

TULSA METROPOLITAN AREA PLANNING COMMISSION

Meeting No. 2808

December 18, 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 November 06, 2019, Meeting No. 2805

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.

NONE

PUBLIC HEARINGS:

2. **Z-7515 GC Real Estate** (CD 1) Location: Multiple parcels south and west of the southwest corner of East Latimer Place and North Peoria Avenue requesting rezoning from **IL, RM-1 and IM to CH with an optional development plan** to support a Mixed-Use development (Continued from December 4, 2019)(Applicant has requested a continuance to January 22, 2020)
3. **SR-1** Amend the Tulsa Metropolitan Area Subdivision and Development Regulations to align with the recently approved City of Tulsa Sidewalk Ordinance

4. **Coyote Crossing** (County) Minor Subdivision Plat and Modification to the Subdivision & Development Regulations to permit flag lots, Location: East of the southeast corner of East 161st Street South and South Lewis Avenue
5. **MR-23** (CD 9) Modification to the Subdivision & Development Regulations to remove the sidewalk requirement for a new single-family residence, Location: North of the northwest corner of East 38th Street South and South Victor Avenue
6. **CPA-84 Felix Ruiz** (CD 6) Location: East of the southeast corner of East 11th Street South and South 177th East Avenue requesting to amend the Land Use Map designation from "Employment" to "New Neighborhood". **(related to Z-7518)**
7. **Z-7518 Felix Ruiz** (CD 6) Location: East of the southeast corner of East 11th Street South and South 177th East Avenue requesting rezoning from IL to AG **(related to CPA-84)**
8. **Z-7519 Brian Elliott** (CD 4) Location: North of the northwest corner of West 21st Street South and South Boulder Avenue requesting rezoning from **RM-2 to CH**
9. **CPA-85 Tyler Collier** (CD 2) Location: West of the southwest corner of West 42nd Place South and South 34th West Avenue requesting to amend the Land Use Map designation from "Existing Neighborhood" to "Employment". **(related to Z-7520)**
10. **Z-7520 Tyler Collier** (CD 2) Location: West of the southwest corner of West 42nd Place South and South 34th West Avenue requesting rezoning from **RS-3 to CS** **(related to CPA-85)**
11. **Z-7521 KKT Architects-Nicole Watts** (CD 6) Location: North of the northeast corner of East 41st Street South and South 145th East Avenue requesting rezoning from **RS-3 to RM-0 with optional development plan**
12. **Z-7522 KKT Architects-Nicole Watts** (CD 1) Location: Northwest corner of East 30th Street North and North Louisville Avenue requesting rezoning from **RS-3 to CG**
13. **Z-7523 Amanda Lowe** (CD 4) Location: East of the southeast corner of East 3rd Street South and South Quincy Avenue rezoning from **CH to IL with optional development plan**

OTHER BUSINESS

14. Commissioners' Comments

ADJOURN

CD = Council District

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

Visit our website at www.tmapc.org

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.

Sawyer, Kim

Cont to 1-22-20

From: Wilkerson, Dwayne
Sent: Thursday, December 12, 2019 12:54 PM
To: Sawyer, Kim
Cc: Miller, Susan; FRISCO YARDS
Subject: FW: Z-7515 with optional development plan

Kim,

The applicant agrees to an additional continuance for further refinement of the optional development plan standards. Please forward this request to the Planning Commission for a continuance to January 22, 2020.

Thanks

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



Shape Our Future
START HERE >



From: FRISCO YARDS <office@friscoyards.com>
Sent: Thursday, December 12, 2019 8:46 AM
To: Wilkerson, Dwayne <DWilkerson@incog.org>; Mike Sikes <msikes@sikesabernathie.com>; FRISCO YARDS <office@friscoyards.com>
Subject: Re: Z-7515 with optional development plan

Dwayne, I will yield to your recommendation. However we can't push it any further. I have a map breaking down the properties in a much more digestible way. I had planned on sending that today.

Please continue it to the 22nd of January.

Sent from my iPhone

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On Dec 12, 2019, at 7:58 AM, Wilkerson, Dwayne <DWilkerson@incog.org> wrote:

2.1

Good morning Stuart,

I still do not have enough information to proceed with our public hearing on the 18th. Please send me an email request for a continuance today. I believe it is best to consider moving the hearing to the January 22nd meeting however our next meeting is January 8th. Please let me know as soon as possible this morning.

Respectfully,

<image004.png> **Dwayne Wilkerson, ASLA, PLA**
Principal Planner | Current Planning
Tulsa Planning Office
2 W. 2nd St., 8th Floor | Tulsa, OK 74103
918.579.9475
dwilkerson@incog.org

<image005.jpg>

From: FRISCO YARDS <office@friscoyards.com>
Sent: Tuesday, November 26, 2019 10:13 AM
To: Wilkerson, Dwayne <DWilkerson@incog.org>; Becky Gligo <bgligo@cityoftulsa.org>; Hulse, Travis <thulse@incog.org>
Subject: Re: Z-7515 with optional development plan

When can we all meet?

Sent from my iPhone

CONFIDENTIALITY NOTICE: The contents of this email message and any attachments are intended solely for the addressee(s) and may contain confidential and/or privileged information and may be legally protected from disclosure. If you are not the intended recipient of this message or their agent, or if this message has been addressed to you in error, please immediately alert the sender by reply email and then delete this message and any attachments. If you are not the intended recipient, you are hereby notified that any use, dissemination, copying, or storage of this message or its attachments is strictly prohibited.

On Nov 26, 2019, at 9:47 AM, Wilkerson, Dwayne <DWilkerson@incog.org> wrote:

Kim,

Staff request a continuance for Z-7515 to the December 18th meeting. Additional time is required to complete the details of the optional development plan standards identified in the application.

Please forward this request to the Planning Commission Chair.

Thanks

<image002.png> **Dwayne Wilkerson, ASLA, PLA**
Principal Planner | Current Planning
Tulsa Planning Office
2 W. 2nd St., 8th Floor | Tulsa, OK 74103
918.579.9475
dwilkerson@incog.org

<image003.jpg>

Item

SR-1 – Amendment to the Subdivision and Development Regulations to align with the recently approved City of Tulsa Sidewalk Ordinance

Background

The City of Tulsa adopted new 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.

Staff presented these amendments to the Planning Commission at the November 20, 2019 TMAPC meeting. The proposed amendments remove the currently listed sidewalk requirements for the City of Tulsa and provides a reference to the new Sidewalk Ordinance approved by City Council on December 11, 2019. The Sidewalk Ordinance should take effect by mid-January, 2020.

Staff Recommendation

Approve amendments to the Subdivision & Development Regulations as shown on Attachment I

Attachment(s)

Attachment I – Proposed amendments to Subdivision & Development Regulations

5-070	SIDEWALKS
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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~~

AMENDMENT TO SUBDIVISION AND DEVELOPMENT REGULATIONS
ATTACHMENT I

~~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.~~



Tulsa Metropolitan Area
Planning Commission

Case : Coyote Crossing

Hearing Date: December 18, 2019

Case Report Prepared by:

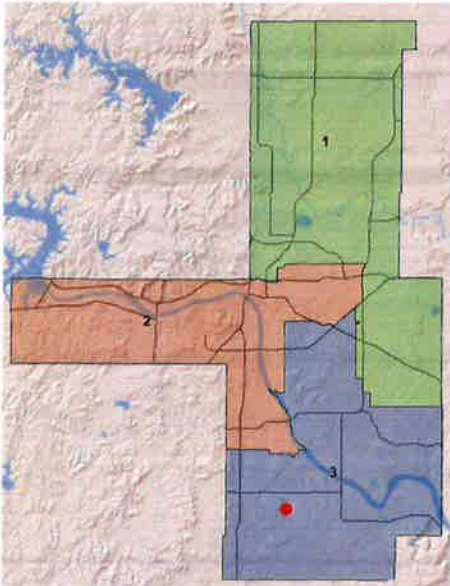
Nathan Foster

Owner and Applicant Information:

Applicant: Select Design, Ryan McCarty

Owner: Roller Enterprises, LLC

Location Map:
(shown with County Commission Districts)



Applicant Proposal:

Minor Subdivision Plat

Modification to the Subdivision &
Development Regulations

7 lots, 1 block, 46.95 ± acres

Location: East of the southeast corner of
East 161st Street South and South Lewis
Avenue

Zoning:

Current: RE/PUD-848

Proposed: AG-R

Staff Recommendation:

Staff recommends **approval** of the minor
subdivision plat and **approval** of the
modification to the Subdivision &
Development Regulations with conditions

County Commission District: 3

Commissioner Name: Ron Peters

EXHIBITS: Site Map, Aerial, Plat Submittal

MINOR SUBDIVISION PLAT

Coyote Crossing - (County)

East of the southeast corner of East 161st Street South and South Lewis Avenue

This plat consists of 7 lots, 1 block on 46.95 ± acres.

The Technical Advisory Committee (TAC) met on December 5, 2019 and provided the following conditions:

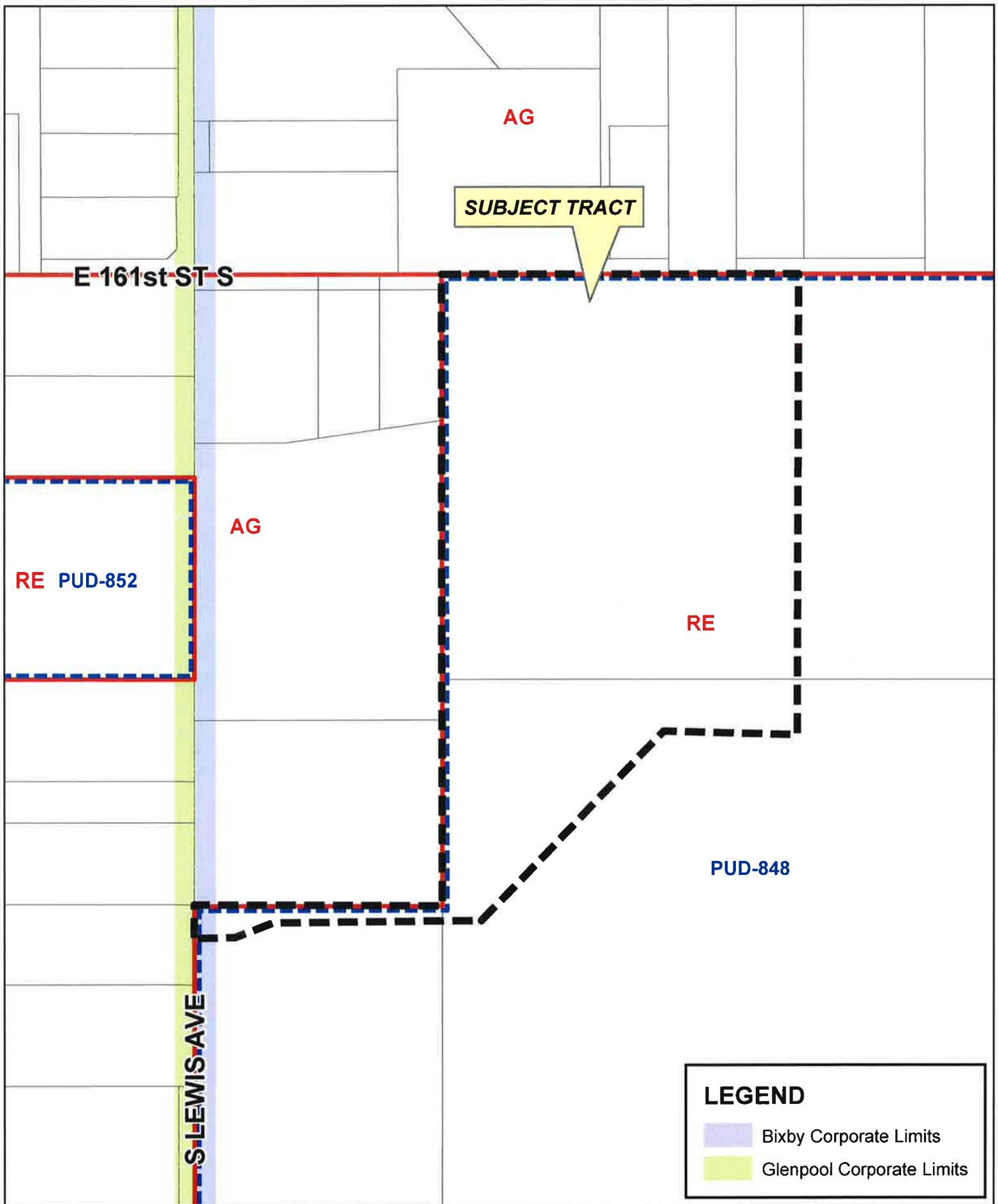
1. **Zoning:** Proposed lots conform to the requirements of the AG-R district in the Tulsa County Zoning code. Newly approved AG-R zoning must be effective prior to endorsement and filing of plat.
2. **Addressing:** Addresses provided by INCOG must be shown on face of the plat.
3. **Transportation & Traffic:** Due to the flag lot configuration, shared access points are required to limit direct access to the public right-of-way.
4. **Sewer/Water:** On-site sewage disposal. Water service to be provided by Creek County Rural Water District #2. Any improvements to existing water lines must be approved through the RWD.
5. **Stormwater, Drainage, & Floodplain:** Approved as submitted.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** All release letters have been received. Oil & Gas certificate was submitted.

Modification of Subdivision Regulations:

1. Modification to allow the use of flag lots within the proposed subdivision

Staff recommends **APPROVAL** of the minor subdivision plat and the modification to the Subdivision & Development Regulations subject to the conditions provided by TAC and the requirements of the Subdivisions Regulations.

All conditions of the Tulsa County Engineer must be met and a final plat release must be provided prior to the endorsement and filing of the plat.



LEGEND

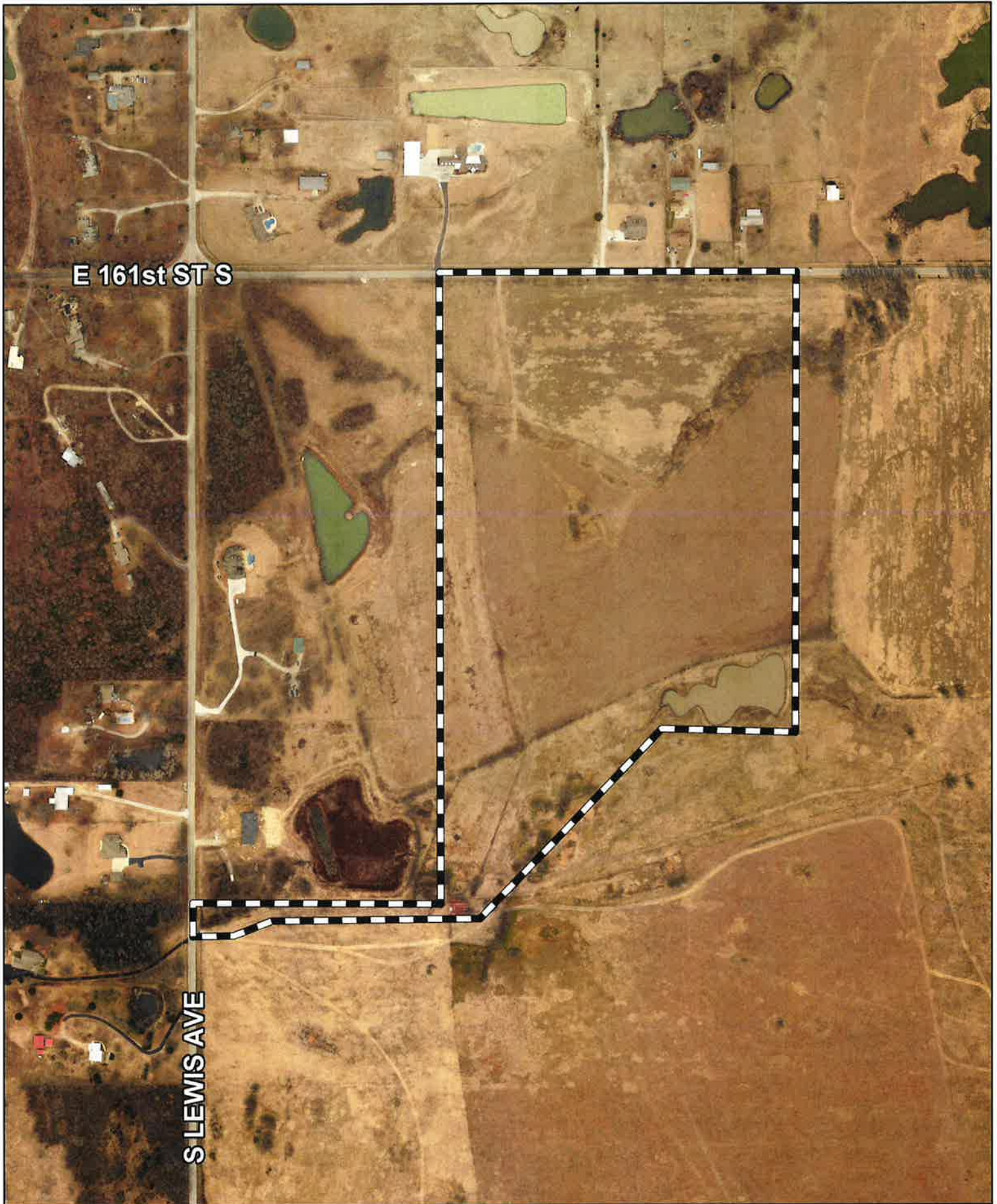
- Bixby Corporate Limits
- Glenpool Corporate Limits



COYOTE
CROSSING

17-13 29





E 161st ST S

S LEWIS AVE

0 Feet 200 400



Subject Tract

COYOTE CROSSING

17-13 29

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

Aerial Photo Date: February 2018



4.5

Coyote Crossing

A SUBDIVISION IN TULSA COUNTY, STATE OF OKLAHOMA, BEING A PART OF THE NW/4 OF SECTION TWENTY-NINE (29), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF.

Subdivision Statistics

SUBDIVISION CONTAINS SEVEN (7) LOTS IN ONE (1) BLOCK
GROSS SUBDIVISION AREA
2,045,238.88 SF / 46.95 ACRES

Basis of Bearings

GEODETIC NORTH

Monumentation

ALL CORNERS SHOWN HEREON WERE SET USING A 3/8" REBAR WITH A YELLOW PLASTIC CAP STAMPED "1318"

Benchmark

ADS MONUMENT "302": 3/8" REBAR W/ 1-1/2" ALUMINUM CAP AT 22.95' NORTH AND 31.01' EAST OF THE HWY SECTION CORNER
ELEVATION +731.485 (NAVD 1985)

Address

ADDRESS SHOWN ON THIS PLAT IS ACCURATE AT THE TIME THE PLAT WAS FILED. ADDRESS IS SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF THE LEGAL DESCRIPTION.

Floodplain Data

WE HAVE EXAMINED A MAP BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP, TULSA COUNTY, OKLAHOMA AND INCORPORATED AREAS, COMMUNITY PANEL NO. 49163C0040L, 1 OCTOBER 18, 2012, WHICH INDICATES THE SUBJECT PROPERTY TO BE WITHIN UNSHADED ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN)

Legend

BL BUILDING SETBACK LINE
LNA LIMITS OF NO ACCESS
P.O.B. POINT OF BEGINNING
P.O.C. POINT OF COMMENCEMENT
UE UTILITY EASEMENT



Scale: 1" = 100'

FINAL PLAT CERTIFICATE OF APPROVAL	
I HEREBY CERTIFY THAT THIS PLAT WAS APPROVED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION ON _____	
TMAP/PCOGS OFFICIAL _____	
THIS APPROVAL IS VOID IF THIS PLAT IS NOT FILED IN THE OFFICE OF THE COUNTY CLERK ON OR BEFORE _____	
COUNTY ENGINEER _____	

Owner / Developer

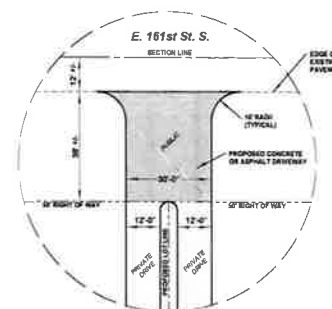
ROLLER ENTERPRISES, LLC
15801 SOUTH LEWIS AVENUE
BIXBY, OK 74008
PHONE: (918) 810-0826
MR. SHANE ROLLER

Surveyor

D. GOSS & ASSOCIATES
12341 HEYWOOD HILL ROAD
SAPULPA, OKLAHOMA 74066
PHONE: (918) 371-0095
EMAIL: survey@dgoss-survey.com
C.A. # 2632 EXPIRES 6-30-2020

Engineer

ENGINEERED BY DESIGN, PLLC
P.O. BOX 16501
DEL CITY, OKLAHOMA 73155
PHONE: (405) 234-0380
ahale@engineeredbydesign.pro
C.A. # 7655 EXPIRES 6-30-2020



TYPICAL DRIVEWAY DETAIL

SCALE: 1"=20'

COUNTY TREASURER STAMP



Tulsa Metropolitan Area
Planning Commission

Case : MR-23 – 3724 S. Victor Ave.

Hearing Date: December 18, 2019

Case Report Prepared by:

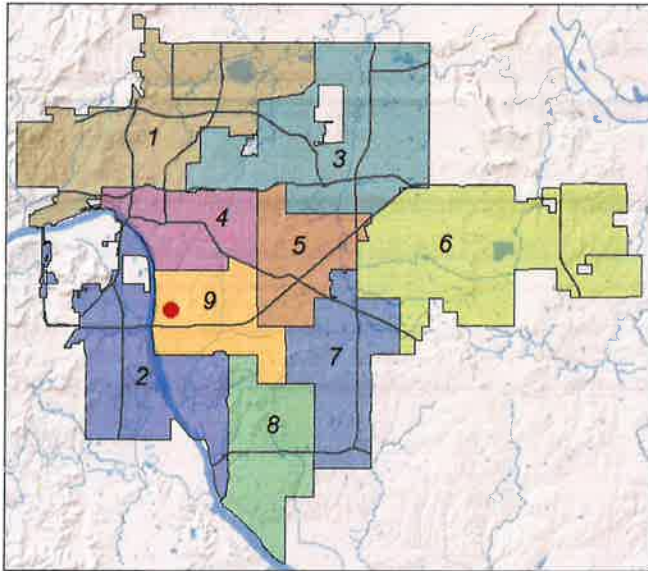
Nathan Foster

Owner and Applicant Information:

Applicant: Mike Alexander, Insight Homes

Owner: Michael & Debra Stockton

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Modification to the Subdivision and
Development Regulations

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

Location: North of the northwest corner of
East 38th Street South and South Victor
Avenue

Lot 6 Block 16 – Highland Park Estates
Amended

Zoning: RS-2

Staff Recommendation:

Staff recommends **approval** 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-23 – 3724 S. Victor Ave. - (CD 9)

North of the northwest corner of East 38th Street South and South Victor Avenue

Lot 6 Block 16, Highland Park Estates Amended

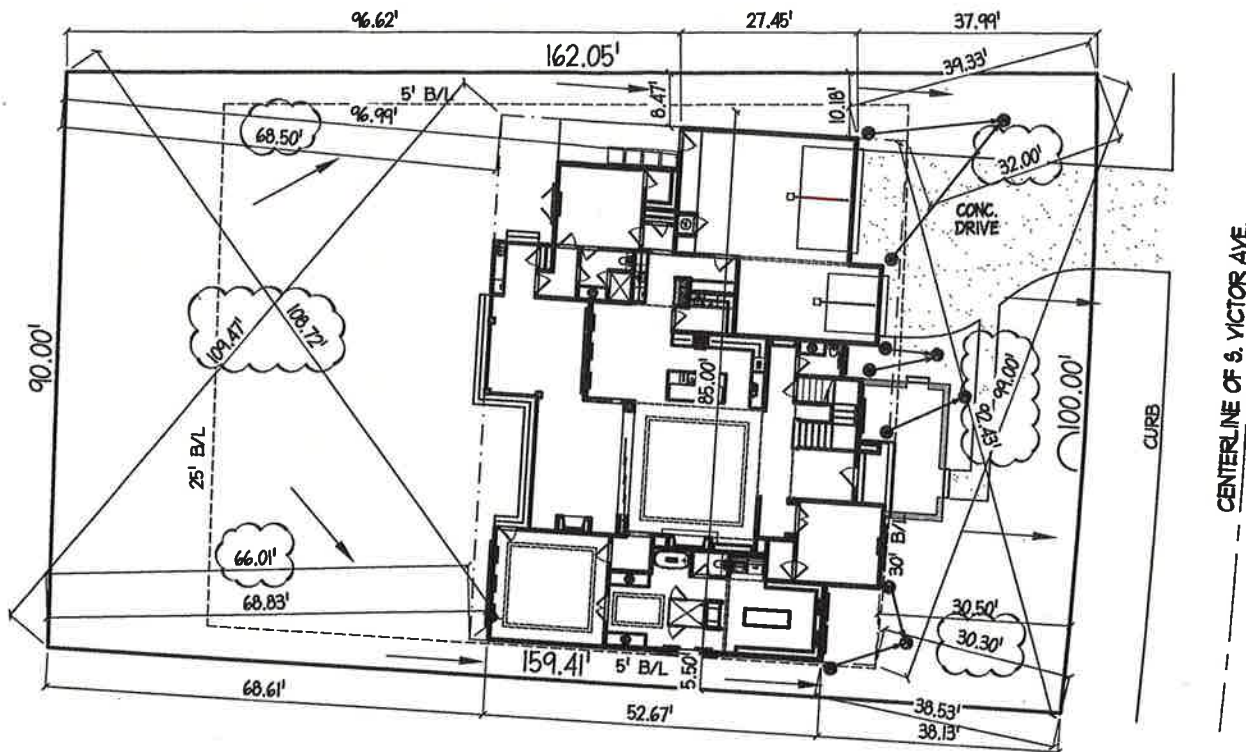
The applicant has requested that the Planning Commission remove the requirement that the property owner construct a sidewalk as part of the construction of a new home. The newly adopted Subdivision and Development Regulations require sidewalks to be constructed on any new development requiring both new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

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



LEGEND

(FD) FRENCH DRAIN FROM DOWNSPOUT TO CURB OR DAYLIGHT

(DS) DOWNSPOUT

INDICATES DRAINAGE FLOW (SCALE AS NEC.)

OPEN SPACE CALCULATIONS

LOT AREA	15348		
MAIN LEVEL	2465	DRIVENWAY	847
GARAGE	826	COV'D PORCH	669
OPEN SPACE	10041		

NOTE:

IT IS THE RESPONSIBILITY OF THE BUILDER TO ENSURE THIS SITE PLAN IS CORRECT AND THIS PROPOSED DWELLING HAS NO ENCROACHMENTS AT FORM BOARD STAGE. BUILDER WILL VERIFY WITH A FORM BOARD SURVEY FROM A REGISTERED SURVEYOR THAT PROPOSED SLAB FOOTPRINT DOES NOT ENCROACH INTO RECORDED EASEMENTS, AERIAL AND UTILITY EASEMENTS, BUILDING LINES, PROPERTY LINES OR SETBACKS PRIOR TO ANY CONSTRUCTION WHATSOEVER TO PREVENT POSSIBLE ENCROACHMENTS.

Bainbridge Design Group

7318 S. Yale Ave Ste. C, Tulsa, OK 74136

918.499.1497



SCALE = 1"=30'

FIELD VERIFY LOCATION OF HOUSE

Client:

Stockton Residence

Project:

19.05.01 - Plot Plan

Legal Description:

LOT 6, BLOCK 16, HIGHLAND PARK ESTATES, TULSA COUNTY, OKLAHOMA
3724 S. VICTOR AVE.

5.3

INSIGHT HOMES, INC.
2202 EAST 49TH STREET #310
TULSA, OK. 74105

March 7, 2019

Tulsa Metropolitan Planning Commission
c/o Land Use Administrator

Re: 3724 S. Victor Ave Tulsa, Oklahoma 74105 "Property"
Request for Modification of Sidewalk Requirement

Gentlemen:

Insight Homes, Inc is construction a single family residence on the Property. We are requesting a modification of the sidewalk requirement contained in Paragraph 5-070 of the Tulsa Metropolitan Area Subdivision and Development that provides that no certificate of occupancy shall be issued until a sidewalk is constructed. We are requesting that no sidewalk be required for a certificate of occupancy to be issued for the Property.

The Property is located in midtown Tulsa in Highland Park Estate Addition subdivision in which no sidewalks exist. To require a sidewalk for the Property would offer no utility to the area and would not be consistent with the current aesthetics of the area. These factors make the sidewalk installation impractical.

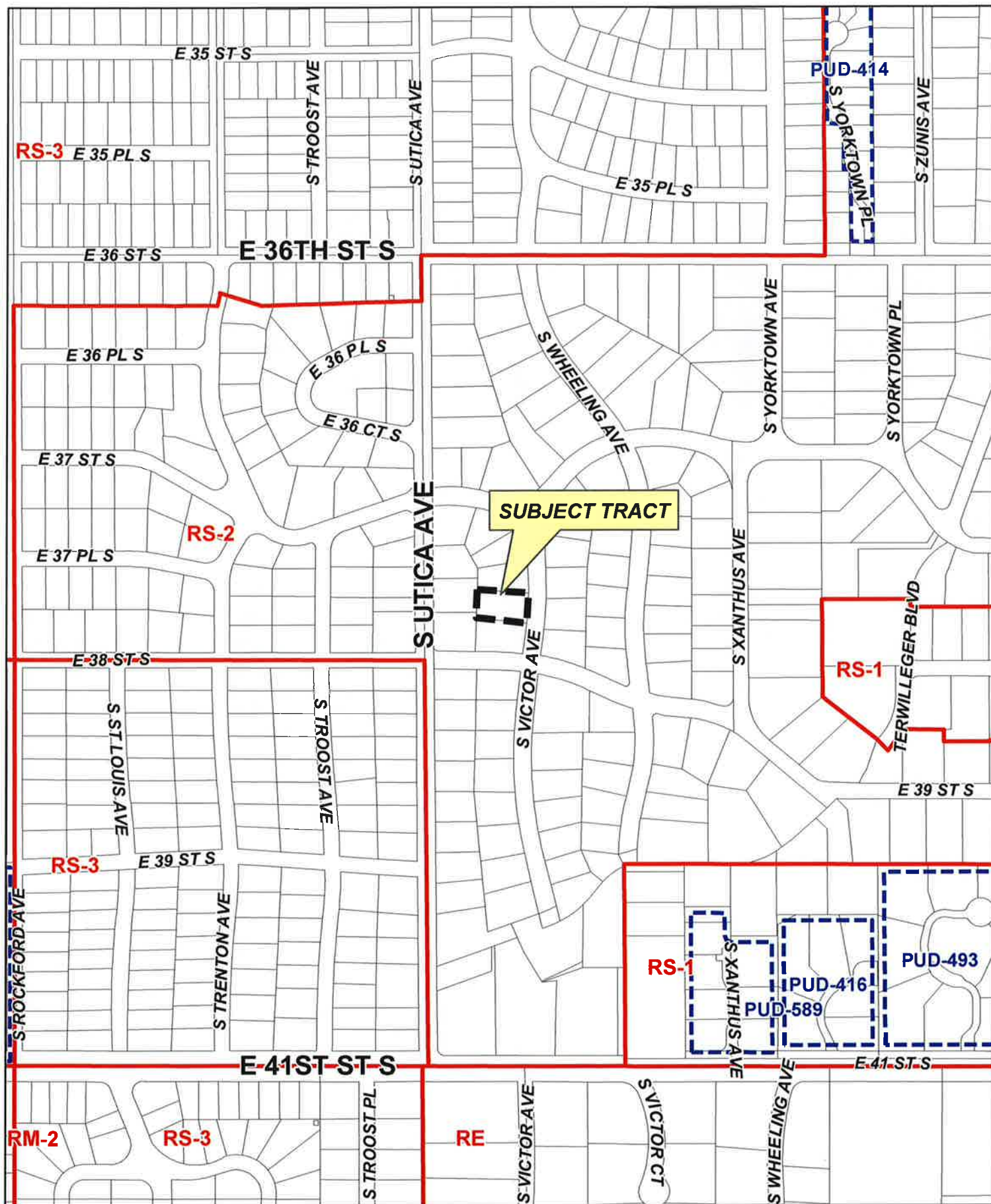
The granting of this modification will not be detrimental to the public safety, health or welfare, will not be injurious to other property or improvement, or impair the spirit, purposes or intent of applicable subdivision regulations or comprehensive plan policies.

Sincerely yours,

INSIGHT HOMES, INC.

A handwritten signature in dark ink, appearing to read 'Mike Alexander', with a long horizontal flourish extending to the right.

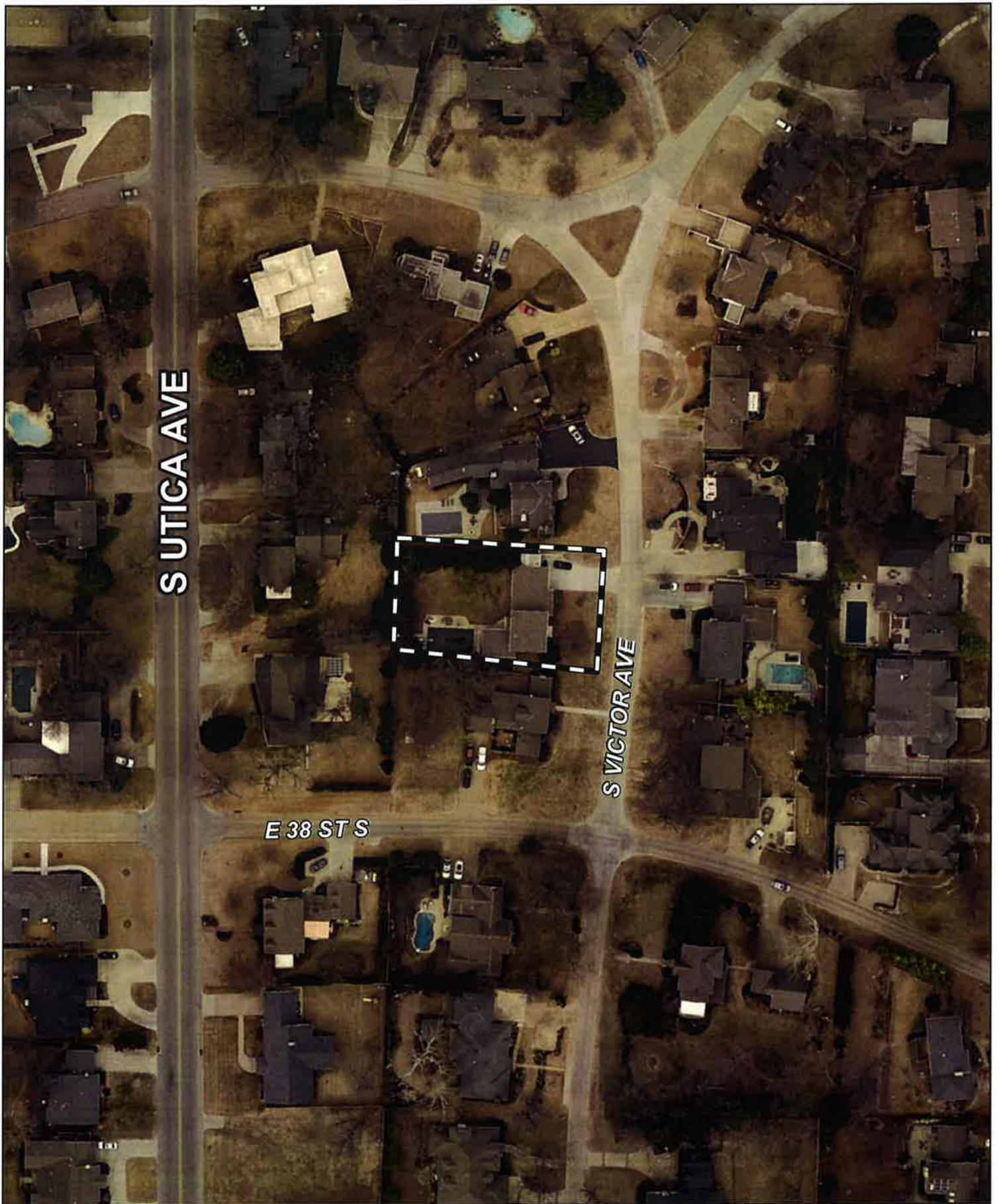
Mike Alexander



MR-23

19-13 19

5.5



SUTICA AVE

S VICTOR AVE

E 38 ST S

0 50 100
Feet



Subject
Tract

MR-23

19-13 19

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

Aerial Photo Date: February 2018



5.4



Feet
0 200 400



Subject
Tract

MR-23

19-13 19

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

Aerial Photo Date: February 2018



5.7



Legend

 Existing Sidewalks



Subject
Tract

MR-23

19-13 19

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

Aerial Photo Date: February 2018



5.8



Tulsa Metropolitan Area
Planning Commission

Case Number: CPA-84
Comprehensive Plan Amendment
(related to Z-7518)

Hearing Date: December 18, 2019

Case Report Prepared by:

Jani Wertin

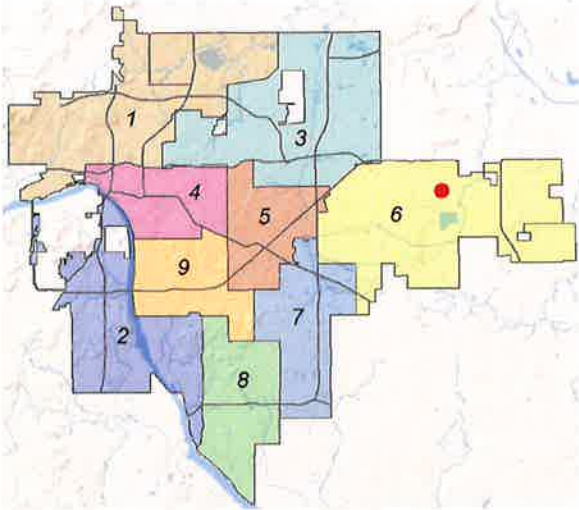
Owner and Applicant Information:

Applicant: Felix Ruiz

Property Owners: Felix Ruiz

Location Map:

(shown with City Council Districts)



Applicant Proposal:

Land Use Map change from ***Employment*** to
New Neighborhood

Tract Size: 13.66± acres

Location: East of the Southeast corner of East
11th Street South & South 177th East Avenue

Comprehensive Plan:

Land Use Map

Existing: *Employment*

Proposed: *New Neighborhood*

Stability and Growth Map

Existing: *Area of Growth*

Proposed: *Area of Growth*

Zoning

Existing Zoning: IL

Proposed Zoning: AG

Staff Recommendation:

Staff recommends **approval** of the *New Neighborhood* land use designation as submitted by the applicant.

City Council District: 6

Councilor Name: Connie Dodson

County Commission District: 1

Commissioner Name: Stan Sallee

TMAPC Staff Report
CPA-84
Comprehensive Plan Amendment

Property Information and Land use Request

The applicant has submitted this proposed Comprehensive Plan amendment (CPA-84) and a concurrent rezoning application (Z-7518) to request a change in the Land Use designation from *Employment* to *New Neighborhood*, as well as rezone from IL to AG to permit the building of a single-family residence on a 13.66± acre property, located east of the southeast corner of East 11th Street South & South 177th East Avenue.

Background

The Land Use and Area of Stability or Growth designations for the subject property were made in 2010 with the adoption of the 2010 Tulsa Comprehensive Plan. At this time, the subject property was assigned a Land Use designation of *New Neighborhood* and an Area of Stability or Growth designation of *Area of Growth*. As this property does not fall within a small area plan which would offer additional guidance through land use recommendations, the 2010 Tulsa Comprehensive Plan solely provides guidance regarding land use for this area.

In October of 2014, the land use designation for the subject property was changed from *New Neighborhood* to *Employment* via CPA-27. This comprehensive plan amendment was initiated after a request to rezone the subject property from AG to IL (Z-7250) was recommended denial by both staff and the Planning Commission due to the incompatibility between the proposed industrial use and the existing New Neighborhood Land Use designation. Following this meeting, the applicant continued conversations with TMAPC staff, City of Tulsa Planning staff, City Council staff, and adjacent property owners about other potential land use scenarios for the area. The applicant then appealed the TMAPC recommendation of denial to City Council. The City Council voted to approve the land use change to *Employment*, as well as the rezoning request to IL (Z-7250) for the site. Following these approvals, it was determined by the City of Tulsa Permit Center that the use proposed by the applicant was an IM use, not IL as originally thought, and would not be permitted by right in an IL district. The applicant then went before the Board of Adjustment to seek relief, requesting a Special Exception to permit a fabrication facility (Industrial/Moderate Manufacturing Industry) in an IL district, which was denied in March of 2016.

The current owner has requested to rezone the property back to AG (Z-7518) and change the Land Use designation back to *New Neighborhood* to allow the development of a single-family residence, which is not allowed in an IL district.

All surrounding properties are zoned AG with properties to the north, south, and east carrying a Land Use and Area of Growth or Stability designation of *New Neighborhood* and *Area of Growth*, with properties to the west carrying a Land Use and Area of Growth or Stability designation of *Employment* and *Area of Growth*.

Existing Land Use and Growth Designations (Tulsa Comprehensive Plan)

When the Tulsa Comprehensive Plan was developed and adopted in 2010 the subject tract was designated as an *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.”

An *Employment* land use designation was approved for the area subject in CPA 27 in October of 2014:

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

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

Proposed Land Use Designations (Tulsa Comprehensive Plan)

The applicant is proposing a *New Neighborhood* land use designation and to maintain the *Area of Growth* designation on the subject site.

“The New Neighborhoods 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.”

6.3

Zoning and Surrounding Uses:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	AG	<i>New Neighborhood</i>	<i>Area of Growth</i>	Commercial/ Single-family Residential
South	AG	<i>New Neighborhood</i>	<i>Area of Growth</i>	Agricultural
East	AG	<i>New Neighborhood</i>	<i>Area of Growth</i>	Vacant
West	AG	<i>Employment</i>	<i>Area of Growth</i>	Vacant/ Single-family Residential

Applicant's Justification:

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

1. How conditions on the subject site have changed, as well as those on adjacent properties and immediate area;
2. How changes have impacted the subject site to warrant the proposed amendment; and;
3. How the proposed change will enhance the surrounding area and the City of Tulsa.

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

- The properties in the area have not seen any recent changes.
- Because there has been no change, and the proposed development is residential, this warrants a rezoning and comprehensive plan amendment.
- The property will be developed as originally intended and be in line with the surrounding properties.

Staff Summary & Recommendation

While the land use and zoning designation for the subject property was changed from *New Neighborhood* to *Employment* and AG to IL in October of 2014 via CPA-27 and Z-7520, the current owner has requested to change the land use designation and zoning of the subject property back to *New Neighborhood* and AG (Z-7518) to allow the development of a single-family residence, which is not currently permitted in an IL zoned district.

The subject property is a 13.66+ acre IL zoned lot and is currently vacant. The abutting properties are all zoned AG, with the abutting properties to the north containing a single-family residence and auto garage, abutting properties to the south containing an out building for animals and is being utilized for agricultural purposes, and properties to the east and west being largely vacant with one parcel to the east containing a single-family residence. This has not changed since 2014.

When CPA-27 was originally approved, it was thought that this area would experience increased interest and development as an employment center that would benefit the area. As the area has not changed since 2014 and not experienced non-residential growth as originally anticipated, the

land use change may have been premature. Taking into consideration both the land use and zoning designations, as well as active uses of the properties surrounding the subject property, the request made by the Applicant to change the Land Use designation from *Employment* to *New Neighborhood* appears to be in-line with the current character of the area, as well as available infrastructure. As for the rest of the properties assigned *Employment* as their Land Use designation through CPA-27, this area will be re-evaluated as part of the update to the Tulsa Comprehensive Plan.

Staff recommends **approval** of the *New Neighborhood* land use designation as submitted by the applicant.

S LYNN LANE RD

SUBJECT TRACT
LAND USE PLAN
EMPLOYMENT &
NEW NEIGHBORHOOD

E 11th ST S

S 179 E AVE

E 12 ST S

S 177 E AVE

E 13 ST S

E 15 ST S

S 181 E AVE

Land Use Plan Categories

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



CPA-84

19-14 12



S LYNN LANE RD

SUBJECT TRACT

E 11th ST S

S 179 E AVE

E 12 ST S



S 177 E AVE

E 13 ST S

E 15 ST S

S 181 E AVE

Growth and Stability

-  Area of Growth
-  Area of Stability



CPA-84

19-14 12





S LYNN LANE RD

E 11th ST S

S 179 E AVE

E 12 ST S

S 177 E AVE

E 13 ST S

E 15 ST S

S 181 E AVE

0 250 500
Feet



Subject
Tract

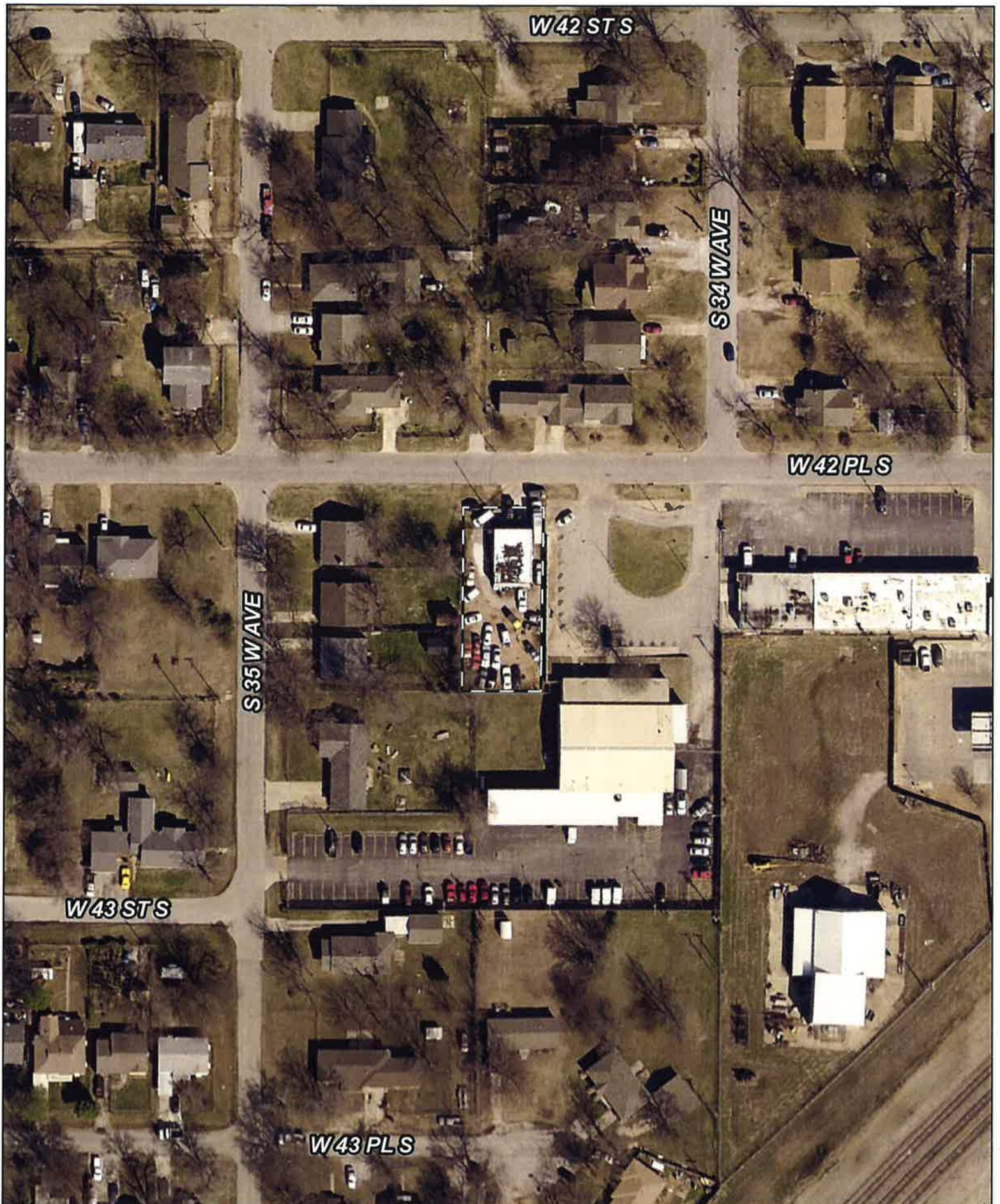
CPA-84

19-14 12

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

Aerial Photo Date: February 2018





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Feet



Subject
Tract

CPA-85

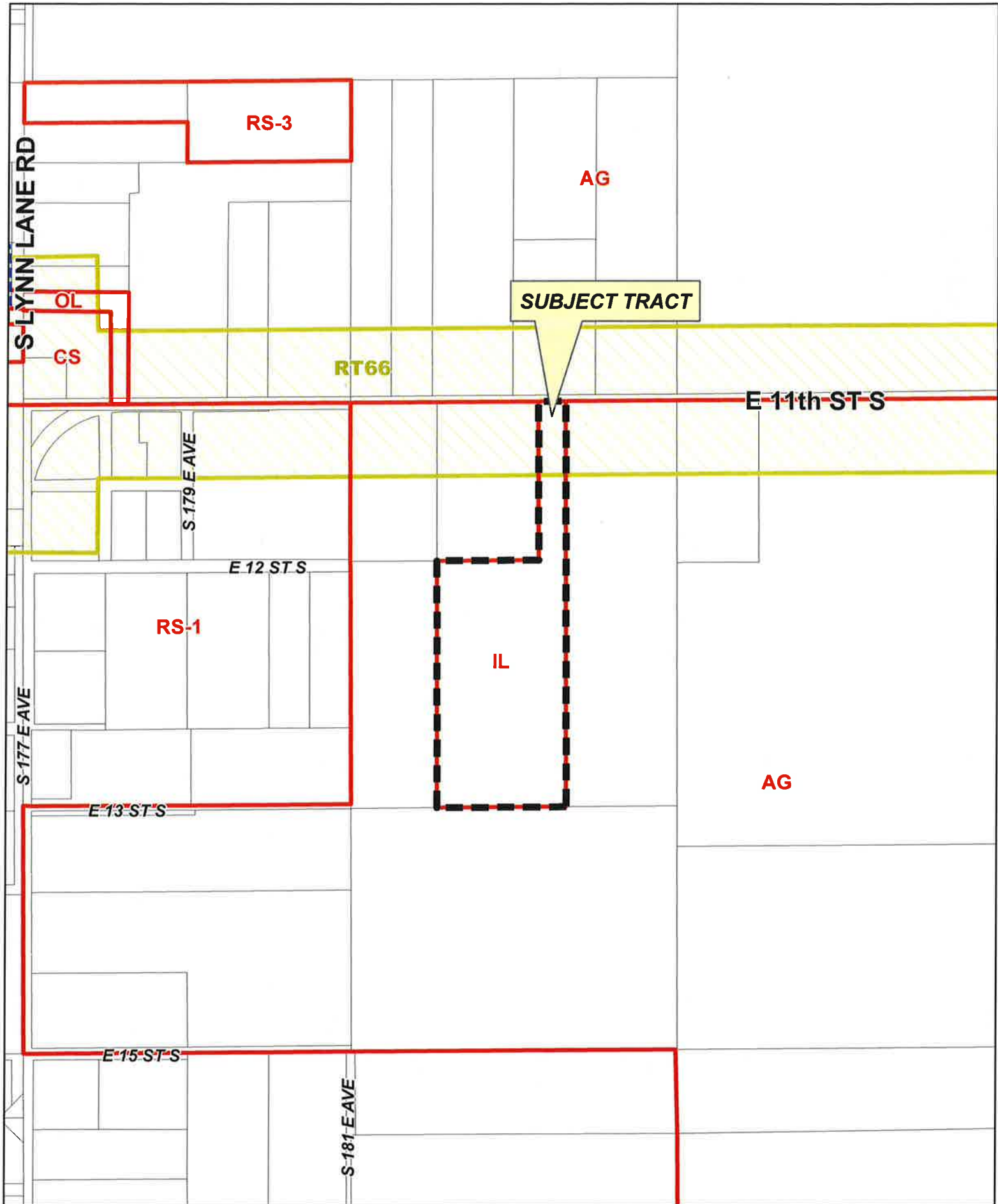
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Note: Graphic overlays may not precisely
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Aerial Photo Date: February 2018

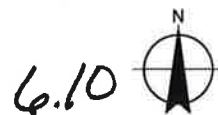
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CPA-84

19-14 12





Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7518
(related to CPA-84)

Hearing Date: December 18, 2019

Case Report Prepared by:

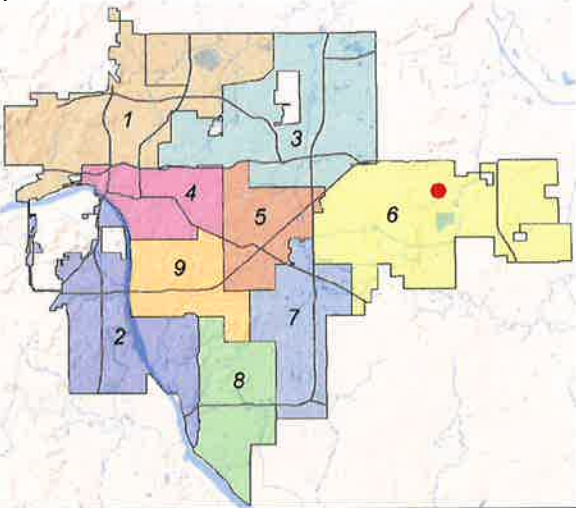
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Felix Ruiz

Property Owner: Felix Ruiz

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Vacant/ Mobile Office

Proposed Use: Single-family Residential

Concept summary:

Tract Size: 13.66 ± acres

Location: East of the Southeast corner of East 11th
Street South & South 177th East Avenue

Zoning:

Existing Zoning: IL

Proposed Zoning: AG

Comprehensive Plan:

Existing Land Use Map: Employment

Proposed Land Use Map: New Neighborhood

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends **approval** of Z-7518 to rezone
property from IL to AG.

Staff Data:

TRS: 9412
CZM: 40

City Council District: 6

Councilor Name: Connie Dodson

County Commission District: 1

Commissioner Name: Stan Saltee

SECTION I: Z-7518

DEVELOPMENT CONCEPT:

The applicant has submitted a request to rezone the property from IL to AG to permit the development of a single-family detached home.

EXHIBITS:

INCOG Case map

INCOG Aerial (small scale)

INCOG Aerial (large scale)

Tulsa Comprehensive Plan Land Use Map

Tulsa Comprehensive Plan Areas of Stability and Growth Map

Applicant Exhibits:

None provided

DETAILED STAFF RECOMMENDATION:

Staff recommends Approval of Z-7518 to rezone property from IL to AG.

The land use and zoning designation for the subject property was changed from *New Neighborhood* to *Employment* and AG to IL in October of 2014 via CPA-27 and Z-7520. The developer was not able to develop the site as intended however the land use designation is still valid and,

The current owner has requested to change the land use designation and zoning of the subject property back to *New Neighborhood* and AG (Z-7518) to allow the development of a single-family residence which is not currently permitted in an IL zoned district and,

The subject property is a 13.66+ acre IL zoned lot and is vacant. The abutting properties are all zoned AG, with the abutting properties to the north containing a single-family residence and auto garage, abutting properties to the south containing an out-building for animals and is being utilized for agricultural purposes, and properties to the east and west being largely vacant with one parcel to the east containing a single-family residence. The surrounding property uses have not changed in character since 2014 and,

AG zoning is primarily intended to accommodate agricultural, mining or mineral processing uses in rural areas. The district allows very low density residential and other uses and 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 the proposed AG zoning. In order to permit all agricultural uses and building types.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: In October of 2014, the land use designation for the subject property was changed from New Neighborhood to Employment via CPA-27. This comprehensive plan amendment was initiated after a request to rezone the subject property from AG to IL (Z-7250) was recommended denial by both staff and the Planning Commission due to the incompatibility between the proposed industrial use and the existing New Neighborhood Land Use designation. Following this meeting, the applicant continued conversations with TMAPC staff, City of Tulsa Planning staff, City Council staff, and adjacent property owners about other potential land use scenarios for the area. The applicant then appealed the TMAPC recommendation of denial to City Council. The City Council voted to approve the land use change to Employment, as well as the rezoning request to IL (Z-7250) for the site. Following these approvals, it was determined by the City of Tulsa Permit Center that the use proposed by the applicant was an IM use, not IL as originally thought, and would not be permitted by right in an IL district. The applicant then went before the Board of Adjustment to seek relief, requesting a Special Exception to permit a fabrication facility (Industrial/Moderate Manufacturing Industry) in an IL district, which was denied in March of 2016.

The current owner has requested to change the land use designation and zoning of the subject property back to New Neighborhood and AG (Z-7518) to allow the development of a single-family residence. That use is not currently permitted in an IL zoned district. The subject property is a 13.66+ acre IL zoned lot and is currently vacant. The abutting properties are all zoned AG, with the abutting properties to the north containing a single-family residence and auto garage, abutting properties to the south containing an out building for animals and is being utilized for agricultural purposes, and properties to the east and west being largely vacant with one parcel to the east containing a single-family residence. This has not changed since 2014.

When CPA-27 was originally approved, it was thought that this area would experience increased interest and development as an employment center. The area did not experience the development that was originally anticipated.

Land Use Vision:

Land Use Plan map designation: Employment

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

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

Areas of Stability and Growth designation: Area of Growth

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

these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

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

Transportation Vision:

Major Street and Highway Plan: The Comprehensive Plan designates East 11th Street South as a secondary arterial.

Trail System Master Plan Considerations: As a part of the GO-Plan, this part of East 11th Street South is designated as a Signed Bike Route.

Small Area Plan: There is no small area plan that requires consideration in this area.

Special District Considerations: There are no special districts that require consideration in this area.

Historic Preservation Overlay: There are no historic preservation overlays that require consideration in this area.

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary:

The subject property is a 13.66± acre IL zoned lot and is currently vacant. The abutting properties are all zoned AG, with the abutting properties to the north containing a single-family residence and auto garage, abutting properties to the South containing an out building for animals and is being utilized for agricultural purposes, and properties to the east and west being largely vacant with one parcel to the east containing a single-family residence.

Environmental Considerations: The 100 year floodplain runs between East 11th Street South and East 15th Street South, spanning from beyond South Lynn Lane Road to South 193rd East Avenue and crossing the southern end of the subject property.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 11 th Street South	Secondary Arterial	100 ft.	2

Utilities:

The subject tract has municipal water service. Sanitary sewer is not available at this time. A private septic system will be required.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	AG	<i>New Neighborhood</i>	<i>Area of Growth</i>	Commercial/ Single-family Residential
South	AG	<i>New Neighborhood</i>	<i>Area of Growth</i>	Agricultural
East	AG	<i>New Neighborhood</i>	<i>Area of Growth</i>	Vacant
West	AG	<i>Employment</i>	<i>Area of Growth</i>	Vacant/ Single-family Residential

SECTION III: Relevant Zoning History

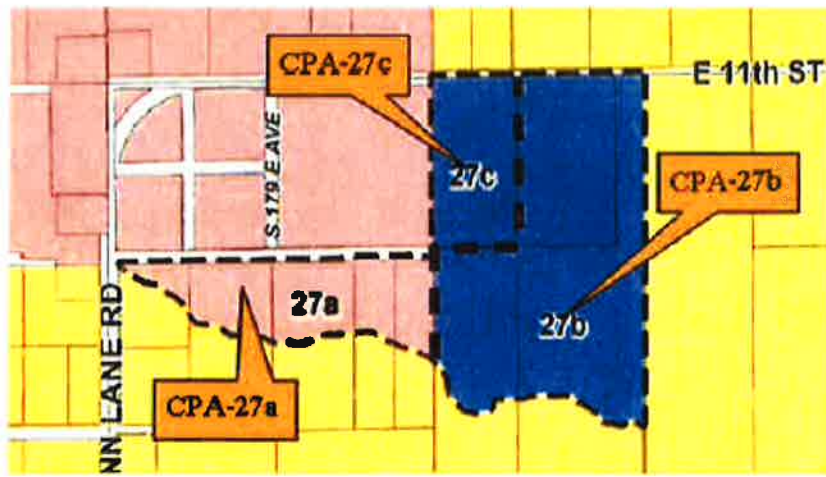
ZONING ORDINANCE: Ordinance number 11818 dated June 26, 1970 established zoning for the subject property.

Subject Property:

BOA-22041 March 2016: The Board of Adjustment **denied** a *Special Exception* to permit a fabrication facility (Industrial/Moderate Manufacturing Industry) in the IL District, on property located at 18280 East 11th street South.

Z-7250 January 2014: All concurred in **denial** of a request for *rezoning* a 13± acre tract of land from AG to IL on property located east of the southeast corner of East 11th Street and South 177th East Avenue. This decision was overturned by City Council, and the request was ultimately **approved** on October 2nd, 2014.

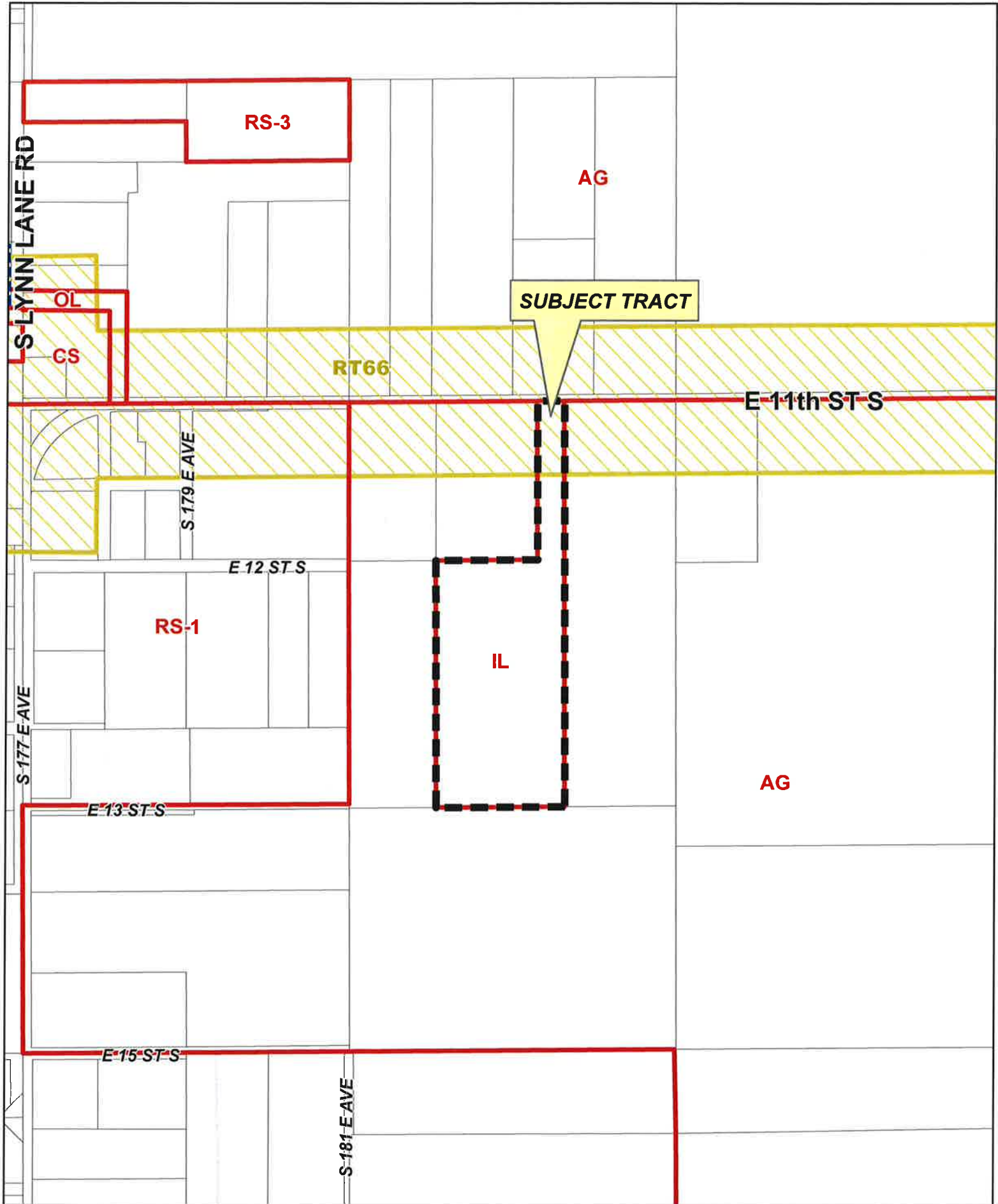
CPA-27b September 2014: All concurred in **approval** to *adopt* an amendment to CPA-27, amending the land use from New Neighborhood to Employment on property located east of the southeast corner of East 11th Street and South 177th East Avenue.



Surrounding Property:

Z-7319 October 2015: All concurred in **denial** of a request for rezoning a 2.5± acre tract of land from AG to IL, on property located south of the southeast corner of East 11th Street and South 177th East Avenue.

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Z-7518

19-14 12

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S LYNN LANE RD

E 11th ST S

S 179 E AVE

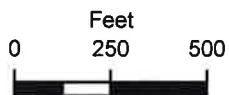
E 12 ST S

S 177 E AVE

E 13 ST S

E 15 ST S

S 181 E AVE



Subject
Tract

Z-7518

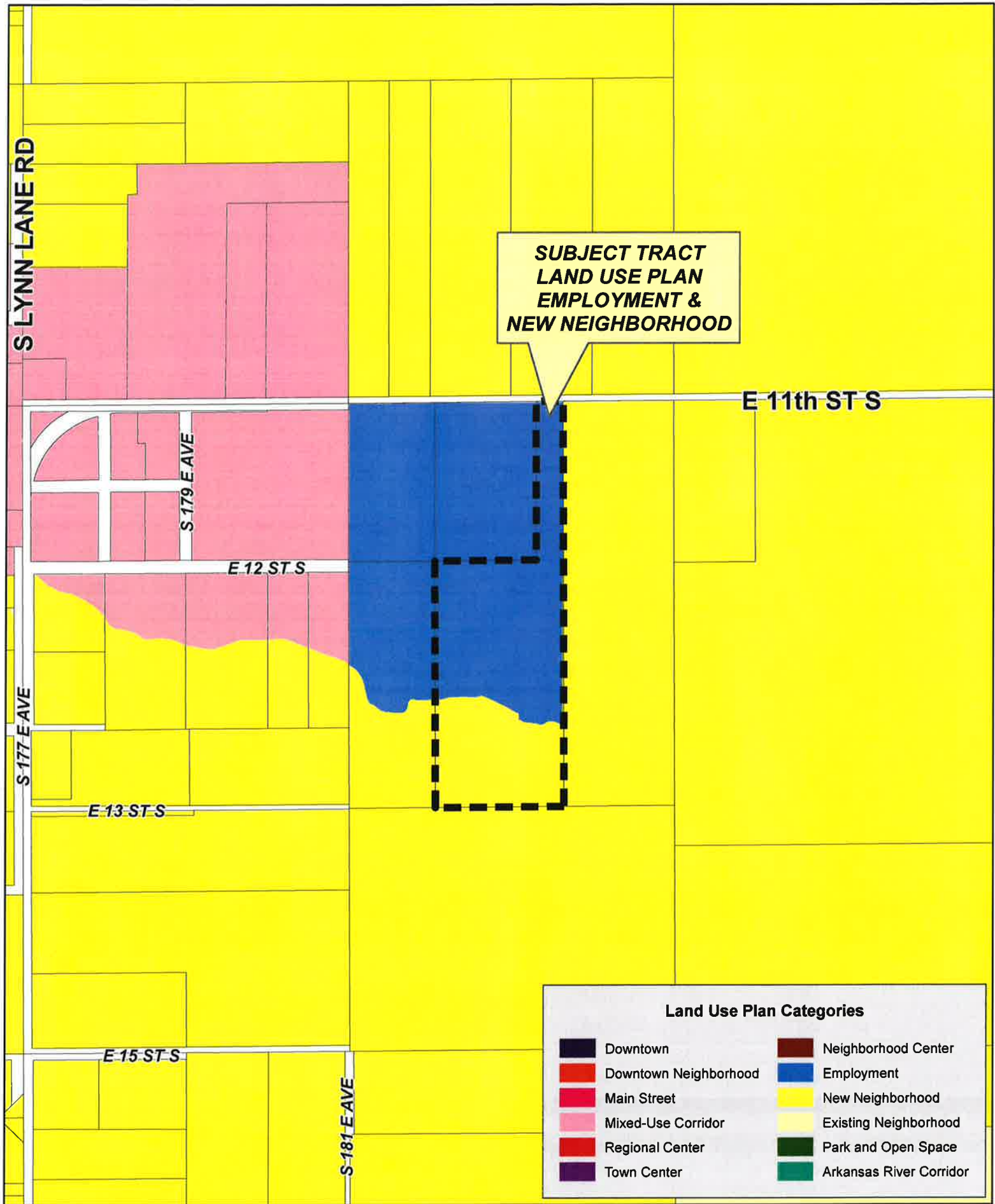
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Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2018

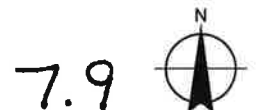
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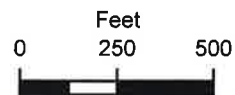
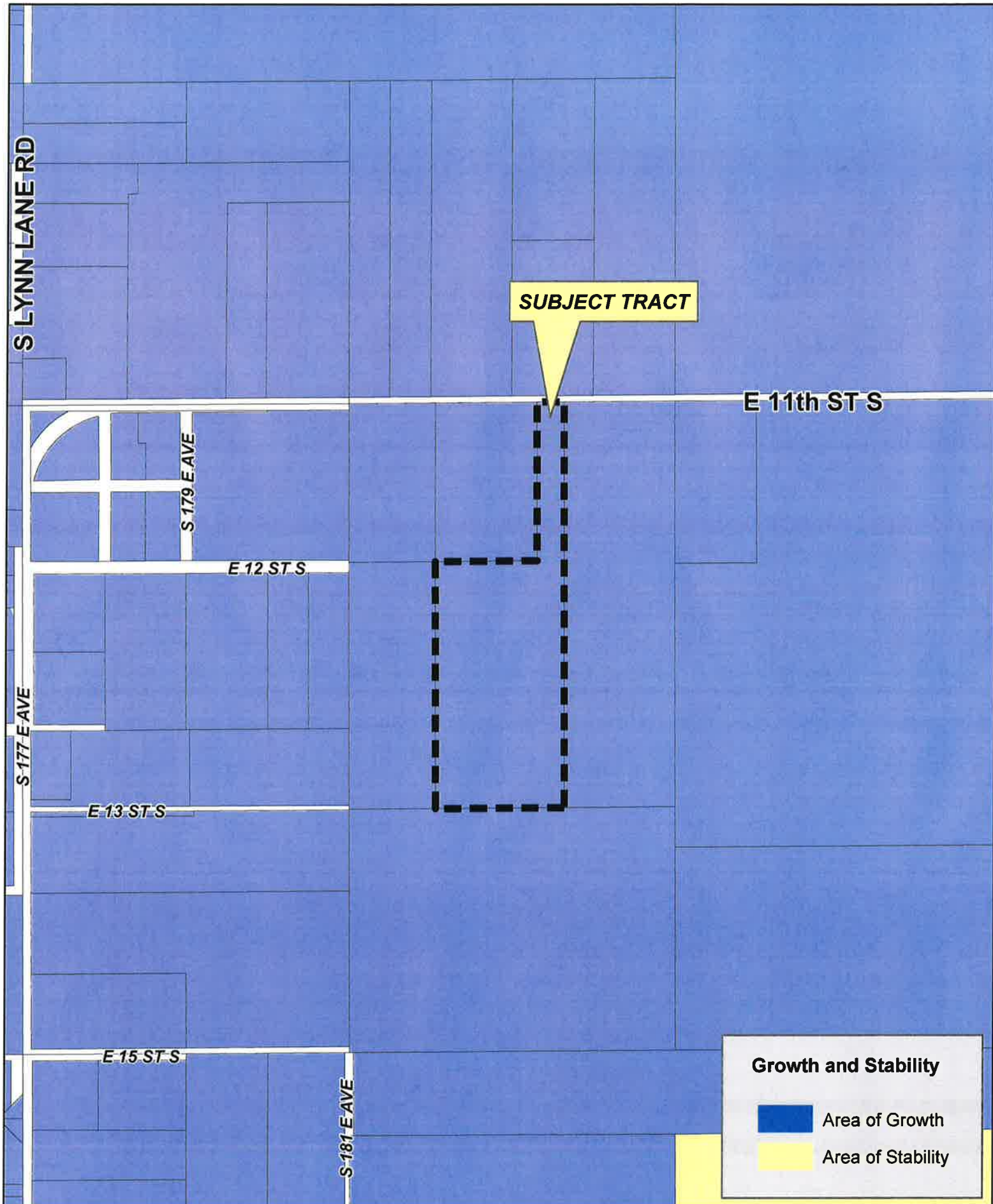




Z-7518

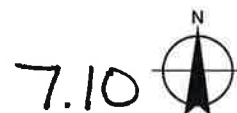
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Z-7518

19-14 12





Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7519

Hearing Date: December 18, 2019

Case Report Prepared by:

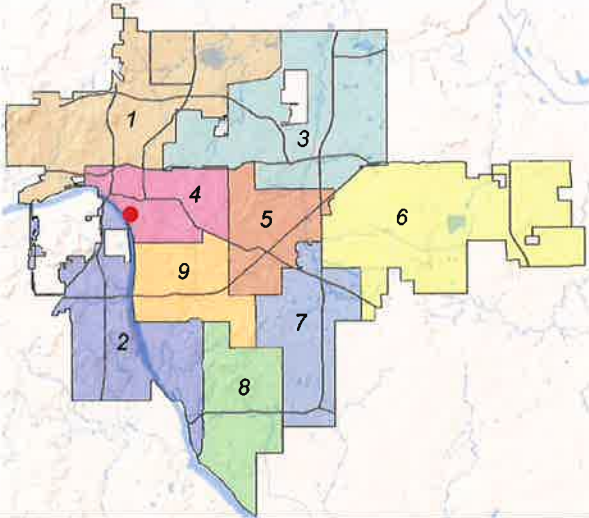
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Brian Elliott

Property Owner: BOULDER PLAZA LOFTY
ENTERPRISES LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Residential

Proposed Use: Lodging: Hotel/Motel

Concept summary:

Tract Size: 0.81 ± acres

Location: North of the northwest corner of West
21st Street South & South Boulder Avenue

Zoning:

Existing Zoning: RM-2

Proposed Zoning: CH

Comprehensive Plan:

Land Use Map: Downtown Neighborhood

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 9212

CZM: 36

City Council District: 4

Councilor Name: Kara Joy McKee

County Commission District: 2

Commissioner Name: Karen Keith

8.1

SECTION I: Z-7519

DEVELOPMENT CONCEPT:

The applicant is planning to redevelop the exiting building into a hotel use with possible mixed uses that are consistent with the Downtown Area Master Plan and the Downtown Neighborhood land use designation.

EXHIBITS:

- INCOG Case map
- INCOG Aerial (small scale)
- INCOG Aerial (large scale)
- Tulsa Comprehensive Plan Land Use Map
- Tulsa Comprehensive Plan Areas of Stability and Growth Map
- Applicant Exhibits:

DETAILED STAFF RECOMMENDATION:

CH zoning as requested by the applicant provides the greatest flexibility of uses and is consistent with the land use designation shown in the comprehensive plan and,

The Downtown Area Master Plan recognizes the subject tract as an area that can be developed with a density that is greater than has previously been used and encourages development for mixed-uses, retail, residential and offices,

Repurposing the existing building will provide stability to the surrounding area and is consistent with the expected growth pattern between development inside the inter-dispersal loop and the river corridor, therefore,

Staff recommends Approval of Z-7519 to rezone property from RM-2 to CH.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary:

The CH zoning district is consistent with the Downtown Neighborhood vision and is also consistent with the redevelopment opportunities identified in the Downtown Area Master plan.

Land Use Vision:

Land Use Plan map designation: Downtown Neighborhood

Downtown Neighborhoods are located outside but are tightly integrated with the Downtown Core. These areas are comprised of university and higher educational campuses and their attendant housing and retail districts, former warehousing and manufacturing areas that are evolving into areas where people both live and work, and medium- to high-rise mixed-use residential areas. Downtown Neighborhoods are primarily pedestrian-oriented and are well connected to the Downtown Core via local transit. They feature parks and open space, typically at the neighborhood scale.

Areas of Stability and Growth designation: Area of Growth

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

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

Transportation Vision:

Major Street and Highway Plan: None that affect site redevelopment

Trail System Master Plan Considerations: None that affect site redevelopment however the subject property is very close to the River Parks trail system and the Midland Valley Trail.

Small Area Plan: Downtown Area Master Plan

The subject property is specifically identified in the Downtown Master Plan as follows:

- Not identified as a historic resource
- Located in a Near Downtown area and a Transit Corridor in the Downtown Area Master Plan
- Included in a Development opportunity area that encourages significant infill along with residential, entertainment, business and mixed-use opportunities.
- Near a downtown gateway where opportunities to develop attractive front doors through landscaping, signs, fountains, greenspace, art and other appropriate urban design features.
- Recognizes this area as an Arkansas River – Downtown Connector with on-street transit system and rolling stock.

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is an existing multifamily building and has been used for business school, residential and some offices use. The site has limited parking and may require alternative parking solutions including shared parking and access with abutting property owners.

Street View Snippet from southeast corner of site looking northwest:



Environmental Considerations:

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Boulder Park Drive	Urban Arterial	70 feet	4

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	OM and OH	Downtown Neighborhood	Growth	Office
East	RM-2	Parka and Open Space	Stability	Veterans Park
South	OL	Downtown Neighborhood	Growth	Office
West	RS-4	Downtown Neighborhood	Stability	Single Family Residential

SECTION III: Relevant Zoning History

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

Subject Property:

BOA-05574 September 1967: The Board of Adjustment **approved** a *Variance* of Section 7(1) to permit a sign consistent with the applicant's specifications in a U-2B district on property located 1840 South Boulder.

BOA-05328 January 1967: The Board of Adjustment **approved** a request for permission to convert building for use by Draughon's Business College with the two lower floors and part of the basement designated for the school and the top six floors designated for a dormitory in a U-2-B District, on property located on the North 30 feet of Lot 32, all of lots 33-37, and the South 15 feet of Lot 38, Block 6 Buena Vista Park Addition.

BOA-01908 May 1947: The Board of Adjustment **approved** a request to extends a non-conforming use to permit the erection of a radio antenna on the property adjoining the present studio, on property located Lot 32, Block 6, Buena Vista Park.

Surrounding Property:

BOA-22348 October 2017: The Board of Adjustment **approved** a Special exception to allow a bed and breakfast (Airbnb) in an RS-4 District and a Variance to allow cooking facilities in a guestroom in a bed and breakfast for no more than 5 years, finding the hardship to be the structure was originally designed and constructed as a detached garage apartment with cooking facilities already existing in the structure on property located at 1929 South Cheyenne Avenue West.

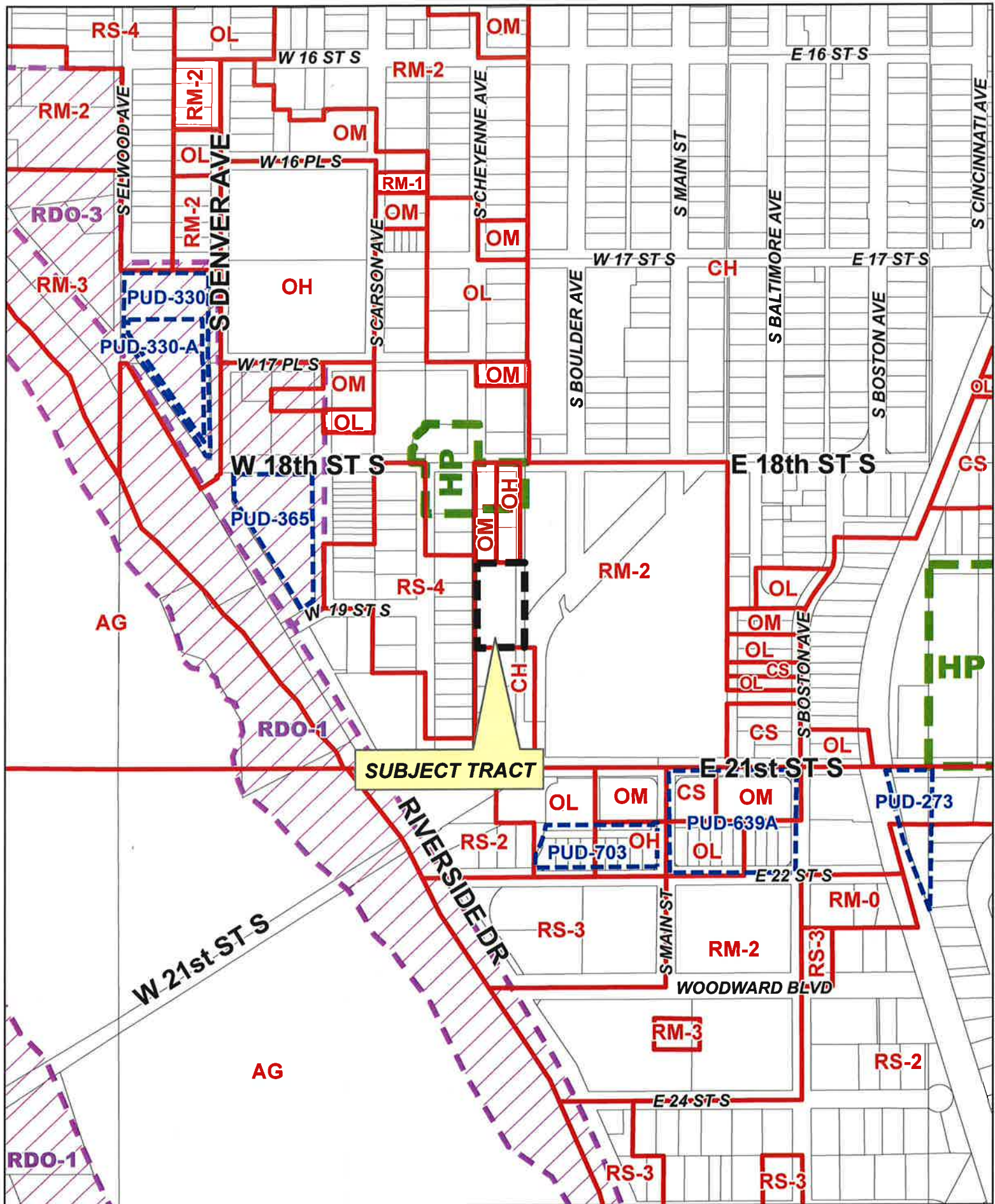
Z-6331 January 1992: All concurred in **approval** of a request for *rezoning* a 120'x120'x120'x280'± acre tract of land from RM-2/OM/OH to HP, on property located on the north and south sides of West 18th Street at South Cheyenne Avenue.

Z-5938 August 1984: All concurred in **approval** of a request for *rezoning* a 1.04± acre tract of land from OM to OH, on property located west of the southwest corner of 18th Street and South Boulder Avenue.

Z-4704 July 1974: All concurred in **approval** of a request for *rezoning* a .87± acre tract of land from RM-2 to OM on property located south of 18th Street at Cheyenne Avenue.

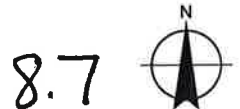
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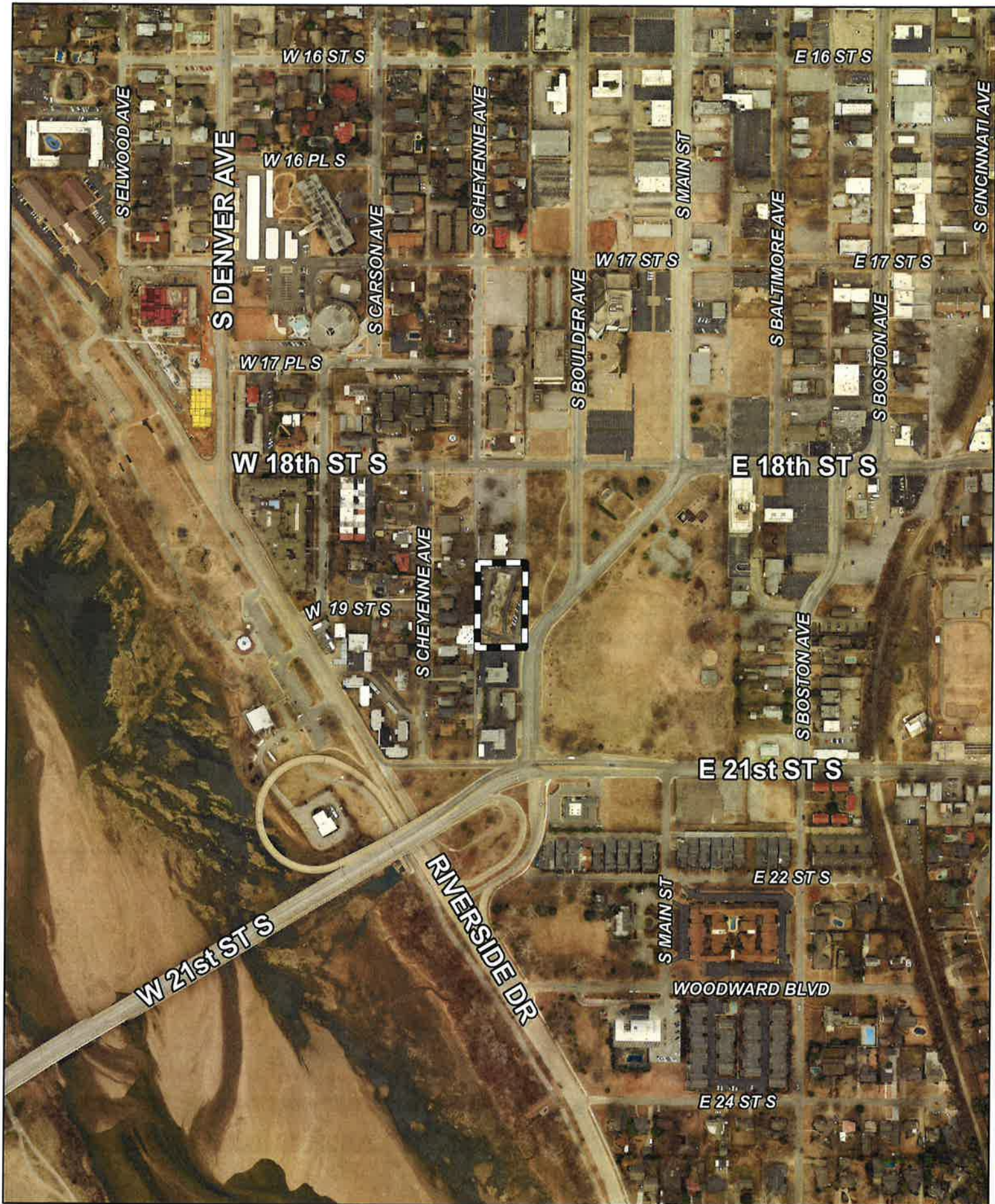
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Z-7519

19-12 12





0 Feet 200 400



Subject Tract

Z-7519

19-12 12

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

Aerial Photo Date: February 2018

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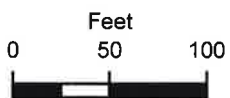


W 18th ST S

W 19 ST S

S CHEYENNE AVE

S BOULDER AVE



Subject
Tract

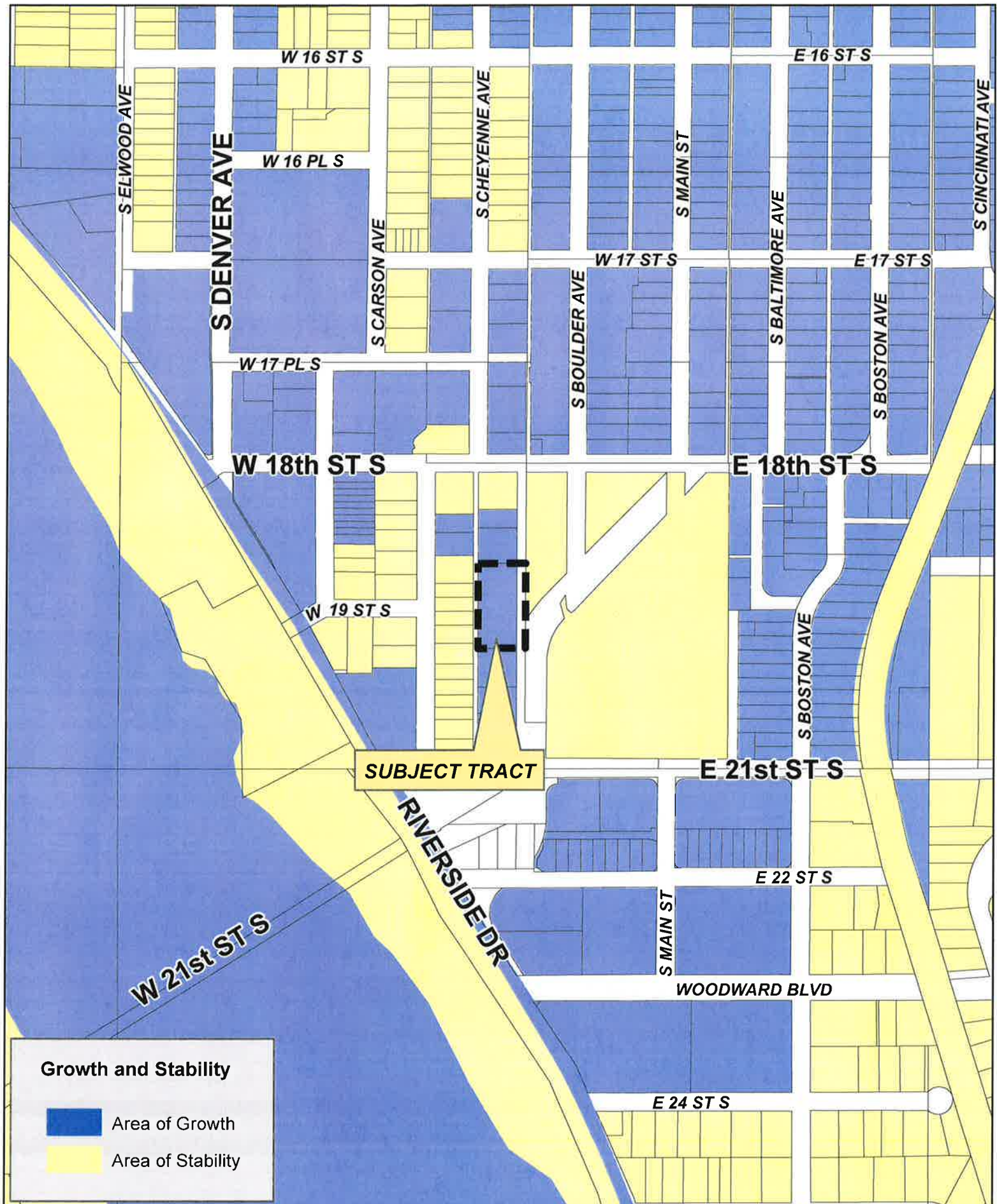
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Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2018





Growth and Stability



Area of Growth



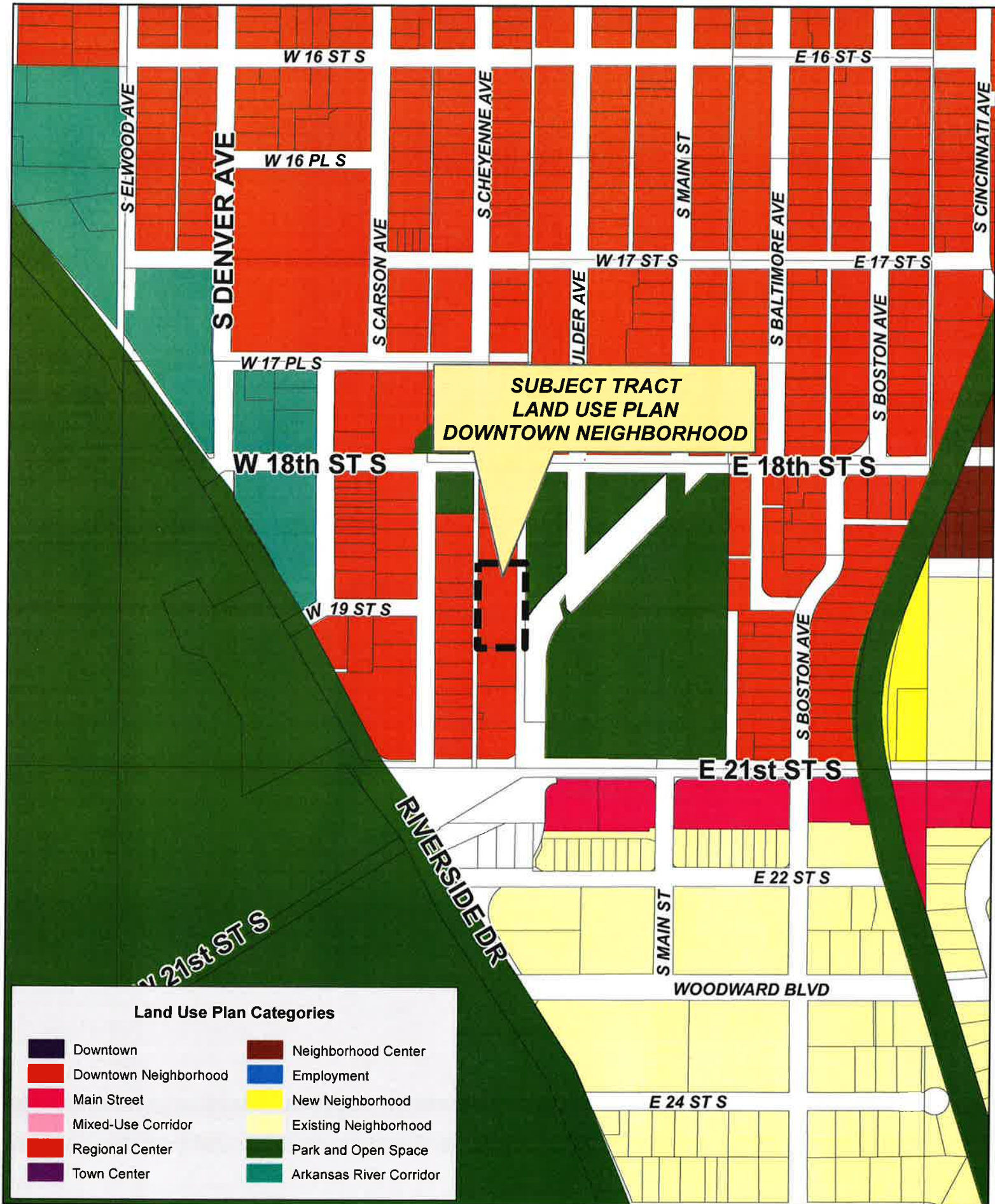
Area of Stability



Z-7519

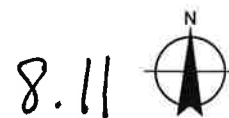
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Z-7519

19-12 12





Tulsa Metropolitan Area
Planning Commission

Case Number: CPA-85
Comprehensive Plan Amendment
(related to Z-7520)

Hearing Date: December 18, 2019

Case Report Prepared by:

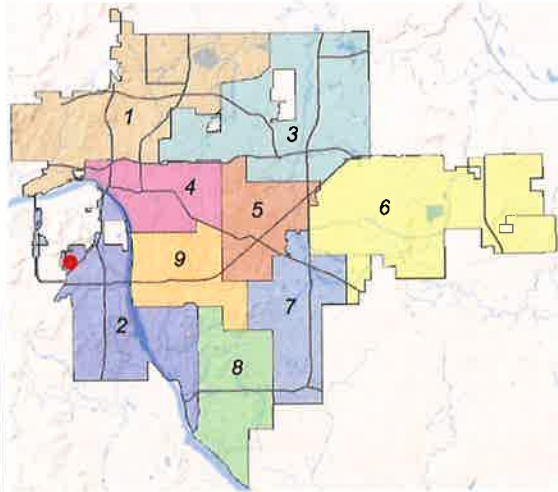
Jani Wertin

Owner and Applicant Information:

Applicant: Tyler Collier

Property Owner: Cliff Mordhorst & Dan Mordhorst
Trust

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Land Use Map change from ***Existing Neighborhood*** to ***Employment***

Tract Size: \pm .23 acres

Location: West of the southwest corner of West
42nd Place South & South 34th West Avenue

Comprehensive Plan:

Land Use Map

Existing: *Existing Neighborhood*

Proposed: *Employment*

Stability and Growth Map

Existing: *Area of Growth*

Zoning

Existing Zoning: RS-3

Proposed Zoning: CS

Staff Recommendation:

Staff recommends **approval** of the *Employment*
land use designation as submitted by the applicant.

City Council District: 2

Councilor Name: Jeannie Cue

County Commission District: 2

Commissioner Name: Karen Keith

TMAPC Staff Report
CPA-85
Comprehensive Plan Amendment

Property Information and Land use Request

The applicant has submitted this proposed Comprehensive Plan amendment (CPA-85) and a concurrent rezoning application (Z-7520) to request a change in the Land Use designation from *Existing Neighborhood* to *Employment*, as well as rezone from RS-3 to CS in order to permit an existing non-conforming medical marijuana dispensary on a .23± acre property, located west of the southwest corner of West 42nd Place South & South 34th West Avenue.

Background

As the subject area is located in southwest Tulsa, it falls within the bounds of the Southwest Tulsa Neighborhood Plan. Adopted in May of 2009, this small area plan was created to assist and progress the revitalization of this area, presenting a vision, needs, and goals for the area. With these goals, the small area plan attempts to improve existing housing stock, revitalize underdeveloped areas, and increase accessibility to amenities, goods, and services through the implementation of sidewalks and business practices to attract retail and grocery stores to the area. It should be noted that while this plan presents a vision, needs, and goals for the southwest Tulsa area, the plan does not make any clear or specific land use recommendations to aid in achieving these goals, nor this particular area in which the subject property is located. Instead, it focuses on presenting proposed capital improvement projects along Route 66, Southwest Boulevard, OSU campus, as well as the Cherry creek and Mooser creek trail system.

The Land Use and Area of Stability or Growth designations for the subject property were made in 2010 with the adoption of the 2010 Tulsa Comprehensive Plan. At this time, the subject property was assigned a Land Use designation of *Existing Neighborhood* and an Area of Stability or Growth designation of *Area of Growth*. As there are no land use recommendations offered by the Southwest Tulsa Neighborhood Plan and there are no other plans that cover this area, the 2010 Tulsa Comprehensive Plan solely provides guidance regarding land use for this area.

The parcels abutting the subject property in all cardinal directions are currently zoned RS-3 with parcels abutting the subject property from North and West carrying a Land Use and Area of Growth or Stability designation of *Existing Neighborhood* and *Area of Stability*, and parcels from South and East carrying a Land Use and Area of Growth or Stability designation of *Employment* and *Area of Growth*. The parcels abutting the subject property to the North and West are currently being utilized for Single-Family residential homes, while the parcels abutting the subject property from the East and South are currently being utilized for a post office. Directly abutting this post office to the East is a CS and IL District that are currently being used for a neighborhood convenience shopping center and an industrial warehouse/ gas station and convenience store. These districts share an *Employment* and *Area of Growth* Land Use and Area of Growth or Stability designation with the abutting post office.

Existing Land Use and Growth Designations

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

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

When the new Tulsa Comprehensive Plan was developed and adopted in 2010, the subject tract was designated as an *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."

Proposed Land Use Designation (Tulsa Comprehensive Plan)

The applicant is proposing *Employment* land use designation on the subject site.

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

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

Zoning and Surrounding Uses

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	RS-3	<i>Existing Neighborhood</i>	<i>Area of Stability</i>	Single-Family Residential
South	RS-3	<i>Employment</i>	<i>Area of Growth</i>	Post Office
East	RS-3	<i>Employment</i>	<i>Area of Growth</i>	Post Office
West	RS-3	<i>Existing Neighborhood</i>	<i>Area of Stability</i>	Single-Family Residential

Applicant's Justification

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

1. How conditions on the subject site have changed, as well as those on adjacent properties and immediate area;
2. How changes have impacted the subject site to warrant the proposed amendment; and;
3. How the proposed change will enhance the surrounding area and the City of Tulsa.

The applicant provided the following answers to the above questions below:

"To whom concerned:

The property has never changed. It has always hosted commercial businesses. Prior to us, it was a laundromat and a mechanic shop. The post office is located right next to the property and the other side of the post office is commercially zoned property. The land use was employment. I believe the original owners of the property opted out of paying the proper fees for that lot to be zoned correctly. I was approved for a license and waited for OBN number approval before opening. We were the first dispensary to open and actively give back to the community. This is our first run at a business, and we hope to become a business like QT.

The subject area is being provided with more tax revenue, and provides a regulated and safer approach for patients to obtain medical grade product from licensed entities, instead of the black market. Additionally, I am from the area and want to give back to my community. I would like to get better established and begin a fundraising effort to redo the reed park community center. I served in the National Guard and would like to give other veterans another option for treatment of PTSD. I am currently a 3rd Year medical student, and would like to return to the area on completion of residency. We have had two schools shutdown in the area, and the area needs new development.

The business will continue to provide community support by hosting ongoing food and school supplies drives, and additionally developing other avenues of giving back to the community, while increasing tax revenue on a previously dead commercial property and dead commercial area."

Staff Summary & Recommendation

The applicant is proposing to change the land use designation from Existing Neighborhood to Employment on the subject property in order to permit an existing medical marijuana dispensary.

The subject property is an RS-3 zoned lot with a Land Use designation of *Existing Neighborhood* and a Growth and Stability designation of *Area of Growth*. All areas abutting the parcel are zoned RS-3, with parcels directly abutting the subject property from the north and west designated as *Existing Neighborhood* and *Area of Stability*, while parcels directly abutting the subject property from the south and east designated as *Employment* and *Area of Growth* as of 2010 when the Comprehensive Plan was adopted. The parcels abutting the subject property to the North and West are currently being utilized for Single-Family residential homes, while the parcels abutting the subject property from the East and South are currently being utilized for a post office.

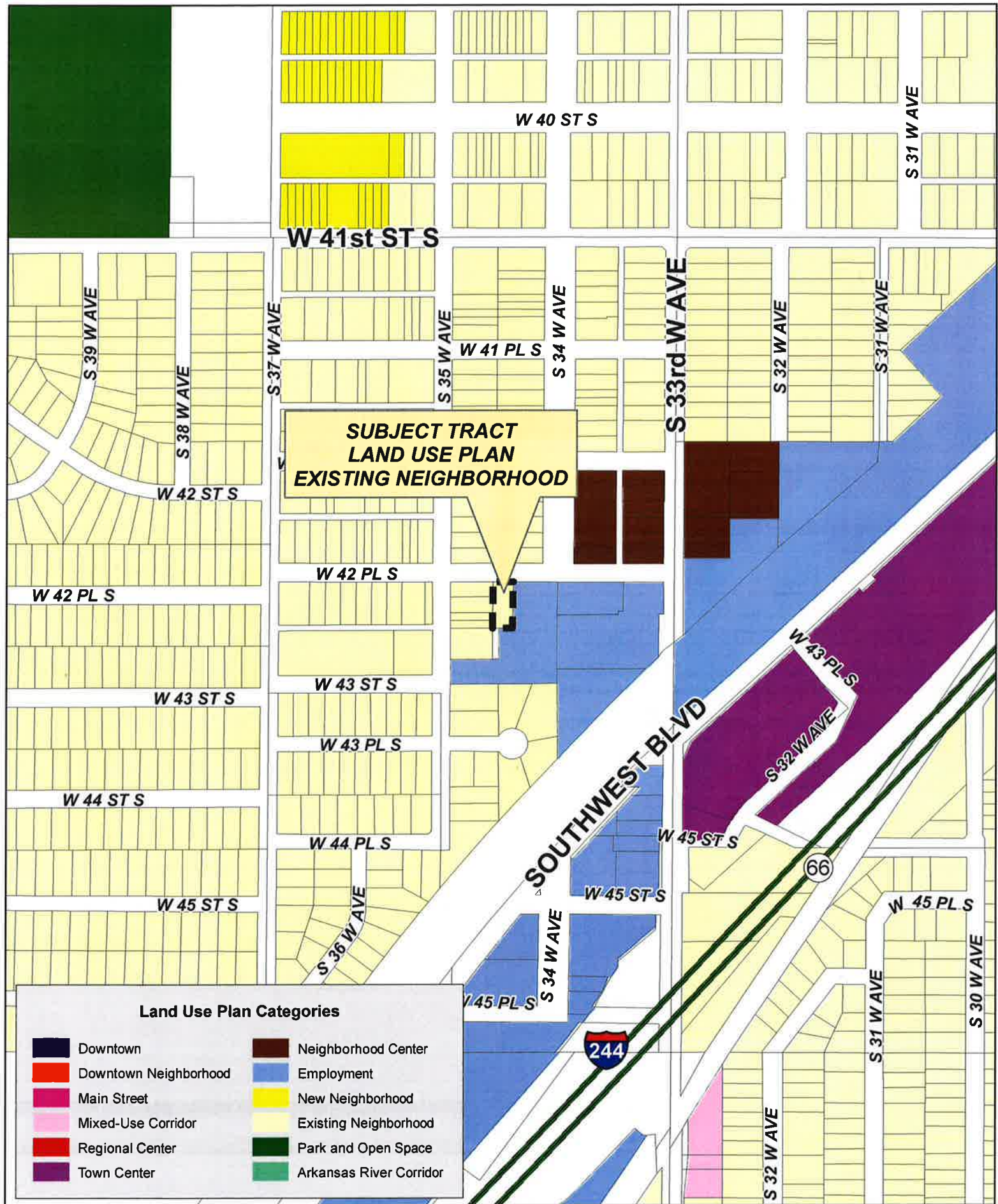
While there may be concerns that changes in land use designations will destabilize existing residential uses on adjacent properties, in examining the history of the subject property and the surrounding area, it is unlikely that this will occur. From a service garage to a non-conforming grocery store, non-conforming laundromat, non-conforming mechanic shop, and now a medical marijuana dispensary, this property has a long history of commercial uses dating back to the 1940s when the existing structure on this property was originally built. Additionally, there are other properties in the surrounding area that were established in the 1920-30s that were later rezoned in the 1960-70s to allow their uses and become compliant. Given how long ago these uses were established and how they have altered the character of the area, the subject property and its utilization as a commercial property is an established part of the neighborhood's fabric that would be unlikely to change regardless of whether CS zoning for this property was approved or not.

The subject property's established history and character as a commercially utilized property not only conflicts with the property's land use designation of *Existing Neighborhood*, but also makes it fundamentally more similar in character to the commercial and industrial zoned parcels around it that carry an *Employment* and *Area of Growth* designation than the established neighborhood. While the subject property may not exactly match the description in the 2010 Tulsa Comprehensive Plan of what an *Employment* Land Use designation consists of, the subject property shares more similarities with the *Employment* Land Use than other Land Use designations outlined by the Comprehensive Plan, it has access to major roadways such as South 33rd West Ave (Urban Arterial) and Southwest Boulevard (Multi-Modal Corridor/Secondary Arterial), and is a direct neighbor to properties with long established uses that are considered *Employment* and have both an *Employment* and *Area of Growth* designation.

Additionally, the concurrent rezoning request will trigger landscaping and screening requirements between the subject property and the existing residential to the west, as well as parking requirements that will help to shield residence from the commercial use and help to preserve the neighborhood.

Being that the subject property has been utilized for non-conforming commercial purposes since the 1940s, is located next to a post office with commercial and industrial uses to the east, and shares an *Area of Growth* designation with these parcels to the east, Staff finds that a land use designation of *Employment* would be more appropriate than *Existing Neighborhood* and in-line with the character of the neighborhood.

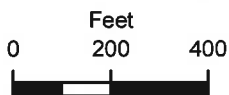
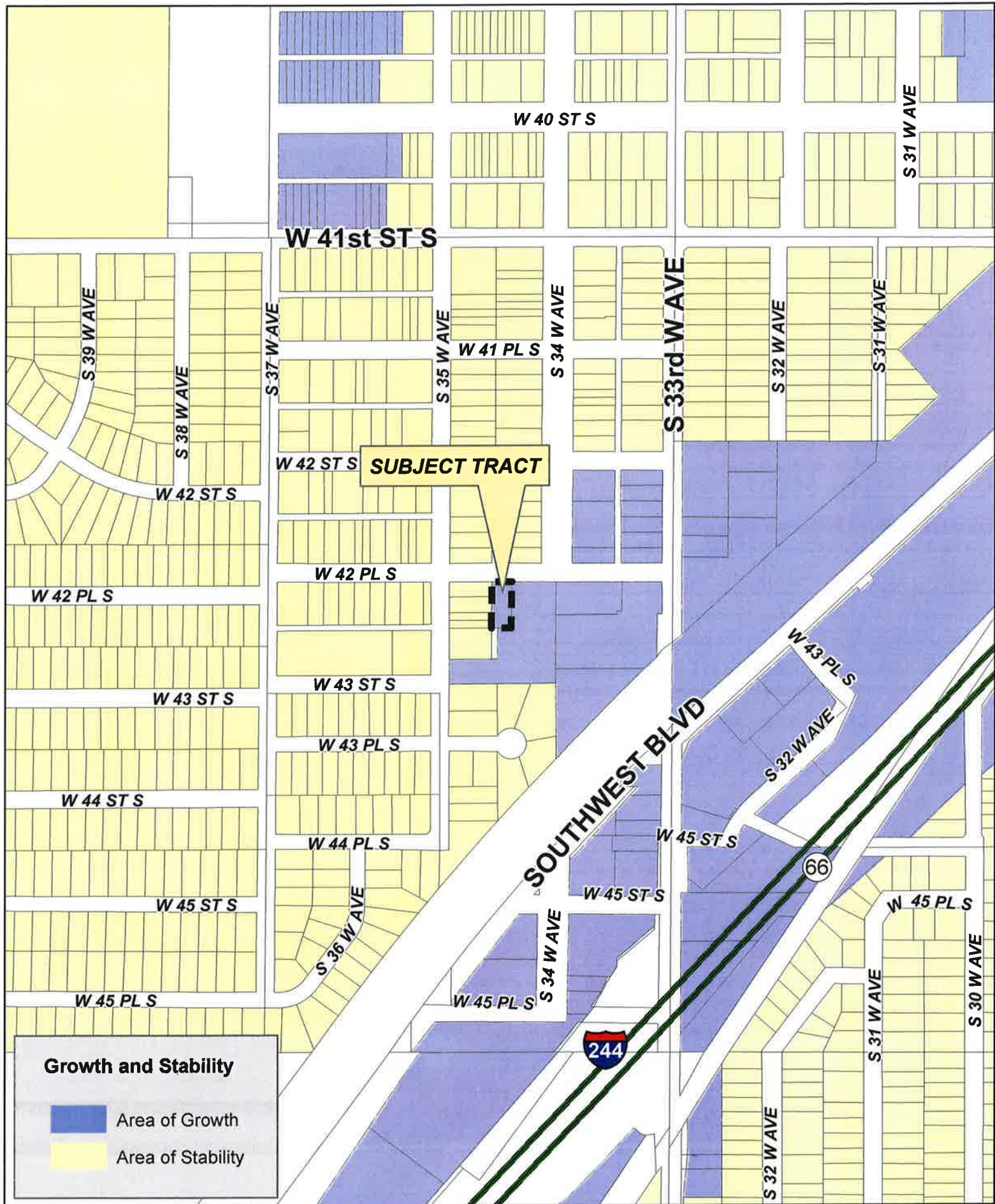
Staff recommends **approval** of the *Employment* land use designation as submitted by the applicant.



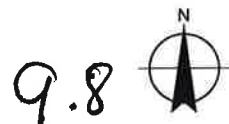
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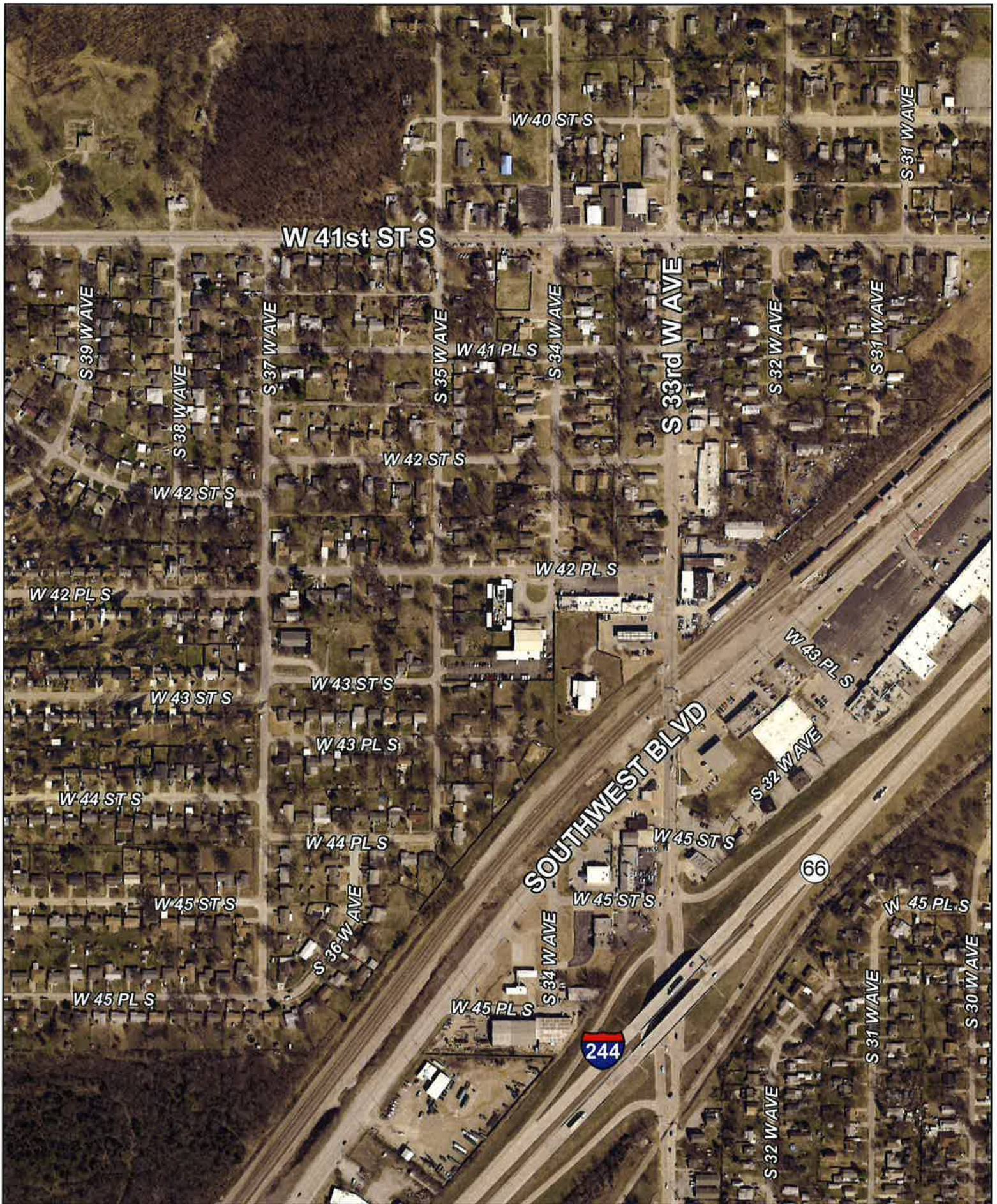
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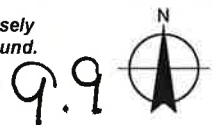
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Tract

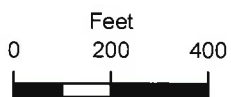
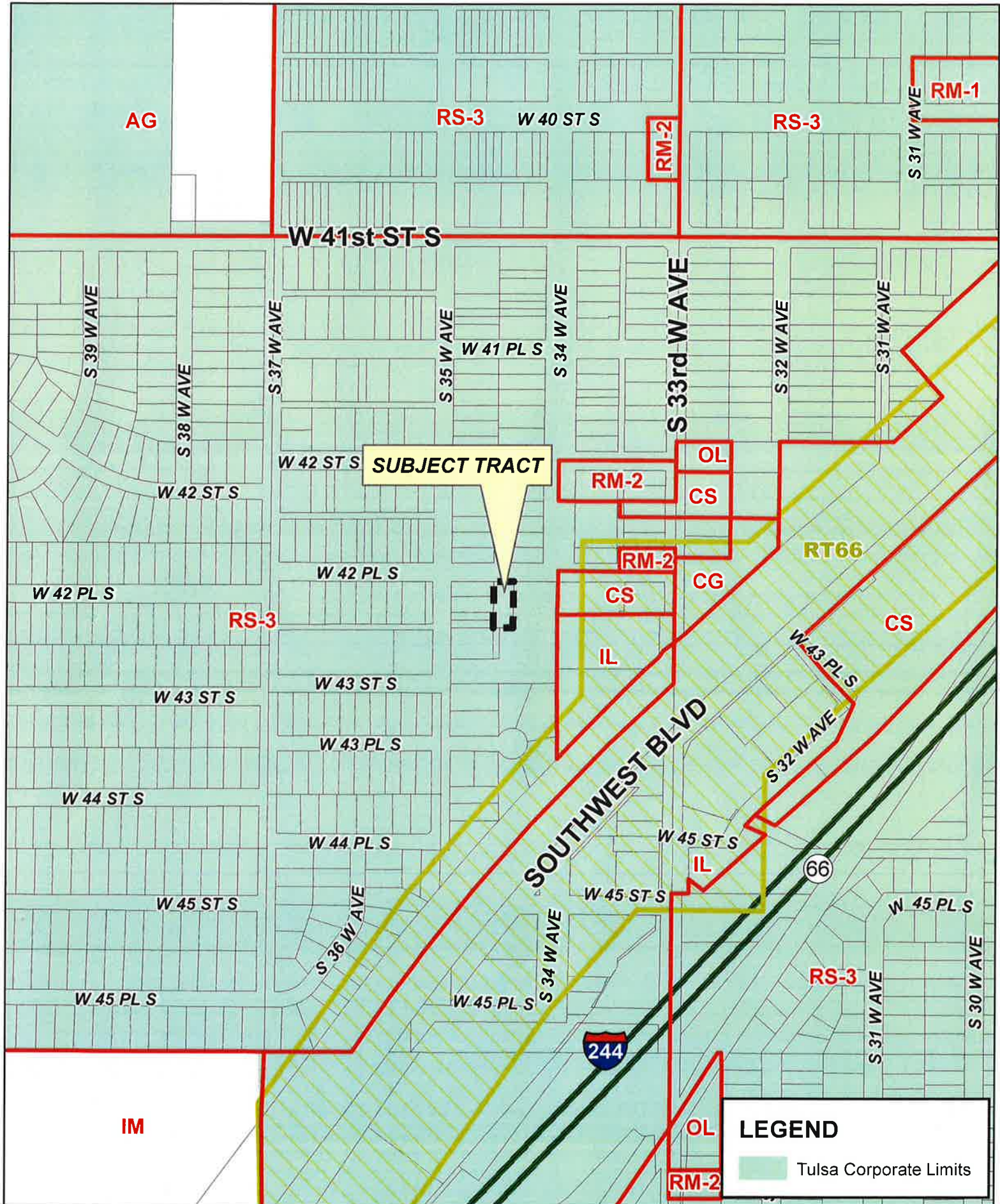
CPA-85

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

Aerial Photo Date: February 2018





CPA-85

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Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7520
(related to CPA-85)

Hearing Date: December 18, 2019

Case Report Prepared by:

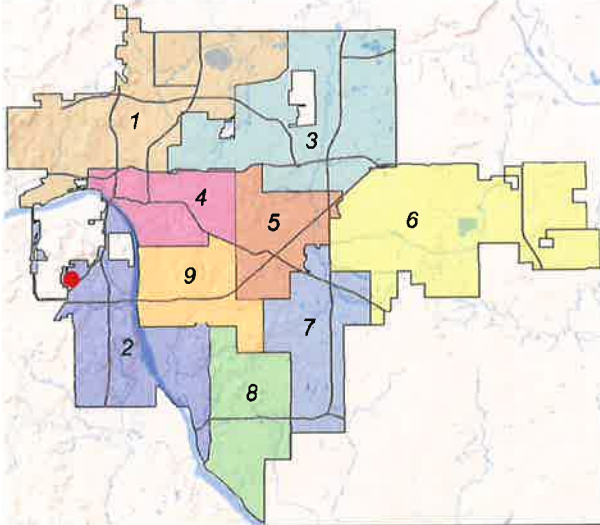
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Tyler Davis

Property Owner: MORDHORST, CLIFFORD &

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Dispensary

Proposed Use: All uses allowed by right in a CS district including the dispensary currently operating.

Concept summary: Repurpose an existing building as a commercial use.

Tract Size: 0.23 ± acres

Location: West of the southwest corner of West 42nd Place South & South 34th West Avenue

Zoning:

Existing Zoning: RS-3

Proposed Zoning: CS

Comprehensive Plan:

Land Use Map: Existing Neighborhood

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends **approval** of Z-7520 to rezone property from RS-3 to CS subject to the approval of the CPA-85.

Staff Data:

TRS: 9228
CZM: 45

City Council District: 2

Councilor Name: Jeannie Cue

County Commission District: 2

Commissioner Name: Karen Keith

SECTION I: Z-7520

DEVELOPMENT CONCEPT:

The applicant has submitted a request to rezone the property from RS-3 to CS to permit an existing non-conforming dispensary. The structure has never been used as a residential building and has historically been auto repair, grocery and other commercial uses since it was constructed decades ago.

EXHIBITS:

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

DETAILED STAFF RECOMMENDATION:

As the subject area is located in southwest Tulsa, it falls within the bounds of the Southwest Tulsa Neighborhood Plan. That plan was adopted in May of 2009. This small area plan was created to assist and progress the revitalization of this area, presenting a vision, needs, and goals for the area.

With these goals, the small area plan attempts to improve existing housing stock, revitalize underdeveloped areas, and increase accessibility to amenities, goods, and services through the implementation of sidewalks and business practices to attract retail and grocery stores to the area. It should be noted that while this plan presents a vision, needs, and goals for the southwest Tulsa area, the plan does not make any clear or specific land use recommendations to aid in achieving these goals, nor this particular area particular area in which the subject property is located. Instead, it focuses on presenting proposed capital improvement projects along Route 66, Southwest Boulevard, OSU campus, as well as the Cherry creek and Mooser creek trail system.

As the small area plan lacks any specific land-use recommendations, the 2010 Tulsa Comprehensive Plan solely provides guidance regarding land use for this area. That being said the subject property is currently zoned RS-3 with a Land Use designation of *Existing Neighborhood* and an Area of Stability or Growth designation of *Area of Growth*. While CS zoning is not consistent with the current land use designation of *Existing Neighborhood*, it would be consistent with the *Employment* land use designation as requested by the applicant in concurrent case CPA-85.

Being that the subject property has been utilized for non-conforming commercial purposes since the 1940s, is located next to a post office with commercial and industrial uses to the east, and shares an Area of Growth designation with these parcels to the east, Staff finds that a land use designation of *Employment* would be more appropriate than *Existing Neighborhood* and recommends approval of the *Employment* designation as submitted by the applicant.

In addition to the considerations of a new land use designation the uses allowed in a CS zoning is consistent with the historic use of the property and expected uses at this location therefore,

Staff recommends Approval of Z-7520 to rezone property from RS-3 to CS.

10.2

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary:

According to the County Assessor, the existing structure on this property was built in 1940 as a service garage and has since then been a non-conforming grocery store, non-conforming laundromat, non-conforming mechanic shop, and now a non-conforming medical marijuana dispensary. The post office east of the subject property was one parcel that was split for post office development. While the subject tract and the post office site were one large parcel, the developer of the post office filed a request to rezone from RS-3 to CS/OL, which was denied by council in August 1970, followed by a special exception and variance of side yard requirements to allow the post office, which was approved in September 1970. The subject tract was never rezoned to allow commercial uses.

Within the surrounding area of the subject property there is an IL district abutting the southeast corner of the post-office and a CS district abutting the northeast corner of the post office site. The parcel containing the CS district was rezoned for a neighborhood shopping center. In 1970 both the IL district and the RM-2 district located to the north of the shopping center across West 42nd Place South were rezoned in order to legally permit non-conforming uses that have existed since the 1920s and 1930s.

Based off this information it appears that, conforming or not, both the subject property and the area east of this request has a long-established history of non-residential use and would not likely be developed as residential in the future. Additionally, while a CS zoning district does not fit the land use designation of Existing Neighborhood, which "intends to preserve single family neighborhoods", it does fit the Area of Growth designation that it was also assigned which "aims to increase economic activity in the area to benefit existing resident and businesses."

Land Use Vision:

Land Use Plan map designation: Existing Neighborhood

The Existing Residential Neighborhood category is intended to preserve and enhance Tulsa's existing single-family neighborhoods. Development activities in these areas should be limited to the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, 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 in close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.

Transportation Vision:

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

Trail System Master Plan Considerations: There are no trail system designations that require consideration in this area.

Small Area Plan: As the subject area is located in southwest Tulsa, it falls within the bounds of the Southwest Tulsa Neighborhood Plan. Adopted in May of 2009, this small area plan was created to assist and progress the revitalization of this area, presenting a vision, needs, and goals for the area.

With these goals, the small area plan attempts to improve existing housing stock, revitalize underdeveloped areas, and increase accessibility to amenities, goods, and services through the implementation of sidewalks and business practices to attract retail and grocery stores to the area. It should be noted that while this plan presents a vision, needs, and goals for the area, it does not make any clear or specific land use recommendations to aid in achieving these goals, nor this particular area.

Special District Considerations: There are no special districts that require consideration in this area.

Historic Preservation Overlay: There are no historic preservation overlays that require consideration in this area.

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The building on site was originally constructed in 1940 as a service garage and was renovated in 2017. A Medical Marijuana Dispensary currently occupies the structure. To the north and west are single-family residential housing (as pictured in Figures 1 & 2), to the east is a post office and commercial shopping center with houses across the street to the north (as pictured in Figures 3 & 4), and a storage warehouse also to the east, but closer to the train tracks (not pictured). It should be noted that while renovations have been made to the building, there is currently no parking available on this site.



Figure 1. Street view from the front of the property looking north.



Figure 2. Street view from the front of the property looking north.



Figure 3. Street view from directly north of the property facing south



Figure 4. Street view from the front of the property facing east.

Environmental Considerations: There are no environmental considerations that would affect site re-development.

Streets:

Exist. Access	MSHP Design	MSHP R/W	Exist. # Lanes
West 42 nd Place South	Undesignated	50 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	RS-3	<i>Existing Neighborhood</i>	<i>Area of Stability</i>	Single-Family Residential
South	RS-3	<i>Employment</i>	<i>Area of Growth</i>	Post Office
East	RS-3	<i>Employment</i>	<i>Area of Growth</i>	Post Office
West	RS-3	<i>Existing Neighborhood</i>	<i>Area of Stability</i>	Single-Family Residential

SECTION III: Relevant Zoning History

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

Subject Property:

No Relevant History.

Surrounding Property:

Z-3792 September 1970: All concurred in **approval** of a request for *rezoning* a 4.326± acre tract of land from RS-3 to CS/RM-2/IL on properties located on the west side of 42nd Place and 33rd West Avenue, finding that the three tracts were approved CS, IL, and RM-2 previous to July 1, 1970, but the Comprehensive Zoning Maps did not reflect the correct zoning districts.

BOA-06760 September 1970: The Board of Adjustment **approved** a *Special Exception* to permit erecting a Post Office in an RS-3 District as per plot exhibited and a *Variance* waiving the side yard requirements on the Western boundary to 10', on property located at 3408 West 42nd Place.

Z-3752 August 1970: All concurred in **denial** of a request for *rezoning* a 1.47± acre tract of land from RS-3 to CS for a post office on property located on the south side 42nd Place, East side 35th West Avenue. This parcel includes both the subject area and area surrounding.

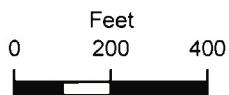
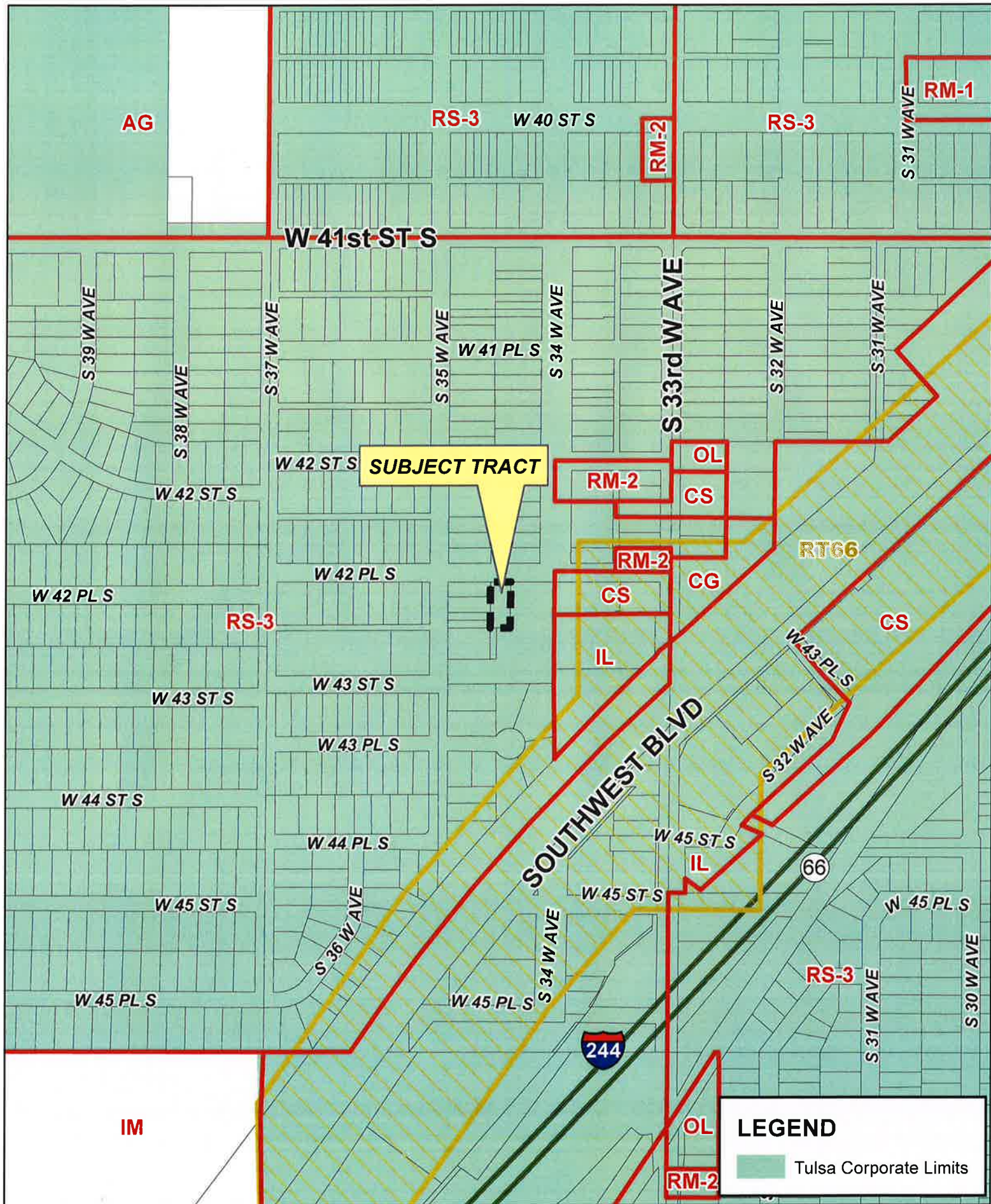
Z-2209 December 1963: All concurred in **approval** of a request for *rezoning* a 0.78± acre tract of land from U1-C to U-3D for shopping center on property located at the southwest corner of 33rd West Avenue and 42nd Place West.

Z-2147 August 1963: All concurred in **approval** of a request for *rezoning* a .96± acre tract of land from U-1C to U-2B for duplexes, on property located southwest corner of 42nd Place and South 33rd West Avenue.

Z-2031 October 1962: All concurred in **approval** of a request for *rezoning* a 2.5± acre tract of land from U-1C to U-4A for general manufacturing, on property located 4240 South 33rd West Avenue.

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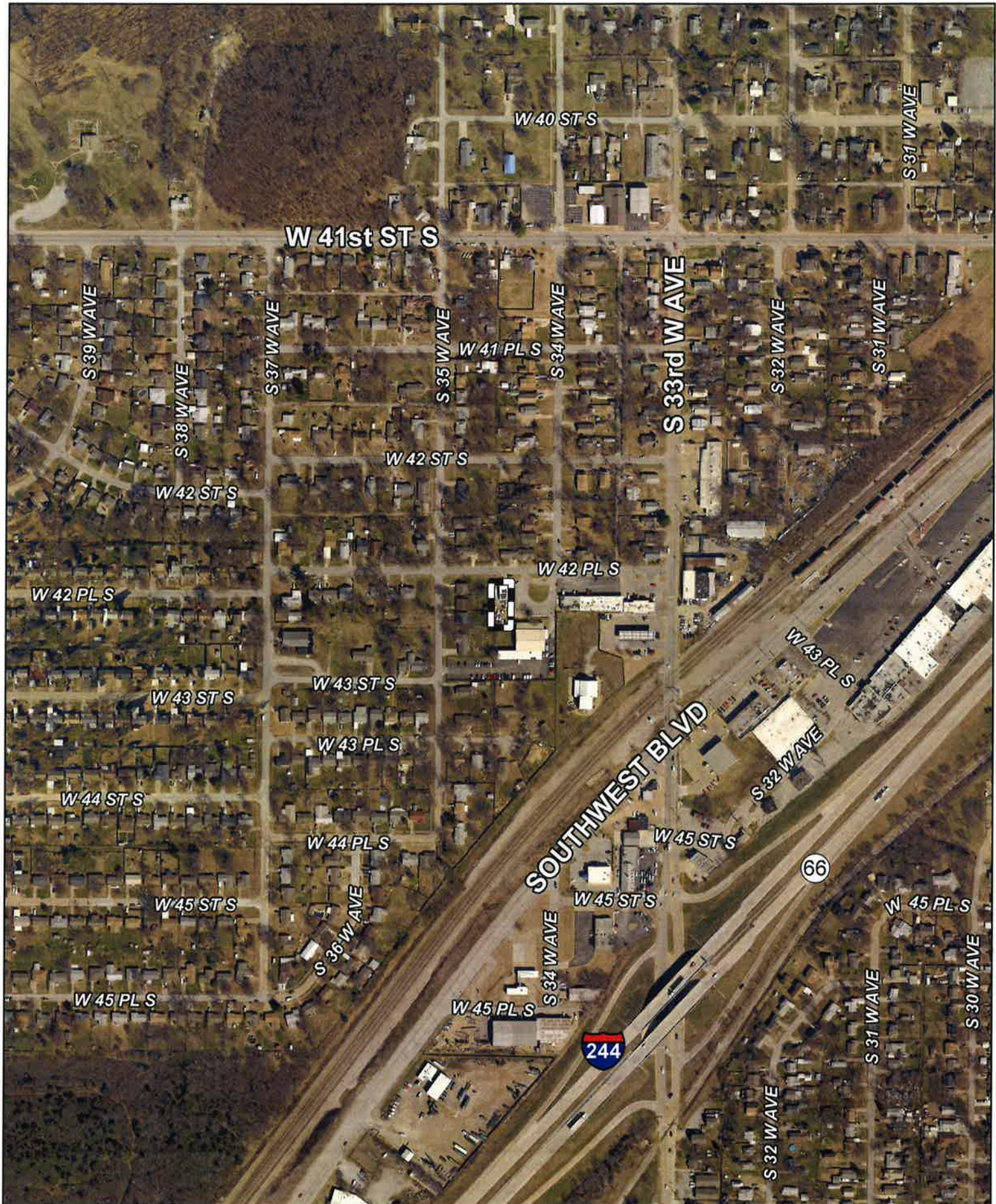
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Z-7520

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0 200 400
Feet



Subject
Tract

Z-7520

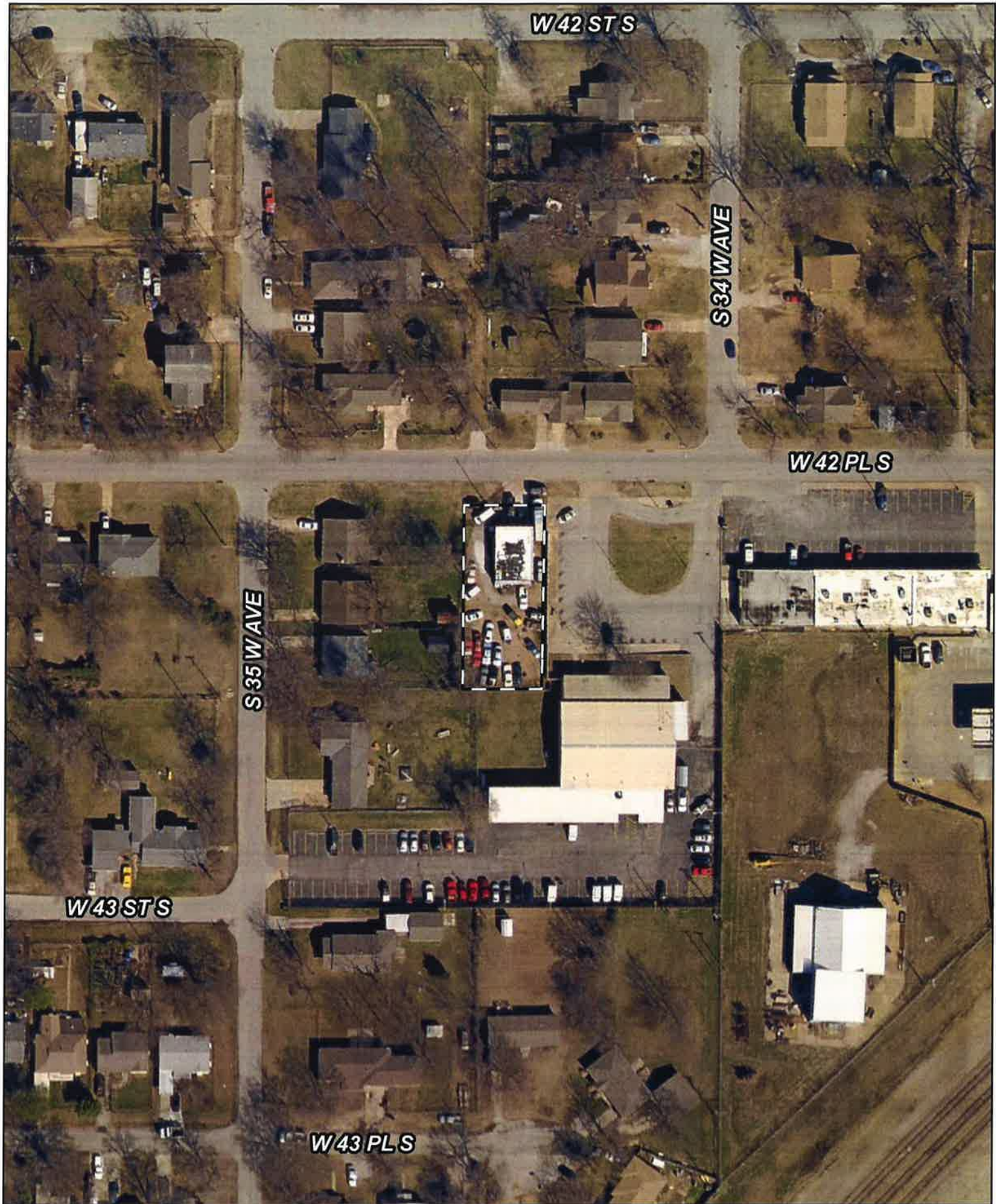
19-12 28

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

Aerial Photo Date: February 2018



10.9



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Feet



Subject
Tract

CPA-85

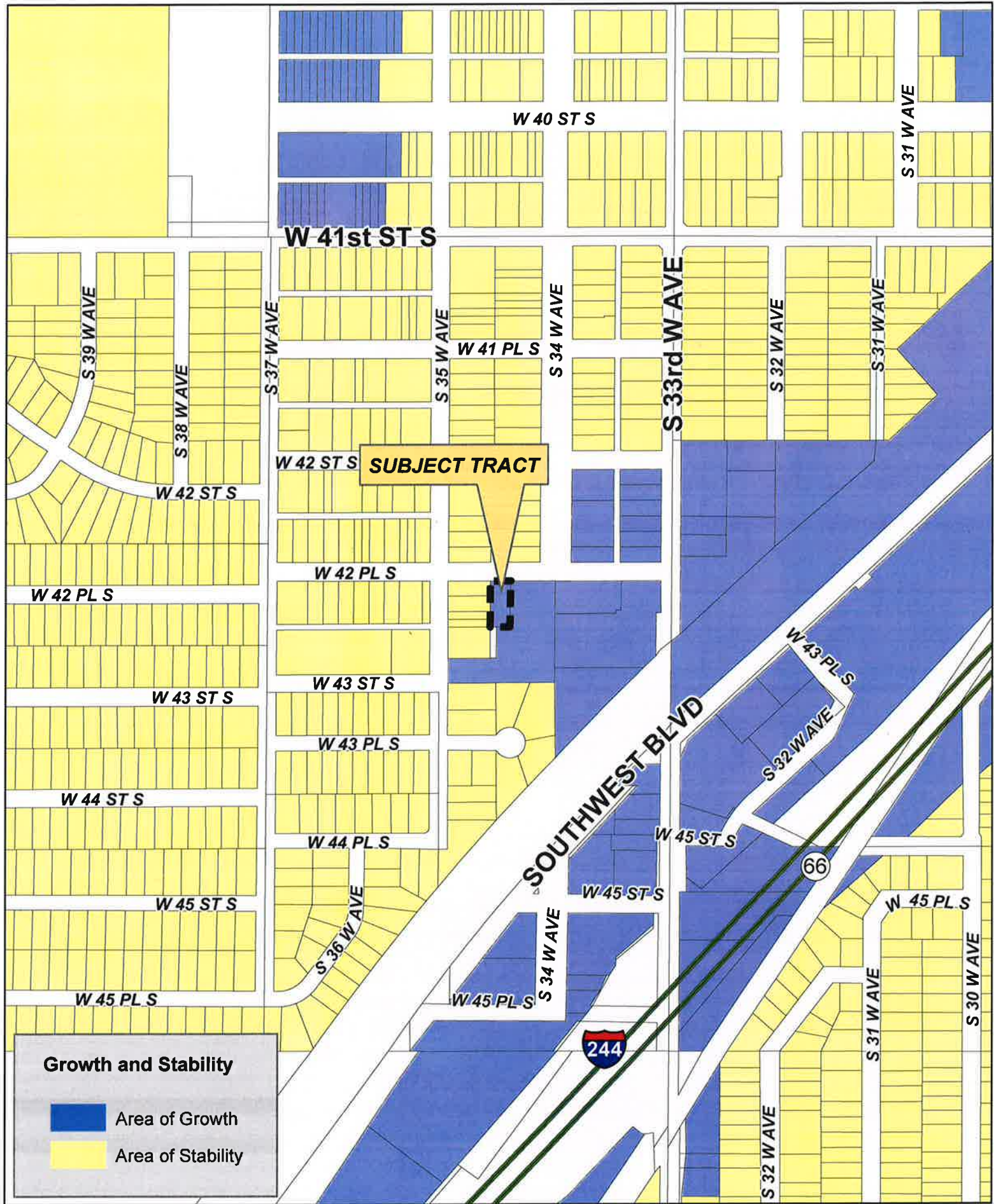
19-12 28

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

Aerial Photo Date: February 2018



10.10



Z-7520

19-12 28

10.12



Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7521

Hearing Date: December 18, 2019

Case Report Prepared by:

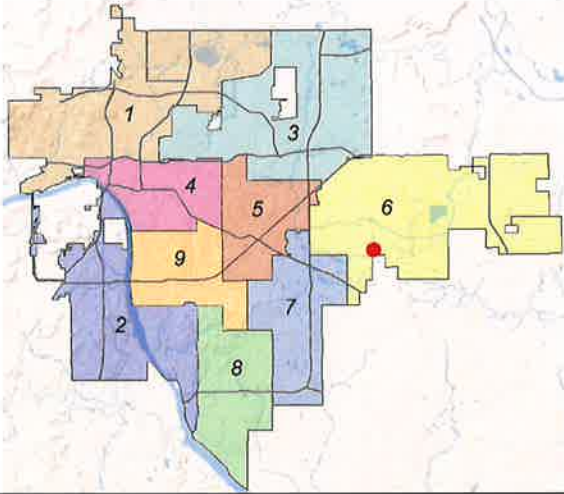
Jay Hoyt

Owner and Applicant Information:

Applicant: KKT Architects, Inc.

Property Owner: GLEN WOOD HOMES LP

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Vacant

Proposed Use: Residential Duplexes

Concept summary: Rezone from RS-3 to RM-0 with an optional development plan to permit residential duplexes.

Tract Size: 18.21 ± acres

Location: North of the northeast corner of E 41st Street South & S 145th East Avenue

Zoning:

Existing Zoning: RS-3

Proposed Zoning: RM-0 with optional development plan

Comprehensive Plan:

Land Use Map: New Neighborhood

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval excluding the requested optional development plan.

Staff Data:

TRS: 9422
CZM: 50, 49

City Council District: 6

Councilor Name: Connie Dodson

County Commission District: 1

Commissioner Name: Stan Sallee

11.1

SECTION I: Z-7521

DEVELOPMENT CONCEPT: The applicant is proposing to rezone from RS-3 to RM-0 with an optional development plan to permit residential duplexes to be constructed. The proposed rezoning will be in conjunction with existing RM-0 zoning immediately to the south.

EXHIBITS:

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

DETAILED STAFF RECOMMENDATION:

The proposed rezoning is compatible with the New Neighborhood designation of the Comprehensive Plan as well as the area of Growth, however;

The requested optional development plan does not conform to the requirements of the City of Tulsa Zoning Code in that it attempts to lessen the restrictions on the subject lots. Optional development plans may only restrict the required zoning standards. If relief is sought for the items requested in the plan, a variance from the City of Tulsa Board of Adjustment would be required.

The proposal without the requested optional development plan is compatible with the existing proximate properties, therefore;

Staff recommends Approval of Z-7521 to rezone property from RS-3 to RM-0 excluding the requested optional development plan.

DEVELOPMENT STANDARDS:

Minimum Lot Width for Duplexes:	60 Feet. Allow lots 9 and 10, Block 2 to be less than required 60 Feet at the ROW line due to being on the eyebrow of the street. <i>(Note 60 Feet required by Zoning Code regardless of location)</i>
Street Setback:	20 Feet <i>(Note: 25 Feet Required by Zoning Code)</i>

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: *The subject site is located in a New Neighborhood designation as well as an area of growth.*

11.2

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: S 145th E Ave is designated as a Primary Arterial.

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *The site is currently vacant land*

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
S 145 th E Ave	Primary Arterial	120 Feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	RS-3	New Neighborhood	Growth	Vacant
South	RM-0	New Neighborhood	Growth	Vacant
East	RS-3	New Neighborhood	Growth	Single-Family
West	AG	New Neighborhood	Growth	Vacant

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11826 dated June 26, 1970 established zoning for the subject property.

Subject Property:

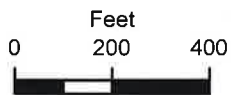
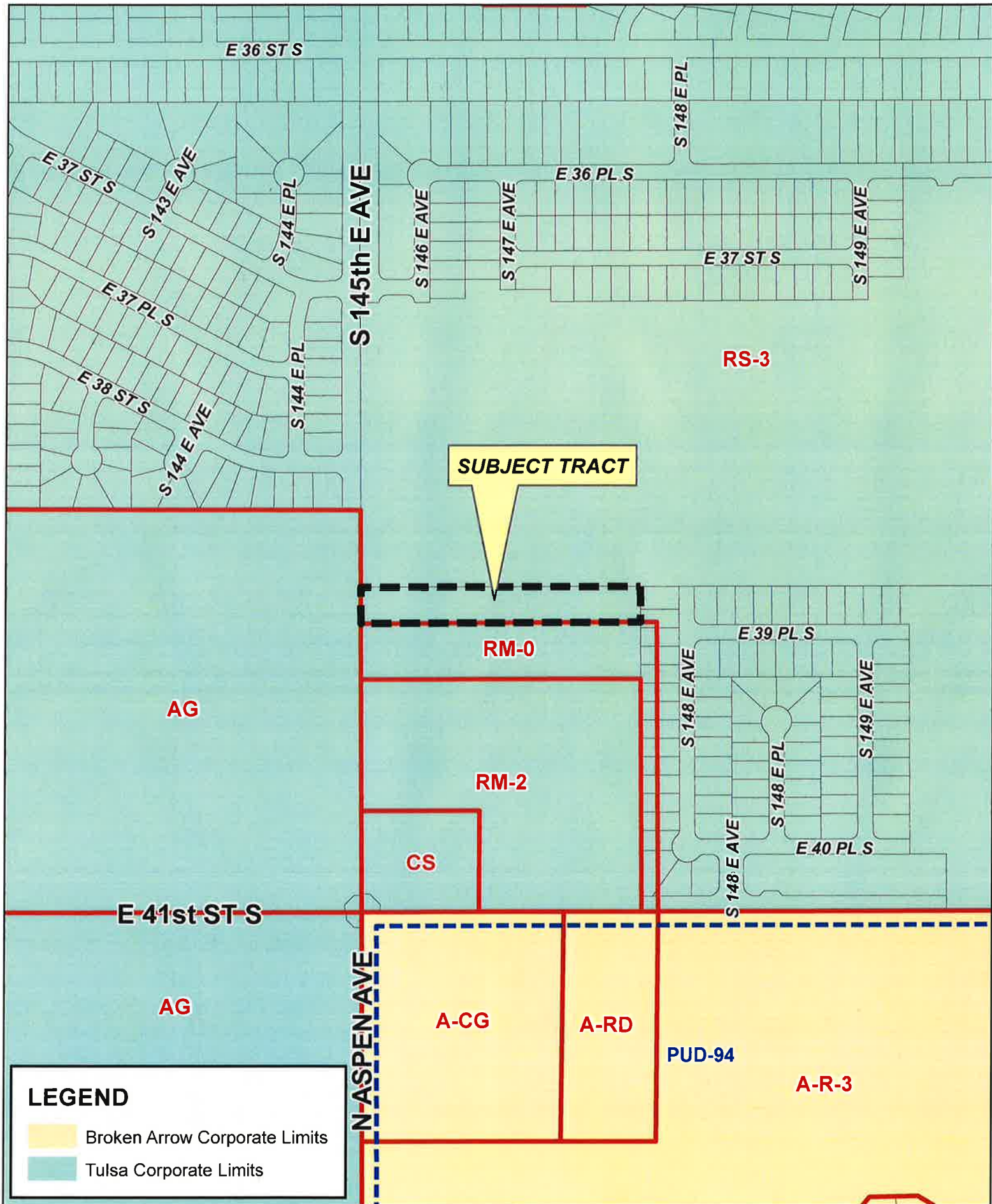
BOA-22006 January 2016: The Board of Adjustment **approved** a *Variance* of the allowed structure height in the RS-1 District from 35 feet to 40 feet and a *Special Exception* to increase the allowable fence height in the required front yard from 4 feet to 6 feet to allow a wrought iron fence with stone columns, subject to conceptual plans 8.12-8.15 on property located at 4321 South Lewis Avenue East.

Surrounding Property:

Z-7388 June 2017: All concurred in **approval** of a request for *rezoning* a 12.9± acre tract of land from RM-0/CS to RM-2 to permit multi-family use, on property located north and east of the northeast corner of East 41st Street South & South 145th East Avenue.

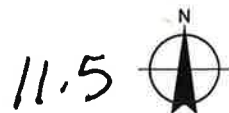
12/18/2019 1:30 PM

11.4



19-14 22

Z-7521
with Optional
Development Plan





0 Feet 200 400



Subject Tract

19-14 22

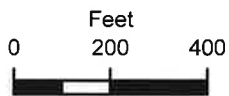
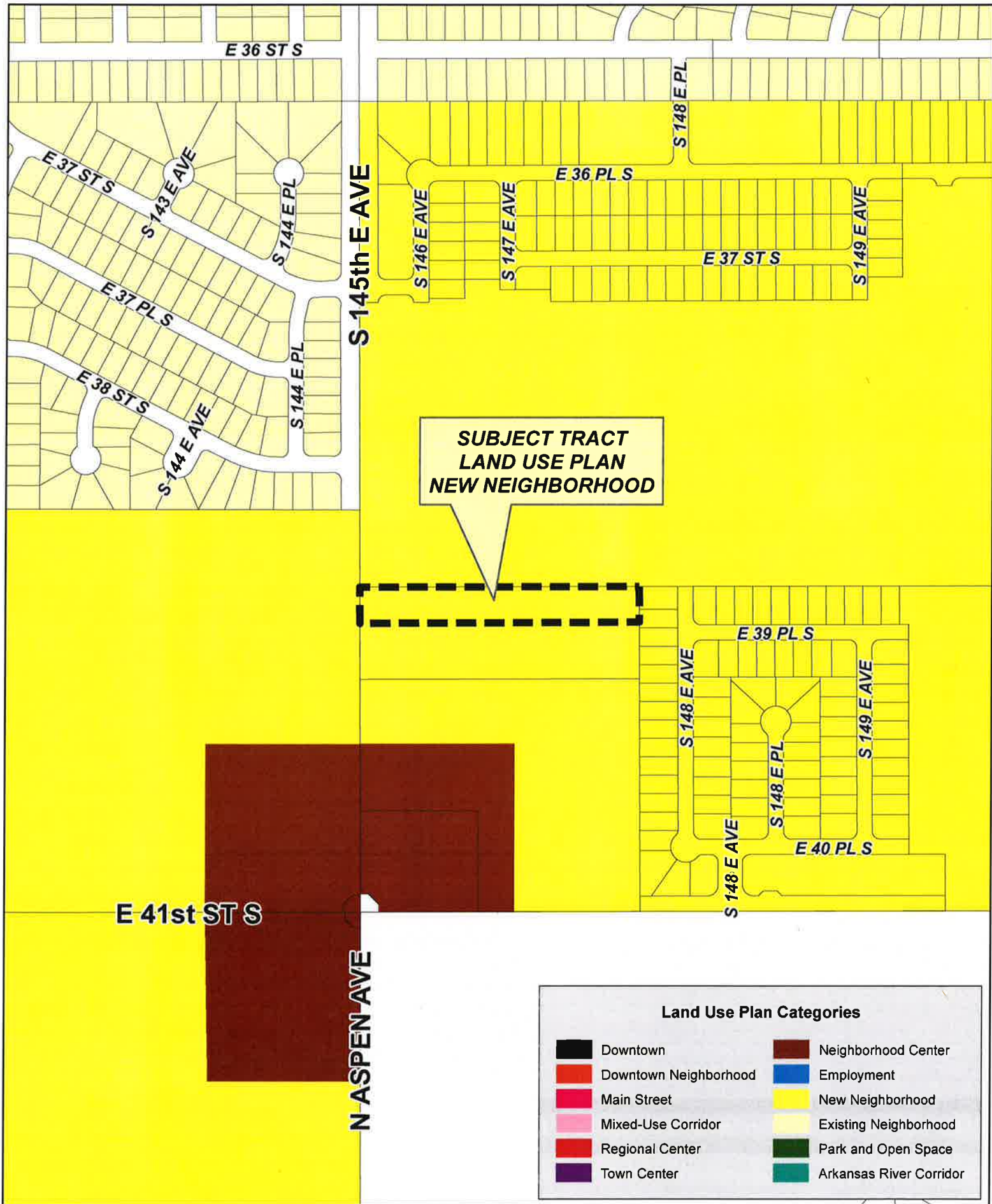
Z-7521
with Optional
Development Plan

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

Aerial Photo Date: February 2018



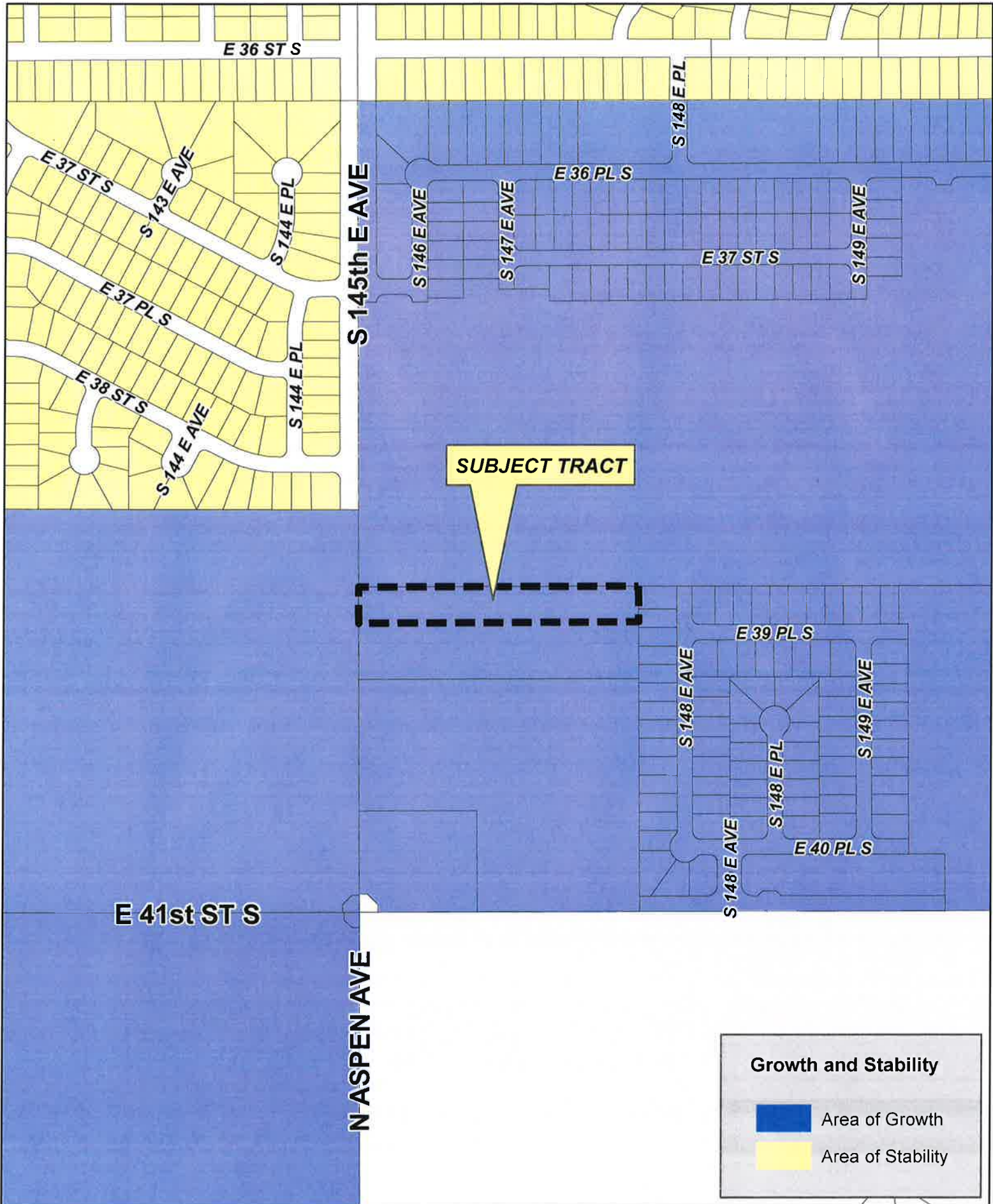
11.6



19-14 22

Z-7521
with Optional
Development Plan





0 200 400
Feet

19-14 22

Z-7521
with Optional
Development Plan

11.8

November 5, 2019

Tulsa Metropolitan Area Planning Commission
INCOG
2 West 2nd Street
Suite 800
Tulsa, Oklahoma 74103

Re: Battle Creek Duplex – Optional Development Plan

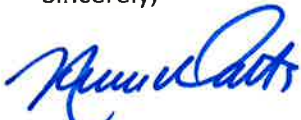
Dear Planning Commissions,

This request is for an Optional Development Plan in conjunction with the RM-0 rezoning application. The Optional Development Plan allows for the development of duplexes on the 5.84 acre tract as presented in the attached Exhibit A – Conceptual Plan. The ODP will include the following deterring from the straight RM-0 requirements:

- For duplexes, the minimum lot width is 60'. Lots 9 and 10, Block 2, are less than the required 60' at the ROW line due to being on the eyebrow of the street.
- Building setback along the internal street will be 20' instead of the required 25'. This will allow the units to have a back yard for a livability space, instead of in the front. The units will all of garages and driveways that will accommodate cars on the lots.

Thank you for your time on this matter.

Sincerely,



A. Nicole Watts, P.E., CFM
Principal / Director of Civil Engineering

11.9



Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7522

Hearing Date: December 18, 2019

Case Report Prepared by:

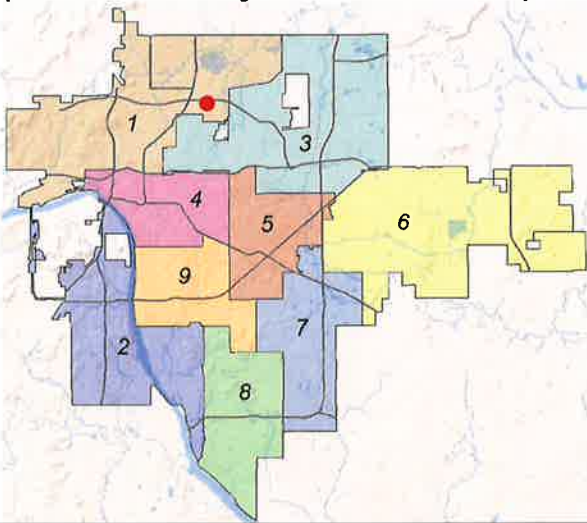
Jay Hoyt

Owner and Applicant Information:

Applicant: KKT Architects, Inc.

Property Owner: TULSA COMMUNITY COLLEGE

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Vacant

Proposed Use: Farm/ Food Distribution

Concept summary: Rezone from RS-3 to CG to permit farm/food distribution.

Tract Size: 5.48 ± acres

Location: Northwest corner of East 30th Street N. & North Louisville Avenue

Zoning:

Existing Zoning: RS-3

Proposed Zoning: CG

Comprehensive Plan:

Land Use Map: Regional Center

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 0321

CZM: 29

City Council District: 1

Councilor Name: Vanessa Hall-Harper

County Commission District: 1

Commissioner Name: Stan Sallee

12.1

SECTION I: Z-7522

DEVELOPMENT CONCEPT: The applicant is proposing to rezone from RS-3 to CH to permit a farm and food distribution at the subject location for FoodHome. FoodHome is part of Food on the Move a non-profit that distributes fresh produce in food desert areas. Food will be grown on site and sold to the surrounding community in a small neighborhood market. The market will also be used to allow local farmers to sell their products, grown off-site.

EXHIBITS:

- INCOG Case map
- INCOG Aerial (small scale)
- INCOG Aerial (large scale)
- Tulsa Comprehensive Plan Land Use Map
- Tulsa Comprehensive Plan Areas of Stability and Growth Map

DETAILED STAFF RECOMMENDATION:

Rezoning to CH for a farm and market is compatible with the Regional Center land use designation. It would provide a source of produce and other food products for the local area;

The proposed use is compatible with the existing properties in the vicinity;

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

Staff recommends Approval of Z-7522 to rezone property from RS-3 to CG.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The site is located within the Regional Center designation of the City of Tulsa Comprehensive Plan as well as an area of growth.

Land Use Vision:

Land Use Plan map designation: Regional Center

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

Areas of Stability and Growth designation: Area of Growth

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

increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

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

Transportation Vision:

Major Street and Highway Plan: East 30th St N is designated as a Residential Collector. N Louisville Ave does not have a designation.

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is currently vacant land located between the Gilcrease Expressway and Tulsa Community College Campus.

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 30 th St N	Residential Collector	60 Feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	RS-3	N/A	N/A	Gilcrease Expressway
South	RS-3/AG	Regional Center	Growth	Single-Family/College Campus
East	RS-3	Regional Center	Growth	Single-Family
West	RS-3	Regional Center	Growth	Single Family/Gilcrease Expressway

SECTION III: Relevant Zoning History

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

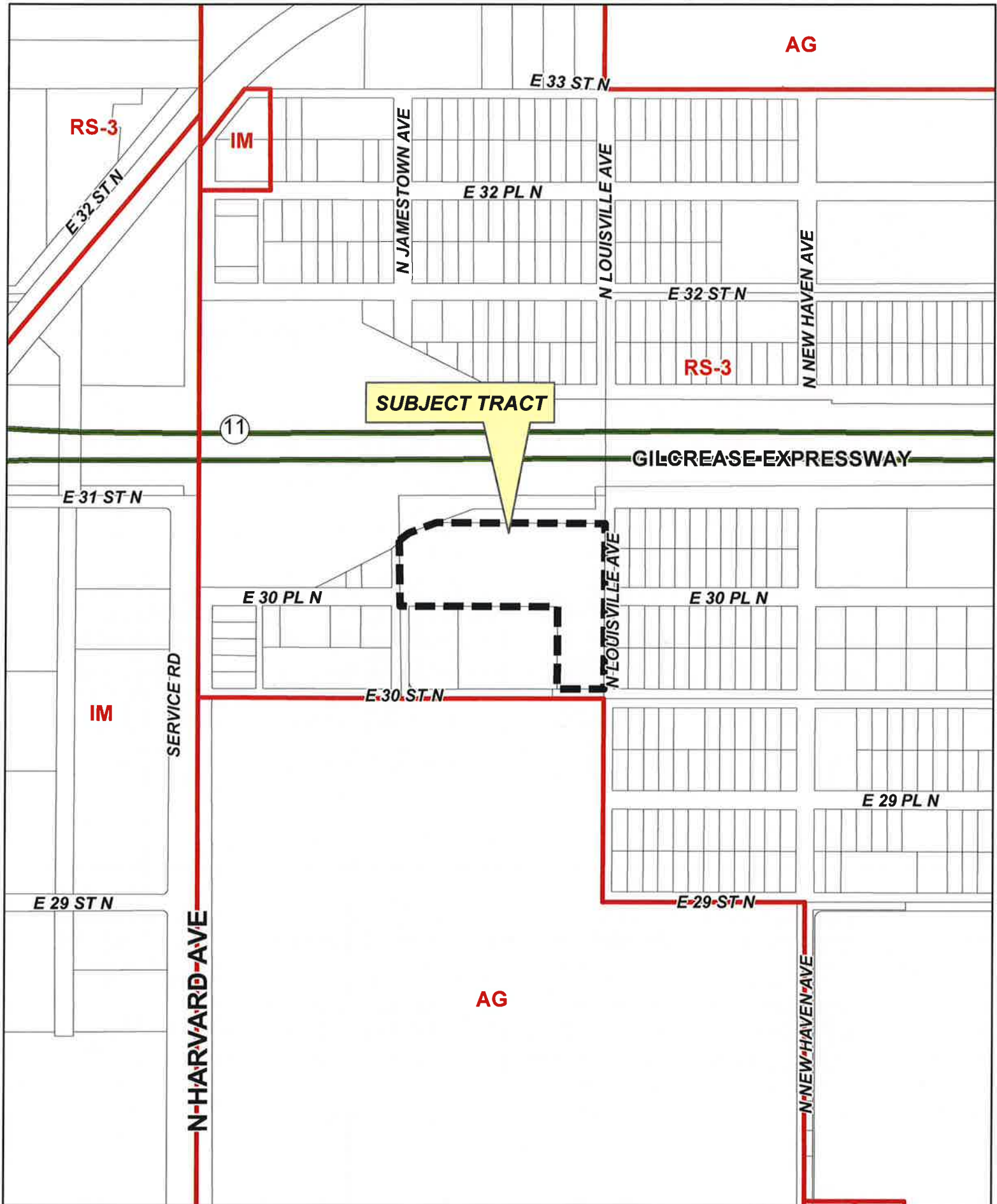
Subject Property:

No Relevant History.

Surrounding Property:

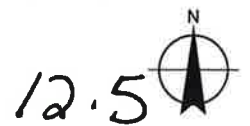
BOA-08678 August 1975: The Board of Adjustment **approved** an *Exception* to use property for Tulsa Junior College in an AG district, on property located at northeast of Apache Street and Harvard Avenue.

12/18/2019 1:30 PM



Z-7522

20-13 21





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Feet



Subject
Tract

Z-7522

20-13 21

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

Aerial Photo Date: February 2018

12.6



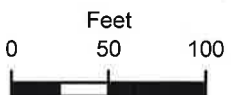
11

GILCREASE EXPRESSWAY

N JAMESTOWN AVE

N LOUISVILLE AVE

E 30 STN



Subject
Tract

Z-7522

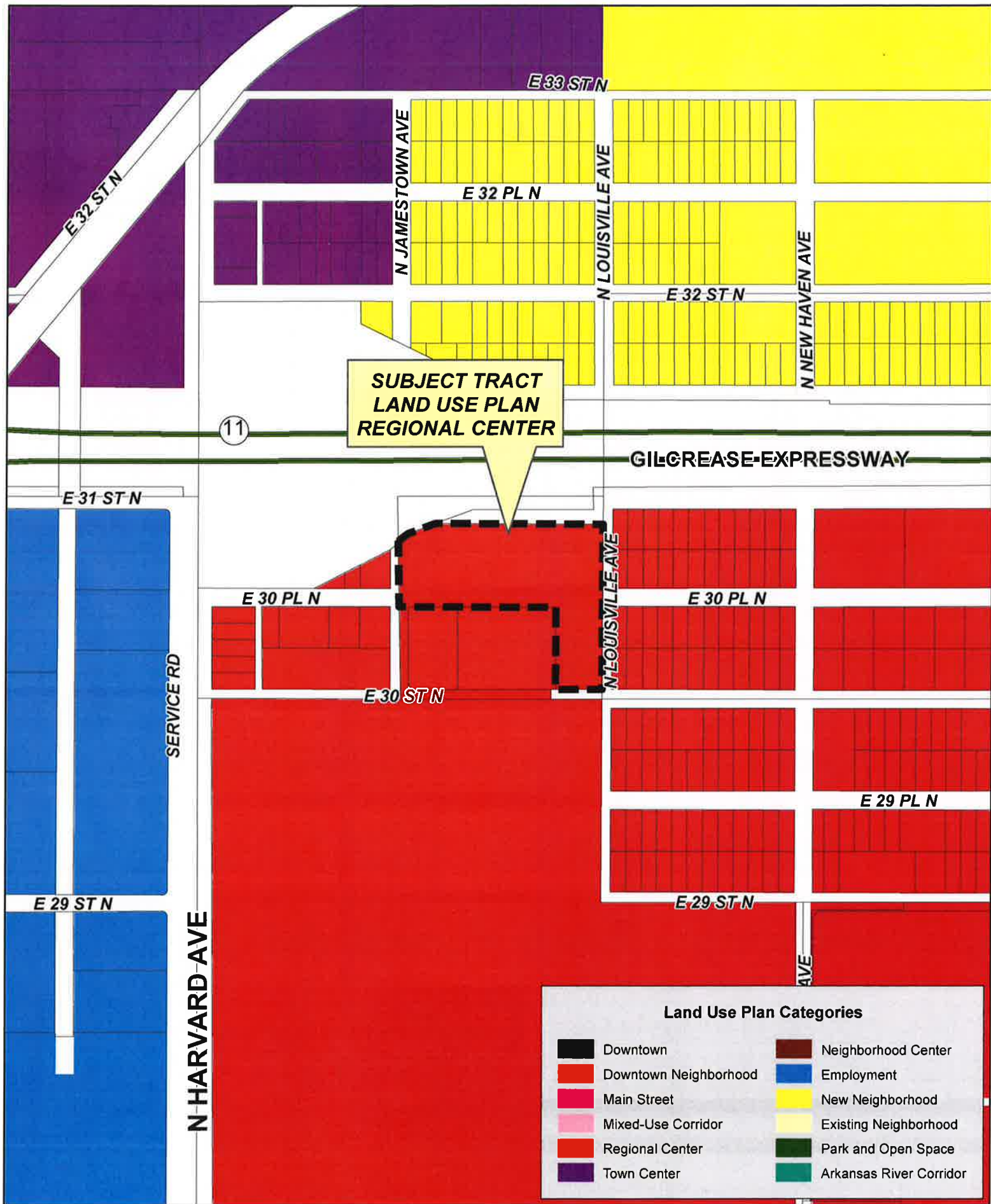
20-13 21

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

Aerial Photo Date: February 2018

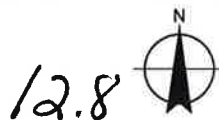
12.7

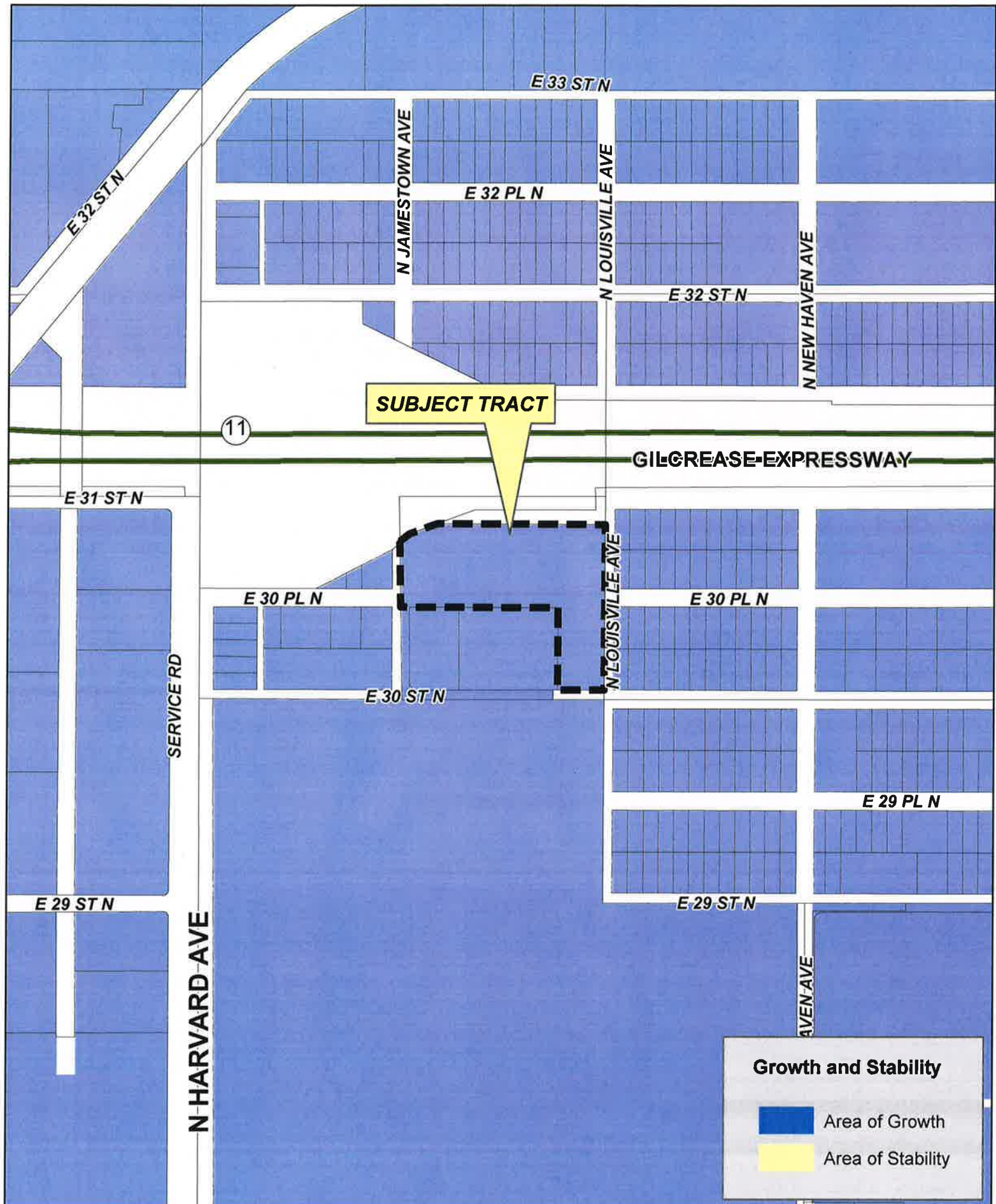




Z-7522

20-13 21





Z-7522

20-13 21

12.9



Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7523

Hearing Date: December 18, 2019

Case Report Prepared by:

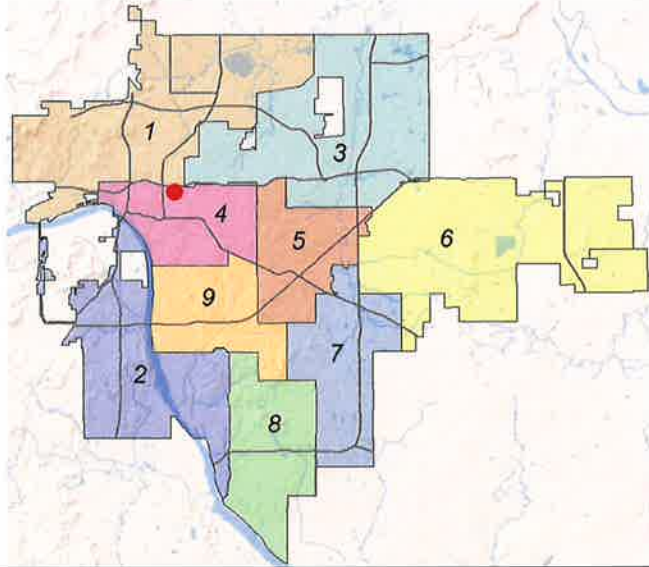
Jay Hoyt

Owner and Applicant Information:

Applicant: Amanda Lowe

Property Owner: QUINCY SQUARE INC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Medical Marijuana Dispensary

Proposed Use: Horticulture Nursery

Concept summary: Rezone from CH to IL to permit a Horticulture Nursery for a Medical Marijuana grow operation.

Tract Size: 0.32 ± acres

Location: East of the southeast corner of East 3rd Street South & South Quincy Avenue

Zoning:

Existing Zoning: CH

Proposed Zoning: IL

Comprehensive Plan:

Land Use Map: 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

13.1

SECTION I: Z-7523

DEVELOPMENT CONCEPT: The applicant is requesting to rezone from CH to IL with an optional development plan in order to permit a Horticulture Nursery for a Medical Marijuana Growing facility. The facility is intended to be located within the existing building currently on site.

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

EXHIBITS:

- INCOG Case map
- INCOG Aerial (small scale)
- INCOG Aerial (large scale)
- Tulsa Comprehensive Plan Land Use Map
- Tulsa Comprehensive Plan Areas of Stability and Growth Map

DETAILED STAFF RECOMMENDATION:

The subject lot is located within a Mixed-Use corridor designation of the City of Tulsa Comprehensive plan and the Pearl District Small Area Plan, which this proposal is compatible with;

The proposed allowable uses, as listed below, are compatible with the surrounding proximate properties and;

The proposal is consistent with the anticipated future development patterns of the surrounding area, therefore;

Staff recommends Approval of Z-7523 to rezone property from CH to IL with optional development plan.

Z-7523 DEVELOPMENT STANDARDS:

Permitted Uses:

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

Residential

- a. Household Living
- b. Public, Civic and Institutional
- c. Safety Service
- d. Utilities and Public Service Facility (Minor)
- e. Wireless Communication Facility
 - i. Freestanding Tower
 - ii. Building or Tower-Mounted Antenna

Commercial

- a. Animal Service
- b. Broadcast or Recording Studio
- c. Commercial Service

Financial Services (all uses permitted by right)

Funeral or Mortuary Service (all uses permitted by right)

Office (all uses permitted by right)

Restaurants and Bars

a. Restaurant

Retail Sales (all uses permitted by right)

Self-Service Storage Facility

Studio, Artist or Instructional Service

Trade School

Vehicle Sales and Service Section (all uses permitted by right except Truck Stop)

Wholesale, Distribution & Storage (all uses permitted by right)

Industrial

a. Low-Impact Manufacturing & Industry

Agricultural

a. Horticulture Nursery

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The site is located within a Mixed-Use Corridor and Area of Growth designation of the Tulsa Comprehensive Plan and Pearl District Small Area Plan.

Land Use Vision:

Land Use Plan map designation: Mixed-Use Corridor

Mixed-Use Corridors are Tulsa's modern thoroughfares that pair high capacity transportation facilities with housing, commercial, and employment uses. 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. Mixed-Use Corridors 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.

Areas of Stability and Growth designation: Area of Growth

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

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

Transportation Vision:

Major Street and Highway Plan: E 3rd St S is designated as a Commercial/CBD/Industrial Collector

Trail System Master Plan Considerations: None

Small Area Plan: The site is in the Pearl District Small Area Plan which contains recommendations about infill development and redevelopment of properties.

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *The site currently contains an existing commercial building.*

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
E 3 rd St S	Commercial/CBD/Industrial Collector	80 Feet	4

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	CH	Mixed-Use Corridor	Growth	Commercial
South	IM	Employment	Growth	Commercial/Industrial
East	CH	Mixed-Use Corridor	Growth	Commercial
West	CH	Mixed-Use Corridor	Growth	Commercial

SECTION III: Relevant Zoning History

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

Subject Property:

No Relevant History

Surrounding Property:

Z-7144 December 2009: All concurred in **approval** of a request for *rezoning* a .33± acre tract of land from RM-2 to IL on property located 1408 and 1412 East 2nd Street.

BOA-15187 July 1989: The Board of Adjustment **approved** a *Special Exception* to permit a machine shop in a CH zoned district per plot plan submitted, subject to hours of operation being 8:00 a.m. to 6:00 p.m., Monday through Friday, finding that there are multiple zoning classifications in the area and numerous uses similar to the one in question, on property located west of the north west corner of 3rd Street and Rockford Avenue.

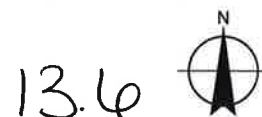
Z-6117 September 1986: All concurred in **approval** of a request for *rezoning* a .1± acre tract of land from RM-2 to IL on property located southeast corner of East 2nd Street and South Quincy Avenue.

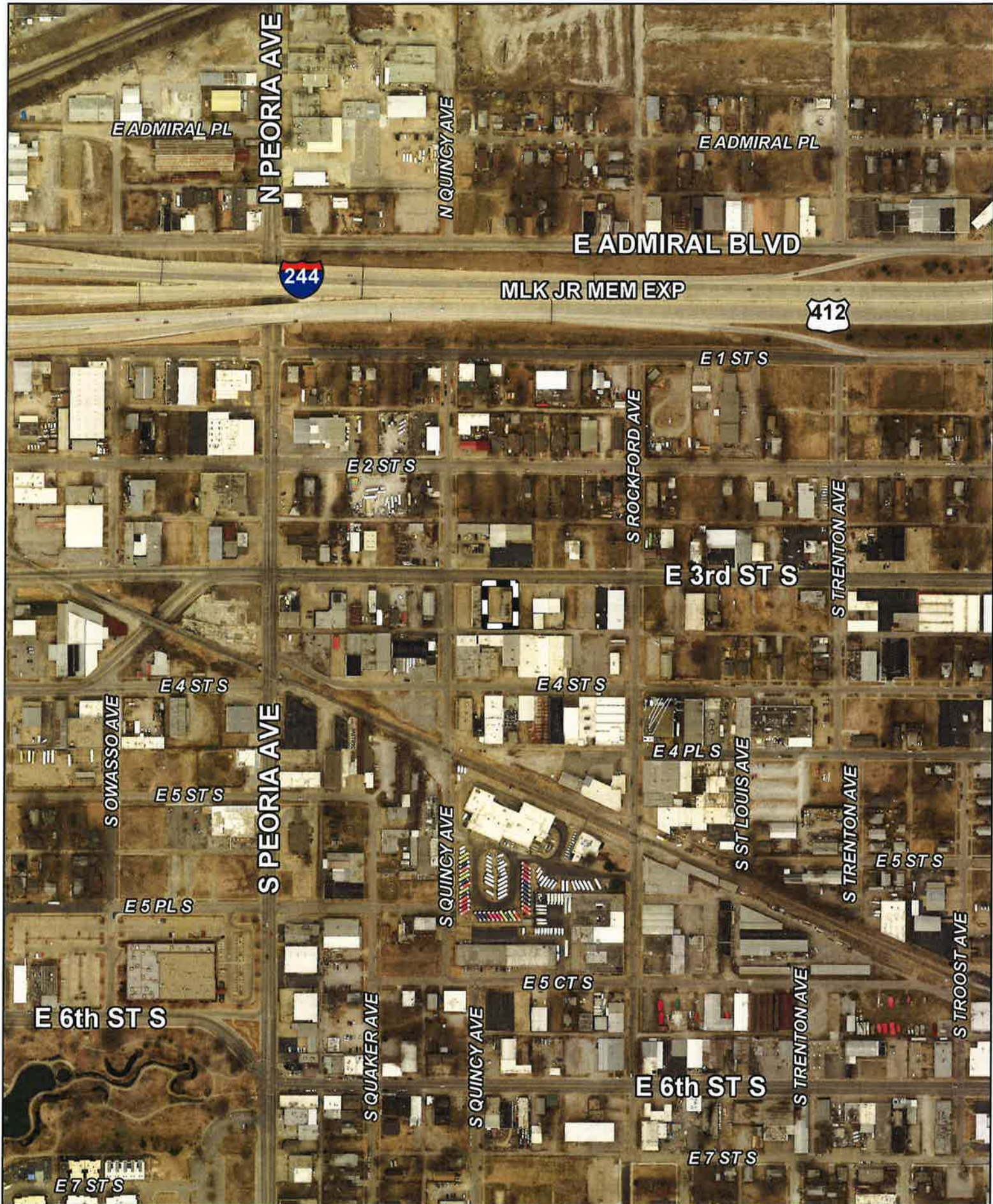
Z-6035 May 1985: All concurred in **approval** of a request for *rezoning* a tract of land from RM-1 to IL on property located northeast corner of East 4th Street and South Rockford Avenue.

BOA-11223 October 1980: The Board of Adjustment **approved** a *Special Exception* to operate a machine shop in a CH District with all work to be performed inside the building, on property located at 1326 E 3rd St.

12/18/2019 1:30 PM

13.5





0 Feet 200 400



Subject Tract

19-13 06

Z-7523
with Optional
Development Plan

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

Aerial Photo Date: February 2018



13.7



0 Feet 50 100



Subject
Tract

19-13 06

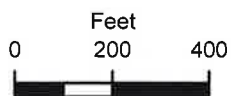
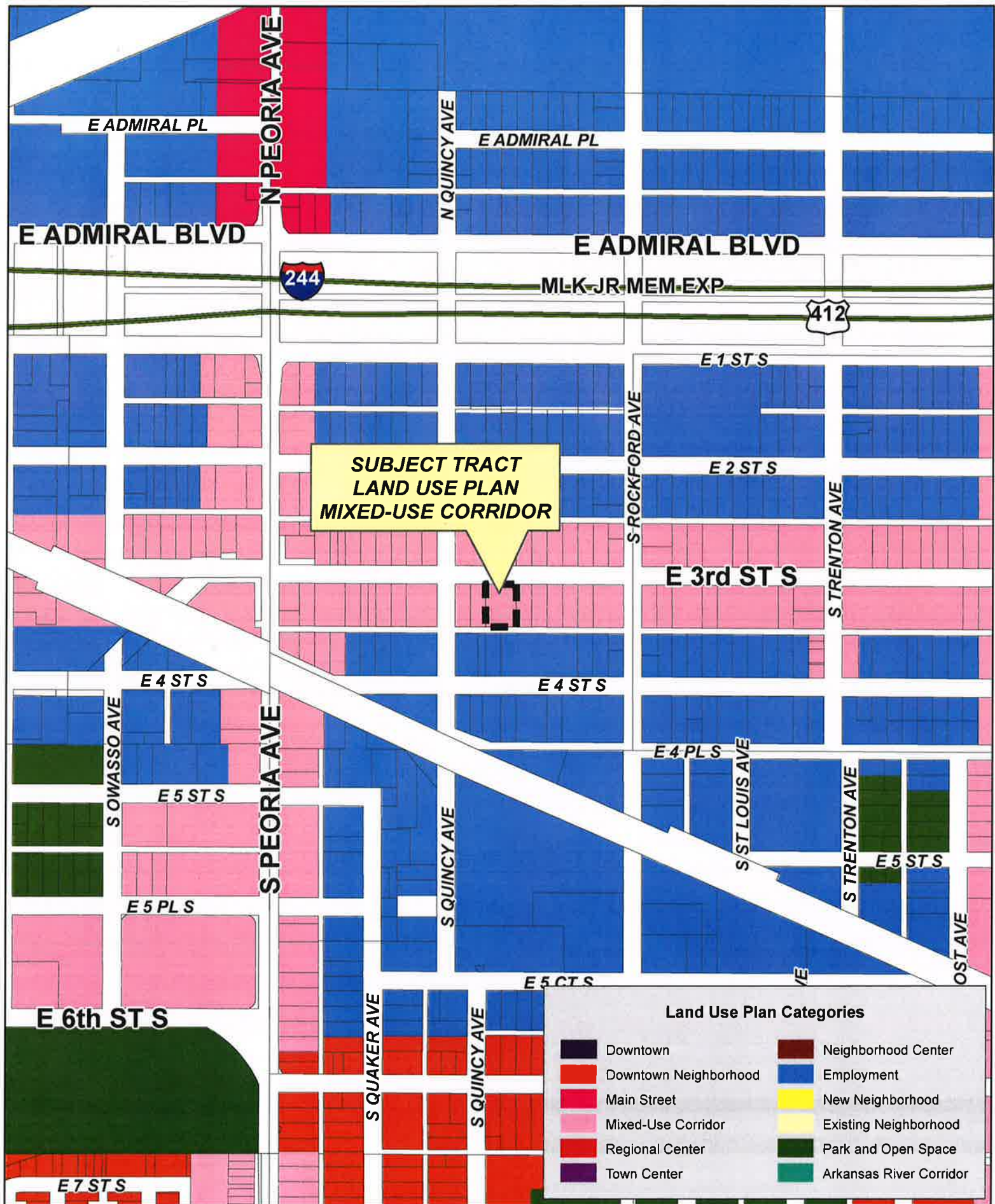
Z-7523
with Optional
Development Plan

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

Aerial Photo Date: February 2018



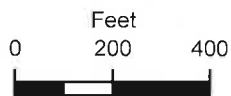
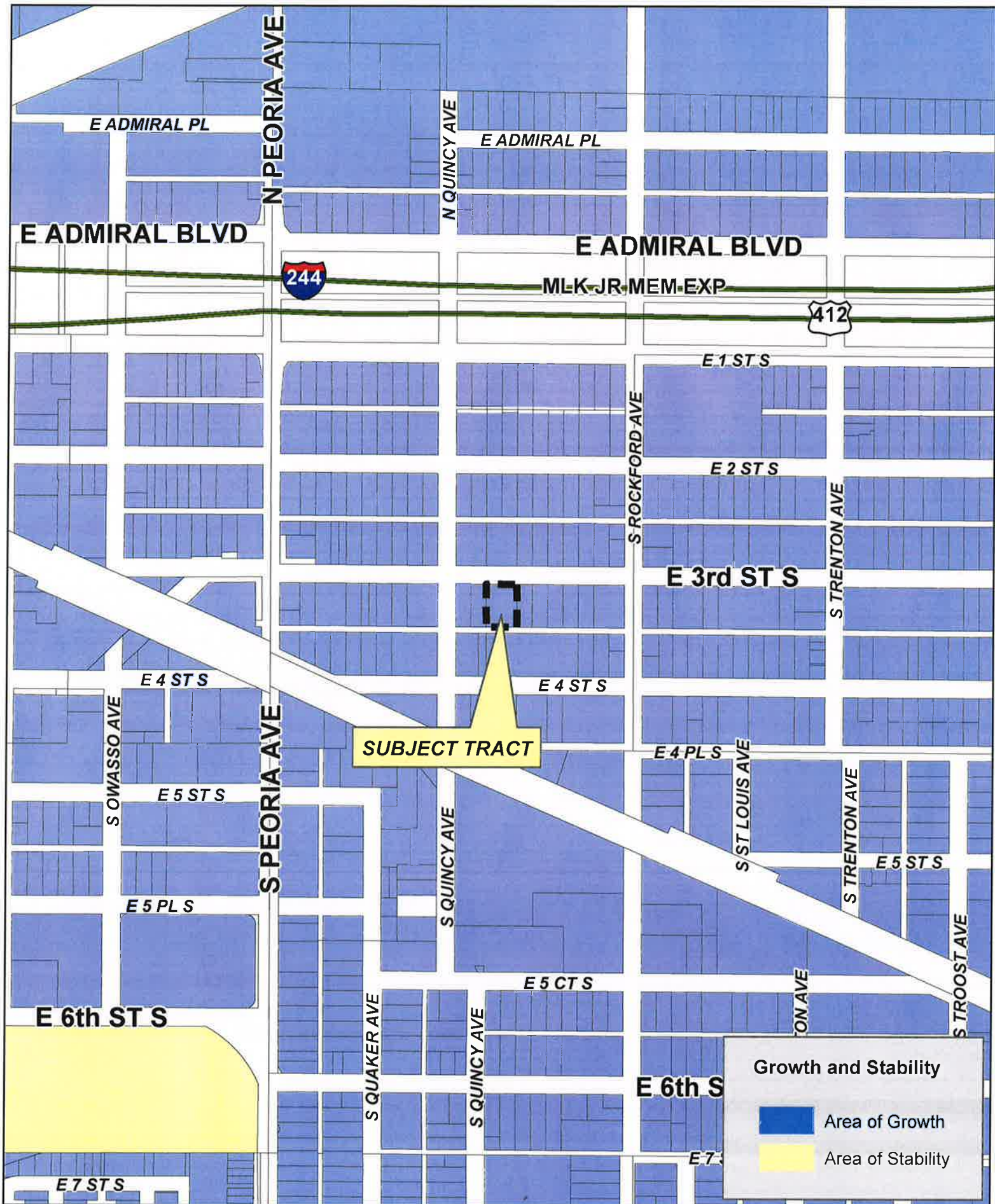
138



19-13 06

Z-7523
with Optional
Development Plan





19-13 06

Z-7523
with Optional
Development Plan

