CONSIDER, DISCUSS AND/OR TAKE ACTION ON:

Call to Order:

REPORTS:

Chairman's Report:

Work session Report:

Director's Report:

Review TMAPC Receipts for the month of August 2019

1. Minutes of September 4, 2019, Meeting No. 2801
2. Minutes of September 18, 2019, Meeting No. 2802

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.

3. PUD-806-2 Doug Walker (CD 8) Location: North of the northwest corner of East 121st Street South and South Sheridan Road requesting a PUD Minor Amendment to allow an 8-foot fence in the front yard (Continued from August 21, 2019, September 4, 2019 and October 2, 2019)

4. Roan-Shire Estates (County) Vacation of Plat & Termination of Deed of Dedication, Location: Northeast corner of East 161st Street South and South Peoria Avenue (Originally scheduled for October 2, 2019)

5. NGP Business Complex (CD 8) Amendment to Deed of Dedication and Restrictive Covenants to align with approved PUD standards, Location: North of the northwest corner of East 101st Street South and South Memorial Drive

PUBLIC HEARINGS:
6. **ZCA-16** Consider amendments to the City of Tulsa Zoning Code, Tile 42, revised ordinances, regarding dumpster and recyclable material bins/donation bins.

7. **SMG Maybelle (Formerly GCC Maybelle)** (CD 2) Preliminary Plat, Location: South of the southwest corner of West 41st Street South and South Maybelle Avenue (Originally scheduled for October 2, 2019)

8. **CZ-492 Matt King** (County) Location: Southwest corner of West 51st Street South and West Skyline Road requesting rezoning from AG to CS to allow a marijuana dispensary (Originally scheduled for October 2, 2019)

9. **CZ-493 Richard Peek** (County) Location: Southwest corner of Highway 51 and South 241st West Avenue requesting rezoning from AG to IL to allow light industrial uses (Originally scheduled for October 2, 2019)

10. **CZ-494 Alan Betchan** (County) Location: Northeast corner of East 106th Street North and North Memorial Drive requesting rezoning from RE to RS to permit a single-family subdivision (Related to 106th ~ Memorial)

11. **106th ~ Memorial** (County) Preliminary Plat, Location: Northeast corner of East 106th Street North and North Memorial Drive (Related to CZ-494)

12. **Z-7498 Malcolm Rosser** (CD 6) Location: South of the southeast corner of East 11th Street South and East Skelly Drive rezoning from CS to IL with optional development plan to permit a mixed-use facility (Continued from September 18, 2019)

13. **Z-7500 John Madden** (CD 9) Location: East of the northeast corner of East 30th Street South and South Harvard Avenue requesting rezoning from RS-3 and CH to CH with optional development plan limiting uses and providing site design standards (Originally scheduled for October 2, 2019)

14. **Z-7501 William Kerr** (CD 3) Location: Northwest corner of East Tecumseh Street and North Fulton Avenue requesting rezoning from CH to IL to permit light industrial uses (Originally scheduled for October 2, 2019)

15. **Z-7502 Brian Carbajal Carranza** (CD 3) Location: South of the southeast corner of Dawson Road and North Harvard Avenue requesting rezoning from RM-2 and CS to IL to permit a medical marijuana cultivation facility

16. **Z-7503 David Henke/City Council** (CD 4) Location: North of the Northeast corner of East 11th Street South and South Peoria Avenue requesting rezoning from RS-4 and CH to MX1-U-U as part of the mixed-use zoning initiative associated with the Bus Rapid Transit System along Peoria Avenue
17. **Z-7504 Erik Enyart** (CD 2) Location: South of the southwest corner of West 81st Street South and South Union Avenue rezoning from AG to RS-3 with optional development plan to permit single-family subdivision *(Applicant has requested continuance to November 6, 2019)*

18. **Z-7505 Mark Capron** (CD 8) Location: Northwest of the northwest corner of East 111th Street South and South Memorial Drive requesting rezoning from AG to RS-3 and RT to permit single-family homes and townhouses

19. **Z-7506 Mike Thedford** (CD 2) Location: South of the southeast corner of West 81st Street South and South Maybelle Avenue rezoning from AG to RS-5 to permit single-family homes

20. Consider a motion and vote to enter Executive Session pursuant to Title 25 OS. Section 307(B)(4) to discuss pending litigation in case of Wilson et al v. TMAPC et al, Tulsa County District Court Case No. CV-2019-13, for the purpose of allowing confidential communications between a public body and its attorney concerning a pending claim, investigation, or litigation. *(Originally scheduled for October 2, 2019)*

21. Leave Executive Session on discussion of pending litigation in case of Wilson et al v. TMAPC et al, Tulsa County District Court Case No. CV-2019-13 for the purpose of taking any appropriate related actions. *(Originally scheduled for October 2, 2019)*

**OTHER BUSINESS**

22. 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 pagers must be turned off during the Planning Commission.

Visit our website at [www.tmapc.org](http://www.tmapc.org) email address: esubmit@incog.org
TMAPC Mission Statement: The Mission of the Tulsa Metropolitan Area Planning Commission (TMAPC) is to provide unbiased advice to the City Council and the County Commissioners on development and zoning matters, to provide a public forum that fosters public participation and transparency in land development and planning, to adopt and maintain a comprehensive plan for the metropolitan area, and to provide other planning, zoning and land division services that promote the harmonious development of the Tulsa Metropolitan Area and enhance and preserve the quality of life for the region’s current and future residents.
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<thead>
<tr>
<th>Case Report Prepared by:</th>
<th>Owner and Applicant Information:</th>
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<tbody>
<tr>
<td>Jay Hoyt</td>
<td>Applicant: Doug Walker</td>
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<td>Property Owner: Ashley Bray</td>
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<tr>
<td>Concept summary: PUD minor amendment to allow an 8 ft fence in front yard.</td>
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<tr>
<td>Gross Land Area: 5 acres</td>
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<td>Location: N of NW/c E 121st St S &amp; S Sheridan Rd</td>
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<td>11908 S Sheridan Rd</td>
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<th>Zoning:</th>
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<td>Proposed Zoning: No Change</td>
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<tr>
<th>Comprehensive Plan:</th>
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<tbody>
<tr>
<td>Land Use Map: Existing Neighborhood</td>
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<tr>
<td>Growth and Stability Map: Stability</td>
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<td>TRS: 8334</td>
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<th>Staff Recommendation:</th>
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<tr>
<td>Staff recommends approval.</td>
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<tr>
<td>Councilor Name: Phil Lakin, Jr.</td>
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<tr>
<th>County Commission District: 3</th>
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<tr>
<td>Commissioner Name: Ron Peters</td>
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</table>
SECTION I: PUD-806-2 Minor Amendment

STAFF RECOMMENDATION

Amendment Request: Revise the development standards to allow an 8 ft wall/fence in the required front yard.

The applicant intends to construct an 8 ft precast concrete fence along the front yard of the subject property. This fence is to match the existing 8 ft precast concrete fence located along the frontage of the properties to the south in both style and height.

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

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

Staff has reviewed the request and determined:

1) The requested amendment does not represent a significant departure from the approved development standards in the PUD.

2) If approved, the design and layout of the 8 ft fence shall be subject to a detail site plan review.

3) All remaining development standards defined in PUD-806 and subsequent amendments shall remain in effect.

Exhibits included with staff recommendation:

INCOG zoning case map
INCOG aerial photo
INCOG aerial photo (enlarged)
Applicant Survey

With considerations listed above, staff recommends approval of the minor amendment request to allow an 8 ft fence in the required front yard.
Subject Tract PUD-806-2

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

Aerial Photo Date: February 2018
Notes:

1. All lot corner marks on this plat were set using a 4½"surveyor's rod. For better clarity, these marks are shown on this plat.
2. The location shown here is based on the plat of record of "Savannah Crossing".
3. All lot boundary lines on this plat were set using a 4½"surveyor's rod. These lines are shown on this plat.
4. No underground utilities or utility easements are shown or noted on this plat.
5. Field work was completed on September 26, 2014.
6. Lots 2 and 3 contain 169 square feet in 0.0035 acres.
7. City of Tulsa regulatory jurisdiction per map atlas date April 2017.

Certificate:

WE, SACK AND ASSOCIATES, INC., hereby certify that this plat represents the final survey of the property described herein, and that this plat is a true and correct representation of the plat of record of "Savannah Crossing", Section 34, T-18-N, R-13-E, City of Tulsa, Tulsa County, Oklahoma. Certified this 30th day of September, 2016.

Sack and Associates, Inc.
Licensed Professional Land Surveyors, Oklahoma No. 11153

Utility Statement:

The underground utilities shown on this plat have been located from field surveying and shown on the plat. These locations have been verified by field surveying. The surveyor is responsible for the accuracy of surveying located underground utilities. The plat indicates the approximate location of underground utilities, Ne. 18845, SW. 1/2, SE. 1/4, NW. 1/4.

Sack and Associates, Inc.
Licensed Professional Land Surveyors, Oklahoma No. 10050

Date: 9-26-16
Case: Roan-Shire

Hearing Date: October 16, 2019
(Originally scheduled for October 2, 2019)

Case Report Prepared by:
Nathan Foster

Owner and Applicant Information:
Applicant: Nathalie Cornett, Eller & Detrich
Owner: Emily Strauss

Location Map:
(shown with County Commission districts)

Applicant Proposal:
Vacation of Plat & Termination of Deed of Dedication
Roan-Shire, Plat No. 3952
Location: Northeast corner of East 161st Street South and South Peoria Avenue

Zoning: AG

Staff Recommendation:
Staff recommends approval.

County Commission District 3:
Commissioner Name: Ron Peters

EXHIBITS: Vacation of Plat and Termination of Deed of Dedication
VACATION OF PLAT AND
TERMINATION OF CERTIFICATE OF DEDICATION

ROAN-SHIRE ESTATES
[PLAT NO. 3952]

THIS VACATION OF PLAT AND TERMINATION OF CERTIFICATE OF DEDICATION, ROAN-SHIRE ESTATES, PLAT NO. 3952 is entered into to be effective on the date set forth below.

RECITALS:

A. The Plat and Certificate of Dedication of ROAN-SHIRE ESTATES was recorded in the office of the Tulsa County Clerk as Plat No. 3952 on September 14, 1979 (the "Plat").

B. The Plat affects a tract of land that is located in Section 19, T-17-N, R-13-E, Tulsa County, Oklahoma, more specifically described below.

C. The undersigned property owner is the owner of all of the lots in the Plat.

D. The Plat and Certificate of Dedication should be vacated and the covenants and restrictions imposed thereby released as provided below in order to allow such land to be re-platted and redeveloped.

VACATION OF PLAT:

NOW, THEREFORE, the undersigned, being the sole owner of all of the property affected by the Plat, agrees that the Plat and Certificate of Dedication of ROAN-SHIRE ESTATES is hereby vacated and held for naught, and that the following described land is no longer subject to said Plat or Certificate of Dedication:

The S/2 of the SW/4 of the SW/4 and the S/2 of the N/2 of the SW/4 of the SW/4 of Section 19, Township 17 North, Range 13 East, Tulsa County, Oklahoma, according to the U.S. Government Survey thereof, and containing 30 acres more or less.

FURTHER, this instrument terminates and vacates all of the building and use restrictive covenants, setback lines, limits of no access, easements, and public ways provided for in the Plat and Certificate of Dedication recorded with said Plat No. 3952, pursuant to 11 O.S. § 42-106.

The undersigned has executed this instrument to be effective as of the date of set forth below.

Dated this 1st day of September, 2019.
STATE OF OKLAHOMA  )
COUNTY OF TULSA    )

This instrument was acknowledged before me, a Notary Public, on this 11th day of September, 2019, by Emily Strauss, a single person.

My commission expires:

KAITLIN M. SOUTTER
Notary Public
State of Oklahoma
Commission #14008235
Expires: Sept. 12, 2022

Commission No. ____________

Page 2
On this ___ day of ________________, 2019, the Tulsa Metropolitan Area Planning Commission expressly acknowledges, consents and approves the vacation of ROANSHIRE ESTATES, Plat No. 3952 and to the termination of the Certificate of Dedication accompanying the Plat.

Chairman of the TMAPC
On this ______ day of _____________, 2019, the Board of County Commissioners of Tulsa County expressly acknowledges, consents and approves of the vacation of ROAN-SHIRE ESTATES, Plat No. 3952 and to the termination of the Certificate of Dedication accompanying the Plat.

Chairman

Attest:

Tulsa County Clerk

Date: ____________________________

APPROVED AS TO FORM:

By: ________________________________
    Assistant District Attorney
    Tulsa County, Oklahoma

Date: ____________________________
**Case**: NGP Business Complex  
**Hearing Date**: October 16, 2019  

**Case Report Prepared by**: Nathan Foster  

**Owner and Applicant Information**:  
**Applicant**: Stephen A. Schuller  
**Owner**: HACA Investment Company, LLC  

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

![Location Map](image)  

**Applicant Proposal**:  
**Amendment to Deed of Dedication**  

**Location**: North of the northwest corner of East 101st Street South and South Memorial Drive  
**Summary**: Amending previously filed deed of dedication to align with PUD amendments and approved development standards  

**Zoning**: OL, CS, PUD-773  

**Staff Recommendation**:  
Staff recommends **approval** of the amendment  

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

**EXHIBITS**: Amendment of Deed of Dedication and Restrictive Covenants for NGP Business Complex
Amendment of Deed of Dedication and Restrictive Covenants for NGP Business Complex

KNOW ALL BY THESE PRESENTS:

That HACA Investment Company, L.L.C., an Oklahoma limited liability company, is the owner of the following described parcel of land situated in the NGP BUSINESS COMPLEX, a Subdivision of Land in the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat [No. 6340] thereof:

Lot 6, Block 1, NGP BUSINESS COMPLEX, a Subdivision of Land in the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat [No. 6340] thereof.

Pursuant to the terms and provisions of Section IV of the Deed of Dedication and Restrictive Covenants for NGP Business Complex filed for record on 20 May 2010 in the Office of the County Clerk of Tulsa County, Oklahoma as a component part of the Plat of NGP BUSINESS COMPLEX, the above named owner of the specified land situated in the NGP BUSINESS COMPLEX hereby amends the Section II “Planned Unit Development Restrictions” set forth in the Deed of Dedication and Restrictive Covenants for NGP Business Complex in the following particulars:

Part B. “Development Standards - for Lot 6, Block 1 (Development Area ‘B’)” is hereby amended to implement the Minor Amendment of PUD No. 773 approved by the Tulsa Metropolitan Area Planning Commission on 5 June 2019 as Minor Amendment No. PUD-773-2 as to only the following specified development standards:

PERMITTED USES:

Uses permitted as a matter of right in the “Consumer Shopping Goods”/“Convenience Goods” and “Fueling Station” Use Categories identified in the Tulsa Zoning Code

MAXIMUM PERMITTED HEIGHT OF FUEL PUMP CANOPY: 25 ft

MINIMUM CANOPY SETBACK:

From the West Boundary: 120 ft
LANDSCAPE BUFFER:

The required 8 Austrian Pine trees shall be a minimum of 8 feet in height at the time of planting.

RETAINING WALL:

The existing retaining wall extending through the western portion of Development Area “B” shall remain in place. A 6-foot tall privacy fence (conforming to the current Tulsa Zoning Code’s requirements) shall be erected atop such retaining wall to provide further screening from the residential properties to the West of PUD 773.

All Development Standards prescribed for Development Area “B” in the original PUD 773, except as specifically provided above, remain unchanged and are not amended or modified hereby.

NGP, L.L.C. as the original “Developer” of the NGP Business Complex subdivision and an owner of at least one lot in such subdivision hereby joins in this Amendment of the Deed of Dedication and Restrictive Covenants for NGP Business Complex as required by the provisions of Section IV thereof.

EXECUTED at Tulsa, Oklahoma, to be effective for all purposes as of 5 June 2019.

HACA Investment Company, L.L.C.  NGP, L.L.C.

By: ___________________________  By: ___________________________
Manager  Craig R. Grotts
Manager

APPROVED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION in accordance with Minor Amendment No. PUD-773-2 approved 5 June 2019:

Date: ___________________________  ___________________________
Chair

Secretary
STATE OF OKLAHOMA  
COUNTY OF TULSA  

This instrument was acknowledged before me this _____ day of August, 2019, by

Joe Adams as Manager of HACA Investment Company, L.L.C.

(SEAL)

JULIE O'CONNOR   
Notary Public, State of Oklahoma   
Commission # 14008067   
My Commission Expires 09-09-2022

Commission No./Expiration:
14008057  9-8-2022

STATE OF OKLAHOMA  
COUNTY OF TULSA  

This instrument was acknowledged before me this 25 day of August, 2019, by

Craig R. Grotts as Manager of NGP, L.L.C.

(SEAL)

BRETTANY WARDLE   
Notary Public

Commission No./Expiration:
07/123/23
Item
Consider amendments to the City of Tulsa Zoning Code, Title 42 Revised Ordinances, regarding dumpsters and recyclable material bins/donation bins.

Background
The City of Tulsa Zoning Code became effective on January 1, 2016. Included in the Zoning Code were new regulations regarding dumpsters and recyclable material bins that were not in the previous code. A key component of the regulations was a retroactive screening requirement for all dumpsters and recyclable material bins, stating a compliance date of November 1, 2017. A proactive effort to enforce this provision took place earlier in 2019 and several businesses received notice that their dumpsters were not in compliance. These businesses contacted elected officials at City Hall about the issues resulting from these regulations. A few key issues identified were:

- In existing development, there may not be enough space to place the dumpster/screening out of view from streets and abutting properties.
- Recyclable Material Bins will not be visible if required to be screened, which will impact donations.
- Dumpsters in alley rights-of-way should be exempt from screening requirements.

In order to address these and other related issues, the zoning code implementation team convened to address the identified issues. The zoning code implementation team is comprised of members of Tulsa Planning Office, Development Services Department and City Legal.

Tulsa Planning Office staff presented the proposed ordinance to the Planning Commission at the end of their September 18, 2019 meeting. Also, at the request of the Tulsa Authority for the Recovery of Energy (TARE) Board, staff presented the proposed ordinance at their September 24, 2019 meeting. To date, all interested parties have expressed support for the proposal.

The amendments proposed to the City of Tulsa Zoning Code, Title 42 Tulsa Revised Ordinances, are shown in strike through/underline in Attachment II.

Staff Recommendation
Approval of the proposed amendments to the City of Tulsa Zoning Code as shown in Attachment II.
Attachment(s)

Attachment I - Summary of Changes for Dumpster & Recyclable Material Bins/Donation Bins zoning code amendments
Attachment III - Existing City of Tulsa Zoning Code (as of 09.12.2019)
## Attachment I

**Dumpster & Recyclable Material Bins/Donation Bins Zoning Code Amendments Draft**

**Summary of Changes**

### EXISTING

- Dumpsters and recyclable material bins grouped together with the same regulations
- Limited restrictions on placement of dumpsters and recyclable material bins
- No standards for excess trash and debris

### PROPOSED

- Dumpsters and recyclable material bins separated
- Dumpsters and recyclable material bins are not allowed in a required landscape area, street setback, or side setback
- Surrounding sites must be maintained free of litter, debris and other materials

### Dumpsters

- Unclear if dumpsters must be screened from R-zoned properties or all abutting properties
- No exemptions for dumpsters in alleys
- Screening requirements retroactively applied to all dumpsters
- No set review process for approving dumpster location
- 6-foot screening wall or fence always required
- Opaque, lockable gate always required

### Propane Gas cylinders

- Propane gas cylinders are not specifically mentioned under the definition of recyclable material bins
- Screening fence required for recyclable material bins
- No standards for maintenance or upkeep
- No contact information requirements
- Gate required only when dumpster is completely enclosed by screening fence or wall

### Recyclable Material Bins

- Donation bins not specifically mentioned under the definition of recyclable material bins
- Screening fence required for recyclable material bins
- No standards for maintenance or upkeep
- No contact information requirements
- Primary use Consumer Material Dropoff Stations staffed by personnel when accepting recyclables

### Recyclable Material Bins

- "Recyclable Material Bin" changed to "Recyclable Material Bin/Donation Bin"
- All goods must be screened from view within the bins
- Bins must be maintained in good condition with no structural damage, holes, visible rust, graffiti
- Name, phone number, and website of operator and all other entities benefiting from donations must be displayed on bin in bold ½" x ¾" letters
- Consumer Material Dropoff Stations are staffed by personnel on site a minimum of 20 hours per week
Attachment II

Proposed City of Tulsa Zoning Code
(as of 09.12.2019)

Section 35.080 Recycling Use Category

35.080-B Consumer Material Drop-off Station
An establishment that (1) accepts consumer recyclable commodities directly from the consuming party; (2) is staffed by personnel during times when recyclables are accepted from consumers on site for a minimum of 20 hours per week; and (3) stores materials temporarily before transferring them to recyclable material processing facilities. Establishments that process recyclable materials are classified as "consumer material processing" establishments. (Note: accessory use dumpsters and recyclable material bins/donation bins are regulated as accessory uses; subject to the regulations of Sections 45.050 and 45.051.)

Section 45.050 Dumpsters and Recyclable-Material Bins

45.050-A Applicability

1. The regulations of this section apply to all dumpsters and recyclable material bins established or placed on or after the effective date specified in Section 1.030.
2. Dumpsters and recyclable material bins established or placed before the effective date specified in Section 1.030 must be removed or brought into compliance with the regulations of this section no later than November 1, 2017.

45.050-B Where Allowed

Dumpsters and recyclable material bins are allowed as an accessory use.

45.050-CA Regulations

Dumpsters and recyclable material bins established or placed on or after the effective date specified in Section 1.030 are subject to the following regulations:
1. Dumpsters and recyclable material bins may only be placed with the written permission of the owner of the subject property.
2. Dumpsters and recyclable material bins must be located on a dustless, all-weather surface and must be screened from view of all rights of way and R- zoned property in accordance with §65.060-82, provided that no trees are required as part of the required screening. No signs are allowed on the exterior of the required screening fence or wall.
3. Dumpsters and recyclable material bins may not:
   a. Obstruct motorized or non-motorized traffic;
   b. Reduce any sidewalk or walkway designed for the passage of pedestrians to less than 5 feet in width;
   c. Be located within 10 feet of a fire hydrant or fire suppression connection; or
   d. Be located in a required parking space or required landscape area; or
   e. Be located in a street setback or side setback.
4. The site surrounding the dumpster must be maintained free of litter, debris, and other materials.
5. Dumpsters must be screened from view of all street rights-of-way and R- zoned property by a principal structure or an F1 screening fence or wall in accordance with §65.060-82, provided that no trees are required as part of the required screening. Screening of

9.12.2019

Dumpsters and Recyclable Material Bins/Donation Bins
dumpsters located in alley rights-of-way is not required. No signs are allowed on the exterior of a required screening fence or wall.

6. Where the use of a dumpster is proposed, the location and intended screening demonstrating compliance with the standards of this section must be included with the submittal of a site plan for a zoning clearance, building or certificate of occupancy permit.

Section 45.051 Recyclable Material Bins/Donation Bins

45.051-A Regulations
Recyclable material bins/donation bins established or placed on or after December 1, 2019 are subject to the following regulations, and recyclable material bins/donation bins established before December 1, 2019 must be removed or brought into compliance with the following regulations no later than July 1, 2020:

1. Recyclable material bins/donation bins may only be placed with the written permission of the owner of the subject property.
2. Recyclable material bins/donation bins must be located on a dustless, all-weather surface.
3. Recyclable material bins/donation bins may not:
   a. Obstruct motorized or non-motorized traffic;
   b. Reduce any sidewalk or walkway designed for the passage of pedestrians to less than 5 feet in width;
   c. Be located within 10 feet of a fire hydrant or fire suppression connection;
   d. Be located in a required parking space or required landscape area; or
   e. Be located in a street setback or side setback.
   f. Exceed 7 feet in height, 6 feet in width, and 6 feet in depth.
4. All goods must be screened from view within the recyclable material bin or donation bin.
5. The site surrounding the bin must be maintained free of litter, debris, and other materials.
6. Recyclable material bins/donation bins must be maintained in good condition with no structural damage, holes, visible rust, or graffiti.
7. The exterior of a recyclable material bin or donation bin must clearly display the name, phone number, and website (if any) of the person or entity operating the bin and of any charitable or for-profit entity that benefits from the collected items. The information must be printed in bold letters, each at least one-half inch tall and one-half inch wide. See also Oklahoma Statutes, Title 78, Section 56.

Section 65.060-B Features to be Screened

2. Dumpsters and Recyclable Material Bins
All dumpsters and recyclable material bins must be screened from view of the street and all abutting properties, all street rights-of-way and R-zoned property. Screening of dumpsters located in alley rights-of-way is not required. Required screening must consist of Dumpsters may be screened from view by a principal structure or by an F1 screening fence or wall in accordance with §65.060-C2. When an F1 screening fence or wall encloses a dumpster on four sides, one one side of the storage area must be furnished with an opaque, lockable gate kept closed at all times except during waste deposit or collection. The gate must be located and constructed to allow for unobstructed access to each dumpster during collection.

Chapter 95. Definitions
Donation Bins
See “Recyclable Material Bins/Donation Bins”.

Dumpster
A container with a capacity of more than 1.5 cubic yards or a height of more than 4.5 feet that is designed for receiving, transporting, and depositing waste materials produced by uses that are on the subject site. Dumpsters are typically designed to be hoisted and emptied into a garbage truck. (See Section 45.050 for applicable regulations)

Recyclable Material Bins/Donation Bins
A container or drop box with a capacity of more than 1.5 cubic yards or a height of more than 4.5 feet that is provided for receiving and temporary storing of recyclable materials or salvageable personal property such as paper, cans, metal, glass, and plastics as well as clothing, shoes, books, and toys. Recyclable material bins/donation bins may receive items to be reused or resold for the purpose of charitable solicitation. Recyclable material bins/donation bins include both containers used by uses located on the subject site and those used by consumers who bring their recyclables from other (off-site) locations. (See Section 45.0591 for applicable regulations)

Site Plan
A detailed plan or set of plans depicting the arrangement of buildings, parking, landscaping, lighting, walls, grading, elevations, building materials, signs, dumpsters, and other information necessary to determine compliance with applicable regulations (see also Section 70.050).
Attachment III

Existing City of Tulsa Zoning Code
(as of 09.12.2019)

Section 35.080 Recycling Use Category
35.080-B Consumer Material Drop-off Station

An establishment that (1) accepts consumer recyclable commodities directly from the
consuming party; (2) is staffed by personnel during times when recyclables are accepted from
consumers; and (3) stores materials temporarily before transferring them to recyclable material
processing facilities. Establishments that process recyclable material are classified as “consumer
material processing” establishments. (Note: dumpsters and recyclable material bins are
regulated as accessory uses, subject to the regulations of Section 45.050.)

Section 45.050 Dumpsters and Recyclable Material Bins

45.050-A Applicability
1. The regulations of this section apply to all dumpsters and recyclable material bins established
or placed on or after the effective date specified in Section 1.030.
2. Dumpsters and recyclable material bins established or placed before the effective date
specified in Section 1.030 must be removed or brought into compliance with the regulations
of this section no later than November 1, 2017.

45.050-B Where Allowed
Dumpsters and recyclable material bins are allowed as an accessory use.

45.050-C Regulations
Dumpsters and recyclable material bins are subject to the following regulations:
1. Dumpsters and recyclable material bins may only be placed with the written permission
of the owner of the subject property.
2. Dumpsters and recyclable material bins must be located on a dustless, all-weather
surface and must be screened from view of all rights-of-way and R-zoned property in
accordance with §65.060-B2, provided that no trees are required as part of the required
screening. No signs are allowed on the exterior of the required screening fence or wall.
3. Dumpsters and recyclable material bins may not:
   a. Obstruct motorized or non-motorized traffic;
   b. Reduce any sidewalk or walkway designed for the passage of pedestrians to less than
      5 feet in width;
   c. Be located within 10 feet of a fire hydrant or fire suppression connection; or
   d. Be located in a required parking space.

Section 65.060-B Features to be Screened

2. Dumpsters and Recyclable Material Bins
All dumpsters and recyclable material bins must be screened from view of the street and all
abutting properties. Required screening must consist of an F1 screening fence or wall in

9.10.2019 Dumpsters and Recyclable Material Bins/Donation Bins
accordance with §65.060-C2. One side of the storage area must be furnished with an opaque, lockable gate.

Chapter 95. Definitions

Dumpster
A container with a capacity of more than 1.5 cubic yards or a height of more than 4.5 feet that is designed for receiving, transporting, and depositing waste materials produced by uses that are on the subject site. Dumpsters are typically designed to be hoisted and emptied into a garbage truck. (See Section 45.050 for applicable regulations)

Recyclable Material Bins
A container or drop box with a capacity of more than 1.5 cubic yards or a height of more than 4.5 feet that is provided for receiving and temporary storing of recyclable paper, cans, glass and plastics as well as clothing, shoes, books, and toys. Recyclable material bins include both containers used by uses located on the subject site and those used by consumers who bring their recyclables from other (off-site) locations. (See Section 45.050 for applicable regulations)

Site Plan
A detailed plan or set of plans depicting the arrangement of buildings, parking, landscaping, lighting, walls, grading, elevations, building materials, signs and other information necessary to determine compliance with applicable regulations (see also Section 70.050).
**Case:** SMG Maybelle (Formerly GCC Maybelle)

**Hearing Date:** October 16, 2019  
(Originally scheduled for October 2, 2019)

**Case Report Prepared by:** Nathan Foster

**Owner and Applicant Information:**
- **Applicant:** Tanner Consulting
- **Owner:** Standard Materials Group, INC

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

**Applicant Proposal:**
- Preliminary Plat
- 1 lot, 1 block, 9.47 ± acres
- Industrial

**Location:** South of the southwest corner of West 41st Street South and South Maybelle Avenue

**Zoning:** IM (Industrial – Moderate)

**Staff Recommendation:**
Staff recommends approval of the preliminary plat

**City Council District:** 2  
**Councilor Name:** Jeannie Cue

**County Commission District:** 2  
**Commissioner Name:** Karen Keith

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

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

SUBJECT TRACT
LAND USE PLAN
EMPLOYMENT

GCC MAYBELLE
19-12-26
SUBJECT TRACT

Growth and Stability

Area of Growth
Area of Stability

GCC MAYBELLE
19-12 26
**Case Number:** CZ-492

**Hearing Date:** October 16, 2019  
(Originally scheduled for October 2, 2019)

**Case Report Prepared by:**  
Robi Jones

**Owner and Applicant Information:**  
**Applicant:** Matt King  
**Property Owner:** HILL, JAMES H

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

![Map Image](image)

**Applicant Proposal:**  
**Present Use:** Vacant  
**Proposed Use:** Dispensary  
**Concept summary:** Rezone to CS to allow a medical marijuana dispensary.  
**Tract Size:** 3.46 ± acres  
**Location:** Southwest corner of West 51st Street South & West Skyline Road

**Zoning:**  
**Existing Zoning:** AG  
**Proposed Zoning:** CS  

**Comprehensive Plan:**  
**Land Use Map:** Commercial (Sand Springs)  
**Stability and Growth Map:** n/a

**Staff Recommendation:**  
Staff recommends approval.

**Staff Data:**  
**TRS:** 9125  
**CZM:** 44  

**County Commission District:** 2  
**Commissioner Name:** Karen Keith
SECTION I: CZ-492

DEVELOPMENT CONCEPT: The applicant is requesting to rezone the subject property from AG to CS in order to allow a medical marijuana dispensary to operate at that location. CS zoning is limited in the area although there is property to the east in the Sand Spring City limits that is considered as Industrial use according to the County Assessor’s records.

EXHIBITS:
INCOG Case map
INCOG Aerial (small scale)
INCOG Aerial (large scale)
Sand Springs Comprehensive Plan Land Use Map
Applicant Exhibits: None included
Neighbor’s Comments

DETAILED STAFF RECOMMENDATION:

CZ-492 is non-injurious to the existing proximate properties and;
CZ-492 is consistent with the Sand Springs Future Land Use Map;
CZ-492 is consistent with the anticipated future development pattern of the surrounding property therefore;
Staff recommends Approval of CZ-492 to rezone property from AG to CS.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The site is located in the fenceline of Sand Springs and according to the Sand Springs Comprehensive Plan, the future land use designation is Commercial. The Sand Springs Comprehensive Plan was adopted in 2017.

Commercial Description (from Sand Springs Comprehensive Plan):
The Commercial Land Use District represents areas of retail trade and services. Typically, these areas are located around nodes of arterial street intersections or in some cases, at intersections of collectors and arterials. Commercial Districts can also be found in corridors that have an established commercial use pattern. The Commercial District includes uses that range from small neighborhood convenience shopping areas, single free-standing buildings, big box retailers, restaurants, automotive services centers, and other similar retail uses.

Land Use Vision:

Land Use Plan map designation: Commercial (Sand Springs)
Areas of Stability and Growth designation: N/A

Transportation Vision:

8.2
Major Street and Highway Plan: West 51st Street South is classified as a Secondary Arterial Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

**Staff Summary:** The site is a large flat parcel with little vegetation. There is an existing single-story building on the property. The building is a 2,930 square foot metal building according to the site plan provided by the applicant.

Environmental Considerations: None

Streets:

<table>
<thead>
<tr>
<th>Exist. Access</th>
<th>MSHP Design</th>
<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
</tr>
</thead>
<tbody>
<tr>
<td>West 51st Street South</td>
<td>Secondary Arterial</td>
<td>100 feet</td>
<td>2</td>
</tr>
</tbody>
</table>

Utilities:
The subject tract does not have municipal water and sewer available.

Surrounding Properties:

<table>
<thead>
<tr>
<th>Location</th>
<th>Existing Zoning</th>
<th>Existing Land Use Designation</th>
<th>Area of Stability or Growth</th>
<th>Existing Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>RE</td>
<td>Residential – Sand Springs Fenceline</td>
<td>n/a</td>
<td>Single-family</td>
</tr>
<tr>
<td>South</td>
<td>AG</td>
<td>n/a</td>
<td>n/a</td>
<td>Scissortail Farms – Retail Sales</td>
</tr>
<tr>
<td>East</td>
<td>AG</td>
<td>Residential - City of Sand Springs</td>
<td>n/a</td>
<td>vacant</td>
</tr>
<tr>
<td>West</td>
<td>AG</td>
<td>Residential – City of Sand Springs</td>
<td>n/a</td>
<td>agricultural</td>
</tr>
</tbody>
</table>

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Resolution number 227583 dated May 10, 2013 established zoning for the subject property.

Subject Property:

**CZ-424 May 2013:** All concurred in approval of a request for rezoning a 3.3+ acre tract of land from RE to AG on property located on the southeast corner of West 51st Street and West Skyline Drive.
CBOA-2459 March 2013: The County Board of Adjustment approved a request for Use Variance to permit Use Unit 13 in an AG District (section 310), on property located at 8302 West 51st Street South.

CZ-378 March 2006: All concurred in approval of a request for rezoning a 25.31± acre tract of land from AG to RE on property located on the northwest corner of West 51st Street and South 81st West Avenue (including the subject property). Applicant was asking for RS zoning, but staff could only support RE zoning.

Surrounding Property:

CBOA-2482 November 2013: The County Board of Adjustment approved a request for Use Variance to allow retail sales (Use Unit 13) in an AG District for produce and gift shop items, on property located 8450 West 51st Street.

CBOA-2428 April 2012: The County Board of Adjustment denied a request for Special Exception to permit dirt extraction (borrow fill pit) within Use Unit 24- Mining & Mineral Processing- in an AG District, on property located South of the SE/c of West 51st Street South & South 85th West Avenue.

CBOA-1511 June 1997: The County Board of Adjustment denied a request for Use Variance to permit sign fabrication and auto repair as a home occupation in an AG District (section 310), on property located at 7300 West 51st Street.

10/2/2019 1:30 PM
Note: Graphic overlays may not precisely align with physical features on the ground.
Dated: 09-12-2019

Re: Hearing on Wednesday, October 2, 1019 at 1:30pm to change the county rezoning from AG to CS at SW 51st S. & West Skyline Drive, Tulsa, OK 74107 requested by applicant Matt King to be held at: City Council Chambers, 2nd Leve, 175 East 2nd St. Tulsa, OK.

To Whom It May Concern with the Tulsa Metropolitan Planning Commission:

We are strongly opposed to the request for the rezoning change for the above referenced application. We have lived at our residence for over 35 years and do not wish to now start living by the “Yellow House Dispensary” which will sells Cannabis, also known as marijuana in it’s dispensary and or any other type business that sells or distributes a psychoactive drug from the Cannabis plant which can be used for medical or recreational purposes. We oppose anything to do with this type of business which will bring unwanted additional traffic from possibly impaired motor vehicle operators. We live on Skyline Drive and this is totally unacceptable to us as residential property owners. This would reduce property values in our area and create a negative impact on the resell value of all the residential homesites in our area. There are many expensive newly built residential homesites in our area and the negative impact this would bring would decrease the property values and that would be devastating to all of us as property owners.

Sincerely,

Paul Winningham and Stevanna Winningham

7875 West Skyline Drive
Tulsa, OK 74107
(918) 694-9354
Case Report Prepared by: Robi Jones

Owner and Applicant Information:
Applicant: Richard Peek
Property Owner: PEEK, RICHARD & JACKIE

Applicant Proposal:
Present Use: Vacant
Proposed Use: Storage and Rental

Concept summary: Rezone from AG to IL to allow light industrial uses.
Tract Size: 41.78 ± acres
Location: Southwest corner of Highway 51 & South 241st West Avenue

Zoning:
Existing Zoning: AG
Proposed Zoning: IL

Comprehensive Plan:
Land Use Map: n/a
Stability and Growth Map: n/a

Staff Recommendation:
Staff recommends approval.

Staff Data:
TRS: 9017
CZM: 32

County Commission District: 2
Commissioner Name: Karen Keith

Case Number: CZ-493
Hearing Date: October 16, 2019
(Originally scheduled for October 2, 2019)
SECTION I: CZ-493

DEVELOPMENT CONCEPT: Applicant is requesting to rezone the property from AG to IL in order to permit indoor and outdoor storage and industrial space rentals. All uses permitted in Industrial Light zoning would be permitted with approval of CZ-493.

EXHIBITS:
- INCOG Case map
- INCOG Aerial (large scale)
- Applicant Exhibits: Survey Plat, Preliminary Site Plan, Conceptual Zoning Layout – Overall, Zoning Layout - Overall

DETAILED STAFF RECOMMENDATION:

The IL District is designed to provide areas suitable for manufacturing, wholesaling, warehousing, and other industrial activities which have no objectionable environmental influences. Therefore, given the proposed use and context of the subject lot, IL zoning would be appropriate and would be non-injurious to the existing proximate properties and;

CZ-493 is consistent with the anticipated future development pattern of the surrounding property;

CZ-493 has vehicular access from South 241st West Avenue available for industrial uses, therefore;

Staff recommends Approval of CZ-493 to rezone property from AG 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. It is not located in an area where there is a Comprehensive Plan in place. It was never included in the Tulsa Metropolitan Area District Plans.

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: Highway 51 is a Primary Arterial and the Major Street and Highway Plan shows a planned Primary Arterial cutting through the west side of the subject property. These are often conceptual drawings and will be given consideration when going through the platting process.
<table>
<thead>
<tr>
<th>Existing Use</th>
<th>Existing Zoning</th>
<th>Existing Land Use</th>
<th>Area of Stability</th>
<th>Designation or Growth</th>
</tr>
</thead>
<tbody>
<tr>
<td>n/a</td>
<td>AG</td>
<td>n/a</td>
<td>AG</td>
<td>CS &amp; AG</td>
</tr>
<tr>
<td>n/a</td>
<td>AG</td>
<td>n/a</td>
<td>AG</td>
<td>AG</td>
</tr>
<tr>
<td>n/a</td>
<td>AG</td>
<td>n/a</td>
<td>AG</td>
<td>North</td>
</tr>
<tr>
<td>n/a</td>
<td>AG</td>
<td>n/a</td>
<td>AG</td>
<td>South</td>
</tr>
<tr>
<td>n/a</td>
<td>AG</td>
<td>n/a</td>
<td>AG</td>
<td>East</td>
</tr>
</tbody>
</table>

Surrounding Properties:

The subject tract has municipal water available and does not have sewer available.

Utilities:

<table>
<thead>
<tr>
<th>2 (road is gated)</th>
<th>none</th>
<th>Primary Arterial</th>
<th>West Highway 51 Expressway</th>
</tr>
</thead>
<tbody>
<tr>
<td>Divided highway with 2 lanes each direction</td>
<td>120 Feet</td>
<td>MSHP Design</td>
<td>Exit Access</td>
</tr>
<tr>
<td>Exit</td>
<td>MSHP R&amp;W</td>
<td>Exit</td>
<td>South 241 St West Avenue</td>
</tr>
</tbody>
</table>

Street:

Environmental Considerations:

None

Site Summary:

Draft Site Map 2019.

Site Cessation:

None

Description of Existing Conditions:

Historic Preservation Overlay: None

Special District Considerations: None

Small Area Plan: None

Trail System Master Plan Considerations: None
SECTION III: Relevant Zoning History

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

Subject Property: No Relevant History.

Surrounding Property: No Relevant History.
CERTIFICATE OF SURVEY

I, James B. Marshall, a Professional Land Surveyor, hereby certify that on this 9th day of November, 2013, a careful survey was made under my supervision on the property shown above and described as a tract of land lying in the Northeast Quarter (NE/4) of Section 17, Township 19 North, Range 10 East of the Indian Meridian, Tulsa County, Oklahoma and further described as Commencing at the Northeast Corner of said NE/4; thence S 00° 44' 03" E along the East line of said NE/4 for a distance of 832.80 feet to the Point of Beginning said point lying on the South Right-of-Way line of State Highway Number 51; thence S 00° 44' 03" E along said East line of the NE/4 for a distance of 1002.09 feet; thence S 88° 50' 33" W for a distance of 1670.70 feet to the East boundary of Keystone Reservoir boundary; thence N 57° 02' 13" W along said East boundary of Keystone Reservoir for a distance of 823.19 feet; thence N 43° 31' 55" E along the said East boundary of Keystone Reservoir for a distance of 588.36 feet to the South Right-of-Way line of State Highway Number 51; thence N 85° 46' 11" E along said South Right-of-Way line for a distance of 1096.48 feet; thence N 85° 06' 33" E, 101.55 feet, having an arc distance of 101.55 feet; thence S 04° 30' 42" E along said South Right-of-Way line for a distance of 60.00 feet; thence Northeasterly along said South Right-of-Way line on a curve to the left having a radius of 21,650.93 feet, with a chord bearing and distance of N 85° 06' 33" E, 101.55 feet, having an arc distance of 101.55 feet; thence S 04° 30' 42" E along said South Right-of-Way line for a distance of 60.00 feet; thence Northeasterly along said South Right-of-Way line on a curve to the left having a radius of 21,710.93 feet, with a chord bearing and distance of N 84° 28' 35" E, 606.28 feet, having an arc distance of 606.28 feet; thence N 08° 05' 42" W along said South

Scale 1"=400'

Bearings are based on a previous survey, provided by our client (Richard Peek) and the Department of Transportation Highway Plans, contract 60-1857.
ZONING PLAN
INDUSTRIAL PARK AT HIGHWAY 51 KEYSSTONE LAKE
ADDRESS: HWY 51
Tulsa County, Oklahoma

LEGAL DESCRIPTION:

MINI-STORAGE UNITS
OFFICE AREA

LOCATION MAP
SCALE 1" = 200'

PROJECT LOCATION

LOCATION MAP
SCALE 1" = 200'

LEGEND

-- CORNERS
- INTERSECTIONS
- ROADS
- MEADOWS
- RESIDENTIAL
- COMMERCIAL
- MINI-STORAGE"
Case Number: CZ-494

Hearing Date: October 16, 2019

Case Report Prepared by:
Robi Jones

Owner and Applicant Information:
Applicant: Alan Betchan
Property Owner: SOKOLOSKY, NOBLE AND MARY

Location Map:
(shown with County Commission Districts)

Applicant Proposal:
Present Use: Vacant
Proposed Use: Single-Family Subdivision

Concept summary: Rezone from RE to RS to permit a single-family subdivision that will be completed in several phases. Lots will need to be large enough to provide sewer systems on site and meet Oklahoma Department of Environmental Quality regulations, but some are slightly smaller than RE Districts require for lot size/lot width.

Tract Size: 148.8 + acres
Location: Northeast corner of East 106th Street North & North Memorial Drive

Zoning:
Existing Zoning: RE
Proposed Zoning: RS

Comprehensive Plan:
Land Use Map: N/A
Stability and Growth Map: N/A

Staff Recommendation:
Staff recommends approval.

Staff Data:
TRS: 1312
CZM: 11

County Commission District: 1
Commissioner Name: Stan Sallee

REVISED 10/9/2019
SECTION I: CZ-494

DEVELOPMENT CONCEPT: The applicant is requesting to rezone from RE to RS to permit a single-family subdivision that will be completed in several phases. Lots will need to be large enough to provide sewer systems on each lot and meet Oklahoma Department of Environmental Quality regulations but are smaller than RE Districts require for lot size.

<table>
<thead>
<tr>
<th>Section 430, Table 3</th>
<th>RE</th>
<th>RS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Width (Min. Ft.)</td>
<td>150</td>
<td>60</td>
</tr>
<tr>
<td>Lot Area (Min. SF)</td>
<td>22,500</td>
<td>6,900</td>
</tr>
<tr>
<td>Land area per dwelling unit (Min. SF)</td>
<td>26,250</td>
<td>8,400</td>
</tr>
</tbody>
</table>

Subdivision Statistics

Phase 1 Subdivision contains 45 Lots in 6 Blocks
Three Reserve Areas contain a total of 48.54 acres

<table>
<thead>
<tr>
<th>Block / Reserve</th>
<th>Size</th>
<th>Number of Lots</th>
<th>Average Size of Lots</th>
</tr>
</thead>
<tbody>
<tr>
<td>Block 1</td>
<td>5.82 acres</td>
<td>10 Lots</td>
<td>25,352 sq. ft.</td>
</tr>
<tr>
<td>Block 2</td>
<td>13.20 acres</td>
<td>15 Lots</td>
<td>38,333 sq. ft.</td>
</tr>
<tr>
<td>Block 3</td>
<td>7.12 acres</td>
<td>12 Lots</td>
<td>25,846 sq. ft.</td>
</tr>
<tr>
<td>Block 4</td>
<td>1.32 acres</td>
<td>2 Lots</td>
<td>28,750 sq. ft.</td>
</tr>
<tr>
<td>Block 5</td>
<td>1.41 acres</td>
<td>2 Lots</td>
<td>30,710 sq. ft.</td>
</tr>
<tr>
<td>Block 6</td>
<td>2.45 acres</td>
<td>4 Lots</td>
<td>26,681 sq. ft.</td>
</tr>
</tbody>
</table>

Reserve Area “A” 0.59 acres
Reserve Area “B” 1.27 acres
Reserve Area “C” 5.03 acres

EXHIBITS:
INCOG Case map
INCOG Aerial (small scale)
Tulsa County Comprehensive Plan Land Use Map
Applicant Exhibits: Preliminary Plat

DETAILED STAFF RECOMMENDATION:

CZ-474 is non injurious to the existing proximate properties and;

CZ-474 is consistent with the Tulsa County Land Use Plan in much of the proposed subdivision;

CZ-474 has lot sizes in Phase 1 that are only slightly smaller than those in RE zoning districts;

CZ-474 is consistent with the anticipated future development pattern of the surrounding property therefore;

Staff recommends Approval of CZ-494 to rezone property from RE to RS.
SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: This area is outside the City of Tulsa Comprehensive Plan area. It is located in the recently adopted Tulsa County Land Use Plan which is consistent with the Owasso Land Use Plan. As shown on the attached Future Land Use Map, Residential is recommended for the majority of the area. Commercial and Transitional land uses are recommended on the northeast corner of North Memorial Drive and East 106th Street North.

Land Use Vision:

Land Use Plan map designation:

Residential: The Residential category represents the most predominant character of development in Owasso. This category typically is comprised of single-family neighborhoods of varying lot sizes and represents the lowest intensity of all the use categories. Dwelling unit densities within the Residential category generally range from 2 to 5 units per acre. In some locations, particularly the eastern portions of the fence line in Rogers County, density can be as little as 1 or fewer units per acre. Planned Unit Developments may also be found in the Residential land use category and may contain various intensities of residential housing. In most cases, the Residential use category is buffered from higher intensity uses such as Commercial with the Transitional use district.

Areas of Stability and Growth designation: N/A

Transportation Vision:

Major Street and Highway Plan: North Memorial Drive and East 106th Street North are both designated as Secondary Arterials

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: Vacant land with agricultural landcover containing vegetation, ponds, and cleared spaces

Environmental Considerations: None

Streets:

<table>
<thead>
<tr>
<th>Exist. Access</th>
<th>MSHP Design</th>
<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
</tr>
</thead>
<tbody>
<tr>
<td>North Memorial Drive</td>
<td>Secondary Arterial</td>
<td>100 Feet</td>
<td>2</td>
</tr>
<tr>
<td>East 106th Street North</td>
<td>Secondary Arterial</td>
<td>100 Feet</td>
<td>2</td>
</tr>
</tbody>
</table>
Utilities:

The subject tract has municipal water and sanitary sewer will be provided on each lot by homeowners.

Surrounding Properties:

<table>
<thead>
<tr>
<th>Location</th>
<th>Existing Zoning</th>
<th>Existing Land Use Designation</th>
<th>Area of Stability or Growth</th>
<th>Existing Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>AG-R</td>
<td>Residential</td>
<td>N/A</td>
<td>Residential Single-family</td>
</tr>
<tr>
<td>East</td>
<td>AG</td>
<td>Residential</td>
<td>N/A</td>
<td>Large Lot Residential</td>
</tr>
<tr>
<td>South</td>
<td>RE/AG</td>
<td>Residential</td>
<td>N/A</td>
<td>Residential Single Family / Large Lot Residential</td>
</tr>
<tr>
<td>West</td>
<td>Agriculture</td>
<td>Agriculture</td>
<td>N/A</td>
<td>Agriculture</td>
</tr>
</tbody>
</table>

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Resolution number 182368 dated October 17, 2001 established zoning for the subject property.

Subject Property:

**CZ-286 August 2001:** In a vote of 5-2-0, the board recommended the denial of a request for rezoning a 175+ acre tract of land from AG to RS, recommending approval of RE zoning, on property located northeast corner and east of southeast corner of East 106th Street North and North Memorial. When those who voted nay were asked if they were indicating their approval for RS zoning, they stated that they did not approve of RS or RE zoning for CZ-286.

Surrounding Property:

**CZ-441 July 2015:** All concurred in approval of a request for rezoning a 17.59+ acre tract of land from AG to RE, on property located east of the southeast corner of East 106th Street North and North Memorial Drive.

**CZ-262 March 2000:** All concurred in denial of a request for rezoning a 36+ acre tract of land from AG to RS and approval of RE, on property located east of the southeast corner of East 106th Street North and North Memorial Drive.

10/16/2019 1:30 PM
Case: 106th ~ Memorial

Hearing Date: October 16, 2019

<table>
<thead>
<tr>
<th>Case Report Prepared by:</th>
<th>Owner and Applicant Information:</th>
</tr>
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<tbody>
<tr>
<td>Nathan Foster</td>
<td>Applicant: AAB Engineering</td>
</tr>
<tr>
<td></td>
<td>Owner: Noble &amp; Mary Sokolosky</td>
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<tr>
<th>Location Map: (shown with City Council Districts)</th>
<th>Applicant Proposal:</th>
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<tr>
<td><img src="image" alt="Location Map" /></td>
<td>Preliminary Plat</td>
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<tr>
<td></td>
<td>45 lots, 5 blocks, 48.54 ± acres</td>
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<tr>
<td></td>
<td>Location: Northeast corner of East 106th Street North and North Memorial Drive</td>
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<th>Zoning:</th>
<th>Staff Recommendation:</th>
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<td>Current: RE</td>
<td>Staff recommends approval of the preliminary plat</td>
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<tr>
<td>Proposed: RS</td>
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<tr>
<th>County Commission District: 1</th>
<th>Commissioner Name: Stan Sallee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commissioner Name: Stan Sallee</td>
<td></td>
</tr>
</tbody>
</table>

EXHIBITS: Site Map, Aerial, Preliminary Plat, Conceptual Improvements Plan
PRELIMINARY SUBDIVISION PLAT

106th ~ Memorial - (County)
Northeast corner of East 106th Street North and North Memorial Drive

This plat consists of 45 lots, 5 blocks on 48.54 ± acres.

The Technical Advisory Committee (TAC) met on September 19, 2019 and provided the following conditions:

1. **Zoning:** Property included in the subdivision is currently under application to be rezoned to RS from the current RE designation. Proposed lots will require RS zoning prior to final plat approval.

2. **Addressing:** Label all lots with assigned addressed on final plat submittal. Addresses will be assigned by INCOG.

3. **Transportation & Traffic:** Provide clear boundary for right-of-way area being dedication by plat and provide recording information for any previous dedications. Provide street names on final plat.

4. **Sewer/Water:** Rural water district will be required to provide a release prior to approval of the final plat. Department of Environmental Quality will be required to approve on-site sewage disposal systems.

5. **Engineering Graphics:** Submit subdivision data control sheet with final plat submittal. Update location map with all platted subdivision boundaries and label all other property “unplatted”. Graphically show all pins found or set associated with this plat. Graphically label the point of beginning. Remove contours from final plat. Provide bearing angle from face of the plat under Basis of Bearing heading.

6. **Stormwater, Drainage, & Floodplain:** All drainage plans must comply with Tulsa County drainage standards and must be approved prior to the approval of the final plat. Any easements required for drainage must be shown on the final plat.

7. **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.

 Staff recommends APPROVAL of the preliminary subdivision plat subject to the conditions provided by TAC and all other requirements of the Subdivision and Development Regulations.
A tract of land located in the South Half of the Southwest Quarter (S2 SW4) of Section Twelve (12) of Township Twenty-One (21) North and Range Thirteen (13) East of the Indian Base and Meridian (I.B.M.), according to the U.S. Government Survey, thereof, Tulsa County, State of Oklahoma.

Owner/Developer

Blue Chip Land Company, LLC

Engineer/Surveyor

AMB Engineering LLC

Subdivision Data

Block 5, Lot 0, 3 Acres

Subdivision Statistics

Total Acres: 32.063
Reserve Area: 0.336

Final Plat

Certificate of Approval

City of Tulsa Engineering

Utility Contacts

Municipal Authority

Public Service Company

Rural Water District #6

Easement Areas

106th N. - Memorial

100th N. - Memorial

Attract" of Undeveloped Land
CONCEPTUAL IMPROVEMENTS

106th N. - Memorial

A tract of land located in the South half of the Southwest Quarter (SW 1/4) of Section Twelve (12) of Township Twenty-One (21) North and Range Thirteen (13) East of the Indian Base and Meridian (B & M), according to the U.S. Government Survey, therefore, Tulsa County, State of Oklahoma.

OWNER/DEVELOPER
BLUE CHIP LAND COMPANY, LLC

ENGINEER/SURVEYOR
AMB ENGINEERING LLC

FLOODPLAIN

LEGEND

UTILITY CONTACTS

UTILITY

106TH N. - MEMORIAL
**Case Number:** Z-7498  
**Hearing Date:** October 16, 2019  
(Continued from September 18, 2019)

**Case Report Prepared by:**  
Jay Hoyt

**Owner and Applicant Information:**  
**Applicant:** Malcolm Rosser  
**Property Owner:** Tulsa Realty Development Auth LLC

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

**Applicant Proposal:**  
**Present Use:** Commercial/Hotel  
**Proposed Use:** Mixed-Use  
**Concept summary:** Rezone with optional development plan to permit a mixed-use facility  
**Tract Size:** 4.83 ± acres  
**Location:** S. of SE/c of E. 11th St. S. & E. Skelly Dr.

**Zoning:**  
**Existing Zoning:** CS  
**Proposed Zoning:** IL with optional development plan

**Comprehensive Plan:**  
**Land Use Map:** Employment  
**Stability and Growth Map:** Area of Growth

**Staff Recommendation:**  
Staff recommends approval of IL zoning with the provisions of the Development Standards outlined in Section II.

**Staff Data:**  
TRS: 9408  
CZM: 39

**City Council District:** 6  
**Councilor Name:** Connie Dodson

**County Commission District:** 1  
**Commissioner Name:** Stan Sallee
SECTION I: Z-7498

DEVELOPMENT CONCEPT: The applicant is proposing to rezone from CS to IL with an optional development plan in order to permit a mixed-use facility within the designated area of the subject lot. The proposed uses would include office, retail shopping outlets and storefronts, a medical marijuana grow facility and a higher end hotel, with the intention of making the property a destination for medical marijuana conventions and classes.

The subject lot is contained within an area designated by the City of Tulsa Comprehensive Plan as an area of Employment, which would support the proposed IL zoning, particularly with the proposed optional development plan incorporated.

The requested IL zoning will be limited to the portions of the lot illustrated on the attached redlined aerial and defined by the legal descriptions provided by the applicant.

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:
- Aerial Illustrating Proposed IL Areas
- Aerial Illustrating Overall Proposed Uses
- Site Survey

SECTION II: OPTIONAL DEVELOPMENT PLAN STANDARDS

The optional development plan standards will conform to the provisions of the Tulsa Zoning Code for development in an IL district with its supplemental regulations except as further refined below. All uses categories, subcategories or specific uses and residential building types that are not listed in the following permitted uses categories are prohibited:

PERMITTED USE CATEGORY

A) RESIDENTIAL (see allowed residential building types below)
   - Household Living
     - Single household
     - Two households on a single lot
     - Three or more households on single lot

B) PUBLIC, CIVIC, AND INSTITUTIONAL
   - Safety Service
   - Utilities and Public Service Facility (minor)
   - Wireless Communication Facility (includes all specific uses)

C) COMMERCIAL
   - Animal Service (includes all permitted specific uses)
   - Broadcast or Recording Studio
   - Commercial Service (includes all permitted specific uses)
   - Financial Services (includes all permitted specific uses)
   - Funeral or Mortuary Service
Lodging (includes all permitted specific uses except Bed & Breakfast)
Office (includes all specific uses)
Parking, Non-accessory
Restaurant
Retail Sales (includes all permitted specific uses)
Studio, Artist, or Instructional Service
Trade School
Vehicle Sales and Service
  Fueling Station
  Personal vehicle repair and maintenance
  Vehicle part and supply sales

D) WHOLESALE, DISTRIBUTION AND STORAGE
   Warehouse
   Wholesale Sales and Distribution

E) AGRICULTURAL
   Community Garden
   Farm, Market or Community-supported Horticulture Nursery

F) OTHER
   Off-Premise Outdoor Advertising Signs

DETAILED STAFF RECOMMENDATION:

IL zoning with an optional development plan is compatible with the Comprehensive Plan;

IL zoning with an optional development plan would be non-injurious to the surrounding proximate properties;

IL zoning with an optional development plan would be consistent with the expected development in the area;

IL zoning will be limited to the portions of the lot illustrated on the attached redlined aerial and defined by the legal descriptions provided by the applicant.

Staff recommends approval of Z-7498 to rezone the defined portions of the property from CS to IL with an optional development plan.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The subject lot is located within an Area of Employment and an Area of Growth.

Land Use Vision:

Land Use Plan map designation: Employment

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

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

Areas of Stability and Growth designation: Area of Growth

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

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

Transportation Vision:

Major Street and Highway Plan: E Skelly Drive is designated as a Residential Collector

Trail System Master Plan Considerations: None

Small Area Plan: East Tulsa Phase I

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is currently occupied by a former hotel structure.

Environmental Considerations: A small portion of the SW corner of the site is located within FEMA Zone AE Floodplain. It appears the existing building, which is to be utilized for this proposal is outside of that floodplain.
Streets:

<table>
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<tr>
<th>Exist. Access</th>
<th>MSHP Design</th>
<th>MSHP RW</th>
<th>Exist. # Lanes</th>
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<tr>
<td>E Skelly Drive</td>
<td>Residential Collector</td>
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Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

<table>
<thead>
<tr>
<th>Location</th>
<th>Existing Zoning</th>
<th>Existing Land Use Designation</th>
<th>Area of Stability or Growth</th>
<th>Existing Use</th>
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<tr>
<td>North</td>
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<td>Employment</td>
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</table>

SECTION III: Relevant Zoning History

**ZONING ORDINANCE:** Ordinance number 11817 dated June 26, 1970 established zoning for the subject property.

**Subject Property:**

**BOA- 17399 June 1996:** The Board of Adjustment approved a variance of the maximum allowed surface area for a sign from 468 SF to 519.88 SF permit a medical marijuana dispensary, on property located at 11620 East Skelly Drive.

**BOA- 16294 April 1993:** The Board of Adjustment approved a variance of the maximum sign height from 50' to 60' to permit the alteration of an existing ground sign, on property located at 11620 East Skelly Drive.

**BOA- 16274 February 1993:** The Board of Adjustment approved a variance of the 10' setback from the freeway to permit the alteration of the existing ground sign, finding that the sign structure has been at the same location for 15 years, and that only the sign face will be changed, with the size and height remaining the same, on property located at 11620 East Skelly Drive.

**BOA- 7393 April 1972:** The Board of Adjustment approved a variance to permit erecting a pole sign 60' high in a CS District, subject to a plot plan, on property located at 11720 East 11th Street.
**Surrounding Property:**

**BOA- 22703 August 2019:** The Board of Adjustment **accepted** the applicant's verification of spacing to permit a medical marijuana dispensary, on property located at 11730 East 11th Street South.

**BOA- 21620 September 2013:** The Board of Adjustment **approved** the request for Special Exception to allow an auto auction use in a CS District, per conceptual site plan, on property located 11910 East 11th Street South.

**BOA- 20852 February 2009:** The Board of Adjustment **approved** the applicant's verification of spacing between outdoor advertising signs, on property located at 11320 East Skelly Drive.

**BOA- 20280 June 2006:** The Board of Adjustment **approved** the applicant's verification of spacing requirement of 1200 feet from another outdoor advertising sign, on property located at 11520 East Skelly Drive South.

**BOA- 19181 August 2001:** The Board of Adjustment **approved** the request for Special Exception to allow an auto repair use in a CS District, with the conditions for days and hours of operation to be Monday through Friday, 8:00 a.m. to 6 p.m., that no cars for repair be stored for more than 48 hours, and meet all screening and landscaping requirements, finding that it will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare, on property located 3165 South Mingo Road.

9/18/2019 1:30 PM
Z-7498 with Optional Development Plan

Note: Graphic overlays may not precisely align with physical features on the ground.
SUBJECT TRACT
LAND USE PLAN EMPLOYMENT

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

Z-7498
with Optional Development Plan
Growth and Stability

Area of Growth
Area of Stability

Z-7498
with Optional Development Plan
PREPARED FOR
True Title & Escrow, Inc.

LOT 1, BLOCK 1, SHO-ME ADDITION
TULSA COUNTY, OKLAHOMA

LEGAL DESCRIPTION
Lot 9, Block 42, (1), SHO-ME ADDITION, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat thereof.

11220 East Skelly Drive, Tulsa, OK 74133

EASEMENTS
Easements shown on recorded Plat.

• Easement in favor of the City of Tulsa, for public service company, State of Oklahoma, dated November 24, 1903, filed November 25, 1903 in Book 2400 at Page 688, (does not affect)


Underground Right of Way Easement in favor of the City of Tulsa, dated January 31, 1972, filed February 15, 1972 in Book 4027 at Page 1823. (does not affect)


Underground Right of Way Easement in favor of Public Service Company of Oklahoma, dated November 14, 1974, filed December 19, 1974 in Book 4147 at Page 284. (does not affect)

UNDERGROUND UTILITY LOCATIONS:

- Water line (does not affect)
- Electric line (does not affect)
- Gas line (does not affect)
- Telephone line (does not affect)
- Cable TV line (does not affect)

ALTA/ACSM LAND TITLE SURVEY
LOT 1, BLOCK 1, SHO-ME ADDITION
TULSA COUNTY, OKLAHOMA

NOTE: The requirements for the Survey are met under the Ordinance and petition of record as referenced in the Plat. Additional easements are provided in the Plat for the use of the public.

12.14
**Hearing Date:** October 16, 2019  
(Originally scheduled for October 2, 2019)

**Case Number:** Z-7500

**Owner and Applicant Information:**
- **Applicant:** John Madden
- **Property Owner:** BLAKMAR LLC

**Applicant Proposal:**
- **Present Use:** Parking
- **Proposed Use:** Commercial

**Concept Summary:** Rezone with optional development plan limiting uses and providing site design standards.

**Tract Size:** 0.32 ± acres

**Location:** East of northeast corner of East 30th Street South & South Harvard Avenue

**Zoning:**
- **Existing Zoning:** RS-3, CH
- **Proposed Zoning:** CH with an optional development plan

**Comprehensive Plan:**
- **Land Use Map:** Mixed-Use Corridor, Main Street
- **Stability and Growth Map:** Area of Growth

**Staff Recommendation:**
Staff recommends approval of CH zoning with the provisions of the Development Standards outlined in Section II.

**Staff Data:**
- **TRS:** 9316
- **CZM:** 37

**City Council District:** 9
- **Councilor Name:** Ben Kimbro

**County Commission District:** 2
- **Commissioner Name:** Karen Keith
SECTION I: Z-7500

DEVELOPMENT CONCEPT:
J. Madden Homes plans to use the property as their business office. The optional development plan covers two lots. The west lot (part of Block-2 Kirkmore Second Addition) is zoned CH and does not require rezoning. The east lot (Lot-7, Block 3 Bellaire Heights Addition) requires rezoning for the proposed development. Both lots are included in the development plan guidelines for an integrated solution for future site development. The planned development of this site includes a new building in the north end of the west lot, a fenced area on the east lot with a low impact development standards for site development throughout.

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:
   Applicants statement of intent
   Sheet A-1 Site Plan
   ALTA/NSPS survey
   Groggs Green Barn Alternative Compliance Landscape Plan (for concept only)

SECTION II: OPTIONAL DEVELOPMENT PLAN STANDARDS:

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

PERMITTED USES:
Use Categories are limited to the subcategories and specific uses defined below and uses that are customarily accessory to the permitted uses.
A. Residential
   a. Household Living
      i. Single Household
      ii. Two households on a single lot
B. Commercial
   a. Building Service
   b. Business support service
   c. Personal improvement service
C. Office
   a. Business or professional office
   b. Medical, dental or health practitioner office
D. Retail Sales
   a. Consumer shopping goods
E. Wholesale, Distribution and Storage
   a. Equipment and Materials Storage, Outdoor
   b. Warehouse

REVISED 10/8/2019
F. Agricultural
   a. Community Garden
   b. Farm Market or Community-Supported garden

PERMITTED RESIDENTIAL BUILDING TYPES:
   A. Household Living
      a. Single household
         i. Townhouse
         ii. Mixed-use building
         iii. Vertical mixed-use building

VEHICULAR ACCESS:
   A. A single point of vehicular access is allowed within the development area frontage on East 30th Street South with a maximum width of 25 feet.
   B. The east curb of the access drive must be a minimum of 30 feet from the east line of lot 7.

LOT AND BUILDING REGULATIONS:
   Minimum building setbacks from East 30th Street South shall be 25 feet from the lot lines as they exist with this application.

LANDSCAPE AND SCREENING:
   A. Landscaping shall be installed and maintained as approved through the alternative compliance landscape plan process identified in the zoning code. The plan shall conform to the conceptual plan included in this packet. The landscaping shall be installed prior to receipt of any occupancy permit.
   B. Fencing along the north and east lot line of lot 7 shall be a screening fence with wood or masonry construction and a minimum height of 6 feet and a maximum height of 9 feet.
   C. Masonry screening if used shall be constructed of a material similar to the principal building.
   D. Outdoor equipment and materials storage shall be screened from abutting residential and office lots.
   E. All outdoor equipment and materials storage shall be on an all-weather surface.

SIGNAGE:
   All signage is prohibited except as may be allowed in an OL district.

LIGHTING:
   A. Outdoor lighting shall not exceed 16 feet in height.
   B. All lighting shall be pointed down and away from abutting residentially zoned lots
   C. Pole mounted light fixtures shall not be closer than 25 feet from the east line of lot 7.

DUMPSTER AND TRASH COLLECTION:
   Dumpsters, collection boxes and any other trash collection shall be set back from the south lot line a minimum of 100 feet and at least 25 feet from the east line of lot 7.

BUILDING DESIGN:
   A. Maximum building height shall not exceed 35 feet.
DETAILED STAFF RECOMMENDATION:

Z-7500 requesting CH zoning with the optional development plan as outlined in Section II is consistent with the Mixed-Use Corridor and Main Street land use designation of the Tulsa Comprehensive Plan and,

CH zoning without the optional development plan would allow uses that could be considered injurious to the residential property owners east of the site however the optional development plan provides use limitations and design standards that will integrate this site into the adjoining single-family residential area and,

CH zoning with the optional development is consistent with the expected development pattern in the area therefore,

Staff recommends Approval of Z-7500 as outlined in Section II above.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: This site abuts the west edge of an existing neighborhood. The development standards provide screening, and development limitations beyond what is required in the zoning code. CH zoning along with the use and development standards as identified in Section II are consistent with the land use designation of the Tulsa Comprehensive Plan.

Land Use Vision:

Land Use Plan map designation: Mixed-Use Corridor on east lot, Main Street on west lot

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.

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: 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 existing property includes an office building with asphalt parking

Street view from southeast corner looking northwest:
Environmental Considerations: None that would affect site re-development

Streets:

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<thead>
<tr>
<th>Exist. Access</th>
<th>MSHP Design</th>
<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
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<tbody>
<tr>
<td>East 30th Street South</td>
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<td>2 lanes</td>
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Utilities:
The subject tract has municipal water and sewer available.

Surrounding Properties:

<table>
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<tr>
<th>Location</th>
<th>Existing Zoning</th>
<th>Existing Land Use Designation</th>
<th>Area of Stability or Growth</th>
<th>Existing Use</th>
</tr>
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<tbody>
<tr>
<td>North</td>
<td>CH and RS-3</td>
<td>Main Street and Mixed-Use Corridor</td>
<td>Growth</td>
<td>Office parking lot and vacant lot</td>
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<td>East</td>
<td>RS-3</td>
<td>Existing Neighborhood</td>
<td>Growth</td>
<td>Single family residential</td>
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<td>South</td>
<td>CH and OL</td>
<td>Town Center</td>
<td>Growth</td>
<td>Warehouse building and Parking Lot</td>
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<tr>
<td>West</td>
<td>CH</td>
<td>Main Street</td>
<td>Growth</td>
<td>Office uses</td>
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SECTION IV: Relevant Zoning History

History: Z-7500

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

Subject Property:

**BOA- 14677 December 1987:** The Board of Adjustment approved a request for Use Variance to allow for both an air conditioner repair shop and off-street parking in an RS-3 zoned district, on property located at 3322 East 30th Street.

Surrounding Property:

**BOA- 3729 November 1961:** The Board of Adjustment approved a request for permission to operate a home beauty shop in a U-1-C District, on property located on Lot 10, Block 6, Bellaire Heights Addition.
Z-7500
with Optional Development Plan

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

Aerial Photo Date: February 2018

0 Feet 50 100

19-13 16

Subject Tract
Growth and Stability

- Area of Growth
- Area of Stability

Z-7500
with Optional
Development Plan
Re: Zoning Change
3321 E 30th Street
Tulsa, OK 74114

To Whom It May Concern:

Below, you will find our intentions regarding our request for zoning change.

Intentions:

Our plan is to use this property as our business office. Once the zoning and lot combination are complete, we plan to build a new building in the far rear of the property to be use as closed storage. This will not be a high traffic site. We will be surrounding the site with a minimum of 6’ privacy fence on the residential sides. The front of the property will have an 8’ privacy fence and screened, locking gate. As reflected in our site design, we are planning on utilizing LID (Low Impact Development) to minimize water runoff. We will also use Xeriscaping to maximize water efficiency, and as a natural habitat for native migration.

We will not be using standard parking lot lighting; instead, we will be utilizing canopied security lighting to minimize light pollution toward our neighbors. We will not be using dynamic display signage. Our revised site plan shows a complete re-build of the front entrance to comply with ROW standards and our new landscape plan.

Please feel free to contact me with any questions.

Sincerely,

John Madden

John@JMaddenHomes.com
(918)269-9688, PO BOX 52612, Tulsa, OK 74152
FRONT (SOUTH) ELEVATION

SITE PLAN

EAST 30TH STREET

PROPOSED ZONING CHANGE
KIRKMOORE ADDITION • E52 S1136 BLOCK 2
BELLAIRE HEIGHTS • LOT 7 BLOCK 3
3321 E 30TH ST • TULSA OK 74135
Case Number: Z-7501

Hearing Date: October 16, 2019
(Originally scheduled for October 2, 2019)

Case Report Prepared by:
Jay Hoyt

Owner and Applicant Information:
Applicant: William Kerr
Property Owner: KERR, WILLIAM D & DONNA

Location Map:
(shown with City Council Districts)

Applicant Proposal:
Present Use: Vacant
Proposed Use: General Light Industrial Use
Concept summary: Rezone from CH to IL to permit light industrial uses
Tract Size: 0.63 ± acres
Location: Northwest corner of East Tecumseh Street & North Fulton Avenue

Zoning:
Existing Zoning: CH
Proposed Zoning: IL

Comprehensive Plan:
Land Use Map: Main Street
Stability and Growth Map: Area of Growth, Area of Stability

Staff Recommendation:
Staff recommends approval.

Staff Data:
TRS: 0327
CZM: 30

City Council District: 3
Councilor Name: Crista Patrick

County Commission District: 1
Commissioner Name: Stan Sallee
SECTION I: Z-7501

DEVELOPMENT CONCEPT: The applicant is proposing to rezone from CH to IL to permit general light industrial uses on the subject lots.

The proposed light industrial uses would be buffered by a 75 ft setback from R and AG zoned properties. For most IL uses, excluding agricultural uses, they are also required F1 screening along lot lines in common with R and AG zoned properties. F1 screening consists of a 6 ft high screening fence along with trees spaced at 25 ft O.C. or a 6 ft high masonry wall.

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

DETAILED STAFF RECOMMENDATION:

Z-7501 allows uses that are non-injurious to surrounding proximate properties;

Z-7501 is consistent with the anticipated future development pattern of the surrounding property;

Z-7501 is consistent with the Main Street land use designation of the Comprehensive Plan, therefore;

Staff recommends Approval of Z-7501 to rezone property from CH to IL.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The subject lots are located within the Main Street Land Use designation as well as both the Area of Growth and Area of Stability designations.

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, Area of Stability

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
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.

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. 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.

Transportation Vision:

Major Street and Highway Plan: E Tecumseh St is designated a Secondary Arterial.

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site contains a former small storage lot and masonry building.

Environmental Considerations: None

Streets:

<table>
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<tr>
<th>Exist. Access</th>
<th>MSHP Design</th>
<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
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<tr>
<td>E Tecumseh St</td>
<td>Secondary Arterial</td>
<td>100 Feet</td>
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</table>

Utilities:

The subject tract has municipal water and sewer available.
Surrounding Properties:

<table>
<thead>
<tr>
<th>Location</th>
<th>Existing Zoning</th>
<th>Existing Land Use Designation</th>
<th>Area of Stability or Growth</th>
<th>Existing Use</th>
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<td>RS-4</td>
<td>Existing Neighborhood</td>
<td>Stability</td>
<td>Vacant</td>
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<tr>
<td>South</td>
<td>CH</td>
<td>Main Street</td>
<td>Growth</td>
<td>Vacant</td>
</tr>
<tr>
<td>East</td>
<td>RM-1/CH</td>
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<td>Growth</td>
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<td>IL/RS-4</td>
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**SECTION III: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 23916 dated May 19, 2018 established zoning for the subject property.

**Subject Property:**

**Z-7437 April 2018:** All concurred in approval of a request for rezoning a 0.31+ acre tract of land from RS-4 to CH on property located north of the northwest corner of North Fulton Avenue and East Tecumseh Street.

**BOA- 4770 September 1964:** The Board of Adjustment approved a request for permission to operate a light machine shop in a U-3-E District, on property located on East 88 feet of Lots 10, 11, 12 Block 27, O.T. of Dawson.

**Surrounding Property:**

No Relevant History.

10/2/2019 1:30 PM
Subject Tract: Z-7501

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

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

Aerial Photo Date: February 2018
Growth and Stability

Area of Growth
Area of Stability

Z-7501
20-13 27
<table>
<thead>
<tr>
<th>Case Report Prepared by:</th>
<th>Owner and Applicant Information:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jay Hoyt</td>
<td>Applicant: Brian Carbajal Carranza</td>
</tr>
<tr>
<td></td>
<td>Property Owner: CARRANZA, JAVIER HERNAN CARBAJAL</td>
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**Location Map:** (shown with City Council Districts)

**Applicant Proposal:**
- **Present Use:** Vacant/Car Lot
- **Proposed Use:** Cultivation Facility
- **Concept summary:** Rezone from RM-2/CS to IL to permit a medical marijuana cultivation facility.
- **Tract Size:** 1.57 ± acres
- **Location:** South of the Southeast corner of Dawson Road & North Harvard Avenue

**Zoning:**
- **Existing Zoning:** RM-2, CS
- **Proposed Zoning:** IL

**Comprehensive Plan:**
- **Land Use Map:** Employment
- **Stability and Growth Map:** Area of Growth

**Staff Recommendation:**
Staff recommends approval.

**Staff Data:**
- TRS: 0333
- CZM: 29

**City Council District:** 3
- **Councilor Name:** Crista Patrick

**County Commission District:** 2
- **Commissioner Name:** Karen Keith
SECTION I: Z-7502

DEVELOPMENT CONCEPT: The applicant is proposing to rezone from RM-2/CS to IL in order to permit a medical marijuana cultivation facility on the subject lots.

The proposed facility will be required to follow all city and state requirements for a medical marijuana cultivation facility. The City of Tulsa zoning code requires the facility to be indoors with an air filtration / ventilation system installed that prevents odors from being detected from outside the boundaries of the lot. An electronic security system and surveillance camera are also required to be installed.

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

DETAILED STAFF RECOMMENDATION:

Z-7502 allows uses that are non-injurious to surrounding proximate properties;

Z-7502 is consistent with the anticipated future development pattern of the surrounding property;

Z-7502 is consistent with the Employment land use designation of the Comprehensive Plan, therefore;

Staff recommends Approval of Z-7502 to rezone property from RM-2/CS to IL.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The site is located within the Employment Land Use and Growth designation of the City of Tulsa 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.

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: N Harvard Ave is designated as a Secondary Arterial and Multi-Modal Corridor.

Trail System Master Plan Considerations: None

Small Area Plan: Sequoyah Neighborhood Implementation Plan

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site contains an auto body shop and small car lot.

Environmental Considerations: None

Streets:

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<td>N Harvard Ave</td>
<td>Secondary Arterial</td>
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Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

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</table>
SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11809 dated June 26, 1970 established zoning for the subject property.

Subject Property:

BOA-22093 June 2016: The Board of Adjustment approved a Special Exception to permit used car sales in the CS District; a Variance to allow outdoor storage and display of merchandise within 300 feet of the abutting R District, subject to conceptual plan, on property located 1307 North Harvard Avenue East. Additionally:

1. Although the conceptual plan designates an auto paint area there is no approval for the painting of vehicles on the subject property.

2. The Board approved a maximum of 20 cars for sale on the subject property excluding the customer parking.

3. There are no inoperable vehicles.

4. There is to be no auto repair work performed on the vehicles outside.

5. There is to be no tires stored outside.

6. The applicant must meet the Section 55.090 for the parking standards required.

7. The approval for the Special Exception and Variance is for a period of 10 years from today's date, expiring on June 28, 2026.

BOA-21040- A March 2011: The Board of Adjustment approved a Special Exception to permit automotive repair and mechanical repair in a CS district; and a Modification of Conditions to a previous approval to #1 and #2 permit mechanical repair, #7 permit limited outside storage of tires, #8 eliminate or amend the condition to asphalt or concrete the gravel on the most southerly building 1307, #10 to modify the time limitation; and amend the site plan, on property located 1307 and 1315 North Harvard Avenue. Specifically, the board is modifying the earlier decision of March 23, 2020 as follows:

1. Permitting by Special Exception auto body repair and painting under Use Unit 17, no other Use Unit 17 activities are authorized. The Special Exception does not include the sale of automobiles. It is to permit auto body painting within 150'-0" of R zoned land, it is noted that approximately 94 feet of the R zoned land is under common ownership.
2. The Special Exception to modify the screening requirement on all the east and south property lines is modified as follows: the Board understands that an eight foot board fence has been constructed. That any storage of tires shall not exceed a height of eight feet, and that any such tires on racks shall be screened from the R zoned property to the south.

3. All driving and parking surfaces around the building to the south, north, and back will be asphalt or concrete.

4. There shall be no outside storage of batteries or other implements.

5. The gravel around the most southerly building, 1307 North Harvard, shall be covered with concrete or asphalt if it is intended for use as a driving or parking surface.

6. The Board reiterates that no damaged vehicles shall be parked on the lot for more than 30 days.

7. The Board is modifying the approval on all Special Exceptions and the Variance and specifying it shall remain in effect for a six-year period, from March 23, 2010 to March 22, 2016.

8. The hours of operation for either body work, tire shop, or mechanical work shall be 7:00 a.m. to 7:00 p.m.

**BOA-21040 March 2010:** The Board of Adjustment approved a *Special Exception* to permit auto body repair and painting in a CS district; a *Special Exception* to permit auto body painting on a lot within 150 feet of an R zoned land; a *Special Exception* to modify the screening requirement along the east and south property lines, and a *Variance* to permit open-air storage within 300 ft. of an adjoining R district to the east, on property located 1307 and 1315 North Harvard Avenue with the following conditions:

1. The special exception is permitting auto body repair and painting only under Use Unit 17.

2. This special exception does not include mechanical repair or the sale of automobiles.

3. This special exception is to permit auto body painting within 150ft. of R zoned land, it is noted that approximately 94 feet of the R zoned land is under common ownership.

4. The special exception to modify the screening requirement along the east and south property lines; the Board is modifying this and providing for an 8ft. board fence along the R zoned property from the southeast corner of the combined properties along the east boundary approximately 180 ft. or at least beyond the existing gate in the chain link fence.
5. The R zoned land and the garage /storage building in the southeast corner cannot be used for commercial purposes (i.e. the body shop and painting business).

6. All driving and parking surfaces around the building the south, north, and back particularly will be asphalted or concrete.

7. There should be no outside storage of batteries, tires, or other such implements on the lot.

8. The gravel on the most southerly building 1307 specifically shall be asphalt or concrete.

9. No damaged vehicles shall be parked on the lot for more than thirty days.

10. This approval on all the special exceptions and the variance shall remain in effect for a three-year period from March 23, 2010.

**BOA-7237 December 1971:** The Board of Adjustment determined that the use as presented is found in Use Unit 17, Automotive and Allied Activities, and approved an Exception to permit operating a trailer hitch and part sales and installation in a CS District, on property located 1315 North Harvard Avenue.

**Surrounding Property:**

**Z-4913 December 1976:** All concurred in approval of a request for rezoning a 2.2+ acre tract of land from RM-2 to IL on property located west of the NW corner of Newton Street and Knoxville Avenue.

10/16/2019 1:30 PM
Note: Graphic overlays may not precisely align with physical features on the ground.
Note: Graphic overlays may not precisely align with physical features on the ground.
The subject tract is located in the Downtown Neighborhood and Mixed-Use Corridor area. The Land Use Plan Categories include Downtown, Downtown Neighborhood, Main Street, Mixed-Use Corridor, Regional Center, Employment, Neighborhood Center, New Neighborhood, Existing Neighborhood, Park and Open Space, and Arkansas River Corridor.

Z-7502
20-13 33
Growth and Stability

- **Area of Growth**
- **Area of Stability**

**SUBJECT TRACT**

- **E Queen St**
- **E Reading St**
- **E Indiana Ave**
- **E Pine St**
- **N Marion Ave**
- **N Florence Ave**
- **N Florence Pl**
- **N Knox Ave**
- **N Knoxville Ave**
- **N Louisville Ave**
- **N Garry Pl**
- **E Latimer Pl**
- **E Latimer St**
- **E Marshall St**
- **E Newton St**
- **N Harvard Ave**

**FEET**

- Z-7502

20-13 33
<table>
<thead>
<tr>
<th><strong>Case Report Prepared by:</strong></th>
<th><strong>Owner and Applicant Information:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Dwayne Wilkerson</td>
<td>Applicant: David Henke</td>
</tr>
<tr>
<td></td>
<td>Property Owner: NORIA PROPERTIES LLC</td>
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</table>

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

**Applicant Proposal:**

- **Present Use:** Vacant
- **Proposed Use:** Office and Retail
- **Concept summary:** Rezoning request as part of the mixed-use zoning initiative associated with the bus rapid transit system along Peoria Avenue
- **Tract Size:** 1.89 ± acres
- **Location:** North of the Northeast corner of East 11th Street South & South Peoria Avenue

**Zoning:**

- **Existing Zoning:** RS-4, CH
- **Proposed Zoning:** MX1-U-U

**Comprehensive Plan:**

- **Land Use Map:** Downtown Neighborhood, Mixed-Use Corridor
- **Stability and Growth Map:** Area of Growth

**Staff Recommendation:**

Staff recommends approval.

**Staff Data:**

- **TRS:** 9306
- **CZM:** 37

**City Council District:** 4

- **Councilor Name:** Kara Joy McKee

**County Commission District:** 2

- **Commissioner Name:** Karen Keith
SECTION I: Z-7503

DEVELOPMENT CONCEPT: This request for rezoning is responsive to a City Council initiative to encourage mixed use development along the proposed bus rapid transit system route. The west half of the block is currently zoned CH and does not have a building height restriction. The Mixed-Use rezoning request is also for unlimited height.

The City initiated a land use study that resulted in zoning recommendations on property within ½ a mile of proposed enhanced stations along the bus rapid transit route. The subject property was included in that recommendation and the owner of that property has opted-in to a voluntary rezoning program initiated by the Tulsa City Council.

The site has been acquired anticipating a multi-story mixed use building.

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
- City Council MX initiative map (South Peoria at 11th Street)
- Applicant Exhibits:
  - Concept Site plan

DETAILED STAFF RECOMMENDATION:
Case Z-7503 request MX1-U-U is consistent with the expected development pattern in the area and,

MX1-U-U is not injurious to the surrounding property owners and,

The bus rapid transit study recommended MX1-U without a height recommendation on this site. The rezoning request is consistent with the Bus Rapid Transit System study and its land use recommendations and,

MX1-U-U is consistent with the Mixed-Use Corridor land use vision in the Tulsa Comprehensive Plan therefore,

Staff recommends APPROVAL of Z-7503 to rezone property from CH and RS-3 to MX1-U-U.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: MX1-U-U is consistent with the land use vision in the Tulsa Comprehensive Plan and is also consistent with the goals, objectives and strategies of the Executive Summary of the Pearl District Small area plan as adopted in July, 2019.

Land Use Vision:

Land Use Plan map designation: Downtown Neighborhood, Mixed-Use Corridor

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.

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

Streets on the Transportation Vision that indicate a transit improvement should use the multi-modal street cross sections and priority elements during roadway planning and design.
Trail System Master Plan Considerations: None

Small Area Plan: 6th Street Infill Plan

The small area plan was updated July 3rd, 2019. The land use designations are Mixed Use Corridor and Downtown neighborhood. The priorities of the small area plan and some of the redevelopment goals of that plan include:

Priority 1: Stabilize and revitalize existing residential areas, promote homeownership and housing affordability and increase housing choice.

Priority 2: Promote development that retains existing businesses and increases employment, mixed-use, commercial and retail opportunities

  Goal 6: Revitalize and redevelop vacant properties
  Goal 7: Provide more retail, dining, and entertainment options
  Goal 8: Encourage higher density development in transit rich areas
  Goal 9: Improve commercial transportation access
  Goal 10: Ensure adequate parking supply using shared parking approach in the Pearl District.

Priority 3: Increase safety and security throughout the district.

Priority 4: Improve targeted infrastructure to support health and wellness and catalyze development

Special District Considerations:

This site is included in the Bus Rapid Transit Corridor Study area along Peoria. MX1-U zoning was recommended along the west half of this block.

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site west of the alley is empty. East of the alley only two homes on the northeast corner of the block remain. The alley is not maintained by the city but is paved and utilities are in the alley. The northwest corner of the block is not included in this development and it is unlikely that the alley could be vacated unless the remaining property owners agree to removal of the alley.

Remaining driveways from South Quaker will need to be removed and curb lines repaired during development. Sidewalks are also in poor condition and will require reconstruction.

View from southeast corner of site looking northwest:
(See next page)
View from Northeast Corner of site looking southwest:
Environmental Considerations: None that affect site development

Streets:

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<tr>
<th>Exist. Access</th>
<th>MSHP Design</th>
<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
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</table>

Utilities:
The subject tract has municipal water and sewer available.

Surrounding Properties:

<table>
<thead>
<tr>
<th>Location</th>
<th>Existing Zoning</th>
<th>Existing Land Use Designation</th>
<th>Area of Stability or Growth</th>
<th>Existing Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>RS4 and CS</td>
<td>Mixed use corridor / downtown neighborhood</td>
<td>Growth</td>
<td>Single story office buildings</td>
</tr>
<tr>
<td>East</td>
<td>RS-4</td>
<td>Downtown neighborhood</td>
<td>Growth</td>
<td>Single family residential</td>
</tr>
<tr>
<td>South</td>
<td>CH and RM-2</td>
<td>Mixed use corridor / downtown neighborhood</td>
<td>Growth</td>
<td>Office and surface parking</td>
</tr>
<tr>
<td>West</td>
<td>MPD-FBC1</td>
<td>Park and open space/ mixed use corridor</td>
<td>Growth</td>
<td>Cemetery across Peoria Avenue</td>
</tr>
</tbody>
</table>

SECTION III: Relevant Zoning History

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

Subject Property:

CPA-81 July 2019: All concurred in approval to adopt CPA-81, The Pearl District Small Area Plan as an amendment to the Tulsa Comprehensive Plan. The plan area boundary is located east of Downtown Tulsa, bordered by Interstate 244 to the north, Utica Avenue to the east, 11th Street to the south, and Highway 75 to the west.

Surrounding Property:

SA-4 (Route 66 Overlay) June 2018: All concurred in approval to apply supplemental RT66 (Route 66 Overlay) zoning to multiple properties along South 193rd East Avenue, East 11th
Street, South Mingo Road, East Admiral Boulevard, East Admiral Place, West 11th Street South, and Southwest Boulevard.

**BOA-22410 March 2018**: The Board of Adjustment approved a request for a variance to allow required accessible parking spaces to be located off site from the principal use, on property located at 1007 South Peoria Avenue East.

10/16/2019 1:30 PM
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2018
SUBJECT TRACT
LAND USE PLAN
MIXED-USE CORRIDOR &
DOWNTOWN NEIGHBORHOOD
Growth and Stability

- **Area of Growth**
- **Area of Stability**

**Z-7503**

19-13 06
Metropolitan Planning Commission
City of Tulsa, OK 74103

Re: Case number Z-4499 7-75D7

Received letter regarding rezoning of 1074 of property.
I live on Quaker St. and have been here about sixty years.
At age of Ninety Two I don't feel capable of attending
this coming hearing. But do seriously object.
The purpose of Quaker would make living here most difficult.
To say the least. My home is paid and have new
roof. A bit of quiet and it will be comfortable for rest of
my days. Hopefully years.

Please, please, consider my request to cancel request
for rezoning. Or put on hold for couple of years, if you do
that?

Thank you for hearing one.

    Stephen Yoakum

P.S. read Psalm 41:1
For the staff report...

---

**From:** Wilkerson, Dwayne  
**Sent:** Wednesday, October 9, 2019 12:34 PM  
**To:** Wilkerson, Dwayne  
**Cc:** Foster, Nathan  
**Subject:** Z-7503

---

**From:** Baugher, Mayo <MayoBaugher@tulsacouncil.org>  
**Sent:** Wednesday, October 9, 2019 11:52 AM  
**To:** Miller, Susan <SMiller@incog.org>  
**Subject:** FW: Rezoning my neighborhood

Would you be sure TMAPC sees this? Thanks!

---

**From:** Sarah Hetherington <sarahkhetherington@gmail.com>  
**Sent:** Tuesday, October 8, 2019 9:01 PM  
**To:** (DIST4) McKee, Kara Joy <dist4@tulsacouncil.org>  
**Subject:** Fwd: Rezoning my neighborhood

Heya KJ! I sent you a note on Instagram but I know lots of folks don’t use that often, so thought I’d hit you up here. I’m forwarding what I sent Dwain a moment ago - it explains the situation. Any advice or guidance would be EXTREMELY appreciated!

Best wishes,  
Sarah
Hello Dwain,

You gave me great advice in the past about an abandoned house next door that had a lot of squatters, and I'm hoping you may be able to help me again.

After searching for the right home in the right location, my husband and I bought and moved into a cute little cottage at the corner of 10th and Quaker in the Pearl district. We quickly fixed up our house and made it into our cozy home.

Right when we closed on our place in December 2018, the row of homes from 8th to 10th along Quaker were bulldozed. Turns out that a company wants to put a 4 story building along Peoria, and have that row of residential lots become their parking lot. Not only does this mean my gorgeous view of the skyline will be totally blotted out, but I just went from being in a home nestled in a neighborhood to (potentially) living next to a huge parking lot.

The board of adjustment hearing is next Wednesday the 16th, and I'm hoping you can guide me in some way. I'm really excited about the new bus line down Peoria, and was looking forward to the development that I knew would accompany it. Living next to a 4 story office building and parking lot are the opposite of my dream when I bought this home less than a year ago and now I'm wondering if I have any footing to fight this.

Thanks for any advice or direction you can point me in,
Sarah Hetherington

I'm attaching the request for rezoning and have marked my spot (1335 E 10th St) in yellow.
Sawyer, Kim

From: Hoyt, Jay
Sent: Thursday, October 10, 2019 11:00 AM
To: Sawyer, Kim
Subject: FW: Z-7504 & Optional Development Plan

Kim,

Below is a continuance to 11/6 request from the applicant for Z-7504.

Thank you,

Jay Hoyt

From: Ricky Jones [mailto:ricky@tannerbaitshop.com]
Sent: Thursday, October 10, 2019 10:54 AM
To: Wilkerson, Dwayne <DWilkerson@incog.org>; Hoyt, Jay <JHoyt@incog.org>
Cc: Erik Enyart <eenyart@tannerbaitshop.com>
Subject: Z-7504 & Optional Development Plan

Dwayne/Jay,
Please continue the above referenced rezoning and ODP applications located on South Union Avenue to the next available TMAPC meeting, November 6, 2019. If you have any questions, please feel free to contact me.

Thanks,

Ricky L. Jones, Principal, AICP
918.745.9929 Office
www.tannerbaitshop.com
<table>
<thead>
<tr>
<th><strong>Case Report Prepared by:</strong></th>
<th><strong>Applicant and Owner Information:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Dwayne Wilkerson</td>
<td><strong>Applicant:</strong> Wallace Engineering c/o Mark Capron</td>
</tr>
<tr>
<td></td>
<td><strong>Property Owner:</strong> CARLTON, ALAN W REV TRUST</td>
</tr>
</tbody>
</table>

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

![Location Map](image-url)

**Applicant Proposal:**

- **Present Use:** Vacant
- **Proposed Use:** Residential

**Concept summary:** The west portion of the site is proposed to be single family detached homes. The east portion of the site is proposed to be single family attached townhomes.

- **Tract Size:** 45.77 + acres
- **Location:** Northwest of the Northwest corner of East 111th Street South & South Memorial Drive

**Zoning:**

- **Existing Zoning:** AG
- **Proposed Zoning:** RS-3 west part  
  RT east part

**Comprehensive Plan:**

- **Land Use Map:** Existing Neighborhood, New Neighborhood
- **Stability and Growth Map:** Area of Growth, Area of Stability

**Staff Recommendation:**

Staff recommends approval of RS-3 and RT as illustrated.

**Staff Data:**

- **TRS:** 8326  
- **CZM:** 57

**City Council District:** 8

- **Councilor Name:** Phil Lakin Jr.

**County Commission District:** 3

- **Commissioner Name:** Ron Peters
SECTION I: Z-7505

DEVELOPMENT CONCEPT:
The applicant has submitted a concept plan that leaves the 9.4 acres of AG zoning on the west side of the property where the site is generally in a flood plain. 16.36 acres of RS-3 Zoning request in the middle of the site and 20 acres of RT zoning on the east side abutting a large commercial district. During the plat process staff will require a street connection to South 77th East Avenue to stub streets that were provided on the north and south sides of this tract.

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:
   Property exhibit with three zoning boundaries

DETAILED STAFF RECOMMENDATION:
Z-7505 requesting RS-3 and RT zoning is consistent with the New Neighborhood land use designation in the Tulsa Comprehensive Plan and,

The rezoning request respects the environmental constraints of the floodplain in the west side of the property and,

The uses and building types allowed in RS-3 and RT zoning are consistent with the expected development pattern in the area and,

Single family housing is non injurious to the surrounding properties therefore,

Staff recommends Approval of Z-7505 to rezone property from AG to RS-3 and RT.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: This site is not part of a small area plan. The new neighborhood land use designation in Planitulsa provides guidance that supports the RS-3 and RT zoning use and density.

Land Use Vision:

Land Use Plan map designation: New Neighborhood
The New Neighborhood residential building block is comprised of a plan category by the same name. It is intended for new communities developed on vacant land. These neighborhoods are comprised primarily of single-family homes on a range of lot sizes but can include townhouses and low-rise apartments or condominiums. These areas should be designed to meet high standards of internal and external connectivity and shall be paired with an existing or New Neighborhood or Town Center.
**Areas of Stability and Growth designation: Area of Growth**

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

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

**Transportation Vision:**

*Major Street and Highway Plan:* The major street and highway plan illustrates a residential collector in this location. The floodplain conflicts with the exact street placement and would make construction of that street alignment unpractical. The connectivity concept illustrated will be provided through this site.
Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is heavily wooded with a single residence. The site slopes from east to west into the Fry Ditch No.2 flood plain area.

Environmental Considerations: The only environmental consideration that affects zoning and development considerations is the floodplain along the west side of the property. This zoning application seems to be outside the boundary of the floodplain.
Streets:

<table>
<thead>
<tr>
<th>Exist. Access</th>
<th>MSHP Design</th>
<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
</tr>
</thead>
<tbody>
<tr>
<td>South 77th East Avenue</td>
<td>Residential Collector</td>
<td>60 feet</td>
<td>2</td>
</tr>
</tbody>
</table>

Utilities:

The subject tract has municipal water and sewer available.
SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11833 dated June 26, 1970 established zoning for the subject property.

Subject Property:

No Relevant History.

Surrounding Property:

**PUD-578-B May 2019:** All concurred in approval of a Major Amendment to PUD-578 on a 4.97+ acre tract of land to add Commercial/Vehicle Sales and Service/Personal Vehicle Repair uses to permit a Meineke Service Center, on property located north of the northwest corner of East 111th Street South & South Memorial Dr.

**Z-6922/PUD-370-B February 2004:** All concurred in approval of a proposed Planned Unit Development on a 9.87+ acre tract of land and approval of a request for Rezoning from RM-1/RS-2 to RM-1/RS-2/OL/CS/PUD-370-B for an Retail/Commercial/Office, per staff recommendation and as modified: an eight-foot privacy fence on the western boundary, restrict windows on the second story of the west-facing walls of the westernmost lots and the office buildings shall be residential in character, on property located south of the southwest corner of East 101st Street and South Memorial Drive.

**PUD-619-C February 2008:** All concurred in approval of a Major Amendment to PUD-619 on a 34.3+ acre tract of land to allow Use Unit 19- Hotel, Motel, and Recreation for a Health Club/Spa with an enclosed pool and Use Unit 20- Commercial Recreation: Intensive, to allow for an outdoor swimming pool only to allow a health club/fitness center, on property located north of the northwest corner of South Memorial Drive and East 111th Street South.

**Z-6952/PUD-707 October 2004:** All concurred in approval of a proposed Planned Unit Development on a 37.25+ acre tract of land and approval of a request for Rezoning from AG to RM-3/RD/OL/PUD-707 for a mixed-use development, on property located west of the northwest corner of East 111th Street South and South Memorial Drive- Raven's Crossing.
Subject Tract Z-7505

Aerial Photo Date: February 2018

Note: Graphic overlays may not precisely align with physical features on the ground.
SUBJECT TRACT
LAND USE PLAN
NEW NEIGHBORHOOD

Land Use Plan Categories

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

Z-7505
18-13 26
Growth and Stability

Area of Growth
Area of Stability

Z-7505
18-13 26
NOT INCLUDED

RS-3 10.360 ACRES

South Line of the S/2 Sec. 26

North Line of the S/2 Sec. 26

CHERRY HILL

South Sheridan Road

East 101st Street South

Location Map

Scale 1" = 200'

REZONE EXHIBIT
E. 106TH & S. MEMORIAL AVE
September 5, 2019

SURVEYOR'S SITE NOTE:
THIS SHEET WAS PRODUCED FOR THE CONVENIENCE OF THE REVIEWER. IT IS INTENDED FOR GENERAL SURVEY INFORMATION ONLY. WALLACE ENGINEERING HAS NOT CONFIRMED ITS ACCURACY. FOR REFERENCE ONLY.

WALLACE ENGINEERING
STRUCTURAL CONSULTANTS INC.
(918) 584-9858
123 N. MARTIN LUTHER KING JR. BLVD. TULSA, OK 74103

CH# 14603 EXP. DATE 6-30-2021
I strongly object to the proposed re-zoning in Z-7505.

There was a meeting with Wallace Engineering regarding the proposal last night. My impression was that they were conducting the meeting as a PR stunt. By the end of the meeting they basically said they were going ahead with the plan for rezoning despite the residents objections about resulting traffic and problems in the neighborhoods and major roads, multifamily housing in the middle of established housing, impact on the flood-plan, etc. They stated all these areas would be looked at after their plan was approved. That’s just backwards! Why plan and rezone for something that may never happen? They might take into account our points about a buffer against existing neighborhoods and saving some of the rare trees, but that’s it. It was evident the meeting was to try to placate us and say they consulted with the neighbors.

The developer, Chris Key, insisted that the City “Overlay” authorized apartments for the area, and he was being nice by planning RS-3 homes and RT Townhouses. I’m not familiar with the city “Overlays,” but putting any type of multifamily housing in an area inaccessible from the east or the west, with the only access through established neighborhoods (Bridle Trail’s streets have already been deemed by the city insufficient) is crazy! Multifamily homes are appropriate along major streets like Memorial, Sheridan, 111th, 101st, etc., not sandwiched in between two high-end neighborhoods!

I can’t see how the city of Tulsa could authorize any building project which would increase the already overcrowded Memorial corridor until there is some relief (like an additional way to get into Bixby)! Last night it took me 25 minutes to go from 111th to 94th on Memorial for the meeting at Hardesty!

See my letter below with my objections to this zoning proposal. If we can’t stop this as proposed, Ravens Crossing will be proceeding with the plan to privatize 77th E. Ave and 77th E. Pl.

Thanks,
Patrick G. Sullivan
7713 E. 109th St, Tulsa, OK 74133
Access to/from the subject development area MUST be via Memorial Dr. and not via the existing neighborhoods to the north and south. Any development on that site must be single family housing (R-1 or R-2) and NOT multifamily housing.

There are 41 homes in Ravens Crossing and approximately 30 homes in Bridle Trails. Subject development calls for 47 homes and 150 townhomes. With an average of 2 vehicles per home, traffic on 77th E. Ave will quadruple. Construction of Townhouses is not appropriate to the area.

I object to the proposed re-zoning plan based on 5 issues:

1. **Traffic**
   - **Historical.** People bought homes in Ravens Crossing and Bridle Trail, the neighborhoods north and south of Subject Property, because they are small, closed neighborhoods and there were no roads transiting to another location. As the area developed over the past 10 years the city and the current owner of subject property, Alan Carlton, neglected to retain a tract of property to the east for ingress/egress linking Memorial to Subject Property. Based on the number of planned residences in the Proposal, traffic through the joining neighborhoods will quadruple.
   - **Bypass Memorial.** Besides the additional hazardous traffic from construction and residents entering and exiting Subject Property, extending 77th E. Ave through it will create a route for traffic to bypass Memorial between 101st and 111th. Drivers will be cutting through the neighborhoods of Bridle Trail and, Raven's Crossing to avoid traffic and delays on Memorial.
   - **Neighborhood accessed only via other neighborhoods.** The proposal would place an additional 206 residences in the middle of two neighborhoods. What other subdivision has been built in Tulsa with multifamily units and access is only via other established neighborhoods? Ravens Crossing and The Village at Ravens Crossing are investigating installation of gates at 77th E Ave and 77th E P I north of 111th making them private streets.
   - **Pressure on Memorial.** Building a high density development near Memorial Avenue will create increased pressure on already overloaded Memorial traffic. There are already a record number of stoplights on Memorial between 111th and 91. In response to the volume of accidents at 109th and Memorial, ODOT and the cities of Bixby and Tulsa agreed to modifications which were presented to the area residents in January, 2019. The cities have approved and funded a project to extend the islands along Memorial through all intersections with no stoplights in order to prevent left turns onto Memorial which cross traffic lanes without traffic signals. Thus far, nothing has been done.
   - **Child Safety.** The Ravens Crossing and Bridle Trail are family neighborhoods with multiple children. The heavy traffic resulting from this proposal will decrease the safety of our children from more traffic and speeding down our narrow streets.
   - **Pressure on 111th and 101st.** There have been a number of accidents at 77th E. Ave and 111th St. Currently wait times to turn left is excessive. In the evenings traffic is backed up from the stop light at Sheridan to Ravens Crossing. The volume of traffic this proposal will generate will necessitate stoplights at 77th E Ave and 111th St. and 101st St.

2) **Density**
There is already a plethora of apartments along south Memorial Ave in Tulsa and Bixby. Recent growth has been so heavy that City of Bixby council members have called for a moratorium on future apartment and townhouse developments. Tulsa needs to respond in a similar manner. Multifamily housing of any type is not appropriate in the middle of two established neighborhoods. Nowhere else in Tulsa has a large housing development been built in-between, and requiring access through, two established neighborhoods. The plan contains 3 four unit townhomes built backing up to the property line with Ravens Crossing. Three single family homes in Ravens Crossing will have their back yards directly facing the back of multi family multi story "townhomes" positioned so that residents of the townhomes will look down into the yards, patios, and windows of the homes in Ravens Crossing.
Any development at Subject site must have a 75-100 foot greenbelt and 8 foot cement wall setback from any existing neighborhoods. (Same as the owner, Alan Carleton, required of Lifetime Fitness when it was built.)

3) Safety
It’s been proven that crime rates have a marked increase around multifamily housing units. Multifamily housing in the middle of established neighborhoods is an invitation for significant crime rates.

4) Home Values
Constructing multifamily units next to neighborhoods with existing exclusive homes and increasing traffic 4 times the existing volume by extending 77th E. Ave from 109th to 106th will cause significant devaluation of property values in the neighboring subdivisions, especially Bridle Trail, Ravens Crossing, The Village at Ravens Crossing, and RavenWood.

5) Validity of the Re-Zoning Process
- **What is included?** The east end of 106th St. S in Bridle Trail dead ends at a wooded area with signage describing the re-zoning proposal. Its placement indicates the land beyond the end of the road is included in the re-zoning. However the TMAPC map indicates an extension of 106th St is NOT included; rather it has been zoned RS-2, RM-1, and OL.
- **HOAs.** The City Rezoning application listed only Forest Trails HOA and Bridle Trail Estates HOA. Ravens Crossing and Ravenwood HOAs were not included.
- **Notification.** By law the notice of re-zoning was only sent to property owners within 300 feet of the proposed change. The planned modifications will affect property owners of all subdivisions from Memorial to Sheridan on 101st and 111th.

Sincerely,

(signed by)

Patrick G. Sullivan
I object to the proposed rezoning in Z-7505.
- How can you put a housing addition of over 200 residences containing multifamily buildings in-between 2 existing housing additions containing 50 residences to the north and 40 residences to the south?
- How can you do this using streets in those existing housing additions, not major streets (Memorial, 111th, Sheridan, etc.) for access to this high density development? At 2 cars per household, that's adding over 400 more vehicles to the traffic patterns in existing neighborhoods.
- The Developer, Chris Key claims the "overlay" allows him to build apartment houses in this area. How can "the Overlay" authorize apartment buildings which has no access from the east or west? and no access to a major street such as Memorial, 101st, etc.?
- How can that volume of building be zoned in an area subject to flooding without a major flood plain study?
- How can Mark Capron claim in the Oct. 8 Wallace Engineering meeting with neighboring residents state they "are required by the Planning Commission to connect 77th E. Ave from 109th to 106th?" Really?

How can Tulsa Planning authorize something like this? I thought the Planning Commission was supposed to ensure our city and neighborhoods grew and increased in value. This plan will only decrease the value of homes in neighboring subdivisions, further overtax our streets and major corridors, and increase the accident and crime rates.

Please do not approve Z-7505.

Sincerely,
Harvey E. West
7713 E. 109th St, Tulsa
918-970-6880
My wife and I own a home in Ravens Crossing and we are very concerned about the proposal to rezone the land north of us to high density residential. The increased car traffic through our neighborhood would not only be dangerous but egress to 111th Street would be much more difficult than it already is. The logical solution to this would be for the primary access to that area to be from Memorial.

We are a small neighborhood and traffic through our neighborhood to a high density development would negatively impact our neighborhood and property values.

We would like your help in learning more about the proposed rezoning and we are opposed to development that increases traffic in our neighborhood.

Ron Reed
Case Number: Z-7506

Hearing Date: October 16, 2019

Case Report Prepared by:

Jay Hoyt

Owner and Applicant Information:

Applicant: Mike Thedford
Property Owner: CAMPBELL, GERALD D AND SHEILA

Location Map:
(shown with City Council Districts)

Applicant Proposal:

Present Use: Pasture
Proposed Use: Residential
Concept summary: Single-family Residential
Tract Size: 16 ± acres
Location: South of the southeast corner of West 81st Street South & South Maybelle Avenue

Zoning:

Existing Zoning: AG
Proposed Zoning: RS-5

Comprehensive Plan:

Land Use Map: New Neighborhood
Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 8214
CZM: 51

City Council District: 2
Councilor Name: Jeannie Cue

County Commission District: 2
Commissioner Name: Karen Keith

REVISED 10/10/2019
SECTION I: Z-7506

DEVELOPMENT CONCEPT: The applicant is proposing to rezone the subject lots from AG to RS-5 for Single-family residential lots.

RS-5 provides the smallest allowable lots for a Residential Single-Family zoning category with a minimum lot area of 3,300 sf and a minimum lot width of 30 feet for a detached single-family home. Currently, in the immediate area of the subject lots, there exists RS-2, RS-3 and RS-4 single-family developments. If approved, RS-5 could provide a more dense development, than those existing developments, which would help provide a variety of home types for the surrounding area.

EXHIBITS:
INCOG Case map
INCOG Aerial
Tulsa Comprehensive Plan Land Use Map
Tulsa Comprehensive Plan Areas of Stability and Growth Map
Applicant Exhibits:
   Proposed Area Illustration
   ALTA Survey

DETAILED STAFF RECOMMENDATION:

Z-7506 is non-injurious to surrounding proximate properties;

Z-7506 is consistent with the anticipated future development pattern of the surrounding property;

Z-7506 is consistent with the New Neighborhood land use designation of the Comprehensive Plan, therefore;

Staff recommends Approval of Z-7506 to rezone property from AG to RS-5.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The subject lots are designated as a New Neighborhood Land Use and an Area of Growth

Land Use Vision:

Land Use Plan map designation: New Neighborhood

The New Neighborhood is intended for new communities developed on vacant land. These neighborhoods are comprised primarily of single-family homes on a range of lot sizes, but can include townhouses and low-rise apartments or condominiums. These areas should be designed to meet high standards of internal and external connectivity, and shall be paired with an existing or new Neighborhood or Town Center.

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

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

Transportation Vision:

Major Street and Highway Plan: None

Trail System Master Plan Considerations: None

Small Area Plan: West Highlands Small area plan as approved July 10th, 2019

Priorities are listed below and the goals in Priority #’s 1 and 2 that may be specific to this redevelopment area.

Priority 1: Proposed land uses balance West Highlands/ Tulsa Hills stakeholder vision with Planitulsa vision.

3.1 Encourage substantial buffering in C0-zoned lands between U5-75 and Union Avenue, including, but not limited to, dense tree or native plantings along Union Avenue, commensurate with degree of land use intensity.

Priority 2: Prioritize the preservation of open space and the natural environment in future development.

4.1 For new construction in New and Existing Neighborhood land-use areas, and Town and Neighborhood Center each 1,500 square feet of street yard should have three trees. The Zoning Code (Section 1002.C.1) currently requires only one (1) tree.
4.2 Facilitate partnerships between neighborhood stakeholders, developers and regional land trusts such as Land Legacy.
4.3 Develop easily understood, coherent standards for conservation subdivisions which will allow developers to apply conservation subdivision design for new home construction, while minimizing the need to apply for new zoning.
4.4 Develop and implement code updates to more easily allow low-impact development (LID) practices, by identifying current elements of zoning, building and other regulatory codes that do not allow LID practices. Ensure developer incentives, such as a streamlined development review process.
4.5 Develop a matrix (or checklist), to be used by City of Tulsa Planning staff, of rural design elements which can be used to easily measure how well new construction integrates with bucolic aesthetic. These design elements should pertain less to actual design of homes, and more to the units’ siting, green space preservation, screening and the use of other nonstructural design material, such as fencing materials.
4.6 Revise zoning code to include a "rural residential" district which allows a limited number of livestock and horses as a use by right and has larger minimum lot sizes. This can be done by either amending an existing district, or creating a new one.

4.7 Support planting of shade trees in public right-of-way during road construction.

Priority 3: Sustain area's economic Growth through the future.
Priority 4: Improve local connections to the metropolitan transportation system.
Priority 5: Protect public welfare and safety.
Priority 6: Ensure implementation of recommendations of West Highlands/Tulsa Hills Small Area Plan.

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site currently contains single-family residences on large lots.

Environmental Considerations: None

Streets:

<table>
<thead>
<tr>
<th>Exist. Access</th>
<th>MSHP Design</th>
<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
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<td>S Maybelle Ave</td>
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<td>N/A</td>
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</table>

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

<table>
<thead>
<tr>
<th>Location</th>
<th>Existing Zoning</th>
<th>Existing Land Use Designation</th>
<th>Area of Stability or Growth</th>
<th>Existing Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>AG</td>
<td>New Neighborhood</td>
<td>Growth</td>
<td>Single-Family</td>
</tr>
<tr>
<td>South</td>
<td>AG</td>
<td>New Neighborhood</td>
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<td>Single-Family/AG</td>
</tr>
<tr>
<td>East</td>
<td>AG</td>
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</tr>
<tr>
<td>West</td>
<td>CO</td>
<td>Regional Center</td>
<td>Growth</td>
<td>Retail/Commercial</td>
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</table>

SECTION III: Relevant Zoning History

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

Subject Property:

BOA- 13131 June 1984: The Board of Adjustment approved a Variance of the required 30’ of frontage to 0’ in an AG district under the provisions of Section 1670, subject to the execution of
a mutual access easement, on property located south and west of 81st Street and Elwood Avenue.

**BOA- 8418 December 1974:** The Board of Adjustment denied an application of Exception to permit a mobile home in an AG district, on property located south and west of 81st Street and Elwood Avenue.

**Surrounding Property:**

**Z-7164 SP-1 March 2011:** All concurred in approval of a request for rezoning a 30+ acre tract of land from AG/OL/CS to CO and a Corridor Site Plan for neighborhood and pedestrian oriented office and commercial mixed-use development, on property located on southeast corner of Highway 75 South and West 81st Street. The TMAPC recommended approval with the amendments that include the six-foot masonry wall and the lighting requirements as provided by staff.

**Z-7140 SP-1 December 2009:** All concurred in approval of a request for rezoning a 41+ acre tract of land from AG to CO and a Corridor Site Plan for residential use, garden and patio homes, on property located south of southwest corner of South Maybelle Avenue and West 81st Street and abutting south of subject property. The TMAPC recommended approval per staff recommendation and subject to adding Use Unit 1, to impose the additional buffer along the north end across to the detention pond. City Council approved the applications per TMAPC recommendation with condition of Maybelle getting upgraded in accordance with the Major Street and Highway Plan and per City of Tulsa design standards within the project limits, and resurfaced to 22' wide with improved borrow ditch from the northern boundary of the subdivision to West 81st Street.

**BOA- 16312 April 1993:** The Board of Adjustment approved a Variance of the required 30' of frontage on a dedicated right-of-way to 13' to permit a lot-split, subject to a maximum of three residences on the tract, with each having 13' of frontage on Maybelle, finding that the request is consistent with the area, on property located east of Maybelle and south of 81st Street.

**BOA- 20039 June 2005:** The Board of Adjustment approved a Variance of the minimum required frontage on a public street from 30' to 0', finding that the circumstances surrounding this land is peculiar to these tracts and the enforcement code would result in an unnecessary hardship to the property owner, on property located 8511 South Maybelle Avenue.

10/16/2019 1:30 PM
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2018
Land Use Plan Categories

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

SUBJECT TRACT
LAND USE PLAN
NEW NEIGHBORHOOD

Z-7506
18-12-14
Growth and Stability

- **Area of Growth**
- **Area of Stability**

**SUBJECT TRACT**

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**Z-7506**

18-12-14
PROPOSED AG TO RS-5 REZONING

8349 South Maybelle Avenue