

***AMENDED**
TULSA METROPOLITAN AREA PLANNING
COMMISSION

Meeting No. 2720

April 20, 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:

Review TMAPC receipts for the Month of March 2016

1. Minutes of April 6, 2016, Meeting No. 2719

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-20871** (Lot-Split) (CD 3) – Location: North of the northeast corner of East Woodrow Place and North Birmingham Place
3. **LC-761** (Lot-Combination) (CD 1) – Location: North of the northeast corner of East Young Place and North Xanthus Avenue
4. **LS-20872** (Lot-Split) (CD 5) – Location: Southwest corner of East 11th Street South and Mingo Valley Expressway (Highway 169) (**Related to: LC-765**)
5. **LC-765** (Lot-Combination) (CD 5) – Location: Southwest corner of East 11th Street South and Mingo Valley Expressway (Highway 169) (**Related to: LS-20872**)

6. **LC-762** (Lot-Combination) (County) – Location: Southeast corner of East 66th Street North and North Rockford Avenue
7. **LC-763** (Lot-Combination) (County) – Location: Southeast corner of West 22nd Street South and South 63rd West Avenue
8. **LS-20874** (Lot-Split) (CD 9) – Location: North and West of the northwest corner of East Skelly Drive and South Peoria Ave (**Related to LC-764**)
9. **LC-764** (Lot-Combination) (CD 9) – Location: North and West of the northwest corner of East Skelly Drive and South Peoria Ave (**Related to LS-20874**)
10. **LS-20875** (Lot-Split) (CD 2) – Location: South of the southeast corner of West 71st Street South and South Olympia Ave
11. **Meadow Creek** – Final Plat, Location: South of southeast corner of West 111th Street South and 33rd West Avenue (County)
12. **Change of Access** – Southwest corner of East 31st Street South and South Lewis Avenue, Lot 1, Block 1, Oaknoll, (CD 9)

CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA:

COMPREHENSIVE PLAN AMENDMENT PUBLIC HEARINGS:

13. **CPA-40** – City Council, to amend Land Use Designation from “Town Center” and “New Neighborhood” to “Regional Center” on approximately 135.22 acres located southeast of the intersection of Interstate 44 and Admiral Place, (CD 6) (Related to Z-7333) (continued from March 16, 2016 per City Councilor Dodson) ***(withdrawn by City Council on April 14, 2016)**

PUBLIC HEARINGS:

14. **Z-7333** – City Council, Location: southeast of the intersection of Interstate 44 and Admiral Place, requesting a rezoning from **AG/RMH/RM-2/OL/CG to CG**, (CD 6) (Related to CPA-40) (continued from March 16, 2016 per City Councilor Dodson) ***(withdrawn by City Council on April 14, 2016)**
15. **Z-7326** – Nathan Cross, Location: North and west of northwest corner of East 21st Street and South 145th East Avenue, requesting a rezoning from **CS to CG**, (CD 6) (Related to PUD-844) (Continued from March 2, 2016 per applicant) **(Applicant has withdrawn this application)**

16. **PUD-844 - Nathan Cross**, Location: North and west of northwest corner of East 21st Street and South 145th East Avenue, requesting a **PUD**, (CD 6) (Related to Z-7326)(Continued from March 2, 2016 per applicant) (**Applicant has withdrawn this application**)
17. **PUD-809-2 – Barnard Trace, LLC/ Phil Marshall**, Location: Southwest corner of East 17th Street South and South Lewis Avenue, requesting **PUD Minor Amendment** to reduce required livability area from 4,000 square feet to 2,500 square feet, (CD 4) (**Applicant has withdrawn this application**)
18. **LS-20873** (Lot-Split) (County) – Location: North and West of the northwest corner of East 156th Street North and North 97th East Avenue (North Mingo Road)
19. **Z-7320 – Eller & Detrich/Andrew Shank**, Location: Southwest corner of East 96th Street South and South Garnett Road, requesting rezoning from **AG to CO**, (CD 7) (Related to Z-7320-SP-1) (Continued from April 6, 2016 per applicant)
20. **Z-7320-SP-1 - Eller & Detrich/Andrew Shank**, Location: Southwest corner of East 96th Street South and South Garnett Road, requesting a **Corridor Development Plan**, (CD 7) (Related to Z-7320) (Continued from April 6, 2016 per applicant)
21. **Z-7335 – QuikTrip/Carly Goodnight**, Location: Southwest corner of East 61st Street South and South 76th East Avenue, requesting rezoning from **RS-3 to CS**, (CD 7) (Related to Plat Waiver Z-7335) (Continued from April 6, 2016 per Staff)
22. **Plat Waiver – Z-7335**, Location: Southwest corner of East 61st Street South and South 76th East Avenue, (CD 7), (Related to Zoning Case Z-7335)
23. **The Estates at the River II** – Preliminary Plat, Location: South of East 121st Street South, West of South Hudson Avenue, (CD 8) (Continued from April 6, 2016) (**Staff requests a Continuance to May 4, 2016.**)
24. **Mayra's Addition** – East of the northeast corner of East 21st Street South and Memorial Dr. (CD 5) (**Staff requests a continuance to May 4, 2016 meeting**)
25. **Authorization for an Accelerated Building Permit** - PB&J Minor Subdivision Plat, Location: East of the southeast corner of South Harvard Avenue and East 27th Street South, (CD 9) (**Continued from April 6, 2016 meeting**)
26. **Z-7331**- Location: North of the northwest corner of South Columbia Avenue and Skelly Drive. Requesting rezoning from **RS-1 to OM**, (CD 9) (**Applicant has requested a continuance to May 18, 2016**)
- *27. **PUD-437-A – Donn E. Fizer**, Location: Northeast corner of East 15th Street and South Utica Avenue, requesting a PUD Major Amendment to modify boundary for Development Area A and B, establish new uses and modify bulk and area

requirements for each development area, **PK/OL/CS/CH/PUD-437 to PK/OL/CS/CH/PUD-437-A, (CD 4) (Originally heard by TMAPC on December 16, 2015, continued from 11/18/15 & 12/2/15) (Revised by the applicant and remanded to TMAPC by City Council on April 14, 2016)**

OTHER BUSINESS

28. TMAPC's Appointee to the River Parks Authority

29. 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.

TMAPC RECEIPTS
Month of March 2016

----- Current Period -----				----- Year To Date -----				
	ITEM	CITY	COUNTY	TOTAL RECEIVED	ITEM	CITY	COUNTY	TOTAL RECEIVED
ZONING								
Zoning Letters	6	\$250.00	\$250.00	\$500.00	102	\$3,175.00	\$3,175.00	\$6,350.00
Zoning	4	2,125.00	2,125.00	4,250.00	47	22,192.50	22,192.50	44,385.00
Plan Reviews	30	2,800.00	2,800.00	5,600.00	230	21,625.00	21,625.00	43,250.00
Refunds		0.00	0.00	0.00	0	(1,245.00)	(1,245.00)	(2,490.00)
NSF		0.00	0.00	0.00		0.00	0.00	0.00
Fees Waived		0.00	0.00	0.00	0	0.00	0.00	0.00
		\$5,175.00	\$5,175.00	\$10,350.00		\$45,747.50	\$45,747.50	\$91,495.00
LAND DIVISION								
Preliminary Plats	3	1,552.50	1,552.50	3,105.00	26	\$13,940.00	\$13,940.00	27,880.00
Final Plats	5	2,122.50	2,122.50	4,245.00	16	\$7,040.00	\$7,040.00	14,080.00
Lot Splits	8	397.50	397.50	795.00	76	\$3,917.50	\$3,917.50	7,835.00
Lot Combinations	6	300.00	300.00	600.00	81	\$4,100.00	\$4,100.00	8,200.00
Other	5	750.00	750.00	1,500.00	6	\$3,275.00	\$3,275.00	6,550.00
NSF		0.00	0.00	0.00		(\$50.00)	(\$50.00)	(100.00)
Refunds		0.00	0.00	0.00	0	\$0.00	\$0.00	0.00
Fees Waived		0.00	0.00	0.00	0	0.00	0.00	0.00
		\$5,122.50	\$5,122.50	\$10,245.00		\$32,222.50	\$32,222.50	\$64,445.00
TMAPC COMP								
Comp Plan Admendment	0	\$0.00	\$0.00	\$0.00		\$730.00	\$0.00	\$730.00
Refund		\$0.00		\$0.00		\$0.00	\$0.00	\$250.00
		\$0.00	\$0.00	\$0.00		\$730.00	\$0.00	\$980.00
BOARDS OF ADJUSTMENT								
Fees	27	\$7,350.00	\$2,350.00	\$9,700.00	153	\$47,772.00	\$12,165.00	\$59,937.00
Refunds		(250.00)	0.00	(\$250.00)	34	(\$1,200.00)	\$0.00	(1,200.00)
NSF Check		0.00	0.00	\$0.00	0	\$0.00	\$0.00	0.00
Fees Waived		0.00	0.00	\$0.00		0.00	0.00	0.00
		\$7,100.00	\$2,350.00	\$9,450.00		\$46,572.00	\$12,165.00	\$58,737.00
TOTAL		\$17,397.50	\$12,647.50	\$30,045.00		\$125,272.00	\$90,135.00	\$215,657.00
LESS WAIVED FEES *		\$0.00		\$0.00		(\$712.32)		(\$712.32)
GRAND TOTALS		\$17,397.50	\$12,647.50	\$30,045.00		\$124,559.68	\$90,135.00	\$214,944.68

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

Final Subdivision Plat

Meadow Creek - (County)

South of southeast corner of West 111th Street South and 33rd West Avenue

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

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

DRAFT FINAL PLAT
PUD 839

Meadow Creek

PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW1/4 NW1/4) OF SECTION THIRTY-FOUR (34)
TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWELVE (12) EAST OF THE MIDIAN MERIDIAN
A SUBDIVISION OF TULSA COUNTY, STATE OF OKLAHOMA

POINT OF COMMENCEMENT
NW CORNER OF NW1/4
SECTION 34, T34N, R12E, E18W
RANGE 2007 DEEDS C&A

FROM AN OLD C&A
ELEVATION 447
PROJECTIONS



North

Scale 1" = 40'

Surveying

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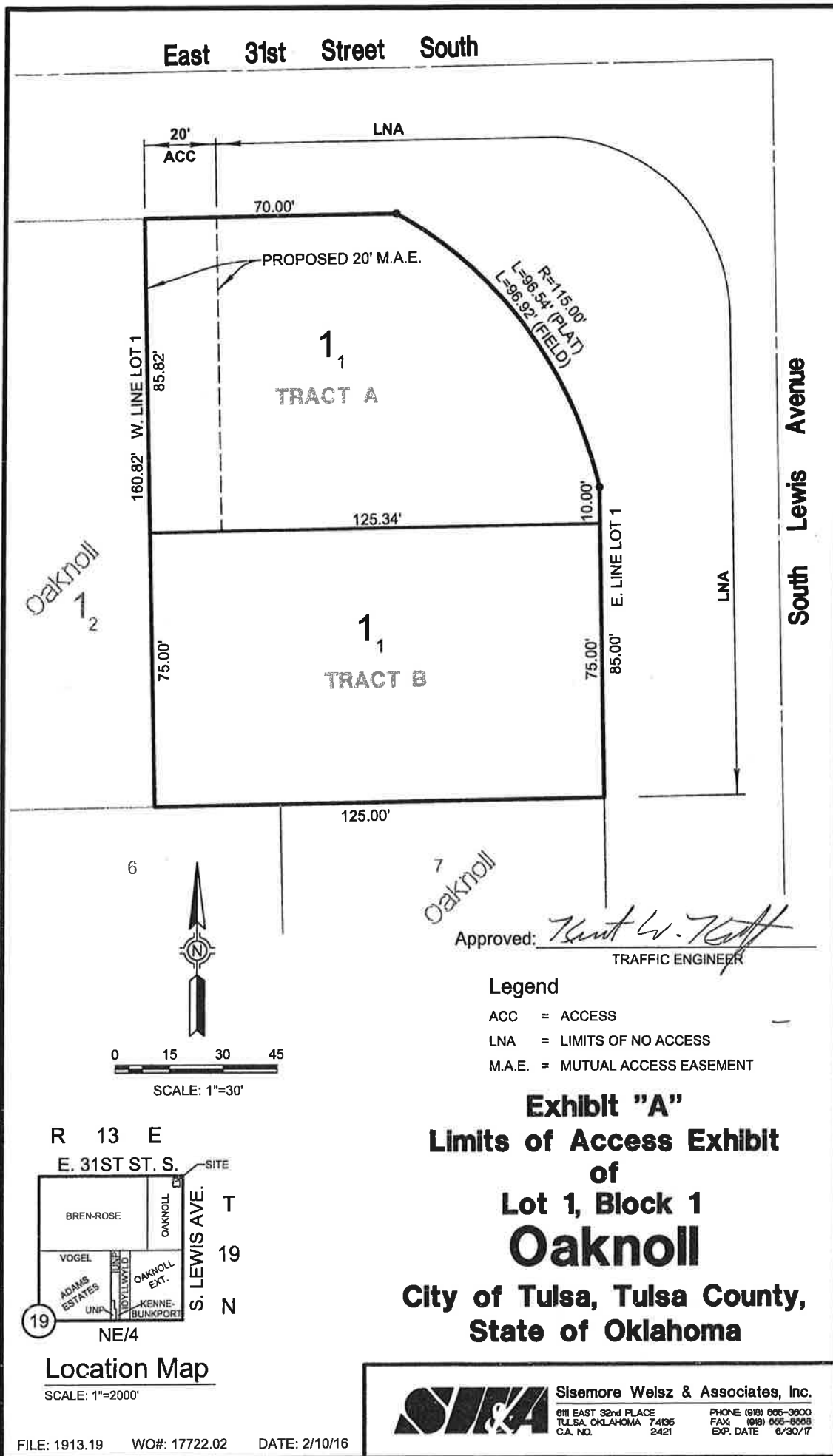
Surveying

Change of Access on Recorded Plat TMAPC April 20, 2016

**Southwest corner of East 31st Street South and South Lewis Avenue
Lot 1, Block 1, Oaknoll**

This application is made to allow a change of access to add one access and mutual access easement on East 31st Street South and Limits of no access along the rest of the site.

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.



12.2

Sawyer, Kim

From: Wilkerson, Dwayne
Sent: Monday, April 11, 2016 12:07 PM
To: Nathan Cross
Cc: Johnnie Morland; Sawyer, Kim; Mariboho, Mindi; Miller, Susan
Subject: RE: PUD 844 and Case No. Z-7326 - Withdrawal

Thanks Nathan,

We will withdraw the referenced PUD and Zoning.

INCOG

C. Dwayne Wilkerson
Assistant Director Land Development Services

2 West Second Street
Suite 800
Tulsa, OK 74103

918-579-9475
dwilkerson@incog.org

From: Nathan Cross [<mailto:ncross@riggsabney.com>]
Sent: Monday, April 11, 2016 12:00 PM
To: Wilkerson, Dwayne
Cc: Johnnie Morland
Subject: PUD 844 and Case No. Z-7326 - Withdrawal

Dwayne –

Per our discussion earlier today, my client would like to withdraw its application for PUD 844 and zoning case No. Z-7326. Please let me know if you have any questions.

Nathan

Nathan Cross | ncross@riggsabney.com
Attorney

R I G G S  A B N E Y
NEAL TURPEN ORBISON LEWIS

502 West 6th St. | Tulsa, OK 74119
Office: 918-587-3161 | Fax: 918-743-0546



This message is sent by Riggs Abney, a law firm, and may contain information that is privileged or confidential. If you received this transmission in error, please notify the sender by reply e-mail and delete the message along with any attachments.

Sawyer, Kim

From: Hoyt, Jay
Sent: Thursday, April 07, 2016 4:27 PM
To: Huntsinger, Barbara
Subject: FW: Minor Amendment PUD-809-2

Kim,

The applicant has asked to withdraw the application for minor amendment PUD-809-2.

Thank you,

Jay Hoyt

From: Phil Marshall [<mailto:pemarshall2@cox.net>]
Sent: Thursday, April 07, 2016 4:25 PM
To: Hoyt, Jay <JHoyt@incog.org>
Cc: 'Lindsay Perkins' <lindsay@newlots.com>
Subject: Minor Amendment PUD-809-2

Barnard Trace withdraws its request for a minor amendment to PUD-809-2.

Phil Marshall, Partner
Barnard Trace, LLC
918-638-5167
pemarshall2@cox.net

Lot-Split and Waiver of Subdivision Regulations

April 20, 2016

LS-20873

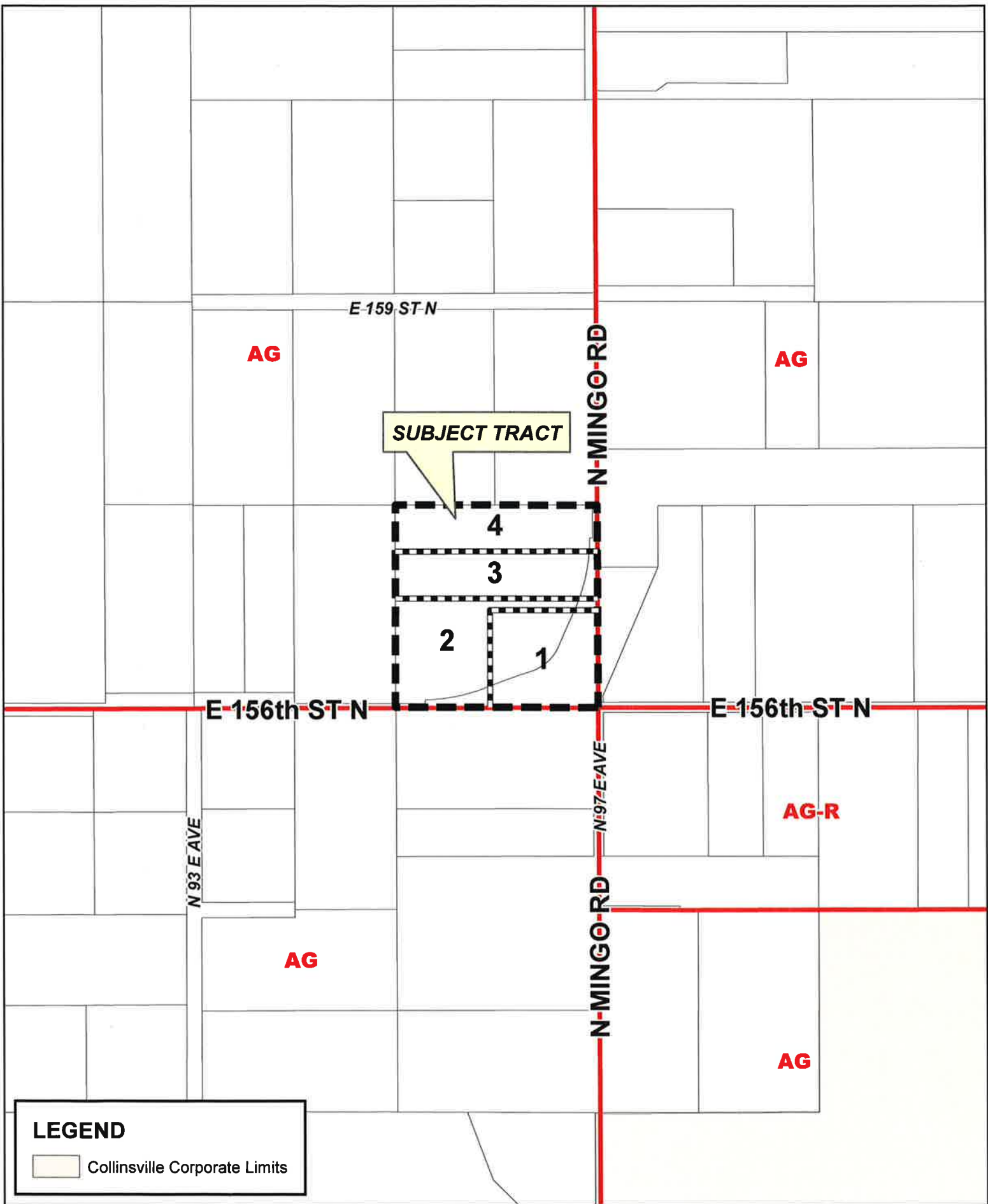
Delores Bewley, (2313) (AG) (County)

North and West of the northwest corner of East 156th Street North and North 97th East Avenue (North Mingo Road)

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

The Technical Advisory Committee met on April 7, 2016 and had the following comments. A 50' right-of-way Easement is needed along East 156th Street North and North Mingo Road. If a structure is built on the any of the properties fire access and fire hydrant coverage will be required per the International Fire code. Washington County Rural Water District #3 will serve the tracts. They had the following comments: The meter for Tract 1 sits on Tract 2. If one or the other, Tract 1 or Tract 2, ever sells to another party, arrangements will have to be made for service at that time. Each tap requires a copy of the General Warranty Deed, DEQ form 581 with log number, application for service by landowner with membership fee. Property lines must be surveyed, staked and pinned.

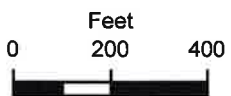
The proposed lot-split would not have an adverse affect on the surrounding properties and staff recommends **APPROVAL** of the lot-split and the waiver of the Subdivision Regulations that no lot have more than three side lot lines.



LS-20873

22-13 13

18.2





Feet
0 200 400



Subject
Tract

LS-20873

22-13 13

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

Aerial Photo Date: March 2014



18.3



Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7320

(Related to Z-7320-SP-1)

Hearing Date: April 20, 2016

(Continued from April 6, 2016)

Case Report Prepared by:

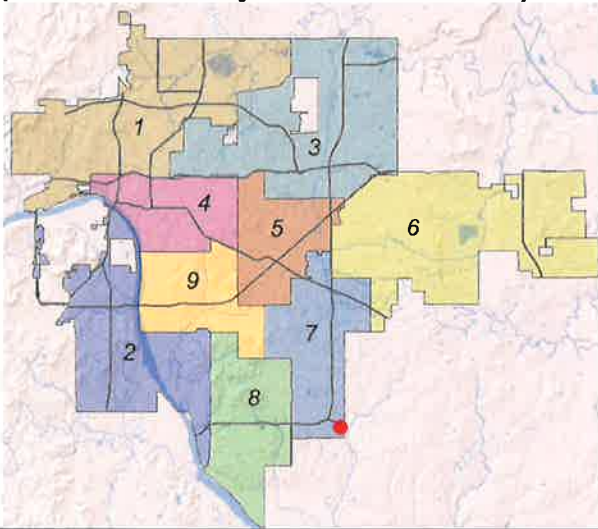
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Andrew Shank

Property Owner: Grace Fellowship Title

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Vacant

Proposed Use: Medical offices

Concept summary: Corridor zoning request to allow medical, office and related services to support the growing Health care industry in this area of Tulsa

Tract Size: 26.74 \pm acres

Location: Southwest corner of E. 96th St. S. and S. Garnett Rd.

Zoning:

Existing Zoning: AG

Proposed Zoning: CO with Corridor
Development Plan

Comprehensive Plan:

Land Use Map: Regional Center

Stability and Growth Map: Area of Growth

Staff Recommendation:

**Staff recommends approval in conjunction with
the Corridor Development Plan.**

Staff Data:

TRS: 8419

CZM: 58

Atlas: 2080/ 2267

City Council District: 7

Councilor Name: Anna America

County Commission District: 3

Commissioner Name: Ron Peters

SECTION I: Z-7320

DEVELOPMENT CONCEPT:

In conjunction with the Z-7320 the applicant has provided a Corridor Development Plan (Z-7320-SP-1). The Development Plan will provide for a unified development of mixed uses consistent with the surrounding medical corridor development (the "Project").

The Project is comprised of approximately 26.74 acres of land south and west of the intersection of East 96th Street South and South Garnett Road.

An Aerial Photograph of the Project is attached as Exhibit "A" and map of the surrounding area zoning is attached hereto as Exhibit "B".

The Project is in the vicinity of a mix of a medical corridor development, agricultural land and single family neighborhoods. The Project is bounded on the north by East 96th Street South and the Creek Turnpike, the east by flood plain and the City of Broken Arrow, the south by East 95th Street South and west by flood plain and PUD 364. The Project will extend the corridor development from the north and consist of a mix of office and commercial uses consistent with the surrounding development. The Project is consistent with the Comprehensive Plan and will improve the surrounding area by providing proper accessibility, circulation, functional relationship of uses and compatibility with adjoining and nearby development.

EXHIBITS:

INCOG Case map
INCOG Aerial (small scale)
INCOG Aerial (large scale)
Tulsa Comprehensive Plan Land Use Map
Tulsa Comprehensive Plan Areas of Stability and Growth Map
Applicant Exhibits:
Refer to Corridor Development Plan # Z-7320-SP-1

DETAILED STAFF RECOMMENDATION:

Corridor zoning provides an opportunity to implement land development standards that are consistent with the Vision identified in the Comprehensive Plan for a Regional Center and,

CO zoned property is consistent with the anticipated development that abuts the Turnpike immediately north of the proposed zoning boundary and,

The concurrent development plan Z-7320-SP-1 illustrates an internal collector street that is also consistent with the concept of Corridor Zoned property. The collector street will provide vehicular access to the ramps on and off the turnpike and,

Z-7320 is harmonious with the anticipated development of the area therefore;

Staff recommends Approval of Z-7320 to rezone property from AG to CO in conjunction with a Corridor Development Plan.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: Corridor zoning is consistent with the Regional Center land use designation in the Comprehensive Plan. The site is located at the entrance and exit of the Creek Turnpike and is close to a significant medical area of Tulsa. This Development plan will complement the anticipated expansion of the medical area in south Tulsa.

Land Use Vision:

Land Use Plan map designation: Regional Center

Regional Centers are mid-rise mixed-use areas for large-scale employment, retail, and civic or educational uses. These areas attract workers and visitors from around the region and are key transit hubs; station areas can include housing, retail, entertainment, and other amenities. Automobile parking is provided on-street and in shared lots. Most Regional Centers include a parking management district.

Areas of Stability and Growth designation: Area of Growth

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

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

Transportation Vision:

Major Street and Highway Plan: South Garnett Road is a secondary arterial street that is on the eastern border of Tulsa and the western border of Broken Arrow. Tulsa County maintains South Garnett Road along the entire frontage of this request.

Trail System Master Plan Considerations:

East of 129th Street South in the Floodplain / Greenway zone the City of Broken Arrow has provided an opportunity for pedestrian and bicycle activity that should be accessible to this corridor development area. Sidewalk and pedestrian access to that nature area should be a consideration of the development plan. North of East 96th Street South the existing trail system should also be a consideration of the pedestrian system with this project.

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is currently vacant. The Board of Adjustment previously approved a large church expansion at this location that was never constructed. Near the northeast corner of the property at East 96th Street South and South Garnett the Church has constructed a monument sign that looks like a typical billboard but is only used for the Grace Fellowship church site.

Environmental Considerations: The east portion of the site includes a stormwater detention facility and some floodplain area that will not be developed. Other than that consideration there are no known environmental considerations that would affect the zoning decision.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Garnett Road	Secondary Arterial	100 feet	2
East 96 th Street South	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 side of East 96 th Street and Turnpike	CO (Corridor)	<i>Regional Center north of expressway</i>	Area of Growth	North of the Creek Turnpike the land is vacant all the way to 91st.
South	AG	<i>Residential</i>	Area of Growth	Office and commercial/retail
East	Agricultural (A-1)	<i>Greenway / Floodplain</i>	NA	Wetlands in the City of Broken Arrow
West	AG	<i>Church</i>	Area of Growth	Single Family Residential

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11834 dated June 26, 1970, established zoning for the subject property.

Subject Property:

BOA-21347 December 13, 2011: The Board of Adjustment **approved** the request for a *Variance* to exceed the number of permitted signs in an AG district (Section 302.B.2.b); and a *Variance* to exceed the permitted 150 square feet of display surface area for a sign in an AG district (Section 302.B.2.b). This exceedingly large tract of 3,334,803 square feet, more or less, contains a very large church structure, and additional signage is needed to direct visitors and parishoners. This approval is for the Grace Church sign located approximately 49 feet above the ground elevation on the north and east elevations. It is noted that the building setback is approximately 400 to 1,000 feet from the nearest property, on property located at 9610 S. Garnett Rd. E. and also a part of the subject property.

BOA-19144 July 24, 2001: The Board of Adjustment **approved** a *Variance* to the number, size and height limitations of the Zoning Code and to allow flashing illumination, changeable copy, and animation as required, to permit new signs at various locations on the subject property, on property located at the southwest corner of E. 96th St. S. and S. Garnett Rd. and also known as a part of the subject property.

BOA-17863 October 27, 1997: The Board of Adjustment **approved** a *Special Exception* to permit a 180' monopole; and a *Special Exception* to reduce the required setback from R district to 50' from the north and 150' from the west; per plan submitted and subject to the 180' monopole replacing the 150' monopole; finding that due to the road design for the South Loop the property is unlikely to be developed, on property located at 9610 S. Garnett Rd. and also known as a part of the subject property.

BOA-11534 August 6, 1981: The Board of Adjustment **approved** a *Special Exception* to permit a church and school in an AG district (Grace Fellowship Church and School) per plot plan, subject to a subdivision plat, with the record to reflect that this is a private school and a facility of this size with school use and church use approval would not be required to be reviewed again by the Board if a facility such as a day-care center was added in the future, on property located at East 101st Street and South Garnett Road and also known as a part of the subject property.

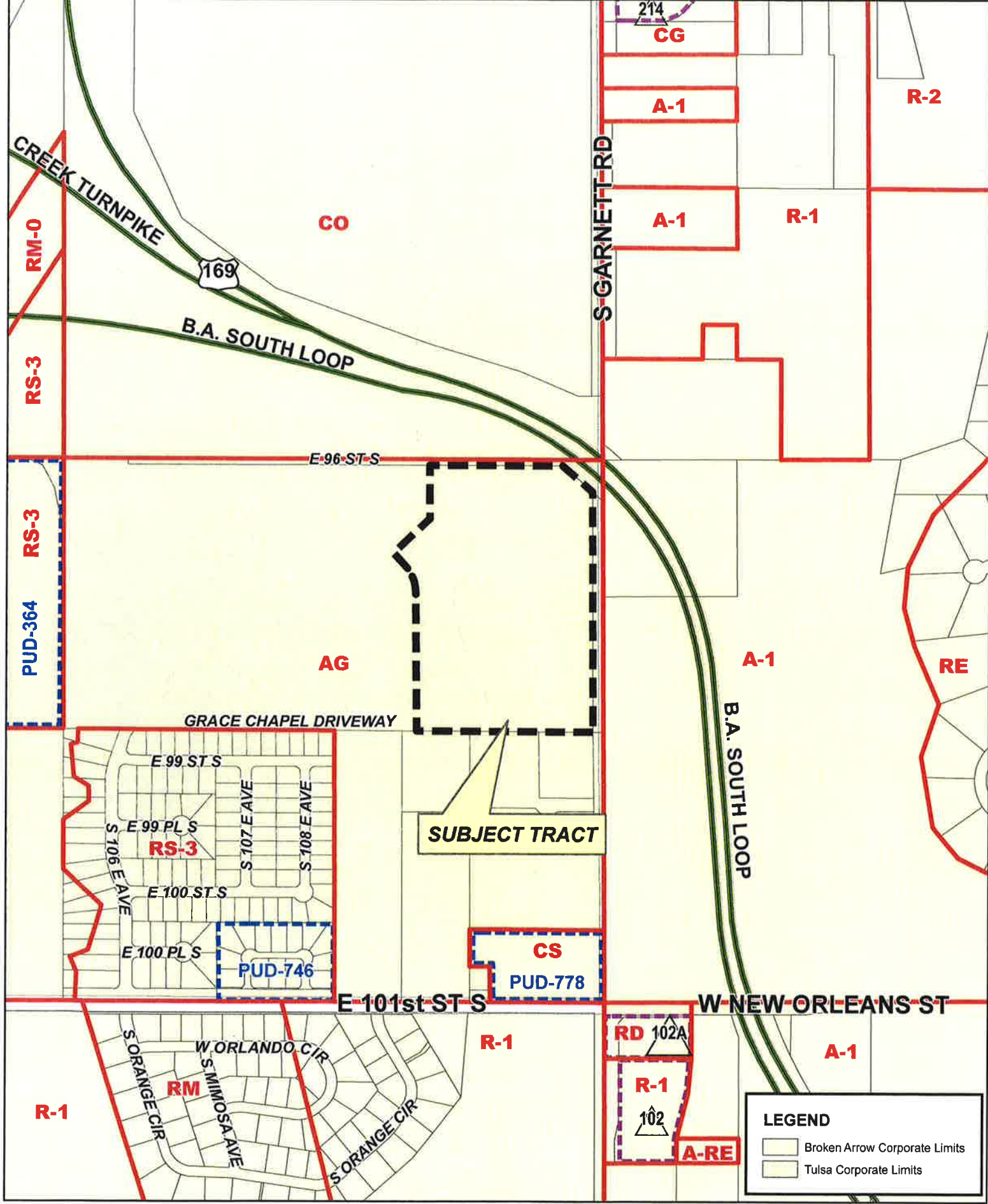
BOA-13732 September 12, 1985: The Board of Adjustment **approved** a *Variance* to allow 3 existing signs (1 bulletin board and 2 lighted directional signs) for a church in an AG district; per plot plan, on property located at 9610 S. Garnett Rd. and also known as a part of the subject property.

BOA-13457 February 7, 1985: The Board of Adjustment **approved** a *Variance* of the surface area and height requirements to permit a combination bulletin board and sign for an existing church in an AG district; finding that the size and terrain of the subject tract constitutes a hardship; and finding that the size of the sign in relation to the size of the property does not violate the spirit and intent of the Code, on property located at 9610 S. Garnett Rd. and also known as a part of the subject property.

Surrounding Property:

No relevant history.

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Z-7320/Z-7320-SP-1

19.6



0 300 600
Feet



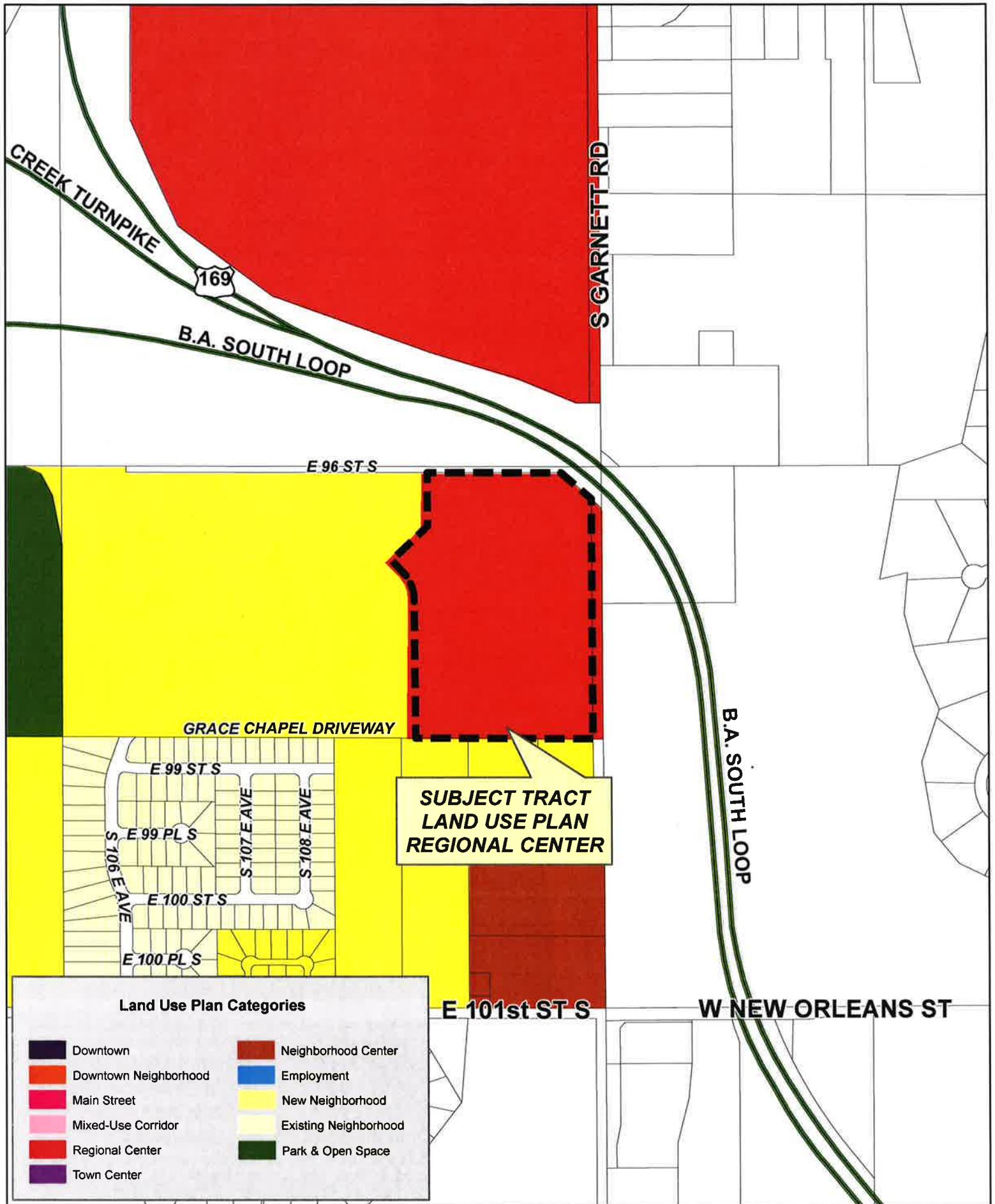
Subject
Tract

Z-7320

18-14 19

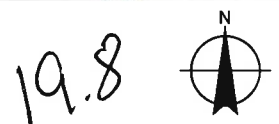
19.7
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align with physical features on the ground.
Aerial Photo Date: March 2014

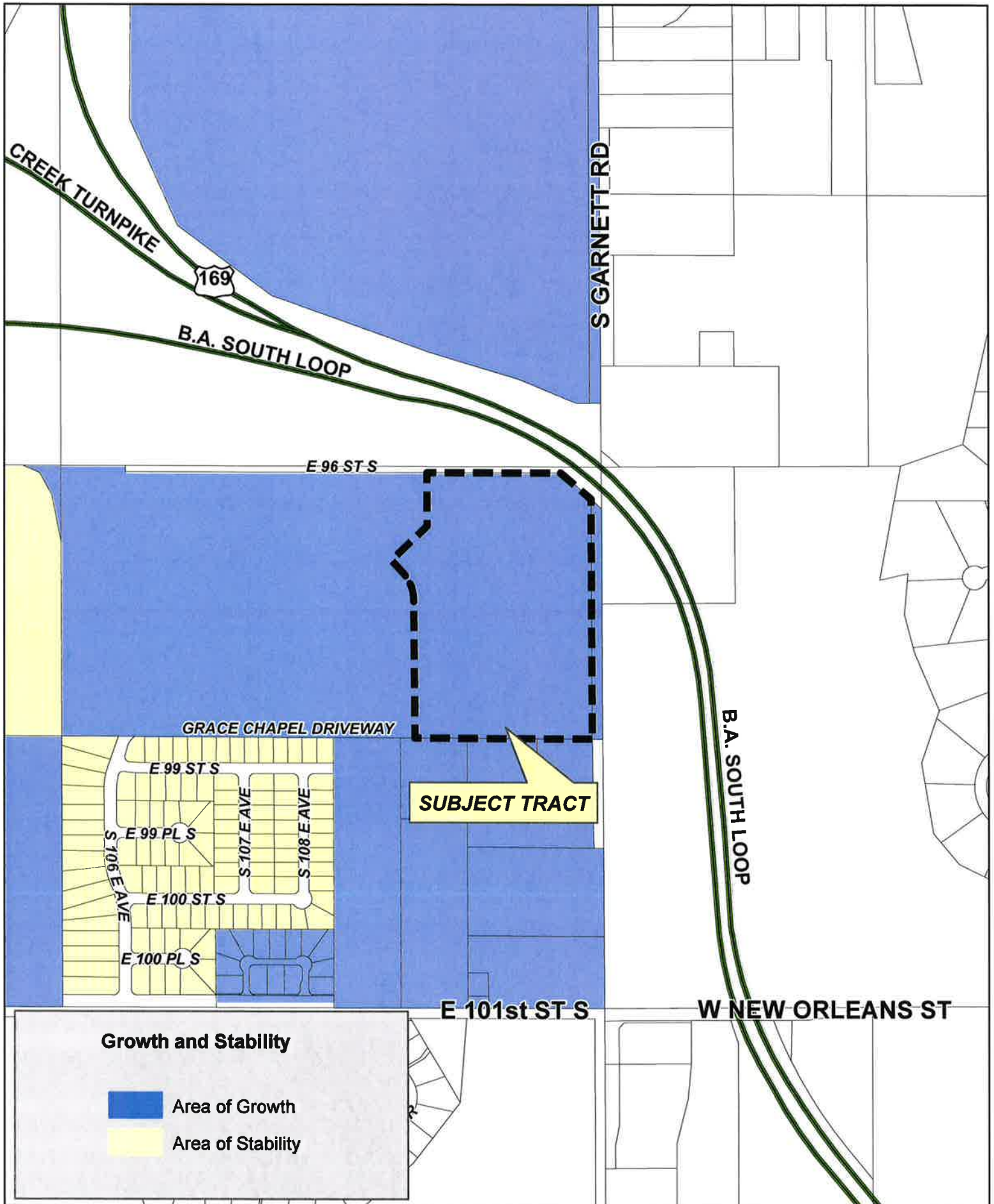




Z-7320

18-14 19

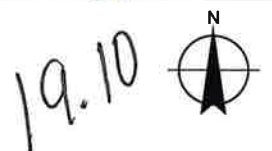




Feet
0 300 600

Z-7320

18-14 19





Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7320-SP-1
(related to Z-7320)

Hearing Date: April 20, 2016
(continued from April 6, 2016)

Case Report Prepared by:

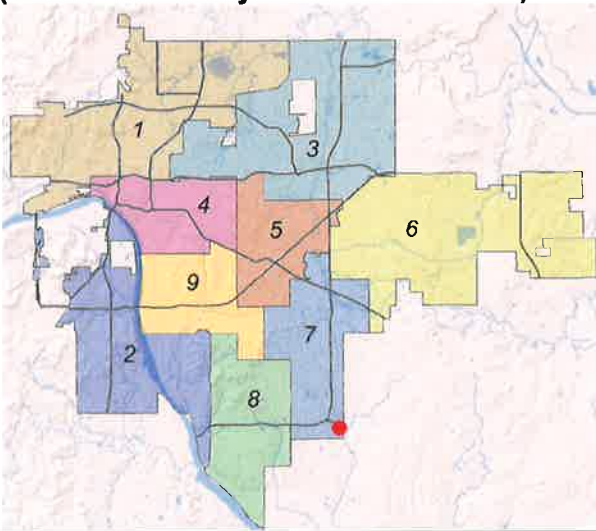
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Andrew Shank

Property Owner: Grace Fellowship Title

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Vacant

Proposed Use: Medical offices

Concept summary: Corridor zoning request to allow medical, office and related services to support the growing Health care industry in this area of Tulsa

Tract Size: 26.74 \pm acres

Location: Southwest corner of E. 96th St. S. and S. Garnett Rd.

Zoning:

Existing Zoning: AG

Proposed Zoning: Corridor Development Plan
in conjunction with CO zoning request.

Comprehensive Plan:

Land Use Map: Regional Center

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 8419

CZM: 58

Atlas: 2080/ 2267

City Council District: 7

Councilor Name: Anna America

County Commission District: 3

Commissioner Name: Ron Peters

20.1

REVISED 4/14/2016

SECTION I: Z-7320-SP-1

DEVELOPMENT CONCEPT:

The applicant proposes a Corridor Development plan in conjunction with Corridor Zoning request Z-7320. The Development Plan will provide for a unified development of mixed uses consistent with the surrounding medical corridor development (the "Project").

The Project is comprised of approximately 26.74 acres of land south and west of the intersection of East 96th Street South and South Garnett Road.

An Aerial Photograph of the Project is attached as Exhibit "A" and map of the surrounding area zoning is attached hereto as Exhibit "B".

The Project is in the vicinity of a mix of a medical corridor development, agricultural land and single family neighborhoods. The Project is bounded on the north by East 96th Street South and the Creek Turnpike, the east by flood plain and the City of Broken Arrow, the south by East 95th Street South and west by flood plain and PUD 364. The Project will extend the corridor development from the north and consist of a mix of office and commercial uses consistent with the surrounding development. The Project is consistent with the Comprehensive Plan and will improve the surrounding area by providing proper accessibility, circulation, functional relationship of uses and compatibility with adjoining and nearby development.

EXHIBITS:

INCOG Case map

INCOG Aerial (small scale)

INCOG Aerial (large scale)

Tulsa Comprehensive Plan Land Use Map

Tulsa Comprehensive Plan Areas of Stability and Growth Map

Applicant Exhibits:

Exhibit A: Aerial Photograph-Site and Surrounding Area

Exhibit B: Area Zoning

Exhibit C: Conceptual Site Plan

Exhibit D: Landscape and Screening Plan

Exhibit E: Access and Circulation Plan

Exhibit F: Existing Site Topography, Flood Plain and Vegetation

Exhibit G: Existing and Proposed Utilities

Exhibit I: Development Area Boundary Exhibit

SECTION II: Z-7320-SP-1 DEVELOPMENT STANDARDS

A. LAND AREA:

GROSS: 1,164,582 SF 26.74 AC

B. PERMITTED USES:

Use Unit 5 – Community Services and Similar Uses

Use Unit 11 – Offices, Studios and Support Services

Use Unit 12 – Eating Establishments Other Than Drive-Ins*

*Provided that such use is not located within the South 300 FT of the Project.

20.2

REVISED 4/14/2016

Use Unit 13 – Convenience Goods and Services

Use Unit 14 – Shopping Goods and Services*

*Limited to the following Use Unit 14 uses:

Medical, Dental and Orthopedic Appliances and Supply Store; and
Caterer

Use Unit 21 – Business Signs and Outdoor Advertising and uses of a nature
customarily accessory thereto.

C. MAXIMUM FLOOR AREA RATIO: 1.25

D. MAXIMUM LAND COVERAGE OF A BUILDING: 75%

E. MAXIMUM BUILDING HEIGHT: NA

F. OFF-STREET PARKING:

As specified in the applicable use units or use classifications and in conformance with the requirements of the Tulsa Zoning Code in effect at the time of Detail Site Plan review.

PARKING SETBACK: 20 feet from public right of way

In addition to the Zoning Code Requirements for parking lot design standards, surface parking on any lot shall be placed a minimum of 20 feet from any public street right-of-way. Within the parking setback a berm with a minimum height of 18 inches above the adjacent top of curbs shall be constructed except where vehicular and pedestrian access is provided. The berm side slope shall not exceed a maximum slope of 1 foot in height for each 4 horizontal feet.

G. MINIMUM BUILDING SETBACKS:

From the North boundary (E. 96 th St. Right of way line)	25 FT
From the West boundary (Grace Fellowship)	10 FT
From the South boundary (Street right-of-way line)	25 FT
From the East boundary (Detention Area)	0 FT
From internal lot lines	0 FT
Along the internal collector (S. 110 th E. Ave.)	0 FT

H. LANDSCAPED AREA; SCREENING:

A minimum of twenty-five percent (25%) of the total lot area will be improved as landscaped open space in accordance with the provisions of the Landscape Chapter of the Tulsa Zoning Code effective at the time of Detail Site Plan review. The minimum landscaped area of each lot shall be established at Detailed Site Plan review. The reserve area adjacent to South Garnett may not be used in that calculation.

The minimum street trees required for each lot shall be as follows: One (1) street tree/30 FT of street frontage. The location of the minimum street trees shall be determined at Detail Site Plan review. The eastern and southern boundaries of the Project shall be appropriately landscaped and/or screened from the abutting AG zoned property.

Street tree requirements outlined above shall not be double counted toward meeting any other tree requirement of the Landscape Chapter of the Tulsa Zoning Code in effect at the time of Detailed Site Plan Approval.

I. SIGNS:

Project Identification Sign:

One (1) Project identification sign will be permitted in the Reserve Area along South Garnett near the Project entrance with a maximum of 200 SF of display surface area and 25 FT in height and shall be lit by constant light.

Ground Signs:

One (1) ground sign will be permitted per lot with a maximum of 75 SF of display surface area and 15 FT in height and shall be lit by constant light.

Wall Signs:

Wall signs shall not exceed an aggregate display surface area of two (2) SF per lineal foot of the building wall to which the sign is affixed. No wall sign with lighting shall be located on the southern wall of any building within 300 FT of the Southern boundary of the Project.

Outdoor Advertising:

One (1) outdoor advertising sign will be permitted in the Reserve Area along South Garnett within the Freeway Sign Corridor with a maximum of 672 SF of display surface area and 61 FT in height measured from the base of the structure at current ground level. The outdoor advertising sign may contain digital technology, including without limitation an LED display surface area conveying changeable copy and may only be placed in the same location as the existing sign.

The design character of the existing sign may not be modified without an amendment to the Corridor Development Plan. The existing sign may be increased in size not exceeding the height and display surface area provided above.

The outdoor advertising sign support structure shall incorporate design features that are consistent with the design character of the existing sign as shown below. The specific details of the support structure design features shall be determined at the Detailed Sign Plan Review.

A "V" shaped sign is prohibited at this location.

Existing Sign image:



Signs – Miscellaneous:

Signs not visible from a public street, including without limitation, way finding, directional and informational signs, will be permitted without requiring Detail Sign Plan approval.

Except as outlined above, sign standards shall conform to the guidelines identified in the Sign Section of the Tulsa Zoning Code in effect at the time of Detailed Sign Plan approval.

J. LIGHTING:

All lighting standards including building mounted shall be hooded and directed downward and away from the boundaries of the Project. Outdoor lighting shall be designed so as to prevent the light producing element or reflector of the light fixture from being visible to a person standing at ground level in an adjacent residential area.

All lighting in the Project shall comply with the Tulsa Zoning Code Lighting Standards in effect at the time of Detail Site Plan review.

Under no circumstances will pole mounted light fixtures be taller than 25 feet above the finished parking surface nearest the base of the pole.

Wall mounted lighting shall not exceed 18 feet above the finished floor of the ground floor entrance.

K. TRASH AND MECHANICAL EQUIPMENT AREAS:

All trash, mechanical and equipment areas (excluding utility service transformers, pedestals or equipment provided by franchise utility providers) including building mounted, shall be screened from public view in such a manner that the areas cannot be seen by a person standing at ground level.

The screening around the trash receptacles shall consist of masonry materials with a minimum height of six (6) feet or tall enough to conceal the trash receptacle from

public view in such a manner that the areas cannot be seen by a person standing at ground level.

I. LANDSCAPING AND SCREENING CONCEPT:

The Project will meet the current landscaping requirements as set forth in the City of Tulsa Zoning Code in effect at the time of Detailed Site Plan review or as amended through an Alternative Landscape Compliance Plan process. A minimum of fifteen percent (15%) of the total area of each lot will be improved as landscaped open space in accordance with the provisions of the Landscape Chapter of the Tulsa Zoning Code. The minimum landscaped area of each lot shall be established at Detailed Site Plan review. The reserve area adjacent to South Garnett may not be used in that individual lot calculation.

II. ACCESS AND CIRCULATION:

Vehicular access:

The Project has an access point along East 96th Street South and an access point along South Garnett. No additional access points will be allowed to the existing public street system. The existing private drive adjacent to the south property line of the Project will be converted to a public street standard and dedicated to the City of Tulsa during the plat process. The detailed alignment of the street system will be determined during the plat process but will be similar to the access exhibit provided.

Cross-access for all lots within the Project will be provided for. The access and circulation plans are shown on Exhibit "E".

Pedestrian and Bicycle Access:

Connectivity to the existing trail system north of East 96th Street South is required at two locations. One trail connection will be provided near the intersection of the collector street. The second trail connection will be provided near the intersection of East 96th Street and South Garnett Road. The details of the trail connection will be addressed during the platting process.

All required sidewalks in the public right of way shall be installed by the developer as part of the public infrastructure process. Sidewalk construction must be complete prior to final inspection and acceptance of the public infrastructure by the City of Tulsa.

III. SITE PLAN REVIEW:

No building permits shall be issued for any future building within the Project until a Detail Site Plan and Detailed Landscape Plan for that lot or parcel have been submitted to the Tulsa Metropolitan Area Planning Commission and approved as being in compliance with the approved Corridor Plan.

DETAILED STAFF RECOMMENDATION:

20.6

Corridor zoning and the required Development Plan provides an opportunity to implement land development standards that are consistent with the Vision identified in the Comprehensive Plan for a Regional Center and,

CO zoned property is consistent with the anticipated development that abuts the Turnpike immediately north of the proposed zoning boundary and,

Corridor development plan Z-7320-SP-1 illustrates an internal collector street that is also consistent with the concept of Corridor Zoned property. The collector street will provide vehicular access to the ramps on and off the turnpike and,

Z-7320 is harmonious with the anticipated development of the area therefore;

Staff recommends Approval of Z-7320-SP-1 as outlined in Section II above.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: Corridor zoning is consistent with the Regional Center land use designation in the Comprehensive Plan. The site is located at the entrance and exit of the Creek Turnpike and is close to a significant medical area of Tulsa. This Development plan will complement the anticipated expansion of the medical area in south Tulsa.

Land Use Vision:

Land Use Plan map designation: Regional Center

Regional Centers are mid-rise mixed-use areas for large-scale employment, retail, and civic or educational uses. These areas attract workers and visitors from around the region and are key transit hubs; station areas can include housing, retail, entertainment, and other amenities. Automobile parking is provided on-street and in shared lots. Most Regional Centers include a parking management district.

Areas of Stability and Growth designation: Area of Growth

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

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

Transportation Vision:

Major Street and Highway Plan:

South Garnett Road is a secondary arterial street that is on the eastern border of Tulsa and the western border of Broken Arrow. Tulsa County maintains South Garnett Road along the entire frontage of this request.

Trail System Master Plan Considerations:

East of 129th Street South in the Floodplain / Greenway zone the City of Broken Arrow has provided an opportunity for pedestrian and bicycle activity that should be accessible to this corridor development area. Sidewalk and pedestrian access to that nature area should be a required with the development plan.

North of East 96th Street South the existing trail system should also be a consideration of the pedestrian system with this project.

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *The site is currently vacant. The Board of Adjustment previously approved a large church expansion at this location that was never constructed. Near the northeast corner of the property at East 96th Street South and South Garnett the church has constructed a large monument sign used for the Grace Fellowship church site.*

Environmental Considerations: The east portion of the site includes a stormwater detention facility and some floodplain area that will not be developed. Other than that consideration there are no known environmental considerations that would affect the zoning decision.

Topography

The subject tract is unimproved and is generally flat. The Project has an approximate slope of 4.5% from west to east. The site topography is shown on Exhibit "F".

Drainage

Storm water from the Project drains to a detention pond that has been installed for the construction of the Grace Fellowship Church.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Garnett Road	Secondary Arterial	100 feet	2
East 96 th Street South	None	50 feet	2

Utilities:

Water:

City of Tulsa 8" waterlines are located along the West of the Project and in the Northern portion of the access drive off of Garnett. There is more than adequate water service available to serve all proposed uses.

Sanitary Sewer:

City of Tulsa 8" sanitary sewer lines are located West of the Project and in the southern portion of the access drive off of Garnett. There is more than adequate sanitary sewer service available to serve all proposed uses in the Project.

Other utilities, including electricity, gas, telephone and cable are available for the Project.

The existing and proposed utilities are shown on Exhibit "G".

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North side of East 96 th Street and Turnpike	CO (Corridor)	<i>Regional Center north of expressway</i>	Area of Growth	North of the Creek Turnpike the land is vacant all the way to 91st.
South	AG	<i>Residential</i>	Area of Growth	Residential
East	Agricultural (A-1)	<i>Greenway / Floodplain</i>	NA	Wetlands in the City of Broken Arrow
West	AG	<i>Church</i>	Area of Growth	Single Family Residential

SECTION IV: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11834 dated June 26, 1970, established zoning for the subject property.

Subject Property:

BOA-21347 December 13, 2011: The Board of Adjustment **approved** the request for a *Variance* to exceed the number of permitted signs in an AG district (Section 302.B.2.b); and a *Variance* to exceed the permitted 150 square feet of display surface area for a sign in an AG district (Section 302.B.2.b). This exceedingly large tract of 3,334,803 square feet, more or less, contains a very large church structure, and additional signage is needed to direct visitors and parishoners. This approval is for the Grace Church sign located approximately 49 feet above the ground elevation on the north and east elevations. It is noted that the building setback is approximately 400 to 1,000 feet from the nearest property, on property located at 9610 S. Garnett Rd. E. and also a part of the subject property.

BOA-19144 July 24, 2001: The Board of Adjustment **approved** a *Variance* to the number, size and height limitations of the Zoning Code and to allow flashing illumination, changeable copy, and animation as required, to permit new signs at various locations on the subject property, on property

located at the southwest corner of E. 96th St. S. and S. Garnett Rd. and also known as a part of the subject property.

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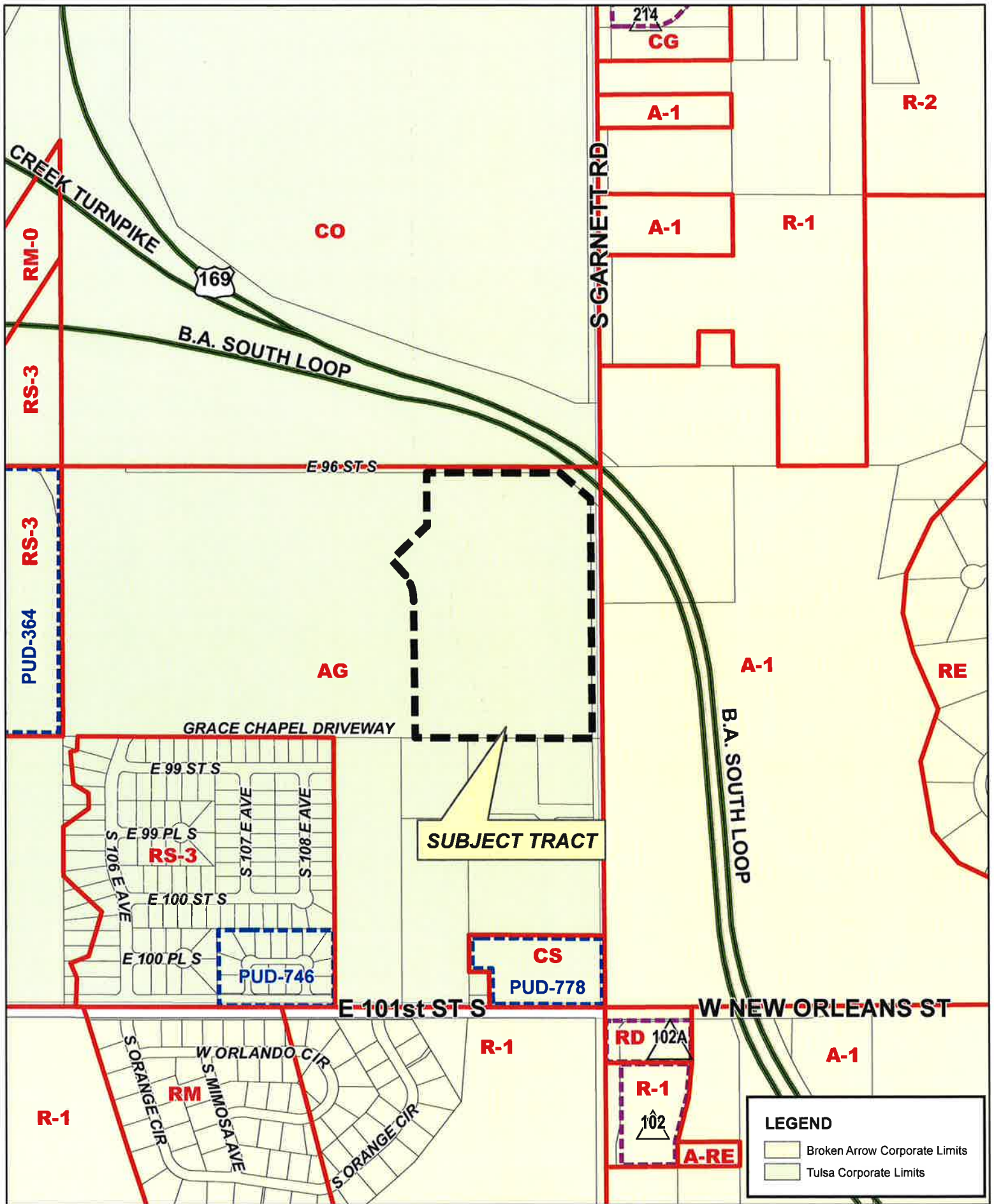
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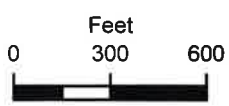
Surrounding Property:

No relevant history.

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Z-7320/Z-7320-SP-1



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Feet
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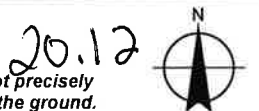


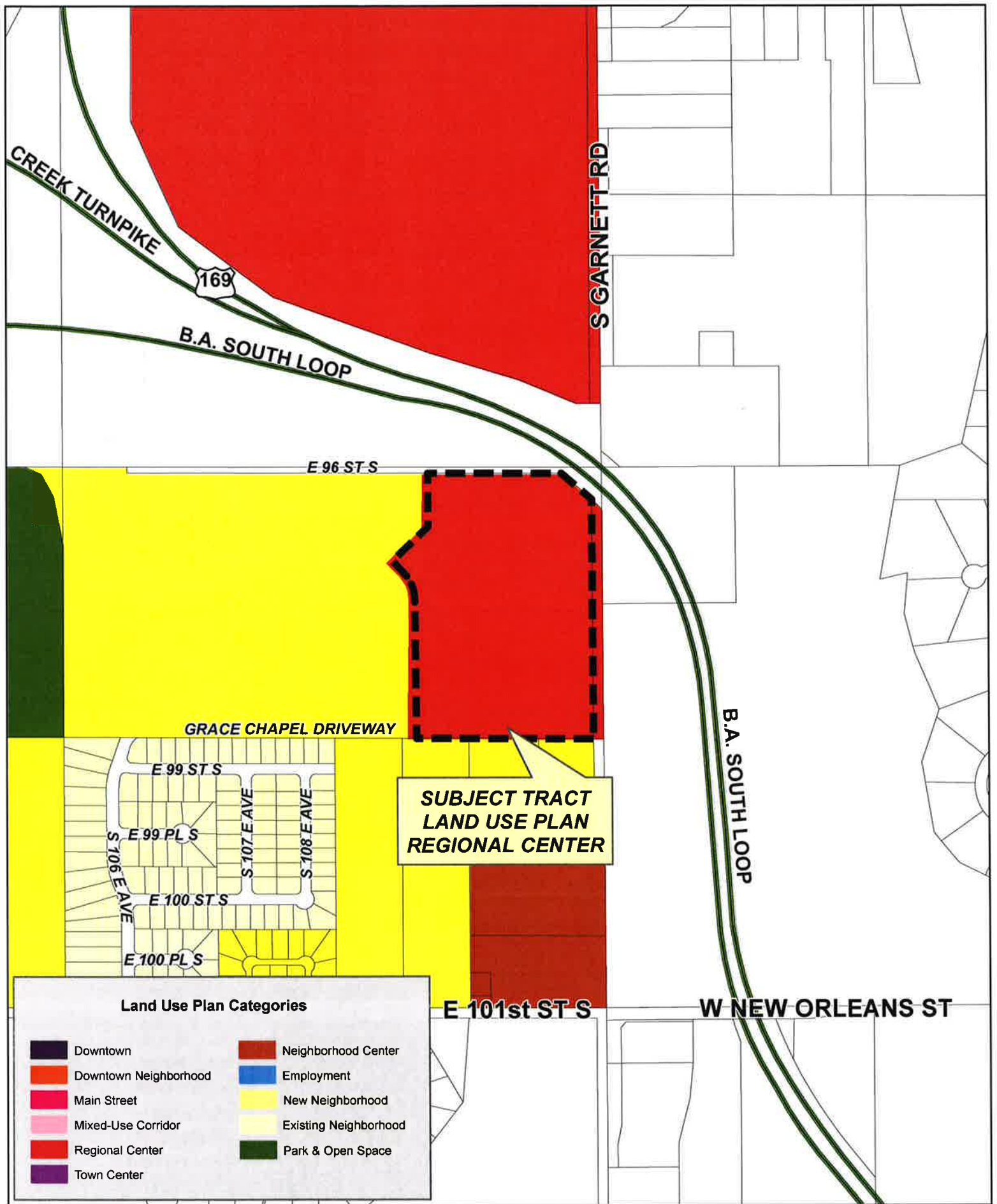
Subject
Tract

Z-7320-SP-1

18-14 19

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



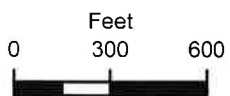
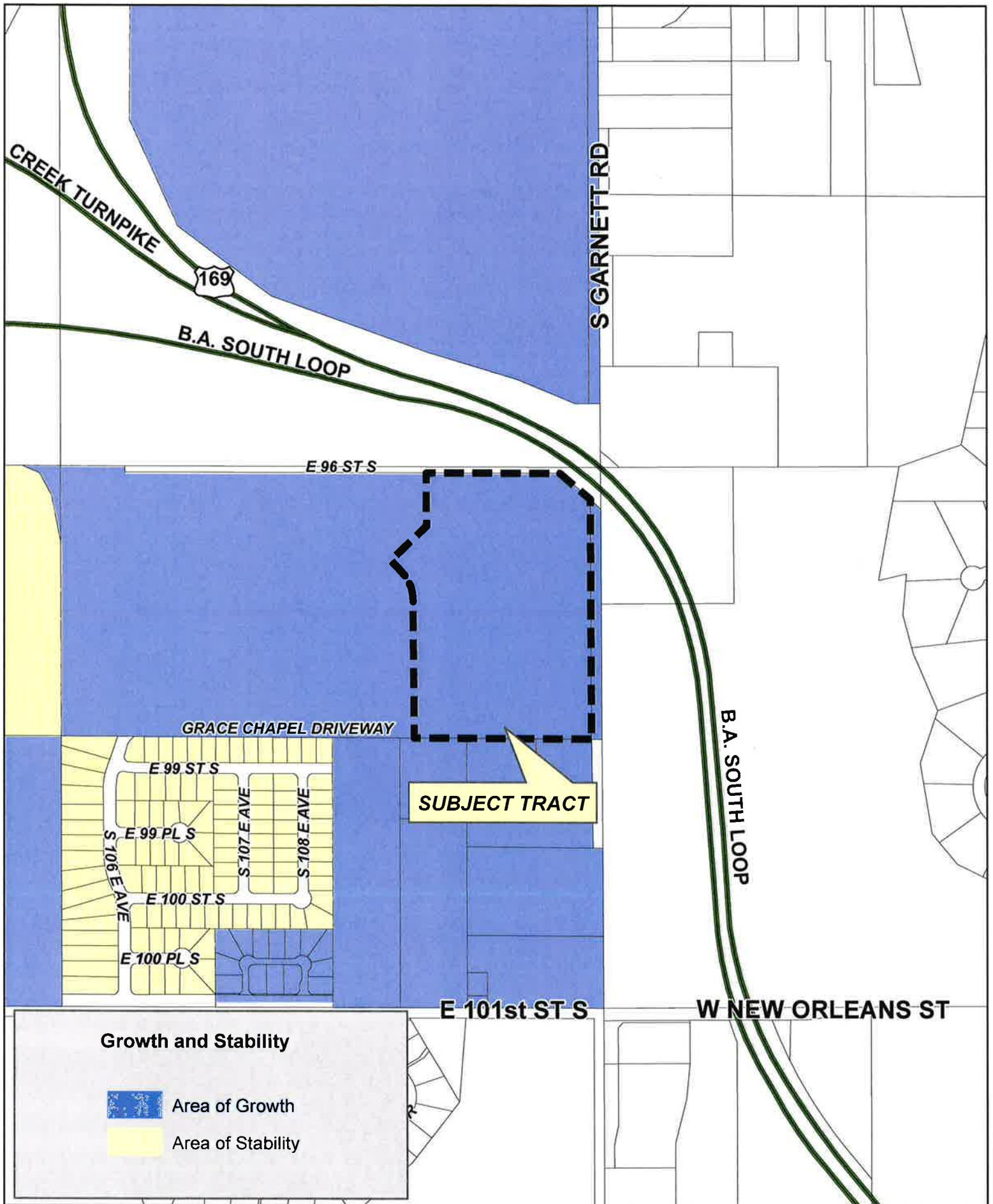


Z-7320-SP-1



18-14 19





Z-7320-SP-1

18-14 19

20.14





Exhibit "A"

Grace Church
Aerial Photograph-Site and Surrounding Area

FILE: 1814.1925 WO#: 13921.04 DATE: 2/11/16



Sisamore Weisz & Associates, Inc.
8111 EAST 32nd PLACE
TULSA, OKLAHOMA 74136
CA. NO. 2421
PHONE (918) 965-3800
FAX: (918) 965-6888
EXP. DATE 6/30/97

20.15

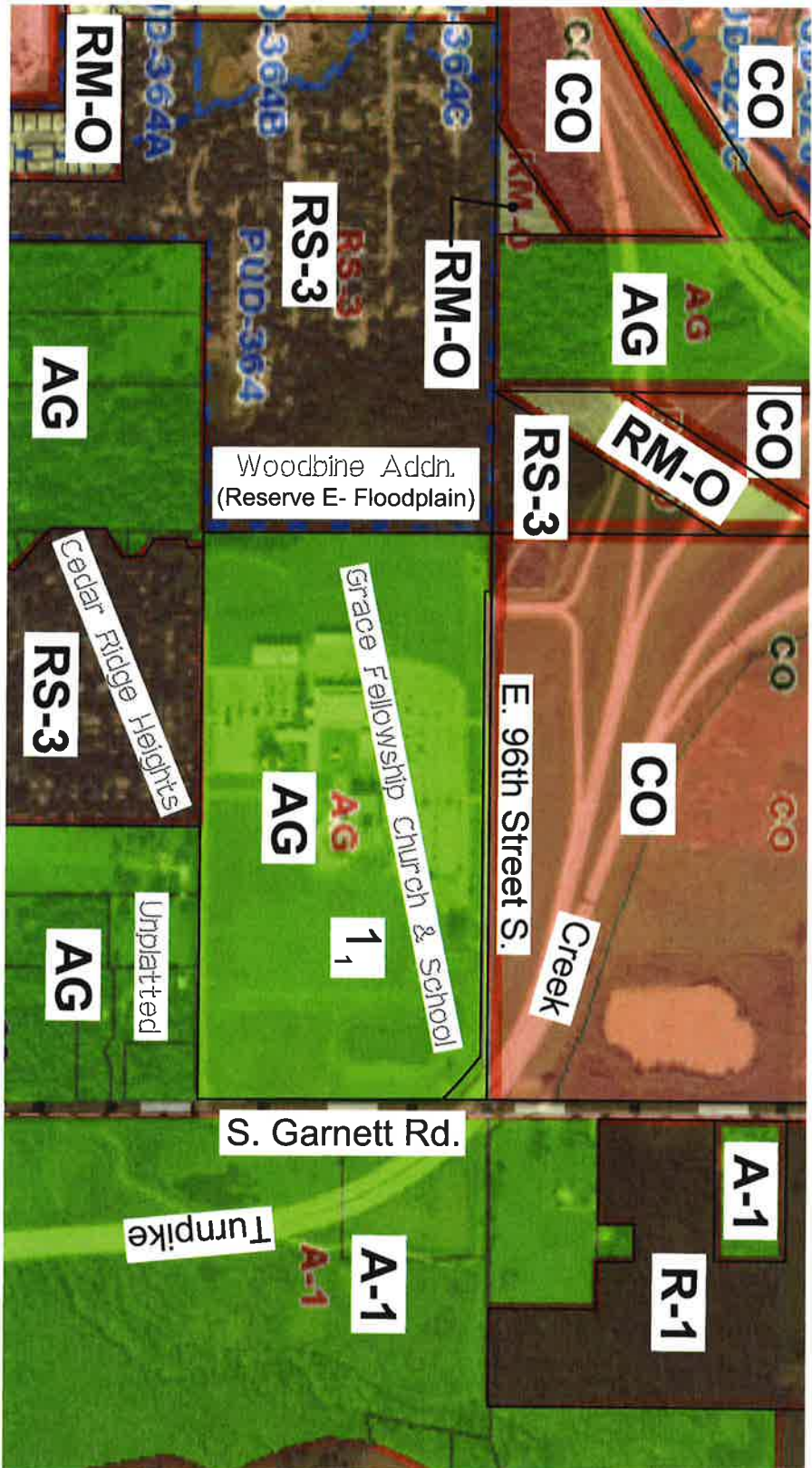
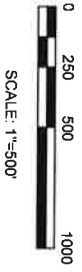


Exhibit "B"

Grace Church
Area Zoning

FILE: 1814.1925

WC#: 13921.04

DATE: 2/11/16



Sisemore Weisz & Associates, Inc.
711 EAST 28th PLACE
SUITE 200
OAKLAND, CA 94612
PHONE: (916) 885-3000
FAX: (916) 885-3000
BPG DATE: 6/30/07

20.16

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100
200
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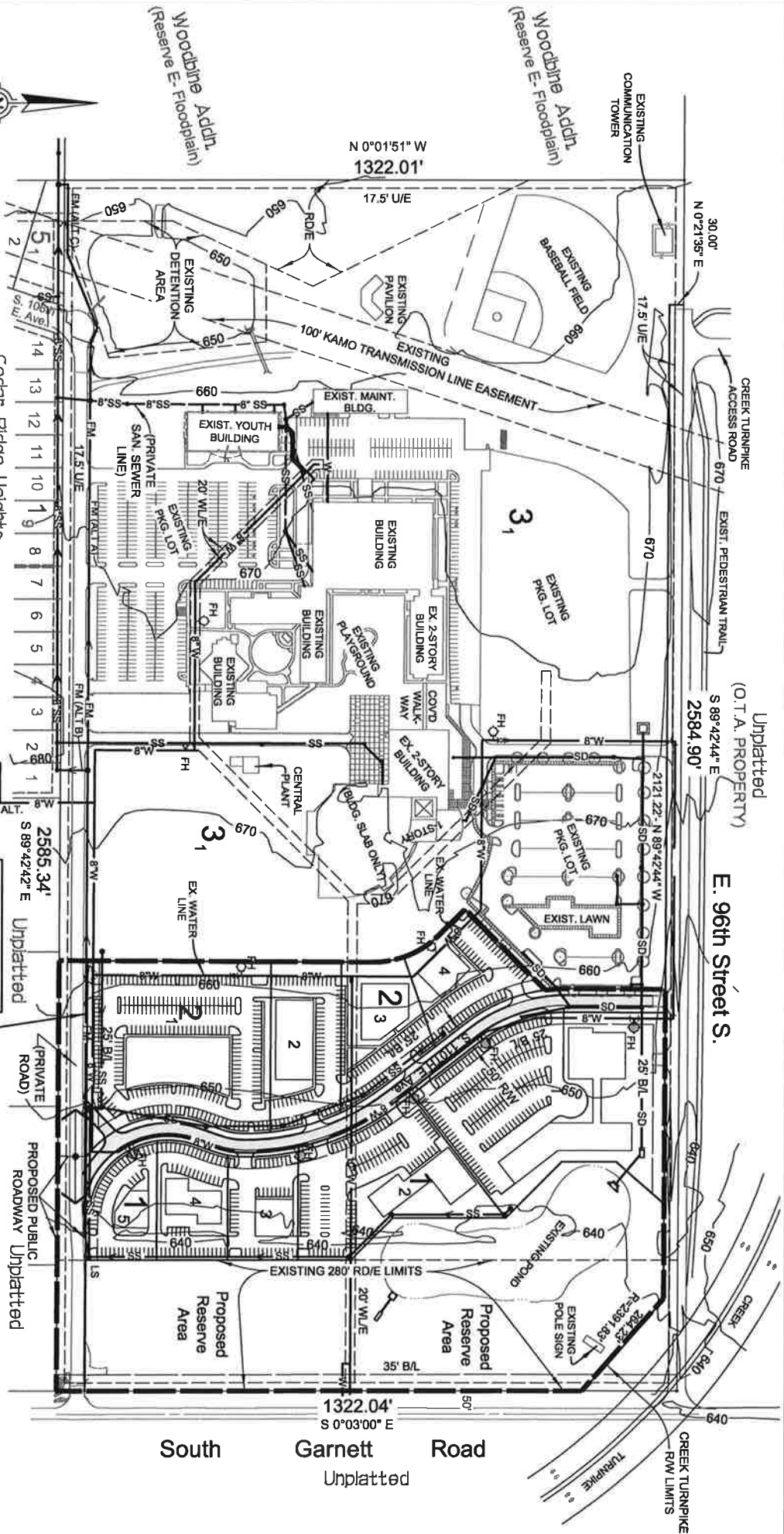


- Notes:**
1. NOT ALL EASEMENTS ARE SHOWN ON THIS EXHIBIT AS NO TITLE COMMITMENT OR TITLE RESEARCH WAS PERFORMED AS PART OF THIS STUDY.
 2. EXISTING UTILITIES ARE SHOWN IN AN APPROXIMATE NATURE PER REVIEW OF FIELD CONDITIONS AND REVIEW OF CITY ATLAS SHEET RECORDS.

Legend

RW	=	RIGHT-OF-WAY
U/E	=	UTILITY EASEMENT
BL	=	BUILDING SETBACK LINE
LS	=	LIFT STATION
SD	=	STORM SEWER
SS	=	SANITARY SEWER
W	=	WATER LINE
FH	=	FIRE HYDRANT
RDE	=	RESTRICTIVE DRAINAGE EASEMENT
W/E	=	WATERLINE EASEMENT

PROPOSED MEDICAL COMPLEX AREA
735,235 SF (16.6 ACRES)



FILE: 1814.1925

WC#: 13921.04 DATE: 3/24/16

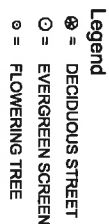


Sismore Weisz & Associates, Inc.
901 East 34th Place
Tulsa, Oklahoma 74104
CA NO. 2421
PHONE (918) 965-0800
FAX (918) 965-0808
B/C DATE 6/30/17

Grace Church
Conceptual Site Plan

Exhibit "C"

20.7

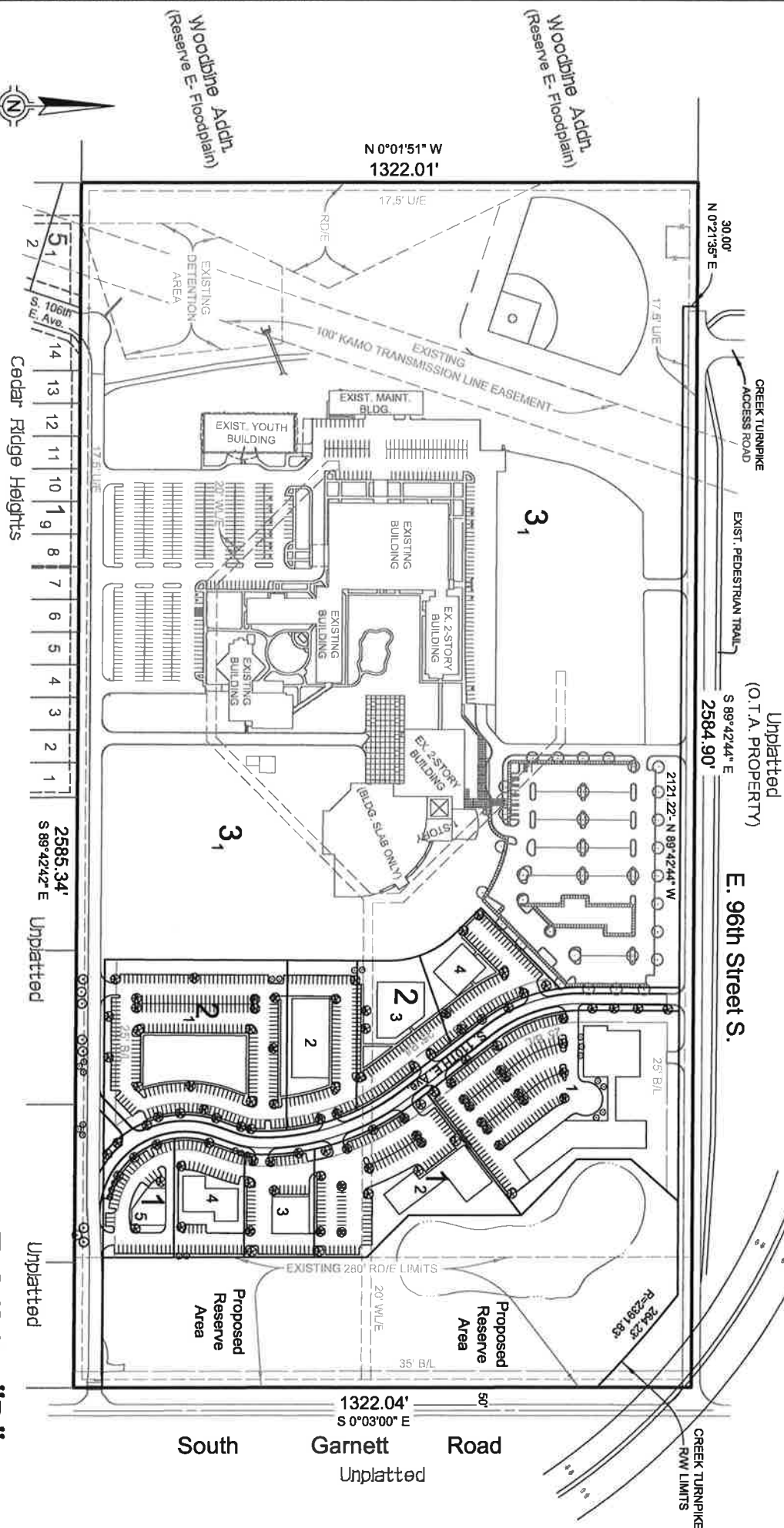


Grace Church Landscape & Screening Plan

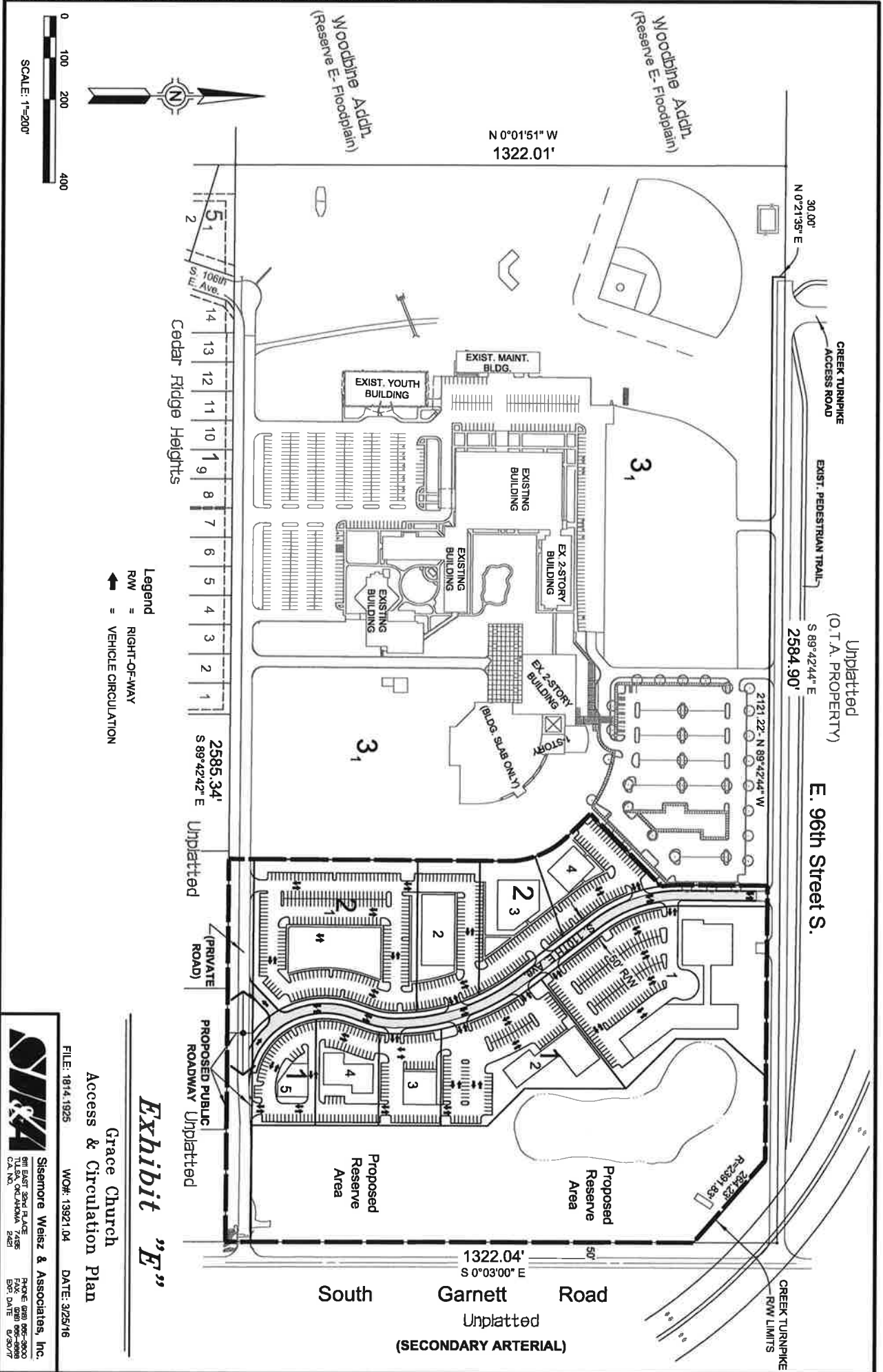
FILE: 1814.1925

WO#: 13921.04

DATE: 3/24/16



20.18



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SCALE: 1"=200'

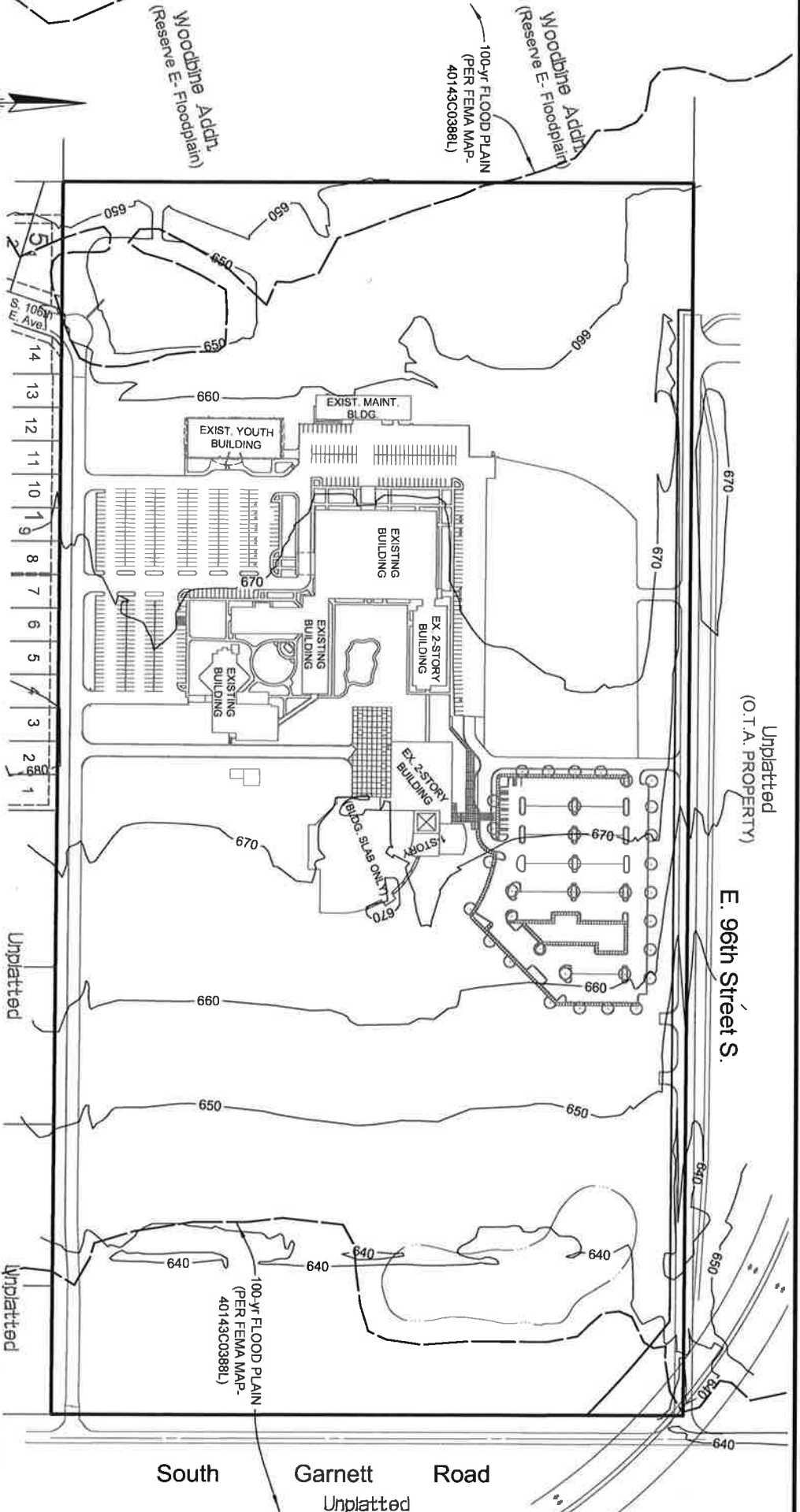


Exhibit "F"

Grace Church
Existing Site Topography,
Flood Plain and Vegetation



Sismore Weisz & Associates, Inc.
2421
Bldg. East 3rd Pl. Ace
Tulsa, Oklahoma 74106
CA. No.
PHONE: (918) 955-2000
FAX: (918) 955-2005
BOP DATE: 8/30/77

FILE: 1814.1925 WOP: 13921.04 DATE: 2/11/16

02.02







Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7335

(With optional development plan)

Hearing Date: April 20, 2016

(continued from April 6, 2016)

Case Report Prepared by:

Dwayne Wilkerson

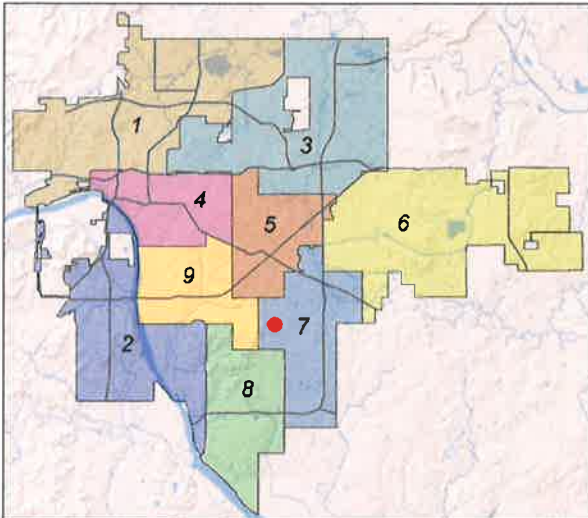
Owner and Applicant Information:

Applicant: Carly Goodnight

Property Owner: BREEZE INVESTMENTS LLC

Location Map:

(shown with City Council Districts)



Applicant Proposal:

Present Use: Parking Lot

Proposed Use: Convenience Store with Fueling Station

Concept summary: Rezoning request from RS-3 to CS with Optional Development Plan standards establishing additional use limitations and design standards to help reduce the commercial impact on the abutting residential neighborhood.

Tract Size: 2.16 ± acres

Location: Southwest corner of E. 61st St. S. and S. 76th E. Ave.

Zoning:

Existing Zoning: RS-3

Proposed Zoning: CS, with optional development plan

Comprehensive Plan:

Land Use Map: Town Center

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval of CS with optional development plan as outlined in detailed staff report.

Staff Data:

TRS: 8302

CZM: 53

Atlas: 761

City Council District: 7

Councilor Name: Anna America

County Commission District: 3

Commissioner Name: Ron Peters

SECTION I: Z-7335

OPTIONAL DEVELOPMENT PLAN CONCEPT:

Applicants Concept Statement:

Zoning Application Z-7335 is a rezoning request from RS-3 to CS for the property located on the southwest corner of 76th East Avenue and 61st Street South. The property is currently occupied by Shadow Mountain Racquet Club. The QuikTrip Corporation is under contract to purchase this property and would like to redevelop the northern section of the property currently used as parking for the Club as a new QuikTrip convenience store.

It is QuikTrip's intent to sell the Racquet Club as a standalone property from the proposed QuikTrip development. As part of this, a new access to the Racquet Club will need to be created. This access will most likely be derived from 76th East Ave south of the existing building. The existing tennis courts will be reconfigured to allow construction of a new surface parking lot. The existing building exterior will be modified to make the southern entrance the primary entry location. The property will be split into two parcels allowing for separate ownership of each. The Racquet club would then be able to continue operation under the existing Board of Adjustment actions currently affecting the property.

Staff Concept Statement:

The Board of Adjustment decision to allow the Racquet Club included development standards that help integrate the facility into the edge of a neighborhood setting. The optional development plan standards below reflect the same desire to help integrate the commercial use into the edge of the single family area.

SECTION II: OPTIONAL DEVELOPMENT PLAN STANDARDS

The development will conform to the development standards and restrictions of the CS zoning district except as specifically modified below. All of the proposed modifications of the CS standards are more restrictive than what is allowed by the zoning code.

Minimum Building Setbacks

No fueling canopies will be allowed within two hundred feet (200') to the western property line.

Permitted Uses:

The only uses allowed in this optional development plan are those uses defined in the Commercial Use Category for Retail Sales and Restaurants

Lighting:

Light trespass from site lighting will not exceed 1.0 foot candle at the western property line.

Landscaping

Shrubs shall be planted and maintained between the street and screening wall and fence with a minimum density one shrub for each two linear feet of frontage along 75th East Ave. The All shrubs required by this provision shall be located within the East 75th Street South street yard and west of the masonry screening wall.

In addition to the shrubs defined in the previous paragraph, deciduous or evergreen trees will be planted with a maximum spacing of 30 feet along the entire length of the 75th East Avenue street yard. Said trees will be located west of the screening wall and fence. These trees cannot be double counted toward satisfying any other tree requirement within landscape section of the zoning code. Crepe Myrtle may not be counted toward satisfying this particular tree requirement along East 75th Street South.

Screening Walls and Fences

Install and maintain a masonry screening fence with a minimum height of 4 feet above finished ground elevation. Said fence must be constructed within 20 feet of the western property line.

All trash and mechanical areas shall be screened from public view of person standing at ground level by a masonry screening wall. A fabric mesh with a minimum opacity of 95% shall be allowed on enclosure doors.

Vehicular Access:

Vehicular access is prohibited along South 75th East Avenue.

Pedestrian access:

Open Pedestrian access may be allowed within 50 feet of the south boundary of the optional development plan. The maximum opening in the screening wall for pedestrian access shall not exceed 10 feet.

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 Plan

DETAILED STAFF RECOMMENDATION:

Staff recommends Approval of Z-7335 to rezone property from RS-3 to CS with Optional Development Plan standards identified in Section II.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

***Staff Summary:** The commercial use proposed at this location is consistent with retail, dining and higher density single family residential uses that can be normally found in a town center. This site is retail and fueling station use that is complimentary to the vision of a Town Center. The Optional Development Plan provides appropriate site design standards that help integrate this project into the edges of a residential neighborhood.*

Land Use Vision:

Land Use Plan map designation: Town Center

Town Centers are medium-scale, one to five story mixed-use areas intended to serve a larger area of neighborhoods than Neighborhood Centers, with retail, dining, and services and employment. They can include apartments, condominiums, and townhouses with small lot single family homes at the edges. A Town Center also may contain offices that employ nearby residents. Town centers also serve as the main transit hub for surrounding neighborhoods, and can include plazas and squares for markets and events. These are pedestrian-oriented centers designed so visitors can park once and walk to number of destinations.

Areas of Stability and Growth designation: Area of Growth

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

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

Transportation Vision:

Major Street and Highway Plan:

East 61st Street South is classified as a Secondary Arterial with a Multi Modal Corridor. Multi-modal streets emphasize plenty of travel choices such as pedestrian, bicycle and transit use. Multimodal streets are located in high intensity mixed-use commercial, retail and residential areas with substantial pedestrian activity. These streets are attractive for pedestrians and bicyclists because of landscaped medians and tree lawns. Multi-modal streets can have on-street parking and wide sidewalks depending on the type and intensity of adjacent commercial land uses. Transit dedicated lanes, bicycle lanes, landscaping and sidewalk width are higher priorities than the number of travel lanes on this type of street. To complete the street, frontages are required that address the street and provide comfortable and safe refuge for pedestrians while accommodating vehicles with efficient circulation and consolidated-shared parking.

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

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is currently being used for surface parking in front of the Racquet Club. Removal of that parking will require parking on the remaining Club property and reconfiguration of the building to orient the front door on the south side of the existing building.

Environmental Considerations: None that affect the site development

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 61 st Street	Secondary Arterial	100 feet	4
South 76 th East Avenue	None	50 feet	2
South 75 th East 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 side of East 61st Street	RS-3	<i>Existing Neighborhood</i>	Area of Stability	Single Family Residential
South	RS-3	<i>Town Center</i>	Area of Growth	Tennis Club and Racquet Ball Court
East	CS / PUD 202	<i>Town Center</i>	Area of Growth	Convenience store, fueling station and multi story office
West	RS-3 / PUD 187	<i>Existing Neighborhood</i>	Area of Stability	Single Family Residential

SECTION IV: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 12459 dated May 8, 1972, established zoning for the subject property.

Subject Property:

BOA-8566 May 1, 1975: The Board of Adjustment approved a Special Exception to permit a tennis club as presented and subject to the development standards submitted by the applicant, 16 parking spaces being provided for the clubhouse in addition to 4 being provided for each tennis court, for the courts that are to be lighted the light standards can be no higher than 30' and the light directed away from neighboring residential areas, and subject to the site plan and the architectural rendering presented, in an RS-3 district, on property located at south of E. 61st St., between S. 75th E. Ave. and S. 76th E. Ave., and is also a part of the subject property.

Surrounding Property:

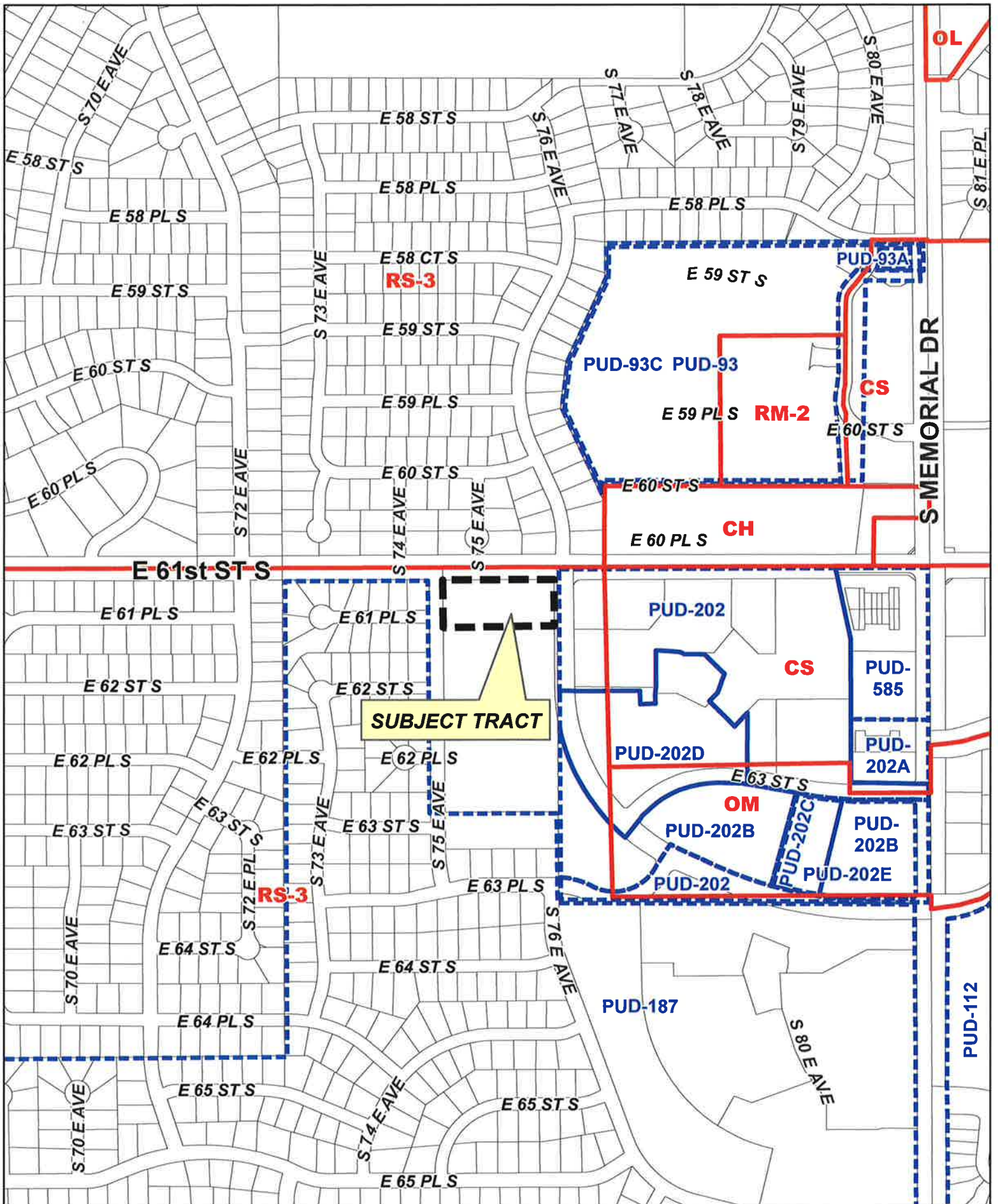
PUD-202 December 1977: All concurred in approval of a proposed Planned Unit Development on a 46± acre tract of land for commercial use, office use and church use, on property located west of the southwest corner of E. 61st St. and S. Memorial Dr. and abutting the subject property to the east.

PUD-187 August 1976: All concurred in approval of a proposed Planned Unit Development on a 166± acre tract of land for a multi Development Area project that consists of residential use, with a mix of single-family, duplex and multifamily on property located between Sheridan Rd. and Memorial Dr. and between 61st St. and 71st St. and abutting the subject property to the west.

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REVISED 4/14/2016



Z-7335

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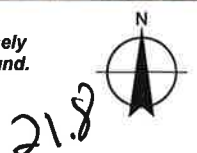
Subject
Tract

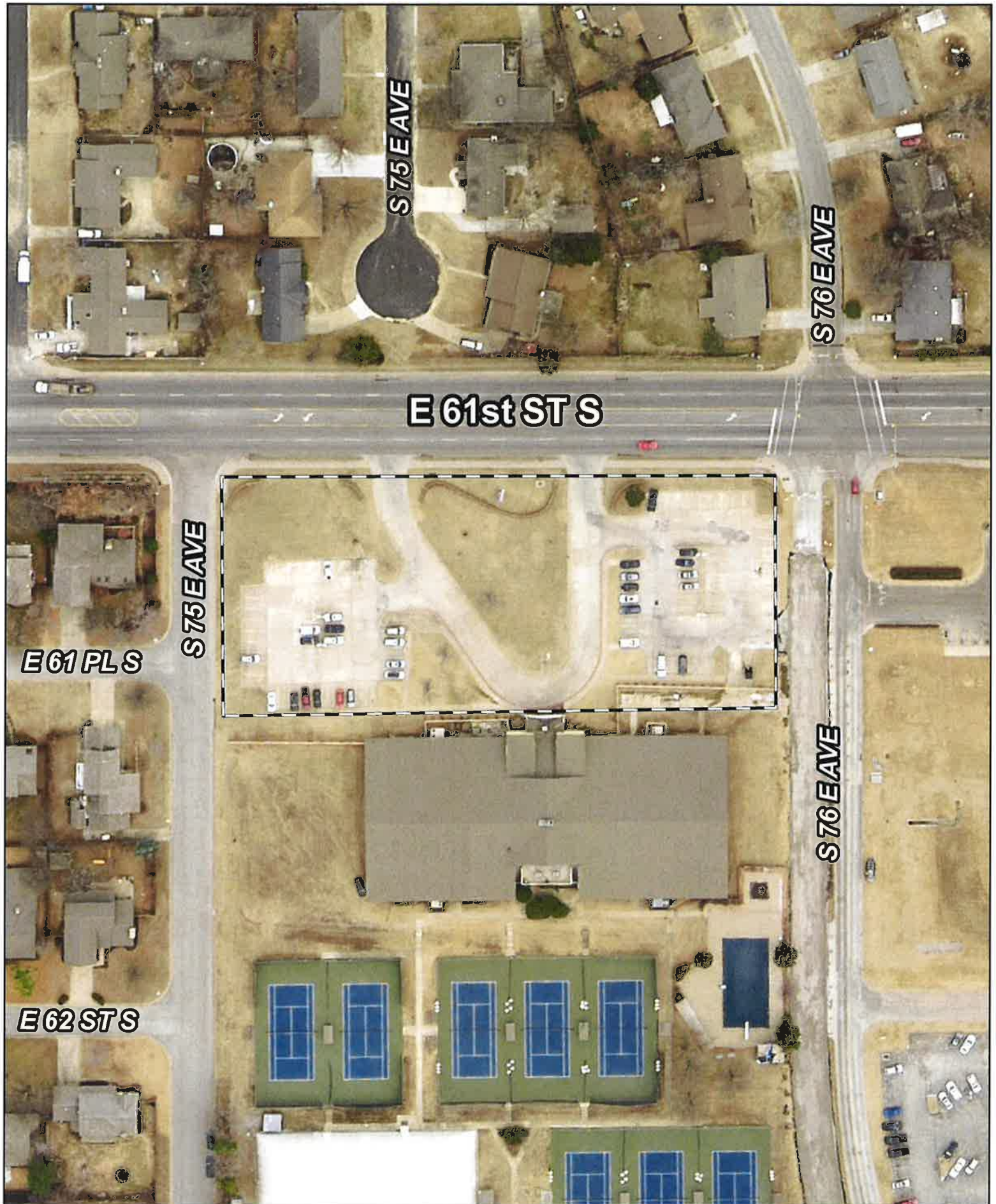
Z-7335

18-13 02

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

Aerial Photo Date: March 2014





E 61 PLS

E 62 ST S

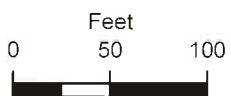
S 75 E AVE

S 76 E AVE

E 61st ST S

S 75 E AVE

S 76 E AVE



Subject
Tract

Z-7335

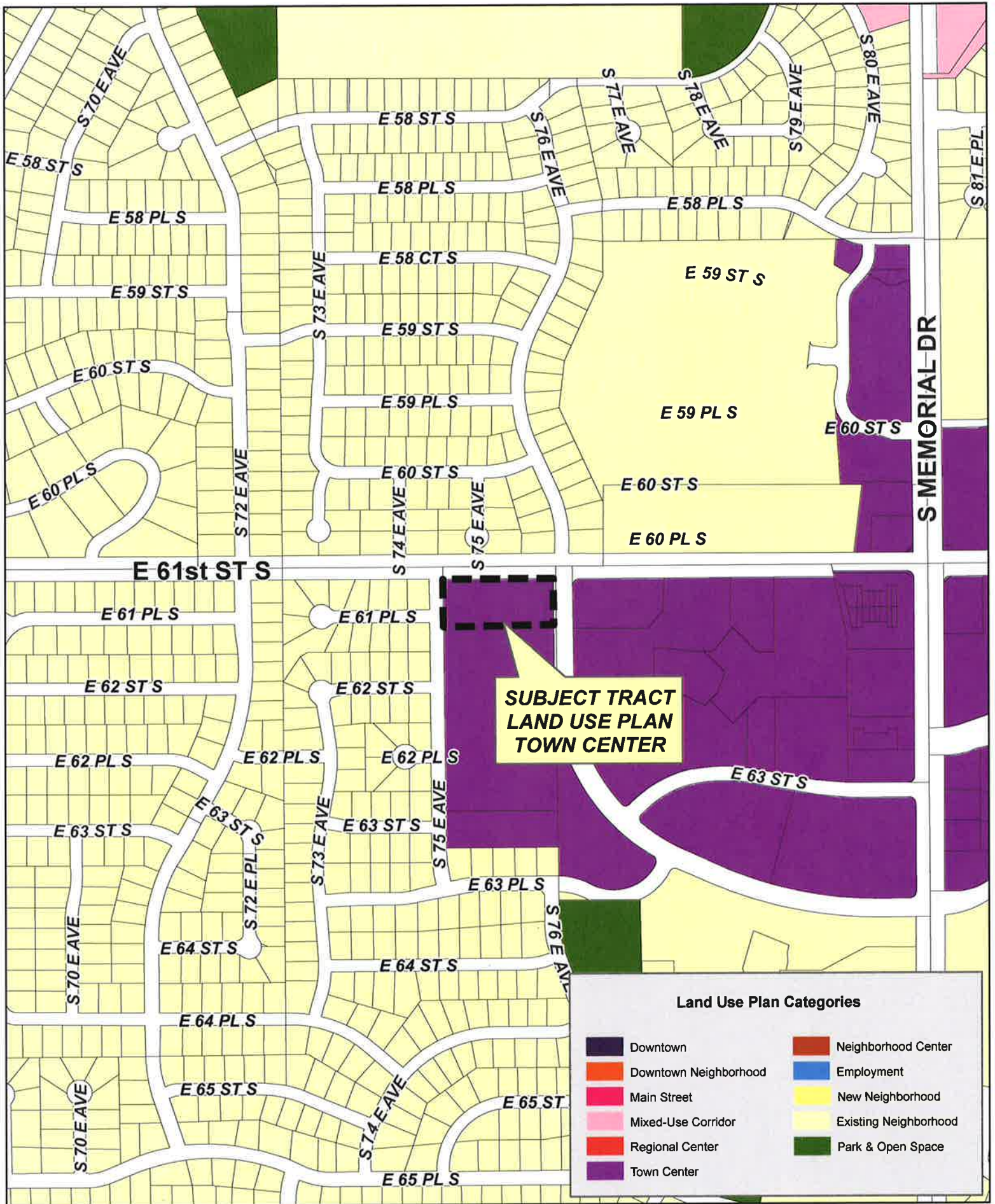
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Note: Graphic overlays may not precisely
align with physical features on the ground.

Aerial Photo Date: March 2014



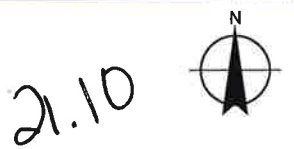
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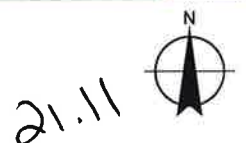
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Z-7335

18-13 02





Tulsa Metropolitan Area
Planning Commission

Case : Plat Waiver 7335

Hearing Date: April 20, 2016
(continued from April 6, 2016)

Case Report Prepared by:

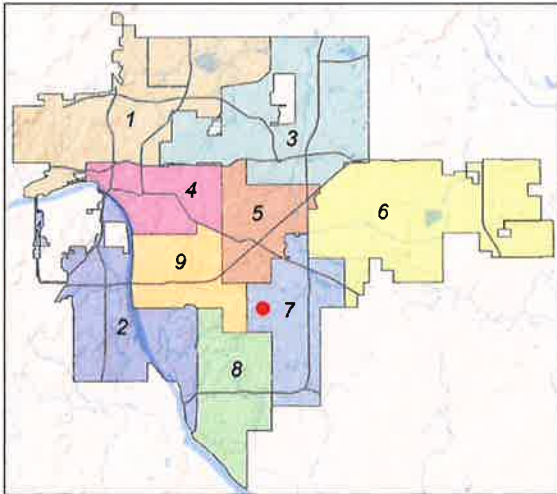
Diane Fernandez

Owner and Applicant Information:

Applicant: Jessica Glavas, Quik Trip

Owner: WW Woodcreek LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal: Plat Waiver

Location: Southwest corner of East 61st
Street South and South 76th East Avenue

Zoning:

Existing: OL (office light)

Proposed: CS (commercial shopping),
with optional development plan

Staff Recommendation:

Staff recommends Approval.

City Council District: 7

Councilor Name: Anna America

County Commission District: 3

Commissioner Name: Ron Peters

EXHIBITS:

Site Plan

PLAT WAIVER

April 20, 2016

Z-7335 – Southwest corner of South 76th East Avenue and East 61st Street South (CD 7)

The platting requirement is being triggered by a rezoning from RS-3 to CS, with optional development plan.

Staff provides the following information from TAC for their March 17, 2016 meeting:

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

STREETS: 61st Street Secondary Arterial. Provide 30 feet corner radius or equivalent corner clip of 42.42 feet at intersection of 61st with 75th and 76th Avenue. Access may not be at platted location. Need Limits of No Access modification through TMAPC. Sidewalks are existing along streets. Some panels may need to be replaced or reconstructed, ie., if existing driveway is closed. Driveways 24 to 36 feet, 25 foot radius needed, 2% slope for sidewalk through drive ways. Please take into account the City of Tulsa and ASSHTO sight triangle requirements when placing development signs and when picking vegetation placement for landscaping. Also determine whether or not the current vegetation will present an issue with sight triangles.

SEWER: The extension of a sewer main line is required to serve this tract.

WATER: Along South 75th East Avenue exists a 12 inch water main line on the east side the road availability for water service connections. Along East 61st Street South exists a 48 inch and a 2 to 12 inch water main lines. No water services connections can be allowed onto the 48 inch line.

STORMWATER: Show the increase of impervious areas (fees will be required for the increase in impervious area). Provide a drainage summary report that describes the approach to handling the drainage. The intent of the existing drainage patterns should be maintained unless there are drainage issues that are unknown at this time. An SWP3 will be required. The site drains into Mingo Creek, as shown on the City of Tulsa regulatory flood plain Panel 53.

FIRE: The lot line to the south is creating a non code conforming building to the south. This also cut off fire department access to the existing building. The fire department cannot access off of another property unless a mutual access agreement is in place.

UTILITIES: No comment.

OTHER/GENERAL: Limits of Access must be redefined through plat or separate easement and recorded. The proposed site plan and existing plat do not match. An IDP

permit is required for this project . The IDP permit must be officially signed and approved with a release letter before final plat approval. Sidewalks shall be constructed along East 61st Street And South 76th East Avenue within a dedicated easement or within the right of way with a minimum five feet in width, and in accordance with City standards. An SWP3 will be required. Existing plat #3589 Shadow Mountain Racquet Club, February 1976.

Staff can recommend **APPROVAL** of the plat waiver as most requirements have been met for the platted property. The sidewalk requirements must be taken care of.

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 |

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



Tulsa Metropolitan Area
Planning Commission

Case : Estates at the River II
Preliminary Plat

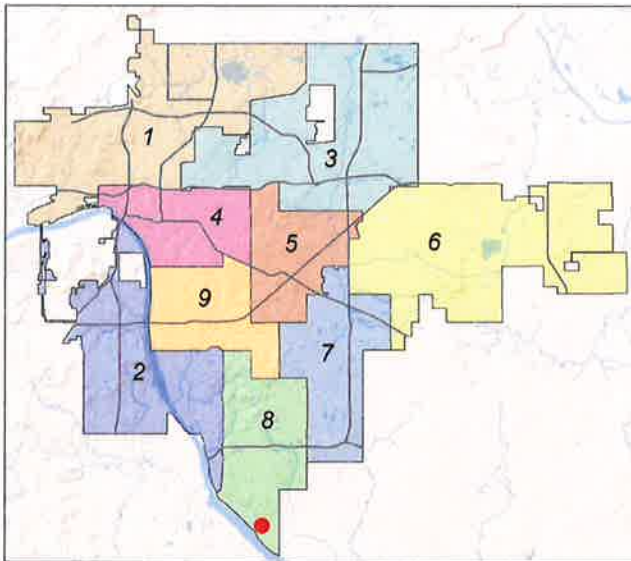
Hearing Date: April 20, 2016
(continued from April 6, 2016)

Case Report Prepared by:
Diane Fernandez

Owner and Applicant Information:
Applicant: Erik Enyart, Tanner Consulting

Owner: 121st Street LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:
Requesting a Preliminary Plat

Tract Size: 28 acres

Location: South of East 121st Street South,
West of South Hudson Avenue

Zoning: Planned Unit Development 803

Staff Recommendation:
Staff recommends a continuance to May 4,
2016.

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

EXHIBITS:

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

PRELIMINARY SUBDIVISION PLAT

The Estates at the River II - (CD 8)

South of East 121st Street South, West of South Hudson Avenue

The plat consists of 96 Lots, 5 Blocks, on 28 acres.

The following issues were discussed March 3, 2016, at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned .Planned Unit Development 803.
2. **Streets:** Call out width of 123rd Street. Call out curve number on the face of the plat. Curve table has been provided without associated numbers shown on plan. An additional stub street should be considered to the west of the development. There is a concern about where a proposed possible bridge alignment may be positioned near the development and how traffic coming across the bridge will travel near the development and how Yale Avenue would be utilized with a new traffic pattern..
3. **Sewer:** A sanitary sewer easement, with a minimum width of 15 feet, with the sanitary sewer pipe centered within the easement, must be provided along the south line of Reserve A where the proposed sanitary sewer line crosses the Reserve.
4. **Water:** 1.10 Utility easement dedication requires Legal Department review for acceptance.
5. **Storm Drainage:** Floodplain Administrator: Historically, this parcel was inundated with floodwaters during the 1986 Arkansas River Flood. The proposed subdivision is almost entirely located within the City Regulatory and FEMA floodplains. The floodplain boundaries must be delineated on the plat as well as any necessary surface drainage easements or compensatory storage easements. Any proposed changes to the FEMA floodplain will require a CLOMR and LOMR (letters of map revision). All development shall be compliant with City of Tulsa Revised Ordinances Title 11 A.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** No comment.
7. **Other: Fire:** An approved turnaround will be required if Hudson is more than 150 feet dead ended from the center of 123rd Street. Fire hydrant coverage will be required per IFC 2015 Section 5-7.5 this includes Hudson Avenue.
8. **Other: GIS:** Provide individual lot addresses for the plat. Submit subdivision data control sheet with final plat. Incorporate the point of commencement along with the bearing and distance into the legal description up to the point of beginning. Remove the parcel lines and lot labels in the location map. Show only the platted subdivisions and label all other land as unplatted. Graphically show all property pins found or set on the face of the plat. Addresses: South Hudson Avenue East should really be South Granite

Place but it looks like The Estates at the River (which is just north of The Estates at the River II) has the street name as South Hudson Avenue. If The Estates at the River can change the street name to south Granite Place, then The Estates at the River II should also change the name to South Granite Place.

An IDP permit is required. All storm and sanitary easements require a 15 foot wide or 7.5 foot wide width on both sides of two lots. Indicate the width of 123rd Street. Use and Maintenance need to be clearly defined in the Deed of Dedication in plat covenants language for Section III E for Reserve A. Use City of Tulsa plat covenant language for Section 1.10, Utility easement dedication.

Staff recommends a Continuance until May 4, 2016.

Waivers of Subdivision Regulations:

1. None requested.

Special Conditions:

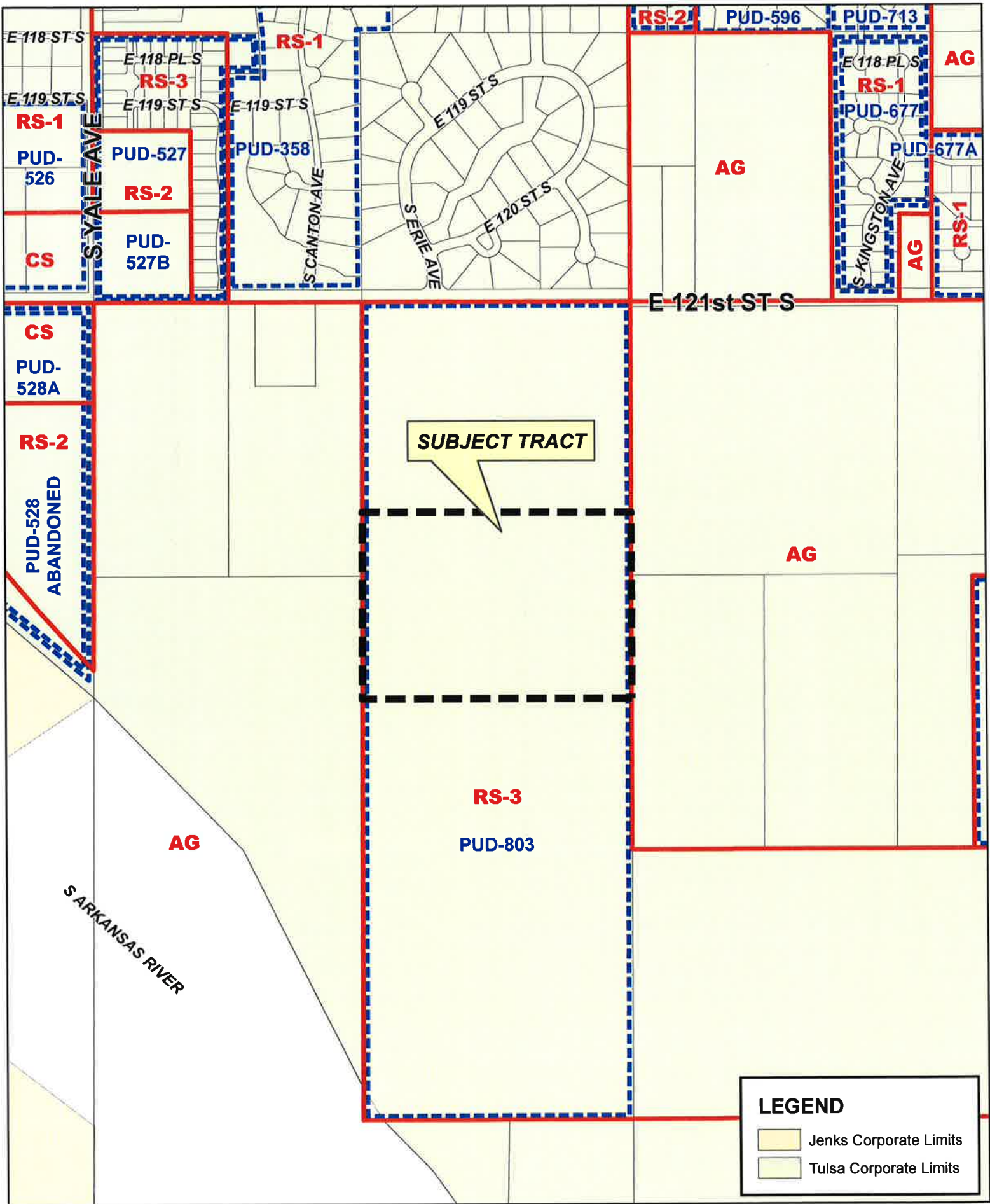
1. The concerns of the Development Services and Engineering Services staffs must be taken care of to their satisfaction.

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.

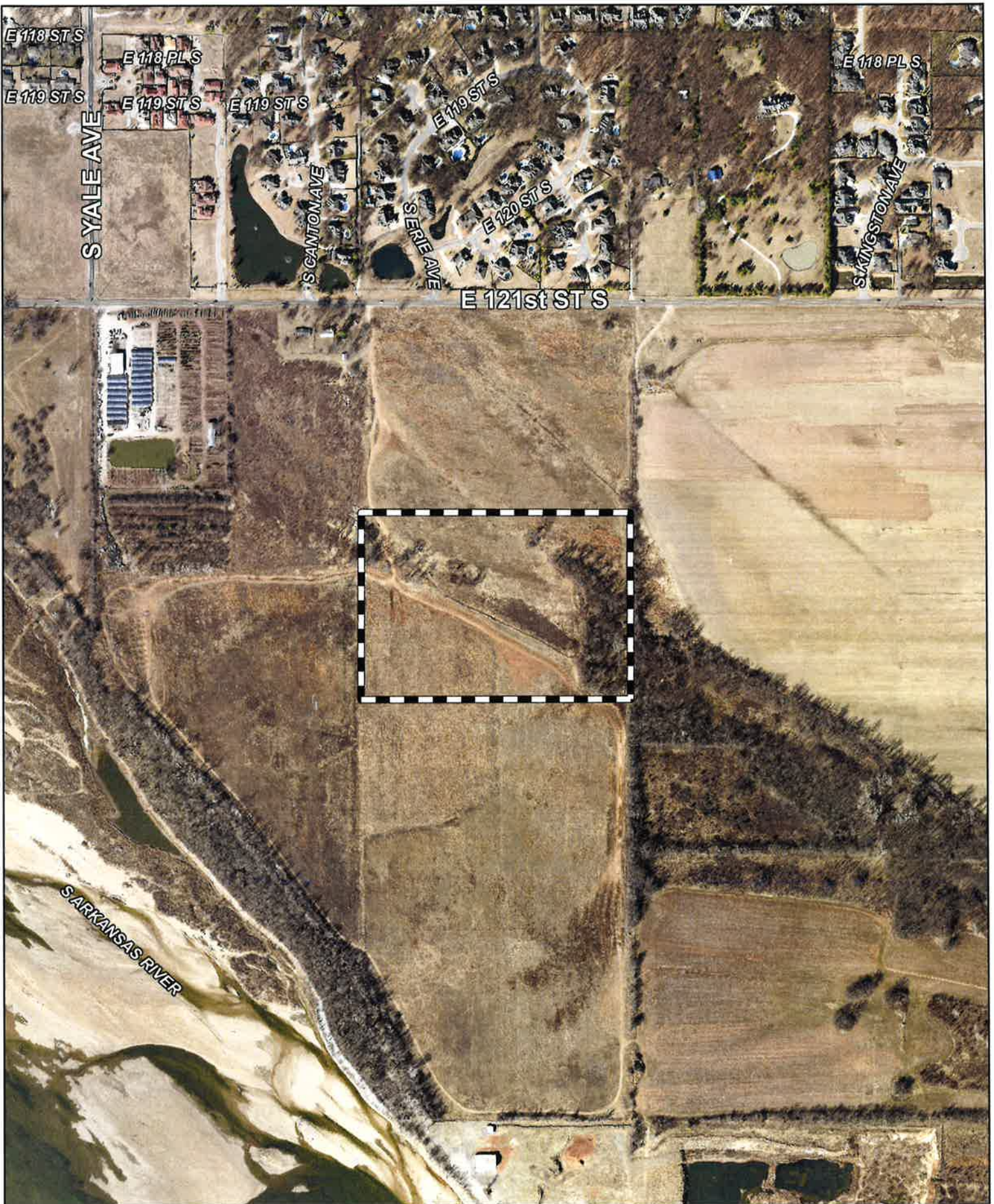
24. Private streets shall be built to City or County standards (depending upon the jurisdiction in which the plat is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.



THE ESTATES AT THE RIVER II

17-13 03

23.7



0 300 600
Feet



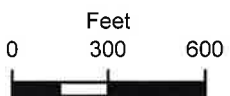
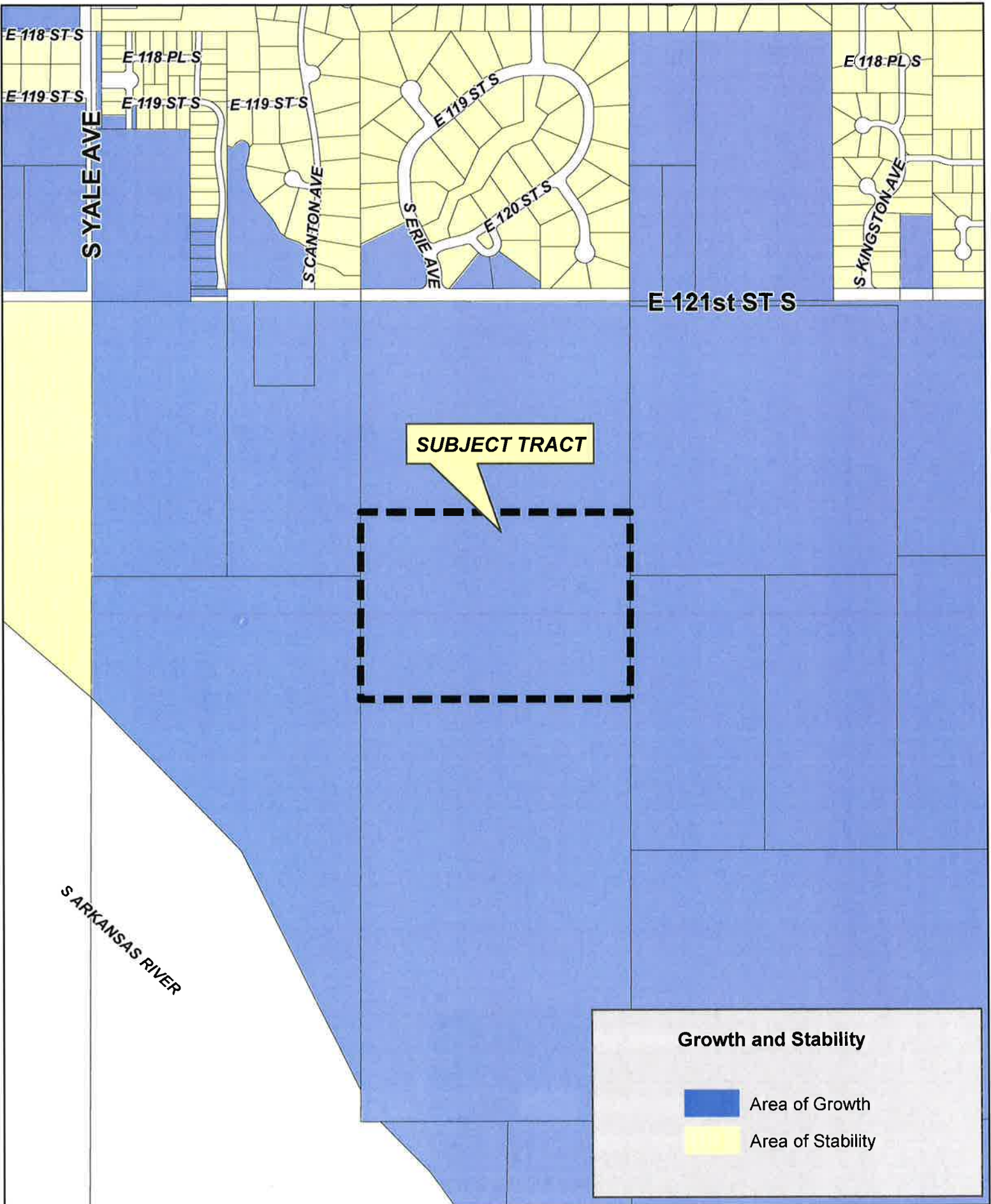
Subject
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THE ESTATES AT THE RIVER II

17-13 03

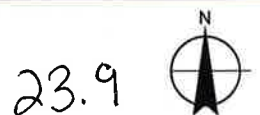
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Aerial Photo Date: Mar

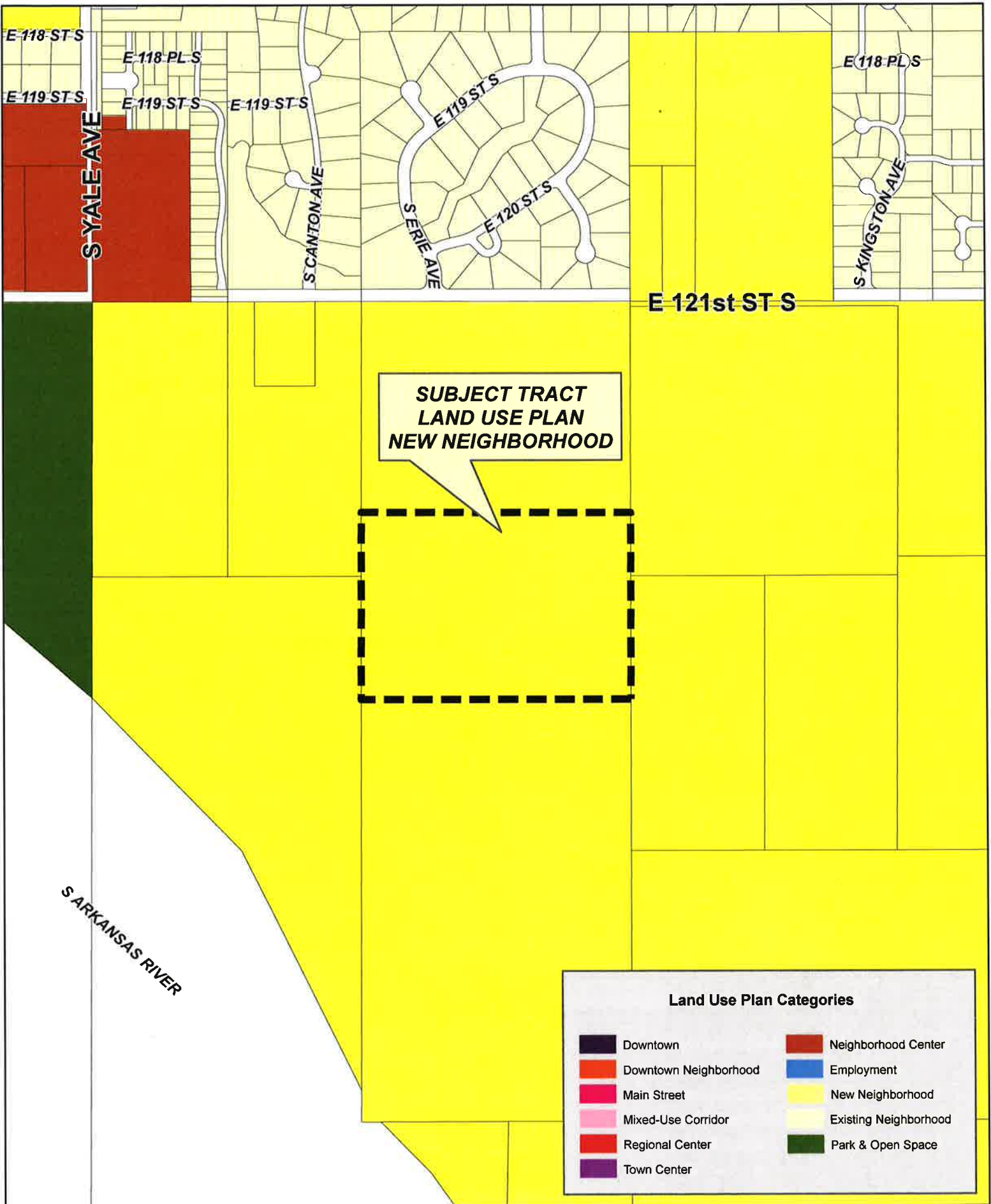




THE ESTATES AT THE RIVER II

17-13 03





THE ESTATES AT THE RIVER II

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17-13 03

23.10



Huntsinger, Barbara

From: Wilkerson, Dwayne
Sent: Monday, March 28, 2016 2:18 PM
To: Fernandez, Diane; Huntsinger, Barbara; Sawyer, Kim; Miller, Susan
Cc: Ricky Jones
Subject: Final Plat for Estates at the River II

Good afternoon everyone,

Late Thursday afternoon I spoke to Councilor Lakin about the Estates at the River II. I told him that staff would request a two week continuance for the preliminary plat.

Barbara and Kim,

Please forward this staff request for a continuance of the Preliminary Plat to the April 20th Planning Commission date.

Respectfully

INCOG

C. Dwayne Wilkerson

Assistant Director Land Development Services

2 West Second Street
Suite 800
Tulsa, OK 74103

918-579-9475
dwilkerson@incog.org



0 200 400
Feet



Subject
Tract

Mayra's Addition

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

19-13 12

Aerial Photo Date: March 2014



24.1



Tulsa Metropolitan Area
Planning Commission

Case : PB&J

**Authorization for Accelerated Release
of Building Permit**

Hearing Date: April 20, 2016

(continued from April 6, 2016)

Case Report Prepared by:

Diane Fernandez

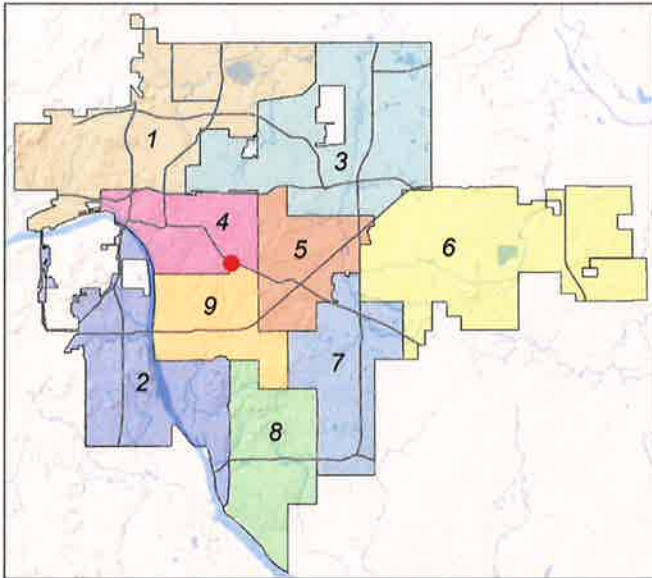
Owner and Applicant Information:

Applicant: Lou Reynolds, Eller & Detrich

Owner: Phil Burns

Location Map:

(shown with City Council Districts)



Applicant Proposal: Requesting An
Accelerated Release of a Building Permit

Tract Size: .34 acres

Location: East of the southeast corner of
South Harvard Avenue and East 27th
Street South

Zoning: OL/PUD-841

Staff Recommendation:

Staff recommends Denial.

City Council District: 9

Councilor Name: G.T. Bynum

County Commission District: 2

Commissioner Name: Karen Keith

EXHIBITS:

Subdivision Map

251

AUTHORIZATION FOR ACCELERATED RELEASE OF A BUILDING PERMIT

PB&J Addition (CD 9)

East of the southeast corner of South Harvard Avenue and East 27th Street South

The property is zoned OL and PUD 841 (including warehousing and wholesaling limited to indoor storage and maintenance of collectible automobiles and no body work or painting). Full permits are requested. A minor subdivision plat is an item for consideration on the same agenda.

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 explanation.

The following information was provided by the Technical Advisory Committee in its meeting March 17, 2016.

ZONING:

- *TMAPC Staff:* Full permits are requested. A minor subdivision plat is requested. (This process cuts fees and timing in approximately half for processing a simple subdivision plat.)

STREETS:

- *Transportation:* No comments.

SEWER:

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

WATER:

- *Public Works, Water:* No comments.

STORM DRAIN:

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

FIRE:

- *Public Works, Fire:* Fire hydrant will be required within 400 feet of any non sprinkled building and within 600 feet of a sprinkled building as the hose lay.

UTILITIES:

- *Franchise Utilities:* No comments.

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

The TAC (Technical Advisory Committee) and City Development Services staff did not object to the accelerated building permit. Planning staff has concern about a precedent being set for accelerated permits being granted to individual owners of individual lots without a pressing need and the risk to the City associated with these types of projects. There is a minor subdivision plat being processed for the site which (if prepared correctly) will be finished quickly and filed so permits can be granted.

Eller & Detrich
A Professional Corporation

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

Telephone
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Toll Free
(866) 547-8900

Facsimile
(918) 747-2665

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

Writer's E-Mail
rlreynolds@ellerdetrich.com

March 21, 2016

VIA HAND DELIVERY

Ms. Diane Fernandez
INCOG
2 West 2nd Street, #800
Tulsa, Oklahoma 74103

Re: Accelerated Release of Building Permit
PB&J Addition
East of the SE/c of S. Harvard Avenue and East 27th Street

Dear Diane:

As we discussed at the Technical Advisory Committee meeting, this is an unusual project, no street dedication is required. Additionally, except for a small on-site detention structure that does not require an Infrastructure Development Permit, all public infrastructure is in place for this project.



Ms. Diane Fernandez
INCOG
March 21, 2016
Page 2 of 2

The project is also quite unique as it is a small (6,400 SF) non-commercial development, and for that matter non-residential too, in which both the character of the improvements (i.e., design, height, color, etc.) and the use (i.e., the sole use of the property is indoor storage of collectible automobiles), are tightly controlled by the PUD. I believe this constitutes the exceptional circumstances contemplated by Section 70.080-B.2.c. of the Tulsa Zoning Code which permits the TMAPC, in its discretion, to allow an Accelerated Release of Building Permit for this project.

Should you have any questions, please do not hesitate to call.

Yours very truly,

ELLER & DETRICH
A Professional Corporation

R. Louis Reynolds

RLR:rea

cc: Mr. Phil Burns
Via email: PBurns@SytechResearch.com

Ms. Carolyn Back
Via email: CBack@Wallacesc.com

EXHIBIT "A"

The extraordinary exceptional circumstances that justify accelerated release of the building permit are this is a very small project and PUD 841 permits the Property to be solely used as an indoor storage and maintenance of collectible automobiles with no body work or painting of such vehicles to be permitted and the Property is being replatted to satisfy the conditions of the Tulsa Zoning Code and no dedications, except for a small detention facility that does not need IDP approval, are part of such plat.

25.7

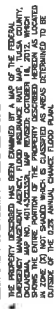
EXHIBIT "B"

The benefits and protections to the City if the building permit is released prior to the filing of the plat are the Applicant will not be able to obtain a Certificate of Occupancy until the plat is approved and filed. The proposed building will significantly contribute to the character of the neighborhood and serve as a buffer between the commercial area to the west and the neighborhood area to the east.

PB & J

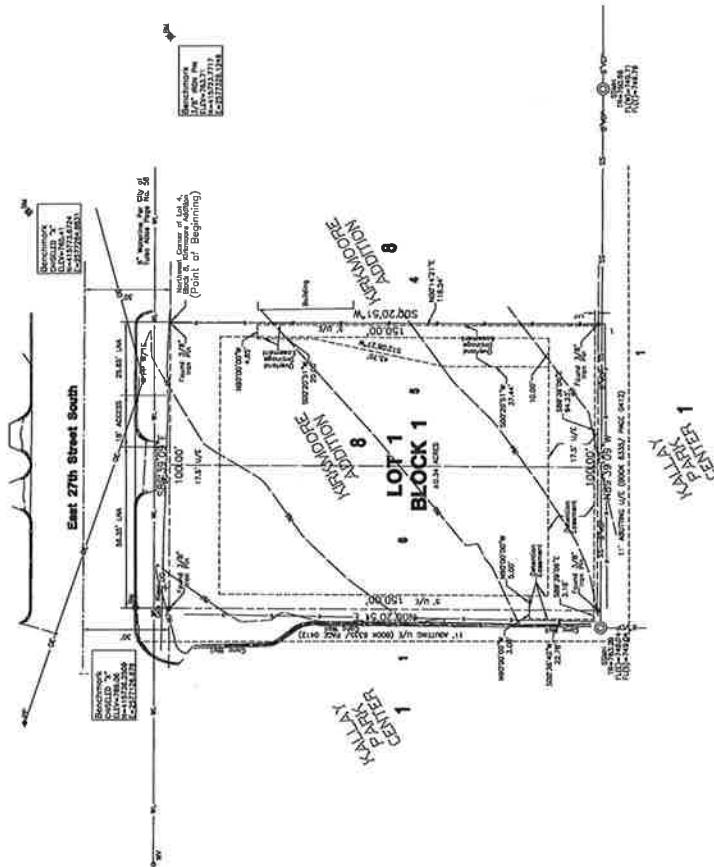
PUD-841

Development
PHIL. BURNS
2843 EAST 33TH PLACE
TULSA, OK 74109



1. THE BASIS OF BEARING IS BASED ON THE NORTH LINE OF BLOCK B IN ADDITION AS BEING SURFACED.

THE PROPERTY DESCRIBED HAS BEEN EXAMINED BY A MAP OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP, TULSA COUNTY, OKLAHOMA, MAP NO. 40143222A. MAP REVISED: OCTOBER 18, 2012. WHICH SHOWS THE ENTIRE PORTION OF THE PROPERTY DESCRIBED HEREON AS LOCATED IN ZONE (X) NOT SHADDED WHICH IS CLASSIFIED AS AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOOD PLAIN.

[illegible]

INITIALS OF EMPOWERMENT OF APPROVAL	TMA/C/HOODS
Title: Metropolitan Area Planning Committee	CITY COUNCIL
Approved Date: _____	Council of the City of Tulsa, Oklahoma
	Approved Name: _____
	CHAIRMAN
	MAYOR
	ATTY: CITY CLERK
	CITY ATTORNEY

Benchmark	Benchmark	Benchmark	Benchmark
3/8" 80KN PM	CRSLED 2"	CRSLED 2"	3/8" 80KN PM
ELEV=763.71	ELEV=763.41	ELEV=763.08	ELEV=763.71
N=415773.8724	N=415773.8724	N=415738.2209	N=415773.8717
E=253773.9813	E=253773.9813	E=253773.9813	E=253773.9813

Sawyer, Kim

From: R. Louis Reynolds [LReynolds@ellerdetrich.com]
Sent: Wednesday, April 13, 2016 11:17 AM
To: Wilkerson, Dwayne; Sawyer, Kim
Cc: Miller, Susan; Mariboho, Mindi; Hoyt, Jay
Subject: RE: Z-7331

Dear Kim: The Applicant has been meeting with the project's neighbors and as a result of these meetings, the Applicant would prefer for the TMAPC meeting be continued to May 18th rather than May 4th. Let me know if you have any questions. Best regards, Lou Reynolds

R. Louis Reynolds

Eller&Detrich

2727 E. 21st Street, Ste 200
Tulsa, Oklahoma 74114-3533

(918) 747-8900 phone
(866) 547-8900 toll free
(918) 392-9407 e-fax
rlreynolds@EllerDetrich.com

 www.EllerDetrich.com

IRS CIRCULAR 230 DISCLOSURE. In accordance with the United States Treasury Regulations, you are advised that this communication is not intended or written by the sender to be used, and it cannot be used, by any recipient for the purpose of avoiding penalties that may be imposed on the recipient under United States federal tax laws.

CONFIDENTIALITY STATEMENT. This message is sent by a law firm and may contain information that is privileged or confidential. If the recipient or reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. No applicable privilege or confidentiality is waived by the party sending this communication and/or any attachments. If you received this email communication in error, please notify the sender immediately by reply e-mail or by telephone and delete the message and any attachments from your server. Thank you.

From: Wilkerson, Dwayne [<mailto:DWilkerson@incog.org>]
Sent: Tuesday, April 12, 2016 6:25 PM
To: Sawyer, Kim <ksawyer@incog.org>
Cc: Miller, Susan <SMiller@incog.org>; Mariboho, Mindi <MMariboho@incog.org>; Hoyt, Jay <JHoyt@incog.org>; R. Louis Reynolds <LReynolds@ellerdetrich.com>
Subject: FW: Z-7331

Kim,

Please show on our agenda that the applicant has requested a continuance to the May 4th meeting.

Respectfully,

INCOG

C. Dwayne Wilkerson
Assistant Director Land Development Services

2 West Second Street
Suite 800
Tulsa, OK 74103

918-579-9475

***AMENDED**
TULSA METROPOLITAN AREA PLANNING
COMMISSION

Meeting No. 2720

April 20, 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:

Review TMAPC receipts for the Month of March 2016

1. Minutes of April 6, 2016, Meeting No. 2719

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-20871** (Lot-Split) (CD 3) – Location: North of the northeast corner of East Woodrow Place and North Birmingham Place
3. **LC-761** (Lot-Combination) (CD 1) – Location: North of the northeast corner of East Young Place and North Xanthus Avenue
4. **LS-20872** (Lot-Split) (CD 5) – Location: Southwest corner of East 11th Street South and Mingo Valley Expressway (Highway 169) **(Related to: LC-765)**
5. **LC-765** (Lot-Combination) (CD 5) – Location: Southwest corner of East 11th Street South and Mingo Valley Expressway (Highway 169) **(Related to: LS-20872)**

6. **LC-762** (Lot-Combination) (County) – Location: Southeast corner of East 66th Street North and North Rockford Avenue
7. **LC-763** (Lot-Combination) (County) – Location: Southeast corner of West 22nd Street South and South 63rd West Avenue
8. **LS-20874** (Lot-Split) (CD 9) – Location: North and West of the northwest corner of East Skelly Drive and South Peoria Ave (**Related to LC-764**)
9. **LC-764** (Lot-Combination) (CD 9) – Location: North and West of the northwest corner of East Skelly Drive and South Peoria Ave (**Related to LS-20874**)
10. **LS-20875** (Lot-Split) (CD 2) – Location: South of the southeast corner of West 71st Street South and South Olympia Ave
11. **Meadow Creek** – Final Plat, Location: South of southeast corner of West 111th Street South and 33rd West Avenue (County)
12. **Change of Access** – Southwest corner of East 31st Street South and South Lewis Avenue, Lot 1, Block 1, Oaknoll, (CD 9)

CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA:

COMPREHENSIVE PLAN AMENDMENT PUBLIC HEARINGS:

13. **CPA-40** – City Council, to amend Land Use Designation from “Town Center” and “New Neighborhood” to “Regional Center” on approximately 135.22 acres located southeast of the intersection of Interstate 44 and Admiral Place, (CD 6) (Related to Z-7333) (continued from March 16, 2016 per City Councilor Dodson) ***(withdrawn by City Council on April 14, 2016)**

PUBLIC HEARINGS:

14. **Z-7333** – City Council, Location: southeast of the intersection of Interstate 44 and Admiral Place, requesting a rezoning from **AG/RMH/RM-2/OL/CG to CG**, (CD 6) (Related to CPA-40) (continued from March 16, 2016 per City Councilor Dodson) ***(withdrawn by City Council on April 14, 2016)**
15. **Z-7326** – Nathan Cross, Location: North and west of northwest corner of East 21st Street and South 145th East Avenue, requesting a rezoning from **CS to CG**, (CD 6) (Related to PUD-844) (Continued from March 2, 2016 per applicant) **(Applicant has withdrawn this application)**

16. **PUD-844 - Nathan Cross**, Location: North and west of northwest corner of East 21st Street and South 145th East Avenue, requesting a **PUD**, (CD 6) (Related to Z-7326)(Continued from March 2, 2016 per applicant) (**Applicant has withdrawn this application**)
17. **PUD-809-2 – Barnard Trace, LLC/ Phil Marshall**, Location: Southwest corner of East 17th Street South and South Lewis Avenue, requesting **PUD Minor Amendment** to reduce required livability area from 4,000 square feet to 2,500 square feet, (CD 4) (**Applicant has withdrawn this application**)
18. **LS-20873** (Lot-Split) (County) – Location: North and West of the northwest corner of East 156th Street North and North 97th East Avenue (North Mingo Road)
19. **Z-7320 – Eller & Detrich/Andrew Shank**, Location: Southwest corner of East 96th Street South and South Garnett Road, requesting rezoning from **AG to CO**, (CD 7) (Related to Z-7320-SP-1) (Continued from April 6, 2016 per applicant)
20. **Z-7320-SP-1 - Eller & Detrich/Andrew Shank**, Location: Southwest corner of East 96th Street South and South Garnett Road, requesting a **Corridor Development Plan**, (CD 7) (Related to Z-7320) (Continued from April 6, 2016 per applicant)
21. **Z-7335 – QuikTrip/Carly Goodnight**, Location: Southwest corner of East 61st Street South and South 76th East Avenue, requesting rezoning from **RS-3 to CS**, (CD 7) (Related to Plat Waiver Z-7335) (Continued from April 6, 2016 per Staff)
22. **Plat Waiver – Z-7335**, Location: Southwest corner of East 61st Street South and South 76th East Avenue, (CD 7), (Related to Zoning Case Z-7335)
23. **The Estates at the River II** – Preliminary Plat, Location: South of East 121st Street South, West of South Hudson Avenue, (CD 8) (Continued from April 6, 2016) (**Staff requests a Continuance to May 4, 2016.**)
24. **Mayra's Addition** – East of the northeast corner of East 21st Street South and Memorial Dr. (CD 5) (**Staff requests a continuance to May 4, 2016 meeting**)
25. **Authorization for an Accelerated Building Permit** - PB&J Minor Subdivision Plat, Location: East of the southeast corner of South Harvard Avenue and East 27th Street South, (CD 9) (**Continued from April 6, 2016 meeting**)
26. **Z-7331**- Location: North of the northwest corner of South Columbia Avenue and Skelly Drive. Requesting rezoning from **RS-1 to OM**, (CD 9) (**Applicant has requested a continuance to May 18, 2016**)
- *27. **PUD-437-A – Donn E. Fizer**, Location: Northeast corner of East 15th Street and South Utica Avenue, requesting a PUD Major Amendment to modify boundary for Development Area A and B, establish new uses and modify bulk and area

requirements for each development area, **PK/OL/CS/CH/PUD-437 to PK/OL/CS/CH/PUD-437-A, (CD 4) (Originally heard by TMAPC on December 16, 2015, continued from 11/18/15 & 12/2/15) (Revised by the applicant and remanded to TMAPC by City Council on April 14, 2016)**

OTHER BUSINESS

28. TMAPC's Appointee to the River Parks Authority

29. 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.



Tulsa Metropolitan Area
Planning Commission

Case Number: PUD-437-A

Major Amendment

During the 4.14.2016 City Council meeting this item was remanded to the Planning Commission.

Hearing Date: April.20.2016

Original Hearing Date: December 16, 2015
(continued from 11.18.15 and 12.2.2015)

Case Report Prepared by:

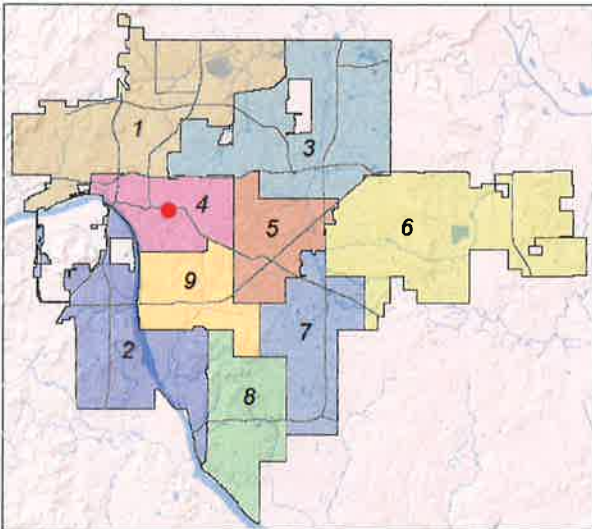
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Donn E.Fizer

Property Owner: Multiple owners

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Retail and office

Proposed Use: CVS Pharmacy

Concept summary: Major Amendment to modify boundary for development Area A and B. Establish new uses and modify bulk and area requirements for each development area.

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

Location: Northeast corner of E. 15th St. and S. Utica Ave.

Zoning:

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

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

Comprehensive Plan:

Land Use Map: Mixed-Use Corridor

Stability and Growth Map: Area of Growth

Staff Recommendation:

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

The blue text in this staff report has been modified after the last Planning Commission meeting 12.2.2016. The conceptual plan and text eliminates the drive thru on the west and south side of the building, moves the building closer to S. Utica and 15th and eliminates vehicular access to 14th Place.

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: PUD-437-A

DEVELOPMENT CONCEPT:

APPLICANTS DEVELOPMENT CONCEPT:

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

The proposed pharmacy will occupy an approximately 1.11 acre site (48,335 SF) in size. This building will replace an existing medical office, gas station, and commercial office space. The approximately 12,900 SF building will consist of a main first floor with a mezzanine.

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

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

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

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

ADDITIONAL STAFF CONCEPT STATEMENT:

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

EXHIBITS:

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

Applicant Exhibits:

Development Area Map
Conceptual Site Plan Right Side Drive Thru
Signage Concepts
Building Elevations
Birds Eye Views
Street Views
Traffic Analysis

Packet as submitted to City Council January 13, 2016

Includes the following:

- 1) Staff recommendation
- 2) Correspondence and information provided by interested property owners
- 3) Minutes of 12.16.2016 Planning Commission Meeting
- 4) Minutes of 12.02.2016 Planning Commission Meeting

SECTION II PUD-437-A DEVELOPMENT STANDARDS:

DEVELOPMENT AREA A:

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

Permitted Uses:

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

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

Summary of Underlying Zoning in gross land area:

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

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

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

Minimum setback from South Utica:	15 feet
Minimum setback from East 14 th Place South	25 feet

Maximum building height: 50 feet

Parking Ratio Standards:

Minimum Parking Standards Medical office:	2.6 spaces per 1000 square feet
---	---------------------------------

All other uses as allowed:	2.2 spaces per 1000 square feet excluding the first 2500 square feet of floor area.
----------------------------	---

DEVELOPMENT AREA B:

Permitted Uses:

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

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

Summary of Underlying Zoning in gross land area:

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

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

Maximum Building Height: 3 stories

Building Setbacks: (As measured from the Major Street and Highway planned right-of-way edge)

Minimum setback from east boundary of Development Area B	25 feet
Minimum setback from south right-of-way line on East 14 th Place South:	25 feet

Build-to-zone requirements:*

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

Minimum building setback:	0 10 feet
Maximum building setback:	15 25 feet

From the north boundary of the East 15th Street right-of-way:

Minimum building setback:	0 10 feet
Maximum building setback:	15 25 feet

*Canopies and other architectural elements including any structural support system that is integral to the building design and attached to the building are exempt from this requirement. ~~If a canopy on the west or south facade is installed a masonry screening wall with a minimum height of 3 feet from the sidewalk elevation shall be used as a physical and visual barrier between any pedestrian traffic in the street right of way and a drive thru. The wall shall be integral to the design of a canopy support and include planters.~~

Parking Ratio Standards:

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

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

Architectural Standards:

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

West facing walls shall provide a minimum of 25% ~~glass transparency~~. Spandrel glass and must match the color of transparent glass may be used in two thirds of the ~~glass transparency~~ requirement.

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

Screening and Landscaped Open Space:

A masonry screening fence shall be constructed and maintained along the east boundary of the Development Area B where adjacent to single family residential zoned property. The height of the screening fence shall not be less than 6 feet or greater than 8 feet as measured from the existing ground on the east side of the fence. Within 25 feet of the planned right of way on the north end of the site the wall or fence may be eliminated or if installed shall not exceed 4 feet in height. The fence or wall system shall be a double sided design that is visually the same on both sides.

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

- 1) Landscape areas in the street right-of-ways, to the extent permitted by the City of Tulsa, shall be grassed & landscaped with approved street trees and shrubs along South Utica, East 15th Street South and along East 14th Place south. A minimum of 7 street trees will be installed and maintained within 10 feet of the South Utica right of way line. A minimum of 5 trees shall be installed and maintained within 10 feet of the right of way line along East 15th Street and along East 14th Place.
- 2) A landscape edge shall be provided adjacent to East 14th Place South and adjacent to any parking area within 25 feet of a street right-of-way. Such landscaped edge shall be a minimum width of 10 feet along East 14th Place (8 feet of which shall be on site and 2 feet of which shall be between sidewalk and property line) and 4 feet along South Utica Avenue and shall include shrubs with sufficient density and size will be installed and maintained to provide a 3' tall effective visual barrier along those rights of way after a 3 year growing cycle.

The required landscaped open spaces shall exclude walkways which solely provide pedestrian circulation.

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

Trash and dumpster enclosures shall be masonry construction and be constructed of similar material as the principal structure. The minimum height of the enclosure shall not be less than 6 feet but must exceed the dumpster height. Doors constructed with a steel frame and a cover that blocks a minimum of 85% of the opening. Dumpster doors shall not be accessed from public right of way and placed within ~~50~~ 400 feet of the north right of way line on East 15th Street South.

Sign Standards:

One monument sign is allowed along East 15th Street South. The sign shall be limited to a maximum height of 8 feet with a maximum display surface area of ~~24~~ 20-square feet for each side of the sign.

One monument sign is allowed along South Utica Avenue. The Utica monument sign shall be limited to a maximum height of ~~15~~ 18-feet with a maximum display surface area of ~~77~~ 70-square feet.

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

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

Lighting:

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

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

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

Vehicular Access:

Vehicular access is prohibited from East 14th Place south, unless full access to East 15th Street or South Utica Avenue is limited or restricted by construction of traffic islands in the public right of way. If access is limited in the street right of way one vehicular access with a maximum of two lanes to East 14th Place may be constructed only after approval of a revised detailed site plan.

DEVELOPMENT AREA REVISION

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

SUBDIVISION PLAT REQUIREMENTS

The lots south of 14th Pl. shall be re-platted. As part of the Plat process an additional 5' ROW dedication is required along 15th Street and a radial ROW dedication at the corner of East 14th Place and South Utica Avenue to meet City of Tulsa requirements to meet the major street and highway plan standards.

EXPECTED SCHEDULE OF DEVELOPMENT

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

DETAILED STAFF RECOMMENDATION:

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

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

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

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

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

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

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

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

Land Use Vision:

Land Use Plan map designation: Mixed-Use Corridor

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

Areas of Stability and Growth designation: Area of Growth

The purpose of an Area of Growth is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be

displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

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

Transportation Vision:

Major Street and Highway Plan:

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

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

South Utica Avenue is an Urban Arterial Multi Modal Corridor.

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

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

Trail System Master Plan Considerations: None

Small Area Plan:

Utica Midtown Corridor Small Area Plan

Many of the concepts that are defined in the Planned Unit development are reflected in the following exhibit taken from the Utica Corridor Small Area Plan. The build-to-zone provides flexibility beyond the build-to-line requirements noted in the exhibit below. [The small area plan recognized this site as an area that could be included in a mixed use zoning district. Refer to Page 217 of the Small Area Plan for the mapping of the concept. The zoning district contemplated in the Plan has been created](#)

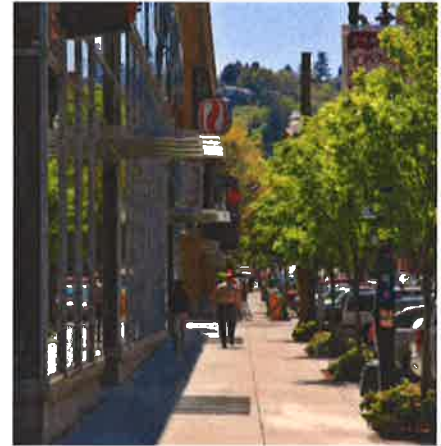
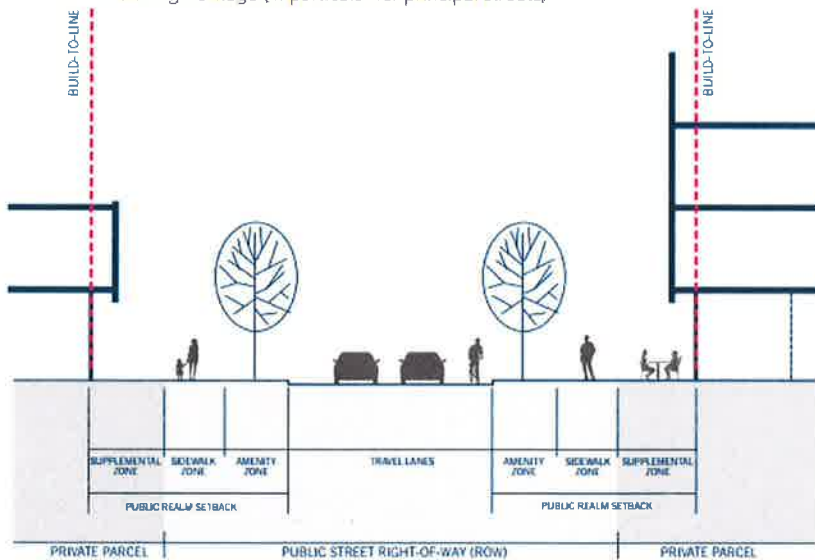
as an option in the Tulsa Zoning Code adopted January 1, 2016 and could be used for redevelopment of this site. The developer has chosen to request an amendment to the PUD that was originally approved in 1988.

Many of the recommendations in the small area plan refer to public improvements in the street right of way however many of the recommendations identified in the Plan are included in the PUD. Many of the recommendations outlined in the Small Area Plan beginning on Page 220 are also included in the Mixed Use Zoning opportunities available in today's code.

FIG. S-5.3. PUBLIC REALM DESIGN

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

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



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

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

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

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

Environmental Considerations: None that would affect site development

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP RW</u>	<u>Exist. # Lanes</u>
South Utica Avenue	Urban Arterial with Multi Modal design considerations	75 feet	5
East 15 th Street South	Urban Arterial with Multi Modal design considerations	75 feet	5
East 14 th Place South	None	50 feet	2

Utilities:

The subject tract has municipal water and sewer available.

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

SECTION III: Relevant Zoning History

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

Subject Property:

Z-6193/PUD-437 August 1988: All concurred in **approval** of a proposed Planned Unit Development a 1.35± acre tract of land for uses as permitted by right in an OL district excluding drive-in banks and funeral homes and allowing 2 stories on property located on the southeast corner of East 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 a part of the subject property.

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

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

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

Surrounding Property:

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

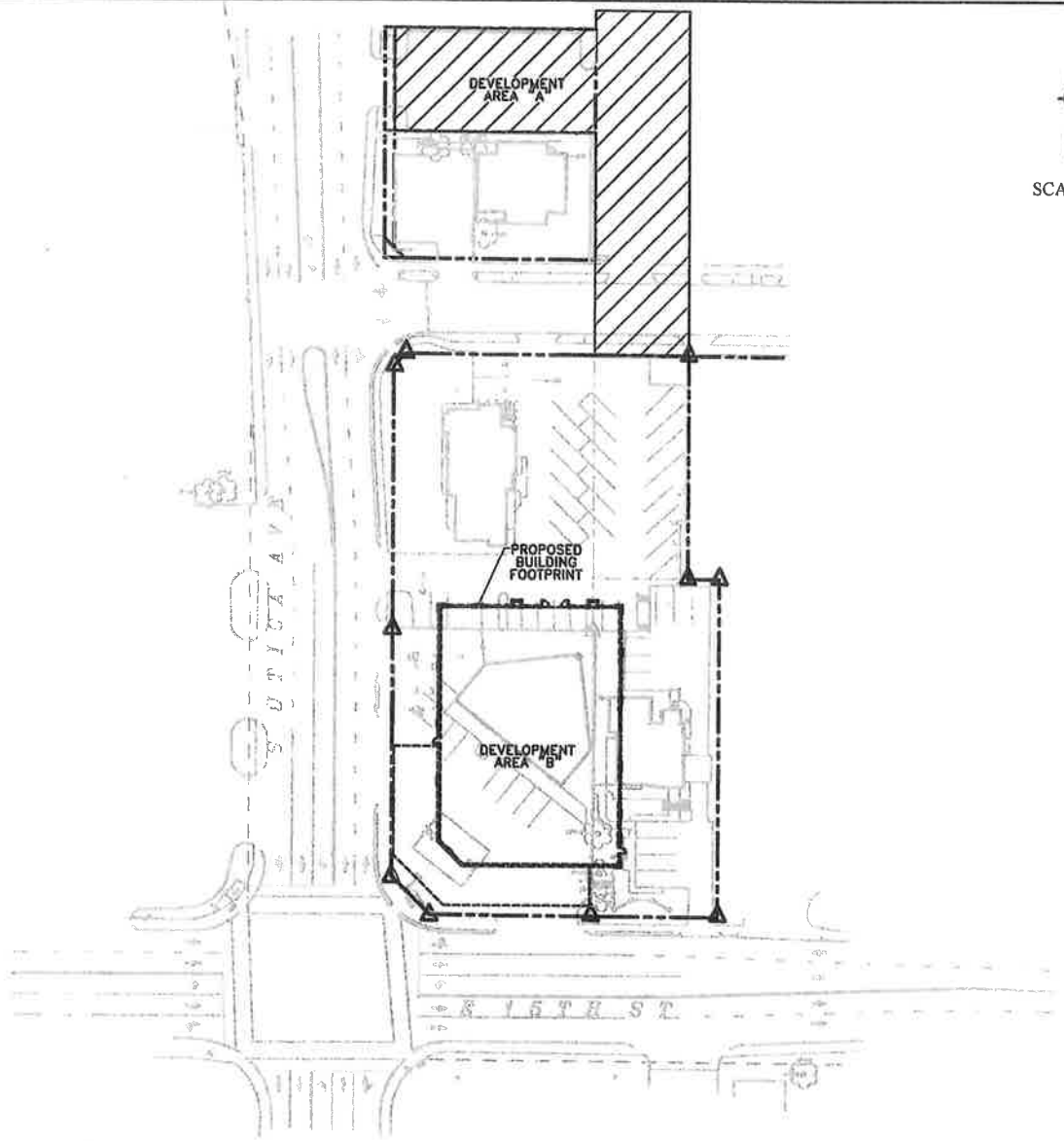
Z-6977/PUD-708-A July 2005: All concurred in **approval** of a proposed Major Amendment to a PUD on a 1.34+ acre tract of land on property and to allow on property located on the southeast corner East 15th Street and South Utica Avenue. Staff and TMAPC recommended approval to remove HP zoning subject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

PUD-708 August 2004: All concurred in **approval** of a proposed Planned Unit Development on a 1.34+ acre tract of land, to permit the consolidation of several parcels with various zoning, CH, OL, PK, RS-3 and HP to allow for a bank, including drive-thru facility, and office use subject to staff recommendations and eliminating access to Victor Avenue, and to specific traffic flow requirements on property located on the southeast corner of East 15th Street South and South Utica Avenue.

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

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

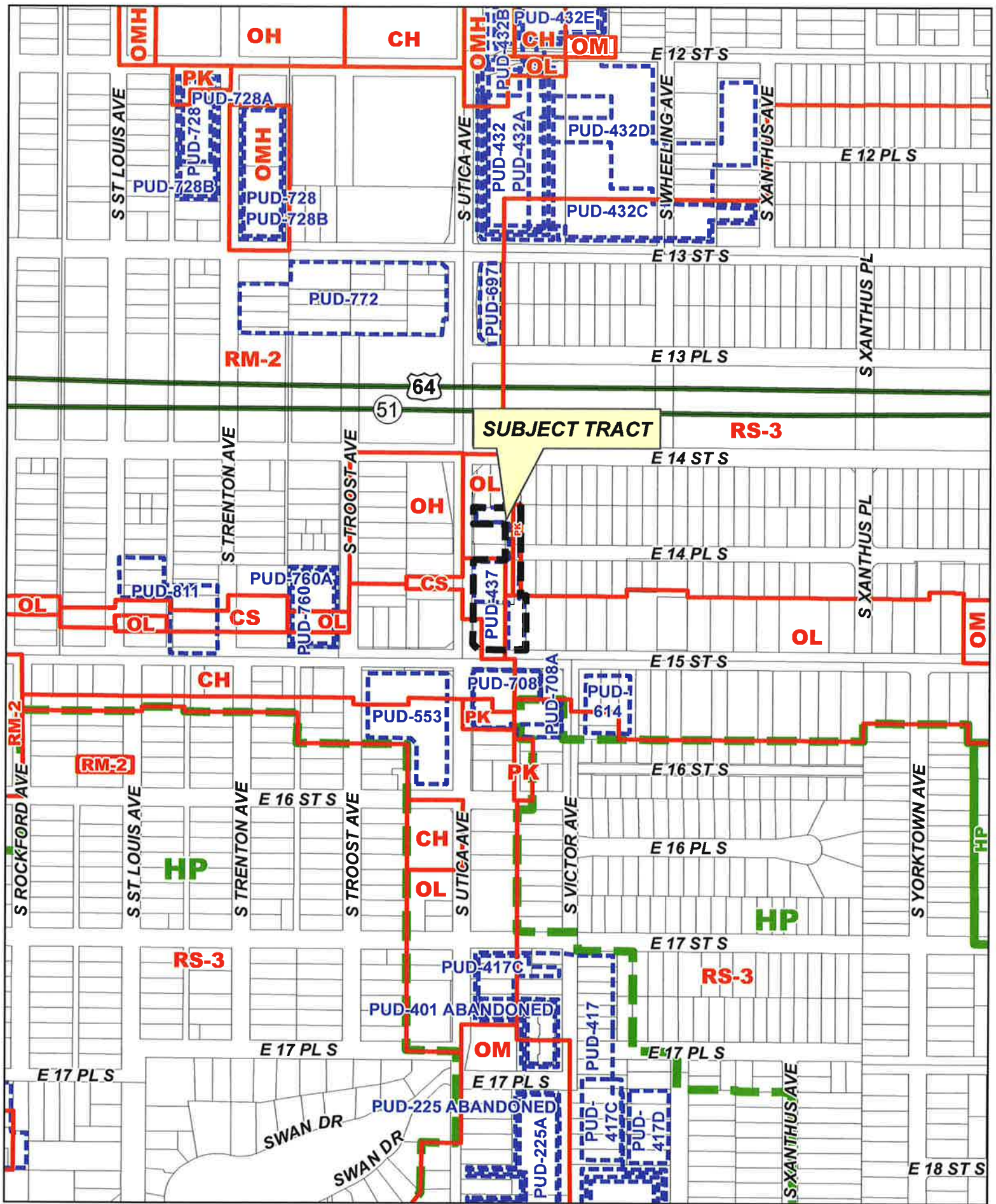
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LEGEND

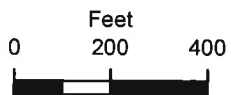
 - DEVELOPMENT AREA "A"

NEC - 15TH & UTICA
TULSA, OKLAHOMA
DEVELOPMENT AREAS
DECEMBER 2, 2015



PUD-437-A

19-13 07





0 200 400
Feet



Subject
Tract

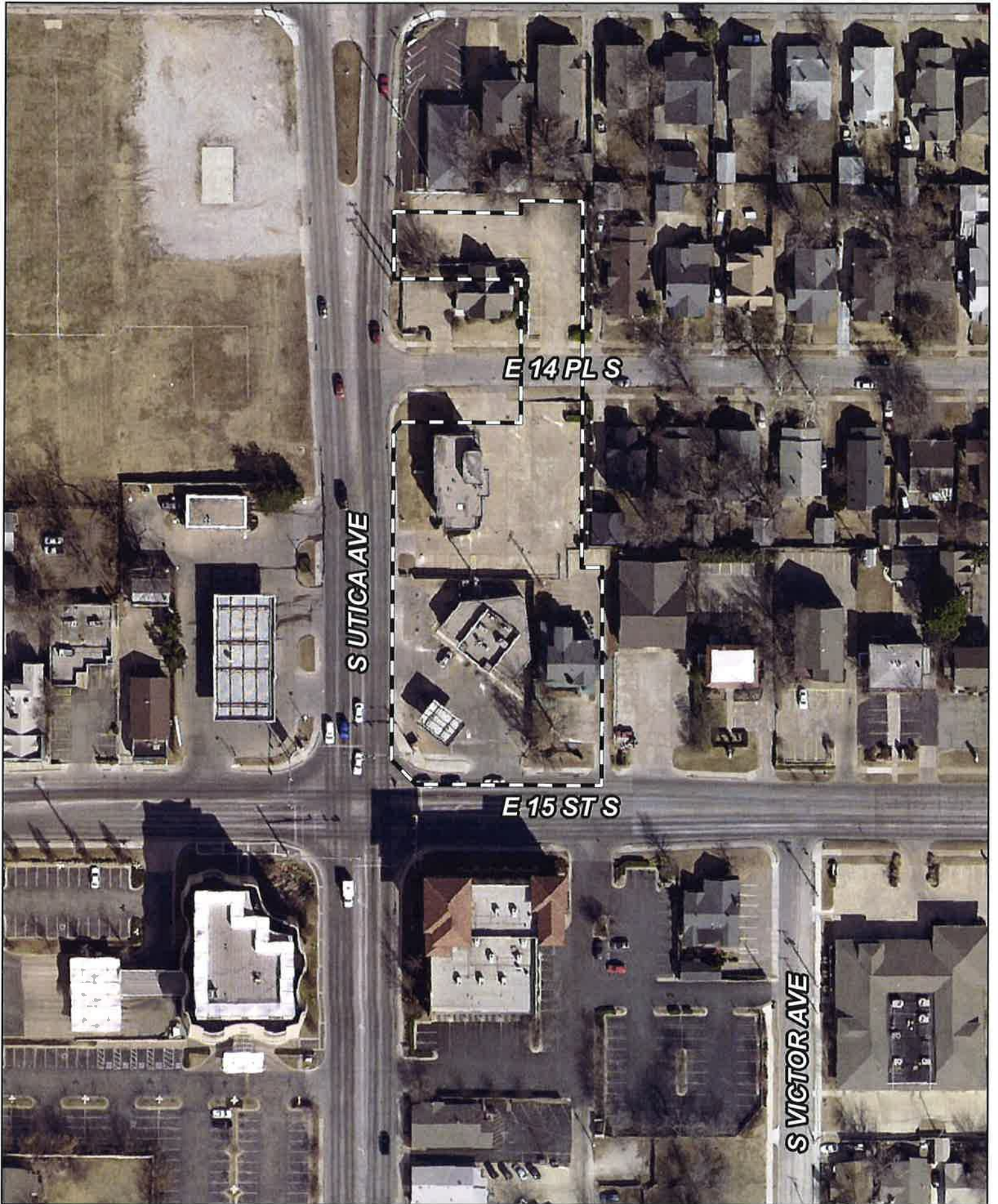
PUD-437-A

19-13 07

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

Aerial Photo Date: March 2014





S UTICA AVE

E 14 PL S

E 15 ST S

S VICTOR AVE

0 50 100
Feet



Subject
Tract

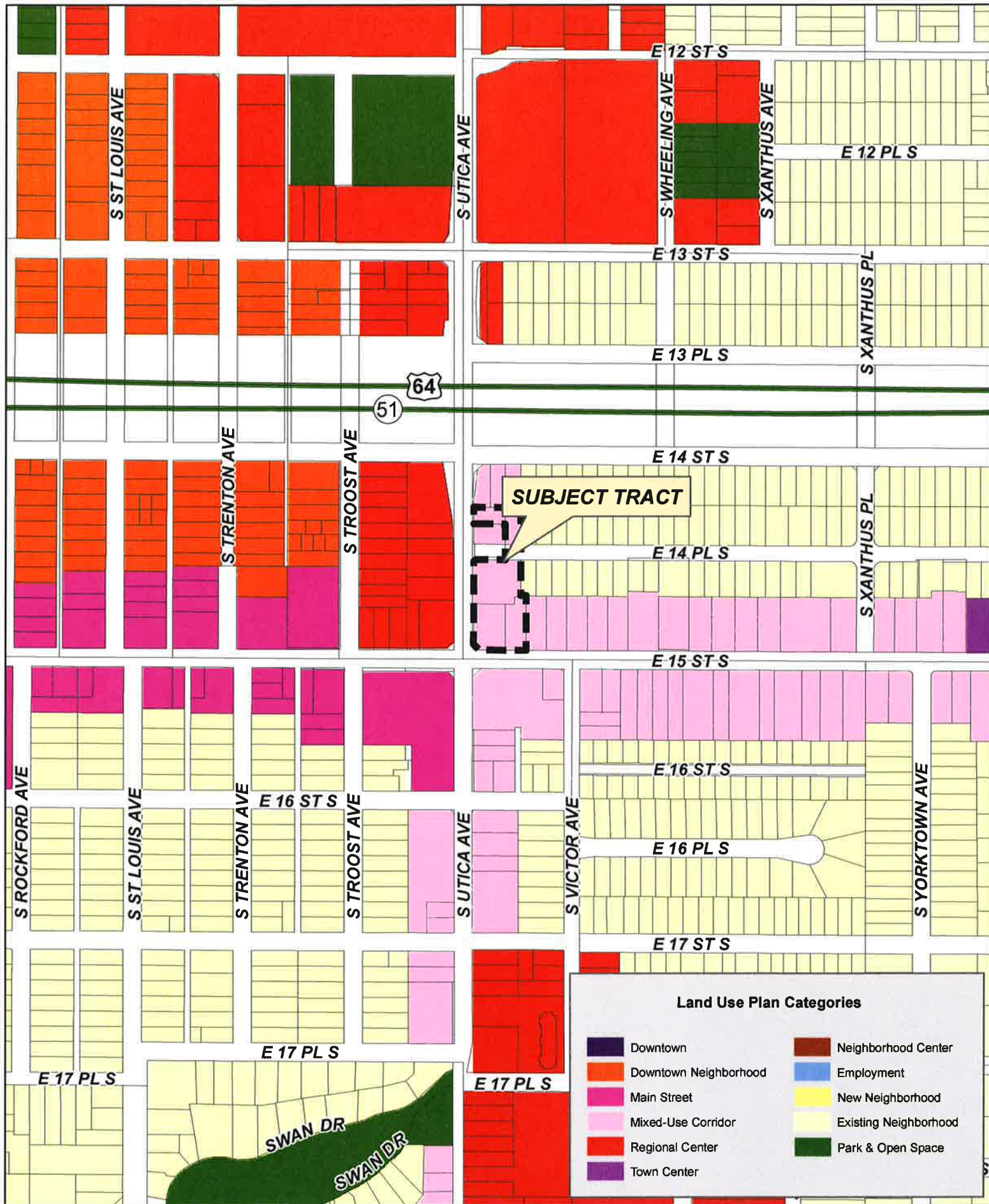
PUD-437-A

19-13 07

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

Aerial Photo Date: March 2014





PUD-437-A



19-13 07





PUD-437-A

19-13 07



EXTENSIVE USE OF STORE FRONT GLASS

ADDITIONAL TREES AND PLANTERS
ADDED AT STREET FRONT
MAIN ENTRANCE RELOCATED TO STREET
FRONT TO MAKE PEDESTRIAN FRIENDLY
WIDENED SIDEWALKS ALONG STREET TO 15'

COMMENTS:
NOT RELEASED FOR CONSTRUCTION





E. 15th St.



Utica Ave.

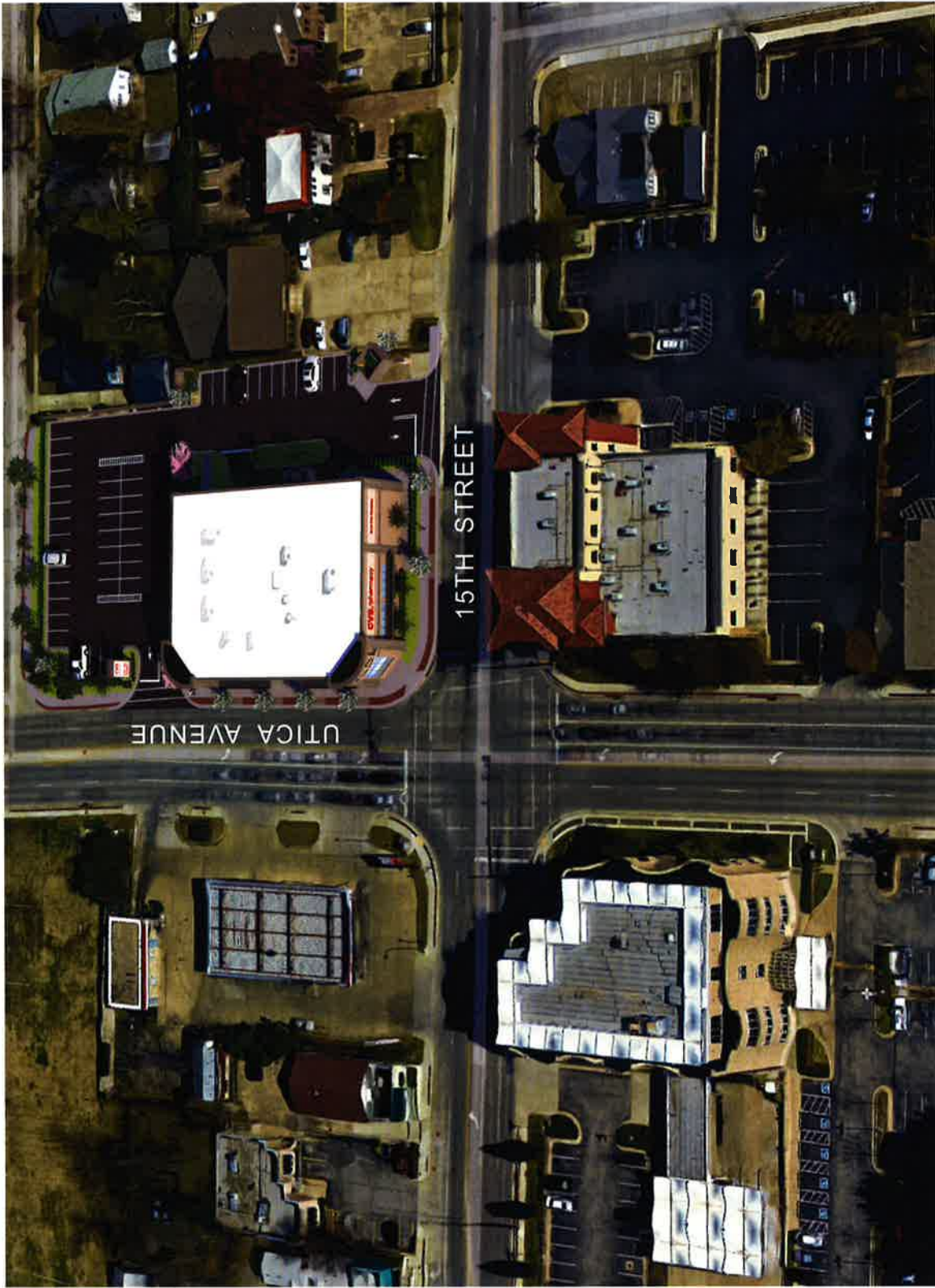


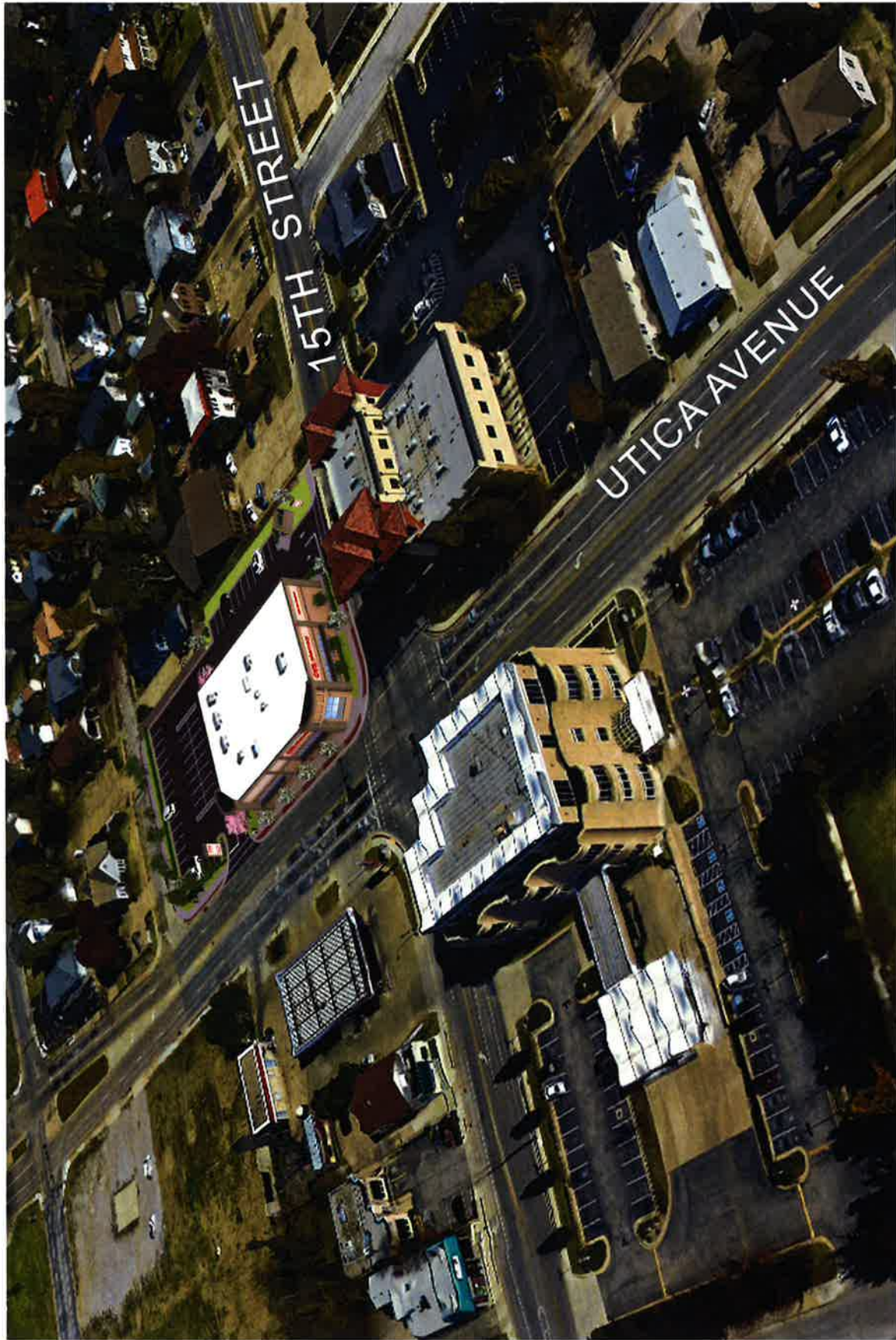
E. 14th St.

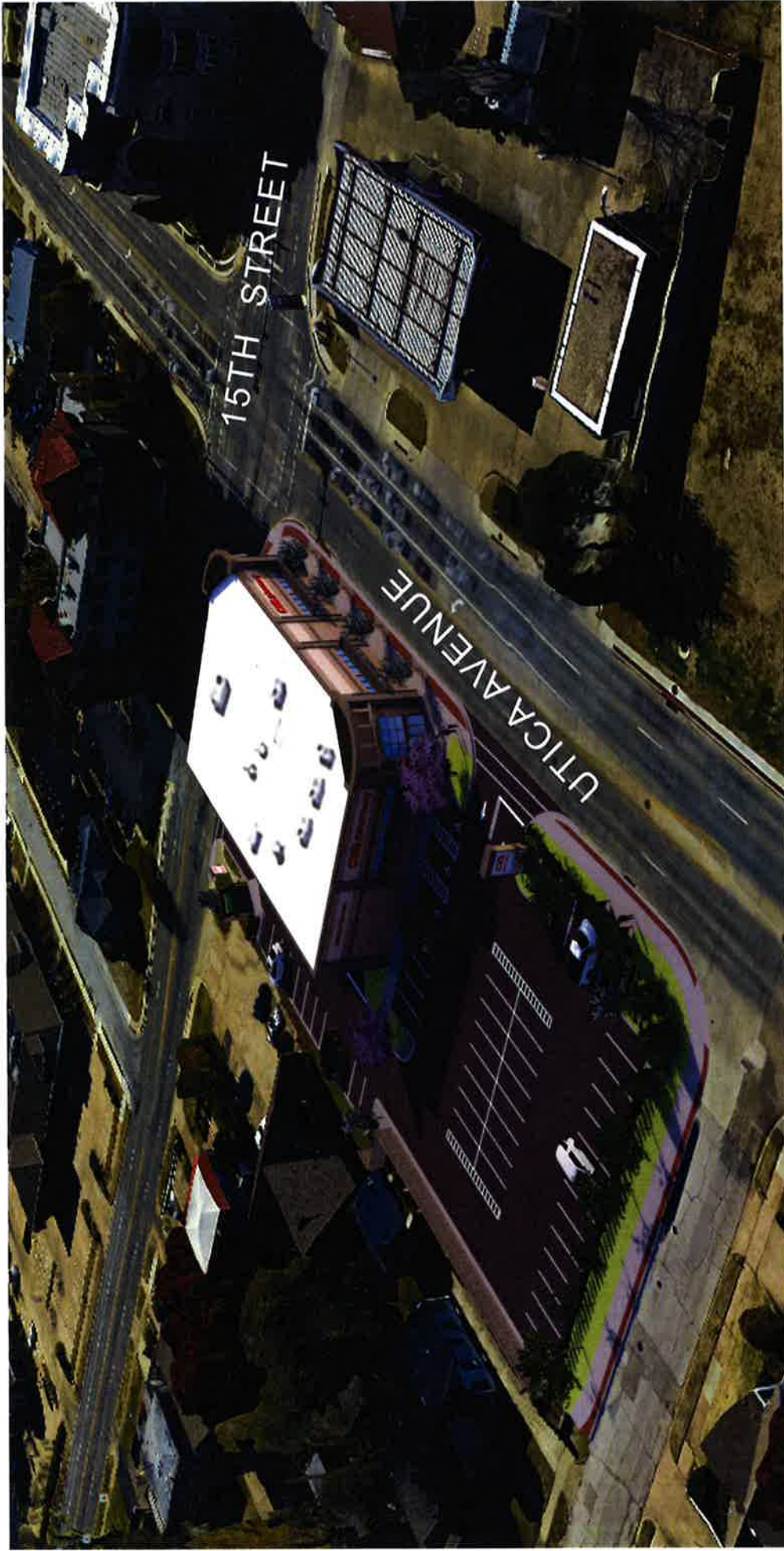


Alleyway

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

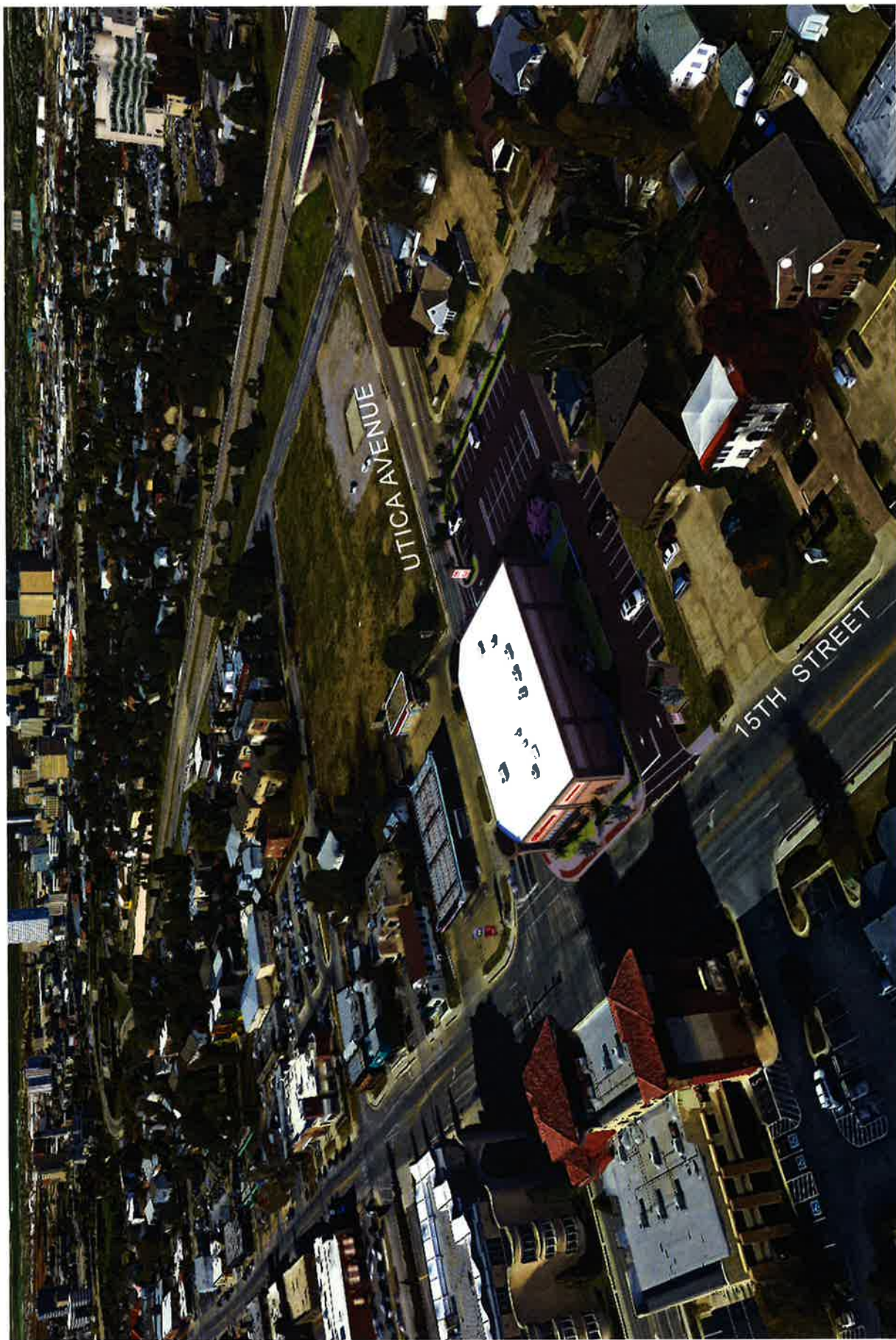






CVS/ PHARMACY
NEC - 15TH ST. AND UTICA AVE. - TULSA, OK





CARLSON
CONSULTING
ENGINEERS, INC.

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







UTICA AVENUE



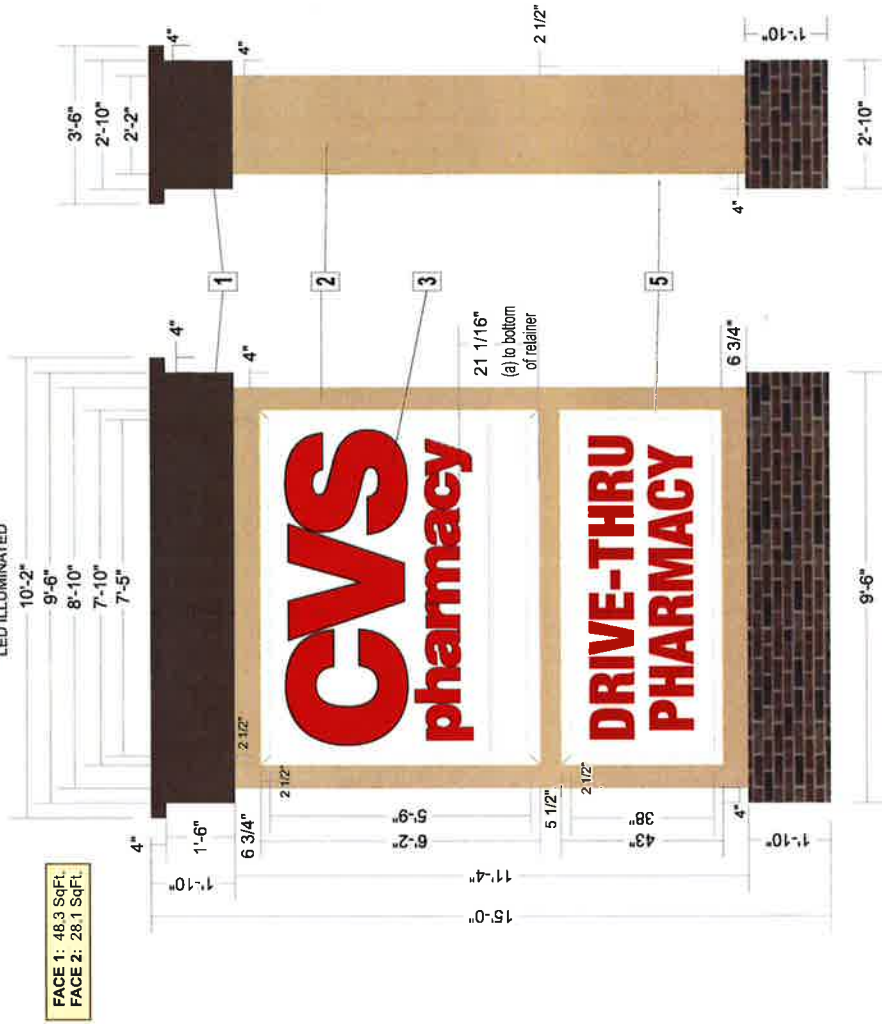
CVS/ PHARMACY
NEC - 15TH ST. AND UTICA AVE. - TULSA, OK





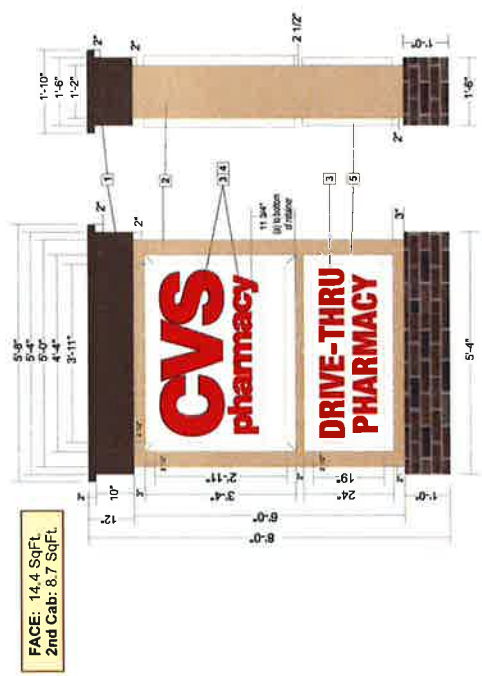
15 Ft. MONUMENT

LED ILLUMINATED



8 Ft. MONUMENT

LED ILLUMINATED



building masonry & colors TBD



PETERS & ASSOCIATES
ENGINEERS, INC.

April 12, 2016

Mr. David Barnett, EI
Carlson Consulting Engineers, Inc.,
7068 LedgeStone Commons
Bartlett, TN 38133

Re: P1821
Vehicle Trip-Generation Comparison
Existing Land Uses vs Proposed CVS Pharmacy Development
East Side of S. Utica Avenue, North of E. 15th Street and South of E. 14th Place
Tulsa, Oklahoma

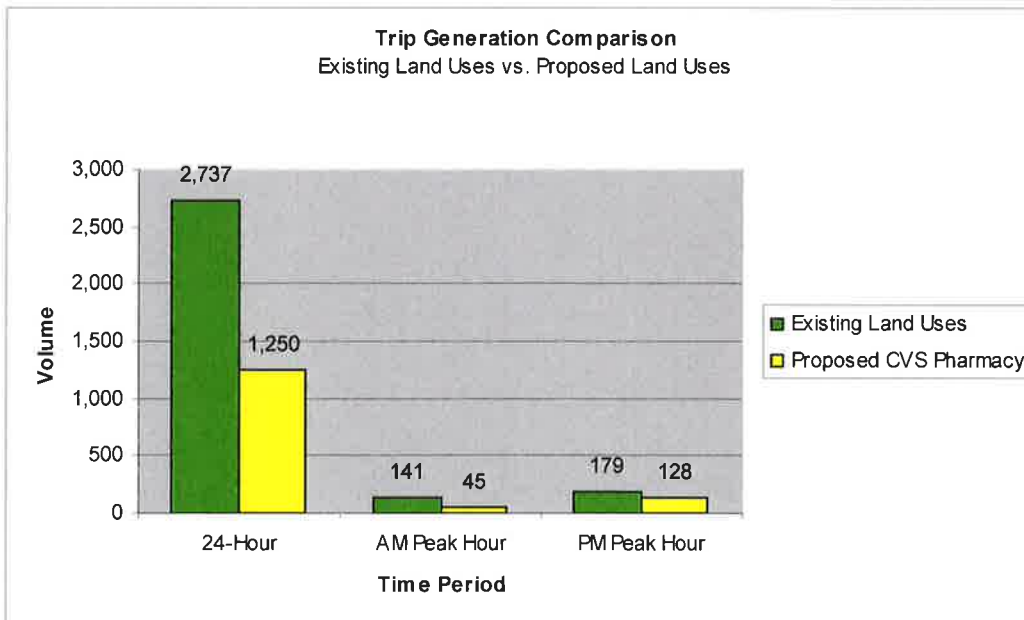
Dear Mr. Barnett:

As you requested, Peters & Associates Engineers, Inc. has compared vehicle trip generation of the existing land uses on the east side of S. Utica Avenue, north of E. 15th Street and south of E. 14th Place to that of a CVS Pharmacy proposed for the same site. A doctors' office (Tulsa Health Group), a convenience mart with gas pumps (Conoco Gas Station) and an office building (Utica 15 Building) were used for calculating trip generation for existing land uses. The trip generation for the proposed CVS Pharmacy land use was based on a store size of 12,900 square feet.

The Trip Generation, an Informational Report, published by the Institute of Transportation Engineers (ITE) Trip Generation Manual 9th Edition, 2012, and Trip Generation Software 2013 by Trafficware, LLC, were utilized in calculating the magnitude of traffic volumes expected to be generated by the existing land uses and the proposed land-uses of the site. These are reliable sources for this information and are universally used in the traffic engineering profession. Results of these calculations are summarized on the following table and chart, "Trip-Generation Comparison."

EXISTING LAND USES			DAILY TWO-WAY VOLUME	AM PEAK HOUR VOLUME		PM PEAK HOUR VOLUME	
LAND USE	APPROXIMATE SIZE	ITE CODE		ENTER	EXIT	ENTER	EXIT
Doctor's Office (Tulsa Helath Group)	8,265 Sq. Ft.	720	298	16	4	8	21
Convenience Mart with Gas (Conoco)	2,840 Sq. Ft.	853	2,402	58	58	73	72
Office Building (Utica 15 Building)	3,320 Sq. Ft.	710	37	4	1	1	4
SUB-TOTALS:			2,737	78	63	82	97
TOTAL TRIPS ENTERING + EXITING				141		179	

PROPOSED LAND USE			DAILY TWO-WAY VOLUME	AM PEAK HOUR VOLUME		PM PEAK HOUR VOLUME	
LAND USE	APPROXIMATE SIZE	ITE CODE		ENTER	EXIT	ENTER	EXIT
Pharmacy Drugstore with Drive-Thru	12,900 Sq. Ft.	881	1,250	23	22	64	64
TOTAL TRIPS ENTERING + EXITING				45		128	



Trip-Generation Comparison

It was found that trip-generation corresponding to the exiting and proposed land uses of the site are as follows:

- 24-Hour: The proposed CVS Pharmacy land use is calculated to generate, on a 24-hour basis, 1,487 fewer vehicle trips (combined in and out) than the existing land uses. This equates to approximately 54 percent fewer vehicle trips.
- AM Peak Hour: The proposed CVS Pharmacy land is expected to generate 96 fewer vehicle trips (combined in and out) than the existing land uses during the AM peak hour. This equates to approximately 68 percent fewer vehicle trips.

Mr. David Barnett, EI
April 12, 2016
Page 3

- PM Peak Hour: The proposed CVS Pharmacy land is expected to generate 51 fewer vehicle trips (combined in and out) than the existing land uses during the PM peak hour. This equates to approximately 23 percent fewer vehicle trips.

If you have any questions or need additional information, please contact us.

Sincerely,
PETERS & ASSOCIATES ENGINEERS, INC.

A handwritten signature in black ink, appearing to read "Ernest J. Peters".

Ernest J. Peters, P.E.
President

Miller, Susan

From: Sawyer, Kim
Sent: Friday, April 15, 2016 1:01 PM
To: Miller, Susan
Subject: FW: CVS - 15 & Utica
Attachments: Sam Daniel letter.pdf; Alex King letter.pdf; CVS Petition.pdf

From: Noreen McCorkle [mailto:nmccorkle@ivprop.com]
Sent: Friday, April 15, 2016 12:20 PM
To: Sawyer, Kim
Cc: Dale Williams
Subject: CVS - 15 & Utica

TMAPC Secretary:

Please find attached the following regarding the 15 & Utica CVS that is on the agenda for April 20 meeting:

- 1 – Hillcrest petition
- 2 – letter from Sam Daniel
- 3 – letter from Alex King

Please deliver copies to each of the commissioners. Thank you.

Noreen McCorkle
Intervest Properties
1133 E. 33rd Place
Tulsa, Ok 74105

918-583-0938
918-583-0331 fax



Sam P. Daniel, III, PLLC
Attorney at Law
1756 South Utica Avenue
Tulsa, Oklahoma 74104-5336
Telephone (918) 749-9007
Fax (918) 749-9023
sam.daniel@samdaniellaw.com

April 5, 2015

Commissioner Blake Ewing
City of Tulsa

Via email: dist4@tulsacouncil.org

RE: CVS 15th and Utica

Dear Commissioner Ewing

I am writing to voice my full support for the development of a new CVS at the corner of 15th and Utica. As the owner of multiple commercial building on South Utica between 15th and 19th Streets, I am convinced this development will have a very positive impact on the neighborhood. CVS is exactly the quality and type of use we need in the area. The current convenience store is not a plus for the neighborhood and tends to attract a lot of vagrants. I would like to see it replaced.

I served as a member of the South Utica Small Area Plan citizen advisory team. After reviewing the latest CVS site plan and building elevations I can confirm that this development meets the spirit of what the Small Area Plan was trying to accomplish. CVS has done an excellent job adjusting their site plan to meet the guidelines of the Small Area Plan. It's great to see that they have agreed to push the building right up to the sidewalk on both street fronts and that they have located the entry door on the sidewalk along 15th. These are both things that the Plan was trying to accomplish.

I really can't believe there has been so much controversy surrounding this project. This development will be a real plus for the neighborhood and the city of Tulsa and most likely will lead to further development.

Please feel free to contact me should you like to discuss my view on this further.

Yours truly,



Sam P. Daniel III

April 12, 2016

Councilor Blake Ewing
City of Tulsa
175 East 2nd Street, Fourth Floor
Tulsa, OK 74103

Dear Councilor Ewing:

I live 2 blocks from the proposed CVS Pharmacy project at 15th & Utica. I believe it will be a major upgrade and improvement to this area.

They have agreed to "no curb cut" on 14th Place so the neighborhood is protected.

Please support this project. Thank you!

Sincerely,

A handwritten signature in cursive script that reads "Alex King". The signature is written in dark ink and is positioned to the right of the word "Sincerely,".

Alex King
1855 E. 16th Place
Tulsa, OK 74104

Petition to Support a New CVS Pharmacy at 15th & Utica

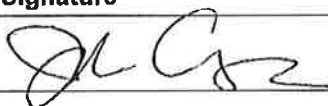



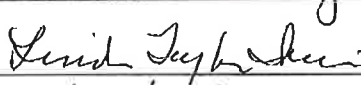
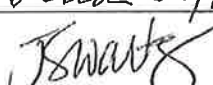

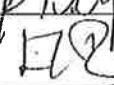

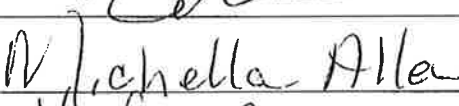
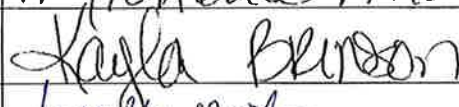

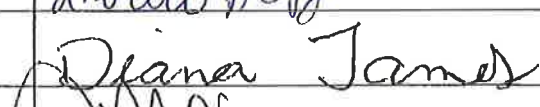

Petition to:	Tulsa City Councilors: Jack Henderson, Jeannie Cue, David Patrick, Blake Ewing, Karen Gilbert, Connie Dodson, Anna America, Phil Lakin, Jr., and G.T. Bynum
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Printed Name	Signature	Date
Eric Peatthers	Eric Peatthers	4/11/2016
Brittany Swaim	BS	4/11/16
Jeannie Moreau	Jeannie	4/11/16
Sam L. Mann MD	Sam L. Mann MD	4/11/16
Rebecca Markiller	Rebecca Markiller	4/11/16
Sharonna Derrard	Sharonna Derrard	4/11/16
Tracy R.	Tracy R.	4/11/16
Mrs. Lynette	Mrs. Lynette	4-11-16
Jess Wilde	Jess Wilde	4/11/16
Benny Ruff	Benny Ruff	4/11/16
Becki Bantler	Becki Bantler	4/11/16
Reba Ruff	Reba Ruff	4/11/16
Leslie Bohrsack	Leslie Bohrsack	4/11/16
Bonnie Miller	Bm	4/11/16

Printed Name	Signature	Date
Diane Ritter	Diane Ritter	4/11/16
Laura Hise	Laura Hise	4/11/16
Brenda Shivers	Brenda Shivers	4/11/16
Shannon Cline	Shannon Cline	4-11-16
Barri Baker	Barri Baker	4-11-16
MaryAnn Rogers	MaryAnn Rogers	4-11-16
Frank Wilton	Frank Wilton	4/11/16
Janet Stephens Slocum	Janet Stephens Slocum	4-11-16
Meagon Rousley	Meagon Rousley	4-11-16
Ashley Luevano	Ashley Luevano	4/11/16
Teri Steele	Teri Steele	4/11/16
Beto Armendariz	Beto Armendariz	4/11/16
Ashley Watson	Ashley Watson	4/11/16
Madison Stevens	Madison Stevens	4-11-16
Emily Ordaz	Emily Ordaz	4-11-16
Taylor Reed	Taylor Reed	4/11/16
Lisa Giovannetti	Lisa Giovannetti	4-11-16
Adrian Steele	Adrian Steele	4-11-16
Lucinda J. Williams	Lucinda J. Williams	4-11-16
Bruce Schultz	Bruce Schultz	4/11/16
Harpint Zakhar	Harpint Zakhar	4/11/2016
Michelle Birlew	MICHELLE BIRLEW	4/11/16

Petition to Support a New CVS Pharmacy at 15th & Utica

Petition to:	Tulsa City Councilors: Jack Henderson, Jeannie Cue, David Patrick, Blake Ewing, Karen Gilbert, Connie Dodson, Anna America, Phil Lakin, Jr., and G.T. Bynum
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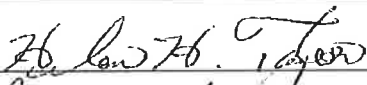




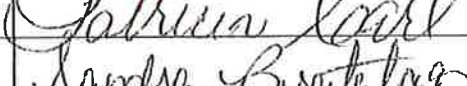
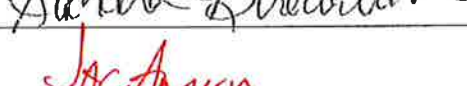
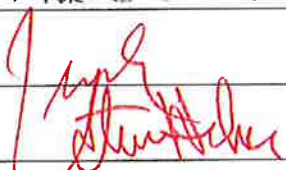
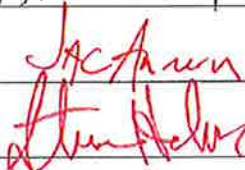



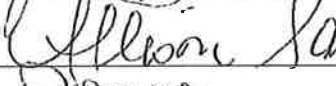
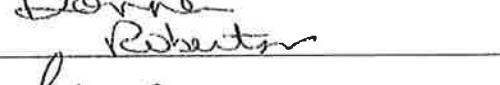


Printed Name	Signature	Date
John Carter		4/11/16
Claudia Randeau		4/11/16
Pamela Fleming-Wierwase		4/11/16
Sheila Bilby		4-11-16
Linda Taylor Ewing		4-11-16
Jennifer Swartz		4/11/16
Kelsi Sueck		4-11-16
Kelley RUS		4/11/16
Samantha Kh		4/11/16
Michelle Allen		4/11/16
Kayla Benson		04/11/16
Amanda Doty		4-11-16
Diana James		4-11-16
Jessica Major		4/11/16

Printed Name	Signature	Date
Melissa Gaither	Melissa Gaither	4-11-16
Emily Beady	Emily Beady	4/11/16
Victor Cheung	Victor Cheung	4/11/16
Sarah Fulton	Sarah Fulton	4/11/16
Luis Mendez	Luis M.	4/11/2016
Markisha Smith	Markisha Smith	4/11/16
Alexis Johnson	Alexis Johnson	4/11/16
Noah Sattwedan	Noah Sattwedan	4/11/16
JESSICA PRESCOTT	Jessica Prescott	4-11-16
Kathy Orr	Kathy Orr	4-11-16
Kim Rennington	Kim Rennington	4-11-16
Alisha Little	Alisha Little	4-11-16
Jessica Sherwood	Jessica Sherwood	4-11-16
Alicia Gross	Alicia N Gross	4-11-16
Kim Bryant	Kim Bryant	4-11-16
Tammy Griffith	Tammy Griffith	4-11-16
Megan Turner	Megan Turner	4-11-16
Lark McDaniel	Lark McDaniel	4-11-16
Donya Rankin	Donya Rankin	4/11/16
Michelle	Miranda Spivey	4/11/16
Janet Callahan	Janet Callahan	4/11/16
Lindsey Rembert	Lindsey Rembert	4-11-16

[illegible]

Petition to Support a New CVS Pharmacy at 15th & Utica

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Printed Name	Signature	Date
Helen H. Taylor		4-11-16
Corbin Moreland		4-11-16
J. Gray		4-11-16
RYAN SPEIER		4-11-16
TRAMPAS THOMPSON		4-11-16
Patricia Earl		4-11-16
Sandra Breitenbach		4-11-16
		4-11-16
		4-11-16
Bill Strickland		4-11-16
Julia Shuck		4-11-16
Allison Sander		4-11-16
Donna Robertson		4-11-16
Lisa Jenkins		4-11-16

Printed Name	Signature	Date
Tera Wray	Tera Wray	4/4/16
Doris Grosse	DORIS GROSSE	4-12-16
HERMANN GROSSE	Hermann Grosse	4-12-16
Toni Toni Moore	Toni Moore	4-12-16
Latasha Wilson	Latasha Wilson	4-12-16
Erika Hentz	Erika Hentz	4-12-16
Harriett Coy	Harriett Coy	4-12-16
Edie Halpain	Edie Halpain	4-12-16
Rachel Jones	Rachel Jones	4-12-16
Cynthia Hillschager	Cynthia Hillschager	4-12-16
Kristen Collins	Kristen Collins	4-12-16
Margaret Francis	Margaret Francis	4-12-16
E. Joyce Saunders	E. Joyce Saunders	4-12-16
Beverly Johnson	Beverly Johnson	4-12-16
Mae Caldwell	Mae Caldwell	4/12/16
Lisa Matthews	Lisa Matthews	4-12-16
Brooklyn Mcdon	Brooklyn Mcdon	4/12/16
R. Martin	R. Martin	4/12/16
Keeisa Johnson	Keeisa Johnson	4/12/16
March C.	March C.	4/12/16
JEFFERY Johnson	Jeffery Johnson	4/12/16

Miller, Susan

From: Sawyer, Kim
Sent: Friday, April 15, 2016 1:03 PM
To: Miller, Susan
Subject: FW: 15th & Utica - CVS
Attachments: Commissioner Package.pdf

From: Noreen McCorkle [mailto:nmccorkle@ivprop.com]
Sent: Friday, April 15, 2016 12:25 PM
To: Sawyer, Kim
Cc: Dale Williams
Subject: 15th & Utica - CVS

Dear TMAPC Secretary:

Please find attached a letter and package of information regarding the CVS at 15th and Utica that will be on the agenda for the meeting on April 20. Please deliver this to each of the commissioners.

Thank you for your assistance.

Noreen McCorkle
Intervest Properties
1133 E. 33rd Place
Tulsa, Ok 74105

918-583-0938
918-583-0331 fax





April 15, 2016

To Commissioners:

Michael Covey	Gail Carnes
John Dix	Ted Reeds, II
John Shivel	Joshua Walker
Ryon Stirling	Mike Fretz
Margaret Millikin	Mark Willis
Dwain Midget	

RE: CVS 15th and Utica

Dear Commissioners:

I am writing to you regarding the proposed CVS Pharmacy at 15th and Utica. We own or control the land where the CVS will be constructed. This CVS development will bring economic, convenience, and aesthetic value to the neighborhood. From my understanding, you have heard some negative feedback on this project from a subset of neighbors in the area; however, it is of my opinion that CVS will be a major asset to the community and they have made a major effort to work within the confines of neighbor requirements and the Small Area Plan guidelines.

As a TMAPC commissioner, you have a difficult job in weighing the opinions of all stakeholders to make a decision that is fair and just to all involved. In the case of this proposed project, opposing neighbors raised many requirements and objections, and the guidelines as outlined in the Small Area Plan. As you know, of the 7,000 CVS stores in the United States, the majority are designed with the same proto type layout. In this case, due to the efforts of Councilor Ewing, INCOG and the neighborhood group CVS has made major modifications to their typical business model to accommodate the Small Area Plan guidelines and neighbor requirements, including:

- A site plan with double street scape (i.e., building pushed to street front on both 15th & Utica);
- Removing the curb cut on 14th Place
- Relocating the drive thru away from street front;
- Upgrading exterior finishes by replacing stucco with brick;
- Relocating the store entrance to street front;
- Adding a masonry wall at east property line;
- Relocating a trash enclosure;
- Increasing the number of trees and landscaping;

- Increasing the sidewalk width along both 15th Street and Utica;
- Adding a bus stop;
- Providing bicycle racks; and
- Increasing the exterior elevation to 30 feet for two-story appearance.

You will find attached the revised site plan and elevations outlining the modifications made by CVS. You will also find attached a matrix listing the Small Area Plan guidelines and information on how this revised site plan meets each of these guidelines. CVS agreeing to make these modifications demonstrates the Small Area Plan is effective.

From my understanding, only three neighbor objections remain: (1) they dislike like the use and would prefer a more upscale purpose, (2) the building is not a true mixed-use, and (3) they argue it is not pedestrian friendly.

In regard to the use objection, upscale is truly a matter of opinion that depends on the users' past experience. For most in the area, a new CVS would be more upscale and diverse than the current use (see attached photos of the existing structures). Unfortunately, the demographic and touristic profile of Tulsa does not warrant a boutique hotel, upscale restaurant, or designer store on every corner. A select few loud voices in the neighborhood oppose the proposed use as a CVS pharmacy; however, most neighbors and the visitors to the nearby medical centers will welcome a convenient CVS store and the added bonus of the upgraded intersection appearance.

As to the question of "mixed-use," the Small Area Plan was not intended to require that every building within its confines be mixed-use, but to create a new zoning classification that would allow for mix of uses. If you review areas in Tulsa to which the Small Area Plan refers, such as Cherry Street, Brookside, and the Brady Arts District, you will see a mixture of both mixed-use and single-use structures. Page 217 of the Small Area Plan (copy attached) states "The Plan provides guidance of application of a new MX district in this corridor once it is included in the zoning code update". The MX zoning district has now been implemented and is included in the current zoning code. This new MX district allows for commercial structures within the mixed-use district and makes no requirement that each structure be mixed-use. The new MX district allows for mixed uses in the same zoning district but does not make then a requirement. Approximately 75 percent of the land in the South Utica Small Area is designated to be either "Mixed-Use" or "Institutional Mixed-Use." It is economically unrealistic and implausible to assume the intention of the Small Area Plan was to require every structure placed on 75 percent of the land in the area to be mixed-use. For example, neither a doctor nor a CPA could build a small, private office without constructing residential as part of their community enhancing enterprise.

CVS has modified their site plan to make it pedestrian friendly. Current use has 6 curb cuts totaling 190 lineal feet of street frontage. The CVS site will have only 2 curb cuts totaling 75 lineal feet of street front. In addition, CVS has increased the sidewalks/streetscape along 15th and Utica frontage to 14' width added additional trees along these walks and a covered bus stop. You can't get any more pedestrian friendly unless you have no onsite parking.

The opposing neighbors helped write the rule book in the form of the SAP. Now they are wanting to back pedal because they don't like the use. Limits on a specific use were not part of the SAP. Now we have CVS complying with all the rules in the SAP, how can this not be approved.

The City of Tulsa needs to cooperate with and encourage national retailers to locate within the city to both increase and stabilize sales tax revenue. Property tax revenue will increase from a current total of \$30,900 for the three parcels (1701/1711 E 15th Street and 1435 S Utica) to approximately \$66,000 for the new CVS. A big win for Tulsa Public Schools. Sales tax collections for the current use are negligible. Sales tax revenue from an average sales volume CVS will be \$180,000. Much of these sales will come from people who reside outside the city of Tulsa and are in the area visiting one of the nearby medical centers.

CVS has done everything requested of them by Councilor Ewing and INCOG and the revised site plan meets all guidelines of the Small Area Plan. This new development is a win-win, Tulsa will gain both increased property and sales tax, while the neighborhood and visitors to the nearby medical centers will gain a conveniently located pharmacy and an aesthetically pleasing building to replace the rather dilapidated convenience store currently occupying the site and I hope that we will have your support in gaining approval for this project.

Thank you for your Service as Planning Commissioner and for reviewing my letter.

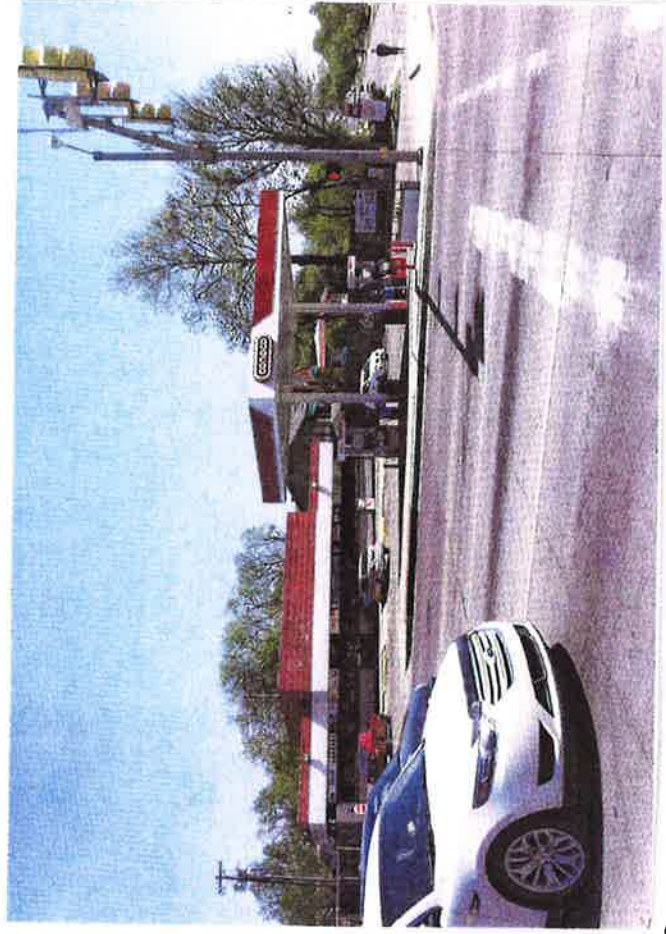
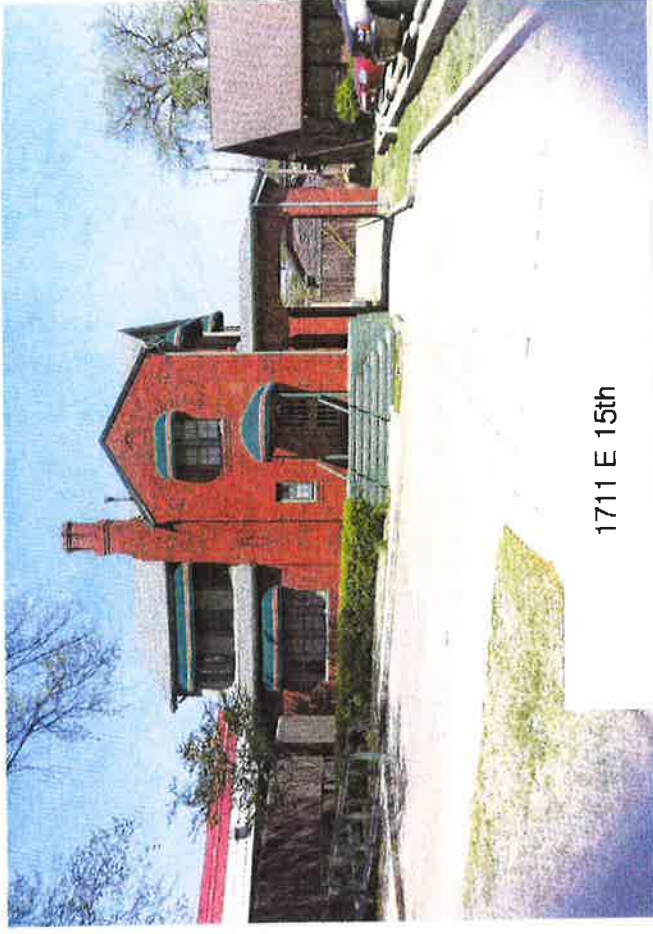
Sincerely,



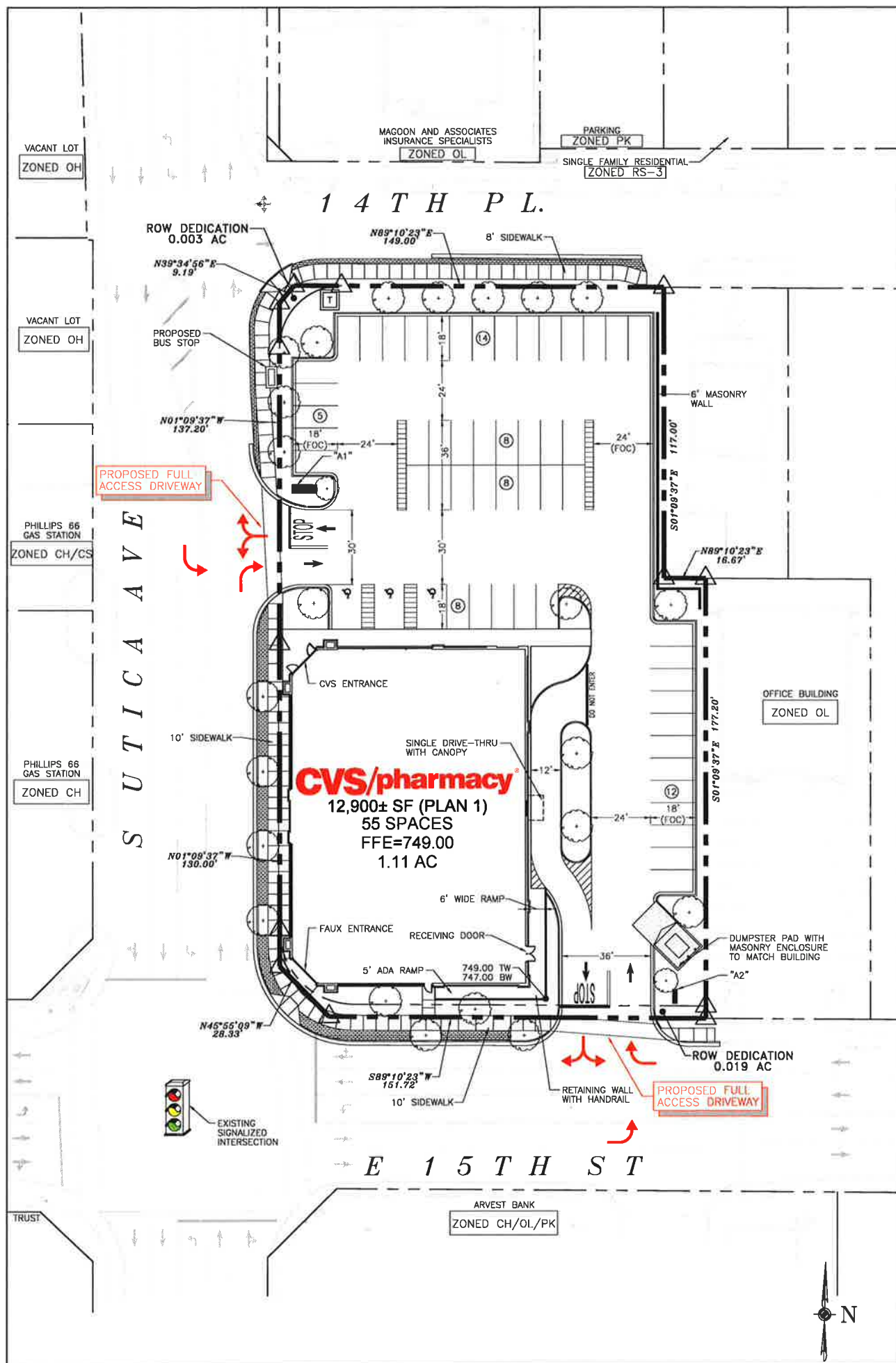
Dale Williams

Proposed CVS Site

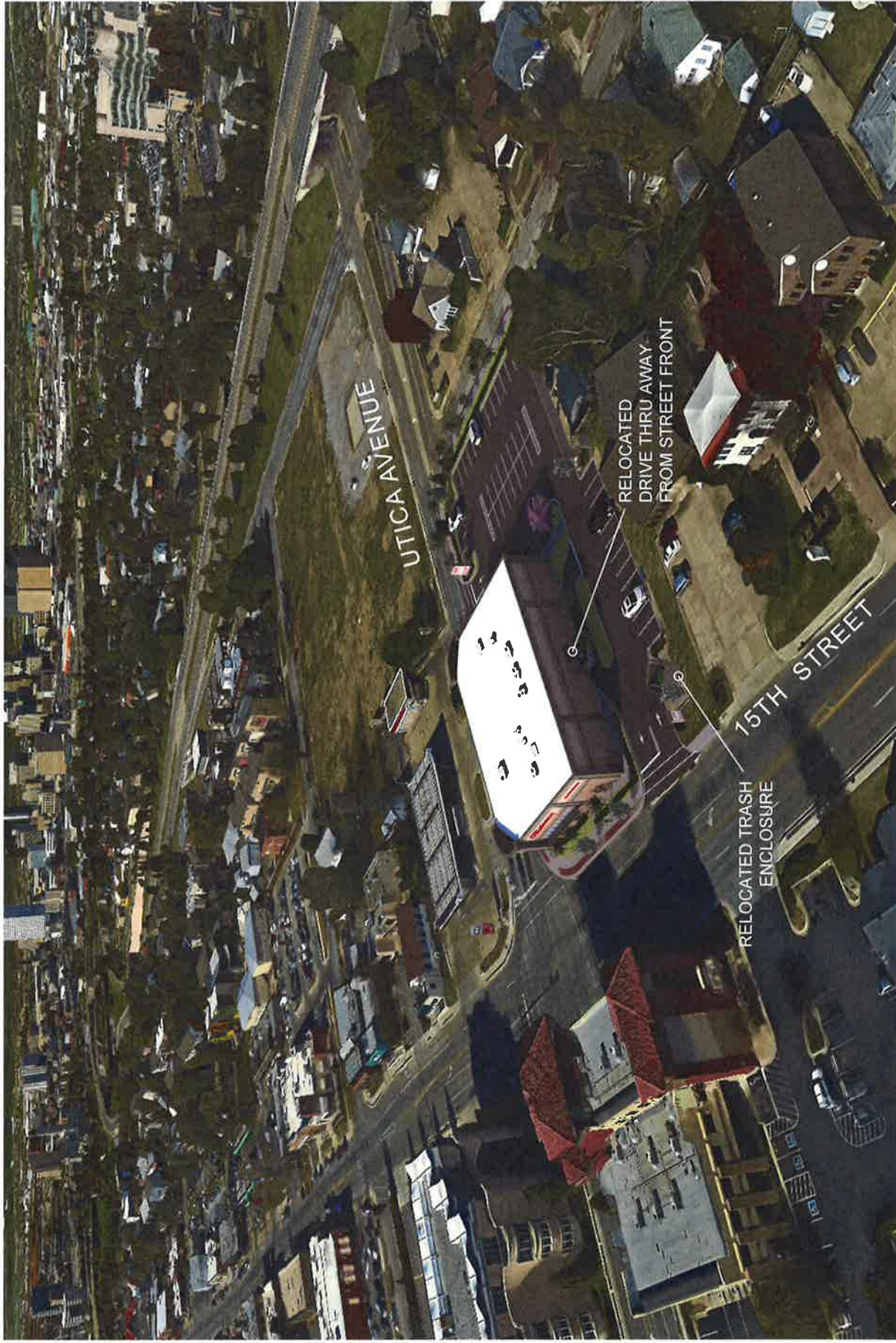
Existing Buildings

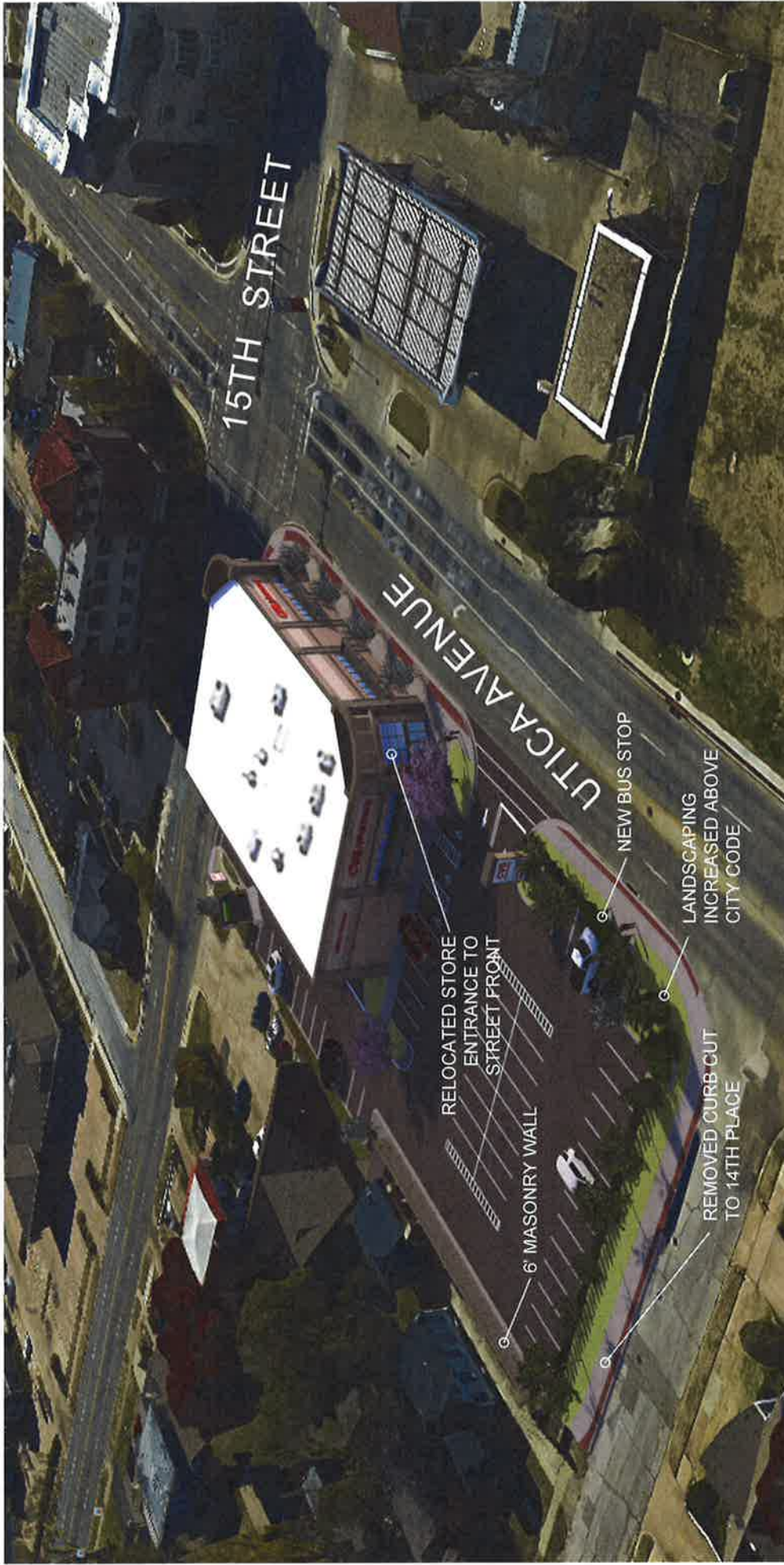


Convenience Store











EXTENSIVE USE OF STORE FRONT GLASS

ADDITIONAL TREES AND PLANTERS
ADDED AT STREET FRONT
MAIN ENTRANCE RELOCATED TO STREET
FRONT TO MAKE PEDESTRIAN FRIENDLY
WIDENED SIDEWALKS ALONG STREET TO 15'

CVS 15th and UTICA COMPLIANCE WITH SMALL AREA PLAN RECOMMENDATIONS

LAND USE AND DEVELOPMENT

LU-1 214 Preserve the integrity and historic residential character of historic Midtown neighborhoods.

1.1 214

HP Boundary: Maintain existing Historic Preservation (HP) overlay zoning district boundary.

N/A as the site is not within or abut either of the HP districts

1.2.a 214

Discourage surface parking as a primary use for parcels located within the HP overlay zoning district, especially for parcels abutting the HP boundary.

N/A as site is not abutting a HP district

LU-2 215 Encourage sustainable growth and mixed-use development in Regional Centers to create harmony between institutional and residential uses.

N/A as site is not within a Regional Center

2.2.a
through
2.2.g
213

Mixed-Use Institutional Zoning: Adopt a mixed-use institutional zoning category to support the sustainable growth of regional job centers.

N/A as site does not lay within the area designated as Mixed Use Institutional

LEGACIES AND URBAN DESIGN

Define and implement a minimum sidewalk width based on street type classification.

Yes all sidewalk along 15th street and Utica avenue to be 8' wide or more

3.3 220

Define an amenity zone, where appropriate, to shield the pedestrian walkway from the traffic and to include street trees, street lights and public furniture.

Yes adding additional street side trees over what code requires. Wider side walks

3.4 220

Define a build-to-line, measured from the back of the sidewalk, where the building façade must be placed to create a unified streetscape.

Yes building is pushed to street on both 15th and Utica

3.5 220 Require all buildings to have a main entrance facing the street.

Yes main entrance is a sidewalk along 15th street

3.6 220

Promote ground floor uses and their appropriate design and access.

Yes ground floor retail at street front with glass store front

3.7 220

Design structures with active ground floors along commercial corridors.

Yes we have active ground floor with glass retail storefront and entrance on street

3.8 220 Buildings should have a minimum height of two stories.

Increased the façade to 30' high so it has the mass of a two story building.

4.3 220

Strengthen screening requirements in zoning code to provide for transitional yards where parking and services at the back of high-density residential or non-residential parcels which abut residential yards.

Yes masonry wall at east property line

TRANSPORTATION AND MOBILITY

228 Ensure ADA compliance.

Site plan is full ADA compliant

6.2 228

Encourage new construction to minimize traffic impacts by creating appropriate points of ingress and egress, shared and reduced curb-cuts, maintaining the street grid system, and providing access to multimodal transportation.

Yes deleted 14th Street curb cut at neighborhoods request

6.11.a 229

Provide enhanced transit stops (ex: benches, trash can, shelter) on Utica Avenue, especially shade for elderly patrons.

Yes providing bus stop area

6.11.e 229

Require conveniently located bike racks within all new developments and redevelopments.

Yes including bike racks

6.11.f 229 Provide secure bicycle racks at all existing major destinations. Medium 3-10 years TBD
COT, Engineering
Svc's

Yes including bike racks

TR-7 230 Reduce negative visual impacts of non-residential parking on residential areas.

7.1 230

Use zoning tools to regulate design and layout of non-residential parking located adjacent to residential areas (

Yes heavy landscaping to shield parking from street and wall at east to shield parking from residential

ECONOMIC DEVELOPMENT

ED-9 232 Retain medical and health care and related industry clusters in the area.

Pharmacy use fits with this plan

FIG. S-5.2. PROPOSED MIXED-USE ZONING DESIGNATIONS

NOTE: THIS IS A CONCEPT ILLUSTRATION.

Exact boundary of the proposed zoning districts are to be determined by further study. Incorporation of these zoning districts into the ongoing zoning code rewrite is strongly recommended.

Historic Preservation Overlay Zoning District. No changes to boundary.

Proposed Mixed-Use (MX) Zoning

A new zoning category proposed to promote sustainable mixed-use development in the Utica corridor and codification of HP Buffer protections in this area. This plan provides guidance of application of a new MX district in this corridor, once it is included in the zoning code update.

Proposed Mixed-Use Institutional (MX-I) Zoning.

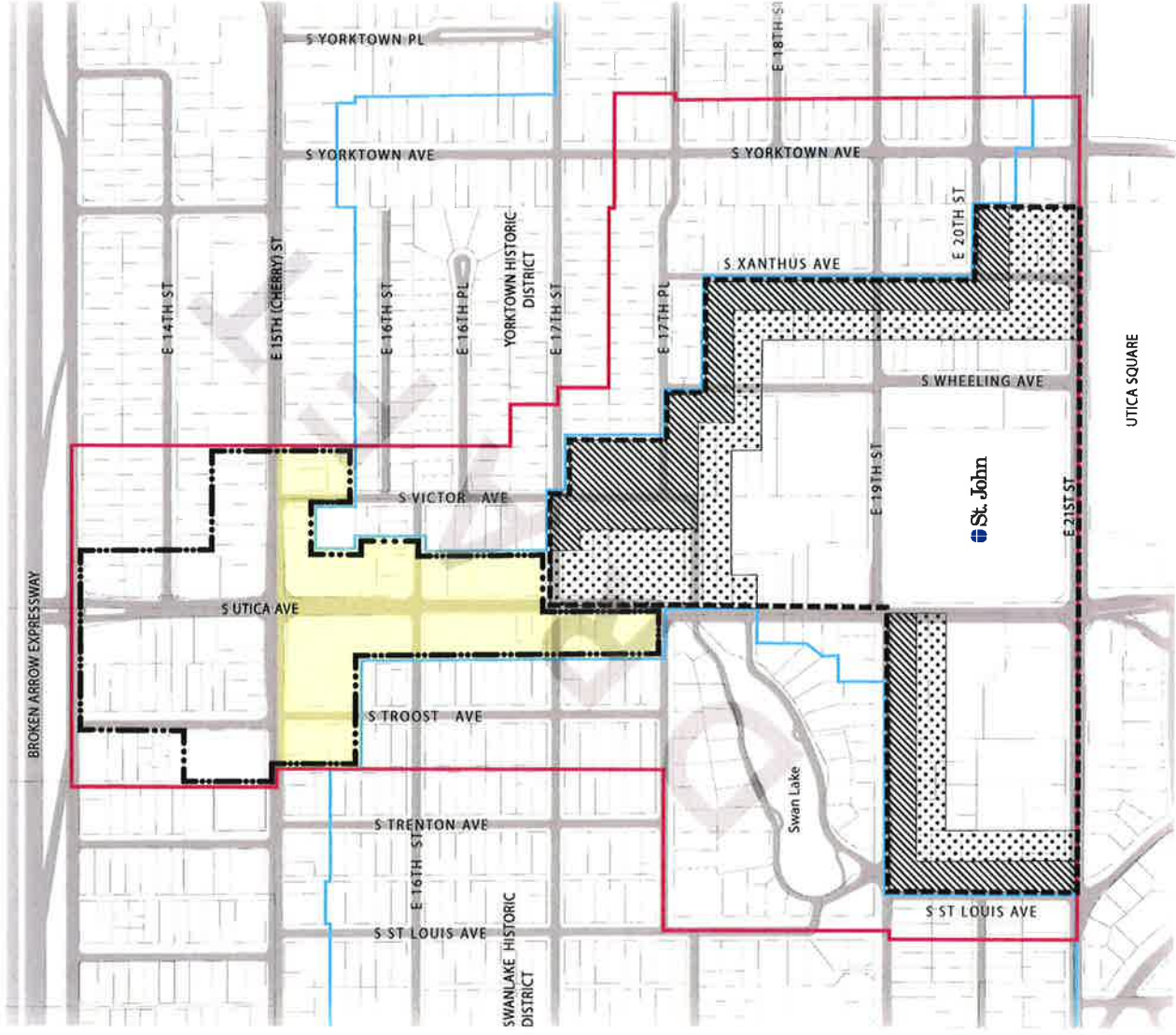
A new zoning category proposed to promote sustainable mixed-use development of institutional campuses and codification of HP Buffer protections in this area.

Area proposed for 4-story height limit. While outside of the HP District, buildings located in this area are recommended to implement the Unified Design Guidelines for HP Districts to ensure context-appropriate development.

Area proposed for 8-story height limit to ensure context-appropriate development.

Area proposed for MX buffer zone. This plan's Vision chapter provides guidance for implementation of a new MX district (including height requirements) in this area.

Utica Midtown Corridor - South (UMC-South) Small Area Plan Boundary



Package as submitted to City Council:

Includes following:

- 1) Original staff recommendation
- 2) Applicant Site Plan, landscape concept and building elevations
- 3) INCOG Maps
- 4) Neighborhood participation information
- 5) December 16, 2016 Planning Commission Meeting Minutes
- 6) December 02, 2015 Planning Commission Meeting Minutes



Tulsa Metropolitan Area
Planning Commission

Case Number: PUD-437-A
Major Amendment
Amended staff report 12.9.2015

Hearing Date: December 16, 2015
(continued from 11.18.15 and 12.2.2015)

Case Report Prepared by:

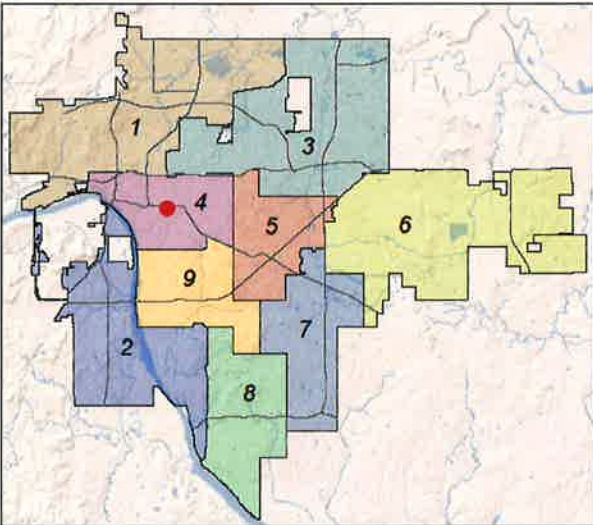
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Donn E.Fizer

Property Owner: Multiple owners

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Retail and office

Proposed Use: CVS Pharmacy

Concept summary: Major Amendment to modify boundary for development Area A and B. Establish new uses and modify bulk and area requirements for each development area.

Tract Size: 1.39 \pm acres 60,374.41 \pm sq. ft

Location: Northeast corner of E. 15th St. and S. Utica Ave.

Zoning:

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

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

Comprehensive Plan:

Land Use Map: Mixed-Use Corridor

Stability and Growth Map: Area of Growth

Staff Recommendation:

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

Staff Data:

TRS: 9307

CZM: 37

Atlas: 13

City Council District: 4

Councilor Name: Blake Ewing

County Commission District: 2

Commissioner Name: Karen Keith

21.1

SECTION I: PUD-437-A

DEVELOPMENT CONCEPT:

APPLICANTS DEVELOPMENT CONCEPT:

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

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

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

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

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

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

ADDITIONAL STAFF CONCEPT STATEMENT:

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

EXHIBITS:

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

21.2

Applicant Exhibits:

Development Area Map
Conceptual Site Plan (12.9.2015)
Building Elevations (12.9.2015)
Drive thru detail (12.9.2015)
Birds Eye Views (12.9.2015)
Signage details (12.2.2015)

Neighborhood Participation:

Miscellaneous neighborhood correspondence

SECTION II PUD-437-A DEVELOPMENT STANDARDS:

DEVELOPMENT AREA A:

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

Permitted Uses:

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

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

Summary of Underlying Zoning in gross land area:

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

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

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

Minimum setback from South Utica:	15 feet
Minimum setback from East 14 th Place South	25 feet

Maximum building height: 50 feet

Parking Ratio Standards:

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

DEVELOPMENT AREA B:

Permitted Uses:

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

21.3

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

Summary of Underlying Zoning in gross land area:

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

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

Maximum Building Height: 3 stories

Building Setbacks: (As measured from the Major Street and Highway planned right-of-way edge)

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

Build-to-zone requirements:*

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

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

From the north boundary of the East 15th Street right-of-way:

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

*Canopies including any structural support system that is integral to the building design and attached to the building are exempt from this requirement. **If a canopy on the west or south facade is installed a masonry screening wall with a minimum height of 3 feet from the sidewalk elevation shall be used as a physical and visual barrier between any pedestrian traffic in the street right of way and a drive thru. The wall shall be integral to the design of a canopy support and include planters.**

Parking Ratio Standards:

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

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

Architectural Standards:

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

West facing walls shall provide a minimum of 25% transparency. Spandrel glass **and must match the color of transparent glass** may be used in **two thirds** of the transparency requirement.

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

Screening and Landscaped Open Space:

21.4

A masonry screening fence shall be constructed and maintained along the east boundary of the Development Area B where adjacent to single family residential zoned property. The height of the screening fence shall not be less than 6 feet or greater than 8 feet as measured from the existing ground on the east side of the fence. Within 25 feet of the planned right of way on the north end of the site the wall or fence may be eliminated or if installed shall not exceed 4 feet in height. The fence or wall system shall be a double sided design that is visually the same on both sides.

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

- 1) Landscape areas in the street right-of-ways, to the extent permitted by the City of Tulsa, shall be grassed & landscaped with approved street trees and shrubs along South Utica, East 15th Street South and along East 14th Place south. A minimum of 7 street trees will be installed and maintained within 10 feet of the South Utica right of way line. A minimum of 5 trees shall be installed and maintained within 10 feet of the right of way line along East 15th Street and along East 14th Place.
- 2) A landscape edge shall be provided adjacent to East 14th Place South and adjacent to any parking area within 25 feet of a street right-of-way. The landscaped edge shall be a minimum width of 10 feet and shall include shrubs with sufficient density and size will be installed and maintained to provide a 3' tall effective visual barrier along those rights of way after a 3 year growing cycle. A maximum of 5 feet of the 10 wide landscape edges may be placed in the street right of way.

The required landscaped open spaces shall exclude walkways which solely provide pedestrian circulation.

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

Trash and dumpster enclosures shall be masonry construction and be constructed of similar material as the principal structure. The minimum height of the enclosure shall not be less than 6 feet but must exceed the dumpster height. Doors constructed with a steel frame and a cover that blocks a minimum of 85% of the opening. Dumpster doors shall not be accessed from public right of way and placed within 100 feet of the north right of way line on East 15th Street South.

Sign Standards:

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

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

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

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

Lighting:

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

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

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

Vehicular Access:

Vehicular access is prohibited from East 14th Place south

DEVELOPMENT AREA REVISION

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

SUBDIVISION PLAT REQUIREMENTS

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

EXPECTED SCHEDULE OF DEVELOPMENT

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

DETAILED STAFF RECOMMENDATION:

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

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

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

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

21.6

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

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

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

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

Land Use Vision:

Land Use Plan map designation: Mixed-Use Corridor

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

Areas of Stability and Growth designation: Area of Growth

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

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

Transportation Vision:

Major Street and Highway Plan:

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

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

South Utica Avenue is an Urban Arterial Multi Modal Corridor.

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

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

Trail System Master Plan Considerations: None

Small Area Plan:

Utica Midtown Corridor Small Area Plan:

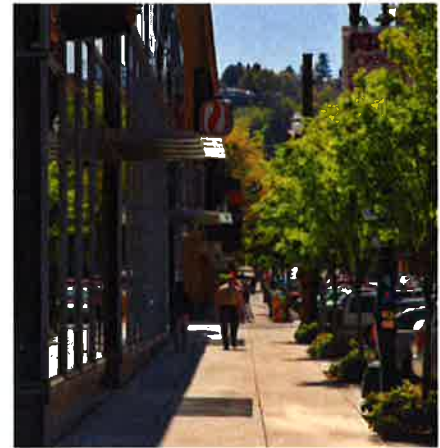
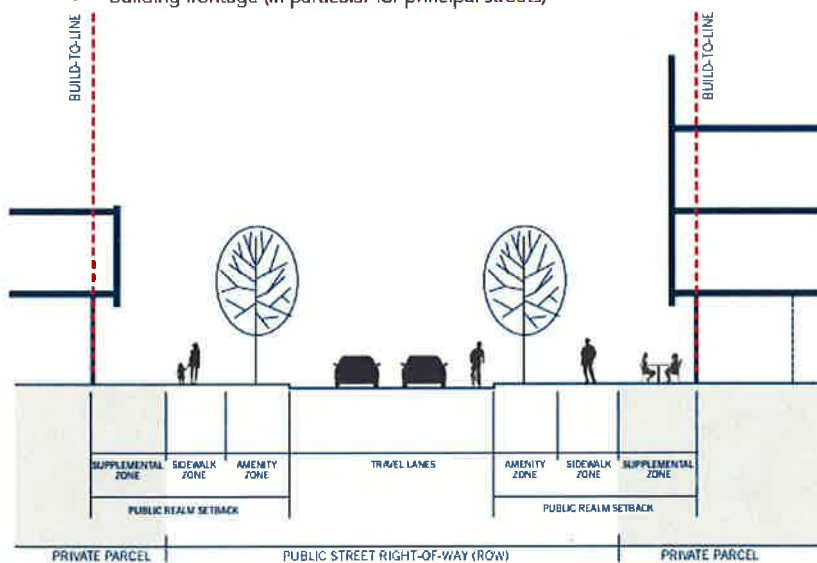
Many of the concepts that are defined in the Planned Unit development are reflected in the following exhibit taken from the Utica Corridor Small Area Plan. The build-to-zone provides flexibility beyond the build-to-line requirements noted in the exhibit below.

21.8

FIG. S-5.3. PUBLIC REALM DESIGN

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

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



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

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

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

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

Environmental Considerations: None that would affect site development

Streets:

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

Utilities:

21.9

The subject tract has municipal water and sewer available.

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

SECTION III: Relevant Zoning History

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

Subject Property:

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

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

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

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

Surrounding Property:

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

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

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

21.10

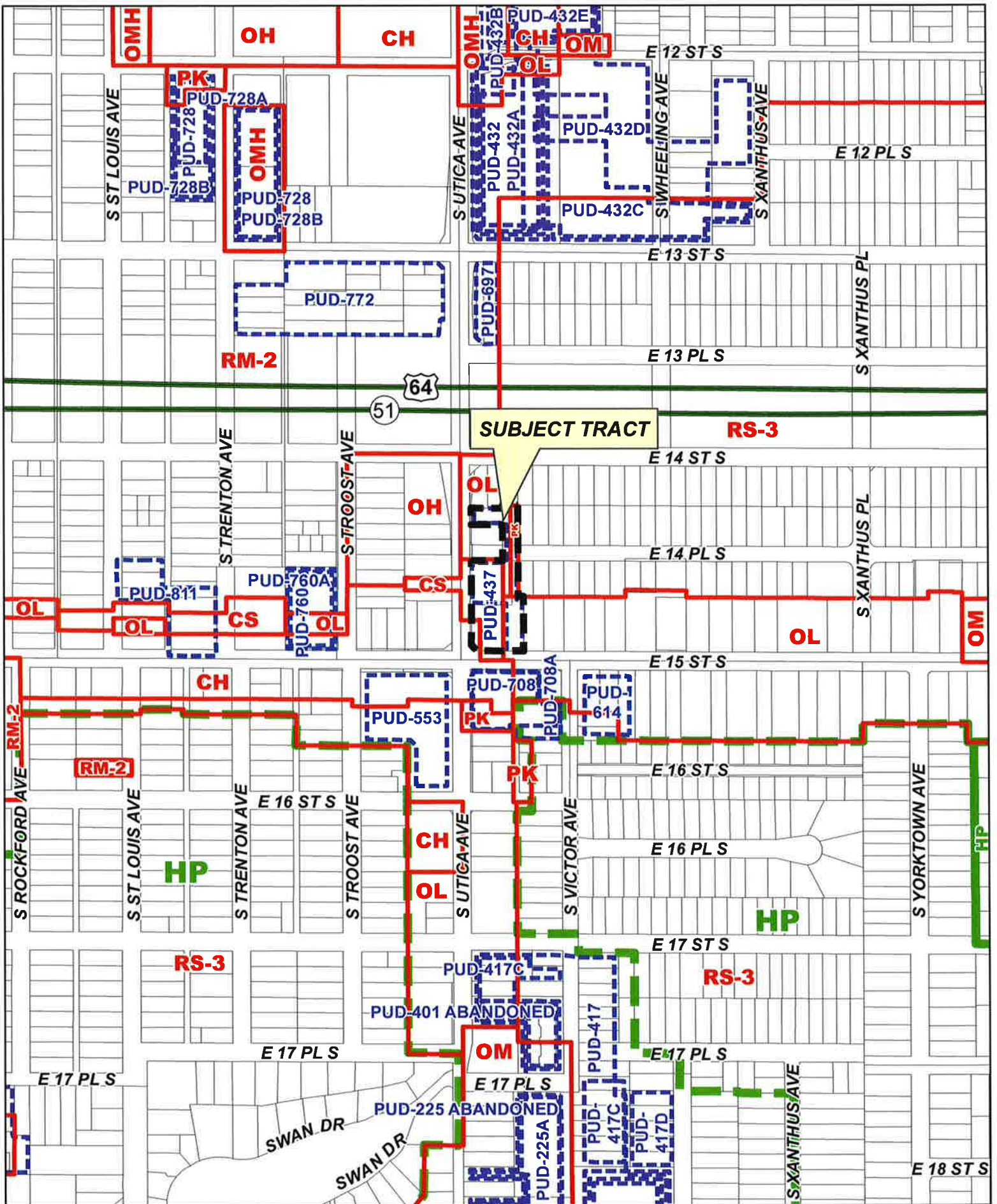
recommendations and eliminating access to Victor Avenue, and to specific traffic flow requirements on property located on the southeast corner of East 15th Street South and South Utica Avenue.

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

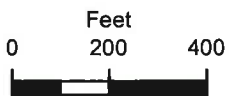
PUD 553 April 1997: All concurred in **approval** of a proposed Planned Unit Development on a 2.14+ acre tract of land to permit a bank, including drive-in facility, and office use per conditions on property located on the southwest corner of East 15th Street and South Utica Avenue.

11/18/2015 1:30 PM

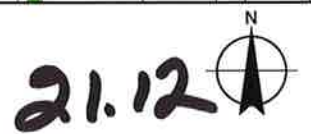
21.11

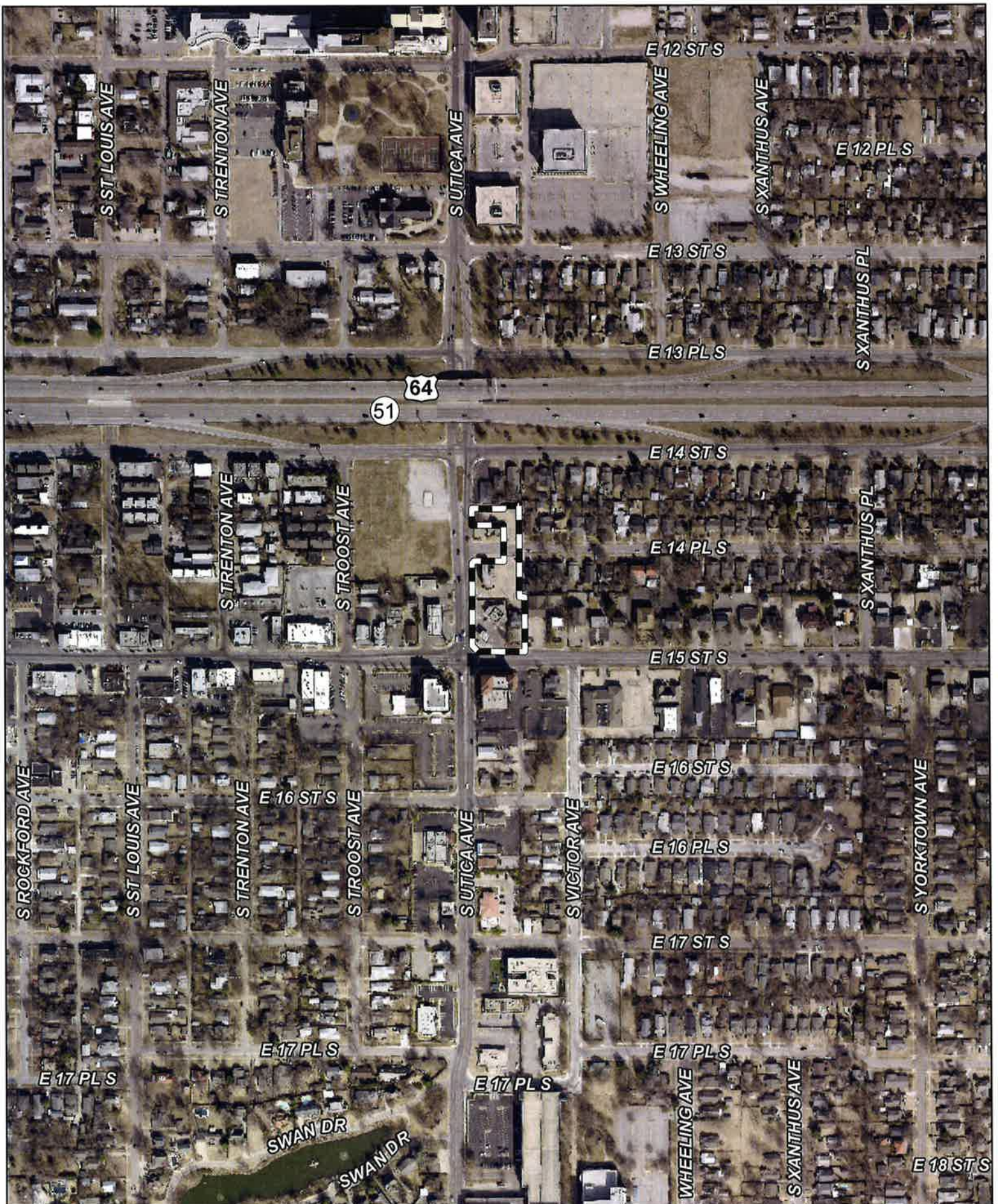


PUD-437-A



19-13 07





Feet
0 200 400



Subject
Tract

PUD-437-A

19-13 07

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

Aerial Photo Date: March 2014





E 14 PL S

S UTICA AVE

E 15 ST S

S VICTOR AVE

0 50 100
Feet



Subject
Tract

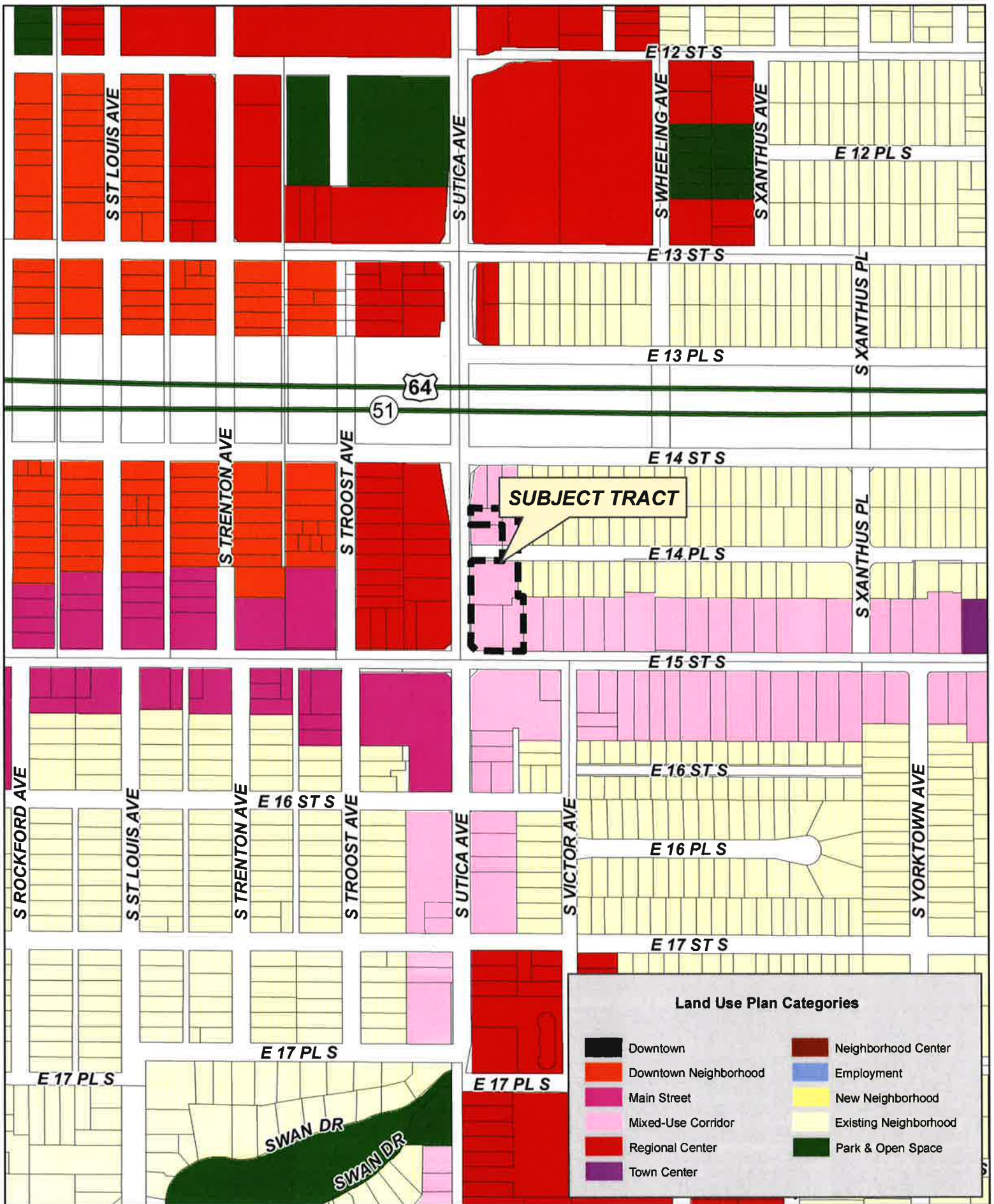
PUD-437-A

19-13 07

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

Aerial Photo Date: March 2014





SUBJECT TRACT

Land Use Plan Categories

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

PUD-437-A



19-13 07

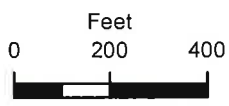
2.1.15



SUBJECT TRACT

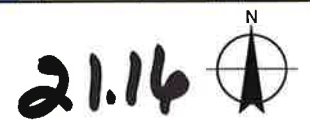
Growth and Stability

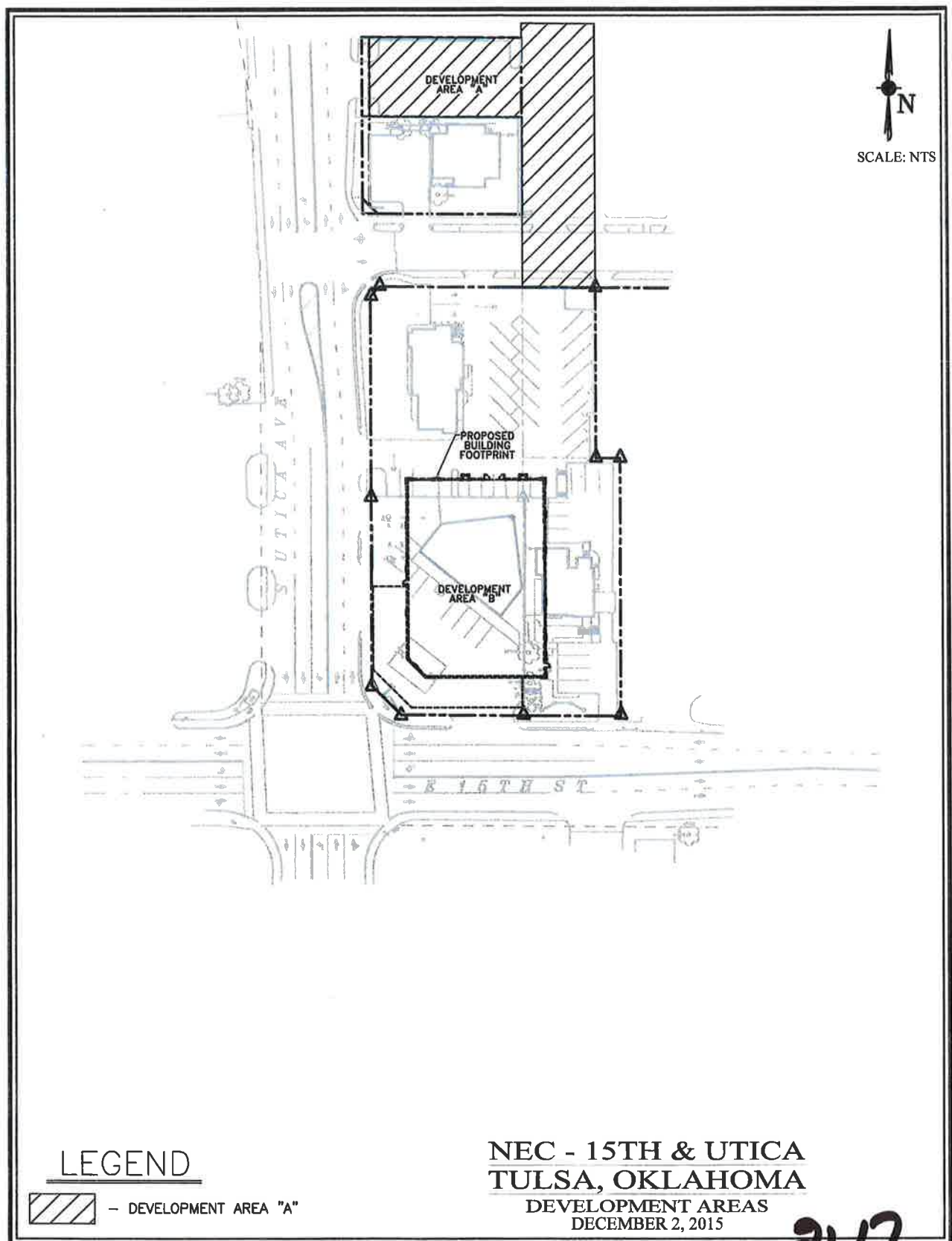
-  Area of Growth
-  Area of Stability



PUD-437-A

19-13 07





21.17
PUD 437-A
REPLACEMENT PAGE 25.
12.02.15



13013-CENTER ENTRY-RIGHT
CHAMFER DRIVE-THRU
STORE NUMBER: 10976
REC - E 15TH ST. & S UTICA AVE.
TULSA, OKLAHOMA
PROJECT TYPE: NEW STORE
DIAL TYPE: FEE FOR SERVICE
CS PROJECT NUMBER: 87346

ARCHITECT OF RECORD

GENCO DESIGN GROUP, INC.
421 W. HARMWOOD ROAD
SUITE 100
TULSA, TEXAS 74204
TEL: (918) 438-1111
FAX: (918) 285-7318

CONSULTANT:
CARLSON
CONSULTING
ENGINEERS, INC.
7004 W. 10TH STREET, SUITE 100
TULSA, OKLAHOMA 74104
TEL: (918) 438-1111
FAX: (918) 285-7318

DEVELOPER:
ORANGE
CONSTRUCTION
1000 CORPORATE DRIVE
BIRMINGHAM, AL 35242
TEL: (205) 400-5040

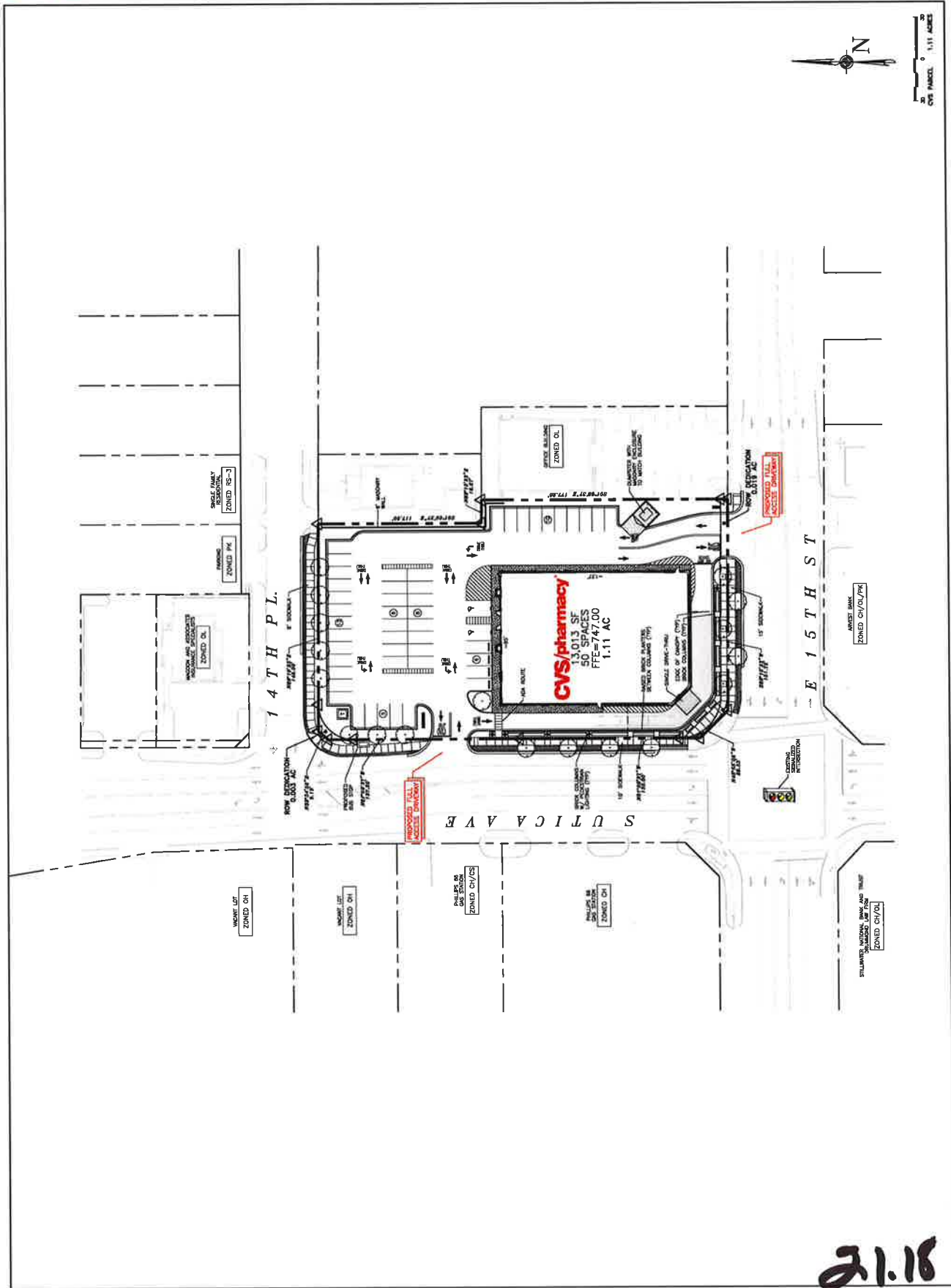
SEAL:

REVISIONS:

CVS PROJECT MANAGER: T. MARTIN
DRAWING BY: M. PITTS
DATE: 08 DECEMBER 2015
JOB NUMBER: N/A
TITLE:

SITE PLAN
SHEET NUMBER:

1 OF 1
COMMENTS:
NOT RELEASED FOR CONSTRUCTION



21.18



UTICA AVENUE

*Bldg Elevation
12.9.15*



CARLSON
CONSULTING
ENGINEERS, INC.

CVS/ PHARMACY

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



ORANGE
COUNTY

21.19



Drive Thru
12.9.15

UTICA AVE.

10' SIDEWALK

12.5' DRIVE-THRU LANE



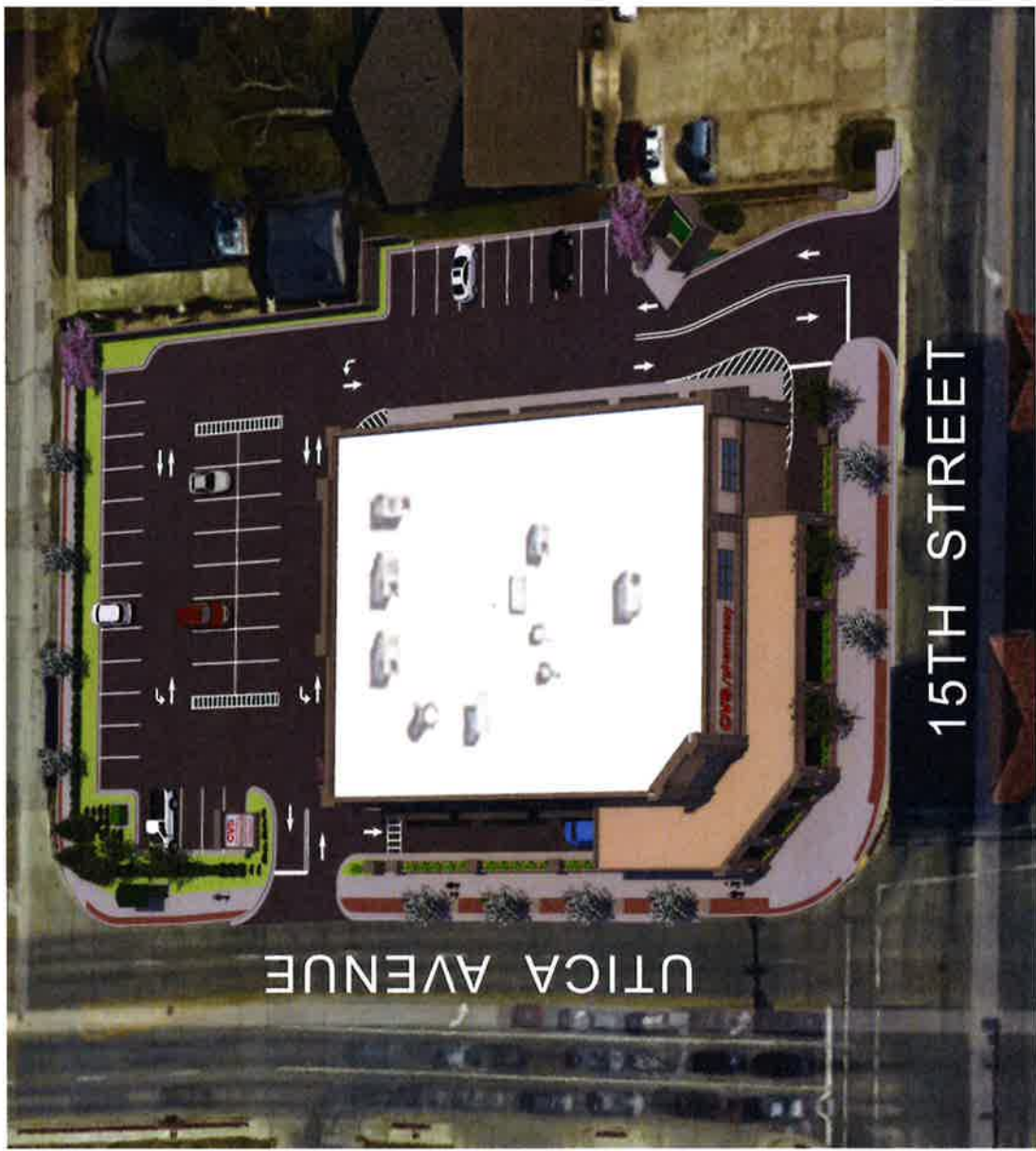
CVS/ PHARMACY

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



21.20

12-9-15
Pick Eye





E. 15th St.



Utica Ave.



E. 14th Pl.



CVS/pharmacy

CVS 10976 - 15th & Utica
Tulsa, OK

ELEVATIONS RENDERING

Proposed Materials

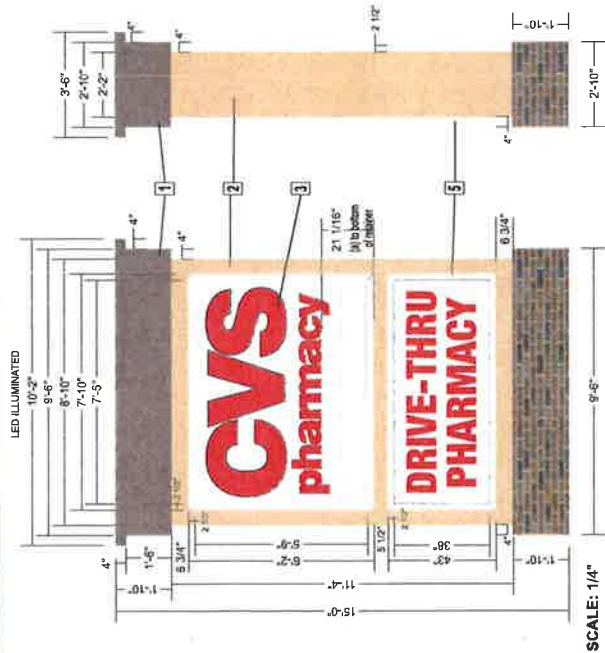


21.22

A1

FACE 1: 48.3 SqFt.
FACE 2: 28.1 SqFt.

15 Ft. MONUMENT



OFFICIAL RECORD EXHIBIT A-3

12/2/15

ENTERED IN THE
MINUTES OF THE TULSA METROPOLITAN
NEA PLANNING COMMISSION.

building masonry & colors TBD

PUD 437-A

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

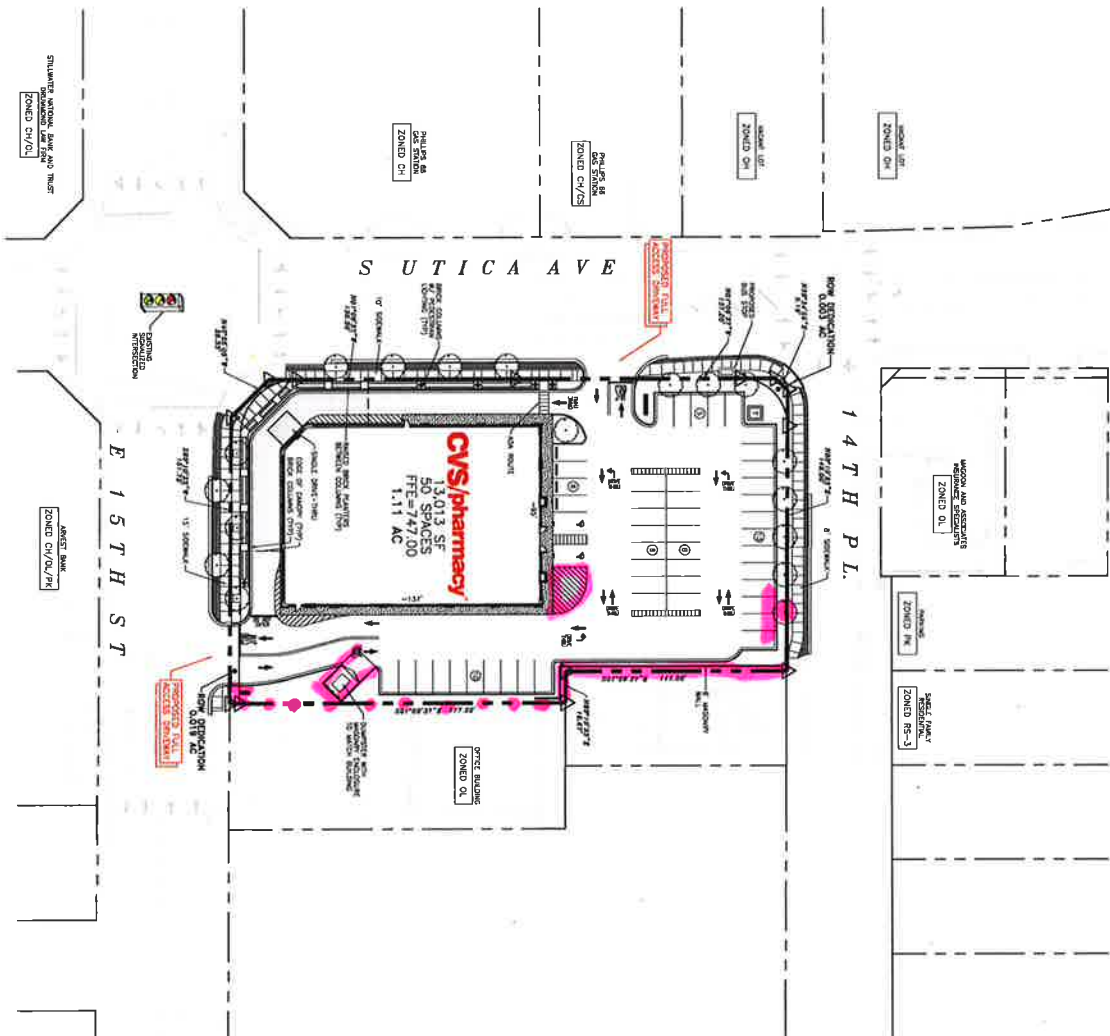
PID 106970

ADDITIONAL PAGE 25.33
12.02.15

21.23



OFFICIAL RECORD EXHIBIT "A-2"
 ENTERED IN THE 12-1-16/1-5
 MINUTES OF THE TULSA METROPOLITAN
 AREA PLANNING COMMISSION.



OFFICIAL RECORD EXHIBIT "A-3"
 ENTERED IN THE 12/16/15
 MINUTES OF THE TULSA METROPOLITAN
 AREA PLANNING COMMISSION.



13013-CENTER ENTRY-RIGHT
 CHAMFER DRIVE-THRU
 STORE NUMBER: 10976
 INC. - 15TH ST. & SUTICA AVE.
 TULSA, OKLAHOMA
 PROJECT TYPE: NEW STORE
 DEAL TYPE: FEE FOR SERVICE
 CS PROJECT NUMBER: 87346

ARCHITECT OF RECORD
 GREEN'S DESIGN GROUP, INC.
 421 W. HAWOOD ROAD
 SUITE 100
 TULSA, OKLA 74104
 TEL: (918) 258-7232
 FAX: (918) 258-7235

CONSULTANT:
 CARLSON CONSULTING ENGINEERS, INC.
 1000 N. WILSON AVENUE
 SUITE 200
 TULSA, OKLA 74103
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 FAX: (918) 258-7235

DEVELOPER:
 ORANGE DEVELOPMENT
 1000 N. WILSON AVENUE
 SUITE 200
 TULSA, OKLA 74103
 TEL: (918) 258-7232
 FAX: (918) 258-7235

SEAL:
 REVISIONS:

CS PROJECT MANAGER: T. MARTIN
 DRAWING BY: M. PITS
 DATE: 09 DECEMBER 2015
 JOB NUMBER: N/A
 TITLE: SITE PLAN
 SHEET NUMBER:

COMMENTS:
 NOT RELEASED FOR CONSTRUCTION
 1 OF 1

Neighborhood Participation:

Huntsinger, Barbara

From: Pamela Crandall [crandallfamily5152@sbcglobal.net]
Sent: Wednesday, December 02, 2015 9:06 AM
To: Huntsinger, Barbara
Subject: Proposed CVS Pharmacy - 15th and Utica

I would like to voice the concerns shared by my husband and me regarding the proposed construction of a CVS pharmacy at 15th and Utica. While I understand that development of that corner is inevitable, I am concerned for our neighbors in the area who are so significantly invested in their homes and quality of life.

We live in Yorktown Neighborhood, so we have shared interests with Terrace Drive residents. I travel through the intersection of 15th and Utica every day as I go to and from work downtown. Throughout much of the day, the intersection is insanely busy. With the close proximity to the Broken Arrow Expressway, there will be an increase in backup of traffic as people attempt to turn into the CVS off of Utica. The infrastructure just isn't there to support the increased traffic.

The more concerning safety issue, however, is the vagrants and panhandlers who will be even more encouraged to congregate at that location, which endangers CVS customers and the neighborhood residents as well. I NEVER go to the Walgreen's at 15th and Lewis after dark because I don't feel it is safe. I ALWAYS go to the Walgreen's at Utica Square at night as it is much safer because of increased security.

The additional issue is that if 14th Street remains open, traffic will significantly be routed through a residential neighborhood. The residents have stated they will not object strongly to the project if access to 14th Street on Utica is closed off. That seems to be a reasonable request to me, and one that makes a lot of sense from a safety standpoint.

Pam and Don Crandall
2140 E. 18th Street
Tulsa, OK 74104

December 2, 2015

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

Re: PUD-437-A
Proposed CVS Pharmacy at 15th & Utica

Mr. Covey:

I am president of the Terrace Drive Neighborhood Association (the "Association") and also a private property owner at 1760 E. 14th Place. At the initial hearing held November 18th on this matter, on behalf of the Association, I had requested a continuance to December 16th. The Commission granted a continuance to December 2nd and as a result I am regrettably unable to attend today's hearing. I would like to make clear that I am opposed to this project both as a private property owner and on behalf of the Association.

At today's hearing the Association vice president Daniel Gomez will be speaking for the Association and also on my behalf individually. We appreciate your thoughtful consideration of all aspects of PUD-437-A and it's alignment with the Comprehensive Plan and the Utica South Small Area Plan.

Respectfully,

Terry E. Meier
President Terrace Drive Neighborhood Association

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

21.49

Huntsinger, Barbara

From: Michael Koster [thirstyearfest@gmail.com]
Sent: Saturday, December 05, 2015 5:36 PM
To: esubmit
Subject: PUD 437-A

To whom it may concern,

There are a variety of issues making the proposed CVS Pharmacy at the corner of Utica & 15th an inappropriate project.

One is the entrance/exit onto 14th Place, a residential neighborhood, which will dump both pedestrian and vehicle traffic (including large delivery truck semis) into the neighborhood from the CVS parking lot. The natural route to the BA highway if you're heading east is down 14th Place, through our neighborhood, where there is easy access to the BA. THERE IS NO OTHER DIRECT EASTBOUND ROUTE TO THE BA.

I already spend too much time picking up junk food trash and beer cans from my yard, so a high-volume business selling both those projects will triple my frustration in this regard.

Crime comes with drug stores, especially high-volume drugstores. I own a home down the block from the proposed CVS. My kids, aged 9 and 14, play in this neighborhood, ride their bikes here, feel safe here. I second all the comments that were made on crime by my neighbors in opposition to CVS at the Dec. 2 hearing.

All of these issues will degrade our property values.

The TMAPC at the Dec. 2 hearing was concerned about the drive-through that blocks pedestrian traffic to the store from Utica and 15th streets. CVS presented such a glaring anti-pedestrian plan that it needs no further comment here, as it was well covered on Dec. 2, except to say that it is further evidence of CVS's anti-neighborhood attitude.

But these are all secondary issues.

The primary problem is that the CVS plan violates the Small Area Plan the city has committed to, after much work by many parties, all of whom signed off on the Small Area Plan. CVS is essentially a single-use building rather than a mixed-use building—a clear violation of the Small Area Plan. The Small Area Plan is there for an important reason, which is to prevent the degradation of neighborhoods and to develop our city in a positive way that enhances lifestyles, property values, and the general attractiveness of our city. The Small Area Plan is good for people, it is good for neighborhoods, it is good for business because it leads to harmonious, smart development.

Plopping a box store on the end of a nice neighborhood is a terrible idea for all the reasons I've stated, but especially because it is in violation of the Small Area Plan. I hope the TMAPC lives up to its own Small Area Plan promises by rejecting this proposed project.

Thank you for considering my family's concerns.

Best,
Michael Koster, Catherine Whitney, Isabella Koster, Nicholas Koster
1792 E. 14th Place, Tulsa, OK74104
505-670-0755

Huntsinger, Barbara

From: Robbie Steinmetz [robbie.steinmetz@gmail.com]
Sent: Sunday, December 06, 2015 11:09 AM
To: esubmit
Subject: CVS Pharmacy at 15th & Utica

I would like to submit my comments on the proposed CVS Pharmacy at 15th & Utica. I understand that a reconfiguration is in the works, eliminating the access from 14th Place.

My initial concern is access and traffic. During several times each day, that intersection is backed up for nearly a block from the north, west, south and east. It requires several traffic light changes to each single car to clear that intersection. Adding the delays of traffic trying to get into CVS makes those delays and the congestion impossible.

I also anticipate a dramatic increase in accidents with increased traffic at that location. Most of the traffic from the south lines up in the inner lane, waiting to make a left turn onto the BA westbound. Traffic making a northbound left turn onto Utica from 15th St. tends to use the right lane to get around the corner and move northbound. I make that turn at various times of the day, rarely without someone immediately behind me. I also use the convenience store on that corner regularly. I expect at some point that I will be rear-ended, making a left turn and then an immediate right turn, by the car behind me who expects me to move on down the street and has only seconds to see the brake lights or turn signal. Putting a CVS, which generates FAR more traffic will increase wrecks -- no one will let them out and they will get rear ended trying to get in.

Traffic issues were a major source of discussion during the planning phases of the South Utica Corridor. The street is already too narrow for the traffic it has to bear now, and this addition would only serve to worsen the situation.

I use CVS -- at 21st & Harvard, so a closer location would be convenient, but that particular corner could not be a worse choice.

--

Robbie Steinmetz
1519 S. St. Louis
Tulsa, OK 74120
(918) 688-1239

Huntsinger, Barbara

From: fzaio [fzaio@yahoo.com]
Sent: Sunday, December 06, 2015 6:14 PM
To: esubmit
Subject: PUD 437-A

The primary problem is that CVS is attempting to violate the Small Area Plan the city has committed to, after much work by many parties, all of whom signed off on the Small Area Plan. CVS is essentially a single-use building rather than a mixed-use building--a clear violation of the Small Area Plan. The Small Area Plan is there for an important reason, which is to prevent the degradation of neighborhoods and to develop our city in a positive way that enhances lifestyles, property values, and the general attractiveness of our city. The Small Area Plan is good for people, it is good for neighborhoods, it is good for business because it leads to harmonious, smart development.

Huntsinger, Barbara

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

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

Dear Nathan,

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

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

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

William R. McMahon

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

Let me know if you need any additional information!

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



November 17, 2015

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

Re: PUD-437-A
Proposed CVS Pharmacy at 15th & Utica
Request for Continuance

Mr. Covey:

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

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

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

Respectfully,



Terry E. Meier
President Terrace Drive Neighborhood Association

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

25.26 ..

Huntsinger, Barbara

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

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

Sent from my iPhone so please excuse any spelling errors.

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

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

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

Dear Planning Commission,

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

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

--
ayschia

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

Huntsinger, Barbara

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

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

Sent from my iPhone

Huntsinger, Barbara

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

Hello,

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

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

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

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

Thank You,
Evan Reif
Terrace Drive Homeowner.

Huntsinger, Barbara

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

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

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

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

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

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

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

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

Huntsinger, Barbara

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

Dear Planning Commission,

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

Sincerely,
Jeff Kuykendall, Homeowner
2011 E. Pl.

--
Jeff K.

Huntsinger, Barbara

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

Dear Planning Commission,

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

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

--
ayschia

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

Huntsinger, Barbara

From: terry meier [tmeier51@gmail.com]
Sent: Tuesday, December 15, 2015 6:30 PM
To: esubmit
Subject: PUD 437-A Proposed CVS at 15th & Utica

This matter is set for hearing tomorrow & is so blatantly contrary to the Comprehensive Plan and the Utica South Small Area Plan it has no business even being brought before the TMAPC in it's current form. This proposal 1.) fails to locate it's entrance onto 15th or Utica; 2.) is not two story (it has a 2 story facade with a mezzanine that will be used for storage as I understand it); 3.) it is not mixed use (selling both square bandaids & round bandaids does not constitute mixed use); 4.) the drive thru location next to the side walk on both 15th & Utica is absurd; 5.) this project does nothing to increase walkability & in fact has the opposite affect.

I have no idea how TMAPC staff reached the conclusion that this project should be approved but I certainly look forward to hearing that rationale at tomorrow's hearing. CVS is attempting to cram it's standard box store into an unsuitable location and for some reason have apparently been lead to believe they can ignore the existing requirements of the Comprehensive plan and the Utica South Small Area Plan. This is a dangerous and short sighted precedent to be set and the TMAPC should deny this applicant at tomorrow's hearing.

Terry Meier, 1760 E. 14th Place, Tulsa 74104

Huntsinger, Barbara

From: Michael Koster [thirstyearfest@gmail.com]
Sent: Tuesday, December 15, 2015 1:16 PM
To: esubmit
Subject: PUD 437-A Letter in opposition to CVS project

Regarding PUD 437-A

To whom it may concern,

I recently spent time reading the Small Area Plan--worked on for nearly two years by neighborhood groups, government officials, the business community, and others—and it strikes me as a very good guide for smart, balanced and fair development, for preservation of neighborhoods, and for avoiding endless potential conflict between citizens and developers (conflict in which my neighborhood now finds itself embroiled). I own a home down the block from the proposed CVS Pharmacy at 15th & Utica, a project that fails to meet the Small Area Plan in nearly all respects.

There is a section in the Small Area Plan listing the results of a SWOT (Strengths, Weaknesses, Opportunities, and Threats) exercise analysis, which identified development-related **WEAKNESSES & THREATS** (p154) that should be avoided. It is striking that the CVS project encompasses most of these negatives. Below are some of the most egregious examples:

***DEVELOPERS WHO IGNORE CONTEXT:** Inserting a single-use, high-volume box store on the end of a nice neighborhood, with no buffer and in clear violation of the Small Area Plan, weakens the character of the area. Our neighborhood wants what the Small Area Plan calls for: creative, attractive, mixed-use development that enhances rather than degrades our area.

***PEDESTRIAN-UNFRIENDLY ENVIRONMENT:** CVS has been repeatedly taken to task (by citizens and by members of the TMAPC) for its drive-through, which would wrap around the building along Utica and 15th streets, cutting off pedestrian access to the store and creating an unfriendly walking environment. Yet CVS has refused to alter its anti-pedestrian plan. The main entrance doesn't even face the major streets. It faces a parking lot, which in turn faces a residential street.

***HEAVY TRAFFIC/DANGEROUS DRIVING ON NEIGHBORHOOD STREETS:** Anyone who lives in the area knows how congested Utica and 15th streets are in proximity to the BA Expressway. It's a very real problem that has not yet been adequately addressed by the city. A high-volume business designed to attract vehicles (i.e. its major drive-through) would exacerbate this already serious problem.

***ADVERSARIAL ATTITUDE:** Every step of this process has been a fight with CVS. CVS has presented no fewer than six plans (including three versions of Plan #3, which in attorney math apparently counts as one), several of which have been dropped in at the last minute, giving neighborhood stakeholders little or no time to formulate a response. This has happened often enough that it is clearly by design. For example, the plan presented by CVS lawyers at our neighborhood meeting was not the plan that turned up at the TMAPC hearing soon after. Cosmetic adjustments have been touted by CVS as major concessions. We have no illusions that this company would be a good neighbor.

***ANXIETY ABOUT FUTURE (UNCERTAINTY).** We the residents and stakeholders of this area, who overwhelmingly oppose the CVS project, are filled with anxiety. What will become of our property values? How will we deal with increased crime, traffic, litter? How will we coexist with an adversarial neighbor such as CVS, which through its actions over the past weeks has given us an indication of how it would treat its neighbors.

I end this letter with an anecdote that has been much on my mind of late. I recently spent time in Phoenix in an area very much like Cherry Street, full of restaurants and shops and mixed use buildings, pleasant for pedestrians, full of people of all ages, most of whom were walking along the streets rather than driving. A palpable energy continued for many blocks. At the end of one of these blocks is a large CVS Pharmacy, built with the same cookie-cutter design as all stand-alone CVS stores. That is where the pedestrian traffic stopped and converted to vehicular traffic. The energy dissipated; the store functioned as both a physical and psychological barrier. You'll find the same phenomenon in many cities: A dynamic and interesting area, heavy with foot traffic, stopped dead in its tracks by bad development. The Small Area Plan recognizes such a phenomenon and seeks to avoid the same pitfall in Tulsa.

We urge TMAPC to reject the proposed CVS. We hope you will recognize the wisdom of the Small Area Plan and take seriously its enforcement . Thank you for considering my family's concerns.

Best,
Michael Koster, Catherine Whitney, Isabella Koster, Nicholas Koster
1792 E. 14th Place, Tulsa, OK74104
505-670-0755

Huntsinger, Barbara

From: LINDA MUMMEY [lindamummey@sbcglobal.net]
Sent: Tuesday, December 15, 2015 8:44 AM
To: esubmit
Subject: Utica Small Area Plan

Please remember to put the subject plan in action in future zoning requests. It will be much better for the neighborhoods, the City, and commerce.

Thank you,
Linda Mummey
1731 E. 14th Place
Tulsa, OK 74104
918-744-4086

Huntsinger, Barbara

From: Phillips, Marty [marty-phillips@utulsa.edu]
Sent: Monday, December 14, 2015 4:47 PM
To: esubmit
Subject: My Opinion as a Home Owner in KW and PUD 437-A

I feel that PlaniTulsa & the resulting small area plans should be put into action in future development. With that being stated, I oppose the CVS being approved by TMAPC due to if you review the vision of the Utica South Small Area Plan, CVS fails as a project in nearly EVERY aspect. It would also send the message that the small area plans hold NO meaning and the years of combined efforts were MEANINGLESS!! Reference PUD 437-A should not happen.

Sincerely,
Marty Phillips
2619 E 6th St
Tulsa, OK 74104



THE UNIVERSITY *of*
TULSA

*Office of Human Resources
and Risk Management
Training and Development*

Marty Phillips

Huntsinger, Barbara

From: William R McMahon, Jr. [quimby15@att.net]
Sent: Monday, December 14, 2015 4:01 PM
To: esubmit
Subject: RE: PUD-437

To Whom It May Concern:

CVS's request needs to be denied. It's not good for the neighborhood, Cherry Street or Tulsa. The interest must be balanced between the homeowners who actually own the land and CVS who does not.

Tulsa says it wants to bring in business and grow, that is not accomplished by destroying the quality of life that exists.

Plan Tulsa was created to prevent just this type of development. There are very few places in Tulsa that can be considered quaint, our area is one of those, if you keep to the plan it will remain so.

CJ & Bill McMahon
1720 East 14th Place
Tulsa, Oklahoma 74104

**PETITION OBJECTING TO THE PROPOSED SUBDIVISION
PLAT APPROVAL PUD 437-A**

We the owners and residents of the Terrace Drive Addition and the surrounding neighborhoods, hereby object to the Applicant proposing a CVS pharmacy and commercial uses located at 1435 S. Utica Avenue, 1701 East 15th Street, 1711 East 15th Street, for the following reasons:

1. As violating the existing PUD-437. If the high priority is to insure the existing residents will not be displaced said proposal definitely violates that goal. As the detailed site plan included in the application for the CVS Pharmacy is not consistent with the Utica Midtown Corridor Small Area Plan (the "Small Area Plan"). The provisions of the proposed PUD and the existing PUD do not match.
2. The Small Area Plan strongly supports mixed use buildings. The CVS building proposal is not a mixed use business. Mixed use buildings are the preferred use and the conceptual plan proposed by CVS is not consistent with the Utica Midtown Corridor Small Area Plan or the Tulsa Comprehensive Plan. CVS is reluctance to move the building closer to East 15th Street as currently required, infers they will not be a good neighbor.
3. There are currently four (4) pharmacies including a CVS within a mile of the proposed site.
4. CVS has requested less parking than would normally be required for this size of a building. The supporting documentation submitted by the TMAPC does not contain any studies or evaluations regarding the effect of the parking spill over into the residential neighborhood. Nor has there been any standard study or evaluation pertaining to the increased traffic both pedestrian and vehicle and how said spill over will effect the property values of the neighborhood, which again ignores the alleged high priority of the city regarding existing neighborhoods.
5. The vested property rights of the residents of Terrace Drive Neighborhood will be adversely effected by the rezoning of the current PUD. This neighborhood is exclusively single family residents; with the exception of two beautiful 1920's Edwardian Duplexes, which actually enhance the neighborhood. One of these duplexes has recently been purchased for extensive remodeling. Most of the homes in this area are 1920's Craftsman ranging from a thousand square feet to over twenty six hundred square feet, as well as, modern, Tudors and art deco homes. Currently 1716 East 14th Place was recently purchased and is in the process of massive remodeling; 1736 East 14th Place and 2010 East 14th Place within the last six (6) months been completely remodeled. 1749, 1727 and 1733 East 14th Place have been completely remodeled recently. 2003 and 2010 East 14th Place were completely remodeled last year, as well as 1716 East 14th Street. These are vested property rights and the proposed site would be detrimental to the value and originality of the neighborhood.

21.43

Name	Address	Phone	Date
Amy Wilson	1724 E 17th place	918 230 8007	11-7-15
STEVEN HOWE	1721 E 14th PL	918 361 5905	11/7/15
Katherine Taylor	1717 E. 14th Pl.	918	11/7/15
Lenore Mitchell	1717 E. 14th PL		11-7-15
James Mitchell	1717 E. 14th PL		11-17-2015
Kyle Waterfield	1727 E 14th PL	(918) 740-4017	11/7/15
Madison Hill	1727 E 14th PL	(301) 541-4122	11/7/15
Charles Stuart	1732 E 14th PL	806-678-1858	11/7/15
John Stuart	1732 E 14th	806-672-9627	11/7/15
Sammy J. Dwyer	1741 E. 14th PL	918-742-4878	11-7-15
Keith Hale	1749 E 14th PL	918-344-1635	11-7-8
Cynthia Solomon	1428 E 17th place	918-361-4488	11-7-15
Bry Solomon	" " " " "	" " " " "	" " " " "
Terry Meier	1760 E. 14th PL	918-625-3724	11/7/15
Lauren Twist	1767 E. 14th PL	(918) 688-4429	

<u>Name</u>	<u>Address</u>	<u>Phone</u>	<u>Date</u>
DANIEL HONEYCUTT	1723 E. 14th Pl.	312) 206-9667	401.5, 2015
Tim Condie	1720 1730 E 14th place	949-923-7408	11/6/15
Sheri Stotts	1784 E 14th ¹¹³⁰	(918) 636-2006	11/8/15
EDITH SENSEL	1787 E 14th PL	918 744 0505	11/08/15
Gemma Booth	2003 E 14th PL	919 758 9512	
D. Kim Michie	2020 E. 14th Place	918 629-8612	
Jason Mead	2024 E 14th Place	918-408-4188	
Amanda Williams	2019 E 14th pl	11/8/15 918-677-2884	
Brian Williams	2019 E 14th Pl	11/8/15 918-527-3151	
Seanne Wagner	2007 E 14 PL	918-724-3026	11-08-15
BJ McMahon	1920 E 14th Pl	742-3600	11-8-15
Peggy Wimbush	1720 E 14th St	743 7028	11-14-15
Carolyn Grange	1740 E 14th St	810-3050	11-14-15
CHRIS JACKSON	1748 E 14th St	512 734 1173	11-14-15
Nick Mendez	1904 E 14th St	918-744-0929	11-14
	Talso, OK 74108		

21.45

NameAddressPhoneDate

Leslie Neal 1419 S. Zuni Ave 918-605-9394 11/14/15

Delany C. Lewis 2015 E 14th Pl 918 231 5698 11/14/15

Upchurch Kykendall 2011 e. 14th pl. Tulsa 918 381 6390 11/14/15

~~Lynda Swales~~ 1320 S. W. Weekly Ave Tulsa 918 742 7955 11/15

Blossie Bellamy 1724 E. P. St Tulsa 74104 918 592 0497

Tim Sicking 1724 E 13th St 918 706 8145 Nov 18, 15

Don Barnum 1910 E 13th St 918 507 5433 11/18/15

Janet Patty Hildebrand 1753 E 14th Pl 918 935 1508 11-25-15

Robert Carter 1816 E 13th St 74104

JASON STEWART 1820 E 13th 918 510 4285 11-25-15

Carol A. Cheppin 1904 E 13th 918-629-3500 11-28-15

A Ouellette 1420 E. 15th 13th 575-937-8360

Marvin Hines 2036 E 13th St 918.430.0249

LISA VANSCHOYK 2060 E 13th St 918 430 8287 11-28-15

WILLIAM FARABEL " " " "



Matt Moffett

How We Will Achieve Our Vision

While creating the vision is a critically important step, effective implementation will be the measure of its success. How will Tulsa make the vision a reality? Which policy changes and strategic investments will be the most important?

Several overarching, big-picture changes need to occur as Tulsa transforms this vision into reality:

Remove Barriers to Desired Actions

Sometimes change occurs only when we consider and approach things differently. For Tulsa, this means ensuring that the easiest path is the right path. Tulsa's land-use program and enforcement regulations must be driven by the goals they are meant to achieve. Owners, for example, must be able to determine easily and efficiently how property can be developed. Variances should be granted rarely if allowed uses are clear and support a community vision. When something supports the vision — such as filling a key niche along a main street or reusing a vacant building — it should be encouraged.

Coordinate Public Investments

Infrastructure investments, particularly in roads, mass transit, water, and sewer systems, have a tremendous impact on how land is developed. The city will need to realign its public investments in infrastructure, planning, and other basic functions of government with the strategies outlined in the comprehensive plan. This means ensuring that underdeveloped land within the city is served by the infrastructure it will need to accommodate new businesses or homes. New infrastructure for communities on undeveloped land should be extended in a coordinated way — avoiding costly, ineffective and unattractive “leapfrog” development.

PUD-437-A
OFFICIAL RECORD EXHIBIT "A-1"
ENTERED IN THE 12/2/05
MINUTES OF THE TULSA METROPOLITAN
PLANNING COMMISSION.

Create New Strategic Partnerships

Finally, the city will need to think differently — and creatively — about new strategic partnerships and initiatives with key stakeholders. Among the primary stakeholder groups are educational institutions, including public school districts, universities and colleges, and other public and private schools. This initiative could include collaborating to develop college/university campuses supported by vibrant mixed-use areas, and working with primary and secondary schools to ensure students can safely walk or bike to school. The city also can continue to partner with Tulsa's major foundations and philanthropic organizations as well as the chambers of commerce to support projects and investments to diversify the city's housing choices, expand the employment base and cultural offerings, and accelerate the pace of neighborhood redevelopment.

Plan for Action

Each of these initiatives represents a change in the way the city does business. The planning process will not end with the vision document, but instead must be fortified with key objectives and implementation steps. Long-range plans take time to implement, but they will languish if substantive progress does not occur soon after adoption. Plans at the city and neighborhood levels should be aligned with a capital improvement timetable, and where possible, innovative projects should be used to jump-start community momentum.

Tulsa has the opportunity to use the PLANiTULSA process to reframe the way it plans, invests and collaborates with key stakeholders and communities to achieve on the ground results. This means setting high-impact, achievable goals, both for city departments and the community. For example, the city should ensure that land development approvals can be more swiftly and easily completed in Tulsa than in competing communities — then implement a process to make it possible. Through defining such performance measures, the city will find ways to reshape itself to deliver on PLANiTULSA's greater objectives. The residents of Tulsa have shown we believe our community can be a better place. Now we look to our public and private leaders to lead the way.

Linda Allen



Small Area Planning

One means of implementing the PLANiTULSA comprehensive plan should be the small area and neighborhood planning process. This process can apply to existing neighborhoods in need of revitalization, main streets or other corridors, and vacant areas where new communities are envisioned.

What Is a Small Area Plan?

A small area plan is any plan that addresses the issues of a portion of the city. Small area plans can cover as little as 10 acres or even thousands. The advantage of a small area plan is its ability to engage issues and people at an intimate scale. The result can be a richly detailed plan that addresses the area's unique issues with tailored solutions.

Small planning areas usually have a cohesive set of characteristics, such as an existing or future corridor, center, or other element. Accordingly, small area plans should be used in areas of growth and transition areas, focusing resources where change is anticipated and desired. The Small Area Planning process is designed to generate widespread stakeholder consensus that will lead to efficient adoption and implementation of the plan.

The small area planning process is designed to minimize the need for excessive hearings and review of projects. Small area plans, ideally, are developed by property owners and area stakeholders then implemented through zoning changes that allow the kinds of development described in PLANiTULSA.

A citizen advisory committee, who helps guide the process, is a group of informed citizen stakeholders including, but not limited to — landowners, residents, business owners, architects, developers, and builders who have an interest in the area. This

advisory committee should represent a full range of interests who meet on a regular basis to critically review analysis and products at each step of plan formation.

Prior to the PLANiTULSA comprehensive plan update, INCOG and Tulsa's Planning Department began working with selected communities to create neighborhood plans. The small area and neighborhood planning process will be an important implementation element of the comprehensive plan. To ensure consistency between these plans and overarching city goals, this section lays out a process for how to conduct small area plans and use their results to direct zoning, infrastructure, and other implementation elements.

Where Should Small Area Planning Take Place?

The small area planning process should be used in areas where significant change is expected and the development in question would be at the scale of a new neighborhood and include many landowners. For example, when there is a proposal to extend utilities and infrastructure to an undeveloped area that will support a large number of new households or jobs, a small area plan should be used to guide that development. Small area plans may be conducted in Areas of Stability, but the time and resources are better put to use in Areas of Growth.

Small area plans need not be used for more routine planning actions, such as developments or subdivisions of land under single ownership. In these instances, a subdivision, zone change, PUD or other process under the zoning code is sufficient. However, individual landowners of large tracts may elect to do a small area plan if they choose. Another instance where this process should be used is in already-developed areas where new growth or redevelopment

is expected, such as neighborhoods along a corridor that will receive significant transit investment.

Small Area Plan Types

NEIGHBORHOOD PLANS

Neighborhood plans typically covers a distinct residential neighborhood, such as the Pearl District, which is a classic example of a historically mixed-use neighborhood in Tulsa. Because of the residential nature of many neighborhood planning areas, issues of city services, housing, design elements, schools, and parks are high priorities.

CORRIDOR PLANS

Corridor plans focus on a significant linear feature such as a main street, waterway, or arterial and the areas it serves. The City, business associations or stakeholders will typically initiate a corridor plan in anticipation of proposed capital investment or proposed development project. Examples of capital investment projects include a major public beautification investment for the corridor, the enhancement of transit services, or open space and trails along a waterway. Corridors plans place emphasis on land use, transportation, infrastructure, urban design, and economic development issues. The Brookside area has recently undergone a planning process that focuses on uses along the mixed-use corridor.

DISTRICT PLANS

District Plans can include one or more neighborhoods or corridors that have common conditions and issues. District plans can address the land use, development, urban design, and transportation characteristics of relatively small areas such as neighborhood centers, town centers and regional centers, as well as new communities on vacant land. Planning for new communities should also encompass new open space and parks, public investments, new streets and transportation service, as well as land use and transportation issues. The Brady Village District is typical of such an area planned in downtown Tulsa.

WHAT ABOUT EXISTING NEIGHBORHOOD AND OTHER PLANS?

Existing neighborhood plans will continue to serve their role guiding City Council decisions. However, existing neighborhood plans vary somewhat in their format and may be out of date. Reviewing existing small area and neighborhood plans for conformance and effectiveness is one of the key PLANiTULSA implementation strategies. Thus, existing and future plans will all work toward implementing *Our Vision for Tulsa*.

Table 18: Existing Neighborhood Plans

Neighborhood Plan	Year
Kendall-Whittier Plan	1991
Springdale Area Plan	1994
Charles Page Blvd. Plan	1996
Brookside Infill Area Plan	2003
Crutchfield Neighborhood Plan	2004
Brady Village Infill Plan	2004
Sequoyah Neighborhood Plan	2006
6th Street Infill Plan - Pearl District	2006
East Tulsa Neighborhood Detailed Implementation Area Plans (Phase 1 & 2)	2001, 2006
Riverwood Neighborhood Plan	2008
Southwest Tulsa Neighborhood Plan	2009

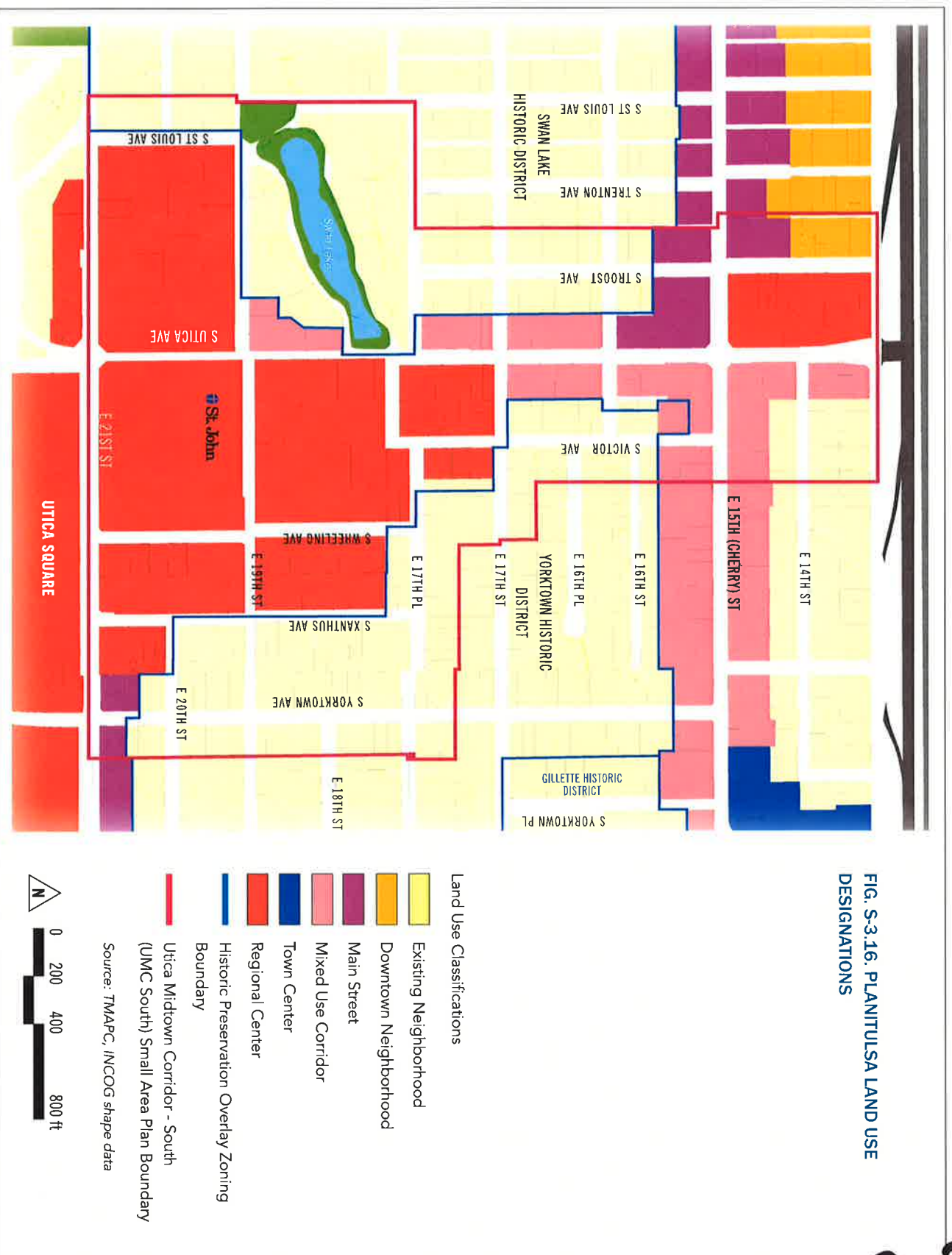
Source: City of Tulsa

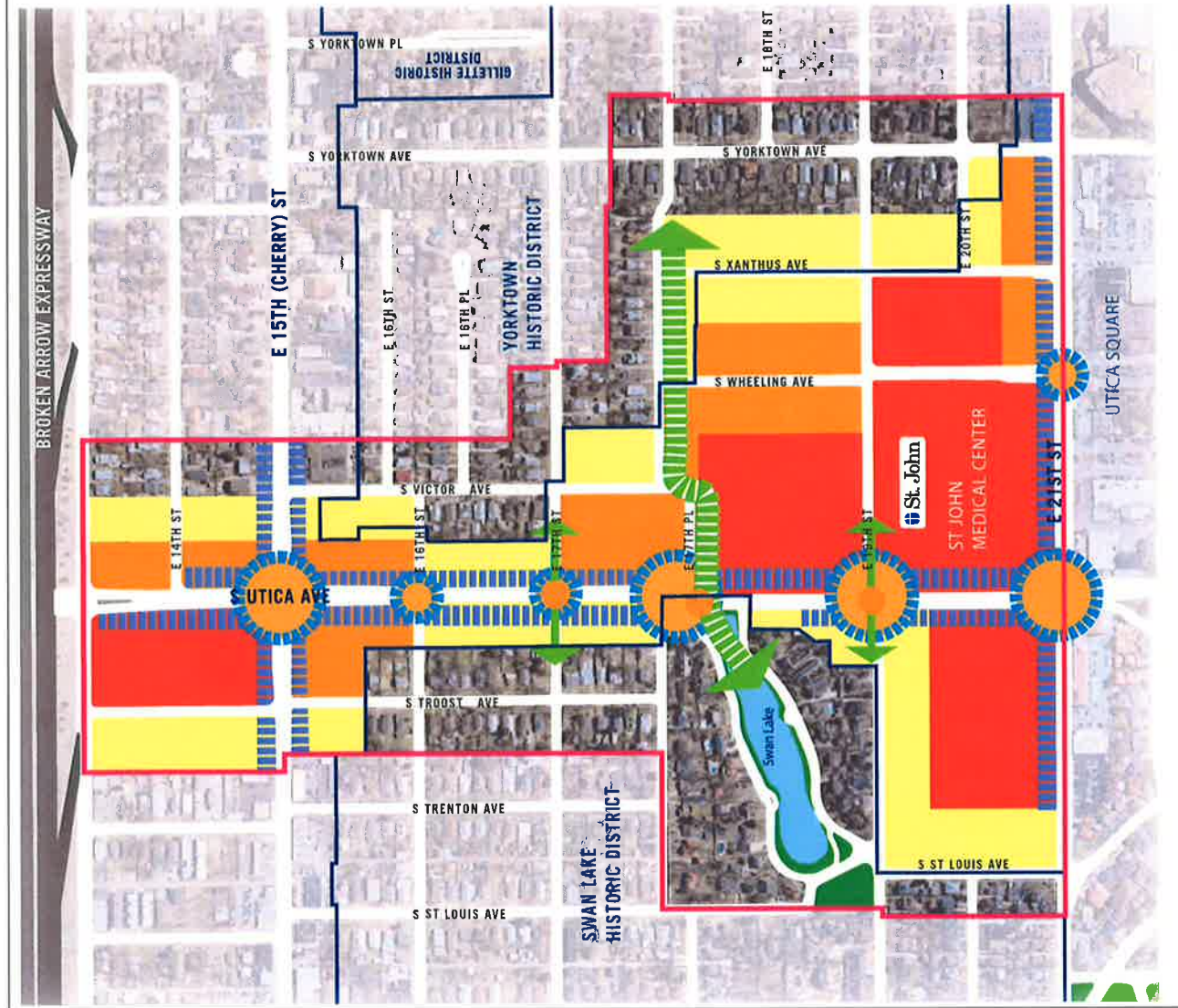
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FIG. S-3.16. PLANTILULSA LAND USE DESIGNATIONS





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Town Centers

Town Centers are medium-scale, one to five story mixed-use areas intended to serve a larger area of neighborhoods than Neighborhood centers, with retail, dining, and services and employment. They can include apartments, condominiums, and townhouses with small lot single family homes at the edges. A Town Center also may contain offices that employ nearby residents. Town centers also serve as the main transit hub for surrounding neighborhoods, and can include plazas and squares for markets and events. These are pedestrian-oriented centers designed so visitors can park once and walk to number of destinations.

Regional Centers

Regional Centers are mid-rise mixed-use areas for large-scale employment, retail, and civic or educational uses. These areas attract workers and visitors from around the region and are key transit hubs; station areas can include housing, retail, entertainment, and other amenities. Automobile parking is provided on-street and in shared lots. Most Regional Centers include a parking management district.

Corridors

Corridors share some of the same attributes as centers, but these areas are more linear and oriented along one or more streets. Corridors historically have formed in conjunction with the transportation infrastructure, as illustrated by historic streetcar commercial districts and high-traffic commercial arterial streets. A corridor's commercial vitality relies on careful planning for automobiles. But because corridors are linear and meet the needs of the immediate surrounding districts as well as street traffic, the land-use and transportation system should be designed and improved to accommodate many types of travel including walking.

The Corridors building block includes two main types of plan categories, Main Streets and Mixed-Use Corridors.

Main Streets

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

Mixed-Use Corridors

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.

New Residential Neighborhoods

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.

Existing Residential Neighborhoods

The Existing Neighborhood Residential area is comprised of a plan category by the same name. The Existing Residential Neighborhood category is intended to preserve and enhance Tulsa's existing single family neighborhoods. Development activities in these areas should be limited to the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code. In cooperation with the existing community, the city should make improvements to sidewalks, bicycle routes, and transit so residents can better access parks, schools, churches, and other civic amenities.

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.

Parks and Open Space

This building block designates Tulsa's park and open space assets. These are areas to be protected and promoted through the targeted investments, public-private partnerships, and policy changes identified in the Parks, Trails, and Open Space chapter. Zoning and other enforcement mechanisms will assure that recommendations are implemented. No park and/or open space exists alone: they should be understood as forming a network, connected by green infrastructure, a transportation system, and a trail system. Parks and open space should be connected with nearby institutions, such as schools or hospitals, if possible.

Destination and Cultural Parks

These areas include Turkey Mountain Urban Wilderness Area, Woodward Park, RiverParks, the Gathering Place, Mohawk Park & Zoo, LaFortune Park and similar places. These parks offer a range of amenities over a large contiguous area. Amenities at these parks include not only outdoor facilities, but also event spaces, museums, club houses, zoos, and park-complementing retail and service establishments which do not egregiously encroach into protected natural areas. These parks draw visitors from around the metro area, and have the highest tourism potential. Ensuring public access (and appropriate infrastructure investments) is a major facet of planning for these

establishments. Destination and cultural parks are large scale dynamic parks that draw residents and visitors from the region and may be designated as an area of growth.

Local Parks

This designation includes neighborhood-serving parks, golf courses, and other public recreation areas. Amenities at these park facilities can include playgrounds, pools, nature trails, ball fields, and recreation centers. With the exception of private golf establishments, these areas are meant to be publically used and widely accessible, and infrastructure investments should ensure as much. Local parks are typically surrounded by existing neighborhoods and are designated areas of stability.

Open Space

Open spaces are the protected areas where development is inappropriate, and where the natural character of the environment improves the quality of life for city residents. These include environmentally sensitive areas (e.g., floodplains or steep contours) where construction and utility service would have negative effect on the city's natural systems. Open space tends to have limited access points, and is not used for recreation purposes. Development in environmentally sensitive areas is uncharacteristic and rare, and should only occur following extensive study which shows that development will have no demonstrably negative effect. Open space also includes cemeteries, hazardous waste sites, and other similar areas without development and where future land development and utility service is inappropriate. Parcels in the city meeting this description of open space are designated as areas of stability.



Walkable Districts

Communities must be pleasant places to walk, if we want people to reduce their use of cars. Walkable districts represent the basic building block for a city that is more sustainable — socially, environmentally, and economically. Walkable districts mix complementary uses, maintain reasonable walking distances, and bring building entrances and facades to the street. Conveniences and recreation can be walked to easily, along safe and attractive routes. This traditional pattern presents a sensible alternative to auto-reliant development that separates housing and jobs from conveniences and transit, exacerbates traffic congestion, creates social enclaves, and consumes more land.



Residential Streets

Streets set the stage for many dimensions of community life. Streets that are lined with street trees, sidewalks, building entries and windows make walking more attractive — whether for errands or recreation. Well-designed streets also make it easier to meet neighbors and partake in community life. Their character can also have a profound effect on the image and identity of a city or neighborhood. Specific policies on streetscape design are found in the Transportation Chapter.

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RECOMMENDATIONS

LEGACIES AND URBAN DESIGN

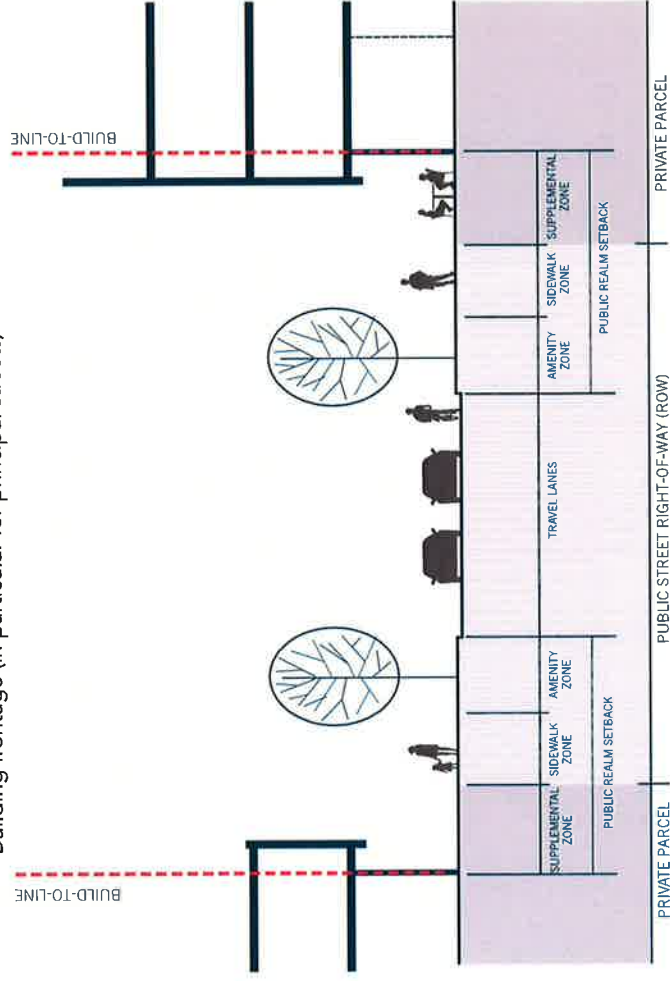
- | | | | |
|---|---|---|--|
| <p>3</p> <p>3.1</p> <p>3.2</p> <p>3.3</p> <p>3.4</p> <p>3.5</p> <p>3.6</p> <p>3.7</p> <p>3.8</p> | <p>Ensure that all new development contributes to the creation of a unified public realm through the use of zoning tools</p> <p>Align zoning requirements with the Tulsa Complete Streets Procedural Manual to create walkable streetscapes.</p> <p>Define and implement a minimum sidewalk width based on street type classification.</p> <p>Define an amenity zone, where appropriate, to shield the pedestrian walkway from traffic and to include street trees, street lights and public furniture (See Fig. S-5.3 on p.221).</p> <p>Define a build-to-line, measured from the back of the sidewalk, where the building façade must be placed to create a unified streetscape (See Fig. S-5.3 on p.221).</p> <p>Require all buildings to have a main entrance facing the street.</p> <p>Promote ground floor uses and their appropriate design and access.</p> <p>Design structures with active ground floors along commercial corridors.</p> <p>Buildings should have a minimum height of two stories.</p> | <p>4</p> <p>4.1</p> <p>4.2</p> <p>4.3</p> <p>5</p> <p>5.1</p> | <p>Provide appropriate and adequate transition between residential and non-residential uses</p> <p>Encourage vertical growth of St. John Medical Center with appropriate and adequate transition to the HP Districts.</p> <p>Create an HP Buffer Zone to regulate use, height, massing and screening requirements for parcels abutting the HP overlay zoning district (See <u>Land Use and Regulation Recommendations</u>).</p> <p>Strengthen screening requirements in zoning code to provide for transitional yards where parking and services at the back of high-density residential or non-residential parcels which abut residential yards (See Fig. S-5.6 on p.224).</p> <p>Adopt District Design Guidelines</p> <p>Create Design Guidelines for the proposed Mixed-Use Institutional area and Utica commercial corridor to promote the appropriate development of the district's character and to provide a unified public realm.</p> |
|---|---|---|--|

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FIG. S-5.3. PUBLIC REALM DESIGN

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

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

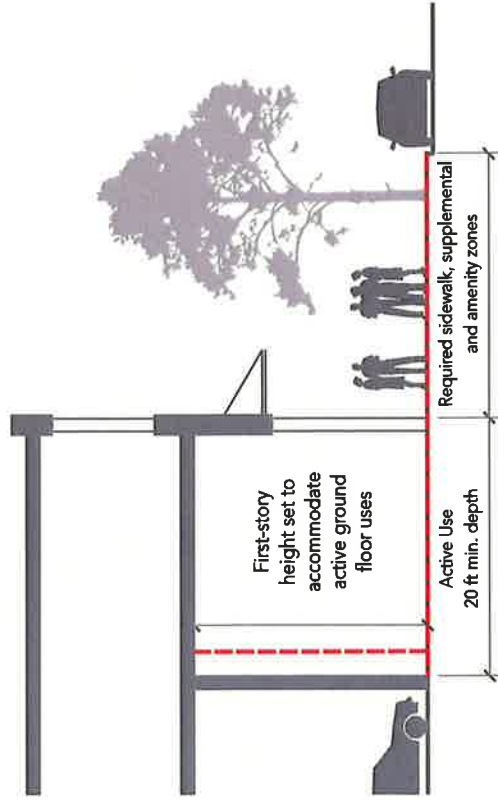


Adequate and secure pedestrian zones include clear pathways and landscape / **amenity zones** containing street trees, street lights and public furniture as buffers from adjacent auto traffic.

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

21.34

FIG. S-5.4. ACTIVE GROUND FLOOR



Example of an office building that creates a walkable environment with its ground-floor elements and landscaping.



Example of parking structure with active ground floor along a principal street, including a cafe. The façade treatment on the main street conceals views of automobiles from the main street, enabling the structure to blend in with its surroundings.

21.34

21.37

RECOMMENDATIONS
TRANSPORTATION AND MOBILITY

6 Study and implement solutions to mitigate impact of commercial and institutional vehicular traffic and parking on residential neighborhoods

6.1	Ensure Americans with Disabilities Act (ADA) compliance: a. Conduct inventory of curb ramps and sidewalks for ADA compliance, b. Create curb ramp installation/improvement plan based on inventory findings, and, c. Install or retrofit curb ramps and sidewalks as part of future street or sidewalk projects.	6.4	Continue to incorporate the needs of older adults and disabled persons into local transportation plans.
6.2	Encourage new construction to minimize traffic impacts by creating appropriate points of ingress and egress, shared and reduced curb-cuts, maintaining the street grid system, and providing access to multimodal transportation	6.5	Install improved access signage for vehicles and pedestrians approaching the emergency room entrance.
6.3	Identify funding to adequately maintain and re-time traffic signals at key intersections (for example Utica Avenue and 21st Street). The timing of these signals should consider modifications that not only better manage vehicle flow, but also accounts for the needs of pedestrians.	6.6	Install vehicular safety warning signage for dangerous curve at intersection of Swan Drive, Utica Avenue and East 17th Place.
		6.7	Incorporate Context Sensitive Solutions (CSS) complete street guidelines into road planning, construction and repair.
		6.8	Reduce parking requirements for some land uses or modify parking regulations to shift away from parking minimums. Consider establishing parking maximums in the long-term.

FIG. S-5.8. SAFE CROSSINGS
Safe pedestrian and bicycle crossings are designed to be clearly visible to drivers, pedestrians and bikers. Safe crossings on major, multi-lane thoroughfares may feature a wide, landscaped median known as a pedestrian refuge to facilitate crossing.



21.37

6.9

With existing City staff and resources, conduct speed study on residential streets experiencing high speeds, specifically on Wheeling and Xanthus Avenues.

6.10

Pursue funding to create a traffic-calming plan for the plan area based on a speed study.

6.11

Support alternative transportation:

- a. Provide enhanced transit stops (ex: benches, trash can, shelter) on Utica Avenue, especially shade for elderly patrons,
- b. Increase frequencies of bus routes and coordinate timing with hospital employee shifts,
- c. Support connections and wayfinding to Peoria Avenue's high frequency transit route when installed,
- d. Include area in city-wide Bicycle and Pedestrian plan,
- e. Require conveniently located bike racks within all new developments and redevelopments,
- f. Provide secure bicycle racks at all existing major destinations, and,
- g. Install crosswalk markings on all four legs of the 21st and Utica and Utica and 15th Street intersections.

6.12

Reduce transportation and parking demand for St. John Medical Center and Cherry Street commercial corridor:

- a. Consider providing incentives for employees to use alternative transportation (ex: preferential parking for carpools, reduced transit fare),
- b. Work with businesses and property owners to create a parking management and shared parking strategy to mitigate the impact of cars on the pedestrian realm,
- c. Support development of shared parking and structured parking (e.g., through public-private partnerships and shared parking structures), and,
- d. Support planning efforts for updating the Tulsa-area bicycle and pedestrian master plan.

21.39

7	Reduce negative visual impacts of non-residential parking on residential areas	8	Provide safe pedestrian and bike connections between residential areas and neighborhood amenities
7.1	Use zoning tools to regulate design and layout of non-residential parking located adjacent to residential areas (See "HP Buffer Zone" under Land Use Recommendations).	8.1	
7.2	Provide clear guidelines and case studies for parking design and layout in areas of transition.	8.2	
		8.3	
		8.4	Construct highly visible, enhanced crosswalks across Utica Avenue to connect the historic neighborhoods and provide improved pedestrian access to Swan Lake Park. (See Fig. S-4.1 - "UMC-South Vision Map" on p.203).
		8.5	Implement City of Tulsa's Complete Streets procedural manual for repaving and new construction. Reduce internal car trips and improve residential relationship with open pedestrian access to Victor Avenue walkway.



FIG. S-5.9. PEDESTRIAN CROSSING

21.39

RECOMMENDATIONS

HOUSING

12 Preserve and support stability of the plan area's residential neighborhoods on the National Register of Historic Places

- 12.1** Increase code enforcement to maintain aesthetic integrity of the historic neighborhoods.
- 12.2** Provide appropriate transition from institutional and commercial uses at the edges of residential neighborhood (See Land Use and Regulatory Recommendations).
- 12.3** Adopt zoning regulations that prohibit parking as primary use in historic residential neighborhoods protected by HP overlay zoning (See Land Use and Regulatory Recommendations).
- 12.4** Provide capital improvements that enhance and protect existing housing and home values, and encourage construction of new housing stock in appropriate areas.
- 12.5** Provide a range of housing choices and programs for the area's diverse population, including:
- Choices that promote aging-in-place, which is defined as the ability to live in one's own home and community safely, independently, and comfortably, regardless of age, income, or ability level,
- Coordination with major employers in the area to incentivize employees to purchase homes and live near their workplace,
 - Working with neighborhood associations to advertise neighborhood parks, schools and amenities to attract new long-term residents, and,
 - Use zoning tools to facilitate the construction of higher-density infill housing, such as townhomes, in areas of transition between residential and non-residential uses.



FIG. S-5.10. MIXED-USE RESIDENTIAL

This illustrated mixed-use development adds a level of density, new type of housing and a popular corner restaurant to the main commercial street in a revitalizing historic neighborhood. Parking for the units is located in a surface lot tucked behind the L-shaped development and accessed through side streets. The development strengthens the pedestrian character of the otherwise auto-oriented commercial street.

12.12

- 13** Enhance existing housing diversity in the plan area
- 13.1** Adopt a mixed-use zoning category to allow new housing development in areas currently zoned commercial.
- 13.2** Support the development of quality housing options targeting young professionals and senior residents.
- 13.3** Support low- to moderate-density redevelopment of the Barnard School site. Such development must comply with Historic Preservation guidelines and should include open space and a green connection component to Swan Lake Park (see measure 14.2a).

21.41

FIG. S-2.4. SWOT EXERCISE RESULTS

STRENGTHS		score
Swan Lake Park		31
Historic Preservation District		30
Beautiful and pedestrian marketplace		18
Old "new urbanism"		18
Proximity to hospital		16
Beautiful neighborhood		15
National Register of Historic Places listings		11
Mixed-use environment		11
Sense of place		11
Well-performing economy		9
Collaboration with hospital		9
Diversity		8
Highly-educated community		6
Farmers' market		6
Ease of access to highways		5
Urban forest		4
Strong neighborhood groups		4
Proximity to good schools		4
Swan Lake listing on APA's 2012 Great Places		3
Sustainable, green-oriented community		3
Diverse housing stock		3
Great quality housing		3
High rental rates		0
SWOT Scoring Methodology		
Following the discussion and recording of strengths, weaknesses, opportunities, and threats, each participant was given a total of 12 stickers – four in each color representing a first, second and third priority. They were then asked to apply the stickers next to the respective SWOT item according to their personal priorities. The priorities were then tallied and weighted, with first priorities given 3 points, second priorities given 2 points, and third priorities given 1 point.		
WEAKNESSES		score
Developers who ignore context		51
Pedestrian-unfriendly environment		26
Neglectful landlords		23
Heavy traffic/dangerous driving on neighborhood streets		22
Anxiety about future (uncertainty)		15
Lack of crosswalks		13
Lack of public transit		11
Lack of parking		9
Friction due to uncertainty		9
Car vs. person sentiment		4
Home deterioration due to aging owners		3
Lack of commercial diversity		3
Poor traffic enforcement		2
Poorly-maintained urban forest		2
Utica Corridor congestion (traffic, density)		1
THREATS		score
Historic home tear-downs		61
Hospital expansion		37
Developers who ignore context		30
Increased traffic		21
Adversarial attitude		20
Surface parking		17
Corporate mentality		16
Loss of community		15
Planned Unit Developments (PUDs)		12
Bar / restaurant saturation		7
INCOG		6
Adding density		5
Defending schools		4
Over-intensive development		4
Permeable soils and surfaces		2
OPPORTUNITIES		score
Collaborative possibilities between neighbors & developers		38
Creative parking solutions		37
Respectful development		35
Across-the-board collaboration		28
Focus on improved sidewalks, lighting		22
Hospitals as city centers for wellness		18
Pedestrian lighting		17
Greater walkability		12
Planning to address uncertainty		11
Willingness of big employer to work w/ neighborhoods		9
Creative use of existing structures		9
Improved public transit		8
Special opportunities/events		8
Building on what we have (e.g. Cherry St.)		5
Businesses that serve neighborhoods		3
Traffic calming measures		3
Increased density in neighborhoods		3
Business investment in aesthetics		2
Chance to delineate crosswalks better		2

Minutes For 12.16.15 P.C. meeting.

21. **PUD-437-A – Donn E. Fizer**, Location: Northeast corner of East 15th Street and South Utica Avenue, requesting a **PUD Major Amendment** to modify boundary for Development Area A and B, establish new uses and modify bulk and area requirements for each development area, **PK/OL/CS/CH/PUD-437 to PK/OL/CS/CH/PUD-437-A**, (CD 4) (Continued from 11/18/15 and 12/2/15)

STAFF RECOMMENDATION:

DEVELOPMENT CONCEPT:

APPLICANTS DEVELOPMENT CONCEPT:

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

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

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

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

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

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

pedestrian friendly environment. This development is compatible with the surrounding neighborhood in both style and use.

ADDITIONAL STAFF CONCEPT STATEMENT:

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

Neighborhood Participation:

Miscellaneous neighborhood correspondence

SECTION II PUD-437-A DEVELOPMENT STANDARDS:

DEVELOPMENT AREA A:

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

Permitted Uses:

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

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

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

Summary of Underlying Zoning in gross land area: CS zoned land area: 0.26 acres (Zoning Code maximum floor area ratio allowed: 0.5); PK zoned land area: 0.09 acres (Zoning Code maximum floor area ratio allowed: NA)

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

Building Setbacks: (As measured from the Major Street and Highway Plan right-of-way edge)

Minimum setback from South Utica:	15 feet
Minimum setback from East 14 th Place South:	25 feet

Maximum building height:	50 feet
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Parking Ratio Standards:

Minimum Parking Standards Medical office: 2.6 spaces per 1000 square feet

All other uses as allowed: 2.2 spaces per 1000 square feet excluding the first 2500 square feet of floor area.

DEVELOPMENT AREA B:

Permitted Uses:

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

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

Summary of Underlying Zoning in gross land area:

CS zoned land area: 1.15 acres (Zoning Code maximum floor area ratio allowed: 0.5)

PK zoned land area: 0.06 acres (Zoning Code maximum floor area ratio allowed: NA)

OL zoned land area: 0.41 acres (Zoning Code maximum floor area ratio allowed: 0.30)

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

Maximum Building Height: three stories

Building Setbacks: (As measured from the Major Street and Highway planned right-of-way edge)

Minimum setback from east boundary of PUD: 25 feet

Minimum setback from south right-of-way line on East 14th Place South: 25 feet

Build-to-zone requirements:*

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

Minimum building setback: 10 feet

Maximum building setback: 25 feet

From the north boundary of the East 15th Street right-of-way:

Minimum building setback: 10 feet

Maximum building setback: 25 feet

*Canopies including any structural support system that is integral to the building design and attached to the building are exempt from this requirement. **If a canopy on the west or south facade is installed a masonry screening wall with a minimum height of 3 feet from the sidewalk elevation shall be used as a physical and visual barrier between any pedestrian traffic in the street right of way and a drive thru. The wall shall be integral to the design of a canopy support and include planters.**

Parking Ratio Standards:

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

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

Architectural Standards:

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

West facing walls shall provide a minimum of 25% transparency. Spandrel glass **and must match the color of transparent glass** may be used in **two thirds** of the transparency requirement.

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

Screening and Landscaped Open Space:

A **masonry** screening fence shall be constructed and maintained along the east boundary of the Development Area B **where adjacent to single family residential zoned property**. The height of the screening fence shall not be less than 6 feet or greater than 8 feet as measured from the existing ground on the east side of the fence. Within 25 feet of the planned right of way on the north end of the site the wall or fence may be eliminated or if installed shall not exceed 4 feet in height. The fence or wall system shall be a double sided design that is visually the same on both sides.

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

- 1) Landscape areas in the street right-of-ways, to the extent permitted by the City of Tulsa, shall be grassed & landscaped with approved street trees and shrubs along South Utica, East 15th Street South and along East 14th Place south. A minimum of 7 street trees will be installed and maintained within 10 feet of the South Utica right of way line. A minimum of 5 trees shall be installed and maintained within 10 feet of the right of way line along East 15th Street and along East 14th Place.

- 2) A landscape edge shall be provided adjacent to East 14th Place South and adjacent to any parking area within 25 feet of a street right-of-way. The landscaped edge shall be a minimum width of 10 feet and shall include shrubs with sufficient density and size will be installed and maintained to provide a 3' tall effective visual barrier along those rights of way after a 3 year growing cycle. A maximum of 5 feet of the 10 wide landscape edges may be placed in the street right of way.

The required landscaped open spaces shall exclude walkways which solely provide pedestrian circulation.

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

Trash and dumpster enclosures shall be masonry construction and be constructed of similar material as the principal structure. The minimum height of the enclosure shall not be less than 6 feet but must exceed the dumpster height. Doors constructed with a steel frame and a cover that blocks a minimum of 85% of the opening. Dumpster doors shall not be accessed from public right of way **and placed within 100 feet of the north right of way line on East 15th Street South.**

Sign Standards:

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

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

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

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

Lighting:

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

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

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

Vehicular Access:

Vehicular access is prohibited from East 14th Place south

DEVELOPMENT AREA REVISION

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

SUBDIVISION PLAT REQUIREMENTS

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

EXPECTED SCHEDULE OF DEVELOPMENT

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

DETAILED STAFF RECOMMENDATION:

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

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

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

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

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

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

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

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

Land Use Vision:

Land Use Plan map designation: Mixed-Use Corridor

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

Areas of Stability and Growth designation: Area of Growth

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

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

Transportation Vision:

Major Street and Highway Plan:

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

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

South Utica Avenue is an Urban Arterial Multi Modal Corridor.

Multi-modal streets emphasize plenty of travel choices such as pedestrian, bicycle and transit use. Multimodal streets are located in high intensity mixed-use commercial, retail and residential areas with substantial pedestrian activity. These streets are attractive for pedestrians and bicyclists because of landscaped medians and tree

lawns. Multi-modal streets can have on-street parking and wide sidewalks depending on the type and intensity of adjacent commercial land uses. Transit dedicated lanes, bicycle lanes, landscaping and sidewalk width are higher priorities than the number of travel lanes on this type of street. To complete the street, frontages are required that address the street and provide comfortable and safe refuge for pedestrians while accommodating vehicles with efficient circulation and consolidated-shared parking.

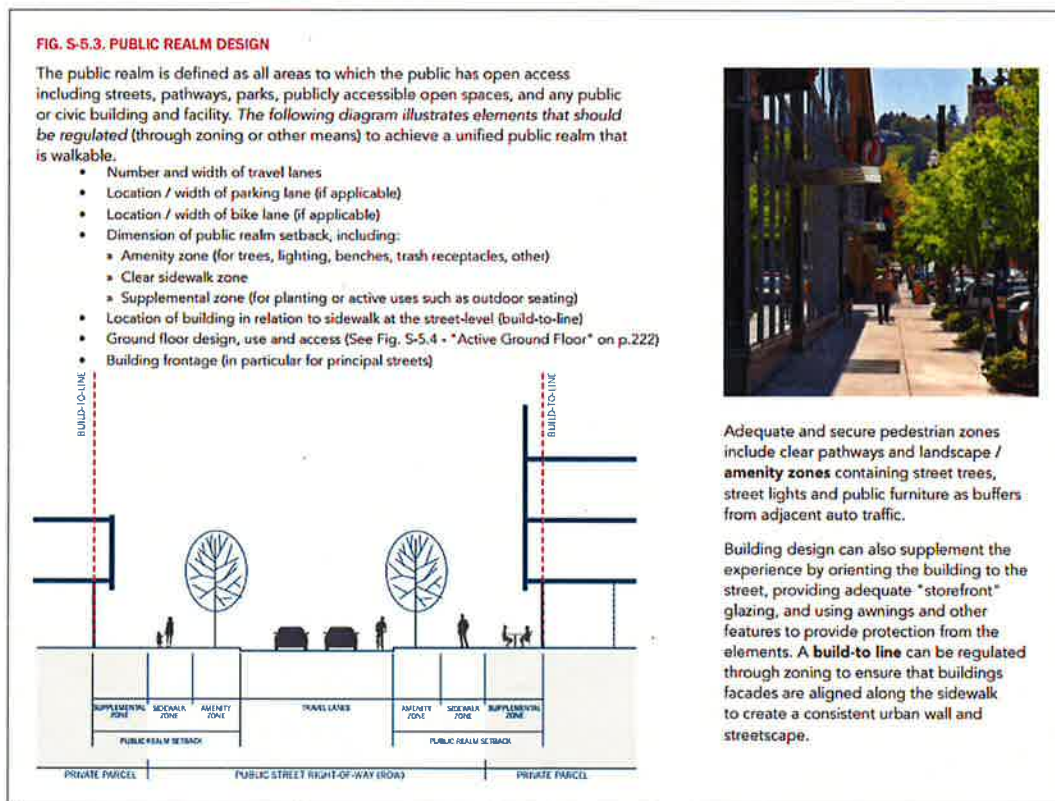
Streets on the Transportation Vision that indicate a transit improvement should use the multi-modal street cross sections and priority elements during roadway planning and design.

Trail System Master Plan Considerations: None

Small Area Plan:

Utica Midtown Corridor Small Area Plan:

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



Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

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

Environmental Considerations: None that would affect site development

Streets:

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

Utilities:

The subject tract has municipal water and sewer available.

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

SECTION III: Relevant Zoning History

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

Subject Property:

Z-6193/PUD-437 August 1988: All concurred in **approval** of a proposed Planned Unit Development a 1.35± acre tract of land for uses as permitted by right in an OL district excluding drive-in banks and funeral homes and allowing 2 stories on property located on the southeast corner of East 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 a part of the subject property.

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

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

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

Surrounding Property:

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

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

PUD-708 August 2004: All concurred in **approval** of a proposed Planned Unit Development on a 1.34± acre tract of land, to permit the consolidation of several parcels with various zoning, CH, OL, PK, RS-3 and HP to allow for a bank, including drive-thru facility, and office use subject to staff recommendations and eliminating access to Victor Avenue, and to specific traffic flow requirements on property located on the southeast corner of East 15th Street South and South Utica Avenue.

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

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

Mr. Wilkerson cited the minor changes made to the staff report since the December 2, 2015 meeting. Mr. Wilkerson reiterated that the PUD does require that this building to be within a “build to zone”.

Mr. Covey read from the small area plan that requires main entrances facing the street. Mr. Wilkerson stated that this particular project satisfies a lot of the development standards, but it doesn't meet that particular standard. Mr. Covey asked Mr. Wilkerson about the standard for walkability. Mr. Wilkerson stated that today it is not as walkable as he would like. Mr. Wilkerson stated that this particular PUD does a good job of providing some street trees and scaling the signage down. Mr. Wilkerson commented that the subject proposal does provide a friendlier pedestrian environment because there are more street trees and fewer driveway crossings. Mr. Covey asked Mr. Wilkerson about the standard for windows, doorways facing the sidewalk and automobile parking generally located on the side or behind the building. Mr. Wilkerson stated that the PUD requires the building to be up closer to the sidewalk, it does require a certain amount of glass and windows for store type uses and this PUD meets that standard. This particular location has a drive-through between the building and the street that would block that vision. Mr. Wilkerson stated that right now the pedestrian realm, the street trees, medians, etc. is all done well as part of this PUD. Mr. Wilkerson further stated that when one looks at the part of it that includes windows, store fronts along the sidewalk, this particular does some of that, but not probably as completely as this concept implies. The parking is located on the side and behind the store.

Mr. Reeds asked Mr. Wilkerson to explain his understanding of mixed-use. Mr. Wilkerson stated that there are two meanings to mixed-use. One is a mixed-use corridor along the length of a street, which can mean a lot of individual uses along that corridor. A mixed-use building is a different conversation, which is something that might truly be a hotel with a CVS in the bottom with some offices. The mixed-use building is part of the small area plan, but it really more a part of the plan in context where MXI zoning is proposed. The MXI zoning is proposed closer to St John's and Hillcrest. The subject area is more of a mixed-use corridor in this location.

Applicant's Comments:

Lou Reynolds, 2727 East 21st Street, 74114, stated that he has removed the driveway off of 14th Place, added additional street trees and will install a masonry wall along the residential property. Mr. Reynolds further stated that his client has agreed to remove the wooden screening fence where it abuts the office area and open it up; the dumpster will have to be moved to the south with a masonry screening facility. Mr. Reynolds stated that it wasn't clear previously that there will be a wall that runs parallel to the sidewalk and the wall will separate the sidewalk from the cars in the drive-through lane. Mr. Reynolds submitted a concept photograph (Exhibit A-2). Mr. Reynolds demonstrated where the screening wall, bus shelter and parking will be located. He demonstrated how the sidewalks would have the decorative bricks to meet the City's streetscape plan and lighting fixtures along the brick wall that will light the sidewalk from the outside of the drive-through facility in a decorative way. Mr. Reynolds indicated that there will be a bike rack in front of the store. Mr. Reynolds explained how the drive-through would work and the elevations of the drive-through, which will have a screening wall to block the lights of the cars.

Mr. Reynolds stated page 21.33 is from PLANiTULSA in this concept and that was five years ago and then two years ago there was a small area plan developed. Mr. Reynolds commented that in his mind the small area plan supersedes PLANiTULSA. Mr. Reynolds argued the difference in the language of "bringing to the street" and "facing the street". Mr. Reynolds stated that the door of the proposed development faces the street on East 14th Place. Mr. Reynolds proposed some additional language (Exhibit A-1). Mr. Reynolds requested that the subject proposal be approved per staff recommendation.

TMAPC COMMENTS:

Ms. Millikin read from the small area plan. Ms. Millikin stated that it weren't for the small area plan she would have no problem approving this plan, but she is still struggling with how it meets the small area plan. Ms. Millikin further stated that she understands that the small area plan is a policy guideline, but she doesn't know if it should be departed from without some good reason to explain to the City Council as to why. Ms. Millikin commented that she doesn't quite see how the drive-through in the front meets the definition of active ground floor. Mr. Reynolds stated that one looks at it in a total package and this proposal comes very close to meeting all of the standards and remember that this plan is not a regulating document. This small area plan was to allow this type of development and these aren't restrictions, but recommendations to be followed. Mr. Reynolds stated that there is rarely case before the TMAPC that meets and conforms to the plan as the subject proposal. Mr. Reynolds further stated that this application doesn't perfectly comply with all, but comes close and closer than it seems. Mr. Reynolds stated that he tried to promote the ground floor with

windows and landscaping. Ms. Millikin stated that windows and landscaping are a different concept. Ms. Millikin further stated that the proposal has walkable environment, landscaping and they are done very nicely, but it is the ground floor elements that she feels could be improved here. Ms. Millikin asked if it would be possible to have a door that faces Utica. Ms. Millikin asked why the drive-through couldn't be switched to the other side of the building. Mr. Reynolds stated that it would put the drive-through where the pedestrian traffic to the front door is. Ms. Millikin stated that the front door could be moved to Utica. Mr. Reynolds stated that the store needs convenient parking to be a success. Mr. Reynolds explained that that today's proposal is the third generation of the proposal and staff has requested that the building be brought to the corner and it would strain the store to have the front door at 15th and Utica and the people would have to park and walk around to the door.

In response to Mr. Walker, Mr. Reynolds stated that CVS has determined that they can make deliveries with their trucks and maneuver without access to 14th Street.

Mr. Reeds stated that this is a handsome building, but unfortunately it is built around cars and not people, which is the whole purpose of an urban design. The ultimate goal is to make it a walkable urban facility and this doesn't make it. Mr. Reeds expressed a concern with the drive-through and it being a safety issue. Mr. Reeds stated that at night time people will be blinded by these cars. Mr. Reeds further stated that he doesn't have a problem with the single usage of the subject property. Mr. Reeds commented that there are other ways to solve this and not have a chute on the corner of an urban street. Mr. Reynolds stated that the drive-through has been carefully designed so that lights are not blinding people.

Mr. Midget stated that he appreciates that some of the concerns from the last meeting were looked at, particularly the access onto 14th. Mr. Midget further stated that he still has an issue with the front drive-through and he believes that they have tried to address it. Mr. Midget further stated that with the design walkability has been addressed. Mr. Midget commented that he travels this route frequently and he can never envision the subject area being where one would put a nice boutique with outdoor seating because it is near the expressway with car traffic all day. Mr. Midget stated that he would like to see a better design for the drive-through. Mr. Midget further stated that he understands the intent of the small area plan, but on either of the subject corners he can't imagine the kind of quiet, table ambience one wants. Mr. Midget commented that Mr. Reynolds's client has done a good job trying to make the proposal to work. Mr. Midget stated that people are not going to park in the back and walk around to the front of the store.

INTERESTED PARTIES OPPOSING PUD-437-A:

Don Barnum, 1910 East 35th Street, 74104; **Daniel Gomez**, 1788 East 14th Place, 74104; **Terry Meier**, 1760 East 14th Place, 74104; **Michael Koster**, 1792 East 14th Place, 74104; **William McMahon**, 1720 East 14th Place, 74104; **Chip Atkins**, 1638 East 17th Place, 74120; **C.J. McMahon**, 1720 East 14th Place, 74104; **Burlinda Radney**, 2016 East 12th Place, 74104.

INTERESTED PARTIES OPPOSING PUD-437-A COMMENTS:

Not a good plan and not a good site for the subject plan; increased traffic, increased noise, trucks, and noise; more crime; will lower property values; follow the small area plan; doesn't meet the small area plan spirit or vision, not appropriate to have drive-through in the front, oppose spandrel glass; move to 11th Street where they are better needed; the subject intersection is the gateway to HP district and Utica Square; the drive-through elevation change is bizarre and is not pedestrian friendly; this is the first test of the small area plan and a drive-through is not appropriate for the subject property; the subject area wants to extend what is on Cherry Street and make it a walkable corridor and this proposal will kill that; if the goal is to increase economic activity in the area there is already five drug stores within one mile of St John's and Hillcrest; there needs to be a flow of energy in the neighborhood and a big box store at the end of a block stops that energy; the existing businesses on the subject property do not want to leave; do not want box stores; this is a banking corridor in the subject area than it is a medical corridor; hospitals come and go and there will be a new sign on St John's by January 1, 2016, new management and who knows if it will stay in business; Hillcrest has filed bankruptcy numerous times and is under new ownership; box store doesn't meet the vision of the plan; State Statute states that the Comprehensive Plan "shall" be followed; Tulsa is unattractive and this plan was created to make it better; don't sell out to the big box stores that will not bring the charm that is wanted in the subject area; the small area plan has renewed interest in the neighborhood for housing; property values are increasing since the small area plan has been approved; the subject intersection is a busy intersection and she understands why CVS would like to keep an open door to have access to 14th Place in the future due to the traffic flow; understand that neighbors on 14th Place are concerned about traffic dumping onto their street; the small area plan is about pedestrian economic activity and not car-based economic activity.

TMAPC COMMENTS:

Ms. Millikin stated that she has heard a few protestant's argue that a CVS doesn't fit the plan and she has to ask if they have read the sections on economic development in the Utica/Midtown Corridor Small Area Plan. There is Hillcrest in the north section of the plan, St John's in the south section of the plan and the small area plan on page 250 states that one of the purposes is to retain medical and healthcare related industries in the area. How is a CVS on the Utica Corridor between two main hospitals in the

subject area not fit with the small area plan? Mr. Koster stated that when he says CVS he actually means the plan that is being proposed today. Mr. Koster further stated that if there was a CVS in a mixed-use building then maybe there wouldn't be the arguments from the neighborhood. Mr. Koster explained that CVS is trying to put a box store at the end of a neighborhood, which is a primarily drive-through business, and the business model is about getting the parking work and it is at the expense of walkability and things that are in the small area plan. Ms. Millikin stated that the plan doesn't require a mixed-use building, it is a mixed-use corridor and so one can have a building with a single purpose function. Ms. Millikin stated that while she is still struggling whether certain aspects of the plan are met, she does believe that CVS fits within the economic development vision of the small area plan for the Utica/Midtown Corridor. Ms. Millikin stated that function and economic wise this does fit with the plan. Ms. Millikin further stated that the neighbors have to think of the vitality of the medical industry that is in place and in addition to that part of the plan asks for supportive improvements and research and equipment for stated of the art healthcare and CVS can contribute to that. Ms. Millikin read from the plan where CVS fits with the plan. Mr. Koster stated that he understands all of that and he thinks one could make an economic argument for almost anything that would go in on the subject property, but part of the small area plan is to be pedestrian friendly, which this is the opposite of. Ms. Millikin stated that she does hear that part of the concerns and have already addressed that with Mr. Reynolds, but it is not completely off the chart and in fact she believes that this application is mostly there. Mr. Koster asked how much of the plan does it have to be 50%?

Applicant's Rebuttal:

Mr. Reynolds stated that the small area plan seeks to get a balance between pedestrian and automobile activity and this PUD is designed to achieve that. Mr. Reynolds further stated that he believes the proposal is a walkable streetscape and meets many of the standards of the plan. Mr. Reynolds commented that the proposal is not a true two-story building, but it is over 30 feet and there will be a mezzanine, which will be used for storage. The height is intended to be a noise reduction and buffer to the neighborhood. Mr. Reynolds stated that he believes that the proposal meets the plan and respectively request that the Planning Commission approve the PUD per staff recommendation with the amendments he has proposed.

TMAPC COMMENTS:

Mr. Midget asked Mr. Reynolds if CVS has to have a drive-through. Mr. Reynolds answered affirmatively. Mr. Midget stated that he was thinking about the pharmacy in Utica Square that is one of the busiest in the City and it doesn't have a drive-through. Mr. Reynolds stated that at this location CVS does need a drive-through because it isn't in that type of an area. Mr.

Reynolds further stated that the design is due to grade, which is a six-foot grade drop on the subject property.

Mr. Shivel stated that he believes that Cherry Street is walkable because there are not traffic lights between Peoria and Utica. The developer is willing to modify his plans and no longer use 14th Place as an access point. Mr. Shivel stated that he appreciates Mr. Wilkerson's explanation about "mixed-use corridor" versus "mixed-use building" issues. Mr. Shivel commented that it appears that the sidewalks fronting on 15th and Utica are actually wider than what currently exists on 15th to the east. It makes more sense from a functional standpoint to have the front door in the parking area, which is traditionally seen for access. Appearance is key and the appearance of the building is very close to being consistent with the sidewalk and he could be in support of the measure.

Mr. Dix stated that he understands what CVS is trying to do. Mr. Dix further stated that many of the buildings west of Utica front to Utica and that in itself is what has helped create walkability all the way down Cherry Street. Mr. Dix commented that if one goes east Utica beyond the subject site and beyond the one building that will be removed, none of the buildings are up close to the street and they all have parking in front of them, which indicates that they are all car driven facilities, such as doctor and lawyer offices. To say that the CVS is going to stop the walkability of Cherry Street and this corridor is ludicrous. The only thing that stops walkability is the fact that there is nothing down there for people to walk to. Mr. Dix stated that putting the parking in the back and the front door around to the front of the building will not work, because people will not do it. Mr. Dix commented that he believes that CVS has done a tremendous job of trying to make this walkable to fit in the neighborhood and fit into the plan. Mr. Dix stated that the drive-through with a wall around it is very creative and probably 85% of their business is from the drive-through for prescriptions. Mr. Dix further stated that CVS understands that, at this location, they need the drive-through because it is a high-traffic location. Mr. Dix indicated that he would be supporting this application. Mr. Dix commented that the comments about the number of existing pharmacies in the subject area means nothing because it is not the Planning Commissions' job to restrict competition, but to enhance development.

Mr. Stirling stated that he will not be supporting this application. The drive-through is a major hindrance and he doesn't believe that it fits with the small area plan at all for terms of walkability. Mr. Stirling commented that he believes that there is a vision here and there is other possibilities that could make this a better plan and perhaps it isn't for CVS. Mr. Stirling concluded that he can't support this application.

Ms. Millikin stated that she has really struggled with this application. Ms. Millikin further stated that if it weren't for the small area plan she would have no problems with approving it. The location of the drive-through is problematic and it does not fit with the small area plan. Ms. Millikin commented that she is completely happy to see a CVS located on the subject property and is entirely the type of development that fits with the economic section of the small area plan that this neighborhood adopted and endorsed. Ms. Millikin stated that the ground floor uses that the plan requires and the drive-through that is proposed is not entirely consistent with the small area plan and better job could be done. Ms. Millikin suggested that this application be continued and allow the applicant to come back with another draft of the plan because she believes that they are very close and she would hate see them go back to the drawing board and start all over in a few months from now.

Mr. Reeds stated that he agrees it is a creative solution to a tight site, but unfortunately it is site in our first small area plan and first test of whether we abide by the intent of the small area plan or not. Mr. Reeds further stated that he has no objections to the use and the Planning Commission is not in the business of legislating use on this corner and it is entirely wrong to even suggest that. Mr. Reeds commented that he doesn't mind CVS moving onto this corner because conceivably and economically they are a good fit. Mr. Reeds stated that he has no problem with the massing of the building, but he does have a problem with the drive-through. The streetscape is not just the sidewalk, which they did a great job, it is the engagement of the building to the sidewalk by people who use that sidewalk. Mr. Reeds stated that he has seen CVS's where people drive up and they bring their medications to them all over the country. Mr. Reeds further stated that the ground floor is not active as intended by the small area plan. Mr. Reeds agrees that the subject site is a gateway to Tulsa, but he doesn't agree that Tulsa is an ugly City. Mr. Reeds commented that the small area plan enhances the beauty and not take away from it. Mr. Reeds indicated that he can't support the proposal.

Mr. Walker stated that he is conflicted and the Planning Commission doesn't get that many cases that requires this much interpretation very often. Mr. Walker commented that this proposal fails so many of the intents of the small area plan, but it is also a CVS on a hard corner. Mr. Walker commented that the drive-through is heinous and both sides make a compelling argument.

Mr. Midget stated that he believes that he applicant has done a great job meeting some of the initial concerns, particularly 14th Place access. Mr. Midget further stated that he feels the same as most of the Planning Commissioners regarding the drive-through. Mr. Midget commented that the drive-through goes against the grain of what walkability is. Mr. Midget stated that he doesn't have a problem with the CVS because when he looks to the south it is not changing. Mr. Midget pointed out that the houses to the east

are backed away from 15th Street and so there are some issues there with walkability/pedestrian. Mr. Midget concluded that he has a problem with the drive-through because it doesn't meet the intent of the small area plan. Mr. Midget commented that this is the first real test in the neighborhood and the Planning Commission owes it to the neighborhood to try and be as true to the vision of the small area plan. Mr. Midget encouraged CVS to be the first big box store to think out of the box and develop something different that meets the intent and vision of the plan.

Mr. Covey stated that he believes that the Planning Commission needs to either start following the small area plans or quit doing small area plans. There is no reason to make citizens to volunteer their time and staff of INCOG and City of Tulsa to spend years working on these small area plans if they are not going to be followed. The words in these small area plans are important words that nobody would have ever come up with. Mr. Covey stated that when he sees the words the front doors should face "the street" to him that means Utica and/or 15th Street. Mr. Covey stated that his interpretation of the "the street" is that the entrance needs to be on 15th and/or Utica. Mr. Covey commented that he has heard other Planning Commissioners say that if the entrance is placed on 15th or Utica and the parking behind the building than no one will come and possibly that shouldn't have been in the small area plan. The plan doesn't extend all the way down 15th Street and stops about 100 yards are so. Mr. Covey indicated that he agrees with Mr. Koster that he doesn't believe that this application meets the spirit of the plan. Mr. Covey further indicated that he agrees with Mr. Atkins that this application doesn't meet the vision of the plan and it doesn't meet the specific requirements of a small area plan. Mr. Covey stated that he cannot support this application.

TMAPC Action; 9 members present:

On **MOTION** of **DIX**, TMAPC voted **4-5-0** (Dix, Shivel, Walker, Willis "aye"; Covey Midget, Millikin, Reeds, Stirling, no "nays"; none "abstaining"; Carnes, Fretz "absent") to recommend **APPROVAL** of the PUD major amendment for PUD-437-A per staff recommendation.

Motion failed.

Discussion ensued regarding whether to move to continue the application and allow the applicant to change his proposal or approving with conditions to make the changes discussed.

TMAPC Action; 9 members present:

On **MOTION** of **COVEY**, TMAPC voted **5-4-0** (Covey, Midget, Millikin, Reeds, Stirling "aye"; Dix, Shivel, Walker, Willis "nays"; none "abstaining"; Carnes, Fretz "absent") to recommend **DENIAL** of the PUD major amendment for PUD-437-A.

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Neighborhood Center designation, but at the same time he agrees with Mr. Midget about what promises were made to the neighbors and the neighborhood at large. Mr. Willis stated that he doesn't see this as appropriate development, but he would like to see an initiation to the Comprehensive Plan to keep this from happening.

Mr. Reeds stated that he understands Mr. Midget's comments, but his problem is with the process and not the product.

Mr. Fretz stated that he drove through the neighborhood and it is well maintained and they deserve something better than this.

Mr. Covey stated that he also has a problem with the process and not the product. The Comprehensive Plan needs to be amended if they want residential homes.

TMAPC Action; 9 members present:

On **MOTION** of **CARNES**, TMAPC voted **9-0-0** (Carnes, Covey, Fretz, Midget, Millikin, Reeds, Shivel, Walker, Willis "aye"; no "nays"; none "abstaining"; Dix, Stirling "absent") to recommend **DENIAL** of the CH zoning for Z-7321 per staff's recommendation.

TMAPC Action; 9 members present:

On **MOTION** of **CARNES**, TMAPC voted **9-0-0** (Carnes, Covey, Fretz, Midget, Millikin, Reeds, Shivel, Walker, Willis "aye"; no "nays"; none "abstaining"; Dix, Stirling "absent") to recommend **DENIAL** of PUD-842 per staff's recommendation.

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25. PUD-437-A – Donn E. Fizer, Location: Northeast corner of East 15th Street and South Utica Avenue, requesting a PUD Major Amendment to modify boundary for Development Area A and B, establish new uses and modify bulk and area requirements for each development area, **PK/OL/CS/CH/PUD-437 to PK/OL/CS/CH/PUD-437-A**, (CD 4) (Continued from 11/18/15)

STAFF RECOMMENDATION:

DEVELOPMENT CONCEPT:

APPLICANTS DEVELOPMENT CONCEPT:

CVS/pharmacy has been serving the Tulsa community for many years. The corner of 15th St. & Utica Ave. is an ideal location for a new pharmacy. The proximity of the surrounding medical facilities and residential uses create a need for a convenient pharmacy option. This

facility will provide pharmaceutical and retail sales along with minute clinic medical care.

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

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

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

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

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

ADDITIONAL STAFF CONCEPT STATEMENT:

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

SECTION II PUD-437-A DEVELOPMENT STANDARDS:

DEVELOPMENT AREA A:

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

Permitted Uses: Principal and accessory uses as allowed by right within a CS zoning district. Principal and accessory uses as allowed by right within a PK zoning district.

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

Summary of Underlying Zoning in gross land area:

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

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

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

Minimum setback from South Utica:	15 feet
Minimum setback from East 14 th Place South	25 feet

Maximum building height: 50 feet

Parking Ratio Standards:

Minimum Parking Standards Medical office: 2.6 spaces per 1000 square feet

All other uses as allowed: 2.2 spaces per 1000 square feet excluding the first 2500 square feet of floor area.

DEVELOPMENT AREA B:

Permitted Uses:

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

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

Summary of Underlying Zoning in gross land area:

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

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

Maximum Building Height: 3 stories

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

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

Build-to-zone requirements:*

From the east boundary of the South Utica right of way:
Minimum building setback: 10 feet
Maximum building setback: 25 feet

From the north boundary of the East 15th Street right-of-way:
Minimum building setback: 10 feet
Maximum building setback: 25 feet

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

Parking Ratio Standards:

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

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

Architectural Standards:

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

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

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

Screening and Landscaped Open Space:

A screening fence or masonry wall shall be constructed and maintained along the east boundary of the Development Area B. The height of the screening fence shall not be less than 6 feet or greater than 8 feet as measured from the existing ground on the east side of the fence. Within 25 feet of the planned right of way on the north and south ends of the site the wall or fence may be eliminated or if installed shall not exceed 4 feet in height. If wood fencing is installed a cap detail along the entire length of the fence is required. "Dog-ear" style fencing is not allowed. The fence or wall system shall be a double sided design that is visually the same on both sides.

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

- 1) Landscape areas in the street right-of-ways, to the extent permitted by the City of Tulsa, shall be grassed & landscaped with approved street trees and shrubs along South Utica, East 15th Street South and along East 14th Place south. A minimum of 7 street trees will be installed and maintained within 10 feet of the South Utica right of way line. A minimum of 5 trees shall be installed and maintained within 10 feet of the right of way line along East 15th Street and along East 14th Place.
- 2) A landscape edge shall be provided adjacent to East 14th Place South and adjacent to any parking area within 25 feet of a street right-of-way. The landscaped edge shall be a minimum width of 10 feet and shall include shrubs with sufficient density and size will be installed and maintained to provide a 3' tall effective visual barrier along those rights of way after a 3 year growing cycle. A maximum of 5 feet of the 10 wide landscape edges may be placed in the street right of way.

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

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

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

Sign Standards:

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

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

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

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

Lighting:

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

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

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

DEVELOPMENT AREA REVISION

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

SUBDIVISION PLAT REQUIREMENTS

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

EXPECTED SCHEDULE OF DEVELOPMENT

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

DETAILED STAFF RECOMMENDATION:

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

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

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

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

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

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

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

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

Land Use Vision:

Land Use Plan map designation: Mixed-Use Corridor

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

Areas of Stability and Growth designation: Area of Growth

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

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are in close proximity to or abutting an arterial street, major employment and

industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.

Transportation Vision:

Major Street and Highway Plan:

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

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

South Utica Avenue is an Urban Arterial Multi Modal Corridor.

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

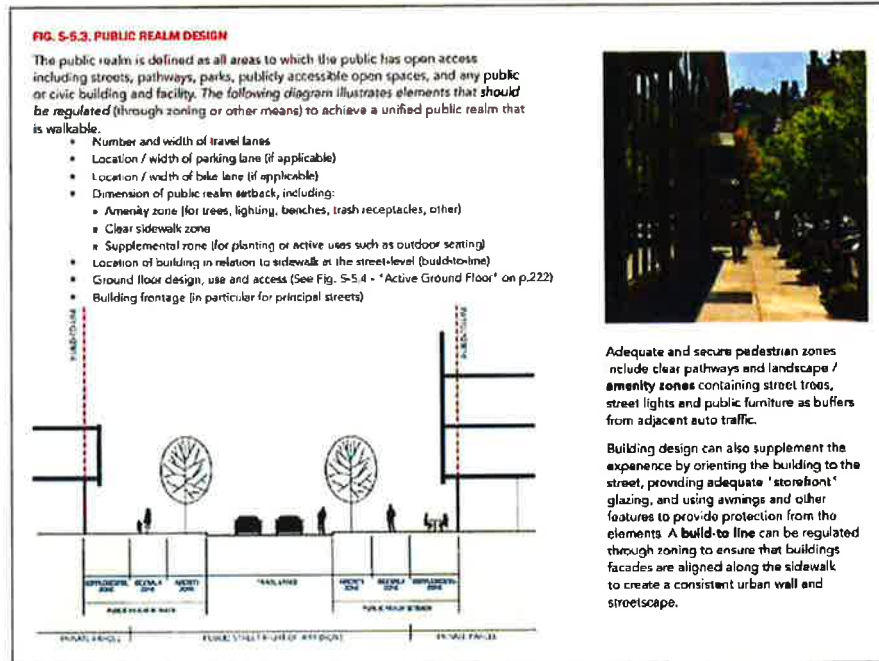
Streets on the Transportation Vision that indicate a transit improvement should use the multi-modal street cross sections and priority elements during roadway planning and design.

Trail System Master Plan Considerations: None

Small Area Plan:

Utica Midtown Corridor Small Area Plan:

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



Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

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

Environmental Considerations: None that would affect site development

Streets:

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

Utilities: The subject tract has municipal water and sewer available.

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

SECTION III: Relevant Zoning History

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

Subject Property:

Z-6193/PUD-437 August 1988: All concurred in **approval** of a proposed Planned Unit Development a 1.35± acre tract of land for uses as permitted by right in an OL district excluding drive-in banks and funeral homes and allowing 2 stories on property located on the southeast corner of East 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 a part of the subject property.

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

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

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

Surrounding Property:

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

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

PUD-708 August 2004: All concurred in **approval** of a proposed Planned Unit Development on a 1.34± acre tract of land, to permit the consolidation of several parcels with various zoning, CH, OL, PK, RS-3 and HP to allow for a bank, including drive-thru facility, and office use subject to staff recommendations and eliminating access to Victor Avenue, and to specific traffic flow requirements on property located on the southeast corner of East 15th Street South and South Utica Avenue.

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

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

Mr. Wilkerson stated that it would have been preferable to have a mixed-use building on the site with an active ground floor space that might have a CVS pharmacy, but that wasn't presented. It was important to consider things like architectural details, transparency, where the building is in relations of the street, and what kind of improvements would be made along the street right-of-way. The use itself was acceptable as part of the small area plan in process. The existing buildings were done before the small area plan was

done and there is not a primary difference to these buildings on 15th or Utica, they are up close to the curb and there were significant improvements made on the pedestrian side of the street system. Mr. Wilkerson explained that on this project there is no rezoning request because it is already in place. Mr. Wilkerson stated that the proposal is in context with the small area plan. Mr. Wilkerson further stated that the drive-through that is proposed is not what staff visualized for the subject property, but there is a proposal for a canopy to cover a portion of the drive-through and it helps with that urban feel better than just having a drive-through there. Mr. Wilkerson summarized the staff recommendation.

TMAPC COMMENTS:

Mr. Fretz stated that they will be short on parking spaces according to the City Zoning Code, how many spaces they will be short. Mr. Wilkerson stated that the way the PUD is set up it meets the business model for the site so they have plenty of parking for their expectations. Mr. Wilkerson stated that he didn't do the math on how this compared with the current Code and their part of the standards. The PUD allows fewer parking spaces than they actually have shown here.

Mr. Reeds asked if Traffic Engineering looked at this in terms of the lights shining on the corner and maybe some confusion in traffic patterns. Mr. Wilkerson stated that Traffic Engineering has been a part of the conversation through this whole process and that has not been a concern to them.

Mr. Covey asked if there is an HP overlay on the subject property. Mr. Wilkerson stated that there is none. Mr. Wilkerson stated that many of the homes in the subject area are craftsman style homes and there is some historic character there, but it is not part of a HP overlay or HP designation.

Mr. Covey stated that a number of the emails talk about closing down 14th Place. Mr. Wilkerson stated that there has been some discussion about possibly not having any vehicular access to 14th Place from this site. Mr. Covey stated that several emails mentioned dead-ended 14th Place. Mr. Wilkerson stated that these ideas were thrown out there, but never seriously discussed with Traffic Engineering. Mr. Wilkerson further stated that on 14th Place there is an entrance onto the Broken Arrow Expressway and there is some concern about more and more traffic.

Mr. Walker asked if there were any concessions made at the neighborhood meeting. Mr. Wilkerson stated that he doesn't know if they actually had a neighborhood meeting in the last couple of weeks. There have been conversations that have happened, but he doesn't know if there has been a formal neighborhood meeting.

Applicant's Comments:

Lou Reynolds, Eller & Detrich, 2727 East 21st Street, 74114, representing CVS Pharmacy, stated that there are three properties included in the subject application. Mr. Reynolds submitted photographs of the existing buildings on the properties under application (Exhibit A-4). Mr. Reynolds explained that three buildings would come down and replaced with the proposed development. The existing buildings have five accesses at various points onto Utica, 15th and 14th Place. Mr. Reynolds submitted a revision for the agenda packet to replace page 25.17 for the development area. Mr. Reynolds submitted a revised site plan for Development Area B (Exhibit A-5). Mr. Reynolds indicated that there was a neighborhood meeting one week prior to today's meeting. There is one change in the site plan regarding the location of the dumpster. Mr. Reynolds stated that the main issue is the access point onto 14th Place. Mr. Reynolds further stated that there has been a lot of discussion about mixed-use and CVS may have only one owner, but he doesn't know how one could have more of a mixed-use. Mr. Reynolds stated that there is a pharmacy, retail merchandise component, the minute clinic (staffed by Physician's Assistants); in the future there will be doctors in the clinic. Mr. Reynolds stated that this is many mixed-use services.

Mr. Reynolds described the placement of the building and screening wall, which is high enough to catch car lights. This is an amenity rich building and environment for Tulsa. Mr. Reynolds stated that all of the lights are directed down and designed to light the sidewalk. The coloring in the sidewalk will have some type of decorative finish with planters. Mr. Reynolds cited the façade and placement of the building, dumpster, etc. Mr. Reynolds explained that his engineers has looked at the circulation on the subject site and there is no clear path to make this a cut-through spot and doesn't see it will increase some type of traffic level. Mr. Reynolds indicated that there is not an electric message center sign, but there will be a monument sign. Mr. Reynolds stated that there will be a covered bus stop on the subject property. Mr. Reynolds further stated that the building is 32 feet tall at its tallest point. For all intents and purposes it is a two-story building in height and the small area plan calls for a two-story buildings. The storage will be in the mezzanine above the store. The masonry building will reduce the noise from the subject area. Mr. Reynolds submitted an amended standard for page 25.33 (Exhibit A-3) and stated that he has eliminated the monument sign on 15th Street and will put the signage on the masonry wall that hides the dumpster. Mr. Reynolds demonstrated the windows that will provide the transparency treatment.

INTERESTED PARTIES OPPOSED:

Daniel Gomez, VP of Terrace Drive HOA, 1788 E 14th Pl, 74104; **Chip Atkins**, 1638 E 17th Pl, 74120; **Bill McMahan**, 1720 E 14th Pl, 74104; **C.J. McMahan**, 1720 E 14th Pl, 74104; **Linda Mummey**, 1731 E 14th Pl, 74104;

Chace Daley, 1738 E 14th Pl, 74104 (requested to reserve the right to have the TMAPC hear and approve the site plan); **Don Barnum**, 1910 E 13th St, 74104; **Mike Koster**, 1792 E 14th Pl, 74104.

INTERESTED PARTIES OPPOSING COMMENTS:

The following concerns were expressed by the interested parties listed above: The proposal doesn't meet the small area plan for the subject area; stay with the small area plan vision; mezzanine level doesn't fit, it should be two-story, mixed-use; the proposal is not a genuine mixed-use building; the drive-through is in the front and the entrance is in the back, which doesn't fit the small area plan vision; more traffic on 14th Place to get on the Broken Arrow Expressway; safety issues with the drive-through; crime issues with drug stores; neighborhood was promised things through the plan and this doesn't meet those promises; too many pharmacies in the subject area; cited the surrounding types of homes and businesses; will see a gigantic drug store from home; do not want the subject site to have access onto 14th Place; neighbors have substantial investments in their homes and young people are starting to move back to the neighborhood; doesn't meet the vision of urban development; expressed concerns about delivery trucks using 14th Place; children play in their front yards along 14th Place and do not want more traffic; convoluted excuse for mixed-use and is shameful; follow the small area plan that was created by the stakeholders and the City of Tulsa.

INTERESTED PARTIES SUPPORTIVE:

Donald Siivola, 1712 E 14th St, 74104

INTERESTED PARTIES SUPPORTIVE COMMENTS:

The proposal will be getting rid of crime by eliminating the existing gas station on the corner; debris will be gone; homeless people will be gone; there is no pharmacy between St. Johns and Hillcrest along Utica; this is first class project. The people committing crimes aren't coming to people's houses; they are going to the pharmacies for drugs or money.

Applicant's Rebuttal:

Mr. Reynolds pointed out that the existing driveways on 15th and Utica for the existing uses on the subject property and the access points that will remain. The delivery trucks will enter the subject property off of 15th Street. There will be one CVS truck per week delivering products. Mr. Reynolds explained that most of the delivers will be by UPS and Federal Express. Mr. Reynolds stated that he bets that the UPS and Federal Express will turn right and go into the neighborhood because he will deliver parcels to the neighborhood that he is delivering to right now. Mr. Reynolds stated that the Pepsi truck will have no reason to go into the neighborhood, but some of the trucks would be going through the neighborhood anyway for deliveries. Mr. Reynolds claimed that there will not be any new trucks into the

neighborhood; they will be the same trucks that already come into the subject area today. Mr. Reynolds stated that this application meets the details of this plan and it is mixed-use. Mr. Reynolds further stated that if they went by the old Zoning Code they would need eight more parking spaces to meet the requirement. There is no sea of parking and it is landscaped and decorated. Mr. Reynolds stated that there will be no more traffic than what already exists at the current uses on the subject property.

In response to Ms. Millikin, Mr. Reynolds stated that he doesn't know what time the CVS truck arrives, but it is during the day at regular business hours. Ms. Millikin asked Mr. Reynolds why he needed the entrance onto 14th Place. Mr. Reynolds stated that the CVS truck can't turnaround in the parking lot and it will go through and turn left to get back on the expressway.

TMAPC COMMENTS:

Mr. Covey stated that there is a small area plan in place that took 15 months of the resident's time and how does this argument differ from the case the TMAPC last heard given that there were promises made. Mr. Wilkerson stated that the distinction is that the residents in the neighborhood on the previous project really had the belief that it would be some kind of residential use. Mr. Wilkerson further stated that one could make the debate that this is or isn't a mixed-use building, but it is not as far from the vision as the previous one was. Mr. Wilkerson explained that staff felt that the general form and the general location of the site is okay, but it didn't represent the pure vision of what that pedestrian edge and store front standards. Mr. Covey asked why is there a drive-through located where one would think the front of the store would be. Mr. Wilkerson stated that this is something staff has asked for multiple times and have never seen a site plan that represents that. Mr. Wilkerson commented that he never understood why they feel that they have to parking at the front door and then walk all the way back of the store to reach the pharmacy part of it. Mr. Wilkerson stated that the internal layout is not significant to him, but the layout of the building is more important for the urban feel.

Mr. Reeds stated that the only thing CVS has done is flipped a prototype. Mr. Reeds commented that this is still in the confines of a typical box that they work with all of the time. He doesn't see any attempt to meet the vision or the model that we laid out to the neighborhood or to the City on the small area plan. Mr. Wilkerson stated that he believes what is worth considering is the PUD is set up in a way that the standards that are in a PUD are consistent with the small area plan. Mr. Wilkerson further stated that the argument could be made that this isn't really a mixed-use building, but the standards are there. Mr. Wilkerson indicated that what wasn't put in the PUD was that the entrance had to absolutely be at the intersection. If the Planning Commission chose to make that a requirement in addition to what the staff has already done then it would bring it closer to the vision of what was in the

small area plan. Mr. Reeds commented that creating a bus stop is fantastic, but to say it is pedestrian friendly is really laughable because one is walking right next to a drive-through.

Mr. Reeds stated that in terms of the use the permitting department is going to look at the use as retail under their Code. There may be other ancillary uses, but they will be accessory uses to the main use and will not have multiple uses on it. This is not a mixed-use structure and to say that is wrong.

Mr. Wilkerson stated that the site plan is not being approved today, but the standards are being approved. Ms. VanValkenburgh reminded the Planning Commission that if they approve the standards today, they don't have any lead way in the approval of the site plan unless it is reserved specifically.

Ms. Millikin stated that the exit onto 14th Place could be blocked except for when the CVS truck arrives.

Mr. Midget expressed concerns with the drive-through being in front and believes that a better design could be done.

Mr. Shivel stated that he feels that staff is stating in their recommendation that this is good to go, but when asked questions he doesn't feel that staff is ready. Mr. Wilkerson stated that staff spent a lot of time with the developer on this and there are things about this are consistent with the small area plan. Mr. Wilkerson stated that the small area plan is a vision and a guide. Mr. Wilkerson admitted that there are some things that do not meet the small area plan, but felt it met enough to bring to the Planning Commission and City Council and see what happens.

Discussion ensued and Mr. Midget moved to approve the application subject to the review of site plan, limit access off of 14th Place and review the drive-through at the front.

The TMAPC decided that there are too many changes needed to this proposal and recommended a continuance and the applicant return with what the Planning Commission has expressed concerns about. (Masonry screening fence, masonry enclosure for the dumpster, drive-through location, and restrict access onto 14th Place, etc.)

Mr. Midget withdrew his motion.

TMAPC Action; 9 members present:

On **MOTION** of **WILLIS**, TMAPC voted **9-0-0** (Carnes, Covey, Fretz, Midget, Millikin, Reeds, Shivel, Walker, Willis "aye"; no "nays"; none "abstaining"; Dix, Stirling, "absent") to **CONTINUE** the major amendment for PUD-437-A to December 16, 2015.

OTHER BUSINESS

26. **Commissioners' Comments:** Ms VanValkenburgh reminded the Planning Commissioners that PUD's automatically go to the City Council when recommended for denial.

TMAPC Action; 9 members present:

On **MOTION** of **MIDGET**, TMAPC voted **9-0-0** (Carnes, Covey, Fretz, Midget, Millikin, Reeds, Shivel, Walker, Willis "aye"; no "nays"; none "abstaining"; Dix, Stirling "absent") to **ADJOURN** TMAPC meeting 2711.

ADJOURN

There being no further business, the Chair declared the meeting adjourned at 4:25 p.m.

Date Approved:

12-16-2015


Chairman

ATTEST: 

Secretary

FILE COPY

Mr. Covey stated that he will hear comments regarding a continuance.

- 25. PUD-437-A – Donn E. Fizer**, Location: Northeast corner of East 15th Street and South Utica Avenue, requesting a PUD Major Amendment to modify boundary for Development Area A and B, establish new uses and modify bulk and area requirements for each development area, **PK/OL/CS/CH/PUD-437 to PK/OL/CS/CH/PUD-437-A**, (CD 4)

Applicant's Comments:

Lou Reynolds, Eller & Detrich, 2727 East 21st Street, 74114, stated that he believes that most of the neighbors are in support of the continuance that Ms. Meier requested. Mr. Reynolds further stated that Ms. Meier has requested a continuance to December 16, 2015 and that is too long for the applicant and if the Planning Commission is inclined to grant a continuance then he would request that it be no later than December 2, 2015.

Mr. Covey asked Mr. Reynolds if he is in favor of the continuance. Mr. Reynolds stated that he is not in favor, but if the Planning Commission is inclined to continue it then he would prefer December 2, 2015.

Interested Parties Comments:

Terry Meier, 1760 East 14th Place, 74104, stated that she lives one block from the subject property. Ms. Meier further stated that Mr. Reynolds met with the neighbors Monday, November 16, 2015 and presented an entirely new version of the project and that information is not available on the TMAPC website and 20 minutes before she left for this meeting she was sent a copy of it by a TMAPC member and it is not on the website. The new proposal radically changes the position of the subject building. Ms. Meier requested the December 16, 2015 meeting. Ms. Meier stated that developers are afforded a great deal of time to work with the TMAPC to get their projects put forward and in compliance with the regulations. Ms. Meier further stated that when the signs go up in the neighborhood a lot of people do not know what they means and so for the neighborhoods it takes time to get the information to people and to organize people to determine if this is good or not.

Mr. Midget stated that he understands that Ms. Meier stated that Mr. Reynolds did meet with the neighborhood and presented a different plan and they need time to determine the ramifications. Ms. Meier answered affirmatively.

Don Siivold, 1712 East 14th Street, 74104, stated that he doesn't want the case continued, but the most he would like to see is December 2, 2015.

Don Barnum, 1910 East 13th Street, 74104, Terrace Drive, in support of a continuance to December 16, 2015 at the earliest or after the first of the year would be better.

C.J. McMahan & Bill McMahan, 1720 East 14th Place, 74104, stated that she lives less than one property from the subject property. She requested a continuance to December 16, 2015.

Linda Munmey, 1731 East 14th Place, 74104, in support of a continuance to December 16, 2015.

Chip Atkins, 1638 East 17th Place, 74120, in support of a continuance to December 16, 2015.

Daniel Gomez, 1788 East 14th Place, 74104, in support of a continuance to December 16, 2015.

Applicant's Rebuttal:

Mr. Reynolds stated that what is before the Planning Commission today is a major amendment to the PUD to add a lot into the PUD. The plan that has been circulated and shown has nothing to do with today's request. Staff is recommending approval and if there is a continuance he would request a continuance to December 2, 2015. Mr. Reynolds explained that the site plan is a conceptual site plan and that has been the efforts of the applicant to comply with the Code and the Comprehensive Plan.

TMAPC COMMENTS:

Mr. Midget asked Mr. Reynolds if he understood that this proposal is to add a lot to the PUD. Mr. Reynolds answered affirmatively. Mr. Reynolds stated that the site plan that the neighbors saw on Monday evening is not before the Planning Commission today and will have to come back as a detail site plan. Mr. Reynolds explained that the site plan is conceptual at this time. Mr. Reynolds stated that he doesn't see why December 16, 2015 is needed.

Mr. Fretz stated that he would like to see this continued for a couple of weeks and allow staff to go over the new plan.

Mr. Dix asked if a continuance will affect this project by placing it under the new Code. Mr. Wilkerson stated that it will not be considered under the new Code. Mr. Wilkerson further stated that to make it abundantly clear some of the development standards that are defined in the PUD are very similar to what will be seen in the new Zoning Code, such as the standards define the minimum parking standards, transparency, etc. Mr. Dix asked if the applicant has agreed to those standards. Mr. Wilkerson answered affirmatively. Mr. Wilkerson apologized for the late submittal

this morning. Mr. Wilkerson explained that staff has been working on this project for quite a long time now and the site plan and the development standards that was emailed out to everyone this morning is the most current project that is out there. Mr. Dix asked if the applicant will have to come back before the Planning Commission with their detail site plan and development standards. Mr. Wilkerson stated that they will have to come back with the detail site plan, but the standards are a part of the PUD and if the Planning Commission hears this case today, the standards are a part of that hearing.

Mr. Covey asked Mr. Wilkerson if he had an opinion on the continuance. Mr. Wilkerson stated that some of the technical comments he has heard could be easily addressed by removing the driveway that accesses 14th Place. Mr. Wilkerson indicated that he feels two weeks would be sufficient and the access can be addressed easily within those two weeks and those types of details, but if the issue is something larger than that, he isn't sure.

Mr. Midget stated that staff did provide a recommendation and they did look at the information. Mr. Midget further stated that the residents make a legitimate requests asking for a continuance. Mr. Midget commented that since they have met before and are somewhat familiar with it he believes that two weeks is reasonable to go through it and answer questions. Mr. Wilkerson stated that the most recent site plan was submitted to staff on Friday, November 13th, and then had to modify the staff recommendation and that is what is before the Planning Commission today. Mr. Midget stated that in the past the Planning Commission has requested site plans to be returned for review and that can still be done. Mr. Wilkerson stated that Mr. Midget's comments bring up a good point, because in the new Zoning Code starting January 1st, the site plans will be reviewed administratively unless the Planning Commission directs the staff to bring it back for a public hearing.

Ms. VanValkenburgh stated that the Planning Commission sees all site plans; however, your ability to approve or disapprove is really limited to what is included in the standards that are approved, unless the Planning Commission makes provision for certain things to be decided at the detail site plan review.

TMAPC Action; 10 members present:

On **MOTION** of **DIX**, TMAPC voted **10-0-0** (Carnes, Covey, Dix, Fretz, Midget, Millikin, Shivel, Stirling, Walker, Willis "aye"; no "nays"; none "abstaining"; Reeds "absent") to **CONTINUE** to December 2, 2015.

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