## TULSA METROPOLITAN AREA PLANNING COMMISSION

Meeting No. 2611

October 05, 2011, 1:30 PM 175 East 2<sup>nd</sup> Street, 2<sup>nd</sup> 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:** 

1. Minutes of September 07, 2011, Meeting No. 2609

#### **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. <u>LS-20463</u>, (Lot-Split) (CD-9), Location: West of the southwest corner of South Rockford Avenue and East 34<sup>th</sup> Street South
- 3. <u>LS-20464</u>, (Lot-Split) (CD-2), Location: North of the northwest corner of East 66<sup>th</sup> Place South and South Peoria Avenue
- 4. <u>Vacation of Plat and Amendment of Deed of Dedication</u> Stanford Court Subdivision, Location: North of northwest corner of East 51<sup>st</sup> Street South and South 177<sup>th</sup> East Avenue
- 5. <u>PUD-780 HROAK, Inc./The Boulevard</u>, Location: <sup>1</sup>/<sub>4</sub> mile north of the northwest corner of East 51<sup>st</sup> Street South and South 177<sup>th</sup> East Avenue, Requesting a Detail Site Plan for a gated entry and perimeter wall to a residential single-family subdivision, **RS-3**, (CD-6)
- 6. <u>AC-108 Tulsa Engineering and Planning/Tim Terral/H.W. Allen Company, LLC</u>, Location: North of the northwest corner of 41<sup>st</sup> Street South and South Garnett Road, Requesting Landscaping Alternative Compliance for a proposed Dollar General Store to approve the use of hose attachments within 100 feet of the landscaped area as permitted irrigation for the site, CS, (CD-6)

	li .			

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

#### CAPITAL IMPROVEMENT PROJECTS PUBLIC HEARINGS:

7. FY 12-16 CIP Amendment – Review of Cousins Park Improvements for conformance of the Comprehensive Plan.

#### **PUBLIC HEARINGS:**

- 8. <u>Estates of Waterstone Extended</u> Preliminary Subdivision Plat, Location: South of the southeast corner of South Louisville and East 111<sup>th</sup> Street South (CD 8)
- 9. <u>Manion Park</u> Plat Waiver, Location: 2901 East 56<sup>th</sup> Street South, East of Delaware, North of 56<sup>th</sup> Street
- 10. <u>Heller Park Plat Waiver, Location</u>: 5337 South Utica, East of Utica, South of East 53<sup>rd</sup> Street
- 11. <u>PUD-202-E Retherford Enterprises/Rachel Long/Verizon</u>, Location: Southwest corner of East 63<sup>rd</sup> Street and South Memorial Drive, Requesting a Major Amendment to add Antenna and Supporting Structure within Use Unit 4 Protection and Utilities as a permitted use within PUD-202, the applicant proposes to add antenna only to the top of a multi-story office building, **RS-3/OM/PUD**, (CD-7), (Related to item 12)
- 12. <u>PUD-202 E Plat Waiver</u>, Location: 8023 East 63<sup>rd</sup> Place, Lots 1, 2, Block 2, Shadow Mountain II, (Related to item 11) (CD 7)
- 13. **Z-7183 Tanner Consulting/Matt Baer**, Location: South of southwest corner of East Latimer Street and North Delaware Avenue, Requesting **RM-1 to IM**, (CD-3)
- 14. <u>PUD-787 Roy Johnsen/West Park Multi-Use Building</u>, Northeast corner 4<sup>th</sup> Place and South Lewis Avenue, Requesting a PUD to allow a three story, mixed use building to be constructed, **RM-2/CS to RM-2/CS/PUD-787**, (CD-4)

#### OTHER BUSINESS

- 15. Consider requesting Legal opinion on Form-Based Codes regarding nonconforming structures
- 16. Review and Consider TMAPC 2012 Meeting Schedule
- 17. 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 <u>cell phones</u> and <u>pagers</u> 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.

#### ROY D. JOHNSEN, P.L.L.C.

ATTORNEYS AT LAW
Williams Center Tower One, Suite 1010
1West Third Street
Tulsa, Oklahoma 74103
(918) 585-5641 - fax (918) 585-2758

ROY D. JOHNSEN JANINE H. VANVALKENBURGH

September 22, 2010

Diane Fernandez Senior Planner/Subdivision Administrator INCOG 2 West 2<sup>nd</sup> Street, Suite 800 Tulsa, OK 74103 Hand Delivered

Re:

Vacation of Plat and Termination of Restrictive Covenants

of Stanford Court

Dear Diane:

Enclosed for consideration by the Planning Commission is an instrument entitled "Vacation of the Plat and Termination of Restrictive Covenants of Stanford Court".

In December, 2005, a ten acre tract of land located north of the northwest corner of East 51<sup>st</sup> St. South and South 177<sup>th</sup> East Avenue (South Lynn Lane Road) was platted as a single family residential subdivision known as Stanford Court, a subdivision in the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat (No. 5935) thereof ("Stanford Court"). Due to economic circumstances, development did not occur, no streets or other utilities were installed, and the owner of Stanford Court eventually sold the property.

The new owner of the subject 10 acre tract is developing the property as a gated single family residential community with private streets known as "The Boulevard". The Boulevard has been submitted and approved as PUD No. 780, and the final plat of The Boulevard has recently been submitted for approval.

The owner of the subject property desires to vacate the underlying plat of Stanford Court and to terminate the restrictive covenants established by the Deed of Dedication of Stanford Court. As originally configured, the plat of The Boulevard depicted the right-of-way of Lynn Lane as having been dedicated by the plat of Stanford Court. Accordingly, we had submitted a document purporting to vacate all of the plat of Stanford Court except for the dedication of Lynn Lane. Subsequently, the plat of The Boulevard was reconfigured to rededicate the right- of- way of Lynn Lane, thereby making it possible to vacate the entirety of the underlying plat of Stanford Court.

Diane Fernandez September 22, 2011 Page 2

You are in possession of the Draft Final Plat of The Boulevard. Enclosed for your reference is a copy of the Plat of Stanford Court.

We have drafted, and the owner of the property has executed, the enclosed Vacation of the Plat and Termination of Restrictive Covenants of Stanford Court, and we are requesting that the document be processed for approval by the Planning Commission. Could you please place the Vacation and Termination on the next available agenda for consideration by the Planning Commission?

Please call if we can answer any questions or help in any way. Thanks so much for your help.

Sincerely,

Janine H. VanValkenburgh

JHV:lm enc

# VACATION OF THE PLAT AND TERMINATION OF RESTRICTIVE COVENANTS OF STANFORD COURT

This Vacation of the Plat and Termination of Restrictive Covenants of Stanford Court is dated this 19th day of Sept., 2011.

#### RECITALS

A. This instrument is made and entered into pursuant to Title 11 Okla. Stat. Sec. 42-106, paragraph B. for the purposes of vacating the entirety of the plat described as follows:

Stanford Court, a subdivision in the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat (No. 5935) thereof ("Stanford Court").

- B. The Plat of Stanford Court and accompanying Deed of Dedication was recorded on December 13, 2005 in the records of the Tulsa County Clerk as Plat No. 5935.
- C. The undersigned is the owner of all the property within Stanford Court, and has platted or intends to replat the property comprising Stanford Court as a subdivision to be known as "The Boulevard".
- D. The undersigned desires to vacate the plat of Stanford Court and to terminate the covenants established in the Deed of Dedication accompanying the plat of Stanford Court (the "Deed of Dedication").
- E. Title 11 Okla. Stat. Sec. 42-106, paragraph B. provides for vacation of all or a portion of a plat by written instrument executed by the owners of sixty percent of the lots in the plat and all the owners in the area to be vacated and approved by the municipality in which the plat is situated.
- F. The Deed of Dedication, in Section V., paragraph C states that the covenants contained within Section I. Streets, Easements, and Utilities, may be amended or terminated at any time by a written instrument signed and acknowledged by the owner of the land to which the amendment or termination is to be applicable and approved by the Tulsa Metropolitan Area Planning Commission, with the approval of the City of Tulsa, and further states that the covenants contained within Section III. Private Building and Use Restrictions, may be amended or terminated at any time by a written instrument signed and acknowledged by the owners of more than 50 percent of the lots within the subdivision.

G. Freedom Square, L.L.C. is the owner of all the lots and reserve areas in the plat of Stanford Court. The vacation of the plat of Stanford Court is not prohibited by any restrictive covenants encumbering the lots in the plat.

THEREFORE, in consideration of the above and for other good and valuable consideration, the undersigned hereby vacates the Plat of Stanford Court (Plat No. 5935) in its entirety and vacates all streets, easements and building setback lines depicted on the Plat of Stanford Court or established by the accompanying Deed of Dedication. This instrument shall operate to destroy the force and effect of the recording of the Plat of Stanford Court (Plat No. 5935) and to divest all public rights in the public ways, public easements, commons, and public grounds laid out as described in the Plat. The undersigned further hereby terminates the covenants established in Section I. Streets, Easements, and Utilities, and Section III. Private Building and Use Restrictions, of the Deed of Dedication accompanying the Plat of Stanford Court.

IN WITNESS WHEREOF, the undersigned has executed this instrument the day and year first above written to be effective as of the date of recording of the plat of The Boulevard.

Freedom Square, L.L.C. An Oklahoma limited liability company

By:	1	C2
Manager		

State of Oklahoma	)
	) ss.
County of Tulsa	)

This instrument was acknowledged before me this 19th day of Sept., 2011, by Septenc. Brown as Manager of Freedom Square, L.L.C., an Oklahoma limited liability company.

Notary Public

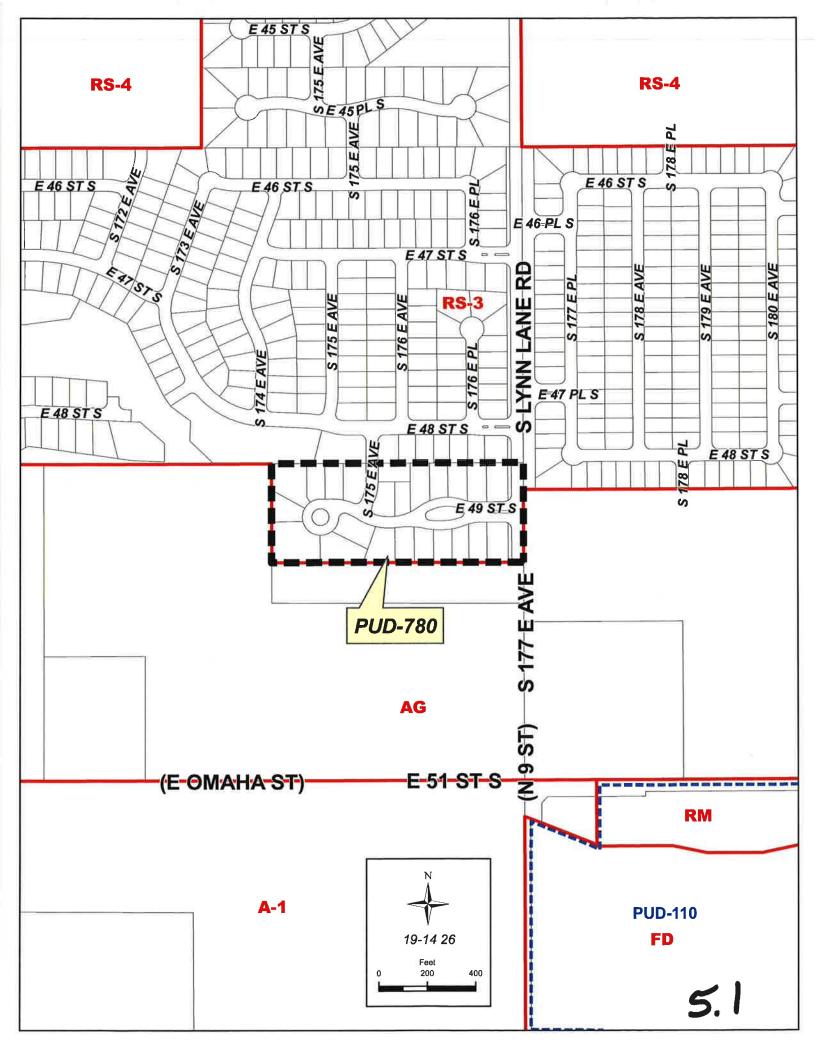
My Commission Number is: 1000 7357

My Commission expires: 9/3/14

APPROVED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION
ON, 2011
By:Chairman
Chairman
APPROVED BY THE CITY COUNCIL CITY OF TULSA, OKLAHOMA ON, 2011
By:Chairman
APPROVED BY THE MAYOR, CITY OF TULSA, OKLAHOMA
Mayor
Date:
ATTEST:
City Clerk, City of Tulsa, Oklahoma

APPROVED AS TO FORM:	
Assistant City Attorney City of Tulsa, Oklahoma	<del></del>

Date:





#### STAFF RECOMMENDATION

PUD-780:

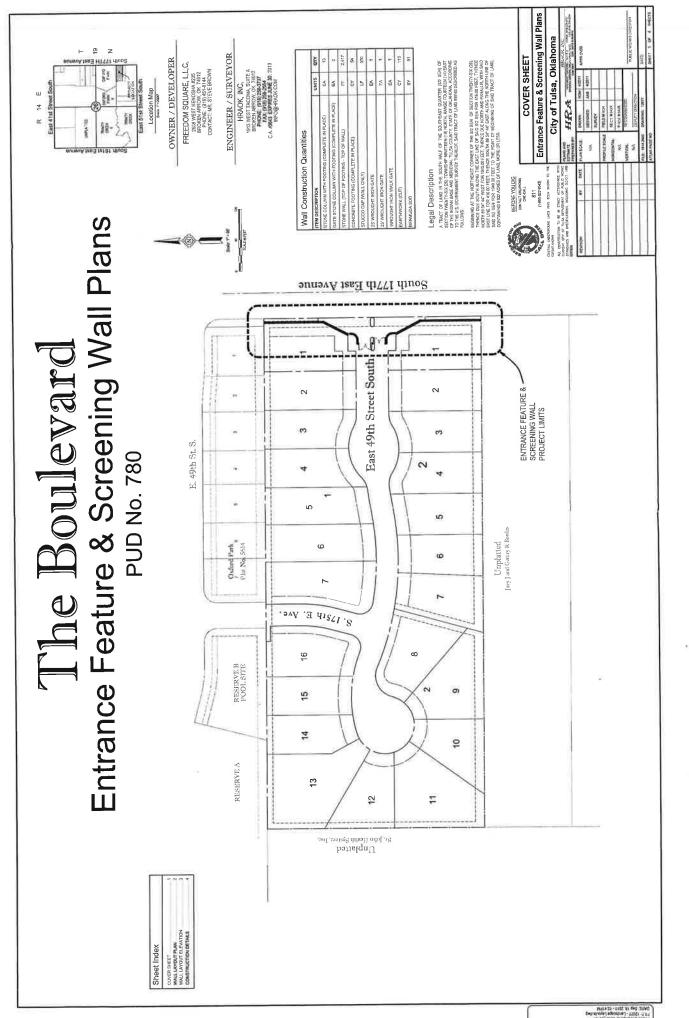
Detail Site Plan – ¼ mile north of the northwest corner of East 51<sup>st</sup> Street South and South 177<sup>th</sup> East Avenue; TRS 19-14-26; CZM 50; CD 6; RS-3.

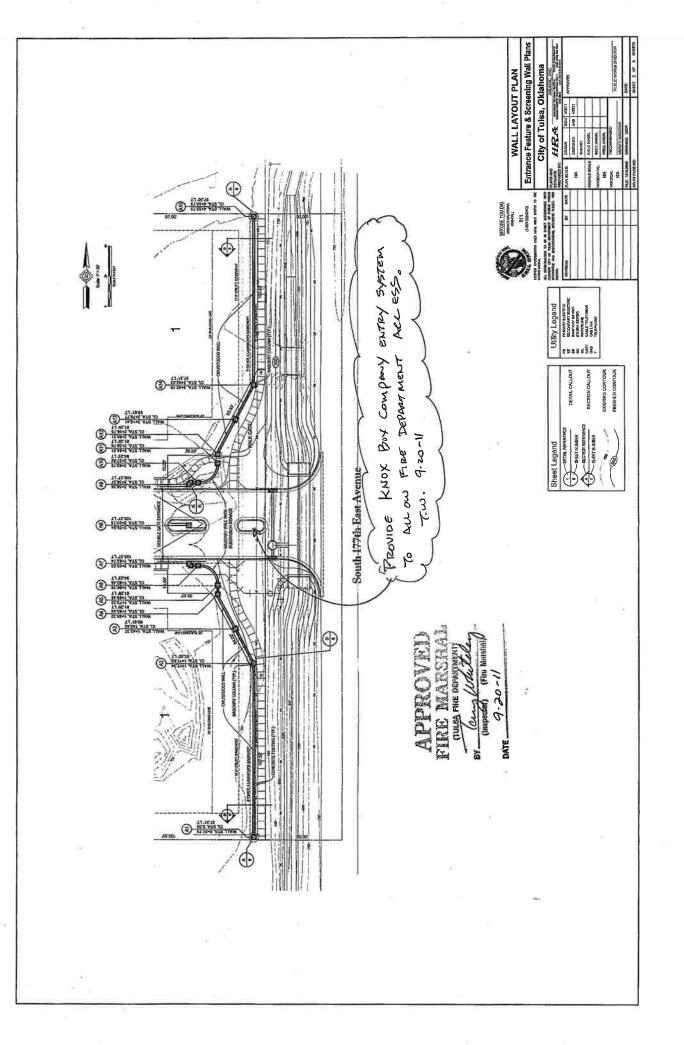
The applicant is requesting approval of a detail site plan for a gated entry and perimeter wall to a residential single-family subdivision located north of the northwest corner of 51<sup>st</sup> Street South and South 177<sup>th</sup> East Avenue.

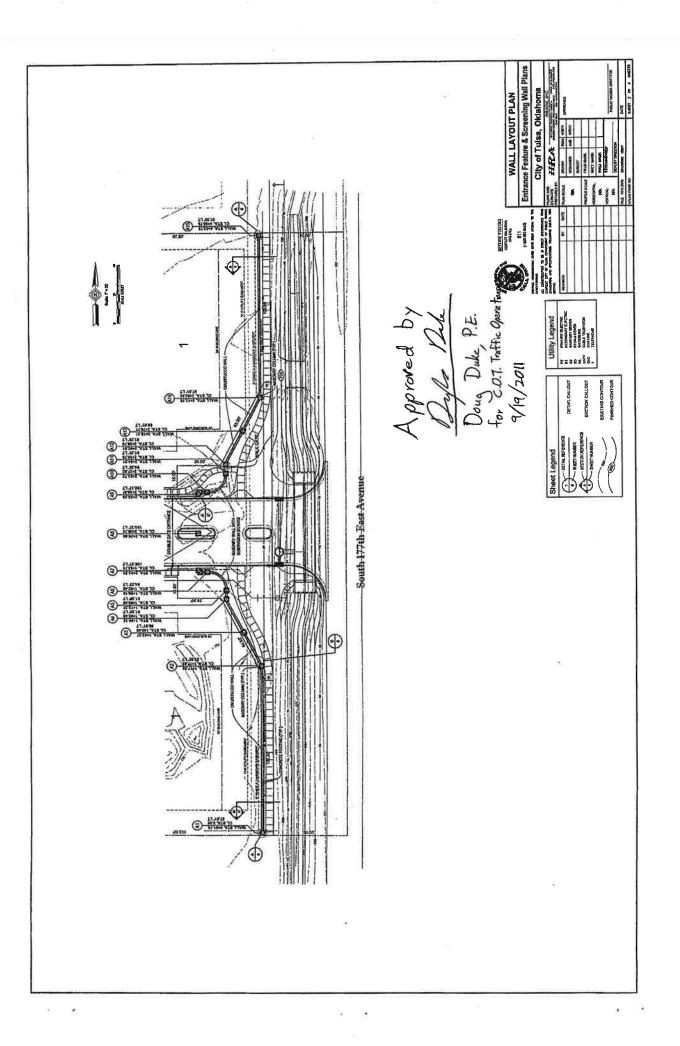
The submitted site plan meets all applicable structure height and setback limitations. The plan has also received the requisite signatures from the City of Tulsa Fire Marshall and Traffic Engineering.

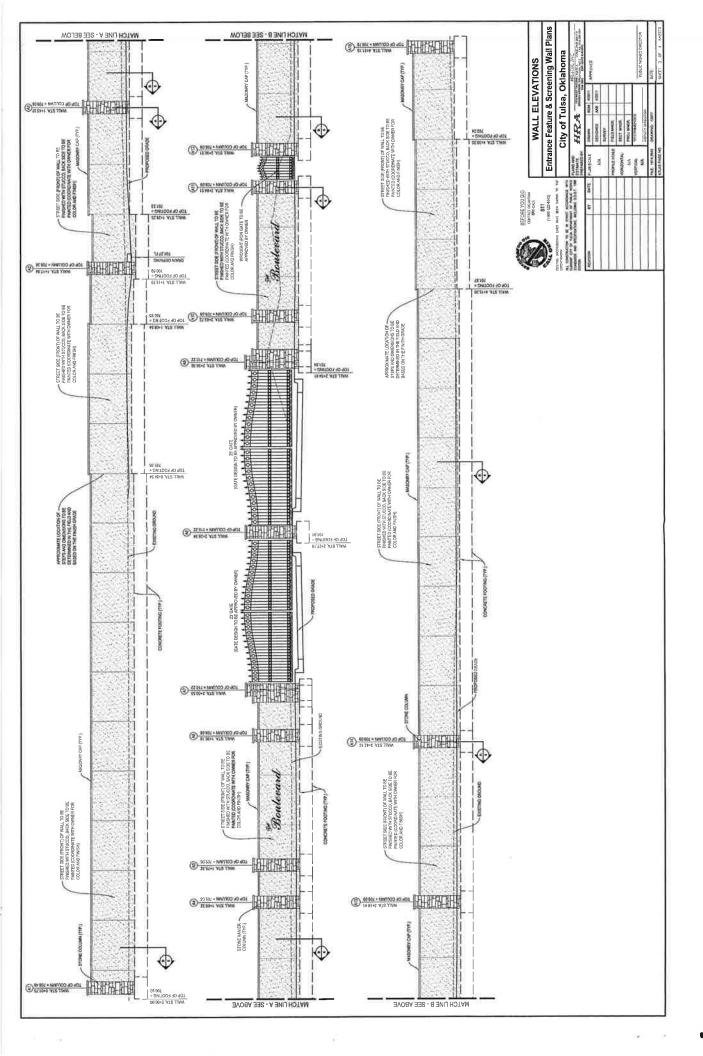
Staff recommends **APPROVAL** of the detail site plan for the perimeter wall and entry gated for PUD-780.

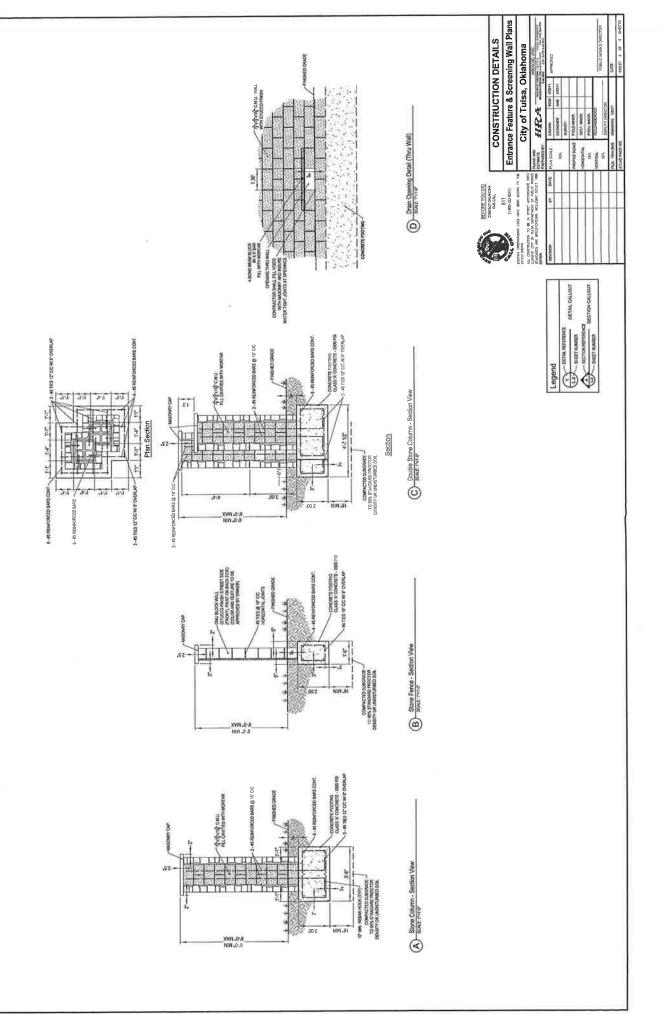
Note: Detail site plan approval does not constitute landscape and sign plan approval.













6.1



6.2

#### STAFF RECOMMENDATION

AC-108

Alternative Compliance Landscape Plan – North of the northwest corner of 41<sup>st</sup> Street South and South Garnett Road; TRS 19-19-14; CZM 49; Atlas 751; CD 6; CS.

The applicant is requesting TMAPC approval of an alternative compliance landscape plan for a proposed Dollar General Store to be located north of the northwest corner of 51<sup>st</sup> Street South and South Garnett Road.

Specifically, the applicant is requesting TMAPC approval to use hose attachments located within 100' of all landscaped areas as permitted irrigation for the site.

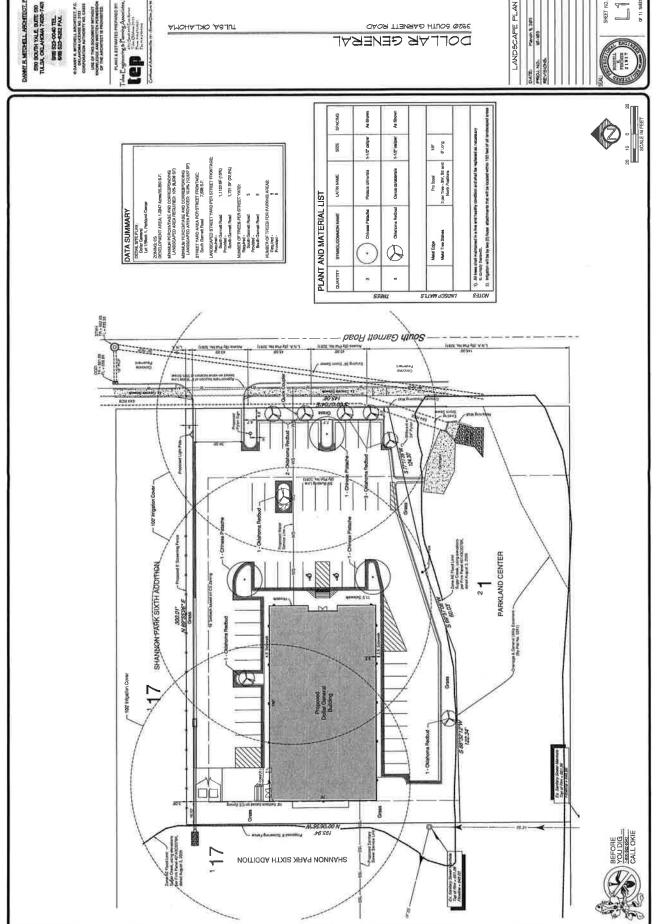
Section 1002.D.2.c of the code states that permitted irrigation may include, "A hose attachment within 100 feet of all landscaped areas. No landscape plan submitted after June 30, 1996 shall use this method to irrigate required landscape area without the prior approval of TMAPC".

Section 1202.D.5 of the Code requires all required landscaping to be maintained in a live and healthy condition and shall be replaced as necessary to comply therewith.

Whether the landscaping is maintained by an underground irrigation system or through the use of hose attachments, the landscaping must be maintained or replaced as a continuing condition of the certificate of occupancy (COO). Where landscaping is required, all property owners accept responsibility for maintaining the landscaping on their property. While the hose attachment method appears to be much more labor intensive, it is the property owner's responsibility to maintain the landscaping or jeopardize their COO.

In exchange for the use of hose attachments the applicant is proposing to exceed their street yard landscaping by 7.8%. The applicant is also self-imposing an open space requirement of 19.3% of the lot when an open space requirement does not exist, therefore meeting the requirement that the landscape alternative compliance plan "be equivalent to or better than" the requirements of Chapter 10 of the code as suggested by section 1003.D.

Staff recommends **APPROVAL** of Alternative Compliance Landscape Plan AC-



3930 SOUTH GARNETT ROAD DOLLAR GENERAL

TULSA, OKLAHOMA

#### MEMORANDUM

TO:

**TMAPC MEMBERS** 

COPY:

**GARY HAMER, MANAGER** 

**CAPITAL PLANNING** 

FROM:

DANE MATTHEWS, INCOG

SUBJECT:

**COUSINS PARK CIP REQUEST** 

DATE:

**SEPTEMBER 27, 2011** 

The City of Tulsa Capital Planning Section of the Budget and Planning Division recently submitted a request for the TMAPC to review proposed improvements to the Cousins Park, land that was donated many years ago by the Cousins family. This property lies at the southwest corner of East 121<sup>st</sup> Street South and Yale Avenue, and is within an area designated by the Comprehensive Plan as open space. It also is planned to have trails linkage. The plan calls for a paved parking lot, a crushed stone trail and a small deck.

Staff finds the proposal to be in accord with the Comprehensive Plan and recommends that the TMAPC do likewise.



Department of Finance
Budget and Planning Division
Capital Planning Section
175 E. 2nd, 8<sup>th</sup> Floor One Technology Center
Tulsa, Oklahoma 74103 (918) 596-7573

To:

Dane Matthews,

Assistant Manager TMAPC

From:

Gary Hamer, Manager

Capital Planning

Date:

September 27, 2011

Subject:

FY 12-16 CIP Amendment

A number of years ago, the City of Tulsa was the recipient of donated land located on the southwest corner of 121<sup>st</sup> Street South and Yale Ave. The intended purpose of this donation was to provide recreational opportunities for residents in the far south portions of the city. The City of Tulsa now wishes to fund park related improvements on the donated property. The estimated cost of the phase one improvements total \$244,375. I have attached a project description for your review. Currently, this project is not in the Capital Improvements Plan (CIP). It is therefore necessary that this project be added to the City's Capital Improvement Plan (CIP). Please determine:

- If the project will, in fact, affect the City's Comprehensive Plan, and
- If the project is in accord with the City's Comprehensive Plan.

If you have any questions, please contact me at 596-7573.

Attachments

### Cousins Park Amenities Options and Cost Draft Budget

#### Phase |

#### 1. Asphalt Parking Lot

Cost Per Space average for this area is \$3500. An asphalt parking lot with 60 spaces with a single entrance is roughly \$210,000. It can be designed to expand as needed and to accomme date school busses. If the City of Tulsa purchased the materials only and Tulsa County provides the labor and installation the cost would be roughly \$105,000.

#### 2. Crushed Stone Trail

8' wide trail constructed of limestone screenings 4-6" deep is \$80,000 per mile or roughly \$15.00 per linear foot according to the Rails to Trails pricing guidelines. Crushed/granular stone (limestone, sandstone, crushed rock) can hold up well under heavy use; complements aesthetic in a compacted properly. Can accommodate nearly every trail user if crushed and compacted properly. Maintenance cost is about \$1,200 per year per mile.......cost could vary depending on storm intensity and size of a volunteer work force. Phase I trail \$60,000 (~4000 L.F. @ \$15 per L.F.)

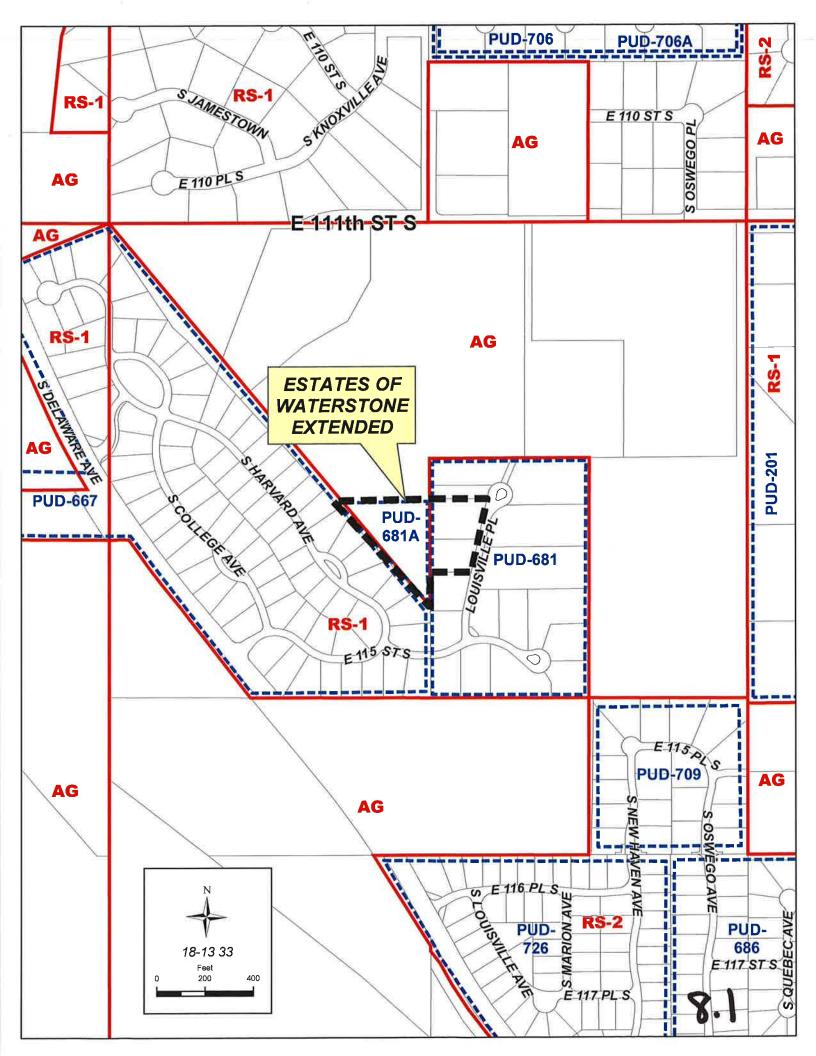
3. Small Elevated Wood Observation Deck \$12,500 ea.

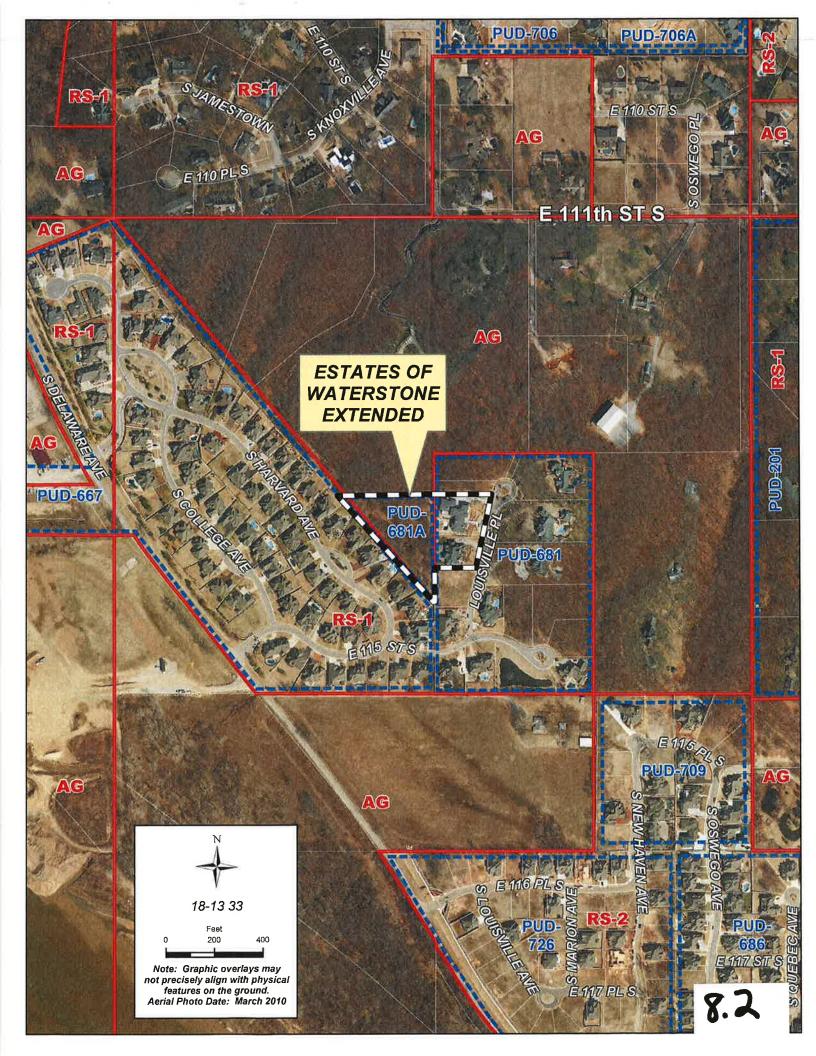
Subtotal for Phase 1 \$177,500 Design Fees @ 10% \$18,000 Contingency @ 25% \$48,875

Total for Phase 1 \$244,375

Note...any cost savings would be put towards native tree perimeter plantings.

	2		





#### PRELIMINARY SUBDIVISION PLAT

#### Estates of Waterstone Extended - (CD 8)

South of the southeast corner of South Louisville and East 111th Street South

This plat consists of 2 Lots, 4 Blocks, on 3.4 acres.

The following issues were discussed September 15, 2011, at the Technical Advisory Committee (TAC) meetings:

- **1. Zoning:** The property is zoned PUD 681 A. PUD standards must be provided in covenants.
- 2. Streets: No comment.
- 3. Sewer: No comment.
- 4. Water: No comment.
- 5. Storm Drainage: Dimension the existing storm sewer easement along the southwest boundary. That storm sewer easement must be extended to the north boundary line for conveyance of overland flow and storm sewer from adjacent properties. The storm sewer easement along the southwest boundary of lot 1 cannot have other easements platted over it, unless they are crossing this easement at one specific point. Updated easement language should be required for overland drainage easements and water, sanitary sewer and storm sewer services. A more comprehensive drainage plan must be provided prior to approval of the final plat.
- 6. Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others: No comment.
- 7. Other: Fire: No comment. GIS: The point of commencement for the plat needs to begin at a section corner. Clarify total number of acres for project. Note benchmarks and monuments. State actual bearing in degrees, minutes and seconds for the basis of bearings. Submit subdivision control data form. Addresses should be 11436 and 11446 South Louisville Place East.

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.

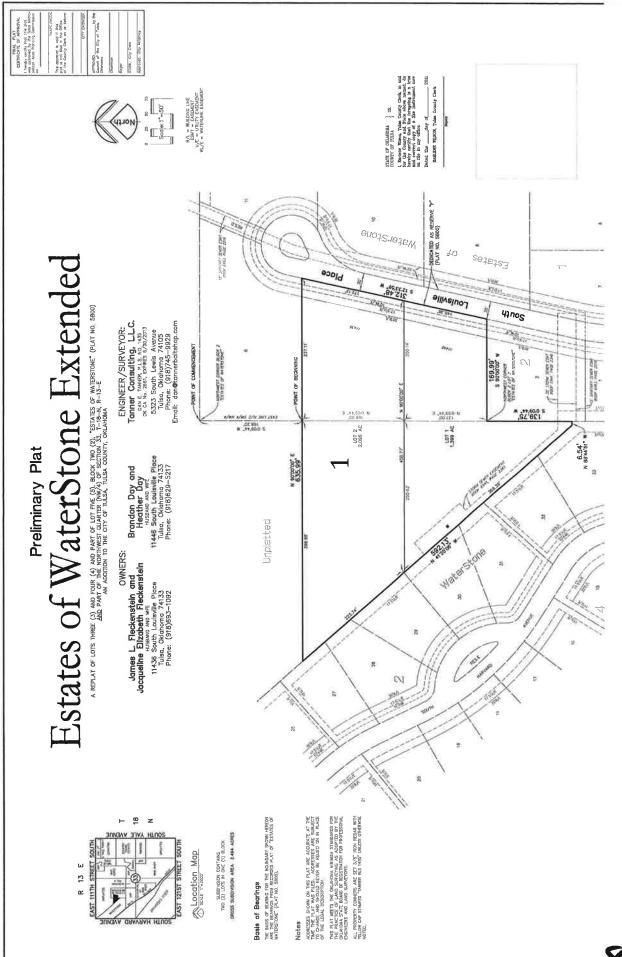
#### **Special Conditions:**

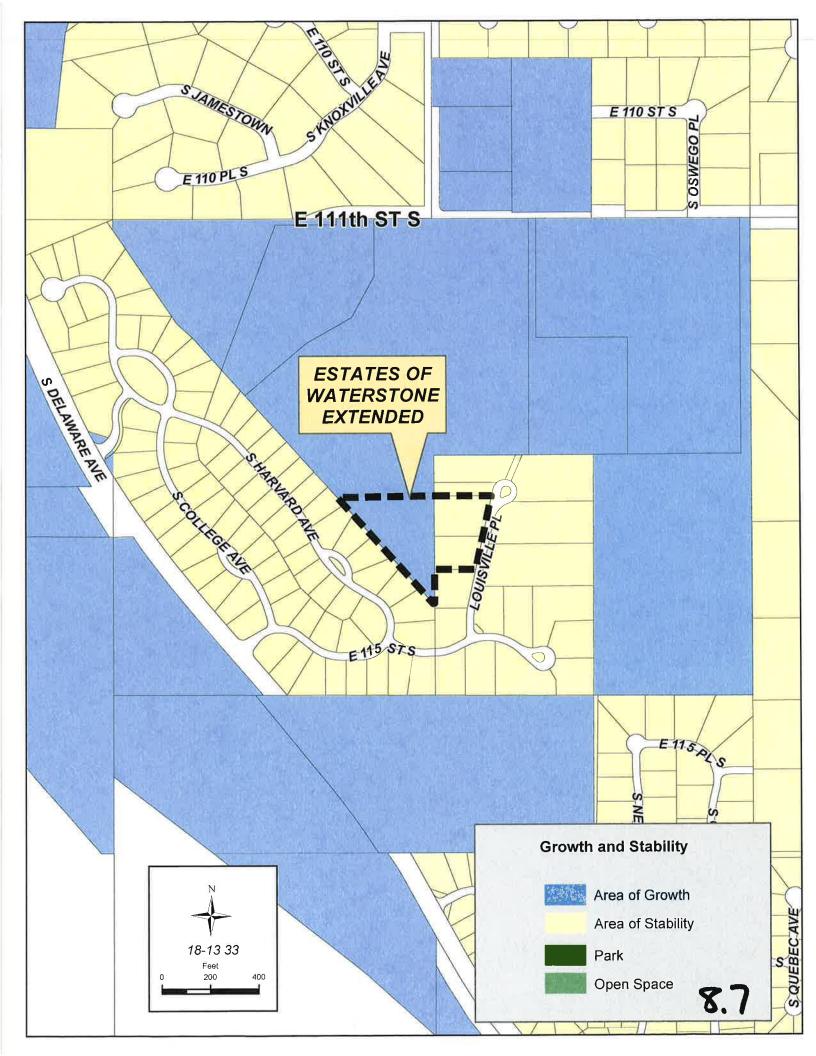
1. The concerns of the public works staff and development services staff must be taken care of to their satisfaction.

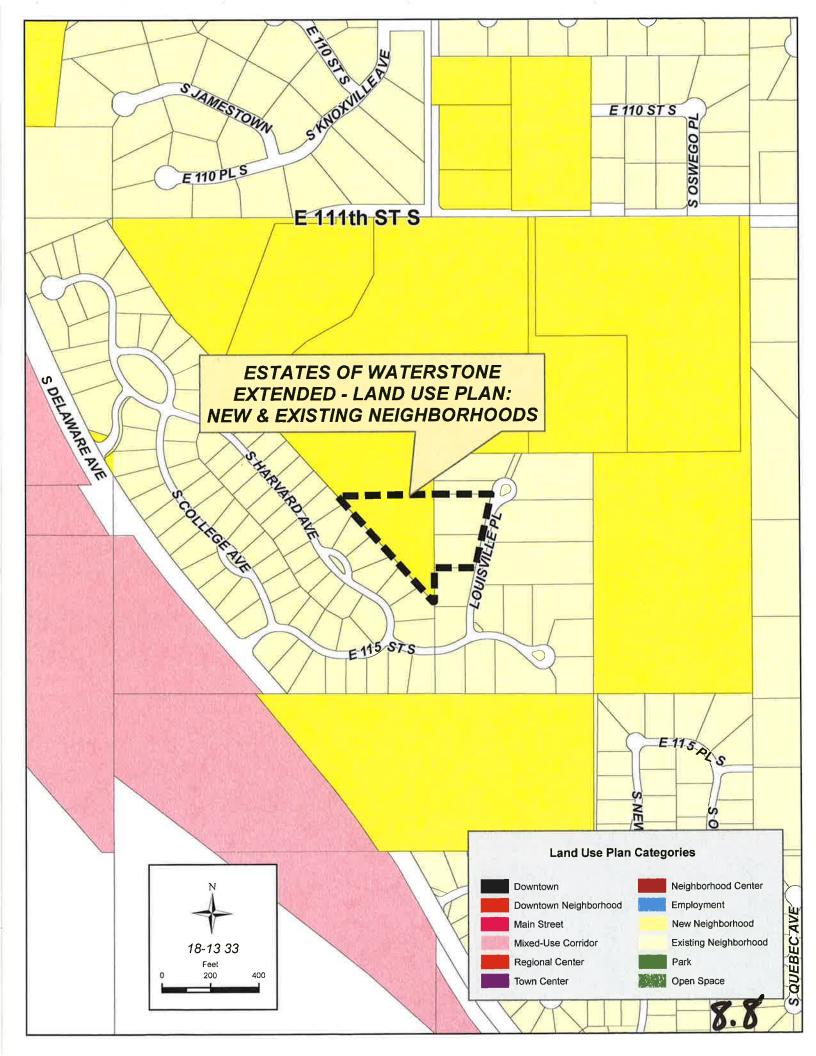
#### Standard Conditions:

- 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.







#### **PLAT WAIVER**

#### October 5, 2011

Manion Park – 2901 East 56<sup>th</sup> Street South, East of Delaware, North of 56<sup>th</sup> Street

The platting requirement is being triggered by a permit request for an existing park.

Staff provides the following information from TAC at their September 15, 2011 meeting:

#### **ZONING:**

TMAPC Staff: The property is zoned RS-2.

#### STREETS:

Sidewalks required along 56<sup>th</sup> Street.

#### SEWER:

No comment.

#### **WATER:**

No comment.

#### STORMWATER:

No comment.

#### FIRE:

 No objection to plat waiver. Need to provide conceptual drawing of any buildings to be built.

#### **UTILITIES:**

No comment.

Staff recommends APPROVAL of the plat waiver for the existing park.

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

Yes NO

1. Has Property previously been platted? X

2. Are there restrictive covenants contained in a previously filed X plat?

3. Is property adequately described by surrounding platted X properties or street right-of-way?

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

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

LEGEND

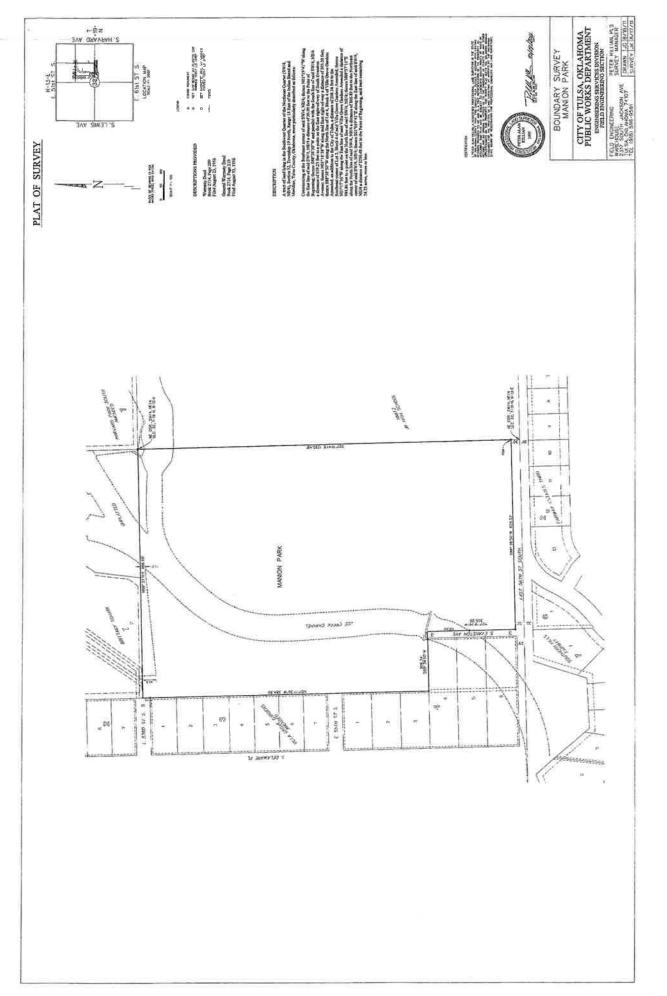
OVIDED	4 0 E >	FOUND MONUMENT SET 5/8" REBAR W/ PLASTIC CAP MARKED "COT/ LS 1495" SET MAGNETIC NAIL W/ WASHER MARKED "COT/ LS 1495"
Book 2714, Page 209 Filed August 23, 1956		

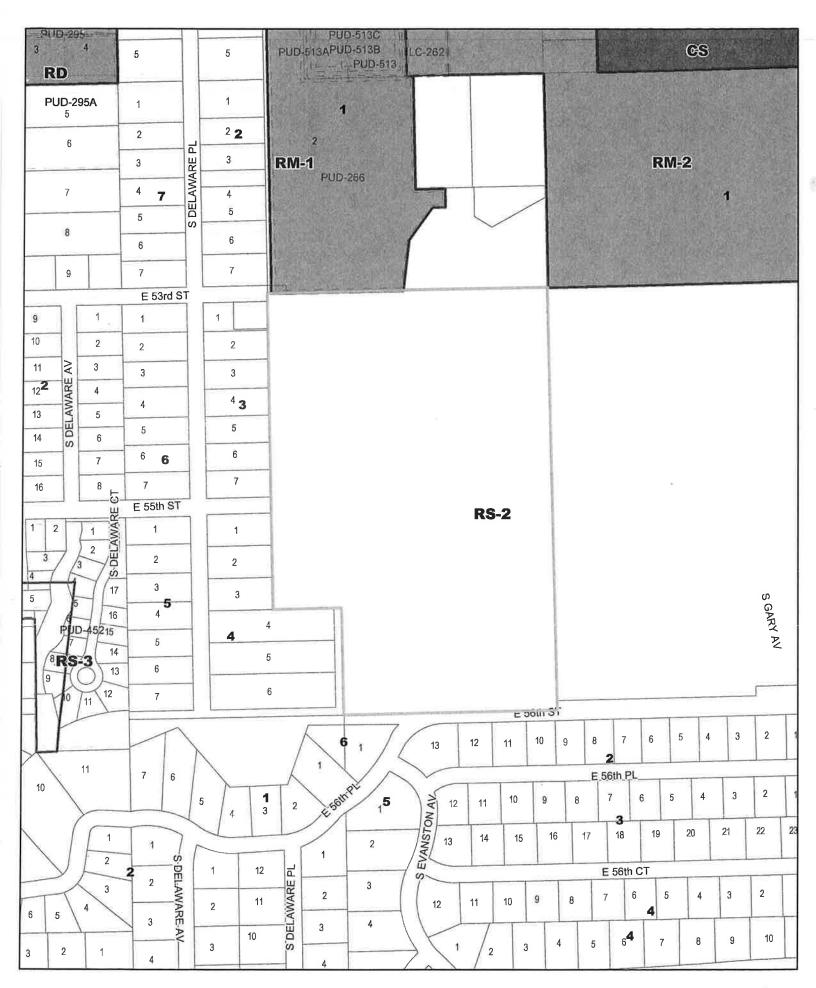
General Warranty Deed

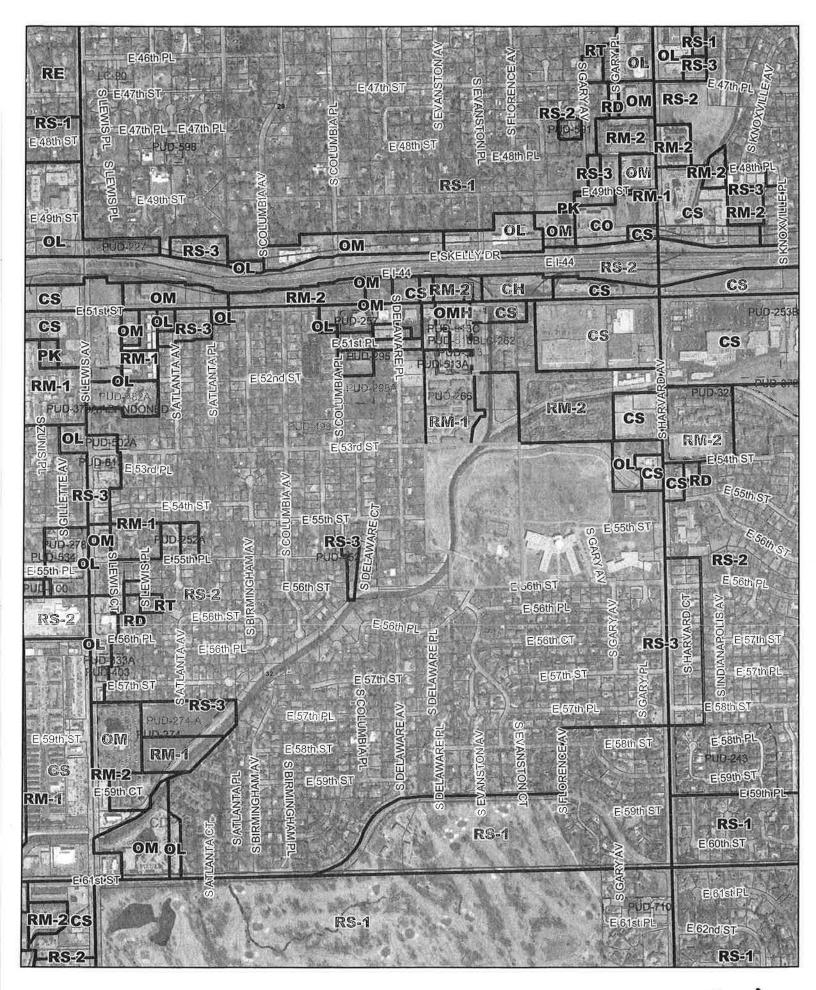
Filed August 23, 1956 Book 2714, Page 210

## DESCRIPTION

NE/4), Section 32, Township 19 North, Range 13 East of the Indian Based and A tract of land lying in the Southwest Quarter of the Northeast Quarter (SW/4, Meridian, Tulsa County, Oklahoma, more particularly described as follows: Commencing at the Southeast corner of said SW/4, NE/4; thence N01°19'41"W along N01°17'36"W along the East line of said Villa Grove Gardens Amended a distance of Avenue; thence N01°18'38"W along said East right-of-way a distance of 305.20 feet; Beginning; thence S88°38'50"W and parallel with the South line of said SW/4, NE/4 thence S88°38'50"W along the North line of Lot 4, Block 4 of Villa Grove Gardens corner of said SW/4, NE/4; thence S01°019'41" E along the East line of said SW/4, along the North line of said SW/4, NE/4 a distance of 866.89 feet to the Northeast Southeast corner of Lot 3, Block 4 of said Villa Grove Gardens Amended; thence 984.86 feet to a point on the North line of said SW/4, NE/4; thence N88°37'11"E NE/4 a distance of 1290.48 feet to the Point of Beginning, said tract containing a distance of 659.23 feet to a point on the East right-of-way of South Evanston Amended, an addition to the City of Tulsa, a distance of 208.34 feet to the the East line of said SW/4, NE/4 a distance of 30.00 feet to the Point of 24.23 acres, more or less.







9.6

#### **PLAT WAIVER**

#### September 15, 2011

Heller Park - 5337 South Utica, East of Utica, South of East 53rd Street

The platting requirement is being triggered by a permit request in an existing park.

Staff provides the following information from TAC at their September 15, 2011 meeting:

#### **ZONING:**

TMAPC Staff: The property is zoned RS-3.

#### STREETS:

Sidewalks required along Wheeling.

#### SEWER:

No comments.

#### WATER:

No comments.

#### STORMWATER:

No comments.

#### FIRE:

• No objection to plat waiver. Need to provide conceptual drawing of any buildings to be built.

#### **UTILITIES:**

No comment.

Staff recommends APPROVAL of the plat waiver for the existing park use.

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

Yes NO

1. Has Property previously been platted?

X

2. Are there restrictive covenants contained in a previously filed X plat?

3. Is property adequately described by surrounding platted X properties or street right-of-way?

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

piat	war or .	YES	NO
4.	Is right-of-way dedication required to comply with Major Street and Highway Plan?		X
5.	Would restrictive covenants be required to be filed by separate instrument if the plat were waived?		X
6.	Infrastructure requirements:		
	a) Water		
	i. Is a main line water extension required?		X
	ii. Is an internal system or fire line required?		X
	iii. Are additional easements required?		Χ
	b) Sanitary Sewer		V
	i. Is a main line extension required?		X
	ii. Is an internal system required?		X X
	iii Are additional easements required?		Λ
	c) Storm Sewer		Χ
	i. Is a P.F.P.I. required? 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?		Χ
8.	Change of Access		
	a) Are revisions to existing access locations necessary?		Χ
9.	Is the property in a P.U.D.?		X
	a) If yes, was plat recorded for the original P.U.D.		
10.	Is this a Major Amendment to a P.U.D.?		X
	a) If yes, does the amendment make changes to the proposed		
	physical development of the P.U.D.?		V
11.	·		Х
40	access to the site?		Х
12.	Are there existing or planned medians near the site which would necessitate additional right-of-way dedication or other special considerations?		^

61st

LOCATION MAP SCALE: 1"- 2000'

BASIS OF BEARING IS PER NADB3 (1993) GRID DATUM

20

SCALE: 1"- 100'

LEGEND

SET 5/8' REBAR W/ PLASTIC CAP MARKED "COT/ LS 1495" FOUND MONUMENT ◁

DESCRIPTIONS PROVIDED

General Warranty Deed Book 4603, Page 688 Filed March 26, 1982

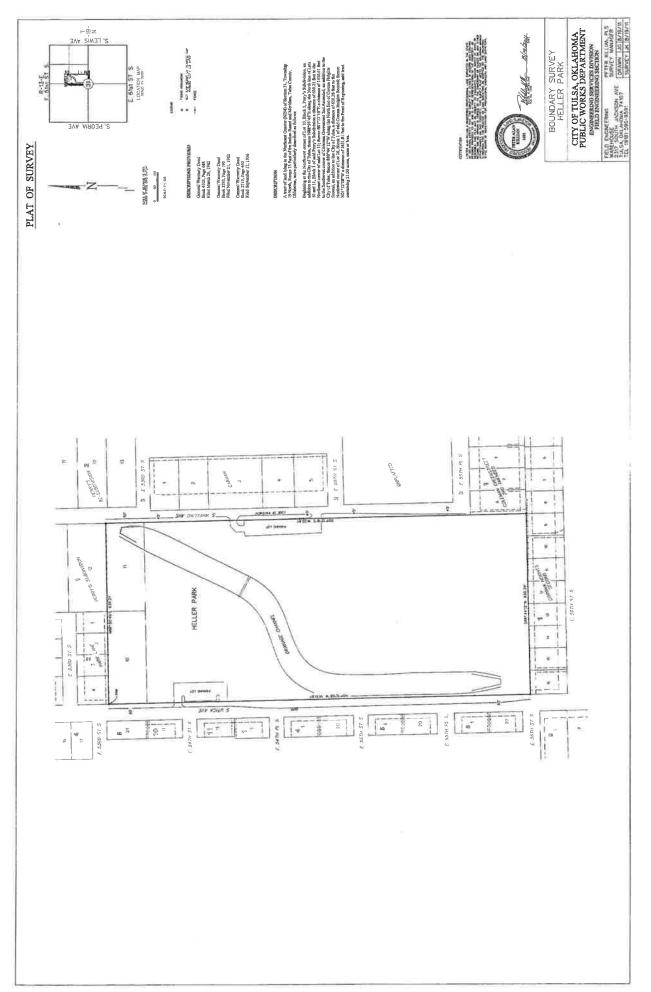
Filed November 21, 1962 General Warranty Deed Book 3293, Page 190

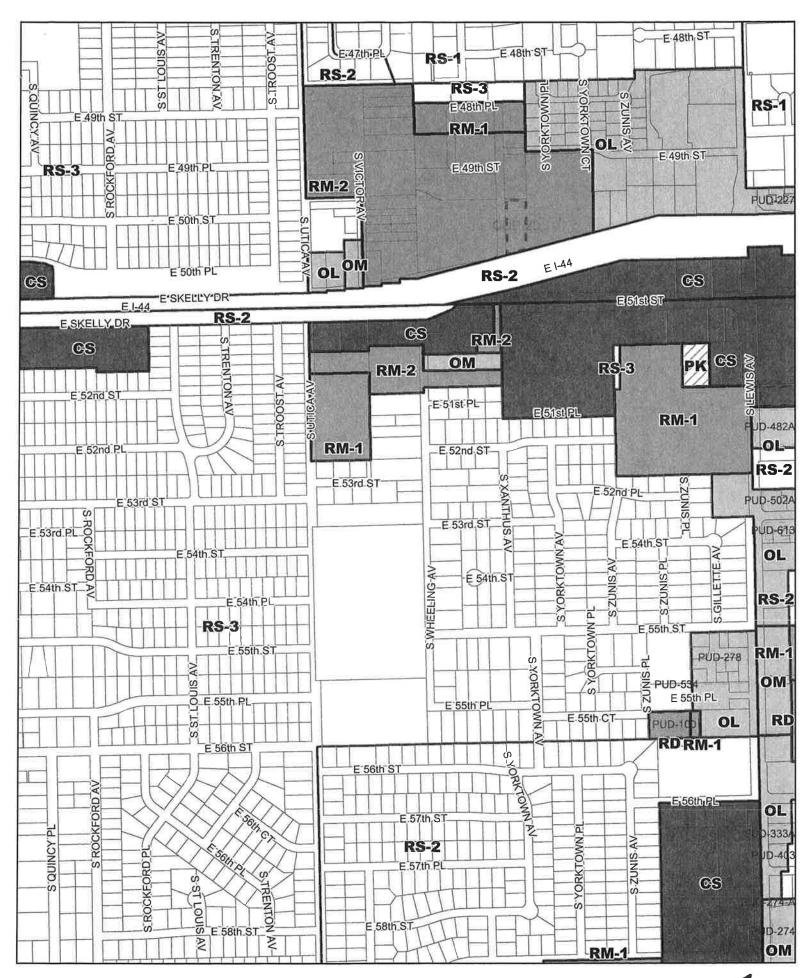
Filed September 12, 1956 General Warranty Deed Book 2719, Page 440

# DESCRIPTION

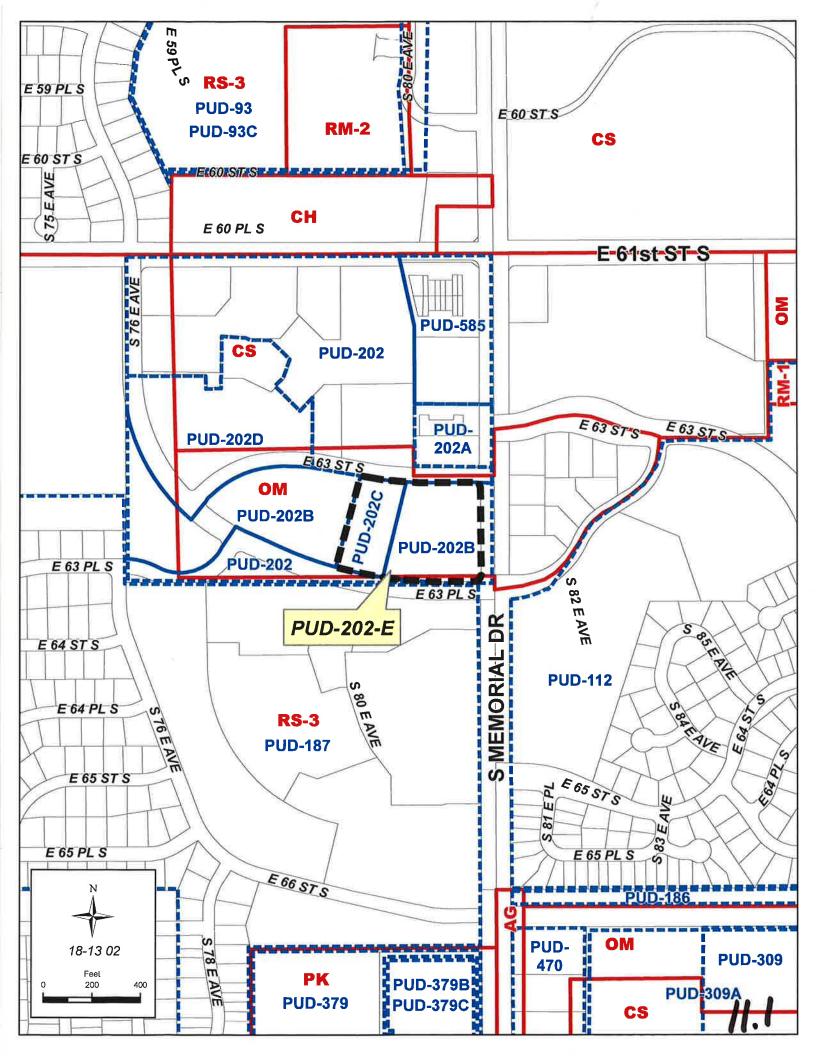
A tract of land lying in the Northeast Quarter (NE/4) of Section 31, Township 19 North, Range 13 East of the Indian Based and Meridian, Tulsa County, Oklahoma, more particularly described as follows:

to the Southwest comer of Coleman Greenstreet 2nd Amended, an addition to the Northeast corner of said Lot 11; thence S01°12'18"E a distance of 1450.61 feet addition to the City of Tulsa, thence N88°50'46"E along the North line of Lots 10 and 11, Block 1 of said Perry's Subdivision a distance of 630.21 feet to the Beginning at the Northwest corner of Lot 10, Block 1, Perry's Subdivision, an N01°12'08"W a distance of 1451.81 feet to the Point of Beginning, said tract Northwest corner of Lot 16, Block 1 of said Corona Heights Second; thence City of Tulsa; thence S88°44'12"W along the North line of Corona Heights Second, an addition to the City of Tulsa, a distance of 630.28 feet to the containing 21.00 acres, more or less.











#### TULSA METROPOLITAN AREA PLANNING COMMISSION CASE REPORT

**APPLICATION: PUD-202-E** 

**TRS** 8302

Atlas 761/762

**CZM** 53

CD-7

TMAPC Hearing Date: October 5, 2011

Applicant: Rachel Long

Tract Size: 5+ acres

ADDRESS/GENERAL LOCATION:

Southwest corner of East 63<sup>rd</sup> Street and South

Memorial Drive

**EXISTING ZONING:** 

RS-3/OM/PUD-

**EXISTING USE:** 

Office

202-B & C

PROPOSED ZONING: RS-3/OM/PUD-

202-E

PROPOSED USE:

Use Unit 4-

**Telecommunications** 

ZONING ORDINANCE: Ordinance number 15144 dated September 24, 1981 and 15551 dated December 14, 1982, established zoning for the subject property.

#### RELEVANT ZONING HISTORY:

PUD-585 May 1998: All concurred in approval of a proposed Planned Unit Development on a 3.59+ acre tract of land for a hotel and office building, including Use Unit 4 in permitted uses, on property located southwest corner of East 61st Street and South Memorial Drive and north of subject property.

PUD-202-C December 1982: All concurred in approval of a Major Amendment to PUD-202 on a 2.3+ acre tract of land to allow for a private club on the ground floor of the office building, on property located west of the southwest corner of East 63<sup>rd</sup> Street and South Memorial Drive and a part of the subject property.

PUD-202-B September 1981: All concurred in approval of a proposed Planned Unit Development on a 15.9+ acre tract of land to re-allocate floor area, on property located southwest corner of East 63rd Street and South Memorial Drive and a part of the subject property.

#### AREA DESCRIPTION:

<u>SITE ANALYSIS:</u> The subject property is approximately 5± acres in size and is located southwest corner of East 63<sup>rd</sup> Street and South Memorial Drive. The property is fully developed with office uses and is zoned RS-3/OM/PUD-202-B & C.

<u>SURROUNDING AREA</u>: The subject tract is abutted on the east by Memorial Drive and then Burning Tree Executive Park, zoned OM and being used commercially and as offices; on the north by East 63<sup>rd</sup> Street and then Southbridge East Office Park (PUD-585) and Triad Center Resub. L1B1 Crow-Dobbs Office Park (PUD-202-D), zoned CS and being used as offices and commercially; on the south by East 63<sup>rd</sup> Place and then Shadow Mountain Condominiums, zoned RS-3/PUD-187 and being used residentially; and on the west by Shadow Mountain, zoned OM/RS-3/PUD-202 being used as an office building.

Please see the attached photographs.

**UTILITIES:** The subject tract is fully developed with municipal water and sewer available.

#### TRANSPORTATION VISION:

The Comprehensive Plan designates Memorial Drive as a Commuter Corridor and does not designate 63<sup>rd</sup> Street or 63<sup>rd</sup> Place.

#### Commuter Streets

The most widespread commercial street type is the strip commercial arterial. These arterials typically serve commercial areas that contain many small retail strip centers with buildings set back from front parking lots. Because of this, strip commercial arterials have many intersections and driveways that provide access to adjacent businesses. Historically, this type of street is highly auto-oriented and tends to discourage walking and bicycling. On-street parking is infrequent.

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.

#### INITIAL PRIORITY ELEMENTS

- · Number and width of travel lanes
- Medians
- Transit accommodations

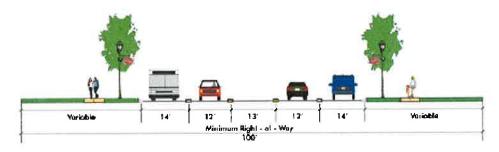
#### SECONDARY PRIORITY ELEMENTS

- Pedestrian facilities
- Bicycle facilities
- Tree lawns
- Two-way center left-turn lanes
- On-street parking

#### **EXAMPLES OF TRAFFIC MANAGEMENT FEATURES**

- Medians
- Consolidated driveways
- Synchronization of traffic signals
- On-street parking
- Narrower travel lanes
- Reduced pedestrian crossing distances at intersections, using curb extensions, traffic islands, and other measures

Figure 7: Sample Commuter Street Cross Section

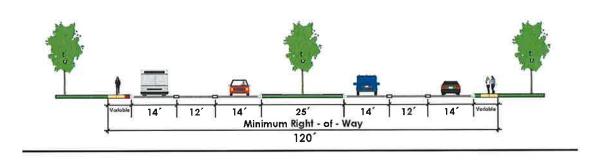


#### **STREETS:**

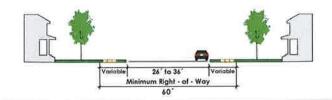
The Tulsa City-County Major Street and Highway Plan designates the surrounding streets as follows:

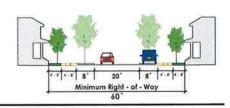
Exist. Access	MSHP Design	MSHP R/W	Exist. # Lanes
East 63 <sup>rd</sup> Street	Residential Collector	60'	4
South Memorial Drive	Primary Arterial	120'	5
East 63 <sup>rd</sup> Place	Residential Collector	80'	4





□ Residential Collector □ Residential Collector
 □





#### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

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

The purpose of **Areas of Growth** is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

**Town Centers** are medium-scale; one to five story mixed-use areas intended to serve a larger area of neighborhoods than Neighborhood Centers, with retail, dining, and services and employment. They can include apartments, condominiums, and townhouses with small lot single family homes at the edges. A Town Center also may contain offices that employ nearby residents. Town centers also serve as the main transit hub for surrounding neighborhoods, and can include plazas and squares for markets and events. These are pedestrian-oriented centers designed so visitors can park once and walk to number of destinations.

Please see the attached Comprehensive Plan maps of the area.

#### STAFF RECOMMENDATION:

The purpose of Major Amendment PUD-202-E is to add Antenna and Supporting Structure within Use Unit 4 – Protection and Utilities as a permitted use within PUD-202. Specifically, the applicant proposes to add antenna only to the top of a multi-story office building as illustrated on the attached plans. The antenna would extend seven (7) feet above the roofline of a eight-story office building. Section 1204.C.4.b.1 of the code permits antenna to extend up to 20' above the roofline of a building. There is no proposal to construct a free-standing cell tower.

Approved in 1977, PUD-202 is a flat, 46 acre PUD permitting a mix of commercial and office uses development. The church use is also permitted by PUD-202. There have been four major amendments to the PUD. PUD-202-A removed 5.91 acres (approximately the west 318', between 61st and 63rd Streets) from the PUD. PUD-202-B added 28,604 square feet of office floor area to the area located between 63rd street and 63rd Place (making the total permitted office floor area in the PUD 273,104 square feet). PUD-202-C added Private Club as a permitted use within the PUD to allow a restaurant in the entry level floor of the building closest to Memorial Drive. PUD-202-D added those uses permitted by right in a CS District and the "fabrication and testing of prototypes and exemplars of fishing rods and reels and similar related products as included in Use Unit 15 as an accessory use to the principal office use". The amendment was limited to 10% of the floor area of the office building. The amendment added the use to the area located at the northeast corner of 63rd Street and 76th East Avenue.

Section 1204.C.5.b of the Code encourages the collocation of cellular facilities "wherever practical by allowing reasonable extra height or tower diameter necessary to support multiple antennas". Staff believes this should also extend to the mounting of antenna on existing multistory buildings in an attempt to minimize the need for the construction of more free-standing cellular facilities in the City.

With no construction or expansion of any existing facilities proposed staff contends the additional use will not significantly alter the approved Development Plan nor will change the character or intend of the PUD. There will be minimal to no impact to surrounding properties including the residential development to the south and southeast.

Staff finds the uses and intensities of proposed development to be in harmony with the spirit and intent of the Code. Staff finds PUD-202-E 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-202-E subject to the following conditions:

- 1. The terms and conditions of PUD-202 and subsequent amendments remain effective unless modified herein.
- 2. Development Standards:
  - Add to the permitted uses of PUD-202 Antenna and Supporting Structure only within Use Unit 4 Protection and Utilities to property identified as Lots 1 and 2, Block 2 Shadow Mountain II.
- 3. Subject to conditions recommended by the Technical Advisory Committee which are approved by TMAPC.

#### **TAC Comments:**

General: No comments.

**Water:** No comments.

Fire: No comments.

**Stormwater:** No comments.

Wastewater: No comments.

<u>Transportation:</u> No comments.

#### **INCOG Transportation:**

MSHP: No comments.

LRTP: No comments.

TMP: No comments.

Transit: No comments.

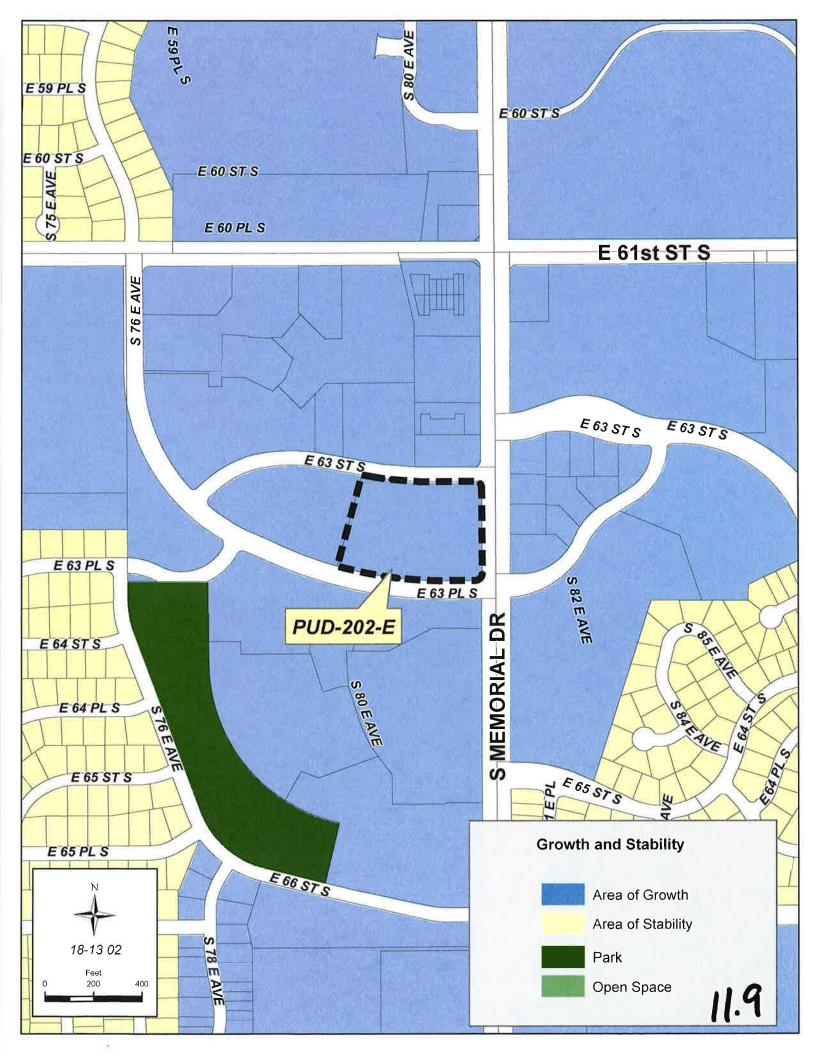
<u>Traffic:</u> No comments.

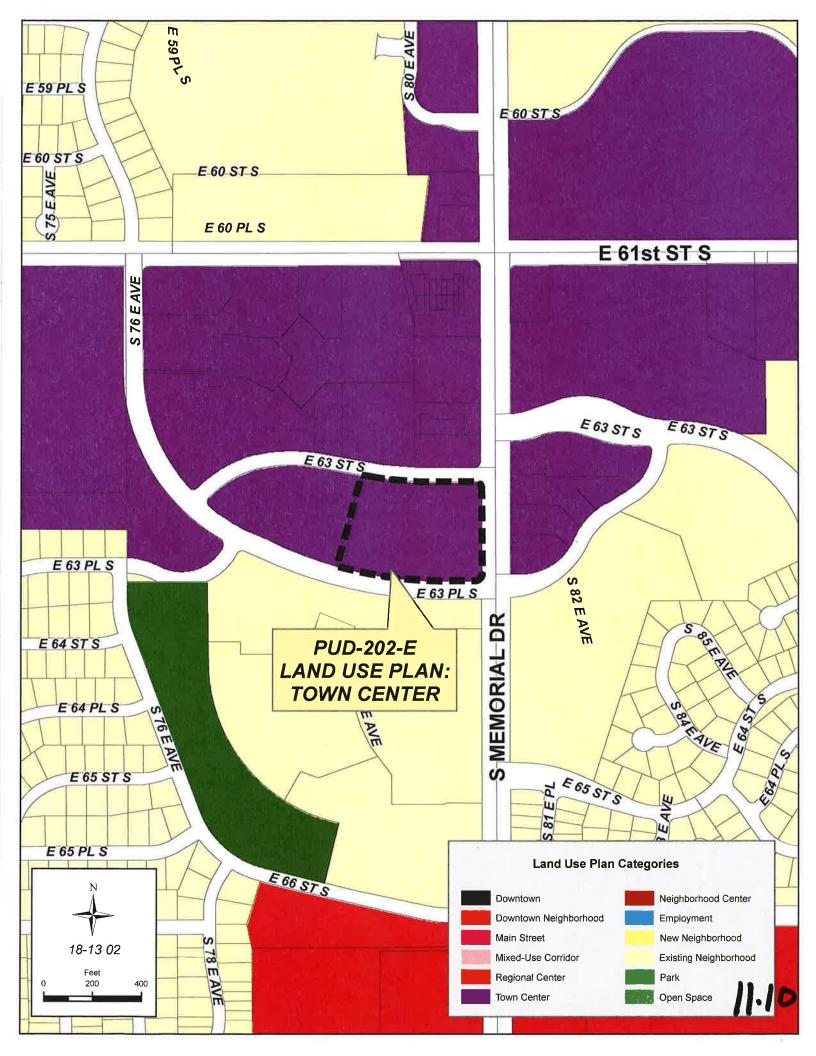
**GIS:** No comments.

<u>Street Addressing:</u> No Comments 8023 E 063 PL S; Addressing Atlas Page #('s): 00761

**Inspection Services:** No comments.

10/05/11







Subject building.



Adjacent building to the west



Parking lot to the west of the subject building.



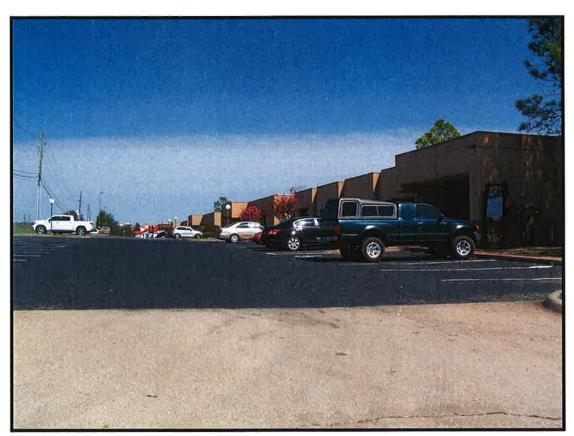
Adjacent buildings to the north of the subject building.



Two-story office building west of subject buildings.



Multi-family residential to the south.



Office / commercial across Memorial from subject building.



Multi-family residential across Memorial (south east) from subject building.



Longview of the subject building from the east.



ONE ALLIED DRIVE LITTLE ROCK, AR 72202 (501) 905-5307 PHONE

1717 S Boulder Suite 300 Tulsa, OK 74119 PH: (918) 587-4630

THIS DOCUMENT IS
PRELIMINARY IN
NATURE AND IS NOT
FOR FINAL, SIGNED
AND SEALED
DOCUMENT

IT IS A VIOLATION OF LAW FOR ANY PERSO UNLESS THEY ARE ACTIVE UNDER THE DIRECT OF A UCENSED PROFESSIONAL ENCINEER, I ALTER THIS DOCUMENT.

ADAMS PARK OK BO23 EAST 63RD PLACE TULSA, OK. 74133

OVERALL SITE PLAN

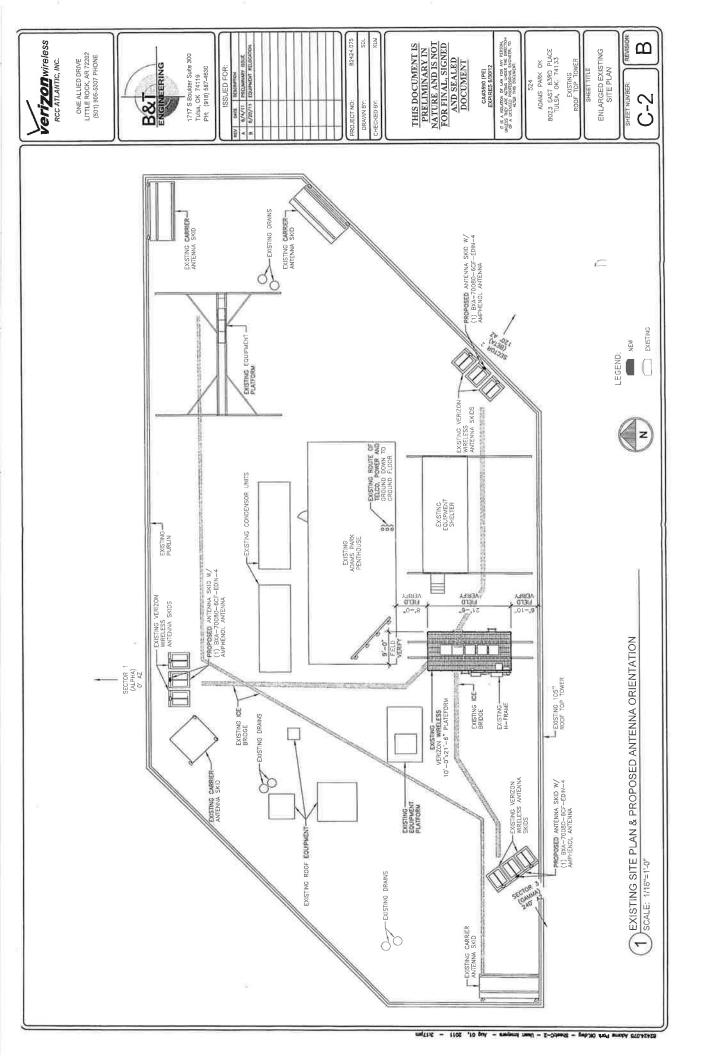
5

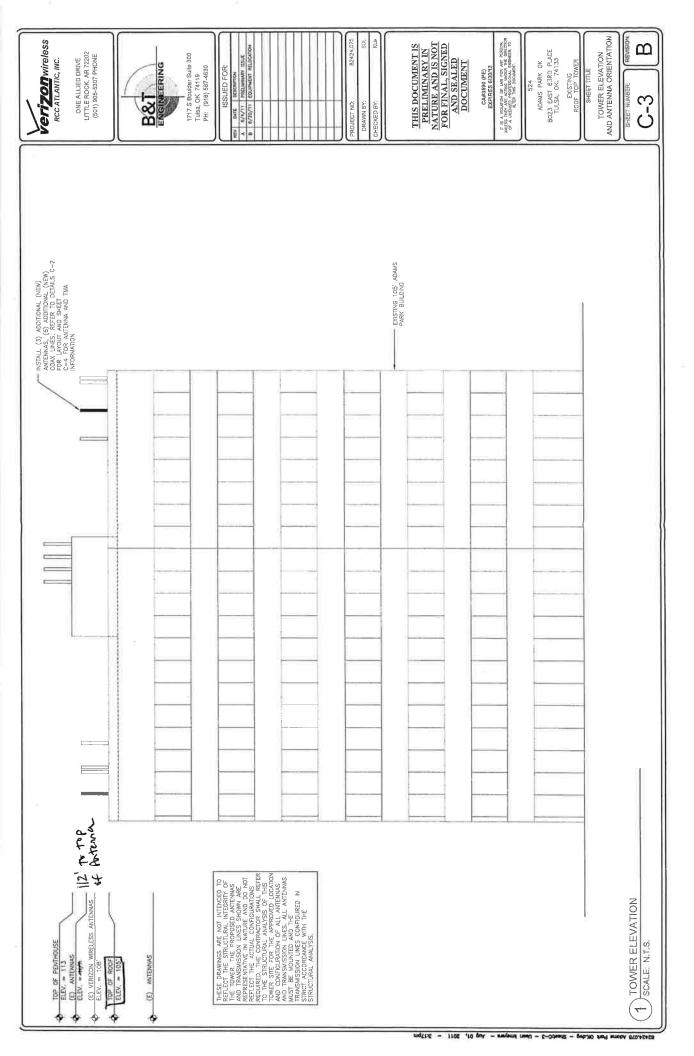
 $\Theta$ 

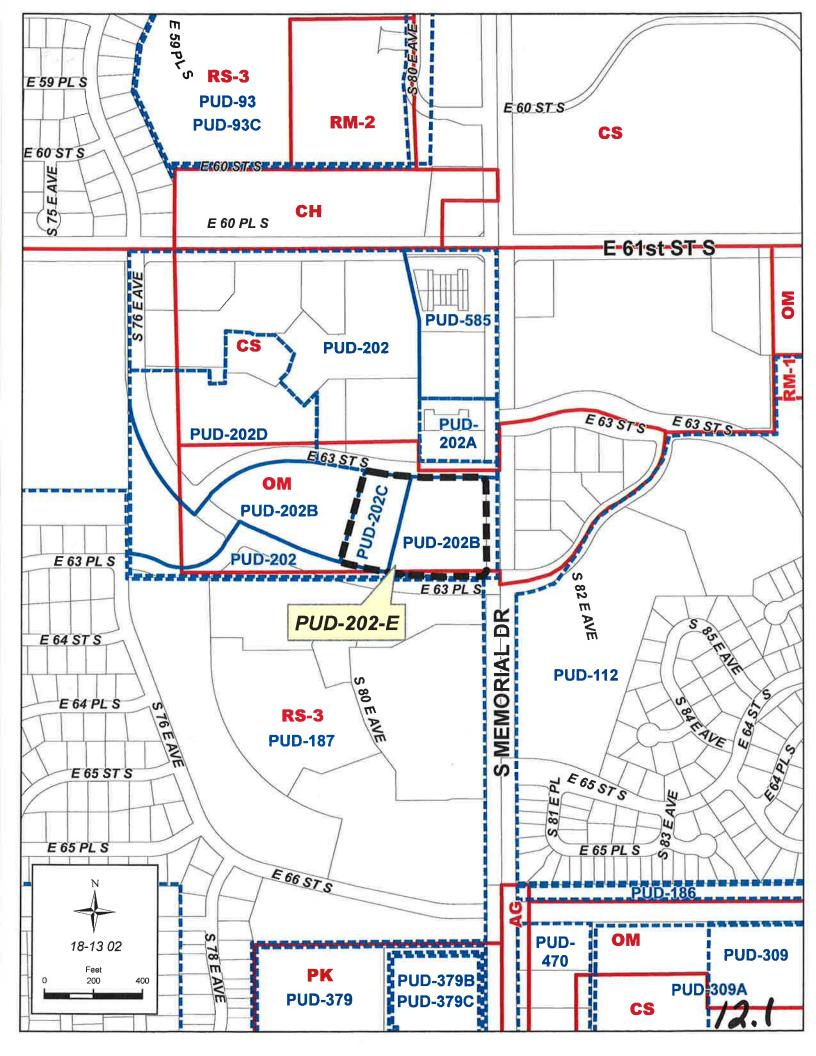
PROPOSED ANTENN SKID W/ (1)
BXA-70080-6GF-EDIN-4
AMPHENOL ANTENNA

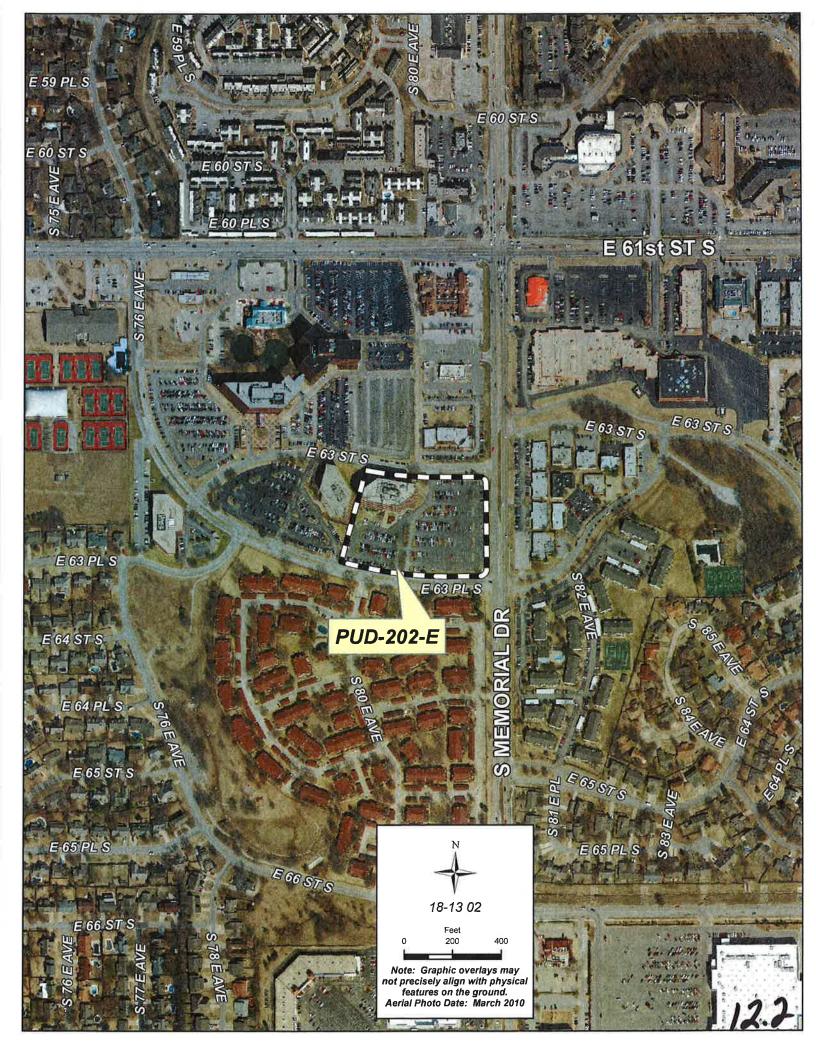
OVERALL SITE PLAN SCALE: N.T.S.

Z





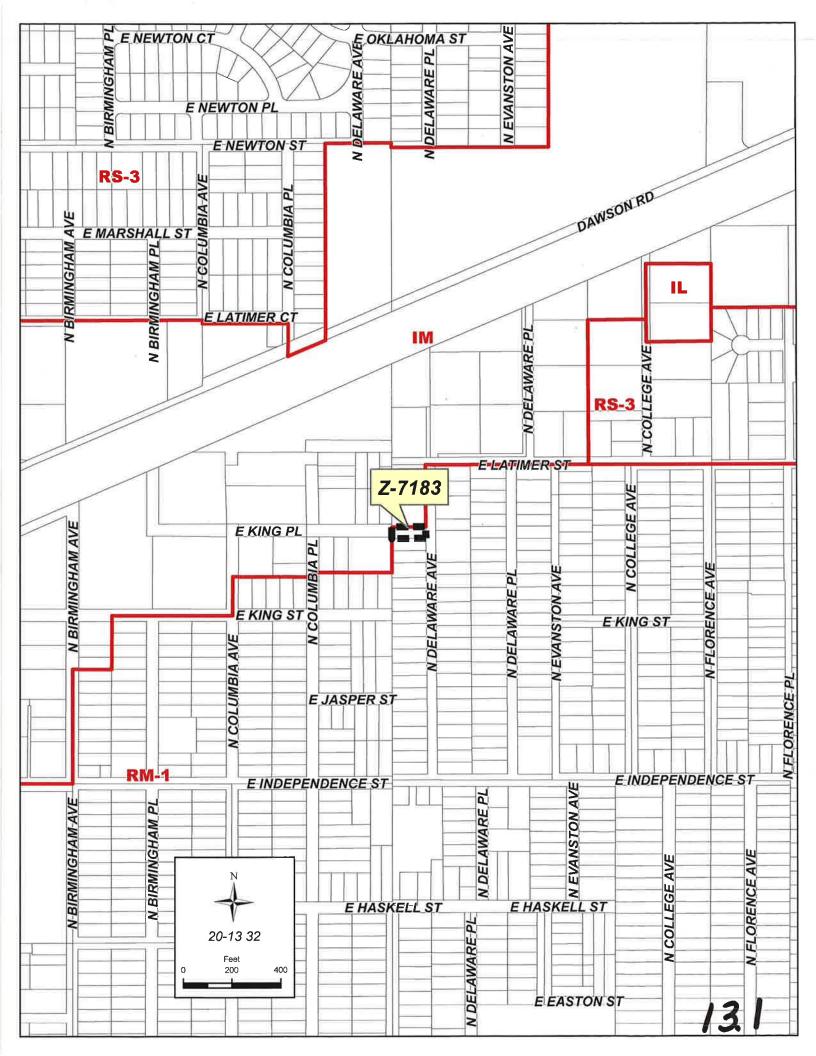




<u>PUD 202 E -</u> Plat Waiver for Cell Tower 8023 East 63<sup>rd</sup> Place

The platting requirement is being triggered by a major amendment to PUD 202 to allow the additional cell tower use.

It is the policy of TMAPC to waive the platting requirement for the cell tower use (Use Unit 4 public protection and utility facilities/antennas and supporting structures.) Therefore, staff can recommend **APPROVAL** of the requested plat waiver. The waiver is conditioned upon the approval of the major amendment.







### TULSA METROPOLITAN AREA PLANNING COMMISSION CASE REPORT

**APPLICATION: Z-7183** 

TRS 0332 Atlas 81

**CZM** 29 **CD-3** 

TMAPC Hearing Date: October 5, 2011

Applicant: Tanner Consulting, Inc. Tract Size: 7,250 square feet

ADDRESS/GENERAL LOCATION: South of southwest corner East Latimer Street and

North Delaware Avenue

EXISTING ZONING: RM-1 EXISTING USE: Residential

PROPOSED ZONING: IM PROPOSED USE: Use Unit 26

ZONING ORDINANCE: Ordinance number 11809 dated June 26, 1970, established zoning for

the subject property.

#### **RELEVANT ZONING HISTORY:**

<u>Z-7025 June 2006:</u> All concurred in approval of a request for rezoning a .86<u>+</u> acre tract of land from RM-1 to IM for industrial use on property located on the southwest corner of East Latimer and North Delaware Avenue and abutting north of subject property.

<u>BOA-21329:</u> An application was made to the Board of Adjustment for a Variance of the building setback from an R District from 75' to 10'; and a Variance of the screening requirement abutting an R District along the East property line, on property located at 1031 North Columbia Place East, and includes the subject tract. <u>This application will be heard by the Board on October 11, 2011.</u>

#### AREA DESCRIPTION:

<u>SITE ANALYSIS:</u> The subject property is approximately 7,250 sq. ft. in size and is located south of the southwest corner East Latimer Street and North Delaware Avenue. The property appears to be used residentially and is zoned RM-1. It is near and adjacent to the Dawson industrial area.

<u>SURROUNDING AREA</u>: The subject tract is abutted on the east by residential and vacant land, zoned RM-1; on the north by vacant land and industrial uses, zoned IM; on the south by residential land, zoned RM-1; and on the west by industrial uses, zoned IM.

**<u>UTILITIES:</u>** The subject tract has municipal water and sewer available.

#### TRANSPORTATION VISION:

The Comprehensive Plan does not designate North Delaware Avenue.

#### STREETS:

Exist. Access MSHP Design MSHP R/W Exist. # Lanes

North Delaware Avenue N/A N/A 2

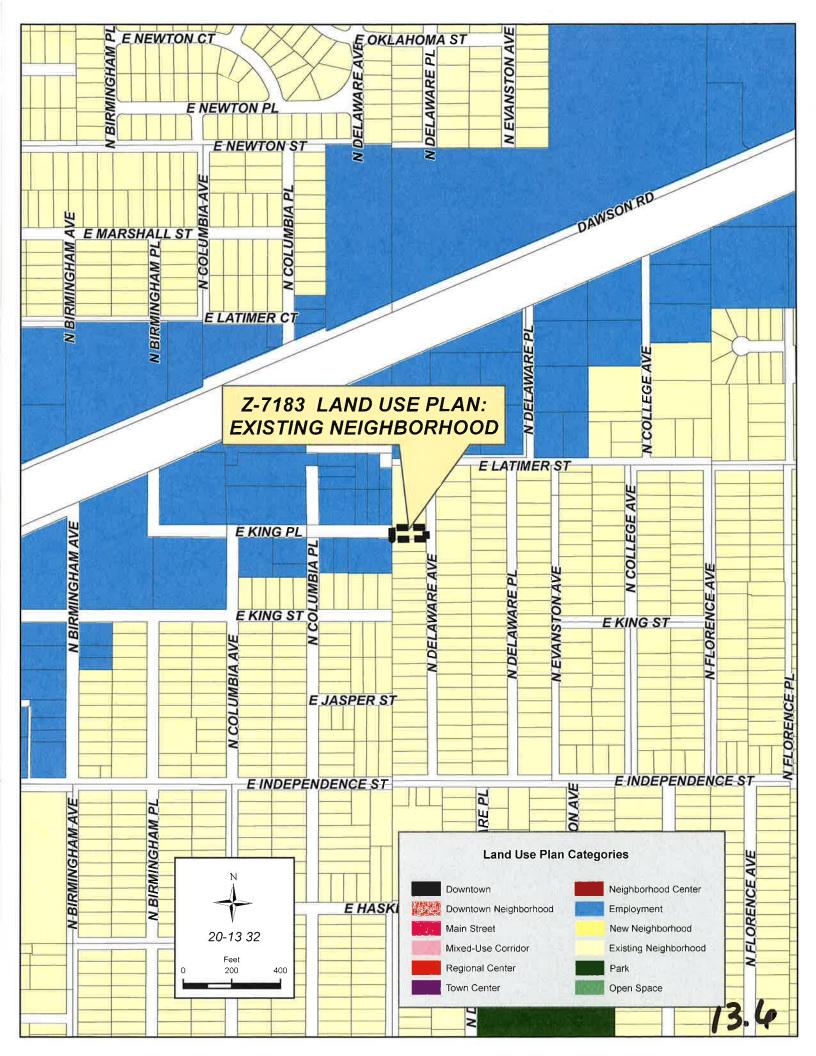
#### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

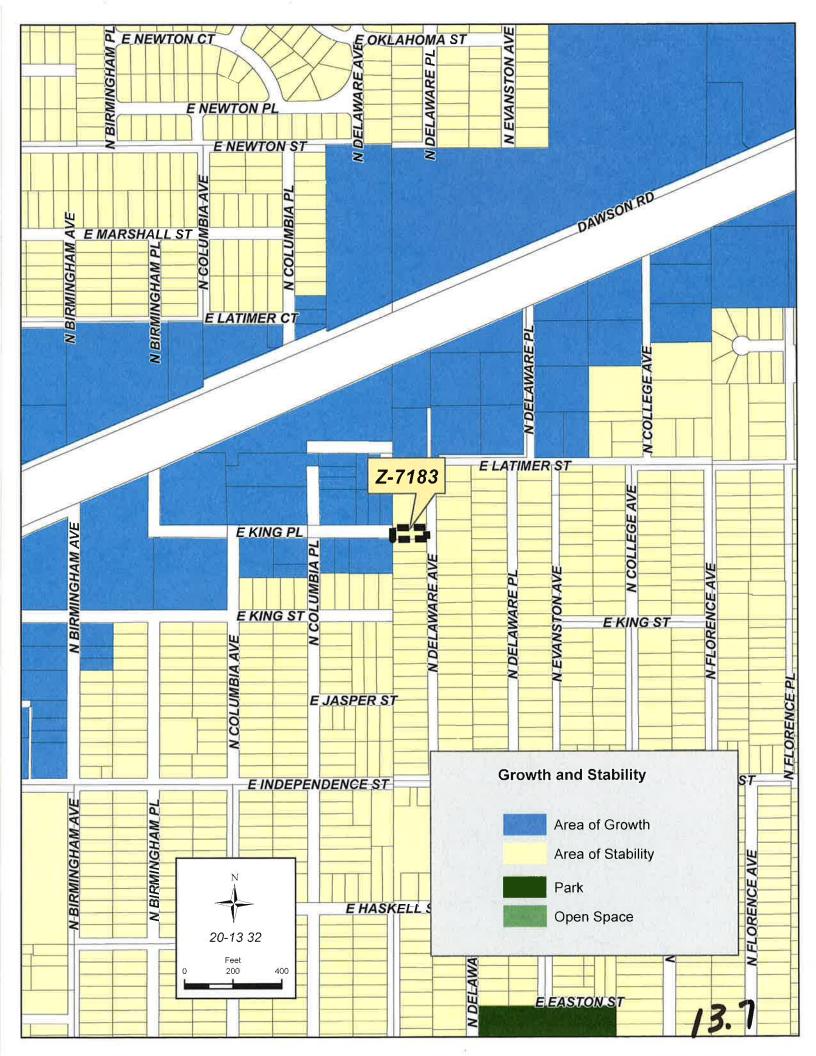
The Comprehensive Plan designates the entire RM-1 zoned area as an existing neighborhood. It is seen as an Area of Stability. The requested IM zoning **is not** in accord with the Comprehensive Plan.

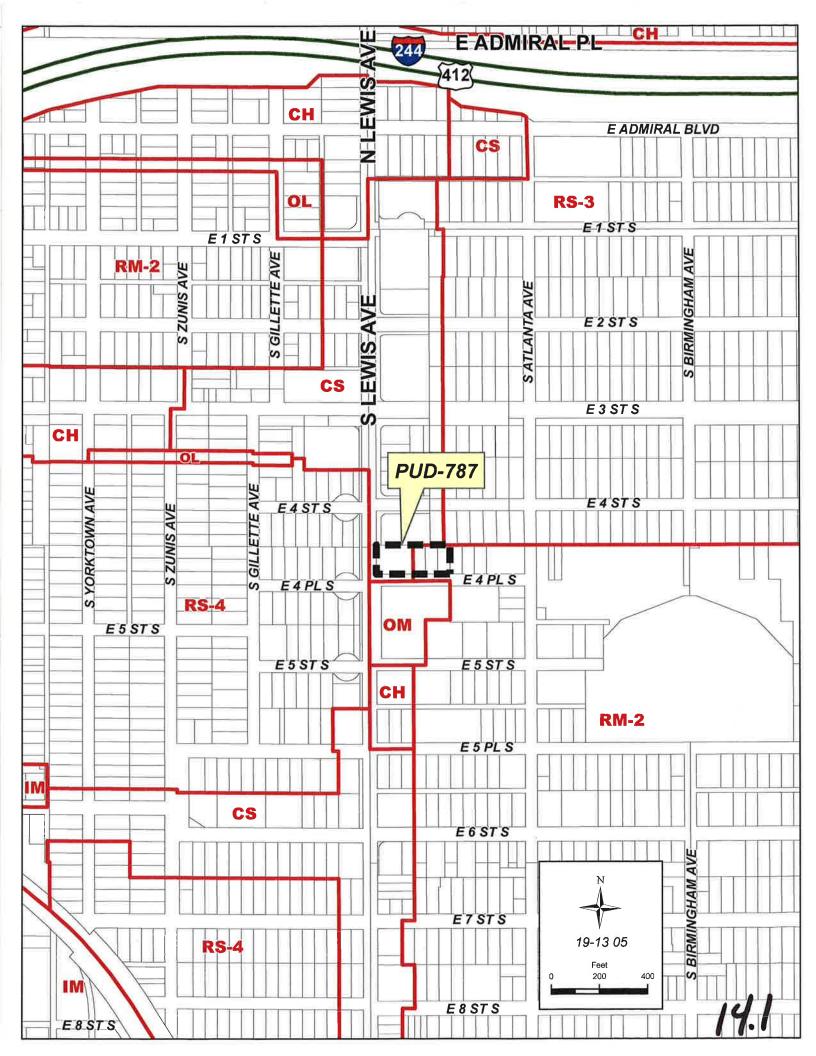
#### **STAFF RECOMMENDATION:**

The area is surrounded on two sides by residential uses and a vacant lot, the latter of which is believed to be owned by the owner of the subject property in this case. The requested rezoning is not in accord with the Plan and could potentially be disruptive to the existing residential area. This area would be a candidate for a small area plan if the City so decided to sponsor it in the future. Transition and redevelopment within an existing neighborhood such as this should not be piecemeal, but undertaken as part of a plan for the general area to be reviewed and approved by the City Council. Therefore, staff recommends **DENIAL** of IM zoning for Z-7183 at this time..

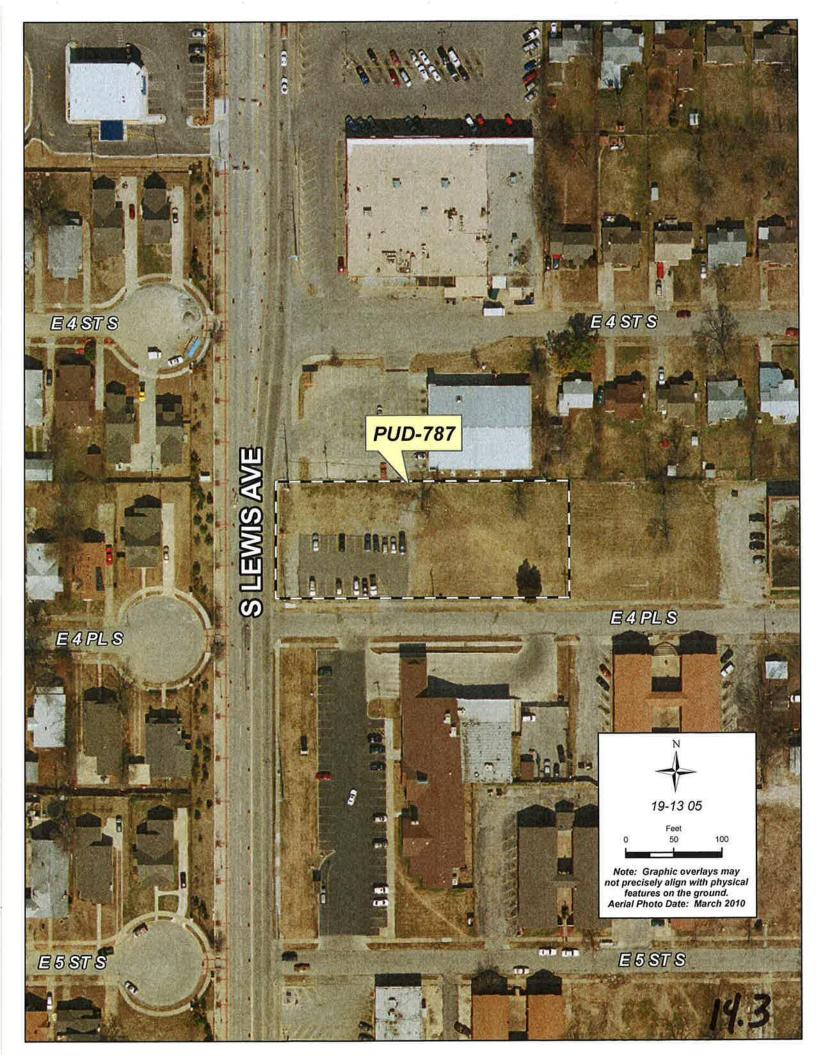
10/05/11











#### TULSA METROPOLITAN AREA PLANNING COMMISSION **CASE REPORT**

**APPLICATION: PUD-787** 

**TRS** 9305

Atlas 27

**CZM** 37

CD-4

TMAPC Hearing Date: October 5, 2011

Applicant: Roy D. Johnsen

Tract Size: 1.05 + acres

45,738+ square feet

ADDRESS/GENERAL LOCATION:

Northeast corner of East 4th Place and South Lewis

Avenue

**EXISTING ZONING:** 

RM-2/CS

**EXISTING USE:** 

**Vacant** 

PROPOSED

RM-2/ CS/ PUD-787

**PROPOSED** 

Mixed use

**ZONING:** 

USE:

development

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

#### **RELEVANT ZONING HISTORY:**

BOA-21334: An application was made to the Board of Adjustment for Variance of height limitation from 35' to 44'; and Variance of required parking from 226 spaces to 220 spaces, on property located east and south of the northeast corner of South Lewis Avenue and East 4th Place and abutting east and south of subject property. This application will be heard by the Board on November 8, 2011.

#### AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 1.05+ acres in size and is located at the northeast corner of East 4<sup>th</sup> Place and South Lewis Avenue. The property has a parking lot on a portion, the remainder being vacant. The property is zoned RM-2/CS.

**SURROUNDING AREA:** The subject tract is abutted on the east by --, zoned --; on the north by RT Daniels Addition, zoned CS and being use commercially; on the south by Peoples State Bank Addition Resub. L14 and L33-50B3 College View, zoned OM and being used as a bank; and on the west by a vacant portion of College View Addition Amended, zoned RM-2.

NOTE: Please refer to the attached photographs, aerial photographs and concept site plans. The area immediately adjacent to the west and southwest of the subject tract is part of a larger over-all infill development plan. The adjoining six acres has been acquired in accordance with the Kendall-Whittier Urban Renewal Plan and will be developed as a multifamily community, to be known as the West Park Apartments and is designed to provide mixed-income housing opportunities.

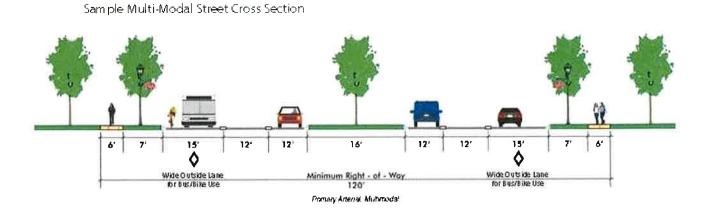
**UTILITIES:** The subject tract has municipal water and sewer available.

#### TRANSPORTATION VISION:

The Comprehensive Plan designates Lewis Avenue as a Multi-Modal Corridor and does not designate East 4<sup>th</sup> Place South.

Multi-modal streets emphasize plenty of travel choices such as pedestrian, bicycle and transit use. Multimodal streets are located in high intensity mixed-use commercial, retail and residential areas with substantial pedestrian activity. These streets are attractive for pedestrians and bicyclists because of landscaped medians and tree lawns. Multi-modal streets can have on-street parking and wide sidewalks depending on the type and intensity of adjacent commercial land uses. Transit dedicated lanes, bicycle lanes, landscaping and sidewalk width are higher priorities than the number of travel lanes on this type of street. To complete the street, frontages are required that address the street and provide comfortable and safe refuge for pedestrians while accommodating vehicles with efficient circulation and consolidated-shared parking.

Streets on the Transportation Vision that indicate a transit improvement should use the multi-modal street cross sections and priority elements during roadway planning and design.



#### LEGEND

♦ Lane intended for bus/transit use

#### STREETS:

The Tulsa-City County Major Street and Highway Plan designates Lewis Avenue as an Urban Arterial/Main Street and 4<sup>th</sup> Place as a Residential Collector.

Exist. Access	MSHP Design	MSHP R/W	Exist. # Lanes			
South Lewis Avenue	Urban Arterial/	70'	4			
	Main Street					
East 4 <sup>th</sup> Place	Residential Collector	50'	2			
	Urban Arterial	Main Street				
12" 10" 13" 13" 13" 12"  Minimum Right - of - Way  70"						
]		. 17				
Residential Collector Residential Collector						
	grable 28' to 36' Variable	entert set	20. 18. 11. 1			

#### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The Tulsa Comprehensive Plan designates the subject tract as an "Area of Growth" with a land use designation of "Mixed use Corridor".

The purpose of **Areas of Growth** is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

**Mixed-Use Corridors** are Tulsa's modern thoroughfares that pair 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.

Staff contends the proposed development is in accord with the Plan.

#### **STAFF RECOMMENDATION:**

The purpose of PUD-787 is to allow a three story, mixed use building to be constructed on the northeast corner of South Lewis Avenue and East 4<sup>th</sup> Place South. Specifically, the proposal calls for a three-story, 45-foot tall building with a maximum of 10,000 square feet (sf) of office and retail services on the first level. This includes a fitness center, community space and management space for the proposed adjoining off-site apartments. Additionally, 20 apartment units would be located on the first, second and third floors of the building.

The proposed site is a flat, 1.1 acre site with a parking lot on the portion of the tract fronting Lewis Avenue with the remainder of the site being vacant. There is .6 acre / 26,172 sf of CS zoning on the site with .5 acre / 21,810 sf of RM-2 zoning on the property which would allow 11,886 sf of commercial floor area with a maximum of 20 dwelling units. A complete zoning intensity analysis is attached.

The tract is located in the West Park area of the Kendall Whittier neighborhood and is part of a larger infill development proposal being funded (mostly) by the George Kaiser Family Foundation (see attached plans). The area will be known as the Westpark Apartments. The adjoining six acres has been acquired in accordance with the Kendall-Whittier Urban Renewal Plan and will be developed as a multi-family community, designed to provide mixed-income housing opportunities. The development will replace some dilapidated housing and areas defined by residents of the neighborhood as questionable. As staff has a very close working relationship with the Kendall Whittier neighborhood association, the neighbors have wanted to see this property redeveloped for years. Approval of this proposal will be the first step in that direction.

The proposal is supported by the Tulsa Comprehensive Plan as a Town Center which seeks to redevelop some properties with buildings that have windows and storefronts along the sidewalk and automobile parking generally located on the side or behind.

The proposal is also along the edge of the 'North Central District' and within the "Lewis Street Corridor' of the Kendall-Whittier Master Plan that has been adopted by the City of Tulsa. Section 10 of the Plan calls for acquisition and redevelopment of fringe and troubled properties in this area allowing the area to be redeveloped into a more vibrant neighborhood.

PUD-787 is intended to accomplish these goals by establishing a conceptual site plan with allocation of uses, intensity of uses and development standards and conditions, to be followed by detailed site plan review for development of the property.

City Planning staff should be commended for their effort in developing the over-all plan for the Westpark Apartments including the subject proposal. Working with City staff, TMAPC staff has been involved in the over-all review of the implementation strategy for this development for nearly two-years and strongly supports the proposal.

Staff finds the uses and intensities of development proposed to be in harmony with the spirit and intent of the Code. Staff finds PUD-787 to be: (1) consistent with the Tulsa Comprehensive Plan and the Kendall Whittier Master 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-787 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:

Net Land Area (after Lewis Avenue right of way dedication) .815 acres 35,518 sf

#### Permitted Uses:

Uses included 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 (limited to fitness center); Use Unit 8. Multifamily Dwellings and Similar Uses (limited to apartments); and uses customarily accessory to permitted principal uses.

Maximum Retail/Office Floor Area: 10,000 sf\*

Maximum Dwelling Units: 20\*

\*As an alternative use, apartment dwelling units may be converted to office use to the extent that the resulting floor area of office use is within the permitted intensity of the underlying zoning districts.

# Minimum Livability Space: 200 sf/DU Minimum Building Setbacks: From Lewis Avenue Centerline 50 ft. From 4<sup>th</sup> Place Centerline 30 ft. From east boundary 90 ft.

From north boundary

10 ft.

**Maximum Building Height:** 

3 stories / 45'

Off-street Parking Spaces Required:

48 spaces

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 designed so 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 25 feet in height, provided that within the north 50 ft. of the east 100 feet of the Property, 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 the main building wall to which 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 shall be permitted.

#### Landscaping

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 Lewis Avenue shall be deemed to be 15 feet and the minimum setback from 4<sup>th</sup> Place shall be deemed to be 5 feet.

#### **Access and Pedestrian Circulation**

Access is to be derived from 4<sup>th</sup> Place, and a mutual access easement will be established between the Planned Unit Development and the property adjoining the east boundary of the Planned Unit Development.

Sidewalks will be provided, if not currently existing, along Lewis Avenue and 4<sup>th</sup> Place. Additional internal pedestrian circulation will be subject to detail site plan review.

### Trash, Mechanical and Equipment Area Screening

All trash, recycling, 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 grown level, provided however, that one side of the screening of a trash receptacle area may be open to permit access and gating shall not be required.

- 3. No zoning clearance permit shall be issued for development within the PUD until a detail site plan, 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 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 within the PUD until a detail sign plan 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.
- 11. 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.
- Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.
- 14. Approval of the PUD is not an endorsement of the conceptual layout. This will be done during detail site plan review and/or the subdivision platting process.
- 15. There shall be no outside storage of recyclable material, trash or similar material outside a screened receptacle, nor shall trucks or truck trailers be parked in the 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:

<u>General</u>: PUD is acceptable. Utilities must be relocated in accordance with Early Release comments which state "All required utility relocations that serve off-site properties must be accomplished before building permits are issued".

**Water:** No comments.

<u>Fire:</u> If buildings exceed 30' in height will need to provide aerial fire apparatus access lanes per Section D105 of the International Fire Code.

**Stormwater:** No comments.

Wastewater: No comments.

<u>Transportation:</u> No comments.

#### **INCOG Transportation:**

- **MSHP:** S. Lewis Ave is a designated Urban Arterial with a street designation of Main street.
- LRTP: S. Lewis Ave, between E. 11<sup>th</sup> Street S. and Admiral Place, existing 2 lanes. Per Subdivision regulations, sidewalks should be constructed if non-existing or maintained if existing.
- TMP: No comments.
- **Transit:** Currently, Tulsa Transit operates existing routes on S. Lewis Ave. According to MTTA future plans, this location will continue to be served by transit routes. Therefore, consideration for access to public transportation should be included in the development.

**Traffic:** No comments.

GIS: No comments.

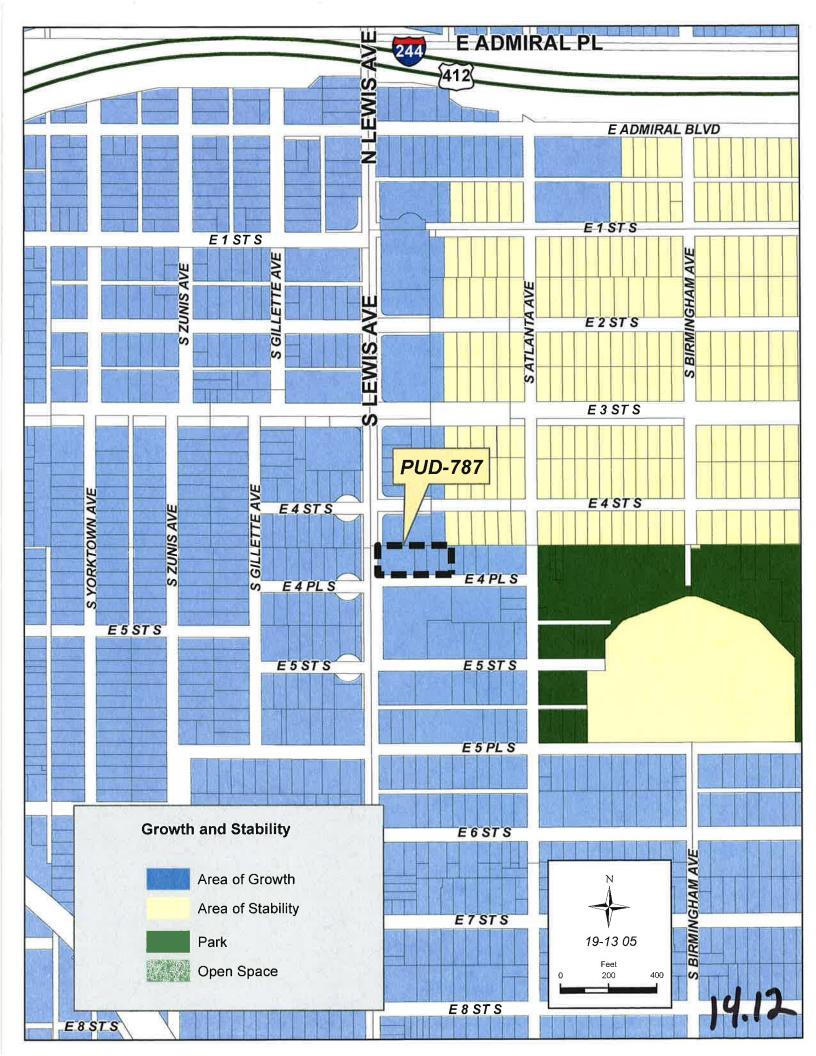
**Street Addressing:** No Comments

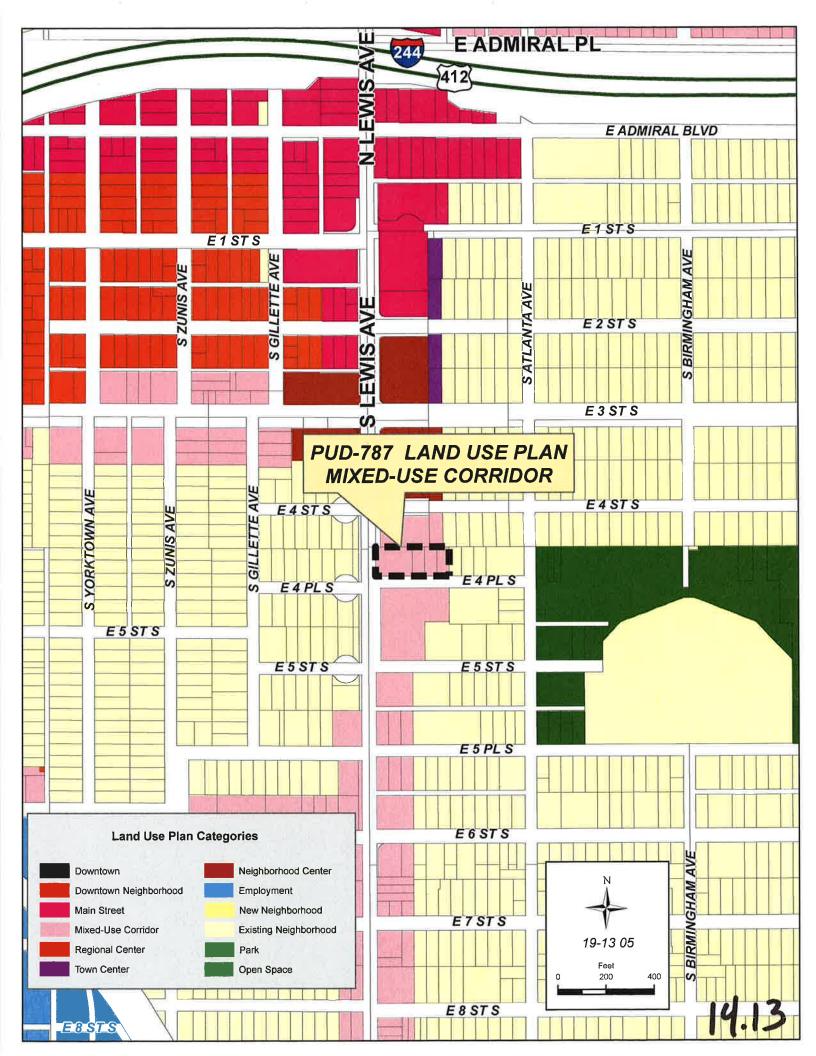
411 S LEWIS AV E

Addressing Atlas Page #('s): 00027

**Inspection Services:** No comments:

10/05/11





#### II. Zoning Intensity Analysis

#### A. Retail/Office Use

Existing Zoning	Acres	Sq.Ft	<u>F.A.R.</u>	Permitted Floor Area
CS - gross	.60	26,172	.50	13,086 sq.ft.
RM-2 – gross (limited to office	.50 ce)	21,810	.40	8,724 sq.ft.
Total	1.10	47,982		21,810 sq.ft.

#### B. Multifamily Use

Existing Zoning	Acres	Sq.Ft.	Area per DU	Permitted Density
CS - gross	.60	26,172	1,200 sq.ft.	21 DU
RM-2 – gross	.50	21,810	1,200 sq.ft.	<u>18 DU</u>
Total	1.10	45,574		39 DU

## C. Allocation of Intensity

Retail/Office

Maximum Floor Area Proposed\*

10,000 sq.ft.

Apartments

Maximum Dwelling Units Proposed

RM-2

21,810 sq.ft divided by 1200 =

18 dwelling units

CS

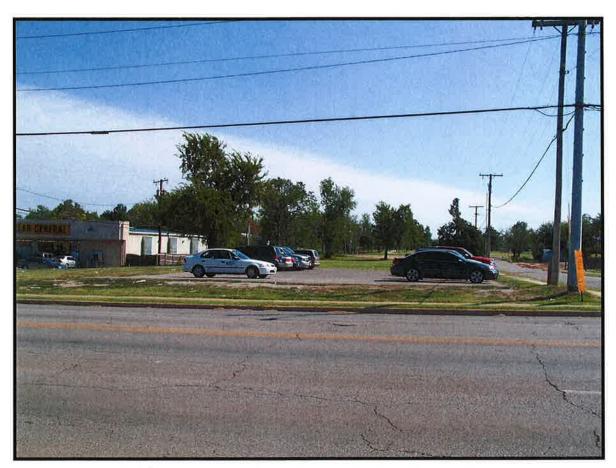
2,400 sq.ft. divided by 1200 =

2 dwelling units

Total

20 dwelling units

<sup>\*</sup>The total CS area (gross) minus 2,400 sq.ft. (allocation to two DU's) x .5 equals a maximum permitted retail/office floor area of 11,886 sq.ft.



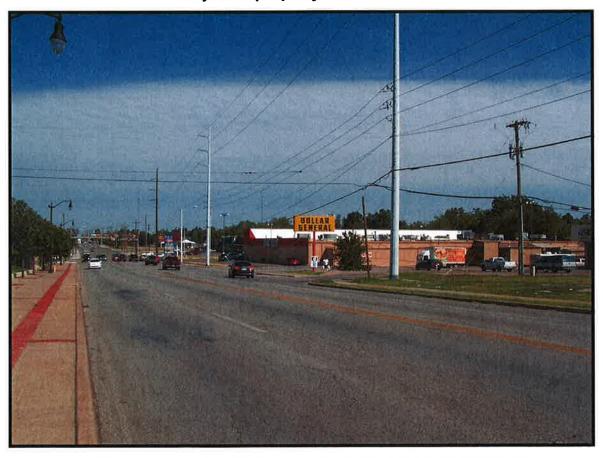
Subject property from the west side of Lewis Ave.



Adjacent property to the south.



Adjacent property to the north



Looking north on Lewis Avenue from the east side of Lewis.



Looking south on Lewis Avenue from the east side of Lewis.



Single-family homes on the east side of Lewis.



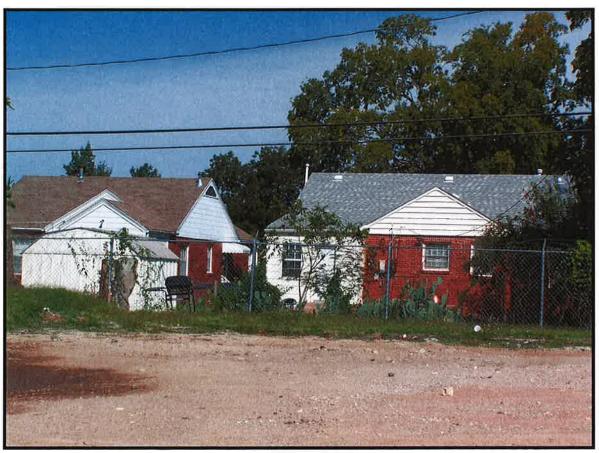
Rear of subject tract and a portion of the adjacent "Westpark Apartments" site



Adjacent property to the south - behind the bank along Lewis.



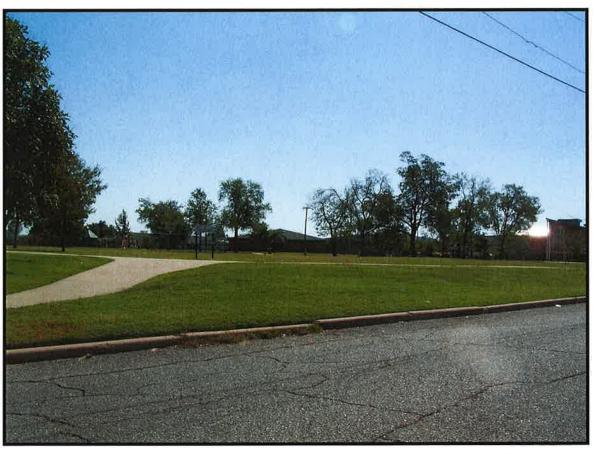
Subject tract from the east.



Single family homes to the southeast, behind Dollar General.



Single family homes beginning on the southwest corner of Atlanta and 4ht Place.



Kendall Whittier Park - east side of Atlanta Ave to the east of subject tract.

# WEST PARK APARTMENTS MIXED USE BUILDING

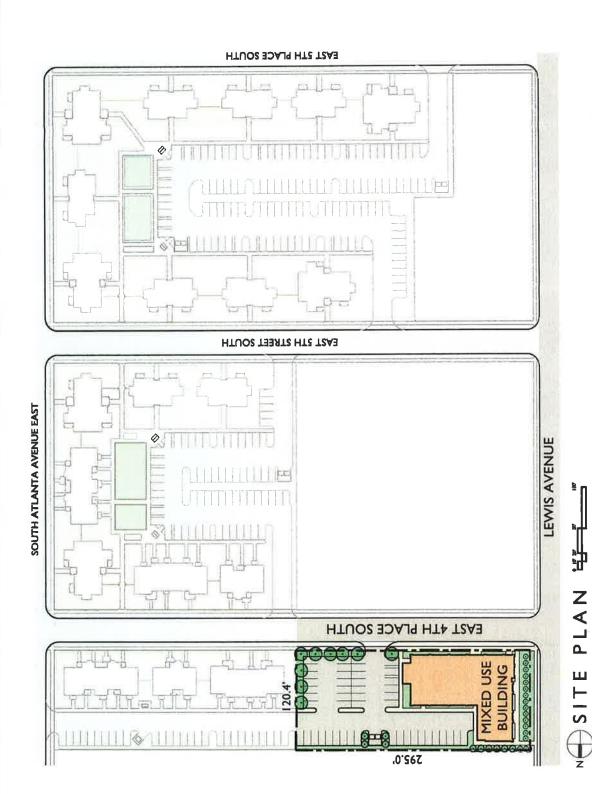
NE/C of South Lewis and East 4th Place South

**PLANNED UNIT DEVELOPMENT NO. 787** 



LEWIS AVE. Frontage

September 21, 2011.rev



McCORMACK BARON SALAZAR, INC WEST PARK APARTMENTS - MIXED USE BUILDING

EXHIBIT A - Conceptual Site Plan

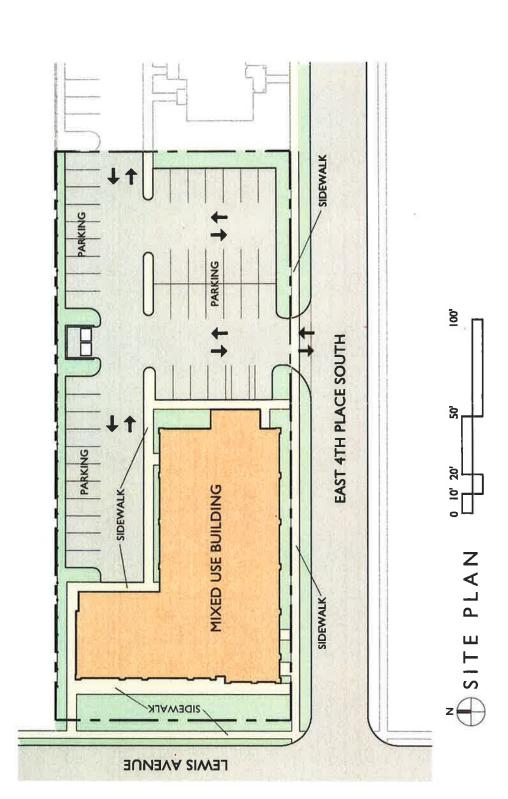
DEVELOPER



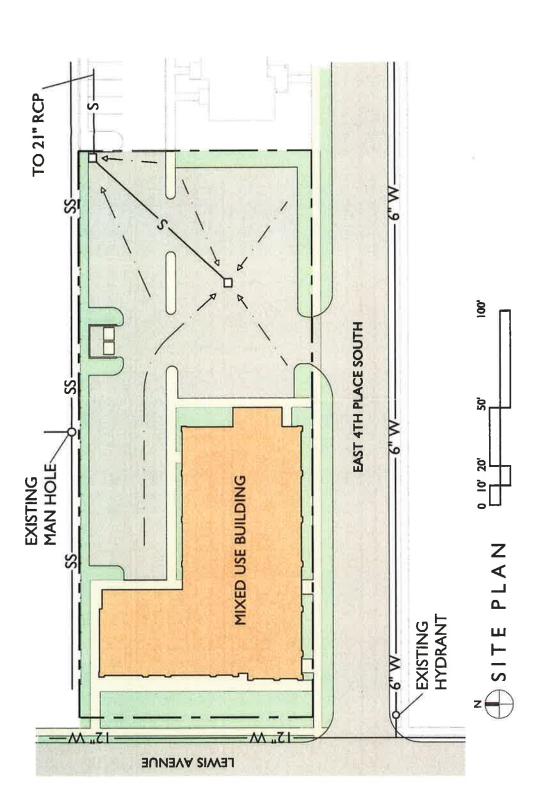


WEST PARK APARTMENTS - MIXED USE BUILDING McCormack Baron Salazar, INC DEVELOPER

FENNELL PURIFOY WEST PARK APARTMENTS - MIXED USE BUILDING DEVELOPER DEVELOPER **EXHIBIT C - Zoning Map** 



WEST PARK APARTMENTS - MIXED USE BUILDING DEVELOPER DEVELOPER **EXHIBIT D - Access and Circulation** 



WEST PARK APARTMENTS - MIXED USE BUILDING DEVELOPER DEVELOPER **EXHIBIT E - Conceptual Utilities and Drainage** 

1424

## 2012 SCHEDULE

# **Tulsa Metropolitan Area Planning Commission (TMAPC)**

Regular meetings of the TMAPC are held on the first and third Wednesday of each month at 1:30 p.m. in the One Technology Center, 175 E. 2<sup>nd</sup> Street, City Council Chambers, 2<sup>nd</sup> Level, Tulsa, Oklahoma.

Regular work sessions of the TMAPC are held on the third Wednesday of each month following regular TMAPC business in the One Technology Center, 175 E.  $2^{nd}$  Street, City Council Chambers,  $2^{nd}$  Level, Tulsa, Oklahoma.

JANUARY	FEBRUARY	MARCH
4 <sup>th</sup>	1 <sup>st</sup>	7th
18th and worksession	15 <sup>th</sup> and worksession	21st and worksession
APRIL	M A Y	JUNE
4 <sup>th</sup>	$2^{nd}$	$6^{ ext{th}}$
18th and worksession	16th and worksession	20th and worksession
JULY	AUGUST	SEPTEMBER
11 <sup>th</sup>	1 <sup>st</sup>	5 <sup>th</sup>
25th and worksession	15th and worksession	19 <sup>th</sup> and worksession
ОСТОВЕК	NOVEMBER	DECEMBER
3rd	7th	5th
17th and worksession	28th meeting and worksession	19th meeting and worksession

Revised 09-22-11

		3	