

TULSA METROPOLITAN AREA PLANNING COMMISSION

Meeting No. 2663

December 4, 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:

1. Minutes of November 6, 2013, Meeting No. 2661

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. **Davis Village** - Final Plat, Location: North of East 91st Street South, east of South Mingo Road, (8418) (CD-7)
3. **PUD-659-4 – Roy D. Johnsen**, Location: West of southwest corner of South Utica Avenue and East 31st Street South, Requesting a **Minor Amendment** to reduce the building setback line along the east property line, **RS-3/PUD-659**, (CD-9)
4. **PUD-385-6 – Crown Neon Signs**, Location: 1671 East 71st Street South, Requesting a **Minor Amendment** to allow an electronic message center within 200 feet of residentially zoned property, **CS/PUD-385**, (CD-2)

CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA:

PUBLIC HEARINGS:

5. **LS-20659** (Lot-Split) (County) – Location: South of the Southwest corner of East 156th Street North and North Mingo Road

6. **Hendrix Properties** - Minor Subdivision Plat, Location: Northwest corner of South Garnett Road and East 101st Street South, (8419) (CD-7) **Strike from agenda so plat can be resubmitted.**
7. **Crossbow Center** – Preliminary Plat, Location: Northwest corner of East 41st Street South and South Garnett Road, (9419) (CD-6)
8. **PUD 196 A** - Plat Waiver, South of southwest corner of South Memorial Drive and East 71st Street South, (1183) (CD-8)
9. **PUD-636-B/Z-5457-SP-4 – Lou Reynolds**, Location: North of the northwest corner of West 81st Street and Highway 75, Requesting a **Major Amendment/Corridor Development Plan** to permit approximately 2.3 acres of Development Area E to be used for commercial development in addition to multifamily purposes, **CO/PUD-636 TO CO/PUD-636-B**, (CD-2)
10. **Z-7246 – Khoury Engineering, Inc.**, Location: East side of South Memorial Drive at East 87th Court, Requesting rezoning from **OL to CS**, (CD-7) (Related to PUD-805)
11. **PUD-805 – Khoury Engineering, Inc.**, Location: East side of South Memorial Drive at East 87th Court, Requesting a **PUD** for proposed mixed use development, 5,200 square feet of an automatic tunnel car wash in Development Area A and 6,000 square feet of office building in Development Area B, **OL to CS/PUD**, (CD-7) (Related to Z-7246)
12. **PUD-628-C/Z-6467-SP-7 – Andrew A. Shank**, Location: East side of South Mingo Road at East 93rd Street, Requesting a **Major Amendment/Corridor Development Plan**, (CD-8) (Staff is requesting a continuance to 12/18/13.)

OTHER BUSINESS

13. 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.

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.

Final Subdivision Plat

Davis Village - (8418) (CD 7)

North of East 91st Street South, East of South Mingo Road

This plat consists of 1 Lot, 1 Block, on 19.16 acres.

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

2.2

23

Prepared: NOVEMBER 14, 2013 'DRAFT FINAL'

THE SUPPLIER OF GAS SERVICE THROUGH ITS OWN AND EMPLOYED STAFF SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL SUCH EQUIPMENT, BENCHES OR PARTS OF THE FACILITIES INSTALLED, MAINTAINED, OPERATING OR BEING IN POSITION FOR THE PURPOSES OF INSTALLING, MAINTAINING, OPERATING OR BEING IN POSITION OF THE FACILITIES INSTALLED BY THE SUPPLIER OF GAS SERVICE.

THE ORDER OF THE JOB SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND GAS FACILITIES LOCATED IN HIS LOT AND SHALL PREVENT THE UNDERGROUND GAS FACILITIES LOCATED IN HIS LOT FROM BEING DAMAGED OR INTERFERE WITH THE GAS SERVICE. THE SUPPLIES OF THE GAS SERVICE SHALL BE RESPONSIBLE FOR THE ORDINARY MAINTENANCE OF FACILITIES CAUSED BY NECESSITATING ACTS OF THE ORDER ON ITS AGENTS OR CONTRACTORS.

THE FOLLOWING CONTRACTOR'S OF WORKS IN THE ABOVE PARAGRAPHS SHALL BE RESPONSIBLE BY THE SUPPLIER OF THE GAS SERVICE AND THE ORDER OF THE LOT AGENTS TO BE SOUND PROOF.

[illegible]

SWIMMING FAULTS:

1. The coach does heavy emphasis to the public swimming lessons on the 1945-46 season. The coach has a swimming pool at the school and has a swimming instructor for the purpose of permitting the boys and girls to swim and discharge of swimmers away from the pool and also, coach and discharge of swimmers away from the pool.

[illegible]

THE CITY OF TULSA, OKLAHOMA, MAY WILL OR SHALL USE A COPY OF ANY
 STATEMENT AND/OR REPORT, OR ANY INFORMATION CONTAINED THEREIN, FOR
 THE PURPOSES OF A LITIGATION AS ABOVE PROVIDED MAY BE FORWARDED TO THE
 CITY OF TULSA, OKLAHOMA.

4. CONCRETE APPURTENANCES SHALL BE MAINTAINED IN GOOD CONDITION AND REDUCED TO GROUND.
5. THE DETENTION POND AREA SHALL BE KEPT FREE OF GROWTH.
6. CLEARING OF RUBBISH AND VEGETATION FROM CONCRETE CHANNEL SHALL BE PERFORMED TWICE YEARLY.
7. LAMINATIONS APPROVED BY THE CITY OF TULSA SHALL BE ALLOWED WITHIN DETENTION FOR DRAINAGE.
8. IN THE EVENT THE OWNER SHOULD FAIL TO PROPERLY MAINTAIN THE DETENTION, THE CITY OF TULSA SHALL BE ENTITLED TO TAKE THE NECESSARY ACTION FOR PLACEMENT OF AN OBSTRUCTION WITHIN, OR THE ABANDONMENT OF THE BRIDGE OR OVERTHEIR, THE CITY OF TULSA, OKLAHOMA, OR ITS DESIGNEE CONTRACTOR SHALL BE ENTITLED TO TAKE THE NECESSARY ACTION TO ENSURE THE ACHIEVEMENT OF THE INTENDED DRAINAGE FUNCTION AND TO REPAIR AND MAINTAIN THE BRIDGE OR OVERTHEIR.

NO CERTIFICATE OF OCCUPANCY FOR A BUILDING WITHIN THE SUBDIVISION SHALL BE ISSUED BY THE CITY UNTIL CONSTRUCTION OF THE REQUIRED INFRASTRUCTURE (STREETS, WATER, SANITARY SEWER AND STORM SEWER SYSTEMS) SERVING THE ENTIRE SUBDIVISION HAVE BEEN COMPLETED AND ACCEPTED BY THE CITY. NOTWITHSTANDING THE FOREGOING, THE CITY MAY AUTHORIZE THE PHASING OF THE CONSTRUCTION OF THE INFRASTRUCTURE SERVING THE BUILDING WITHIN AN AUTHORIZED TEMPORARY CERTIFICATE OF OCCUPANCY FOR A BUILDING. THE ACCEPTANCE OF THE INFRASTRUCTURE SERVING THE PARTICULAR PHASE, THE CITY'S ACCEPTANCE SHALL BE

UNTIL A SEPARATE INSTRUMENT TITLED "FORMAL ACCEPTANCE" OR A SIMILAR INSTRUMENT, FORMALLY ACCEPTING THE DESIGNATION AND INFRASTRUCTURE IS ACCORDING BY THE CITY OF TULSA ON BEHALF OF PUBLIC IN THE LAND OUTLINED BY THE TULSA COUNTY CLERK'S OFFICE. HOWEVER, THE RIGHTS AND LIENS OUTLINED HEREIN, NECESSARY FOR THE INSTALLATION BY PRIVATE UTILITIES OF THEIR FACILITIES, SHALL BE IN FULL FORCE AND EFFECT ON THE DATE OF THE CITY OF TULSA'S ADOPTION OF THE DESIGNATION TO THE CITY OF TULSA OF THE PUBLIC UTILITY, SHALL BE IN EFFECT TO ALLOW ACCESS FOR SURVEYING, EXCAVATING, CONSTRUCTION, MAINTENANCE, REPAIRS, REPLACEMENTS, AND MAINTAINING SUCH FACILITIES UNTIL THE CITY PAYS ITS TOTAL

SECTION 11. PLANNED UNIT DEVELOPMENT RESTRICTIONS.

AND ENFORCE THE CITY OF PLANNED UNIT DEVELOPMENT AND MANAGEMENT THURBTO, COMPLIANCE WITH THE APPROVED PLANNED UNIT DEVELOPMENT AND MANAGEMENT THURBTO.

8. BUILDING WIDTH

THE MAXIMUM HEIGHT OF BUILDINGS SHALL NOT EXCEED:	THE FOLLOWING:
USE DIST 8: 20 FEET	LESS THAN 10 FEET
	10 TO 20 FEET
	20 TO 30 FEET
	30 TO 40 FEET
	40 TO 50 FEET
	50 TO 60 FEET
	60 TO 70 FEET
	70 TO 80 FEET
	80 TO 90 FEET
	90 TO 100 FEET
	100 TO 110 FEET
	110 TO 120 FEET
	120 TO 130 FEET
	130 TO 140 FEET
	140 TO 150 FEET
	150 TO 160 FEET
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	170 TO 180 FEET
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	360 TO 370 FEET
	370 TO 380 FEET
	380 TO 390 FEET
	390 TO 400 FEET
	400 TO 410 FEET
	410 TO 420 FEET
	420 TO 430 FEET
	430 TO 440 FEET
	440 TO 450 FEET
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	460 TO 470 FEET
	470 TO 480 FEET
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	850 TO 860 FEET
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	870 TO 880 FEET
	880 TO 890 FEET
	890 TO 900 FEET
	900 TO 910 FEET
	910 TO 920 FEET
	920 TO 930 FEET
	930 TO 940 FEET
	940 TO 950 FEET
	950 TO 960 FEET
	960 TO 970 FEET
	970 TO 980 FEET
	980 TO 990 FEET
	990 TO 1000 FEET

9. OFF-STREET PARKING

OFF-STREET PARKING SHALL BE PROVIDED AS REQUIRED BY THE APPLICABLE USE, DISTRICT, AND ZONING CODE.

FROM OTHER ABUTTING PUBLIC OR
PRIVATE STREET RIGHT-OF-WAY
75 FT

FROM THE NORTH BOUNDARY;
TWO STORIES OR LESS
50 FT

THREE STORIES OR MORE
100 FT

FROM INTERNAL LOT LINES
AS SETBACKS

STORAGE IN THE RM DISTRICTS

AS PERMITTED

6. SOBERING-HOME AND REHABILITATION

A. STANDARD SIX-FOOT SCREENING FENCE SHALL BE PROVIDED ALONG THE NORTH BOUNDARY THAT ADJUTS SOUTH TOWNE SQUARE. THREE SHALL BE PLANTED BETWEEN THE SCREENING FENCE AND THE BUILDING ON PARKING AREA ON THE NORTH SIDE

SECTION III. ENFORCEMENT, DURATION, AMENDMENT AND SEVERABILITY

A. ENFORCEMENT

THE RESTRICTIONS HEREIN SET FORTH ARE COVENANTS TO RUN WITH THE LAND AND SHALL BE BINDING UPON THE OWNER, HIS SUCCESSORS AND ASSIGNS WITHIN THE PROVISIONS OF SECTION 1.1, STREET, EASEMENTS AND UTILITIES, ARE KEY FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERETO AND WHETHER OR NOT THEREIN SO STATED THE COVENANTS WITHIN SECTION 1, SHALL INURE TO THE

TO HIM OR THEIR FROM SO DOING OR TO COMPEL COMPLIANCE WITH THE COVENANT OR TO RECOVER DAMAGES. IF THE UNDERSIGNED OWNER, ON ITS SUCCESSIONS OR ASSIGNS, SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTION II, IT SHALL BE LAWFUL FOR ANY PERSON DRIVING THE LOT OR PARCEL WITHIN "DAVIS VILLAGE" OR THE CITY OF JACKSONVILLE, FLORIDA, TO TAKE SUCH ACTION AS MAY BE NECESSARY TO PREVENT PRESERVATION VIOLATION OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT, TO PREVENT HIM OR THEIR FROM SO DOING OR TO COMPEL COMPLIANCE WITH THE COVENANT OR TO RECOVER DAMAGES.

IN WITNESS WHEREOF, MINDO INVESTORS, LLC, A GEORGIA LIMITED LIABILITY COMPANY, HAS EXECUTED THIS INSTRUMENT THE DAY OF NOVEMBER, 2013.

MINDO INVESTORS, LLC,
A GEORGIA LIMITED LIABILITY COMPANY
BY: MORGAN INVESTORS, INC.,
A GEORGIA CORPORATION, MANAGER

BY: _____, VICE PRESIDENT _____

STATE OF GEORGIA } ss.,
COUNTY OF _____ }

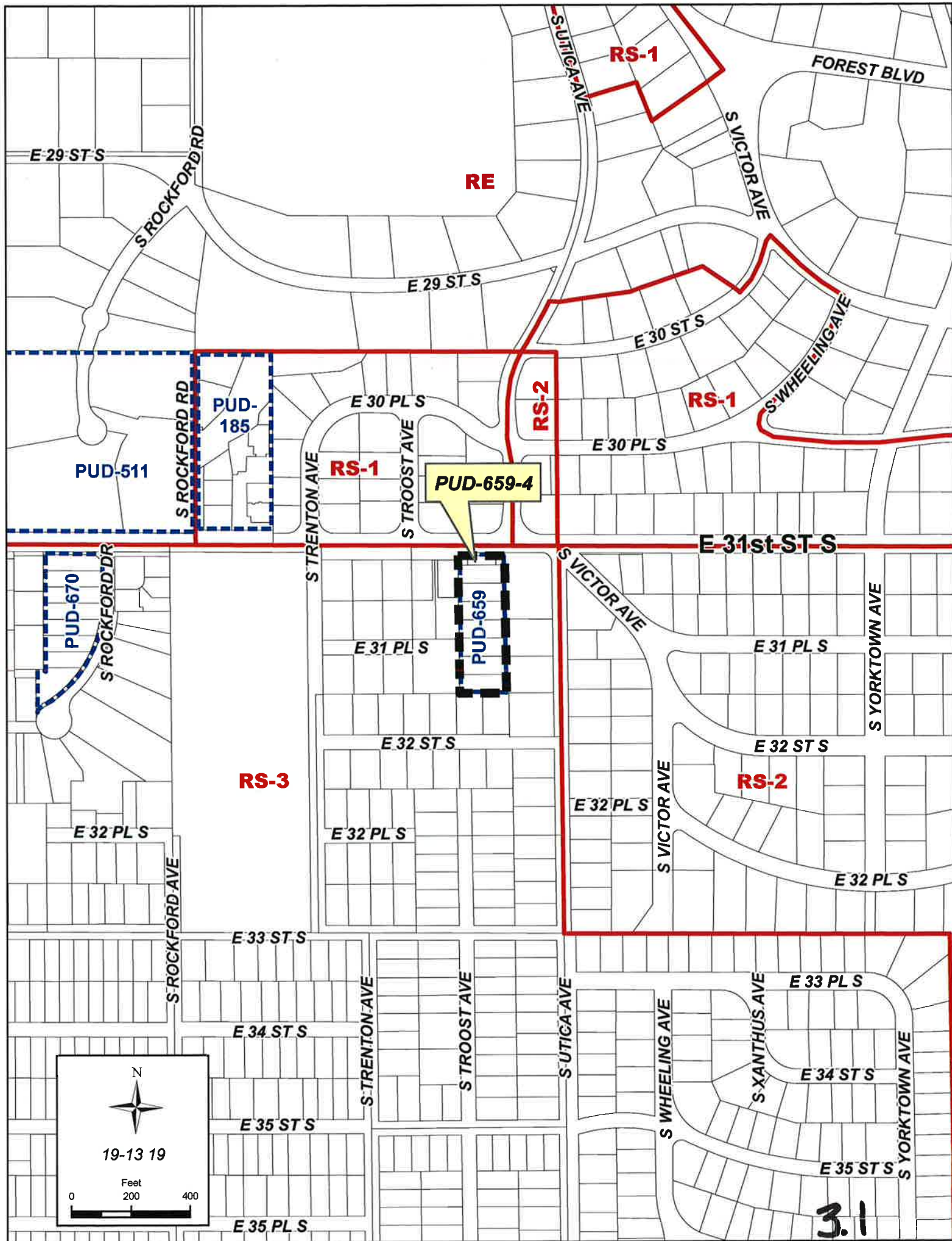


EXECUTED THIS ____ DAY OF NOVEMBER, 1912.

 ERIC C. SAGE,
 LICENSED PROFESSIONAL LAND
 SURVEYOR.

COUNTY OF TULSA }
THE FOREGOING CERTIFICATE OF MARRIAGE WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY
OF NOVEMBER, 2013, BY ERIC G. SUK.

NOTARY PUBLIC
MY COMMISSION EXPIRES _____





STROOST AVE

PUD-659-4

E 31st ST S

S VICTOR AVE

E 31 PL S

S UTICA AVE

E 32 ST S



19-13 19

Feet
0 50 100

Note: Graphic overlays may
not precisely align with physical
features on the ground.
Aerial Photo Date: March 2012

3.3

December 4, 2013

STAFF RECOMMENDATION

PUD-659-4: Minor Amendment to reduce the building setback line along the east property line of Lots 1-7, Block 1 and Reserves A, B, & C, The Village on Utica from 45' feet to 35'. The site is located: West of the Southwest corner of South Utica Avenue and East 31st Street South, TRS 18-13-19; CZM 47; Atlas 138; CD-9

The applicant is requesting a minor amendment to reduce the building setback line along the east property line of Lots 1-7, Block 1 and Reserves A, B, & C, The Village on Utica from 45' feet to 35'. The request would change the building setback for all the lots located within the platted subdivision.

This would be considered a Minor Amendment as outlined by the PUD Section of the City of Tulsa Zoning Code.

"Adjustment to internal development area boundaries, provided the allocation of land to particular uses and the relationship of uses within the project are not substantially altered."

The requested amendment to the east building setback by including the entire subdivision would create harmony with any future development and would not be injurious to the adjacent properties in the area as this is a gated/private development. This request would not substantially alter the allocation of land to uses or the relationship to uses within the project.

All other standards of PUD-659, including other amendments would still apply unless mortified by this amendment.

Therefore, staff recommends **APPROVAL** of minor amendment PUD-659-4 as noted above.

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

Minor
Amendment

LEGAL DESCRIPTION

Lots 1 through 7, Block 1, and Reserves A,B and C, The Village on Utica, a Subdivision in the City of Tulsa, Tulsa County, Oklahoma, Plat No. 5722 according to the recorded plat thereof.



Final Plat
PUD 659

The Village on Utica

PART OF THE NE/4 OF THE NW/4 OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 13 EAST
AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA



 Location Map

ELEVATION CONTAINS
 SEVERAL LOTS IN (PART) BLOCK 6 THEREAS) REMAINING
 SPACES SURROUNDING AREA LOTS AGREE
 BASES OF BEARING: NORTHERLY LINE OF THE
 SECURITY ASSIGNED TO BE A "RECORD" OF

OWNER:
MacFox Properties, L.L.C.
AN OKLAHOMA LIMITED LIABILITY COMPANY
ATTENTION: PAT FOX
3320 South Borton Ave, Suite 1710
Tulsa, Oklahoma 74103
Phone: (918)985-3300

SURVEYOR:
Tanner Consulting, LLC
DAN E. TANNER, P.L.S.
OK CA No. 2661, EXPRES 6/30/2003
5323 South Lewis Avenue
Tulsa, Oklahoma 74105
Phone: (918)745-8929



Figure 1 shows a schematic diagram of a 1D lattice. The lattice is represented by a horizontal line with vertical segments. The top segment is labeled 'A' and the bottom segment is labeled 'B'. The distance between the centers of the two sublattices is labeled 'Scale 1'' = 20''.

5772



STATE OF DELAWARE }
COUNTY OF WILM. } ss.
I, Nathan Wilson, Prob. County Clerk, do hereby certify that the foregoing is a true and correct copy of a file transmitted into on file in my office.

Dated the ____ day of _____ 1900
NATHAN WILSON, Prob. County Clerk

STATEMENT

I hereby certify that all real estate taxes levied on this plot have been paid as reflected by the current tax rolls. Security as required has been provided in the amount of \$ 5,439.26 per front receipt no. 225 to be applied to 20-44 taxes. This certificate is NOT to be considered as payment of 20-44 taxes in full but is given in order that this plot may be listed as rec'd. 20-44/10/95-CMS



South Utica Avenue

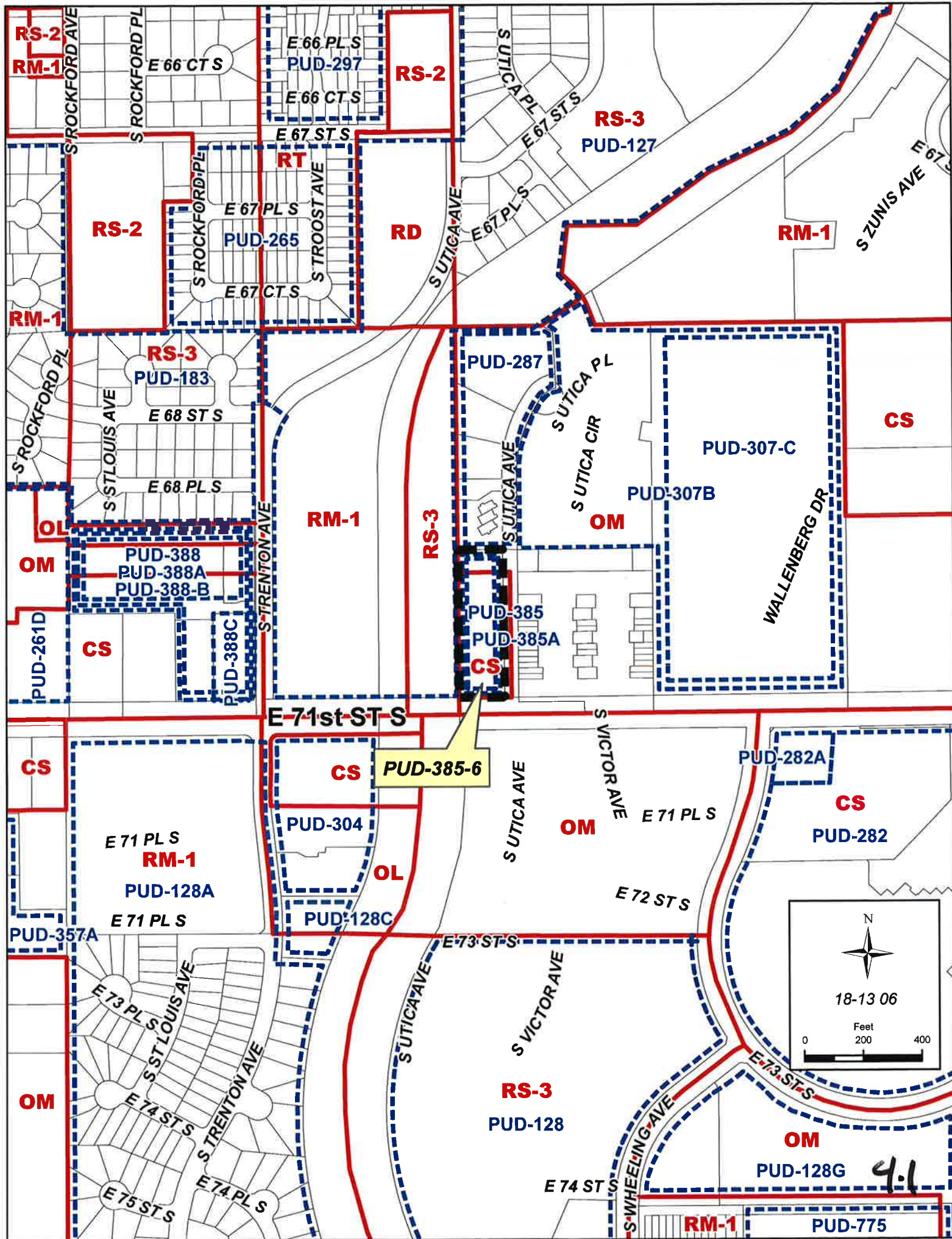
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DATE PREPARED: 12/11/2013

PLAT NO.	PAGE
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5772 | 1 of 3

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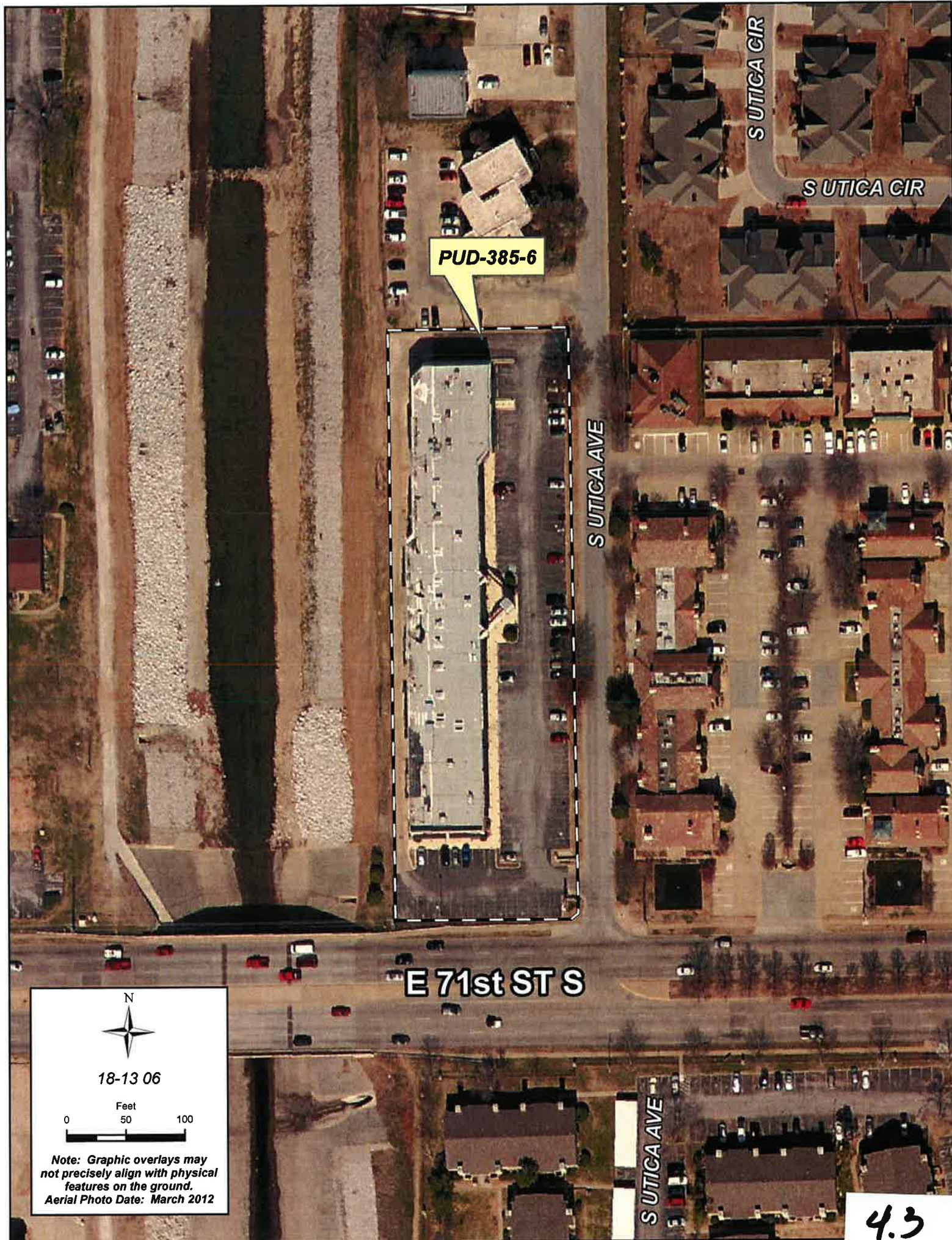


18-13 06

Feet
0 200 400

Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: March 2012

4.2



PUD-385-6

S UTICA AVE

S UTICA CIR

S UTICA CIR

E 71st ST S

S UTICA AVE



18-13 06

Feet
0 50 100

Note: Graphic overlays may
not precisely align with physical
features on the ground.
Aerial Photo Date: March 2012

4.3

December 4, 2013

STAFF RECOMMENDATION

PUD-385-6: Minor Amendment to allow an electronic message center within 200 feet of residentially zoned property (Section 1221.C.2.c). The site is located: 1671 East 71st Street South, TRS 18-13-06; CZM 52; Atlas 1007; CD-2

The applicant is requesting a Minor Amendment to allow an electronic message center within 200 feet of residentially zoned property. The request is a follow up to a previously approved Board of Adjustment application for a variance to allow an electronic message center with 200 feet of a residentially zoned property. The Board Approved the variance request on October 23rd, 2012 with a vote of 4-0-0, finding that the residentially zoned property, which necessitated the variance, was in fact Joe Creek and is not used as residential and likely never will be.

This would be considered a Minor Amendment as outlined by the PUD Section of the City of Tulsa Zoning Code.

"Modifications to approved signage, provided the size, location, number and character (type) of the sign(s) is not substantially altered"

Although, the Board has already approved the electronic message center (EMC), the PUD did not allow EMC's within the planned unit development standards. The amendment is simply to affirm the decision made by the Board of Adjustment to allow this type of sign within the PUD.

The requested amendment has been determined to not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan. This request would not substantially alter the approved signage

All other standards of PUD-385, including other amendments would still apply unless mortified by this amendment.

Therefore, staff recommends **APPROVAL** of minor amendment PUD-385-6 as noted above.

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

Action Requested:

Variance to allow an electronic message center within 200 feet of residentially zoned property (Section 1221.C.2.c). **LOCATION:** 1671 East 71st Street South (CD 2)

Presentation:

Ed Horkey, Claude Neon Federal Signs, 1225 North Lansing, Tulsa, OK; stated he represents the client, MCI Diagnostic Center. The subject property is surrounded on three sides by OL, OM and commercial zoning. The 200 foot separation is essentially from the current sign location on the subject property to the west. The closest RS-3 zoned property is on the west side and that is actually Joe Creek. The opposite side of Joe Creek is another residentially zoned property and it is an apartment complex that is located in a RM-1 zone. The apartment complex is 367 feet from the subject sign to the point of beginning on the apartment complex property. There is an existing 25'-0" sign pole that is being refurbished. In placing the electronic message center on the sign the top sign section will be removed, raising the sign that is third from the bottom to the top, and placing the electronic message center in third from the bottom position. The actual size and overall height of the sign will not change. The final display for the electronic message center has not been chosen at this time, but the sign does have the ability to have a ten-second video displayed. In discussions with the owner the sign is to be used to advertise the medical services that are offered by MCI Diagnostic Center. MCI Diagnostic Center performs medical testing as a private facility, and their interest is in having the public recognize the different types of test that are offered on site. An electronic message center tends to be more about advertising words, where a digital board tends to be more about images and video. This sign will have an electronic message center where the use will be advertising words with a possible photograph displayed.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

On **MOTION** of **VAN DE WIELE**, the Board voted 4-0-0 (Snyder, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions"; Henke absent) to **APPROVE** the request for a Variance to allow an electronic message center within 200 feet of residentially zoned property (Section 1221.C.2.c). Finding that the residentially zoned property, which necessitates this variance, is in fact Joe Creek creekway and is not used as residential and likely never will be. This approval will be subject to per plan on page 10.11 for the height and dimensions. Finding by reason of extraordinary or exceptional conditions or circumstances, which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to other

BOA-21486

FILE COPY

property in the same use district; and that the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or the Comprehensive Plan; for the following property:

LT 1 LESS BEG SECR TH W5 FT NE7.07 S5 FT POB BLK 1, LAURENWOOD, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

21487—Bill Powers

Action Requested:

Variance of the required rear yard from 25'-0" to 9'-0" in an RS-2 district to permit an addition (Section 403). **LOCATION:** 2738 East 25th Street South (CD 4)

Presentation:

Bill Powers, 8810 South Yale Avenue, Suite D, Tulsa, OK; stated he is before the Board of Adjustment on behalf of the owners. This property is proposed for an extensive renovation which includes an addition at the rear of the property. The original structure is encroaching because the house was built before the zoning code. Mr. Powers stated that the hardship is that the owners have lived in the house for 30 years and do not want to move. The owners have found that they can renovate this house for less than the expense of moving and purchasing a large home.

Mr. Van De Wiele asked Mr. Powers if the existing garage was being turned into living space and with a new garage added. Mr. Powers stated that the existing two-car garage will remain and a third car bay will be added with a three-car driveway. The owners have a photography business and want to store their equipment and trailer in the third bay. There will also be a second story added above the three-car garage.

Mr. Van De Wiele asked Mr. Powers to explain the hardship for the property. Mr. Powers stated that the family wants to stay in the home. They want to avoid realtor fees and the cost of buying a new home. Mr. Van De Wiele stated that the Board cannot consider a financial hardship. Mr. Powers stated that the house was built in the 1940s, is non-conforming and the enforcement of the code would be a hardship.

Interested Parties:

There were no interested parties present.

Comments and Questions:

None.

Board Action:

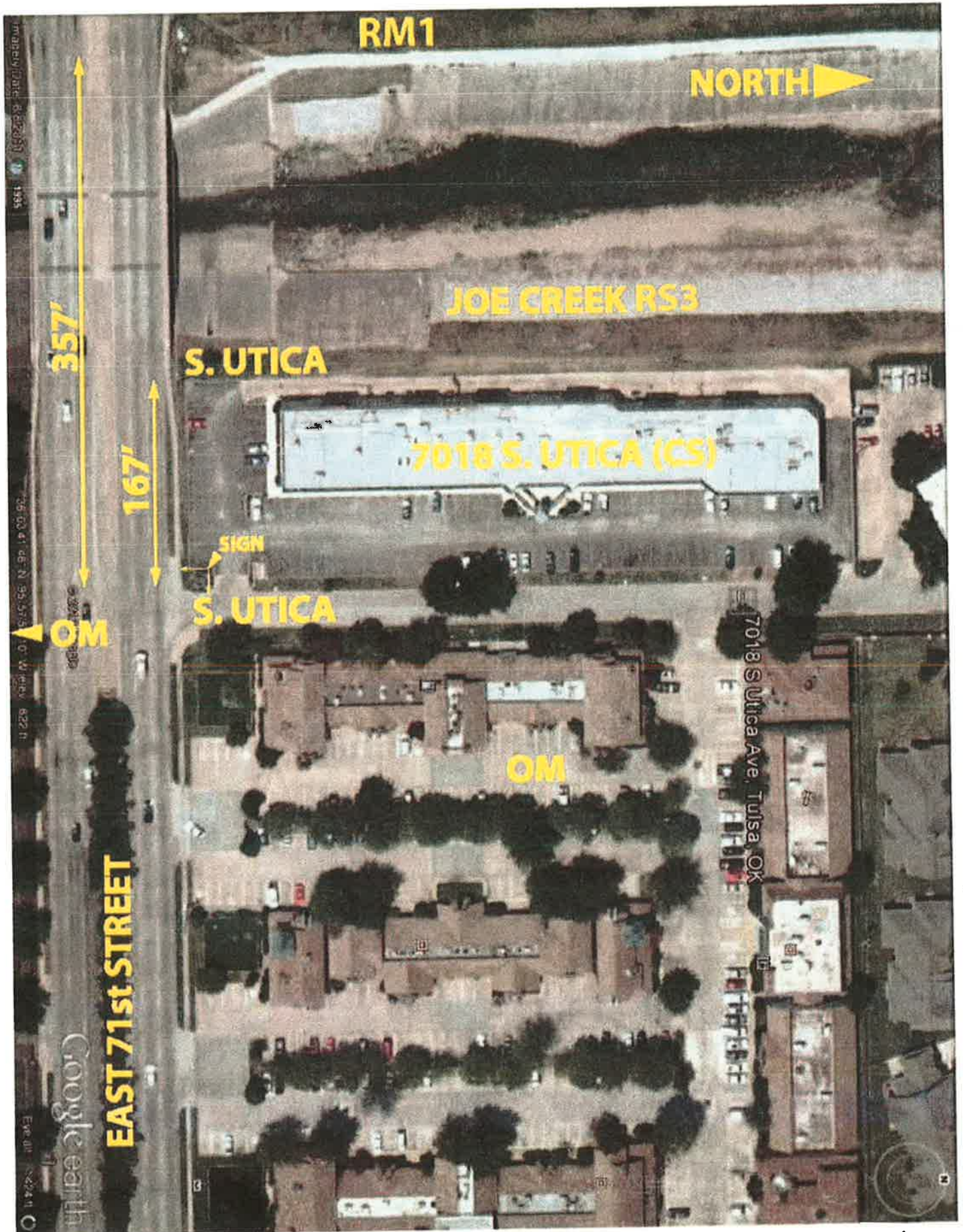
On **MOTION** of **VAN DE WIELE**, the Board voted 4-0-0 (Snyder, Tidwell, Van De Wiele, White "aye"; no "nays"; no "abstentions"; Henke absent) to **APPROVE** the request for a Variance of the required rear yard from 25'-0" to 9'-0" in an RS-2 district to permit an addition (Section 403), subject to conceptual plan on page 11.7. Having found that this

Z-6019 and PUD #385 (continued)

	<u>Submitted</u>	<u>Recommended</u>
Permitted Uses:	Principal and Accessory uses permitted as a matter of right in a CS District as defined by the Zoning Ordinance on the date of filing the PUD.	As permitted by right in a CS District, excluding bars, taverns, nightclubs, dancehalls, and restaurants.
Maximum Building Floor Area:	25,049 sq. ft.	25,049 sq. ft.
Maximum Building Height:	1-story (Exclusive of Mezzanines and Below Grade Levels of Floors)	1-story
Minimum Off-Street Parking:	111 spaces	1 space per each 225 sq. ft. of gross floor area and as per the Zoning Code.
Minimum Building Setbacks:		
From Centerline of East 71st Street:	110 feet	110 feet
From Centerline of South Utica Avenue:	50 feet	50 feet
From West Property Line:	15 feet	21 feet suggested
From North Property Line:	25 feet	25 feet
Minimum Landscaped Area:	Not Specified	10%
→ Signs:	Signs shall be in conformance with the PUD Chapter of the Zoning Code.	Signs shall be in conformance with the PUD Chapter of the Zoning Code.
(3) Trash and utility areas shall be screened so as not to be visible from ground level of adjacent residential areas and abutting development and a screening fence shall be installed along the west boundary.		
(4) That a Detail Site Plan be approved by the TMAPC prior to issuance of a Building Permit, that architectural treatment of the west and north building walls shall be generally compatible with the east and south walls.		
(5) That a Detail Landscape Plan and Sign Plan shall be submitted for review and approval by the TMAPC prior to occupancy.		
(6) That no Building Permit shall be issued until the requirements of Section 260 of the Zoning Code have been satisfied and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the Restrictive Covenants conditions of approval, making the City of Tulsa beneficiary of said Covenants.		

12.12.84:1534(18)

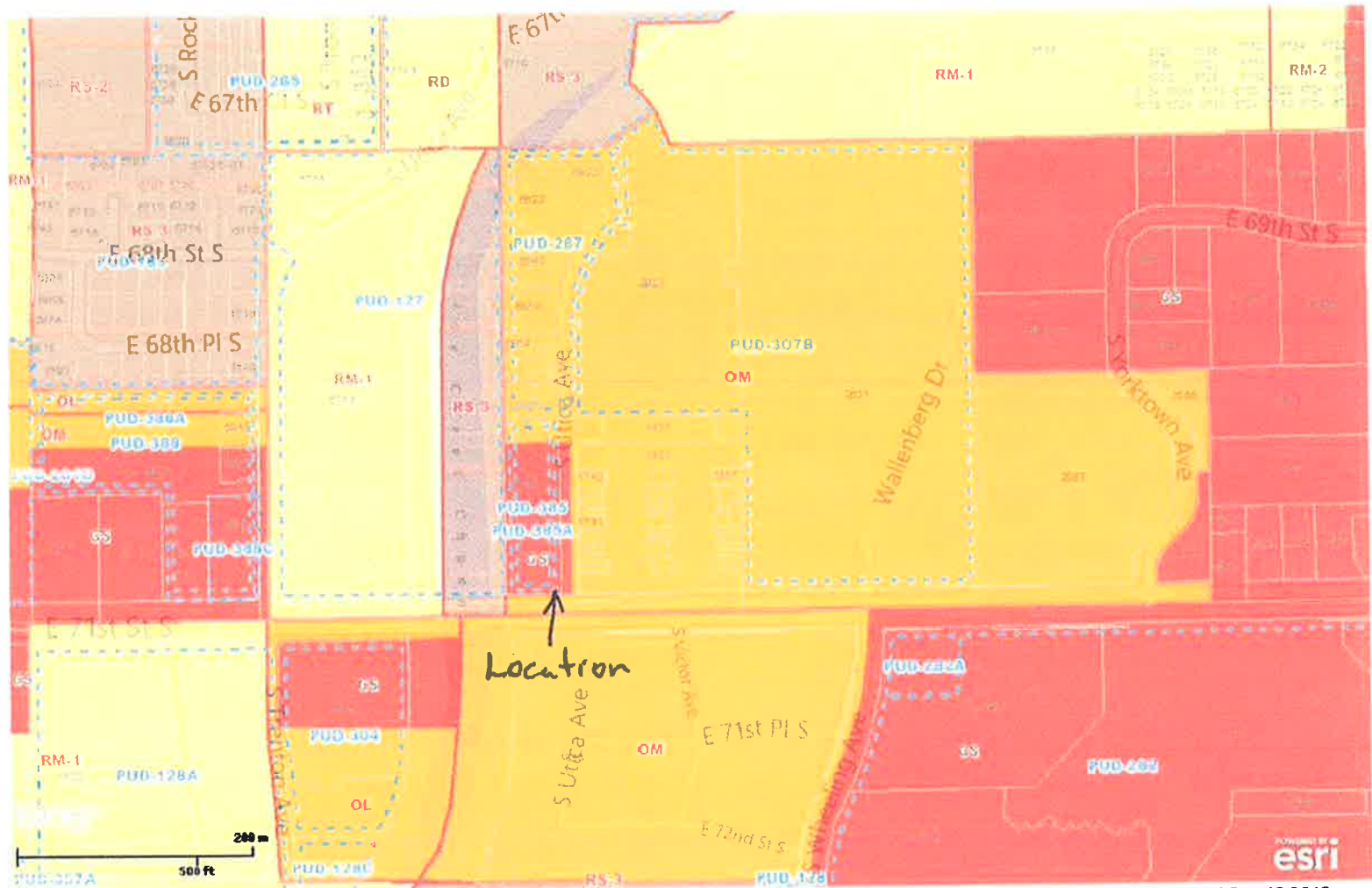
4.7



Sign: 20' distance from driving surfaces

4.9

My Map



This map should be used for general reference purpose only. Areas in question should be verified at the INCOG office or at the respective municipality. Wed Sep 12 2012 05:46:07 PM.

BOA-21486



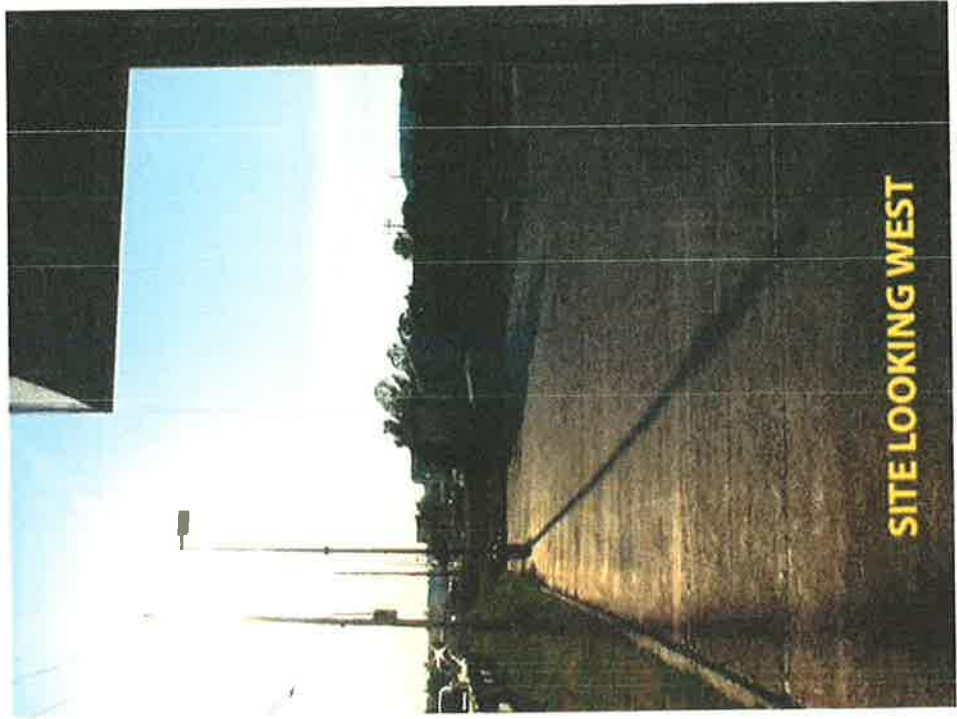
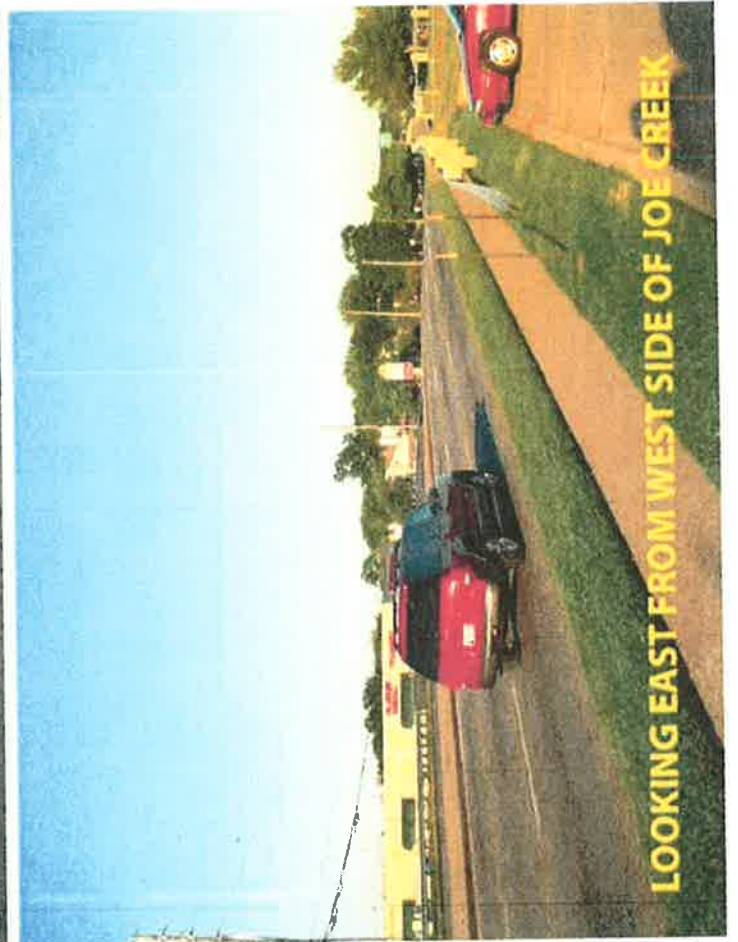
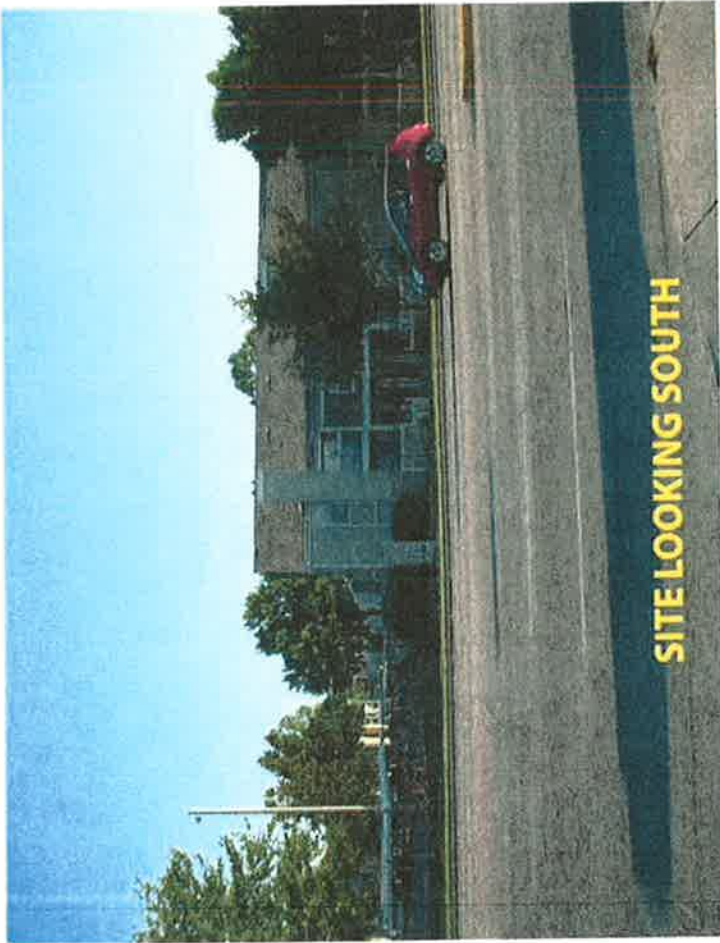
1671 E 71st St S - looking northwest

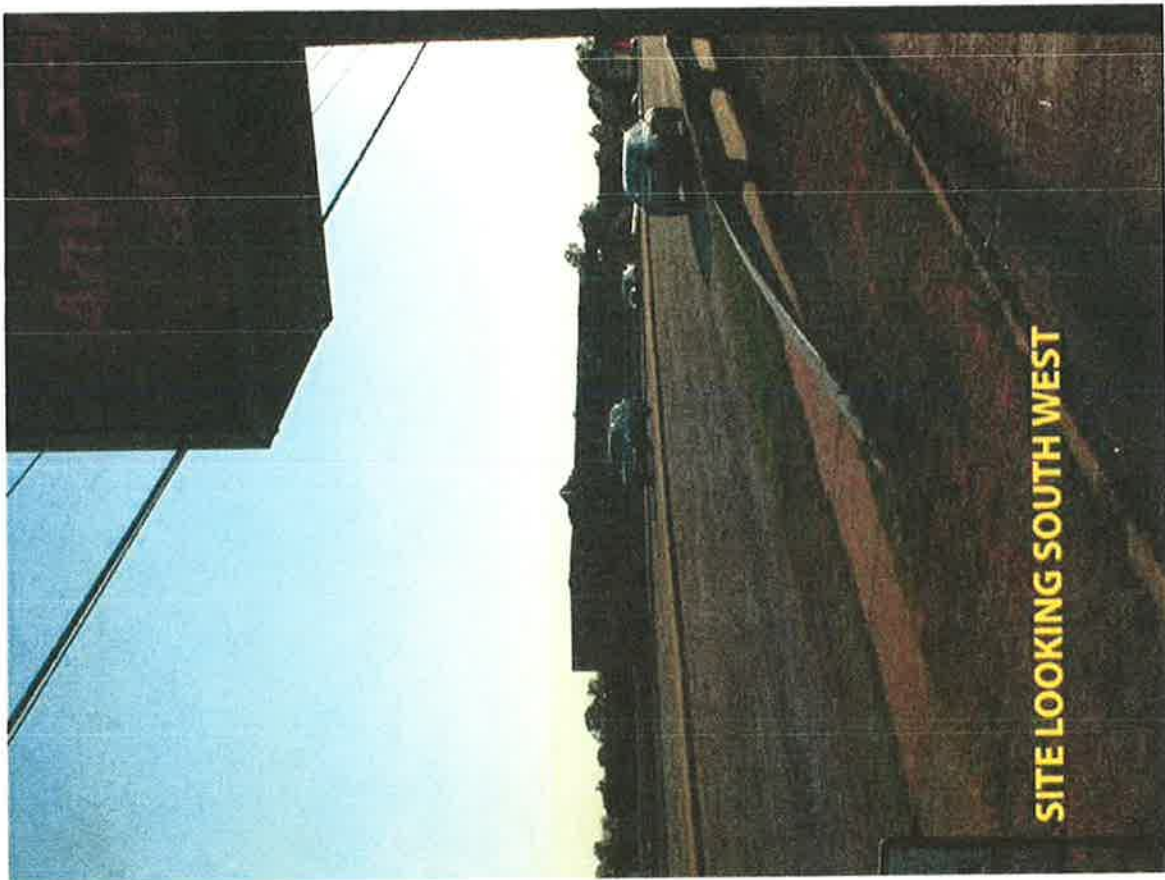


1671 E 71st St S - looking west

10.23.12

4.11

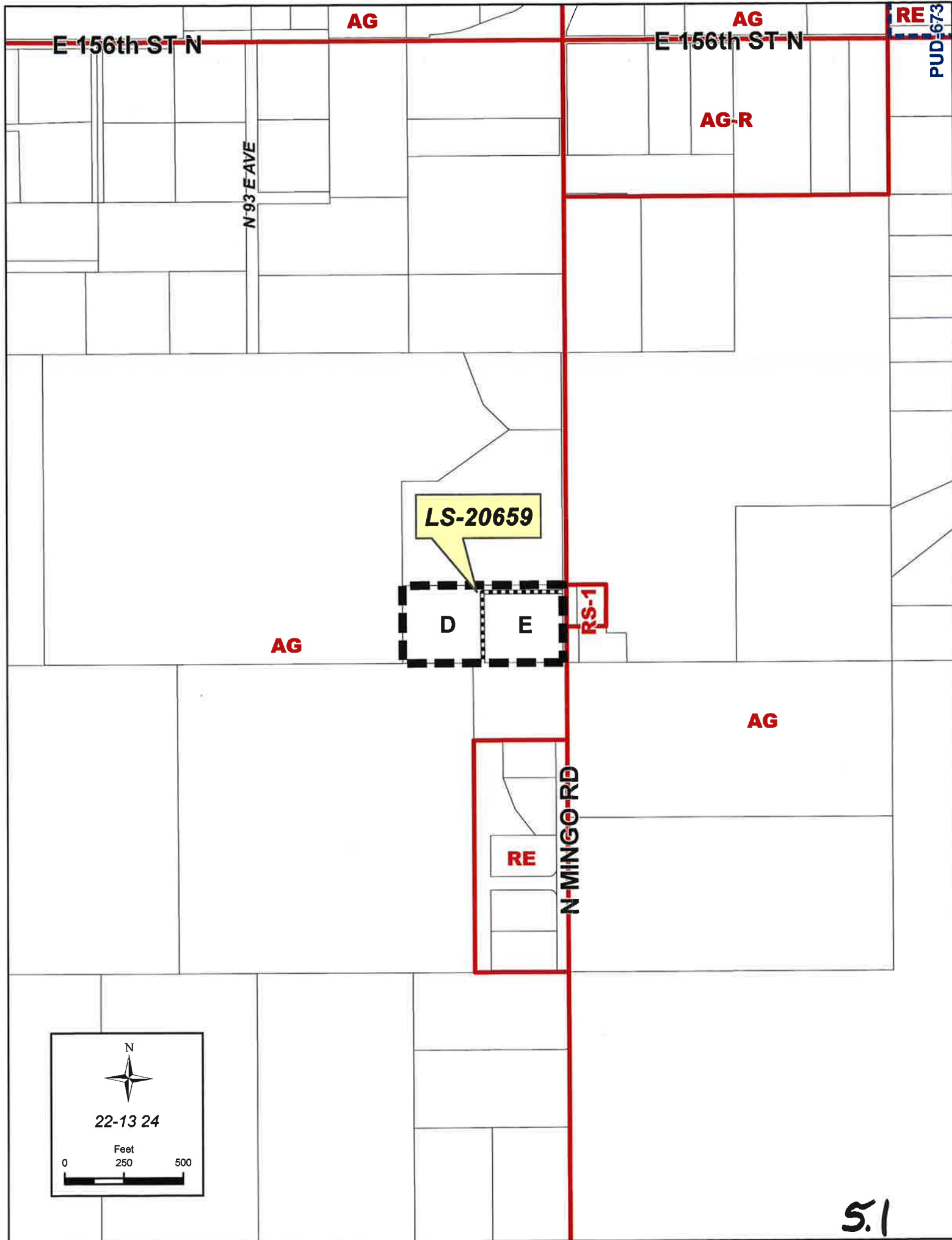




SITE LOOKING SOUTH WEST



SITE LOOKING EAST



E 156th ST N

E 156th ST N

N 93 E AVE

LS-20659

D

E

N MINGO RD



22-13 24

Feet
0 250 500

*Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: March 2012*

5.2

WAIVER OF SUBDIVISION REGULATIONS FOR A LOT-SPLIT

December 4, 2013

LS-20659

Donald Hutchinson, (2324) (AG) (County)

South of the Southwest corner of East 156th Street North and North Mingo Road

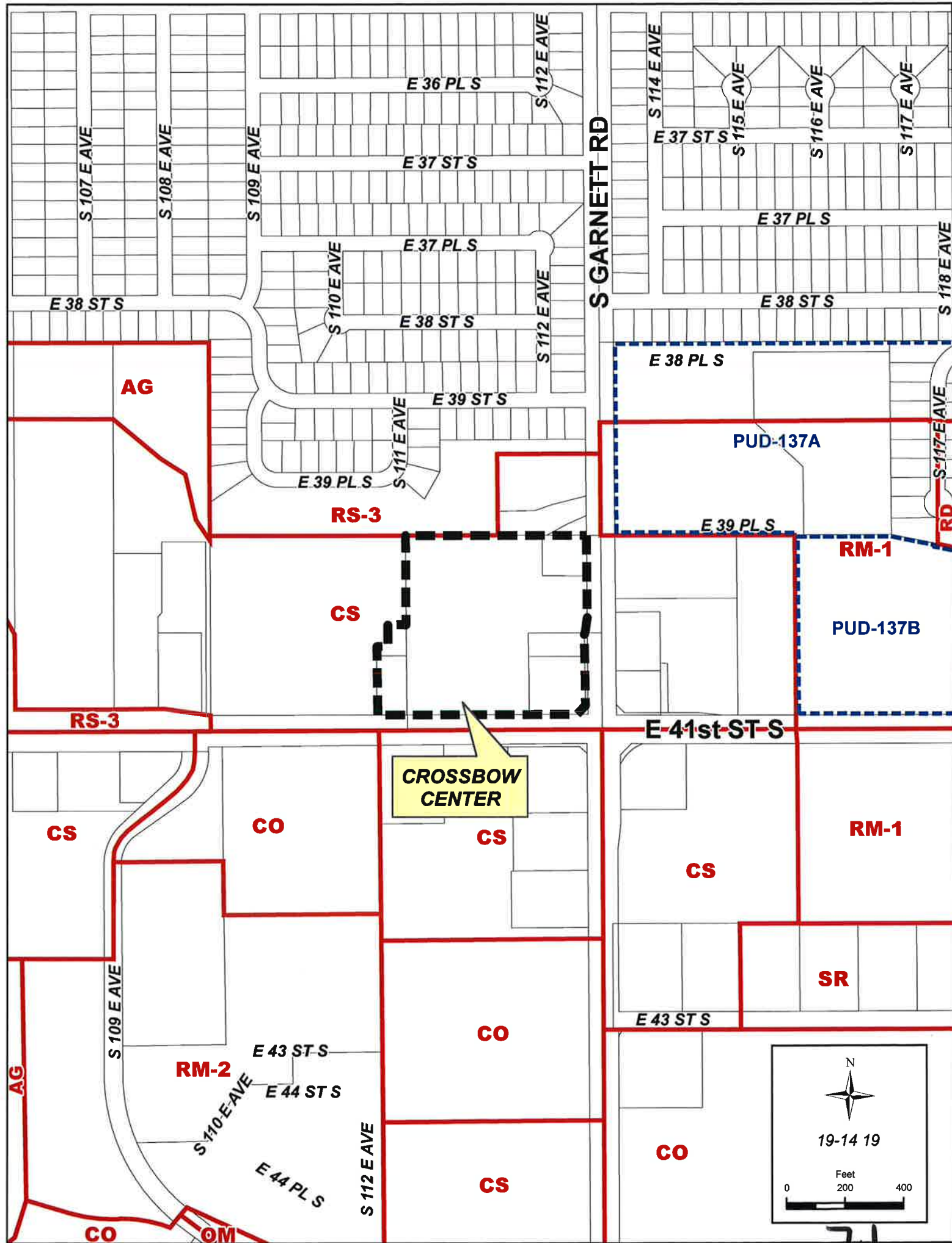
The Lot-Split proposal is to split an existing AG (Agriculture) tract into two tracts. Both of the resulting tracts will exceed the Bulk and Area Requirements of the Tulsa County Zoning Code.

One of the resulting tracts will 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 has more than three side lot lines.

North Mingo Road is a Secondary Arterial; therefore the County Engineer made the requirement of a 50 foot easement for Right-of-Way from the Section line, less the Statutory Right-of-Way.

The proposed lot-split would not have an adverse affect on the surrounding properties and staff recommends **APPROVAL** of the waiver of *Subdivision Regulations* and the lot-split.







7.2

PRELIMINARY SUBDIVISION PLAT

Crossbow Center - (9419) (CD 6)

Northwest corner of East 41st Street South and South Garnett Road

This plat consists of 8 Lots, 1 Block, on 17.77 acres.

The following issues were discussed November 21, 2013, at the Technical Advisory Committee (TAC) meetings:

1. **Zoning:** The property is zoned Planned Unit Development 801. PUD standards must be met. The project is to renovate an existing shopping center.
2. **Streets:** Provide additional 8 foot right-of-way for right turn lane along Garnett for a distance of 388 feet from center line of 41st Street. Label Reserve A as Mutual Access Easement or Private Street. If it is going to be private street then call out name of street. Sidewalk easement must be provided along Reserve area in a separate easement. Provide right-of-way reference such as plat number or book/page number along Garnett and 41st Street. Corner clip should be 42.42 feet. Use standard sidewalk language. Sidewalks must be provided along reserve areas as well, not just streets.
3. **Sewer:** Unless there is an existing easement along the west boundary of the plat, the proposed 11 foot utility easement must be increased to a 17.5 foot utility easement. If there is an existing easement it must be shown and properly identified. Provide a 15 foot sanitary sewer easement with the pipe centered within the easement, where the proposed sewer line exits the utility easement in Lots 7 and 8. Provide the document number for the existing 15 foot utility easement, where the existing sewer line crosses lots 2 through 6. Provide distances and bearings for easements that are not adjacent to property lines. In Section II – A. Reserve Area A include Utilities for uses allowed within the Reserve. As currently written, it only allows the utility to use the Reserve to access other easement areas. Additional easement required for the proposed sanitary sewer extension.
4. **Water:** Show the limits of the proposed vacated restricted waterline easement on Lot 2. Label the RWE (restricted waterline easement) easements between lots 2 and 3 and across lot 3. Show book and page of RWE across lot 3. IDP (infrastructure development plan) for re-routing waterline between lots 2 and 3. Along the north property line some of the meters are not in easements. Expand the easement or relocate the meters.
5. **Storm Drainage:** Floodplain is present along the north property line and will need to be placed in an overland drainage easement. Add overland drainage easement language.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** PSO needs overhead line facility accommodation.
7. **Other: Fire:** A fire hydrant will be required within 400 feet of any part of the building if non-sprinkled and within 600 feet if sprinkled. If structure is over

30 feet in height from fire department access then aerial access is required per IFC 2009 Appendix D105. Need 28 foot minimum inside radius on all corners of the fire department access roads.

8. **Other: GIS:** Provide e-mail address for the surveyor/engineer and license which is shown to be expired. Identify the basis of bearing. Correct legal description. Address lots.

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.

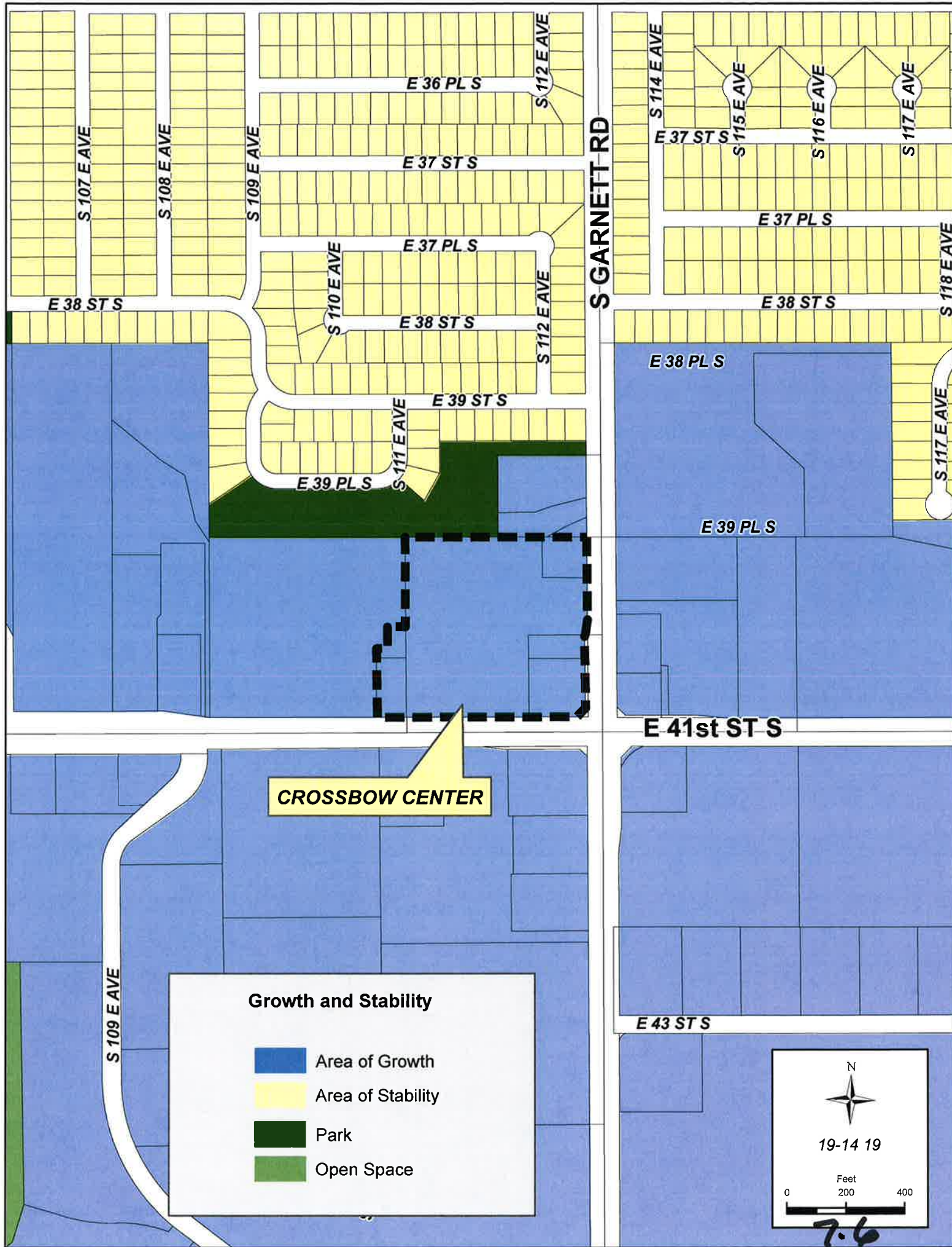
Special Conditions:

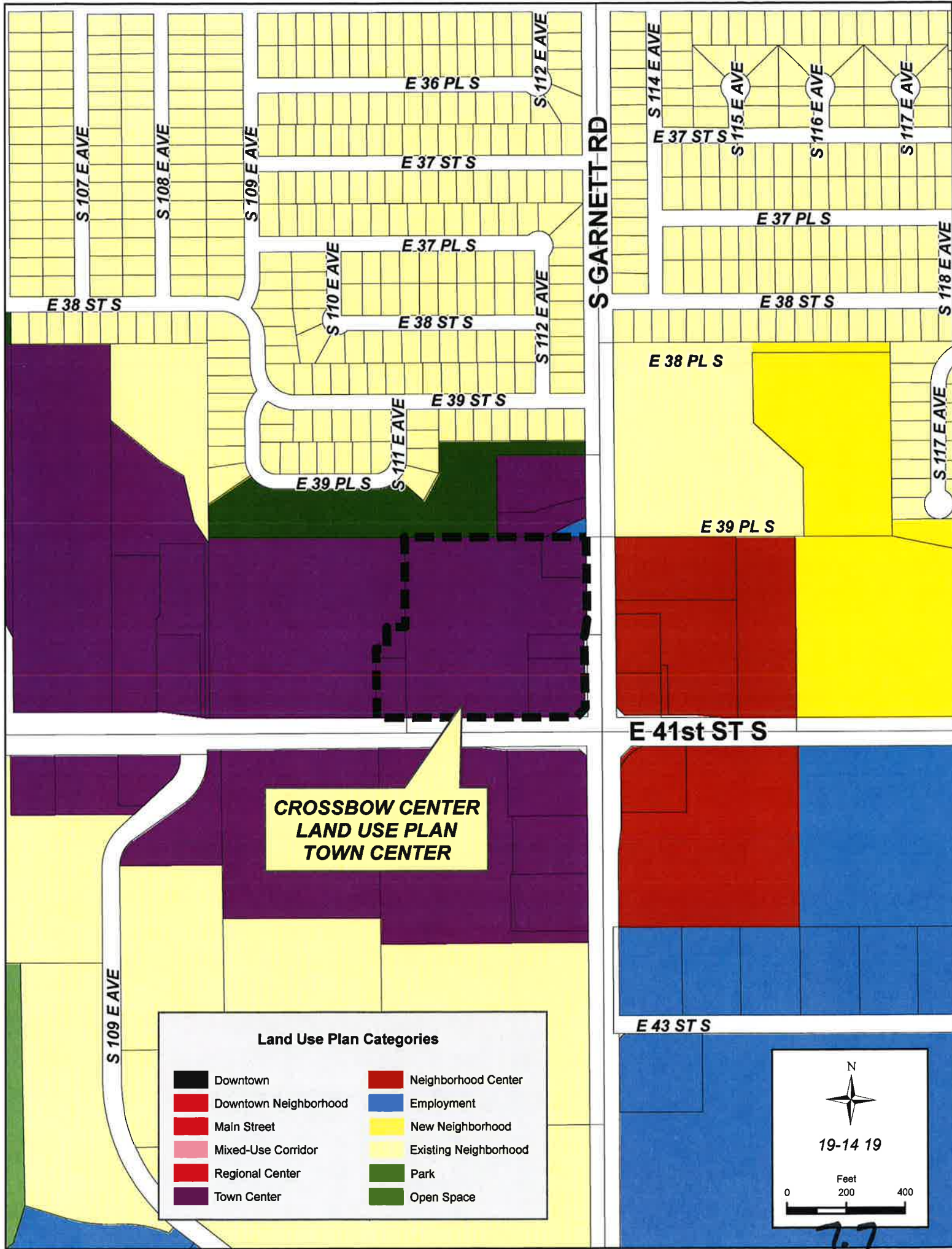
1. The concerns of the Development Services and Engineering Services staffs must be taken care of to their satisfaction.

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.






CROSSBOW CENTER
LAND USE PLAN
TOWN CENTER

Land Use Plan Categories


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

N



19-14 19

Feet
0 200 400



7.7

PLAT WAIVER

December 4, 2013

PUD 196 A – South of southwest corner of South Memorial Drive and East 71st Street South (1183) (CD 8)

The platting requirement is being triggered by a PUD Major Amendment for a new tire store use.

Staff provides the following information from TAC for their July 18, 2013 meeting:

ZONING: TMAPC Staff: The property has been previously platted.

STREETS: No mutual access easements are provided. Therefore no legal access to the site is shown. Sidewalks required along Memorial. Mutual access easements need to be expanded and rededicated.

SEWER: The proposed project site does not appear to abut either the sanitary sewer main, or the water main. Therefore, mainline extensions, along with their associated easements, are required to provide service access to the proposed development.

WATER: The existing 8 inch main line running east and west inside the 20 foot restricted waterline easement shown on the north side of the tract is not shown.

STORMWATER: No comment.

FIRE: No comment.

UTILITIES: Easements may need to be rededicated and made public.

Staff recommends **APPROVAL** of the plat waiver for the platted property. *All of the conditions of the plat waiver below have been met and Development Services staff have released the plat waiver.*

Mutual access easements need to be expanded and rededicated and filed by separate instrument. Utility easements need to be expanded and made public and filed by separate instrument. These items need to be approved through Development Services before a recommendation for APPROVAL will be stated.

A YES answer to the following 3 questions would generally be FAVORABLE to a plat waiver:

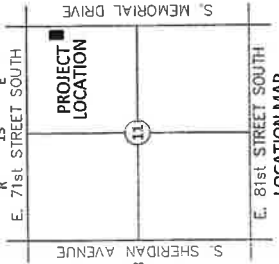
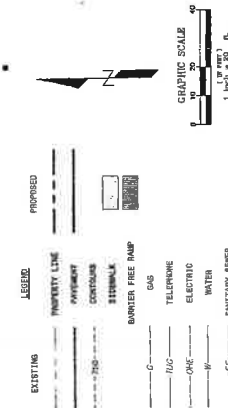
- | | Yes | NO |
|--|-----|----|
| 1. Has Property previously been platted? | X | |
| 2. Are there restrictive covenants contained in a previously filed plat? | X | |

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

A YES answer to the remaining questions would generally NOT be favorable to a plat waiver:

	YES	NO
4. Is right-of-way dedication required to comply with Major Street and Highway Plan?		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.?		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.



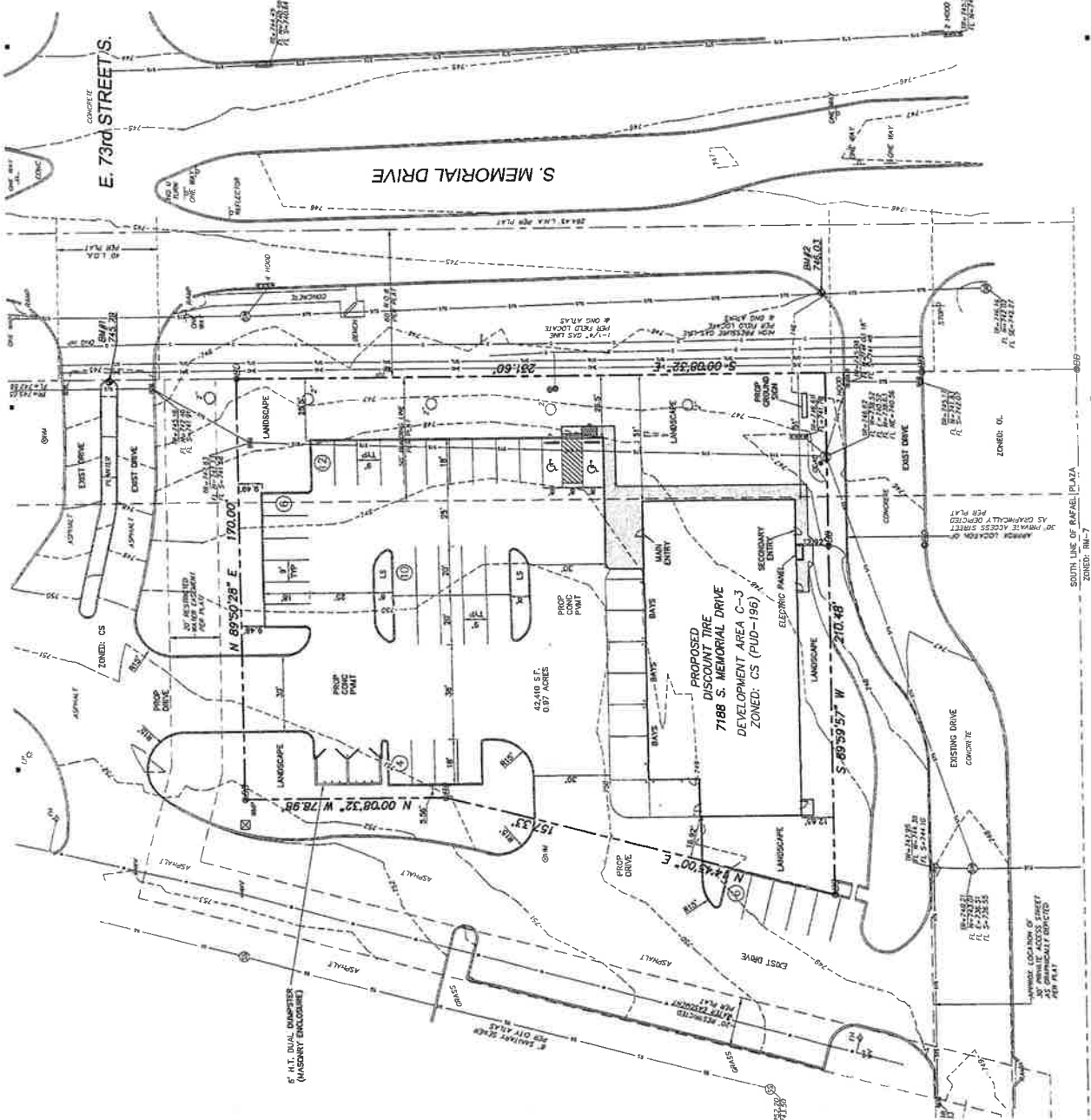
VERTICAL DATUM NAVD 83 ELEVATION BENCHMARK IDENTIFICATION	BENCHMARK IDENTIFICATION	NOTES
	BM #1 CUT #1, ON TOP OF CHUB ON END OF ROAD OF ISLAND 11.50 ELEV = 746.78	1. BENCHMARK 2. TOPOGRAPHIC MARK ON ROAD, 100' FROM ROADHEAD, PLC, DATED 10/2015.
	BM #2 CUT #2, ON TOP OF CHUB ON NORTH SIDE AT ROAD BIRTH ELEV = 744.03	2. BUILDING IS PARALLEL AND PERPENDICULAR TO ROAD. 3. ALL INTERSECTIONS ARE TO EDGE OF PAVEMENT, 3. FACE OF BUILDING OR FACE OF CHUB, UNLESS OTHERWISE NOTED. 4. UNLESS OTHERWISE NOTED, ALL MEASUREMENTS AT FACE OF CHUB.

NO.	REVENUE CATEGORY	DATE
500-43		06/25/2013
T.A.C.		06/25/2013
J.V.		CHECKED BY



DETAILED SITE PLAN

SPI



PUD-606 RS-3

AG

S UNION AVE

RS-3

W 78 ST S

W 78 ST S

CO

PUD-636

PUD-636-B/
Z-5457-SP-4

W 78 ST S

75

75

AG

CO

S OLYMPIA AVE

S SANTA FE WAVE

W 80 ST S

CS

RS-3

CS

PUD-377

CO

PUD-765-A ABANDONED

AG

CS

W-81st-ST-S

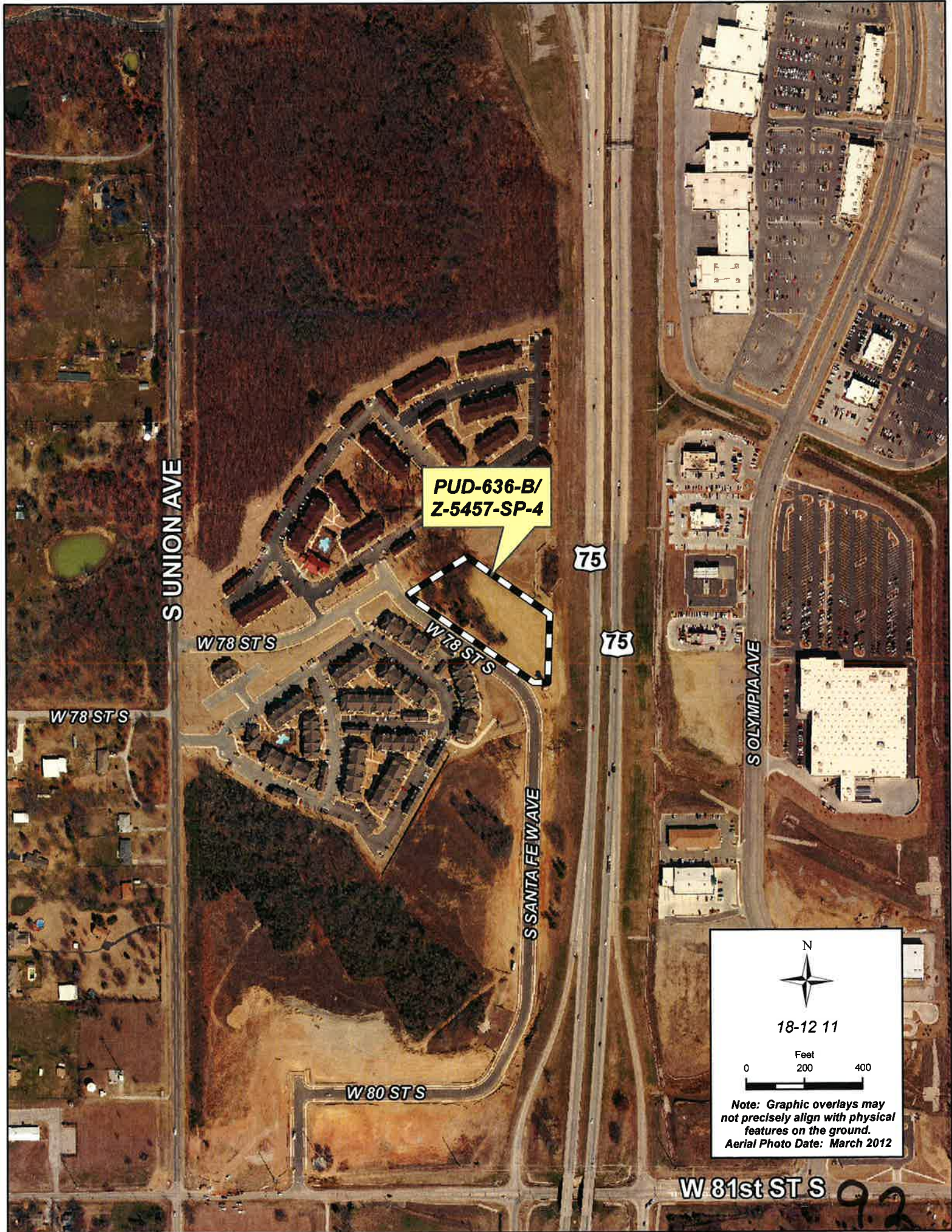
CO



18-12 11

Feet
0 200 400

9.1



PUD-636-B/
Z-5457-SP-4

S UNION AVE

W 78 ST S

W 78 ST S

W 78 ST S

S SANTA FE AVE

W 80 ST S

75

75

S OLYMPIA AVE

W 81st ST S



18-12 11

Feet
0 200 400

Note: Graphic overlays may
not precisely align with physical
features on the ground.
Aerial Photo Date: March 2012

9.2

**TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT**

APPLICATION: PUD-636-B/ Z-5457-SP-4

TRS 8211

Atlas 0

CZM 51

CD-2

TMAPC Hearing Date: December 4, 2013

Applicant: Lou Reynolds

Tract Size: 2± acres

ADDRESS/GENERAL LOCATION: North of northwest corner of West 81st Street and Highway 75

EXISTING ZONING: CO/ PUD-636

EXISTING USE: Vacant

PROPOSED ZONING: CO/ PUD-636-B

PROPOSED USE: Commercial development

ZONING ORDINANCE: Ordinance number 19935 dated October 2, 2000 and Ordinance number 14912 dated December 5, 1980, established zoning for the subject property.

RELEVANT ZONING HISTORY:

Subject Property:

PUD-636-A/ Z-5457-SP-3 November 6, 2013: Staff and TMAPC concurred in approval of a proposed Major Amendment to PUD on a 6± acre tract of land for a commercial development, called The Main Event, on property located north of northwest corner of West 81st Street and U.S. Highway 75. The file has not been heard by City Council for final action.

PUD-636/ Z-5457-SP-2/ Z-4825-SP-1 October 2000: All concurred in approval for a proposed Planned Unit Development, on a 108± acre tract of land for a mixed use development including, single-family, townhouse dwellings, multifamily and commercial uses subject to conditions of the PUD located on the northwest corner of West 81st Street South and South Highway 75 and includes the subject property.

Surrounding Property:

Z-7236-SP-1/ Z-7115-SP-2 August 2013: All concurred in approval of a request for Corridor Development Plans on a 31± acre tract of land for and office development permitting a 6-story building with a maximum building square footage of 566,000, on property located on the southeast corner of West 81st Street and South Union Avenue.

Z-7236/ PUD-765-A September 2013: All concurred in approval of a Major Amendment to PUD to abandon and a request for rezoning on a 5± acre tract of land for office development, on property located on the southeast corner of West 81st Street and South Union Avenue.

Z-7164/ Z-7164-SP-1 April 2011: All concurred in approval of a request for rezoning a 30± acre tract of land from AG/ OL/ CS to CO and a Corridor Development Plan for a neighborhood and pedestrian oriented office and commercial mixed use development, on property located on the southeast corner of U.S. Highway 75 and West 81st Street and east of subject property across Highway 75.

Z-7140/ Z-7140-SP-1 December 2009: All concurred in approval of a request for rezoning a 41± acre tract of land from AG to CO and a Corridor Site Plan for residential use, garden and patio homes, on property located south of southwest corner of South Maybelle Avenue and West 81st Street. The TMAPC recommended approval per staff recommendation and subject to adding Use Unit 1, to impose the additional buffer along the north end across to the detention pond. City Council approved the applications per TMAPC recommendation with condition of Maybelle getting upgraded in accordance with the Major Street and Highway Plan and per City of Tulsa design standards within the project limits, and resurfaced to 22' wide with improved borrow ditch from the northern boundary of the subdivision to West 81st Street.

Z-7008-SP-1/ Z-6966-SP-1/ Z-6967-SP-1 March 2006: All concurred in approval of a Corridor Site Plan on 176± acres to permit a regional shopping center known as the Tulsa Hills site with a total of 1,554,194 square feet of maximum building floor area approved at a .25 floor area ratio. On property located east of US Highway 75 between West 71st and West 81st Street.

Z-5993/PUD-377 November 1984: All concurred in approval of request for rezoning a 2.06± acre tract of land from RS-3 to OL/CS/PUD and a proposed Planned Unit Development for a printing and graphic art reproduction & associated sales business on property located on the southwest corner of West 81st Street South and West Union Avenue.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 2± acres in size and is located north of northwest corner of West 81st Street and Highway 75. The property appears to be vacant and is zoned CO/ PUD-636.

SURROUNDING AREA: The subject tract is abutted on the east by Highway 75, further east across Highway 75 is Tulsa Hills Shopping Center zoned CO; on the north and west by a multifamily residential project, zoned CO; on the south by multifamily, zoned CO.

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

TRANSPORTATION VISION:

The Comprehensive Plan designates West 81st Street South and South Union Avenue as Secondary Arterials. Ultimately the transportation vision for this area shows South Union Avenue developing into a Multi-Modal Street which balances the needs of all modes of travel, giving people the option to walk, bike, ride transit or drive. These street types attempt to strike a balance between functional classification, adjacent land use, and the competing travel needs.

STREETS:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
West 81 st Street	Secondary Arterial	100'	2
South Union Avenue	Secondary Arterial	100'	2

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

This site is completely included in a **Regional Center** and an **Area of Growth** in the Comprehensive Plan.

The purpose of **Areas of Growth** is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

Staff Comment: The PUD major amendment is part of a larger development where many infrastructure needs have already been provided. This development will continue to take advantage of previous infrastructure investment and encourage growth in the area. The scale of this particular project is not necessarily a regional scale however it is an appropriate use on a small parcel of property that was developed prior to the Comprehensive Plan.

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. Most Regional Centers include a parking management district.

Staff Comment: The proposed PUD major amendment is developed for a commercial development and includes many opportunities for attracting workers and visitors from around the region for entertainment and retail opportunities. This request fits within the vision of the Comprehensive Plan and seems to provide a rural character to the site development plan which is contemplated in the West Highlands Small Area Plan. The West Highland Small Area Plan has not been adopted but there is no known conflict anticipated with this project and the draft version of that small area plan.

APPLICANTS CONCEPT STATEMENT:

The purposes of PUD Major Amendment No. 636-B ("PUD 636-B") and Corridor Plan Major Amendment No. Z-5457-SP-4 ("Corridor District Site Plan") are to permit approximately 2.3 Acres of Development Area "E" to be used, in addition to multi-family purposes, for commercial purposes (the "Project").

The Conceptual Site Plan for PUD 636-B and Corridor District Site Plan Z-5457-SP-4 is attached hereto Exhibit "A".

An Aerial Photograph of the Project and surrounding area is attached hereto as Exhibit "B".

The project will provide a 6 foot wooden fence along the North Boundary. The East, South and West boundaries will not be screened.

There will be no direct vehicular connection between the Nickel Creek Apartments and the Project. The Project will have one (1) access point directly onto South Santa Fe West Avenue. The Access and Circulation Plan for the Project is attached hereto as Exhibit "D".

The Project will not have on-site detention or pay a fee in lieu of detention, but instead will drain into existing detention ponds and structures provided by the infrastructure development team.

A copy of the Topography and Drainage Concept for the Project is attached hereto as Exhibit "E" attached hereto.

All public utilities necessary for the development of the Project are available on-site or immediately across the street from this Project. The existing utilities are shown on Exhibit "F" attached hereto.

The Area Zoning Map is shown on Exhibit "G".

The Legal Description of the Project is attached hereto as Exhibit "H".

A map of the location of the Project is shown on Exhibit "I".

Because the underlying zoning of the Property is CO-Corridor District, no rezoning is necessary to support the Project as proposed in this PUD Major Amendment and Corridor District Site Plan.

In addition to the existing Development Standards for the multi-family use of Development Area "E", the Applicant proposed the following additional Development Standards for the commercial use of the Project.

DEVELOPMENT STANDARDS PUD 636-B / Z-5457-SP-4: (Part of Development Area "E")

I. PUD-636-A DEVELOPMENT STANDARDS:
(CS-Commercial Shopping District Use only.)

GROSS LAND AREA: 2.3 AC

ADDITIONAL PERMITTED USES:

As permitted by right within a CS – Commercial Shopping Center District.,
excluding Use Unit 12a

MAXIMUM BUILDING FLOOR AREA: 58,000 SF

MAXIMUM FLOOR AREA RATIO PER LOT: .25

MAXIMUM BUILDING HEIGHT: 35 FT

Unoccupied architectural features not to exceed 40 FT may exceed the
Maximum Building Height with Detail Site Plan and Corridor Site Plan
approval.

MINIMUM BUILDING SETBACKS:

From the centerline of South Santa Fe West Avenue	55 FT
From the North boundary	10 FT
From the West boundary	50 FT
From the East boundary	50 FT

MINIMUM PARKING SETBACK:

From the North boundary	10 FT
From the West boundary	25 FT

OFF-STREET PARKING:

As provided by the applicable Use Unit.

OTHER BULK AND AREA REQUIREMENTS:

As provided in the CS – Commercial Shopping Center District.

SIGNS:

GROUND SIGNS:

One (1) ground sign on South Santa Fe West Avenue. Such ground sign
shall not exceed 25 FT and 100 SF in surface display area.

WALL SIGNS:

- A. Wall signs facing East along the US Highway 75 frontage shall be
permitted however that sign shall not exceed 3 square feet of
display surface area per linear foot of building wall to which
attached. All other wall signs shall be permitted not to exceed 2
square feet of display surface area per linear foot of building wall to

which attached. The length of the Building wall signs shall not exceed 75% of the frontage of the building.

- B. Wall signs shall be prohibited on the North facing building wall.

LIGHTING:

All building mounted lighting shall be shielded and 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 the adjacent residential area.

Additionally, as a part of the Detail Site Plan review, an accurate Lighting Plan illustrating light poles and fixtures with a Photometric Plan will be provided illustrating height and fixtures facing down and away from the residential area. A Photometric Plan must be provided which does not exceed zero foot candles at the Northerly or Westerly boundary of the Project.

LANDSCAPED AREA:

A minimum of ten percent (10%) of the Net Land Area of the Project shall be improved as internal landscaped open space.

TRASH AND MECHANICAL EQUIPMENT AREAS:

All trash and mechanical equipment areas (excluding utility service transformers, pedestals or equipment provided by franchise utility providers) including building mounted, shall be screened from public view in such a manner that the same cannot be seen by a person standing on any part of the property line at ground level.

Trash dumpster areas shall be screened by a masonry construction with steel frame doors. The doors shall be covered with an appropriate covering containing a minimum of 95% opacity on the gate frame.

NO OUTSIDE STORAGE:

There shall be no outside storage or recycling material, trash or similar materials outside of a screening receptacle, nor shall trucks or trailer trucks be parked unless they are actively being loaded or unloaded. Truck trailers and shipping containers shall not be used for storage.

LANDSCAPING AND SCREENING DETAILS:

The Project landscaping and screening details will comply with the requirements of the Tulsa Zoning Code for street frontage and parking area landscape and will establish a minimum 25 foot landscape buffer separating the West boundary of the parking area from the multifamily neighborhood to the West, and a minimum of 10 foot landscape buffer separating the north boundary of the parking area from the stormwater detention facility to the North. These landscape boundaries will be densely landscaped with a mix of shrubs and evergreen trees similar to the concept shown on the Landscape and Screening Concept attached hereto as Exhibit "C".

A 6' wood or masonry screening fence shall be installed between the north edge of any surface parking and the property line. The exact location and design will be defined during the site plan review process. The general concept is illustrated on Exhibit "C".

The existing wooded area near the west property line will be preserved as suggested in rural character definition of the pending West Highland small area plan.

ACCESS AND CIRCULATION:

The Project will have three (1) vehicular access point to South Santa Fe West Avenue as shown on Exhibit "D".

Pedestrian and other non motorized circulation systems shall encourage pedestrian and bicycle connectivity from the existing residential projects in the area.

Bicycle parking shall be provided for a minimum of 2 bicycles near the front entrance of the facility.

II. SCHEDULE OF DEVELOPMENT:

Development is expected upon final approval of this PUD Major Amendment and Corridor District Site Plan, platting of the Property and Detail Site Plan, Corridor Site Plan and Landscape Plan approval. The anticipated construction start date is the second quarter of 2014.

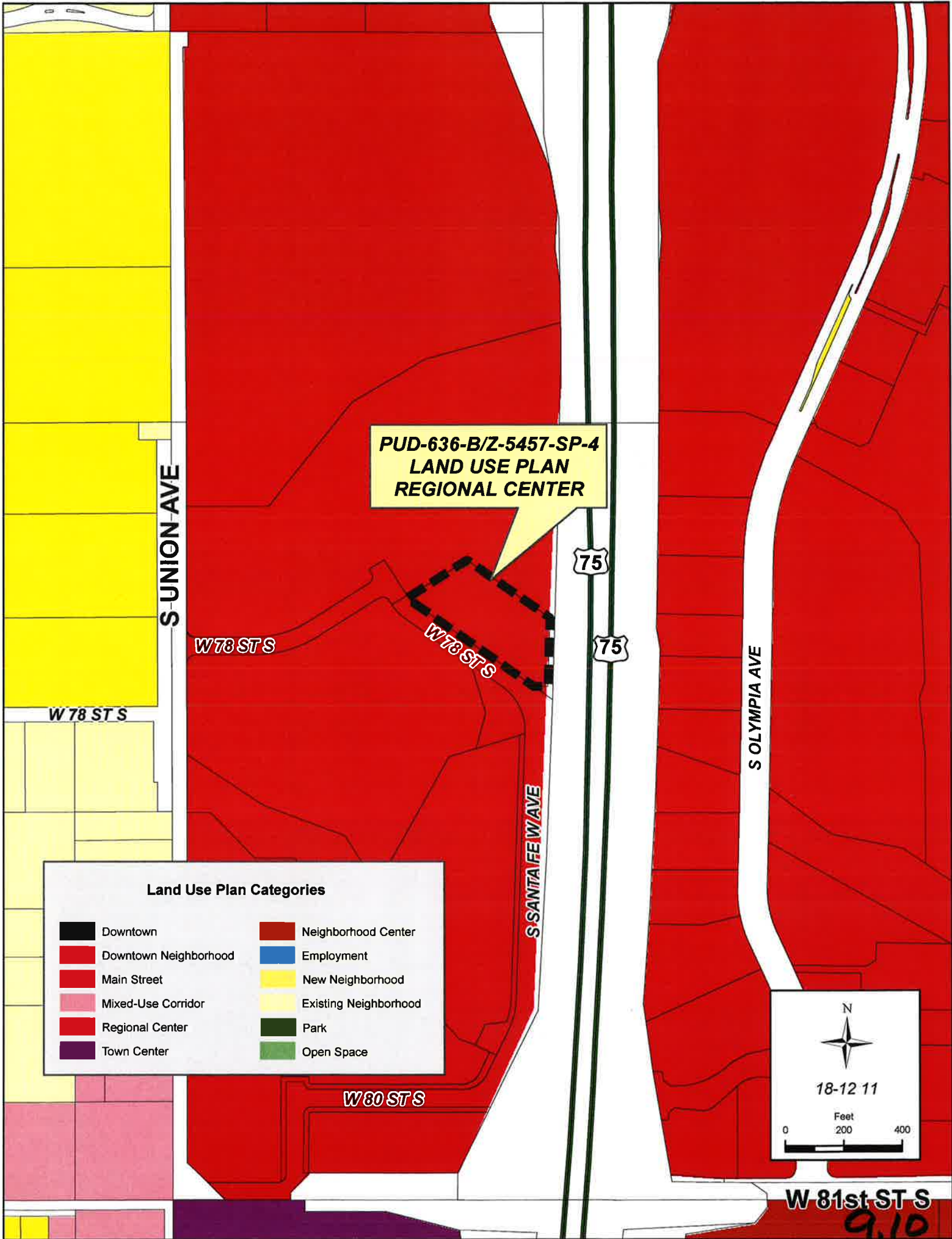
STAFF RECOMMENDATION:

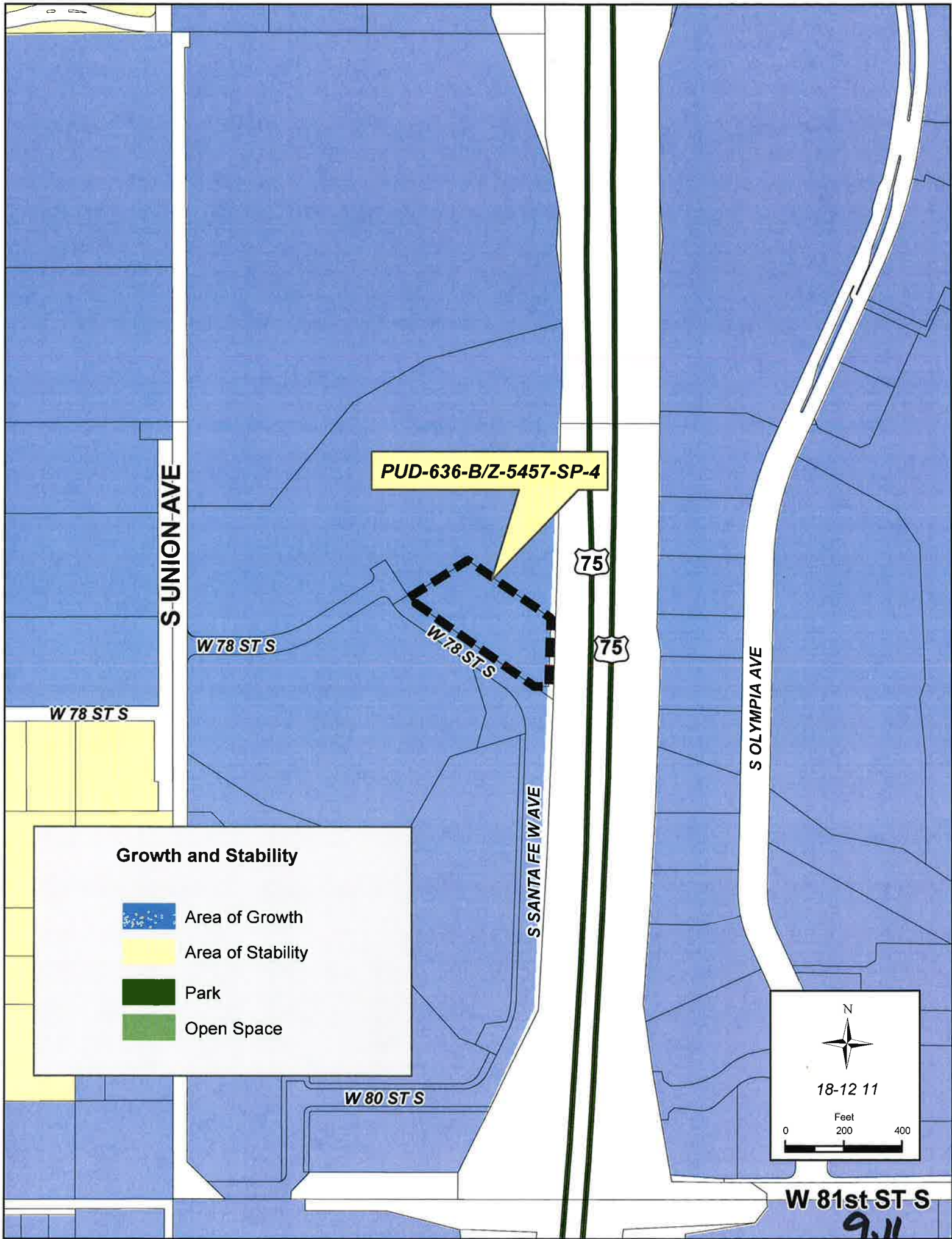
This major amendment is in harmony with the Comprehensive Plan of the City of Tulsa and the expected development pattern of this area.

The development is in harmony with the PUD Chapter of the City of Tulsa Zoning Code.

Therefore staff recommends **APPROVAL** of PUD-636-B as outlined in the Applicants Statement, Development Standards and exhibits referenced above.

12/04/13





PUD-636-B/Z-5457-SP-4

Growth and Stability

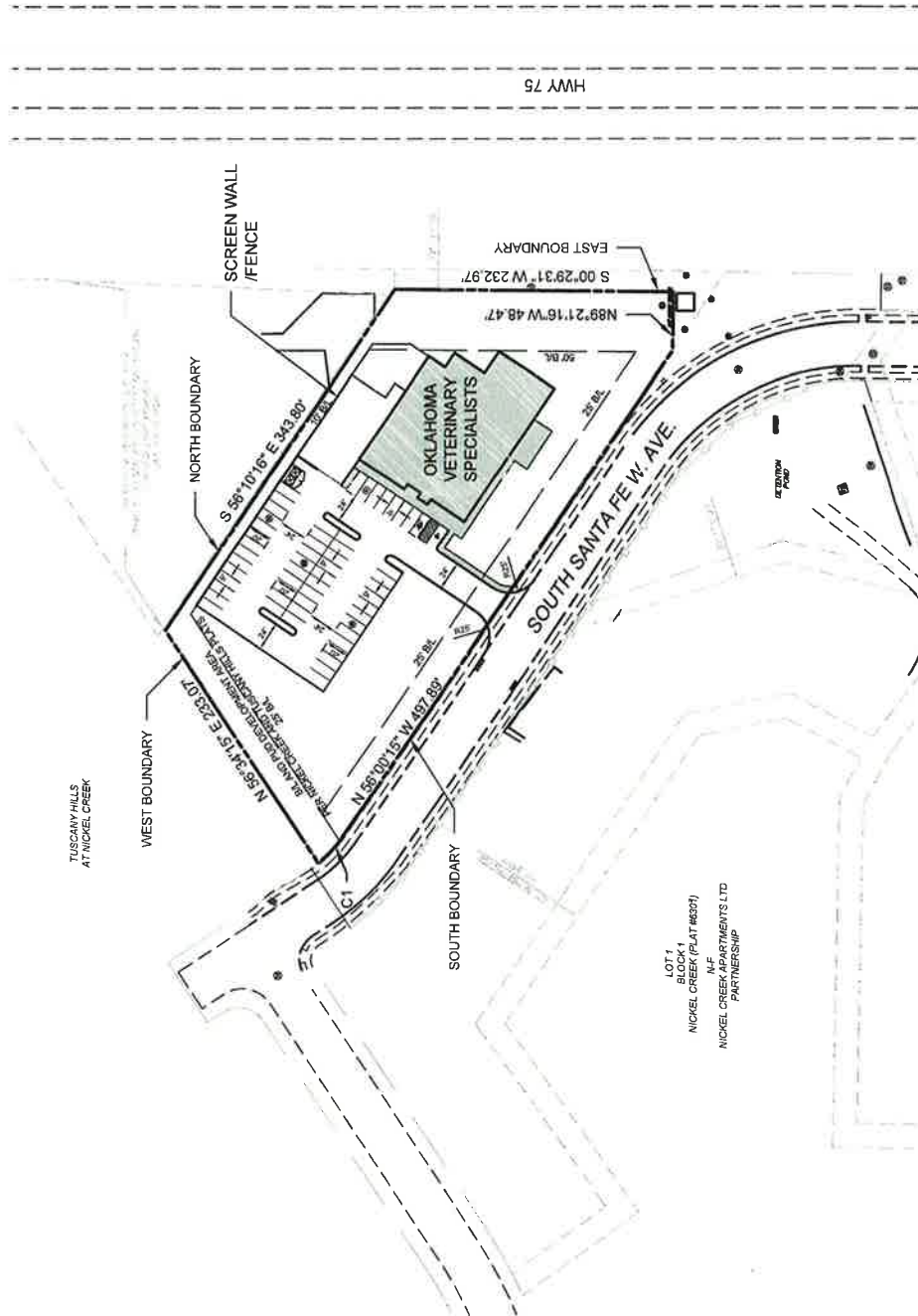
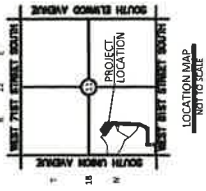
- Area of Growth
- Area of Stability
- Park
- Open Space

18-12 11

Feet
0 200 400

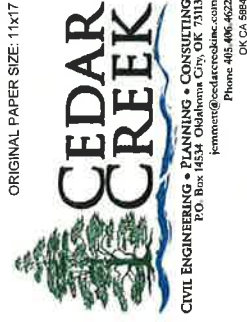
W 81st ST S
9.11

EXHIBIT 'A' CONCEPTUAL SITE PLAN



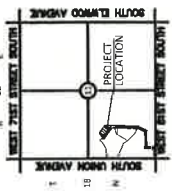
CURVE TABLE (PROPERTY LINE)			
CURVE NUMBER	RADIUS	ARC LENGTH	CHORD BEARING
C1	95.00	29.99'	N46°57'39\"W
			CHORD DISTANCE
			29.86'

ORIGINAL PAPER SIZE: 11x17



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P.O. Box 14534 Oklahoma City, OK 73113
kcmment@cedarcreekinc.com
Phone: 405.406.4622
OK CA 5884

EXHIBIT 'B' AERIAL PHOTOGRAPH

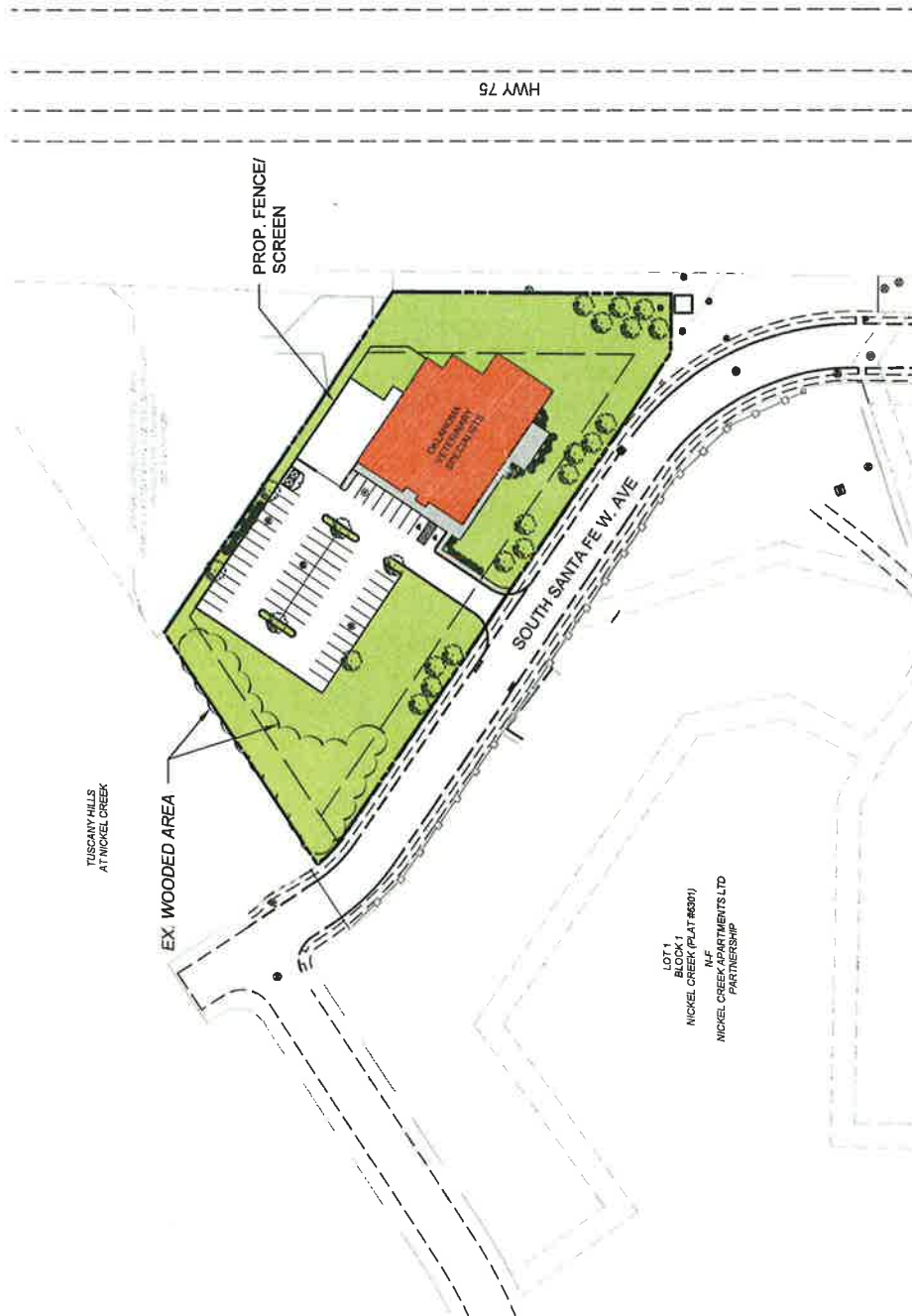
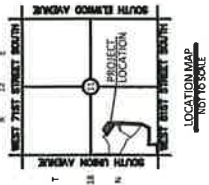


ORIGINAL PAPER SIZE 11x17

CEDAR CREEK
 CIVIL ENGINEERING • PLANNING • CONSULTING
 P.O. Box 1454 Oklahoma City, OK 73113
 jennett@cedarcreekinc.com
 Phone 405.406.4622
 OK, CA 5854

EXHIBIT 'C'

LANDSCAPE & SCREENING CONCEPT



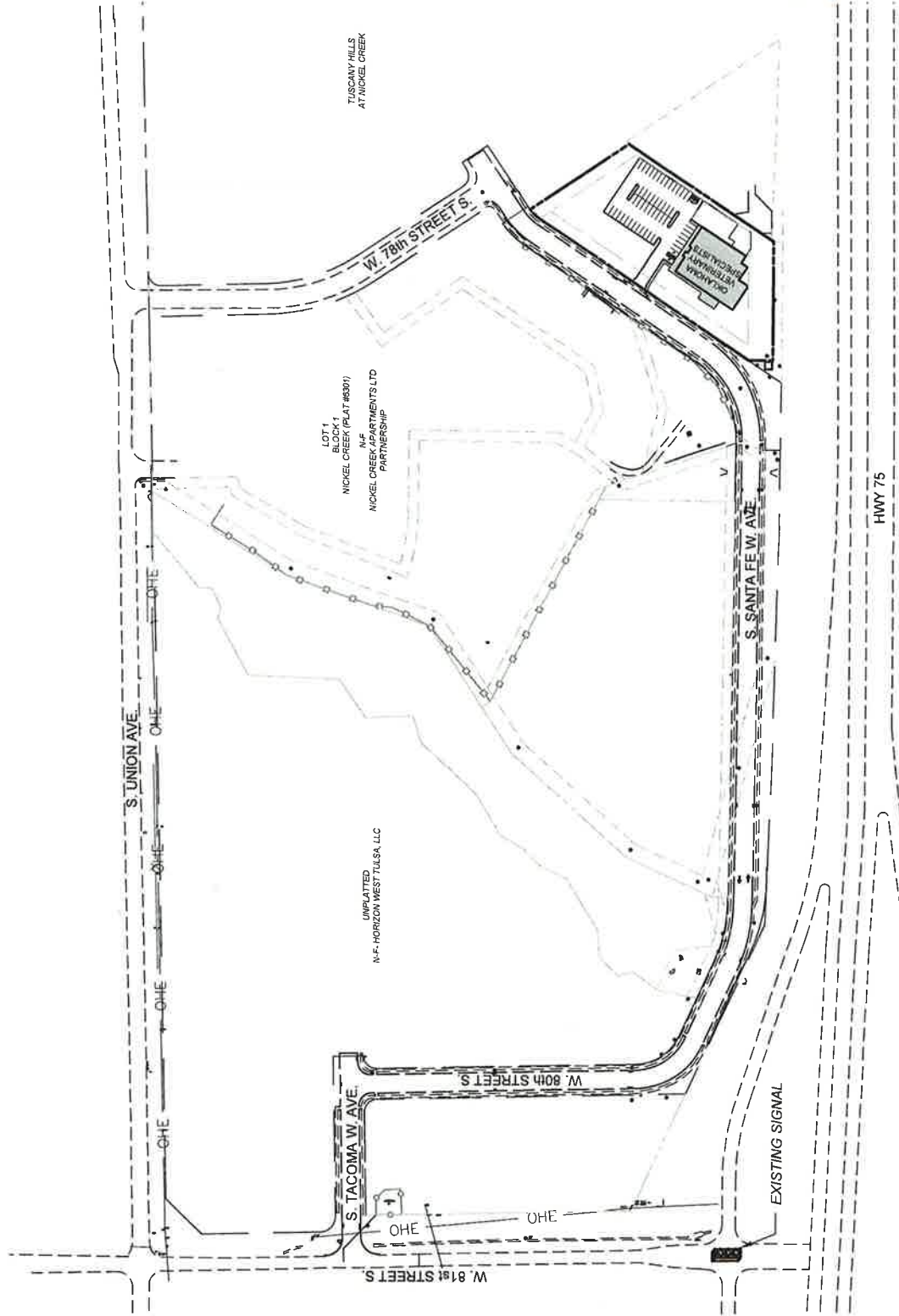
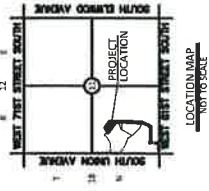
ORIGINAL PAPER SIZE 11x17



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P.O. Box 14524 Oklahoma City, OK 73113
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Phone 405.406.4022
OK, CA 5684

EXHIBIT 'D'

ACCESS AND CIRCULATION PLAN



ORIGINAL PAPER SIZE: 11x17

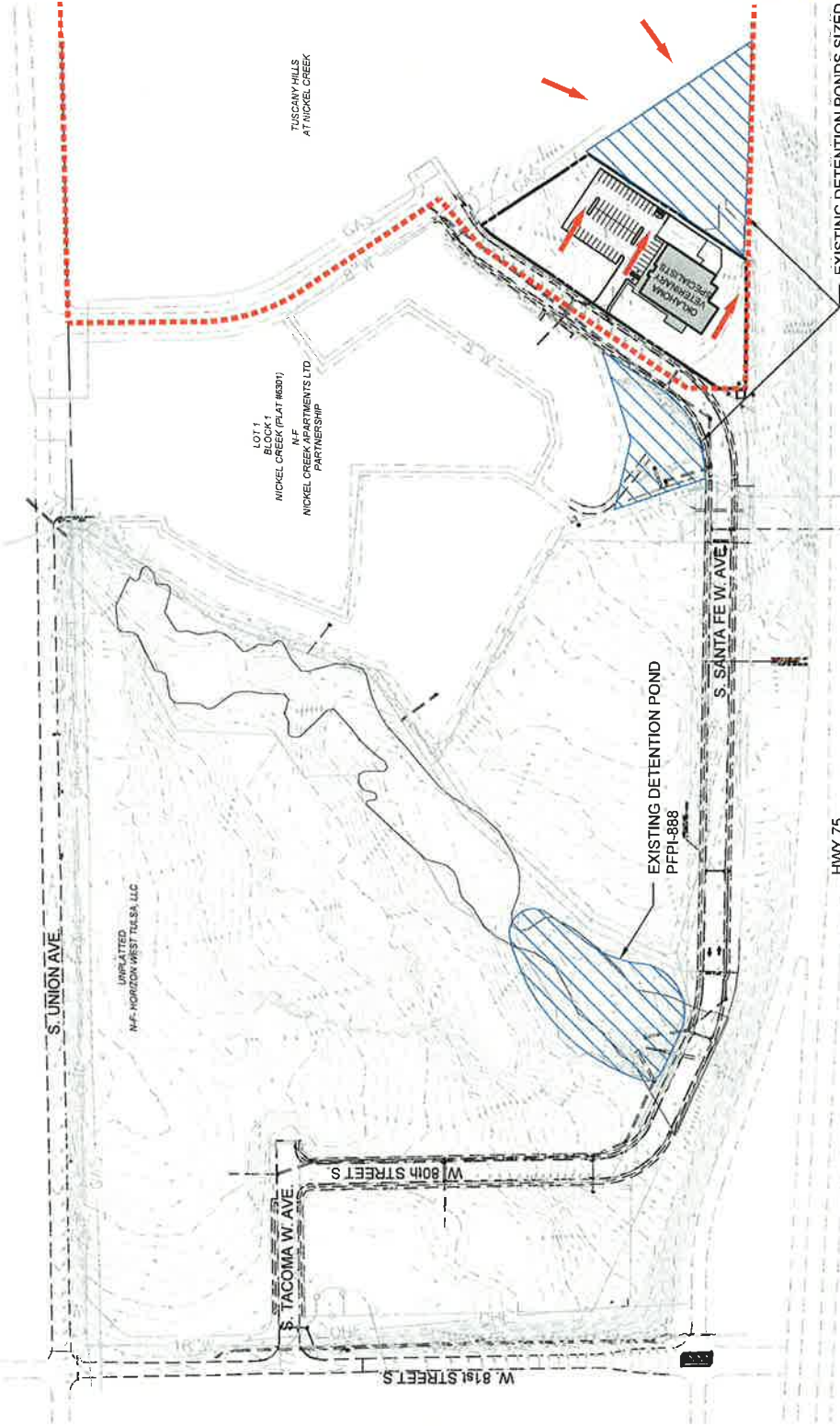
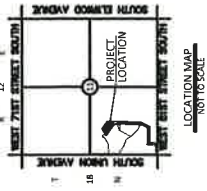


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 Jannet@cedarcreekinc.com
 Phone 405.406.4622
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9.15

EXHIBIT 'E'

TOPOGRAPHY AND DRAINAGE CONCEPT



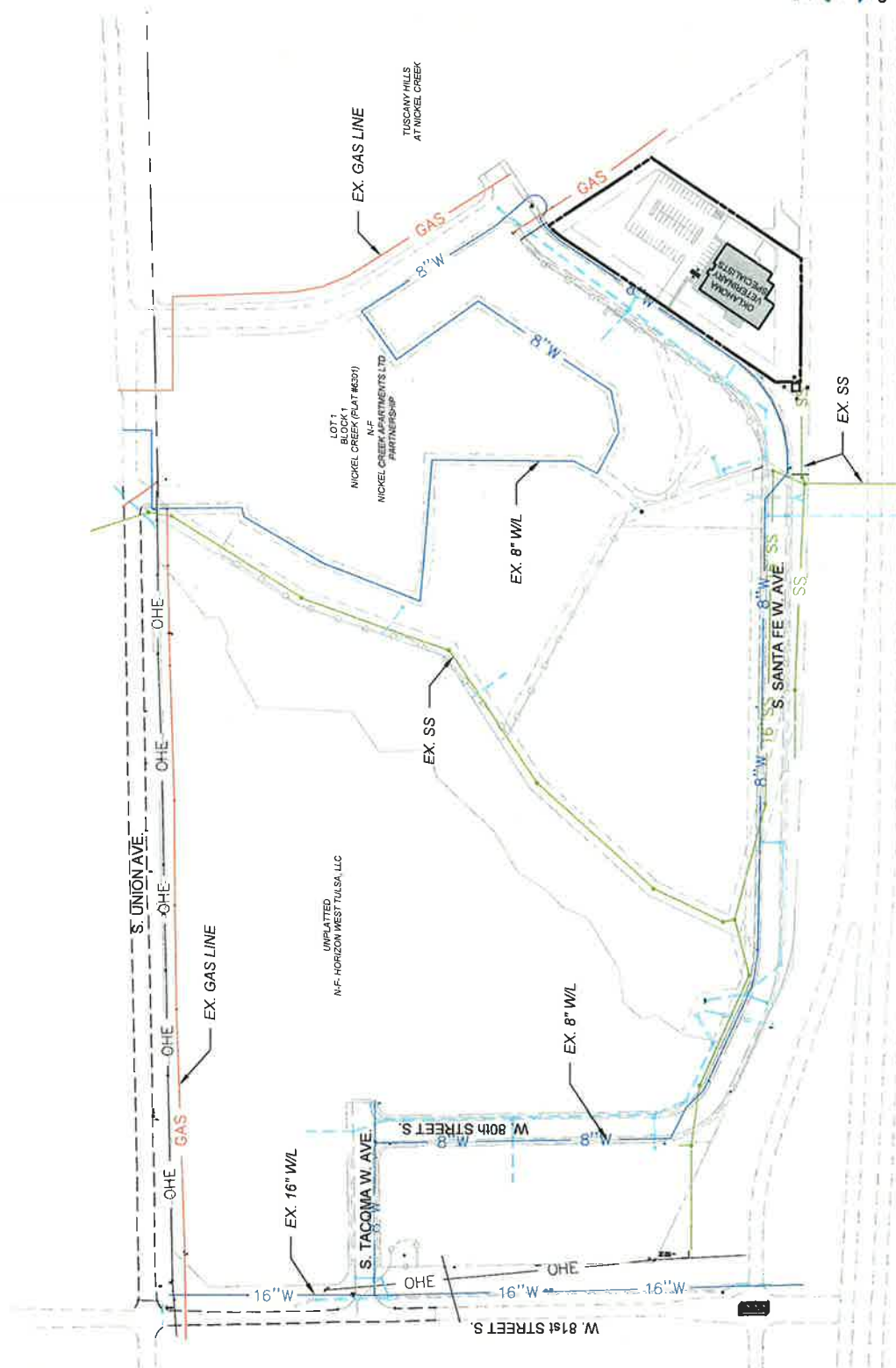
ORIGINAL PAPER SIZE: 11x17



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P.O. Box 140000
Tulsa, Oklahoma 74114
jeanette@cedarcreekinc.com
Phone: 405-406-4623
OK, CA 5854



A horizontal scale bar labeled "SCALE IN FEET" with markings at 0, 200, 300, and 400 feet. The bar is divided into alternating black and white segments.

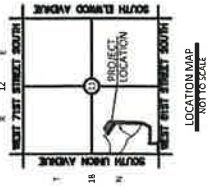


ORIGINAL PAPER SIZE: 11x17



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jennett@cedatrecinc.com
Phone 405.406.4622
OK CA 5954

EXHIBIT 'G' AREA ZONING MAP



SCALE: NTS

ORIGINAL PAPER SIZE: 11x17

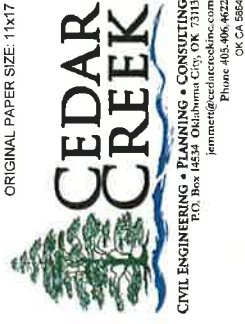


EXHIBIT 'H' LEGAL DESCRIPTION

A tract of land lying in the Southwest Quarter of Section 11, Township 18 North, Range 12 East of the Indian Meridian, City of Tulsa, Tulsa County, Oklahoma being more particularly described as follows:

COMMENCING at the northwest corner of said Southwest Quarter;
THENCE North 89°02'15" East a distance of 50.00 feet to a point on the east right of way line of South Union Avenue;
THENCE South 01°15'01" East a distance of 593.73 feet;
THENCE North 89°02'15" East a distance of 751.04 feet to a point on the southerly line of Lot 1, Block 1, TUSCANY HILLS AT NICKEL CREEK, an Addition to the City of Tulsa, recorded as Plat No. 6384 and the POINT OF BEGINNING;
THENCE along the southerly and easterly lines of said Lot 1, the following Four (4) courses:

1. North 56°34'15" East a distance of 233.07 feet;
2. South 56°10'16" East a distance of 343.80 feet;
3. South 00°29'31" West a distance of 232.97 feet;
4. North 89°21'16" West a distance of 48.47 feet to a point on the northerly right of way line of West 78th Street South;

THENCE along said northerly right of way line, the following Two (2) courses:

1. North 56°00'15" West a distance of 491.89 feet to a point of curvature;
2. Northwesternly along a curve to the right having a radius of 95.00 feet (said curve subtended by a chord which bears North 46°57'39" West a distance of 29.86 feet) for an arc distance of 29.99 feet to the POINT OF BEGINNING.
Said described tract of land contains an area of 101,156 square feet or 2.3222 acres, more or less.

ORIGINAL PAPER SIZE: 8.5x11



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Phone: 405.495.8422

OK CA 5864

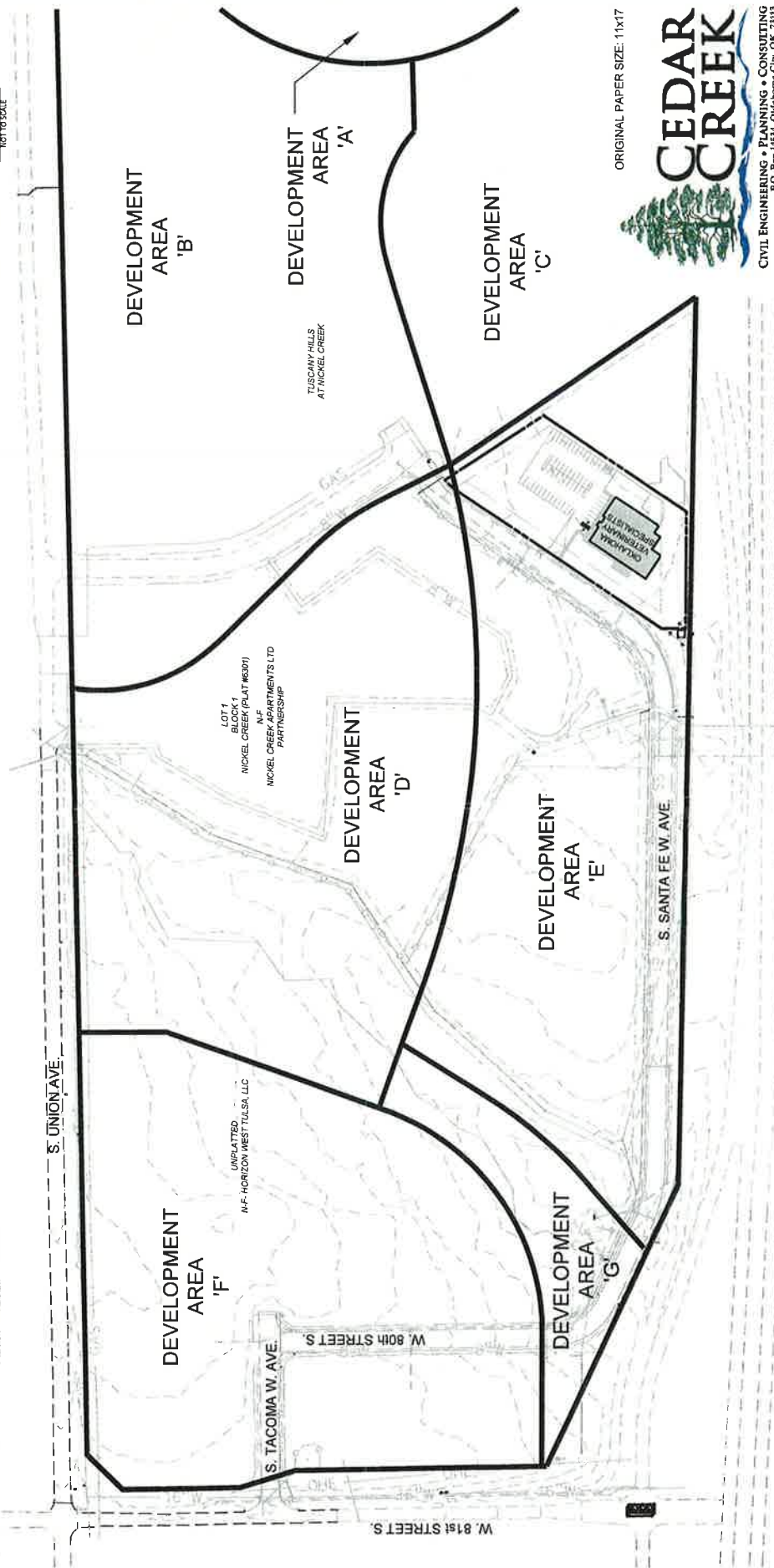
9.19

EXHIBIT 'I'

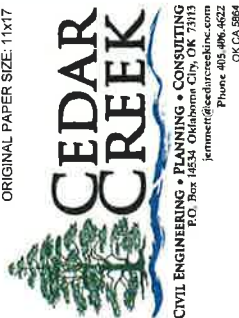
DEVELOPMENT AREA MAP



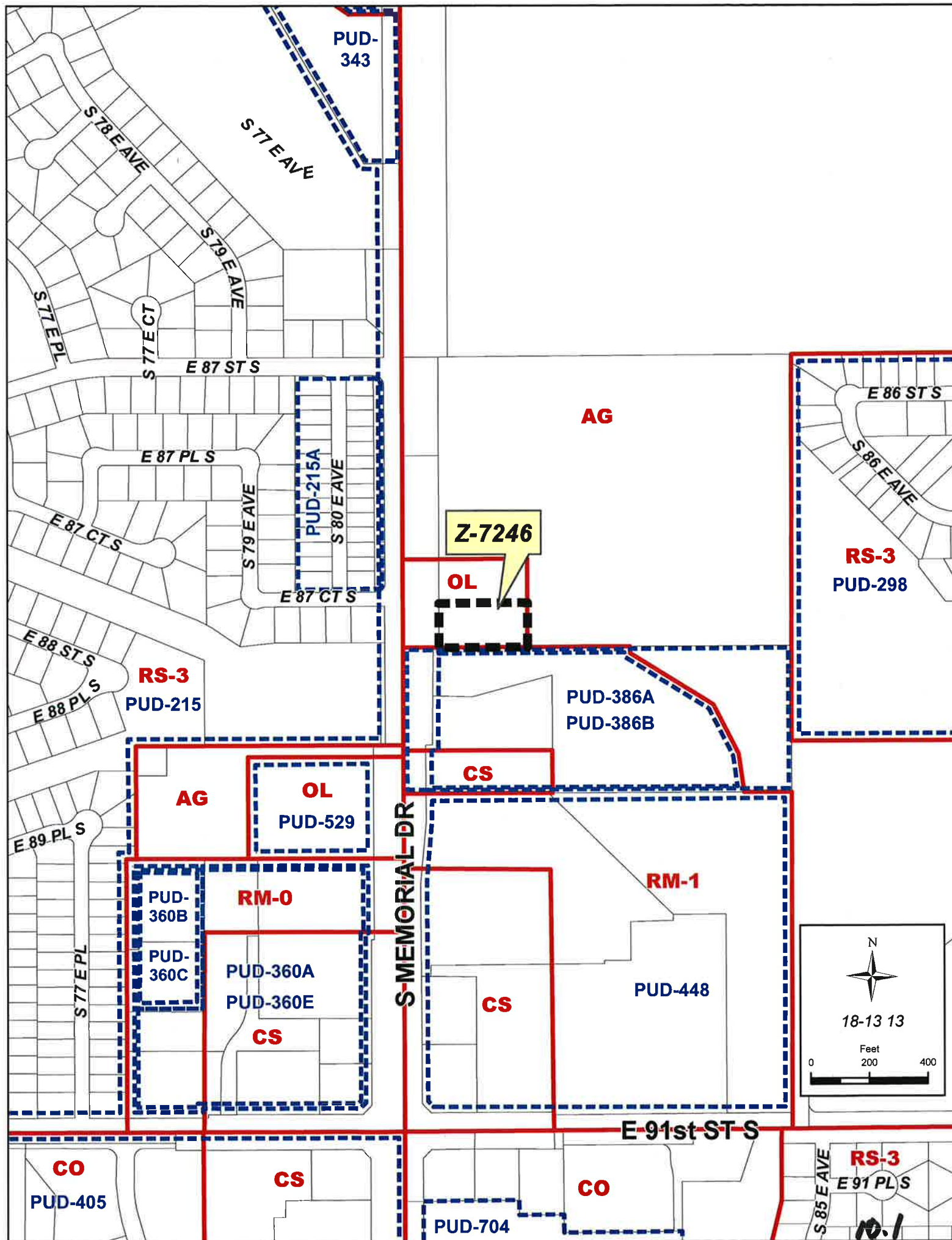
LOCATION MAP
NOT TO SCALE



ORIGINAL PAPER SIZE: 11x17



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jennett@cedarcreekinc.com
Phone: 405.496.4022
OK, CA 5864





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18-13 13

Feet
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Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: March 2012

10.2

S MEMORIAL DR

E 87 CT S

Z-7246



18-13 13

Feet
0 50 100

Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: March 2012

10.3

**TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT**

APPLICATION: Z-7246

TRS 8313

Atlas 1733

CZM 53

CD-7

TMAPC Hearing Date: December 4, 2013

Applicant: Khoury Engineering Inc.

Tract Size: 1± acres

ADDRESS/GENERAL LOCATION: East side of South Memorial Drive at East 87th Court

EXISTING ZONING: OL

EXISTING USE: Vacant

PROPOSED ZONING: CS

PROPOSED USE: Tunnel car wash & office

ZONING ORDINANCE: Ordinance number 22900 dated July 19, 2013, established zoning for the subject property.

RELEVANT ZONING HISTORY:

Subject property:

Z-7227 July 2013: All concurred in denial of a request for rezoning a 2± acre tract of land from AG to CS and approval of OL, on property located on the east side of South Memorial Drive at East 87th Court and also known as the subject property.

BOA-20248-C May 24, 2011: The Board of Adjustment approved a *Minor Special Exception to amend a previously approved site plan* to permit a building floor area addition within an existing structure on property located at 8621 S. Memorial Dr.

BOA-20248-B August 10, 2010: The Board approved an *Amendment to a previously approved site plan* for an approved school and athletic facility use; it appears the proposed revised site plan 8.9 remains compatible with the intent and spirit of the original Special Exception and Variance request. The new site plan maintains the same facilities proposed previously except the City of Tulsa requires there be no public parking east of the creek, and shifts onsite parking around other areas of the school. The football stadium spectator capacity has been reduced from 1,356 to 1,017 seats. Other conditions of Case No. 20248 and Case No. 20248-A still apply.

BOA-20248-A October 28, 2008: The Board of Adjustment approved an *amendment to a previously approved site plan* for a private school in an AG district; and a Variance of the parking requirement for a school specifically per plan submitted today, dated September 4, 2008, with a 40 ft. dimension shown between the east grandstand and the east property line; subject to the narrative received from Regents Preparatory School, Proposed Use Conditions noting that #5 lighting and #6 sound system, these use conditions shall be amended by this

10.4

Board to show filed lighting and should system for the football field will be turned off by 11pm nightly; finding the hardship is not only that probably no two activities will take place at the same time, but also the topography of land and restricted water areas that are unusable for any other purpose; assuming the stucco and frame house to the south will be removed; in addition to planting trees between the stadium and the neighborhood to the east, that the school make every effort to retain mature foliage if possible; all parking and driving surfaces to be concrete or asphalt; on property located at 8621 South Memorial.

BOA-20248 April 25, 2006: The Board of Adjustment approved a *Special Exception* to allow a private school and church use in an AG district, per plan submitted this day, on property located at 8621 South Memorial Drive and is the subject property.

BOA-19740 January 27, 2004: The Board **approved** a *Special Exception* to operate an Adult Day Care Facility in an AG zoned district; and a *Special Exception* to allow a residential care facility (8-12 beds) in an AG zoned district, per plan, with conditions to comply with the state and federal regulations; located on the subject property.

BOA-18541 October 12, 1999: The Board **approved** a *Special Exception* to allow a boys home for up to 14 boys from 13 to 17 years old in current custody of DHS; located on the subject property.

BOA-16226 December 22, 1992: The Board **approved** a *Special Exception* to permit a church owned and operated maternity home to accommodate not more than 12 women in a supervised counseling environment and for an amended site plan review on the subject property.

BOA-15691 April 9, 1991: The Board **approved** a *Special Exception* to permit Use Unit 5 uses (church use and related community, education and recreational facilities) in accordance with an approved developmental master plan; per master plan submitted; subject to City zoning ordinances; subject to the outdoor advertising sign used by the church being brought into compliance with the Zoning Code; and subject to conditions listed in the attached minutes; located on the subject property.

BOA-11193 October 16, 1980: The Board **approved** a *Special Exception* to allow church and church-related activities (this request is to include elementary, junior high, and senior high classrooms, and nursery facilities) with conditions listed in the attached minutes; located on the subject property.

BOA-7930 June 7, 1973: The Board **approved** a *Special Exception* to erect a church in an AG district; located on the subject property.

Surrounding property:

PUD-386-B August 2009: All concurred in approval of a proposed Major Amendment to PUD on a 7± acre tract of land to add place of worship within Use Unit 5 only to Development Area B, on property located north of the northeast corner of E. 91st St and S. Memorial.

PUD-360-E October 2008: All concurred in approval of a proposed Major Amendment to PUD-360 on a 20± acre tract of land to add a dog grooming and boarding facility (Use Unit 15) on property located on the northwest corner of East 91st Street and South Sheridan Road.

10.5

PUD-360-C April 2005: All concurred in approval of a proposed Major Amendment to PUD-360 to allow a woman's health facility on property located northwest of the northwest corner of East 91st Street and South Sheridan.

PUD-360-B February 2003: All concurred in approval of a request for a Major Amendment to PUD to permit an hourly daycare center on property located northwest of the northwest corner of East 91st Street and South Sheridan Road.

BOA-18077 June 9, 1998: The Board of Adjustment approved a *Special Exception* to permit a TV transmission tower of a three legged, lattice designed in an RM-1/PUD zoned district per plan submitted today, on property located at 8835 South Memorial.

Z-6516 January 1996: All concurred in approval of a request for rezoning a 4.17± acre tract of land from CS to OL to make underlying zoning in PUD-529 into compliance with the Comprehensive Plan, for mini-storage, on property located north of northwest corner of East 91st Street South and South Memorial Drive.

Z-6508/PUD-386-A November 1995: A request to rezone a 13.9± acre tract from RM-1/AG/PUD-386 to CS/PUD-386-A for commercial uses, located north of the northeast corner of E. 91st St and S. Memorial. All concurred in approval of a request to rezone the south 130' of the west 410' to CS and denial of the balance and approval of PUD-386-A with modifications made by staff.

Z-6475/PUD-529 January 1995: A request to rezone a 4± acre tract from AG to CS and a proposed Planned Unit Development was made for a mini-storage facility. Staff recommended denial of CS zoning and approval of OL with accompanied PUD. TMAPC and City Council concurred in approval of CS zoning and the PUD on property located north of northwest corner of East 91st Street South and South Memorial Drive.

PUD-360-A September 1989: A request for a Major Amendment to PUD-360 was approved to establish stricter setbacks and landscape requirements within the development standards to be more compatible with the surrounding residential development. This major amendment also reallocated floor area within the PUD. Approval was granted for the amendment on property located on the northwest corner of East 91st Street and South Sheridan Road.

PUD-448 May 1989: All concurred in approval of a proposed Planned Unit Development on a 32.6± acre tract for mixed use development on property located on northeast corner of East 91st Street South and South Memorial Drive

PUD-360 August 1984: All concurred in a proposed Planned Unit Development on a 20± acre tract, zoned CS/RM-0 for a mixed-use development on property located on the northwest corner of East 91st Street and South Sheridan Road.

PUD-298 January 1983: All concurred in approval of a proposed Planned Unit Development on a 120± acre tract of land for a mixed residential development on property located between East 81st Street and East 91st Street off of South Memorial Drive.

PUD-215 August 1982: All concurred in approval of a request for rezoning a 357.79± acre tract of land for residential and commercial development, subject to conditions on property located between 81st and 91st Streets, west of Memorial Drive.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 1± acres in size and is located east side of South Memorial Drive at East 87th Court. The property appears to be vacant and is zoned OL.

SURROUNDING AREA: The subject tract is abutted on the east by undeveloped property, zoned AG; on the north by a private school and church, zoned AG; on the south by a flood plain then further south across the floodplain an office building, zoned CS and RM-1 with a PUD 386-B overlay; and on the west by single family residential development zoned RS-3 and PUD 215-A.

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

The Comprehensive Plan designates South Memorial Drive as a Commuter Street.

The most widespread commercial street type is the strip commercial arterial. These arterials typically serve commercial areas that contain many small retail strip centers with buildings set back from front parking lots. Because of this, strip commercial arterials have many intersections and driveways that provide access to adjacent businesses. Historically, this type of street is highly auto-oriented and tends to discourage walking and bicycling. On-street parking is infrequent.

Commuter streets are designed with multiple lanes divided by a landscaped median or continuous two way left turn lane in the center. Commuter streets are designed to balance traffic mobility with access to nearby businesses. However, because there are so many intersections and access points on commuter streets, they often become congested. Improvements to these streets should come in the form of access management, traffic signal timing and creative intersection lane capacity improvements.

STREETS:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Memorial Drive	Primary Arterial	120	4 + turn lanes

SURROUNDING AREA: The subject tract is surrounded by undeveloped AG zoned property to the north; undeveloped (flood plain) and residentially developed RS-3 zoned property to the east; RM-1/CS/PUD 386 zoned office use to the south; and RS-3 zoned residential development to the west, across Memorial Dr.

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

TRANSPORTATION VISION:

The Comprehensive Plan designates South Memorial Drive as a Commuter Street.

The most widespread commercial street type is the strip commercial arterial. These arterials typically serve commercial areas that contain many small retail strip centers with buildings set back from front parking lots. Because of this, strip commercial arterials have many

intersections and driveways that provide access to adjacent businesses. Historically, this type of street is highly auto-oriented and tends to discourage walking and bicycling. On-street parking is infrequent.

Commuter streets are designed with multiple lanes divided by a landscaped median or continuous two way left turn lane in the center. Commuter streets are designed to balance traffic mobility with access to nearby businesses. However, because there are so many intersections and access points on commuter streets, they often become congested. Improvements to these streets should come in the form of access management, traffic signal timing and creative intersection lane capacity improvements.

STREETS:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Memorial Drive	Primary Arterial	120	4 + turn lanes

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The Tulsa Comprehensive Plan identifies the subject property as part of a 'Town Center' and an 'Area of Growth'.

Town Centers are medium-scale; one to five story mixed-use areas intended to serve a larger area of neighborhoods than Neighborhood Centers, with retail, dining, and services and employment. They can include apartments, condominiums, and townhouses with small lot single family homes at the edges. A Town Center also may contain offices that employ nearby residents. Town centers also serve as the main transit hub for surrounding neighborhoods, and can include plazas and squares for markets and events. These are pedestrian-oriented centers designed so visitors can park once and walk to a number of destinations.

Staff Comment: This site may never become an integral part of a Town Center because of the significant floodplain boundary on the south side of the project site. Development opportunities in this area should be the type considered on the fringes such as apartments, condominiums, and townhouses. In this instance because of the institutional use north of this site and the small developable area of this property some service and employment use may be appropriate if a PUD overlay is implemented with strict site plan details that effectively integrate that use into the neighborhood. This site should be complementary with the office project south and the residential area west of Memorial.

The purpose of **Areas of Growth** is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the City where general agreement exists that development or redevelopment is beneficial.

Staff Comment: This proposed development will provide an effective use of existing infrastructure.

STAFF RECOMMENDATION:

Staff finds that the uses and intensities of the proposed rezoning are:

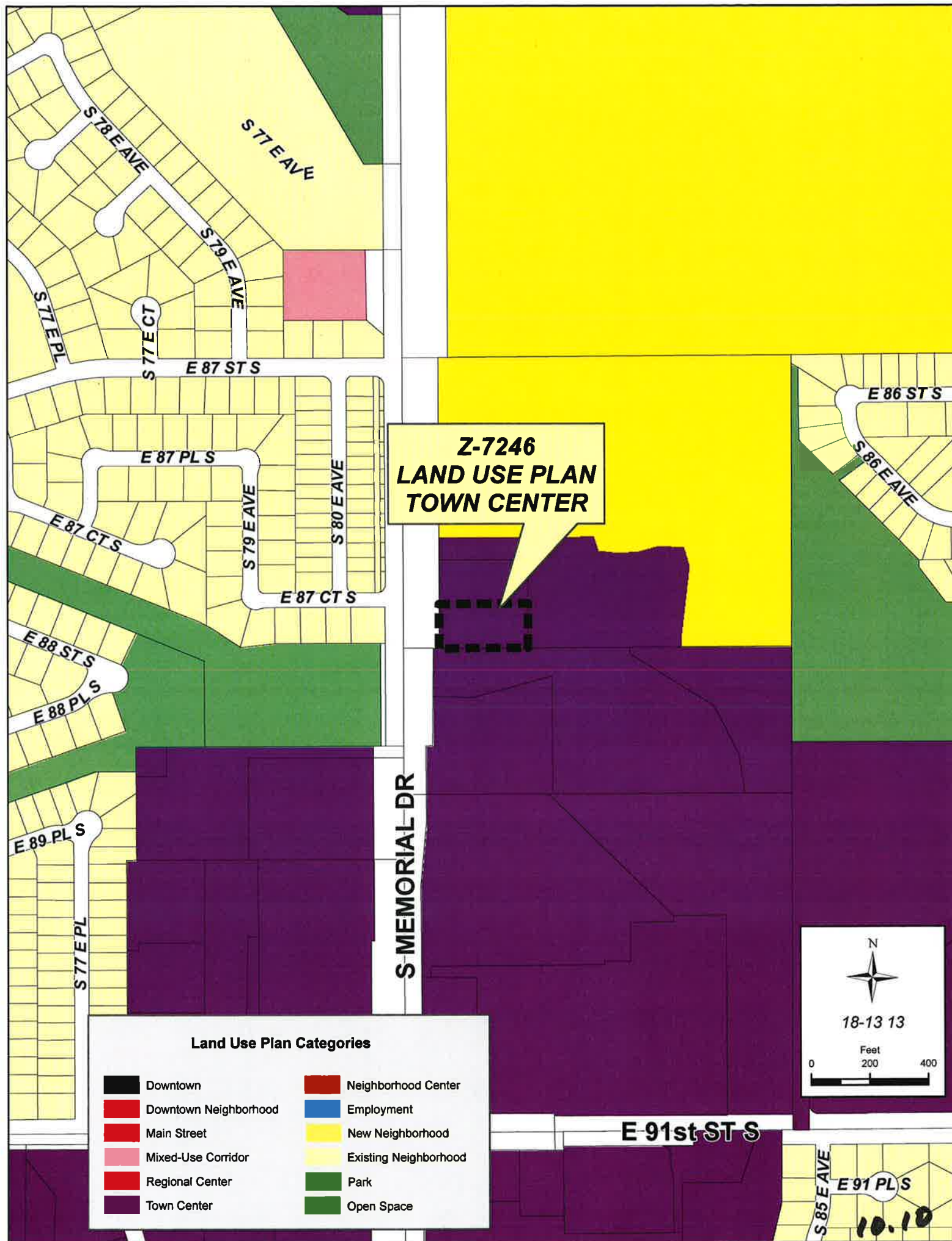
1) The Town Center designation of the Tulsa Comprehensive Plan does not recommend all the uses allowed in a CS district. The north end of the Town Center in this area should include "apartments, condominiums, and townhouses with small lot single family homes at the edges" A Town Center may also contain offices that employ nearby residents. These centers should be pedestrian-oriented centers designed so visitors can park once and walk to a number of destinations. Many uses allowed in the CS district are not compatible with the existing development patterns however OL uses would be a more compatible use in this area.

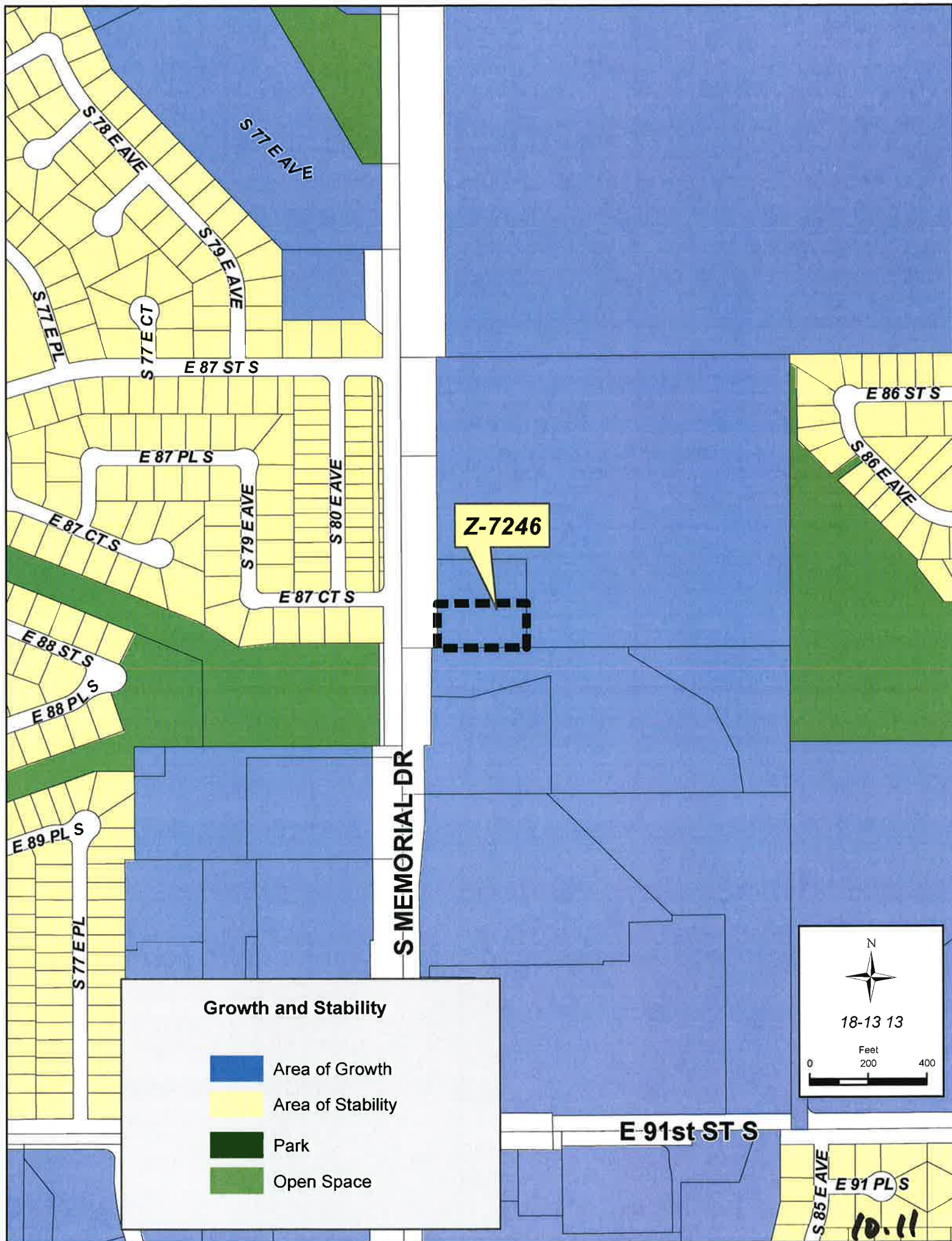
2) CS zoning is not completely in harmony with the existing and expected development of surrounding areas. Straight zoning for CS includes Convenience Goods and Services (use Unit 14), Off Street Parking (Use Unit 10), Adult Entertainment Establishments (Use Unit 12a, if included in a mixed use building), Hotel, Motel and Recreation (Use Unit 19) and other uses that are not in harmony with the surrounding areas.

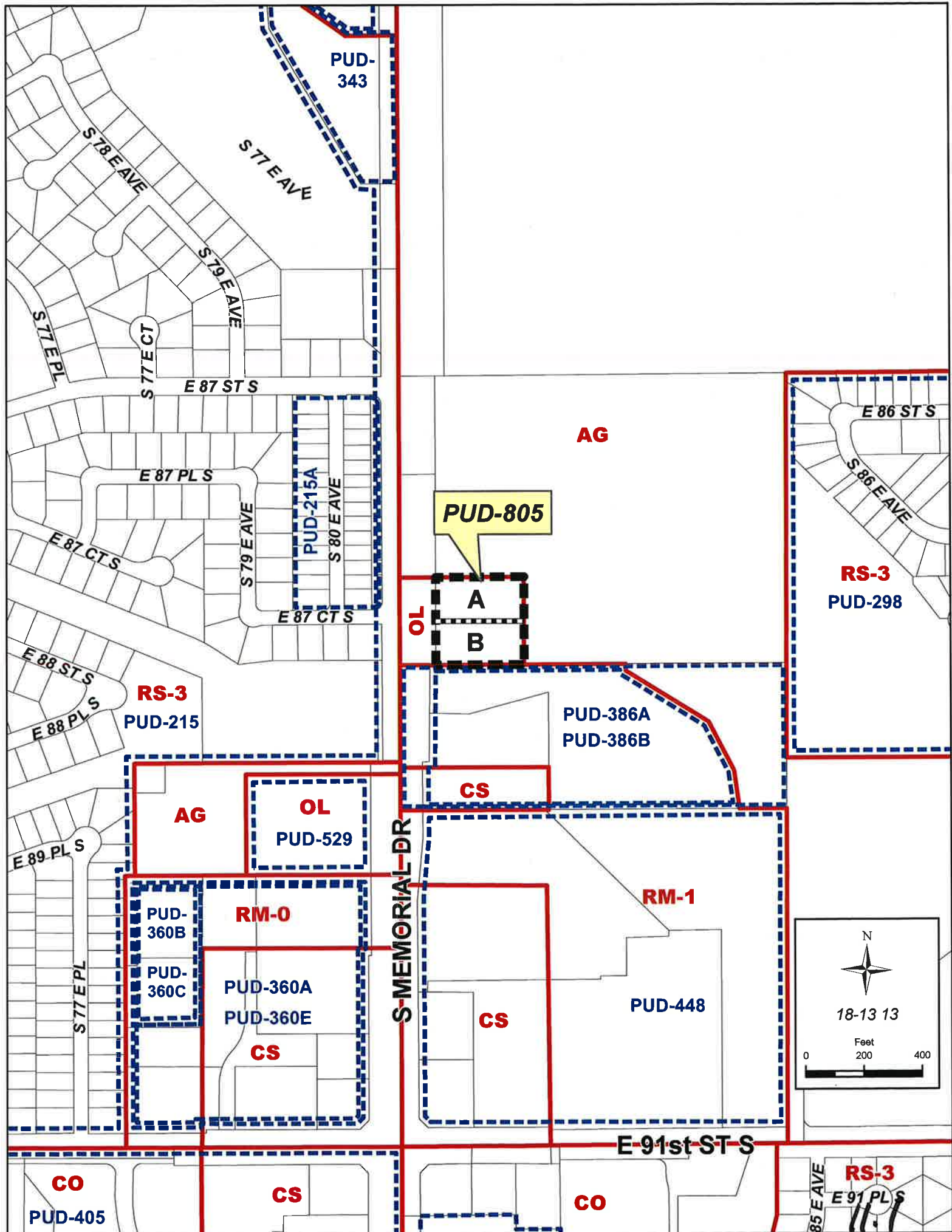
Therefore, staff does not recommend approval of the zoning request from OL to CS unless accompanied by a Planned Unit Development. In this circumstance staff has met with the applicant who has presented a concurrent application for PUD 805.

In conjunction with PUD 805 staff recommends approval of the applicants request from OL to CS. If under any circumstance PUD 805 is abrogated then CS zoning should be re-considered and appropriate zoning be placed on this site at that time.

12/04/13







PUD-805

A

B

OL

CS

AG

OL

PUD-529

RM-0

PUD-360B

PUD-360C

PUD-360A

PUD-360E

CS

RM-1

PUD-448

CS

E 91st ST S

CO

PUD-405

CS

CO

RS-3

PUD-298

E 86 ST S

S 86 EAVE

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Feet
0 200 400



RS-3

E 91 PL S

S 85 EAVE

S-MEMORIAL-DR



**TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT**

APPLICATION: PUD-805

TRS 8313

Atlas 1733

CZM 53

CD-7

TMAPC Hearing Date: December 4, 2013

Applicant: Khoury Engineering Inc.

Tract Size: 2± acres

ADDRESS/GENERAL LOCATION: East side of South Memorial Drive at East 87th Court

EXISTING ZONING: OL

EXISTING USE: Vacant

PROPOSED ZONING: CS/ PUD

PROPOSED USE: Tunnel car wash & office

ZONING ORDINANCE: Ordinance number 22900 dated July 19, 2013, established zoning for the subject property.

RELEVANT ZONING HISTORY:

Subject property:

Z-7227 July 2013: All concurred in denial of a request for rezoning a 2± acre tract of land from AG to CS and approval of OL, on property located on the east side of South Memorial Drive at East 87th Court and also known as the subject property.

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BOA-20248-B August 10, 2010: The Board approved an *Amendment to a previously approved site plan* for an approved school and athletic facility use; it appears the proposed revised site plan 8.9 remains compatible with the intent and spirit of the original Special Exception and Variance request. The new site plan maintains the same facilities proposed previously except the City of Tulsa requires there be no public parking east of the creek, and shifts onsite parking around other areas of the school. The football stadium spectator capacity has been reduced from 1,356 to 1,017 seats. Other conditions of Case No. 20248 and Case No. 20248-A still apply.

BOA-20248-A October 28, 2008: The Board of Adjustment approved an *amendment to a previously approved site plan* for a private school in an AG district; and a Variance of the parking requirement for a school specifically per plan submitted today, dated September 4, 2008, with a 40 ft. dimension shown between the east grandstand and the east property line; subject to the narrative received from Regents Preparatory School, Proposed Use Conditions noting that #5 lighting and #6 sound system, these use conditions shall be amended by this

Board to show filed lighting and should system for the football field will be turned off by 11pm nightly; finding the hardship is not only that probably no two activities will take place at the same time, but also the topography of land and restricted water areas that are unusable for any other purpose; assuming the stucco and frame house to the south will be removed; in addition to planting trees between the stadium and the neighborhood to the east, that the school make every effort to retain mature foliage if possible; all parking and driving surfaces to be concrete or asphalt; on property located at 8621 South Memorial.

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BOA-19740 January 27, 2004: The Board **approved** a *Special Exception* to operate an Adult Day Care Facility in an AG zoned district; and a *Special Exception* to allow a residential care facility (8-12 beds) in an AG zoned district, per plan, with conditions to comply with the state and federal regulations; located on the subject property.

BOA-18541 October 12, 1999: The Board **approved** a *Special Exception* to allow a boys home for up to 14 boys from 13 to 17 years old in current custody of DHS; located on the subject property.

BOA-16226 December 22, 1992: The Board **approved** a *Special Exception* to permit a church owned and operated maternity home to accommodate not more than 12 women in a supervised counseling environment and for an amended site plan review on the subject property.

BOA-15691 April 9, 1991: The Board **approved** a *Special Exception* to permit Use Unit 5 uses (church use and related community, education and recreational facilities) in accordance with an approved developmental master plan; per master plan submitted; subject to City zoning ordinances; subject to the outdoor advertising sign used by the church being brought into compliance with the Zoning Code; and subject to conditions listed in the attached minutes; located on the subject property.

BOA-11193 October 16, 1980: The Board **approved** a *Special Exception* to allow church and church-related activities (this request is to include elementary, junior high, and senior high classrooms, and nursery facilities) with conditions listed in the attached minutes; located on the subject property.

BOA-7930 June 7, 1973: The Board **approved** a *Special Exception* to erect a church in an AG district; located on the subject property.

Surrounding property:

PUD-386-B August 2009: All concurred in approval of a proposed Major Amendment to PUD on a 7± acre tract of land to add place of worship within Use Unit 5 only to Development Area B, on property located north of the northeast corner of E. 91st St and S. Memorial.

PUD-360-E October 2008: All concurred in approval of a proposed Major Amendment to PUD-360 on a 20± acre tract of land to add a dog grooming and boarding facility (Use Unit 15) on property located on the northwest corner of East 91st Street and South Sheridan Road.

11.4

PUD-360-C April 2005: All concurred in approval of a proposed Major Amendment to PUD-360 to allow a woman's health facility on property located northwest of the northwest corner of East 91st Street and South Sheridan.

PUD-360-B February 2003: All concurred in approval of a request for a Major Amendment to PUD to permit an hourly daycare center on property located northwest of the northwest corner of East 91st Street and South Sheridan Road.

BOA-18077 June 9, 1998: The Board of Adjustment approved a *Special Exception* to permit a TV transmission tower of a three legged, lattice designed in an RM-1/PUD zoned district per plan submitted today, on property located at 8835 South Memorial.

Z-6516 January 1996: All concurred in approval of a request for rezoning a 4.17± acre tract of land from CS to OL to make underlying zoning in PUD-529 into compliance with the Comprehensive Plan, for mini-storage, on property located north of northwest corner of East 91st Street South and South Memorial Drive.

Z-6508/PUD-386-A November 1995: A request to rezone a 13.9± acre tract from RM-1/AG/PUD-386 to CS/PUD-386-A for commercial uses, located north of the northeast corner of E. 91st St and S. Memorial. All concurred in approval of a request to rezone the south 130' of the west 410' to CS and denial of the balance and approval of PUD-386-A with modifications made by staff.

Z-6475/PUD-529 January 1995: A request to rezone a 4± acre tract from AG to CS and a proposed Planned Unit Development was made for a mini-storage facility. Staff recommended denial of CS zoning and approval of OL with accompanied PUD. TMAPC and City Council concurred in approval of CS zoning and the PUD on property located north of northwest corner of East 91st Street South and South Memorial Drive.

PUD-360-A September 1989: A request for a Major Amendment to PUD-360 was approved to establish stricter setbacks and landscape requirements within the development standards to be more compatible with the surrounding residential development. This major amendment also reallocated floor area within the PUD. Approval was granted for the amendment on property located on the northwest corner of East 91st Street and South Sheridan Road.

PUD-448 May 1989: All concurred in approval of a proposed Planned Unit Development on a 32.6± acre tract for mixed use development on property located on northeast corner of East 91st Street South and South Memorial Drive

PUD-360 August 1984: All concurred in a proposed Planned Unit Development on a 20± acre tract, zoned CS/RM-0 for a mixed-use development on property located on the northwest corner of East 91st Street and South Sheridan Road.

PUD-298 January 1983: All concurred in approval of a proposed Planned Unit Development on a 120± acre tract of land for a mixed residential development on property located between East 81st Street and East 91st Street off of South Memorial Drive.

PUD-215 August 1982: All concurred in approval of a request for rezoning a 357.79± acre tract of land for residential and commercial development, subject to conditions on property located between 81st and 91st Streets, west of Memorial Drive.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 2± acres in size and is located east side of South Memorial Drive at East 87th Court. The property appears to be vacant and is zoned OL. The property does not have significant terrain considerations for sign design details however the southern boundary of the property is included in a floodplain which will significantly affect the site planning effort in that area.

SURROUNDING AREA: The subject tract is abutted on the east by undeveloped property, zoned AG; on the north by a private school and church, zoned AG; on the south by a flood plain then further south across the floodplain an office building, zoned CS and RM-1 with a PUD 386-B overlay; and on the west by single family residential development zoned RS-3 and PUD 215-A.

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

The Comprehensive Plan designates South Memorial Drive as a Commuter Street.

The most widespread commercial street type is the strip commercial arterial. These arterials typically serve commercial areas that contain many small retail strip centers with buildings set back from front parking lots. Because of this, strip commercial arterials have many intersections and driveways that provide access to adjacent businesses. Historically, this type of street is highly auto-oriented and tends to discourage walking and bicycling. On-street parking is infrequent.

Commuter streets are designed with multiple lanes divided by a landscaped median or continuous two way left turn lane in the center. Commuter streets are designed to balance traffic mobility with access to nearby businesses. However, because there are so many intersections and access points on commuter streets, they often become congested. Improvements to these streets should come in the form of access management, traffic signal timing and creative intersection lane capacity improvements.

STREETS:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Memorial Drive	Primary Arterial	120	4 + turn lanes

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The Tulsa Comprehensive Plan identifies the subject property as part of a 'Town Center' and an 'Area of Growth'.

Town Centers are medium-scale; one to five story mixed-use areas intended to serve a larger area of neighborhoods than Neighborhood Centers, with retail, dining, and services and employment. They can include apartments, condominiums, and townhouses with small lot single family homes at the edges. A Town Center also may contain offices that employ nearby residents. Town centers also serve as the main transit hub for surrounding neighborhoods,

and can include plazas and squares for markets and events. These are pedestrian-oriented centers designed so visitors can park once and walk to a number of destinations.

Staff Comment: This site may never become an integral part of a Town Center because of the significant floodplain boundary on the south side of the project site. Development opportunities in this area should be the type considered on the fringes such as apartments, condominiums, and townhouses. In this instance because of the institutional use north of this site and the small developable area of this property some service and employment use may be appropriate if a PUD overlay is implemented with strict site plan details that effectively integrate that use into the neighborhood. This site should be complementary with the office project south and the residential area west of Memorial.

The purpose of **Areas of Growth** is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the City where general agreement exists that development or redevelopment is beneficial.

Staff Comment: This proposed development will provide an effective use of existing infrastructure. With appropriate design considerations that can be required through the PUD process staff does not anticipate a significant negative impact on the residences or existing development in the area.

APPLICANTS DEVELOPMENT CONCEPT:

LEGENDS ON MEMORIAL (PUD 805) is a proposed mixed use development submitted as a Planned Unit Development pursuant to the provisions of the Tulsa Zoning Code. The site is approximately 2.07 acres parcel of land located near 87st Court and Memorial Drive. The subject tract was zoned OL in May 2013. The site is bound by Memorial Drive on the West, the Regent Preparatory School-OK on the north and East side (zoned AG), and TV station (cable channel 47) on the south side (PUD-386).

The site has approximately 300 feet of street frontage along Memorial Drive.

The Comprehensive Plan for the Tulsa Metropolitan Area designates this area land use as Town Center with a Growth Designation.

The proposed use consists of approximately 5,200 square feet of an Automatic Tunnel Car wash in Development area A. Development area B will consist of a 6,000 square feet of office building. A Conceptual Development Plan for the project is shown on Exhibit "A".

PUD 805 DEVELOPMENT STANDARDS:

This PUD shall be governed by the use and development regulations of the OL Districts of the Tulsa Zoning Code except as follows:

DEVELOPMENT AREA B:

Permitted Use:	Use Unit 17 but limited to Tunnel Car Wash only; and Use Unit 11, Offices, Studios and Support Services.
Net Development Area.....	1.03 Acres (45,000 s.f.)
Minimum Building Setback:	
From East Boundary	17.5 feet
From North Boundary.....	17.5 feet
From centerline of S. Memorial Rd ROW..	110 feet
From South Boundary.....	0 feet
Maximum Building Height.....	30 feet (Single story)
Maximum Building Floor Area.....	6,000 SF
Parking Ratio.....	As required by Use Units 11 & 17 of the Tulsa Zoning Code

ARCHITECTURAL STANDARDS:

Except for store front glass and other glass incorporated into the design, the building shall be full masonry exterior construction consisting of brick, stucco, or stone. Cement board siding shall not be considered a masonry product. Accessory structures for vacuum canopy and entrance into the allowed car wash may include fabric, steel or glass.

LANDSCAPE STANDARDS:

A minimum of fifteen percent (15%) of the net land area shall be improved as internal landscape open space in accordance with the Landscape Chapter of the Zoning.

Where a surface parking lot or driveway is constructed parallel to the South Memorial Road Right of way a minimum 10' landscape area will be required between the parking area and the pedestrian pathways. Shrubs, ornamental grass and a berm with a minimum height of 30" from the top of adjacent curbing will be provided to create an effective visual screen from the street right of way.

All other landscape requirements in the Tulsa Zoning Code shall apply.

Within 100 feet of the ultimate street right-of-way all vacuum or outdoor cleaning areas shall be screened with a 6' masonry wall.

LIGHTING:

Exterior lighting, whether ground or building mounted, shall not exceed 16 FT in height and shall be pointed down. Outdoor lighting shall be shielded and 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.

As part of the Detailed Site Plan review an accurate Lighting Plan illustrating light pole and fixture assembly with a photometric plan will be provided illustrating height, fixtures facing down and away from the residential areas. The photometric plan must be provided which does not exceed zero foot candles at the easterly property line.

TRASH CONTAINERS AND MECHANICAL EQUIPMENT AREAS:

All trash and mechanical equipment areas (excluding utility service transformers, pedestals or equipment provided by franchise utility providers) including building mounted, shall be screened from public view in such a manner that the areas cannot be seen by a person standing at ground level; provided, however, the foregoing shall not apply to the antenna and supporting structures.

The dumpster will be screened with masonry walls. Maximum height of screening walls will be less than 8'-0".

SIGNS:

Ground Signs:

One (1) monument sign along South Memorial Road not exceeding 12 FT in height and 60 SF in display surface area.

Wall Signs:

Wall signs not to exceed 2 SF per linear foot of building wall. Wall signs are prohibited on the west east, sides of the building.

Any wall sign on the west face of the building shall not be illuminated

Directional Signs:

Two (2) directional signs along East 41st Place South, one at each entrance, not exceeding 3 SF of display surface area.

DEVELOPMENT AREA B:

Permitted Use:	Use Unit 11, Offices.
Net Development Area.....	1.03 Acres (45,000 s.f.)
Maximum Floor Area Ratio Per Lot.....	0.50
Minimum Building Setback:	
From East Boundary	17.5 feet
From North Boundary.....	0
From South Boundary.....	17.5 feet
From the centerline of Memorial Rd.....	110 feet
Maximum Building Height.....	38 feet (Not to exceed two stories)
Parking Ratio.....	As required by Use Unit 11 of the Tulsa Zoning Code.

ARCHITECTURAL STANDARDS:

Except for store front glass and other glass incorporated into the design, the building shall be full masonry exterior construction consisting of brick, stucco, or stone. Cement board siding shall not be considered a masonry product. Accessory structures for vacuum canopy and entrance into the allowed car wash may include fabric, steel or glass.

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As part of the Detailed Site Plan review an accurate Lighting Plan illustrating light pole and fixture assembly with a photometric plan will be provided illustrating height, fixtures facing down and away from the residential areas. The photometric plan must be provided which does not exceed zero foot candles at the easterly property line.

DETAIL SITE PLAN REVIEW:

A Detailed Site Plan shall be approved by TMAPC prior to the issuance of a Building Permit. The applicant shall submit the Site Plan to INCOG and supply all information required.

APPLICANT EXHIBITS:

<u>Exhibit "A"</u>	--	Conceptual Site Plan
<u>Exhibit "B"</u>	--	Conceptual Drainage Plan
<u>Exhibit "C"</u>	--	Conceptual Site Utility Plan
<u>Exhibit "D"</u>	--	Development Area A- Building Concept
<u>Exhibit "E"</u>	--	Development Area A - Building Concept
<u>Exhibit "F"</u>	--	Development Area A - Vacuum Canopy Concept
<u>Exhibit "G"</u>	--	Development Area A - Monument Sign Concept
<u>Exhibit "H"</u>	--	Development Area A - Entrance Canopy Sample

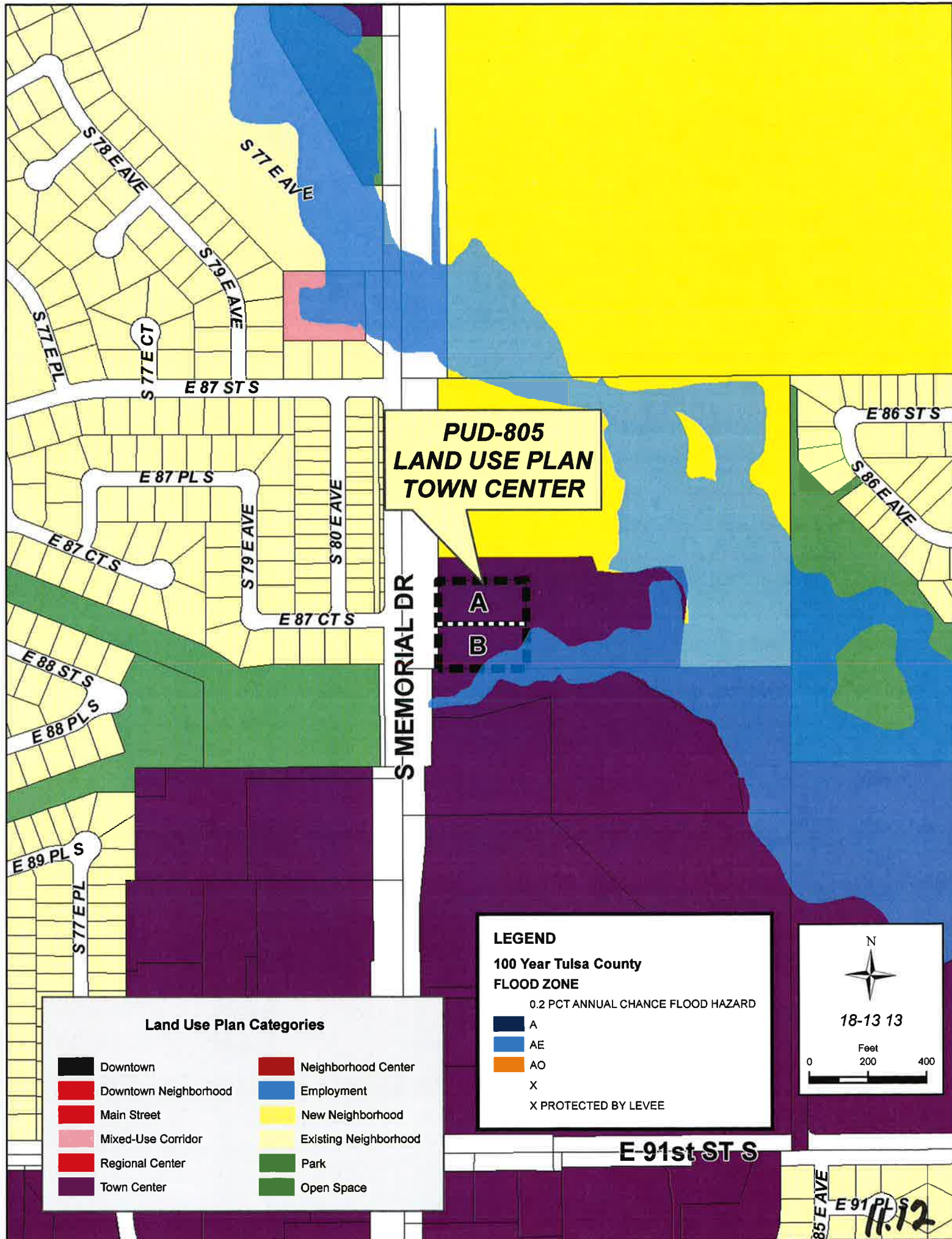
STAFF RECOMMENDATION:

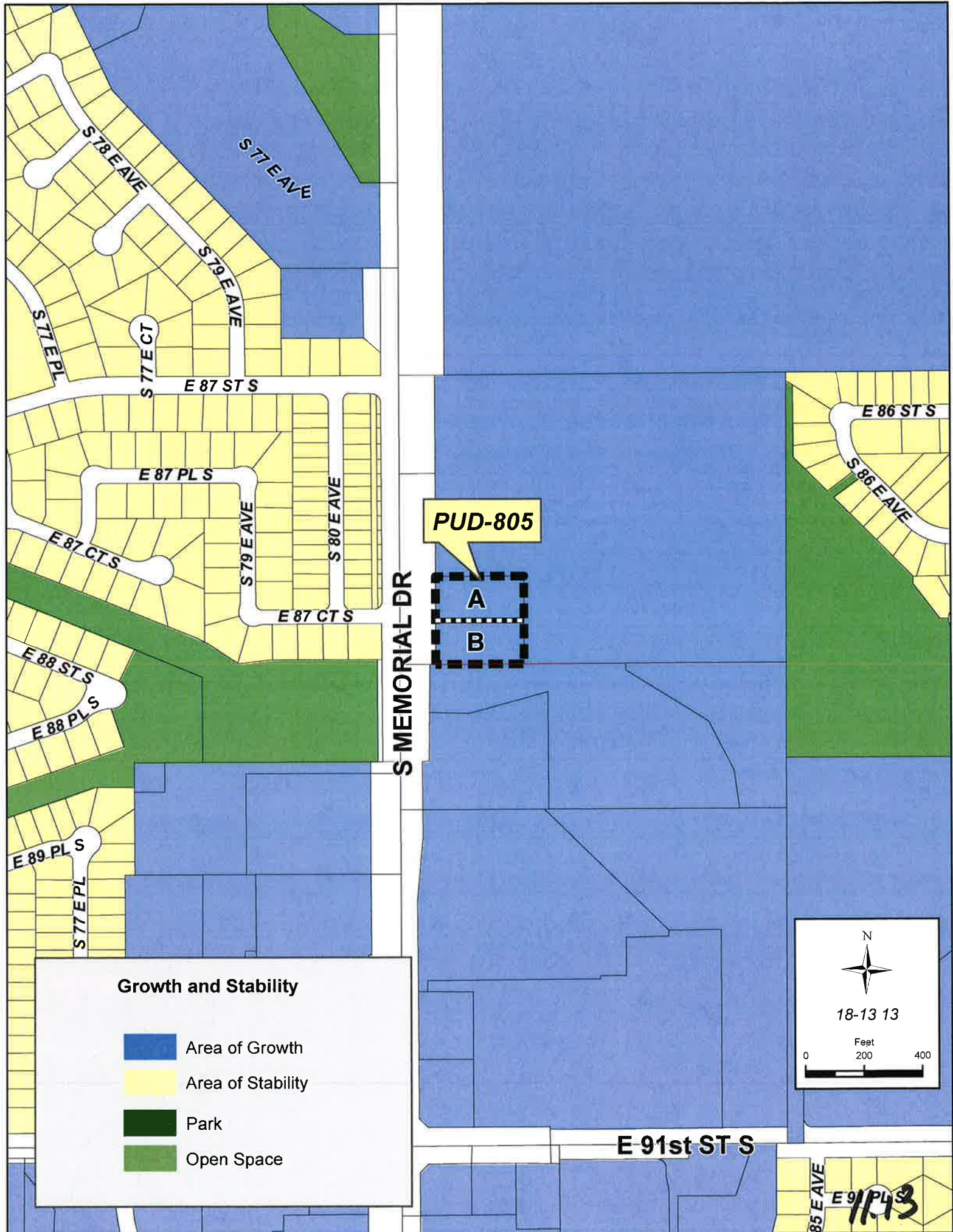
Staff finds that the uses and intensities of the proposed PUD meet the following Purposes outlined in Chapter 11 of the Tulsa Zoning Code:

- 1) The land use and development standards provided in the Planned Unit Development provide an opportunity to encourage innovative land development while maintaining appropriate limitation on the character and intensity of use and assuring compatibility with adjoining and proximate properties.
- 2) Permit greater flexibility within the development to best utilize the unique physical features of the site
- 3) Achieve a continuity of function and design within the development.

The proposed Development Standards in the Planned Unit Development are not completely in harmony with the existing and expected development of the Town Center vision however, the PUD provides sufficient limitations against certain uses and provides standards for architectural style, and site development that provide standards for a higher quality development that will provide an appropriate edge between the New Neighborhood and the Town Center vision of the Comprehensive Plan.

Therefore, **staff recommends approval of PUD 805** as outlined in the development standards defined above.





Growth and Stability

-  Area of Growth
-  Area of Stability
-  Park
-  Open Space

PUD-805

A

B



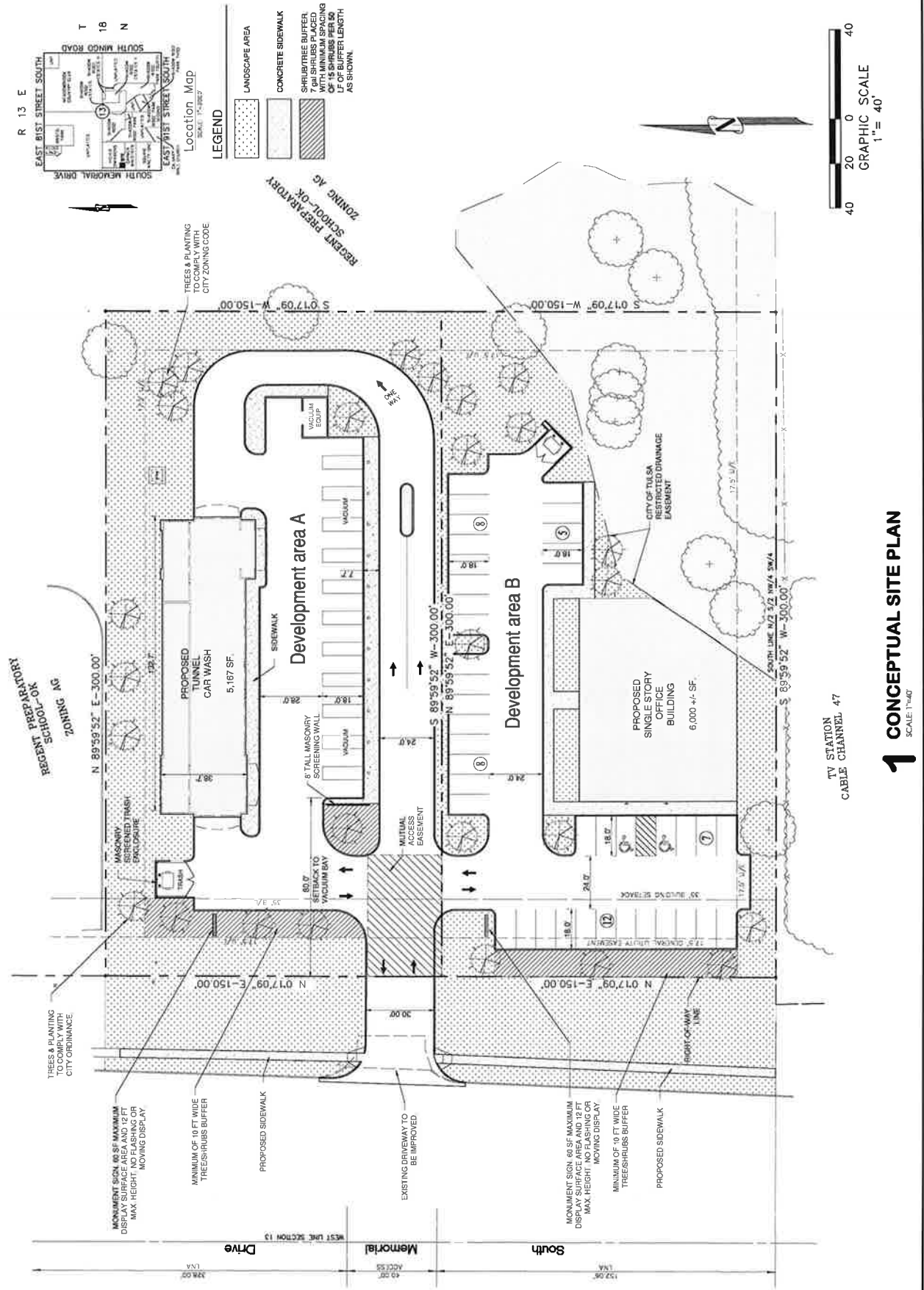
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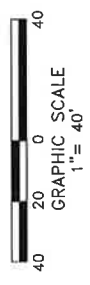
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S 85 E AVE

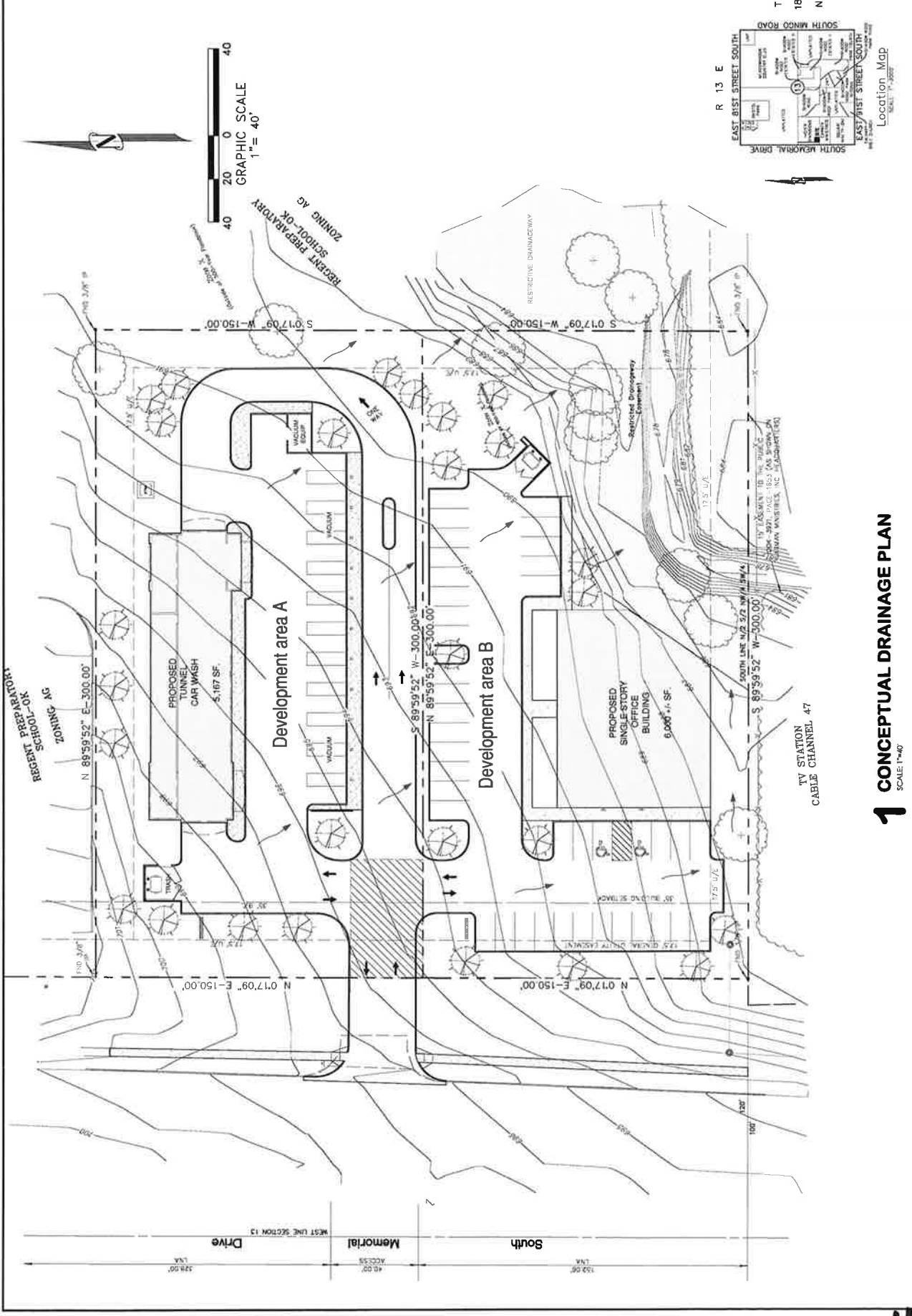
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18-13



1 CONCEPTUAL SITE PLAN
 SCALE: 1"=40'



6.11.14



1 CONCEPTUAL DRAINAGE PLAN
 SCALE: 1"=40'



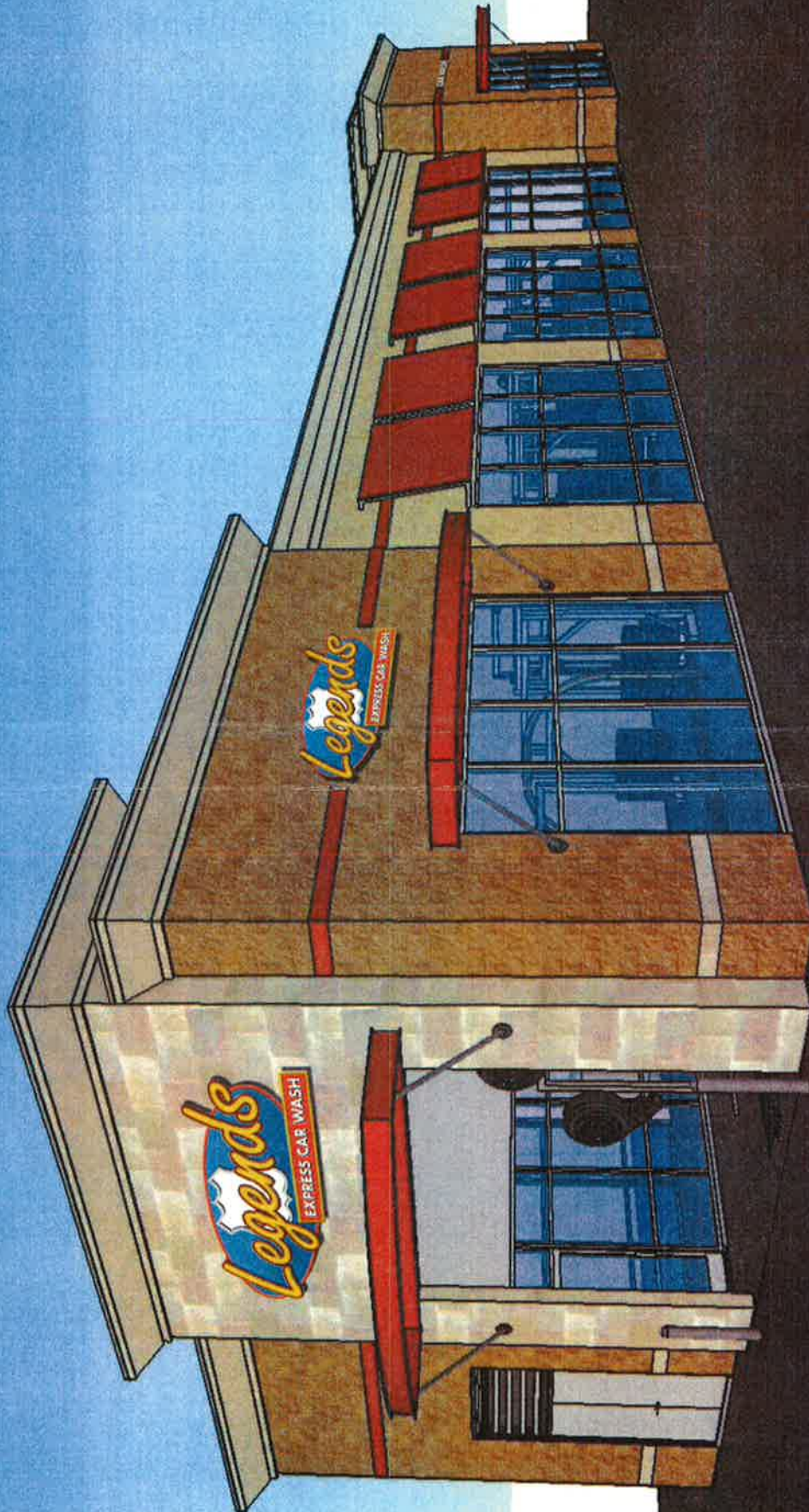
5.1.11



1 CONCEPTUAL SITE UTILITY PLAN

SCALE: 1"=40'

11.16



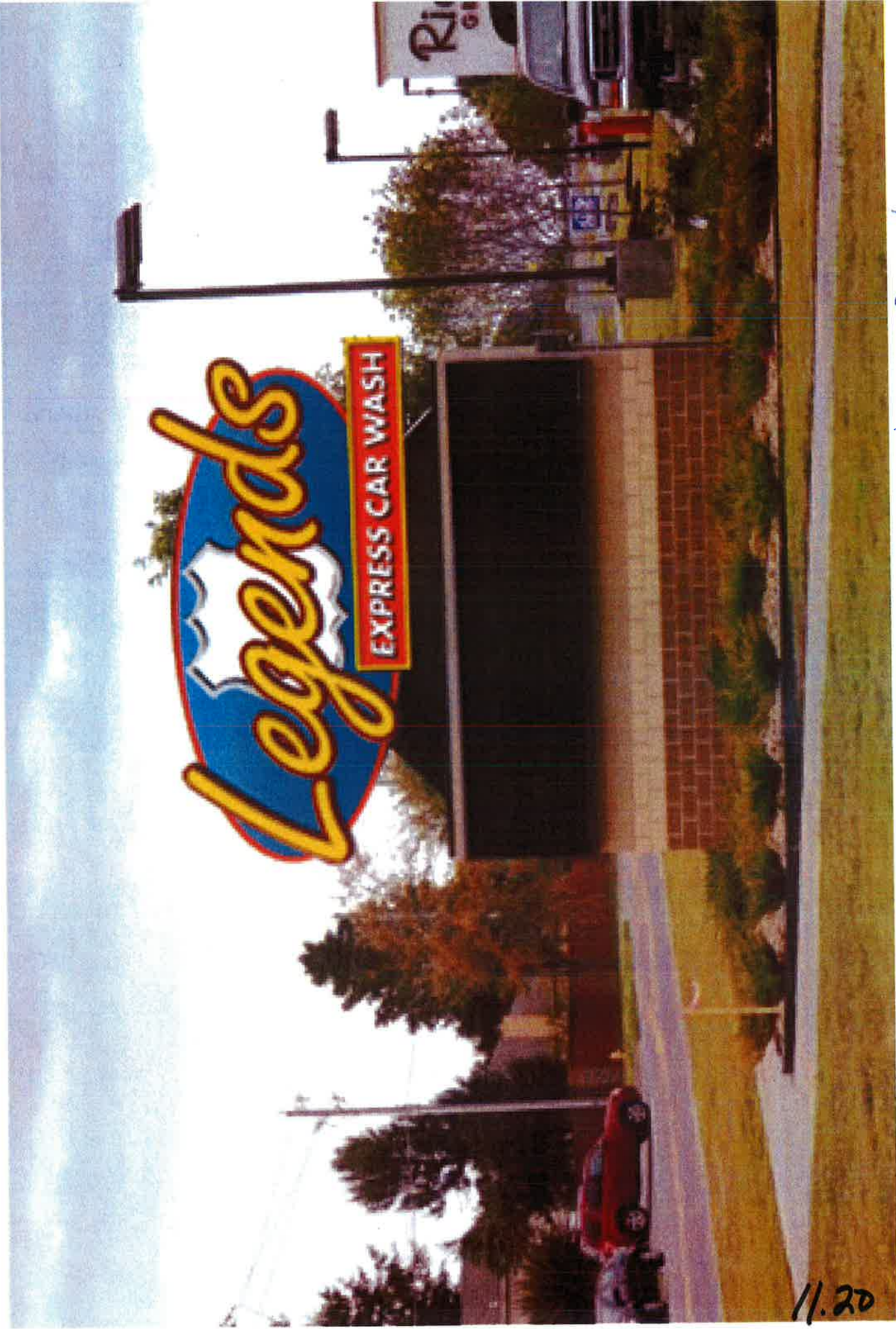
Development Area "A" Building Concept

11.18



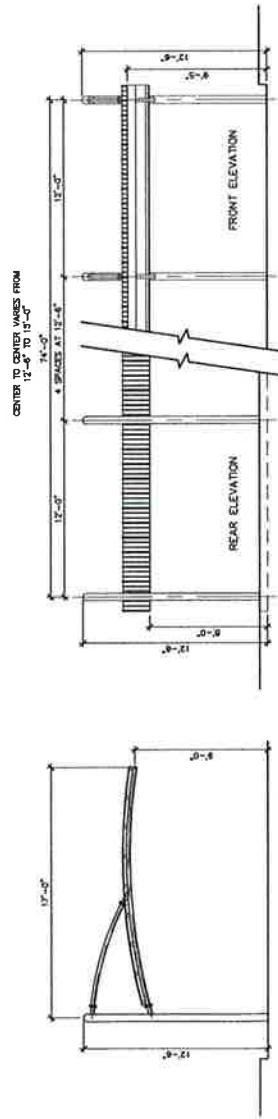
Canary Sample

11.19



Monument sign concept

11.20



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Vacuum Canopy Concept

