TULSA METROPOLITAN AREA PLANNING COMMISSION

Meeting No. 2642

January 23, 2013, 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:

Review TMAPC Receipts for the month of December 2012

- 1. Minutes of December 19, 2012, Meeting No. 2640
- 2. Minutes of January 9, 2013, Meeting No. 2641

CONSENT AGENDA:

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

- 3. <u>LS-20570</u> (Lot-Split) (CD 4) Location: East of the northeast corner of South Utica and 31st Street South
- 4. <u>LC-453</u> (Lot-Combination) (CD-4) Location: Northwest corner of South Lewis Avenue and East 13th Street South
- 5. <u>PUD-582-8 Jerry Hall</u>, Location: North of northeast corner South Atlanta Place and East 66th Place, Requesting a **Minor Amendment** to modify the green space requirement in a front yard, **RS-3/PUD-582**, (CD-2)

CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA:

PUBLIC HEARINGS:

 Z-7214 - Kinslow, Keith & Todd/Nicole Watts, Location: South of southwest corner of South 85th East Avenue and East 21st Street, Requesting rezoning from RD to PK, (CD-5) (Related to PUD-794)

- 7. <u>PUD-794 Kinslow, Keith & Todd/Nicole Watts</u>, Location: South of southwest corner of South 85th East Avenue and East 21st Street, Requesting a **PUD** to build a park and a parking lot, **RD**, (CD-5) (Related to Z-7214)
- 8. <u>Z-7215 Sisemore, Weisz & Associates, Inc./Darin Akerman</u>, Location: Southeast corner of East 41st Street and South 134th East Avenue, Requesting rezoning from **RS-3** to **CS**, (CD-6) (Related to PUD-221-G)
- 9. <u>PUD-221-G Sisemore, Weisz & Associates, Inc./Darin Akerman</u>, Location: Southeast corner of East 41st Street and South 134th East Avenue, Requesting a **PUD** for proposed retail use, from **RS-3/PUD-221-F to CS/PUD-221-G**, (CD-6) (Related to 7215)

OTHER BUSINESS

- 10. <u>LC-454 Wallace Engineering</u>, Request for Refund, These lots were combined on a previous case.
- 11. Commissioners' Comments

ADJOURN

CD = Council District

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

Visit our website at www.tmapc.org

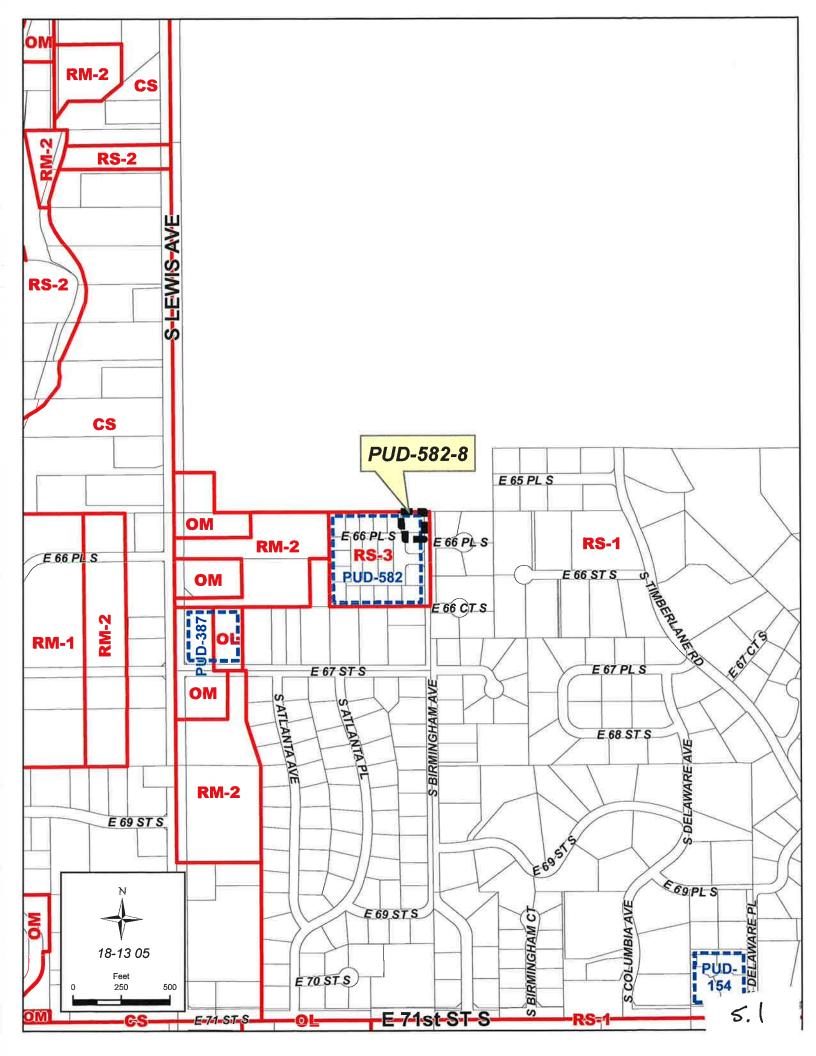
TMAPC Mission Statement: The Mission of the Tulsa Metropolitan Area Planning Commission (TMAPC) is to provide unbiased advice to the City Council and the County Commissioners on development and zoning matters, to provide a public forum that fosters public participation and transparency in land development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

TMAPC RECEIPTS Month of December 2012

		Current Period Year To Date						
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				TOTAL		OT TO S	COLDIEN	TOTAL
	ITEM	CITY	COUNTY	RECEIVED	ITEM	CITY	COUNTY	RECEIVED
ZONING								
Zoning Letters	14	\$70.00	\$70,00	\$140.00	44	\$230.00	\$230.00	\$460.00
Zoning	4	1,540,00	1,540.00	3,080.00	11	6,452.50	6,452.50	12,905.00
PUDs & Plan Reviews	29	2,075.00	2,075.00	4,150.00	178	15,182.50	15,182.50	30,365.00
Refunds		0.00	0.00	0.00	0	(200.00)	(200.00)	(400.00)
Fees Waived		0.00	0.00	0.00	$\underline{0}_{0}$	0.00	0.00	0.00
		\$3,685.00	\$3,685.00	\$7,370.00		\$21,665.00	\$21,665.00	\$43,330.00
LAND DIVISION								
Minor Subdivisions	0	\$0.00	\$0.00	\$0.00	4	\$975.00	\$975.00	\$1,950.00
Preliminary Plats	2	1,142.50	1,142.50	2,285.00	10	\$5,477.50	\$5,477.50	10,955.00
Final Plats	1	370.00	370.00	740.00	8	\$3,100.85	\$3,100.85	6,201.70
Plat Waivers	1	125,00	125.00	250.00	4	\$500.00	\$500.00	1,000.00
Lot Splits	3	150.00	150.00	300.00	39	\$2,065.00	\$2,065.00	4,130.00
Lot Combinations	9	450.00	450,00	900.00	40	\$2,000.00	\$2,000.00	4,000.00
Access Changes	1	25,00	25.00	50.00	1	\$50.00	\$50.00	100.00
Other	1	0.00	0.00	0,00	0	\$100.00	\$100.00	200.00
Refunds		0.00	0.00	0.00	_	\$0.00	\$0.00	0.00
Fees Waived		0.00	0.00	0.00		(\$286.65)	0.00	0.00
rees warved		0.00	0.00	0,00		(4200.00)	5.00	3.00
		<u>\$2,262.50</u>	<u>\$2,262.50</u>	<u>\$4,525.00</u>		<u>\$14,268.35</u>	<u>\$14,268.35</u>	<u>\$28,536.70</u>
BOARDS OF ADJUSTMENT								
Fees	23	\$8,000.00	\$1,800.00	\$9,800.00	92	\$34,050.00	\$9,500.00	\$43,550.00
Refunds			0.00	\$0.00	0	(\$600.00)	(\$550.00)	(1,150.00)
NSF Check			0.00	\$0.00	0	\$0.00	\$0.00	0.00
Fees Waived		0.00	0.00	\$0.00	0	(\$534.65)	\$0.00	(534.65)
		\$8,000.00	\$1,800.00	\$9,800.00		\$32,915.35	\$8,950.00	<u>\$42,400.00</u>
TOTAL		\$13,947.50	\$7,747.50	\$21,695.00		\$68,848.70	\$44,883.35	\$114,266.70
LESS WAIVED FEES *		(\$60.65)		(\$60.65)		(\$1,274.15)		(\$1,274.15)
GRAND TOTALS		\$13,886.85	\$7,747.50	\$21,634.35		\$67,574.55	\$44,883.35	\$112,992.55

^{*} Advertising, Signs & Postage Expenses for City of Tulsa Applications with Fee Waivers for Tulsa Development Authority, Tulsa Airport Authority, Pearl District Form Based Code & Reinstating Previous Zoning of Recently Annexed Territory

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Aerial Photo PUD 582-8

STAFF RECOMMENDATION

PUD-582-8:

PUD Minor Amendment for the reduction of front yard green space required in section 1303.D of the zoning code. North of the Northeast corner of South Atlanta Place at East 66th Place South, all of Lot-3 and the north half of Lot-2 Block-1 Balmoral in the City of Tulsa, TRS 18-13-05; CZM 52; Atlas 768; CD 2;

Concept Statement:

The applicant is requesting a minor amendment to modify the green space requirement in a front yard. The platted configuration of this property provides a very small front yard. The driveway access exceeds the permitted hardscape in a front yard. The completed site will meet all other livability space and dimensional requirements.

Minor Amendment Summary:

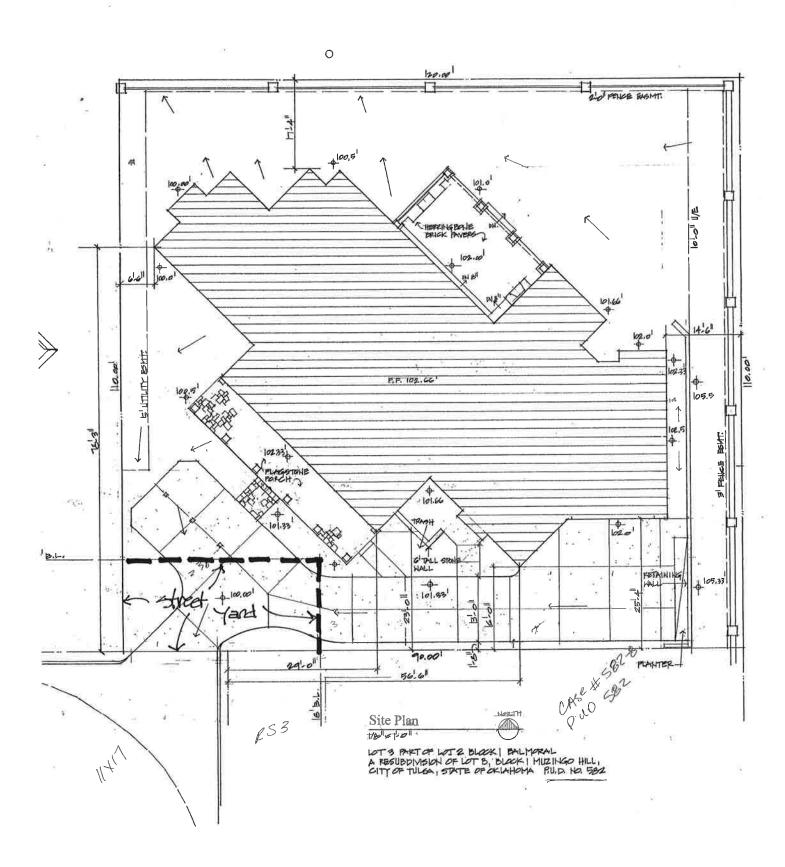
- The underlying zoning classification in the PUD is RS-3. Maximum pavement surface allowed in an RS-3 district shall not exceed 34% as outlined in section 1303.D of the Tulsa Zoning Code.
- The requested minor amendment will allow 67% of the front yard coverage as defined on the attached site plan.

Staff Recommendation:

Within the City of Tulsa Zoning Code, PUD Section 1107.K.9, a minor amendment may be permitted when "Changes in structure heights, building setbacks, yards, open spaces, building coverage and lot widths or frontages, provided the approved Development Plan, the approved PUD standards and the character of the development are not substantially altered."

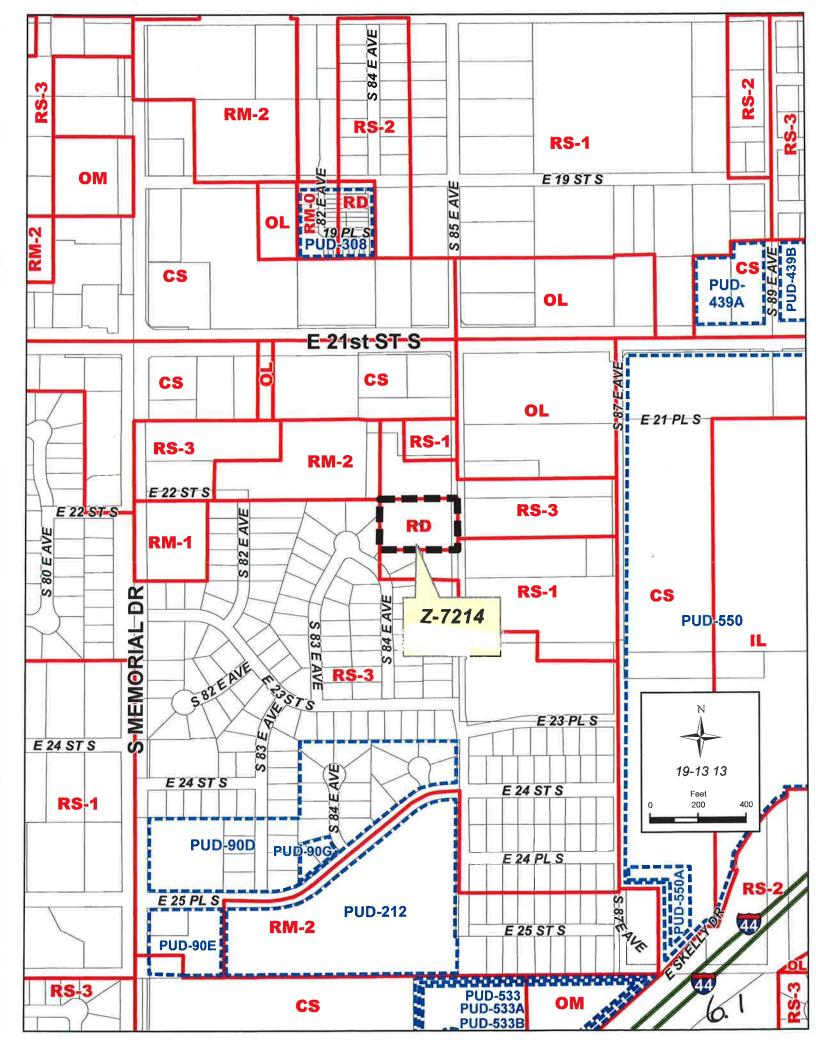
Staff has reviewed the applicants request for the front yard coverage revision on this property. We have determined that this request does not substantially alter the original character of the PUD and will not result in any increase incompatibility with the present and anticipated future use of the proximate properties.

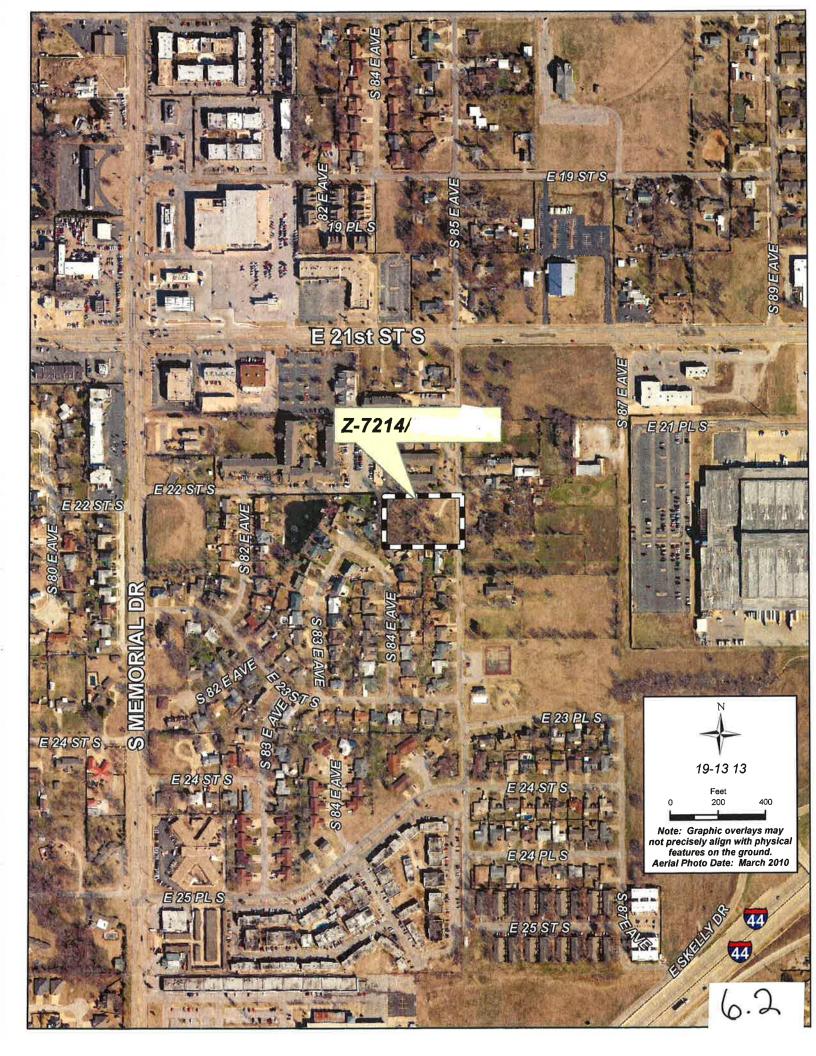
Staff recommends **APPROVAL** of the minor amendment request PUD-582-B as outlined in the Minor Amendment Summary above.

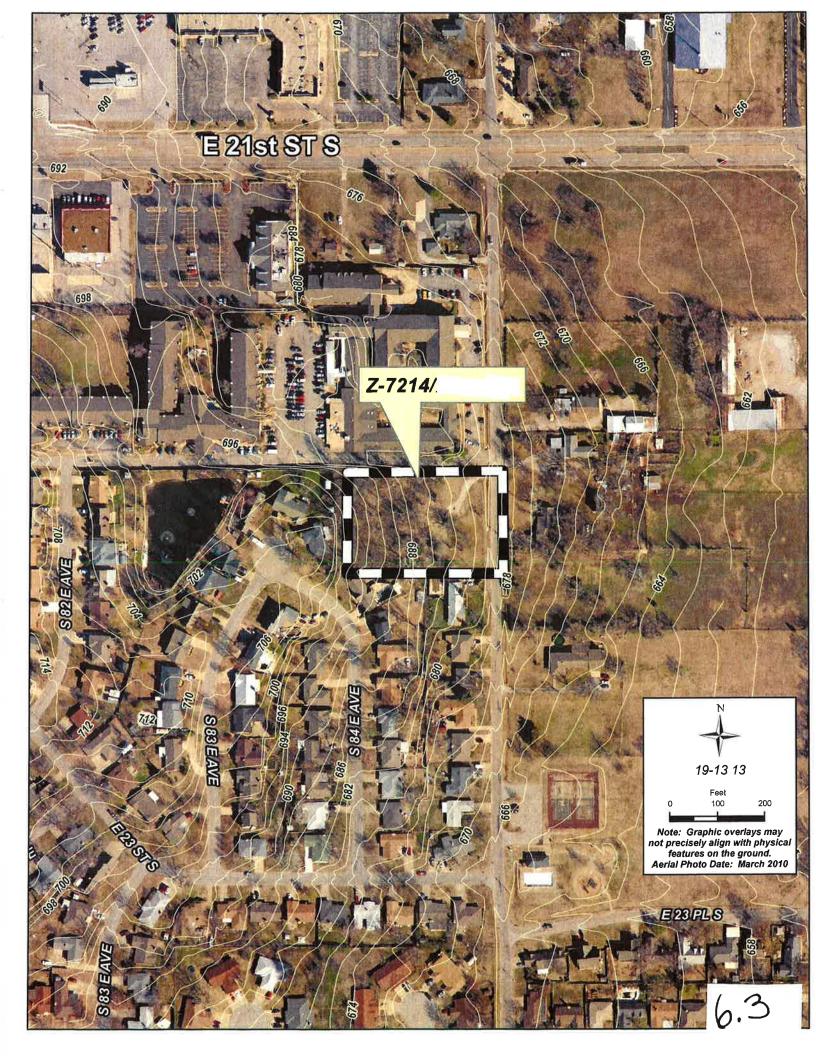


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TULSA METROPOLITAN AREA PLANNING COMMISSION CASE REPORT

APPLICATION: Z-7214

TRS 9313 **Atlas** 456/455

CZM 58 **CD-5**

TMAPC Hearing Date: January 23, 2013

Applicant: Kinslow, Keith & Todd/ Nicole Watts **Tract Size**: 1.5± acres

65,394<u>+</u> square feet

ADDRESS/GENERAL LOCATION: South of southwest corner of South 85th East Avenue

and East 21st Street

EXISTING ZONING: RD EXISTING USE: Residential

PROPOSED ZONING: PK PROPOSED USE: Parking lot & park

ZONING ORDINANCE: Ordinance number 14693 dated March 4, 1980, established zoning

for the subject property.

RELEVANT ZONING HISTORY:

<u>BOA-16447September 28, 1993:</u> The Board of Adjustment approved a Special Exception to permit a nursing home and related parking in a CS, RS-1 and RS-3 zoned district; a Variance of the FAR from 50% to 72%, a Variance of the required 100' of frontage; a Variance of the required 25' setback from abutting R district, a Variance to permit required parking on a lot other than the lot containing the principal use and a Variance of the screening requirements; per plot plan, and subject to the execution of the tie contract; finding that the property has three zoning classifications, on property located at 2130 South 85th East Avenue and north of subject property.

<u>BOA-15572 October 18, 1990:</u> The Board of Adjustment approved a Special exception to remove the screening requirement along South 85th East Avenue, which is adjacent to an R District; finding that only 1/3 of the 350' of street frontage requires screening, and that the installation of the fencing at this location would create a safety hazard for motorists entering 85th East Avenue; on property located at 2154 South 85th East Avenue and abutting north of subject property.

<u>BOA-15295 November 2, 1989:</u> The Board of Adjustment approved a Variance of the maximum .5 to .52 floor area ratio for an assisted care facility; per plot plan submitted, on property located at 2154 South 85th East Avenue and abutting north of subject property.

<u>BOA-14982 November 17, 1988:</u> The Board of Adjustment approved a Special Exception to permit for the expansion of an existing nursing home into residential zoned districts; per plot plan submitted, on property located south of southwest corner of East 21st Street and South 85th East Avenue and north of subject property.

6.4

<u>BOA-5012 April 13, 1966:</u> The Board of Adjustment approved a Special Exception to erect a convalescent hospital, subject to placing off-street parking on the rear of lot and hard surfacing the lot, on property located south of southwest corner of East 21st Street and South 85th East Avenue and abutting north of subject property.

AREA DESCRIPTION:

<u>SITE ANALYSIS:</u> The subject property is approximately 1.5± acres in size and is located south of southwest corner of South 85th East Avenue and East 21st Street. The property is vacant and was previously used as a single family residence is currently zoned RD.

SURROUNDING AREA: The subject tract is abutted on the east by single family residences, zoned RS-1/RS-3; on the north by the Senior Housing and Health Care system who happens to be the applicant for this request, and is zoned RS-3. The Board of Adjustment has allowed this senior care facility; on the south by single family residential property, zoned RS-1; and on the west by single family residential property, zoned RS-3.

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

TRANSPORTATION VISION:

South 85th Street is a two lane residential street with bar ditches. There is no identified transportation vision for this street.

STREETS:

Exist. Access	MSHP Design	MSHP R/W	Exist. # Lanes
South 85 th East Avenue	NA	50'	2

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The existing site is considered an existing residential neighborhood in the Comprehensive plan.

The Existing Residential Neighborhood category is intended to preserve and enhance Tulsa's existing single family neighborhoods. Development activities in these areas should be limited to the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code. In cooperation with the existing community, the city should make improvements to sidewalks, bicycle routes, and transit so residents can better access parks, schools, churches, and other civic amenities.

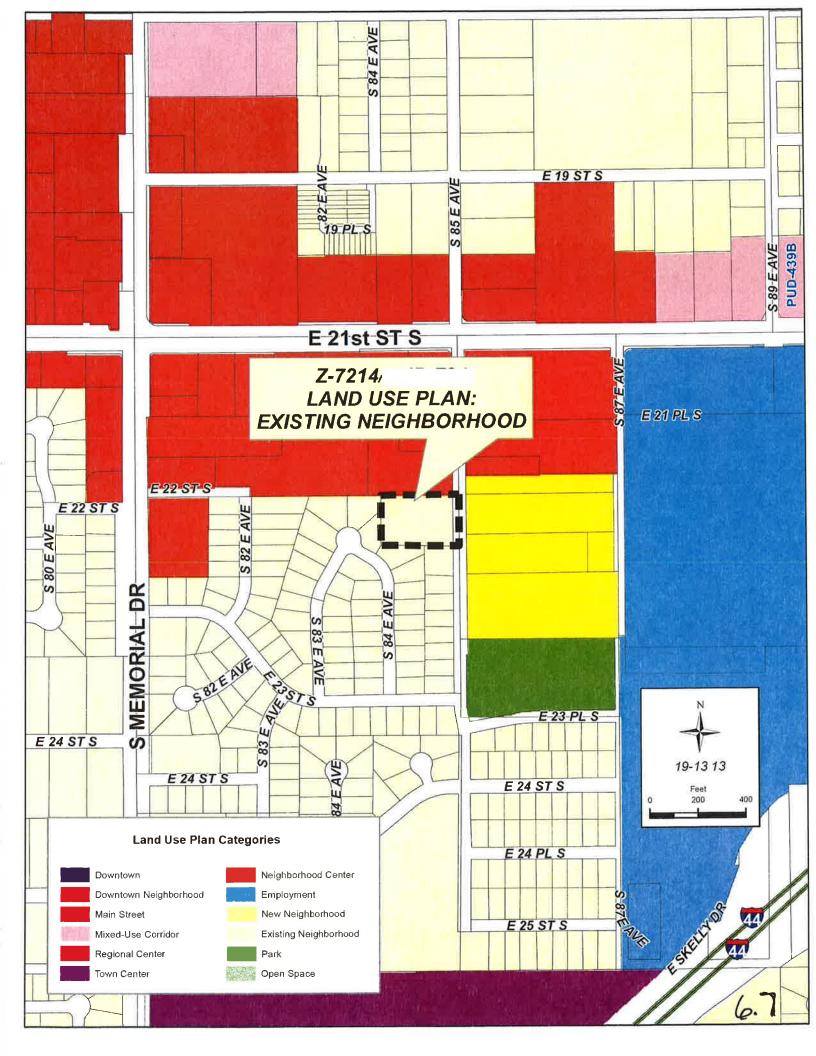
The PK zoning request is in conjunction with PUD 794 otherwise and would not be consistent with the intent of the comprehensive plan.

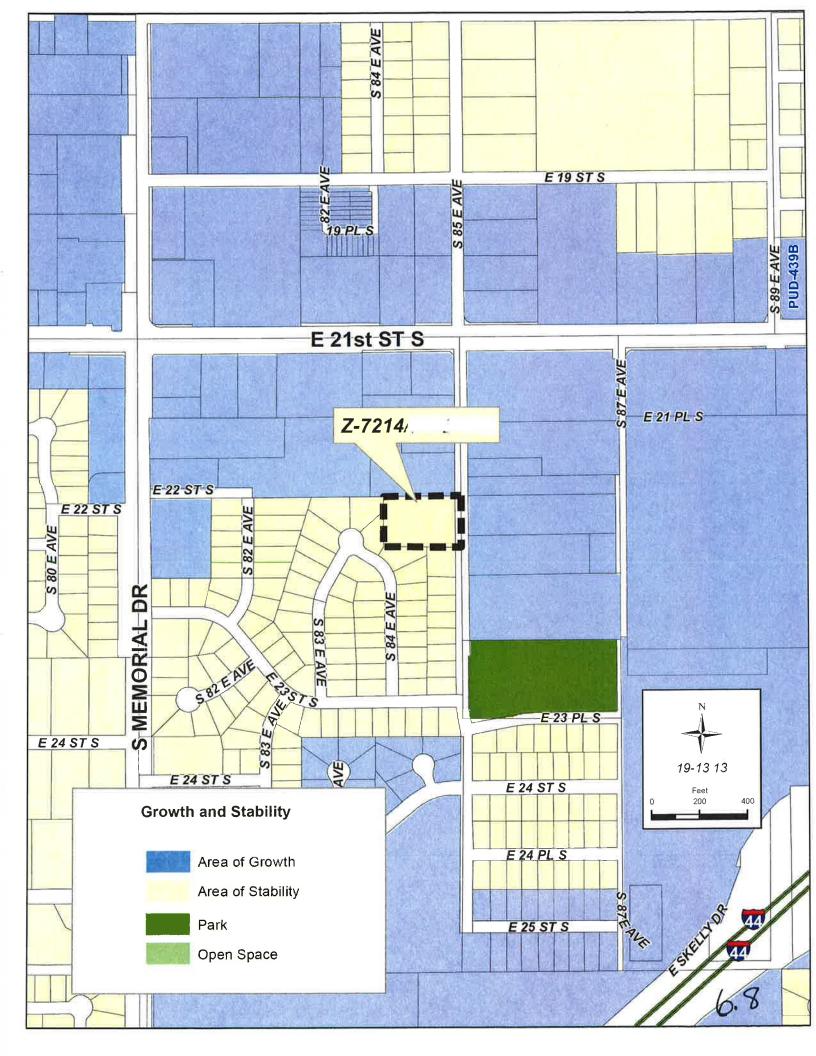
STAFF RECOMMENDATION:

Staff finds the requested PK zoning in conjunction with PUD-794 to be: 1) Consistent with the Comprehensive Plan; 2) in harmony with the existing and expected development of surrounding areas; and 3) a unified treatment of the development possibilities of the site and adjacent properties north of the site.

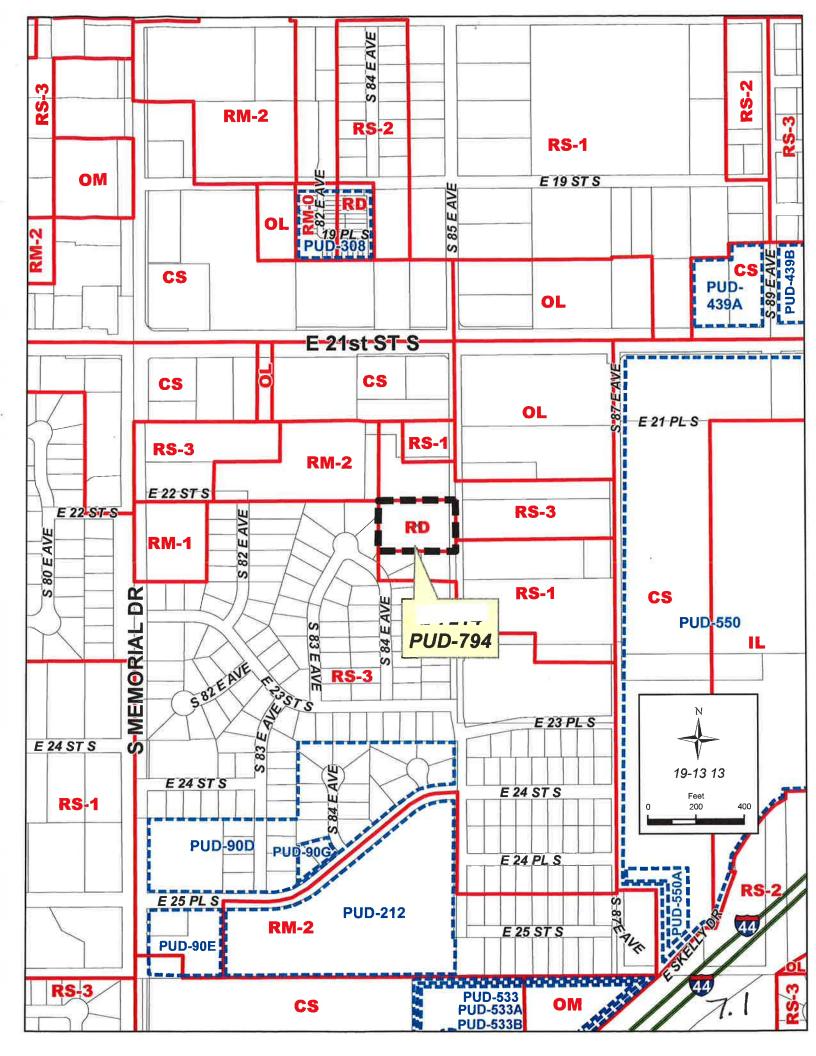
Therefore, staff recommends APPROVAL of Z-7214 for PK zoning.

01/23/13





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TULSA METROPOLITAN AREA PLANNING COMMISSION **CASE REPORT**

APPLICATION: PUD-794

TRS 9313

Atlas 456/455

CZM 58

CD-5

TMAPC Hearing Date: January 23, 2013

Applicant: Kinslow, Keith & Todd/ Nicole Watts

Tract Size: 1.5+ acres

65,394+ square feet

ADDRESS/GENERAL LOCATION:

South of southwest corner of South 85th East Avenue

and East 21st Street

EXISTING ZONING:

RD

EXISTING USE:

Residential

PROPOSED ZONING: PK/PUD-794

PROPOSED USE: Parking lot & park

ZONING ORDINANCE: Ordinance number 14693 dated March 4, 1980, established zoning

for the subject property.

RELEVANT ZONING HISTORY:

BOA-16447September 28, 1993: The Board of Adjustment approved a Special Exception to permit a nursing home and related parking in a CS, RS-1 and RS-3 zoned district; a Variance of the FAR from 50% to 72%, a Variance of the required 100' of frontage; a Variance of the required 25' setback from abutting R district, a Variance to permit required parking on a lot other than the lot containing the principal use and a Variance of the screening requirements: per plot plan, and subject to the execution of the tie contract; finding that the property has three zoning classifications, on property located at 2130 South 85th East Avenue and north of subject property.

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AREA DESCRIPTION:

<u>SITE ANALYSIS:</u> The subject property is approximately 1.5± acres in size and is located south of southwest corner of South 85th East Avenue and East 21st Street. The property is vacant and was previously used as a single family residence is currently zoned RD.

<u>SURROUNDING AREA</u>: The subject tract is abutted on the east by single family residences, zoned RS-1/RS-3; on the north by the Senior Housing and Health Care system who happens to be the applicant for this request, and is zoned RS-3. The Board of Adjustment has allowed this senior care facility; on the south by single family residential property, zoned RS-1; and on the west by single family residential property, zoned RS-3.

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

TRANSPORTATION VISION:

South 85th Street is a two lane residential street with bar ditches. There is no identified transportation vision for this street.

STREETS:

Exist. Access	MSHP Design	MSHP R/W	Exist. # Lanes
South 85 th East Avenue	NA	50'	2

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The existing site is considered an existing residential neighborhood in the Comprehensive plan.

The Existing Residential Neighborhood category is intended to preserve and enhance Tulsa's existing single family neighborhoods. Development activities in these areas should be limited to the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code. In cooperation with the existing community, the city should make improvements to sidewalks, bicycle routes, and transit so residents can better access parks, schools, churches, and other civic amenities.

The proposed use does not meet the primary definition in preserving an existing neighborhood however this site is isolated from adjacent subdivision development and is not likely to develop into a single family residential lot. The proposal will provide a small private park and parking area which can be used by the neighbors. The park space will be an asset to the neighborhood and does enhance the neighborhood by providing a meaningful open space.

PLANNED UNIT DEVELOPMENT:

DEVELOPMENT CONCEPT:

Gold Medallion Senior Housing and Health Care owns Leisure Village, a nursing community, located at 2154 S. 85th East Avenue, Heatheridge, an assisted living and residential care community, located at 2130 South 85th East Avenue and The Broadmoor, a retirement center, located at 8205 East 22nd Street. These three businesses are located on a small campus on the south side of 21st Street and west of South Memorial Drive. Gold Medallion has purchased a 1.50 acre tract that abuts this campus on the south side, see Exhibit A. The plan is to develop this existing wooded tract into an overflow parking lot and a park area for the residents with a walking trail and gazebo.

This parking lot will act for a parking location for workers of Leisure Village and for overflow parking when there are activities at The Broadmoor. An access ramp will be provided at the property line to provide access from the existing parking lot to the north to the walking trail. The walking trail is roughly 750 feet in length and will provide the Residents a safe location for walks instead of walking on South 85th East Avenue that is a narrow two lane road with bar ditches and no room for sidewalks. The property will also act as a gathering location for residents with a gazebo and park benches.

The existing property is heavily wooded, especially along the western boundary of the property, and this Project proposes to maintain the majority of the trees to provide shade and screening. Additional trees will be provided along the front is conjunction with the parking lot to provide a softer appearance from the street. The parking lot will be set 50 feet off of the property line and with existing and proposed trees to be located between the parking lot and street, the light from the headlights to the street will be reduced.

DEVELOPMENT STANDARDS

AREA:

 Net
 71,740 SF
 1.65 AC

 Gross
 65,410 SF
 1.50 AC

PERMITTED USES:

Use Unit 10 as allowed by right in the PK – Parking District, and uses customarily accessory to permitted uses.

Use Unit 5 as allowed by right in the RD district but limited to the public park shown in concept on the site exhibit included.

MINIMUM PARKING LOT SETBACKS:

From South 85 th East Avenue street right of way line	25'
From the North Boundary	10'
From the West Boundary	100'
From the South Boundary	15'

OFF-STREET PARKING

35 Parking spaces are being provided, with the possibility of adding up to 35 spaces in the future.

LANDSCAPE, SCREENING AND OPEN SPACE:

- 1. A minimum of 30% of the net land area shall be improved in accord with the Landscape Chapter of the Tulsa Zoning Code as internal landscaped open space, which shall include at least 25 feet of public street frontage landscaped area.
- 2. A landscaped open space not less than 100 feet in width shall be located along the west boundary of the planned unit development.
- 3. Parking lot screening adjacent to the South 85th street right of way will be accomplished with a berm roughly parallel to the parking lot. The berm may vary in height however the minimum height is 36" as measured from the pavement surface to the top of the berm and creating an effective screen from property owners east of 85th street.
- 4. Provide a six (6) foot privacy fence along the south boundary of the site except the east 25' of the south lot line.
- 5. In addition to the standards referenced above all landscaping shall conform to Chapter 10, Landscape Requirements, in the Zoning Code.

SIGNS:

- 1. One monument sign not to exceed 5 feet in height and 520 square feet of display surface area may be located at the driveway for identification purposes.
- 2. LED signs, changeable copy signs, running light or twinkle signs, animated signs, revolving or rotating signs with moving parts shall be prohibited.
- 3. Pole signs shall be prohibited. Additionally if any ground sign has twenty-four (24) inches or more of open space between the bottom of the sign facing the ground such open space between the bottom of the sign facing the ground shall be landscaped.
- 4. The primary building materials of the monument-type ground sign structure shall be brick or stone.

LIGHTING:

Light standards shall not exceed 12 feet in height above the ground or pavement surface. No outdoor lighting shall be permitted within the west 100 feet of the planned unit development. All lights shall be hooded and directed downward and away from the boundaries of the Project. Shielding of outdoor lighting shall be designed so as to prevent the light producing element or reflector of the light fixture from being visible to a person standing at ground level in adjacent residential areas. A photometric plan shall

be provided illustrating zero foot candles at the east, south and west boundary of the site. The lighting on the north boundary shall be limited to 5 foot candles.

TRASH AND MECHANICAL AREAS:

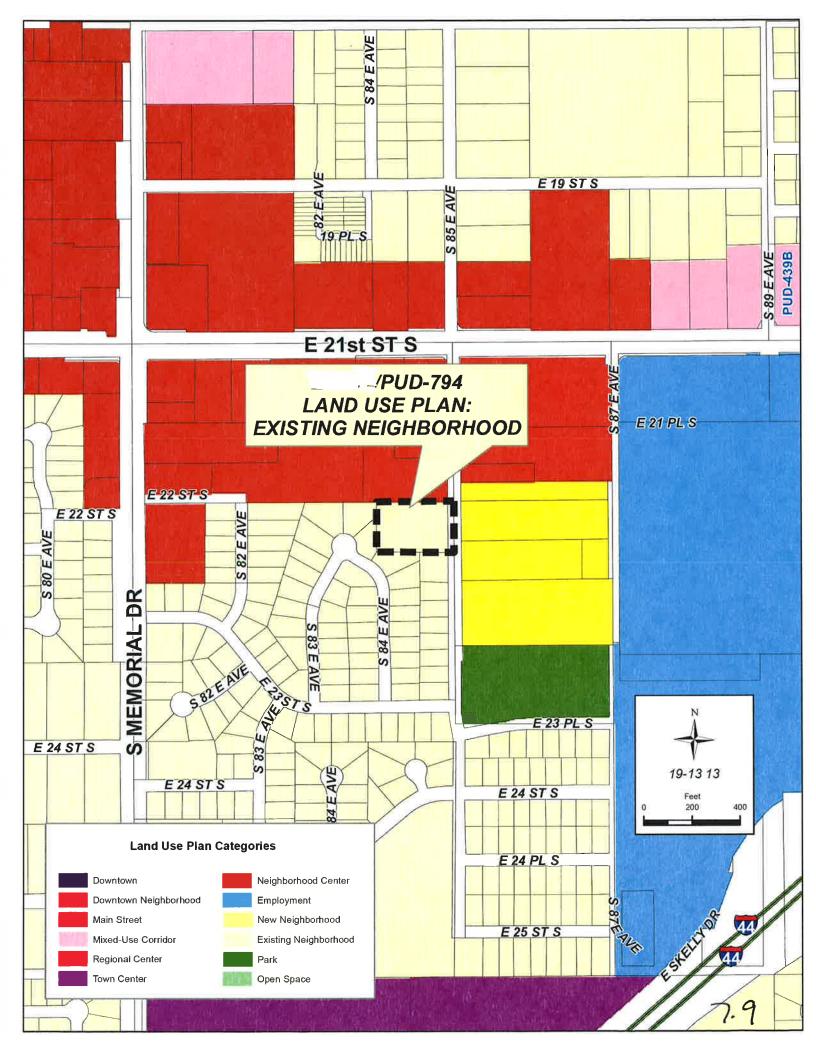
All trash, mechanical and equipment areas shall be screened from the adjacent single family residential property owners as viewed from residential windows.

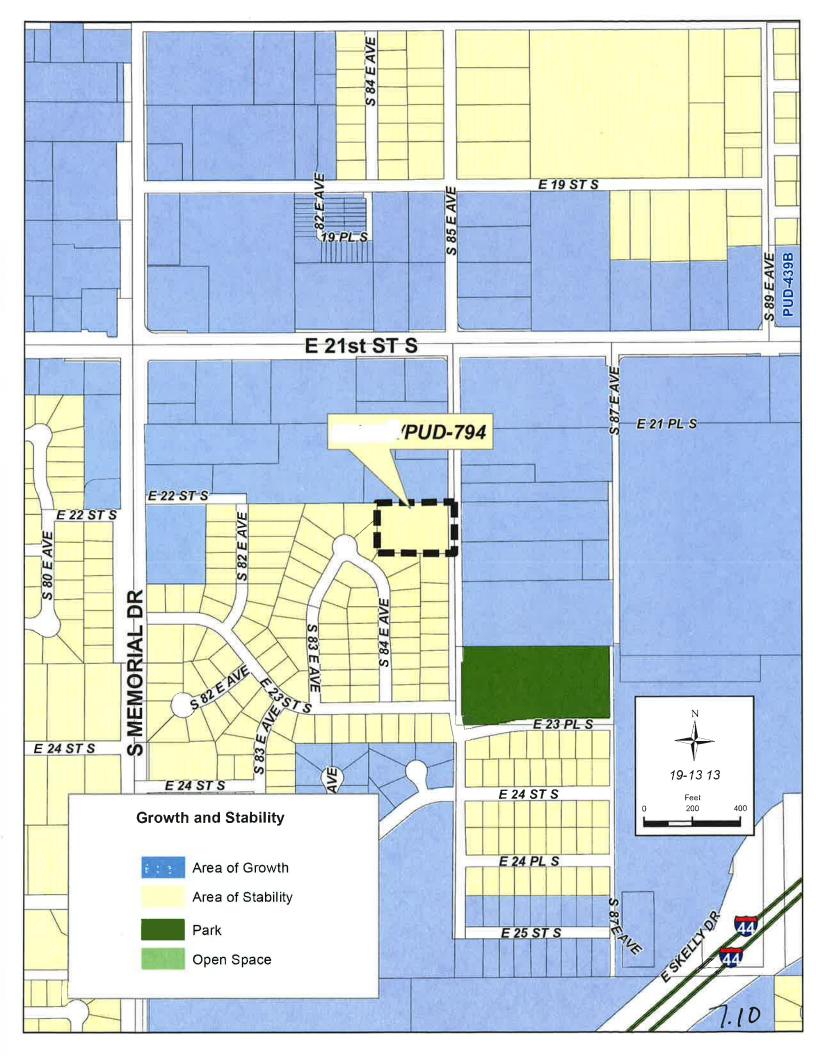
STAFF RECOMMENDATION:

Staff finds PUD-794 to be: 1) Consistent with the Comprehensive Plan; 2) in harmony with the existing and expected development of surrounding areas; 3) a unified treatment of the development possibilities of the site and adjacent properties north of the site; and 4) consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Therefore, staff recommends **APPROVAL of PUD-794** subject to the development standards defined in the staff recommendation above along with the exhibits attached.

01/23/13







2200 south utica place, suite 200 tulsa, oklahoma 74114

www.kktarchitects.com

CERTIFICATE OF AUTHORIZATION NO. CA 5305 EXP. 06/30/2013

LEISURE VILLAGE

2218 S. 85TH E. AVE TULSA, OK



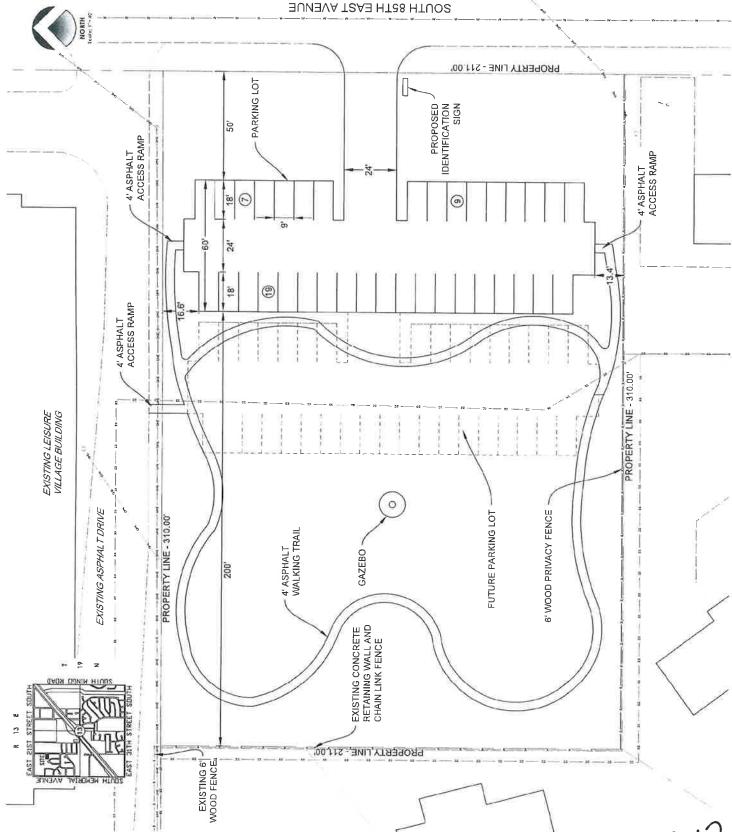
AERIAL PHOTOGRAPH

EXHIBIT A



SCALE
IDE 100
APPLIENCE 100
APPLIENCE 100
APPLIENCE 100
DRAWN 37
DATE

CONCEPTUAL SITE PLAN



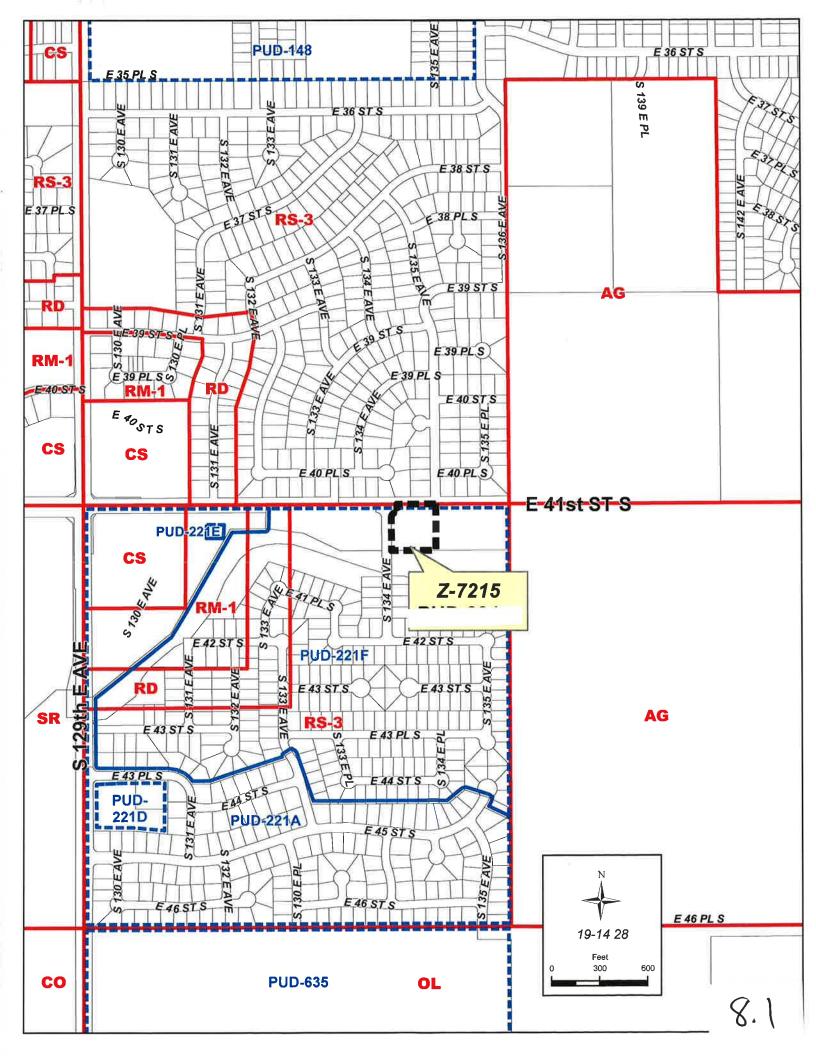


tel 918.744.4270 fax 918.744.7849 2200 south uica place, suite 200 tulsa, oklahoma 74114

www.kktarchitechs.com CERTIFICATE OF AUTHORIZATION NO. CA 5305 EXP. 06/30/2013

VILLAGE LEISURE

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TULSA METROPOLITAN AREA PLANNING COMMISSION CASE REPORT

APPLICATION: Z-7215

TRS 9428 **Atlas** 1115

CZM 49 **CD-6**

TMAPC Hearing Date: January 23, 2013

Applicant: Sisemore, Weisz & Associates, Inc./ Tract Size: 1.77+ acres

Darin Akerman 77,144+ square feet

ADDRESS/GENERAL LOCATION: Southeast corner of East 41st Street and South 134th

East Avenue

EXISTING ZONING: RS-3 EXISTING USE: Undeveloped tract

PROPOSED ZONING: CS PROPOSED USE: General retail store

ZONING ORDINANCE: Ordinance number 19534 dated May 11, 1999, established zoning for

the subject property.

RELEVANT ZONING HISTORY:

<u>PUD-221-F May 1999:</u> All concurred in approval of a proposed Major Amendment to PUD on a 38± acre tract of land, to add church, school and accessory uses; to amend development standards and to reallocate floor area in development areas, on property located south and east of the southeast corner of East 41st Street and South 129th East Avenue.

<u>PUD-221-E August 1996:</u> All concurred in approval of a Major Amendment to PUD on a .22<u>+</u> acre tract, to allow a monopole tower for a cellular telephone service, and located east of the southeast corner of East 41st Street South and South 129th East Avenue.

<u>PUD-221-D May 1990:</u> All concurred in approval of a request for a Major Amendment to PUD, on a 180' x 200' tract, to allow a day care center, located on the southeast corner of East 43rd Place South and South 129th East Avenue.

<u>PUD-221-C October 1985:</u> A request was made for a Major Amendment develop a 3.2± acre tract, for office and commercial uses and was *denied*, on property located on the southeast corner of East 43rd Place South and South 129th East Avenue.

<u>PUD-221-B November 1983:</u> All concurred in approval of a Major Amendment to PUD on a 69± acre tract to increase the density and types of residential uses previously allowed under the original PUD conditions located south and east of the southeast corner of East 41st Street South and South 129th East Avenue and including the subject tract.

<u>PUD-221-A December 1981:</u> All concurred in approval of a Major Amendment to PUD convert the commercial portion of the CS floor area to multifamily purposes on a tract located on the southeast corner of East 41st Street South and South 129th East Avenue.

<u>PUD-221 October 1979:</u> All concurred in approval of a proposed Planned Unit Development, on a 160+ acre tract of land, to develop for commercial, office, multifamily, single-family and industrial uses subject to conditions, located at the southeast corner of East 41st Street and South 129th East Avenue and including the subject tract.

AREA DESCRIPTION:

<u>SITE ANALYSIS:</u> The subject property is approximately 1.77± acres in size and is located Southeast corner of East 41st Street and South 134th East Avenue. The property appears to be undeveloped and is zoned RS-3/PUD-221-F.

SURROUNDING AREA: The subject tract is abutted on the east by vacant land, zoned RS-3/PUD-221-F; on the north by a residential development, zoned RS-3; on the south by a significant floodplain green space, across the floodplain area is a single family residential area, zoned RS-3/PUD-221-F; and on the west by vacant land, zoned RS-3/PUD-221-F.

The underlying PUD-221-F allowed a commercial component in the PUD that was never constructed. The typical commercial area would have been at the southeast corner of East 129th street south at East 41st Street South.

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

TRANSPORTATION VISION:

The Comprehensive Plan designates East 41st Street as a multi modal secondary arterial street however at this time the street is only a two lane arterial street and does not meet the vision identified in the Comprehensive Plan.

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

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

STREETS:

Exist. Access	MSHP Design	MSHP R/W	Exist. # Lanes
East 41 st Street	Secondary arterial	100'	2
South 134 th East Avenue	No Designation	50'	2

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

This site is currently mapped as an Open Space on the land use map in the comprehensive plan. It is staff understanding that the area was considered to be in a flood plain during the mapping process but could easily be considered a new neighborhood area when determining the exact limits of the 100-year water surface on the site.

There is no reason to believe that the property would ever be considered a retail area as the comprehensive plan is currently shown. The existing Planned Unit Development over the area does not show this area as a retail opportunity.

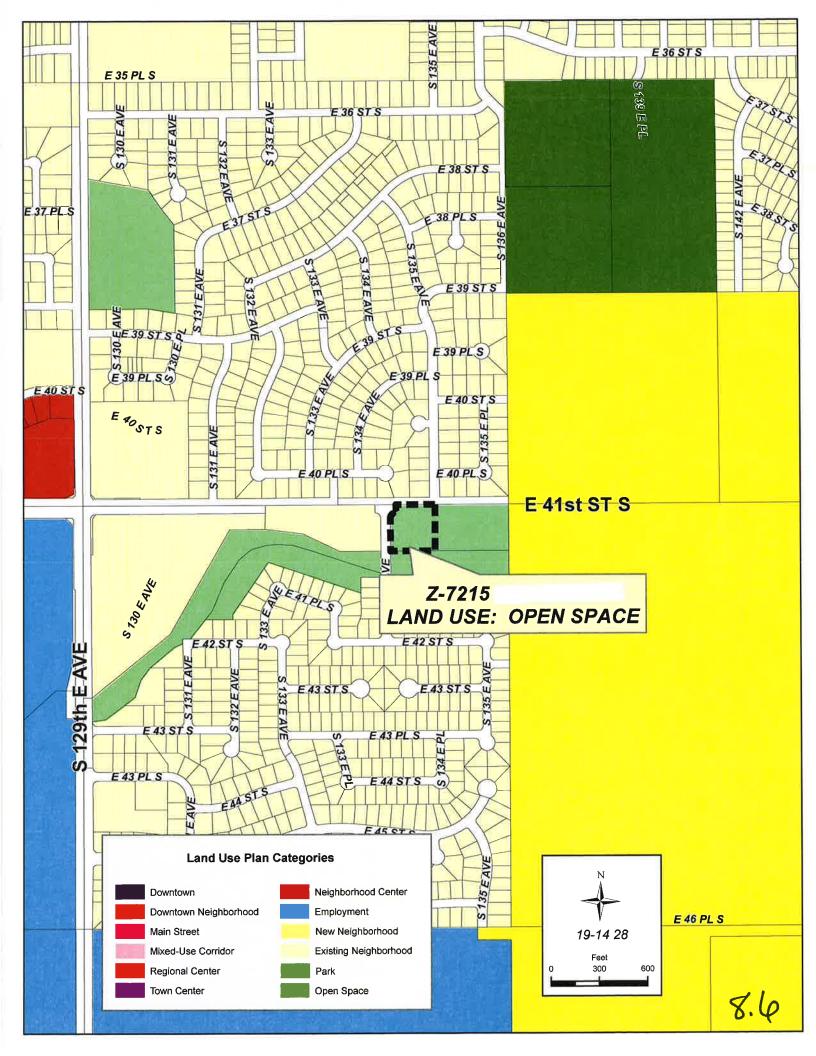
The site is not considered an area of growth because of the open space designation on the growth and stability map.

The proposed retail use does not conform to the vision identified comprehensive plan-

STAFF RECOMMENDATION:

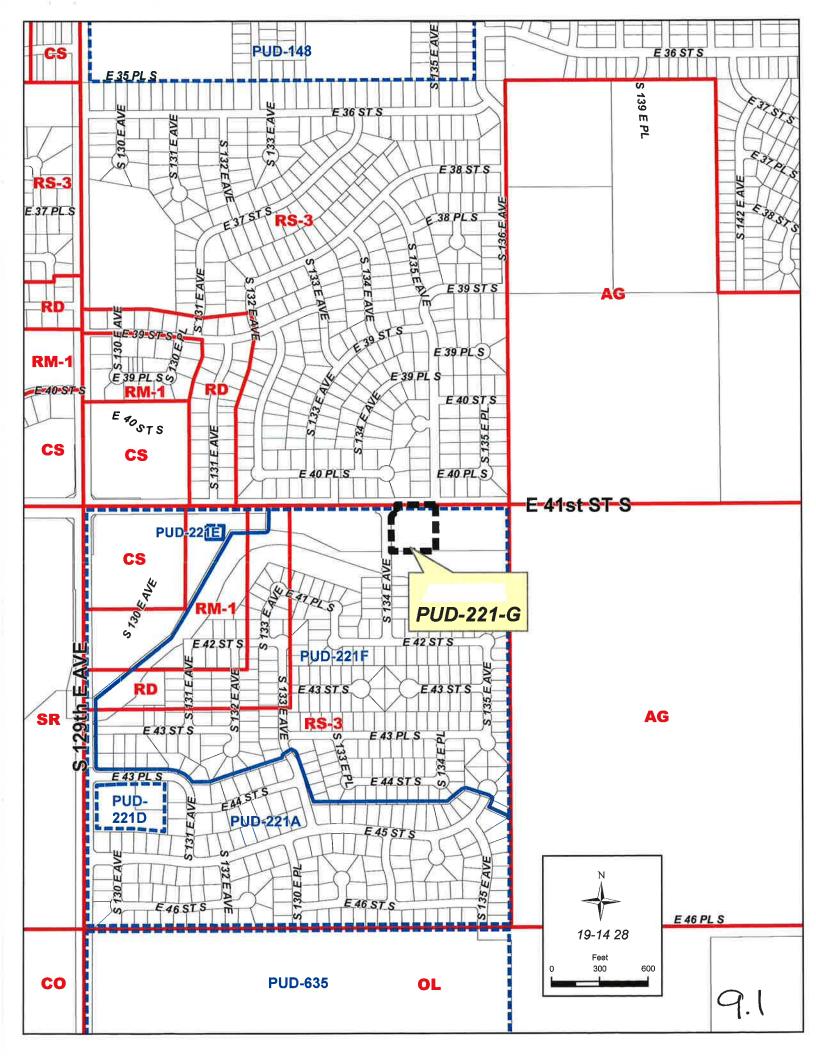
The proposed re-zoning from RS-3 to CS is considered spot zoning and is not in conformance with the comprehensive plan. The site is also surrounded by a stable residential area north and south of the site. The underlying PUD-221-F defined this area for townhomes and patio homes as permitted in Use Unit 5. As outlined above, the requested CS zoning is not consistent with any of the previous planning efforts therefore staff recommends **DENIAL** for the requested Z-7215 CS Zoning.

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TULSA METROPOLITAN AREA PLANNING COMMISSION **CASE REPORT**

APPLICATION: PUD-221-G

TRS 9428

Atlas 1115

CZM 49

CD-6

TMAPC Hearing Date: January 23, 2013

Applicant: Sisemore, Weisz & Associates, Inc./

Darin Akerman

Tract Size: 1.77± acres

77,144+ square feet

ADDRESS/GENERAL LOCATION:

Southeast corner of East 41st Street and South 134th

East Avenue

EXISTING ZONING:

RS-3/PUD-221-F

EXISTING USE:

Undeveloped tract

PROPOSED ZONING: CS/PUD-221-G

PROPOSED USE: General retail store

ZONING ORDINANCE: Ordinance number 19534 dated May 11, 1999, established zoning for the subject property.

RELEVANT ZONING HISTORY:

PUD-221-F May 1999: All concurred in approval of a proposed Major Amendment to PUD on a 38+ acre tract of land, to add church, school and accessory uses; to amend development standards and to reallocate floor area in development areas, on property located south and east of the southeast corner of East 41st Street and South 129th East Avenue.

PUD-221-E August 1996: All concurred in approval of a Major Amendment to PUD on a .22+ acre tract, to allow a monopole tower for a cellular telephone service, and located east of the southeast corner of East 41st Street South and South 129th East Avenue.

<u>PUD-221-D May 1990:</u> All concurred in approval of a request for a Major Amendment to PUD, on a 180' x 200' tract, to allow a day care center, located on the southeast corner of East 43rd Place South and South 129th East Avenue.

PUD-221-C October 1985: A request was made for a Major Amendment develop a 3.2+ acre tract, for office and commercial uses and was *denied*, on property located on the southeast corner of East 43rd Place South and South 129th East Avenue.

PUD-221-B November 1983: All concurred in approval of a Major Amendment to PUD on a 69+ acre tract to increase the density and types of residential uses previously allowed under the original PUD conditions located south and east of the southeast corner of East 41st Street South and South 129th East Avenue and including the subject tract.

PUD-221-A December 1981: All concurred in approval of a Major Amendment to PUD convert the commercial portion of the CS floor area to multifamily purposes on a tract located on the southeast corner of East 41st Street South and South 129th East Avenue. <u>PUD-221 October 1979:</u> All concurred in approval of a proposed Planned Unit Development, on a 160± acre tract of land, to develop for commercial, office, multifamily, single-family and industrial uses subject to conditions, located at the southeast corner of East 41st Street and South 129th East Avenue and including the subject tract.

AREA DESCRIPTION:

<u>SITE ANALYSIS:</u> The subject property is approximately 1.77<u>+</u> acres in size and is located Southeast corner of East 41st Street and South 134th East Avenue. The property appears to be undeveloped and is zoned RS-3/PUD-221-F.

<u>SURROUNDING AREA</u>: The subject tract is abutted on the east by vacant land, zoned RS-3/PUD-221-F; on the north by a residential development, zoned RS-3; on the south by a significant floodplain green space, across the floodplain area is a single family residential area, zoned RS-3/PUD-221-F; and on the west by vacant land, zoned RS-3/PUD-221-F.

The existing PUD-221-F allowed a commercial component in the PUD that was never constructed. The typical commercial area would have been at the southeast corner of East 129th street south at East 41st Street South.

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

TRANSPORTATION VISION:

The Comprehensive Plan designates East 41st Street as a multi modal secondary arterial street however at this time the street is only a two lane arterial street and does not meet the vision identified in the Comprehensive Plan.

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

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

STREETS:

Exist. Access	MSHP Design	MSHP R/W	Exist. # Lanes
East 41 st Street	Secondary arterial	100'	2
South 134 th East Avenue	No Designation	50'	2

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

This site is currently mapped as an Open Space on the land use map in the comprehensive plan. Staff has met with City Planning and determined that this area was considered to be in a flood plain during the mapping process therefore the open space designation was applied. The site could easily be considered a new neighborhood area when determining the exact limits of the 100 yr water surface as it relates to this area.

There is no reason to believe that the property would ever be considered a retail area as the comprehensive plan is currently shown. The existing Planned Unit Development over the area does not show this area as a retail opportunity.

The proposed retail use does not conform to the vision identified comprehensive plan.

STAFF SUMMARY:

The applicants Amended Outline Development text as submitted December 13, 2012 with additional sign and building information submitted January 15, 2013 shall be considered a part of the staff recommendation. The concept and development standards are summarized below:

Applicants Concept Statement:

41ST & 134TH Dollar General, the subject of this PUD Major Amendment application, is a proposed 1.771 acre commercial-use development project located at the southeast corner of E. 41st St. S. & S. 134th E. Ave. in east Tulsa. As reflected upon Exhibit "A" of this report, the property is bounded on the north by E. 41st St. S., on the south by a wide storm water drainage reserve area (Reserve Area "H" of the Crystal Creek subdivision), on the east by unplatted, undeveloped property contained within PUD 221 Development Area "I", and on the west by S. 134th E. Ave. As depicted upon Exhibit "A", the 41ST & 134TH Dollar General site (proposed PUD Development Area "DG") straddles the present PUD 221 Development Area "H" and "I" division line.

Since approval of the original 160-acre mixed-use PUD in 1979 (per PUD #221), several amendments to the PUD have occurred which have substantially reshaped, and redefined, the majority of the twelve different PUD development areas and development standards associated with PUD 221. One of the earliest and most significant modifications to the PUD (PUD 221-A) was approved in 1981, which effectively replaced 108,900 SF of allowable commercial-use floor area, and 102,000 SF of office-use area, with a 400-unit multifamily project platted as "Observation Point", located at the southeast corner of E. 41st St. S. & S. 129th E. Ave. Another significant amendment to the PUD was approved in 2002, via PUD 221-F-1, which replaced an approximate 40-acre proposed church and private school use project with a single-family subdivision use, much of which was platted in 2004 as "Crystal Creek". Also, in association with the "Crystal Creek" subdivision project, a previously approved 35,000 SF commercial-

use area adjacent to S. 129th E. Ave. was removed to allow additional recreation, open space and stormwater drainage use for the Crystal Creek subdivision development.

With respect to the proposed 41ST & 134TH Dollar General store site identified upon Exhibits A – D of this report, the existing E. 41St St. S. roadway and a wide overland drainage easement area provide significant physical separation between the proposed store use and the existing single-family subdivisions located to the north (Park Plaza East IV) and to the south (Crystal Creek). To the east and west of the proposed store site (PUD 221 Development Areas "H" & "I"), the presently allowable land uses shall remain, including institutional land uses, such as churches and schools, as well as townhouses or patio homes. No modifications are proposed to any other land areas within PUD 221 beyond the proposed commercial use and commercial zoning necessary to support the 41ST & 134TH Dollar General store site (PUD 221-G / Development Area "DG").

Applicant Development guidelines:

LAND AREA:

1.771 Ac. (77,161 SF)

EXISTING ZONING:

RS-3/PUD-221-F

PROPOSED ZONING:

CS/PUD-221-G

PERMITTED USES:

Use Unit 14 (Shopping Goods and Services), and uses customarily accessory thereto.

MAXIMUM FLOOR AREA RATIO:

0.30

MINIMUM LOT FRONTAGE:

150 feet

MINIMUM BUILDING SETBACKS:

From E. 41st St. S. right-of-way: 50 feet From S. 134th E. Ave. right-of-way: 25 feet From the southerly boundary of PUD Dev'p. Area "DG": 40 feet From the easterly boundary of PUD Dev'p. Area "DG": 17.50 feet

MAXIMUM BUILDING HEIGHT:

1-story / 25 feet*

OFF-STREET PARKING: Per City of Tulsa zoning code requirements.

SIGNAGE: Per City of Tulsa zoning code requirements.

SCREENING AND LANDSCAPING: Per City of Tulsa zoning code requirements.

^{*} Architectural building elements and business logos may exceed the maximum building height with detail site plan approval.

LIGHTING: No light standard, whether pole or building-mounted, shall exceed 25 feet in height.

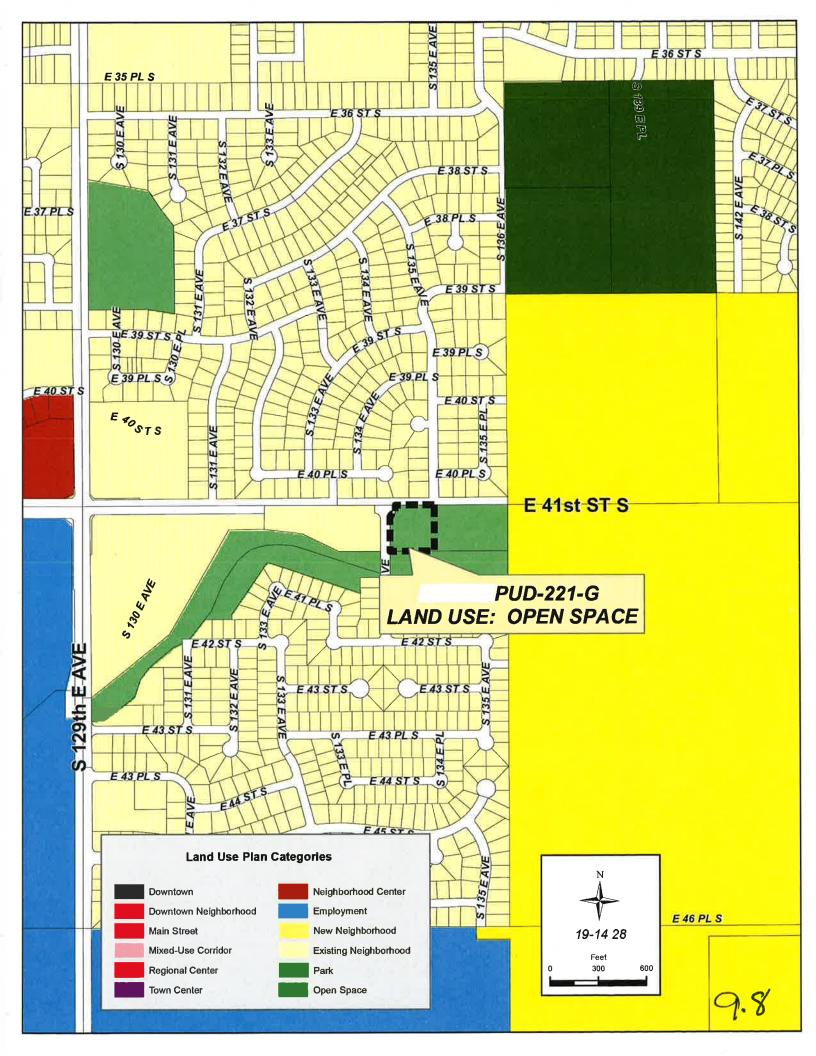
OTHER BULK AND AREA REQUIREMENTS: Per City of Tulsa zoning code requirements.

STAFF RECOMMENDATION:

In summary, staff recommends denial of the proposed PUD 221-G as outlined below.

- 1) The proposed commercial use is not consistent with the vision identified in the City of Tulsa Comprehensive Plan.
- 2) The commercial use request does not meet the spirit and intent of the original PUD in this area.
- 3) The proposed PUD application does not provide adequate site development standards to be considered a complementary use inside this residential neighborhood.

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2010 PROTOTYPE CRITERIA SET PLAN "D" Slore Desaign Department (612) 8524253 Com constructions differential com

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©∆S© 10877 WATSON ROAD ST. LOUIS, MO 63127 PHONE: 314-821-1100

2010 SIDE ENTRY WITH RIGHT REAR EXIT

OPTION "D"

 $70'-0 \times 130'-0"$

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ALL DEVELOPERS MUST SUBMIT ARCHITECTURAL PLANS FOR REVIEW PRIOR TO PERMIT REVIEW.

SHOULD THE DEVELOPER USE THIS CRITERIA SET FOR CONSTRUCTION, EMAIL CONSTRUCTION EMAIL CONSTRUCTION EMAIL CONSTRUCTION EMAIL STATE STORE NUMBER, WHICH PROJECT CITY, STATE, STORE NUMBER, WHICH PROJECT CITY STATE, STORE NUMBER, WHICH YOU ARE USING.

SQUARE FOOTAGE LEGEND

LAYOUT & SCHEDULE OPTION TO

MECHANICAL:
M10 PARCLAYOU
PLUMBING:

TOTAL SQUARE FOOTAGE 8:008.5F.

OVERALL BUILDING DIMENSIONS 70-2× 100-2×

| STAGE | STAG

RECOMMENDED NATIONAL ACCOUNT VENDORS

COMPANY	STORTAGE	BHUNE	
24800	JOHN HARRIS WESSITE Har hww raycocom com	314-821-1100 johnhamb@caccoco.com	PROFESSIONAL SERVICES
PRE-ENGINEERED METAL BUILDING	0		
COMPANY	CONTACTS	PHONE	
JEERTY BUILDING SYSTEMS	DAVID ENGLISH dwengleh@lbertybuldings.com	801-748-6103	PRE-ENGINEERED METAL BUILDING
TAR BUILDING SYSTEMS	JEFF HORN	955-654-6899	PRE-ENGINEERED METAL BUILDING
NCOR BULDING SYSTEMS	BOB BARRY	315-622-4440 CORPORATE: 960,837,71161	PRE-ENGWEERED METAL BUILDING

NATIONAL ACCOUNT & CONTACT INFORMATION SUBJECT TO CHANGE
TITLE SHEET OPTION "C"

DOLLAR GEITERIA SET PLAN "D".

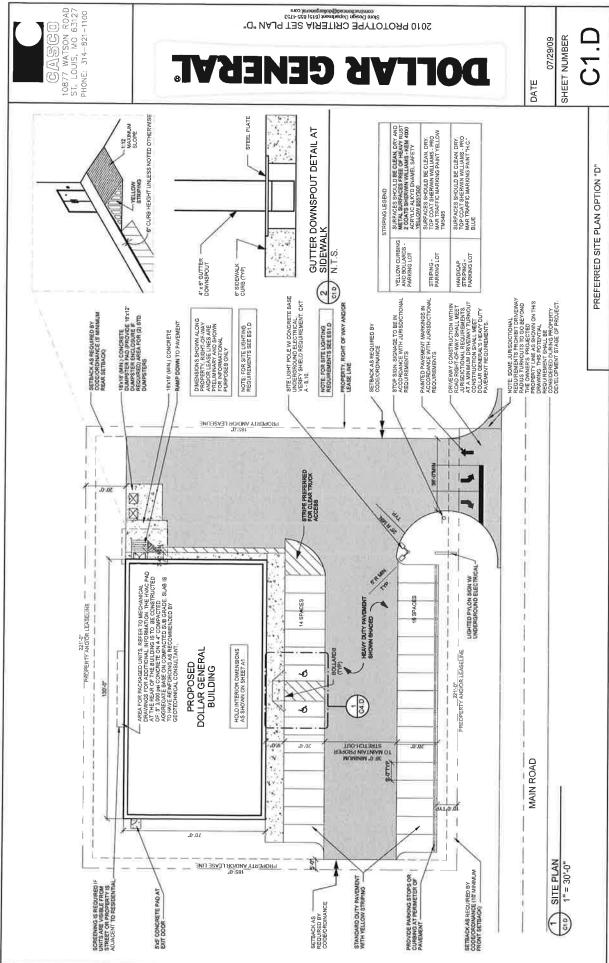
SHEET NUMBER

07/29/09

9.10

MAINTAIN INTERIOR CLEARANCE OF 68"-1 1/4" BETWEEN FACE OF COLUMNS ON SALES FLOOR.

MAINTAIN INTERIOR CLEAR SPACE AS REQUIRED ON PLANS



2010 PROTOTYPE CRITERIA SET PLAN "D"

Store Design Despatratoria (ICA)

Store Design Despatratoria (ICA)

Store Design Despatration (ICA)

Store Despatration (ICA)

07/29/09

