TULSA METROPOLITAN AREA PLANNING COMMISSION
Meeting No. 2704
August 19, 2015, 1:30 PM
175 East 2nd Street, 2nd Level, One Technology Center
Tulsa City Council Chamber

CONSIDER, DISCUSS AND/OR TAKE ACTION ON:

Call to Order:

REPORTS:

Chairman's Report:
Worksession Report:
Director's Report:

1. Minutes of August 5, 2015, Meeting No. 2703

CONSENT AGENDA:

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

2. **LS-20803** (Lot-Split) (County) – Location: South and East of the southeast corner of West 41st Street South and South 73rd West Avenue

3. **LC-693** (Lot-Combination) (CD 2) – Location: West of the northwest corner of West 57th Place South and South Union Avenue

4. **LS-20804** (Lot-Split) (CD 6) – Location: North of the northeast corner of East 11th Street South and South 161st East Avenue

5. **LC-694** (Lot-Combination) (CD 9) – Location: Southwest corner of East 41st Street South and South Rockford Avenue

6. **LS-20806** (Lot-Split) (CD 2) – Location: South of the southeast corner of East 101st Street South and South Delaware Avenue

7. **LC-216** (Termination of Declaration) (CD 4) – Location: West of the northwest corner of East 29th Street South and South Utica Avenue
8. **PUD-587-A-3 – Kevin Rea**, Location: North of the northeast corner of East 83rd Street South and South Urbana Avenue, requesting a PUD Minor Amendment to allow a ten-foot high wall in the rear yard, RS-3/PUD-587-A, (CD-8)

9. **Z-7164-SP-1 – Texas Roadhouse/Douglas Druen**, Location: South of the southwest corner of West 81st Street South and South Olympia Avenue, requesting a Corridor Detail Site Plan for a new restaurant facility, CO/Z-7164-SP-1, (CD-2)

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

**PUBLIC HEARINGS:**

10. **Open Arms Child Development Center** – Minor Subdivision Plat, Location: North of the northeast corner of East 51st Street South and South 177th East Avenue, (CD 6)

11. **Village Congregation** – Preliminary Plat, Location: West of the northwest corner of West 91st Street South and South Union Avenue, (CD 2)

12. **Jenks Northwest Elementary** – Preliminary Plat, Location: North of the northeast corner of West 81st Street South and South Elwood Avenue, (CD 2)

13. **Tulsa Senior Living Center** – Preliminary Plat, Location: West of southwest corner of East 81st Street South and South Garnett Road, (CD 7)

14. **PUD 271 H** – Plat Waiver, Location: Southeast corner of South 129th East Avenue and 43rd Place South, (CD 6)

15. **Z-7310 – Tim Terral**, Location: Northwest corner of East 49th Street and South Peoria Avenue, requesting rezoning from RS-3/OL to OL, (CD-9)

16. **PUD-837 – Tim Terral**, Location: Northwest corner of East 49th Street and South Peoria Avenue, requesting PUD for off-street parking, RS-3/OL to OL/PUD, (CD-9)

17. **PUD – 837** – Plat Waiver, Location: Northwest corner of East 49th Street South and South Peoria Avenue, (CD 9)

18. **PUD-838 – Planscape Partners**, Location: Southeast corner of South Harvard Avenue and East 16th Street, requesting a PUD to allow reduction of the building setback lines and improved design standards for site redevelopment supporting Main Street land use designation, CS TO CS/PUD-838, (CD-4)

19. **CZ-442 – Tanner Consulting, LLC/Jessica Shelton**, Location: South of southeast corner of West 111th Street and South 33rd West Avenue, requesting rezoning from AG to RE, (County)
20. **PUD-839 - Tanner Consulting, LLC/Jessica Shelton.** Location: South of southeast corner of West 111th Street and South 33rd West Avenue, requesting a PUD to develop a tract with public streets providing greater flexibility with lot land development standards than RE zoning allows, **AG to RE/PUD**, (County)

**OTHER BUSINESS**

21. Consider adopting amendment to Policies and Procedures of TMAPC

22. Commissioners' Comments

**ADJOURN**

CD = Council District

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

Visit our website at [www.tmapc.org](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.
### Case Report

**Case Number:** PUD-587-A-3  
**Minor Amendment**  
**Hearing Date:** August 19, 2015

### Owner and Applicant Information:

- **Applicant:** Kevin Rea  
- **Property Owner:** Mark & Linda Stephenson

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

![Location Map](image)

### Applicant Proposal:

- **Concept summary:** PUD minor amendment to allow a 10 ft high wall in the rear yard.  
- **Gross Land Area:** 0.21 acres  
- **Location:** North of the NE/c of East 83rd Street South & South Urbana Avenue  
- **Lot:** 8219 South Urbana Avenue  
- **Block:** Lot 5, Block 2 Walden Pond

### Zoning:

- **Existing Zoning:** RS-3/PUD-587-A  
- **Proposed Zoning:** No Change

### Comprehensive Plan:

- **Land Use Map:** Existing Neighborhood  
- **Growth and Stability Map:** Stability

### Staff Data:

- **TRS:** 8316  
- **CZM:** 52  
- **Atlas:** 1420

### Staff Recommendation:

Staff recommends **approval**.

### City Council District:

- **Councilor Name:** Phil Lakin

### County Commission District:

- **Commissioner Name:** Ron Peters

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![page number](image)
SECTION I: PUD-587-A-3 Minor Amendment

STAFF RECOMMENDATION

Amendment Request: Modify the PUD to allow a 10 ft high wall in the rear yard.

Walls in the rear yard are limited to 8 feet in height. The applicant is proposing to increase this to 10 feet for Lot 5, Block 2 to permit a masonry wall as illustrated on the applicant’s wall detail exhibit.

_Staff Comment:_ This request can be considered a Minor Amendment as outlined by Section 1107.H.13 PUD Section of the City of Tulsa Zoning Code.

“Modifications to approved screening and landscaping plans, provided the modification is not a substantial deviation from the original approved plan.”

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-587-A and subsequent minor amendments shall remain in effect.

Exhibits included with staff recommendation:

<table>
<thead>
<tr>
<th>Exhibit Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>INCOG zoning case map</td>
</tr>
<tr>
<td>INCOG aerial photo</td>
</tr>
<tr>
<td>INCOG aerial photo (enlarged)</td>
</tr>
<tr>
<td>Applicant Wall Detail Exhibit</td>
</tr>
</tbody>
</table>

With considerations listed above, staff recommends _approval_ of the minor amendment request to allow a 10 ft high wall in the rear yard.
## Case Report

**Case Number:** Z-7164-SP-1  
**Detail Site Plan**  
**Hearing Date:** August 19, 2015

### Owner and Applicant Information:

**Applicant:** Texas Roadhouse – Douglas Druen  
**Property Owner:** Walk at Tulsa Hills c/o The Parkes Companies

### Location Map:

(Shown with City Council Districts)

![Location Map](image)

### Applicant Proposal:

**Detailed Site Plan:**  
Plan represents details for a new restaurant facility in a Corridor District.  
**Gross Land Area:** 2.3 Acres  
**Location:** South of the SW/c of West 81st Street South and South Olympia Avenue

### Zoning:

**Existing Zoning:** CO/Z-7164-SP-1  
**Proposed Zoning:** No Change

### Comprehensive Plan:

**Land Use Map:** Neighborhood Center  
**Growth and Stability Map:** Growth

### Staff Recommendation:

Staff recommends **APPROVAL.**

### Staff Data:

**TRS:** 18-12-14  
**CZM:** 51  
**Atlas:** 887

### City Council District:

**District:** 2  
**Councilor Name:** Jeannie Cue

### County Commissioner District:

**District:** 2  
**Commissioner Name:** Karen Keith
SECTION I: Z-7164-SP-1 Detailed Site Plan

STAFF RECOMMENDATION

CONCEPT STATEMENT:
The applicant is requesting detailed site plan approval on a 2.3 Acre site in a Corridor District for a new restaurant including one, one story building.

PERMITTED USES:
Uses permitted as a matter of right are Use Units 1, Area Wide Uses by Right; 10, Off Street Parking; 11, Offices and Studies, Including Drive-Thru Banking Facilities; 12, Entertainment and Eating Establishments, Other Than Drive-Ins; 13, Convenience Goods and Services; 14, Shopping Goods and Services; 15, Other Trade and Services, Limited to Dry Cleaning, Computer Repair, Data Processing Machine Repair and Electrical Repair Service; 18, Drive-In Restaurants; 19, Hotel, Motel and Recreational Facilities, Limited to Gymnasium, Motion Picture Theater (Enclosed) Health Club/Spa and Swimming Pool; 21, Limited to Private Streets, Service Roads, Storm Water Drainage, Storm Detention Facilities, Water Cisterns, Water Features, Wind Turbines and Open Spaces. The restaurant proposed for this project are allowed by right.

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

ARCHITECTURAL GUIDELINES:
The new building meets all applicable architectural guidelines in the Corridor Development Plan.

OFF-STREET PARKING AND VEHICULAR CIRCULATION:
The site plan meets the minimum parking defined in the Tulsa Zoning Code and the Corridor Development Plan.

LIGHTING:
Site lighting plans are provided. Site lighting, including building mounted shall not exceed 35 ft in height. All site lighting shall be hooded and directed downward and away from the east and south boundaries of the project to the extent that light producing elements and reflectors will not be visible to a person standing at ground level within abutting residential districts or residentially used property.

SIGNAGE:
The site plan illustrates wall sign locations. Any new signage will require a separate permit. All signage will be required to meet the Corridor Development Plan Standards. Any ground or monument signs placed in an easement will require a license agreement with the City prior to receiving a sign permit. This staff report does not remove the requirement for a separate sign plan review process.

SITE SCREENING AND LANDSCAPING:
The open space, landscape area and screening are consistent with the Corridor Development Plan requirements and meet the minimum standards of the Landscape portion of the Tulsa Zoning Code. This staff report does not remove the requirement for a separate landscape plan review process.
PEDESTRIAN ACCESS AND CIRCULATION:
The plan displays sidewalks along Olympia Avenue as well as internal pedestrian paths from the lot to the north to the proposed buildings and also adjacent to the proposed building.

MISCELLANEOUS SITE CONSIDERATIONS:
There are no concerns regarding the development of this area.

SUMMARY:
Staff has reviewed the applicant's submittal of the site plan as it relates to the approved Z-7164-SP-1. The site plan submittal meets or exceeds the minimum requirements of the Corridor Development Plan. Staff finds that the uses and intensities proposed with this site plan are consistent with the approved Corridor Development Plan, and the stated purposes of the Corridor Development Plan section of the Zoning Code.

Exhibits included with staff recommendation:

INCOG zoning case map
INCOG aerial photo
Applicant Legal Description
Applicant Exterior Elevations
Applicant Demolition Plan
Applicant Site Plan
Applicant Grading and Drainage Plan
Applicant ALTA Survey
Applicant Site Lighting Plan

Staff recommends APPROVAL of the detail site plan for the proposed new restaurant.

(Note: Detail site plan approval does not constitute sign plan or landscape plan approval.)
EXHIBIT “A-3”

LEGAL DESCRIPTION OF THE PREMISES

Lot 4 of that certain Final Plat of The Walk at Tulsa Hills prepared by Dodson Thompson Mansfield, PLLC and recorded on June 12, 2014 in the real estate records of the County Clerk of Tulsa County, Oklahoma as Plat Document No. 6543.
**Case:** Open Arms Child Development Center  
**Minor Subdivision Plat**  
**Hearing Date:** April 15, 2015 (Continued from 12/17/14, 1/21/15, 2/18/15, 3/18/15, 4/15/15)

**Case Report Prepared by:**  
Diane Fernandez

**Owner and Applicant Information:**  
**Applicant:** Mark Capron, Sisemore, Weisz & Associates  
**Owner:** The Evangelical Lutheran Church of Our Savior

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

![Location Map](image)

**Applicant Proposal:**  
Preliminary Subdivision Plat Approval  
**Tract Size:** 3.7 acres  
**Location:** North of the northeast corner of East 51st Street South and South 177th East Avenue

**Zoning:**  
*Existing Zoning:* AG with Board of Adjustment case 21265

**Staff Recommendation:**  
Staff recommends APPROVAL.

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

**EXHIBITS:**  
INCOG Aerial  
Zoning Case Map  
Land Use Map  
Growth and Stability Map  
Subdivision Map
MINOR SUBDIVISION PLAT

Open Arms Child Development Center - (CD 6)
North of the Northeast corner of East 51st Street South and South 177th East Avenue

This plat consists of 1 Lot, 1 Block, on 3.7 acres.

The following issues were discussed December 4, 2014, at the Technical Advisory Committee (TAC) meeting:

1. Zoning: The property is zoned AG with Board of Adjustment case 21265 including a church, child care center and recreational vehicles.

2. Streets: A total drive width of 40 feet will be allowed for this development (either one 40 foot wide two way drive or a one way 16 foot entry drive and a one way 24 foot exit drive). Drives need to match alignment with street across 177th Avenue. Left turn lane at drive will be required unless a warrant study proves operations on 177th will not degrade from traffic accessing the development during peak times. Sidewalks to be build as part of IDP (infrastructure development plan), not building permit. Discuss turn lane requirement with Doug Duke of Development Services.

3. Sewer: Since the existing sewer line in Stonegate will be utilized, a Sanitary Sewer District has to be created and the following fees will be assessed for the entire acreage: $700/acre Broken Arrow Excess Capacity Fees, Administration fees for the City of Tulsa for 2.9% of the Broken Arrow fees, Trinity Creek Payback Contract Fees of $640/acre, Stone Creek Farms Lift Station Use Fees of $150/acre to be assessed during development approval.

4. Water: Additional easement may be required for water meter locations.

5. Storm Drainage: No comment.

6. Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others: PSO may need additional easements.

7. Other: Fire: No comment.

8. Other: GIS: Add north arrow to location map. Legal description does not close. (Section333d) Distance does not match legal. Change Bearing direction to follow the direction of the legal description. Basis of Bearing needs to be identified and include Coordinate System uses. Submit data control sheet. On location map show names of pending subdivisions in mile block. In covenants Section IG3 change the first word on line 2 from By to be. Remove references to Department of Public Works. Confirm that existing Valor easement will not have superior or conflicting rights over general utility easement. City Legal: Language must be corrected per City Legal comments.
Staff recommends APPROVAL of the minor subdivision plat with the TAC recommendations and the special and standard conditions listed below.

Waivers of Subdivision Regulations:
1. None requested.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

18. The key or location map shall be complete.

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

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

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

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

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

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

Area of Growth
Area of Stability

OPEN ARMS CHILD DEVELOPMENT CENTER
**Case Report Prepared by:**
Diane Fernandez

**Case:** Village Congregation Church
**Preliminary Subdivision Plat**
**Hearing Date:** August 19, 2015

**Owner and Applicant Information:**
**Applicant:** JR Donelson, JR Donelson INC.
**Owner:** Village Congregation Church.

**Location Map:**
*Shown with City Council Districts*

![Location Map](image)

**Zoning:**
*Existing Zoning:* RS-3 with BOA 21163 for a church use

**Applicant Proposal:**
Approval of Preliminary Subdivision Plat

*Tract Size:* 2.32 ± acres

*Location:* West of the northwest corner of West 91st Street South and South Union Avenue

**Staff Recommendation:**
Staff recommends approval.

**City Council District:** 2
**Councilor Name:** Jeannie Cue

**County Commissioner District:** 2
**Commissioner Name:** Karen Keith

**EXHIBITS:**
- INCOG Aerials
- INCOG Case Map
- Subdivision Map
- Growth and Stability Map
- Land Use Map
- City Limits Map
PRELIMINARY SUBDIVISION PLAT

Village Congregation Church - (CD 2)
West of the northwest corner of West 91st Street South and South Union Avenue

This plat consists of 1 Lot, 1 Block, on 2.32 acres.

The following issues were discussed August 6, 2015, at the Technical Advisory Committee (TAC) meeting:

1. Zoning: The property is zoned RS-3 (residential single family) with Board of Adjustment case 21163 for a church use.

2. Streets: Twenty five feet of right of way next to property line is also called out as 15 feet. In section 1.1 of covenants include right of way dedication. Include section on limits of no access in covenants.

3. Sewer: The septic easement needs to encompass the lateral field as well as the septic tank. Section 1-2 of the Deed of Dedication needs to include sanitary sewer along with all references to water and storm sewer. Section 1-2-f needs to be in its own section since it is a private easement and is not going to be maintained by the City of Tulsa. The septic easement can be closed after the owner has connected to the public sanitary sewer system. A 15 foot by 15 foot septic easement is not large enough, provide a larger septic easement.


5. Storm Drainage: An on-site stormwater detention easement is required.

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

7. Other: Fire: No comment without conceptual plan.

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

**Waivers of Subdivision Regulations:**

1. None requested.

**Special Conditions:**

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

**Standard Conditions:**

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

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

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

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

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

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

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

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

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

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

11. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
12. It is recommended that the developer coordinate with the Public Works Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)

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

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

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

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

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

18. The key or location map shall be complete.

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

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

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

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

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

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

- Area of Growth
- Area of Stability

Village Congregation Church

11.7
18-12 15
SUBJECT TRACT
LAND USE PLAN
EXISTING NEIGHBORHOOD

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

VILLAGE CONGREGATION CHURCH
16-12 15
<table>
<thead>
<tr>
<th><strong>Case Report Prepared by:</strong></th>
<th><strong>Owner and Applicant Information:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Diane Fernandez</td>
<td>Applicant: Carolyn Back, Wallace Engineering</td>
</tr>
<tr>
<td></td>
<td>Owner: Jenks Public Schools.</td>
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**Location Map:** *(shown with City Council Districts)*

![Location Map](image)

**Applicant Proposal:**
Approval of Preliminary Subdivision Plat

**Tract Size:** 24 ± acres

**Location:** East of the northeast corner of West 81st Street South and South Elwood Avenue

**Zoning:**
*Existing Zoning:* Planned Unit Development 742 A

**Staff Recommendation:**
Staff recommends approval.

**City Council District:** 2
*Councilor Name:* Jeannie Cue

**County Commission District:** 2
*Commissioner Name:* Karen Keith

**EXHIBITS:**
- INCOG Aerials
- INCOG Case Map
- Subdivision Map
- Growth and Stability Map
- Land Use Map
PRELIMINARY SUBDIVISION PLAT

Jenks Northwest Elementary - (CD 2)
North of the northeast corner of West 81st Street South and South Elwood Avenue

This plat consists of 1 Lot, 1 Block, on 24 acres.

The following issues were discussed August 6, 2015, at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned PUD 742 A.

2. **Streets:** Plat title says City of Jenks. This is located in the City of Tulsa. If 50 feet of right of way is being dedicated by this plat call it out as such, otherwise prove reference such as book and page. If right of way is already dedicated then modify covenant in Section I A. Development Services staff have not seen traffic studies.

3. **Sewer:** A 17.5 foot perimeter easement is required for the platted area. Show the existing 30 foot sanitary sewer easement adjacent to the east boundary line of the plat. A sanitary sewer main extension is required to provide service to the proposed platted area.

4. **Water:** Submitted for approval is a private looped water main line with fire hydrants and fire flow meters.

5. **Storm Drainage:** No comment.

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

7. **Other:** Fire: No comment.

8. **Other:** GIS: Remove parcel lines. Only display subdivision boundaries in the location map. Label four quarter sections as unplatted. Use metes and bounds to describe the boundary of the plat. Change the direction to stay consistent with the rest of the bearings for overland drainage easement. In location description title of plat add "An addition to the City of Tulsa, Tulsa Count, Oklahoma. Put phone number and email for owner. Put engineers CA number and renewal date. Add a bearing value under the basis of
bearing heading. There should be a 17.5 foot perimeter easement for this plat. **Airport:** An avigation easement needs to be shown on the face of the plat and standard language for the easement in the covenants. There was a question about sound attenuation for the school but it is not required at this time.

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

**Waivers of Subdivision Regulations:**

1. None requested.

**Special Conditions:**

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

**Standard Conditions:**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

18. The key or location map shall be complete.

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

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

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

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

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

24. Private streets shall be built to City or County standards (depending upon the jurisdiction in which the plat is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.
Footnote: Graphic overlays may not precisely align with physical features on the ground. Aerial Photo Date: March 2014
Growth and Stability

- Area of Growth
- Area of Stability

SUBJECT TRACT

JENKS NORTHWEST ELEMENTARY

18-12 12
**Case:** Tulsa Senior Living Center  
**Preliminary Subdivision Plat**  
**Hearing Date:** August 19, 2015

**Case Report Prepared by:** Diane Fernandez

**Owner and Applicant Information:**  
**Applicant:** Kevin Vanover, Impact Engineering  
**Owner:** JkJ Stonehaven Square LLC

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

![Location Map](image)

**Applicant Proposal:**  
Approval of Preliminary Subdivision Plat  
**Tract Size:** 9.38 ± acres  
**Location:** West of southwest corner of East 81st Street South and South Garnett Road

**Zoning:**  
**Existing Zoning:** Planned Unit Development 716 to be abandoned and new CO (corridor) pending

**Staff Recommendation:**  
Staff recommends **approval**.

**City Council District:** 7  
**Councilor Name:** Anna America  
**County Commission District:** 1  
**Commissioner Name:** John Smaligo

**EXHIBITS:**  
INCOG Aerials  
INCOG Case Map  
Subdivision Map  
Growth and Stability Map  
Land Use Map  
City Limits Map
PRELIMINARY SUBDIVISION PLAT

Tulsa Senior Living Center - (CD 7)
West of southwest corner of East 81st Street South and South Garnett Road

The plat consists of 2 Lots, 1 Block, on 9.38 acres.

The following issues were discussed August 6, 2015, at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned PUD 716 to be abandoned and new CO (corridor) zoning.

2. **Streets:** On 107 East Avenue there should be a total right of way of 50 feet, 25 feet from center line. If only 20 feet is currently available then dedicate additional 6 feet of right of way. 81st Street is a secondary arterial with 100 feet of right of way requirement, 50 feet from section line. Provide reference for right of way dedication along both 81st Street and 107th East Avenue. Street does not exist along the 298 feet of west property line where LNA is shown. Remove LNA and call out plat name of property to west.

3. **Sewer:** A sanitary sewer mainline extension must be constructed to serve the northern lot, and possibly the norther portion of the southern lot. You will need to get permission from the pipeline and communication line easement owners in order to cross the easements for sanitary sewer service line access to the existing sanitary sewer main. If the sewer main is extended from sanitary sewer manhole #630, then the developer must pay $700 per acre Broken arrow Excess Capacity sewer fees; and $1128.03 per acre Excess Capacity fees to the El Paseo Excess Capacity Sanitary Sewer Main extension contract, project #2841-E. A perimeter utility easement will be required along the west boundary line of the plat as well.

**Water:** Along South 129th East Avenue a 12 inch public water main line exists for future water service connections for the proposed building.

5. **Storm Drainage:** No comment.

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

7. **Other:** Fire: No comment.

8. **Other:** GIS : Only display subdivision boundaries in the location map. Add all missing subdivision s in location map. Label the township, range, section, street names, scale, etc. in the location map. Submit control data sheet. Fix plat scale and written scale. In title of plat add “An addition to the City of Tulsa, Tulsa County, Oklahoma. Use larger and bolder text font. State basis of bearing for plat. Add addresses for lots. Add address caveat. Labe lot and block numbers. Legal needs to match plat. Need to verify plat for closure. Correct bearing and distances. There should be a 17.5 foot easement on the east and south. **Explorer Pipeline:** Agree to plat proposal.
Staff recommends **APPROVAL** of the preliminary subdivision plat with the TAC recommendations and the special and standard conditions listed below.

**Waivers of Subdivision Regulations:**

1. None requested.

**Special Conditions:**

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

**Standard Conditions:**

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

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

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

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

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

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

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

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

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

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

24. Private streets shall be built to City or County standards (depending upon the jurisdiction in which the plat is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.
We wish to enter a very strong protest to the Tulsa Senior Living Center (107th E. Ave. & E. 81st St. as it is current configured. With proposed exits onto 107th E. Ave. this will make a current bad traffic situation much worse. At present, we have drivers swinging wide around the 90 degree curve where one of the proposed exits onto 107th E. Ave is shown. Excessive speed and either south bound cars swinging wide or north bound cars cutting inside the curve creates a very hazardous condition. Morning and afternoon, there are multiple Union School District buses using this street as entrance and exit from Jefferson Elementary School along with a large number of parents picking and dropping off children. At times, the north-bound cars are backed up around the 90 degree corner waiting on the signal at 107th E. Ave & 81st St. to cycle. In addition, south-bound cars are left of center passing the entrance/exit to our development. Recently, there has been an accident involving a car exiting/entering from our development and there have been many near misses. We have had several conversations with Traffic Engineering representatives in the past, however, they insist there is not a problem along the street. Their inspector did not visit when school was in session so he found no problem. We have asked for striping and speed limit signs with no success. Previously the Union Transportation Director insisted his buses did not use 107th E. Ave. At some point, there will be a tragedy—it is just a matter of time. No Parking signs were installed on the west side of 107th E. Ave. along the Stonehaven Villas property. However, they were pulled out of the ground shortly after they were installed and they were not replaced. We need no more traffic on 107th E. Ave. unless positive steps are taken to mitigate some of these issues.

Thank You,

Michael L. & Patricia L. Robertson
11110 E. 83rd St.
Tulsa, OK 74133
(918) 806-2522
mike@cherrystreetprintshop.com
SUBJECT TRACT
LAND USE PLAN
TOWN CENTER

Land Use Plan Categories

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

TULSA SENIOR LIVING CENTER
18-14 18
PLAT WAIVER

August 19, 2015

PUD 271 H- Southeast corner of South 129th East Avenue and 43rd Place South, (CD 6)

The platting requirement is being triggered by a major amendment to PUD 271 H.

Staff provides the following information from TAC for their August 6, 2015 meeting:

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

STREETS: Limits of No Access along 129 East Avenue need to be modified. Sidewalks required per subdivision regulations. Sidewalks shall be constructed along South 43rd Place and South 29th East Avenue within a dedicated easement or within the right of way, with a minimum of five feet in width, and constructed in accordance with City of Tulsa standards.

SEWER: No comment.

WATER: No comment.

STORMWATER: On-site stormwater detention easement will be required. Stormwater discharge must be directed to 129th Street and may exceed the street drainage criteria, if it does interception of runoff will be required before discharging to the street. Contact Michail Holmes, Senior Hydrologist, COT (City of Tulsa) Development Services.

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:

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

<table>
<thead>
<tr>
<th></th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>4. Is right-of-way dedication required to comply with Major Street and Highway Plan?</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>5. Would restrictive covenants be required to be filed by separate instrument if the plat were waived?</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>6. Infrastructure requirements:</td>
<td></td>
<td></td>
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<tr>
<td>a) Water</td>
<td></td>
<td></td>
</tr>
<tr>
<td>i. Is a main line water extension required?</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>ii. Is an internal system or fire line required?</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>iii. Are additional easements required?</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>b) Sanitary Sewer</td>
<td></td>
<td></td>
</tr>
<tr>
<td>i. Is a main line extension required?</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>ii. Is an internal system required?</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>iii. Are additional easements required?</td>
<td>X</td>
<td></td>
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<tr>
<td>c) Storm Sewer</td>
<td></td>
<td></td>
</tr>
<tr>
<td>i. Is a P.F.P.I. required?</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>ii. Is an Overland Drainage Easement required?</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>iii. Is on site detention required?</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>iv. Are additional easements required?</td>
<td>X</td>
<td></td>
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<tr>
<td>7. Floodplain</td>
<td></td>
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<tr>
<td>a) Does the property contain a City of Tulsa (Regulatory) Floodplain?</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>b) Does the property contain a F.E.M.A. (Federal) Floodplain?</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>8. Change of Access</td>
<td></td>
<td></td>
</tr>
<tr>
<td>a) Are revisions to existing access locations necessary?</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>a) If yes, was plat recorded for the original P.U.D.</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>10. Is this a Major Amendment to a P.U.D.?</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>a) If yes, does the amendment make changes to the proposed physical development of the P.U.D.?</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>11. Are mutual access easements needed to assure adequate access to the site?</td>
<td>X</td>
<td></td>
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<tr>
<td>12. Are there existing or planned medians near the site which would necessitate additional right-of-way dedication or other special considerations?</td>
<td>X</td>
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</tbody>
</table>

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.
**Case Number:** Z-7310  
(Related to PUD 837)

**Hearing Date:** August 19, 2015

**Case Report Prepared by:** Dwayne Wilkerson

**Owner and Applicant Information:**
- **Applicant:** Tim Terral
- **Property Owner:** Myers-Duren Harley-Davidson of Tulsa, Inc.

**Applicant Proposal:**
- **Present Use:** Parking & Single-Family Residential
- **Proposed Use:** Off street parking
- **Concept summary:** Expand surface parking for an existing motorcycle dealership.
- **Tract Size:** 0.54 ± acres  
  23596.55 ± sq. ft
- **Location:** Northwest corner of E. 49th St. and S. Peoria Ave.

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

**Zoning:**
- **Existing Zoning:** RS-3/ OL
- **Proposed Zoning:** OL/ PUD-837

**Comprehensive Plan:**
- **Land Use Map:** Mixed-Use Corridor
- **Stability and Growth Map:** Area of Growth and Area of Stability

**Staff Recommendation:**
- Staff recommends approval but only in conjunction with PUD 837.

OL zoning without a PUD overlay is not appropriate at this location.

**Staff Data:**
- **TRS:** 9225
- **CZM:** 46  
- **Atlas:** 474/473

**City Council District:** 9  
**Councilor Name:** G.T. Bynum

**County Commission District:** 2  
**Commissioner Name:** Karen Keith
SECTION I: Z-7310

DEVELOPMENT CONCEPT:

Myers-Duren Harley Davidson is proposing a parking lot expansion to their existing parking lot located on the northwest corner of East 49th Street and South Peoria Avenue. This 0.5409 acre PUD incorporates the existing parking lot as well as the two lots to the west of the existing parking lot, all fronting onto East 49th Street. The additional parking areas will incorporate an additional 120 feet of frontage along East 49th Street for a total of 195.16 feet of frontage on East 49th Street. The existing parking lot has 120.74 feet of frontage along South Peoria Avenue.

The purpose for the proposed parking lot expansion is twofold. First the expansion is needed to aid in removing vehicles from 49th Street during events and busy shopping days. There were 11 events during 2014 and the traffic on 49th Street could be problematic with parking on both sides of the street, making it difficult to navigate the street as well as for surrounding homeowners to back safely out of their driveways. In discussions with the surrounding homeowners, this was a concern voiced by several people. It is felt by adding an additional 35 parking spaces to the existing parking lot (22 spaces, 57 spaces total), this should help to alleviate traffic concerns and congestion on 49th Street during events. The second reason for the requested expansion is to accommodate future building expansion. There is not a specific time line for this expansion, but the Myers-Duren building cannot expand to the south due to a 16 inch ONG gas line located along the north 15 feet of the proposed parking lots, thus the only option for building expansion is to the north. A second access point to 49th Street is also being proposed on the western portion of the project site. This access will be gated with a sliding gate of the same material as the screening fence to block views into the parking lot when closed. Additionally, this access point will only be open on Saturdays and during events, which are generally on Saturdays as well.

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:
  Refer to PUD 837 for applicant exhibits.

DETAILED STAFF RECOMMENDATION:

The Tulsa Comprehensive Plan recognizes this area as a Mixed Use Corridor which considers parking behind business along the Peoria corridor as an appropriate use. This concept is not exactly the relationship considered to be appropriate however over time it is anticipated that the Mixed Use Corridor will continue to expand west into the residential neighborhood allowing future business to build adjacent to Peoria. When that happens parking will ultimately be placed behind the businesses and therefore this zoning request is consistent with the long term vision of the Comprehensive Plan. OL zoning in conjunction with PUD 837 is consistent with the Comprehensive Plan; and
OL zoning in conjunction with PUD 837 is consistent with the existing development pattern north, east and south of the site however the encroachment into the neighborhood west of the site is not consistent with the Brookside Infill Development Recommendations at this location; and

In conjunction with a concurrent OL zoning request at this location the request with the standards outlined in Section II, the site is consistent with the Comprehensive Plan vision for this area. OL zoning alone is not consistent primarily because of the lack of protection provided to the existing surrounding Residential development; therefore

Staff recommends Approval of Z-7310 to rezone property from RS-3/ OL to OL but only in conjunction with PUD 837.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: This project is well within the limits of the Mixed Use Corridor identified in the Comprehensive Plan however it is also within the Area of Stability which represents the single family character of the adjoining neighborhood. The eastern portion of the PUD is inside the area of growth. The site is clearly on the edge of development however the PUD over a proposed expansion OL zoning is an appropriate transition from the single family residential neighborhood to the Peoria Corridor.

Land Use Vision:

Land Use Plan map designation: The entire site is classified as a Mixed Use Corridor.

Mixed-Use Corridors are Tulsa’s modern thoroughfares that pair high capacity transportation facilities with housing, commercial, and employment uses. 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. Mixed-Use Corridors 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.

Areas of Stability and Growth designation: The entire site is classified as an area of Growth on the East 1/3 rd of the site and an area of Stability on the West 2/3 rd of the site. The area of stability represented the existing condition at the time of the comprehensive plan when single family residential homes were on those lots.

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.

The Areas of Stability includes approximately 75% of the city's total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal for the Areas of Stability is to identify and maintain the valued character of an area while accommodating the rehabilitation, improvement or replacement of existing homes, and small scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.

Transportation Vision:

Major Street and Highway Plan:

East 49th Street South is a non arterial street however this site is just west of South Peoria which is a Bus Rapid Transit corridor and a Multi Modal primary arterial street. Providing sidewalk access along 49th to provide safe pedestrian access from the neighborhood to the multi modal corridor is an important consideration to the walkability of this neighborhood.

Fast Forward Regional Transit Plan:

A major transit improvement will be made in the next three years with the Peoria Bus Rapid Transit project. As such, land uses near the stations should consider higher density transit-oriented development patterns that would take full advantage of the 15-minute frequency of transit on this corridor. The nearest station to this location will be ~150' south of I-44.

Trail System Master Plan Considerations:

This site is within one half mile of the Riverparks Trail System. Sidewalks will be required to the 49th street right of way during the plat or plat waiver process.

Special District Considerations:

This site is included in the Brookside Infill Neighborhood Detailed implementation Plan. The specific rezoning request is part of the Southern Brookside Residential Area and was originally considered an area that should preserve existing residential development patterns.
DESCRIPTION OF EXISTING CONDITIONS:

**Staff Summary:** The requested PUD and related zoning will continue an encroachment into the eastern edge of a single family residential neighborhood as supported in the Comprehensive Plan. Removal of homes and the existing tree canopy will significantly affect the character of the neighborhood along East 49th. The Comprehensive Plan recognizes the significance of maintaining the character of the neighborhood but it also considers this area as a potential expansion of the Mixed Use Corridor in this location. Sidewalk construction, significant screening standards, landscaping and lighting standards within the PUD will provide some improvements to the street right of way in South 49th East Avenue and create a design standard that can be implemented within the Mixed Use Corridor along Peoria.

The Brookside Infill Design Recommendations Plan that were part of the Brookside Infill Plan however that document was prepared prior to the Tulsa Comprehensive Plan. Staff supports the design concepts identified in the PUD and the Infill Design Recommendations. Staff also supports commercial expansion west of Peoria as defined in the Mixed Use Corridor of the Tulsa Comprehensive Plan.

**Site Analysis:** The subject property is approximately 0.54+ acres in size and is located west of Peoria on the north side of East 49th Street South. The eastern portion of the property is a surface parking lot now the western portion of the site was a single family residential site that has been removed so the site is now vacant.
Environmental Considerations: There is no terrain or obvious environmental considerations that would affect the development of this site.

Topography and Drainage

The existing topography is essentially flat with drainage generally flowing to the south and east towards East 49th Street and South Peoria Avenue. The existing parking lot is served with storm sewer and no on-site detention will be required.

Soils

The on-site soils are typical for the area and will create no unusual developmental problems.

Landscape/Vegetation

The site currently has an existing parking lot and landscaping in the eastern third of the site. The middle third of the site has had the residence removed and is open with grass and no other vegetation. The western third of the site currently has a residence that will be removed and 3 existing trees, two in the back yard and one in the front.

No obvious attempt has been made to save the existing trees.

Surrounding Properties: The subject tract is abutted on the east by a surface parking lot, zoned OL; on the north by Myers-Duren Harley Davidson, zoned CH; on the south by a single family residence, zoned RS-3; and on the west by single family residential, zoned RS-3.

Streets:

<table>
<thead>
<tr>
<th>Exist. Access</th>
<th>MSHP Design</th>
<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
</tr>
</thead>
<tbody>
<tr>
<td>South Peoria Avenue</td>
<td>Secondary Arterial</td>
<td>100 feet</td>
<td>4 with center turn lane</td>
</tr>
<tr>
<td>East 49th Street</td>
<td>None</td>
<td>50 feet</td>
<td>2</td>
</tr>
</tbody>
</table>

Utilities:

Existing water lines run the length of the East 49th Street frontage, with a 36 inch water line located on the north side of the street and a 6 inch water line located on the south.

An 8 inch sanitary sewer line is located on the north side of East 49th Street and runs along the western two thirds of the property.

Storm sewer exists in the existing parking lot abutting South Peoria Avenue and flows north, tying into the storm sewer in the southeast corner of the Myers-Duren site. The proposed parking expansion will tie into this existing storm sewer.

AEP/PSO has overhead electric lines located on the north side of project site.

ONG has a 16 inch gas line located on the north side of property.
Surrounding Properties: The subject tract is abutted on the east by South Peoria, on the north by Myers-Duren Harley Davidson, zoned CH; on the south by East 49th Street South but across the street is a single family residence, zoned RS-3; and on the west by single family residential, zoned RS-3.

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11822 dated June 26, 1970 (RS-3), and 21015 dated February 28, 2005 (OL), established zoning for the subject property.

Subject Property:

Z-7271 July 2014: Staff recommended for approval of a request for rezoning a 7, 244+ square foot tract of land from RS-3 to OL, for a parking lot, on property located west of the northwest corner East 49th Street South and South Peoria Avenue. The Planning Commission recommended for denial of the request.

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Surrounding Property:

Z-6176 December 1987: All concurred in approval of a request for rezoning a tract of land from RS-3 to OL on property located on the southwest corner of East 49th Street South and South Peoria Avenue.

Z-5715 August 1982: All concurred in approval of a request for rezoning a tract of land from RS-3 to OL on property located on the northwest corner of East 49th Place South and South Peoria Avenue.

Z-5133 August 1978: All concurred in approval of a request for rezoning a tract of land from RS-3 to OL on property located on the southwest corner of East 49th Place South and South Peoria Avenue.

BOA-2535 March 10, 1954: The Board of Adjustment approved a Special Exception to permit a two company fire station on Lot 21, on property located at the southwest corner of S. Peoria Ave. and E. 48th St.

8/19/2015 1:30 PM
SUBJECT TRACT LAND USE PLAN
MIXED-USE CORRIDOR

Land Use Plan Categories

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

Z-7310
19-12 25
Growth and Stability

- Area of Growth
- Area of Stability

SUBJECT TRACT
**Case Report Prepared by:**
Dwayne Wilkerson

**Owner and Applicant Information:**

Applicant: Tim Terral  
Property Owner: Myers-Duren Harley-Davidson of Tulsa, Inc.

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

**Applicant Proposal:**

Present Use: Parking & Single-Family Residential  
Proposed Use: Off street parking  
Concept summary:  
Tract Size: 0.54 ± acres  
23596.55 ± sq. ft  
Location: Northwest corner of E. 49th St. and S. Peoria Ave.

**Zoning:**

Existing Zoning: RS-3/OL  
Proposed Zoning: OL/ PUD-837

**Comprehensive Plan:**

Land Use Map: Mixed-Use Corridor  
Stability and Growth Map: Area of Growth and Area of Stability

**Staff Recommendation:**

Staff recommends approval for PUD and associated OL rezoning request.  
At the end of the report a significant package of information from the neighborhood has been included in with the staff report.

**Staff Data:**

TRS: 9225  
CZM: 46  
Atlas: 474/473

**City Council District:** 9  
Councilor Name: G.T. Bynum

**County Commission District:** 2  
Commissioner Name: Karen Keith
SECTION I: PUD-837

APPLICANTS DEVELOPMENT CONCEPT:

Myers-Duren Harley Davidson is proposing a parking lot expansion to their existing parking lot located on the northwest corner of East 49th Street and South Peoria Avenue. This 0.5409 acre PUD incorporates the existing parking lot as well as the two lots to the west of the existing parking lot, all fronting onto East 49th Street. The additional parking areas will incorporate an additional 120 feet of frontage along East 49th Street for a total of 195.16 feet of frontage on East 49th Street. The existing parking lot has 120.74 feet of frontage along South Peoria Avenue.

The property is bounded to the north by Commercial High Intensity District (CH) zoned land that is the location of the current Myers-Duren Harley Davidson site, to the west by Residential Single-Family High Density District (RS-3) zoned land that includes a single-family residence and to the south, directly across East 49th Street, by Residential Single-Family High Density District (RS-3) land that includes two lots with single-family residences and one lot with an office use zoned Office Low Intensity District (OL), located on the southwest corner of the intersection of East 49th Street and South Peoria Avenue. Further west of the proposed site the land is zoned Residential Single-Family High Density (RS-3) (See Exhibit ‘C’ - Surrounding Zoning and Land Use Plan). The current zoning for the existing parking lot is OL and submitted concurrently with this PUD application is a zoning request to re-zone the remaining land for the proposed parking lot expansion from RS-3 to OL.

The Tulsa Comprehensive Plan designates this site, and the land west and south of this site, as “Mixed Use Corridor”. The Comprehensive Plan states: “Mixed-Use Corridors are Tulsa’s modern thoroughfares that pair high capacity transportation facilities with housing, commercial, and employment uses......Buildings along Mixed-Use Corridors include windows and storefronts along the sidewalk, with automobile parking generally located on the side or behind.” By this definition, it is felt that the existing parking lot and the proposed parking lot expansion, located on the south side of the existing Myers-Duren site, is compatible with the Mixed Use Corridor designation of the Comprehensive Plan (See Exhibit ‘D’ - Comprehensive Plan - Land Use Plan).

The purpose for the proposed parking lot expansion is twofold. First the expansion is needed to aid in removing vehicles from 49th Street during events and busy shopping days. There were 11 events during 2014 and the traffic on 49th Street could be problematic with parking on both sides of the street, making it difficult to navigate the street as well as for surrounding homeowners to back safely out of their driveways. In discussions with the surrounding homeowners, this was a concern voiced by several people. It is felt by adding an additional 35 parking spaces to the existing parking lot (22 spaces, 57 spaces total), this should help to alleviate traffic concerns and congestion on 49th Street during events. The second reason for the requested expansion is to accommodate future building expansion. There is not a specific time line for this expansion, but the Myers-Duren building cannot expand to the south due to a 16 inch ONG gas line located along the north 15 feet of the proposed parking lots, thus the only option for building expansion is to the north. The Conceptual Site Plan shows how the existing and proposed parking lots will look (see Exhibit ‘A’ - Conceptual Site Plan). A second access point to 49th Street is also being proposed on the western portion of the project site. This access will be gated with a sliding gate of the same material as the screening fence to block views into the parking lot when closed. Additionally, this access point will only be open on Saturdays and during events, which are generally on Saturdays as well.
There is extensive landscaping proposed for the overall parking area (see Exhibits ‘E’, ‘F’ and ‘G’). Over twice the number of, required, trees are being proposed as well as numerous shrubs, ground cover, seasonal color and turf, all of which will be irrigated by an underground sprinkler system. The overall amount of Landscaped Open Space exceeds the 15% required minimum amount, based on a PUD with an underlying zoning of OL and proposes a minimum of 20% Landscape Open Space (Conceptual Landscape Plan shows 21.2%). Screening will be accomplished by a 6 foot wood fence with masonry columns along 49th Street and a 6 foot wood screening fence along the west and north boundaries. Section V - Landscape Open Space and Section VII - Screening and Fencing goes into more detail as to what is being proposed for the site. Lighting for the site will be an improvement over what exists today. Currently there are 6 - 20' light poles with metal halide lamps in the existing parking lot. The proposed lighting plan calls for the removal of these 6 poles and replacing them with two poles, one with one LED light head and the other with two. These newer LED lights provide adequate lighting with less off site infiltration than the metal halide lights, with fewer poles and light fixtures. The two proposed light poles are centrally located in the parking lot and not along the edges (see Appendix ‘C’ - Lighting). The parking lot lighting is proposed to be turned off at 10:00 pm every evening.

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
  Exhibit B - Existing Conditions Plan
  Exhibit C - Surrounding Zoning and Land Use Plan
  Exhibit D - Comprehensive Plan - Land Use Plan
  Exhibit E - Conceptual Landscape Plan
  Exhibit F - Proposed Fence Elevation - East 49th Street
  Exhibit G - Perspective - East 49th Street Character Sketch

SECTION III: PUD-837 DEVELOPMENT STANDARDS:

Statistical Summary

<table>
<thead>
<tr>
<th>Description</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Project Area</td>
<td>23,562 SF/0.5409 Acres</td>
</tr>
<tr>
<td>Total Number of Parking Spaces</td>
<td>57</td>
</tr>
<tr>
<td>Existing Parking Spaces</td>
<td>19</td>
</tr>
<tr>
<td>Proposed Parking Spaces</td>
<td>38</td>
</tr>
<tr>
<td>Total Open Space Area</td>
<td></td>
</tr>
<tr>
<td>Required</td>
<td>3,534 SF (15%)</td>
</tr>
<tr>
<td>Proposed</td>
<td>4,712 SF (20%)</td>
</tr>
</tbody>
</table>

Development Standards:
Permitted Uses: Use Unit 10 (Off street parking)

Maximum Floor Area: N/A

Off-Street Parking
  • Average parking space
    57 spaces
    8.5' x 18'

Landscaping and Open Space:

The proposed parking lot expansion will feature a significant amount of landscaped open space on the project site. The amount of landscaped open space will be a minimum of 4,712 SF, or 20%, of the project area. The Conceptual Landscape Plan (see Exhibit 'E') shows 4,995 SF (21.2%) of landscaped open space. The Conceptual Landscape Plan also shows the following required versus proposed trees in the various portions of the site:

Total Number of Trees

<table>
<thead>
<tr>
<th></th>
<th>- Required</th>
<th>- Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>11</td>
<td>25</td>
</tr>
<tr>
<td>• Street Yard Trees</td>
<td></td>
<td></td>
</tr>
<tr>
<td>East 49th Street</td>
<td>- Required</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>- Proposed</td>
<td>8</td>
</tr>
<tr>
<td>South Peoria Avenue</td>
<td>- Required</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td>- Proposed</td>
<td>5</td>
</tr>
<tr>
<td>• Parking Lot</td>
<td>- Required</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td>- Proposed</td>
<td>12</td>
</tr>
</tbody>
</table>

As is evident, there are over twice the number of required trees being proposed. This does not include the various shrubs, ground cover, seasonal color and turf that will be installed as represented in the conceptual plan. The landscaped area along East 49th Street is shown to include a portion of the 49th Street Right-of-Way, to increase the area of potential landscaping. An underground irrigation system will be utilized in all landscaped areas to aid in the maintenance of the landscaping site wide. The final Detail Landscape Plan will match the size and spacing of the landscape plant materials as shown in Exhibit E - Conceptual Landscape Plan.

Lighting:

The 6 existing light poles with metal halide lamps in the current parking lot are to be removed and replaced with 2 centrally located light poles and 3 LED lamps (one on the west pole and two on the east). A Photometric Plan will be provided and prepared by the lighting contractor indicating no light penetration past the west and south boundaries.

Pole mounted light fixtures will not be placed higher than 16 feet above ground level.

Parking lot lighting will be turn off between 9:00 pm and 8:00 am.
Pedestrian Access:

Sidewalk improvements will include construction of new sidewalk along the north side of East 49th Street South along the frontage of the entire PUD boundary.

Screening and Fencing:

A 6 foot wood screening fence with masonry columns will be installed along the East 49th Street frontage (see Exhibit F - Proposed Fence Elevation - East 49th Street and Exhibit G – Perspective - East 49th Street Character Sketch). The fencing will have stained caps and trim that will tie into the Myers-Duren color scheme. The 7 foot masonry columns will tie into the Myers-Duren Art Deco architectural theme as well as the color scheme of the building.

The west entrance to the proposed parking area on West 49th Street South will be a wood gate detail complimentary to the wood fence and may be sliding or a swing gate. The gate will remain closed except during special events permitted by the City of Tulsa and during normal business hours on Saturday.

Signage:

No signage will be allowed within the PUD except the “Badge and Bar” emblem identified on the conceptual elevation. The maximum emblem size will be limited to 38 square feet. No words or letters will be allowed and the sign will not be illuminated.

Permanent information signage may be placed on the screening fence near the entrances to the parking lot reminding riders to “ride quiet in the neighborhood”. Information signage will be limited to 4 signs, two on the north facing sides of the fence and two on the south facing sides of the screening fence. Those signs will be limited to 4 square feet each.

Solid Waste Disposal:

Refuse containers for business operations will be prohibited within the boundaries of the PUD. Temporary trash containers not exceeding 55 gallon capacity may be placed during events but must be removed within 24 hours of any event.

Platting Requirement

The property is platted as Lots 1-3, Block 14, Riverview Village (Plat #1518), with all utilities in place and no need for any additional easements, thus a Plat Waiver Request has been submitted concurrently with this PUD application.

Detail Site Plan Review

Detail Plans will be submitted as required by the City of Tulsa Zoning Code.

Schedule of Development

Development of Myers-Duren parking lot expansion is expected to begin in the Fall/Winter 2015, after final approval of the appropriate Detail Plans and engineering design.

DETAILED STAFF RECOMMENDATION:
The Tulsa Comprehensive Plan recognizes this area as a Mixed Use Corridor which considers parking behind business along the Peoria corridor as an appropriate use. This concept is not exactly the relationship considered to be appropriate however over time it is anticipated that the Mixed Use Corridor will continue to expand west into the residential neighborhood allowing future business to build adjacent to Peoria. When that happens parking will ultimately be placed behind the businesses and therefore this zoning request is consistent with the long term vision of the Comprehensive Plan. PUD 837 is consistent with the Comprehensive Plan; and

PUD 837 is consistent with the existing development pattern north, east and south of the site however the encroachment into the neighborhood west of the site is not consistent with the Brookside Infill Development Recommendations at this location; and

In conjunction with a concurrent OL zoning request at this location the request with the standards outlined in Section II, the site is consistent with the Comprehensive Plan vision for this area. OL zoning alone is not consistent primarily because of the lack of protection provided to the existing surrounding Residential development; and

The PUD provides a unified treatment providing design standards that help integrate this business expansion into the neighborhood as recognized in the Comprehensive Plan and the Brookside Development Recommendations; and

PUD 837 is consistent with the stated purposes and standards of this Chapter; therefore

**Staff recommends Approval of PUD-837 as outlined in Section II above.**

**SECTION III: Supporting Documentation**

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

_Staff Summary:_ This project is well within the limits of the Mixed Use Corridor identified in the Comprehensive Plan however it is also within the Area of Stability which represents the single family character of the adjoining neighborhood. The eastern portion of the PUD is inside the area of growth. The site is clearly on the edge of development however the PUD over a proposed expansion OL zoning is an appropriate transition from the single family residential neighborhood to the Peoria Corridor.

**Land Use Vision:**

**Land Use Plan map designation:** The entire site is classified as a Mixed Use Corridor.

Mixed-Use Corridors are Tulsa’s modern thoroughfares that pair high capacity transportation facilities with housing, commercial, and employment uses. 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. Mixed-Use Corridors 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.

**REVISED 8/13/2015**
Areas of Stability and Growth designation: The entire site is classified as an area of Growth on the East 1/3 rd of the site and an area of Stability on the West 2/3 rd of the site. The area of stability represented the existing condition at the time of the comprehensive plan when single family residential homes were on those lots.

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.

The Areas of Stability includes approximately 75% of the city's total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal for the Areas of Stability is to identify and maintain the valued character of an area while accommodating the rehabilitation, improvement or replacement of existing homes, and small scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.

Transportation Vision:

Major Street and Highway Plan:

East 49th Street South is a non arterial street however this site is just west of South Peoria which is a Bus Rapid Transit corridor and a Multi Modal primary arterial street. Providing sidewalk access along 49th to provide safe pedestrian access from the neighborhood to the multi modal corridor is an important consideration to the walkability of this neighborhood.

Fast Forward Regional Transit Plan:

A major transit improvement will be made in the next three years with the Peoria Bus Rapid Transit project. As such, land uses near the stations should consider higher density transit-oriented development patterns that would take full advantage of the 15-minute frequency of transit on this corridor. The nearest station to this location will be ~150’ south of I-44.

Trail System Master Plan Considerations:

This site is within one half mile of the Riverparks Trail System. Sidewalks will be required to the 49th street right of way during the plat or plat waiver process.
Special District Considerations:

This site is included in the Brookside Infill Neighborhood Detailed implementation Plan. The specific rezoning request is part of the Southern Brookside Residential Area and was originally considered an area that should preserve existing residential development patterns.

**Brookside Infill Development Design Recommendations - A Component of the Brookside Infill Neighborhood Detail**

**EXHIBIT 1 - Brookside Area**

**Description of Existing Conditions:**

**Staff Summary:** The requested PUD and related zoning will continue an encroachment into the eastern edge of a single family residential neighborhood as supported in the Comprehensive Plan. Removal of homes and the existing tree canopy will significantly affect the character of the neighborhood along East 49th. The Comprehensive Plan recognizes the significance of maintaining the character of the neighborhood but it also considers this area as a potential expansion of the Mixed Use Corridor in this location. Sidewalk construction, significant screening standards, landscaping and lighting standards within the PUD will provide some improvements to the street right of way in South 49th East Avenue and create a design standard that can be implemented within the Mixed Use Corridor along Peoria.

The Brookside Infill Design Recommendations Plan that were part of the Brookside Infill Plan however that document was prepared prior to the Tulsa Comprehensive Plan. Staff supports the design concepts identified in the PUD and the Infill Design Recommendations. Staff also supports commercial expansion west of Peoria as defined in the Mixed Use Corridor of the Tulsa Comprehensive Plan.

16.8
Site Analysis: The subject property is approximately 0.54+ acres in size and is located west of Peoria on the north side of East 49th Street South. The eastern portion of the property is a surface parking lot now the western portion of the site was a single family residential site that has been removed so the site is now vacant.

Environmental Considerations: There is no terrain or obvious environmental considerations that would affect the development of this site.

Topography and Drainage

The existing topography is essentially flat with drainage generally flowing to the south and east towards East 49th Street and South Peoria Avenue. The existing parking lot is served with storm sewer and no on-site detention will be required.

Soils

The on-site soils are typical for the area and will create no unusual developmental problems.

Landscape/Vegetation

The site currently has an existing parking lot and landscaping in the eastern third of the site. The middle third of the site has had the residence removed and is open with grass and no other vegetation. The western third of the site currently has a residence that will be removed and 3 existing trees, two in the back yard and one in the front.

No obvious attempt has been made to save the existing trees.

Surrounding Properties: The subject tract is abutted on the east by a surface parking lot, zoned OL; on the north by Myers-Duren Harley Davidson, zoned CH; on the south by a single family residence, zoned RS-3; and on the west by single family residential, zoned RS-3.

Streets:

<table>
<thead>
<tr>
<th>Exist. Access</th>
<th>MSHP Design</th>
<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
</tr>
</thead>
<tbody>
<tr>
<td>South Peoria Avenue</td>
<td>Secondary Arterial</td>
<td>100 feet</td>
<td>4 with center turn lane</td>
</tr>
<tr>
<td>East 49th Street</td>
<td>None</td>
<td>50 feet</td>
<td>2</td>
</tr>
</tbody>
</table>

Utilities:

Existing water lines run the length of the East 49th Street frontage, with a 36 inch water line located on the north side of the street and a 6 inch water line located on the south.

An 8 inch sanitary sewer line is located on the north side of East 49th Street and runs along the western two thirds of the property.

Storm sewer exists in the existing parking lot abutting South Peoria Avenue and flows north, tying into the storm sewer in the southeast corner of the Myers-Duren site. The proposed parking expansion will tie into this existing storm sewer.
AEP/PSO has overhead electric lines located on the north side of project site.

ONG has a 16 inch gas line located on the north side of property.

Surrounding Properties: The subject tract is abutted on the east by South Peoria, on the north by Myers-Duren Harley Davidson, zoned CH; on the south by East 49th Street South but across the street is a single family residence, zoned RS-3; and on the west by single family residential, zoned RS-3.

SECTION IV: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11822 dated June 26, 1970 (RS-3), and 21015 dated February 28, 2005 (OL), established zoning for the subject property.

Subject Property:

Z-7271 July 2014: Staff recommended for approval of a request for rezoning a 7,244+ square foot tract of land from RS-3 to OL, for a parking lot, on property located west of the northwest corner East 49th Street South and South Peoria Avenue. The Planning Commission recommended for denial of the request.

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BOA-2535 March 10, 1954: The Board of Adjustment approved a Special Exception to permit a two company fire station on Lot 21, on property located at the southwest corner of S. Peoria Ave. and E. 48th St.
Growth and Stability

- Area of Growth
- Area of Stability

SUBJECT TRACT

PUD-837

19-12 25
DATA SUMMARY:

- Total Project Area: 0.5409 Ac.
- Total Number of Parking Spots: 57
  - Total # of Proposed Parking Spots: 38
  - Total # of Existing Parking Spots: 19
  - After Expansion, 22 spaces existing
- Total Open Space/Landscaped Area
  - Required: 15.0%
  - Proposed Minimum: 20.0%**
  - ** 21.2% as shown on plan.
- Total Number of Trees: 11/25
  - Street Yard: 4/5
  - Parking: 5/12

Note: All existing light poles (6) to be removed.

EXHIBIT 'A'
Myers-Duren
Conceptual Site Plan
EXHIBIT 'B'
Myers-Duren
Existing Conditions Plan
EXHIBIT 'C'
Myers-Duren
Surrounding Zoning and Land Use Plan

G:\14-056\PUD\14-056 Ex. 'C' - Surrounding Zoning and Land Use Plan.dwg, 7/07/2015 - 11:36 AM
PROPOSED FENCE ELEVATION - 49th STREET FRONTAGE

PROPOSED FENCE ELEVATION - 49th ST. / PEORIA AVENUE

EXHIBIT 'F'

ALABACK DESIGN ASSOCIATES
JUNE 10, 2015

MYERS - DUREN HARLEY - DAVIDSON
TULSA, OKLAHOMA
PROPOSED MASONRY COLUMN
PROPOSED TREE (TYPICAL)
PROPOSED EVERGREEN TREES
PROPOSED 6' HT. WOOD FENCE
PROPOSED LANDSCAPE PLANTINGS

VIEW LOOKING NORTHEAST
EXHIBIT 'G'

49th STREET FENCING - CHARACTER SKETCH

ALABACK DESIGN ASSOCIATES
JUNE 10, 2015

MYERS - DUREN HARLEY - DAVIDSON
TULSA, OKLAHOMA
August 19, 2015

PUD 837, Northwest corner of East 49th Street South and South Peoria Avenue (CD 9)

The platting requirement is being triggered by a major amendment to PUD 168.

Staff provides the following information from TAC for their August 6, 2015 meeting:

ZONING: TMAPC Staff:

STREETS: Corner radius of 30 feet is required at the intersection of 49th Street and Peoria. Limits of No Access must be defined along South Peoria Avenue. Sidewalks required per subdivision regulations. Sidewalks shall be constructed along East 49th Street South within a dedicated easement or within the right of way, with a minimum of five feet in width, and constructed in accordance with the specifications and standards of the City of Tulsa Public Works and Development Departments.

SEWER: No comment.

WATER: No comment.

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:

1. Has Property previously been platted? X
2. Are there restrictive covenants contained in a previously filed plat? X
3. Is property adequately described by surrounding platted properties or street right-of-way? X

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

YES NO
4. Is right-of-way dedication required to comply with Major Street and Highway Plan? X
5. Would restrictive covenants be required to be filed by separate instrument if the plat were waived? X
6. Infrastructure requirements:
   a) Water
      i. Is a main line water extension required? X
      ii. Is an internal system or fire line required? X
      iii. Are additional easements required? X
   b) Sanitary Sewer
      i. Is a main line extension required? X
      ii. Is an internal system required? X
      iii. Are additional easements required? X
   c) Storm Sewer
      i. Is a P.F.P.I. required? X
      ii. Is an Overland Drainage Easement required? X
      iii. Is on site detention required? X
      iv. Are additional easements required? X
7. Floodplain
   a) Does the property contain a City of Tulsa (Regulatory) Floodplain? X
   b) Does the property contain a F.E.M.A. (Federal) Floodplain? X
8. Change of Access
   a) Are revisions to existing access locations necessary? X
   a) If yes, was plat recorded for the original P.U.D. X
10. Is this a Major Amendment to a P.U.D.? X
    a) If yes, does the amendment make changes to the proposed physical development of the P.U.D.? X
11. Are mutual access easements needed to assure adequate access to the site? X
12. Are there existing or planned medians near the site which would necessitate additional right-of-way dedication or other special considerations? X

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

**Owner and Applicant Information:**
Applicant: Planscape Partners
Property Owner: The Rib Crib BBQ, Inc.

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

**Applicant Proposal:**
Present Use: Restaurant
Proposed Use: Restaurant

Concept summary: PUD allows reduction of the building setback lines and improved design standards for site redevelopment supporting Main Street land use designation.

**Zoning:**
Existing Zoning: CS
Proposed Zoning: CS/ PUD-838

**Comprehensive Plan:**
Land Use Map: Main Street
Stability and Growth Map: Area of Growth

**Staff Recommendation:**
Staff recommends approval.

**Staff Data:**
TRS: 9309
CZM: 37
Atlas: 88 (55)

**City Council District:** 4
Councilor Name: Blake Ewing

**County Commission District:** 2
Commissioner Name: Karen Keith
SECTION I: PUD-838

APPLICANTS DEVELOPMENT CONCEPT:

Rib Crib BBQ has successfully operated a restaurant at 1601 South Harvard Ave. for many years. From the original facility, the building and parking lot have grown to better accommodate the restaurant's successful operation. However, the building, which started as a residence, can no longer be adequately maintained and cannot be reasonably expanded, so the decision has been made to remove the building, constructing a new Rib Crib BBQ on the same site. In the process, the parking lot will be improved to provide better access and function. In addition to providing a new Rib Crib restaurant, the Project will create a fresh, new image for the property on this high-profile site. Rib Crib has provided excellent jobs and a great dining resource in this neighborhood since 1992. Their desire is to reinvest in this neighborhood instead of closing or relocating to a suburban location.

The site is approximately .7 acres (31,317 square feet) in size. The proposed new restaurant will contain approximately 4,645 square feet, double the size of the existing building. The site improvements will include 48 parking stalls, a small reduction in on-site parking, but in excess of the minimum number of parking stalls required by the zoning regulations. The building exterior will be brick, cultured stone and synthetic stucco in design.

The site is currently zoned CS – Shopping Center Commercial. The site setback and bulk regulations of this zoning district weren't designed for redevelopment of existing sites in older neighborhoods. The small size of the site, together with extensive front yard setback requirements, makes the site nearly unbuildable, and certainly too small to accommodate Rib Crib's redevelopment if the strict regulations of the CS district are applied. Therefore, PUD zoning is requested which will allow the redevelopment of the property in a style and character that fits with the surrounding neighborhood.

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:
   Existing Site Plan
   Proposed Site Plan
   Landscape Plan
   Lighting Plan
   Conceptual Building Elevations and Renderings

SECTION II PUD-838 DEVELOPMENT STANDARDS:

Land Area (Net) 0.7 acres (31,317 square feet)

Existing Zoning: CS

Proposed Zoning: CS / PUD

Permitted Uses:
All uses permitted by right in CS zoning district and uses customarily accessory to the permitted principle uses. Drive through windows for any uses are prohibited.

Maximum Building Floor Area: 0.75 FAR of the Net Land Area.

Building Setbacks*:
- From South Harvard: 0 feet
- From East 16th South*: 10 feet
- From East Boundary of PUD: 10 feet**
- From South Boundary of PUD: 0 feet

*Measured from ½ of the right of way width designated on the Major Street and Highway Plan, or 25 feet if the street is not designated on that Plan.

**Plus 2 feet of setback for each 1-foot building height exceeding 25 feet, if the abutting property is within a Single Family Residential District

Maximum Building Height: NA

Minimum Landscaped Area: 15% of net land area

Vehicular Access and Circulation:

One access driveway is proposed to South Harvard Avenue and one to East 16th Street. Drive aisles of 24 feet and parking stalls nine feet in width and 18 feet in depth will provide easy circulation within the parking lot. On the east side of the parking lot, the parking stall depth to the curb is 16 feet with a two foot curb overhang area providing the necessary stall depth.

Provide an area for bicycle parking with convenient access to the front door of the proposed building. A bike rack will be installed with a minimum storage capacity for 6 bicycles.

Vehicular Parking quantity and sizes will meet the minimum standards of the Tulsa Zoning Code

Pedestrian Access:

Sidewalks will be installed or reconstructed as necessary to provide pedestrian access in the South Harvard and East 16th Street right of way. Adequate interior sidewalk construction to provide pedestrian connections to the doors will also be provided.

Landscaping and Screening:

In addition to the landscape standards defined in the landscape chapter of the Tulsa Zoning Code shrubs will be planted along the west and south boundaries of the PUD with a sufficient size and density to provide a continuous 3 foot tall screen within a three year growing cycle on the west and south side of the PUD.

A high quality, opaque, vinyl screening fence, light tan in color, will extend along the entire length of the east property boundary. The fence will be a minimum height of 6 feet above the existing ground level on the property line.

18.3

REVISED 8/13/2015
Lighting

All exterior lights will be cut-off lights to control the amount of light affecting adjacent properties. A photometric plan will be included with the detailed site plan supporting the design with 0 foot-candles or less within 10 feet of the east property line and not more than 5 foot-candles at the other property lines.

Pole height light fixture will be limited to a maximum of 18 feet above finished ground elevations.

Lighting on the east side of the building will only be allowed as illustrated on the concept building elevations and will be pointed down and away from adjacent residential properties east of the site. Light bulbs below the wall fixture covers will not be allowed on the east side of the building.

Signs

All signage on the north, west and south walls will conform to the standards defined in the PUD section of the Zoning Code. Refer to Section 1103.B.2.

Signage on the east wall of the proposed building will be allowed only as shown on the conceptual building elevations and will not be illuminated.

Trash and Mechanical Areas:

All mechanical and equipment areas (excluding utility service transformers, pedestals or other equipment provided by franchise utility providers), including those that are building mounted, will be effectively screened from public view.

The trash dumpster area will be screened by masonry enclosure with a minimum height and size to effectively screen the dumpster but not less than 6' in height. The doors for access will be an opaque screen with steel frames. The doors will be covered with an appropriate covering containing a minimum of 95% opacity on the gate frame.

Building Exterior

The building will impart a fresh, up-to-date appearance. The exterior building materials include stone, synthetic stucco and brick. These high quality materials will provide an improved appearance on this site and will be complementary to other buildings in the neighborhood. Particular attention has been given to the South Harvard building face. Increased window area and pedestrian-friendly amenities along that frontage will make the “fit” with the neighborhood apparent.

Subdivision Plat Requirement:

The existing site is comprised of several lots. Therefore, it is understood that a Lot Combination will be required to be completed following PUD approval and prior to commencement of construction of the new building.

A plat or plat waiver will be required. A plat waiver request is anticipated for this project.
Project Schedule

It is intended that demolition of the existing building will commence as soon as possible after development approval by INCOG and the City. Anticipating that the project would begin late in 2015, Spring, 2016, completion of the new restaurant would be expected.

DETAILED STAFF RECOMMENDATION:

PUD 838 is consistent with the Comprehensive Plan; and

PUD 838 is harmonious with the existing and expected development of the 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 this Chapter; therefore

Staff recommends Approval of PUD-838 as outlined in Section II above.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The PUD allows and supports many redevelopment opportunities for this site. The immediate development anticipated is to remove and reconstruct the restaurant in a style that will be complementary to the neighborhood and support the Main Street Vision of the Tulsa Comprehensive Plan.

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

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:
None except that the Secondary Arterial street right of way requirements for a 100 foot wide ultimate right of way. This project will be required to dedicate an additional 10 feet of right of way beyond what has been previously provided.

Trail System Master Plan Considerations: None

Small Area Plan:

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is currently occupied by surface parking and a restaurant. The restaurant will be removed and the driveway connections to South Harvard and East 16th Street will be modified to meet the standards of the proposed new restaurant.

Environmental Considerations:

This site has no known environmental limitations that would affect redevelopment.

Streets:

<table>
<thead>
<tr>
<th>Exist. Access</th>
<th>MSHP Design</th>
<th>MSHP R/W</th>
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<tr>
<td>South Harvard Avenue</td>
<td>Secondary Arterial</td>
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<tr>
<td>East 16th Street</td>
<td>None</td>
<td>50 feet</td>
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</tr>
</tbody>
</table>

Utilities:
Ample municipal utilities are readily available to the site. New utility services will be provided to the new building in compliance with City standards.
Surrounding Properties:
The subject tract is abutted on the east by single family residential property, zoned RS-3; on the north by East 16th Street but north of 16th is commercial property, zoned CS; on the south by commercial property, zoned CS; and on the west by commercial property, zoned CS on the West side of South Harvard.

SECTION IV: Relevant Zoning History

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

Subject Property:

BOA-17417 July 9, 1996: The Board of Adjustment approved a Variance of the required setback from Harvard Avenue to expand an existing porch from 100' to 40' and a Variance of the required 50' setback from centerline of E. 16th Street to 37' per plan submitted, on property located at 1607 S. Harvard Ave.

BOA-14915 September 1, 1988: The Board of Adjustment denied a Variance of the screening requirements, on property located at 1617 S. Harvard Ave.

BOA-14809 April 21, 1988: The Board of Adjustment approved a Variance of the required setback from the centerline of Harvard Ave. from 100 ft. to 52 ft. to permit an addition to an existing building, per plan submitted, on property located at 1617 S. Harvard Ave.

BOA-10221 November 2, 1978: The Board of Adjustment approved a Variance of the setback requirements from 100 ft. to 45 ft. from the centerline of S. Harvard Ave. to permit enclosure of a porch, on property located at 1601 S. Harvard Ave.

Surrounding Property:

PUD-770 August 2009: All concurred in approval of a proposed Planned Unit Development on a 27,875± square foot tract of land for a Fiesta Mart Gas Station and office and commercial uses permitted, on property located southeast corner of East 15th Street and South Harvard Avenue

BOA-12700 July 14, 1983: The Board of Adjustment approved a Special Exception to permit for community services, cultural and recreation to allow a children's day care center, in an existing school in an RS-3 district, on property located at the southeast corner of E. 17th St. and S. Harvard Ave.

8/19/2015 1:30 PM
Case Number: CZ-442
(Related to PUD 839)

Hearing Date: August 19, 2015

Case Report Prepared by:
Dwayne Wilkerson

Owner and Applicant Information:
Applicant: Tanner Consulting, LLC/ Jessica Shelton
Property Owner: Jenks Land, LLC

Location Map:
(shown with City Council Districts)

Applicant Proposal:
Present Use: Vacant
Proposed Use: Single-family residential

Concept summary: Rezoning request for single family residential subdivision.

Tract Size: 5.097 ± acres
222,010 ± sq. ft

Location: South of Southeast corner of W. 111th St. and S. 33rd West Avenue

Zoning:
Existing Zoning: AG
Proposed Zoning: RE

Comprehensive Plan:
City of Jenks Comprehensive Plan:
Low Intensity Development

Staff Recommendation:
Staff recommends approval.

Staff Data:
TRS: 8234
CZM: 55
CZM: 55

County Commission District: 2
Commissioner Name: Karen Keith

REVISED 8/13/2015
DEVELOPMENT CONCEPT:

This project will be developed with a Planned Unit Development Overlay and will be known as "Meadow Creek". The site is comprised of 5.097 acres located south of the southeast corner at 111th and South 33rd West Avenue - hereinafter referred to as the "development". The site is located in Tulsa County zoning and platting jurisdiction and within the City of Jenks fence line. The City of Jenks has been consulted in regards to the proposed development and at the time of writing has no interest in annexing the subject tract. The development proposes a large lot rural subdivision which will be accessed with public streets and utilize bar ditch drainage.

This document proposes a dwelling option for home buyers with lots that are slightly larger than one-half acre located in the Jenks school district. The property has excellent access to nearby commercial shopping and restaurants as well as quick access to downtown Tulsa via U.S. Highway 75. This project proposes a maximum of 10 detached single-family lots. Anticipated lot sizes are less than the 150 foot width required with straight RE zoning. The anticipated average lot width will be 125 feet in wide. The PUD has been prepared meeting the lot area requirements of RE zoning however the dimensional character of the site restricts the lot width requirements of an RE subdivision.

Due to the lack of sanitary sewer, the property will utilize individual aerobic sewage systems approved by the Oklahoma Department of Environmental Quality.

Meadow Creek is designated as "Low Intensity, No Specific Land Use" by the Jenks Comprehensive Plan. The requested RE (Residential Estate) zoning is in accordance with the Plan Map.

Access to the development will be located off of South 33rd West Avenue and shall be a cul-de-sac designed in accordance with the Tulsa City/County Subdivision Regulations and approved by the City of Jenks Fire Marshal.

After review of the stated purposes of the Planned Unit Development in Chapter 11 of the Tulsa County Zoning Code, Meadow Creek meets those stated purposes including "...maintaining appropriate limitation on the character and intensity of use and assuring compatibility with adjoining and proximate properties."

EXHIBITS:

- INCOG Case map
- INCOG Aerial (small scale)
- INCOG Aerial (large scale)
- Applicant Exhibits:
  - Refer to PUD 837 exhibits

DETAILED STAFF RECOMMENDATION:
CZ-422 in conjunction with PUD 839 is consistent with the Comprehensive Plan of the City of Jenks. Tulsa County does not have a comprehensive plan for this area; and

The development standards defined in straight zoning or the PUD are harmonious with the existing and expected development of surrounding areas; and

RE zoning would be supported by staff without a PUD however the developer has asked for greater flexibility in the proposed lot configuration within the PUD; therefore

Staff recommends Approval of CZ-442 to rezone property from AG/ to RE. Staff also supports RE zoning without the PUD overlay.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: This area is outside the City of Tulsa Comprehensive Plan area however the Jenks Comprehensive Plan 2006-2015 illustrates this area as Development Sensitive and Low intensity. The comprehensive plan does not recognize a land use potential however residential uses are a low intensity use. The floodplain east of the site is in a development sensitive area and not likely to see significant development in the future.

City of Jenks Land Use Vision:

CITY OF JENKS COMPREHENSIVE PLAN LAND USE MAP
Transportation Vision:

Major Street and Highway Plan: None

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 floodplain north and east of the site is considered development sensitive in the City of Jenks. Future development will not cross the floodplain in the foreseeable future. Potential development will be limited to the yellow shaded areas close to the South 33rd Street right of way near the western border of Tulsa County. There are no known existing conditions other than the floodplain that will prohibit future development.

Environmental Considerations:

A portion of the tract is located within an area designated by FEMA to be in floodplain zone “AE”. Building pad sites will be designed in such a way that will allow the homebuilder to construct the finished floor elevation above the floodplain elevation.

A USDA soils report indicates that the tract is composed predominately of “Dennis-Radley complex, 0 to 12 percent slopes”, “Wynonna silty clay loam, 0 to 1 percent, occasionally flooded. A geotechnical report will be prepared prior to construction and used in the design of streets and infrastructure or the Tulsa County “Typical Section” for Sub-Division Streets will be utilized.

Streets:

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<td>Secondary Arterial</td>
<td>100 feet</td>
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Drainage and Utilities:

The subject tract contains gently rolling terrain with floodplain located on the north and east portions of the development. Storm water runoff will be designed and approved by Tulsa County prior to the filing of the subdivision plat.

Creek Rural Water District #2 serves the property with water service and currently there is no sanitary sewer service in the area. Each lot will utilize aerobic systems for wastewater disposal. Other private utilities are available to the subject tract.
Surrounding Properties: The subject tract is surrounded by Agriculturally Zoned property on all sides except near the northwestern corner of the site in Creek County where a parcel has been rezoned to RMH-1 accommodating mobile homes.

SECTION III: Relevant Zoning History

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

Subject Property:

No relevant history.

Surrounding Property:

CZ-427 September 2013: All concurred in approval of a request for rezoning a 1+ acre tract of land from AG to RS for residential use, on property located north of the northwest corner of S. 33rd W. Ave. and W. 121st St.

CBOA-2529 March 17, 2015: The Board of Adjustment approved a Special Exception to permit wedding and events in the AG District, with conditions: that the business will close at midnight and will have a five year time limit, March 2020; there is to be an all-weather parking surface required; the events at the business will be as presented to the Board, i.e., family reunions, corporate parties, outdoor weddings; and the signage allowed is to be no larger than 4'-0" x 8'-0"; on property located at 2926 W. 111th St. S.

8/19/2015 1:30 PM
Case Report Prepared by: Dwayne Wilkerson

Owner and Applicant Information:
Applicant: Jessica Shelton
Property Owner: Jenks Land, LLC

Location Map: (shown with City Council Districts)

Applicant Proposal:
Present Use: Vacant
Proposed Use: Single-family residential

Concept summary: Develop a tract with public streets and but provide flexibility with parcel width, front yard coverage for parking and other standards supporting a large lot rural style subdivision.

Tract Size: 5.097 ± acres
222,010 ± sq. ft

Location: South of Southeast corner of W. 111th St. and S. 33rd West Avenue

Zoning:
Existing Zoning: AG
Proposed Zoning: RE/ PUD-839

Comprehensive Plan:
City of Jenks Comprehensive Plan:
Low Intensity Development

Staff Recommendation:
Staff recommends approval.

Staff Data:
TRS: 8234
CZM: 55 Atlas: None

County Commission District: 2
Commissioner Name: Karen Keith
SECTION I: PUD-839

APPLICANTS DEVELOPMENT CONCEPT:

The proposed Planned Unit Development (No.839) to be known as “Meadow Creek” is comprised of 5.097 acres located south of the southeast corner at 111th and South 33rd West Avenue - hereinafter referred to as the “development”. The site is located in Tulsa County zoning and platting jurisdiction and within the City of Jenks fence line. The City of Jenks has been consulted in regards to the proposed development and at the time of writing has no interest in annexing the subject tract. The development proposes a large lot rural subdivision which will be accessed with public streets and utilize bar ditch drainage.

This document proposes a dwelling option for home buyers with lots that are slightly larger than one-half acre located in the Jenks school district. The property has excellent access to nearby commercial shopping and restaurants as well as quick access to downtown Tulsa via U.S. Highway 75. This project proposes a maximum of 10 detached single-family lots. Anticipated lot sizes are less than the 150 foot width required with straight RE zoning. The anticipated average lot width will be 125 feet in wide. The PUD has been prepared meeting the lot area requirements of RE zoning however the dimensional character of the site restricts the lot width requirements of an RE subdivision.

Due to the lack of sanitary sewer, the property will utilize individual aerobic sewage systems approved by the Oklahoma Department of Environmental Quality.

Meadow Creek is designated as “Low Intensity, No Specific Land Use” by the Jenks Comprehensive Plan. The requested RE (Residential Estate) zoning is in accordance with the Plan Map.

Access to the development will be located off of South 33rd West Avenue and shall be a cul-de-sac designed in accordance with the Tulsa City/County Subdivision Regulations and approved by the City of Jenks Fire Marshal.

After review of the stated purposes of the Planned Unit Development in Chapter 11 of the Tulsa County Zoning Code, Meadow Creek meets those stated purposes including “…maintaining appropriate limitation on the character and intensity of use and assuring compatibility with adjoining and proximate properties.”

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 C: Conceptual Utility Plan
Exhibit D: Environmental Analysis

REvised 8/13/2015
Exhibit E: Existing Zoning Map
Exhibit F: Proposed Zoning Map
Exhibit G: Comprehensive Plan Map
Exhibit H: Gross Boundary Legal Description

SECTION II: PUD-839 DEVELOPMENT STANDARDS

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<tr>
<th>Gross Land Area:</th>
<th>222,010 SF</th>
<th>5.097 AC</th>
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<tbody>
<tr>
<td>Net Land Area:</td>
<td>214,399 SF</td>
<td>4.922 AC</td>
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Permitted Uses:
Uses permitted as a matter of right in RE, zoning district in the Tulsa County Zoning Code, including landscaped features and recreational facilities.

<table>
<thead>
<tr>
<th>Maximum Number of Lots:</th>
<th>8 lots</th>
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<tbody>
<tr>
<td>Minimum Lot Width: *</td>
<td>95 FT</td>
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<tr>
<td>Minimum Lot Size:</td>
<td>21,780 sq.ft.</td>
</tr>
<tr>
<td>Minimum Livability Space Required (per lot):</td>
<td>12,000 sq.ft.</td>
</tr>
</tbody>
</table>

Minimum Building Setbacks
Front yard: 25 FT
Minimum Side Yard: *** 5 ft. & 5 FT
Side yard abutting a street: **** 15 FT
Rear Yard: 20 FT

Maximum Building Height: ***** 35 FT

Maximum Front Yard Coverage by Parking: 40 %

Off Street Parking: Minimum two (2) enclosed off-street parking spaces per dwelling unit.

Signage: One (1) along S. 33rd W. Ave. street frontage, not to exceed 32 square feet each in size.

* Measured as the lot width at the building line, except on pie shaped lots which shall have a minimum average lot width of 50 feet.
** Provided that a minimum of 10 ft. is maintained between dwelling structures, excluding overhangs. Provided that no side yard shall be less that the width of any utility easement located within the lot along a side lot line.
*** Garages which access this street shall be setback a minimum of 20 feet.
**** Architectural features may extend a maximum of five (10) feet above the maximum permitted building height.

Landscape and Screening

Interior fencing or walls shall not extend beyond that point nearest the street at each end corner of the residence. Fences shall be a wood privacy, ornamental iron or stockade with black chain link. No barbed wire, meshed or other metal fencing is allowed. No
fence over six feet (6') tall is permitted unless approved by the architectural committee. Fences located on exterior sides of corner lots shall not extend beyond half way between the building line and property lines.

Fencing along South 33rd West Avenue will be decorative in nature and consistent with a rural single-family subdivision.

Accessory Uses and Conditions

Detached accessory buildings shall be permitted and not exceed one thousand (1,000 S.F.) square feet in size. Detached accessory buildings shall be located in the rear yard and a minimum of 17.5' from any property line. Additional restrictions may be imposed for detached accessory buildings and further defined within the private deed restrictions prepared and filed of record with the Tulsa County Clerk by separate instrument.

Access and Circulation

Due to the shape of the subject tract and existing floodplain east of the site, one access point from South 33rd West Avenue will serve the development. In accordance with the Tulsa City/County Subdivision Regulations, the cul-de-sac, which is greater than 250 feet in length, will have a turn-around of not less than forty (40') feet of paving and a radius of fifty-two (52') feet at the property line.

The public street will utilize "bar ditch" drainage as permitted by Tulsa County. The developer will work with the City of Jenks Fire Department to insure that proper emergency vehicle access can be maintained at all times.

Due to the curve in South 33rd West Avenue, the paving is not located on the section line. The developer will dedicate 50' of right-of-way and has coordinated with Creek County regarding the dedication of additional street right of way on the west side of the Tulsa County line.

Pedestrian Access

Tulsa County Subdivision regulations and engineering standards will apply to sidewalk construction standards in Tulsa County.

Detailed Site Plan Review

The subdivision plat filed with the Tulsa County Clerk's office shall serve as the PUD Detail Site as required by the Tulsa County Zoning Code.

Subdivision Plat Requirement

In accordance with Section 260 of the Tulsa County Zoning Code, no building permit or occupancy permit shall be issued until a subdivision plat or plat waiver has been approved by the TMAPC.
Expected Schedule of Development

Development of the project is expected to commence and be completed as market conditions permit.

DETAILED STAFF RECOMMENDATION:

PUD 839 is consistent with the Comprehensive Plan of the City of Jenks. Tulsa County does not have a comprehensive plan for this area; and

The development standards defined in Section II above are harmonious with the existing and expected development of surrounding areas; and

PUD 839 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 County Zoning Code: therefore

Staff recommends Approval of PUD-839 as outlined in Section II above.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: This area is outside the City of Tulsa Comprehensive Plan area however the Jenks Comprehensive Plan 2006-2015 illustrates this area as Development Sensitive and Low intensity. The comprehensive plan does not recognize a land use potential however residential uses are a low intensity use. The floodplain east of the site is in a development sensitive area and not likely to see significant development in the future.

City of Jenks Land Use Vision:
Transportation Vision:

Major Street and Highway Plan: None

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 floodplain north and east of the site is considered development sensitive in the City of Jenks. Future development will not cross the floodplain in the foreseeable future. Potential development will be limited to the yellow shaded areas close to the South 33rd Street.
right of way near the western border of Tulsa County. There are no known existing conditions other than the floodplain that will prohibit future development.

Environmental Considerations:

A portion of the tract is located within an area designated by FEMA to be in floodplain zone "AE". Building pad sites will be designed in such a way that will allow the homebuilder to construct the finished floor elevation above the floodplain elevation.

A USDA soils report indicates that the tract is composed predominately of "Dennis-Radley complex, 0 to 12 percent slopes", "Wyonanna sily clay loam, 0 to 1 percent, occasionally flooded. A geotechnical report will be prepared prior to construction and used in the design of streets and infrastructure or the Tulsa County "Typical Section" for Sub-Division Streets will be utilized.

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Drainage and Utilities:

The subject tract contains gently rolling terrain with floodplain located on the north and east portions of the development. Storm water runoff will be designed and approved by Tulsa County prior to the filing of the subdivision plat.

Creek Rural Water District #2 serves the property with water service and currently there is no sanitary sewer service in the area. Each lot will utilize aerobic systems for wastewater disposal. Other private utilities are available to the subject tract.

Surrounding Properties: The subject tract is surrounded by Agriculturally Zoned property on all sides except near the northwestern corner of the site in Creek County where a parcel has been rezoned to RMH-1 accommodating mobile homes.

SECTION IV: Relevant Zoning History

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

Subject Property:

No relevant history.

Surrounding Property:

CZ-427 September 2013: All concurred in approval of a request for rezoning a 1+ acre tract of land from AG to RS for residential use, on property located north of the northwest corner of S. 33rd W. Ave. and W. 121st St.
CBOA-2529 March 17, 2015: The Board of Adjustment approved a Special Exception to permit wedding and events in the AG District, with conditions: that the business will close at midnight and will have a five year time limit, March 2020; there is to be an all-weather parking surface required; the events at the business will be as presented to the Board, i.e., family reunions, corporate parties, outdoor weddings; and the signage allowed is to be no larger than 4'-0" x 8'-0"; on property located at 2926 W. 111th St. S.

8/19/2015 1:30 PM
Subject Tract

PUD-839

18-12 34

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

Aerial Photo Date: March

*Note:* There is a diagram of a map with various streets and landmarks labeled, including "Hilton Rd," "S 85 W Ave," "S 33rd W Ave," and "W 111th ST S." The subject tract is marked with a black square, identified as "PUD-839." The text mentions "5000 Feet 250 PUD.839."
PUD # 839

Meadow Creek

5.097 ACRES (GROSS)
SOUTH OF THE SOUTHEAST CORNER OF
111TH STREET & 33RD WEST AVENUE
TULSA COUNTY, OKLAHOMA

Revised: JULY 17, 2015

APPLICANT / OWNER:
JENKS LAND, LLC.
c/o MIKE WALLACE
114 SOUTH 3RD STREET
JENKS, OK 74037
MIKETULSA@AOL.COM

CONSULTANT:
TANNER CONSULTING LLC
c/o RICKY JONES
5323 S LEWIS AVE
TULSA, OK 74105
RICKY@TANNERBAITSHOP.COM

Location Map
Scale: 1" = 2000'
Meadow Creek

EXHIBIT A

AERIAL PHOTOGRAPHY
WITH TRACT BOUNDARY DIMENSIONS IDENTIFIED

SITE
5.097 ACRES (GROSS)

UNPLATTED (CREEK COUNTY)

UNPLATTED (TULSA COUNTY)

UNPLATTED (TULSA COUNTY)
PUD # 839

Meadow Creek

EXHIBIT B

CONCEPTUAL SITE PLAN
LAYOUT SHOWN AS OF JULY 09, 2015
Meadow Creek

EXHIBIT C

CONCEPTUAL UTILITY PLAN
EXISTING UTILITIES IN PART LOCATED FROM SPRING 2015 FIELD SURVEY

ROW TO BE DEDICATED TO CREEK COUNTY

ROW TO BE DEDICATED TO TULSA COUNTY

PROPOSED 6" WL

SUBDIVISION TO BE SERVED BY BAR DITCH DRAINAGE AND AEROBIC SEWER SYSTEMS

TANNER CONSULTING LLC, CERTIFICATE OF AUTHORIZATION NO. CA 2661
5323 S LEWIS AVE, TULSA, OK 74105 | 918.745.9929

2015
Meadow Creek
EXHIBIT D
ENVIRONMENTAL ANALYSIS
FEMA FIRM PANEL NO.: 40143C0344L/ SOIL DATA FROM USDA WEB SOIL SURVEY

SITE
5,097 ACRES

UNSHADED ZONE
NO FEMA DESIGNATED FLOODPLAIN

DENNIS-RADLEY
0-12% SLOPES

ZONE 'A'
100-YEAR FREQUENCY
1% ANNUAL CHANCE

WYMONA SILTY CLAY
OCC. FLOODED

PORT SILT LOAM
0-1%
PUD # 839

Meadow Creek

EXHIBIT E

EXISTING ZONING MAP
INCOG ZONING GIS DATA, ACC. JULY 07, 2015 / CREEK COUNTY ZONING MAPS, ACC. JULY 07, 2015

TANNER CONSULTING LLC, CERTIFICATE OF AUTHORIZATION NO. CA 2661
5323 S LEWIS AVE, TULSA, OK 74105 | 918.745.9929
Meadow Creek

EXHIBIT F

PROPOSED ZONING MAP
INCOG ZONING GIS DATA, ACC. JULY 07, 2015 / CREEK COUNTY ZONING MAPS, ACC. JULY 07, 2015
Meadow Creek

EXHIBIT G

CURRENT COMPREHENSIVE PLAN MAP
DATA FROM THE JENKS COMPREHENSIVE PLAN, EFFECTIVE 2006 - 2015
DESCRIPTION

A TRACT OF LAND IN THE NORTHWEST QUARTER (NW/4) OF SECTION THIRTY-FOUR (34), TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA AND BEING A PORTION OF THAT SAME TRACT OF LAND DESCRIBED BY METES AND BOUNDS IN GENERAL WARRANTY DEED, RECORDED DECEMBER 17, 2014 AS DOCUMENT # 2014113056 AT THE TULSA COUNTY CLERK'S OFFICE AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE NORTHWEST CORNER OF SAID NW/4, THENCE SOUTH 01°02'15" EAST ALONG THE WEST LINE THEREOF A DISTANCE OF 854.03 FEET TO THE POINT OF BEGINNING, THENCE NORTH 89°01'38" EAST A DISTANCE OF 475.00 FEET; THENCE SOUTH 01°02'16" EAST A DISTANCE OF 467.53 FEET, THENCE SOUTH 89°03'41" WEST A DISTANCE OF 475.00 FEET TO A POINT ON SAID WEST LINE, THENCE NORTH 01°02'16" WEST ALONG SAID WEST LINE A DISTANCE OF 467.22 FEET TO THE POINT OF BEGINNING.

CONTAINING 222,010 SQUARE FEET OR 5.097 ACRES OF LAND MORE OR LESS.
Item for discussion: Adopt revised Policies and Procedures of the Tulsa Metropolitan Area Planning Commission, adding section 4.6 Comprehensive Plan and amendment notification process.

Background: In the July 15, 2015, TMAPC Work Session, the Planning Commission directed staff to include additional notification procedures for the adoption of Comprehensive Plans and amendments.

In response, the following section has been drafted for consideration.

4.6 Comprehensive Plan and amendment notification process. OKLA. STAT. tit. 19, §863.26 requires that notice is provided for all Comprehensive Plan public hearings by one publication in a newspaper of general circulation at least fifteen (15) days prior to the date of the hearing. The Commission has established additional notification procedures to inform nearby property owners of public hearings to consider adoption of Comprehensive Plans or amendments.

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<tr>
<th>Comprehensive Plan or amendment</th>
<th>Newspaper notice</th>
<th>300' radius mailing</th>
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<td>X</td>
<td>X*</td>
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<td>Not concurrent with a zoning case</td>
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<td>X</td>
<td></td>
</tr>
<tr>
<td>Comprehensive Plan or amendment with citywide implications</td>
<td>X</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Signs only posted when required by concurrent zoning application

Staff recommendation: Adopt the revised “Policies and Procedures of the Tulsa Metropolitan Area Planning Commission.”
DRAFT

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

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

Signing official documents of the Commission; and

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

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

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

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.

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 plating 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 404.8 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) Modifications(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.

[Remainder of page intentionally left blank]
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.

<table>
<thead>
<tr>
<th>Items</th>
<th>Adopt as an Amendment</th>
<th>Issue Conformance statement</th>
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<tbody>
<tr>
<td>Small area plans, neighborhood plans &amp; sector plans</td>
<td>X</td>
<td>X</td>
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<tr>
<td>Plan and Land Use Map</td>
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<td>X</td>
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<tr>
<td>Goals, objectives, policies, recommendations</td>
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<td>X</td>
</tr>
<tr>
<td>Major Street and Highway Plan</td>
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<td>X</td>
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<tr>
<td>Other types of plans, studies &amp; initiatives</td>
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<td>X</td>
</tr>
<tr>
<td>Capital Improvement Plans</td>
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<td>X</td>
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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.
4.6 Comprehensive Plan and amendment notification process. Okla. Stat. tit. 19, §863.26 requires that notice is provided for all Comprehensive Plan public hearings by one publication in a newspaper of general circulation at least fifteen (15) days prior to the date of the hearing. The Commission has established additional notification procedures to inform nearby property owners of public hearings to consider adoption of Comprehensive Plans or amendments.

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</tr>
<tr>
<td>Not concurrent with a zoning case</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Comprehensive Plan or amendment with citywide implications</td>
<td>X</td>
<td></td>
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</tr>
</tbody>
</table>

*Signs only posted when required by concurrent zoning application

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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.

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Date Adopted: August ______, 2015

ATTEST:

__________________________
Chairman

__________________________
Secretary

[Signature Page to Policies and Procedures of TMAPC]