CONSIDER, DISCUSS AND/OR TAKE ACTION ON:
Call to Order:

REPORTS:

Chairman's Report:
Work Session Report:
Director's Report:

1. Minutes of September 21, 2011, Meeting No. 2610
2. Minutes of October 5, 2011, Meeting No. 2611

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.

3. **LS-20463**, (Lot-Split) (CD-9), Location: West of the southwest corner of South Rockford Avenue and East 34th Street South (continued from 10/5/2011)

4. **LS-20465**, (Lot-Split) (CD-8), Location: East of the southeast corner of South Yale Avenue and East 105th Street South

5. **LS-20466**, (Lot-Split) (CD-8), Location: Southeast corner of South Yale Avenue and East 105th Street South

6. **The Boulevard** - Final Plat, Location: North of the northwest corner of East 51st Street and South 177th East Avenue (CD 6)

7. **PUD-306-D-1 – Claude Neon/James Adair/The Garden Trug**, Location: East of the northeast corner of 101st Street South and Riverside Parkway, Requesting Minor Amendment to reduce the setback for a sign from the east boundary of the PUD, **RM-0/RS-3/CS**, (CD-2)
8. **AC-109 – Dave Cannon/Will Rodgers United Methodist Church**, Location: South of the southwest corner of 11th Street South and South Yale Avenue, Requesting Landscape Alternative Compliance to allow the required street yard landscaping along one street to be located within the street right-of-way and permit several parking spaces to be located greater than 75 feet from a landscaped area, CS/RS-3/PUD, (CD-4)

9. **PUD-230 – Kevin VanOver/Milestones Pediatric Care**, Location: North of the northwest corner of East 41st Street South and US Highway 169, Requesting Detail Site Plan for a 4,826 single-story medical office building, OL, (CD-5)

10. **Z-7008-SP-3 – Tanner Consulting, LLC/Jiffy Lube**, Location: North of the northeast corner of West 81st Street South and South Olympia Avenue, Requesting a Detail Site Plan for 4,759 square foot oil change and lubrication service, CO, (CD-2).

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

**PUBLIC HEARINGS:**

11. **West Park Apartments – Preliminary Plat**, Location: Northwest corner of South Atlanta Avenue and East 5th Place, (CD 4) (Related to Item 12)

12. **West Park Apartments – Authorization for an Accelerated Building Permit**, Location: Northwest corner of South Atlanta Avenue and East 5th Place, (CD 4) (Related to Item 11)

13. **Franklin Park – Plat Waiver**, Location: 1736 East Virgin, east of North Utica Avenue, south of East Virgin Street North, (CD 1)


15. **Z-7101-SP-2 – Andrew A. Shank/Joshua Operating Company, LLC** – Location: South of southeast corner of East 45th Street and South 109th East Avenue, Requesting Corridor Plan to allow the digitization of the existing and previously approved outdoor advertising sign located on the subject tract, CO, (CD-6)

**OTHER BUSINESS**

16. 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.
The Boulevard - (0428 (CD 6)
North of the northwest corner of East 51st Street and South 177th East Avenue

This plat consists of 21 lots in 3 blocks on 9.93 acres.

Staff has received release letters for this plat and can recommend approval of the final plat.
STAFF RECOMMENDATION

PUD-306-D-1: Minor Amendment – East of the northeast corner of 101st Street South and Riverside Parkway; 3009 E. 101st Street South; Lot 3, Block 1 – River Creek Village; TRS 18-13-20; CZM 56; Atlas 2277; CD 2; RM-0/RS-3/CS.

The applicant is requesting a minor amendment to reduce the setback for a sign from the east boundary of the PUD. Currently the PUD restricts signs from being placed within 120 feet of the east boundary of the subject tract.

Section 1107.H.12 of the code allows the Planning Commission to relax sign standards within PUDs via the minor amendment process so long as the size, location, number and character (type) of sign(s) is not substantially altered.

Please refer to the attached case photographs and site plan. The subject tract is 150 feet wide. There is a sign for the neighboring property to the west located almost directly on the west lot line of the subject tract. With the PUD requirement that any sign for this lot be located a minimum of 120 feet from the east lot line combined with section 1103.B.2.b.3 requiring signs in PUDs to have a minimum separation distance of 100-feet it is impossible to locate a sign on this site.

The property to the east from which the 120-foot setback is required is a Jenks Public School. Specifically the area immediately adjacent to the subject tract is a walking/running track and most likely would not be developed residentially.

Staff contends the request will not substantially alter the size, location, number and character (type) of sign(s) permitted within the PUD and recommends APPROVAL of minor amendment PUD-306-D-1.

Note: Approval of a minor amendment does not constitute detail site, landscape or sign plan approval.
Property adjacent to sign location on the east.

Looking north along east property line of subject tract.
Looking west along front of subject tract, at neighboring sign.

Looking east along 101st St. S.
STAFF RECOMMENDATION

AC-109

Alternative Compliance Landscape Plan – South of the southwest corner of 11th Street South and South Yale Avenue; 1938 South Yale Avenue; TRS 19-13-09; CZM 37; Atlas 128; CD 4; CS/RS-3/PUD

The applicant is requesting TMAPC approval of an Alternative Compliance Landscape Plan to allow the required street yard landscaping along one street to be located within the street right-of-way and permit several parking spaces to be located greater than 75-feet from a landscaped area containing at least 100 square feet, with a minimum width or diameter of seven feet.

Section 1003.D of the code states that the Planning Commission may determine that, although not meeting the technical requirements of Chapter 10 the submitted plan is equivalent to or better than the requirements of Chapter 10 of the code.

Please refer to the attached plan. Triggering the need to update the landscape plan is the installation of a new driveway near the southeast corner of the site. The existing South Winston Avenue street yard landscaping is located in the street right-of-way (ROW). In order to meet or exceed the technical requirements of Chapter 10 of the code the applicant is proposing to plant 19 crepe myrtles in the street yard where 7 are required.

Approximately 4 parking spaces located at the northwest corner of the site are not within 75’ of a landscaped area. In the alternative the applicant will increase the number of parking area trees from the required 11 to 16 trees.

Staff can support these efforts as equivalent to, or better than the technical requirements of Chapter 10 and recommends APPROVAL of AC-109.
October 19, 2011

STAFF RECOMMENDATION

PUD-230: Detail Site Plan – North of the northwest corner of East 41st Street South and US Highway 169; Lot 4, Block 1 – Tuscany Pointe; TRS 19-14-19; CZM 49; Atlas 646; CD 5; OL.

The applicant is requesting approval of a detail site plan for a 4,826 single-story medical office building. The proposed use, Use Unit 11 – Office, Studios and Support Services is a permitted use in PUD-230.

The submitted site plan meets all applicable building floor area, open space, building height and setback limitations. Access to the site will be provided via mutual access easement from South 103rd East Avenue. Parking will be provided per the applicable Use Unit of the Zoning Code. Parking area dimensioning meets the applicable requirements of Chapter 13 of the Code. Landscaping will be provided per the PUD and landscape chapters of the Zoning Code. A solid screened trash enclosure will be provided as required by the PUD.

Staff recommends APPROVAL of the detail site plan for Lot 4, Block 1 – Tuscany Pointe.

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

Z-7008-SP-3: Detail Site Plan – North of the northeast corner of West 81st Street South and South Olympia Avenue; TRS 18-12-11; CZM 51; CD 2; CO.

The applicant is requesting approval of a detail site plan for a 4,759 square foot oil change and lubrication service. The proposed use, Oil and Lubrication Service within 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 with access derived from South Olympia Avenue. Landscaping is provided per the landscape chapter of the Zoning Code. All sight lighting is limited to 13-feet in height, will be wall mounted only and is directed down and away from adjoining properties. A trash enclosure has been provided as required by the Corridor District Development Plan. Sidewalks have been provided along South Olympia Avenue as required by CO District Development Standards and Subdivision regulations.

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

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

West Park Apartments - (CD 4)
Northwest corner of South Atlanta Avenue and East 5th Place

This plat consists of 4 Lots, 3 Blocks, on 7.03 acres.

The following issues were discussed September 15, 2011, and October 6, 2011, at the Technical Advisory Committee (TAC) meetings:

1. **Zoning:** The property is zoned RM-2, CS, CH and Planned Unit Development 787 (pending). Covenants must contain PUD standards.

2. **Streets:** Property lines for Block 1 southeast corner must be in bold, while the right-of-way dedicated should be identified inside the property line with a lower line weight (see southwest corner of Block 1 for proper depiction). Corners of Blocks 2 and 3 also need to be corrected.

3. **Sewer:** Add perimeter easements on each block. We need a minimum of 11 feet along the north boundary line of Block 1, since there is an existing sanitary sewer line just north of the boundary line. The proposed sanitary sewer relocation must be completed and in service before the existing sanitary sewer system can be closed and taken out of service. No building permits can be issued for buildings encroaching on the existing system until the existing utility lines have been closed. All sanitary sewer pipe, that will be located under a paved driving surface, must be ductile iron pipe.

4. **Water:** A 17.5 foot utility easement is needed adjacent roadway right-of-ways. Building lines may need to be moved to accommodate utility easements. Show the existing 12 inch waterline along Lewis Avenue and proposed new connections of new lines. Along South Atlanta Avenue and 5th Street there is a possible conflict between storm sewer line and the new replaced water main line. Show offset of the new water main lines from right-of-way and back of curb. Staff will work with the developer and utilities on easement sizes and requirements.

5. **Storm Drainage:** Remove contours from face of plat. Use the standard covenant language, revised March 11, 2011 for Section I.C.2, 4, 5; Verbatim. Add a "Roof Drainage Requirements" subsection, modified to fit this development. Section IV: A. states that "The restrictions herein set forth are covenants to run with the land and shall be binding upon the owners and their respective successors and assigns in title." B and C say that the restrictions can be amended or terminated by the owner, which eliminates the statement in B which states they will be in full force and effect for a term
of not less than 30 years. It appears that these covenants, which are included in the PUD and the plat, are not binding upon the owners. That will not be acceptable. Add a legend for all symbols, and show and label all existing and proposed easements.

6. Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others: Additional easements may be required.

7. Other: Fire: Item 1 — off street parking shall not interfere with the aerial fire apparatus access requirements. Need to indicate location and sizes of new water mains. Drawing still showing one fire hydrant without indicating water mains to serve it. If buildings exceeding 30 feet in height will need to provide aerial fire apparatus access lanes per Section D105 of the International Fire Code. GIS: Please update the date of preparation with each new submittal. Submit a subdivision control data form.

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.
WEST PARK APARTMENTS
LAND USE PLAN:
EXISTING NEIGHBORHOOD & MIXED-USE CORRIDOR

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

19-13 05
0 250 500 Feet
AUTHORIZATION FOR ACCELERATED RELEASE
OF A BUILDING PERMIT

West Park Apartments – (CD 4)
Northwest corner of South Atlanta Avenue and East 5th Place

The property is zoned RM-2,CS,CH, with a Planned Unit Development pending (PUD 787). Full permits are requested. A preliminary subdivision plat is on this TMAPC agenda for the site.

Review of this application must focus on the extraordinary or exceptional circumstances that serve as a basis for the request and must comply in all respects with the requirements of the approved preliminary plats per Section 2.5 of the Subdivision Regulations.

The applicant offers the following explanation of the extraordinary and exceptional circumstances that serve as the basis for this request: Project has been in planning and site acquisition for a long period of time. Funding requirements have now set an aggressive schedule to complete and occupy. City of Tulsa, TDA (Tulsa Development Authority), and Tulsa Community Foundation are owners. Project is funded and will be completed. Also a letter is attached for consideration.

The following information was provided by the Technical Advisory Committee in its meetings September 15, 2011 and October 6, 2011.

ZONING:
- TMAPC Staff: Full permits are requested.

STREETS:
- Transportation: No comments.

SEWER:
- Public Works, Waste Water: The existing sanitary sewer lines must be closed by Ordinance before a building permit can be issued for a building that will encroach on the existing sewer system.

WATER:
- Public Works, Water: No comments.

STORM DRAIN:
- Public Works, Storm Water: Acceptable if compliant with Section I.H of the plat covenants.

FIRE:
- Public Works, Fire: No comments.
UTILITIES:
  - Franchise Utilities: No objection.

The accelerated building permits were originally designed to accommodate large campus style type of developments and should concentrate upon "the benefits and protections to the City that may be forfeited by releasing the building permit prior to the filing of the plat". These requested permits could adhere to this ideal.

The TAC (Technical Advisory Committee) did not object to the accelerated building permit. Staff can recommend approval of the accelerated permits with the conditions as commented by the Technical Advisory Committee.
West Park Apartments
Request for Accelerated Release of the Building Permit

The funding of the project includes time restrictions. To meet these restrictions, the current schedule calls for construction to begin in January 2012 with substantial completion in early 2013.

There are complex easements and alley vacations that must be accomplished before platting can be completed. The utilities, drainage and street design, along with the plat itself are complicated due to the age of the existing infrastructure and underlying property records. Work is well underway to complete these activities but they are not expected to be finished before building permits are needed to begin construction.

The mixed use building is owned by the George Kaiser Family Foundation. The remainder of the project is owned by the City of Tulsa. The developer, McCormack Baron Salazar, has a long resume of similar successful projects completed across the U.S. They will retain a long-term lease on the entire project.

The developer respectfully requests the Planning Commission authorize the accelerated release of all building permits prior to completion of the subdivision plat.

Approval of the accelerated release of the building permits will allow the development to proceed to a timely completion. The benefit to the City is the completion of a quality development providing new housing opportunities in the redeveloping Kendall-Whittier neighborhood. The risks of allowing full building permits to be released prior to completing the plat are negligible considering the owners involved and the reputation of the developer.

The developer accepts the risks that occupancy permits may be withheld pending filing of the final plat.
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
EXHIBIT C - Zoning Map

WEST PARK APARTMENTS - MIXED USE BUILDING
October 19, 2011

**Franklin Park** – 1736 East Virgin, East of North Utica Avenue, South of East Virgin Street North (0330) (CD 1)

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

*Staff provides the following information from TAC at their October 6, 2011 meeting:*

**ZONING:**
- TMAPC Staff: The property is zoned RS-3.

**STREETS:**
- No comments.

**SEWER:**
- No comments.

**WATER:**
- No comments.

**STORMWATER:**
- No comments.

**FIRE:**
- No objection to plat waiver, however need to see conceptual drawing to determine if additional fire hydrants or fire department access is required.

**UTILITIES:**
- No objection.

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:

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?  X
5. Would restrictive covenants be required to be filed by separate instrument if the plat were waived? X
6. Infrastructure requirements:
   a) Water
      i. Is a main line water extension required? X
      ii. Is an internal system or fire line required? X
      iii. Are additional easements required? X
   b) Sanitary Sewer
      i. Is a main line extension required? X
      ii. Is an internal system required? X
      iii. Are additional easements required? X
   c) Storm Sewer
      i. Is a P.F.P.I. required? X
      ii. Is an Overland Drainage Easement required? X
      iii. Is on site detention required? X
      iv. Are additional easements required? X
7. Floodplain
   a) Does the property contain a City of Tulsa (Regulatory) Floodplain? X
   b) Does the property contain a F.E.M.A. (Federal) Floodplain? X
8. Change of Access
   a) Are revisions to existing access locations necessary? X
   a) If yes, was plat recorded for the original P.U.D. X
10. Is this a Major Amendment to a P.U.D.? X
    a) If yes, does the amendment make changes to the proposed physical development of the P.U.D.? X
11. Are mutual access easements needed to assure adequate access to the site? X
12. Are there existing or planned medians near the site which would necessitate additional right-of-way dedication or other special considerations? X
DESCRIPTION PROVIDED

Quit Claim Deed
Book 3875, Page 1576
Filed Jan 11, 1969

General Warranty Deed
Book 7262, Page 1055
Filed Mar 31, 2004

Special Warranty Deed
Book 4154, Page 2155
Tracts 242 & 243
Filed Feb 26, 1975

General Warranty Deed
Book 4096, Page 44
Filed Nov 15, 1973

DESCRIPTION

A tract of land lying in the Northwest Quarter of the Southeast Quarter (NW/4, SE/4) of Section 30, Township 20 North, Range 13 East of the Indian Based and Meridian, Tulsa County, State of Oklahoma, more particularly described as follows:

Beginning at the Northwest corner of said NW/4, SE/4; thence S01°14'02"E along the West line of said NW/4, SE/4 a distance of 30.00 feet to the Point of Beginning; thence N88°05'40"E and parallel with the North line of said NW/4, SE/4 a distance of 1017.67 feet to a point on the West line of Lot 2, Block 2 of Conservation Acres, an addition to the City of Tulsa; thence S01°07'20"E along said West line of Lot 2 a distance of 60.01 feet; thence N88°05'40"E a distance of 144.79 feet to a point on the Westerly right-of-way of Highway 75; thence S48°39'57"W along said Westerly right-of-way a distance of 605.98 feet; thence N41°20'03"W along said Westerly right-of-way a distance of 10.00 feet; thence S48°39'57"W along said Westerly right-of-way a distance of 501.74 feet; thence S59°17'43"W along said Westerly right-of-way a distance 81.39 feet; thence S48°39'57"W along said Westerly right-of-way a distance of 310.69 feet to a point on the West line of said NW/4, SE/4; thence N01°14'02"W along the West line of said NW/4, SE/4 a distance of 992.41 to the Point of Beginning, said tract containing 13.95 acres, more or less.

13.7
Greenhill Distribution Center II - (0417) (CD 3)  
Southeast corner of East 46\textsuperscript{th} Street North and U.S. 169

This plat consists of 4 Lots, in 2 Blocks, on 58.21 acres.

The plat was proposed and received Preliminary approval in 2006 but was never finalized.

The plat expired and was reintroduced in April of 2011. The Preliminary Plat was approved on June 1, 2011.

An application for authorization for an accelerated building permit for the site was received on June 30, 2011 but was withdrawn.

Staff has received release letters for this plat and can recommend approval of the final plat. However, there has been concern raised from ODOT (Oklahoma Department of Transportation) about drainage issues for the property. There have been meetings held with the consulting engineers for the project and involving staff from the City of Tulsa. The City of Tulsa has released the plat and approved of the drainage and stormwater plans. ODOT has not sent a release letter for this plat. Information concerning the drainage will need to be discussed at the TMAPC meeting so the final plat was not placed under the Consent agenda items.
APPLICATION: Z-7101-SP-2

TRS 9430
CZM 49

TMAPC Hearing Date: October 19, 2011

Applicant: Andrew A. Shank

Tract Size: 7.2+ acres

ADDRESS/GENERAL LOCATION: South of southeast corner of East 45th Street and South 109th East Avenue

EXISTING ZONING: CO

PROPOSED USE: Digital outdoor advertising sign

ZONING ORDINANCE: Ordinance number 21885 dated October 9, 2008, established zoning for the subject property.

RELEVANT ZONING HISTORY:

BOA-21330 October 11, 2011: The Board of Adjustment accepted a verification of the spacing requirement for a digital outdoor advertising sign of 1,200 ft. from any other digital outdoor advertising sign facing the same traveled way subject to the action of the Board being void should another digital outdoor advertising sign be constructed within 1,200 feet of the sign location. This action was taken on the subject property.

BOA-21120 August 10, 2010: The Board of Adjustment accepted a verification of the spacing requirement for a digital outdoor advertising sign from another outdoor advertising sign; subject to the action of the Board being void should another digital outdoor advertising sign be constructed within 1,200 feet of the sign location. This action was taken on the subject property.

Z-7101/Z-7101-SP-1 October 2008: All concurred in approval of a request for rezoning a 10.4+ acre tract of land from OM to CO and a Corridor Site Plan for office, commercial and outdoor advertising sign use, on property located south of southeast corner of East 45th Street and South 109th East Avenue and is the subject property.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 7.2+ acres in size and is located south of southeast corner of East 45th Street and South 109th East Avenue. The property is developed as an office complex with an existing outdoor advertising sign on site and is zoned CO.
SURROUNDING AREA: The subject tract is abutted on the east by Town Centre II, zoned CO and with office uses; on the north by Town Centre II, zoned RM-2 and being used residentially; on the south by the exit ramp from US Highway 51 / The Broken Arrow Expressway, zoned RS-3; and on the west by Town Centre II, zoned AG being used as a stormwater detention facility. Please see the attached photographs.

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

TRANSPORTATION VISION:
The Comprehensive Plan designates US Highway 51 and US Highway 169 as Existing Freeways. The Plan does not designate South 109th East Avenue / East 45th Street South.

SUBJECT AREA
Tulsa City-County Major Street and Highway Plan:
The Tulsa City-County Major Street and Highway Plan designates US Highway 51 and US Highway 169 as Freeways. South 109th East Avenue is classified as a residential collector.

<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 109th East Avenue</td>
<td>Residential Collector</td>
<td>60'</td>
<td>4</td>
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RELATIONSHIP TO THE COMPREHENSIVE PLAN:
The Tulsa Comprehensive Plan designates the subject tract as an "Area of Growth" with a land use designation of "Employment Area".

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.

Employment areas contain office, warehousing, light manufacturing and high tech uses such as clean manufacturing or information technology. Sometimes big-box retail or warehouse retail clubs are found in these areas. These areas are distinguished from mixed-use centers in that they have few residences and typically have more extensive commercial activity.

Employment areas require access to major arterials or interstates. Those areas, with manufacturing and warehousing uses must be able to accommodate extensive truck traffic, and rail in some instances. Due to the special transportation requirements of these districts, attention to design, screening and open space buffering is necessary when employment districts are near other districts that include moderate residential use.

Since this proposal does not include a zoning change and the outdoor advertising / billboard use is already permitted by the Corridor Plan, the proposed digitization of the existing billboard may be found in accord with the Plan.
STAFF RECOMMENDATION:
The purpose of Corridor District Plan Z-7101-SP-2 is to allow the digitization of the existing and previously approved outdoor advertising sign located on the subject tract. Section 1221.G.14 of the code states that the digitization of an existing billboard is considered a change of use, therefore triggering the need for a new Corridor District Plan proposal.

The subject tract and existing sign is located along the exit ramp from the westbound travel lanes of US Highway 51 to the northbound US Highway 169 and is located in a Freeway Sign Corridor as required by code. There is another digital outdoor advertising sign located to the southeast of the existing sign and another located to the northwest.

On October 11, 2011 the City of Tulsa Board of Adjustment (BOA) in case number BOA-21330 accepted the spacing verification for this sign from the aforementioned outdoor advertising signs.

Given the existing sign location along a freeway right-of-way (ROW), within a freeway sign corridor and the acceptance by the BOA of the spacing verification staff is inclined to support the proposal.

Staff finds the existing use, as well as the proposed use to be in harmony with the spirit and intent of the Code. Staff finds Z-7107-SP-2 to be: (1) consistent with the Comprehensive Plan; (2) in harmony with the existing and expected development of surrounding areas; (3) a unified treatment of the development possibilities of the site; and (4) consistent with the stated purposes and standards of the CO Chapter of the Zoning Code.

Therefore, staff recommends APPROVAL of Z-7107-SP-2 subject to the following conditions:

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

   All requirements and development standards of Z-7101-SP-2 remain effective unless modified below.

2. Development Standards:

PERMITTED USES:

Use Unit 11, Multi-story Offices and the accessory uses permitted in the OH-Office High Intensity District, as defined and regulated by Section 602 of the Tulsa Zoning Code; and Outdoor Advertising as permitted within Use Unit 21 – Business Signs & Outdoor Advertising including digital outdoor advertising.

SIGNS:

Outdoor Advertising Signs*:

Maximum Number of Signs: One (1)

Maximum Display Surface Area: 672 sq. ft.
Maximum Height: 50 feet**

Setback from Expressway right-of-way: 10 feet

Setback from AG District (Reserve "A"): 10 feet

*Outdoor Advertising signs must verify the 1,200 foot spacing requirement with the City of Tulsa Board of Adjustment (BOA), prior to the issuance of a building/sign permit.

**Per section 1221, F-15 the height of the O/A sign may be increased to 60' with verification the highway ROW is greater than 10 feet higher than the location of the O/A sign. This will be verified at CO District detail sign plan review.

**

Business Signs:

Maximum Number of Ground Signs:
Fronting East 45th Place: 2 (one per Tract A and B)
Fronting Expressways: 2 (one per Tract A and B)

Maximum Display Surface Area of Ground Signs: As Provided in Sections 1221 C and D of the Tulsa Zoning Code

Maximum Height of Ground Signs: 25 feet

Maximum Display Surface Area of Wall Signs: As provided in Sections 1221 C and D of the Tulsa Zoning Code

Minimum Sign Separation:

Business Signs: 50 FT

Setback between Outdoor Advertising Sign and Business Signs: 75 FT

3. No sign permits shall be issued for erection of a sign on a lot within the CO Plan area until a detail sign plan for that lot has been submitted to the TMAPC and approved as being in compliance with the approved CO District development standards. Outdoor Advertising signs must also verify the 1,200 foot spacing requirement with the City of Tulsa Board of Adjustment (BOA), prior to the issuance of a building/sign permit.

4. General business signs may not flash and have electronically changeable copy. Running light or twinkle signs, animated signs, revolving or rotating signs or signs with movement shall be prohibited for general business signs.

5. No building or sign permit shall be issued until the requirements of Section
1107.F of the Zoning Code have been satisfied or a plat waiver granted and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the restrictive covenants the CO District conditions of approval and making the City beneficiary to said covenants that relate to CO District conditions.

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

**TAC Comments:**

**General:** No comments.

**Water:** City atlas page is 183.

**Fire:** No comments.

**Stormwater:** No comments.

**Wastewater:** No comments.

**Transportation:** No comments.

**Traffic:** No comments.

**GIS:** No comments.

**Street Addressing:** No comments.

**Inspection Services:** No comments.

10/19/11
I hereby certify that the south face of the proposed sign is more than 1200 feet, as measured from center of sign to center of sign, from any existing digital outdoor advertising sign facing the same traveled way.

Gregory Nickle, PLS #1396 Oklahoma
Subject outdoor advertising (O/A) sign

O/A sign to the southeast
O/A sign to the northwest

OK 51 / US 169 interchange