §1303-D of the code, which limits the coverage of the required front yard by a driveway to 34% in the RS-3 district. Driveways may not exceed 28’ in width.
SIGNS:

New signs shall be installed in accordance with §402, B-4 of the City of Tulsa Zoning Code. Existing entry signage shall not exceed 32 square feet in size.

All Other Development Standards: Per the RS-3 District

3. No building permit shall be issued until the platting requirements of Section 1107-7 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.

4. For the purpose of the PUD detail site plan review requirements, the approved final plat shall constitute the required detail site plan. Any future perimeter walls or entry features must receive a Detail Site Plan approval from the TMAPC.

5. No sign permits shall be issued for erection of a sign within the PUD after 9/7/10 until a detail sign plan has been submitted to the TMAPC and approved as being in compliance with the applicable 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. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.

8. Entry gates or guardhouses, if proposed after 9/7/10, 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.

9. 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: No comments.
Fire: No comments.
Stormwater: No comments.
Wastewater: No comments.
Transportation: No comments.

INCOG Transportation:
- **MSHP**: S. 177th East Ave is a designated secondary arterial.
- **LRTP**: E. 41st St. S., between S. 161st E. Ave and S. 177th E. Ave, planned 4 lanes. S. 177th E. Ave, between 41st St. S. and 51st St. S. existing 2 lanes.
- **TMP**: S. 177th East Avenue is a planned on-street bikeway.
- **Transit**: No current or future plans for this location.

**Traffic**: No comments.

**GIS**: No comments.

**Street Addressing**: No comments.

09/07/10
EXHIBIT 'A'

FRONT YARD DRIVEWAY COVERAGE ANALYSIS

<table>
<thead>
<tr>
<th>CODE</th>
<th>3-CAR DRIVEWAY*</th>
</tr>
</thead>
<tbody>
<tr>
<td>RE</td>
<td>17%</td>
</tr>
<tr>
<td>RS-1</td>
<td>25%</td>
</tr>
<tr>
<td>RS-2</td>
<td>32%</td>
</tr>
<tr>
<td>RS-3</td>
<td>34%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>MIN. LOT WIDTH</th>
<th>FRONT B/L</th>
</tr>
</thead>
<tbody>
<tr>
<td>RE</td>
<td>150’</td>
</tr>
<tr>
<td>RS-1</td>
<td>100’</td>
</tr>
<tr>
<td>RS-2</td>
<td>75’</td>
</tr>
<tr>
<td>RS-3</td>
<td>60’</td>
</tr>
</tbody>
</table>

*Assumes minimum lot width and front building line for the appropriate zoning district
Exhibit "A"

60' X 130' LOT
OXFORD COURT

20' Building Line
4,500 S.F. Livability Space

25' Building Line

28'
16'

Tulsa Engineering & Planning Associates, Inc.
6737 South 89th East Avenue Tulsa, Oklahoma 74133
Phone: 918-252-9621 Fax: 918-250-4566

Job No: 10-040
Scale: 1" = 20'
Date: 7/29/2010
Exhibit "B"

70' X 130' LOT
OXFORD COURT

Tulsa Engineering & Planning Associates, Inc.
6737 South 85th East Avenue Tulsa, Oklahoma 74155
Phone: 918-252-9621 Fax: 918-250-4566

Certificate of Authorization No. 551 Renewal Date June 25, 2011

Job No: 10-040
Scale: 1" = 20'
Date: 7/29/2010
Model home in subdivision

Three car wide driveway immediately south of subject subdivision

* This subdivision contains mostly two car garages/driveways

South of 44th St. & 135th E. Av.
Model home in subdivision

26.21
TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT

APPLICATION: Z-7158/ PUD-737-A (Abandonment)

TRS 9411
CZM 40

TMAPC Hearing Date: September 7, 2010
Continued from 8/3/10 and 8/18/10

Applicant: Jay Litchfield

Address/General Location: Southeast corner of East 11th Street and South 161st East Avenue

Existing Zoning: RS-3/ PUD-737
Existing Use: Vacant

Proposed Zoning: AG/ PUD-737-A
Proposed Use: Abandonment of PUD and Residential/Retain CS at corner/Agriculture zoning on balance

Tract Size: 91.98± acres

Zoning Ordinance: Ordinance number 21564 dated June 29, 2007, and Ordinance number 21585 dated July 31, 2007, established zoning for the subject property.

Relevant Zoning History:

PUD-737 July 2007: A request was made for a proposed Planned Unit Development on a 140± acre tract of land for 600 residential dwellings and commercial use. Staff recommended approval of per conditions and TMAPC recommended approval of 543 residential dwellings with conditions. The City Council approved the PUD with condition of no more than 453 dwelling units, on property located on the Southeast corner of East 11th Street and South 151st East Avenue and a part of the subject property.

Z-7045 June 2007: A request was made to rezone a 140± acre tract from AG to 135 acres to RS-4 and 5 acres to CS for residential and commercial use. The applicant changed the request from RS-4 to RS-3. Staff recommended for 5 acres to CS and '100' buffer of OL and the remainder RS-3 if TMAPC approved PUD. The TMAPC recommended approval per staff recommendation except RS-2 instead of RS-3. The City Council approved 5 acres to CS and remainder to RS-3, on property located on the Southeast corner of East 11th Street and South 161st East Avenue and a part of the subject property.

Z-6671 February 1999: All concurred in approval of a rezoning of a tract of land from RS-3 to AG, lying one-half mile northeast of the subject site.

Area Description:

Site Analysis: The subject property is approximately 91.98± acres in size and is located southeast corner of East 11th Street and South 161st East Avenue. The property appears to be vacant and is zoned RS-3.
TRANSPORTATION VISION:

The Transportation chapter of the recently adopted and updated Comprehensive Plan of the City of Tulsa identifies 11th Street along the project limits as a future Multi-Modal Corridor. Multi-Modal Corridors are identified on page 15 of the Transportation chapter as "emphasizing 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". This may indicate that the requested downzone of the subject property may not provide the density needed to justify this type of transportation corridor.

STREETS:

<table>
<thead>
<tr>
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<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
</tr>
</thead>
<tbody>
<tr>
<td>East 11th Street</td>
<td>Secondary arterial</td>
<td>100'</td>
<td>2</td>
</tr>
<tr>
<td>South 161st East Avenue</td>
<td>Secondary arterial</td>
<td>100'</td>
<td>2</td>
</tr>
</tbody>
</table>

UTILITIES: The subject tract has municipal water and sewer available. The City of Tulsa has recently extended utilities into this area in anticipation of the development of the existing zoning.

SURROUNDING AREA: See also the attached case map aerial photograph. The subject tract is abutted on the east by large-lot single-family residential uses and vacant land, zoned AG and RS-1; on the north by vacant land and large-lot single-family residential uses, zoned CS/OL/RS-3 and AG; on the south by vacant land, zoned RD and AG; and on the west by large-lot single-family residential uses, zoned RS-3. The northwest corner of 11th Street and 161st East Avenue
RELATIONSHIP TO THE COMPREHENSIVE PLAN:
The newly adopted Tulsa Comprehensive Plan identifies this area as an "Area of Change" and calls for this area to be a new neighborhood with a neighborhood center at the hard corner of the intersection, in which AG zoning would not be compatible. However, if the application is approved to remove the PUD overlay, the underlying CS zoning would remain at the corner. The new neighborhood designation includes single-family homes, townhouses, condominiums and low-rise apartments. The neighborhood center designation includes one-to-three story mixed-uses, retail, multifamily residential, condominiums, townhouses and small lot single-family residential uses. (Tulsa Comprehensive Plan, July 2010, pages 31 and 33, Land Use).

STAFF RECOMMENDATION FOR ZONING (Z-7158):
Staff cannot support the requested AG zoning. This area is viewed as having potential for future and more dense development. Moreover, the City has recently invested significant funds ($1 million) to increase utility service to the area for that reason, showing a commitment to the Tulsa Comprehensive Plan goals of increased density for new development and more efficient land use. An AG use would be counter to that goal. Therefore, staff recommends DENIAL of abandonment of the PUD and DENIAL of returning of AG zoning on Z-7157.

STAFF RECOMMENDATION FOR PUD:
PUD-737 was approved in 2007 and is a planned residential development with a five-acre commercial node on the southeast corner of East 11th Street South and South 161st East Avenue (the area designated by the Tulsa Comprehensive Plan July 2010 as a neighborhood center). The tract has 2,310 feet of frontage along East 11th Street and 2,640 feet of frontage on 161st East Avenue. Corresponding RS-3 and CS zoning were approved in support of the proposed development (see accompanying zoning map). Referring to Exhibit A, the 32-acre (+/-) tract identified as Parcel 1 is not a subject of this application and would remain PUD-737 should the Planning Commission approve this amendment. Also, the CS-zoned tract at the hard corner would remain zoned CS without the PUD designation.
The remaining 91-acre site is characterized by wooded, rolling terrain with a ridgeline that runs north/south along the western half of the subject property and a smaller ridgeline situated in the north central portion of the site along East 11th Street South. There are three drainageways located on-site that were proposed for stormwater detention.

PUD 737-A permits a maximum of 108,900 square feet (sf) of commercial floor area and 543 single-family residential dwellings on 50’ wide lots. The minimum lot size of 5,500 sf with a livability space requirement of 2,000 sf per lot.

The City has extended utility service to the area based on an urban density of development including construction of a sanitary sewer lift station and force main to serve the densely planned residential subdivision (see Exhibit A-1). Reverting to rural density zoning would not provide adequate density of development required to satisfy the investment by the City. See the TAC comments below and the attached letter dated August 30, 2010 from Charles Hardt, Director of Public Works opposing this request.

The Tulsa Comprehensive Plan, adopted by the Tulsa Metropolitan Area Planning Commission and approved by Tulsa City Council in July, 2010 identifies this area as an “area of growth/change”. The northwest section of the property is designated as a neighborhood center while the remainder of the property is targeted as a new neighborhood. Neighborhood centers are mixed use developments designed to serve surrounding neighborhoods. Rezoning the area back to a low density, agricultural district appears contrary to the goals and policies of the new comprehensive plan.

Given the significant capital investment made by the City of Tulsa in the area and designation of the area by the newly adopted comprehensive plan as a neighborhood center and new neighborhood, staff recommends DENIAL of PUD-737-A.

**TAC Comments:**

**General:** As pointed out in the wastewater comments below, the City of Tulsa entered into a contract with the developer of the subject property. Until legal issues are resolved, Development Services opposes the approval of this application. A representative of Development Services will be present at TMAPC to provide additional information.

**Water:** The extension of a water main line to serve each lot will be required.

**Fire:** No comments.

**Stormwater:** No comments.

**Wastewater:** The City of Tulsa has constructed a Sanitary Sewer Lift Station to serve a planned residential subdivision on this 140 acre tract. It may be necessary to retain the present zoning in order to generate enough flow for the Lift Station to function properly. Contact Bob Shelton with the City of Tulsa Engineering Division (596-9572) for the City’s position on the proposal. (See RFA Contract #25477)

**Transportation:** No comments.

**INCOG Transportation:**

- MSHP: E. 11th St. S. and S. 161st E. Ave, existing 2 lanes. 100’ ROW should be maintained and sidewalks should be included along 11th, 161st, and on all internal streets
per Subdivision Regulations.

- LRTP: E. 11th St. S., between S. 161st E. Ave and S. 177th E. Ave, existing 2 lanes. S. 161st E. Ave, between E. 11th St. S. and E. 21st St. S., existing 2 lanes. Sidewalks should be constructed if non-existing or maintained if existing.
- TMP: No Comment
- Transit: No current or future plans for this location.

**Traffic**: No comments.

**GIS**: No comments.

**Street Addressing**: No comments.

08/03/10
August 30, 2010

TULSA METROPOLITAN AREA PLANNING COMMISION
Two West 2nd Street, Suite 800
Tulsa, OK 74103

ATTN: Chris Sansone

SUBJECT: CASE Z-7158/PUD-737-A
JIM LITCHFIELD / STRATFORD RIDGE

Dear Mr. Sansone,

The proposal to rezone 92 acres on the southeast corner of 11th Street South and 161st East Avenue to agricultural (AG) and abandonment of PUD-737 is opposed by the Tulsa Metropolitan Utility Authority (TMUA). The developer, Jay Litchfield, has stated that he has commitments for the purchase of parcels of five (5) acres and larger totaling the 92 acres subject to rezoning the property to AG.

The City of Tulsa and TMUA entered into an agreement with Shaw-Ramsay LLC on December 18, 2006. TMUA was to construct, at its expense, a sanitary sewer lift station and force main to serve the 140 acres for the purpose of economic development of the area. The property was to be developed by Shaw-Ramsay in phases over the next 10 years resulting in no less than 475 residential structures to be served by the new lift station.

TMUA constructed the sanitary sewer lift station and force main at a cost of $1,412,859.29 paid by the rate payers. Construction was completed mid-2009. Rezoning of the property to AG inhibits TMUA’s ability to recoup the cost of the sewer lift station and force main through its charges for service.

The property owner, Edsel Brashears, along with City Councilor Jim Mautino presented three different developers requesting TMUA’s support and participation in constructing the sewer infrastructure necessary to serve the subject property concluding with the agreement with Shaw-Ramsay LLC.

Again, City staff, on behalf of the Tulsa Metropolitan Utility Authority, opposes the rezoning of the subject property from RS-3 to AG and abandoning PUD-737.

A Public Works Department representative will attend the hearing on September 7 before the TMAPC to address any questions you may have.

Your consideration in denying the proposed rezoning of this property is appreciated!

Sincerely,

Charles L. Hardt, P.E.
Public Works Director

Xe: Mayor Dewey Bartlett
Tulsa Metropolitan Utility Authority
PUD 737 Amendment & Zoning Change Application
Brashear’s Riding Stables
Southeast corner of intersection of E. 11th St. So. & S. 161st E. Ave.
June 23rd, 2010

Mr. Edsel Brashear owns 96.98 Acres of the original 140 Acres in the PUD - 737. Our application asks for the "Abandonment of the PUD" and Zoning change back to the original zoning of Ag for Mr. Brashear's portion of PUD - 737, less the 5 Acre CS (Commercial) tract directly on the corner. The "Subject Property" consists of 91.98 Acres as noted in Exhibit A.

PUD - 737 has an original commercial node, known as Development Area A, on the southeast corner of East 11th St. So and So. 161st E. Ave. Our application asks that this zoning remains CS as it is in the PUD.

The entire 140 Acres is in its original state, vacant pasture. The Ramsay Company, Mr. Charles Ramsay Jr., made the original application in the formation of PUD - 737 in January 2007. Mr. Ramsay's initial proposal was to purchase the entire 140 Acres from Mr. Brashear. Mr. Ramsay has purchased and presently owns approximately 38.02 Acres, noted as Phase 1 "Stratford Ridge" in the original PUD – 737.

Mr. Brashear would like to sell his remaining property at this time and finds that the present PUD and zoning are contradictory to those efforts.

LEGAL Description: A tract of land located in the NW/4 of Section 11, T-19-N, R-14-E of the Indian Meridian, Tulsa County, State of Oklahoma, according to the Official U.S. Government Survey thereof, being more particularly described as follows: Nwlessbeg740.73enwcnwthe1572.01s1500.19 W287.7n93w115n159.99cvrt17.01w640.9sw10 4.56sw60cvlf431.93ne60cvrt39.35cvlf37.2 7ne3.61cvrt100.59ne102.82cvlf48.63cvlf4 2.02n50.01cvrt74.06cvlf42.92cvlf73.84n1 28.69cvlf39.27w40n50e40cvlf39.27n87.50w 272n391.96& Lesse330sec111914 96.984acs as noted in the Tulsa County Tax Record Parcel # 99411-94-11-10500

We submit this application for review and ask to be placed on the agenda of the next meeting in August.

Respectfully,

[Signature]

Jay Litchfield 6/24/2010

27.10
Exhibit A
Brashear Riding Stables
PUD - 737

North

E. 11th Street S.  E. 11th Street S.

Development Area A
5 Acres Commercial Zoned CS

Stratford Ridge
Phase 1

91.98 Acres
Subject Property

27.11
July 27, 2010

Thanks, Ken. Our recommendation is for denial, based on the City's expenditures on infrastructure in this area. Moreover, the proposed AG is not in accord with the recently adopted PLANiTULSA comprehensive plan update. Please keep me apprised of any meetings you have regarding this issue, as I am sure the TMAPC will ask on August 3.

Dane

-----Original Message-----
From: Hill, Ken [mailto:KENHILL@cityoftulsa.org]
Sent: Tuesday, July 27, 2010 11:00 AM
To: Matthews, Dane; Fernandez, Diane
Cc: Alberty, Wayne; Shelton, Robert; Hardt, Charles; Zachary, Paul
Subject: RE: 

Dane,

City staff, on behalf of the Tulsa Metropolitan Utility Authority, opposes the rezoning of the subject property from RS-3 to AG and abandoning a portion of PUD-737.

The Tulsa Metropolitan Utility Authority (TMUA) entered into an agreement with Shaw-Ramsey LLC in December 2006 in association with Edsell Brashears, property owner. TMUA constructed a sanitary sewer lift station and force main at a cost of $1,412,859.29 to serve the 140 acres owned by Mr. Brashears. The property was to be developed in phases resulting in no less than 475 residential structures to be served by the new lift station.

We have proposed a meeting with Mr. Jay Litchfield, Edsell Brashears and City Councilor Jim Mautino to discuss the terms of the agreement with Shaw-Ramsey. A meeting is not scheduled at this time.

We will attend the hearing on August 3 before the TMAPC and voice our opposition.

Thanks for your help! We will keep you apprised of any changes.

EXHIBIT A-1

27.12
Barbara, Sorry I sent to wrong email. Jay

-----Original Message-----
From: jaylitchfieldga@aol.com
To: bhutsinger@incog.org
Sent: Mon, Aug 2, 2010 2:30 pm
Subject: Attn: Michelle Cantrell Continuance on PUD 737-A & Z-7158

Ms. Cantrell,
My name is Jay Litchfield. I am the applicant of Major Amendment PUD 737-A and Application for Rezoning Z-7158. We humbly ask for a continuance of our application. We have been unable to resolve our own internal issues in regard to the comments by Public Works. We respectfully ask that we are granted a continuance to the next available meeting on August 18th. Feel free to contact me by phone at 916/639-7853 or by email.
Regards Jay Litchfield
RE: Major Amendment PUD 737-A & Application for Rezoning Z-7158

Ms. Cantrell,

In regard to our Application for Major Amendment PUD 737-A and Rezoning Z-7158, we ask for a continuance or our application to the next scheduled meeting, Sept. 7th, of the Tulsa Metropolitan Area Planning Commission (TMAPC). We have consulted with Kenneth Hill from Public Works on August 17th. With the conclusion of that meeting, we have found that we still have a large degree of work to complete to satisfy Public Works' objections to our application. We are unprepared to make a presentation to the Commission at this time, in light of our meeting with Public Works. We may have reached a point where we either withdraw our application or file a new amended application. We are confident that we will have all of our issues resolved before the next meeting of TMAPC.

We humbly ask for a continuance. Feel free to contact me by phone at 918/639-7653 or by email.
Regards Jay Litchfield
Looking West along North Boundary of PUD (11 St)

Southeast Corner of 11th + 161st St E. Ave 27.15
Looking north from south-west corner of PUD-737.
Looking North along 14 3/5 E. Ave.

Looking South from 11th St.
TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT

APPLICATION: Z-7157/ PUD-778

TRS 8419  Atlas 2267
CZM 58 CD-8

TMAPC Hearing Date: September 7, 2010

Applicant: DeShazo, Tang & Assoc. Tract Size: 5+ acres

ADDRESS/GENERAL LOCATION: Northwest corner East 101st Street and South Garnett Road

EXISTING ZONING: AG EXISTING USE: Vacant
PROPOSED ZONING: CS/PUD PROPOSED USE: Office and Enclosed Commercial Recreation Establishments, NEC

ZONING ORDINANCE: Ordinance number 11834, dated June 26, 1970, established zoning for the subject property.

RELEVANT ZONING HISTORY:

PUD-746 October 2007: All concurred in approval of a proposed Planned Unit Development on a 5+ acre tract of land for single-family residential on property located west of the northwest corner of East 101st Street and South Garnett Road.

BOA-11534 August 6, 1981: The Board of Adjustment approved a Special Exception to permit a church and school in an AG district (Grace Fellowship Church and School) per plot plan, subject to a subdivision plat, with the record to reflect that this is a private school and a facility of this size with school use and church use approval would not be required to be reviewed again by the Board if a facility such as a day-care center was added in the future, on property located at East 101st Street and South Garnett Road.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 5+ acres in size and is located northwest corner East 101st Street and South Garnett Road. The property appears to be vacant and is zoned AG. Much of this property lies within a floodplain, an issue which will be addressed in the detail site plan, platting and other phases of plan development but which are not subject to TMAPC review during this phase.

STREETS:

<table>
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<tr>
<th>Exist. Access</th>
<th>MSHP Design</th>
<th>MSHP R/W</th>
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<tbody>
<tr>
<td>East 101st Street</td>
<td>Primary arterial</td>
<td>120'</td>
<td>2</td>
</tr>
<tr>
<td>South Garnett Road</td>
<td>Secondary arterial</td>
<td>100'</td>
<td>2</td>
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28.3
TRANSPORTATION VISION: Garnett Road from 91st Street to 101st Street South and 101st Street South are not identified in the Transportation Vision of the newly updated and adopted Tulsa Comprehensive Plan. However and per TAC recommendation below, Tulsa County is planning improvements to the intersection of 101st & Garnett so the required rights of way will need to be provided. As a minimum, 101st requires 60' and Garnett requires 58' for the first 388' from the section line. Presently the 50' ROW along Garnett and 24.75' Statutory ROW on E 101 St. are still tied to the property. Rededication will be required during the platting process. Driveways should be located at least 150' from the tangent of the curve at the intersection of Garnett/101st St. Sidewalks must be 5' wide with sidewalk access provided at all driveway locations.

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

SURROUNDING AREA: The subject tract is abutted on the east by vacant land, zoned A-1 in Broken Arrow and owned by OTA; on the north by vacant and heavily wooded land, zoned AG and in private ownership; on the south by Cedar Ridge Golf and Country Club, zoned R-1 in Broken Arrow; and on the west by a large-lot single-family residential use and vacant land, zoned AG. See larger attached case map aerial photograph for clearer representation, as well as attached area photographs.
RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The recently updated and adopted Tulsa Comprehensive Plan designates this area as an "Area of Change".

Garnett Rd.

Area of Stability
Area of Change

PROJECT LOCATION

101st Street
The Plan also designates this area as a Neighborhood Center. The light yellow represents "existing neighborhoods"; the darker yellow "new neighborhoods"; and the brown "neighborhood centers":

According to Plan Policies (Land Use Chapter, page 31), Neighborhood Centers are:

"Small-scale, one to three story mixed-use areas intended to serve nearby neighborhoods with retail, dining, and services. They can include apartments, condominiums, and townhouses, with small lot single family homes at the edges. These are pedestrian-oriented places served by transit, and visitors who drive can park once and walk to number of destinations".

The Plan further states that centers should ideally support both daytime and evening activities to create an attractive and safe neighborhood destination. Staff contends that the proposed CS zoning would be in accord with the aforementioned designations.

**STAFF RECOMMENDATION FOR ZONING:**

The requested rezoning is in accord with the Comprehensive Plan. Therefore, staff recommends APPROVAL of CS zoning for Z-7157, provided that the TMAPC deems it appropriate to approve the accompanying PUD-778 or some variation thereof.

**STAFF RECOMMENDATION FOR PUD:**

PUD-778 is located at the northwest corner of 101st Street South and South Garnett Road. The tract is 3.83 net acres and 4.99 gross acres inclusive of both street rights-of-way (ROW). The tract is heavily wooded, undeveloped and zoned AG. A portion of the tract is located within a FEMA Floodplain (see attached Haikey Creek Floodplain Analysis). The property will be platted.
PUD-778 proposes a two lot, one block subdivision. Lot 1 is proposed to be used as a personal office/warehouse building for the applicant. Lot Two (2) is proposed for two sports activity buildings, specifically to be used as a private volleyball club. As required by the City of Tulsa, the two lots will have independent access points; however, there will be a gate between the two lots for overflow parking (see Exhibit A). Two-thirds of Lot 2 is located within the FEMA Floodplain.

While located in a floodplain the project has received clearance from City of Tulsa since the buildings on Lot 2 will be designed and constructed in a manner to create minimal impact on the floodplain and surrounding area. Please refer to the attached letter from the applicant dated August 20, 2010 and the attached building elevation exhibit and conceptual grading plan which includes compensatory storage calculations.

Staff has reviewed this proposal, conducted area visits and can support this application. Staff finds the uses and intensities of development proposed to be in harmony with the spirit and intent of the Code. Staff finds PUD-778 to be: (1) consistent with the vision, goals, and land use policy as outlined in the Comprehensive Plan; (2) in harmony with the existing and expected development of surrounding areas given the extent of floodplain in the area; (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-778 subject to the following conditions:

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

2. Development Standards:

   AREA:

<p>| | | |</p>
<table>
<thead>
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<tbody>
<tr>
<td>Net:</td>
<td>3.83 AC</td>
<td>166,678 SF</td>
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<tr>
<td>Lot 1:</td>
<td>1.14 AC</td>
<td>49,776 SF</td>
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<tr>
<td>Lot 2:</td>
<td>2.69 AC</td>
<td>116,902 SF</td>
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<tr>
<td>Gross:</td>
<td>4.99 AC</td>
<td>217,398 SF</td>
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</table>

   PERMITTED USES:

   The uses permitted as a matter of right in the CS - Commercial Shopping districts, excluding Use Unit 12a and Use Unit 16; and uses customarily accessory to permitted uses.

   MAXIMUM PERMITTED FLOOR AREA:

   | Lot 1 - Commercial | 20,000 SF (0.40 FAR) |
   | Lot 2 - Commercial | 50,000 SF (0.42 FAR) |

   MINIMUM LOT FRONTAGE: 28.7
Lot 1
Lot 2

MINIMUM BUILDING SETBACKS:

Lot 1:
From S. Carnett Right of Way 50 FT
From the east property line 20 FT
From the north boundary 18 FT
From the west property line 40 FT

Lot 2:
From 101st Street Right of Way 50 FT
From S. Carnett Right of Way 50 FT
From the north property line 20 FT
From the west property line 0 FT

OFF-STREET PARKING:

Lot 1:
Office: Per use Unit 11 in the Zoning Code.
Warehouse: Per Use Unit 23 in the Zoning Code.

Lot 2:
Recreational facility: Per Use Unit 19 for Enclosed Commercial Recreation Establishments, NEC.

LANDSCAPING AND SCREENING:

A minimum of 15% of the net area of Lot 1 and 10% of the net area of Lot 2 shall be improved as internal landscaped open space in accord with the landscape requirements of Chapter 11 of the Tulsa Zoning Code. Landscaping shall include a minimum five foot landscaped buffer along the southern and eastern boundary in substantial conformance with the 'Landscape and Screening Details', Exhibit 'C'. Parking area and street side landscaped areas shall be in conformance with Chapter 10 of the Tulsa Zoning Code.

1 gallon loblolly pine trees shall be placed along the western boundary and the western two hundred and forty-nine feet (249') of the northern boundary spaced twenty feet (20') apart. All landscaped areas shall be native grass and ground cover.
A minimum six-foot (6') screening fence on concrete footings shall be required along the west boundary and the western two hundred and forty-nine (249') on the northern boundary of the planned unit development.

SIGNS:

Lot 1: Per Chapter 6 of the Tulsa Zoning Code.
Lot 2: One monument style sign per street frontage not to exceed 8' in height nor 64 square feet of display area. Wall signs may not exceed 1 sf of display area per lineal foot of building wall to which the sign is attached.

LIGHTING:

All lights, including building mounted, shall be hooded and directed downward and away from the west and north boundaries of the planned unit development. Shielding of outdoor lighting shall be designed so as to prevent the light producing element or reflector of the light fixture from being visible to a person standing at ground level in adjacent residential areas. Compliance with these standards shall be verified by submittal of a photometric plan. Consideration of topography must be included in the calculations.

ACCESS:

Access to the property will be provided from 101st Street as shown on Exhibit ‘D’ – Access and Circulation.

Lot 1 will have a driveway off of 101st Street and a mutual access drive along the northern portion of Lot 2 to Garnett. Lot 2 has a proposed driveway off of 101st Street and South Garnett Rd. There will be a mutual access drive between Lots 1 and 2 off of 101st Street south of the Lot 1 gate to allow another access point for Lot 1 and an access gate between Lots 1 and 2 along the northern tract of the lots that will be opened to allow overflow parking for Lot 2 when needed.

No access to or from the undeveloped areas to the west or north is planned or proposed.

SIDEWALKS AND PEDESTRIAN CIRCULATION:

Pedestrian circulation shall be provided by sidewalks along 101st Street and South Garnett as required by Subdivision Regulation. Internal pedestrian circulation shall be provided on both sides of the major driveways and within the parking areas as shown on Exhibit ‘D’.

3. No zoning clearance permit shall be issued 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/lot 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 will be installed by a specific date in accordance with the approved landscape plan, 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. 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 or existing stormwater drainage structures and detention areas serving the development area have been installed in accordance with the approved plans prior to issuance of an occupancy permit on that lot.

8. 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.

9. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.

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.

11. There shall be no outside storage of recyclable material, trash or similar material outside a screened receptacle. Receptacle screening shall be constructed of materials having an appearance similar to the buildings themselves and be of complementary color. Trucks or truck trailers may not 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:** No comments.

**Fire:** Provide emergency vehicle access easement between the two lots to allow fire apparatus right to enter both properties without turning around. The required turning radius of a fire apparatus access road shall be determined by the fire code official. Fire apparatus roads shall be designed with a minimum of 28 feet inside radius and a minimum of 48 feet' outside radius.

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.

Stormwater: The FEMA Floodplain, as shown on the submitted Exhibit A, encompasses both buildings on Lot 2 and approximately half of the building on Lot 1. Will the building on Lot 1 also be constructed on stilts? There is a definite concern about access for emergency vehicles, to these buildings, during times of flooding.

Wastewater: Coordinate with Bob Shelton (596-9572) about the necessary contract between the City of Tulsa, and the City of Broken Arrow for your proposed sewer main extension from BA. A one time fee of $25,000.00 will be required to finance the required flow meter which will measure the flow of sewer to Broken Arrow. Also, an Excess Capacity Fee of $700.00/acre is required for the City of Broken Arrow. You will need to design your main extension with a manhole near the SE corner of the project, so additional sewer lines can extend to the North. Also, we will need a straight run manhole added on the run from Tulsa to B.A. for the flow meter to work properly.

Transportation: The County is planning improvements to the intersection of 101st & Garnett. Please coordinate with the county engineer to assure required rights of way are provided. As a minimum, 101st requires 60’ and Garnett requires 58’ for the first 388’ from the section line. Presently the 50’ ROW along Garnett and 24.75 ‘ Statutory ROW on E 101 St. are still tied to the property. Rededication required during Platting process. Driveways should be located at least 150’ from the tangent of the curve at the intersection of Garnett/101st St. Sidewalks must be 5’ wide with sidewalk access provided at all driveway locations.

INCOG Transportation:
- MSHP: East 101st Street is a designated primary arterial. S. Garnett Road is a designated secondary arterial
- LRTP: East 101st and S. Garnett Road planned four lanes. Sidewalks should be constructed if non-existing or maintained if existing, per Subdivision Regulations.
- TMP:
- Transit: No comments.

Traffic: No comments.

GIS: No comments.

Street Addressing: No comments.

9/7/10
August 20, 2010

Chris Sansone
INCOG
Two West Second Street
Suite 800
Tulsa, Oklahoma 74103

Re: PUD 778

Dear Mr. Sansone,

Per your email dated July 22, we have done some additional work in regards to additional information requested by Mr. Alberty. We have met with David Steele and Developmental Services and he has met with his boss, Jack Page, concerning this development and has approved our proposed development in regards to the floodplain. Developmental Services requested an additional drive between the two lots in the southwest corner and this has been added. I have revised the PUD and the exhibits to reflect this change, and have attached a copy of the PUD.

I have also attached a building elevation exhibit and a conceptual grading plan of the site including compensatory storage numbers. These two exhibits reflect that the two Club One buildings will be built on stilts with the finished floor (640.00) above the flood elevation (637.60) and with the regrading of the site in the floodplain we are proposing more cut than fill in the floodplain. I have also talked to the architect and he has guaranteed me that the mechanical equipment will all be elevated and placed at a minimum 1' above the base flood elevation.

We have been in contact with Dewberry, who are the engineers of the Garnett Road expansion, attempting to obtain their HEC model. This model was prepared in their Fairfax, Virginia office and the Tulsa office is still in the process of obtaining it for us. We did receive a copy of their report, which I have included, which reflects that the velocity through our site is about 3.2 feet per second.

Sincerely,

[Signature]

A. Nicole Watts, P.E., CFM
Associate

cc: Dane Hendrix P.O. Box 690116 Tulsa, Oklahoma 74169
    David Steele City of Tulsa Developmental Services
Looking West Down 91st St.

NW/C. 91st + Gardner Rd.
Look North up Garnett Rd.
TRSA 8419  
CZM 58  
TMAPC Hearing Date: September 7, 2010  
Applicant: Roy Johnsen  
Tract Size: 2.2+ acres

ADDRESS/GENERAL LOCATION: North of northeast corner of South Mingo Road and US 169

EXISTING ZONING: CO/PUD-628  
EXISTING USE: Vacant

PROPOSED ZONING: CO/PUD-628-B  
PROPOSED USE: Veterinarian clinic

ZONING ORDINANCE: Ordinance number 19802 dated March 30, 2000, established zoning for the subject property.

RELEVANT ZONING HISTORY:

**Z-6910-AP-2 April 2006**: All concurred in approval of a proposed Corridor Site Plan on a 4.45+ acre tract of land for commercial and medical office use on property located east of southeast corner of East 91st Street South and South Mingo Road.

**Z-6910-SP-1 December 2003**: All concurred for approval of the proposed Corridor Site plan on a 4.5+ acre tract for a 4-story bank and office building located east of the southeast corner of East 91st Street and South Mingo Road.

**Z-6910 October 2003**: All concurred in rezoning a 4.5+ acre tract from AG to CO, for office and bank use, on property located east of the southeast corner of East 91st Street and South Mingo Road.

**PUD-268-C/Z-6663 August 2002**: All concurred in rezoning a 2.46+ acre tract from PUD/RS-3 to PUD/OL and a major amendment to PUD-268-A, per staff recommendation for a 3 building office park located on the south side of East 91st Street South approximately ¼ mile west of Mingo Road.

**PUD-628/Z-6467-SP-4 March 2000**: Approval was granted for a PUD/corridor site plan on a 15.8+ acre tract located in the northeast corner of South Mingo Road and the Mingo Valley Expressway, for a proposed assisted living, elderly and retirement facility. Office uses were approved on the southern end of the tract that had originally been approved for a golf pro shop and teaching building.

**PUD-597/Z-6667 January 1999**: All concurred in approval of a request for rezoning and a planned unit development from AG to OL/PUD for an office park on a 6.1+ acre tract located on the northwest corner of South Mingo Road and Highway 169 per staff recommendation.
**BOA-18480 August 1999:** The Board of Adjustment denied a request for a variance of the required 1,200' spacing between outdoor advertising signs to 940' to relocate an existing outdoor billboard sign, on property located in the northeast corner of South Mingo Road and the Mingo Valley Expressway.

**PUD-268-B June 1997:** All concurred in approval of a request for a major amendment on a portion of the original PUD-221 to allow medical and general office use on that portion of the PUD previously approved for multifamily development and located south of the southwest corner of East 91st Street South and South Mingo Road.

**Z-6538/Z-6538-SP-1 July 1996:** All concurred in approval of a request to rezone a 3.4+ acre tract located on the east side of Mingo Road and south of East 91st Street from AG to CO. Approval was also granted for a Corridor Site Plan for an inline hockey facility.

**Z-6503 October 1995:** All concurred to approve a request to rezone a 10+ acre from AG to CO, on property located south of the southwest corner of East 91st Street South and South Highway 169.

**Z-6467/Z-6467-SP-1 January 1995:** All concurred in approval of a request to rezone a 15+ tract of land from AG/CO to CO, on property located south of southeast corner of East 91st Street and South Mingo Road and a part of the subject property. Approval was also granted for a Detail Corridor Site Plan to allow a golf center with driving range, practice and instruction facilities.

**Z-6194 July 1988:** All concurred in approval of a request to rezone a 4+ acre tract from CS to CO, on property located east of the southeast corner of East 91st Street and South Mingo Road.

**PUD-268/Z-5618 October 1981:** Staff and TMAPC recommended denial of a request to rezone 15+ acres from RS-3 to RM-2 and recommended approval of RM-1/PUD on property located in the southwest corner of East 91st Street South and South Mingo Road.

**AREA DESCRIPTION:**

**SITE ANALYSIS:** The subject property is approximately 2.2+ acres in size and is located north of northeast corner of South Mingo Road and Creek Turnpike. The property appears to be vacant and is zoned CO/PUD-628.

**TRANSPORTATION VISION:**

The recently adopted and newly updated Comprehensive Plan for the City of Tulsa identifies 91st Street, just north of the subject tract as a “Bus-Rapid Transit” Route (BRT). The Plan describes a BRT as (refer to attached Larger version of Figure 1):

“BRT is a relatively new technology that combines some aspects of rail transit with the flexibility of buses. It can operate on exclusive transit ways, HOV lanes, expressways, or
ordinary streets. As compared to typical diesel bus technology, a BRT system can potentially combine new technology (using propane or other alternative non-diesel fuel), priority for transit, leaner and quieter operation, rapid and convenient fare collection, and integration with land-use policy”.

**STREETS:**

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<th>Exist. Access</th>
<th>MSHP Design</th>
<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
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<tr>
<td>East 93rd Street South</td>
<td>Commercial Collector</td>
<td>60’</td>
<td>2</td>
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<tr>
<td>South Mingo Road</td>
<td>Secondary Arterial</td>
<td>100’</td>
<td>5</td>
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**UTILITIES:** The subject tract has municipal water and sewer available.

**SURROUNDING AREA:** Please refer to attached Exhibit C, surrounding area aerial photograph for larger representation of Figure 2.

The subject tract is abutted on the east by vacant, landlocked land zoned CO and owned by the City of Tulsa; on the north by a creek and then Mingo Medical Center, zoned CO; on the south by vacant Lot 3 within PUD-628, zoned CO; and on the west by medical offices also within PUD-628.

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

In 1998 the TMAPC and the City Council found the requested Corridor zoning for this tract and the surrounding property to be in accord with the Comprehensive Plan.

The newly adopted and recently updated Comprehensive Plan for the City of Tulsa designates this area as an “Area of Change” and a “Regional Center”. Regional Centers are described on page 32 of the Land Use chapter of the Plan as, “mid-rise mixed-use areas for large scale employment, retail, and civic or educational uses. These areas attract workers and visitors from around the region and are key transit hubs; station areas can include housing, retail, entertainment, and other amenities”.

![Figure 2](image-url)

![Subject Tract](image-url)
STAFF RECOMMENDATION:

PUD-628 is a 10.58 acre area located at the northeast corner of South Mingo Road and U.S. Highway 169. The tract has a gentle slope from west to east and has four office buildings constructed on the lots adjacent to Mingo Road. The subject of this major amendment is described as Lot 2, Block 1 – Cedar Ridge Park as seen on Exhibit A. The Lot contains 2.2 acres and is located approximately 245 feet east of Mingo at the northeasterly terminus of East 93rd Street South. There is no adjacent residentially zoned

or used property.

The uses currently allowed within Cedar Ridge Park and are limited to uses permitted as a matter of right in Use Unit 10 - Off-Street Parking and Use Unit 11 - Offices, Studios and Support Services.

Major amendment PUD-628-B proposes to add Veterinarian Clinic only as provided within Use Unit 14 - Shopping Goods and Services as a permitted use on Lot 2 only within PUD-628. The proposed veterinarian clinic is depicted on the attached site plan (see Exhibit B). There would be no outdoor runs or kenneling of any kind outside the enclosed facility. No animals will be outside aside from accompanied walks as needed to “water”.

All existing development standards within PUD-628 would remain effective aside from the added permitted use on Lot 2.

Please refer to the attached case area photographs. The lot is situated at the end of a cul-de-sac and adjacent to a lot owned by the City of Tulsa that is landlocked and abuts US 169. This lot can not be developed. To the north is a creek and a strip of woods which is adjacent to the site for the Mingo Medical Center. Staff contends that given the location of the lot in proximity to the highway and other medical uses in the immediate area this is a good location for this service.

Staff finds the proposed additional use and intensity of development proposed to be in harmony with the spirit and intent of the Code. Staff finds PUD-628-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 existing site; and (4) consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Therefore, staff recommends APPROVAL of PUD-628-B subject to the following conditions:

1. The applicant's Concept Development Plan and Text be made a condition of approval, unless modified herein.
2. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.

3. Development Standards:

All development standards of PUD-628 are outlined below and shall remain effective, excepting the modified permitted uses:

**Land Area:**

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<tr>
<th>Description</th>
<th>Net Area</th>
<th>Total SF</th>
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<tr>
<td>PUD-628 Net</td>
<td>15.86 Acres</td>
<td>690,992 SF</td>
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<tr>
<td>Lot 2 Net</td>
<td>2.2 Acres</td>
<td>95,832 SF</td>
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**Permitted Uses:**

Uses permitted in Use Unit 10, Off-street Parking and Use Unit 11, Offices and Studios, and uses customarily accessory to permitted principal uses, and outdoor advertising under Z-6467-SP-2b and Z-6467-SP-3.

Within Lots 2 and 3 as shown on the preliminary plat, Exhibit B, Use Unit 8, Assisted Living Facilities and Elderly/Retirement Housing only at a maximum density of 25 dwelling units per acre shall be permitted as an additional use.

Within Lot 2 - Veterinary Clinic only as provided for in Use Unit 14 – Shopping Goods and Services.

**Maximum Building Floor Area and Ratio:**

- 0.60

**Maximum Land Coverage by Buildings within a Lot:**

- 30%

**Maximum Building Height:**

- 60 FT

**Minimum Lot Frontage on South Mingo Road:**

- 150 FT

**Off-Street Parking:** As required by the applicable Use Unit of the Tulsa Zoning Code.

**Minimum Building Setbacks:**

- From the centerline of South Mingo Road: 100 FT
- From the south boundary: 20 FT
- From the north boundary: 20 FT
  
Internal lot side and rear yards to be established by detail site plan.

**Minimum Landscaped Open Space:**

A minimum of 15% of the net land area shall be improved as internal landscaped open space in accord with the provisions of the Landscape Chapter of the Tulsa Zoning Code.
Signs:

1) One ground sign not exceeding 12 feet in height and 32 square feet in display surface area shall be permitted on each lot.

2) Wall signs shall be permitted not to exceed 1.5 square feet of display surface area per lineal foot of building wall to which attached. The length of a wall sign shall not exceed 75% of the frontage of the building.

3. There shall be no development in the City of Tulsa's regulatory floodplain.

4. The PUD shall establish an access system in which lots have access to a public street that has access to South Mingo Road or the lots are interconnected with each other and the public street through an internal mutual access system.

5. 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.

6. 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.

7. 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.

8. All trash, mechanical and equipment areas shall be screened from public view by persons standing at ground level.

9. The Department 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.

10. No building permit shall be issued until the requirements of Section 1107F 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.

11. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process, which are approved by TMAPC.

12. 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.
13. 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 shall not be used for storage.

**TAC COMMENTS:**

**General:** Incomplete plans but no comments.

**Water:** No comments.

**Fire:** No comments.

**Stormwater:** No comments.

**Wastewater:** No comments.

**Transportation:** No comments.

**INCOG Transportation:**

- **MSHP:** No comments.
- **LRTP:** Creek Turnpike, between Memorial Drive and Mingo Rd., planned 6 lanes. Mingo Road, between 91st St. S. and 101st St. S., planned 4 lanes.
- **TMP:** Subject property is in proximity of proposed Haikey Creek Trail. Encourage a minimum setback of 35 feet from the creek bank.
- **Transit:** No comments.

**Traffic:** No comments.

**GIS:** No comments.

**Street Addressing:** No comments.

**County Engineer:** No Comments.

9/7/10
The PLANiTULSA Transportation Vision illustrates the improvements to the street, transit, bicycle and pedestrian assets.

- Alignments that extend beyond the City of Tulsa's boundaries do not represent policy or investment obligations on the part of other jurisdictions.
- The two BRT corridors shown on HWY 169 and Garnett Road illustrate potential alignments; the exact alignments and technologies of transit investments may be refined during a formal alternatives analysis (AA). See Transportation Appendix III.
- At posting/publication, the multi-modal bridge at HWY 1244 and the Arkansas River is in the design stage.
APPLICATION: PUD-728-A

TRS 9307
CZM 37

TMAPC Hearing Date: September 7, 2010
Applicant: Roy Johnsen

TRACT SIZE: 1.02+ acres

ADDRESS/GENERAL LOCATION: Southwest corner of East 12th Street and South Trenton Avenue

EXISTING ZONING: RM-2/PK/PUD-728
EXISTING USE: Child/Adolescent residential treatment center

PROPOSED ZONING: RM-2/PK/PUD-728-A
PROPOSED USE: Hospital

ZONING ORDINANCE: Ordinance number 21293 dated May 15, 2006, established zoning for the subject property.

RELEVANT ZONING HISTORY:

PUD-772 October 2009: All concurred in approval of a proposed Planned Unit Development on a 4.81+ acre tract of land for a three-story, 129 unit elder/retirement housing, assisted living and memory care development, on property located between East 13th Street and East 13th Place and between South Trenton Avenue and South Utica Avenue.

Z-7102 October 2008: All concurred in approval of a request for rezoning a 2.7+ acre tract of land from OL/RM-2 to OH for office use on property located southwest corner of the Broken Arrow Expressway and South Utica Avenue.

PUD-728 May 2006: All concurred in approval of a proposed Planned Unit Development on a 4.03+ acre tract of land for office, hospital, residential treatment center and transitional living center and off-street parking uses, on property located east and west sides of South Trenton Avenue between East 12th Street and East 13th Street and a part of the subject property.

BOA-20198 February 2006: The Board of Adjustment denied multiple requests for Special Exceptions to permit off-street parking, residential treatment & transitional living center and to have those uses within ½ mile of other such facilities AND multiple requests for Variances of setbacks, screening, minimum lot size, of minimum frontage requirements all to permit the expansion of the existing facility. The Board denied these requests finding that this was not the correct venue and that a PUD should be required on subject property.

Z-6935 April 2004: All concurred in an approval for a request to rezone a 4.5+ acre tract from RM-2/PK/OL/CH to OH for the eastern two-thirds (207') of the site and OMH on the western one-third (103') of the site on property located west of the southwest corner of East 11th Street and South Trenton.
PUD-432-E October 2000: A major amendment to PUD-432-D to add a tract of land formerly occupied by the day-old bakery store and to add to the existing PUD, Development Area D into Development Area C for additional retail floor area, allowing Convenience Goods and Services and Shopping Goods and Services to the PUD which would allow a new gift, newspaper stand, souvenir shop and thrift store. The property is located between South Utica Avenue and South Victor Avenue, East 11\textsuperscript{th} Street and East 12\textsuperscript{th} Street, the amendment was unanimously approved.

Z-6613 February 1998: A request was filed to rezone a 4.4-acre tract located on the northeast corner of East 12\textsuperscript{th} Street and South Trenton Avenue, zoned RM-2 and OL, and a smaller tract consisting of two small lots located south of the southeast corner of East 11\textsuperscript{th} Street and South Utica Avenue and zoned CH. The larger tract is east, across South Trenton Avenue, from subject property. CH or OH zoning was requested for a proposed medical center; staff and TMAPC recommended OH zoning on both tracts and City Council concurred.

BOA-17860 October 1997: The Board of Adjustment approved a request for a special exception to permit a parking garage as an accessory use to a hospital and a variance of the building setback to permit a parking structure on the southwest corner of East 11\textsuperscript{th} Street and South Utica Avenue.

BOA-17654 March 1997: The Board approved a Special Exception to permit property in an RM-2 district to be used for office purposes under the development standards and restrictions of the OL zoning district and in accord with the site plan approved by the Board; and approved a Variance to permit three of the required off-street parking spaces to be located on a lot other than the lot containing the principal use; per plan submitted; located at (lots 38-40, block 6 and lots 1-2, block 9 of Forest Park Addition) 1242 South Trenton Ave.

PUD-432-D August 1995: All concurred in approval of a major amendment to expand the existing PUD to the east allowing for additional medical office and hospital buildings. The property is located between Utica and Xanthus Avenues from East 11\textsuperscript{th} Street to East 13\textsuperscript{th} Street.

BOA-16435 September 1993: The Board approved a Special Exception to permit a transitional living center and a residential treatment center in an RM-2 zoned district; finding that there are numerous medical uses in the area; finding that the center has been at the current location for several years, and has proved to be compatible with the neighborhood; located on lots 27-32 on the subject property. (This permitted the existing facility on the subject property).

BOA-16191 November 1992: The Board approved a Special Exception to permit off-street parking in an RM-2 district; approved a Variance of the screening requirement and approved a Variance of the setback requirement from the centerline of East Trenton from 50 ft. to 35 ft.; subject to plans submitted; finding the use appropriate and consistent with other uses in the area; and finding that the screening is not necessary as the property to the south has screening and a garage along that property line; located on lots 33, 34, and part of 35 on the same block containing the subject property, to permit the existing parking lot south of the facility.

PUD-432-C January 1991: All concurred in approval of a request for a major amendment to expand the boundaries of the original PUD-432 to the east; and to reallocate floor area within the PUD development areas.
Z-6244 August 1989: A request to rezone an 0.06-acre tract located on the east side of South Utica Avenue and South E.11th Street from CH to OH. All concurred in approval of OH on the north 288'and OMH on the balance.

PUD-432-B May 1989: All concurred in approval of a request for a major amendment to allow a second medical office building in a development area originally designated for parking, and to reduce the parking requirements.

BOA-15098 April 1989: The Board approved a Variance of the number of required off-street parking spaces from 38 to 10; subject to the execution of a tie contract tying the lot in question to either of two lots for additional required parking one located on the southwest corner of 12th and Trenton, and the other located on the southwest corner of 13th and Trenton (withholding occupancy until this transaction has been completed); at 1228 South Trenton Avenue (Lot 7, Blk 6, south of the subject property.)

BOA-15062 February 1989: The Board approved a Special Exception to allow for administrative office uses in an RM-2 zoned district; finding that there are mixed uses in the area; located on 1228 South Trenton Avenue, Lot 7, Block 6 abutting to the south of the subject property.

Z-6213 January 1989: All concurred in approval of a request to rezone an 0.4-acre tract located on the southeast corner of East 12th Street and South Utica Avenue from OL, RM-2 and PUD-432 to OMH/PUD-432-A.

PUD-432 November 1987: All concurred in approval to develop 4.5 acres located between South Utica Avenue and South Victor Avenue, from East 12th Street to East 13th Street for hospital and office uses.

BOA-12551 April 1983: The Board approved a Special Exception to allow off-street parking in an RM-2 district, subject to the applicant returning to the Board with a layout plan of the parking, landscaping and proposed lighting; located at 11th Street to 12th Street and Trenton Avenue to St. Louis Avenue.

BOA-12021 June 1982: The Board approved BOA-15062; on 2.16.89, a Variance of the setback of 25' from abutting R districts and of the floor area ratio of .5; and a Variance of the height restriction and the side yard requirement; and a Variance for off-site parking and loading berths, to be approved as requested, per plot plan, and as advertised, and only applying to the area shown on the plot plan, and that the lot in question on St. Louis Avenue marked as future parking lot would be presented to the Board at a later time before any action is taken on that lot; located at 1620 East 12th Street.

BOA-6530 December 1969: The Board approved a Special Exception to permit establishing off-street parking in conjunction with the Tulsa Psychiatric Foundation in a U-2B (restricted apartments) district; located on Lots 27 and 28 of the subject property.

BOA-6202 March 1969: The Board approved a Special Exception to permit establishing off-street parking for the Tulsa Psychiatric Foundation in a U-2B (restricted apartments) district, subject to the tract being hard-surfaced, and the residences removed, located on lots 29-32, block 6 of the subject property.
AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 1.02± acres in size and is located southwest corner of East 12th Street and South Trenton Avenue. The property is developed as an elderly/retiree housing, assisted living and memory care development and is zoned RM-2/PK/PUD-728.

TRANSPORTATION VISION:

The Transportation chapter of the recently adopted and updated City of Tulsa Comprehensive Plan does not identify either Trenton Avenue or 12th Street in the transportation vision. Trenton Avenue is identified as a Residential Street and 12th Street as a Residential Collector by the Major Street and Highway Plan which remains effective under the Tulsa Comprehensive plan.

Within the vicinity of PUD-728, 11th Street is identified as a "Multi-Modal Corridor". Peoria Avenue is identified as a "Frequent Bus" route and Lewis Avenue is identified a "Main Street". Utica Avenue is not identified in the Plan, and is classified as an Urban Arterial by the Major Street and Highway Plan.

Multi-Modal Corridor (pg. 15 of the Transportation Chapter of the Plan) is defined as emphasizing 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.

Frequent Bus Routes (pg. 20 of the Transportation Chapter of the Plan) is defined as a new form of service operating in mixed traffic and has short stop spacing. Increased efficiency of this service comes from intelligent system operations. Priority and preemption is used at intersections and real-time information is given at stops through the utilization of GPS technology.

Main Streets (pg. 14 of the Transportation Chapter of the Plan) are defined as serving the highest intensity retail and mixed land uses in Tulsa's areas such as
downtown and in regional and neighborhood centers. Like multimodal streets, main streets are designed to promote walking, bicycling, and transit within an attractive landscaped corridor. Generally, main street activities are concentrated along a two to eight block area, but may extend further depending on the type of adjacent land uses and the area served. Much more about the intent and design of Main Streets can be found on page 14 of the Transportation Chapter of the Plan.

**STREETS:**

<table>
<thead>
<tr>
<th>Exist. Access</th>
<th>MSHP Design</th>
<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
</tr>
</thead>
<tbody>
<tr>
<td>South Trenton Avenue</td>
<td>Residential</td>
<td>50'</td>
<td>2 lanes</td>
</tr>
<tr>
<td>East 12th Street</td>
<td>Residential Collector</td>
<td>60'</td>
<td>2 lanes</td>
</tr>
</tbody>
</table>

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

![Map Diagram](image.png)

**SURROUNDING AREA:** The subject tract ("Area 1" of PUD-728; see attached Exhibit A-1 and attached full sized version of Figure 1) is abutted on the east by Trenton Avenue and then a parking lot, as well as, "Area 2" of PUD-728, zoned RM-2 and RM-2/PUD respectfully; on the north by the Hillcrest Hospital/Oklahoma Heart Institute campus, zoned OMH/OH/CS; and on the south and west by Forest Park Addition Re-Amd., zoned RM-2.

**FIGURE 1**

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

In 2006, the TMAPC and Tulsa City Council found the proposed use and intensity of the proposed uses to be in accord with the Comprehensive Plan. There was no zoning change required or requested.
The recently updated and adopted Comprehensive Plan for the City of Tulsa identifies this area as an “Area of Change” and a “Regional Center”. Regional Centers are identified on page 32 of the Land Use chapter of the plan as, “mid-rise mixed-use areas for large scale employment, retail, and civic or educational uses. These areas attract workers and visitors from around the region and are key transit hubs; station areas can include housing, retail, entertainment, and other amenities. Staff contends that that the addition of the hospital use is in accord with the Plan.

STAFF RECOMMENDATION:

PUD -728 is located west of the southwest corner of South Utica Avenue and East 12th Street South. The PUD is immediately adjacent, and to the south of Hillcrest Hospital and the Oklahoma Heart Institute. The property is a two-development area, PUD separated by Trenton Avenue (see Exhibit A-1). The subject of this application is “Area One” as identified on the attached Exhibit A-1.

The subject tract is owned by Tulsa Psychiatric Center. Parkside, Inc. operates the Center for Child and Adolescent Residential Treatment within the existing building located at the southwest corner of 12th Street and Trenton Avenue.

In 1993, the City of Tulsa Board of Adjustment (BOA) approved the use of the existing building at the southwest corner of 12th Street and Trenton for a transitional living center and residential treatment center. PUD-728 was then proposed to allow an expansion of the existing building to permit an increase of patient capacity from 16 beds to 40 beds. The property was platted (attached as Exhibit “A”) and in 2007 completed construction of the expansion of the building from 7,250 square feet to 23,829 square feet in accordance with the Approved Site Plan (attached as Exhibit “B”).

30.8
Major amendment PUD-728-A proposes the addition of hospital use within Use Unit 5 – Community Services and Similar Uses as a permitted use within "Area One" of PUD-728. Hospital based treatment is currently only provided in the Parkside building located immediately adjacent to the east of "Area Two" of PUD-728 (see building identified on Exhibit C). No new construction is required and the total number of beds at the facility will not be increased. To the public, no changes will be visible.

NOTE: Both development areas within PUD-728 allow those uses permitted by right in the OM district. The hospital use is a permitted use by right in the OM district. However, because there is no underlying OM zoning within the PUD, this major amendment is being brought for clarification.

Approval for hospital use will allow Parkside to provide hospital based treatment to children ages 6–12 in the same building rather than two separate buildings. Currently, children 6–9 cannot be treated in the existing hospital building due to space limitations. The availability of additional hospital area will provide a consistent treatment environment, one in which the youngest patients can remain throughout their treatment.

After conducting site visits and considering there will be no expansion of land area or existing buildings staff supports this application. Staff finds the proposed additional use and intensity of development proposed to be in harmony with the spirit and intent of the Code. Staff finds PUD-728-A 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-728-A subject to the following conditions:

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

2. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.

3. Development Standards:

   All development standards of PUD-728 shall remain effective, excepting the modified uses as outlined below:

   **PERMITTED USES**

   DEVELOPMENT AREA ONE (Lot 1, Block 1, Parkside):

   Principal uses permitted as a matter of right in the OM district, Use Unit 2, Residential Treatment Center and Transitional Living Center only, Use Unit 5, Hospital only (emphasis added), Use Unit 11, Off-Street Parking and uses customarily accessory to permitted uses".

   DEVELOPMENT AREA TWO (Lot 2, Block 1, Parkside):
Principal uses permitted as a matter of right in the OM district, Use Unit 2, Residential Treatment Center and Transitional Living Center only, Use Unit 11, Off-Street Parking and uses customarily accessory to permitted uses”.

**TAC COMMENTS:**

**General:** No comments.

**Water:** No comments.

**Fire:** No comments.

**Stormwater:** No comments.

**Wastewater:** No comments.

**Transportation:** No comments.

**INCOG Transportation:**

- **MSHP:** 12th St, 13th St, and Trenton St are neighborhood streets.
- **LRTP:** No comments.
- **TMP:** No comments.
- **Transit:** Currently, Tulsa Transit operates existing routes along Utica Ave and according to future plans will continue to service this location. Therefore, consideration for access to public transportation should be included in the development where applicable.

**Traffic:** No comments.

**GIS:** No comments.

**Street Addressing:** No comments.

09/07/10
Hillcrest Hospital/OK Heart Institute - Medical Corridor

SUBJECT TRACT

Neighborhoods to the south and west - Mixed use of residential dwellings including duplex, single family and multi-family.

PUD-728

PUD-728: Assisted Living Facility

Public Park

First Evangelical Lutheran Church and School

30.15
STAFF RECOMMENDATION

PUD-759-3: Minor Amendment – Northwest corner of 121st Street South and South Sheridan Rd.; Lot 1, Block 1 – Crestwood Village; TRS 18-13-34; CZM 57; CD 8; RS-3/CS/PUD.

Due to what is described as a change in market conditions, the applicant is requesting a minor amendment to PUD-759 for the following (please refer to Exhibit A – Original Concept Plan and Exhibit B proposed concept plan):

- Reduce the building setback from the west boundary line from 70’ to 30’;
- Reduce the 25’ landscape buffer along the west boundary line to 5’;
- Establish building height limitations and cap the height limit along the western boundary; and
- Limit the use of the western-most 160’ of Development Area B to office use as provided for in Use Unit 11 and keep these structures residential in nature;

The 70’ setback requirement from the western boundary and the 25’ landscape buffer was established when the concept for the PUD was to build one building in the western half of the PUD with an estimated floor area of 13,000 – 20,000 sf and 35’ in height (see Exhibit A). There is 35,000 sf permitted of commercial/retail and office floor area permitted in Area B. Staff contends that by building smaller-scale individual office buildings and limiting the building height along the west boundary as outlined below (see also Exhibit B), the reduction in setback and the landscape buffer will have less of an impact on surrounding properties and makes the Development Area more walkable. City of Tulsa stormwater regulations forbid a development from discharging more stormwater to adjacent properties than was discharged prior to development.

Building height for Development Area B is currently established at one-story, not to exceed 35’ and within the eastern 300’ of Development Area B, two-stories not to exceed 40’. The applicant proposes that building height be further restricted as follows:

- For the western most building(s), adjacent to the west boundary line of Area B, one-story not to exceed 30’;
- For the east 300’ of Area B, two-stories not to exceed 40’; and
- The remainder of the buildings limited to two-stories not to exceed 35’ in height.

Staff contends by decreasing the setback along the west boundary to allow for the less intensive, lower profile offices, combined with the proposed height limitations the concept is better suited and more compatible with the surrounding properties and makes the new concept layout to be more pedestrian friendly.

Staff is recommending and the applicant has concurred to limit the use of the western-most 160’ of the property to office use within Use Unit 11 and to require that buildings located in the west 160’ be residential in nature with pitched roofs and style similar to the neighborhood. This would be verified by detail site plan review before the TMAPC.

Staff recommends APPROVAL of minor amendment PUD-759-3.

Note: Approval of a minor amendment does not constitute detail site, landscape or sign plan approval.
Closest residential structure. 2-stories, 35' tall. Owned by PUD-759 property owner.

Northwest corner of office area

North boundary of office area from southwest
Looking east along 121st Street

Western most office area buildings limited to one-story and 30 ft. in height

Residential structure, 2-stories, 35' tall.

Looking west at office area