

**TULSA METROPOLITAN AREA PLANNING  
COMMISSION**

**Meeting No. 2711**

**December 2, 2015, 1:30 PM**

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

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

Call to Order:

**REPORTS:**

**Chairman's Report:**

**Worksession Report:**

**Director's Report:**

Review TMAPC receipts for the month of October 2015

1. Minutes of November 18, 2015, Meeting No. 2710

**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-20822** (Lot-Split) (CD 9) – Location: West of the Southwest corner of East 32<sup>nd</sup> Street South and South Birmingham Avenue (Related to LC-716)
3. **LC-716** (Lot-Combination) (CD 9) - Location: South of the Southwest corner of East 32<sup>nd</sup> Street South and South Birmingham Avenue (Related to LS-20822)
4. **LS-20829** (Lot-Split) (CD 1) – Location: Northwest corner of East Young Place and North Owasso Avenue
5. **LC-724** (Lot-Combination) (CD 6) – Location: East of the Northeast corner of East 21<sup>st</sup> Street South and South 129<sup>th</sup> East Avenue
6. **LC-725** (Lot-Combination) (CD 1) – Location: Southeast corner of East 27<sup>th</sup> Street North and North Wheeling Avenue
7. **LS-20830** (Lot-Split) (CD 4) – Location: East of the northeast corner of East 27<sup>th</sup> Street South and South Utica Avenue (Related to: LC-726)

8. **LC-726** (Lot-Combination) (CD 4) – Location: East of the northeast corner of East 27<sup>th</sup> Street South and South Utica Avenue (Related to: LS-20830)
9. **LS-20831** (Lot-split) (County) – North of the northeast corner of East 166<sup>th</sup> Street South and North 129<sup>th</sup> East Avenue
10. **LS-20832** (Lot-Split) (CD 5) – Location: Southeast corner of East 41<sup>st</sup> Street South and South Hudson Avenue
11. **LC-727** (Lot-Combination) (County) – Location: West of the northwest corner of East 181<sup>st</sup> Street South and South Sheridan Road
12. **Change of Access** – Location: 12583 East 21<sup>st</sup> Street, Northwest corner of East 21<sup>st</sup> Street and South 129<sup>th</sup> East Avenue, (CD 6)
13. **Partial Vacation of Plat and Termination of Deed of Dedication**, Stringer Nursery and Gardens and Partial Vacation of Plat **and Termination of Deed of Dedication and Restrictive Covenants**, South Tulsa Medical Office Center, in conjunction with the replat of property as Tulsa Rehabilitation Hospital, recorded plat number 6638, South of East 91<sup>st</sup> Street South, East of South Mingo Road, (CD 7)
14. **Sheridan Crossing II** – Final Plat, Location: North side of East 86<sup>th</sup> Street North between North Sheridan Road and North Memorial Drive, (County)
15. **PUD-196-A-1 – Andrew A. Shank**, Location: Northwest corner of East 73<sup>rd</sup> Street South and South Memorial Drive, requesting a PUD Minor Amendment to remove Use Unit 17 – Tire Store Use from permitted uses and replace with Use Unit 17 – Auto Wash and accessory uses, **CS/PUD-196-A**, (CD 8)
16. **PUD-619-C – Khoury Engineering, Inc./Malek Elkhoury**, Location: Southwest corner of South Memorial Drive and East 106<sup>th</sup> Place South, requesting a PUD Detailed Site Plan for a new office building within the PUD, **CS/PUD-619-C**, (CD 8)
17. **PUD-773 – Darshan Patel**, Location: North of the northwest corner of South Memorial Drive and East 101<sup>st</sup> Street South, requesting a PUD Detailed Site Plan for a new office building within the PUD, **OL/CS/PUD-773**, (CD 8)
18. **PUD-820 – Sisemore Weisz & Assoc./Mark Capron**, Location: South and East of the southeast corner of South Memorial Drive and East Admiral Place, requesting a PUD Detailed Site Plan for a beverage distribution center, **CH/PUD-820**, (CD 3)

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

## PUBLIC HEARINGS:

19. **Cadent Park** – Minor Subdivision Plat, West of the northwest corner of east 91<sup>st</sup> Street South and South Yale Avenue, (CD 8) (Continued from October 7, 2015, November 4, 2015, and November 18, 2015) (**Staff requests a continuance to December 16, 2015**).
20. **Z-7277, PUD 817-A, Plat Waiver**, Location: 1004 East 4<sup>th</sup> Street South, Southwest corner of South Madison Avenue East and East 4<sup>th</sup> Street South, (Dead Armadillo Brewery) (CD 4)
21. **Z-7324 – Roy Johnsen**, Location: Northwest corner of East 46<sup>th</sup> Street North and North 129<sup>th</sup> East Avenue, requesting rezoning from **AG to IH**, (CD 3)
22. **Z-7318 – Antoine Harris**, Location: West of southwest corner of East 36<sup>th</sup> Street North and North Garrison Avenue, requesting rezoning from **AG/CS to CH**, (CD 1) (Continued form 10/7/15) (**Applicant has withdrawn this application**)
23. **Z-7321 – AAB Engineering, LLC/Alan Betchan**, Location: Northeast corner of East Queen Street and North Martin Luther King Jr. Boulevard, requesting zoning from **RS-4 to CS**, (CD 1) (Continued from 11/4/15)
24. **PUD-842 - AAB Engineering, LLC/Alan Betchan**, Location: Northeast corner of East Queen Street and North Martin Luther King Jr. Boulevard, requesting a **PUD** for all uses allowed in CS zoned districts except Adult Entertainment – Use Unit 12.a, **RS-4 to CS/PUD**, (CD 1) (Continued from 11/4/15)
25. **PUD-437-A – Donn E. Fizer**, Location: Northeast corner of East 15<sup>th</sup> Street and South Utica Avenue, requesting a PUD Major Amendment to modify boundary for Development Area A and B, establish new uses and modify bulk and area requirements for each development area, **PK/OL/CS/CH/PUD-437 to PK/OL/CS/CH/PUD-437-A**, (CD 4) (Continued from 11/18/15)

## OTHER BUSINESS

26. **Commissioners' Comments**

## ADJOURN

CD = Council District

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

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

email address: [esubmit@incog.org](mailto:esubmit@incog.org)

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

**TMAPC RECEIPTS**  
**Month of October 2015**

	----- Current Period -----			----- Year To Date -----				
	ITEM	CITY	COUNTY	TOTAL RECEIVED	ITEM	CITY	COUNTY	TOTAL RECEIVED
<b>ZONING</b>								
Zoning Letters	4	\$100.00	\$100.00	\$200.00	49	\$1,387.50	\$1,387.50	\$2,775.00
Zoning	4	1,870.00	1,870.00	3,740.00	26	12,402.50	12,402.50	24,805.00
PUDs & Plan Reviews	16	1,462.50	1,462.50	2,925.00	106	9,825.00	9,825.00	19,650.00
Refunds		(75.00)	(75.00)	(150.00)	0	(1,245.00)	(1,245.00)	(2,490.00)
NSF		0.00	0.00	0.00		\$0.00	\$0.00	0.00
Fees Waived		<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
		<u>\$3,357.50</u>	<u>\$3,357.50</u>	<u>\$6,715.00</u>		<u>\$22,370.00</u>	<u>\$22,370.00</u>	<u>\$44,740.00</u>
<b>LAND DIVISION</b>								
Minor Subdivisions	1	\$325.00	\$325.00	\$650.00	2	\$650.00	\$650.00	\$1,300.00
Preliminary Plats	2	977.50	977.50	1,955.00	13	7,157.50	7,157.50	14,315.00
Final Plats	1	390.00	390.00	780.00	5	2,377.50	2,377.50	4,755.00
Plat Waivers	0	0.00	0.00	0.00	4	500.00	500.00	1,000.00
Lot Splits	7	360.00	360.00	720.00	30	1,522.50	1,522.50	3,045.00
Lot Combinations	8	400.00	400.00	800.00	38	1,900.00	1,900.00	3,800.00
Access Changes	0	0.00	0.00	0.00	3	75.00	75.00	150.00
Other		0.00	0.00	0.00	0	0.00	0.00	0.00
NSF		(50.00)	(50.00)	(100.00)	0	(50.00)	(50.00)	(100.00)
Refunds		0.00	0.00	0.00	0	0.00	0.00	0.00
Fees Waived		<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
		<u>\$2,402.50</u>	<u>\$2,402.50</u>	<u>\$4,805.00</u>		<u>\$14,132.50</u>	<u>\$14,132.50</u>	<u>\$28,265.00</u>
<b>TMAPC COMP</b>								
Comp Plan Admendment	1	\$80.00	\$0.00	\$80.00		\$480.00	\$0.00	\$480.00
Refund		<u>\$0.00</u>		<u>\$0.00</u>		\$0.00	\$0.00	\$0.00
		<u>\$80.00</u>	<u>\$0.00</u>	<u>\$80.00</u>		\$480.00	\$0.00	\$480.00
<b>BOARDS OF ADJUSTMENT</b>								
Fees	19	\$3,550.00	\$1,850.00	\$5,400.00	61	\$21,300.00	\$3,900.00	\$25,200.00
Refunds		0.00	0.00	\$0.00	34	0.00	0.00	0.00
NSF Check		0.00	0.00	\$0.00	<u>0</u>	0.00	0.00	0.00
Fees Waived		<u>0.00</u>	<u>0.00</u>	<u>\$0.00</u>		<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
		<u>\$3,550.00</u>	<u>\$1,850.00</u>	<u>\$5,400.00</u>		<u>\$21,300.00</u>	<u>\$3,900.00</u>	<u>\$25,200.00</u>
<b>TOTAL</b>		<b>\$9,390.00</b>	<b>\$7,610.00</b>	<b>\$17,000.00</b>		<b>\$58,282.50</b>	<b>\$40,402.50</b>	<b>\$98,685.00</b>
<b>LESS WAIVED FEES *</b>		<b>(\$402.04)</b>		<b>(\$402.04)</b>		<b>(\$457.81)</b>		<b>(\$457.81)</b>
<b>GRAND TOTALS</b>		<b>\$8,987.96</b>	<b>\$7,610.00</b>	<b>\$16,597.96</b>		<b>\$57,824.69</b>	<b>\$40,402.50</b>	<b>\$98,227.19</b>

\* Advertising, Signs & Postage Expenses for City of Tulsa Applications with Fee Waivers.



**Change of Access on Recorded Plat  
TMAPC December 2, 2015**

**Lot 1, Block 1, Phillips Ponderosa No. 1**

This application is made to allow a change of access to shift one access along East 21<sup>st</sup> Street, and to shift one access along South 129<sup>th</sup> East Avenue. The property is zoned CS (commercial shopping).

Staff recommends approval of the change of access. The Traffic Engineer has reviewed and approved the request. Staff recommends **APPROVAL** of the change of access as submitted.

# CHANGE OF ACCESS EXHIBIT

12583 EAST 21st STREET  
TULSA, OKLAHOMA 74129

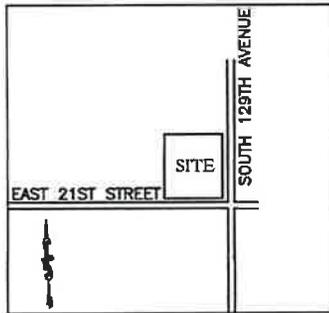
## TITLE LEGAL DESCRIPTION

LOT ONE (1), IN BLOCK ONE (1), PHILIPS PONDEROSA NO. 1, AN ADDITION TO THE CITY AND COUNTY OF TULSA, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO. 2958.

LESS AND EXCEPT:

A TRACT OF LAND BEGINNING AT A POINT ON THE SOUTH LINE OF SAID LOT 1, 36.28 FEET FROM THE SOUTHEAST CORNER THEREOF; THENCE NORTHEASTERLY 31.70 FEET TO A POINT 14.32 FEET NORTH AND 8.00 FEET WEST OF THE SOUTHEAST CORNER OF SAID LOT 1; THENCE NORTH AND PARALLEL TO THE EAST LINE OF SAID LOT 1 A DISTANCE OF 185.68 FEET; THENCE EAST 8 FEET TO A POINT ON THE EAST LINE OF SAID LOT 1; THENCE SOUTH ALONG THE EAST LINE OF SAID LOT 1 A DISTANCE OF 200.00 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE WEST 36.28 FEET TO THE POINT OF BEGINNING.

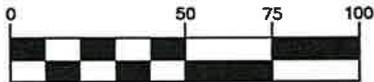
THE ABOVE DESCRIPTION DESCRIBES THAT SAME PROPERTY AS IN FIDELTY NATIONAL TITLE INSURANCE COMPANY COMMITMENT NO. 1502028, DATED FEBRUARY 27, 2015



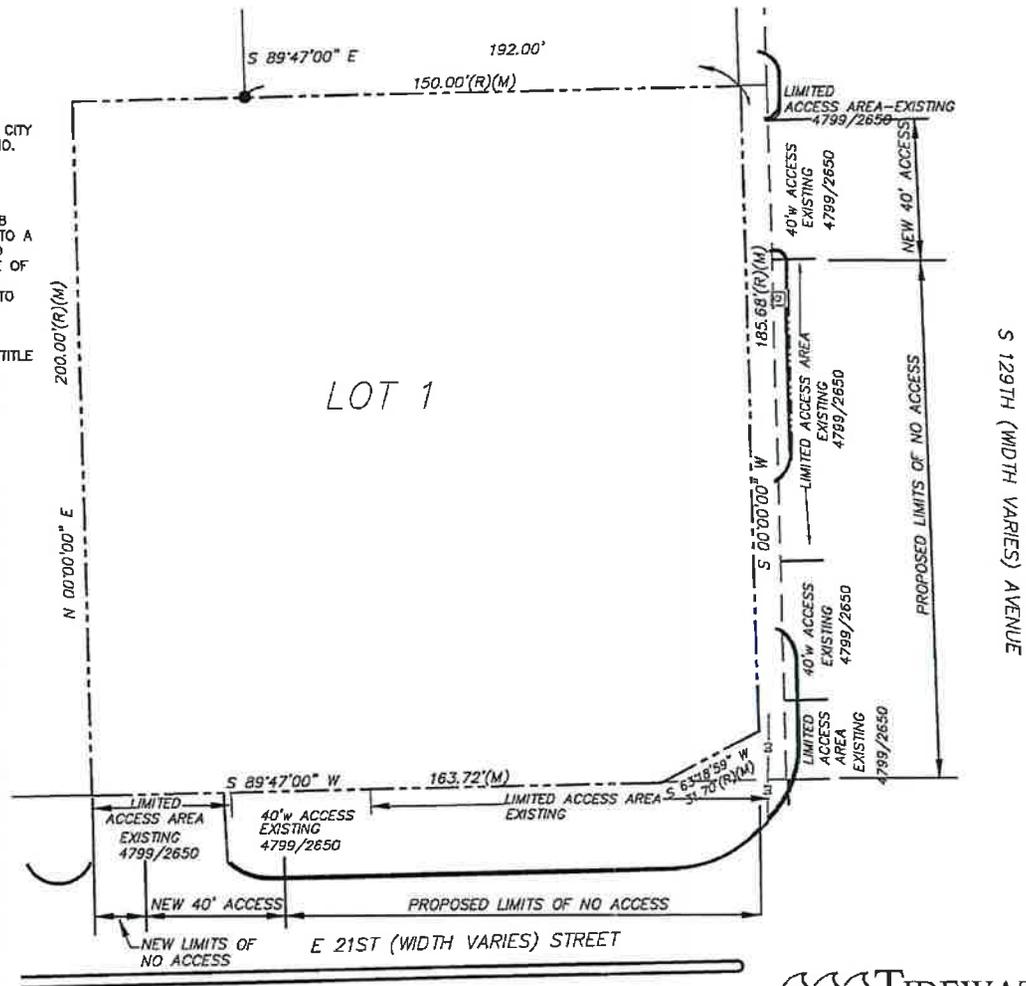
LOCATION MAP  
NTS



GRAPHIC SCALE



( IN FEET ) 1"=50'



Approved: *Doug Duke*  
Doug Duke, COT

**TIDEWATER**  
ENGINEERING, INC.

200 PLANTATION CHASE, SUITE 14  
ST. SIMONS ISLAND, GEORGIA 31522  
PHONE (912) 268-2164 FAX (912) 289-0361

12.2

Eller & Detrich  
A Professional Corporation

Philip J. Eller  
Kevin H. Wylie  
R. Louis Reynolds  
James C. Hodges  
Shanann Pinkham Passley  
Daniel C. Cupps  
Andrew A. Shank  
Mac D. Finlayson  
Steven P. Flowers  
Joshua M. Tietsort  
Heidi L. Shadid

Telephone  
(918) 747-8900

Toll Free  
(866) 547-8900

Facsimile  
(918) 747-2665

*Of Counsel*

Donald L. Detrich  
Katherine Saunders, PLC  
Jerry M. Snider  
John H. Lieber

November 10, 2015

Diane Fernandez  
Tulsa Metropolitan Area Planning Commission  
2 West Second Street  
Tulsa, OK

HAND DELIVERED

Re: Tulsa Rehabilitation Hospital – E. 91<sup>st</sup> Street South at Highway 169

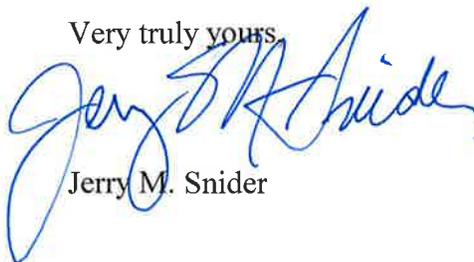
Dear Ms. Fernandez:

With this letter, I am delivering to you the Partial Vacation of Plat and Termination of Deed of Dedication – Stringer Nursery and Gardens and the Partial Vacation of Plat and Termination of Deed of Dedication and Restrictive Covenants – South Tulsa Medical Office Center that were approved by Janine Van Valkenburg. These documents have been executed by the property owner and are being delivered to you for execution by the Tulsa Metropolitan Area Planning Commission. After they have been executed by TMAPC, please email or call me, and I will have them picked up for delivery to the City of Tulsa.

This is being done in conjunction with a replat of the property as Tulsa Rehabilitation Hospital. If you have any questions, please call me at your earliest convenience. I can be reached by phone at 918-747-8900 or by email at [jsnider@ellerdetrich.com](mailto:jsnider@ellerdetrich.com).

Thank you for your courtesy and cooperation.

Very truly yours,



Jerry M. Snider

JMS/ps  
Enclosures



www.EllerDetrich.com

2727 East 21st Street, Suite 200, Tulsa Oklahoma 74114-3533

13.1



## Final Subdivision Plat

**Sheridan Crossing II** - (County)

North side of East 86<sup>th</sup> Street North between North Sheridan Road and North Memorial Drive

This plat consists of 45 Lots, 5 Blocks, on 40 acres.

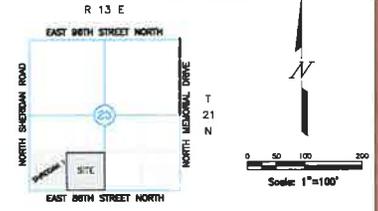
Staff has received release letters for this plat and can recommend **APPROVAL** of the Final Plat.

14.1

11/20/15

# FINAL PLAT SHERIDAN CROSSING PHASE II

PART OF THE SW/4 OF SECTION 23, T-21-N, R-13-E I.B.&M.  
TULSA COUNTY, OKLAHOMA



- ACC ACCESS PERMITTED
- B/L BUILDING SETBACK LINE
- D/E DRAINAGE EASEMENT
- LMA LIMITS OF NO ADDRESS
- RA RESERVE AREA
- R/W RIGHT-OF-WAY
- U/E UTILITY EASEMENT
- F/E FENCE EASEMENT
- L/E LANDSCAPE EASEMENT

SECTION 23  
TULSA COUNTY  
**LOCATION MAP**  
SCALE: 1"=200'

ZONED: RE  
SUBDIVISION CONTAINS 45 LOTS IN 8 BLOCKS  
TOTAL AREA: 40.27 ACRES  
BEARING BASE: (OKLAHOMA STATE PLANE COORDINATES)

**LEGAL DESCRIPTION:**

A TRACT OF LAND THAT IS LOCATED IN PART OF THE SOUTH HALF OF THE WESTMOST QUARTER (N/2 SW/4) OF SECTION TWENTY-THREE (23) TOWNSHIP TWENTY-ONE (21) NORTH AND RANGE THIRTY (30) EAST OF THE MERIDIAN AND SHERIDAN (I.B.&M.), TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY METHOD, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SW/4 OF THE SW/4 OF SEC. 23, TOWNSHIP 21 NORTH, RANGE 13 EAST, (L.M.A.); THENCE S 89°41'25" E ALONG THE SOUTH LINE OF SAID SECTION 23 A DISTANCE OF 1317.35 FEET TO THE POINT OF BEGINNING; THENCE S 89°41'25" E A DISTANCE OF 270.00 FEET; THENCE S 89°41'25" E A DISTANCE OF 1317.35 FEET; THENCE S 89°41'25" E A DISTANCE OF 270.00 FEET; THENCE S 89°41'25" E A DISTANCE OF 1317.35 FEET TO THE POINT OF BEGINNING, AND CONTAINING 45 LOTS HEREIN SHOWN ON THIS PLAT.

BASE OF BEARING IS THE OKLAHOMA STATE PLANE COORDINATE SYSTEM.

PROPERTY OWNED  
VERNA ALDRE GOREY TRUST

ADDRESSES SHOWN ON THIS PLAT ARE ACCURATE AS OF THE TIME THE PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF THE LEGAL DESCRIPTION.

THE CURVE NOTATIONS REPRESENT THE MINIMUM SIZE OF SMOOTH IRON PIPES OR SMOOTH PVC PIPES OR SMOOTH STEEL PIPES REQUIRED FOR PROPER DRAINAGE.

THE RESPONDING OWNER OF EACH LOT SHALL BE RESPONSIBLE FOR CONSTRUCTING A SIDEWALK ACROSS THE FRONT OF THE LOT AS REQUIRED BY THE TULSA COUNTY BOARD OF COUNTY COMMISSIONERS.

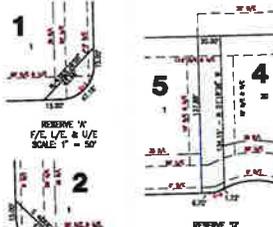
**OWNER/DEVELOPER:**  
8BTH PROPERTIES LLC  
3420 N. PLAINVIEW AVE.  
FAYETTEVILLE, AR 72703  
PHONE: (918) 342-0840  
EMAIL: bfgreen347@msn.com

**ENGINEER:**  
KELLOGG ENGINEERING, INC.  
6755 SOUTH 4060 ROAD  
TALALA, OKLAHOMA 74080  
PHONE: (918) 275-4080  
FAX: (918) 275-7171  
EMAIL: kelloggengineering@protonmail.com  
CERT. OF AUTHORIZATION NO. 27788  
RENEWAL DATE: JUNE 30, 2017

**SURVEYOR:**  
BENCHMARK SURVEYING  
AND LAND SERVICES, INC.  
P.O. BOX 1078  
OWASSO, OKLAHOMA 74055  
PHONE: (918) 274-9081  
FAX: (918) 274-0807  
EMAIL: benchmark@ofotask.com  
CERT. OF AUTHORIZATION NO. 2235  
RENEWAL DATE: JUNE 30, 2016

**CURVE TABLE**

CURVE NUMBER	L	R	Ch	D	D
C-1	47.18'	30.00'	N 43°30'00" E	42.47'	90°00'00"
C-2	47.07'	30.00'	S 47°15'00" E	42.30'	89°53'22"
C-3	45.46'	30.00'	S 47°38'30" W	41.24'	88°48'43"
C-5	38.27'	25.00'	N 48°18'30" W	35.36'	90°00'00"
C-6	12.25'	25.00'	N 74°30'14" E	12.17'	28°24'21"
C-7	12.25'	25.00'	S 72°43'34" W	12.17'	28°24'21"
C-8	153.04'	80.00'	N 48°18'30" W	114.82'	148°00'43"



**FINAL PLAT  
CERTIFICATE OF APPROVAL**

I hereby certify that this plat was approved by the Tulsa Metropolitan Area Planning Commission on \_\_\_\_\_

\_\_\_\_\_  
TAMAP/PROCD

This approval is void if this plat is not filed in the Office of the County Clerk on or before \_\_\_\_\_

\_\_\_\_\_  
City or County Engineer

UNPLATTED

UNPLATTED

UNPLATTED

SHERIDAN CROSSING  
PHASE II  
PLAT NO. 6556

CROSSING AT 8BTH STREET  
PHASE II  
PLAT NO. 6578

*ch*



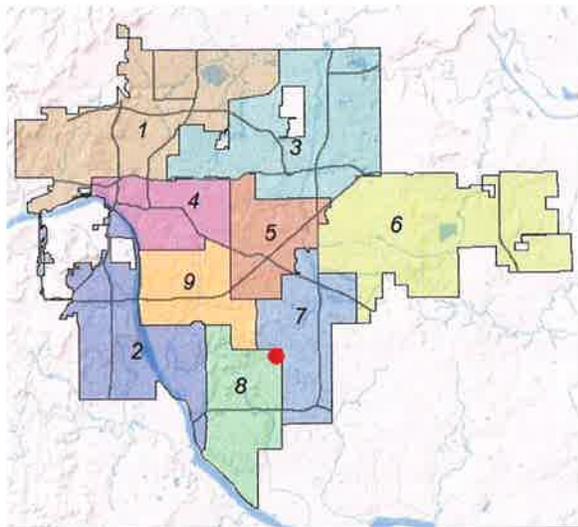
**Case Number:** PUD-196-A-1  
**Minor Amendment**

**Hearing Date:** December 2, 2015

**Case Report Prepared by:**  
 Jay Hoyt

**Owner and Applicant Information:**  
 Applicant: Eller & Detrich - Andrew Shank  
 Property Owner: Halle Properties LLC, c/o Eller & Detrich

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



**Applicant Proposal:**

Concept summary: PUD minor amendment to remove Use Unit 17 – Tire Store Use from permitted uses and replace with Use Unit 17 – Auto Wash and accessory uses.

Gross Land Area: .97 acres

Location: NW/c of East 73<sup>rd</sup> Street South & South Memorial Drive

7188 South Memorial Drive

**Zoning:**  
 Existing Zoning: CS/PUD-196-A  
 Proposed Zoning: No Change

**Comprehensive Plan:**  
 Land Use Map: Regional Center  
 Growth and Stability Map: Growth

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

**Staff Data:**  
 TRS: 18-13-11  
 CZM: 53 Atlas: 1130

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

15.1

**SECTION I:** PUD-196-A-1 Minor Amendment

**STAFF RECOMMENDATION**

Amendment Request: Modify the PUD to remove Use Unit 17 – Tire Store Use from permitted uses and replace with Use Unit 17 – Auto Wash and accessory uses.

Staff Comment: *This request can be considered a Minor Amendment as outlined by Section 1107.H.15 PUD Section of the City of Tulsa Zoning Code.*

*“Changes in approved use to another use may be permitted, provided the underlying zoning on the particular site within the PUD would otherwise permit such use by right and the proposed use will not result in any increase of incompatibility with the present and future use of the proximate properties.”*

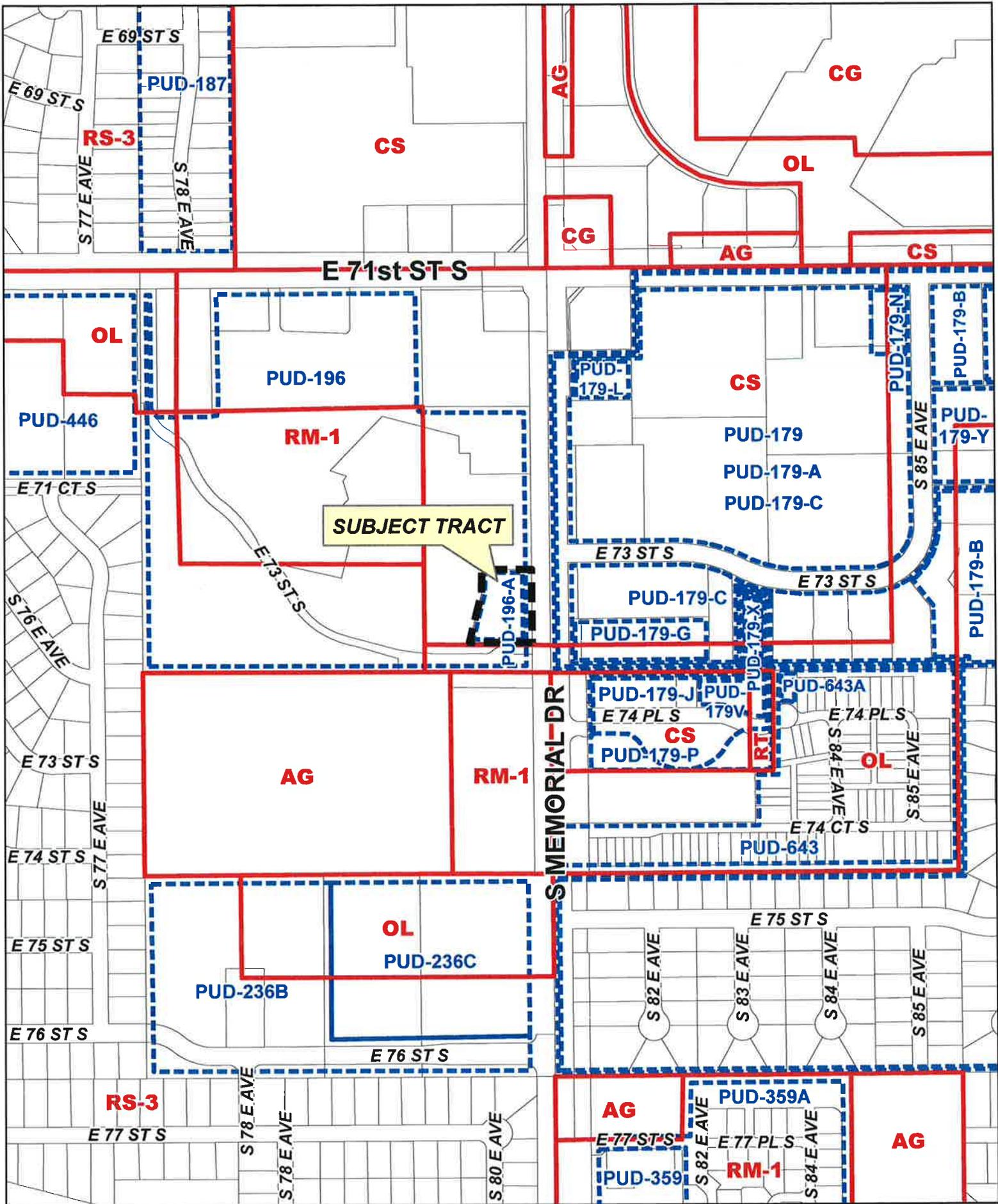
Staff has reviewed the request and determined:

- 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-196-A and subsequent minor amendments shall remain in effect.

Exhibits included with staff recommendation:

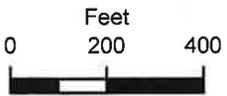
INCOG zoning case map  
INCOG aerial photo  
INCOG aerial photo enlarged  
Applicant Exhibit A - Legal Description  
Applicant Exhibit B – Nature of Amendment  
Applicant Conceptual Site Plan  
Applicant Conceptual Landscape Plan

With considerations listed above, staff recommends **approval** of the minor amendment request to remove Use Unit 17 – Tire Store Use from permitted uses and replace with Use Unit 17 – Auto Wash and accessory uses.



**SUBJECT TRACT**

**S MEMORIAL DR**



**PUD-196-A-1**

18-13 11

15.3







Subject Tract

**PUD-196-A-1**

18-13 11

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

Aerial Photo Date: March 2014 / 5.5



**EXHIBIT "A"**

**LEGAL DESCRIPTION**

*The following tract of land located in Lot 1, Block 1, RAPHAEL PLAZA, an Addition to the City of Tulsa, lying in Section 11, Township 18 North, Range 13 East of the Indian Base and Meridian, Tulsa County, Oklahoma, being more particularly described as follows:*

*COMMENCING from the southeast corner of said Lot 1, Block 1 of RAPHAEL PLAZA;*

*THENCE North 00°09'32" West a distance of 97.50 feet to the POINT OF BEGINNING;*

*THENCE South 89°59'57" West a distance of 210.48 feet;*

*THENCE North 14°45'00" East a distance of 157.33 feet;*

*THENCE North 00°09'32" West a distance of 78.98 feet;*

*THENCE North 89°50'28" East a distance of 170.00 feet;*

*THENCE South 00°09'32" East a distance of 231.60 feet to the POINT OF BEGINNING.*

*Said described tract of land contains an area of 42,410 square feet or 0.9736 acres, more or less.*

15.6

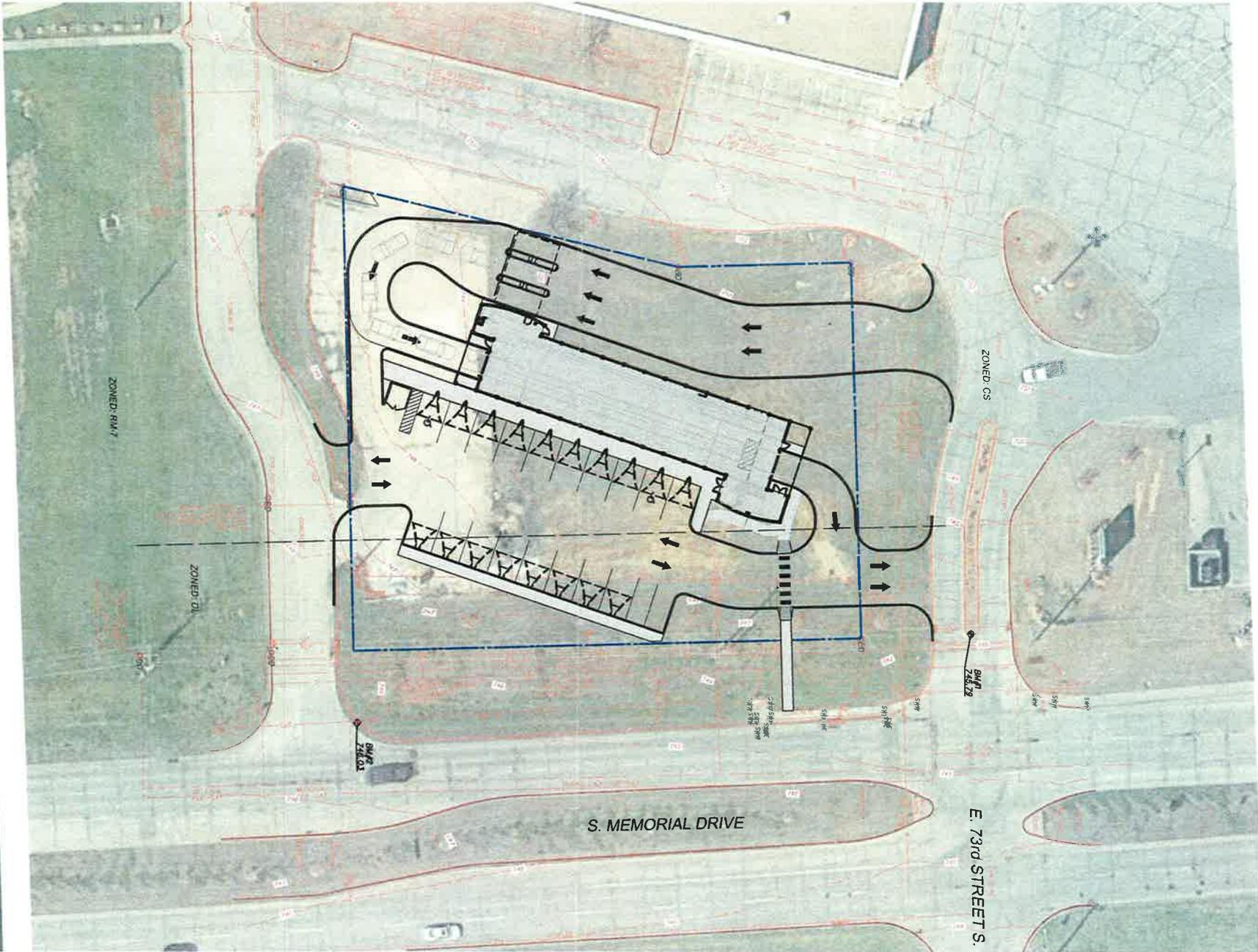
**EXHIBIT "B"**

**NATURE OF AMENDMENT/DESCRIPTION OF PROPOSAL**

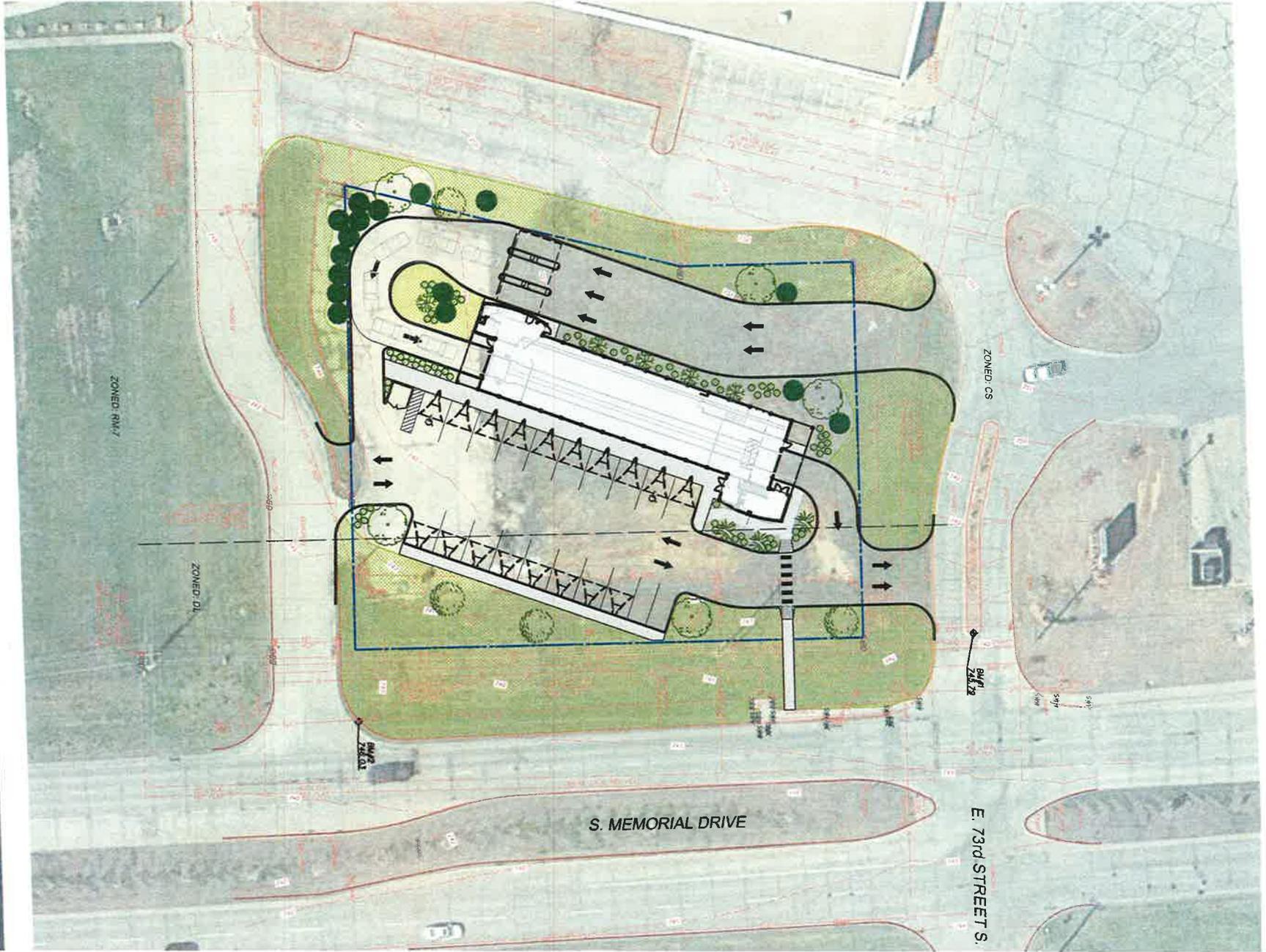
The Applicant seeks a Minor Amendment to PUD 196-A in order to alter the previously approved Use Unit 17 use allocated to this Development Area to remove the Use Unit 17 - Tire Store Use and replace it with a Use Unit 17 – Auto Wash and Accessory Uses, pursuant to the Conceptual Site Plan attached hereto. The remaining Development Standards for PUD 196-A remain unaltered.

15.7

8.51



15.9





**Case Number:** PUD-619-C  
**Detail Site Plan**

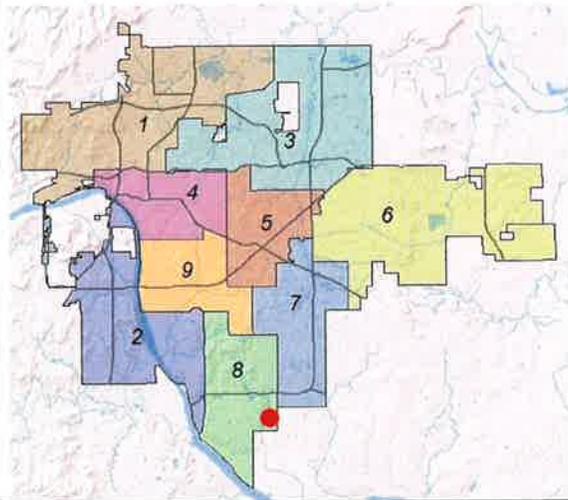
**Hearing Date:** December 2, 2015

**Case Report Prepared by:**  
Jay Hoyt

**Owner and Applicant Information:**  
Applicant: Khoury Engineering

Property Owner: Rockford Partners, LLC

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



**Applicant Proposal:**

Detailed Site Plan:  
Plan represents details for a new office building within the PUD.

Gross Land Area: 1.125 Acres

Location: Southwest corner of South Memorial Drive and East 106<sup>th</sup> Place South

Lot 2, Block 1 The Vineyard on Memorial

**Zoning:**

Existing Zoning: CS/PUD-619-C  
Proposed Zoning: No Change

**Comprehensive Plan:**

Land Use Map: Regional Center  
Growth and Stability Map: Growth

**Staff Recommendation:**

Staff recommends **APPROVAL**.

**Staff Data:**

TRS: 8326  
CZM: 57

Atlas: 2673

**City Council District: 8**

Councilor Name: Phil Lakin

**County Commission District: 3**

Commissioner Name: Ron Peters

**SECTION I: PUD-619-C Detailed Site Plan**

**STAFF RECOMMENDATION**

**CONCEPT STATEMENT:**

The applicant is requesting detail site plan approval on a 1.125 Acre site in a Planned Unit Development for a new office building including one, two story building.

**PERMITTED USES:**

Uses permitted as a matter of right in the CS district, Use Unit 19, Hotel Motel and Recreation for a health club/spa and an enclosed swimming pool use only; Use Unit 20, Recreation: Intensive for an unenclosed swimming pool only; and uses customarily accessory to permitted uses but shall exclude Use Unit 12A. The office building proposed for this project is 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 Planned Unit Development are required for approval of this site plan.

**ARCHITECTURAL GUIDELINES:**

The new building meets all applicable architectural guidelines in the Planned Unit Development.

**OFF-STREET PARKING AND VEHICULAR CIRCULATION:**

The site plan meets the minimum parking defined in the Tulsa Zoning Code and the Planned Unit Development.

**LIGHTING:**

Site lighting plans provided. Light standards within 200 feet of the west boundary shall not exceed 12 feet in height. Light standards within the remainder of the planned unit development shall not exceed 25 feet in height. All lights, including building mounted, shall be hooded and directed downward and away from the west and north boundaries of the PUD. Shielding of outdoor lighting shall be designed so as to prevent the light producing element or reflector of the light fixture from being visible to a person standing at ground level in adjacent AG or RS zoned areas.

**SIGNAGE:**

The site plan illustrates wall and ground signage. Any new signage will require a separate permit. All signage will be required to meet the Planned Unit Development 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 Planned Unit Development 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 pedestrian paths adjacent to the proposed building and a pedestrian connection to the existing sidewalk along South Memorial Drive.

**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 **PUD-619-C**. The site plan submittal meets or exceeds the minimum requirements of the Planned Unit Development. Staff finds that the uses and intensities proposed with this site plan are consistent with the approved Planned Unit Development, and the stated purposes of the Planned Unit Development section of the Zoning Code.

Exhibits included with staff recommendation:

INCOG zoning case map  
INCOG aerial photo  
INCOG aerial photo enlarged  
Applicant Site Plan  
Applicant Trash Enclosure Details  
Applicant Site Lighting Plan  
Applicant Exterior Elevations

Staff recommends **APPROVAL** of the detail site plan for the proposed new office building.

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





Subject Tract

18-13 26

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



# PUD-619-C DSP

16.3





Subject Tract

18-13 26

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



# PUD-619-C DSP

16.6



S MEMORIAL DR

64

E 106 PLS

E 106 STS



**OWNER/DEVELOPER**

ROCKFORD PARTNERS, LLC

Contact: Luke Strown  
4105 S Rockford Ave  
Tulsa, OK 74105  
(918) 592-6000  
lstrown@mcgrawok.com

**SURVEYOR**

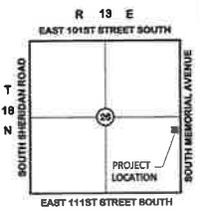
WHITE SURVEYING COMPANY

9936 E 50TH PLACE  
TULSA, OK 74145  
(918) 463-6924  
E-mail: bgray@whitesurvey.com  
CA No. 1098 Renewal: June 30, 2017

**ENGINEER**

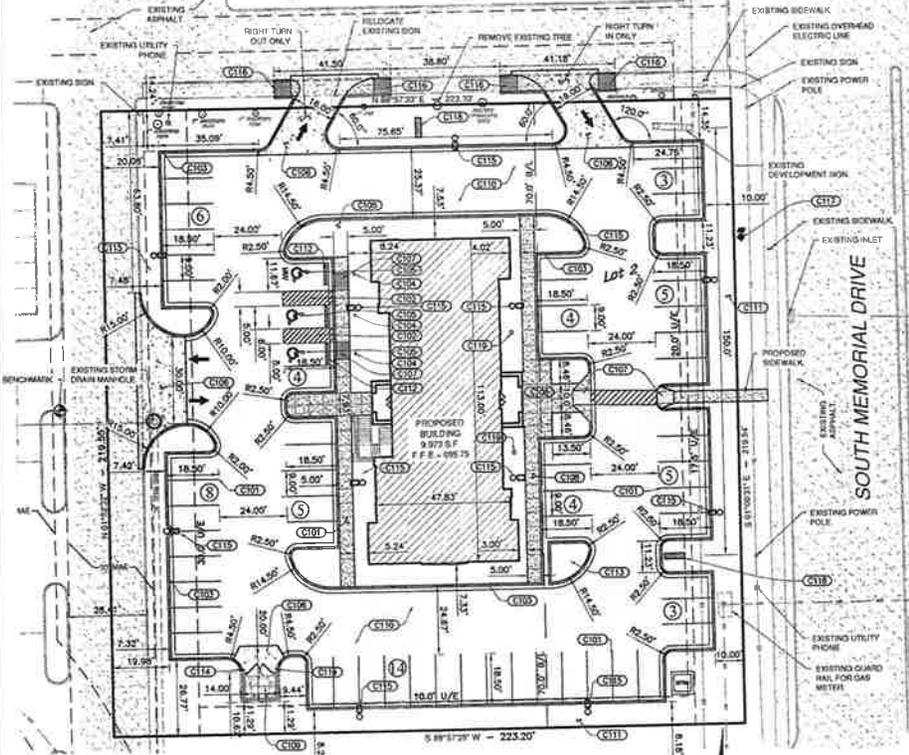
KHOURY ENGINEERING, INC.

1435 East 41st Street  
Tulsa, Oklahoma 74105  
(918) 712-8768  
E-mail: kargo@khouryeng.com  
CA No. 3731 Renewal: June 30, 2017



Location Map  
SCALE: 1"=200'

**EAST 106TH PLACE SOUTH**



**BENCHMARK**  
SET CHISELED BOX  
ELEV=891.21  
DATUM: 1988 NAVD

**1 SITE PLAN**  
SCALE: 1"=20'



**5 LEGEND**  
RE: THIS SHEET

- [Hatched Box] AREA OF BUILDING
- [Dotted Box] AREA OF ASPHALT/CONCRETE PAVEMENT
- [White Box] AREA OF CONCRETE SIDEWALK

**LEGEND - SYMBOLS**  
SCALE: MS

- BC BOTTOM OF CURB
- BM BOTTOM OF WALL
- FL FLOWLINE / INVERT
- G GUTTER
- P&VY TOP OF PAVEMENT
- TC TOP OF CURB
- TO TOP OF GRADE
- TR TOP OF RAIL
- TW TOP OF WALL
- U/E UTILITY EXHAUST
- U/L UTILITY EXHAUST
- B/L BUILDING LINE SETBACK
- M/A MUTUAL ACCESS EASEMENT
- L/S LANDSCAPE AREAS

**LEGAL DESCRIPTION:**

LOT TWO (2), BLOCK TWO (2), THE VINEYARD ON MEMORIAL, AN ADDITION IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO. 8472.

**SITE DATA TABULATION**

PLD NUMBER 619-C  
DEVELOPMENT AREA A

NET LAND AREA: 49,016.06 S.F. (1.125 AC)

PERMITTED USES: ALL USES WITHIN THE OS DISTRICT, EXCLUDING USE UNIT 12.A.  
PROPOSED USES: OFFICES AND SUPPORT SERVICES.

MAXIMUM BLDG. FLOOR AREA PERMITTED: 10,000 S.F.  
PROPOSED BLDG. FLOOR AREA: 24,973.97 S.F.

MAXIMUM BLDG. HEIGHT PERMITTED: NOT TO EXCEED 35 FT  
MAXIMUM BLDG. HEIGHT PROPOSED: 34 FEET

MINIMUM BLDG. SETBACKS REQUIRED:  
70 FEET FROM SOUTH MEMORIAL DRIVE RIGHT-OF-WAY.  
0 FEET FROM THE NORTH AND WEST AND SOUTH BOUNDARY

OFF STREET PARKING  
RATIO PER USE: 1/300 PER USE  
TOTAL NUMBER OF SPACES REQUIRED: 33  
PROPOSED: 62

MINIMUM PERCENTAGE AND CORRESPONDING LANDSCAPED AREA REQUIRED:  
10.0% (4,901.6 SF)

MINIMUM PERCENTAGE AND CORRESPONDING LANDSCAPED AREA PROVIDED:  
24.97% (12,254.34 SF)

LANDSCAPED STREET YARD PER STREET FRONTAGE REQUIRED:  
SOUTH MEMORIAL DRIVE: 15% x (219.54 x 70') = 2,305.17 SF

LANDSCAPED STREET YARD PER STREET FRONTAGE PROVIDED:  
SOUTH MEMORIAL DRIVE: 4,565.42 SF

ADDITIONAL LANDSCAPE AREA(S) REQUIRED (IF ANY): N/A

LIGHTING HEIGHT FOR PARKING AREAS:  
MAXIMUM HEIGHT PERMITTED: 25 FT  
HEIGHT PROPOSED: 25 FT

**2 SITE DATA**  
RE: THIS SHEET

PARKING DATA			
	REQUIRED	PROVIDED	
REGULAR PARKING (1/300 SF AREA)	33	58	
ACCESSIBLE PARKING	2	3	

ZONING			
PUD-619-C			
SETBACK (FROM LOT LINE)			
BUILDING SETBACK	WEST	EAST	NORTH
	0	70.0'	0

SITE AREA (POST-DEVELOPMENT)			
	SO. FT.	ACRES	% OF LOT
BUILDING AREA (1ST FLOOR)	4,973.00	0.114	10.13%
BUILDING AREA (2ND FLOOR)	4,973.00	---	---
PATIO(S) (1ST FLOOR)	242.50	0.005	0.49%
STAIRS (EXTERIOR)	31,361.25	0.719	63.98%
LANDSCAPE AREAS	12,254.34	0.281	24.97%
TOTAL SITE AREA	49,016.06	1.125	100.0%
IMPERVIOUS AREA	36,761.72	0.843	74.93%
PROPOSED BUILDING HEIGHT	REFER TO A/E PLANS		

**3 KEYED NOTES**  
RE: THIS SHEET

- ALL ITEMS ARE NEW CONSTRUCTION UNLESS NOTED OTHERWISE
- C101 PARKING STRIPES PAINTED WITH (2) COATS TRAFFIC YELLOW IN SINGLE 4" WIDE STRIPES, UNLESS NOTED OTHERWISE.
  - C102 4" WIDE PAINT STRIPE 45' AT 2' O/C. USE 2 COATS YELLOW TRAFFIC PAINT.
  - C103 STANDARD CONCRETE CURB & GUTTER. RE: C1.2/4.
  - C104 ACCESSIBLE PARKING SIGN ON POST. RE: C1.2/7.
  - C105 PAINTED ACCESSIBLE SYMBOL. RE: C1.2/8.
  - C106 CONCRETE PAVING. RE: C1.2/2.
  - C107 ACCESSIBLE CURB RAMP. RE: C1.2/8.
  - C108 CONCRETE SIDEWALK: 4" THICK P.C. CONCRETE ON 2" OF SAND BASE. PROVIDE EXPANSION JOINTS AT 20' O/C AND CONTROL JOINTS AT 4'-0" O/C. RE: C1.2/3.
  - C109 TRASH RECEPTACLE ENCLOSURE. RE: C1.3.
  - C110 ASPHALT PAVING. RE: C1.2/11.
  - C111 LANDSCAPE AREA. RE: TO LANDSCAPE PLAN.
  - C112 CONCRETE WHEEL STOP. RE: C1.2/10.
  - C113 ELECTRIC TRANSFORMER. RE: UTILITY PLAN.
  - C114 PIPE BOLLARD. RE: C1.2/11.
  - C115 SITE LIGHTING POLE & BASE. REFER TO ELECTRICAL PLANS.
  - C116 STANDARD CONCRETE ACCESSIBLE RAMP PER CITY OF TULSA DRAWING 790.
  - C117 PROPOSED FIRE HYDRANT.
  - C118 PROPOSED MONUMENT SIGN. REFER TO SIGNAGE PLAN.
  - C119 12"x12" CATCH BASIN WITH SQUARE GRATE.

**4 GENERAL NOTES**  
RE: THIS SHEET

- THE CONTRACTOR SHALL CALL THE UNDERGROUND UTILITY LOCATING SERVICE "ONE" AND HAVE THEM MARK THE LOCATION OF EXISTING UTILITIES AT LEAST TWO WORKING DAYS PRIOR TO BEGINNING OF WORK.
- EQUIPMENT AND MATERIALS SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS AND SPECIFICATIONS.
- ALL DIMENSIONS ARE TO THE CENTERLINE OF PAINT STRIPES AND/OR TO THE BACK OF CURB, AND ALL BUILDING DIMENSIONS ARE TO THE OUTSIDE FACE OF WALL, UNLESS OTHERWISE NOTED.
- EXPANSION JOINTS SHALL BE PLACED IN ACCORDANCE WITH THE SPECIFICATIONS.
- CONTRACTOR SHALL VERIFY ALL DIMENSIONS. ANY DISCREPANCY FOUND SHALL BE DISCUSSED WITH THE ENGINEER OF RECORD PRIOR TO ANY CONSTRUCTION WORK.
- THE BEARINGS SHOWN HEREON ARE BASED ON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM.
- THIS PROPERTY LIES IN ZONE "X-UNSHADED" FLOOD HAZARD AREA PER F.I.R.M. COMMUNITY PANEL NO. 403381 0369L, AS LAST REVISED 10-16-2015.

**McGraw Office Building**  
S.W.C. OF MEMORIAL DRIVE AND 106TH PLACE  
CITY OF TULSA - TULSA COUNTY - OKLAHOMA

**SITE PLAN**

Eng: Job #: 30982  
Designed by: HS  
Checked by: HEE  
Issued Date: 11/14/2015

**Khoury Engineering, Inc.**  
Civil Engineering - Land Development  
1435 East 41st Street  
Tulsa, Oklahoma 74105  
Phone: (918) 712-8768  
Fax: (918) 712-8769  
CA # 3731 / Renewal: 06/30/17

**MALEN E. ELKROBRY**  
Professional Engineer  
No. 11111

SHEET NO. C1.1

16.7



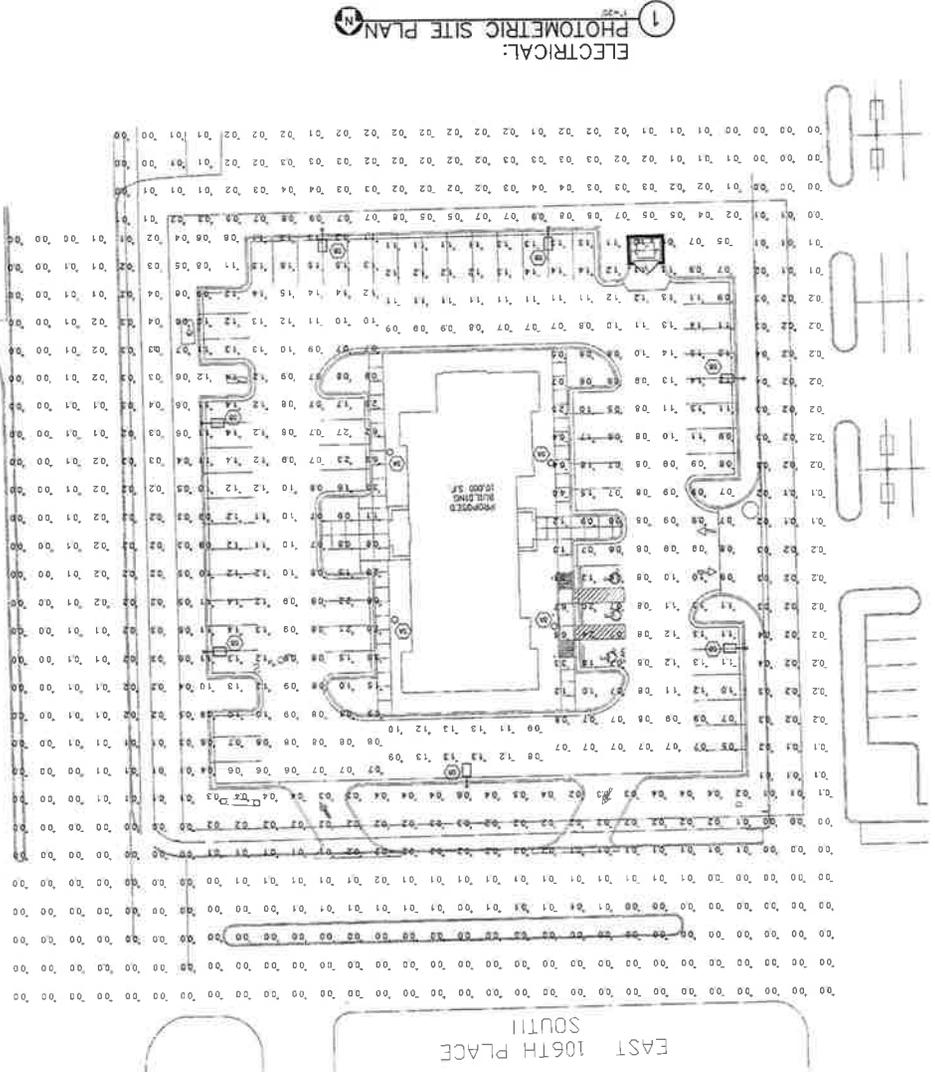
E100P

Sheet Number	E100P
Project Name	PHOTOMETRIC ELECTRICAL SITE PLAN
Client	XXXX
Date	10-26-15
Drawn by	JEV
Checked by	MWR
Scale	
Notes	

McGraw Realtors  
106TH & MEMORIAL  
TULSA, OKLAHOMA

MPW  
MEASUREMENTS & PHOTOGRAPHY, LLC  
PHOTOMETRIC, VIDEO & 3D RENDERING

SOUTH MEMORIAL DRIVE

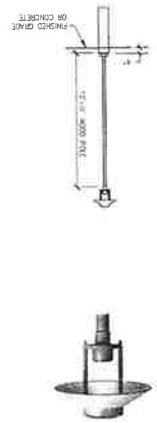


1 PHOTOMETRIC SITE PLAN  
ELECTRICAL

2 DETAIL  
FITTURE SB



3 DETAIL  
FITTURE SA



LIGHT FIXTURE SCHEDULE			
MANUFACTURER	CATALOG NO	VOLTS	LAMPS QTY./WATTS-TYPE
SELUX	SAC2L-R2-1-103500-50-16	120	LED
LITHONIA	08M-405-50-80M-135-M-01-09L-03	120	LED
NOTES:			
1) SITE LIGHTING FIXTURE			
2) MOUNTED ON CONCRETE			
3) FINISH GRADE OR CONCRETE			
4) PAVING LOT FIXTURE			
5) POLE MOUNTED ON 4"			
6) 22'-0" CONCRETE BASE			

EAST 106TH PLACE SOUTH









**Case Number:** PUD-773  
**Detail Site Plan**

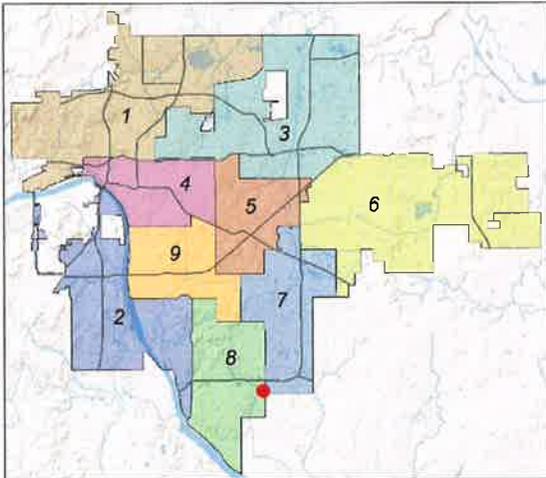
**Hearing Date:** December 2, 2015

**Case Report Prepared by:**  
 Jay Hoyt

**Owner and Applicant Information:**  
 Applicant: W Design – Darshan Patel

Property Owner: NGP, LLC

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



**Applicant Proposal:**

Detailed Site Plan:  
 Plan represents details for a new office building within the PUD.

Gross Land Area: .86 Acres

Location: North of the Northwest corner of South Memorial Drive and East 101<sup>st</sup> Street South

Lot 3, Block 1 NGP Business Park

**Zoning:**  
 Existing Zoning: OL/CS/PUD-773  
 Proposed Zoning: No Change

**Comprehensive Plan:**  
 Land Use Map: Regional Center  
 Growth and Stability Map: Growth

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

**Staff Data:**  
 TRS: 18-13-23  
 CZM: 57 Atlas: 2271

**City Council District:** 8  
 Councilor Name: Phil Lakin

**County Commission District:** 3  
 Commissioner Name: Ron Peters

17.1

**SECTION I: PUD-773 Detailed Site Plan**

**STAFF RECOMMENDATION**

**CONCEPT STATEMENT:**

The applicant is requesting detail site plan approval on a .86 Acre site in a Planned Unit Development for a new office building including one, one story building.

**PERMITTED USES:**

Uses permitted as a matter of right in Use Unit 10, Off-Street Parking; Use Unit 11, Offices, Studios and Support Services; Use Unit 12, Eating Establishments other than drive-ins; Use Unit 13, Convenience Goods and Services; Use Unit 14, Shopping Goods and Services; Health Club/Spa only as permitted within Use Unit 19, Hotel, Motel and recreation facilities; and uses customarily incident to permitted principal used. The office building proposed for this project is 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 Planned Unit Development are required for approval of this site plan.

**ARCHITECTURAL GUIDELINES:**

The new building meets all applicable architectural guidelines in the Planned Unit Development.

**OFF-STREET PARKING AND VEHICULAR CIRCULATION:**

The site plan meets the minimum parking defined in the Tulsa Zoning Code and the Planned Unit Development.

**LIGHTING:**

Site lighting plans not provided. Lighting shall be arranged so as to shield and direct the light away from the residential area to the west. Except for bollards, no light standards shall be permitted within 25 ft of the west boundary. Bollards not to exceed 4 ft in height with the light fixture directed to the east will be used to light the vicinity of the western wall of the westernmost building. All pole mounted lighting within the west 50 ft of Development Area A will be shielded and/or cut off to reduce the potential for lighting to spill over to the west of the light fixture. Pole and building mounted lighting shall not exceed 14 ft in height as measured from adjacent ground level. For the purposes of measurement, ground level shall be considered the adjacent paved surface. Building mounted lighting on west facing buildings within 50 ft of the west boundary shall be restricted to security lighting only. Security lighting is defined as lighting which is intended to light rear door emergency exits and will be activated for a short period of time only when the door is opened.

**SIGNAGE:**

The site plan does not illustrate wall or ground signage. Any new signage will require a separate permit. All signage will be required to meet the Planned Unit Development 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 Planned Unit Development 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 pedestrian paths 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 **PUD-773**. The site plan submittal meets or exceeds the minimum requirements of the Planned Unit Development. Staff finds that the uses and intensities proposed with this site plan are consistent with the approved Planned Unit Development, and the stated purposes of the Planned Unit Development section of the Zoning Code.

Exhibits included with staff recommendation:

- INCOG zoning case map
- INCOG aerial photo
- INCOG aerial photo enlarged
- Applicant Site Plan
- Applicant Exterior Elevations

Staff recommends **APPROVAL** of the detail site plan for the proposed new office building.

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



**GENERAL NOTES**

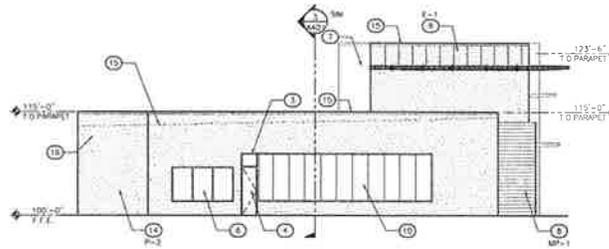
- REFER TO SPECIFICATIONS FOR DETAILED PRODUCT INFORMATION SUCH AS SUBMITTAL REQUIREMENTS, SUBSTITUTION PROCEDURES, ACCEPTABLE MANUFACTURERS, SPECIFIC METALLIC FINISH REQUIREMENTS AND WARRANTY REQUIREMENTS.
- ALL EXTERIOR PAINT COLORS TO BE APPROVED BY OWNER PRIOR TO COMMENCEMENT OF WORK.
- G.C. TO PROVIDE A MOCK UP AREA ON EXTERIOR OF BUILDING FOR OWNER'S APPROVAL OF FINISHES AT EACH FINISH LOCATION.
- ALL EXTERIOR BUILDING MATERIALS TO MATCH MANUFACTURER, MODEL AND COLOR AS SHOWN ON THE EXTERIOR FINISH SCHEDULE. A SAMPLE OF ALL SUBSTITUTIONS TO BE SUBMITTED TO THE ARCHITECT FOR APPROVAL PRIOR TO PROCUREMENT.
- ALL EXTERIOR TRIM TO BE PAINTED WHITE "P-1" UNLESS NOTED OTHERWISE.
- ALL EXTERIOR PAINT TO HAVE EGGSHELL SHEEN. G.C. TO VERIFY WITH OWNER FINISH IS PROCEDURES.
- OWNER TO APPROVE WINDOW AND DOOR STYLES PRIOR TO PROCUREMENT.
- G.C. TO PROVIDE GUTTER AND DOWNSPOUTS ON A DESIGN/BUILD BASIS.
- ALL ROOF FLASHING TO MATCH ADJACENT ROOFING FINISH.

**EXTERIOR FINISH LEGEND**

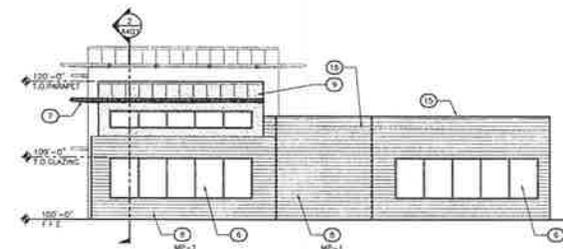
NAME	MATERIAL	COLOR	MANUF. / MODEL	REMARKS
MP-1	METAL PANEL	MATTE BLACK	ACP SPAN	1.25"X19.43G. FLEX SCORER
P-1	PAINT	WHITE	SHERWIN WILLIAMS	VERIFY COLOR BY OWNER
P-2	PAINT	LIGHT GREY	SHERWIN WILLIAMS	VERIFY COLOR BY OWNER
P-3	PAINT	BLACK	SHERWIN WILLIAMS	VERIFY COLOR BY OWNER
S-1	SPR	#288 TYP. MAR	DRYVIT REFLECTIT	VERIFY COLOR BY OWNER

**KEYNOTES**

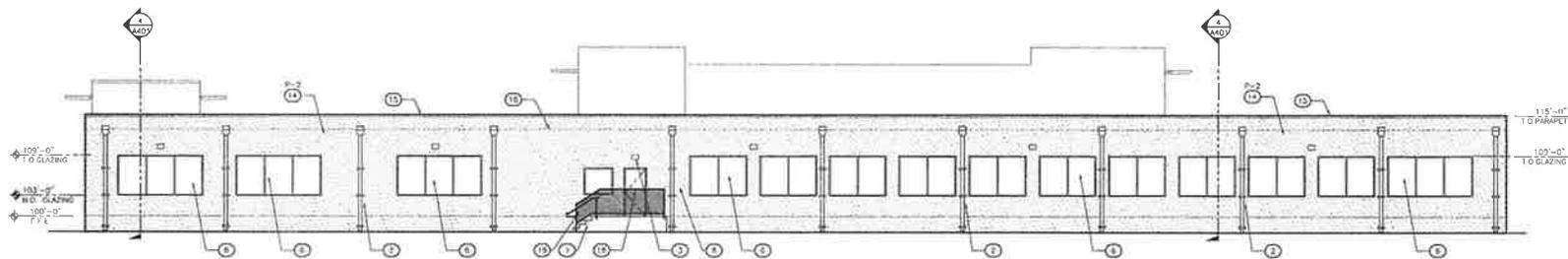
- EXTERIOR CONC. STAIRS, RE: AB100
- PRE-FINISH DOWNSPOUTS, COLOR TO MATCH METAL PANEL
- WALL PACK LIGHT FIXTURE W/ EMERGENCY BATTERY BACKUP
- ALUMINUM STOREFRONT DOOR SYSTEM, RE: A275
- ALUMINUM STOREFRONT TRANSOM
- FIXED, PRE-FINISHED ALUMINUM WINDOWS, RE: 7395
- SUNSHADE
- METAL PANEL VENEER, MP-1, INSTALL HORIZONTAL-LX
- EIFS
- KAWNEER CLEARBALL BUT GLAZED BALL SYSTEM OR SIMILAR
- EXTERIOR SCENE LIGHTING
- BUILDING ADDRESS AS APPROVED BY AUTHORITY HAVING JURISDICTION
- EIFS CONTROL JOINTS
- STUCCO, RE: FINISH LEGEND
- PRE-FINISHED METAL CORING CAP, COLOR TO MATCH ADJACENT MATERIAL
- ROOF LINE, BEYOND
- TRANSOM STOREFRONT WINDOW
- S.W. DOOR, RE: A275
- CHAIN LINK BLACK FENCE, RE: AB101



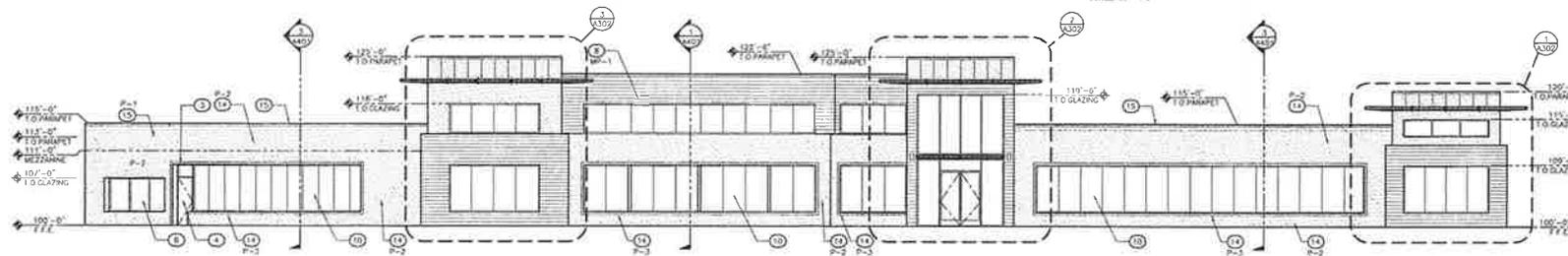
**4 SOUTH ELEVATION**  
SCALE: 1/8" = 1'-0"



**3 NORTH ELEVATION**  
SCALE: 1/8" = 1'-0"



**2 WEST ELEVATION**  
SCALE: 1/8" = 1'-0"



**1 EAST ELEVATION**  
SCALE: 1/8" = 1'-0"



wdesign  
ARCHITECTURE & INTERIORS  
1513 E. 15th Street, Suite A  
Tulsa, OK 74120  
Office: 918.794.6616  
Fax: 918.794.6602  
www.design916.com



PROJECT:  
**NELSON  
OFFICE  
BUILDING**

PROJECT #  
**14163**

PARCEL NO.  
**71404-83-23-44740**

**10010 S. MEMORIAL  
DRIVE TULSA, OK  
71404**

CONSULTANT:  
**ELEVATIONS FOR  
TMAPC  
APPROVAL ONLY**

REVISIONS:

ISSUE DATE:  
10.16.2015

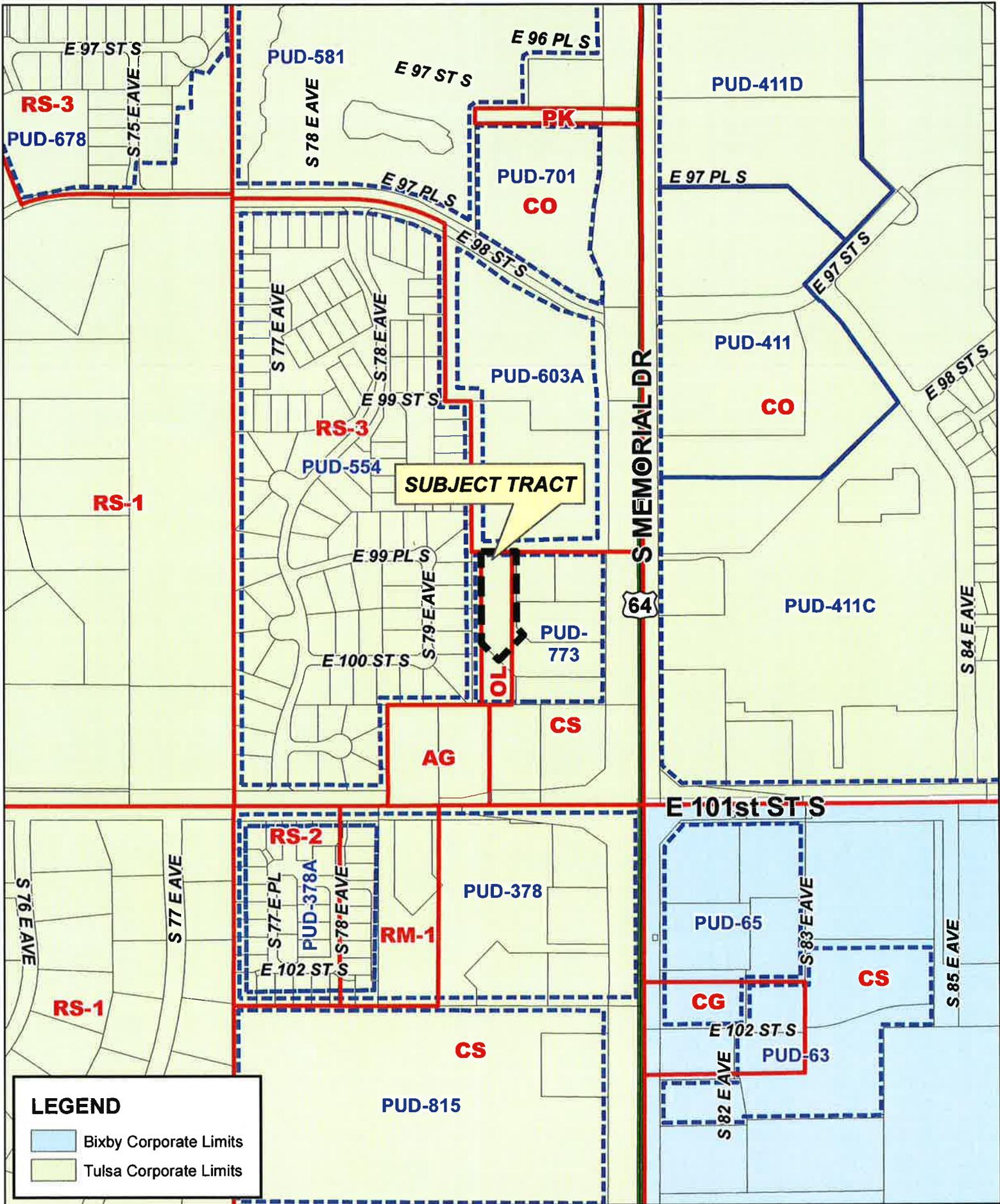
SHEET NAME:  
**ELEVATIONS**

SHEET #:



DRAWN BY: SMD

17.5

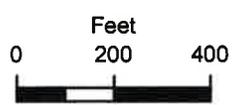


**SUBJECT TRACT**

64

**LEGEND**

- Bixby Corporate Limits
- Tulsa Corporate Limits



**PUD-773 DSP**

18-13 23

17.6





Subject Tract

# PUD-773 DSP

18-13 23

Note: Graphic overlays may not precisely align with physical features on the ground. <sup>17.7</sup>

Aerial Photo Date: March 2014





E 99 PLS

S 79 E AVE

E 100 ST S

S MEMORIAL DR

64



Subject Tract

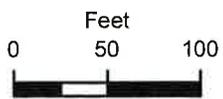
**PUD-773 DSP**

18-13 23

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

17.8

Aerial Photo Date: March 2014





**Case Number:** PUD-820  
**Detail Site Plan**

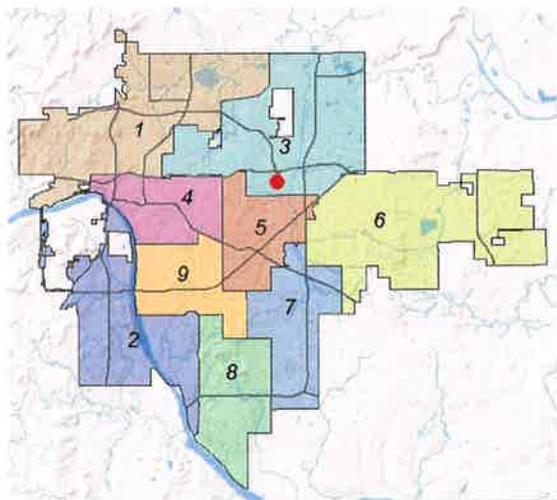
**Hearing Date:** December 2, 2015

**Case Report Prepared by:**  
 Jay Hoyt

**Owner and Applicant Information:**  
 Applicant: Sisemore Weisz & Assoc.

Property Owner: Distribution Partners Holdings.LLC

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



**Applicant Proposal:**

Detailed Site Plan:  
 Plan represents details for a Beverage Distribution Center within the PUD.

Gross Land Area: 26 acres

Location: South and East of the SE/c of South Memorial Drive and East Admiral Place

**Zoning:**  
 Existing Zoning: CH/PUD-820  
 Proposed Zoning: No Change

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

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

**Staff Data:**  
 TRS: 1913.1  
 CZM: 38 Atlas: 451

**City Council District: 3**  
*Councilor Name:* David Patrick  
**County Commission District: 2**  
*Commissioner Name:* Karen Keith

**SECTION I: PUD-820 Detailed Site Plan**

**STAFF RECOMMENDATION**

**CONCEPT STATEMENT:**

The applicant is requesting detail site plan approval on a 26 Acre site in a Planned Unit Development for a beverage distribution center including one, one story warehouse and one, one story vehicle maintenance shop.

**PERMITTED USES:**

Uses permitted in Use Unit 11, Offices, Studios and Support Services, Use Unit 17, Automotive and Allied Activities; and Use Unit 23, Warehousing and Wholesaling and uses customarily accessory to the permitted principal use. The proposed beverage distribution center is 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 Planned Unit Development are required for approval of this site plan.

**ARCHITECTURAL GUIDELINES:**

The new building meets all applicable architectural guidelines in the Planned Unit Development.

**OFF-STREET PARKING AND VEHICULAR CIRCULATION:**

The site plan meets the minimum parking defined in the Tulsa Zoning Code and the Planned Unit Development.

**LIGHTING:**

Site lighting plans not provided. Light standards, whether located upon freestanding light poles or building-mounted, shall not exceed 25 feet in height. All exterior lighting fixtures shall be hooded and direct light downward and away from properties to the north, south and east. No light standards shall be permitted within 75 feet of the north boundary, nor within 100 feet of the south and east boundaries.

**SIGNAGE:**

The site plan does not illustrate signage. Any new signage will require a separate permit. All signage will be required to meet the Planned Unit Development 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. Wall mounted business signs are not permitted on the south face of the building.

**SITE SCREENING AND LANDSCAPING:**

The open space, landscape area and screening are consistent with the Planned Unit Development 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:**

Sidewalks are shown along East 4<sup>th</sup> PI and South 89<sup>th</sup> East Ave. The plan displays pedestrian paths adjacent to the proposed building.

**MISCELLANEOUS SITE CONSIDERATIONS:**

There are no concerns regarding the development of this area.

**SUMMARY:**

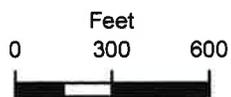
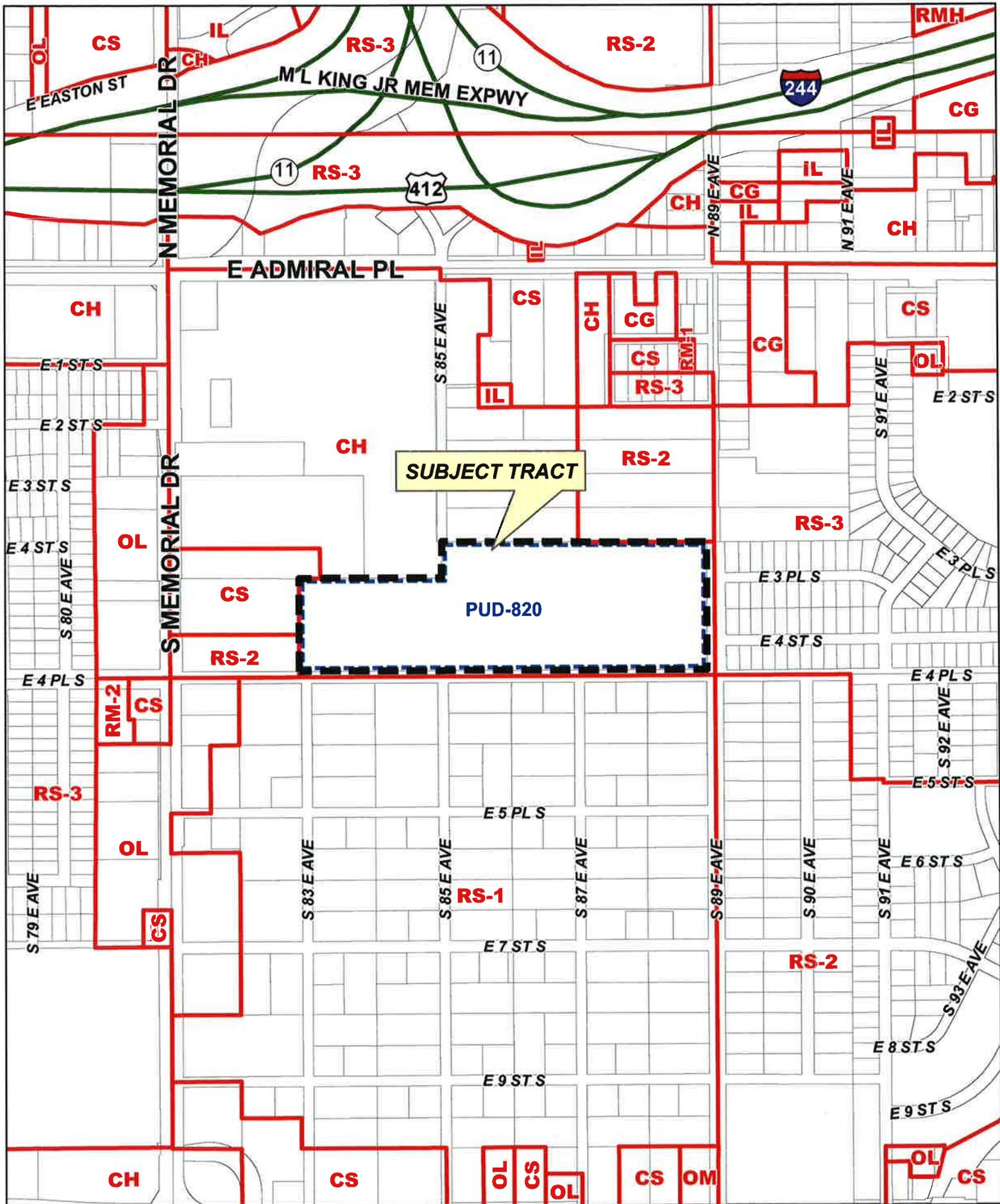
Staff has reviewed the applicant's submittal of the site plan as it relates to the approved **PUD-820**. The site plan submittal meets or exceeds the minimum requirements of the Planned Unit Development. Staff finds that the uses and intensities proposed with this site plan are consistent with the approved Planned Unit Development, and the stated purposes of the Planned Unit Development section of the Zoning Code.

Exhibits included with staff recommendation:

- INCOG zoning case map
- INCOG aerial photo
- Applicant Site Plan
- Applicant Screening Details
- Applicant Exterior Elevations

Staff recommends **APPROVAL** of the detail site plan for the proposed beverage distribution center.

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

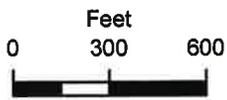
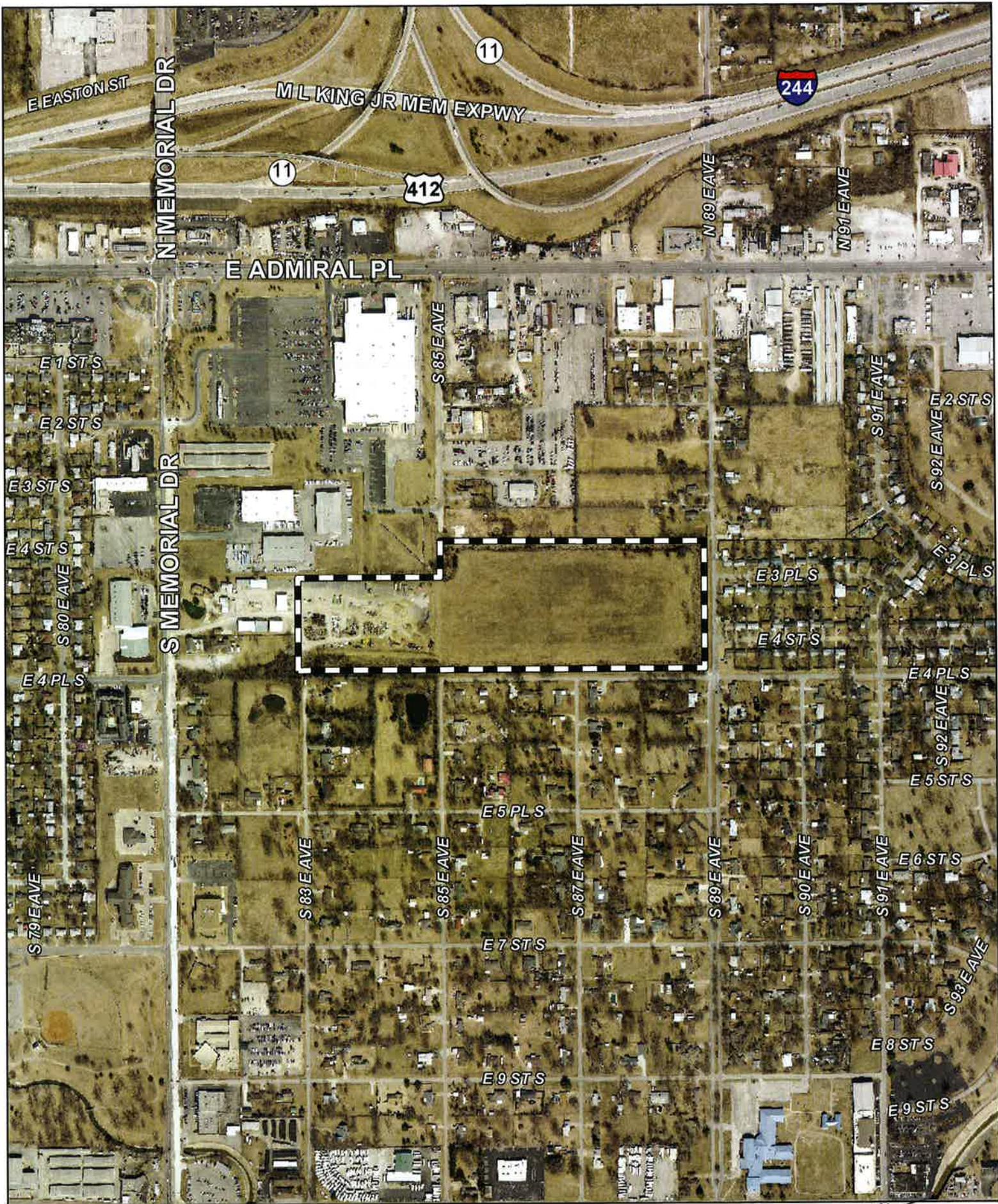


**PUD-820**

19-13 01

18.4





Subject  
Tract

**PUD-820**

19-13 01

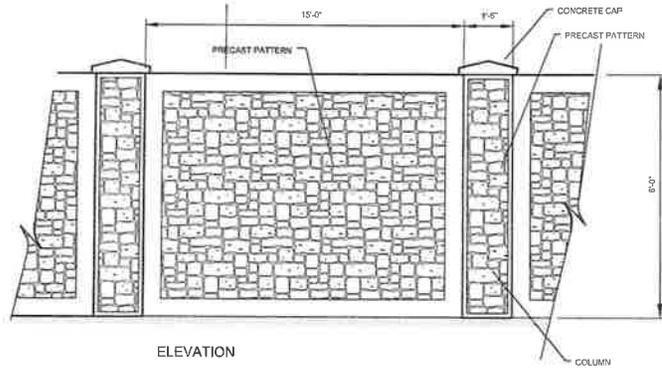
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Aerial Photo Date: March 2014

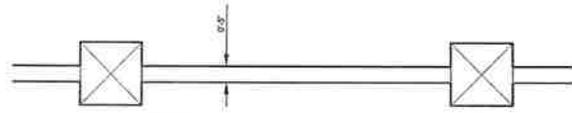


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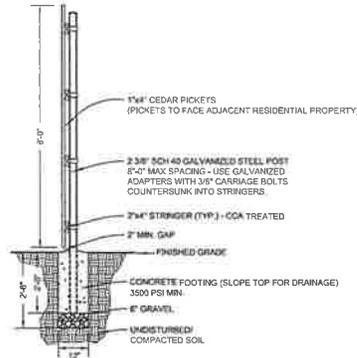
ELEVATION



PLAN

NOTE:  
REFER TO STRUCTURAL PLANS FOR  
FOOTING AND REINFORCEMENT DESIGN

**A** 8' PRECAST CONCRETE FENCE  
SCALE: NONE



**B** 8' WOOD SCREEN FENCE W/ STEEL POST  
SCALE: NONE

**Site Plan Statistics**

PUD 820-1  
LOT 1, BLOCK 1, OIL CAPITAL HEIGHTS

NET LAND AREA: 25.792 ACRES (1,123,387 SF)

PERMITTED USES:

USES PERMITTED IN USE UNIT 11, OFFICES, STUDIOS AND SUPPORT SERVICES, USE UNIT 17, AUTOMOTIVE AND ALLIED ACTIVITIES, AND USE UNIT 23, WAREHOUSING AND WHOLESALING, AND USES CUSTOMARILY ACCESSORY TO THE PERMITTED PRINCIPLE USES.

PROPOSED USE:

WAREHOUSING AND WHOLESALING AND ACCESSORY AND SUPPORTING USES.

MAXIMUM BUILDING FLOOR AREA:

PERMITTED: 260,000 SF

PROPOSED:

MAIN BUILDING  
OFFICE 20,160 SF  
WAREHOUSE 249,512 SF  
VEHICLE MAINTENANCE SHOP 10,000 SF  
TOTAL PROPOSED 279,672 SF

MAXIMUM BUILDING HEIGHT:

PROPOSED: 2-STORIES/43 FT  
1-STORY/11.5 FT

BUILDING SIDE WALLS

	PERMITTED	PROPOSED
EAST:	39 FT	37'-6"
WEST:	39 FT	37'-6"
NORTH:	37 FT	34'-0"
SOUTH:	37 FT	34'-0"

MINIMUM BUILDING SETBACKS:

FROM NORTHERLY BOUNDARY LIMITS OF PUD:	90 FEET*
FROM SOUTHERLY BOUNDARY LIMITS OF PUD:	100 FEET
FROM EASTERLY BOUNDARY LIMITS OF PUD:	225 FEET
FROM WESTERLY BOUNDARY LIMITS OF PUD:	25 FEET

\* PROVIDED THE MINIMUM BUILDING SETBACK FOR THE NORTHERLY BOUNDARY LINE OF THE PUD WITHIN THE WEST 700 FEET SHALL BE 25 FEET.

OFF-STREET PARKING:

OFFICE - USE UNIT 11 (20,160 SF) REQUIRED PARKING (1 PER 300 SF OF FLOOR AREA)	67 PARKING SPACES
WAREHOUSE - USE UNIT 23 (249,512 SF) REQUIRED PARKING (1 PER 5,000 SF OF FLOOR AREA)	50 PARKING SPACES
VEHICLE MAINTENANCE SHOP - USE UNIT 17 (10,000 SF) REQUIRED PARKING (1 PER 500 OF FLOOR AREA)	20 PARKING SPACES
TOTAL PARKING REQUIRED:	137 PARKING SPACES
TOTAL PARKING PROVIDED:	137 PARKING SPACES

MINIMUM LANDSCAPED AREA:

TOTAL LOT	
REQUIRED:	10% OF LOT AREA (112,349 SF)
PROPOSED:	50% OF LOT AREA (563,074 SF)

LANDSCAPED STREET YARD PER STREET FRONTAGE:

EAST 4TH PLACE (175,000 SF)	
REQUIRED:	15%; 26,251 SF
PROPOSED:	98%; 171,281 SF
SOUTH 80TH EAST AVENUE (141,731 SF)	
REQUIRED:	15%; 21,260 SF
PROPOSED:	91%; 129,003 SF
SOUTH 85TH EAST AVENUE (5,301 SF)	
REQUIRED:	15%; 795 SF
PROPOSED:	36%; 2,047 SF

ALL CONSTRUCTION TO BE IN STRICT ACCORDANCE WITH CURRENT CITY OF TULSA FIELD ENGINEERING SERVICE DEPARTMENT SPECIFICATIONS, INCLUDING 03-01.1.2008 EDITION SPECIFICATIONS CALL OKIE!

EXISTING UNDERGROUND LINES HAVE BEEN SHOWN TO THE EXTENT KNOWN AND PLANS HAVE BEEN SENT TO THE EFFECTED UTILITY OWNERS FOR VERIFICATION OF EXISTING LINES. BEFORE YOU DIG, CONTACT OKLAHOMA ONE-CALL: 1-800-922-9543. SOUTHWESTERN BELL TELEPHONE COMPANY, COK COMMUNICATIONS, OKLAHOMA NATURAL GAS COMPANY, AMERICAN ELECTRIC POWER COMPANY.



DATE	REVISIONS



**SWA** **Sisamore Weitz & Associates, Inc.**  
88 EAST 31st PLACE  
TULSA, OKLAHOMA 74106  
CA 110 3451  
PHONE: 918 485-9800  
FAX: 918 485-9808  
E-MAIL: SWA@SWA-OK.COM  
WWW.SWA-OK.COM

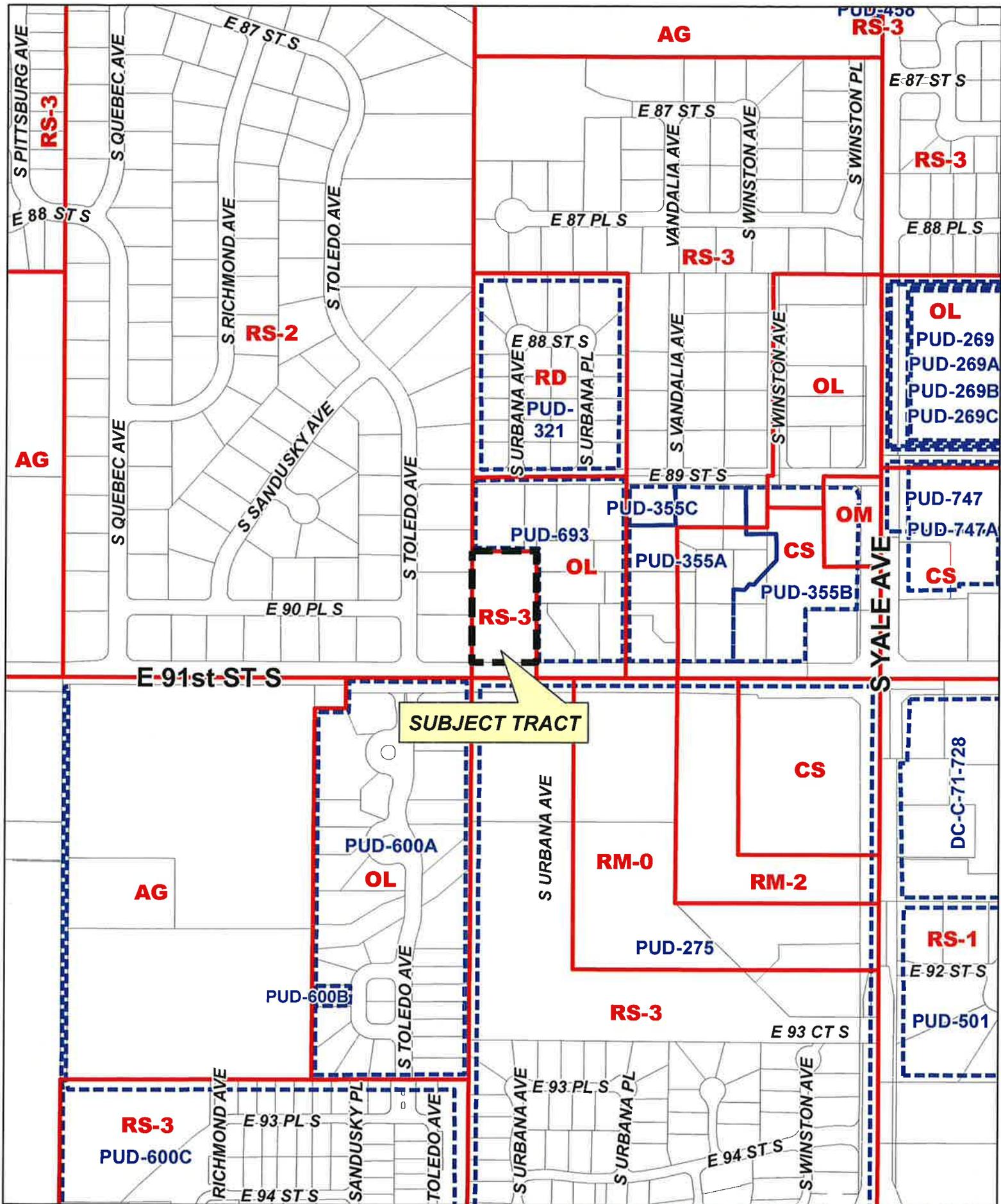
PLAN SCALE:	1"=80'	WORK ORDER NO.:	17335-04	TYPE OF WORK:		DATE:	11-19-2015
PROFILE SCALE:		FILE:	1213.01	PHASE:	N/A	DRAFTED BY:	DLS_KDD
HORIZ.:	1/8"	ATLAS PAGE NO.:				SHEET	2
VERT.:	1/8"					OF	2

THIS DOCUMENT IS PRELIMINARY IN NATURE AND IS NOT A FINAL, SEALED AND SIGNED DOCUMENT.

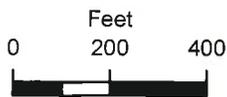
**Oil Capital Heights - PUD 820**  
Detail Site Plan

18.7





**SUBJECT TRACT**



**CADENT PARK**

19.1





E 89 ST S

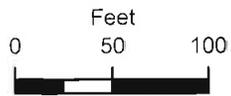
STOLEDO AVE

E 90 PLS

E 91st ST S

S URBANA AVE

**CADENT PARK**



Subject Tract

18-13 16

Note: Graphic overlays align with physical featu

19.2



Aerial Photo Date: March 2014

# PLAT WAIVER

December 2, 2015

Z-7277, PUD 817 A, 1004 East 4<sup>th</sup> Street South, Southwest corner of South Madison Avenue East and East 4<sup>th</sup> Street South, "Dead Armadillo Brewery" (CD 4)

The platting requirement is being triggered by a major amendment to PUD 817.

**Staff provides the following information from TAC for their November 19, 2015 meeting:**

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

**STREETS:** Right of way has been determined to have been appropriately dedicated.

**SEWER:** No comment.

**WATER:** A six inch water main line exists along both South Madison Avenue and East 4<sup>th</sup> Street.

**STORMWATER:** No comment.

**FIRE:** No comment.

**UTILITIES:** No comment.

Staff can recommend **APPROVAL** of the plat waiver for the platted property.

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

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

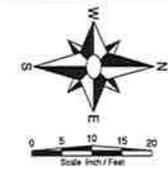
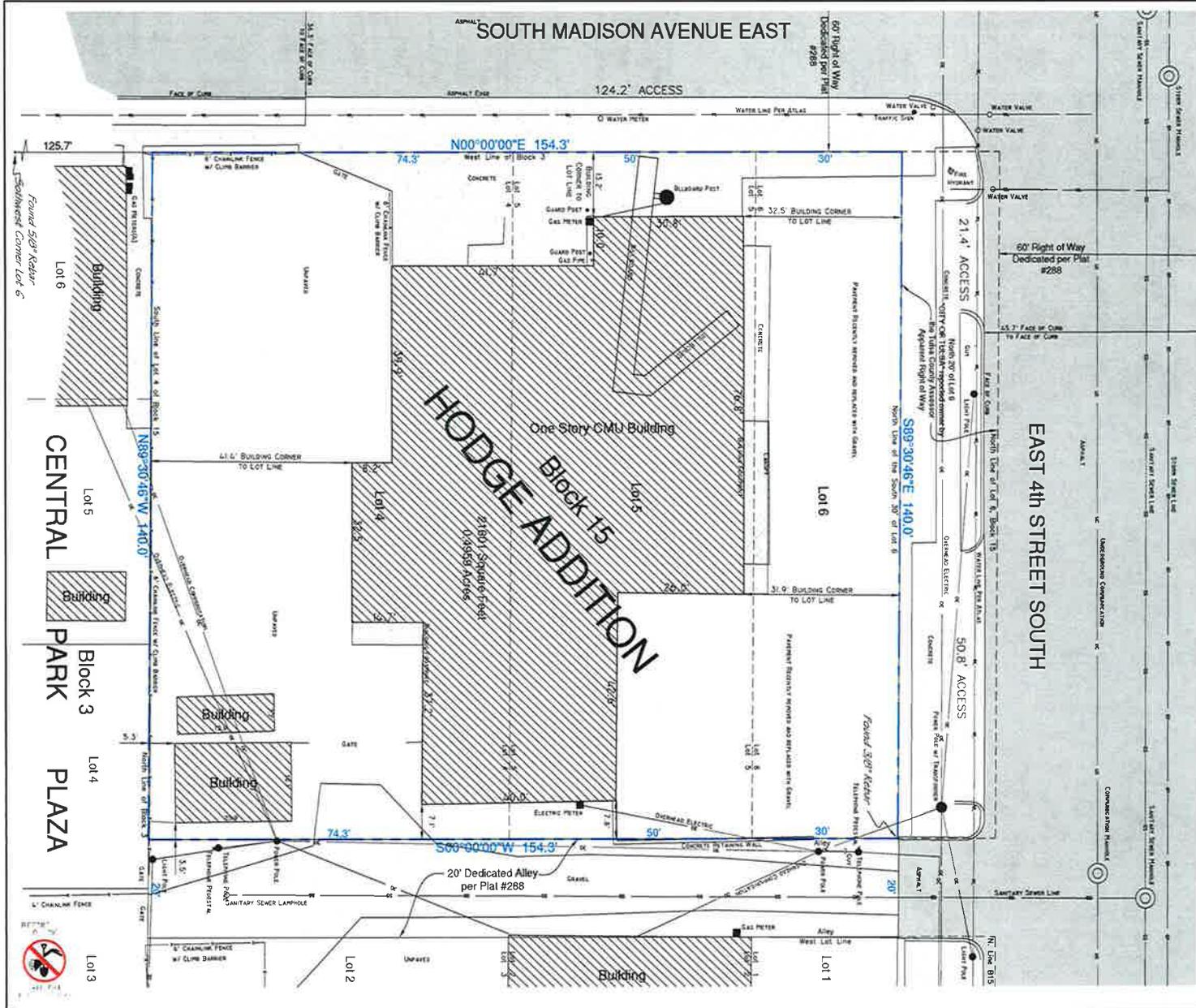
**A YES answer to the remaining questions would generally NOT be favorable to a plat waiver:**

- |  | YES | NO |
|--|-----|----|
| 4. Is right-of-way dedication required to comply with Major Street and Highway Plan?                   |     | X  |
| 5. Would restrictive covenants be required to be filed by separate instrument if the plat were waived? |     | X  |
| 6. Infrastructure requirements:  |     |    |

20.1

- a) Water
  - i. Is a main line water extension required? X
  - ii. Is an internal system or fire line required? X
  - iii. Are additional easements required? X
- b) Sanitary Sewer
  - i. Is a main line extension required? X
  - ii. Is an internal system required? X
  - iii. Are additional easements required? X
- c) Storm Sewer
  - i. Is a P.F.P.I. required? X
  - ii. Is an Overland Drainage Easement required? X
  - iii. Is on site detention required? X
  - iv. Are additional easements required? X
- 7. Floodplain
  - a) Does the property contain a City of Tulsa (Regulatory) Floodplain? X
  - b) Does the property contain a F.E.M.A. (Federal) Floodplain? X
- 8. Change of Access
  - a) Are revisions to existing access locations necessary? X
- 9. Is the property in a P.U.D.? X
  - a) If yes, was plat recorded for the original P.U.D.
- 10. Is this a Major Amendment to a P.U.D.? X
  - a) If yes, does the amendment make changes to the proposed physical development of the P.U.D.? X
- 11. Are mutual access easements needed to assure adequate access to the site? X
- 12. Are there existing or planned medians near the site which would necessitate additional right-of-way dedication or other special considerations? X

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



**Legal Description:**

The South Half(5/2) of Lot Four (4), Block Fifteen (15), HODGE ADDITION to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat No. 288.

The North Half(1/2) of Lot Four (4), Block Fifteen (15), HODGE ADDITION to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat No. 288.

Lot Five (5) and the South 30 feet of Lot Six (6), in Block Fifteen (15) in HODGE ADDITION to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat No. 288.

**Address:**

1004 East Fourth Street and 401 South Madison, Tulsa, Oklahoma

**Exceptions:**

Commitment for Title Insurance, Case No. 86456 Effective Date: June 10 2014 at 7:00:00 AM

8. Covenants, conditions, restrictions, easements and building setback lines contained in the Certificate of Dedication for Plat of Hodge Addition, filed October 24, 1904, Dedication dated December 21, 1905, filed December 25, 1905 in Book V, Page 228, and as shown on Plat No. 288 of HODGE ADDITION, dated, filed February 18, 1918 as Document No. 102446 which does not provide for a forfeiture or reversion of interest, but, subjecting any covenant or restriction based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that said covenant(s) is exempt under Chapter 42, Section 3607 of the United States Code or (s) relates to handicap but does not discriminate against handicap people.

Affects Subject property as may be shown.

9. Special easements, if any, due to the Tulsa Stadium Improvement District No. 1.

Subject Property is East of the East leg of the IDL (Inner Dispersal Loop) and therefore is not affected.

**Notes:**

The Horizontal Datum and Bearings are based on an Assumed Bearing of North along the West Line of Block 15, Hodge Addition.

Area = 21601 Square Feet or 0.4955 Acres

Monuments are either a 3/8" rebar with plastic cap stamped "GEODECA CAS524" or MAG Nail with steel washer stamped "GEODECA CAS524", unless monument found.

All underground utilities were located by observable evidence and shown to the extent known. Caution, all underground lines may not be known, shown or shown accurately. Call "OKIE" (1-400-522-0543) before digging.

All private service lines and entries may not be known or shown.

Subject Property wholly within Flood Zone X (unshaded) FIRIM Map Parcel # 4014302040L, Revised October 18, 2012

North 20 of Lot 6 appears to be Right of Way. No Document provided. CITY OF TULSA reported owner by the Tulsa County Assessor.

Access to the South and East side of building also from the alley

No Document provided regarding the Large Billboard at Northwest Corner of Property.

Overhead Electric and Communication lines cross property as shown. Power Pole in Alley slightly in Property.

New concrete retaining wall encroaches into alley by 1" at south end. Pavement at North side of property recently removed.

No zoning report provided.

**Certification:**

To: September Stearn, LLC, an Oklahoma limited liability company, and or assigns  
 First Title & Abstract Services, LLC  
 Old Republic National Title Insurance Company

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NPS, and includes items of Table A (1.2.3.4) thereof. The field work was completed on June 17 2014. This Plat of Survey meets the Oklahoma Minimum Standards for the practice of Land Surveying as adopted by the Oklahoma State Board of Registration for Professional Engineers and Land Surveyors.

Witness my hand and seal this 25th day of July 2014

*Richard M. Muzika*  
 Richard M. Muzika  
 Licensed Professional Land Surveyor  
 Oklahoma No. 1603  
 GEODECA LLC  
 CA # 5224 renewal date June 30th, 2016

ALTA/ACSM Land Title Survey			
Lot 4, lot 5 & the South 30' of Lot 6 of Block 15, Hodge Addition, Plat #288			
Survey Date	June 17, 2014	Issue Date	July 7, 2014
Project #	1456020	Drafter	RMM/RL
Scale	1" = 30'	Approver	RMM
SECTION 1, T18N, R12E, W1M Tulsa County			

20.3





Tulsa Metropolitan Area  
Planning Commission

**Case Number:** Z-7324

**Hearing Date:** December 2, 2015

**Case Report Prepared by:**

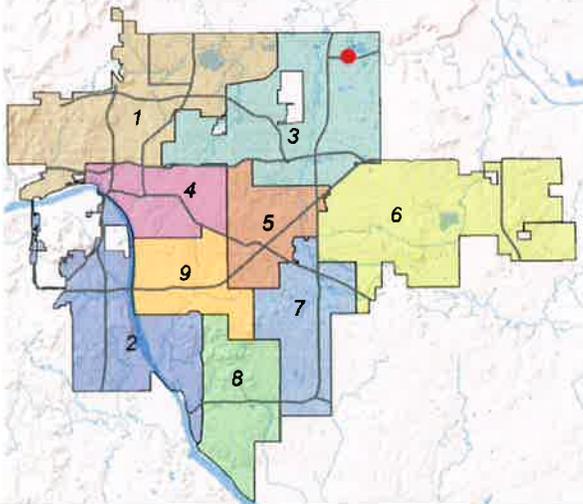
Dwayne Wilkerson

**Owner and Applicant Information:**

*Applicant:* Roy Johnsen

*Property Owner:* Anchor Stone Company

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



**Applicant Proposal:**

*Present Use:* Vacant

*Proposed Use:* Retail Fuel Sales

*Concept summary:* Rezoning requested in anticipation of retail fuel sales primarily for the associated quarry operations in the area.

*Tract Size:* 1.84 ± acres

*Location:* Northwest corner of E. 46th St. N. and N. 129th E. Ave.

**Zoning:**

*Existing Zoning:* AG

*Proposed Zoning:* IH

**Comprehensive Plan:**

*Land Use Map:* Employment

*Stability and Growth Map:* Area of Growth

**Staff Recommendation:**

**Staff recommends approval.**

**Staff Data:**

TRS: 0409

CZM: 24

Atlas: 964

**City Council District:** 3

*Councilor Name:* David Patrick

**County Commission District:** 1

*Commissioner Name:* John Smaligo

21.1

**SECTION I: Z-7324**

**DEVELOPMENT CONCEPT:**

**EXHIBITS:**

- INCOG Case map
- INCOG Aerial (small scale)
- INCOG Aerial (with zoning areas)
- Tulsa Comprehensive Plan Land Use Map
- Tulsa Comprehensive Plan Areas of Stability and Growth Map
- Applicant Exhibits:
  - Aerial photo with concept illustration
  - Fuel dispensing station photograph

**DETAILED STAFF RECOMMENDATION:**

Z-7324 requesting IH zoning is compatible with the Employment Land use classification in the Comprehensive Plan and,

IH zoning is harmonious with the anticipated development pattern along both sides of East 46<sup>th</sup> Street north between Highway 169 and North 129<sup>th</sup> East Avenue and,

The Zoning Request for IH uses are compatible with the existing development surrounding the site in all directions therefore,

**Staff recommends approval of Z-7324 to rezone property from AG to IH.**

**SECTION II: Supporting Documentation**

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

*Staff Summary: The Comprehensive Plan Land Use Map recognizes the site as an Employment area recognizing the long history of limestone quarry activity. Quarry operations have been allowed through the special exception process at the Board of Adjustment. The existing quarry operations include AG zoned land and an area of IH zoning northwest of this request. The current site and adjacent property have been approved for mining, quarrying and extraction of stone, sand and gravel including processing, crushing, washing, sale and loading of crushed rock, sand and gravel the Board of Adjustment. The employment land use vision does not specifically mention mining however there are several references to mining as one of the largest growth sectors for employment. The latest numbers available when the Comprehensive Plan was adopted indicated that natural resource and mining was the second largest growth sector with a 28.8% growth adding 1500 jobs between 2000 and 2007.*

**Land Use Vision:**

*Land Use Plan map designation: Employment*

Employment areas contain office, warehousing, light manufacturing and high tech uses such as clean manufacturing or information technology. Sometimes big-box retail or warehouse retail clubs are found in these areas. These areas are distinguished from

mixed-use centers in that they have few residences and typically have more extensive commercial activity.

Employment areas require access to major arterials or interstates. Those areas, with manufacturing and warehousing uses must be able to accommodate extensive truck traffic, and rail in some instances. Due to the special transportation requirements of these districts, attention to design, screening and open space buffering is necessary when employment districts are near other districts that include moderate residential use.

*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:* East 46<sup>th</sup> Street north is anticipated to be a primary arterial. No special design considerations are anticipated for this street. This site is near the east edge of 4 lane construction however the current street configuration is only a two lane street. The major street and highway plan anticipates 4 lane street construction in this area.

*Trail System Master Plan Considerations:* None

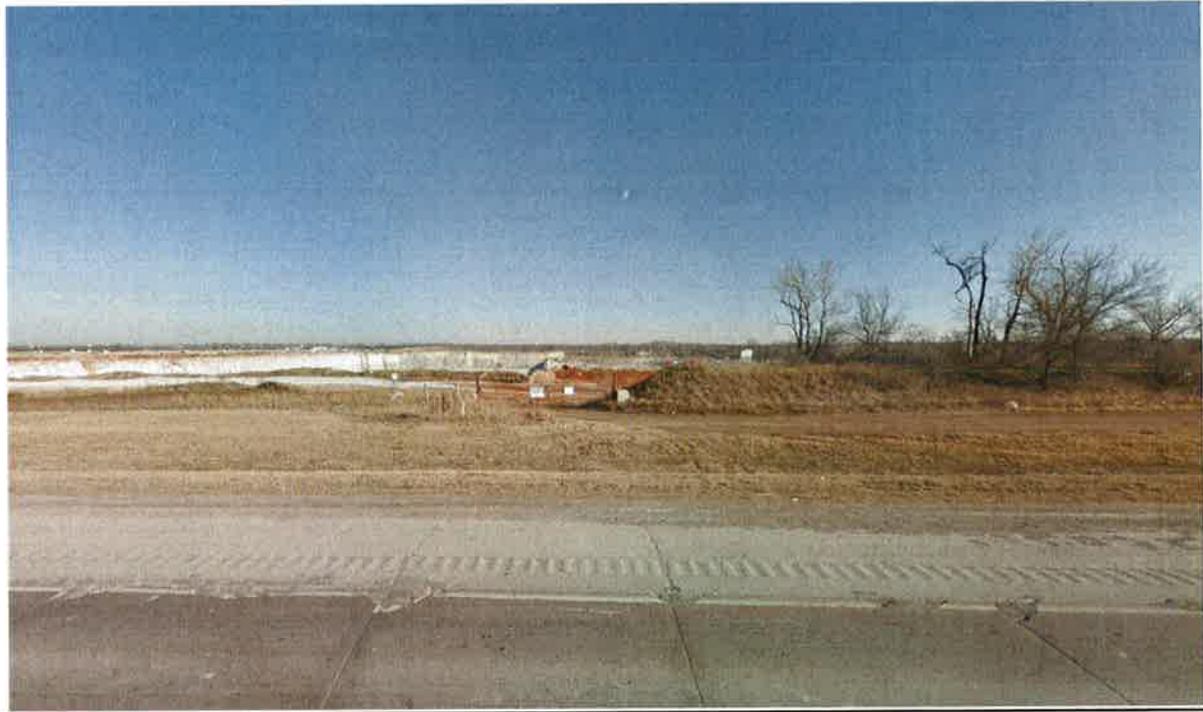
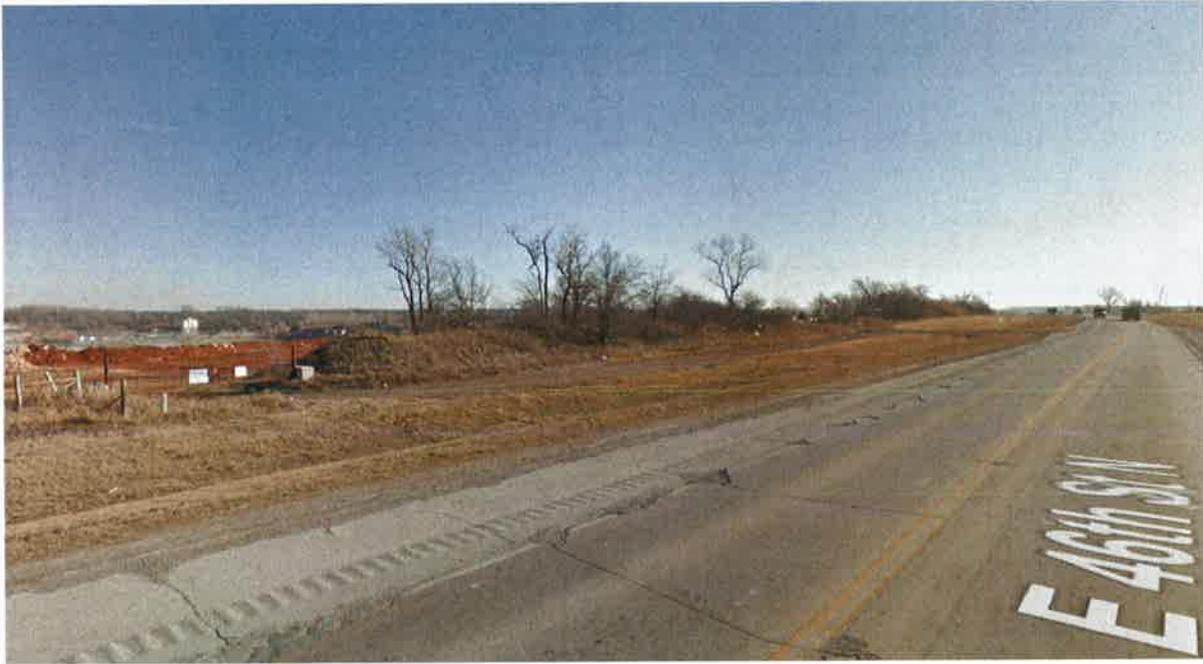
Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

*Staff Summary:* The site is on the edge of a limestone quarry and is currently being modified with a dirt work project. The small size of the IH request will be compatible with the continuation of future quarry operations north of East 46<sup>th</sup> Street North between Highway 169 and North 129<sup>th</sup> East Avenue.



Environmental Considerations:

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 46 <sup>th</sup> Street North	Primary arterial	120 feet	

Utilities:

The subject tract has municipal water available. Sanitary sewer is expected to be provided through a private system approved by the Oklahoma Department of Environmental Quality.

21.4

Surrounding Properties: The subject tract is abutted on the north, east and west by a large limestone quarry, zoned AG. South across East 46<sup>th</sup> street North a large parcel of undeveloped land is zoned IH.

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

**ZONING ORDINANCE:** Ordinance number 11804 dated June 26, 1970, established zoning for the subject property.

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

**BOA-18611 December 14, 1999:** The Board of Adjustment **approved** a *Special Exception* to permit limestone mining in an AG and IM district, finding it will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code; located north of E. 46<sup>th</sup> St. N. at N. 129<sup>th</sup> E. Ave. and includes the subject property.

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

**BOA-20800 October 28, 2008:** The Board of Adjustment **approved** a *Special Exception* to permit a Rock Quarry (Use Unit 24 - Mining and Mineral Processing) in an AG district (Section 301), subject to the conditions submitted, including narrative and use conditions, as from Case No. 19674 on September 23, 2003, subject to the differences in the changes in setbacks according to new requirements, on property located northwest of the intersection of 129<sup>th</sup> East Avenue and 46<sup>th</sup> Street North.

**BOA-19674 September 23, 2003:** The Board of Adjustment **approved** a *Special Exception* to permit within an 80 acre tract in the IH and AG zoning districts the mining, quarrying and extraction of stone, sand and gravel including processing, crushing, washing, sale and loading of crushed rock, sand and gravel for utilization off the premises, to include all conditions in applicant's Exhibit A: 1) the quarry shall be operated in accord with the following: a) The Oklahoma Department of Mines, Non-Coal Mining Rules and Regulations and permits thereunder; b) the Oklahoma Department of Environmental Quality Rules and Regulations and permits thereunder; c) the federal Mining Safety and Health Act (MSHA) which establishes safety regulations for quarry operations; d) all applicable ordinances and regulation of the City of Tulsa and the City-County Health Department; 2) the quarry walls shall be setback a minimum distance from the property boundaries as follows: a) 50 ft. from the northern right-of-way line of E. 46<sup>th</sup> St. N. b) 400 ft. from the centerline of the southernmost City of Tulsa Spavinaw water flow line; c) 10 ft. from the west property line; d) 0 ft. from the east property line; 3) No fly-rock from the quarry shall be permitted; the conditions in Title 460:10-31-8 Chapter 10 of the Department of Mines Non-Commercial Rules and Regulations as follows: (attached); located north of E. 46<sup>th</sup> St. N., ½ mile east of N. Garnett Rd. and abutting the subject property to the west.

**Z-6837 October 2001:** All concurred in **approval** of a request for *rezoning* a 155± acre tract of land from AG to IM and IH, for industrial uses, on property located on the southeast corner of E. 46<sup>th</sup> St. N. and N. Garnett Rd. and south of subject property, across E. 46<sup>th</sup> St. N..

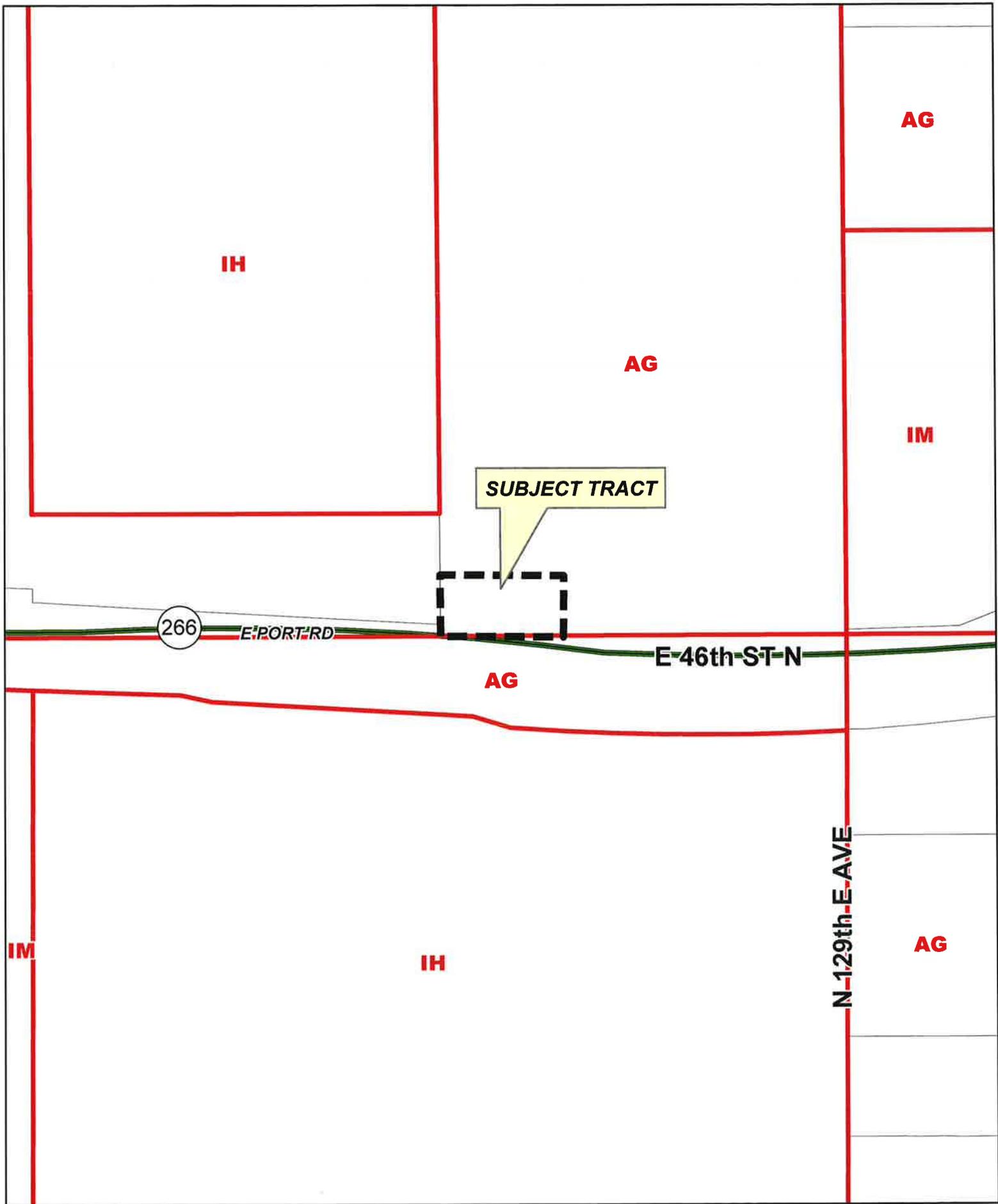
**BOA-18291 January 26, 1999:** The Board of Adjustment **approved** a *Special Exception* for mining/mineral processing and **approved** a *Special Exception* for cement, lime, gypsum, plaster of Paris, asphalt manufacturing and paving plants, and Mining and Mineral processing in an IM district; located to the east of N. 129<sup>th</sup> E. Ave. between E. 46<sup>th</sup> St. and E. 36<sup>th</sup> St. N.

21.5

**BOA-9523 June 16, 1977:** The Board of Adjustment **approved** a *Special Exception* to operate a quarry and asphalt producing plant as presented in an AG district; located at 12859 E. 46<sup>th</sup> St. N. and abutting north of the subject property.

12/2/2015 1:30 PM

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IH

AG

AG

IM

SUBJECT TRACT

266

E-PORT RD

AG

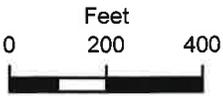
E-46th ST-N

IM

IH

N-129th-E-AVE

AG

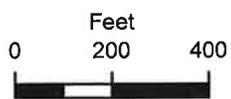
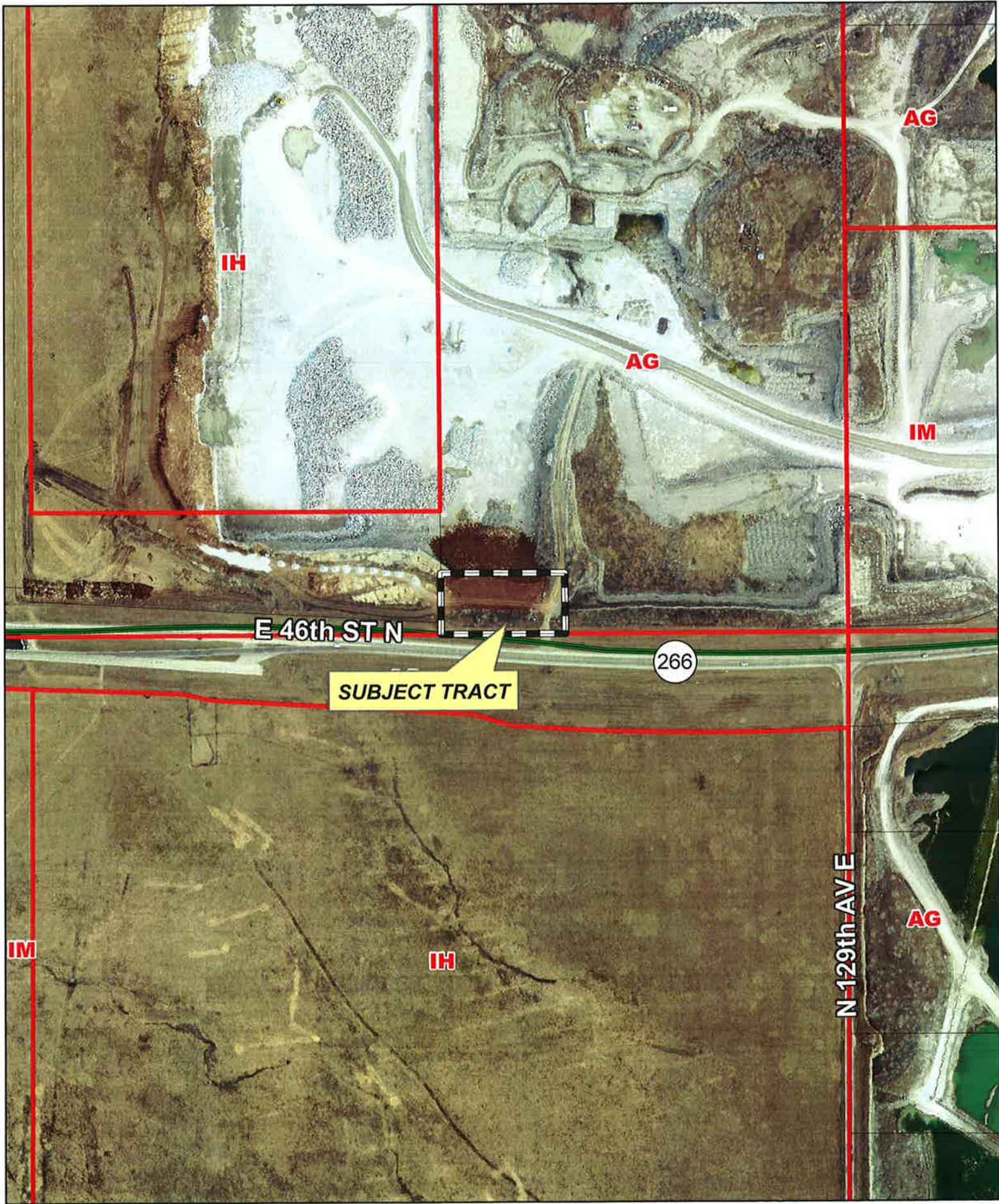


Z-7324

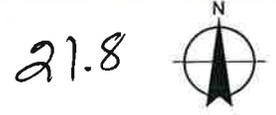
20-14 08

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08 20-14



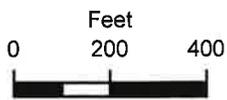


266

E 46th ST N

E 47th ST N

N-129th E AVE



Subject Tract

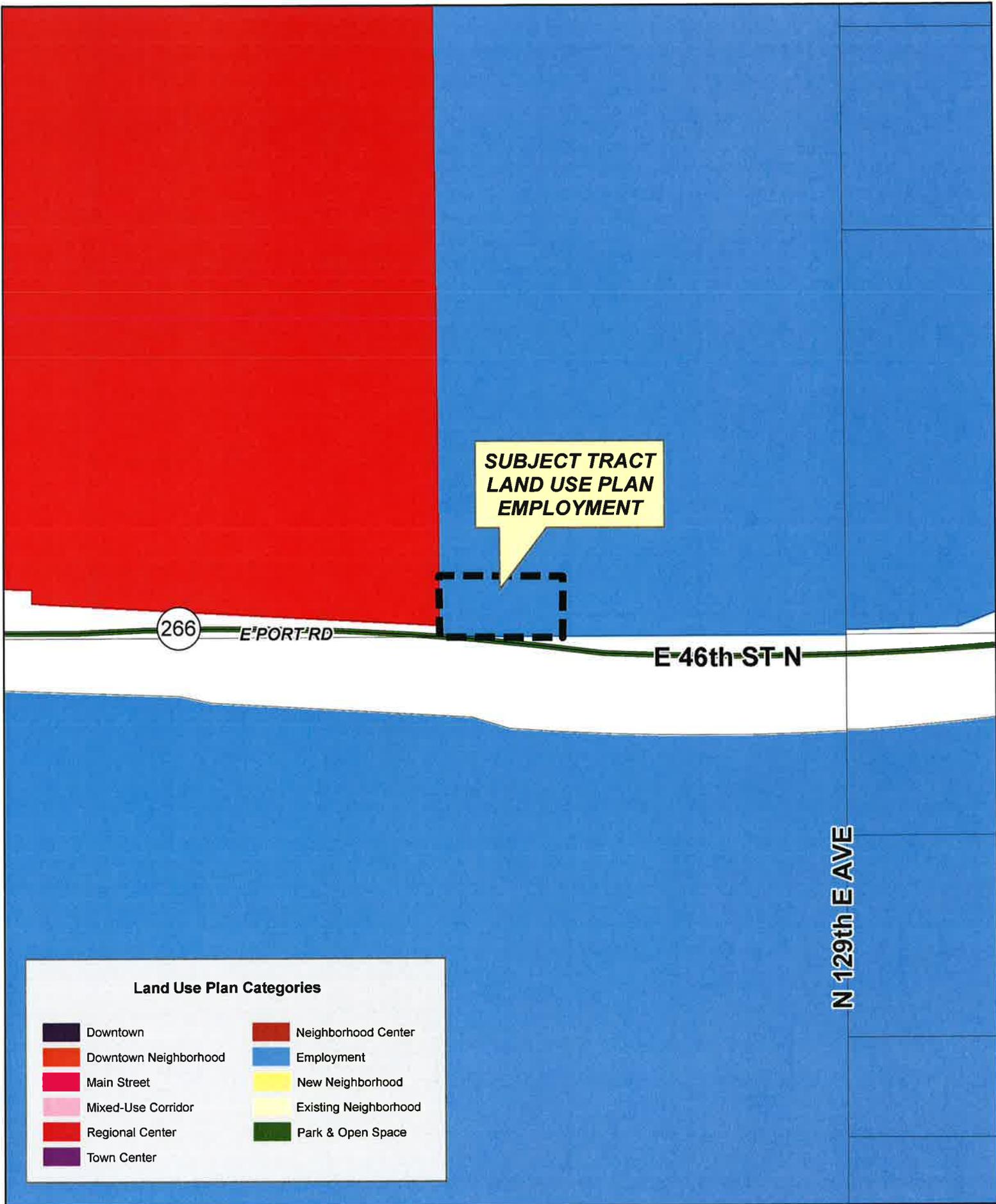
**Z-7324**

20-14 08

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

Aerial Photo Date: March 2014 219





**SUBJECT TRACT  
LAND USE PLAN  
EMPLOYMENT**

266

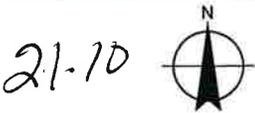
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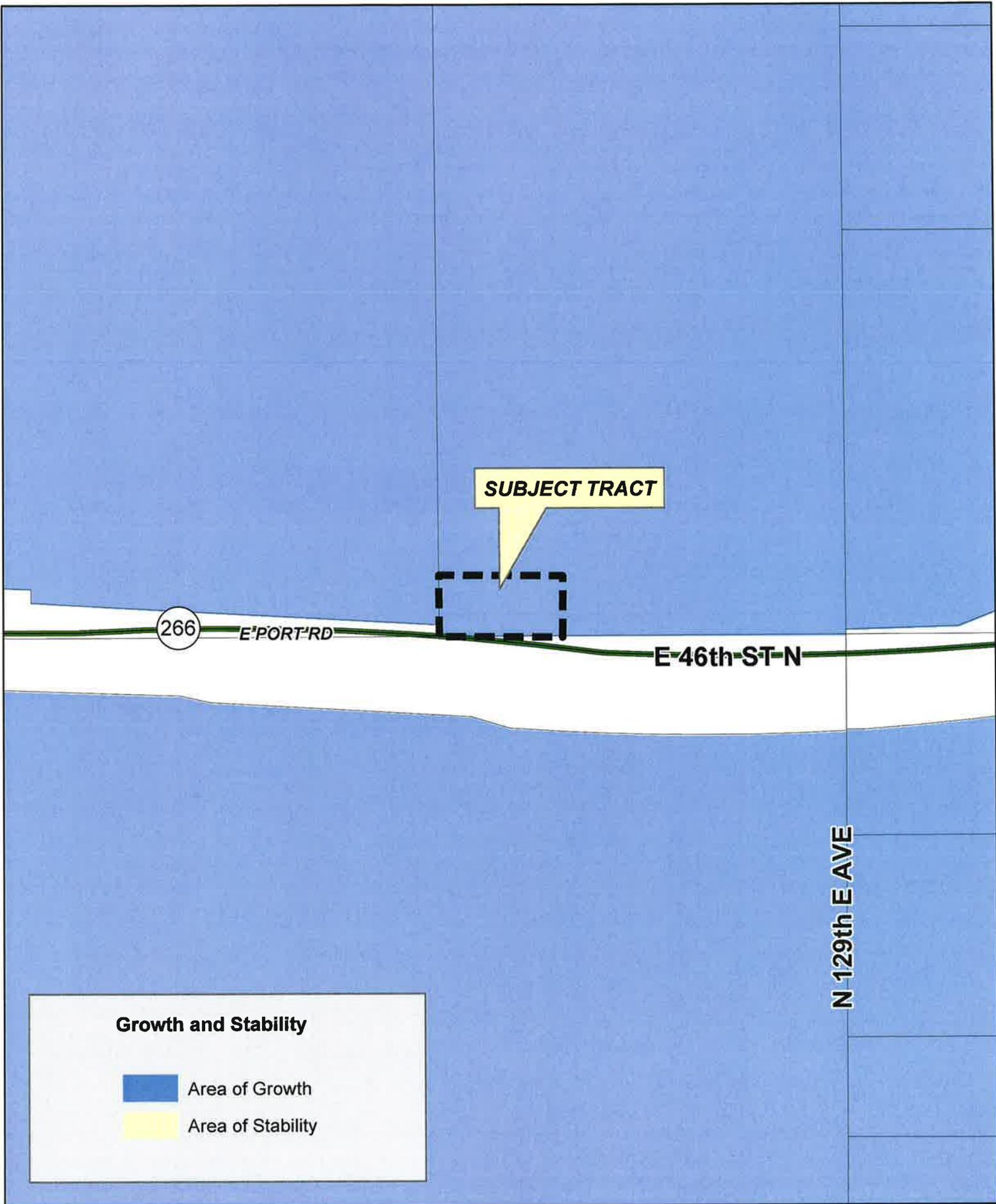
E-46th-ST-N

N 129th E AVE



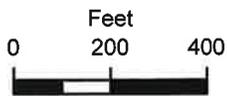
**Z-7324**  
20-14 08





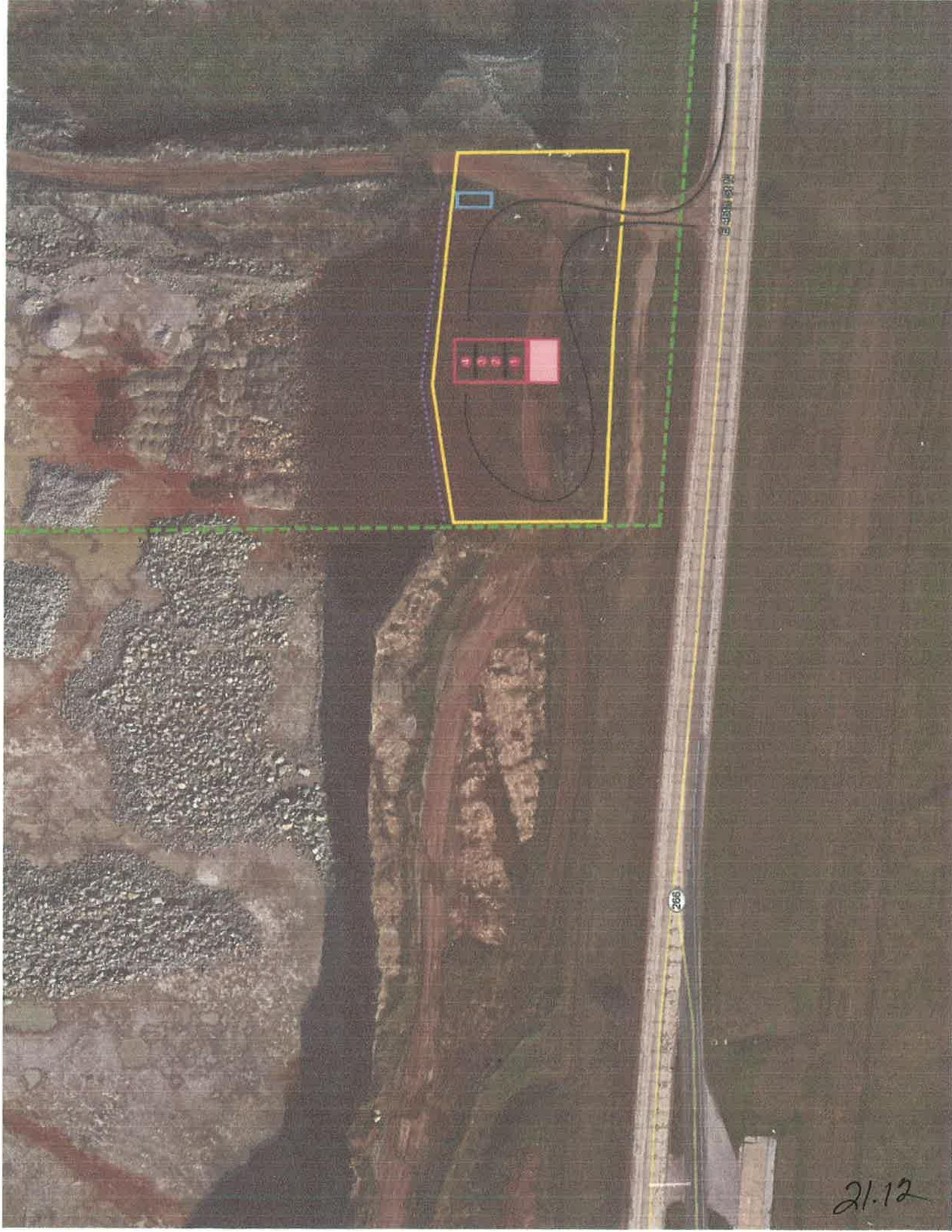
**Growth and Stability**

-  Area of Growth
-  Area of Stability



**Z-7324**  
20-14 08

21.11 



2012-08-15

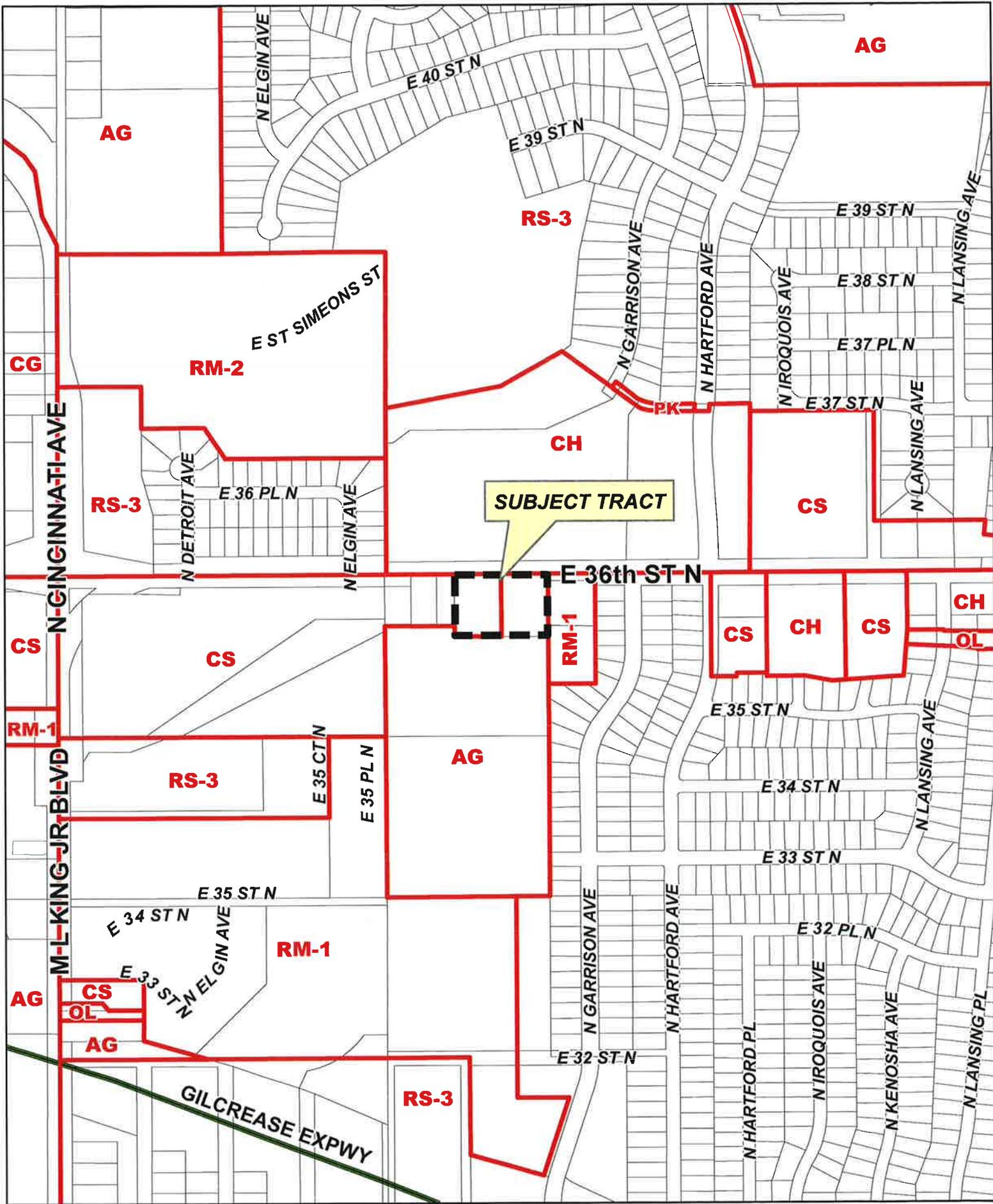
266

21.12



21.13





**Z-7318**

20-12 24

22.1



## Foster, Nathan

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**From:** Foster, Nathan  
**Sent:** Tuesday, November 24, 2015 1:52 PM  
**To:** 'Antoine Harris'  
**Subject:** RE: Zoning Application

Thanks, Antoine. I am removing your application from the December 2<sup>nd</sup> agenda.

**Nathan Foster** | Land Regulation Specialist  
2 West Second Street Suite 800 | Tulsa, Oklahoma 74103  
ph: 918.579.9474 | fax: 918.579.9574  
web: [www.incog.org](http://www.incog.org) | email: [nfoster@incog.org](mailto:nfoster@incog.org)



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**From:** Antoine Harris [<mailto:antoine@alfrescocdc.com>]  
**Sent:** Tuesday, November 24, 2015 1:52 PM  
**To:** Foster, Nathan  
**Subject:** Re: Zoning Application

Yes

Sent from my iPhone

On Nov 24, 2015, at 1:50 PM, Foster, Nathan <[NFoster@incog.org](mailto:NFoster@incog.org)> wrote:

Would you like this email to serve as a confirmation of your withdrawal?

**Nathan Foster** | Land Regulation Specialist  
2 West Second Street Suite 800 | Tulsa, Oklahoma 74103  
ph: 918.579.9474 | fax: 918.579.9574  
web: [www.incog.org](http://www.incog.org) | email: [nfoster@incog.org](mailto:nfoster@incog.org)  
<image001.jpg>

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**From:** Antoine Harris [<mailto:antoine@alfrescocdc.com>]  
**Sent:** Tuesday, November 24, 2015 9:22 AM  
**To:** Foster, Nathan  
**Subject:** Re: Zoning Application

Yes, Nathan. Sorry I haven't sent a email yet withdrawing my application.

AH

Sent from my iPhone

On Nov 24, 2015, at 8:42 AM, Foster, Nathan <[NFoster@incog.org](mailto:NFoster@incog.org)> wrote:

Antoine,

Is your intent still to withdraw your application or are you planning to proceed with the hearing on December 2<sup>nd</sup>?

Please let me know.

**Nathan Foster** | Land Regulation Specialist  
2 West Second Street Suite 800 | Tulsa, Oklahoma 74103  
ph: 918.579.9474 | fax: 918.579.9574  
web: [www.incog.org](http://www.incog.org) | email: [nfoster@incog.org](mailto:nfoster@incog.org)  
<image001.jpg>





Tulsa Metropolitan Area  
Planning Commission

**Case Number: Z-7321**

Related to PUD 842 and ~~GPA-39~~ (Withdrawn)

**Hearing Date: December 2, 2015**

(Continued from November 4, 2015)

**Case Report Prepared by:**

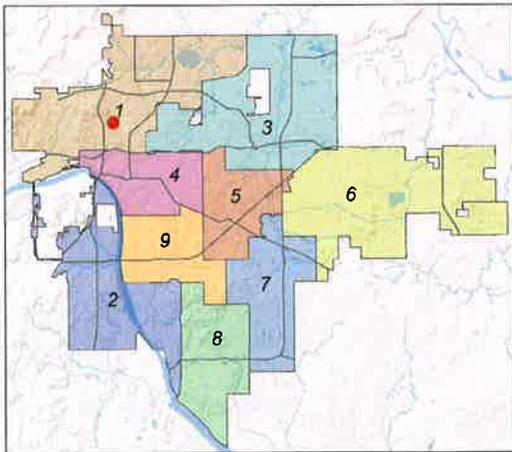
Dwayne Wilkerson

**Owner and Applicant Information:**

*Applicant:* Alan Betchan

*Property Owner:* TULSA DEVELOPMENT  
AUTHORITY

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



**Applicant Proposal:**

*Present Use:* Vacant

*Proposed Use:* Use Unit 14

*Concept summary:* Rezone property concurrent  
with a PUD overlay to support commercial  
redevelopment.

*Gross Land Area :* 1.25 ± acres

*Location:* Northeast corner of E. Queen Street. and  
N. Martin Luther King Jr. Blvd.

**Zoning:**

*Existing Zoning:* RS-4

*Proposed Zoning:* CS

**Comprehensive Plan:**

*Land Use Map:* Neighborhood Center/ New  
Neighborhood

*Stability and Growth Map:* Area of Growth

**Staff Recommendation:**

**Staff recommends denial.**

CS zoning without a PUD overlay is not compatible  
with the neighborhood redevelopment. Infill re-  
development meeting the vision of the  
Neighborhood Center identified in the  
Comprehensive Plan can only be implemented with  
a Planned Unit Development overlay. The Tulsa  
Development Authority Sector Plan for the area  
supports commercial development with specific  
development standards on this site.

**Staff Data:**

TRS: 0225

CZM: 28

Atlas: 162

**City Council District: 1**

*Councilor Name:* Jack Henderson

**County Commission District: 1**

*Commissioner Name:* John Smaligo

23.1

## SECTION I: Z-7321

### DEVELOPMENT CONCEPT:

#### 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  
City of Tulsa Planning Department Staff Analysis  
Applicant Exhibits:  
    Zoning Legal Description  
    See PUD 842

### DETAILED STAFF RECOMMENDATION:

Rezoning request from RS-4 to CS may not be consistent with the Tulsa Comprehensive Plan which identifies this area as a New Neighborhood and Neighborhood Center and,

The Tulsa Development Authority Sector Plan which also recommends this site as a residential and commercial area and provides design standards that cannot be implemented with straight zoning. The associated PUD 842 provides those standards. Staff does not recommend the zoning without a PUD and,

The adjacent neighborhood is a significant consideration for this request. The City Planning Department has provided recommendations and concepts supporting small multi family or single family development on this site that are not consistent with CS zoning. The commercial development may be injurious to the anticipated and recent redevelopment of the single family residential neighborhood therefore,

**Staff recommends Denial of Z-7321 to rezone property from RS-4 to CS.**

## SECTION II: Supporting Documentation

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: The Tulsa Comprehensive plan and the Tulsa Development Authority Sector Redevelopment Plan illustrate that this site is on the edge of commercial and residential development. The Neighborhood Center concept identified in the Tulsa Comprehensive Plan recognizes that this area can be a small scale one to three story mixed use area intended to serve nearby neighborhoods with retail, dining, and services. The edges are typically recognized as areas with apartment's condominiums and townhouse with small lot single family homes on the edges. CS zoning allows residential uses and could be supported by the Comprehensive plan when developed in context with the neighborhood.*

*The Comprehensive Plan conflicts with the Tulsa Development Authority Sector Plan. The Sector Plan identifies this area as a commercial and office area.*

### Land Use Vision:

*Land Use Plan map designation:* Neighborhood Center, New Neighborhood

23.2

Neighborhood Centers are small-scale, one to three story mixed-use areas intended to serve nearby neighborhoods with retail, dining, and services. They can include apartments, condominiums, and townhouses, with small lot single family homes at the edges. These are pedestrian-oriented places served by transit, and visitors who drive can park once and walk to number of destinations.

The New Neighborhood is intended for new communities developed on vacant land. These neighborhoods are comprised primarily of single-family homes on a range of lot sizes, but can include townhouses and low-rise apartments or condominiums. These areas should be designed to meet high standards of internal and external connectivity, and shall be paired with an existing or new Neighborhood or Town Center.

*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:*

Martin Luther King Jr. Blvd is a fully developed secondary arterial street with 4 lanes of traffic. Redevelopment of this site, with any of the anticipated uses that commercial or residential zoning would allow, will increase traffic on existing street infrastructure. Existing street infrastructure can easily support small scale commercial or any residential zoning use in this area.

Part of the street system should include sidewalks. Along Martin Luther King Jr. Blvd a sidewalk has been constructed however no sidewalks are currently located on East Queen Street. Sidewalks will support the neighborhood center concept and will be required as part of the PUD and replat process.

*Trail System Master Plan Considerations: None*

Small Area Plan: None

23.3

Special District Considerations:

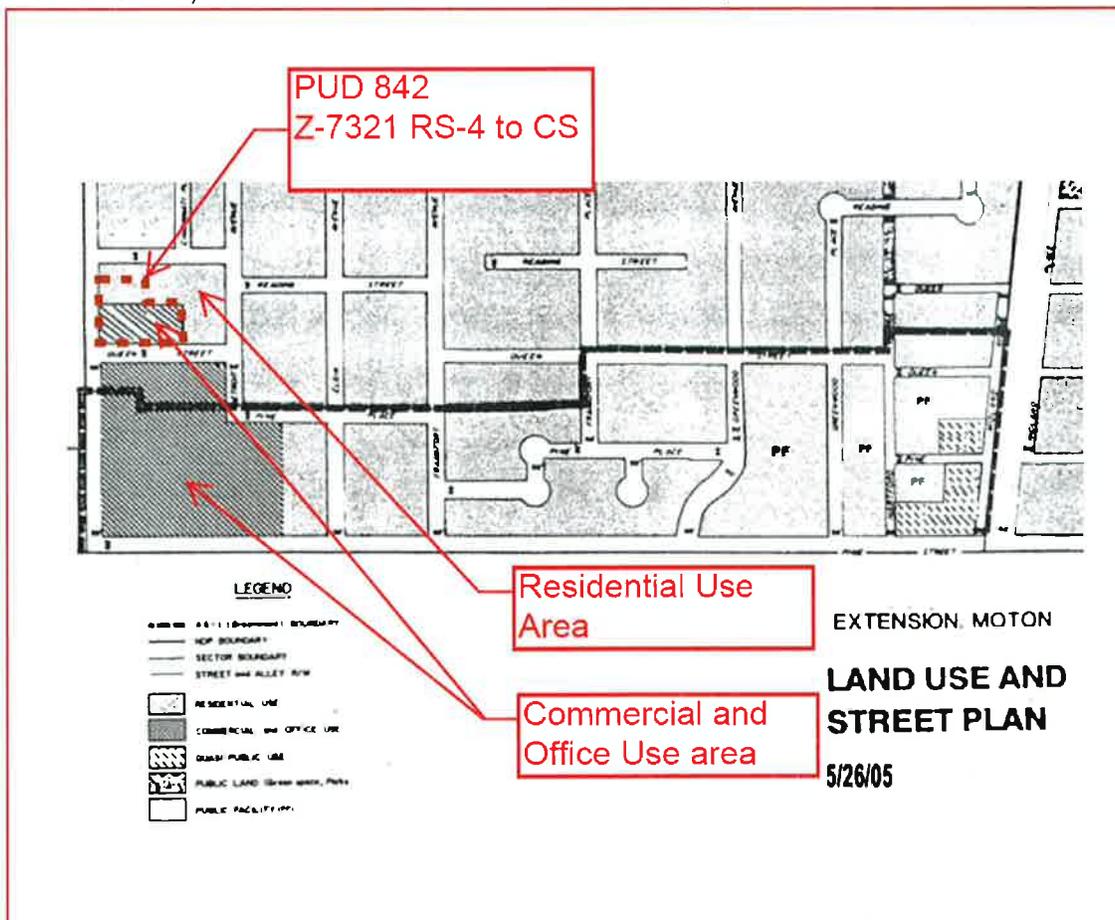
Tulsa Development Authority Sector Plan for the Extension and Moton Sectors:

Many development standards for Commercial shopping areas are recommended in the sector plan but none of those standards can be implemented without a PUD overlay. The PUD submitted with the zoning application provides many of the opportunities for implementing standards outlined in the Sector Plan for this area.

The following list defines a few of the sector plan standards that are recommended:

- 1) Yard areas and other open spaces shall be landscaped and maintained in a neat condition.
- 2) A minimum of one parking space per each 225 square feet of building area
- 3) Off street loading facilities shall be provided for each commercial establishment where a loading dock is necessary shall be located so as not to interfere with offsite and or on site pedestrian and vehicular traffic and shall be screened from view of any residential district.
- 4) No building shall cover more than twenty five percent of the lot area
- 5) All outdoor mechanical refuse and other storage areas shall be visually screened from adjacent structures
- 6) No building or structure shall exceed one story in height
- 7) No building or other structure including advertising signs paving curbing decorative and protective walls or landscaping shall be constructed or reconstructed before plan for such construction have been submitted to the Tulsa Development Authority of approval.
- 8) Ingress and egress will be from arterial streets and not residential or collector streets

EXTENSION, MOTON SECTOR LAND USE MAP:



23.9

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: Existing site conditions are suitable for redevelopment opportunities. Existing utility infrastructure may conflict with redevelopment plans and may require relocation of underground and overhead utilities. The site is gently sloping and should not affect redevelopment plans.

Environmental Considerations: None that would affect redevelopment opportunities for residential or commercial development.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
North Martin Luther King Blvd.	Secondary arterial	100'	4
East Queen Street South*	None	50'	2

\*The existing street right of way is 60 feet and exceeds the minimum standards for a street that is not classified on the major street and highway plan

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties: The subject tract is abutted on the east by single-family residential uses, zoned RS-4; on the north by single-family residential and vacant residential uses, zoned RS-4; on the south by the North Pointe office/retail center, zoned CS; and on the west by single-family, zoned RS-3.

**SECTION III: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 22465 (Z-7169) and 22467 (PUD-743-A) dated July 14, 2011, established zoning for the subject property.

**Subject Property:**

**Z-7169 July 2011:** All concurred in **approval** of a request for *rezoning* a 39,857± square foot tract of land from OL/ PUD-743 to RS-4, for single-family homes, on property located on the northeast corner of N. Cincinnati Ave. and E. Queen St. and is also a part of the subject property.

**PUD-743-A July 2011:** All concurred in **approval** of a proposed *Major Amendment to Abandon* a PUD on a 39,857± square foot tract of land for future single-family home development, on property located on the northeast corner of N. Cincinnati Ave. and E. Queen St. and is also a part of the subject property.

**Z-7068/PUD-743 October 2007:** All concurred in **approval** of a request for *rezoning* a 37,800± square feet tract of land from RS-4 to OL/PUD-743 for dental offices, clinics, laboratories and related dental research facilities on property located northeast corner of N. Cincinnati Ave. and E. Queen St. and is also a part of the subject property.

23.5

**Z-7057 June 2007:** All concurred in **denial** of a request for *rezoning* a 37,900± square feet tract of land from RS-4 to OM on property located northeast corner of N. Cincinnati Ave. and E. Queen St. and is also a part of the subject property.

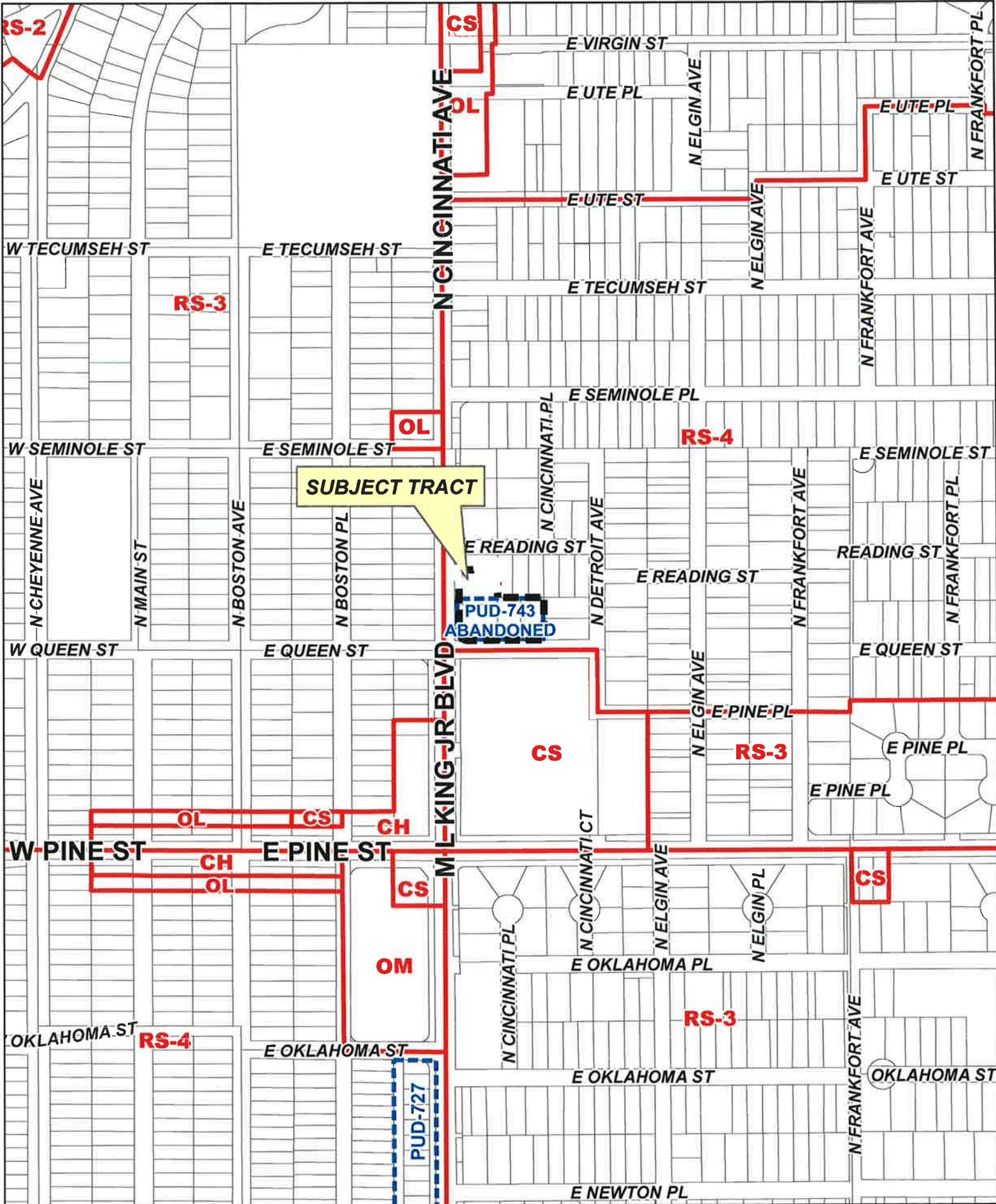
**Z-6428 January 1994:** All concurred in **approval** of a “blanket *rezoning*” on lots lying between N. Cincinnati Ave. and the Missouri-Pacific Railroad right-of-way; from E. Ute Pl. on the north to E. Pine Pl. on the south, from RM-1 to RS-4. The subject property was included in this action.

***Surrounding Property:***

**Z-5893 March 1984:** All concurred in **approval** of a request for *rezoning* a large tract of land on property located between N. Peoria Ave. and N. Cincinnati Ave., E. Apache St. and E. Archer St., from RS-3/ RM-1/ CS/ IM/ IL to RS-3/ RM-1/ RM-2/ OM/ CS/ CH/ IL for rehabilitation of housing and businesses. This rezoning case zoned the property abutting south, across E. Queen St. from the subject property, to CS zoning.

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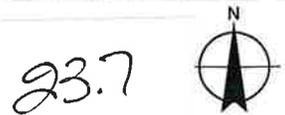
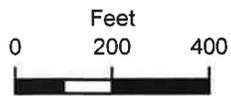


**SUBJECT TRACT**

**PUD-743  
ABANDONED**

**Z-7321**

20-12 25





23.8

Note: Graphic overlays may align with physical features o  
Aerial Photo Date: Mar.

Z-7321

20-12 25





M L KING JR BLVD

N CINCINNATI AVE

E READING ST

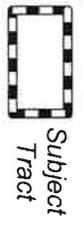
RD # 842

N CINCINNATI PL

E QUEEN ST

Z-7321

N DETROIT AVE



Subject Tract

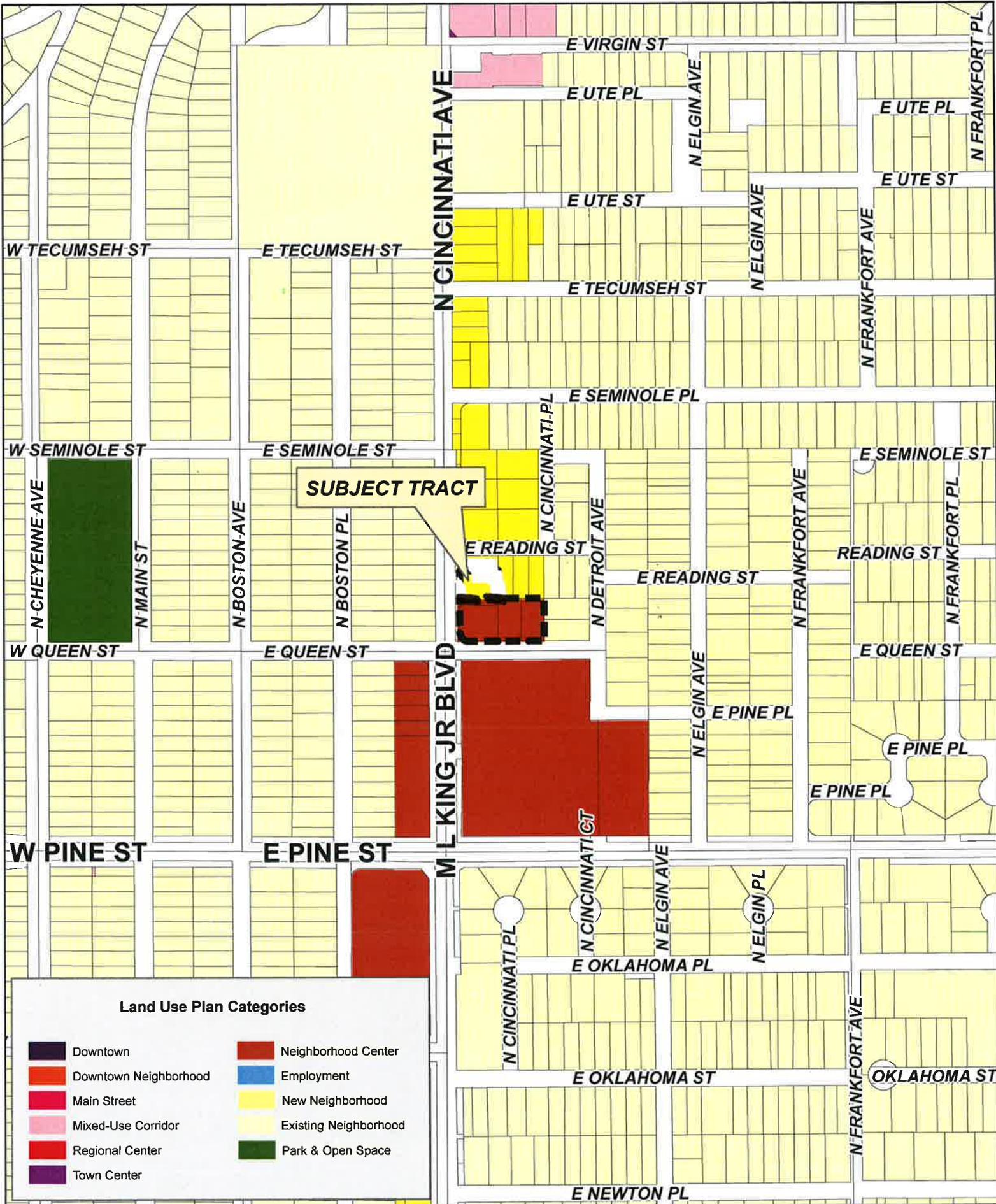
Z-7321

20-12 25

Note: Graphic overlays align with physical features. Aerial Photo Date: 1/23/9

23.9

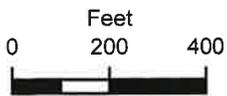




**SUBJECT TRACT**

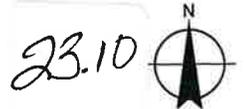
**Land Use Plan Categories**

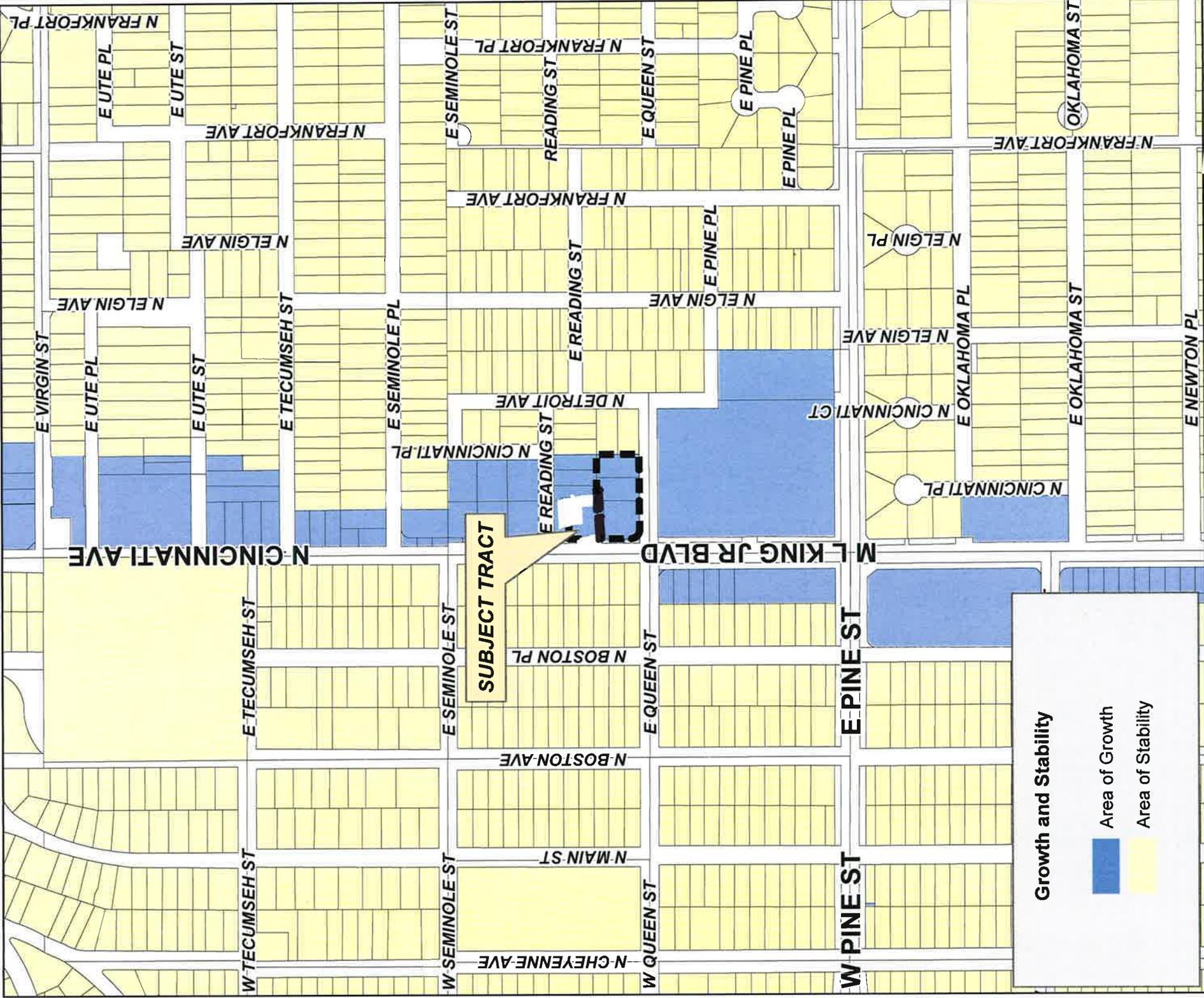
- |  |   |
|--|---|
|  Downtown              |  Neighborhood Center   |
|  Downtown Neighborhood |  Employment            |
|  Main Street           |  New Neighborhood      |
|  Mixed-Use Corridor    |  Existing Neighborhood |
|  Regional Center       |  Park & Open Space     |
|  Town Center      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



**Z-7321**

20-12-25





**SUBJECT TRACT**

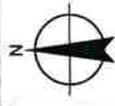
**Growth and Stability**

- Area of Growth
- Area of Stability



**Z-7321**

20-12 25



*SB.11*

POTENTIAL DEVELOPMENT ASSESSMENT  
NORTHEAST CORNER OF N. CINCINNATI AVENUE & E. QUEEN STREET

AREA ZONING:

Base Zoning RS-4; Ord. 22465

PUD/SD: Planned Unit Development (PUD-743) Abandoned; Ord. 22467.

COMPREHENSIVE PLAN DESIGNATION:

A Neighborhood Center is defined within the Tulsa Comprehensive Plan as follows:

**“Neighborhood Centers**

“Neighborhood Centers are small-scale, one to three story mixed-use areas intended to serve nearby neighborhoods with retail, dining, and services. **They can include apartments, condominiums, and townhouses, with small lot single family homes at the edges.** These are pedestrian-oriented places served by transit, and visitors who drive can park once and walk to number of destinations.”

The Plan indicates in “Visualizing Building Blocks for Plan Categories” that such centers have an average 5 households per acre and 12 jobs per acre.

The Plan also indicates that such centers are projected to provide 5% of new future housing units and 5% of new future jobs for the Plan’s “Build-Out Capacity”. It is anticipated that Neighborhood Centers include residential uses and particularly at the outer edges of such Centers.

The Sector Plan (“Amendments to Neighborhood Development Program Area (ND-401) for the Extension & Moton Sector”) for this area was amended by TDA June 9, 2004, TMAPC July 7, 2004 and Tulsa City Council May 26, 2005 and it expires June 2, 2014. It and other area Sector Plans are currently under study for updating and renewal as appropriate. No information from the on-going study is currently available.

It has been noted that property located at the northeast corner of N. Cincinnati Avenue and NE. Pine Street was designated by the Land Use and Street Plan planned for residential use until it was amended in 2005 to accommodate a proposed office development. That proposed use did not come to fruition.

Conceptual uses which would be consistent with the 2010 Tulsa Comprehensive Plan (the Plan) are depicted in the attached exhibit and include four different uses consistent and in context with Plan designation of a Neighborhood Center. These four concepts include an office, townhouses and single-family development. As the Plan sets forth, such uses would provide an appropriate transition between commercial/retail development at the North Pointe shopping center and the adjoining Existing Neighborhoods. Such uses would support achievement of The Plan’s Land Use Goal 13 and policy 13.1 which state:

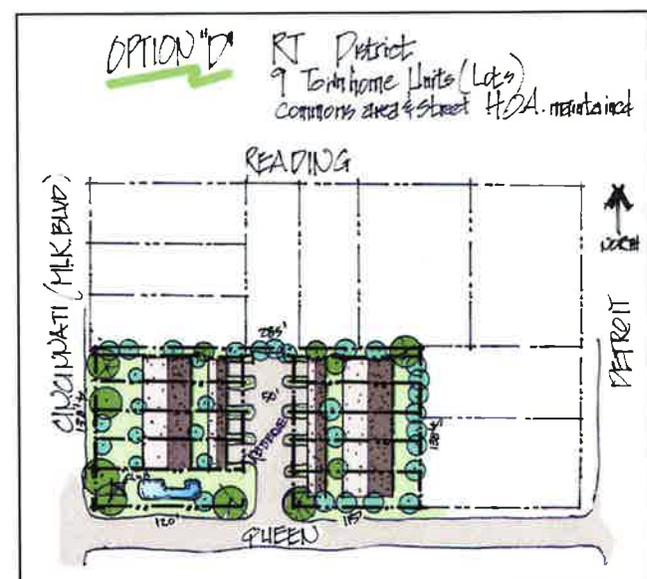
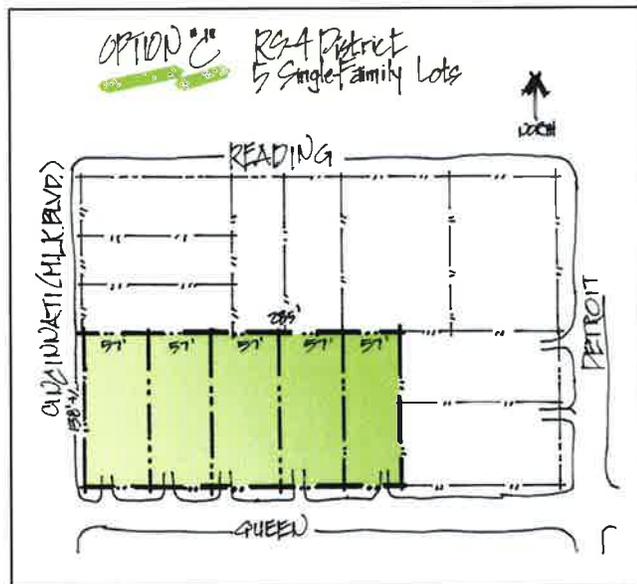
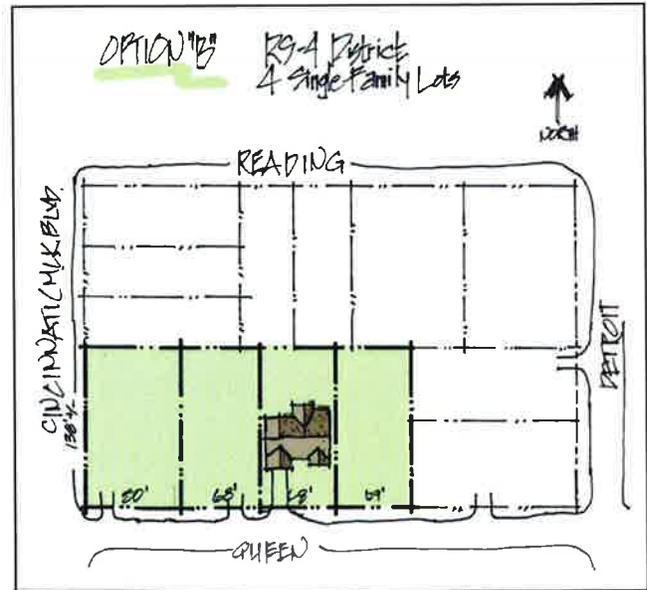
*“Goal 13 - Existing neighborhoods are stable and infill development revitalizes, preserves and enhances these urban areas. Policies to support this goal include:*

*“13.1 Promote the unique characteristics of existing neighborhoods as key to the city’s long-term health and vitality.*

- Provide appropriate transitions between nonresidential uses and neighborhoods to protect stability and quality of life.”

The addition of added commercial/retail zoning and land use at this location would not provide a suitable transition between area uses and could destabilize a Plan designated Existing Neighborhood. This could introduce traffic patterns that could conflict with that of area residential uses.

ILLUSTRATIVE DEVELOPMENT CONCEPTS :



Z-7321

CS ZONING LEGAL DESCRIPTION (11.25.15)

A TRACT OF LAND IN SECTION TWENTY-FIVE (25), TOWNSHIP TWENTY (20) NORTH, RANGE TWELVE (12) EAST, THAT IS PART OF THE DICKASON GOODMAN ADDITION, AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION TWENTY-FIVE (25), TOWNSHIP TWENTY (20) NORTH, RANGE TWELVE (12) EAST; THENCE NORTH  $01^{\circ}10'57''$  WEST ALONG WEST LINE OF SAID SECTION TWENTY-FIVE (25) FOR A DISTANCE OF 658.38 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH  $01^{\circ}10'57''$  WEST ALONG WEST LINE OF SAID SECTION TWENTY-FIVE (25) FOR A DISTANCE OF 170.00 FEET; THENCE NORTH  $88^{\circ}43'03''$  EAST FOR A DISTANCE OF 50.00 FEET TO THE NORTHWEST CORNER OF LOT TEN (10), BLOCK FOUR (4) OF THE DICKASON GOODMAN ADDITION; THENCE CONTINUING NORTH  $88^{\circ}43'03''$  EAST ALONG NORTH LINE LOT TEN (10) FOR A DISTANCE OF 120.00 FEET TO THE NORTHWEST CORNER OF LOT THIRTEEN (13), BLOCK FOUR (4) OF SAID DICKASON GOODMAN ADDITION; THENCE CONTINUING NORTH  $88^{\circ}43'03''$  EAST ALONG NORTH LINE OF LOTS THIRTEEN (13), FOURTEEN (14) AND FIFTEEN (15) FOR A DISTANCE OF 150.00 FEET TO THE NORTHEAST CORNER OF LOT FIFTEEN (15); THENCE SOUTH  $01^{\circ}10'57''$  EAST ALONG EAST LINE OF LOT FIFTEEN (15) FOR A DISTANCE OF 170 FEET; THENCE SOUTH  $88^{\circ}43'03''$  WEST 320.00 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 54,399.94 SQ. FEET / 1.25 ACRES, MORE OR LESS.

23.14



Tulsa Metropolitan Area  
Planning Commission

**Case Number: PUD-842**

Related to CZ-7321 and ~~GPA-39~~ (withdrawn)

**Hearing Date: December 2, 2015**

(continued from November 4, 2015)

**Case Report Prepared by:**

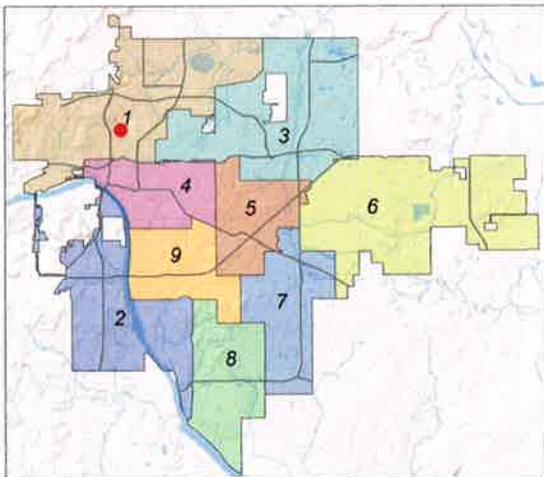
Dwayne Wilkerson

**Owner and Applicant Information:**

*Applicant:* Alan Betchan

*Property Owner:* TULSA DEVELOPMENT  
AUTHORITY

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



**Applicant Proposal:**

*Present Use:* Vacant

*Proposed Use:* All uses allowed in CS zoned districts except Adult entertainment (Use unit 12.a)

*Concept summary:* The PUD provided and outlined in Section II provides development standards to support a small commercial development.

*Tract Size:* 1.11 ± acres 48,399.71 ± sq. ft

*Location:* Northeast corner of E. Queen Street and N. Martin Luther King Jr. Blvd.

**Zoning:**

*Existing Zoning:* RS-4

*Proposed Zoning:* CS/ PUD-842

**Comprehensive Plan:**

*Land Use Map:* Neighborhood Center, New Neighborhood

*Stability and Growth Map:* Area of Growth

**Staff Recommendation:**

**Staff recommends denial.**

The existing neighborhood center south of this site has previously defined a commercial edge adjacent to an existing single family neighborhood.

Expansion of additional commercial uses disrupts the residential redevelopment pattern north and east of this site.

**Staff Data:**

TRS: 0225

CZM: 28

Atlas: 162

**City Council District: 1**

*Councilor Name:* Jack Henderson

**County Commission District: 1**

*Commissioner Name:* John Smaligo

24.1

**SECTION I: PUD-842**

**APPLICANTS DEVELOPMENT CONCEPT:**

Dollar General Martin Luther King is a proposed Dollar General convenience store located on the northeast corner of East Queen Street and Martin Luther King Boulevard in Tulsa, Oklahoma. Exhibit A shows the subject property in relation to surrounding uses. This Planned Unit Development (PUD) is an overlay of a property that is currently zoned as RS-4, however, this PUD is being filed in conjunction with a zoning change to CS for the southern portions of the property. This project will be developed along CS bulk and area requirements except as modified by this PUD. Nearly all such modifications are more stringent than what would be allowed by straight CS zoning. The property is currently vacant and has been offered for redevelopment by the Tulsa Development Authority. Exhibit F shows the existing zoning for the PUD as well as the surrounding properties.

The Comprehensive Plan designates the southern portion of the project as Neighborhood Center with the northern portion of the property classified as New Neighborhood. The currently effective small area plan for this property designates the southern portions of the property (those roughly conforming to the Neighborhood Center designation and the proposed CS zoning change) as office/commercial. The development concept as proposed encroaches slightly into the portion of the property planned as new neighborhood, however, the limited area available for redevelopment as New Neighborhood and its orientation toward Martin Luther King Boulevard limits the viability of the project to develop residentially. Per the comprehensive plan the purpose of the neighborhood center is to provide "small-scale, one to three story mixed-use areas intended to serve nearby neighborhoods with retail, dining, and services." There are few uses so specifically suited to this purpose as a Dollar General store.

The tract will be developed as a Dollar General store with access and parking oriented toward Martin Luther King Boulevard to the extent possible. Care has been taken to site the building in a location that gives maximum separation between it and the adjacent residential uses and provides a landscaping and screening buffer along the majority of the residentially zoned properties. The building will be constructed with a full masonry façade on all four sides allowing it to more effectively blend with the character of the adjacent residential properties. The site is also oriented to maximize the pedestrian connectivity of the site and will include the installation of sidewalks as necessary to facilitate that connectivity. Exhibit C depicts the conceptual site plan for the PUD.

**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
- Map illustrating dates for construction in the surrounding area
- City of Tulsa Planning Staff analysis
- Applicant Exhibits:
  - Surrounding Areas
  - Conceptual Plan
  - Conceptual Utilities Exhibit
  - Existing Topography and Aerial
  - Existing Zoning

**SECTION II PUD-842 DEVELOPMENT STANDARDS:**

Gross Land Area	69,700 square feet	1.60 Acres
Net Land Area	48,411 square feet	1.11 Acres

29.2

## Permitted Uses

Uses permitted as a matter of right by the city of Tulsa Zoning Code within the CS district, including uses customarily accessory thereto, except Use Unit 12a: Adult Entertainment Establishments and Use Unit 10: off street parking.

Maximum Floor Area Ratio: 0.25

## Minimum Building Setbacks

West Line (MLK right of way line)	10 feet
East Property Line (East line lot 15)	40 feet
North Property Line (South line of Lots 4-6)	50 feet
South Property Line (North right of way line for East Queen St.)	10 feet

Maximum Building Height: 25 feet

## Parking:

Parking shall meet or exceed the minimum standards of the applicable use unit as required by the City of Tulsa Zoning Code.

Bicycle parking racks with a capacity to store 4 bicycles shall be installed within 50 feet of the front door.

## Lighting:

All lighting shall be constructed in a manner that prevents visibility of the light emitting element from adjacent residentially zoned properties. No pole mounted light will exceed 18 feet in height. No building mounted light will be allowed higher than 16'-6" above the finished floor and will be pointed down.

## Signage:

Signs shall be limited to the following:

- One double sided ground sign not exceeding 20 feet in height shall be permitted along Martin Luther King Jr. Boulevard and shall not exceed 100 square feet of display surface area for each side.
- Signs mounted on a single pole are prohibited. Signs shall be mounted on two masonry columns or integrated into a monument style sign. The ground sign shall not be located within 125 feet of the north boundary of the PUD.
- Wall signs shall be limited to 1.5 square feet per linear foot of building wall to which the signs are affixed however wall signs are prohibited on the north and east wall of any building.

## Landscaping:

All landscaping shall meet or exceed the existing Landscape Chapter of the Tulsa Zoning Code however the following additional standards are required.

24-3

Evergreen Shrubs will be installed and maintained in a double row within the street yard at a ratio of not less than one shrub per 5 feet along the Martin Luther King Jr. street frontage. The shrubs shall be arranged to provide a visual separation between the street right of way and remainder of the lot. Dwarf variety shrubs are prohibited and the mature growth will not be less than 36" from the ground surface. Shrubs will be evergreen and not less than a 5 gallon size at time of planting.

The northern 50 feet of the property that abuts Lot 7 and the eastern 40 feet abutting Lot 16 will be maintained as an open space and landscaping buffer. A minimum of 8 large shade trees will be installed and maintained in that space. At the time the trees are planted the minimum caliper size is 2.5" with a minimum height of 12 feet.

Trees will be placed within 10 feet of the street right of way with a maximum spacing of 25 feet except at driveway locations.

At the time the trees are planted the minimum caliper size is 2.5" with a minimum height of 12 feet

#### Screening Walls and Fences:

A masonry screening wall with a minimum height of 6 feet shall be constructed and maintained along all lot lines abutting the adjacent single family residentially zoned properties. This wall will be constructed within a fence easement directly abutting those properties.

A trash and mechanical areas shall be screened from public view of a person standing at ground level. Trash enclosure screening shall be constructed of masonry on three sides. A fabric or metal mesh with a minimum opacity of 95% shall be allowed on enclosure doors.

Dumpsters outside the trash enclosure areas are prohibited. Outdoor storage of any trash is prohibited outside the trash enclosure areas.

#### Architectural Requirements:

All building facades shall be constructed of full masonry except at doors and windows. Metal parapet walls and architectural features are allowed. The concept may be further defined as follows:

All building walls shall be full masonry except the glass store front and metal parapet that may be part of the building design.

The metal parapet is an additional structure added to the wall. If the metal parapet is ever removed the entire remaining wall face shall be masonry.

#### Vehicular access and circulation:

Vehicular access on the south boundary of the site shall only be permitted in the west 75 feet of the site.

Vehicular access on the west boundary of the site shall only be permitted in the south 175 feet of the site.

2014

**Pedestrian Access:**

Sidewalks meeting City of Tulsa requirements shall be installed and maintained along the perimeter of the site abutting Martin Luther King Jr Blvd and East Queen Street. Sidewalks shall be installed to provide a direct pedestrian access from Queen to the front door without crossing a vehicular drive.

**Platting Requirement:**

No building permit shall be issued until a subdivision plat meeting the subdivision guidelines has been filed for this property.

**Expected Schedule of Development:**

Development construction is expected to begin in early spring of 2016.

**DETAILED STAFF RECOMMENDATION:**

The uses defined in the PUD are consistent with the most intense development expected in a neighborhood center however, the Tulsa Comprehensive Plan anticipates the edges of the neighborhood center to grow into condominiums, townhomes or small lot single family residential development. The PUD may not be consistent with the expected edge treatment of a neighborhood center concept of the comprehensive plan and,

The commercial component of the neighborhood center has been previously implemented in this neighborhood with the shopping center south of Queen Street. The edge treatment on the existing shopping center including fencing and landscaping is deteriorating and poorly maintained. Poor maintenance of commercial properties in this area is a significant concern for the single family residential neighborhood. Introduction of another commercial element into the edges of a neighborhood that has seen significant redevelopment since 1995 will be disruptive to the single family redevelopment pattern in the neighborhood north and east of the PUD. The PUD is not harmonious with the existing and expected development of the surrounding areas especially north and east of the site however it provides another option for food and retail services for this neighborhood and,

The Tulsa Development Authority Sector plan considers the site as a commercial area. The standards implemented in the PUD provide screening and design details to meet the goals of the Extension and Moton Sector plan. The Sector Plan was scheduled to expire in 2015. The Tulsa Development Authority is updating the plan and has extended the expiration date until the planning process is complete. Significant changes to that plan are not expected. The proposal is consistent with the Tulsa Development Authority Sector Plan vision for the area and,

The PUD provides a unified treatment of the development possibilities on the property and implements significant architectural, signage and landscape standards that would screen the property from the adjacent residential uses and is isolated from the surrounding single family residential uses and also isolate from the adjacent neighborhood center south of Queen and,

The PUD is consistent with the stated purposes and standards of the PUD chapter of the Tulsa Zoning Code. Section II above meets minimum standards expected for site development for a commercial development however it is not consistent with the overall vision of a Neighborhood Center and,

24.5

The adjacent neighborhood is a significant consideration for this project; the City Planning Department has provided recommendations and concepts supporting small multi family or single family development on this site that are not consistent with the PUD therefore,

**Staff recommends Denial of PUD-842 as outlined in Section II above.**

24.6

## SECTION III: Supporting Documentation

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: The Tulsa Comprehensive plan and the Tulsa Development Authority Sector Redevelopment Plan illustrate that this site is on the edge of commercial and residential development. The Neighborhood Center concept identified in the Tulsa Comprehensive Plan recognizes that this area can be a small scale one to three story mixed use area intended to serve nearby neighborhoods with retail, dining, and services. The edges are typically recognized as areas with apartment's condominiums and townhouse with small lot single family homes on the edges. CS zoning allows residential uses and could be supported by the Comprehensive plan when developed in context with the neighborhood.*

*The Comprehensive Plan conflicts with the Tulsa Development Authority Sector Plan. The Sector Plan identifies this area as a commercial and office area.*

### Land Use Vision:

*Land Use Plan map designation: Neighborhood Center, New Neighborhood*

Neighborhood Centers are small-scale, one to three story mixed-use areas intended to serve nearby neighborhoods with retail, dining, and services. They can include apartments, condominiums, and townhouses, with small lot single family homes at the edges. These are pedestrian-oriented places served by transit, and visitors who drive can park once and walk to number of destinations.

The New Neighborhood is intended for new communities developed on vacant land. These neighborhoods are comprised primarily of single-family homes on a range of lot sizes, but can include townhouses and low-rise apartments or condominiums. These areas should be designed to meet high standards of internal and external connectivity, and shall be paired with an existing or new Neighborhood or Town Center.

*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.

29.7

Transportation Vision:

*Major Street and Highway Plan:*

Martin Luther King Jr. Blvd is a fully developed secondary arterial street with 4 lanes of traffic. Redevelopment of this site, with any of the anticipated uses that commercial or residential zoning would allow, will increase traffic on existing street infrastructure. Existing street infrastructure can easily support small scale commercial or any residential zoning use in this area.

Part of the street system should include sidewalks. Along Martin Luther King Jr. Blvd a sidewalk has been constructed however no sidewalks are currently located on East Queen Street. Sidewalks will support the neighborhood center concept and will be required as part of the PUD and replat process.

*Trail System Master Plan Considerations:* None

Small Area Plan: None

Special District Considerations:

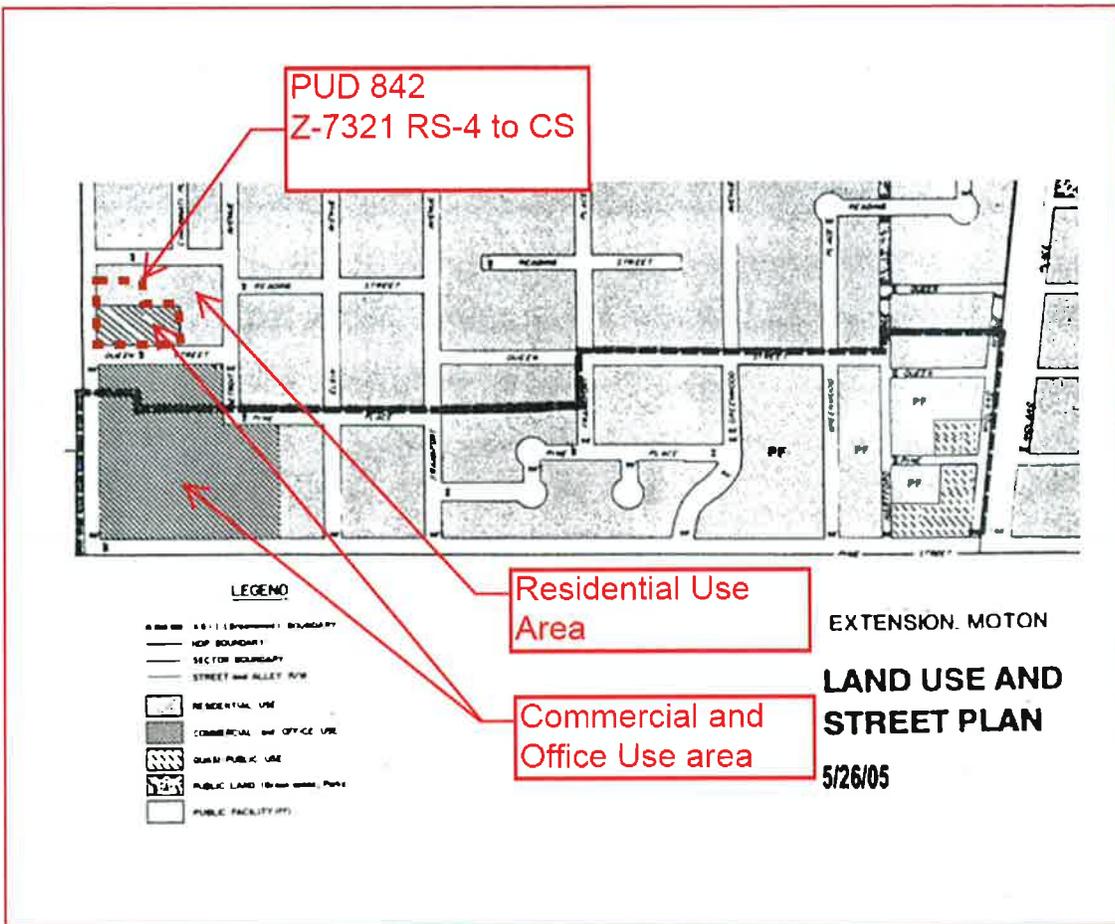
Tulsa Development Authority Sector Plan for the Extension and Moton Sector:

Many development standards for Commercial shopping areas are recommended in the sector plan but none of those standards can be implemented without a PUD overlay. The following list defines a few of the sector plan standards that are recommended:

- 1) Yard areas and other open spaces shall be landscaped and maintained in a neat condition.
- 2) A minimum of one parking space per each 225 square feet of building area.
- 3) Off street loading facilities shall be provided for each commercial establishment where a loading dock is necessary shall be located so as not to interfere with offsite and or on site pedestrian and vehicular traffic and shall be screened from view of any residential district.
- 4) No building shall cover more than twenty five percent of the lot area
- 5) All outdoor mechanical refuse and other storage areas shall be visually screened from adjacent structures
- 6) No building or structure shall exceed one story in height
- 7) No building or other structure including advertising signs paving curbing decorative and protective walls or landscaping shall be constructed or reconstructed before plan for such construction have been submitted to the Tulsa Development Authority of approval.
- 8) Ingress and egress will be from arterial streets and not residential or collector streets

EXTENSION, MOTON SECTOR LAND USE MAP: (Next Page)

24.8



Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

*Staff Summary:* Existing site conditions are suitable for redevelopment opportunities. Existing utility infrastructure may conflict with redevelopment plans and may require relocation of underground and overhead utilities. The site is gently sloping and should not affect redevelopment plans.

Environmental Considerations: None that would affect redevelopment opportunities for residential or commercial development.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
North Martin Luther King Blvd.	Secondary arterial	100'	4
East Queen Street South*	None	50'	2

\*The existing street right of way is 60 feet and exceeds the minimum standards for a street that is not classified on the major street and highway plan

Utilities:

The subject tract has municipal water and sewer available.

29.9

**Surrounding Properties:** The subject tract is abutted on the east by single-family residential uses, zoned RS-4; on the north by single-family residential and vacant residential uses, zoned RS-4; on the south by the North Pointe office/retail center, zoned CS; and on the west by single-family, zoned RS-3.

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

**ZONING ORDINANCE:** Ordinance number 22465 (Z-7169) and 22467 (PUD-743-A) dated July 14, 2011, established zoning for the subject property.

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

**Z-7169 July 2011:** All concurred in **approval** of a request for *rezoning* a 39,857± square foot tract of land from OL/ PUD-743 to RS-4, for single-family homes, on property located on the northeast corner of N. Cincinnati Ave. and E. Queen St. and is also a part of the subject property.

**PUD-743-A July 2011:** All concurred in **approval** of a proposed *Major Amendment to Abandon a PUD* on a 39,857± square foot tract of land for future single-family home development, on property located on the northeast corner of N. Cincinnati Ave. and E. Queen St. and is also a part of the subject property.

**Z-7068/PUD-743 October 2007:** All concurred in **approval** of a request for *rezoning* a 37,800± square feet tract of land from RS-4 to OL/PUD-743 for dental offices, clinics, laboratories and related dental research facilities on property located northeast corner of N. Cincinnati Ave. and E. Queen St. and is also a part of the subject property.

**Z-7057 June 2007:** All concurred in **denial** of a request for *rezoning* a 37,900± square feet tract of land from RS-4 to OM on property located northeast corner of N. Cincinnati Ave. and E. Queen St. and is also a part of the subject property.

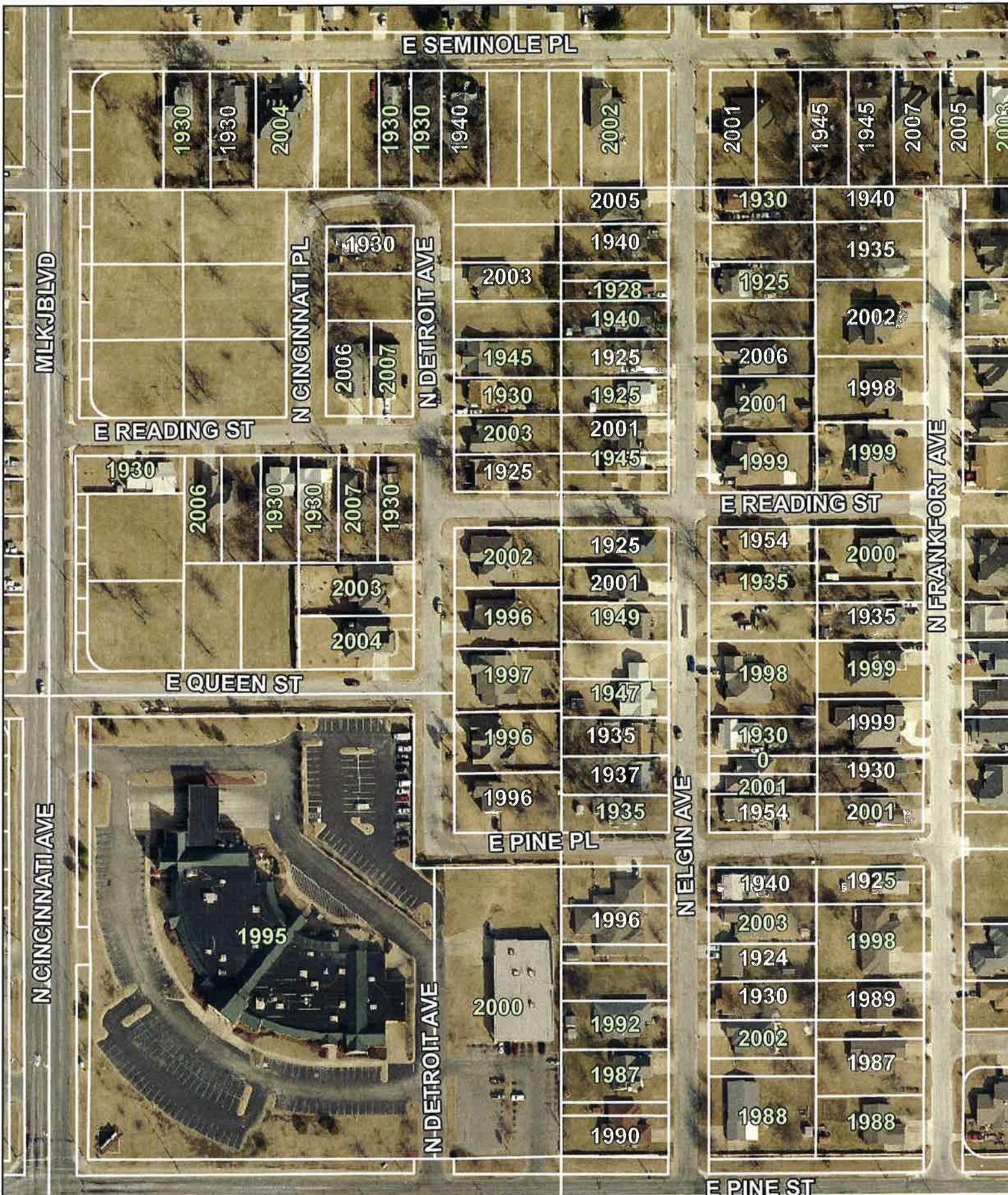
**Z-6428 January 1994:** All concurred in **approval** of a “blanket *rezoning*” on lots lying between N. Cincinnati Ave. and the Missouri-Pacific Railroad right-of-way; from E. Ute Pl. on the north to E. Pine Pl. on the south, from RM-1 to RS-4. The subject property was included in this action.

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

**Z-5893 March 1984:** All concurred in **approval** of a request for *rezoning* a large tract of land on property located between N. Peoria Ave. and N. Cincinnati Ave., E. Apache St. and E. Archer St., from RS-3/ RM-1/ CS/ IM/ IL to RS-3/ RM-1/ RM-2/ OM/ CS/ CH/ IL for rehabilitation of housing and businesses. This rezoning case zoned the property abutting south, across E. Queen St. from the subject property, to CS zoning.

11/4/2015 1:30 PM

29.10



Year Built Map  
 Prepared by INCOG  
 October 2015



24.11

POTENTIAL DEVELOPMENT ASSESSMENT  
NORTHEAST CORNER OF N. CINCINNATI AVENUE & E. QUEEN STREET

AREA ZONING:

Base Zoning RS-4; Ord. 22465

PUD/SD: Planned Unit Development (PUD-743) Abandoned; Ord. 22467.

COMPREHENSIVE PLAN DESIGNATION:

A Neighborhood Center is defined within the Tulsa Comprehensive Plan as follows:

**“Neighborhood Centers**

“Neighborhood Centers are small-scale, one to three story mixed-use areas intended to serve nearby neighborhoods with retail, dining, and services. **They can include apartments, condominiums, and townhouses, with small lot single family homes at the edges.** These are pedestrian-oriented places served by transit, and visitors who drive can park once and walk to number of destinations.”

The Plan indicates in “Visualizing Building Blocks for Plan Categories” that such centers have an average 5 households per acre and 12 jobs per acre.

The Plan also indicates that such centers are projected to provide 5% of new future housing units and 5% of new future jobs for the Plan’s “Build-Out Capacity”. It is anticipated that Neighborhood Centers include residential uses and particularly at the outer edges of such Centers.

The Sector Plan (“Amendments to Neighborhood Development Program Area (ND-401) for the Extension & Moton Sector”) for this area was amended by TDA June 9, 2004, TMAPC July 7, 2004 and Tulsa City Council May 26, 2005 and it expires June 2, 2014. It and other area Sector Plans are currently under study for updating and renewal as appropriate. No information from the on-going study is currently available.

It has been noted that property located at the northeast corner of N. Cincinnati Avenue and NE. Pine Street was designated by the Land Use and Street Plan planned for residential use until it was amended in 2005 to accommodate a proposed office development. That proposed use did not come to fruition.

Conceptual uses which would be consistent with the 2010 Tulsa Comprehensive Plan (the Plan) are depicted in the attached exhibit and include four different uses consistent and in context with Plan designation of a Neighborhood Center. These four concepts include an office, townhouses and single-family development. As the Plan sets forth, such uses would provide an appropriate transition between commercial/retail development at the North Pointe shopping center and the adjoining Existing Neighborhoods. Such uses would support achievement of The Plan’s Land Use Goal 13 and policy 13.1 which state:

*“Goal 13 - Existing neighborhoods are stable and infill development revitalizes, preserves and enhances these urban areas. Policies to support this goal include:*

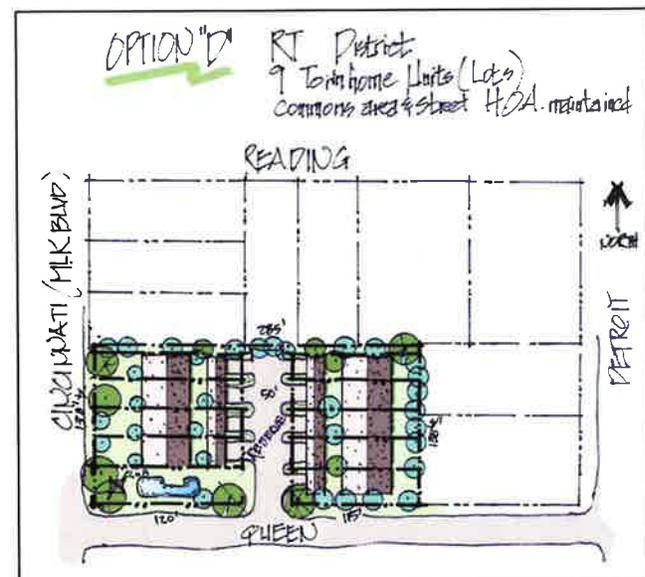
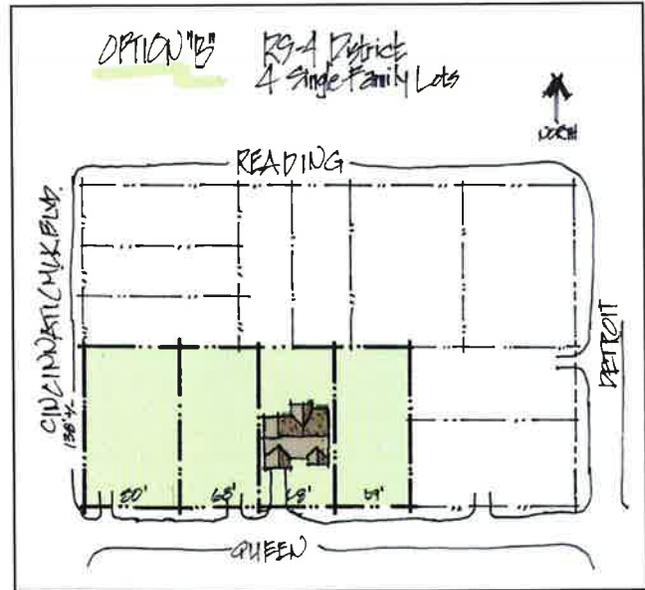
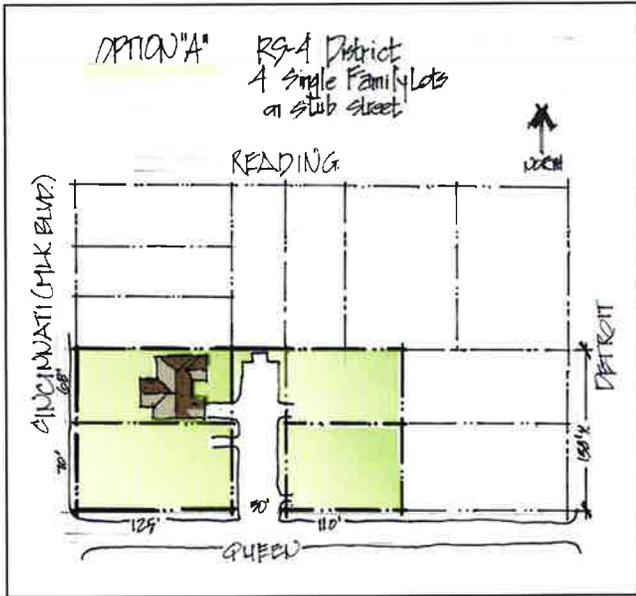
*“13.1 Promote the unique characteristics of existing neighborhoods as key to the city’s long-term health and vitality.*

2/12

- Provide appropriate transitions between nonresidential uses and neighborhoods to protect stability and quality of life.”

The addition of added commercial/retail zoning and land use at this location would not provide a suitable transition between area uses and could destabilize a Plan designated Existing Neighborhood. This could introduce traffic patterns that could conflict with that of area residential uses.

ILLUSTRATIVE DEVELOPMENT CONCEPTS :



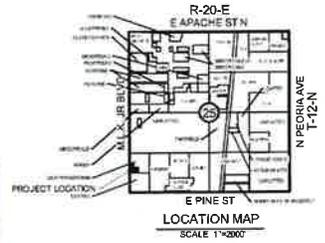
# Exhibit A

Surrounding Areas  
for

## Dollar General MLK



GRAPHIC SCALE: 1" = 30'



AAB Engineering, LLC  
**AAB**  
 Engineering • Land Planning  
 PO Box 2135 Sand Springs, OK 74083  
 OK CARS318 Exp. June 30, 2014  
 Office: (918) 514-4283 Fax: (918) 514-4288

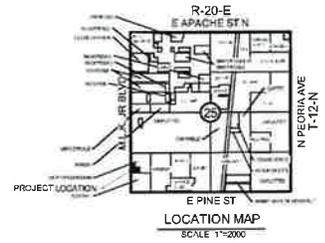


*h1/b*

# Exhibit B

Comprehensive Plan Modification  
for

## Dollar General MLK



 LAND USE MODIFICATION TO NEIGHBORHOOD CENTER

AAB Engineering, LLC  
  
 Engineering • Land Planning  
 PO Box 2135 Sand Springs, OK 74063  
 OK CA#6319 Exp. June 30, 2014  
 Office (918) 514-4283 Fax (918) 514-4288

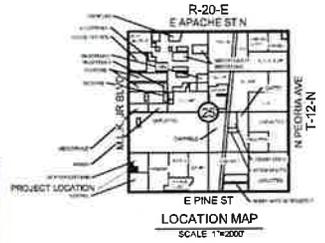
51.62



Exhibit C  
 Conceptual Site Plan  
 for  
**Dollar General MLK**



DRAWING SCALE: 1"=20'



AAB Engineering, LLC  
  
 Engineering • Land Planning  
 PO Box 2199 Bond Springs, OK 74063  
 OK CARS018 Exp. June 30, 2014  
 Office: (918) 514-4283 Fax: (918) 514-4285

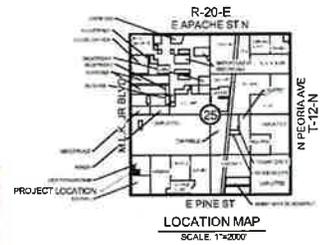
2916



# Exhibit D

Conceptual Utilities Plan  
for

## Dollar General MLK



### LEGEND

- EXISTING SANITARY SEWER LINE
- EXISTING WATER LINE

AAB Engineering, LLC  
**AAB**  
 Engineering • Land Planning  
 PO Box 2136 Sand Springs, OK 74063  
 OK CA98318 Exp: June 30, 2014  
 Office: (918) 514-4283 Fax: (918) 514-4288

2417



Exhibit E  
Existing Topo and Aerial  
for  
**Dollar General MLK**



AAB Engineering, LLC  
**AAB**  
 Engineering • Land Planning  
 PO Box 2136 Sand Springs, OK 74083  
 OK CARS 213: Exp. June 30, 2014  
 Office: (918) 514-4283 Fax: (918) 514-4288

24.18





6/1/19



**DOLLAR GENERAL**

24.20

# Exhibit G

Legal Description  
for

## Dollar General MLK

A TRACT OF LAND BEING PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 20 NORTH, RANGE 12 EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 25, THENCE NORTH  $01^{\circ}10'57''$  WEST ALONG THE WESTERN LINE OF SAID SECTION 25 A DISTANCE OF 658.38 FEET TO THE POINT OF BEGINNING; THENCE NORTH  $01^{\circ}10'57''$  WEST ALONG SAID WESTERN LINE A DISTANCE OF 260.00 FEET; THENCE NORTH  $88^{\circ}43'03''$  EAST A DISTANCE OF 170.00 FEET TO THE NORTHEAST CORNER OF LOT 8 OF DICKASON GOODMAN ADDITION; THENCE SOUTH  $01^{\circ}10'57''$  EAST ALONG THE EASTERN LINE OF LOTS 8 AND 9 OF DICKASON GOODMAN ADDITION A DISTANCE OF 90.00 FEET TO THE SOUTHEAST CORNER OF LOT 9 OF DICKASON GOODMAN ADDITION; THENCE NORTH  $88^{\circ}43'03''$  EAST ALONG THE NORTHERN LINE OF LOTS 13, 14, AND 15 OF DICKASON GOODMAN ADDITION A DISTANCE OF 150.00 FEET TO THE NORTHEAST CORNER OF LOT 15 OF DICKASON GOODMAN ADDITION; THENCE SOUTH  $01^{\circ}10'57''$  EAST ALONG THE EAST LINE OF LOT 15 OF DICKASON GOODMAN ADDITION A DISTANCE OF 170.00 FEET; THENCE SOUTH  $88^{\circ}43'03''$  WEST A DISTANCE OF 320.00 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 69,699.92 SQUARE FEET/1.60 ACRES MORE OR LESS.

PLOT DATE: Thu, 24 Sep 2015 FILE: P:\2012\25-DG-MARTIN LUTHER KINGIDDG MLK PUD 2

AAB Engineering, LLC  
  
Engineering • Surveying • Land Planning  
PO Box 2136 Sand Springs, OK 74063  
OK CA#8318 Exp: June 30, 2016  
KS CA#2292 Exp: Dec. 31, 2016  
Office: (918) 514-4283 Fax: (918) 514-4288

2421

DUNBAR NEIGHBORHOOD ASSOCIATION

April 29, 2015

Chairman Julius Pegues  
Tulsa Development Authority Board Commissioner  
1216 N. Lansing Ave., Suite D  
Tulsa, OK 74106

Dear Mr. Pegues:

The Dunbar Neighborhood Association would first like to thank the Tulsa Development Authority for considering and including us by organizing meetings with us to discuss the proposed development of the property located at Martin Luther King Jr. Blvd. and East Queen St. However, upon much discussion following the presentation of the proposed Dollar General Retail store, we have a number of reasons why we are not in favor of a second commercial retail store with the same use as an existing store within close proximity.

Several residents have had numerous complaints regarding the existing dollar store retail. There is an increase in the amount of trash left in resident's yards by patrons of the store, which the residents are then responsible for removing from their yards. There is increased foot and vehicle traffic by patrons taking shortcuts through the neighborhood to obtain store access that would be detrimental to the children playing in the neighborhood. There is increased noise from garbage and delivery trucks. Residents are also concerned with recent robberies and problems that have occurred at businesses of this type. There is also a concern how the presence of another dollar store would further affect the property values in the neighborhood.

Long standing residents and new homeowners would like to keep the family friendly environment that currently exists and would like to see more homes built to support building the community and are not opposed to development to commercial retail in the community, but; would prefer residential over commercial retail at this particular site.

Respectfully,

Corey Myers  
Interim President  
Dunbar Neighborhood Association

29.22



24.23

We the residents of the Dunbar Neighborhood Association and other concerned citizens of the City of Tulsa, Tulsa County, Oklahoma vehemently oppose the proposed development of a Dollar General Store at the property site located north of the northeast corner of E. Queen Street and Martin Luther King Jr. Boulevard.

We the undersigned, oppose this development at this site for the following reasons:

- **We would like to encourage residential development which is what the property is zoned.**
- **Dollar General and retail development of this nature that target low income individuals and families are oversaturating the community.**
- **There is already an existing Family Dollar located just south of the proposed development, on the east side of North Pointe Center. This is less than ¼ of a mile from the proposed site.**
- **There are at least four other Dollar General/Family Dollar stores within a 5 mile radius.**
- **As homeowners who have invested in this neighborhood and sector of town with the commitment from TDA to likewise invest in profitable, revenue generating developments, we are concerned that the development of low income retail stores will negatively impact our property values.**
- **This type of development will stifle the potential for future residential and commercial development.**
- **Concern for increased traffic entering the neighborhood in addition to increased traffic from refuse and delivery trucks that create noise pollution at inopportune times.**

- **Dollar Stores have a reputation of not maintaining their property. Dollar General and Family Dollar stores have that problem i.e., over grown lawns, trash strewn throughout the property for days without being attended too, and dumpsters overflowing with trash.**

## Dunbar Neighborhood Association

	Name	Address	Email
1.	Cory Myers	1606 N. DETROIT	cmyers@cityoftulsa.org
2.	Lynn Lusk	205 E. Reading	
3.	Eddie L. Spencer	229 <sup>E</sup> READING <sup>ST</sup>	
4.	LINDA SUE SPENCER	229 <sup>E</sup> READING <sup>ST</sup>	
5.	Ned Smallwood	1607 N Detroit Ave	
6.	MAGGIE HORTON	1504 W. ELGIN AVE.	
7.	NATHAN HARRIS	1541 N. DETROIT TULSA, OK	
8.	Charles Lowery	1506 N. Elgin Tulsa OK 74106	
9.	Elgin J. Brooks	1825 E 46 <sup>TH</sup> N TULSA 74130	
10.	Wesley Jones	1841 N UT, CA	
11.	Clarence Green	1503 N. Elgin Ave. Tulsa 74106	
12.	Ray K. Star	1526 N. Elgin Ave Tulsa 74106	
13.	Janita Walker	1610 N. Detroit Ave. Tulsa, OK 74106	
14.	Debi Marshall	430 E. Reading Tulsa 74106	
15.	<del>Tommy</del>	1707 N. FRANKFORT AVE TULSA 74106	
16.	Clyde E. Ellis	1523 N. FRANKFORT AVE TULSA 74106	
17.	Carmen Huel	1523 N FRANKFORT AVE Tulsa 74104	
18.	Tommy Patrick	1526 N. Frankfort Ave Tulsa OK 74106	
19.	St. Pat	1526 N. Frankfort Tulsa, OK 74106	
20.	Daguet Wilson	521 E Latimer Place Tulsa OK 74100	
21.	Wendell Armstrong	1552 N Elgin Ave. Tulsa, OK 74106	

- 25. Steven Daniels - 411. E. Tecumseh St
- 26. Keith Daniels 411 E Tecumseh St
- 27. Cordell Daniels 411. E. Tecumseh St
- 28. Heather Daniels 411. E. Tecumseh St
- 29. Elyse Daniels 411. E. Tecumseh St
- 30. Donnie ~~Caesar~~ Caesar 517 E. Oklahoma Pl.
- 31. Patsy A. Caesar 517 E. Oklahoma Place
- 32. Annie Randle - 506 N. Denver Pl. Tulsa, OK
- 33. C. S. DeWitt SR. 1527 N ELGIN AV.
- 34. Charlene Stotts 1527. n. Elgin Ave
- 35. Elmer Neman II 537 E Tecumseh St
- 36. Cornell Avington 1722 N Elgin Tulsa
- 37. Glenn Nobex 1565 N. Elgin Av.
- 38. Victor Grimes 1615 N. Elgin Ave
- 39. Tasha Grimes 1615 N. Elgin Ave
- 40. Vanessa Hall Harper 2020 W. Newton St. 74127
- 41. Jan V Green 1670 N. Midland Tulsa OK 74106
- 42. John Green 1670 N Midland Tulsa OK 74106
- 43. Haley Green 1670 N. Midland Tulsa OK 74104
- 44. Jaqueline Woodbury 1549 N Detroit Tulsa OK 74106
- 45. Steven Woodbury 1549 N Detroit Tulsa OK 74106
- 46. Ray Taha 538 E Tecumseh Tulsa OK 74106
- 47. Jackie Taha 538 E. Tecumseh Tulsa OK 74106
- 48. Vernita Smith 1540 N. Frankfort " " " " 74106
- 49. Delma Walker 1556 N Frankfort Ave " " " " 74106
- 50. Jing Ridge 1555 N Frankfort Ave " " " " 74106
- 51. Alma Johnson 510 E Pine Pl. 74106

Name

Address

Email

- 52. Alisia Myers 16016 N. Detroit Ave. alisia.myers@skglobal.net  
amyers@cityoftulsa.org
- 53. Wendy Jones 11011 N. Boston St
- 54. Taritta Williams 1136 E 26 PL N
- 55. \_\_\_\_\_
- 56. \_\_\_\_\_
- 57. \_\_\_\_\_
- 58. \_\_\_\_\_
- 59. \_\_\_\_\_
- 60. \_\_\_\_\_



Tulsa Metropolitan Area  
Planning Commission

**Case Number:** PUD-437-A

**Hearing Date:** December 2, 2015  
(continued from 11.18.15)

**Case Report Prepared by:**

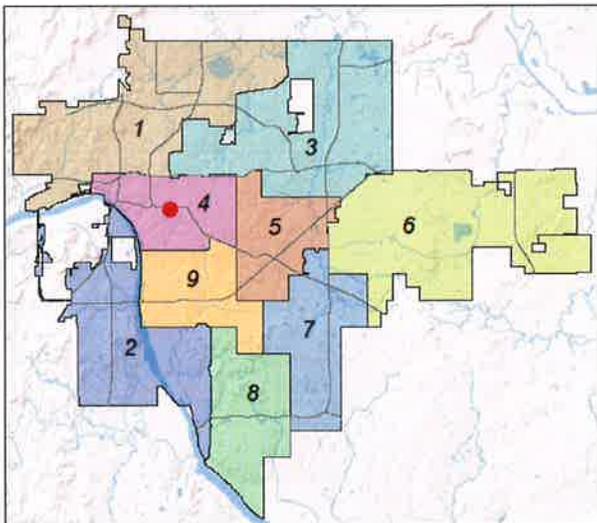
Dwayne Wilkerson

**Owner and Applicant Information:**

*Applicant:* Donn E.Fizer

*Property Owner:* Multiple owners

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



**Applicant Proposal:**

*Present Use:* Retail and office

*Proposed Use:* CVS Pharmacy

*Concept summary:* Modify boundary for development Area A and B. Establish new uses and modify bulk and area requirements for each development area.

*Tract Size:* 1.39 ± acres 60,374.41 ± sq. ft

*Location:* Northeast corner of E. 15<sup>th</sup> St. and S. Utica Ave.

**Zoning:**

*Existing Zoning:* PK/ OL/ CS/ CH/ PUD-437

*Proposed Zoning:* PK/ OL/ CS/ CH/ PUD-437-A

**Comprehensive Plan:**

*Land Use Map:* Mixed-Use Corridor

*Stability and Growth Map:* Area of Growth

**Staff Recommendation:**

**Staff recommends approval of the project as defined in section II of the following staff report.**

**Staff Data:**

TRS: 9307

CZM: 37

Atlas: 13

**City Council District: 4**

*Councilor Name:* Blake Ewing

**County Commission District: 2**

*Commissioner Name:* Karen Keith

25.1

## SECTION I: PUD-437-A

### DEVELOPMENT CONCEPT:

#### APPLICANTS DEVELOPMENT CONCEPT:

CVS/pharmacy has been serving the Tulsa community for many years. The corner of 15<sup>th</sup> St. & Utica Ave. is an ideal location for a new pharmacy. The proximity of the surrounding medical facilities and residential uses create a need for a convenient pharmacy option. This facility will provide pharmaceutical and retail sales along with minute clinic medical care.

The proposed pharmacy will occupy an approximately 1.01 acre site (48,335 SF) in size. This building will replace an existing medical office, gas station, and commercial office space. The approximately 15,000 SF building will consist of a main first floor with a mezzanine.

A streetscape will be provided along Utica Ave. with wide sidewalks, and bus shelter. This streetscape will provide a pedestrian friendly environment. The building elevation along Utica provides transparency with the use of large windows and offers pedestrians a softly lit walkway with wall mounted lighting.

These amenities along with additional landscaping along 15th St. will bring this corner of the intersection into conformance with the City of Tulsa Comprehensive plan, Utica Midtown Corridor Plan, and the character of the neighborhood. 55 parking spaces are provided for customer convenience.

This is less than city code requires but is within the range of necessary spaces to ensure a successful business. The building exterior will be masonry with large windows along Utica and a main entry on the south face to provide convenient access to both pedestrian and automobile traffic.

This site has a mix of zonings with a portion being a part of PUD-437. Due to the mixed zoning, lot size, and existing PUD restrictions a Major Amendment to the existing PUD is required. The major amendment will allow the construction of a CVS/pharmacy while improving the intersection aesthetically and providing a more pedestrian friendly environment. This development is compatible with the surrounding neighborhood in both style and use.

#### ADDITIONAL STAFF CONCEPT STATEMENT:

PUD 437 also includes property north of East 14<sup>th</sup> Place. The PUD north of 14<sup>th</sup> is owned separately but the development standards north of East 14<sup>th</sup> Place benefit the property on the south side of the street. Staff has received authorization to proceed with this amendment including property north of East 14<sup>th</sup> Place. The primary purpose of the amended PUD north of 14<sup>th</sup> is to separate the development area matching ownerships, redefine allowable uses, and bulk and area requirements. All previous PUD standards remain except as noted below in the portion of Development Area A north of 14<sup>th</sup> Place.

#### 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:

- Development Area Map (10.7.2015)
- Conceptual Site Plan (11.18.2015)
- Building Elevations (11.18.2015)
- Sign Detail
- Birds Eye Views (3 different views) (11.18.2015)

Correspondence:

Miscellaneous letters of opposition, support and previous continuance request

**SECTION II PUD-437-A DEVELOPMENT STANDARDS:**

DEVELOPMENT AREA A:

Except as defined below, the previous standards defined for Development Area A north of 14<sup>th</sup> place in PUD 437 will remain as previously approved.

Permitted Uses:

- Principal and accessory uses as allowed by right within a CS zoning district.
- Principal and accessory uses as allowed by right within a PK zoning district

Gross Land Area: 0.20 acres +/- (As determined from GIS graphic data)

Summary of Underlying Zoning in gross land area:

- CS zoned land area: 0.26 acres (Zoning Code maximum floor area ratio allowed: 0.5)
- PK zoned land area: 0.09 acres (Zoning Code maximum floor area ratio allowed: na)

Maximum Floor Area Allowed in Development Area A: 5,660 square feet

Building Setbacks: (As measured from the major street and highway planned right-of-way edge)

- Minimum setback from South Utica: 15 feet
- Minimum setback from East 14<sup>th</sup> Place South: 25 feet

Maximum building height: 50 feet

Parking Ratio Standards:

- Minimum Parking Standards Medical office: 2.6 spaces per 1000 square feet
- All other uses as allowed: 2.2 spaces per 1000 square feet excluding the first 2500 square feet of floor area.

DEVELOPMENT AREA B:

Permitted Uses:

Principal and accessory uses as allowed by right within a CS zoning district, including drive-thru pharmacy service

Gross Land Area: 1.58 acres +/- (As determined from GIS graphic data)

Summary of Underlying Zoning in gross land area:

25.3

CS zoned land area: 1.15 acres (Zoning Code maximum floor area ratio allowed: 0.5)  
PK zoned land area: 0.06 acres (Zoning Code maximum floor area ratio allowed: na)  
OL zoned land area: 0.41 acres (Zoning Code maximum floor area ratio allowed: 0.30)

Maximum Floor Area Allowed in Development Area B: 30,000 square feet

Maximum Building Height: 3 stories

Building Setbacks: (As measured from the major street and highway planned right-of-way edge)

Minimum setback from east boundary of PUD: 25 feet  
Minimum setback from south right-of-way line on East 14<sup>th</sup> Place South: 25 feet

Build-to-zone requirements:\*

From the east boundary of the South Utica right of way:

Minimum building setback: 10 feet  
Maximum building setback: 25 feet

From the north boundary of the East 15<sup>th</sup> Street right-of-way:

Minimum building setback: 10 feet  
Maximum building setback: 25 feet

\*Canopies including any structural support system that is integral to the building design and attached to the building are exempt from this requirement.

Parking Ratio Standards:

Minimum parking allowed: 2.2 spaces per 1000 square feet excluding the first 2500 square feet of floor area.

Minimum landscaped open space will exceed 10% of net land area.

Architectural Standards:

The exterior veneer of the building shall be full masonry except where transparency is required and where doors are located.

West facing walls shall provide a minimum of 25% transparency on the ground floor elevation. Spandrel glass may be used in one third of the transparency requirement.

South facing walls shall provide a minimum of 8% transparency on the ground floor elevation. Spandrel glass may be used in the transparency requirement.

Screening and Landscaped Open Space:

A screening fence or masonry wall shall be constructed and maintained along the east boundary of the Development Area B. The height of the screening fence shall not be less than 6 feet or greater than 8 feet as measured from the existing ground on the east side of the fence. Within 25 feet of the planned right of way on the north and south ends of the site the wall or fence may be eliminated or if installed shall not exceed 4 feet in height. If wood fencing is

25.4

installed a cap detail along the entire length of the fence is required. "Dog-ear" style fencing is not allowed. The fence or wall system shall be a double sided design that is visually the same on both sides.

Landscape features shall be installed and maintained along East 14<sup>th</sup> Place, East 15<sup>th</sup> Street South & South Utica to provide a pedestrian friendly path within the ROW. The following standards shall apply adjacent to those street rights of way.

- 1) Landscape areas in the street right-of-ways, to the extent permitted by the City of Tulsa, shall be grassed & landscaped with approved street trees and shrubs along South Utica, East 15<sup>th</sup> Street South and along East 14<sup>th</sup> Place south. A minimum of 7 street trees will be installed and maintained within 10 feet of the South Utica right of way line. A minimum of 5 trees shall be installed and maintained within 10 feet of the right of way line along East 15<sup>th</sup> Street and along East 14<sup>th</sup> Place.
- 2) A landscape edge shall be provided adjacent to East 14<sup>th</sup> Place South and adjacent to any parking area within 25 feet of a street right-of-way, The landscaped edge shall be a minimum width of 10 feet and shall include shrubs with sufficient density and size will be installed and maintained to provide a 3' tall effective visual barrier along those rights of way after a 3 year growing cycle. A maximum of 5 feet of the 10 wide landscape edges may be placed in the street right of way.
- 3) The 10 foot landscape edge is not required if the building is located within 10 feet of the planned right of way.

The required landscaped open spaces may include parking islands, plazas and courtyards, but shall exclude walkways which solely provide minimum pedestrian circulation.

A detailed landscaping plan shall be provided as part of the normal PUD process.

Trash and dumpster enclosures shall be masonry construction and be constructed of similar material as the principal structure. The minimum height of the enclosure shall not be less than 6 feet but must exceed the dumpster height. Doors constructed with a steel frame and a cover that blocks a minimum of 85% of the opening. Dumpster doors shall not be accessed from public right of way.

#### Sign Standards:

One monument sign is allowed along East 15<sup>th</sup> Street South. The sign shall be limited to a maximum height of 8 feet with a maximum display surface area of 20 square feet for each side of the sign.

One monument sign is allowed along South Utica Avenue. The Utica monument sign shall be limited to a maximum height of 18 feet with a maximum display surface area of 70 square feet.

These signs will include architectural features to match the building elevations and create a more cohesive development.

Building mounted signs on the north or east side of the building may not be illuminated.

#### Lighting:

25.5

## Lighting:

The principal project lighting shall be provided per the approved lighting plan during the site plan process. This plan will include both pole and wall mounted lighting.

Pole mounted lighting shall not exceed 20 feet above the pavement surface and shall be pointed down and away from adjacent property lines.

Building mounted lighting shall be pointed down. Wall packs that direct lighting away from the building are prohibited.

## DEVELOPMENT AREA REVISION

Lots south of 14<sup>th</sup> Place shall be further known as Area B. The portion of PUD-437 north of the south ROW line of 14<sup>th</sup> Place shall remain Area A. Any future development of that area shall be independent of the development of Area B.

## SUBDIVISION PLAT REQUIREMENTS

The lots south of 14<sup>th</sup> Pl. shall be re-platted. As part of the Plat process an additional 5' ROW dedication is required along 15<sup>th</sup> Street to meet City of Tulsa requirements to meet the major street and highway plan standards.

## EXPECTED SCHEDULE OF DEVELOPMENT

The construction of the project should commence within 12 months from the date of approval. It will be completed within 12 months of the construction start date.

## **DETAILED STAFF RECOMMENDATION:**

Anticipated uses and development standards outlined Section II are consistent with the Comprehensive Plan and the Utica Midtown Corridor Small Area Plan. The small area plan strongly supports mixed use buildings. This building is not a mixed use however it is part of a two larger mixed use corridors along East 15<sup>th</sup> Street and along South Utica Avenue and,

Mixed use buildings are the preferred use. The building shown on the conceptual plan is for a single use and is shown within the build to zone identified in section II. The proposed drive thru window and aisle on the west and south side of the building is not consistent with the vision of the public realm that is part of the vision of the Utica Midtown Corridor Small Area Plan or the Tulsa Comprehensive Plan. The existing buildings on the southwest and southeast corner of this intersection have the same problem however the placement of the buildings is generally correct. Those buildings are bank and office buildings do not include pedestrian entrance at the intersection. Placement of the building at the corner of South Utica at East 15<sup>th</sup> Street South within the build to zone established in the PUD will contribute to the urban framework of the area and,

The architectural standards and landscape standards outlined in the PUD are harmonious with the existing and expected development along South Utica and East 15<sup>th</sup> Street South and,

PUD 437-A is consistent with the PUD Chapter of the Tulsa Zoning Code therefore,

**Staff recommends Approval of PUD-437-A as outlined in Section II above.**

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## SECTION III: Supporting Documentation

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: The PUD as outlined in Section II is consistent with the Comprehensive Plan and the Utica Midtown Corridor Small Area Plan. The preferred building use at this intersection would be a mixed use building that could include a pharmacy use. The building placement is consistent with a typical build-to-zone anticipated along the Utica Corridor and recognized in the Utica Corridor Small Area Plan.*

*The proposed drive-thru system and associated canopy between the public street right-of-way and the face of the building is not the normal consideration for the pedestrian realm that is defined in the comprehensive plan.*

### Land Use Vision:

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

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

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

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

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

### Transportation Vision:

*Major Street and Highway Plan:*

25.7

East 15<sup>th</sup> Street is an Urban Arterial and Main Street designation on the Major Street and highway plan. The main street vision can also be identified in the Comprehensive plan as follows:

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.

*South Utica Avenue is an Urban Arterial Multi Modal Corridor.*

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

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

*Trail System Master Plan Considerations: None*

Small Area Plan:

Utica Midtown Corridor Small Area Plan:

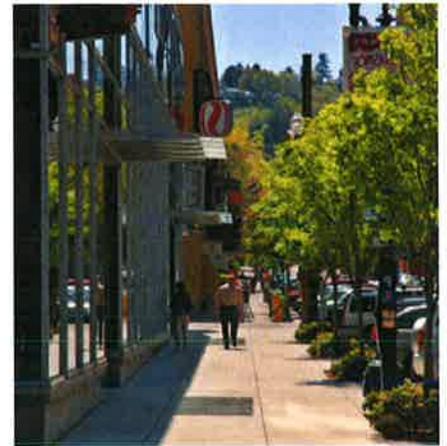
Many of the concepts that are defined in the Planned Unit development are reflected in the following exhibit taken from the Utica Corridor Small Area Plan. The build-to-zone provides flexibility beyond the build-to-line requirements noted in the exhibit below.

25.8

**FIG. S-5.3. PUBLIC REALM DESIGN**

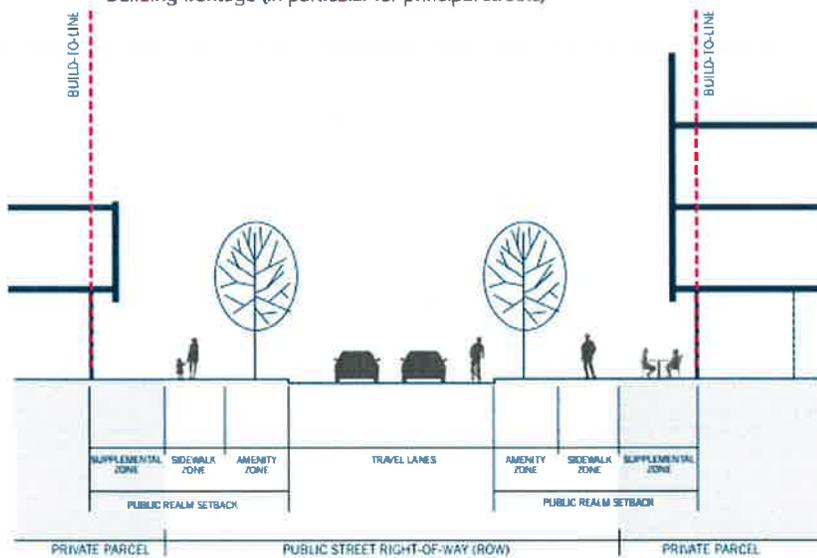
The public realm is defined as all areas to which the public has open access including streets, pathways, parks, publicly accessible open spaces, and any public or civic building and facility. *The following diagram illustrates elements that should be regulated* (through zoning or other means) to achieve a unified public realm that is walkable.

- Number and width of travel lanes
- Location / width of parking lane (if applicable)
- Location / width of bike lane (if applicable)
- Dimension of public realm setback, including:
  - Amenity zone (for trees, lighting, benches, trash receptacles, other)
  - Clear sidewalk zone
  - Supplemental zone (for planting or active uses such as outdoor seating)
- Location of building in relation to sidewalk at the street-level (**build-to-line**)
- Ground floor design, use and access (See Fig. S-5.4 - "Active Ground Floor" on p.222)
- Building frontage (in particular for principal streets)



Adequate and secure pedestrian zones include clear pathways and landscape / **amenity zones** containing street trees, **street lights** and public furniture as buffers from adjacent auto traffic.

Building design can also supplement the experience by orienting the building to the street, providing adequate "storefront" glazing, and using awnings and other features to provide protection from the elements. A **build-to line** can be regulated through zoning to ensure that buildings facades are aligned along the sidewalk to create a consistent urban wall and streetscape.



Special District Considerations: None

Historic Preservation Overlay: None

**DESCRIPTION OF EXISTING CONDITIONS:**

***Staff Summary:** The site is currently occupied with three different buildings that will all be demolished to accommodate this proposed plan.*

Environmental Considerations: None that would affect site development

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Utica Avenue	Urban Arterial/Multi Modal	75 feet	5
East 15 <sup>th</sup> Street South	Urban Arterial/Main Street	75 feet	5
East 14 <sup>th</sup> Place South	None	50 feet	2

Utilities:

25.9

The subject tract has municipal water and sewer available.

Surrounding Properties: The subject tract is abutted on the east by single-family residences, zoned RS-3 and Offices, zoned OL; on the north by offices, zoned OL; on the south by and office building and bank, zoned CS/OL/PUD-708-A; and on the west by a gas station, zoned CH.

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

**ZONING ORDINANCE:** Ordinance number **17042** dated August 22, 1988 (PUD-437), **17010** dated July 12, 1988 (PK), **14605** dated November 16, 1979 (CS), **14251** dated September 14, 1978, **13949** dated October 11, 1977 (CS) and **11815** dated June 26, 1970, established zoning for the subject property.

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

**Z-6193/PUD-437 August 1988:** All concurred in **approval** of a proposed Planned Unit Development a 1.35+ acre tract of land for uses as permitted by right in an OL district excluding drive-in banks and funeral homes and allowing 2 stories on property located on the southeast corner of East 14<sup>th</sup> Place and South Utica Avenue and also known as the subject property.

**Z-6195 July 1988:** All concurred in **approval** of a request for rezoning a tract of land from RS-3 to PK on property located east of S. Utica at E. 14<sup>th</sup> Pl. north and south and a part of the subject property.

**Z-5290 October 1979:** All concurred in **approval** of a request for rezoning a tract of land from OL to CS to correct a mapping error, on property located north of the northeast corner of E. 15<sup>th</sup> St. and S. Utica Ave. and a part of the subject property.

**Z-5145 September 1978:** All concurred in **approval** of a request for rezoning a tract of land from OL to CS, on the south 25 ft. of tract, on property located on the southeast corner of E. 14<sup>th</sup> Pl. and S. Utica Ave. and a part of the subject property.

**Z-5026 July 1977:** All concurred in **approval** of a request for rezoning a tract of land from OL to CS on property located north of the northeast corner of E. 15<sup>th</sup> St. and S. Utica Ave. and a part of the subject property.

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

**Z-7102 October 2008:** All concurred in **approval** of a request for rezoning a 2.7± acre tract of land from RM-2/ OL to OH, for offices, on property located on the southwest corner of the Broken Arrow Expressway and South Utica Avenue.

**Z-6977/PUD-708-A July 2005:** All concurred in **approval** of a proposed Major Amendment to a PUD on a 1.34+ acre tract of land on property and to allow on property located on the southeast corner East 15<sup>th</sup> Street and South Utica Avenue. Staff and TMAPC recommended approval to remove HP zoning subject to the removal of the Victor access. The City Council motioned to retain the three lots in HP overlay zoning, and approve the curb-cut onto Victor but not allow to open until the scheduled improvements at 15<sup>th</sup> and Utica intersection are made; and to approve a landscaping addition to the project at the southeast corner of parking lot providing a buffer and transition into the remaining single-family residential uses to the south.

**PUD-708 August 2004:** All concurred in **approval** of a proposed Planned Unit Development on a 1.34+ acre tract of land, to permit the consolidation of several parcels with various zoning, CH, OL, PK, RS-3 and HP to allow for a bank, including drive-thru facility, and office use subject to staff

25.10

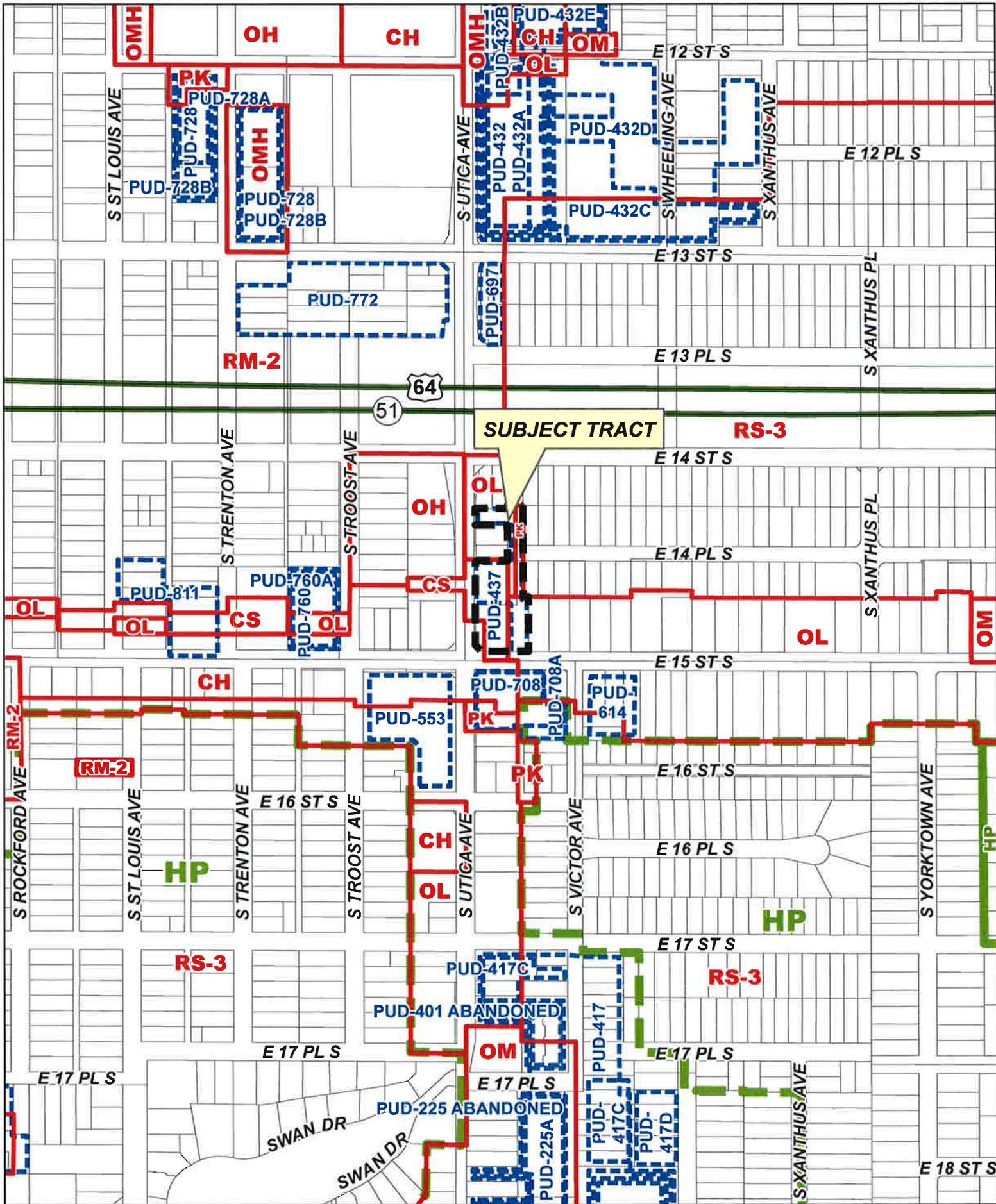
recommendations and eliminating access to Victor Avenue, and to specific traffic flow requirements on property located on the southeast corner of East 15<sup>th</sup> Street South and South Utica Avenue.

**PUD-614 August 1999:** All concurred in **approval** of a proposed Planned Unit Development a 1.2+ acre tract for a one-story medical office (KMO Cancer Care Facility) on property located on the southeast corner of East 15<sup>th</sup> Street and South Victor Avenue.

**PUD 553 April 1997:** All concurred in **approval** of a proposed Planned Unit Development on a 2.14+ acre tract of land to permit a bank, including drive-in facility, and office use per conditions on property located on the southwest corner of East 15<sup>th</sup> Street and South Utica Avenue.

11/18/2015 1:30 PM

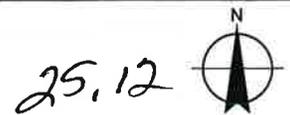
25.11

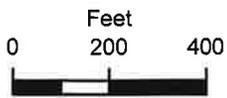


**PUD-437-A**



19-13 07





Subject  
Tract

**PUD-437-A**

19-13 07

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

Aerial Photo Date: March 2014



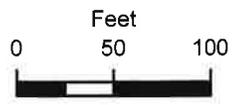


SUTICA AVE

E 14 PLS

E 15 STS

S VICTOR AVE



Subject Tract

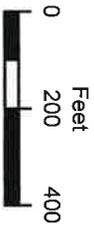
**PUD-437-A**

19-13 07

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

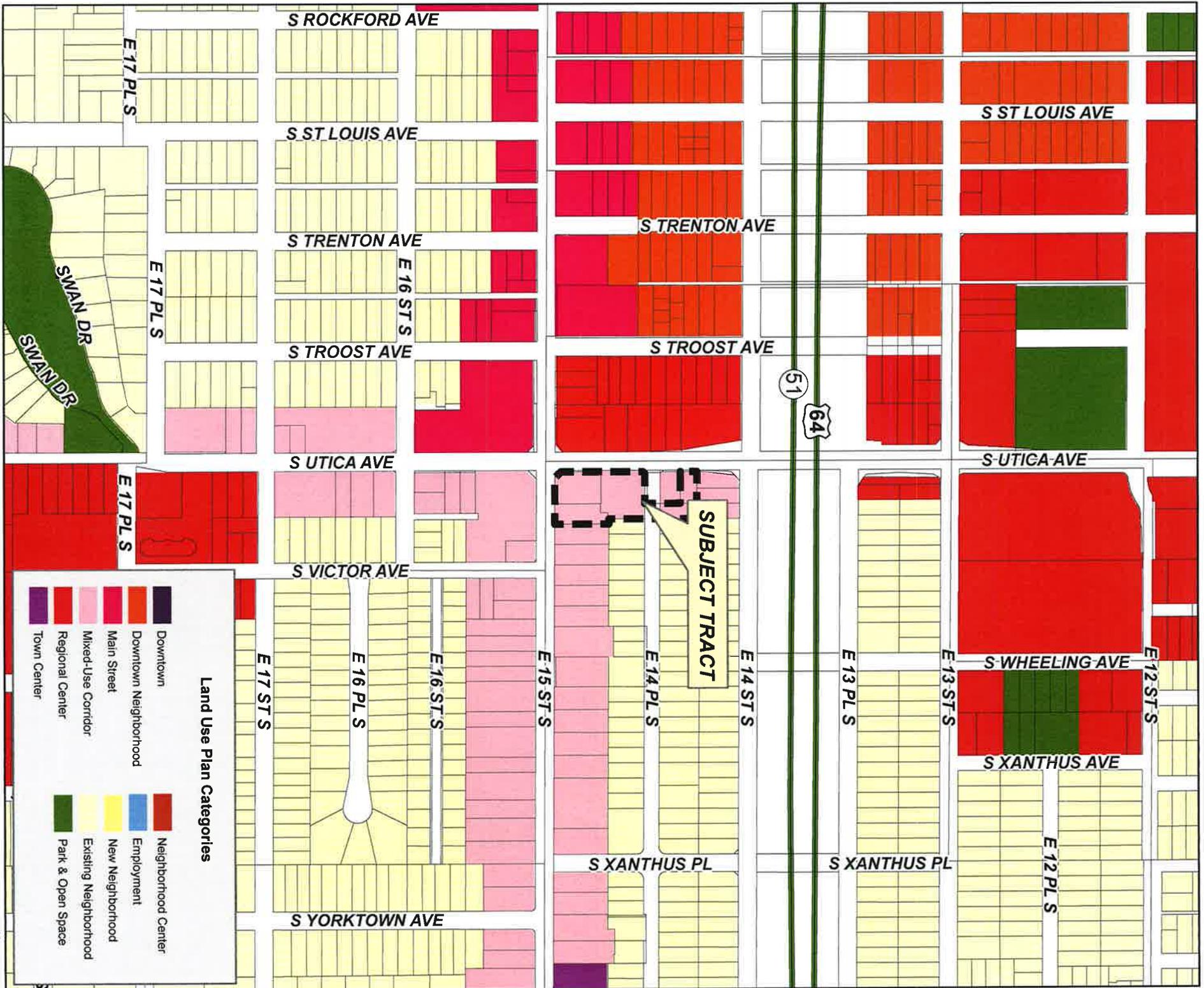
Aerial Photo Date: March 2014 25.14





# PUD-437-A

19-13 07



**Land Use Plan Categories**

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



**SUBJECT TRACT**

**Growth and Stability**

- Area of Growth
- Area of Stability



**PUD-437-A**

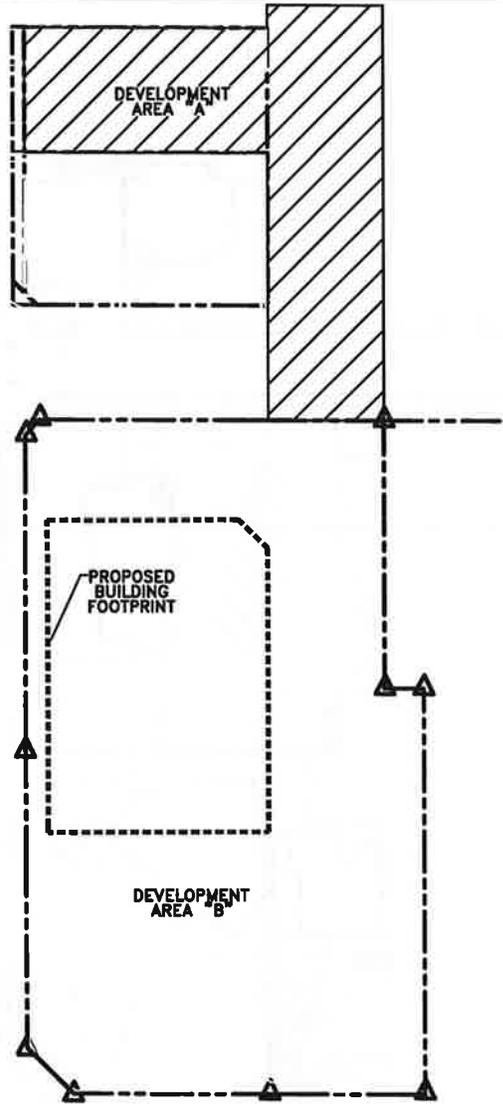
19-13 07

25.14





SCALE: NTS



LEGEND

 - DEVELOPMENT AREA "A"

NEC - 15TH & UTICA  
TULSA, OKLAHOMA

DEVELOPMENT AREAS  
OCTOBER 7, 2015

25.17





E. 15th St



Utica Ave.

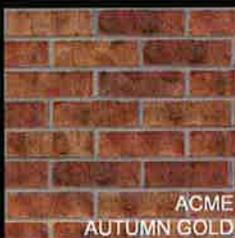


E. 14th St.



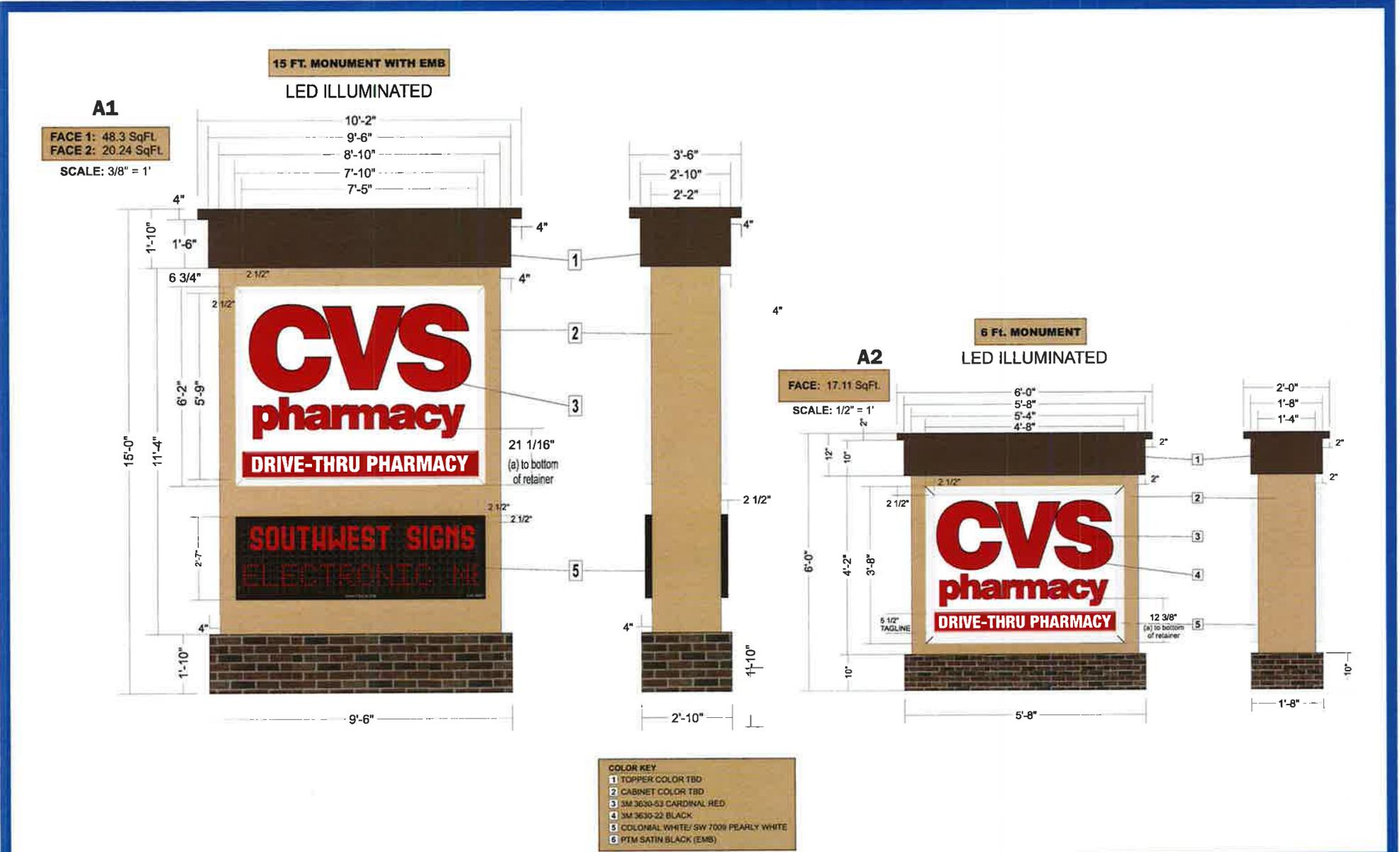
**CVS/pharmacy**  
 CVS 10976 - 15th & Utica  
 Tulsa, OK  
 ELEVATIONS RENDERING

*Proposed Materials*



11.18.15

25.19

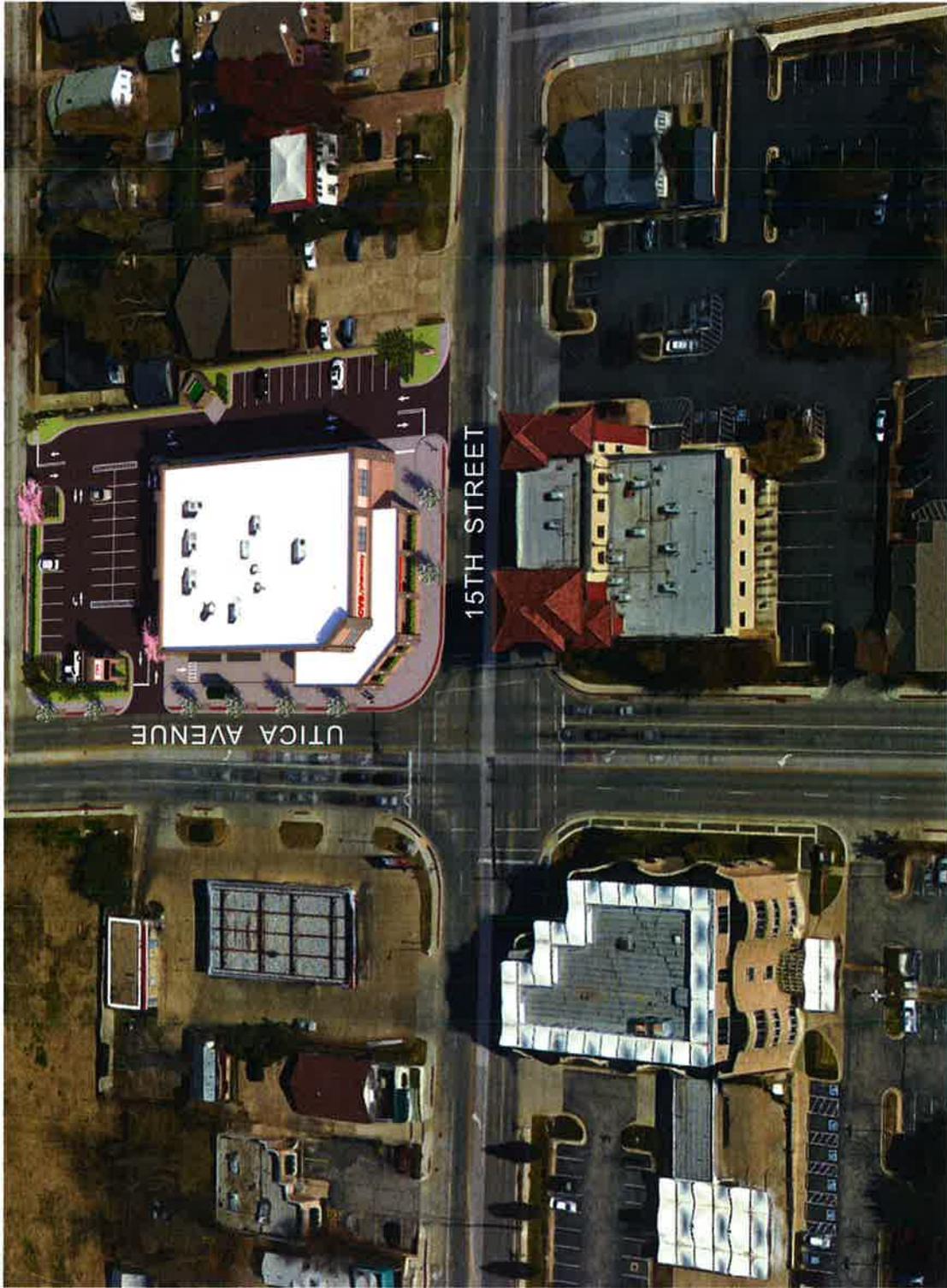


CVS# 10976: 15th St & Utica Ave (NEC) Tulsa, OK 74104, CS# 87346

PID 106970

25.20

11.18.15



UTICA AVENUE

15TH STREET

25.21



CVS/ PHARMACY  
NEC - 15TH ST. AND UTICA AVE. - TULSA, OK



11.19.15



25.22



CVS/ PHARMACY  
NEC - 15TH ST. AND UTICA AVE. - TULSA, OK



11.18.15



CVS/ PHARMACY  
NEC - 15TH ST. AND UTICA AVE. - TULSA, OK



25.23

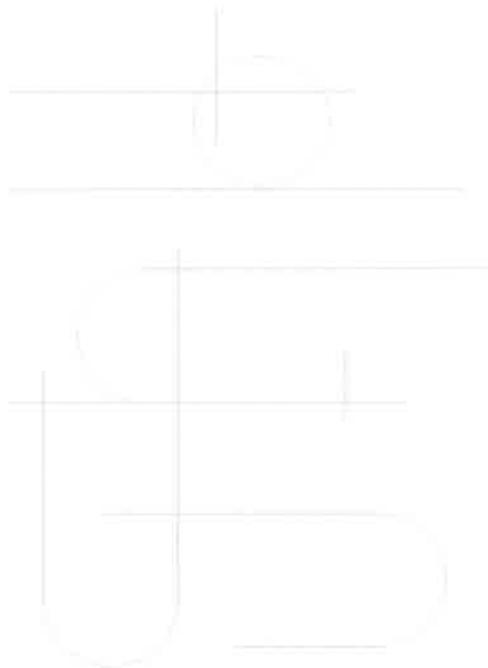
## Huntsinger, Barbara

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**From:** terry meier [tmeier51@gmail.com]  
**Sent:** Tuesday, November 17, 2015 3:48 PM  
**To:** Huntsinger, Barbara  
**Cc:** R. Louis Reynolds; Wilkerson, Dwayne  
**Subject:** Re: Request for Continuance

Our preference would be Dec 16th assuming applicant makes no additional dramatic changes. I am truly awestruck at this entire process and how little time and input are allowed to the affected neighborhoods while developers are afforded lavish amounts of time & levels of communication. I also would note that I have serious doubts applicant has adequately met the signage notice requirements for tomorrow's hearing.

On Tue, Nov 17, 2015, 2:50 PM Huntsinger, Barbara <[bhuntsinger@incog.org](mailto:bhuntsinger@incog.org)> wrote:



Ms. Meier we have received your request for a continuance; however, your letter doesn't indicated how long of a continuance you are requested. TMAPC will need a date certain. Our next meeting will be December 2, 2015 or December 16, 2015.

Barbara Huntsinger

Administrative Assistant for Susan Miller, Manager of Land Development Services

Recording Secretary for Tulsa Metropolitan Area Planning Commission

Two West 2nd Street, Suite 800

Tulsa, OK 74103

## Huntsinger, Barbara

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**From:** Foster, Nathan  
**Sent:** Wednesday, November 04, 2015 10:55 AM  
**To:** Huntsinger, Barbara  
**Subject:** FW: PUD-437-A

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**From:** William R McMahon, Jr. [<mailto:quimby15@att.net>]  
**Sent:** Wednesday, November 04, 2015 10:39 AM  
**To:** Foster, Nathan  
**Subject:** Re: PUD-437-A

Dear Nathan,

Thank you for the information. Cities are not made inviting by sticking huge retail stores on every corner without regard for the neighborhoods. Where is the need for another drug store with its bright, ugly sign pointing it out, flooding our homes with more traffic and parking problems. When was the last time any one from the city tried to cross 15th and Utica? Apparently there is no study indicating a fourth drug store is needed within a mile area. If CVS is attempting to drive Walgreen out of business, let them do in somewhere else. 15th Street is already impossible to find parking in and the city is still allowing more restaurants to build more without providing the parking to handle the business.

My neighborhood is extremely tired of the city's continual abuse of the people trying to live here. 14th Place is slowing becoming a traffic bypass for clogged roadways from Utica and 15th, this store will drastically effect our standard of living. If Tulsa wants to become a attractive place to live, it must respect those trying to do just that.

We will be coming to the meeting on Wednesday with petitions signed to stop this atrocity.

William R. McMahon

On 11/2/2015 3:14 PM, Foster, Nathan wrote:

Let me know if you need any additional information!

Nathan Foster | Land Regulation Specialist  
2 West Second Street Suite 800 | Tulsa, Oklahoma 74103  
ph: 918.579.9474 | fax: 918.579.9574  
web: [www.incog.org](http://www.incog.org) | email: [nfoster@incog.org](mailto:nfoster@incog.org)



November 17, 2015

Michael Covey, Chairman  
Tulsa Metropolitan Area Planning Commission  
2 West 2<sup>nd</sup> Street, Suite 800  
Tulsa, OK 74103

Re: PUD-437-A  
Proposed CVS Pharmacy at 15<sup>th</sup> & Utica  
**Request for Continuance**

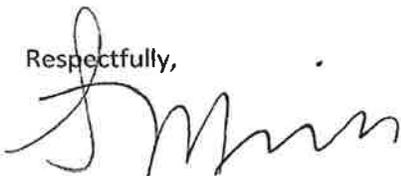
Mr. Covey:

The Terrace Drive Neighborhood Association (the "Association") hereby requests a continuance of the hearing currently scheduled for this Wednesday, Nov. 18<sup>th</sup> at 1:30 with regard to the above matter.

The new, modified development plan submitted by the applicant to the TMAPC on Friday Nov. 13<sup>th</sup> was unveiled by Lou Reynolds (attorney for the applicant) for the first time at a neighborhood meeting last night and a continuance is necessary and appropriate in order to allow time to disseminate and analyze this new information. We requested at last night's meeting that Mr. Reynolds discuss agreement for a continuance with his client and let the Association know but as of the time of this request we have had no response. Mr. Reynolds also agreed last evening to provide certain additional information to the Association as quickly as possible and we have received no response from him or the information he agreed to provide.

It is clear this proposal fails to meet the criteria of the Utica Midtown Corridor Small Area Plan and a continuance is requested.

Respectfully,



Terry E. Meier  
President Terrace Drive Neighborhood Association

cc: Blake Ewing, City Counselor District 4  
Karen Keith, County Commissioner District 2

25.26 ..

## Huntsinger, Barbara

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**From:** Ayschia [ayschia@gmail.com]  
**Sent:** Saturday, November 07, 2015 8:44 AM  
**To:** Huntsinger, Barbara  
**Cc:** esubmit  
**Subject:** Re: PUD437A

Thank you! I realized I mistakenly said 15th and Lewis. I'm aware this is 15th and Utica. Excuse my mistake. Thank you!

Sent from my iPhone so please excuse any spelling errors.

On Nov 5, 2015, at 4:44 PM, Huntsinger, Barbara <[bhuntsinger@incog.org](mailto:bhuntsinger@incog.org)> wrote:

Thank you, I will make this a part of our records for the TMAPC to review.

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**From:** Ayschia Kuykendall [<mailto:ayschia@gmail.com>]  
**Sent:** Thursday, November 05, 2015 4:39 PM  
**To:** esubmit  
**Subject:** PUD437A

Dear Planning Commission,

I wanted to let you know that as a homeowner of the Terrace Drive neighborhood I oppose the rezoning to allow CVS to build on the corner of 15th and Lewis. We are a quiet neighborhood with only one real street (between the access road and 15th) to walk up and down as a family or let our children ride their bikes. The addition of CVS will bring much unwanted traffic to our neighborhood as people visit the store and then from there most likely utilize our neighborhood road to then access the BA expressway. I think the large building and parking lot do not fit into our historic neighborhood. Additionally there are so many other pharmacies within walking distance. There is absolutely no reason to add one more plus the accompanying eyesore of a large parking lot. Please consider the children and families that live on our street and the historic nature of the area when making your decision. I'm not opposed to CVS in general but feel that this would be an inappropriate place for their expansion in an already saturated area.

Sincerely,  
Ayschia Kuykendall  
Resident, 2011 E. 14th Pl.

--  
ayschia

We all blossom in the presence of one who sees the good in us and who can coax the best out of us. - Desmond Tutu

**Huntsinger, Barbara**

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**From:** Christopher Cox [chriscox1973@me.com]  
**Sent:** Friday, November 06, 2015 9:47 PM  
**To:** esubmit  
**Subject:** Cvs at 15th and Utica

I totally support this development. I hope that you do not let a few neighbors stop what is best for the development of this area.

Sent from my iPhone

## Huntsinger, Barbara

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**From:** Evan R. [ebrinok@gmail.com]  
**Sent:** Friday, November 06, 2015 3:48 PM  
**To:** esubmit  
**Subject:** PUD -437-A

Hello,

My name is Evan Reif and I own a home on 14th Place in the Terrace Drive addition. I'm writing to voice my concerns about the proposed rezoning for a CVS pharmacy on the NE corner of 15th and Utica.

With traffic at a standstill on Utica several times a day already, I would at a minimum like to see 14th PL dead ended at Utica. If not, people will in no time start using 14th Place, a quiet residential street, to cut through to CVS and to the Broken Arrow Expressway.

I'm not pleased with the CVS plans at all, because we have 5 pharmacies within a mile of this intersection. I know the Walgreen's at 15th and Utica has been robbed several times and it draws a sketchy crowd late at night. I don't think a 24/7 business of this type is a congruent addition to our quiet neighborhood. It's usually impossible for residents to stop this type of development it seems. though, so I would at least like to see it built in the least-intrusive way possible (dead ending the street - no access to CVS from 14th Place). That's the least that could be done.

I will be attending a meeting I was invited too with Councilman Ewing next week, and the hearing on the 18th.

Thank You,  
Evan Reif  
Terrace Drive Homeowner.

**Huntsinger, Barbara**

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**From:** LINDA MUMMEY [lindamummey@sbcglobal.net]  
**Sent:** Friday, November 06, 2015 9:10 AM  
**To:** esubmit  
**Subject:** Public Hearing, Case #PUD-437-A

Concerning the subject case, I have several concerns about a possible rezoning at the corner of 14th Place and the building of a CVS, as follows:

1) Traffic is already seriously congested. With three stop lights from 13th Street to 15th Street on Utica, traffic moves very slowly, not only at peak times but throughout the day. Also, Utica to Peoria on 15th Street is barely driveable. Of course there is also a lot of pedestrian traffic. It's surprising we don't have more hit and runs.

2) There are two drug stores half a mile south (Utica Square) and half a mile east (15th and Lewis) not to mention the drug stores at Reasors and others located at the hospitals. The economy may not support another drug store. How about one downtown near OSU Medical Center, perhaps in the Librarium after the main Library is finished?! Unfortunately I can picture another empty, vacant, overwhelming building in a couple of years on our beautiful corner.

3) This neighborhood is going through a renaissance. Many young people are interested in buying here, and over the last few years I've been pleased to see lots of baby swings and young children playing. This whole new neighborhood setting could be seriously damaged by a drug store on the corner. Crime will most likely increase, and certainly traffic will, even on our quiet street!

4) This neighborhood is historic. These are old, sturdy houses, mostly Craftsman style. My house is over 90 years old. The houses on 15th Street also tell an important story about Tulsa, and the one just east of the gas station on 15th and Utica is truly an architectural wonder. Really, are you planning to take that one?!

Many of my neighbors share these concerns. I hope you truly hear our concerns and discontinue the idea of rezoning for a CVS. There is too much destruction of Tulsa's history already.

Sincerely,  
Linda Saults Mummey  
1731 E. 14th Place  
Tulsa, OK 74104  
Phone (918) 744-4086

## Huntsinger, Barbara

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**From:** Jeffrey Kuykendall [jkuykendall87@gmail.com]  
**Sent:** Thursday, November 05, 2015 4:47 PM  
**To:** esubmit  
**Subject:** PUD437A

Dear Planning Commission,

I wanted to let you know that as a homeowner of the Terrace Drive neighborhood I oppose the rezoning to allow CVS to build on the corner of 15th and Lewis. I will be unable to make the meeting on the 18th but please know that I am one of many in our neighborhood who are against this possibility.

Sincerely,  
Jeff Kuykendall, Homeowner  
2011 E. Pl.

--  
Jeff K.

## Huntsinger, Barbara

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**From:** Ayschia Kuykendall [ayschia@gmail.com]  
**Sent:** Thursday, November 05, 2015 4:39 PM  
**To:** esubmit  
**Subject:** PUD437A

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Resident, 2011 E. 14th Pl.

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