TULSA METROPOLITAN AREA PLANNING COMMISSION

Meeting No. 2598
March 16, 2011, 1:30 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 January 2011

CONSENT AGENDA:

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

1. **LS-20420 – White Surveying Company**, (Lot-Split) (CD-5) Location: Northwest corner of East 40th Street South and South Memorial Drive (Related to Item 2, LC-303)

2. **LC-303 – White Surveying Company**, (Lot-Combination) (CD-5) Location: North and West of the Northwest corner of East 40th Street South and South Memorial Drive (Related to Item 1, LS-20420)

3. **LS-20421 – Brad Lewis**, (Lot-Split) (CD-9) Location: Southwest corner of East 35th Place South and South Quincy Avenue

4. **LS-20422 – Brad Lewis**, (Lot-Split) (CD-9) Location: West of the Southwest corner of East 35th Place South and South Quincy Avenue

5. **LC-302 – Wind River Associates LLC**, (Lot-Combination) (CD-8) Location: South of the corner of South Oswego Avenue and East 119th Street South

6. **LC-304 – Mike Marrara**, (Lot-Combination) (CD-4) Location: Southeast corner of South Main Street and East Brady Street

7. **Stavros Corner** – (8406) (CD-8) Final Plat, Location: North of northeast corner of South Mingo Road and East 63rd Street South
8. **Saint Francis South** – (8418) (CD 8) Final Plat, Location: Northeast corner of East 91st Street and South Highway 169

9. **Springs at East Fifty-First** – (9428) (CD-6) Final Plat, Location: North of East 51st Street South, west of South 145th East Avenue

10. **Tuscan Hills at Nickel Creek** – (8211) (CD-2) Final Plat, Location: North of West 81st Street and West of Highway 75

11. **PUD-405-21 – Gary Larsen/Celebrity Attractions**, Location: West of the southwest corner of 91st Street South and South Memorial Drive, Requesting a Minor Amendment to increase the size of a sign. (CD-8) (CO/PUD)

12. **PUD-460-6 – Dandy Oskey/The Villages at Highland Park**, Location: North of the northwest corner of 81st Street South and South Mingo Road and west of the northwest corner of 81st Street South and South Mingo Road, Requesting Minor Amendment to permit the reconstruction of two small entry features in separate reserve areas at the Villages of Highland Park. (CD-7) (CS/RM-0/RS-3/PUD)

13. **Z-7008-SP-1 – Mark B. Capron/Tulsa Hills, LLC** – Location: South of the southeast corner of West 71st Street South and South Olympia Avenue; Requesting a Detail Site Plan for a 67,969 square foot retail building in the Tulsa Hills Regional Shopping Center (CD 2) (CO)

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

**PUBLIC HEARINGS:**

14. **LS-20419 – Jack Ramsey**, (Lot-Split) (County) Location: West of the southwest corner of South 161st East Avenue and East 161st Street South (Waiver of Major Street and Highway Plan)

15. **Fire Safety Training Center Addition** – (0321) (CD 3) Preliminary Plat, Location: North and east of the northeast corner of North New Haven and East Apache

16. **PUD-768-A – Roy D. Johnsen/Sunny Investments, LLC**, Requesting OL/CS/PUD-768 to OL/CS/PUD-768-A Abandonment of PUD-768, Location: East of the northeast corner U.S. Highway 75 South and West 71st Street, (Major Amendment to abandon PUD-768 in favor of the proposed PUD-783.) (CD-2) (Related to Item 17, PUD-783) (Continued from 3/2/11)

17. **PUD-783 – Roy D. Johnsen/Sunny Investments, LLC**, Requesting CS/OL/PUD-768 to CS/OL/PUD-783, Location: East of the northeast corner of U.S. Highway 75 South and West 71st Street, (PUD proposes a QuikTrip store for the 2.18 acres fronting 71st Street and the interior 2.24 acres is planned for mixed-use commercial development) (CD-2) (Related to Item 16, PUD-768-A) (Continued from 3/2/11)

19. Z-7165 – (9309) (CD-4) Plat Waiver, Location: 1116 South Vandalia, south of southwest corner of East 11th Street and South Vandalia Avenue (Related to Item 13, Zoning Case Z-7165.)

OTHER BUSINESS

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

21. Commissioners' Comments

ADJOURN

CD = Council District

NOTE: 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 at www.tmapc.org

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

Tulsa Metropolitan Area Planning Commission

WORK SESSION

175 East 2\textsuperscript{nd} Street, 2\textsuperscript{nd} Level, One Technology Center
Tulsa City Council Chamber
Wednesday, March 16, 2011 – 1:45 p.m.*
(*Or immediately following adjournment of the TMAPC Meeting)

CONSIDER AND DISCUSS:

1. Southwest Tulsa Plan II/Simmons

Adjourn.

Visit our website at www.tmapc.org

If you require special accommodation pursuant to the Americans with Disabilities Act, please notify INCOG (918) 584-7526
# TMAPC RECEIPTS
**Month of January 2011**

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Stavros Center - (8406) (CD 8)
North of Northeast corner of South Mingo Road and East 63rd Street South

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

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

Saint Francis South - (8418) (CD 8)
Northeast corner of 91st Street and South Highway 169

This plat consists of 4 Lots, in 1 Block, on 21.95 acres.

Staff recommends APPROVAL of the Final Plat. All release letters have been received.
Springs at East Fifty-First - (9428) (CD 6)
North of East 51st Street South, West of South 145th East Avenue

This plat consists of 1 Lot, in 1 Block, on 10.33 acres.

Staff recommends APPROVAL of the Final Plat assuming that the last release letter from Development Services has been received by the agenda date with the concerns about certain easements being resolved. The item will be requested to be stricken by staff if this has not occurred by the agenda date.
Final Subdivision Plat

Tuscany Hills at Nickel Creek – PUD 636-3 (8211) (CD 2)
North of West 81st Street and West of Highway 75

This plat consists of 1 Lot, 1 Block on 19.02 acres.

All release letters have been received for this Final Plat. Staff recommends APPROVAL of the Final Plat.
March 16, 2011

STAFF RECOMMENDATION

PUD-405-21: Minor Amendment – West of the southwest corner of 91st Street South and South Memorial Drive; Lot 3, Block 1 – South Springs Office Park; TRS 18-13-23; CZM 57; Atlas 1905; CD 8; CO/PUD.

The applicant is requesting a minor amendment to increase the size of a sign.

The PUD allows one sign at each entry point to the development not to exceed four feet in height nor 32 square feet of display area.

The applicant seeks to increase the height of the sign from 4 feet to 6.69 feet to reflect as built conditions. The applicant also seeks to increase the permitted display surface area from 32 square feet (sf) to 38 sf to allow for an electronic message center (see attached Exhibit G-1.0). Electronic message centers are allowed by the PUD.

Section 1107, H-12 of the code allows by minor amendment, modifications in approve signage provided the size, location, number and character (type) of signs is not substantially altered.

The property is located along a major arterial street in a corridor district. Staff views a 2.69 foot increase in height and a 6 sf increase in display surface area as negligible, not substantially altering the size, location, number and character (type) of signs in the PUD.

Therefore, staff recommends APPROVAL of minor amendment PUD-405-21.

Note: Approval of a minor amendment does not constitute detail site, landscape or sign plan approval.
Remove existing sign and replace with two new as shown below:

- Galaxy 20mm RCA Display
- 48x112 matrix, 1070 min. watts

New cabinet face with 1.5" octobers and 3/16" white acrylic faces and translucent vinyl overlays.
March 16, 2011

STAFF RECOMMENDATION

**PUD-460-6:** Minor Amendment – North of the northwest corner of 81st Street South and South Mingo Road and west of the northwest corner of 81st Street South and South Mingo Road; The intersections of South 92nd Avenue East and 81st Street South and East 78th Street South and Mingo Road; Reserves C and Q – The Villages at Highland Park; TRS 18-13-12; CZM 53; Atlas 1414; CD 7; CS/RM-O/RS-3/PUD.

The applicant is requesting a minor amendment to permit the reconstruction of two small entry features in separate reserve areas at the Villages of Highland Park in PUD-460 (see attached exhibits and photographs). One entry feature was located at the 81st Street access point and the other at the South Mingo Road access point to the single family subdivision.

The entry features were constructed in Reserve Areas C and Q as part of the original development of the subdivision (see Exhibit A). The entry features however are technically not allowed in these reserve areas per the subdivision plat. The 81st Street entry feature was removed by the City of Tulsa for the widening of 81st Street and the Mingo Road entry feature was accidentally struck by a car in December of 2010. The City of Tulsa is paying for the replacement of the 81st Street entry feature.

Section 1107, H-7 of the code allows by minor amendment, “the addition of customary accessory buildings and uses within the delineated common open space of a residential PUD, including but not limited to swimming pools, cabanas, security buildings, club houses and tennis courts”. Staff contends that the reconstruction of these structures will not substantially alter the character or intent of the PUD.

Therefore, staff recommends APPROVAL of minor amendment PUD-460-6.

*Note: Approval of a minor amendment does not constitute detail site, landscape or sign plan approval.*
March 16, 2011

STAFF RECOMMENDATION

Z-7008-SP-1: Detail Site Plan – South of the southeast corner of West 71st Street South and South Olympia Avenue; Lot 6, Block 1 – Tulsa Hills; TRS 18-12-11; CZM 51; CD 2; CO.

The applicant is requesting approval of a detail site plan for a 67,969 square foot retail building in the Tulsa Hills Regional Shopping Center. The proposed use, Use Unit 14 – Shopping Goods and Services is a permissible use within this Corridor District.

The submitted site plan meets all applicable building floor area, open space, building height and setback limitations. Parking has been provided per the applicable Use Unit of the Zoning Code. A trash enclosure has been provided as required by the Corridor District Development Plan. Sidewalks have been provided along Olympia Avenue per subdivision regulations. Pedestrian access connecting the Olympia Avenue sidewalk to the storefront is provided in two separate areas as required by CO District Development Standards.

Therefore, staff recommends APPROVAL of the detail site plan for Lot 6, Block 1 – Tulsa Hills.

Note: Detail site plan approval does not constitute landscape plan or sign plan approval.
LOT-SPLIT FOR WAIVER OF MAJOR STREET AND HIGHWAY PLAN

March 16, 2011

LS-20419 Jack Ramsey (7427) (AG) (County)
West of the Southwest corner of South 161st East Avenue and East 161st Street South

The lot-split proposal is to split 2.2 acres +/- from an existing 10.04 acre +/- tract creating a 7.84 acre +/- remainder tract. The proposed tracts meet the AG (Agricultural) bulk and area requirements of the Tulsa County Zoning Code.

According to the Major Street and Highway Plan, East 161st Street South is deemed a secondary arterial requiring 50 feet of right-of-way from the center line. The applicant is asking to waive the requirement of 50 feet to 30 feet of right-of-way instead. The County Engineer agrees with the waiver and is in support of the application.

Staff believes this lot-split would not have an adverse affect on the surrounding properties and recommends APPROVAL of the waiver of the Major Street and Highway Plan and of the lot-split.
PLAT FOR LOT SPLIT

PREPARED FOR:
CARL AND CAROL HORNBACK
16000 EAST 161st STREET SOUTH
BIXBY, OKLAHOMA 74008
918 344 4784

DESCRIPTION (TRACT "A")

THE EAST 170 FEET OF THE NORTH 257 FEET AND THE SOUTH
522.72 FEET OF THE NORTH 779.72 FEET OF THE EAST 100
FEET OF THE EAST HALF OF THE EAST HALF OF THE NORTH-
WEST QUARTER OF THE NORTHEAST QUARTER (E/2 E/2 NW/4
NE/4) OF SECTION 27, TOWNSHIP 17 NORTH, RANGE 14 EAST OF
THE INDIAN BASE AND MERIDIAN TULSA COUNTY, OKLAHOMA, ACC-
CORDING TO THE U.S. GOVERNMENT SURVEY THEREOF CONTAINING
2.2 ACRES AND SUBJECT TO A 50 FOOT ROADWAY EASEMENT OVER
THE NORTHELY 50 FEET THEREOF INCLUSIVE OF THE 24.75 FOOT
STATUTORY ROADWAY EASEMENT.

DESCRIPTION (TRACT "B")

THE EAST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER
OF THE NORTHEAST QUARTER (E/2 E/2 NW/4 NE/4) OF SECTION
27, TOWNSHIP 17 NORTH, RANGE 14 EAST OF THE INDIAN BASE AND
MERIDIAN TULSA COUNTY, OKLAHOMA ACCORDING TO THE U.S.
GOVERNMENT SURVEY THEREOF LESS AND EXCEPT THE EAST 170 FEET
OF THE NORTH 257 FEET THEREOF AND LESS AND EXCEPT THE
SOUTH 522.72 FEET OF THE NORTH 779.72 FEET OF THE EAST 100
FEET THEREOF CONTAINING 7.84 ACRES MORE OR LESS AND SUBJECT
TO A 50 FOOT ROADWAY EASEMENT OVER THE NORTHELY 50 FEET
THEREOF INCLUSIVE OF THE 24.75 FOOT STATUTORY ROADWAY EASE-
MENT.

NOTE: TRACT "A" AND TRACT "B" ARE FOR IDENTIFICATION
PURPOSES ONLY AND ARE NOT TO BE USED AS PART OF ANY
DESCRIPTION FOR CONVEYANCE.

THIS PLAT OF SURVEY MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE
OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF REGISTRATION
FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS, WITNESS MY HAND AND SEAL.

JACK D. RAMSEY R.L.S. 367

RAMSEY SURVEYING SERVICE
P.O. BOX 366 BIXBY, OKLAHOMA 74008
918 366 4520 FAX 918 366 4529
OKLAHOMA CERTIFICATE OF AUTHORIZATION
NUMBER 2112 EXPIRES JUNE 30, 2011
ramsey4520@yahoo.com
PRELIMINARY SUBDIVISION PLAT

Fire Safety Training Center Addition - (0321) (CD 3)
North and East of the Northeast corner of North New Haven and East Apache

This plat consists of 1 Lot, 1 Block, on 35.7 acres.

The following issues were discussed March 3, 2011, at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned CH (commercial heavy) and RS-3 (residential single family) with Board of Adjustment case # 21207 which approved a Special Exception to permit a fire safety training center in January 2011.

2. **Streets:** Along all streets label centerline of each street, with dimension lines show existing right-of-way available for each street and provide reference, i.e. plat number or book and page number for existing right-of-way. Additional 12.5 feet of right-of-way is required along North Richmond Avenue. Additional 5 feet of right-of-way is required along North New Haven Avenue. Additional 30 feet of right-of-way is required along East 29th Street north for the east 659.19 feet and 5 feet of additional right-of-way is required along west 304.57 feet. Limits of No Access distances are incorrect. Show distances for all 3 Limits of No Access. Modify Section 1 A to include public right-of-way dedication. Service gate along Apache must provide 3 car stacking. Service gate along North New Haven must provide 2 car stacking. Sidewalks must be provided along all streets.

3. **Sewer:** All sanitary sewer pipe must be ductile iron pipe.

4. **Water:** Show the 20 foot restrictive waterline easement for all proposed public waterlines within the site. An infrastructure development plan to extend the water main line will be required. Installation of tee on existing 16 inch line, check that all customers still receive services during installation. Request the waterline system connect to the existing on East 29th Street North. Who is responsible for maintaining the 8 inch TW (training waterline) lines? Will the 8 inch TW (training waterline) lines require an easement? The 8 inch TW (training waterline) lines will need valves. How will water distribution crews determine whether line is a TW (training waterline) or public line?

5. **Storm Drainage:** The drainage ditch that crosses the property on the east side conveys offsite water through the property and must be placed in an overland drainage ditch that contains the runoff from the 1% storm.
Subdivision regulations require that the area of the property be given in square footages as well as acres.

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

7. **Other**: **Fire**: Please provide more information on the electronic valves for all fire hydrants. (What is the purpose and how do they operate?) Any structure over 30 feet tall will require aerial access per IFC (international fire code) 2006 appendix D105. **GIS**: Provide the name, address, and phone number for the owner. Provide the CA numbers and renewal dates and email addresses for the engineer and the surveyor. Add a leading zero to the degree descriptions along North New Haven Avenue on the face of the plat (i.e. 01° instead of 1°). The plat is marked "Final Plat" at the bottom of the sheet and should read Preliminary Plat. Add the phrase "date of preparation" before the date at the bottom of the sheet. Submit a subdivision control data form (Appendix D), in which the first point shall be the point of beginning with two other points on or near the plats' boundary. Please provide a metes and bounds legal description of the subdivision with bearings and distances to match the face of plat.

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.
TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT

APPLICATION: PUD-768-A (Abandonment)

SUMMARY OF RECOMMENDATIONS:

TRS 8202                Atlas 0
CZM 51                   CD-2
TMAPC Hearing Date: March 2, 2011*
*Continued from 3/2/11

Applicant: Roy D. Johnsen  Tract Size: 6.39± acres

ADDRESS/GENERAL LOCATION: East of northeast corner U.S. Highway 75 South and West 71st Street

EXISTING ZONING: OL/ CS/ PUD-768         EXISTING USE: Vacant
PROPOSED ZONING: OL/ CS/ PUD-768-A       PROPOSED USE: Abandonment

ZONING ORDINANCE: ZONING ORDINANCE: Ordinance number 21996 dated February 3, 2009, established zoning for the subject property.

RELEVANT ZONING HISTORY:

PUD-648-B April 2010: All concurred in approval of a proposed Major Amendment to a Planned Unit Development on a 7.16± acre tract of land to amend permitted uses to add Use Unit 13, add two development areas and reallocate floor area, on property located on the northeast corner of West 71st Street South and Highway 75 South and abutting west of subject property.

Z-6001-SP-2/PUD-648-A June 2007: All concurred in approval of a proposed Major Amendment to a PUD on a 55± acre tract of land for a development with six development areas for office, restaurant, hotel and hospital uses on property located on the northeast corner of West 71st Street South and Highway 75 South and abutting west of subject property.

Z-7052/PUD-738 May 2007: All concurred in approval of a request to rezone a 39.19± acre tract from AG to RS-3/RM-0/CS and a Planned Unit Development for a mixed use development on property located at the southwest corner of West 71st Street South and South Elwood Avenue.

Z-7008-SP-1/Z-6966-SP-1/Z-6967-SP-1 March 2006: All concurred in approval of a Corridor Site Plan on 176± acres to permit a regional shopping center known as the Tulsa Hills site with a total of 1,554,194 square feet of maximum building floor area approved at a .25 floor area ratio, on property located east of US Highway 75 between West 71st and West 81st Streets.

Z-6001-SP-1/PUD-648 May 2001: A Planned Unit Development and Detail Corridor Site Plan were approved for hospital and office use on a 56 acre parcel located on the northeast corner
of West 71st Street and U. S. High 75 South and abutting west of subject property. The original CO zoning for this parcel had been approved in 1984 from AG to CO.

**AREA DESCRIPTION (see also PUD-783):**

**SITE ANALYSIS:** The subject property is approximately 5+ acres in size and is located east of northeast corner U.S. Highway 75 South and West 71st Street. The property appears to be vacant and is zoned OL/CS/PUD-768.

**SURROUNDING AREA:** The subject tract is abutted on the east by vacant land, zoned AG; on the north by vacant land, zoned AG; on the south by 71st Street South and then the Tulsa Hills Regional Shopping Center, zoned CO; and on the west by the Olympia Medical Park, a mixed medical park/hotel and related use development, zoned CO/PUD-648/PUD-648-A. Tulsa Hills and other related low to high intensity uses are developing in this area.

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

**TRANSPORTATION VISION:**
The Tulsa Comprehensive Plan designates West 71st Street as a Commuter Corridor. The Plan describes Commuter Corridors as streets that are designed with multiple lanes divided by a landscaped median or a continuous two-way left turn lane in the center. Commuter streets are designed to balance traffic mobility with access to nearby businesses. However, because there are so many intersections and access points on commuter streets, they often become congested. Improvements to these streets should come in the form of access management, traffic signal timing and creative intersection lane capacity improvements.

**TULSA CITY-COUNTY MAJOR STREET & HIGHWAY PLAN:**

<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>West 71st Street South</td>
<td>Primary arterial</td>
<td>120'</td>
<td>6</td>
</tr>
</tbody>
</table>

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:**
The Tulsa Comprehensive Plan identifies the project area as an Area of Growth and as a Mixed Use Corridor. The Comprehensive Plan defines the Mixed Use Corridor as Tulsa's modern thoroughfare that pairs high capacity transportation facilities with housing, commercial, and employment uses. Off the main travel route, land uses include multifamily housing, small lot, and townhouse developments, which step down intensities to integrate with single family neighborhoods. Mixed-Use Corridors usually have four or more travel lanes, and sometimes additional lanes dedicated for transit and bicycle use. The pedestrian realm includes sidewalks separated from traffic by street trees, medians, and parallel parking strips. Pedestrian crossings are designed so they are highly visible and make use of the shortest path across a street. Buildings along Mixed-Use Corridors include windows and storefronts along the sidewalk, with automobile parking generally located on the side or behind.

PUD-768 is being abandoned in favor of the proposed PUD-783. PUD-768-A removes approximately 1.5 acres of site adjacent and to the east of proposed PUD-783 and returns it to the underlying straight CS zoning. With straight CS zoning on the 1.5 acre tract, combined with proposed zoning code amendments such as allowing residential uses in CS districts and
the future rewrite of the Zoning Code, staff can support the abandonment. Staff contends that PUD-768-A is in accord with the Plan.

**STAFF RECOMMENDATION:**

PUD-768 comprises 6.39 gross acres located approximately 1100 feet east of the northeast corner of the intersection of U.S. Highway 75 and West 71st Street South. The Site fronts 71st Street for a distance of 527 feet and extends north from 71st Street a distance of 579 feet.

Tulsa Hills is located across from the Site on the south side of 71st Street, the west boundary of the site adjoins Olympia Medical Park and the north and east boundaries of the Site are adjoining vacant properties located within an AG Agriculture District.

The south 330 feet of the Property is zoned CS Commercial Shopping District and the balance of the Property is zoned OL Office Low Intensity District. PUD-768 was planned as a mixed use commercial development, including retail, hotel, restaurant, drive-in restaurant and office uses. The PUD was affirmatively recommended by the Tulsa Metropolitan Area Planning Commission on December 17, 2008 and approved by the Tulsa City Council on January 15, 2009.

At the time of the approval of PUD-768, Tapp Development Corporation was the intended developer. An affiliated entity, Sunny Investment Properties, L.L.C. is the owner of 5.02 acres of the Property and The McGonigal Family Trust is the owner of 1.37 acres of the Property. It was initially intended that the McGonigal 1.37 acre parcel would be purchased by the developer, but for various reasons, including difficult infrastructure issues and market conditions, the purchase did not occur and the proposed development of PUD-768 is no longer viable.

The remaining 5.02 acres is under application as PUD-783, also appearing on the March 2, 2011 agenda of the TMAPC. QuikTrip Corporation is proposing the development of a QuikTrip store on 2.18 acres (net) of the Sunny Investment Properties parcel. Upon review by The McGonigal Family Trust and Sunny Investment Properties, L.L.C, agreement was reached that PUD-768 should be abandoned in its entirety. The McGonigal Family Trust has advised that it is supportive of the proposed QuikTrip.

Provided the aforementioned, in combination with the pending application for PUD-783, staff can support the abandonment request and recommends APPROVAL of major amendment PUD-768-A subject to the following conditions:

1. The underlying zoning on the 1.5 acre tract described in the attached legal description and known as "The McGonigal Tract" return to the underlying straight CS zoning.

2. Subject to conditions recommended by the Technical Advisory Committee which are approved by TMAPC:

**TAC Comments:**

**General:** No comments.
Water: The water requirements from PUD-768 will be required during the development of the tract known as PUD-783.

Fire: No comments.

Stormwater: No comments.

Wastewater: No comments.

Transportation: No comments.

INCOG Transportation:

- MSHP: 71st St. S., between S. Elwood Ave and US-75, is designated primary arterial.
- LRTP: 71st St. S., between S. Elwood Ave and US-75, planned 6 lanes.
- TMP: No comments.
- Transit: Currently, Tulsa Transit operates services on this location. According to MTTA future plans this location will continue to be served by a transit route. Therefore, consideration for access to public transportation should be included in future development.

Traffic: No comments.

GIS: No comments.

Street Addressing: No comments.

03/02/11
January 19, 2011
Roy D. Johnson, Attorney
Williams Tower I, Suite 1810
1 West 3rd St.
Tulsa, OK 74103

Dear Sir:

This note is but a confirmation --- formally so --- of permission given earlier today by telephone from The McGonigal Family Trust for the abandonment of PUD-768 covering a front portion of its property at 717 West 7th Street in Tulsa (across from Tulsa Hills Shopping Center) all at QuikTrip Corporation's expense and under the conditions mutually agreed upon and verbally promised at the meeting in your own office last evening (01-18-11).

And on behalf of my fellow trustees and myself we also do hereby formally thank you along with Pam Friggle and Alan Batehan for your attitude of honesty and fairness. And we know you expect (and shall have) the same from us. We are proud to have QuikTrip as our neighbor.

Yours truly,

Donald T. McGonigal, Administrator
The McGonigal Family Trust
2369 South 45th West Avenue
Tulsa, OK 74107-2360

Phone: 918-855-1761
TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT
APPLICATION: PUD-783

SUMMARY OF RECOMMENDATIONS:

TRS 8202                  Atlas 0
CZM 51                    CD-2

TMAPC Hearing Date: March 16, 2011*
* Continued from 3/2/11

Applicant: Roy D. Johnsen
Tract Size: 5+ acres

ADDRESS/GENERAL LOCATION: East of northeast corner U.S. Highway 75 South and West 71st Street

EXISTING ZONING: OL/CS/PUD-768
EXISTING USE: Vacant

PROPOSED ZONING: OL/CS/PUD-783
PROPOSED USE: Commercial

ZONING ORDINANCE: Ordinance number 21996 dated February 13, 2009, established zoning for the subject property.

RELEVANT ZONING HISTORY:

PUD-648-B April 2010: All concurred in approval of a proposed Major Amendment to a Planned Unit Development on a 7.16± acre tract of land to amend permitted uses to add Use Unit 13, add two development areas and reallocate floor area, on property located on the northeast corner of West 71st Street South and Highway 75 South and abutting west of subject property.

Z-6001-SP-2/PUD-648-A June 2007: All concurred in approval of a proposed Major Amendment to a PUD on a 55± acre tract of land for a development with six development areas for office, restaurant, hotel and hospital uses on property located on the northeast corner of West 71st Street South and Highway 75 South and abutting west of subject property.

Z-7062/PUD-738 May 2007: All concurred in approval of a request to rezone a 39.19± acre tract from AG to RS-3/RM-0/CS and a Planned Unit Development for a mixed use development on property located at the southwest corner of West 71st Street South and South Elwood Avenue.

Z-7009-SP-1/Z-6966-SP-1/Z-6967-SP-1 March 2006: All concurred in approval of a Corridor Site Plan on 176± acres to permit a regional shopping center known as the Tulsa Hills site with a total of 1,554,194 square feet of maximum building floor area approved at a .25 floor area ratio, on property located east of US Highway 75 between West 71st and West 81st Streets.

Z-6001-SP-1/PUD-648 May 2001: A Planned Unit Development and Detail Corridor Site Plan were approved for hospital and office use on a 56 acre parcel located on the northeast corner.
of West 71st Street and U. S. High 75 South and abutting west of subject property. The original CO zoning for this parcel had been approved in 1984 from AG to CO.

**AREA DESCRIPTION:**

**SITE ANALYSIS:** The subject property is approximately 5± acres in size and is located east of northeast corner U.S. Highway 75 South and West 71st Street. The property appears to be vacant and is zoned CL/CS/PUD-768.

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

**SURROUNDING AREA:** The subject tract is abutted on the east by vacant land, zoned AG; on the north by vacant land, zoned AG; on the south by 71st Street South and then the Tulsa Hills Regional Shopping Center, zoned CO; and on the west by the Olympia Medical Park, a mixed medical park/hotel and related use development, zoned CO/PUD-648/PUD-648-A. Tulsa Hills and other related low to high intensity uses are developing in this area.

A larger version of the item below is attached as Exhibit A-1
TRANSPORTATION VISION:

The Tulsa Comprehensive Plan designates West 71st Street as a Commuter Corridor.

The Plan describes Commuter Corridors as follows:

COMMUTER STREETS:

Commuter streets are designed with multiple lanes divided by a landscaped median or a continuous two-way left turn lane in the center. Commuter streets are designed to balance traffic mobility with access to nearby businesses. However, because there are so many intersections and access points on commuter streets, they often become congested. Improvements to these streets should come in the form of access management, traffic signal timing and creative intersection lane capacity improvements.
TULSA CITY-COUNTY MAJOR STREET & HIGHWAY PLAN:

Exist. Access: West 71st Street South
MSHP Design: Primary arterial
MSHP R/W: 120'
Exist. # Lanes: 6

SUBJECT AREA
RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The Tulsa Comprehensive Plan identifies the project area as an Area of Growth and as a Mixed Use Corridor. Large versions of the graphics below are attached.

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

The development pattern and intensity for this site was established with the approval of PUD-768 in 2008. PUD-768 is being abandoned in favor of this proposal solely to remove the approximately 1.5 acres site adjacent and to the east of the subject tract. The proposed uses for the new PUD are in keeping with the original intent of PUD-768, eliminating Use Unit 18 – Drive-In Restaurants as a permitted use. Therefore staff contends that PUD-783 may be found in accord with the Plan.
**STAFF RECOMMENDATION:**

PUD-783 is an approximately 4.4 acre tract located east of the northeast corner of West 71st Street South and US Highway 75, adjacent to the Olympia Medical Park. The site gradually slopes from south to north; with elevations ranging from 740-feet along West 71st Street to approximately 715 to 720-feet along the northern boundary of the site (see Exhibit D). Associated with PUD-783 is major amendment application PUD-768-A also appearing on the March 3, 2011 agenda of the TMAPC.

The purpose of the abandonment of PUD-768 is to eliminate the approximately 1.5 acre tract adjacent to the east of the property subject of this application and to eliminate Use Unit 18 – Drive-In Restaurant as a permitted use of PUD-783. No change of the existing underlying zoning districts is needed or proposed.

The Tulsa Hills Regional Shopping Center is located across from the Site on the south side of West 71st Street; the west boundary of the Site adjoins Olympia Medical Park; the north boundary abuts vacant land zoned AG containing extensive floodplain land; and the east boundary of the Site is adjoining vacant property zoned CS - Commercial District along the West 71st Street frontage.

The Site has excellent accessibility with direct access to West 71st Street sharing a signalized point of access with Tulsa Hills. PUD-783 also has convenient access to the four way interchange of US Highway 75 and West 71st Street.

PUD-783 proposes a QuikTrip store for the 2.18 acres fronting 71st Street and the interior 2.24 acres is planned for mixed use commercial development, which may include retail, hotel, restaurant, office uses at a future date. Staff hopes to see a mixed use, pedestrian friendly development on the rear of the property that links with the surrounding developed properties.

The planned unit development is submitted to achieve development flexibility pertaining to the location of permitted uses, allocation of permitted floor area, building height, and setbacks. The PUD is intended to establish a conceptual site plan with designation of development areas, allocation of uses and intensity of uses and development standards and conditions to be followed by detailed site plans of each phase of development submitted to and approved by the TMAPC.

PUD-783 was previously approved essentially as PUD-768. With the abandonment of PUD-768, this application decreases the permitted intensity of development with proposed development standards which are basically the same as PUD-768. As a result, staff can support the application.

Staff finds the uses and intensities of development proposed to be in harmony with the spirit and intent of the Coce. Staff finds PUD-783 to be: (1) in harmony with the existing and expected development of surrounding areas; (2) a unified treatment of the development possibilities of the site; and (3) consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Therefore, staff recommends **APPROVAL** of PUD-783 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:

**DEVELOPMENT AREA A**

**Net Land Area:** 2.18 acres
94,952 sf

**Permitted Uses:**

Uses permitted by right within Use Unit 10 - Off-Street Parking Areas; Use Unit 11 - Offices, Studios and Support Services including drive-thru banking facilities; Use Unit 12 - Eating Establishments Other Than Drive-Ins; Use Unit 13 - Convenience Goods And Services; Use Unit 14 - Shopping Goods and Services and uses customarily accessory to permitted principal uses.

**Maximum Building Floor Area (.08 FAR):** 8,000 sf

**Minimum Building Setbacks:**
- From 71st St. ROW: 25'
- From west boundary: 11'
- From other boundaries: 11'

**Maximum Building Height:**
40'

**Off-street Parking:**
As required by the applicable use unit within the Tulsa Zoning Code

**Minimum Landscaped Area:**
10% of net lot area

**Lighting:**

Exterior area lighting shall be limited to shielded fixtures designed to direct light downward and away from adjacent residential properties. Lighting shall be so designed that the light producing elements and the polished light reflecting elements of exterior lighting fixtures shall not be visible to a person standing within an adjacent residential area. No light standard shall exceed 30 feet in height.

**Signs:**

Signs shall be limited to:

(a) Wall or canopy signs not exceeding 2 square feet of display surface area per lineal foot of building wall or canopy to which the sign is affixed.

(b) One monument style sign not exceeding 25 feet in height and 134 square feet of display surface area.

(c) One project identification sign, which may include designation of tenants located within other development areas. The sign shall be located along
the 71st St. frontage and shall not exceed 25 feet in height and 250 square feet of display surface area and will be located no less than 100-feet from any other sign.

DEVELOPMENT AREA B

Net Land Area: 2.24 acres
97,138 sf

Permitted Uses:

Uses permitted by right within Use Unit 10 - Off-Street Parking Areas; Use Unit 11 - Offices, Studios and Support Services including drive-thru banking facilities; Use Unit 12 - Eating Establishments Other Than Drive-Ins; Use Unit 13 - Convenience Goods And Services; Use Unit 14 -Shopping Goods and Services; Use Unit 19 - Hotel, Motel and Recreation Facilities and uses customarily accessory to permitted principal uses.

Maximum Building Floor Area (.48 FAR): 46,682 sf

Minimum Building Setbacks:
From west boundary of the PUD: 11'
From north boundary of the PUD: 11'
From other boundaries of the PUD: 17.5'

Maximum Building Height: 80' provided that, within 50' of the north boundary line, building height shall not exceed 35'

Off-street Parking: As required by the applicable use unit within the Tulsa Zoning Code

Minimum Landscaped Area: 10% of net lot area

Lighting:

Exterior area lighting shall be limited to shielded fixtures designed to direct light downward and away from residential properties. Lighting shall be so designec that the light producing elements and the polished light reflecting elements of exterior lighting fixtures shall not be visible to a person standing within an adjacent residential area. No light standard shall exceed 30 feet, provided that within 50 ft. of the north boundary line, no light standard shall exceed 15 feet in height.

Signs:

Signs shall be limited to:
(a) Wall or canopy signs not exceeding 2 square feet of display surface area per lineal foot of building wall to which the sign is affixed, provided however, the aggregate length of wall signs shall not exceed 75% of the wall or canopy to which affixed.

(b) One monument sign not exceeding 8 feet in height and 64 square feet of display surface area.

(c) Tenant identification may be included within the project identification sign as permitted at the perimeter entry from 71st St. within Development Area A.

**General Provisions for Both Development Areas**

**Landscaping and Screening**

Landscaping shall meet the requirements of the Landscape Chapter of the Tulsa Zoning Code. For the purposes of determining the street yard as defined by the Landscape Chapter, the minimum setback from 71st Street shall be deemed to be 50 feet. In addition to the requirements of the Landscape Chapter, a minimum landscape perimeter of not less than 10 feet, shall be maintained along the 71st Street frontage. The required perimeter landscaping shall include plant materials designed to achieve an attractive street view. A screening wall or fence not less than 6 feet in height and a landscaped area of not less than 5 feet shall be maintained along the north boundary of Development Area B.

**Access and Pedestrian Circulation**

Access is to be derived from 71st Street and a mutual access easement will be established between Area A and Area B and between Area A and the property adjoining the east boundary of Area A.

Sidewalks will be provided, if not currently existing, along West 71st Street. Additional internal pedestrian circulation for Development Area A, including separate pedestrian walkways connecting the building front to the West 71st Street sidewalks and providing for future access to Development Area B, will be provided and will be subject to detail site plan review.

Internal pedestrian circulation connecting Development Area B to Development Area A will be subject to detail site plan review and approval at the time Area B is developed.

**Parcelization**

After initial platting setting forth the allocation of floor area, division of lots may occur by approved lot split application and subject to the further approval of as minor amendment by the Tulsa Metropolitan Area Planning Commission of proposed floor area allocations and confirmation of the existence of any necessary cross parking and mutual access easements.
Transfer of Allocated Floor Area

Allocated floor area may be transferred to another lot or lots by written instrument executed by the owner of the lot from which the floor area is to be allocated provided however the allocation shall not exceed 10 % of the initial allocation to the lot to which the transfer of floor area is to be made. Such transfer of floor area shall be subject of a PUD minor amendment and approved by the Tulsa Metropolitan Area Planning Commission.

3. Development may be phased. 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, pedestrian access and landscaping areas, has been submitted to the TMAPC and approved as being in compliance with the approved PUD development standards.

4. A detail landscape plan for each development area shall be approved by the TMAPC prior to issuance of a building permit. A landscape architect, architect or engineer registered in the State of Oklahoma shall certify to the zoning officer that all required landscaping and screening fences will be installed by a specific date in accordance with the approved landscape plan for the lot, prior to issuance of an occupancy permit. The landscaping materials required under the approved plan shall be maintained and replaced as needed, as a continuing condition of the granting of an occupancy permit.

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

6. Flashing signs, changeable copy signs, running light or twinkle signs, animated signs, revolving or rotating signs or signs with movement shall be prohibited.

7. All trash, mechanical and equipment areas, including building mounted, shall be screened from public view in such a manner that the areas cannot be seen by persons standing at ground level.

8. The Department of Public Works or a professional engineer registered in the State of Oklahoma shall certify to the appropriate City official that all required stormwater drainage structures and detention areas serving a lot have been installed in accordance with the approved plans prior to issuance of an occupancy permit on that lot.

9. If private streets were proposed, the City shall inspect all private streets and certify that they meet City standards prior to any building permits being issued on lots accessed by those streets. The developer shall pay all inspection fees required by the City.

10. No building permit shall be issued until the requirements of Section 1107-F of the Zoning Code have been satisfied and approved by the TMAPC and filed of record in the County Clerk’s office, incorporating within the restrictive covenants 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 and are outlined below.
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 and shipping containers shall not be used for storage in the PUD.

**TAC Comments:**

**General:** No comments.

**Water:** Development A has access to a existing 8-inch waterline along 71st St S. but development B will require a IDP looped waterline extension; inside a 20' restrictive waterline easement to serve its development.

**Fire:** Fire Hydrants may be required for future development on Dev B.

**Stormwater:** No comments.

**Wastewater:** Sanitary Sewer Service must be provided to the proposed development area through a mainline extension.

**Transportation:** There should be a mutual access easement to the north lot, and to the property to the east.

**INCOG Transportation:**
- **MSHP:** 71st St. S., between S. Elwood Ave and US-75, is designated primary arterial.
- **LRTP:** 71st St. S., between S. Elwood Ave and US-75, planned 6 lanes. Sidewalks should be constructed if non-existing or maintained if existing.
- **TMP:** No comments.
- **Transit:** Currently, Tulsa Transit operates services on this location. According to MTTA future plans this location will continue to be served by a transit route. Therefore, consideration for access to public transportation should be included in the development.

**Traffic:** No comments.

**Airport Authority:** The airport requests that FAA form 7460-1 be submitted prior to development of both Area A and Area B.

**GIS:** No comments.

**Street Addressing:** No comments.

03/02/11
TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT

APPLICATION: Z-7165

TRS 9309
CZM 37

ATLAS 128
CD-4

TMAPC Hearing Date: March 16, 2011
(Continued from March 2, 2011)

Applicant: Robert Christie

Tract Size: .25+ acres
10,890+ square feet

ADDRESS/GENERAL LOCATION: South of southwest corner of East 11th Street and South Vandalia Avenue

EXISTING ZONING: RS-3
PROPOSED ZONING: PK

EXISTING USE: Residential
PROPOSED USE: Parking

ZONING ORDINANCE: Ordinance number 11815, dated June 26, 1970, established zoning for the subject property.

RELEVANT ZONING HISTORY:

PUD- 510 July 1994: All concurred in approval of a proposed Planned Unit Development on a 5+ acre tract of land for church and residential use, on property located south of southwest corner of East 11th Street and South Yale Avenue and southeast of subject property.

BOA-14871 July 21, 1988: The Board of Adjustment denied a Special Exception to allow for off-street parking in an RS-3 district; finding that the granting of the request would be an encroachment of business and detrimental to the neighborhood, on property located at 1116 South Vandalia Avenue and the subject property.

BOA-5207 September 14, 1966: The Board of Adjustment approved a request to permit off-street parking in residential zoning, on Lot 17, Block 1, Beverly Heights Addition, also known as south of southeast corner of East 11th Street and South Toledo Avenue and west of subject property.

BOA-2417 May 13, 1953: The Board of Adjustment approved a request to permit a dentist office in a residential zoning, on Lot 19, Block 1, Amended Blocks 1 & 2, Rose Marie Addition, also known as 1115 South Urbana Avenue and abutting west of the subject property.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately .25+ acres in size and is located south of the southwest corner of East 11th Street and South Vandalia Avenue. The property is vacant and zoned RS-3.
SURROUNDING AREA: The subject tract is abutted on the east by office uses, zoned OL and by a single-family residential use, zoned RS-3; on the north by commercial uses, zoned CH; on the south by single-family residential uses, zoned RS-3; and on the west by single-family residential uses, zoned RS-3.

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

TRANSPORTATION VISION: The Comprehensive Plan does not designate South Vandalia Avenue. East 11th Street appears to be designated as a multi-modal corridor, intended to accommodate transit, bicycle, pedestrian and auto traffic. The Major Street and Highway Plan designates East 11th Street as a secondary arterial, having 100' of right-of-way.

STREETS:

<table>
<thead>
<tr>
<th>Exist. Access</th>
<th>MSHP Design</th>
<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
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<tbody>
<tr>
<td>South Vandalia Avenue</td>
<td>N/A</td>
<td>N/A</td>
<td>2</td>
</tr>
</tbody>
</table>

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The comprehensive plan designates this property as a Main Street, in conjunction with the adjacent property to the north fronting on East 11th Street. Main streets, according to the plan, are to serve the highest intensity retail and mixed land uses and are to be designed to promote walking, bicycling and transit within an attractive landscaped corridor. Main streets are to be designed to offer the ability to park once and walk to several destinations, with parking to be provided on street or shared off street among multiple entities. The PK zoning is in accord with the comprehensive plan.

The comprehensive plan also designates this as an area of growth, in order to direct allocation of resources and channel growth to best improve access to jobs, housing and services. Emphasis in these areas is on providing housing choices and alternate modes of transportation.

STAFF RECOMMENDATION: The requested parking (PK) zoning would provide a buffer between the commercial/office and institutional uses to the north and the residential neighborhoods to the south, east and west. Screening will be required for all sides abutting residentially-zoned property, either by a screening wall or fence 6' high on the immediately adjacent sides or by a 3' high screening wall, fence or landscaped berm if separated by a non-arterial street. Staff can therefore recommend APPROVAL of PK zoning for Z-7165.

03/16/11
Z-7165 LAND USE PLAN: MAIN STREET

Land Use Plan Categories:
- Downtown
- Downtown Neighborhood
- Main Street
- Mixed-Use Corridor
- Regional Center
- Neighborhood Center
- Employment
- Existing Neighborhood
- Park
- Open Space

19-13 09

Feet

0 250 500
Existing Parking Lot Asphat

New Parking Lot

New Lot

72' x 132'

No curb cut to street

This lot to be accessed from Existing Lot

now owned by applicant Robert Christie

New Curb

132'

15' from street curb

5' off thru line

5' inches of base material

5' of 4000 PSI concrete pedestal on 16" center
Action Requested by Mr. Robert Christie:

Mr. Christie intends to convert the vacant, residential lot (legal description attached) into a parking lot, which is located behind Mr. Christie’s commercial property, located at 4620 E. 11th Street, Tulsa, Oklahoma 74112. The parking lot will provide additional parking for the commercial property; however, it will not be accessed by 11th Street, nor will it require any additional ingress/egress.

The vacant lot for which Mr. Christie requests the rezoning/variance/special exception is currently zoned Residential, but clearly remains vacant. Mr. Christie has no intention of selling the lot, nor using it for any residential purpose. To maintain its originally zoned status as residential would create an undue hardship for Mr. Christie, as the lot will remain useless. Mr. Christie presently has a vacancy in his commercial building with a well-respected, prospective tenant intending to sign a lease with Mr. Christie; however, the tenant’s intent is contingent upon this request being granted (tenant will need more parking). Further, Mr. Christie’s bank has agreed to loan Mr. Christie the money to construct the parking lot; however, also contingent upon Mr. Christie securing the prospective tenant. Therefore, without being granted this request, Mr. Christie and the tenant cannot proceed with their respective business plans.

If Mr. Christie’s request is granted, such relief will not cause any substantial detriment to the surrounding area, or any detriment for that fact, as Mr. Christie’s plan proposes a privacy fence and landscaping to be constructed around the perimeter of the lot. Further, the lot will only assist the public by providing them with non-street parking access to retail.
February 17, 2011

Tulsa Metropolitan Area Planning Commission
City of Tulsa, Oklahoma

RE: Case Number Z-7155

LT4 & N/2 of LT 5 BLK B1, Rose Marie ADDN AMD L4-21 B1 & ALL B2

As residents living in the area of the proposed rezoning of the lot described above from RS-3 to PK we are asking TMAPC to deny the application. The proposed change will have a negative impact on our neighborhood, our property values, and will increase the traffic on our residential street.

918-834-8432

Mr. & Mrs. Robert Hennig
1128 S. Vandalia
Tulsa, OK 74112

Danny Helges
1121 S. Vandalia
Tulsa, 74112
918-639-2204

Ricky G. McCage
1117 S. Vandalia Ave
Tulsa, OK 74112
918-535-6445

Penelope Smallwood
1122 South Vandalia
Tulsa, OK 74112
918-835-6471

Adam Austin
4703 E 12th St
Tulsa, OK 74112

Mary Asker
1141 S. Urbana
Tulsa, OK 74112

Kathy Polnower
1152 S. Urbana
Tulsa, OK 74112

Chad Taylor
1028 S. Urbana
Tulsa, OK 74112
Kristy Wieties
1131 S. Vandelia Ave
Tulsa, OK 74112

Vicci Jordan
1131 S. Vandalia
Tulsa, OK 74112

Rebecca Goodhue
1144 S. Vandalia
Tulsa, OK 74112
My name is Penelope Smallwood. I live at 1122 South Vandalia, and I’m here to protest Mr. Robert Christie’s requested rezoning of the vacant residential lot behind his building that faces onto 11th Street.

About 20 years ago the Aerospace Workers Union bought the house just south of Mr. Christie’s building on 11th Street, removed it, and tried to have the now vacant lot rezoned for a parking lot. There was much objection and they were refused.

Several years ago Mr. Christie bought the building and lot. Now he wants it rezoned for parking.

His property already pushes approximately 150 feet back from 11th Street. His proposed parking lot would intrude another 75 feet into our residential area (for a total of 225 feet). It would be surrounded on three sides by single family homes, and would reduce the 84-foot buffer between his property and my house to only 9 feet.

The following photos show my house, the house behind his lot, and the houses across Vandalia.
My house is the first house on the right. Mr. Christie's lot is to the right of it.
My house again. This shows the houses behind my house and his vacant lot. The wooden fence beside my house is his and is in very bad condition.
Mr. Christie's lot on the left and his 11th street building on the right.
The house on the right is directly across from Mr. Christie's lot

There are several other negative issues besides the 225-foot intrusion of an incompatible use into our neighborhood:

**Drainage**

Vandalia slopes down towards 11th and then slopes up to 11th and has no storm drain opening. Runoff goes down to the opening at Talley's at 11th and Yale.

Runoff already pools several inches deep in heavy rain or melting snow. Paving the grass covered vacant lot in question and letting the runoff drain onto the existing parking behind his building and out to Vandalia will add to the street flooding problem.
Vandalia intersecting with 11th  This is where the water pools.

**Traffic and Noise**

Ours is a very quiet street, even with the commercial activity along 11th. A parking lot will bring in more noise from more cars driving down Vandalia and into and out of the lot and more transient people coming and going.

**Pollution and Litter**

More cars and people will mean more fumes from the cars and more trash blowing onto our properties, especially as he intends to rent to a sandwich shop.
Security
The required (and necessary) screening fence around 3 sides of his lot and his building on 11th on the fourth side will give cover for all sorts of bad characters, including vandals, burglars, drug users, prostitutes, and others to hang out behind his building and in the proposed parking lot after hours. Graffiti has been painted on his building, including the 2nd story, and in the past the building to the east of his across Vandalia has had trouble with graffiti and drunks and prostitutes hiding behind their dumpster at the end of the first house’s driveway.

Fair Heights and Fair Park neighborhoods, between 11th and 15th Streets and Yale and Harvard, comprise a popular, attractive, quiet, older area of brick and stone cottages. The intimate feeling of these residential side streets is important.

These neighborhoods held on through the Oil Bust and values subsequently increased. Houses in them tended to sell quickly before the financial crash in 2008.

They constitute an important bridge between White City and the Renaissance/Florence Park area. I would think the City would do everything possible to keep them popular and their property values up.

I believe that this zoning change would cause the value of my house to be reduced and make the sale of it more difficult

I ask you not to approve this rezoning.
March 2, 2011

TMAPC Commissioners
TMAPC Staff

Commissioners and Staff,

After reviewing the backup documents for TMAPC application Z-7165, an application by Mr. Robert Christie requesting a zoning change from RS-3 to PK, I would ask that the TMAPC continue this case until such time as the applicant meets with the surrounding neighborhood association. It was brought to my attention that as of last night, this has not occurred.

It has been informal policy of the TMAPC to foster good relations with applicants and those that live around the proposed site. This may or may not alleviate the objections found in your backup materials, but at least an attempt to come to some sort of understanding and agreement on the development of this site should be attempted before the TMAPC hears the case.

I am willing and able to help convene a meeting with the applicant and the neighborhood should they need help.

Sincerely,

Maria Barnes
District 4 Councilor
PLAT WAIVER

March 16, 2011

Z-7165 – 1116 South Vandalia Avenue (9302) (CD 4)

The plating requirement is being triggered by a rezoning from RS-3 (residential single family) to PK (parking).

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

ZONING:
TMAPC Staff: The plat waiver is being prompted by a rezoning request to PK from RS-3. The waiver would be valid on the condition that the rezoning is granted.

STREETS:
No comment.

SEWER:
No comment.

WATER:
No comment.

STORMWATER:
Drainage from this lot and all lots adjacent to it must continue their existing drainage flow direction, to the northeast. The proposed parking lot cannot be allowed to block flow from existing lots of higher elevation, which currently flows across this lot. Drainage from this lot must continue to flow towards Vandalia Avenue.

FIRE:
No comment.

UTILITIES:
No comment.

Staff recommends APPROVAL of the plat waiver for the previously platted property on the condition that the rezoning as requested is approved.
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?  
   ☐ Yes  ☒ NO
3. Is property adequately described by surrounding platted properties or street right-of-way?  
   ☐ Yes  ☒ NO

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

New Parking Lot
New Lot
New Lot
72' x 132'

No curb cut to street
This Lot to be accessed from Existing Lot
now owned by applicant Robert Christie

Girder Curb

132'

Girder Curb

152'

5' of 4000 PSI concrete
Rebars on 16" centers

5 inches of Base Material

3' off South Line

50