

# **TULSA METROPOLITAN AREA PLANNING COMMISSION**

## **Meeting No. 2618**

**January 18, 2012, 1:30 PM**

**175 East 2<sup>nd</sup> Street, 2<sup>nd</sup> Level, One Technology Center  
Tulsa City Council Chamber**

### **CONSIDER, DISCUSS AND/OR TAKE ACTION ON:**

Call to Order:

### **REPORTS:**

#### **Chairman's Report:**

#### **Worksession Report:**

#### **Director's Report:**

Review of TMAPC Receipts for the month of December 2011

1. Minutes of January 4, 2012, Meeting No. 2617.

### **CONSENT AGENDA:**

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

2. **LC-374** - (Lot-Combination) (CD-6), Location: Northeast corner of South Garnett Road and East 32<sup>nd</sup> Street South
3. **LC-375** - (Lot-Combination) (CD-1), Location: West of the northwest corner of North Boston Place and East Victoria Street
4. **LC-376** - (Lot-Combination) (CD-3), Location: Northeast corner of North Fulton Avenue and East Independence Street
5. **LC-378** - (Lot-Combination) (CD-3), Location: North of the northwest corner of East 101<sup>st</sup> Street South and South Memorial Drive (Related to Item 7, PUD-773)
6. **Reinstatement of Plat** – The Shoppes on Peoria, Location: Northeast corner of North Peoria Avenue and East Reading Street, (CD 1)
7. **PUD-773 – Tanner Consulting, LLC/Matt Baer**, Location: North of the northwest corner of 101<sup>st</sup> Street South and South Memorial Drive, Requesting **Detail Site Plan** for a 7,290 square foot two-story dental office, (RS-3/OL/CS) (CD-8) (Related to Item 5, LC-378)



8. **PUD-313-9 – Kenney Russell**, Location: South of the southwest corner of West 61<sup>st</sup> Street South and South 28<sup>th</sup> Avenue West, Requesting a **Minor Amendment** to increase the permitted coverage for a driveway in the required front yard, **(RT/RS-3)** (CD-2)
9. **PUD-313-10 – Kenney Russell**, Location: South of the southwest corner of West 61<sup>st</sup> Street South and South 28<sup>th</sup> Avenue West, Requesting a **Minor Amendment** to increase the permitted coverage for a driveway in the required front yard of an RS-3/PUD zoned lot per the attached plan, **(RT/RS-3)** (CD-2)
10. **PUD-636-6 – Russell McDaris/Tuscany Hills**, Location: Northeast corner of West 78<sup>th</sup> Street South and South Union Avenue, Requesting a **Minor Amendment** to establish sign standards for the Tuscany Hills at Nickel Creek Apartment complex, **(CO)** (CD-2)
11. **PUD-787 – Wallace Engineering/Jim Beach/West Park Apartments**, Location: Northeast corner of South Lewis Avenue and East 4<sup>th</sup> Place South, Requesting a **Detail Site Plan** for a three-story mixed use building to be located at the northeast corner of South Lewis Avenue and East 4<sup>th</sup> Place South, **(RM-2/CS)** (CD-4)
12. **PUD-696-B – Khoury Engineering/Patriot Bank**, Location: South of the southwest corner of 91<sup>st</sup> Street South and South Delaware Avenue, Requesting a **Detail Site Plan** for a 14,119 square foot, two-story bank, **(OL/CS)** (CD-2)

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

##### **ZONING CODE AND FORM-BASED CODE PUBLIC HEARING**

13. **Proposed Amendments to the Tulsa Revised Ordinances, Title 42 and Title 42-B, the Zoning Code and Form-Based Code of the City of Tulsa**

##### **PUBLIC HEARINGS:**

14. **LC-377** - (Lot-Combination) (County), Location: West of the southwest corner of South 129<sup>th</sup> East Avenue and East 191<sup>st</sup> Street South (Related to Item 15, LS-20842)
15. **LS-20842** - (Lot-Split) (County), Location: West of the southwest corner of South 129<sup>th</sup> East Avenue and East 191<sup>st</sup> Street South (Related to Item 14, LC-377)
16. **PUD-397-B-1 – Andrew A. Shank/61 MM, LTD**, Location: Southwest corner of East 61<sup>st</sup> Street and South 91<sup>st</sup> East Avenue, Requesting a **Minor Amendment**, (CD-7) (Continued from 12/21/2011) (Staff requests a continuance to February 1, 2012 in order for this item to be heard before the BOA 1/24/2012)
17. **CBOA-2408** – Plat Waiver, Location: 7250 West 50<sup>th</sup> Street South, north of West 51<sup>st</sup> Street, east of West 73<sup>rd</sup> West Avenue (County)
18. **Z-7159** – Plat Waiver, Location: Saint Francis Hospital, Southeast corner of East 61<sup>st</sup> Street and South Yale Avenue (CD 9)

19. **Z-7191 – Robert Christie**, Location: South of the southwest corner of East 11<sup>th</sup> Street South and South Vandalia Avenue, Requesting rezoning from **RS-3 to PK**, (CD-4)
20. **Z-7192 – Roy D. Johnsen**, Location: Northwest corner of 49<sup>th</sup> Street South and South Harvard Avenue, Requesting rezoning from **OM to CS**, (CD-9)

#### **OTHER BUSINESS**

#### **21. Commissioners' Comments**

#### **ADJOURN**

CD = Council District

**NOTE: If you require special accommodation pursuant to the Americans with Disabilities Act, please notify INCOG (918) 584-7526. Exhibits, Petitions, Pictures, etc., presented to the Planning Commission may be received and deposited in case files to be maintained at Land Development Services, INCOG. Ringing/sound on all cell phones and paggers must be turned off during the Planning Commission.**

Visit our website at [www.tmapc.org](http://www.tmapc.org)

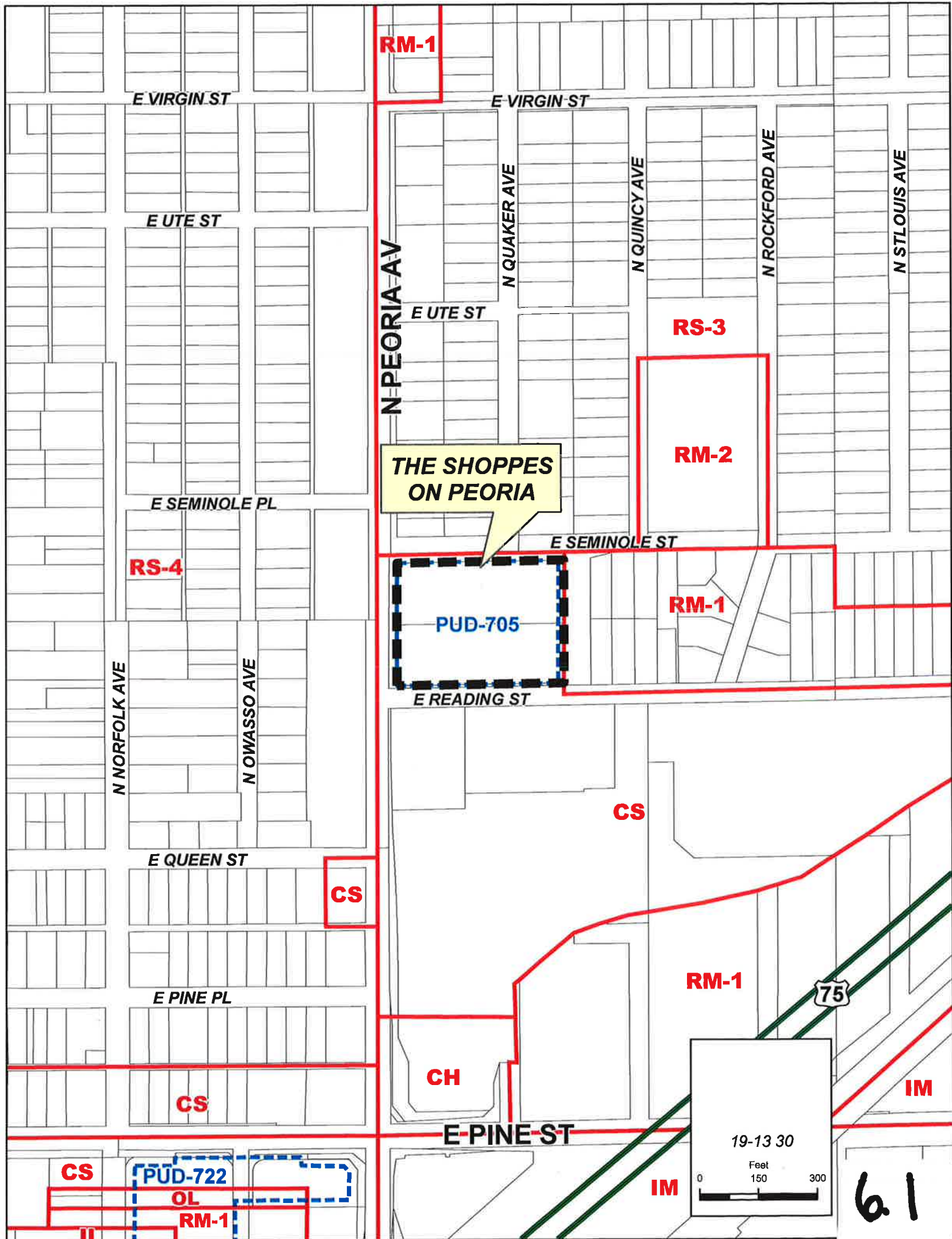
**TMAPC Mission Statement:** The Mission of the Tulsa Metropolitan Area Planning Commission (TMAPC) is to provide unbiased advice to the City Council and the County Commissioners on development and zoning matters, to provide a public forum that fosters public participation and transparency in land development 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.



**TMAPC RECEIPTS**  
**Month of December 2011**

----- Current Period -----				----- Year To Date -----				
	ITEM	CITY	COUNTY	TOTAL RECEIVED	ITEM	CITY	COUNTY	TOTAL RECEIVED
ZONING								
Zoning Letters	5	\$25.00	\$25.00	\$50.00	58	\$325.00	\$325.00	\$650.00
Zoning	3	1,250.00	1,250.00	2,500.00	17	8,280.00	8,280.00	16,560.00
PUDs & Plan Reviews	24	1,625.00	1,625.00	3,250.00	188	16,907.50	16,907.50	33,815.00
Refunds		0.00	0.00	0.00	0	(400.00)	(400.00)	(800.00)
Fees Waived		0.00	0.00	0.00	0	0.00	0.00	0.00
		<u>\$2,900.00</u>	<u>\$2,900.00</u>	<u>\$5,800.00</u>		<u>\$25,112.50</u>	<u>\$25,112.50</u>	<u>\$50,225.00</u>
LAND DIVISION								
Minor Subdivisions	0	\$0.00	\$0.00	\$0.00	4	\$975.00	\$975.00	\$1,950.00
Preliminary Plats	0	0.00	0.00	0.00	8	3,947.50	3,947.50	7,895.00
Final Plats	2	812.50	812.50	1,625.00	5	1,942.77	1,942.77	3,885.54
Plat Waivers	0	0.00	0.00	0.00	12	1,500.00	1,500.00	3,000.00
Lot Splits	2	80.00	80.00	160.00	32	1,630.50	1,630.50	3,261.00
Lot Combinations	5	250.00	250.00	500.00	28	1,400.00	1,400.00	2,800.00
Access Changes	0	0.00	0.00	0.00	0	0.00	0.00	0.00
Other		430.00	430.00	860.00	0	430.00	430.00	860.00
Refunds			0.00	0.00		0.00	0.00	0.00
Fees Waived		0.00	0.00	0.00		0.00	0.00	0.00
		<u>\$1,572.50</u>	<u>\$1,572.50</u>	<u>\$3,145.00</u>		<u>\$11,395.77</u>	<u>\$11,395.77</u>	<u>\$22,791.54</u>
BOARDS OF ADJUSTMENT								
Fees	21	\$8,525.00	\$750.00	\$9,275.00	86	\$32,410.00	\$4,500.00	\$36,910.00
Refunds		0.00	0.00	\$0.00	0	(\$750.00)	\$0.00	(750.00)
NSF Check			0.00	\$0.00	0	\$0.00	0.00	0.00
Fees Waived		0.00	0.00	0.00	0	(250.00)	0.00	(250.00)
		<u>\$8,525.00</u>	<u>\$750.00</u>	<u>\$9,275.00</u>		<u>\$31,410.00</u>	<u>\$4,500.00</u>	<u>\$35,910.00</u>
TOTAL		<u>\$12,997.50</u>	<u>\$5,222.50</u>	<u>\$18,220.00</u>		<u>\$67,918.27</u>	<u>\$41,008.27</u>	<u>\$108,926.54</u>











**The Shoppes on Peoria** – Northeast corner of North Peoria Avenue and East Reading Street

Staff recommends **Approval** of the reinstatement of this subdivision plat per the approved minutes (attached) showing approval of the Preliminary Plat and Accelerated Building permit with conditions on March 17, 2010.



January 5, 2012

Diane Fernandez, Subdivision Administrator  
INCOG  
Two West Second Street, Suite 800  
Tulsa, Oklahoma 74103

RE: Shoppes on Peoria Subdivision Plat  
Reinstate Preliminary Plat Approval  
Wallace Project No. 0940041

Dear Diane:

Please accept this request for reinstatement of the Minor Subdivision Plat, two modifications of Subdivision Regulations and Accelerated Release of the Building Permit for the Shoppes on Peoria, approved by the Tulsa Metropolitan Area Planning Commission on March 17, 2010.

The project has been on hold since shortly after the approval and we have now been authorized to proceed to completion.

Thank you for your assistance,

WALLACE ENGINEERING • STRUCTURAL CONSULTANTS, INC.



Jim Beach  
Land Development Planner

cc: File

Wallace Engineering  
Structural Consultants, Inc.  
200 East Brady Street  
Tulsa, Oklahoma 74103  
918.584.5858, Fax 918.584.8689  
www.wallacesc.com

6.4

PLAT No.
FINAL PLAT CERTIFICATE OF APPROVAL This plat was prepared by the Tulsa Metropolitan Planning Commission on _____ TMAPC/INCOG This approval is void if the plat is not recorded in the office of the County Clerk on or before:
COUNTY OF CITY ENGINEER APPROVED _____ by _____ TULSA, OKLAHOMA Chairman Mayor Attest: City Clerk Approved City Attorney

STATE OF OKLAHOMA } ss  
 COUNTY OF TULSA }  
 I, Erika Wilson, Tulsa County Clerk, do and  
 do hereby certify that the foregoing is a true  
 and correct copy of a plat instrument now  
 on file in my office of \_\_\_\_\_ ss.  
 Given under my official seal and the Great Seal of the State of Oklahoma this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
 ERIKA WILSON, Tulsa County Clerk  
 Deputy

CERTIFICATE  
 I hereby certify that all persons named herein, in this plat have  
 been duly qualified and sworn to as such, and that the same  
 have been provided in the manner of \_\_\_\_\_ ss.  
 per state statute, as required by law, to be applied to \_\_\_\_\_ ss.  
 in full, as given, in order that this plat may be filed, on record  
 in the office of the County Clerk, and that the same be duly  
 recorded in the office of the County Clerk.

Deputy Clerk,  
 Tulsa County Treasurer  
 By \_\_\_\_\_  
 Deputy

# THE SHOPPES ON PEORIA

Minor Subdivision Plat

PUD 705

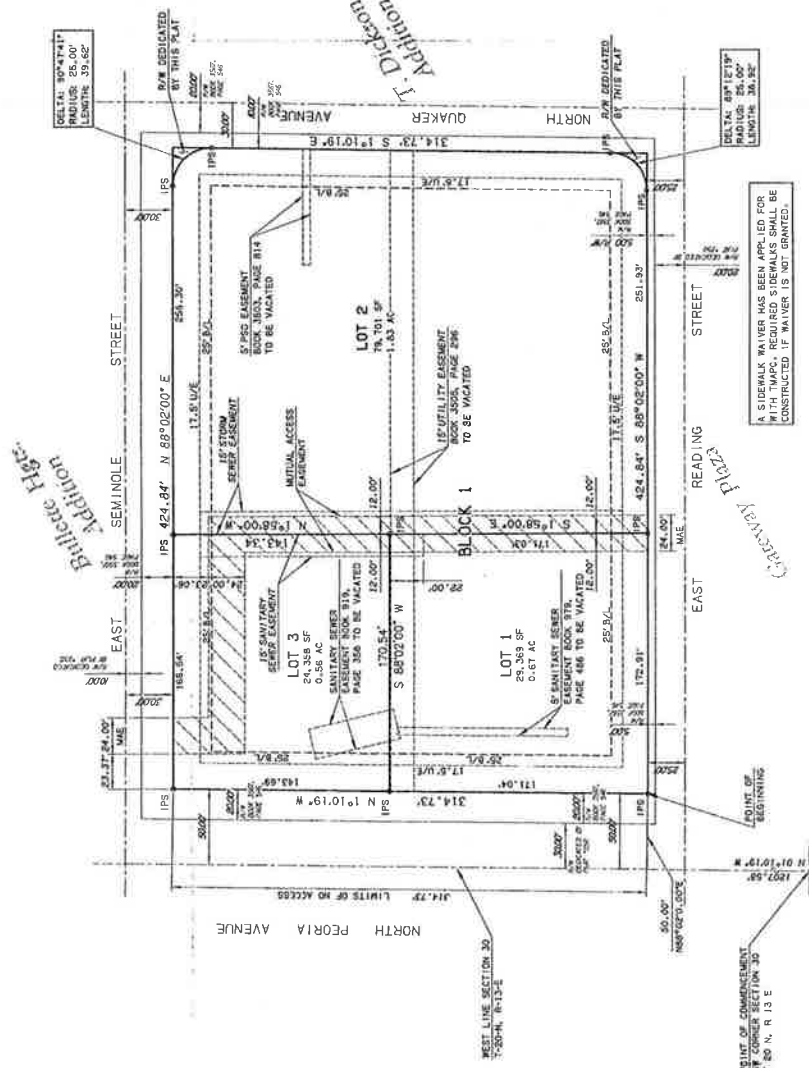
A RESUBDIVISION OF LOTS 7, 8, 9, & 10, BLOCK 1, OF THE  
 T. DICKSON ADDITION OF THE CITY OF TULSA,  
 TULSA COUNTY, STATE OF OKLAHOMA.

OWNER  
 TULSA DEVELOPMENT AUTHORITY  
 1216 NORTH LANSING AVE., SUITE A  
 TULSA, OKLAHOMA 74106  
 TULSA, OKLAHOMA 74106  
 918.596.2800

ENGINEER  
 WALLACE ENGINEERING  
 1000 EAST 10TH STREET  
 TULSA, OKLAHOMA 74103  
 918.584.5858  
 SRODHAN@WALLACEENGINEERING.COM  
 CERTIFICATE OF AUTHORITY  
 NO. 1460 EXP 06/30/11

SURVEYOR  
 BENNETT SURVEYING INC.  
 1000 EAST 10TH STREET  
 TULSA, OKLAHOMA 74103  
 918.476.7484  
 CERTIFICATE OF AUTHORITY  
 NO. 4502 EXP 06/30/10

- LOCATION MAP KEY
- 1. LINDSEY HEIGHTS
  - 2. ROBERTS ADDITION NORTH PART DP
  - 3. LINDSEY HEIGHTS ADDITION DP
  - 4. CHERRY HEIGHTS ADDITION DP
  - 5. LINDSEY HEIGHTS ADDITION DP
  - 6. UNITED METHODIST CHURCH ADDITION
  - 7. ROBERTS ADDITION NORTH PART DP
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Mr. Leighty stated that this lot-split has already been approved and the damage has been done. This will make him look at these more closely and he feels from a planning standpoint this is really not well-advised in most cases. Mr. Leighty commented that he will support it because they are actually giving back some property.



**Mr. Liotta in at 2:05 p.m.**

Mr. Carnes stated that all of the zoning laws are in place and nothing will change and therefore he will support this application.

**TMAPC Action; 8 members present:**

On **MOTION** of **CARNES**, TMAPC voted **7-0-1** (Cantrell, Carnes, Dix, Leighty, Marshall, Midget, Wright "aye"; no "nays"; Liotta "abstaining"; McArtor, Shivel, Walker "absent") to **APPROVE** LC-234, LC-211 (Rescind), LS-20338 (Rescind) and LS-20364 per staff recommendation.

\* \* \* \* \*

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17. **The Shoppes on Peoria** – (2330) Minor Subdivision Plat (PD 2) (CD 3)  
Northeast corner of North Peoria Avenue and East Reading Street  
(continued from March 2, 2010) (Related to Item 18)
- 

**STAFF RECOMMENDATION:**

This plat consists of three lots, one block, on 3.07 acres.

The following issues were discussed February 18, 2010 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned Planned Unit Development 705 (pending) with CS (commercial shopping) existing underlying zoning. PUD standards need to be shown in the covenants. Access had been approved with the Director of Public Works approval through PUD 705 standards through the Planning Commission (Council approval is pending.) TMAPC denied the requested sidewalk waiver through the PUD at the February 2, 2010 commission meeting. Another waiver request has been received for the subdivision application and process.
2. **Streets:** Sidewalks are required along all streets per subdivision regulations. Provide standard sidewalk language. (Development Services does not support the new waiver request as the TMAPC has denied the PUD request.)

3. **Sewer:** No comments.
4. **Water:** No comments.
5. **Storm Drainage:** Storm sewers must be centered in a minimum 15 foot wide, storm sewer easement. More storm sewer easements are required for all storm sewers that cross lot lines, and are not located within utility easements or street rights-of-way. A combination mutual access and utility easement may be required. The property lines and all easements should be shown. Otherwise it is extremely difficult to tell if public utilities are located within their necessary easements.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** Add ONG in Section 2 for gas service in covenants.
7. **Other: Fire:** No comments.

**GIS:** Provide the e-mail address for the surveyor. Update location map to show planned and existing expressways and subdivisions. Correct legal description and scale. Submit subdivision control data form.

Staff recommends **APPROVAL** of the Minor Subdivision plat subject to the TAC comments and the special and standard conditions below. The Planning Commission approved the **Denial** of the requested sidewalk waiver as part of Minor Amendments requested for the Planned Unit Development at the February 2, 2010 TMAPC meeting. The applicant appealed the sidewalk waiver request to the City Council. At the March 4, 2010 City Council meeting the denial of the sidewalk waiver was overturned. The staff is not favorable to the sidewalk waiver request but realizes that the Planned Unit Development standards as approved are to be implemented by the subdivision plat.

#### **Waivers of Subdivision Regulations:**

1. A sidewalk waiver and radius waiver is requested.

#### **Special Conditions:**

1. The concerns of the Public Works Department 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.

**TMAPC COMMENTS:**

Ms. Wright asked if the compromise is because of the back portion being developed first and with the intention that as this is developed toward the street, that those sidewalks would be installed. In response, Mrs. Fernandez stated that she doesn't believe so.

Mr. Marshall asked if the Planning Commission has to go with what the PUD approval states, especially since the City Council approved an alternative to the sidewalk issue.

Mr. Boulden stated that it would complicate matters if the Planning Commission doesn't approve the waiver, which is consistent with the PUD as it has been approved. This would put him in an awkward situation if this decision is contrary to what the City Council has approved.

Mr. Midget stated that he talked with the owners of the project and he understands what they are looking at. The Planning Commission has jurisdiction and authority over the Subdivision Regulations. This project was part of a PUD and the Planning Commission required sidewalks all around the development. The Council overturned the Planning Commission ruling with regard to the PUD. He asked how this affects the Subdivision Regulations. He asked if the City Council action nullifies the Planning Commission's authority over the Subdivision Regulations. Mr. Boulden stated that he believes it is a practical matter and that it was nullified. Right now, the PUD is the zoning law of that particular property and now there is a subdivision regulation that is contrary to it, unless the Planning Commission waives it.

Mr. Alberty stated that the Planning Commission is in a complicated situation because in this instance there is a PUD filed on the subject property. He advised assuming that the PUD doesn't exist and now the applicant is coming in to develop the property and file a subdivision plat. The Subdivision Regulations state that it requires sidewalks and if the sidewalk restriction isn't waived, then that provision would have to go to District Court and not to the City Council. Technically, the Planning Commission could play difficult and say "we are not going to waive the Subdivision Regulations", but he believes there are practical reasons not to do that. Due to the PUD, the developers had requested some relief on the sidewalk, which staff and Planning Commission didn't go along with it, but it was appealed to the City Council and they overturned the requirements of TMAPC. When the plat comes in, the Planning Commission is responsible for making sure that the provisions within the PUD are reflected within the Subdivision Regulations and based on the fact that City Council overturned the Planning Commission's denial of the waiver, then staff feels like they are obligated to follow through on the subdivision plat.

Ms. Cantrell stated that she remembers the dentist who wanted the Planning Commission to waive the Subdivision Regulations, which was in a PUD as well and she is trying to be consistent. The Planning Commission has been told that they are the final say, but she is uneasy about the sidewalk situation.

Mr. Midget stated that the dentist situation was already developed and she was trying to get a certificate of occupancy. Because she didn't have sidewalks she wasn't given one and the dentist had to come back before the Planning Commission in a reverse part of the process. The subject development hasn't been built yet, so there is more flexibility here. Mr. Midget indicated that he agrees with the consistency part because he doesn't want developers coming in to circumvent the process through a PUD and not do sidewalks, if the City's goal is to become a walkable/pedestrian community. Mr. Midget further indicated that he had an opportunity to discuss this with the applicant and he understands more of what they are looking for and he will wait for them to speak on this application. It would be better explained by the applicant than speculating.

**Applicant's Comments:**

**Jim Beach**, Wallace Engineering, 200 East Brady, 74103, stated that he feels that he initiated the process by following the advice of the staff and his own awareness and knowledge of how the process works. The proposal is a great connection to the neighborhood, the subject project and to the sidewalk on Peoria. He feels strongly that the connections the subject project is providing give access from either the southeast corner or the northeast corner of the subject property and connects all of the neighborhoods to the east of the subject site. It also provides connections down both streets and a connection between those two streets through the subject project and to the bus stop. This alternative allows all of the connections to occur that would be the same kinds of connections that would occur if sidewalks were built all around the subject property, except that it doesn't impose such a large financial and technical burden on the developer who is under some specific financial constraints and scheduling constraints to bring this project to completion. The City Council felt that this is a good compromise and requests that the Planning Commission approve the plat.

Mr. Beach stated that he believes that this is really a modification of the Subdivision Regulations and not a waiver of the Subdivision Regulations. It would still be in compliance with a modification.

**TMAPC COMMENTS:**

Ms. Wright stated that she did have the opportunity to meet with Mr. Gant on this project and she understands that the intention was to eventually have sidewalks clear out to the street, but this is more for staging and financial reasons. The development will start in the back portion first and then come to the street. Mr. Beach stated that it is true that the portion to the rear (L-shaped building), all of the east part is phase one. All of the proposed sidewalks will be in place for phase one. There has been no discussion of extending them out to Peoria in some future date and he doesn't believe that is the intent, because if they are built as proposed they accomplish everything.

Ms. Cantrell stated that she was okay with the compromise, but she really wished that the developer would put sidewalks along the back of the subject property. People will have to go into the street to access the subject property if they are coming from the back. To be a good neighbor, she would like them to consider putting in the sidewalk along the back.

Mr. Dix asked Mr. Beach to explain what is technically difficult about sidewalks. Mr. Beach stated that the site is flat and because of that there are grading constraints and will have to rebuild the land in order to get it to drain properly. Once this is done, then the area where sidewalks would go has some slopes on it and would have to be leveled out to put a sidewalk and possibly build retaining walls. Mr. Dix stated that he doesn't buy that at all. Mr. Beach stated that he is not the engineer, but that is what he has been told by the engineers at his

employment. Mr. Dix asked Mr. Beach how much the additional sidewalks would cost. Mr. Beach stated that the estimate he received was \$40,000.00 to \$50,000.00. Mr. Dix stated that a sidewalk costs \$3.00 per square foot and he doesn't believe that it would cost that much. Mr. Dix informed Mr. Beach that he needed to know the total square footage in order to make a decision. Mr. Dix stated that he has never seen someone try to get a waiver of sidewalks and prove that they have access through internal configurations. He further stated that he has never seen anyone get a waiver for sidewalks around a business property in any part of the country. Mr. Dix indicated that he can't support this at all.

Mr. Leighty asked Mr. Gant what the value of the development is. Mr. Gant stated that it will cost \$3.1 million. Mr. Leighty stated that the Planning Commission wants to be consistent about these things and everybody could come and state financial difficulties. This will never be turned around and get the kind of connectivity in the neighborhoods if an exception is made every time. Mr. Gant stated that the development will be in phases and he intends to create pedestrian access into the development. He doesn't have any additional plans to develop the front 1/3 of the property. He indicated that he had a conversation with Ms. Wright that as the pad sites are developed in the front of the subject property, he would put the burden on them to install the sidewalks. Mr. Gant stated that he is taking care of and developing on 2/3rds of the subject property and providing an access into the subject site. There are sidewalks to the north and south to the grocery store and this compromise makes access easier from the east into his development, but it doesn't do anything for access to the grocery store and nothing changes there. Mr. Leighty asked Mr. Gant how this would work unless he divides the subject property since he owns all of the property. Mr. Gant stated that he does own the entire property, but he considers the property in the front as pad sites and he will lease the front 1/3<sup>rd</sup> of the subject property to an independent developer. There is a restaurateur who wants to lease a pad and develop his own restaurant.

Mr. Leighty stated that it is his understanding that if this application is approved there would be no way to require sidewalks on the front pads. Mr. Gant stated that he could require it in the lease agreements. Mr. Leighty stated that there is no way to require Mr. Gant to require that his lessees install sidewalks.

In response to Mr. Marshall, Mr. Gant stated that he is not intending to sell the pad sites, but he intends to lease them.

Mr. Sansone stated that each lot will have to come for a detail site plan review and none have been submitted.

In response to Ms. Wright, Mr. Sansone stated that if the Planning Commission is interested in phasing in the sidewalks, it would be required that they all go in and then the Planning Commission could phase the sidewalks in during the detail site

plan review. If the Planning Commission waives the requirement today and approves the alternative proposal, then there is no way to require additional sidewalks during detail site plan review. Mr. Sansone stated that if the Planning Commission wants to require additional sidewalks, they need to be specific as to where they are to be installed in the motion.

Mr. Dix stated that with the dimensions from the site plan it appears that there would be about 783 lineal feet of sidewalk missing. The cost of sidewalk at five feet would be approximately \$12,000.00. Mr. Gant stated that the estimates he has received were much higher than that from the engineers.

Ms. Cantrell stated that she believes that Quaker Street is problematic without a sidewalk. All of the other areas do have sidewalks across the street, but there are none along Quaker. There is some internal flow, but it will be quite an imposition for people to get to the one building if they are in a wheelchair all the way around to enter the subject property. Ms. Cantrell stated that she would prefer that Quaker have sidewalks and phase in the other sidewalks. She understands that the applicant's primary goal is not to help neighbors get to the supermarket, but if they are going to be using the supermarket sidewalk to get to the street, then the supermarket is doing that for the applicant and perhaps he could put in the Quaker side and be a good neighbor.

Mr. Gant stated that it is not like he is not trying to be a good neighbor, because he is, but he has limited funds for the project. In order to move this development along, he is willing to accommodate where he is able to do so. Building sidewalks around the entire perimeter creates an issue for him at this point.

Mr. Midget stated that he likes the compromise and if there is a provision to allow the sidewalks to be required during site plan review for the other pads he would be supportive of that. Mr. Midget further stated that he is not concerned about the backend of the subject property because he believes, with some assistance with the City Council, that would get done to accommodate the neighbors. He knows that the City Council has some capital funding that could assist with that since this would be a public improvement in the subject area.

Mr. Dix stated that he could support this if the sidewalks were to be phased in when occupancy permits it. Ms. Wright stated that she thought Mr. Sansone stated that sidewalks could be dealt with the detail site plan. Mr. Dix stated that he doesn't have a problem with that as long as it is tied to an occupancy permit.

Mr. Liotta asked where the compromise was developed. In response, Mr. Gant stated that he came up with it through the engineering firm.

Mr. Marshall asked if City Council approved Mr. Gant's compromise. In response, Mr. Gant answered affirmatively.



Ms. Cantrell stated that the City Council approved this compromise and she really hopes that the applicant will look at finding a way to put sidewalks along Quaker.

Mr. Leighty moved to approve the minor subdivision plat, subject to the requirements for the sidewalk for Lots 1 and 3 being required during site plan review.

Mr. Boulden stated that the motion should be to modify the subdivision requirement for sidewalks on Lots 1 and 3 at this stage and to make sidewalk requirements for Lots 1 and 3 subject to site plan approval and waive the sidewalk requirement for Quaker.

Mr. Boulden stated that he earlier commented that if the Planning Commission required sidewalks it would create a conflict for him representing the City of Tulsa. He doesn't believe this will cause a conflict since the approved compromise from the City Council is being accepted and that the Planning Commission is only requiring additional sidewalks for Lots 1 and 3 at the detail site plan level.

Ms. Cantrell restated the motion: to **APPROVE** the minor subdivision plat for The Shoppes on Peoria, subject to sidewalks being required as currently displayed on Pedestrian Circulation Exhibit (page 17.7) and additional sidewalks will be required subject to detail site plan for Lots 1 and 3.

Mr. Dix stated that had the Planning Commission waived this requirement in any other part of the City of Tulsa, then he would be okay with whatever is decided today, but he has never seen it done and he has never had it done on anything site plan he has ever developed for the City of Tulsa. Mr. Dix further stated that he doesn't understand why this is being considered just because it is in this part of the City.

Mr. Leighty stated that these things have to be looked at on a case-by-case basis. It would be easy to set this in concrete and that doesn't make a lot of sense. This area desperately needs new development and he is willing to make an exception and come to a compromise. Mr. Leighty stated that he would like to applaud Mr. Gant for being willing to invest in this development.

Mr. Dix stated that other developers will be looking at these areas will not go into an area that is not going to maintain the values that they are investing. If we do not require this of every developer in this area, then they will never do any development in this area.

Mr. Leighty stated that if this development doesn't start first, then there may not be a second development.

**TMAPC Action; 8 members present:**

On **MOTION** of **LEIGHTY**, TMAPC voted **6-2-0** (Cantrell, Leighty, Liotta, Marshall, Midget, Wright "aye"; Carnes, Dix "nays"; none "abstaining"; McArtor, Shivel, Walker "absent") to **APPROVE** the minor subdivision plat for The Shoppes on Peoria, subject to modifying the sidewalk requirement as displayed on Pedestrian Circulation Exhibit (page 17.7) and additional sidewalks will be required subject to detail site plan for Lots 1 and 3 as modified by the Planning Commission.

\* \* \* \* \*

18. **The Shoppes on Peoria** – (2330) Accelerated Building Permit (PD 2) (CD 3)

Northeast corner of North Peoria Avenue and East Reading Street  
(continued from March 2, 2010) (Related to Item 17)

**STAFF RECOMMENDATION:**

The property is zoned Planned Unit Development 705 (pending) with CS (commercial shopping) existing underlying zoning. Full permits are requested. A minor subdivision plat is on the same TMAPC agenda for this project.

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

The applicant offers the following explanation of the extraordinary and exceptional circumstances that serve as the basis for this request: See attached explanation.

***The following information was provided by the Technical Advisory Committee in hits meeting February 18, 2010.***

**ZONING:**

TMAPC Staff: Full permits are requested.

**STREETS:**

Development Services, Transportation: No comments.

**SEWER:**

Development Services, Waste Water: No comments.

**WATER:**

Development Services, Water: No comments.

**STORM DRAIN:**

Development Services, Storm Water: Separate Instrument Easements may be required, unless approved corrections are made to the plat and covenants prior to building permits.

**FIRE:**

Development Services, Fire: No objection.

**UTILITIES:**

Franchise Utilities: No comments.

*The accelerated building permits were originally designed to accommodate large campus style type of developments and should concentrate upon "the benefits and protections to the City that may be forfeited by releasing the building permit prior to the filing of the plat". These requested permits adhere to this ideal. Staff recommends approval of the authorization to release the accelerated permits with the conditions as commented by the Technical Advisory Committee.*

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

**TMAPC Action; 8 members present:**

On **MOTION** of **WRIGHT**, TMAPC voted **8-0-0** (Cantrell, Carnes, Dix, Leighty, Liotta, Marshall, Midget, Wright "aye"; no "nays"; none "abstaining"; McArtor, Shivel, Walker "absent") to **APPROVE** the accelerated building permit per staff recommendation.

\* \* \* \* \*

19. **BOA- 21034** -(0201) Plat Waiver

(PD 24) (CD 1)

North of the Northeast Corner of North Cincinnati and East 56<sup>th</sup> Street,  
Block 20 Suburban Hills Addition

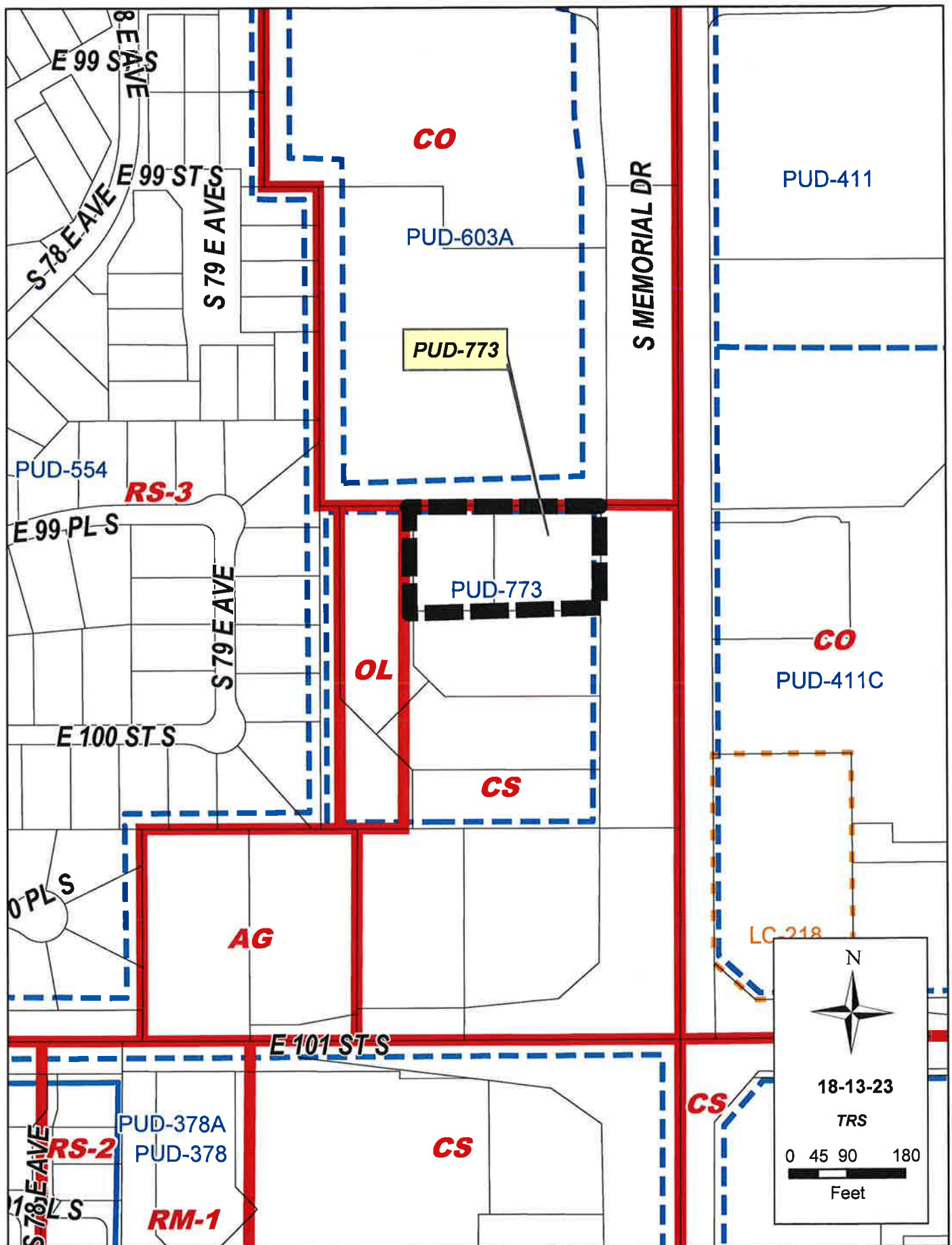
**STAFF RECOMMENDATION:**

The platting requirement is being triggered by Board of Adjustment case BOA-21034 to allow the North Regional Health and Wellness Center, a health services facility of the Tulsa City-County Health Department on land owned by Tulsa County and zoned AG (agricultural).

03:17:10:2574(19)

6.17









PUD-773

18-13-23

TRS

0 45 90 180

Feet

7.2



January 18, 2012

## STAFF RECOMMENDATION

**PUD-773:** Detail Site Plan – North of the northwest corner of 101<sup>st</sup> Street South and South Memorial Drive; Lots 1 and 2, Block 1 – NGP Business Park; TRS 18-13-23; CZM 57; Atlas 2271; CD 8; RS-3/OL/CS.

---

The applicant is requesting approval of a detail site plan for a 7,290 square foot, two-story dental office. The proposed use, Dentist Office within Use Unit 11 – Office, Studios and Support Services is a permitted use in PUD-773. Associated with this PUD Detail Site Plan is case #LC-378 also appearing on the January 18<sup>th</sup> agenda of the TMAPC. Approval of LC-378 would combine Lots 1 and 2, Block 1 – NGP Business Complex.

The submitted site plan meets all applicable building floor area, open space, building height and setback limitations. Detailed specifications can be seen on the attached site plan, "PUD-773 Site Data" box.

Access to the site is provided from Memorial Drive. 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. All sight lighting, including building mounted will be limited to 14-feet per PUD limitations for exterior lighting. Lighting will be directed down and away from adjoining residential properties of the west 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. There is an existing sidewalk along Memorial Drive and a distinct pedestrian access will be provided from the sidewalk through the parking lot to the front of the dental clinic.

Staff recommends **APPROVAL** of the detail site plan for Lots 1 and 2, Block 1 – NGP Business Park.

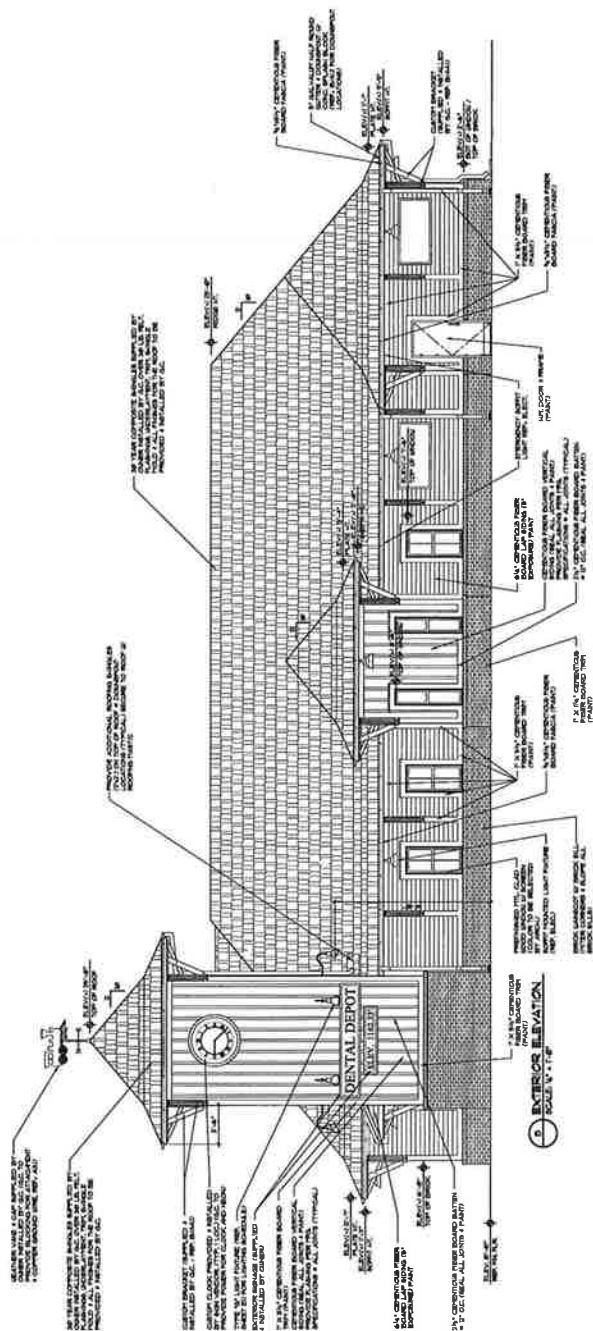
*Note: Detail site plan approval does not constitute landscape and sign plan approval.*

7.3

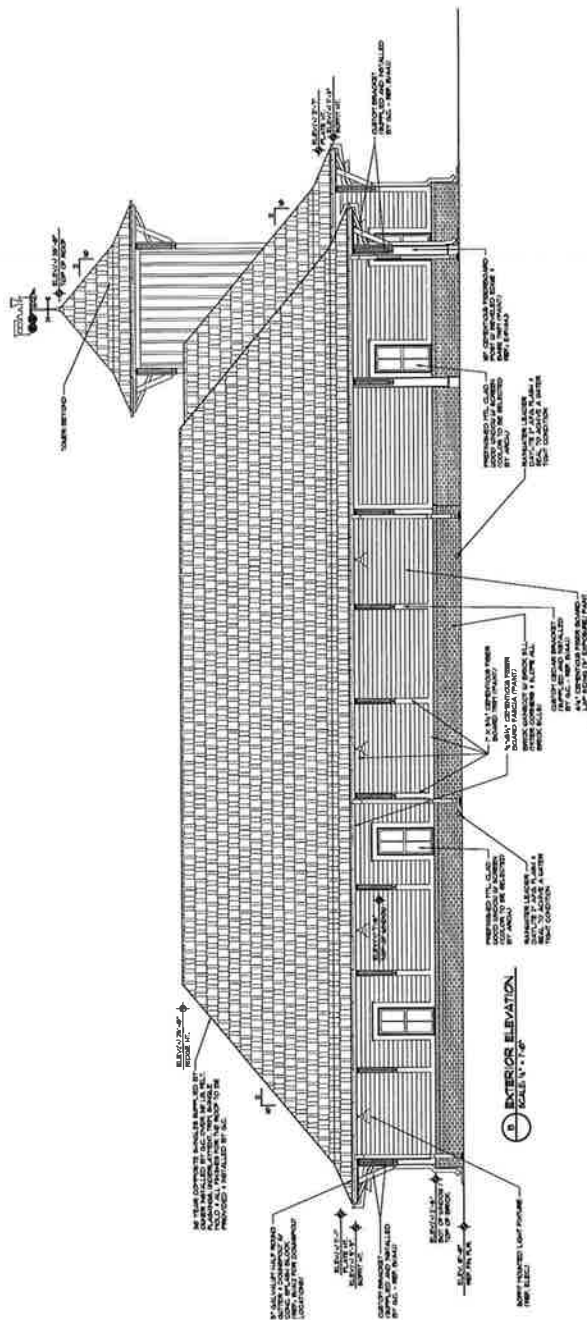
**Tanner Consulting, LLC**

5323 SOUTH LEWIS AVENUE  
TULSA, OKLAHOMA 74105  
PHONE (918)745-9929 FAX (918)745-9968





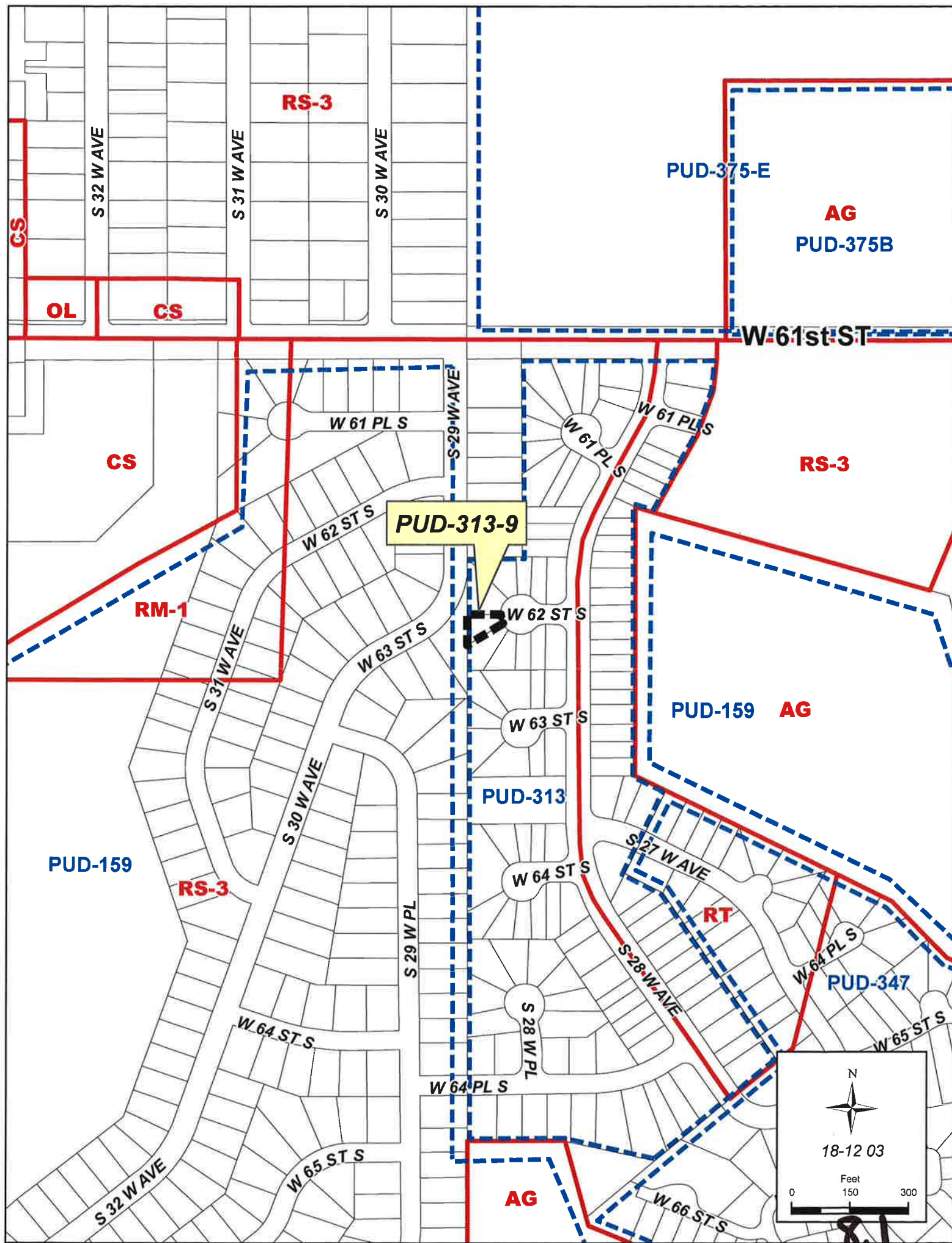
DENTAL DEPOT  
PROPOSED EXTERIOR ELEVATIONS - SOUTH MEMORIAL DRIVE - TULSA, OK  
SCALE 1/4" = 1'-0"  
DATE 01-11-12



PROPOSED EXTERIOR ELEVATIONS -- SOUTH MEMORIAL DRIVE -- TULSA, OK.  
DENTAL DEPT  
DATE: 01-11-12  
SCALE: 1/4" = 1'-0"

SCALE: 1/4" = 1'-0"

USA, VA  
DATE: 01-11-12







**PUD-313-9**



18-12 03



Note: Graphic overlays may not precisely align with physical features on the ground.  
Aerial Photo Date: March 2010

8.2



January 18, 2012

### STAFF RECOMMENDATION

**PUD-313-9:** Minor Amendment – South of the southwest corner of West 61<sup>st</sup> Street South and South 28<sup>th</sup> Avenue West; Lot 22, Block 5 – Golf Estates II; 2820 West 62<sup>nd</sup> Street South; TRS 18-12-03; CZM 51; Atlas 1013; CD 2; RT/RS-3.

The applicant is requesting a minor amendment to increase the permitted coverage for a driveway in the required front yard of an RS-3/PUD zoned lot per the attached plan. Necessitating the need for the minor amendment is the odd shape of the lot and very limited street frontage the parcel has on this cul-de-sac.

Section 1303.D of the Code permits up to 34% coverage of the required front yard for driveways on RS-3 zoned lots. Section 1106 of the Code allows the Planning Commission to modify parking requirements by minor amendment so long as the approved modification is recorded in the subdivision plat. Since the definition of parking area in section 1800 of the Code includes the driveways that lead to required parking spaces, the request qualifies as a parking modification. Should the Planning Commission be inclined to approve the request, the applicant will need to record the modification on the plat by filing the amendment by separate instrument with the County Clerk's office.

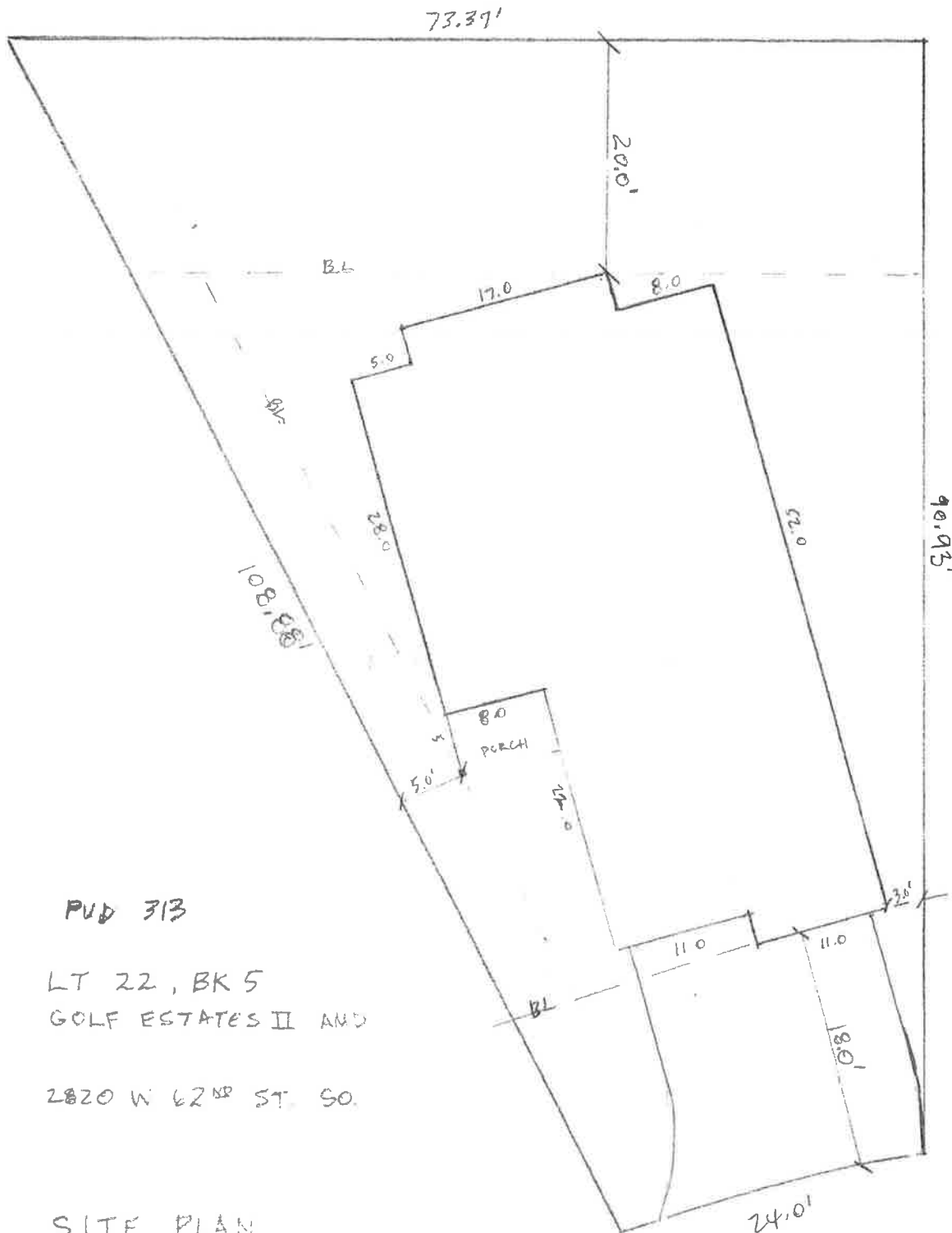
Please refer to the attached aerial photograph, site plan, and case photographs (please note that other driveways on the cul-de-sac appear to exceed the permitted driveway coverage). Located at the end of a cul-de-sac the subject property is triangular in shape, with a limited 24-feet of frontage along the street. The proposed driveway is a standard 18-foot by 22-foot or 396 square foot (sf) driveway. Given the odd shape of the lot and limited street frontage almost any size driveway would exceed the maximum coverage permitted, which would normally fit on a typical rectangular shaped RS-3 zoned lot.

The PUD requires this parcel to have 1,368 square feet (sf) of livability space (open space) on the lot. With the extra coverage by the driveway the lot will meet the requirement having approximately 2,040 sf of livability space.

Given the odd shape of the lot and limited street frontage, combined with the livability space requirement being met staff can support the request. Staff contends the increase in driveway coverage will not substantially alter the character of the development, the approved PUD concept plan and is in conformance with the intent of the PUD chapter of the Code. Therefore recommends **APPROVAL** of minor amendment PUD-313-9 per the attached site plan.

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

8.3



- 432  $\pm$  (+/-) Required Frontyard
- 396  $\pm$  driveway (18' x 22') in required Front Yard

PUD 313

LT 22, BK 5  
GOLF ESTATES II AND

2820 W 62<sup>ND</sup> ST. SO.

SITE PLAN

1"=10'

NOTE. 2040  $\pm$  LIVABILITY SPACE PROVIDED

MIN LIVABILITY SPACE (4368 SQ. FT. AVERAGE)  
ZERO LOT LINE LOT IN PUD 313

NEW HOUSE	
OWNER • KENNEY RUSSELL	
BUILDER •	DATE
THE RUSSELL CO	11/7/11

1 of 5

8.4



**Subject property and two neighboring houses.**



**2815 W. 62nd St. (located on the same cul-de-sac).**

8.5





**2811 W. 62nd St. (located on the same cul-de-sac as the subject property).**



**2807 W. 62nd St. (located on the same cul-de-sac as the subject property).**





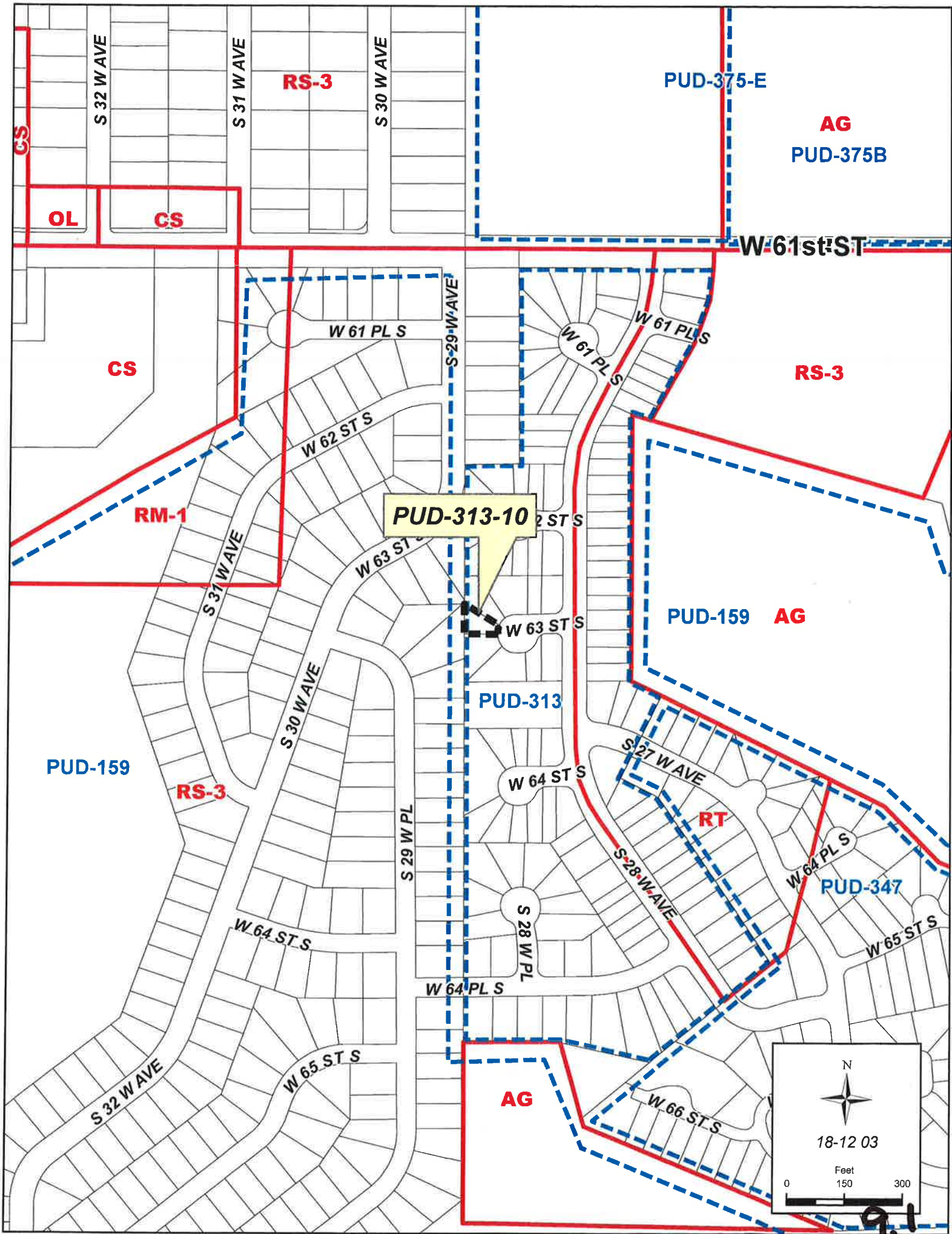
**2810 W. 62nd St. (located on the same cul-de-sac as the subject property).**



**2806 W. 62nd St. (located on the same cul-de-sac as the subject property).**













January 18, 2012

### STAFF RECOMMENDATION

**PUD-313-10:** Minor Amendment – South of the southwest corner of West 61<sup>st</sup> Street South and South 28<sup>th</sup> Avenue West; Lot 33, Block 5 – Golf Estates II; 2823 West 63<sup>rd</sup> Street South; TRS 18-12-03; CZM 51; Atlas 1013; CD 2; RT/RS-3.

The applicant is requesting a minor amendment to increase the permitted coverage for a driveway in the required front yard of an RS-3/PUD zoned lot per the attached plan. Necessitating the need for the minor amendment is the odd shape of the lot and very limited street frontage the parcel has on this cul-de-sac.

Section 1303.D of the Code permits up to 34% coverage of the required front yard for driveways on RS-3 zoned lots. Section 1106 of the Code allows the Planning Commission to modify parking requirements by minor amendment so long as the approved modification is recorded in the subdivision plat. Since the definition of parking area in section 1800 of the Code includes the driveways that lead to required parking spaces, the request qualifies as a parking modification. Should the Planning Commission be inclined to approve the request, the applicant will need to record the modification on the plat by filing the amendment by separate instrument with the County Clerk's office.

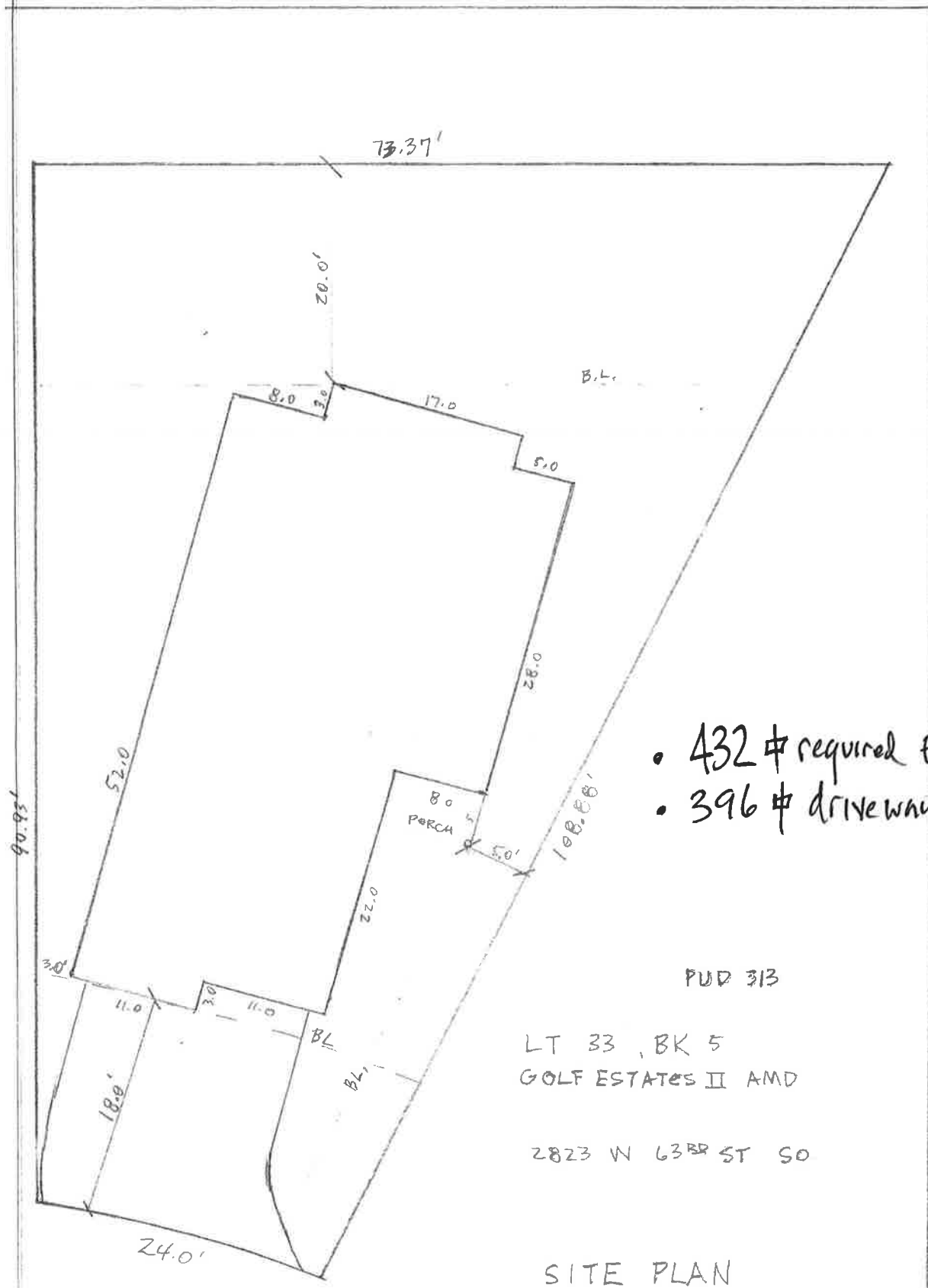
Please refer to the attached aerial photograph, site plan, and case photographs (please note that other driveways on the cul-de-sac appear to exceed the permitted driveway coverage). Located at the end of a cul-de-sac the subject property is triangular in shape, with a limited 24-feet of frontage along the street. The proposed driveway is a standard 18-foot by 22-foot or 396 square foot (sf) driveway. Given the odd shape of the lot and limited street frontage almost any size driveway would exceed the maximum coverage permitted, which would normally fit on a typical rectangular shaped RS-3 zoned lot.

The PUD requires this parcel to have 1,368 square feet (sf) of livability space (open space) on the lot. With the extra coverage by the driveway the lot will meet the requirement having approximately 2,040 sf of livability space.

Given the odd shape of the lot and limited street frontage, combined with the livability space requirement being met staff can support the request. Staff contends the increase in driveway coverage will not substantially alter the character of the development, the approved PUD concept plan and is in conformance with the intent of the PUD chapter of the Code. Therefore recommends **APPROVAL** of minor amendment PUD-313-10 per the attached site plan.

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





- 432 # required front yard
- 396 # driveway

PUD 313

LT 33, BK 5  
GOLF ESTATES II AMD

2823 W 63RD ST SO

# SITE PLAN

1" = 10'

NOTE: 2040 # LIVABILITY SPACE PROVIDED

MIN LIVABILITY SPACE (1,368 SQ.FT. AVERAGE)  
ZERO LOT LINE LOT IN PUD 313

NEW HOUSE		
OWNER: KENNEY RUSSELL		
BUILDER:	DATE	1 of 5
THE RUSSELL CO.	11/7/11	



**Subject property and two neighboring houses.**



**2811 W. 63rd St. (located on the same cul-de-sac).**

9.5





**2807 W. 63rd St. (located on the same cul-de-sac as the subject property).**



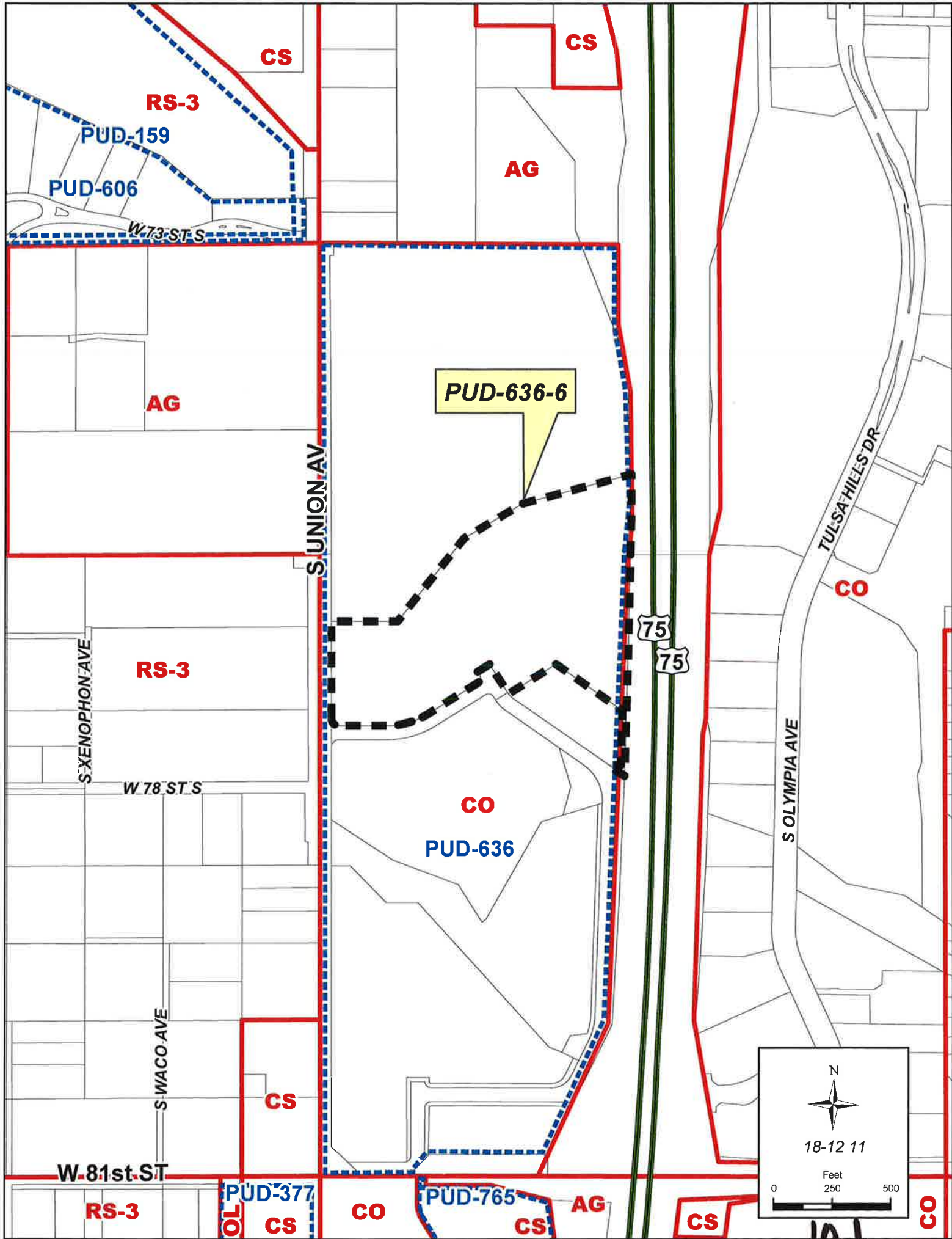
**2803 W. 63rd St. (located on the same cul-de-sac as the subject property).**



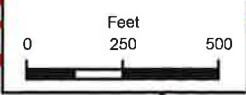
**2802 W. 63rd St. (located on the same cul-de-sac as the subject property).**





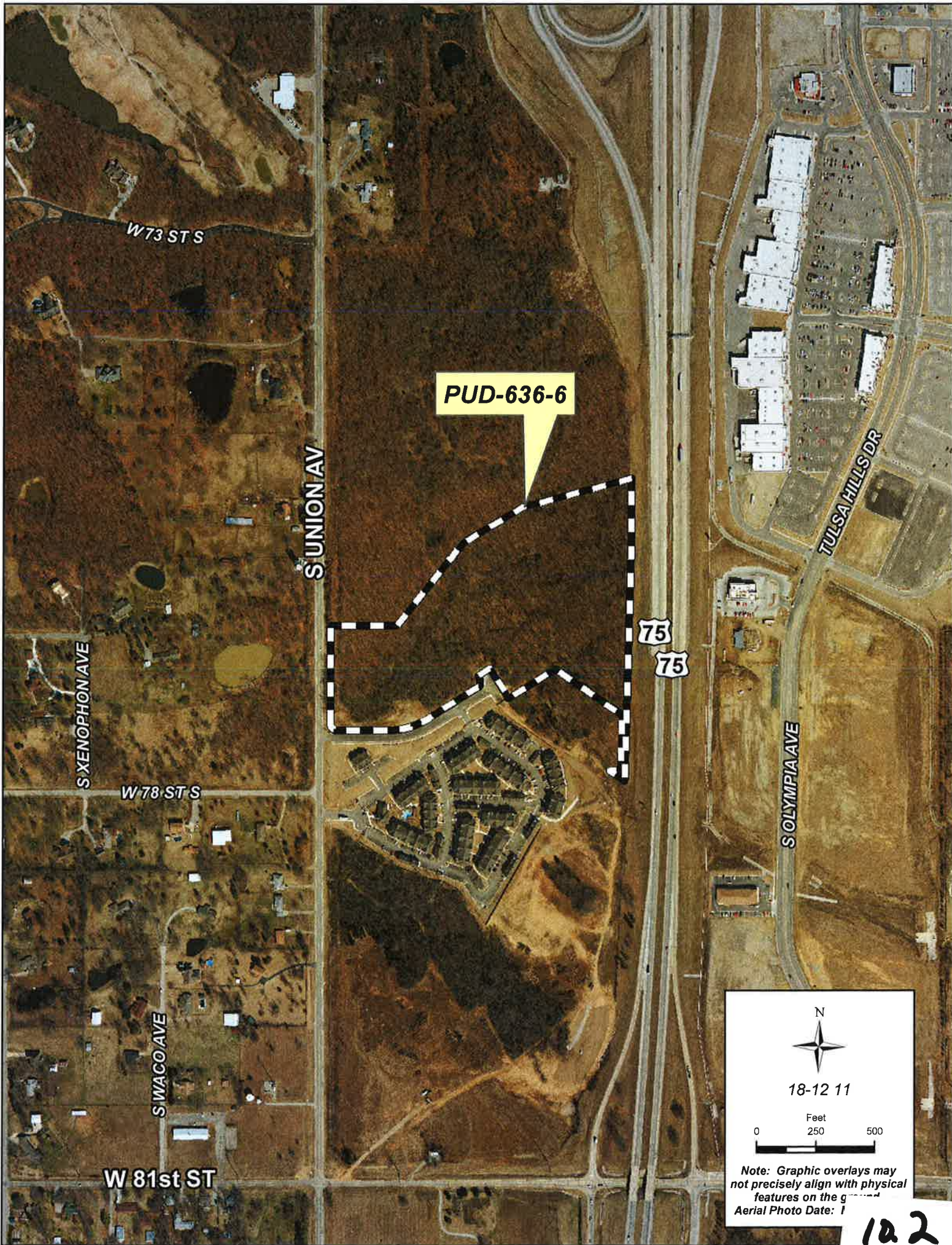


18-12 11



10.1





W73 ST S

PUD-636-6

S UNION AV

TULSA HILLS DR

S XENOPHON AVE

75  
75

W 78 ST S

S OLYMPIA AVE

SWACO AVE

W 81st ST



18-12 11

0 Feet 250 500

Note: Graphic overlays may not precisely align with physical features on the ground  
Aerial Photo Date: 1

102



### STAFF RECOMMENDATION

**PUD-636-6:** Minor Amendment – Northeast corner of West 78<sup>th</sup> Street South and South Union Avenue; Lot 1, Block 1 – Tuscany Hills at Nickel Creek; TRS 8210; CZM 51; CD 2; CO/PUD.

The applicant is requesting a minor amendment to establish sign standards for the Tuscany Hills at Nickel Creek Apartment complex located in PUD-636. The original approval of the PUD did not establish sign standards for the apartment complex in which the underlying zoning is Corridor (CO).

The apartment complex does not cover the entirety of the development areas in question, so the proposed sign standards would be applicable to the Tuscany Hills Apartments only. Should other development occur within these development areas the sign standards will be addressed through either the PUD chapter of the zoning code based on the use of the land, or through minor amendment based on the underlying Corridor District (CO) zoning.

The property has 415 lineal feet of frontage along Union Avenue. Based on the property's street frontage, one 500 square foot (sf) ground sign could be constructed if only one sign were constructed on site. If two ground signs were constructed, the signs would be permitted up to 415 sf of display area in the aggregate. Wall signs would be limited to 3 square feet of display area per lineal foot of building wall to which the sign is affixed.

Proposed sign standards are as follows (see attached exhibits for sign sizes and location):

1. One 60 sf, non-illuminated wall sign located on the western most apartment building (sign #1 on attached sheet P1) ;
2. One 24 sf, non-illuminated wall sign located on the unoccupied tower section of the clubhouse (sign #2 on attached sheet P1) ;
3. Two 41 sf monument style ground signs not to exceed 8.5' in height located on either side of at the access point along West 78<sup>th</sup> Street South (signs 3 and 4 on attached sheet P1).

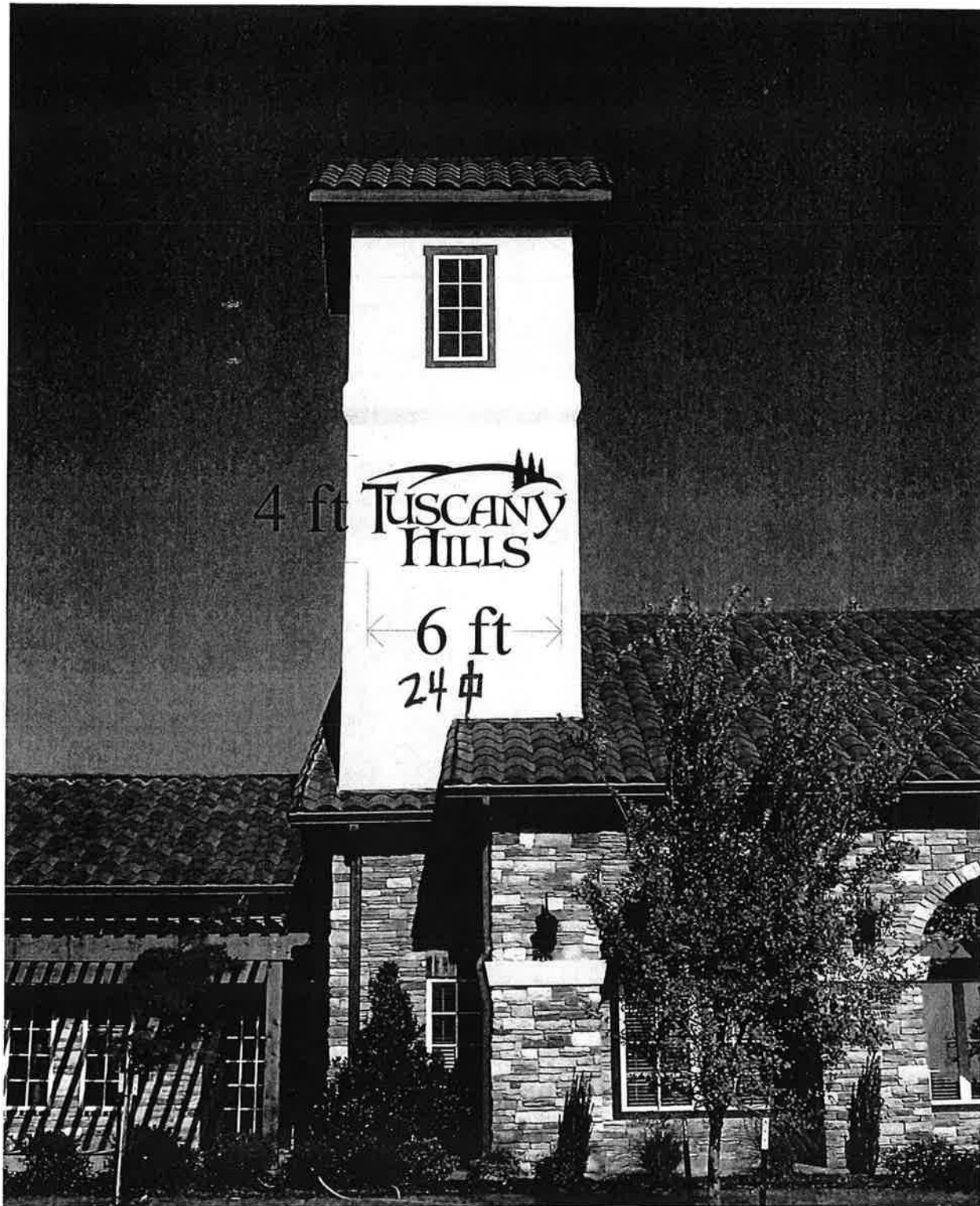
If approved, staff contends the signs will not substantially alter the size, location, number and character (style) of signs permitted within the PUD. Further the signage will not substantially alter the character of the development or the intent of the approved PUD concept plan. Therefore, staff recommends **APPROVAL** of minor amendment PUD-636-6.

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

SIGN #1

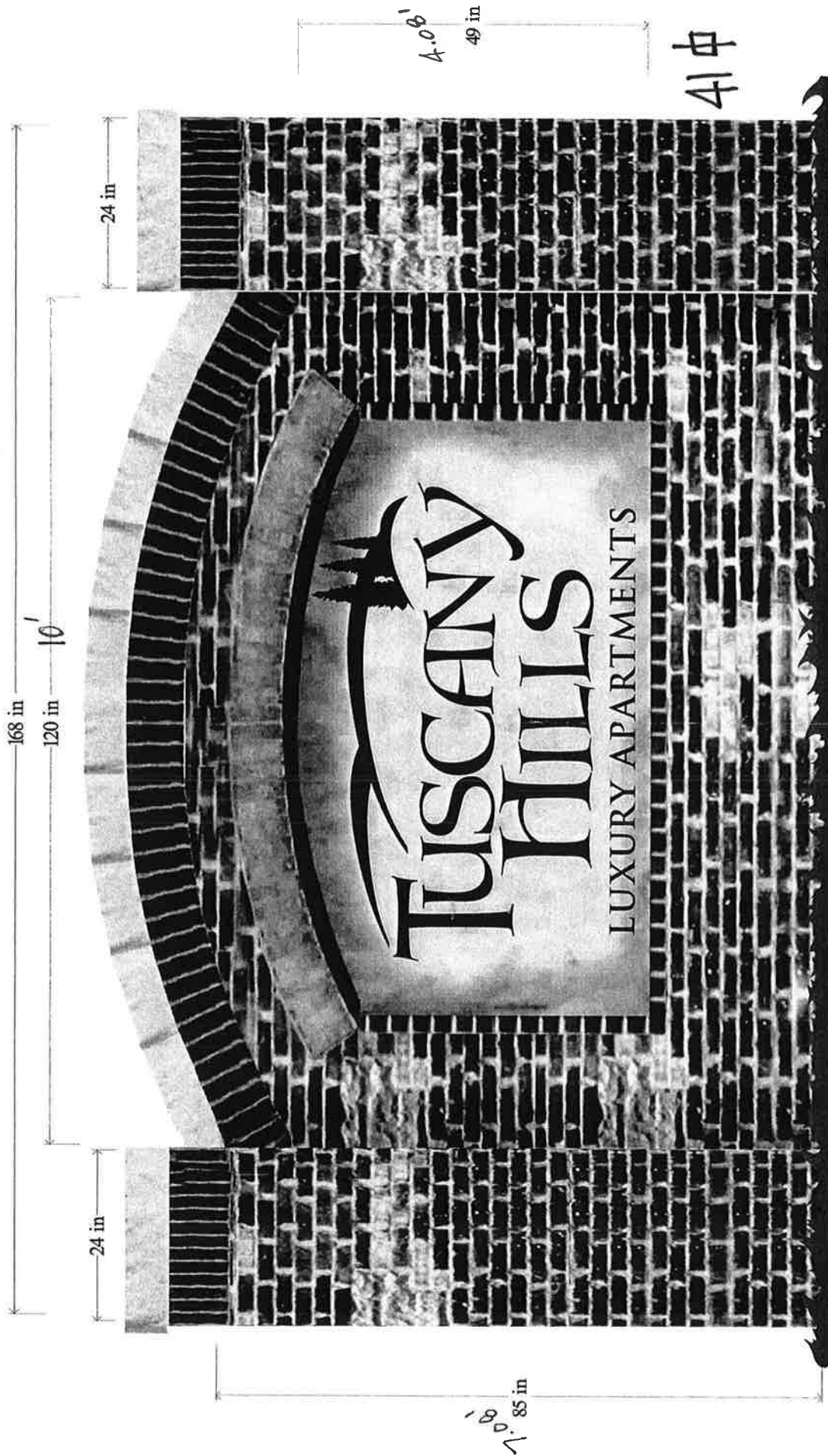


10.4



**SIGN #2**





41中

**SIGNS 3+4**

10.6



**Western facing wall, of western most apartment building—facing Union Avenue.**

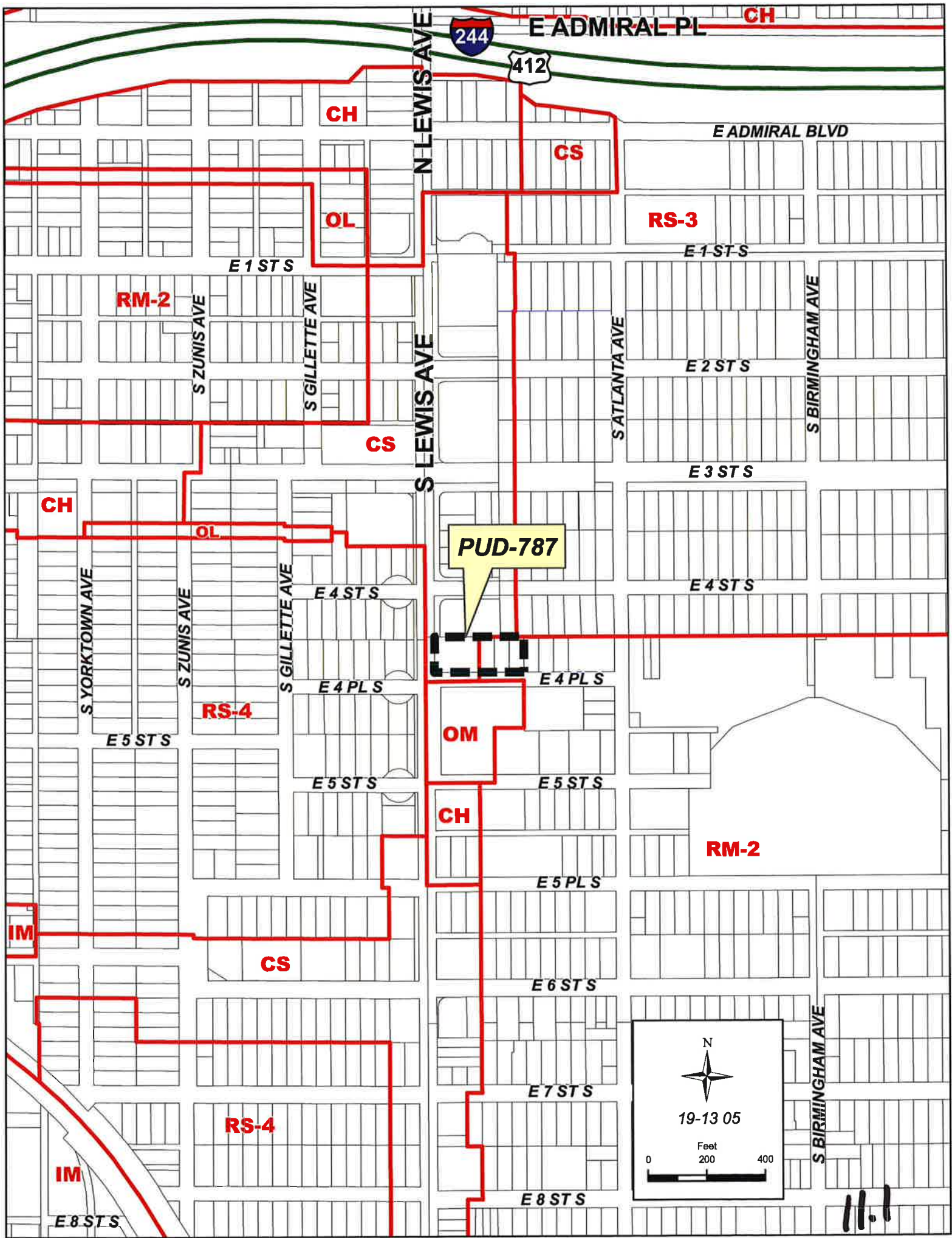


**Signs 3 & 4; located on either side of entry along W. 78th St. S.**

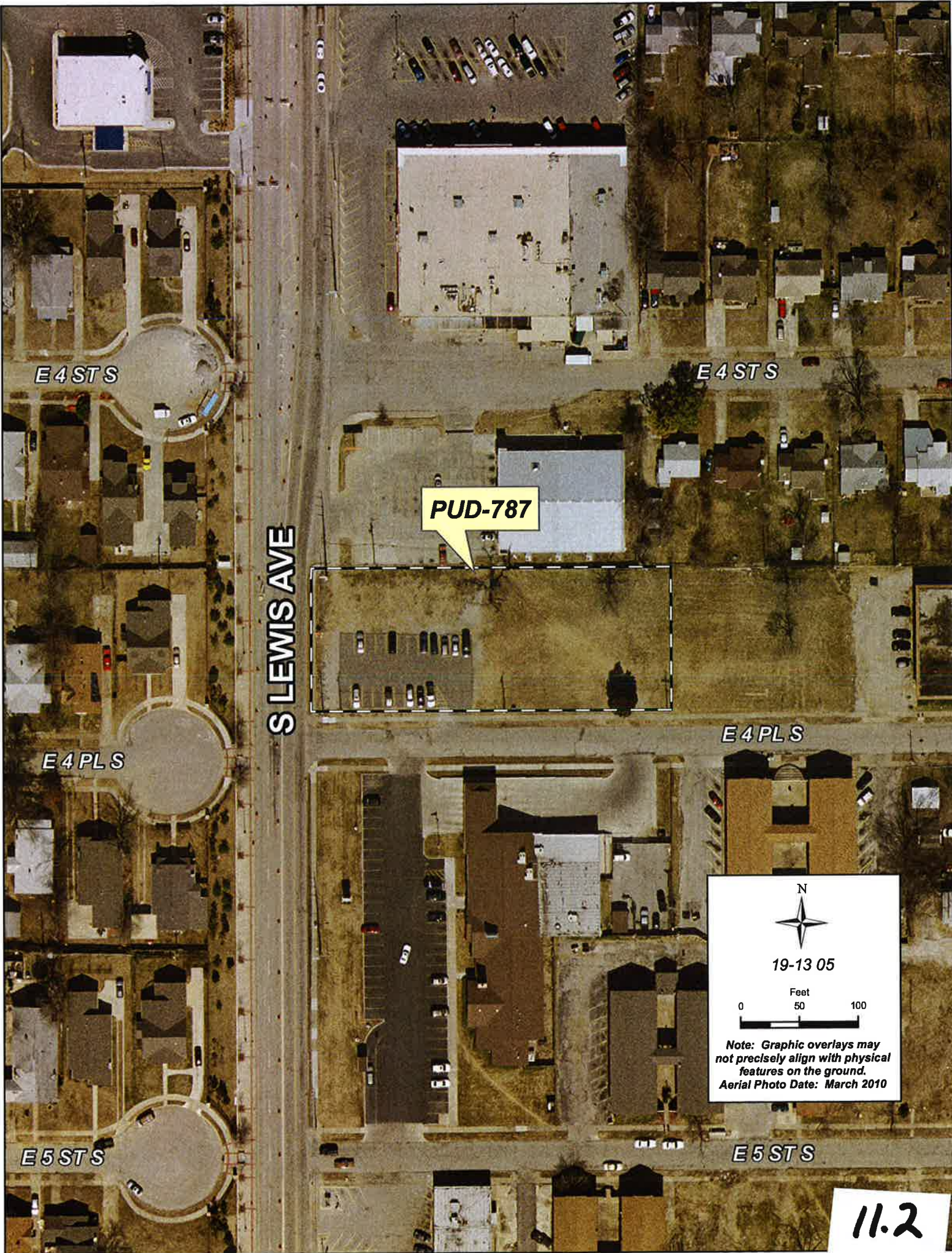












E 4 ST S

E 4 ST S

PUD-787

S LEWIS AVE

E 4 PLS

E 4 PLS

E 5 ST S

E 5 ST S



19-13 05

0 50 100  
Feet

Note: Graphic overlays may  
not precisely align with physical  
features on the ground.  
Aerial Photo Date: March 2010

11.2



January 18, 2012

## STAFF RECOMMENDATION

**PUD-787:** Detail Site Plan – Northeast corner of South Lewis Avenue and East 4<sup>th</sup> Place South; TRS 19-13-05; CZM 37; Atlas 27; CD 4; RM-2/CS.

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The applicant is requesting approval of a detail site plan for a three-story, mixed use building to be located at the northeast corner of South Lewis Avenue and East 4<sup>th</sup> Place South. The building will contain approximately 7,180 square feet (sf) of office and retail space and will include two apartment dwelling units. The proposed uses of the building – Use Unit 11 – Office, Studios and Support Services; Use Units 12, 13, and 14 (restaurants, conveniences goods and shopping goods and services), and health club within Use Unit 19 are permitted by PUD-787.

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 East 4<sup>th</sup> Place South and will share mutual access with the apartment development to the east. Parking is 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 25-feet in height per PUD limitations for exterior lighting, excepting that any light standard placed within the northern 50-feet of the eastern 100-feet of the PUD shall be limited to 15-feet in height. 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.

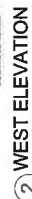
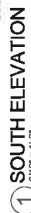
Sidewalks will be provided along 4<sup>th</sup> Place and Lewis Avenue as required by PUD Development Standards and Subdivision Regulations.

Staff recommends **APPROVAL** of the detail site plan for the mixed-use building to be located at the north east corner of 4<sup>th</sup> Place South and South Lewis Avenue in PUD-787.

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

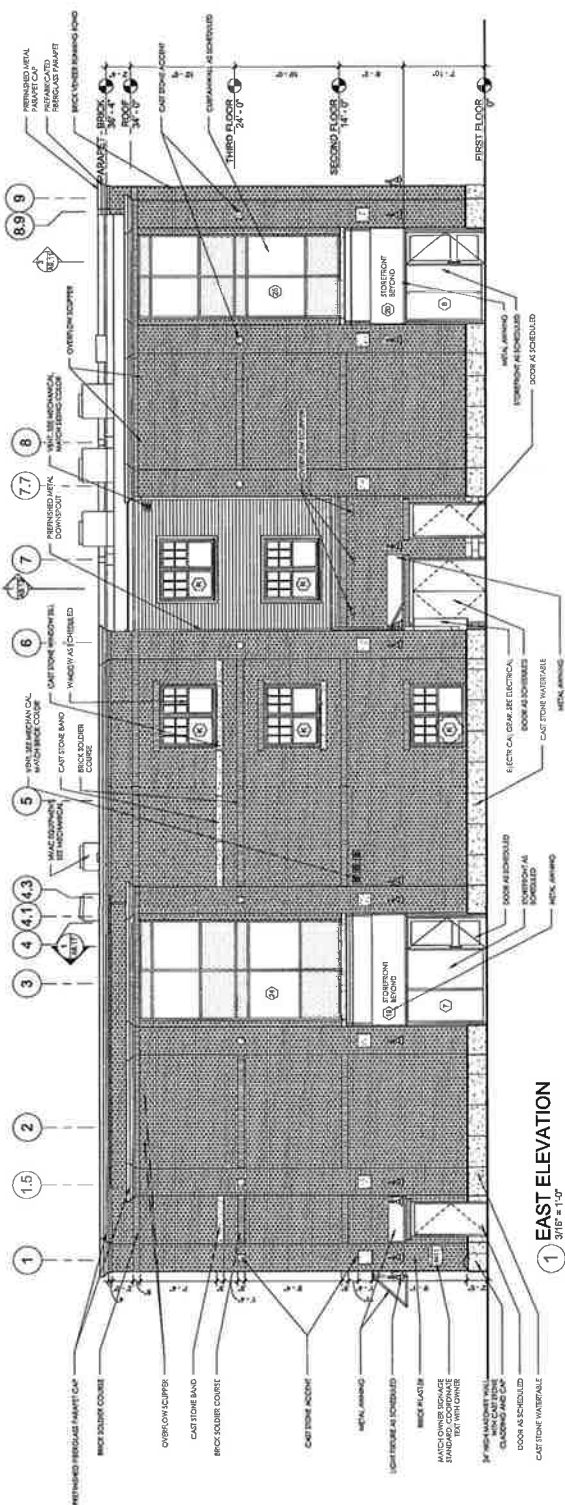




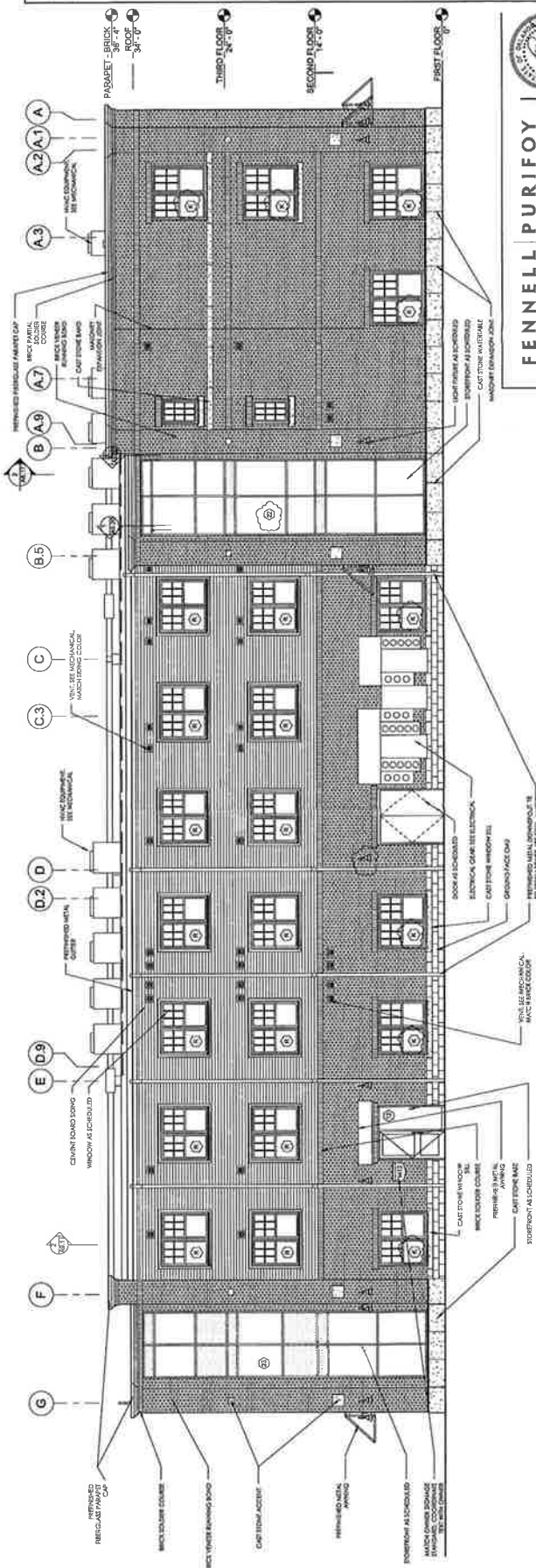


# WEST PARK APARTMENTS

TULSA, OKLAHOMA



1 EAST ELEVATION  
3/16" = 1'-0"



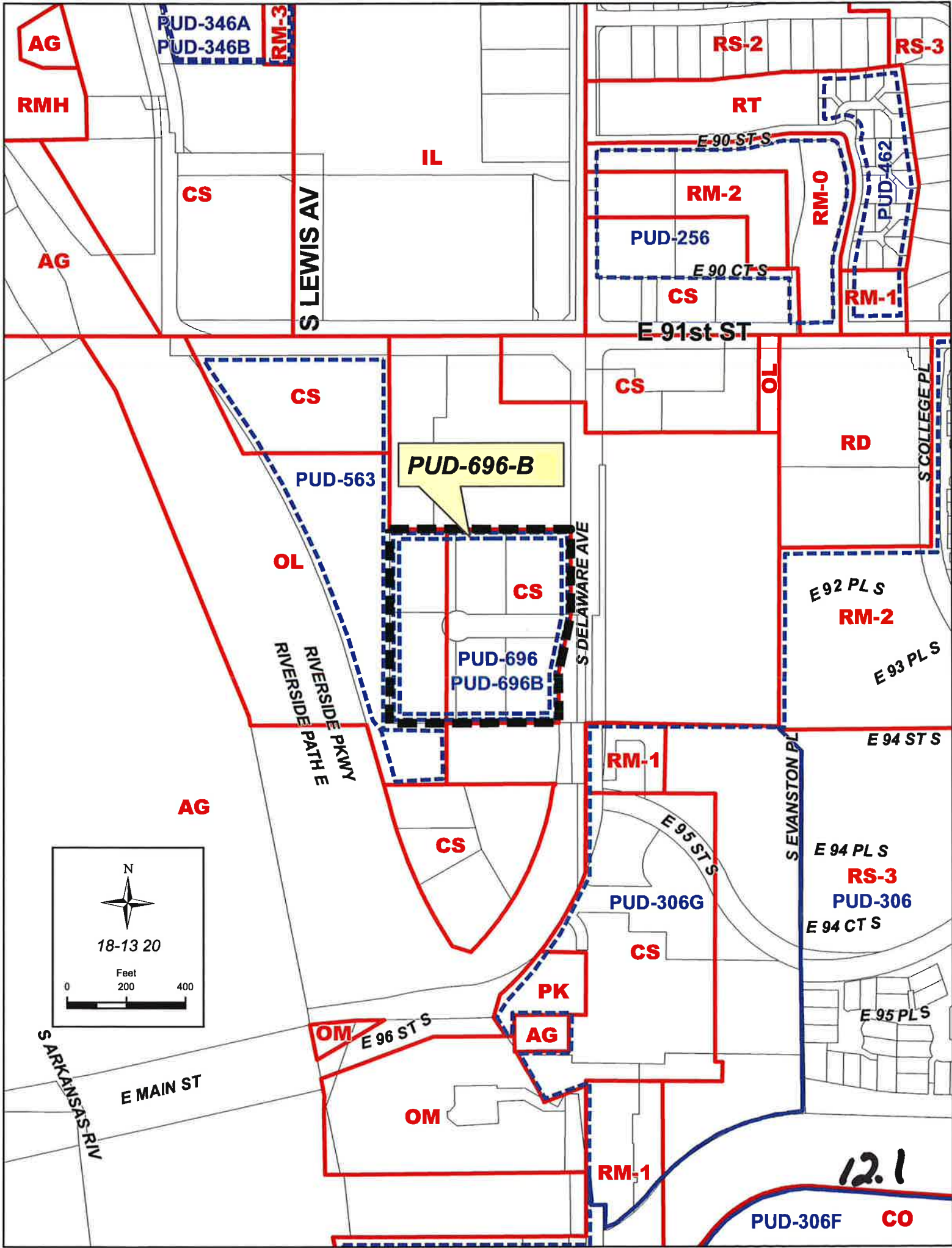
2 NORTH ELEVATION  
3/16" = 1'-0"



**FENNEL PURIFOY**  
ARCHITECTS  
100 NORTH PARK DRIVE, SUITE 200, TULSA, OKLAHOMA 74103  
TEL: 918.592.3724 FAX: 918.592.3725

MIXED USE ELEVATIONS  
A8.16  
11.02.11  
100% CONSTRUCTION DOCUMENTS  
REVISIONS:  
#A000 11.02.11

971







**PUD-696-B**



18-13 20

Feet  
0 200 400

Note: Graphic overlays may  
not precisely align with physical  
features on the ground.  
Aerial Photo Date: March 2010

12.2



January 18, 2012

### STAFF RECOMMENDATION

**PUD-696-B:** Detail Site Plan – South of the southwest corner 91<sup>st</sup> Street South and South Delaware Avenue; Lot 6, Block 1 – 9200 Delaware; TRS 18-13-20; CZM 56; Atlas 1912; CD 2; OL/CS.

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The applicant is requesting approval of a detail site plan for a 14,119 square foot, two-story bank. The proposed use, Financial Institution within Use Unit 11 – Offices, Studios and Support Services is a permitted use in PUD-696-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 South Delaware Avenue and private street "Reserve A". 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. All sight lighting including building mounted will be limited to 25 feet in height per PUD limitations for exterior lighting. Lighting will be directed down and away from adjoining residential properties or residentially used properties in a manner that the light producing element and/or reflector are not visible to a person standing at ground level within said area. A trash enclosure will be provided as required by the PUD. Sidewalks are provided along South Delaware Avenue and private street "Reserve A" as required by PUD Development Standards and Subdivision Regulations. Distinct pedestrian access is provided from the sidewalk along South Delaware Avenue through the parking lot to the front of the building.

Staff recommends **APPROVAL** of the detail site plan for Lot 6, Block 1 – 9200 Delaware.

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

12.3

**LEGAL DESCRIPTION:**

**KEYED NOTES**

- [illegible]

## SITE DATA TABULATION

PRO. MAXIMUM HEIGHT: 40'-0" (A) -  
 ENCLOSURE AREA: 10,000 S.F. (A)

NET LAND AREA: LOT 6, BLOCK 1 = 83,998 S.F. (1.66 AC)  
 PROPOSED USE: FINANCIAL INSTITUTION (USE UNIT 1)  
 MINIMUM BUILDING FLOOR AREA PERMITTED WITHIN DEVELOPMENT: 10,000 S.F. (A)  
 PROPOSED BUILDING FLOOR AREA: 10,000 S.F. (A)

BUILDING 14 FLOOR: 6,203 S.F.  
 BUILDING 22 FLOOR: 2,916 S.F.

TOTAL BUILDING: 14,119 S.F. / 0.32 FAR

MAXIMUM BLOCK HEIGHT PERMITTED NOT TO EXCEED 40 FEET.  
 MAXIMUM STREET HEIGHT PROPOSED: 25'-0" (A)

MINIMUM LOT FRONT SETBACK: 115 FEET  
 MINIMUM LOT SIDE SETBACK: 115 FEET  
 MINIMUM LOT REAR SETBACK: 115 FEET  
 MINIMUM LOT CORNER SETBACK: 115 FEET  
 MINIMUM LOT FRONT SETBACK: 115 FEET  
 MINIMUM LOT SIDE SETBACK: 115 FEET  
 MINIMUM LOT REAR SETBACK: 115 FEET  
 MINIMUM LOT CORNER SETBACK: 115 FEET

OFF STREET PARKING: 10 SPACES  
 AUTO PER USE: 1/2000 OF FLOOR AREA

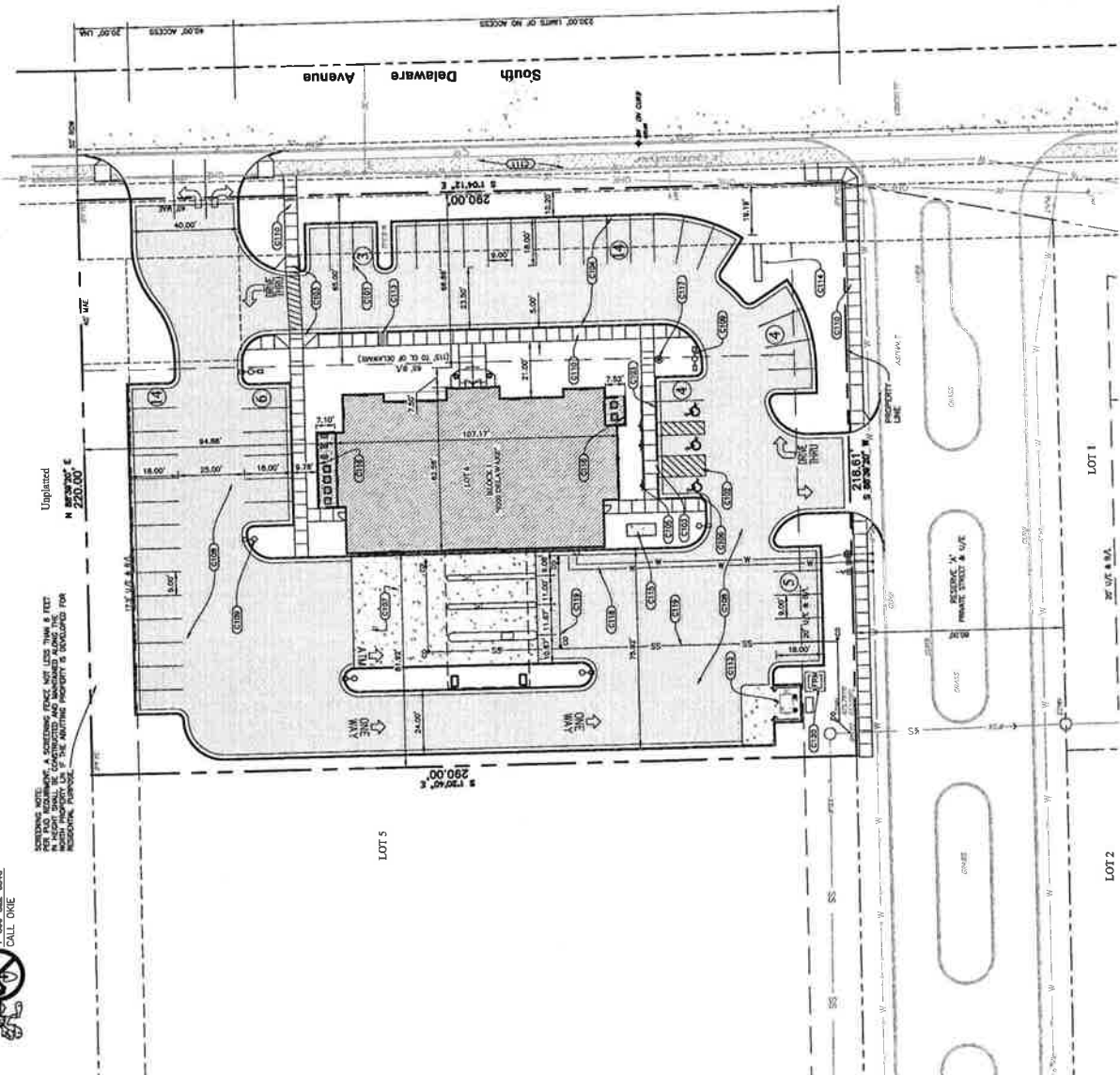
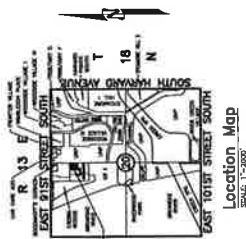
TOTAL NUMBER OF SPACES: 17  
 PROPOSED: 50

MINIMUM POROSITY AND CORRESPONDING LANDSCAPED AREA  
 MINIMUM POROSITY AND CORRESPONDING LANDSCAPED AREA  
 MINIMUM POROSITY AND CORRESPONDING LANDSCAPED AREA

LANDSCAPED STREET W/SD PAV STREET FRONTAGE REQUIRED (E)  
 ADDITIONAL LANDSCAPE AREAS) REQUIRED (F) ANY: N/A

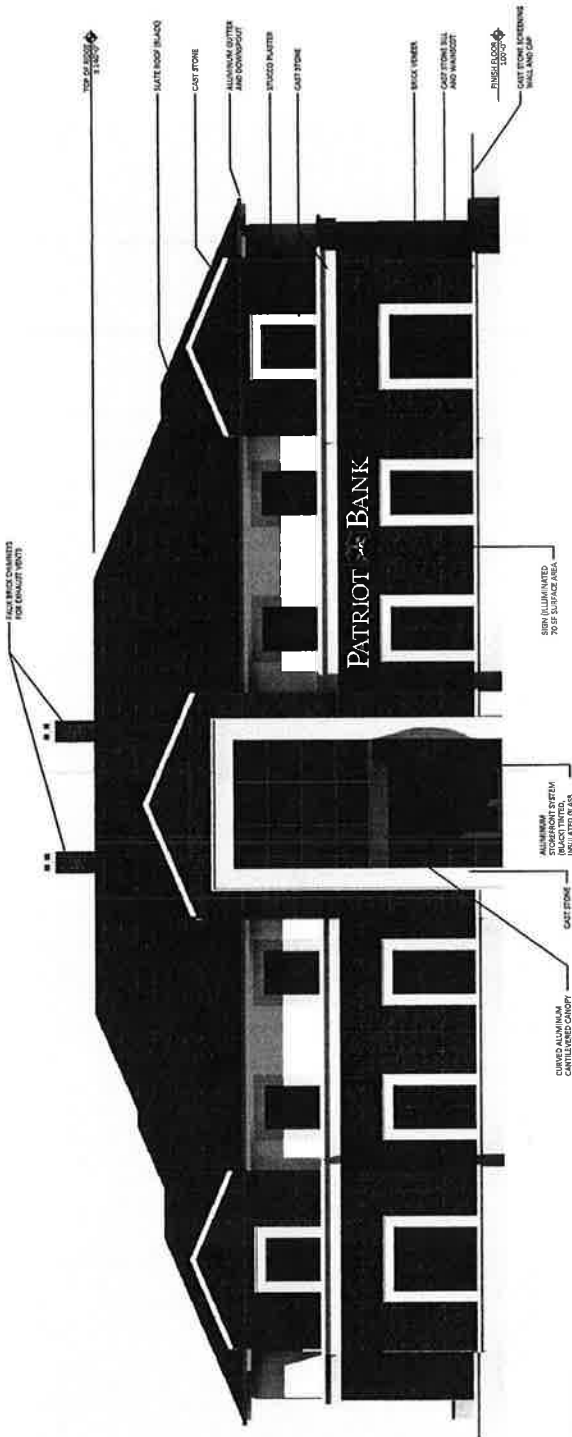
LIGHTING FOR PARKING AREAS  
 MAXIMUM HEIGHT PERMITTED: 25 FT. AND SHALL BE HOODS  
 MINIMUM HEIGHT PERMITTED: 15 FT.  
 HEIGHT PROPOSED: 25 FEET

TO THE BEST OF MY KNOWLEDGE, THIS DETAILED SITE  
PLAN MEETS THE SPECIAL DISTRICT REQUIREMENTS AND  
GENERAL ZONING CODE REQUIREMENTS OF PUD NUMBER  
8926

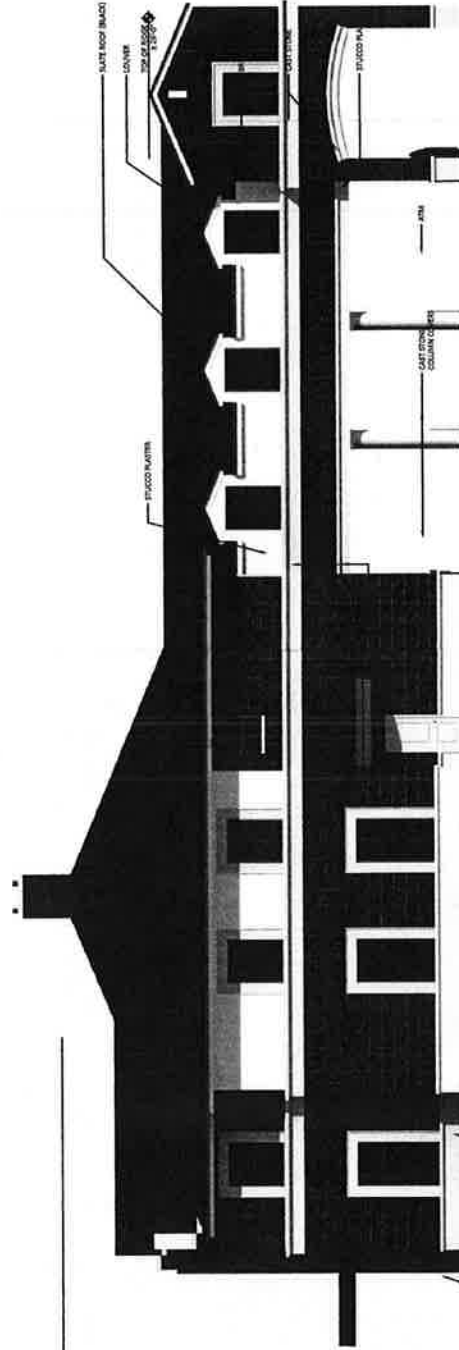


# 1 DETAILED SITE PLAN





1 FRONT ELEVATION  
SCALE: 3/16" = 1'-0"

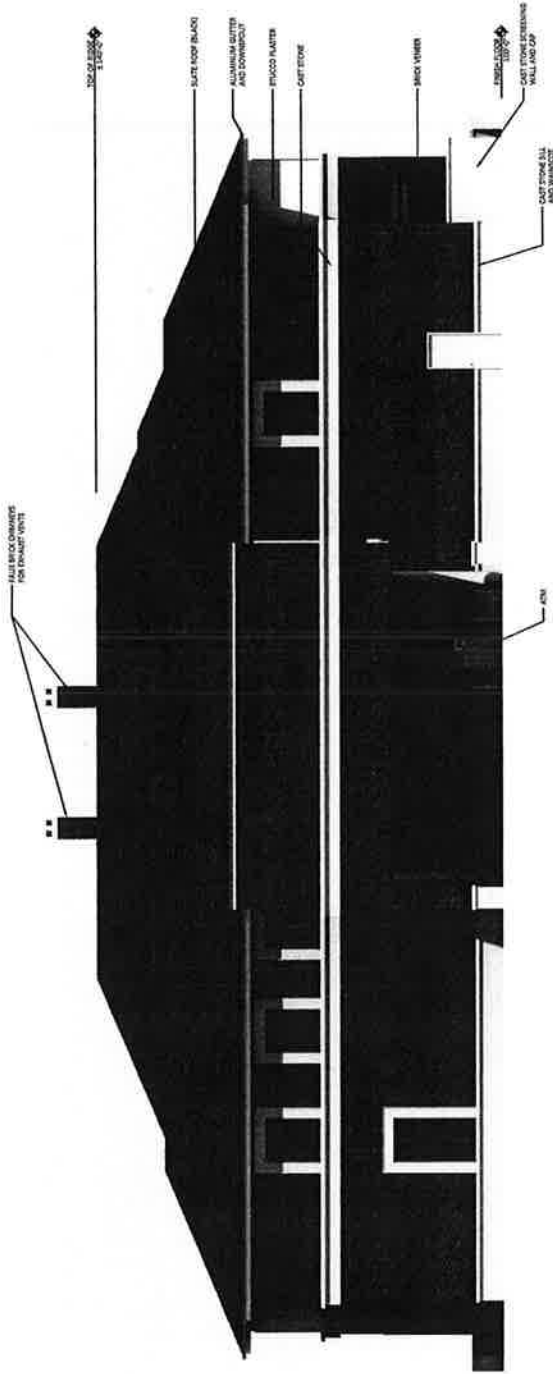


2 RIGHT ELEVATION

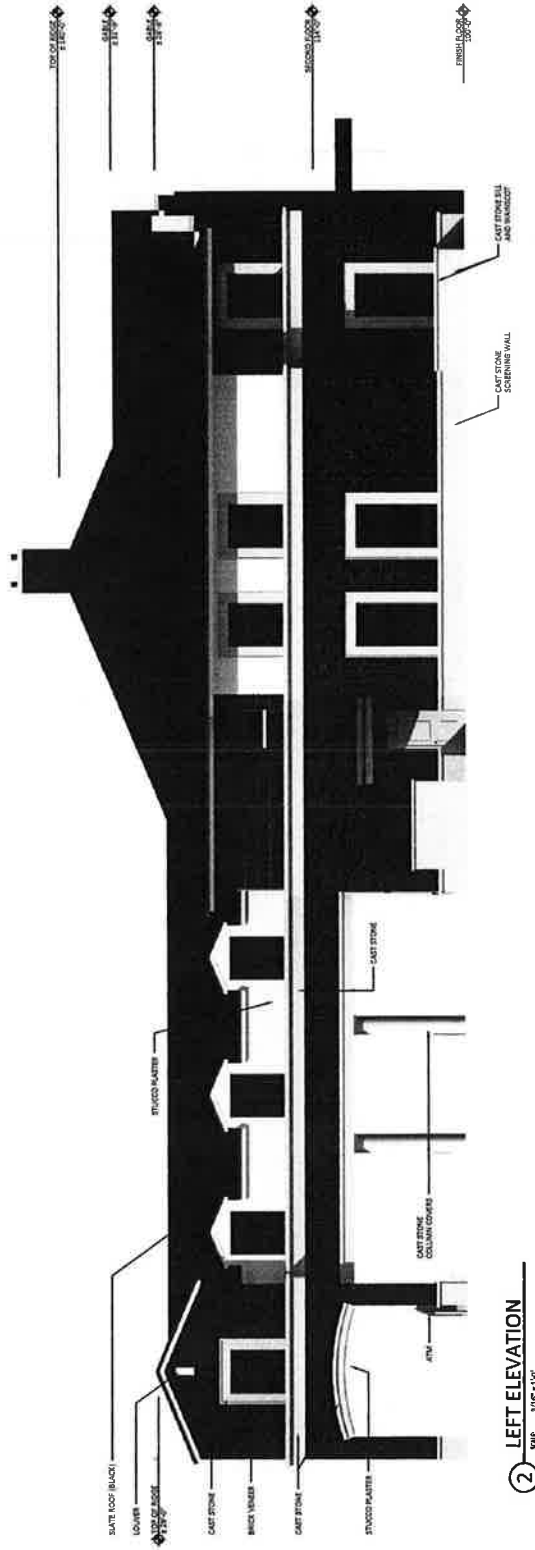


NEW BANK FACILITY  
PATRIOT BANK  
2920 SOUTH DELAWARE  
TULSA, OKLAHOMA

Architect	Rock Stuber Architecture, Inc.
Owner	SH, BJ
Contract No.	RS
Date	02-15-2012
File Number	11020
Project	NEW BANK FACILITY
Sheet Number	A4.1



1 REAR ELEVATION  
SCALE 3/16" = 1'-0"



2 LEFT ELEVATION  
SCALE 3/16" = 1'-0"

## Section 102. Other applicable regulations

- A. All development must comply with relevant federal, state and City regulations. Whenever any provision of this Code imposes a greater requirement or a higher standard than is required in any state or federal statute or other City ordinance or regulation, the provisions of this Code shall govern unless preempted by state or federal law.
- B. Wherever there appears to be a conflict between the Form-Based Code and other sections of the City of Tulsa Zoning Code, Title 42, Tulsa Revised Ordinances and subdivision regulations for the Tulsa Metropolitan Area, the requirements specifically set forth in this Code shall prevail.
- C. Land, building and structure uses are addressed in this Code by prescribing street frontage types, which generally facilitate mixed use development. Except where this Code clearly provides to the contrary, land use districts prescribed in Title 42, Tulsa Revised Ordinances, the Zoning Code shall be used in the administration of this Code. ~~consistent with the following table~~

**Table: Land Use Zoning District to Street Frontage Type**

<del>TRADITIONAL LAND USE DESCRIPTIONS DETAILED IN THE CITY'S ZONING CODE REFER TO ZONING DISTRICTS. FOR PURPOSES OF APPLYING AND INTERPRETING THIS CODE, LAND USE DESCRIPTIONS USED IN THE ZONING CODE SHALL CORRESPOND TO THE FOLLOWING STREET FRONTAGE TYPES.</del>	
<b>Zoning District</b>	<b>Frontage Type</b>
RS, RD, RT, and RM	Townhouse/Small Apartment / Detached
OL, OM, OMH, OH, CS, CG, CH and CBD	Urban General/Storefront
IL and IM	Workshop

- D. This Code shall not interfere with or annul any easements, covenants, or other agreements between parties; provided that where this Code imposes a greater restriction upon the use and dimensions of buildings, structures or land, or requires larger open spaces than imposed by other ordinances, regulations, permits, private easements, covenants or agreements, the provisions of this Code shall govern.



E. Where this Title (42-B) is silent or fails to address the procedure in question, applicable provisions of Title 42 shall control.

## OPTION "A"

### Applicability Matrix

	BFS: General Provisions	Individual BFS: Height	Individual BFS: Siting	Individual BFS: Elements	Uses	Urban Space Standards	Parking Standards	BFS: Signage	BFS: Lighting and Mechanical
<b>Urban General/Storefront, Workshop, or Townhouse/Small Apartment Frontages</b>									
New Construction	X	X	X	X	X	X	X	X	X
<i>Replacement of Damaged or Destroyed Building</i>					X				
Change of Use, Expansion of Use					X				
Expansion of Building Footprint									
0%-25% expansion of building footprint					X				
26%-50% expansion of building footprint*		X			X	X		X	
51% expansion of building footprint	X	X	X	X	X	X	X	X	X
Expansion of Surface Parking Area Only (not in conjunction with a use/building)									
Up to 10 spaces			X			X			
11 or more additional spaces	X		X	X		X	X	X	X
Facade Changes (increase/decrease in fenestration, awnings)				CA				X	
<b>Detached Frontage</b>									
New Construction	X	X	X	X	X	X	X	X	X
<i>Replacement of Damaged or Destroyed Building</i>					X				
Change of Use					X				
Expansion of Use (addition, deck, sun room, porch)*		X	X	X	X			X	
Expansion of Use (accessory structure, shed, detached garage, recreation facility)*		X	X	X	X			X	
Expansion of Building Area									
0%-25% expansion of building footprint					X				
26%-50% expansion of building footprint*		X			X	X		X	
51% expansion of building footprint	X	X	X	X	X	X	X	X	X

**Notes:**

CA Code Administrator's discretion

\* Expansion to an existing footprint or use shall, in themselves, comply with the Code (but do not require the retrofitting of existing elements to comply with the Code.)

Building expansions permitted within two (2) calendar years of each other on a single lot shall be viewed by this Code in the aggregate.

## OPTION "B"

### Applicability Matrix

	BFS: General Provisions	Individual BFS: Height	Individual BFS: Siting	Individual BFS: Elements	Uses	Urban Space Standards	Parking Standards	BFS: Signage	BFS: Lighting and Mechanical
<b>Urban General/Storefront, Workshop, or Townhouse/Small Apartment Frontages</b>									
New Construction	X	X	X	X	X	X	X	X	X
<i>Replacement of Building Destroyed or Damaged in excess of 51%**</i>					X				
Change of Use, Expansion of Use					X				
Expansion of Building Footprint									
0%-25% expansion of building footprint					X				
26%-50% expansion of building footprint*		X			X	X		X	
51% expansion of building footprint	X	X	X	X	X	X	X	X	X
Expansion of Surface Parking Area Only (not in conjunction with a use/building)									
Up to 10 spaces			X			X			
11 or more additional spaces	X		X	X		X	X	X	X
Facade Changes (increase/decrease in fenestration, awnings)				CA				X	
<b>Detached Frontage</b>									
New Construction	X	X	X	X	X	X	X	X	X
<i>Replacement of Building Destroyed or Damaged in excess of 51%**</i>					X				
Change of Use					X				
Expansion of Use (addition, deck, sun room, porch)*		X	X	X	X			X	
Expansion of Use (accessory structure, shed, detached garage, recreation facility)*		X	X	X	X			X	
Expansion of Building Area									
0%-25% expansion of building footprint									
26%-50% expansion of building footprint*		X			X	X		X	
51% expansion of building footprint	X	X	X	X	X	X	X	X	X

**Notes:**

CA Code Administrator's discretion

\* Expansion to an existing footprint or use shall, in themselves, comply with the Code (but do not require the retrofitting of existing elements to comply with the Code.)

\*\* Requires Approval by Board of Adjustment

Building expansions permitted within two (2) calendar years of each other on a single lot shall be viewed by this Code in the aggregate.

13.4



## Huntsinger, Barbara

---

**From:** Tiny Tomsen [tinytomsen@sbcglobal.net]  
**Sent:** Thursday, December 22, 2011 3:13 PM  
**To:** esubmit; G.T. Bynum; Phil Lakin; Thomas Mansur; Skip Steele; Karen Gilbert; Blake Ewing; Jeannie Cue; Jack Henderson; David Patrick  
**Subject:** Form Based Code Proposal

*Dear Incog & City Council,*

*I am a property owner at East 11th & Norfolk Ave, I believe this is part of the "Pearl District". This "property" includes several city lots, three structures, and extensive parking areas. The principal tenant is Loomis. They have about 25 armored trucks based at this facility that operate not only in Tulsa but across most of eastern Oklahoma and portions of neighboring states to conduct their business. They service businesses and banks throughout the area, and also service all the toll booths on all the Oklahoma Turnpikes.*

*Loomis has approximately 75 employees that work shifts most hours of the day, 24-7. Parking facilities are furnished for these employees to preclude "on street" parking.*

*These facilities are well lighted 24-7, and highly secured with electronic doors and gates, high fencing, monitoring cameras, bulletproof glass, steel vaults, man traps, and by employees with firearms who are highly trained how to use them.*

*This is not an ordinary "office" or "shop" or "warehouse" or "eatery" or anything such. It is an important business that provides a very necessary service to Tulsa and much of Oklahoma and the surrounding area.*

*As I understand the proposed "form based code", it will be in direct conflict with this operation. Loomis requires on-site parking. Loomis is purposely at this site which precludes a dense, pedestrian oriented neighborhood, as envisioned by "form base". This location has not been an "urban community" for many, many years, and this has been attractive to Loomis for this reason. Loomis (and their predecessors of various names, but doing the same business) has been my tenant at this same location for 33 years. During that period a variety of changes have been made to the structures, fencing, access, security, lighting, parking, and other items to accommodate the changing needs of this tenant. What started from a single small building with windows is now a (stucco covered) building with no windows, and now has a large drive through (steel frame) facility adjoining, with only a couple windows with bulletproof glass. Two other building have been added, one for vehicle maintenance, another for offices. High fencing with secure vehicle traps, and internal man traps have been added. At one time there were two large buried fuel tanks with pumps to supply their fleet, these have been removed. Also at one time they needed a truck wash facility and this was built for their use, but no longer exists since the size and type of armored trucks has changed.*

As Loomis' needs change in the future, and they will, rebuilding existing or building new facilities needed in some fashion to satisfy a new "form based code" may no longer be economically feasible nor possible to fit on the existing land.

Even though there may be some "grandfather" clauses, anytime any changes or improvements are made for any reason to accommodate the needs of the tenant -- and there likely will be for this or any other tenant in the future -- these changes will necessarily have to meet the "form based code" rather than the "land use based code" which exists today. This is unacceptable. I need the latitude to be able to accommodate the needs of this tenant, or any other tenant that may follow, and build or remodel as necessary to provide changes that may be essential and necessary for any business at this location.

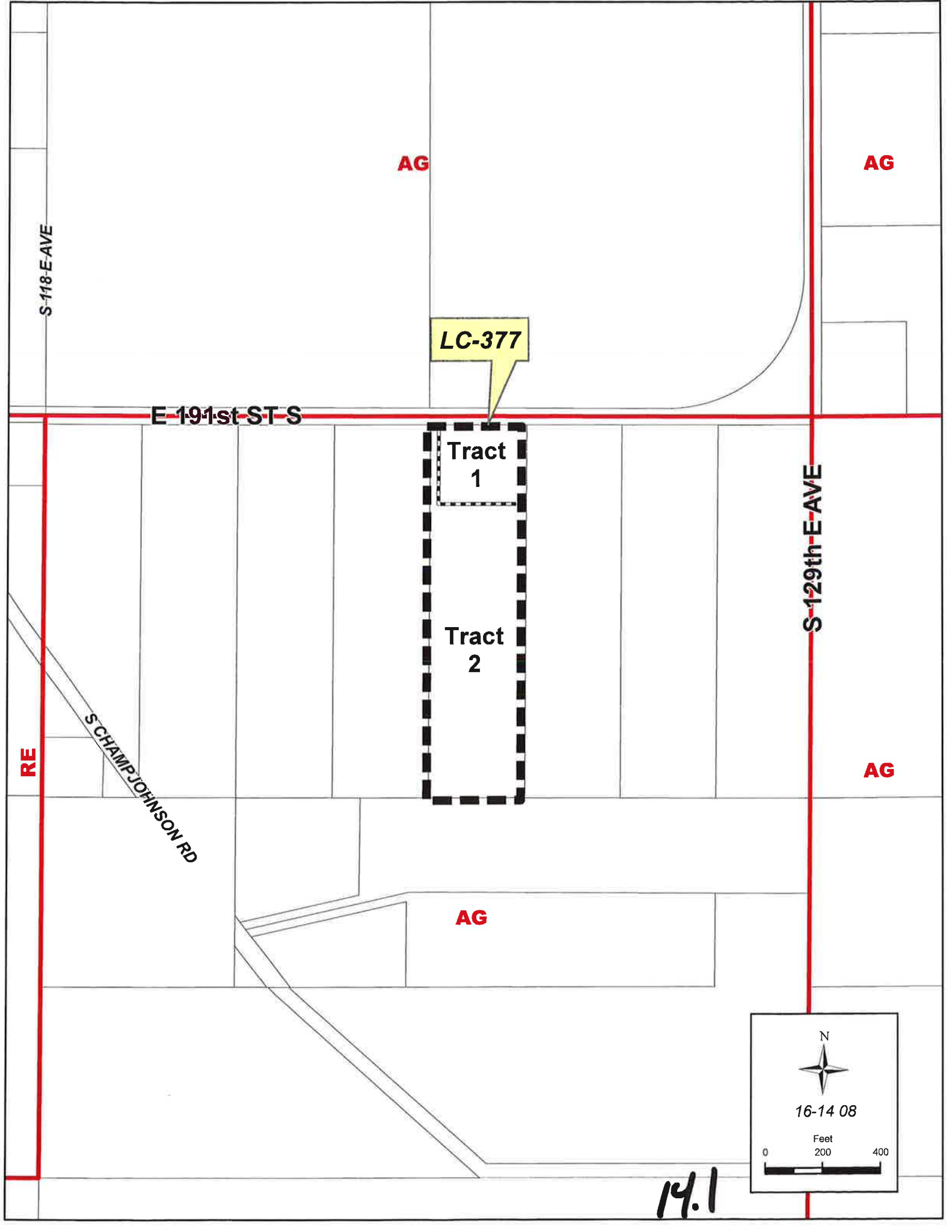
Most of the balance of the square block that includes the Loomis facilities at 1100 E. 4th Street, is the bus terminal. This is where transient Greyhound busses are serviced, cleaned and washed, and where many other busses are maintained and stored. Quite obviously this facility also is not an "acceptable" facility for "form based code". They are not my tenant and I cannot speak for them.

The Loomis facilities have been approved by the City, built, and occupied in accordance with existing land use and construction codes. Allowing bureaucrats to make these kind of "form based" arbitrary changes is grossly unacceptable. I recognize that sometimes "change" is necessary, and also good. However, "change" just to satisfy the whims and desires of bureaucrats that have nothing better to do is grossly unacceptable. Perhaps they have an agenda to push these kind of operations from this area so they can attract some different kind of businesses (or non business recreation facilities, government housing, or whatever), I cannot know their rationale.

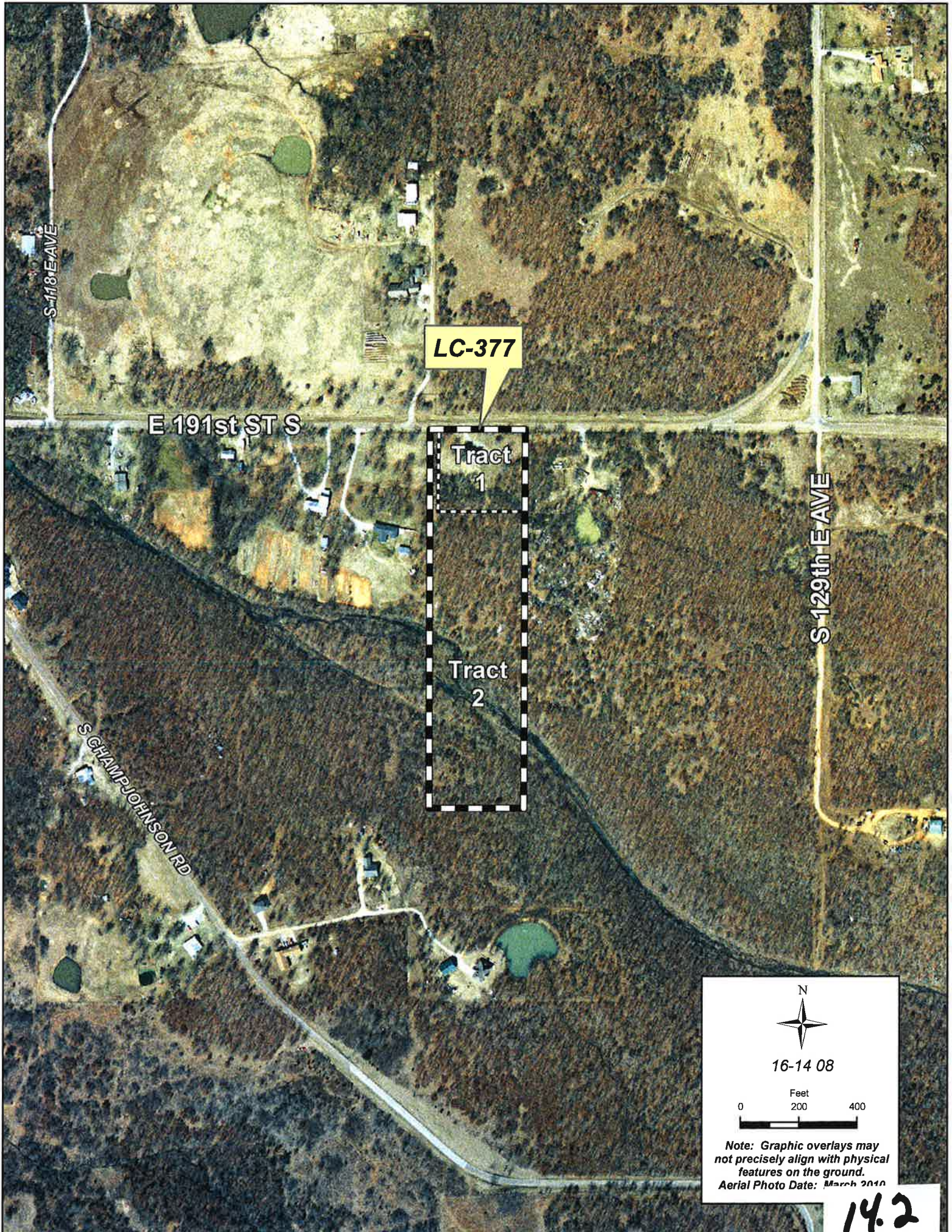
I would suggest the INCOG planners should, in this instance, go back to their desks, pull down their green eye shades, and spend more time sharpening pencils and wearing out erasers on other poorly thought out plans for our city. This area of Tulsa doesn't need this "help" nor this "change". Please put a halt to this action and do not pursue it further.

Sincerely,

Willis C. Tomsen  
918-299-5454







LC-377

E 191st ST S

Tract  
1

Tract  
2

S 129th E AVE

S CHAMP JOHNSON RD



16-14 08

Feet  
0 200 400

Note: Graphic overlays may  
not precisely align with physical  
features on the ground.  
Aerial Photo Date: March 2010

14.2

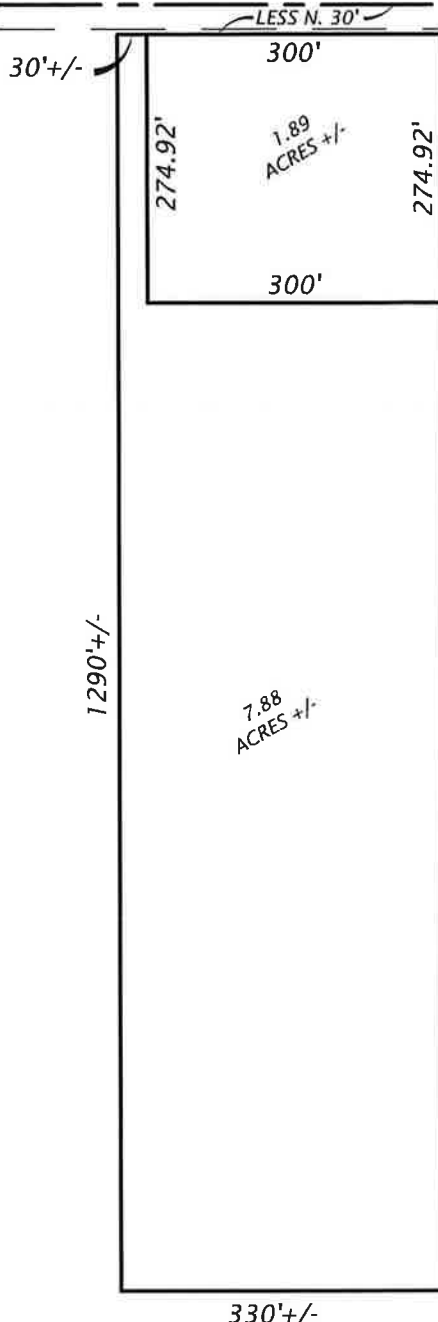


E. 191st ST. S.

24.75' STATUTORY  
SECTIONLINE R/W

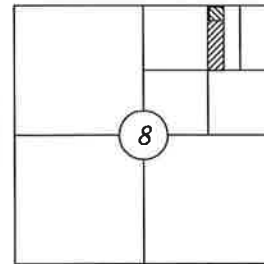
SCALE: 1"=150'

↑ NORTH



R - 14 - E

T  
16  
N



Tulsa County  
LOCATION MAP

LEGAL DESCRIPTION

1.89 Acres

The East 300 feet of South 274.92 feet of the North 304.92 feet of the W/2 of the W/2 of the NE/4 of the NE/4 of Section 8, Township 16 North, Range 14 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, containing 1.89 acres of land more or less, Less and Except all oil, gas and other minerals heretofore reserved in deed recorded in Book 1460 at Page 58 in the Office of the County Clerk of Tulsa County, Oklahoma

7.88 Acres

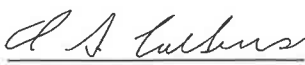
The W/2 of the W/2 of the NE/4 of the NE/4, LESS the North 30 feet for roadway, LESS the East 300 feet of South 274.92 feet of the North 304.92 feet of the W/2 of the W/2 of the NE/4 of the NE/4 of Section 8, Township 16 North, Range 14 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, containing 7.88 acres of land more or less, Less and Except all oil, gas and other minerals heretofore reserved in deed recorded in Book 1460 at Page 58 in the Office of the County Clerk of Tulsa County, Oklahoma

9.77 Acres combined

The W/2 of the W/2 of the NE/4 of the NE/4, LESS the North 30 feet for roadway, of Section 8, Township 16 North, Range 14 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, containing 5.54 acres of land more or less, Less and Except all oil, gas and other minerals heretofore reserved in deed recorded in Book 1460 at Page 58 in the Office of the County Clerk of Tulsa County, Oklahoma.

CERTIFICATE

I K.S. COLLINS, REGISTERED LAND SURVEYOR #1259 IN AND FOR THE STATE OF OKLAHOMA, HEREBY CERTIFY THAT THE ABOVE PLAT REPRESENTS A SKETCH OF A LEGAL DESCRIPTION PERFORMED UNDER MY DIRECT SUPERVISION. THE ABOVE PLAT MAY BE SUBJECT TO EASEMENTS AND/OR RIGHTS OF WAYS OF RECORD. NO RESEARCH OF ABSTRACT OR RECORD OFFICES HAS BEEN CONDUCTED, AND NO PROPERTY CORNERS HAVE BEEN SET.

  
K.S. COLLINS  
OKLAHOMA REGISTERED  
LAND SURVEYOR NO. 1259



SEAL

COLLINS LAND SURVEYING, INC.

3340 W. 151st ST. S. - P.O. Box 250  
KIEFER, OK. 74041

OFFICE (918)321-9400 FAX (918)321-9404  
CA#2656 EXPIRES: 06/30/2012

SKETCH TO COMBINE LEGALS

Clayton Homes  
Sharon Wallace

J.O. NO. 11-10-051

DATE: 12/15/2011

14.3





S 118 E AVE

AG

AG

LS-20482

E 191st ST S

S 129th E AVE

RE

S CHAMP JOHNSON RD

2 1

3

AG

AG

N  
16-14 08

Feet  
0 200 400

15.1





LS-20482

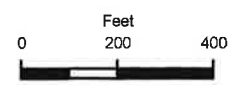
E 191st ST S

S 129th E AVE

S CHAMP JOHNSON RD



16-14 08



Note: Graphic overlays may not precisely align with physical features on the ground.  
Aerial Photo Date: March 2010

15.2



**LOT-SPLIT FOR WAIVER OF SUBDIVISION REGULATIONS**

**January 18, 2012**

**LS-20482**

**Sharon Wallace-Hardman, (6408) (AG) (County)**

**West of the Southwest corner of South 129<sup>th</sup> East Avenue and East 191<sup>st</sup> Street South**

The Lot-split proposal is to split an existing AG (Agricultural) tract into three tracts. All the Tracts will exceed the Bulk and Area Requirements of the Tulsa County Zoning Code.

Two of the resulting tracts would have more than three side lot lines as required by the Subdivision Regulations. The applicant is requesting a waiver of the *Subdivision Regulations* that no tract have more than three side lot lines.

The County Engineer is requiring an additional 20' easement along the North boundary of the original tract of land. The County Engineer has no problems with the Lot-Split and is in favor of the application.

Staff believes this lot-split would not have an adverse affect on the surrounding properties and recommends **APPROVAL** of the waiver of *Subdivision Regulations* and of the lot-split.

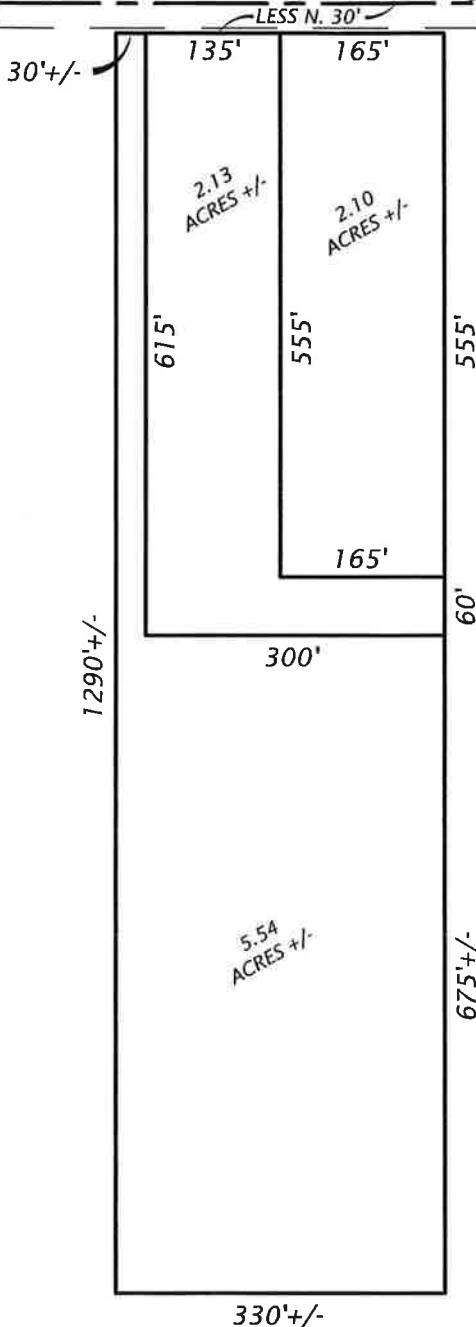


E. 191st ST. S.

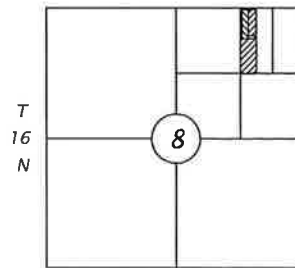
24.75' STATUTORY  
SECTIONLINE R/W

SCALE: 1"=150'

NORTH



R - 14 - E



Tulsa County  
LOCATION MAP

#### LEGAL DESCRIPTION

##### 2.10 Acres for Hardman

A tract of land beginning 30 feet South of the Northeast corner of the W/2 of the W/2 of the NE/4 of the NE/4 of Section 8, Township 16 North, Range 14 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof; thence South 555 feet; thence West 165 feet; thence North 555 feet; thence East 165 feet to the Point of Beginning, containing 2.10 acres of land more or less, Less and Except all oil, gas and other minerals heretofore reserved in deed recorded in Book 1460 at Page 58 in the Office of the County Clerk of Tulsa County, Oklahoma.

##### 2.13 Acres for Wallace

A tract of land beginning 30 feet South and 165 feet West of the Northeast corner of the W/2 of the W/2 of the NE/4 of the NE/4 of Section 8, Township 16 North, Range 14 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof; thence South 555 feet;

thence East 165 feet; thence South 60 feet; thence West 300 feet; thence North 615 feet; thence East 135 feet to the Point of Beginning, containing 2.13 acres of land more or less, Less and Except all oil, gas and other minerals heretofore reserved in deed recorded in Book 1460 at Page 58 in the Office of the County Clerk of Tulsa County, Oklahoma.

##### 5.54 Acres Remaining

The W/2 of the W/2 of the NE/4 of the NE/4, LESS the North 30 feet for roadway, LESS the East 300 feet of South 615 feet of the North 645 feet of the W/2 of the W/2 of the NE/4 of the NE/4 of Section 8, Township 16 North, Range 14 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, containing 5.54 acres of land more or less, Less and Except all oil, gas and other minerals heretofore reserved in deed recorded in Book 1460 at Page 58 in the Office of the County Clerk of Tulsa County, Oklahoma

#### CERTIFICATE

I K.S. COLLINS, REGISTERED LAND SURVEYOR #1259 IN AND FOR THE STATE OF OKLAHOMA, HEREBY CERTIFY THAT THE ABOVE PLAT REPRESENTS A SKETCH OF A LEGAL DESCRIPTION PERFORMED UNDER MY DIRECT SUPERVISION. THE ABOVE PLAT MAY BE SUBJECT TO EASEMENTS AND/OR RIGHTS OF WAYS OF RECORD. NO RESEARCH OF ABSTRACT OR RECORD OFFICES HAS BEEN CONDUCTED, AND NO PROPERTY CORNERS HAVE BEEN SET.

*K.S. Collins*  
K.S. COLLINS  
OKLAHOMA REGISTERED  
LAND SURVEYOR NO. 1259



SEAL

#### COLLINS LAND SURVEYING, INC.

3340 W. 151st ST. S. - P.O. Box 250  
KIEFER, OK. 74041

OFFICE (918)321-9400 FAX (918)321-9404  
CA#2656 EXPIRES: 06/30/2012

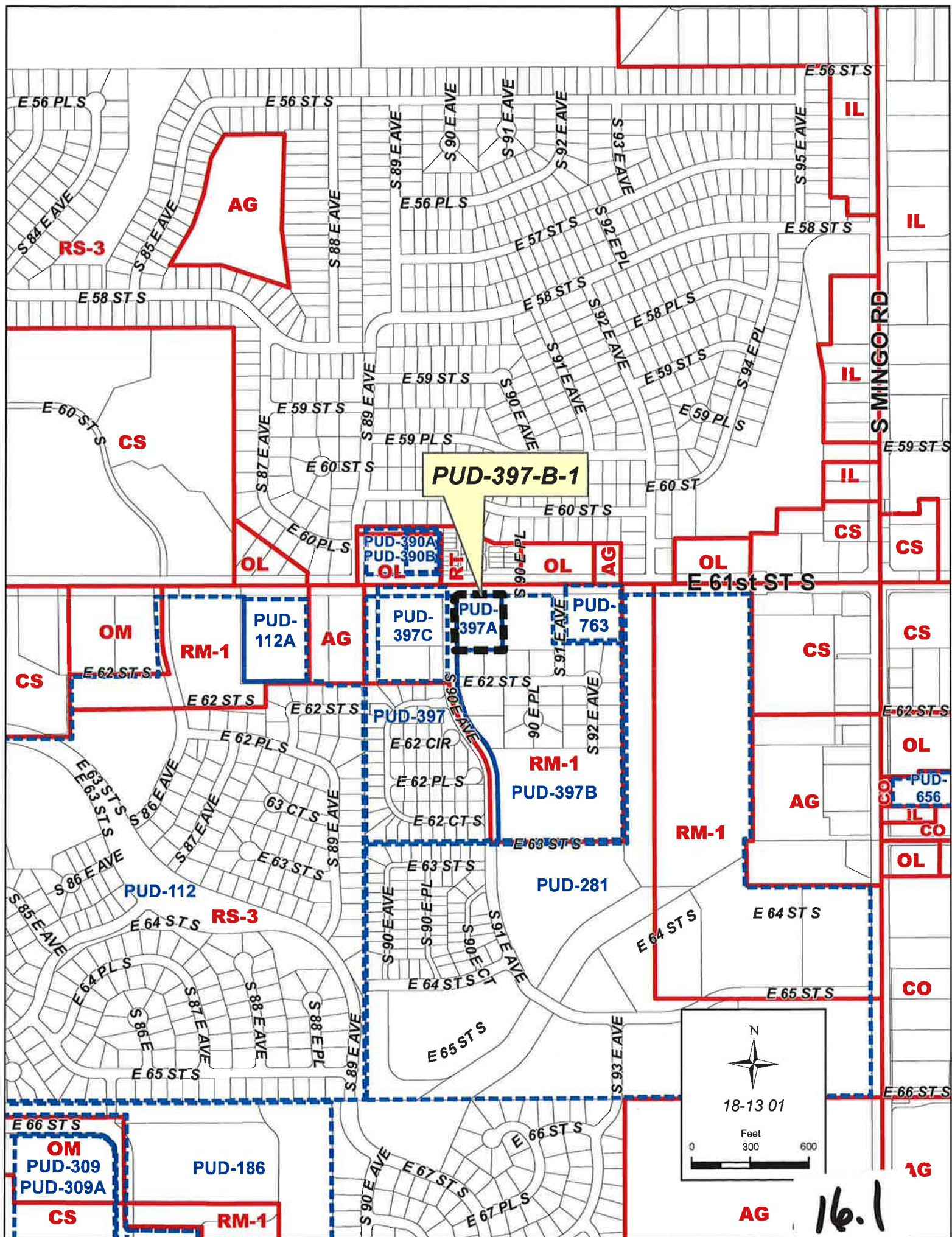
#### SKETCH TO SPLIT LEGAL

Clayton Homes  
Sharon Wallace

J.O. NO. 11-10-051

DATE: 12/15/2011

15.4



## Sansone, Christopher

---

**From:** Sansone, Christopher  
**Sent:** Tuesday, January 10, 2012 4:11 PM  
**To:** Andy Shank  
**Subject:** Minor Amendment PUD-397-B-1

Andy,

As a result of the continuance of your Board of Adjustment case this afternoon, staff will be asking the TMAPC for a continuance of the associated Minor Amendment PUD-397-B-1 on 1/18 to 2/1 to allow for the Board case to be heard. You will still need to be at the TMAPC meeting since the minor amendment was advertised and public notice sent out in order to keep that "notice alive".

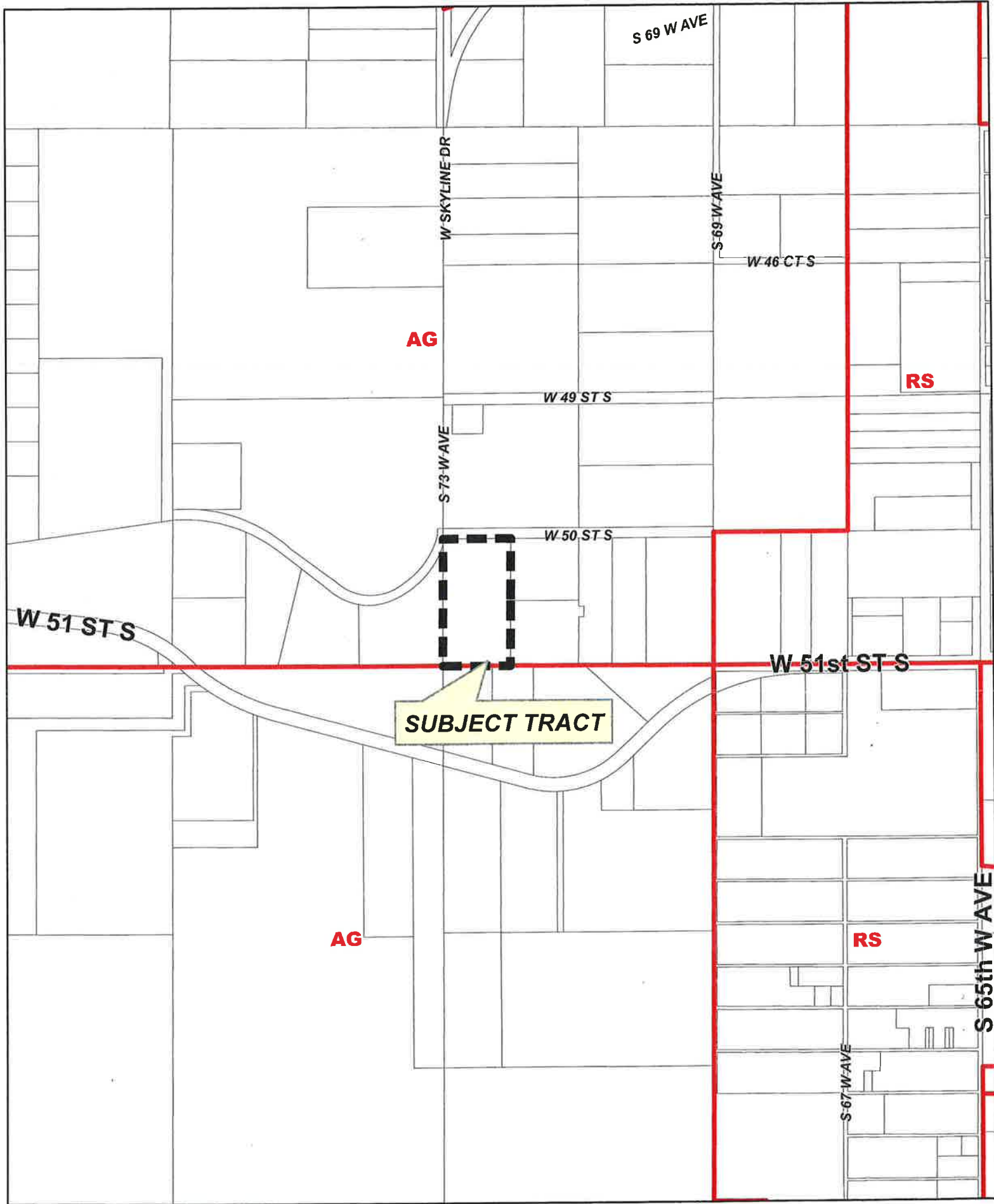
Of course call me should you have any questions or comments.

Thanks.

Chris Sansone, Senior Planner  
Tulsa Metropolitan Area Planning Commission  
Tulsa County Board of Adjustment

Indian Nations Council of Governments (INCOG)  
2 West Second St. - Ste. 800  
Tulsa, OK, 74103  
918-579-9475 (Phone)  
918-579-9575 (Fax)  
[csansone@incog.org](mailto:csansone@incog.org)





**CBOA-2408**

19-12 30

17.1







0 Feet 300 600

Aerial Photo Date: March 2010

CBOA-2408

19-12 30

Note: Graphic overlays may not precisely align with physical features on the ground.

17.2





## PLAT WAIVER

January 18, 2012

**CBOA 2408 – 7250 West 50<sup>th</sup> Street South (County)**

The platting requirement is being triggered by a board of adjustment approval of a Special Exception for a wedding chapel.

***Staff provides the following information from TAC for their December 15, 2011 meeting:***

**ZONING:**

- TMAPC Staff: The property has not been platted previously.

**STREETS:**

- Sidewalks are required.

**SEWER:**

- No comment.

**WATER:**

- The existing 4 inch water main line is inadequate in supporting fire hydrant protection in this area. The water service demands for this development may not be available as well.

**STORMWATER:**

- No comment.

**FIRE:**

- Out of City of Tulsa Fire Department response area so applicant needs to get with the responding fire department. The International Fire Code requires fire hydrants.

**UTILITIES:**

- No comment.

County Engineering and planning and development services staff believe the property should be platted with at the minimum a Minor Subdivision plat. There is concern about the water line and fire protection service. The applicant had stated that Berryhill Fire will serve the site. A letter stating that this is the case must be received.

***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  |

17.3



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

**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?  | X   |    |
| 5. Would restrictive covenants be required to be filed by separate instrument if the plat were waived?  | X   |    |
| 6. Infrastructure requirements:   |     |    |
| a) Water  |     |    |
| i. Is a main line water extension required?   | X   |    |
| ii. Is an internal system or fire line required?  |     | X  |
| iii. Are additional easements required?   |     | X  |
| b) Sanitary Sewer   |     |    |
| i. Is a main line extension required?   |     | X  |
| ii. Is an internal system required?   |     | X  |
| iii. Are additional easements required?   |     | X  |
| c) Storm Sewer  |     |    |
| i. Is a P.F.P.I. required?  |     | X  |
| ii. Is an Overland Drainage Easement required?  |     | X  |
| iii. Is on site detention required?   |     | X  |
| iv. Are additional easements required?  |     | X  |
| 7. Floodplain   |     |    |
| a) Does the property contain a City of Tulsa (Regulatory) Floodplain?   |     | X  |
| b) Does the property contain a F.E.M.A. (Federal) Floodplain?   |     | X  |
| 8. Change of Access   |     |    |
| a) Are revisions to existing access locations necessary?  |     | X  |
| 9. Is the property in a P.U.D.?   |     | X  |
| a) If yes, was plat recorded for the original P.U.D.  |     |    |
| 10. Is this a Major Amendment to a P.U.D.?  |     | X  |
| a) If yes, does the amendment make changes to the proposed physical development of the P.U.D.?  |     |    |
| 11. Are mutual access easements needed to assure adequate access to the site?   |     | X  |
| 12. Are there existing or planned medians near the site which would necessitate additional right-of-way dedication or other special considerations? |     | X  |

Some of the above questions may result in the need for additional easements through the platting process.

## **Fernandez, Diane**

---

**From:** Holdman, Allen [aholdman@cityoftulsa.org]  
**Sent:** Wednesday, January 04, 2012 3:02 PM  
**To:** Fernandez, Diane  
**Cc:** Wilkins, Anthony; Tohlen, Harold  
**Subject:** RE: plat waiver CBOA 2408

**Categories:** Red Category

Diane, I spoke with this gentleman and informed him of the concerns from a water pressure and fire protection stance that I have for this area. This service area has only a 2; 3 & 4 inch diameter waterline pipes supplying a 3-way fire hydrant. This scenario does not meet our City Standard codes.

Being that the property is not inside the City of Tulsa limits I advised Mr. Sloan of two options 1). Get with Berryhill Fire Department and ask them for a written recommendation if the hydrant and mainlines meets the pressure and volume requirement for their equipment. 2). The owner at his own expense could have a 6-inch water main line designed and installed. At the present the City has no plan to upgrade any of the lines in this area. Diane if you should have any other questions feel free to contact me.

City Atlas Page 254

Fire Hydrant #2

Property Address: 7250 W 50th St. So. (County)

**Allen Holdman | Water Reviewer**

City of Tulsa Development Services Department

175 E 2<sup>nd</sup> Street, Suite 450. Tulsa, OK 74103

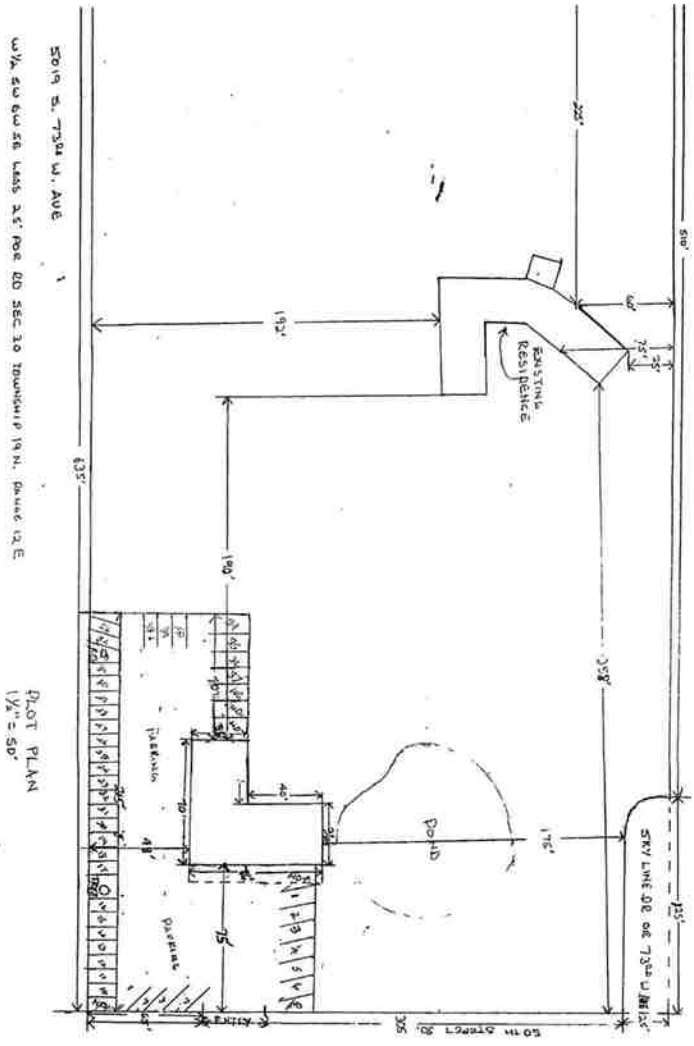
T: 918-596-2569

F: 918-665-3500

E: [aholdman@cityoftulsa.org](mailto:aholdman@cityoftulsa.org)

[www.cityoftulsa.org](http://www.cityoftulsa.org)

17.5





\*\*\*\*\*

**NEW BUSINESS**

\*\*\*\*\*

**Case No. 2407—James & Stephanie Layman**

**Action Requested:**

Special Exception to allow a Manufactured home (Use Unit 9) in a RM-2 district.

**LOCATION:** 7912 West 17<sup>th</sup> Street South

**Presentation:**

**James Layman**, 1270 North Darlington Place, Tulsa, OK; stated has purchased the land and would like to install a single wide mobile onto the lot. He has a disabled 16-month old son and wants to be able to plan for his future by not going into debt because the single wide mobile home will be paid for in January. There are double wide mobile homes in the area and a single wide mobile home further down the road from the subject property with older homes throughout the area.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **DILLARD**, the Board voted 5-0-0 (Charney, Dillard, Osborne, Tyndall, Walker "aye"; no "nays"; no "abstentions") to **APPROVE** the Special Exception to allow a Manufactured home (Use Unit 9) in a RM-2 district, finding that it will not be injurious to the neighborhood or otherwise detrimental to the public welfare. The Board will require paved parking, skirting, tie downs, and all other standard requirements as required by the Department of Environmental Quality; for the following property:

**W/2 TR 40 LT 7, BILLINGTON'S ACRE TRACTS, OF TULSA COUNTY, OKLAHOMA**



**Case No. 2408—Dale Slone**

**FILE COPY**



**Action Requested:**

Special Exception to allow Wedding Chapel (Use Unit 5) in an AG district.

**LOCATION:** 5019 South 73<sup>rd</sup> Avenue West

**FILE COPY**

080A-2408

**Presentation:**

**Dale Slone**, 5019 South 73<sup>rd</sup> West Avenue, Tulsa, OK; stated he purchased the property approximately 12 years ago and it has been paid off for six years. Mr. Slone stated he is a licensed and ordained minister. Mr. Slone proposes to build and operate a wedding chapel with a hall for wedding receptions and does not desire for the wedding chapel to become a church in the future. Mr. Slone lives on the property and will place the wedding chapel away from the residence. Mr. Slone stated he has discussed his proposal with all the neighbors except for the one neighbor who is directly across the street and that is because he lives in Texas; none of the other neighbors objected to the wedding chapel. The property is a corner lot and has access from 50<sup>th</sup> Street.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **WALKER**, the Board voted 5-0-0 (Charney, Dillard, Osborne, Tyndall, Walker "aye"; no "nays"; no "abstentions") to **APPROVE** the **Special Exception** to allow Wedding Chapel (Use Unit 5) in an AG district, finding it will not be injurious to the neighborhood or otherwise detrimental to the public welfare and recognizing there may be future setback requirements; for the following property:

**W 1/2 SW SW SE LESS N 25 FOR RD SEC 30-19-12, OF TULSA COUNTY, OKLAHOMA**

**2409—Michael Goodman**

**Action Requested:**

**Special Exception** to allow a manufactured home (Use Unit 9) in a RS district.

**LOCATION:** 815 West 10<sup>th</sup> Street North

**Presentation:**

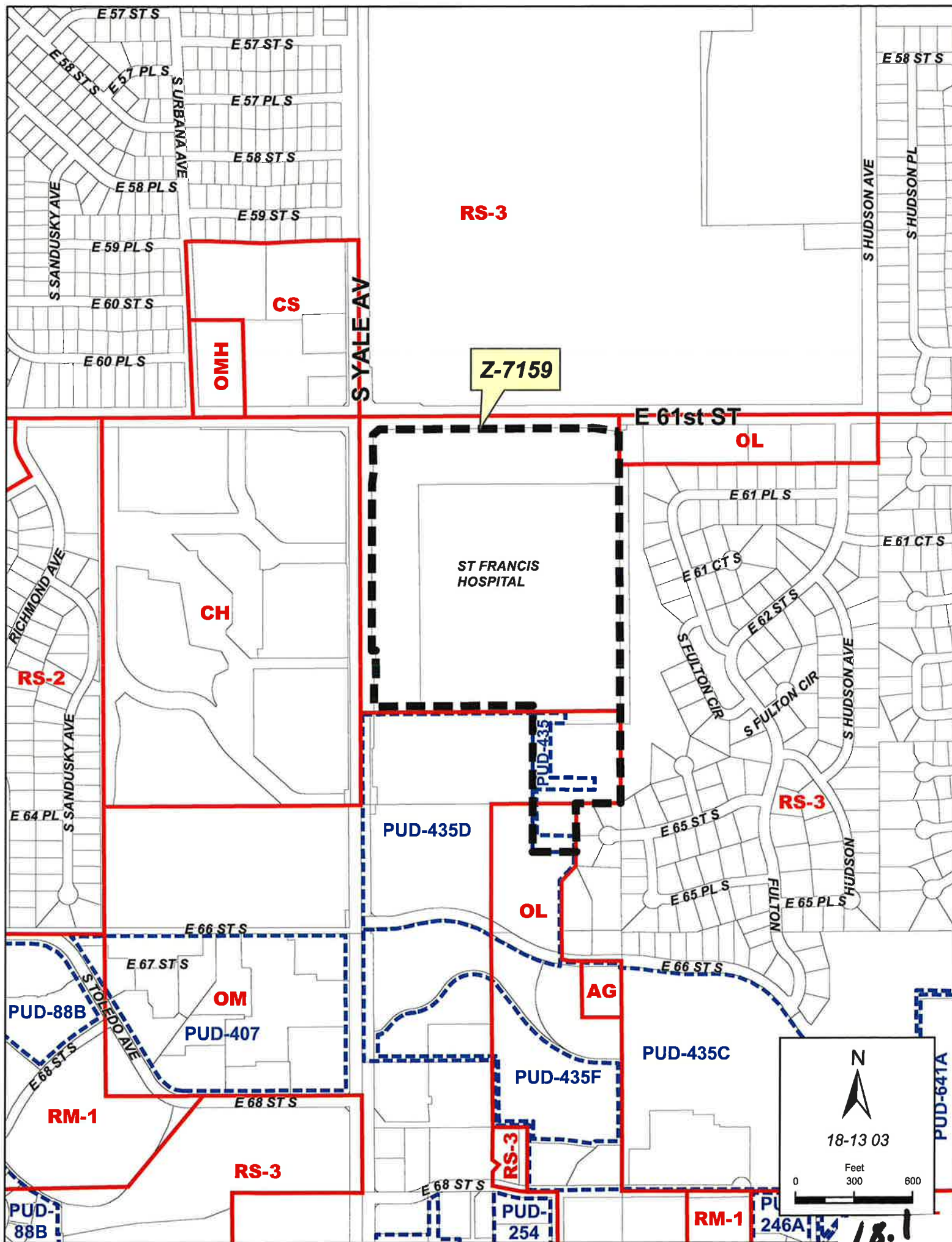
**Michael Goodman**, 813 West 10<sup>th</sup> Street North, Sand Springs, OK; stated he has lived on the subject property for 22 years, and he wants to replace his old manufactured home with a new manufactured home.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.







18-13 03

0 300 600  
Feet

Note: Graphic overlays may  
not precisely align with physical  
features on the ground.  
Aerial Photo Date: March 2008

18.2



## PLAT WAIVER

January 18, 2012

**Z-7159** – Southeast corner of East 61<sup>st</sup> Street and South Yale Avenue (CD 9)

The platting requirement is being triggered by a rezoning for hospital expanded uses.

**Staff provides the following information from TAC for their January 4, 2012 meeting:**

**ZONING:**

- TMAPC Staff: The hospital use has long been established on site. Easements are existing.

**STREETS:**

No comment.

**SEWER:**

- No comment.

**WATER:**

- No comment.

**STORMWATER:**

No comment.

**FIRE:**

- No comment.

**UTILITIES:**

- No comment.

Staff does not object to the plat waiver. The use is long established. Further future expansion may warrant platting.

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

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

Note: If, after consideration of the above criteria, a plat waiver is granted on unplatted properties, a current ALTA/ACSM/NSPS Land Title Survey (and as subsequently revised) shall be required. Said survey shall be prepared in a recordable format and filed at the County Clerk's office by the applicant.





Saint Francis Hospital  
SE/C 61<sup>st</sup> Street and Yale Avenue

Rezoning Application Z-7159

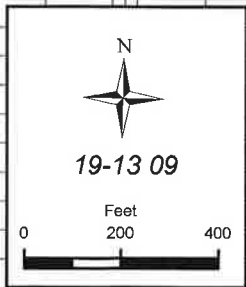
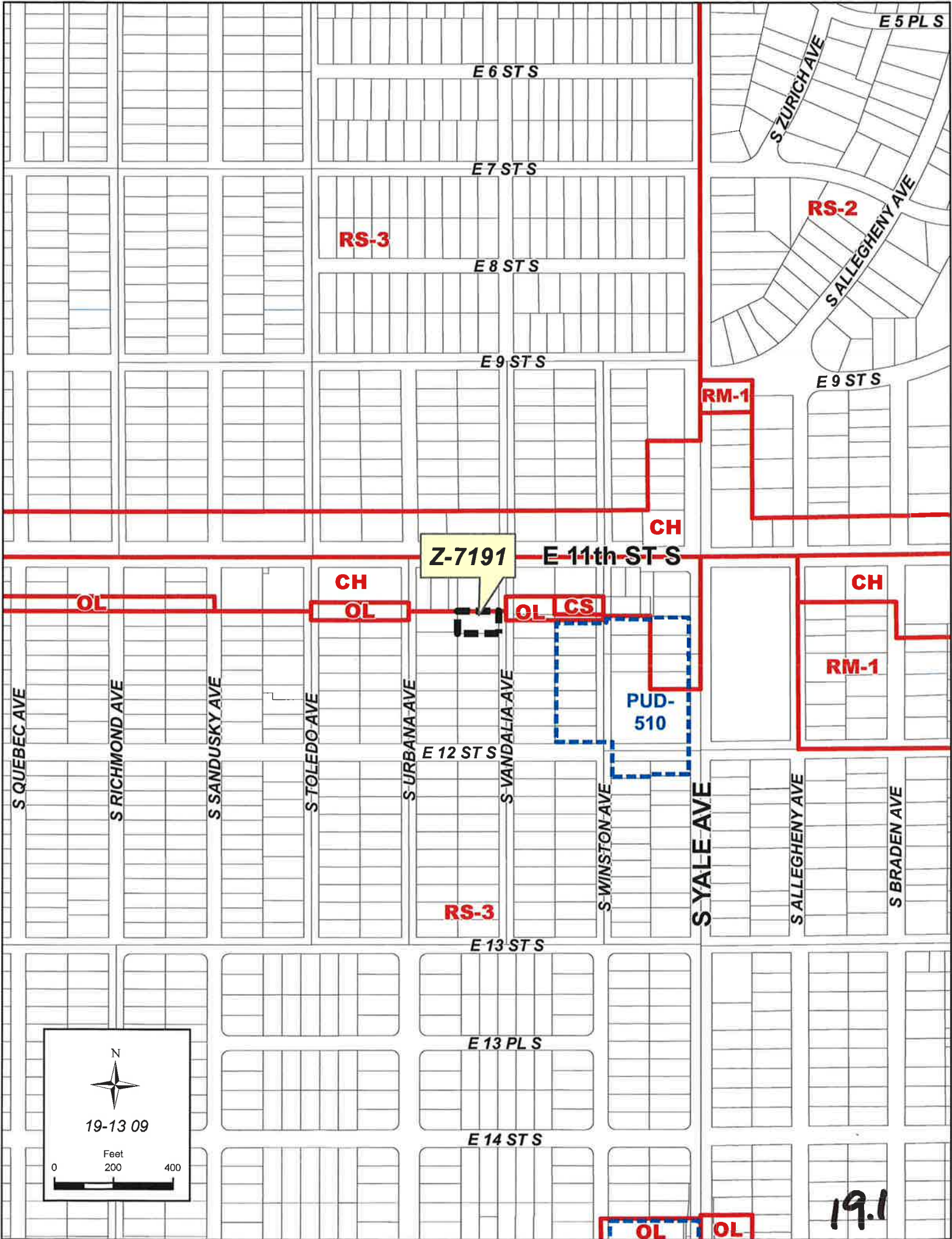
Applicant's Narrative:

Saint Francis Hospital wishes to make provision for the future growth of the hospital at the main campus located at the southeast corner of East 61<sup>st</sup> Street South and South Yale Avenue.

The zoning history of the Hospital is noteworthy. Commencing in 1958, Saint Francis Hospital has proceeded with the development of the 61<sup>st</sup> and Yale Campus in accordance with Board of Adjustment Case No. 3026-A, pursuant to which, the Board of Adjustment on February 12, 1958, approved hospital use within a residential district without imposing floor area or height limitations. For more than 45 years, as development of the 61<sup>st</sup> and Yale campus progressed, permits for the numerous buildings which were constructed, including buildings constructed subsequent to the adoption of the 1970 Zoning Code, and including the Children's Hospital completed in 2007, were issued by the City of Tulsa without applying floor area or height limitations.

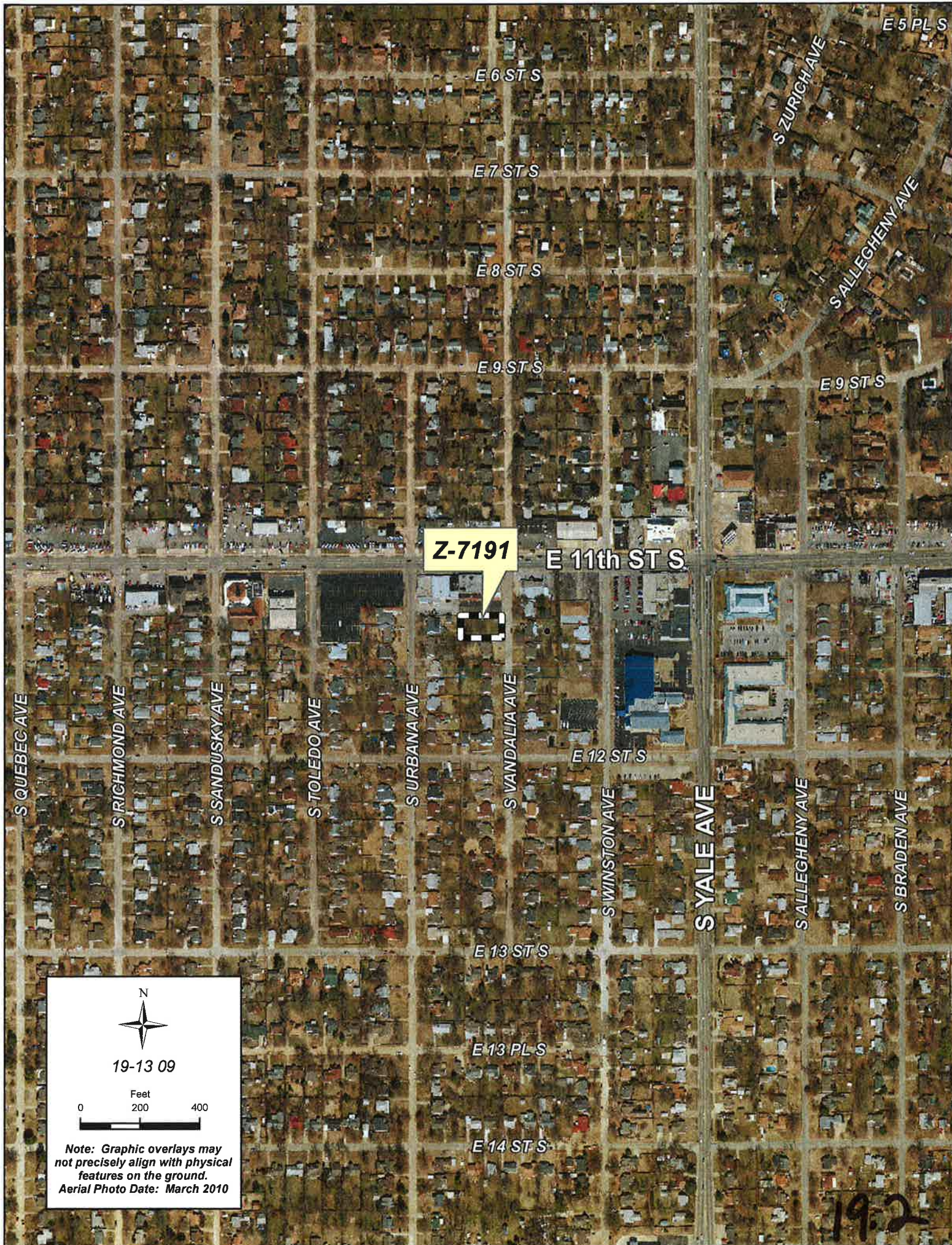
Recently however, City officials requested Saint Francis Hospital to seek a rezoning of the property to a classification that would permit existing and future construction, without reliance on the 1958 Board of Adjustment action. As requested, Saint Francis is proceeding with a rezoning of 48.5 acres to an OH Office High Intensity District, which is consistent with the existing buildings and improvements and, would provide for the future growth of the hospital. Foreseeable future development would occur in the approximate west half of the property and based on preliminary studies, includes a new parking garage presently under construction, the relocation and expansion of the emergency center, a new bed tower of comparable height with the existing towers, and the relocation of the helicopter landing area to the roof of the new bed tower. There is an existing open space buffer between the east line of the hospital campus and the Warrenton neighborhood, and the moving of the emergency center west toward Yale will move the existing ambulance traffic and the helicopter flight path further west of the neighborhood.





19.1





**Z-7191**

**E 11th ST S**

**E 12 ST S**

**E 13 ST S**

**E 13 PL S**

**E 14 ST S**



19-13 09

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Note: Graphic overlays may  
not precisely align with physical  
features on the ground.  
Aerial Photo Date: March 2010

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**TULSA METROPOLITAN AREA PLANNING COMMISSION  
CASE REPORT**

**APPLICATION: Z-7191**

**TRS 9309**

**Atlas 128**

**CZM 37**

**CD-4**

**TMAPC Hearing Date:** January 18, 2012

**Applicant:** Robert Christie

**Tract Size:** 11,400 SF  $\pm$  acres

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

**EXISTING ZONING:** RS-3

**EXISTING USE:** Vacant

**PROPOSED ZONING:** PK

**PROPOSED USE:** Parking

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

***RELEVANT ZONING HISTORY:***

**Z-7165 April 14, 2011:** A request for rezoning an 11,400 $\pm$  square foot tract of land from RS-3 to PK was made on property located south of southwest corner of East 11<sup>th</sup> Street South and South Vandalia Avenue, also known as the subject property. The City Council voted 7-2-0 to deny a request for PK zoning on the subject property, despite the TMAPC recommendation (7-1-0) to approve the rezoning.

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

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

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

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





## **AREA DESCRIPTION:**

**SITE ANALYSIS:** The subject property is approximately 11,400 square feet in size and is located south of the southwest corner of 11<sup>th</sup> Street and Vandalia Avenue. The property appears to be vacant and is zoned RS-3.

**SURROUNDING AREA:** The subject tract is abutted on the east by office uses, zoned OL and by a single-family residential use, zoned RS-3; on the north by commercial uses, zoned CH; on the south by single-family residential uses, zoned RS-3; and on the west by single-family residential uses, also zoned RS-3.

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

## **TRANSPORTATION VISION:**

The Comprehensive Plan does not designate South Vandalia Avenue. East 11<sup>th</sup> Street is designated as a multi-modal corridor, which is intended to accommodate transit, bicycle, pedestrian and auto traffic. The Major Street and Highway Plan designates East 11<sup>th</sup> Street (from which access is proposed to be provided, through the existing entry to the parking lot that now serves this business) as a secondary arterial, with 100' of right-of-way.

## **STREETS:**

<b><u>Exist. Access</u></b>	<b><u>MSHP Design</u></b>	<b><u>MSHP R/W</u></b>	<b><u>Exist. # Lanes</u></b>
South Vandalia Avenue	N/A	N/A	2
East 11 <sup>th</sup> Street	Secondary arterial	100'	4

## **RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

As noted in the previous case report for Z-7165, the Comprehensive Plan identifies this property as being within a Main Street, in conjunction with the adjacent property to the north that fronts onto 11<sup>th</sup> Street. According to provisions of the Plan, Main Streets are intended to serve the highest intensity retail and mixed land uses and are to be designed to promote walking, bicycling and transit uses within an attractive landscaped corridor. Main streets are to be designed to offer the ability to park once and walk to several destinations, with parking to be provided on the street or shared off-street among multiple entities. The PK zoning is therefore in accord with the provisions of the Plan.

The Comprehensive Plan also designates this as a Growth Area in order to direct allocation of resources and channel growth to best improve access to jobs, housing and services. Emphasis in Growth Areas is on provision of housing choices and alternate modes of transportation. The requested rezoning **is in accord** with the Comprehensive Plan.sa

## **STAFF RECOMMENDATION:**

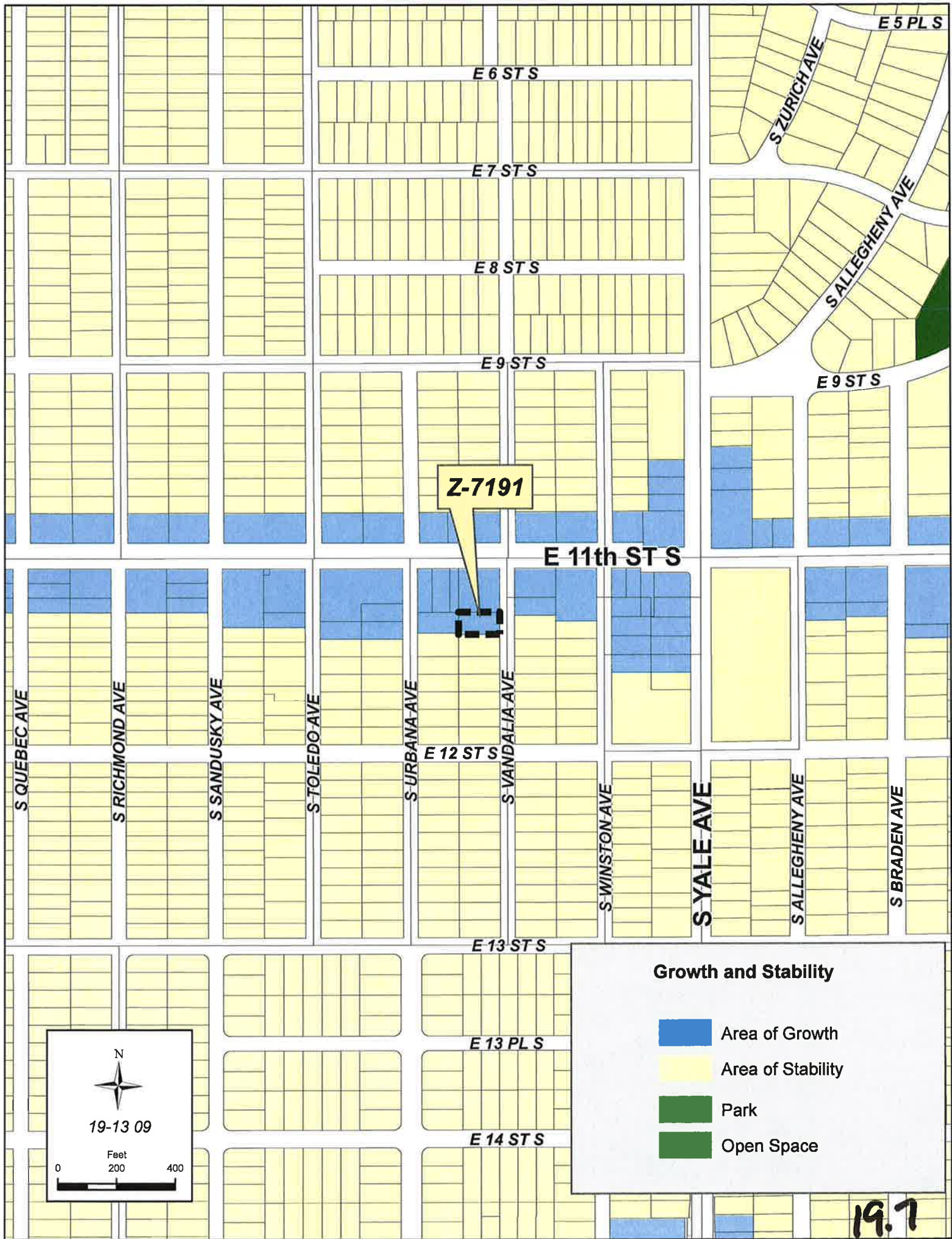
Conditions in the subject case have not changed materially since the earlier zoning case. The request is still in accord with the Comprehensive Plan. The applicant plans access to the property, should the rezoning be approved, through the existing parking lot that is entered off East 11<sup>th</sup> Street. The additional space should alleviate some of the traffic congestion and on-street parking in the adjacent neighborhoods. The applicant must comply with and meet

drainage requirements, meaning that improvements to the property cannot increase or cause drainage problems on adjacent properties; staff would note that the applicant would not be required to solve existing problems on the adjacent properties. Per Section 504 of the Zoning Code, a minimum of 10% of the lot shall remain pervious and be landscaped.

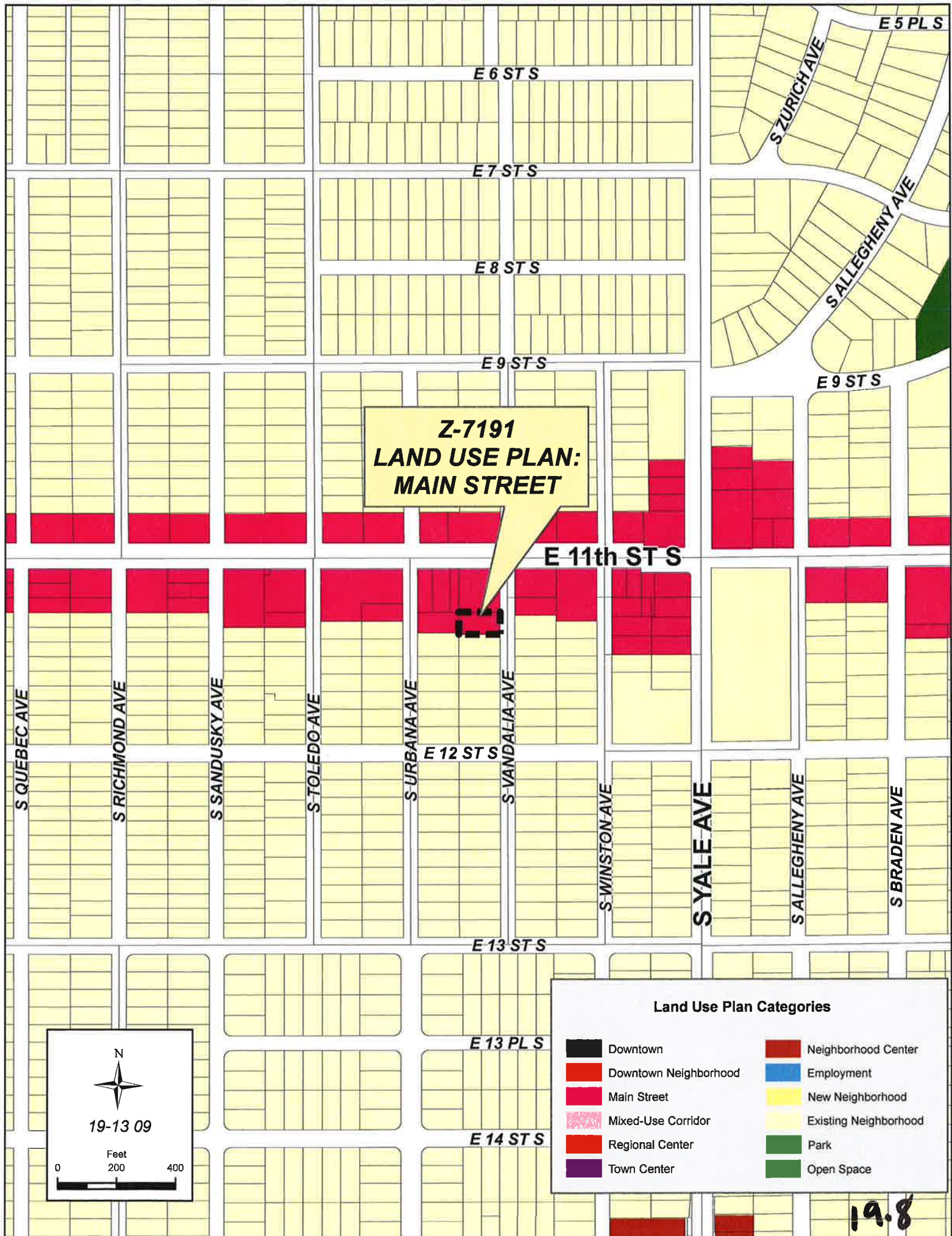
Also under Section 504, unenclosed parking areas that are contiguous to an R district must be screened by the erection of a six foot screening wall or fence on the lot line or lines in common with the R district(s). Parking lot layout and design standards are specified in Chapter 13 of the Zoning Code. The applicant is aware of all these requirements.

All requirements are subject to enforcement through the City of Tulsa.

Staff believes that the requirements are in place to ensure that this rezoning will meet the spirit and intent of the Code and not be injurious to the neighborhood. Indeed, by alleviating some of the existing traffic and parking problems, it should be an improvement. Therefore, staff recommends **APPROVAL** of PK zoning for Z-7191.

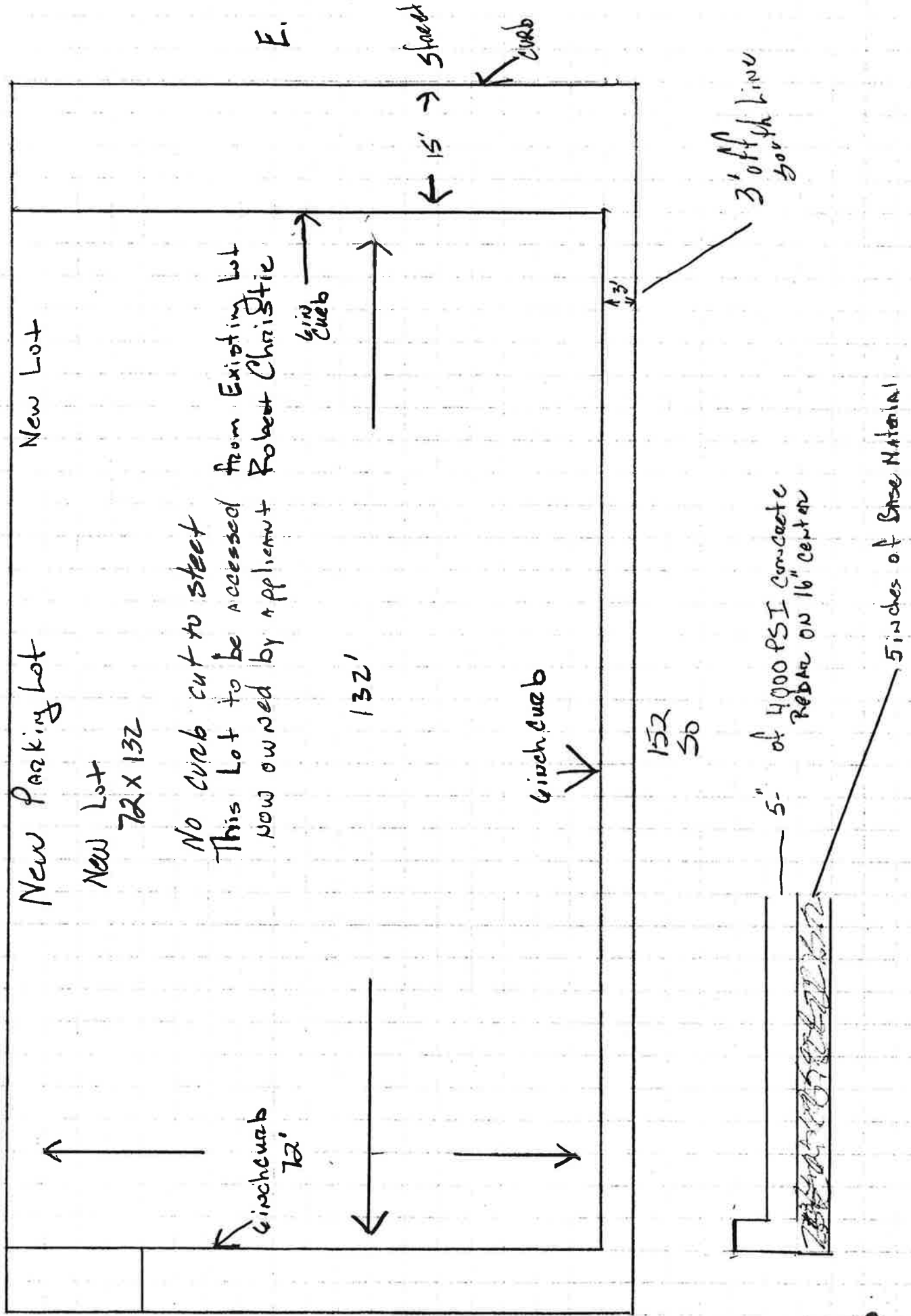






Existing  $\text{Pack}_N$  Lot Alphabet

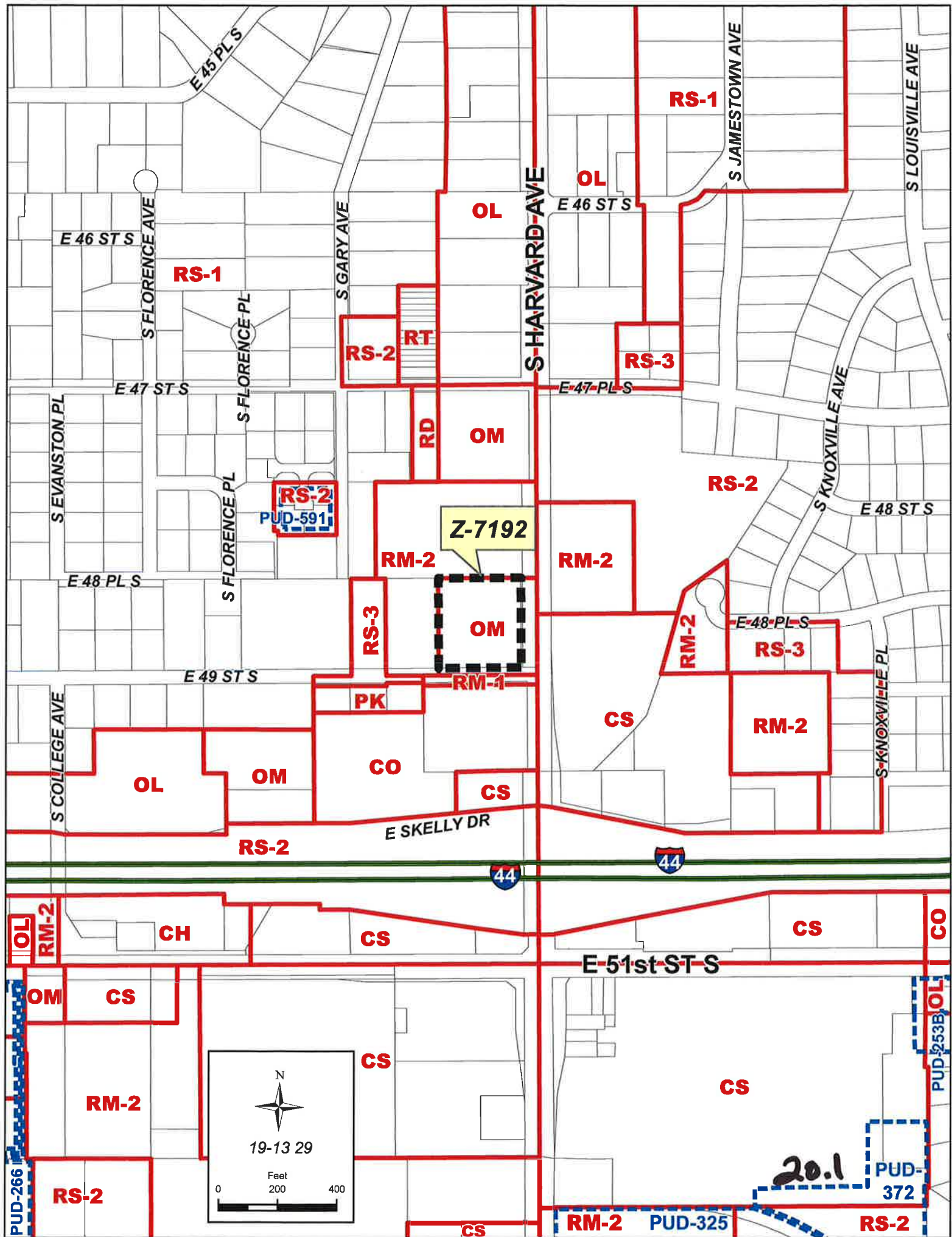
✓  
S. F. 1  
L. H. 1



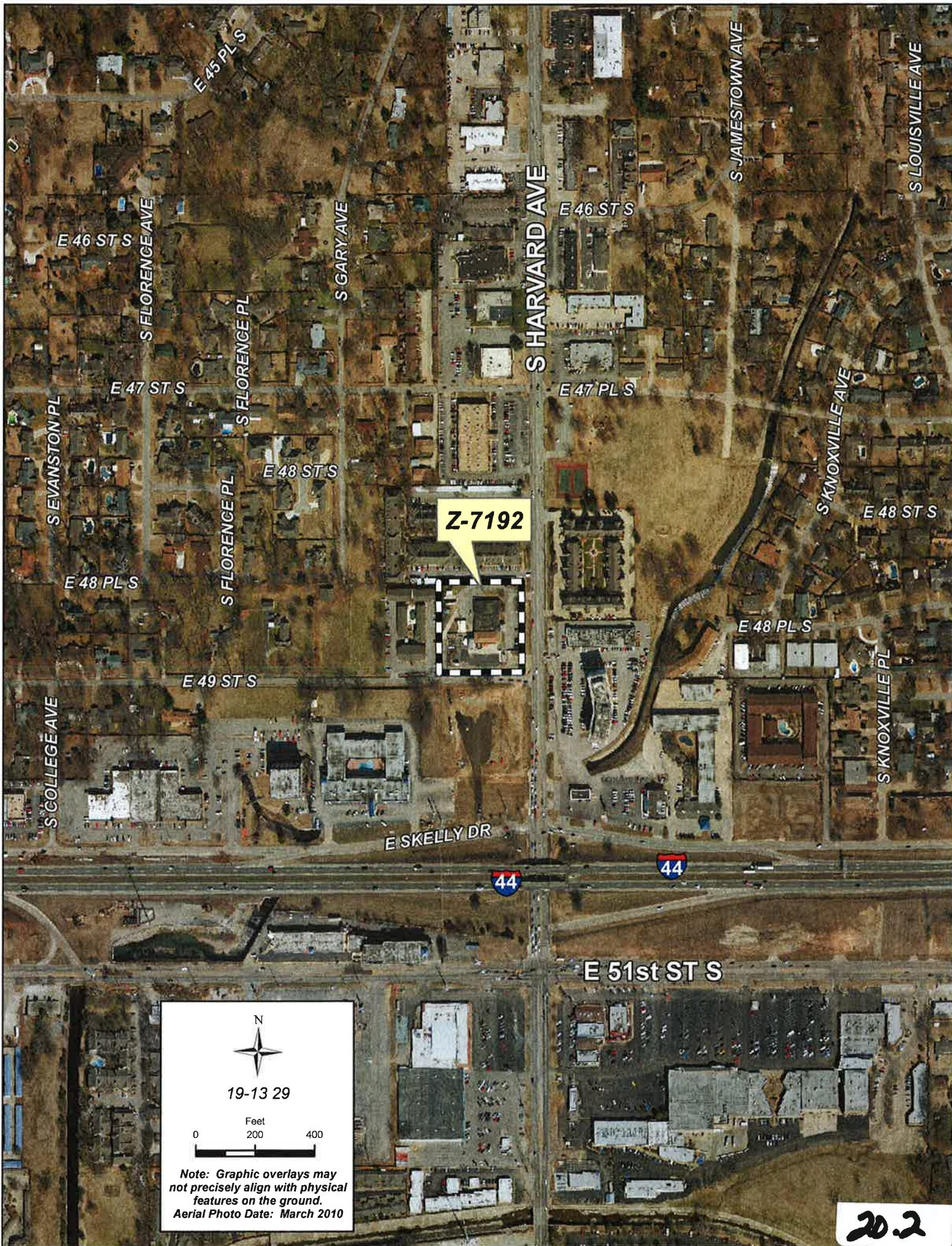
## Spec's

- ① Current Lot Size 75 x 152
  - ② Parking lot Size 72 x 132 - 9,504 sq ft.
  - ③ Chain curb to be installed on West, East, south side of New Lot.
  - ④ New Lot to be constructed of 5 inches of base material,  
5 inches of 4000 PSI concrete with rebar  
on 16 in centers
5. A 6' privacy fence will be installed on the East, West, and South sides of the Lot.





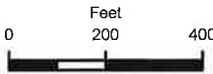




Z-7192



19-13 29



Note: Graphic overlays may not precisely align with physical features on the ground.  
Aerial Photo Date: March 2010



**TULSA METROPOLITAN AREA PLANNING COMMISSION  
CASE REPORT**

**APPLICATION: Z-7192**

**TRS 9319**

**Atlas 470**

**CZM 47**

**CD-9**

**TMAPC Hearing Date:** January 18, 2012

**Applicant:** Roy D. Johnsen

**Tract Size:** 1.989 ± acres

**ADDRESS/GENERAL LOCATION:** Northwest corner of 49<sup>th</sup> Street South and South Harvard Avenue

**EXISTING ZONING:** OM

**EXISTING USE:** Asian Museum/Vacant

**PROPOSED ZONING:** CS

**PROPOSED USE:** Retail/Commercial

**ZONING ORDINANCE:** Ordinance number 11823 dated June 26, 1970, established zoning for the subject property.

***RELEVANT ZONING HISTORY:***

**Z-7129 May 2009:** All concurred in approval of a request for rezoning a .52± acre tract of land from OMH to CS for a commercial development on property located east of the northeast corner of South Harvard Avenue and East 51<sup>st</sup> Street and southeast of subject property.

**BOA-10782 November 29, 1979:** The Board of Adjustment approved a Variance to allow an additional 32 square foot sign on Harvard Avenue (in addition to the existing Rooney sign) on the building, on property located at 4770 S. Harvard Avenue, which is the subject property.

***AREA DESCRIPTION:***

**SITE ANALYSIS:** The subject property is approximately 1.9± acres in size and is located at the northwest corner of East 49<sup>th</sup> Street and South Harvard. The property appears to be a vacant office/museum site and is zoned OM.

**SURROUNDING AREA:** The subject tract is abutted on the east by multifamily residential uses, zoned RM-2 and a commercial/office development, zoned CS; on the north by multifamily residential uses, zoned RM-2; on the south by land recently cleared for expressway improvements, zoned RM-4 and CO; and on the west by multifamily residential uses, zoned RM-2.

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



### **TRANSPORTATION VISION:**

The Comprehensive Plan designates South Harvard as a multi-modal corridor, encouraging all types of vehicular access, including transit, automobile and bicycle, and accommodating pedestrian travel. The Major Street and Highway Plan designates Harvard Avenue as a secondary arterial and the portion of it north of I-44 has recently been improved as part of the widening of that expressway.

### **STREETS:**

<b><u>Exist. Access</u></b>	<b><u>MSHP Design</u></b>	<b><u>MSHP R/W</u></b>	<b><u>Exist. # Lanes</u></b>
East 49 <sup>th</sup> Street South	N/A	N/A	2
South Harvard Avenue	Secondary arterial	100'	4

### **RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

The Comprehensive Plan designates this as a Mixed Use Corridor and an Area of Growth. Mixed Use Corridors are modern thoroughfares that pair high capacity transportation facilities with housing, commercial and employment uses. Off the main travel route, corridors may include multifamily residential, small lot and townhouse development, stepping down in intensities to integrate with single-family neighborhoods. The pedestrian component should include sidewalks that are separated from the roadway by street trees, medians and in some cases parallel parking strips. Buildings along Mixed Use Corridors include windows and storefronts along the sidewalks, with automobile parking located to the side or the rear of the building. The requested CS zoning **is in accord** with the Comprehensive Plan.

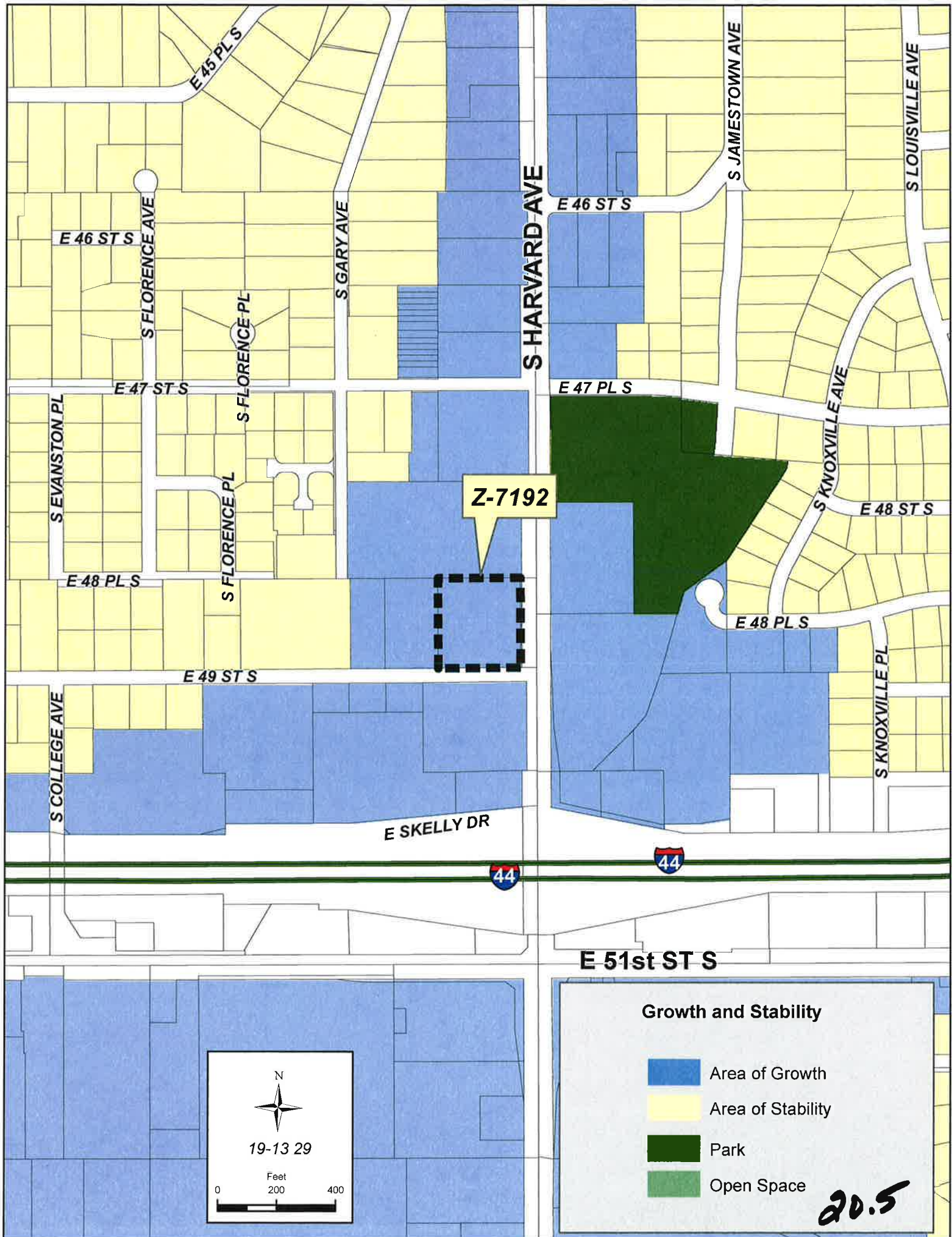
### **STAFF RECOMMENDATION:**

The requested rezoning is in order to accommodate reuse of two now-vacant properties. If developed commercially, the property will face into a commercial/office center on the east and apartments on three other sides. The area to the south has been cleared during the improvements to I-44, and is zoned CO and CS.

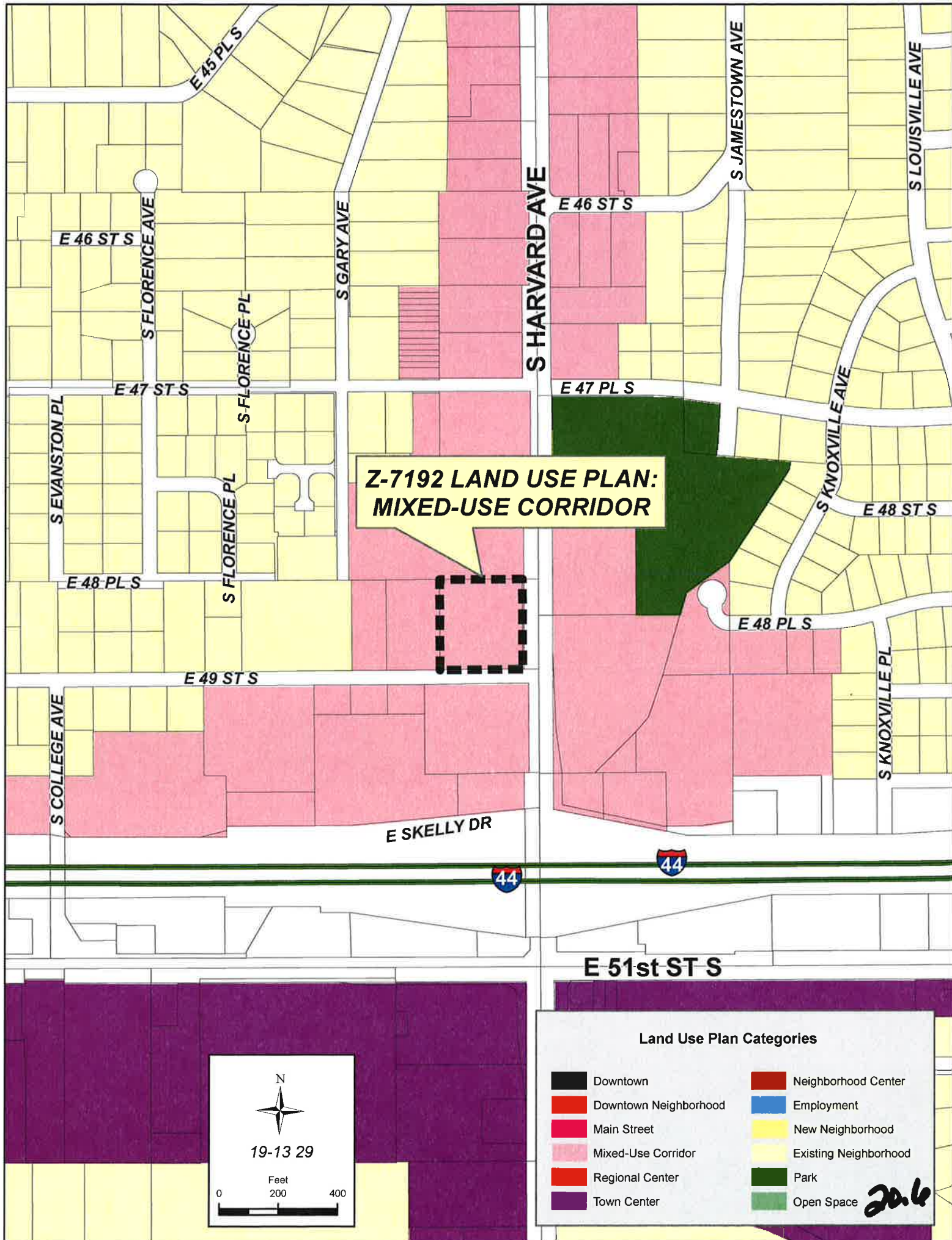
With this in mind, staff therefore recommends **APPROVAL** of CS zoning for Z-7192.

01/18/12

20.4







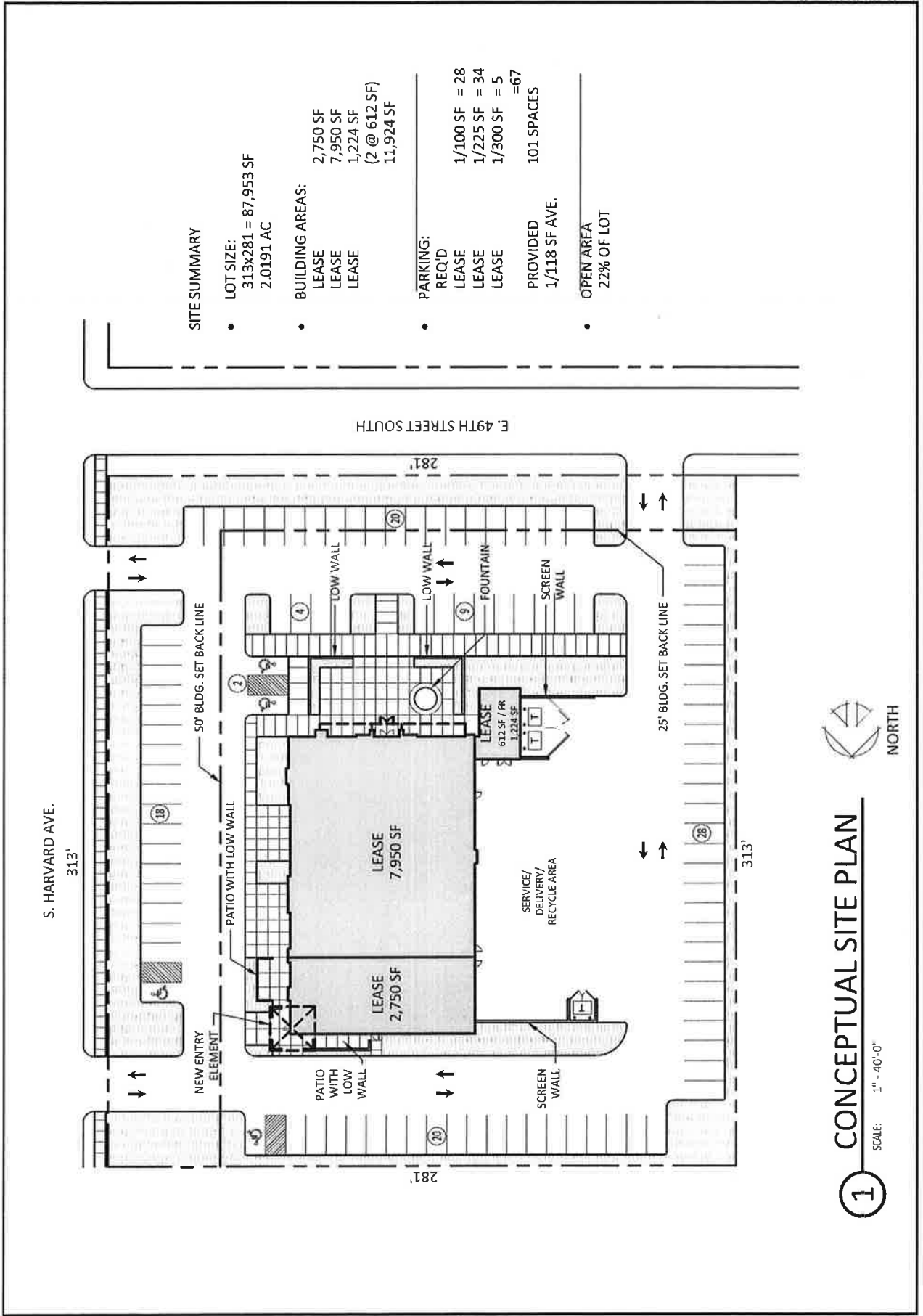




JON KANTOR  
4770 S. HARVARD  
TULSA, OKLAHOMA

Project	11050
Client	12-5-11
Checked by	AS
Drawn by	BJ
Revised	
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AS1.0



SITE SUMMARY

- LOT SIZE:  
313x281 = 87,953 SF  
2.0191 AC
- BUILDING AREAS:  
LEASE 2,750 SF  
LEASE 7,950 SF  
LEASE 1,224 SF  
(2 @ 612 SF)  
11,924 SF
- PARKING:  
REQ'D LEASE 1/100 SF = 28  
LEASE 1/225 SF = 34  
LEASE 1/300 SF = 5  
= 67  
PROVIDED 101 SPACES  
1/118 SF AVE.  
OPEN AREA 22% OF LOT



CONCEPTUAL SITE PLAN

SCALE: 1" = 40'-0"

1

20.7

