TULSA METROPOLITAN AREA PLANNING COMMISSION
Meeting No. 2806
November 20, 2019, 1:30 PM
175 East 2nd Street, 2nd Level, One Technology Center
Tulsa City Council Chamber

CONSIDER, DISCUSS AND/OR TAKE ACTION ON:

Call to Order:

REPORTS:

Chairman’s Report:
Work session Report:
Director's Report:

1. Minutes of October 16, 2019, Meeting No. 2804

CONSENT AGENDA:

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

2. **75 South Mini Storage** (CD 2) Change of Access, Location: Northeast corner of West 91st Street South and South Union Avenue

PUBLIC HEARINGS:

3. **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 Preliminary Plat and PUD-855) (Continued from October 16, 2019)

4. **PUD-855 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 Preliminary Plat and CZ-494)
5. **106th Memorial** (County) Preliminary Plat, Location: Northeast corner of East 106th Street North and North Memorial Drive (Related to CZ-494 and PUD-855) (Continued from October 16, 2019)

6. **Z-7506 Mike Thedford** (CD 2) Location: South of the southeast corner of West 81st Street South and South Maybelle Avenue requesting rezoning from AG to RS-4 to permit single-family homes (Continued from October 16, 2019 – original application requested RS-5)

7. **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-F-U (Continued from October 16, 2019 and November 6, 2019 – original application requested MX1-U-U)

8. **Z-7508 AC Hutton** (CD 1) Location: Northwest corner of East 46th Street North and North Elgin Avenue requesting rezoning from RS-3 to IL with optional development plan (Continued from November 6, 2019)

9. **Z-7512 Timothy Johnson** (CD 1) Location: East of the southeast corner of East 56th Street North and North Lewis Avenue requesting rezoning from RS-3 to AG

10. **CZ-497 John Denham** (County) Location: West of the southwest corner of West 51st Street South and South 85th West Avenue requesting rezoning from RS to AG

11. **MR-22** (CD 9) Modification to the Subdivision & Development Regulations to remove the sidewalk requirement for a new single-family residence, Location: Southeast corner of East 37th Place South and South Rockford Avenue

**OTHER BUSINESS**

12. Discuss proposed **Subdivision and Development Regulations** amendments to align with the proposed Sidewalk Ordinance

13. **Commissioners’ Comments**

**ADJOURN**

CD = Council District

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

Visit our website at [www.tulsaplanning.org](http://www.tulsaplanning.org) email address: esubmit@incog.org

**TMAPC Mission Statement:** The Mission of the Tulsa Metropolitan Area Planning Commission (TMAPC) is to provide unbiased advice to the City Council and the County Commissioners on development and zoning matters, to provide a public forum that fosters public participation and transparency in land development and planning, to adopt and maintain a comprehensive plan for the metropolitan area, and to provide other planning, zoning and land division services that promote the harmonious development of the Tulsa Metropolitan Area and enhance and preserve the quality of life for the region's current and future residents.
**Case:** 75 South Mini Storage  
**Hearing Date:** November 20, 2019

<table>
<thead>
<tr>
<th><strong>Case Report Prepared by:</strong></th>
<th><strong>Owner and Applicant Information:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Nathan Foster</td>
<td>Applicant: William E. Lewis</td>
</tr>
<tr>
<td></td>
<td>Owner: Arkansas Valley Petroleum, LLC</td>
</tr>
</tbody>
</table>

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

**Applicant Proposal:**
Change of Access

*Location:* Northeast corner of West 91st Street South and South Union Avenue

*Summary:* Adjust access points to South Union Avenue

**Zoning:** CS, CO, PUD-694-C

**Staff Recommendation:**
Staff recommends approval of the change of access

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

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

**EXHIBITS:** Change of Access Exhibits
CHANGE OF AND CONSENT TO
AREAS OF ACCESS AS SHOWN ON RECORDED PLAT

WHEREAS, ARKANSAS VALLEY PETROLEUM, LLC
are the owners of LOT 1 BLOCK 1 75 SOUTH MINI STORAGE,
in the city and/or county of Tulsa, Oklahoma, according to the recorded plat thereof; and

WHEREAS, said owners desire to change the access points from that shown on the filed plat to that shown on Exhibit A to the above described property and,

WHEREAS, such change requires approval of the Tulsa Metropolitan Area Planning Commission; and

WHEREAS, the Tulsa Metropolitan Area Planning Commission may approve such change of access with a favorable recommendation by the designated Engineer of the City of Tulsa or Tulsa County, Oklahoma.

NOW THEREFORE, the undersigned owners of the above named property in the City (and/or) County of Tulsa, Oklahoma according to the recorded plat thereof, does hereby change the access point(s) from its (their) present location as shown on the above named plat as recorded in the office of the County Clerk of Tulsa County, Oklahoma, as plat number 6016 to the location(s) as shown on the attached Exhibit A, which is incorporated herein by reference and made a part hereof for all purposes.

The Tulsa Metropolitan Area Planning Commission by the affixing of its approval to this instrument does hereby stipulate and agree to such change and, that from and after the date of this consent, ingress and egress shall be permitted over, through and across the areas of access as shown on attached Exhibit A, which is incorporated herein by reference. The area of "access" as previously shown are hereby revoked and access to the property prohibited across said area. The area of limits of no access previously existing along the area of access now permitted by this change and consent is hereby expressly vacated, annulled and held for naught.

IN WITNESS WHEREOF, the parties have hereunto set their hands and affixed their seals this 22 day of October, 2019.

[Owner Signature]

Owner

APPROVED:

[City/County Engineer Signature]

City/County Engineer

TMAPC
STATE OF __________ ) ) SS   
COUNTY OF __________ )   

INDIVIDUAL ACKNOWLEDGEMENT

Before me, the undersigned, a Notary Public in and for said County and State, on this _______ day of ______________, 20____, personally appeared __________________________, to me known to be the identical person(s) who executed the foregoing instrument and acknowledged to me that ______ executed the same as ______ free and voluntary act and deed for the purposes therein set forth.

GIVEN under my hand and seal the day and year last above written.

My Commission Expires: __________________________

__________________________
Notary Public

STATE OF OKLAHOMA ) ) SS   
COUNTY OF TULSA )   

CORPORATE ACKNOWLEDGEMENT

Before me, the undersigned, a Notary Public in and for said County and State, on this day of October __________, 2019, personally appeared __________, to me known to be the identical person(s) who subscribed the name of the maker thereof to the foregoing instrument as its President and acknowledged to me that he executed the same as his free and voluntary act and deed of such corporation, for the purposes therein set forth.

GIVEN under my hand and seal the day and year last above written.

My Commission Expires: __________

__________________________
Notary Public

Change Of And Consent To Areas As Shown On Recorded Plat
EXHIBIT A
CHANGE OF ACCESS EXHIBIT
FOR
LOT 1 BLOCK 1
OF
75 SOUTH MINI STORAGE
SECTION 14, T18N, R12E
CITY OF TULSA, TULSA COUNTY, OKLAHOMA

R 12 E

W. 81st ST. SO.

LIFE CHURCH TV
JENKS ADDITION

W. 91st ST. SO.

LOCATION MAP

LOT 2, BLOCK 1

NW CORNER OF
LOT 1, BLOCK 1

N 88°56'57" E-417.38'

TRACT 1

S 88°56'57" W

TRACT 2

S 88°56'57" W-256.36'

S 88°56'57" W-413.38'

U.S. HIGHWAY 75

APPROVED:
TRAFFIC ENGINEER
10-25-19
DATE

LEWIS ENGINEERING, P.L.L.C.
6420 S. 221st E. AVE
BROKEN ARROW, OK 74015
918-254-4689
CA 3460 EXP. 6-30-21
**Case Number:** CZ-494  
(related to PUD-855)

**Hearing Date:** November 20, 2019  
(Continued from October 16, 2019)

**Case Report Prepared by:**  
Jay Hoyt

**Owner and Applicant Information:**

**Applicant:** Alan Betchan  
**Property Owner:** SOKOLOSKY, NOBLE AND MARY

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

![Location Map](image)

**Applicant Proposal:**

**Present Use:** Vacant  
**Proposed Use:** Single Family Residential

**Concept summary:** Rezone from RE to RS with a PUD overlay 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:**

Tulsa County Comprehensive Land Use Plan 2035: Residential, Commercial and Transitional

**Staff Recommendation:**

Staff recommends approval of RS zoning with or without PUD 855 however, the PUD does require larger lots that may be more consistent with the expected surrounding development.

**Staff Data:**

**TRS:** 1312  
**CZM:** 11

**County Commission District:** 1  
**Commissioner Name:** Stan Sallee

REVISED 11/14/2019
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. A PUD (PUD-855) is being concurrently proposed with this rezoning to establish the allowable use as well as bulk and area requirements. 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.

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

DETAILED STAFF RECOMMENDATION:

CZ-474 requesting RS zoning is consistent with the residential land use designation identified in the Tulsa County Comprehensive Lands Use plan with or without a Planned Unit Development. Near the intersection of 106th street and North Memorial Avenue the plan supports a greater intensity and illustrates Commercial and Transitional uses and;

CZ-474 is consistent with the Tulsa County Land Use Plan in much of the subject tract except where it will limit potential commercial and transitional land use designations identified in the comprehensive land use plan and;

CZ-474 allows lots sizes and uses that are consistent with the anticipated future development pattern of the surrounding property has lot sizes that are only slightly smaller than those in the existing RE zoning districts however, terrain and stormwater detention considerations support the idea of a Planned Unit Development to allow greater flexibility and creativity within the development to best utilize the unique physical features of the particular site;

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 in conjunction with PUD -855.

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:

Tulsa County Land Use Plan map designation: Residential, Commercial and Transitional
The Owasso land us master plan contemplates the maximum density that might be considered within the Owasso Fence Line.

This site is primarily defined as a residential development area but near the intersection of 106th Street North at North Memorial the land use map includes potential uses for Commercial and Transitional uses that could include small neighborhood convenience shopping areas restaurants, automotive service centers and transitional land use districts that could include duplexes, apartments, offices and other uses that act as a buffer between higher intensity uses and residential districts.

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.

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. The site includes some steep terrain on the east and south portions of the site that will impact future development and connectivity.

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>Secondary Arterial</td>
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<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.

REVISED 11/14/2019
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>AG</td>
<td>Agriculture</td>
<td>N/A</td>
<td>Agriculture</td>
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</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
Subject Tract

CZ-494

Aerial Photo Date: February 2018

Note: Graphic overlays may not precisely align with physical features on the ground.
Case Report Prepared by: Jay Hoyt

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 Residential

Concept summary: Rezone from RE to RS with a PUD overlay 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/PUD-855

Comprehensive Plan:
Tulsa County Comprehensive Land Use Plan 2035: Residential, Commercial and Transitional

Staff Recommendation:
Staff recommends approval.

Staff Data:
TRS: 1312
CZM: 11

County Commission District: 1
Commissioner Name: Stan Sallee
SECTION I: PUD-855

DEVELOPMENT CONCEPT: The applicant is requesting to rezone from RE to RS with a PUD overlay to permit a single-family subdivision. A rezoning is being concurrently proposed with this PUD (CZ-494). The proposed PUD will establish the allowable use as well as bulk and area requirements. 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.

EXHIBITS:
INCOG Case map
INCOG Aerial
Applicant Exhibits:
   PUD Information:
      Development Concept and Standards
      Exhibit A – Legal Description
      Exhibit B – Surrounding Areas
      Exhibit C – Existing Zoning
      Exhibit D – Conceptual Development Plan
      Exhibit E – Existing Top & Aerial
      Exhibit E(2) – Conceptual Improvement Plan

DETAILED STAFF RECOMMENDATION:

Uses allowed in PUD-855 are consistent with the residential land use designation identified in the Tulsa County Comprehensive Lands Use plan. Near the intersection of 106th street and North Memorial Avenue the plan supports a greater intensity and anticipated Commercial and Transitional uses and;

PUD-855 allows lots sizes and uses that are consistent with the anticipated future development pattern of the surrounding property;

PUD-855 allows lots sizes and uses that are consistent with the anticipated future development pattern of the surrounding property has lot sizes that are only slightly smaller than those in the existing RE zoning districts however, terrain and stormwater detention considerations support the idea of a Planned Unit Development to allow greater flexibility and creativity within the development to best utilize the unique physical features of the particular site

PUD-855 is consistent with the provisions of the PUD chapter of the Tulsa County Zoning Code, therefore;

Staff recommends Approval of PUD-855 to rezone property from RE to RS/PUD-855.

Development Standards

The project shall be governed by the Tulsa County Zoning Ordinance use and dimensional standards as established by the RE district except as hereinafter modified:

Minimum Lot Width 115 feet
Minimum Lot Size 21,780 square feet
Minimum Side Yard 10 feet
Street Design and Access Limitations

All streets shall be constructed to meet or exceed the minimum standards for Tulsa County residential street.

Platting
Prior to issuance of a building permit for any habitable structure, the area within the PUD shall have a subdivision plat approved by the Planning Commission and County Commission and filed of record at the Tulsa County Courthouse. The deed of dedication of the required subdivision plat shall include covenants of record, enforceable by Tulsa County, setting forth the development standards of the approved Planned Unit Development.

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:

Tulsa County Land Use Plan map designation: Residential, Commercial and Transitional

The Owasso land use master plan contemplates the maximum density that might be considered within the Owasso Fence Line.

This site is primarily defined as a residential development area but near the intersection of 106th Street North at North Memorial the land use map includes potential uses for Commercial and Transitional uses that could include small neighborhood convenience shopping areas, restaurants, automotive service centers and transitional land use districts that could include duplexes, apartments, offices and other uses that act as a buffer between higher intensity uses and residential districts.

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.

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. The site includes some steep terrain on the east and south portions of the site that will impact future development and connectivity.

Environmental Considerations: None

Streets:

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

Surrounding Properties:

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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.

12/4/2019 1:30 PM
106th & Memorial
Planned Unit Development #XX

Prepared
October 23, 2019

Location
A Tract of land located in the Southwest Quarter (SW/4) of Section One (12), Township Seventeen (21) North, Range Fourteen(14) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma. This PUD contains 151.3 +/- Acres.

Owner
Noble & Mary Sokolosky
4444 S. Lewis Ave.
Tulsa, OK 74105

Prepared By:
AAB Engineering, LLC

AAB Engineering•Surveying•Land Planning
PO Box 2136 Sand Springs, OK 74063
Office: (918) 514-4283  Fax: (918) 514-4288
Development Concept

PUD #XXX, 106th & Memorial, is a 151 acre development on the northeast corner of Memorial Drive and 106th Street north in Tulsa County. The property is surround on all sides by rural large lot tracts zoned AG or A-R zoned property. A high pressure gas line bisects the property as do number creeks. See Exhibits B & C for the surrounding areas and zoning maps affecting the property.

The project proposes half acre sized lots largely conforming to the RE zoning standards. This PUD is proposed to allow a slightly smaller gross lot area of 21,780 square feet (a true half acre) and a reduction in the minimum lot width from 150 feet to 115 feet. The existing site has large grade changes as well as numerous existing streams that will be preserved. This combined with the existing gas line that diagonals across the property creates layout difficulties that necessitate the slightly smaller lot width. Maintaining the minimum lot size proposed ensures that rural large lot character of the area will be maintained. See Exhibit D for the conceptual development plan of the property.

Development Standards

The project shall governed by the Tulsa County Zoning Ordinance use and dimensional standards as established by the RE district except as hereinafter modified:

<table>
<thead>
<tr>
<th>Permitted uses:</th>
<th>Single Family Detached Dwellings</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gross Residential area</td>
<td>151.3 acres</td>
</tr>
<tr>
<td>Minimum Lot Width</td>
<td>115 feet</td>
</tr>
<tr>
<td>Minimum Lot Size</td>
<td>21,780 square feet</td>
</tr>
<tr>
<td>Minimum Side Yard</td>
<td>10 feet</td>
</tr>
</tbody>
</table>
Street Design and Access Limitations

All streets shall be constructed to meet Tulsa County public street standards. Streets shall have a paved width of 24 feet with a 5 foot shoulder on either side. Road side ditches will be used to facilitate drainage and shall have a minimum depth of two feet with a four to one fore slope.

Utilities

Water will be provided by the Washington County Rural Water District #3 via an onsite distributions system designed to rural water district standards and installed by the developer. Public sewer service will not be provided to the development. Instead, sewage treatment and disposal will be achieved using on lot conventional or aerobic septic systems. Onsite stormwater detention will be designed and constructed in accordance with Tulsa County standards. The detention facility will be maintained by the Homeowner’s Association. The attached exhibits E & F depict the existing topography of the site and the conceptual improvements plan, respectively.

Franchise utilities will also serve the project with communications, natural gas, and electricity. We anticipate underground services throughout the development.

Platting

Prior to issuance of a building permit for any habitable structure, the area within the PUD shall have a subdivision plat approved by the Planning Commission and County Commission and filed of record at the Tulsa County Courthouse. The deed of dedication of the required subdivision plat shall include covenants of record, enforceable by Tulsa County, setting forth the development standards of the approved Planned Unit Development.
Exhibit A
Legal Description for
106th N. - Memorial

THE SOUTHWEST QUARTER (SW4) OF SECTION TWELVE (12), TOWNSHIP TWENTY-ONE (21) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S.
GOVERNMENT SURVEY THEREOF.

LESS AND EXCEPT

A TRACT OF LAND THAT IS IN THE SOUTHWEST QUARTER (SW/4) OF SECTION 12, TOWNSHIP 21 NORTH, RANGE 13
EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT
SURVEY THEREOF, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT THAT IS
826.92 FEET NORTH OF THE SOUTHWEST SECTION CORNER OF SAID SECTION 12, THENCE NORTH ALONG THE WEST
LINE OF SECTION 12 A DISTANCE OF 608.13 FEET, THENCE N 89°37'17" E A DISTANCE OF 227.64 FEET, THENCE S
65°14'52" E A DISTANCE OF 651.28 FEET, THENCE S 47°04'18" E A DISTANCE OF 84.93 FEET, THENCE S 3°56'14" E A
DISTANCE OF 257.74 FEET, THENCE S 88°02'35" W A DISTANCE OF 126.34 FEET, THENCE S 88°41'28" W A DISTANCE
OF 772.89 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 9.895 ACRES, MORE OR LESS.
Exhibit C
Existing Zoning for
106th N. - Memorial
Exhibit D
Conceptual Development Plan
for
106th N. Memorial
Exhibit E
Existing Topo & Aerial for
106th N. - Memorial
**Case Report Prepared by:**
Nathan Foster

**Owner and Applicant Information:**
*Applicant:* AAB Engineering  
*Owner:* Noble & Mary Sokolosky

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

**Applicant Proposal:**
Preliminary Plat  
45 lots, 5 blocks, 48.54 ± acres  
*Location:* Northeast corner of East 106th Street North and North Memorial Drive

**Zoning:**  
Current: RE  
Proposed: RS

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

**County Commission District:** 1  
*Commissioner Name:* Stan Sallee

**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 with an associated Planned Unit Development to restrict overall lot area and lot width. All lots within the subdivision will be required to conform to the PUD restrictions and those restrictions will be required to be included in the restrictive covenants of the subdivision plat.

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.
PRELIMINARY PLAT

106th N.-Memorial

A TRACT OF LAND LOCATED IN THE SOUTH HALF OF THE SOUTHWEST QUARTER (SO SWQ) OF SECTION TWELVE (S 12) OF TOWNSHIP TWENTY-ONE (T 21) NORTH AND RANGE THIRTEEN (R 13) EAST OF THE INDIAN BASE AND MERIDIAN (188 M.), ACCORDING TO THE U.S. GOVERNMENT SURVEY, THEREOF, TULSA COUNTY, STATE OF OKLAHOMA.

OWNER/DEVELOPER
BLUE CHIP LAND COMPANY, LLC

ENGINEER/SURVEYOR
MB ENGINEERING LLC

ENGINEER, SURVEYOR
MB ENGINEERING LLC

FLOODPLAIN

CURVE TABLE

SUBDIVISION DATA

SUBDIVISION STATISTICS

UTILITY CONTACTS

COUNTY OR CITY REGULATIONS

5.5
106th N. - MEMORIAL

SECTION 1. PUBLIC STREETS, BASEMENTS AND UTILITIES

1. PUBLIC STREET.

The street right-of-way is dedicated on the west, south and north sides of the property. The public street is a part of the Preliminary Plat and shall be maintained and kept open and passable and free from obstruction.

2. UTILITIES.

All public utilities will be placed underground or otherwise provided for the development of the property. All public utilities shall be placed underground or otherwise provided for the development of the property.

3. WALLS, FENCES AND MAINTENANCE.

All walls, fences and other structures shall be maintained in good repair and shall be made to conform with the requirements of the applicable building codes.

4. LATERAL UTILITY LINE.

The lateral utility line shall be placed underground or otherwise provided for the development of the property.

5. UTILITIES IN BASEMENT.

All public utilities shall be placed underground in the basement area of the property.

6. WATER, SEWERAGE AND STORM WATER.

The water, sewerage and storm water systems shall be provided for the development of the property.

7. ELECTRICAL AND GAS.

The electrical and gas systems shall be provided for the development of the property.

8. GAS AND ELECTRICAL METERING.

The gas and electrical meters shall be provided for the development of the property.

9. COMMUNICATIONS.

All public communications facilities shall be provided for the development of the property.

10. FIRE PROTECTION.

The fire protection systems shall be provided for the development of the property.

11. CONSTRUCTION.

All public construction and improvements shall be provided for the development of the property.

12. OTHER FACILITIES.

All other facilities shall be provided for the development of the property.

13. ENCROACHMENTS.

All encroachments shall be provided for the development of the property.

14. NATURE OF PROPERTY.

The nature of the property is as shown on the accompanying Plat.

15. OWNERSHIP.

The owner of the property shall be responsible for the protection of another owner of the property.

16. USE OF PROPERTY.

The use of the property shall be as shown on the accompanying Plat.

17. CONSTRUCTION.

All construction shall be as shown on the accompanying Plat.

18. LANDSCAPING.

All landscaping shall be as shown on the accompanying Plat.

19. MAINTENANCE.

All maintenance shall be as shown on the accompanying Plat.

20. OVERTHROWN.

All overthrown shall be as shown on the accompanying Plat.

21. ENCROACHMENTS.

All encroachments shall be as shown on the accompanying Plat.

22. USE OF PROPERTY.

The use of the property shall be as shown on the accompanying Plat.

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All construction shall be as shown on the accompanying Plat.

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106th N. - Memorial

A TRACT OF LAND LOCATED IN THE SOUTH HALF OF THE SOUTHWEST QUARTER (SW¼) OF SECTION TWELVE (12) OF TOWNSHIP TWENTY-ONE (21) NORTH AND RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN (9 R. M.), ACCORDING TO THE U.S. GOVERNMENT SURVEY, THEREOF, TULSA COUNTY, STATE OF OKLAHOMA.

OWNER/DEVELOPER
BLUE CHIP LAND COMPANY, LLC

ENGINEER/SURVEYOR
AAB ENGINEERING, LLC

PROJECT LOCATION:
106th N. - Memorial

FLOOR PLAN

RESERVE

LEGEND
1. Existing Water Line
2. Proposed Water Line

UTILITY CONTACTS

106TH N. - MEMORIAL

5.7
**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
- **Original Proposed Zoning:** RS-5
- **Amended Proposed Zoning:** RS-4

**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

**Case Number:** Z-7506

**Hearing Date:** November 20, 2019
(Continued from October 16, 2019)
DEVELOPMENT CONCEPT: The applicant is proposing to rezone the subject lots from AG to RS-4 for Single-family residential lots.

Per the City of Tulsa Zoning Code, RS-4 has a minimum lot area of 5,500 sf and a minimum lot width of 50 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-4 would provide a development in line with those of the immediate surrounding area and would help provide housing compatible with the currently existing homes in the area. This proposal is also compatible with the recommendations of the West Highlands / Tulsa Hills Small Area plan for providing a variety of zoning/use options east of Union Avenue.

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-4.

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 and is located within the West Highlands / Tulsa Hills Small Area Plan area. The plan encourages zoning changes, east of Union Ave, from Agricultural zoning to corridor, commercial, office, mixed-use and/or residential zoning. This request is located east of Union and is compatible with this stated vision of the small area plan for having a mix of uses and densities on the east side of Union Ave.

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

One stated goal of the West Highlands Small Area Plan is to support zoning changes east of Union Avenue, from Agricultural zoning to corridor, commercial, office, mixed-use and/or residential zoning (should a private request be filed, Goal 2.4 of Plan).

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 CO-zoned lands between US-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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<tr>
<td>S Maybelle Ave</td>
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<td>N/A</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>
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<td>North</td>
<td>AG</td>
<td>New Neighborhood</td>
<td>Growth</td>
<td>Single-Family</td>
</tr>
<tr>
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<td>CO</td>
<td>Regional Center</td>
<td>Growth</td>
<td>Retail/Commercial</td>
</tr>
</tbody>
</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.
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2018
SUBJECT TRACT

Growth and Stability

Area of Growth
Area of Stability

Z-7506
18-12-14
PROPOSED AG TO RS-5 REZONING

8349 South Maybelle Avenue
**Tulsa Metropolitan Area Planning Commission**

**Case Number:** Z-7503

**Hearing Date:** November 20, 2019
(Applicant continuance from October 16, 2019 and November 6, 2019)

**Owner and Applicant Information:**

**Applicant:** David Henke

**Property Owner:** NORIA PROPERTIES LLC

**Case Report Prepared by:**

Dwayne Wilkerson

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

![Location Map Image]

**Applicant Proposal:**

**Present Use:** Vacant

**Proposed Use:** Mixed Use Building

**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:**
Amended applicant request: MX1-F-U
Original application: 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

REVISIED 11/14/2019
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 east half of the block is zoned RS-4. The Mixed-Use rezoning request as originally submitted and as currently requested is for unlimited height.

The City of Tulsa 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 (BRT) 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 BRT study recommended MX1-U zoning on this site without height limitations. This request for MX1-F is not consistent with that land use recommendation.

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-F-U which is not consistent with the expected building placement pattern in the area and,

MX1-F-U allows uses as anticipated in the Pearl District Small Area Plan however the requirement for buildings to be placed adjacent to street right of way is not part of this character designation and,

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

MX1-F-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-F-U.
SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary:
MX1-U-U as originally submitted 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 and requires the building placement within 10 feet of the planned right of way on all sides of the block.

MX1-F-U as currently requested supports the uses anticipated by the BRT study and by the applicant however the flexible character designation removes the build-to-zone requirements that were part of the City Council initiated MX zoning. Building placement is crucial to the density of development anticipated along South Peoria BRT route.

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: Pearl District Small Area 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:

View from Northeast Corner of site looking southwest:
(See next page)
Environmental Considerations: None that affect site redevelopment

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>East 10th Street South</td>
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<td>South Quaker Avenue</td>
<td>None</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>
<td>RS-4 and CS</td>
<td>Mixed use corridor / downtown neighborhood</td>
<td>Growth</td>
<td>Single story office buildings</td>
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<tr>
<td>East</td>
<td>RS-4</td>
<td>Downtown neighborhood</td>
<td>Growth</td>
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<td>CH and RM-2</td>
<td>Mixed use corridor / downtown neighborhood</td>
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<td>Office and surface parking</td>
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<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.
Note: Graphic overlays may not precisely align with physical features on the ground.
SUBJECT TRACT LAND USE PLAN MIXED-USE CORRIDOR & DOWNTOWN NEIGHBORHOOD

Land Use Plan Categories

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

Z-7503
19-13 06
Z-7503

Growth and Stability

Area of Growth
Area of Stability

0 200 400 Feet
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2018
Metropolitan Planning Commission
City of Tulsa, OK 74103

Ref. Case number 2-1499 7-7602

Received letter regarding rezoning of 1074 E. Quinton St. and have been here about sixty years. At age of Ninety One I don't feel capable of attending this coming hearing. But do seriously object. The preservation of Quinton would make living here most difficult. To say the least, my home is paid and have no mortgage. A bit of present 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? Tulsa is my home town. Born 1-3-27. Love it!

Thank you for hearing me.

Stephen Yoakum

P.S. read Psalm 41:1

7/15
For the staff report...

**Susan Miller, AICP**  
Director  
**Tulsa Planning Office**  
2 W. 2nd St., 8th Floor | Tulsa, OK 74103  
918.579.9470  
smiller@incog.org

---

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.
**Case Number:** Z-7508 with optional development plan

**Hearing Date:** November 20, 2019  
(Staff requested continuance from November 20, 2019)

**Case Report Prepared by:**  
Dwayne Wilkerson

**Owner and Applicant Information:**  
**Applicant:** AC Hutton  
**Property Owner:** HUTTON, ALBERT C

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

**Applicant Proposal:**  
**Present Use:** Various Uses  
**Proposed Use:** Horticultural Nursery & Light Industrial Uses  
**Concept summary:**  
**Tract Size:** 3.14 ± acres  
**Location:** Northwest corner of East 46th Street North & North Elgin Avenue

**Zoning:**  
**Existing Zoning:** RS-3  
**Proposed Zoning:** IL with optional development plan

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

**Staff Data:**  
**TRS:** 138  
**CZM:** 21

**Staff Recommendation:**  
Staff recommends denial.

**City Council District:** 1  
**Councilor Name:** Vanessa Hall-Harper  
**County Commission District:** 1  
**Commissioner Name:** Stan Sallee
SECTION I: Z-7508

DEVELOPMENT CONCEPT:
The applicant has submitted a zoning request to allow a horticulture nursery and medical marijuana processing facility in an existing underutilized building.

The zoning code only allows processing facilities in industrial uses and only allows a horticulture nursery in AG, IL, IM and IH zoning districts.

The only option for the applicant at this location is to request IL zoning with an optional development plan that prohibits all industrial uses except a horticulture nursery and medical marijuana processing facilities as may be permitted in an IL district.

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:
Building Plan
Applicant submittal for the optional development plan

DETAILED STAFF RECOMMENDATION:
IL zoning without a development plan is not consistent with the Town Center Land Use designation in the comprehensive plan and,

This site is not included within the boundaries of a small area plan, so the Town Center land use designation is all the guidance we have in the comprehensive plan and,

IL zoning without an optional development plan allows low-impact manufacturing and industry uses that may be considered injurious to the proximate properties and,

IL zoning without an optional development plan allows low-impact manufacturing and industry uses that are not consistent with the expected development of the surrounding properties however,

The optional development plan outlined in Section II prohibits uses in the Industrial Use Category uses except medical marijuana processing as may be allowed in an IL district and,

All other uses and residential building types allowed in Section II are consistent with the expected Town Center land use designation of the comprehensive plan however,

The uses allowed in the optional development plan are considered non-injurious to the proximate properties however integration of IL zoning into this site could provide a sense of instability to surrounding property owners therefore,

Staff recommends denial of Z-7508 to rezone property from RS-3 to IL and recommends denial of the optional development plans standards outlined below.
SECTION II: OPTIONAL DEVELOPMENT PLAN STANDARDS

Z-7508 with the optional development plan standards will conform to the provisions of the Tulsa Zoning Code for development in an II district and 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
      Three or more households on single lot
   Group Living
      Assisted living facility
      Community group home
      Elderly/retirement center
      Room/boarding house

B) PUBLIC, CIVIC, AND INSTITUTIONAL
   College or University
   Library or Cultural Exhibit
   Parks and recreation
   Religious Assembly
   Safety Service

C) COMMERCIAL
   Animal Service
      Grooming
      Veterinary Clinic
   Assembly and entertainment
      Other indoor
         (small up to 250-person capacity)
   Broadcast or Recording Studio
   Office (includes all specific uses)
   Retail Sales (includes all permitted specific uses)
   Studio, Artist, or Instructional Service
   Trade School

D) WHOLESALE, DISTRIBUTION AND STORAGE
   Warehouse

E) INDUSTRIAL
   Low-impact Manufacturing and Industry but limited to production of medical-marijuana edibles using medical marijuana.

F) AGRICULTURAL
   Community Garden
   Farm, Market or Community-supported
   Horticulture Nursery but limited to indoor growing facilities.

RESIDENTIAL BUILDING TYPES

A) Household Living
   Three or more households on single lot
   Multi-unit House
   Apartment / Condo
   Mixed-use building
Vertical Mixed-use building

SIGNAGE STANDARDS:
A) Illuminated signage or any digital display is prohibited
B) Wall Signage is prohibited on north, west and east facing building walls
C) Wall signage on the south face of a building wall is allowed but shall not exceed 128 square feet of display area.
D) One ground sign is allowed but only within 50 feet of the south boundary of the subject property and is limited to 12 feet in height with a display area of not greater than 128 square feet.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The existing building and site has been approved for several non residential uses since 1955. The current request for rezoning this site would allow commercial, office and some residential uses that are consistent with the previously approved decisions supported by the Board of Adjustment. The previously approved uses and the uses outlined in the optional development plan are consistent with the Town Center Land Use designation. Industrial uses are not part of the history of this site and are not consistent with the Town Center Land Use Designation.

Land Use Vision:

Land Use Plan map designation:

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

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

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."

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

Transportation Vision:

Major Street and Highway Plan: No special street designations have been contemplated along any of the abutting streets.

Trail System Master Plan Considerations: None

Small Area Plan: This site is not included in a small area plan.

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is generally flat with a single-story brick building and surface parking. The surrounding property is all single family residential except areas abutting the north side of East 46th street North. Vehicular access to the building is granted from North Detroit and From North Elgin. No vehicular access has been constructed along East 46th Street North.
Environmental Considerations: None that would affect site re-development

Streets:

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<th>MSHP R/W</th>
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<td>East 46th Street North</td>
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<tr>
<td>North Elgin Avenue</td>
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Utilities: The subject tract has municipal water and sewer available.

Surrounding Properties:

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<tr>
<th>Location</th>
<th>Existing Zoning</th>
<th>Existing Land Use Designation</th>
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<td>East</td>
<td>RS-3 and CS</td>
<td>Existing Neighborhood and Town Center</td>
<td>Stability and Growth</td>
<td>Single Family residential and restaurant</td>
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<td>South</td>
<td>RS-3</td>
<td>Existing Neighborhood</td>
<td>Stability</td>
<td>Single Family residential</td>
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<tr>
<td>West</td>
<td>RS-3 and CS</td>
<td>Existing Neighborhood</td>
<td>Stability and Growth</td>
<td>Single Family residential and commercial / personal improvement services</td>
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</table>
SECTION IV: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11914 dated September 1, 1970 established zoning for the subject property.

Subject Property:

BOA-17205 October 1995: The Board of Adjustment approved a Special Exception to permit a group home for the elderly (50 years or older, with no mentally handicapped) in an RS-3 District, on property located at 4610 North Elgin.

BOA-13869 January 1986: The Board of Adjustment approved a Special Exception to allow for a Drivers Examination Station affiliated with the Oklahoma Department of Public Safety, on property located at 4600 North Elgin.

BOA-07651 October 1972: The Board of Adjustment approved an Exception for permission to use church property as a day nursery in an RS-3 District, on property located at 4610 North Elgin Avenue.

BOA-05392 April 1967: The Board of Adjustment granted an Exception to permit off-street parking on Lots 1, 2, 3 and expansion of present church building on Lots 8, 9, 10, subject to hard surfacing of the parking area and construction of a low masonry fence, on property located at 4610 North Elgin.

BOA-02691 June 1955: The Board of Adjustment granted permission to erect a church, on Lots 4-7 & 11, Block 12 permit, Fairhill Second Addition.

Surrounding Property:

Z-6796 November 2000: All concurred in approval of a request for rezoning a .43± acre tract of land from OL & RS-3 to CS for a restaurant on property located northwest corner of East 46th Street North and North Cincinnati Place.

BOA-13080 April 1984: The Board of Adjustment approved a Special Exception to permit auto repair with a service station in a CS District under the provisions of Section 1680, subject to the following conditions: (1) that all work be done inside; (2) that there be no outside storage parts; (3) that there be a maximum of five cars waiting to be repaired; and (4) that the operation be limited to Monday through Saturday from 6:30 a.m. to 7:30 p.m., on property located at northeast corner of Cincinnati Place & 46th Street North.

PUD-361 July 1984: All concurred in approval of a proposed Planned Unit Development on a .97± acre tract of land for a comprehensive Dentistry/Medical Office Complex on property located at northwest corner of Frankfort Avenue and 46th Street North.

Z-5925 March 1984: All concurred in approval for parking on the center lot and denial of a request for rezoning a .5± acre tract of land from RS-3 to OL for Dr. & Dentist Offices, which would allow for PUD application, on property located north of the northwest corner of 46th Street North & Frankfort Avenue.
Z-5890 October 1983: All concurred in approval of a request for rezoning a 5+ acre tract of land from RS-3 to CS for a service station on property located northeast corner of 46th Street North and Cincinnati Place.
Z-7508

with Optional Development Plan

Subject Tract

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

Aerial Photo Date: February 2018
E 47 ST N
N DETROIT AVE
N E LGIN AVE
E 46th ST N

Z-7508 with Optional Development Plan

Subject Tract

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

0 50 100 Feet
Optional Development Plan

This application for rezoning is pursuant to August 29, 2019 change in law by OMMA. We will eventually put metal (when we can afford it) on the roof on the eastside and southside of this building (partial now). The adjacent gates on the east and west side of property will be fenced in with chain link like entire location. These are only changes to the outside of the building and property we will EVER do.

We currently have 40 CMH lights and 2 LED lights inside of the building for growing. Our OMMA approval dates back to September 2018. The plan is to as affordability allows, continue to purchase and hang lights throughout. We decided long ago to use the bi-product of manufacturing medical marijuana thus our process license. We need to use this OMMA approved process license in the near future to make and bake infused edibles. All oils needed will be brought in too add to (infuse) any foods.

That is what our focus is and will always be until we are purchased for our targeted price. FYI. This process has been legally and lawfully underway since June 25, 2013. We aren't what many think. We have an ISSA Space Station manufacturing engineer (1 of 5, they were all American), a Charles Taylor award winner (requires minimum of 50 years in the industry) and a retired 37 year CEO (50 plus years in the medical industry). Worldwide there is only 1 company with this leadership and it is in Tulsa, Ok.
Kim,

Staff request a continuance to the November 20th, 2019 Planning Commission meeting to refine the details of the optional development plan.

Respectfully,

Dwayne Wilkerson, ASLA, PLA  
Principal Planner | Current Planning  
Tulsa Planning Office  
2 W. 2nd St., 8th Floor | Tulsa, OK 74103  
918.579.9475  
dwilkerson@incoq.org

Ms. Malone,

Thank you so much for sending your letter. Please be aware that we have been in further discussion with the applicant about this request and the public hearing will be moved to November 20th Planning Commission.

Please spread the word and I look forward to hearing from you at the November 20th meeting.

Respectfully,
From: Jane Malone <jane@tulsadevelopmentauthority.org>
Sent: Monday, October 21, 2019 10:09 AM
To: Wilkerson, Dwayne <DWaykerson@incog.org>; esubmit <esubmit@incog.org>; Foster, Nathan <NFoster@incog.org>
Cc: Bynum, GT <GT@cityoftulsa.org>; Cue, Jeannie <Jeannie.Cue@tulsacouncil.org>; Dodson, Connie <ConnieDodson@tulsacouncil.org>; Fahler, Cass <dist5@tulsacouncil.org>; Hall-Harper, Vanessa <vhall-harper@tulsacouncil.org>; Kimbro, Ben <bkimbro@tulsacouncil.org>; Lakin, Phil <PLakin@tulsacouncil.org>; McKee, Kara Joy <dist4@tulsacouncil.org>; Patrick, Crista <dist3@tulsacouncil.org>; Wright, Lori Decter <dist7@tulsacouncil.org>
Subject: Chamberlain Area Neighbors - Oppose Request to Rezone -

Good Morning,

Attached is our letter asking that Case No. Z-7508 be denied.

Thank you for your support.

Jane

Jane Malone
Office: 918-592-4944
Fax: 918-592-4948
Home: 918-425-4756
October 29, 2019

Dwayne Wilkerson
Nathan Foster
TMAPC
Tulsa, Ok 74103

Re: Case # Z-7508

Gentlemen:

I own the only home located on the block with this building. It would be appreciated if this note could be placed on record for support for the owner(s) to do something. I have owned nearly 30 years and this place has never been open to my knowledge. Many residents of this community need an employer and maybe this place could hire a few. Thanks

Sincerely,

Trudie Smith
October 18, 2019

Dwayne Wilkerson  
Nathan Foster  
TMAPC  
Tulsa, OK  74103

Re:  Case No. Z-7508 with Optional Development Plan

Gentlemen:

It would be appreciated if this letter could be placed on record as NOT approving a City Rezoning, allowing the Present Zoning of RS-3 (Residential Single-family) to be changed to IL (Industrial Light), for a so-called Horticultural Nursery & Light Industrial Uses. The intent is for the growing and processing of medical marijuana to be located at the Northwest corner of E. 47th St. No. and N. Elgin Ave. This location is across from The Burger, and west of the new Parent Resource Center for Tulsa Public Schools, located at the former Alcott Elementary School Building.

It is realized the current property owner wants the property, that has been vacant for many years, to generate income, but we oppose this particular business. Our concerns are there would possibly be an increase in crime and traffic into the area. We have a quiet neighborhood, and the Parks Department is currently repairing and remodeling Chamberlain Recreation Center, for "positive" images, not "drug" images.

We purchased our homes to remain as single-family, not to grow and process marijuana. Approving this rezoning will have a negative impact, destroying years of working to uplift this community and bringing wealth, prosperity, higher income residents, upscale commercial and retail, including restaurants to this area to spur continued growth patterns further north, east and westward to the Osage County boundary line.

We want our neighborhood to become known as a competitive, beautiful and wealthy place to live for moderate to upper income level families, and we cannot exactly make this claim to fame when we allow the growing and processing of marijuana in a single-family residential area.
We have a quiet neighborhood, and the Parks Department is currently repairing and remodeling Chamberlain Recreation Center to portray a "positive" image, not "drug" image. Our neighborhood organization (Chamberlain Area Neighbors) has worked tremendously hard and we feel that the approval of the rezoning in the proposed area will lessen the opportunities for development to occur in an area that is making a renowned come-back.

Members of our Neighborhood Association will be unable to attend the hearing on Wednesday, November 6, 2019, at 1:30 p.m.

If you have questions or need additional information, please call me at work between 8:30 a.m. and 4:30 p.m. (918/592-4944), or at home after 6:00 p.m. (918/425-4756).

Thank you very much for your assistance in this matter and **NOT** approve the City Rezoning request. **NIMBY – Not In My Back Yard!**

Very truly yours,

Jane Malone
President

/jm

Cc: Mayor G.T. Bynum
Tulsa City Councilors

**Officers:**
Jane Malone, President
Ira Bryant, Vice President
Barbara Randolph, Secretary
Frankie McCrary, Treasurer

Chamberlain Area Neighbors (C.A.N.) Association
Meet Monthly at Chamberlain Community Center
4940 North Frankfort Avenue
Tulsa, Oklahoma 74126
Case Number: Z-7512

Hearing Date: November 20, 2019

Case Report Prepared by:
Dwayne Wilkerson

Owner and Applicant Information:
Applicant: Timothy Johnson
Property Owner: JOHNSON, JESSICA ERIN & TIMOTHY ROBERT

Location Map:
(shown with City Council Districts)

Applicant Proposal:
Present Use: Single-family residence
Proposed Use: AG
Concept summary: Rezone for agricultural uses that are not considered a Farm, Market or Community Supported Garden or a Community Garden
Tract Size: 5 ± acres
Location: East of the Southeast corner of East 56th Street North & North Lewis Avenue

Zoning:
Existing Zoning: RS-3
Proposed Zoning: AG

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

Staff Recommendation:
Staff recommends approval.

Staff Data:
TRS: 0308
CZM: 22

City Council District: 1
Councilor Name: Vanessa Hall-Harper

County Commission District: 1
Commissioner Name: Stan Sallee
SECTION I: Z-7512

DEVELOPMENT CONCEPT: Rezone the property to allow agricultural uses that may be permitted by ordinance in an AG district.

EXHIBITS:
INCOG Case map
INCOG Aerial
INCOG Aerial
Tulsa Comprehensive Plan Land Use Map
Tulsa Comprehensive Plan Areas of Stability and Growth Map
Applicant Exhibits:
Plot Plan
Agricultural Land Use Affidavit

DETAILED STAFF RECOMMENDATION:

AG zoning is not consistent with the new neighborhood land use vision in the Tulsa Comprehensive Plan however the subject property and proximate properties are consistent with the AG lot and building regulations and has not seen development since the property was originally zoned in 1970 and,

The property is surrounded by large lot residential properties on the east; south and west however the zoning has been established as RS-3 for decades. The AG uses that might be permitted by city ordinances are not normally considered objectionable in an area that been developed on low density on the edge of the City limits and,

The general purpose of AG districts is primarily intended to accommodate agricultural uses in rural areas. The district allows very low density residential and other uses that serves as a holding zone pending an orderly transition to more urban development that can be efficiently served by public facilities and services therefore,

Staff recommends Approval of Z-7512 to rezone property from RS-3 to AG.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: AG zoning is not normally consistent with the New Neighborhood land use designation however large lot residential uses may be consistent with that land use designation. Some uses that could be permitted by special exception at the Tulsa Board of Adjustment include mining and mineral processing among are not consistent with the new neighborhood land use designation and would not be supported by staff.

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:** 56th street north is a secondary arterial and is the northern edge of Tulsa City limits.

**Trail System Master Plan Considerations:** None

**Small Area Plan:** None

**Special District Considerations:** None

**Historic Preservation Overlay:** None

**DESCRIPTION OF EXISTING CONDITIONS:**

**Staff Summary:** Single family home with barn.
Street view from northwest corner looking south:

Environmental Considerations: None that affect agricultural uses.

Streets:

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<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 56th Street North</td>
<td>Secondary Arterial</td>
<td>100 feet</td>
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</tbody>
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Utilities:

The subject tract has municipal water but municipal sewer service is not available.

Surrounding Properties:

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<th>Location</th>
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<th>Existing Land Use Designation</th>
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<td>West</td>
<td>RS-3</td>
<td>New Neighborhood</td>
<td>Growth</td>
<td>Large lot residential</td>
</tr>
</tbody>
</table>
SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11802 dated June 26, 1970 established zoning for the subject property.

Subject Property:

BOA-21821 January 2015: The Board of Adjustment approved the request for Variance of the all-weather material requirement for parking, subject to conceptual plan 13.7, finding that the applicant is using the existing gravel driveway that has been in existence since the 1960s, and is not constructing a new driveway, on property located at 2452 East 56th Street North.

BOA-12437 February 1983: The Board of Adjustment approved a Variance to allow more than 750 square feet of detached accessory building on a lot, subject to the execution of a restrictive covenant being filed with the County Clerk to appear in the abstract that there is no business permitted in the garage, on property located at 2452 East 56th Street North.

Surrounding Property:

BOA-12153 September 1982: The Board of Adjustment approved a Variance to raise and/or keep horses in an RS-3 District and a Variance to erect a utility building on a lot of its own, limiting the size of the pole barn to 650 square feet, subject to approval by the City Commission, on property located at 5504 North Birmingham Avenue.

11/20/2019 1:30 PM
Note: Graphic overlays may not precisely align with physical features on the ground.
SUBJECT TRACT
LAND USE PLAN
NEW NEIGHBORHOOD
SUBJECT TRACT

Area of Growth
Area of Stability

Growth and Stability

Z-7512

20-13 08
LEGAL DESCRIPTION AS PROVIDED:
BEGINNING 660E AND 305 NORTH WEST CORNER SECTION THENCE S1059 E209 N1059 W209 POB
SECTION 6, TOWNSHIP 20 RANGE 13 AND KNOWN AS 2452 EAST 56TH STREET NORTH.

WARNING: If the seal on this document is not RED, it is an unauthorized copy
which may have been altered or modified, and cannot be used for any
purposes without the written permission of White Surveying Company.

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JESSICA BURRES

9/10
I, Jessica E. Johnson, being the title owner of the property with the
Acct. / Parcel # R90308030811390, with Total # Acres 4.996

do formally state that the use of the above property as of January 1st, 2019 is used as follows,
Plantation of row crops during the season, Majority use for free-range small livestock and feathered flock grazing areas.
2019 expansion plans to include fruit trees and blackberry harvesting for family use and consumption.

The Acreage Use Is As Follows:

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<th>Acres are Cropland</th>
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<td>Acres are Improved Pasture</td>
<td>3.50</td>
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<tr>
<td>Acres are Native Pasture</td>
<td>4.00</td>
</tr>
<tr>
<td>Acres are Timber</td>
<td></td>
</tr>
<tr>
<td>Total Number of Acres</td>
<td>4.00</td>
</tr>
</tbody>
</table>

For Office Use Only

Account Information

LEA
USE
ZONE

Federal Employer's Identification (FEIN) Number

Agricultural Sales Tax Exemption Permit Number

Under penalty of perjury, I, the undersigned affiant, do affirm that the statements I have made herein are true and correct.

Signature of Affiant

2452 E 56TH ST N

Mailing Address

TULSA, OK 74130

City, State, Zip Code

Subscribed and sworn before me this 7 day of March 2019.

My commission expires: 6-10-2019

Notary Public

To be completed by the Assessor's Office

Field Inspection by Appr. # Date: Notes:

Approved beginning tax year. Denied - Basis for denial:

Approved by:

Printed Name Signature Date

Revised 09/04/18
**Case Number:** CZ-497

**Hearing Date:** November 20, 2019

### Case Report Prepared by:

Jay Hoyt

### Owner and Applicant Information:

**Applicant:** John Denham  
**Property Owner:** DENHAM, JOHN M

### Location Map:

(Shown with County Commission Districts)

### Applicant Proposal:

**Present Use:** Residential  
**Proposed Use:** Residential / AG  
**Concept summary:** Rezone from RS to AG to permit Agricultural uses on the subject lot.  
**Tract Size:** 5 ± acres  
**Location:** West of the southwest corner of West 51st Street South & South 85th West Avenue

### Zoning:  

**Existing Zoning:** RS  
**Proposed Zoning:** AG

### Comprehensive Plan:

**Land Use Map:** N/A  
**Stability and Growth Map:** N/A

### Staff Recommendation:

Staff recommends approval.

### Staff Data:

**TRS:** 9136  
**CZM:** 44

### City Council District:

**N/A**

**Councilor Name:** N/A

**County Commission District:** 2  
**Commissioner Name:** Karen Keith
SECTION I: CZ-497

DEVELOPMENT CONCEPT: The applicant is proposing to rezone from RS to AG in order to permit agricultural uses on the subject lot. The applicant is currently proposing to install storage containers on his property for the future use of his children. He has also stated that a medical marijuana growing facility may be a possible use of the site. If a growing facility is intended, the facility will be required to comply with all state and county requirements for such an establishment.

EXHIBITS:
INCOG Case map
INCOG Aerial (small scale)
INCOG Aerial (large scale)
Applicant Exhibits:
Site Plan Sketch

DETAILED STAFF RECOMMENDATION:
CZ-497 is non-injurious to surrounding proximate properties;
CZ-497 is consistent with the anticipated future development pattern of the surrounding property therefore;

Staff recommends Approval of CZ-497 to rezone property from RS to AG.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

_Staff Summary_: The subject property is not a part of any Comprehensive Plan. It is considered a ‘gap area’ that is not currently a part of the Tulsa County Comprehensive Plan. The Planning Department’s goal for 2020 is to complete an analysis of the area and develop a Land Use Plan which will include public participation.

Land Use Vision:

_Land Use Plan map designation_: None

_Areas of Stability and Growth designation_: None

Transportation Vision:

_Major Street and Highway Plan_: W 51st St S is designated 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 currently contains a single-family residence.

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>
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<td>W 51st St S</td>
<td>Secondary Arterial</td>
<td>100 Feet</td>
<td>2</td>
</tr>
</tbody>
</table>

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

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<tr>
<th>Location</th>
<th>Existing Zoning</th>
<th>Existing Land Use Designation</th>
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<td>South</td>
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<td>RS</td>
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<tr>
<td>West</td>
<td>AG</td>
<td>N/A</td>
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<td>Single-Family/AG</td>
</tr>
</tbody>
</table>

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.
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
**Case Report Prepared by:**
Nathan Foster

**Owner and Applicant Information:**

- **Applicant:** Jason Mills
- **Owner:** Turner Hudson Enterprises

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

- **Applicant Proposal:**
  - Modification to the Subdivision and Development Regulations
  - **Purpose:** Requesting a modification to the sidewalk requirements of Section 5.070 to remove the requirement for construction of sidewalks.
  - **Location:** Southeast corner of East 37th Place South and South Rockford Avenue
  - Lot 1-A – Woodland Heights

**Zoning:** RS-2

**Staff Recommendation:**
Staff recommends denial of the modification

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

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

**EXHIBITS:** Site Map, Aerial, Existing Sidewalk Exhibit
MODIFICATION OF THE SUBDIVISION AND DEVELOPMENT REGULATIONS

MR-22 – 1504 E. 37th Pl. S. - (CD 4)
Southeast corner of East 37th Place and South Rockford Avenue

Lot 1-A Block 4 – Woodland Heights

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

In reviewing requests for modifications of the sidewalk requirements, staff evaluates whether the property falls within areas where pedestrian demands are high or where sidewalks connections are likely to be made in the future. The following areas have been deemed critical sidewalk areas:

1. Properties abutting streets designated as arterial streets, parkways, scenic drives, commercial/industrial streets, or collector streets in the Tulsa Metropolitan Area Major Street and Highway Plan.
2. Properties within 528 feet (1/10 of a mile) of the following pedestrian generators:
   a. Schools, whether public or private, providing compulsory education;
   b. Public parks;
   c. Public transit stops;
   d. Public libraries;
   e. Religious assemblies;
3. Properties within 528 feet (1/10 of a mile) of existing sidewalks.
4. New subdivisions or replats of existing subdivisions.

The subject property is located approximately 200 feet away from existing sidewalks at the corner of East 38th Street and South Rockford Avenue placing it in the defined critical areas. Additionally, corner lots provide additional benefits to the public including:

1. Initiation of a new sidewalk network on the block face
2. Handicap ramps for wheelchair-bound individuals
3. Refuge for pedestrians while waiting for safe crossing at the intersection

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

- Sidewalks

Subject Tract

MR-22
19-13 19

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

Aerial Photo Date: February 2018

Legend

Sidewalks

0 200 400 Feet
Item
Discuss proposed Subdivision and Development Regulations amendments to align with the proposed Sidewalk Ordinance

Background
The City of Tulsa adopted new regulations on subdivisions and development regulations in May of 2018. The intent of this update was to align the City’s regulatory policy with the goals and objectives of the Tulsa Comprehensive Plan.

Historically, sidewalks were only required to be installed by a developer if the project was going through a subdivision plat process. As a part of the updated regulations, the sidewalk requirements of the Subdivision & Development Regulations were applied to all properties seeking permits for new construction through an associated zoning code amendment. The result is a requirement for sidewalk installation on the following street classifications:

1. Arterials designated by the Major Street & Highway Plan
2. Collectors designated by the Major Street & Highway Plan
3. Residential streets with curb & gutter

By applying this standard, all residential infill construction is required to install sidewalks if the neighborhood has curb and gutter. This creates a situation where individual lots within existing subdivisions are required to install a sidewalk when no other sidewalks exist within the area. If property owners wish to seek relief of the sidewalk requirement, they are subjected to the modification procedures of the Subdivision & Development Regulations. Over the past year, 19 requests for modification have been approved and have fully removed the requirement for sidewalks from properties being developed.

In order to capture the resources for sidewalks without requiring sidewalks in areas where they are considered impractical, City staff has prepared a new ordinance for sidewalks that would allow property owners in non-critical areas to pay a fee-in-lieu of the sidewalk requirement. Those funds would be collected by the City and then allocated within specified areas to priority sidewalk projects. Additionally, the newly proposed ordinance would relocate the existing sidewalk requirements currently found in the Subdivision & Development Regulations and Tulsa Zoning Code to a stand-alone ordinance that defines both requirements and relief for sidewalks within the City of Tulsa. Sidewalk requirements for Tulsa County would remain in the Subdivision & Development Regulations.

The proposed amendment removes the currently listed requirements for the City of Tulsa and provides a reference to the newly proposed ordinance under consideration by the City Council.

Staff Recommendation
Discuss proposed amendments to the Subdivision & Development Regulations as shown on Attachment I in advance of a December 18, 2019 TMAPC Public Hearing.

Attachment(s)
Attachment I – Proposed amendments to Subdivision & Development Regulations
5-070 SIDEWALKS

5-070.1 City of Tulsa

A. Sidewalk requirements for properties located in the City of Tulsa are set forth in Title 35 (Section 602), Tulsa Revised Ordinances.

5-070.2 Unincorporated Tulsa County

A. Sidewalks must be installed on both sides of all arterial streets and on both sides of all collector streets and residential (local) streets with curb and gutter. Decision-making bodies are authorized to require the installation of sidewalks in other locations, such as at the end of permanent dead-end streets when they determine that such sidewalks will create a logical and well-connected pedestrian circulation system.

B. Sidewalks must be installed prior to issuance of a certificate of occupancy.

C. Sidewalks must be located inside the right-of-way line or in an alternative location approved by the county engineer.

D. All sidewalks must be constructed in accordance with the standards and specifications of Tulsa County, including sidewalk width requirements. When a sidewalk will provide a connection between existing sidewalks that are less than current required widths, the new sidewalk connection may be tapered to match the width of the sidewalk to which the connection is being made. This reduced width taper may not extend more than 7 feet from the point of connection and must comply with ADA requirements.

5-070.3 Sidewalks must be installed on both sides of all arterial streets and on both sides of all collector streets and residential (local) streets with curb and gutter. Decision-making bodies are authorized to require the installation of sidewalks in other locations, such as at the end of permanent dead-end streets when they determine that such sidewalks will create a logical and well-connected pedestrian circulation system.

5-070.4 Decision-making bodies are authorized to waive the requirement for sidewalk installation, in accordance with the modification procedures of 10-070, when they determine that the general modification approval criteria are met and that topography, natural-resource constraints or other factors that are unique to the subject property make sidewalk installation impractical.

5-070.5 Except as provided in 5-070.6, sidewalks must be installed prior to issuance of a certificate of occupancy.

5-070.6 Sidewalk deferrals may be approved pursuant to any applicable fee-in-lieu options available in the city or county (see also Title 35, Section 602, Tulsa Revised Ordinances).

5-070.7 Sidewalks must be located inside the right-of-way line or in an alternative location approved by the city or county engineer.

5-070.8 All sidewalks must be constructed in accordance with the standards and specifications of the city or county, including sidewalk width requirements. When a
sidewalk will provide a connection between existing sidewalks that are less than current required widths, the new sidewalk connection may be tapered to match the width of the sidewalk to which the connection is being made. This reduced width taper may not extend more than 7 feet from the point of connection and must comply with ADA requirements.