

AMENDED
**TULSA METROPOLITAN AREA PLANNING
COMMISSION**
Meeting No. 2798
July 17, 2019, 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:

Work session Report:

A work session will be held on August 7, 2019 at 11:00am in 3rd Floor Presentation Room, City Hall

Director's Report:

1. Minutes of July 3, 2019, Meeting No. 2797

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. **PUD-636-7 Lou Reynolds** (CD 2) Location: South of the southeast corner of West 71st Street South and South Union Avenue requesting a **PUD Minor Amendment** to revise the permitted uses to be limited to single-family residential

PUBLIC HEARINGS:

3. **PUD-636-C-1 Lou Reynolds** (CD 2) Location: Northeast corner of West 81st Street South and South Union Avenue requesting a **PUD Minor Amendment** to allow private streets

4. **Z-7487 Shawn Quattrochi** (CD 2) Location: Northwest corner of South 33rd West Avenue and West 48th Street South rezoning from **RS-3 to CS**
5. **Z-7488 Lou Reynolds** (CD 3) Location: North and west of the northwest corner of East Admiral Place and North Mingo Road rezoning from **RS-3 to CH**
6. **Z-7489 Kyle Gibson** (CD 4) Location: Northwest corner of East 5th Street South and South Norfolk Avenue rezoning from **IL and RM-2 to CH**
7. **Z-7490 Crystal Keller** (CD 2) Location: Southeast corner corner of South 33rd West Avenue and West 61st Street South rezoning from **CS to CS with optional development plan**
8. **MR-12** (CD 9) Modification to the Subdivision & Development Regulations to remove the sidewalk requirement for a new single-family residence, Location: North of the northeast corner of East 49th Street South and South Columbia Avenue
9. **MR-13** (CD 4) Modification to the Subdivision & Development Regulations to remove the sidewalk requirement for a new single-family residence, Location: West of the northwest corner of East 29th Street South and South Evanston Avenue

OTHER BUSINESS

10. 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 Tulsa Planning Office, INCOG. Ringing/sound on all cell phones 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.



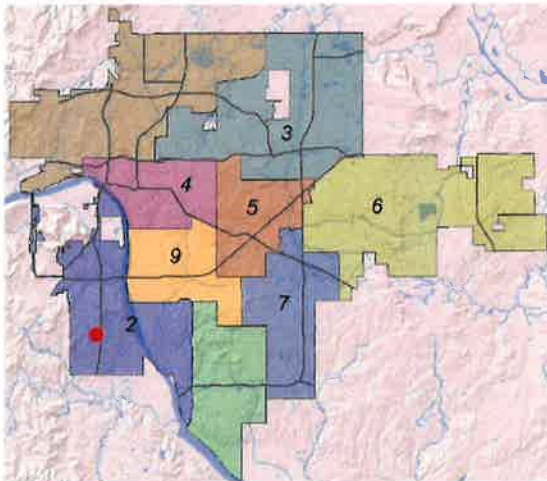
Case Number: PUD-636-7
Minor Amendment
 (Amended 7/16/19)
Hearing Date: July 17, 2019

Case Report Prepared by:
 Jay Hoyt

Owner and Applicant Information:
 Applicant: Lou Reynolds

Property Owner: Horizon West Tulsa, LLC.
 c/o Eller & Detrich

Location Map:
 (shown with City Council Districts)



Applicant Proposal:

Concept summary: PUD minor amendment to **revise development areas A, B and C.**

Gross Land Area: 35.781 acres

Location: South of the SE/c W 71st St S and S Union Ave

Development Areas A, B and C

Zoning:
 Existing Zoning: CO/PUD-636
 Proposed Zoning: No Change

Comprehensive Plan:
 Land Use Map: Town Center
 Growth and Stability Map: Growth

Staff Recommendation:
 Staff recommends **approval.**

Staff Data:
 TRS: 8211

City Council District: 2
Councilor Name: Jeannie Cue

County Commission District: 2
Commissioner Name: Karen Keith

SECTION I: PUD-636-7 Minor Amendment

STAFF RECOMMENDATION

Amendment Request: Revise the development standards to incorporate the unplatted portions of Development Areas B and C into Development Area A and revise the development standards for the updated Area A to allow Single-Family Residential and customary accessory uses.

Currently, the development standards allow both Single-Family Residential uses as well as Multifamily Residential. The applicant proposed to remove the Multifamily allowance from the unplatted portions of Development Areas B and C, with single-family residential to follow the requirements of the RS-3 district, per the City of Tulsa Zoning Code.

Staff Comment: This request can be considered a Minor Amendment as outlined by Section 30.010.1.2.c(1) of the City of Tulsa Zoning Code.

“Adjustment of internal development area boundaries, provided the allocation of land to particular uses and relationship of uses within the project are not substantially altered.”

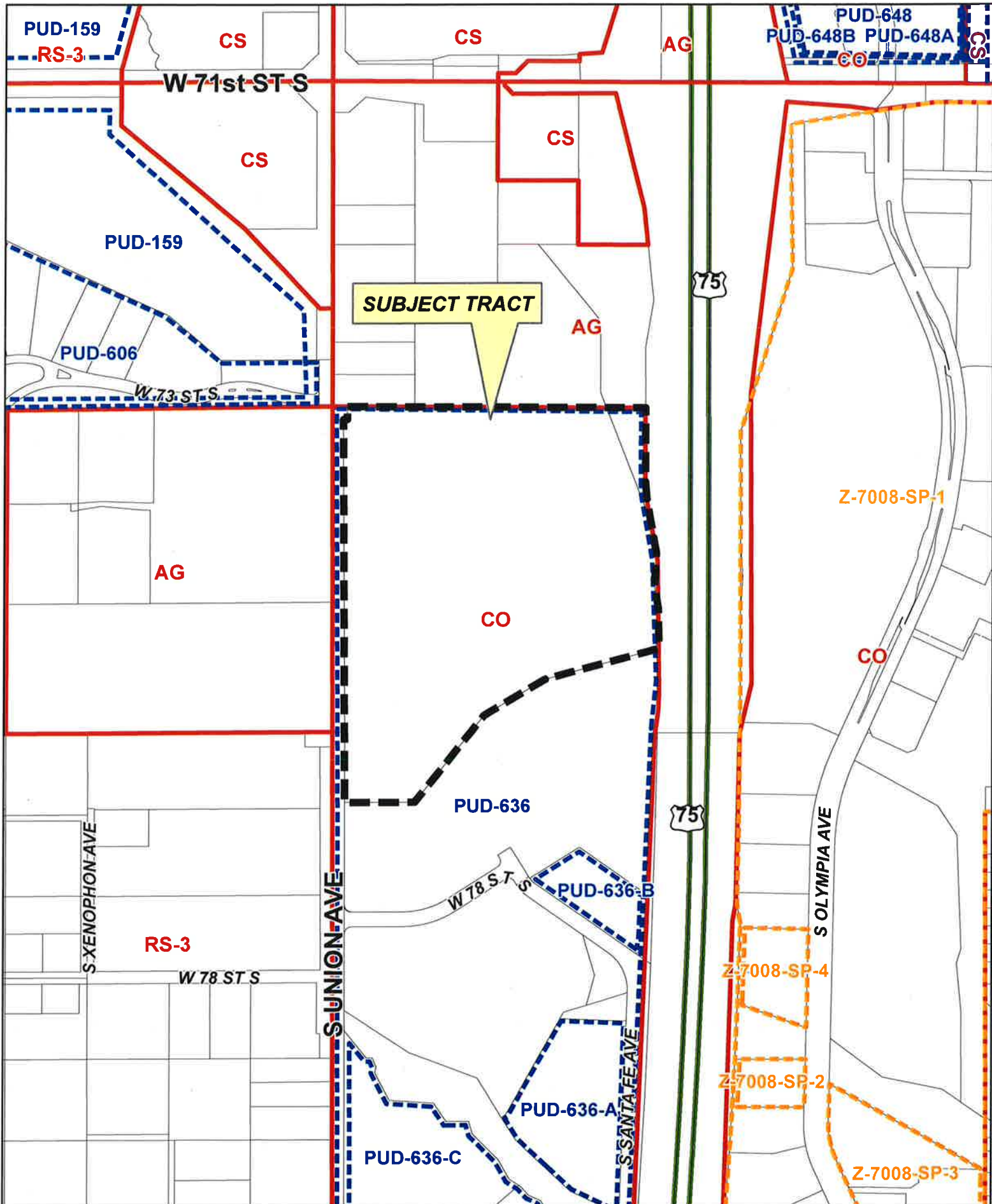
Staff has reviewed the request and determined:

- 1) The requested amendment does not represent a significant departure from the approved development standards in the PUD.
- 2) All remaining development standards defined in PUD-636 and subsequent amendments shall remain in effect.

Exhibits included with staff recommendation:

INCOG zoning case map
INCOG aerial photo
Applicant Exhibit A
Applicant Development Area Exhibits for Areas A, B & C

With considerations listed above, staff recommends **approval** of the minor amendment request to revise Development Area Boundaries and revise the Development Standards for Area A.



PUD-636-7

18-12 11

2.3





W 71st ST S

W 73 ST S

S XENOPHON AVE

W 78 ST S

S UNION AVE

W 78 ST S

S SANTA FE AVE

75

75

S OLYMPIA AVE



Subject Tract

PUD-636-7

18-12 11

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

Aerial Photo Date: February 2018



Exhibit "A"

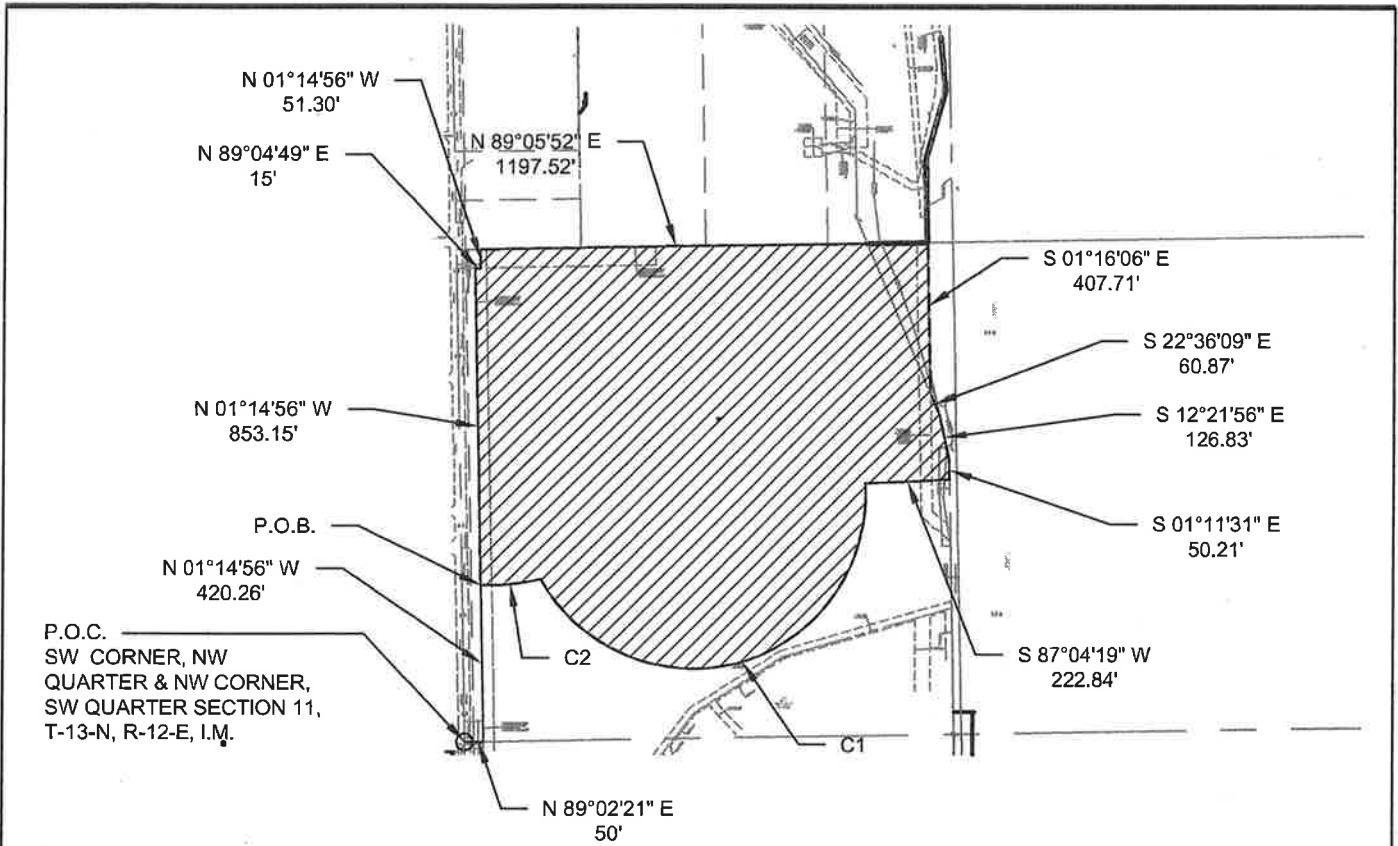
Applicant requests a minor amendment to PUD-636, pursuant to Section 30.010-I.2 of the City of Tulsa Zoning Code (the "Code"), a minor amendment to adjust the internal development area boundaries so that the remaining unplatted portions of Development Areas B and C are integrated and incorporated into Development Area A. Attached hereto are exhibits showing Development Areas A, B, and C as they currently exist. Also attached is an exhibit showing the proposed adjusted boundary of Development Area A.

The adjusted Development Area A is currently in the platting process for the Summit at Tulsa Hills, a single-family residential subdivision. The purpose of this amendment is to remove any ambiguity that has arisen due to multiple previous minor amendments to PUD-636, and the multi-family uses currently permitted in the platted portions of Development Areas B and C.

The Development Standards for Development Area A, as adjusted and defined by this minor amendment, are set forth below. All other development standards of PUD-636, as amended, will remain the same.

Net Land Area:	35.781 acres
Permitted Uses:	Single-Family Residential and customary accessory uses
Bulk and Area Requirements:	As provided within the RS-3 District

ORIGINAL DEVELOPMENT AREA "A"



P.O.C.
SW CORNER, NW
QUARTER & NW CORNER,
SW QUARTER SECTION 11,
T-13-N, R-12-E, I.M.

LEGAL DESCRIPTION:

A TRACT OF LAND LYING IN THE WEST HALF (W/2) OF SECTION 11, TOWNSHIP 18 NORTH, RANGE 12 EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, OKLAHOMA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: → **SOUTHWEST**

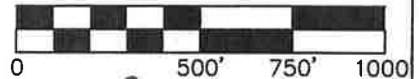
COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER (NW/4) OF SAID SECTION 11, ALSO BEING THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER (SW/4) OF SAID SECTION 11
 THENCE N 89°02'21" E ALONG THE COMMON LINE BETWEEN SAID NORTHWEST QUARTER (NW/4) AND SOUTHWEST QUARTER (SW/4), A DISTANCE OF 50 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF SOUTH UNION AVENUE AS ESTABLISHED BY DEDICATION DEED RECORDED IN BOOK 2373, PAGE 23, TULSA COUNTY RECORDS; THENCE N 01°14'56" W ALONG THE EAST RIGHT OF WAY LINE A DISTANCE OF 420.26 FEET TO THE POINT OF BEGINNING.

THENCE N 01°14'56" W A DISTANCE OF 853.15 FEET;
 THENCE N 89°04'49" E A DISTANCE OF 15 FEET;
 THENCE N 01°14'56" W A DISTANCE OF 51.30 FEET;
 THENCE N 89°05'52" E A DISTANCE OF 1197.52 FEET;
 THENCE S 01°16'06" E A DISTANCE OF 407.71 FEET;
 THENCE S 22°36'09" E A DISTANCE OF 60.87 FEET
 THENCE S 12°21'56" E A DISTANCE OF 126.83 FEET
 THENCE S 01°11'31" E A DISTANCE OF 50.21 FEET;
 THENCE S 87°04'19" W A DISTANCE OF 222.84 FEET TO A POINT OF CURVATURE;
 THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 464.63 FEET (A CHORD BEARING OF S 73°32'58" W, AND A LENGTH OF 907.75 FEET) AN ARC LENGTH OF 1259.33 FEET TO A POINT OF CURVATURE;
 THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 637.93 FEET (A CHORD BEARING OF S 83°56'23" W, AND A LENGTH OF 161.04 FEET) AN ARC LENGTH OF 161.47 FEET TO THE POINT OF BEGINNING

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	464.63	1259.33'	S 73°32'58" W	907.75
C2	637.93	161.47'	S 83°56'23" W	161.04



SCALE IN FEET



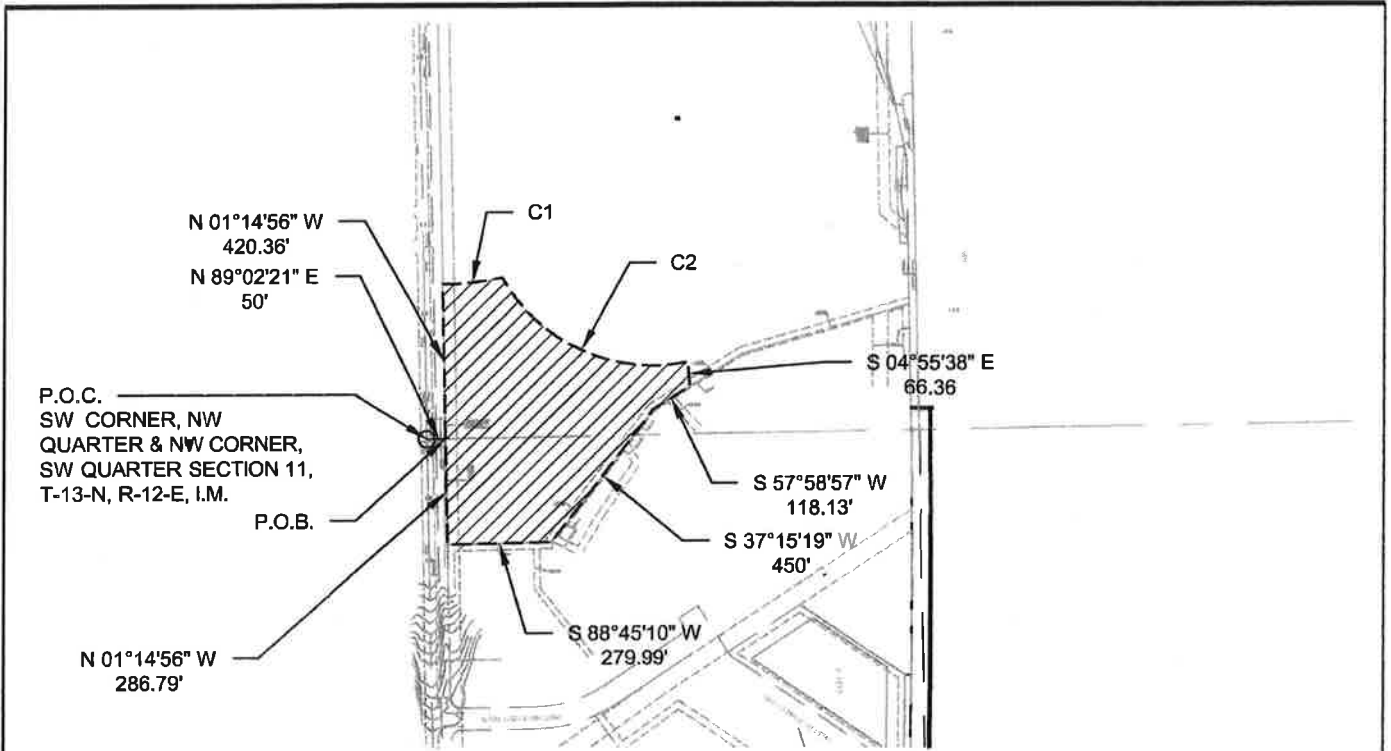
NOT TO SCALE
VICINITY MAP

CEDAR CREEK
 ENGINEERING • PLANNING • CONSULTING
 P.O. Box 14534 Oklahoma
 City, OK 73113
 405-778-3385
 www.cedarcreekinc.com

OK CA 5864
EXP. 08/30/20

2.6

EXHIBIT DEVELOPMENT AREA 'B'



LEGAL DESCRIPTION:

A TRACT OF LAND LYING IN THE WEST HALF (W/2) OF SECTION 11, TOWNSHIP 18 NORTH, RANGE 12 EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, OKLAHOMA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

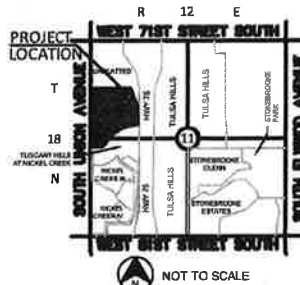
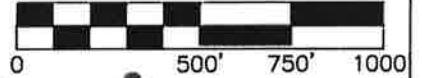
CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	637.93	161.47'	N 83°56'23" E	161.04
C2	464.63	591.87'	S 65°17'46" E	552.65

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER (NW/4) OF SAID SECTION 11, ALSO BEING THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER (SW/4) OF SAID SECTION 11
 THENCE N 89°02'21" E ALONG THE COMMON LINE BETWEEN SAID NORTHWEST QUARTER (NW/4) AND SOUTHWEST QUARTER (SW/4), A DISTANCE OF 50 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF SOUTH UNION AVENUE AS ESTABLISHED BY DEDICATION DEED RECORDED IN BOOK 2373, PAGE 23, TULSA COUNTY RECORDS SAID POINT BEING THE POINT OF BEGINNING.

THENCE N 01°14'56" W A DISTANCE OF 420.36 FEET TO A POINT OF CURVATURE;
 THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 637.93 (A CHORD BEARING OF N 83°56'23" E, AND A DISTANCE OF 161.04 FEET) AN ARC LENGTH OF 161.47 FEET TO A POINT OF CURVATURE;
 THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 464.63 FEET (A CHORD BEARING OF S 65°17'46" E, AND A DISTANCE OF 552.65 FEET) AN ARC LENGTH OF 591.87 FEET;
 THENCE S 04°56'38" E A DISTANCE OF 66.36 FEET;
 THENCE S 57°56'57" W A DISTANCE OF 118.13 FEET;
 THENCE S 37°15'19" W A DISTANCE OF 450 FEET;
 THENCE S 88°45'10" W A DISTANCE OF 279.99 FEET;
 THENCE N 01°14'56" W A DISTANCE OF 286.79 FEET TO THE POINT OF BEGINNING.



SCALE IN FEET



VICINITY MAP

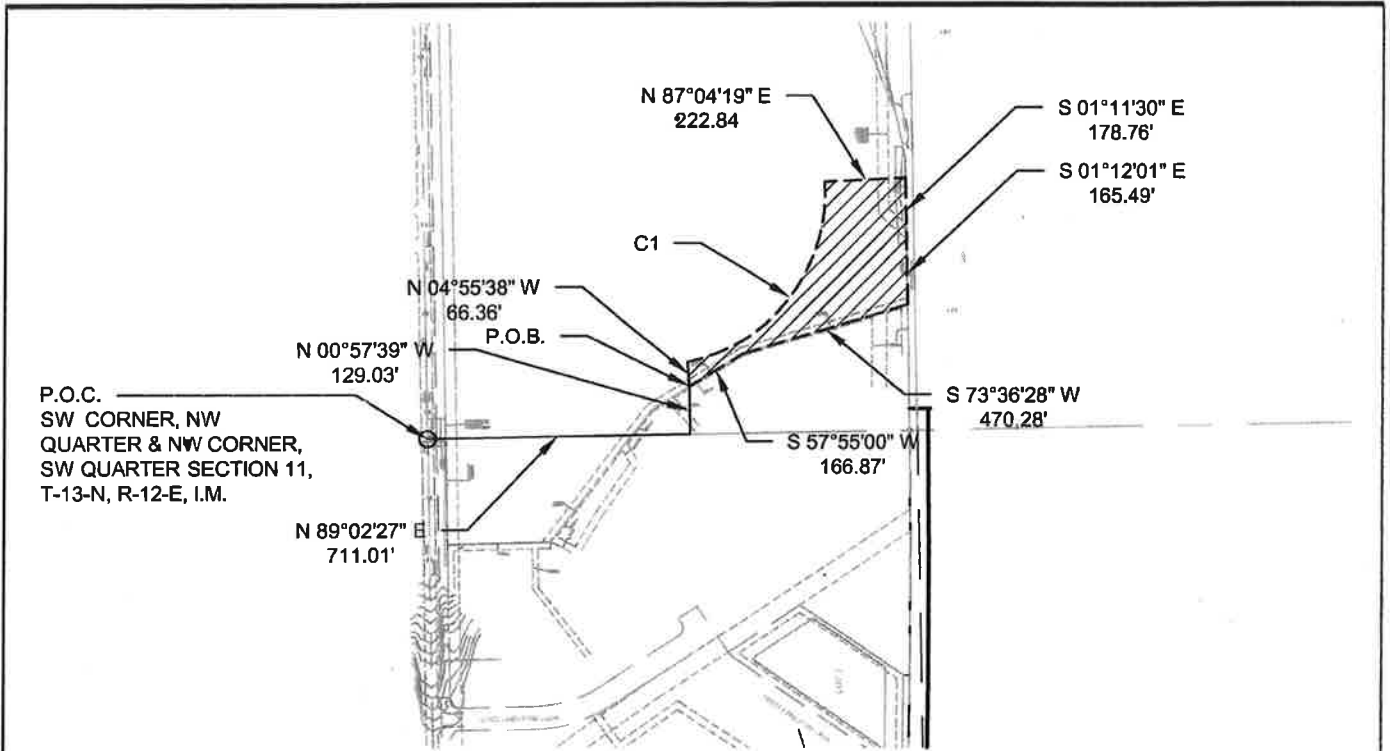


ENGINEERING • PLANNING • CONSULTING
 P.O. Box 14534 Oklahoma
 City, OK 73113
 405-778-3385
 www.cedarcreekinc.com

OK CA 5864
 EXP. 06/30/20

2.7

EXHIBIT DEVELOPMENT AREA 'C'



LEGAL DESCRIPTION:

A TRACT OF LAND LYING IN THE WEST HALF (W/2) OF SECTION 11, TOWNSHIP 18 NORTH, RANGE 12 EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, OKLAHOMA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

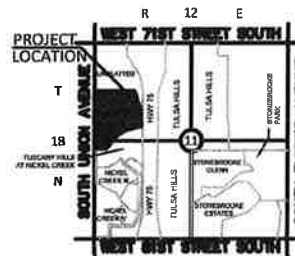
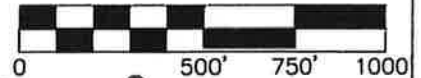
COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER (NW/4) OF SAID SECTION 11, ALSO BEING THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER (SW/4) OF SAID SECTION 11
THENCE N 89°02'27" W ALONG THE COMMON LINE BETWEEN SAID NORTHWEST QUARTER (NW/4) AND SOUTHWEST QUARTER (SW/4), A DISTANCE OF 711.01 FEET THENCE N 00°57'39" W A DISTANCE OF 129.03' FEET TO THE POINT OF BEGINNING.

THENCE N 04°55'38" W A DISTANCE OF 66.36 FEET TO A POINT OF CURVATURE;
THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 464.63 FEET (A CHORD BEARING OF N 37°03'24" E, AND A DISTANCE OF 611.54 FEET) AN ARC LENGTH OF 667.47 FEET;
THENCE N 87°04'19" E A DISTANCE OF 222.84 FEET;
THENCE S 01°11'30" E A DISTANCE OF 178.76 FEET;
THENCE S 01°12'01" E A DISTANCE OF 165.49 FEET;
THENCE S 73°36'28" W A DISTANCE OF 470.28 FEET;
THENCE S 57°55'00" W A DISTANCE OF 166.87 FEET TO THE POINT OF BEGINNING.

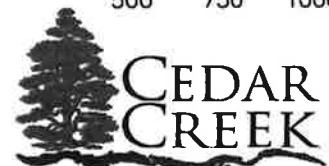
CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	464.63	667.47'	N 37°03'24" E	611.54'



SCALE IN FEET



VICINITY MAP



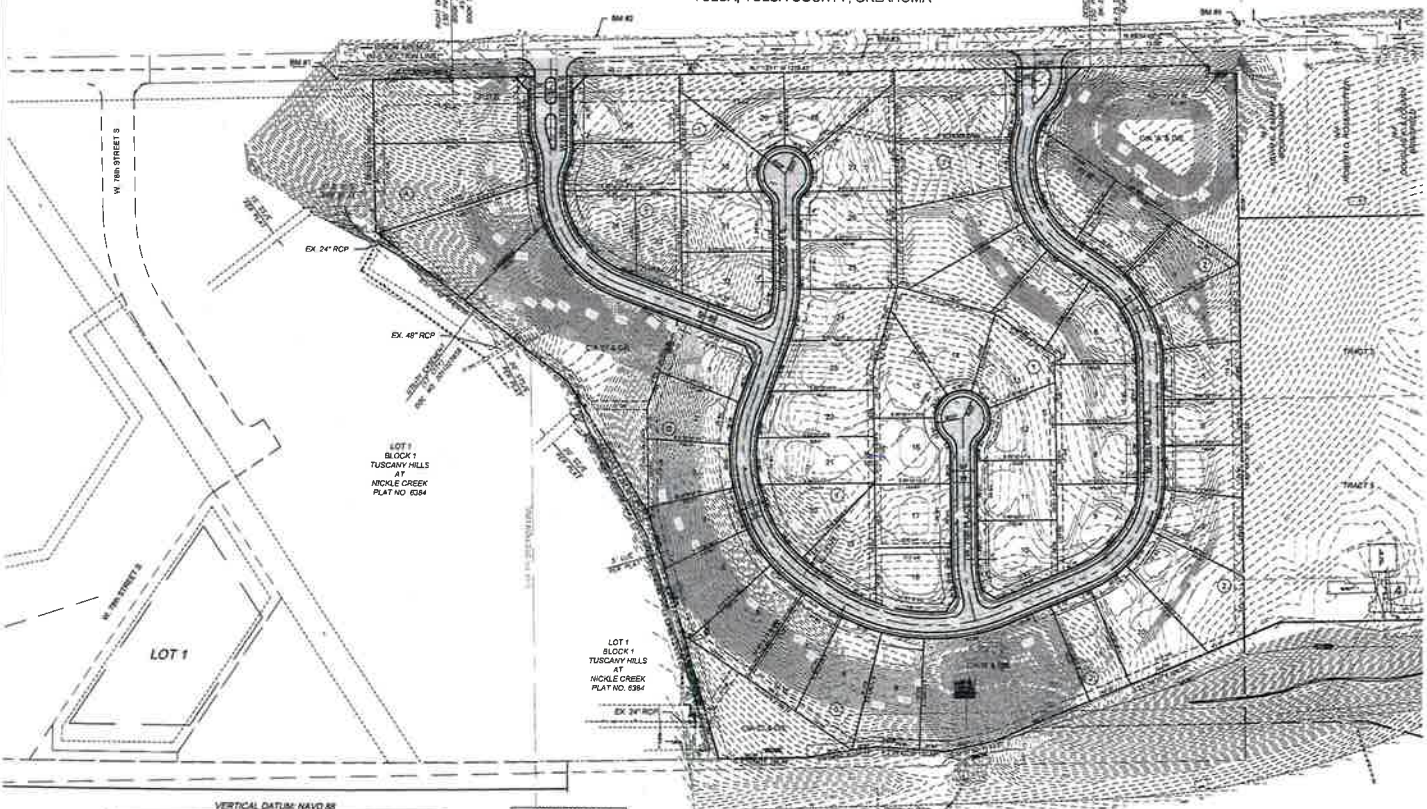
CEDAR CREEK
ENGINEERING • PLANNING • CONSULTING
P.O. Box 14534 Oklahoma
City, OK 73113
405-778-3385
www.cedarcreekinc.com

OK CA 5864
EXP. 06/30/20

2.8

PRELIMINARY PLAT OF THE SUMMIT

BEING A PART OF THE W/2 W/2 OF SECTION 11, T-18-N, R-12-E, I.M.
TULSA, TULSA COUNTY, OKLAHOMA



NICKLE CREEK
PART OF THE W/2 W/2, SECTION 11, T-18-N, R-12-E
NORTH TRACT PARCEL ONE DESCRIPTION
A TRACT OF LAND DESCRIBED AS FOLLOWS: THAT PART OF THE WEST HALF OF THE WEST HALF (W/2 W/2) OF SECTION ELEVEN (11), TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWELVE (12) EAST, OF THE MERIDIAN TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREON, AND WHOLLY CONTAINED WITHIN THAT CERTAIN REAL PROPERTY RECORDED AS SUBJ. (LAW 2002) IN DOCUMENT NO. 200200346 OF THE OFFICE OF THE COUNTY CLERK OF TULSA COUNTY, OKLAHOMA (THE PROPERTY'S SUB PARCEL ONE BEING HOME PARCEL) AS DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, (SW 1/4 SW 1/4) OF SAID SECTION 11; THENCE NORTH 90° 0' 0" EAST ALONG THE SOUTHWEST LINE OF SAID SECTION 11 TO A POINT ON THE WEST LINE OF SOUTH MAIN AVENUE, SAID POINT BEING A CORNER OF THE PROPERTY AND THE SOURCE OF BEGINNING OF PARCEL ONE;

THENCE ALONG THE PROPERTY FOR THE FOLLOWING NAME (6) COURSES:
NORTH 11° 0' 0" WEST FOR A DISTANCE OF 170.42 FEET TO A POINT; THENCE NORTH 85° 28' 0" EAST FOR A DISTANCE OF 15.00 FEET TO A POINT; THENCE NORTH 17° 31' 1" WEST FOR A DISTANCE OF 31.26 FEET TO A POINT; THENCE NORTH 89° 07' 34" EAST FOR A DISTANCE OF 152.00 FEET TO A POINT; THENCE SOUTH 62° 34' 4" EAST FOR A DISTANCE OF 40.00 FEET TO A POINT; THENCE SOUTH 12° 07' 00" WEST FOR A DISTANCE OF 16.00 FEET TO A POINT; THENCE SOUTH 73° 38' 1" WEST FOR A DISTANCE OF 33.12 FEET TO A POINT; THENCE SOUTH 11° 0' 0" EAST FOR A DISTANCE OF 162.12 FEET TO A POINT; THENCE SOUTH 77° 38' 1" WEST FOR A DISTANCE OF 400.00 FEET TO A POINT; THENCE SOUTH 87° 38' 1" WEST FOR A DISTANCE OF 380.00 FEET TO A POINT; THENCE SOUTH 37° 17' 5" WEST FOR A DISTANCE OF 450.00 FEET TO A POINT; THENCE SOUTH 89° 45' 0" WEST FOR A DISTANCE OF 200.00 FEET TO A POINT ON THE WESTERLY LINE OF THE PROPERTY; THENCE NORTH 11° 30' 0" WEST AND ALONG SAID WESTERLY LINE FOR A DISTANCE OF 568.87 FEET TO THE POINT OF BEGINNING OF PARCEL ONE.

SAID PARCEL ONE CONTAINS 1,558,604 SQUARE FEET OR 35.781 ACRES.

SITE DATA

TOTAL AREA: 1,558,604 SF (35.781 AC)
 NUMBER OF LOTS: 39
 NUMBER OF BUILDINGS: 4
 NUMBER OF COMMON AREAS: 4
 BLOCK LENGTH
 BLOCK 1: 4,223 LF
 BLOCK 2: 1,874 LF
 BLOCK 3: 744 LF
 BLOCK 4: 574 LF

Curve Table: Lots

Curve #	Radius	Length	Chord Direction	Chord Length	Delta
C1	25.00	21.16	N 84°19'36" E	20.94	N 40°29'34" E
C2	32.00	9.18	N 44°37'52" E	9.17	N 79°53'3" E
C3	52.00	9.18	N 44°37'52" E	9.17	N 79°53'3" E
C4	25.00	21.16	N 84°19'36" E	20.94	N 40°29'34" E
C5	25.00	21.16	N 84°19'36" E	20.94	N 40°29'34" E
C6	25.00	21.16	N 84°19'36" E	20.94	N 40°29'34" E

VERTICAL DATUM NAVD 88

BENCHMARK - BM 1 ELEVATION: 838.42 MONUMENT: 1/2" IRON PIN LOCATION: IN STAKE SET IN FACE OF RR LOCK BOX ON E. ROW OF UNION AVE. ONE EAST OF NORTH END OF BLANKING		BENCHMARK - BM 3 ELEVATION: 838.29 MONUMENT: 1/2" IRON PIN LOCATION: E. ROW OF UNION AVE. S. 1/4, E. OF PRESENT EDDY ADDRESS FROM ASPHALT DRIVE.	
BENCHMARK - BM 2 ELEVATION: 838.17 MONUMENT: 1/2" IRON PIN LOCATION: IN WEST S.W. CORNER OF INTERSECTION OF WEST 20th STREET AND UNION AVENUE.		BENCHMARK - BM 4 ELEVATION: 776.63 MONUMENT: CIVIL # ON TOP OF CURB LOCATION: S.E. CORNER OF INTERSECTION OF WEST 20th STREET AND UNION AVENUE.	

MONUMENT NOTE
 1/2" IRON PIN WITH ALUMINUM CAP OR 3/8" IRON PIN WITH ALUMINUM CAP SET AT ALL CORNERS UNLESS OTHERWISE NOTED.

LEGEND
 C.O.E. - EXISTING SURVEY EVIDENCE
 S.O.E. - SURVEY BY
 L.P. - IRON PIN
 L.P. - 1/2" IRON PIN
 P.C. - POINT OF COMMENCEMENT
 P.S. - POINT OF BEGINNING

SCALE OF PLATING
 The horizontal scale is County Survey System (CASS) using State Plane (NAD83) and the vertical scale is the National Center of Section 11. Township 18 North, Range 12 East of the Meridian and will be the basis of banking for the Survey.



OWNER
 NICKLE CREEK DEVELOPERS, INC.
 750 W. 24th AVE. SUITE 210
 WESTMINSTER, CO 80534
 CONTACT: RUSS WATTERSON, JR.
 PHONE: (720) 201-4481
 EMAIL: russ@nicklerecweb.com



DTM DOOSON - THOMPSON - MANSFIELD, PLLC.
 ENGINEERS & PLANNERS
 1000 E. 10th Street, Suite 100
 Tulsa, Oklahoma 74101
 Surveying - Engineering - Planning
 CERTIFICATE OF AUTHORIZATION NO. 8201 EXPIRES JAN. 31, 2010

DATE OF PREPARATION: JUNE 08, 2008

2.9



Case Number: PUD-636-C-1
Minor Amendment

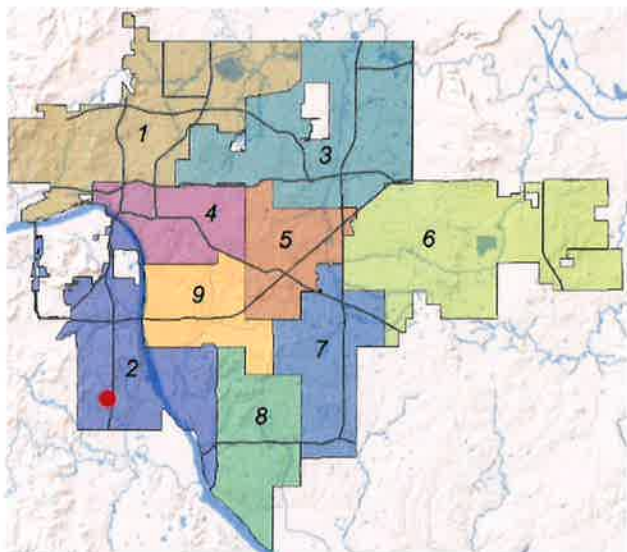
Hearing Date: July 17, 2019

Case Report Prepared by:
Jay Hoyt

Owner and Applicant Information:
Applicant: Lou Reynolds

Property Owner: Horizon West Tulsa, LLC. c/o
Eller & Detrich

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Concept summary: PUD minor amendment to
allow private streets

Gross Land Area: 16.1 acres

Location: NE/c W 81st St S and S Union Ave

Development Areas F and G

Zoning:
Existing Zoning: CO/PUD-636-C
Proposed Zoning: No Change

Comprehensive Plan:
Land Use Map: Town Center
Growth and Stability Map: Growth

Staff Recommendation:
Staff recommends **denial**.

The street network in this area is public.
Integrating this segment of a private street into
the public network is not consistent with the
connectivity goals of the Tulsa Comprehensive
Plan

Staff Data:
TRS: 8211

City Council District: 2
Councilor Name: Jeannie Cue

County Commission District: 2
Commissioner Name: Karen Keith

STAFF RECOMMENDATION

Minor Amendment Request: Revise the development standards to allow private streets.

Currently, the Tulsa Subdivision and Development Regulations state that private streets can only be allowed when they are part of a development plan. In this instance the development standards of this PUD do not allow private streets. This minor amendment has been submitted to allow a segment of a private street in this PUD. The developer now intends to use private streets for access to future development of small lots in Development Areas F and G.

The subdivision and development regulations require private streets to be developed in a manner consistent with engineering standards for a public street, but the street can be inside an easement or reserve area with common maintenance responsibilities among property owners' associations

Integration of a small section of a private street into a connected public street network is not consistent with the goals of the Small area Plan or in Tulsa Comprehensive Plan. In recent examples where this concept was allowed decades ago the City of Tulsa, has been tasked with bringing the streets up to the required standards and integrated those streets into the City maintenance schedule because the property owner's association did not adequately maintain the street and could not afford new street construction.

At this location in PUD 636-C-1 Development Services and Engineering department have made it clear during the building permit process that the proposed street extension and future connection to South Union should be a Public street. Staff cannot support a private street request at this location that is also not consistent with the engineering and development services sections of the City of Tulsa.

Staff Comment: *This request can be considered a Minor Amendment as outlined by Section 30.010.I.2.c(9) of the City of Tulsa Zoning Code.*

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

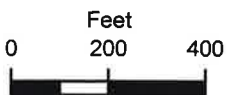
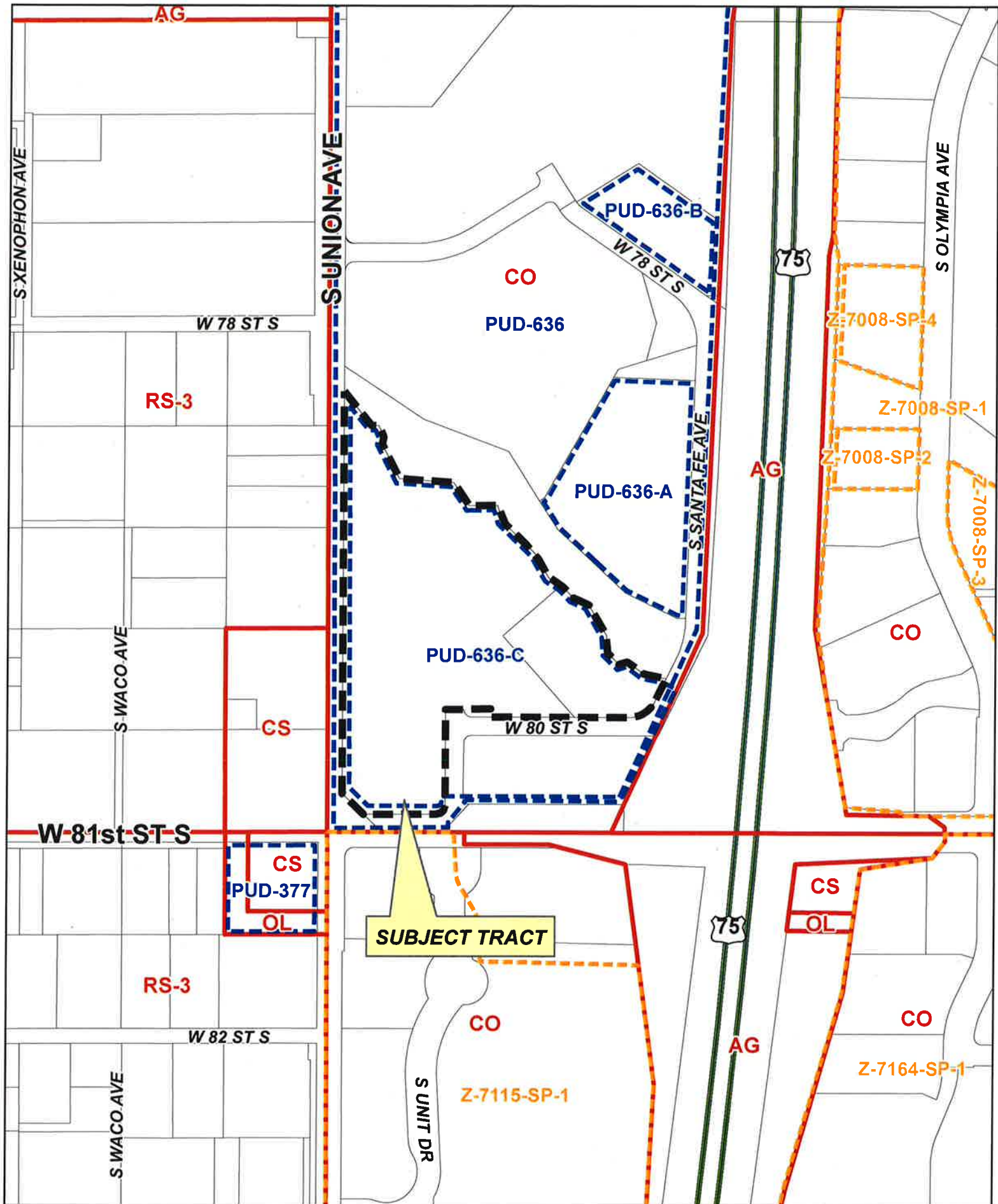
Staff has reviewed the request and determined:

- 1) The requested amendment does not represent a significant departure from the approved development standards in the PUD so it may be considered a minor amendment and,
- 2) Private streets are in direct conflict with other goals of the comprehensive plans in this area and,
- 3) Private streets are in direct conflict with other request from the engineering side of the City and,
- 4) If approved, all remaining development standards defined in PUD-636-C shall remain in effect therefore,

Staff recommends **denial** of the minor amendment request to revise the development standards to allow private streets.

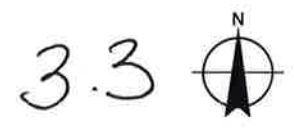
Exhibits included with staff recommendation:

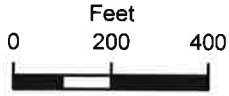
- INCOG zoning case map
- INCOG aerial photo
- Applicant Concept Plan
- Applicant Exhibit B



PUD-636-C-1

18-12 11





 Subject Tract

PUD-636-C-1

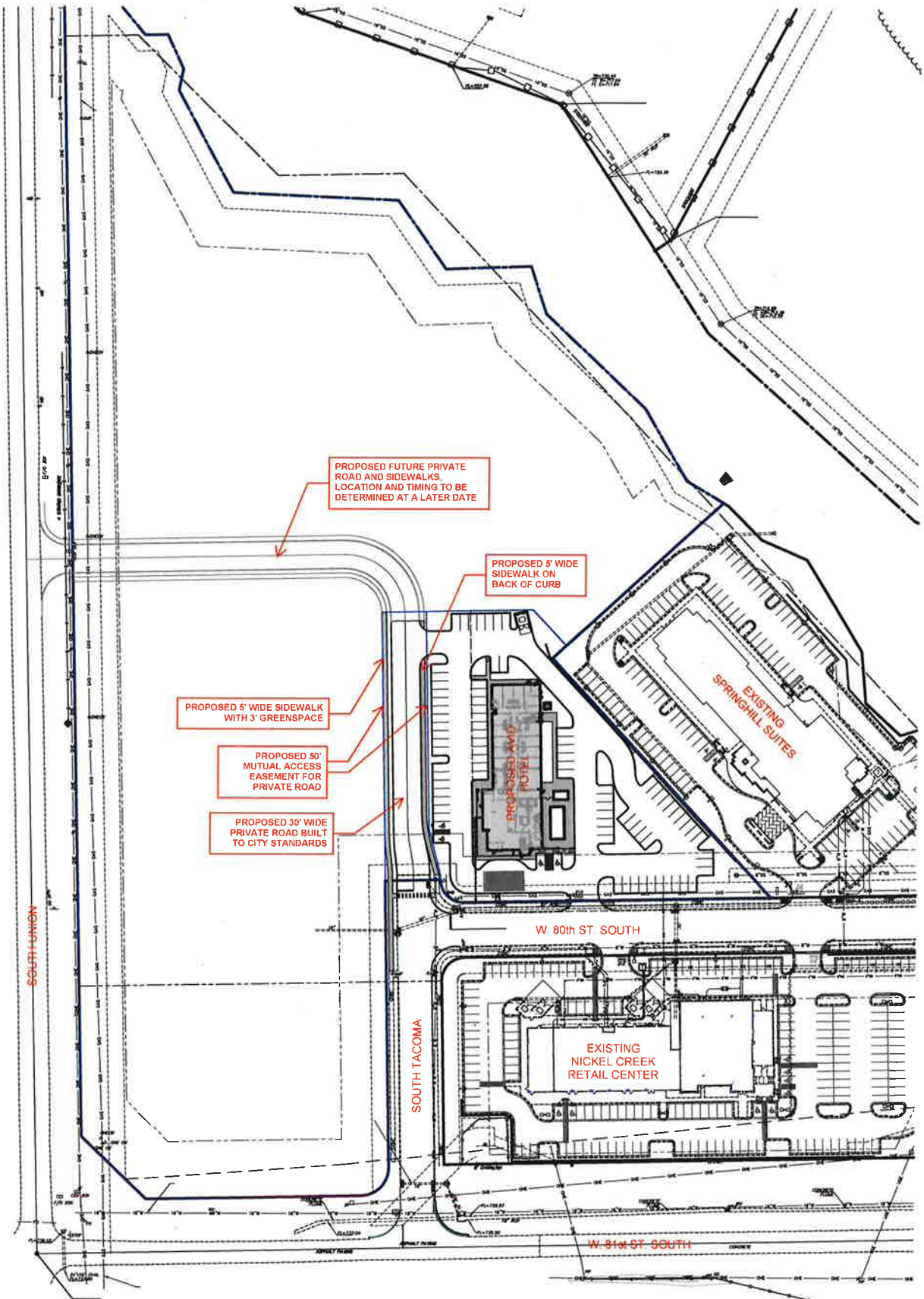
18-12 11

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

Aerial Photo Date: February 2018



NICKEL CREEK PRIVATE ROAD CONCEPT



1:100 SCALE
ON 11"X17" PAPER

DATE: 6.27.19

3.5

Exhibit "B"

Applicant requests a minor amendment to PUD-636-C, pursuant to 30.010-I.2 of the City of Tulsa Zoning Code (the "Code") to permit private streets in Development Areas F and G. A conceptual site plan is attached hereto showing the approximate location of the proposed private streets.

The original PUD contemplated private streets "if permitted by minor amendment" and set forth the following minimum requirements:

...All private roadways shall be a minimum of 26' in width for two-way roads and 18' for one-way loop roads, measured face-to-face of curb. All curbs, gutters, base and paving materials used shall be of a quality and thickness, which meets the City of Tulsa standards for a minor residential public street. The maximum vertical grade of private streets shall be 10 percent.

...The City shall inspect all private streets and certify that they meet City standards prior to any building permits being issued on lots accessed by those streets or if the City will not inspect, then a registered professional engineer shall certify that the streets have been built to City standards.

The private streets, including surface, design, and storm drainage, will be constructed in accordance with the City of Tulsa regulations established by the City Engineer and in accordance with the requirements of the Subdivision and Development Regulations. All other provisions of the PUD will remain the same.



Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7487

Hearing Date: July 17, 2019

Case Report Prepared by:

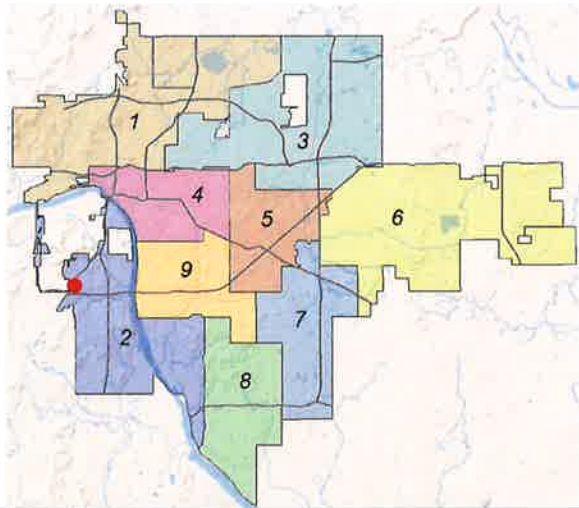
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Shawn Quattrochi

Property Owner: CANADY, RANDALL REV TRUST

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Vacant

Proposed Use: Pet grooming and retail sales

Concept summary: Rezoning for anticipated growth of the neighborhood center for

Tract Size: 0.39 ± acres

Location: Northwest corner South 33rd West Avenue and West 48th Street

Zoning:

Existing Zoning: RS-3

Proposed Zoning: CS

Comprehensive Plan:

Land Use Map: Existing Neighborhood, Neighborhood Center

Stability and Growth Map: Area of Growth, Area of Stability

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 9228

CZM: 45

City Council District: 2

Councilor Name: Jeannie Cue

County Commission District: 2

Commissioner Name: Karen Keith

4.1

SECTION I: Z-7487

DEVELOPMENT CONCEPT: Rezoning for anticipated expansion of the neighborhood center identified in the Tulsa Comprehensive Plan. The concept is to construct a small retail building with a pet grooming business.

EXHIBITS:

- INCOG Case map
- INCOG Aerial (small scale)
- INCOG Aerial (large scale)
- Tulsa Comprehensive Plan Land Use Map
- Tulsa Comprehensive Plan Areas of Stability and Growth Map
- Applicant Exhibits:
 - None Included

DETAILED STAFF RECOMMENDATION:

Z-7487 request CS zoning that is consistent with the Neighborhood Center vision of the Tulsa Comprehensive Plan and,

Uses allowed by CS zoning districts are consistent with he expected development of surrounding properties and,

Uses allowed by CS zoning are non-injurious to proximate properties therefore,

Staff recommends **Approval** of Z-7487 to rezone property from RS-3 to CS.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: CS zoning is consistent with the land use vision of the Tulsa Comprehensive Plan. Staff will encourage constructing a building closer to the street with parking in the rear. The building placement and sidewalks will encourage pedestrian traffic which would help integrate this site into the neighborhood. The landscape ordinance provides adequate buffering from residential areas for parking areas. A development plan was not considered necessary.

Land Use Vision:

Land Use Plan map designation: Neighborhood Center

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

Areas of Stability and Growth designation: Area of Growth

The purpose of Areas of Growth is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in

4.2

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South 33 rd West Avenue	Primary Arterial	120 feet	4
West 48 th Street South	Residential Collector	60 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

<u>Location</u>	<u>Existing Zoning</u>	<u>Existing Land Use Designation</u>	<u>Area of Stability or Growth</u>	<u>Existing Use</u>
North	RS-3	Existing Neighborhood	Stability	Single Family Residential
East	CS	Neighborhood Center	Growth	Restaurant
South	RS-3	Neighborhood Center	Growth	Vacant
West	RS-3	Existing Neighborhood	Stability	Single Family Residential

SECTION III: Relevant Zoning History

History: Z-7487

ZONING ORDINANCE: Ordinance number 11821 dated June 26, 1970 established zoning for the subject property.

Subject Property:

No relevant history.

***The CS zoning along West 48th Street near subject property was established June 26, 1970. (Ordinance 11822)**

Surrounding Property:

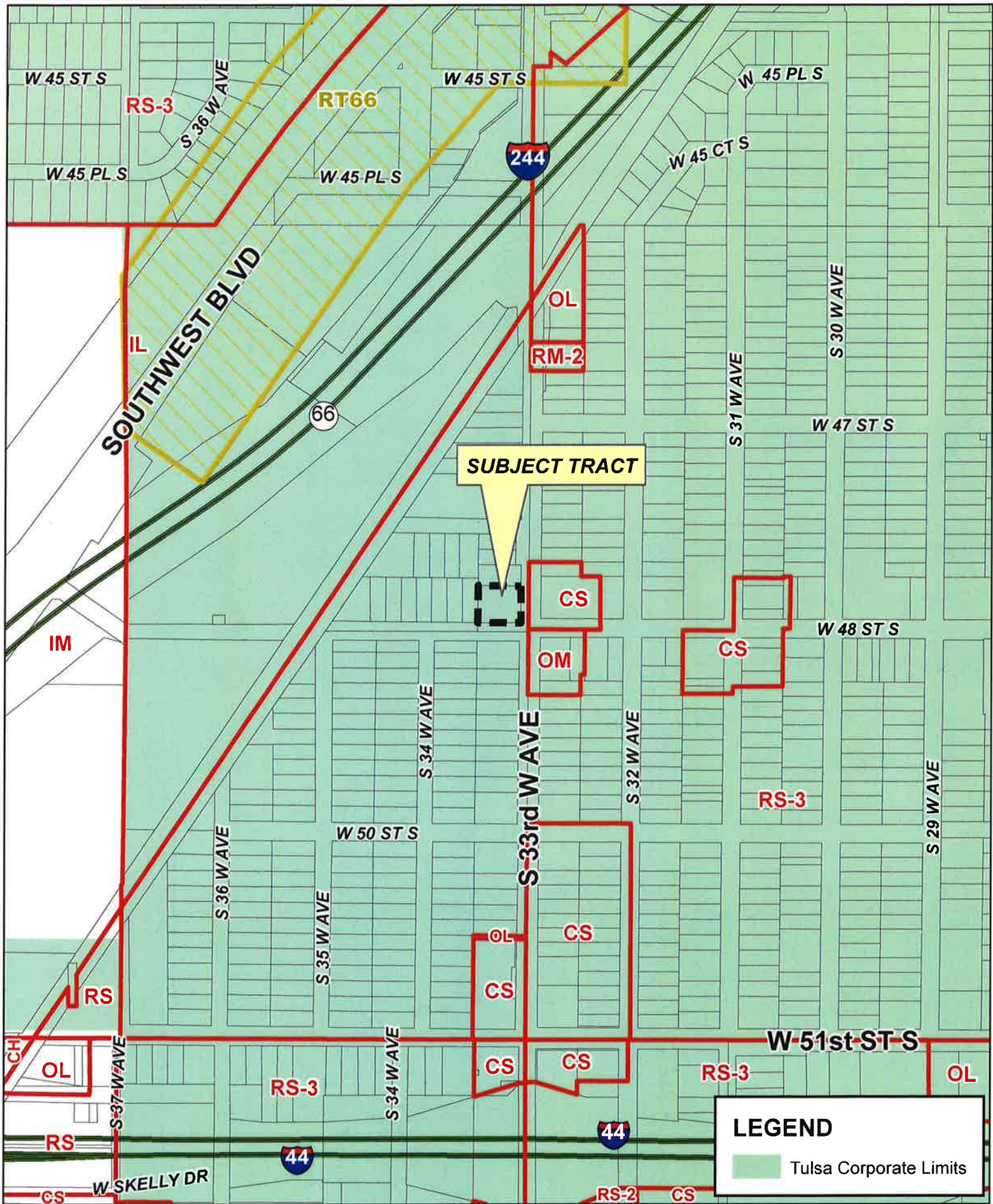
BOA-20775 September 2008: The Board of Adjustment **approved** a *special exception* to permit single family residential use in an OM district, on property located South of the Southeast corner of South 33rd West Ave and West 48th Street South.

BOA-15413 April 1990: The Board of Adjustment **approved** a *variance* of the front yard setback requirement measured from the centerline of 33rd West Avenue from 85' to 40', on property located South of the Southwest corner of South 33rd West Ave and West 48th Street South.

BOA-10190 November 1978: The Board of Adjustment **approved** an *exception* for permission to erect a storage garage for residential use in a CS District, per plan submitted, on property located at the Northeast corner of South 31st West Avenue and West 48th Street South.

7/17/2019 1:30 PM

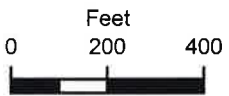
4.4



Z-7487

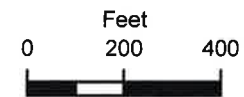
19-12 28

45 



LEGEND

 Tulsa Corporate Limits



Subject Tract

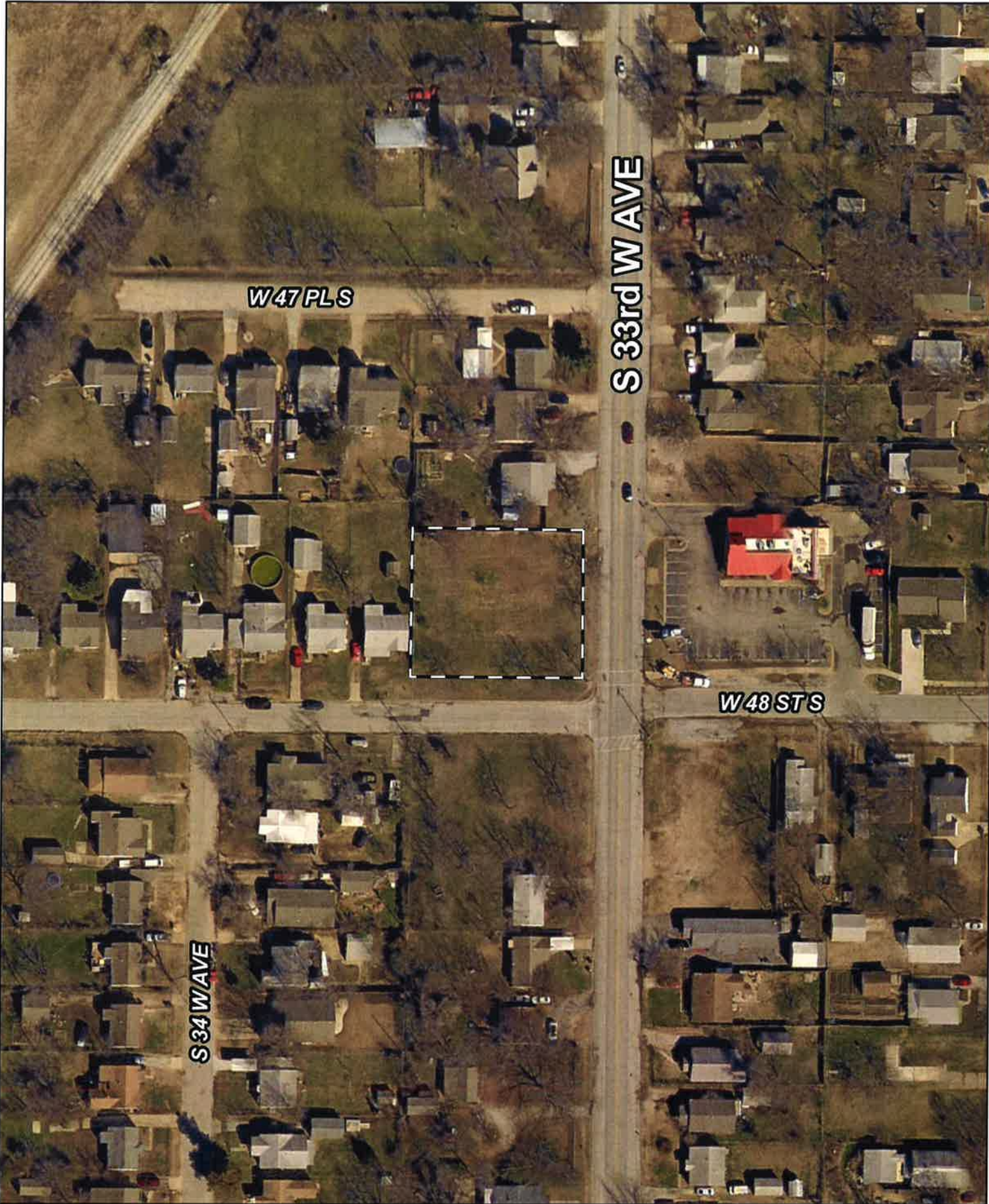
Z-7487

19-12 28

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

Aerial Photo Date: February 2018





W47 PLS

S 33rd W AVE

W48 STS

S 34 WAVE



Subject Tract

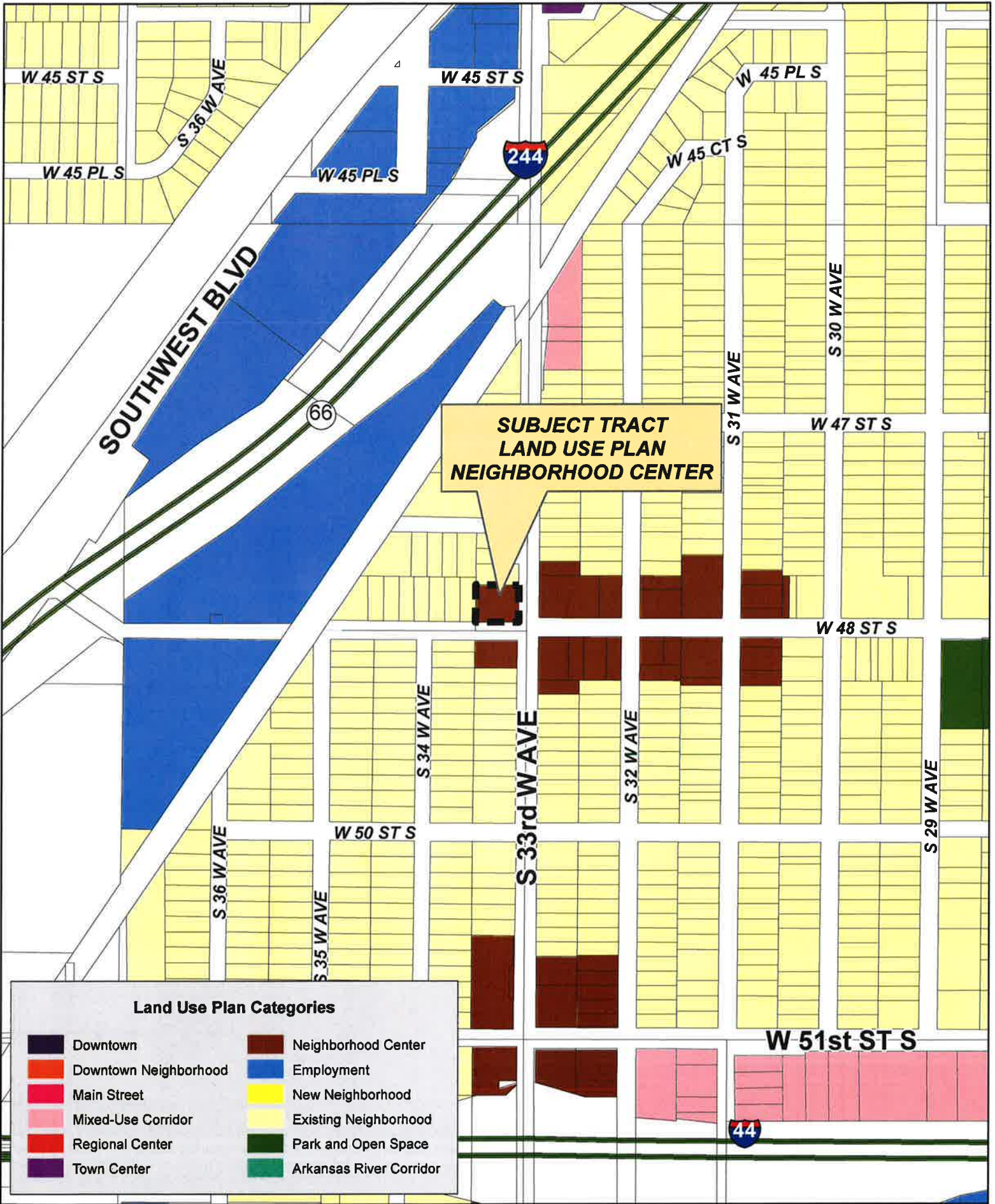
Z-7487

19-12 28

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

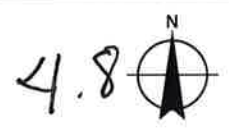
Aerial Photo Date: February 2018

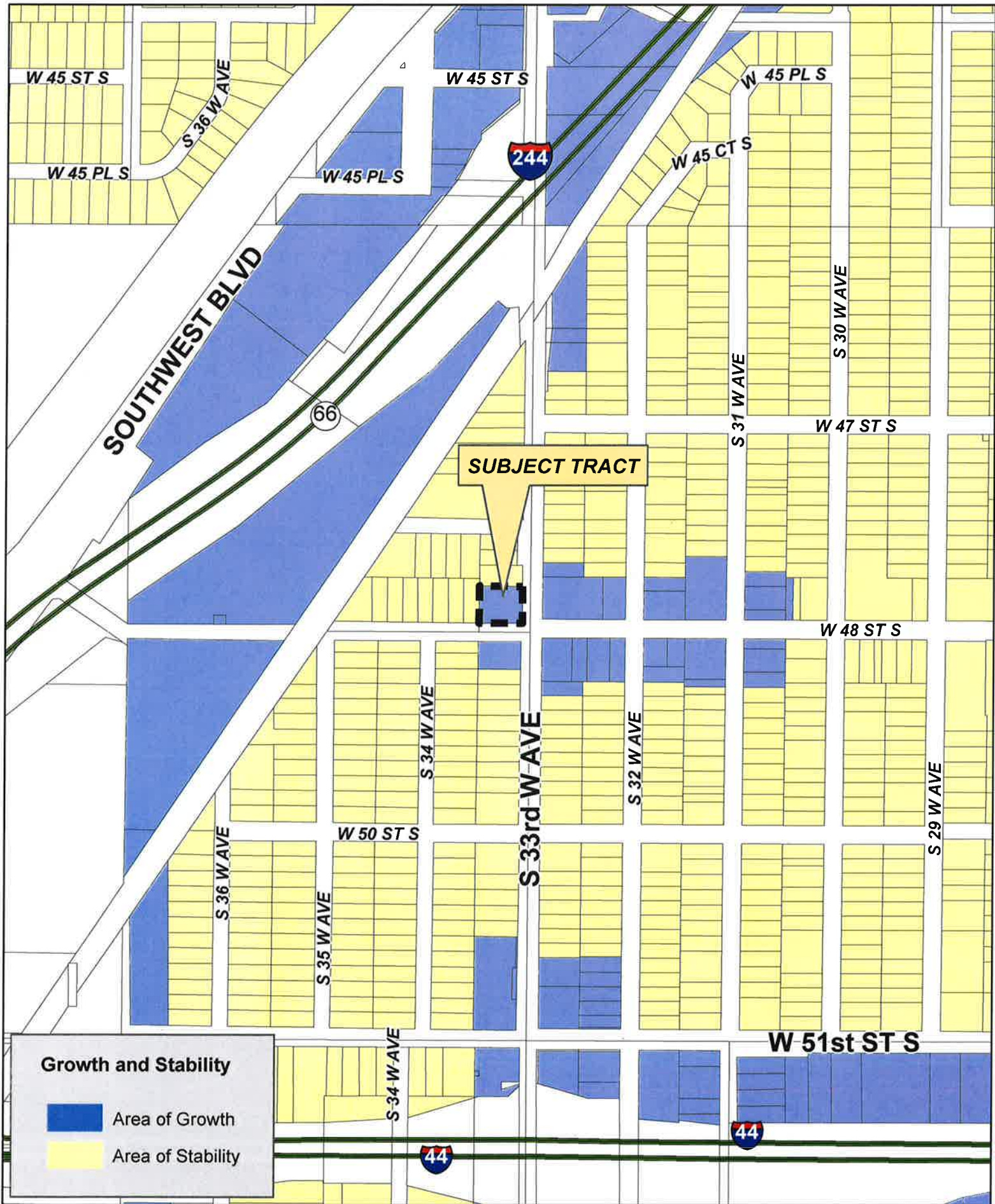




Z-7487

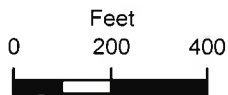
19-12 28





Z-7487

19-12 28





Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7488

Hearing Date: July 17, 2019

Case Report Prepared by:

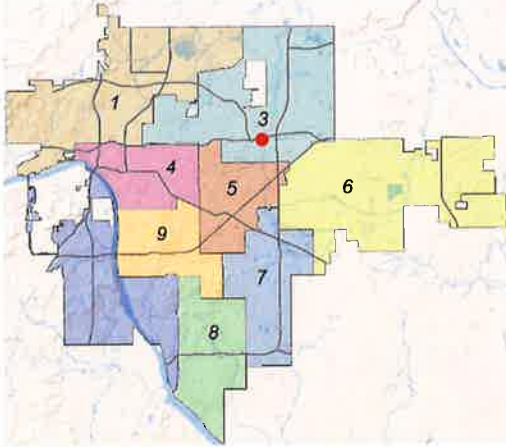
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Lou Reynolds

Property Owner: B AND C INVESTMENT INC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Residential

Proposed Use: Vehicle Sales

Concept summary: Vehicle Sales expansion

Tract Size: 3.06 ± acres

Location: North and West of the Northwest corner of East Admiral Place and North Mingo Road

Zoning:

Existing Zoning: RS-3

Proposed Zoning: CH

Comprehensive Plan:

Land Use Map: Employment

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 9301
CZM: 30, 38

City Council District: 3

Councilor Name: Crista Patrick

County Commission District: 2

Commissioner Name: Karen Keith

5.1

SECTION I: Z-7488

DEVELOPMENT CONCEPT:

CH zoning is consistent with the surrounding property develop. Significant infrastructure requirements are required for this land to be developed. The existing RS-3 zoning does not support reasonable development opportunities. Infrastructure requirements will be satisfied by the subdivision regulations during the development and plat process.

EXHIBITS:

INCOG Case map
INCOG Aerial (small scale)
INCOG Aerial (large scale)
Tulsa Comprehensive Plan Land Use Map
Tulsa Comprehensive Plan Areas of Stability and Growth Map
Applicant Exhibits:
None included

DETAILED STAFF RECOMMENDATION:

Z-7488 request CH zoning that is consistent with the Employment land use designation in the Tulsa Comprehensive Plan and,

Uses allowed by CH zoning districts are consistent with the expected development of surrounding properties and,

Uses allowed by CH zoning are non-injurious to proximate properties therefore,

Staff recommends **Approval** of Z-7488 to rezone property from RS-3 to CH.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary:

Land Use Vision:

Land Use Plan map designation: Employment

Employment areas contain office, warehousing, light manufacturing and high tech uses such as clean manufacturing or information technology. Sometimes big-box retail or warehouse retail clubs are found in these areas. These areas are distinguished from mixed-use centers in that they have few residences and typically have more extensive commercial activity.

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

Areas of Stability and Growth designation: Area of Growth

The purpose of Areas of Growth is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement

5.2

exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

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

Transportation Vision:

Major Street and Highway Plan: None

Trail System Master Plan Considerations: None

Small Area Plan: East Tulsa Implementation Area phase 2, adopted in 2005

This site is part of the E. Admiral Place Special Treatment Corridor plan that illustrated landscaping and street scape improvements. The plan did not contemplate land uses.

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: Property is generally flat and unoccupied. A group of small buildings and appear to be visible on the aerial photograph. Street improvements along with other utility improvements will be required during the plat process.

Environmental Considerations: The overland drainage in this area is poorly developed.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
No public access on existing parcel. N. 93 rd provides street right of way but no street infrastructure has been constructed.	NA	NA	NA

Utilities:

City of Tulsa Water is available to the site.
 Sanitary Sewer will require an extension
 Storm sewer and drainage improvements will be required.
 Street infrastructure will be required.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	CG	Employment	Growth	Car storage
East	CH	Employment	Growth	Car storage
South	CH	Employment	Growth	Flea Market
West	CH	Employment	Growth	Wrecker Service

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11816 dated June 26, 1970 established zoning for the subject property.

Subject Property:

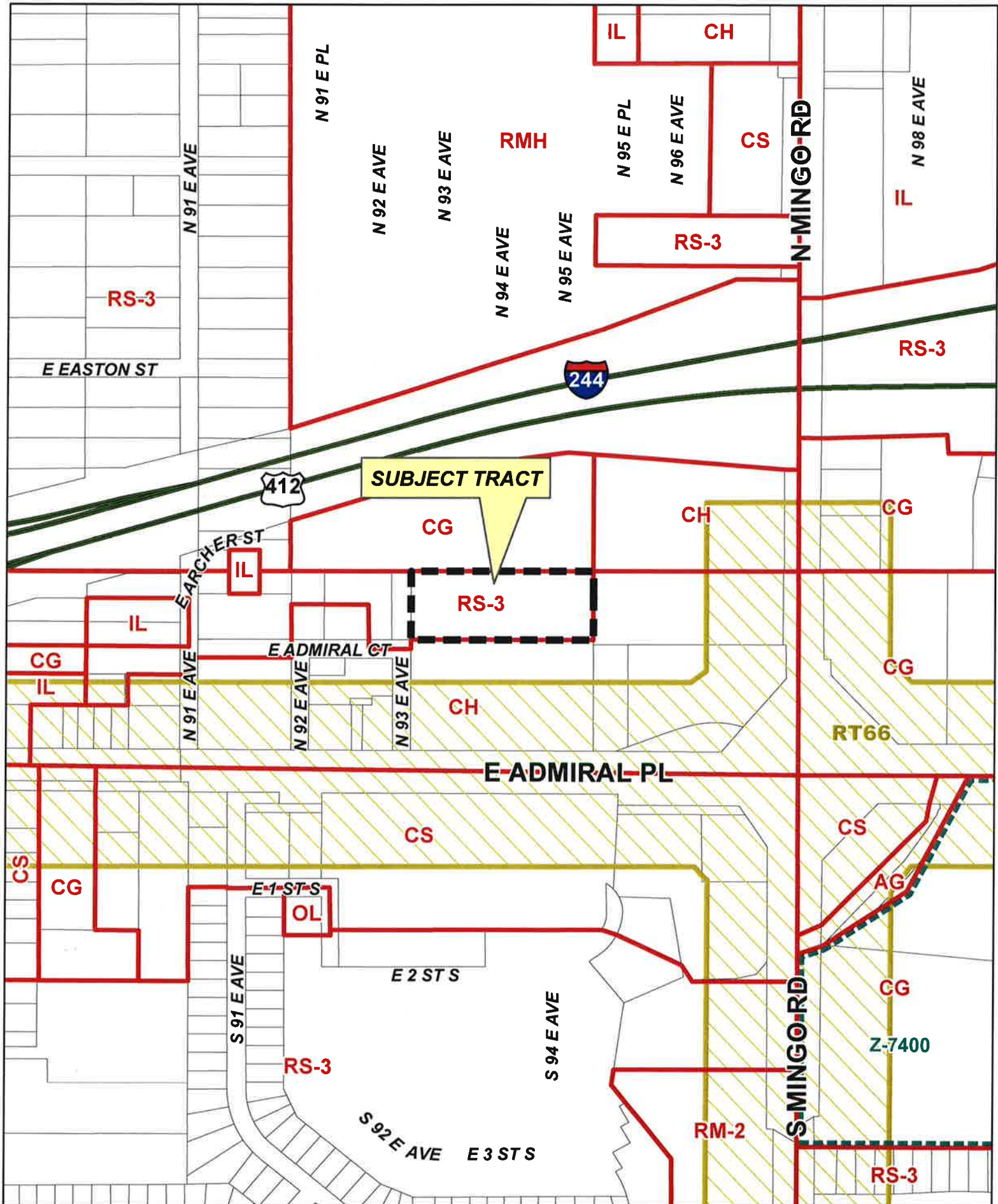
BOA-4616 March 1965: The Board of Adjustment approved a request for permission to erect a church in a U-1-B District, located on subject property.

****The CG zoning for the property abutting the subject property to the North was established September 15, 1980. (Ordinance 98254)***

Surrounding Property:

BOA-21169 November 2010: The Board of Adjustment **accepted** a *spacing verification* of the spacing requirement for an outdoor advertising sign, on property located North of the Northwest corner of East Admiral Place and South Mingo Road.

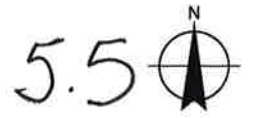
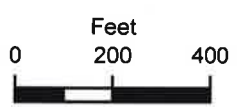
BOA-18082 June 1998: The Board of Adjustment **approved** a *variance* of the screening requirement from an abutting R District to allow natural vegetation, on property located at North of the Northwest corner of East Admiral Place and South Mingo Road.



SUBJECT TRACT

Z-7488

19-13 01





N 91 E AVE

N 91 E PL

E INDEPENDENCE ST

N 95 E PL

N 96 E AVE

N MINGO RD

N 98 E AVE

E EASTON ST



E ARCHER ST

E ADMIRAL CT

N 91 E AVE

N 92 E AVE

N 93 E AVE

E ADMIRAL PL

E 1 STS

E 2 STS

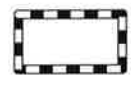
S 91 E AVE

S 94 E AVE

S MINGO RD

S 92 E AVE

E 3 STS



Subject Tract

Z-7488

19-13 01

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

Aerial Photo Date: February 2018





Subject Tract

Z-7488

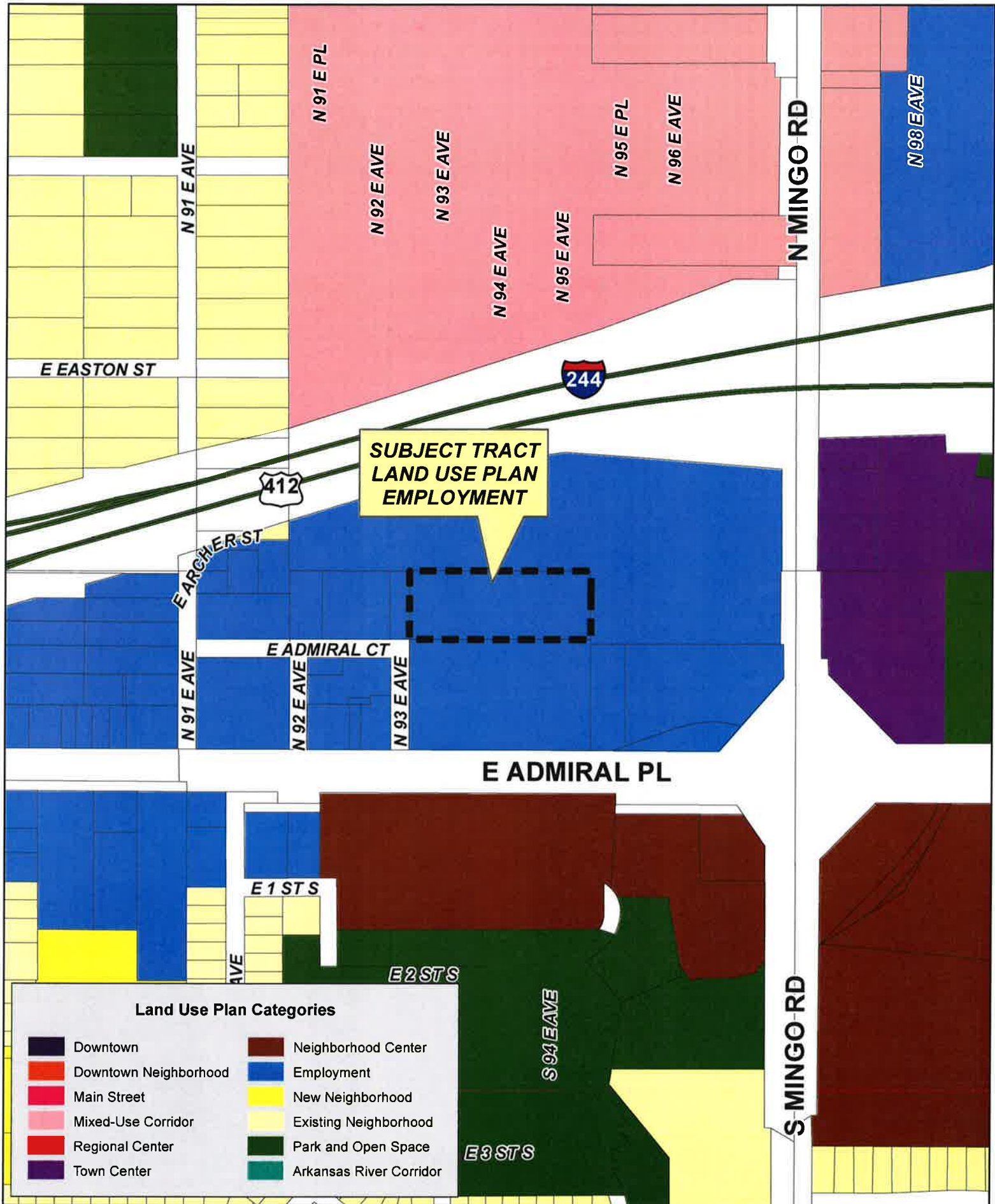
19-13 01

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

Aerial Photo Date: February 2018

5.7

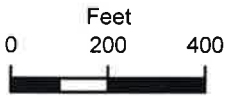




**SUBJECT TRACT
LAND USE PLAN
EMPLOYMENT**

Z-7488

19-13 01





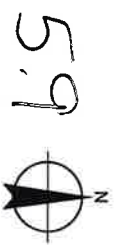
Growth and Stability

- Area of Growth
- Area of Stability



Z-7488

19-13 01





Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7489

Amended 7/16/2019

Hearing Date: July 17, 2019

Case Report Prepared by:

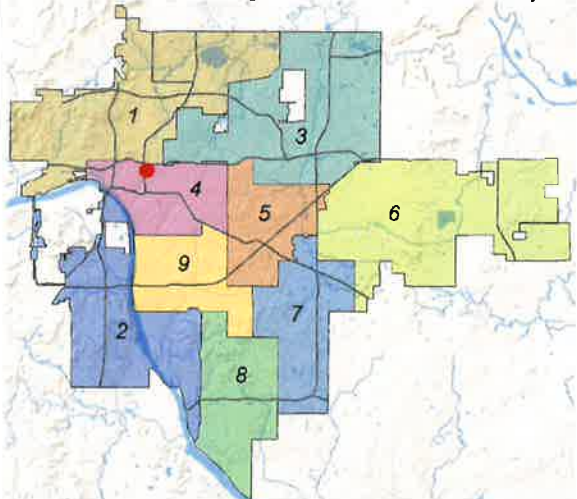
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Kyle Gibson

Property Owner: WOFFORD, DEROLD W & MARK A

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Parking Lot

Proposed Use: Office/Warehouse

Concept summary: Construct office/warehouse building on empty lot

Tract Size: 0.37 ± acres

Location: Northwest corner of East 5th Street South and South Norfolk Avenue

Zoning:

Existing Zoning: IL, RM-2

Proposed Zoning: CH

Comprehensive Plan:

Land Use Map: Downtown Neighborhood

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval denial.

This lot and its proposed building are in direct conflict with the current concept plans for the Elm Creek west detention facility. The City of Tulsa is acquiring property for construction as part a five-year plan for completion.

Staff Data:

TRS: 9201

CZM: 36

City Council District: 4

Councilor Name: Kara Joy McKee

County Commission District: 2

Commissioner Name: Karen Keith

6-1

SECTION I: Z-7489

DEVELOPMENT CONCEPT:

Applicant plans to construct an office warehouse on an empty lot. The property has two zoning categories and needs to be changed to a single category. The Downtown Neighborhood land use designation supports commercial zoning and CH is in the surrounding area.

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:
 - Site plan
 - City of Tulsa preliminary construction plans
 - City of Tulsa memo about planned acquisition
 - City of Tulsa map of acquisition properties

DETAILED STAFF RECOMMENDATION:

Uses and density supported by CH zoning is non-injurious to the surrounding properties and,

CH zoning allows uses are consistent with the anticipated development pattern in the area and,

CH zoning is consistent with Downtown Neighborhood land use designation and,

Staff has recently learned that The City of Tulsa is acquiring property with anticipated construction of this facility within 5 years, therefore,

Staff recommends **Approval Denial** of Z-7489 to rezone property from RM-2 and IL to CH

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The planning effort on this area of Tulsa has been extensive. The current Small Area Plan and the Tulsa Comprehensive Plan supports the rezoning request for CH zoned uses. CH zoning does not have a maximum floor area ratio, building heights or building setbacks. Many of these uses and the unlimited floor area are generally consistent with the Downtown Neighborhood vision in the Comprehensive Plan and the Auto Oriented Commercial designation in the 6th Street Infill Plan.

Land Use Vision:

Land Use Plan map designation: The site is completely inside the Downtown Neighborhood designation.

Downtown Neighborhoods are located outside but are tightly integrated with the Downtown Core. These areas are comprised of university and higher educational campuses and their attendant housing and retail districts, former warehousing and manufacturing areas that are evolving into areas where people both live and work, and medium to high-rise mixed-use

6.2

residential areas. Downtown Neighborhoods are primarily pedestrian-oriented and are well connected to the Downtown Core via local transit. They feature parks and open space, typically at the neighborhood scale.

Areas of Stability and Growth designation: The site is completely inside the Area of Growth designation.

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 5th Street South and South Norfolk Avenue are not illustrated on the major street and highway plan. 5th Street South connects to Peoria just east of this site where transit riders can connect to the Bus Transit system on Peoria approximately two blocks from the is site.

Trail System Master Plan Considerations: None

RELATIONSHIP TO THE SMALL AREA PLAN: (PEARL DISTRICT – 6TH STREET INFILL PLAN)

Small Area Plan Land Use Vision:

The site is completely included an Auto Oriented Commercial District defined in the 6th Street Infill Plan which was amended in April 2014. This Auto Oriented Commercial District was originally mixed-use infill supporting the anticipated public investment in the regional detention facility. This site appears to be in the planned storm water detention area. When that facility is constructed it is likely this lot and building will be demolished.

The Auto Oriented Commercial district is defined as “Commercial, Office, high-intensity Residential, Institutional, Manufacturing and Warehousing; usually located on primary arterial streets & highways. This economic model depends on vehicular access and visitors from throughout the region”

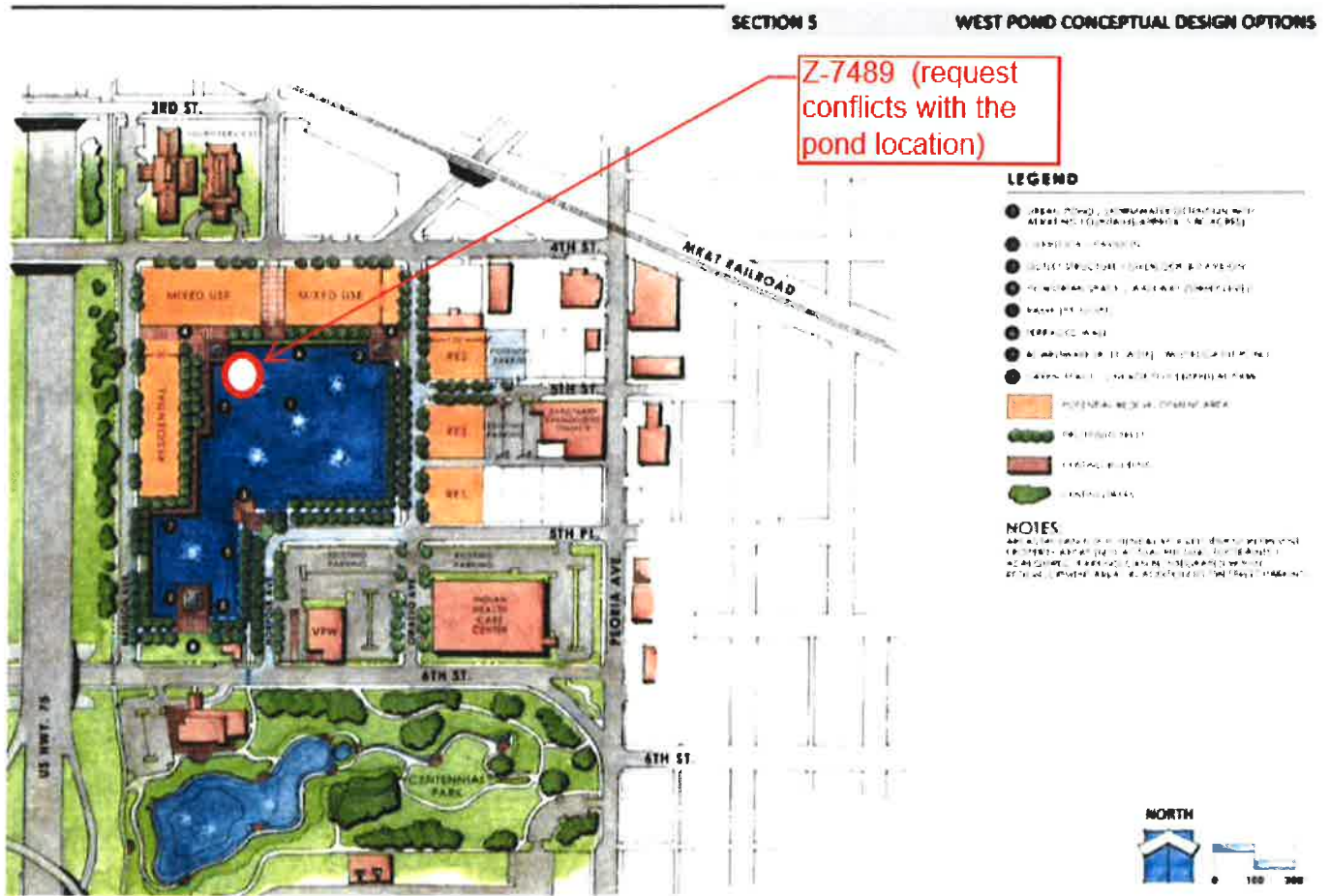
Small Area Plan-6th Street Infill Plan Land Use Map:

Latest amendments approved by Tulsa City Council on 4/3/2014 indicate that this site is included in the Mixed Use Infill area. The entire small area plan could be broadly defined as a commercial, office, high-intensity residential institutional, manufacturing and warehousing area which is usually located on primary arterial streets and highways. This economic model depends on vehicular access and visitors

6.3

from throughout the region. The plan recognized that a storm water detention pond could be constructed in this area and recognized that the specific site could be mixed use infill could be residential, commercial, office, manufacturing, warehousing, reuse of existing structures, smaller-scale, compatible infill.

ELM CREEK STUDY



West Pond - Option 2

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *The site is nearly flat and there are no existing structures.*

Environmental Considerations: ~~This area is near the planned flood control facility identified in the elm creek study. Construction of that facility does not appear to have an impact on that facility plan. The subject property is in a planned regional stormwater detention facility and is in an area where the City of Tulsa is currently acquiring property for construction of this pond.~~

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
S. Norfolk Avenue	None	50 feet	2
East 5 th Street	None	50 feet	2

Co. 4

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	CH	Downtown Neighborhood	Growth	Industrial uses
East	IL	Downtown Neighborhood	Growth	Parking lot for industry
South	RM-2	Downtown Neighborhood	Growth	Empty lot
West	RM-2	Downtown Neighborhood	Growth	Single family residential

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11814 dated June 26, 1970 established zoning for the subject property.

Subject Property:

Z-5027 October 1977: All concurred in **approval** of a request for *rezoning* a tract of land from RM-2 to IL on property located on subject property. (Ordinance 13951, October 1977)

Surrounding Property:

BOA-22212 March 2017: The Board of Adjustment **approved** a *special exception* to permit low-impact manufacturing and industry (microbrewery) in the CH District, subject to conceptual plan 7.15, on property located at Northwest corner of South Peoria Avenue and East 5th Street South.

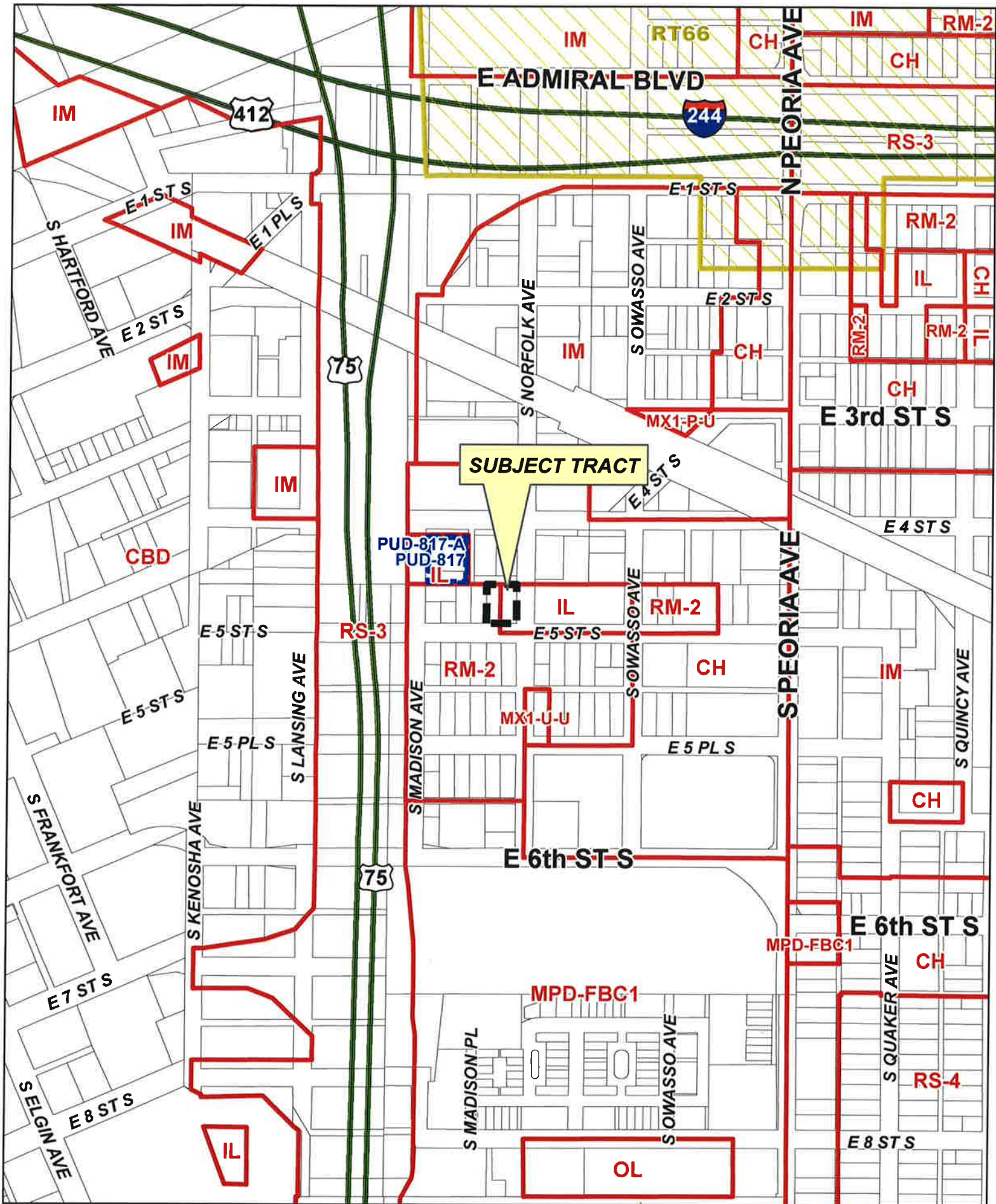
PUD-817-A June 2015: All concurred in **approval** of a proposed *Major Amendment* to PUD on a 0.5± acre tract of land to add Use Unit 12A (Adult Entertainment establishments) and Use Unit 20 (Commercial Recreation) on property located at the Southeast corner of East 4th Street South and South Madison Avenue.

BOA-21868 May 2015: The Board of Adjustment **approved** a *special exception* to permit a food truck court and an outdoor event venue in the CH District; **approved** a *variance* of the allowable days for open air activities; **approved** a *variance* of the requirement that all motorized vehicles be parked on all-weather surface, subject to conditions, on property located at Northwest corner of South Peoria Avenue and East 5th Street South.

PUD-817 / Z-7277 August 2014: All concurred in **approval** of a proposed *Planned Unit Development* on a 0.5± acre tract of land for uses allowed in a CH district and Use Unit 26, limited to a micro-brewery, and all concurred in **approval** of a request for *rezoning* a 0.5± acre tract of land from CH to IL on property located at the Southeast corner of East 4th Street South and South Madison Avenue.

BOA-21612 August 2013: The Board of Adjustment **approved** a *variance* of required parking from 10 spaces to 0 spaces in a CH District, on property located West of the Southwest corner of South Peoria Avenue and East 4th Street South.

6.5

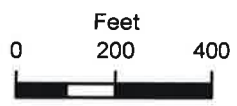


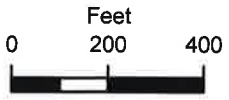
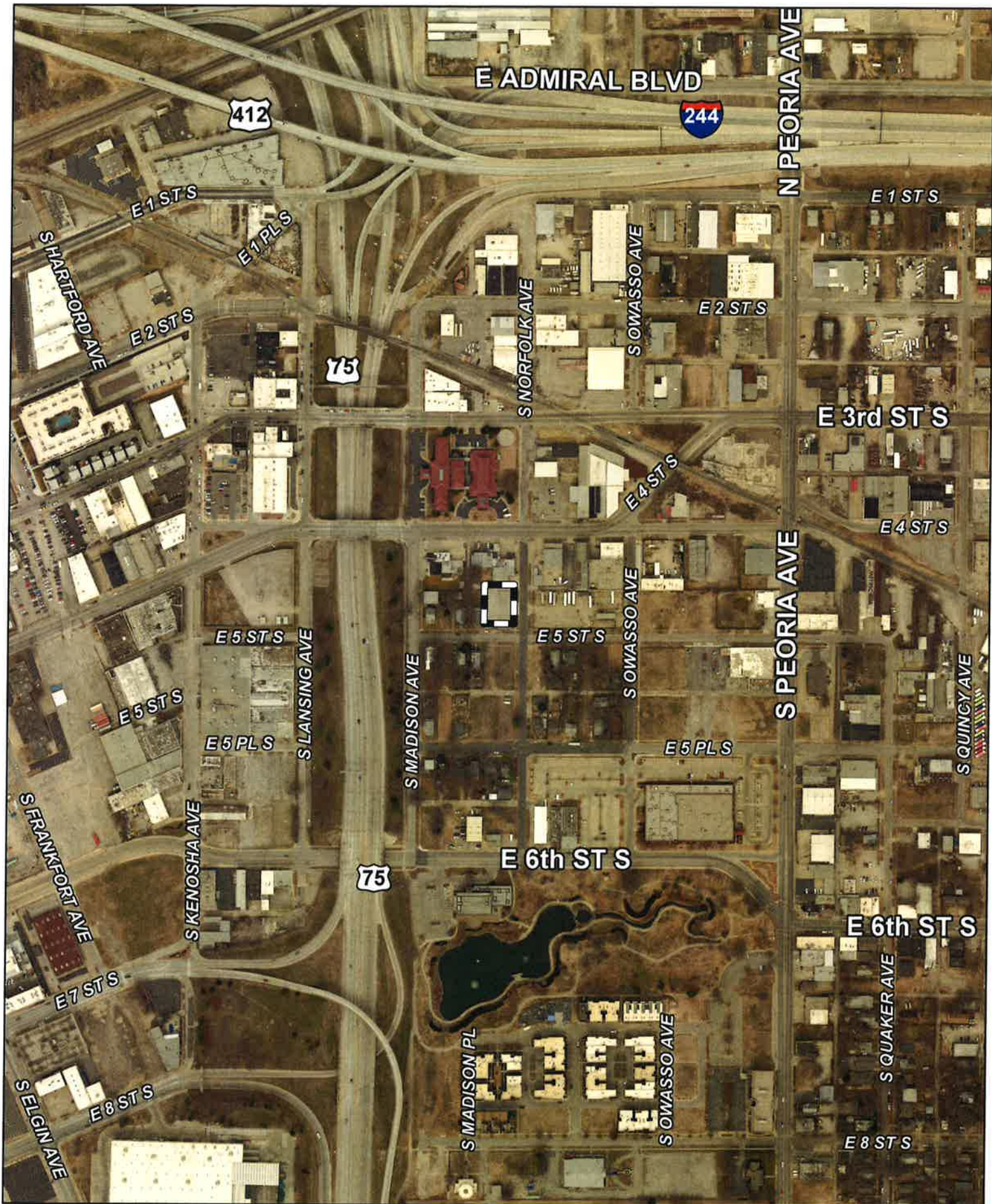
SUBJECT TRACT

PUD-817-A
PUD-817
IL

Z-7489

19-12-01





 Subject Tract

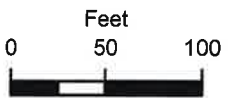
Z-7489

19-12 01

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

Aerial Photo Date: February 2018





Subject
Tract

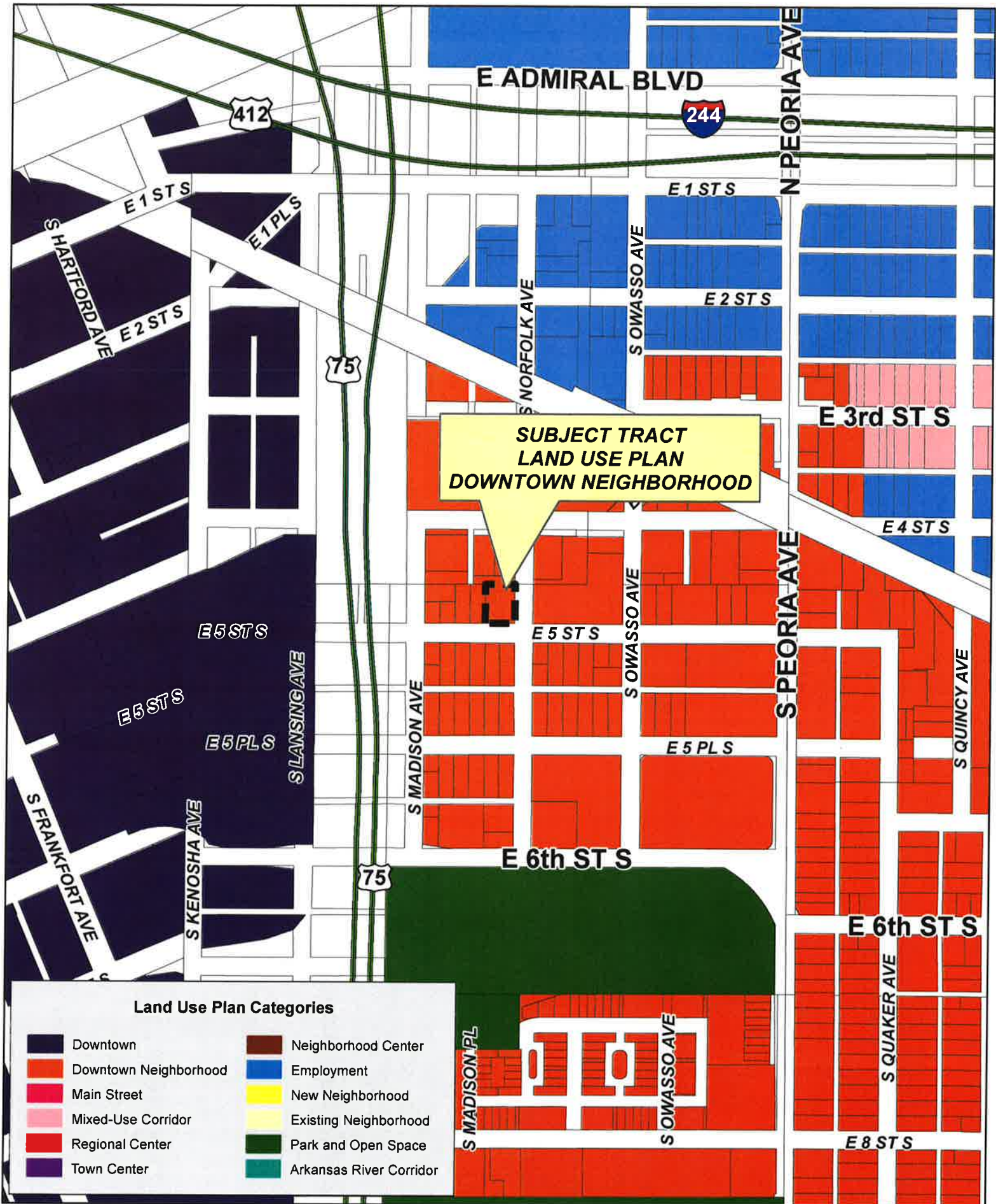
Z-7489

19-12 01

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

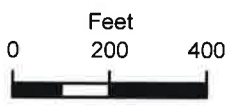
Aerial Photo Date: February 2018





Land Use Plan Categories

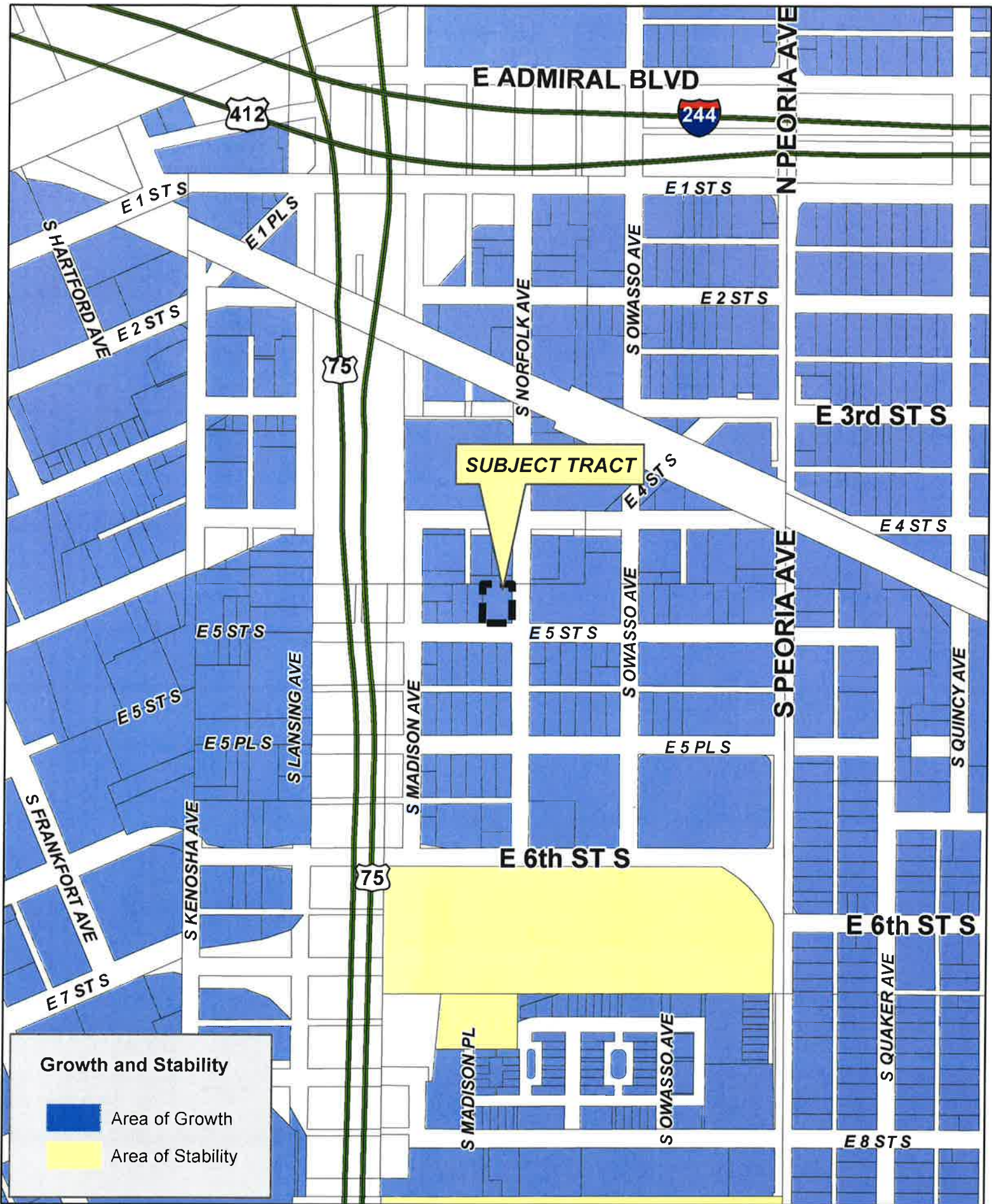
 Downtown	 Neighborhood Center
 Downtown Neighborhood	 Employment
 Main Street	 New Neighborhood
 Mixed-Use Corridor	 Existing Neighborhood
 Town Center	 Park and Open Space
	 Arkansas River Corridor



Z-7489

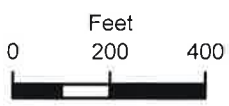
19-12-01





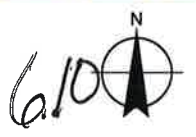
Growth and Stability

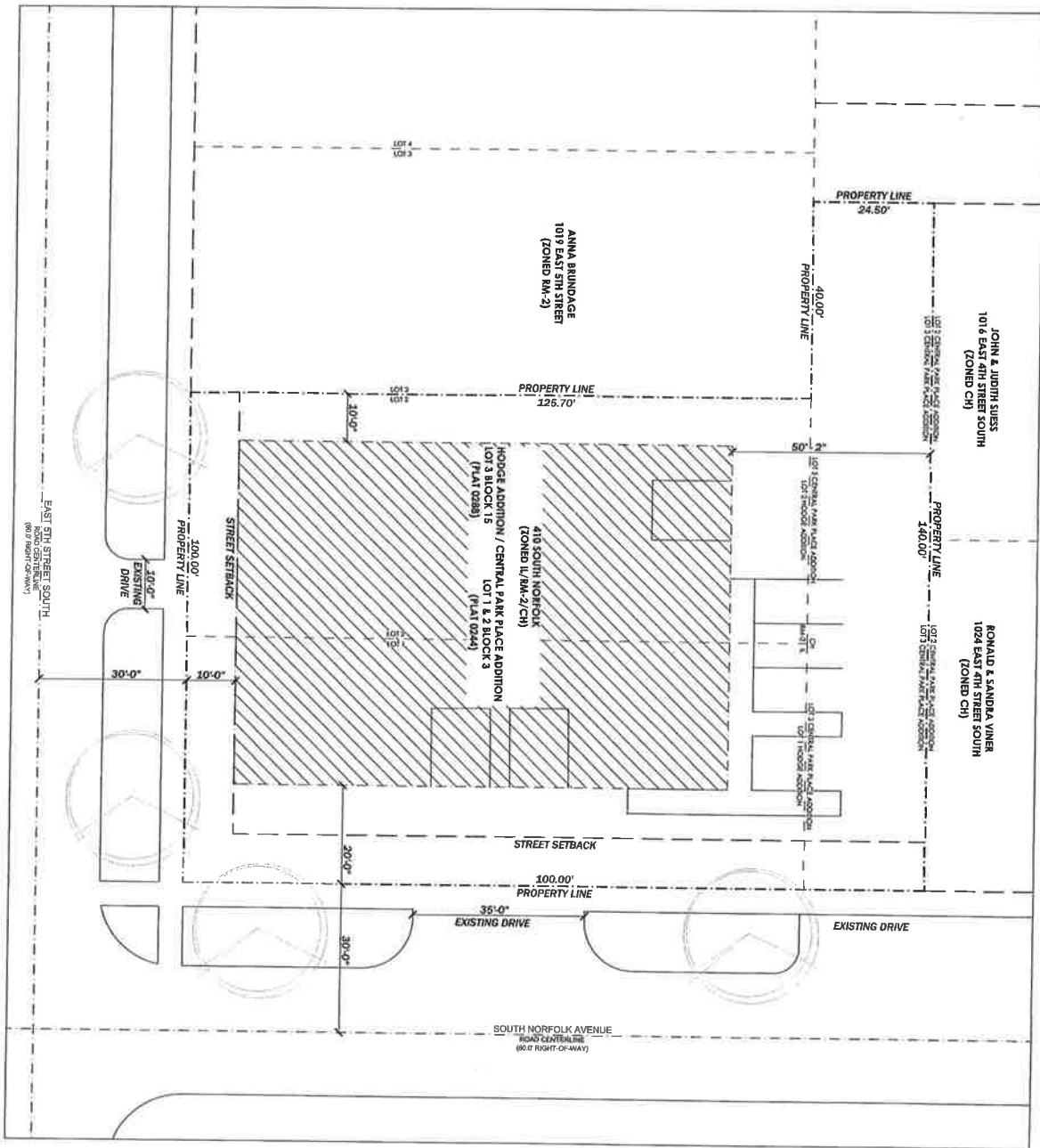
- Area of Growth
- Area of Stability



Z-7489

19-12-01





1 SITE PLAN

DRAWING: **NORFOLK**
 SITE PLAN
 410 South Norfolk
 Tulsa, OK 74120

DATE: 6/4/2019

SCALE: 1" = 10'

SHEET: AN01

ALIGN
 DESIGN GROUP
 918.499.0454
 JASON GIBSON, RA, NCARB

6.11



**MEMORANDUM
ENGINEERING SERVICES**

DATE: July 16, 2019
TO: Dwayne Wilkerson
FROM: Brooke Caviness
SUBJECT: TMAPC Z-7489 410 S. Norfolk
SWD: 8845

This lot and its proposed building are in direct conflict with the plans for the Elm Creek West Pond Detention facility.

- This detention facility is part of the Master Drainage Plan for Pearl District flood control.
- The project is being funded through revenue bonds with construction to begin as soon as Fiscal Year 2022.
- Right of way acquisition is currently underway.
 - An offer has not been made to this property owner.
- Design is 60% complete



PARCEL NO	BOOK	DCC NO	PAGE	OWNERSHIP IDENTIFICATION
1				Not Used
2	201514230			Maxco LLC
3	2004091560			City of Tulsa
4	200414217			David Taylor and Julie Taylor
5	0518	2402		Arena J. Brundage
6	201405219			Devon W. Woodford & Mark A. Woodford
7	5829	1371		Wilson Enterprises, LLC
8	9628	1955		Sokol Living Trust
9	2012056109			City of Tulsa
10	9523	123		Lee F. Hammick
11	6730	764		Troy L. Inral
12	5300	255		William Keith Miller
13	2008104183			The City of Tulsa, Oklahoma
14	201604844			Tulsa Development Authority
15	9924	976		Brightside Properties LLC
16	2016121693			Tulsa Development Authority Warranty Deed
17	201612127			Matthew Terwin and Gabriela Terwin
18	4817	1184		Richard L. Thomas
19	200702235			Veterans of Foreign Wars Post 377
20	2006104183			The City of Tulsa, Oklahoma Quit Claim Deed
21	2006104183			The City of Tulsa, Oklahoma Quit Claim Deed
22	200312404			Good Day Properties, LLC Special Warranty Deed
23	6431	2119		Kooring Properties, Inc.
24	201611922			Fusion Properties, LLC General Warranty Deed
25	201612083			Tulsa Development Authority Warranty Deed
26	6607	589		Angela Rodriguez
27	5767	906		Mantia K. Plank
28	201704828			Matthew Priday
29	6407	1418		Alberto Villegas
30	5567	375		DNB, Inc.
31	2003104183			The City of Tulsa, Oklahoma Quit Claim Deed
32	6816	2158		Brightside Properties, LLC
33	5757	905		Mertila K. Plank
34	201109673			Dyres Nicole Brewer, Trustee of the Brewer Family Irrevocable Trust
35	201500497			Maynard Bond Investments, LLC
36	4150	582		Lewis Roach
37	6904	678		Brightstar Properties LLC
38	201303791			Steve R. Lee
39	2007023503			Steve R. Lee
40	6624	978		Brightside Properties, LLC
41	200606405			Liv Well Properties, LLC
42	9608	568		Philip D. and Sheri Morrow
43	2014042185			Zorra Estates
44	4712	1417		Shane Owsen

LEGEND

- PROPERTY LINE
- PROPOSED/W BOUNDARY
- EXISTING PROPERTY BOUNDARY
- CITY OWNED PROPERTIES
- REQUIRED PARCELS
- ON GOING
- PARCEL NUMBER



E ELM CREEK WEST POND
COT 148150

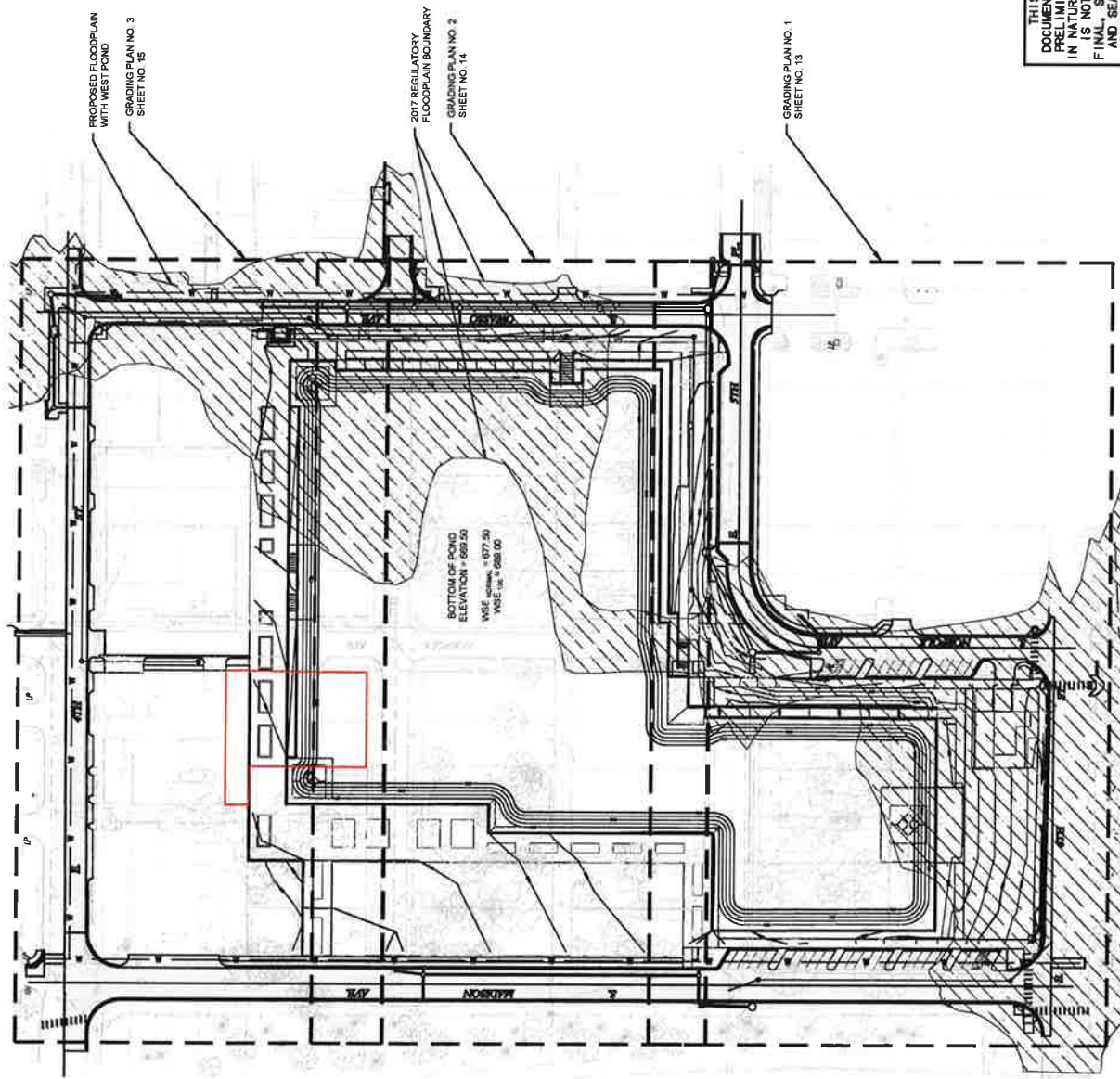
REQUIRED PARCEL MAP
CITY OF TULSA, OKLAHOMA
ENGINEERING SERVICES DEPARTMENT

GUY ENGINEERING
10716 E. 19th Ave., Tulsa, Oklahoma 74116
www.guyeng.com

DATE	10/17/17
BY	SM
CHECKED	SM
PROJECT NO.	148150
FIELD NO.	
DATE	10/17/17
SCALE	1"=40'
APPROVED	

FILE NO. 148150 SHEET NO. 001 OF 001

Co.M



PROPOSED FLOODPLAIN WITH WEST POND
GRADING PLAN NO. 3
SHEET NO. 15

2017 REGULATORY FLOODPLAIN BOUNDARY
GRADING PLAN NO. 2
SHEET NO. 14

GRADING PLAN NO. 1
SHEET NO. 13

BOTTOM OF POND
ELEVATION = 689.50
WSE (100yr) = 672.50
WSE (50yr) = 682.00

GRAPHIC SCALE (NORS)
1 inch = 60' ft.
0 60' 120'



ELM CREEK WEST POND
PROJECT No. 148150
GRADING PLAN OVER-ALL

CITY OF TULSA, OKLAHOMA
ENGINEERING SERVICES DEPARTMENT
GLUY ENGINEERING SERVICES, INC
811 E. 47TH ST. TULSA, OK 74112 (918) 487-2261 WWW.GUYENR.com

PLAN SCALE	DRAWN	DATE	APPROVED
1"=60'	DESIGNED	NOV 01/18	
PROFILE SCALE	SURVEY	JAN 01/18	
HORIZONTAL	FIELD BOOK		
VERTICAL	RECONSTRUCTED		
METHOD	VEGETATION MANAGER		
	CITY ENGINEER	DATE	
FILE	DRAWING	PHASE NO.	C10
STAGE/ISSUE NO. 01/01			SHEET NO. 12 OF 123



REVISION	BY	DATE

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

6.14



Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7490

Hearing Date: July 17, 2019

Case Report Prepared by:

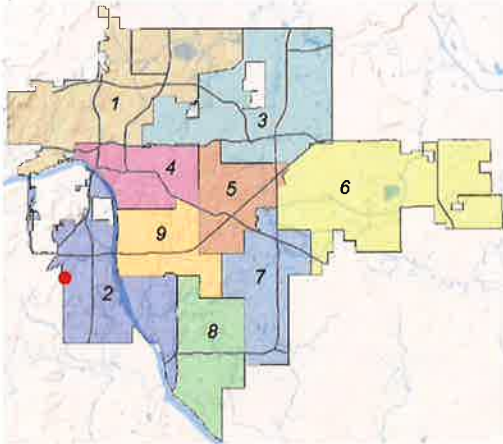
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Crystal Keller

Property Owner: METHVIN, BRET & JANELLE

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Vacant

Proposed Use: Apartment/Condo

Concept summary: The apartment/condo use is allowed by right in a CS district. The optional development plan is required for a private street community.

Tract Size: 4 ± acres

Location: Southeast corner of South 33rd West Avenue and West 61st Street South

Zoning:

Existing Zoning: CS

Proposed Zoning: CS with optional development plan

Comprehensive Plan:

Land Use Map: Neighborhood Center

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 8203

CZM: 51

City Council District: 2

Councilor Name: Jeannie Cue

County Commission District: 2

Commissioner Name: Karen Keith

7.1

SECTION I: Z-7490

DEVELOPMENT CONCEPT:

EXHIBITS:

- INCOG Case map
- INCOG Aerial (small scale)
- INCOG Aerial (large scale)
- Tulsa Comprehensive Plan Land Use Map
- Tulsa Comprehensive Plan Areas of Stability and Growth Map
- Applicant Exhibits:
 - June 10th 2019 development plan letter
 - Conceptual site plan

DETAILED STAFF RECOMMENDATION:

Z-7490 is already zoned CS and the apartment or condo uses are already allowed. The primary purpose for the optional development plan is to allow a private street accessing lots for small multi-family development. CS zoning with the optional development plan standards and use limitations defined in Section II are consistent with the Neighborhood Center land use designation of the Tulsa comprehensive plan and,

CS zoning without the optional development plan allows uses that could be considered injurious to the residential property owner on the south and east of the site however the optional development plan provides use limitations that help integrate this site into the adjoining single-family residential and multi-family areas and,

CS zoning with the optional development is consistent with the expected development pattern in the area and,

The optional development plan provides additional standards for landscaping along the public rights of way and provisions for dumpsters that are beyond the zoning code requirements that are consistent with the West Highlands Small area plan goals supporting shade trees in public right of way and,

This style of apartment and condominium uses are consistent with the expected development pattern in this area near the northwest corner of the West Highlands plan and consistent with the goals in the plan that encourage multi-family development that mixes smaller multi-family buildings into a single family neighborhood that were specifically identified in goals 2.3 and 2.5 therefore,

Staff recommends Approval of Z-7490 as outlined in Section II above.

SECTION II: OPTIONAL DEVELOPMENT PLAN STANDARDS:

GENERAL PROVISIONS:

All district use regulations, supplemental regulations, building types, lot and building regulations, along with other relevant regulations shall conform with the provision of the Tulsa Zoning Code for development in a CS zoning district except as further limited below.

PERMITTED USES:

Use Categories are limited to the subcategories and specific uses defined below and uses that are customarily accessory to the permitted uses.

A. Residential

7.2

- a. Single Household
 - b. Two households on a single lot
 - c. Three or more households on a single lot
- B. Office
- a. Business or professional office
- C. Agricultural
- a. Community Garden
 - b. Farm Market or Community-Supported garden

PERMITTED RESIDENTIAL BUILDING TYPES:

- A. Single household
 - a. Townhouse
 - b. Mixed-use building
 - c. Vertical mixed-use building
- B. Two households on a single lot
 - a. Mixed-use building
 - b. Vertical mixed-use building
- C. Three or more households on a single lot
 - a. Apartment / Condo
 - b. Mixed-use building
 - c. Vertical mixed-use building

VEHICULAR ACCESS:

- A. Vehicular access will be provided by a privately owned and maintained street.
- B. Private streets will conform to the City of Tulsa engineering standards for a minor residential street.
- C. Private streets will conform to the Subdivision Regulations for the City of Tulsa.

SIDEWALKS:

Sidewalks will be required and constructed as defined in the Subdivision and Development Regulations for the Tulsa Metropolitan area. Sidewalks in the public street right-of-way and adjacent to private streets where they abut common open space shall be constructed prior to issuance of any building permit for residential building types.

LOT AND BUILDING REGULATIONS:

Setbacks:

Minimum side lot line	5 feet
Minimum rear lot line	11 feet
Front yard	10 feet
Garage entrance(from sidewalk)	20 feet

SIGNAGE:

All signage is prohibited except as may be allowed in an RM-2 district.

DUMPSTER AND TRASH COLLECTION:

Any commercial style dumpsters shall be enclosed with a masonry enclosure and self-closing gate. Gate must be constructed of a solid material without openings. Gate and enclosure must be at least one foot taller than the trash bin.

7.3

Dumpsters must be placed a minimum of 100 feet from the east boundary of the subject property.

LANDSCAPING: Street trees shall be installed and maintained as follows:

- A. Trees shall be installed and maintained so the maximum spacing of the trees shall not exceed 35 feet. At the time the trees are planted the minimum height shall be 12 feet with a minimum caliper of 2.5 inches.
- B. Trees shall be on the lot or within 7 feet of the lot line in the public street right of way.
- C. Required street trees shall be installed and maintained as part of the property owner's association.
- D. Additional trees and landscaping may be installed however the required trees required cannot be Crepe Myrtle, Bradford Pear or Ash.
- E. All street yards and right of way where trees are required shall be irrigated with an underground automatic irrigation system.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: This project is included in the West Highlands Small Area Plan.

The anticipated uses are consistent with the small area plan vision. The gated community with private streets is not necessarily consistent with the goals of the small area plan to encourage vehicular connectivity. This site is surrounded by other development that has not provided connectivity. As a result of previous street pattern decisions, it is not necessary to require a public street at this location.

Land Use Vision:

Land Use Plan map designation: Neighborhood Center

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

Areas of Stability and Growth designation: Area of Growth

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

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

areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.”

Transportation Vision:

Major Street and Highway Plan: None

Trail System Master Plan Considerations: None

Small Area Plan: West Highlands Small Area Plan

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is a tract of land that is undeveloped between a commercial shopping center on the west and single-family residential development on the east. That residential development area is part of the Pager Belcher development. The site is sloping from the west to the east.

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP RW</u>	<u>Exist. # Lanes</u>
South 33 rd West Avenue	Secondary Arterial	100 feet	Tapers from 4 to 2 lanes
West 61 st Street South	Secondary Arterial	100 feet	Tapers from 4 to 2 lanes

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	CS	Neighborhood center	Growth	Commercial
East	RM-1 / PUD 159	Existing neighborhood	Stability	Single family
South	RM-1 / PUD 159	Neighborhood center	Stability	Multi family
West	Creek county A-1	Creek county (no designation)	Creek county (no designation)	Single family residential

7.5

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11827 dated June 26, 1970 established zoning for the subject property.

Subject Property:

No relevant history.

Surrounding Property:

BOA-20497 August 2007: The Board of Adjustment **approved** a *verification* of the spacing requirement for a liquor store of 300 ft. from blood banks, plasma centers, day labor hiring centers, pawn shops and another liquor store, on property located at the Southeast corner of West 61st Street South and South 33rd West Avenue.

BOA-19430 August 2002: The Board of Adjustment **approved** a *special exception* to permit a car wash in a CS District, per plan, on property located at the Southeast corner of West 61st Street South and South 33rd West Avenue.

BOA-18559 January 2000: The Board of Adjustment **approved** a *variance* to permit off-street parking on non-all-weather surface; **denied** the *special exception* for the number of spaces; and **approved** the *special exception* to modify the screening requirement from an abutting R district, on property located at the Northeast corner of West 61st Street South and South 33rd West Avenue.

BOA-18534 October 1999: The Board of Adjustment **approved** a *variance* of the required 297 parking spaces for shopping center to 226 actual parking spaces, on property located at the Southeast corner of West 61st Street South and South 33rd West Avenue.

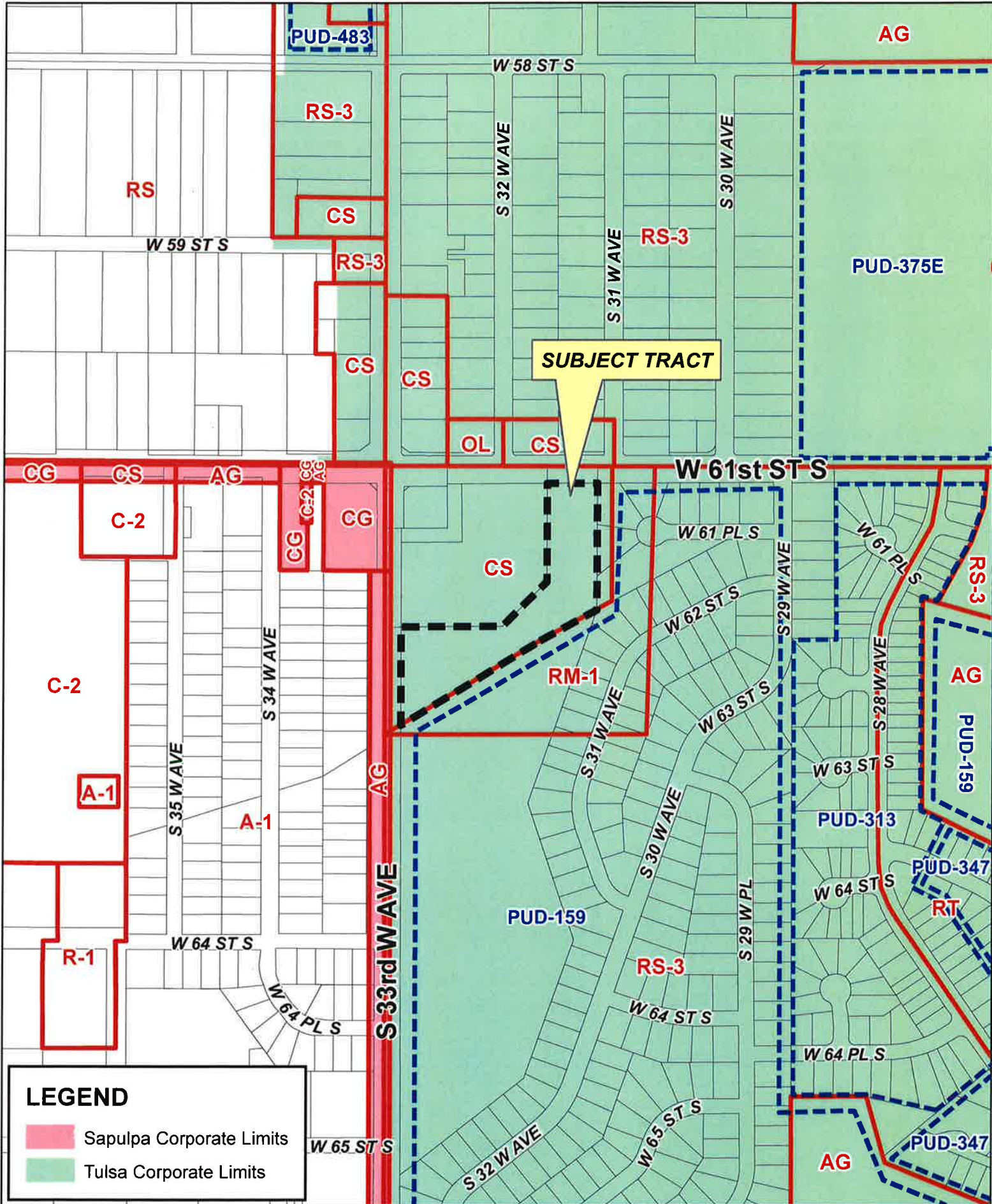
BOA-16845 November 1994: The Board of Adjustment **approved** a *variance* of the required frontage in a CS zoned district to permit a lot split per plan submitted, on property located at the Northwest corner of West 61st Street South and South 33rd West Avenue.

BOA-14207 September 1986: The Board of Adjustment **approved** a *special exception* to allow a dry cleaning/laundry in a CS zoned district, on property located at the Southeast corner of West 61st Street South and South 33rd West Avenue.

BOA-13050 March 1984: The Board of Adjustment **approved** a *special exception* to permit a car wash in a CS zoned district and **approved** a *variance* of the required 110 foot setback from the centerline of West 61st Street South to 68 feet on property located at the Northeast corner of West 61st Street South and South 33rd West Avenue.

PUD-159 June 1974: All concurred in **approval** of a proposed *Planned Unit Development* on a 595.3± acre tract of land for a neighborhood with a 36-hole golf course on property located South and East of the Southeast corner of West 61st Street South and South 33rd West Avenue.

7.4



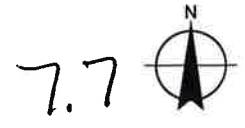
LEGEND

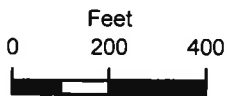
- Sapulpa Corporate Limits
- Tulsa Corporate Limits



18-12 03

Z-7490
with Optional
Development Plan





Subject Tract

18-12 03

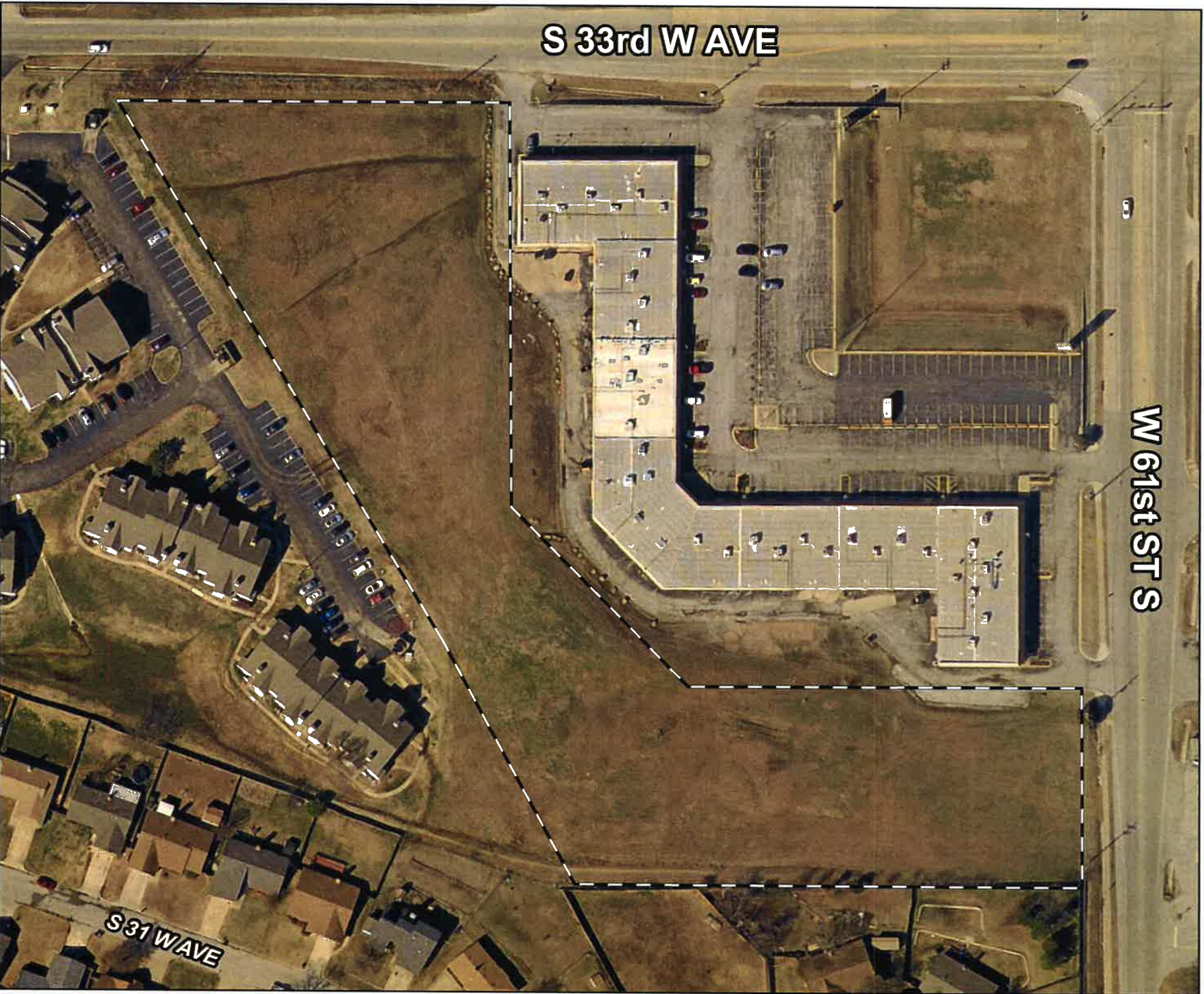
Z-7490
with Optional
Development Plan

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

Aerial Photo Date: February 2018



7.8



S 33rd W AVE

W 61st ST S

S 31 W AVE

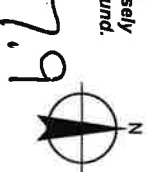


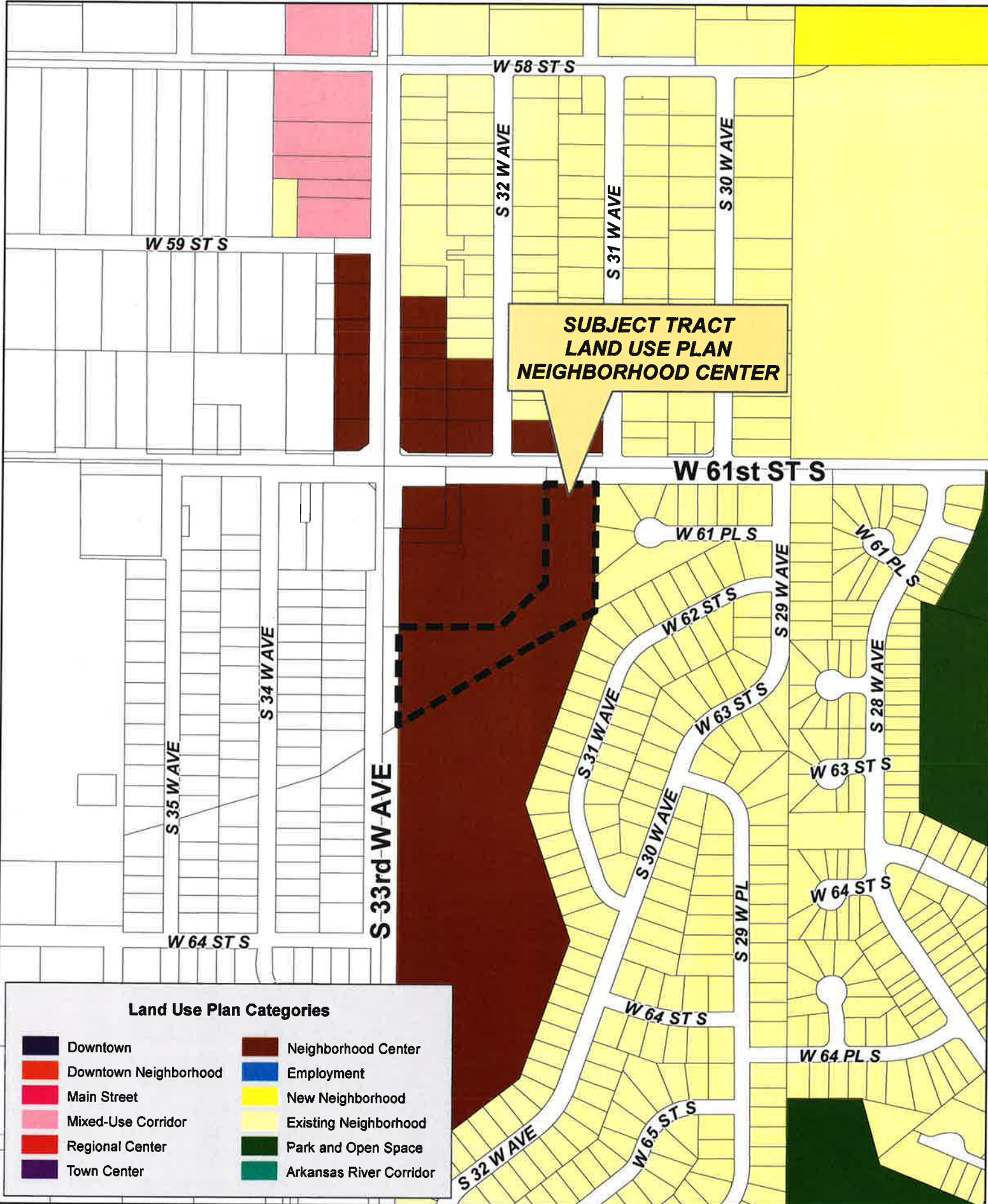
Subject Tract
18-12 03

Z-7490
with Optional
Development Plan

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

Aerial Photo Date: February 2018

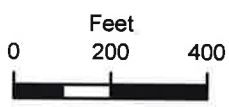




**SUBJECT TRACT
LAND USE PLAN
NEIGHBORHOOD CENTER**

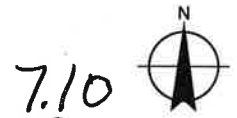
Land Use Plan Categories

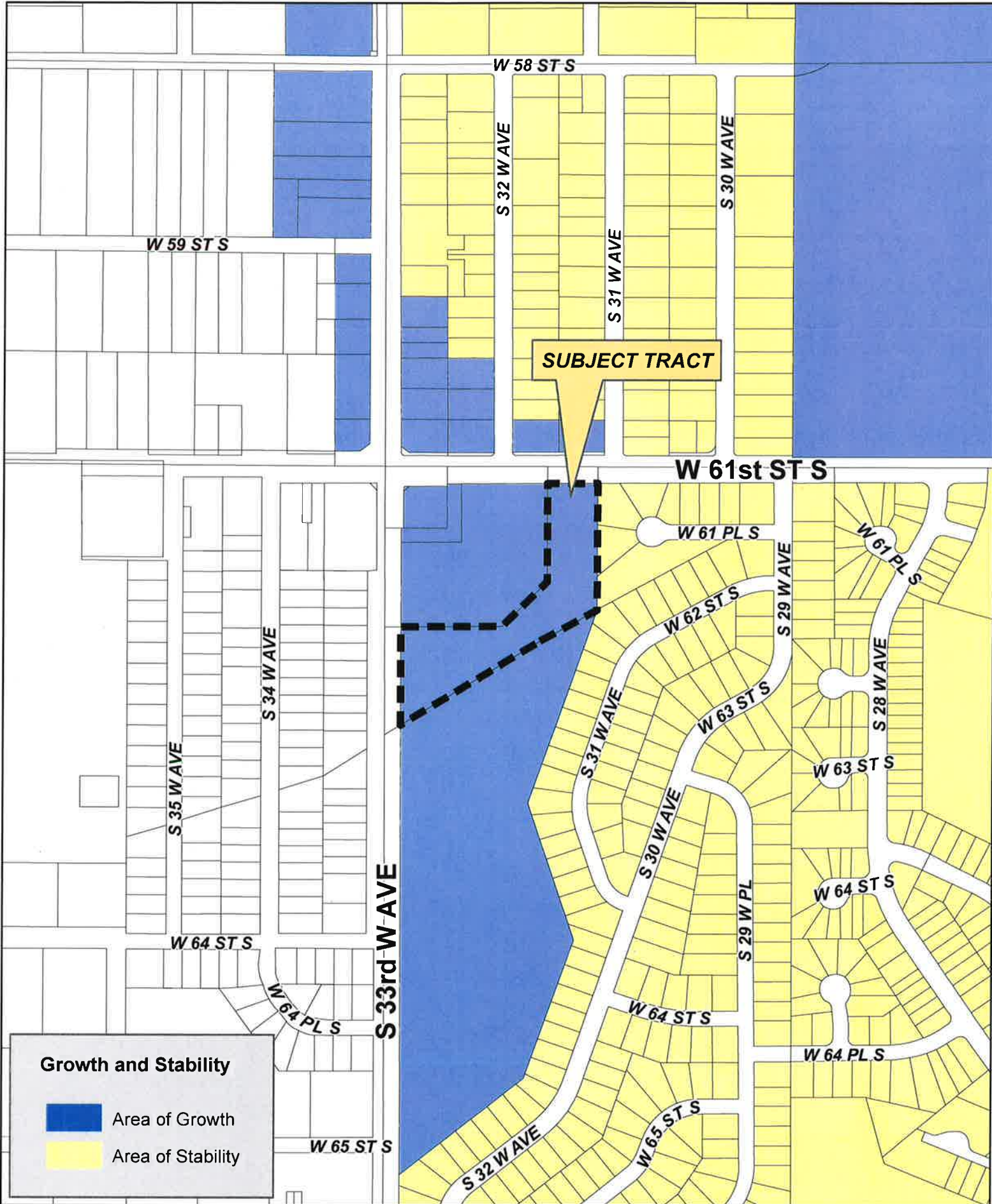
 Downtown	 Neighborhood Center
 Downtown Neighborhood	 Employment
 Main Street	 New Neighborhood
 Mixed-Use Corridor	 Existing Neighborhood
 Regional Center	 Park and Open Space
 Town Center	 Arkansas River Corridor



18-12 03

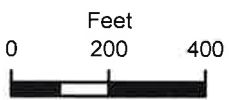
**Z-7490
with Optional
Development Plan**





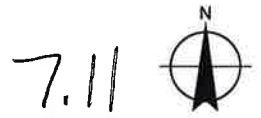
Growth and Stability

- Area of Growth
- Area of Stability



18-12 03

Z-7490
with Optional
Development Plan





June 10, 2019

Tulsa Metropolitan Area Planning Commission
c/o Mr. Dwayne Wilkerson, Assistant Director of Land Development
INCOG
2 West 2nd Street; Suite 800
Tulsa, Oklahoma 74103

RE: Subject: Optional Development Plan
Subject Site: Sunwest Highlands, Tulsa, Oklahoma
Wallace Project No. 1840138

Dear Mr. Wilkerson:

Please find enclosed our proposed concept for the Optional Development Plan for the uses anticipated and the standards suggested for the proposed development located at West 61st Street South and South 33rd West Avenue.

We propose to submit this Concept (attached) for an Optional Development Plan to allow a private street within the development. Our intent is to work with INCOG to formalize the concept.

DEVELOPMENT CONCEPT

The current zoning is CS – Commercial Shopping, which allows our apartment/condo proposed use. The overall plan is to develop the property with the intention of the applicant to have a private street within the development.

The development will be CS with the following building setbacks:

- Arterial ROW line: 17.5 feet
- Boundary: 11 feet
- Interior: 5 feet
- Front yard: 10 feet
- Garage setback from sidewalk: 20 feet

We appreciate the opportunity to work with INCOG staff on this optional development plan. Please do not hesitate to contact me if you have any questions or need to discuss items in more detail. We want the best plan to meet our clients anticipated development requirements while serving the surrounding community's growing need for neighborhoods with amenities.

Sincerely,

Crystal Keller, Wallace Engineering

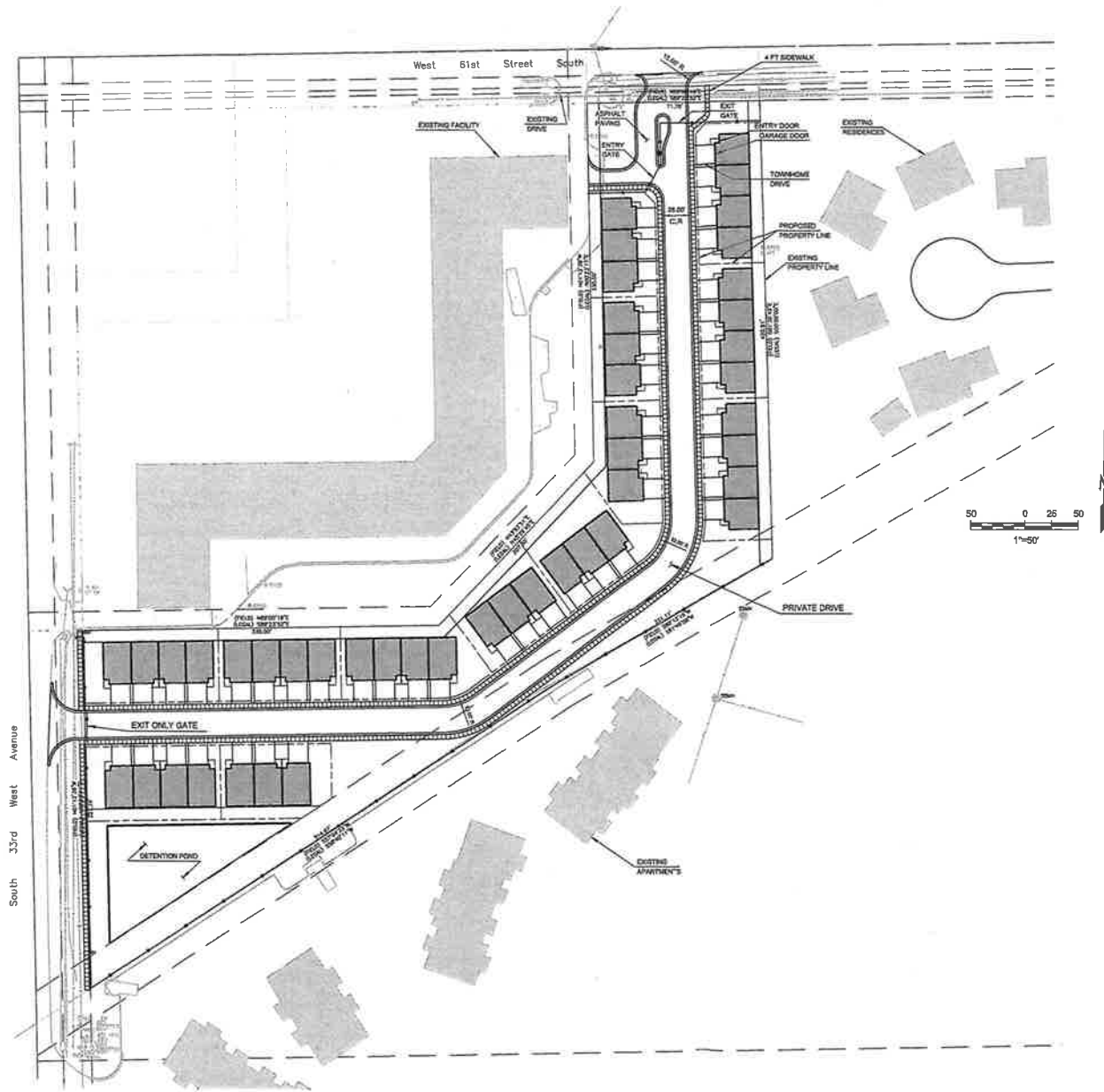
7.12

7.13

SUNWEST HIGHLANDS SITE PLAN 04.22.2019

wallace

Wallace Engineering
Structural Consultants, Inc.
Structural and Civil Consultants
200 East Matthew Brady Street
Tulsa, Oklahoma 74103
918.564.5858, 800.364.5858



4/15/2019 10:25:27 AM \\hdh\share\proj\14161258 Sunwest Highlands Townhome\dwg\SITE PLAN.rvt - for general annotation.dwg



Tulsa Metropolitan Area Planning Commission

Case : MR-12 – 4687 S. Columbia Ave.

Hearing Date: July 17, 2019

Case Report Prepared by:

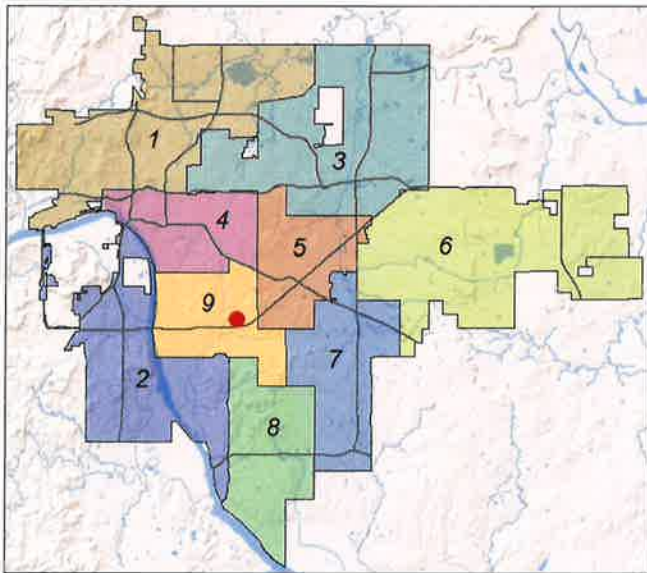
Nathan Foster

Owner and Applicant Information:

Applicant: True North Homes, LLC

Owner: True North Homes, LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Modification to the Subdivision and Development Regulations

Purpose: Requesting a modification to the sidewalk requirements of Section 5.070 to remove the requirement for construction of sidewalks.

Location: North of the northeast corner of East 49th Street South and South Columbia Avenue

Zoning: RS-1

Staff Recommendation:

Staff recommends **approval** of the modification

City Council District: 9

Councilor Name: Ben Kimbro

County Commission District: 3

Commissioner Name: Ron Peters

EXHIBITS: Site Map, Aerial, Sidewalk Exhibit, Applicant Exhibits

MODIFICATION OF THE SUBDIVISION AND DEVELOPMENT REGULATIONS

MR-12 – 4687 S. Columbia Ave. - (CD 4)

North of the northeast corner of East 49th Street South and South Columbia Avenue

The applicant has requested that the Planning Commission remove the requirement that the property owner construct a sidewalk as part of the construction of a new home. The newly adopted Subdivision and Development Regulations require sidewalks to be constructed on any new development requiring both new construction building permits and a certificate of occupancy.

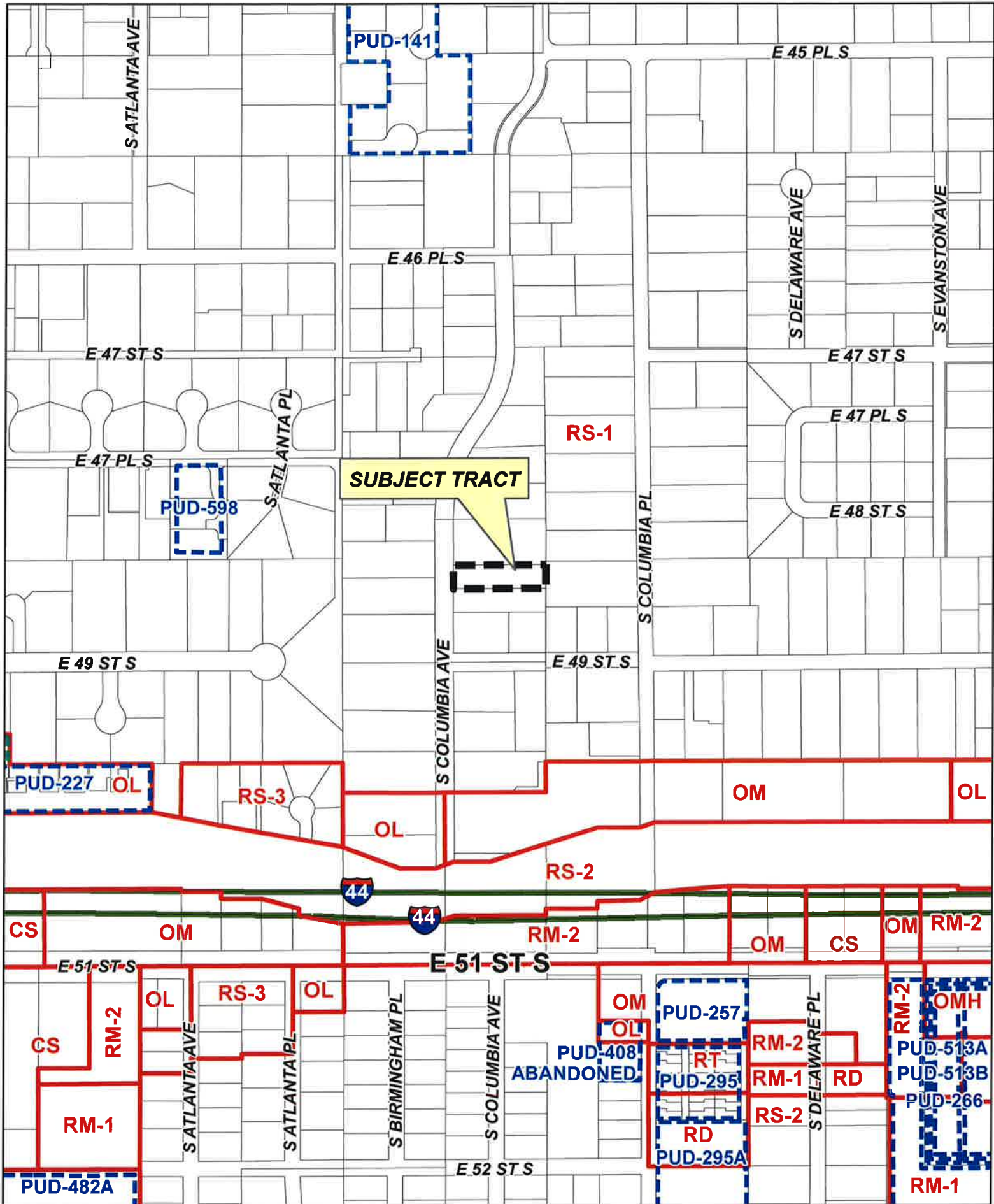
As alternative solutions for sidewalks are explored, staff will begin evaluating each request for modification based on a set of criteria. Any future program would utilize similar criteria when making eligibility determinations for alternatives. Examples of criteria include the following:

1. Proximity to major pedestrian destinations such as parks, schools, public amenities, and retail areas.
2. Presence of existing pedestrian infrastructure within a walkable area of the subject property
3. Funded capital improvement projects that will impact property under application
4. Proximity and ability to connect to collector or arterial streets
5. Topographical or environmental challenges that make sidewalk installation impossible or impractical

Based on the selected criteria, staff finds the following facts to be **favorable** to the modification request:

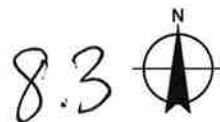
1. The subject property is located in the middle of an established neighborhood with no existing sidewalks.
2. Subject property is located in the middle of a block.
3. South Columbia Avenue connects to the Interstate-44 frontage road that does not have sidewalks.
4. There are no major pedestrian destinations within the walkable area of the property.

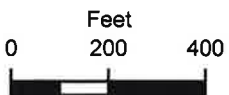
Staff recommends **approval** of the modification of the Subdivision and Development Regulations to remove the requirement for sidewalk construction on this property.



MR-12

19-13 29






Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: February 2018

MR-12

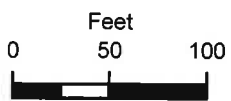
19-13 29

 Subject Tract

8.4 

S COLUMBIA AVE

E 49 ST S



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

Aerial Photo Date: April 2019

MR-12

19-13 29



Subject Tract



TRUE NORTH HOMES LLC



Gant Hinkle

True North Homes LLC Owner
McGraw Realtors (Lic. No. 172252)

1714 S Evanston Ave
Tulsa, OK 74104
918.527.9120
gant@tnhok.com

Tulsa Metropolitan Area Planning Commission

2 West 2nd Street Suite 800
Tulsa, OK 74103

May 28, 2019

Dear Tulsa Metropolitan Area Planning Commission,

I'm reaching out regarding a Sidewalk Requirement Modification Request for a new single-family residence being built at 4687 S Columbia Ave, Tulsa, OK 74105. Based off SEC 5-070.2 of the Subdivision and Development Regulations, we are requesting the sidewalk installation requirement to be waived.

As you'll find via research and the attached exhibits, this property is located in an established neighborhood with no existing sidewalks, in the middle of a street with no connections to arterial streets or other vital destinations in the neighborhood, and is not near any parks or within reasonable pedestrian traveling distance from a school.

Additionally, the location of a mature tree and utility meters/boxes make installing a sidewalk problematic. Installing the sidewalk would likely kill important root systems for the mature tree located next to the sidewalk – requiring immediate or delayed removal. This would be a detriment to the aesthetic of the neighborhood and a financial burden upon the owner. Navigation between the utility meters and boxes would also make it difficult to install the walkway and would not be ideal for pedestrian usage due to sharp turns necessary for the sidewalk to steer between utilities.

Please consider this modification request and feel free to reach out with any questions.

Sincerely,

Gant Hinkle

8.4

74105
4687 S Columbia Ave, Tulsa, OK 47105

North View



West View



8.7

4687 S Columbia Ave, Tulsa, OK 74105

South View

Location of water meter and electric box make it problematic to navigate sidewalk between utility services

Short distance between mature tree and street make it likely mature tree will need to be removed immediately or in the near future due to root cutting to install sidewalk



8-8



Tulsa Metropolitan Area
Planning Commission

Case : MR-13 – 2819 E. 29th St. S

Hearing Date: July 17, 2019

Case Report Prepared by:

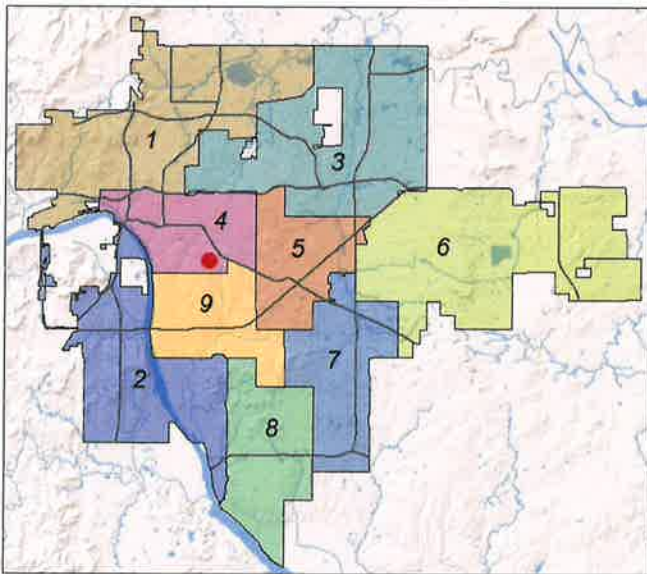
Nathan Foster

Owner and Applicant Information:

Applicant: Michael Friloux

Owner: Michael Friloux

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Modification to the Subdivision and
Development Regulations

Purpose: Requesting a modification to the
sidewalk requirements of Section 5.070 to
remove the requirement for construction of
sidewalks.

Location: West of the northwest corner of
East 29th Street South and South
Evanston Avenue

Zoning: RS-2

Staff Recommendation:

Staff recommends **approval** of the
modification

City Council District: 4

Councilor Name: Kara Joy McKee

County Commission District: 2

Commissioner Name: Karen Keith

EXHIBITS: Site Map, Aerial, Sidewalk Exhibit, Applicant Exhibits

MODIFICATION OF THE SUBDIVISION AND DEVELOPMENT REGULATIONS

MR-13 – 2819 E. 29th St. S - (CD 4)

West of the northwest corner of East 29th Street South and South Evanston Avenue

The applicant has requested that the Planning Commission remove the requirement that the property owner construct a sidewalk as part of the construction of a new home. The newly adopted Subdivision and Development Regulations require sidewalks to be constructed on any new development requiring both new construction building permits and a certificate of occupancy.

As alternative solutions for sidewalks are explored, staff will begin evaluating each request for modification based on a set of criteria. Any future program would utilize similar criteria when making eligibility determinations for alternatives. Examples of criteria include the following:

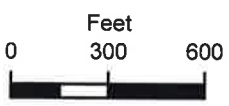
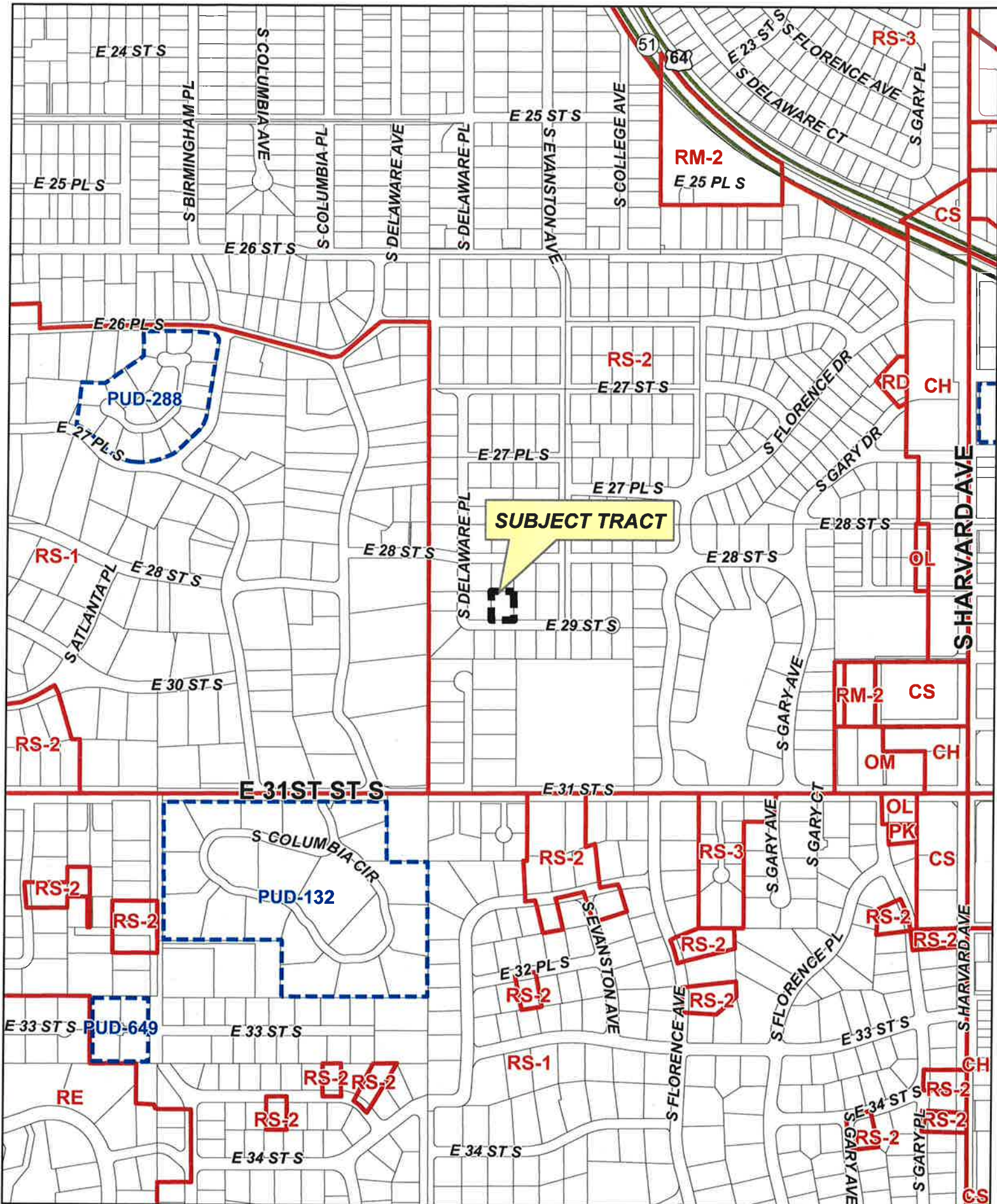
1. Proximity to major pedestrian destinations such as parks, schools, public amenities, and retail areas.
2. Presence of existing pedestrian infrastructure within a walkable area of the subject property
3. Funded capital improvement projects that will impact property under application
4. Proximity and ability to connect to collector or arterial streets
5. Topographical or environmental challenges that make sidewalk installation impossible or impractical

Based on the selected criteria, staff finds the following facts to be **favorable** to the modification request:

1. The subject property is located in the middle of an established neighborhood with no existing sidewalks.
2. Subject property is located in the middle of a block.
3. East 29th Street does not provide connections to vital destinations within the neighborhood.
4. Planning Commission has approved requests for modification on three other properties within the same neighborhood with similar circumstances.

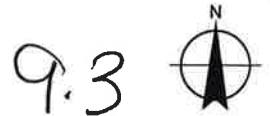
Staff recommends **approval** of the modification of the Subdivision and Development Regulations to remove the requirement for sidewalk construction on this property.

9.2



MR-13

19-13 17



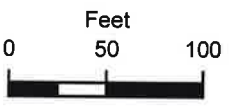


E 28 ST S

S DELAWARE PL

S EVANSTON AVE

E 29 ST S

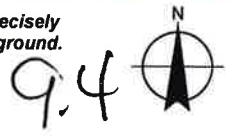


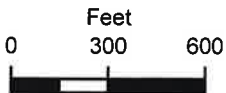
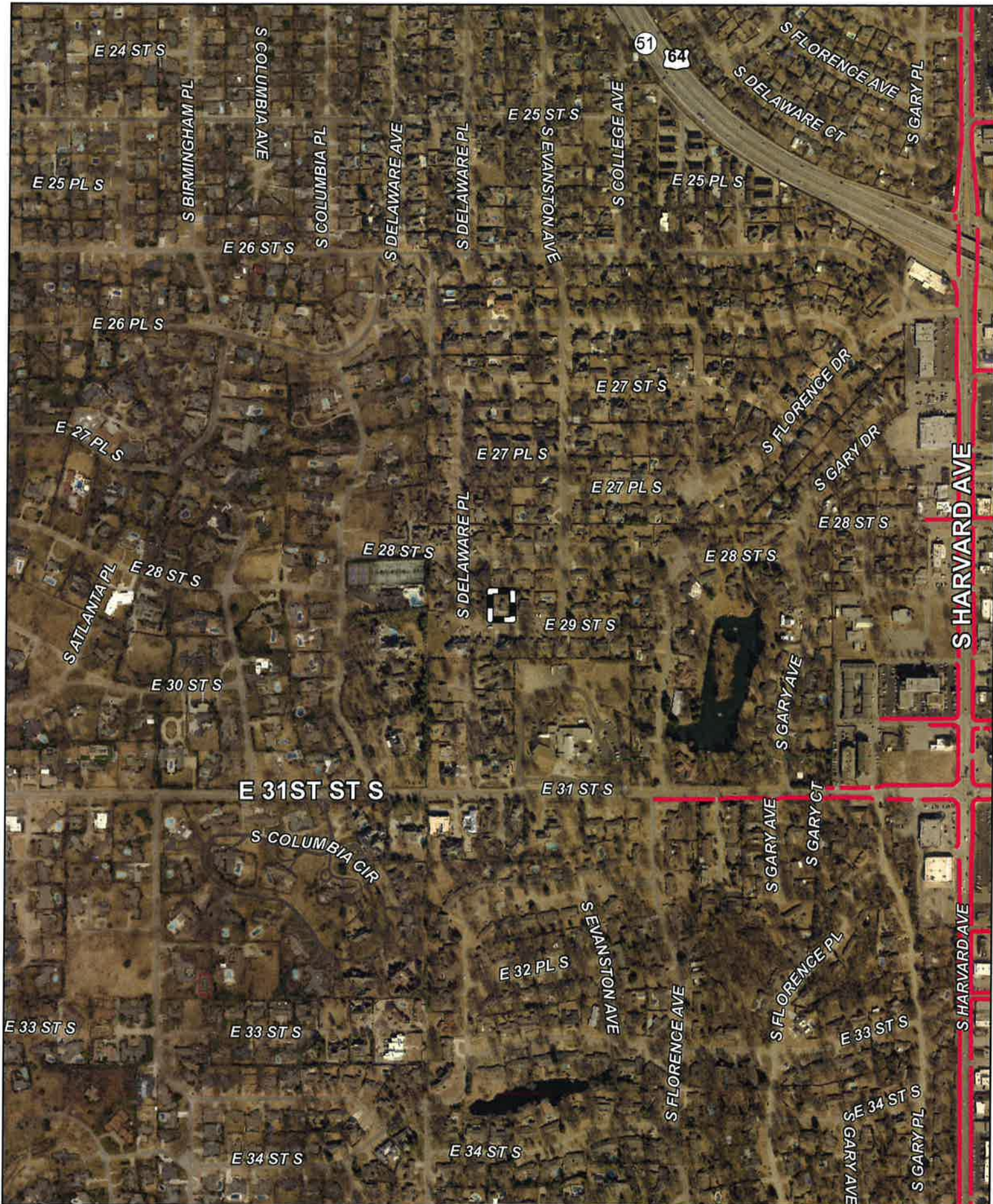
 Subject Tract

MR-13
19-13 17

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

Aerial Photo Date: 2019





Subject
Tract

MR-13

19-13 17

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

Aerial Photo Date: February 2018



Case Number: MR-13

Applicant / Owner: Michael Friloux

Application to Waive Sidewalk Requirement

Property Address: 2819 E 29th Street

- Beautiful Thomas Heights Addition – Developed in 1940's
- Natural Setting Blanketed with Mature Trees
- Primary Reason We Selected This Location and Street



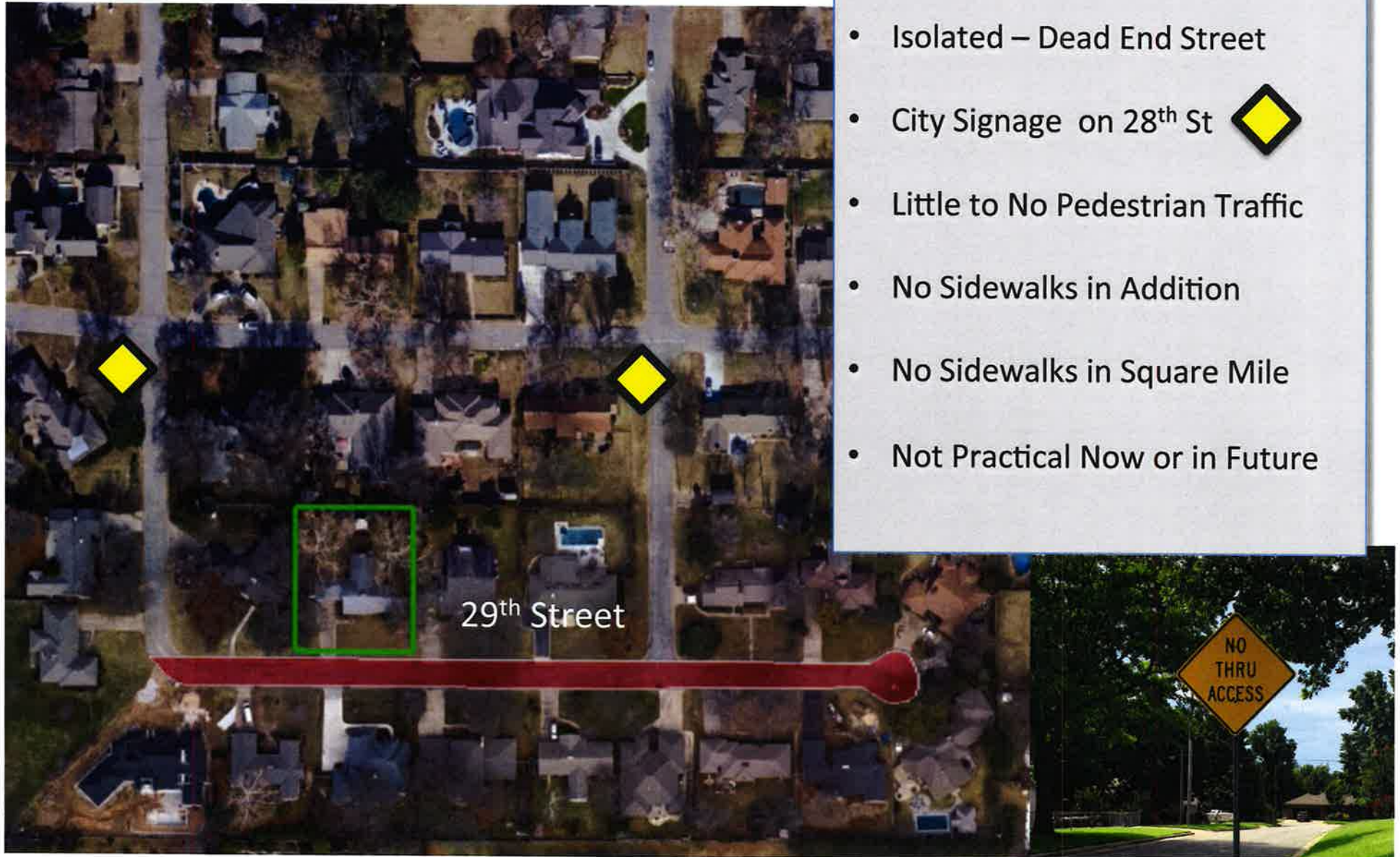
9.6

Case Number: MR-13

Map of 29th Street and Property Location

Application to Waive Sidewalk Requirement

Property Address: 2819 E 29th Street



9.7

Case Number: MR-13

Application to Waive Sidewalk Requirement

Property Address: 2819 E 29th Street

Neighbors Support This Waiver - Don't Support The Requirement

Key Reasons: Not Practical, Detracts From Street, Oddity and Out of Place

Owner Letter Reference Map – (See Attached Letters)



TMAPC Mission

“to promote harmonious development the Tulsa Metro Area, and to Enhance & Protect The Quality of Life”

Circumstances are Relevant

Neighbor Input is Important

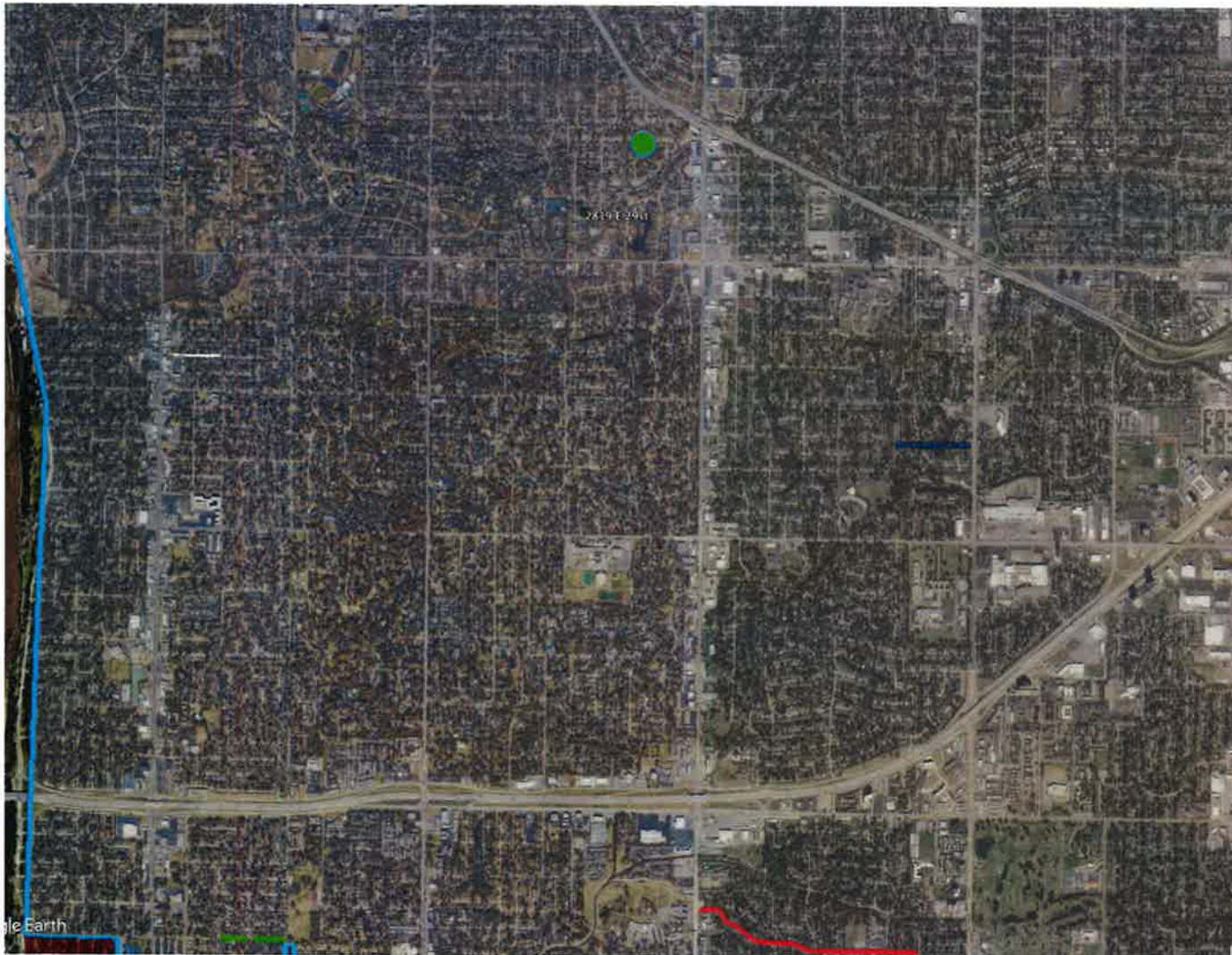
Isolated Sidewalks = Harmonious?

Case Number: MR-13

Application to Waive Sidewalk Requirement

Property Address: 2819 E 29th Street

- **Google Earth Survey** of Residential Sidewalks
- There are no residential sidewalks in the area depicted until 56th Street South.
- No Residential Sidewalks in Mid-Town, Area Covering ~ 16 Square Miles



● 2819 E 29th St.

6.9
9.9

Summary Points (As Documented in Neighbor Support Letters)

- 1) There are no pre-existing residential sidewalks of any type in the immediate area nor in the greater vicinity (1.3 mile radius).
- 2) 29th Street is not a through street, it gets little to no pedestrian traffic, and requiring a sidewalk here isn't beneficial to the community, not now or in the future.
- 3) This regulation isn't practical for the well established mid-town area. The City needs well designed plans vetted by the neighborhoods to be impacted.
- 4) It places an undue financial burden on myself, with no coherent plan and no perceptible benefit for the foreseeable future. It is poor policy for In-Fill Situations.
- 5) I believe it would detract from the natural look, feel, and charm of this beautiful long established neighborhood, a key reason I chose the location.
- 6) Every neighbor I've contacted agrees that this requirement is odd, out of place, and not practical for our street or neighborhood.

Daily Reminder – Collateral Damage – Poor Policy (We need Planning not Random Allocation)

On behalf of myself & my neighbors – I respectfully ask the Council to Approve my Waiver

9/10

Case Number: MR-13

Application to Waive Sidewalk Requirement

Property Address: 2819 E 29th Street

Implications of Time & Added Perspective



Time Period of Fill Rate

- Estimated 900 Homes
- 10 New Builds a Year = 90 Years
- Halfway There @ 45 year mark:
 - 40% Need Replaced
 - 20% Approach EOL
 - 30% Mid-Life or Younger

Limited to no Continuity – Cost \$\$\$?

2019 Tulsa CIP Budget

Annual Budget for Repair Maintenance and Expansion = \$100,000

Current Budget Backlog = \$20.1M

Time Period of Fill Rate

- Estimated 23,000 Homes
- 24 New Builds a Year = 958 Years
- 200 New Builds a Year = 120 Years

- Red Areas Have Sidewalks
- White Areas No Sidewalks ~ 24 S/M

116

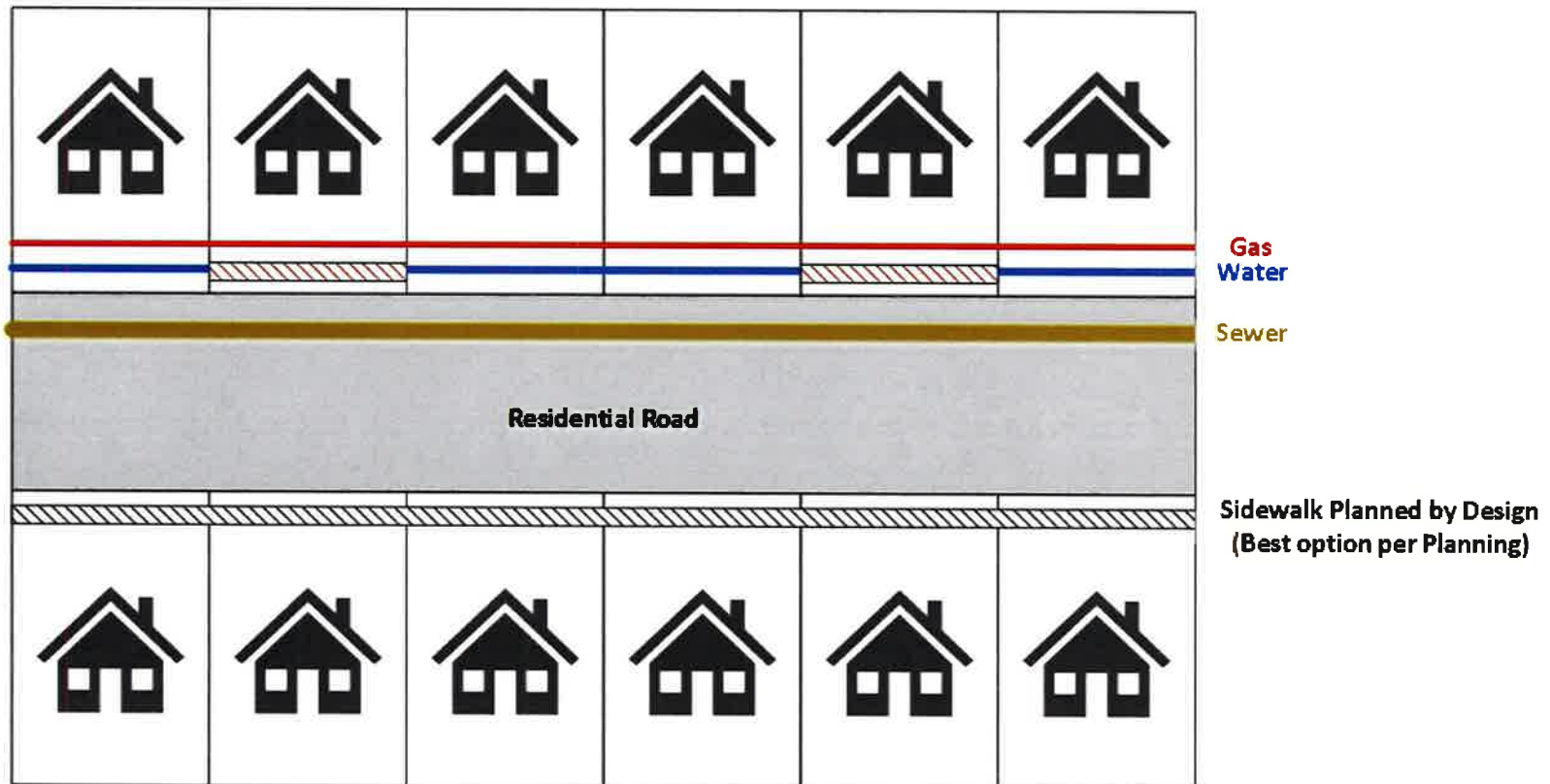
Sidewalks in Existing Neighborhoods Require Planning:

- Utilities (Secondary Cost to City & Residents)
- Terrain / Topography
- Traffic Patterns – Preferred Paths / Pedestrian Safety
- Trees / Alignment to Neighbors and entire Block view
- Specific Location: On Curb? 1' off? 2' off? Free Choice?

ALL of these are import to planning an effective Sidewalk Plan

Who Decides Location?

- Owners Pick? Based on Their Circumstances?
- Planning to Determine and Modify Site Plan?
- What about collateral damage? Live with it?



9.12

Summary re In-Fill Situations:

- Subdivision Policy is working well – 99.2% of Builds (no issue), Why? Because of Planning
- Demanding Sidewalk on In-Fills if Fundamentally Flawed – Without Proper Planning
- Hardships to Owners are Very Real (\$3K install = \$4.5K of wages) - State Council Fee?
- Random Approach is not Harmonious Development, Not in Any Way, Ask my Neighbors
- Providing In-Fill Sidewalk Waivers should be the Default, not the Exception
- The burden of Planning should be on the City, not the Citizen, certainly not the Applicant

Suggested In-Fill Criteria:

- (A) If Property has contiguous sidewalks in either direction, they should be required.
- (B) If City has a definitive plan, committed to build in an area they should be required(*)
- (C) If either (A) or (B) is not true, the waiver should be approved without questions.

(*) Provided that Plan and Design Requirements are Completed.

- Design and location of path, which side of the street is most effective for traffic design
- Location of utilities, easements, topology, trees, locations: by the curb, off the curb? 1', 2', 3' off?
- Specification to design, will it be a 4' path, 5' path, etc. And construction materials?
- Design is important to City costs: Street Repairs / Utility Repairs / Maintenance Requirements
- Design is important to Aesthetics and Consistency is important.
- Neighborhood Input Will Be Required, should be welcomed, not ignored.

I very much appreciate your time and patience....

9.13

Neighbor A Letter

From: Charles Meyers chasmeyerstulsa@att.net
Subject: RE: New Neighbor: Michael Friloux Sidewalk Waiver
Date: July 2, 2019 at 6:58 AM
To: MICHAEL FRILOUX mpfriloux@cox.net



Hello Mike:

I agree 100% with all of the points you make. The sidewalk is completely unnecessary, and would be a waste of resources.
Best regards,

Charles O. Meyers, Jr.
2809 East 29th Street
Tulsa, Oklahoma 74114

Sent from [Mail](#) for Windows 10

From: MICHAEL FRILOUX
Sent: Monday, July 1, 2019 10:41 PM
To: Charles Meyers
Subject: New Neighbor: Michael Friloux Sidewalk Waiver

Dear Charles,

Thanks again for your help on this sidewalk requirement. I will be attending the Tulsa Metropolitan Area Planning Commission meeting to request the City waive a new established requirement to install a sidewalk on my lot located at 2819 E 29th Street. Here's a brief summary of my key points:

- 1) There are no pre-existing residential sidewalks of any type in the immediate area nor in the greater vicinity of our neighborhood (1.3 mile radius).
- 2) 29th Street is not a through street, it gets little to no pedestrian traffic, and requiring a sidewalk here isn't beneficial to the community, not now or in the future.
- 3) This regulation isn't practical for the well established mid-town area, the City needs well designed plans vetted by the neighborhoods to be impacted.
- 4) It places an undue burden financial burden on myself, with no coherent plan and no perceptible benefit for the foreseeable future. It is poor policy.
- 5) I believe it would detract from the natural look, feel, and charm of this beautiful long established neighborhood, a key reason I chose the location.
- 6) Every neighbor I've contacted agrees that this requirement is odd, out of place, and not practical for our street or neighborhood.

...

9/14

Neighbor B Letter

From: cgironking@aol.com
Subject: Re: No existing residential sidewalks in our block or neighborhood - "KEEP TULSA BEAUTIFUL"
Date: July 2, 2019 at 5:02 PM
To: mpfriloux@cox.net



Michael Friloux
mpfriloux@cox.net
918.760.6735

Re: No existing residential sidewalks in our block or neighborhood - none wanted!

Mike,

We have thoroughly read and understand the dilemma you/we (your neighbors) are dealing with as part of the City wanting to require new construction by build a sidewalk, even when it defies all logic and common sense where none exist. This type of planning would have an undesirable effect on the beauty of our neighborhood, and would look out of place in an area that has no sidewalks, but does have attractive landscaping that is very desirable. Our family has lived in this location for forty five years ..."KEEP TULSA BEAUTIFUL"

Also, we have talked with some of the other neighbors on our block, they agree one side walk would be ridiculously out of place and definitely not wanted.

Mike, I totally agree with your/our need for the City to allow an exemption concerning the sidewalk.

Sincerely,

Your next door neighbor,

Ron & Donna King
2827 E. 29th
Tulsa, OK 74114

918-284-0010

cgironking@aol.com

Dear Neighbor,

Re: Requesting Waiver To Require a New Sidewalk upon Construction

My name is Mike Friloux and my wife Janie and I are looking forward to being your new neighbors. We are in the process of building our home at the vacant lot located at 2819 E 29th Street and are having a permit issue on a newly established sidewalk rule whereby the City is requiring us to build a sidewalk as part of our new construction even though a sidewalk isn't practical and we believe would disturb (as an oddity) the look and feel of the street. I will be attending the Tulsa Metropolitan Area Planning Commission meeting to request the City waive this new requirement to install a sidewalk on my lot located at 2819 E 29th Street. Here's a brief summary of my key points:

- 1) There are no pre-existing residential sidewalks of any type in the immediate area nor in the greater vicinity of our neighborhood (1.3 mile radius).
- 2) 29th Street is not a through street, it gets little to no pedestrian traffic, and requiring a sidewalk here isn't beneficial to the community, not now or in the future.

Case Number: MR-13

Application to Waive Sidewalk Requirement

Property Address: 2819 E 29th Street

Neighbor C Letter

Neighbor D Letter

From: wjane@att.net
Subject: Re: New Neighbor: Michael Friloux Sidewalk Waiver
Date: July 3, 2019 at 10:56 AM
To: MICHAEL FRILOUX mpfriloux@cox.net



From: **McClanahan, Cathy (USAOKN)** Cathy.McClanahan@usdoj.gov
Subject: RE: New Neighbor: Michael Friloux Sidewalk Waiver
Date: July 2, 2019 at 8:37 AM
To: MICHAEL FRILOUX mpfriloux@cox.net



Michael,

We have discussed the issue and I am in full support of your request to waive the sidewalk requirement.

W.G. Klein, 2838 E. 29th St., Tulsa, Ok. 74114-5802

On Monday, July 1, 2019, 11:18:05 PM CDT, MICHAEL FRILOUX <mpfriloux@cox.net> wrote:

Dear Mr. Kein,

I enjoyed meeting you today and I appreciate your support on my sidewalk request. My wife Janie and I are really looking forward to joining the neighborhood.

I will be attending the Tulsa Metropolitan Area Planning Commission meeting to request the City waive a new established requirement to install a sidewalk on my lot located at 2819 E 29th Street. Here's a brief summary of my key points:

- 1) There are no pre-existing residential sidewalks of any type in the immediate area nor in the greater vicinity of our neighborhood (1.3 mile radius).
- 2) 29th Street is not a through street, it gets little to no pedestrian traffic, and requiring a sidewalk here isn't beneficial to the community, not now or in the future.
- 3) This regulation isn't practical for the well established mid-town area, the City needs well designed plans vetted by the neighborhoods to be impacted.
- 4) It places an undue burden financial burden on myself, with no coherent plan and no perceptible benefit for the foreseeable future. It is poor policy.
- 5) I believe it would detract from the natural look, feel, and charm of this beautiful long established neighborhood, a key reason I chose the location.
- 6) Every neighbor I've contacted agrees that this requirement is odd, out of place, and not practical for our street or neighborhood.

Would you be kind enough to respond this email stating that we have discussed the issue and you are in full support of my request to waive the sidewalk requirement? Feel Free to add any commentary about the odd fit along our street.

Please include your name and address in the response.

Thanks again for your support.
Mike

Michael Friloux
mpfriloux@cox.net

9.15

Very nice to meet you, as well. I was surprised that there was any requirement for your home to have a sidewalk and a sidewalk on your property would make little sense. Best of luck with your meeting with the Commission and welcome to the neighborhood.

2828 East 29th Street; Tulsa Oklahoma 74114

Cathy D. McClanahan
Chief, Civil Division
United States Attorney's Office
Northern District of Oklahoma

From: MICHAEL FRILOUX <mpfriloux@cox.net>
Sent: Monday, July 1, 2019 11:22 PM
To: McClanahan, Cathy (USAOKN) <CMcClanahan@usa.doj.gov>
Subject: New Neighbor: Michael Friloux Sidewalk Waiver

Dear Cathy,

I enjoyed meeting you today and I appreciate your support on my sidewalk request. My wife Janie and I are really looking forward to joining the neighborhood.

I will be attending the Tulsa Metropolitan Area Planning Commission meeting to request the City waive a new established requirement to install a sidewalk on my lot located at 2819 E 29th Street. Here's a brief summary of my key points:

- 1) There are no pre-existing residential sidewalks of any type in the immediate area nor in the greater vicinity of our neighborhood (1.3 mile radius).
- 2) 29th Street is not a through street, it gets little to no pedestrian traffic, and requiring a sidewalk here isn't beneficial to the community, not now or in the future.
- 3) This regulation isn't practical for the well established mid-town area, the City needs well designed plans vetted by the neighborhoods to be impacted.
- 4) It places an undue burden financial burden on myself, with no coherent plan and no perceptible benefit for the foreseeable future. It is poor policy.
- 5) I believe it would detract from the natural look, feel, and charm of this beautiful long established neighborhood, a key reason I chose the location.

Case Number: MR-13

Application to Waive Sidewalk Requirement
Property Address: 2819 E 29th Street

Neighbor E Letter

From: Ralph Phillips soonerbud@gmail.com
Subject: Re: New Neighbor: Michael Friloux Sidewalk Waiver
Date: July 2, 2019 at 9:19 AM
To: MICHAEL FRILOUX mpfriloux@cox.net

PR

Mike, regarding our discussion yesterday evening, I am in complete agreement with your request for the city to waive the requirement for the sidewalk on the property located at 2819 E 29th St.

While I understand the reasoning the city has for requiring sidewalks for any new houses built in Tulsa. To do so in an established neighborhood such as ours with no other sidewalks would in my opinion only negatively affect the aesthetic integrity of the neighborhood. And in this case for all practical reasons a sidewalk on one residential lot would be completely useless.

I also see a potential safety issue with children riding bikes, skateboards etc. only for the novelty of the short sidewalk and then falling while attempting to turn or darting out in traffic from the only driveway that provides access.

Thank you for the input, please advise if you have any questions.

Ralph Phillips
2812 E. 29th St.
Tulsa, OK

On Mon, Jul 1, 2019 at 11:23 PM MICHAEL FRILOUX <mpfriloux@cox.net> wrote:
Dear Ralph,

I enjoyed meeting you today and I appreciate your support on my sidewalk request. My wife Janie and I are really looking forward to joining the neighborhood.

I will be attending the Tulsa Metropolitan Area Planning Commission meeting to request the City waive a new established requirement to install a sidewalk on my lot located at 2819 E 29th Street. Here's a brief summary of my key points:

- 1) There are no pre-existing residential sidewalks of any type in the immediate area nor in the greater vicinity of our neighborhood (1.3 mile radius).
- 2) 29th Street is not a through street, it gets little to no pedestrian traffic, and requiring a sidewalk here isn't beneficial to the community, not now or in the future.
- 3) This regulation isn't practical for the well established mid-town area, the City needs well designed plans vetted by the neighborhoods to be impacted.
- 4) It places an undue burden financial burden on myself, with no coherent plan and no perceptable benefit for the foreseeable future. It is poor policy.
- 5) I believe it would detract from the natural look, feel, and charm of this beautiful long established

9.16

Tulsa Zoning Code

Major References to 70.080 all related to new developments, recorded covenants, plats, etc.

5.01 Residential

General residential zoning (NO call out to 7080 or Sidewalks)



25.040 CO - Corridor District Zoning >

new developments, recorded covenants in accordance with development plan

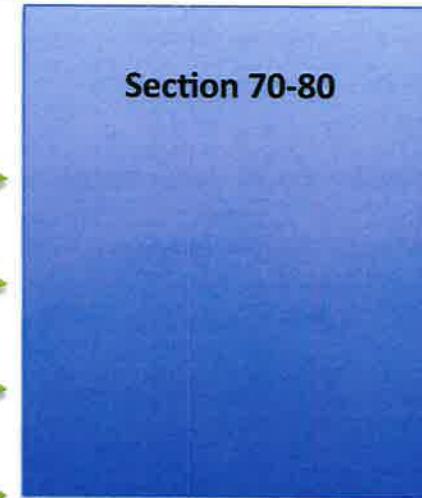
25.070 MPD – Master Planned Developments

new developments, recorded covenants in accordance with development plan

30.010 PUD – Planned Unit Developments

new developments, recorded covenants in accordance with development plan

Section 70.080 Zoning Clearance and Platting Requirements



- **If Residential Zoning required sidewalks – it should be defined in the Residential Zoning Code**
Although this would be impractical without the diligent planning found in new developments.
- **Section 70.080 referenced in CO, MPD, PUD districts due to development, design, covenants, & platting**
- **Section 70.080-B's clearly states** The requirements of this section are intended to help ensure that rights-of-way, streets, sidewalks and other public improvements are in place for proposed developments in accordance with applicable regulations.
- The Sidewalk requirement in 70.080-B is within the purpose (for proposed developments) and within the context of new builds in new developments whereby occupancy of the residence will be withheld until the sidewalks in the “development” are in compliance with the Subdivision and Development Plan section 5.070. I believe the purpose of this clause is to make sure developers install the sidewalks as they develop the new development – I do not believe this clause is intended to require Building permits in established neighborhoods to comply with 5.070, nor is there any practical way it could comply per the code.

9.17

Tulsa Zoning Code

70.080-B Compliance with Development Regulations

1: **Purpose:** The requirements of this section are intended to help ensure that rights-of-way, streets, sidewalks and other public improvements are in place for proposed developments in accordance with applicable regulations.

2: No permit until in compliance with TMAPC Subdivision and Development regulations as evidenced by a recorded plat. Which applies to all *Major zoning changes / exceptions*

3: Early release permits (x,y,z) may be issued prior to final subdivision plat, or division of land

4: Sidewalks: For properties not subject to (2), no certificate of occupancy may be issued until the subject lot or parcel is in compliance with the sidewalk regulations of section 5-070 of the Tulsa Metropolitan Area Subdivision and Development Plan.

Section 70.080 is **CLEARLY** for proposed new developments as stated in its Purpose.

All of the situations in this section involve new designed developments, division, plats, covenants, etc.

The use of "properties" is clearly referencing land to be developed, *ie. the proposed new developments*

the occupancy certificate reference is meant to ensure the sidewalks in the new development are actually being installed by the developer per 5-070.

TMAPC Subdivision and Development Regulations

These are Clearly Developer oriented regulations.

- Blocks
- Lots,
- Streets,
- Sidewalks
- Utilities,
- Stormwater
- Lighting
- Traffic
- Etc.

A Building Permit in an established neighborhood that does not require a land division is not intended to comply with these regulations.

5-010 APPLICABILITY

Except as otherwise expressly stated, the design and improvement regulations of this article apply to all:

5-010.1 Land divisions;

Not Applicable – Not Required by my building permit.

5-010.2 Activities expressly identified in Section 70.080-B of the Tulsa zoning code; and

5-010.3 Activities expressly identified in Section 260 of the Tulsa County zoning code.

Section 70.080-B's purpose is for compliance with proposed new developments – I'm not proposing a new development.

Section 260 purpose is for compliance with proposed new developments and land division – I'm not proposing a new development.

9.19

TMAPC Subdivision and Development Regulations

These are Clearly Regulations for New Developments not issuance of a building permit in an established neighborhood

5-070 SIDEWALKS

- 5-070.1 Sidewalks must be installed on both sides of all arterial streets and on both sides of all collector streets and residential (local) streets with curb and gutter. Decision-making bodies are authorized to require the installation of sidewalks in other locations, such as at the end of permanent dead-end streets when they determine that such sidewalks will create a logical and well-connected pedestrian circulation system.
- 5-070.2 Decision-making bodies are authorized to waive the requirement for sidewalk installation, in accordance with the modification procedures of 10-070, when they determine that the general modification approval criteria are met and that topography, natural resource constraints or other factors that are unique to the subject property make sidewalk installation impractical.
- 5-070.3 Except as provided in 5-070.4, sidewalks must be installed prior to issuance of a certificate of occupancy.
- 5-070.4 Sidewalk deferrals may be approved pursuant to any applicable fee-in-lieu options available in the city or county (see also Title 35, Section 602, Tulsa Revised Ordinances).
- 5-070.5 Sidewalks must be located inside the right-of-way line or in an alternative location approved by the city or county engineer.
- 5-070.6 All sidewalks must be constructed in accordance with the standards and specifications of the city or county, including sidewalk width requirements. When a sidewalk will provide a connection between existing sidewalks that are less than current required widths, the new sidewalk connection may be tapered to match the width of the sidewalk to which the connection is being made. This reduced width taper may not extend more than 7 feet from the point of connection and must comply with ADA requirements.

I would be required to install sidewalks on both sides of all residential streets?

Clearly a Developer Requirement

Interesting Reference

Could require IF such sidewalks would create a logical well-connected system.

Requiring Random Sidewalks to no where doesn't seem to qualify with statement even if it were applicable..

Decision making bodies should consider other factors as to how practical the requirements should be....

personal preferences or political views should never require the impractical application of sidewalks.

9.20