TULSA METROPOLITAN AREA PLANNING COMMISSION
Meeting No. 2634
September 19, 2012, 1:30 PM
175 East 2nd Street, 2nd Level, One Technology Center
Tulsa City Council Chamber

CONSIDER, DISCUSS AND/OR TAKE ACTION ON:

Call to Order:

REPORTS:

Chairman's Report:

Worksession Report:

Director's Report:

1. Minutes of August 1, 2012, Meeting No. 2631

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. LS-20542 (Lot-Split) (CD-3), Location: South of East Latimer Street and East of North 105th East Avenue (Related to LC-423)

3. LC-423 (Lot-Combination) (CD-3), Location: South of the intersection of East Latimer Street and North 105th East Avenue (Related to LS-20542)

4. LS-20545 (Lot-Split) (CD-4), Location: East of the Northeast corner of East 27th Place South and South Lewis Avenue (Related to LC-425)

5. LC-425 (Lot-Combination) (CD-4), Location: North of Northeast corner of East 27th Place South and South Lewis Avenue (Related to LS-20545)

6. LS-20546 (Lot-Split) (CD-1), Location: Northeast corner of North Madison Avenue and East 54th Street North

7. LC-426 (Lot-Combination) (County), Location: East of the Southeast corner of North Trenton Avenue and East 73rd Street North

8. LC-427 (Lot-Combination) (CD-4), Location: West of the Northwest corner of East 13th Place South and South Columbia Avenue
9. **LS-20547** (Lot-Split) (County), Location: North of the Northwest corner of North Yale Avenue and East Pine Street

10. **PUD-644-1 – Sack & Associates, Inc./Mark Capron** – Location: West and south of the southwest corner of East 56th Street North and North Peoria Avenue, Requesting a **Minor Amendment** to reallocate the maximum floor area into three parcels, **RS-3** (CD-1)

11. **Z-7008-SP-1 – Cedar Creek Consulting/Jason Emmett**, Location: North of West 81st Street South on the west side of South Olympia Avenue, Requesting a **Corridor Detail Site Plan** for a restaurant site in Development Area F of the Tulsa Hills Shopping Center Project, **CO**, (CD-2)

12. **PUD-790 – TUL ALF #2, LLC**, Location: North of West 71st Street South and East of South Olympia Avenue, Requesting a **Detail Site Plan** for a Life Care Retirement Center and Assisted Living Facility, **CO/OL/CS**, (CD-2)

13. **PUD-579-A – Madison Investments VI, LLC**, Location: North of East 81st Street South on the west side of South 101st East Avenue, Requesting a **Detail Site Plan** for a doctor’s office in Development Area A of the PUD, **CO**, (CD-7)

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

**PUBLIC HEARINGS:**

14. **South Mingo Plaza** – Preliminary Subdivision Plat, Location: 8165 South Mingo Road, South of the Southeast corner of East 81st Street South and South Mingo Road (8418) (CD 7)

15. **Z-7210 – Marcus Makar**, Location: North of the northwest corner of East 21st Street and South Boston Avenue, Requesting rezoning from **RM-2 to CS**, (CD-4)

16. **Z-7211 – Sisemore, Weisz & Assoc.**, Location: South of southwest corner of East 46th Street North and North Peoria Avenue, Requesting rezoning from **CS/RS-3 TO CS**, (CD-1)

**OTHER BUSINESS**

17. Commissioners' Comments

**ADJOURN**

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

Visit our website at www.tmapc.org

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

**PUD 644-1:** Minor Amendment – West and south of the southwest corner of East 56th Street North at North Peoria Ave.; TRS 20-12-12; CZM 02; Atlas 1073; CD 1.

The applicant is requesting a minor amendment to reallocate the maximum floor area into three parcels. The original Planned Unit Development was prepared with three tracts which defined a maximum floor area allowed for the total development area a 100,000 square feet for Use Unit 5 (Community Services and Similar Uses).

When the original PUD was prepared and approved in February 2001 and later platted as Lot 1, Block 1 Greater Grace Apostolic Temple of Tulsa.

The applicant is planning to split the property into three lots which requires the allocation of the floor area. The applicant has requested floor area allocation as follows:

- Tract A  78,000 square feet
- Tract B  15,000 square feet
- Tract C  7,000 square feet

This request still meets the underlying RS-3 Zoning guidelines and is consistent with the intent and purpose of the Planned Unit Development.

Therefore, Staff recommends approval of one monument sign not exceeding 32 square feet of display surface area and not exceeding 20' in height.

*Note: Approval of a minor amendment does not constitute detail site, landscape or sign plan approval.*
Part of Lot 11 Block 1 Tulsa Hills Subdivision //
STAFF RECOMMENDATION

Z-7008-SP-1  Detailed Site Plan – A 2.07 acre tract that is part of the SW/4 of Section 11, T-18-N, R-12-E, Tract 2b, Lot-11, Block-1 Tulsa Hills Subdivision. North of W. 81st Street South on the west side of S. Olympia Ave.; CZM 51; Atlas NA: CD 2;

CONCEPT STATEMENT:
The applicant is requesting approval of a detail site plan for a Restaurant site in development area F of The Tulsa Hills Shopping Center Project. The site has been previously platted but not developed. All uses permitted by right in the CO zoning district are allowed in this development area.

PERMITTED USES:
The Site Plan provided as an attachment to this staff report illustrates a new restaurant site (Use Unit 12) which is permitted by right in Development Area F of the Corridor District Plan.

DIMENSIONAL REQUIREMENTS:
The submitted site plan meets all applicable building floor area, density, open space, and setback limitations. No modifications of the previously approved Corridor Plan guidelines are required for approval of this site plan.

OFF-STREET PARKING AND VEHICULAR CIRCULATION:
The Site Plan provides more parking spaces than the required minimum defined in the Tulsa Zoning Code.

LIGHTING:
Parking lot lighting will be directed down to help prevent light trespass into the adjacent properties. The photometric plan provides data that illustrates the lighting concept with no spillage onto adjacent properties.

SIGNAGE:
The site plan illustrates sign location along South Olympia and is placed appropriately for site plan review. This staff report does not remove the requirement for a separate sign plan review process.

SITE SCREENING AND LANDSCAPING:
The landscape plan will be submitted to staff for separate review as allowed in the Corridor Section of the Zoning Code.
The trash screening enclosure meets the minimum masonry standards defined in the Corridor Plan.

PEDESTRIAN ACCESS AND CIRCULATION:
Existing sidewalks will be installed internally and on the South Olympia frontage. Appropriate sidewalk plans have been provided on the site plan.

MISCELLANEOUS SITE CONSIDERATIONS:
The site slopes significantly from west to east toward the Olympia street right of way. Staff has been provided a site grading plan that is part of the IDP plans submitted to the City of Tulsa Development Services. There are no concerns regarding the development of this area as it relates to the terrain modifications.

SUMMARY:
Staff has reviewed applicants' submittal of the Site Plan as it relates to the approved Corridor Plan Z-7008-SP-1. The applicant site plan submittal meets or exceeds the minimum requirements of the Corridor Plan. Staff finds that the uses and intensities proposed with this site plan are consistent with the approved Corridor Plan Z-7008-SP-1 and the stated purposes of the Corridor chapter of the Zoning Code.

Therefore, staff recommends APPROVAL of the detail site plan for the proposed new commercial project.

(Note: Detail site plan approval does not constitute sign plan or landscape plan approval.)
STAFF RECOMMENDATION

PUD-790 Detailed Site Plan – A 3.76 acre tract that is part of the SE/4 of Section 02, T-18-N, R-12-E, Currently being platted as Lot-1, Block-1 The Legend Senior Living a subdivision in the City of Tulsa, Tulsa County, OK., North of W. 71st Street South East of S. Olympia Ave.; CZM 51; Atlas 1012/1011: CD 2;

CONCEPT STATEMENT:
The applicant is requesting approval of a detail site plan for a Life Care Retirement Center and Assisted Living Facility in PUD 790. The site is currently working through the final plat process. The only use permitted in the PUD is Use Unit 8 (Multifamily & Similar Uses) and further limited to a Life Care Retirement Center and Assisted Living Facility.

PERMITTED USES:
The Site Plan provided as an attachment to this staff report illustrates a new Retirement Community (Use Unit 8) which is the only use permitted by right in Development Area A of PUD 579-A.

DIMENSIONAL REQUIREMENTS:
The submitted site plan meets all applicable, building height, floor area, density, open space, and setback limitations. No modifications of the previously approved PUD guidelines are required for approval of this site plan.

OFF-STREET PARKING AND VEHICULAR CIRCULATION:
The site plan provides more parking spaces than the required minimum defined in the Tulsa Zoning Code.

LIGHTING:
Parking lot lighting will be directed down and away from adjacent property to help prevent light trespass. Maximum height of light fixtures is 16' and below the 25' height limit allowed. The photometric plan provided provides sufficient data to insure that artificial light sources are arranged in a way that prohibits light trespass from this site.

SIGNAGE:
The site plan does not illustrate a sign location. This staff report does not remove the requirement for a separate sign plan review process.
SITE SCREENING AND LANDSCAPING:
The landscape plan will be submitted to staff for separate review as allowed in
the Planned Unit Development Section of the Zoning Code.

The trash screening enclosure meets the minimum masonry standards defined in
the Corridor Plan.

PEDESTRIAN ACCESS AND CIRCULATION:
Sidewalks will be installed internally and connected to the existing sidewalks on
the West 71st Street frontage. Appropriate sidewalk plans have been provided
on the site plan.

MISCELLANEOUS SITE CONSIDERATIONS:
There are no concerns regarding the development of this area as it relates to the
terrain modifications. The site slopes from the west toward the east and a
retaining wall will be placed parallel to the west property line. The building floor
elevation will be below the existing ground elevation and partially hidden from the
west property line as a result of the excavation east of the wall.

SUMMARY:
Staff has reviewed applicants' submittal of the Site Plan as it relates to the
approved Planned Unit Development 790. The applicant site plan submittal
meets or exceeds the minimum requirements of the Planned Unit Development.
Staff finds that the uses and intensities proposed with this site plan are consistent
with the approved Planned Unit Development 790 and the stated purposes of the
Planned Unit Development of the Zoning Code.

Therefore, staff recommends APPROVAL of the detail site plan for the proposed
new commercial project.

(Note: Detail site plan approval does not constitute sign plan or landscape plan
approval.)
Legend Senior Living

A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA BEING A PART OF THE SOUTHEAST QUARTER (SE/4) OF SECTION 2, TOWNSHIP 18 NORTH, RANGE 12 EAST OF THE INDIAN BASE AND MERIDIAN

Owner/Developer
TUL ALF II, LLC
888 South 195th East Avenue, Suite 200
Tulsa, OK 74133
CONTACT: CHERI WILSON, PRINCIPAL ENGINEER

Engineer
RODENBAUGH CONSULTING, LLC
3207 South May Avenue
Tulsa, OK 74105
PHONE: 918-835-1900
FAX: 918-835-1901
C.A. #4000321430

Surveyor
PARKER INC.
1312 West 4th Street
Tulsa, OK 74103
PHONE: 918-394-3287
FAX: 918-394-3284
C.A. #4000001330

Land Area Summary
GRADED LAND AREA: 185,945.76 SF
TREES: 177
Landscape Area: Provided: 185,945.76 SF (100%)

Site Data
Rink: 22,220.18 (Residential Multi-Unit PUD-790)
BUILDING HEIGHT: 50'
GROUND FLOOR AREA: 5,600 SF

Parking Space Requirement PUD-790
_ASSIGNED TO: CIVIL DIV. II
10,126
0
90
6

Impervious Area
TOTAL IMPERVIOUS AREA: 103,906.78 SF
SPOSIBLE IMPERVIOUS AREA: 45,327 SF
NET INCREASE: 58,579.78 SF

Legal Description
A PART OF LAND Situated in the SOUTHWEST QUARTER (SW/4) of Section 2, Township 18 North, Range 12 East of Indian Base and Meridian and more particularly described as follows:

BEGINNING at the South East corner of this piece of land, thence North 10 degrees 00 minutes 00 seconds West 100.00 feet to a post, thence West 10 degrees 00 minutes 00 seconds 99.99 feet to a post, thence South 89 degrees 59 minutes 50 seconds West 50.00 feet to a post, thence South 10 degrees 00 minutes 00 seconds West 49.99 feet to a post, thence South 89 degrees 59 minutes 50 seconds West 50.00 feet to a post, thence North 10 degrees 00 minutes 00 seconds West 49.99 feet to a post, thence North 0 degrees 00 minutes 00 seconds West 49.99 feet to a post, thence North 89 degrees 59 minutes 50 seconds West 50.00 feet to a post, thence North 10 degrees 00 minutes 00 seconds West 100.00 feet to the place of beginning, containing 59,680.76 square feet, or 5.58 acres, more or less.

PUD Site Plan
CITY OF TULSA, OK

Legend Senior Living

TULALF II, LLC

CALL BEFORE YOU DIG

DIAL 811 30 MINUTES BEFORE YOU DIG

SHEDS AND ENCLOSURES

PARKING SPACES

PARKING SPACES
Detailed Site Plan

PUD 579-A

Subject Tract
STAFF RECOMMENDATION

PUD-579-A  Detailed Site Plan – A 20,185 sq ft (0.46 acre) tract that is part of the SW/4 of Section 07, T-18-N, R-14-E, Lot-1, Block 1, Tallgrass Office Park, North of E. 81st Street South on the west side of S. 101st East Ave.; CZM 54; Atlas 1413: CD 7;

CONCEPT STATEMENT:
The applicant is requesting approval of a detail site plan for a doctor’s office in Development Area “A” of PUD 579-A. The site has been previously platted but not developed. All uses permitted by in Use Unit 11 (Offices, Studio and Support Services) are permitted in this development area.

PERMITTED USES:
The Site Plan provided as an attachment to this staff report illustrates a new Doctors Office (Use Unit 11) which is permitted by right in Development Area A of PUD 579-A.

DIMENSIONAL REQUIREMENTS:
The submitted site plan meets all applicable, building height, floor area, density, open space, and setback limitations. No modifications of the previously approved PUD guidelines are required for approval of this site plan.

OFF-STREET PARKING AND VEHICULAR CIRCULATION:
The Site Plan provides more parking spaces than the required minimum defined in the Tulsa Zoning Code.

LIGHTING:
Parking lot lighting will be directed down to help prevent light trespass into the adjacent properties Maximum height of light fixtures is 18’ and below the 25’ height limit allowed.

SIGNAGE:
The site plan illustrates sign location along East 80th Street South and is placed appropriately for site plan review. This staff report does not remove the requirement for a separate sign plan review process. One ground sign is shown inside an existing easement and will require a license agreement with the City.
SITE SCREENING AND LANDSCAPING:
The landscape plan will be submitted to staff for separate review as allowed in the Planned Unit Development Section of the Zoning Code.

The trash screening enclosure meets the minimum screening standards defined in the PUD.

PEDESTRIAN ACCESS AND CIRCULATION:
Sidewalks will be installed internally and on the East 80th Street South frontage. Appropriate sidewalk plans have been provided on the site plan connecting to the building entrances.

MISCELLANEOUS SITE CONSIDERATIONS:
There are no concerns regarding the development of this area as it relates to the terrain modifications.

SUMMARY:
Staff has reviewed applicants' submittal of the Site Plan as it relates to the approved Planned Unit Development 579-A. The applicant site plan submittal meets or exceeds the minimum requirements of the Planned Unit Development. Staff finds that the uses and intensities proposed with this site plan are consistent with the approved Planned Unit Development 579-A, and the stated purposes of the Planned Unit Development of the Zoning Code.

Therefore, staff recommends **APPROVAL** of the detail site plan for the proposed new commercial project.

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

South Mingo Plaza (revised) - (8418) (CD 7)
South of the southeast corner of East 81st Street South and South Mingo Road

This plat consists of 4 Lots, 1 Block, on 7.68 acres.

The following issues were discussed September 19, 2012, at the Technical Advisory Committee (TAC) meetings:

1. **Zoning:** The property is zoned CO 6051-SP-2 (Corridor District Site Plan). The plat for this addition was almost finished in 2008 and most infrastructure is in place. There will be a gated emergency access knox box between the existing neighborhood and the development on East 82nd Place.

2. **Streets:** Provide reference for right-of-way. Include section on sidewalks. Section I.I is about private streets. Where is the private street on the plat? Mutual access easement must terminate at boundary of Lot 4. No connection will be allowed to East 82nd Place.

3. **Sewer:** Provide the document number for the 11 foot sanitary sewer easement shown on the face of the plat if it presently exists. Include the sanitary sewer easement in the legend. The 11 foot x 20 foot sanitary sewer easement scales at 11 feet x 25 feet. The off-site 11 foot utility easement located adjacent to Lot 4, Block 1, plat 5660, scales at 22 feet. Use standard language for the covenants. Especially for Section 1-B. Ground elevations within easements containing City Utilities can not be altered without prior approval from the City. Add Language restricting the use of the sanitary sewer easement. Include the existing sanitary sewer line located adjacent to the proposed plat, since that is what gives Lot 4 access to the main for service.

4. **Water:** Add bearings and distances to the proposed 20 foot restrictive waterline easement. Use standard covenant language for the waterline service section. Include the restrictive water line easement covenant language. An additional valve and hydrant may be required to be installed on the proposed water line.

5. **Storm Drainage:** Drainage easement is not included in the legend. It should be storm sewer easement. The D/E and restrictive water line easement should not overlap the Mutual Access Easement. Drainage runoff from multiple lots in the addition is conveyed to the stormwater detention
facility; therefore that facility must be placed in a Reserve to be maintained by the Owners' Association. Replace Section 1.B with standard language for “water, sanitary sewer and storm sewer service”. Replace Section 1.C with standard language for “Reserve – Stormwater Detention Easement”. In Section 1.F, use standard language for “Surface Drainage”. Add standard language for roof drainage to Section 1. Section 2 should contain language defining the Reserve Area, and the Maintenance Responsibilities for that Reserve Area. Add both existing and proposed contours to this plan.

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

7. Other: Fire: the conceptual drawing indicates the building on Lot 4 that will need fire department access along the east side due to the length of the building. The requirement is to provide fire department access within 150 feet of any portion of a non-sprinkled building or 200 feet of any portion of a sprinkled building. Also, if this building is not sprinkled an additional fire hydrant will be required. The requirement is to provide a fire hydrant within 400 feet of any portion of a non-sprinkled building or 600 feet of a sprinkled building. GIS: Fix the numerous location map errors. Show proper sections. Use actual bearings. Submit a subdivision control data form.

Staff recommends APPROVAL of the preliminary subdivision plat with the TAC recommendations and the special and standard conditions listed below.

Waivers of Subdivision Regulations:

1. None requested.

Special Conditions:

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

Standard Conditions:

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

2. Water and sanitary sewer plans shall be approved by the Public Works Department prior to release of final plat. (Include language for W/S facilities in covenants.)

3. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due
to breaks and failures shall be borne by the owner(s) of the lot(s).

4. Any request for creation of a Sewer Improvement District shall be submitted to the Public Works Department Engineer prior to release of final plat.

5. Paving and/or drainage plans (as required) shall be approved by the Public Works Department.

6. Any request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Public Works Department.

7. A topography map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)

8. Street names shall be approved by the Public Works Department and shown on plat.

9. All curve data, including corner radii, shall be shown on final plat as applicable.

10. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.

11. All adjacent streets, intersections and/or widths thereof shall be shown on plat.

12. It is recommended that the developer coordinate with the Public Works Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)

13. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City/County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.

14. The method of sewage disposal and plans therefor shall be approved by the City/County Health Department. [Percolation tests (if applicable) are required prior to preliminary approval of plat.]

15. The owner(s) shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type, size and general location. (This information to be included in restrictive covenants on plat.)

16. The method of water supply and plans therefor shall be approved by the City/County Health Department.

17. All lots, streets, building lines, easements, etc., shall be completely dimensioned.

18. The key or location map shall be complete.

19. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided concerning any oil and/or gas
wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.)

20. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)

21. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.

22. All other Subdivision Regulations shall be met prior to release of final plat.

23. All PUD standards and conditions shall be included in the covenants of the plat and adequate mechanisms established to assure initial and continued compliance with the standards and conditions.

24. Private streets shall be built to City or County standards (depending upon the jurisdiction in which the plat is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.
TRC 9212
CZM 36

TMAPC Hearing Date: September 19, 2012

Applicant: Marcis Makar

Tract Size: 7992+ square feet

ADDRESS/GGENERAL LOCATION: North of northwest corner of East 21st Street and South Boston Avenue

EXISTING ZONING: RM-2
EXISTING USE: Residential

PROPOSED ZONING: CS
PROPOSED USE: Commercial/ trapeze facility

ZONING ORDINANCE: Ordinance number 11814 dated June 26, 1970, established zoning for the subject property.

RELEVANT ZONING HISTORY:

No relevant history.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 7992+ square feet in size and is located north of northwest corner of East 21st Street and South Boston Avenue. The property appears to be residentially used and is zoned RM-2. During the building life an office style addition has been added to the front of the original structure and may have been used as an office. The front yard is essentially covered in concrete and serves as a parking area and is a non conforming use in the current Zoning Code. The existing RM-2 zoning does not allow any commercial use.

SURROUNDING AREA: The subject tract is abutted on the east by South Boston Avenue and across the street to the east the property is zoned RM-2; on the North and South the site is abutted by small offices and are both zoned OL. The property abutting the site on the west is Veterans Park, and also zoned RM-2.

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

TRANSPORTATION VISION:
The Comprehensive Plan does not specifically identify Boston Avenue.

STREETS:
Exist. Access  | MSHP Design  | MSHP R/W  | Exist. # Lanes
South Boston Avenue  | n/a  | 60'  | 2

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The Comprehensive Plan designates the site as a Downtown Neighborhood and in an area of growth.

A Downtown Neighborhood is defined as areas "located outside but are tightly integrated with the Downtown Core. These areas are comprised of university and higher educational campuses and their attendant housing and retail districts, former warehousing and manufacturing areas that are evolving into areas where people both live and work, and medium to high-rise mixed-use residential areas. Downtown Neighborhoods are primarily pedestrian oriented and are well connected to the Downtown Core via local transit. They feature parks and open space, typically at the neighborhood scale."

STAFF RECOMMENDATION:

This site is in a neighborhood which has been accurately identified in the comprehensive plan as an area which has evolved into a mixed use area where people live, work and play in a unique mix of multifamily and single family residential uses, mixed with small offices, large office buildings, parks, and schools. This site is one of the most diverse use neighborhoods in the south side of the Central Business District Area and is identified as an area of growth in the comprehensive plan. The Comprehensive Plan could support a retail/commercial use in this area if a larger more comprehensive development including urban neighborhood retail component..

In this particular instance there is no other commercial use in the immediate area and staff believes that the CS zoning request constitutes spot zoning and therefore **recommends DENIAL of the requested CS zoning.**

09/19/12
ZONING CLEARANCE PLAN REVIEW

July 06, 2012

MARCUS MAKAR
PO BOX 103
TULSA, OK 74101-

APPLICATION NO: 6258 (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Location: 1918 S BOSTON AV E
Description: FLYING TRAPEZE

INFORMATION ABOUT SUBMITTING REVISIONS

OUR REVIEW HAS IDENTIFIED THE FOLLOWING CODE OMISSIONS OR DEFICIENCIES IN THE
PROJECT APPLICATION FORMS, DRAWINGS, AND/OR SPECIFICATIONS. THE DOCUMENTS SHALL
BE REVISED TO COMPLY WITH THE REFERENCED CODE SECTIONS.

REVISIONS NEED TO INCLUDE THE FOLLOWING:
1. A COPY OF THIS DEFICIENCY LETTER
2. A WRITTEN RESPONSE AS TO HOW EACH REVIEW COMMENT HAS BEEN RESOLVED
3. THE COMPLETED REVISED/ADDITIONAL PLANS FORM (SEE ATTACHED)

REVISIONS SHALL BE SUBMITTED DIRECTLY TO THE CITY OF TULSA PERMIT CENTER LOCATED AT
175 EAST 2nd STREET, SUITE 450, TULSA, OKLAHOMA 74103. PHONE (918) 596-9601.
THE CITY OF TULSA WILL ASSESS A $25 RESUBMITTAL FEE PLUS ONE DOLLAR PER SUBMITTED
PAGE. DO NOT SUBMIT REVISIONS TO THE PLANS EXAMINERS.

SUBMITTALS FAXED TO PLANS EXAMINERS WILL NOT BE ACCEPTED.

IMPORTANT INFORMATION

1. SUBMITTAL OF REVISED/ADDITIONAL PLANS MUST BE SUBMITTED WITH TWO (2) SETS [4
SETS IF HEALTH DEPARTMENT REVIEW IS REQUIRED] OF REVISED OR ADDITIONAL PLANS.
REVISIONS SHALL BE NOTED WITH CLOUDS AND REVISION MARKS.

2. THE FULL TEXT OF THE ZONING CODE, INFORMATION ABOUT INDIAN NATION COUNCIL OF
GOVERNMENT (INCOG), BOARD OF ADJUSTMENT (BOA), AND TULSA METROPOLITAN AREA
PLANNING COMMISSION (TMAPC) IS AVAILABLE ONLINE AT www.inco.org OR AT INCOG
OFFICES AT WILLIAMS TOWER II, 2 W. 2nd ST., 8th FLOOR, TULSA, OK, 74103, PHONE 918-584-
7526.

3. QUESTIONS CONCERNING VARIANCES, SPECIAL EXCEPTIONS, APPEALS OF AN
ADMINISTRATIVE OFFICIAL, PLANNED UNIT DEVELOPMENTS (PUD), ZONING CHANGES,
PLATING, LOT SPLITS, LOT COMBINATIONS, AND ALTERNATIVE COMPLIANCE LANDSCAPE
PLANS SHOULD BE DIRECTED TO AN INCOG REPRESENTATIVE.

(continued)
REVIEW COMMENTS

SECTIONS REFERENCED BELOW ARE FROM THE CITY OF TULSA ZONING CODE TITLE 42 AND CAN BE VIEWED AT WWW.CITYOFTULSA-BOA.ORG

Application No. 6258  1918 S BOSTON AV E  July 06, 2012

This letter of deficiencies covers Zoning plan review items only. You may receive additional letters from other disciplines such as Building or Water/Sewer/Drainage for items not addressed in this letter.

Sec.401 Table 1 Permitted Uses in Residential Districts: Use Unit 20 – Commercial Recreation, which includes Outdoor Recreation Not Elsewhere Classified (NEC), is not a permitted use in an RM-2 district.

Review Comments: The proposed trapeze is located in an RM-2 district and is designated a Use Unit 20 Outdoor Recreation NEC. This requires rezoning to a district that allows a Use Unit 20 either by Special Exception or by Right. All Commercial districts (CS, CG, CH and CBD) and Industrial Light (IL) will require a Board of Adjustment Special Exception after rezoning. Use Unit 20 is allowed by Right in the Industrial Districts IM and IH.

NOTE: Please direct all questions concerning Zoning changes to Mindi Mariboho and Special Exceptions to Carolyn Back at 918-584-7526. It is your responsibility to keep our office advised of any action by the BOA and TMAPC affecting the status of your application for a Zoning Clearance Permit.

END – ZONING CODE REVIEW

NOTE: THIS CONSTITUTES A PLAN REVIEW TO DATE IN RESPONSE TO THE SUBMITTED INFORMATION ASSOCIATED WITH THE ABOVE REFERENCED APPLICATION. ADDITIONAL ISSUES MAY DEVELOP WHEN THE REVIEW CONTINUES UPON RECEIPT OF ADDITIONAL INFORMATION REQUESTED IN THIS LETTER OR UPON ADDITIONAL SUBMITTAL FROM THE APPLICANT.

KEEP OUR OFFICE ADVISED OF ANY ACTION BY THE CITY OF TULSA BOARD OF ADJUSTMENT OR TULSA METROPOLITAN AREA PLANNING COMMISSION AFFECTING THE STATUS OF YOUR APPLICATION FOR A ZONING CLEARANCE PERMIT.
Petition Re: Approving the rezoning to install Flying trapeze at 1918 S Boston

Trapeze is good for the City. It is conducive to improving health, incredibly fun, brings people together, and is relatively new, novel activity only available in about two handfuls of cities in this country. Please grant this approval.

Sat. Sep 8/11/12

592.4421

112 E 21st Apt 5

MRI BANLEY@YAHOO.COM

112 E 21st Apt 5

MRI BANLEY@YAHOO.COM

Amelia Williamson

105 E 21st Apt 7

MRI BANLEY@YAHOO.COM

Malini Chitrapalli

1907 S. Boston Ave

MRI BANLEY@YAHOO.COM

Dr. Scott Hagen

817-383-2207

MRI BANLEY@YAHOO.COM

Doug Campbel

MRI BANLEY@YAHOO.COM

1927 S. Boston

MRI BANLEY@YAHOO.COM

Christie Lillian

Christie Green

1927 S. Boston

MRI BANLEY@YAHOO.COM

Francine Robinson

1918 S. Boston

MRI BANLEY@YAHOO.COM

15.10
Petition Re: Approving the rezoning to install Flying trapeze at 1918 S Boston

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Buck Bartholomew, Senior Law, 1910 S. Boston, Tulsa, OK 74115
582-4180 buck@bubbc.org

George Saum
1836 S. 11th Ave., Tulsa, OK 74119
582-6879

Bill Rayburn
1900 S. 11th Ave., Tulsa, OK 74119
582-8878

Michael E. Elsen<br>Michael E. Elsen, 1900 S. Boston Ave, Tulsa, OK 74119
582-4879

Tony Henry<br>Tony Henry, 1927 S. Boston, Tulsa, OK 74119
582-4872

Susan Karchin<br>Susan Karchin, 1825 S. Boston, Tulsa, OK 74119
582-8878

B
8.10.12

Petition Re: Approving the rezoning to install Flying trapeze at 1918 S Boston

Trapeze is good for the City. It is conducive to improving health, incredibly fun, brings people together, and is a relatively new, novel activity only available in about two handfuls of cities in this country. Please grant this approval.

[Signatures and names]

[Addressed to]

Neighbors

[Date] 15.13
Petition Re: Approving the rezoning to install Flying trapeze at 1918 S Boston

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Buck
Nathan Buck

Shannon D. 12301 E 82nd Pl
Shannon

2
Malinda Peters 2122 E 88th Pl
Malinda Peters

3
Edward Petersen 6622 E 22nd Pl
Edward Petersen

4
Paula Salazar 8522 E. 17th St
Paula Salazar

5
Beth Tasiac 11045 S 10th Pl
Beth Tasiac

6
Travis Forst 1229 S. Bannock Pl.
Travis Forst

7
Michelle Segura 2502 W. 20th Ave
Michelle Segura

8
Frederick 11921 S. 33rd Pl.
Frederick

9
Jean Seion 19715 E 171st St. S. Kansas City, MO
Jean Seion

10
Brandy Davenport 12301 E 82nd Pl
Brandy Davenport

11
Regina Pilling 12744 E 7th St
Regina Pilling

12
Lynn Forster 104 1st Ave
Lynn Forster

13
Colindina Oliveira 104 12th Ave
Colindina Oliveira

14
Brandon Miller 4648 S. Teller Ave Tulsa, OK 74129
Brandon Miller

15
Lacie Oliveira 104 E Kent Ave
Lacie Oliveira

16
Trina Murch 3546 S. Harvard Ave
Trina Murch

17
Sara L. Lewis 1813 N 112th St
Sara L. Lewis

18
Leslie McCollum 11915 E 78th St
Leslie McCollum

19
Jessica Foster 11237 Kingsdown Dr.
Jessica Foster

20
Cherie Fowler 14114 E. Lindsay Ave.
Cherie Fowler

21
Levi Reif 4706 N 24th Ave
Levi Reif

15.19
Petition:

Attaching the request to install a flying trapeze at 1918 S Boston

Trapeze is good for the City. It is conducive to improving health, incredibly fun, brings people together, and is relatively new, not yet available in about two handfuls of cities in this country. Please grant this approval.

Christopher Brown 1642 8th 74008
Mackenzie Taylor 2608 W. Vandalia St. 74012 Willingham
Andrew Williams 1014 7th 74104
Chelsea Bump 1331 E 24th 74105
Elizabeth Hardy 11532 E 12th 74105
Victoria Davidson 140 E Westmore Ave Springfield 74104
Joel Myers 2839 E. 1st St. 74104
Alice D. Millionaire 2419 E 21st 74104
Catherine Whitaker 601 N. 73rd St. Tulsa 74104
Linda Culver
Kathy Worley 316 List Sunday

12
Brock Sparks 1467 Knottinhill St 73103
Sadie Woodworth 3730 S. Detroit Ave. 74105
Blake Goodwin 1323 S. Delaware 74105

14
James A. Dobson 1747 S. Bosta 74102
Eric Coegels 2411 Beaver Bridge 74105
Abby Torino 3004 S. 31st Ave
Chris Morgan 337 E Morgan 74104

18
Kyle Engles 4517 S. Weeding
Kassie Kamin 1519 S. Columbia Ave.

20
Tellis Carr 2727 S. 27th 74103

Chase Hilton 1012 W. Market

22
Kevin Wilson 6711 S. Lewis 74101

23
Morgan Burkhardt Mayes County
Petition Re: Approving the rezoning to install Flying trapeze at 1918 S Boston

Trapeze is good for the City. It is conducive to improving health, incredibly fun, brings people together, and is relatively new, novel activity only available in about two handfuls of cities in this country. Please grant this approval.

Print Name 8-10-12  Voting Address Signature

1. Eva Lee 9207 Riverside, Tulsa, OK
2. Rusty Wilson 1261 forest lane, catoosa, ok
3. Robert White 1249 E 82nd St
4. Rebecca Murray 9944 E. 124th St, Bixby, OK
5. Van Heren Fritz 316 E S. 76th st- Tulsa
6. Aaron Walton 1306 S Rockford Ave, Tulsa, OK
7. Matt Cannizzo 6923 E 20th St, Tulsa, OK
8. William DAVIS 5932 E 27th Pl, Tulsa, OK
9. Dee Fuss 1821 E Herbert, Bixby area, ok
10. Michael Rodgers 1615 S 35th W Ave, Tulsa, OK
11. Lisa Alexander 1219 S 25th Ave, Tulsa, OK
12. D. Clay Reesle 1408 Stroost Apt 212 Tulsa, OK
13. Charlie Green 9316 E 56th St, Tulsa 74146
14. Matthew Safa 9043 E 29th Pl, Tulsa
15. Thomas Nickels 3810 S 124 E Ave, ok
16. Erica Parker 3810 S 124 E Ave Tulsa, ok
17. Tiffany Lane 5901 W 137 St, Tulsa, ok
18. Mark Pinkston 7435 E 59th Pl, Tulsa, ok
19. Carey Cloud 316 W 13th St, Tulsa, ok
20. Sarah Eakin 7419 E 2418 S, Tulsa, ok
Petition Re: Approving the rezoning to install Flying trapeze at 1918 S Boston

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Crispy Knight - RT 66 circus - freak show performer, Kind Roadshowman

Lieberman

Hannah 11/23/14 516 South 14th St. 74435 Kid

Daniel Pascucci 11/24 8 Birmingham Ct. 74411 DOZ

Amy S. Fuller 1364 E. 26th St. 46517 74411 Aug

Brody Shull 1366 E 26th St. 695-5134 74411 Nov

Ted Arnold, Ph.D. 1415 S. 20th Ave. 944-9170 74402

Nancy Lockwood Makar 1412 East 37th Place

Nancy Lockwood Makar 625-2879

Ann Hughes M. Hughes 3626 E. 44th St. 695-5563

Dane Jarrett 652-571501 Dance4onanywhere.com

James Meyer Swing Wing 8710 S. 71st E Ave. 695-7771 409-4912

Rick Lemos 3604 S Hudson Ave 74437

Hayden Moore 3637 S Sandusky

Works 7 Am - 7 Pm Mon-Fri, call before 3 pm

15.17
TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT

APPLICATION: Z-7211

TRS 0213
CZM 3

Atlas 716
CD-1

TMAPC Hearing Date: September 19, 2012

Applicant: Sisemore, Weisz & Associates, Inc.

Tract Size: 2.8+ acres
121,968+ square feet

ADDRESS/GENERAL LOCATION: South of southwest corner of East 46th Street and North Peoria Avenue

EXISTING ZONING: RS-3/CS
EXISTING USE: Undeveloped

PROPOSED ZONING: CS
PROPOSED USE: Proposed retail store

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

RELEVANT ZONING HISTORY:

Z-6835 November 2001: All concurred in approval of a request for rezoning a 6.6+ acre tract of land from AG/ RS-3/ CS to CS, for mini-storage, on property located south of southeast corner East 46th Street North and North Peoria Avenue.

Z-6743 February 2000: All concurred in approval of a request to rezone a 4+ acre tract of land from RS-3 to CS, located east of the southeast corner of East 46th Street North and North Peoria Avenue.

Z-6575 February 1997: All concurred in approval to rezone .4+ acre tract from OL to CS located south of the southeast corner of East 46th Street North and North Peoria Avenue.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 2.8+ acres in size and is located south of southwest corner of East 46th Street and North Peoria Avenue. The property appears to be vacant and is zoned RS-3/CS. The zoning line dividing the property between RS-3 and CS was apparently defined in the original zoning of the property in 1970 and no longer reflects the recommendations of the Comprehensive Plan. Changing the RS-3 section of the property will bring all of the site into a CS zoning classification and will provide a development opportunity consistent with the goals of the Comprehensive Plan for this area.

SURROUNDING AREA: The subject tract is abutted on the east by North Peoria, across the street the property is zoned CS; on the north and south the property is all zoned CS, the west
boundary is defined by the trail system in Tulsa and further west the property is zoned RS-3, southwest of the site some land still zoned AG.

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

**TRANSPORTATION VISION:**
The Comprehensive Plan designates North Peoria as a frequent bus street and a multi-modal corridor

**STREETS:**

<table>
<thead>
<tr>
<th>Exist. Access</th>
<th>MSHP Design</th>
<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
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</thead>
<tbody>
<tr>
<td>North Peoria Avenue</td>
<td>Secondary Arterial</td>
<td>100'</td>
<td>4</td>
</tr>
</tbody>
</table>

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

The Comprehensive Plan designates the site as part of a Regional Center Area and is considered an area of growth. One of the primary goals of the areas of growth in the comprehensive plan is to focus large scale development without being detrimental to existing neighborhoods.

Regional Centers are mid-rise mixed-use areas for large scale employment, retail, and civic or educational uses. These areas attract workers and visitors from around the region and are key transit hubs; station areas can include housing, retail, entertainment, and other amenities. Automobile parking is provided on-street and in shared lots.

**STAFF RECOMMENDATION:**

In keeping with the comprehensive plan vision for the area it is important to continue to rezone land to accommodate the Regional Center Concept. This requested small area of CS zoning will reinforce the opportunity to create a Regional Center for future large scale development and is consistent with the stated goals and objectives in the comprehensive therefore the **Staff recommends approval for the requested CS zoning** application Z-7211

09/19/12