

# **TULSA METROPOLITAN AREA PLANNING COMMISSION**

## **Meeting No. 2699**

**June 3, 2015, 1:30 PM**

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

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

Call to Order:

### **REPORTS:**

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

#### **Worksession Report:**

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

1. Minutes of May 6, 2015, Meeting No. 2697

### **CONSENT AGENDA:**

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

2. **LC-665** (Lot-Combination) (CD 1) – Location: Northeast corner of West Easton Street and North 39<sup>th</sup> West Avenue
3. **LC-666** (Lot-Combination) (CD 4) – Location: Northwest corner of East 11<sup>th</sup> Street South and South Troost Avenue
4. **LS-20785** (Lot-Split) (County) – Location: Southwest corner of East 96<sup>th</sup> St North and North Yale Avenue
5. **TCG Tulsa Campus** – Final Plat, Location: East of northeast corner of South Lynn Lane and East 51<sup>st</sup> Street South, (CD 6)
6. **PUD-539-3 – Branch Communications**, Location: Northeast corner of East 11<sup>th</sup> Street South and South 123<sup>rd</sup> East Avenue, requesting a PUD Minor Amendment to modify the boundary between Development Areas B and C, **CS/OL/PUD-539**, (CD-6)
7. **PUD-667-5 – Sumina Goel**, Location: Northeast corner of East 113<sup>th</sup> Street South and South Delaware Avenue, requesting a PUD Minor Amendment to reduce the required rear yard from 25 feet to 10 feet, **RS-1/PUD-667**, (CD-8)







## CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA:

### PUBLIC HEARINGS:

8. **Crosstown Learning Center** – Minor Subdivision Plat, East of the northeast corner of East Archer Street and South Lewis Avenue, (CS 3) (Continued from May 20, 2015.)  
**(Continuance to 6/17/2015 requested)**
9. **Mayra's Addition** – Minor Subdivision Plat, East of the northeast corner of East 21<sup>st</sup> Street South and South Memorial Drive, (CD5) (Continued from May 20, 2015.)  
**(Continuance to 6/17/2015 requested)**
10. **LS-20782** (Lot-Split) (County) – Location: North of the northwest corner of West 161<sup>st</sup> Street South and South Elwood Avenue
11. **LS-20783** (Lot-Split) (CD 1) – Location: North of the northeast corner of West Newton Street and North 71<sup>st</sup> West Avenue
12. **7100 Riverside Parkway Revised** – Accelerated Building Permit, Location: West of Riverside Parkway, South of 71<sup>st</sup> Street South, (CD 2)
13. **PUD 811** – Plat Waiver, Location: East of South Peoria, North of East 15<sup>th</sup> Street South, (CD 4)
14. **Z-7304 – QuikTrip/Michael Ward**, Location: Northeast corner of East Admiral Boulevard and North Yale Avenue, requesting rezoning from **RS-2/RS-3/OM/CS to CH**, (CD-3)
15. **CZ-441 – Jarrod Sanders**, Location: East of southeast corner of East 106<sup>th</sup> Street North and North Memorial Drive, requesting rezoning from **AG to RE**, (County)
16. **PUD-832 – Alan Betchan**, Location: East of the northeast corner of West 71<sup>st</sup> Street and Highway 75, requesting a PUD for medical and office development, **OL/CS to OL/CS/PUD-832**, (CD-2)
17. **PUD-716-A – Kevin Vanover, P.E.**, Location: South side of East 81<sup>st</sup> Street South, west of South Garnett Road (10704 E 81<sup>st</sup> St S), requesting PUD Abandonment, **CO/PUD-716 to CO/PUD-716-A**, (CD-7)
18. **Z-6054-SP-9 – Kevin Vanover, P.E.**, Location: South side of East 81<sup>st</sup> Street South, west of South Garnett Road, requesting a Corridor Development Plan for office use, mini-storage use and an assisted living/retirement housing/life care retirement center, **CO/PUD-716 to CO**, (CD-7)



## **OTHER BUSINESS**

### **19. Consider adopting resolutions finding two projects within Tax Incentive District Number One in conformance with the Tulsa Comprehensive Plan:**

- a. Adopt resolution finding the 324 S Main Street (Palace Bldg) Project within Tax Incentive District Number One, City of Tulsa, Oklahoma is in conformance with the City of Tulsa Comprehensive Plan, Resolution No. 2699:935.
- b. Adopt resolution finding the 23 W 4<sup>th</sup> Street (Newsprint Bldg) Project within Tax Incentive District Number One, City of Tulsa, Oklahoma is in conformance with the City of Tulsa Comprehensive Plan, Resolution No. 2699:936.

### **20. Consider adopting revised “Policies and Procedures of TMAPC”**

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

## **ADJOURN**

CD = Council District

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

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

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



## Final Subdivision Plat

**TCG Tulsa Campus** - (CD 6)

East of northeast corner of South Lynn Lane and East 51<sup>st</sup> Street South

This plat consists of 1 Lot, 1 Block, on 10.87 acres.

Staff has received release letters for this plat and can recommend **APPROVAL** of the Final Plat.

**5.1**

5/27/15







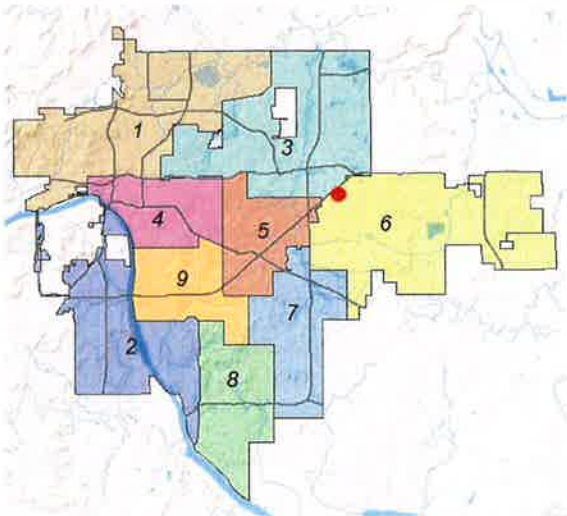
**Case Number:** PUD-539-3  
**Minor Amendment**

**Hearing Date:** June 3, 2015

**Case Report Prepared by:**  
Jay Hoyt

**Owner and Applicant Information:**  
Applicant: Branch Communications  
  
Property Owner: KTO Limited

**Location Map:**  
(shown with City Council Districts)



**Applicant Proposal:**

Concept summary: PUD minor amendment to modify the boundary between Development Areas B and C.

Gross Land Area: 15.6 Acres

Location: Northeast corner of East 11<sup>th</sup> Street South and South 123<sup>rd</sup> East Avenue

12306 East 7<sup>th</sup> Street South

**Zoning:**  
Existing Zoning: CS/OL/PUD-539  
Proposed Zoning: No Change

**Comprehensive Plan:**  
Land Use Map: Employment  
Growth and Stability Map: Growth

**Staff Recommendation:**  
Staff recommends **APPROVAL**.

**Staff Data:**  
TRS: 9405  
CZM: 39  
  
Atlas: 977

**City Council District:** 6  
*Councilor Name:* Connie Dodson  
  
**County Commission District:** 1  
*Commissioner Name:* John Smaligo



**SECTION I:** PUD-539-3 Minor Amendment

**STAFF RECOMMENDATION**

Amendment Request: To modify the boundary between Development Areas B and C.

The applicant is proposing to shift the boundary between Development Areas B and C 36 ft to the North so that the entire area of a new cell tower and associated equipment may be contained within Development Area B.

Staff Comment: *This request can be considered a Minor Amendment as outlined by Section 1107.H.1 PUD Section of the City of Tulsa Zoning Code.*

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

Staff has reviewed the request and determined:

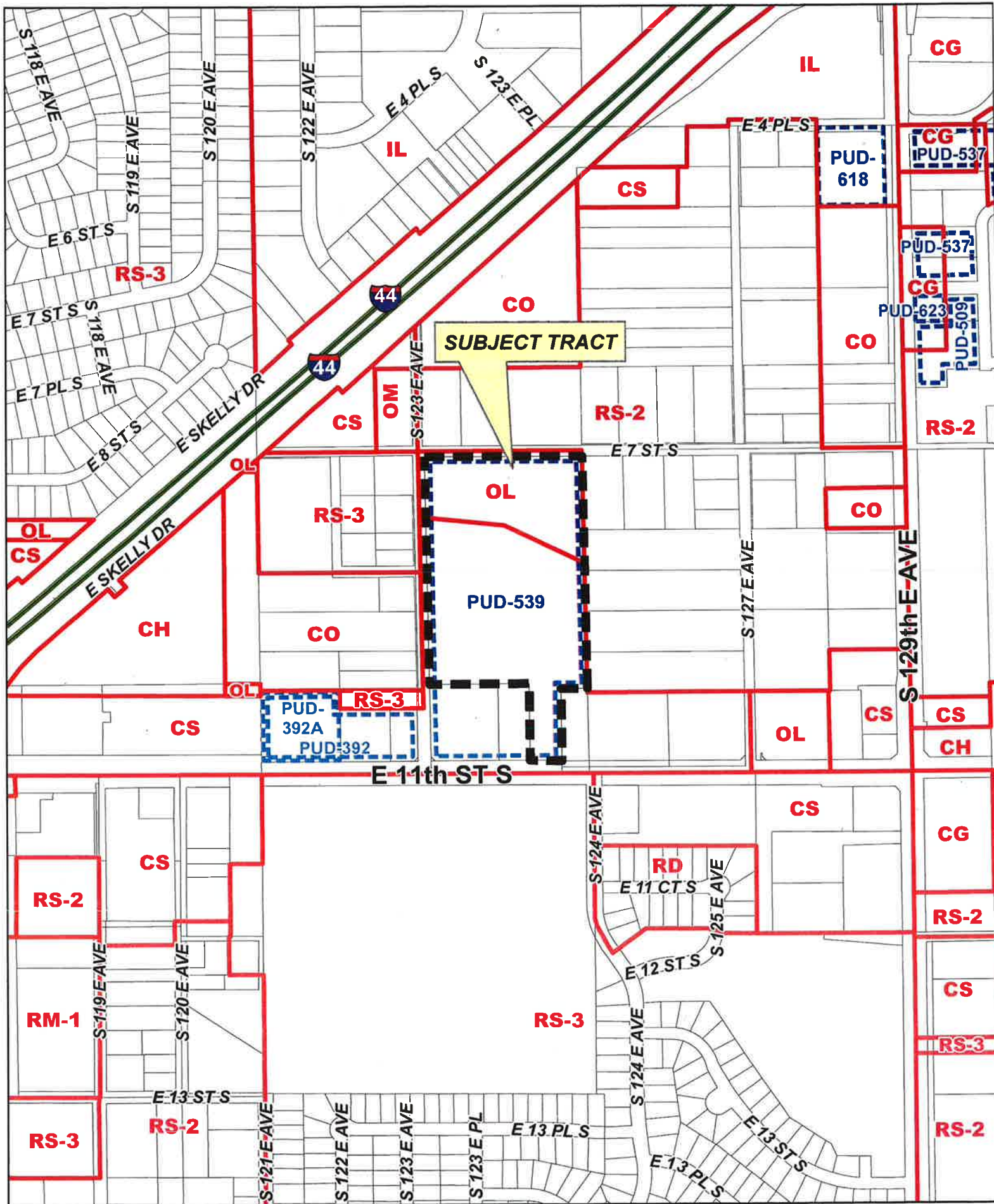
- 1) The requested amendment does not represent a significant departure from the approved development standards in the PUD.
- 2) All remaining development standards defined in PUD-539 and subsequent minor amendments shall remain in effect.

Exhibits included with staff recommendation:

INCOG zoning case map  
INCOG aerial photo  
Existing Development Area Exhibit  
Applicant Survey  
Applicant Aerial Site Plan  
Applicant Compound Plan  
Applicant Enlarged Site Plan

With the considerations listed above, staff recommends **APPROVAL** of the minor amendment request to modify the boundary between Development Areas B and C by shifting the boundary 36 ft to the North.





**PUD-539-3**

19-14 05

6.3









41 PLAINVIEW 23 HGT S. 16 ADD N. 15

E.	7TH	ST.	SO.
		N89°55'18"W	
		633.97'	

36 E I P G L A I N V I E M A D D N 39

ELEVEN  
TRADE  
CENTER

EAST 11TH ST. SO.

Prepared by: **IGI** Sack and Associates, Inc.



PLATE NOT  
ED

**TOTAL AREA**

19.22 ACRES GROSS  
17.49 ACRES NET

C  
4.96 ACRES GROSS  
4.44 ACRES NET

B  
10.67 ACRES GROSS  
10.14 ACRES NET

**A**  
**3.58 ACRES GROSS**  
**2.90 ACRES NET**

**Parcel A**  
 3.58 ACRES GROSS  
 2.90 ACRES NET

**Parcel B**  
 10.67 ACRES GROSS  
 10.14 ACRES NET

**Parcel C**  
 4.96 ACRES GROSS  
 4.44 ACRES NET


**Boundaries and Measurements:**

- Parcel A:**
  - North: 316.18'
  - East: 525.18' DUE EAST
  - South: 400.18'
  - West: 400.68' DUE WEST
- Parcel B:**
  - North: 956.99'
  - East: 535.00'
  - South: 688.82'
  - West: 1254.02'
- Parcel C:**
  - North: 956.99'
  - East: 421.99'
  - South: 317.99'
  - West: 585°08'37"E

**Other Measurements:**

- Parcel A North Boundary: 105.50' S89°50'45"E
- Parcel A West Boundary: 100°28'47"W
- Parcel B North Boundary: 100°28'47"W
- Parcel B West Boundary: 100°28'47"W
- Parcel C North Boundary: 100°27'44"W
- Parcel C West Boundary: 100°27'44"W

0 75 150 300  
SCALE IN FEET

[illegible]

**TULSA BOAT  
SALES**

Development Areas  
EXHIBIT 'B'  
P.U.D.NO.539







VENDOR

**T-Mobile**  
4533 ENTERPRISE DR.  
OKLAHOMA CITY, OK 73128

PRODUCED BY:



SPECIALTY TELECOMMUNICATIONS  
SERVICES, LLC  
PROFESSIONAL ENGINEERS  
AND CONSULTANTS  
13431 N. BROADWAY, SUITE 120  
OKLAHOMA CITY, OK 73121  
(405) 733-7111  
COK #5408 EXP. JUN 2015

PRODUCED BY:

**BRANCH**  
COMMUNICATIONS, LLC  
BRANCH COMMUNICATIONS  
1515 S. CENTRAL, SUITE 215  
TULSA, OKLAHOMA 74118  
(918) 946-4551

SITE NAME:

**CENTRAL**

B/S NUMBER:

**TU01181**

SITE ADDRESS:  
1236 S. 7TH STREET SOUTH  
TULSA, OK OK 74126

PROJECT NUMBER:

**OK-0126**



PE #22174 EXP. NOV 2015

NO	DATE	DESCRIPTION	BY
A	10/27/14	PRELIM ISSUE	JPR
O	10/31/14	CONST. ISSUE	NOP
1	11/24/14	CONST. ISSUE	NOP
2	5/5/15	CONST. ISSUE	JWM

SHEET TITLE:

**AERIAL SITE PLAN**

SHEET #:	PROJECT #:	REV:
<b>C1</b>	TU01181	<b>2</b>
JPR	JWM	



**1 AERIAL SITE PLAN**  
SCALE: N.T.S.

6.7



VENDOR:

**T-Mobile**

4533 ENTERPRISE DR.  
OKLAHOMA CITY, OK 73129

PRODUCED BY:

**SFS**

SPECIALTY TELECOMMUNICATIONS  
SERVICES, LLC  
PROFESSIONAL ENGINEERS  
AND CONSULTANTS  
1301 N. MAYNARD STREET, 20  
OKLAHOMA CITY, OK 73116  
(405) 753-7167  
COK #009 EXP. JUN 2015

PRODUCED BY:

**BRANCH**

COMMUNICATIONS, LLC  
1111 N. MAYNARD STREET, 20  
OKLAHOMA CITY, OK 73116  
(405) 753-7167  
COK #009 EXP. JUN 2015

SITE NAME:

**CENTRAL**

BTS NUMBER:

**TU01181**

SITE ADDRESS:

12304 EAST 7TH STREET SOUTH  
TULSA, OK 74128

PROJECT NUMBER:

**OK-0126**

ENGINEER:

**SAMUEL THEADORE CURTIS**  
22174

OKLAHOMA PROFESSIONAL ENGINEER  
PE #22174 EXP. NOV 2015

NO	DATE	DESCRIPTION	BY
1	10/27/14	PRELIM ISSUE	JPR
2	01/03/15	CONST. ISSUE	NOP
3	11/23/14	CONST. ISSUE	NOP
4	5/5/15	CONST. ISSUE	JWM

SHEET TITLE:

**COMPOUND PLAN**

SHEET #:

**C2**

PROJECT #:

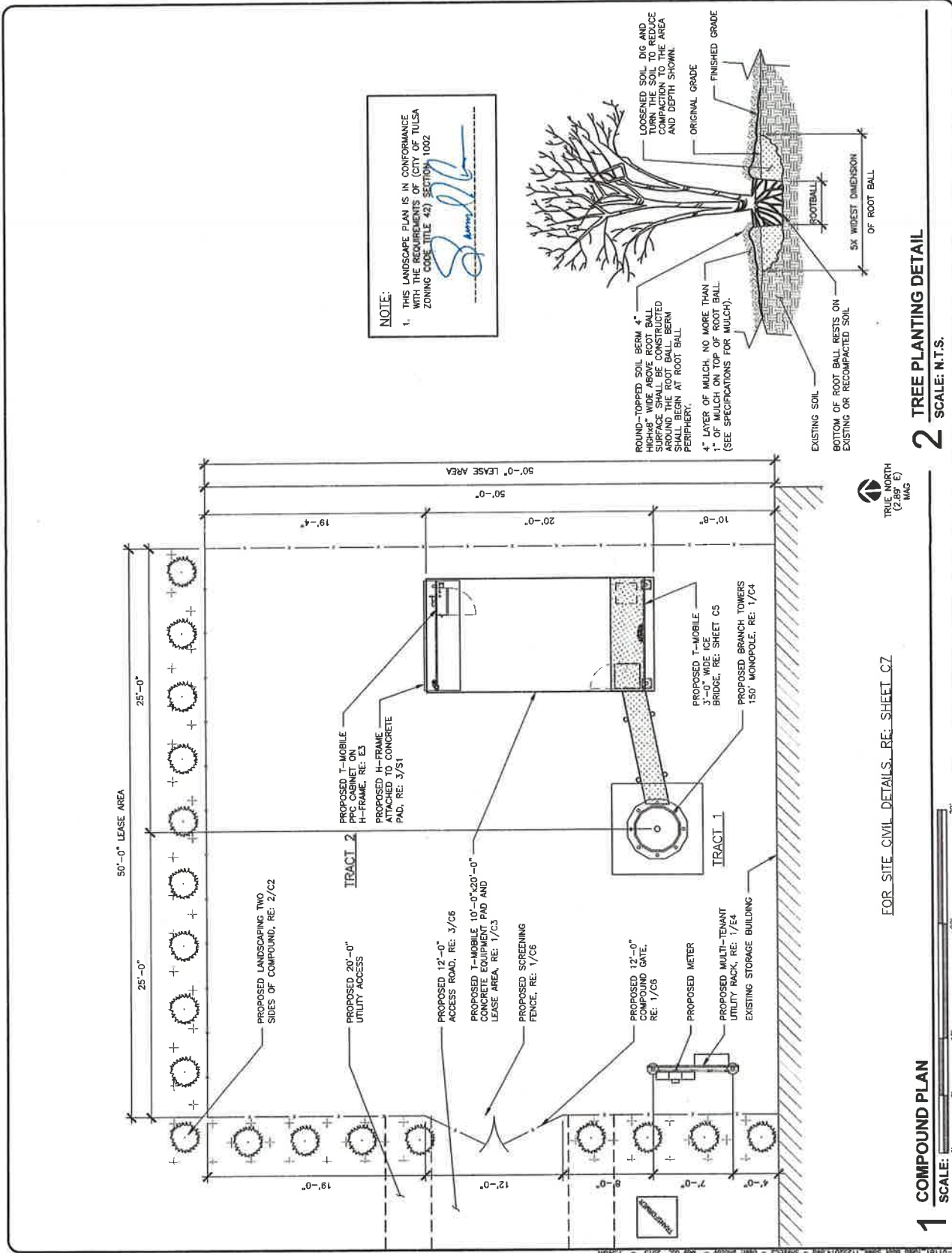
**TU01181**

BY:

**JPR**

CHK:

**JWM**



6.8



**T-Mobile**  
4533 ENTERPRISE DR.  
OKLAHOMA CITY, OK 73128



SPECIALTY TELECOMMUNICATIONS  
SERVICES, LLC  
PROFESSIONAL ENGINEERS  
AND CONSULTANTS  
13431 N. BROWARD, SUITE 120  
OKLAHOMA CITY, OK 73114  
(405) 753-7107  
CDA #2489 EXP. JUN 2015

BRANCH

COMMUNICATIONS,LLC  
BRANCH COMMUNICATIONS  
1516 S BOSTON AVE STE 215  
TULSA, OKLAHOMA 74119  
(918) 949-4551

# CENTRAL

TU01181

SITE ADDRESS:  
12306 EAST 7TH STREET SOUTH  
TULSA OK OK 74128

OK-0126



OF 122174 EXP NOV 2015

NO	DATE	DESCRIPTION	BY
A	10/27/14	PRELIM ISSUE	JPR
0	10/31/14	CONST ISSUE	NOP
1	11/24/14	CONST ISSUE	NOP
2	5/5/15	CONST ISSUE	JWM

ENLARGED SITE PLAN

SHEET # PROJECT # REV:

C3	TU01181	
	BY:	CKD:
	100	11000



## EQUIPMENT LAYOUT PLAN

**SCALE:** 

6.9









**Case Number:** PUD-667-5  
**Minor Amendment**

**Hearing Date:** June 3, 2015

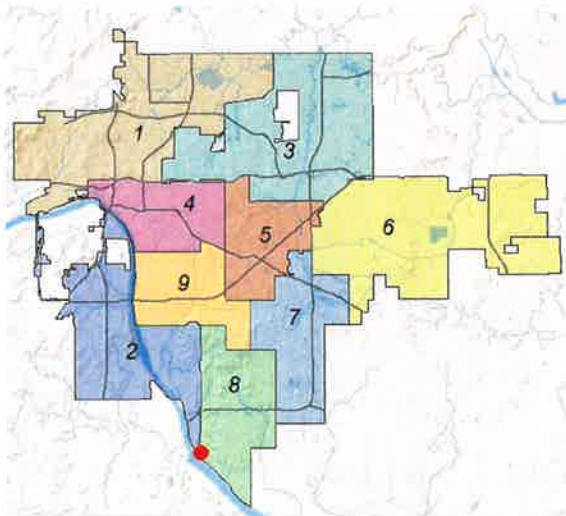
**Case Report Prepared by:**  
 Jay Hoyt

**Owner and Applicant Information:**

Applicant: Sumina Goel

Property Owner: Sumina Goel

**Location Map:**  
 (shown with City Council Districts)



**Applicant Proposal:**

Concept summary: PUD minor amendment to reduce the required rear yard from 25 ft to 10 ft.

Gross Land Area: 0.32 Acres

Location: Northeast corner of East 113<sup>th</sup> Street South and South Delaware Avenue

11308 South Collage Avenue

Lot 2, Block 1, Waterstone

**Zoning:**  
 Existing Zoning: RS-1/PUD-667  
 Proposed Zoning: No Change

**Comprehensive Plan:**  
 Land Use Map: Existing Neighborhood  
 Growth and Stability Map: Stability

**Staff Recommendation:**  
 Staff recommends **APPROVAL**.

**Staff Data:**  
 TRS: 8333  
 CZM: 56                      Atlas: NA

**City Council District:** 8  
*Councilor Name:* Phil Lakin  
  
**County Commission District:** 3  
*Commissioner Name:* Ron Peters



**SECTION I:** PUD-667-5 Minor Amendment

**STAFF RECOMMENDATION**

Amendment Request: To reduce the required rear yard from 25 ft to 10 ft to accommodate allow a pool room addition.

Staff Comment: *This request can be considered a Minor Amendment as outlined by Section 1107.H.9 PUD Section of the City of Tulsa Zoning Code.*

*"Changes in structure heights, building setbacks, yards, open spaces, building coverage and lot widths or frontages, provided the approved Development Plan, the approved PUD standards and the character of the development are not substantially altered."*

Staff has reviewed the request and determined:

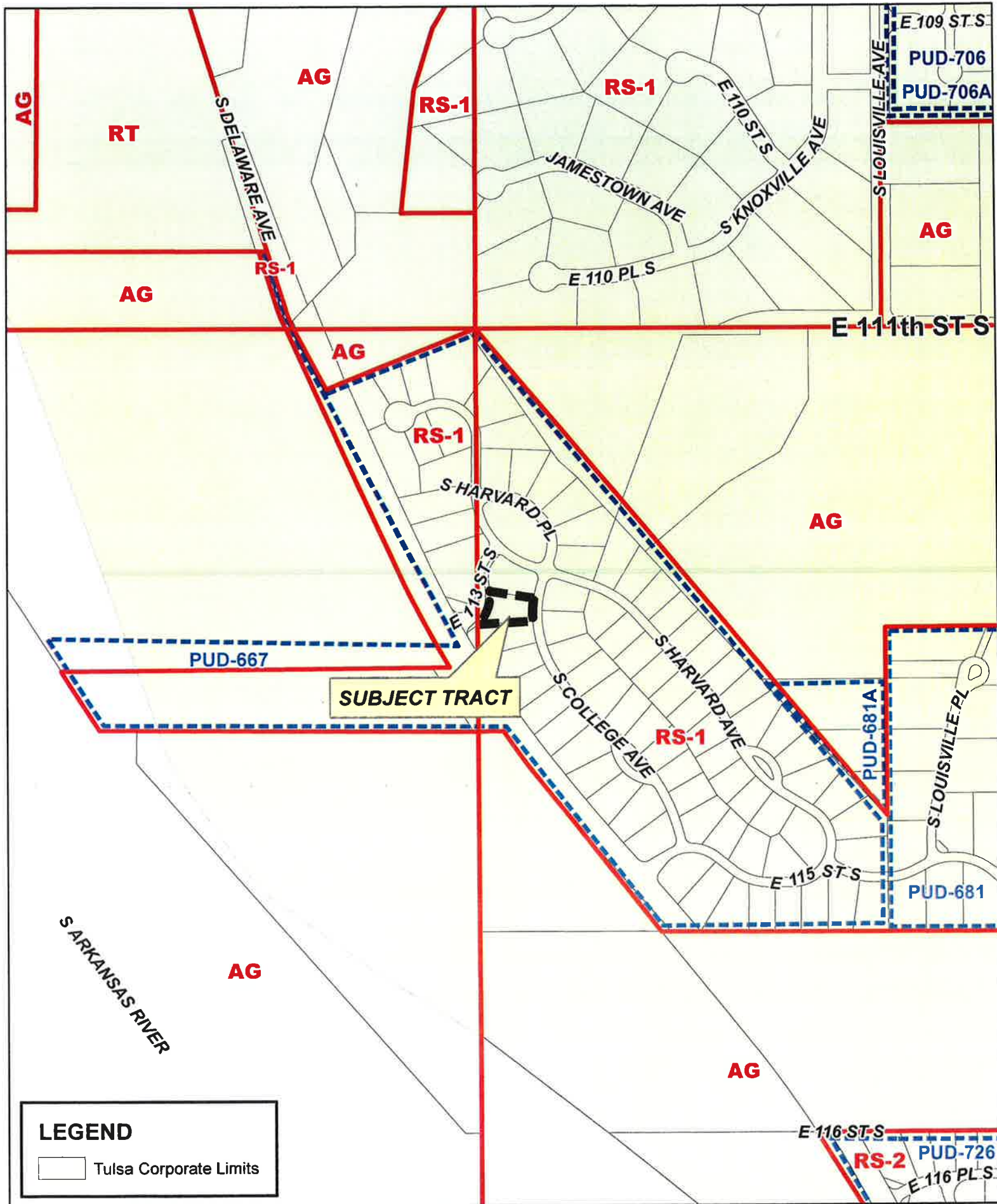
- 1) The requested amendment does not represent a significant departure from the approved development standards in the PUD.
- 2) All remaining development standards defined in PUD-667 and subsequent minor amendments shall remain in effect.

Exhibits included with staff recommendation:

INCOG zoning case map  
INCOG aerial photo  
INCOG aerial phot enlarged  
Applicant Mortgage Inspection Plat  
Applicant Exterior Rendering  
Applicant Site Plan

With the considerations listed above, staff recommends **APPROVAL** of the minor amendment request to reduce the required rear yard from 25 ft to 10 ft.









0 Feet 200 400



Subject Tract

**PUD-667-5**

18-13 33

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

Aerial Photo Date: March 2014







Feet  
0 50 100



Subject  
Tract

**PUD-667-5**

18-13 33

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

Aerial Photo Date: March 2014





# MORTGAGE INSPECTION PLAT

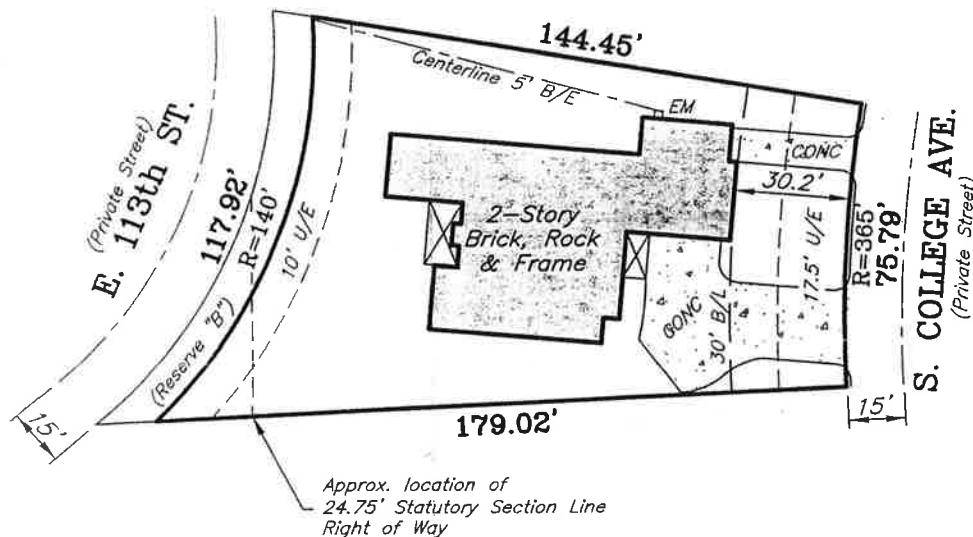


## LEGEND

B/E BURIED ELECTRIC  
SERVICE CABLE ESMT  
(APPROX LOCATION)  
B/L BUILDING LINE  
D/E DRAINAGE EASEMENT  
U/E UTILITY EASEMENT  
EM ELECTRIC METER

**PROJECT NO.:** 124726-548  
**MORTGAGOR:** Sumina Goel  
**CLIENT:** Tulsa Abstract & Title Company  
Sierra Pacific Mortgage  
File No.: 236416

This property is located in flood zone "X-SHADED" as per FIRM  
Community Panel No. 405381 0364K, as last revised August 3, 2009.



\* See attached exhibit  
for Exceptions

**PLAT NO. 5718**

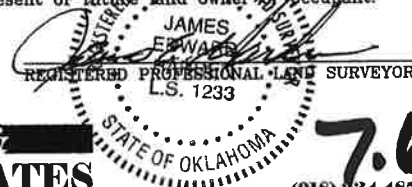
## LEGAL DESCRIPTION AS PROVIDED:

LOT TWO (2), BLOCK ONE (1), WATERSTONE, A SUBDIVISION IN THE CITY OF TULSA,  
TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF,  
AND KNOWN AS 11308 SOUTH COLLEGE AVENUE.

## SURVEYOR'S STATEMENT

Harden & Associates, Surveying and Mapping, PC, an Oklahoma corporation, and the undersigned Registered Professional Land Surveyor, under Certificate of Authorization No. CA4856 renewal date: June 30, 2013, do hereby state that in our professional opinion the above Inspection Plat shows the dwelling as located on the premises described, that it is entirely within the described tract boundaries, and there are no encroachments thereon by visible permanent improvements, except as indicated; that the above Inspection Plat shows all Recorded Plat easements and other such easements which have been disclosed by a current Title Opinion or by Commitment for Title Insurance and copies thereof provided to us; that this Inspection Plat was prepared for identification purposes only for the mortgagee and is not a Land or Boundary Line Survey; that no property corners were set, and is not to be used or relied upon for the establishment of fence, building or other improvements; that underground or above ground utilities were not field located and therefore are not shown on this Inspection Plat unless specifically requested by the client; that this Inspection Plat is prepared solely for the client listed hereon as of this date and may not be used for any subsequent loan closing, refinancing or other transaction and that no responsibility or liability is assumed herein or hereby to the present or future land owner or occupant.

WITNESS MY HAND AND SEAL THIS DATE: 8/9/12



**REVISED:** \_\_\_\_\_  
**UPDATED:** \_\_\_\_\_

2001 South 114th East Avenue  
Tulsa, Oklahoma 74128

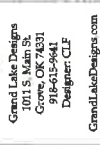
**HARDEN & ASSOCIATES**  
SURVEYING AND MAPPING, PC

**7.6**  
(918) 234-4859 Office  
(918) 437-5551 Fax









**Grading Notes:**

1. Connector to verify location of all existing utilities
2. Provide positive drainage away from building
3. Final grade to convey surface drainage toward rock channels and diversion trenches.

**HandyCo Exteriors**  
11308 S. College Ave  
Tulsa, OK 74128



**Revisions:**  
Design 4/21/15

**Print Scale:**  
74"x36"

Date: 4/21/2015

**Title:**

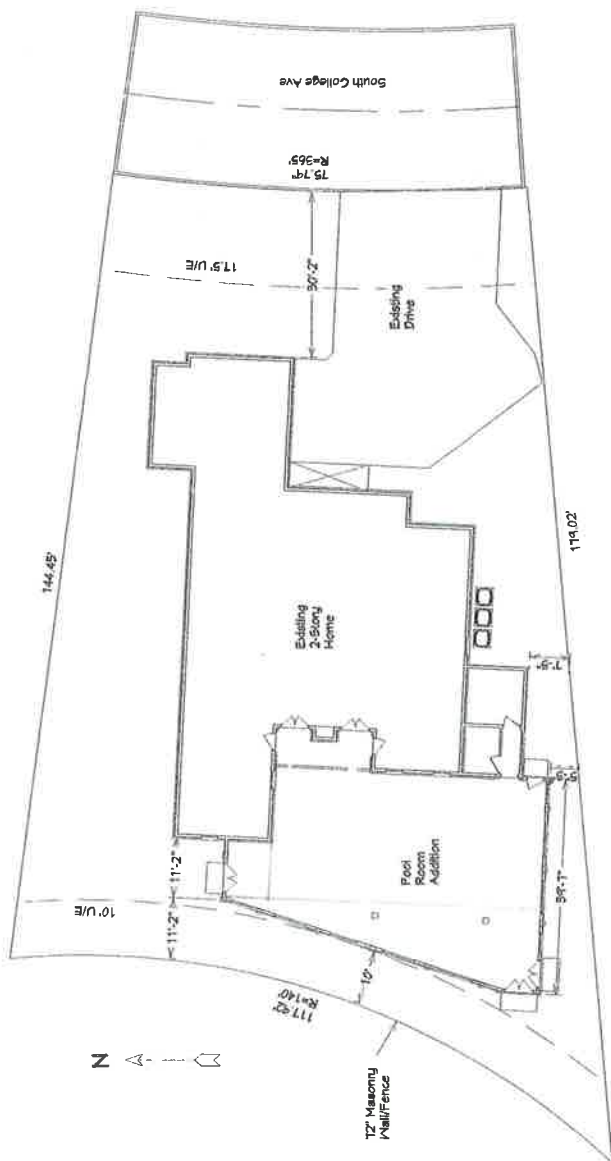
## SITE PLAN

Sheet #:

## A.1

These authors

**Site Plan**  
**Scale: 1"=10'**



## ZONING

**Birth date:**

Estimated:	Required	Actual
Front: 30'	30'	30'-2"
Rear: 10'	10'	10'-2"
Left: 6'	6'	6'
Right: 6'	6'	20'

Company:	Building Unit:	Realistic Single Family
<p>Roof Louie (RSC 212)</p> <p>Uniform Roof Insulat: 15 lbs</p> <p>Ground Snow Load: 15 lbs</p>		
<p>Wind (ASCE 7-06)</p> <p>Basic Wind Speed: 100 mph (3-sec gust)</p> <p>Exp. C, Int 0</p>		

100

## LEGEND

WATER SUPPLY LINES

5' — C/W — 6" — 6"

SANITARY SEWER LINES

6" — 6"

ELECTRICAL SERVICES

6" — 6"

GAS LINE

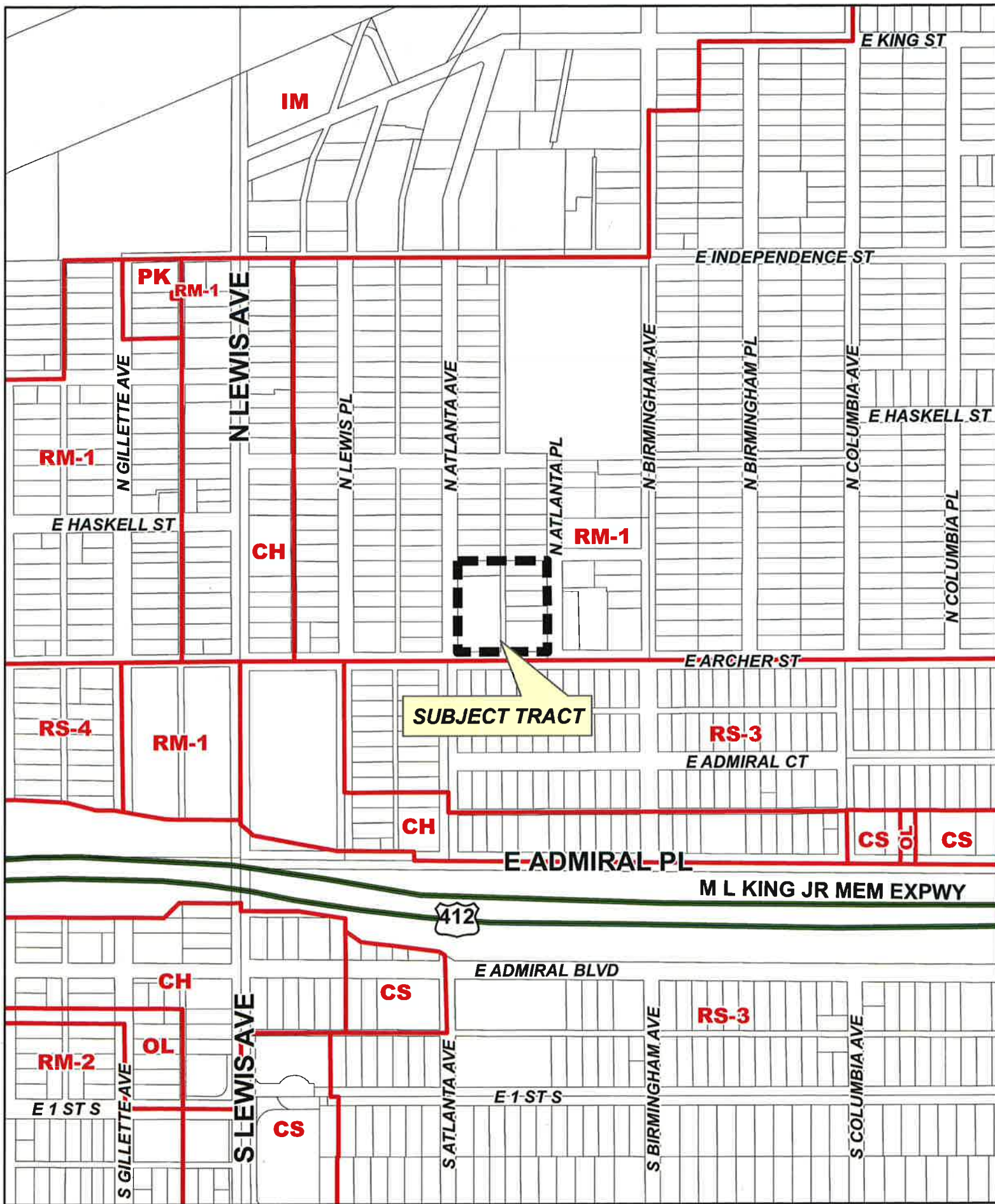
6" — 6"

## SHEET NOTES

- Final grade is steps 1' per 12.47' away from the house for the first 10.0'. At corners shall be sloped at 2% or 1:51' per 1" away from building. General Contractor responsible for all utility issues and submittal utility. General Contractor responsible for obtaining Site View prior to digging for utility lines. See Call 511 or 1-800-368-6643. General Contractor to immediately notify Site View if no-utility offices are encountered.
- The General Contractor shall be responsible for repairing any trenches or excavations that settle to a minimum of 1 year. All trenches, ditches and all other excavations shall be repaired to original condition. General Contractor shall be responsible from entering the storm sewer system during all construction operations.

7.8





# CROSSTOWN LEARNING CENTER

20-13 32

8.1







0 200 400  
Feet



Subject  
Tract

## CROSTOWN LEARNING CENTER

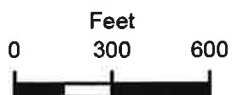
20-13 32

Note: Graphic overlays m  
align with physical feature  
Aerial Photo Date: March 2014

8.2







19-13 12

9.1







E 19 ST S

S 89 E AVE

E 21st ST S

S 87 E AVE

9.2



Subject  
Tract

## MAYRA'S ADDITION

19-13 12

Note: Graphic overlays may not precisely  
align with physical features on the ground.  
Aerial Photo Date: March 2014





## **LOT-SPLIT**

**June 3, 2015**

**LS-20782**

**Michael & Georgianne Gilliam, (7223) (AG) (County)**

**North of the northwest corner of West 161<sup>st</sup> Street South and South Elwood Avenue**

The Lot-Split proposal is to split an existing AG (Agriculture) tract into two tracts.

Technical Advisory Committee met on May 21, 2015. The County Engineer is requesting a 50' Right-of-Way Easement on South Elwood Avenue. Per subdivision regulations sidewalks should be constructed in non-existing or maintained if existing along South Elwood Avenue

The proposed lot-split would not have an adverse affect on the surrounding properties and staff recommends APPROVAL of the lot-split and the waiver of the Subdivision Regulations that no lot have more than three side lot lines.





Feet  
0 300 600



Subject  
Tract

**LS-20782**

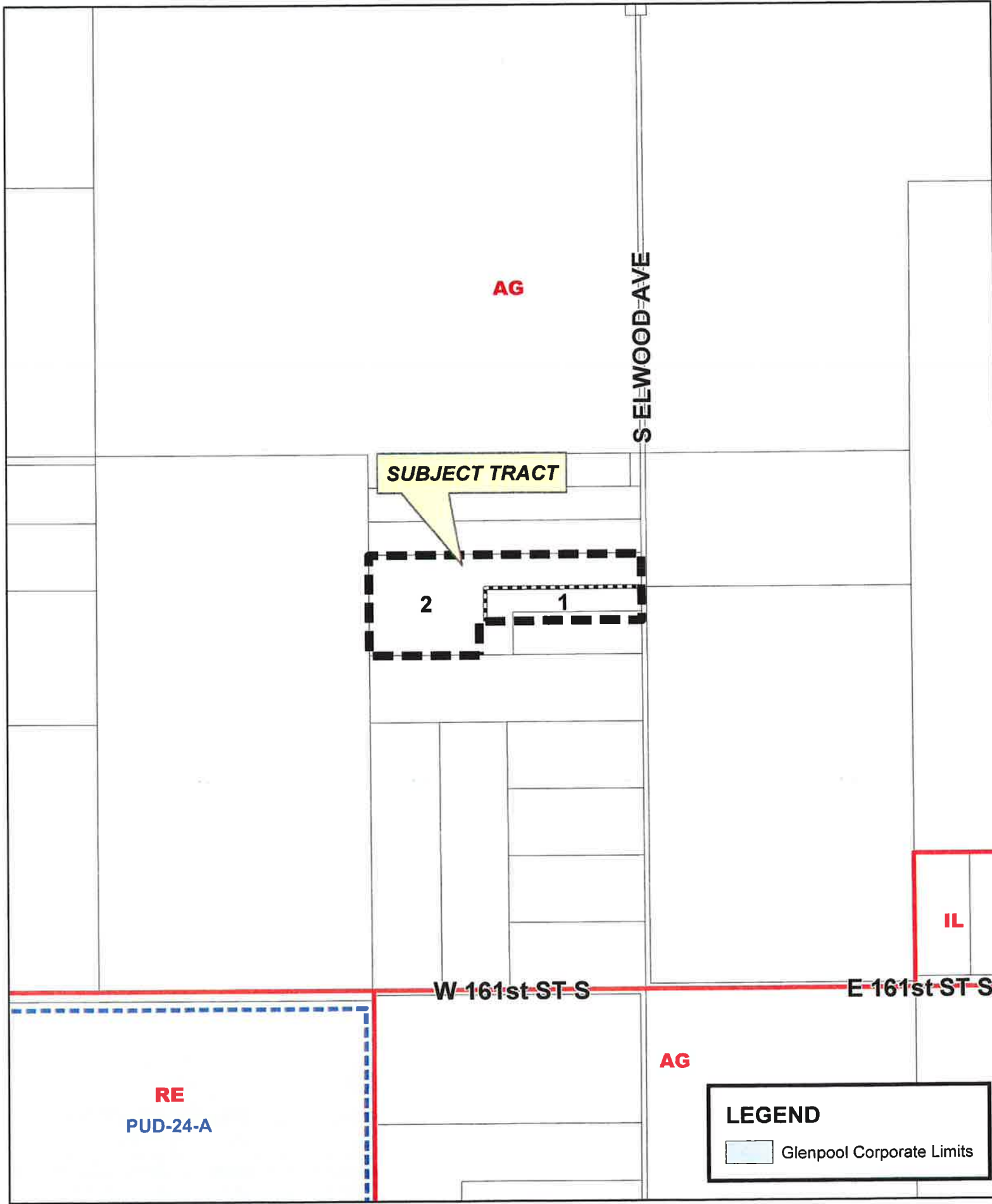
17-12 23

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

Aerial Photo Date: March 2014







**LS-20782**

17-12 23

**10.3**









## **LOT-SPLIT**

**June 3, 2015**

**LS-20783**

**Ray Sanders, (0230) (AG) (CD 1)**

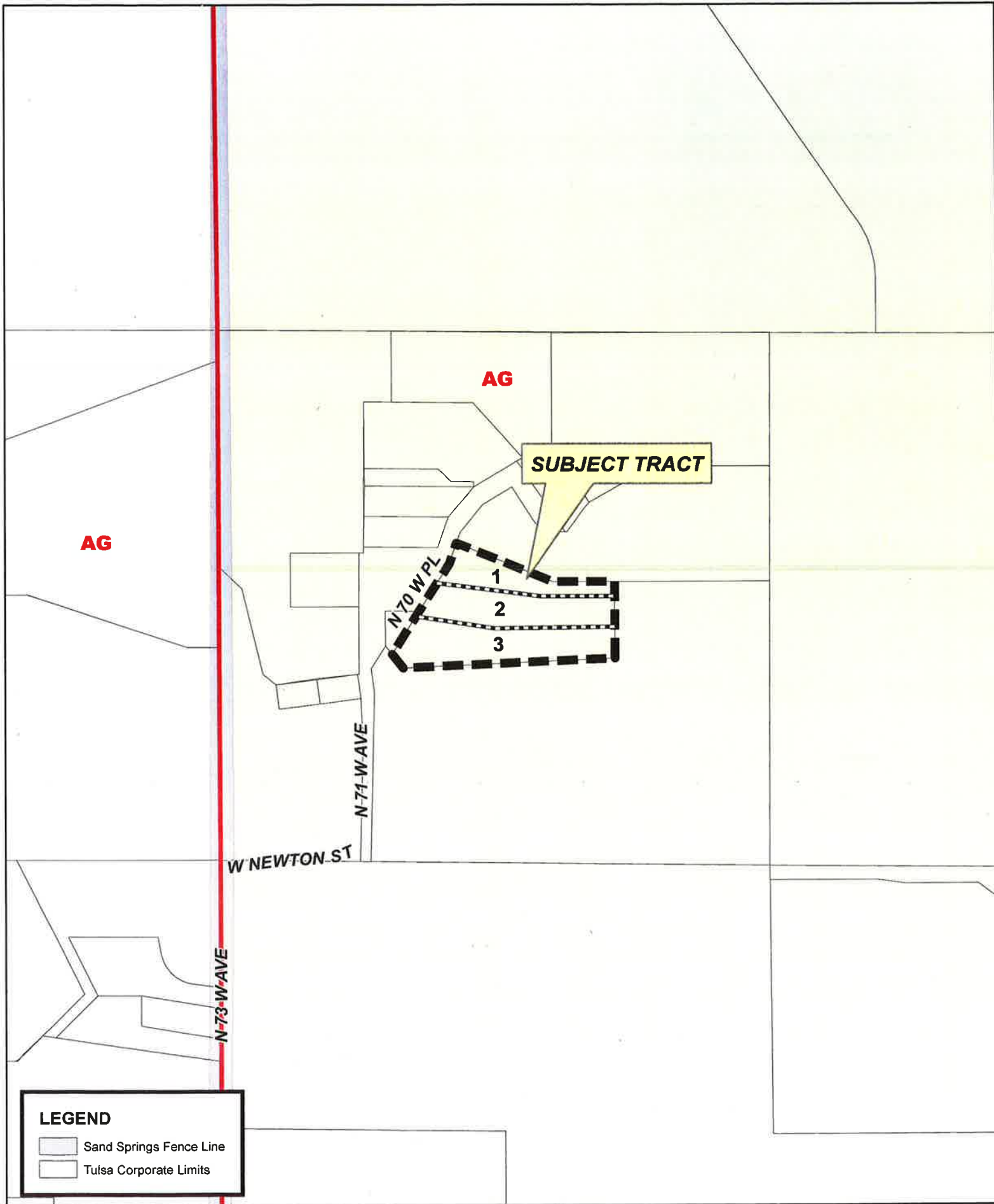
**North of the northwest corner of West Newton Street and North 71<sup>st</sup>  
West Avenue**

The Lot-Split proposal is to split an existing AG (Agriculture) tract into three tracts.

Technical Advisory Committee met on May 21, 2015. The following comments were made: Fire Hydrants will be required per code if the lots have structures. Per subdivision regulations sidewalks should be constructed in non-existing or maintained if existing along North 70<sup>th</sup> Place West.

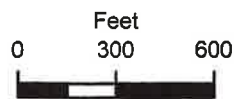
The proposed lot-split would not have an adverse affect on the surrounding properties and staff recommends APPROVAL of the lot-split and the waiver of the Subdivision Regulations that no lot have more than three side lot lines.





**LEGEND**

-  Sand Springs Fence Line
-  Tulsa Corporate Limits



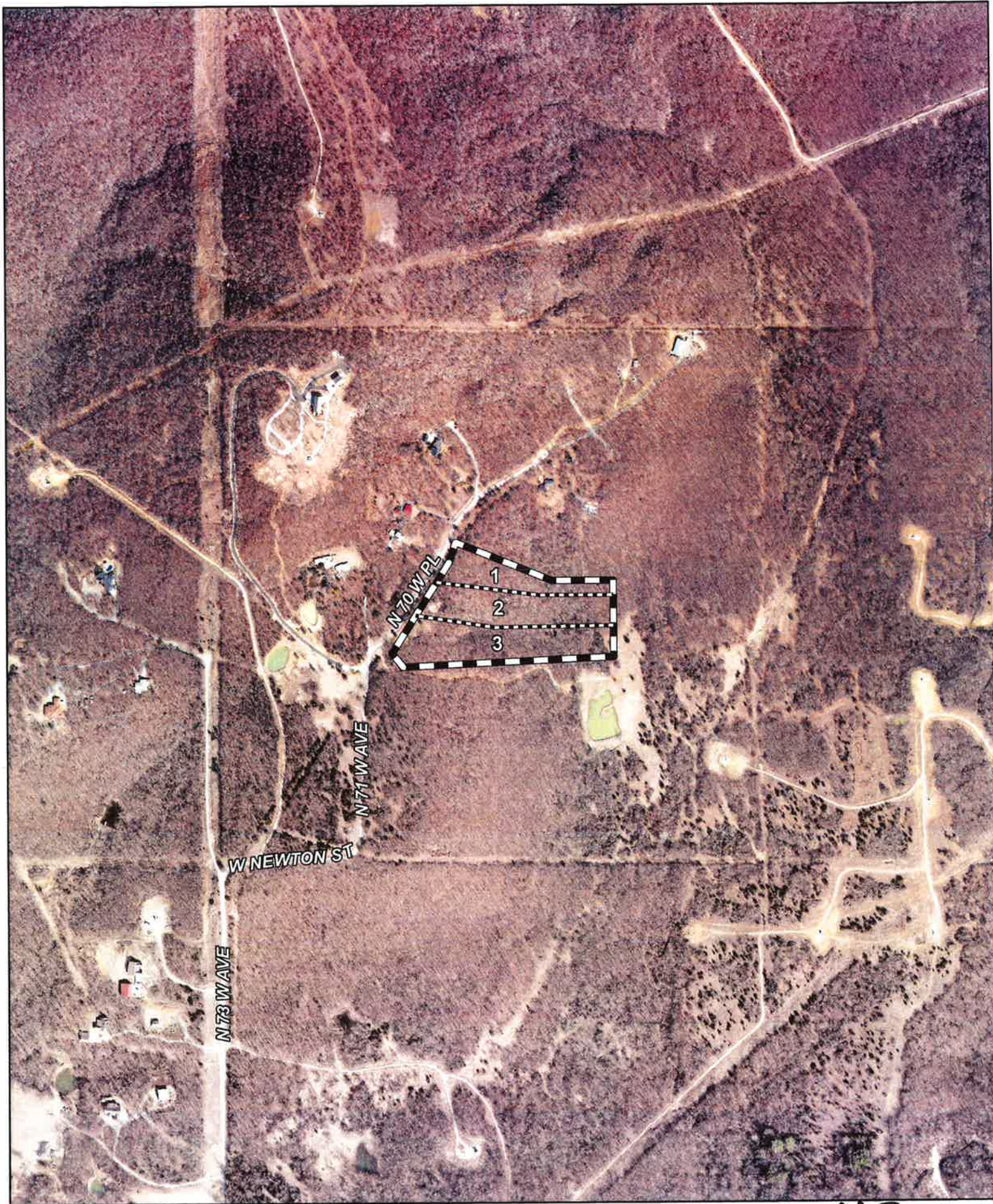
**LS-20783**

20-12 30

11.2







Feet  
0 300 600



Subject  
Tract

**LS-20783**

20-12 30

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

Aerial Photo Date: March 2014



11.3







## **AUTHORIZATION FOR ACCELERATED RELEASE OF A BUILDING PERMIT**

### **7100 Riverside Parkway (revised) Addition –(CD 2)**

West of Riverside Parkway, South of 71<sup>st</sup> Street South

The property is zoned PUD 128 E 5. Full permits are requested. A preliminary subdivision plat has been submitted and will be heard June 17, 2015 by the planning commission.

Review of this application must focus on the extraordinary or exceptional circumstances that extend the normal processing schedule and on the benefits and protections to the City that may be forfeited by releasing the Building Permit prior to filing of the final plat and must comply in all respects with the requirements of the approved preliminary plats per Section 2.5 of the Subdivision Regulations.

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

***The following information was provided by the Technical Advisory Committee in its meeting May 21, 2015.***

#### **ZONING:**

- *TMAPC Staff:* Full permits are requested.

#### **STREETS:**

- *Transportation:* No comment.

#### **SEWER:**

- *Public Works, Waste Water:* No comments.

#### **WATER:**

- *Public Works, Water:* No comments.

#### **STORM DRAIN:**

- *Public Works, Storm Water:* No comments.

#### **FIRE:**

- *Public Works, Fire:* No comments.

#### **UTILITIES:**

- *Franchise Utilities:* No comments.



The accelerated building permits were originally designed to accommodate large campus style type of developments and should concentrate upon "the benefits and protections to the City that may be forfeited by releasing the building permit prior to the filing of the plat". These requested permits could adhere to this ideal.

The TAC (Technical Advisory Committee) did not object to the accelerated building permit.



# TULSA METROPOLITAN AREA PLANNING COMMISSION

INCOG - 2 West 2<sup>nd</sup> Street, Suite 800 - Tulsa, Oklahoma 74103 - (918) 584-7526 - FAX (918) 583-1024

www.tmapc.org

[ ] PLAT WAIVER [X] \*ACCELERATED RELEASE OF BUILDING PERMIT\*

## APPLICATION INFORMATION

RECEIVED BY: NW DATE FILED: 5/8/15 TAC DATE: 5/21/15 TMAPC DATE: 6/3/15

ZONING REFERENCE CASE: \_\_\_\_\_ BOA REFERENCE CASE: \_\_\_\_\_  
TMAPC DATE (IF PENDING): \_\_\_\_\_ PROPOSED ZONING: \_\_\_\_\_ BOA DATE (IF PENDING): \_\_\_\_\_

\*A PRELIMINARY PLAT MUST BE IN PROCESS BEFORE A REQUEST FOR ACCELERATED RELEASE WILL BE CONSIDERED.

\*PLAT NAME: 7100 RIVERSIDE PARKWAY \*APPROVAL DATE: \_\_\_\_\_ \*ANTICIPATED APPROVAL DATE: \_\_\_\_\_

## SUBJECT PROPERTY INFORMATION

ADDRESS OR DESCRIPTIVE LOCATION: \_\_\_\_\_

LEGAL DESCRIPTION: PART OF THE NW/4 OF SECTION 7, T-18-N, R-13-E AND PART OF THE NE/4 OF SECTION 12, T-18-N, R-12-E,

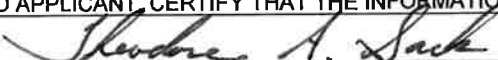
CITY OF TULSA, TULSA COUNTY, OKLAHOMA.

PRESENT ZONING PUD-128-E/OMH/CS/RM2 T-R-S 18-12-12 CZM \_\_\_\_\_ ATLAS \_\_\_\_\_ CD \_\_\_\_\_

## INFORMATION ABOUT YOUR PROPOSAL

\*EXTRAORDINARY OR EXCEPTIONAL CIRCUMSTANCES THAT JUSTIFY ACCELERATED RELEASE OF A BUILDING PERMIT: THE PROPERTY IS OWNED BY THE TULSA PUBLIC FACILITIES AUTHORITY AND IS SUBJECT TO A LEASE. ALL MEANS NEED TO BE TAKEN TO ALLOW THE BUILDING TO START CONSTRUCTION IN ORDER TO MEET THE REQUIRED SCHEDULE.

\*BENEFITS AND PROTECTIONS TO THE CITY IF THE BUILDING PERMIT IS RELEASED PRIOR TO FILING THE FINAL PLAT: THERE IS NO DETRIMENT TO THE CITY IN RELEASING THE BUILDING PERMIT PRIOR TO FILING THE FINAL PLAT BECAUSE THE PROPERTY IS OWNED BY THE TULSA PUBLIC FACILITIES AUTHORITY AND IS NOT SUBJECT TO CONVEYANCE OR OTHER SUCH TRANSFER WITHOUT A PUBLIC HEARING. ADDITIONALLY, THIS IS AN AREA ON WHICH THE CITY HAS SOUGHT FOR SOME TIME TO INCREASE COMMERCIAL ACTIVITY THAT FITS INTO THE RIVER PARKS TRAIL SYSTEM. THE CITY WILL BE BENEFITTED BY THE PROPOSED COMMERCIAL CENTER OPENING FOR BUSINESS, BRINGING IN A NEW ANCHOR RETAIL TENANT TO TULSA, WHICH TENANT'S BUSINESS IS AN ASSET TO THE RIVER PARKS TRAIL SYSTEM AS WELL AS THE CITY AS A WHOLE, AND PROVIDING HIGH QUALITY JOBS TO THE AREA. PUBLIC AND PRIVATE UTILITIES ARE AVAILABLE AT THE SITE, EXCEPT FOR SANITARY SEWER WHICH WILL BE EXTENDED FROM THE SOUTH. NO OFF-SITE EASEMENTS ARE NEEDED FOR DEVELOPMENT OF THE PROPERTY.

APPLICANT INFORMATION		PROPERTY OWNER INFORMATION	
NAME	SACK AND ASSOCIATES, INC.	NAME	TULSA PUBLIC FACILITIES
ADDRESS	P.O. BOX 50070	ADDRESS	C/O APPLICANT
CITY, ST, ZIP	TULSA, OK 74150	CITY, ST, ZIP	
DAYTIME PHONE	(918) 592-4111	DAYTIME PHONE	
EMAIL	tsack@sackandassociates.com	EMAIL	
I, THE UNDERSIGNED APPLICANT, CERTIFY THAT THE INFORMATION ON THIS APPLICATION IS TRUE AND CORRECT.			
SIGNATURE & DATE:  5-8-2015			
DOES OWNER CONSENT TO THIS APPLICATION <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO. WHAT IS APPLICANT'S RELATIONSHIP TO OWNER? AGENT			

## APPLICATION FEES

TOTAL DUE: \$ 500.00 RECEIPT NUMBER: 227053

APPLICATION FEES IN WHOLE OR PART WILL NOT BE REFUNDED AFTER NOTIFICATION HAS BEEN GIVEN.

## DISPOSITION

TMAPC ACTION: [ ] APPROVED [ ] DENIED DATE: \_\_\_\_\_ CONDITIONS: \_\_\_\_\_

12.3  
REVISED 5/8/2015



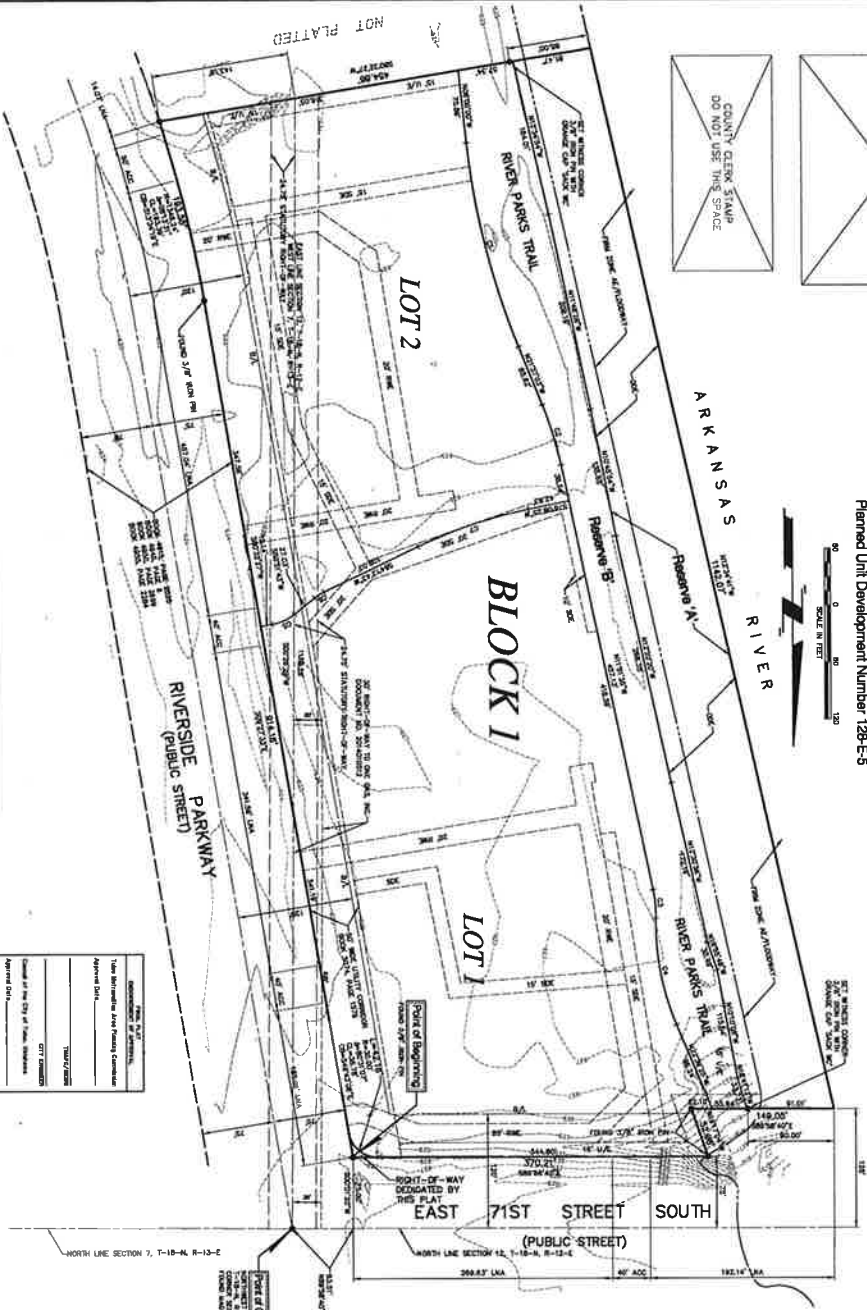
# REVISD PRELIMINARY 7100 Riverside Parkway A SUBDIVISION OF PART OF THE NW/4 OF SECTION 7, T-18-N, R-13-E AND PART OF THE NE/4 OF SECTION 12, T-18-N, R-12-E CITY OF TULSA, TULSA COUNTY, OKLAHOMA Planned Unit Development Number 128-E-9

TREASURER'S STAMP  
DO NOT USE THIS SPACE

COUNTY CLERK STAMP  
DO NOT USE THIS SPACE

SCALE IN FEET  
0 50 100

NOT PLATTED



**Curve Table**

CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
C1	321.00'	811.00'	15.37° 01'	812.48 32' W	280.38'
C2	59.48'	150.00'	13.08° 46'	102.17 07' E	28.27'
C3	114.61'	279.00'	23.88° 46'	102.41 02' W	114.15'
C4	23.82'	50.00'	28.40° 46'	38.82 41 00' W	20.81'
C5	121.55'	300.00'	13.50° 41'	327.10 34' E	121.23'

APPROVED FOR RECORDATION

\_\_\_\_\_  
Tulsa Planning and Zoning Commission

APPROVED BY: \_\_\_\_\_  
TULSA CITY CLERK

APPROVED BY: \_\_\_\_\_  
CITY COMMISSIONER

APPROVED BY: \_\_\_\_\_  
CITY ATTORNEY

APPROVED BY: \_\_\_\_\_  
CITY ENGINEER

APPROVED BY: \_\_\_\_\_  
CITY PLANNING

APPROVED BY: \_\_\_\_\_  
CITY PUBLIC WORKS

APPROVED BY: \_\_\_\_\_  
CITY UTILITIES

APPROVED BY: \_\_\_\_\_  
CITY FIRE DEPARTMENT

APPROVED BY: \_\_\_\_\_  
CITY POLICE DEPARTMENT

APPROVED BY: \_\_\_\_\_  
CITY HEALTH DEPARTMENT

APPROVED BY: \_\_\_\_\_  
CITY SOCIAL SERVICES

APPROVED BY: \_\_\_\_\_  
CITY HOUSING

APPROVED BY: \_\_\_\_\_  
CITY PARKS AND RECREATION

APPROVED BY: \_\_\_\_\_  
CITY ECONOMIC DEVELOPMENT

APPROVED BY: \_\_\_\_\_  
CITY COMMUNITY DEVELOPMENT

APPROVED BY: \_\_\_\_\_  
CITY CULTURAL AFFAIRS

APPROVED BY: \_\_\_\_\_  
CITY SENIORS

APPROVED BY: \_\_\_\_\_  
CITY YOUTH SERVICES

APPROVED BY: \_\_\_\_\_  
CITY JUVENILE SERVICES

APPROVED BY: \_\_\_\_\_  
CITY MENTAL HEALTH

APPROVED BY: \_\_\_\_\_  
CITY SUBSTANCE ABUSE

APPROVED BY: \_\_\_\_\_  
CITY ADDICTION SERVICES

APPROVED BY: \_\_\_\_\_  
CITY DOMESTIC VIOLENCE

APPROVED BY: \_\_\_\_\_  
CITY SEXUAL ABUSE

APPROVED BY: \_\_\_\_\_  
CITY STALKING

APPROVED BY: \_\_\_\_\_  
CITY HUMAN TRAFFICKING

APPROVED BY: \_\_\_\_\_  
CITY CHILD ABUSE

APPROVED BY: \_\_\_\_\_  
CITY ELDER ABUSE

APPROVED BY: \_\_\_\_\_  
CITY ADULT ABUSE

APPROVED BY: \_\_\_\_\_  
CITY ANIMAL ABUSE

APPROVED BY: \_\_\_\_\_  
CITY VIOLENCE AGAINST WOMEN

APPROVED BY: \_\_\_\_\_  
CITY VIOLENCE AGAINST MEN

APPROVED BY: \_\_\_\_\_  
CITY VIOLENCE AGAINST CHILDREN

APPROVED BY: \_\_\_\_\_  
CITY VIOLENCE AGAINST TEENAGERS

APPROVED BY: \_\_\_\_\_  
CITY VIOLENCE AGAINST STUDENTS

APPROVED BY: \_\_\_\_\_  
CITY VIOLENCE AGAINST EMPLOYEES

APPROVED BY: \_\_\_\_\_  
CITY VIOLENCE AGAINST CUSTOMERS

APPROVED BY: \_\_\_\_\_  
CITY VIOLENCE AGAINST VISITORS

APPROVED BY: \_\_\_\_\_  
CITY VIOLENCE AGAINST THE PUBLIC

APPROVED BY: \_\_\_\_\_  
CITY VIOLENCE AGAINST THE COMMUNITY

APPROVED BY: \_\_\_\_\_  
CITY VIOLENCE AGAINST THE COUNTRY

APPROVED BY: \_\_\_\_\_  
CITY VIOLENCE AGAINST THE WORLD



Location Map  
SCALE 4" = 1 MILE

**Owner**  
TULSA PUBLIC FACILITIES AUTHORITY  
173 EAST 2ND STREET, SUITE 200  
TULSA, OKLAHOMA 74102  
PHONE: (918) 581-2100

**Developer**  
URS DEVELOPMENT SERVICES LLC  
ATTN: MR. DEREK HOGUE  
8001 N. 10TH STREET, SUITE 200  
DALLAS, TEXAS 75243  
PHONE: (469) 232-8000

**Engineer / Surveyor**  
SICK AND ASSOCIATES, INC.  
2500 EAST 1ST STREET, SUITE 100  
TULSA, OKLAHOMA 74103  
PHONE: (918) 582-4111  
FAX: (918) 582-4111  
E-MAIL: SICK@SICKANDASSOCIATES.COM  
C.A. No. 1720

**Notes of Boundary**  
THE BOUNDARY SHOWN BETWEEN BLOCK 1 AND BLOCK 2 ON THE ADJACENTLY  
LINE OF THE NE/4 OF SECTION 12, T-18-N, R-12-E LAYING  
AN ASSUMED NON-ASTRONOMICAL BEARING OF S89°58'40"E.

**Monumentation**  
ALL CORNERS TO BE SET USING A 3/8" x 18" IRON PIN  
WITH A YELLOW CAP STAMPED "SICK 15 113" ON "CA  
NUMBER 1783".

**Legend**  
ACC = ACCESS  
B/C = BUILDING CORNER  
C/L = CENTER LINE  
D/L = DRAINAGE LINE  
E/L = EASEMENT LINE  
F/L = FENCE LINE  
G/L = GROUND LINE  
H/L = HIGHWAY LINE  
I/L = INTERSECTION LINE  
J/L = JUNCTION LINE  
K/L = KUTTING LINE  
L/L = LOT LINE  
M/L = MOUND LINE  
N/L = NODAL LINE  
O/L = OCEAN LINE  
P/L = PIER LINE  
Q/L = QUARRY LINE  
R/L = RAILROAD LINE  
S/L = STREET ADDRESS

**Subdivision Statistics**  
SUBDIVISION CONTAINS 2 LOTS IN 1 BLOCK  
AND RESERVES "A" & "B"  
BLOCK 1 CONTAINS 8.787 ACRES (381,444 S.F.)  
RESERVE "A" CONTAINS 2.250 ACRES (98,142 S.F.)  
RESERVE "B" CONTAINS 1.504 ACRES (65,044 S.F.)

**Surveyor Note**  
THE LAST SITE VISIT WAS MADE ON \_\_\_\_\_, 2014





Tulsa Metropolitan Area  
Planning Commission

**Case :** PUD 811

**Plat Waiver**

**Hearing Date:** June 3, 2015

**Case Report Prepared by:**

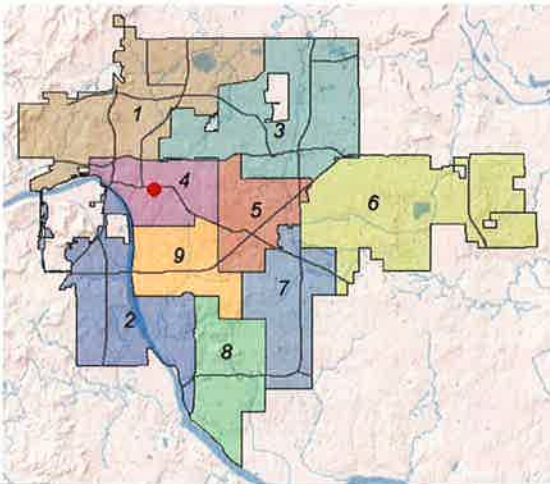
Diane Fernandez

**Owner and Applicant  
Information:**

*Applicant:* Ricky Jones, Tanner  
Consulting

*Owner:* Oak Properties LLC

**Location Map:**  
**(shown with City Council Districts)**



**Applicant Proposal:**  
Plat Waiver Approval

*Location:* East of South Peoria,  
North of East 15<sup>th</sup> Street South

**Zoning:**

*Existing Zoning:* PUD 811

**Staff Recommendation:**

Staff recommends **approval**.

**City Council District: 4**

*Councilor Name:* Blake Ewing

**County Commission District:**  
**2**

*Commissioner Name:* Karen  
Keith

**EXHIBITS:**

Site Map



## PLAT WAIVER

June 3, 2015

**PUD 811- East of South Peoria, North of East 15<sup>th</sup> Street South (CD 4)**

The platting requirement is being triggered by a rezoning to PUD 811.

**Staff provides the following information from TAC for their May 21, 2015 meeting:**

**ZONING:** TMAPC Staff: The property has been previously platted. Typically a new plat would be required but items and requirements have been satisfied by separate instrument.

**STREETS:** An additional 5 feet of right of way required along 15<sup>th</sup> Street and 25 feet required at corner clip at intersection of 15<sup>th</sup> and Trenton..

**SEWER:** No comment.

**WATER:** No water service connections can be made onto the 24 inch water main line without approval.

**STORMWATER:** No comment.

**FIRE:** No comment.

**UTILITIES:** No comment.

Staff can recommend **APPROVAL** of the plat waiver as most requirements have been met for the platted property.

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

- |   | Yes | NO |
|---|-----|----|
| 1. Has Property previously been platted?  | X   |    |
| 2. Are there restrictive covenants contained in a previously filed plat?                      |     | X  |
| 3. Is property adequately described by surrounding platted properties or street right-of-way? | X   |    |

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

- |  | YES | NO |
|--|-----|----|
| 4. Is right-of-way dedication required to comply with Major Street and Highway Plan? | X   |    |
| 5. Would restrictive covenants be required to be filed by separate                   | X   |    |

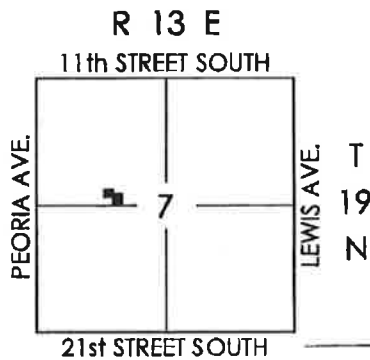
13.2



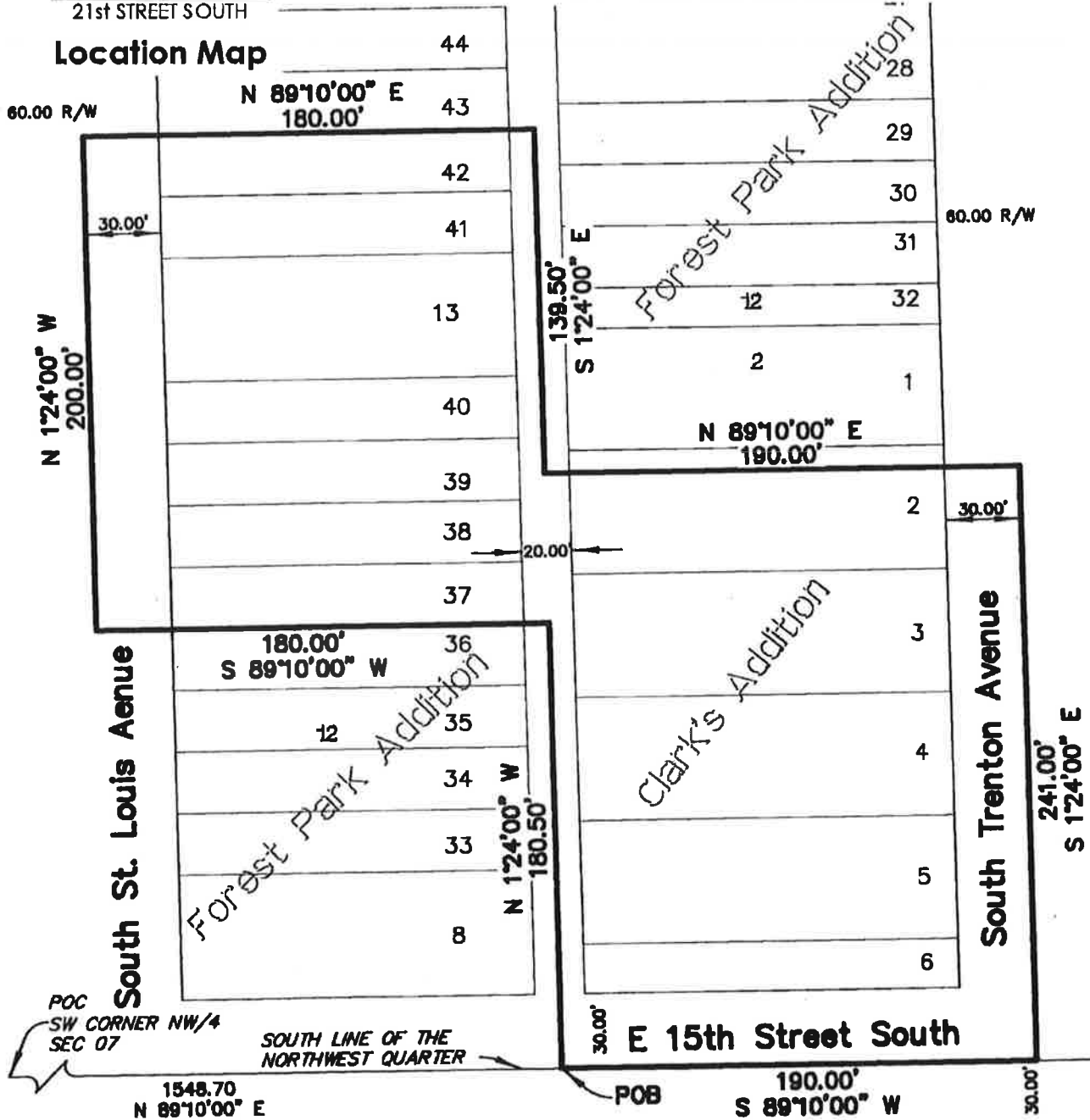
- instrument if the plat were waived?
6. Infrastructure requirements:
    - a) Water
      - i. Is a main line water extension required? X
      - ii. Is an internal system or fire line required? X
      - iii. Are additional easements required? X
    - b) Sanitary Sewer
      - i. Is a main line extension 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.

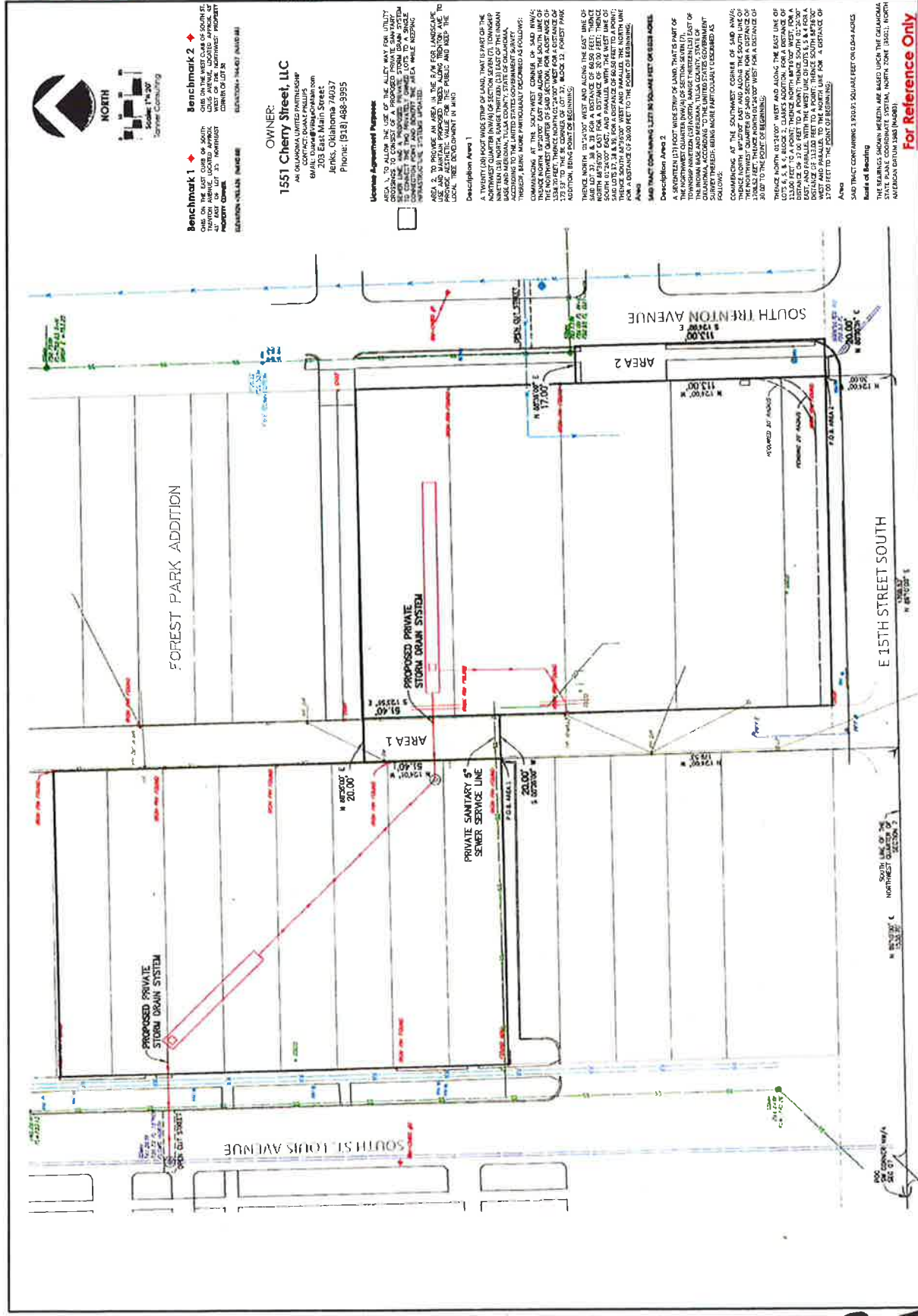




**Location Map**







**1551 Cherry Street**  
1551 East 15th Street  
Tulsa, Oklahoma

PROJECT:	1315B
ISSUE DATE:	07/09/2014
ATLAS PAGE NO:	000
PLAN SCALE: (H)	1"=20'
(V)	N/A

**License  
Agreement  
Exhibit**

**For Reference Only**

**Benchmark 1** ♦

CHS ON THE EAST CURB OF SOUTH  
TRAMONTA AVENUE, LOCATED APPROX  
43' EAST OF LOT 3'S NORTHEAST  
PROPERTY CORNER.

CHS ON THE WEST CURB OF SOUTH ST.  
LOCATED APPROX. 10' WEST OF  
LOT 3'S NORTHEAST PROPERTY  
CORNER OF LOT 30.

ELEVATION = 144.427' (NAD 83)

**OWNER:**  
**1551 Cherry Street, LLC**  
AN OKLAHOMA LIMITED PARTNERSHIP  
CONTACT: DUANE PHILLIPS  
EMAIL: [Duane@VillageOnline.com](mailto:Duane@VillageOnline.com)  
203 East Main Street  
Jenks, Oklahoma 74037  
Phone: (918) 488-9995

**License Agreement Purpose**

PURPOSE 1. TO ALLOW THE USE OF THE ALLY WAY FOR UTILITY CONDUITS TO CROSS PRIVATE PROPERTY, PROVIDE STORM DRAIN SYSTEM TO THE ADJACENT PROPERTY, AND PROVIDE A SINGLE POINT OF CONTACT TO CORRECT THE TWO PROBLEMS. DRAINAGE TO A SINGLE CONCENTRATION POINT AND SHORTLY THE AREA WHILE KEEPING INTERFERING WITH THE SYSTEMS UPDATED.

PURPOSE 2. TO PROVIDE AN AREA IN THE R/W FOR LANDSCAPE USE AND MAINTAIN PROPOSED TREES ALONG TRIDITION AVE. TO PROVIDE AESTHETIC VALUE FOR THE PUBLIC AND KEEP THE LOCAL TREE DEVELOPMENT IN MIND.

[illegible]

**Area 2**

Description Area 2

A FOURTEEN (17) FOOT WIDE STRIP OF LAND THAT IS PART OF THE NORTHWEST QUARTER NW/4 OF SECTION SEVEN (7), TOWNSHIP 36N, RANGE 10E, COUNTY OF HARRIS, STATE OF TEXAS, BEING A PORTION OF THE INDIAN BASE AND MEDIAN, U.S.A. COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE TITLE STATES GOVERNMENT SURVEY THEREIN; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID NW/4; THENCE N89°W ALONG THE WEST LINE OF SAID NW/4 TO THE CENTERLINE QUARTERS OF SAID SECTION FOR A DISTANCE OF 12.645 FEET; THENCE S89°W ALONG THE WEST LINE FOR A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING;

THENCE NORTH, 01°21'00" WEST AND ALONG THE EAST LINE OF TRACTS 6, 5, 4, & 3, BLOCK 2, CLARK'S ADDITION, FOR A DISTANCE OF 113,100 FEET TO A POINT; THENCE NORTH 81°10'00" WEST, FOR A DISTANCE OF 37.60 FEET TO A POINT; THENCE SOUTH 03°20'00" WEST, FOR A DISTANCE OF 113.00 FEET TO A POINT; THENCE SOUTH 87°16'00" WEST AND PARALLEL TO THE NORTH LINE, FOR A DISTANCE OF 37.60 FEET TO THE POINT OF BEGINNING.

**Area**

SAID TRACT CONTAINING 1,920.91 SQUARE FEET OR 0.044 ACRES

**Issue of Beating**

THE BEATINGS SHOWN HEREIN ARE BASED UPON THE COLUMBIA STATE PLANE COORDINATE SYSTEM, NORTH, ZONE 13(02), NORTH AMERICAN DATUM 1983 (NAD83).









Tulsa Metropolitan Area  
Planning Commission

**Case Number:** Z-7304

**Hearing Date:** June 3, 2015

**Case Report Prepared by:**

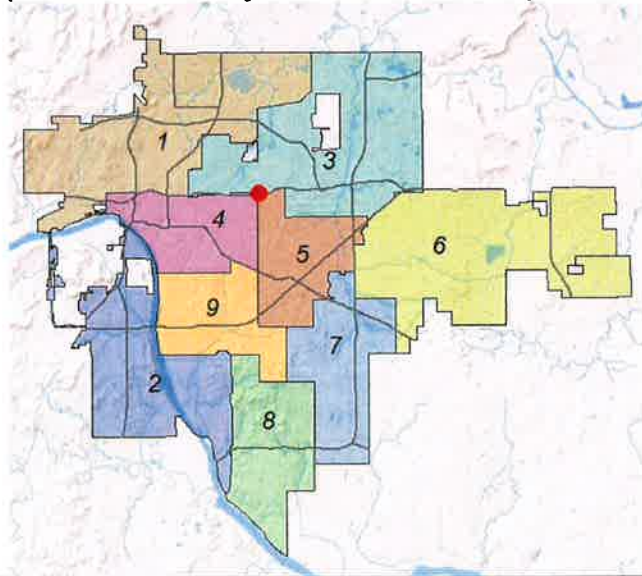
Dwayne Wilkerson

**Owner and Applicant Information:**

*Applicant:* Michael Ward

*Property Owner:* QuikTrip Corporation

**Location Map:**  
**(shown with City Council Districts)**



**Applicant Proposal:**

*Present Use:* Commercial/Vacant

*Proposed Use:* Commercial

*Concept summary:*

*Tract Size:* 1.99 ± acres

86902.56 ± sq. ft

*Location:* Northeast corner of E. Admiral Blvd. and  
N. Yale Ave.

**Zoning:**

*Existing Zoning:* RS-2/RS-3/OM/CS

*Proposed Zoning:* CH

**Comprehensive Plan:**

*Land Use Map:* Main Street

*Stability and Growth Map:* Area of Growth

**Staff Recommendation:**

**Staff recommends approval.**

**Staff Data:**

TRS: 9303

CZM: 38

Atlas: 174

**City Council District:** 3

*Councilor Name:* David Patrick

**County Commission District:** 2

*Commissioner Name:* Karen Keith

14.1



## SECTION I: Z-7304

### DEVELOPMENT CONCEPT:

The applicant has acquired all of the lots included in the rezoning request for convenience store construction. The rezoning request will bring all of the convenience store ownership into the same zoning classification.

### EXHIBITS:

- INCOG Case map
- INCOG Aerial (small scale)
- INCOG Aerial (large scale)
- Tulsa Comprehensive Plan Land Use Map
- Tulsa Comprehensive Plan Areas of Stability and Growth Map
- Applicant Exhibits:
  - Exhibit A: Rezone Lots from CS, OM and RS-2 to CH
  - Exhibit B: Rezone Lots from RS-3 to CH

### DETAILED STAFF RECOMMENDATION:

All zoning request included in Z-7304 are consistent with the land use vision in the Tulsa Comprehensive Plan and,

Rezoning request in Z-7304 are non injurious to the existing proximate properties and,

All rezoning request included in Z-7304 are consistent with the anticipated future development of the surrounding property therefore,

**Staff recommends Approval of Z-7304 to rezone property from RS-2/ RS-3/ OM/ CS to CH.**

## SECTION II: Supporting Documentation

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: CH zoning is the typical zoning applied in all Main Street areas throughout the neighborhood and in other Main Street areas throughout the City.*

### Land Use Vision:

*Land Use Plan map designation: Main Street*

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

*Areas of Stability and Growth designation: Area of Growth*

14.2



The purpose of an Area 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.

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are in close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.

#### Transportation Vision:

##### *Major Street and Highway Plan:*

North Yale Avenue is a Secondary Arterial with a multi modal overlay. None of the other streets are shown on the Major Street and Highway Plan.

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

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

*Trail System Master Plan Considerations:* None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

#### DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: Several buildings exist on the parcel. Removal of those buildings will be required prior to redevelopment for a convenience store. A single lot facing Admiral Blvd is zoned OM and will not be adversely affected by this request.

14.3



Environmental Considerations: No known environmental concerns that that would affect CH redevelopment.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
E. Admiral Blvd. (off ramp for westbound traffic from 412)	No designation	50 feet	2
N. Yale Ave.	Secondary Arterial	100 feet	4
N. Allegheny Ave.	No designation	50 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties: The subject tract is bordered on the west and north with CH zoning. The east border of the tract is zoned CS east of South Allegheny. The remaining parcel on the south side of the block is not part of the ownership and is zoned OM. The south side of the parcel is bordered by Highway 412.

### **SECTION III: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 11816 dated June 26, 1970, and 12299 dated November 22, 1971, established zoning for the subject property.

***Subject and Surrounding Property:***

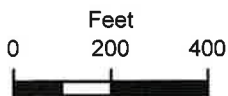
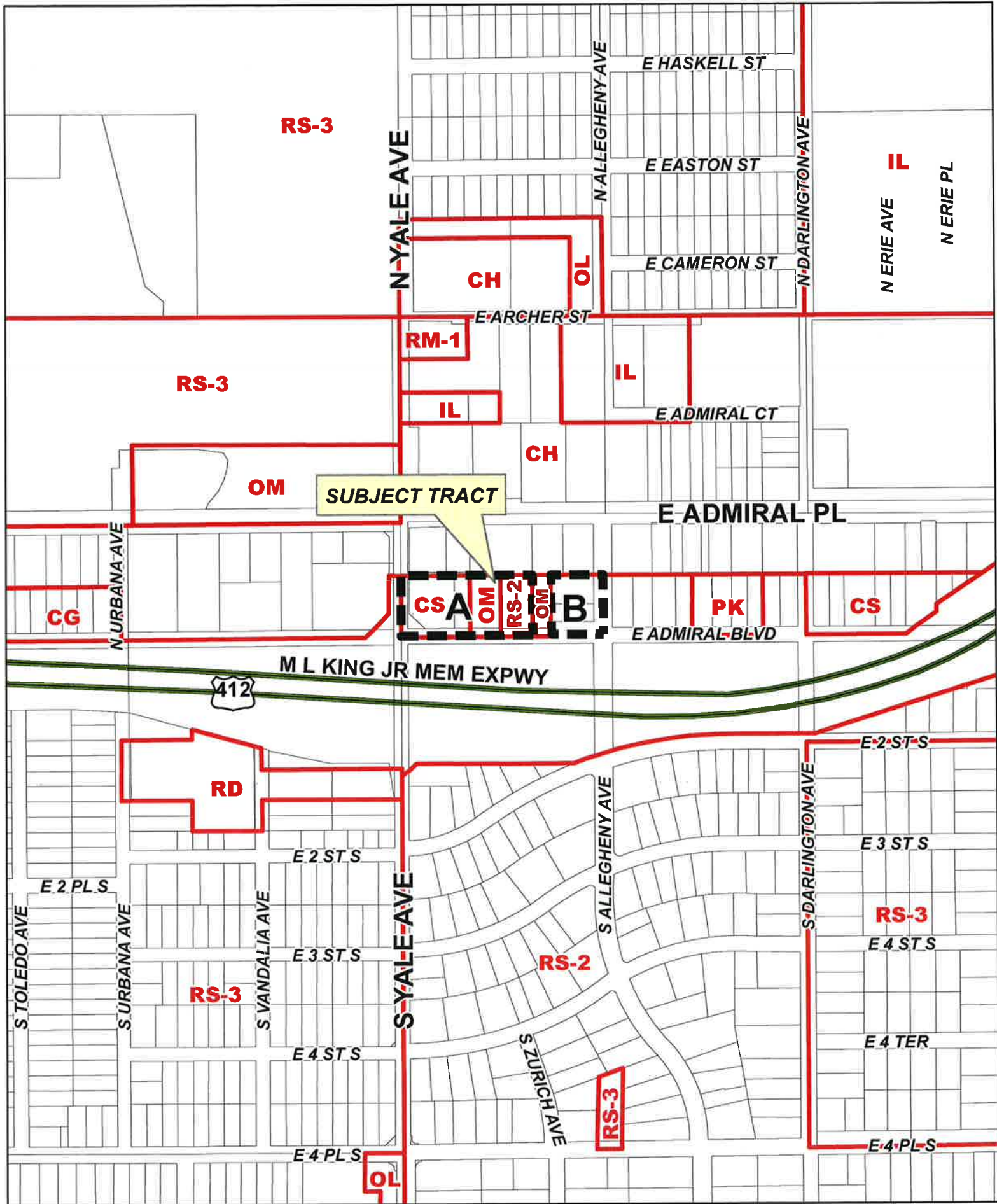
**Z-3998 November 1971:** All concurred in approval of a request for rezoning 2 tracts of land from RS-2 to OM for office use, on property located on the east half of Lot 8, Lot 9 and west 60 ft. of Lot 11, Block 2, White City. Lots 8 and 9 are a part of the subject property and Lot 11 is not.

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14.4

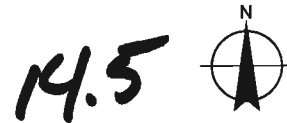
REVISED 5/27/2015



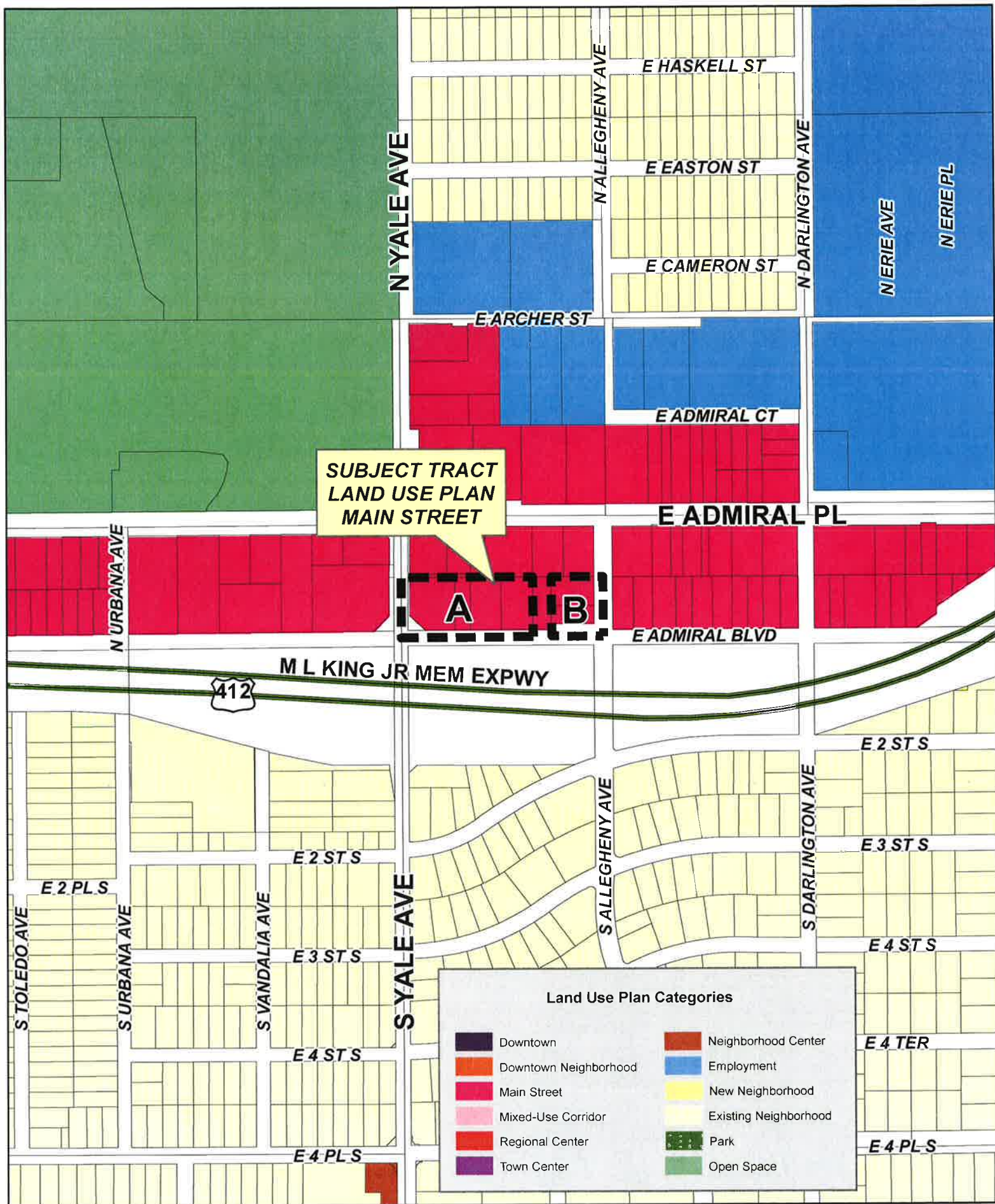


**Z-7304**

19-13 03





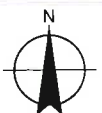


Feet  
0 200 400

**Z-7304**

19-13 03

14.6



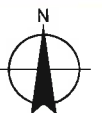




**Z-7304**

19-13 03

**14.7**







0 Feet  
200  
400



Subject  
Tract

**Z-7304**

19-13 03

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

Aerial Photo Date: March 2014







N YALE AVE

E ADMIRAL PL

NALLEGHENY AVE

A

B

M L KING JR MEM EXPWY

412

0 50 100  
Feet



Subject  
Tract

**Z-7304**

19-13 03

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

Aerial Photo Date: March 2014



















Tulsa Metropolitan Area  
Planning Commission

**Case Number:** CZ-441

**Hearing Date:** June 3, 2015

**Case Report Prepared by:**

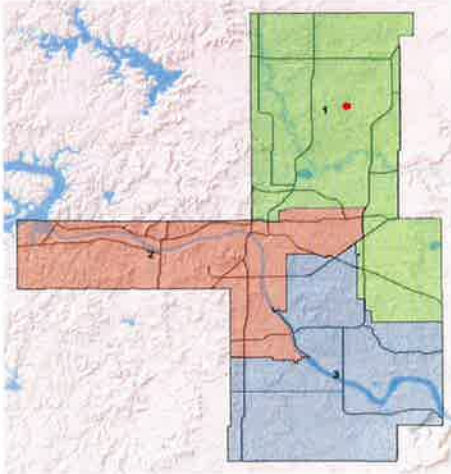
Dwayne Wilkerson

**Owner and Applicant Information:**

*Applicant:* Jarrod Sanders

*Property Owner:* SOKOLOSKY, NOBLE AND MARY

**Location Map:**  
**(shown with City Council Districts)**



**Applicant Proposal:**

*Present Use:* Vacant

*Proposed Use:* Single Family Residential

*Concept summary:* Rezone from AG to RE for new single family residential subdivision in Tulsa County

*Tract Size:* 17.59  $\pm$  acres  
766223.54  $\pm$  sq. ft

*Location:* East of southeast corner of E. 106<sup>th</sup> St. N. and N. Memorial Dr.

**Zoning:**

*Existing Zoning:* AG

*Proposed Zoning:* RE

**Comprehensive Plan:**

Tulsa County Comprehensive Plan Areas do not affect this site.

City of Owasso Comprehensive Plan designates this area as a Single Family Residential area.

**Staff Recommendation:**

**Staff recommends approval.**

**Staff Data:**

TRS: 1313

CZM: 11

Atlas: 0

**County Commission District:** 1

*Commissioner Name:* John Smaligo

15.1



## **SECTION I: CZ-441**

### **DEVELOPMENT CONCEPT:**

The applicant has requested single family residential zoning complimentary with the adjacent property east and north.

### **EXHIBITS:**

- INCOG Case map
- INCOG Aerial (small scale)
- INCOG Aerial (large scale)
- Tulsa Comprehensive Plan Land Use Map
- Tulsa Comprehensive Plan Areas of Stability and Growth Map
- Applicant Exhibits:

### **DETAILED STAFF RECOMMENDATION:**

Tulsa County comprehensive planning efforts have never included this parcel or any land east of Memorial in this area however, CZ-441 is consistent with the land use designation in the City of Owasso Comprehensive Plan and,

CZ-441 is non injurious to the existing proximate properties and,

RE zoning is consistent with the anticipated future development pattern of the surrounding property therefore,

**Staff recommends Approval of CZ-441 to rezone property from AG to RE.**

## **SECTION II: Supporting Documentation**

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

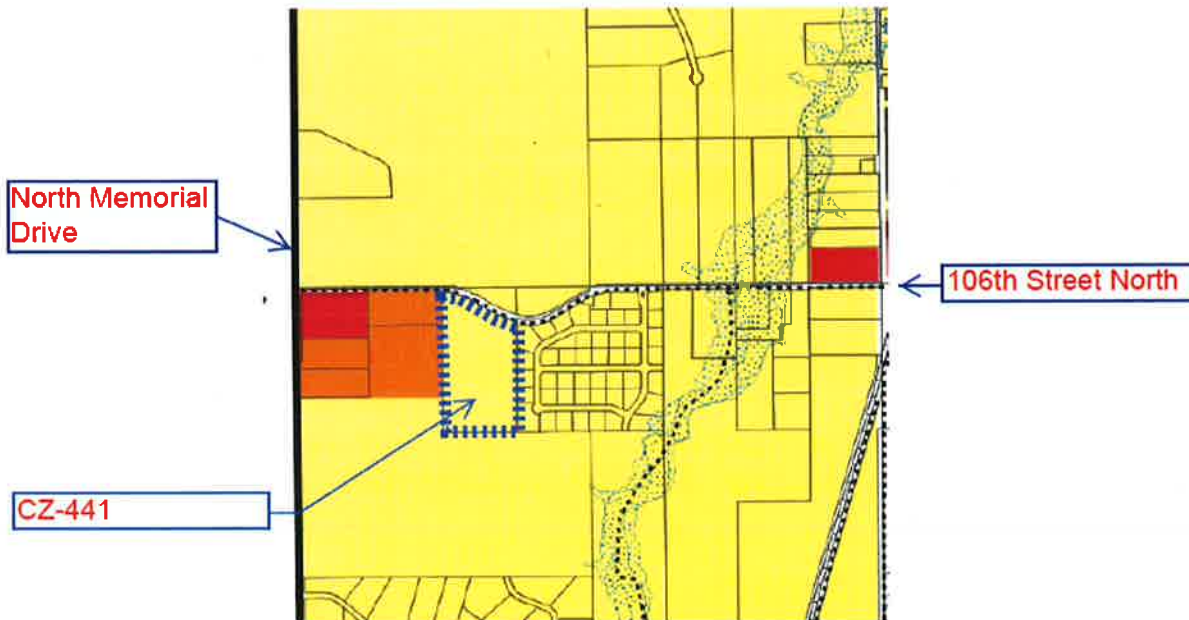
#### **Staff Summary:**

CZ-441 is outside of the City of Owasso however the site is part of the Owasso Land Use master plan. Their plan indicates that the CA-441 is part of a large area that was anticipated to be single family detached housing. The west border of the site is abutting a transitional area and could contain multi family or other attached housing options.

City of Owasso staff supports the request however they have expressed concerns that the site will not connect to City sanitary sewer service. Current policy for the City of Owasso prohibits annexation after the subdivision is developed.

#### **2030 GrOwasso Land Use Master Plan excerpt:**





LEGEND	
<b>Land Use Categories</b>	
<span style="display:inline-block; width:15px; height:15px; background-color:red; border:1px solid black;"></span> Commercial	<span style="display:inline-block; width:15px; height:15px; background: repeating-linear-gradient(45deg, transparent, transparent 2px, blue 2px, blue 4px); border:1px solid black;"></span> 100yr Floodplain
<span style="display:inline-block; width:15px; height:15px; background-color:purple; border:1px solid black;"></span> Industrial/Regional Employment	<span style="display:inline-block; width:15px; height:15px; border-top: 2px dashed black; border-bottom: 2px dashed black; border-left: 2px dashed black; border-right: 2px dashed black;"></span> Planned Trail/On-Street Bikeroute/Complete Street
<span style="display:inline-block; width:15px; height:15px; background: repeating-linear-gradient(-45deg, transparent, transparent 2px, orange 2px, orange 4px); border:1px solid black;"></span> Neighborhood Mixed Use (Light Office, Commercial Shopping, Attached Housing, SF Housing, Apartments above retail)	<span style="display:inline-block; width:15px; height:15px; border-top: 1px solid black; border-bottom: 1px solid black; border-left: 1px solid black; border-right: 1px solid black;"></span> Existing trail
<span style="display:inline-block; width:15px; height:15px; background-color:green; border:1px solid black;"></span> Parks/Recreation	<span style="display:inline-block; width:15px; height:15px; background-color:yellow; border:1px solid black;"></span> Fire Station
<span style="display:inline-block; width:15px; height:15px; background-color:blue; border:1px solid black;"></span> Public/Institutional/Quasi Public	<span style="display:inline-block; width:15px; height:15px; background-color:lightblue; border:1px solid black;"></span> Existing Public School
<span style="display:inline-block; width:15px; height:15px; background-color:yellow; border:1px solid black;"></span> Residential (Single family detached housing)	<span style="display:inline-block; width:15px; height:15px; background-color:lightblue; border:1px solid black;"></span> Future Public School
<span style="display:inline-block; width:15px; height:15px; background-color:orange; border:1px solid black;"></span> Transitional (Attached housing, duplexes, offices)	<span style="display:inline-block; width:15px; height:15px; background-color:lightblue; border:1px solid black;"></span> Civilian Airstrip
<span style="display:inline-block; width:15px; height:15px; background: repeating-linear-gradient(45deg, transparent, transparent 2px, black 2px, black 4px); border:1px solid black;"></span> US-169 Overlay District	<span style="display:inline-block; width:15px; height:15px; background-color:lightblue; border:1px solid black;"></span> Future Park and Rider Transit Stop
<span style="display:inline-block; width:15px; height:15px; background: repeating-linear-gradient(-45deg, transparent, transparent 2px, black 2px, black 4px); border:1px solid black;"></span> Glenn-Mur Addition Special District	<span style="display:inline-block; width:15px; height:15px; background-color:lightblue; border:1px solid black;"></span> Hospital
<span style="display:inline-block; width:15px; height:15px; background: repeating-linear-gradient(0deg, transparent, transparent 2px, black 2px, black 4px); border:1px solid black;"></span> Downtown Development District	<span style="display:inline-block; width:15px; height:15px; background-color:lightblue; border:1px solid black;"></span> Public Park
	<span style="display:inline-block; width:15px; height:15px; background-color:lightblue; border:1px solid black;"></span> Golf Course
	<span style="display:inline-block; width:15px; height:15px; background-color:lightblue; border:1px solid black;"></span> Cemetery

### Land Use Vision:

*Land Use Plan map designation:* None in Tulsa County however the City of Owasso Comprehensive Plan recognizes this area a future Residential (single family detached housing)

*Areas of Stability and Growth designation:*

### Transportation Vision:

*Major Street and Highway Plan:* 106<sup>th</sup> Street North is a secondary arterial street. The major street and highway plan does not illustrate any special overlay considerations for this street.

*Trail System Master Plan Considerations:* None



Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *The existing site is wooded undeveloped site with one residential structure.*

Environmental Considerations: None that would significantly impact development opportunities.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 106 <sup>th</sup> Street North	Secondary Arterial	100 feet	2

Utilities:

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

Surrounding Properties: The subject tract is abutted on the east by a single family residential subdivision, zoned RE; on the north by undeveloped land in the City of Owasso, zoned RE; on the south and west by undeveloped property in Tulsa County, zoned AG;

**SECTION III: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 98254 dated September 15, 1980, established zoning for the subject property.

***Subject Property:***

N/A

***Surrounding Property:***

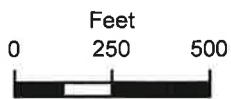
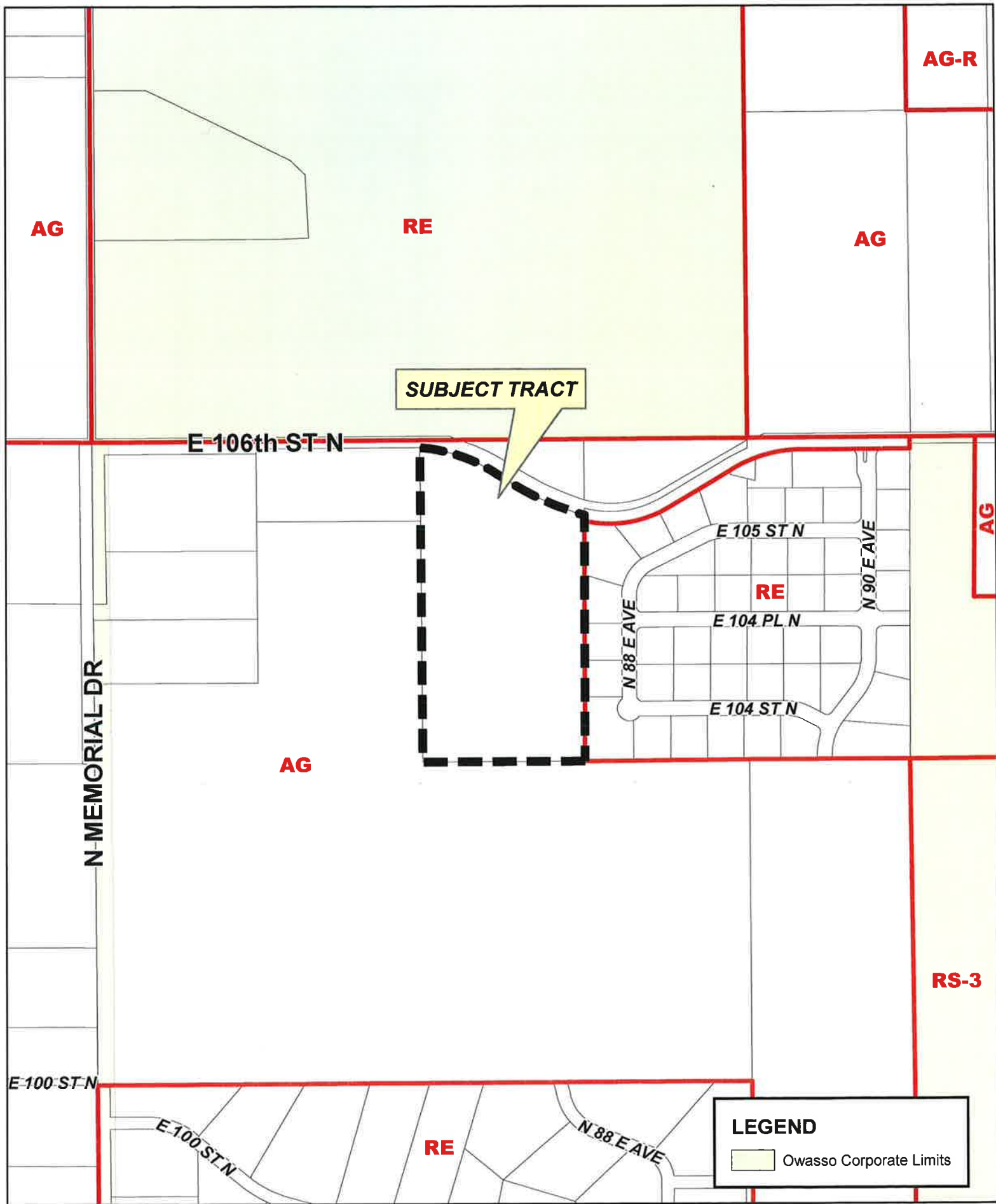
**CZ-286 October 2001:** All concurred in denial of a request for rezoning a 175± acre tract of land from AG to RS for residential use, and approval of RE zoning, on property located northeast corner and east of the southeast corner East 106<sup>th</sup> Street North and North Memorial Drive; and is now incorporated into the Owasso City limits.

**CZ-262 March 2000:** All concurred in denial of a request for rezoning a 36± acre tract from AG to RS and approval of RE, on property located east of the southeast corner of East 106<sup>th</sup> Street North and North Memorial Drive and abutting subject property to the east.

6/3/2015 1:30 PM

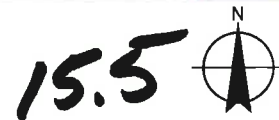
15.4





CZ-441

21-13 13







0 250 500  
Feet



Subject  
Tract

**CZ-441**

21-13 13

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

Aerial Photo Date: March 2014







Tulsa Metropolitan Area  
Planning Commission

**Case Number:** PUD-832

**Hearing Date:** June 3, 2015

**Case Report Prepared by:**

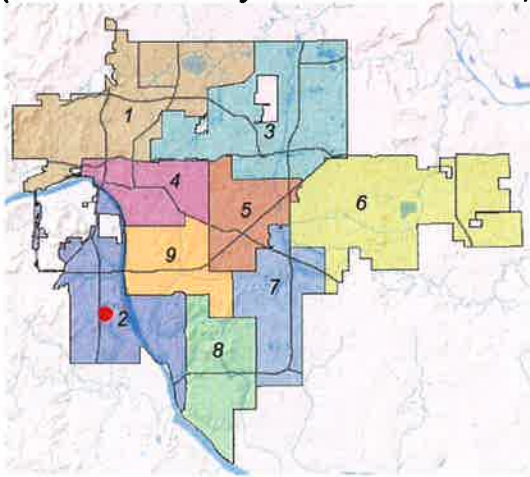
Dwayne Wilkerson

**Owner and Applicant Information:**

*Applicant:* Alan Betchan

*Property Owner:* MCGONIGAL FAMILY TRUST THE

**Location Map:**  
**(shown with City Council Districts)**



**Applicant Proposal:**

*Present Use:* Vacant

*Proposed Use:* Commercial uses

*Concept summary:* Medical and Office development. PUD is required for the development of lots without frontage on a public street.

*Tract Size:* 10.64  $\pm$  acres  
463480.3  $\pm$  sq. ft

*Location:* East of northeast corner of W. 71<sup>st</sup> St.  
and Highway 75

**Zoning:**

*Existing Zoning:* OL/CS

*Proposed Zoning:* OL/CS/PUD-832

**Comprehensive Plan:**

*Land Use Map:* Mixed-Use Corridor

*Stability and Growth Map:* Area of Growth

**Staff Recommendation:**

**Staff recommends approval**

**Staff Data:**

TRS: 8202

CZM: 51

Atlas: 0

**City Council District: 2**

*Councilor Name:* Jeannie Cue

**County Commission District: 2**

*Commissioner Name:* Karen Keith

16.1

REVISED 5/27/2015



## SECTION I: PUD-832

### DEVELOPMENT CONCEPT:

PUD 832 is a Planned Unit Development overlay of an existing OL and CS zoned parcel (see Exhibit A for existing zoning map) along the north side of East 71<sup>st</sup> Street South east of Highway 75. The site encompasses the area between the recently constructed QuikTrip convenience store and the Legends Assisted Living as well as the majority of the undeveloped land north of the QuikTrip tract. The developer is under contract for the entire parcel and plans to start construction of a micro-hospital on the portion of the property fronting 71<sup>st</sup> Street. The balance of the property will develop as users become available. The conceptual site plan for the project can be seen in the attached Exhibit B.

The PUD consists of single development area allowing uses customarily allowed within the underlying zonings, though the full assortment of uses allowed within CS are permitted across the entire PUD. The primary reason for the PUD is to allow lots without street frontage to be plated on the northern portion of the property. These lots will derive their access from a private access road within the development.

### EXHIBITS:

- INCOG Case map
- INCOG Aerial (small scale)
- INCOG Aerial (large scale)
- Tulsa Comprehensive Plan Land Use Map
- Tulsa Comprehensive Plan Areas of Stability and Growth Map
- Applicant Exhibits:
  - Exhibit A: Existing Zoning Map
  - Exhibit B: Conceptual Site Plan
  - Exhibit C: Existing Topography and Aerial photo
  - Exhibit D: Conceptual Access and Circulation Plan
  - Exhibit E: Conceptual Improvements (Utility Infrastructure)

## SECTION II PUD-832 DEVELOPMENT STANDARDS:

### Land Area

Net Lot Area	461,909 sq. ft. (10.60 ac)
Gross Lot Area	477,596 sq. ft. (10.96 ac)

### Permitted Uses

Uses permitted by right and special exception within CS zoning (including all uses customarily accessory thereto) **except** the following Use Units:

Use Unit 12a: Adult Entertainment Establishments

### Maximum Building Area

Non-residential intensity shall not exceed a maximum permitted floor area of 0.75 for each lot.

Residential intensity shall not exceed a maximum number of dwelling units computed as follows:

16.2  
REVISED 3/27/2015



Max DU = Lot area / Minimum land area per dwelling unit permitted in the applicable use district.

The minimum land area per dwelling unit, for the purposes of the above described residential computation, shall be the least restrictive minimum land area per dwelling unit permitted in the applicable district as set forth in Subsections 403.A, 403.B and 404.C of the Tulsa Zoning Code. Each 600 square feet of a quasi-dwelling, such as a care home, shall constitute a dwelling unit.

### **Minimum Building Setbacks**

71 <sup>st</sup> Street South	17.5'*
*Add ½ of the required street right of way as defined on the Major Street and highway plan to this dimension.	
North Property Line	20'
Internal Property Line	5'
East and West Property Line	10'

### **Maximum Building Heights:**

The maximum building height shall not exceed 75 feet from the finished floor elevation of the floor at the main entrance. Any building or portion of a building constructed within 100 feet of the north property line shall not exceed 35 feet as measured from the finished floor elevation at the main entrance.

### **Landscaping:**

Minimum internal landscaped space	15%
The street yard tree requirement:	3 trees for each 1500 square feet of street yard.

The PUD shall meet or exceed the requirements of the Landscape Chapter of the City of Tulsa Zoning code in all other manners.

The site plan shall provide reasonable attempts to preserve the existing tree canopy on the site. Each site plan shall illustrate where the existing trees can be saved and the landscape plan will provide details for preserving trees where practical.

### **Parking:**

Minimum parking will be provided with not less than 75% of the quantity defined by the use unit designation within the Tulsa Zoning Code.

### **Vehicular Access and Circulation:**

The attached Exhibit D depicts the vehicular and pedestrian access points and circulation anticipated to accommodate the conceptual site plan. Access to the northern most lots will be derived via the mutual access easement through the QuikTrip property to the traffic signal on 71<sup>st</sup> Street. There is a potential for future access to the



properties contiguous to the eastern boundary and north of Legends Senior Living but no definitive plans for development have been set. It is our understanding this access is adequate for fire protection provided certain building height, construction type, and square footage limitations are met.

### **Pedestrian Access:**

Pedestrian access with sidewalks will be provided between all lots connecting buildings and the entire site to the public sidewalk system on East 71<sup>st</sup> Street South.

### **Subdivision Plat and Site Plan:**

A subdivision plat will be required for the entire project and shall be approved by City Council and filed with the Tulsa County clerk prior to release of a building permit. Retaining wall building permits may be released prior to filing the plat.

No Sign permit will be issued until a detailed sign plan is submitted and approved by the Tulsa Metropolitan Area Planning Commission.

### **Signage:**

Signs shall be limited to the following:

- One double sided project identification ground sign not exceeding 25' in height shall be permitted along 71<sup>st</sup> Street provided it does not exceed 200 square feet of display surface area per side. Signage for all tracts within the PUD will be allowed on this sign.
- One double sided ground sign shall be allowed within each lot provided it does not exceed 20' in height or 75 square feet of display surface area per side.
- Wall signs shall be limited to 2 square feet per linear foot of building wall to which the signs are affixed. No wall signage is allowed on the north or east facing wall of any building.
- No roof or projecting signs shall be permitted.
- Flashing signs, digital signs, changing copy signs, running light or twinkle signs animated signs, revolving or rotating signs or signs with movement shall be prohibited.

### **Expected Development Schedule:**

Development of the first phase of the project is expected to begin in Fall of 2015.

### **DETAILED STAFF RECOMMENDATION:**

PUD 832 is consistent with the Land Use Vision of the Tulsa Comprehensive Plan and the West Highlands Small Area Plan and,

PUD 832 is in harmony with the existing and expected development of surrounding areas and,



The PUD provides a unified treatment of the development possibilities of the project site and,

The PUD is consistent with the stated purposes and standards of the PUD chapter of the Tulsa Zoning Code therefore,

**Staff recommends Approval of PUD-832 as outlined in Section II above.**

## **SECTION II: Supporting Documentation**

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: The uses defined in the Mixed Use Corridor are consistent with the anticipated use in the PUD. The relationship of the buildings to the street as shown on to the conceptual plan are not completely consistent with the vision in the Land Use plan however the development standards for building setbacks will allow development closer to the street than what is shown.*

### Land Use Vision:

*Land Use Plan map designation:* Mixed-Use Corridor

A Mixed-Use Corridor is a plan category used in areas surrounding Tulsa's modern thoroughfares that pair high capacity transportation facilities with housing, commercial, and employment uses. The streets usually have four or more travel lanes, and sometimes additional lanes dedicated for transit and bicycle use. The pedestrian realm includes sidewalks separated from traffic by street trees, medians, and parallel parking strips. Pedestrian crossings are designed so they are highly visible and make use of the shortest path across a street. Buildings along Mixed-Use Corridors include windows and storefronts along the sidewalk, with automobile parking generally located on the side or behind. Off the main travel route, land uses include multifamily housing, small lot, and townhouse developments, which step down intensities to integrate with single family neighborhoods.

*Areas of Stability and Growth designation:* Area of Growth

The purpose of an Area 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.

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are in close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the City as a whole. Development



in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.

#### Transportation Vision:

*Major Street and Highway Plan:* West 71<sup>st</sup> Street South is Primary Arterial with a commuter street overlay.

A commuter street is 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 a 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

#### *Trail System Master Plan Considerations:*

None except that the pedestrian connection system should encourage potential connections to the nearby trail and sidewalk network that connects to the Turkey Mountain Urban Wilderness and the River trail system.

Small Area Plan: West Highland Small Area Plan is effective April 2014 through resolution#2670:922

One of the Main priorities in the West Highlands Plan is the preservation of open space and the natural environment in future development. During the site plan and landscape plan process the PUD will require deliberate efforts to save and enhance some of the natural environment.

Special District Considerations: None

Historic Preservation Overlay: None

#### DESCRIPTION OF EXISTING CONDITIONS:

##### Staff Summary:

*The site is heavily wooded and slopes from west to east. There is substantial fall across the site with more than 35' of relief across the property. The adjacent QuikTrip development built up their property, constructing large walls along its eastern and northern boundary. Olympia Medical Park, immediately west of the property, also built up their property with an access road along the eastern boundary raised nearly 15' above natural grade. The site will be benched to accommodate future pad developments as the site develops.*



*The attached Exhibit C depicts an aerial of the existing site as well as topography.*

*Near the southwest corner of the Site an outdoor advertising sign has been constructed. The sign may be on this site. There are no records with INCOG that define how this sign was permitted. TMAPC staff will encourage removal of that sign if during the remainder of the project it is determined that the sign was constructed illegally.*

*Existing Outdoor Advertising sign near the south west corner of PUD 832:*

*(See Image Below)*



Environmental Considerations:

Protection of the existing wooded features on the site is an important part of this project and will be considered in detail during site development.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
West 71 <sup>st</sup> Street	Primary Arterial	120 feet	8

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties: The subject tract is abutted on the east by an assisted care center, zoned RM-2 / PUD790; on the north by a rural residential community, zoned RS-3; on the south by Tulsa



Hills Commercial Area, zoned CO; and on the west by Commercial and Office development, zoned OL, CS and CO with PUD 648, 648-A, PUD 783 and PUD 783-A.

### **SECTION III: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 22801 dated January 29, 2013, established zoning for the subject property.

#### ***Subject Property:***

**BOA-21581 June 25, 2013:** The Board of Adjustment approved a Variance of the minimum street frontage requirement to 0 ft to permit the platting of a panhandle parcel, with a mutual access agreement, zoned CS and OL (Section 603, Table 3), on property located at 717 W. 71<sup>st</sup> St. S. and is also known as the subject property.

**Z-7213 January 2013:** All concurred in approval of a request for rezoning a 10± acre tract of land from AG to OL/CS for mixed use medical, office and commercial, on property located east of northeast corner West 71<sup>st</sup> Street and South Olympia Avenue

**PUD-768-A Abandonment April 2011:** All concurred in approval of a proposed Planned Unit Development on a 6.39± acre tract of land to abandon PUD-768, to propose a new PUD-783 on property located east of northeast corner West 71<sup>st</sup> Street and Highway 75 and a part of the subject property.

**Z-7122/PUD-768 February 2009:** All concurred in approval of a request for rezoning a 6.39± acre tract of land from AG to OL/CS for hotel, retail and office, on property located east of northeast corner West 71<sup>st</sup> Street and Highway 75 and a part of the subject property.

#### ***Surrounding Property:***

**Z- 7195/ PUD-790 March 2012:** All concurred in approval of a request for rezoning a 4± acre tract of land from AG to RM-2 and a Planned Unit Development for Use Unit 8 limited to Life Care Retirement Center and Assisted Living Facility, on property located east of northeast corner of West 71<sup>st</sup> Street and South Olympia Avenue

**Z-7177 September 2011:** All concurred in approval of a request for rezoning a .51± acre tract of land from CO to CS for QuikTrip to use as part of their site, on property located east of the northeast corner of Highway 75 South and West 71<sup>st</sup> Street South.

**PUD-783-A September 2011:** All concurred in approval of a Major Amendment to PUD-783 on a 2.69± acre tract of land to add to Development Area A and to allow for access between PUD-783 and Olympia Medical Park/PUD-648 to the west, on property located east of the northeast corner of Highway 75 South and West 71<sup>st</sup> Street.

**PUD-648-B April 2010:** All concurred in approval of a proposed Major Amendment to a Planned Unit Development on a 7.16± acre tract of land to amend permitted uses to add Use Unit 13, add two development areas and reallocate floor area, on property located on the northeast corner of West 71<sup>st</sup> Street South and Highway 75 South.

**Z-6001-SP-2/PUD-648-A June 2007:** All concurred in approval of a proposed Major Amendment to a PUD on a 55± acre tract of land for a development with six development areas for office,

16.8

REVISED 5/27/2015



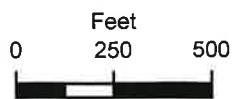
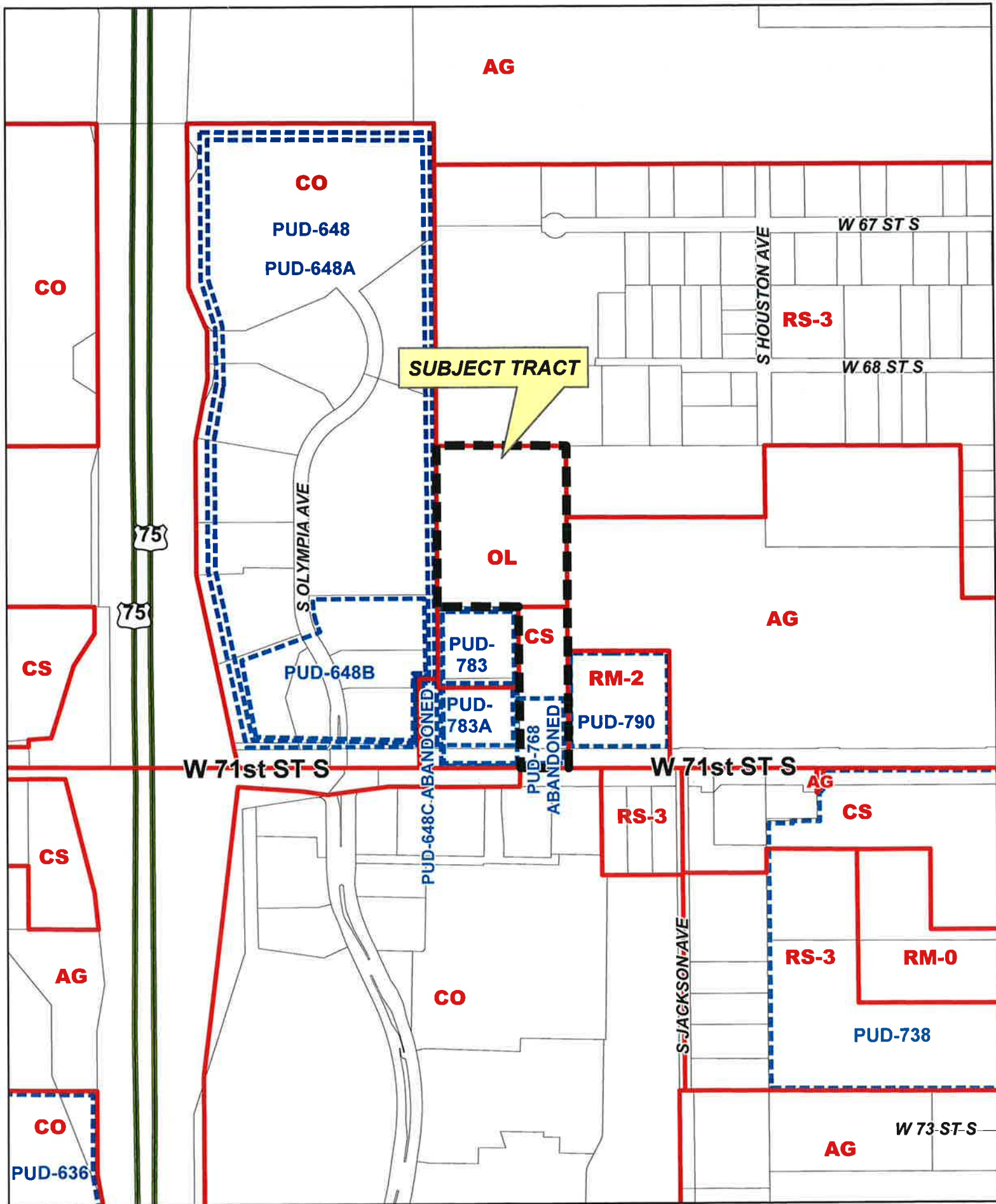
restaurant, hotel and hospital uses on property located on the northeast corner of West 71<sup>st</sup> Street South and Highway 75 South.

**Z-7052/PUD-738 May 2007:** All concurred in approval of a request to rezone a 39.19+ acre tract from AG to RS-3/RM-0/CS and a Planned Unit Development for a mixed use development on property located at the southwest corner of West 71<sup>st</sup> Street South and South Elwood Avenue.

**Z-6001-SP-1/PUD-648 May 2001:** A Planned Unit Development and Detail Corridor Site Plan were approved for hospital and office use on a 56 acre parcel located on the northeast corner of West 71<sup>st</sup> Street and U. S. High 75 South.

5/20/2015 1:30 PM





**PUD-832**

18-12 02

16110







Feet  
0 250 500



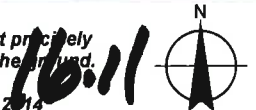
Subject  
Tract

**PUD-832**

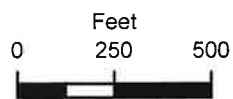
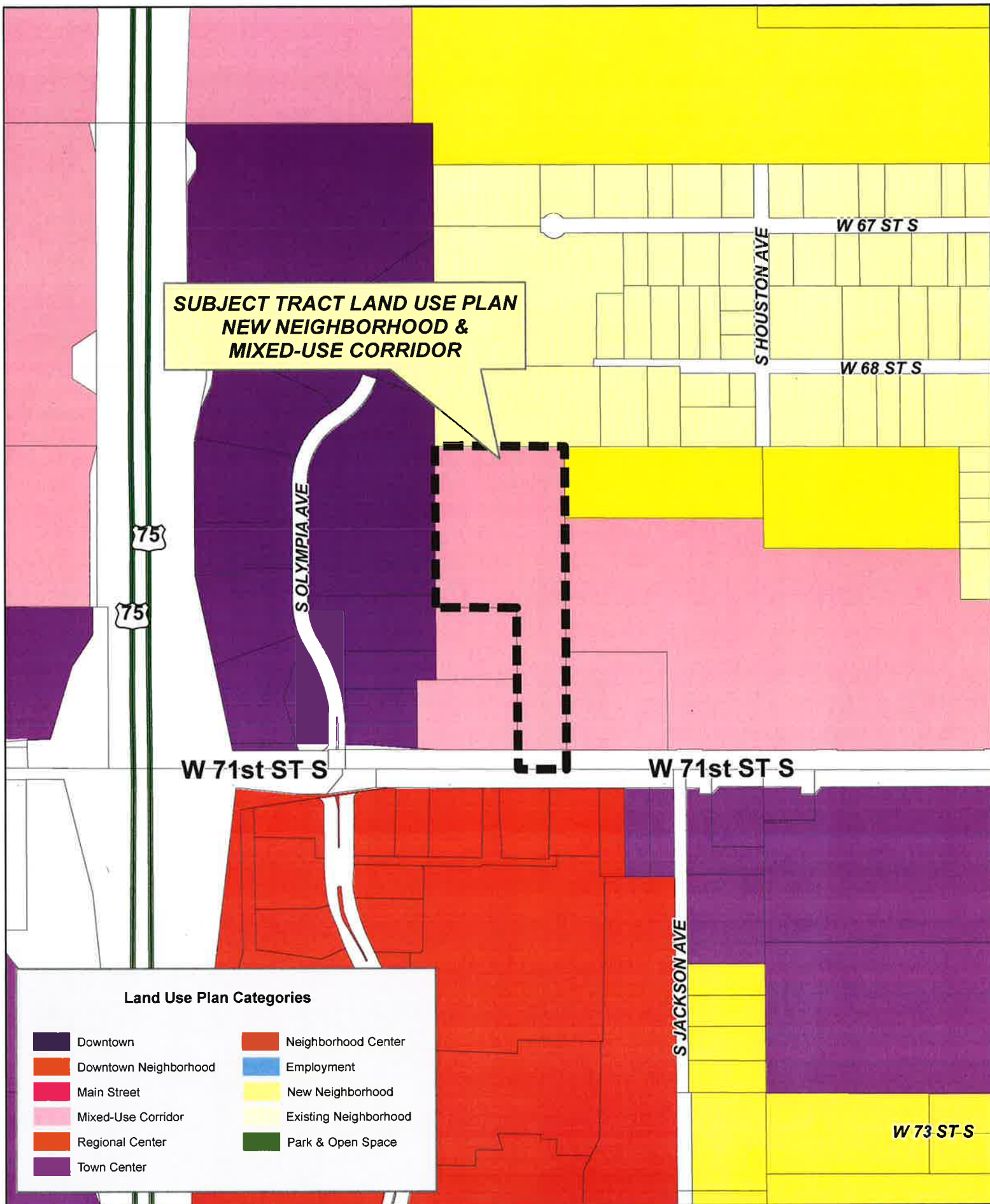
18-12 02

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Aerial Photo Date: March 2014

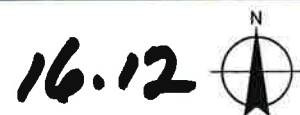




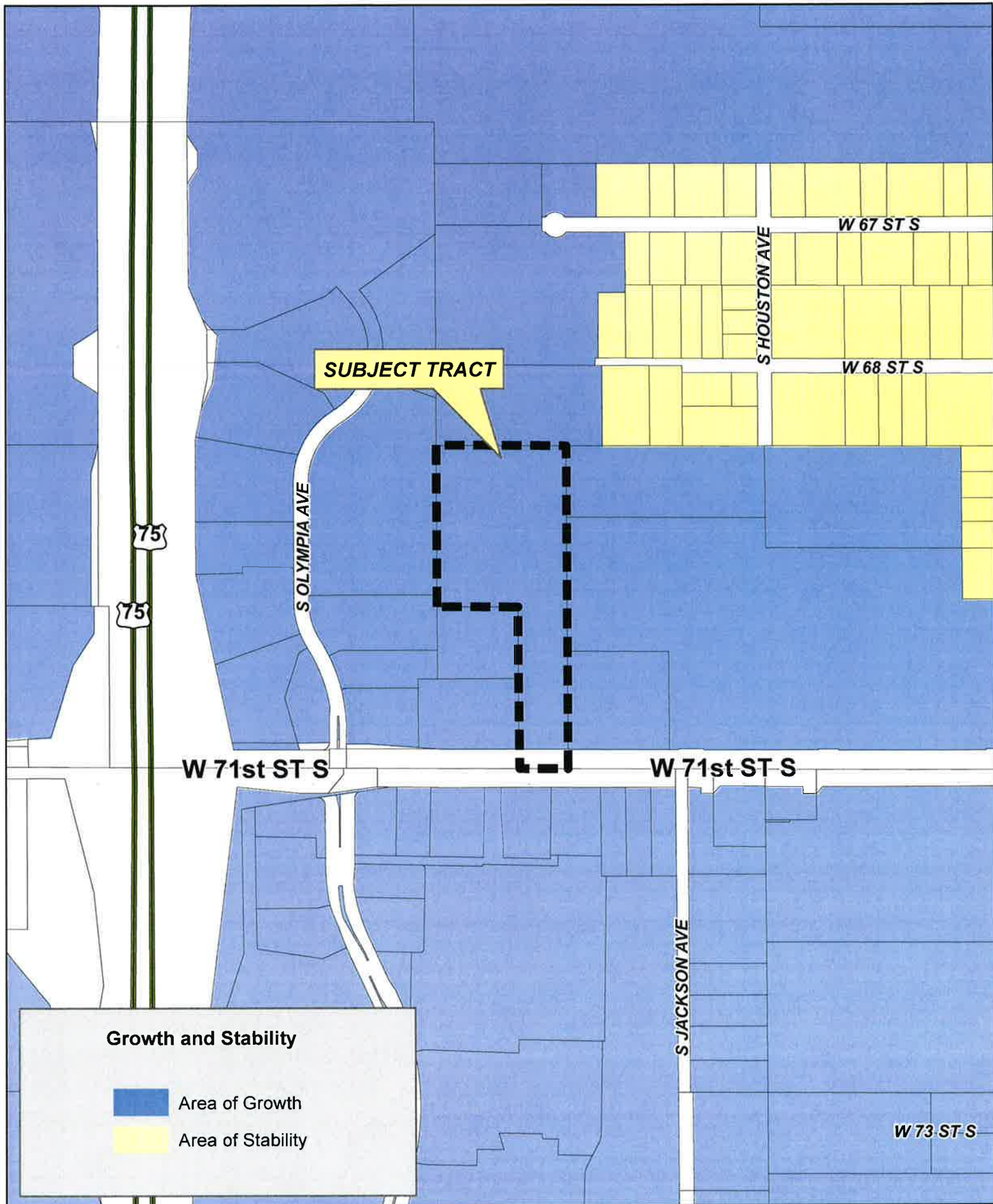


**PUD-832**

18-12 02







Feet  
0 250 500

**PUD-832**

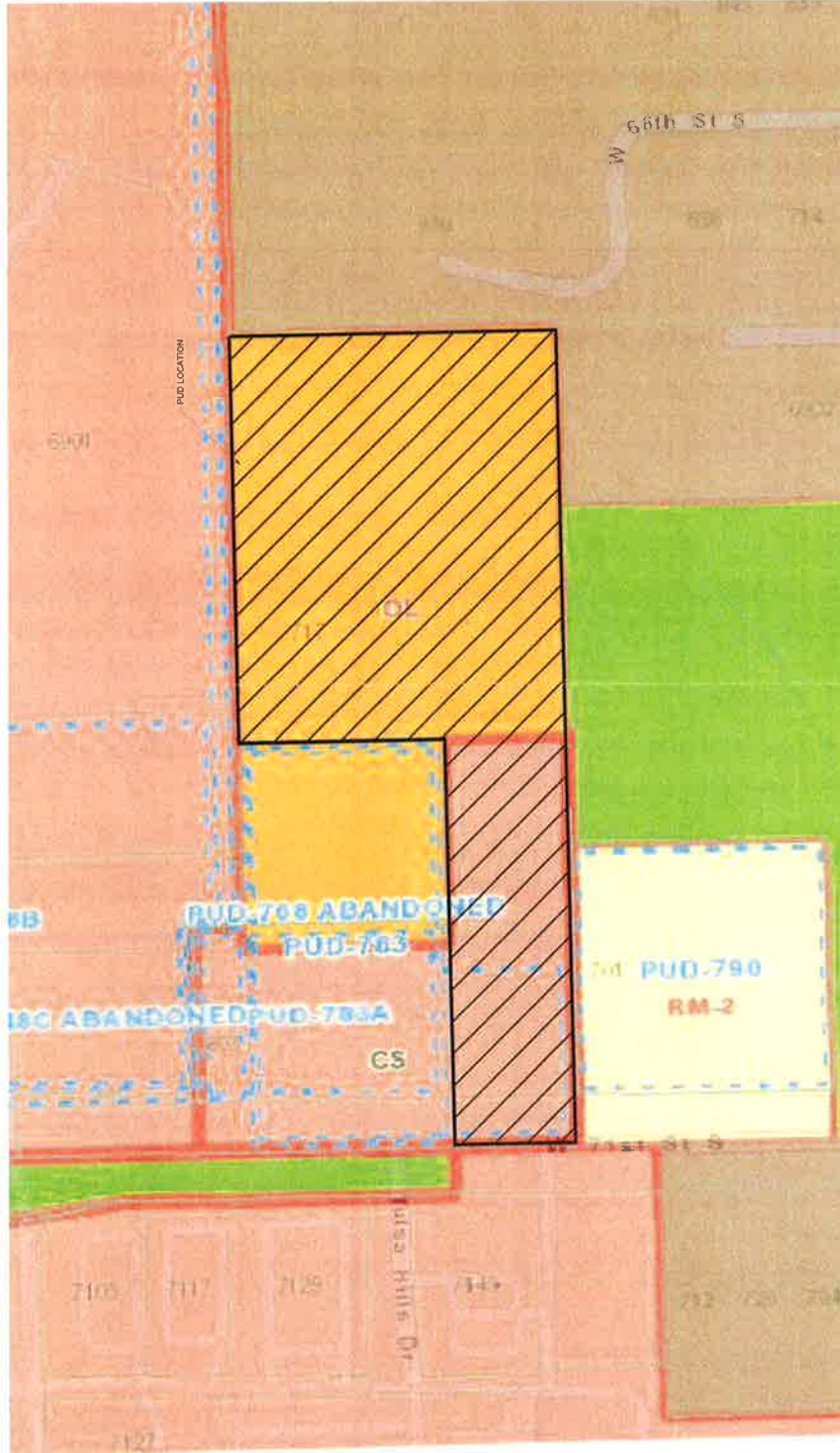
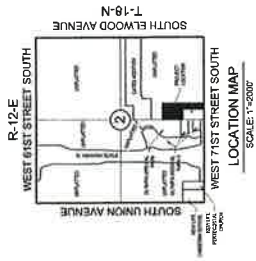
18-12 02

**16.13**





# Exhibit A Existing Zoning Map for Tulsa Hills Healthcare Community



0 50 100 200  
 DRAWING SCALE: 1"=100'



16.14



# Exhibit B Conceptual Site Plan for Tulsa Hills Healthcare Community



0 25 50 100  
DRAWING SCALE 1"=50'



WEST 71ST STREET SOUTH



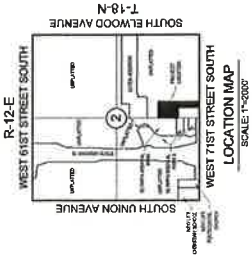
5.1.15



# Exhibit C Existing Topo and Aerial for Tulsa Hills Healthcare Community



0 25 50 100  
DRAWING SCALE: 1" = 50'



AAB Engineering, LLC  
**AAB**  
Engineering • Surveying • Land Planning  
10000 E. 10th Avenue, Suite 100  
Tulsa, Oklahoma 74116  
Phone: (918) 438-4444 Fax: (918) 438-4445

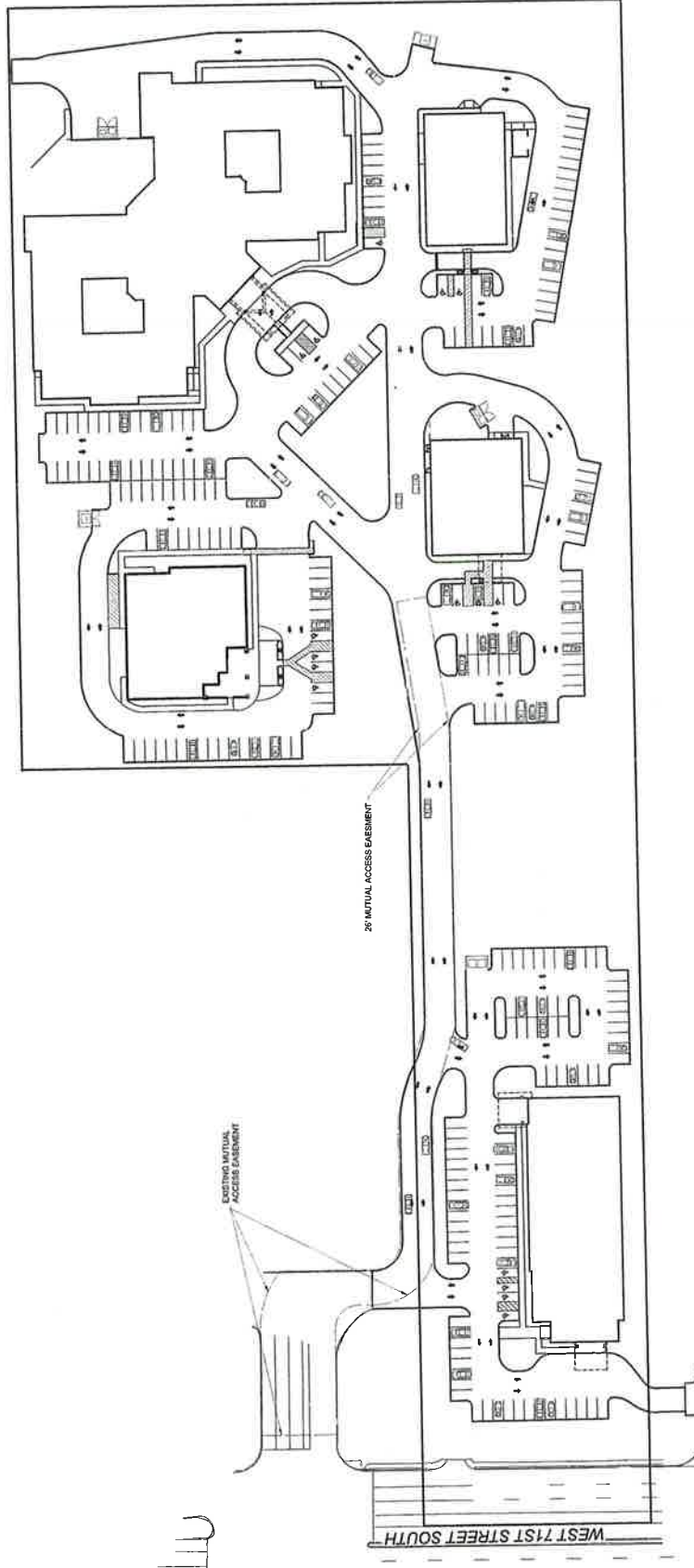
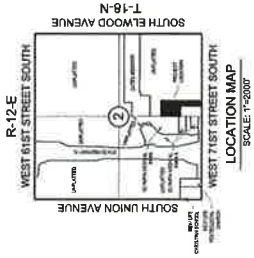
16.14



# Exhibit D Conceptual Access and Circulation Plan for Tulsa Hills Healthcare Community

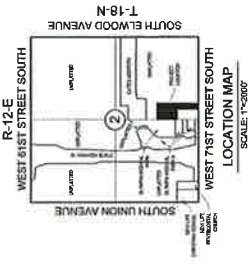


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DRAWING SCALE: 1" = 50'

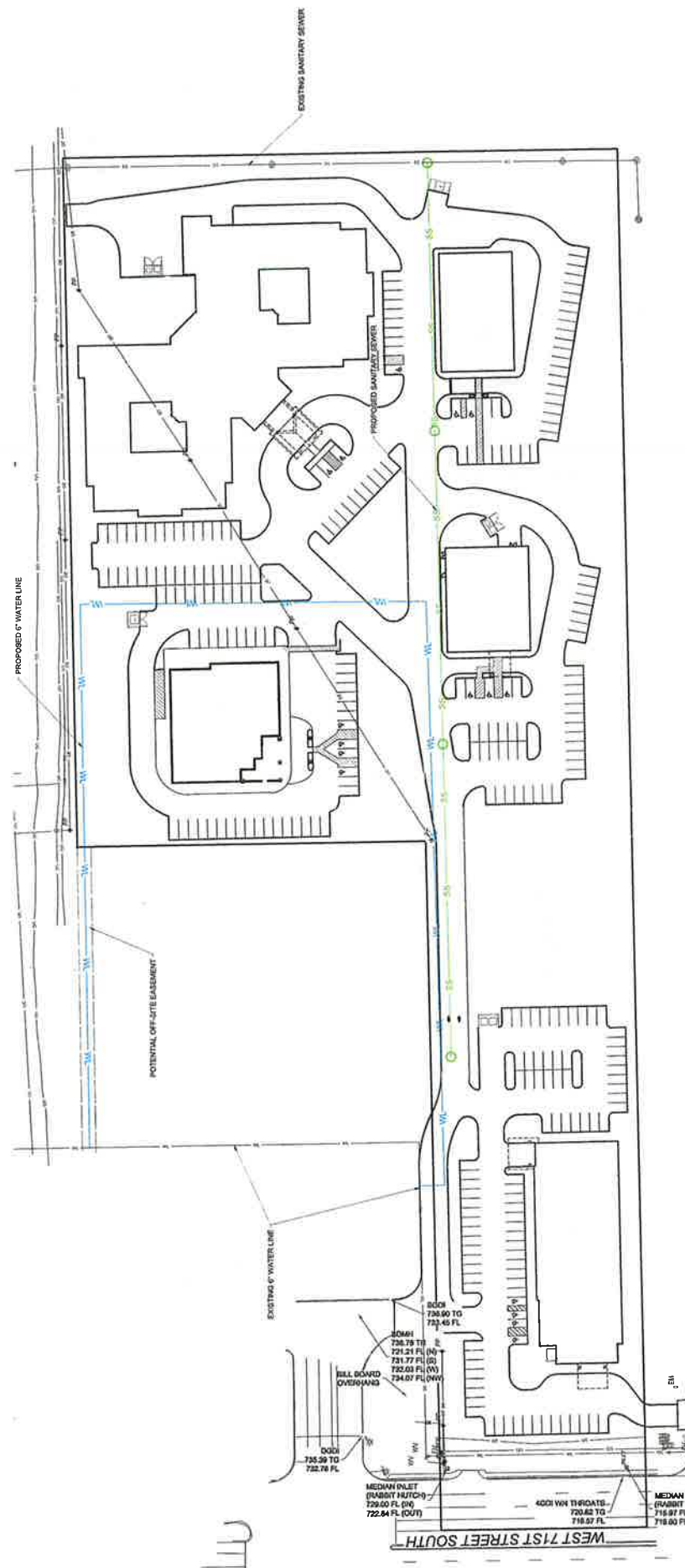




# Exhibit E Conceptual Improvements for Tulsa Hills Healthcare Community



0 25 50 100  
DRAWING SCALE: 1" = 50'



AAB Engineering, LLC  
**AAB**  
Engineering • Surveying • Land Planning  
1000 N. W. 10th Ave., Suite 100  
Tulsa, Oklahoma 74103  
Phone: (918) 438-1111  
Fax: (918) 438-1112  
Email: info@aabeng.com



16.18





Tulsa Metropolitan Area  
Planning Commission

**Case Number:** PUD-716-A Abandonment  
(Related to Z-6054.SP-9)

**Hearing Date:** June 3, 2015

**Case Report Prepared by:**

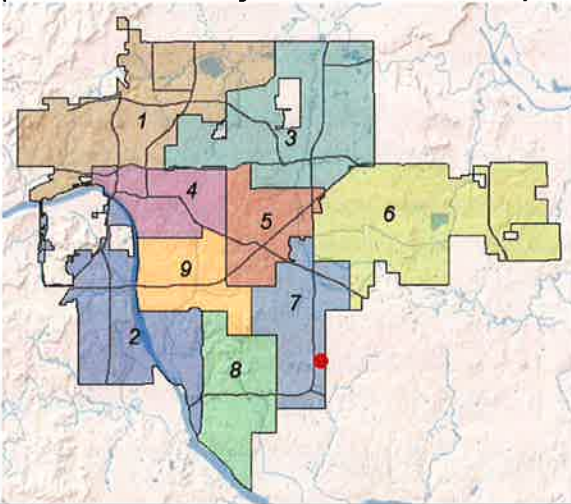
Dwayne Wilkerson

**Owner and Applicant Information:**

*Applicant:* Kevin Vanover

*Property Owner:* JKJ Stonehaven Square LLC

**Location Map:**  
(shown with City Council Districts)



**Applicant Proposal:**

*Present Use:* Vacant

*Proposed Use:* Abandonment of PUD.

*Concept summary:* New development standards will be established in a Corridor Development Plan.

*Tract Size:* 9.38  $\pm$  acres

*Location:* 10704 E 81 ST S; South side of East 81<sup>st</sup> Street South, west of South Garnett Road.

**Zoning:**

*Existing Zoning:* CO/PUD-716

*Proposed Zoning:* CO/PUD-716-A Abandonment

**Comprehensive Plan:**

*Land Use Map:* Town Center

*Stability and Growth Map:* Area of Growth

**Staff Recommendation:**

**Staff recommends approval.**

**Staff Data:**

TRS: 8418

CZM: 54

Atlas: 1412

**City Council District:** 7

*Councilor Name:* Anna America

**County Commission District:** 3

*Commissioner Name:* Ron Peters

17.1



## **SECTION I: PUD-716-A Abandonment**

### **DEVELOPMENT CONCEPT:**

The applicant is proposing to abandon PUD-716-A and replace development standards that were established in the PUD with a new Corridor Development Plan and development standards to support a mixed use project including offices and assisted care living center.

The site was previously zoned Corridor with a PUD overlay.

### **EXHIBITS:**

INCOG Case map

INCOG Aerial

Tulsa Comprehensive Plan Land Use Map

Tulsa Comprehensive Plan Areas of Stability and Growth Map

Applicant Exhibits:

None: Reference Z-6054.SP-9

### **PUD-716-A Abandonment DEVELOPMENT STANDARDS:**

All of PUD 716-A will be abandoned and replaced with new development standards as defined in related Z-6054-SP-9

### **DETAILED STAFF RECOMMENDATION:**

**Staff recommends Approval of the request to abandon PUD-716-A as outlined in Section I above.**

## **SECTION II: Supporting Documentation**

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

*Staff Summary: The site and proposed development is part of a larger Town Center and is consistent with the Town Center Vision identified in the Comprehensive Plan. Abandonment of the PUD will not have an effect on the development of this site as related to the Comprehensive plan.*

### **Land Use Vision:**

*Land Use Plan map designation:* Town Center

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 number of destinations.

*Areas of Stability and Growth designation:* Area of Growth



The purpose of an Area 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.

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are in close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.

Transportation Vision:

*Major Street and Highway Plan:*

No special considerations are given to the 81<sup>st</sup> Street corridor at this location.

*Trail System Master Plan Considerations:*

The Mingo trail is within ½ mile of the west edge of the project. Further study during the site plan phase of the project may reveal opportunities to connect to the existing trail system.

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

*Staff Summary: The site is vacant with grass vegetation and modest slopes. There are no significant development constraints except for the existing utility/pipeline easements that bisect the southeast corner of the property.*

Environmental Considerations: No known environmental concerns or development constraints.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 81 <sup>st</sup> Street South	Secondary Arterial	100 feet	4
South 107 <sup>th</sup> East Avenue	No designation	50 feet	2

Utilities:

The subject tract has municipal water and sewer available.



Surrounding Properties: The subject tract is abutted on the east by restaurant property zoned CO; on the north by an electrical substation, zoned CO; on the south by townhomes zoned CO; and on the west by Multi Family and a small commercial / restaurant site, also zoned CO / PUD 569-A.

### **SECTION III: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 16451 dated October 11, 1985 (CO), and 21096 dated August 9, 2005 (PUD-716), established zoning for the subject property.

#### ***Subject Property:***

**PUD-716 August 2005:** All concurred in approval of a proposed Planned Unit Development on a 9+ acre tract of land for commercial development, on property located west of the southwest corner East 81<sup>st</sup> Street South and South Garnett Road and also known as the subject property.

**Z-6989 June 1, 2005:** A request was made for rezoning a 9+ acre tract of land from CO to CS, accompanied with PUD-716, for commercial development, on property located west of the southwest corner East 81<sup>st</sup> Street South and South Garnett Road. The applicant withdrew the application at the TMAPC meeting.

**Z-6054 July 1985:** All concurred in approval of CO zoning on a 137+ acre tract that included the subject property and located in the southeast corner of East 81<sup>st</sup> Street and Mingo Valley Expressway.

#### ***Surrounding Property:***

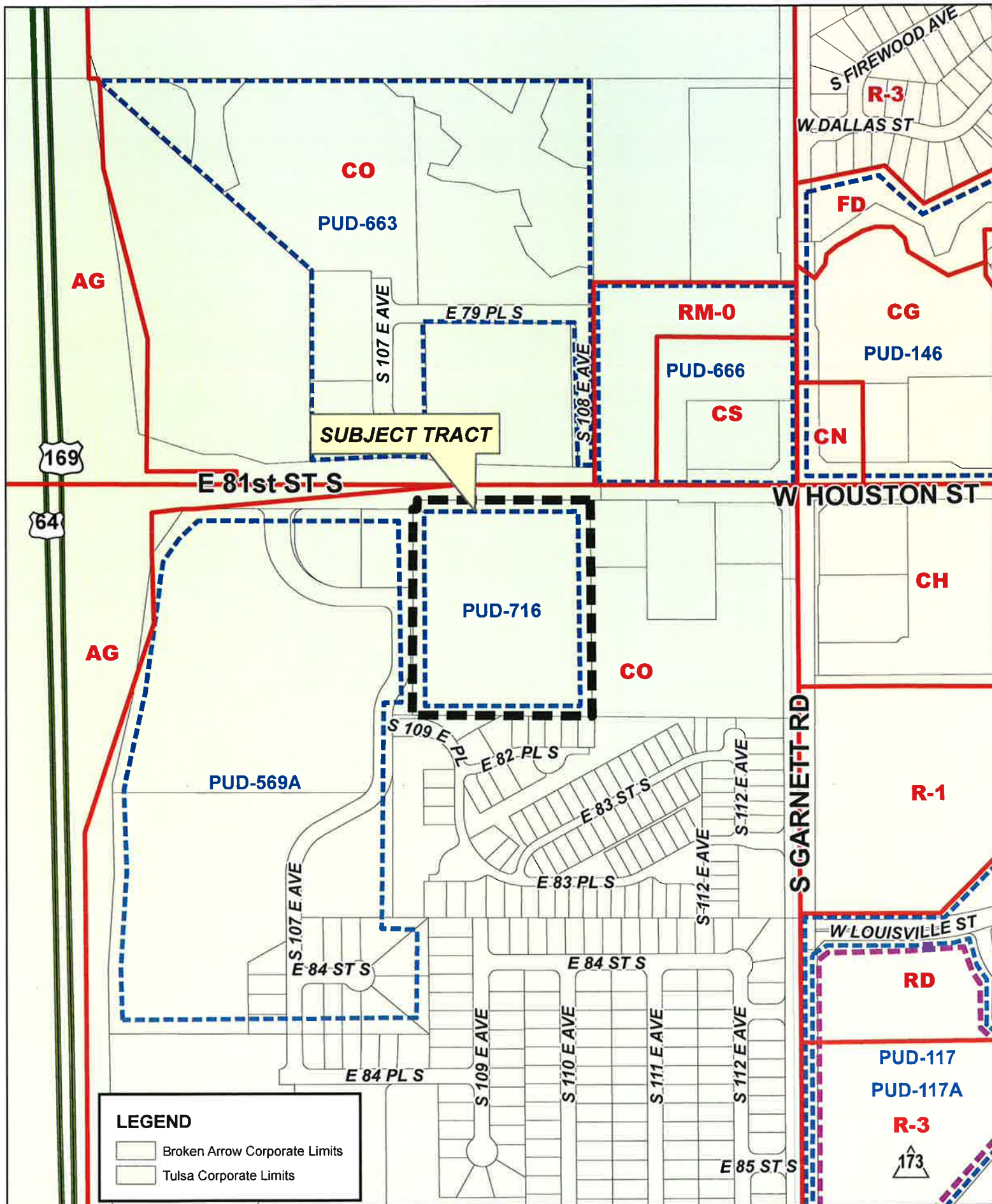
**Z-6054-SP-6 April 2006:** All concurred in approval of a request for a Corridor Development Plan on a 10+ acre tract of land for a neighborhood retail and office development, on property located on the southwest corner of East 81<sup>st</sup> Street and South Garnett Road and abutting the subject property to the east.

6/3/2015 1:30 PM

17.4

REVISED 5/28/2015





**PUD-716-A  
ABANDONMENT**

18-14 18

17.5







0 200 400  
Feet



Subject  
Tract

# **PUD-716-A ABANDONMENT**

18-14 18

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

Aerial Photo Date: March 2014







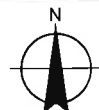




**PUD-716-A  
ABANDONMENT**

18-14 18

**17.8**







Tulsa Metropolitan Area  
Planning Commission

**Case Number: Z-6054-SP-9**

(Related to PUD 716-A abandonment)

**Hearing Date: June 3, 2015**

**Case Report Prepared by:**

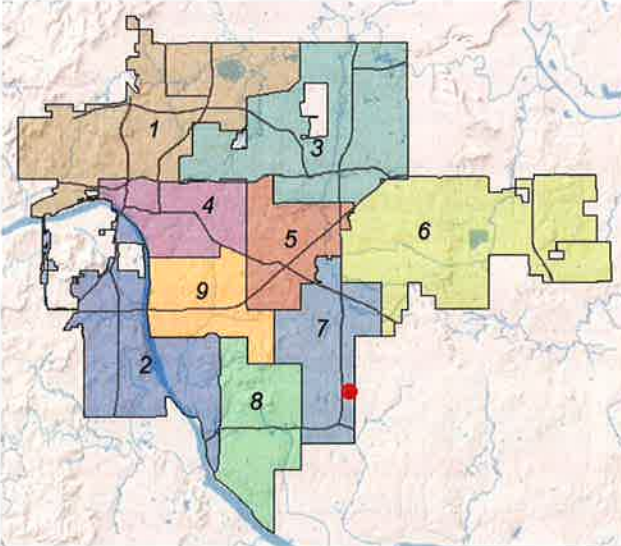
Dwayne Wilkerson

**Owner and Applicant Information:**

*Applicant:* Kevin Vanover

*Property Owner:* JKJ Stonehaven Square LLC

**Location Map:**  
**(shown with City Council Districts)**



**Applicant Proposal:**

*Present Use:* Vacant

*Proposed Use:* Office use, mini-storage use and an assisted living/retirement housing/life care retirement center.

*Concept summary:* Provide new Corridor Development Standards replacing PUD 716-A, and supporting new development on the site.

*Tract Size:* 9.38 ± acres

*Location:* 10704 E 81 ST S; South side of East 81<sup>st</sup> Street South west of South Garnett Road.

**Zoning:**

*Existing Zoning:* CO/PUD-716

*Proposed Zoning:* CO

**Comprehensive Plan:**

*Land Use Map:* Town Center

*Stability and Growth Map:* Area of Growth

**Staff Recommendation:**

**Staff recommends approval.**

**Staff Data:**

TRS: 8418

CZM: 54

Atlas: 1412

**City Council District: 7**

*Councilor Name:* Anna America

**County Commission District: 3**

*Commissioner Name:* Ron Peters

**18.1**



## SECTION I: Z-6054-SP-9

### DEVELOPMENT CONCEPT:

Z-6054-SP-9 is part of a larger Corridor Zoning District that was approved with a PUD overlay. The original PUD did not support the proposed uses for an assisted care center at this location and will be replaced with this Corridor Development Plan.

The development plan will continue the private mutual access agreement that has been implemented east of this site and will allow a free flow of vehicular and pedestrian traffic through this site all the way to South Garnett Road.

### EXHIBITS:

- INCOG Case map
- INCOG Aerial (small scale)
- INCOG Aerial (large scale)
- Tulsa Comprehensive Plan Land Use Map
- Tulsa Comprehensive Plan Areas of Stability and Growth Map
- Applicant Exhibits:
  - Exhibit A: Conceptual Site Plan with Development Area Boundaries
  - Exhibit B: Building Elevations
  - Exhibit C: (Not provided by applicant)
  - Exhibit D: Pedestrian and Vehicular Circulation Plan
  - Exhibit E: Topography and Development Area Plan
  - Exhibit F: Conceptual Utility Exhibit
  - Exhibit G: Conceptual drainage Plan
  - Exhibit H: Existing Zoning Map
  - Exhibit I: ALTA Survey
  - Exhibit I.a: ALTA Survey Notes

## SECTION II Z-6054-SP-9

### DEVELOPMENT STANDARDS:

#### Land Area:

##### Development Area A:

Gross Land Area:	5.2 acres	226,456 square feet
Net Land Area:	5.2 acres	226,456 square feet

##### Development Area B:

Gross Land Area:	4.18 acres	182,137 square feet
Net Land Area:	4.18 acres	182,137 square feet

#### Permitted Uses:

#### Development Area:

Development Area A:

18.2



Uses permitted in **Use Unit 1, Area-Wide Uses by Right**; limited to Stormwater Detention Facility, Open Space and Landscaping Buffer; **Use Unit 8, Multifamily Dwelling and Similar Uses**; limited to Assisted Living Facility, Elderly/Retirement Housing, and Life Care Retirement Center.

Development Area B:

Uses permitted in **Use Unit 1, Area-Wide Uses by Right**; limited to Stormwater Detention Facility, Open Space and Landscaping Buffer; **Use Unit 11, Office, Studios and Support Services**; and **Use Unit 16, Mini-Storage**.

**Minimum Building Setbacks**

Development Area A:

North Boundary	85 Feet (Centerline of 91 <sup>st</sup> Street)
East Boundary	20 Feet (Corridor District)
South Boundary	20 Feet (Development Area B)
West Boundary	20 Feet (PUD 569A / Corridor District)

Development Area B:

North Boundary	20 Feet (Development Area A)
East Boundary	20 Feet (Corridor District)
South Boundary	20 Feet (Corridor District)
West Boundary	20 Feet (PUD 569A / Corridor District)

**Off-Street Parking**

Development Area A:

Off-Street parking will be provided at a rate of 0.5 per dwelling unit with a minimum number of 75 spaces.

Vendor parking will be provided at a rate of 1 per 10,000 to 200,000 S.F. plus 1 per each additional 200,000 S.F. of floor area.

Development Area B:

Off-Street parking will be provided at a rate of 1 per 300 S.F. of floor area.

No Vendor parking is planned however consideration will be given for circulation in the event of parcel deliveries.

**Maximum Building Floor Area:**

**18.3**



Development Area A:

Land Area per dwelling unit will be a minimum of 600 S.F. per dwelling unit.

Livability Space per dwelling unit will be a minimum of 200 S.F.

Development Area B:

Floor Area Ratio will be a maximum of 1.25

**Maximum Building Height:**

Development Area A:

Maximum Building Height 75 Feet

Development Area B:

Maximum Building Height 75 Feet

**Landscape Areas**

A minimum of 10% of the total net area of the lot shall be improved as internal landscape open space in accordance with the provisions of the Landscape Chapter of the Tulsa Zoning Code.

**Signage**

Development Area A:

Business Signs

One (1) ground mounted monument sign shall be permitted along E. 81st Street S. with a maximum display area of 250 S.F. and a maximum height of 25 Feet. All business signage will be subject to the provisions of the provisions of Section 1221.C of the Tulsa Zoning Code except as noted below.

Wall Signs

Each Building will have the ability to place signs on the fascia or canopies with the total sign area not to exceed 2 S.F. per linear foot of building along the wall the sign is to be attached.

Development Area B:

Business Signs

One (1) ground mounted monument sign shall be permitted along S. 107<sup>th</sup> E. Avenue with a maximum display area of 250 S.F. and a maximum height



of 25 Feet. All business signage will be subject to the provisions of the provisions of Section 1221.C of the Tulsa Zoning Code except as noted below.

### Wall Signs

Each Building will have the ability to place signs on the fascia or canopies with the total display surface area not to exceed 2 S.F. per linear foot of building along the wall the sign is to be attached.

### Building Mounted Plaque Signs

A plaque style signs can be mounted to the building facade near the main entrance. Each building plaque sign shall be no larger than 7 S.F.

### Ground Mounted Tenant Signs

Each building will be allowed a ground mounted sign to list the tenant located in each individual office building. Each sign shall be no more than 12 S.F. and no taller than 3 foot from the surrounding grade.

## Building Features

### Development Area A:

The exterior siding materials will include stucco, stone and cementitious lap siding. The roof will be architectural composite roofing. The building interior design has common areas for a variety of uses. There will be a common dining room and kitchen for shared meals.

The site is to be extensively landscaped. Usable outdoor spaces include manicured lawn and enclosed courtyards. There will be outside walking areas with integrated landscape features for the enjoyment of our residents and their families.

### Development Area B:

Use Unit (8) - All exterior walls, openings and roofing shall primarily consist of like materials and appearance. The exterior walls of each Office Building shall include a stone or brick veneer with the inclusion of stucco or EIFS. The exterior materials and appearance for the rear and side walls of any building shall be similar to and compatible with the front of the building. Architectural features may include metal or fabric awnings and wood accents.

Use Unit (16) - All exterior walls and roofing facing public view shall primarily consist of like materials and appearance. The exterior walls of each unit facing public view shall include a stone or brick veneer with the inclusion of stucco or EIFS. The exterior walls of interior units shall be composed of metal fascia or CMU block. Architectural features of the buildings in public view may include metal or fabric awnings and wood accents.

18.5



## **Landscape Buffer and Screening**

A minimum 10 Foot wide landscape screening buffer along the south boundary of the development and the minimum concept for tree plantings of such landscaping are shown on Exhibit 'A'. In addition to the normally required landscaping an attempt to keep the existing trees will be made along the western boundary.

In addition to the landscape strip illustrated in Exhibit A, a minimum 6 foot wooden screening fence will be located along the western boundary of the project prior to the release of any occupancy permit for building on the site.

The landscaping features within the project will exceed the minimum standards and maintained in the accordance with the requirements of the Landscape Chapter of the Tulsa Zoning Code.

The landscape and screening concept will comply with the requirements of the Tulsa Zoning Code for street frontage and parking area landscaping and establish a landscaped buffer separating the project from the residences along the western boundary.

### **Lighting:**

Light fixtures shall not exceed 25 foot in height whether building mounted or ground mounted.

All light standards including building mounted shall be hooded (full cut-off) lenses and directed downward. Shielding of outdoor lighting shall be designed so as to prevent the light producing element or reflector of the light fixture from being visible to a person standing at a ground level in adjacent public areas. Consideration of topography must be considered in such calculations.

Additionally as 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.

### **Trash and Mechanical Areas:**

All trash, mechanical and equipment areas (excluding utility service transformers, pedestals or other 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 persons standing at ground level.

Trash dumpster areas shall be screened using construction materials similar to the materials used to construct the main project structures. The doors shall be covered with an appropriate covering containing a minimum of 90% opacity on the gate frames.

Dumpster enclosures shall be placed similar to the locations shown on Exhibit A.

### **Outside Storage:**

There shall be no outside storage or recycling material, trash or similar materials outside of a screened receptacle. Nor shall trucks or trailer trucks be parked in public view



unless they are actively being loaded or unloaded. Truck trailers and shipping containers shall not be used for storage within public view.

### **Vehicular Access and Circulation:**

The PUD is located a quarter mile east of US Highway 169 on E. 81<sup>st</sup> Street a quarter of a mile west of Garnett Road. The site is served by two drives that feed into the site from E. 81<sup>st</sup> Street S. as well as a drive on the S. 107<sup>th</sup> E. Avenue and a proposed mutual access drive on the eastern boundary to serve the future development. The internal circulation is sufficient for all fire apparatus and meets the IFC 2009 requirements for access to the building. A Circulation Plan has been included as Exhibit D.

### **Pedestrian Access:**

Sidewalks will be constructed or installed to provide pedestrian access from E. 81<sup>st</sup> Street S. Internal circulation will likewise be provided connecting all buildings on site.

### **Platting Requirement:**

The project will require that a plat be created and filed with Tulsa County. The platting process will proceed along with the Corridor Development approval process. The Plat will be a condition of Site Plan Approval.

### **Site Plan Review:**

No individual building permit will be issued for any building a Detail Site Plan and Detail Landscape Plan has been submitted for each individual building (or buildings) to the Tulsa Metropolitan Area Planning Commission and approved as being in compliance with the approved Corridor Development standards.

### **Schedule of Development:**

It is anticipate the development will begin within the second half of 2015, or early 2016, after final approval of the Planned Unit Development, Detail Site Plan approval and the Platting of the Property.



## DETAILED STAFF RECOMMENDATION:

Z-6054-SP-9 is consistent with the Land Use Vision of the Tulsa Comprehensive Plan and,

Z-6054-SP-9 is in harmony with the existing and expected development of surrounding areas and,

Z-6054-SP-9 provides a unified treatment of the development possibilities of the project site and,

Z-6054-SP-9 is consistent with the stated purposes and standards of the Corridor chapter of the Tulsa Zoning Code therefore,

**Staff recommends Approval of Z-6054-SP-9 as outlined in Section I above.**

## SECTION II: Supporting Documentation

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: This site is a small part of a larger Town Center and is consistent with the Town Center Vision identified in the Comprehensive Plan.*

### Land Use Vision:

*Land Use Plan map designation: Town Center*

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 number of destinations.

*Areas of Stability and Growth designation: Area of Growth*

The purpose of an Area 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.

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are in close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.

18.8



Transportation Vision:

Major Street and Highway Plan:

No special considerations are given to the 81<sup>st</sup> Street corridor at this location.

Trail System Master Plan Considerations:

None, however the Mingo trail is within ½ mile of the west edge of the project. Further study during the site plan phase of the project may reveal opportunities to connect to the existing trail system.

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

*Staff Summary: The site is vacant with grass vegetation and modes slopes. There are no significant development constraints except for the existing utility/pipeline easements that bisect the southeast corner of the property.*

Environmental Considerations: No known environmental concerns or development constraints.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 81 <sup>st</sup> Street South	Secondary Arterial	100 feet	4
South 107 <sup>th</sup> East Avenue	No designation	50 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties: The subject tract is abutted on the east by restaurant property zoned CO; on the north by an electrical substation, zoned CO; on the south by townhomes zoned CO; and on the west by Multi Family and a small commercial / restaurant site, also zoned CO / PUD 569-A.

**SECTION III: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 16451 dated October 11, 1985 (CO), and 21096 dated August 9, 2005 (PUD-716), established zoning for the subject property.

**Subject Property:**

**PUD-716 August 2005:** All concurred in approval of a proposed Planned Unit Development on a 9± acre tract of land for commercial development, on property located west of the southwest corner East 81<sup>st</sup> Street South and South Garnett Road and also known as the subject property.



**Z-6989 June 1, 2005:** A request was made for rezoning a 9± acre tract of land from CO to CS, accompanied with PUD-716, for commercial development, on property located west of the southwest corner East 81<sup>st</sup> Street South and South Garnett Road. The applicant withdrew the application at the TMAPC meeting.

**Z-6054 July 1985:** All concurred in approval of CO zoning on a 137± acre tract that included the subject property and located in the southeast corner of East 81<sup>st</sup> Street and Mingo Valley Expressway.

***Surrounding Property:***

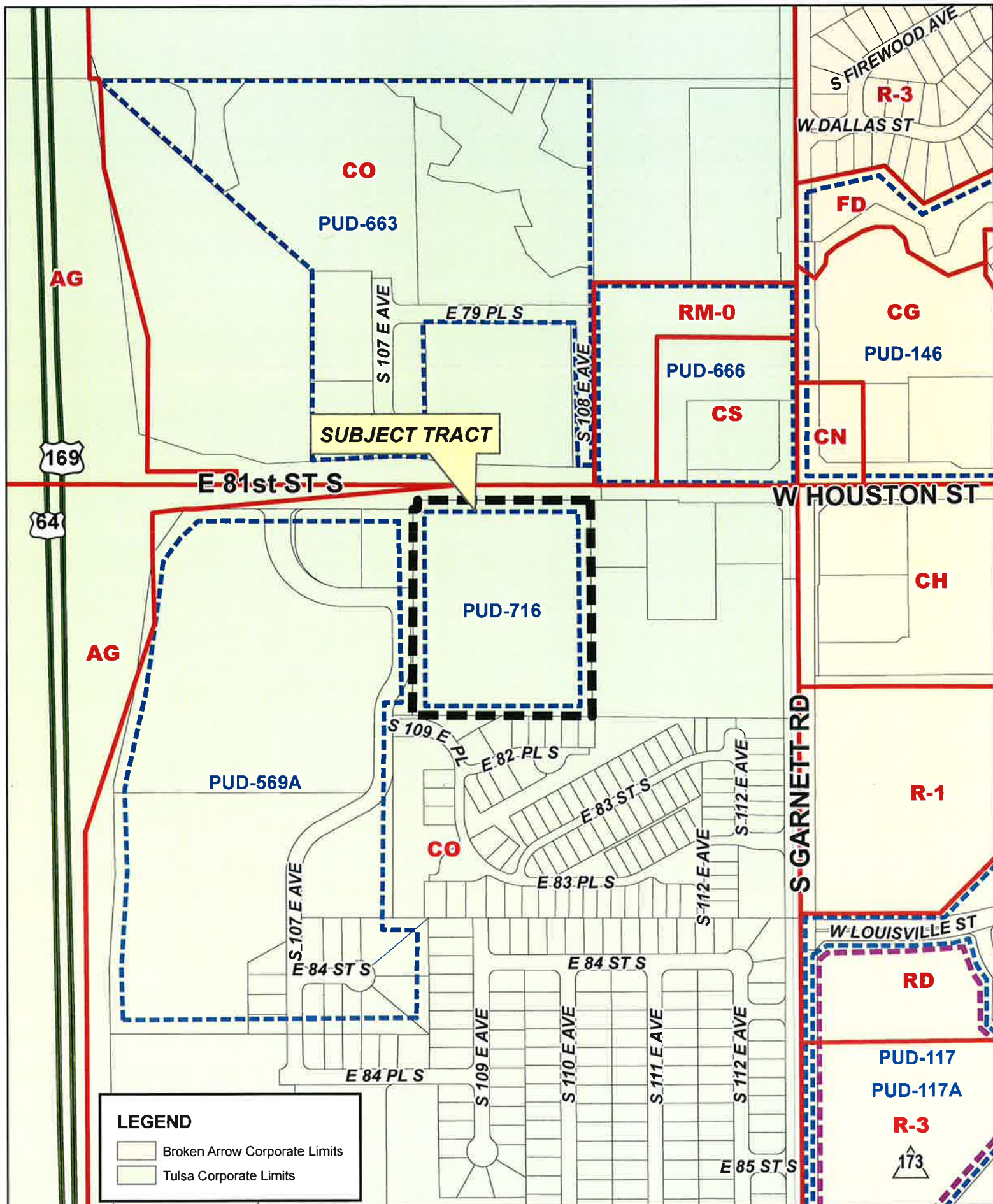
**Z-6054-SP-6 April 2006:** All concurred in approval of a request for a Corridor Development Plan on a 10± acre tract of land for a neighborhood retail and office development, on property located on the southwest corner of East 81<sup>st</sup> Street and South Garnett Road and abutting the subject property to the east.

6/3/2015 1:30 PM



18.10

REVISED 5/28/2015



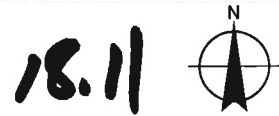


**LEGEND**

-  Broken Arrow Corporate Limits
-  Tulsa Corporate Limits

**Z-6054-SP-9**

18-14 18







0 Feet 200 400



Subject Tract

**Z-6054-SP-9**

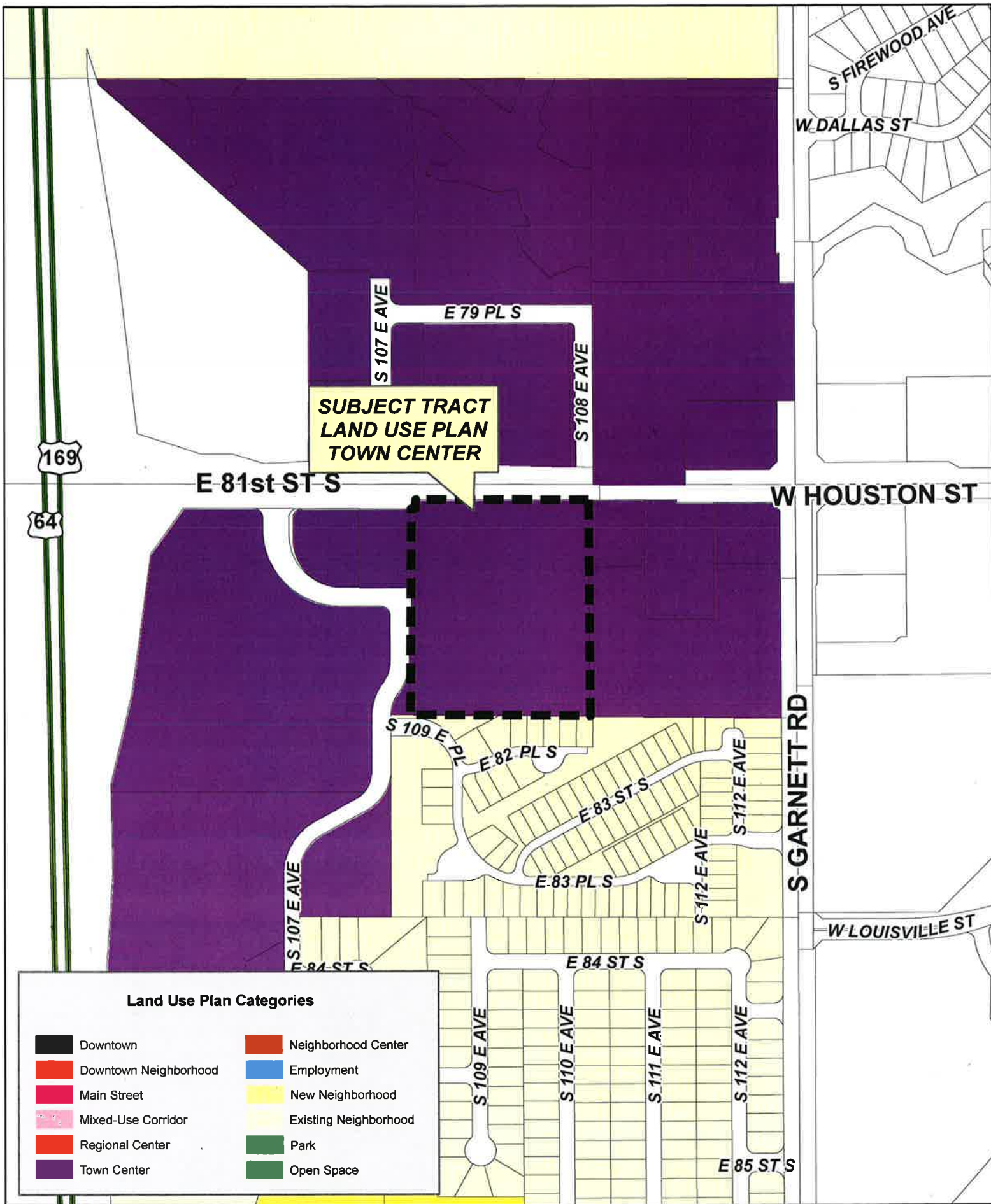
18-14 18

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

Aerial Photo Date: March 2014







**Z-6054-SP-9**

**18.13**





169

64

S FIREWOOD AVE

W DALLAS ST

SUBJECT TRACT

E 81st ST S

W HOUSTON ST

S 109 E PL E 82 PL S

E 83 ST S

E 83 PL S

S 112 E AVE

S 112 E AVE

S GARNETT RD

W LOUISVILLE ST

S 107 E AVE

E 84 ST S

E 84 ST S

S 109 E AVE

S 110 E AVE

S 111 E AVE

S 112 E AVE

E 85 ST S

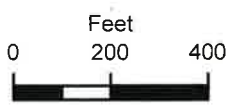
Growth and Stability



Area of Growth

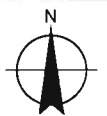


Area of Stability

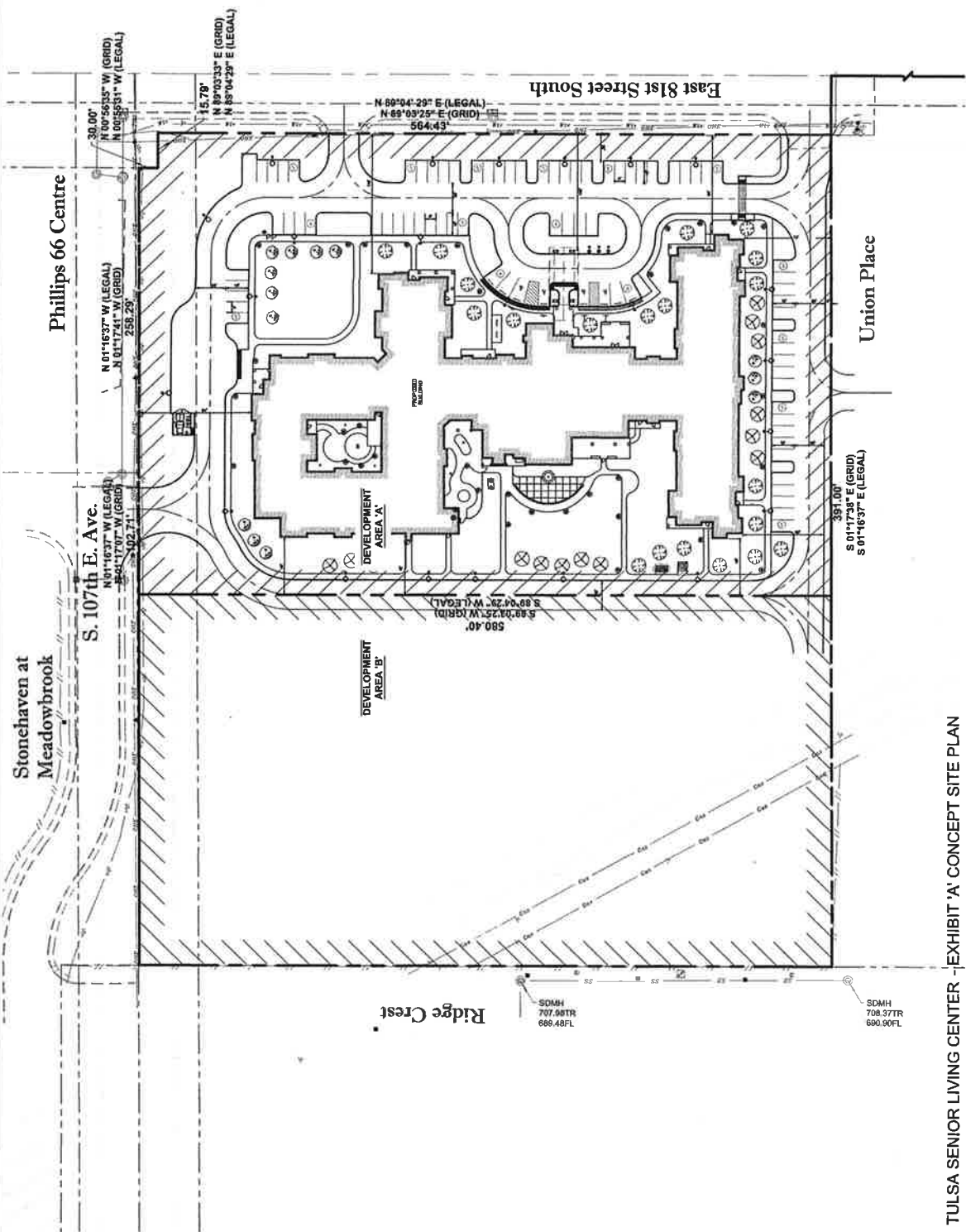
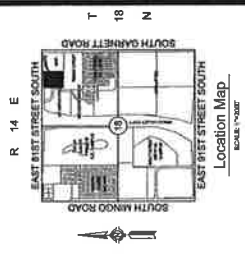


Z-6054-SP-9

18.14







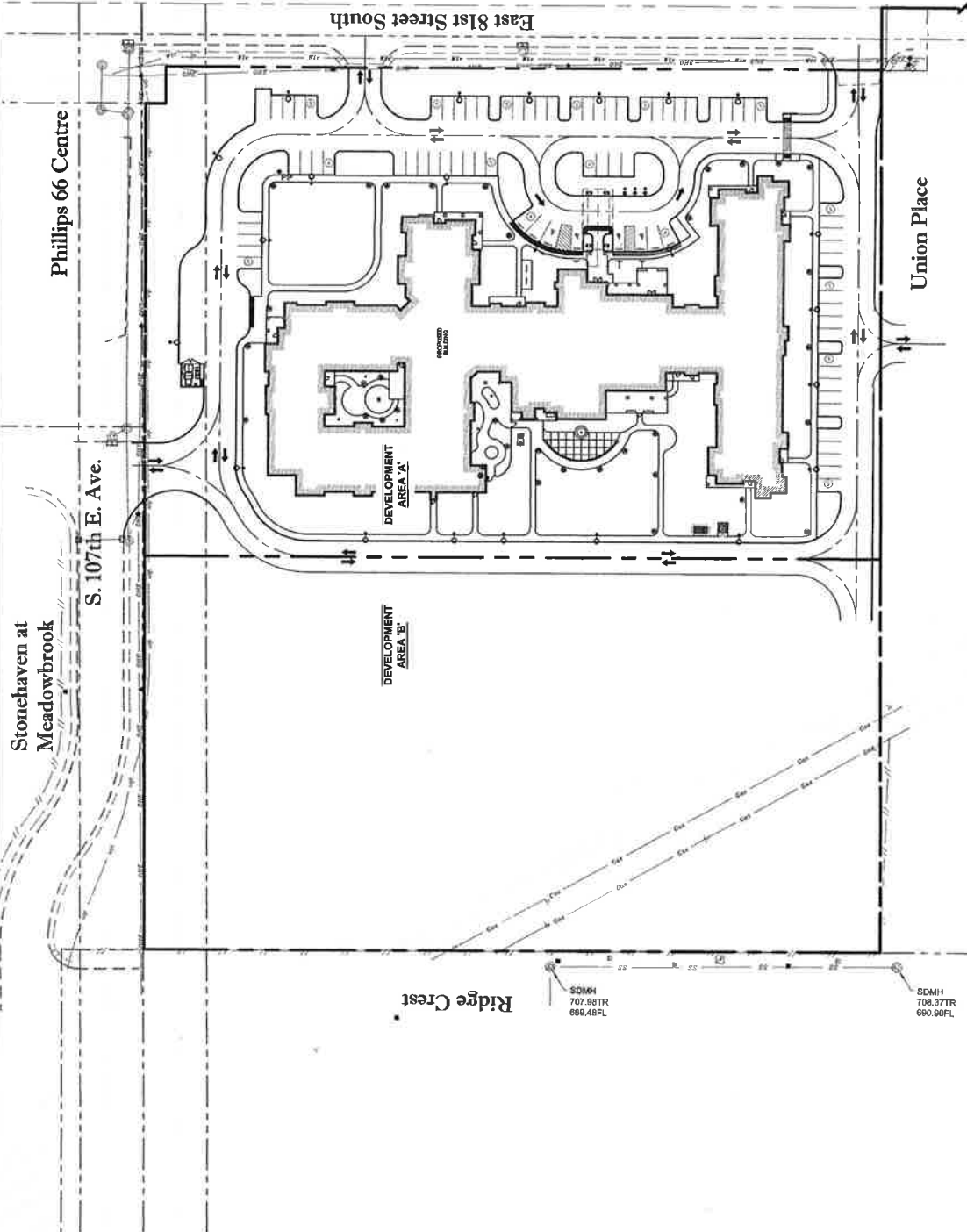
TULSA SENIOR LIVING CENTER - EXHIBIT 'A' CONCEPT SITE PLAN

51.81



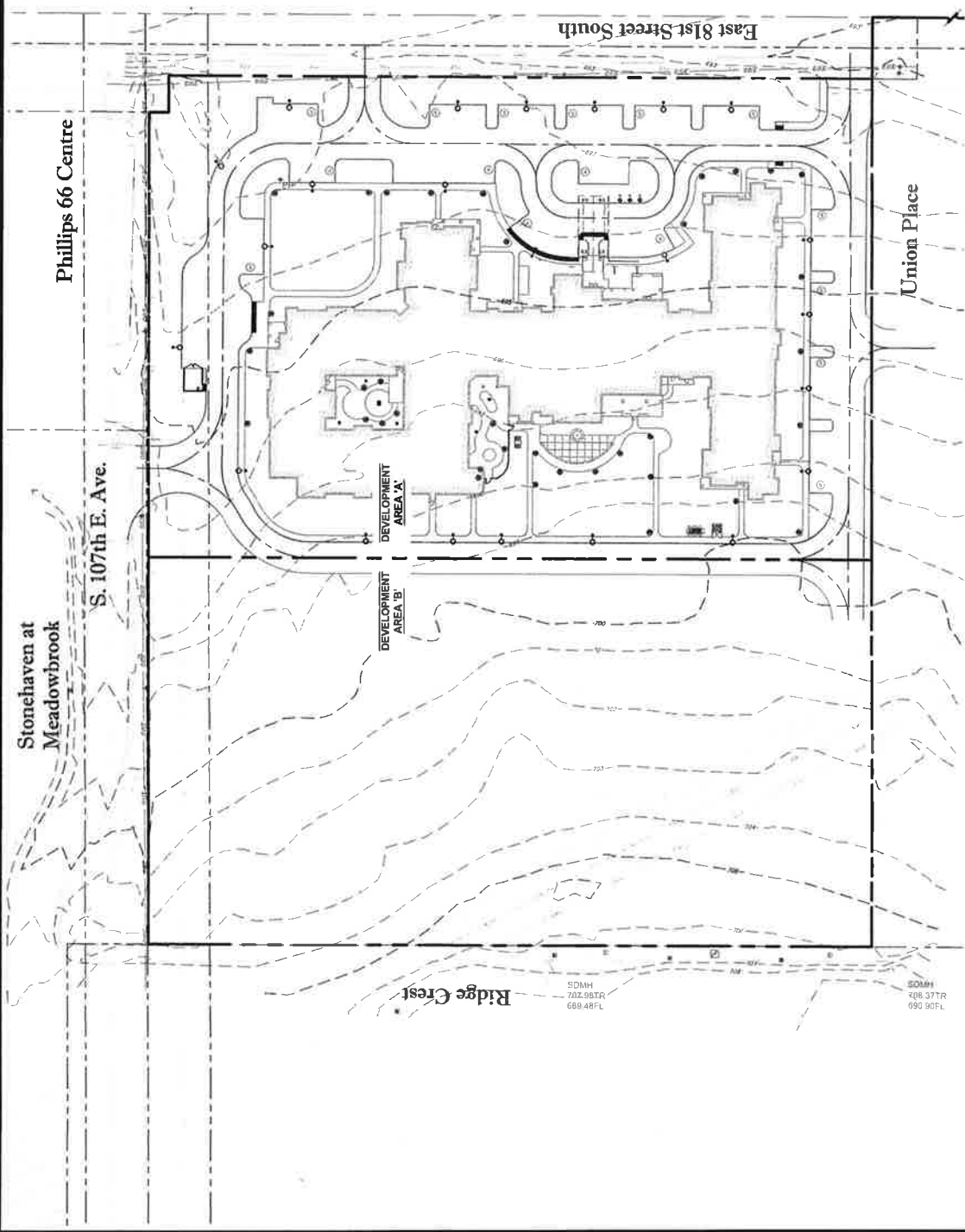
- [illegible]





TULSA SENIOR LIVING CENTER - EXHIBIT 'D' ACCESS AND CIRCULATION PLAN

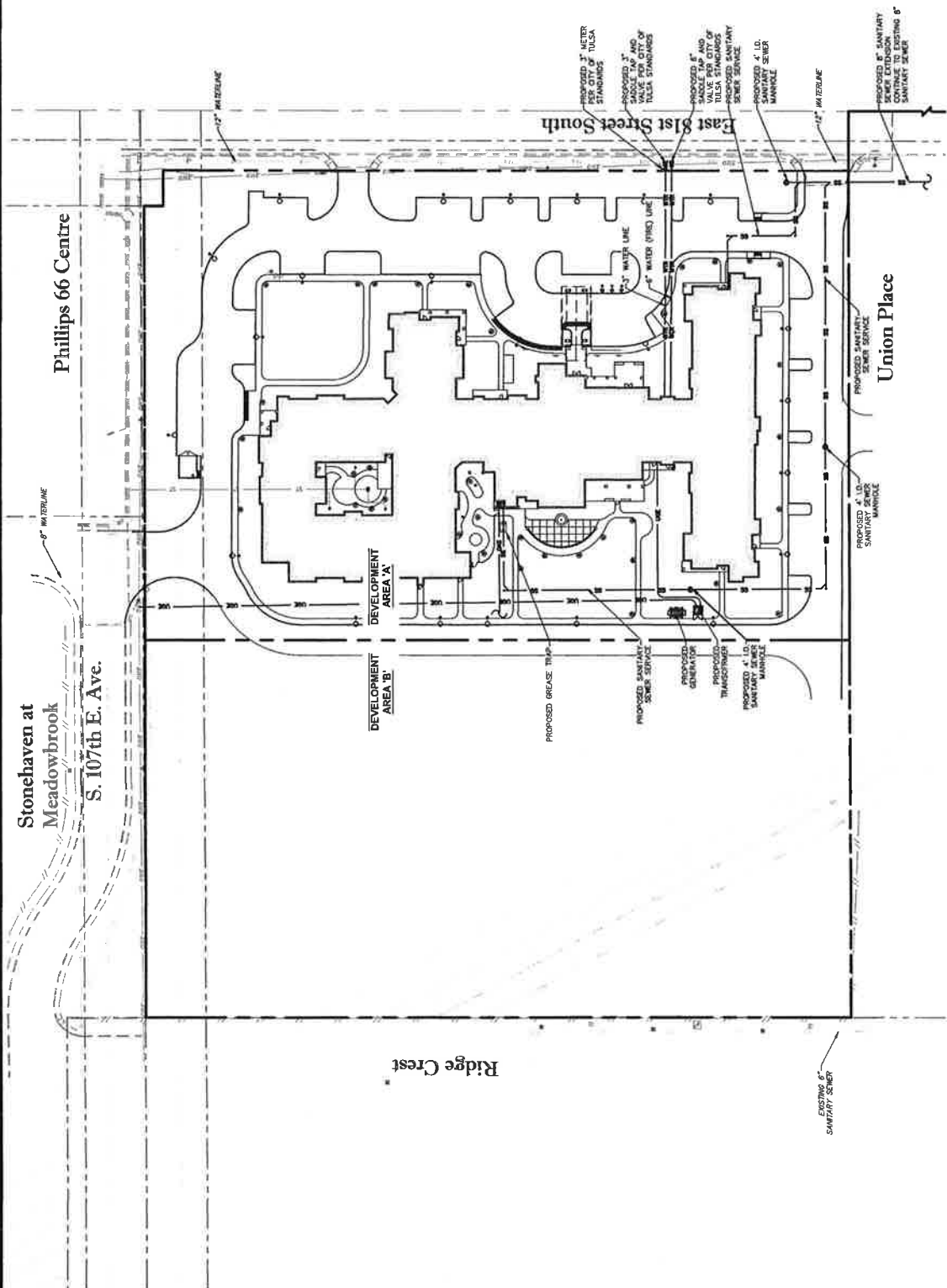




TULSA SENIOR LIVING CENTER - EXHIBIT 'E' TOPOGRAPHY PLAN

81.81

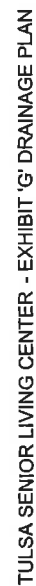




TULSA SENIOR LIVING CENTER - EXHIBIT 'F' UTILITY PLAN

18.19









NOT TO SCALE



TULSA SENIOR LIVING CENTER - EXHIBIT 'H' ZONING MAP















**TMAPC Staff Report**  
**June 3, 2015**  
**City of Tulsa Tax Incentive District Projects**

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**Item for consideration:** Resolutions finding two downtown projects within Tax Incentive District Number One in conformance with the Tulsa Comprehensive Plan.

**Background:** In Resolution No. 19509 published Feb. 21, 2014, the City of Tulsa established the Local Development Act Review Committee in accordance with the Local Development Act, 62 O.S. Supp. 1992, § 851 et seq. The Local Development Act provides a significant economic development tool for local governments. Cities and Counties are able to create incentive districts to stimulate economic activity which the City of Tulsa did by the creation of Tax Incentive District No. 1 in 1993 (Amended 1997). This incentive, commonly referred to as an abatement, provides for a full or partial exemption of ad valorem taxes to the owner on the new investment made within the designated district for a period of 5 years, or 6 years (if located within an enterprise zone). Per Title 62, this incentive is not available for retail development or the retail portions of mixed use developments. Currently, the only approved area for this incentive within the City of Tulsa is properties generally located in downtown (inside the Inner Dispersal Loop). The value of the rehabilitation must be at least 50% of the current market value of the building as contained on the most recent Tulsa County assessment rolls. This incentive has been approved in the past for projects including the Mayo Hotel, Mayo 420 building, Atlas Life building, Ambassador Hotel, GreenArch (new residential), Coliseum building and Hartford Commons (new residential).

The Local Development Act requires that the Tulsa Metropolitan Area Planning Commission (TMAPC) review proposed project plans, make recommendations, and certify to the City of Tulsa as to the conformity of any proposed project plans to the City of Tulsa. The TMAPC reviewed a total of six downtown housing and mixed use projects in 2014 and found them to be in conformance with the Tulsa Comprehensive Plan.

On April 23, 2015, the Local Development Act Review Committee voted to recommend to the Tulsa City Council that the following two additional proposed projects be approved and adopted:

- 23 W. 4<sup>th</sup> Street (Palace)
- 324 S. Main Street (Newsprint)



Prior to submittal to City Council, the TMAPC is asked to review the proposed projects and adopt a resolution stating that the proposed projects are in conformance with the adopted Tulsa Comprehensive Plan.

**Summary:** The proposed projects are located in the *Downtown* land use designation in the Tulsa Comprehensive Plan, described as:

"Downtown Tulsa is a unique area, the centerpiece of the city and region with the highest intensity of uses. Many uses are attracted to the centralized location – government entities, major employers, regional entertainment venues, unique restaurants, specialty stores, nightclubs, cultural entertainment and hotels. Downtown is a significant employment center. Downtown also is a unique and eclectic neighborhood offering a special variety of housing for people who prefer to live in the midst of the activity and amenities."

"Downtown Core is Tulsa's most intense regional center of commerce, housing, culture and entertainment. It is an urban environment of primarily high density employment and mixed-use residential uses, complemented by regional-scale entertainment, conference, tourism and educational institutions. Downtown core is primarily a pedestrian-oriented area with generous sidewalks shaded by trees, in-town parks, open space, and plazas. The area is a regional transit hub. New and refurbished buildings enhance the pedestrian realm with ground-floor windows and storefronts that enliven the street. To support downtown's lively and walkable urban character, automobile parking ideally is located on-street and in structured garages, rather than in surface parking lots."

The Palace building renovation project will contribute to the variety of housing/mixed use opportunities and pedestrian nature of *Downtown*, as described above. This project involves the reuse and rehabilitation of an important historic structure to the City of Tulsa. This project supports the *Downtown* land use designation, as well as multiple goals in the Land Use, Economic Development and Housing sections of the Tulsa Comprehensive Plan and is also in conformance with the Downtown Area Master Plan. The addition of residential units downtown will contribute to the vitality of the downtown beyond the hours of Monday-Friday 8:00 am-5:00 pm.

The Newsprint project is new construction and does not contribute in the same manner as the Palace building rehabilitation project. However, the construction of the Newsprint building will add massing and allow for an expanded business operation downtown. Specifically, it aligns with two guiding principles relating to the economy in the Tulsa Comprehensive Plan:

- Downtown Tulsa should act as a thriving economic engine and cultural center for the entire region; and

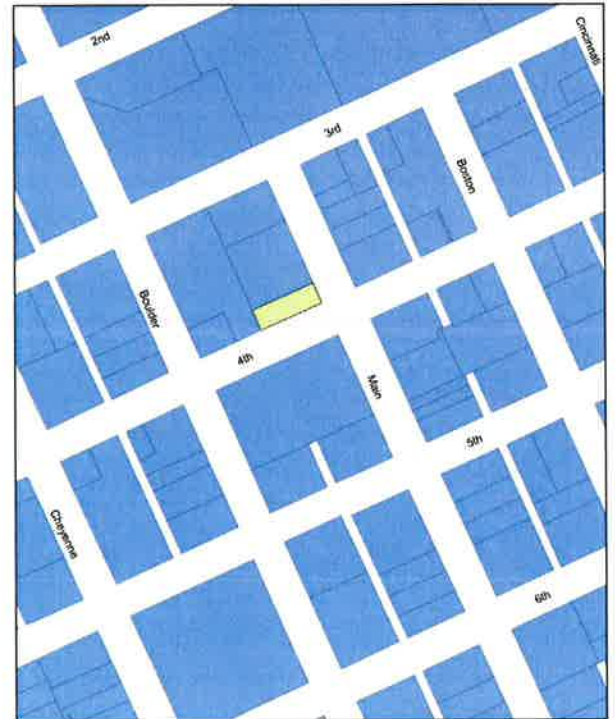


- Business owners are able to easily find adequate and attractive space for expanding businesses into downtown, along main streets, or in employment centers.

**Staff recommendation:** *Staff recommends that TMAPC adopt the resolutions finding the two projects within Tax Incentive District Number One in conformance with the Tulsa Comprehensive Plan.*



# PALACE



Palace Project - 324 S Main Street

Subdivision: TULSA ORIGINAL TOWN  
Legal: W90 OF S75 LT 4 BLK 120  
Section: 01 Township: 19 Range: 1

**APPLICANT:** WORLD MEDIA ENTERPRISES, INC. C/O BH MEDIA GROUP HOLDING, INC.

**PROPERTY LOCATION:** 324 S Main Street

**NARRATIVE DESCRIPTION:** THE PALACE BUILDING WILL BE CONVERTED TO MIXED RESIDENTIAL AND COMMERCIAL USE. A MINIMUM OF 20% OF THE 58 RESIDENTIAL UNITS ON FLOORS 2 – 9 WILL BE RESERVED FOR LOW INCOME HOUSEHOLDS. THE PRELIMINARY MIX OF RESIDENTIAL UNITS IS 43 ONE BEDROOM AND 15 TWO BEDROOM APARTMENTS RANGING FROM 500 – 1,000 SQUARE FEET IN SIZE.

38,000 SF RESIDENTIAL, 14,000 SF COMMERCIAL, 5,000 SF RETAIL

**TOTAL PROJECT COST:** \$11,500,000.

SCENARIO	Existing Values	Estimated Values Upon Completion
Taxable	\$1,008,771.93	\$11,500,000
Annual Ad Valorem	\$14,782.75	\$168,523.30
Abatement: $\$168,523.30 - \$14,782.75 = \$153,740.55$ @ 6 years = \$922,443.33		



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**Tulsa**  
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194



## PROJECT APPLICATION INFORMATION – SUMMARY

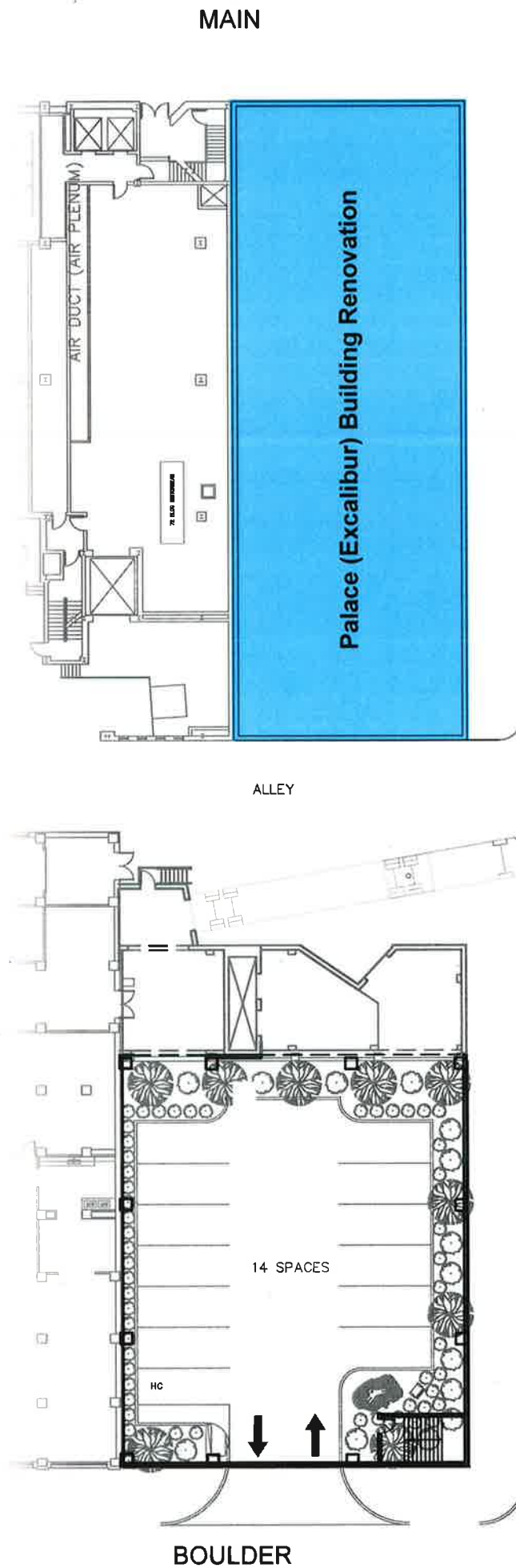
1. **APPLICANT:** WORLD MEDIA ENTERPRISES, INC. C/O BH MEDIA GROUP HOLDING INC.
2. **PROPERTY LOCATION:**
  - a. **ASSESSOR PARCEL:** 00500-92-01-37330
  - b. **SITE ADDRESS:** 324 S MAIN STREET, TULSA OK 74103
  - c. **LEGAL DESCRIPTION:** S50 OF LT 3 & E10 VAC ALLEY ADJ ON W BLK 120, SECTION 01, TOWNSHIP 19, RANGE 12
3. **NARRATIVE DESCRIPTION:** REHABILITATION OF THE HISTORIC PALACE BUILDING AT THE NW CORNER OF 4<sup>TH</sup> AND MAIN AND CONVERSION TO MIXED RESIDENTIAL AND COMMERCIAL USE. THIS IS PART OF A LARGER PROJECT THAT INVOLVES A NEW BUILDING ON AN ADJACENT PARCEL. BUILDING WILL HAVE A MINIMUM OF 20% OF ITS 58 APARTMENTS ON FLOORS 2-9 RESERVED FOR LOW-INCOME HOUSEHOLDS WITH RENTS LIMITED IN ORDER TO MAKE THEM AFFORDABLE TO THAT GROUP. PARKING FOR THE FACILITY WILL BE PROVIDED BY THE MAIN PARK PLAZA. UNIT MIX WILL BE 43 – 1BR AND 15 – 2BR.
4. **PROJECT LOCATED WITHIN:**
  - a. Enterprise Zone - YES
  - b. Reinvestment Area
  - c. Historic Preservation Area
5. **TOTAL PROJECT COST:** \$11,500,000
6. **FUNDING SOURCES:**
  - a. **PROPOSAL**

Owner Equity	\$ 5,100,000
New Market Tax Credits	\$ 2,600,000
Historic Tax Credits	\$ 3,800,000
Total Funds	\$11,500,000

**SUMMARY: PLAN IS FOR 58 APARTMENTS (38,000SF), 14,000SF COMMERCIAL AND 5,000SF RETAIL WHICH IS NOT ELIGIBLE FOR ABATEMENT**



# Palace Building Renovation Site Plan



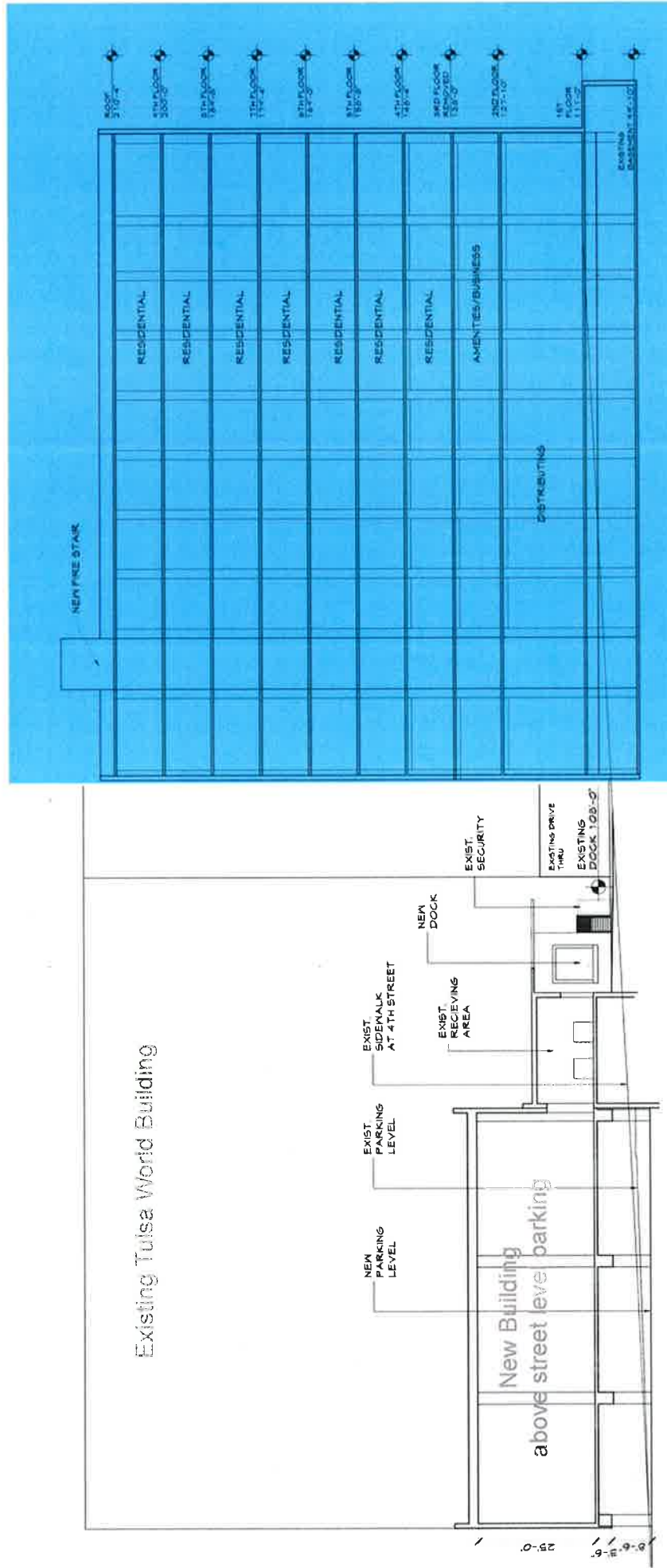
Palace Building Renovation



19.4



# Palace Building Renovation Site Plan



A SECTION LOOKING NORTH

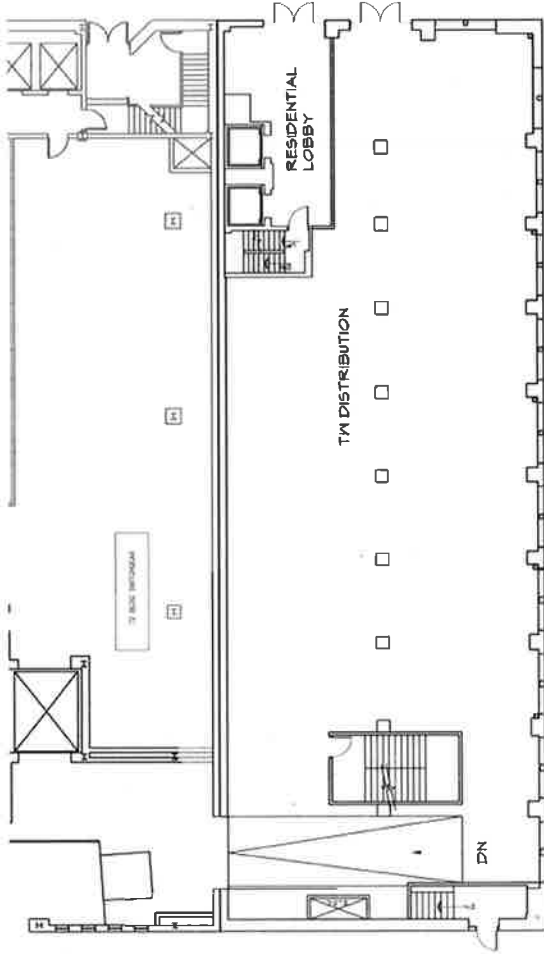


# Palace Building Floor Plans - Bsmt & 1st Fl

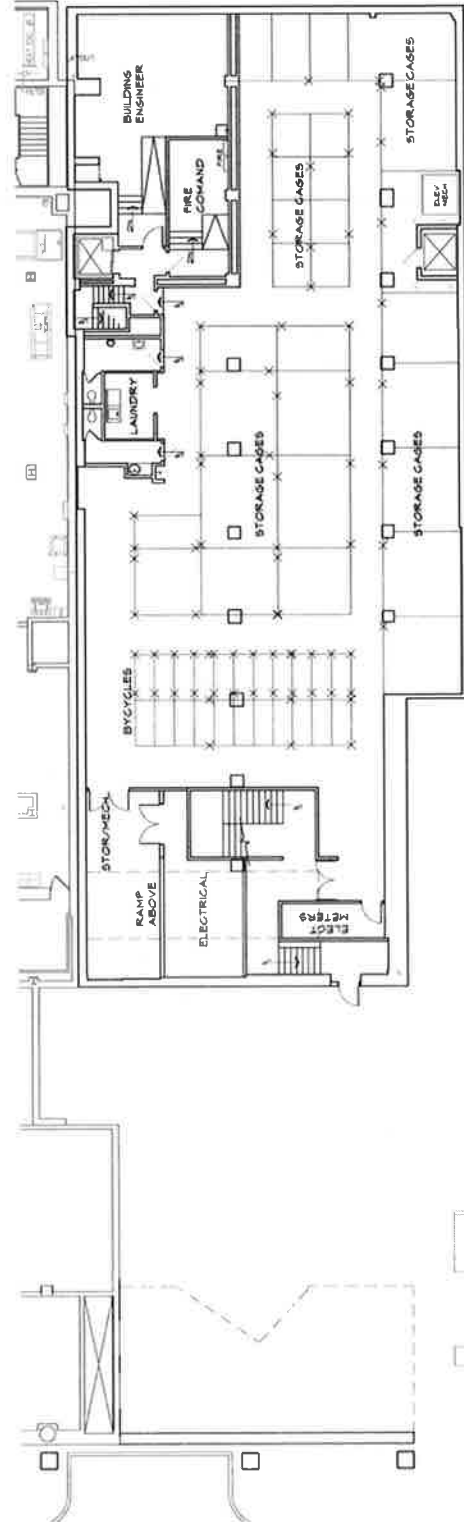
**kinlaw, leath & hodd, inc.**  
architecture | interiors  
tel 918.744.4270  
fax 918.744.7849  
2021 south lewis suite 150  
tulsa, oklahoma 74104  
www.kltarchitects.com  
info@kltarchitects.com



## Palace Building



**B GROUND FLOOR**  
SCALE: 1/8" = 1'-0"



**A BASEMENT**  
SCALE: 1/8" = 1'-0"

OPTION B4

SCALE: 1/8" = 1'-0"  
DATE: 11/10/2014  
DRAWN BY: JH  
CHECKED BY: JH  
APPROVED BY: JH

**B4**  
BASEMENT & 1ST  
FLOOR

**B4 1.3**

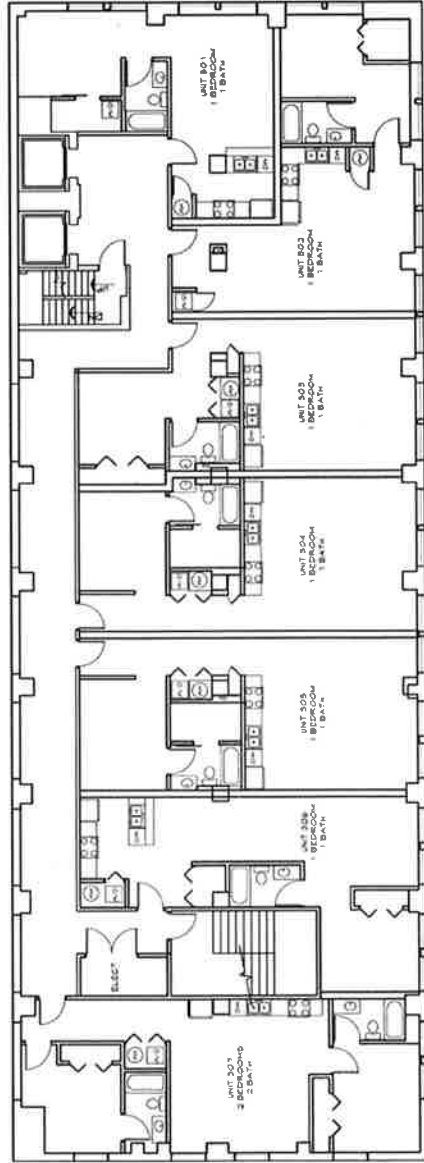
19.8



# Palace Building Floor Plans - Fls 2,3-6



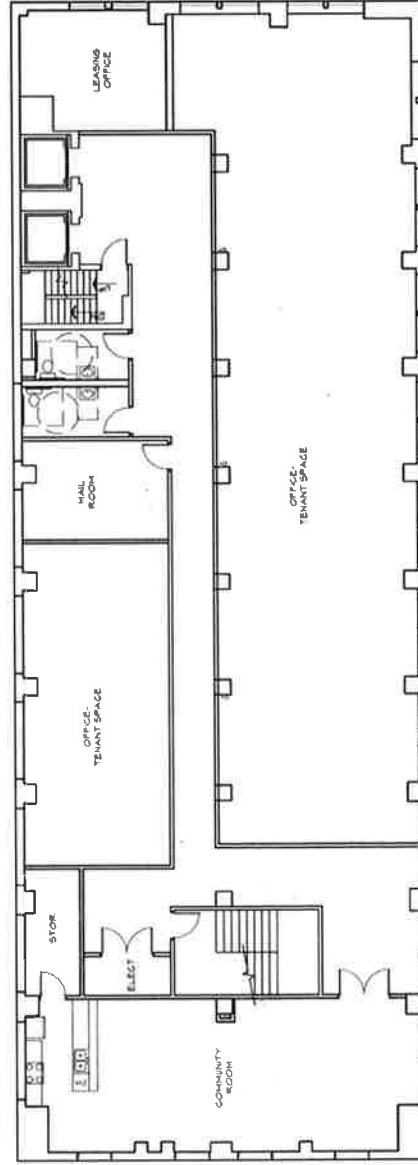
Kinslow, Keith & Todd, Inc.  
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2021 south lewis suite 150  
tulsa, oklahoma 74104  
www.kktarchitects.com  
info@kktarchitects.com



**B FLOORS 3 THRU 6**  
SCALE 1/8" = 1'-0"

## Palace Building

OPTION B4



**A 2ND FLOOR PLAN**  
SCALE 1/8" = 1'-0"

SCALE 1/8" = 1'-0"  
FILE NAME  
MANAGER  
DRAWN BY  
11/24/2014

**B4**  
**FLOORS 2 & 3-6**  
**B4 1.4**

19.9

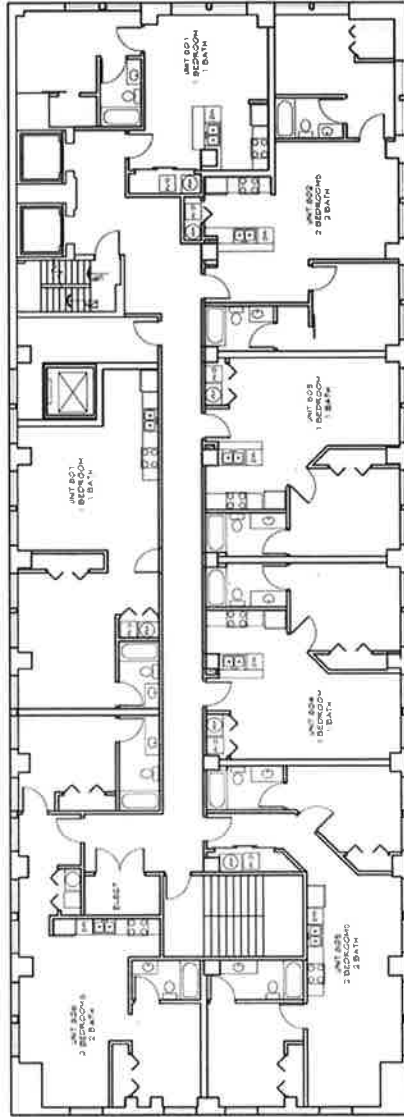




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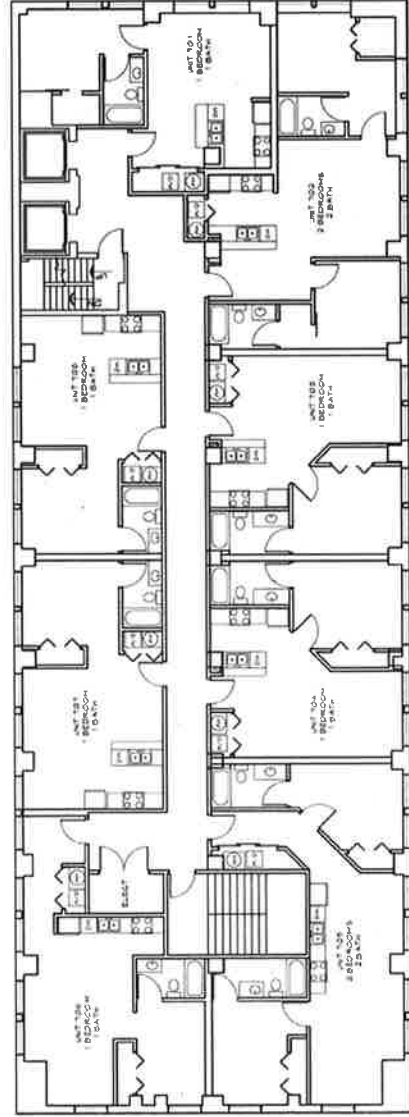
## Palace Building Floor Plans - Flrs 7-8

### Palace Building



**B 8TH FLOOR PLAN**

SCALE: 1/8" = 1'-0"



**A 7TH FLOOR PLAN**

SCALE: 1/8" = 1'-0"

OPTION B4

SCALE	1/8" = 1'-0"
FILE NAME	
MANAGER	
DRAWN BY	
DATE	11/26/2014

B4  
FLOORS 7 & 8

**B4 1.5**

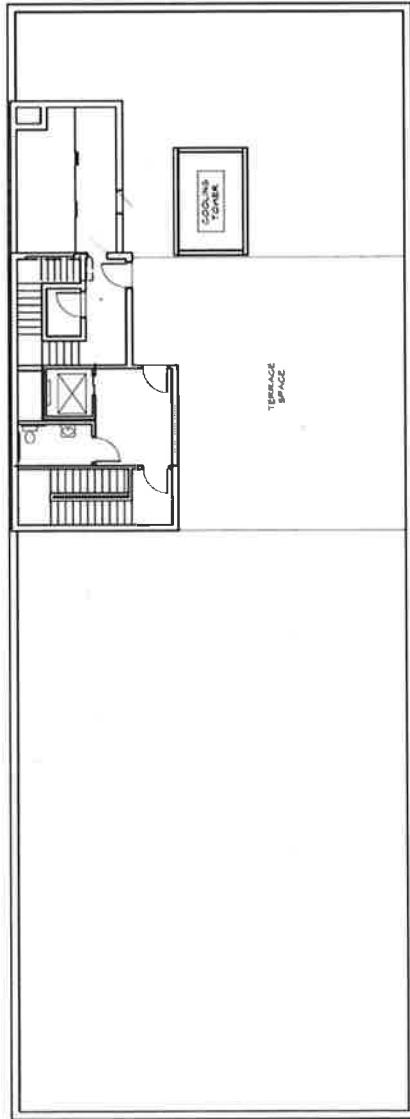
19.10





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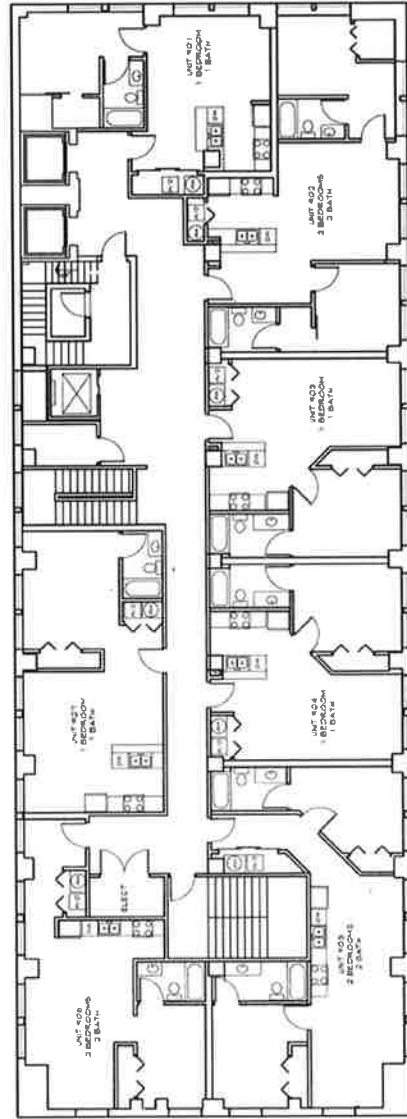
## Palace Building Floor Plans - Flrs 9 & Roof



**B ROOF LEVEL**  
SCALE 1/8" = 1'-0"

## Palace Building

OPTION B4



**A 9TH FLOOR PLAN**  
SCALE 1/8" = 1'-0"

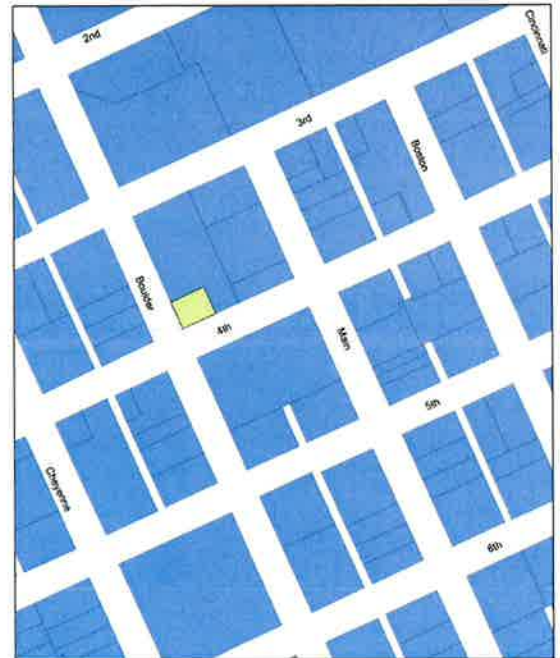
SCALE 1/8" = 1'-0"  
FILE NAME  
MANAGER  
DRAWN BY  
11/24/14

B4  
9TH & ROOF  
**B4 1.6**

19.11



# NEWSPRINT



Newsprint Project - 23 W 4th Street

Subdivision: TULSA ORIGINAL TOWN  
Legal: 550 LT 3 & E10 VAC ALLEY ADJ ON W BLK 120  
Section: 01 Township: 19 Range: 12

**APPLICANT:** WORLD MEDIA ENTERPRISES, INC. C/O BH MEDIA GROUP HOLDING, INC.

**PROPERTY LOCATION:** 23 W 4th Street

**NARRATIVE DESCRIPTION:** THE NEWSPRINT PROJECT PROPOSES CONSTRUCTING A NEW 6,600 SQUARE FOOT BUILDING TO BE USED FOR NEWSPRINT STORAGE ABOVE THE EXISTING TULSA WORLD VISITOR PARKING LOT AT THE CORNER OF 4TH ST AND BOULDER AVENUE.

**TOTAL PROJECT COST:** \$2,300,000.

SCENARIO	Existing Values	Estimated Values Upon Completion
Taxable	\$209,400	\$2,940,000
Annual Ad Valorem	\$3,068.60	\$43,083.35
Abatement: $\$43,083.35 - \$3,068.60 = \$40,014.76 @ 6 \text{ years} = \$240,088.55$		



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19.12



## PROJECT APPLICATION INFORMATION – SUMMARY

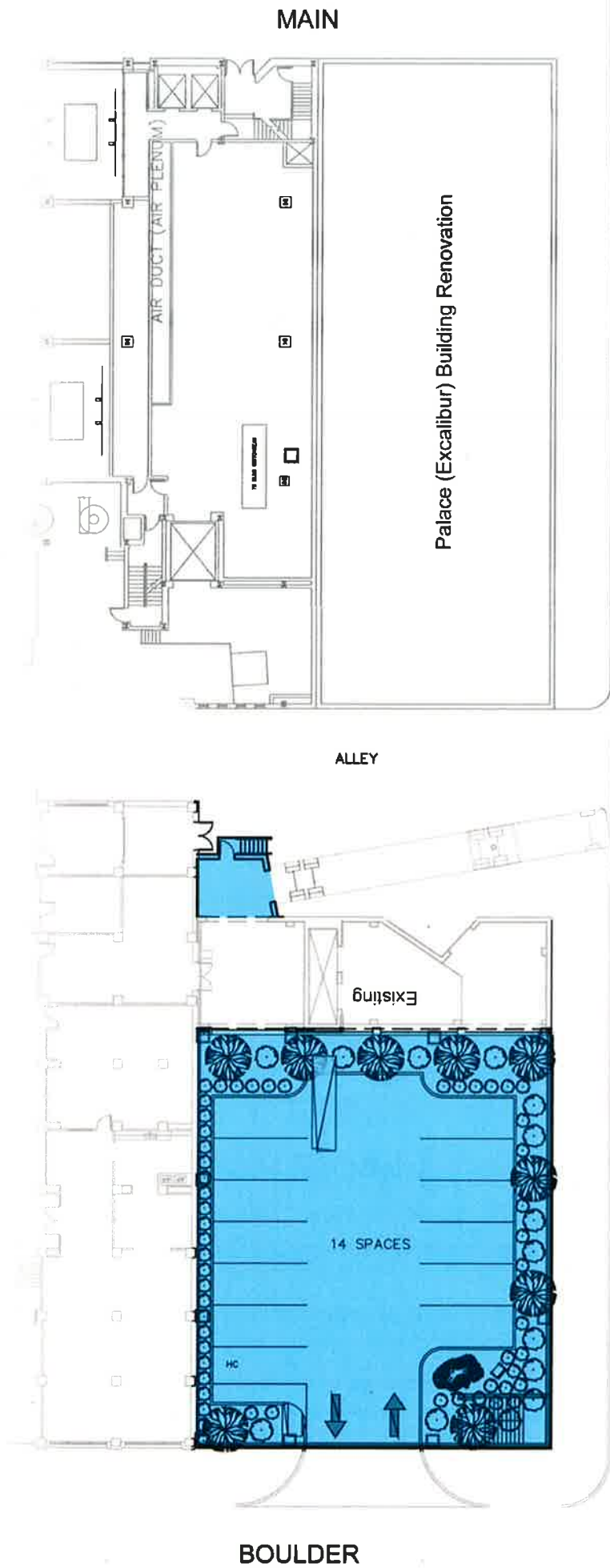
1. APPLICANT: WORLD MEDIA ENTERPRISES, INC. C/O BH MEDIA GROUP HOLDING INC.
2. PROPERTY LOCATION:
  - a. ASSESSOR PARCEL: 00500-92-01-37350
  - b. SITE ADDRESS: 23 W 4TH STREET, TULSA OK 74103
  - c. LEGAL DESCRIPTION: W90 OF S75 LT 4 BLK 120, SECTION 01, TOWNSHIP 19, RANGE 12
3. NARRATIVE DESCRIPTION: NEW CONSTRUCTION OF A NEWSPRINT STORAGE BUILDING ABOVE EXISTING TULSA WORLD VISITOR PARKING LOT. NEW BUILDING WILL BE APPROXIMATELY 6,600 SF ON ONE LEVEL.
4. PROJECT LOCATED WITHIN:
  - a. Enterprise Zone - YES
  - b. Reinvestment Area
  - c. Historic Preservation Area
5. TOTAL PROJECT COST: \$2,940,000
6. FUNDING SOURCES:
  - a. PROPOSAL

Owner Equity	\$ 2,240,000
New Market Tax Credits	\$ 700,000
Total Funds	\$ 2,940,000

SUMMARY: PLAN IS FOR 6,600SF COMMERCIAL



# Tulsa World Newsprint Storage Site Plan



FOURTH

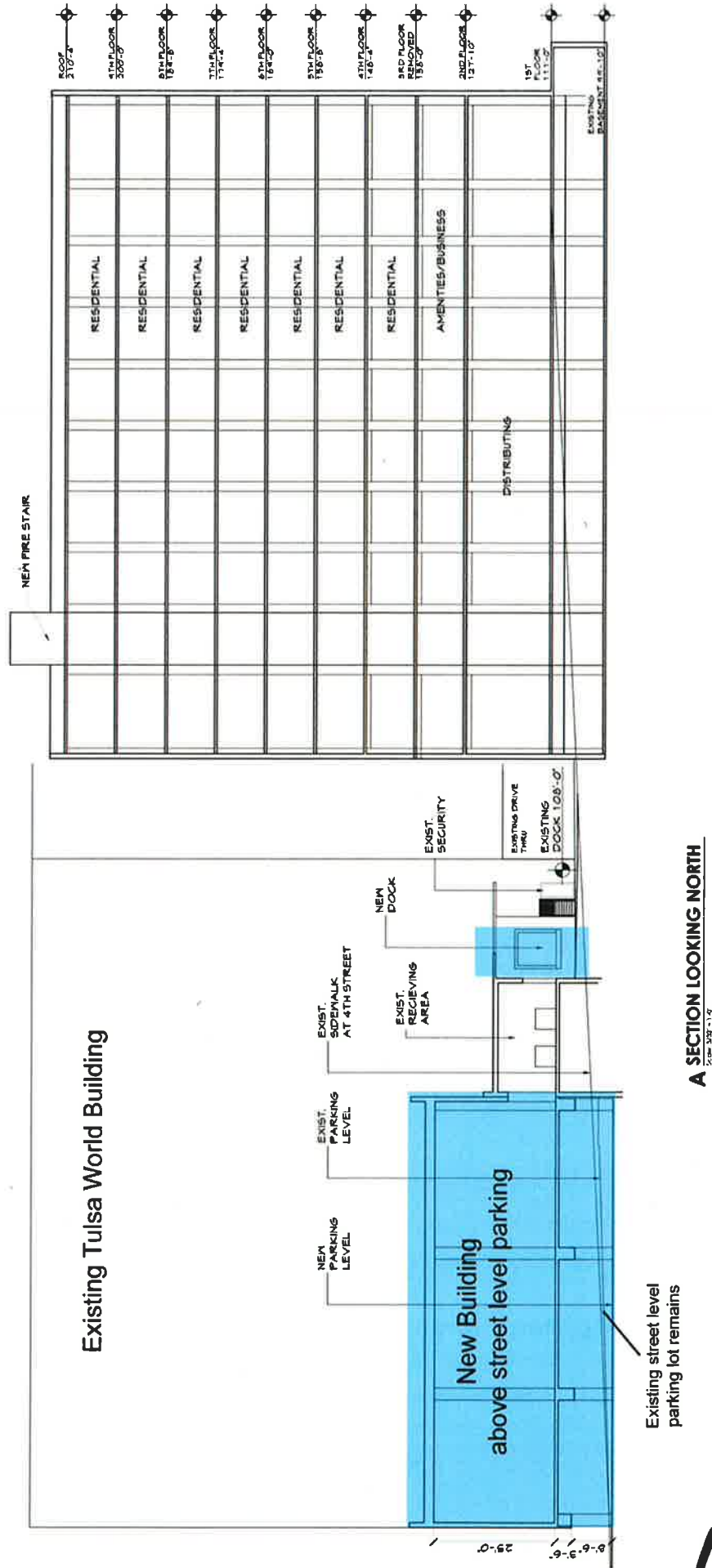
Tulsa World Newsprint Storage to be erected above existing ground-level parking. Ground level parking will remain.



19.14



# Tulsa World Newsprint Storage Site Plan



19.15

Tulsa World Newsprint Storage to be erected above existing ground-level parking. Ground level parking will remain.

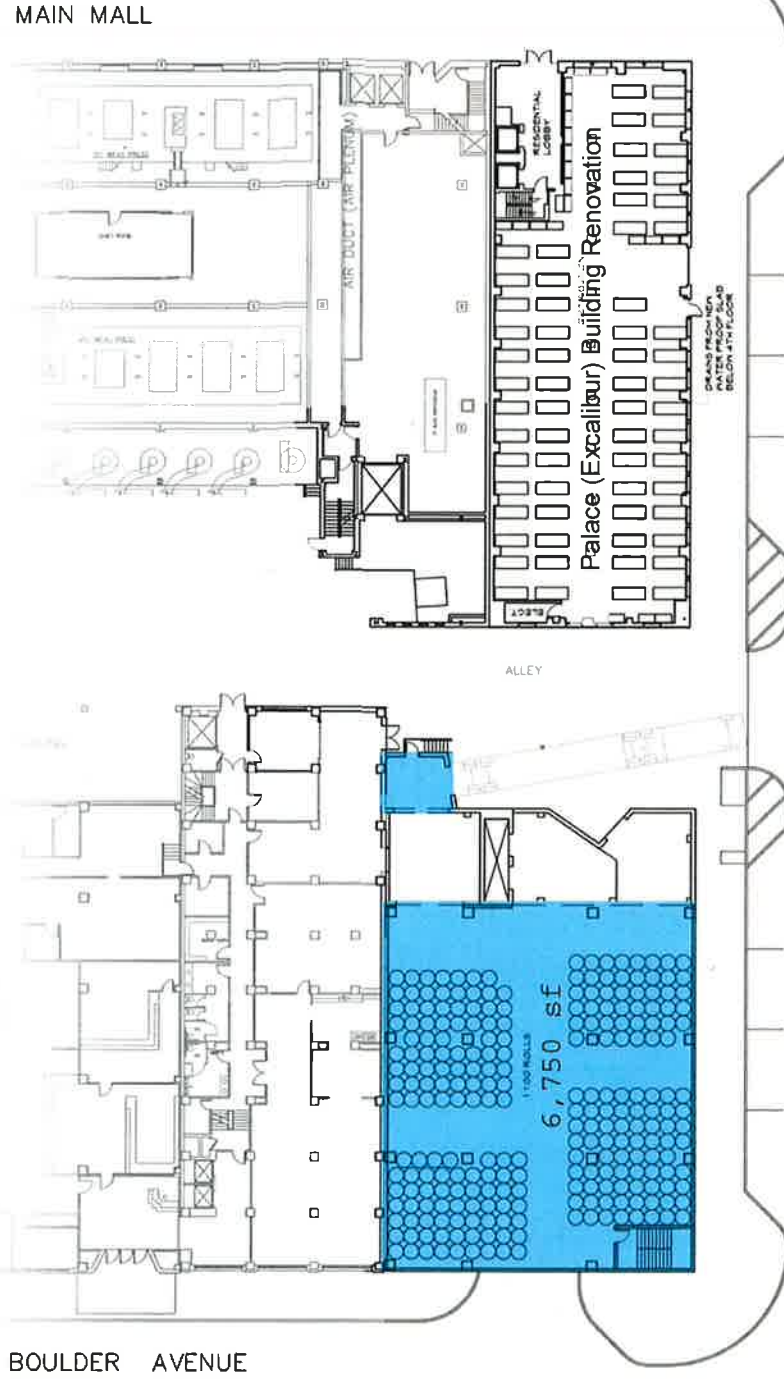


# Newsprint Storage Floor Plan

Tulsa World Newsprint Storage to be erected above existing ground-level parking. Ground level parking will remain.



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TULSA  
 WORLD  
 PAPER  
 STORAGE

OPTION B4

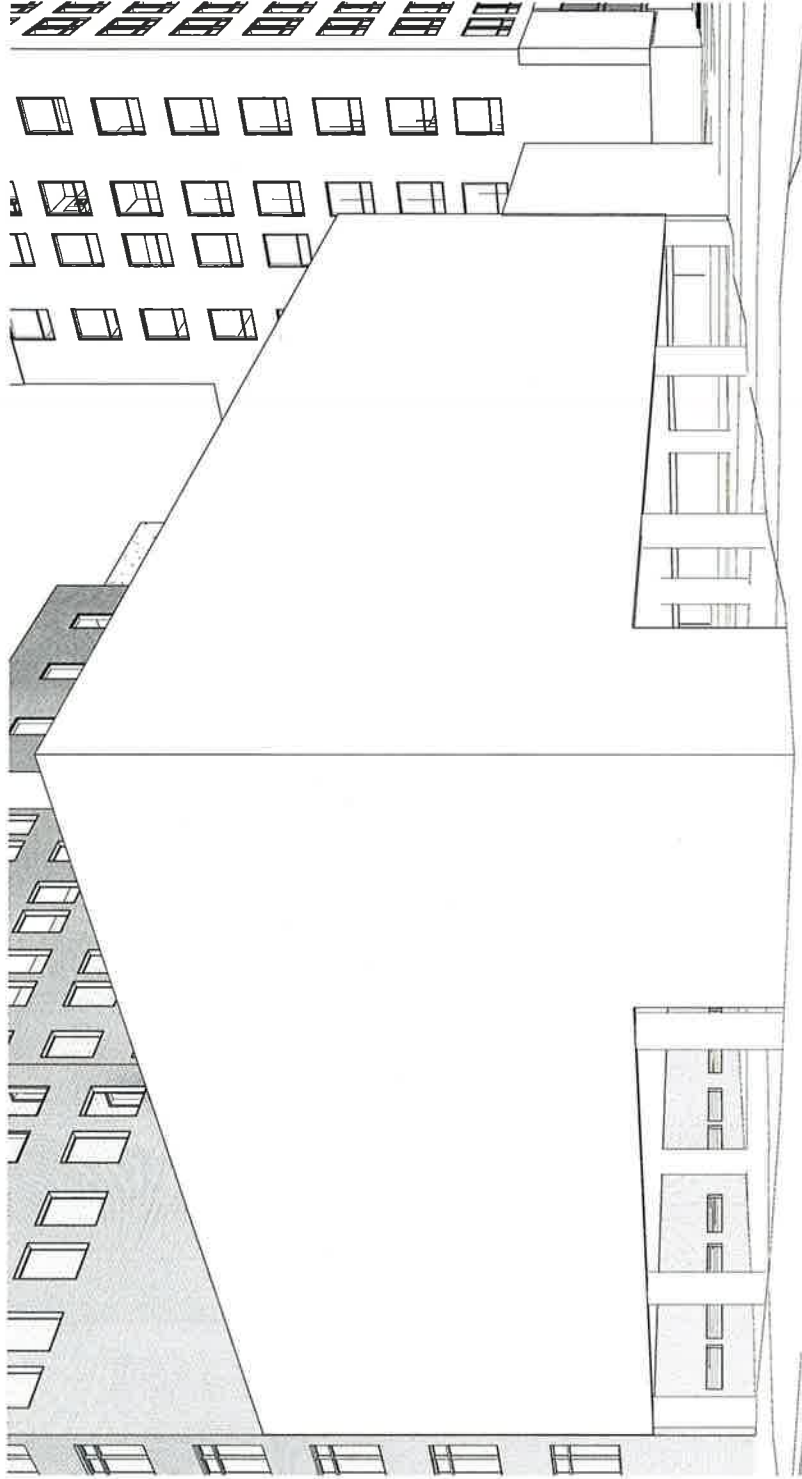
SCALE: 1/8" = 1'-0"  
 REVISIONS:  
 NAME: [blank]  
 DATE: [blank]  
 DRAWN BY: [blank]  
 11/16/2014

A GROUND LEVEL  
 Scale: 1/8" = 1'-0"

B4  
 GROUND  
 LEVEL  
**B4 1.1**

19.14





TULSA WORLD PAPER STORAGE BUILDING  
VIEW FROM SOUTHWEST

3/26/15



**Kinslow, Keith & Todd, Inc.**  
architecture | interiors | engineering



RESOLUTION 2699:936

A RESOLUTION FINDING THE 23 W 4TH STREET (NEWSPRINT BLDG) PROJECT WITHIN TAX INCENTIVE DISTRICT NUMBER ONE, CITY OF TULSA, OKLAHOMA IS IN CONFORMANCE WITH THE TULSA COMPREHENSIVE PLAN.

WHEREAS, pursuant to Title 19 Oklahoma Statutes, Section 863.7, the Tulsa Metropolitan Area Planning Commission did, by Resolution on the 29th of June 1960, adopt a Comprehensive Plan for the Tulsa Metropolitan Area, which was subsequently approved by the Mayor and Board of Commissioners of the City of Tulsa, Oklahoma, and by the Board of County Commissioners of Tulsa County, Oklahoma, and was filed of record in the Office of the County Clerk, Tulsa, Oklahoma, all according to law, and which has been subsequently amended; and

WHEREAS, the Tulsa Metropolitan Are Planning Commission did, by Resolution of the 6th of July 2010, adopt an amendment to the Comprehensive Plan for the Tulsa Metropolitan Area, which pertains only to those areas within the incorporated City limits of the City of Tulsa, known as the Tulsa Comprehensive Plan, which was subsequently approved by the Tulsa City Council on the 22nd of July 2010, all according to law, and which has been subsequently amended; and

WHEREAS, the Tulsa Comprehensive Plan contains sections dealing with the needs and desirability of economic programs, and,

WHEREAS, pursuant to Resolution NO. 19509 published Feb. 21, 2014, the City of Tulsa established the Local Development Act Review Committee in accordance with the Local Development Act, 62 O.S. Supp. 1992 § 851 et seq.; and,

WHEREAS, said Local Development Act requires that the Tulsa Metropolitan Area Planning Commission review proposed projects plans, make recommendations, and certify to the City of Tulsa as to the conformity of any propose project to the Tulsa Comprehensive Plan; and,

WHEREAS, on April 23, 2015 the Local Development Act Review Committee voted to recommend to the Tulsa City Council that the 23 W 4th Street project (in the location depicted on Exhibit A) be approved and adopted; and,

WHEREAS, said 23 W 4th Street project has been submitted to the Tulsa Metropolitan Area Planning Commission for review;

NOW THEREFORE, BE IT RESOLVED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, that:

The proposed 23 W 4th Street project, within Tax Incentive District Number One, City of Tulsa, Oklahoma is hereby found to be in conformity with the Tulsa Comprehensive Plan.

19.18



Certified copies of this Resolution shall be forwarded to the City Council of the City of Tulsa.

APPROVED AND ADOPTED THIS \_\_\_\_\_ day of \_\_\_\_\_ 2015 by the Tulsa Metropolitan Area Planning Commission.

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Michael Covey, Chairman  
Tulsa Metropolitan Area Planning Commission

ATTEST:

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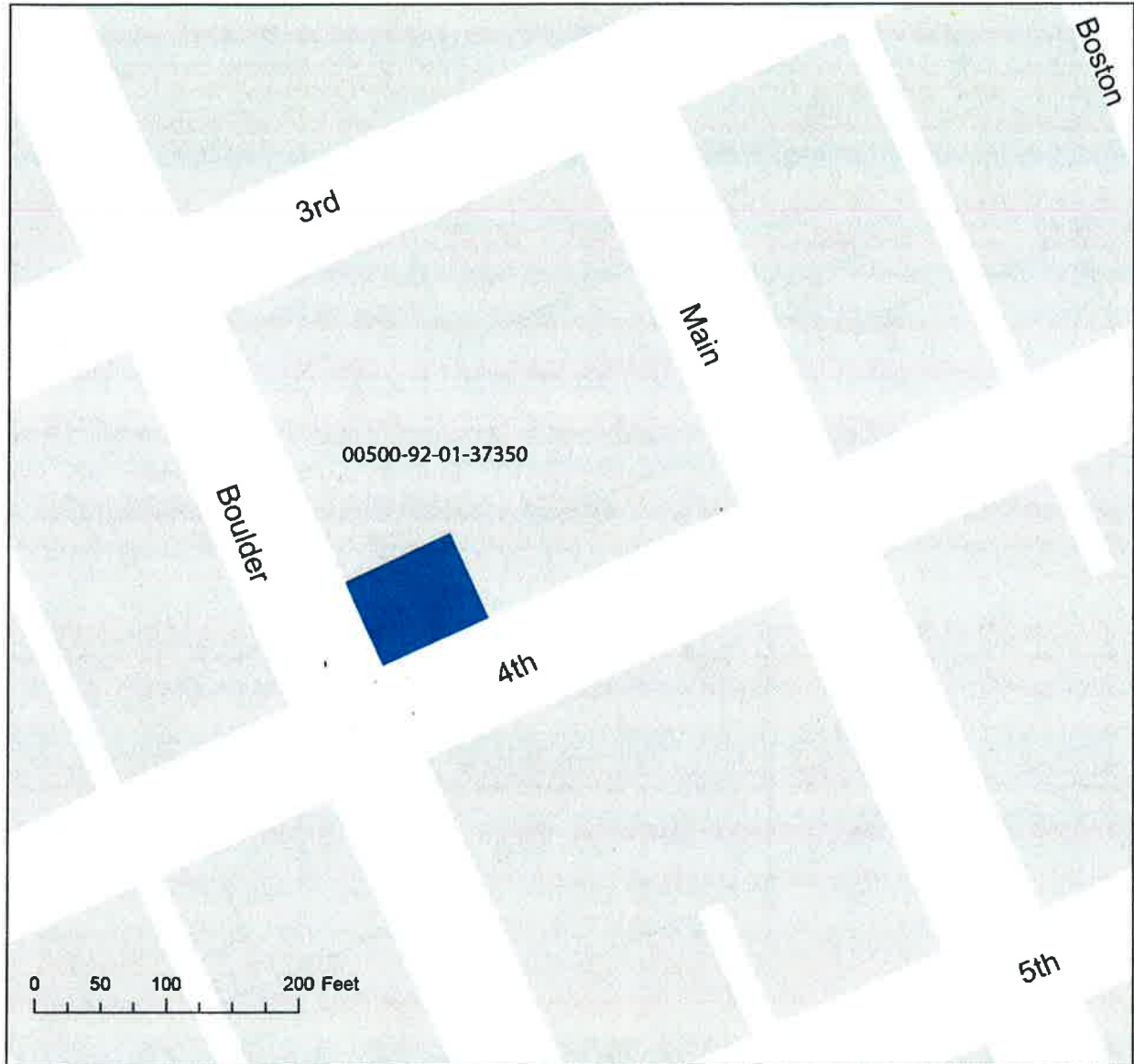
Ryon Stirling, Secretary  
Tulsa Metropolitan Area Planning Commission

19.19



# Exhibit A

**Newsprint Building  
23 W. 4th Street**



Parcel 00500-92-01-37350, W90 of S75 LT 4 BLK 120, TULSA-ORIGINAL TOWN



CITY OF  
**Tulsa**  
A New Kind of Energy.

**19.20**



RESOLUTION 2699:935

A RESOLUTION FINDING THE 324 S MAIN STREET (PALACE BLDG) PROJECT WITHIN TAX INCENTIVE DISTRICT NUMBER ONE, CITY OF TULSA, OKLAHOMA IS IN CONFORMANCE WITH THE TULSA COMPREHENSIVE PLAN.

WHEREAS, pursuant to Title 19 Oklahoma Statutes, Section 863.7, the Tulsa Metropolitan Area Planning Commission did, by Resolution on the 29th of June 1960, adopt a Comprehensive Plan for the Tulsa Metropolitan Area, which was subsequently approved by the Mayor and Board of Commissioners of the City of Tulsa, Oklahoma, and by the Board of County Commissioners of Tulsa County, Oklahoma, and was filed of record in the Office of the County Clerk, Tulsa, Oklahoma, all according to law, and which has been subsequently amended; and

WHEREAS, the Tulsa Metropolitan Area Planning Commission did, by Resolution of the 6th of July 2010, adopt an amendment to the Comprehensive Plan for the Tulsa Metropolitan Area, which pertains only to those areas within the incorporated City limits of the City of Tulsa, known as the Tulsa Comprehensive Plan, which was subsequently approved by the Tulsa City Council on the 22nd of July 2010, all according to law, and which has been subsequently amended; and

WHEREAS, the Tulsa Comprehensive Plan contains sections dealing with the needs and desirability of economic programs, and,

WHEREAS, pursuant to Resolution NO. 19509 published Feb. 21, 2014, the City of Tulsa established the Local Development Act Review Committee in accordance with the Local Development Act, 62 O.S. Supp. 1992 § 851 et seq.; and,

WHEREAS, said Local Development Act requires that the Tulsa Metropolitan Area Planning Commission review proposed projects plans, make recommendations, and certify to the City of Tulsa as to the conformity of any proposed project to the Tulsa Comprehensive Plan; and,

WHEREAS, on April 23, 2015 the Local Development Act Review Committee voted to recommend to the Tulsa City Council that the 324 S Main Street project (in the location depicted on Exhibit A) be approved and adopted; and,

WHEREAS, said 324 S Main Street project has been submitted to the Tulsa Metropolitan Area Planning Commission for review;

NOW THEREFORE, BE IT RESOLVED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, that:

The proposed 324 S Main Street project, within Tax Incentive District Number One, City of Tulsa, Oklahoma is hereby found to be in conformity with the Tulsa Comprehensive Plan.

19.21



Certified copies of this Resolution shall be forwarded to the City Council of the City of Tulsa.

APPROVED AND ADOPTED THIS \_\_\_\_\_ day of \_\_\_\_\_ 2015 by the Tulsa Metropolitan Area Planning Commission.

---

Michael Covey, Chairman  
Tulsa Metropolitan Area Planning Commission

ATTEST:

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Ryon Stirling, Secretary  
Tulsa Metropolitan Area Planning Commission

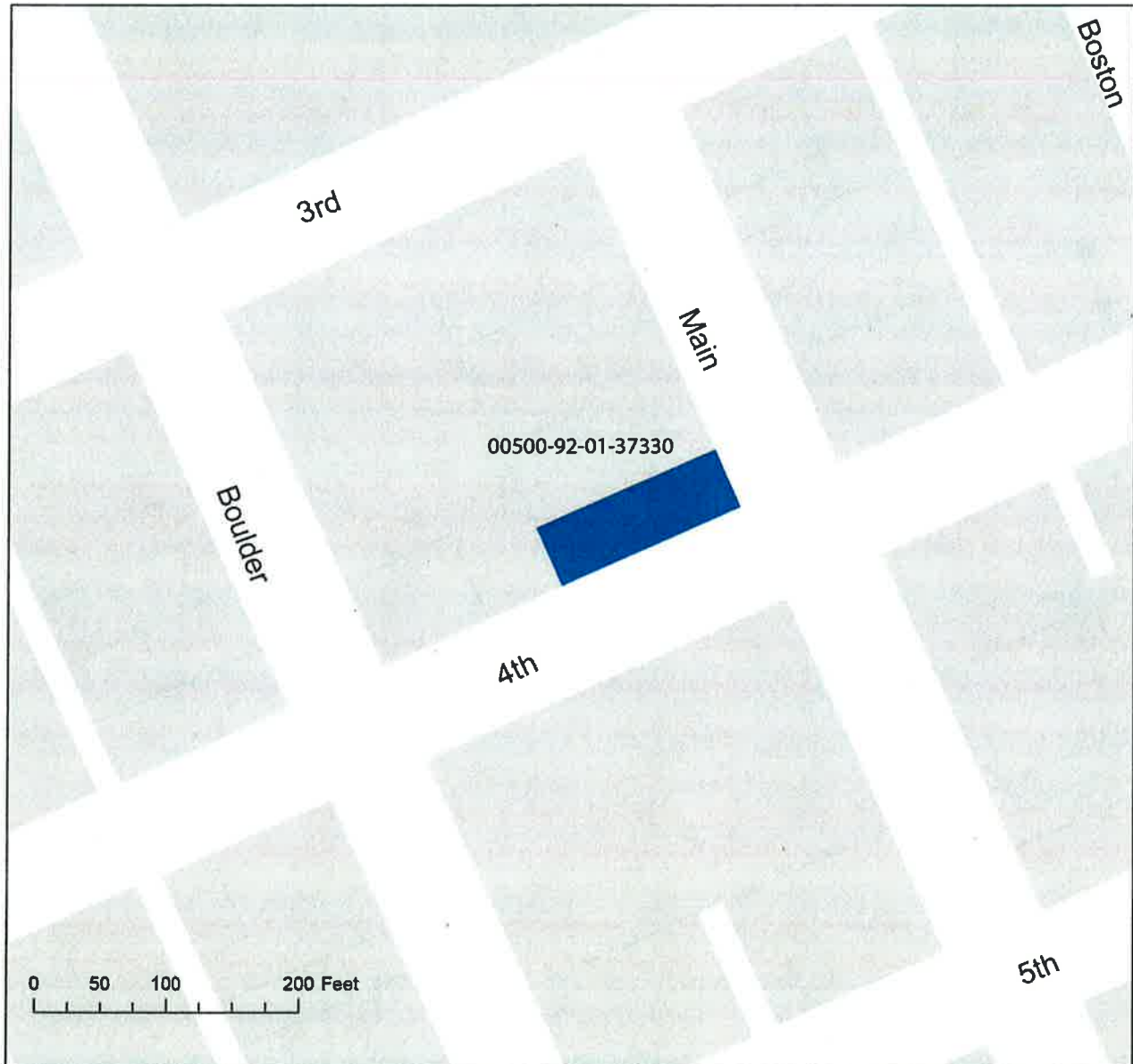
19.22



# Exhibit A

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## Palace Building 324 S Main



Parcel 00500-92-01-37330, S50 LT 3 & E10 VAC ALLEY ADJ ON W BLK 120, TULSA-ORIGINAL TOWN



**Tulsa** CITY OF  
A New Kind of Energy.  
**19.23**







## **TMAPC**

**June 3, 2015**

### **Revised "Policies and Procedures of TMAPC"**

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**Item for consideration:** Adopt revised *"Policies and Procedures of the Tulsa Metropolitan Area Planning Commission."*

**Background:** The TMAPC Policies and Procedures document has been revised multiple times over the years, most of the time in response to specific issues. This has resulted in a somewhat fragmented, disorganized and out-of-date document. Therefore, it was time to review the document as a whole and ensure that it remains current and reflects current or desired practices. In response to this, TMAPC staff, TMAPC legal representative and the TMAPC Chairman developed a revised version of *"Policies and Procedures of Tulsa Metropolitan Area Planning Commission."*

**General overview:** The following is a general description of the changes in the revised version:

- Reformatted and reorganized document;
- Revised text to ensure consistency in terminology;
- Deleted duplicate items already contained in the Zoning Code or Subdivision Regulations;
- Clarified Commissioner and staff roles to reflect current or desired practices; and
- Modified other processes to reflect current and desired practices.

At a work session on May 20, 2015, the TMAPC reviewed and discussed the revised document. After discussion, the TMAPC agreed that the revised *"Policies and Procedures of the Tulsa Metropolitan Area Planning Commission"* should be placed on the next meeting agenda for consideration to adopt.

**Staff recommendation:** Adopt the revised *"Policies and Procedures of the Tulsa Metropolitan Area Planning Commission."*







**POLICIES AND PROCEDURES  
OF THE  
TULSA METROPOLITAN AREA PLANNING COMMISSION**

**ARTICLE 1  
MEMBERSHIP AND OFFICERS**

**1.1 Name.** The name of this Commission is the Metropolitan Area Planning Commission of Tulsa County, Oklahoma, commonly referred to as the Tulsa Metropolitan Area Planning Commission (the "Commission" or "TMAPC").

**1.2 Number of Commissioners.** In accordance with the provisions of OKLA. STAT. tit. 19, §863.5, the TMAPC shall consist of eleven (11) members (individually a "Commissioner"), selected as follows: Six (6) are appointed by the Mayor of the City of Tulsa and approved by the City Council, and three (3) are appointed by the Board of County Commissioners of Tulsa County. The Mayor (or a person designated by the Mayor as an alternate) and the Chairman of the Board of County Commissioners (or a person designated by the Chairman of the Board as an alternate) shall be ex officio members of the Commission and shall be entitled to vote on all matters.

**1.3 Term / Vacancies / Compensation.** Appointed Commissioners shall serve for terms of three (3) years, and shall continue to serve until their successors are appointed by the Mayor for City appointees or by the County Commission for County appointees. Vacancies occurring, otherwise than through the expiration of a term, shall be filled only for the unexpired term in the same manner as set out in Section 1.2 above. All appointed Commissioners shall serve without compensation and shall hold no other municipal or County office.

**1.4 Removal.** Once qualified, a Commissioner can thereafter be removed during such Commissioner's term of office only for cause and after a public hearing held before the governing body by which such Commissioner was appointed.

**1.5 Absentees.** In order to properly conduct business, Commissioners must attend as many meetings as practical. If a Commissioner fails to attend ten (10) regularly scheduled meetings (excluding work sessions) during a twelve (12) month period, the Commission may contact the appointing body to request that the Commissioner be removed and replaced.

**1.6 Officers.**

(a) Annually, at the first regular meeting in January, the Commission shall elect from its appointed members a Chair, a First Vice-Chair, a Second Vice Chair and a Secretary. No Commission member shall hold the same office for more than two (2) consecutive full one-year terms. Any vacancy in office shall be filled by the Chair for the unexpired term only.

(b) The duties of the Chair shall include:

(1) Presiding over meetings when present, unless the Chair designates another member to preside;



(2) Appointing Commissioners to serve on other governmental agency boards and committees;

(3) Establishing ad hoc committees as the Chair deems necessary and appointing members and chairs to those committees;

(4) Signing official documents of the Commission; and

(5) Representing the Commission before other governmental bodies, unless the Chair designates another Commissioner or a member of the TMAPC staff.

(c) The First Vice-Chair shall assume all of the duties of the Chair during the Chair's absence.

(d) The Second Vice-Chair shall assume all of the duties of the Chair during the Chair's and the First Vice Chair's absence.

(e) The Secretary shall assume all duties of the Chair in the event the Chair, First Vice-Chair and Second Vice-Chair are absent. In addition, the Secretary shall:

(1) Read the opening statement and rules of conduct prior to the public hearing portion of the agenda;

(2) Collect and stamp exhibits of each meeting for the official record; and

(3) Attest the Chair's signature on all documents.

In the event the Secretary is not present, the Chair or acting Chair may appoint another Commissioner to assume the Secretary's duties.

(f) Each of the officers named above shall be entitled to participate in discussion and vote on any question before the Commission, whether occupying the position of the Chair or not.

## **ARTICLE 2 MEETING PROCEDURES**

### **2.1 Meeting Schedule and Agenda.**

(a) The Commission shall meet regularly in accordance with its approved calendar, generally on the first and third Wednesday of each month in the Tulsa City Council Chambers or in another designated location.

(b) Special meetings may be called at the request of the Chair. Such meetings shall be held in the regular meeting place of the Commission or in another designated location.



(c) Items to be placed on the TMAPC agenda shall meet the cut-off dates as specified on the official TMAPC schedule. Unless authorized by the Chair or the INCOG Land Development Services Manager, new items shall not be added to the final agenda after the agenda packet is mailed to the Commission.

**2.2 Notification.** The Commission shall consider only public hearing items that have been properly advertised, as required by law, and only those items in which all fees have been paid, including fees for legal advertising.

**2.3 General Procedures.**

(a) If a meeting procedure is not addressed by these Policies and Procedures, the Chairman shall decide the procedure based on the tradition of the Commission. The Commission may by majority vote establish a procedure differing from the procedure recommended by the Chair. The Chair and the Commission may refer to any book or treatise on rules of order or parliamentary procedure for guidance.

(b) A member of TMAPC staff shall serve as TMAPC Recording Secretary. The TMAPC Recording Secretary shall keep complete minutes of all public hearings of the Commission and shall receive all District Court appeals from any Commission action.

(c) When the public wishes to communicate with members of the Commission, the most appropriate way is through letter or e-mail correspondence to the TMAPC Recording Secretary, who will deliver it to the Commissioners. If an individual wishes to speak personally with the Commissioners, the individual must call the TMAPC Recording Secretary and leave a message to that effect. TMAPC staff will not release addresses or telephone numbers of Commissioners without the approval of the particular Commissioner. Ex parte communication is discouraged. (See Section 5.3 hereof)

(d) The Commission may grant a continuance of a scheduled public hearing or other business item at the request of the applicant, TMAPC staff, or another interested party. Except for requests by TMAPC staff, a request for a continuance should be made in writing and must contain the reasons for the request. In considering the request, the Commission may consider the timeliness of the request, the reasons given for the request, and the inconvenience created.

**2.4 Public Hearing Procedures.**

(a) TMAPC staff recommendation on advertised matters shall be written and made part of the file (public record) five (5) days in advance of the advertised public hearing date.

(b) Commissioners shall address only the presiding Chair for recognition and shall confine their remarks to the question under debate.

(c) Any member of the public may address the Commission at a regular or special meeting after signing in for a specific item. When recognized by the Chair, a member of the public should state his or her name and address. Speakers will be given five (5) minutes to speak on an item; however, the Chair may further limit that time based on the number of speakers for an item or impose an aggregate time for all speakers.



(d) The Chair may rule a comment out of order if it is redundant, irrelevant, indecorous or untimely.

(e) The order of business for a public hearing shall be determined by the Chair; however, the following is provided as a guide:

(1) The Chair announces the application.

(2) The Chair asks TMAPC staff for a summary of the case and the physical facts of the area involved. TMAPC staff presents its recommendation, together with the reasons for the recommendation, and whether the request is in conformance with the Comprehensive Plan.

(3) The Chair calls on the applicant for a presentation, not to exceed fifteen (15) minutes for a straight zoning application or twenty (20) minutes for rezoning application to a special district (PUD, Corridor, or other) or a joint zoning/special district application. If the applicant presents a significantly changed application from that submitted for TMAPC staff review (as determined by TMAPC staff and the Commission at the time of the presentation), such action is considered grounds for continuance.

(4) The Chair calls on interested parties or protestants. Those wishing to speak must use the sign-in sheet. Each speaker is allowed five (5) minutes to speak on an item; provided, however, the Chair may further limit that time based on the number of speakers for an item or impose an aggregate time for all speakers.

(5) The applicant is given the opportunity to rebut, and is allowed no more than ten (10) minutes to speak. If the applicant, in the Chair's opinion, should present new facts or information, the Chair may allow the protestants time to rebut same.

(6) The Chair announces the public hearing is closed on the case and opens the review session, during which the Commissioners will discuss the case among themselves and make a recommendation.

(7) During the review session, which shall be open and public, no new evidence shall be admitted unless specifically requested by a member of the Commission and permitted by the Chair.

(8) The vote shall be taken and the Chair shall announce the vote.

(f) Before a motion is made, there shall be an opportunity for discussion of the case by the Commissioners and for each Commissioner to make comments. After a motion is made, there shall be further opportunity for discussion by the Commissioners, and the maker of the motion may refine the terms of the motion pursuant to such discussion. When the motion is formalized, the Chair shall restate the motion, state the name of the maker of the motion and the member seconding the motion, and call for a vote. If a Commissioner desires to amend the motion following the Chair's restatement of the motion but prior to the Chair's call for a vote, the Commissioner suggesting the amendment may ask unanimous consent to modify the motion. If any Commissioner objects to the modification of the motion, the Commissioner



proposing the amendment shall move that the motion be amended. The motion to amend must be seconded, is debatable, and must be adopted by a majority vote of the members present.

(g) The Commission shall not rehear a zoning application on the same property for a period of six (6) months after action on the application has been taken by the Commission.

(h) The transmittal of applications for a zoning map amendment to the City Council or County Commission in those instances where the applicant, TMAPC staff and Commission are all in agreement and there are no interested parties will occur following the Commission hearing without minutes. All other applications will be transmitted when the meeting minutes are drafted.

(i) A motion to reconsider an item on which a vote has been taken may be made only by a Commissioner who voted with the prevailing side and can only be heard during the same meeting where the vote was taken or the next succeeding meeting. If a motion to reconsider is adopted, the Commissioners shall consider the need for additional notice to interested persons before a vote is taken on the item being reconsidered.

## **2.5 Quorum and Votes Required.**

(a) Six (6) Commissioners shall constitute a quorum for the conduct of any Commission business, except at work sessions where four (4) Commissioners shall constitute a quorum.

(b) A modification of the Subdivision Regulations shall require the affirmative vote of two-thirds (2/3) of the Commissioners present and voting. *See Subdivision Regulations 1.10.4.*

(c) An amendment to the Tulsa Comprehensive Plan, including the Tulsa City/County Major Street and Highway Plan, shall require six (6) affirmative votes by the Commission. *See OKLA. STAT. tit. 19, § 863.7.*

(d) Except as set forth above or as otherwise required by applicable law, any matter (zoning related or otherwise) coming before the Commission shall be decided by a majority vote of the Commissioners present.

(e) In the event the final vote on any zoning matter before the Commission results in a tie, such tie vote shall result in the matter being transmitted to the City Council or County Commission as a tie vote, without recommendation.

## **2.6 Work Sessions.**

(a) The Commission shall meet as a committee of the whole in a work session at the call of the Chair when applicable work items or educational opportunities arise. The Chair or the Chair's designee shall preside.

(b) The purpose of the work session shall be to discuss work items and Commission issues, to share other information and determine whether work items are ready to be considered at regular TMAPC meetings. Work sessions may also be used to provide educational



opportunities and to allow Commissioners a forum to discuss various planning matters outside of their normal work items.

(c) The Commission shall take no final action on work items while in work sessions.

(d) Public comments are not allowed at work sessions unless approved by the Chair prior to the meeting. The appropriate process is for a member of the public to contact TMAPC staff (Land Development Services Manager) who will communicate the request to the Chair.

### **ARTICLE 3 DEVELOPMENT REVIEW POLICIES**

#### **3.1 Applications.**

(a) Sufficient supporting information shall be filed with an application in order for the TMAPC staff and Commission to evaluate the proposal. If TMAPC staff concludes that sufficient supporting information has not been provided, TMAPC staff shall consider the application as incomplete and shall not place the item on the agenda.

(b) In order to help alleviate potential conflicts and assure that interested parties have adequate information, the Commission encourages applicants in zoning cases to meet with owners of property in the area prior to public hearings. Failure of the applicant to meet with the neighbors may result in a continuance by the Commission.

(c) In cases where the development plan (of a Planned Unit Development (PUD), Corridor (CO), or other development plan) that is recommended by the Commission differs from the plan that was submitted by the applicant, a revised plan reflecting the Commission's recommendation shall be prepared and submitted to the TMAPC staff for transmittal to the City Council or County Commission with the minutes of the meeting.

**3.2 Zoning Initiated by TMAPC.** As a general rule, the TMAPC will not initiate applications for zoning changes without the consent of the owner or his agent, unless such application is requested by the proper legislative body.

#### **3.3 Subdivisions and Lot-Splits.**

(a) As a general rule, the platting requirement for Antennas and Supporting Structures (Use Unit 4. Public Protection and Utility Facilities) and Open Air Activities (Use Unit 2. Area-Wide Special Exception Uses) shall be waived by the Commission.

(b) No lot-split applications which require modification of a provision of the Subdivision Regulations shall be processed on the consent agenda of the TMAPC. Such lot-splits shall require a ten (10) day written notice to abutting property owners (including lot owners separated only by a residential street).



### **3.4 Planned Unit and Corridor Developments.**

(a) Applicants proposing developments using a combination of private street(s) and a variance of the required thirty feet (30') of frontage on a public street shall be required to develop their project as a PUD or Corridor Development, excepting a proposed townhouse development.

(b) The staff of the TMAPC shall review and approve, approve with conditions or deny all detail sign and landscape plans and minor revisions to previously approved detail site plans unless specifically directed by the TMAPC to present the plans to the Commission for review. Prior to approval of any detail plans, the TMAPC staff shall ascertain that the plan complies with all PUD, Corridor Development and Zoning Code provisions. If the plan does not comply with such requirements, the TMAPC staff shall approve the plan subject to conditions which bring it into compliance or deny the plan. If the applicant or interested parties disagrees with the decision of TMAPC staff, they may appeal the decision as provided for in the Zoning Code.

(c) Minor amendments to a Corridor Development Plan may be authorized by the Commission, which may direct the processing of an amended subdivision plat, incorporating such changes, so long as substantial compliance is maintained with the approved development plan and the purposes and standards of Section 805, Zoning Code, City of Tulsa. Changes that would represent a significant departure from the development plan shall require compliance with the notice and procedural requirements of an initial development plan review and approval. The following shall be considered minor amendments:

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

(2) Limitation or elimination of previously approved uses, provided the character of the development is not substantially altered.

(3) Increases in dwelling units, provided the approved number of dwelling units is permitted by the underlying zoning and the density of a development area is not increased more than fifteen percent (15%).

(4) Increases in permitted non-residential floor area, provided the increased floor area is permitted by the underlying zoning and the floor area of a development area is not increased more than fifteen percent (15%).

(5) Modification of the internal circulation system, provided the system is not substantially altered in design, configuration or location.

(6) Changes in points of access, provided the traffic design and capacity are not substantially altered.



(7) Addition of customary accessory buildings and uses within the delineated common open space of a residential development area, including but not limited to swimming pools, cabanas, security buildings, clubhouses and tennis courts.

(8) Location of customary residential accessory buildings and uses on an adjoining single-family residential lot within a residentially developed area including but not limited to a swimming pool, cabana, garage and tennis court, provided an agreement has been recorded by the owner prohibiting the conveyance of the lot containing the accessory use separate from the conveyance of the lot containing the principal use.

(9) Changes in structure heights, building setbacks, yards, open spaces, building coverage and lot widths or frontages, provided the approved Corridor Plan, the approved Corridor Standards and the character of the development are not substantially altered.

(10) Lot-splits which modify a recorded plat and which have been reviewed and approved by the Technical Advisory Committee (TAC).

(11) Home occupations which meet the requirements of Section 404.B Home Occupations, of the Zoning Code, City of Tulsa.

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

(13) Modification(s) to approved screening and landscaping plans, provided the modification(s) is not a substantial deviation from the original approved plan.

(14) Changes from multifamily (apartments) to duplexes, townhouses or detached single-family, thereby reducing the number of permitted dwelling units.

Ten (10) days' notice of the public hearing shall be given for minor amendments by mailing written notice to all owners of property within a three hundred foot (300') radius of the exterior boundary of the subject property.

If the Commission determines that the proposed amendment, if approved, will result in a significant departure from the approved Corridor Development Plan or otherwise change the character of the Development Plan significantly or that the cumulative effect of a number of minor amendments substantially alters the approved Development Plan, then the amendment shall be deemed a major amendment. Major amendments shall comply with the notice and procedural requirements of Section 804.C of the Zoning Code, City of Tulsa.



**ARTICLE 4**  
**CITY OF TULSA COMPREHENSIVE PLAN**

The TMAPC derives its authority to adopt and amend a comprehensive plan under the provisions of OKLA. STAT. tit. 19, § 863.7. The Comprehensive Plan of the Tulsa Metropolitan Area was originally adopted on June 29, 1960, and was subsequently amended on numerous occasions. The current Comprehensive Plan for the City of Tulsa was adopted by the TMAPC on July 6, 2010 and approved by the Tulsa City Council on July 22, 2010 and retains various small area and functional plans. The 2010 Comprehensive Plan has been and will likely continue to be amended from time to time.

**4.1 Regularly Scheduled Updates and Maintenance.** The Comprehensive Plan states that the Land Use Plan and Stability and Growth Map "should be updated at five year intervals with projections toward the future. Housekeeping updates and maintenance to reflect development approvals should be made annually." (p. LU-77) TMAPC staff will establish a system to track all housekeeping amendments needed to reflect development approvals and present a Comprehensive Plan amendment to the TMAPC annually, generally in July. These annual amendments will include updates to the Land Use Plan and, if necessary, changes to the Areas of Stability and Growth Map. It is expected that City of Tulsa will prepare an update to the Comprehensive Plan in five (5) year intervals based on new data and updated projections and recommending adjustments to the Plan.

**4.2 Small Area Plan Adoption process.** The Comprehensive Plan outlines a process for adoption of small area plans in the Appendix, pp. 9 & 10. It generally states that when the small area plan has been drafted, following the multi-agency review and public participation process, the draft plan document will be presented to the TMAPC at a work session. At the work session, the TMAPC will review the small area plan for content and consistency with the Comprehensive Plan. Also, the TMAPC will announce if and when the document is ready for public hearing. Notice must be published at least fifteen (15) days prior to the public hearing. The TMAPC will conduct the public hearing, consider the plan based on the findings of fact and public testimony presented, and consider adoption of the small area plan as an amendment to the Comprehensive Plan. The same process and procedures shall be followed for adoption of Sector Plans (formerly known as Urban Renewal Plans).

**4.3 Privately initiated Comprehensive Plan amendments.**

**(a) Amendments of the Comprehensive Plan Generated by Proposed Zoning Changes.** During the initial review of an application to the TMAPC for approval of Zoning, PUD, Corridor Development Plan or PUD Amendment, TMAPC staff shall determine if the proposal is consistent with the Comprehensive Plan map designation. If TMAPC staff determines that the proposal is inconsistent with the Comprehensive Plan map designation, and further determines that the deviation from the purpose and intent of the Comprehensive Plan is minor in nature, the application for approval of Zoning, PUD, Corridor Development Plan or PUD Amendment shall be set for hearing by the TMAPC and, if approved, the Comprehensive Plan shall be amended to reflect the approved land use as a part of the annual housekeeping amendments. If TMAPC staff determines that the proposal is inconsistent with the Comprehensive Plan map designation, and further determines that the proposal represents a significant deviation from the purpose and intent of the Comprehensive Plan, an application to amend the Comprehensive Plan shall be required to run concurrently with the application for approval of Zoning, PUD, Corridor Development Plan or PUD Amendment. In such instance, TMAPC staff shall inform the applicant, within fifteen (15) days of receipt of the application for approval of Zoning, PUD,



Corridor Development Plan or PUD Amendment, that an application to amend the Comprehensive Plan is required and shall provide an application form for completion by the applicant. The requirement for a concurrent application for Comprehensive Plan amendment may necessitate an extended timeframe of review.

**(b) Other Amendments to the Comprehensive Plan.** Other amendments to the Comprehensive Plan may be initiated by the TMAPC upon request of TMAPC staff or an applicant. Should any person or entity request a text amendment of the Comprehensive Plan or a small area plan or a map amendment that pertains to property that is not under their ownership, the party requesting the amendment shall submit a Comprehensive Plan amendment application on the form provided by the TMAPC staff. The TMAPC staff shall review and present the application to the TMAPC within thirty (30) days of receipt of the application, and the TMAPC shall determine whether to initiate the requested amendment. Should the TMAPC initiate the requested amendment, the TMAPC staff shall, in coordination with City of Tulsa Planning staff, prepare a timeline for TMAPC staff review and recommendation regarding the proposal and shall submit the timeline to the TMAPC at its next scheduled meeting.

**4.4 Relationship of various initiatives to the Comprehensive Plan.** It is the purpose and intent that the Comprehensive Plan be a guide for many initiatives, however, few necessitate being adopted as a comprehensive plan amendment. The table below provides guidance on how various initiatives should be reviewed and/or included in the Comprehensive Plan.

Items	Adopt as an Amendment	Issue Conformance statement
<b>Small area plans, neighborhood plans &amp; sector plans</b>		
Plan and Land Use Map	X	X
Goals, objectives, policies, recommendations	X	X
<b>Major Street and Highway Plan</b>	X	X
<b>Other types of plans, studies &amp; initiatives</b>		X
Capital Improvement Plans		X

**4.5 Amendments to Other Types of Plans, Studies and Initiatives.** Other types of plans, studies and initiatives may necessitate a Comprehensive Plan conformance review, both at the time of their origin, as well as for future amendments. If a plan, study or initiative has been issued a statement of conformance with the Comprehensive Plan and/or adopted by the Commission, TMAPC staff will administratively review proposed amendments and review against applicable plan policies. TMAPC staff will issue an updated statement providing specific justification to support the proposed amendments if they are in fact in conformance with the Comprehensive Plan. If TMAPC staff finds proposed changes to be inconsistent with the Comprehensive Plan, a TMAPC staff report and draft statement of conformance will be developed and provided to the Commission for action.



**ARTICLE 5**  
**CODE OF ETHICS**

**5.1 Definitions.**

(a) "Private benefit" means a direct or indirect benefit not shared by the general public that could be reasonably expected to impair a Commissioner's objectivity or independent judgment.

(b) "Organizational interest" exists when a Commissioner is an officer, director or board member of a company, business, or organization that takes an official position before the Commission.

(c) "Ex parte communication" means a private communication with a Commissioner from a party with an interest, financial or otherwise, in a particular matter before the Commission.

**5.2 Conflict of Interest.**

(a) A conflict of interest exists whenever a Commissioner:

- (1) may receive a private benefit; or
- (2) has an organizational interest regarding a matter before the Commission; or
- (3) has any economic interest, directly or indirectly, in a matter before the Commission or in action to be taken by the Commission.

The possibility, not the actuality, of a conflict of interest governs. *The question is, "Would a reasonable person believe me to be unbiased and impartial?"*

(b) A Commissioner experiencing a conflict of interest shall declare such Commissioner's interest publicly, abstain from voting on the matter, and shall refrain from any deliberations on the matter. When possible, the Commissioner should leave the public hearing room.

(c) A Commissioner experiencing a conflict of interest shall not discuss the matter in any venue with any fellow Commissioner, TMAPC staff or other officials involved in decision making on the matter for the purpose of influencing a decision thereon.

**5.3 Ex Parte Communication.**

(a) Although not forbidden, ex parte communication has the potential to influence a Commissioner's decision on matters before the Commission. The Commissioner who receives ex parte communication must disclose such ex parte communication prior to or at the commencement of public discussion of the subject matter.



(b) The Commissioner shall also evaluate whether, as a result of this communication, such Commissioner can remain unbiased and impartial and should either abstain or participate accordingly. As with a potential conflict of interest, the appearance, not the actuality, of bias should govern.

#### **5.4 Release of Information.**

(a) No Commissioner or TMAPC staff member shall use or transmit to others for private benefit any information derived from Commission activities unless and until such information is made available to the public at large.

(b) No Commissioner or any person appearing before the Commission shall knowingly misrepresent facts or distort or omit information for the purpose of achieving a desired outcome.

#### **5.5 Appearance of Commissioners at City Council.**

(a) Only a Commissioner designated by the Chair shall be the official spokesperson for the Commission. The official spokesperson for the Commission shall, to the best of his or her ability, present an unbiased record of the proceedings and the decision of the Commission. The official spokesperson shall not present new facts or arguments that were not made available at the hearing before the Commission.

(b) Nothing herein would deprive a Commissioner of the right to speak at a public hearing in the Commissioner's individual capacity subject to the following. If a Commissioner chooses to speak at a public hearing, and he or she has not been designated as the spokesperson by the Chair, that Commissioner must state that:

(1) Though they are a Commissioner, they are before the City Council as an individual, and not on behalf of the Commission; and

(2) They have no authority to make representations regarding the Commission's public meetings, thought processes, or decision-making.

If a Commissioner other than the one designated by the Chair intends to speak at a public hearing on a matter upon which the Commission has previously voted, he or she must notify all members of the Commission of that intention at least twenty (24) hours prior to the public hearing.

*[Signature page follows]*



Date Adopted: May \_\_\_\_, 2015

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Chairman

ATTEST:

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Secretary

*[Signature Page of Policies and Procedures of the TMAPC]*



