

**AMENDED AGENDA  
TULSA METROPOLITAN AREA PLANNING COMMISSION  
Meeting No. 2744**

**April 19, 2017, 1:30 PM  
175 East 2nd Street, 2nd Level, One Technology Center  
Tulsa City Council Chamber**

**CONSIDER, DISCUSS AND/OR TAKE ACTION ON:**

Call to Order:

**REPORTS:**

**Chairman's Report:**

**Worksession Report:**

**Director's Report:**

Review TMAPC Receipts for the month of March 2017

1. Minutes of April 5, 2017, Meeting No. 2743

**CONSENT AGENDA:**

All matters under "Consent" are considered by the Planning Commission to be routine and will be enacted by one motion. Any Planning Commission member may, however, remove an item by request.

2. **LS-20978** (Lot-Split) (CD 8) – Location: Northwest corner of East 105th Street South and South Jamestown Avenue
3. **LC-880** (Lot-Combination) (CD 4) – Location: Southwest corner of South Rockford Avenue and East 2nd Street South
4. **LC-881** (Lot-Combination) (CD 4) – Location: East of the northeast corner of South Rockford Avenue and East 3rd Street South
5. **LS-20979** (Lot-Split) (CD 5) – Location: Northeast corner of East 36th Street South and South Braden Avenue
6. **LS-20980** (Lot-Split) (CD 4) – Location: Northeast corner of East 21st Street South and South Jamestown Avenue (related to LC-882, LC-883, LC-884, LC-885, LS-20981, & LS-20982)
7. **LC-884** (Lot-Split) (CD 4) – Location: Northeast corner of East 21st Street South and South Jamestown Avenue (related to LC-882, LC-883, LC-885 LS-20980, LS-20981, & LS-20982)
8. **LS-20981** (Lot-Split) (CD 4) – Location: Northeast corner of East 21st Street South and South Jamestown Avenue (related to LC-882, LC-883, LC-884, LC-885, LS-20980, & LS-20982)

9. **LC-882** (Lot-Split) (CD 4) – Location: Northeast corner of East 21st Street South and South Jamestown Avenue (related to LC-883, LC-884, LC-885, LS-20980, LS-20981, & LS-20982)
10. **LS-20982** (Lot-Split) (CD 4) – Location: Northeast corner of East 21st Street South and South Jamestown Avenue (related to LC-882, LC-883, LC-884, LC-885, LS-20980, & LS-20981)
11. **LC-883** (Lot-Split) (CD 4) – Location: Northeast corner of East 21st Street South and South Jamestown Avenue (related to LC-882, LC-884, LC-885, LS-20980, LS-20981, & LS-20982)
12. **LC-885** (Lot-Split) (CD 4) – Location: Northeast corner of East 21st Street South and South Jamestown Avenue (related to LC-882, LC-883, LC-884, LS-20980, LS-20981, & LS-20982)
13. **LS-20984** (Lot-Split) (County) – Location: Northwest corner of South 49th West Avenue and West 26th Street South
14. **PUD-196-6 John Moody** (CD 8) Location: South and west of the southwest corner of East 71st Street and South Memorial Drive requesting **PUD Minor Amendment** to increase sign display surface area
15. **Savannah Crossing** (CD 8) Final Plat, Location: North of the northwest corner of East 121st Street South and South Sheridan Road
16. **Parkhill** (CD 9) Correction of Plat and Deed of Dedication, Location: East of the southeast corner of East 51st Street South and South Lewis Avenue
- 16a. **Battle Creek Park** (CD 6) Final Plat, Location: East of the northeast corner of South 145th East Avenue and East 41st Street South
- 16b. **Winchester Park** (CD 2) Final Plat, Location: South of the southwest corner of West 81st Street South and South Maybelle Avenue
- 16c. **Holly** (CD 7) Vacation of Plat, Location: Southwest corner of East 61st Street South and South Mingo Road

#### **CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA:**

#### **PUBLIC HEARINGS:**

17. **LS-20977** (Lot-Split) (County) – Location: South of the Southeast corner of North Memorial Drive and East 126th Street North
18. **Jamestown Phase I** (CD 6) Preliminary Plat, Location: West of the northwest corner of East 41st Street South and South 161st East Avenue
19. **CPA-56 JR Donelson** (CD 9) Location: North and east of the northeast corner of South Lewis Avenue and East Skelly Drive requesting to amend the Comprehensive Plan Land

Use Map from Existing Neighborhood to Mixed-Use Corridor and the Stability and Growth Map from Area of Stability to an Area of Growth (Related to Z-7373) (Continued from February 15, 2017 and March 1, 2017)

20. **Z-7373 JR Donelson** (CD 9) Location: North and east of the northeast corner of South Lewis Avenue and East Skelly Drive requesting rezoning from **RS-1** to **OL** (Related to CPA-56) (Continued from February 15, 2017 and March 1, 2017)
21. **Z-7376 Steven Schuller** (CD 4) Location: South of southwest corner of S. Gary Ave. and E. 15th St. (aka 1508 S. Gary Ave. E.) requesting rezoning from **CH** to **RS-3** (Continued from February 15, 2017 and March 1, 2017) (**Applicant requests continuance to May 17th, 2017**)
22. **CZ-456 Bejamin Krasnyuk** (County) Location: Southeast corner of South 45th West Avenue and West 56th Street South requesting rezoning from **RS** to **IL**
23. **Z-7381 Lou Reynolds** (CD 9) Location: West of the southwest corner of South Peoria Avenue and East 37th Place requesting rezoning from **RS-3** to **OL** with **optional development plan**
24. **Z-7382 Roberto Moran** (CD 1) Location: West of the Northwest corner of East Haskell Place and North Norfolk Avenue requesting rezoning from **RM-1** to **IL**
25. **Z-7383 Alan Betchan** (CD 3) Location: South of the Southeast corner of North Garnett Road and East Pine Street requesting rezoning from **RS-3** to **IL**
26. **Z-7384 Alan Betchan** (CD 2) Location: East of the Southeast corner of East 67th Street and South Peoria Avenue requesting rezoning from **OL** to **CS**

### **OTHER BUSINESS**

27. Consider adoption of Resolution No. 2744:967 finding the Peoria Avenue Bus Rapid Transit (BRT) Land Use Framework in conformance with the Tulsa Comprehensive Plan
28. **Commissioners' Comments**

### **ADJOURN**

CD = Council District

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

Visit our website at [www.tmapc.org](http://www.tmapc.org)

email address: [esubmit@incog.org](mailto: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.

Jim S.

**TMAPC RECEIPTS**  
**Month of March 2017**

----- Current Period -----				----- Year To Date -----				
	ITEM	CITY	COUNTY	TOTAL RECEIVED	ITEM	CITY	COUNTY	TOTAL RECEIVED
ZONING								
Zoning Letters	3	\$112.50	\$112.50	\$225.00	70	3,237.50	3,237.50	\$6,475.00
Zoning	9	4,130.00	4,130.00	8,260.00	63	25,445.00	25,445.00	50,890.00
Plan Reviews	27	2,600.00	2,600.00	5,200.00	220	21,947.50	21,947.50	43,895.00
Refunds		0.00	0.00	0.00		(575.00)	(575.00)	(1,150.00)
NSF		0.00	0.00	0.00		0.00	0.00	0.00
		<u>\$6,842.50</u>	<u>\$6,842.50</u>	<u>\$13,685.00</u>		<u>\$50,055.00</u>	<u>\$50,055.00</u>	<u>\$100,110.00</u>
LAND DIVISION								
Minor Subdivision	0	\$0.00	0.00	0.00	3	\$975.00	\$975.00	1,950.00
Preliminary Plats	3	1,762.50	1,762.50	3,525.00	20	\$8,948.75	\$8,948.75	17,897.50
Final Plats	0	0.00	0.00	0.00	13	\$5,279.97	\$5,279.97	10,559.94
Plat Waviers	4	500.00	500.00	1,000.00	10	\$1,250.00	\$1,250.00	2,500.00
Lot Splits	12	577.50	577.50	1,155.00	87	\$4,545.00	\$4,545.00	9,090.00
Lot Combinations	11	550.00	550.00	1,100.00	90	\$4,800.00	\$4,800.00	9,600.00
Other	0	0.00	0.00	0.00	11	\$1,225.00	\$1,225.00	2,450.00
NSF		(50.00)	(50.00)	(100.00)		(50.00)	(50.00)	(100.00)
Refunds		0.00	0.00	0.00		\$0.00	\$0.00	0.00
		<u>\$3,340.00</u>	<u>\$3,340.00</u>	<u>\$6,680.00</u>		<u>\$26,973.72</u>	<u>\$26,973.72</u>	<u>\$53,947.44</u>
TMAPC COMP								
Comp Plan Admendment	0	\$0.00	\$0.00	\$0.00	4	\$1,000.00	\$0.00	\$1,000.00
Refund		<u>\$0.00</u>		<u>\$0.00</u>		\$0.00	\$0.00	\$0.00
		<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>		<u>\$1,000.00</u>	<u>\$0.00</u>	<u>\$1,000.00</u>
BOARDS OF ADJUSTMENT								
Fees	19	\$5,100.00	\$2,200.00	\$7,300.00	172	\$46,550.00	\$16,750.00	\$63,300.00
Refunds		0.00	0.00	\$0.00		(\$1,050.00)	\$0.00	(1,050.00)
NSF Check		0.00	0.00	\$0.00		\$0.00	\$0.00	0.00
		<u>\$5,100.00</u>	<u>\$2,200.00</u>	<u>\$7,300.00</u>		<u>\$45,500.00</u>	<u>\$16,750.00</u>	<u>\$62,250.00</u>
TOTAL		\$15,282.50	\$12,382.50	\$27,665.00		\$123,528.72	\$93,778.72	\$217,307.44
LESS WAIVED FEES *		(\$57.36)		(\$57.36)		(\$3,247.26)		(\$3,247.26)
GRAND TOTALS		\$15,225.14	\$12,382.50	\$27,607.64		\$120,281.46	\$93,778.72	\$214,060.18

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



**April 19, 2017**

**1) TMAPC Receipt Comparison**

	<b>March 2017</b>	<b>February 2017</b>	<b>March 2016</b>
<b>Zoning Letters</b>	3	7	6
<b>Zoning</b>	9	6	4
<b>Plan Reviews</b>	27	34	30
<b>Minor Subdivisions</b>	0	0	--
<b>Preliminary Plats</b>	3	3	3
<b>Final Plats</b>	0	1	5
<b>Plat Waivers</b>	4	0	--
<b>Lots Splits</b>	12	10	8
<b>Lot Combinations</b>	11	9	6
<b>Other</b>	0	2	5
<b>Comp Plan Amendments</b>	0	0	0

4/6/2017



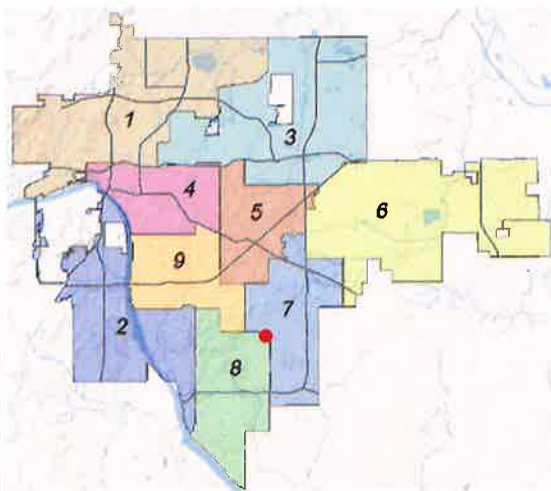
**Case Number:** PUD-196-6  
**Minor Amendment**

**Hearing Date:** April 19, 2017

**Case Report Prepared by:**  
 Jay Hoyt

**Owner and Applicant Information:**  
 Applicant: John W. Moody  
 Property Owner: M-CO Tulsa LLC

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



**Applicant Proposal:**

Concept summary: PUD minor amendment to increase sign display surface area from 1.5 sf per lin. ft. of wall to 2.34 sf per lin. ft. of east face of building.

Gross Land Area: 31 acres

Location: South and west of the southwest corner of E. 71<sup>st</sup> Street. S. and S. Memorial Dr.

7120 South Memorial Drive  
 Development Area C

**Zoning:**  
 Existing Zoning: CS/OL/RS-3/RM-1/PUD-196  
 Proposed Zoning: No Change

**Comprehensive Plan:**  
 Land Use Map: Regional Center  
 Growth and Stability Map: Growth

**Staff Recommendation:**  
 Staff recommends **approval**.

To apply to all of Development Area C

**Staff Data:**  
 TRS: 8311  
 CZM: 53 Atlas: 1130

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

14.1

**SECTION I:** PUD-196-6 Minor Amendment

**STAFF RECOMMENDATION**

Amendment Request: Modify the PUD Development Standards to increase sign display surface area from 1.5 sf per lin. ft. of wall to 2.34 sf per lin. ft. of east face of building.

The applicant proposes to modify the standards to permit signage as shown on the applicant's exhibits. 2.34 sf per lin. ft. of wall was requested in order to permit the proposed 374.22 sf signs shown on the exhibit. This is the minimum sf allowance that would allow the area of signage proposed.

If approved specifically for this tenant location, the proposed would provide a significant signage advantage to the tenants of this space versus tenants in other spaces within the same shopping center, therefore the proposed 2.34 per lin. ft. of wall should be utilized for all tenant spaces within the center. It should be noted that the PUD standards require south and west facing signage to be non-illuminated. If the amendment is approved, this limitation would remain in effect.

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.*

*"Modification to approved signage, provided the size, location, number and character (type) of signs is not substantially altered."*

Staff has reviewed the request and determined:

- 1) The requested amendment does not represent a significant departure from the approved development standards in the PUD.
- 2) The proposed allowable sign area shall apply to all of Development Area C.
- 3) All remaining development standards defined in PUD-196 and subsequent amendment shall remain in effect.

Exhibits included with staff recommendation:

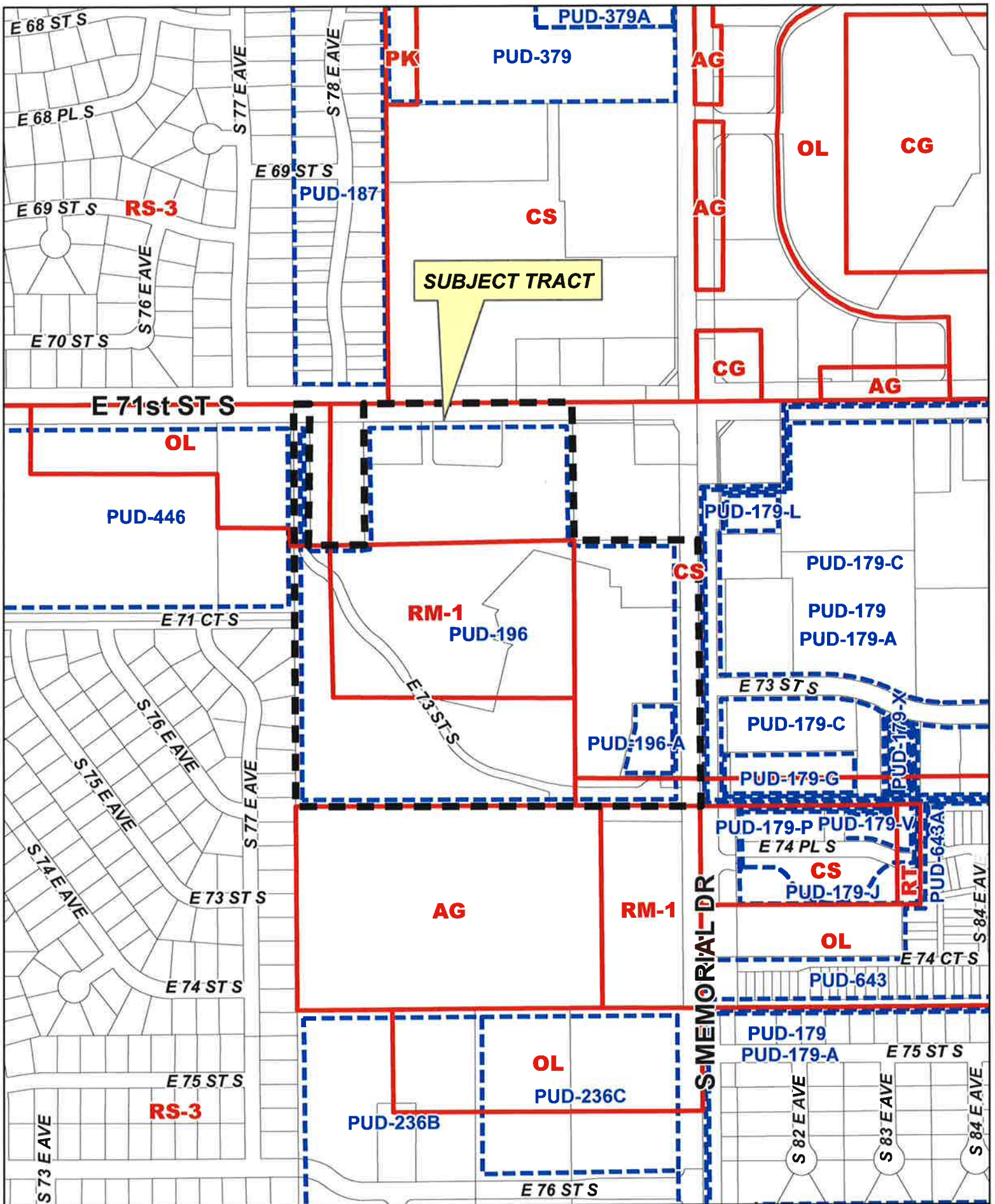
INCOG zoning case map

INCOG aerial photo

Applicant Exhibits:

Proposed Signage Exhibit

With considerations listed above, staff recommends **approval** of the minor amendment request to increase allowable signage from 1.5 sf per lin. ft. of wall to 2.34 sf per lin. ft. of wall for Development Area C.



**PUD-196-6**

18-13 11

14.3





0 Feet  
200  
400



Subject  
Tract

**PUD-196-6**

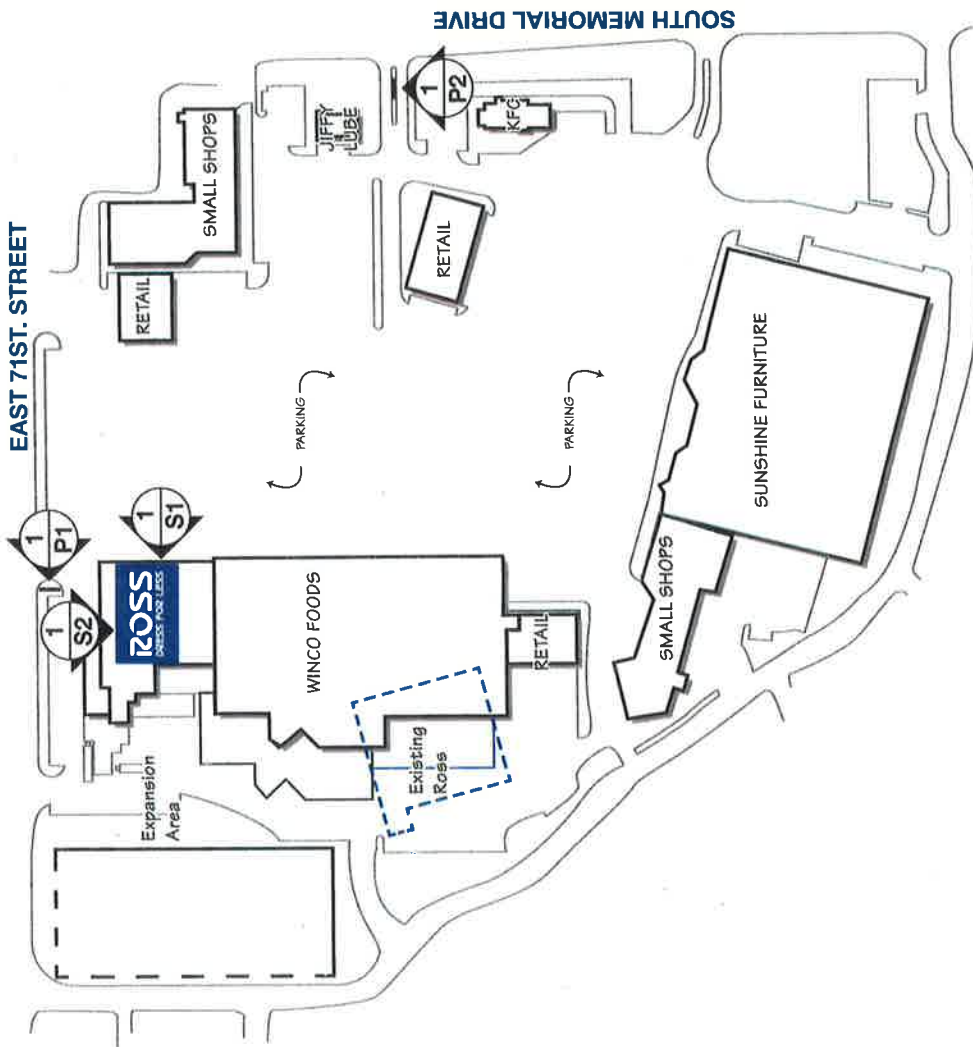
18-13 11

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

Aerial Photo Date: February 2016







**bma**  
bill moore & associates

1057 solano ave.  
p.o. box 6133  
dallas, tx 75206-0133  
510-526-0296 fax 526-6092  
www.billmoore.com

MEMBER  
**CSA**  
CONSTRUCTION SOFTWARE ASSOCIATION

**ROSS**  
DRESS FOR LESS

**#2038 SOUTHEAST TULSA**  
Crossing Oaks Shopping Center  
SWC South Memorial Dr. & East 71st St.  
Tulsa, OK

drawn	07/20/16
REV add S2	08/05/16
Exhibit J	11/14/16

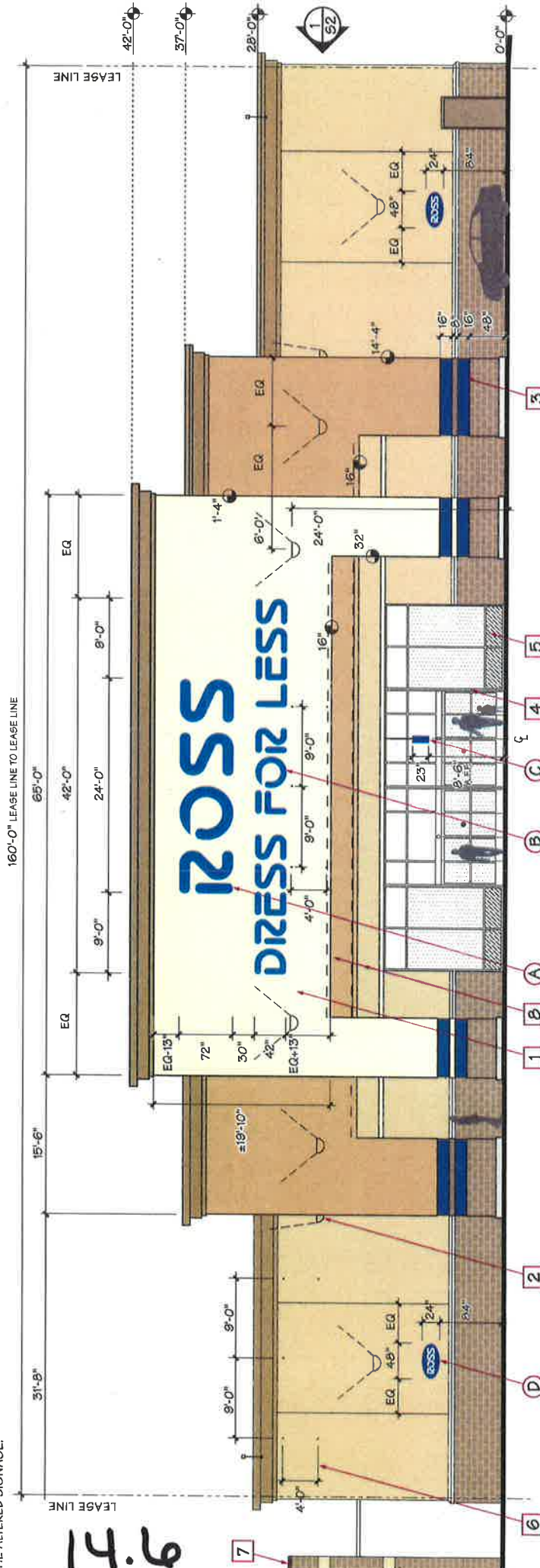
# Notes:

ANDLORD TO PROVIDE:  
ADEQUATE ACCESS BEHIND LOGO LETTERS FOR INSTALLATION AND MAINTENANCE, PER ARTICLE 600 OF THE N.E.C.  
ONE (1) 20 AMP 120V ISOLATED SIGN CIRCUIT AND JUNCTION BOX TO AREA BEHIND SIGN LETTERS CONNECTED TO THE ENERGY MANAGEMENT SYSTEM  
AT LEAST 1/2" THICK PLYWOOD BACKING BEHIND ALL E.L.F.S. WALL SYSTEMS FOR SIGN AND BANNER SUPPORT  
SIGN FASCIA TO BE FREE OF JOINTS & REVEALS, AND OF A LIGHT COLOR MINIMUM 80% L.R.V.) TO PROVIDE HIGH CONTRAST AND VISIBILITY FOR THE SIGN.  
ALL COLORS ARE SUBJECT TO ROSS STORES, INC. REVIEW AND APPROVAL. COLOR APPEARANCE MAY BE ALTERED BY PRINTING. SEE APPROVED FINAL CONSTRUCTION DRAWINGS FOR COLOR SPECIFICATIONS.  
IF ANY SIGNAGE PROPOSED IN THIS EXHIBIT IS ALTERED BY LOCAL GOVERNMENT AUTHORITIES, ROSS STORES INC. RESERVES THE RIGHT TO, AT NO COST, ADJUST ARCHITECTURAL FEATURES TO BEST ACCOMMODATE THE ALTERED SIGNAGE.

- (A) 72"H INDIVIDUAL "ROSS" PAN CHANNEL LETTER-LOK LOGO LETTERS;  
FACES: TUF-GLAS SG 21210-E4 MATTE BLUE  
TRIM CAP: 2" WHITE JEWELITE  
LETTER BACKS: ALUMINUM  
LEDS: INBEM SS-KDLCL-RW 9000K WHITE  
MOUNTING: 1/4"-20 GALV THRU BOLTS  
PEG OFF: 1/2" SPACERS
- (B) 42"H INDIVIDUAL "DPL" LOGO LETTERS:  
ALL CALLOUTS SAME AS "ROSS" EXCEPT:  
RETURNS: 5"D ALUM. W/ WHITE FINISH  
TRIM CAP: 1" WHITE JEWELITE
- (C) 23"H X 46"W X 10"D DOUBLE-FACE INTERNALLY ILLUMINATED UNDER-CANOPY SIGN, SEE SHEET UC FOR DETAILS.
- (D) 24"H X 48"W X 1"D SINTRA OVAL "ROSS" LOGO WALL PLAQUE TWO (2) REQUIRED AS SHOWN, SEE SHEET EL FOR DETAILS.

- (1) SIGN FASCIA BY LANDLORD, SEE NOTES
- (2) TYPICAL ARCHITECTURAL LIGHTING BY LANDLORD
- (3) TYPICAL ROSS BLUE IDENTITY BANDS BY LANDLORD
- (4) CLEAR ANODIZED ALUMINUM STOREFRONT & DOORS BY LANDLORD
- (5) FROSTED FILM BY LANDLORD

- (6) SET OF FIVE (5) EYE-BOLTS FOR BANNER ATTACHMENT BY LANDLORD. TWO (2) SETS REQUIRED AS SHOWN.
- (7) ADJACENT PARAPET MAY NOT BE HIGHER THAN THE ROSS BASE BUILDING
- (8) RECESSED ILLUMINATED NICHE BY LANDLORD



## VARIANCE:

**ROSS DRESS FOR LESS**

SIGN AREA **ALLOWED**: 240 S.F.  
SIGN AREA **USED**: 374.22 S.F.

ROSS 6' x 24' = 144 sf  
space 2.5' x 24' = 60 sf  
DPL 3.50' x 42' = 147 sf  
TOTAL = 351 sf

WALL PLAQUES: 2' X 4' X 2 = 16 S.F.  
UC SIGN: 1.9 X 3.8' = 7.22 S.F.

## 1 STOREFRONT • EAST • SOUTH MEMORIAL DRIVE • ELEVATION

SCALE: 3/32" = 1' - 0"

TK-N

SHEET  
**S172**  
42

drawn 08/05/16  
Changes per SD 08/09/16  
Exhibit J 11/14/16

**#2038 SOUTHEAST TULSA**  
Crossing Oaks Shopping Center  
SWC South Memorial Dr. & East 71st St.  
Tulsa, OK

**ROSS**  
DRESS FOR LESS

MEMBER  
CSA  
CRAFTSMANSHIP ASSOCIATION

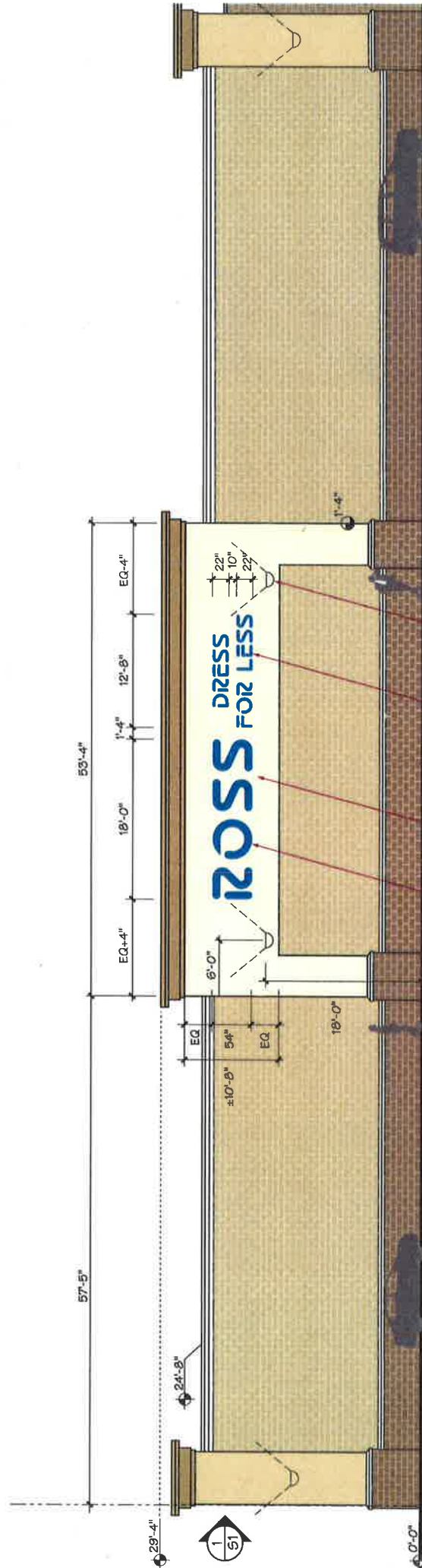
**bma**  
bill moore & associates  
1057 solano ave  
p.o. box 6153  
alabany, ca 94704-0153  
510/526-0296 fax 526-6092  
www.billmoore.com

# Notes:

- LANDLORD TO PROVIDE:
- ADEQUATE ACCESS BEHIND LOGO LETTERS FOR INSTALLATION AND MAINTENANCE, PER ARTICLE 600 OF THE N.E.C.
- ONE (1) 20 AMP 120V ISOLATED SIGN CIRCUIT AND JUNCTION BOX TO AREA BEHIND SIGN LETTERS CONNECTED TO THE ENERGY MANAGEMENT SYSTEM
- AT LEAST 1/2" THICK PLYWOOD BACKING BEHIND ALL E.L.F.S. WALL SYSTEMS FOR SIGN AND BANNER SUPPORT
- SIGN FASCIA TO BE FREE OF JOINTS & REVEALS, AND OF A LIGHT COLOR (MINIMUM 90% L.R.V.) TO PROVIDE HIGH CONTRAST AND VISIBILITY FOR THE SIGN.
- ALL COLORS ARE SUBJECT TO ROSS STORES, INC. REVIEW AND APPROVAL. COLOR APPEARANCE MAY BE ALTERED BY PRINTING. SEE APPROVED FINAL CONSTRUCTION DRAWINGS FOR COLOR SPECIFICATIONS.
- IF ANY SIGNAGE PROPOSED IN THIS EXHIBIT IS ALTERED BY LOCAL GOVERNMENT AUTHORITIES, ROSS STORES INC. RESERVES THE RIGHT TO, AT NO COST, ADJUST ARCHITECTURAL FEATURES TO BEST ACCOMMODATE THE ALTERED SIGNAGE.

- (A)** 54"H INDIVIDUAL "ROSS" PAN CHANNEL LETTER-LOK LOGO LETTERS:  
 FACES: TUF-GLAS SG 21210-E4 MATTE BLUE  
 RETURNS: 8"D ALUM. W/ WHITE FINISH  
 TRIM CAP: 2" WHITE JEWELITE  
 LETTER BACKS: ALUMINUM  
 LEDS: INSEM 55-KD12CL-RW 9000K WHITE  
 MOUNTING: 1/4"-20 GALV THRU BOLTS  
 PEG OFF: 1/2" SPACERS
- (B)** 22"H INDIVIDUAL "DFL" LOGO LETTERS:  
 ALL CALLOUTS SAME AS "ROSS" EXCEPT:  
 RETURNS: 5"D ALUM. W/ WHITE FINISH  
 TRIM CAP: 1" WHITE JEWELITE

- (1)** SIGN FASCIA BY LANDLORD, SEE NOTES
- (2)** TYPICAL ARCHITECTURAL LIGHTING BY LANDLORD



OPTIMAL:

**ROSS DRESS FOR LESS**

SIGN AREA USED : 144 S.F.

ROSS/DFL 4.50'H x 31.99'W = 144 sf  
 TOTAL = 144sf

## 1 SIDE • NORTH • EAST 71ST STREET • ELEVATION

SCALE: 3/32" = 1'- 0"

**bma**  
 1057 solano ave  
 p.o. box 6153  
 daly city, ca 94706-0153  
 510.526-0296 fax 526-6092  
 www.billmoore.com

MEMBER  
**CSA**  
 COMMERCIAL SIGNAGE ASSOCIATION

**bill moore & associates**

**ROSS**  
 DRESS FOR LESS

**#2038 SOUTHEAST TULSA**  
 Crossing Oaks Shopping Center  
 SWC South Memorial Dr. & East 71st. St.  
 Tulsa, OK

drawn  
 Changes per SD  
 Exhibit J

08/05/16  
 08/09/16  
 11/14/16

TK-N

SHEET  
**S2**

14.7







Tulsa Metropolitan Area  
Planning Commission

**Case :** Savannah Crossing

**Hearing Date:** April 19, 2017

**Case Report Prepared by:**

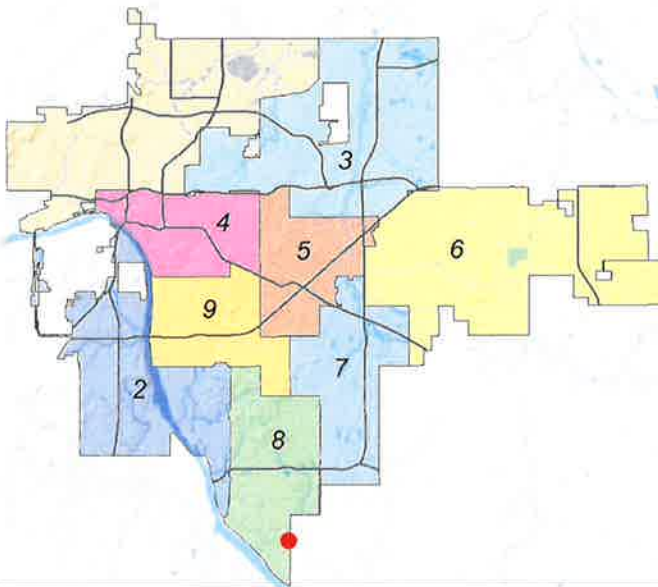
Nathan Foster

**Owner and Applicant Information:**

*Applicant:* JR Donelson

*Owner:* 11908 Sheridan, LLC

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



**Applicant Proposal:**

Final Plat

3 lots, 1 block, 5± acres

*Location:* North of the northwest corner of  
East 121<sup>st</sup> Street South and South  
Sheridan Road

**Zoning:** RS-1, PUD-806

**Staff Recommendation:**

Staff recommends **approval** of the Final  
Plat

**City Council District:** 8

*Councilor Name:* Phil Lakin

**County Commission District:** 3

*Commissioner Name:* Ron Peters

**EXHIBITS:** Final Plat Submittal









Tulsa Metropolitan Area  
Planning Commission

**Case :** Parkhill

**Hearing Date:** April 19, 2017

**Case Report Prepared by:**

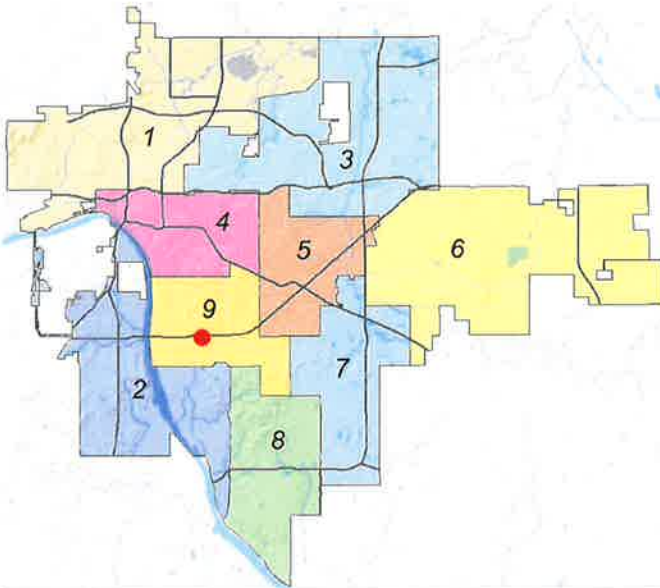
Nathan Foster

**Owner and Applicant Information:**

*Applicant:* Carolyn Back, Wallace Engineering

*Owner:* Parkhill & Parkhill LLC

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



**Applicant Proposal:**

Correction to Filed Plat Deed of Dedication

*Location:* East of the southeast corner of East 51<sup>st</sup> Street South and South Lewis Avenue

Summary: Parkhill subdivision plat was filed in November of 2016 with an error in the legal description. The certificate provided by the applicant will be filed of record to correct the previously filed plat.

**Zoning:** CS

**Staff Recommendation:**

Staff recommends **approval** of the amendment to the deed of dedication for Parkhill

**City Council District:** 9

*Councilor Name:* Ben Kimbro

**County Commission District:** 3

*Commissioner Name:* Ron Peters

**EXHIBITS:** Certificate of Correction of Plat and Deed of Dedication

146.1

**Certificate of Correction of Plat and Deed of Dedication  
of PARKHILL, a Subdivision in the City of Tulsa, Tulsa County, Oklahoma,  
with Amendment of Deed of Dedication and Ratification**

KNOW ALL BY THESE PRESENTS:


The undersigned Registered Professional Land Surveyor hereby certifies that, pursuant to the provisions of **Title 11 of the Oklahoma Statutes, in Ch. 1, Art. XLI, §41-115**, the incorrect description of the land platted and subdivided by the *Plat and Deed of Dedication* of **PARKHILL**, a Subdivision in the City of Tulsa, Tulsa County, State of Oklahoma, approved by the **Tulsa Metropolitan Area Planning Commission** on 5 October 2016 and by the **City Council of the City of Tulsa, Oklahoma**, on 2 November 2016, and duly filed for record on 30 November 2016 in the Office of the County Clerk of Tulsa County, Oklahoma, as **Plat/Document No. 6703**, which inadvertently excluded a portion of such land, is hereby corrected to be described as follows:

**The North Half of the West Half of the East Half of the Northwest Quarter of the Northwest Quarter of the Northwest Quarter (N/2 W/2 E/2 NW/4 NW/4) of Section Thirty-Two (32), Township Nineteen (19) North, Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, more particularly described as follows:**

**Commencing at the North Quarter Corner of said Section 32; thence South 88°31'53" West along the Section line for a distance of 2,142.84 feet to the Point of Beginning; thence South 01°19'37" East for a distance of 329.73 feet; thence South 88°32'17" West for a distance of 164.85 feet; thence North 01°19'29" West for a distance of 329.72 Feet; thence North 88°31'53" East for a distance of 164.83 feet to the Point of Beginning,**

consistent with the *Surveyor's Affidavit* dated 30 November 2016, duly filed for record in the Office of the County Clerk of Tulsa County, Oklahoma, on 30 November 2016, recorded as **Document No. 2016113410**.

DATED this 9<sup>th</sup> day of FEBRUARY, 2017.

  
R. Wade Bennett  
Registered Professional Land Surveyor






**Amendment and Ratification**

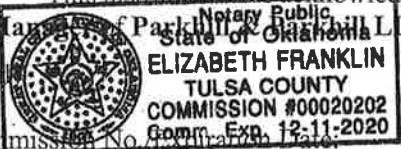
Parkhill & Parkhill LLC, the owner of all of the land platted and subdivided by the **Plat** and **Deed of Dedication** of **PARKHILL**, a Subdivision in the City of Tulsa, Tulsa County, State of Oklahoma, hereby states that although Sheet 1 of the recorded Plat correctly depicts the land subdivided including the 50-foot right-of-way intended to be dedicated by the **Deed of Dedication**, the legal description of the land that appears in the **Deed of Dedication** itself inadvertently excluded the area of the 50-foot right-of-way. Parkhill & Parkhill LLC hereby adopts the foregoing Certificate as an amendment of the **Deed of Dedication** to correct the legal description of the platted land to include the area of the dedicated right-of-way, as set forth in the foregoing Certificate, and ratifies and confirms the same.

Parkhill & Parkhill LLC  
By: [Signature]  
Manager

State of Oklahoma )  
County of Tulsa ) ss.

This instrument was acknowledged before me this 9<sup>th</sup> day of February, 2017 by **R. Wade Bennett**.  
(Seal)  [Signature]  
Notary Public  
12-11-20 00020202

State of Oklahoma )  
County of Tulsa ) ss.

This instrument was acknowledged before me this 30 day of March, 2017, by **Lance Parkhill**  
as Manager of Parkhill & Parkhill LLC.  
(Seal)  [Signature]  
Notary Public  
12-11-20 00020202

APPROVED:

Tulsa Metropolitan Area Planning  
Commission

City Council of the City of Tulsa, Oklahoma

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


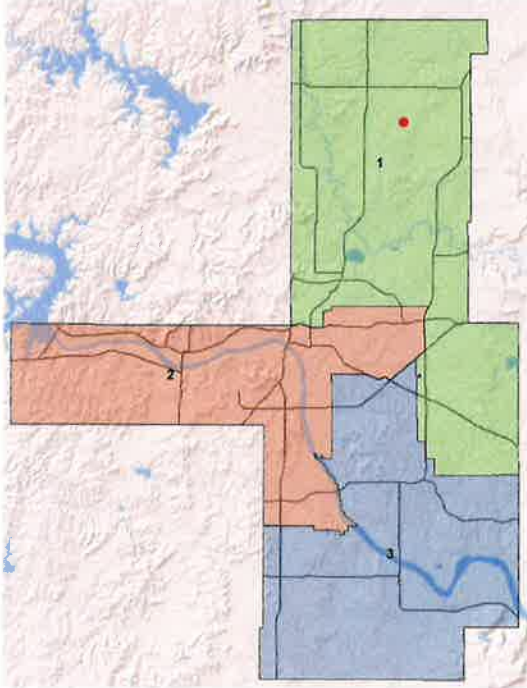
By: \_\_\_\_\_  
Chair

Date: \_\_\_\_\_

Date: \_\_\_\_\_





 <p>Tulsa Metropolitan Area Planning Commission</p>	<p><b><u>Case Number:</u></b> LS-20977 <b>Lot-Split</b></p> <p><b><u>Hearing Date:</u></b> April 19, 2017</p>
<p><b><u>Case Report Prepared by:</u></b></p> <p>Amy Ulmer</p>	<p><b><u>Owner and Applicant Information:</u></b></p> <p>Applicant: David Burd</p> <p>Property Owners: David &amp; Cara Burd Trust</p>
<p><b><u>Location Map:</u></b> <b>(shown with County Commission Districts)</b></p> 	<p><b><u>Applicant Proposal:</u></b> Proposal to split an existing AG tract into two tracts.</p> <p>The lot-split requires a waiver of the Subdivision Regulations that no lot have more than three side lot lines.</p> <p>Existing Use: Residential</p> <p>Tract 1 Size: 2.24 acres</p> <p>Tract 2 Size: 2.00 acres</p> <p>Location: South of the Southeast Corner of East 126th Street North &amp; North Memorial Drive</p>
<p><b><u>Comprehensive Plan:</u></b> n/a</p> <p><b><u>Zoning:</u></b> Existing Zoning: AG</p>	<p><b><u>Staff Recommendation:</u></b></p> <p>Staff recommends <b>approval</b> of the lot-split and the waiver of the Subdivision Regulations that no lot have more than three side lot lines.</p> <p><b><u>County Commission District: 1</u></b> <i>Commissioner Name:</i> John Smaligo</p>

**Lot-Split and Waiver of Subdivision Regulations**

**April 19, 2017**

**LS-20977**

**David Burd, (1301) (AG) (County)**

**Location: South of the Southeast Corner of East 126th Street North & North Memorial Drive**

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

The Technical Advisory Committee met on April 6, 2017 and had the following comment. The County Engineer requests a Right-of-Way dedication to total 60' along North Memorial Drive.

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



E 126th ST N

N MEMORIAL DR

1

2

0 50 100  
Feet



Subject  
Tract

LS-20977

21-13 01

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

Aerial Photo Date: February 2016



17.3





Tulsa Metropolitan Area  
Planning Commission

**Case :** Jamestown Phase I

**Hearing Date:** April 19, 2017

**Case Report Prepared by:**

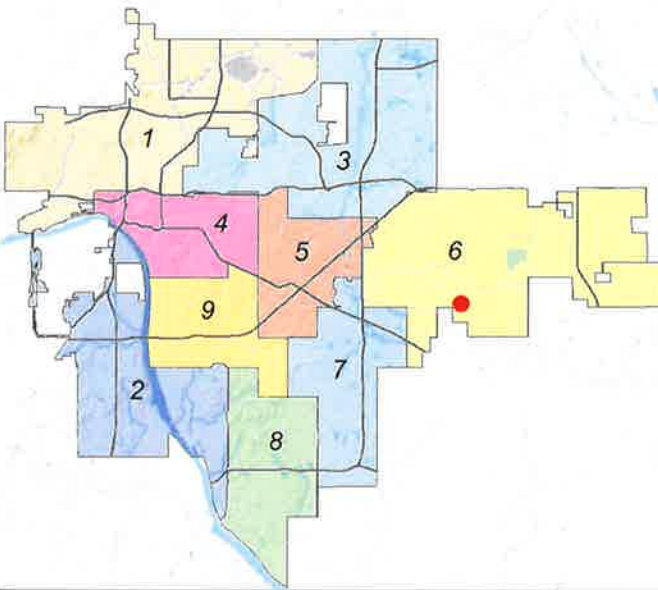
Nathan Foster

**Owner and Applicant Information:**

*Applicant:* Mark B. Capron, SWA

*Owner:* Jamestown Land, LLC

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



**Applicant Proposal:**

Preliminary Subdivision Plat

*Location:* West of the northwest corner of  
East 41<sup>st</sup> Street South and South 161<sup>st</sup>  
East Avenue

**Zoning:** RS-3, RM-0, AG  
(RS-3 requested for entire site)

**Staff Recommendation:**

Staff recommends **approval** of the  
Preliminary Plat

**City Council District:** 6

*Councilor Name:* Connie Dodson

**County Commission District:** 1

*Commissioner Name:* John Smaligo

**EXHIBITS:** Site Map, Aerial, Land Use, Growth & Stability, Preliminary Plat, Conceptual  
Improvements Plan



## PRELIMINARY SUBDIVISION PLAT

### Jamestown Phase I - (CD 6)

West of the northwest corner of East 41<sup>st</sup> Street South and South 161<sup>st</sup> East Avenue

This plat consists of 101 lots, 6 blocks on 32.2± acres.

The Technical Advisory Committee (TAC) met on April 6<sup>th</sup>, 2017 and provided the following conditions:

1. **Zoning:** All property contained within the subdivision should be rezoned to RS-3 to ensure compatibility with the proposed single-family subdivision. A rezoning request has been filed by the applicant and will be heard on May 17<sup>th</sup>, 2017 by TMAPC.
2. **Addressing:** Correct street labels by switching street designation (St, Ct, Ave) with directional call. (e.g. 157<sup>th</sup> E Ave should read 157<sup>th</sup> Ave E)
3. **Transportation & Traffic:** Provide access through Reserve Area B to the proposed school site to the northeast. Legal survey closure form must be provided with final plat.
4. **Sewer:** 15' utility easement must be cleared with all utilities.
5. **Water:** Extension of the 12" water main line along the frontage of the property will be required within the dedicated 50' R-O-W.
6. **Engineering Graphics:** Submit a subdivision control data sheet with final plat. Provide addresses for individual lots. Provide a north arrow for the location map. Under the "Basis of Bearing" heading provide a bearing angle between two known points associated with this plat. Add NAD83 to the coordinate system information stated. Show property pins set/found graphically. Ensure written legal description matches the face of the plat.
7. **Fire:** No comments.
8. **Stormwater, Drainage, & Floodplain:** Portions of the subject property are located within the Adams Creek floodplain. All delineated floodplain boundaries, including City of Tulsa Regulatory Floodplain, should be clearly and accurately shown on the plat with base flood elevations labeled. All public utilities and facilities should be located and constructed to minimize flood damage. Provide a base flood elevation for Timber Creek and provide a hydraulic and hydrologic study of Timber Creek to show fully urbanized floodplain with flood elevations on plat. Additional permits may be required by Army Corp of Engineers. Any proposed development within the floodplain must meet the floodplain development requirements of the City of Tulsa Revised Ordinances, Title 11-A and Title 51 as well as all City drainage standards. Proposed changes to the floodplain boundaries or flood elevations will be subject to floodplain map revisions.

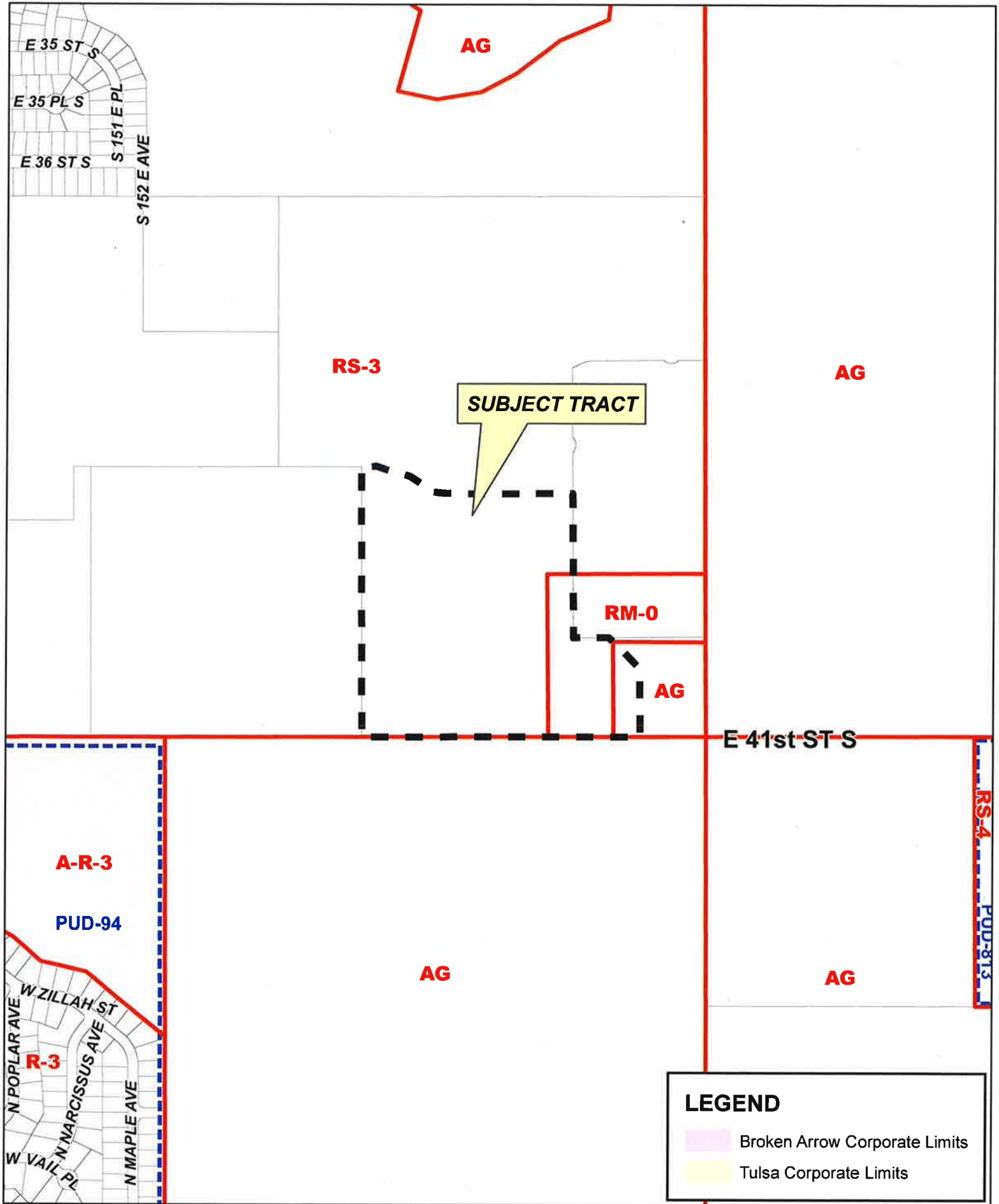
9. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** All utilities indicated to serve the site must provide a release prior to final plat approval. Provide a Certificate of Records Search from the Oklahoma Corporation Commission to verify no oil & gas activity on the site.

**Waivers of Subdivision Regulations:**

1. None Requested

Staff recommends **APPROVAL** of the preliminary subdivision plat subject to the conditions provided by TAC and the requirements of the Subdivisions Regulations.





**JAMESTOWN  
PHASE I**

18.4


19-14 22







0 300 600  
Feet

 Subject Tract  
19-14 22

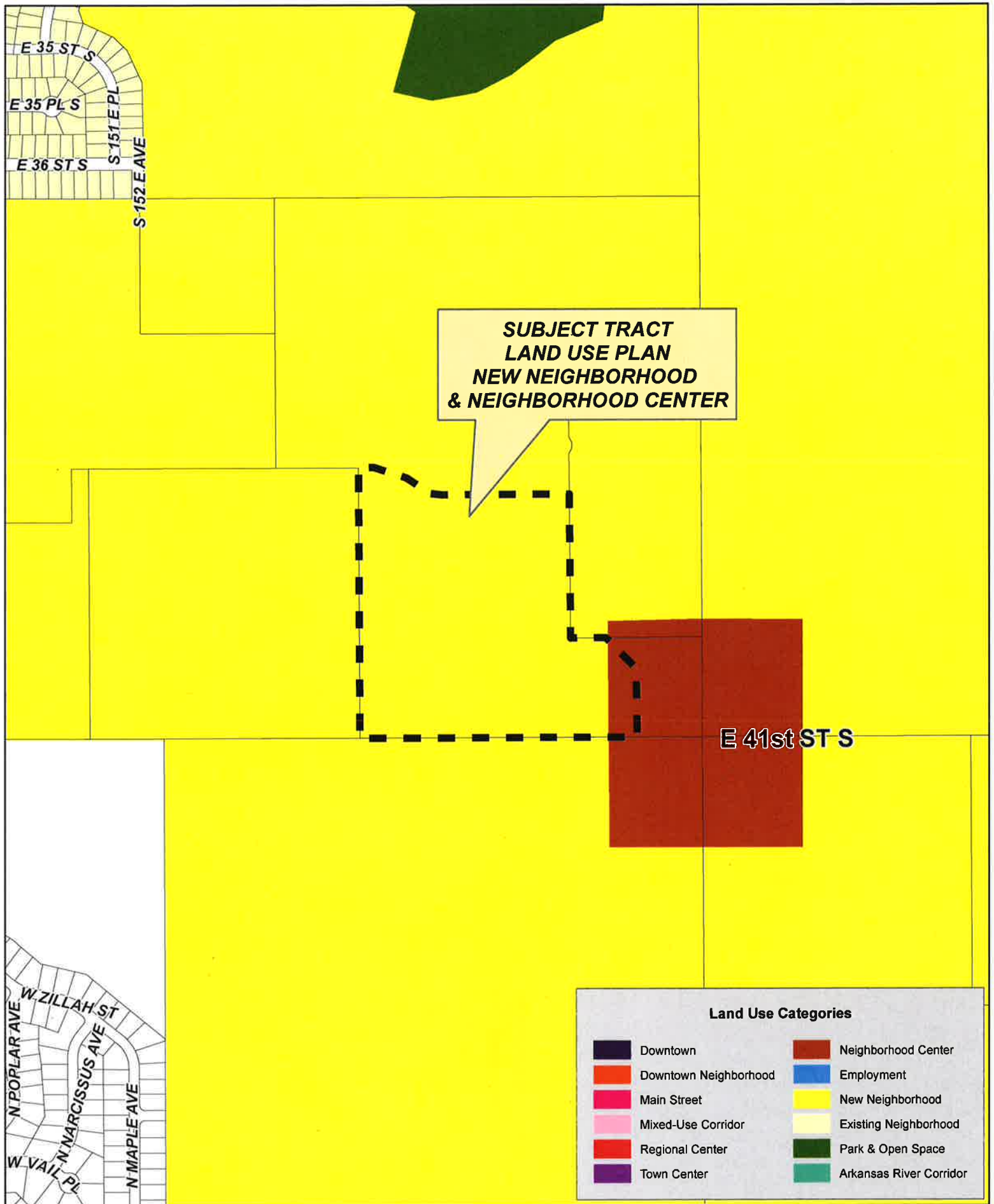
## JAMESTOWN PHASE I

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

Aerial Photo Date: February 2016







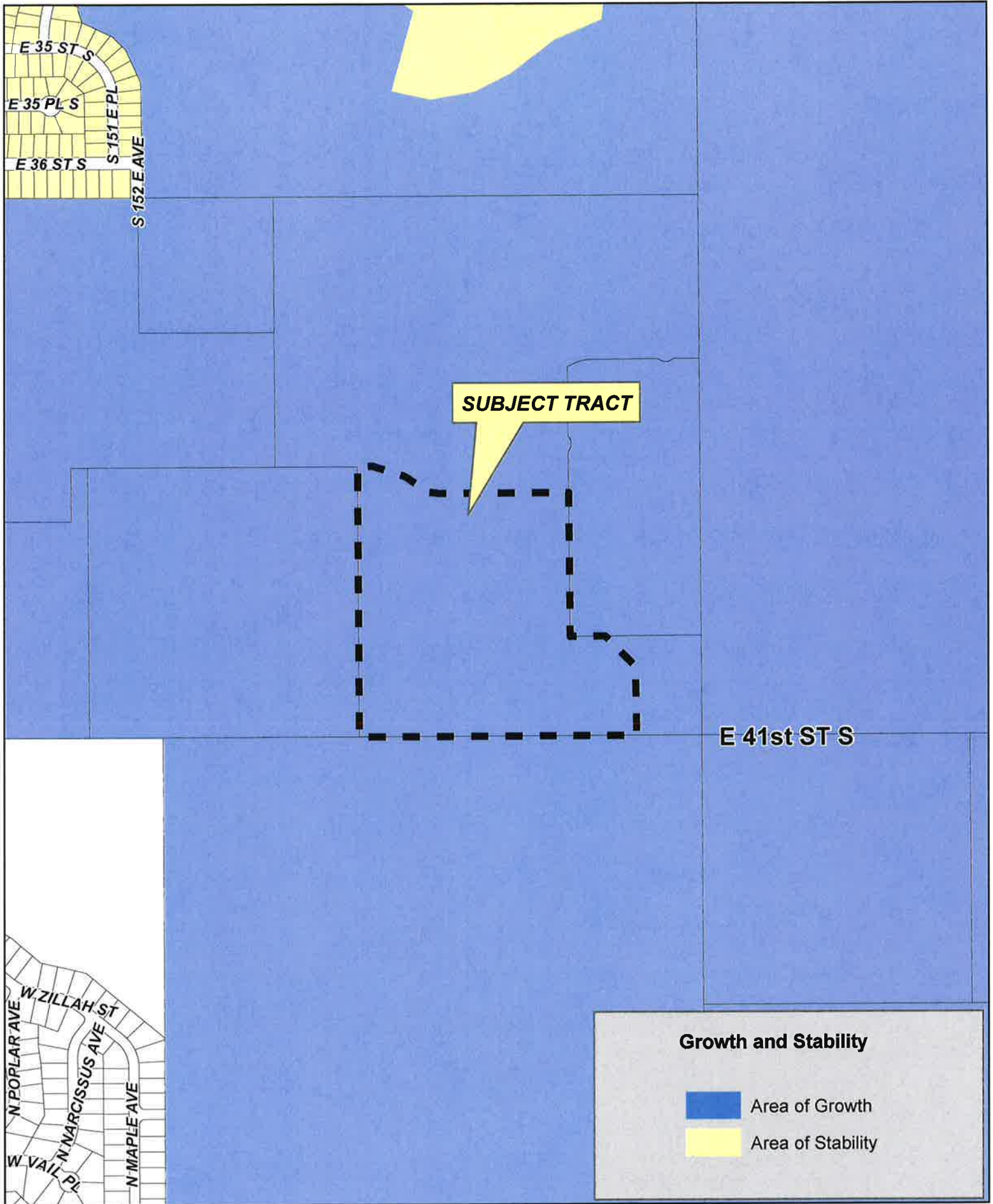
Feet  
0 300 600

19-14 22

**JAMESTOWN  
PHASE I**

18.6

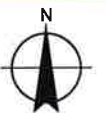




19-14 22

# JAMESTOWN PHASE I

18.7







A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER (SE/4) OF  
SECTION TWENTY-TWO (22), TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST  
CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

SECTION IV ENFORCEMENT DURATION AMENDMENT AND SEVERABILITY

**6. DURATION**  
THESE RESTRICTIONS, TO THE EXTENT PERMITTED BY APPLICABLE LAW, SHALL BE PERPETUAL, BUT IN ANY EVENT SHALL BE IN FORCE AND EFFECT FOR A TERM OF NOT LESS THAN THIRTY (30) YEARS FROM THE DATE OF THE RECORDING OF THIS DEED OF DEDICATION UNLESS TERMINATED OR AMENDED AS HEREINAFTER PROVIDED.

IN VALIDATION OF ANY RESTRICTION SET FORTH HEREIN, OR ANY PART THEREOF, BY AN ORDER, JUDGMENT, OR DECREE OF ANY COURT, OR OTHERWISE, SHALL NOT INVALIDATE OR AFFECT ANY OF THE OTHER RESTRICTIONS OR ANY PART THEREOF AS SET FORTH HEREIN, WHICH SHALL REMAIN IN FULL FORCE AND EFFECT UNTIL SUCH TIME AS THE COURT ORDER, JUDGMENT, OR DECREE IS REVERSED, SET ASIDE, OR OTHERWISE REPEALED.

BY STEVE MIDGWAY MANAGED

NOTARY PUBLIC

COMMISSION NUMBER  
# 5037563

I, DEAN ROBINSON OF REEDMORE WENZ & ASSOCIATES, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA, DO HEREBY CERTIFY THAT I HAVE CAREFULLY AND ACCURATELY SURVEYED, SUBDIVIDED, AND PLATTED THE TRACT OF LAND DESCRIBED ABOVE, AND THAT THE ACCOMPANYING PLAT DESIGNATED AS "JAMESSTOWN" IS A TRUE REPRESENTATION OF THE SURVEY MADE ON THE GROUND USING GENERALLY ACCEPTED PRACTICES AND MEETS OR EXCEEDS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED.

NAME OF DELINQUENT ) ss.  
COUNTY OF TULSA )  
THE FOREGOING CERTIFICATE

COMMISSION NUMBER

Preliminary Plot  
Jamestown-Phase I  
Sheet 4 of 4  
Date Printed: March 18, 2019



Preliminary Plat

# Jamestown-Phase I

A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER (SEA) OF SECTION TWENTY-TWO (22), TOWNSHIP 36 NORTH, RANGE 14 EAST, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

Curve Table				
CURVE #	LENGTH	PIACUS	DELTA (A)	CHORD BEARING
C1	108.80	220.00	42°22'58"	S 71°12'59" E
C2	122.20	175.00	42°14'14"	S 71°06'00" E
C3	26.27	25.00	90°00'00"	N 67°04'00" E
C4	26.27	25.00	90°00'00"	S 48°11'59" E
C5	27.03	25.00	48°11'59"	N 64°36'04" E
C6	143.24	95.00	100°01'00"	S 48°09'18" E
C7	21.03	25.00	48°11'59"	S 22°26'00" W
C8	134.50	135.00	60°32'01"	S 34°30'11" E
C9	22.37	25.00	80°32'01"	N 34°32'00" W
C10	38.12	25.00	80°32'01"	S 48°23'02" E
C11	38.12	25.00	80°32'01"	N 42°34'00" E
C12	161.31	105.00	57°00'00"	N 32°35'00" W
C13	42.30	25.00	57°00'00"	S 80°37'20" W
C14	23.50	25.00	57°00'00"	S 67°00'00" E
C15	301.52	65.00	38°18'12"	N 68°08'00" W
C16	23.50	25.00	57°00'00"	N 48°49'29" E
C17	38.27	25.00	57°00'00"	N 22°00'00" W
C18	138.82	175.00	42°40'21"	N 48°16'00" W
C19	25.13	25.00	60°51'37"	S 47°50'00" W
C20	38.27	25.00	60°51'37"	S 47°44'00" W
C21	23.50	25.00	57°00'00"	S 38°14'00" E
C22	201.52	60.00	28°12'01"	S 80°41'00" W
C23	23.50	25.00	57°00'00"	N 22°43'00" E
C24	26.27	25.00	90°00'00"	N 48°13'00" W
C25	25.24	25.00	60°00'00"	S 47°38'14" W
C26	38.12	105.00	21°40'18"	N 11°50'00" W
C27	38.12	25.00	21°40'18"	S 48°22'00" E
C28	38.20	25.00	60°10'00"	N 42°36'04" E
C29	38.34	25.00	60°10'00"	N 42°36'04" E
C30	65.32	225.00	27°42'00"	N 10°27'23" E
C31	42.48	25.00	87°18'48"	S 28°18'00" W
C32	62.20	175.00	18°27'11"	N 60°33'00" W
C33	49.70	20.00	11°42'28"	N 71°50'00" E
C34	133.01	225.00	38°12'00"	N 71°50'00" W
C35	26.12	25.00	80°32'12"	S 48°26'18" E
C36	38.42	25.00	80°32'12"	S 47°33'11" W
C37	38.20	25.00	50°50'18"	N 48°20'00" W
C38	55.17	175.00	17°52'32"	N 40°16'00" E
C39	38.34	25.00	60°00'00"	N 42°36'04" E
C40	38.12	25.00	60°00'00"	S 48°26'18" E
C41	38.42	25.00	60°00'00"	S 47°33'11" W
C42	38.20	25.00	60°00'18"	N 48°20'00" W
C43	13.81	4.33	17°00'00"	N 60°34'00" E
C44	13.81	4.33	16°51'00"	N 60°33'12" E
C45	13.81	4.33	17°00'00"	N 60°22'48" E
C46	13.81	4.33	16°51'00"	N 60°22'48" E

Line Table		
LINE #	LENGTH	BEARING
L1	120.00	N 01°15'55" W
L2	120.00	N 01°16'59" W
L3	120.00	N 01°16'59" W
L4	120.00	N 01°16'59" W
L5	65.00	N 01°15'55" W
L6	65.00	N 01°15'55" W
L7	120.00	N 01°16'59" W
L8	65.33	N 00°20'00" E
L9	120.00	N 01°16'59" E
L10	65.33	S 01°20'00" E
L11	65.01	N 01°16'59" E
L12	65.01	N 01°20'00" W
L13	78.18	S 01°20'00" E
L14	65.00	N 21°20'00" E
L15	65.00	N 21°20'00" E
L16	90.45	N 89°44'00" E
L17	74.10	N 01°16'59" E
L18	45.00	N 01°20'00" W
L19	45.00	N 01°20'00" W

18.11







Tulsa Metropolitan Area  
Planning Commission

**Case Number:** CPA-56  
**Comprehensive Plan Amendment**  
**(related to Z-7373)**

**Hearing Date:** April 19, 2017  
**(continued from February 15, 2017 and**  
**March 1, 2017)**

**Case Report Prepared by:**

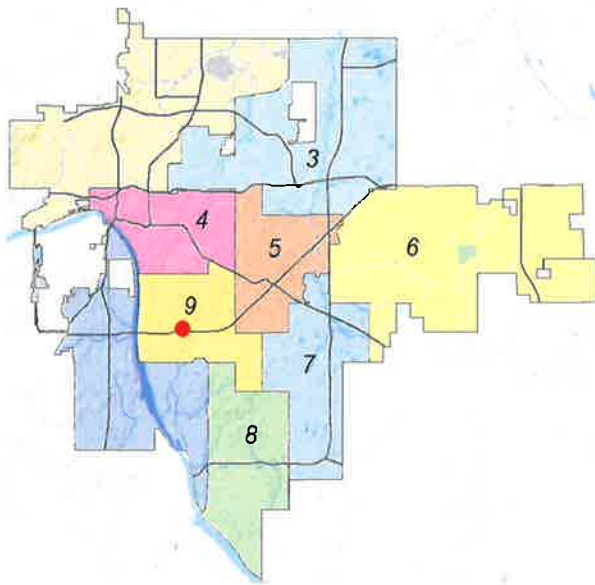
Amy Ulmer

**Owner and Applicant Information:**

Applicant: JR Donelson

Property Owner: Twenty Six Oaks Property

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



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

Stability and Growth Map change from ***Area***  
***of Stability*** to an ***Area of Growth***

Existing Use: Vacant Lot

Proposed Use: Accessory Parking

Tract Size: .17 acre

Location: N and E of the NE/c corner of S.  
Lewis Ave. and E. Skelly Dr.

**Comprehensive Plan:**

Land Use Map:

Existing: *Existing Neighborhood*

Proposed: *Mixed-Use Corridor*

Stability and Growth Map:

Existing: *Area of Stability*

Proposed: *Area of Growth*

**Zoning:**

Existing Zoning: RS-1

Proposed Zoning: OL

**Staff Recommendation:**

Staff recommends **approval** of the *Mixed-Use*  
*Corridor* land use and *Area of Growth*  
designation.

**City Council District: 9**

*Councilor Name:* Ben Kimbro

**County Commission District: 3**

*Commissioner Name:* Ron Peters

## COMPREHENSIVE PLAN LAND USE MAP AMENDMENT REQUEST

N and E of the NE/c corner of S. Lewis Ave. and E. Skelly Dr. (CPA-56)

### 1. PROPERTY INFORMATION AND LAND USE REQUEST

<b>Existing Land Use:</b> <i>Existing Neighborhood</i> <b>Existing Stability and Growth designation:</b> <i>Area of Stability</i>
<b>Proposed Land Use:</b> <i>Mixed-Use Corridor</i> <b>Proposed Stability and Growth designation:</b> <i>Area of Growth</i>
<b>Location:</b> <i>N and E of NE/c corner of S. Lewis Ave. and E. Skelly Dr.</i>
<b>Size:</b> <i>.17 acre</i>

#### A. Background

The site that is subject to this Comprehensive Plan amendment application is located north of I-44, on the east side of Lewis Ave. Currently the subject site is vacant and surrounded by established residential homes to the north and east and low-intensity office development to the south and west. According to the applicant, the ODOT owned property immediately to the east serves as the new entrance to the subject lot and was designed and constructed during the I-44 improvement efforts.

The lots immediately to the north, east, and west of the subject lot are designated as *Existing Neighborhood* and *Areas of Stability*. The area immediately south of the site designated as a *Mixed-Use Corridor* and an *Area of Growth*. The applicant has submitted this proposed Comprehensive Plan amendment and a concurrent rezoning application (Z-7373) to permit an accessory parking area for the office use immediately north of the site.

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

An *Existing Neighborhood land* use designation was assigned to the area subject to the amendment request at the time of the adoption of the Tulsa Comprehensive Plan in 2010:

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

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

"The *Areas of Stability* includes approximately 75% of the city's total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the *Areas of Stability*. The ideal for the *Areas of Stability* is to identify and maintain the valued character of an area while accommodating the rehabilitation, improvement or replacement of existing homes, and small scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life."

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

The applicant is proposing an *Area of Growth* and *Mixed- Use Corridor* designation on the subject site.

"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.”

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

**D. Zoning and Surrounding Uses:**

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Area of Growth	Existing Use
North	RS-1	<i>Existing Neighborhood</i>	<i>Area of Stability</i>	Vacant Lot- ODOT owned property
South	OL	<i>Mixed-Use Corridor</i>	<i>Area of Growth</i>	Office
East	RS-1	<i>Existing Neighborhood</i>	<i>Area of Stability</i>	Single-Family Residential
West	RS-1	<i>Existing Neighborhood</i>	<i>Area of Stability</i>	ODOT owned property- Access Road

**E. Applicant’s Justification:**

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

1. How conditions on the subject site have changed, as well as those on adjacent properties and immediate area;
2. How changes have impacted the subject site to warrant the proposed amendment; and;

3. How the proposed change will enhance the surrounding area and the City of Tulsa.

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

1. *"The request is to change the land use from existing residential neighborhood to a mixed use corridor and from an area of stability to an area of growth. The desire is to rezone the property from "RS-1" to "OL". This zoning is compatible with the office complex to the south and the office complex to the west. The rezoning from "RS-1" to "OL" will allow a parking lot to be constructed on the property. A single family residential home was removed from this property prior to the new construction and modification of South Lewis Ave. and I-44."*
2. *"The Oklahoma Department of Transportation closed the entrance to the Twenty-Six Oaks office complex from South Lewis Ave., when I-44 and South Lewis Ave. was widened and improved. A new entrance to the Twenty-Six Oaks office complex was designed and constructed by ODOT during the widening and improvement to I-44. The new entrance is shown on the attachment. The new entrance constructed for the Twenty-Six Oaks office complex will not permit another residential house to be constructed on the property."*
3. *"The proposed parking lot and proposed amendment to the Comprehensive Plan will not have an adverse impact on surrounding properties. The property to the south is the Twenty-Six Oaks office complex. The property to the north is vacant. The property to the east is a single family residence. The property to the west of South Lewis is a parking lot and office complex. The proposed parking lot will provide a use for this property. The property will provide additional parking for the Twenty-Six Oaks office complex. This additional parking space will enhance the Twenty-Six Oaks office complex for employees, guest and clients."*

**F. Staff Summary:**

The residential vacant subject lot was designated as *Existing Neighborhood* and an *Area of Stability* when the Comprehensive Plan was adopted in 2010. The subject site is abutted by *Existing Neighborhood* land use and an *Area of Stability* designation to the north, east, and west. The planning area immediately to the south is designated a *Mixed-use Corridor* and an *Area of Growth*. Since 2010 there have been no noted changes in zoning and land use designations in the area surrounding the subject site.

In order to accommodate the proposed rezoning to OL, the applicant is requesting to expand the *Mixed-Use Corridor* land use and *Areas of Growth* designation to provide additional parking relief for the Twenty-Six Oaks office complex immediately south of the subject lot. The proposed amendment would be an extension of *Mixed-Use Corridor* and *Areas of Growth* land use designation immediately to the south of the subject lot. According to the original site plan submitted for PUD-227, the Twenty-Six Oaks office complex has 143 off-street parking spaces, which was consistent with the OL zoning parking requirements at the time of the PUD approval. The new Tulsa Zoning Code does not require additional parking on the Twenty-Six Oaks office complex site.

The subject lot abuts two ODOT owned properties (see attached) to the west and north that are currently designated *Existing Neighborhood* and *Areas of Stability*. According to the applicant, during the widening and improvements to I-44, ODOT closed the South Lewis Avenue entrance to the Twenty- Six Oaks office complex. These events were taking place during the same time period as when the Comprehensive Plan was being developed and adopted. The parcel to the west of the subject site serves as the new entrance to the office complex that was designed and constructed by ODOT. If the proposed amendments on are approved on the subject site, the ODOT owned parcel west of the site will be included as part of the annual housekeeping amendments to the same designations.

The applicant has stated, "*The new entrance constructed for the Twenty-Six Oaks office complex will not permit another residential house to be constructed on the property.*" The RS-1 zoned subject site is a non-conforming lot that is 7,405 SF while the minimum lot area and lot area per dwelling unit requirement within the RS-1 district is 13,500 SF. Therefore, the subject site does pose some constraints in building a home that it is consistent with the size of the typical homes found in the surrounding RS-1 zoning district.

The location and existing size of the subject site could limit the type of uses and development allowed on this lot. If developed residentially, a new residence at this location would be not be oriented toward the adjacent neighborhoods, leaving it isolated. An expansion of the *Mixed-Use Corridor* land use and *Areas of Growth* designation into this lot could provide an adequate transition to the existing residences and utilize a lot that has limited development options.

#### STAFF RECOMMENDATION

- Staff recommends **Approval** of the *Mixed-Use Corridor* and *Area of Growth* land use designation as submitted by the applicant.





Tulsa Metropolitan Area  
Planning Commission

**Case Number: Z-7373**  
**(Related to CPA-56)**

**Hearing Date: April 19, 2017**

Neighborhood continuance from 2.15.2017 to 3.1.2017  
and again to 4.19.2017

**Case Report Prepared by:**

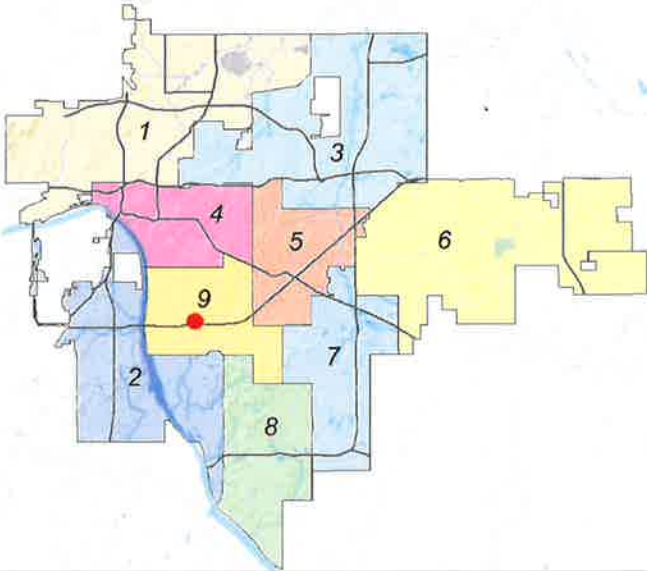
Dwayne Wilkerson

**Owner and Applicant Information:**

*Applicant:* JR Donelson

*Property Owner:* TWENTY SIX OAKS  
PROPERTY

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



**Applicant Proposal:**

*Present Use:* Vacant

*Proposed Use:* Accessory parking area for the  
office use immediately south of the site.

*Concept summary:* Rezone for tract that was  
acquired by ODOT for I-44 at S. Lewis interchange  
reconstruction. Tract and is now available for  
purchase and proposed parking lot construction.

*Tract Size:* 0.17 ± acres

*Location:* North and East of the northeast corner  
of S. Lewis Ave. and E. Skelly Dr.

**Zoning:**

*Existing Zoning:* RS-1

*Proposed Zoning:* OL

**Comprehensive Plan:**

*Existing Land Use Map:* Existing Neighborhood

*Proposed Land Use Map:* Mixed-use Corridor

*Existing Stability and Growth Map:* Stability

*Proposed Stability and Growth Map:* Growth

**Staff Recommendation:**

**Staff recommends approval for rezoning from  
RS-1 to OL.**

Staff has not received an optional development  
plan that was being discussed by the  
neighborhood adjacent to the property.

**Staff Data:**

TRS: 9329

CZM: 47

Atlas: 471

**City Council District: 9**

*Councilor Name:* Ben Kimbro

**County Commission District: 2**

*Commissioner Name:* Karen Keith

20.1

## SECTION I: Z-7373

**DEVELOPMENT CONCEPT:** Construct a parking lot for the existing office building south of the site in PUD 227.

### 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:
  - Survey
- Neighborhood Correspondence:
  - Miscellaneous emails and letters:

### **DETAILED STAFF RECOMMENDATION:**

The rezoning request included in Z-7373 is consistent with the anticipated land use vision proposed in the Tulsa Comprehensive Plan amendment as identified in CPA-56 (Mixed Use Corridor) and,

OL zoning typical supports small office development and is a compatible use with adjacent residential zoning districts. The proposed use is for a small surface parking lot abutting the rear yard of adjacent to a single family residential lot. The requested change in use is a result of ODOT land acquisition, driveway construction and street improvements on South Lewis. In this instance the proposed use could be considered injurious to the existing residential properties and,

OL rezoning requested is consistent with the anticipated future development of the surrounding property and also consistent with the anticipated redevelopment of the land acquired by ODOT during highway reconstruction therefore,

**Staff recommends Approval of Z-7373 to rezone property from RS-1 to OL.**

## **SECTION II: Supporting Documentation**

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

***Staff Summary:** The site was purchased by ODOT with the reconfiguration of the interchange of I-44 at South Lewis homes on the site were demolished as part of the highway reconstruction. After construction the properties were left vacant and could now be considered for uses other than an existing neighborhood. CPA-56 supports the request to change the land use from Existing Neighborhood land use designation to Mixed Use Corridor. With approval of the amendment to the Comprehensive Plan, OL zoning would be consistent with the plan.*

### Existing Land Use Vision:

***Land Use Plan map designation:** Existing Neighborhood*

The Existing Residential Neighborhood category is intended to preserve and enhance Tulsa's existing single family neighborhoods. Development activities in these areas should be limited to the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects,

20.2

as permitted through clear and objective setback, height, and other development standards of the zoning code. In cooperation with the existing community, the city should make improvements to sidewalks, bicycle routes, and transit so residents can better access parks, schools, churches, and other civic amenities.

*Areas of Stability and Growth designation: Area of Stability*

The Areas of Stability includes approximately 75% of the city's total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal for the Areas of Stability is to identify and maintain the valued character of an area while accommodating the rehabilitation, improvement or replacement of existing homes, and small scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.

Proposed Land Use as associated with CPA-56:

**Land Use Plan Map Designation: Mixed Use Corridor**

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

*Areas of Stability and Growth designation: Area of Growth*

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

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

Transportation Vision:

*Major Street and Highway Plan:* Secondary Arterial with Multi Modal Overlay

20.3

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

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

*Trail System Master Plan Considerations:* None that affect the site

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

#### DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: As part of the reconstruction of I-44 existing homes were demolished and a new access drive was constructed to serve the offices immediately south of the request. This small vacant tract of land is remaining east of the new driveway.

*Street view snippet looking east from ODOT driveway:*

20.4



Environmental Considerations: None that would affect site redevelopment.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Lewis Avenue	Secondary Arterial with Multi Modal overlay	100 feet	4

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

<b>Location</b>	<b>Existing Zoning</b>	<b>Existing Land Use Designation</b>	<b>Area of Stability or Growth</b>	<b>Existing Use</b>
North	RS-1	Existing Neighborhood	Stability	Vacant
East	RS-1	Existing Neighborhood	Stability	Single Family Residential
South	OL/PUD 227	Mixed Use Corridor	Growth	Office
West	OL west of Lewis	Town Center	Growth	Vacant

### SECTION III: Relevant Zoning History

20.5

**ZONING ORDINANCE:** Ordinance number 11823 dated June 26, 1970, established zoning for the subject property.

***Subject Property:***

*No relevant history.*

***Surrounding Property:***

**Z-5364 March 1980:** All concurred in **approval** of a request for *rezoning* a 2.9± acre tract of land from RS-1 to OL for an office development, on property located on the northeast corner of S. Lewis Avenue and Interstate 44 and abutting south of subject property.

**PUD-227 March 1980:** All concurred in **approval** of a proposed *Planned Unit Development* on a 2.9± acre tract of land for an office development, on property located on the northeast corner of S. Lewis Avenue and Interstate 44 and abutting south of subject property.

2/15/2017 1:30 PM

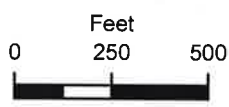
20.6

REVISED 4/10/2017







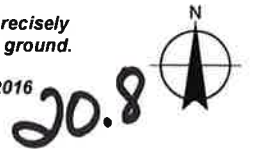


**Z-7373**

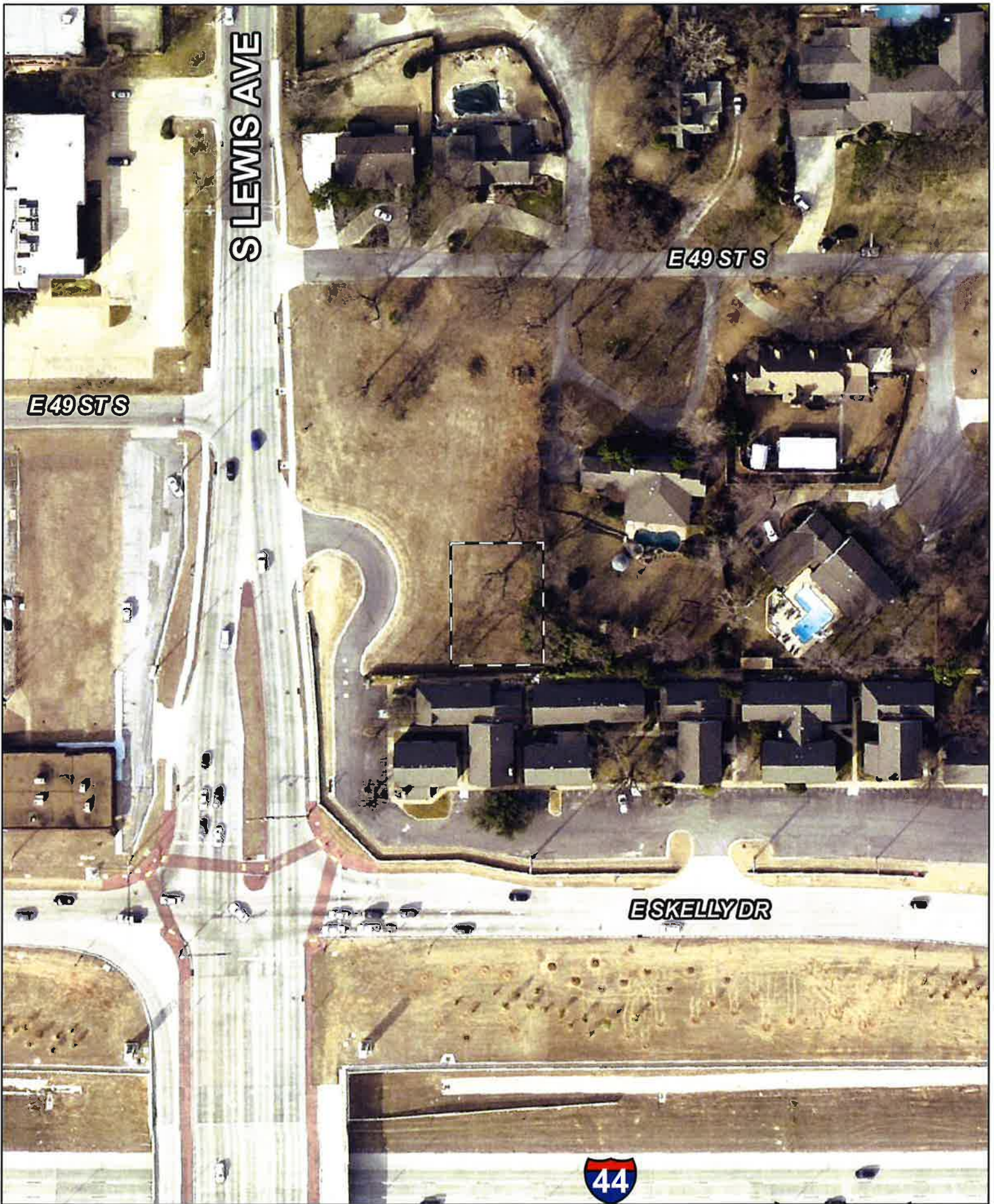
19-13 29

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

Aerial Photo Date: February 2016







0 Feet 50 100



Subject  
Tract

**Z-7373**

19-13 29

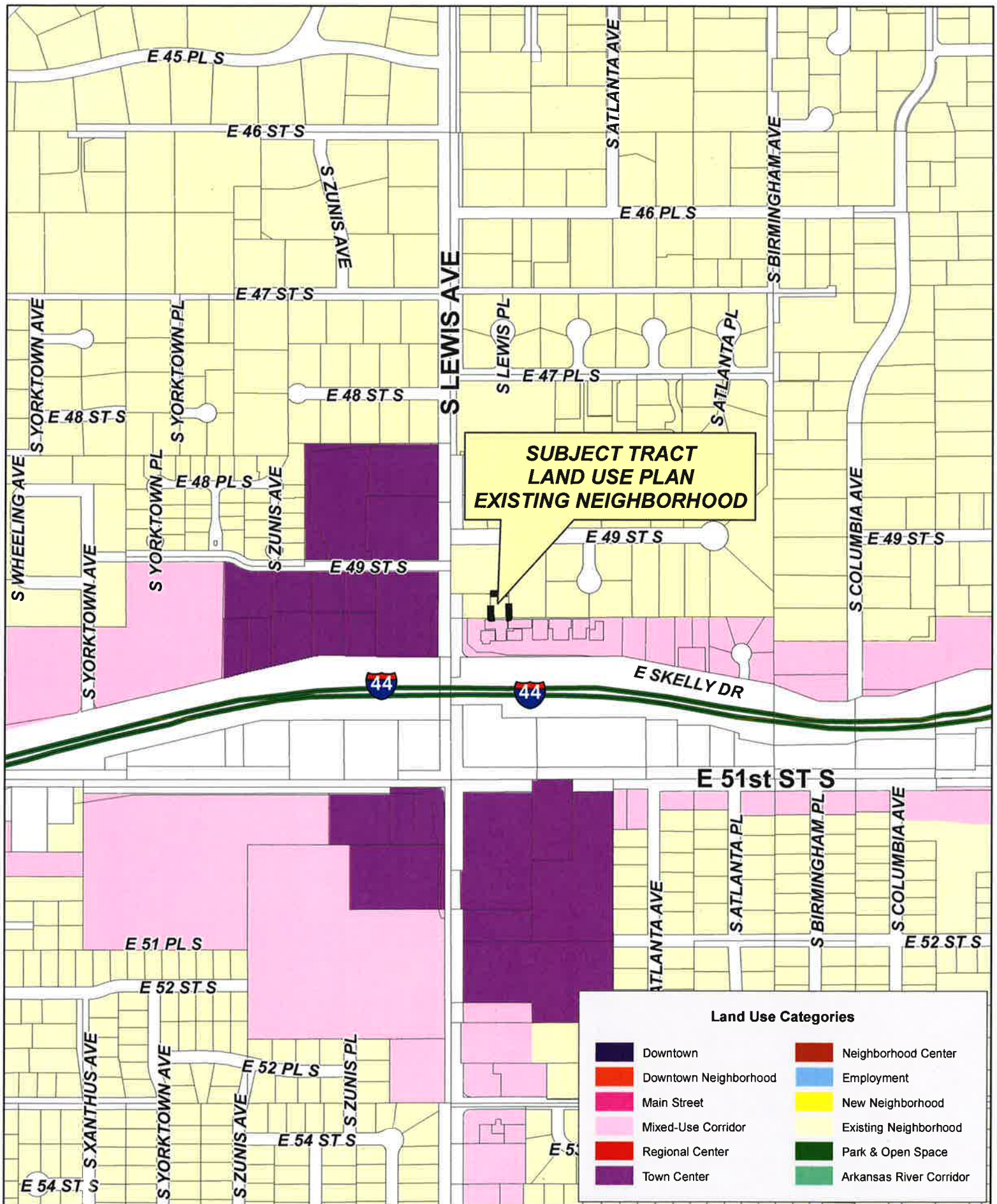
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016



20.9





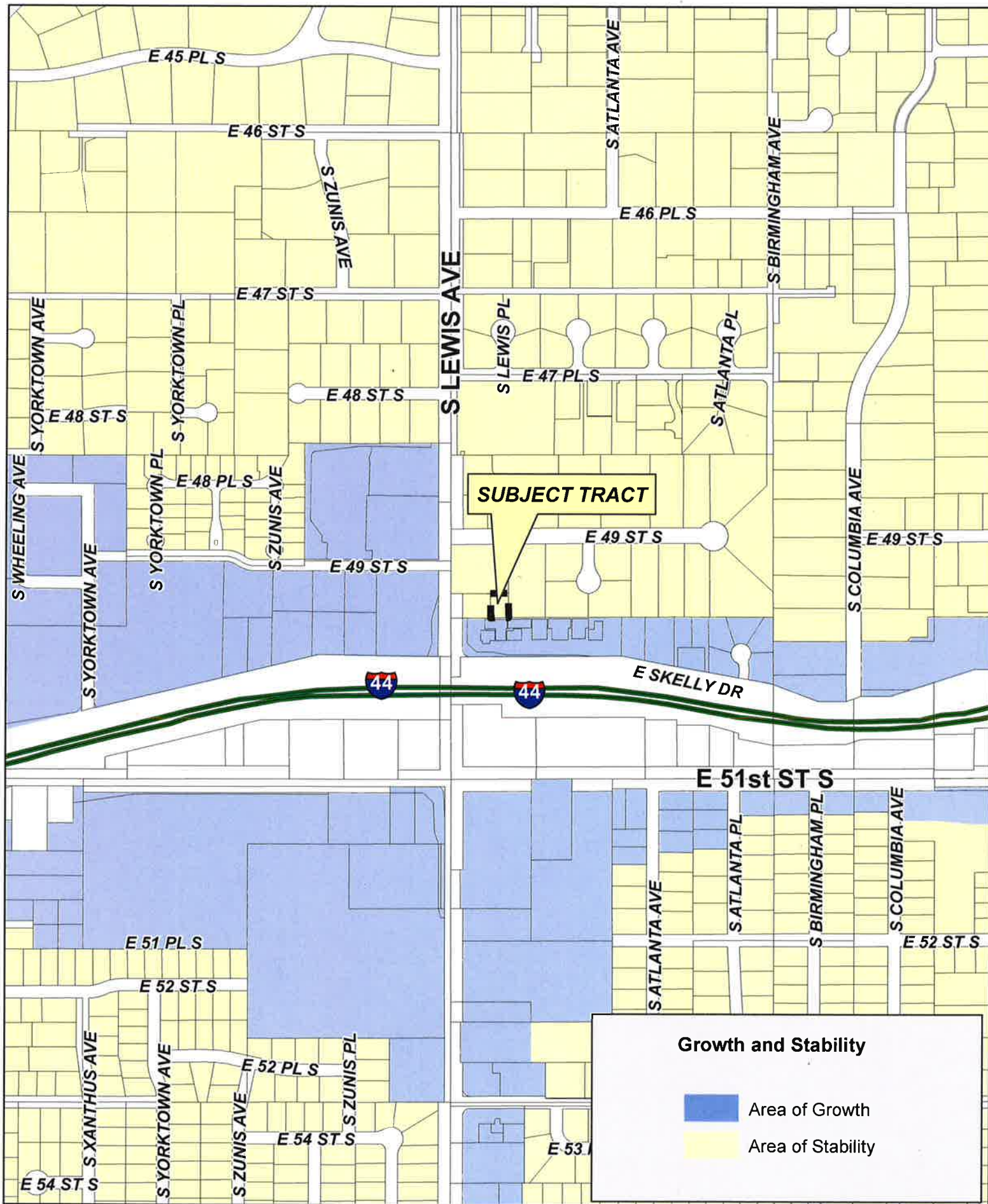
Feet  
0 250 500

**Z-7373**

19-13 29

20.10





Feet  
0 250 500

**Z-7373**

19-13 29

20.11

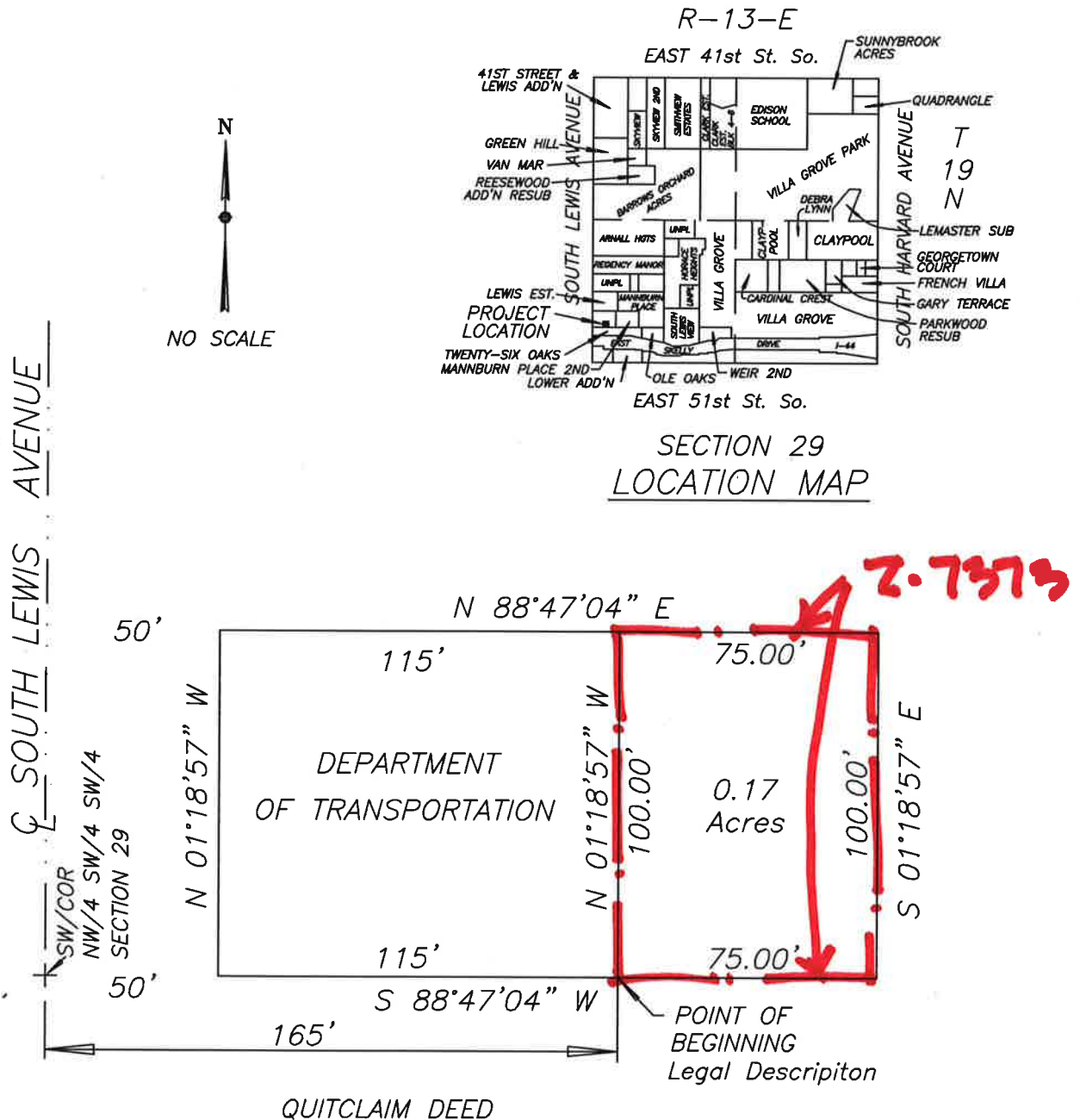




APPLICANT EXHIBITS:

20.12

# EXHIBIT 'A'



DOC. #2014106806

LEGAL DESCRIPTION:

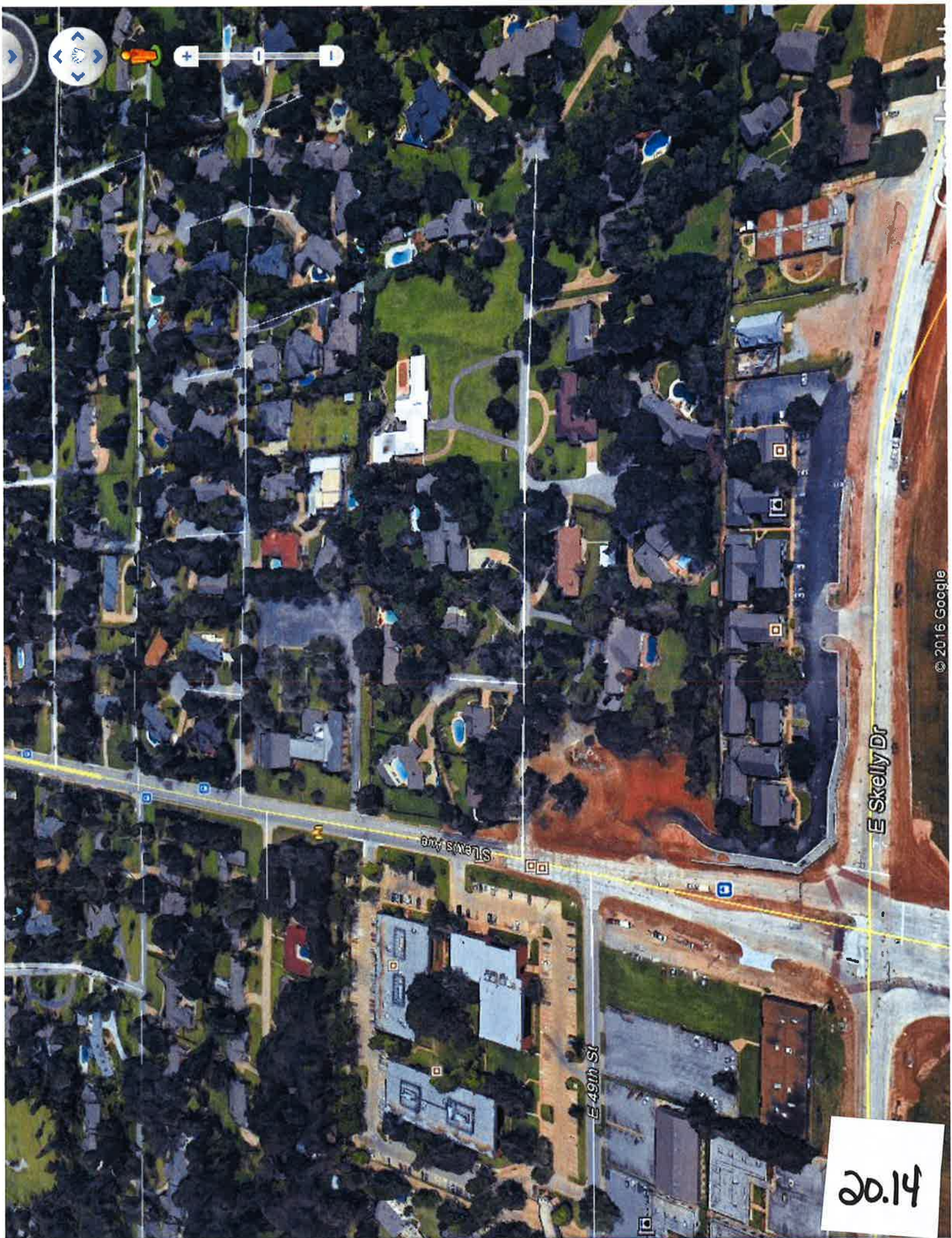
A strip, piece or parcel of land lying in part of the NW/4, SW/4, SW/4 of Section 29, T19N, R13E of the Indian Base and Meridian, in Tulsa County, Oklahoma, Said parcel of land being described by metes and bounds, as follows:

Commencing at the SW corner of said NW/4 SW/4 SW/4, thence N 88°47'04" E along the South line of said NW/4 SW/4 SW/4 a distance of 165.00 feet, said point being the point of beginning, thence N 01°18'57" W a distance of 100.00 feet, thence N 88°47'04" E a distance of 75.00 feet, thence S 01°18'57" E a distance of 100.00 feet, thence S 88°47'04" W a distance of 75.00 feet to the point of beginning.

Containing 0.17 acres, being 7,500 square feet more or less.

20.13





20.14

© 2016 Google



Property Description

LS – 7373

A strip, piece or parcel of land lying in part of the NW  $\frac{1}{4}$  SW  $\frac{1}{4}$  SW  $\frac{1}{4}$  of Section 29, T-19-N, R-13-E, of the Indian Base Meridian, in Tulsa County, Oklahoma. Said parcel of land being described by metes and bounds as follows:

Commencing at the SW corner of said NW  $\frac{1}{4}$  SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ , thence N  $88^{\circ}47'04''$ E along the South line of said NW  $\frac{1}{4}$  SW  $\frac{1}{4}$  SW  $\frac{1}{4}$  a distance of 165.00 feet, said point being the point of beginning, thence N  $01^{\circ}18'57''$ W a distance of 100.00 feet, thence N  $88^{\circ}47'04''$ E a distance of 75.00 feet, thence S  $01^{\circ}18'57''$ E a distance of 100.00 feet, thence S  $88^{\circ}47'04''$ W a distance of 75.00 feet to the point of beginning.

20.15





## QUITCLAIM DEED

06374(59)  
Part of Parcel 272  
Added 10-10-14

THIS INDENTURE, made this 5 day of November, 2014, A.D. between the State of Oklahoma acting by and through the Department of Transportation of the State of Oklahoma, party of the first part, and Twenty-Six Oaks Property Owners Association, Inc. part y of the second part, **WITNESSETH:** That said party of the first part, in consideration of the sum of Ten Dollars & 00 Cents DOLLARS (\$ 10.00 ) and other valuable consideration to it in hand paid, the receipt of which is hereby acknowledged, except for and subject to any existing utility easements, licenses or permits and subject to the reservation made hereinafter, does hereby quitclaim, grant, bargain, sell and convey unto Twenty-Six Oaks Property Owners Association, Inc. part y of the second part, all its rights, title, interest, estate, and every claim and demand, both at law and in equity, in and to all the following described property, to wit:

A strip, piece or parcel of land lying in part of the NW $\frac{1}{4}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 29, T19N R13E of the Indian Base Meridian, in Tulsa County, Oklahoma. Said parcel of land being described by metes and bounds as follows:

Commencing at the SW corner of said NW $\frac{1}{4}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$ , thence N 88°47'04" E along the South line of said NW $\frac{1}{4}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$  a distance of 165.00 feet, said point being the point of beginning, thence N 01°18'57" W a distance of 100.00 feet, thence N 88°47'04" E a distance of 75.00 feet, thence S 01°18'57" E a distance of 100.00 feet, thence S 88°47'04" W a distance of 75.00 feet to the point of beginning.

Containing 0.17 acres, being 7,500 square feet more or less.

All bearings contained in this description are based on the Oklahoma State Plane Coordinate System and are not astronomical bearings.

This instrument is exempt from the  
Documentary Stamp requirement  
Per 68 O.S. §3202 (11).

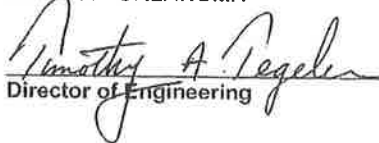
Please return to:  
DEPARTMENT OF TRANSPORTATION  
Legal Division - Business Office  
200 N.E. 21<sup>st</sup> Street  
Oklahoma City, OK 73105

together with all and singular the hereditaments and appurtenances thereunto belonging

**TO HAVE AND TO HOLD** the above described premises unto the said part y of the second part, its heirs, successors and assigns, forever, so that neither it, the said Department of Transportation of the State of Oklahoma nor any person in its name and behalf, shall or will hereafter claim or demand any right or title to the said premises or any part thereof; but they and everyone of them shall by these presents be excluded and forever barred and said premises shall be subject to the rights of any existing utility easements, licenses or permits which may presently be occupying said right-of-way.

**IN WITNESS WHEREOF**, the said party of the first part has hereunto set its hand the said day and year first above written.

DEPARTMENT OF TRANSPORTATION  
STATE OF OKLAHOMA

  
Director of Engineering

20.16

STATE OF OKLAHOMA       )  
  )SS.  
OKLAHOMA COUNTY       )

Before me, Andrea Daniele Bzdula, Notary Public, in and for this State, on this 12 day of November, 2014, personally appeared Timothy A. Tiegeler to me known to be the Director of Engineering of the Department of Transportation of the State of Oklahoma, and the identical person who executed the within and foregoing instrument, and acknowledged to me that he executed the same in his authorized signature capacity as, as his free and voluntary act and deed as such Director of Engineering of the Department of Transportation of the State of Oklahoma, for the uses and purposes therein set forth.

Witness my hand and seal this day and year last above written.

My Commission expires:

08-14-17

Commission No.

13007463



Andrea Daniele Bzdula  
Notary Public

Mailing Address:

200 NE 21st

OKC, OK 73105

20.17



**Michael Willis**  
**Tulsa County Clerk**  
**500 S. DENVER, ROOM 120 Tulsa, OK 74103 (918) 596-5801**  
Thank You for Your Business

Receipt: 17-1090

Product	Name	Extended
PCOPY	COPY DOCUMENT COPY	\$2.00
	Document	2014106806
	Document Number	2014106806
	# of Pages	2
	# of Copies	1
Customer Copies		\$2.00
<b>Total</b>		<b>\$2.00</b>
Tender (Cash)		\$2.00
Paid By	26 OAKS	

## NEIGHBORHOOD CORRESPONDENCE:

20.19



Janell Whitby  
2403 E. 49 St  
Tulsa, OK 74105

February 3, 2017

Susan Miller  
incog  
2 West 2<sup>nd</sup> Street Suite 800  
Tulsa, OK 74102

Dear Susan and Committee Members:

This letter is to contest the rezoning Case No. CPA-56 and Z-7373.


I have lived on the north east corner of 49<sup>th</sup> and Lewis for 37 years. When I bought this new house it was zoned "residential single-family." It was a peaceful dead end street. There were 2 houses on the hill across the street from me to the south.

When I-44 was expanded, ODOT bought the corner and removed the 2 houses to build a curved driveway east off Lewis for access to the office condominiums on the hill. ODOT assured me that the land would remain empty.

In 1992, I was served notice that I had to relocate my piano studio because the neighborhood is zoned residential. I complied and rented commercial space at 5741 S. Harvard where I am still located today. This current issue has far greater implications than a piano studio.

I am definitely opposed to a rezoning of the area to an "area of growth" and "office-Low." This opens the door to further unknown commercial development, increased traffic in my front yard, and the possibility of high-rise buildings built across 49<sup>th</sup> Street.

Sincerely,

  
Janell Whitby

20.20

## Wilkerson, Dwayne

---

**From:** Mary Huckabee [MHuckabee@cwlaw.com]  
**Sent:** Monday, February 13, 2017 11:13 AM  
**To:** Wilkerson, Dwayne  
**Cc:** Ulmer, Amy  
**Subject:** CPA-56 & Z-7373

Dwayne,

I have just been retained as counsel for Robin Brinson and Travis Phipps who live at 2424 E. 49th St., Tulsa, Oklahoma 74105, just next door to the property that is the subject of the applications in CPA-56 and Z-7373. We would like to request a continuance of the hearing of CPA-56 and Z-7373 to the next meeting of the TMAPC on March 1<sup>st</sup> in order to give the Robin and Travis time to gather information, consult with the property owner and neighbors, and possibly develop a proposed optional development plan. If you need further information in support of this requested continuance, please let me know. Thank you.

**Mary Huckabee**

Attorney at Law

 **CONNER &  
WINTERS**  
**CONNER & WINTERS, LLP**

Attorneys & Counselors at Law

4000 One Williams Center

Tulsa, OK 74172-0148

P 918.586.5715

F 918.586.8677

[MHuckabee@cwlaw.com](mailto:MHuckabee@cwlaw.com)

[www.cwlaw.com](http://www.cwlaw.com)

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DAVID W. WULFERS  
SHANNON K. DAVIS  
DAVID T. POTTS

ATTORNEYS AT LAW  
401 SOUTH BOSTON AVENUE, SUITE 2600  
MID-CONTINENT TOWER  
TULSA, OKLAHOMA 74103-4015  
TELEPHONE (918) 584-0881  
TELECOPIER (918) 584-4521  
jpwlaw.com

OF COUNSEL  
THOMAS G. POTTS  
PAMELA K. WHEELER  
RICHARD L. CARPENTER  
MATTHEW T. CROOK  
[Email: rcarpenter@jpwlaw.com]

February 15, 2017

Susan Miller (Via Email [smiller@incog.org](mailto:smiller@incog.org))  
TMAPC Staff

Land Regulation Specialist (Via Email [esubmit@incog.org](mailto:esubmit@incog.org))  
2 West 2<sup>nd</sup> Street, Suite 800  
Tulsa, OK 74103

FILE COPY

Dwayne Wilkerson (Via Email [dwilkerson@incog.org](mailto:dwilkerson@incog.org))

Re: Case No. CPA-56  
Case No. Z-7373  
North of Northeast Corner of South Lewis Ave. and East Skelly Drive  
Present Zoning: RS-1  
Protest of Richard Carpenter  
Hearing: February 15, 2017 at 1:30 p.m.

Dear Ms. Miller, Land Regulation Specialist, and Mr. Wilkerson:

Please accept this letter as my protest of a change in zoning and a change and use of the property described in the referenced case numbers. My name is Richard Carpenter. I live at 2477 East 49<sup>th</sup> Street, Tulsa, Oklahoma. The affected property was part of a residential lot at 49<sup>th</sup> Street east of Lewis and Lewis Avenue. It is misleadingly described as being north of Skelly Drive. That gives an inference of commercial use. The whole of the land in question constitutes the entrance to our no-outlet neighborhood (Mannburn Place). It had a stately house and contained magnificent oak trees. It provided a beautiful entrance to the neighborhood.

ODOT exceeded its statutory authority in purchasing this land when it only needed a small strip along the western border to widen Lewis Avenue. It had no statutory authority to buy all of the land and consequently, if it has done so, had no statutory authority to sell it. Nevertheless, it used the land as a staging area for the dirt work that was done in constructing the new overpass at I-44 and in the process killed five of the large oak trees.

Now, someone wants to convert the northern part of the land taken by ODOT into a "parking lot" that will undoubtedly take two of the remaining large oak trees with the idea that it is converting the land to an "Area of Growth." This is part of a residential neighborhood. This

20.22

February 15, 2017  
Page 2

parking lot supposedly will serve a commercial development that has existed for probably 30 years and has more parking and access now than it had before Lewis Avenue was widened. The change would introduce "commercial growth" that intrudes toward our neighborhood access.


If this change in zoning is made and designated "Area of Growth," the next move will be to degrade further to the north with the argument that "We already have changed the zoning of the south end of this lot, why shouldn't we be allowed to change the zoning on the north part of the lot and put in a three story office building?"

The use should be kept as it is. I have lived in this neighborhood for over 40 years. The inhabitants of the neighborhood should not be required to have the entrance to their residential neighborhood turned into a parking lot where instead of seeing a beautiful residence, they are looking at vehicles.

I hope you will have a Google map and photographs of the stumps of the huge oak trees that have already been killed in this area now requested to be re-zoned and the oak trees that will be undoubtedly removed after re-zoning and re-designating the land use, if it is accomplished.

I would be present in person to protest this re-zoning and re-designation and express the reasons I have set forth herein, if it were possible.

Very truly yours,



Richard Carpenter and  
Margaret Carpenter  
2477 East 49<sup>th</sup> Street (for over 40 years)  
Tulsa, OK 74105

RC/jer

c [Teresa39@cox.net](mailto:Teresa39@cox.net)  
[janellwhitby@yahoo.com](mailto:janellwhitby@yahoo.com)

20.23.





**Sawyer, Kim**

---

**From:** Wilkerson, Dwayne  
**Sent:** Monday, April 10, 2017 12:34 PM  
**To:** Stephen A. Schuller; Sawyer, Kim  
**Cc:** Miller, Susan  
**Subject:** RE: TMAPC Case No. Z-7376 (Rezoning request from CH to RS-3)

Kim,

Staff supports Mr. Schuler's request for a continuance. On behalf of the applicant please forward the continuance request to the Planning Commission for the meeting scheduled May 17<sup>th</sup>, 2017.

Thanks

**INCOG**  
**C. Dwayne Wilkerson**  
Assistant Director Land Development Services

2 West Second Street  
Suite 800  
Tulsa, OK 74103

918-579-9475  
[dwilkerson@incog.org](mailto:dwilkerson@incog.org)



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**From:** Stephen A. Schuller [<mailto:sschuller@gablelaw.com>]  
**Sent:** Monday, April 10, 2017 12:28 PM  
**To:** Wilkerson, Dwayne  
**Subject:** TMAPC Case No. Z-7376 (Rezoning request from CH to RS-3)

Dwayne –

As we discussed last week, please process a request for a continuance of the hearing on **Wednesday 19 April** of the matter identified in the Subject line above.

My client has a prospective purchaser of the subject property whose financing requirements will not include a change of the underlying zoning of the property, provided I am able to secure a special exception from the Board of Adjustment to permit the residential use of the property. My request to the Board of Adjustment is scheduled for hearing the following week (**Case No. BOA-22226 on Tuesday 25 April**), and while I anticipate a successful outcome, one can never be certain, so my clients and I would prefer to retain the re-zoning case pending the outcome of the special exception case.

I believe a continuance to the very next TMAPC meeting (after **5 May**, the expiration of the period for an appeal from the Board of Adjustment) would be appropriate, and if all goes well at the Board of Adjustment and no appeal is filed, I would expect to be notifying you of the withdrawal of the re-zoning application before the scheduled TMAPC meeting.

Feel free to contact me by telephone or e-mail if you have any questions.



**Stephen A. Schuller | Attorney | GableGotwals**  
1100 ONEOK Plaza | 100 West 5th Street | Tulsa, OK 74103-4217 USA  
(Office) 918-595-4864 | [sschuller@gablelaw.com](mailto:sschuller@gablelaw.com) | [www.GableLaw.com](http://www.GableLaw.com)

21.1





Tulsa Metropolitan Area  
Planning Commission

**Case Number:** CZ-456

**Hearing Date:** April 19, 2017

**Case Report Prepared by:**

Jay Hoyt

**Owner and Applicant Information:**

*Applicant:* Benjamin Krasnyuk

*Property Owner:* KRASNYUK, BENJAMIN

**Location Map:**  
**(shown with County Commission Districts)**



**Applicant Proposal:**

*Present Use:* Residential/ vacant

*Proposed Use:* office and commercial

*Concept summary:* Rezone to IL to permit office and commercial uses.

*Tract Size:* 2.34  $\pm$  acres

*Location:* Southeast corner of S. 45th W. Ave. and W. 56th St. S.

**Zoning:**

*Existing Zoning:* RS

*Proposed Zoning:* IL

**Comprehensive Plan:**

*Land Use Map:* N/A

*Stability and Growth Map:* N/A

**Staff Recommendation:**

**Staff recommends approval.**

**Staff Data:**

TRS: 9233

CZM: 45

Atlas: 0

**County Commission District:** 2

*Commissioner Name:* Karen Keith

22.1



## SECTION I: CZ-456

**DEVELOPMENT CONCEPT:** The applicant has requested IL zoning in order to permit office and commercial uses on the subject lots. IL zoning is desired so that the lots may be compatible with the IL zones to the north, south and west. This would allow the subject lots to be marketed for office, commercial and light industrial uses.

### EXHIBITS:

- INCOG Case map
- INCOG Aerial (small scale)
- INCOG Aerial (large scale)
- Applicant Exhibits:
  - Existing Site Plan

### **DETAILED STAFF RECOMMENDATION:**

CZ-456 is non injurious to the existing proximate properties and;

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

**Staff recommends Approval of CZ-456 to rezone property from RS to IL.**

## SECTION II: Supporting Documentation

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: *This area is outside of the City of Tulsa Comprehensive Plan area.*

#### Land Use Vision:

*Land Use Plan map designation: N/A*

*Areas of Stability and Growth designation: N/A*

#### Transportation Vision:

*Major Street and Highway Plan: None*

*Trail System Master Plan Considerations: None*

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

### DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *The subject lots currently contain manufactures homes and a single-family dwelling. All structures appear to be in need of maintenance.*

22.2

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South 45 <sup>th</sup> West Avenue	None	N/A	2
West 56 <sup>th</sup> Street South	None	N/A	2
West 55 <sup>th</sup> Place South	None	N/A	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	IL	N/A	N/A	Auto Repair/Light Industrial
South	RS	N/A	N/A	Single-Family
East	RS	N/A	N/A	Vacant Single-Family/Railroad
West	IL	N/A	N/A	Light Industrial

### **SECTION III: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 98254 dated September 15, 1980, established zoning for the subject property.

#### ***Subject Property:***

**CBOA-1523 August 19, 1997:** The Board of Adjustment approved a Special Exception to permit a single wide manufactured home in an RS district; per plan and other conditions, on property located at the northeast corner of W. 56<sup>th</sup> St. and S. 45<sup>th</sup> W. Ave. and is located on a part of the subject property.

#### ***Surrounding Property:***

**CZ-419 December 2012:** All concurred in **approval** of a request for *rezoning* a .67± acre tract of land from RS to IL, for parking and storage of trucks, on property located east of northeast corner of W. 56<sup>th</sup> St. and S. 45<sup>th</sup> West Ave.

**CZ-402 December 2009:** All concurred in **approval** of a request for *rezoning* a .8± acre tract of land from RS to IL, for office and garage space, on property located east of southeast corner of South 45<sup>th</sup> West Avenue and West 55<sup>th</sup> Place and abutting north of subject property.

**CZ-315 January 2003:** All concurred in **approval** of a request for *rezoning* a 1.79± acre tract of land from RS to IL for light industrial, on property located west of northwest corner West 57<sup>th</sup> Street South and South 45<sup>th</sup> West Avenue.

22.3

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**CZ-314 December 2002:** All concurred in **approval** of a request for *rezoning* a tract of land from RS to IL for industrial use, on property located west of the northwest corner West 57<sup>th</sup> Street South and South 45<sup>th</sup> West Avenue

**CZ-307 July 2002:** All concurred in **approval** of a request for *rezoning* a .79+ acre tract of land from RS to IL for a lawn service, on property located northeast corner of West 55<sup>th</sup> Street South and South 43<sup>rd</sup> West Avenue.

**CZ-263 February 2000:** All concurred in **approval** of a request for *rezoning* two lots from RS to CH for an existing hotel/motel, located west of the southwest corner of West 56<sup>th</sup> Street and South 45<sup>th</sup> West Avenue.

**CZ-258 December 1999:** All concurred in **approval** of a request to for *rezoning* a lot from RS to IL for light manufacturing use, located east of northeast corner of I-44 and West 57<sup>th</sup> Street South.

**CZ-250 February 1999:** All concurred in **approval** of a request for *rezoning* a tract from RS to IL for a proposed landscape maintenance service business, located on the east side of South 45<sup>th</sup> West Avenue between West 56<sup>th</sup> Place South and West 57<sup>th</sup> Street South.

**CZ-248 December 1998:** All concurred in **approval** of a request for *rezoning* a tract from RS to IL for a body shop, located on the southwest corner of West 55<sup>th</sup> Place and South 41<sup>st</sup> West Court.

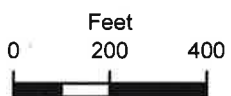
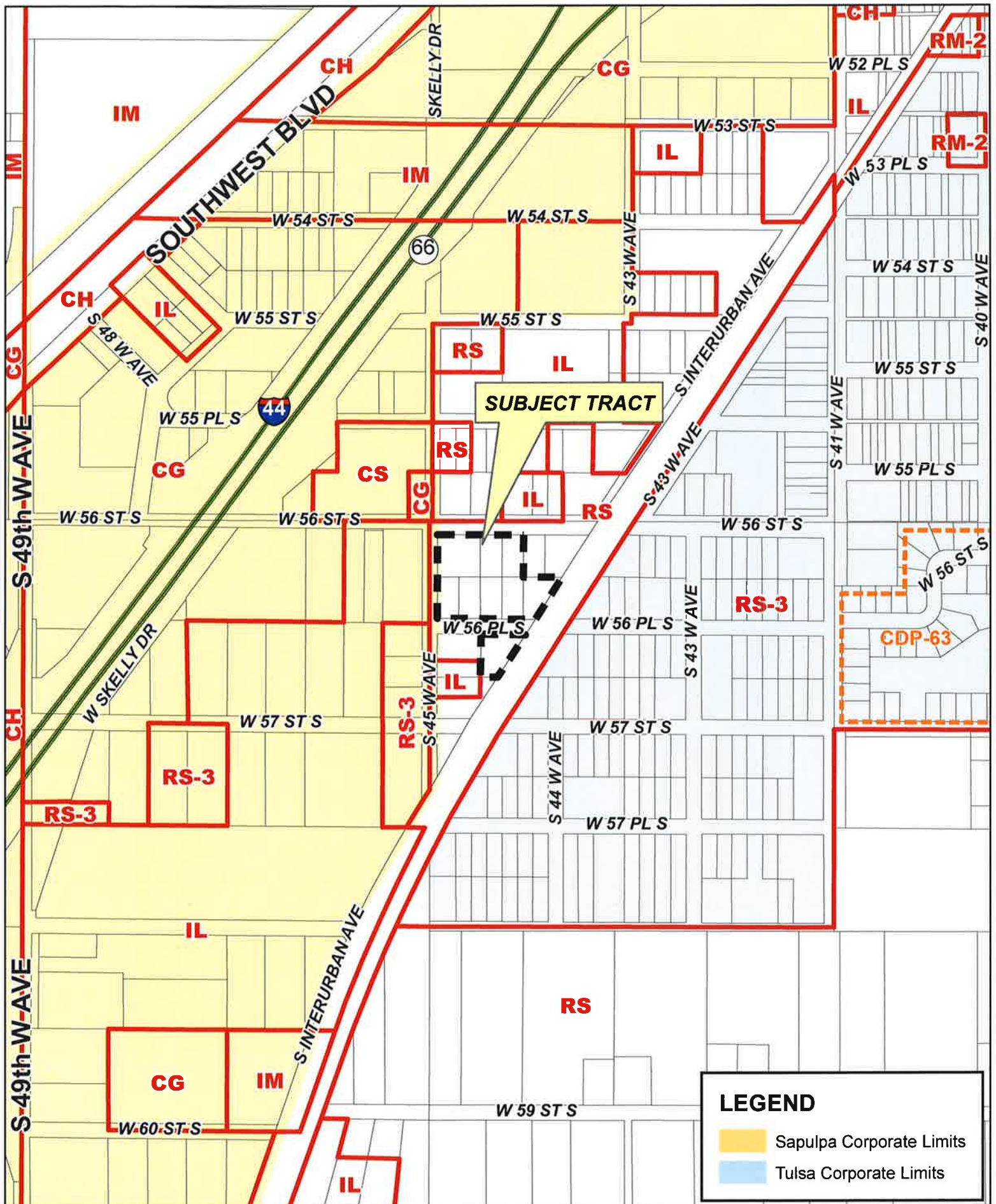
**CZ-202 June 1993:** All concurred in **approval** of a request for *rezoning* a .6-acre tract from RS to IL for a truck repair service, located on the northeast corner of West 56<sup>th</sup> Street South and South 45<sup>th</sup> West Avenue.

**CZ-188 June 1991:** All concurred in **approval** of a request for *rezoning* a tract from RS-3 to IL for a fireworks facility, located east of the southeast corner of South 45<sup>th</sup> West Avenue and West 55<sup>th</sup> Street South.

**CZ-142 April 1986:** All concurred in **approval** of a request for *rezoning* a tract of land from RS to IL on property located on the north side of 55<sup>th</sup> Place and East of 45<sup>th</sup> West Avenue.

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CZ-456

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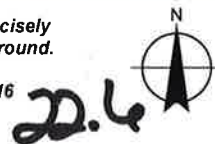
Subject  
Tract

**CZ-456**

19-12 33

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

Aerial Photo Date: February 2016







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Subject  
Tract

**CZ-456**

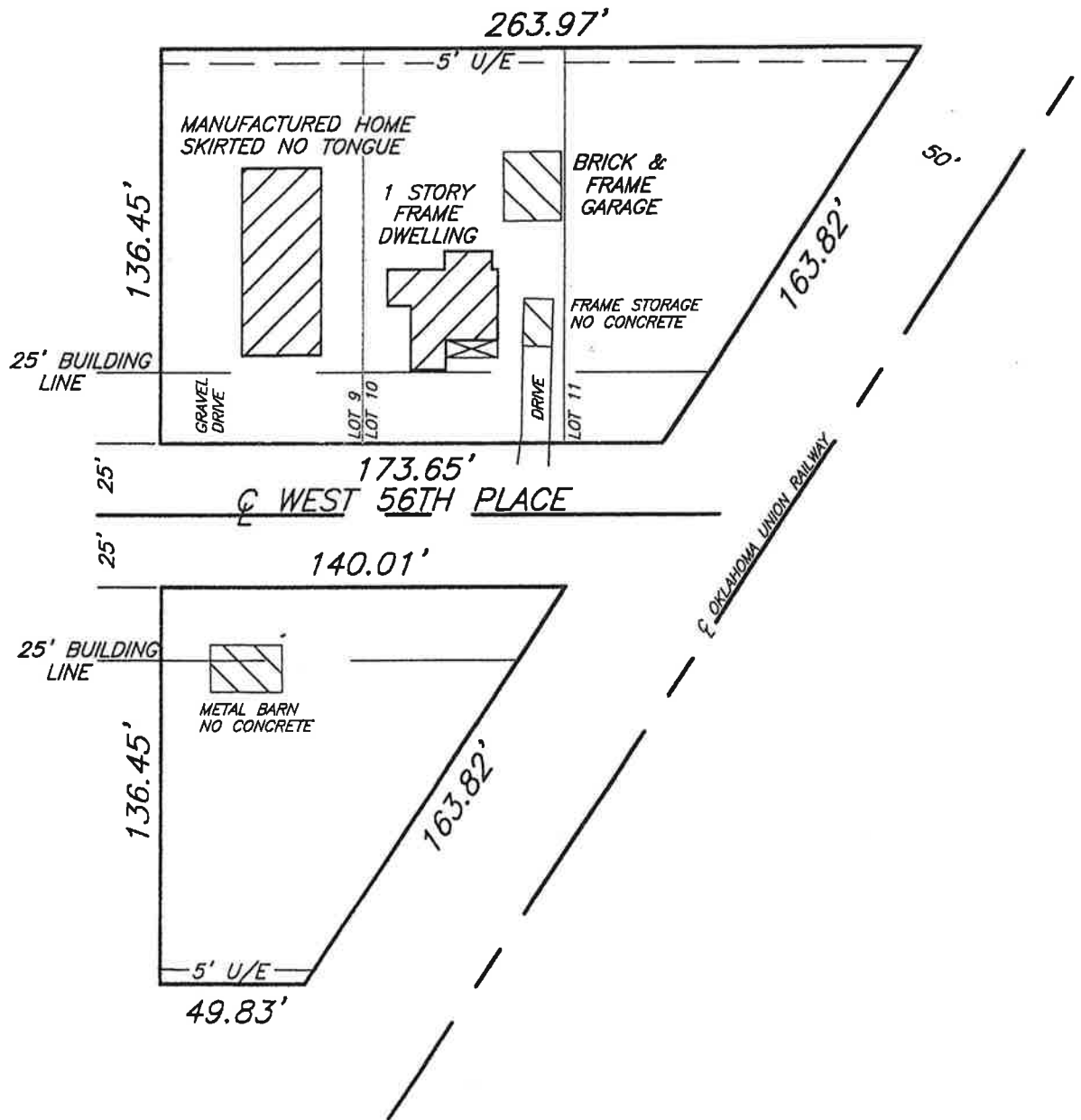
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Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016







THE FOLLOWING RECORDED DOCUMENT CONTAINS INSUFFICIENT INFORMATION  
TO ASCERTAIN ITS AFFECT UPON SUBJECT PROPERTY:  
6. EASEMENT DEED CASE NO. CIV-1101475-W RECORDED IN DOCUMENT NO.2013063011.

LEGAL DESCRIPTION AS PROVIDED:

22.8



Tulsa Metropolitan Area  
Planning Commission

**Case Number: Z-7381**

*with an optional development plan*

**Hearing Date: April 19, 2017**

**Case Report Prepared by:**

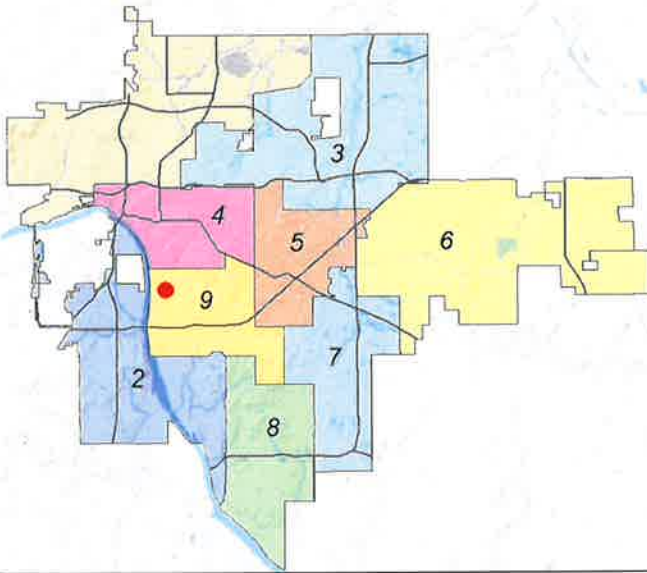
Dwayne Wilkerson

**Owner and Applicant Information:**

*Applicant:* Lou Reynolds

*Property Owner:* ALLEN H W CO

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



**Applicant Proposal:**

*Present Use:* Residential

*Proposed Use:* Office or parking

*Concept summary:* Rezone property to support use as a parking area with development standards greater than Brookside Infill Design Guidelines Plan or an office with design standards.

*Tract Size:* 0.2 ± acres

*Location:* West of southwest corner of E. 37<sup>th</sup> Pl. and S. Peoria Ave.

**Zoning:**

*Existing Zoning:* RS-3

*Proposed Zoning:* OL

**Comprehensive Plan:**

*Land Use Map:* Main Street

*Stability and Growth Map:* Area of Growth

**Staff Recommendation:**

**Staff recommends approval with the optional development plan as outlined in Section II.**

**Staff Data:**

TRS: 9224

CZM: 46

Atlas: 249

**City Council District: 9**

*Councilor Name:* Ben Kimbro

**County Commission District: 2**

*Commissioner Name:* Karen Keith

23.1

## SECTION I: Z-7381

**DEVELOPMENT CONCEPT:** The site is currently occupied with a single family residential dwelling that may be used as a small office. The zoning with the optional development plan provides standards for a potentially repurposing the existing home, expansion of the home or a new office. The optional development plan also provides design standards for or a surface parking 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 Concept plan for parking
  - Site Concept plan for office development
- Neighborhood Correspondence from Case #7361 previously considered for PK zoning.

## SECTION II: Optional Development Plan Standards:

Z-7381 with the optional development plan standards will conform to the provisions of the Tulsa Zoning Code for development in a OL zoning district and its supplemental regulations except as further refined below:

### A. Permitted Uses:

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

#### i. Office

Business or professional office

Medical, dental or health practitioner office

#### ii. Parking, Non-accessory

### B. MAXIMUM PERMITTED FLOOR AREA RATIO:

NA-0.40

~~(EXISTING BUILDING APPROXIMATELY 1,500 SF)~~

### C. MAXIMUM BUILDING HEIGHT:

35 FT

### D. MINIMUM BUILDING SETBACKS:

Building Setback from North boundary

15 FT

Building Setback from East boundary

0 FT

Building Setback from South boundary

0 FT

### E. VEHICULAR ACCESS:

If used for office purposes:

Only one access point to East 37<sup>th</sup> street is allowed. The maximum driveway width shall not exceed 20 feet within the street right of way.

If used for parking purposes:

Direct Vehicular access to East 37<sup>th</sup> Street is prohibited. The driveway established for the existing home shall be removed. New concrete curb and gutter shall be

**Replacement page 23.2**

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constructed meeting or exceeding City of Tulsa engineering standards for residential street construction.

#### F. LANDSCAPE AREA:

If used for office purposes:

A minimum of fifteen percent (15%) of the total net land area and thirty five percent (35%) of the street yard area shall be improved as internal landscaped open space in accordance with the provisions of the Landscape Chapter of the City of Tulsa Zoning Code.

If used for parking purposes:

A minimum of fifteen percent (15%) of the total net land area, and forty percent (40%) of the street yard area shall be improved as internal landscaped open space in accordance with the provisions of the Landscape Chapter of the City of Tulsa Zoning Code.

#### G. SIDEWALK:

A sidewalk with a minimum width shall be installed along East 37<sup>th</sup> Place. The sidewalk shall be placed adjacent to the back of the existing street curb and will extend from the western boundary of the Property to connect with the sidewalk on the west side of East Peoria Avenue. The sidewalk shall be constructed meeting or exceeding City of Tulsa engineering standards.

#### H. SIGNS:

If used for office purposes:

One (1) double-faced sign, excluding the base, with a maximum display surface area of eight square feet (8 SF) per side and a maximum height of five feet (5 FT) will be permitted East 37<sup>th</sup> Place South.

Wall signs shall not exceed three square feet (3 SF) of display surface area on the north and south walls of the building. No east or west facing wall signs are permitted.

All such signs shall be lit by either a constant external light source or an internal light source.

If used for parking purposes:

No signs will be permitted if the Property is used for parking purposes.

#### I. SITE LIGHTING:

Within the west four feet (4 FT) of the Property, light standards shall not exceed sixteen feet (16 FT) in total height. Light source shall be concealed or shielded with a cut-off from the residential property to the west. Within the remainder of the Property, light standards shall not exceed a total height of twenty-five feet (25 FT), with the exception of any non-building lighting located between the north wall of the office building and East 37<sup>th</sup> Place will be bollard lighting and the light-producing element will not exceed four feet (4 FT) in height. All light standards, including building mounted, shall comply with Chapter 65 of the Tulsa Zoning Code.

#### J. BOUNDARY LANDSCAPING AND SCREENING PLAN:

23.3

An F1 screening fence shall be installed along the west Property boundary from the north boundary to the south boundary. Such fence shall be an eight (8) foot height wood fence with brick columns. Existing trees are being preserved on the west side of the property. Areas along west property without existing trees shall have trees installed at 1 tree per 25 linear feet, as shown on the Conceptual Site Plan attached hereto as Exhibit "A".

All required landscaping will be provided per the Landscaping Chapter of the Tulsa Zoning Code, with any necessary modifications by alternative compliance plan.

#### K. OFF-SITE DUMPSTER:

The existing dumpsters to the south of the Property will be screened with masonry material and the minimum height of such screening will not be less than six feet (6 FT), but must exceed the dumpster height. The door(s) to such dumpster enclosure will be constructed with a steel frame and cover blocks a minimum of eighty-five percent (85%) of such opening.

A Conceptual Site Plan of the Property developed for office purposes in accordance with this Optional Development Plan is attached hereto as Exhibit "A" and a Conceptual Site Plan of the Property developed for parking purposes in accordance with the Optional Development Plan is attached hereto as Exhibit "B".

#### DETAILED STAFF RECOMMENDATION:

Z-7381 is occupied by a single family residential dwelling zoned RS-3 however the Comprehensive Plan recognized this area as part of the Main Street Land Use Designation. The Brookside Infill Development Design Recommendations recognize that this lot could be used for parking. Additional encroachment into the neighborhood west of this request is not supported by either of those plans and;

OL zoning with the optional development plan as requested by Z-7361 provides design standards for fencing and landscaping that protect the street character. Screening and landscape concepts required by the code and supplemented by the optional development plan are similar to recommendations recognized in the Brookside Infill Development Design Recommendations and;

OL zoning with the optional development plan only allows office and parking with associated vehicular access limitations, landscaping and screening regulations. Neighborhood participants during this process have all considered parking as an injurious use to the single family residential property west and north of the site. Staff has previously supported several continuances on a recent zoning case for discussion regarding a possible optional development plan and/or a light office rezoning request. This optional development plan represents the efforts of the previous zoning request and;

OL zoning with the optional development plan standards at this location is harmonious with the expected future Main Street Development pattern and are harmonious with the Brookside Infill Development Design Recommendations therefore;

**Staff recommends approval** of Z-7381 to rezone property from RS-3 to OL with the optional development plan outlined in Section II.

#### SECTION III: Supporting Documentation

23.4

## RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary:* The Brookside Plan suggested a higher quality fence design standard and significant landscaping beyond what is required in the OL district zoned district. Design solutions including access limitations to 37<sup>th</sup> street, improved landscape and screening standards and improvements to the pedestrian circulation system along 37<sup>th</sup> place have been implemented through the optional development plan outlined in Section II. Those standards also help implement the Brookside Infill Development Design Recommendations. Pedestrian improvements from the west end Z-7381 all the way to South Peoria are vitally important to the walkability improvements for the neighborhood.

### Land Use Vision:

#### *Land Use Plan map designation: Main Street*

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

#### *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:*

#### *Trail System Master Plan Considerations: None*

#### Small Area Plan: Brookside Infill Development Design Recommendations (effective beginning 2002)

The plan recommended several design considerations including:

- 1) The boundary between the commercial areas and residential areas should be appropriately screened with fencing, landscaping and buffering materials which include wooden fences with

cap-rails and base-rails, trees, plants, or any combination of the above which provides appropriate visual separation, high durability, and long term easy and low maintenance.

- 2) The screening fence should be provided with a wooden fence with Brick, stone or masonry pilasters to be used as the fence support; or
- 3) A brick, stone or masonry wall fence is also a recommended option for screening.

Special District Considerations: None except the provisions identified in the Brookside Infill plan.

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is currently a single family residential residence with surface parking on the south and east. If the house is removed and the parking lot is constructed it is important to remove the drive approach to the lot from East 37<sup>th</sup> and install a sidewalk.

(Street view looking southeast from the northwest corner of the lot):



Environmental Considerations: None that would affect site development as a parking lot.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP RW</u>	<u>Exist. # Lanes</u>
East 37 <sup>th</sup> Place South	None	50 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

<b>Location</b>	<b>Existing Zoning</b>	<b>Existing Land Use Designation</b>	<b>Area of Stability or Growth</b>	<b>Existing Use</b>
North	RS-3	Main Street	Growth	Single Family Residential
East	PK	Main Street	Growth	Surface Parking Lot

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South	RS-3	Main Street	Growth	Surface Parking Lot (re: BOA# 4153 in 1963)
West	RS-3	Existing Neighborhood	Stability	Single Family Residential

#### **SECTION IV: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 11822 dated June 26, 1970, established zoning for the subject property.

##### ***Subject Property:***

**Z-7361 February 2017:** The applicant **withdrew** the application for a request for *rezoning* a .2± acre tract of land from RS-3 to PK for a parking lot, with the intent to reapply with an optional development plan, on property located west of southwest corner of S. Peoria Ave. and E. 37<sup>th</sup> Pl. and also known as the subject property.

##### ***Surrounding Property:***

**Z-7298 June 2015:** All concurred in **approval** of a request for *rezoning* a .19± acre tract of land from RS-3 to PK for a parking lot, on property located west of the northwest corner of S. Peoria Ave. and E. 37<sup>th</sup> Pl. and northeast of subject property.

**Z-7107 October 2008:** All concurred in **approval** of a request for *rezoning* a .5± acre tract of land from RS-3 to PK for parking lot, on property located west of southwest corner of E. 37<sup>th</sup> St. and S. Peoria Ave.

**Z-6749 March 2000:** All concurred in **approval** of a request for *rezoning* a .457± acre tract of land from RS-3/RM-1 to PK for parking on property located east of northeast corner of S. Peoria Ave. and E. 38<sup>th</sup> St. S.

**BOA-17826 September 23, 1997:** The Board of Adjustment **approved** a *Variance* of the required 5 ft. landscaping strip between parking lot and an R district; and a *Variance* of required 50 ft. setback from abutting street; and a *Variance* of screening required along property lines abutting an R district; per plan submitted; subject to execution of a tie agreement between the subject lot and the parking lot and use to the east, on property located at 1128A & 1128B E. 37<sup>th</sup> Pl. S. and abutting subject property to the east.

**Z-6597 August 1997:** All concurred in **approval** of a request to *rezone* a .19± acre tract of land from RS-3 to PK for a parking lot, located west of the southwest corner of E. 37<sup>th</sup> Pl. and S. Peoria Ave. and abutting east of subject property.

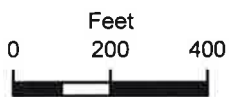
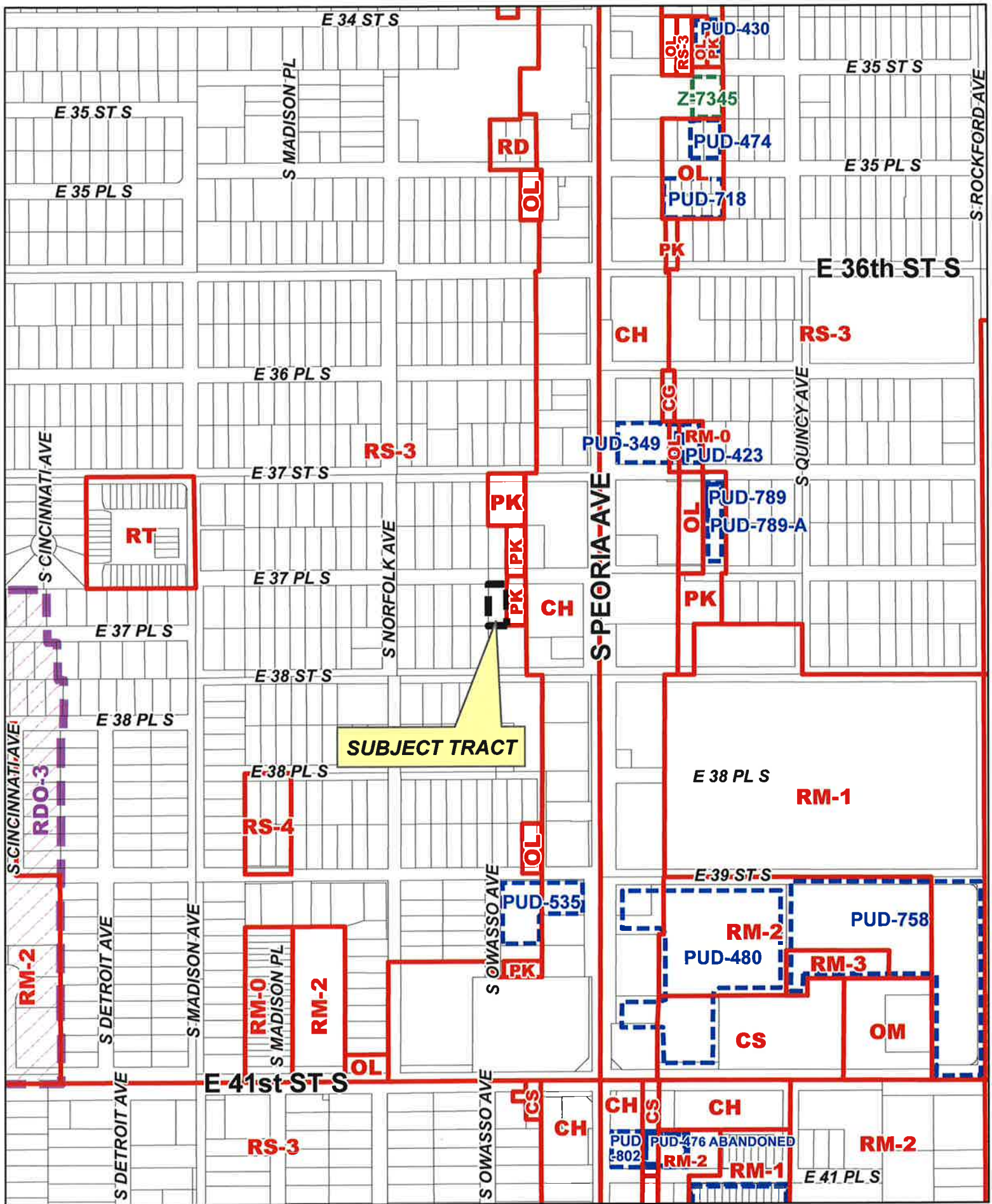
**BOA-4153 September 1963:** The Board of Adjustment **approved** off-street parking use in a U-1-C district (RS-3) in conjunction with business property on the east, subject to the applicant hard surfacing the lot and fencing the lot, on property located at 1135 E. 38<sup>th</sup> St. and abutting south of subject property.

**BOA-2062 August 10, 1949:** The Board of Adjustment **approved** a church use, on property located at 1132 E. 38<sup>th</sup> St.

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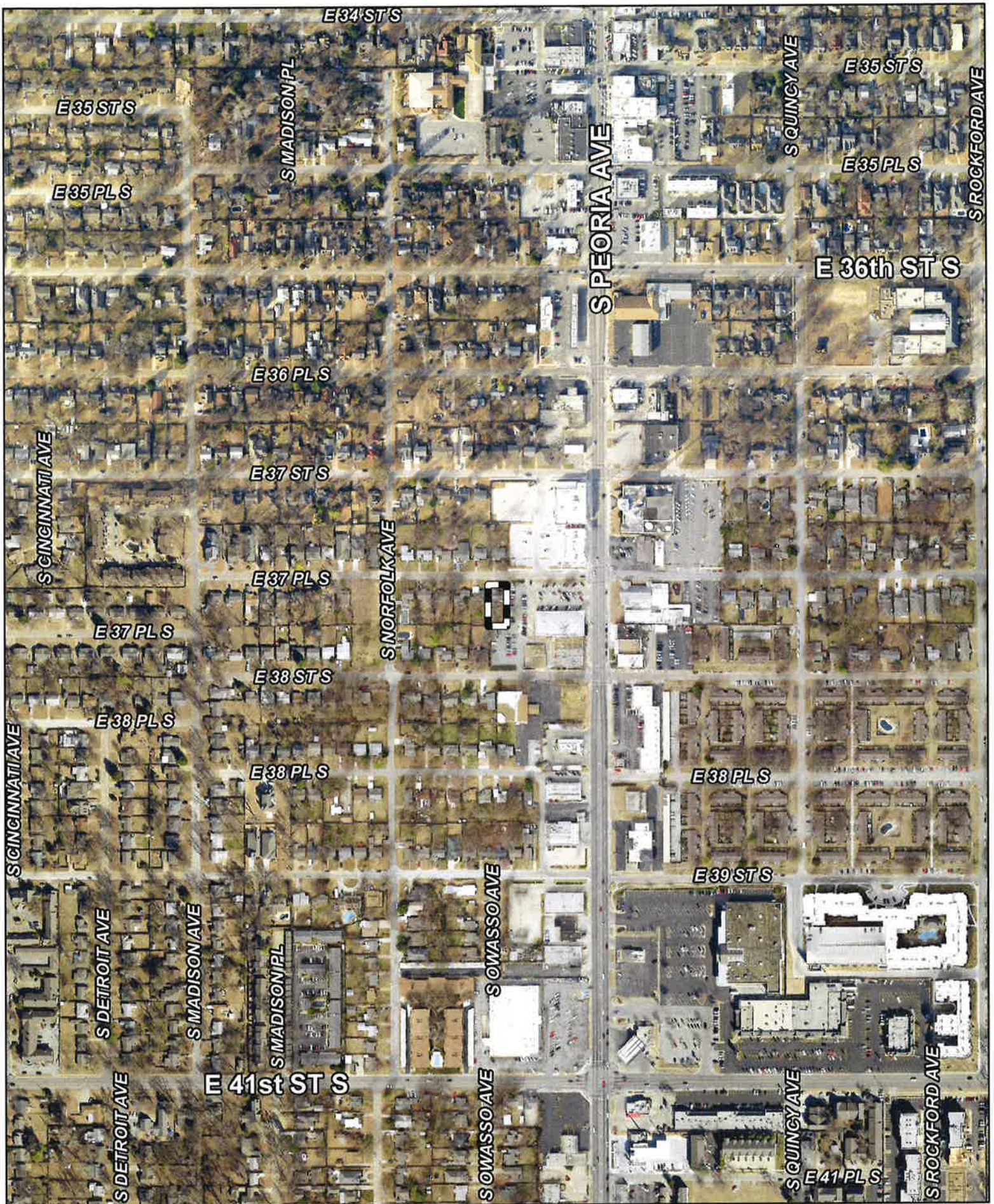
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**Z-7381**  
**with Optional**  
**Development Plan**

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Subject  
Tract

19-12 24

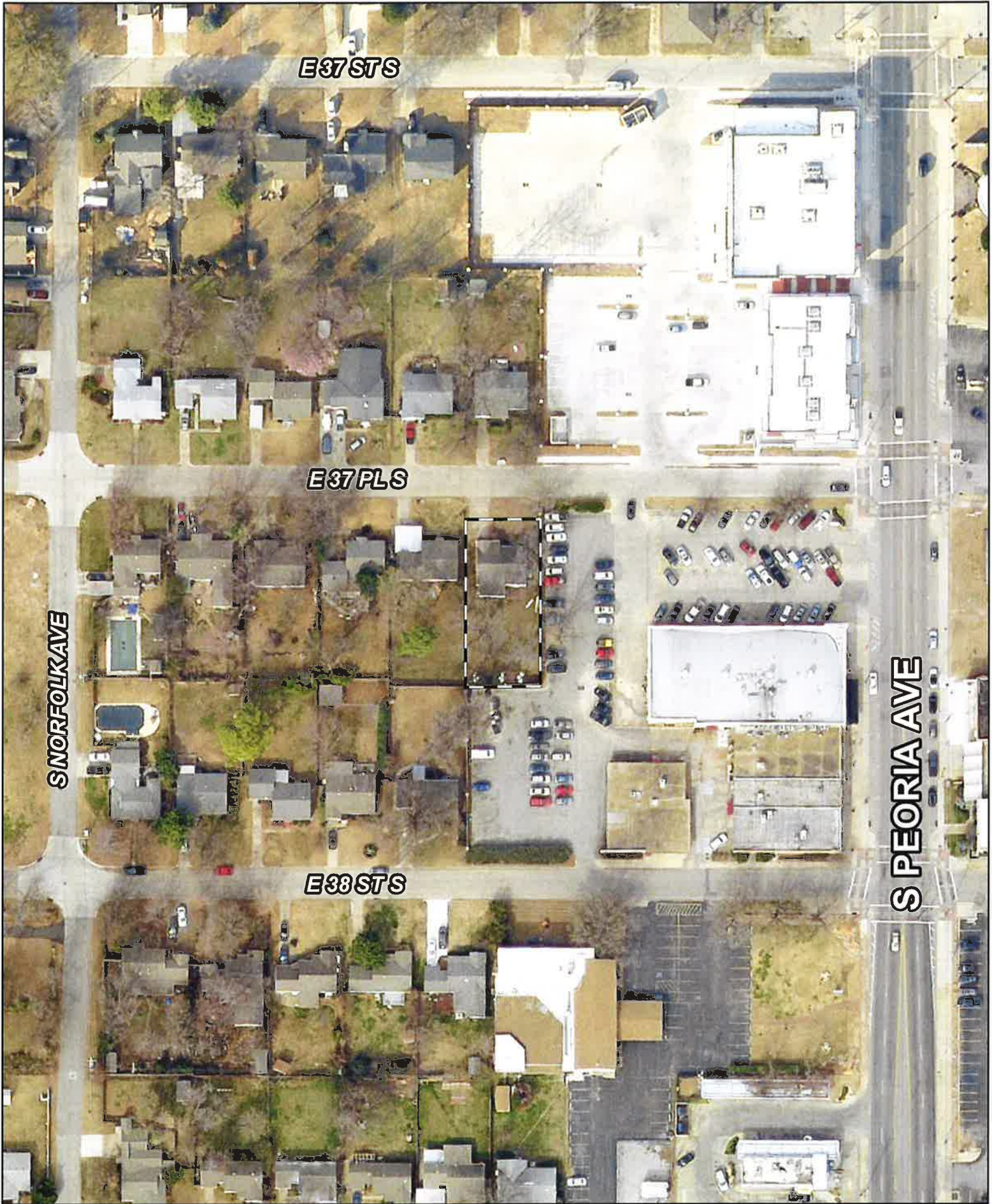
**Z-7381**  
**with Optional**  
**Development Plan**

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

Aerial Photo Date: February 2016







**E 37 STS**

**E 37 PLS**

**S NORFOLK AVE**

**S PEORIA AVE**

**E 38 STS**

0 Feet 50 100



Subject  
Tract

19-12 24

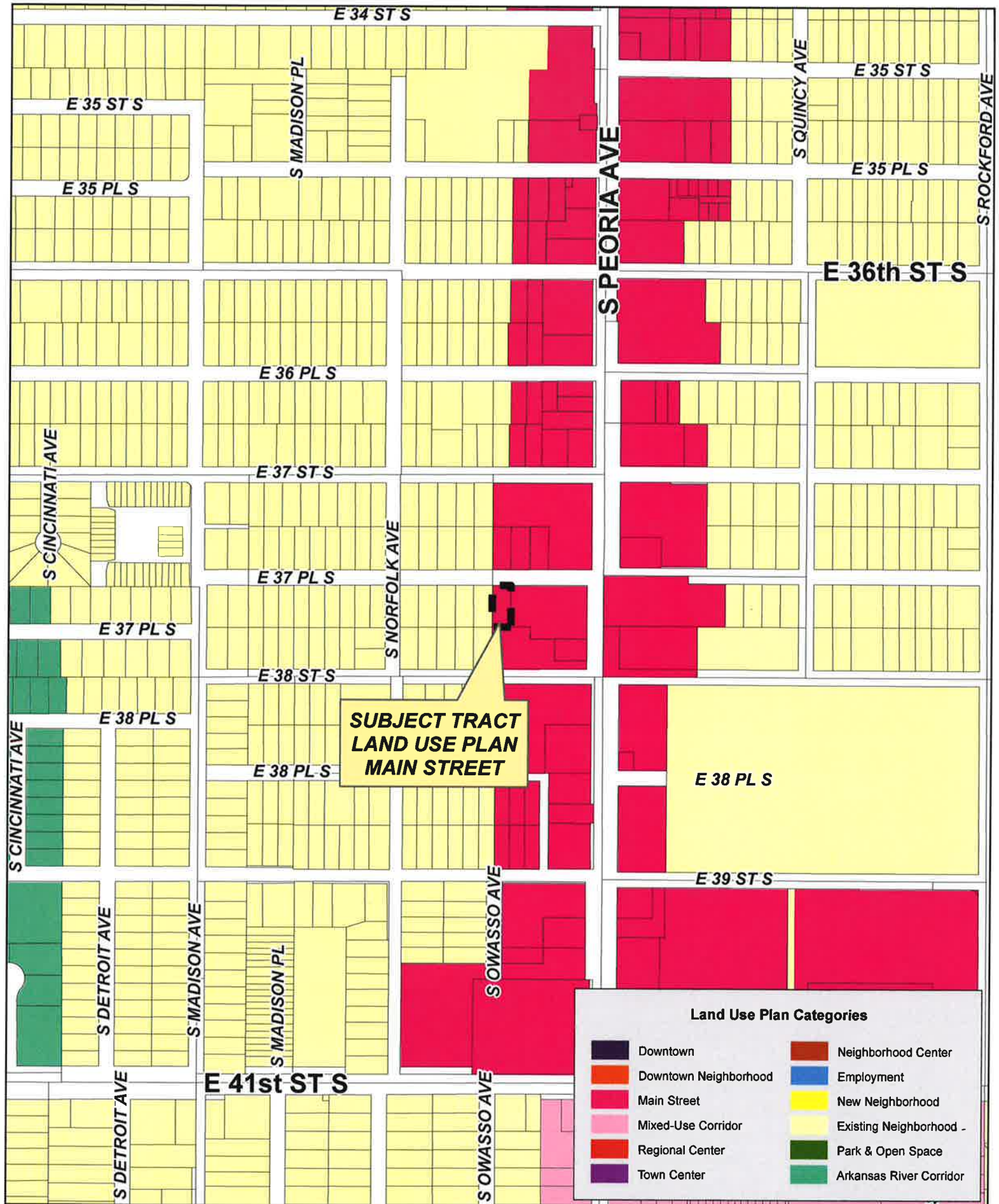
**Z-7381  
with Optional  
Development Plan**

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

Aerial Photo Date: February 2016







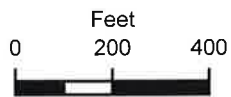
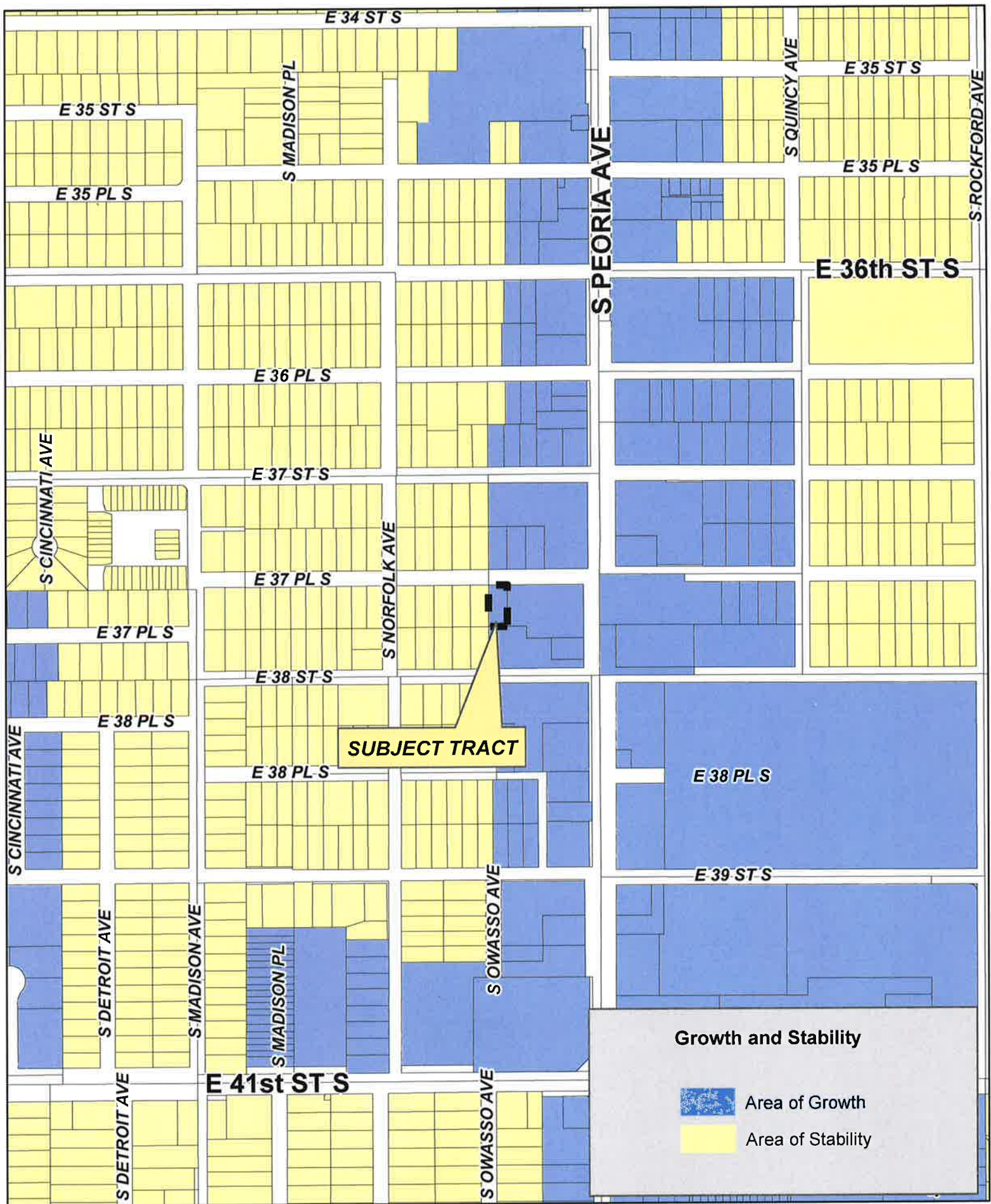
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**Z-7381**  
**with Optional**  
**Development Plan**

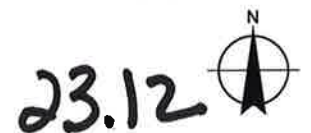
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**Z-7381**  
**with Optional**  
**Development Plan**



**EXHIBIT "A"**

**LEGAL DESCRIPTION**

That portion of the South Half of the Southeast Quarter of the Northeast Quarter of the Southeast Quarter (S/2 SE/4 NE/4 SE/4) of Section Twenty-four (24), Township Nineteen (19) North, Range Twelve (12) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the United States Government Survey thereof, being more particularly described as follows, to-wit:

BEGINNING at a point 27.5 feet South and 300 feet West of the NE corner of said S/2 SE/4 NE/4 SE/4, thence West and parallel to the South line of said S/2 SE/4 NE/4 SE/4 a distance of 60.0 feet to a point, said point being on the East property line of Rochelle Subdivision, an Addition to the City of Tulsa, thence South and parallel to the East line of said Section a distance of 137.0 feet to a point; thence East and parallel to the South line of said S/2 SE/4 NE/4 SE/4 a distance of 60.0 feet to a point; thence North and parallel to the East line of said Section 24, a distance of 137.0 feet to the Point of Beginning.



## APPLICANTS EXHIBITS

23.14



23.15

FAST 37TH PLACE

REMOVE STREET ACCESS

NEW 4' WIDE SIDEWALK

LANDSCAPING

EX CONCRETE FLUME

1 LARGE SHADE TREE (TYPICAL)

PROPOSED LIGHT POLE

MEDIUM SHADE TREE (TYPICAL)

RIVER ROCK MULCH

8'-8" BRICK COLUMNS (TYP)

NEW 8'-0" WOOD FENCE

PROPOSED LIGHT POLE

12" PECAN

EX PECAN TREE

LANDSCAPING

RIVER ROCK MULCH

NEW COLUMN

EX 8" WOOD FENCE

EXISTING BRICK COLUMN

EX POWER POLE

CHARGE PAD

644-07-1108

EX PECAN

DUMPSTER

CHARGE PAD

DUMPSTER

DUMPSTER ENCLOSURE

EXISTING PARKING LOT

DUMPSTER ENCLOSURE

NEW LANDSCAPE AREA

NEW CONCRETE CURB

EX CONCRETE CURB

1 LARGE SHADE TREE

EX LIGHT POLE TO BE RELOCATED

NEW LIGHT POLE LOCATION

EXISTING PECAN TREE

REMOVE EXISTING FENCE

REMOVE EXISTING FENCE

EXISTING PARKING LOT

EXISTING LIGHT POLE

EXISTING LIGHT POLE

RIVER ROCK MULCH

2 FLOWERING TREES

EX POWER POLE

EX POWER POLE TO BE REMOVED

NEW PARKING LOT (19 STALLS)

9' X 20' PARKING STALL (TYPICAL)

9' X 18' PARKING STALL (TYPICAL)

PROPOSED TREE

LANDSCAPING

25' BUILDING SETBACK

4'-5"

22'-00'

22'-10"

18'-0"

22'-0"

60'

137'

9'-0" TYP.

20'-0"

60'

50'

PROPERTY LINE

LAWN

3 FLOWERING TREES

EVERGREEN SHRUBS (5 GALLON)

EX CONCRETE CURB

REMOVE EX CONCRETE CURB

EXHIBIT 'B'

BROOKLAND OFFICE

1124 E. 37th Place

Tulsa, Oklahoma

APRIL 19, 2017

ADA

BLINDOCK DESIGN

PROFESSIONAL

ARCHITECT

10' 5' 0'

N

**EXHIBIT 'B'**  
**BROOKLAND OFFICE**  
1124 E. 37th Place  
Tulsa, Oklahoma

APRIL 19, 2017







Tulsa Metropolitan Area  
Planning Commission

**Case Number:** Z-7382

**Hearing Date:** April 19, 2017

**Case Report Prepared by:**

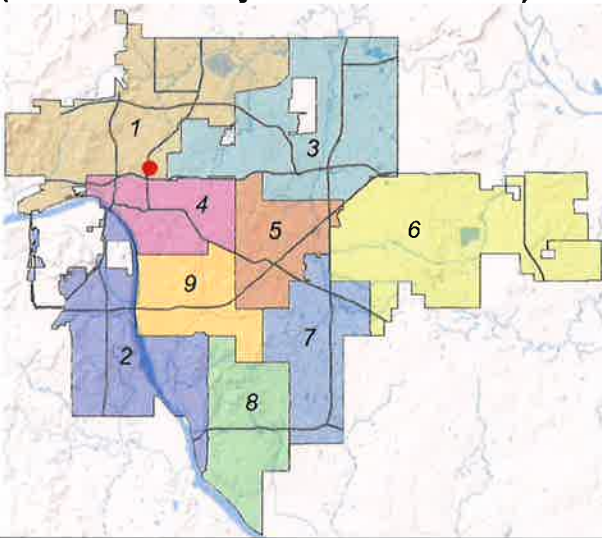
Dwayne Wilkerson

**Owner and Applicant Information:**

*Applicant:* Roberto Moran

*Property Owner:* PALEPU, RAMAKRISHNA

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



**Applicant Proposal:**

*Present Use:* Vacant

*Proposed Use:* Light Industrial

*Concept summary:* Rezone property anticipating future business growth.

*Tract Size:* 0.96 ± acres

*Location:* W of NW/c E. Haskell Pl. & N. Norfolk Ave.

**Zoning:**

*Existing Zoning:* RM-1

*Proposed Zoning:* IL

**Comprehensive Plan:**

*Land Use Map:* Downtown Neighborhood

*Stability and Growth Map:* Area of Growth

**Staff Recommendation:**

**Staff recommends denial of the rezoning request from RM-1 to IL.**

**Staff Data:**

TRS: 0236

CZM: 28

Atlas: 46

**City Council District:** 1

*Councilor Name:* Vanessa Hall-Harper

**County Commission District:** 2

*Commissioner Name:* Karen Keith

24.1

REVISED 4/12/2017

## SECTION I: Z-7382

**DEVELOPMENT CONCEPT:** Concept statement was not provided by the applicant however during the Technical Advisory Committee meeting for a plat waiver request the applicant stated there are no immediate plans for plant expansion of the facility immediately west of this request. The applicant owns and maintains this site and the property adjacent to this case on the north and west.

### EXHIBITS:

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

### **DETAILED STAFF RECOMMENDATION:**

Z-7382 requesting rezoning from RM-1 to IL is consistent with the Downtown Neighborhood vision of the Tulsa Comprehensive Plan and;

Rezoning from RM-1 to IL for speculative industrial development in this neighborhood is disruptive to the residential component of the neighborhood. Z-7382 is included in Sub-Area 3 of the Crutchfield Small Area Plan which recognizes the mixed use character of the neighborhood and recommends Mixed Use Zoning opportunities. IL zoning district with a development plan that includes high quality construction materials, some use limitations and design standards that integrate this facility into a residential neighborhood could be supported. Additional IL zoning on this block or surrounding blocks is injurious to residential development in the area and;

IL zoning is non injurious to the surrounding property primarily because much of the surrounding property is vacant and;

Many re-development opportunities are available to the empty property in the Crutchfield Small Area Plan neighborhood. This particular rezoning request is compatible with the established zoning pattern north and west of Z-7320 however it is important to keep the mixed character of the area stable and allow plenty of room for residential redevelopment. IL zoning on the lots without additional development standards is not consistent with the existing and future development pattern of this neighborhood therefore;

**Staff recommends Denial** of Z-7382 to rezone property from RM-1 to IL.

## **SECTION II: Supporting Documentation**

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: This rezoning request is included in Sub-Area 3 (Residential/industrial) of the Crutchfield Small Area Plan and a Downtown Neighborhood in the Tulsa Comprehensive Plan.*

*The area has a wide variety of industrial, commercial, and residential uses. The Downtown Neighborhood land use vision and sub area 3 in the Crutchfield Small Area Plan both support a mixed land use recognizing the historical development pattern and anticipated redevelopment*

24.2

challenges. The Crutchfield Small Area Plan recognizes the importance of quality redevelopment and suggests development standards for new industrial uses.

One of the weaknesses of the neighborhood identified in the Small Area Plan is the high percentage of absentee property owners and vacant lots that are not maintained. This particular industrial user provides a high level of maintenance on the property and could be an asset to the neighborhood. Evidence of a symbiotic relationship with the neighborhood has not been presented.

#### Land Use Vision:

##### *Land Use Plan map designation:* Downtown Neighborhood

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 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:* 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 considerations:* None that affect the site.

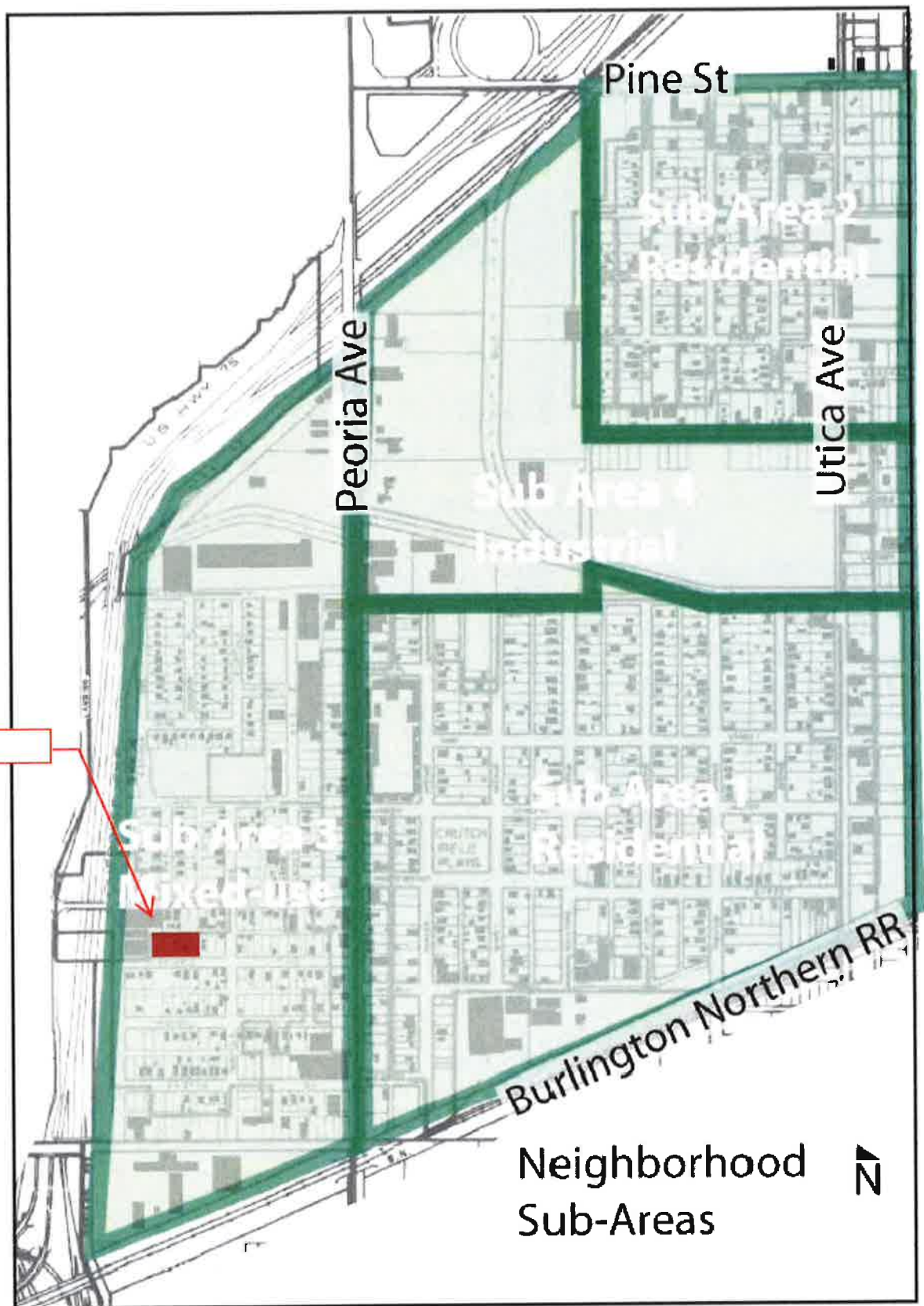
*Trail System Master Plan considerations:* None that affect the site

#### SMALL AREA PLAN: Crutchfield Small Area Plan

Small Area Plan Sub Area Map illustration: (See next page)



Z-7382



#### *Statement of Vision of the Crutchfield Neighborhood*

*Members of the Crutchfield Neighborhood Revitalization Planning Team seek to establish a clean, economically viable, safe and secure residential and commercial community for residents and business who are currently located or with to be located in the Crutchfield community.*

24.4

This site is on the west edge of Sub Area 3 outlined in the Crutchfield Small Area Plan (2003). Sub Area 3 can be conceptualized as follows.

*"The area has a spotty mix of industrial, commercial, and residential uses. The result is a mixed-use character typical of many older neighborhoods in pre-zoning Tulsa. Historically, this neighborhood provided housing, goods and services, and employment, within a compact, walkable area. Unfortunately, this kind of symbiotic relationship has been rejected by mainstream development for over 50 years. Conventional development favors a strict separation of land-uses, and our 1970's Zoning Code did not adequately recognize and accommodate mixed-use neighborhoods and offers little guidance as to their future growth.*

*An attempt to retrofit this neighborhood by sorting and segregating land uses in this area would be difficult and not necessarily productive. A locally-appropriate solution would be to embrace and enhance this once-strong relationship between housing and industry.*

*The Crutchfield plan recommends the adoption of new land use practices that encourage a diverse mix of uses with few land use restrictions, allowing a wide variety of compatible housing, office, commercial, and light industrial uses. Compatibility within these areas can be achieved by employing sound urban design principles and the use of high-quality construction materials."*

*"Crutchfield is a neighborhood with much inherent strength on which to build. The entire area supports a traditional mixed-use development pattern and many opportunities for infill development of almost any sort. The neighborhood is in an outstanding location with respect to downtown, major highways and is affordable. The neighbors and property owners are actively working to improve the area and attract new businesses and residents."*

Special District Considerations: None

Historic Preservation Overlay: None

#### DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *The site is adjacent to an existing industry supporting the aviation industry in Tulsa which is zoned IL. The current property owner for this site is the same as the adjacent aviation industry. Homes on the site have been removed, the property is fenced and significant trees along the original lot lines are remaining. The site is well maintained but isolated by the chain link fence. Abandoned driveways are in place and should be removed with redevelopment and the sidewalks also need repair.*

Street view from southeast corner looking northwest: (See following page)



Environmental Considerations: None that affect site redevelopment.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East Haskell Place	none	50 feet	2

Utilities:

The subject tract has municipal water and sewer available. During a technical advisory committee meeting for a plat waiver request, many of the utility providers and the City of Tulsa all recognized that the property has unfortunately vacated the original alley but somehow there were concerns that the remaining utilities inside the old alley way were no longer covered by an easement. Future redevelopment of the site will require a new subdivision plat and require easements or utility relocations.

Surrounding Properties:

<b>Location</b>	<b>Existing Zoning</b>	<b>Existing Land Use Designation</b>	<b>Area of Stability or Growth</b>	<b>Existing Use</b>
North	IL	Downtown Neighborhood	Growth	Vacant
East	RM-1	Downtown Neighborhood	Growth	Single Family Residential
South	RM-1	Downtown Neighborhood	Growth	South of Haskell, single family residential
West	IL	Downtown Neighborhood	Growth	Industrial facility

**SECTION III: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 11918 dated September 1, 1970, established zoning for the subject property.

24.6



**Subject Property:**

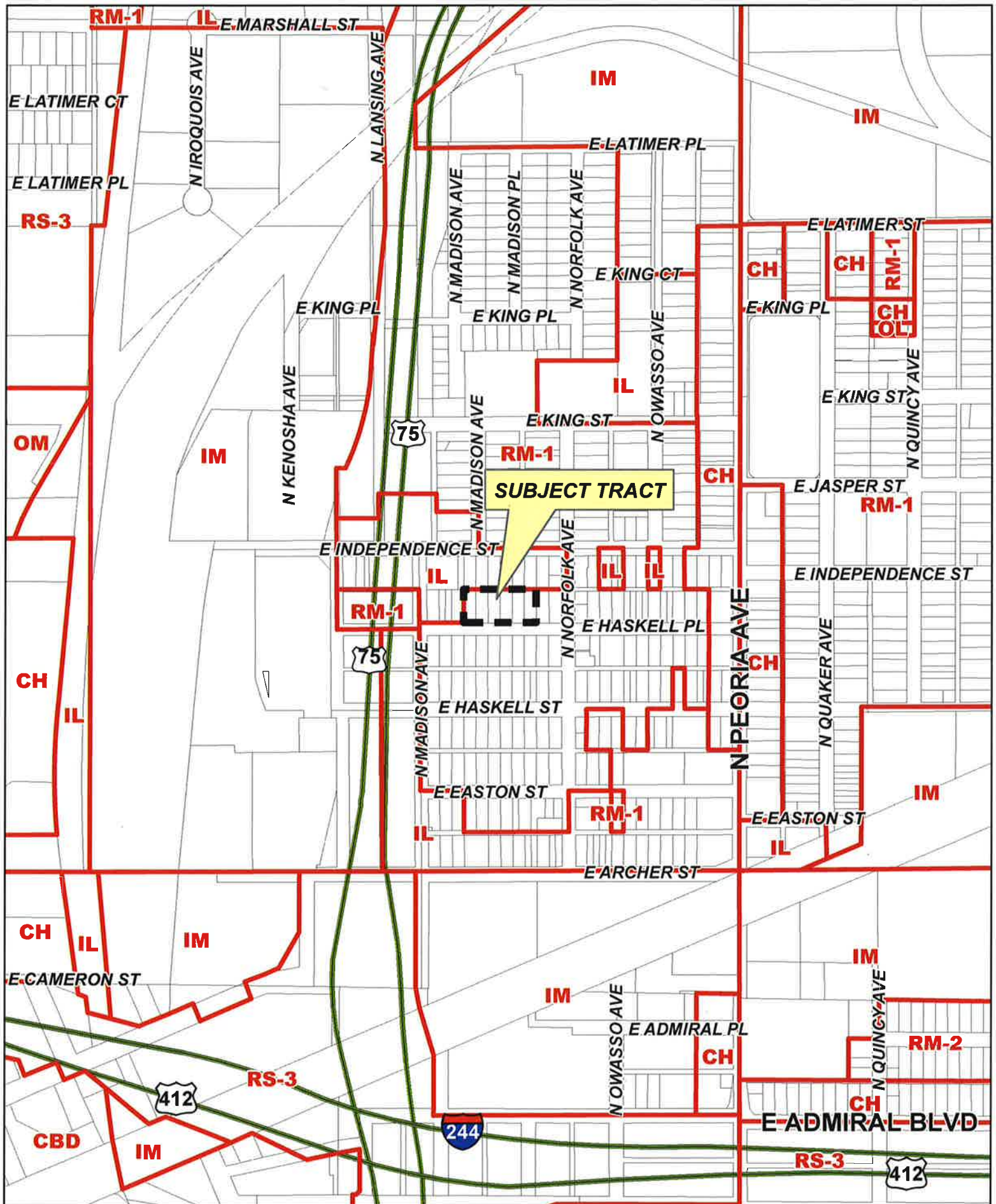
*No relevant history.*

**Surrounding Property:**

**Z-6949 September 2004:** All concurred in approval of a request for rezoning a .29± acre tract of land from RM-1 to IL, for retail shopping and warehouse, on property located east of the southeast corner of E. Independence St. and N. Norfolk Ave. and northeast of subject property.

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24.7



**Z-7382**

20-12 36







0 250 500  
Feet



Subject  
Tract

**Z-7382**

20-12 36

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

Aerial Photo Date: February 2016

24.9







Subject  
Tract

**Z-7382**

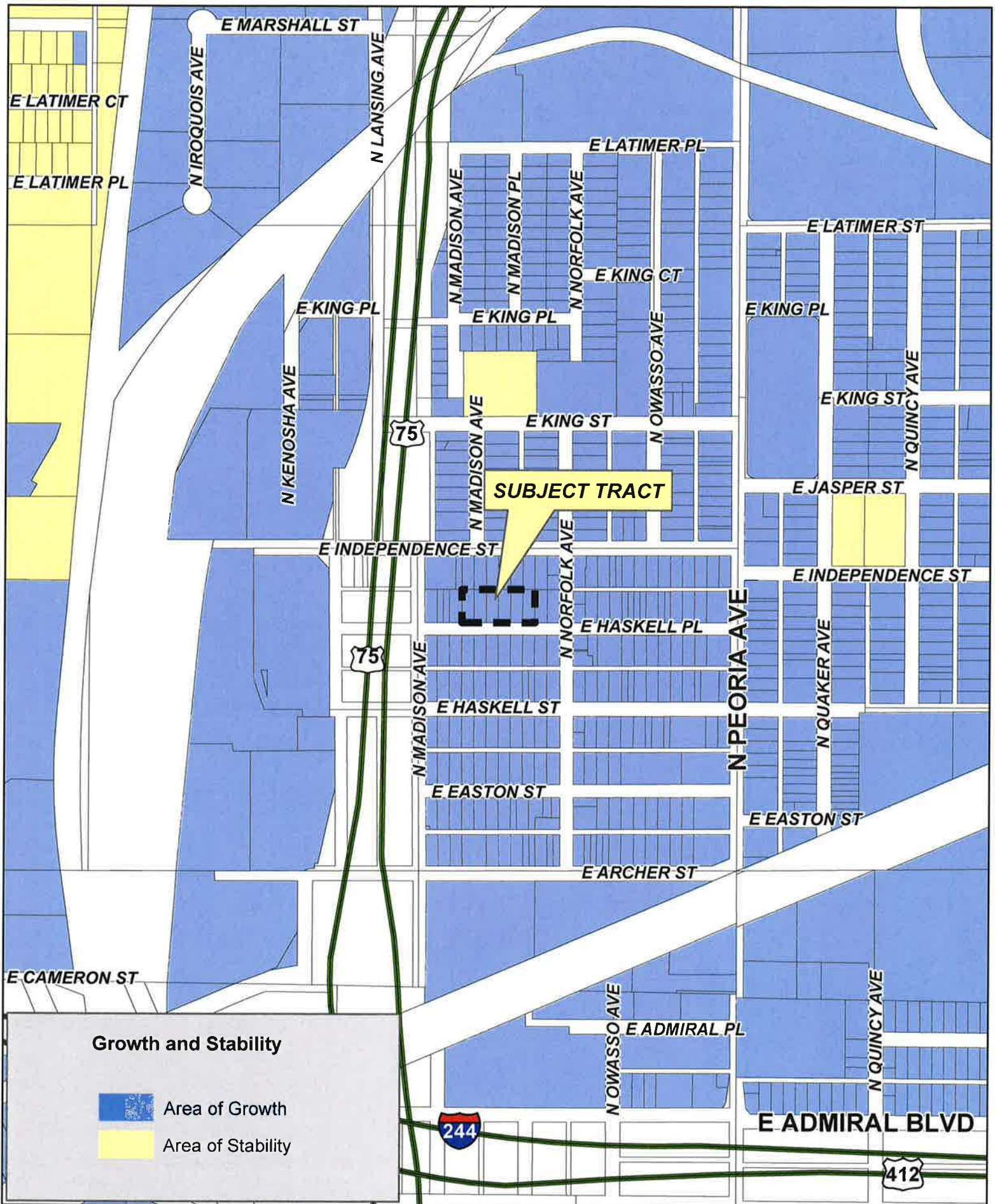
20-12 36

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

Aerial Photo Date: February 2016







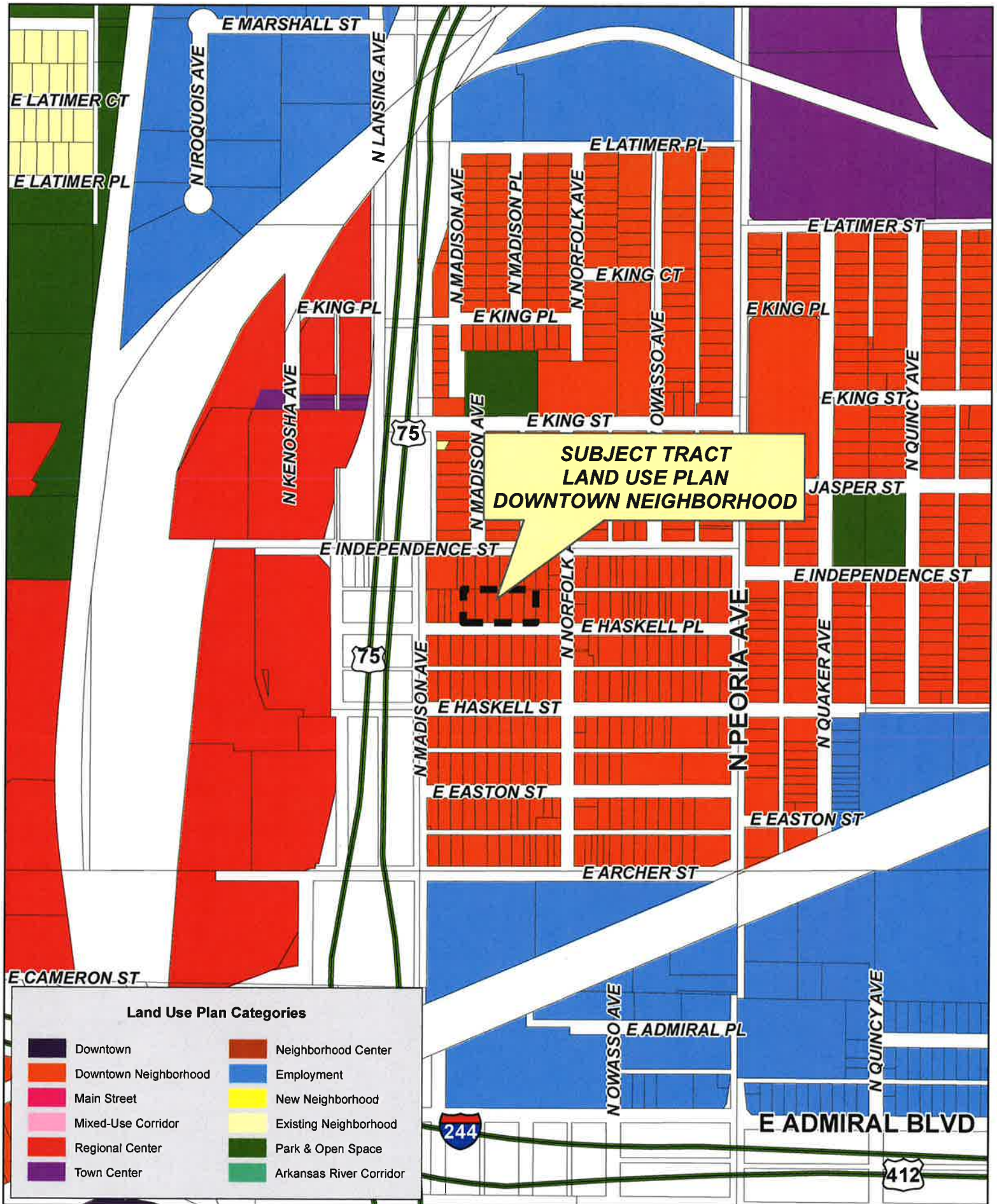
**Z-7382**

20-12 36

24.11







Z-7382

20-12 36

24.12







Tulsa Metropolitan Area  
Planning Commission

**Case Number:** Z-7383

**Hearing Date:** April 19, 2017

**Case Report Prepared by:**

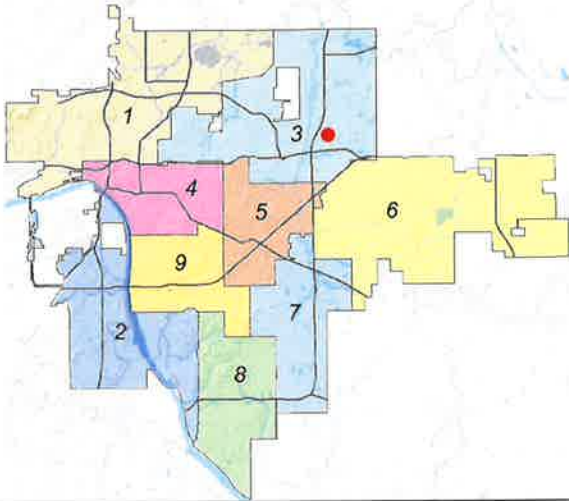
Dwayne Wilkerson

**Owner and Applicant Information:**

*Applicant:* Alan Betchan

*Property Owner:* SILVER, MARTHA W REV TRUST

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



**Applicant Proposal:**

*Present Use:* Vacant

*Proposed Use:* Industrial

*Concept summary:* Rezoning request for future industrial use is consistent with industrial development pattern in this area.

*Tract Size:* 10 ± acres

*Location:* South of southeast corner of N. Garnett Rd. and E. Pine St.

**Zoning:**

*Existing Zoning:* RS-3

*Proposed Zoning:* IL

**Comprehensive Plan:**

*Land Use Map:* Employment

*Stability and Growth Map:* Area of Growth

**Staff Recommendation:**

**Staff recommends approval.**

**Staff Data:**

TRS: 0432

CZM: 31

Atlas: 851

**City Council District:** 3

*Councilor Name:* David Patrick

**County Commission District:** 1

*Commissioner Name:* John Smaligo

25.1

## SECTION I: Z-7383

**DEVELOPMENT CONCEPT:** The applicant did not provide a development concept however this is one of the few parcels in the area that has not been zoned for industrial uses. Future development as an industrial area is expected to continue.

### 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-7383 to rezone from RS-3 to IL is consistent with the Employment land use designation of the comprehensive plan and;

IL zoning is common in the surrounding area. The adjacent RS-3 zoning south of this site is offered use and setback protection through the Zoning Code therefore IL zoning is considered non injurious to the abutting residential district and;

The other proximate properties are also zoned industrial so IL zoning is considered non injurious to all abutting properties and;

IL zoning is consistent with the anticipated future uses in the area therefore;

Staff recommends Approval of Z-7383 to rezone property from RS-3 to IL.

## **SECTION II: Supporting Documentation**

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: IL zoning is consistent with the land use designation of the comprehensive plan.*

### Land Use Vision:

*Land Use Plan map designation:* Employment

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

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

25.2

*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: Multi Modal*

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

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

*Trail System Master Plan Considerations: None that affects the site*

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *The site a single family residential dwelling on a large lot. The site is open with a few large trees and gently sloping.*

Environmental Considerations: No known environmental considerations that would affect site development.

25.3



Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
North Garnett Road	Secondary Arterial	100 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

<b>Location</b>	<b>Existing Zoning</b>	<b>Existing Land Use Designation</b>	<b>Area of Stability or Growth</b>	<b>Existing Use</b>
North	IL	Employment	Growth	Truck Rental and miscellaneous light industrial businesses
East	IL	Employment	Growth	Vacant
South	RS-3	Employment	Growth	Single Family Residential
West	IL	Employment	Growth	Across Garnett Road large light industrial

**SECTION III: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 11811 dated June 26, 1970, established zoning for the subject property.

***Subject Property:***

*No relevant history.*

***Surrounding Property:***

**Z-7000 October 2005:** All concurred in **approval** of a request for *rezoning* a 9± acre tract of land from RS-3 to IL for light industrial and warehouse use, on property located north of the northeast corner of N. Garnett Rd. and E. Independence St.

**Z-6996 July 2005:** All concurred in **approval** of a request for *rezoning* a 14.7± acre tract from RS-3 to IL, on property located on the southwest corner of East Independence Street and North Garnett Road.

**Z-6918 February 2004:** All concurred in **approval** of a request for *rezoning* a 2.2± acre tract, from RS-3 to IL for light industrial use, located north of the northwest corner East Newton Street and North Garnett Road.

**Z-6808 March 2001:** All concurred in **approval** of a request for *rezoning* a 7.3± acre tract, from RS-3 to IL, located in the northeast corner of East Independence and North Garnett Road extending from North Garnett Road to North 177<sup>th</sup> East Avenue.

25.4

**Z-6687 June 1999:** All concurred in **approval** of a request for *rezoning* a 4.5± acre tract from RS-3 to IL, for a machine shop, on property located south of the southwest corner of East Pine Street and North Garnett Road.

**Z-6651 October 1998:** All concurred in **approval** of a request for *rezoning* a 4.5± acre tract from RS-3 to IL, located north of the northwest corner of East Newton Street and North Garnett Road.

**Z-6392 March 1993:** Staff and TMAPC recommended **approval** of a request to *rezone* a lot from RS-3 and IL to OL on the west 184' to only the depth of the adjoining OL lot on the north. The balance of the tract remained IL, located south of the southeast corner East Newton Place North and North Garnett Road.

**Z-6325 October 4, 1991:** All concurred in **approval** of OL *zoning* on a 70' x 167' tract located south of the southeast corner of East Newton Place and North Garnett Road.

**Z-6237 August 1989:** All concurred in **approval** of a request to *rezone* a 10± acre tract, from RS-3 to IL, located south of the southeast corner of East Newton Place and North Garnett Road.

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25.5

169

RS-3

IM

IL

CG

RS-3

CG

CS

E PINE ST

SUBJECT TRACT

RS-3

E NEWTON PL

E NEWTON ST

IL

OL

N GARNETT RD

IL

RS-3

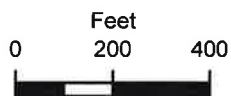
E MARSHALL ST

RS-3

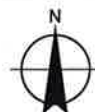
E INDEPENDENCE ST

Z-7383

20-14 32

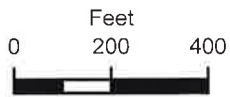


25.6





169



Subject  
Tract

**Z-7383**

20-14 32

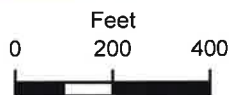
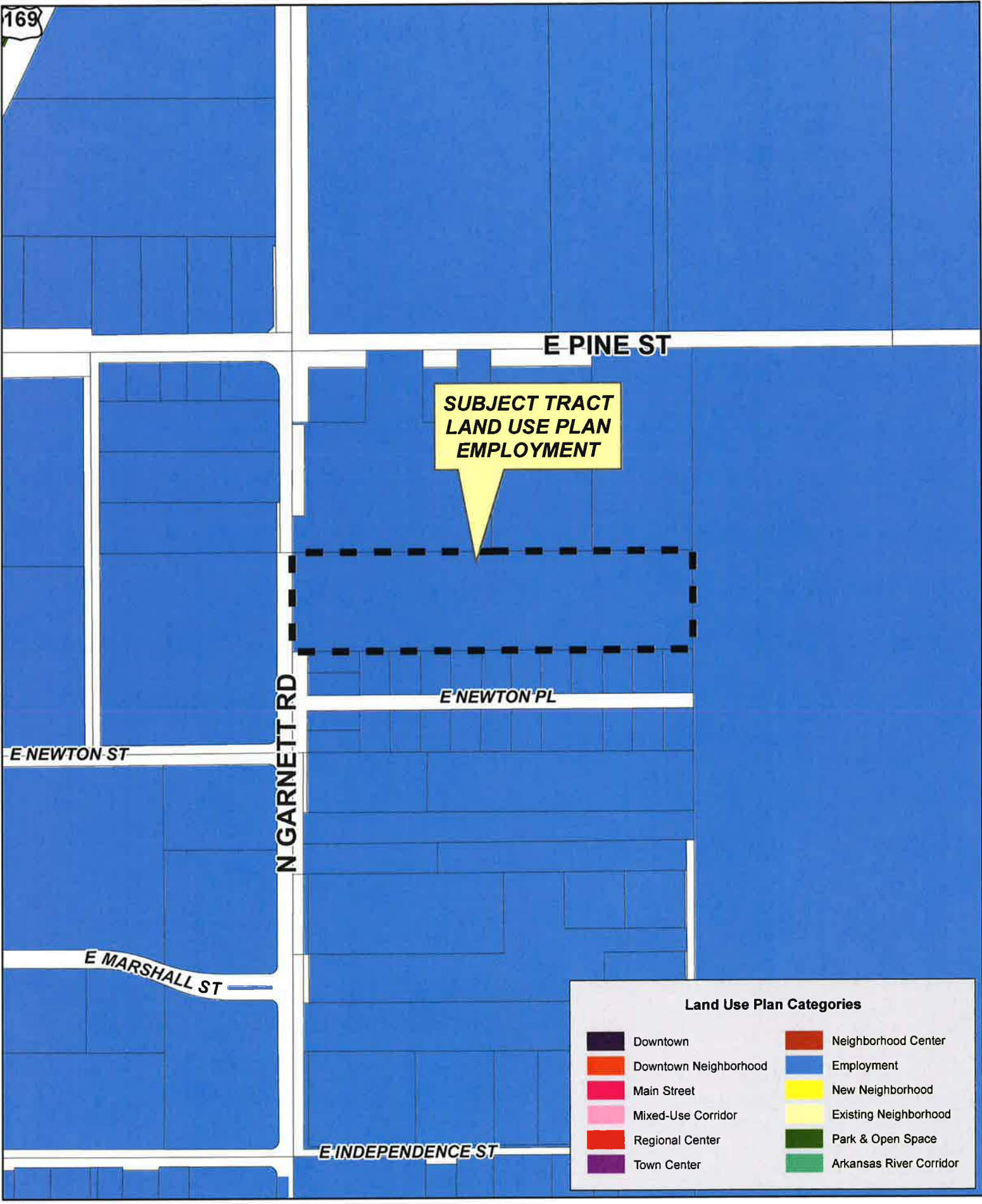
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016

25.7







**Z-7383**

20-14 32



169

E PINE ST

SUBJECT TRACT

E NEWTON PL



E NEWTON ST

N GARNETT RD

E MARSHALL ST

E INDEPENDENCE ST

**Growth and Stability**

-  Area of Growth
-  Area of Stability



**Z-7383**

20-14 32

25.9









Tulsa Metropolitan Area  
Planning Commission

**Case Number:** Z-7384

**Hearing Date:** April 19, 2017

**Case Report Prepared by:**

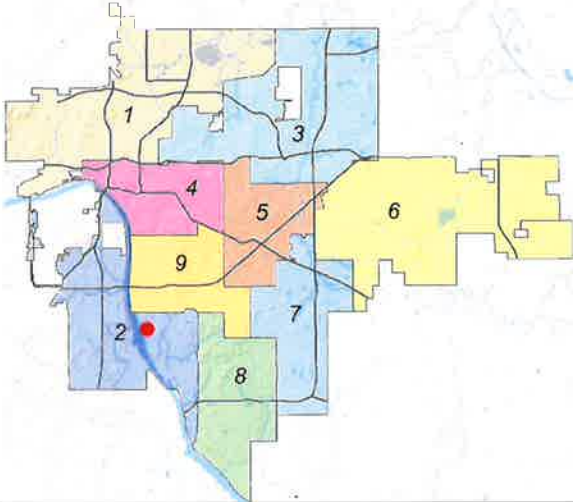
Dwayne Wilkerson

**Owner and Applicant Information:**

*Applicant:* Alan Betchan

*Property Owner:* BUTLER, JAMES A AND MARY KATHRYN

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



**Applicant Proposal:**

*Present Use:* Vacant

*Proposed Use:* Commerical

*Concept summary:* The parcel is partially zoned CS. The applicant is requesting a rezoning to allow CS on the entire parcel.

*Tract Size:* 0.68 ± acres (gross land area of OL)

*Location:* East of southeast corner of E. 67<sup>th</sup> St. & S. Peoria Ave.

**Zoning:**

*Existing Zoning:* OL

*Proposed Zoning:* CS

**Comprehensive Plan:**

*Land Use Map:* Main Street

*Stability and Growth Map:* Area of Growth

**Staff Recommendation:**

**Staff recommends approval.**

**Staff Data:**

TRS: 8306

CZM: 52

Atlas: 1008

**City Council District:** 2

*Councilor Name:* Jeannie Cue

**County Commission District:** 2

*Commissioner Name:* Karen Keith

26.1

## SECTION I: Z-7384

### DEVELOPMENT CONCEPT:

Applicant has submitted the request to allow CS uses on the entire parcel and is consistent with the Comprehensive Plan land use designation.

### EXHIBITS:

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

### DETAILED STAFF RECOMMENDATION:

Z-7384 requesting CS zoning is consistent with the Main Street land use designation of the Tulsa Comprehensive Plan and,

CS zoning is consistent with the expected future development pattern of the area and,

CS zoning is not considered injurious to the existing proximate properties therefore,

**Staff recommends Approval of Z-7384 to rezone property from OL to CS.**

## SECTION II: Supporting Documentation

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: CS zoning is consistent with the Main Street land use designation in the Tulsa Comprehensive Plan.*

*The Peoria Avenue Bus Rapid Transit Land Use Framework is not part of the Comprehensive Plan however it is an important study providing guidance for future transit oriented zoning opportunities at this location. CS zoning will allow development density as recognized in that plan.*

### Land Use Vision:

#### *Land Use Plan map designation: Main Street*

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

#### *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

26.2



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:*

Sidewalk construction along East 67<sup>th</sup> street south is important consideration for completing pedestrian circulation systems to the River Parks Trail system less than 10 minutes walking distance from this site.

Small Area Plan: None

#### Special District Considerations:

Peoria Avenue Bus Rapid Transit Land Use Framework Public Review Draft 3.22.2017:

This site is considered a development opportunity site in the draft version of the Peoria Avenue Bus Rapid Transit Land Use Framework study. The draft report also illustrates this site as a potential mixed use corridor that would support future transit oriented development and supports a mixed use zoning designation. This study will not be adopted as part of the Tulsa Comprehensive plan however it is an important document that will identify development opportunities and zoning suggestions along the rapid transit corridor.

#### River Design Corridor:

The parcel being considered is adjacent to the east boundary of RDO-3 however it is outside the design corridor.

Historic Preservation Overlay: None

#### DESCRIPTION OF EXISTING CONDITIONS:

*Staff Summary: The existing site is a single parcel approximately 1.2 acres net in size. The west portion adjacent to South Peoria is zoned CS. The east portion is zoned OL (0.45 ac / net). The site is abutted on the south by apartments with a covered parking near the property line. East of the site is a single family residential home. The site is flat with no significant vegetation except along the east lot line.*

Street view from the northwest corner looking south east (see next page):



Environmental Considerations: No known environmental considerations that would affect site development.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP RW</u>	<u>Exist. # Lanes</u>
East 67 <sup>th</sup> Street.	None	50 feet	2 lanes with no curb and gutter, no sidewalks

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

<b>Location</b>	<b>Existing Zoning</b>	<b>Existing Land Use Designation</b>	<b>Area of Stability or Growth</b>	<b>Existing Use</b>
North	CS and RM-1 north of East 67 <sup>th</sup> Street South	Main Street	Growth	Retail on the west and vacant on the east
East	RM-2 / PUD 183	Existing Neighborhood	Stability	Single Family Residential
South	RM-2 / PUD 183	Main Street	Growth	Multi Family
West	CS	Main Street	Growth	Vacant property

**SECTION III: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 17483 dated April 29, 1991, established zoning for the subject property.

26.4

***Subject Property:***

**Z-6215 April 1991:** All concurred in **approval** of a request for *rezoning* a .7+ acre tract of land from RM-2 to OL and CS, on property located east of the southeast corner of E. 67<sup>th</sup> St. and S. Peoria Ave. and also known as a part of the subject property.

***Surrounding Property:***

**SA-1September 2016:** All concurred in approval of a request for a Special Area Overlay on multiple properties along the Arkansas River extending from W. 11<sup>th</sup> St. S. to E. 121<sup>st</sup> St. S., to establish the River Design Overlay as a supplemental zoning, RDO-1, RDO-2 or RDO-3, to establish regulations governing form, function, design and use for properties located within the boundaries of the River Design Overlay district. The regulations are generally intended to maintain and promote the Arkansas River corridor as a valuable asset to the city and region in terms of economic development and quality of life.

**Z-6571 December 1996:** All concurred in **approval** of a request for *rezoning* a tract of land from OM to CS on the west 200 ft. of tract and denial of the remainder, on property located on the northeast corner of E. 67<sup>th</sup> St. and S. Peoria Ave.

**PUD-183 March 1976:** All concurred in **approval** of a proposed *Planned Unit Development* on a 40+ acre tract of land for townhouses, patio homes and garden apartments and accessory uses, on property located on the northeast corner of E. 68<sup>th</sup> St. and S. Peoria Ave. and abutting subject property on the south and east.

**BOA-14496 June 11, 1987:** The Board of Adjustment **approved** a Special Exception to allow for office use in an RM-1 district, on property located east of the northeast corner of E. 67<sup>th</sup> St. and S. Peoria Ave. and abutting north of subject property across E. 67<sup>th</sup> St.

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26.5













S PEORIA AVE

E 67 STS

SQUAKER AVE

0 50 100  
Feet



Subject  
Tract

**Z-7384**

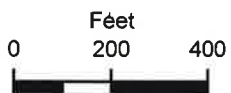
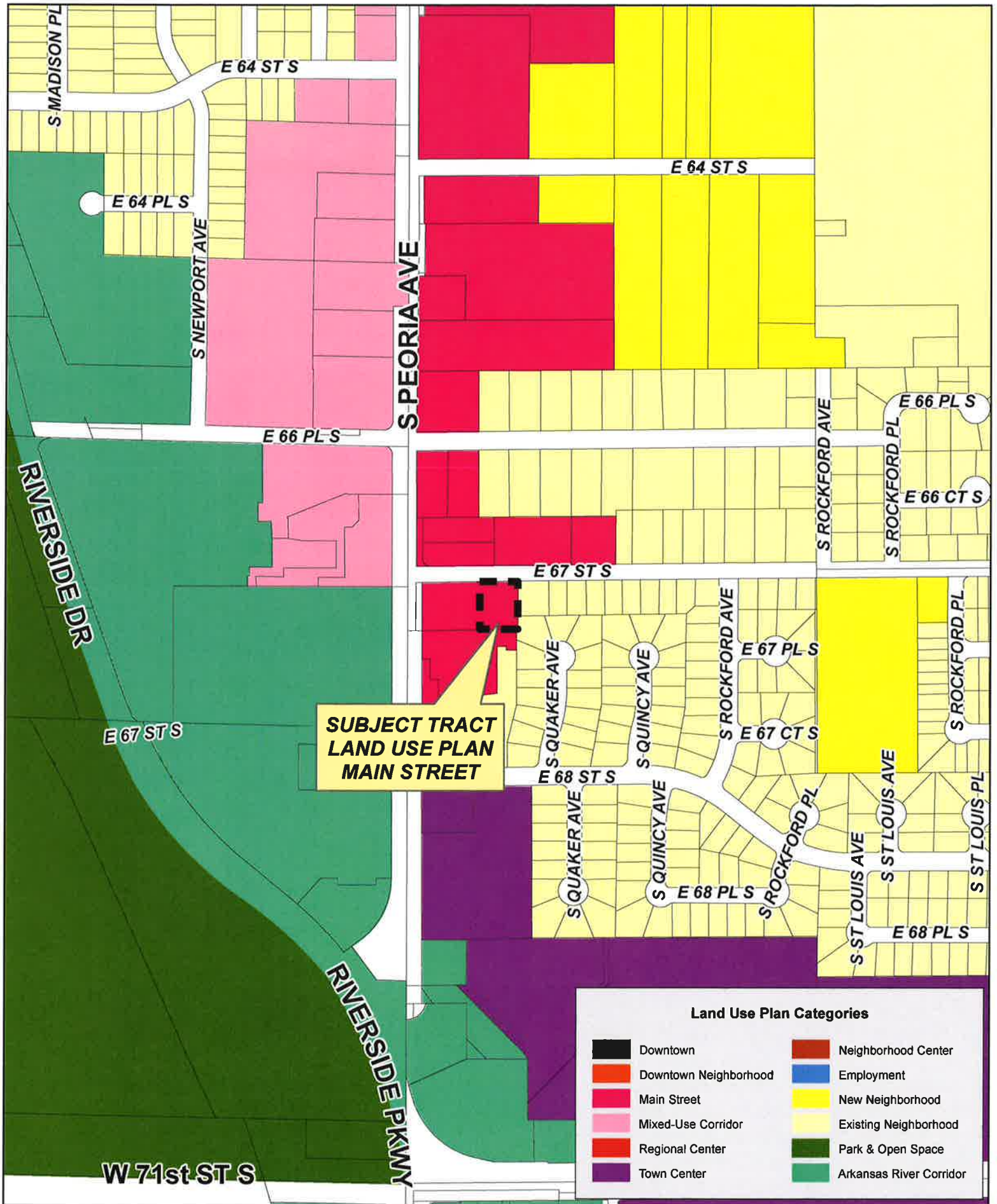
18-13 06

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

Aerial Photo Date: February 2016

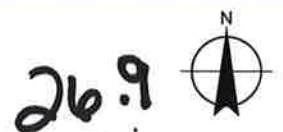






**Z-7384**

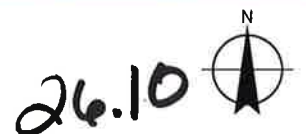
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**Z-7384**

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## **TMAPC Staff Report**

**April 19, 2017**

### **Peoria Avenue Bus Rapid Transit (BRT) Land Use Framework**

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**Item:** TMAPC consider adoption of Resolution No. 2744:967 finding the Peoria Avenue Bus Rapid Transit (BRT) Land Use Framework in conformance with the Tulsa Comprehensive Plan

- A. Background:** The City of Tulsa Planning Department selected a consultant team led by Lakota Group and including Clue Group, Sam Schwartz, and Duncan Associates, to complete a land use study for land surrounding future transit station areas located along the Peoria Avenue corridor between 38th Street North and the intersection of Lewis Avenue/81st Street. The study evaluated the areas within a quarter mile radius of seven of the future bus rapid transit (BRT) stations, and recommends land use and zoning changes that can maximize public investment. The study will also address which land uses provide the most successful outcomes for private properties that border these BRT station sites.

The consultant team presented an update on the land use study at a January 18, 2017 work session of the Planning Commission. The Peoria Avenue Bus Rapid Transit (BRT) Land Use Framework is considered a functional plan and falls under the category of “other types of plans, studies and initiatives” in the TMAPC Policies and Procedures, which requires that the plan be reviewed for conformance with the Tulsa Comprehensive Plan. Following this action, the City Council will be asked to concur with the finding of conformance.

- B. Comprehensive Plan Conformance:** The Tulsa Comprehensive Plan (PlaniTulsa) contains priorities, goals and policies supporting a variety of transportation options (including bus rapid transit) and the need to create walkable, higher density development within walking distance of transit (see attached for Comprehensive Plan references). The Peoria Avenue Bus Rapid Transit (BRT) Land Use Framework contains specific land use and zoning recommendations designed to achieve these concepts outlined in the Comprehensive Plan. The land use framework will provide guidance as public improvements are made and private properties develop along the Peoria Avenue Corridor. The land use recommendations for mixed use development, specifically through utilization of the mixed-use zoning tool in the City of Tulsa Zoning Code, will implement the Comprehensive Plan’s direction on transit oriented development. Staff finds that based on the above, the Peoria Avenue Bus Rapid Transit (BRT) Land Use Framework is in conformance with the Tulsa Comprehensive Plan.
- C. Staff Recommendation:** Adopt a resolution finding the Peoria Avenue Bus Rapid Transit (BRT) Land Use Framework in conformance with the Tulsa Comprehensive Plan.



## **PLANiTULSA**

### **References for Peoria Bus Rapid Transit Land Use Study**

#### **The Vision of Tulsa's Future P. 10 Provide Effective Transportation**

"Tulsans recognize that great cities also need great transportation systems that provide a range of travel choices and make the most of their investments. Tulsa's strategy in the past has been to build primarily for cars. The legacy of this approach is significant capacity for automobile travel, but at the expense of those who are unable to drive, or who would like better options for transit, biking, and walking. Tulsans are ready to make a change, and use some of that capacity to expand options. We are also ready to use modes like frequent bus service, rail transit and streetcars. We also want to expand and make better use of our bike facilities and pedestrian networks to connect our city."

#### **LU 42 (TR 19) Expanded Transit System**

"The elements of the expanded transit system include rail (both light rail and commuter rail), Bus Rapid Transit (BRT) and a variation on BRT called High Frequency Bus."

#### **LU 43 (TR 43) Bus Rapid Transit (BRT)**

"BRT is a relatively new technology that combines some aspects of rail transit with the flexibility of buses. It can operate on exclusive transit ways, high occupancy vehicle (HOV) lanes, expressways, or ordinary streets. Compared to typical diesel bus transit systems, a BRT system offers potential advantages by combining priority transit lanes, alternative fuel technology, cleaner and quieter operation, rapid and convenient fare collection, and integration with land-use policy."

**LU 79 Priority 1, Goal 3, Policy 3.2 - Encourage a balance of land uses within walking distance of each other.**

- "Support the creation of higher density mixed-use areas at major centers served by transit."
- "Transform commercial strips along Multi-modal Corridors into mixed-use boulevards."

**LU 84 Priority 4, Goal 12 - Residents in established neighborhoods have access to multiple modes of transportation.**

#### **TR 29 Transit – Oriented Development**

"In response to future rail, BRT and streetcar service growth should be encouraged around transit facilities by supporting Transit-Oriented Development (TOD). TOD is a way for Tulsa to make long-range coordinated transportation and land use decisions that will provide a variety of housing and mobility options and create active places where people can live, work, shop, interact and recreate. The program will address: transportation access for pedestrians, bicycles, transit and automobiles; the type and density of land use; urban design; and parking. The program also works with private property owners and potential developers to help implement

and develop incentives for TODs. Potential TOD incentives include reductions in parking requirements for mixed-use zone districts and tax increment financing to assist with operating and maintaining the transit facility.”

**TR 30 Transit Oriented Development (TOD)**

**Transit Oriented Development (TOD):** TOD creates a higher density residential development within walking distance of transit, in particular light rail and bus rapid transit. Costs of these developments can be taken on by developers, but cities can introduce incentives to promote TOD development. In time, tax revenues from these developments can contribute back to local infrastructure, making them value-added projects.

**TR 36 Priority 1 - Provide a Wide Range of Reliable Transportation Options So Every Tulsan Can Efficiently Get Where They Want To Go.**

**TR 36 Priority 1, Goal 1 - All Tulsans have a variety of transportation options for getting around the city.**

**TR 36 Priority 1, Goal 1, Policy 1.1 -**

Coordinate closely with MTTA to provide for transit-supportive enhancements in the high frequency bus, bus rapid transit, streetcar, light rail and commuter rail corridors.

**TR 36 Priority 1, Goal 2 - Tulsa has a sustainable network of roadways, trails and transit infrastructure that is well maintained and not a burden on future generations to operate.**

**TR 38 Priority 3 – Ensure that transportation investments enhance the land uses they serve.**

**TR 38 Priority 3, Goal 7, Policy 7.1**

Enhance transportation Tulsa’s right-of-ways so they both serve as great public places and promote multi-modal travel.

- Correlate a mixed use land use development strategy to minimize auto trips and roadway congestion through internal capture of vehicular trips.

**TR 40 Priority 4 – Provide multiple transportation choices to all Tulsans.**

**TR 40 Transportation Priority 4, Goal 12, Policy 12.2**

Enhance bus transit services with higher frequency bus service, improved stations/stops and priorities for intelligent transportation systems (ITS) investments (including bus priority signalization) on the Big T route, which includes Peoria Avenue and 21st Street as portrayed in the Vision Map.

**TR 40 Transportation Priority 4, Goal 12, Policy 12.5**

Develop a transit-oriented development program incentives, including: promotion of shared parking; creation of new zone districts and/or overlays that allow for reduced parking requirements and support a mix of transit supportive land uses; and development of dedicated funding to "land bank" key land parcels near stations to preserve future development opportunities.

**H 13 Priority 2, Goal 8 - The combined cost of housing and transportation to Tulsa's residents is reduced.**



## RESOLUTION

### TULSA METROPOLITAN AREA PLANNING COMMISSION

#### Resolution No. 2744:967

A RESOLUTION OF THE TULSA METROPOLITAN AREA PLANNING COMMISSION (TMAPC) FINDING THE PEORIA AVENUE BUS RAPID TRANSIT (BRT) LAND USE FRAMEWORK IN CONFORMANCE WITH THE TULSA COMPREHENSIVE PLAN.

WHEREAS, the Tulsa Metropolitan Area Planning Commission ("Planning Commission") is required to prepare, adopt and amend, as needed, a master plan, also known as a comprehensive plan, for the Tulsa metropolitan area, in accord with Title 19 Oklahoma Statutes, Section 863.7; and

WHEREAS, the purpose of such a comprehensive plan is to bring about coordinated physical development of an area in accord with present and future needs and is developed so as to conserve the natural resources of an area, to ensure the efficient expenditure of public funds and to promote the health, safety, convenience, prosperity and general welfare of the people of the area; and

WHEREAS, pursuant to Title 19 Oklahoma Statutes, Section 863.7, the Tulsa Metropolitan Area Planning Commission (TMAPC) did, by Resolution on the 29th of June 1960, adopt a Comprehensive Plan for the Tulsa Metropolitan Area, which was subsequently approved by the Mayor and Board of Commissioners of the City of Tulsa, Oklahoma, and by the Board of County Commissioners of Tulsa County, Oklahoma, and was filed of record in the Office of the County Clerk, Tulsa, Oklahoma, all according to law, and which has been subsequently amended; and

WHEREAS, the Tulsa Metropolitan Area Planning Commission (TMAPC) did, by Resolution on the 6th of July 2010, adopt an amendment to the Comprehensive Plan for the Tulsa Metropolitan Area, which pertains only to those areas within the incorporated City limits of the City of Tulsa, known as the Tulsa Comprehensive Plan, which was subsequently approved by the Tulsa City Council on the 22<sup>nd</sup> of July 2010, all according to law, and which has been subsequently amended; and

WHEREAS, Tulsa Comprehensive Plan adopted in 2010 contains recommendations regarding development of a bus rapid transit system and transit-oriented development; and

WHEREAS, the Peoria Avenue BRT Land Use Framework is considered a functional plan and falls under the category of "other types of plans, studies and

initiatives” in the TMAPC Policies and Procedures, which requires that the plan be reviewed for conformance with the Tulsa Comprehensive Plan.

WHEREAS, the City of Tulsa and the Metropolitan Tulsa Transit Authority worked with a team of consultants lead by Lakota Group to develop the Peoria Avenue BRT Land Use Framework that includes a vision created by local stakeholders, city officials, and public feedback.

WHEREAS, the Peoria Avenue BRT Land Use Framework will inform zoning and land use decisions, identify priority projects, help guide policy to capitalize on public investment, and support private development.

NOW THEREFORE, BE IT RESOLVED, by the Tulsa Metropolitan Area Planning Commission:

Section 1. That on April 19, 2017, the Tulsa Metropolitan Area Planning Commission found the Peoria Avenue BRT Land Use Framework to be in conformance with the Tulsa Comprehensive Plan.

Section 2. That a true and correct copy of the Peoria Avenue BRT Land Use Framework is attached to this Resolution.

Section 3. That upon adoption by the Tulsa Metropolitan Area Planning Commission, this Resolution shall be transmitted and submitted to the City Council of the City of Tulsa for their concurrence with the finding of conformance.

ADOPTED this 19<sup>th</sup> day of April, 2017, by the Tulsa Metropolitan Area Planning Commission.

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Michael Covey, Chairman  
Tulsa Metropolitan Area Planning Commission

ATTEST:

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Margaret Millikin, Secretary  
Tulsa Metropolitan Area Planning Commission

**CONCURRENCE BY THE TULSA CITY COUNCIL**

The City Council of the City of Tulsa, Oklahoma hereby concurs with the finding of the Tulsa Metropolitan Area Planning Commission that the attached Peoria Avenue BRT Land Use Framework is in conformance with the Tulsa Comprehensive Plan.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2017.

\_\_\_\_\_  
Anna America, Chair of the City Council

APPROVED AS TO FORM:

\_\_\_\_\_  
Assistant City Attorney



