

TULSA METROPOLITAN AREA PLANNING COMMISSION

Meeting No. 2730

September 21, 2016, 1:30 PM

**175 East 2nd Street, 2nd Level, One Technology Center
Tulsa City Council Chamber**

CONSIDER, DISCUSS AND/OR TAKE ACTION ON:

Call to Order:

REPORTS:

Chairman's Report:

Worksession Report:

Director's Report:

Update on Subdivision Regulations - Kirk Bishop

1. Minutes of September 7, 2016, Meeting No. 2729

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-20912** (Lot-Split) (County) – Location: North of the northeast corner of West 54th Street South and South 107th West Avenue (Related to: LC-810)
3. **LC-810** (Lot-Combination) (County) – Location: North of the northeast corner of West 54th Street South and South 107th West Avenue (Related to: LS-20912)
4. **LS-20913** (Lot-Split) (County) – Location: East of the northeast corner of East 68th Street North and North 115th East Avenue
5. **LC-811** (Lot-Combination) (CD 9) – Southwest corner of East 44th Street South and South Utica Avenue
6. **LC-812** (Lot-Combination) (County) – West of the northwest corner of East 181st Street South and South 71st East Avenue
7. **Change of Access** Location: Southwest corner of East 41st Street South and South Memorial Drive, (CD 5)

8. **PUD-686-11 Vern L. Suess** (CD 8) Location: Southwest corner of South Quebec Avenue and East 118th Boulevard South, **PUD Minor Amendment** to reduce required side yard setback from 15 feet to 10 feet

CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA:

COMPREHENSIVE PLAN PUBLIC HEARINGS:

9. **CPA-55 Jason Burks** to amend Land Use Designation from “New Neighborhood” to “Mixed Use Corridor” on approximately 1.44 acres located East of the Northeast corner of South Yale Avenue and East 32nd Street South (CD 5) (related to Z-7359)

PUBLIC HEARINGS:

10. **Z-7359 Jason Burks** (CD 5) Location: East of the Northeast corner of South Yale Avenue and East 32nd Street South, requesting rezoning from **RM-2 to CG with Optional Development Plan** (Related to CPA-55)
11. **LS-20914** (Lot-Split) (County) – Location: West of the northwest corner of East 181st Street South and South 71st East Avenue
12. **71 Jackson Storage** Preliminary Subdivision Plat, Location: West of southwest corner of West 71st Street South and South Elwood Avenue (CD 2)
13. **Parkhill** Minor Subdivision Plat and Accelerated Release of Building Permit, Location: East of the southeast corner of East 51st Street South and South Lewis Avenue (CD 9) (**staff requests continuance of both applications to October 5, 2016**)
14. **Z-7352 PUD-820-A** Plat Waiver, Location: North of the northeast corner of East 4th Place and South Memorial Drive (CD 3)
15. **Z-7358 Lou Reynolds** (CD 4) Location: West of South Utica Avenue, South of East 1st Street, requesting rezoning from **RM-2 to IL** (Related to Z-7358 Plat Waiver)
16. **Z-7358** Plat Waiver, Location: West of South Utica Avenue, South of East 1st Street (CD 4) (Related to Z-7358)
17. **Z-7360 Kendall Bailli** (CD 4) Location: East of the Southeast corner of East 14th Street and South Utica Avenue, requesting rezoning from **RS-3 to OL**

OTHER BUSINESS

18. Consider adopting a resolution finding the TCB Landlord LLC Tax Incentive Project (Tulsa Club Building, 115 E. 5th Street) within Tax Incentive District Number One, City of Tulsa, Oklahoma is in conformance with the Tulsa Comprehensive Plan
19. Recommendation for Appeal of Moratorium on certain uses in the River Design Overlay (for the property at 2850 E. 101st Street South) as established in Ordinance No. 23384, and extended by Ordinance No. 23453, 23515 and 23544

20. 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

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.

Change of Access on Recorded Plat TMAPC September 21, 2016

Southwest corner of East 41st Street South and South Memorial Drive

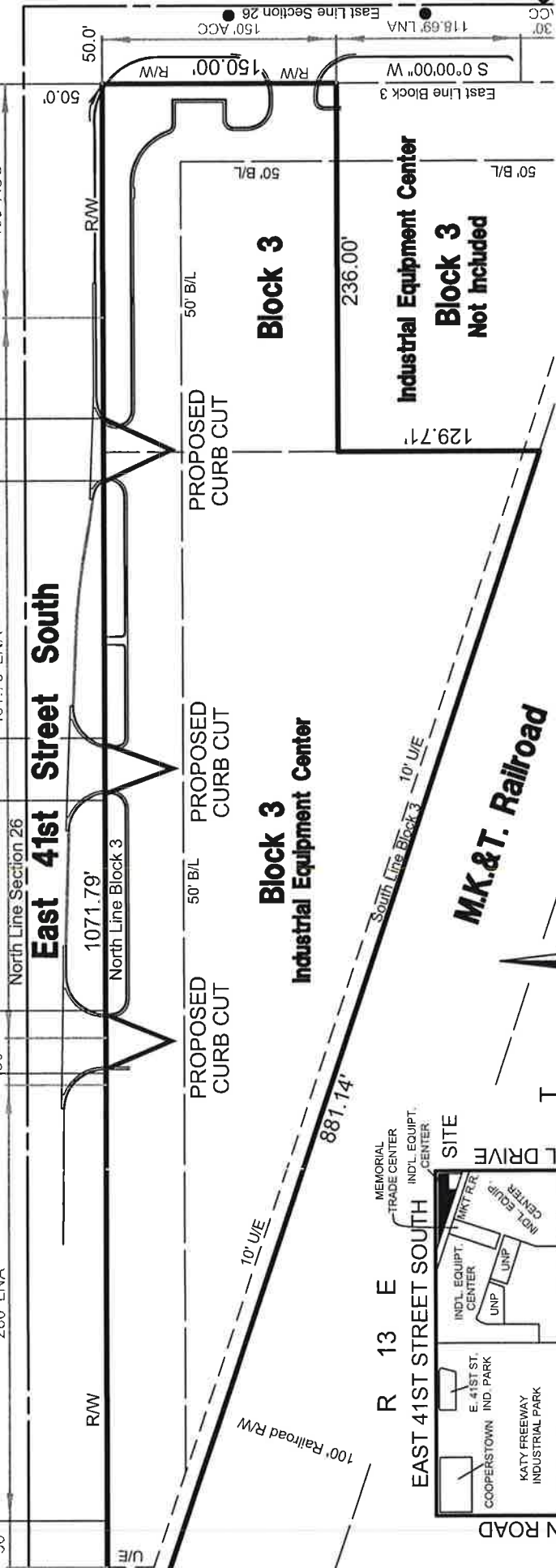
This application is made to allow a change of access to add three 40 foot access points and delete one 150 foot access along East 41st Street South and change limits of no access. The property is zoned IL.

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.

REVISED LNA/ACC

ACC 30' LNA 287.46' ACC 40' LNA 134.86' ACC 40' LNA 165.26' ACC 40' LNA 214.21' LNA 461.79' ACC 150' ACC

East 41st Street South

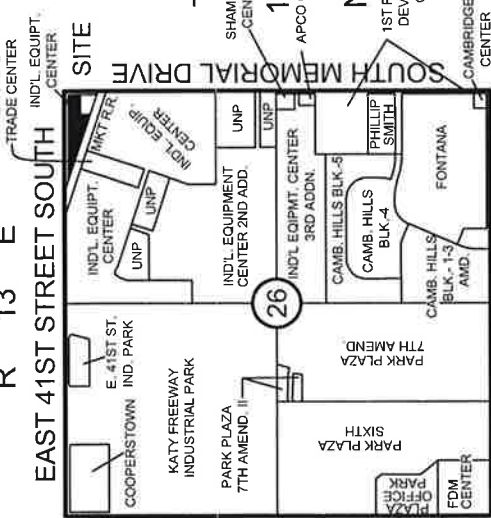


South Memorial Drive

Block 3

Block 3

Block 3



Location Map
NOT TO SCALE

- Legend
- ACC = ACCESS
 - LNA = LIMITS OF NO ACCESS
 - R/W = RIGHT-OF-WAY
 - B/L = BUILDING LINE
 - U/E = UTILITY EASEMENT

SCALE: 1"=100'

Kurt [Signature]
8-1-16

CHANGE OF ACCESS EXHIBIT

Part of Block 3,

Industrial Equipment Center

City of Tulsa, Tulsa County, OK

Exhibit "A"

- REQUESTED ACCESS REVISION
- ORIGINAL ACCESS & LNA AS SHOWN ON EXISTING PLAT OF INDUSTRIAL EQUIPMENT CENTER



Sisemore Weisz & Associates, Inc.
 911 EAST 32ND PLACE
 TULSA, OKLAHOMA 74185
 C.A. NO. 2421
 PHONE (918) 665-3600
 FAX (918) 665-6668
 EXP. DATE 6/30/17



Case Number: PUD-686-11
Minor Amendment

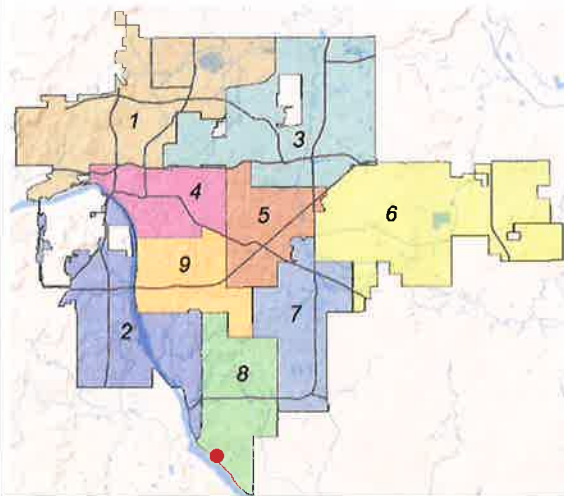
Hearing Date: September 21, 2016

Case Report Prepared by:
 Jay Hoyt

Owner and Applicant Information:
 Applicant: Vern Suess

Property Owner: Genstar Homes, LLC

Location Map:
 (shown with City Council Districts)



Applicant Proposal:

Concept summary: PUD minor amendment to reduce required side yard setback from 15 ft to 10 ft.

Gross Land Area: .2 acres

Location: Southwest corner of South Quebec Avenue and East 118th Boulevard South

Lot 9, Block 1 Wind River

Zoning:
 Existing Zoning: RS-2/PUD-686
 Proposed Zoning: No Change

Staff Recommendation:
 Staff recommends **approval**.

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

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

City Council District: 8
Councilor Name: Phil Lakin

County Commission District: 3
Commissioner Name: Ron Peters

SECTION I: PUD-686-11 Minor Amendment

STAFF RECOMMENDATION

Amendment Request: Modify the PUD Development Standards to reduce required side yard setback from 15 ft to 10 ft.

The applicant is requesting a reduction in the required side yard setback from 15 ft to 10 ft in order to accommodate a proposed single family residence. The residence is to be located on a lot which tappers back significantly from the front yard to the rear which restricts the width of the proposed home.

Staff Comment: *This request can be considered a Minor Amendment as outlined by Section 30.010.1.2.c(9) of the City of Tulsa Zoning Code.*

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

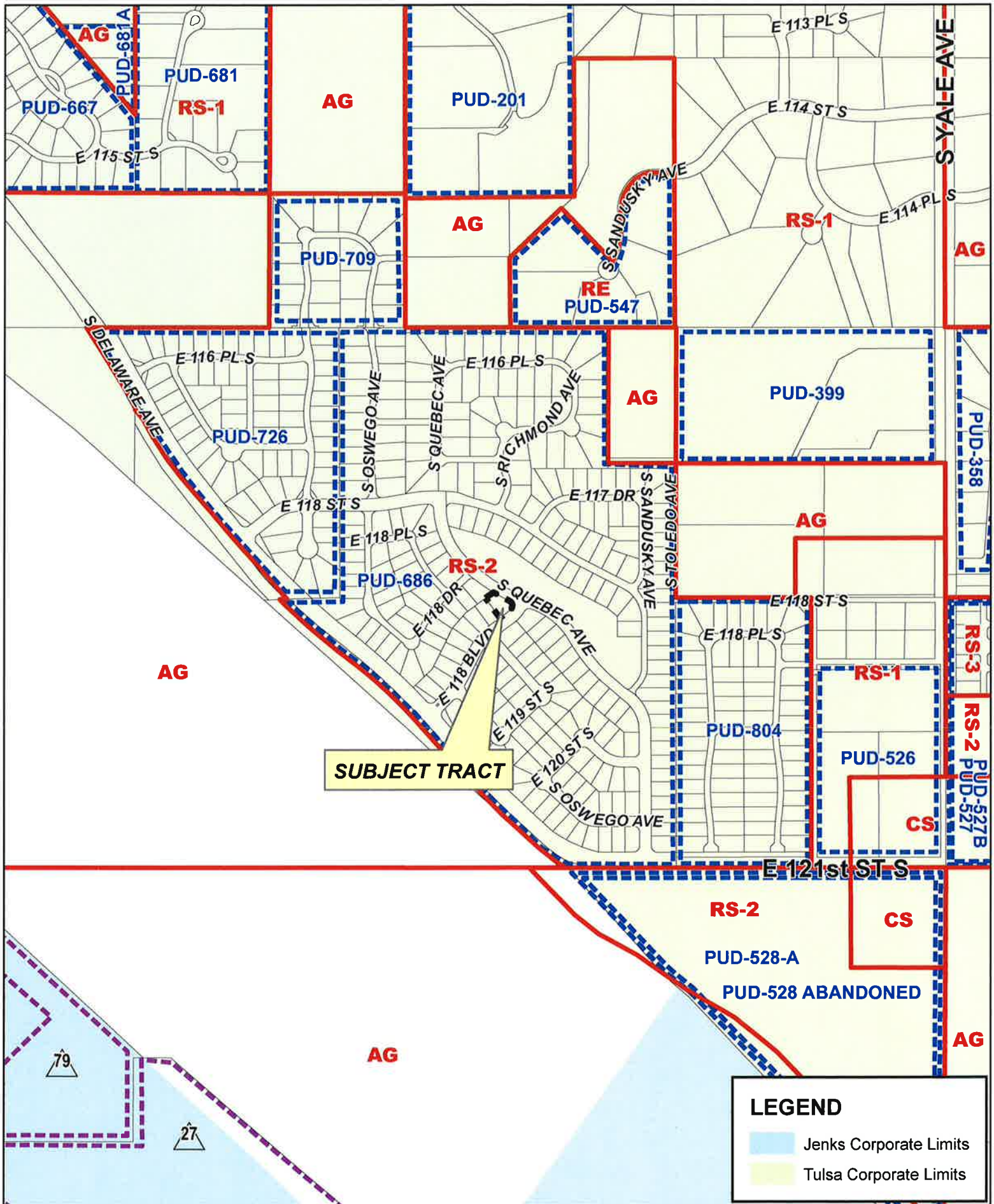
Staff has reviewed the request and determined:

- 1) The requested amendment does not represent a significant departure from the approved development standards in the PUD.
- 2) All remaining development standards defined in PUD-686 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 Site Plan

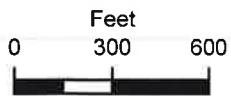
With considerations listed above, staff recommends **approval** of the minor amendment request to reduce required side yard setback from 15 ft to 10 ft.



PUD-686-11

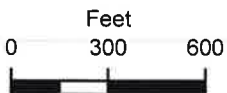
8.3

18-13 33





8.4



Subject Tract

PUD-686-11

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

18-13 33

Aerial Photo Date: February 2016





8.5



Subject Tract

PUD-686-11

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

18-13 33

Aerial Photo Date: February 2016





Tulsa Metropolitan Area
Planning Commission

Case Number: CPA-55
Comprehensive Plan Amendment
(related to Z-7359)

Hearing Date: September 21, 2016

Case Report Prepared by:

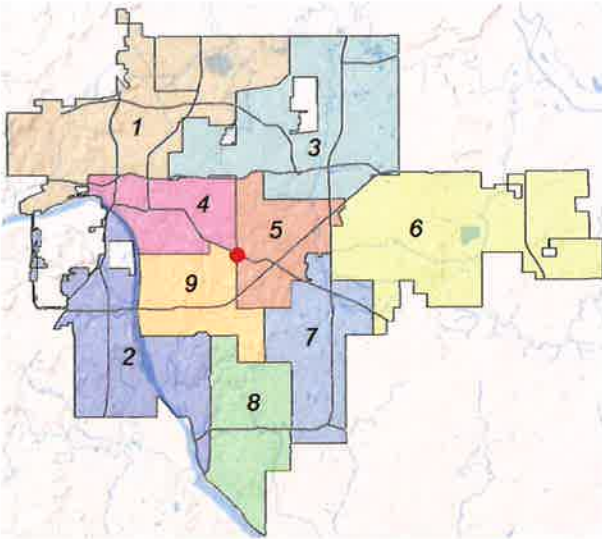
Nikita Moye, AICP

Owner and Applicant Information:

Applicant: Jason Burks

Property Owner: Mount, Houston Browning II
and Sue Ann

Location Map:
(shown with City Council Districts)



Applicant Proposal:
Land Use Map change from ***New
Neighborhood*** to ***Mixed-Use Corridor***

Existing Use: Vacant Lot

Proposed Use: Rock Climbing Gym

Tract Size: 1.44 acre

Location: E of NE/c corner of S. Yale Ave. and
E. 32nd St. S.

Staff Recommendation:

Staff recommends **approval** of the *Mixed-Use
Corridor* designation.

Comprehensive Plan:

Land Use Map:

Existing: *New Neighborhood*

Proposed: *Mixed-Use Corridor*

Stability and Growth Map:

Existing: *Area of Growth*

Proposed: *N/A*

Zoning:

Existing Zoning: RS-2

Proposed Zoning: CG

City Council District: 5

Councilor Name: Karen Gilbert

County Commission District: 3

Commissioner Name: Ron Peters

COMPREHENSIVE PLAN LAND USE MAP AMENDMENT REQUEST

E of NE/c corner of S. Yale Ave. and E. 32nd St. S. (CPA-55)

1. PROPERTY INFORMATION AND LAND USE REQUEST

| |
|---|
| <p>Existing Land Use: <i>New Neighborhood</i> Existing Stability and Growth designation: <i>Area of Growth</i></p> |
| <p>Proposed Land Use: <i>Mixed-Use Corridor</i> Proposed Stability and Growth designation: <i>N/A</i></p> |
| <p>Location: <i>E of NE/c corner of S. Yale Ave. and E. 32nd St. S.</i></p> |
| <p>Size: <i>1.44 acre</i></p> |

A. Background

The site that is subject to this Comprehensive Plan amendment application is located in midtown Tulsa, immediately south of the Broken Arrow Expressway. The surrounding area contains a mixture of uses including residential on the south and east; and commercial/retail abuts the subject lot on the west. The applicant has submitted this proposed Comprehensive Plan amendment and a rezoning application (Z-7359) with an optional development plan to permit construction of a rock climbing gym which is classified as a Commercial/Assembly and Entertainment use under the current Zoning Code. The applicant has stated that the facility will be open 7 days a week from 10:00 A.M. till 10:00 P.M.; core traffic will be between 5:00 P.M. and 8:00 P.M. Monday through Friday. The proposed facility will offer training, kids camps, birthday parties, corporate events, outdoor climbing excursions and other community events for the Tulsa area.

B. Existing Land Use and Growth Designations (Tulsa Comprehensive Plan)

A *New Neighborhood land* use designation was assigned to the area subject to the amendment request at the time of the adoption of the Tulsa Comprehensive Plan in 2010: "The *New Neighborhood* residential building block is comprised of a plan category by the same name. It 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.”

When the new Tulsa Comprehensive Plan was developed and adopted in 2010, the subject tract was designated as an *Area of Growth*:

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

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are 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.”

C. Proposed Land Use and Growth Designations (Tulsa Comprehensive Plan)

The applicant is proposing a *Mixed-Use Corridor* designation on the subject site.

“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 single family neighborhoods.”

D. Zoning and Surrounding Uses:

| Location | Existing Zoning | Existing Land Use Designation | Area of Stability or Area of Growth | Existing Use |
|----------|-----------------|-------------------------------|-------------------------------------|-------------------------|
| North | RS-2 | N/A | N/A | Broken Arrow Expressway |
| South | RD | <i>Existing Neighborhood</i> | <i>Area of Growth</i> | Residential |
| East | RD | <i>New Neighborhood</i> | <i>Area of Growth</i> | Vacant Lot |
| West | CS and CG | <i>Mixed-Use Corridor</i> | <i>Area of Growth</i> | Commercial/Retail |

E. Applicant’s Justification:

As part of the amendment application, the applicant is asked to justify their amendment request. Specifically, they are asked to provide a written justification to address:

1. How conditions on the subject site have changed, as well as those on adjacent properties and immediate area;
2. How changes have impacted the subject site to warrant the proposed amendment; and;
3. How the proposed change will enhance the surrounding area and the City of Tulsa.

The applicant provided the following justification as part of their application:

THE CURRENT STATE OF 32ND AND YALE

The area near 32nd and Yale also known as The Highland Park Neighborhood has set relatively dormant to new residential development for several decades now. The lot sitting at 4923 E 32nd Street has not been purchased or developed because of a few very specific reasons. Some financial and some practical. First it’s western facing lot boundary (over 300 feet) sit’s directly against a very active commercial parking lot with over a dozen daily active businesses and it’s north facing boundary sits against the Broken Arrow Expressway. With traffic on the BA expressway having tripled over the last 20 years the noise level has also increased dramatically. In Tulsa the average percentage of a total home construction budget for a lot is around 22%. This lot is listed for \$250,000 which means any serious single residential builder with any economic sense would need to build over a 1 million dollar home on this lot to justify the lot cost. Considering the neighborhood, the noise, the proximity to commercial development, and the area of town it is in, this is certainly not going to happen. I have spoke with several duplex developers that have said the pricing also makes it not favorable in terms of ROI for a duplex

development. With these 2 options being the only options the current zoning allows for, the lot continues to sit vacant for decades now. What it has created is a haven for homeless people and other mischievous activity. I personally woke up on a homeless person sleeping in a tent buried deep in the trees 2 weeks ago. It's no surprise as it is heavily treed and with the unfenced vacant lot beside it over 2 full acres in the middle of town with no supervision. It is also an eye sore to all the businesses and residents that sit directly around it. I have spoken with many of the business owners including those at the Celebrity Club and they have expressed to me how badly they would like to see it developed. The lot makes the area feel "run down and underdeveloped" as I have heard from business owners and residents in area. I have personally met with over 30 of the neighbors and at this point the consensus has been that this gym will be the best thing for that land and the neighborhood.

THE FUTURE OF 32ND AND YALE

Our climbing gym will create community both inside the walls and in the surrounding area. Most climbers can be described as healthy, responsible, environment conscientious, hard working, and incredibly friendly people that love their dogs. In addition to bringing quality people to the area our gym will become an anchor and an identifier for the intersection of 31st and Yale. It will become an icon in Tulsa that people associate that area with instead of the strip club located at the intersection. The unique architecture and curb appeal both from the BA Expressway and 32nd will be something all Tulsans will be proud of. We will be creating a world class facility and a destination for climbers from all over the US. With a 3 million dollar investment in a 16,000 square foot climbing gym we will certainly be creating a first class facility. We will put our city on the map for the USA climbing circuit which will bring competitions to our gym thus stimulating more revenue for the city. We will be creating over 15 new jobs and more importantly meeting a need for Tulsans that no one is meeting. Our gym will be in the top 15% of largest and nicest facilities in the US of its kind. It will continue to move Tulsa forward into the future with other progressive cities such as Nashville, Albuquerque, Little Rock, and Kansas City who have realized the value of climbing gyms. In the last 2 years alone climbing gyms have gone up in over 25 cities similar in size to Tulsa. Why? Because many have said climbing gyms are the fitness gym of the future. Climbing was announced to be an Official Olympic sport just this last month which will certainly only fuel the current interest. Tulsa does not have a facility for these athletes to train or for kids to even entertain the sport as a pursuit. I believe a great city should have something for everyone and with this facility Tulsa would be one step closer to that. In addition our current facility is packed and growing which simply shows Tulsa loves climbing. It is only 3000 square feet and located in a very rough area of town and yet attendance is increasing month by month. The current facility has been in business since 1997 and has grown every year. Since I have taken ownership this last year the

facility has doubled in attendance and revenue. We have parents from Broken Arrow, Jenks, Owasso, Bixby, Claremore, and Tulsa asking us monthly when we will have more space to accommodate kids, training and birthdays. We launched kids camp this past summer for the first time and sold out every class. We then added another instructor and doubled our available spaces and sold them out in 1 day. Tulsa wants and needs this gym as bad as I do and I believe 32nd and Yale is the perfect spot. I believe 32nd and Yale is a great area to draw people to from the suburbs and this will certainly increase business for the surrounding area. We anticipate our facility to be open 7 days a week from 10AM till 10PM. Our core traffic will be between 5PM and 8PM Monday through Friday; between 9PM and 10PM there will typically be less than 10 members there. Our core customer is typically upper middle class with expendable income. Our gym will offer kids camps, birthday parties, training, climbing teams, competitions, corporate events, outdoor climbing excursions and community involvement days for the City of Tulsa.

F. Staff Summary:

To accommodate the gym/recreational facility the applicant is proposing to expand the *Mixed-Use Corridor* into an existing and planned residential neighborhood as designated by the Comprehensive Plan. The City of Tulsa Planning and Development Department has provided planning comments and considerations that are attached to the end of this staff report. The City has stated that only access for the proposed commercial site is from E 32nd St S, which is a residential street; in no instances are high levels of non-residential traffic on this portion of E 32nd St S appropriate. The proposed development will not create a significant increase in traffic along E 32nd St S or through the neighborhood as the development will be a medium intensity use with the highest levels of traffic occurring between 5:00 P.M. and 8:00 P.M. Monday through Friday.

The City Planning staff has stated that the proposed land use designation/zoning on the lot will result in different uses facing each other and will likely destabilize land uses in the existing residential neighborhood. To address these concerns the concurrent rezoning application for this property will be accompanied by an optional development plan. To ensure appropriate design control and edge treatment between the project area and the established residential neighborhood the development plan will require setbacks, landscaping and screening requirements for the proposed facility to supplement those required by the Tulsa Zoning Code.

The proposed amendment will be an extension of the existing Mixed-Use Corridor west of the subject site. As stated by the Comprehensive Plan, a major goal of the surrounding area, an *Area of Growth*, is to increase economic activity in the area to benefit existing residents and businesses. The proposed development is an infill project that is likely to

stimulate economic activity, job growth and a new demand for housing in the area that will benefit existing residents and businesses.

STAFF RECOMMENDATION

- Staff recommends approval of the *Mixed-Use Corridor* land use designation as submitted by the applicant.

ADDITIONAL COMMENTS

CPA-55 Application/Request

Located generally east of northeast corner of S. Yale off E 32nd Street S.
- Planning Comments and Considerations -

September 8, 2016 update

August 31, 2016

ADDITIONAL COMMENTS AND CONSIDERATIONS:

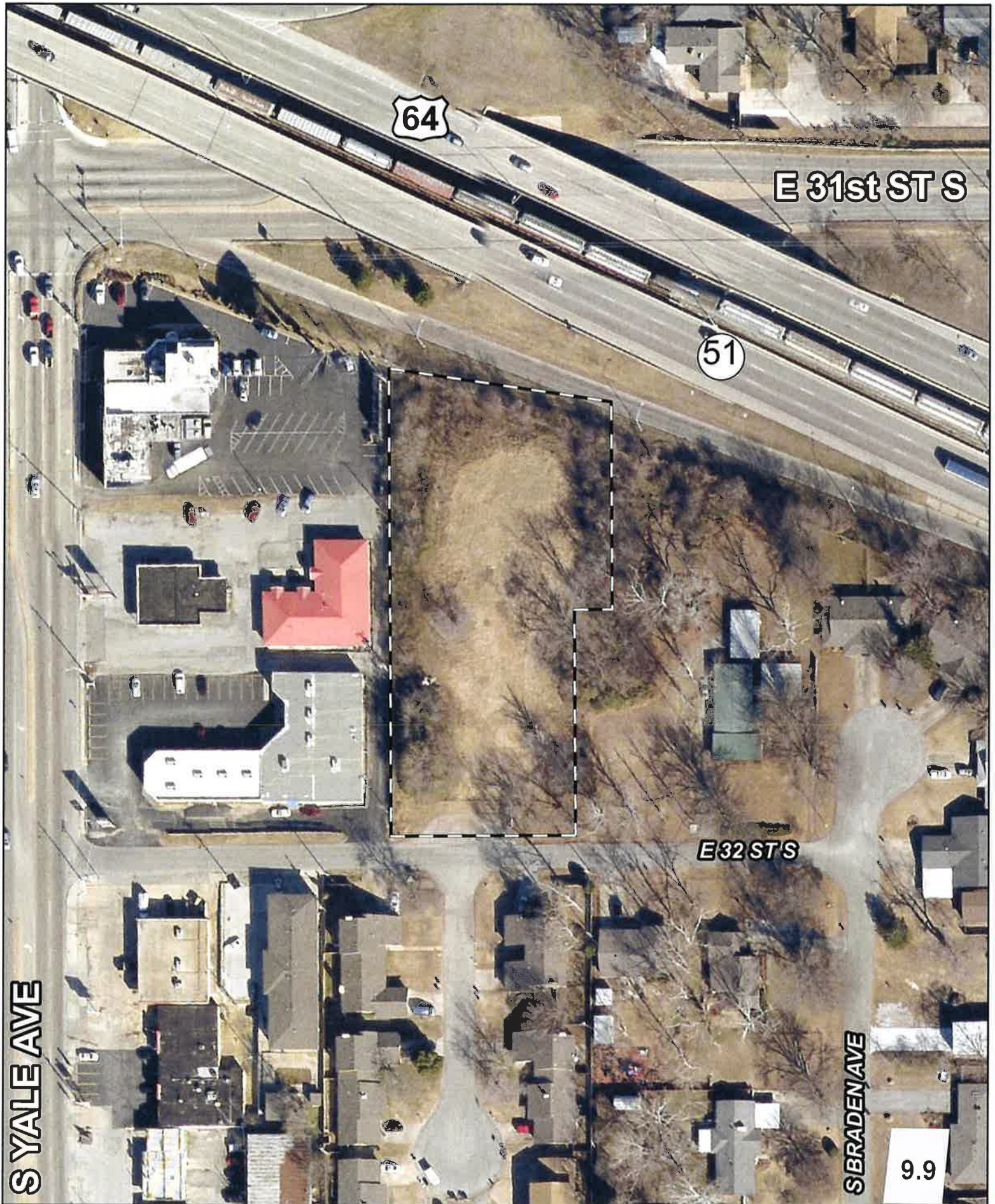
1. The proposed change in the Comprehensive Land Use Plan is to extend mixed use corridor and non-residential use into an *established residential neighborhood*. The designation of Growth Area by the Comprehensive Plan is appropriate for the subject vacant site and adjoining vacant site immediately east for use as residential, most likely for duplex, townhouse, cottages or similar residential housing. However, a change in designation to allow non-residential uses for the subject vacant site, and perhaps in the future for the adjoining site to the east, is *not*.
2. The associated "Optional Development Plan" and proposed commercial zoning would have non-residential uses front residential uses and establish a pattern of substantially different land uses facing each other – which historically leads to destabilization of area development.
3. In no instance is high traffic non-residential traffic on this portion of 32nd Street South appropriate.
4. A mixed use land use designation and commercial zoning for this parcel are not appropriate.

INITIAL COMMENTS AND CONSIDERATIONS:

Proposal is to construct a climbing gym on a vacant lot with 62 parking spaces. This change requires a Comprehensive Plan Amendment from New Neighborhood to Mixed Use to allow for a Zoning change of RS-2 to CG.

Comments and Considerations:

- Currently this is a vacant lot with the only access on 32nd street, which is a residential street that ends a block down in a single-family neighborhood. The access to the parking lot is across from another dead end street that has duplexes.
- The lots abutting the project location on the west are designated Mixed-Use Corridor and all access from Yale. The corner lot also has access off 32nd Street.
- The lot abutting the project location on the east is designated as New Neighborhood.
 - Potential adjacent residential impacts were taken into consideration and building is setback 40 feet from the eastern property line
 - 15' landscape buffer abutting the street
- Building is setback at the rear of the property, parking is all in front. Requires 60 parking spaces.
- Proposing two curb cuts along 150' frontage. Needed/Required?
- Additional potential impacts on neighborhood:
 - Type of signage
 - Lighting of parking lot



S YALE AVE

E 31st ST S

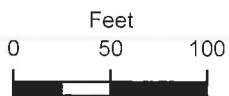
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E 32 ST S

S BRADEN AVE

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Subject Tract

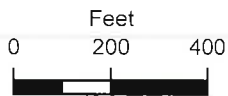
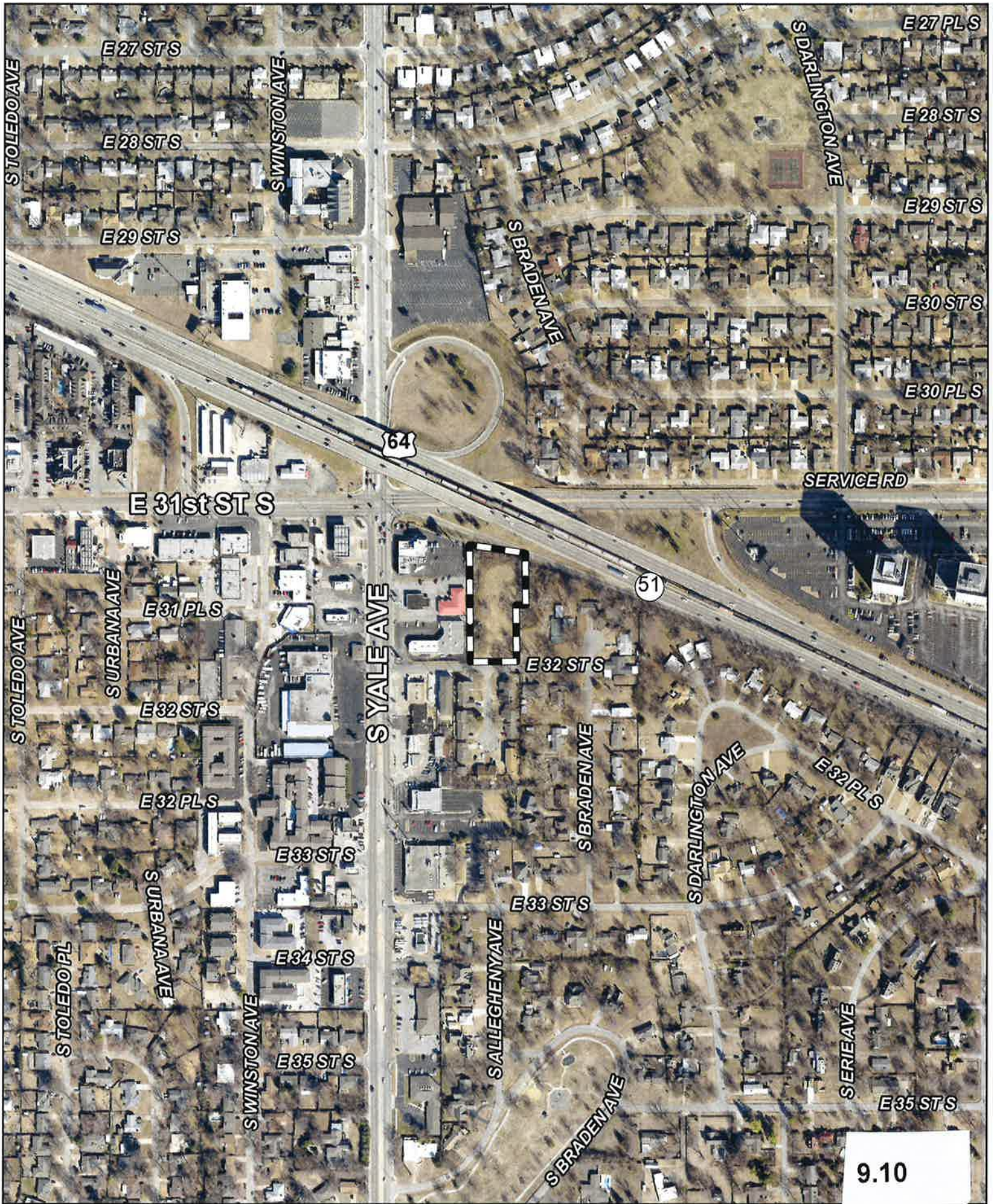
CPA-55

19-13 22

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

Aerial Photo Date: February 2016





Subject Tract

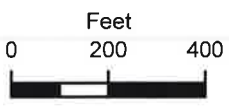
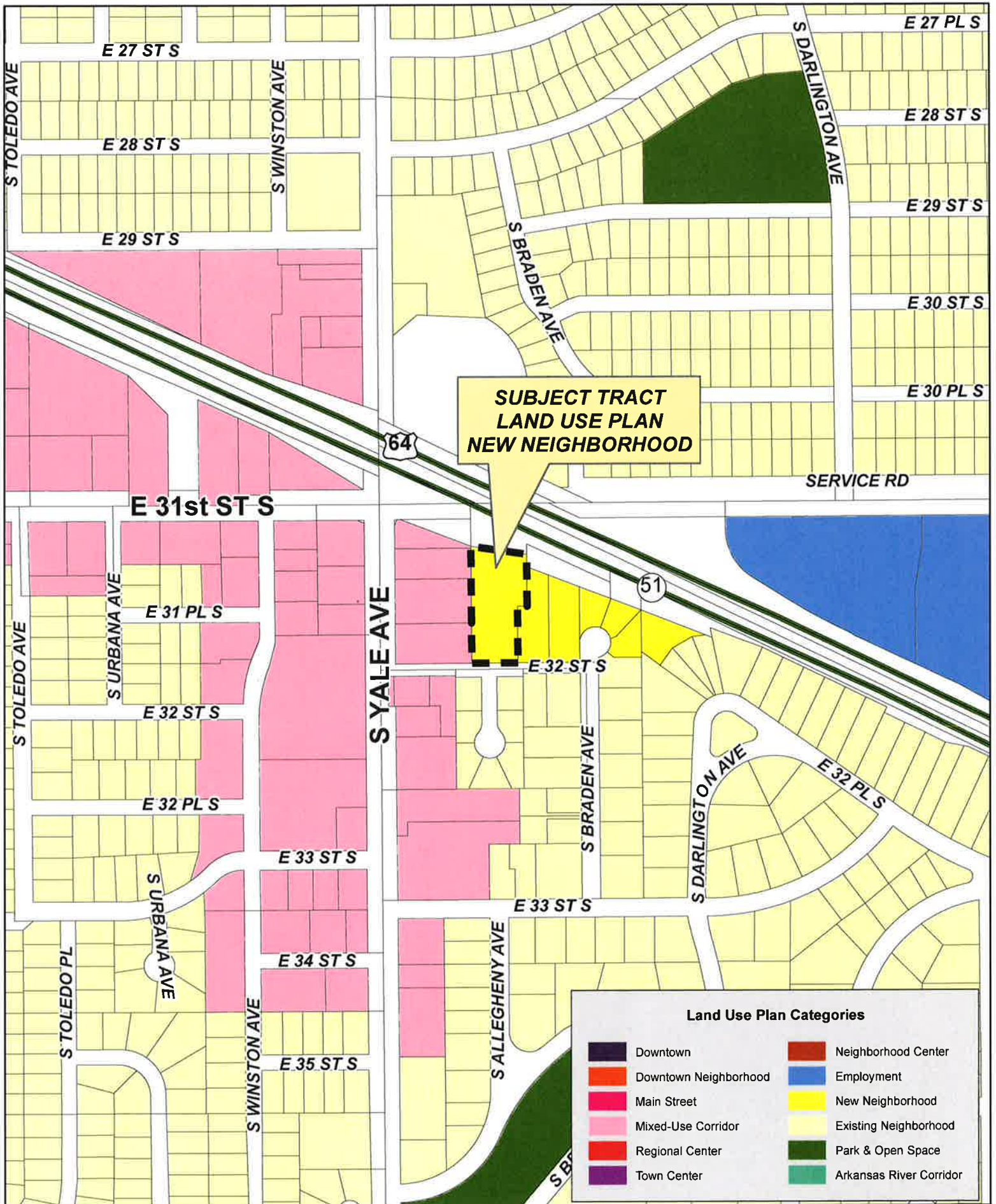
CPA-55

19-13 22

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Aerial Photo Date: February 2016



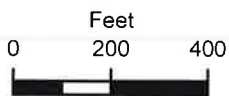
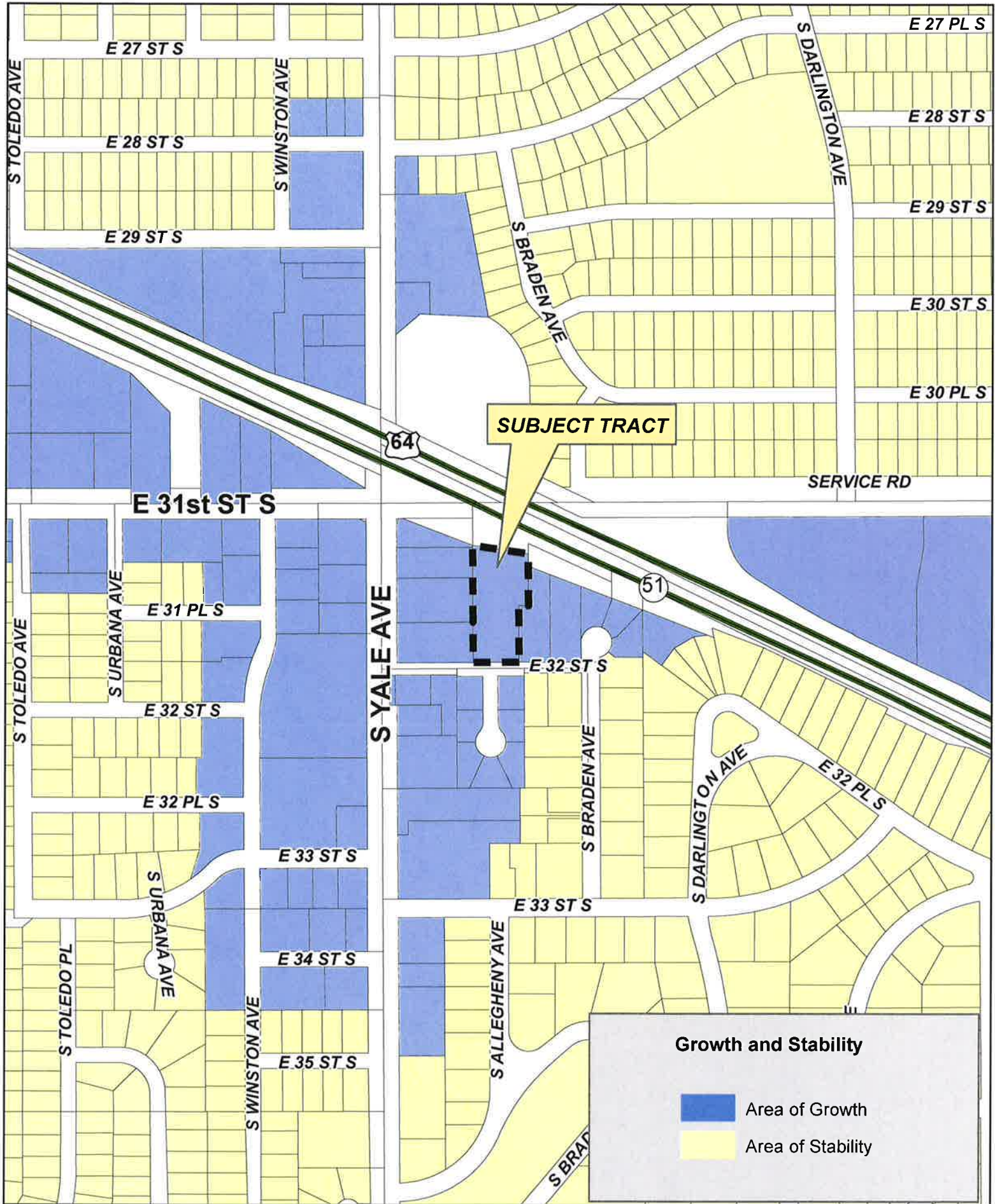


CPA-55

19-13 22

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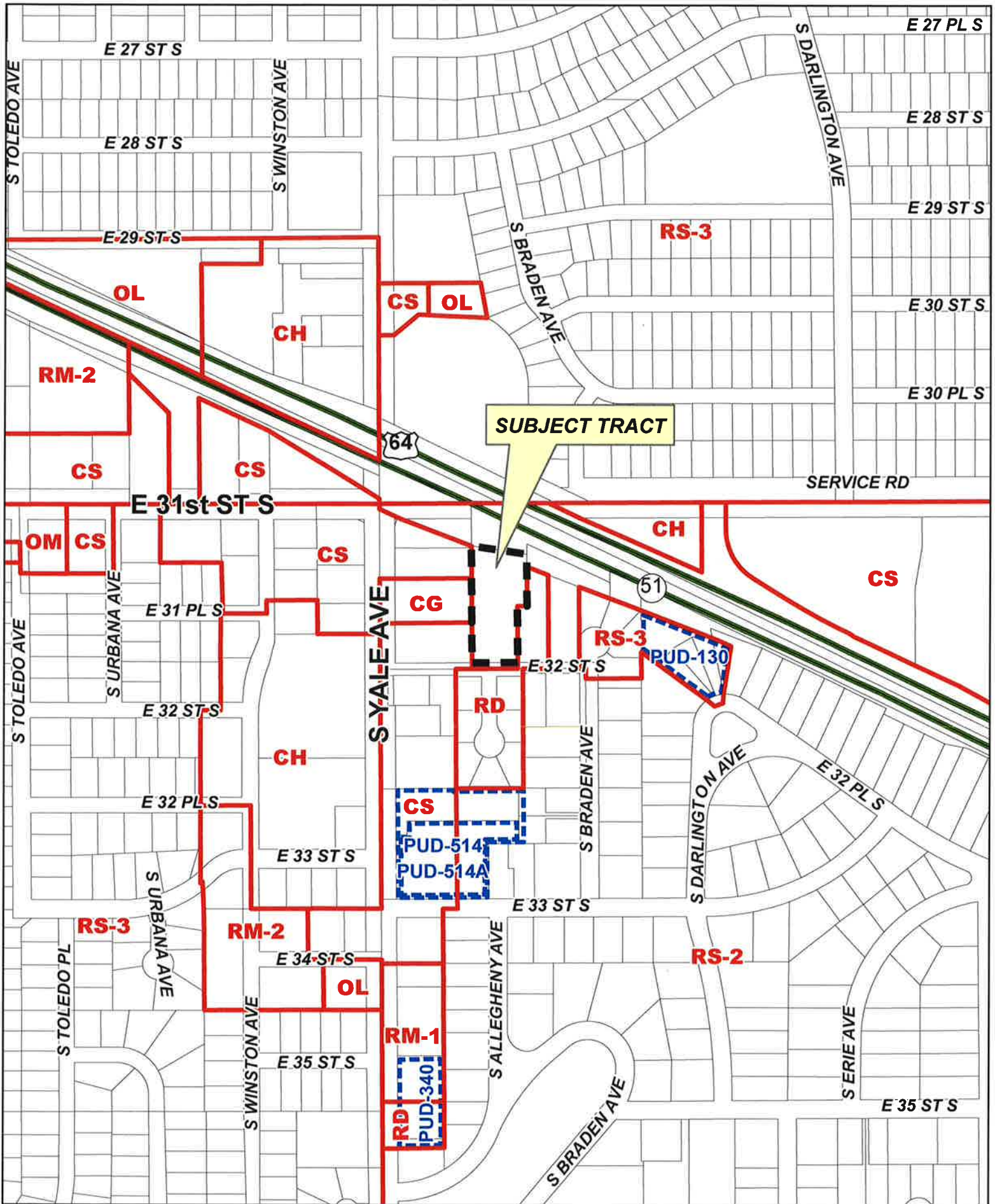


CPA-55

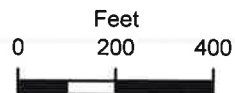
19-13 22

9.12





SUBJECT TRACT



CPA-55

19-13 22

9.13





Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7359
w/ Optional Development Plan
(Related to CPA-55)

Hearing Date: September 21, 2016

Case Report Prepared by:

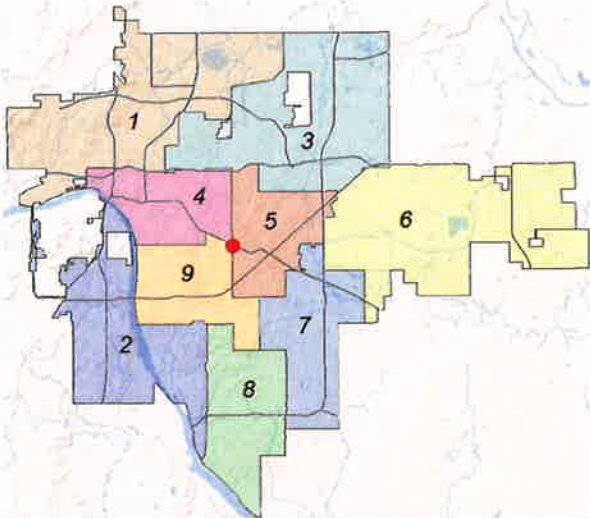
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Jason Burks

Property Owner: MOUNT, HOUSTON BROWNING II AND

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Vacant

Proposed Use: Climbing Gym

Concept summary:

Tract Size: 1.44 ± acres

Location: East of northeast corner of S. Yale Ave. and E. 32nd St. S.

Zoning:

Existing Zoning: RS-2

Proposed Zoning: CG

Comprehensive Plan:

Existing Land Use Map: New Neighborhood

Proposed Map: Mixed-Use Corridor

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval for CG zoning but only with the Optional Development Plan standards as outlined in Section II of the following report.

Staff Data:

TRS: 9322

CZM: 48

Atlas: 182

City Council District: 5

Councilor Name: Karen Gilbert

County Commission District: 3

Commissioner Name: Ron Peters

10.1

SECTION I: Z-7359

DEVELOPMENT CONCEPT:

The subject property is located at 4923 East 32nd Street South. It is currently undeveloped and zoned RS-2. The applicant is proposing to construct an indoor climbing gym on the property, which is expected to be categorized as Commercial – Assembly and Entertainment Use. This use is not permitted with the existing RS-2 zoning for the property and the applicant wishes to have the property rezoned to Commercial General CG with an Optional Development Plan. Residential zoning exists to the east and south of the property. After meeting with neighborhood residents and INCOG staff, the applicant proposes to use the Optional Development Plan.

In order to accommodate Assembly and Entertainment uses for the undeveloped property, the property must be rezoned to CG. Certain restrictions must be established with the Optional Development Plan to lessen the impact of the development next to abutting residential areas. The plan restrictions should include limiting the use categories allowed, provide additional landscaping and screening requirements, signage limitations and building height standards. Therefore, the applicants believe that use of an Optional Development Plan in this case achieves greater public benefit than straight rezoning by allowing development of the property while lessening the impact on the abutting residential district.

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:
 - Conceptual site Plan

SECTION II:

OPTIONAL DEVELOPMENT PLAN STANDARDS:

Use Limitations:

- A. Permitted Uses*. The subject property shall only be used for the following uses.
 - a. Public, Civic and Institutional Use Category
 - i. Day Care
 - ii. Library or Cultural Exhibit
 - iii. Natural Resource Preservation
 - iv. Parks and Recreation
 - v. Safety Service
 - vi. School
 - b. Residential Use Category, Household Living Sub Category
 - i. Townhouse
 - c. Commercial Use Category, Office Use Category
 - i. Business or professional office
 - d. Assembly and Entertainment
 - i. Small (up to 250-person capacity, as allowed by right but limited to health club, and climbing gyms). Any other Assembly and Entertainment venue will require a major amendment to the Development Plan.

*Any special exception use that could be allowed through the Board of Adjustment process in a CG District must also receive either a minor or major amendment approval to the Optional Development Plan.

Building Setbacks / Green space:

- a. The Subject Property shall maintain a 15 foot green space along the southern and eastern edge of the Subject Property in which only access driveways, perimeter fencing/ gates, landscaping (including trees, shrubs, irrigation, landscape lighting and other typical items which are a part of a landscape edge as required or permitted by the Tulsa Zoning Code) may be constructed.
- b. Buildings shall be placed further than 25 feet north of the north right-of-way of East 32nd Street South.

Lighting:

Wall mounted lighting or parking lot lighting shall be pointed down and away from all adjacent residentially zoned property. No exterior light fixture shall be further than 16 feet above the ground below the light.

Signage:

- a. All ground signs shall be a monument style and will not be illuminated from any internal or exterior source. The signs shall not exceed 8 feet in height and shall not exceed 64 square feet of display surface area.
- b. Wall signage is prohibited on any east facing wall.
- c. Wall signage is allowed on the south facing wall however the maximum display surface area shall not exceed 128 square feet and may not be illuminated from any internal or exterior source.
- d. Wall signage on the west and north may be illuminated from internal sources only. Dynamic display shall not be allowed. The maximum size of the west facing wall shall not exceed 256 square feet. The maximum size of the north facing wall sign shall not exceed 256 square feet.
- e. Off premise business signs are prohibited.

Vehicular Access and Circulation:

The access to East 32nd street shall be oriented toward the south west discouraging east bound vehicular traffic through the neighborhood.

Pedestrian Access:

Sidewalks shall be installed along the frontage of East 32nd street. Pedestrian and bicycle access from the neighborhood shall be encouraged by placing access points near the southeast end of the site.

Building Height:

Buildings shall not be taller than 45 feet as measured from the first floor elevation. Mechanical equipment on the ground shall be screened with masonry screening with the minimum height at least one foot taller than the mechanical equipment. Roof top mechanical equipment shall be screened from persons standing at ground level within three hundred feet of the abutting residential development area.

Trash Dumpsters and Enclosures:

All enclosures shall be masonry with a minimum height of not less than one foot taller than the container. The door frame shall be metal with a screening material blocking view through a

minimum of 80 % of the opening. The Dumpster shall not be placed within 120 feet of the south or east property line.

DETAILED STAFF RECOMMENDATION:

Z-7350 request to zone property CG with an Optional Development Plan is consistent with the proposed Mixed-Use Corridor land use designation of the Comprehensive Plan and;

CG zoned property without additional provisions does not provide appropriate land use limitations to integrate with the surrounding residential properties on the east and south however the design standards and use limitations integrated into the Development Plan provide those standards and;

The provisions of the Optional Development Plan outlined in Section II above are consistent with the Development Plan provisions of section 70.040 of the Tulsa Zoning Code therefore;

Staff recommends Approval of Z-7359 to rezone property from RS-2 to CG with an Optional Development Plan.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary:

To accommodate the gym/recreational facility the applicant is proposing to expand the *Mixed-Use Corridor* into an existing and planned residential neighborhood as designated by the Comprehensive Plan. The City of Tulsa Planning and Development Department has provided planning comments and considerations. The City has stated that only access for the proposed commercial site is from E 32nd St S, which is a residential street; in no instances are high levels of non-residential traffic on this portion of E 32nd St S appropriate. The proposed development will not create a significant increase in traffic along E 32nd St S or through the neighborhood as the development will be a medium intensity use with the highest levels of traffic occurring between 5:00 P.M. and 8:00 P.M. Monday through Friday.

The City Planning staff has stated that the proposed land use designation/zoning on the lot will result in different uses facing each other and will likely destabilize land uses in the existing residential neighborhood. To address these concerns the concurrent rezoning application for this property will be accompanied by an optional development plan. To ensure appropriate design control and edge treatment between the project area and the established residential neighborhood the development plan will require setbacks, landscaping and screening requirements for the proposed facility to supplement those required by the Tulsa Zoning Code.

Land Use Vision:

Current Land Use Plan map designation: New Neighborhood

“The **New Neighborhood** residential building block is comprised of a plan category by the same name. It 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.”

Concurrent Land Use Plan map designation: Mixed Use Corridor (Refer to CPA-55)

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

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

Transportation Vision:

Major Street and Highway Plan: None that affect redevelopment of this site.

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 vacant with no evidence of any recent development. The site is gently sloping with trees.

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> |
|------------------------------------|--------------------|-----------------|-----------------------|
| East 32 nd Street South | None | 50 feet | 2 without curb |

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

| Location | Existing Zoning | Existing Land Use Designation | Area of Stability or Growth | Existing Use |
|-----------------|------------------------|--------------------------------------|------------------------------------|-------------------------|
| North | RS-2 | N/A | N/A | Broken Arrow Expressway |
| East | RD | New Neighborhood | Area of Growth | Vacant Lot |
| South | RD | Existing Neighborhood | Area of Growth | Residential Duplex |
| West | CS and CG | Mixed-Use Corridor | Area of Growth | Commercial Retail |

SECTION IV: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11824 dated June 26, 1970, established zoning for the subject property.

Subject Property:

Z-7323 January 2016: Staff recommended approval of a request for *rezoning* a 2± acre tract of land from RS-2/RD to RM-3, on property located east of northeast corner of S. Yale Ave. and E. 32nd St. S. and also known as a part of the subject property. It was continued multiple times before the applicant finally **withdrew** the application.

Surrounding Property:

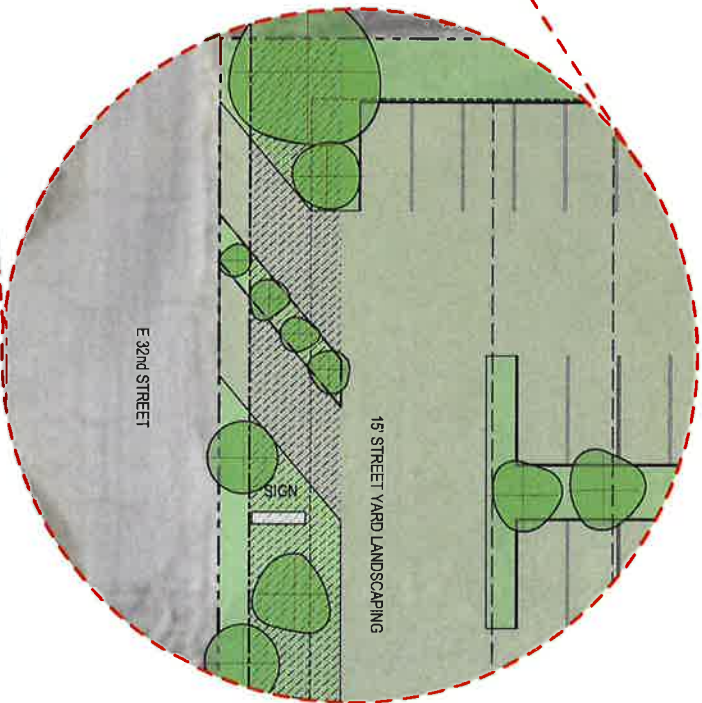
Z-4066 February 1972: A request for *rezoning* a .59± acre tract of land from RS-2 to RM-1 on property located east of the northeast corner of E. 32nd St. and S. Yale Ave. and is abutting the subject property to the east. Staff recommended RS-3, but TMAPC recommended approval of RM-1. The City Council **approved** RD.

9/21/2016 1:30 PM

EXHIBIT 'D'



PROPOSED SITE PLAN



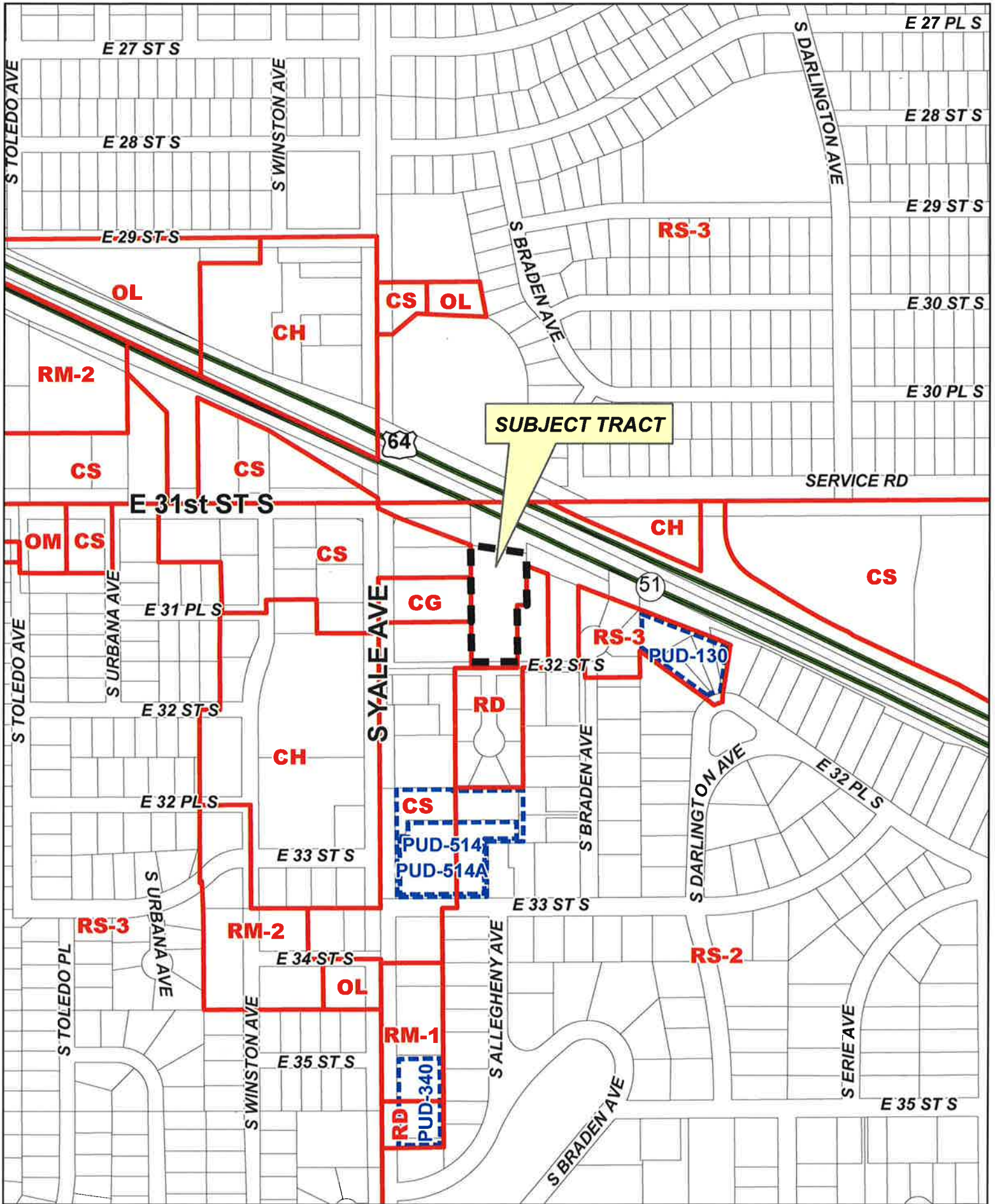
CJC Architects, Inc.

1401 S Denver Ave, Suite B
Tulsa, OK 74119-3445
918-582-7129
cjcarchitects.com



EXHIBIT 'D'

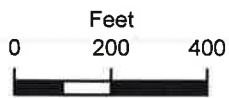
| | |
|----------------|-------|
| Project Number | 16110 |
| Date | |
| Drawing Number | SK-10 |



SUBJECT TRACT

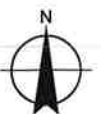
Z-7359

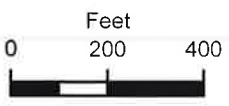
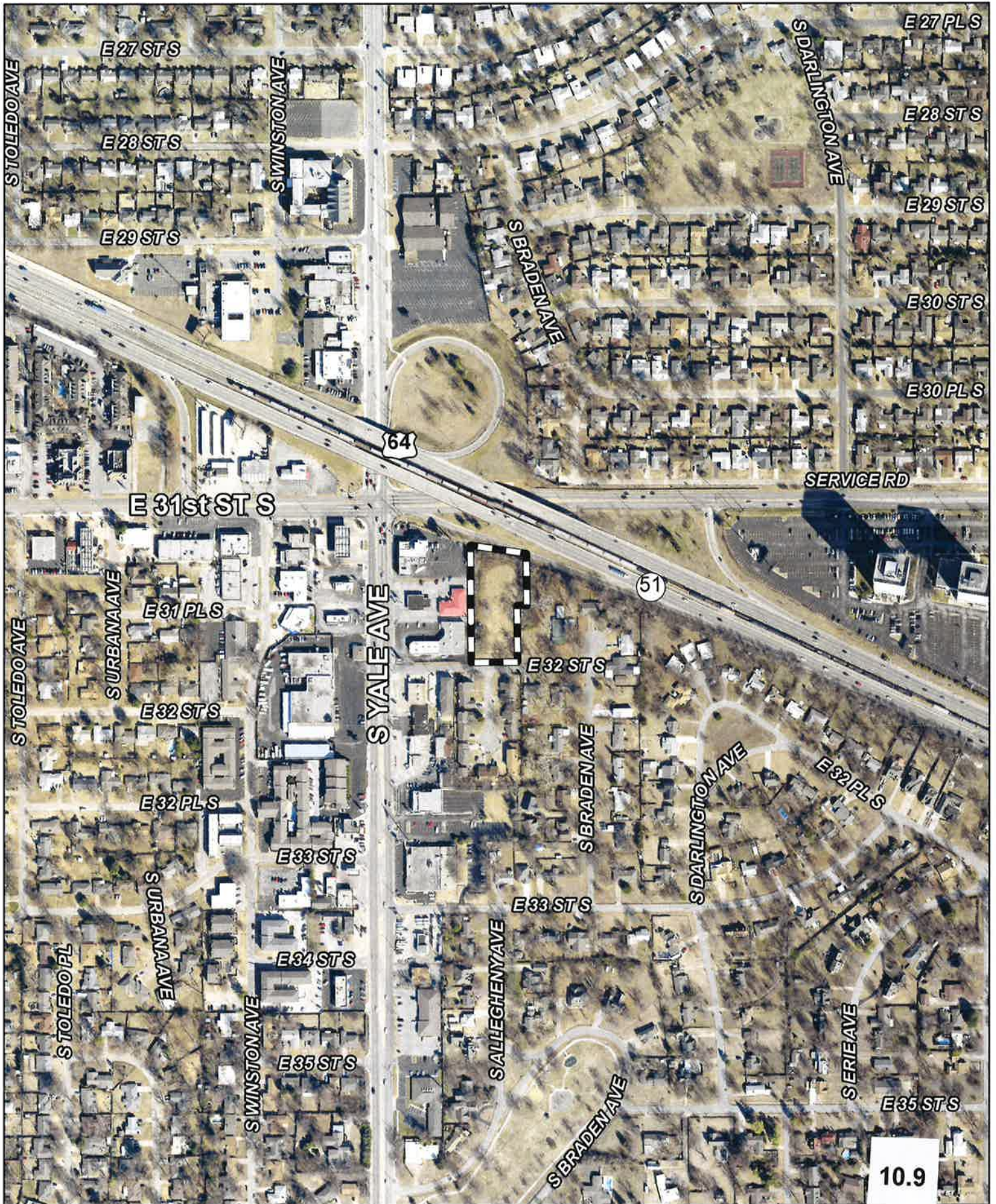
**with Optional
Development Plan**



19-13 22

10.8



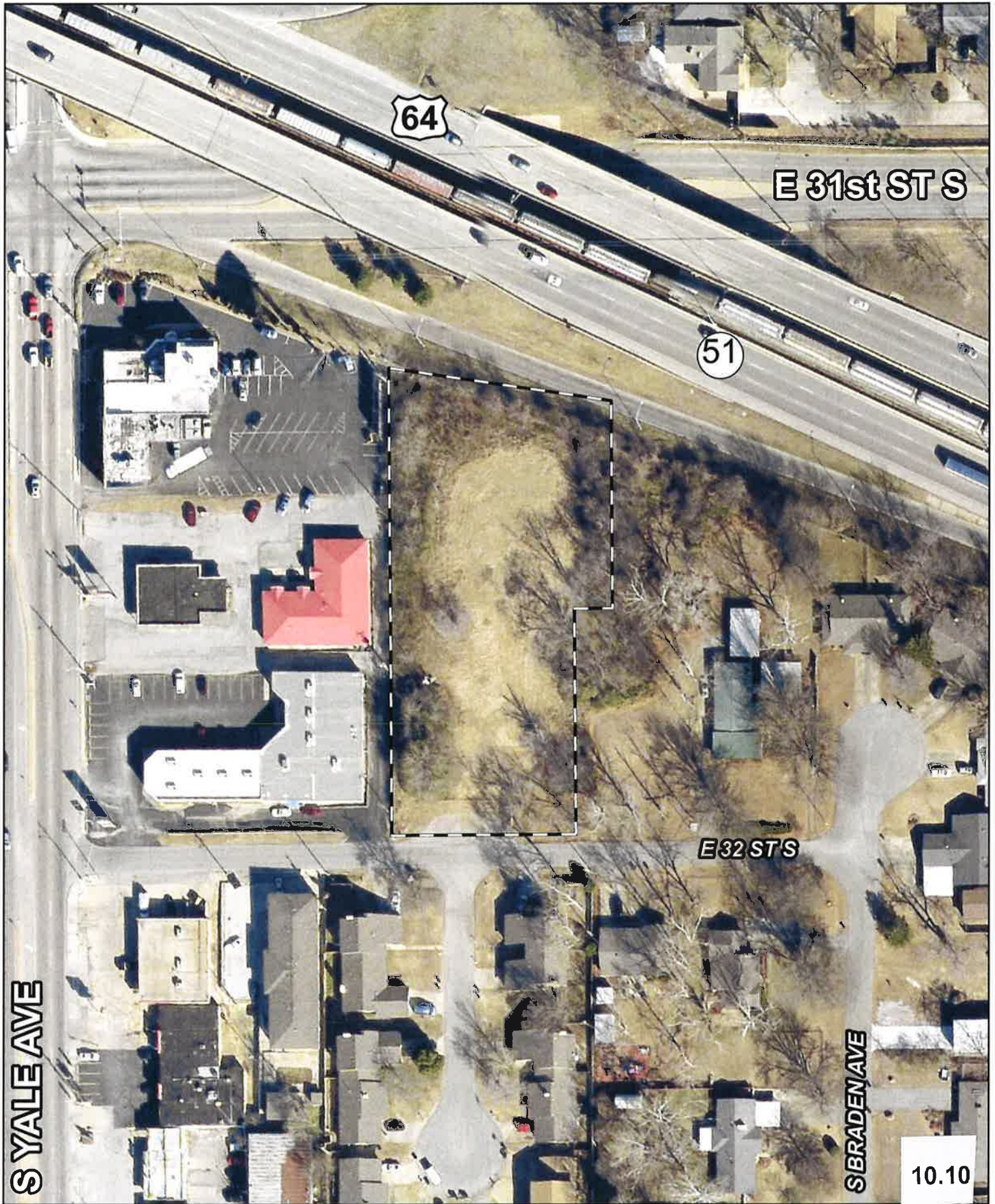


Z-7359
with Optional
Development Plan

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

Aerial Photo Date: February 2016





64

E 31st ST S

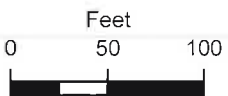
51

E 32 ST S

S YALE AVE

S BRADEN AVE

10.10



 Subject Tract

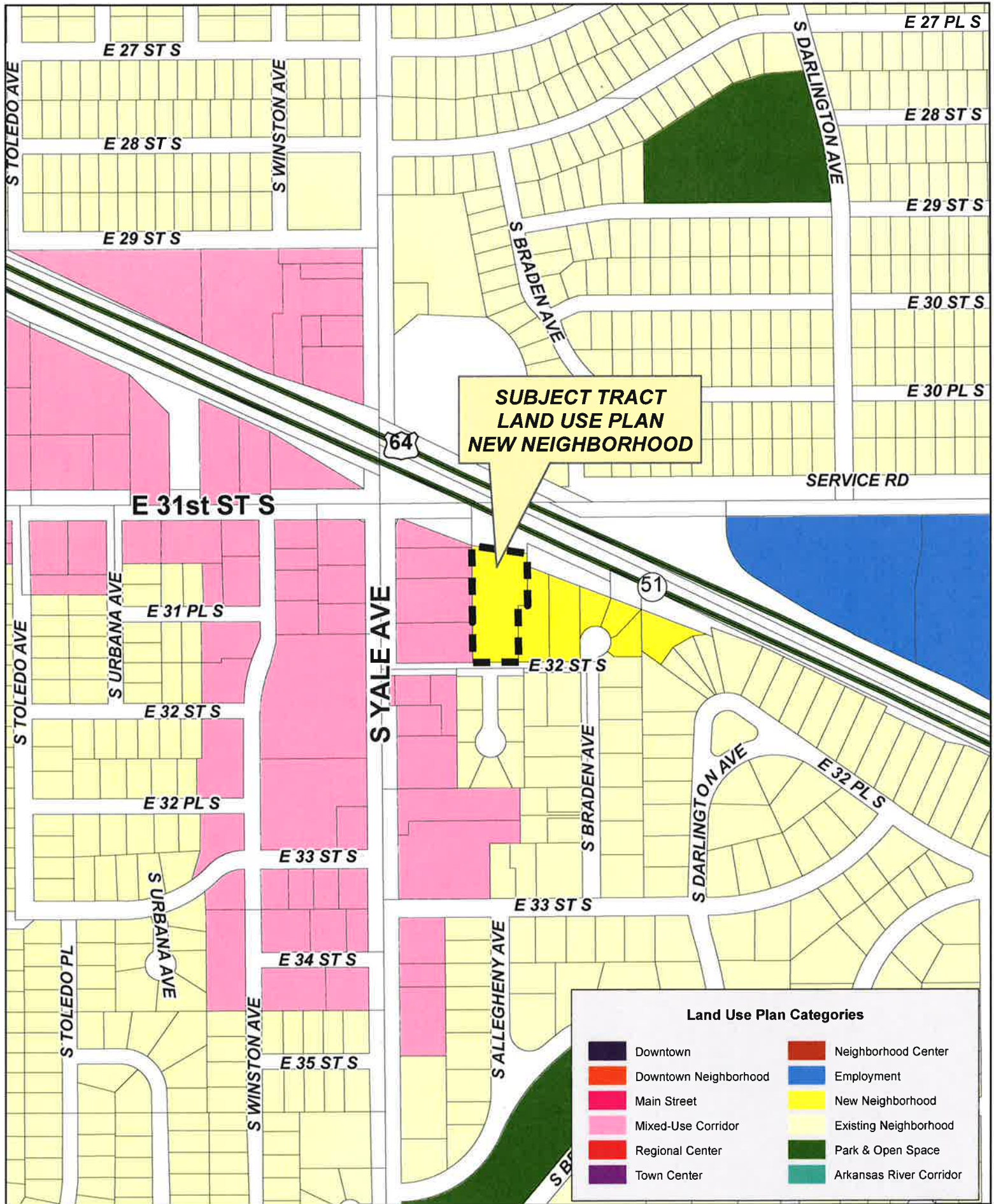
19-13 22

Z-7359 with Optional Development Plan

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

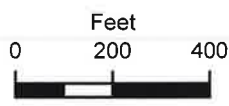
Aerial Photo Date: February 2016





**SUBJECT TRACT
LAND USE PLAN
NEW NEIGHBORHOOD**

| 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 |  | Arkansas River Corridor |



19-13 22

**Z-7359
with Optional
Development Plan**

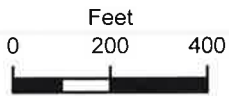
10.11





Growth and Stability

- Area of Growth
- Area of Stability



19-13 22

Z-7359
with Optional
Development Plan

10.12



Lot-Split and Waiver of Subdivision Regulations

September 21, 2016

LS-20914

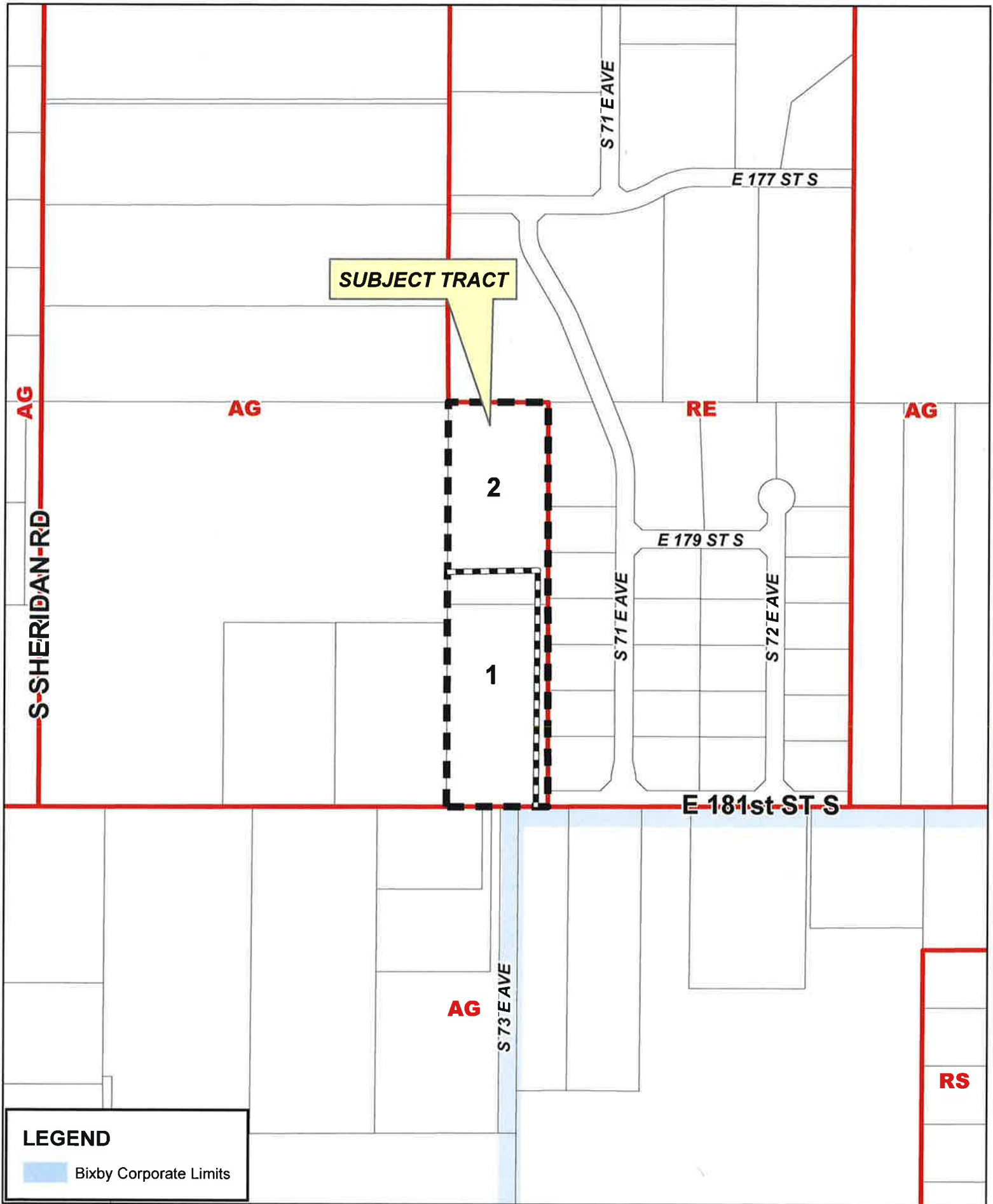
Greg Ganzkow, (7335) (AG) (County)

**West of the northwest corner of East 181st Street South and South 71st
East Avenue**

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

The Technical Advisory Committee met on September 1, 2016 and had the following comment. A Fifty foot Easement is needed along East 181st Street South.

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



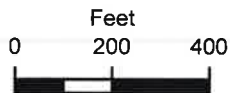
SUBJECT TRACT

2

1

LEGEND

 Bixby Corporate Limits



LS-20914

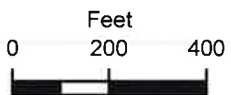
11.2

17-13 35





11.3



Subject Tract

LS-20914

17-13 35

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

Aerial Photo Date: February 2016





Tulsa Metropolitan Area
Planning Commission

**Case : 71 Jackson Storage
Preliminary Subdivision Plat**

Hearing Date: September 21, 2016

Case Report Prepared by:

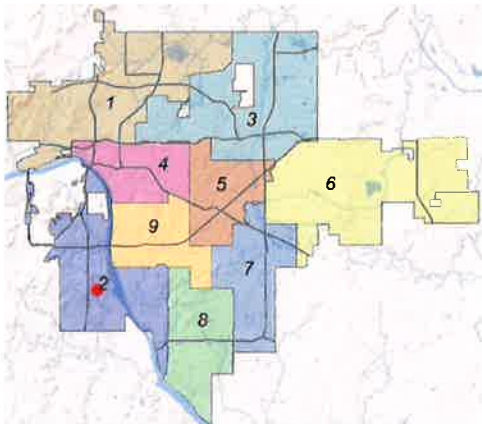
Diane Fernandez

Owner and Applicant Information:

Applicant: Khoury Engineering

Owner: Tom Messner, James Whitetree

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



Applicant Proposal: Preliminary
Subdivision Plat

Location: West of southwest corner of West
71st Street South and South Elwood Avenue
(CD 2)

Zoning: RS-3 with CS (commercial
shopping) pending, and BOA case
#22137 to allow mini storage use pending

Staff Recommendation:
Staff recommends Approval.

City Council District: 2

Councilor Name: Jeannie Cue

County Commission District: 2

Commissioner Name: Karen Keith

EXHIBITS:

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

PRELIMINARY SUBDIVISION PLAT

71 Jackson Storage - (CD 2)

West of southwest corner of West 71st Street South and South Elwood Avenue

The plat consists of 1 Lot, 1 Block, on 3.92 acres.

The following issues were discussed September 1, 2016, at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned RS-3 with CS (commercial shopping) pending and Board of Adjustment case #22137 to allow mini storage use pending.
2. **Streets:** A 30 foot corner radius or equivalent clip required. Call out right of way dimension along Jackson. Use standard sidewalk language in covenant.
3. **Sewer:** Service line branching off another service line allowed in the case of same owner.
4. **Water:** An existing fire hydrant is shown in the middle of the south entrance drive that will be required to be relocated. It is recommended that this hydrant be located to the south side of the entrance drive. The fire hydrant relocation work can be done under the scope of the IDP work or under a watershed development permit.
5. **Storm Drainage:** There have been no "Drainage Easements" specifically for storm sewer identified on the preliminary plat, although called out in the Restrictive Covenants. They are dedicated to the City, however, none are shown. Floodplain: the actual existing flood plain for Hager Creek needs to be shown and plotted based upon flood elevation per fully urbanized discharges. Drainage area "B" needs to be identified for the existing flood plain, not for any future food plain. A conceptual development plan was provided but cannot be accepted without supporting hydraulic analysis and prior Corps of Engineers approval (404 permit). Need to clearly identify floodplain easements as "Overland Drainage Easements "A" and "B", Description for the easements, ownership, maintenance, etc. need to be included in the Covenants.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** No comments.
7. **Other: Fire:** Hammer head does not meet the requirements of the International Fire Code. The turn-around leg to the south needs to be 60 feet from the center of the intersection. According to scale it is only 44 feet. Any gates crossing an access road shall be swing or sliding type and have Knox access.
8. **Other: GIS:** Provide individual lot addresses. Submit control data sheet. Provide the basis of bearing angle between two known points (state bearing angle) and add Zone 3501. Remove contours from face of plat. Remove northing/easting coordinates on the face of the plat. Graphically show all lot

pins found or set. Correct location map. Surveyors' CA number has expired.

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

Waivers of Subdivision Regulations:

1. None requested.

Special Conditions:

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

Standard Conditions:

1. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
2. Water and sanitary sewer plans shall be approved by the Public Works Department prior to release of final plat. (Include language for W/S facilities in covenants.)
3. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures shall be borne by the owner(s) of the lot(s).
4. Any request for creation of a Sewer Improvement District shall be submitted to the Public Works Department Engineer prior to release of final plat.
5. Paving and/or drainage plans (as required) shall be approved by the Public Works Department.
6. Any request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Public Works Department.
7. A topography map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
8. Street names shall be approved by the Public Works Department and shown on plat.
9. All curve data, including corner radii, shall be shown on final plat as applicable.
10. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.
11. All adjacent streets, intersections and/or widths thereof shall be shown on plat.

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

PRELIMINARY PLAT

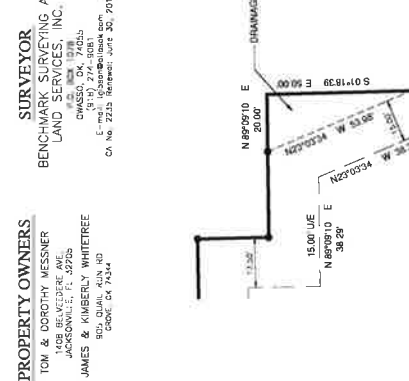
71 JACKSON STORAGE

A tract of land in the Northwest Quarter (NE/4) of the Northeast Quarter (NE/4) of Section Eleven (11), Township Eighteen (18) North, Range Twelve (12) East, City of Tulsa, Tulsa County, State of Oklahoma.

PROPERTY OWNERS
 TOM & CORDRY MESSNER
 BENCHMARK SURVEYING AND
 LAND SERVICES, INC.
 JACKSONVILLE, FL 32226
 E-mail: tom@bmls.com
 CA No. 2215 Renewal: June 30, 2018

SURVEYOR
 KHOURY ENGINEERING, INC.
 1435 Tulsa Ave, Suite 415
 Tulsa, Oklahoma 74125
 E-mail: khourey@khourey.com
 CA No. 3761 Renewal: June 30, 2017

ENGINEER
 KHOURY ENGINEERING, INC.
 1435 Tulsa Ave, Suite 415
 Tulsa, Oklahoma 74125
 E-mail: khourey@khourey.com
 CA No. 3761 Renewal: June 30, 2017



LOT SUMMARY
 Lot 1: 170,816 SF (3,917 AC) NET

BASIS OF BEARING
 THE BASIS OF BEARING FOR THIS PLAT IS OKLAHOMA STATE PLANE COORDINATE SYSTEM, OKLAHOMA NORTH ZONE

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

FLOOD NOTE
 A SMALL PORTION OF THE EASTERN PART OF THIS LOT LIES IN ZONE AE FLOOD HAZARD AREA PER F.I.R.M. MAP NUMBER 17022-C-0001A, DATED OCTOBER 18, 2012. THE REMAINDER OF THE PROPERTY LIES OUTSIDE THE FLOOD HAZARD AREA.

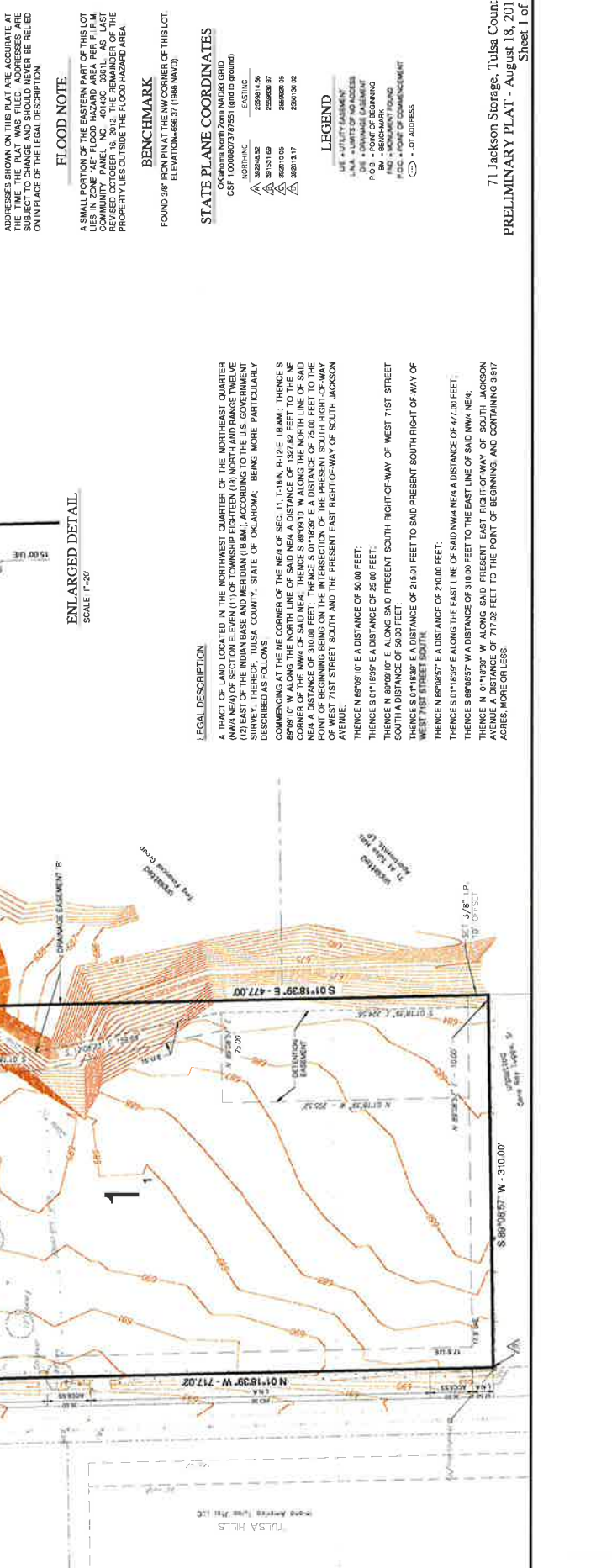
BENCHMARK
 FOUND 3/8" IRON PIN AT THE NW CORNER OF THIS LOT. ELEVATION=696.37 (1988 NAVD).

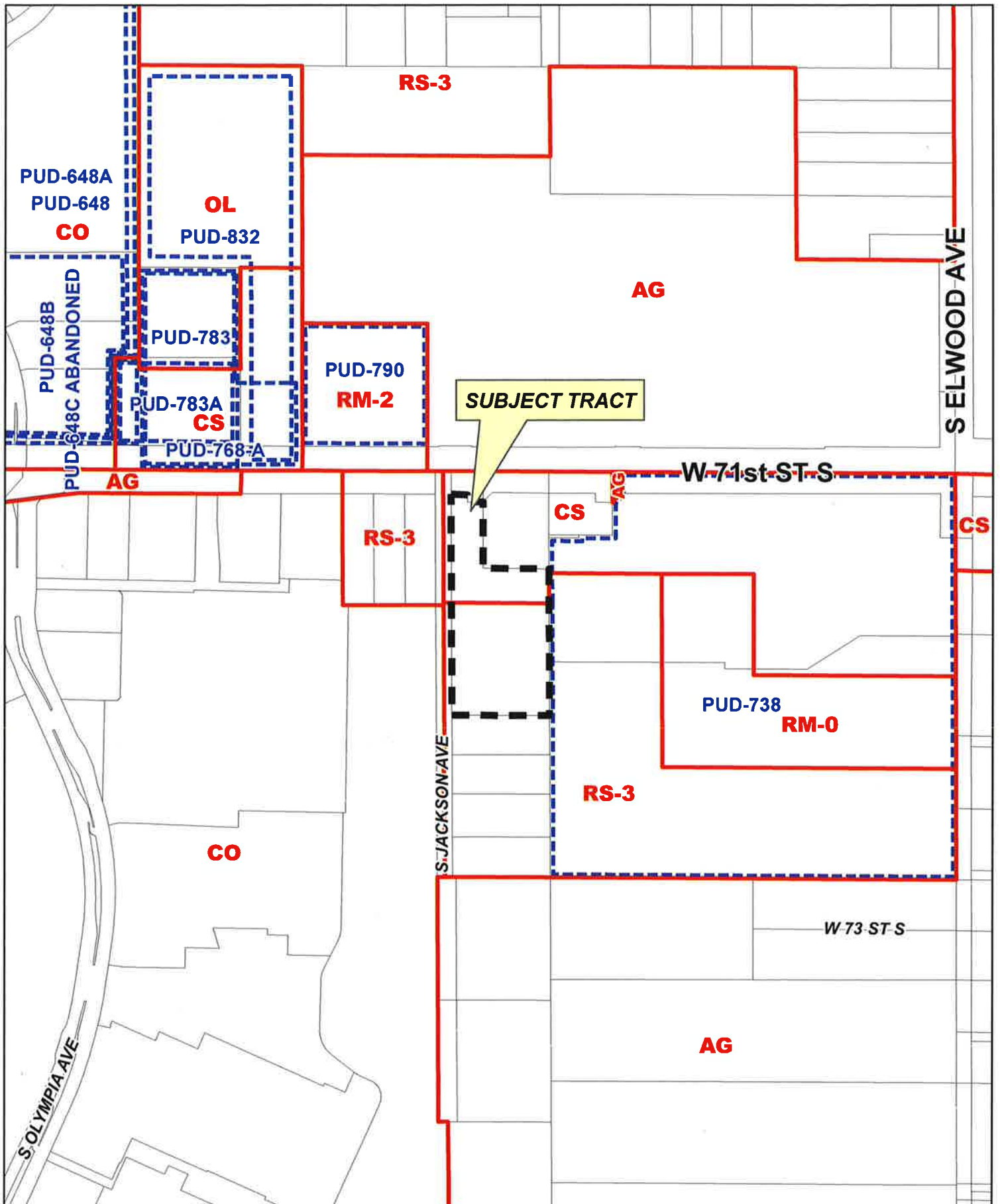
STATE PLANE COORDINATES
 Oklahoma North Zone MGRS GRID
 CSF 10000007378751 (grid to ground)

| NORTHING | EASTING |
|----------|-----------|
| 3824432 | 220904.56 |
| 3815170 | 220905.97 |
| 3807103 | 220908.05 |
| 3801117 | 220910.02 |

LEGEND

- UTILITY EASEMENT
- L.A.A. - LIMITS OF NO ACCESS
- D.E. - DRAINAGE EASEMENT
- P - PUBLIC UTILITY EASEMENT
- BM - BENCHMARK
- F.I.R.M. - FLOOD HAZARD INFORMATION
- 1" = 10' ADDRESS





71 Jackson Storage



18-12 11

12.6





S SELWOOD AVE

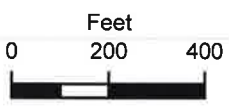
W 71st ST S

S JACKSON AVE

W 73 ST S

S OLYMPIA AVE

12.7



Subject Tract

71 Jackson Storage

18-12 11

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

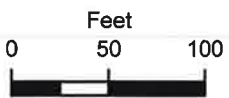
Aerial Photo Date: February 2016



W 71st ST S

S JACKSON AVE

12.8



Subject Tract

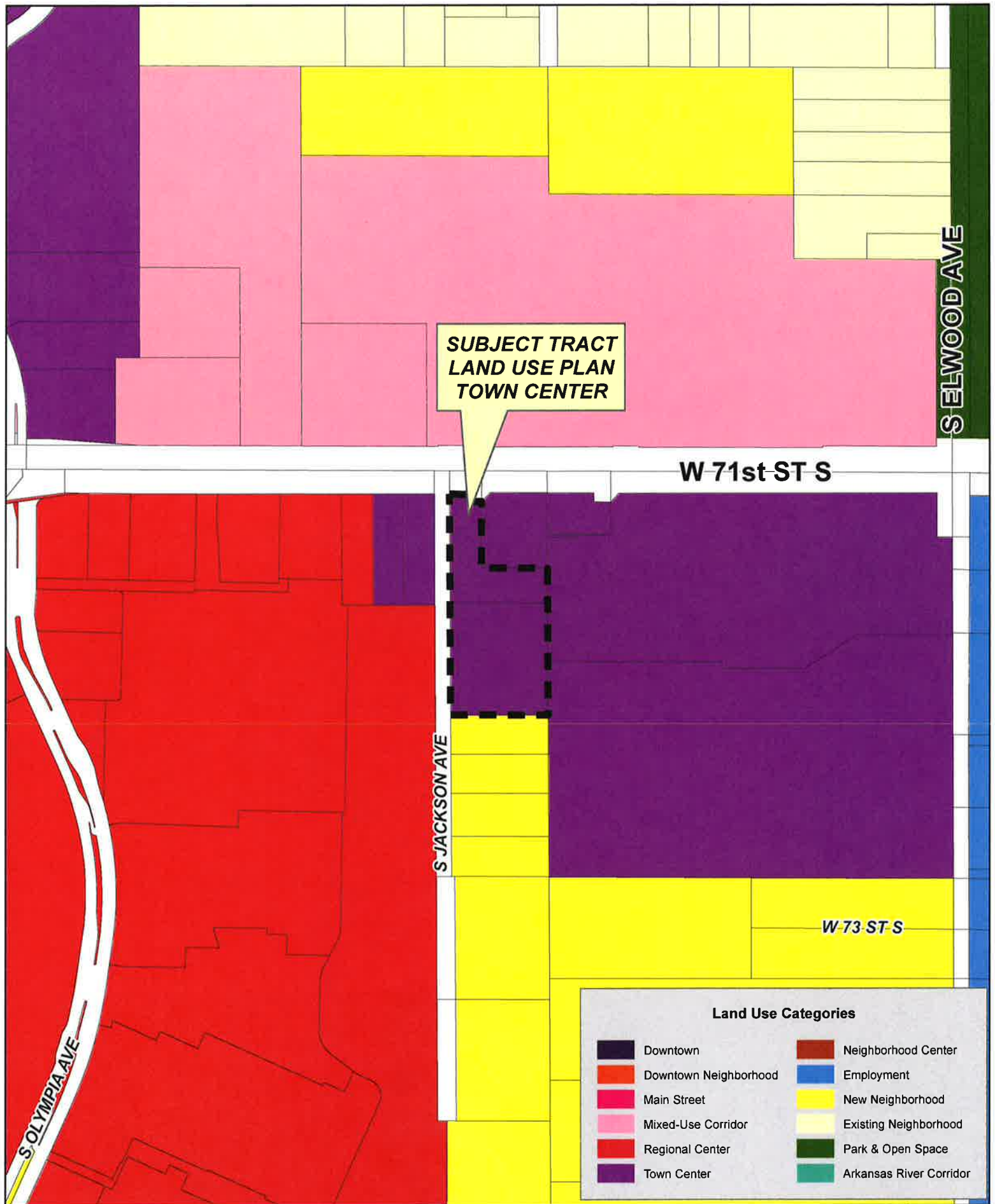
71 Jackson Storage

18-12 11

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

Aerial Photo Date: February 2016





**SUBJECT TRACT
LAND USE PLAN
TOWN CENTER**

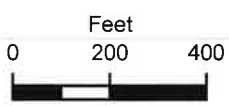
W 71st ST S

S JACKSON AVE

S ELWOOD AVE

W 73 ST S

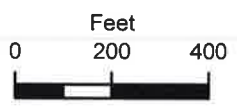
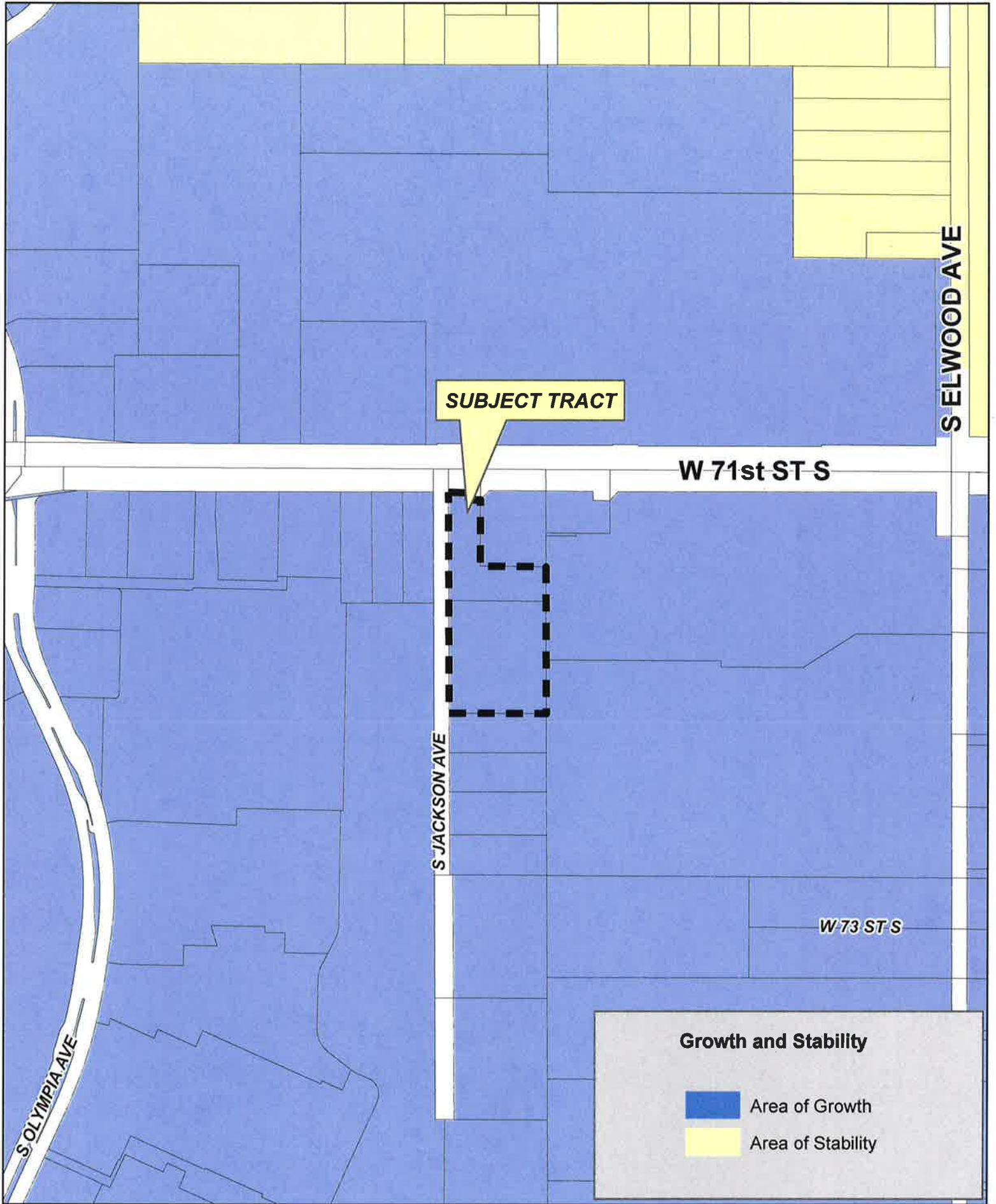
S OLYMPIA AVE



71 Jackson Storage

12.9





71 Jackson Storage

12.10

18-12 11





Tulsa Metropolitan Area
Planning Commission

Case : Parkhill
Minor Subdivision Plat and Accelerated Building Permit

Hearing Date: September 21, 2016

Case Report Prepared by:

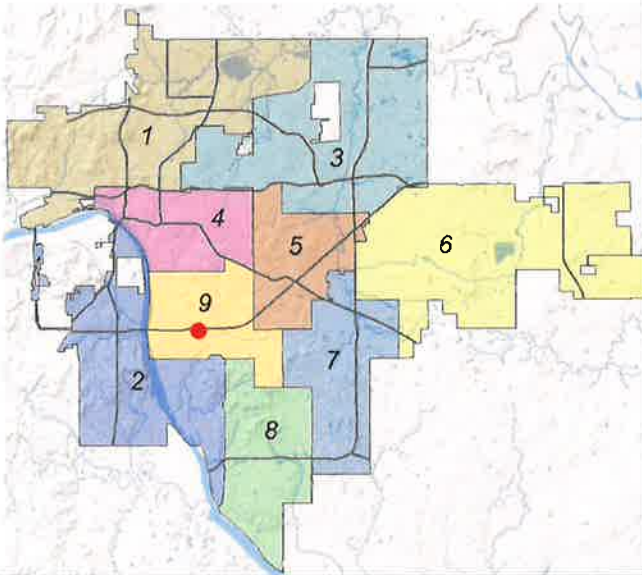
Diane Fernandez

Owner and Applicant Information:

Applicant: Carolyn Back, Wallace Engineering

Owner: Parkhill & Parkhill LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal: Minor Subdivision Plat

Location: East of the southeast corner of East 51st Street South and South Lewis Avenue

Zoning: CS (commercial shopping)

Staff Recommendation:

Staff recommends a continuance to October 5, 2016 for both items.

City Council District: 9

Councilor Name: G.T. Bynnum

County Commission District: 3

Commissioner Name: Ron Peters

EXHIBITS:

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

MINOR SUBDIVISION PLAT

Parkhill - (CD 9)

East of the southeast corner of East 51st Street South and South Lewis Avenue

The plat consists of 1 Lot, 1 Block, on 1.25 acres.

The following issues were discussed September 1, 2016, at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned CS.
2. **Streets:** Provide limits of No Access along 51st Street. Include Limits of No Access section in covenants. Show utility easements at sides of property. Please correct exhibit 5.
3. **Sewer:** On conceptual plans there cannot be a 6 inch service line tying directly into a manhole.
4. **Water:** Use standard deed of dedication language for public street and utility easement section in the covenants. Denote the 15 foot waterline easement is dedicated by this plat. Conceptual plan: The 6 inch water line stub off of the 16 inch water main line is the approved point for water service connections. If the 6 inch water main line does not abut this site development than an extension of a looped public water main line could be required.
5. **Storm Drainage:** The roof drain section of the covenants may need to be reworded. It is unclear what is being stated versus actual on the ground features referenced.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** AT&T can remain/operate in existing 16 foot easement Please show all existing easements on plat. PSO needs some additional wording in covenants.
7. **Other: Fire:** Building features shall be installed as agreed upon between Parkhill and the Tulsa Fire Marshal in order to be considered an equivalent for the required turn around.
8. **Other: GIS:** Provide individual lot addresses. Submit a control data sheet. Provide owners' address under the owner information. Provide a metes and bounds legal. Provide and graphically label the point of commencement and point of beginning. Include the bearing angles and distances with each. Correct and finish location map. Provide the coordinate system associated with the basis of bearing. City Legal comments and concerns must be taken care of to their approval.

Staff recommends a continuance to October 5, 2016 of the minor subdivision plat with the TAC recommendations and the special and standard conditions listed below.

Waivers of Subdivision Regulations:

1. None requested.

Special Conditions:

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

Standard Conditions:

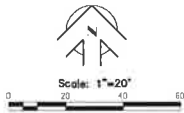
1. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
2. Water and sanitary sewer plans shall be approved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

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

Parkhill

A Minor Subdivision Plat

A Subdivision in the NW/4 of Section 32, T-19-N, R-13-E, of the Indian Base & Meridian,
City of Tulsa, Tulsa County, State of Oklahoma.



OWNER
PARKHILL & PARKHILL LLC

SURVEYOR
BENNETT SURVEYING, INC.
P.O. BOX 849
Chapel Hill, NC 27517
PHONE: (919) 476-7484
FAX: (919) 476-7485
Cert. No. of Registration No. 4302
Expire June 30, 2019
www.bennettsurveying.com

ENGINEER
**WALLACE ENGINEERING
STRUCTURAL CONSULTANTS, INC.**
200 EAST EAST MAINWAY, BERRY STREET
Tulsa, OK 74103
PHONE: (918) 584-5858
Tulsa, OK 74103
Expire June 30, 2019
dw@wallaceinc.com

BASIS OF BEARING
THE BEARING BASE FOR THIS SURVEY IS
BASED ON THE NORTH LINE OF THE
NW/4 OF SECTION 32, T-19-N,
R-13-E AS N89°48'16"E

LEGEND
--- = IRON NAIL

ADDRESS DISCLAIMER NOTE:
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.

**FINAL PLAT
ENDORSEMENT OF APPROVAL**

Tulsa Metropolitan Area Planning Commission

Approval Date: _____

_____ TMAPC/INCOG

CITY ENGINEER

Council of the City of Tulsa, Oklahoma

Approval Date: _____

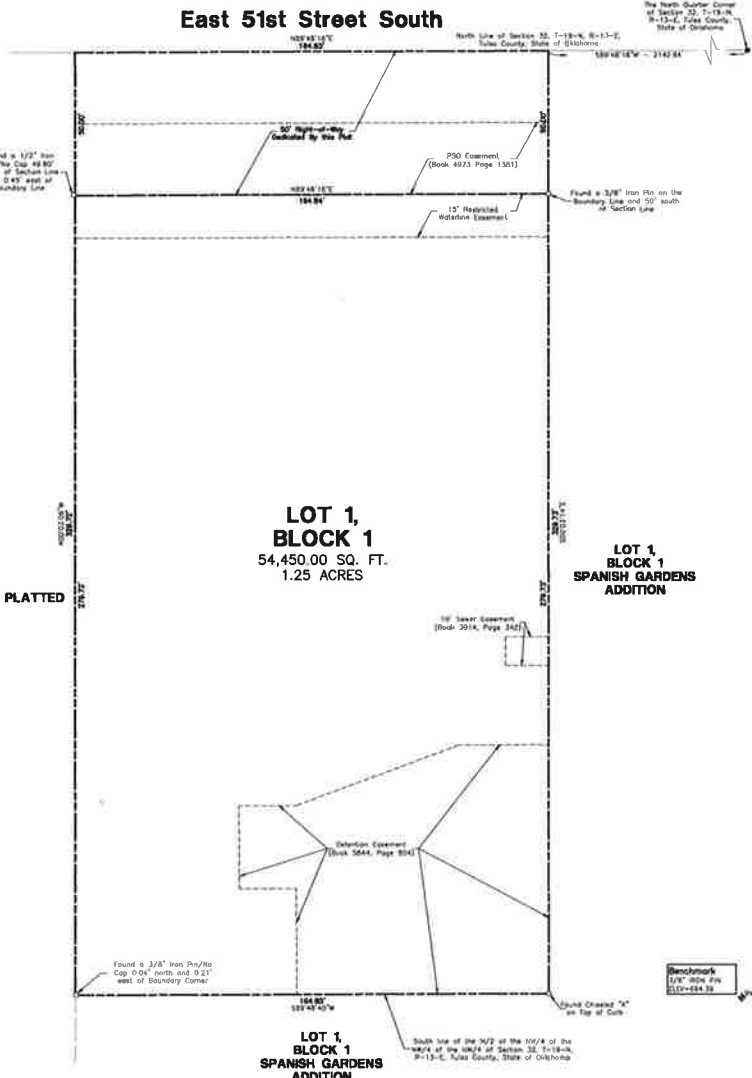
_____ CHAIRMAN

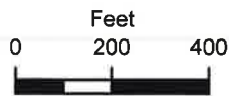
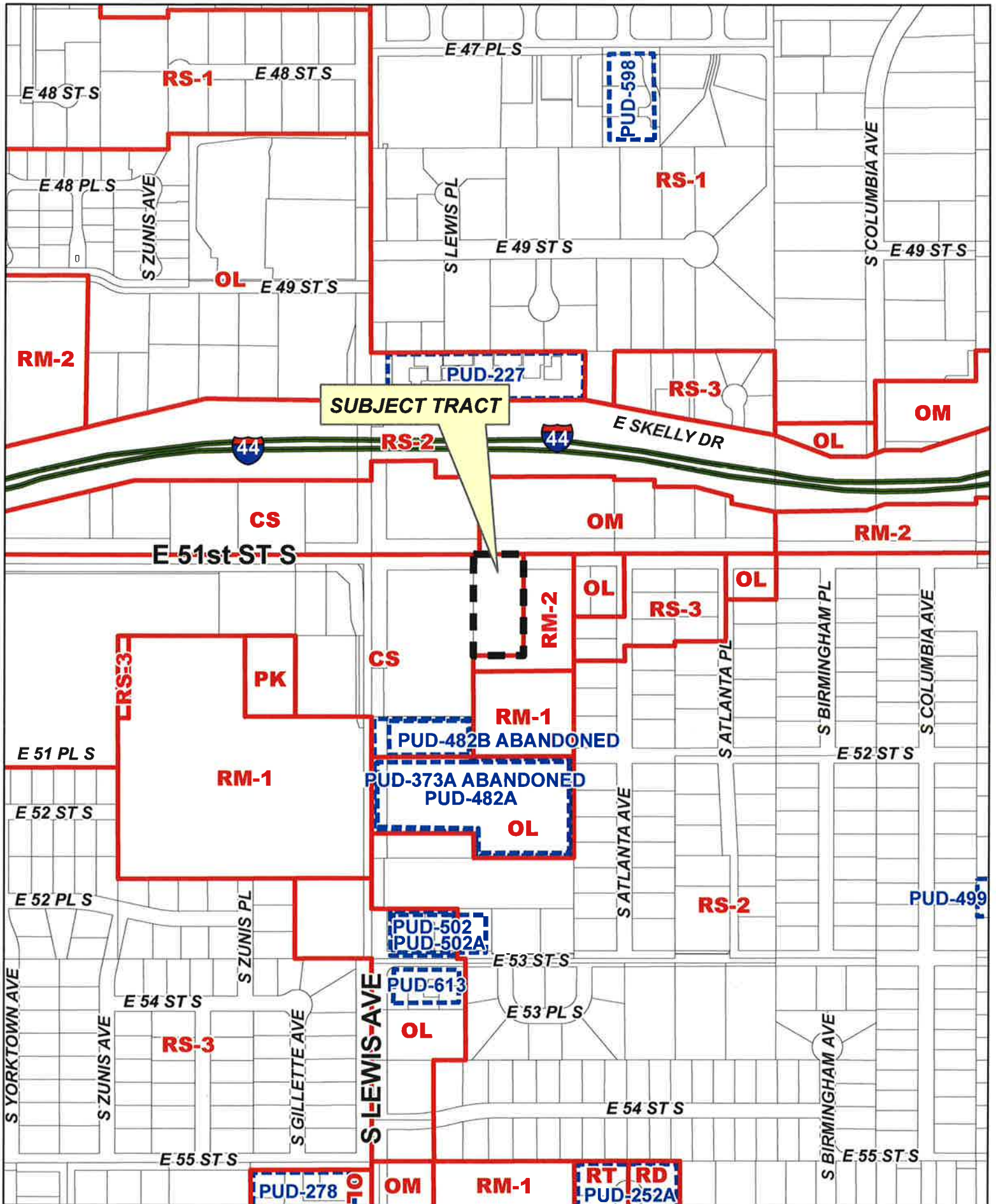
_____ MAYOR

ATTEST: CITY CLERK

_____ CITY ATTORNEY

This approval of this Final Plat will expire one year from the date of City Council approval. It will then be the duty of the County Clerk to re-record it.



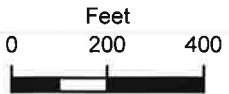


Parkhill





13.7



Subject Tract

Parkhill

19-13 32

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

Aerial Photo Date: February 2016





E 51st ST S

44

44

13.8



Subject Tract

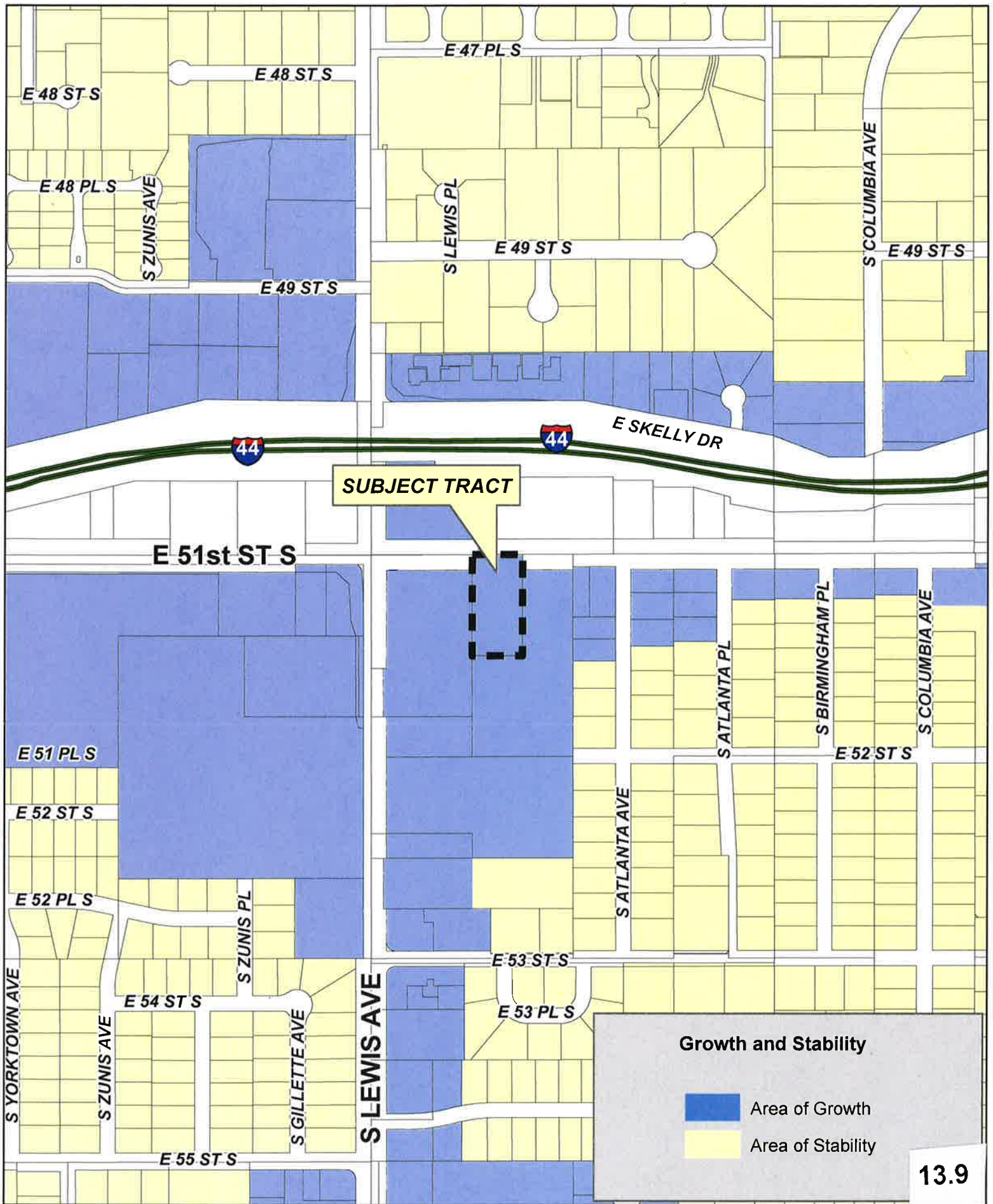
Parkhill

19-13 32

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

Aerial Photo Date: February 2016



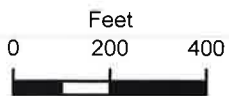


SUBJECT TRACT

Growth and Stability

- Area of Growth
- Area of Stability

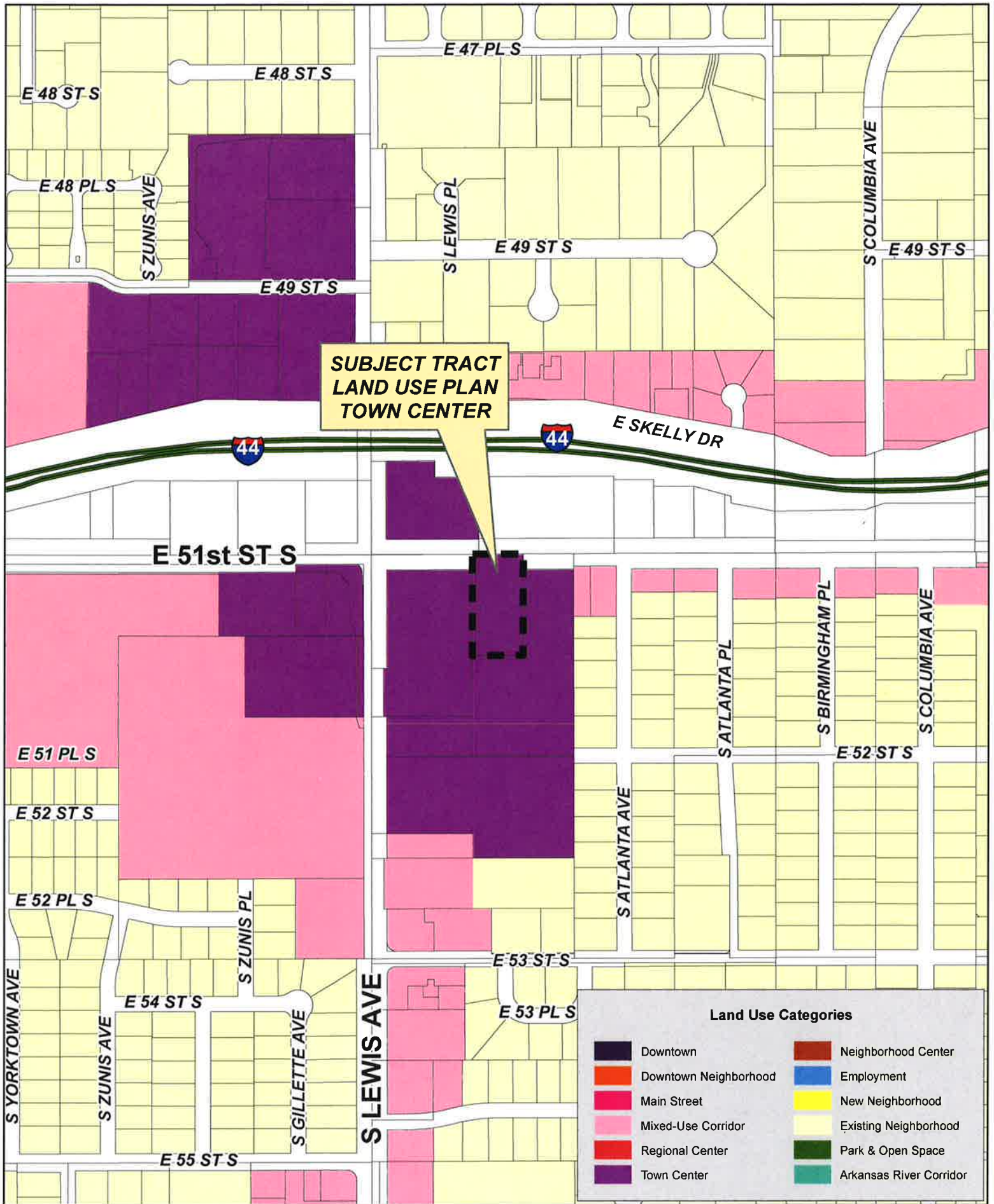
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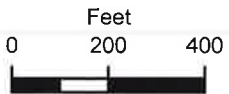
Parkhill

19-13 32





**SUBJECT TRACT
LAND USE PLAN
TOWN CENTER**



Parkhill

13.10



AUTHORIZATION FOR ACCELERATED RELEASE OF A BUILDING PERMIT

Parkhill Addition – (CD 9)

East of the southeast corner of East 51st Street South and South Lewis Avenue

The property is zoned CS (commercial shopping). A Minor Subdivision plat is being processed on the same agenda as this request. Full permits are requested.

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

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

The following information was provided by the Technical Advisory Committee on September 1, 2016:

TRANSPORTATION:

SEWER:

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

WATER:

- *Public Works, Water:* If the 6 inch stub off of the 16 inch water main line does not abut this site development then an extension of a looped public water main line could be required.

STORM DRAIN:

- *Public Works, Storm Water:* The “Detention Easement” must be maintained in its size and function. Any alteration will require new hydrologic analysis approval prior to construction.

FIRE:

- *Public Works, Fire:* Building features shall be installed as agreed upon between Parkhill and the Tulsa Fire Marshal in order to be considered an equivalent for the required turn-around.

UTILITIES:

- *Franchise Utilities:* No comment.

The accelerated building permits were originally designed to accommodate large campus style type of developments and should concentrate upon “the benefits and

protections to the City that may be forfeited by releasing the building permit prior to the filing of the plat”.

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

Staff recommends Denial of the authorization to release the accelerated building permit per guidelines in the existing subdivision regulations. However, the Commission should be aware that the subdivision regulations update will likely consider changes to the current process. The Minor Plat should be finished soon for the site. The Commission should be aware that these types of authorizations have not been granted historically for smaller scale projects.



August 30, 2016

Tulsa Metropolitan Area Planning Commission
c/o Diane Fernandez - INCOG
2 West 2nd Street; Suite 800
Tulsa, OK 74103

RE: Letter of Extraordinary and Exceptional Circumstances to accompany the Accelerated Release of Building Permit for *Parkhill's Warehouse Liquors and Wine*
Wallace Project No. 1640069

Tulsa Metropolitan Area Planning Commission:

This letter accompanies our request for an Accelerated Release of Building Permit for the *Parkhill's Warehouse Liquors and Wine* project. The extraordinary and exceptional circumstances that serve as a basis for the request are explained below.

Circumstances:

We would normally be asking for a Plat Waiver for this type and size of infill project, but unbeknownst to us and the City, Oklahoma Department of Transportation (ODOT) seemingly didn't acquire additional right-of-way (ROW) at time of construction. Therefore, ODOT built their infrastructure outside the right-of-way.

The investigation into the legal status of the right-of-way consumed valuable time needed to go through the standard building permit process.

In working with ODOT, the drawings we located showed the 50 ft. ROW (Re: Sheet 359, Job Piece No. 06374(47)). However, the legal documents from the Title Company did not show the dedication of the ROW having taken place.

Our client had to hire someone to locate the existing utilities, including a City water main, once it was discovered that the 50 ft. ROW did not exist. Additionally, there is a City water main outside of an easement that was assumed to have been dedicated. This existing 16" water line is not currently within an existing utility easement.

Project Impact:

Our client is being required to dedicate 50 ft. of right-of-way and a 15 ft. restricted waterline easement that should have already been handled.

These requirements necessitated a redesign of the building and site layout.

Wallace Engineering
Structural Consultants, Inc.
200 East Mathew Brady Street
Tulsa, Oklahoma 74103
918.584.5858, 800.364.5858
www.wallacesc.com

Tulsa Metropolitan Area Planning Commission

c/o Diane Fernandez - INCOG

Letter of Extraordinary and Exceptional Circumstances for Accelerated Release of Building Permit

August 30, 2016

Page 2

History:

Parkhill has been operating at their current location for 53 years, currently employing 30+ Tulsa area residents. They are a long standing business and community member, and they will continue to serve the community as an employer and business owner in the same community at their new location.

In the Spring of 2015, Parkhill closed on the purchase of the vacated Girl Scout Headquarters building directly East of their current location. Time is of the essence as *Parkhill's Warehouse Liquors and Wine* must relocate to their new facility by Fall 2017 per their current lease agreement.

Parkhill hired land use attorney Stephen Schuller to perform a rezone for the property (Z-7330) from OM to CS, effective 30-days after Ordinance date of 04.25.16, to allow for their continued liquor store use. As a part of their entitlement process for their new location, Mr. Schuller also submitted a spacing verification to the Board of Adjustment (BOA-22106) and received BOA acceptance of the spacing verification on 07.26.16. (Please see attached accepted Spacing Verification from the BOA)

The parcel is small in size and the site is constrained by topography and the existing stormwater detention area. The 1-story building with partial mezzanine square footage requires 70 motor vehicle parking spaces and four (4) bicycle parking spaces, rounded up from 3.5. (Please see the attached conceptual site plan.)

- | | |
|---|---|
| 1. City of Tulsa Zoning Clearance Permit Number: | LOD 8641 (attached) |
| 2. City of Tulsa BOA Spacing Verification: | Accepted 07.26.16 (attached) |
| 3. City of Tulsa Platting – Minor Subdivision Plat: | Submitted 08.18.16, TAC 09.01.16, PC 09.21.16 |
| 4. City of Tulsa Building Permit Application: | Anticipated permit submittal is 09.15.16 |
| 5. City of Tulsa BOA Parking Variance Case Number: | BOA-22133 scheduled to be heard on 09.27.16 |

One of the main benefits to the City for releasing the building permit, prior to filing the minor subdivision plat, would be taxes received from the business' sales during the holiday season. As stated previously, the business has to be out of their current location by Fall 2017, per their lease agreement. If the business is not allowed to pull their building permit before the filing of their plat, they will be required to close their doors during the holiday season which generates a sizable tax income for the City of Tulsa.

The protection the City has in releasing the building permit early is that the Certificate of Occupancy would still have to be issued before the building could be occupied.

We appreciate the opportunity to provide you this information. If you have any questions or need additional information, please do not hesitate to contact us.

Sincerely,

WALLACE ENGINEERING • STRUCTURAL CONSULTANTS, INC.



Carolyn M Back

Senior Land Use Planner

cc: File



Tulsa Metropolitan Area
Planning Commission

Case : Z-7352, PUD 820 A
Plat Waiver

Hearing Date: September 21, 2016

Case Report Prepared by:

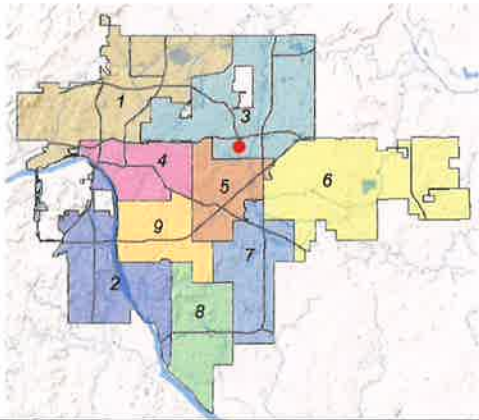
Diane Fernandez

Owner and Applicant Information:

Applicant: Lou Reynolds, Eller Detrich

Owner: Distribution Partners Holdings, LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal: Plat Waiver

Location: North of the northeast corner of
East 4th Place and South Memorial Drive

Zoning: CS pending

Staff Recommendation:

Staff recommends Approval

City Council District: 3

Councilor Name: David Patrick

County Commission District: 1

Commissioner Name: John Smaligo

EXHIBITS:

Site Plan

PLAT WAIVER

September 21, 2016

Z-7352, PUD 820 A – North of the northeast corner of East 4th Place and South Memorial Drive (CD 3)

The platting requirement is being triggered by a rezoning from CH/PUD 820 to CS.

Staff provides the following information from TAC for their September 1, 2016 meeting:

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

STREETS: Memorial is a Primary Arterial with 60 feet of right of way required from centerline. Existing right of way is 50 feet. An additional 10 feet of right of way dedication is required along Memorial. Sidewalks required per subdivision regulations.

SEWER: An 8 foot sanitary sewer main is in easement on property.

WATER: A 12 inch public water main line exists along the property frontage on Memorial Drive.

STORMWATER: No comment..

FIRE: No comment.

UTILITIES: No comment.

Staff can recommend **APPROVAL** of the plat waiver for the previously 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:
 - 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



Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7358

Hearing Date: September 21, 2016

Case Report Prepared by:

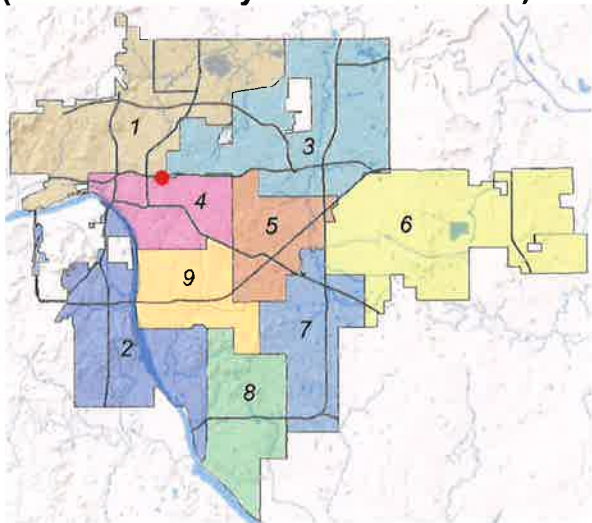
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Lou Reynolds

Property Owner: WBA PROPERTIES LLC/ Granite Mountain LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Vacant

Proposed Use: Commercial Services

Concept summary: Rezone from multifamily residential to light industrial for redevelopment opportunities consistent with the comprehensive plan

Tract Size: 1.46 ± acres

Location: Multiple properties west of the southwest corner E. 1st St. and S. Utica Ave.

Zoning:

Existing Zoning: RM-2

Proposed Zoning: IL

Comprehensive Plan:

Land Use Map: Employment

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval of rezoning request from RM-2 to IL.

Staff Data:

TRS: 9306

CZM: 37

Atlas: 9

City Council District: 4

Councilor Name: Blake Ewing

County Commission District: 2

Commissioner Name: Karen Keith

15.1

SECTION I: Z-7358

DEVELOPMENT CONCEPT:

The applicant has requested rezoning from Multi Family Residential to Light Industrial. The comprehensive plan for this area recognizes this corridor as an employment land use designation. The IL zoning request is consistent with that designation.

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:
 - None Provided

DETAILED STAFF RECOMMENDATION:

The rezoning request included in Z-7358 is consistent with the land use vision of the Tulsa Comprehensive Plan and the Pearl District 6th Street Infill Plan and;

IL zoning would provide a redevelopment opportunity that allows uses that are compatible with the existing surrounding properties and;

IL zoning is consistent with the anticipated future development of the surrounding property therefore;

Staff recommends Approval of Z-7358 to rezone property from RM-2 to IL.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The IL zoning request is consistent with the Tulsa Comprehensive Plan and with the Pearl District 6th Street Infill plan.

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

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are 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: 1st Street is classified as a Commercial/CBD/Industrial Collector.

Trail System Master Plan Considerations:

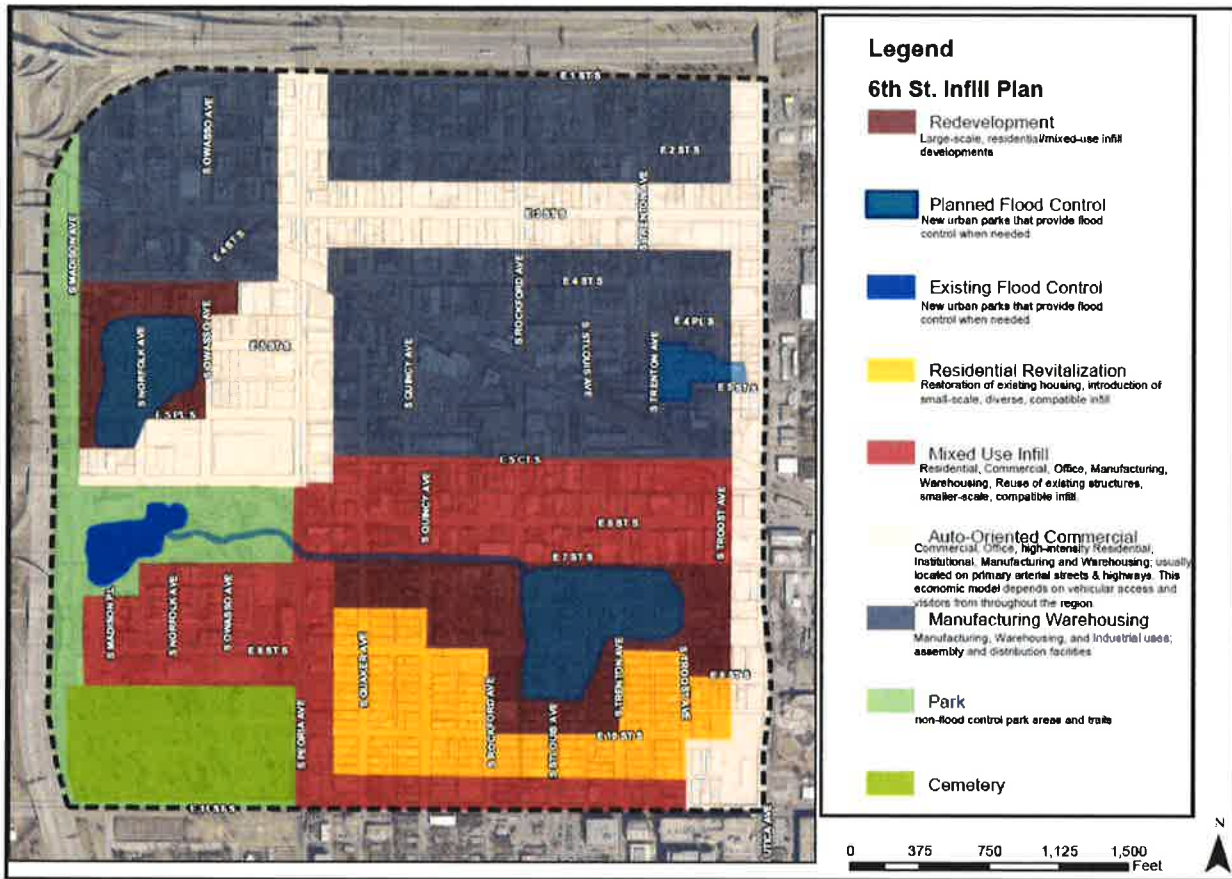
Small Area Plan: Pearl District 6th Street infill plan

The Small Area plan identifies this area as a Manufacturing Warehousing area that includes industrial uses; assembly and distribution facilities. The task force generally suggested that the standards for design and development in this area remain unchanged. Business owners would be encouraged to upgrade facilities in step with other neighborhood improvements.

One important goal of the plan is to preserve and enhance the alleys that remain for utility corridors, service entrance and waste management access. This rezoning request does not affect the existing alley on the south end of the property.

(See Pearl District 6th Street Infill Plan General Urban Design Recommendations Map on following page)

16.2. General Urban Design Recommendations



Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site was platted in the early development of Tulsa however all of those structures have been removed and the site is vacant. This strip of land is composed of several small lots that could easily be combined to create a larger light industrial development corridor that could significantly contribute to the future redevelopment of this area as anticipated in the comprehensive plan and small area plan.

Environmental Considerations: Redevelopment will uncover some remnants of the original structures however there are no know environmental considerations that would affect redevelopment of the site.

Streets:

| <u>Exist. Access</u> | <u>MSHP Design</u> | <u>MSHP R/W</u> | <u>Exist. # Lanes</u> |
|-----------------------------|-------------------------------------|-----------------|---|
| East 1 st Street | Commercial/CBD/Industrial Collector | 80 feet. | 2 lane east bound only. On-street parking along south curb |
| South Trenton Avenue | None | 50 feet | 2 |

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

| Location | Existing Zoning | Existing Land Use Designation | Area of Stability or Growth | Existing Use |
|----------|-----------------|-------------------------------|-----------------------------|-------------------------------------|
| North | RS-3 | N/A | N/A | Highway 412 MLK JR. Expressway |
| East | IL | Employment | Growth | Vacant or light industrial uses |
| South | RM-2 | Employment | Growth | Vacant or single family residential |
| West | IL | Employment | Growth | Vacant or light industrial uses |

SECTION III: Relevant Zoning History

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

Subject Property:

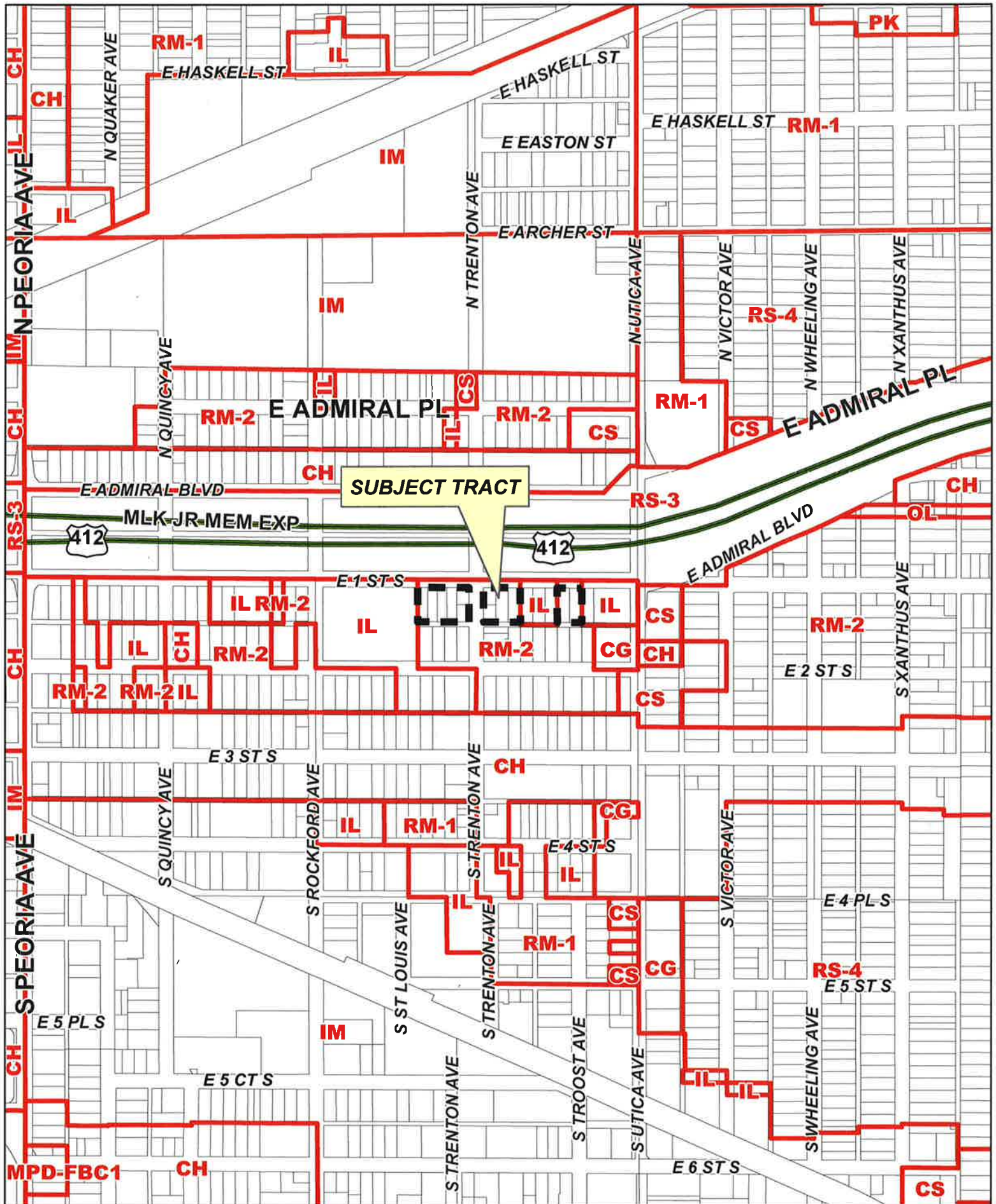
No relevant history.

Surrounding Property:

Z-5857 October 1983: All concurred in approval of a request for rezoning a tract of land from RM-2 to IL on property located on Lots 4 and 7, Block 2, Midway Addition.

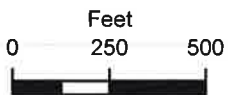
Z-5819 June 1983: All concurred in approval of a request for rezoning a tract of land from RM-2 to IL on property located on Lots 8-9, Block 2, Midway Addition.

9/21/2016 1:30 PM



SUBJECT TRACT

Z-7358



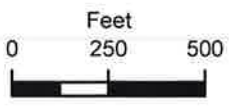
19-13 06

15.6





15.7



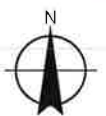
Subject Tract

Z-7358

19-13 06

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

Aerial Photo Date: February 2016



E ADMIRAL BLVD

MLK JR MEM EXP



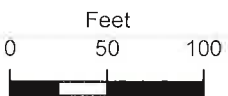
E1STS



E2STS

STRENTON AVE

15.8



Subject Tract

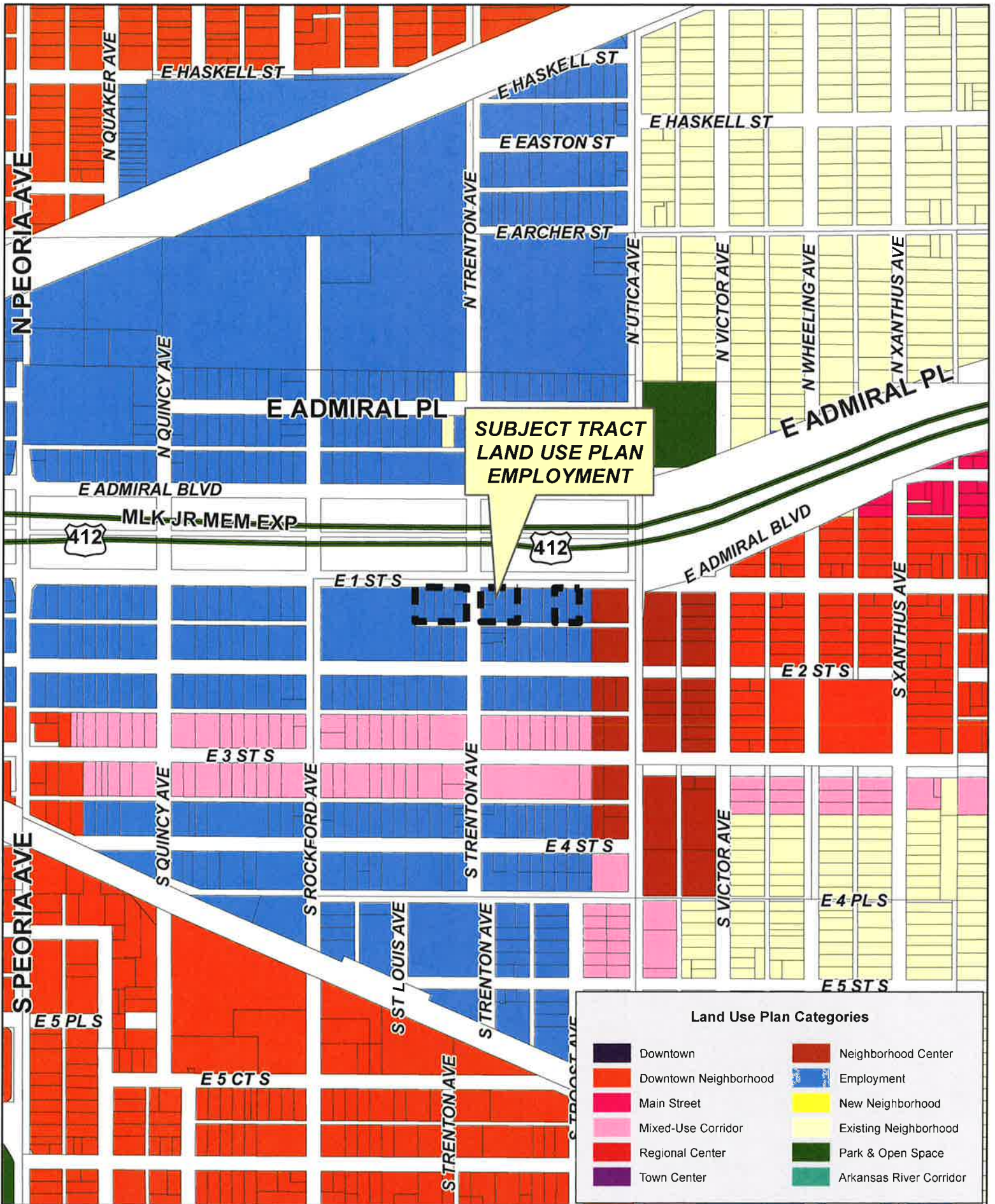
Z-7358

19-13 06

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

Aerial Photo Date: February 2016

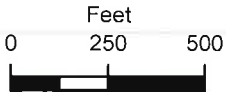




**SUBJECT TRACT
LAND USE PLAN
EMPLOYMENT**

Land Use Plan Categories

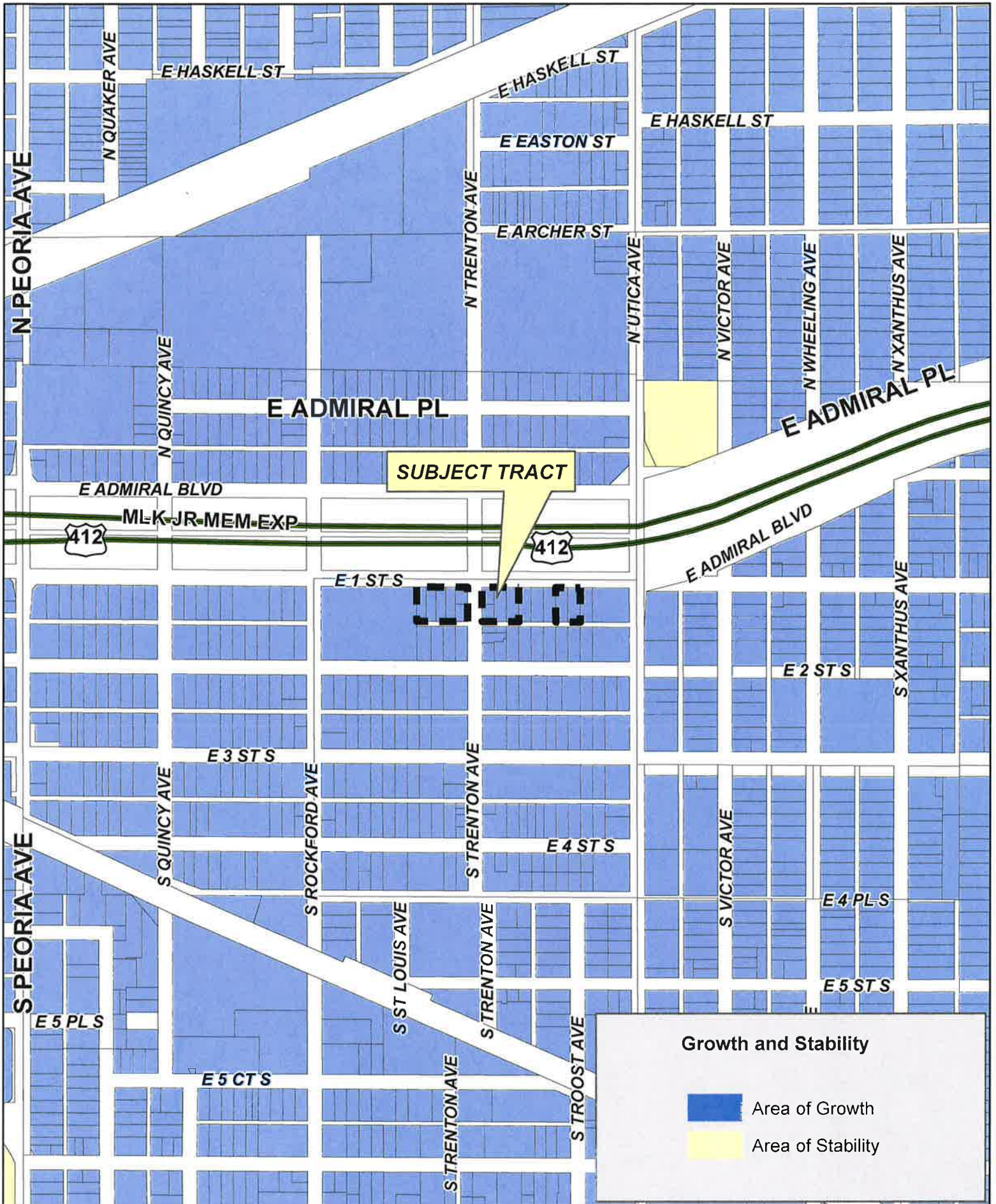
- | | |
|--|---|
|  Downtown |  Neighborhood Center |
|  Downtown Neighborhood |  Employment |
|  Main Street |  New Neighborhood |
|  Mixed-Use Corridor |  Existing Neighborhood |
|  Regional Center |  Park & Open Space |
|  Town Center |  Arkansas River Corridor |



Z-7358

15.9





Z-7358

15.10





Tulsa Metropolitan Area
Planning Commission

**Case : Z-7358
Plat Waiver**

Hearing Date: September 21, 2016

Case Report Prepared by:

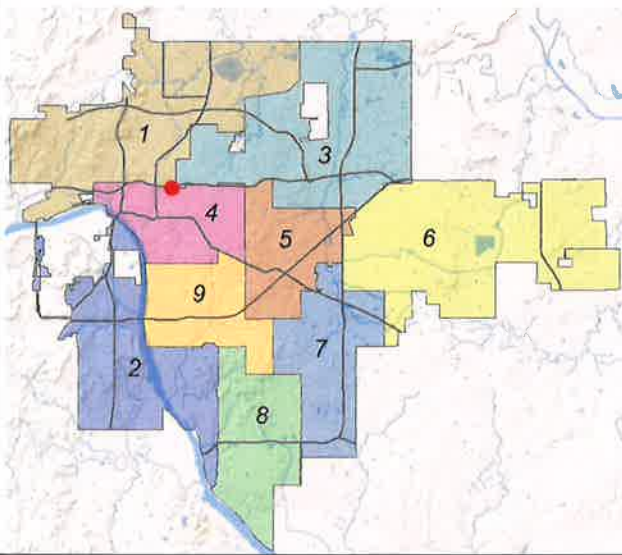
Diane Fernandez

Owner and Applicant Information:

Applicant: Lou Reynolds, Eller and Deitrich

Owner: WBA Properties, LLC & Granite Mountain, LLC

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



Applicant Proposal: Plat Waiver

Location: West of South Utica Avenue, South of East 1st Street

Zoning: IL pending

**Staff Recommendation:
Staff recommends Approval**

City Council District: 4

Councilor Name: Blake Ewing

County Commission District: 2

Commissioner Name: Karen Keith

EXHIBITS:

Site Map, Aerial

PLAT WAIVER

September 21, 2016

Z-7358 – West of South Utica Avenue, South of East 1st Street (CD 4)

The platting requirement is being triggered by a rezoning from RM-2 to IL.

Staff provides the following information from TAC for their September 1, 2016 meeting:

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

STREETS: A 25 foot corner radius or equivalent clip required on both sides at the intersection of Trenton and 1st Street. Sidewalks are required on all streets per subdivision regulations. Existing sidewalks that are non-ADA compliant will have to be replaced. Any gaps in existing sidewalks will need to be constructed per City of Tulsa standards.

SEWER: an 8 inch sanitary sewer main access is available.

WATER: No comment.

STORMWATER: No comment.

FIRE: No comment.

UTILITIES: No comment.

GENERAL: Legal description of the identified properties is incorrect. Since original plat, "Midway Addition" was recorded, other lot action has taken place to subdivide the property in question. Please update the legal description to match the site plan.

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

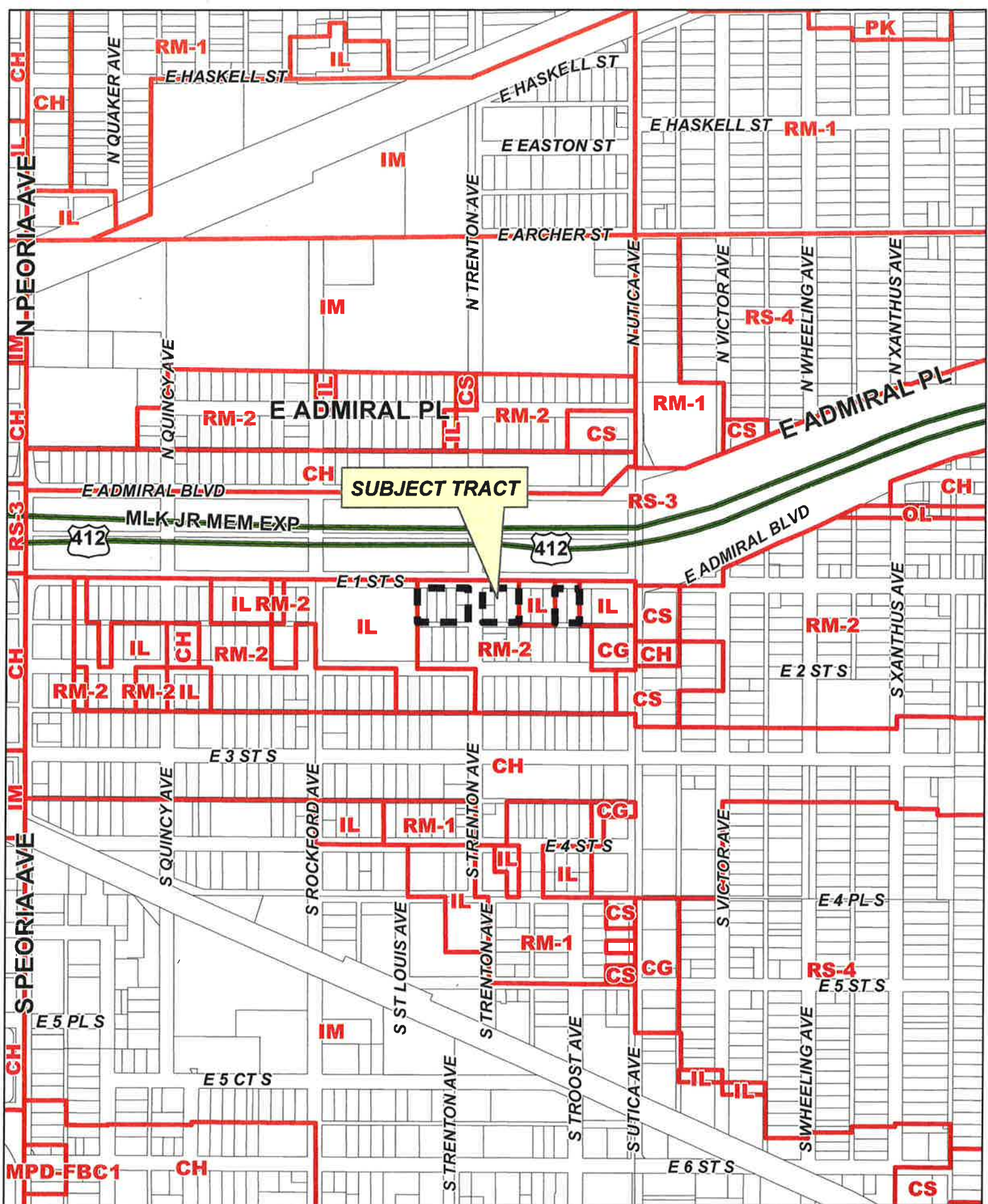
A YES answer to the following 3 questions would generally be FAVORABLE to a plat waiver:

- | | 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:

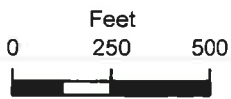
YES NO

- 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:
 - 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



SUBJECT TRACT

Z-7358



19-13 06

16.4



E ADMIRAL BLVD

MLK JR MEM EXP



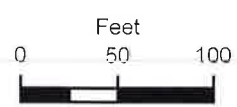
E1 STS



E2 STS

S TRENTON AVE

16.5



 Subject Tract

Z-7358

19-13 06

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

Aerial Photo Date: February 2016





Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7360

Hearing Date: September 21, 2016

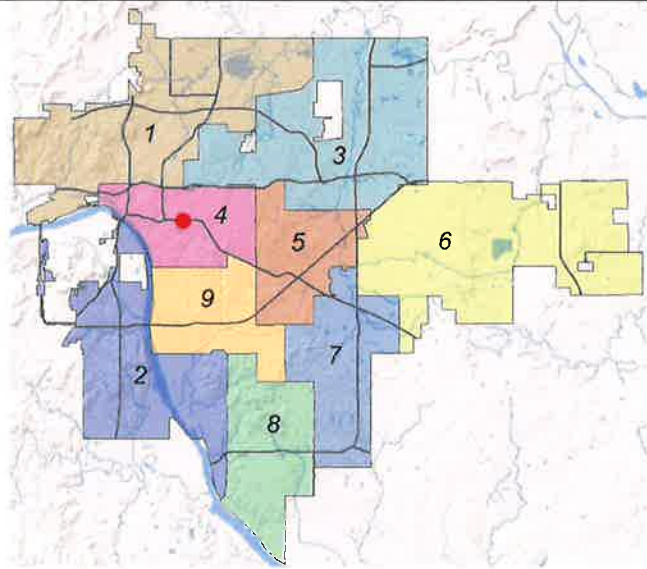
Case Report Prepared by:

Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Kendall Bailli

Property Owner: JAZWIEC, KIAT



Location Map:
(shown with City Council Districts)

Applicant Proposal:

Present Use: Vacant house

Proposed Use: Law office

Concept summary: Rezoning requested to allow a single family residential home to be used for a professional office.

Tract Size: 0.15 ± acres

Location: East of southeast corner of E. 14th St. and S. Utica Ave.

Zoning:

Existing Zoning: RS-3

Proposed Zoning: OL

Comprehensive Plan:

Land Use Map: Mixed-Use Corridor

Stability and Growth Map: Area of Growth

Small Area Plan: (Utica Midtown Corridor/South)

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 9307

CZM: 37

Atlas: 13

City Council District: 4

Councilor Name: Blake Ewing

County Commission District: 2

Commissioner Name: Karen Keith

SECTION I: Z-7360

DEVELOPMENT CONCEPT: Rezone site with existing single family residential dwelling to allow a professional office.

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:
None Provided

DETAILED STAFF RECOMMENDATION:

The requested OL zoning is consistent with the Mixed-Use Corridor land use designation of the Comprehensive Plan and;

OL zoning at this location is consistent with the vision of the Utica Midtown Corridor Small Area Plan and;

Z-7360 is non injurious to the proximate properties and is consistent with the expected future development and;

Staff recommends Approval of Z-7360 to rezone property from RS-3 to OL.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: OL zoning is consistent with the Mixed Use Corridor land use designation and is consistent with the transitional provisions outlined in the Small Area 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 **Areas of Growth** is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in

some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are 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:

The Utica Midtown Corridor Small area plan section for Transportation and mobility recognizes that midtowns compact rectilinear grid, tree shaded sidewalks and neighborhood amenities allow for a less auto-dependent lifestyle than possible in most parts of Tulsa. Multiple bus routes and many stops throughout the plan area is also an asset to the neighborhood however the frequency and timing create challenges for commuters.

Surface parking expansion is a particular concern to the neighborhood.

Trail System Master Plan Considerations: None

Small Area Plan: Utica Midtown Corridor / South

The Vision Concepts section of the Utica Midtown Corridor small area plan identifies this site as a Medium Intensity Development area. The transitional strategies identified in the Small Area Plan include limiting the height to the adjacent properties. OL zoning limits the maximum height of a building to 35 feet and matches the maximum height allowed in the adjacent single family residential neighborhood therefore Z-7361 supports that height limitation concept identified in the plan.

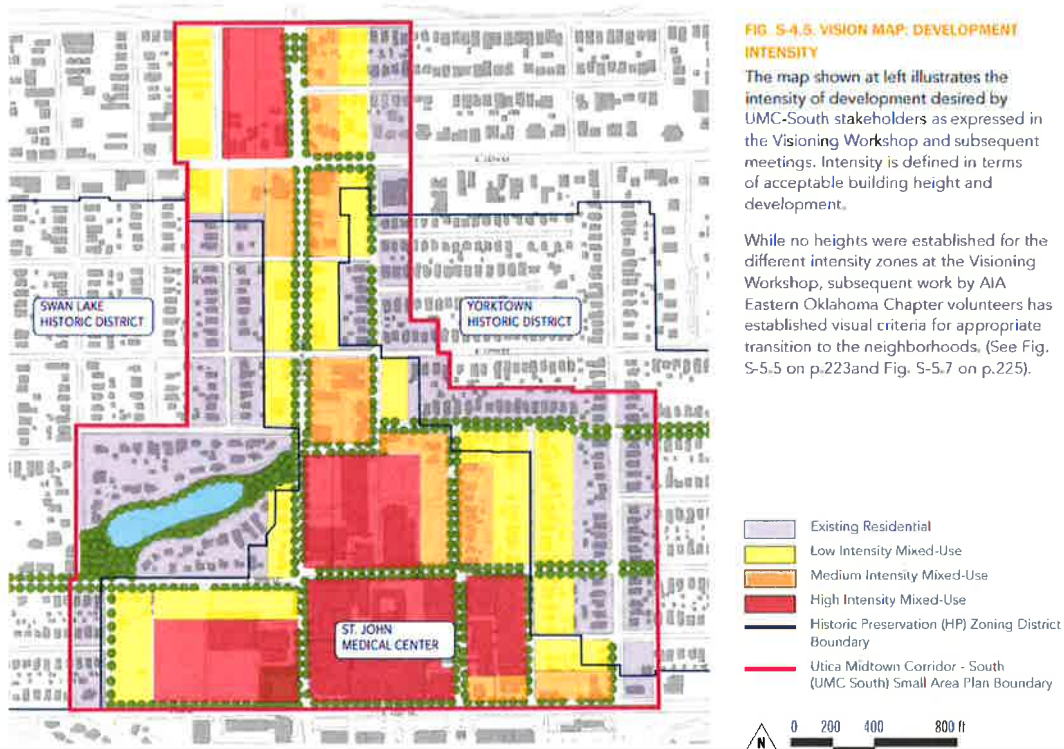
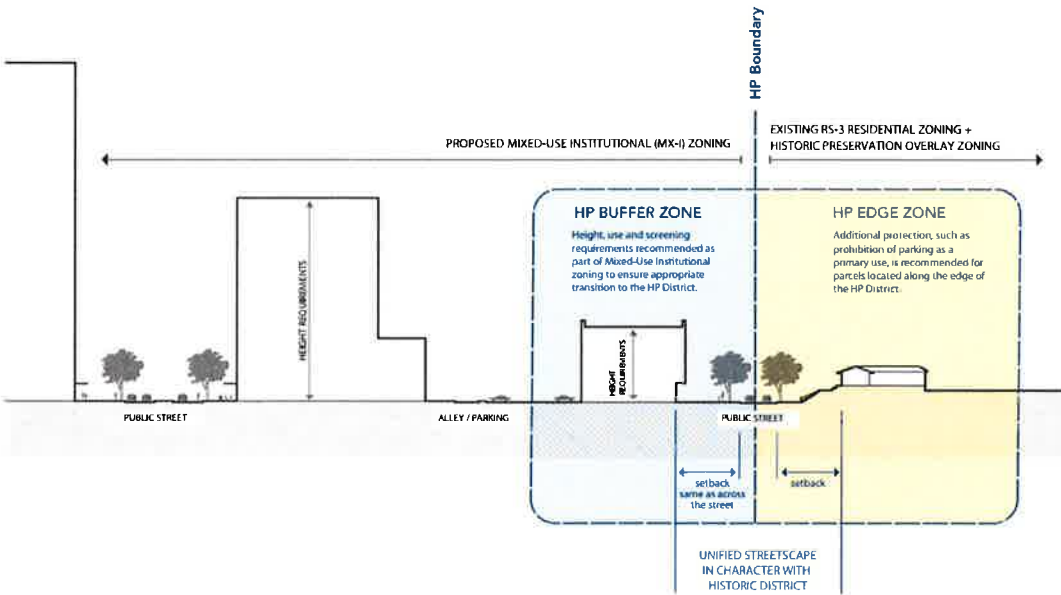


FIG. S-5.7. ILLUSTRATION OF INSTITUTIONAL TO RESIDENTIAL TRANSITIONS

Transition between HP-zoned residential areas to institutional areas can be achieved through the regulation of building heights and the use of HP Buffer zone requirements. (See [Land Use and Regulation Recommendations](#) for details). In areas where the HP boundary bisects a public street, ensuring consistency in the design of public realm elements such as building setback, sidewalk width, location and interval of plantings can further assist in the creation of an aesthetically pleasing and walkable environment.



Special District Considerations: Z-7360 is not adjacent to the HP overlay Zoning District that was an important part of the transitional considerations included in the Small Area plan.

Historic Preservation Overlay: A historic overlay zoning district is south east of this site.

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *The existing site is a one story residential structure. Parking for the conversion of this home to an office should be placed in the rear of the lot to meet the small area plan concept for office expansion east of Utica. Rezoning should not constitute a hardship to allow surface parking in the front yard of this structure. The driveway is shared with a residential property east of this site. On street parking is available.*



Environmental Considerations: None that would affect redevelopment of this property.

Streets:

| <u>Exist. Access</u> | <u>MSHP Design</u> | <u>MSHP R/W</u> | <u>Exist. # Lanes</u> |
|------------------------------|----------------------|-----------------|---|
| East 14 th Street | Freeway service road | As needed | One way 2 lanes with on street parking. |

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

| Location | Existing Zoning | Existing Land Use Designation | Area of Stability or Growth | Existing Use |
|-----------------|--|--------------------------------------|------------------------------------|---------------------------|
| North | Broken Arrow Expressway (RS-3) on north side | Mixed Use Corridor | Growth | Single Family Residential |
| East | RS-3 | Existing Neighborhood | Growth | Single Family Residential |
| South | PUD-437 with PK and OL underlying | Mixed Use Corridor | Growth | Surface Parking Lot |
| West | OL | Mixed Use Corridor | Growth | Professional Office |

SECTION III: Relevant Zoning History

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

Subject Property:

No relevant history.

Surrounding Property:

PUD-437-A June 2016: Staff recommended approval of a proposed *Major Amendment to PUD* on a 1.39± acre tract of land for a CVS Pharmacy, on property located northeast corner of E. 15th St. and S. Utica Ave., and abutting the subject property to the south. However, TMAPC recommended for denial. It was appealed to City Council and the Council sent it back to TMAPC. TMAPC and City Council **approved** the application with revisions.

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-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 14th Place and South Utica Avenue and also known as the subject property.

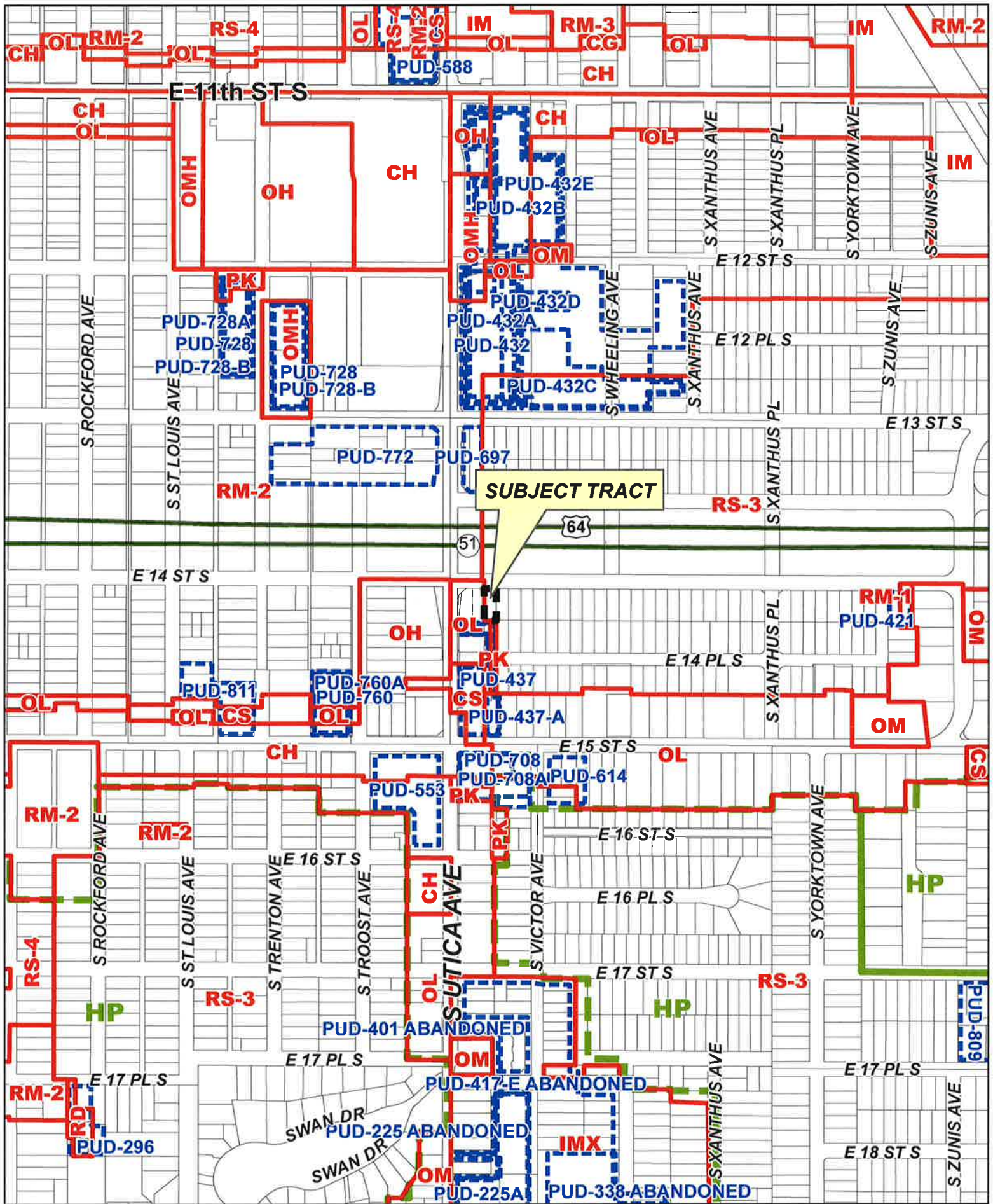
Z-6195 July 1988: All concurred in **approval** of a request for *rezoning* a tract of land from RS-3 to PK on property located east of S. Utica at E. 14th Pl. north and south and abutting south of the subject property.

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. 15th St. and S. Utica Ave. and south of the subject property.

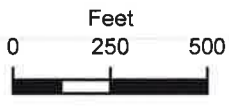
Z-5145 September 1978: All concurred in **approval** of a request for *rezoning* a tract of land from OL to CS, on the south 25 ft. of tract, on property located on the southeast corner of E. 14th Pl. and S. Utica Ave. and south of the subject property.

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. 15th St. and S. Utica Ave. and south of the subject property.

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SUBJECT TRACT

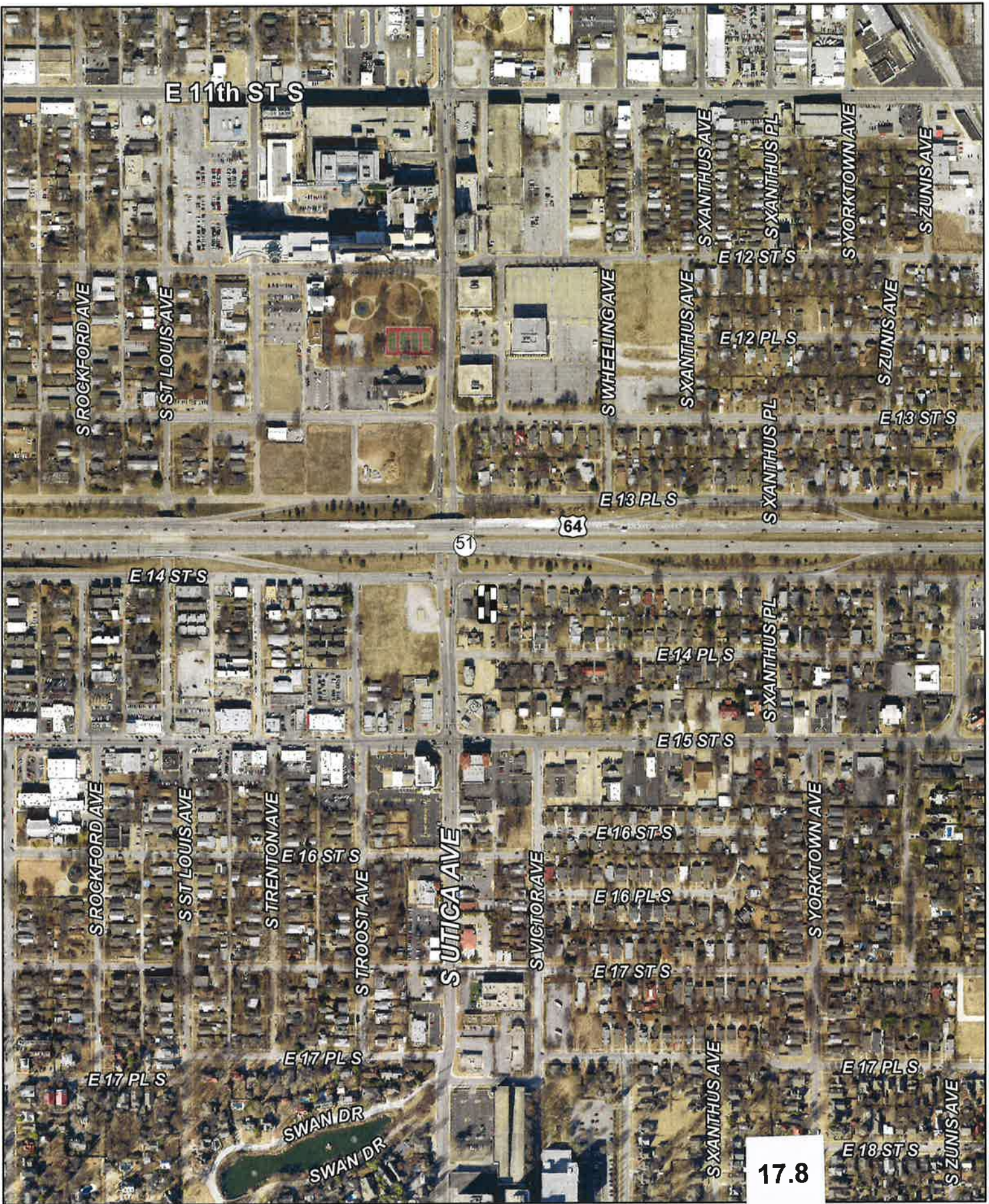


Z-7360

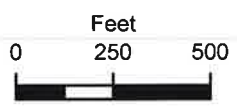
19-13 07

17.7





17.8



 Subject Tract

Z-7360

19-13 07

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

Aerial Photo Date: February 2016





64

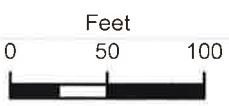
51

E 14 STS

E 14 PLS

SUTICA AVE

17.9



Subject Tract

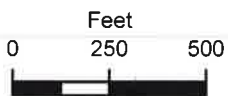
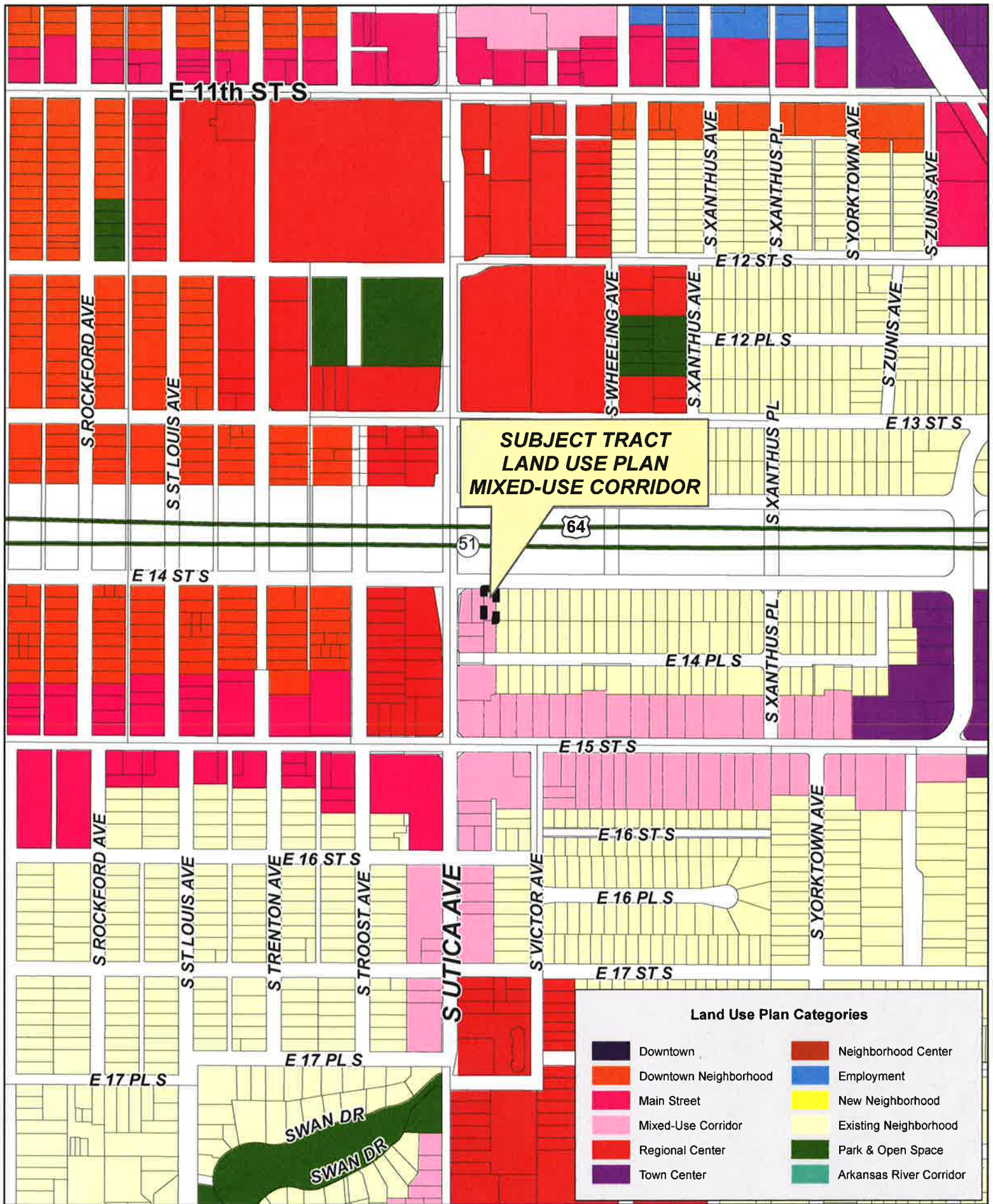
Z-7360

19-13 07

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

Aerial Photo Date: February 2016



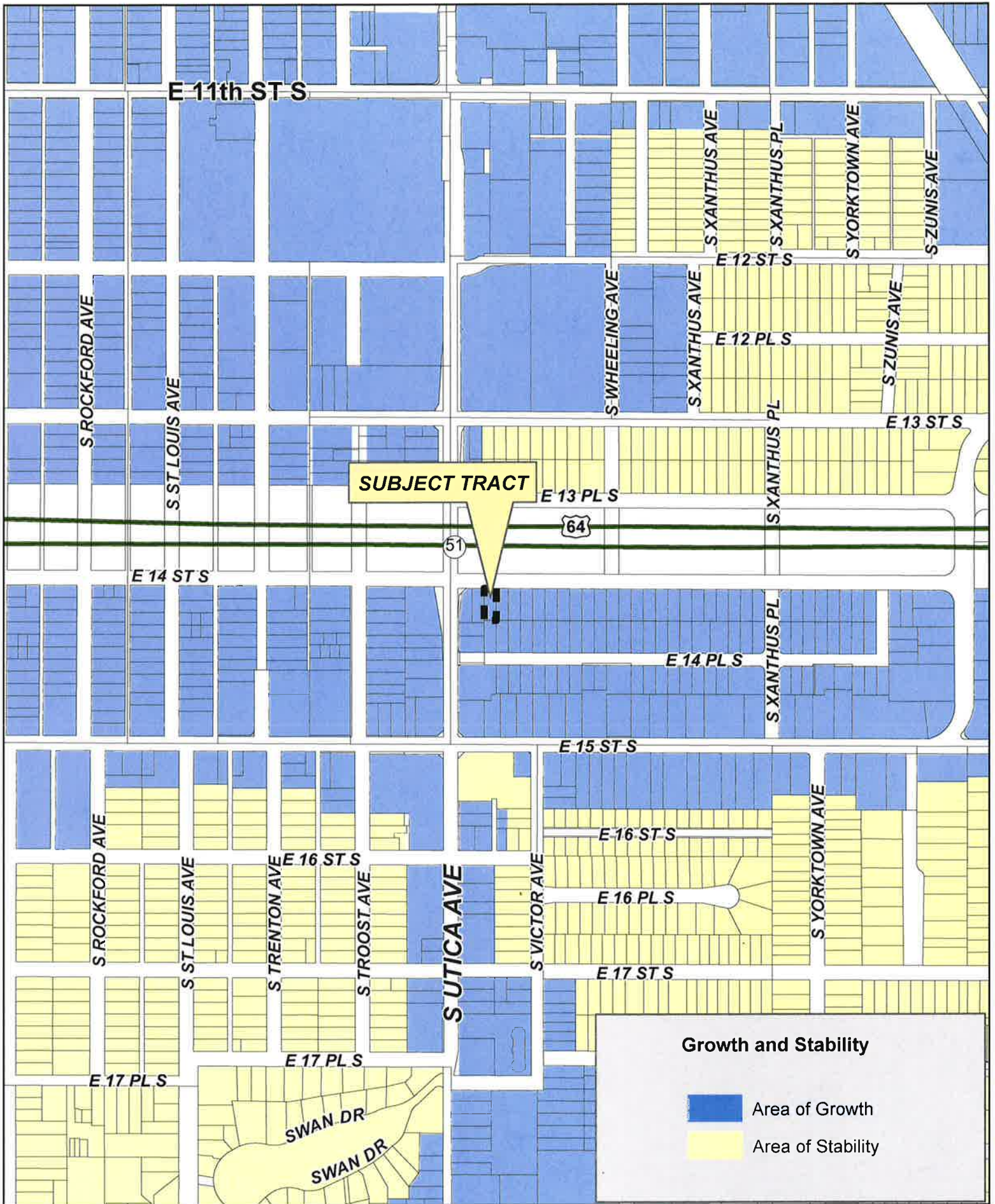


Z-7360

19-13 07

17.10





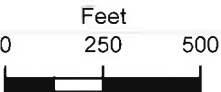
SUBJECT TRACT

64

51

Growth and Stability

- Area of Growth
- Area of Stability



Z-7360

17.11



TMAPC Staff Report
September 21, 2016
City of Tulsa Tax Incentive District Project - Tulsa Club Building

Item for consideration: Resolution finding a downtown project – the Tulsa Club Building - within Tax Incentive District Number One in conformance with the Tulsa Comprehensive Plan.

Background: In Resolution No. 19509 published Feb. 21, 2014, the City of Tulsa established the Local Development Act Review Committee in accordance with the Local Development Act, 62 O.S. Supp. 1992, § 851 et seq. The Local Development Act provides a significant economic development tool for local governments. Cities and Counties are able to create incentive districts to stimulate economic activity which the City of Tulsa did by the creation of Tax Incentive District No. 1 in 1993 (Amended 1997). This incentive, commonly referred to as an abatement, provides for a full or partial exemption of ad valorem taxes to the owner on the new investment made within the designated district for a period of 5 years, or 6 years (if located within an enterprise zone). Per Title 62, this incentive is not available for retail development or the retail portions of mixed use developments. Currently, the only approved area for this incentive within the City of Tulsa is properties generally located in downtown (inside the Inner Dispersal Loop). The value of the rehabilitation must be at least 50% of the current market value of the building as contained on the most recent Tulsa County assessment rolls. This incentive has been approved in the past for projects including the Mayo Hotel, Mayo 420 building, Atlas Life building, Ambassador Hotel, GreenArch (new residential), Coliseum building, Hartford Commons (new residential), Palace building, 400 S. Boston building, Hampton Inn & Suites (new hotel), the Meridia and Woodland Park Associates (new mixed-use building).

The Local Development Act requires that the Tulsa Metropolitan Area Planning Commission (TMAPC) review proposed project plans, make recommendations, and certify to the City of Tulsa as to the conformity of any proposed project plans to the City of Tulsa. The TMAPC reviewed all of the previously mentioned projects and found them to be in conformance with the Tulsa Comprehensive Plan.

On August 25, 2016, the Local Development Act Review Committee voted to recommend to the Tulsa City Council that the Tulsa Club Building project at 115 E. 5th Street be approved and adopted. Prior to submittal to City Council, the TMAPC is asked to review the proposed project and adopt a resolution stating that the proposed project is in conformance with the adopted Tulsa Comprehensive Plan.

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

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

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

The **Tulsa Club Building** project involves the conversion of 92,022 square feet of vacant space into 79,822 square feet boutique hotel, plus 12,200 square feet of renovated commercial retail space on the 1st and 11th floors for restaurant and retail.

This project contributes to the variety of mixed use opportunities and pedestrian nature of *Downtown*, as described above. This project involves the reuse and rehabilitation of an existing underutilized building and the addition of hotel rooms downtown that will contribute to the vitality of the downtown beyond the hours of Monday-Friday 8:00 am-5:00 pm. The project supports the *Downtown* land use designation, as well as multiple goals in the Land Use, Economic Development and Housing sections of the Tulsa Comprehensive Plan and are also in conformance with the Downtown Area Master Plan.

Staff recommendation: *Staff recommends that TMAPC adopt a resolution finding the Tulsa Club Project within Tax Incentive District Number One in conformance with the Tulsa Comprehensive Plan.*

Tulsa Club Building

(115 E 5th Street)



**TCB Landlord, LLC
Tulsa Club Building
115 E 5th Street**



Tulsa Club Parcel

Subdivision: Tulsa - Original Town
Legal: S751T 3 BLK 137
SECTION 1 TOWNSHIP 19 RANGE 12

City of Tulsa - Mayor's Office of Economic Development
June 2016

APPLICANT: TCB LANDLORD LLC

PROPERTY LOCATION: 115 E 5 Street

NARRATIVE DESCRIPTION: CONVERSION OF 92,022 SQUARE FEET OF VACANT SPACE IN DOWNTOWN TULSA'S DECO DISTRICT INTO 79,822 SQUARE FEET BOUTIQUE HOTEL, PLUS 12,200 SQUARE FEET OF RENOVATED COMMERCIAL RETAIL SPACE ON 1ST AND 11TH FLOORS FOR RESTAURANT AND RETAIL. HOTEL WILL HAVE 98 ROOMS MANAGED BY PROMISE HOTELS UNDER HILTON'S CURIO BRAND. BUILDING KNOWN AS TULSA CLUB.

79,800 SF RESIDENTIAL, 12,000 SF RESTAURANT/RETAIL

TOTAL PROJECT COST: \$24,047,081.

| SCENARIO | Existing Values | Estimated Values Upon Completion |
|--|-----------------|----------------------------------|
| Taxable | \$1,227,000 | \$20,500,000 |
| Annual Ad Valorem | \$18,154.81 | \$303,320.05 |
| Abatement: \$303,320.05 – (\$18,154.81 + Retail Increase of 2,900.04) = \$282,265.20 @ 6 years = \$1,693,591.20 | | |



CITY OF Tulsa
A New Kind of

TMAPC

September 21, 2016

Appeal of Moratorium on certain uses in the River Design Overlay

Item: Recommendation for Appeal of Moratorium on certain uses in the River Design Overlay (for the property at 2850 E. 101st Street South) as established in Ordinance No. 23384, and extended by Ordinance No. 23453, 23515 and 23544.

- A. Background:** On October 15, 2015, Tulsa City Council adopted an ordinance which declared a moratorium on certain uses on properties located within the proposed River Design Overlay. The ordinance states: *"in order that the purposes of the overlay zoning district not be frustrated, and in order to provide the additional time necessary for consideration by City Council, and to promote the public health, safety, and welfare it is necessary and advisable to extend the temporary moratorium on the acceptance of applications for, processing of, and the issuance of, building permits for buildings or structures proposed for uses which will be prohibited in areas supplementally zoned RDO-1, RDO-2 or RDO-3."* (see **Attachment 1**)

TMAPC staff and City Legal have established a procedure by which to process such appeals. In summary, an applicant must submit the appeal at least 14 days prior to the TMAPC meeting at which the appeal will be heard; notice of this matter at TMAPC shall be by inclusion of the matter on the meeting agenda; TMAPC staff will submit a staff report to the Planning Commission for its consideration; upon consideration, the Planning Commission shall vote to: 1) recommend that the property, in whole or in part, be exempted from the Moratorium, or 2) recommend that the property not be exempted from the moratorium; the TMAPC recommendation shall be transmitted with the appeal to the City Council within 7 days from the date of the TMAPC action.

This application is the first appeal that has been submitted of this moratorium. The applicant and parcel information is as follows:

| | |
|--|--|
| Applicant: | Heath Hardcastle, Albright, Rusher & Hardcastle |
| Owner: | Summit Properties, Inc. |
| Subject Property Address: | 2850 E. 101 st Street South |
| Zoning District: | Commercial Shopping (CS) with a Special Exception for mini-storage facility from the Board of Adjustment |
| Existing self-storage facility: | 68,170 square foot structure |
| Proposed addition: | 11,600 square feet of additional self-storage use |

- B. Applicant's Justification:** The applicant intends to expand the self-storage facility onto the subject tract west of the existing self-storage facility located south of the southeast corner of E. 101st Street South and S. Delaware Avenue.

The applicant states:

“While the Moratorium has prevented Summit Properties, Inc. from receiving a permit, the structure that Storage Center wishes to build would be allowed under the River Design Overlay as it is an expansion of an existing nonconforming use that does not increase by more than 50% of the total floor area. See RDO Section 20.050-A(5)(b).”

“If an exemption from the Moratorium is not granted Storage Center will be irreparably harmed.”

“As the neighboring shopping center is under construction, efficiencies in construction of the proposed Storage Center Expansion and overflow parking for the shopping center can be achieved if the construction of all of the foregoing is done contemporaneously.”

If the construction of the Storage Center Expansion and shopping center overflow parking is delayed, these efficiencies will no longer be available to Storage Center. In addition, any delay pending the conclusion of the Moratorium will cause Storage Center to be unable to market and deliver its expanded facilities during the pendency and Storage Center will be deprived of the ability to market its expanded capacity during a prime leasing period.”

“Because the usage would be allowed under the River Design Overlay criteria, no reason exists not to grant Storage Center an exemption from the Moratorium.”

- C. **Staff Comment:** The applicant is correct in that the River Design Overlay in the City of Tulsa Zoning Code allows for expansion of existing nonconforming uses as follows:

“Section 20.050-A(5)(b)

5. Nonconformities

b. Restoration, Replacement, Alteration and Expansion of Nonconforming Uses and Structures (other than signs)

- (1) Structures and uses that are nonconforming with regard to the RDO regulations of this section (Section 20.050) may be restored, replaced, altered or expanded, and additional structures that are nonconforming with regard to the regulations of this section (Section 20.050) may be constructed, provided that the restoration, replacement, alteration, expansion, or additional construction does not increase by more than 50% of the total floor area or lot coverage of a nonconforming use or increase by more than 50% of the total lot coverage of nonconforming structures. Restoration, replacement, alterations, expansions, and additions allowed under

this paragraph are not required to comply with the site and building design regulations of §20.050-C. For purposes of this Section 20.050-A5 “structure” does not mean “sign”. For purposes of this Section 20.050-A5, the increase in percentage of total floor area or total lot coverage is calculated using the total floor area or total lot coverage in existence on the date the structure or use became nonconforming.

- (2) An existing structure and all replacements, restorations, expansions, alterations and additions must be brought into compliance with the site and building design regulations of §20.050-C under the following circumstances:
 - (a) A nonconforming structure is proposed to be replaced, restored and expanded by more than 50%; or
 - (b) A nonconforming structure is proposed to be altered or expanded by more than 50%; or
 - (c) Additional structure(s) are proposed to be constructed resulting in a more than 50% increase in the floor area or lot coverage, as described in §20.050-A5.b(1)
- (3) For purposes of administering these restoration, replacement, alteration and expansion regulations, increases in floor area and lot coverage are calculated separately; they are not added together to determine whether the 50% threshold has been met. A complete building permit application for any restoration or replacement must be submitted within five years of the date a nonconforming building was damaged, destroyed or removed.”

Based on the above language, the applicant would have the ability to expand the existing self-storage use as proposed once the River Design Overlay is in effect on this property.

- D. The applicant has submitted a site plan (**see Attachment 2**) and a rendering of the west elevation of the building and wall (**see Attachment 3**). Given the visual importance of this location to South Delaware Avenue and the river, it is important to ensure that the landscaping, building articulation and materials shown on the submitted site plan and rendering represent a minimum standard for development as the applicant enters the building permit process.

In addition to the applicant’s request to appeal the Moratorium, the applicant will also need to submit an application to the Board of Adjustment (BOA) to modify a previously approved site plan. On March 10, 1998, in BOA Case No. 17970, a larger area including the subject site (**see Attachment 4**) received Special Exception approval for a “mini-storage” with the conditions that the exterior lighting be directed downward and away from nearby

residential properties and per the site plan submitted at that meeting (see **Attachment 5**). The previous site plan approved by the BOA does not show development on this portion of the property, so a modified site plan will need to be submitted to the BOA for approval.

E. Staff Recommendation:

Staff recommends approval subject to the minimum standards for landscaping, building articulation and materials as shown on the applicants submitted site plan (**Attachment 2**) and rendering of the west elevation (**Attachment 3**).

Attachments:

- 1) Ordinance 23544 –Moratorium
- 2) Applicant’s site plan
- 3) Applicant’s west elevation
- 4) BOA 17970 Case Map (3/10/1998)
- 5) BOA approved plan (3/10/1998)
- 6) Aerial map
- 7) Aerial map (closer view)
- 8) Zoning map
- 9) Land Use map
- 10) Areas of Stability and Growth map

Attachment 1

(Published in the

Tulsa World,

September 8, 2016)

ORDINANCE NO. 23544

AN ORDINANCE AMENDING ORDINANCE NO. 23515 AND EXTENDING A MORATORIUM ON THE ACCEPTANCE OF APPLICATIONS FOR, PROCESSING OF AND ISSUANCE OF BUILDING PERMITS THAT WOULD ALLOW CONSTRUCTION ON, OR USE OF, PROPERTY FOR CERTAIN NON-RESIDENTIAL USES LOCATED WITHIN AN AREA PROPOSED FOR INCLUSION IN A RIVER DESIGN OVERLAY DISTRICT AND SHOWN ON THE ATTACHED MAPS; PROVIDING AN APPEAL PROCESS; PROVIDING EFFECTIVE AND REPEAL DATES; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY.

WHEREAS, the Arkansas River, as it flows through the City of Tulsa ("City"), holds the promise of economic development, commerce, useful employment, tourism, recreation, scenic beautification and enrichment of family life; and

WHEREAS, development and growth along the Arkansas River must be managed in order to provide lasting benefits to the land area within the immediate vicinity of the Arkansas River, and to the community as a whole; and

WHEREAS, at their February 24, 2015 retreat, the Mayor and City Council identified a shared goal of "drafting regulatory tools to guide river development" and "adopting river corridor design guidelines"; and

WHEREAS, following the retreat of February 24, 2015, the Mayor and City Council formed a steering committee to recommend the area to be included in a proposed overlay zoning district and to recommend development standards for the district, including limitation of uses, and design and location standards; and

WHEREAS, beginning March, 2015, the steering committee worked to draft the recommended development standards; and

WHEREAS, the steering committee identified several land uses proposed to be prohibited within the overlay zoning district in order to attain the desired development of the properties along and in proximity to the River and to enhance the public's enjoyment of the River; and

WHEREAS, in order to provide time to complete the preparation of recommended development standards, on October 15, 2015, the City enacted Ordinance Number 23384 which placed a moratorium on applications for, processing of and issuance of building permits that would allow construction on or use of properties located within the area of the proposed Arkansas River Design Overlay District for certain non-residential uses; and

WHEREAS, when Ordinance Number 23384 was enacted it was anticipated that an ordinance establishing the proposed overlay zoning district would be considered by the Council on or before March 15, 2016 and therefore Ordinance Number 23384 set said day as the date of its repeal; and

WHEREAS, after the adoption of Ordinance No. 23384, the steering committee continued to meet on a regular basis; defined specific boundaries for overlay areas; reviewed design districts and river districts from other jurisdictions; identified three distinct subareas within the proposed overlay zoning district; drafted regulations to support design concepts and characteristics of each subarea; held informational meetings with the Tulsa Regional Chamber of Commerce, the Homebuilder's Association of Greater Tulsa, the American Institute of Architects, Eastern Oklahoma Chapter, Tulsa Metropolitan Area Planning Commission, Greater Tulsa Area Realtors, and NAIOP Tulsa; and

WHEREAS, Ordinance Number 23384 provided that the repeal date of the moratorium may be modified by the enactment of a subsequent ordinance; and

WHEREAS on March 10, 2016, Ordinance Number 23453 was enacted which provided that the moratorium would remain in full force and effect through July 31, 2016, or through the effective date of an ordinance enacting the proposed overlay zoning district, whichever is earlier; and

WHEREAS, Ordinance Number 23453 provided that the repeal date of the moratorium may be modified by the enactment of a subsequent ordinance, and

WHEREAS, subsequent to the adoption of Ordinance Number 23453, Town Hall meetings were held in Council District 2, within which is located portions of the proposed overlay zoning district; the Tulsa Metropolitan Area Planning Commission ("Planning Commission") recommended approval of the proposed overlay zoning district development standards; and on July 11, 2016, City Council adopted a text amendment to the City of Tulsa Zoning Code ("Zoning Code") establishing the proposed River Design Overlay District by adopting Ordinance No. 23514 (Section 20.050 River Design Overlays); and

WHEREAS on July 11, 2016, Ordinance Number 23515 was enacted which provided that the moratorium would remain in full force and effect through August 31, 2016, or through the effective date of an ordinance that establishes the supplemental rezoning of various

properties within the Subject Area to River Design Overlay (RDO-1, RDO-2 or RDO-3) by adopting a zoning map amendment, whichever is earlier; and

WHEREAS, Ordinance Number 23515 provided that the repeal date of the moratorium may be modified by the enactment of a subsequent ordinance, and

WHEREAS, the City Council initiated the supplemental rezoning of various properties within the area of the proposed overlay zoning district to RDO-1, RDO-2 or RDO-3 and notice has been given of an August 17, 2016 hearing of Planning Commission to consider the supplemental rezoning; and

WHEREAS, additional time will be needed to allow for City Council consideration of the supplemental rezoning and adoption of an ordinance establishing the supplemental rezoning by a zoning map amendment; and.

WHEREAS, in order that the purposes of the overlay zoning district not be frustrated, and in order to provide the additional time necessary for consideration by City Council, and to promote the public health, safety, and welfare it is necessary and advisable to extend the temporary moratorium on the acceptance of applications for, processing of, and the issuance of, building permits for buildings or structures proposed for uses which will be prohibited in areas supplementally zoned RDO-1, RDO-2 or RDO-3; and

WHEREAS the City desires to amend Ordinance No. 23515 to modify the repeal date of the moratorium created by the Ordinance; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF TULSA, OKLAHOMA:

Ordinance No. 23515 is hereby amended to read as follows:

Section 1. The Moratorium on the acceptance of applications for, processing of and issuance of building permits that would allow construction on, or use of, real property located within the area of the proposed supplemental rezoning, depicted on the attached maps and marked "River Design Overlay" (the "Subject Area"), for any use described in Section 2 hereof is hereby extended.

Section 2. No application for a building permit for construction of a building or structure within the Subject Area that is proposed to be used for any of the following uses, as described in the Zoning Code, Title 42, Tulsa Revised Ordinances Chapter 35 "Building Types and Use Categories," shall be accepted or processed by the City, and no building permit shall be issued for the same, during the term of this Moratorium:

Uses within the following subcategories of the Public, Civic and Institutional Use Category (Section 35.040): Cemetery and Utilities and Public Service Facility; and the

following specific use type: Freestanding Towers (in the Wireless Communication Facility subcategory).

Uses within the following subcategories of the Commercial Use Category (Section 35.050): Funeral or Mortuary Service, Self-Service Storage Facility, and Sexually Oriented Business Establishment; and the following specific use types: Indoor gun club and Outdoor gun club (in the Assembly and Entertainment subcategory); Building Service, Business Support Service, and Consumer Maintenance and Repair Service (in the Commercial Service subcategory); Personal credit establishments (in the Financial Service subcategory); Plasma Center (in the Office subcategory); Building Supplies and Equipment (in the Retail Sales subcategory); Commercial Vehicle Repair and Maintenance, Commercial Vehicle Sales and Rentals, Fueling Station (for Personal, Consumer Vehicles), Personal Vehicle Repair and Maintenance, Personal Vehicle Sales and Rentals, Vehicle Equipment and Supplies Sales and Rentals, and Vehicle Body and Paint Finishing Shop (in the Vehicle Sales and Service subcategory).

Uses within the following subcategories of the Wholesale, Distribution & Storage Use Category (Section 35.060): Equipment and Materials Storage, Outdoor; Trucking and Transportation Terminals; Warehouse; and Wholesale Sales and Distribution.

Uses within the following subcategories of the Industrial Use Category (Section 35.070): Moderate-impact Manufacturing and Industry; High-impact Manufacturing and Industry; Junk or Salvage Yard; and Mining or Mineral Processing.

Uses within the following subcategories of the Recycling Use Category (Section 35.080): Construction or Demolition Debris; Consumer Material Drop-off Station; and Consumer Material Processing.

Uses within the following subcategories of the Agricultural Use Category (35.090): Animal Husbandry and Horticulture Nursery.

Uses within the following subcategories of the Other Use Category (Section 35.100): Drive-in or Drive-through Facility and Off-Premise Outdoor Advertising Sign.

Section 3. APPEALS. During the term of this Moratorium, the Planning Commission shall hear any appeal from an affected owner of property within the Subject Area, and shall recommend to the City Council whether or not to grant an exemption from the provisions of this Moratorium. The City Council, for good cause shown, may grant an exemption from the provisions of this Moratorium.

Section 4. EFFECTIVE DATES. This Moratorium shall become effective immediately upon its adoption, approval and publication, and shall remain in full force and effect through October 31, 2016, or through the effective date of an ordinance that establishes the supplemental

7A

rezoning of various properties within the Subject Area to River Design Overlay (RDO-1, RDO-2 or RDO-3) by adopting a zoning map amendment, whichever is earlier, at which time it shall automatically be null, void and repealed, provided that the repeal date of the Moratorium may be modified by the enactment of a subsequent ordinance of the City.

Section 5. SEVERABILITY. If any section, sentence, clause or phrase of this Ordinance or any part thereof is for any reason found to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of this ordinance or any part thereof.

Section 6. EMERGENCY. That an emergency is hereby declared to exist for the preservation of the public peace, health, welfare and safety, by reason whereof this Ordinance shall take effect immediately upon its adoption, approval and publication.

ADOPTED, by the Council on this 25th day of August 2016.

Jeannie Cue
Chair of the Council

ADOPTED, as an emergency measure, on this 25th day of August 2016.

Jeannie Cue
Chair of the Council

OFFICE OF THE MAYOR

Received by the Mayor: _____, at _____
Date Time

Dewey F. Bartlett, Jr., Mayor

By: _____
Secretary

APPROVED by the Mayor of the City of Tulsa, Oklahoma: AUG 31 2016
Date

at _____
Time

Alvin H. Ballew

Mayor

ATTEST:

Michael P. Keel

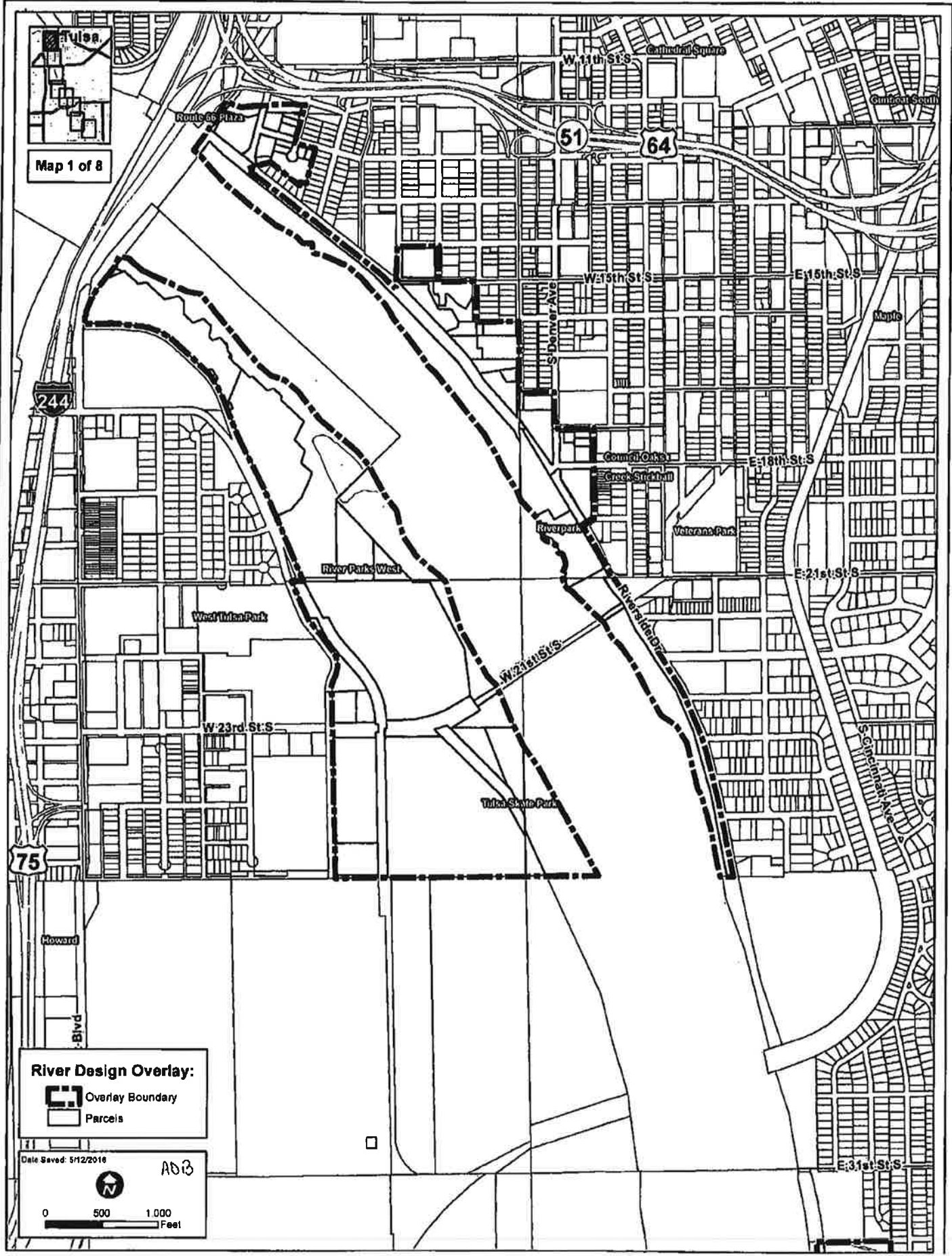
City Clerk



APPROVED:

David E. Merbi

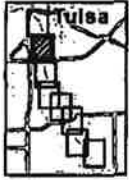
City Attorney ADB



Tulsa
 Map 1 of 8

River Design Overlay:
 [Dashed Line] Overlay Boundary
 [Solid Line] Parcels

Date Saved: 5/12/2018
 AD3
 0 500 1000 Feet



Map 2 of 8

F50 Soccer Complex

W 41st St S

River Park West

S. Elwood Ave

Riverpark

E 36th St S

E 41st St S

S. Peoria Ave

Riverside Dr

E Skelly Dr

River Design Overlay:

-  Overlay Boundary
-  Parcels

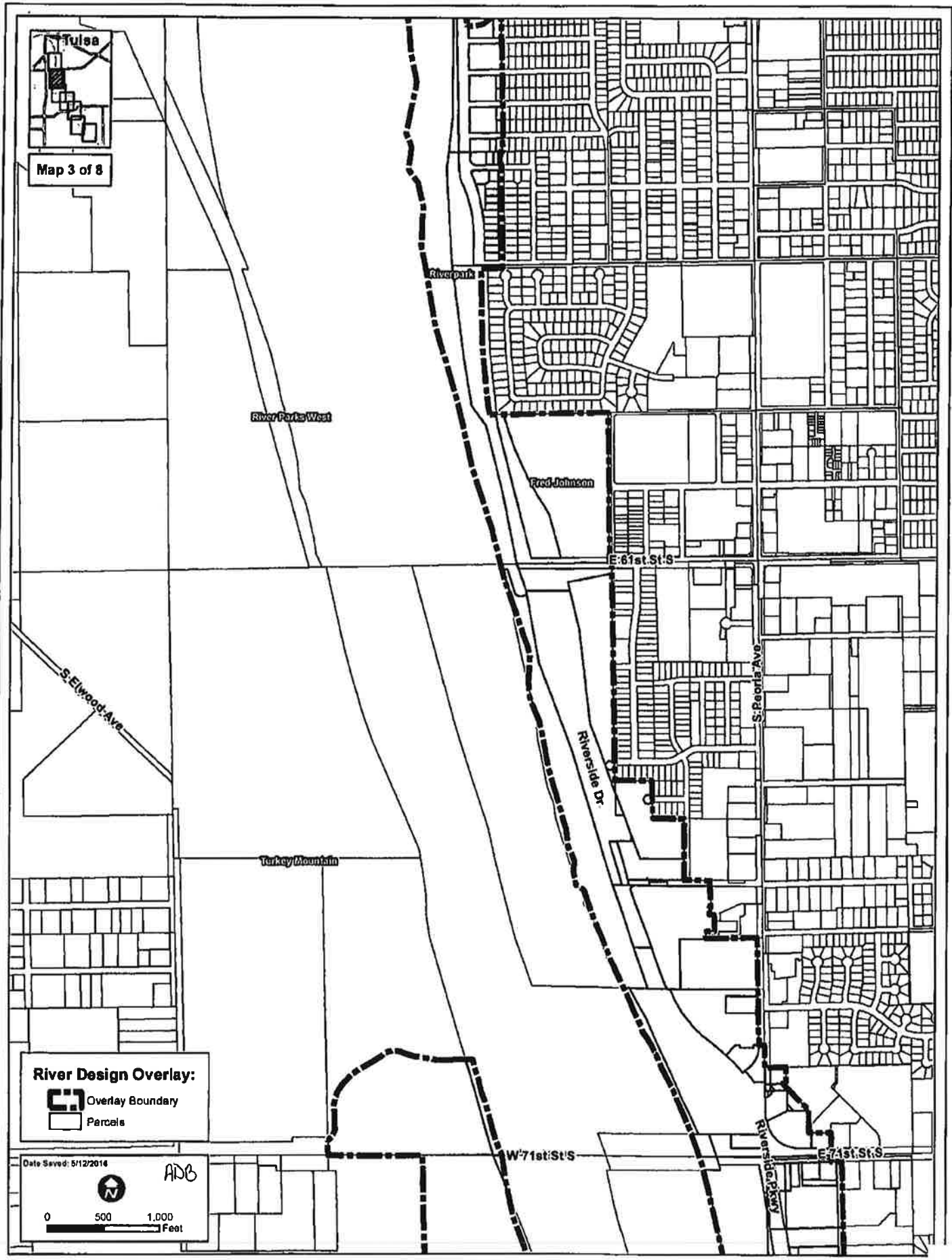
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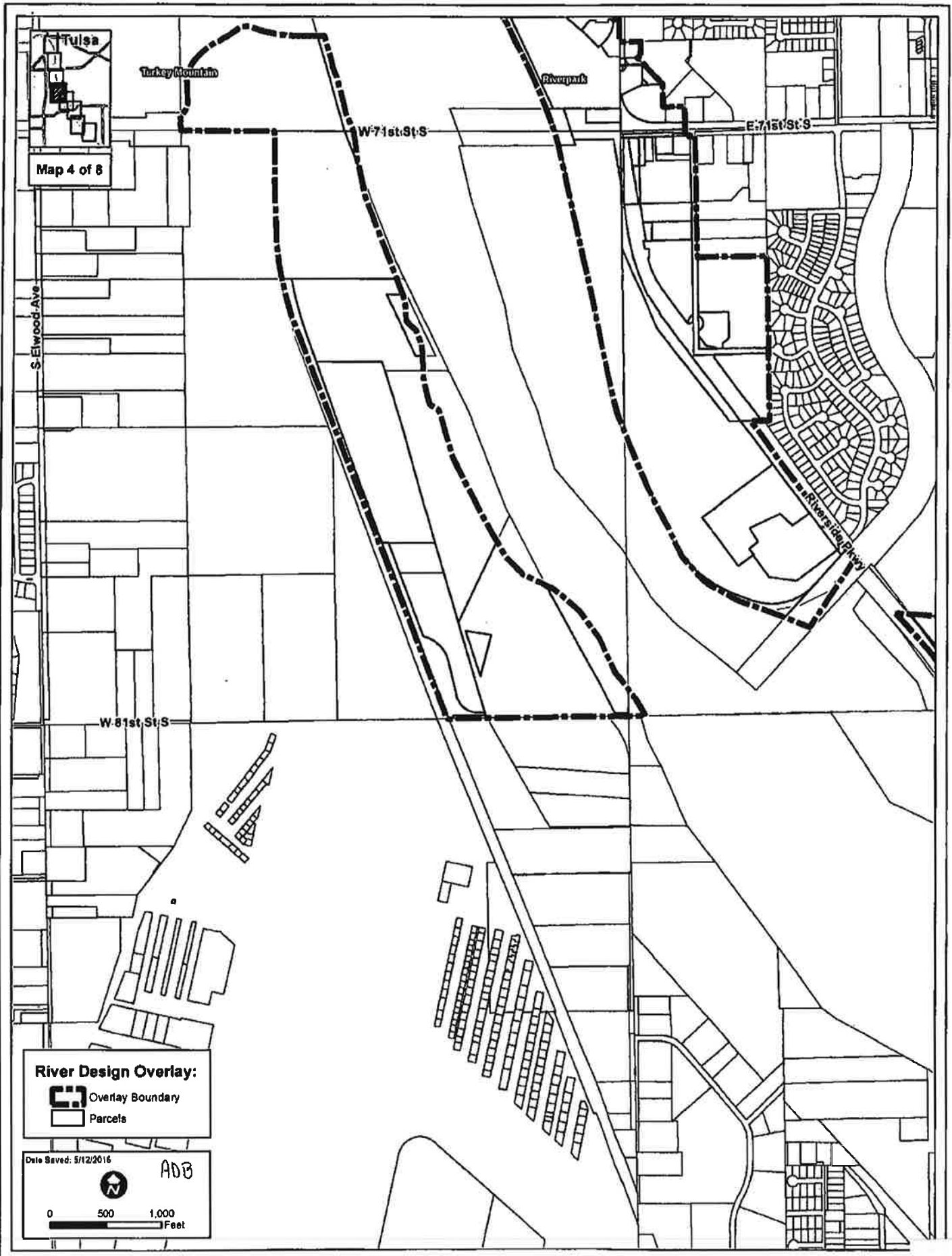
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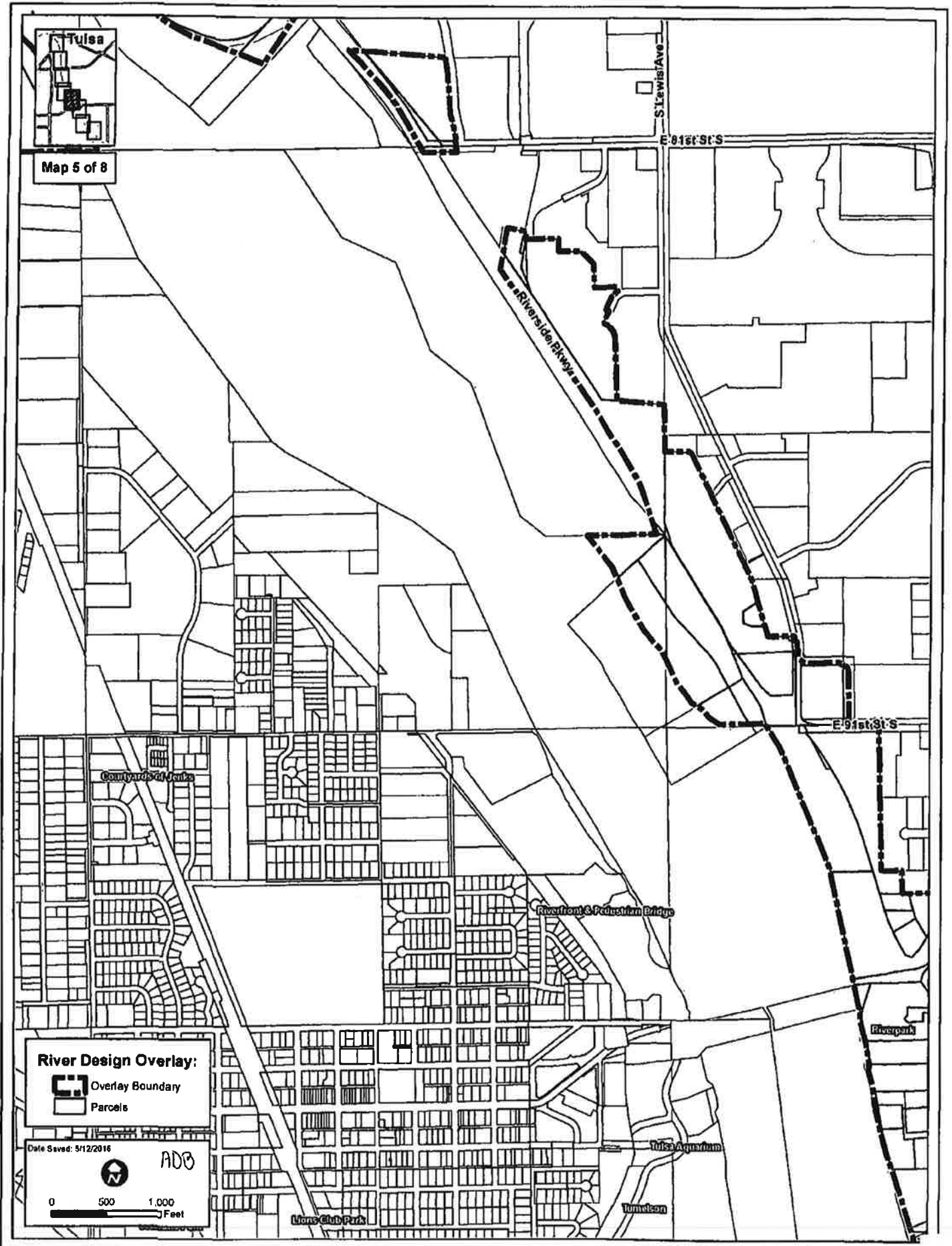


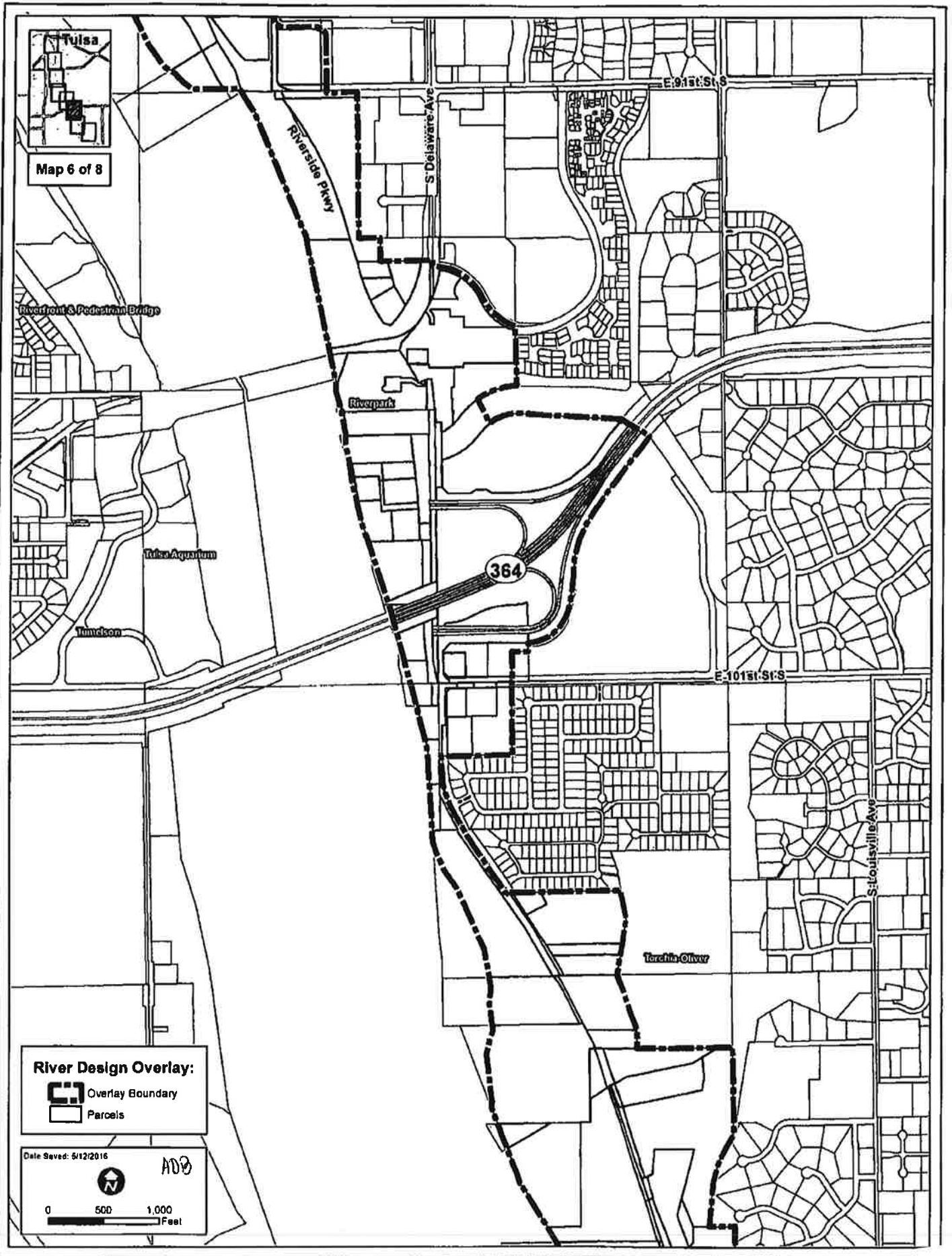
0 500 1,000 Feet











Tulsa
Map 6 of 8

Riverfront & Pedestrian Bridge

Riverside Pkwy

S Delaware Ave

E 9th St S

Riverpark

Tulsa Aquarium



364


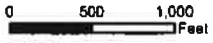
Timelson

E 10th St S

S Louisville Ave

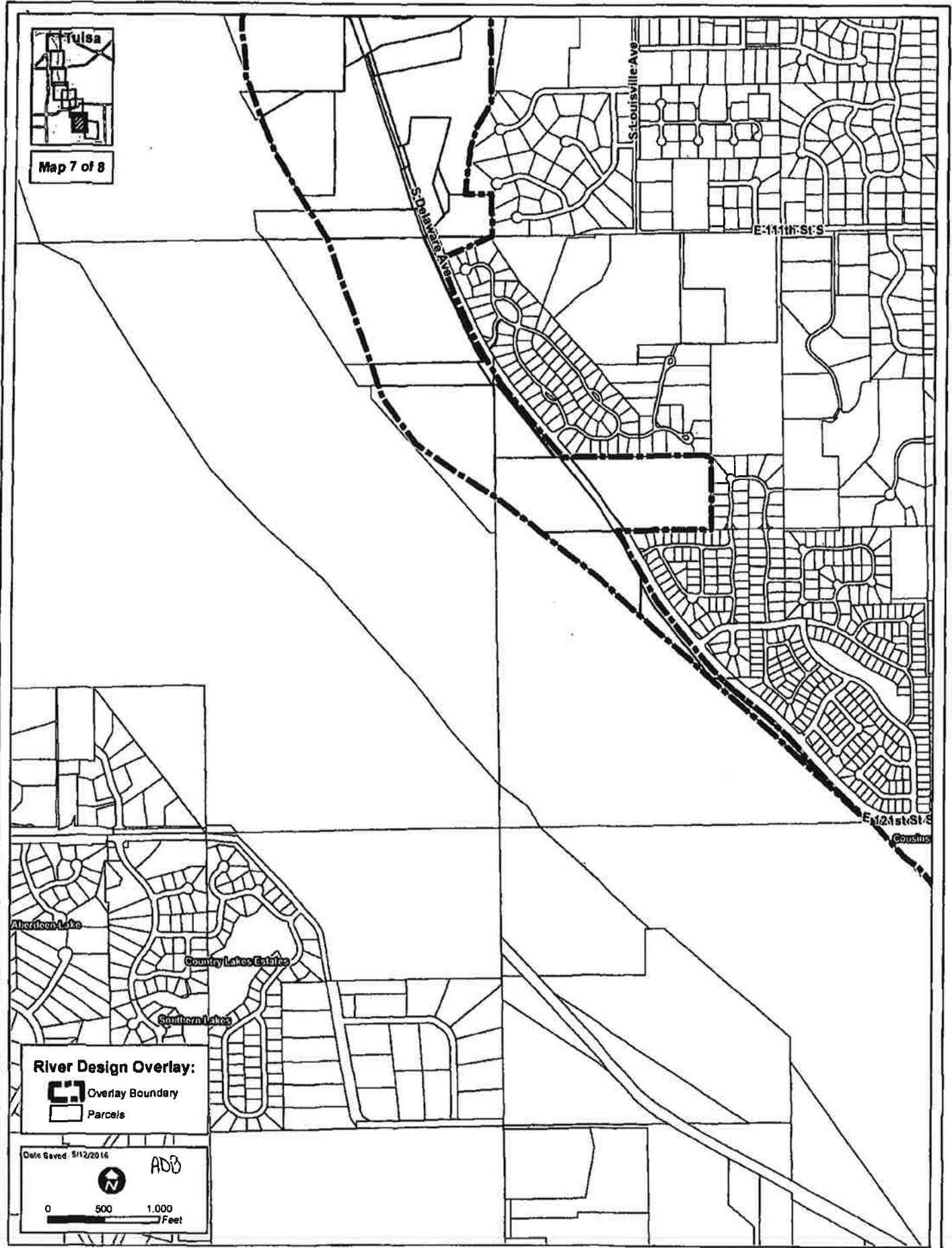
Torchia Oliver

River Design Overlay:
 Overlay Boundary
 Parcels

Date Saved: 5/12/2016


 ADP



Map 7 of 8



River Design Overlay:

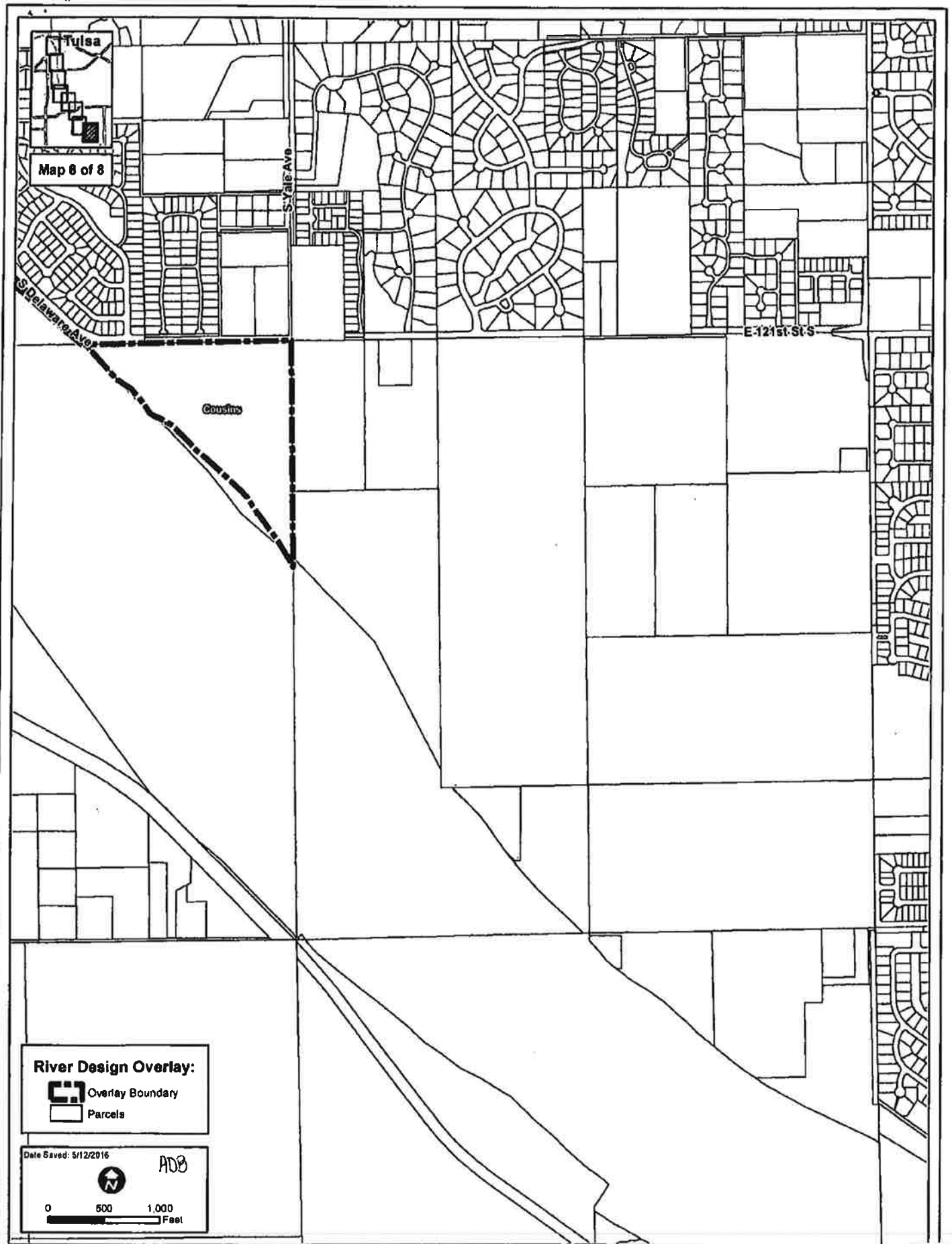
-  Overlay Boundary
-  Parcels

Date Saved: 5/12/2016

ADD



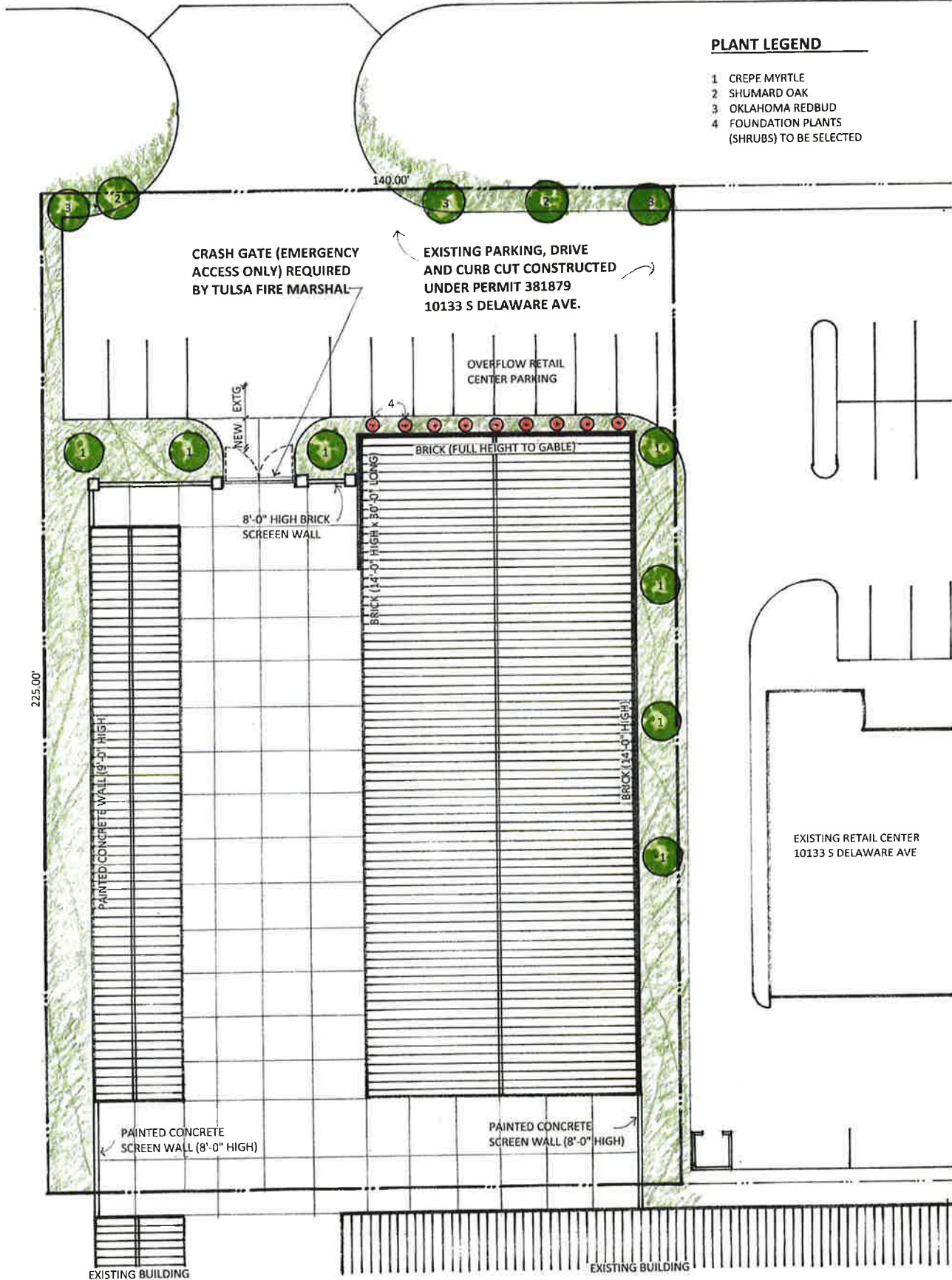
0 500 1,000 Feet



Attachment 2
SOUTH DELAWARE AVENUE

PLANT LEGEND

- 1 CREPE MYRTLE
- 2 SHUMARD OAK
- 3 OKLAHOMA REDBUD
- 4 FOUNDATION PLANTS (SHRUBS) TO BE SELECTED



AREA SUMMARY

| | |
|--------------------|-------------------------|
| EXISTING BUILDINGS | 68,170 sf |
| PROPOSED ADDITION | 11,600 sf |
| | 79,770 sf 17% EXPANSION |

STORAGE CENTER ONE ~ SITE PLAN

1" = 20'-0"





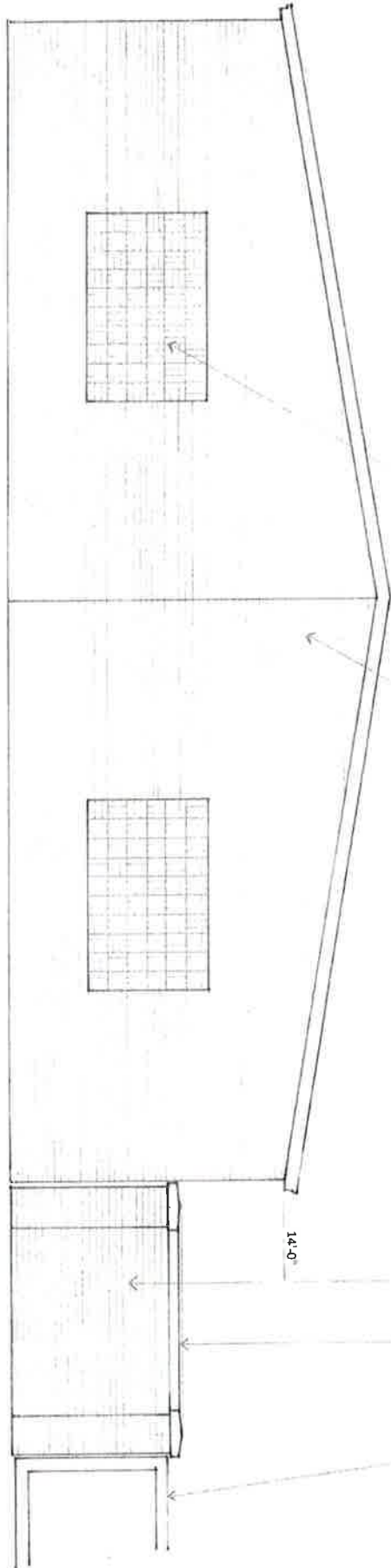
BASKETWEAVE BRICK DETAIL
NO SCALE

8'-0" HIGH X 10'-0" LONG
BASKETWEAVE BRICK INSET
ACCENT PANEL

FULL HEIGHT BRICK VENEER
(TO MATCH ADJACENT
RETAIL CENTER)

8'-0" HIGH BRICK SCREEN
WALL
CAST STONE CAP

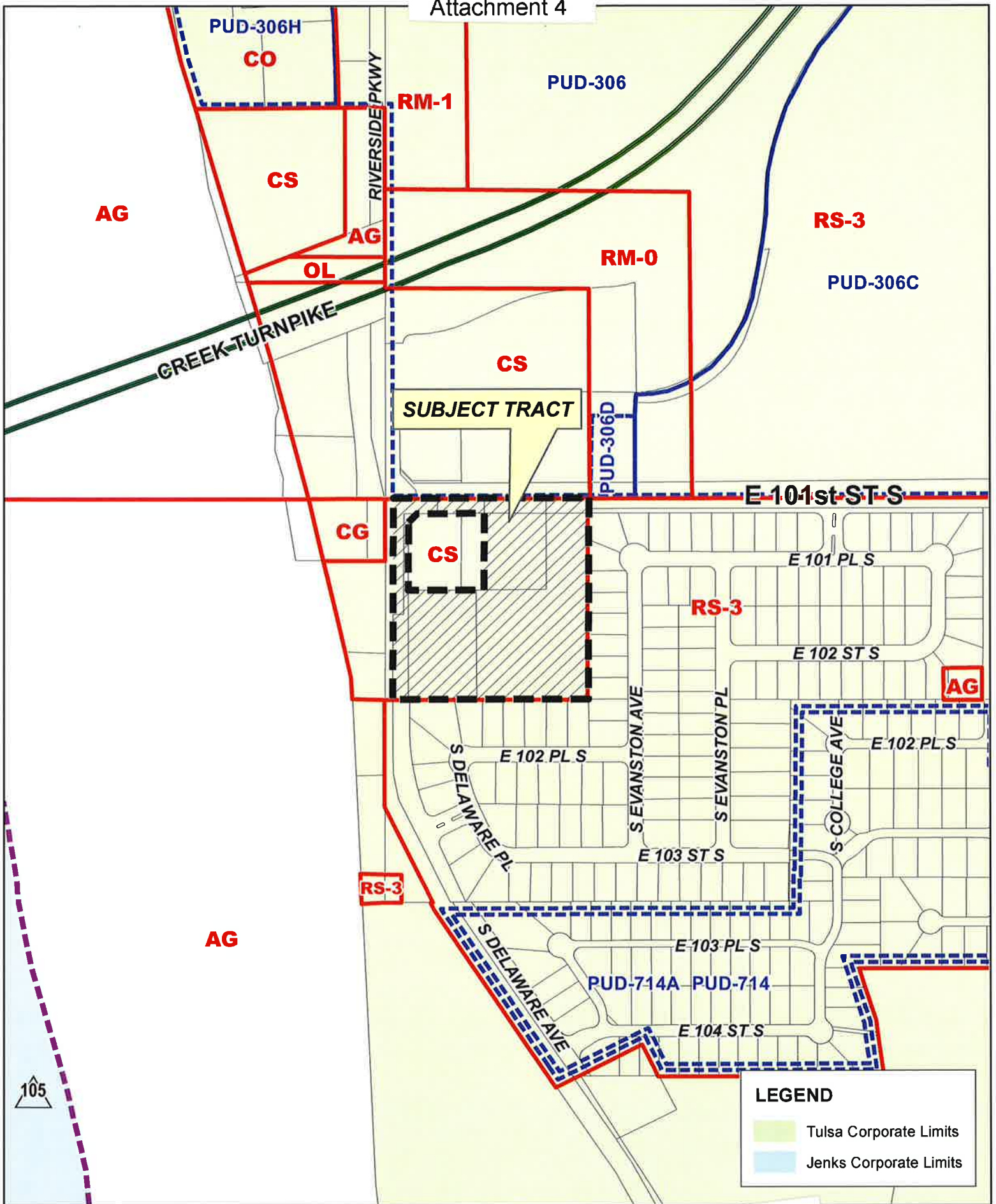
STEEL CRASH GATE
(EMERGENCY ACCESS ONLY)
PAINTED TO MATCH BRICK



STORAGE CENTER ONE ~ WEST ELEVATION

3/16" = 1'-0"

VIEW FROM DELAWARE AVENUE

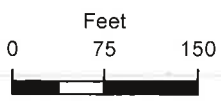


BOA CASE NO. 17970
(3/10/1998)

19.21

18-13 29





Aerial Photo Date: February 2016

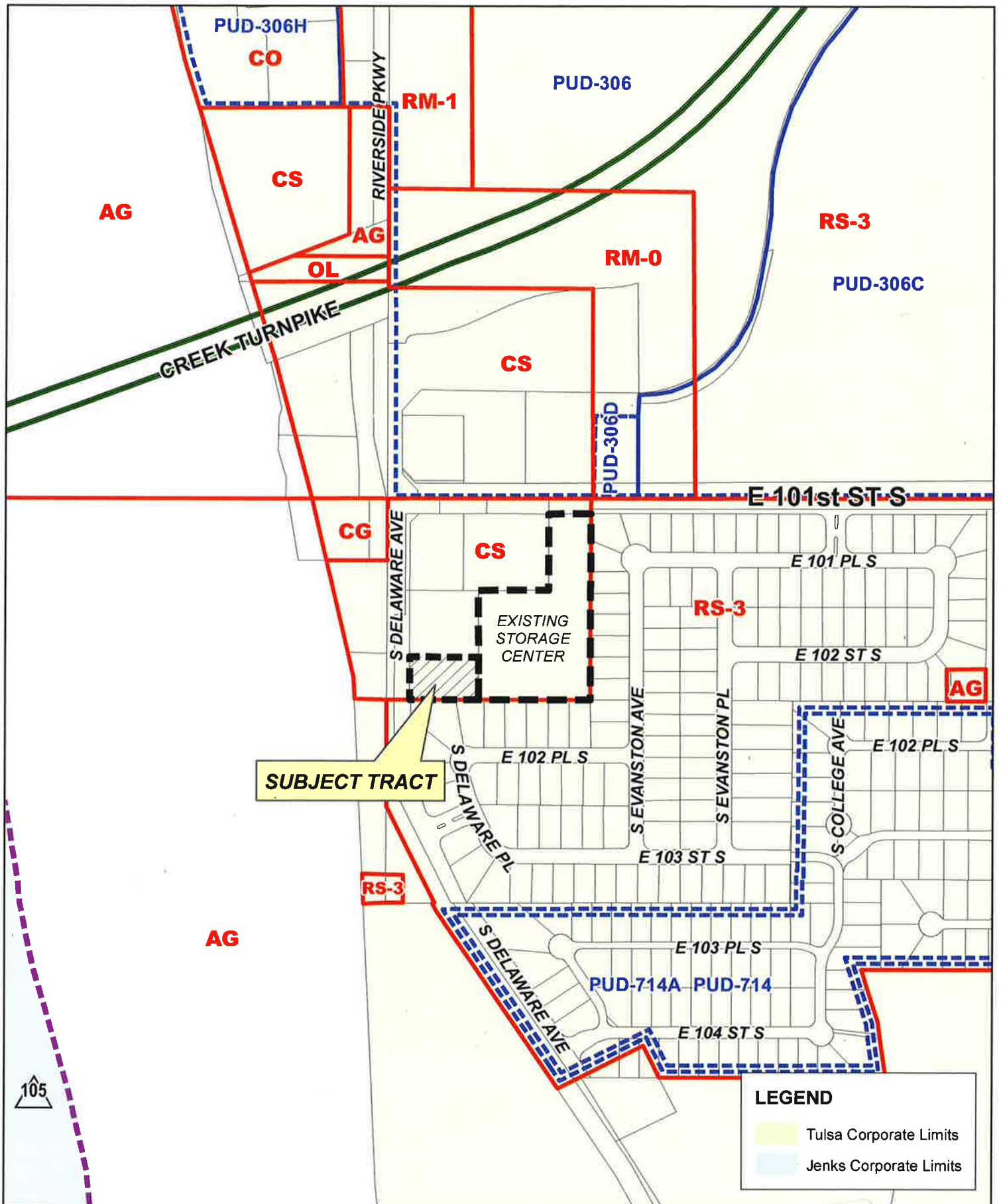
18-13 29

MORATORIUM APPEAL

19.24

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

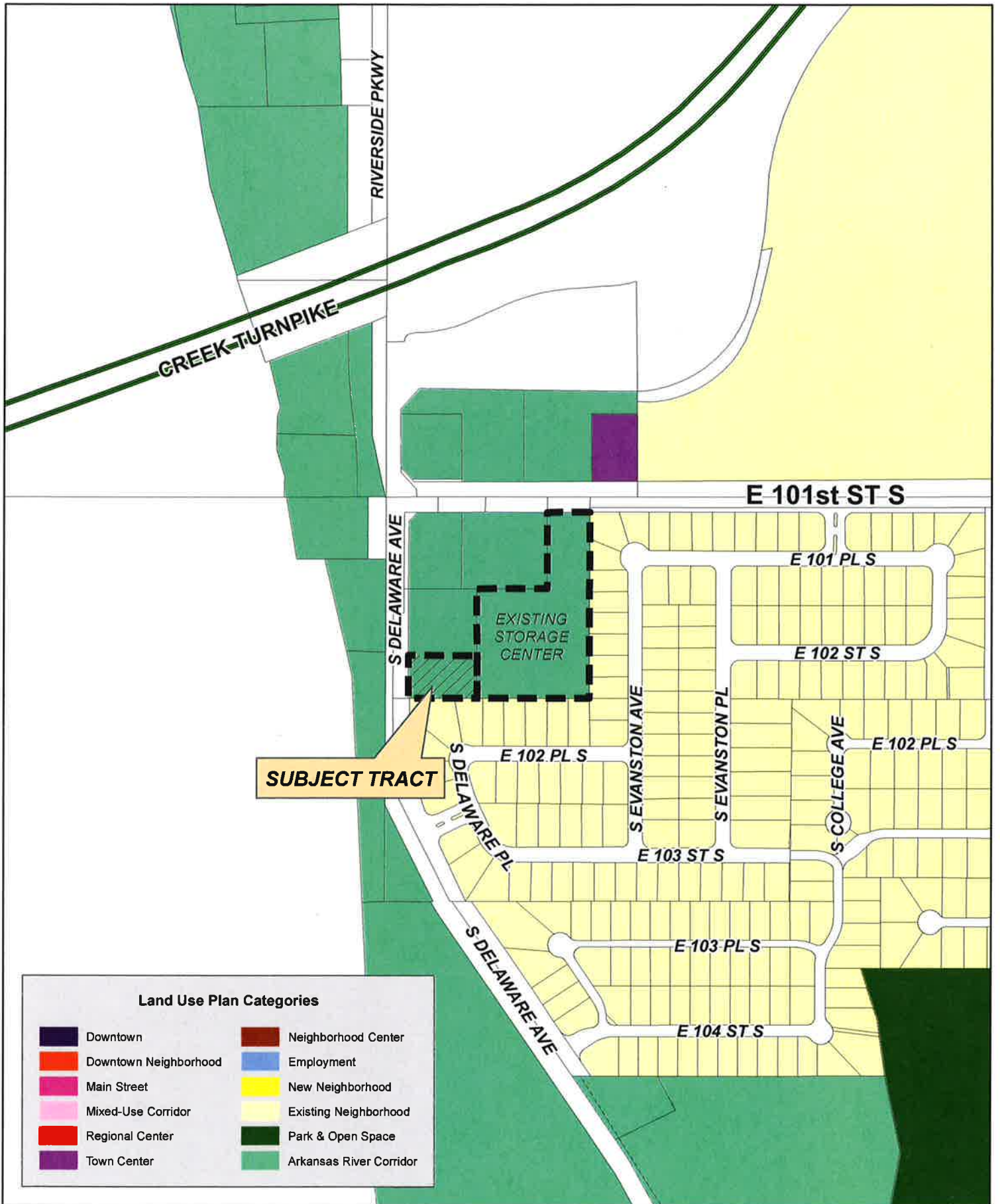




MORATORIUM APPEAL

19.25



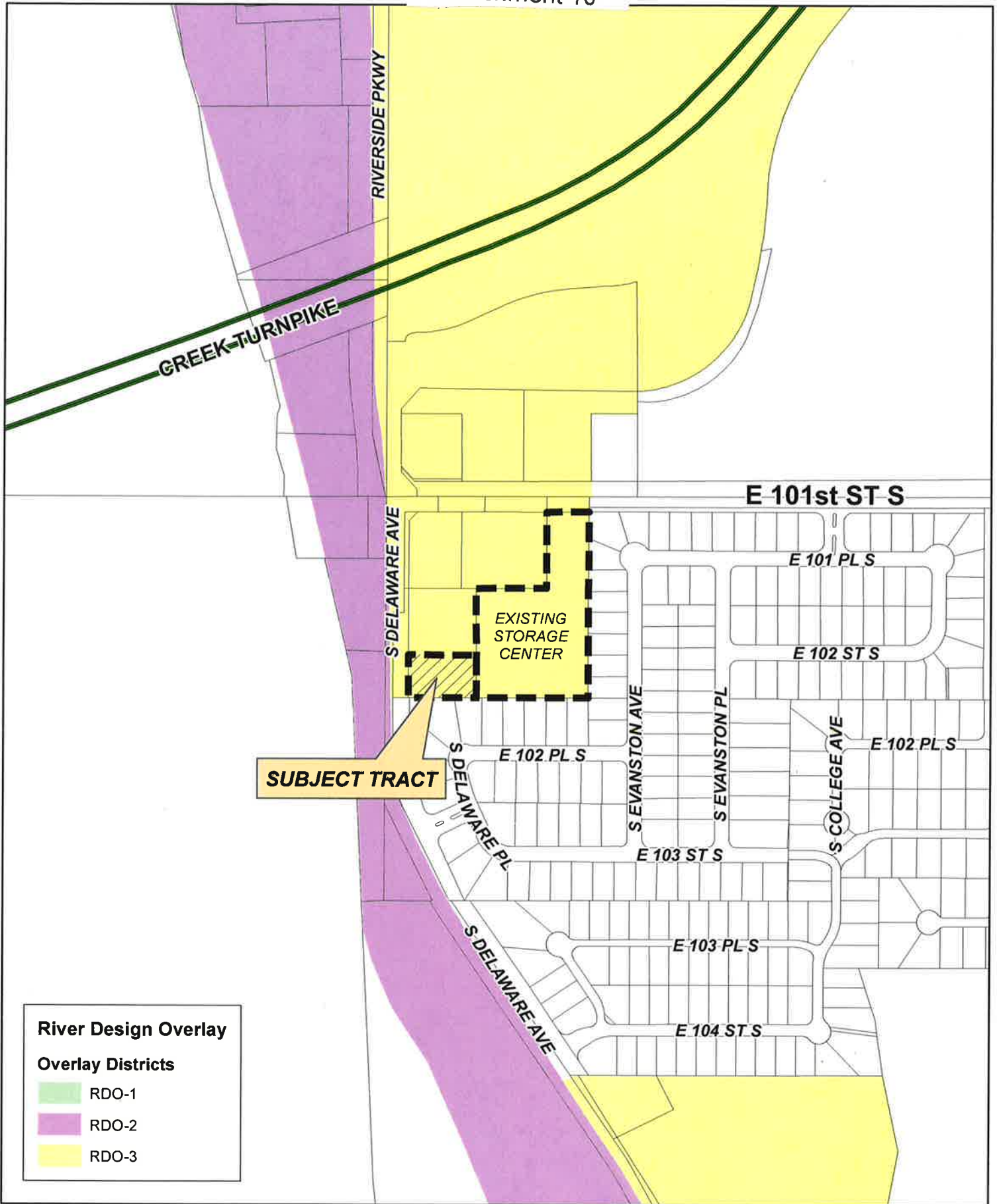


MORATORIUM APPEAL

18-13 29

19.26



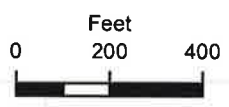


SUBJECT TRACT

EXISTING
STORAGE
CENTER

River Design Overlay
Overlay Districts

- RDO-1
- RDO-2
- RDO-3



MORATORIUM APPEAL

19.27

