TULSA METROPOLITAN AREA PLANNING COMMISSION

Meeting No. 2614

November 16, 2011, 1:30 PM 175 East 2nd Street, 2nd Level, One Technology Center Tulsa City Council Chamber

CONSIDER, DISCUSS AND/OR TAKE ACTION ON:

Call to Order:

REPORTS:

Chairman's Report:

Worksession Report:

Director's Report:

1. Minutes of November 2, 2011, Meeting No. 2613

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-20460</u>, (Lot-Split) (CD-6), Location: North of the northeast corner of East 7th Street South and South 127th East Avenue
- 3. <u>LS-20476</u>, (Lot-Split) (County), Location: North of the northwest corner of North Terrace Drive and West 8th Street South (Related to LC-365)
- 4. <u>LC-365</u>, (Lot-Combination) (County), Location: North of the northwest corner of North Terrace Drive and West 8th Street South (Related to LS-20476)
- 5. <u>LS-20477</u>, (Lot-Split) (CD-3), Location: East of the northeast corner of East 36th Street North and North Yale Avenue (Related to LC-366)
- 6. <u>LC-366</u>, (Lot-Combination) (CD-3), Location: East of the northeast corner of East 36th Street North and North Yale Avenue (Related to LS-20477)
- 7. <u>LC-367</u>, (Lot-Combination) (County), Location: Northwest corner of West 34th Street South and South 65th West Avenue

- 8. <u>LS-20478</u>, (Lot-Split) (County), Location: Northwest corner of East 132nd Street South and South Olive Avenue
- 9. <u>LS-20479</u>, (Lot-Split) (County), Location: North of the Northeast corner of East 171st Street South and South Lewis Avenue (Related to LC-368)
- 10. <u>LC-368</u>, (Lot-Combination) (County), Location: North of the Northeast corner of East 171st Street South and South Lewis Avenue (Related to LS-20479)
- 11. <u>9200 Delaware Plat Amendment to Deed of Dedication</u>, Location: South of southwest corner of East 91st Street South and Delaware Avenue
- 12. <u>PUD-473-1 Mark Thurston</u>, Location: Southwest corner of East 26th Place South and South Boston Avenue, Requesting **Minor Amendment** to modify a condition of the PUD which requires the roof of the home on the subject property to be constructed of wooden shakes, slates or 340 pound composition roofing, **RS-2**, (CD-4)
- 13. <u>PUD-413-B-4 Brett Mann/McDonalds</u>, Location: Northeast corner of Gilcrease Museum Road and US Highway 412/Keystone Expressway, Requesting Minor Amendment to reduce the width of a landscape strip along Gilcrease Museum Road from 20 feet to 15 feet, RS-3/RM-1/CS, (CD-1) (Related to Item 14)
- 14. <u>PUD-413-B Brett Mann/McDonalds</u>, Location: Northeast corner of Gilcrease Museum Road and US Highway 412/Keystone Expressway, Requesting **Detail Site Plan** for a 3,6000 square foot restaurant, **RS-3/RM-1/CS**, (CD-1) (Related to Item 13)
- 15. <u>PUD-747-A Khoury Engineering/Tuscana on Yale Office Buildings</u>, Location: North of northeast corner of 91st Street South and South Yale Avenue, Requesting **Detail Site Plan** for four 7,000 square foot buildings totaling 28,000 square feet, CS/OL/RS-3, (CD-8) (Related to Item 16)
- 16. <u>PUD-747-A Khoury Engineering/Tuscana on Yale Commercial Buildings</u>, Location: North of the northeast corner of 91st Street South and South Yale Avenue, Requesting **Detail Site Plan** for two commercial/retail buildings totaling 38,483 square feet, **CS/OL/RS-3**, (CD-8) (Related to Item 15)

CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA:

PUBLIC HEARINGS:

17. <u>All Commerce Business Park Replat – Preliminary Plat</u>, Location: 14824 East Admiral Place, east of southeast corner of South 145th East Avenue and East Admiral Place

- 18. <u>PUD-760-A Lisa Riley</u>, Location: Northwest corner of East 15th Street South and South Troost Avenue, Requesting a **Major Amendment** to add bar only with Use Unit 12a Adult Entertainment Establishments as a permitted use to PUD-760, from **RM-2/OL/CH/PUD-760** to **RM-2/OL/CH/PUD-760-A**, (CD-4) (Related to Items 19 & 20)
- 19. <u>PUD-760-1 Lisa Riley</u>, Location: Northwest corner of East 15th Street South and South Troost Avenue, Requesting a **Minor Amendment** to reduce the required parking on the site from 84 spaces to 75, **RM-2/OL/CH/PUD**, (CD-4) (Related to Items 18 & 20)
- 20. <u>PUD 760 A Plat Waiver</u>, Location: 1621 East 15th Street, Lot 1, Block 1, Cherry Street Ridge (CD 4) (Related to items 18 & 19)
- 21. <u>PUD-788 Roy D. Johnsen/Grace Apostolic Temple, Inc.</u>, Location: Southwest corner Peoria and 56th Street North, Requesting PUD to stimulate the redevelopment of the subject property to permit retail uses in two development areas with a maximum permitted floor area of 17,375 square feet, from CS/RS-3 to CS/RS-3/PUD, (CD-1)

OTHER BUSINESS

22. 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.



AGENDA

Tulsa Metropolitan Area Planning Commission

WORK SESSION

175 East 2nd Street, 2nd Level, One Technology Center
Tulsa City Council Chamber
Wednesday, November 16, 2011 – 1:45 p.m.*

(*Or immediately following adjournment of the TMAPC Meeting)

CONSIDER AND DISCUSS:

1. City Council Consensus requesting guidance from TMAPC to address some small, but significant administrative flaws in the text of the Form-Based Code. City Council Consensus 2011-16.

Adjourn.

Visit our website at www.tmapc.org

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

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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

November 4, 2011

Hand Delivered

Diane Fernandez Senior Planner/Subdivision Administrator INCOG 2 West 2nd Street, Suite 800 Tulsa, OK 74103

Amendment of Deed of Dedication of 9200 Delaware Re:

Dear Diane:

Enclosed for consideration by the Planning Commission is an instrument entitled "Amendment of the Deed of Dedication of 9200 Delaware". The Deed of Dedication accompanying the Plat of 9200 Delaware (Plat No. 6181) includes the development standards approved in the original PUD (PUD 696). The enclosed document has been drafted to establish of record the revised development standards as approved in PUD 696-B and PUD 696-B-1.

Under the terms of the Deed of Dedication of 9200 Delaware, amendment requires approval of the "majority vote of the then owners of the land within the addition with the approval of the City". The enclosed instrument has been executed by the requisite number of owners, and we are requesting that the Amendment be approved by the Planning Commission as well as by the City.

Could you please place the enclosed Amendment on the next available Planning Commission agenda for its consideration?

By way of a copy of this letter, we are requesting that Bob Edmiston beginning processing a copy of the Amendment for approval by the City. After the Planning Commission endorses its approval on the enclosed original Amendment, we will deliver the original to Bob to hold for execution by the City Council and Mayor.

Thank you.

Very truly yours,

Janine H. VanValkenburgh

AMENDMENT OF THE DEED OF DEDICATION OF 9200 DELAWARE

This Amendment of the Deed of Dedication of 9200 Delaware is dated this 3/ day of 2011.

RECITALS

- A. The Plat and accompanying Deed of Dedication for 9200 Delaware, an Addition to the City of Tulsa, Tulsa County, Oklahoma according to the recorded Plat (No. 6181) thereof, ("9200 Delaware" or the "Subdivision") was filed in the records of the Tulsa County Clerk on February 5, 2008.
- B. 9200 Delaware was submitted as a Planned Unit Development (designated as PUD 696), as provided within Sections 1100-1107 of Title 42, Tulsa Revised Ordinances (the "Tulsa Zoning Code") and was affirmatively recommended by the Tulsa Metropolitan Area Planning Commission on January 21, 2004 and approved by the Tulsa City Council on February 19, 2004, the implementing ordinance being Ordinance No. 20603. The Plat of 9200 Delaware and accompanying Deed of Dedication were prepared in accordance with, and incorporate, the provisions of PUD 696.
- C. A major amendment to PUD 696 (designated as PUD 696-B), to establish Development Areas A and B and to permit multi-family use within Development Area B (Lots 3 and 4, and part of Lots 2 and 5, Block 1, 9200 Delaware), was affirmatively recommended by the Tulsa Metropolitan Area Planning Commission on April 6, 2011, and approved by the Tulsa City Council on April 28, 2011, the implementing Ordinance No. 22429 being adopted on May 5, 2011, and published on May 20, 2011.
- D. A Minor Amendment to PUD 696-B (designated as PUD 696-B-1) modifying the livability space per dwelling unit, and percentage of landscaped open space, within Development Area B of the PUD and increasing the non-residential floor area within Development Area A of the PUD, was approved by the Tulsa Metropolitan Area Planning Commission on August 3, 2011.
- E. The undersigned together comprise the owners of Lots 1 through 5, Block 1, 9200 Delaware and desire to amend the Deed of Dedication of 9200 Delaware to incorporate the provisions of PUD 696-B and the provisions of the Minor Amendment designated as PUD 696-B-1.
- F. Section IV, subsection B. of the Deed of Dedication accompanying the Plat of 9200 Delaware, provides that the covenants and restrictions contained in the Deed of Dedication may be amended or modified at any time "by a majority vote of the then owners of the land within the addition with the approval of the City", and the undersigned are the majority of the owners of land within 9200 Delaware and together constitute the owners of the majority of the land area within 9200 Delaware.

THEREFORE, in consideration of the above and for other good and valuable consideration, the undersigned amend the Deed of Dedication accompanying the Plat of 9200 Delaware as follows:

SECTION II. <u>Planned Unit Development Restrictions</u> is terminated and the following is substituted therefor:

SECTION II. Planned Unit Development Restrictions

Whereas, 9200 Delaware was submitted as a Planned Unit Development (designated as Planned Unit Development 696 and hereinafter referred to as "PUD 696" or as the "Planned Unit Development"), as provided within Sections 1100-1107 of Title 42, Tulsa Revised Ordinances (the "Tulsa Zoning Code"), and

Whereas, PUD 696 was affirmatively recommended by the Tulsa Metropolitan Area Planning Commission on January 21, 2004 and approved by the Tulsa City Council on February 19, 2004, the implementing ordinance being Ordinance No. 20603.

Whereas, a major amendment to PUD 696 (designated as PUD 696-B), to establish Development Areas A and B and to permit multi-family use within Development Area B, was affirmatively recommended by the Tulsa Metropolitan Area Planning Commission on April 6, 2011 and approved by the Tulsa City Council on April 28, 2011, the implementing Ordinance No. 22429 being adopted on May 5, 2011, and published on May 20, 2011, and

Whereas, a minor amendment to PUD 696-B (designated as PUD 696-B-1) modifying the livability space per dwelling unit, and percentage of landscaped open space, within Development Area B of the PUD and increasing the non-residential floor area within Development Area A of the PUD, was approved by the Tulsa Metropolitan Area Planning Commission on August 3, 2011, and

Whereas, the Planned Unit Development provisions of the Tulsa Zoning Code require the establishment of covenants of record inuring to and enforceable by the City of Tulsa, Oklahoma sufficient to assure the implementation and continued compliance with the approved Planned Unit Development, and

Whereas, the undersigned desire to establish restrictions for the purpose of providing for an orderly development and to insure adequate restrictions for the mutual benefit of the owners of property within 9200 Delaware, including the undersigned, their respective successors and assigns, and the City of Tulsa, Oklahoma.

Therefore, the undersigned hereby impose the following restrictions and covenants which shall be covenants running with the land and shall be binding upon the owners of property within 9200 Delaware, including the undersigned, their respective successors and assigns, and shall be enforceable as hereinafter set forth.

A. <u>Use of Land</u>

The development of 9200 Yale shall be subject to the Planned Unit Development provisions of the Tulsa Zoning Code as such provisions existed on May 20, 2011.

B. <u>Development Standards Retail/Office - Lots 1 and 6, Block 1 and that part of Lots 2 and 5, Block 1, more particularly described on Exhibits A and B hereto attached and adjoining portion of Reserve A (Development Area A)</u>

1. <u>Permitted Uses</u>

The use of Lots 1 and 6, Block 1, 9200 Delaware and that part of Lots 2 and 5, Block 1, 9200 Delaware described on Exhibits A and B hereto attached and adjoining portion of Reserve A shall be limited to uses permitted as a matter of right in the CS Commercial Shopping Center District as defined in the Tulsa Zoning Code, excluding uses included within Use Unit 12 a, and uses customarily accessory to permitted principal uses.

2. <u>Maximum Building Floor Area</u>

- a. The aggregate floor area used for office use shall not exceed 44,646 square feet plus 74,024 square feet, less the floor area used for retail use.
- b. The aggregate floor area used for retail use shall not exceed 74,024 square feet.

3. <u>Maximum Building Height</u>

The maximum building height shall be 40 feet.

4. <u>Minimum Building Setbacks</u>

- a. The minimum building setback from the centerline of Delaware Avenue shall be 135 feet.
- b. The minimum building setback from the north boundary of 9200 Delaware shall be 17.5 feet.
- c. The minimum building setback from the south boundary of 9200 Delaware shall be 17.5 feet.
- d. The minimum building setback from the west boundary of Development Area A shall be 11 feet.
- e. The minimum building setback from the boundary of Reserve A, 9200

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Delaware shall be 20 feet.

f. The minimum building setback from interior lot lines shall be zero feet.

Notwithstanding the foregoing, no building shall be constructed within a utility easement.

5. Landscaping and Minimum Landscaped Open Space

A minimum of 10% of the net lot area shall be landscaped open space, which shall include a landscape buffer along the Delaware Avenue frontage, a minimum of 10 feet in width, and a landscape buffer along the west boundary of Development Area A, a minimum of 10 feet in width. Within Lots 1 and 6, Block 1, for purposes of determining the Street Yard as defined by the Tulsa Zoning Code, the minimum setback from Delaware Avenue shall be deemed to be 50 feet. Except as modified in this Section II, landscaping shall meet the requirements of the Landscape Chapter of the Tulsa Zoning Code.

6. Screening

Should the property adjacent to the north or south boundaries of 9200 Delaware be developed for residential use, each owner of a lot which abuts the residential development shall construct and maintain a screening fence along the common boundary of the lot and the adjoining residential development, a minimum of 6 feet in height. The screening fence shall be constructed with all braces and supports facing the subject lot within 9200 Delaware, except when both sides of the fence are of the same design and appearance.

7. <u>Minimum Off-Street Parking</u>

Off-street parking shall be provided as required for the applicable Use Unit as set forth within the Tulsa Zoning Code.

8. Exterior Walls

For each building within Development Area A, the exterior finish of 100% of that portion of the exterior walls that is not occupied by windows or doors shall be masonry.

9. Lighting

Exterior light standards shall not exceed 25 feet in height. All exterior lighting, including building mounted lighting, shall be shielded fixtures designed to direct light down and away from residential properties. Shielding shall be designed to prevent the light producing element or reflector of the fixture from being visible

to a person standing at ground level in an adjacent residential area. Compliance with these standards shall be verified by review of a photometric plan submitted for detail site plan review.

10. Signs

Signs shall be limited as follows:

- a. Wall signs shall not exceed an aggregate display surface area of one and one-half (1.5) square feet per lineal foot of building wall or canopy to which the sign is affixed, and shall not exceed an aggregate length of 75% of the wall or canopy to which the sign is affixed. No wall signs shall be permitted on west facing building walls or canopies.
- b. Ground signs shall be limited to:
 - a ground sign located along the Delaware Avenue frontage, not exceeding 35 feet in height nor 230 square feet of display surface area, provided however, the sign shall be set back from the right of way of Delaware Avenue one foot for every foot of the height of the sign that exceeds 25 feet, and
 - 2) a ground sign located along the Delaware Avenue frontage, not exceeding 25 feet in height nor 75 square feet of display surface area which may include identification of the multi-family development in Development Area B.

11. Parcelization

Within Development Area A, parcelization and the adjustment of the boundaries of lots as initially planned may occur by subsequent lot splits or replatting subject to approval by the Tulsa Metropolitan Area Planning Commission or its successors of proposed floor area allocation and provision of necessary cross parking and/or mutual access easements.

12. Transfer of Floor Area Allocation

Within Development Area A, allocated floor area may be transferred to another lot or lots within the Subdivision by written instrument executed by the owner of the lot from which the floor area allocation is to be transferred, provided however the transferred allocation shall not exceed 10% of the initial allocation to the lot or lots to which the transfer of floor area is to be made.

C. <u>Development Standards Multi-Family - Lots 3 and 4, and that part of Lots 2 and 5, Block 1, more particularly described on Exhibits C and D hereto attached and adjoining portion</u>



of Reserve A (Development Area B)

1. <u>Permitted Uses</u>

The use of Lots 3 and 4, Block 1, 9200 Delaware and that part of Lots 2 and 5, Block 1, 9200 Delaware described on Exhibits B and C hereto attached and adjoining portion of Reserve A shall be limited to Multi-Family Dwellings as defined in the Tulsa Zoning Code, and uses customarily accessory to the permitted principal use.

2. Maximum Number of Dwelling Units

The number of dwelling units shall not exceed 130.

3. Minimum Livability Space Per Dwelling Unit

There shall be provided within Development Area B, not less than 240 square feet of livability space, as defined by the Tulsa Zoning Code, per dwelling unit.

4. <u>Maximum Building Height</u>

The maximum building height shall be 60 feet.

5. Minimum Building Perimeter Setbacks

- a. The minimum building setback from the private drive within 9200 Delaware (Reserve A) shall be 20 feet.
- b. The minimum building setback from the easternmost boundary of Development Area B shall be 10 feet.
- c. The minimum building setback from the north boundary of 9200 Delaware shall be 20 feet.
- d. The minimum building setback from the south boundary of 9200 Delaware shall be 20 feet.
- e. The minimum building setback from the west boundary of 9200 Delaware shall be zero feet.

Notwithstanding the foregoing, no building shall be constructed within a utility easement.

6. <u>Minimum Landscaped Open Space</u>

A minimum of 18% of the net lot area shall be landscaped open space. Landscaped open space may include parking area landscaping. Except as modified in this Section II, landscaping shall meet the requirements of the Landscape Chapter of the Tulsa Zoning Code.

7. Screening

Should the property adjacent to the north or south boundaries of 9200 Delaware be developed for residential use, each owner of a lot which abuts the residential development shall construct and maintain a screening fence along the common boundary of the lot and the adjoining residential development, a minimum of 6 feet in height. The screening fence shall be constructed with all braces and supports facing the subject lot within 9200 Delaware, except when both sides of the fence are of the same design and appearance.

8. Minimum Off-Street Parking

A minimum of 1.5 parking spaces shall be provided for every one-bedroom unit within Development Area B, and a minimum of 2 parking spaces shall be provided for every two-bedroom unit within Development Area B.

9. Exterior Walls

For each building within Development Area B, the exterior finish of at least 65% of that portion of the exterior walls that is not occupied by windows or doors shall be masonry, and the exterior finish of at least 25% of the 65% (16.25%) shall be brick, stone or stucco.

10. <u>Signs</u>

Signs within Development Area B shall be limited to one ground sign identifying the multi-family development within Development Area B, not exceeding 20 feet in height nor 32 square feet of display surface area.

11. Gating

The entry to Development Area B may be gated. Prior to the issuance of a building permit for any entry gate or guardhouse, or prior to construction if no building permit is required, the building plans of the proposed improvements shall be submitted to and approved by the Tulsa Metropolitan Area Planning Commission, City Traffic Engineering and City Fire Department.

D. <u>General Development Standards Applicable to the Entirety of the Subdivision</u> (Development Areas A and B).

1. Other Bulk and Area Requirements

Except as herein modified, the development and use of Lots 1 and 6, Block 1, 9200 Delaware and that part of Lots 2 and 5, Block 1, 9200 Delaware described on Exhibits A and B hereto attached (Development Area A) shall be subject to the bulk and area requirements of a CS, Commercial Shopping District, and the development and use of Lots 3 and 4, Block 1, 9200 Delaware and that part of Lots 2 and 5, Block 1, 9200 Delaware described on Exhibits B and C hereto attached (Development Area B) shall be subject to the bulk and area requirements of an RM-2 Residential Multi-Family District.

2. <u>Detail Landscape Plan</u>

Prior to the issuance of a building permit for improvements within a particular Development Area, a detail landscape plan for the particular Development Area or approved phase shall be submitted and approved by the Tulsa Metropolitan Area Planning Commission as being in compliance with the approved development standards of the Planned Unit Development. Prior to the issuance of an occupancy permit for any building within the Subdivision, a landscape architect, architect, or engineer, registered in the State of Oklahoma, shall certify to the appropriate zoning officer of the City of Tulsa, that the required landscaping and screening fences for the lot within which the particular building is located shall be installed by a specific date in accordance with the approved landscape plan. The landscaping materials required by the approved landscape plan shall be maintained and replaced as needed as a continuing condition of the granting of an occupancy permit.

3. Sidewalks

Prior to the issuance of an occupancy permit for a building within Lot 1, or Lot 6, Block 1, the owner of the particular lot shall construct a sidewalk, if not currently existing, along the Delaware Avenue frontage of the lot. Prior to the issuance of an occupancy permit for a building within a lot in the Subdivision, the owner of the particular lot shall construct, a sidewalk within the portion of Reserve A that abuts the lot.

4. <u>Pedestrian Walkways in Parking Lots</u>

Within parking lots in the Subdivision, where pedestrian walkways intersect vehicle travel lanes, the owner of the particular lot shall distinguish the pedestrian walkways from the travel lanes by means that are visible to vehicular traffic, including but not limited to striping or raising the level of the surface of the

walkways.

5. <u>Detail Site Plan</u>

Development may be phased. Prior to the issuance of a zoning clearance permit for construction within the Subdivision, a detail site plan of the proposed improvements (including buildings, parking and landscaping) shall have been submitted to the Tulsa Metropolitan Area Planning Commission and approved as being in compliance with the approved development standards of the Planned Unit Development.

6. <u>Detail Sign Plan</u>

Prior to the issuance of a sign permit for the installation of a sign within the Subdivision, a detail sign plan for the lot in which the proposed sign is located shall be submitted to and approved by the Tulsa Metropolitan Area Planning Commission as being in compliance with the approved development standards of the Planned Unit Development.

7. Prohibited Signs

Flashing signs, changeable copy signs, running light or twinkle signs, animated signs, revolving or rotating signs, or signs with movement, shall not be permitted within the Subdivision.

8. Trash, Mechanical and Equipment Area Screening

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

9. <u>Outside Storage and Trucks</u>

Outside storage of recyclable material, trash or similar material shall be prohibited unless located within a screened receptacle. No trucks or truck trailers shall be parked within the Planned Unit Development, except during periods of active loading or unloading. The use of any truck trailer or shipping container for storage is prohibited.

10. Building Setbacks Depicted on the Plat of 9200 Delaware

No building shall be located within the building setback areas depicted upon the Plat of 9200 Delaware, provided however, the 35 foot setback depicted on the Plat along the perimeter boundary of Lots 3 and 4, Block 1 and those parts of Lots 2 and 5, Block 1 described on Exhibits C and D hereto attached are hereby

terminated.

11. Minor Amendments

The foregoing restrictions shall be deemed amended (without necessity of execution of an amending document) to conform to amendments to bulk and area requirements that may subsequently be approved by the Tulsa Metropolitan Area Planning Commission or its successors pursuant to its review of a minor amendment processed in accordance with the provisions of Subsection H of Section 1107 of the Tulsa Zoning Code, and the filing of a certified copy of the minutes of the Tulsa Metropolitan Area Planning Commission or its successors with the Tulsa County Clerk.

12. Definitions

In the event of ambiguity of any word or term set forth in Section II, the meaning thereof shall be deemed to be defined as set forth within the Tulsa Zoning Code as the same existed on May 20, 2011.

IN WITNESS WHEREOF, the undersigned have executed this instrument to be effective the day and year first above written.

92nd Street Partners, L.L.C. an Oklahoma limited liability company

By Robert A. Lemons, Manager

OWNER OF LOT 1, AND THOSE PORTIONS OF LOTS 2, AND 5, BLOCK 1 DESCRIBED ON EXHIBITS A AND B HERETO ATTACHED, 9200 DELAWARE

]].][

STATE OF OKLAHOMA)		
COUNTY OF TULSA) ss.)		sr
This instrument wa	s acknowledged before Robert A. Lemons as M	me this Office I	day of Partners, L.L.C., an
Oklahoma limited liability co	mpany.	\mathcal{A}	Xan-
Commossion Expir	w: 6/16/2014	Notary Public	
1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	ary Public of Oklahoma L. HAGAMAN		

My commission number: My commission expires:

The Village at Crown Woods, L.L.C., an Oklahoma limited liability company

Ed Leinbach, Manager

OWNER OF LOTS 3, 4, AND THOSE PORTIONS OF LOTS 2, AND 5, BLOCK 1 DESCRIBED ON EXHIBITS C AND D HERETO ATTACHED, 9200 DELAWARE

STATE OF OKLAHOMA)							
) ss.							
COUNTY OF TULSA)							
						2135			
This instrument was a	cknowledged	before	me	this		91		day	of
Octour.	2011, by Ed I	Leinbach	as M	fanager o	of The V	illage at Cr	own	Woo	ds,
L.L.C., an Oklahoma limited	d liability com	pany.				1			
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					Notar	y Public	30		

My commission number: My commission expires:

Notary Public
State of Oklahoma
DAVID L. HAGAMAN
TULSA COUNTY
COMMISSION \$00005028
Comm, Exp.

6/16/2014

APPROVED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION
ON, 2011.
By:
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	
Date:	

EXHBITA, P.1

A TRACT OF LAND THAT IS PART OF LOT TWO (2), BLOCK ONE (1), "9200 DELAWARE", AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF (PLAT NO. 6181), SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 2; THENCE SOUTH 88°41'41" WEST ALONG THE SOUTHERLY LINE OF LOT 2, FOR A DISTANCE OF 140.10 FEET TO A POINT; THENCE NORTH 1°20'40" WEST AND PARALLEL WITH THE WESTERLY LINE OF LOT 2, FOR A DISTANCE OF 284.65 FEET TO A POINT ON THE NORTHERLY LINE OF LOT 2; THENCE NORTHEASTERLY ALONG SAID NORTHERLY LINE ALONG A 52.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, HAVING AN INITIAL TANGENT BEARING OF NORTH 60°44'48" EAST, A CENTRAL ANGLE OF 11°48'23", FOR AN ARC DISTANCE OF 10.72 FEET TO A POINT; THENCE NORTH 88°39'20" EAST ALONG THE NORTHERLY LINE, FOR A DISTANCE OF 131.21 FEET TO A POINT, SAID POINT BEING THE NORTHEAST CORNER OF LOT 2; THENCE SOUTH 1°20'40" EAST ALONG THE EASTERLY LINE OF LOT 2, FOR A DISTANCE OF 290.70 FEET TO THE POINT OF BEGINNING;

SAID TRACT CONTAINING 40,692 SQUARE FEET, OR 0.934 ACRES.

Lot Sollt Lin accordance with TMAPC Resolution 1337;530 approved this conveyance

Date_6/15/11

Real Property Certification

I, DAN E. TANNER, OF TANNER CONSULTING, LLC, CERTIFY THAT THE ATTACHED DESCRIPTION CLOSES IN ACCORD WITH EXISTING RECORDS, IS A TRUE REPRESENTATION OF THE TRACT AS DESCRIBED, AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING OF THE STATE OF OKLAHOMA.

Date

DAN EDWIN

TANNER

AHOM?

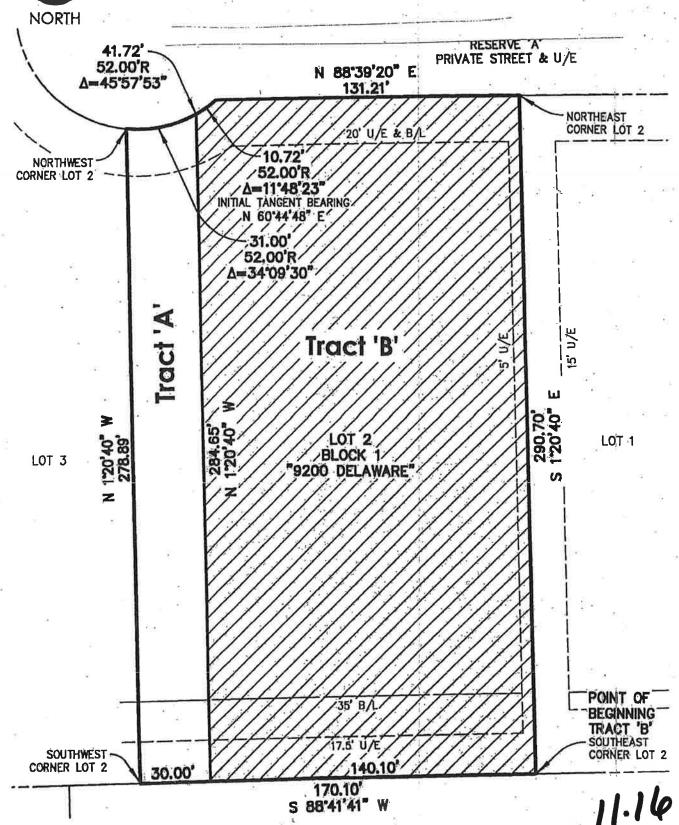
DAN E. TANNER, P.L.S. OKLAHOMA P.L.S. #1435 OKLAHOMA CA #2661

EXPIRATION DATE: 6/30/11

10171_EX1_LOT2_LOT_SPLIT.doc 8/5/2011



EXHIBIT A, p. Z



1/27/2011 10171EX1

Tanner Consulting, LLC
5323 SOUTH LEWIS AVENUE - TUESA, OKLAHOMA 74103 - (218)745-9929

EXHIBIT B, p. 1

A TRACT OF LAND THAT IS PART OF LOT FIVE (5), BLOCK ONE (1), "9200 DELAWARE", AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF (PLAT NO. 6181), SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 5; THENCE SOUTH 1°20'40" EAST ALONG THE EASTERLY LINE OF LOT 5, FOR A DISTANCE OF 290.00 FEET TO A POINT, SAID POINT BEING THE SOUTHEAST CORNER OF LOT 5; THENCE SOUTH 88°39'20" WEST ALONG THE SOUTHERLY LINE OF LOT 5, FOR A DISTANCE OF 131.21 FEET TO A POINT; THENCE CONTINUING NORTHWESTERLY ALONG SAID SOUTHERLY LINE ALONG A 52.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, HAVING AN INITIAL TANGENT BEARING OF NORTH 51°37'46" WEST, A CENTRAL ANGLE OF 23°42'29", FOR AN ARC DISTANCE OF 21.52 FEET TO A POINT; THENCE NORTH 1°20'40" WEST AND PARALLEL WITH THE WESTERLY LINE OF LOT 5, FOR A DISTANCE OF 280.01 FEET TO A POINT ON THE NORTHERLY LINE OF LOT 5; THENCE NORTH 88°39'20" EAST ALONG SAID NORTHERLY LINE, FOR A DISTANCE OF 150.10 FEET TO THE POINT OF BEGINNING;

SAID TRACT CONTAINING 43,419 SQUARE FEET, OR 0.997 ACRES.

Lot Spin L- 20440 approved In accordance with TMAPC Resolution 1337;530 approves this conveyance Date 6/6/11 by 6TS

Real Property Certification

I, DAN E. TANNER, OF TANNER CONSULTING, LLC, CERTIFY THAT THE ATTACHED DESCRIPTION CLOSES IN ACCORD WITH EXISTING RECORDS, IS A TRUE REPRESENTATION OF THE TRACT AS DESCRIBED, AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING OF THE STATE OF OKLAHOMA.

DAN E. TANNER, P.L.S. OKLAHOMA P.L.S. #1435 OKLAHOMA CA #2661 EXPIRATION DATE: 6/30/11 Date

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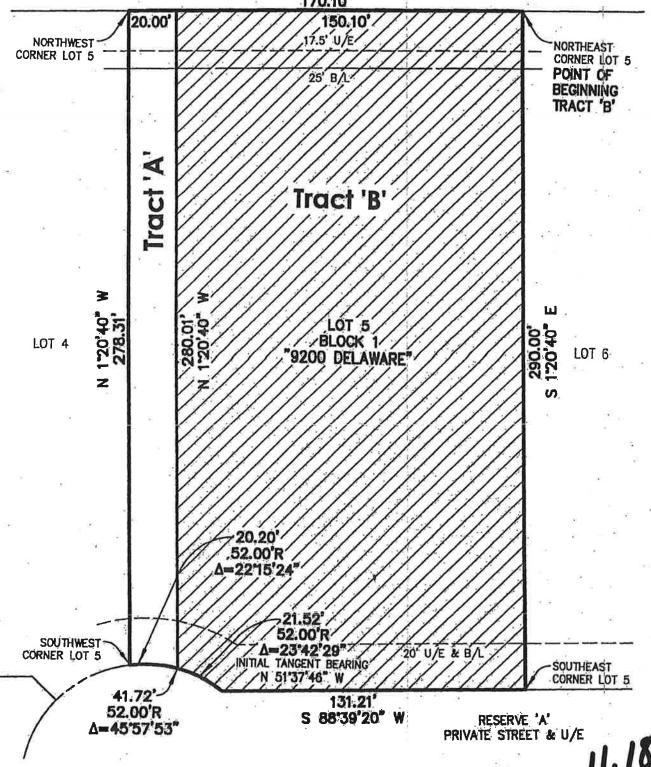


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10171EX1

EXHIBITB, P.2

N 88'39'20" E



Tanner Consulting, LLC
5323 SOUTH LEWIS AVENUE - TULSA, OKLAHOMA 74105 (918)745-9929

EXHIBT C, P.1

A TRACT OF LAND THAT IS PART OF LOT TWO (2), BLOCK ONE (1), "9200" DELAWARE", AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF (PLAT NO. 6181), SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 2; THENCE NORTH 1°20'40" WEST ALONG THE WESTERLY LINE OF LOT 2, FOR A DISTANCE OF 278.89 FEET TO A POINT, SAID POINT BEING THE NORTHWEST CORNER OF LOT 2; THENCE NORTHEASTERLY ALONG THE NORTHERLY LINE OF LOT 2 ALONG A 52.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, HAVING AN INITIAL TANGENT BEARING OF SOUTH 85°05'42" EAST, A CENTRAL ANGLE OF 34°09'30", FOR AN ARC DISTANCE OF 31.00 FEET TO A POINT; THENCE SOUTH 1°20'40" EAST AND PARALLEL WITH SAID WESTERLY LINE, FOR A DISTANCE OF 284 65 FEET TO A POINT ON THE SOUTHERLY LINE OF LOT 2; THENCE SOUTH 88°41'41" WEST ALONG SAID SOUTHERLY LINE, FOR A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING;

SAID TRACT CONTAINING 8,406 SQUARE FEET, OR 0.193 ACRES.

Lot Split L. 2044 in accordance with TMAPC Resolution 1337;530 approves this conveyance

Date_6/15/11

Real Property Certification

I, DAN E. TANNER, OF TANNER CONSULTING, LLC, CERTIFY THAT THE ATTACHED DESCRIPTION CLOSES IN ACCORD WITH EXISTING RECORDS, IS A TRUE REPRESENTATION OF THE TRACT AS DESCRIBED, AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING OF THE STATE OF OKLAHOMA.

DAN E. TANNER, P.L.S. OKLAHOMA P.L.S. #1435 OKLAHOMA CA #2661

EXPIRATION DATE: 6/30/11

Date DAN EDWIN TANNER

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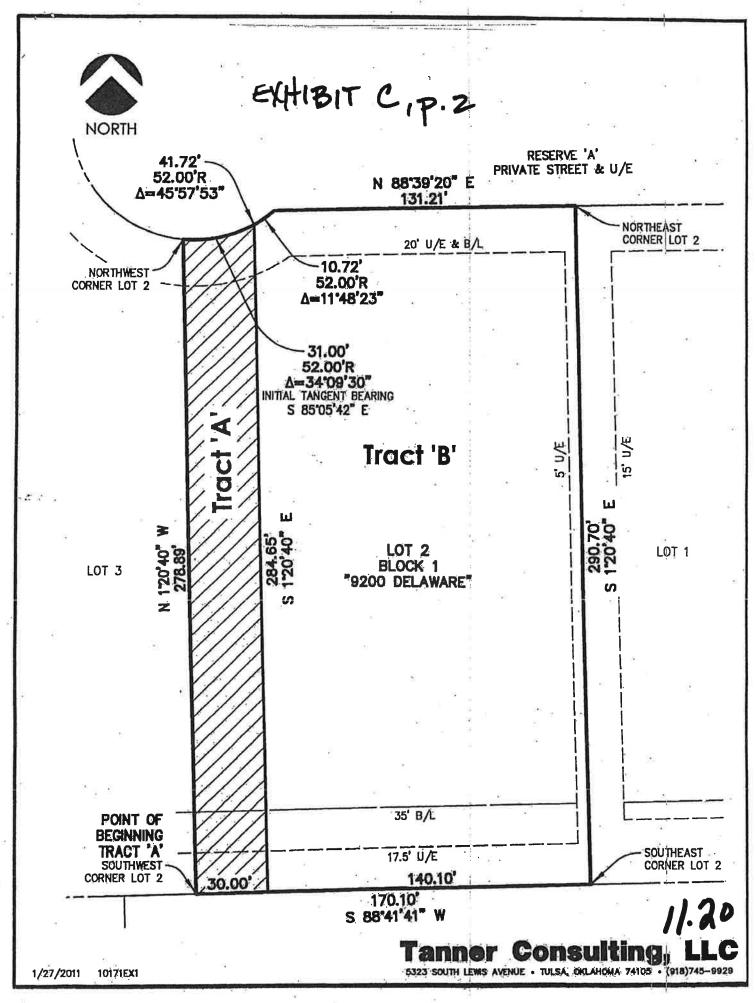


EXHIBIT D, P. 1

A TRACT OF LAND THAT IS PART OF LOT FIVE (5), BLOCK ONE (1), "9200 DELAWARE", AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF (PLAT NO. 6181), SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 5; THENCE NORTH 88°39'20" EAST ALONG THE NORTHERLY LINE OF LOT 5, FOR A DISTANCE OF 20.00 FEET TO A POINT; THENCE SOUTH 1°20'40" EAST AND PARALLEL WITH THE WESTERLY LINE OF LOT 5, FOR A DISTANCE OF 280.01 FEET TO A POINT ON THE SOUTHERLY LINE OF LOT 5; THENCE NORTHWESTERLY ALONG SAID SOUTHERLY LINE ALONG A 52.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, HAVING AN INITIAL TANGENT BEARING OF NORTH 75°20'15" WEST, A CENTRAL ANGLE OF 22°15'24", FOR AN ARC DISTANCE OF 20.20 FEET TO A POINT, SAID POINT BEING THE SOUTHWEST CORNER OF LOT 5; THENCE NORTH 1°20'40" WEST ALONG SAID WESTERLY LINE, FOR A DISTANCE OF 278.31 FEET TO THE POINT OF BEGINNING;

SAID TRACT CONTAINING 5,570 SQUARE FEET, OR 0.128 ACRES.

Lot Split L- 20440 In accordance with TMAPC Resolution 1337;530 approves this conveyance

Real Property Certification

I, DAN E. TANNER, OF TANNER CONSULTING, LLC, CERTIFY THAT THE ATTACHED DESCRIPTION CLOSES IN ACCORD WITH EXISTING RECORDS, IS A TRUE REPRESENTATION OF THE TRACT AS DESCRIBED, AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING OF THE STATE OF OKLAHOMA

DAN E. TANNER, P.L.S. OKLAHOMA P.L.S. #1435 OKLAHOMA CA #2661

EXPIRATION DATE: 6/30/11

DAN EDWIN TANNER

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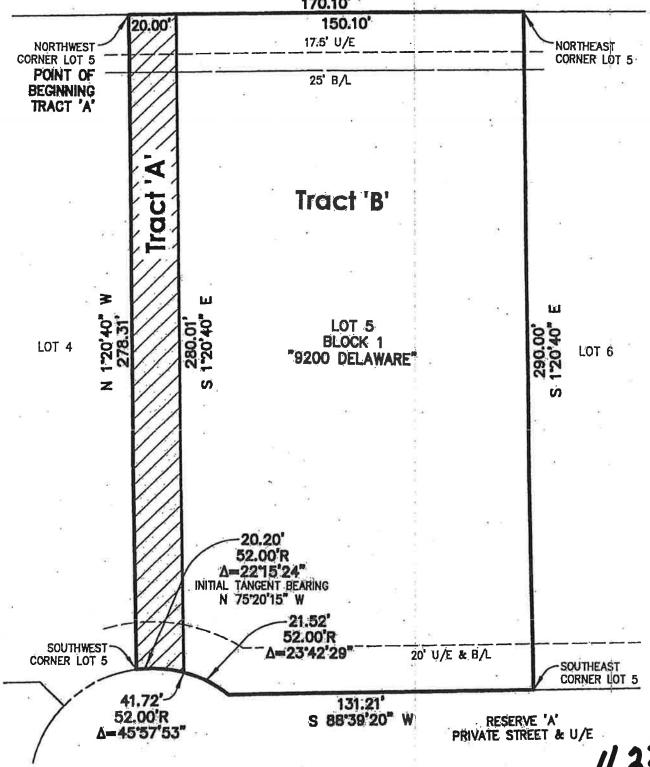


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EXHIBIT D, P. 2

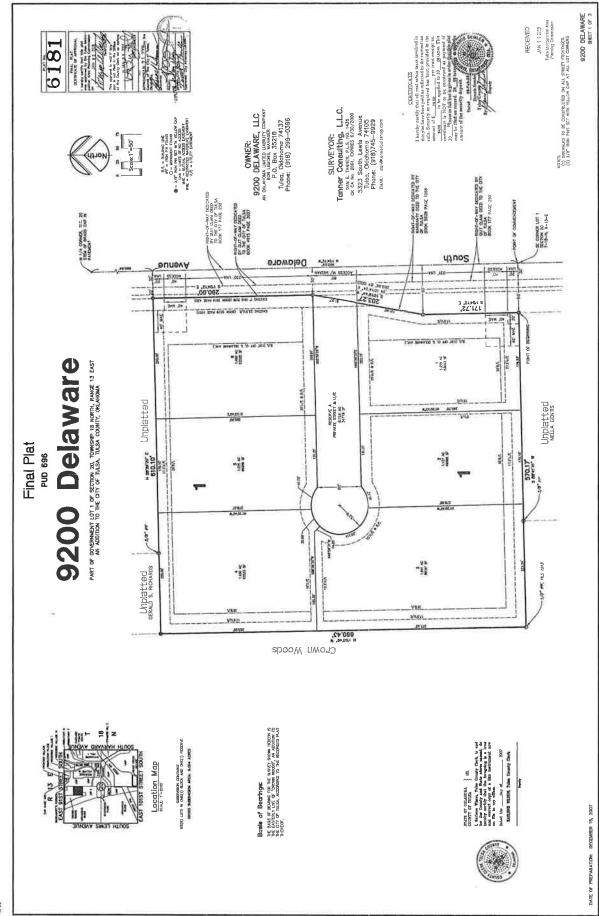
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Tanner Consulting,

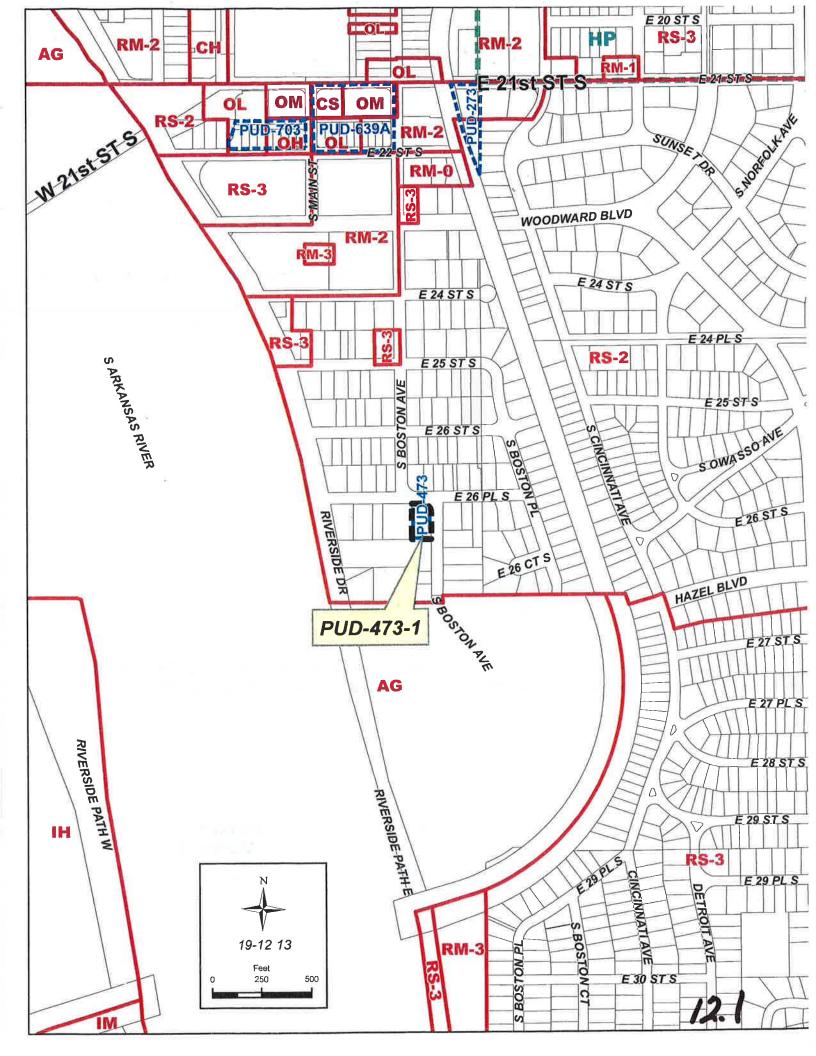
5323 SOUTH LEWIS AVENUE . TULSA OKLAHOMA 74105 . (918)745-9929

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STAFF RECOMMENDATION

PUD-473-1:

Minor Amendment – Southwest corner of East 26th Place South and South Boston Avenue; Lot 5, Block 16 – Third Amended Plat of Riverside Drive Addition; 2640 and 2642 South Boston Avenue; TRS 19-12-13; CZM 36; Atlas 62; CD 4; RS-2.

The applicant is requesting a minor amendment to modify a condition of the PUD which requires the roof of the home on the subject property to be constructed of wooden shakes, slats or 340 pound composition roofing. The requirement was a negotiated condition of the 1991 approval of the one lot, one block PUD between the then property owner and the adjacent neighbors. Please see the attached minutes of the 11/6/91 meeting of the TMAPC.

The amendment seeks to rectify as built conditions on a new roof which was recently completed with 30-year shingles in order to sell the property. The property has very recently been conveyed to new owners. A 340 pound roof is a 50-year roof. A 30 year roof uses 265 – 300 pound shingles.

The quality of a roof on a home is very significant to the life of the structure. The life of a roof will depend on many factors including quality of installation and weather. Nothing in the PUD file provides staff with the reasoning for including 50 pound composition roofing as the required style of roof in this PUD. If the reasoning was purely aesthetic, staff contends composition roofing might not have been included.

The applicant has contacted the adjacent neighbors and there appears to be no opposition to this request. On two occasions staff has spoken with Ms. Margaret Prey the neighbor directly east of the subject property. Mrs. Prey has indicated that neither she, nor the neighbors adjacent to the west are opposed to this application.

Staff recommends APPROVAL of minor amendment PUD-473-1.

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

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TULSA METROPOLITAN AREA PLANNING COMMISSION

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	Lot	5. Block 16	Riverside		
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If Applicant is of	her than Owner, indicate	interest:	□ Yes*	No	
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Comments

Mr. Gardner pointed out this item has been before the BOA. The neighborhood has been quite active and the applicant has been working with the residents to resolve their differences.

Applicant's Comments

Mr. John Moody, the attorney representing the applicant, gave a brief history of the property. He circulated copies of the plat filed in 1924 to the Planning Commission. He pointed out where a 30' radius was platted on E. 26th Place and South Boston in order to accommodate the jog in Boston, anticipating that it was going to be a through street at some time in the future. This did not occur. Because of this radius they are unable to subdivide the lots into two lots conforming to the 9,000 SF requirement. The southern lot will have 9,000 SF and the northern lot will have 8,964 SF , 36 SF short of the requirement. Because of PUD requirements they are able to meet the gross land area per dwelling unit requirement in the RS-2 District and the livability area required by the zoning code as set forth in the text.

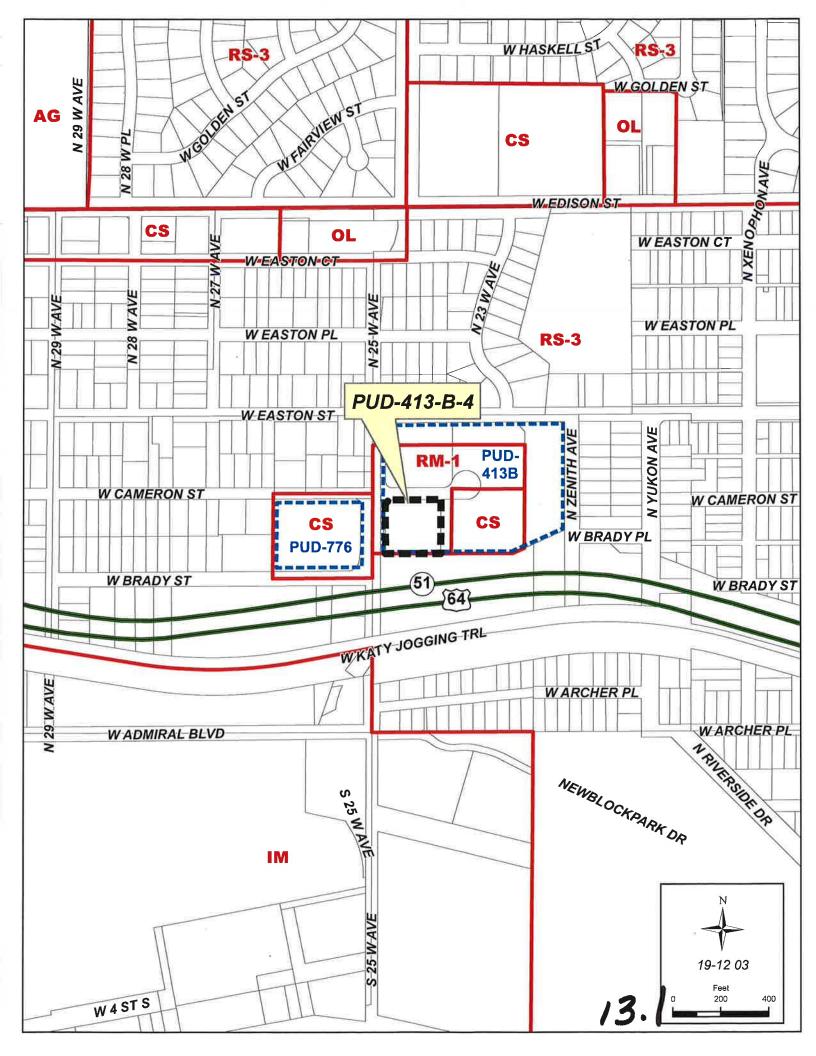
Mr. Parmele commented that there was an interested party present, not wishing to speak, but to be assured there is no change from what was discussed with the neighborhood. Mr. Parmele asked if the applicant was in agreement with staff recommendations.

agreement with in that he was affirmed Moody the TMAPC the agreements recommendations and distributed to negotiated within the last month with the adjacent neighborhoods. Mr. Moody read these agreements; they are as follows:

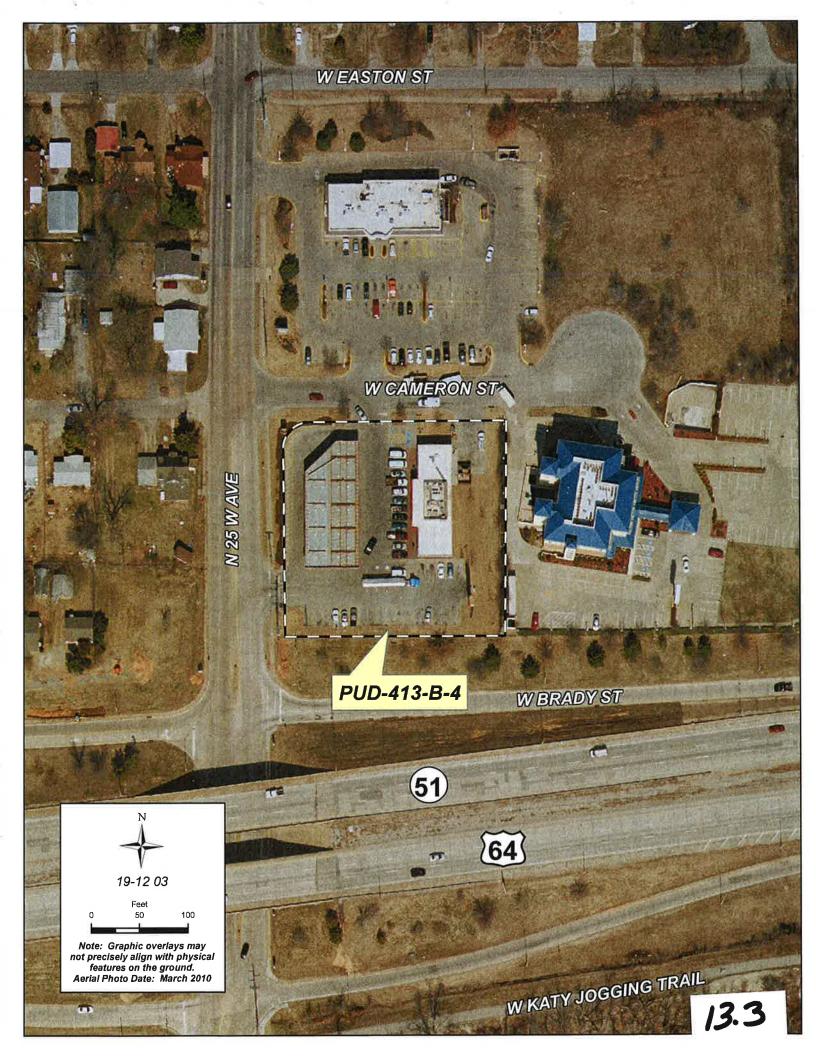
- The footprint of the single family residences, building setback lines and locations of driveway shall be as shown and depicted on the Site Plan dated August 16, 1991, submitted with the PUD Application.
- The house plans and design shall be similar in concept as the architectural exterior elevations shown and exhibited to the neighbors and at the public hearing before the Tulsa Metropolitan Area Planning Commission and will incorporate "traditional" design Minor adjustments or variances to the footprint, exterior elevations and design elements shall be permitted, so long as the plans maintain an overall consistency with the plans and drawings submitted to the Planning Commission.
- The roofs shall be constructed of wooden shakes, slats or 340 lb. composition roofing.
- The windows shall be constructed using high quality, divided lights, wood windows.
- be constructed of shall sidings The exterior combination of brick, stone or wood clapboard, which shall be combination of brick, stone or wood clapboard, which shall be consistent on all sides of the structure, providing, however, that the developer will be permitted to have brick or stone and wood 12.4

 30-year Noof.

 11.06.91:1860(5)







PUD-413-B-4:

Minor Amendment –Northeast corner of Gilcrease Museum Road and US Highway 412/Keystone Expressway; Lot 1, Block 1 – Gilcrease Oaks; TRS 19-12-03; CZM 36; Atlas 71; CD 1; RS-3/RM-1/CS.

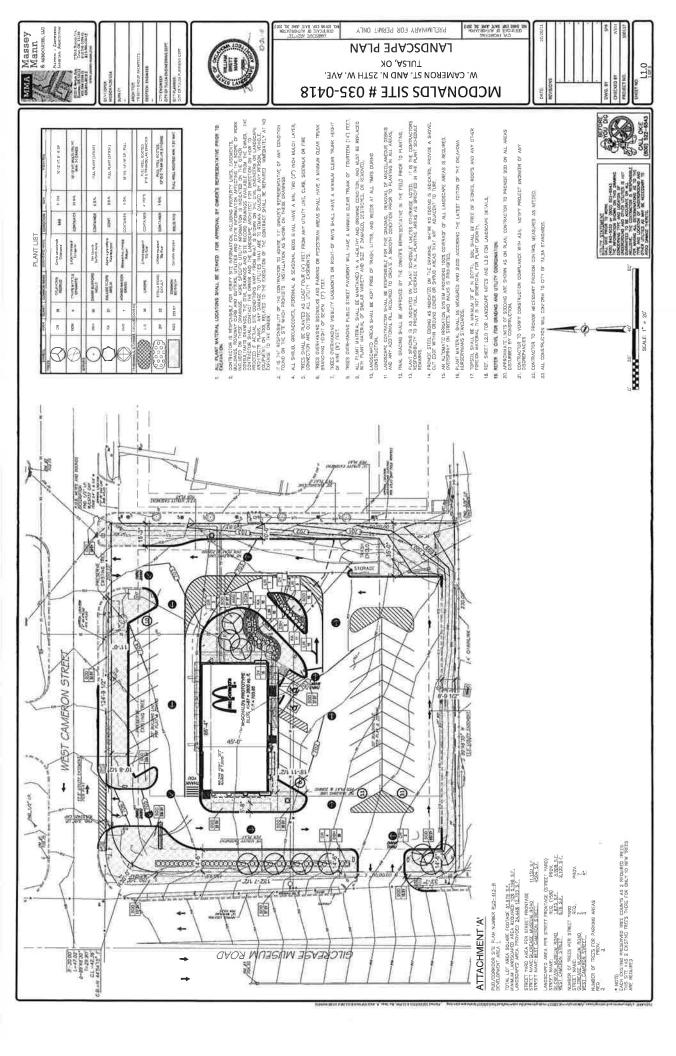
The applicant is requesting a minor amendment to reduce the width of a landscape strip along Gilcrease Museum Road from 20 feet to 15 feet. The request is being made to reflect existing conditions at the site.

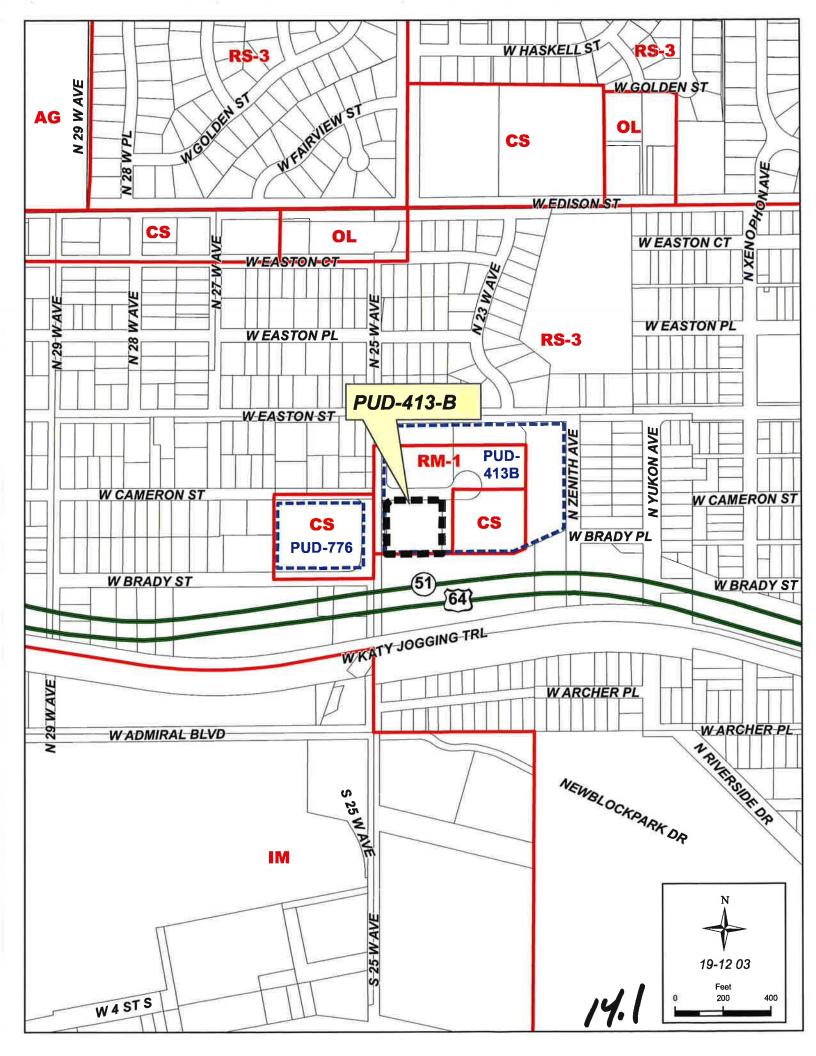
The PUD requires that a 20 foot landscape strip be maintained along Gilcrease Museum Road. The intent of the requirement was the landscape strip was to be bermed or landscaped in such a fashion that headlights from automobiles within the site would be shielded from what was residential property across the street. The property immediately across the street has since been rezoned to CS and developed as a QuikTrip Store.

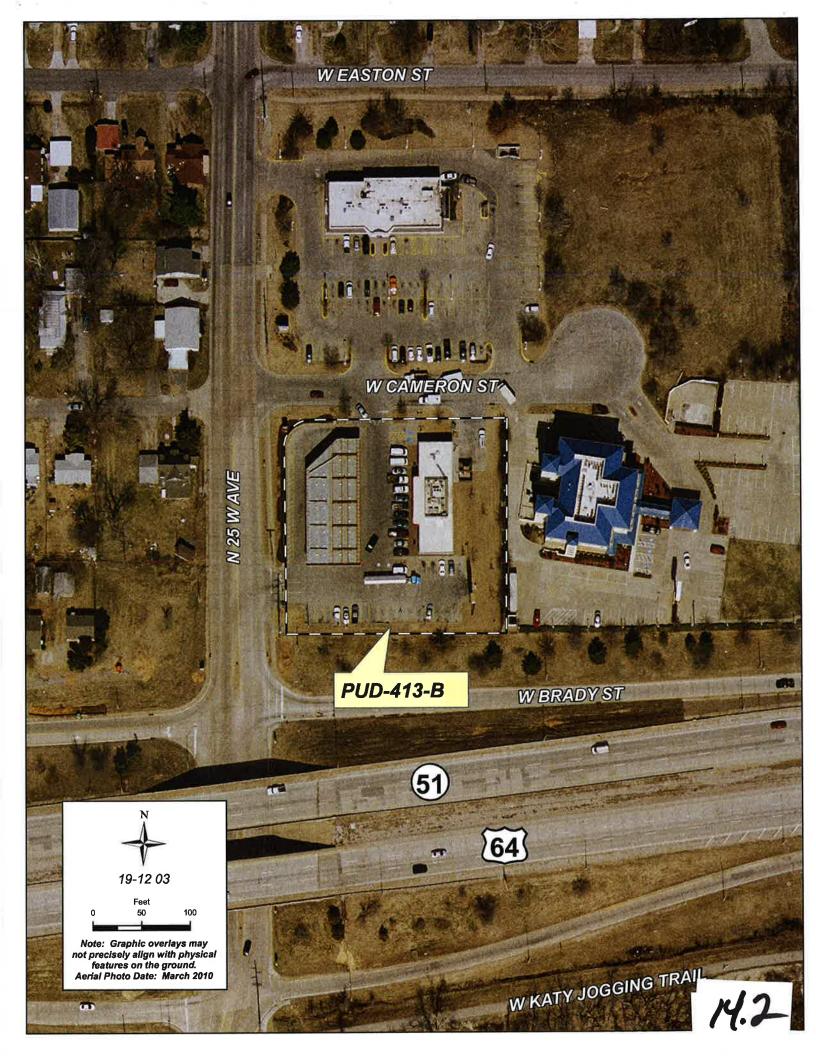
With the five foot reduction of this landscape strip the proposed landscape plan will exceed the requirements of the PUD and the landscape chapter of the zoning code. There is a 10% open space requirement on the lot and the plan provides for 24% of the site to be landscaped. Additionally, the landscape plan provides for 39% of the street yard to be landscaped. The requirement is 15%.

Staff views the five foot reduction as minor in nature and therefore recommends **APPROVAL** of minor amendment PUD-413-B-4.

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







PUD-413-B:

Detail Site Plan – Northeast corner of Gilcrease Museum Road and US Highway 412/Keystone Expressway; Lot 1, Block 1 – Gilcrease Oaks; TRS 19-12-03; CZM 36; Atlas 71; CD 1; RS-3/RM-1/CS.

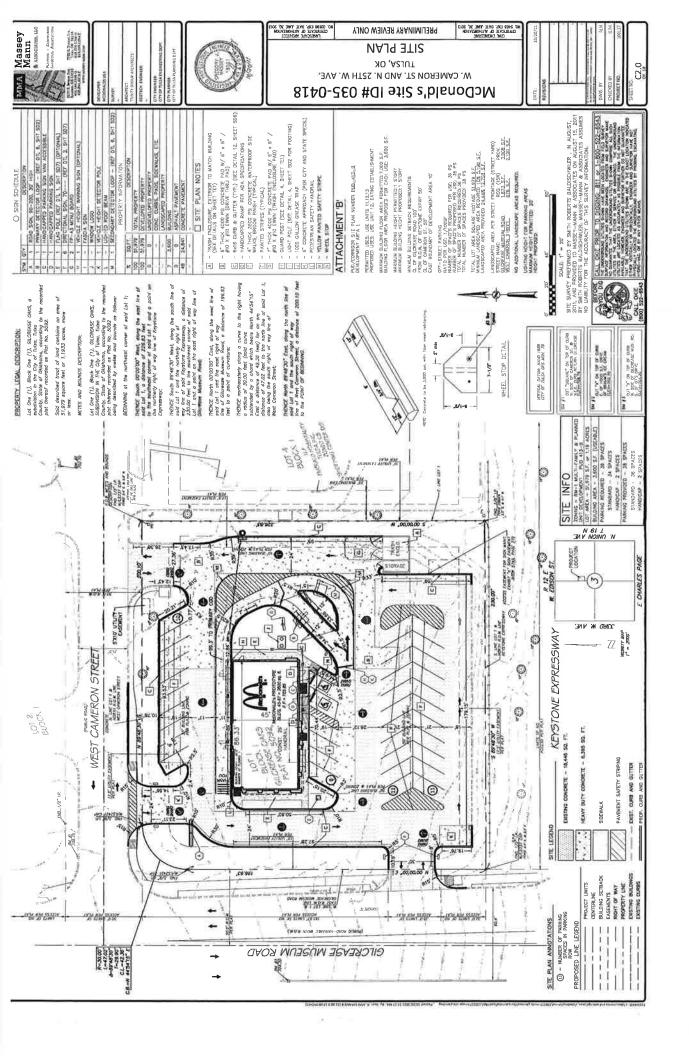
The applicant is requesting approval of a detail site plan for a 3,600 square foot (sf) restaurant. The proposed use, Use Unit 12 – Eating Establishments Other Than Drive-Ins is a permitted use in PUD-413-B.

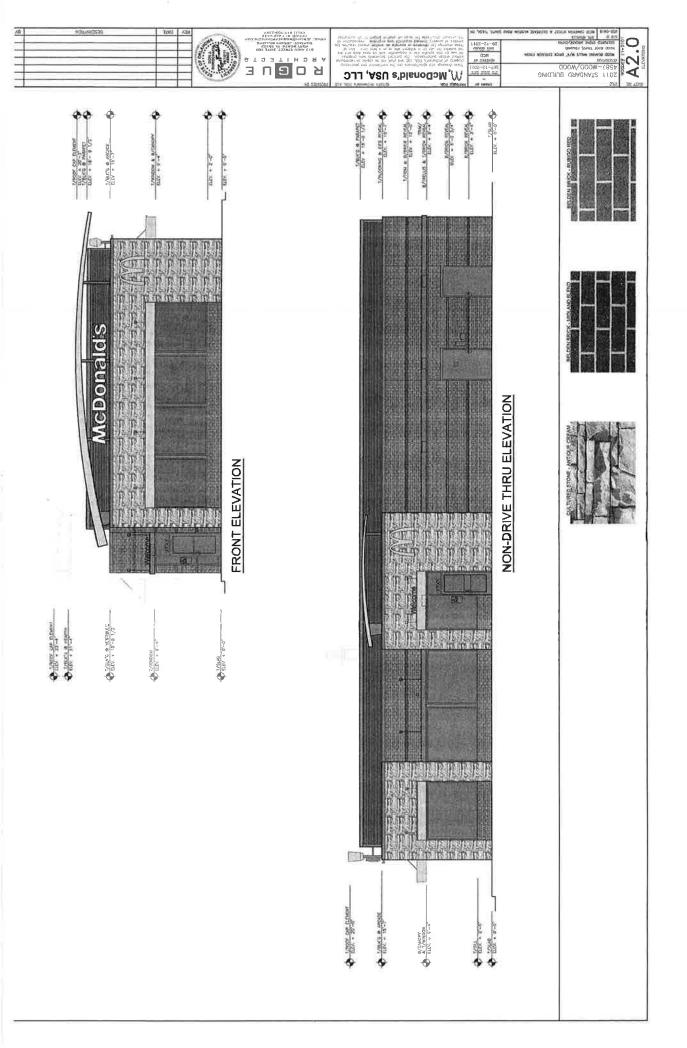
The submitted site plan meets all applicable building floor area, open space, building height and setback limitations. Access to the site will be provided from one point along Gilcrease Museum Road and one from West Cameron Street. Parking will be provided per the applicable Use Unit of the Zoning Code. 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 minor amendment request to reduce the PUD required 20' landscape strip along Gilcrease Museum Road also appears on the November 16, 2011 TMAPC agenda. This amendment request is to reflect existing conditions at the site.

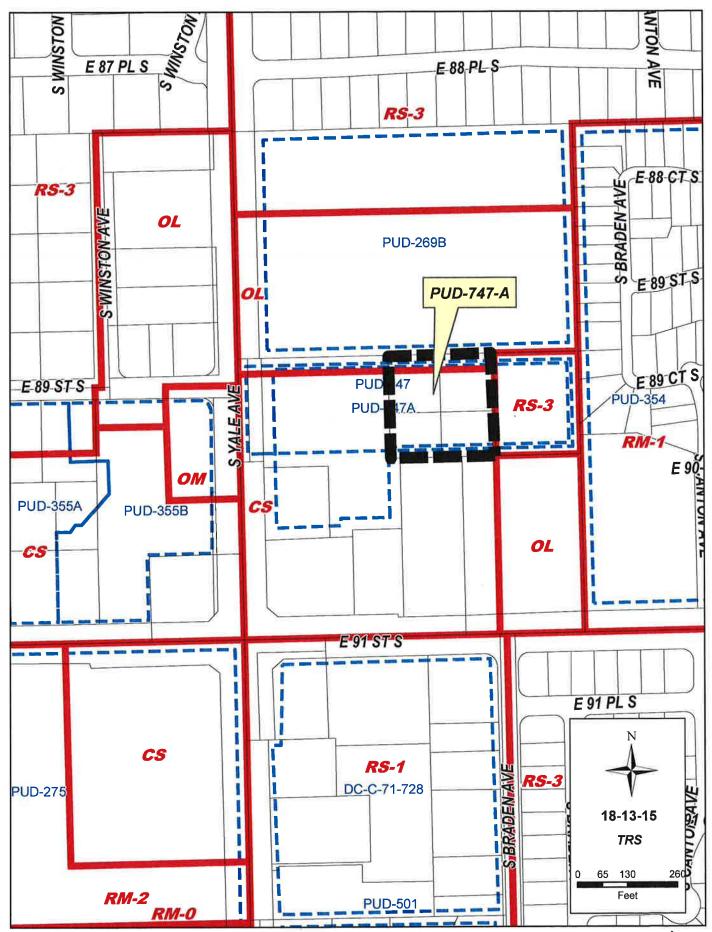
All sight lighting will be limited to 20 feet per PUD limitations for exterior lighting. Lighting will be directed down and away from adjoining residential properties in a manner that the light producing element and/or reflector are not visible to a person standing at ground level within said residential district. A trash enclosure will be provided as required by the PUD. Sidewalks exist along Gilcrease Museum Road and will be provided along Cameron Street.

Staff recommends **APPROVAL** of the detail site plan for Lot 1, Block 1 – Gilcrease Oaks.

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









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PUD-747-A:

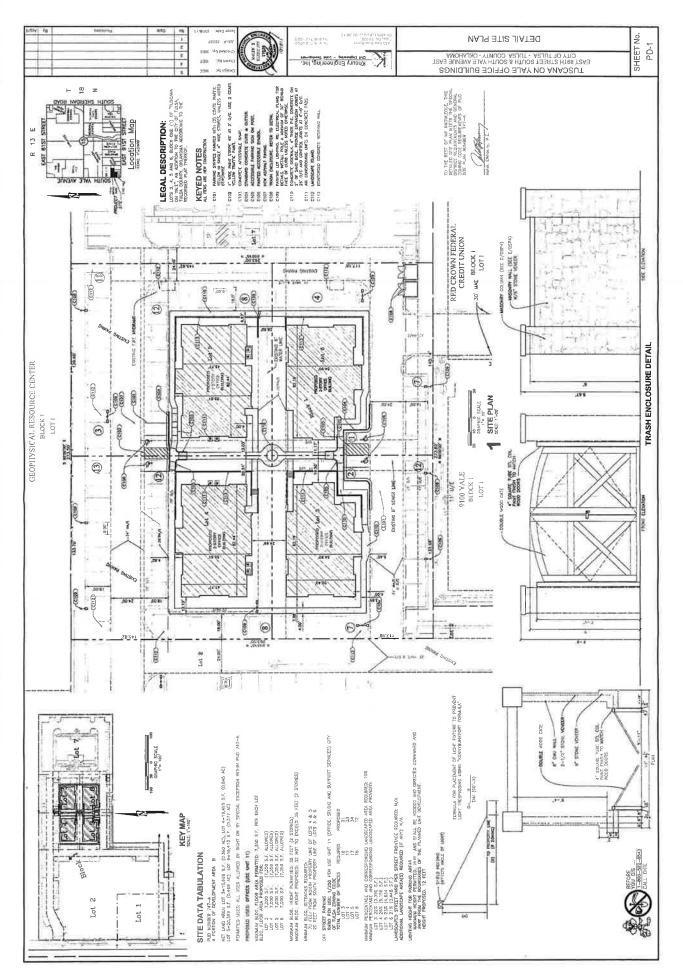
Detail Site Plan – North of the northeast corner of 91st Street South and South Yale Avenue; Lots 3, 4, 5, and 6, Bock 1 – Tuscana on Yale; TRS 18-13-15; CZM 32; Atlas 1737/1908; CD 8; CS/OL/RS-3

The applicant is requesting approval of a detail site plan for four 7,000 square foot office buildings totaling 28,000 square feet (sf). The proposed use, Use Unit 11 – Office, Studios and Support Services is a permitted use in PUD-747-A.

The submitted site plan meets all applicable building floor area, open space, building height and setback limitations. Access to the lots will be provided by mutual access easement from Yale Avenue through Lot 2, Tuscana on Yale and an access easement from Red Crown Federal Credit Union to the south. Parking will be provided per the applicable Use Unit of the Zoning Code and a cross parking agreement between the four lots. Parking area dimensioning meets the applicable requirements of Chapter 13 of the Code. All sight lighting including building mounted will be limited to 12 feet per PUD limitations for exterior lighting. Lighting will be directed down and away from adjoining residential properties in a manner that the light producing element and/or reflector are not visible to a person standing at ground level within said residential district as applicable. A trash enclosure will be provided as required by the PUD.

Staff recommends **APPROVAL** of the detail site plan for Lots 3, 4, 5, and 6, Block 1 – Tuscana on Yale.

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





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1430 south quaker, suile a tulso, ok 74120 office; 539, 644.5540 fax: 918.284 1905 www.wdeslgnsite, com

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Building #3

PROJECT # 10078 8951 S. Yale Ave Tulsa, OK

CONSULTANT:

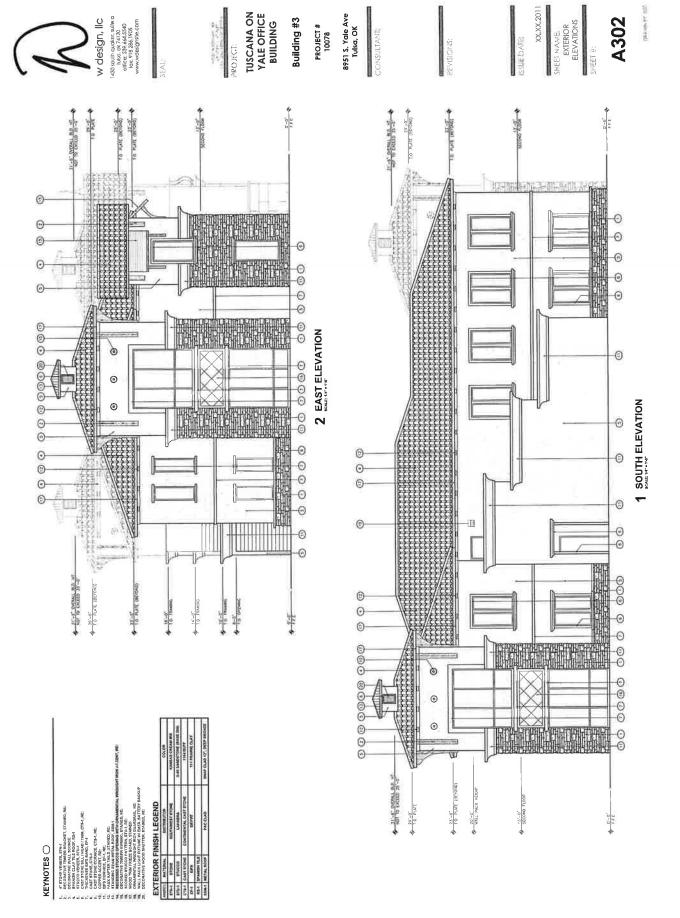
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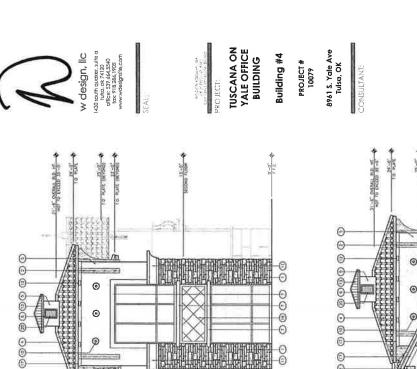
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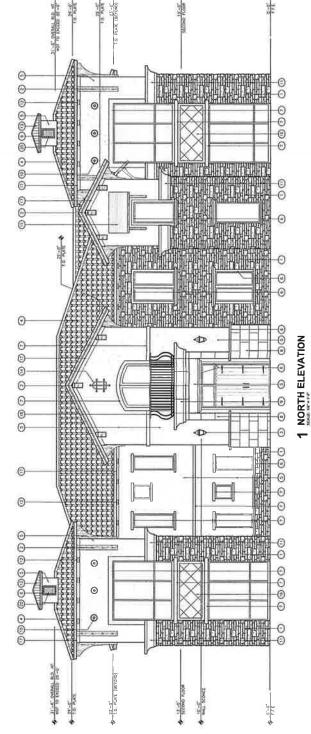
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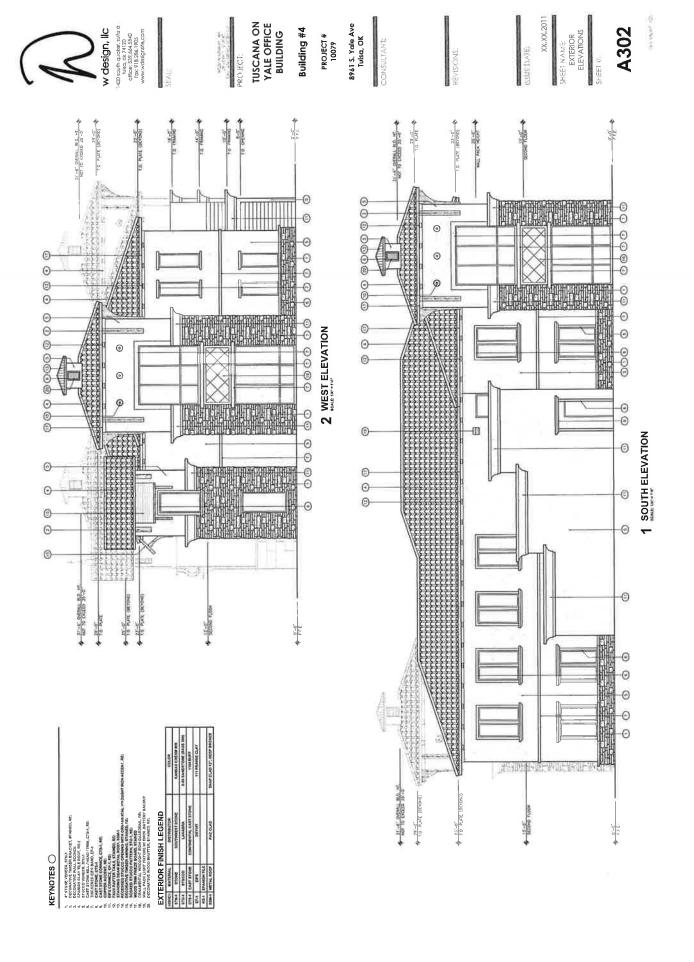
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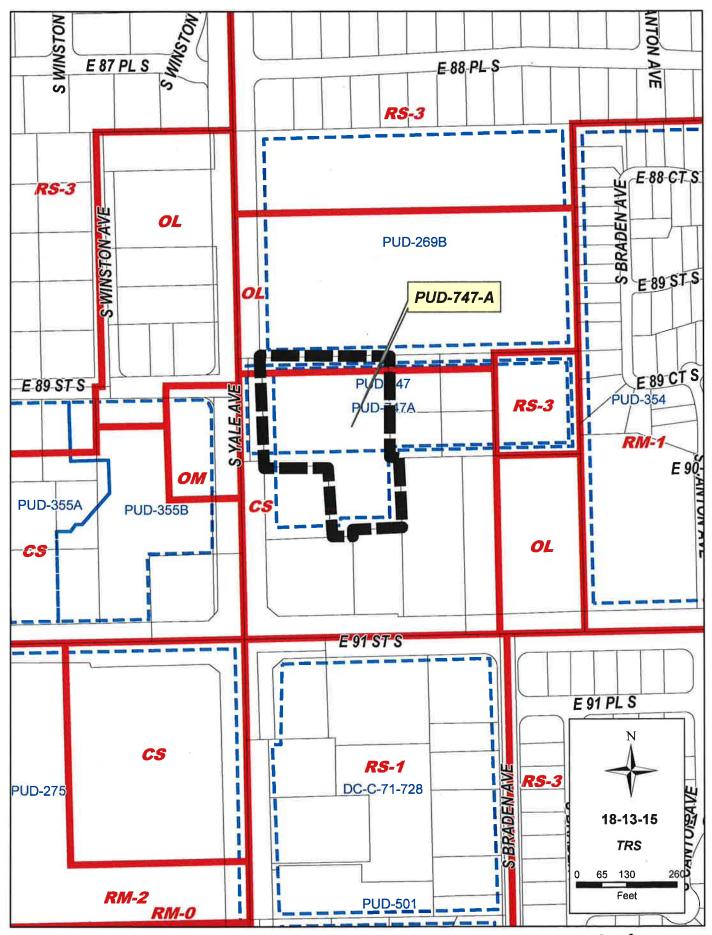


XX.XX.2011

SHEET NAME: EXTERIOR ELEVATIONS SHEET #13

A301







PUD-747-A:

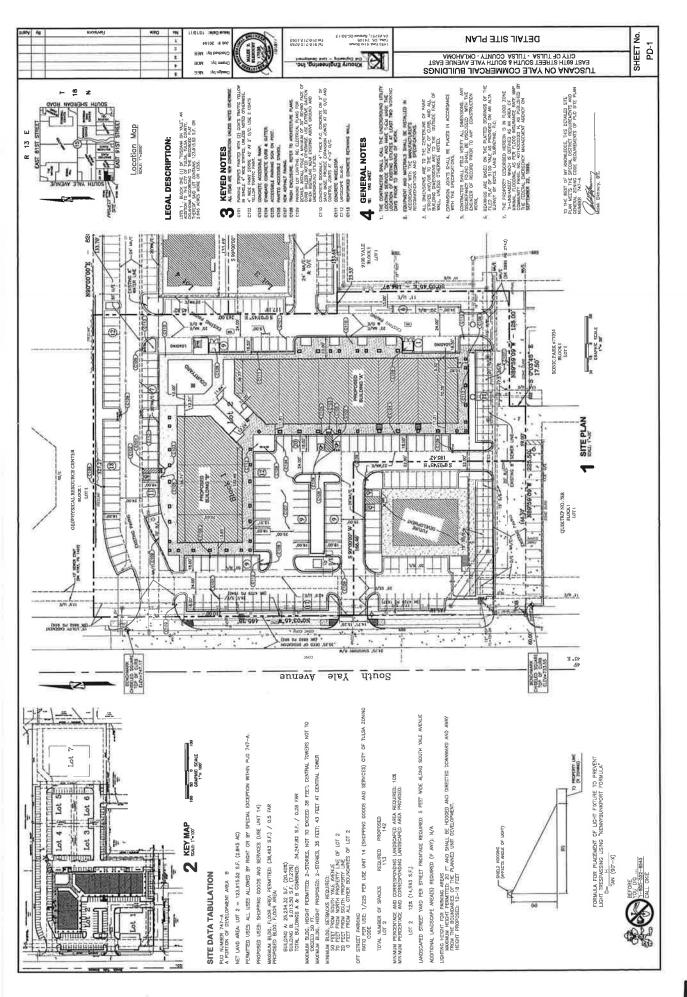
Detail Site Plan – North of the northeast corner of 91st Street South and South Yale Avenue; Lot 2, Bock 1 – Tuscana on Yale; TRS 18-13-15; CZM 32; Atlas 1737/1908; CD 8; CS/OL/RS-3

The applicant is requesting approval of a detail site plan for two commercial/retail buildings totaling 38,483 square feet (sf). Building A will contain 25,234.32 sf with Building B containing 9,013.5 sf per the attached site plan. The proposed use, Use Unit 14 – Shopping Goods and Services is a permitted use in PUD-747-A.

The submitted site plan meets all applicable building floor area, open space, building height and setback limitations. Access to the site will be provided from two access points along Yale 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. All sight lighting including building mounted will be limited to 12 to 18 feet per PUD limitations for exterior lighting. Lighting will be directed down and away from adjoining residential properties in a manner that the light producing element and/or reflector are not visible to a person standing at ground level within said residential district. A trash enclosure will be provided as required by the PUD. Sidewalks will be provided along Yale Avenue as required by PUD Development Standards and Subdivision Regulations.

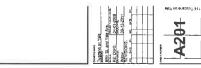
Staff recommends **APPROVAL** of the detail site plan for Lot 2, Block 1 – Tuscana on Yale.

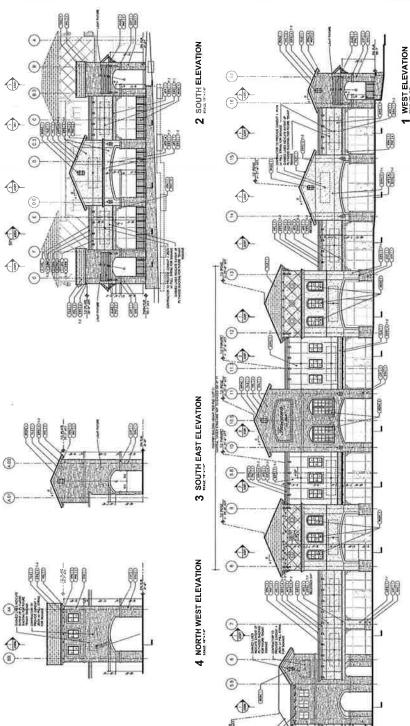
Note: Detail site plan approval does not constitute landscape and sign plan approval.





Tuscana On Yale Building A East 89th Street and South Yele Avenue Tulse, Okla. 74137

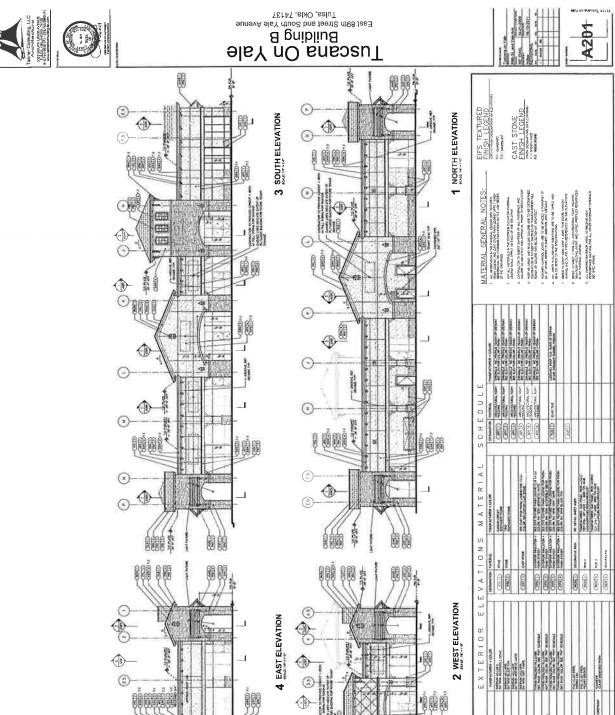




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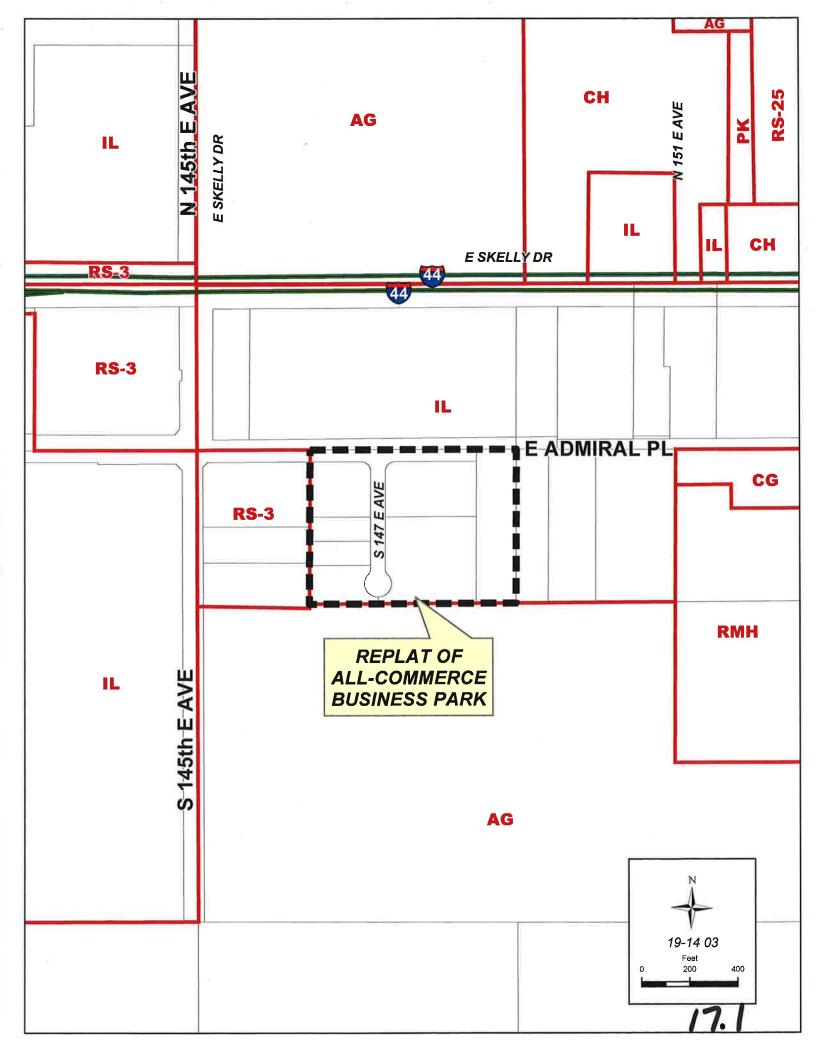


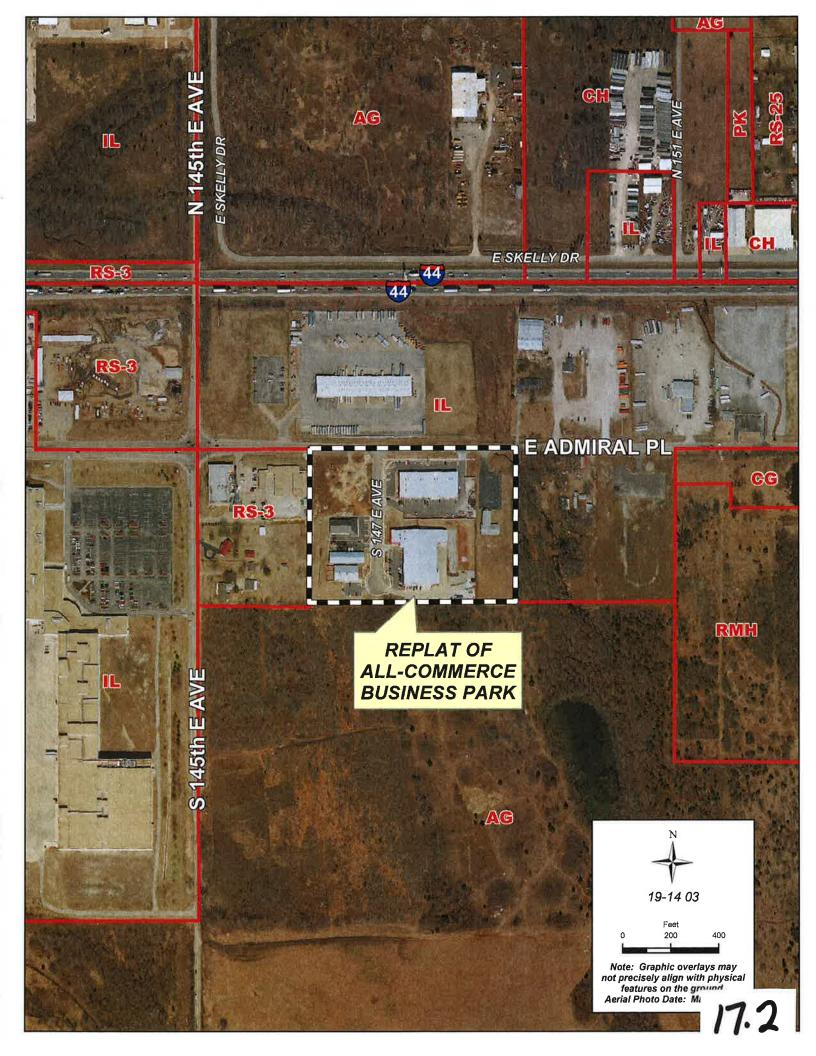




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THE PERSON NAMED IN





PRELIMINARY SUBDIVISION PLAT

All Commerce Business Park Replat - (CD 6)

14824 East Admiral Place, East of Southeast corner of South 145th East Avenue and East Admiral Place

This plat consists of 8 Lots, 2 Blocks, on 10.59 acres.

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

- 1. **Zoning:** The property is zoned IL (industrial light).
- 2. Streets: Access to lot 4 should be between 24 feet and 36 feet. The 165 foot access will not be allowed. Include section on sidewalks.
- 3. Sewer: The location of the sanitary sewer line crossing under Admiral Place, as shown on your conceptual plan, does not agree with the location shown on the sanitary sewer atlas.
- 4. Water: No comment.
- 5. Storm Drainage: The floodplain on lots 2 and 4 must be placed in an overland drainage easement. Since storm sewers can be placed in utility easements a drainage easement should not be used on top of a utility easement. If overland drainage is expected on a utility easement then an overland drainage easement should be placed over the utility easement. The two detention ponds must be placed in detention easements. If the ponds control the runoff for more than one lot the pond will need to be in a reserve and the standard language for detention in a reserve should be used. In that case the language in paragraph 1.9 should be changed. If each lot is required to provide its own detention then place a note on the face of plat as well as in the covenants. If a drainage easement is shown on the face of plat, then there must be standard covenant language for it in the covenants, stormwater detention in a reserve, standard language should be used.
- 6. Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others: No comment.

7. Other: Fire: Provide fire hydrant coverage per the International Fire Code for Lot 4 and the addition to Lot 2. GIS: Correct scale. On the location map remove hatching and increase the font size of the surrounding property labels for legibility. The plat needs to be tied from a section corner or quarter corner using bearings and distances from a labeled point of commencement to the labeled point of beginning. Show pin symbols at each corner of the traverse around the property being replatted. On the face of the plat the area to the right of the plat should be labeled as "unplatted". Submit a subdivision control data form in which the first point shall be the point of beginning with two other points on or near the plats' boundary.

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:

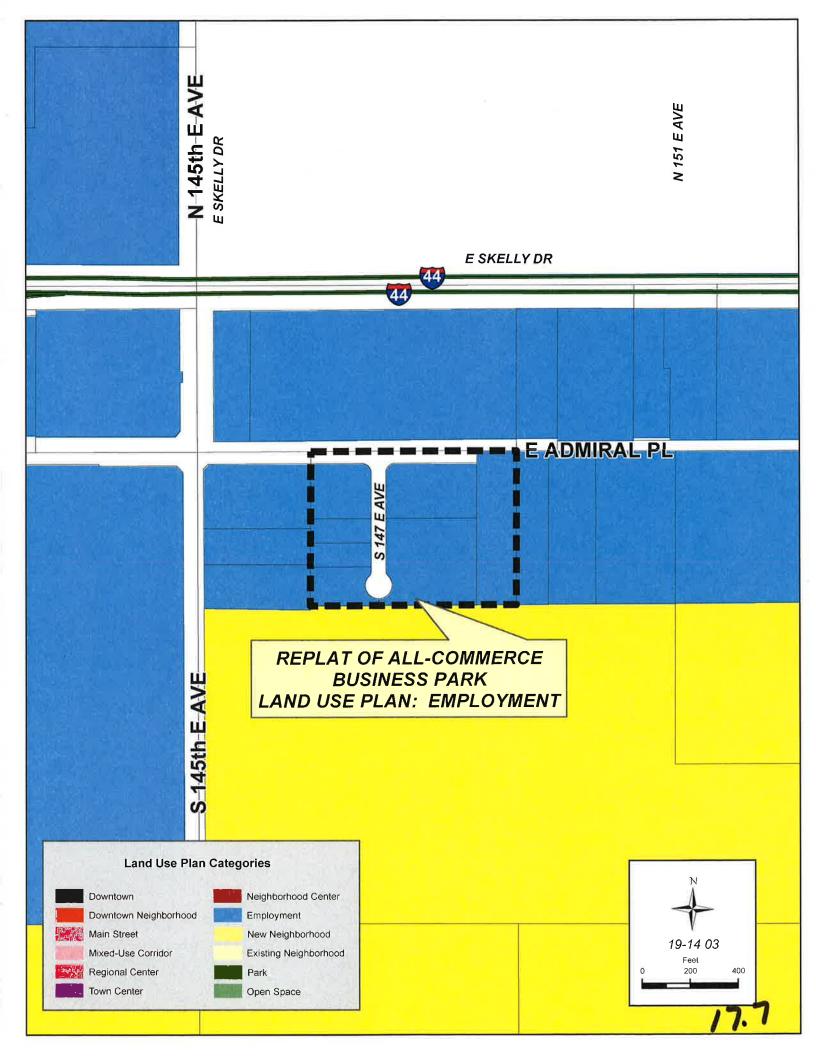
1. The concerns of the public works staff and development services staff must be taken care of to their satisfaction.

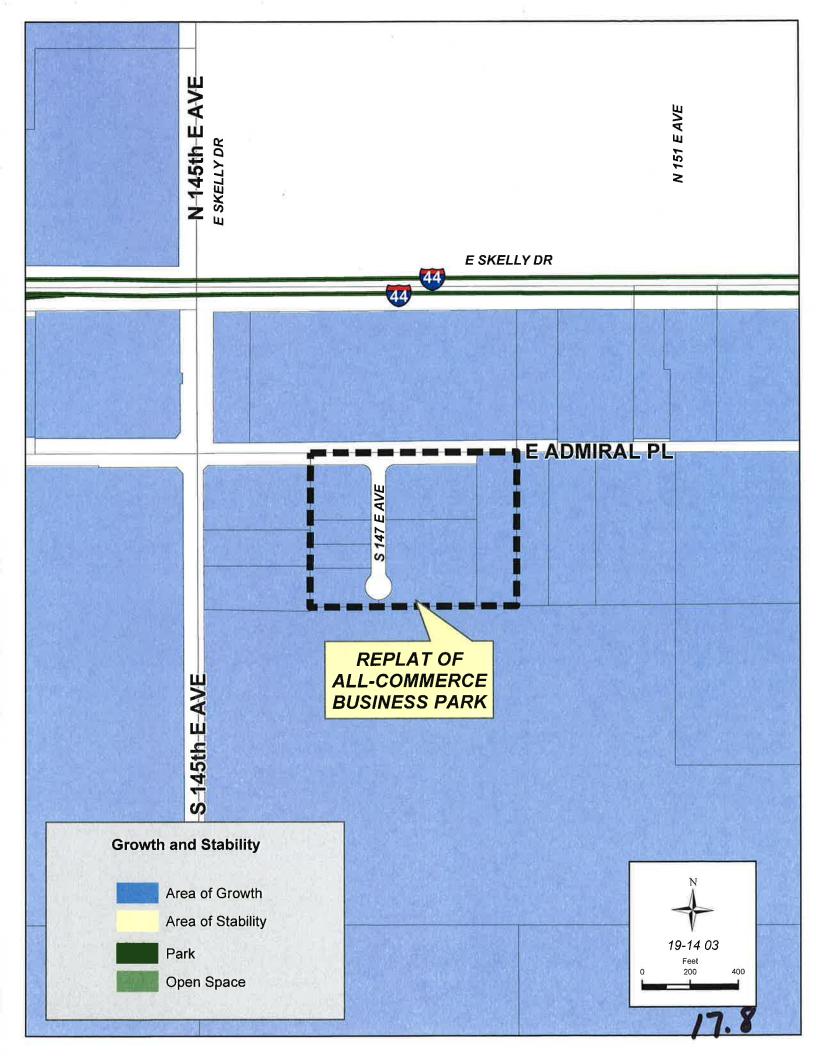
Standard Conditions:

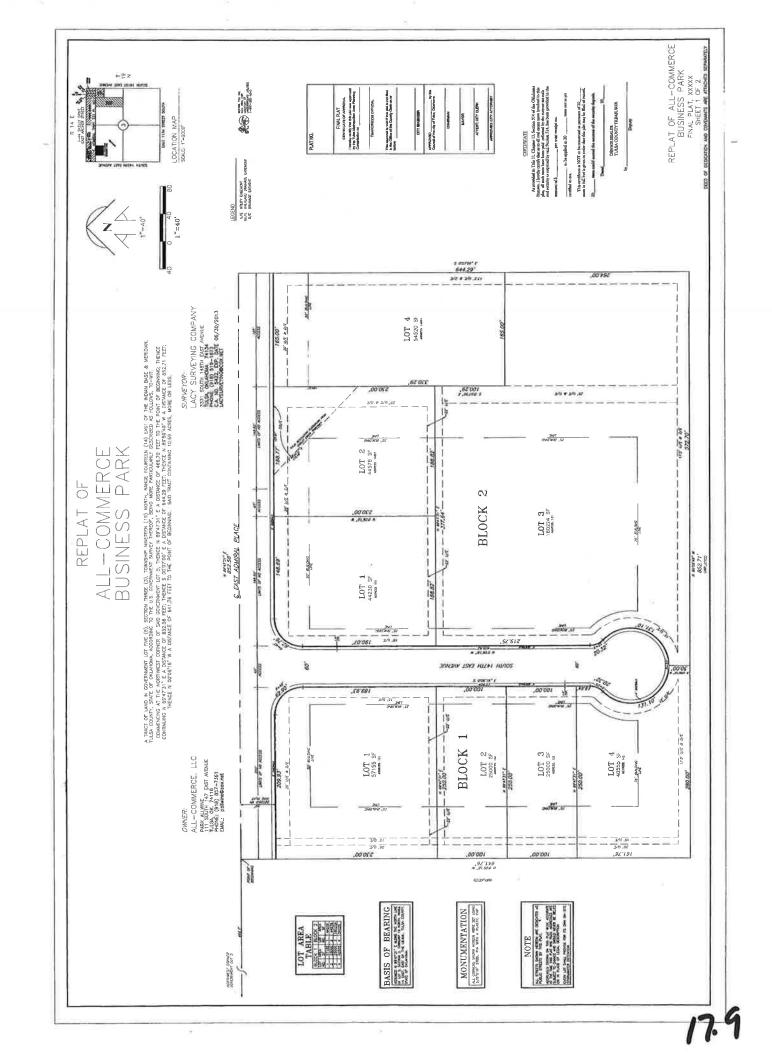
- 1. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
- 2. Water and sanitary sewer plans shall be 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.)

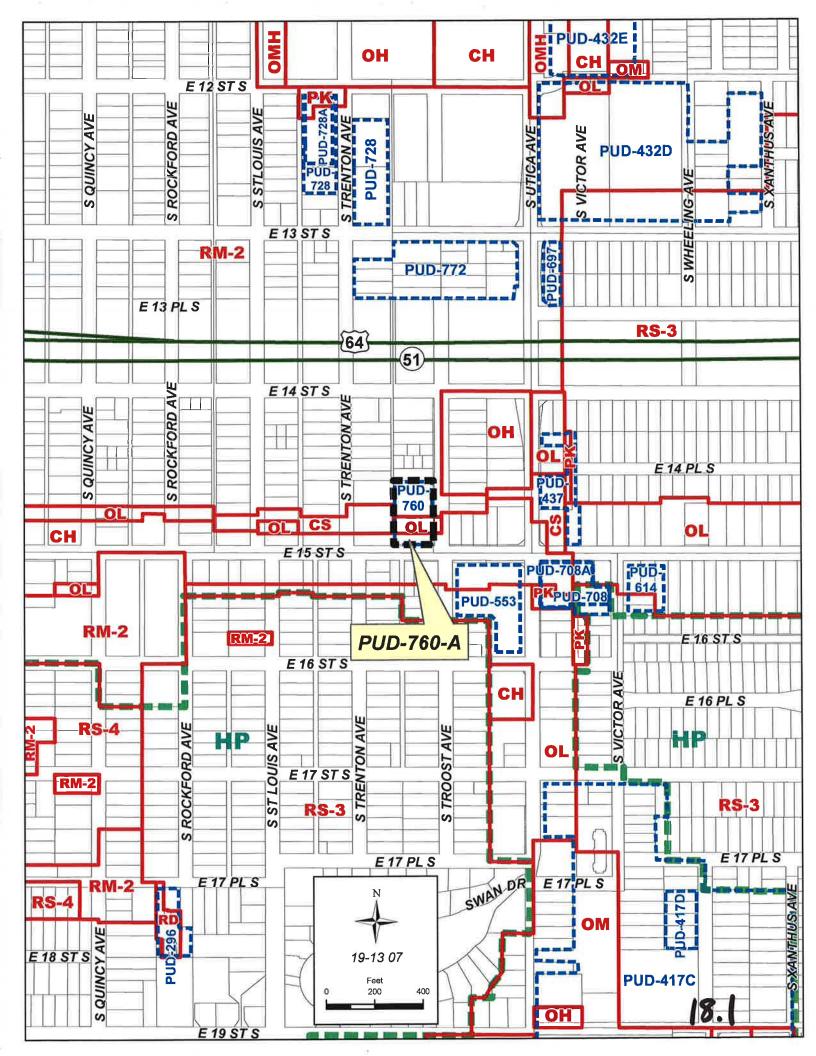
- 8. Street names shall be approved by the Public Works Department and shown on plat.
- 9. All curve data, including corner radii, shall be shown on final plat as applicable.
- 10. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the County 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.

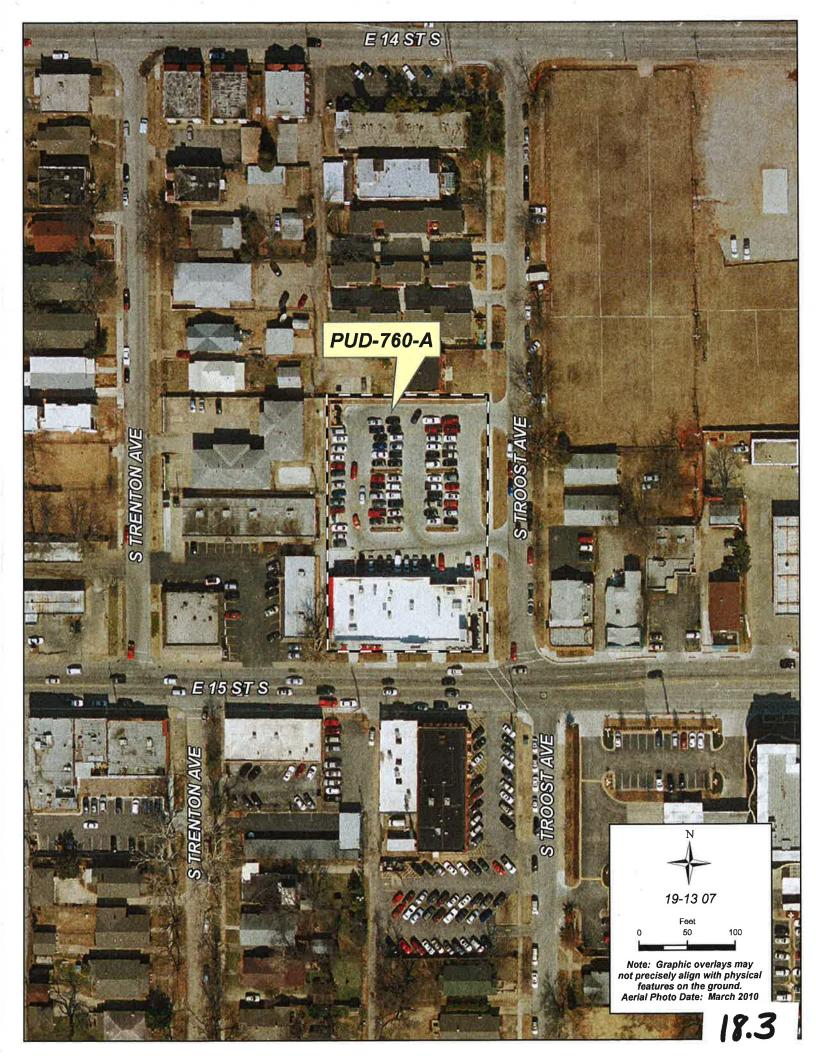












TULSA METROPOLITAN AREA PLANNING COMMISSION CASE REPORT

APPLICATION: PUD-760-A

TRS 9307

Atlas 14

CZM 37

CD-4

TMAPC Hearing Date: November 16, 2011

Applicant: Lisa Riley

Tract Size: 1+ acres

43,987+ square feet

ADDRESS/GENERAL LOCATION:

Northwest corner of East 15th Street and South Troost

Avenue

EXISTING ZONING:

PROPOSED ZONING:

RM-2/OL/CH/PUD-

EXISTING USE:

Commercial

760 RM-2/OL/CH/PUD-

PROPOSED

Add UU12A for Bar use

760-A

USE:

ZONING ORDINANCE: Ordinance number 21884 dated October 9, 2008, established zoning for the subject property.

RELEVANT ZONING HISTORY:

PUD-760 October 2008: All concurred in approval of a proposed Planned Unit Development on a 1.35+ acre tract of land for retail and office uses, on property located Northwest corner of East 15th Street and South Troost Avenue and is the subject property.

BOA-21337November 8, 2011: The Board of Adjustment Accepted a Verification of spacing requirement, to permit a bar use, on property located at 1621 East 15th Street South and is a part of the subject property.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 1+ acre in size and is located on the northwest corner of East 15th Street South and South Troost Avenue. The property is fully developed, used commercially and is zoned RM-2/OL/CH/PUD-760.

SURROUNDING AREA: The subject tract is abutted on the east by Troost Avenue and then Lakeview Addition zoned CH, RM-2 and OH - the OH tracts are vacant, the RM-2 tracts are being used residentially and the CH tracts are used as offices and retail. To the north is Clark's Addition, zoned RM-2 and being used residentially. To the south is 15th Street/Cherry Street and then Orcutt Addition, zoned CH, OL and RS-3 with commercial uses fronting 15th Street. To the west is Clark's Addition, zoned RM-2, CS, and CH with commercial uses fronting 15th Street and residential uses adjacent to the north.

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

TRANSPORTATION VISION:

The Comprehensive Plan designates 15th Street as a Main Street and does not designate Troost Avenue.

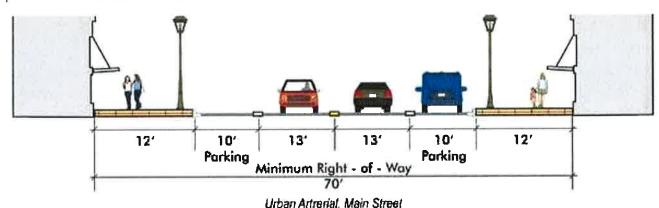
Main Streets serve the highest intensity retail and mixed land uses in Tulsa's areas such as downtown and in regional and neighborhood centers. Like multimodal streets, main streets are designed to promote walking, bicycling, and transit within an attractive landscaped corridor. Generally, main street activities are concentrated along a two to eight block area, but may extend further depending on the type of adjacent land uses and the area served.

Main Streets can be designed with two to four travel lanes, although typically have only two lanes. On street parking usually is provided to serve adjacent land uses. Unlike typical strip commercial developments, main streets offer the ability to park-once and walk amongst various destinations, thus reducing arterial trip making. The key is to create convenient parking that is on-street or provided in a shared public parking lot. In order to ensure the walkability of a main street, careful consideration must be made to the design elements and amount of parking lots.

When emphasizing street frontage walkability and bike pedestrian neighborhood connectivity, tree lawns and detached walks receive priority over travel lanes. Within the parking lane tree wells may be used to create a double row of street trees in combination with a tree lawn. To further create a pedestrian friendly atmosphere, main streets have wide sidewalks, street furniture, outdoor cafes, plazas, and other public spaces.

The recent addition of on-street parking along sections of 15th Street brings the corridor closer to realizing the Main Street vision.

Sample Main Street Cross Section

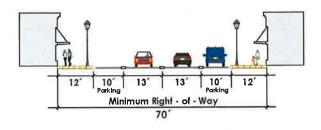


The Tulsa City-County Major Street and Highway Plan designates 15th Street as an Urban Arterial Main Street and Troost Avenue as a Residential Collector.

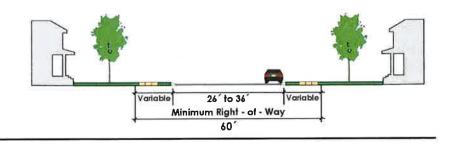
	MSHP Design	MSHP R/W	Exist. # Lanes
East 15 th Street	Urban Arterial Main Street	60'	2 with on-street parking
South Troost Avenue	Residential Collector	60'	2



Main Street







RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The Tulsa Comprehensive Plan designates this property as an "Area of Growth" with a land use designation of "Main Street".

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.

Main Streets are Tulsa's classic linear centers. They are comprised of residential, commercial, and entertainment uses along a transit-rich street usually two to four lanes wide, and includes much lower intensity residential neighborhoods situated behind. Main Streets are pedestrian-oriented places with generous sidewalks, storefronts on the ground floor of buildings, and street trees and other amenities. Visitors from outside the surrounding neighborhoods can travel to Main Streets by bike, transit, or car. Parking is provided on street, small private off street lots, or in shared lots or structures.

Comprehensive Plan maps are attached.

While this PUD was developed prior to the update and adoption of the Tulsa Comprehensive Plan, staff contends this existing PUD is a good example of the vision of the Plan, essentially meeting the definition of the "Main Street" land use designation. Therefore, staff finds this proposal to be **in accord** with the Plan.

STAFF RECOMMENDATION:

The purpose of major amendment PUD-760-A is to add Bar only within Use Unit 12a – Adult Entertainment Establishments as a permitted use to PUD-760. The proposal is strictly a use amendment and involves no major alterations of the existing facilities.

PUD-760 is a fully developed site with a 9,150 square foot mixed use building sitting adjacent to the 15th Street right-of-way (ROW) with sidewalk and outdoor customer seating along the ROW and parking located in the rear of the lot. Located within the Cherry Street district the PUD was developed prior to the recent update of the Tulsa Comprehensive Plan. However, staff contends this small PUD is a good example of the vision of "Main Streets" as a land use designation and the path of future development in portions of the City.

Please refer to attached Exhibit A or the image below. While the Zoning Official of the City of Tulsa has designated this use as a bar within Use Unit 12a – Adult Entertainment Establishments, this proposal is not a typical "bar". The proposal is to convert the lease space into a public art studio where patrons can participate in various sized, pre-scheduled instructional art classes while at the same being served alcohol. It is the alcohol aspect of the proposal that led the Zoning Official to classify the use as a bar within Use Unit 12a.











On November 8, 2011 the City of Tulsa Board of Adjustment (BOA) in case number BOA-21337 accepted the spacing verification for a bar as being located a minimum of 300 feet from a public park, school or church and a minimum of 300 feet from another adult entertainment establishment. Public entry to the facility is also greater than 50 feet from any R District. The survey certificate and exhibit are attached.

Staff has reviewed the proposal, conducted site visits and contends that this is a good location for this venture. Cherry Street is known as one of Tulsa's premier destination entertainment centers and the one of a kind art studio should be a good fit for the area.

Staff finds the uses and intensities of development proposed to be in harmony with the spirit and intent of the Code. Staff finds major amendment PUD-760-A to be: (1) consistent with the Comprehensive Plan; (2) in harmony with the existing and expected development of surrounding areas; (3) a unified treatment of the development possibilities of the site; and (4) consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Therefore, staff recommends APPROVAL of PUD-760-A subject to the following conditions:

- 1. The applicant's Concept Development Plan and Text be made a condition of approval, unless modified herein.
- 2. All terms and conditions of the approval of PUD-760 shall remain effective unless

modified below.

3. Development Standards:

Add to the permitted uses of PUD-760-A, Bar only within Use Unit 12a – Adult Entertainment Establishments.

Signs:

Signs shall be limited to:

- (a) Wall or canopy signs not exceeding 2 square feet of display surface area per lineal foot of tenant space, provided however, the aggregate length of wall signs shall not exceed 75% of the wall or canopy to which affixed.
- (b) One ground sign shall be permitted along the East 15th Street frontage not to exceed 15 feet in height and 65 square feet of display surface area; or one projecting sign shall be permitted not to exceed 65 square feet of display surface area. Projection signs may not exceed the height of the building parapet wall.
- 4. No zoning clearance permit or occupancy permit shall be issued until a detail site plan or for the lot, which includes all buildings, parking and landscaping areas, has been submitted to the TMAPC and approved as being in compliance with the approved PUD development standards as applicable.
- 5. No sign permits shall be issued for erection of a sign on a lot within the PUD until a detail sign plan for that lot has been submitted to the TMAPC and approved as being in compliance with the approved PUD development standards.
- 6. Flashing signs, changeable copy signs, running light or twinkle signs, animated signs, revolving or rotating signs or signs with movement shall be prohibited.
- 7. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.
- 8. There shall be no outside storage of recyclable material, trash or similar material outside a screened receptacle. Receptacle screening shall be constructed of materials having an appearance similar to the buildings themselves and be of complementary color. Trucks or truck trailers may not be parked in the PUD except while they are actively being loaded or unloaded. Truck trailers and shipping containers shall not be used for storage in the PUD.

TAC Comments:

General: No comments.

Water: No comments.

Fire: No comments.

Stormwater: No comments.

Wastewater: No comments.

Transportation: No comments.

INCOG Transportation:

- MSHP: 15th Street, between Peoria Avenue and Lewis Avenue, urban arterial.
- LRTP: 15th Street, between Peoria Avenue and Lewis Avenue, existing 4 lanes.
- TMP: No comments.
- Transit: Currently, Tulsa Transit operates services at this location. According to MTTA future plans this location will continue to be served by a transit route.

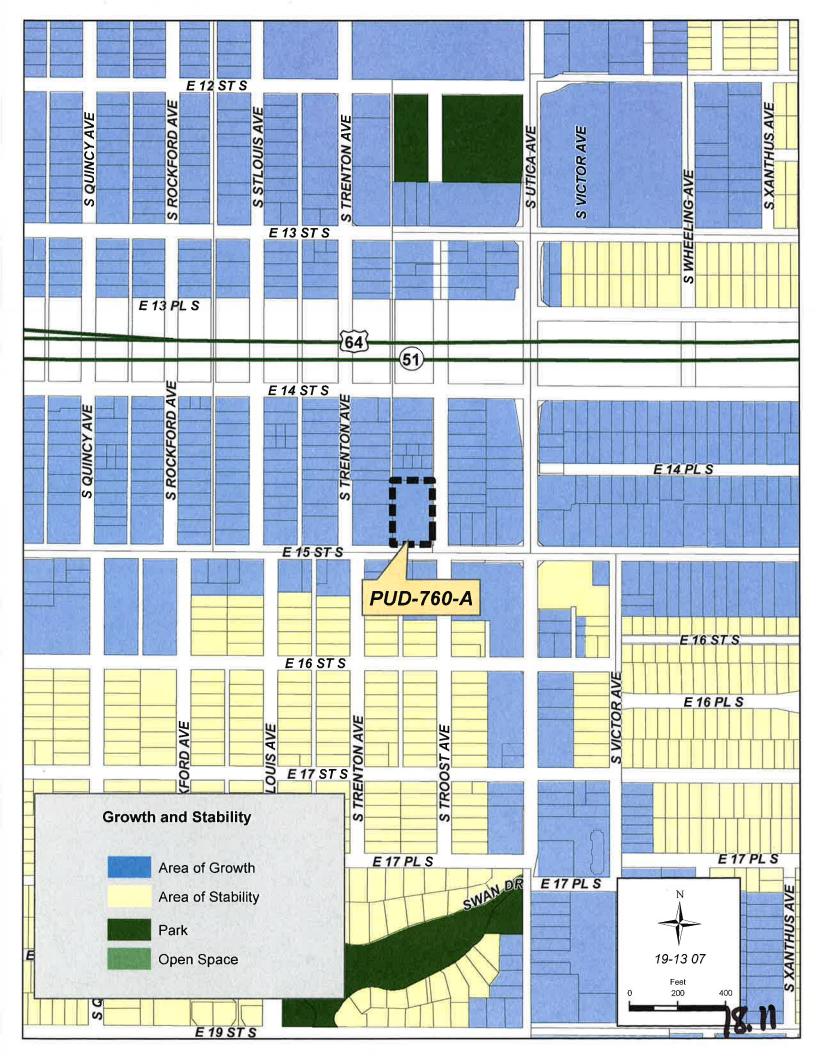
Traffic: No comments.

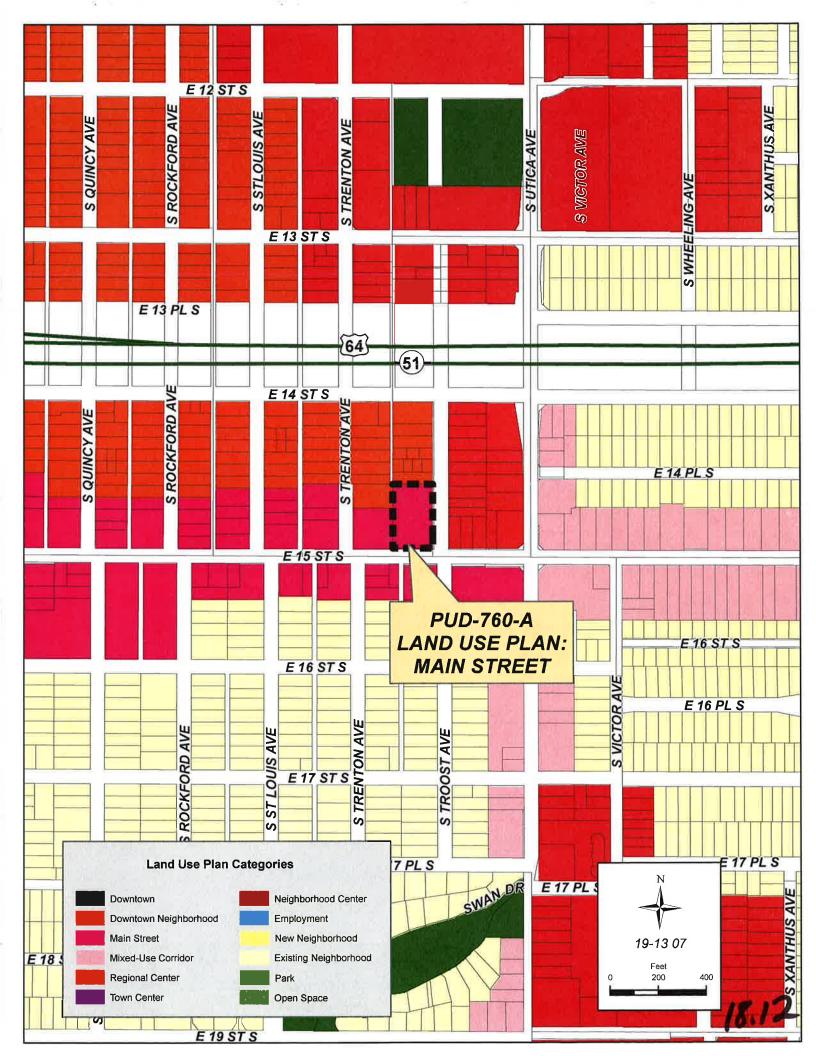
GIS: No comments.

Street Addressing: No comments.

Inspection Services: No comments.

11/16/11









Typical class



Marketing Brochure



Sisemore Weisz & Associates, Inc.

TO WHOM IT MAY CONCERN,

WE, SISEMORE WEISZ & ASSOCIATES, INC., CERTIFY THAT THE CENTER OF FRONT DOOR OF THE ESTABLISHMENT KNOWN AS PINOT'S PALETTE LOCATED AT 1621 EAST 15th STREET, TULSA OKLAHOMA IS 349.00 LINEAR FEET FROM THE NORTHEAST CORNER OF DRAKE'S TAVERN. DRAKE'S TAVERN IS AN ESTABLISHMENT LOCATED AT 1546 EAST 15TH STREET SOUTH, TULSA, OKLAHOMA.

SISEMORE WEISZ & ASSOCIATES, INC.

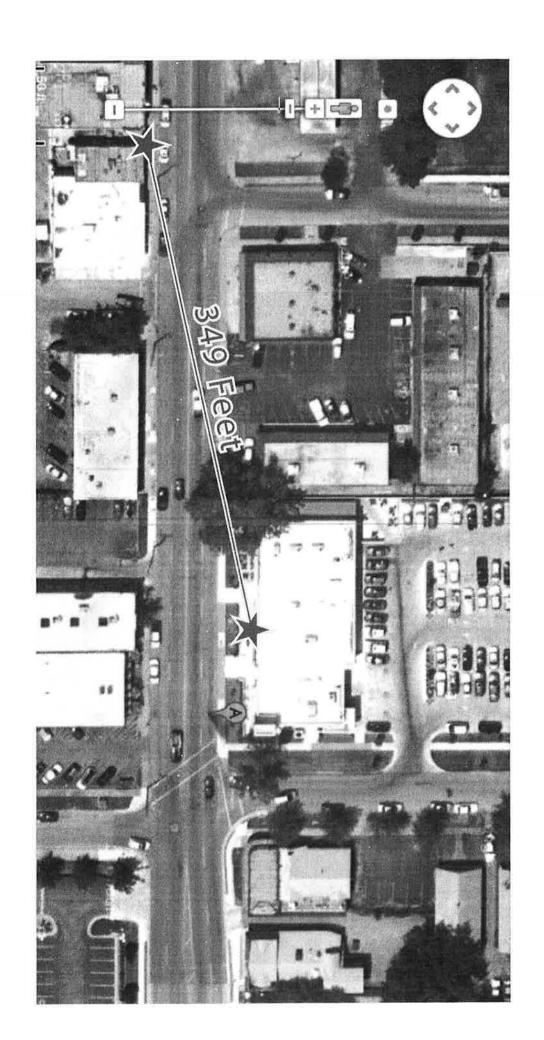
10/28/11 DATE BY: ERIC POOLSTON.

RPLS No. 18 CP. STATE OF OKIZATIOMA

SISEMORE VEISZ & 769SOC.

C. A. NO. 2441

EXPIRES: 6/30 20 ALAHOMA



MAJOR AMENDMENT PROPOSAL TO PUD-760

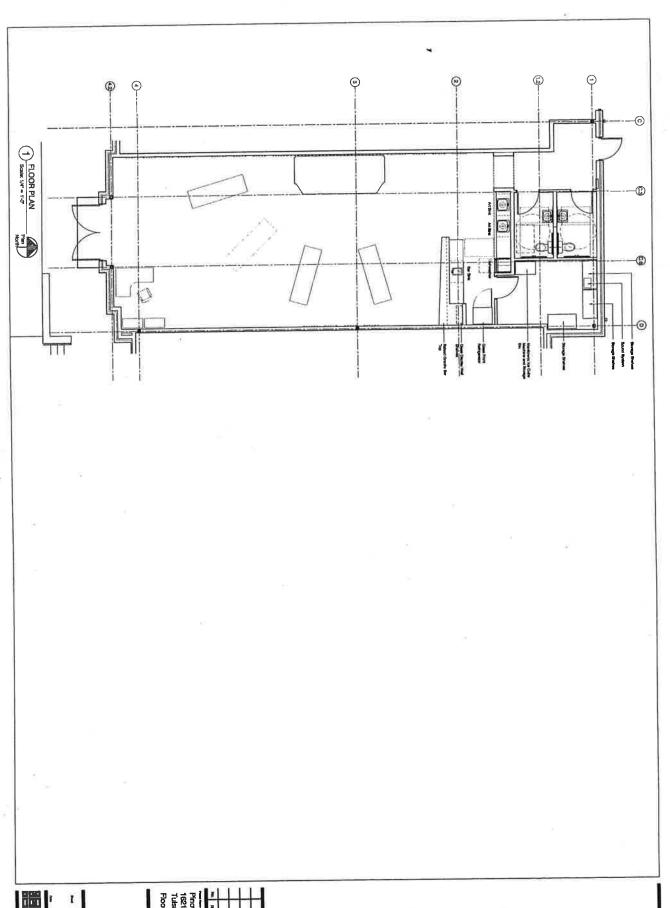
Regarding 1621 East 15 St., Tulsa, OK, we request that a major amendment be made to PUD-760. Previously designated as a zoning use unit 1212, we ask that it now include an adult entertainment establishment use of 1212.a.

Art classes will be given by Pinot's Palette from 7-10:30 pm. This studio will not act as a bar. The service of wine and beer will be sold incidentally to the paid classes offered. All required permits and licenses will be established and maintained in compliance with federal, state, county and city statutes.

All other submittal requirements are already in existence as of Oct. 15, 2008.

Respectfully submitted,

Lisa Riley

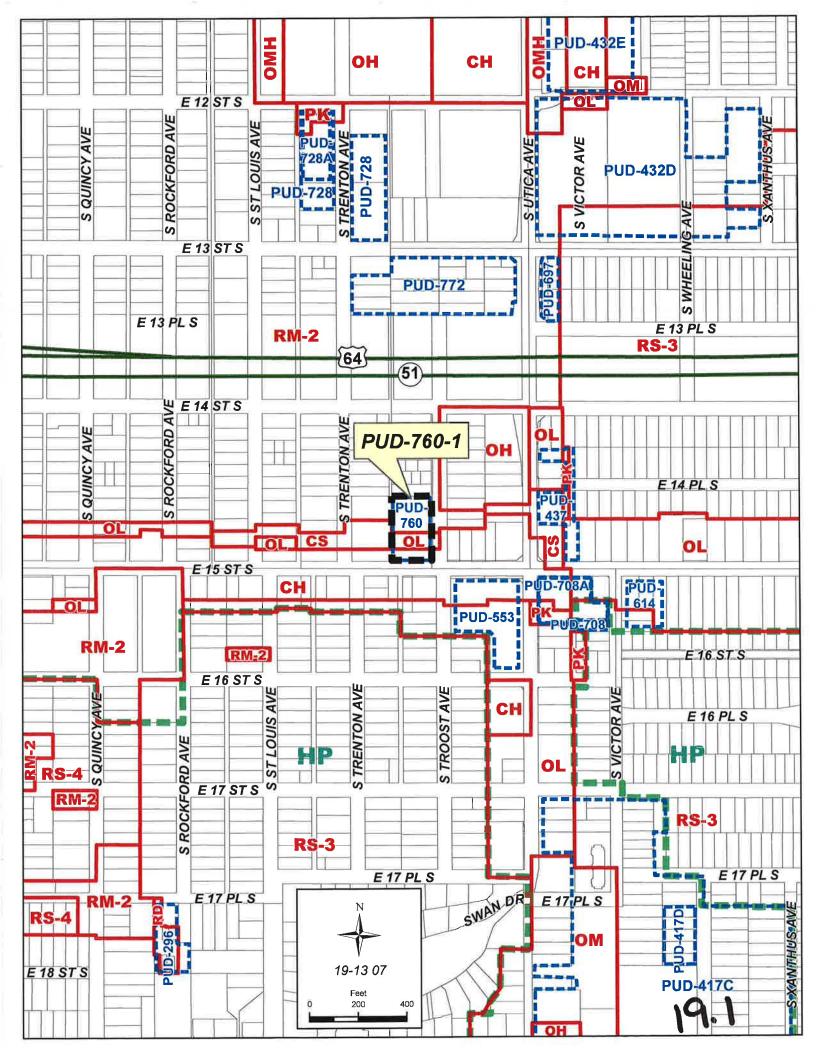


PRILLES
SLAUGHTER
SLAUGHTE

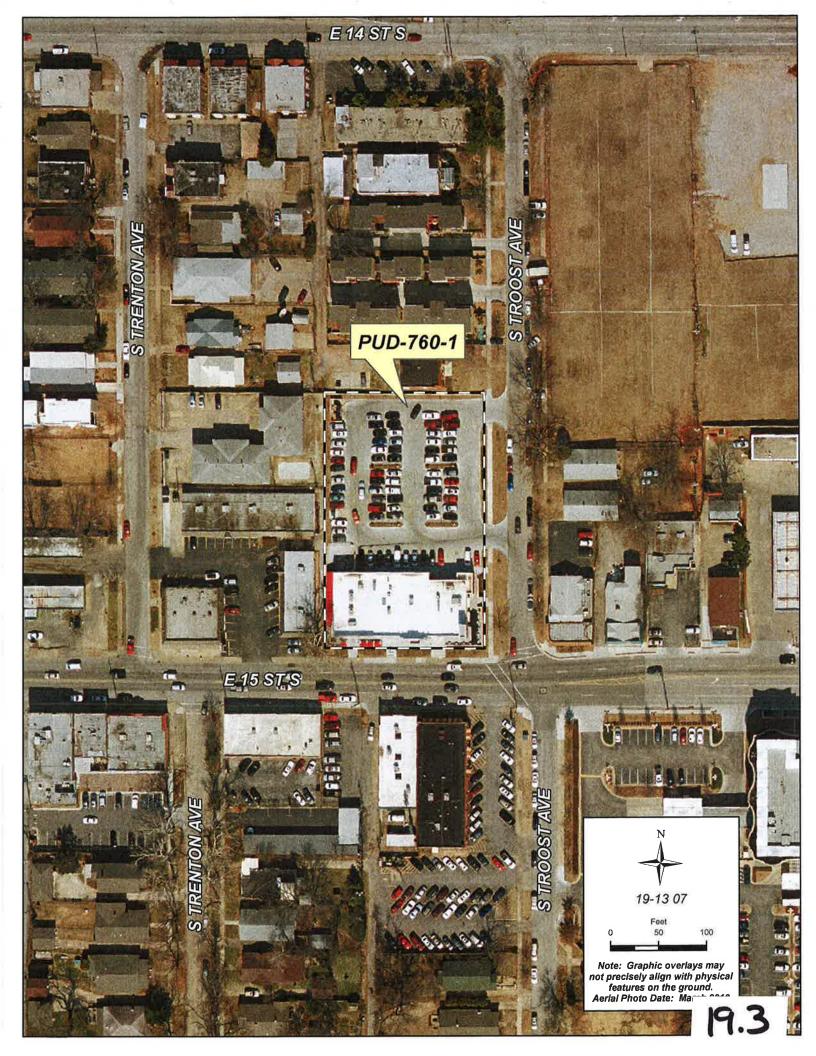


Cherry Street and Troost Pinot's Palette Tenant Improvements Tulsa, Oklahoma

18.17







STAFF RECOMMENDATION

PUD-760-1:

Minor Amendment – Northwest corner of 15th Street South and South Troost Avenue; Lot 1, Block 1 – Cherry Street Ridge; TRS 19-13-07; CZM; CZM 37; Atlas 14; CD 4; RM-2/OL/CH.

The applicant is requesting a minor amendment to reduce the required parking on the site from 84 spaces to 75. A parking analysis of the site is attached.

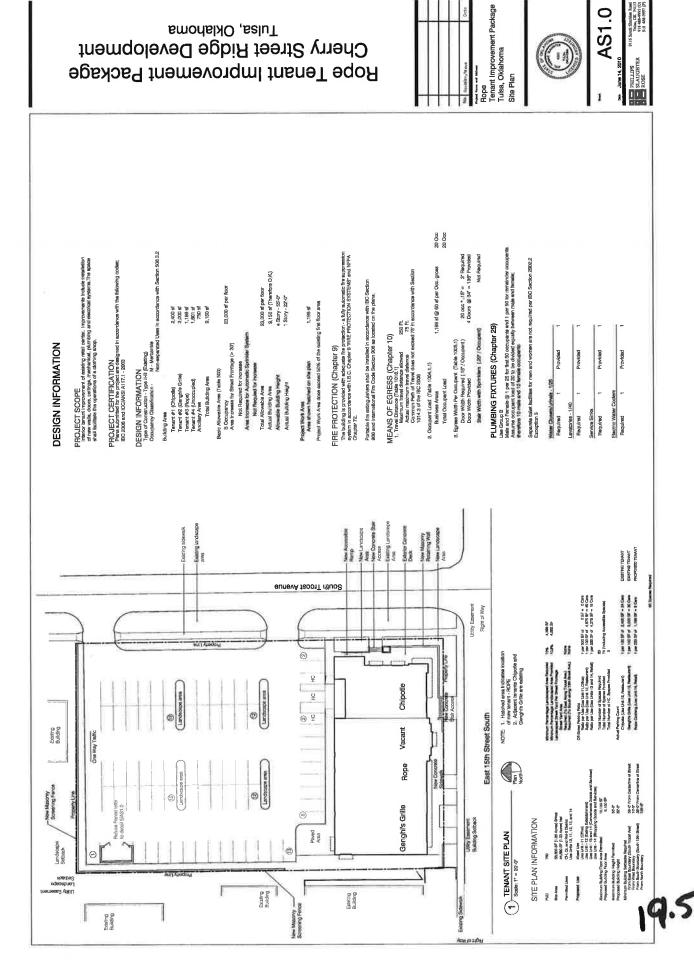
Tenants of this mixed use building include 2 restaurants, an art studio/bar and a retail clothing outlet. While the request is being made to reduce the required parking by nine spaces, staff contends this is more of a shared parking arrangement as the retail clothing outlet closes at 5:00 PM and the art studio/bar does not open until 7 PM.

Section 1106 of the Zoning Code allows the TMAPC to reduce parking requirements in a PUD so long as the plat of the property incorporates such changes. Should the plat of the property already be filed with the County Clerk's Office, the change must be recorded by separate instrument.

This property is identified by the Comprehensive Plan with a land use designation of "Main Street". The Transportation chapter of the Plan states, "The city's approach to parking will make optimal use of the land along main streets, downtown, and in new centers to better support pedestrian-friendly places". The Plan further states, "Consider shared parking and other parking reduction strategies to more effectively minimize paved areas". And finally Page 40 of "Strategies for Achieving the Vision" states, "Instead of burdening each property with high parking requirements, Innovative Parking Solutions allows the market to determine how much parking to include on site. In places such as Cherry Street, the benefits would be immediate".

Since it is generally understood that parking requirements in the current zoning code are excessive, combined with the many recommendations within the Comprehensive Plan to reduce individual site parking, staff recommends **APPROVAL** of minor amendment PUD-760-1 reducing the required parking from 84 to 75.

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



TENANTS \mathbf{OF} CHERRY STREET RIDGE DEVELOPMENT EAST 15TH STREET

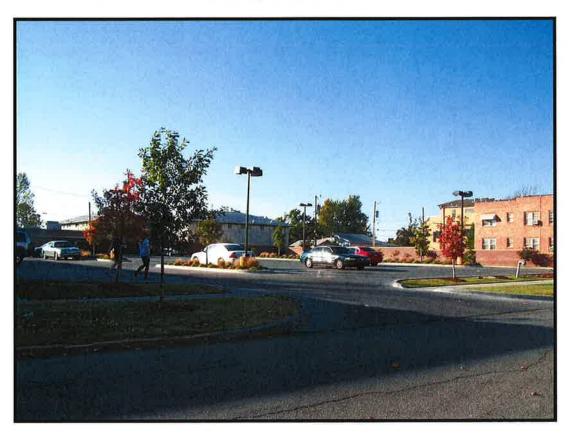
ADDRESS	TENANT w/	SQ. FT.	PARK. SPACES
	Hrs. of Operation	ú.	REQUIRED
1617	GENGHIS GRILL 11am -10pm	3,000	30
1619	ROPE 10am-5pm	1200	6
1621	PINOT'S PALETTE 7pm-10:30pm	1775	12 (ART STUDIO) 24 (BAR)
1623	CHIPOTLE MEX.GRIL 11am-10pm	L 2400	84 spres regard

PARKING SPACES PROVIDED 75

TOTAL BUILDING AREA 9,150 SF



SUBJECT PROPERTY



Subject parking lot

		9		

PLAT WAIVER

November 16, 2011

PUD 760 A – 1621 East 15th Street, Lot 1, Block 1, Cherry Street Ridge (CD 4)

The platting requirement is being triggered by a major amendment for a change in use.

Staff provides the following information from TAC at their November 3, 2011 meeting:

ZONING:

TMAPC Staff: The property has been platted previously.

STREETS:

No comment.

SEWER:

No comment.

WATER:

No comment.

STORMWATER:

No comment.

FIRE:

No comment.

UTILITIES:

No comment.

Staff recommends **Approval** of the plat waiver for the previously platted property.

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

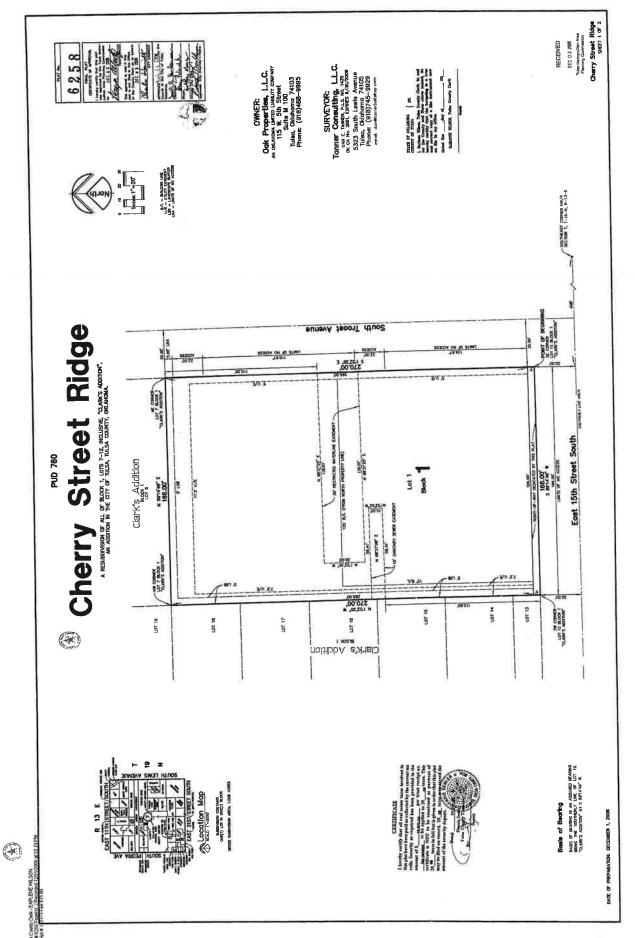
2. Are there restrictive covenants contained in a previously filed X plat?

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:

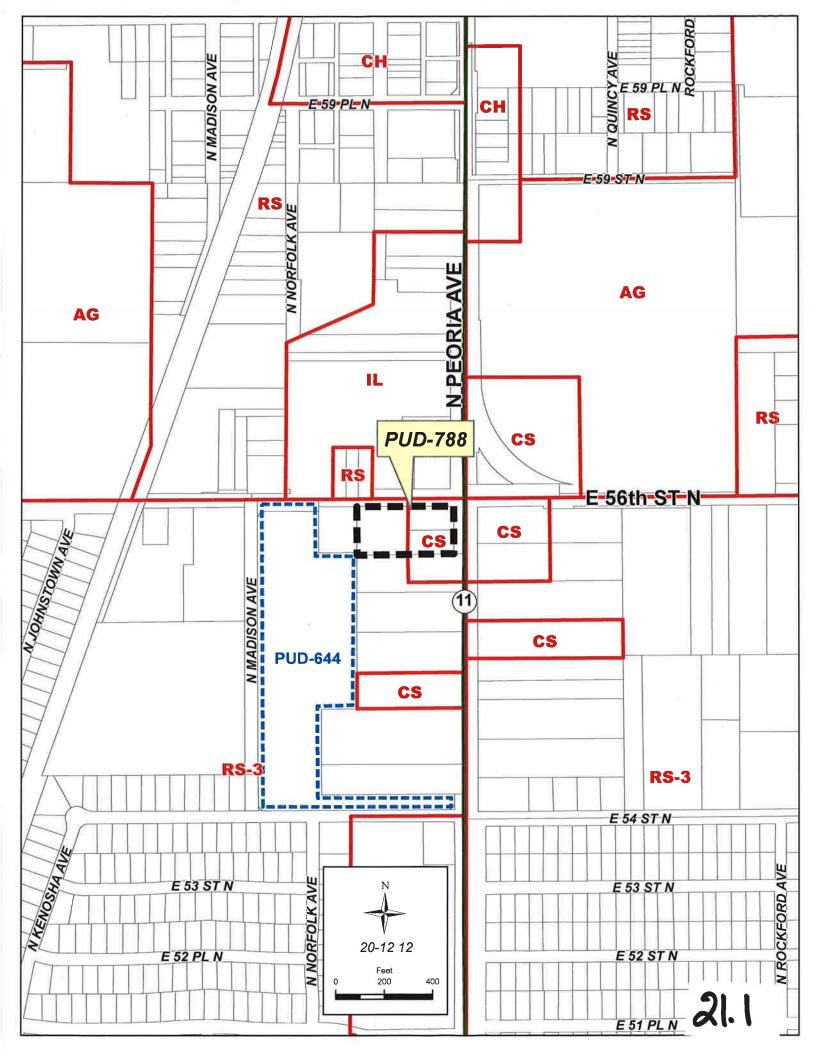


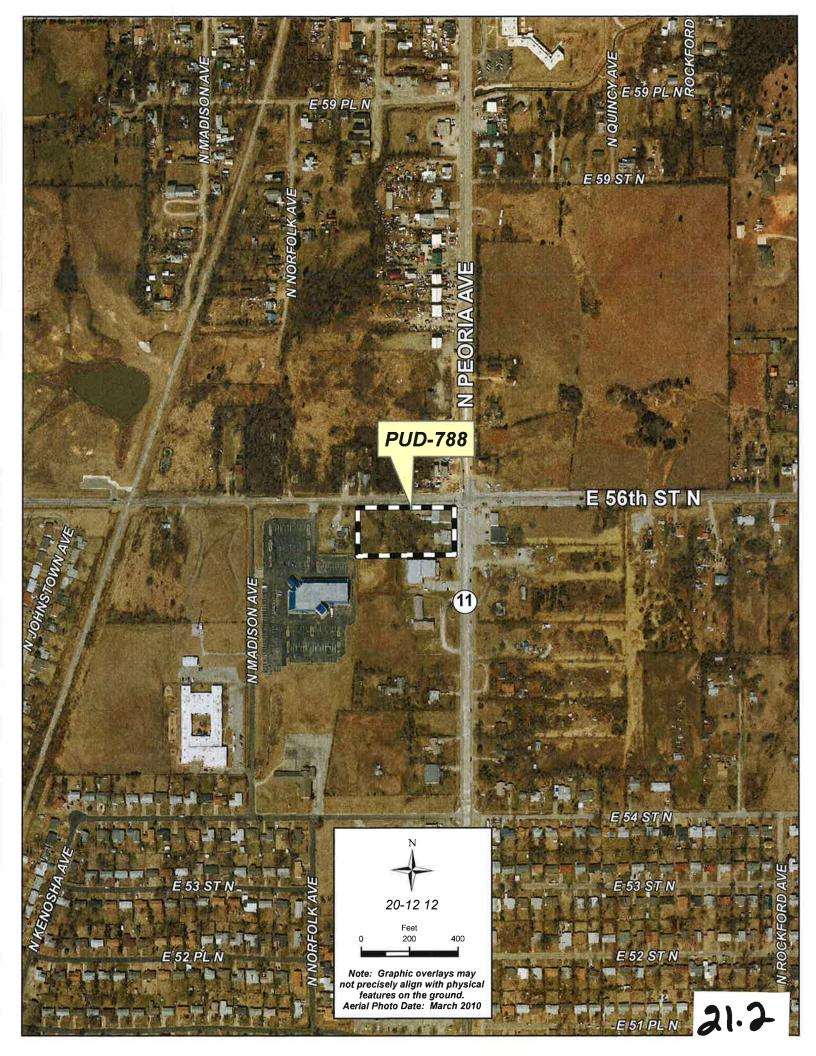
		YES	NO
4.	Is right-of-way dedication required to comply with Major Street and Highway Plan?		Χ
5.	Would restrictive covenants be required to be filed by separate instrument if the plat were waived?		X
6.	Infrastructure requirements: a) Water		
	i. Is a main line water extension required?		Χ
	ii. Is an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



20.3

*			









TULSA METROPOLITAN AREA PLANNING COMMISSION **CASE REPORT**

APPLICATION: PUD-788

TRS 0212

Atlas 1073/1074

CZM 21

CD-1

TMAPC Hearing Date: November 16, 2011

Applicant: Roy D. Johnsen

Tract Size: 1.81+ acres

78.844+ square feet

ADDRESS/GENERAL LOCATION:

Southwest corner of North Peoria Avenue and East 56th

Street North

EXISTING ZONING:

RS-3/CS

EXISTING USE:

Commercial & vacant

PROPOSED ZONING: RS-3/ CS/ PUD

PROPOSED USE: Commercial

ZONING ORDINANCE: Ordinance number 11914 dated September 1, 1970, established zoning for the subject property.

RELEVANT ZONING HISTORY:

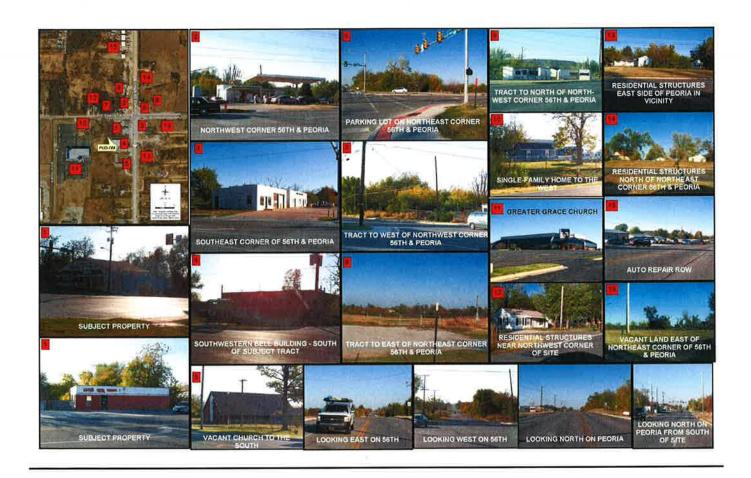
PUD-644 March 2001: All concurred in approval for a Planned Unit Development on a 13± acre tract, for church use, subject to conditions, located on the southeast corner of East 56th Street North and North Madison Avenue.

BOA-10091 August 17, 1978: The Board of Adjustment approved a Special Exception to operate an automobile tune-up, overhaul and repair service shop in a CS district, on property located at 5492 North Peoria Avenue and a part of the subject property.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 1.81+ acres in size and is located southwest corner of North Peoria Avenue and East 56th Street North. The property is developed and is zoned RS-3/CS.

<u>SURROUNDING AREA</u>: The subject tract is abutted on the east by Peoria Avenue and then Grimes Heights, zoned CS and RS-3; on the north by 56th Street North and then Kruger Tracts, zoned IL; on the south by unplatted property, zoned CS and RS-3; and on the west by unplatted property, zoned RS-3 and then greater grace Apostolic Temple of Tulsa Resub. of B9 Sharon Heights Addition.



A large version of this graphic is attached.

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

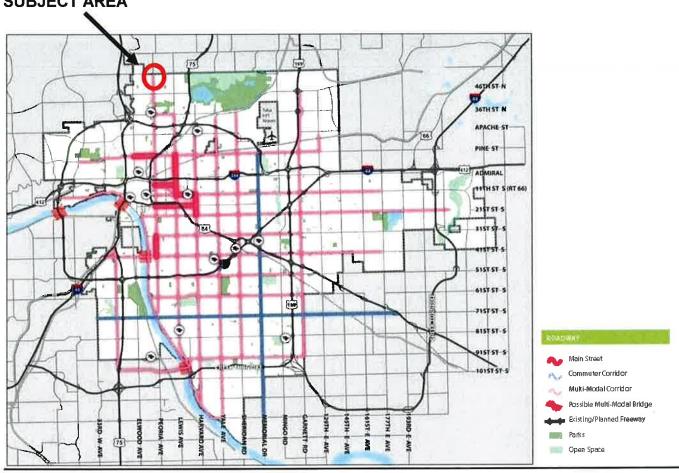
TRANSPORTATION VISION:

The Tulsa Comprehensive Plan designates North Peoria Avenue as a Multi-Modal Corridor and does not designate 56th Street North.

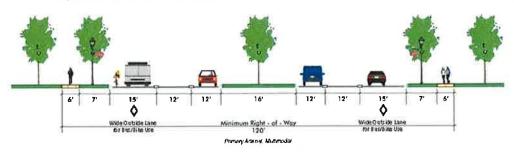
Multi-modal streets emphasize plenty of travel choices such as pedestrian, bicycle and transit use. Multimodal streets are located in high intensity mixed-use commercial, retail and

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.

SUBJECT AREA



Sample Multi-Modal Street Cross Section



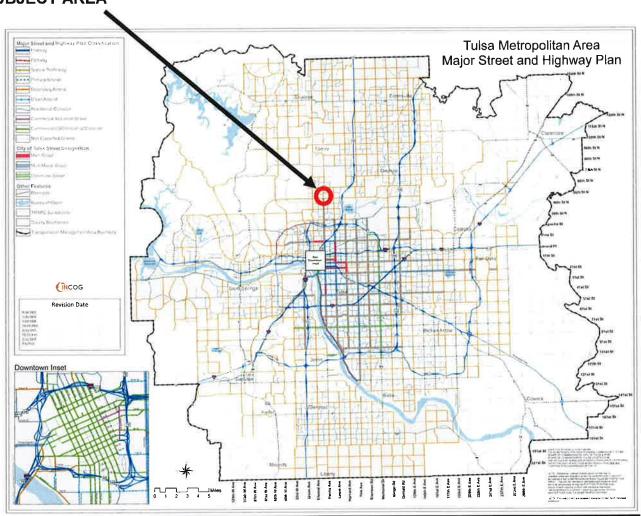
LEGEND

Lane intended for bus/transit use

<u>STREETS:</u>
The Tulsa City-County Major Street and Highway Plan designates 56th Street north and North Peoria Avenue as follows:

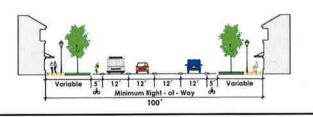
	MSHP Design	MSHP R/W	Exist. # Lanes
North Peoria Avenue	Multi-Modal Secondary Arterial	100'	4 (plus center turn lane at intersection)
East 56 th Street North	Secondary Arterial	100'	4 (plus center turn lane at intersection)

SUBJECT AREA



Secondary Arterial

Multi-Modal Street



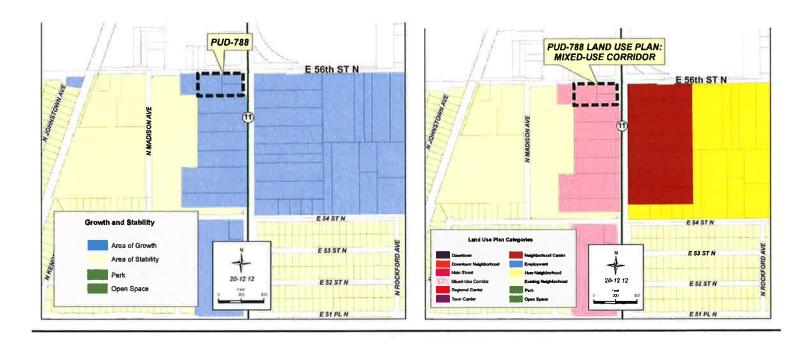
RELATIONSHIP TO THE COMPREHENSIVE PLAN:

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 that the proposed PUD is in accord with the plan.



STAFF RECOMMENDATION:

The purpose of PUD-780 is to stimulate the redevelopment of the subject property to permit retail uses in two development areas with a maximum permitted floor area of 17,375 square feet (sf). Please see the attached Exhibit A. Staff understands that the proposal includes a free standing drug store in Development Area A.

The subject tract is located on the southwest corner of East 56th Street North and North Peoria Avenue. The tract is 2.37 gross acres and gradually slopes from east to west with a peak elevation of 660 feet at the southeast corner of the site and a low point of 652 feet at the northwest corner of the site. The property is zoned CS and RS-3. The property has 174 feet of frontage on Peoria Avenue and 400 feet of frontage on 56th Street North. The east 190 feet of the property is zoned CS and the west 210 feet of the property is zoned RS-3. The western portion of the property is vacant.

Currently there is a pawn shop located on the hard corner with a vacant automotive repair shop located adjacent to the south. There is one single family residence adjacent to the property to the west.

The proposed uses and intensity of use of the Planned Unit Development is permitted by the existing underlying zoning. No change of the underlying zoning districts is proposed. The existing CS zoning on the property would allow approximately 26,000 sf of commercial floor area.

Access to the site will be derived from 56th Street North and from North Peoria Avenue. In anticipation of the high volume of pedestrian customers, new sidewalks will be extended along 56th Street North and North Peoria Avenue. Distinct pedestrian access will provided from the North Peoria Avenue sidewalk connecting to the main entry of the building proposed for Development Area A. Pedestrian access through the parking lot will be identified by the use of raised pavement or high contrast striping.

There is a church use to the southwest and south, an automotive retail store to the east, CS zoning on the vacant northeast corner of the intersection, and IL zoning on the northwest corner of the intersection. With the mix of zoning districts staff believes this development has the potential of being the beginning of the transformation of this major intersection into a true mixed use corridor as anticipated by the Tulsa Comprehensive Plan.

The Planned Unit Development is intended to establish a conceptual site plan with allocation of uses and intensity of uses, and development standards and conditions to be followed by detailed site plan review of each phase of development.

Staff has carefully reviewed this development proposal and supports this application. Staff finds the uses and intensities of development proposed to be in harmony with the spirit and intent of the Code. Staff finds PUD-788 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-788 subject to the following conditions:

1. The applicant's concept development plan and text be made a condition of approval unless modified herein.

2. Development Standards:

DEVELOPMENT AREA A

Net Land Area:

.93 acres 40,702 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; and uses customarily accessory to permitted principal uses.

Maximum Building Floor Area:

10,175 sf

Minimum Building Setbacks:

From Peoria right of way		50 ft.
From 56 th Street right of way		50 ft.
From west boundary	⇒	40 ft.
From south boundary		30 ft.

Maximum Building Height:

30 ft. (2 stories)

Off-street Parking Spaces:

As required by the

applicable Use Unit

Minimum Landscaped Area:

10% of net lot area

Lighting:

Exterior area lighting shall be limited to shielded fixtures designed to direct light downward and away from residential properties. Lighting shall be so designed that the light producing elements and the polished light reflecting elements of exterior lighting fixtures shall not be visible to a person standing within an adjacent residential area. No light standard shall exceed 25 feet.

Signs:

- (a) Wall or canopy signs shall not exceed 2 square feet of display surface area per lineal foot of the building wall to which affixed. The aggregate length of wall signs shall not exceed 75% of the wall or canopy to which affixed.
- (b) One ground sign not exceeding 25 feet in height and 192 square feet of display surface area.

DEVELOPMENT AREA B

Net Land Area:

.66 acres 28,895 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; and uses customarily accessory to permitted principal uses.

Maximum Building Floor Area:

7,200 sf

Minimum Building Setbacks:

From 56th Street right of way 50 ft.
From east boundary 10 ft.
From west boundary 20 ft.
From south boundary 10 ft.

Maximum Building Height:

30 ft. (2 stories)

Off-street Parking Spaces:

As required by

the

applicable Use Unit

Minimum Landscaped Area:

10% of net lot area

Lighting:

Exterior area lighting shall be limited to shielded fixtures designed to direct light downward and away from residential properties. Lighting shall be so designed that the light producing elements and the polished light reflecting elements of exterior lighting fixtures shall not be visible to a person standing within an adjacent residential area. No light standard shall exceed 25 feet. Verification shall be by the submittal of a photometric plan and manufacturer's cut-sheets for the lighting units showing full cut-off capability.

Signs:

- 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 12 feet in height and 64 square feet of display surface area.

Landscaping and Screening

Landscaping shall meet the requirements of the Landscape Chapter of the Tulsa Zoning Code, which may include Alternative Compliance. For the purposes of determining the street yard as defined by the Landscape Chapter, the minimum setback from Peoria Avenue shall be deemed to be 50 feet and the minimum setback from 56th Street shall be deemed to be 50 feet. A screening fence not less than 6 feet in height shall be constructed and maintained along the west boundary of Development Area B.

Access and Pedestrian Circulation

Access is to be derived from Peoria Avenue and 56th Street. 56th Street access will include a mutual access easement for Development Areas A and B.

Per subdivision regulations, sidewalks will be provided if not currently existing, along North Peoria Avenue and 56th Street North. Internal pedestrian circulation will be established subject to detail site plan review.

- 3. No zoning clearance permit shall be issued until a detail site plan for the lot, which includes all buildings, parking and landscaping areas, has been submitted to the TMAPC and approved as being in compliance with the approved PUD development standards.
- 4. A detail landscape plan for the development area shall be approved by the TMAPC prior to issuance of a building permit. A landscape architect, architect or engineer registered in the State of Oklahoma shall certify to the zoning officer that all required landscaping and screening will be installed by a specific date in accordance with the approved landscape plan, prior to issuance of an occupancy permit. The landscaping materials required under the approved plan shall be maintained and replaced as needed, as a continuing condition of the granting of an occupancy permit.
- 5. No sign permits shall be issued for erection of a sign 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. The Department of Public Works or a professional engineer registered in the State of Oklahoma shall certify to the appropriate City official that all required stormwater drainage structures or existing stormwater drainage structures and detention areas serving the development area have been installed in accordance with the approved plans prior to issuance of an occupancy permit on that lot.
- 8. No building permit shall be issued until the platting requirements of Section 1107-

F of the Zoning Code has been satisfied and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the restrictive covenants the PUD conditions of approval and making the City beneficiary to said covenants that relate to PUD conditions.

- 9. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.
- 10. Approval of the PUD is not an endorsement of the conceptual layout. This will be done during detail site plan review or the subdivision platting process.
- 11. There shall be no outside storage of recyclable material, trash or similar material outside a screened receptacle. Receptacle screening shall be constructed of materials having an appearance similar to the buildings themselves and be of complementary color. Trucks or truck trailers may not be parked in the PUD except while they are actively being loaded or unloaded. Truck trailers and shipping containers shall not be used for storage in the PUD.

TAC Comments

General: In the Surveyor's Overall Description the 3rd Bounding Line Description did not include a distance, and letters were cutoff on the right side of the page. A standard 17.5' utility easement should be provided around the entire perimeter property line.

<u>Water:</u> Water services can be taken from the 12-inch main along the north side of 56th St N or the 12-inch on the east side of Peoria Avenue.

Fire: No comments.

Stormwater: No comments.

<u>Wastewater:</u> A sanitary sewer mainline extension will be required to serve any development of the PUD.

<u>Transportation:</u> Provide corner radius of 30' at street intersection. Driveway width for driveway on 56th St N must be between 24'–36'. Section IV B. of Development Standards modify sidewalk section to read: "Sidewalks shall be provided according to subdivision regulations along Peoria Ave and 56th St. Internal pedestrian circulation will be subject to detail site plan review."

Traffic: No comments.

INCOG Transportation:

- **MSHP:** E. 56th Street North is a designated secondary arterial. N. Peoria Ave. is a designated secondary arterial multi-modal street.
- LRTP: N. Peoria Ave, between E. 46th Street N. and E. 56th Street N., existing 4 lanes. E. 56th Street N., between Lewis Ave and Union Ave, 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 an existing route on N. Peoria Ave, between E. 46th Street N. and E. 56th Street N. 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.

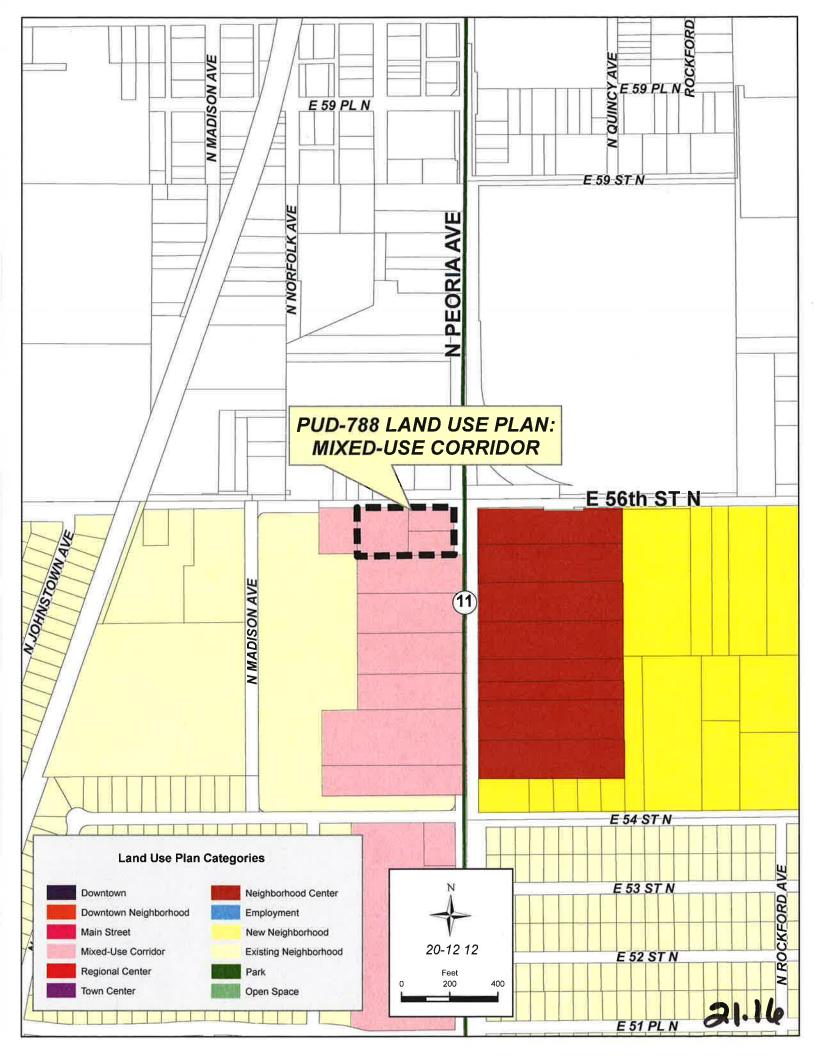
GIS: No comments.

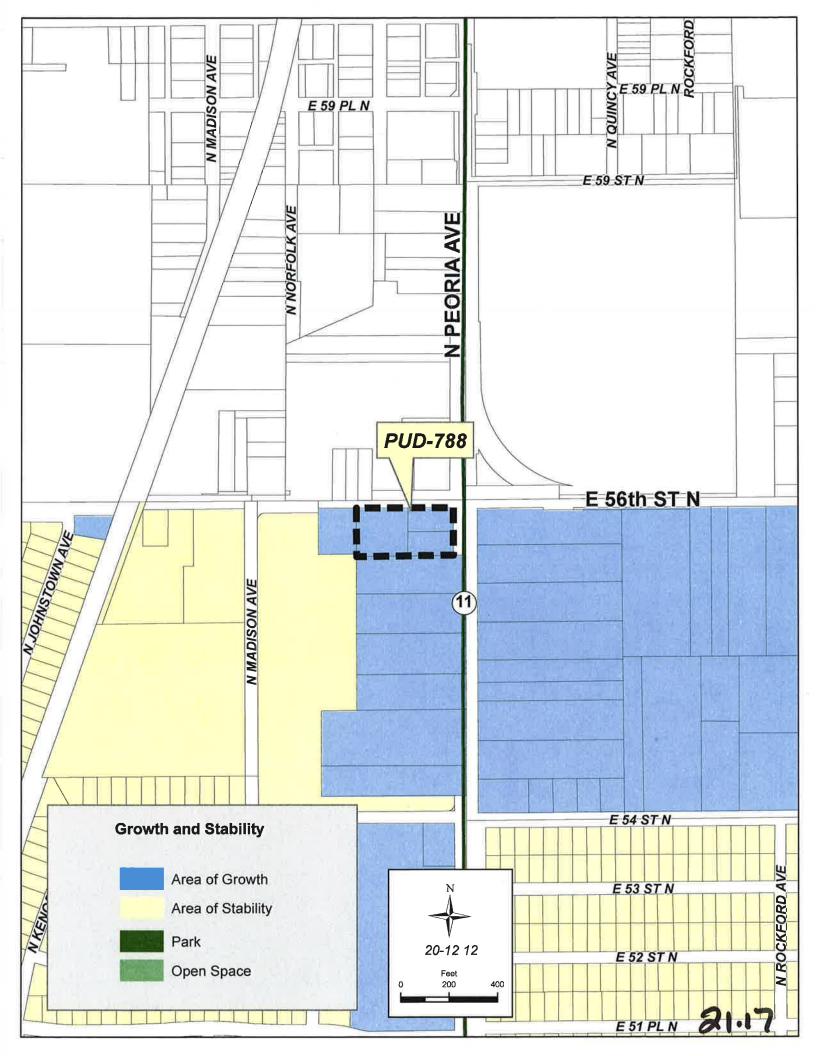
Street Addressing: No comments.

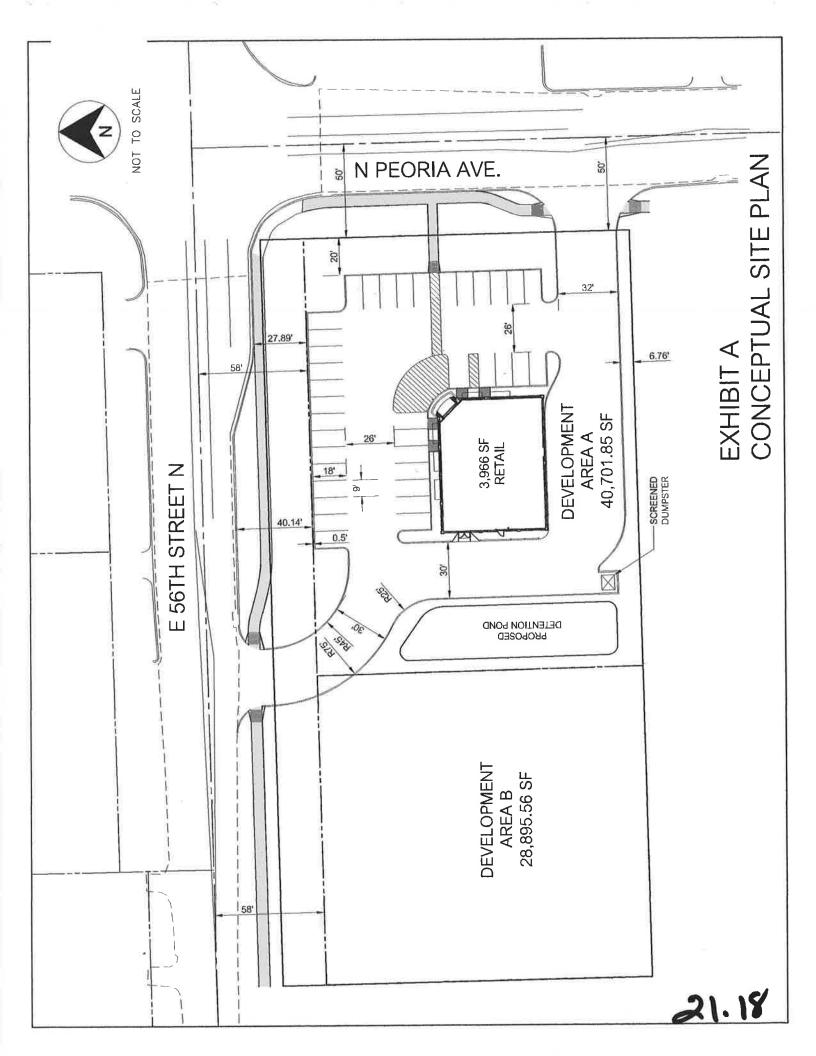
Inspection Services: No comments.

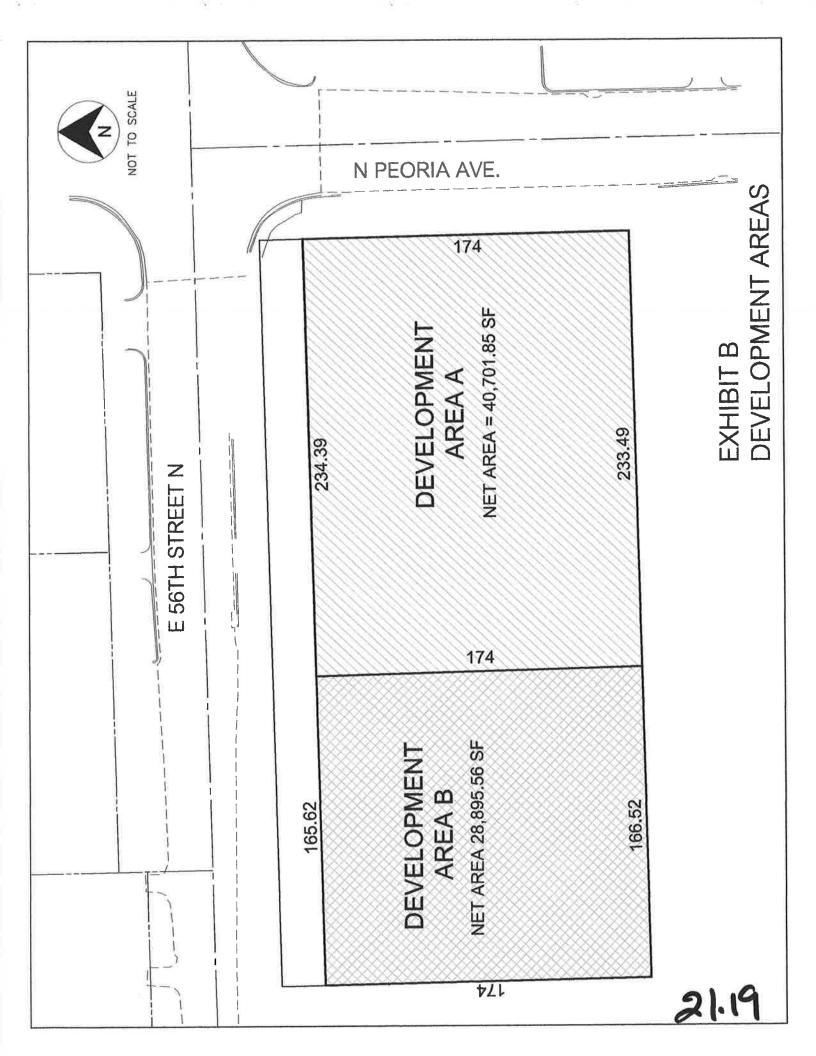
County Engineer: No comments.

11/2/11

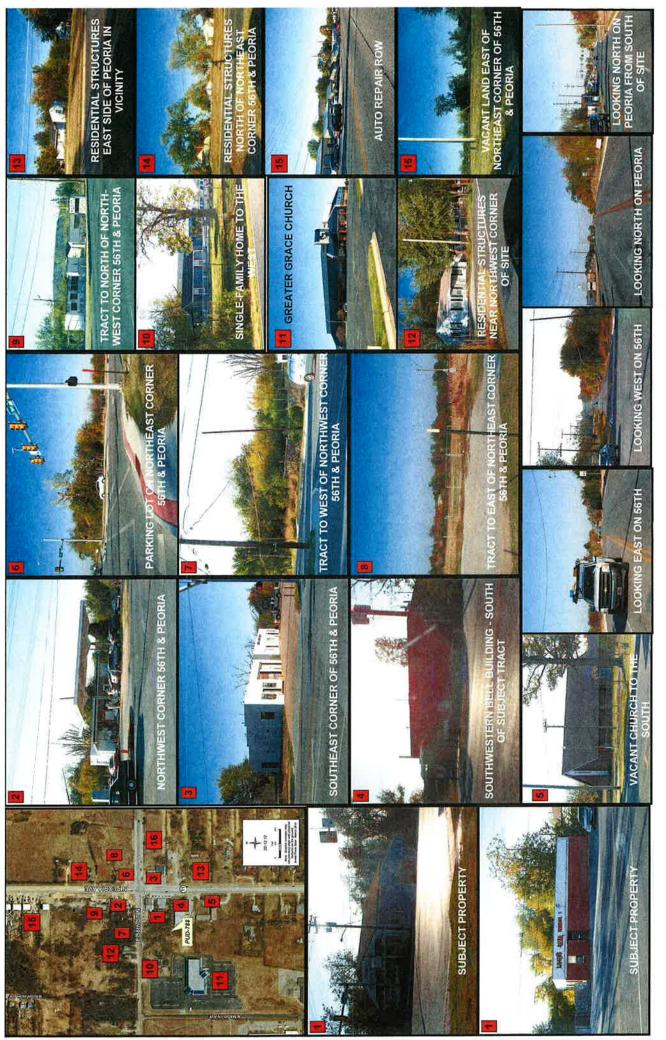












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