



Tulsa Metropolitan Area
Planning Commission

Case Number: PUD-564-C

Hearing Date: May 3, 2017

Case Report Prepared by:

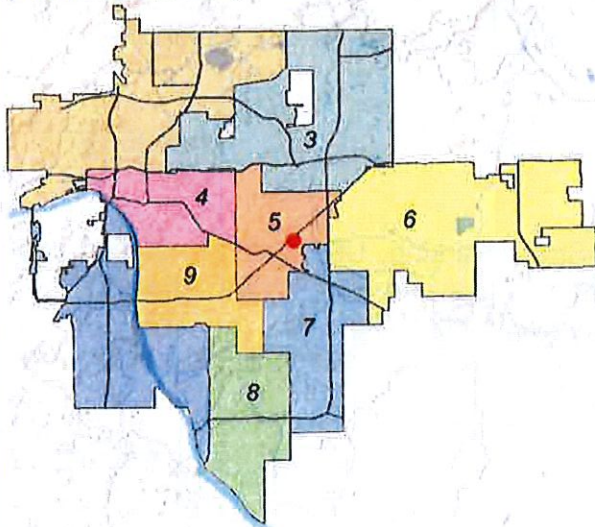
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Andrew Shank

Property Owner: 21st & 169 Center, LLC & H J
HUDIBURG LP

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Commercial

Proposed Use: Add outdoor advertising to
development area B.

Concept summary: Major amendment required to
add outdoor advertising. The major amendment will
continue to use the code adopted prior to January
2016 except as stated in amendment language.
Development area A is unaffected.

Tract Size: 7.2 ± acres

Location: North and east of northeast corner of E.
31st St. and S. Memorial Dr.

Zoning:

Existing Zoning: PUD-564,PUD-564A,PUD-
564B,RS-2,OM,CS/

Proposed Zoning: RS-2, OM, CS, PUD-564-C

Comprehensive Plan:

Land Use Map: Regional Center

Stability and Growth Map: Area of Growthy

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 9313

CZM: 38

Atlas: 457/ 458

City Council District: 5

Councilor Name: Karen Gilbert

County Commission District: 3

Commissioner Name: Ron Peters

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SECTION I: PUD-564-C

DEVELOPMENT CONCEPT:

EXHIBITS:

- INCOG Case map
- INCOG Aerial
- Tulsa Comprehensive Plan Land Use Map
- Tulsa Comprehensive Plan Areas of Stability and Growth Map
- Applicant Exhibits:

SECTION II: PUD development standards

Development Area "A"

No changes will be made to the Development Standards of Development Area A as a result of this Major Amendment.

Development Area "B"

Major Amendment PUD 564-C seeks to add Outdoor Advertising as a permitted principal use to Development Area B for an outdoor advertising sign (the "Sign") along the I-44 corridor. This Major Amendment revises the Development Standards of Development Area B as follows:

- A. Land Area:**

Net	2.595 Acres	112,055 SF
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- B. Permitted Uses:**

Those uses included within Use Unit 10, Off-Street Parking, Use Unit 11, Offices and Studios, display for sale of new and uses automobiles and light trucks, Use Unit 15, Other Trades and Services, limited to Contract Construction Services , and Use Unit 21, Business Signs and Outdoor Advertising Signs, and uses customarily and accessory thereto.

- C. Maximum Building Floor Area:** 13,500 SF

- D. Maximum Building Height:** 20 FT

- E. Minimum Building Setbacks:**

From easterly boundary of the Development Area	90 FT
From southerly boundary of the Development Area	85 FT
From westerly boundary of the Development Area	0 FT
From northerly boundary of the Development Area	50 FT

- F. Minimum Bulk Waste Container Setback:**

No exterior trash collection facilities shall be located within 150 feet of the easterly boundary of Development Area B.

- G. Off-Street Parking:**

All parking areas for the display for sale of automobiles and light trucks shall have an all-weather, dust-free surface.

- H. Signs:**
 - Ground Signs:**

One ground sign shall be permitted along the I-44 service road frontage which shall not exceed 160 square feet of display surface area and 25 feet in height. Such ground sign shall be located at least 225 feet from the easterly boundary of Development Area B.

Wall Signs:

Wall signs shall be permitted not exceeding two (2) square feet of display surface area per lineal foot of building wall to which attached, provided wall signs shall not be permitted on the easterly or southerly facing building walls within Development Area "B".

Outdoor Advertising Signs:

1. One (1) outdoor advertising sign will be permitted along East Skelly Drive within the I-44 Freeway Sign Corridor with a maximum of 672 SF of display surface area and 50 FT in height measured from the base of the structure at current ground level. The Sign may contain digital technology, including without limitation, an LED display surface area conveying changeable copy.
2. The Sign shall be separated a minimum distance of 1200 FT from any other outdoor advertising sign on the same side of the freeway.
3. The Sign shall be located at least 225 FT from the easterly boundary of Development Area B.
4. The Sign shall be separated a minimum distance of 150 FT from any public park, as measured in a straight line from the nearest point on the Sign structure to the nearest point on the property of the park.
5. The Sign shall not be located within 200 FT of an R district, or designated residential development area, as measured in a straight line from the nearest point on the Sign structure to the nearest point of an R district or residential development area boundary line.
6. The Sign shall not contain more than two (2) sign faces.
7. The illumination of the face of the Sign shall not exceed 70 foot-candles.
8. The Sign shall not contain any flashing, blinking or traveling lights or reflective glitter.
9. The Sign shall be oriented to be primarily visible from the adjacent freeway.
10. The Sign shall not be supported by more than one post or column.
11. The Sign shall not be converted to any other type of sign without first obtaining a permit from the City of Tulsa.
12. The Sign shall have a minimum dwell time of at least eight (8) seconds and shall not contain any movement, animation, audio, video, pyrotechnics or other special effects.

13. The transition or change from one message to another on the Sign shall occur in one second or less and involve no animation or special effects.
14. The Sign shall not be located within 50 FT of the driving surface of a signalized intersection, measured horizontally in a straight line from the nearest point of the sign structure to the nearest point of the intersection.
15. The Sign shall not be located within or within 20 FT of the driving surface of a street, measured horizontally in a straight line from the nearest point of the sign structure to the nearest point of the street curb or edge of the traveled roadway marked or understood as such.
16. The Sign shall be equipped with a default mechanism that freezes the display in one position or presents a static or blank display if a malfunction occurs.
17. The Sign shall be equipped with a light detector/photocell that automatically adjusts the display's brightness according to natural ambient light conditions.
18. The maximum brightness level of the dynamic display of the Sign shall not exceed 6,500 NITS during daylight hours or 500 NITS between 30 minutes after sunset and 30 minutes before sunrise, as those times are determined by the National Weather Service.
19. The foregoing minimum dwell time and maximum illuminative brightness levels shall be subject to future modification and regulation in the exercise of the City's police powers and no vested right shall ever be created in these conditions. Except as outlined above, sign standards shall conform to the guidelines identified in the Sign Section of the Tulsa Zoning Code in effect at the time of Detailed Sign Plan Approval.

I. Internal Landscaped Areas:

1. A minimum of fifteen percent (15%) of the net land area shall be developed in accord with the Landscape Chapter of the Tulsa Zoning Code and in accord with the screening and landscape plan. Provided areas for the display for sale of automobiles and light trucks shall not be considered as required off-street parking for the administration of the off-street parking and landscape chapter requirements of the Tulsa Zoning Code in effect at the time of the Detailed Site and Landscape Plan approval
2. The landscaped buffer area in Development Area A shall be tapered to follow the existing easternmost driveway in Development Area B and then widened to include an area approximately 140 feet wide at the northeastern corner of Development Area B. Deciduous trees shall be installed within the new landscaped area, as shown on the screening and landscaping plan, with a minimum caliper of two inches and minimum height of ten to twelve feet at planting, spaced approximately 25 feet apart to permit canopy development.

J. Screening

An eight (8) foot high solid screen masonry type wall shall be constructed on the westerly side of the landscaped area within Development Area B to a point at the north boundary of Lot 11, Block 2, Candlelight Addition and then connect to the northwest corner of that lot. The extension of the screening fence shall create a visual barrier between the two residences adjacent to Development Area B and

the vehicles displayed and an effective physical barrier to prevent trespassers from entering the landscaped buffer area.

K. General Provisions

No zoning clearance permit shall be issued for a lot within the PUD until a detail site plan for the lot, which includes all buildings, parking and landscaping areas, has been submitted to the TMAPC and approved as being in compliance with the approved PUD development standards.

A detail landscape plan for each lot shall be approved by the TMAPC prior to issuance of a building permit. A landscape architect registered in the State of Oklahoma shall certify to the zoning officer that all required landscaping and screening fences have been installed in accordance with the approved landscape plan for the lot, prior to issuance of an occupancy permit. The landscaping materials required under the approved plan shall be maintained and replaced as needed as a continuing condition of the granting of an occupancy permit.

No sign permits shall be issued for erection of a sign on a lot within the PUD until a detail sign plan for that has been submitted and approved as being in compliance with the approved PUD development standards.

All trash, mechanical and equipment areas, including building mounted, shall be screened from public view in such a manner than the areas cannot be seen by persons standing at ground level.

Lighting used to illuminate the subject tract shall be so arranged as to shield and direct the light away from adjacent residential areas. Shielding of such light shall be designed so as to prevent the light-producing element or reflector of the light fixture from being visible to a person standing in the adjacent residential areas or street right-of-way. No light standard shall be located within 80 feet of the east boundary of Development Area

A. No light standard shall be located within the landscape buffer area along the easterly boundary of Development Area B as shown on the screening and landscape plan. Light standards within 100 feet of the easterly boundary of Development Area B shall not exceed 16 feet in height. No light standard nor building-mounted light shall exceed 25 feet in height.

The Department of Public Works or a professional engineer registered in the State of Oklahoma shall certify to the appropriate City official that all required stormwater drainage structures and detention areas serving a lot have been installed in accordance with the approved plans prior to issuance of an occupancy permit on that lot.

There shall be no outside storage of the recyclable material, trash or similar material outside a screened receptacle, nor shall trucks or truck trailers be parked in the PUD except while they are actively being loaded or unloaded. Truck trailers shall not be used for storage.

An external public address speaker system shall be prohibited.

There shall be no access from the PUD to East 28th Place South.

DETAILED STAFF RECOMMENDATION:

The major amendment requested in PUD 564-C is consistent with the PUD provisions of the Tulsa Zoning Code and,

PUD 564-C is consistent with the Regional Center land use designation in the Tulsa Comprehensive Plan and,

PUD 564-C is considered non injurious to the proximate properties surrounding the PUD and,

PUD 564-C is consistent with the expected development pattern along I-44 and the surrounding properties therefore,

Staff recommends Approval of PUD-564-C to rezone property from RS-2/ OM/ CS/ PUD-564 to RS-2/ OM/ CS/ PUD-564-C as outlined in Section II above.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The proposed site is located within a Regional Center land use designation.

Land Use Vision:

Land Use Plan map designation: Regional Center

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

Areas of Stability and Growth designation: Area of Growth

The purpose of 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: East Skelly Drive is designated as a Residential Collector

Trail System Master Plan Considerations: The site is located approximately 1/2 mile from Mingo Trail

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is currently occupied by Community Builders. The PUD amendment has no effect on the existing user.

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East Skelly Drive	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-2	None (I-44)	Growth	I-44
South	CS/RS-2/PUD-564	Regional Center	Growth	Auto Dealership
East	RS-2	Existing Neighborhood	Growth/Stability	Single-Family/Church
West	CS/RS-2	Regional Center	Growth	Auto Dealership/I-44

SECTION IV: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 22286 dated August 27, 2010 (PUD-564-B), and 19067, dated August 23, 2010 (CS/ PUD-564), and 11816 dated June 26, 1970 (OM), established zoning for the subject property.

Subject Property:

PUD-564-B August 2010: All concurred in approval of a proposed Major Amendment to PUD on a 2.6± acre tract of land, for a home improvement and remodeling business, on property located north

and east of northeast corner East 31st Street and South Memorial Dr., and also known as the subject property.

PUD-564-A May 2003: All concurred in approval of a proposed Major Amendment to PUD-564 to include an 8± acre tract that was originally the Carpenters' Union, to permit office use for the auto/truck dealership, on the property located North and east of northeast corner East 31st Street and South Memorial Drive and a part of the subject property.

Z-6557/PUD-564 September 1997: All concurred in approval of a request to rezone the 5.4-acre tract from RS-2 to CS/PUD for indoor automobile and light truck service and repair, on the property located North and east of northeast corner East 31st Street and South Memorial Drive and a part of the subject property.

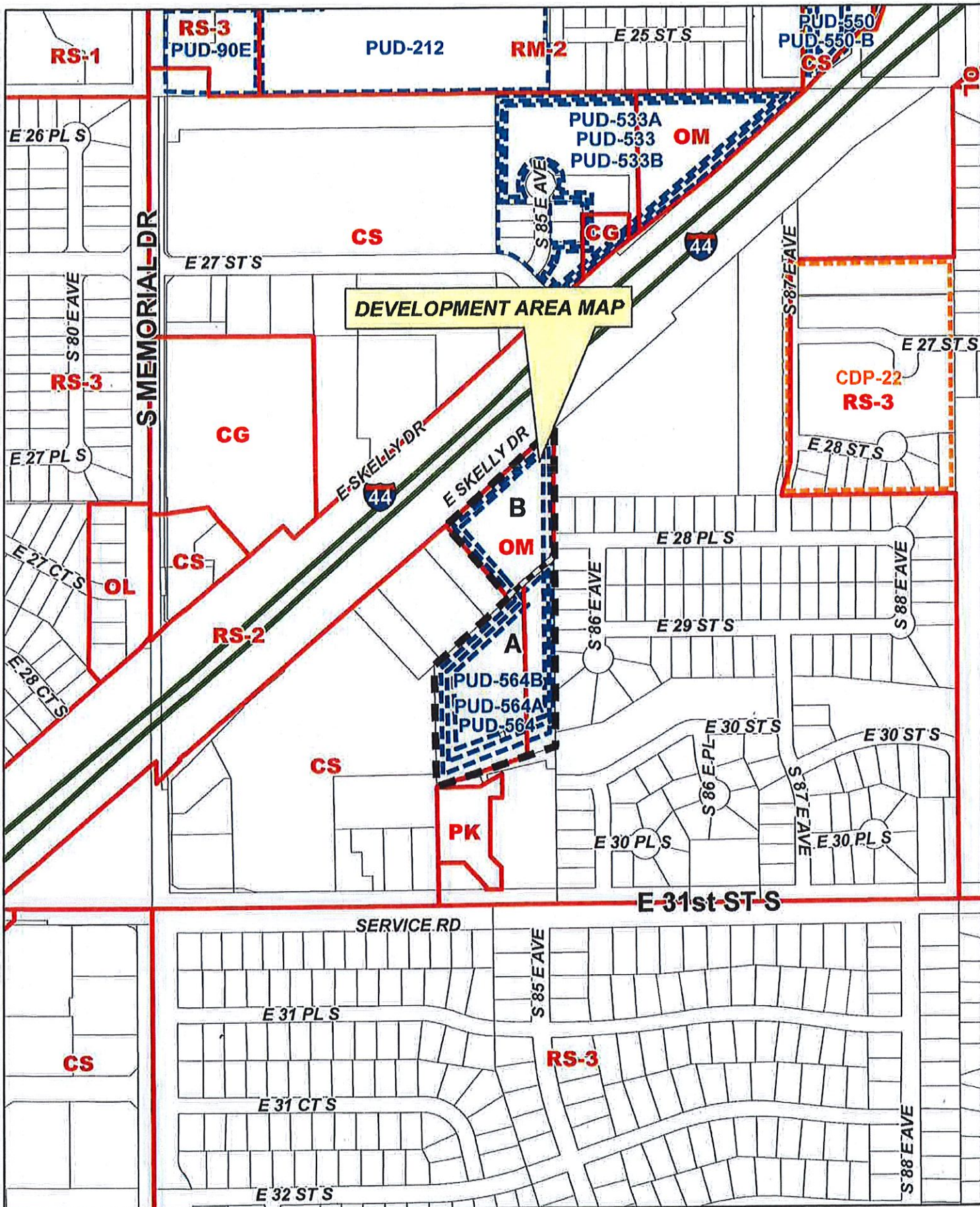
Surrounding Property:

Z-6993 August 2005: All concurred in approval of rezoning a tract from CS to CG, on property located north of the northwest corner of South Memorial Drive and East Skelly Drive.

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REVISED 4/27/2017

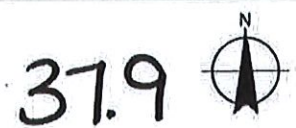


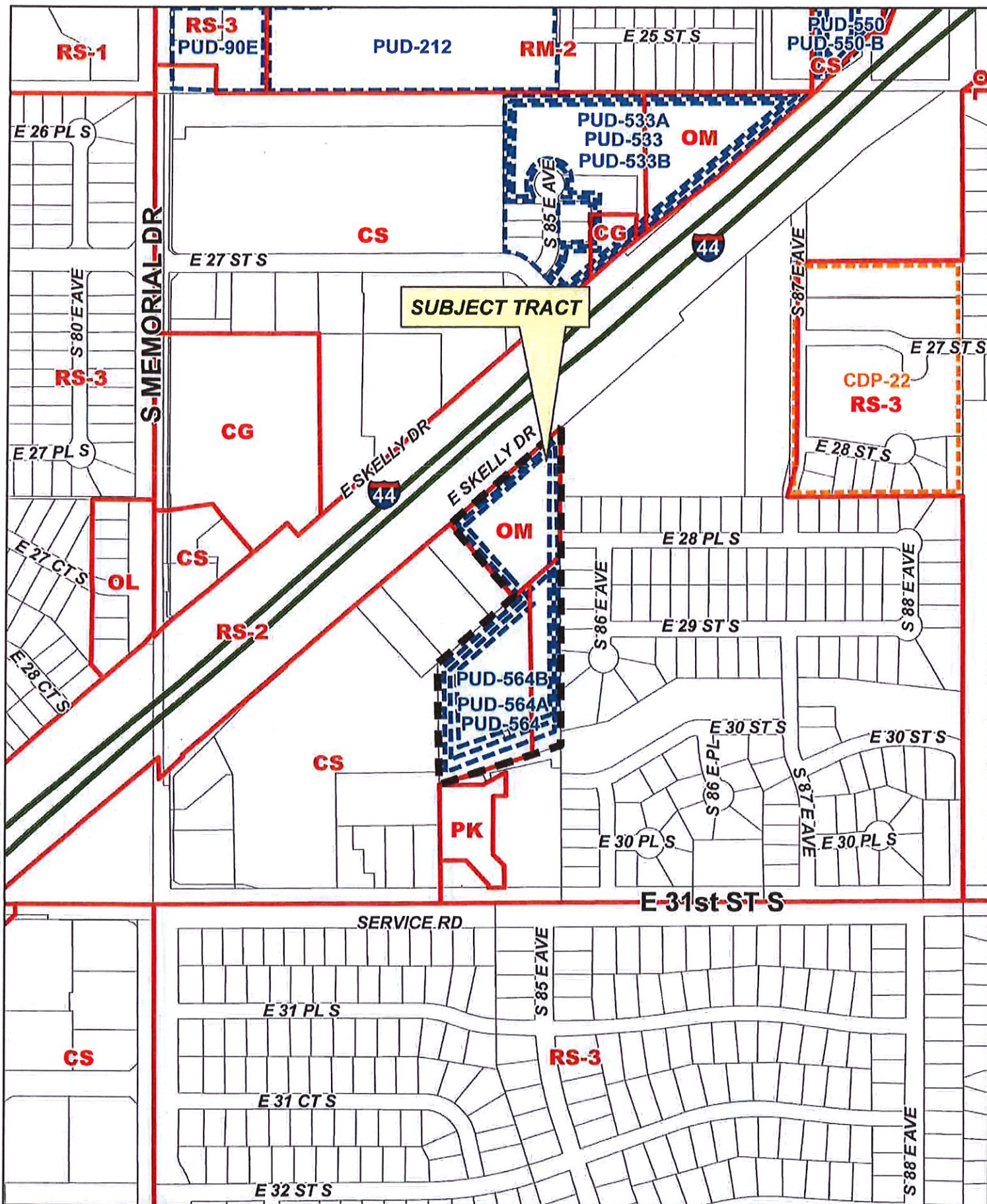
DEVELOPMENT AREA MAP

PUD-564-C

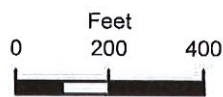


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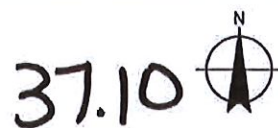


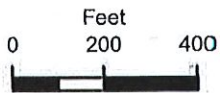


PUD-564-C



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 Subject Tract

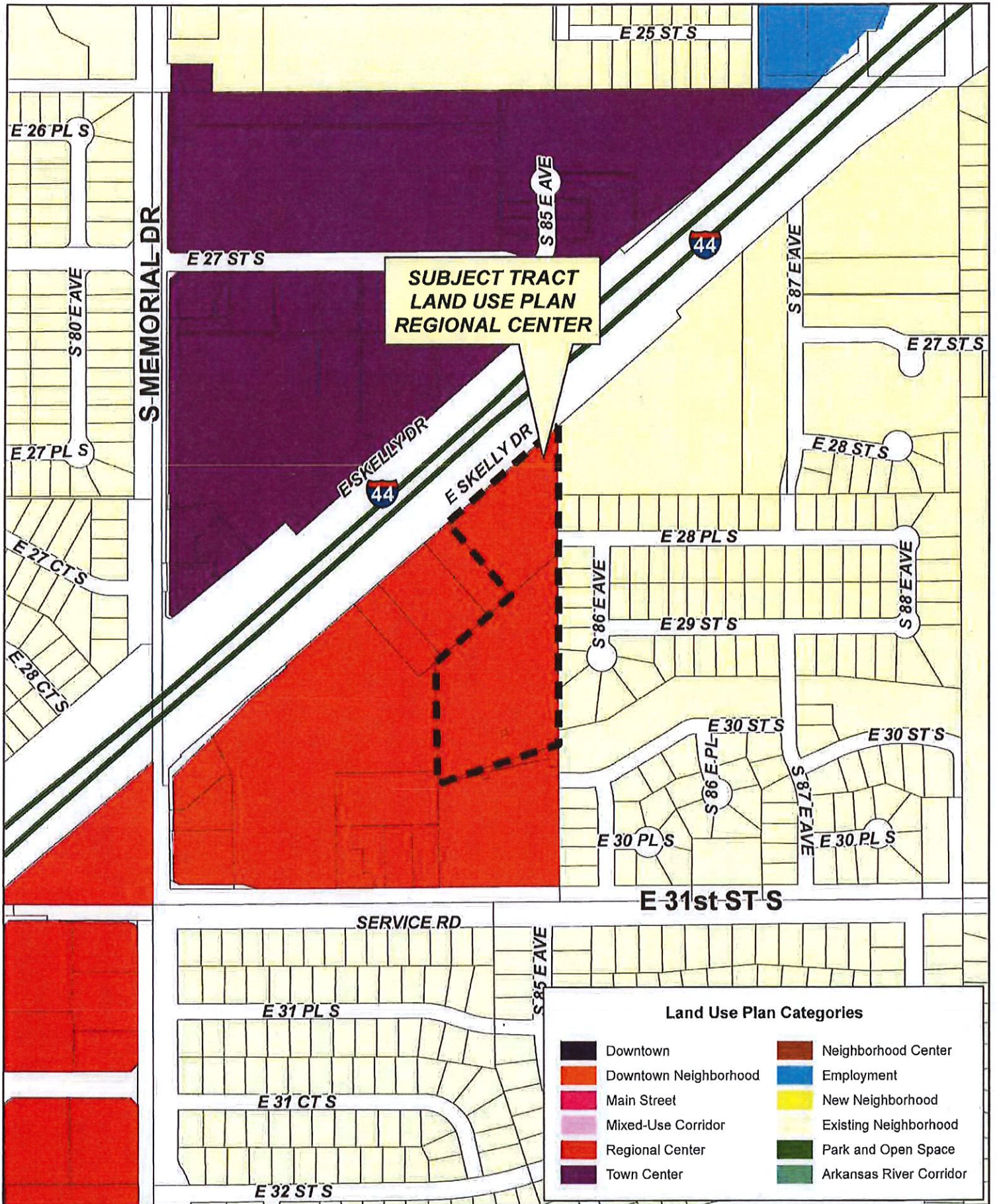
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Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016





**SUBJECT TRACT
LAND USE PLAN
REGIONAL CENTER**


Land Use Plan Categories

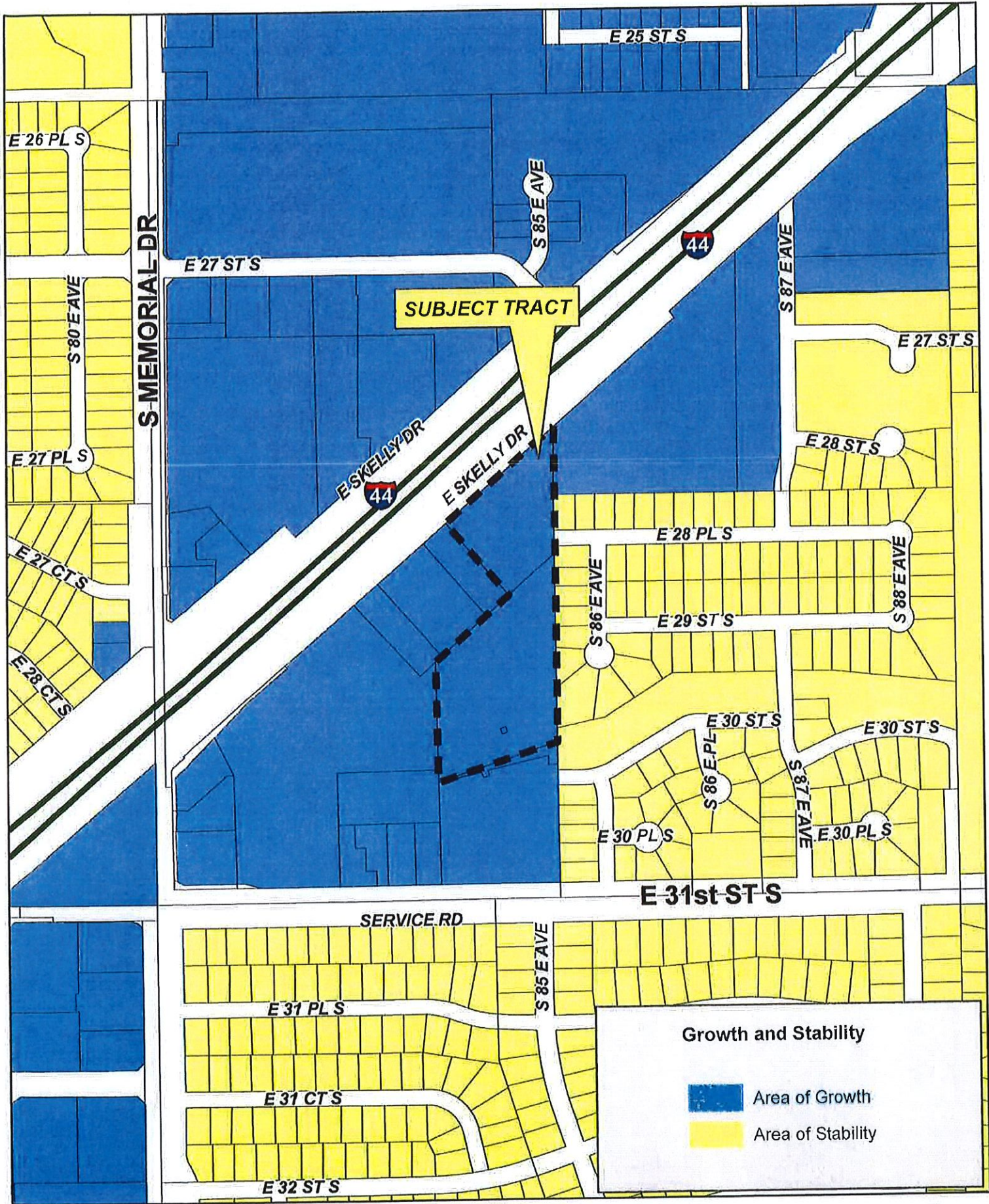
- | | |
|---|---|
|  Downtown |  Neighborhood Center |
|  Downtown Neighborhood |  Employment |
|  Main Street |  New Neighborhood |
|  Mixed-Use Corridor |  Existing Neighborhood |
|  Regional Center |  Park and Open Space |
|  Town Center |  Arkansas River Corridor |



PUD-564-C

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SUBJECT TRACT

Growth and Stability

- Area of Growth
- Area of Stability



PUD-564-C

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Tulsa Metropolitan Area
Planning Commission

Case : PUD-564-C Plat Waiver

Hearing Date: May 3, 2017

Case Report Prepared by:

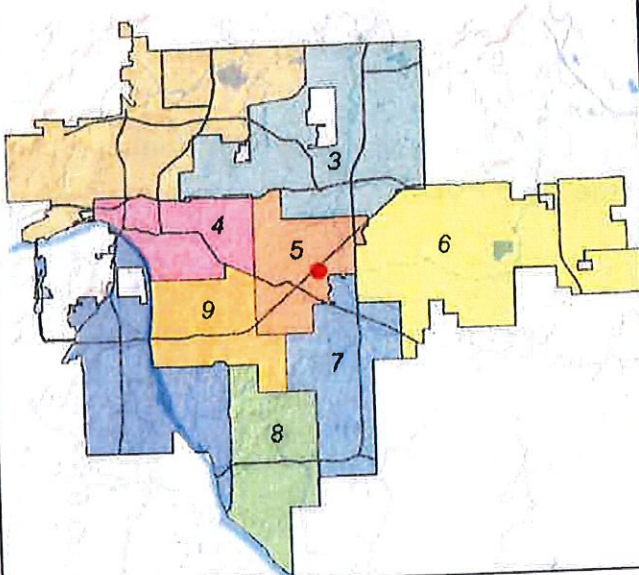
Nathan Foster

Owner and Applicant Information:

Applicant: Andrew Shank, Eller & Detrich

Owner: 21st & 169 Center, LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Plat Waiver

Location: North and east of the northeast corner of East 31st Street South and South Memorial Drive

Existing Zoning: RS-2, OM, CS, PUD-564

Proposed Zoning: RS-2, OM, CS, PUD-564-C

Staff Recommendation:

Staff recommends **approval** of the plat waiver

City Council District: 5

Councilor Name: Karen Gilbert

County Commission District: 3

Commissioner Name: Ron Peters

EXHIBITS: Applicant Submittal

PLAT WAIVER

PUD-564-C – (CD 5)

North and east of the northeast corner of East 31st Street South and South Memorial Drive

The platting requirement for this property is being triggered by a major amendment request to an existing Planned Unit Development. The property owner is proposing a major amendment to permit a principal use of outdoor advertising on the subject property. There are no additional structures or building expansions proposed at this time. If approved, the rezoning will allow the addition of a billboard on the property.

The Technical Advisory Committee met on April 20th, 2017 and the following items were determined:

1. All required right-of-way has been dedicated and is in place.
2. Necessary easements are all in place and no additional easements will be needed at this time.
3. No changes in access to the site are currently proposed.
4. The property was previously platted under the Riverside Nissan Addition plat which was filed following the approval of the initial PUD.

Staff recommends **approval** of the plat waiver.