# TULSA METROPOLITAN AREA PLANNING COMMISSION

Meeting No. 2713 January 6, 2016, 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:** 

### **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.

- 1. <u>LS-20836</u> (Lot-Split) (CD 5) Location: Southeast corner of East 41<sup>st</sup> Street South and South Hudson Avenue (related to: LC-733 & LS-20837)
- 2. <u>LC-733</u> (Lot-Combination) (CD 5) Location: Southeast corner of East 41<sup>st</sup> Street South and South Hudson Avenue (related to: LS-20836 & LC-733)
- 3. <u>LS-20837</u> (Lot-Split) (CD 5) Location: South of the southeast corner of East 41<sup>st</sup> Street South and South Hudson Avenue (related to: LD-20836 & LC-733)
- 4. <u>LC-734</u> (Lot-Combination) (CD 6) Location: Northwest corner of East  $12^{th}$  Street South and South  $179^{th}$  East Avenue
- 5. <u>LS-20838</u> (Lot-Split) (CD 5) Location: North and East of the northeast corner of East 15<sup>th</sup> Street South and South 69<sup>th</sup> East Avenue (related to: LC-735)
- 6. <u>LC-735</u> (Lot-Combination) (CD 5) Location: North and East of the northeast corner of East 15<sup>th</sup> Street South and South 69<sup>th</sup> East Avenue (related to: LS-20838)
- 7. <u>LS-20839</u> (Lot-Split) (County) Location: South of East  $94^{th}$  Street South and South  $187^{th}$  East Avenue

- 8. <u>LS-20840</u> (Lot-Split) (County) Location: East of the southeast corner of East 116<sup>th</sup> Street North and North Harvard Avenue
- 9. <u>LC-737</u> (Lot-Combination) (CD 1) Location: North of the northwest corner of East Apache Street and North Harvard Avenue
- 10. LS-20841 (Lot-Split) (CD 8) Location: Southwest corner of East 101<sup>st</sup> Street South and South 77<sup>th</sup> East Avenue
- 11. **LS-20842** (Lot-Split) (CD 8) Location: West of the northwest corner of East 107<sup>th</sup> Place South and South Louisville Avenue (related to LC-736)
- 12. <u>LC-736</u> (Lot-Combination) (CD 8) Location: West of the northwest corner of East 107<sup>th</sup> Place South and South Louisville Avenue (related to LS-20842)
- 13. **LS-20843** (Lot-Split) (County) Location: South of the southwest corner of East 106<sup>th</sup> Street North and North New Haven Avenue
- Partial Vacation of Plat and Termination of Deed of Dedication Crossbow Center, Jenny Marie Addition, Location: Northwest corner of South Garnett Road and 41<sup>st</sup> Street South (CD 6)
- 15. Jenks Northwest Elementary Final Plat, Location: North of the northeast corner of West 81<sup>st</sup> Street South and South Elwood Avenue, (CD 2)
- 16. <u>Stonehaven Final Plat, Location: West of southwest corner of East 81<sup>st</sup> Street South and South Garnett Road, (CD 7)</u>
- <u>PUD-587-10 Crown Neon Federal Signs/Todd Adair</u>, Location: West of the southwest corner of South Yale Avenue and East 81<sup>st</sup> Street South, requesting a PUD Minor Amendment to permit the addition of a ground sign, CS/PUD-587, (CD 8)
- <u>PUD-736 The BDB Engneering Group</u>, Location: North of the northeast corner of South 89<sup>th</sup> East Avenue and East 71<sup>st</sup> Street South, requesting a PUD Detail Site Plan for a new hotel within the PUD, CS/PUD-736, (CD 7)
- 19. <u>AC-138 AAB Engineering, LLC</u>, Location: Northeast corner of East Admiral Boulevard and North Yale Avenue, requesting an Alternative Compliance Landscape Plan to provide additional parking and street trees in lieu of providing one tree within 50 feet of every proposed parking space, CH, (CD 3)
- <u>PUD-268-D Wallace Engineering</u>, Location: Southwest corner of South Mingo Road and East 93<sup>rd</sup> Street South, requesting a PUD Detail Site Plan for a new parking lot addition, RM-1/PUD-268-D) (CD 7)

## CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA:

### **PUBLIC HEARINGS:**

- 21. <u>Phillips Addition –</u> Minor Subdivision Plat, Location: West of southwest corner of East Pine Street and North 129<sup>th</sup> East Avenue, (CD 3)
- 22. **Dollar General 11<sup>th</sup> & Garnett** Preliminary Plat, Location: West of southwest corner of East 11<sup>th</sup> Street South and South Garnett Road, (CD 5)
- 23. <u>Z-7322</u> Plat Waiver, Location: East of northeast corner of East 21<sup>st</sup> Street and South Memorial Drive, (CD 5)
- 24. <u>CVS-ERWII</u> Minor Subdivision Plat, Location: Northeast corner of South Utica Avenue and East 15<sup>th</sup> Street (CD 4) (Continued from November 18, 2015 meeting) (Staff requests a continuance to January 20, 2016 while rezoning is appealed to City Council.)
- 25. <u>PUD-636-D Matt Christensen</u>, Location: South of the southeast corner of West 71<sup>st</sup> Street and South Union Avenue, requesting a PUD Major Amendment to Abandon, (CD 2) (Continued from December 16, 2015) (Staff requests a continuance to February 3, 2016)

#### **OTHER BUSINESS**

- 26. Consider initiation of an amendment to the Comprehensive Plan Land Use Map from "Neighborhood Center" to "New Neighborhood" on approximately 1.11 acres on the northeast corner of East Queen Street and North Martin Luther King Boulevard.
- **27. Election of Officers**
- 28. Commissioners' Comments

### ADJOURN

### CD = Council District

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

Visit our website at <u>www.tmapc.org</u>

email address: 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.

Eller Detrich

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 Heidi L. Shadid Nathalie M. Schaefer

Of Counsel Donald L. Detrich Katherine Saunders, PLC Jerry M. Snider John H. Lieber Joshua M. Tietsort

December 16, 2015

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

HAND DELIVERED

Re: Partial Vacation – Crossbow Center Addition and Partial Vacation – Jenny Marie Addition

Dear Ms. Fernandez:

With this letter, I am delivering to you the Partial Vacation of Plat and Termination of Deed of Dedication – Crossbow Center and the Partial Vacation of Plat and Partial Termination of Deed of Dedication – Jenny Marie Addition that were approved by Janine Van Valkenburgh. 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 the development of the property as a QuikTrip store. 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.

Thank you for your courtesy and cooperation.

Very truly your Hude . Snider Jerry

JMS/ps Enclosures

Telephone (918) 747-8900

Toll Free

Facsimile (918) 747-2665

(866) 547-8900

www.EllerDetrich.com



# PARTIAL VACATION OF PLAT AND TERMINATION OF DEED OF DEDICATION <u>CROSSBOW CENTER ADDITION</u>

### (PLAT NO. 3537)

THIS PARTIAL VACATION OF PLAT AND TERMINATION OF DEED OF DEDICATION - CROSSBOW CENTER ADDITION, PLAT NO. 3537 is entered into to be effective on the date set forth below.

### **RECITALS:**

A. The Plat and Deed of Dedication of CROSSBOW CENTER ADDITION was recorded in the office of the Tulsa County Clerk as Plat No. 3537 on July 15, 1974 (the "Plat").

B. The undersigned property owner is the owner of all of the lots CROSSBOW CENTER ADDITION both in the part to be vacated by this instrument and the part that will not be vacated.

C. The Plat should be vacated as provided below because all of the land in that part of the Plat to be vacated has been replatted and is a part of the land now subject to the Plat and Deed of Dedication of CROSSBOW CENTER II, dated March 18, 2015, and recorded in the office of the Tulsa County Clerk on April 17, 2015, as Plat No. 6600.

### PARTIAL VACATION OF PLAT, ETC.:

NOW, THEREFORE, pursuant to 11 O.S. 2001 §42-106, the undersigned property owner hereby vacates the Plat and Deed of Dedication of CROSSBOW CENTER ADDITION and the same is held for naught insofar as it affects any of the following described property:

> All that part of Lot One (1), Block One (1), CROSSBOW CENTER ADDITION, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat No. 3537, that is now part of CROSSBOW CENTER II, a Subdivision in the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat No. 6600, as more particularly described on Exhibit A.1 and depicted on Exhibit A.2 attached hereto (the "Property").

FURTHER, this instrument terminates and vacates all of the setback lines, and easements, including utility easements, provided for in the Deed of Dedication recorded with Plat No. 3537 insofar as they affect the Property.

FINALLY, attached hereto and incorporated by reference is the Special Certificate of Guaranty Abstract Company showing the ownership of the lots that comprise CROSSBOW CENTER ADDITION.

This vacation shall be effective as of the date of its approval by the City of Tulsa and the recording of this instrument in the office of the Tulsa County Clerk .

H W ALLEN CO., LLC, an Oklahoma limited liability company, successor by conversion to H W ALLEN CO., an Oklahoma corporation,

By: Name:

Title: Manager

STATE OF OKLAHOMA ) ) ss COUNTY OF <u>Tulso</u>)

This instrument was acknowledged before me, a Notary Public, on this  $\underline{/ \Box}$  day of December, 2015, by <u>Philip B</u> <u>Quen</u> as Manager of H W ALLEN CO., LLC, an Oklahoma limited liability company, successor by conversion to H W ALLEN CO., an Oklahoma corporation.



NOTARY PUBLIC Commission No. <u>/2011610</u>

On this \_\_\_\_\_\_ day of \_\_\_\_\_\_, 2015, the Tulsa Metropolitan Area Planning Commission expressly acknowledges, consents and approves of the partial vacation of CROSSBOW CENTER ADDITION subdivision plat, Plat Number 3537 and to termination of the Deed of Dedication annexed thereto.

Chairman of the TMAPC

On this \_\_\_\_\_\_ day of \_\_\_\_\_\_, 2015, the City of Tulsa expressly acknowledges, consents and approves of the vacation of CROSSBOW CENTER ADDITION subdivision plat, Plat Number 3537 and to termination of the Deed of Dedication annexed thereto.

Chairman of the Council

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2015,

By: \_\_\_\_\_

Mayor

(Seal) ATTEST:

City Clerk

APPROVED:

City Attorney

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# **Exhibit "A.1"** Crossbow Center II Underlying Crossbow Center Addition Plat Description

### Description

A TRACT OF LAND THAT IS A PART OF "CROSSBOW CENTER II", A RESUBDIVISION OF LOT 1, BLOCK 1, CROSSBOW CENTER ADDITION; AND LOTS 1 & 2, BLOCK 1, JENNY MARIE ADDITION; AND PART OF LOT 1, BLOCK 1, CHRIS-DEE ADDITION, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF (PLAT NO. 6600), TULSA COUNTY, STATE OF OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION NINETEEN (19), TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST, OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF; THENCE SOUTH 88°37'04" WEST ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION FOR A DISTANCE OF 250.00 FEET TO A POINT; THENCE NORTH 1°25'02" WEST, FOR A DISTANCE OF 50.00 FEET TO A POINT THE SOUTHEAST CORNER OF ORIGINAL LOT 1, BLOCK 1, "CROSSBOW CENTER ADDITION", A RESUBDIVISION IN THE CITY OF TULSA, (PLAT NO. 3537), SAID POINT ALSO BEING THE POINT OF BEGINNING:

THENCE SOUTH 88°37'04" WEST, ALONG THE SOUTH LINE OF SAID "CROSSBOW CENTER II", FOR A DISTANCE OF 511.07 FEET TO THE SOUTHWEST CORNER OF BLOCK 1, SAID 'CROSSBOW CENTER II"; THENCE ALONG THE WEST LINE OF SAID BLOCK ONE FOR THE FOLLOWING FIVE (5) COURSES; NORTH 1°21'10" WEST FOR A DISTANCE OF 233.22 FEET; THENCE NORTH 88°38'50" EAST FOR A DISTANCE OF 38.01 FEET; THENCE NORTH 1°21'10" WEST FOR A DISTANCE OF 70.31 FEET; THENCE NORTH 88°37'04" EAST FOR A DISTANCE OF 61.15 FEET; THENCE NORTH 1°21'10" WEST FOR A DISTANCE OF 306.34 FEET TO A POINT AT THE NORTHWEST CORNER OF SAID BLOCK 1; THENCE NORTH 1°21'10" WEST FOR A DISTANCE OF 306.34 FEET TO A POINT AT THE NORTHWEST CORNER OF SAID BLOCK 1; THENCE NORTH 1°21'10" WEST FOR A DISTANCE OF 306.34 FEET TO A POINT AT THE NORTHWEST CORNER OF SAID BLOCK 1; THENCE NORTH 88°37'32" EAST, ALONG THE NORTH LINE OF SAID BLOCK 1, FOR A DISTANCE OF 461.23 FEET TO A POINT AT THE NORTHEAST CORNER OF SAID ORIGINAL LOT 1, BLOCK 1, "CROSSBOW CENTER ADDITION"; THENCE SOUTH 1°25'02" EAST FOR A DISTANCE OF 139.94 FEET; THENCE NORTH 88°37'32" EAST FOR A DISTANCE OF 150.00 FEET TO THE WEST RIGHT OF WAY LINE OF SOUTH GARNETT ROAD, AS PRESENTLY LOCATED; THENCE ALONG SAID WEST RIGHT OF WAY FOR THE FOLLOWING FOUR (4) COURSES; SOUTH 1°25'02" EAST, FOR A DISTANCE OF 116.39 FEET; THENCE SOUTH 4°17'43" WEST FOR A DISTANCE OF 15.57 FEET; THENCE SOUTH 88°34'58" WEST FOR A DISTANCE OF 6.45 FEET; THENCE SOUTH 1°25'02" EAST FOR A DISTANCE OF 58.12 FEET TO A POINT AT THE NORTHEAST CORNER OF ORIGINAL BLOCK 1, "JENNY MARIE", AN ADDITION TO THE CITY OF TULSA, (PLAT NO. 2882); THENCE SOUTH 88°38'19" WEST, ALONG THE WEST LINE OF LOTS 1 & 2, SAID BLOCK 1, FOR A DISTANCE OF 279.88 FEET TO THE POINT AT THE NORTHWEST CORNER OF LOT 2, SAID BLOCK 1; THENCE SOUTH 1°25'02" EAST, ALONG THE WEST LINE OF LOTS 1 & 2, SAID BLOCK 1, FOR A DISTANCE OF 279.88 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINING 322,924SQUARE FEET OR 7.413 ACRES.

### **Basis of Bearing**

THE BEARINGS SHOWN HEREON ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (3501), NORTH AMERICAN DATUM 1983 (NAD83).

### **Real Property Certification**

I, DAN E. TANNER, OF TANNER CONSULTING, LLC, CERTIFY THAT THE ATTACHED DESCRIPTION CLOSES IN ACCORD WITH EXISTING RECORDS, IS A TRUE REPRESENTATION OF THE REAL PROPERTY AS DESCRIBED, AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING OF THE STATE OF OKLAHOMA.

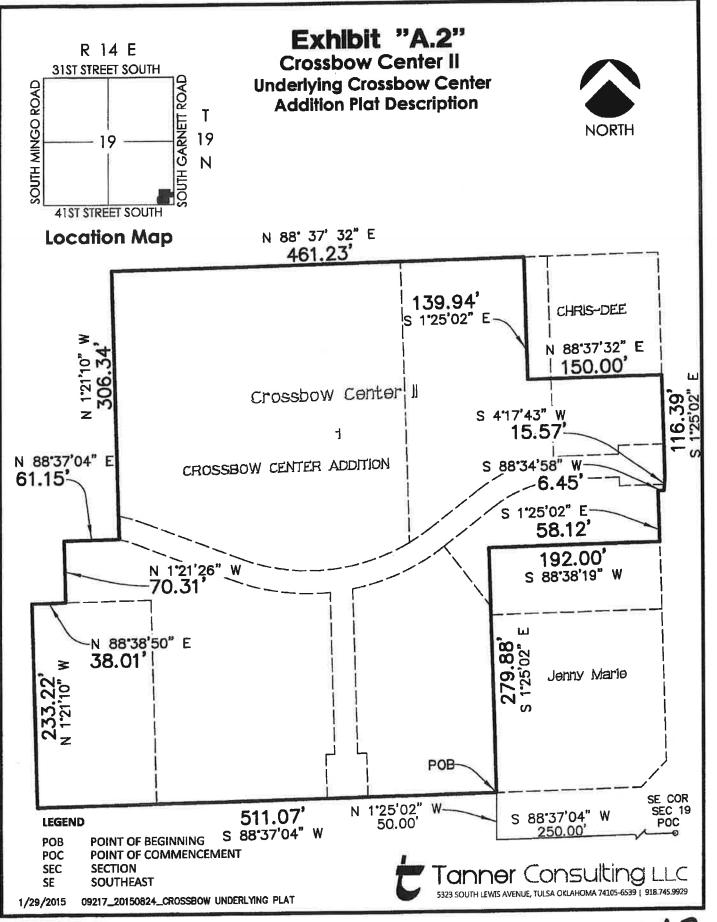


DAN E. TANNER, P.L.S. OKLAHOMA P.L.S. #1435 OKLAHOMA CA #2661 EXPIRATION DATE: 6/30/17

8.29.2015

DATE

8/24/2015 09217\_20150824\_CROSSBOW UNDERLYING PLAT





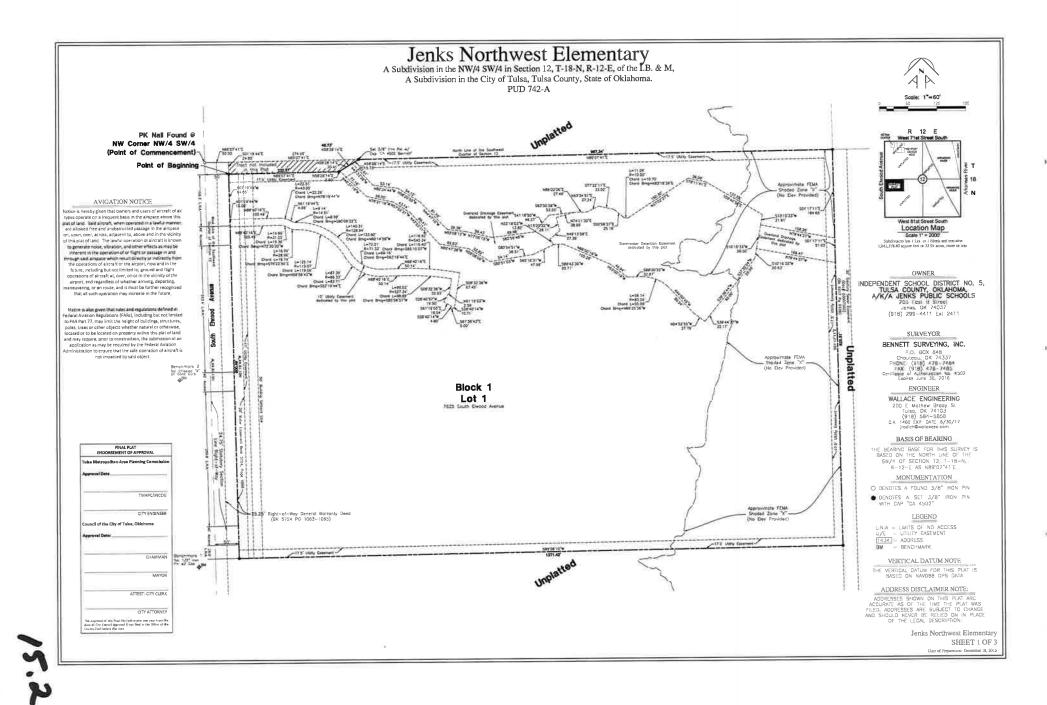
# **Final Subdivision Plat**

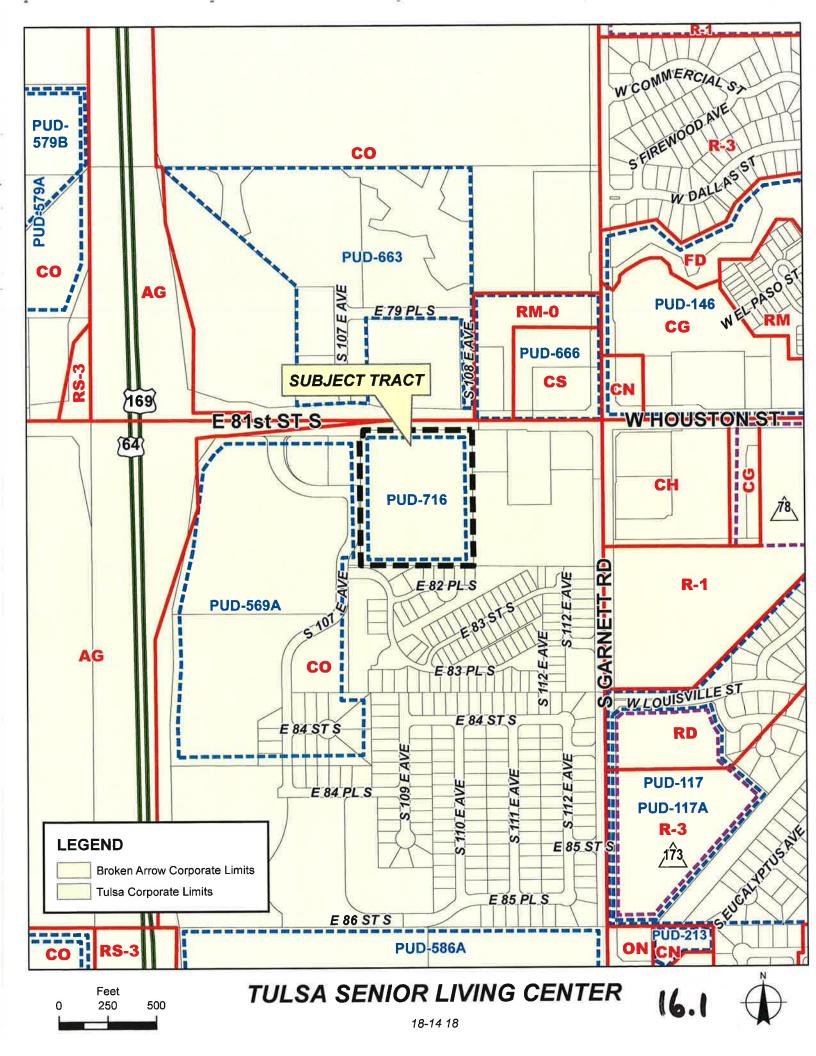
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<u>Jenks Northwest Elementary</u> - (CD 2) North of the northeast corner of West 81<sup>st</sup> Street South and South Elwood Avenue

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

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



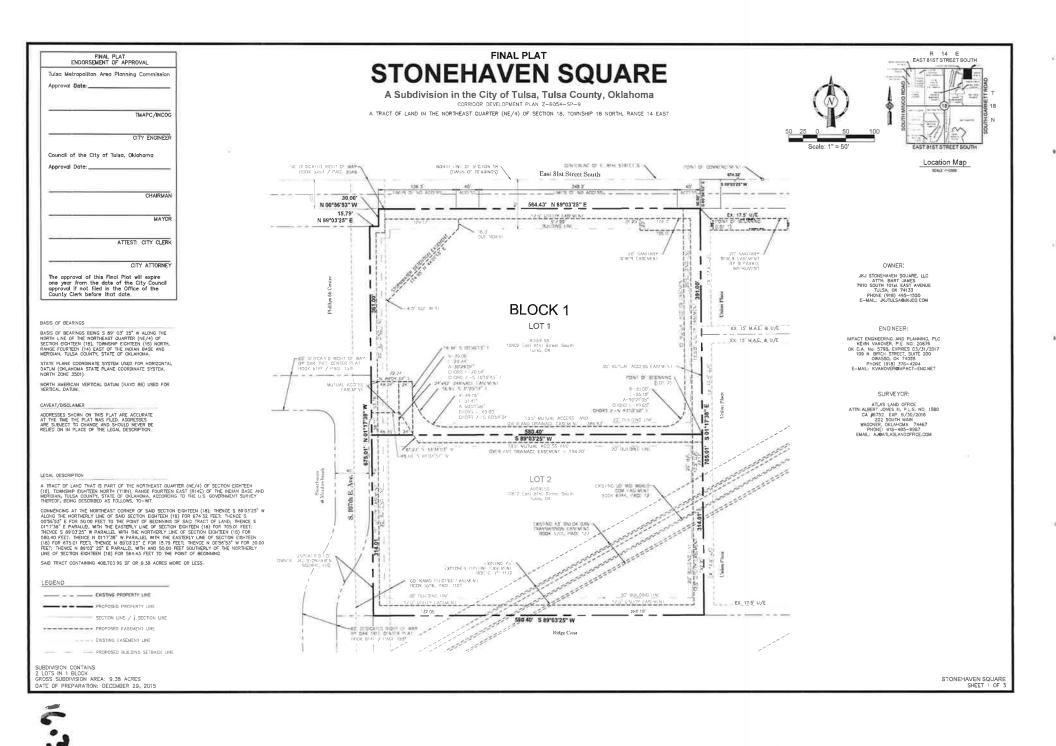


# **Final Subdivision Plat**

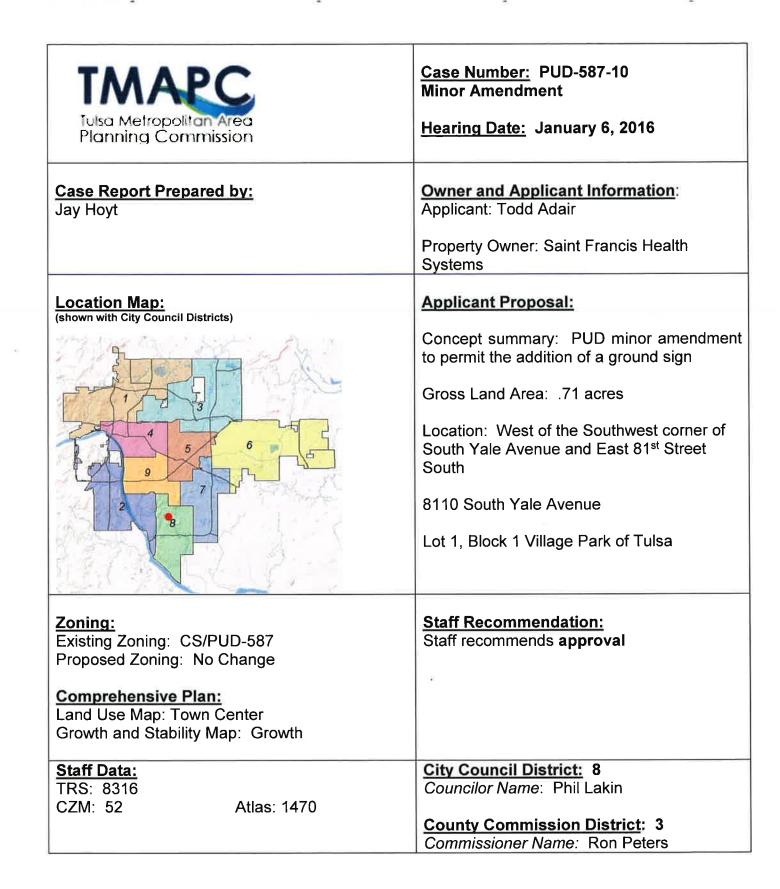
<u>Stonehaven</u> - (CD 7) West of southwest corner of East 81<sup>st</sup> Street South and South Garnett Road

This plat consists of 2 Lots, 1 Block, on 9 acres.

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







### SECTION I: PUD-587-10 Minor Amendment

### STAFF RECOMMENDATION

<u>Amendment Request:</u> Modify the PUD to permit the addition of a ground sign center.

The lot the applicant has proposed the ground sign for is not currently allowed a ground sign due to the restriction that ground signs are only allowed on lots with frontage on Yale and 81<sup>st</sup> Street. The applicant proposes a maximum height of 20 ft and a maximum display surface area of 70 sf.

<u>Staff Comment:</u> This request can be considered a Minor Amendment as outlined by Section 1107.H.12 PUD Section of the City of Tulsa Zoning Code.

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

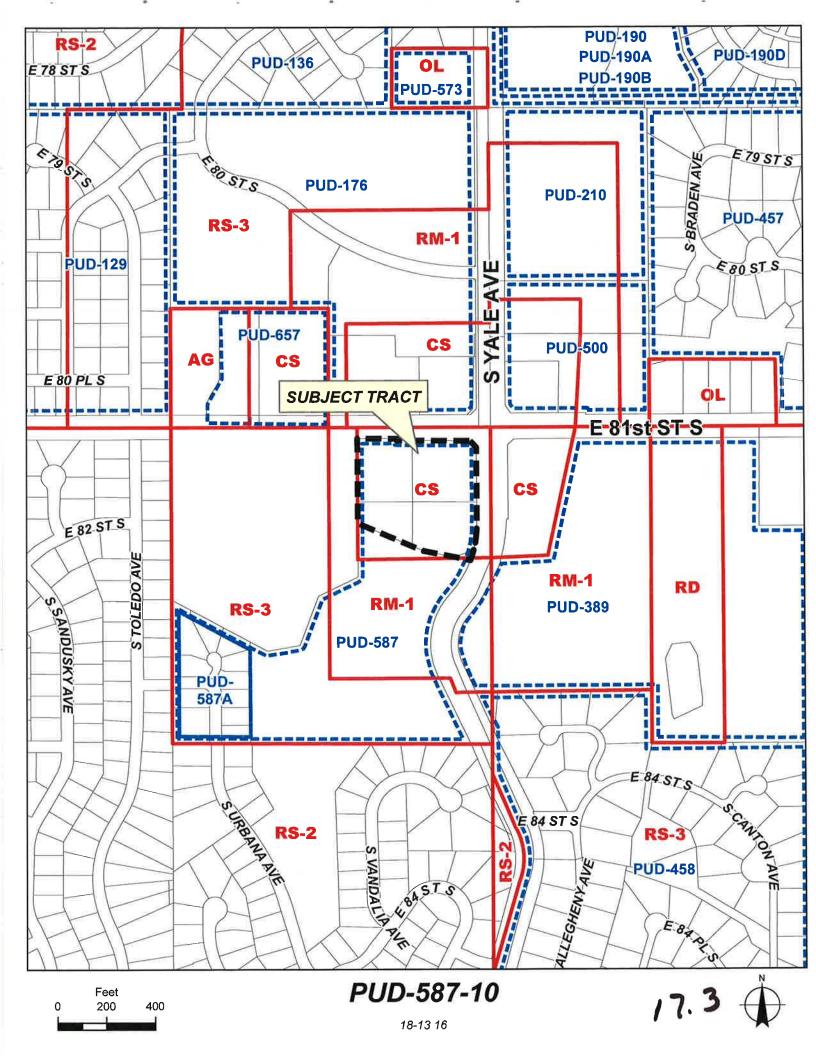
Staff has reviewed the request and determined:

- 1) The requested amendment does not represent a significant departure from the approved development standards in the PUD.
- 2) All remaining development standards defined in PUD-587 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 Sign Plan Applicant Site Plan Applicant Plat Applicant Photo of existing condition at proposed sign location.

With considerations listed above, staff recommends **approval** of the minor amendment request to permit the addition of a ground sign.





Feet 0 200 400



PUD-587-10

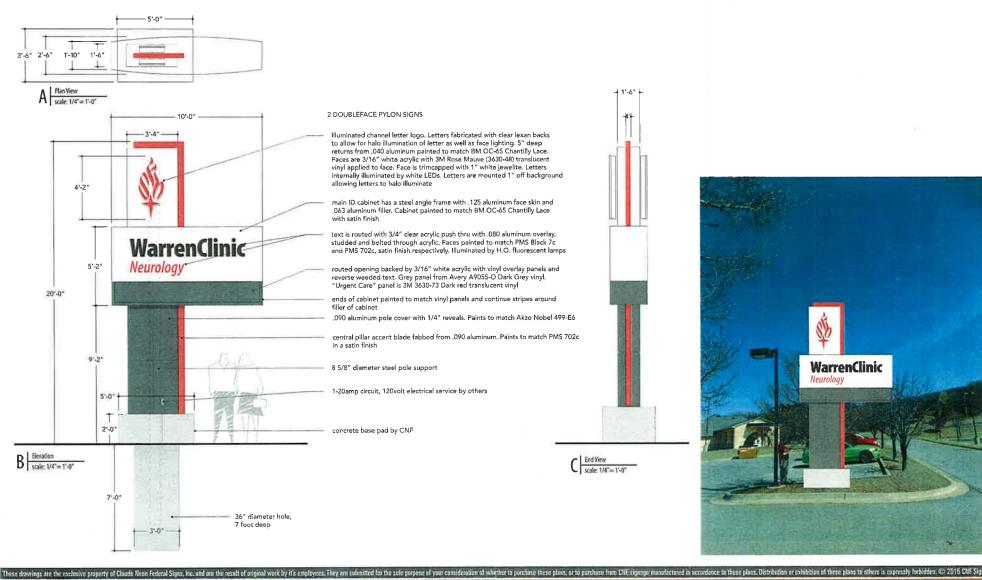
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Note: Graphic overlays may not precisely align with physical features on the ground.

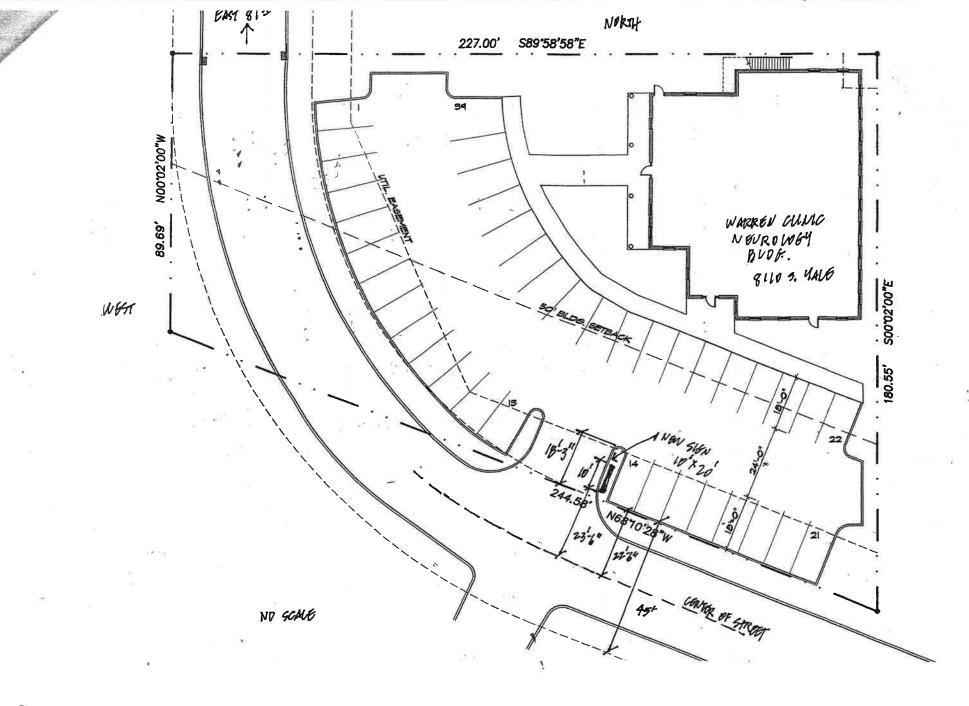


Aerial Photo Date: March 2014

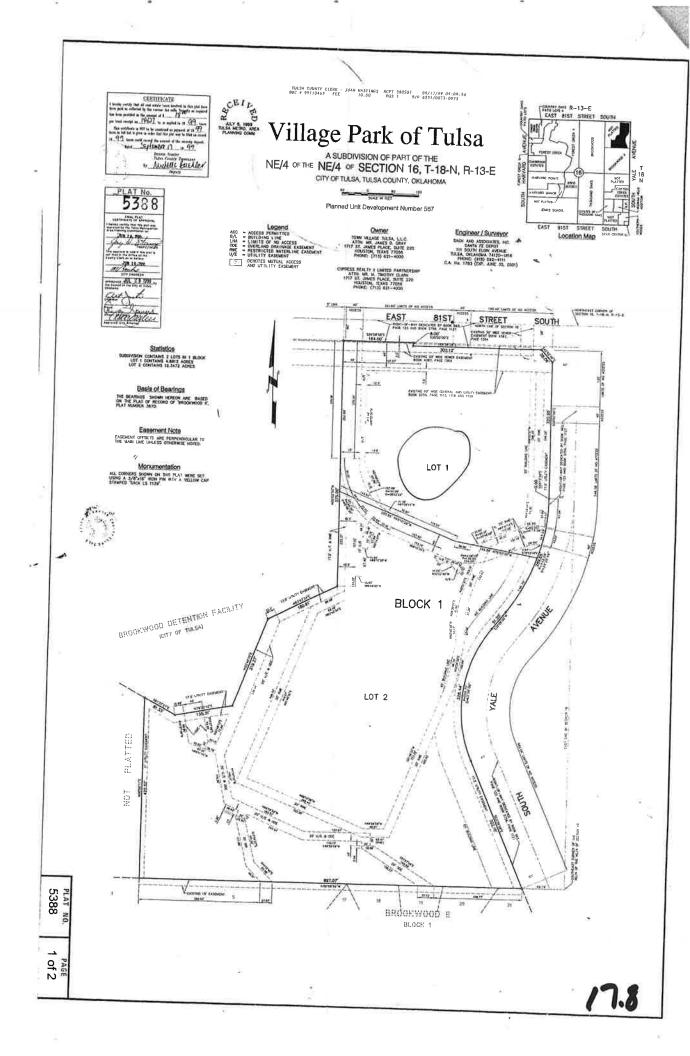




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CLAUDE MIEW FIBERAL SWID: web: cafaight.com represent at additional cest.	2m		JAMES ADAIR	APRIL 03, 2015	1	COPY: ROUT/VINYL	NEON NEON	1	OT THE



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Tulsa Metropolitan Area Planning Commission	<u>Case Number:</u> PUD-736 Detail Site Plan <u>Hearing Date:</u> January 6, 2016					
<u>Case Report Prepared by:</u> Jay Hoyt	Owner and Applicant Information: Applicant: The BDB Engineering Group Property Owner: Woodland Hills Hospitality, LLC					
Eccation Map: (shown with City Council Districts)	Applicant Proposal:Detailed Site Plan: Plan represents details for a new Hotel within the PUD.Gross Land Area: 2.2 AcresLocation: North of the Northeast corner of South 89th East Avenue and East 71st Street South9031 East 71st Street SouthPart of Lot 1, Block 1 Woodland Hills Mall Extended					
<b>Zoning:</b> Existing Zoning: CS/PUD-736 Proposed Zoning: No Change <b>Comprehensive Plan:</b> Land Use Map: Regional Center Growth and Stability Map: Growth	Staff Recommendation: Staff recommends APPROVAL.					
Staff Data:           TRS: 8301           CZM: 53         Atlas: 997	City Council District:       7         Councilor Name:       Anna America         County Commission District:       3         Commissioner Name:       Ron Peters					

## SECTION I: PUD-736 Detailed Site Plan

### STAFF RECOMMENDATION

### CONCEPT STATEMENT:

The applicant is requesting detail site plan approval on a 2.2 Acre site in a Planned Unit Development for a new hotel, including one, 4 story building.

### PERMITTED USES:

Uses permitted as a matter of right in Use Units 10, Off-Street Parking; 11, Offices and Studios; 12, Entertainment Establishments and Eating Establishments other than Drive-Ins; 13, Convenience Goods and Services; 14, Shopping Goods and Services; 19, Hotel Motel uses only and uses customarily accessory to permitted principal uses. The hotel 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. Exterior light standards shall not exceed 25 ft in height and shall be hooded and directed downward and away from the boundaries of the planned unit development. 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 nearby residential communities.

### SIGNAGE:

The site plan illustrate wall 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 hotel.

## MISCELLANEOUS SITE CONSIDERATIONS:

There are no concerns regarding the development of this area.

### SUMMARY:

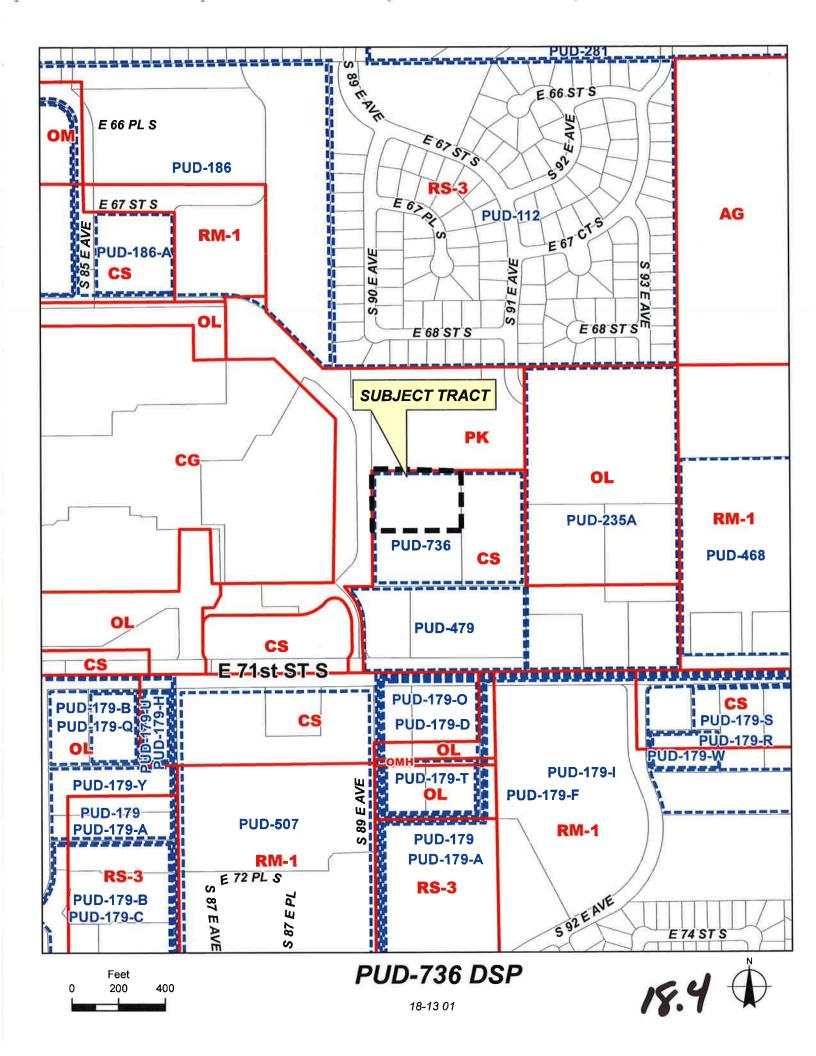
Staff has reviewed the applicant's submittal of the site plan as it relates to the approved **PUD-736**. The site plan submittal meets or exceeds the minimum requirements of the Planned Unit Development. Staff finds that the uses and intensities proposed with this site plan are consistent with the approved 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 Site Plan Aerial Overlay Applicant Exterior Elevations Applicant ALTA Survey

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

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





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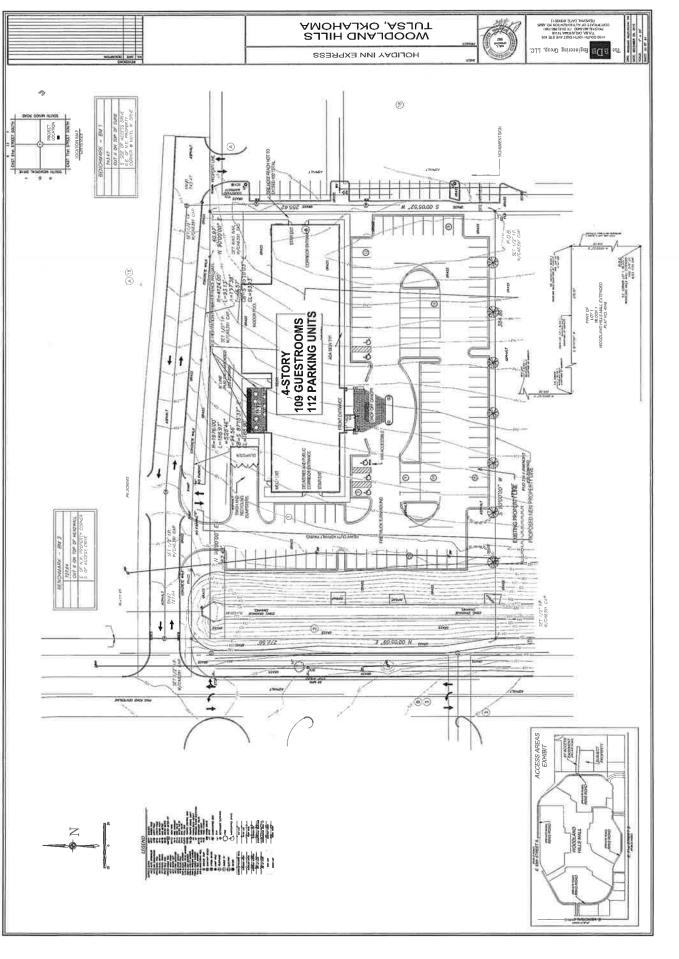
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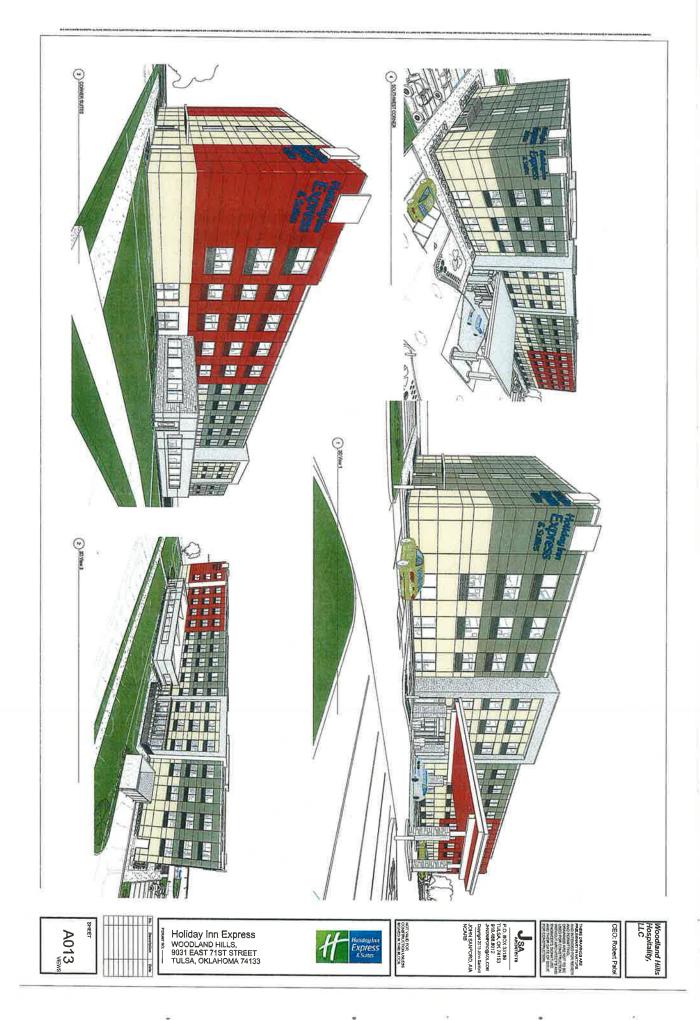
Aerial Photo Date: March 2014

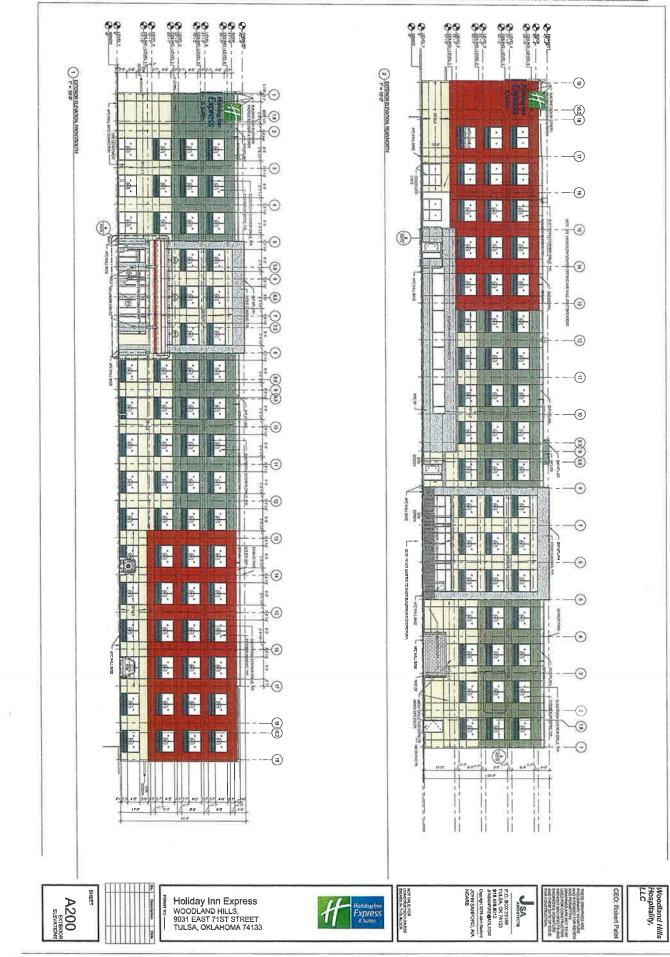


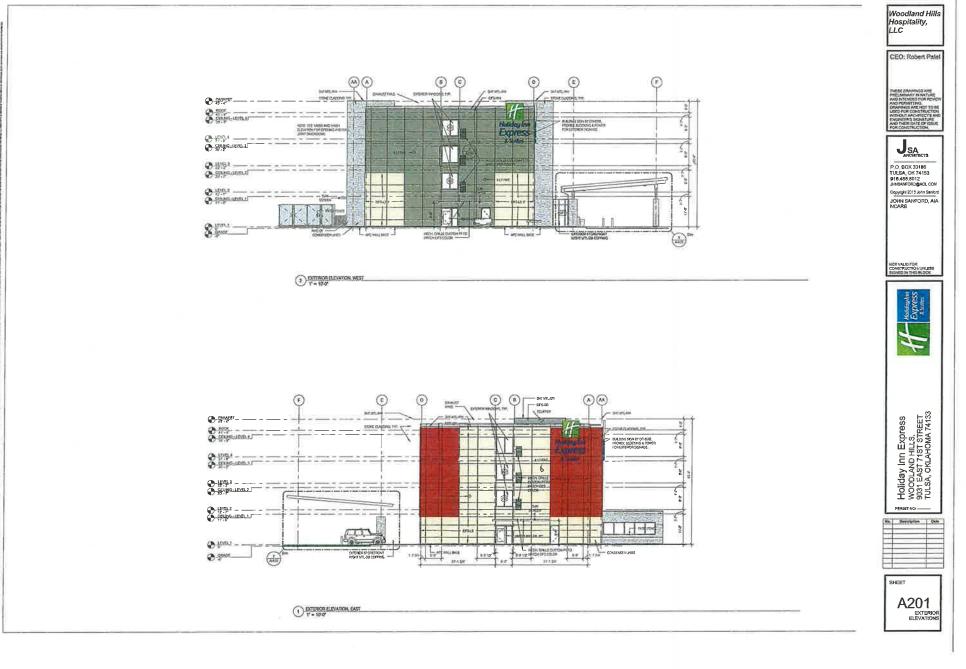
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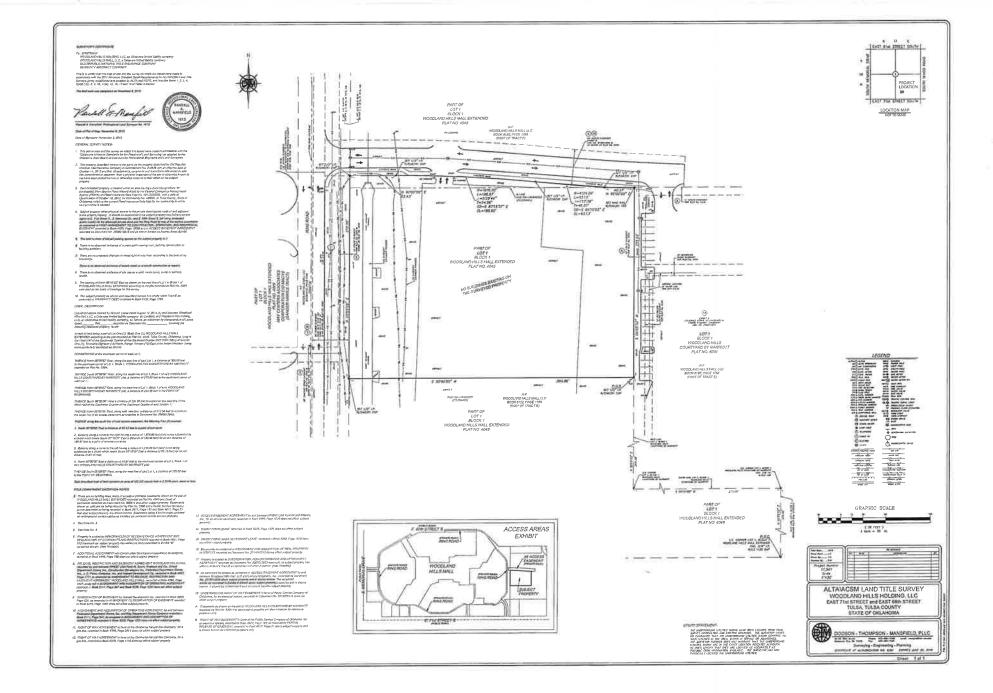


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TWIST Metropolitan Area Planning Commission	<u>Case #:</u> AC-138 Alternative Compliance Landscape Plan <u>Hearing Date</u> : January 6, 2016
<u>Case Report Prepared by:</u> Jay Hoyt	Owner and Applicant Information: Applicant: AAB Engineering, LLC Property Owner: Quiktrip Corporation
Location Map: (shown with City Council Districts)	<ul> <li><u>Applicant Proposal:</u></li> <li>Concept summary: Request for Alternative Compliance Landscape Plan to provide additional parking and street trees in lieu of providing one tree within 50 feet of every proposed parking space.</li> <li>Net Land Area: 2.1 Acres</li> <li>Location: NE/c East Admiral Boulevard and North Yale Avenue</li> </ul>
<b>Zoning:</b> Existing Zoning: CH Proposed Zoning: No Change <b>Comprehensive Plan:</b> Land Use Map: Main Street Growth and Stability Map: Area of Growth	<b>Staff Recommendation:</b> Staff recommends <b>approval</b> . The request provides satisfactory alternative plans for the landscape standards of Chapter 10 of the Tulsa Zoning Code
Staff Data:           TRS:         19-13-03           CZM:         38         Atlas:         174	City Council District:3Councilor Name:David PatrickCounty Commission District:1Commissioner Name:John Smaligo

## AC-138 ALTERNATIVE COMPLIANCE LANDSCAPE PLAN

### SECTION I:

The applicant is requesting TMAPC approval for an Alternative Compliance Landscape Plan for a property located at the Northeast Corner of East Admiral Boulevard and South Yale Avenue.

The landscape plan submitted does not meet the technical requirements of the Chapter 10 of the code for the following reasons:

1) A landscape area with tree within 50 feet of any parking space is not provided as required per sections 1002.B.1 and 1002.C.2.

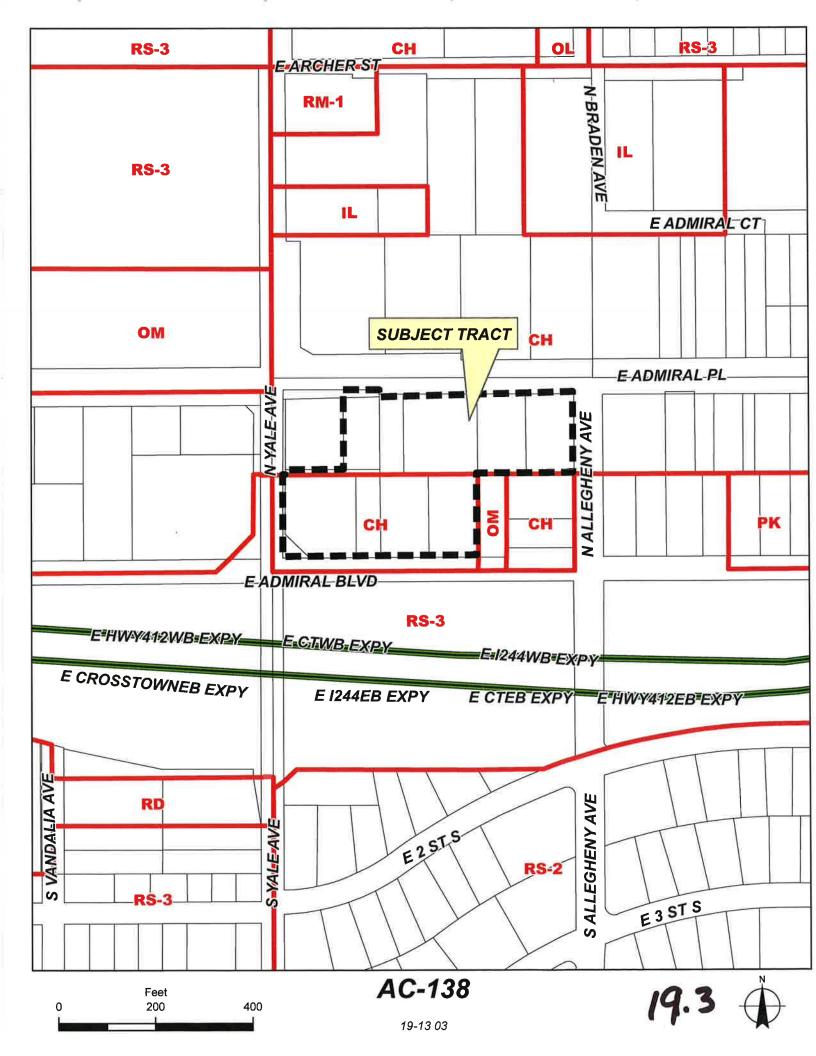
The applicant has included additional trees not required by code along the perimeter of the site and has provided a greater amount of percentage of landscape area than required in the Zoning Code. Also, other than the parking area tree requirement, all site landscaping will meet the requirements of the Zoning Code.

Staff contends the applicant has met the requirement that the submitted Alternative Compliance Landscape Plan "be equivalent or better than" the technical requirements of Chapter 10 of the code and recommends **APPROVAL** of Alternative Compliance Landscape Plan AC-138.

**SECTION II:** Applicants landscape plan is included as an attachment.

Staff Comment regarding the Tulsa Zoning Code effective January 1, 2016.

With the adoption of the new Zoning Code, all parking adjacent to public street rights of way must comply with the updated screening requirements for S-1, Low-profile Screen as found in Section 65.060-C.1 of the newly adopted City of Tulsa Zoning Code. This submittal was received prior to January 1, 2016 therefore the alternative compliance submittal is not subject to those requirements or design standards.





AC-138

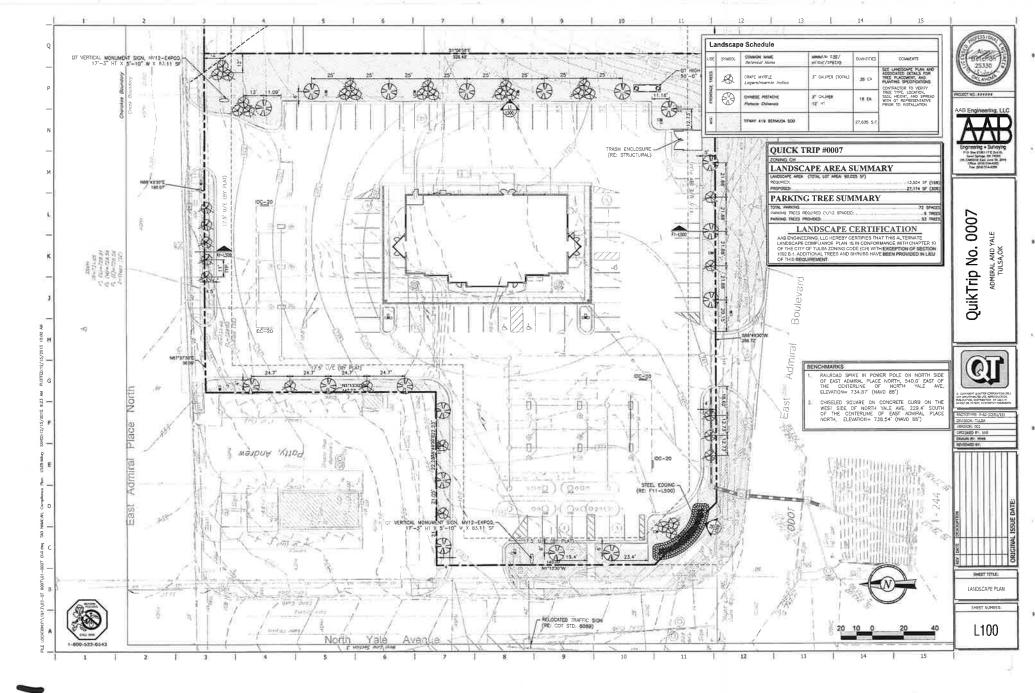
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3



Tuisa Metropolitan Area Planning Commission	<u>Case Number:</u> PUD-268-D Detail Site Plan <u>Hearing Date:</u> January 6, 2016
<u>Case Report Prepared by:</u> Jay Hoyt	<u>Owner and Applicant Information</u> : Applicant: Wallace Engineering Property Owner: Advanced Pain Specialists of Tulsa
<image/>	Applicant Proposal:Detailed Site Plan: Plan represents details for a new Parking Lot Addition within the PUD.Gross Land Area: Location: Southwest corner of South Mingo Road and East 93rd Street SouthLot 1, Block 2 Mingo Center
Zoning: Existing Zoning: RM-1/PUD-268-D Proposed Zoning: No Change Comprehensive Plan: Land Use Map: Regional Center Growth and Stability Map: Growth	Staff Recommendation: Staff recommends APPROVAL.
Staff Data: TRS: 8324 CZM: 57 Atlas: 2082	City Council District: 7 Councilor Name: Anna America County Commission District: 3 Commissioner Name: Ron Peters

January 6, 2016

# SECTION I: PUD-268-D Detailed Site Plan

# STAFF RECOMMENDATION

## CONCEPT STATEMENT:

The applicant is requesting detail site plan approval on a 2.9 Acre site in a Planned Unit Development for a new parking lot addition to support an existing building and future expansion.

### PERMITTED USES:

Use Unit 11, Offices, Studios and Support Services and customary accessory uses. The parking expansion 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:

No new building proposed at this time.

## 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. Maximum height of lighting west of building, whether building or pole mounted, shall be 16 ft. All lighting shall be pointed down and away from the adjacent residential properties.

### 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 new pedestrian paths serving the proposed parking addition adjacent to the existing 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-268-D**. The site plan submittal meets or exceeds the minimum requirements of the Planned Unit Development.



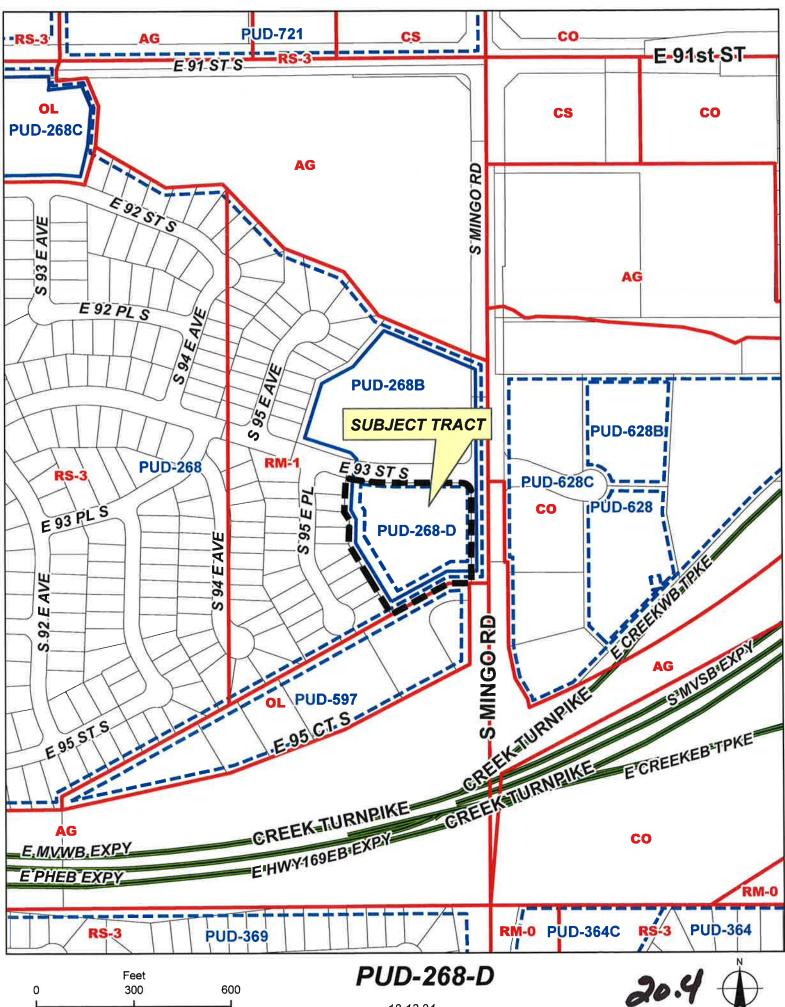
Staff finds that the uses and intensities proposed with this site plan are consistent with the approved Planned Unit Development, and the stated purposes of the Planned Unit Development section of the Zoning Code.

Exhibits included with staff recommendation:

INCOG zoning case map INCOG aerial photo Applicant Site Plan

Staff recommends **APPROVAL** of the detail site plan for the proposed new parking addition.

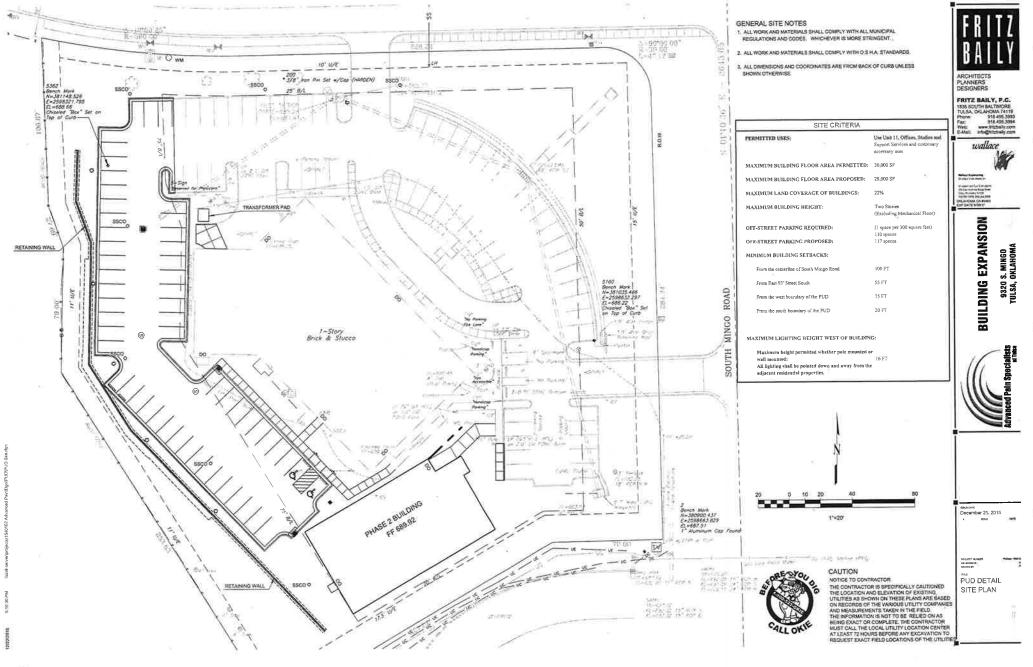
(Note: Detail site plan approval does not constitute sign plan or landscape plan approval.)





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18-13	24		





Tulsa Metropolitan Area Planning Commission	<u>Case :</u> Phillips Addition Minor Subdivision Plat <u>Hearing Date</u> : January 6, 2015
<u>Case Report Prepared by:</u> Diane Fernandez	Owner and Applicant Information: Applicant: Crafton Tull Owner: Jim Phillips
<section-header></section-header>	Applicant Proposal: <i>Tract Size</i> : 4.9 acres <i>Location</i> : West of southwest corner of East Pine Street and North 129 <sup>th</sup> East Avenue 12044 East Pine Street
Zoning:_IL (Industrial Light)	Staff Recommendation: Staff recommends Approval.
	<u>City Council District:</u> 3 <i>Councilor Name</i> :David Patrick <u>County Commission District:</u> 1 <i>Commissioner Name:</i> John Smaligo

# EXHIBITS:

INCOG Aerials INCOG Case Map Subdivision Map Growth and Stability Map Land Use Map

# MINOR SUBDIVISION PLAT

Phillips Addition - (CD 3)

East of northeast corner of East 101<sup>st</sup> Street South and South Yale Avenue

The plat consists of 8 Lots, 1 Block, on 5 acres.

The following issues were discussed December 3, 2015, at the Technical Advisory Committee (TAC) meeting:

- **1. Zoning:** The property is zoned IL (industrial light).
- 2. Streets: No comment.
- 3. Sewer: No comment.
- 4. Water: No comment.
- 5. Storm Drainage: No comment.
- 6. Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others: No comment.
- 7. Other: Fire: No comment.
- 8. Other: GIS : Identify all subdivisions on location map. Provide owner surveyor/engineer email addresses. Need addresses caveat. Provide all boundary line dimensions. Need addresses for all lots. Submit control data sheet. Show area of plat in 100 year floodplain area. Correct legal description. Show site in location map. Correct street names in location map. Define basis of bearing between two known points. Provide bearing from point of commencement to point of beginning. Provide symbol for pins set for plat.

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

Waivers of Subdivision Regulations:



1. None requested.

#### **Special Conditions:**

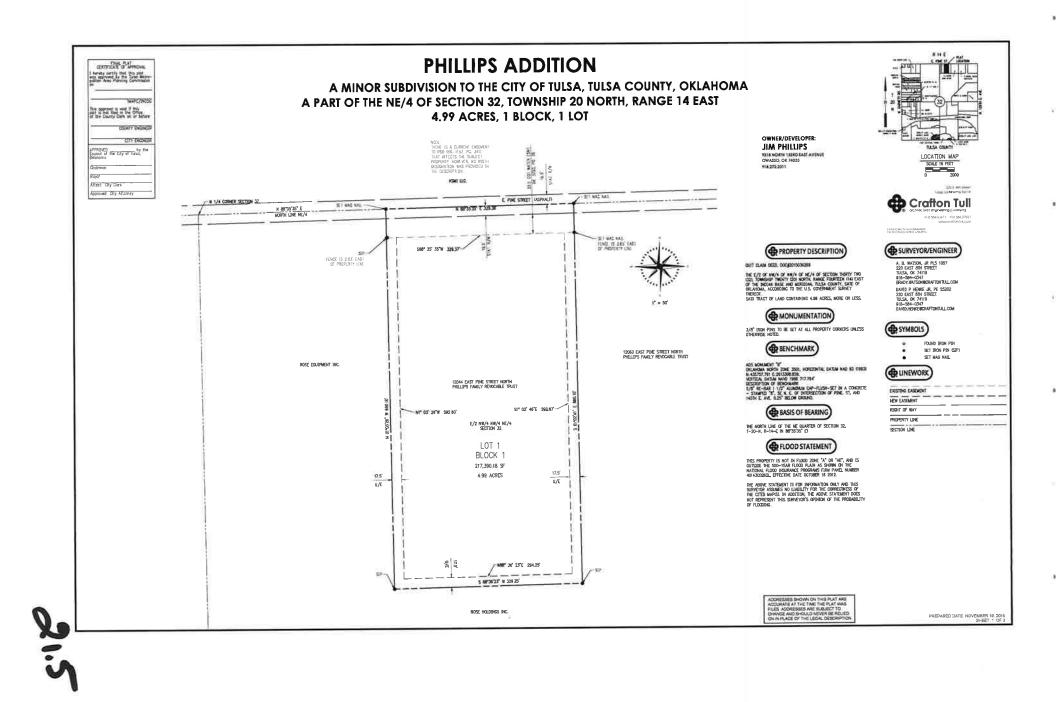
1. The concerns of the Development Services and Engineering Services staffs must be taken care of to their satisfaction.

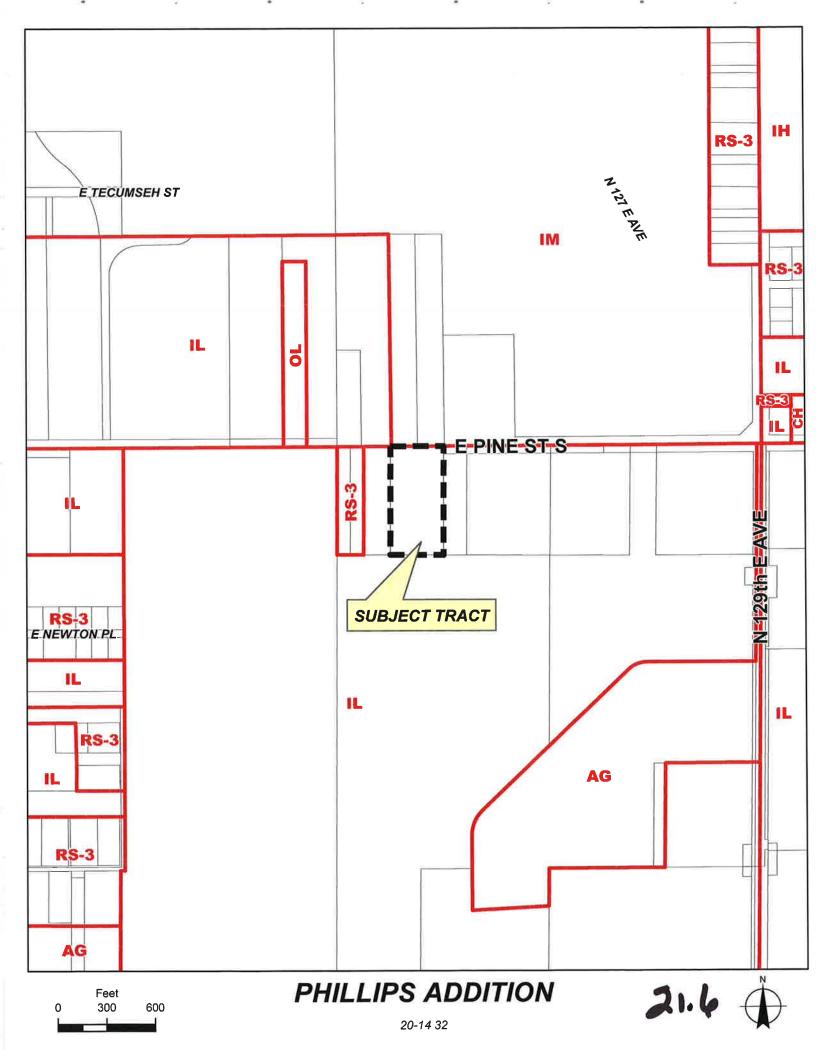
#### **Standard Conditions:**

- Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
- 2. Water and sanitary sewer plans shall be approved by the Public Works Department prior to release of final plat. (Include language for W/S facilities in covenants.)
- 3. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures shall be borne by the owner(s) of the lot(s).
- 4. Any request for creation of a Sewer Improvement District shall be submitted to the Public Works Department Engineer prior to release of final plat.
- 5. Paving and/or drainage plans (as required) shall be approved by the Public Works Department.
- 6. Any request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Public Works Department.
- 7. A topography map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
- 8. Street names shall be approved by the Public Works Department and shown on plat.
- 9. All curve data, including corner radii, shall be shown on final plat as applicable.
- 10. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.
- 11. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
- 12. It is recommended that the developer coordinate with the Public Works Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
- 13. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City/County Health Department for solid waste

disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.

- 14. The method of sewage disposal and plans therefor shall be approved by the City/County Health Department. [Percolation tests (if applicable) are required prior to preliminary approval of plat.]
- 15. The owner(s) shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type, size and general location. (This information to be included in restrictive covenants on plat.)
- 16. The method of water supply and plans therefor shall be approved by the City/County Health Department.
- 17. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
- 18. The key or location map shall be complete.
- 19. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.)
- 20. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
- 21. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
- 22. All other Subdivision Regulations shall be met prior to release of final plat.
- 23. All PUD standards and conditions shall be included in the covenants of the plat and adequate mechanisms established to assure initial and continued compliance with the standards and conditions.
- 24. Private streets shall be built to City or County standards (depending upon the jurisdiction in which the plat is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.







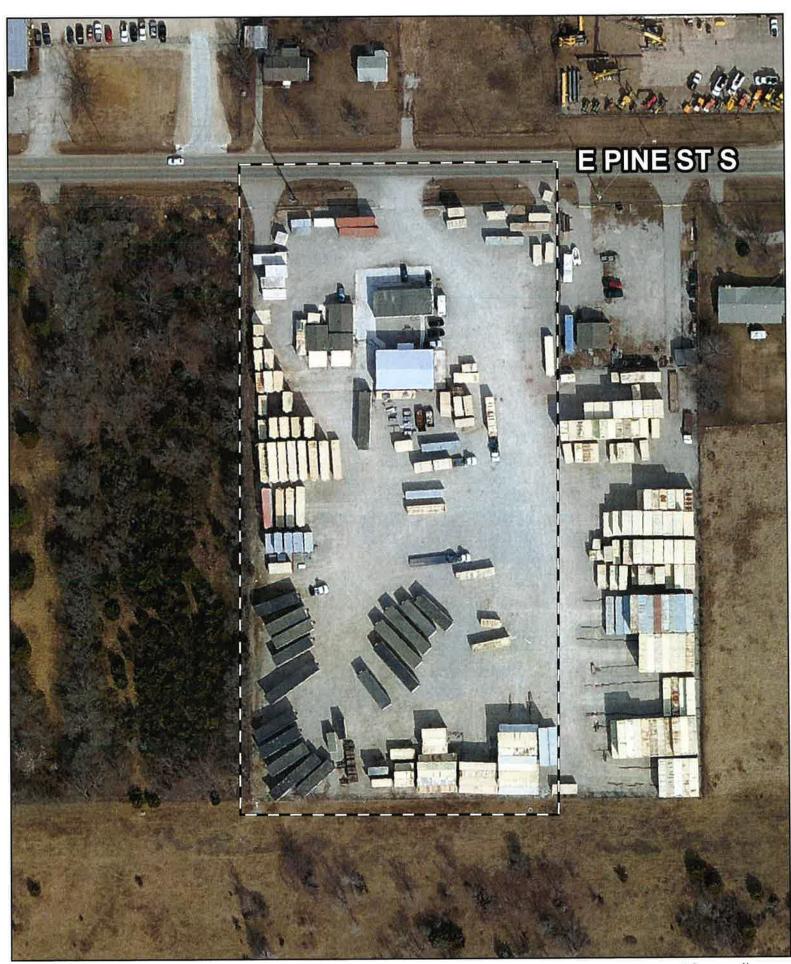
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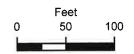


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Note: Graphic overlays may not precisely align with physical features on the ground. Aerial Photo Date: March 2014



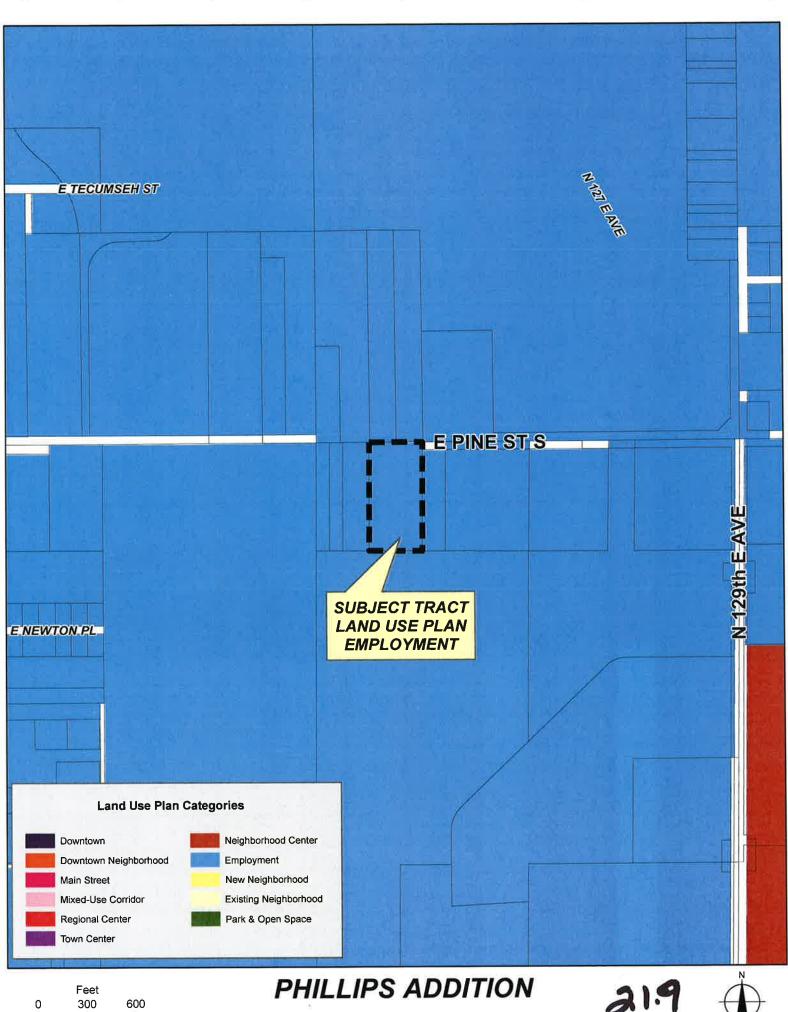




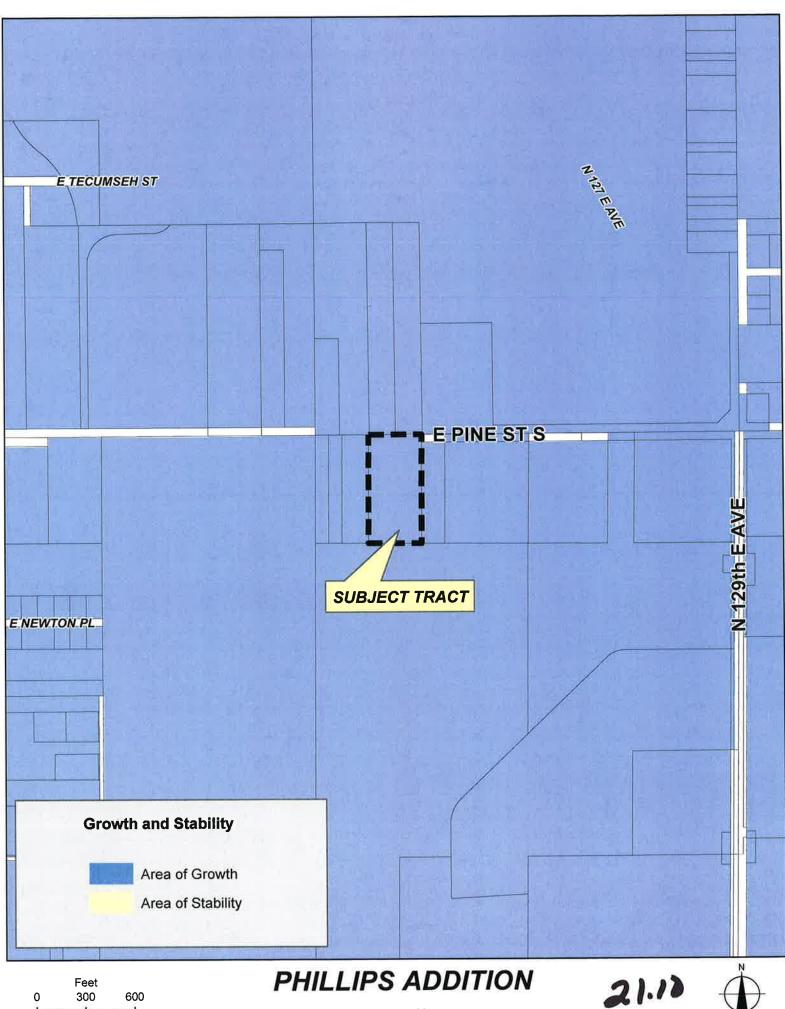
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Note: Graphic overlays may not precisely align with physical features on the ground. Aerial Photo Date: March 2014





20-14 32



20-14 32

Tulsa Metropolitan Area Planning Commission	<u>Case :</u> Dollar General 11 <sup>th</sup> and Garnett Preliminary Plat <u>Hearing Date</u> : January 6, 2016	
Case Report Prepared by:	Owner and Applicant Information	
Diane Fernandez	<i>Applicant</i> : Alan Betchan, AAB Engineering	
	Owner: Veritas Holdings, 2LLC	
Location Map:         (shown with City Council Districts)	Applicant Proposal: <i>Tract Size</i> : 4.66 acres <i>Location</i> : West of southwest corner of East 11 <sup>th</sup> Street South and South Garnett Road	
Zoning: CS (Commercial Shopping)	Staff Recommendation: Staff recommends Approval.	
	<u>City Council District:</u> 5	
	Councilor Name: Karen Gilbert	
	County Commission District: 1	
	Commissioner Name: John Smaligo	
EXHIBITS: INCOG Aerials INCOG Case Map		

Subdivision Map Growth and Stability Map Land Use Map



# PRELIMINARY SUBDIVISION PLAT

**Dollar General 11<sup>th</sup> & Garnett** – West of southwest corner of East 11<sup>th</sup> Street South and South Garnett Road - (CD 5)

The plat consists of 1 Lot, 1 Block, on 4.66 acres.

The following issues were discussed December 17, 2015, at the Technical Advisory Committee (TAC) meeting:

- **1. Zoning:** The property is zoned CS (commercial shopping).
- Streets: Eleventh street is a Secondary Arterial with 50 feet of right of way requirement to center of street for full length of property line. Call out width of mutual access easement. Twelfth Street has been vacated by ordinance 12819 (5/8/73).
- 3. Sewer: On the conceptual site plan, provide the distance from the north boundary line to the existing sanitary sewer main. If a 17.5 foot utility easement will adequately protect the sewer line, then that distance will be acceptable for the required utility easement. If not, then a wider easement will be required, which will provide a minimum of 4 feet of separation from the sanitary sewer main to the south easement line. What does Abandoned East 12<sup>th</sup> Street mean? If the street has been closed, but the City retained the area for easement, then the south easement will be 20 feet instead of the 17.5 foot easement shown.
- 4. Water: On the waterline conceptual sheet, show hydrant and valve locations. On the plat show bearings and distances on the dedicated restricted waterline easement. Add Block 1 to the plat.
- 5. Storm Drainage: The site (both lots) as shown has a 14 foot drop in elevation from south to north. There is a 6 foot drop across the location where the proposed detention easement is shown. It is unclear how adequate detention volume can be obtained at this location. The location is also on the high side of Lot 1. Most of Lot 1 is below existing upper grade. Accordingly most of Lot 1 may not have the ability to discharge to the proposed detention pond. It needs to be clarified how detention can be obtained at the proposed location and will the proposed detention be for one or both lots. Drainage easements must also be provided for Lot 2 to have access to proposed storm systems in Lot 1 (there are inlets shown on Lot 2).
- 6. Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others: No comment.

- 7. Other: Fire: On the waterline conceptual sheet show hydrant and valve locations for Lot 2.
- 8. Other: GIS: Submit control data sheel. Provide individual lot addresses. In the plat sub-title add "State of" before Oklahoma. Graphically show property pins found or set that are associated with the plat. Provide the date of preparation for the plat located in the bottom corner. In the location map label as Interstate 44 and US highway 169. Label the project location. Not all the subdivisions are identified in the location map. Label and graphically show the point of commencement and provide bearing/distance to point of beginning. Add this into the metes/bounds (legal description). Tie the plat to the half section line or section line of Section 7 Township 19 North, Range 14 East. Define the basis of bearing between two known points. Keep current information listed under basis of bearing.

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

#### Waivers of Subdivision Regulations:

1. None requested.

#### **Special Conditions:**

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

#### **Standard Conditions:**

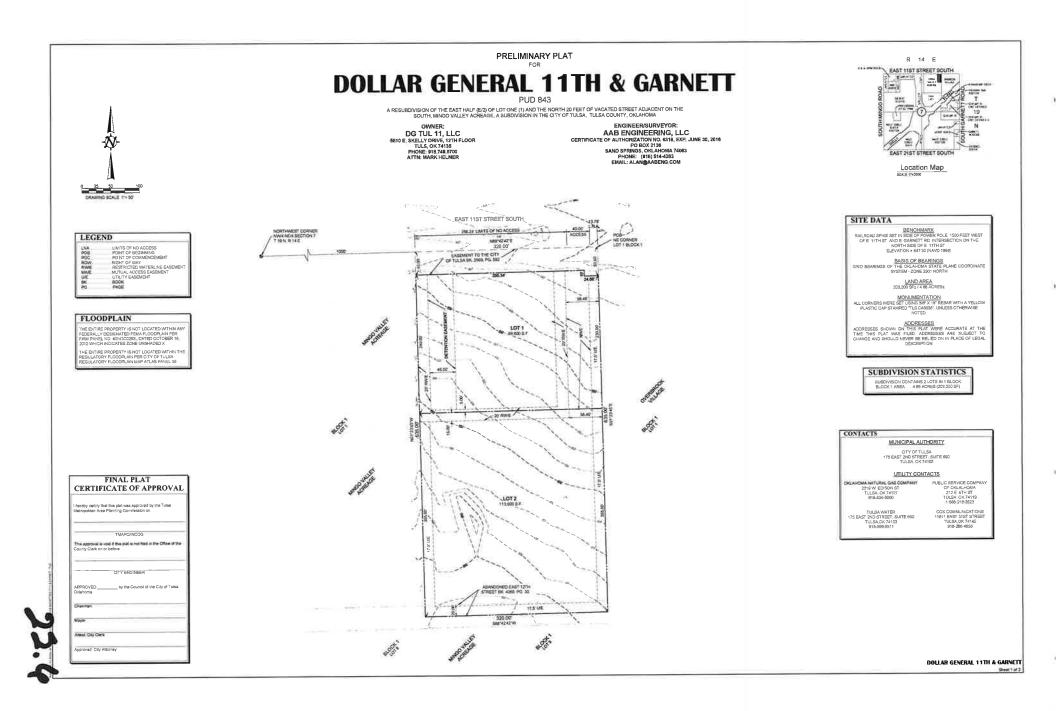
- 1. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
- 2. Water and sanitary sewer plans shall be approved by the Public Works Department prior to release of final plat. (Include language for W/S facilities in covenants.)
- 3. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures shall be borne by the owner(s) of the lot(s).
- 4. Any request for creation of a Sewer Improvement District shall be submitted to the Public Works Department Engineer prior to release of final plat.
- 5. Paving and/or drainage plans (as required) shall be approved by the Public Works Department.

- 6. Any request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Public Works Department.
- 7. A topography map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
- 8. Street names shall be approved by the Public Works Department and shown on plat.
- 9. All curve data, including corner radii, shall be shown on final plat as applicable.
- 10. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.
- 11. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
- 12. It is recommended that the developer coordinate with the Public Works Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
- 13. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City/County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
- 14. The method of sewage disposal and plans therefor shall be approved by the City/County Health Department. [Percolation tests (if applicable) are required prior to preliminary approval of plat.]
- 15. The owner(s) shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type, size and general location. (This information to be included in restrictive covenants on plat.)
- 16. The method of water supply and plans therefor shall be approved by the City/County Health Department.
- 17. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
- 18. The key or location map shall be complete.
- A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.)
- 20. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)

22.4

- 21. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
- 22. All other Subdivision Regulations shall be met prior to release of final plat.
- 23. All PUD standards and conditions shall be included in the covenants of the plat and adequate mechanisms established to assure initial and continued compliance with the standards and conditions.
- 24. Private streets shall be built to City or County standards (depending upon the jurisdiction in which the plat is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.

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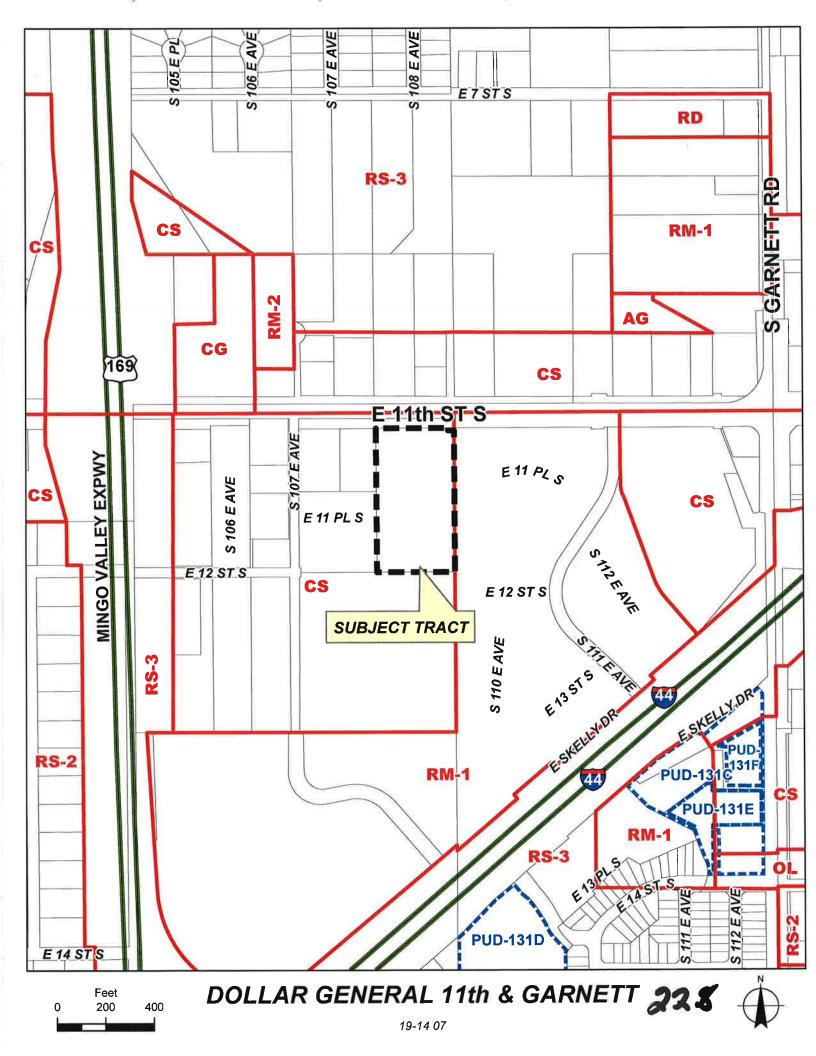
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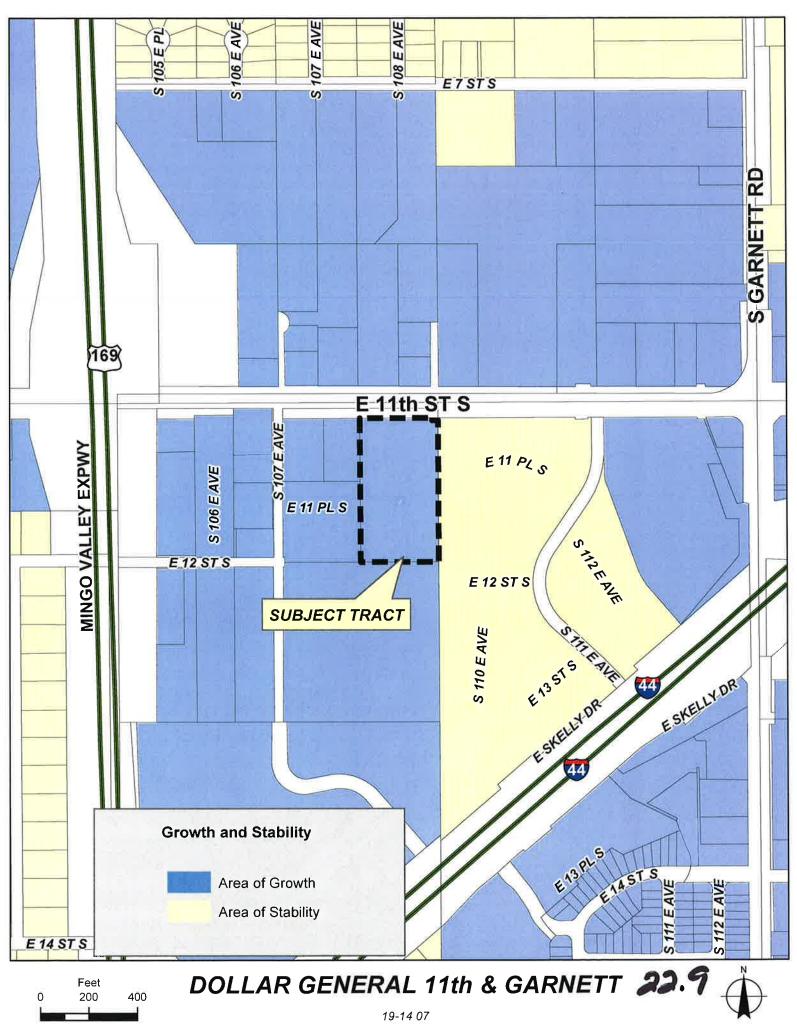
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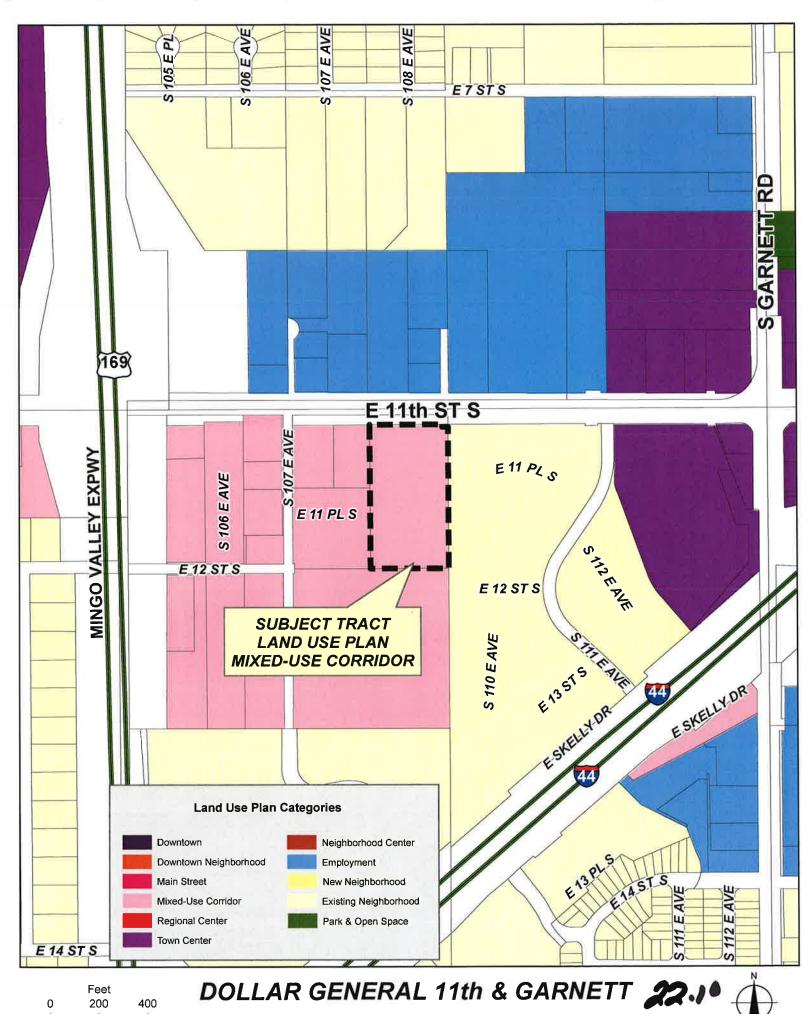
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Note: Graphic overlays may not precisely align with physical features on the ground. Aerial Photo Date: March 2014









19-14 07

### PLAT WAIVER

#### January 6, 2015

## Z-7322 – East of northeast corner of East 21<sup>st</sup> Street and South Memorial Drive, (CD 5)

The platting requirement is being triggered by a rezoning from OL (office light) to CS (commercial shopping).

### Staff provides the following information from TAC for their December 17, 2015 meeting:

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

**STREETS:** Memorial and 21<sup>st</sup> Street are primary arterials with 60 feet of right of way dedication requirement. Additional 10 feet is required for the right turn land within 388 feet of the intersection along the section line. Total 20 foot right of way dedication required along south property line (21<sup>st</sup> Street). A 30 foot radius or corner clip is required at intersection of 19<sup>th</sup> Street and Memorial, also at intersection of 21<sup>st</sup> Street and Memorial. Sidewalks required along all streets per Subdivision Regulations. Is there an access from Memorial? Assessors map shows 5 foot strip which is not enough for access. Minimum access width is 24 feet..

SEWER: No comment.

WATER: No comment.

**STORMWATER:** Is there existing drainage on the property? The development will likely require drainage and detention with dedicated drainage easements.

FIRE: No comment.

UTILITIES: No comment.

**OTHER:** Sidewalks shall be constructed along East 19<sup>th</sup> Street with a dedicated easement or within the right of way, with a minimum of 5 feet in width, and constructed in accordance with the specifications and standards of the City of Tulsa Public Works and Development Departments. Check with fire department to make sure hydrant coverage is sufficient. A 17.5 foot utility easement is needed along 21<sup>st</sup> Street. Limits of No Access needs to be defined and approved through Traffic Engineering.

Staff can recommend **APPROVAL** of the plat waiver with conditions. The right of way, easement, and sidewalk requirements must be taken care of per Development Services approval..

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

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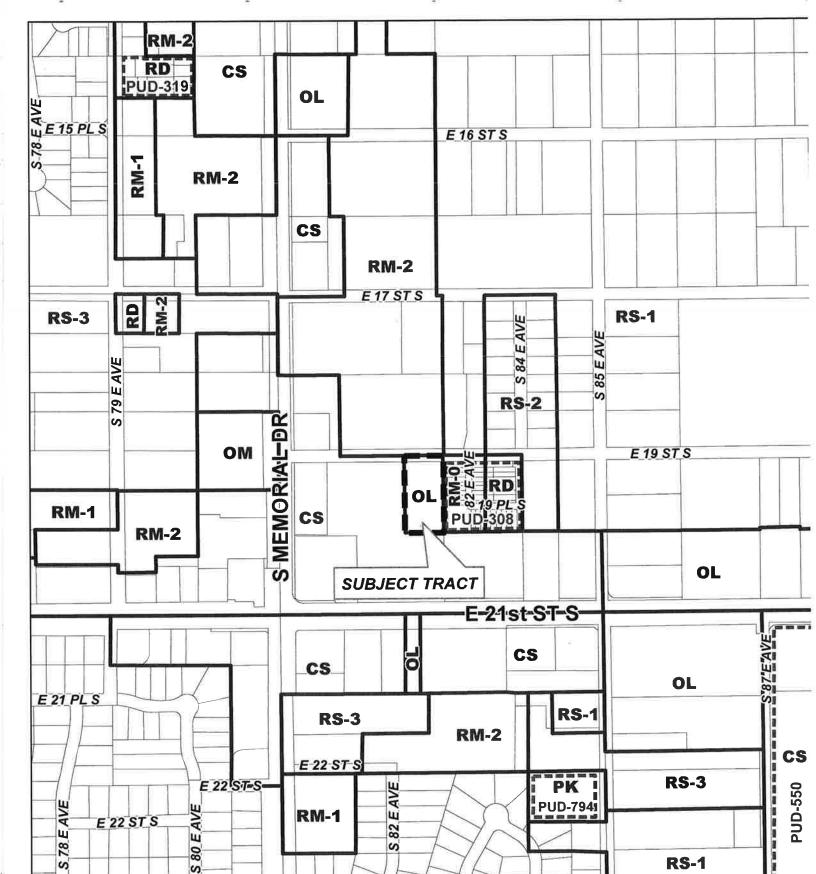
1. 2.	Has Property previously been platted? Are there restrictive covenants contained in a previously filed plat?	Yes	NO X X
3.	Is property adequately described by surrounding platted properties or street right-of-way?	х	

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

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



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.





Z-7322

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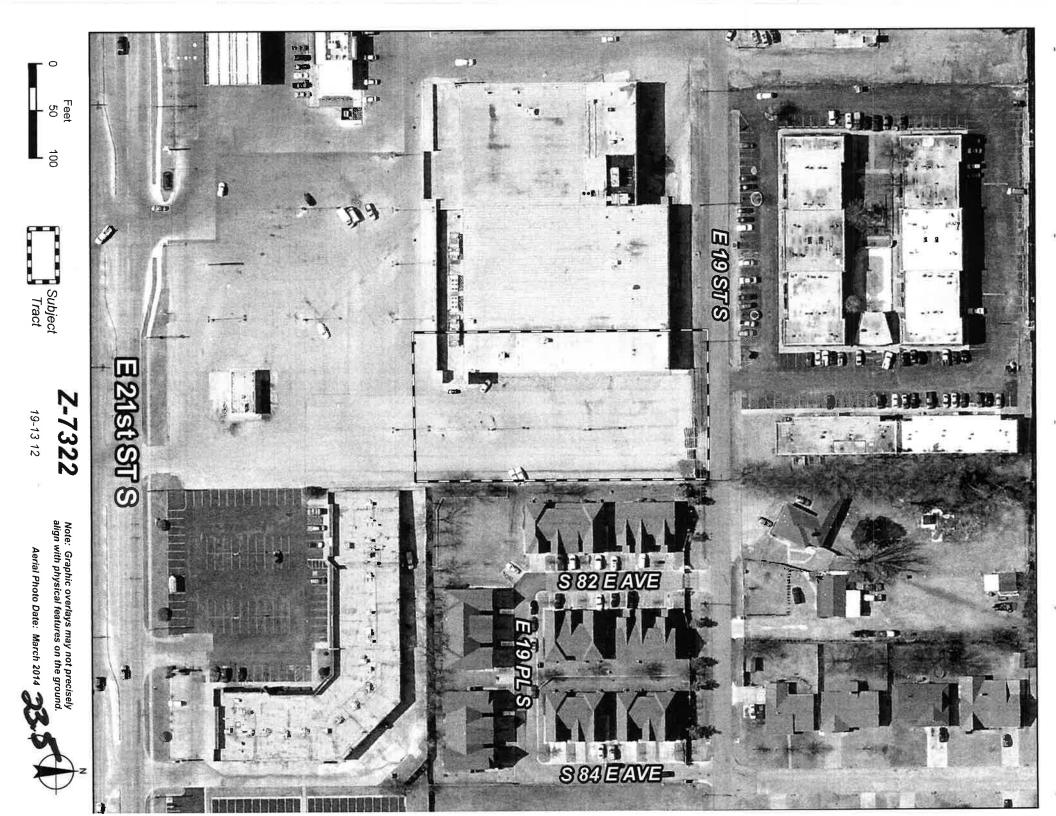
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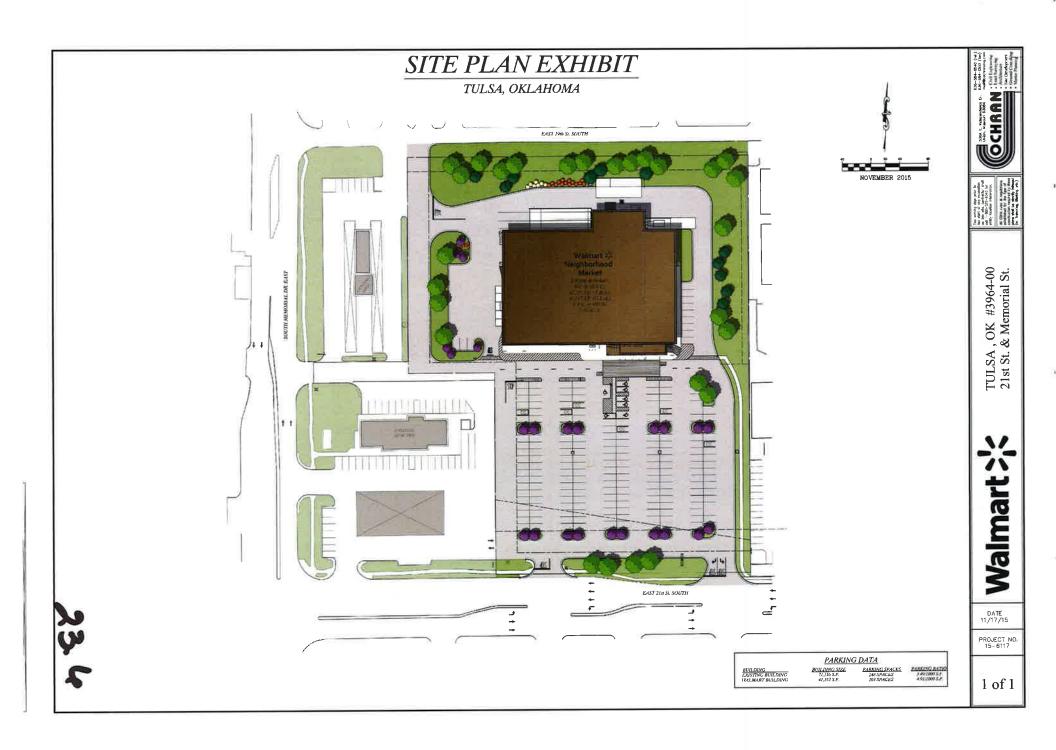
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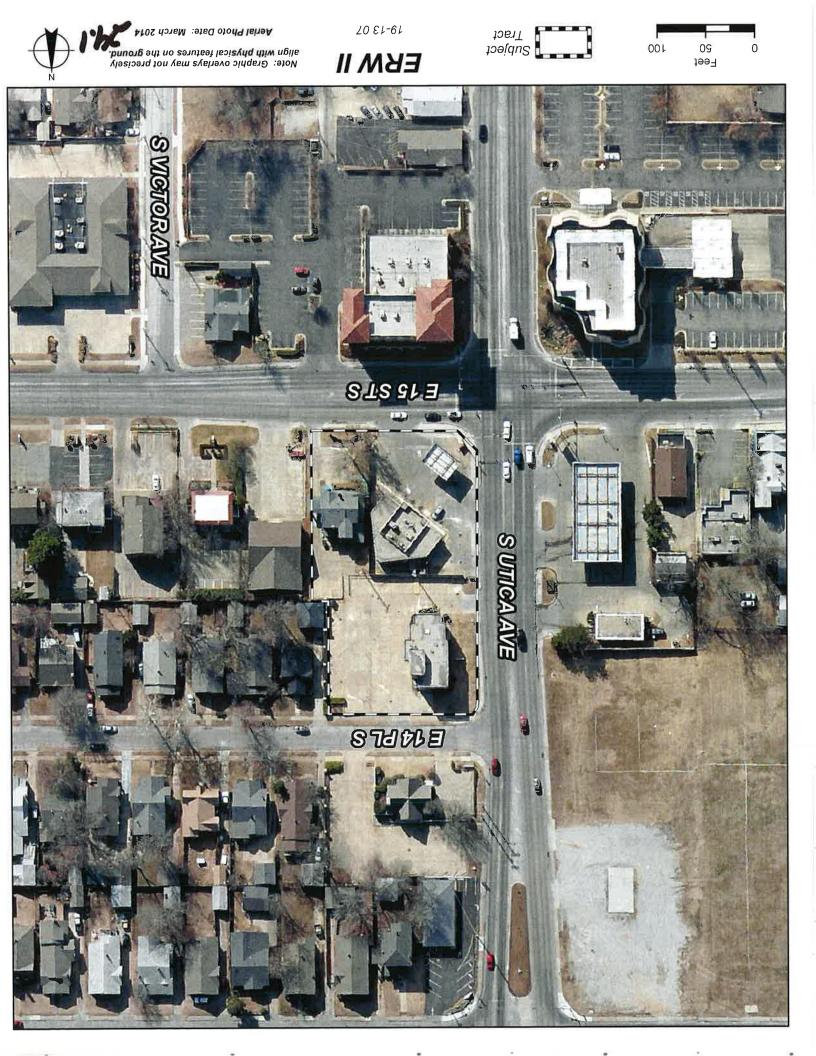
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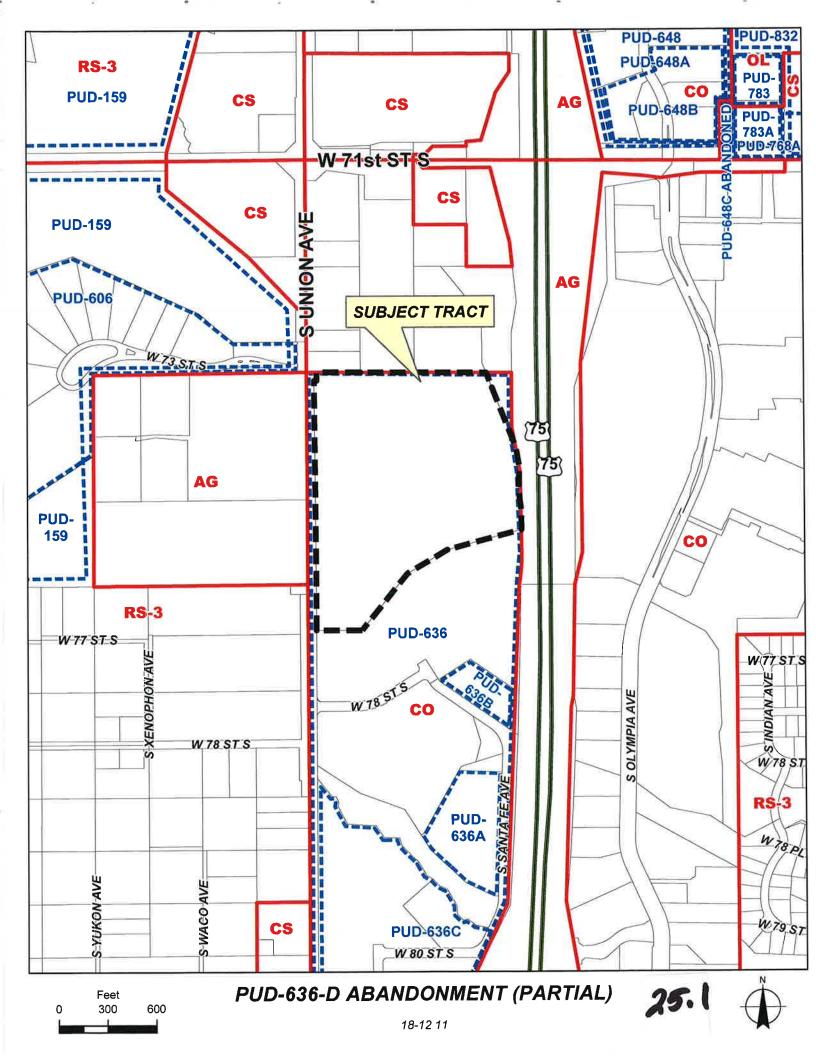
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2 West Second Street Suite 800 | Tulsa, OK 74103 | 918.584.7526 | www.TMAPC.org

To: Planning Commissioners

From: Susan Miller, AICP

Date: January 6, 2016

#### Re: Consider initiation of an amendment to the Comprehensive Plan Land Use Map from *Neighborhood Center* to *New Neighborhood* on approximately 1.11 acres on the northeast corner of E. Queen Street and N. Martin Luther King Boulevard

At the December 2, 2015 public hearing, the TMAPC voted to deny a rezoning application to CS (Z-7321) and proposed PUD-842 for the 1.11 acre site on the northeast corner of E. Queen Street and N. Martin Luther King Boulevard. At the public hearing, TMAPC expressed concerns that the existing land use designation of *Neighborhood Center* may not be appropriate if the site was not suitable for commercial development.

The Comprehensive Plan defines Neighborhood Centers as "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 TMAPC staff report asserted that the *Neighborhood Center* edge land use scenario to include apartments, condominiums, and townhouses, with small lot single family homes at the edges was appropriate given its location on an existing and stable neighborhood block; however, the proposed retail use would be an encroachment into a neighborhood that is experiencing reinvestment and stability and it would not serve as an appropriate edge treatment.

At the following meeting on December 16, 2015, TMAPC voted to request that an amendment to a *New Neighborhood* land use designation be brought back for their consideration to initiate.

Since that time, staff has learned that the consultant, Housel Lavigne, working on the Sector Plan update for that sector (Extension & Moton) is also considering a more purely residential land use designation for this site.

The Comprehensive Plan specifically allows TMAPC to initiate land use map amendments. Land Use policy 2.5 states that the Land Use Plan of the Comprehensive Plan "is amended by TMAPC and approved by City Council. Amendments can be initiated by landowners of affected property, the Planning Commission, or the City Council."

[Note: On December 8, 2015, the applicant for Z-7321 submitted an appeal of the TMAPC's recommendation of denial. Since PUDs are automatically sent to City Council regardless of TMAPC recommendation, both cases are anticipated to be heard by City Council early in 2016.]



