

# **TULSA METROPOLITAN AREA PLANNING COMMISSION**

**Meeting No. 2809**

**January 8 , 2020, 1:00 PM**

**175 East 2<sup>nd</sup> Street, 2<sup>nd</sup> 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 20, 2019, Meeting No. 2806

## **CONSENT AGENDA:**

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

2. **CO-5-1 Stuart Van DeWiele** (CD 7) Location: Southwest of the southwest corner of East 96<sup>th</sup> Street South and South Garnett Road requesting a **Corridor Minor amendment** to revise the timing of construction of Grace Chapel Drive in Development Area B
3. **PUD-397-B-3 Woodland Valley Development, LLC c/o AAB Engineering, LLC** (CD 7) Location: South of the southeast corner of East 61<sup>st</sup> Street South and South 90<sup>th</sup> East Avenue requesting a **PUD Minor Amendment** to revise the open space, lot area and lot width requirements
4. **The Shoppes on Peoria** (CD 1) Change of Access, Location: North of the northeast corner of North Peoria Avenue and East Pine Street

### **PUBLIC HEARINGS:**

5. **Z-7505 Mark Capron** (CD 8) Location: Northwest of the northwest corner of East 111<sup>th</sup> Street South and South Memorial Drive requesting rezoning from **AG to RS-3 and RT** to permit single-family homes and townhouses (Continued from October 16, 2019 and November 6, 2019)(**Withdrawn by applicant**)
6. **CZ-498 Rob Miles** (County) Location: South of the southeast corner of West 111<sup>th</sup> Street South and South 33rd West Avenue requesting rezoning from **AG to RS** (Related to PUD-856 and Stone Creek Estates)
7. **PUD-856 Rob Miles** (County) Location: South of the southeast corner of West 111<sup>th</sup> Street South and South 33rd West Avenue requesting **PUD-856** (Related to CZ-498 and Stone Creek Estates)
8. **Stone Creek Estates** (County) Preliminary Plat, Location: South of the southeast corner of West 111<sup>th</sup> Street South and South 33rd West Avenue (Related to CZ-498 & PUD-856)
9. **Z-7524 Sally Moseby** (CD 4) Location: East of the southeast corner of South Lewis Avenue and East 6<sup>th</sup> Street South requesting rezoning from **MX1-U-45 to RM-2**
10. **Z-7525 Margaret Rosene Robinson** (CD 3) Location: South and west of the southwest corner of East Admiral Place and South Garnett Road requesting rezoning from **CS to IL**
11. **Z-7526 Mike Thedford** (CD 4) Location: Northwest corner of East 11<sup>th</sup> Street South and South Lewis Avenue requesting rezoning from **RM-2 and MX2-P-45 to MX2-P-U**

### **OTHER BUSINESS**

#### **12. 2020 Election of Officers- Current Officers:**

Michael Covey, Chairman  
Joshua Walker, 1<sup>st</sup> Vice Chairman  
Ted Reeds, 2<sup>nd</sup> Vice Chairman  
Joshua Ritchey, Secretary

#### **13. Commissioners' Comments**

### **ADJOURN**

CD = Council District

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

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

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





**Case Number:** CO-5-1  
**Minor Amendment**

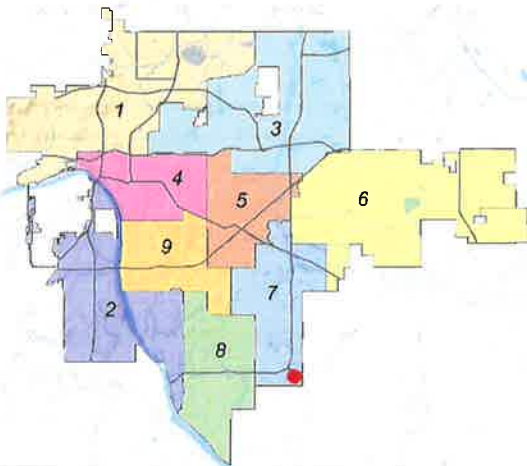
**Hearing Date:** January 8, 2020

**Case Report Prepared by:**  
Jay Hoyt

**Owner and Applicant Information:**  
Applicant: Stuart Van De Wiele

Property Owner: Garnett Property Holdings  
Co. LLC

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



**Applicant Proposal:**

Concept summary: Corridor minor amendment to revised the timing of construction of Grace Chapel Drive in Development Area B

Gross Land Area: 44.6 acres

Location: SW of the SW/c E 96<sup>th</sup> St S and S Garnett Rd

**Zoning:**  
Existing Zoning: CO/CO-5  
Proposed Zoning: No Change

**Comprehensive Plan:**  
Land Use Map: Mixed-Use  
Growth and Stability Map: Growth

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

**Staff Data:**  
TRS: 8419

**City Council District:** 7  
*Councilor Name:* Lori Decter Wright

**County Commission District:** 3  
*Commissioner Name:* Ron Peters

**SECTION I:** CO-5-1 Minor Amendment

**STAFF RECOMMENDATION**

Amendment Request: Amend the development standards to revise the required timing of Grace Chapel Drive in Development Area B.

The applicant is proposing to revise the timing of the road construction so that construction and permitting of the road in Development Area B from 106<sup>th</sup> E Ave to the East edge of the Development Area will be required to coincide with construction and permitting for any new building structure in Development Area B.

Previously, this portion of the road was called out to be constructed before any building permit is released for any new building in the project.

Staff Comment: *This request can be considered a Minor Amendment as outlined by Section 25.040D.3.b(5) of the Corridor District Provisions of the City of Tulsa Zoning Code.*

“Minor amendments to an approved corridor development plan may be authorized by the Planning Commission, which may direct the processing of an amended development plan and subdivision plat, incorporating such changes, so long as substantial compliance is maintained with the approved development plan. “

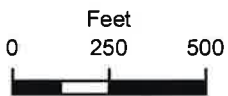
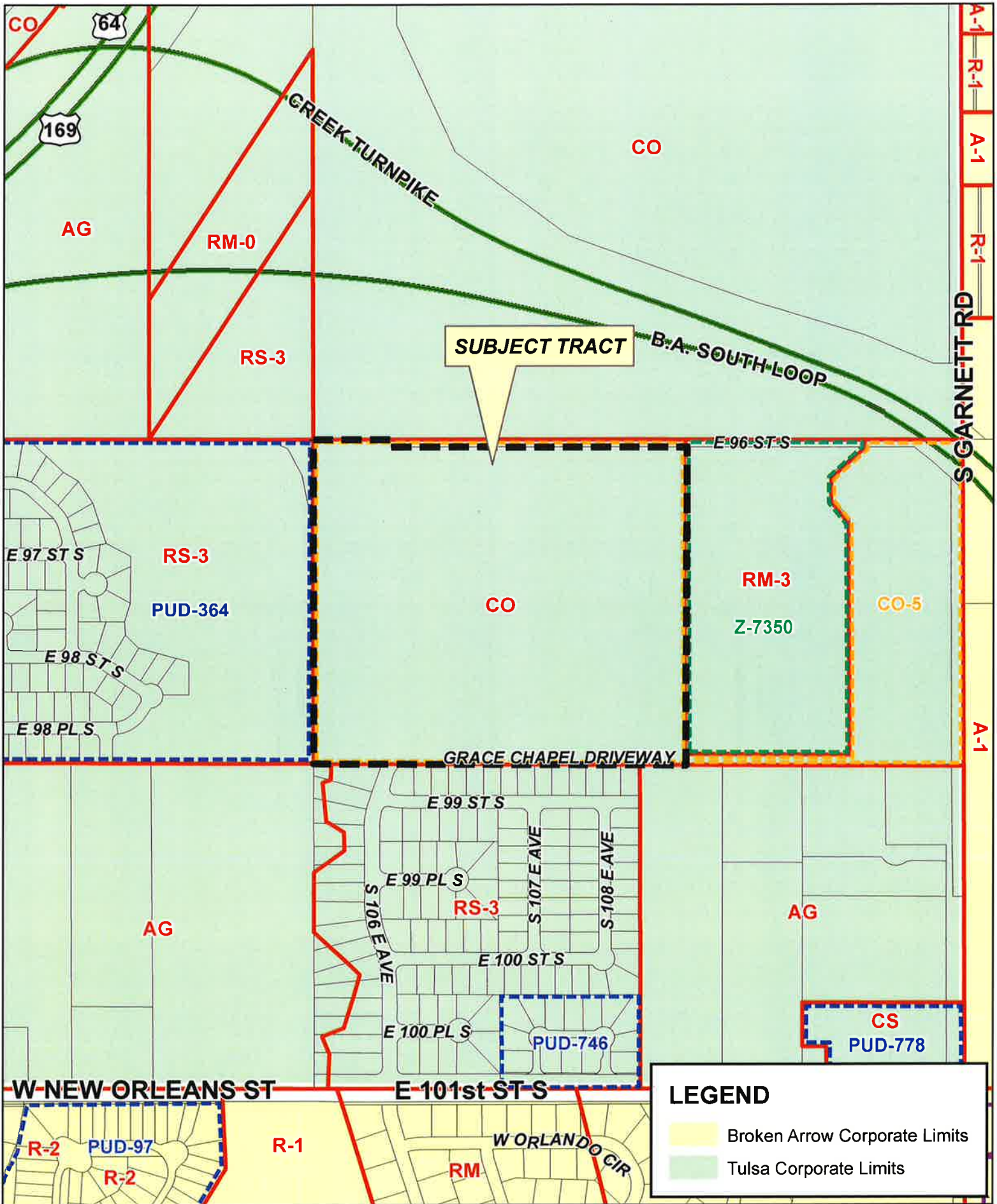
Staff has reviewed the request and determined:

- 1) The requested amendment does not represent a significant departure from the approved development standards in the Corridor.
- 2) Any deviation from the requirement to construct Grace Chapel Drive shall require a Major Amendment.
- 3) All remaining development standards defined in CO-5 shall remain in effect.

Exhibits included with staff recommendation:

INCOG zoning case map  
INCOG aerial photo  
Applicant Amendment Text

With considerations listed above, staff recommends **approval** of the minor amendment request to revise the timing of the construction of Grace Chapel Drive.



**CO-5-1**

18-14 19







Feet  
0 250 500



Subject  
Tract

**CO-5-1**

18-14 19

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

Aerial Photo Date: February 2018

2.4





Development Standards - General Provisions – Section E (Transportation System Improvements).

**E. TRANSPORTATION SYSTEM IMPROVEMENTS** - The private drive commonly known as Grace Chapel Drive shall be constructed or reconstructed to meet City of Tulsa standards for a residential street from South 106<sup>th</sup> East Avenue to the East edge of Development Area "B" (the remainder Grace Chapel Drive shall be constructed pursuant to the approval and standards set forth in Case Number Z-7350 (the "Cottages at Cedar Ridge Project")). A minimum right-of-way with of fifty feet (50') shall be dedicated therewith. ~~The timing of the foregoing street improvements is anticipated to be completed in conjunction with the Cottages at Cedar Ridge Project but, in any event, before any building permit is released for any new building in this Project.~~ The timing of the construction and permitting of the foregoing street improvements in Development Area "B" shall require such construction and permitting as part of the construction and permitting for any new building structure in Development Area "B".



**Case Number:** PUD-397-B-3  
**Minor Amendment**

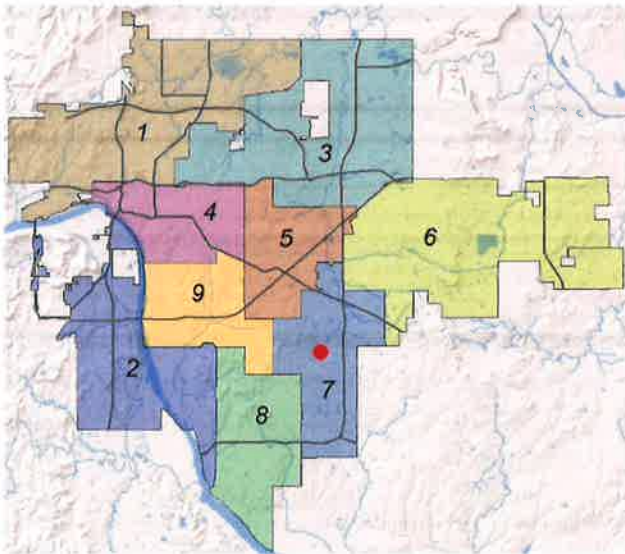
**Hearing Date:** January 8, 2020

**Case Report Prepared by:**  
Jay Hoyt

**Owner and Applicant Information:**  
Applicant: Woodland Valley Dev, LLC c/o  
AAB Engineering

Property Owner: Woodland Valley Dev, LLC

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



**Applicant Proposal:**

Concept summary: PUD minor amendment  
to revise the open space, lot area and lot  
width requirements

Gross Land Area: 8.18 acres

Location: South of SE/c S E 61<sup>st</sup> St S and S  
90<sup>th</sup> E Ave

Development Area D-1

**Zoning:**  
Existing Zoning: RM-1/PUD-397-B  
Proposed Zoning: No Change

**Comprehensive Plan:**  
Land Use Map: Mixed-Use Corridor  
Growth and Stability Map: Growth

**Staff Recommendation:**  
Staff recommends approval to amend PUD  
397-B to clarify minimum lot areas, open  
space and lot width.

**Staff Data:**  
TRS: 8301

**City Council District:** 7  
*Councilor Name:* Lori Decter Wright

**County Commission District:** 3  
*Commissioner Name:* Ron Peters

January 8, 2020

**SECTION I:** PUD-397-B-3 Minor Amendment

**Applicants Amendment Request:**

Amend the development standards to remove the livability space requirement identified in PUD 397-B-2 and replace with open space of 600 sf per unit in accordance with the underlying zoning of RM-1 and remove the reference to "Exhibit A" in PUD 397-B-2

**STAFF RECOMMENDATION**

Staff does not support the request for minimum open space on a lot to 600 sf, however staff does support an amendment request for 2,000 sf of open space on each lot. That open space is consistent with the required building setback standards and maximum driveway coverage allowed in the zoning code.

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

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

Staff has reviewed the request and determined:

- 1) PUD 367-B-3 outlined in Section II does not represent a significant departure from the approved development standards in the PUD and is considered a minor amendment to PUD 397-B.
- 2) The Staff Recommendations outlined above are consistent with the anticipated development provided on the preliminary plat that has been prepared by the applicant.
- 3) All remaining development standards defined in PUD-397-B and subsequent amendments shall remain in effect.

With considerations listed above, staff recommends **approval** of the minor amendment as outlined in Section II.



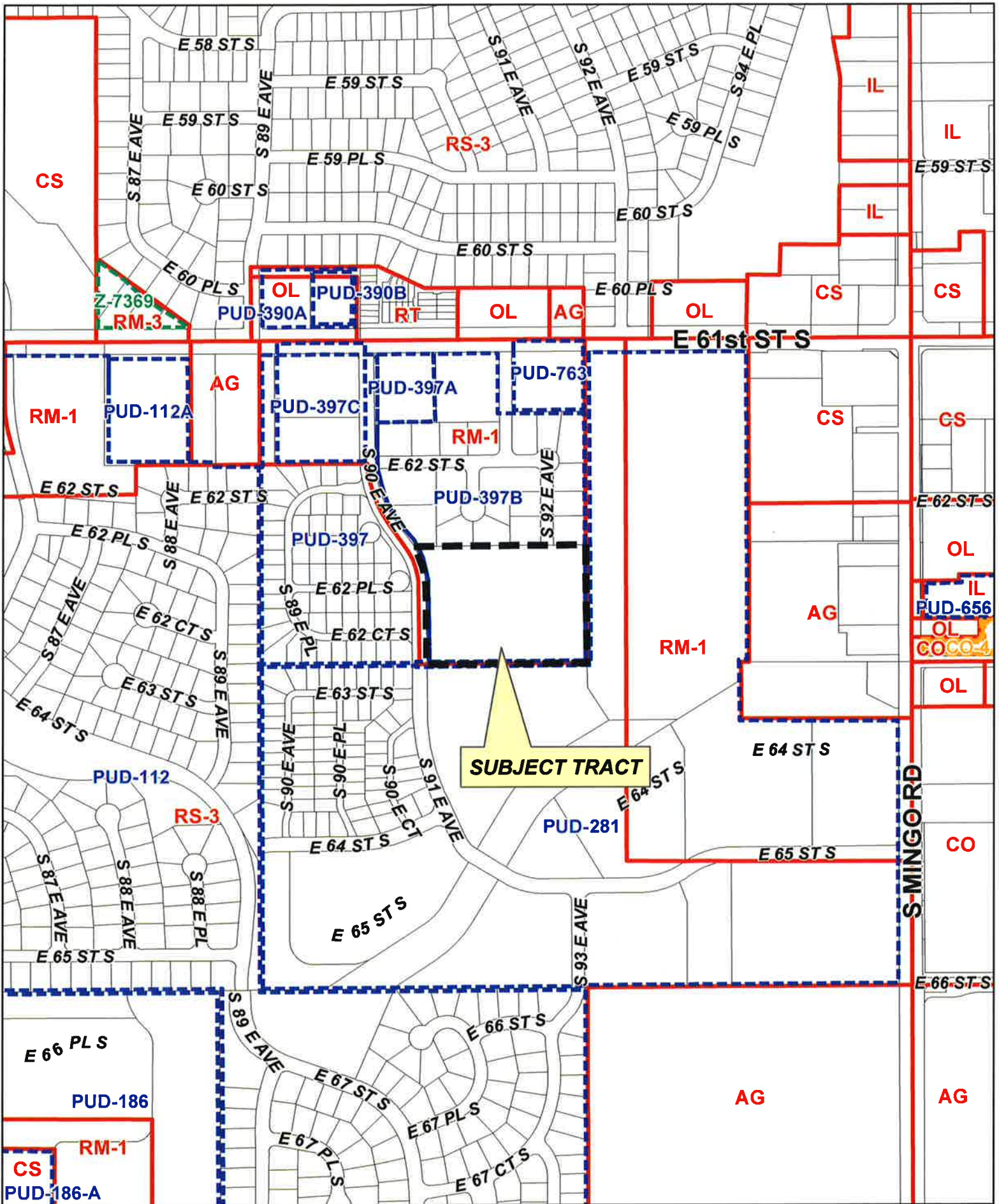
## **SECTION II: PUD 397-B-3:**

Minimum Lot Area:	4,900 sf
Minimum Open Space per Unit:	2,000 sf
Minimum Lot Width:	50 ft

## **SECTION III: Supporting Documentation**

Exhibits included with staff report:

- INCOG zoning case map
- INCOG aerial photo
- INCOG aerial photo (enlarged)
- Applicant Minor Amendment Letter



**PUD-397-B-3**

18-13 01

3.4







Feet

0 250 500



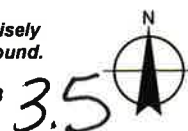
**Subject  
Tract**

***PUD-397-B-3***

18-13 01

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

**Aerial Photo Date: February 2018**







S90EPL

S92EAVE

S90EAVE

S91EAVE



Subject  
Tract

**PUD-397-B-3**

18-13 01

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

Aerial Photo Date: February 2018

3.6







**AAB Engineering, LLC**  
PO Box 2136  
Sand Springs, OK 74063

Office: 918.514.4283 Fax: 918.514.4288

December 11, 2019

Tulsa Metropolitan Area Planning Commission  
2 West 2<sup>nd</sup> Street, Suite 800  
Tulsa, Ok 74103

Re: Woodland Valley Zoning Minor Amendment

To whom it may concern,

PUD-397-B-2 was a Minor Amendment which was approved by TMAPC on June 7<sup>th</sup>, 2017 that contemplated a single family housing addition, Woodland Valley. This PUD included a minimum livability space for each lot of 2,000 square feet "as shown in Exhibit 'A'". It also included a 4900 square foot minimum lot area with a reference to the same exhibit. Since that time, the conceptual development plan has changed with the addition of two lots and significant changes to others. As such, we request that the living space requirement be removed and replaced with minimum open space of 600 square feet per unit in accordance with current RM-1 zoning regulations and the minimum lot area be changed to 4,900 square feet with no reference to an exhibit. This alteration will bring the development into conformance with the current zoning definitions of open space and will align the PUD with the current development plan.

If you have any questions or concerns please feel free to contact me.

Respectfully,

Alan Betchan, P.E.  
AAB Engineering, LLC





Tulsa Metropolitan Area  
Planning Commission

**Case :** The Shoppes on Peoria

**Hearing Date:** January 8, 2020

**Case Report Prepared by:**

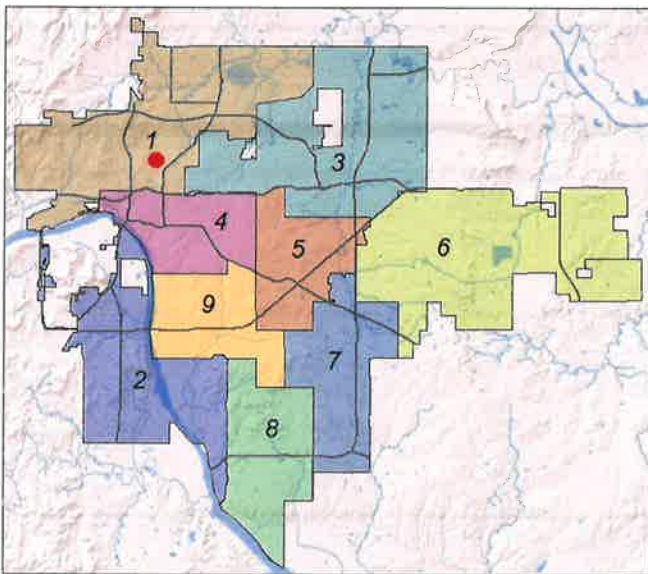
Nathan Foster

**Owner and Applicant Information:**

*Applicant:* Mike Thedford, Wallace Engineering

*Owner:* Tulsa Economic Development Corporation

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



**Applicant Proposal:**

Change of Access

*Location:* North of the northeast corner of North Peoria Avenue and East Pine Street

*Summary:* Remove limits of no access along North Peoria Avenue and allow one 30' access at the north end of the property.

**Zoning:** CS/PUD-705

**Staff Recommendation:**

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

**City Council District: 1**

*Councilor Name:* Vanessa Hall-Harper

**County Commission District: 1**

*Commissioner Name:* Stan Sallee

**EXHIBITS:** Change of Access Exhibits

**CHANGE OF AND CONSENT TO  
AREAS OF ACCESS AS SHOWN ON RECORDED PLAT**

WHEREAS, Tulsa Economic Development Corp.  
are the owners of The Shoppes On Peoria,  
in the city and/or county of Tulsa, Oklahoma, according to the recorded plat thereof;  
and

WHEREAS, said owners desire to change the access points from N.  
Peoria Ave to the above described property and,


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

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

NOW THEREFORE, the undersigned owners of the above named property in  
the City (and/or) County of Tulsa, Oklahoma according to the recorded plat thereof,  
does hereby change the access point(s) from its (their) present location as shown on  
the above named plat as recorded in the office of the County Clerk of Tulsa County,  
Oklahoma, as plat number 6434 to the location(s) as shown on the attached Exhibit  
A, which is incorporated herein by reference and made a part hereof for all purposes.

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

IN WITNESS WHEREOF, the parties have hereunto set their hands and  
affixed their seals this 25<sup>th</sup> day of November, 2019.

  
\_\_\_\_\_  
Owner

\_\_\_\_\_  
Owner

APPROVED:

  
\_\_\_\_\_  
City/County Engineer

\_\_\_\_\_  
TMAPC



STATE OF \_\_\_\_\_ )

) SS

INDIVIDUAL ACKNOWLEDGEMENT

COUNTY OF \_\_\_\_\_ )

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

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

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

STATE OF Oklahoma )

) SS

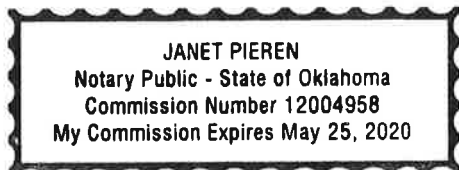
CORPORATE ACKNOWLEDGEMENT

COUNTY OF Tulsa )

Before me, the undersigned, a Notary Public in and for said County and State, on this 25<sup>th</sup> day of November, 2019, personally appeared Rose M. Washington, to me known to be the identical person(s) who subscribed the name of the maker thereof to the foregoing instrument as its Chief Executive officer and acknowledged to me that Rose M. Washington executed the same as her free and voluntary act and deed of such corporation, for the purposes therein set forth.

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

My Commission Expires: 5/25/2020



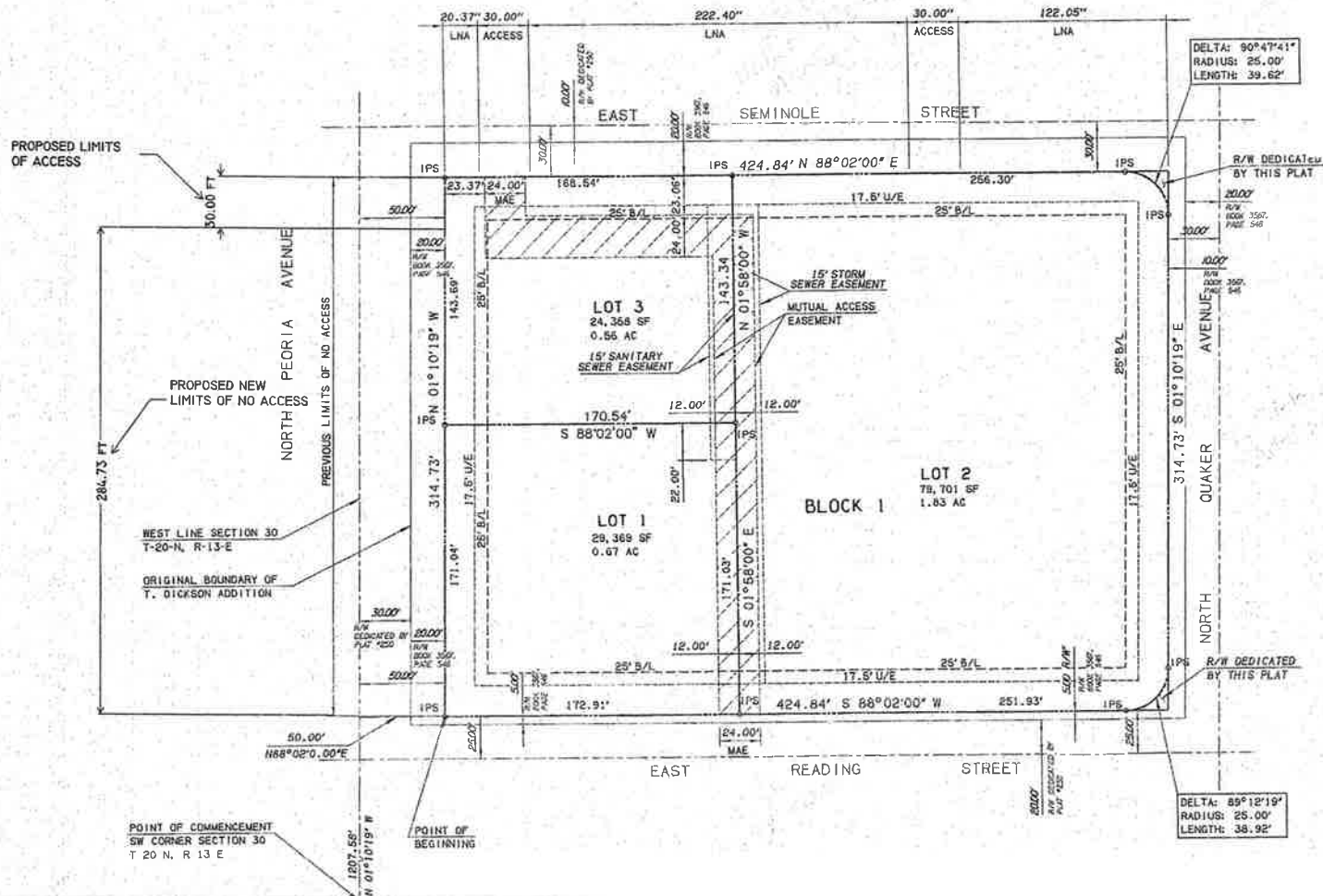
[Signature]  
Notary Public

**EXHIBIT 'A'**  
**REVISED CHANGE OF ACCESS**  
**FOR LOTS 1 & 3, BLOCK 1**  
**THE SHOPPES ON PEORIA**  
**PLAT 6434**

DECEMBER 11, 2019

APPROVED:

TRAFFIC ENGINEER



f.

Sawyer, Kim

2-7505

Withdraw

**From:** Hoyt, Jay  
**Sent:** Tuesday, December 17, 2019 11:48 AM  
**To:** Sawyer, Kim  
**Subject:** FW: 101st and Memorial - Z-7505

Kim,

The applicant for case Z-7505 is requesting to withdraw their application. This was to be on the 1/8/20 agenda.

Thank you,

Jay Hoyt

**From:** Mark Capron [mailto:mcapron@wallacesc.com]  
**Sent:** Tuesday, December 17, 2019 10:57 AM  
**To:** Wilkerson, Dwayne <DWilkerson@incog.org>; Hoyt, Jay <JHoyt@incog.org>  
**Cc:** Miller, Susan <SMiller@incog.org>; Gene Phillips <gphillips@wallacesc.com>; Chris Key <soonerkey@gmail.com>;  
Jamelle Moore <jmoore@wallacesc.com>  
**Subject:** 101st and Memorial - Z-7505

Dwayne,

As applicant of the subject rezoning application, we hereby withdraw the application. Thanks to you and the others at the Planning Office for all the work that you have done on this project.

Mark

**Mark B. Capron, LLA**  
Land Development Planner



**Wallace Engineering** Structural Consultants, Inc.  
Structural and Civil Consultants  
123 North Martin Luther King Jr. Boulevard  
Tulsa, Oklahoma 74103  
918.584.5858 O | 918.806.7314 D

Tulsa | Kansas City | Oklahoma City | Denver | Atlanta



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Tulsa Metropolitan Area  
Planning Commission

**Case Number:** CZ-498

Related to PUD 856

**Hearing Date:** January 8, 2020

**Case Report Prepared by:**

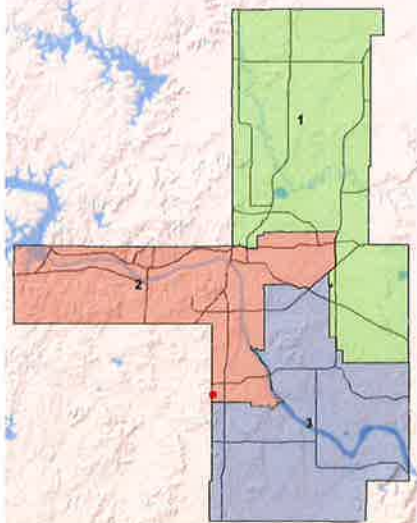
Jay Hoyt

**Owner and Applicant Information:**

*Applicant:* Rob Miles

*Property Owner:* WILSON, RICHARD & REBECCA

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



**Applicant Proposal:**

*Present Use:* Agriculture

*Proposed Use:* Residential

*Concept summary:* Rezone from AG to RS with a PUD overlay to permit a residential development

*Tract Size:* 10.74 ± acres

*Location:* South of the Southeast corner of West 111th Street South & South 33rd West Avenue

**Zoning:**

*Existing Zoning:* AG

*Proposed Zoning:* RS

**Comprehensive Plan:**

*Land Use Map:* Low Intensity/Development Sensitive

*Stability and Growth Map:* N/A

**Staff Recommendation:**

**Staff recommends approval.**

**Staff Data:**

TRS: 8234

CZM: 55

**County Commission District:** 2

*Commissioner Name:* Karen Keith

6.1

## SECTION I: CZ-498

**DEVELOPMENT CONCEPT:** The applicant is requesting to rezone from AG to RS to permit a single-family subdivision. A PUD (PUD-856) is being concurrently proposed with this rezoning to establish the allowable use and the bulk and area requirements. The lots are intended to be half acre minimum in size. Sewer is proposed to be provided through aerobic systems. A small portion of the lot is within the 100 year floodplain. The applicant will need to work with Tulsa County to mitigate any impact if development is to occur in this area.

### EXHIBITS:

- INCOG Case map
- INCOG Aerial
- INCOG Aerial (Enlarged)
- Tulsa County Comprehensive Plan Land Use Map

## DETAILED STAFF RECOMMENDATION:

CZ-498 requesting RS zoning in conjunction with the requested PUD, is consistent with the Low Intensity land use designation identified in the Tulsa County Comprehensive Lands Use plan.

CZ-498 allows lots sizes and uses that are consistent with the anticipated future development pattern of the surrounding property, has lot sizes approximately equal to those in the RE district, however terrain and flooding considerations support the idea of a Planned Unit Development to allow greater flexibility and creativity within the development to best utilize the unique physical features of the particular site;

CZ-498 is consistent with the anticipated future development pattern of the surrounding property therefore;

**Staff recommends Approval of CZ-498 to rezone property from AG to RS in conjunction with PUD-856.**

## SECTION II: Supporting Documentation

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

#### Staff Summary:

The subject property is located within the fenceline of Jenks. On June 19, 2019, TMAPC voted 6-0-0 to adopt TCCP-1, which included the Jenks Comprehensive Plan which covers the area within their fenceline but outside of Jenks corporate limits, as an amendment to the Comprehensive Plan of the Tulsa Metropolitan Area. It was approved by County Commission on July 15, 2019.

The Tulsa County Comprehensive Land Use Plan designation is Low Intensity on the west and the east portions of the parcel with a designation of Development Sensitive through the center of the property. There is a creek running through the portion that is Development Sensitive and it is in the 100 Year Floodplain (see attached map labeled Comprehensive Plan).

**Low Intensity as related to residential properties:** Low Intensity covers all of the area within the areas of anticipated urbanization with the exception of those specified for medium intensity.

6.2

The average residential density within the Low Intensity areas would be four dwelling units per acre.

**Development Sensitive:** These areas identify property subject to flooding as determined by the Flood Insurance Administration. The purpose of this designation is to specify which areas of the community need special regulatory devices to ensure the health, safety, and welfare of the community.

**Relevant Policies related to Residential Areas:**

3.3.3.3 - Allow no residential construction in floodplains, except as approved by Federal Emergency Management Agency guidelines.

3.3.3.4 – Design residential subdivisions considering the topography of the site.

3.3.3.5 – Require special design treatment of subdivisions in areas where slopes are greater than 15%.

**Relevant Policies related to Development Sensitive Areas:**

3.6.3.1 – Residential development in floodplain areas should be prohibited, except as permitted for by FEMA regulations.

3.6.3.4 – Development within areas designated as within a boundary of a 100-year floodplain should require that no adverse impact be produced to the floodplain by the development.

Land Use Vision:

*Land Use Plan map designation:* Low Intensity / Development Sensitive

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

Transportation Vision:

*Major Street and Highway Plan:* S 33<sup>rd</sup> W Ave is designated as a secondary arterial.

*Trail System Master Plan Considerations:* None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is currently contains a barn structure and pond on the non-forested western portion of the lot. A forested area and stream are located adjacent, to the east.

Environmental Considerations: Due to the stream located adjacent to the site, a small portion of the lot is located within the 100 year flood plan. The applicant will need to work with the proper governing authorities to mitigate any impact of construction within this flood plain area, if developed.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
S 33 <sup>rd</sup> West Avenue	Secondary Arterial	100 Feet	2

Utilities:

The subject tract will receive water from Creek Rural Water District 2 and sewer will be via aerobic systems.

Surrounding Properties:

<b>Location</b>	<b>Existing Zoning</b>	<b>Existing Land Use Designation</b>	<b>Area of Stability or Growth</b>	<b>Existing Use</b>
North	AG	Low Intensity/Development Sensitive	N/A	Single Family / Agriculture
South	AG/RS	Low Intensity/Development Sensitive	N/A	Single Family / Agriculture
East	AG	Low Intensity/Development Sensitive	N/A	Single Family / Agriculture
West	A/HR (Sapulpa)	Rural Residential	N/A	Single Family / Vacant

**SECTION III: Relevant Zoning History**

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

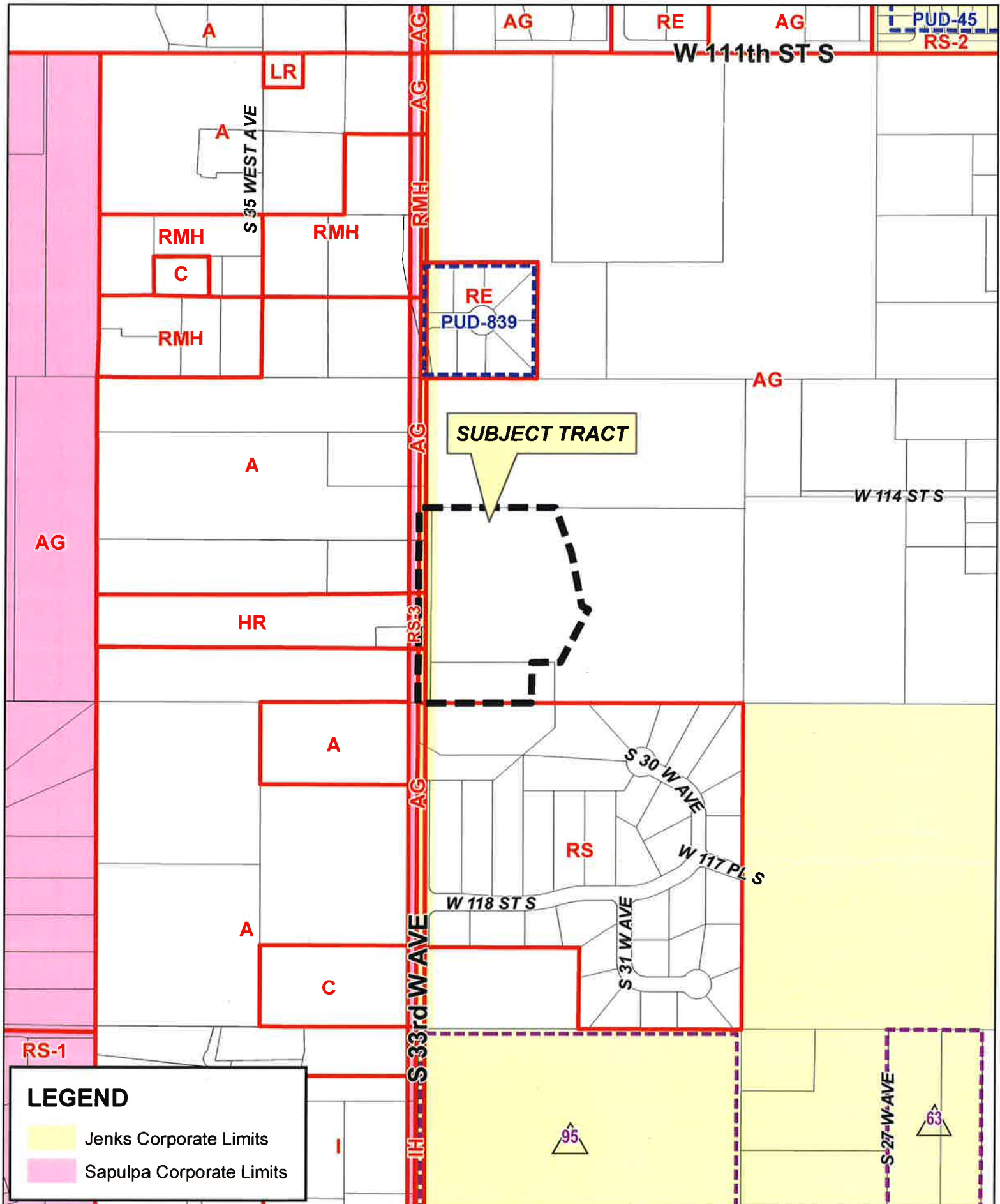
***Subject Property:***

No Relevant History.

***Surrounding Property:***

**CZ-442/PUD-839 October 2015:** All concurred in **approval** of a request to rezone a 5.097± acre tract of land from AG to RE and **approval** of a proposed *Planned Unit Development* for Single-family residential, on property located south of the southeast corner of West 111<sup>th</sup> Street and South 33<sup>rd</sup> West Avenue.

1/8/2020 1:30 PM



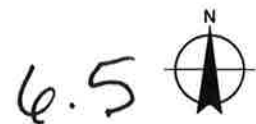
**LEGEND**

- Jenks Corporate Limits
- Sapulpa Corporate Limits



**CZ-498**

18-12 34







0 250 500  
Feet



Subject  
Tract

**CZ-498**

18-12 34

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

Aerial Photo Date: February 2018







S 33rd W AVE

0 50 100  
Feet



Subject  
Tract

**CZ-498**

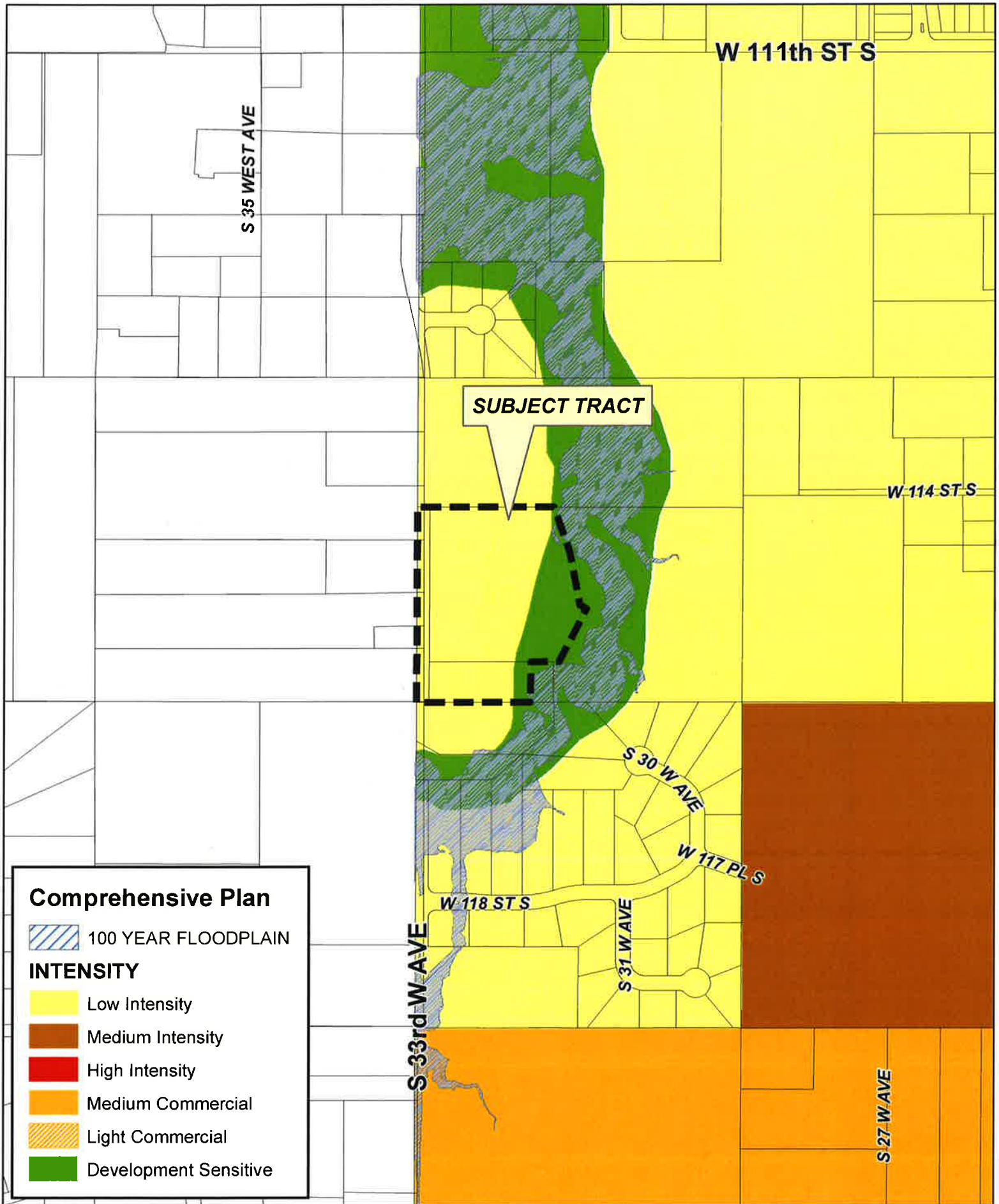
18-12 34

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

Aerial Photo Date: February 2018









Tulsa Metropolitan Area  
Planning Commission

**Case Number: PUD-856**

Related to CZ-498 and Stone Creek Estates  
preliminary plat

**Hearing Date: January 8, 2020**

**Case Report Prepared by:**

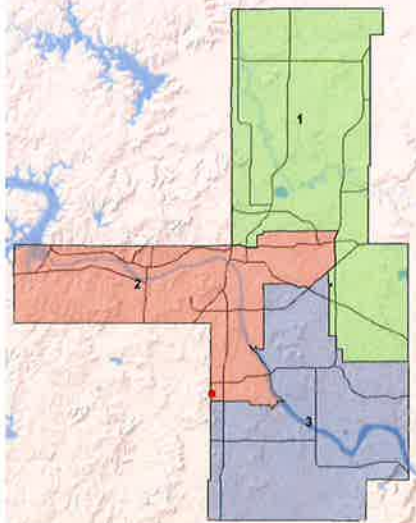
Jay Hoyt

**Owner and Applicant Information:**

*Applicant:* Rob Miles

*Property Owner:* WILSON, RICHARD & REBECCA

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



**Applicant Proposal:**

*Present Use:* Agricultural

*Proposed Use:* Residential

*Concept summary:* Rezone from AG to RS with a  
PUD overlay to permit a residential development.

*Tract Size:* 10.74 ± acres

*Location:* South of the Southeast corner of West  
111th Street South & South 33rd West Avenue

**Zoning:**

*Existing Zoning:* AG

*Proposed Zoning:* PUD-856

**Comprehensive Plan:**

*Land Use Map:* Low Intensity/Development  
Sensitive

*Stability and Growth Map:* N/A

**Staff Recommendation:**

**Staff recommends approval.**

**Staff Data:**

TRS: 8234

CZM: 55

**County Commission District:**

*Commissioner Name:* Karen Keith

7.1

## SECTION I: PUD-856

**DEVELOPMENT CONCEPT:** The applicant is requesting to rezone from AG to RS to permit a single-family subdivision. A rezoning (CZ-498) is being concurrently proposed with this PUD. The lots are intended to be half acre minimum in size. The proposed PUD will establish the allowable use as well as bulk and area requirements. Sewer is proposed to be provided through aerobic systems. A small portion of the lot is within the 100 year floodplain. The applicant will need to work with Tulsa County to mitigate any impact if development is to occur in this area.

### EXHIBITS:

- INCOG Case map
- INCOG Aerial
- INCOG Aerial (Enlarged)
- Tulsa County Comprehensive Plan Land Use Map
- Preliminary Plat (for concept illustration only)

### **DETAILED STAFF RECOMMENDATION:**

Uses allowed in PUD-856 are consistent with the Low Intensity land use designation identified in the Tulsa County Comprehensive Land Use plan.

PUD-856 allows lots sizes and uses that are consistent with the anticipated future development pattern of the surrounding property, has lot sizes approximately equal to those in the RE district, however terrain and flooding considerations support the idea of a Planned Unit Development to allow greater flexibility and creativity within the development to best utilize the unique physical features of the particular site;

PUD-856 is consistent with the provisions of the PUD chapter of the Tulsa County Zoning Code, therefore;

**Staff recommends Approval of PUD-856 to rezone property from AG to RS/PUD-856.**

### **DEVELOPMENT STANDARDS:**

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

Maximum Dwelling Units:	17
Permitted Uses:	Use Unit 6 and customarily incidental uses.
Private Streets:	Internal street network will be paved meeting or exceeding the minimum standards for Tulsa County residential street construction. Minimum frontage standards may be provided on the private street network. The streets will be included in a reserve area with provisions for common maintenance for all lots within the PUD
Minimum Lot Size:	22,780 square feet (0.50 Acre)
Minimum Average Lot Width:	100 feet

7.2



Minimum livability space per lot:	12,000 square feet
Minimum lot frontage:	30 feet
Minimum Building Setbacks	
Front:	25 feet
Rear Yard:	20 feet
Side Yards:	
Abutting a Private Street:	25 feet
Internal side yards	15 feet
Yards Abutting 33 <sup>rd</sup> West Avenue:	35 feet
Maximum Building Height:	35 feet <sup>(1)</sup>
Accessory Buildings:	35 feet

<sup>(1)</sup> Architectural decorative features such as chimneys and cupolas may extend beyond 35 feet, but no habitable portion of any dwelling may exceed the 35-foot height limitation.

## SECTION II: Supporting Documentation

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

#### Staff Summary:

The subject property is located within the fence line of Jenks. On June 19, 2019, TMAPC voted 6-0-0 to adopt TCCP-1, which included the Jenks Comprehensive Plan which covers the area within their fence line but outside of Jenks corporate limits, as an amendment to the Comprehensive Plan of the Tulsa Metropolitan Area. It was approved by County Commission on July 15, 2019.

The Tulsa County Comprehensive Land Use Plan designation is Low Intensity on the west and the east portions of the parcel with a designation of Development Sensitive through the center of the property. There is a creek running through the portion that is Development Sensitive and it is in the 100 Year Floodplain (see attached map labeled Comprehensive Plan).

**Low Intensity as related to residential properties:** Low Intensity covers all of the area within the areas of anticipated urbanization with the exception of those specified for medium intensity. The average residential density within the Low Intensity areas would be four dwelling units per acre.

**Development Sensitive:** These areas identify property subject to flooding as determined by the Flood Insurance Administration. The purpose of this designation is to specify which areas of the community need special regulatory devices to ensure the health, safety, and welfare of the community.

### **Relevant Policies related to Residential Areas:**

3.3.3.3 - Allow no residential construction in floodplains, except as approved by Federal Emergency Management Agency guidelines.

3.3.3.4 – Design residential subdivisions considering the topography of the site.

3.3.3.5 – Require special design treatment of subdivisions in areas where slopes are greater than 15%.

### **Relevant Policies related to Development Sensitive Areas:**

3.6.3.1 – Residential development in floodplain areas should be prohibited, except as permitted for by FEMA regulations.

3.6.3.4 – Development within areas designated as within a boundary of a 100-year floodplain should require that no adverse impact be produced to the floodplain by the development.

#### Land Use Vision:

*Land Use Plan map designation:* Low Intensity / Development Sensitive

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

#### Transportation Vision:

*Major Street and Highway Plan:* S 33<sup>rd</sup> W Ave is designated as a secondary arterial.

*Trail System Master Plan Considerations:* None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

#### DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *The site is currently contains a barn structure and pond on the non-forested western portion of the lot. A forested area and stream are located adjacent, to the east.*

Environmental Considerations: Due to the stream located adjacent to the site, a small portion of the lot is located within the 100 year flood plan. The applicant will need to work with the proper governing authorities to mitigate any impact of construction within this flood plain area, if developed.

#### Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
S 33 <sup>rd</sup> West Avenue	Secondary Arterial	100 Feet	2

Utilities:

The subject tract will receive water from Creek Rural Water District 2 and sewer will be via aerobic systems.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	AG	Low Intensity/Development Sensitive	N/A	Single Family / Agriculture
South	AG/RS	Low Intensity/Development Sensitive	N/A	Single Family / Agriculture
East	AG	Low Intensity/Development Sensitive	N/A	Single Family / Agriculture
West	A/HR (Sapulpa)	Rural Residential	N/A	Single Family / Vacant

**SECTION III: Relevant Zoning History**

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

***Subject Property:***

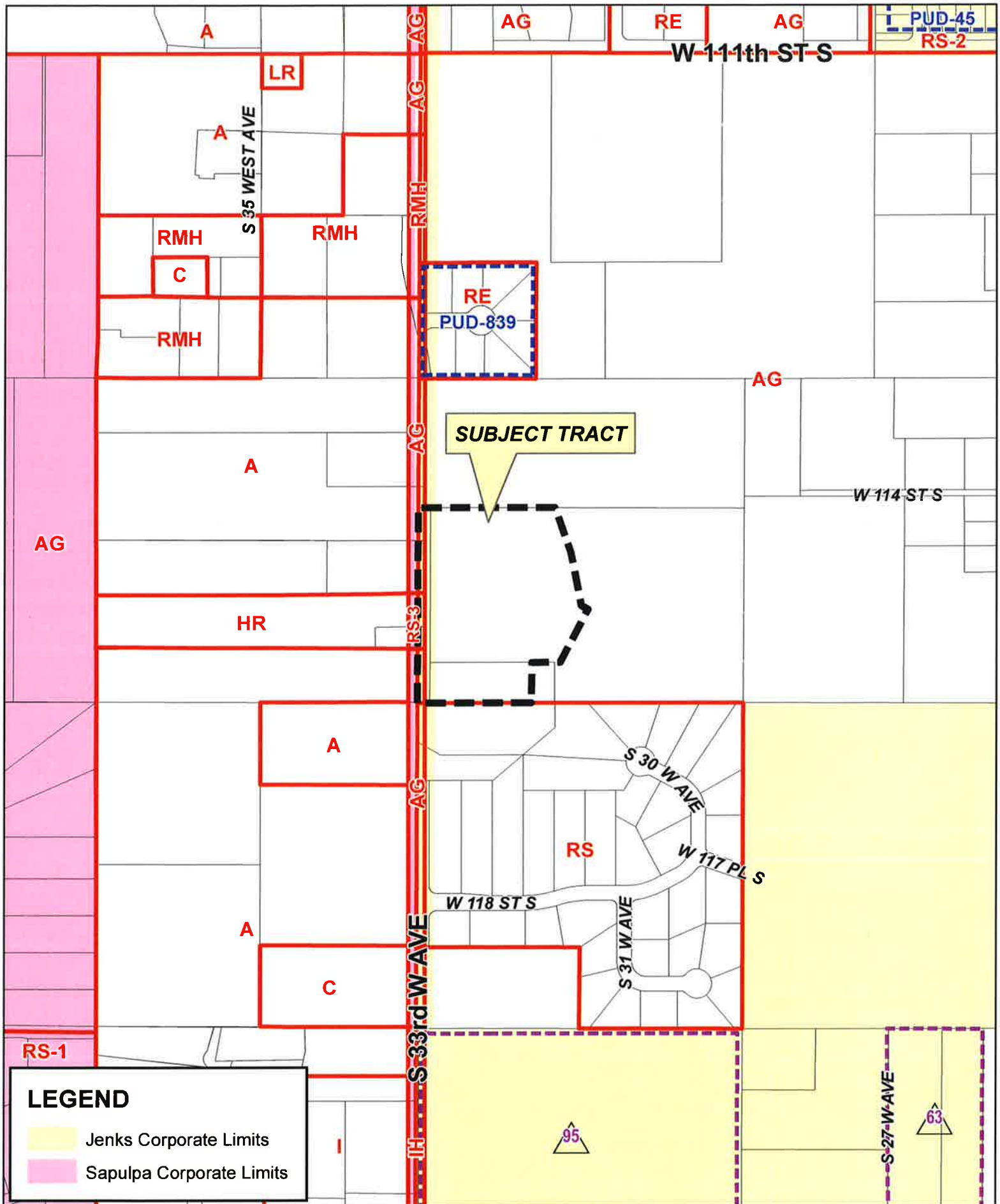
No Relevant History.

***Surrounding Property:***

**CZ-442/PUD-839 October 2015:** All concurred in **approval** of a request to rezone a 5.097± acre tract of land from AG to RE and **approval** of a proposed *Planned Unit Development* for Single-family residential, on property located south of the southeast corner of West 111<sup>th</sup> Street and South 33<sup>rd</sup> West Avenue.

1/8/2020 1:30 PM

7.5



PUD-856

18-12 34







0 250 500  
Feet



Subject  
Tract

**PUD-856**

18-12 34

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

Aerial Photo Date: February 2018



7.7





S 33rd W AVE

0 50 100  
Feet



Subject  
Tract

**PUD-856**

18-12 34

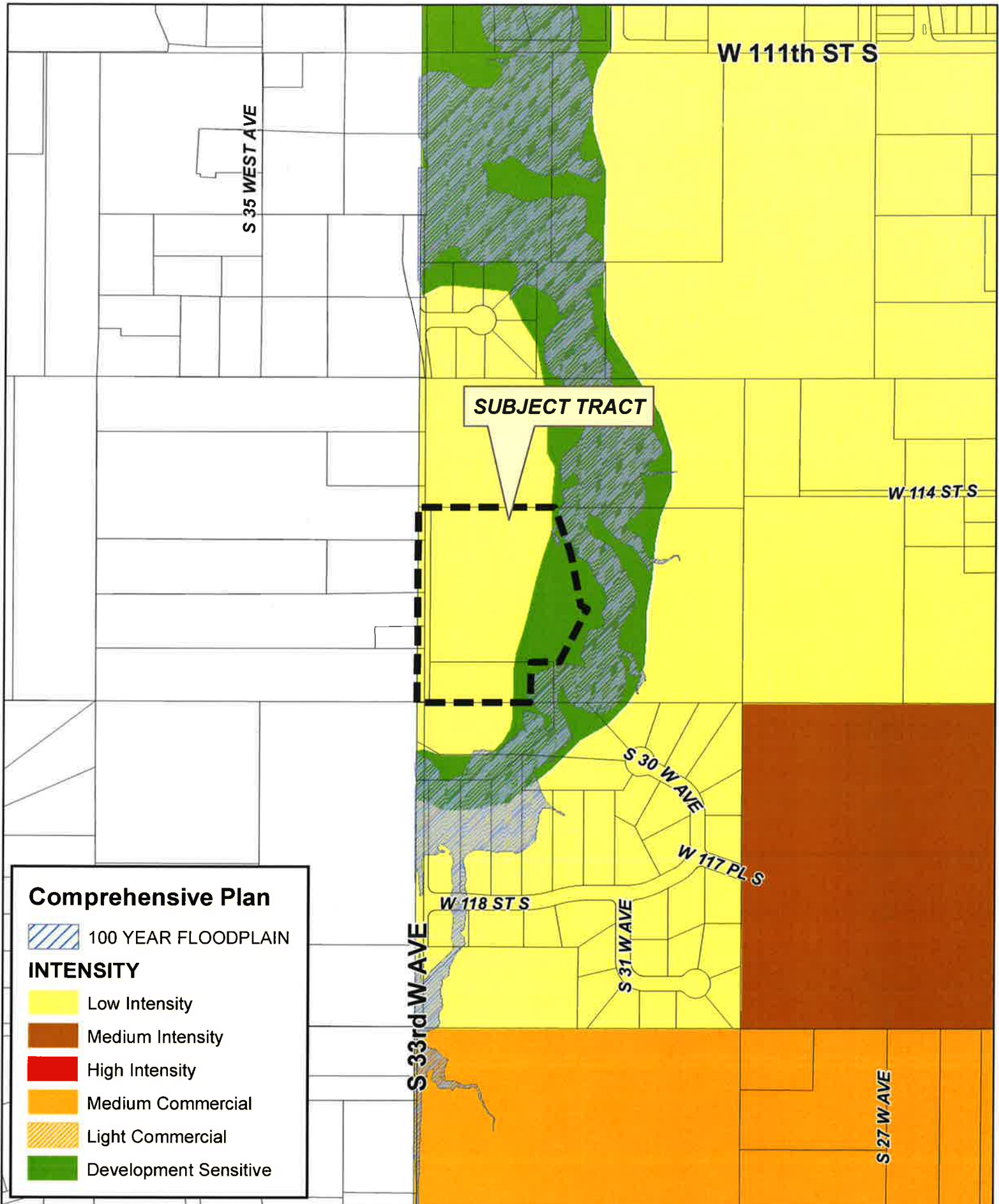
Note: Graphic overlays may not precisely  
align with physical features on the ground.

Aerial Photo Date: February 2018

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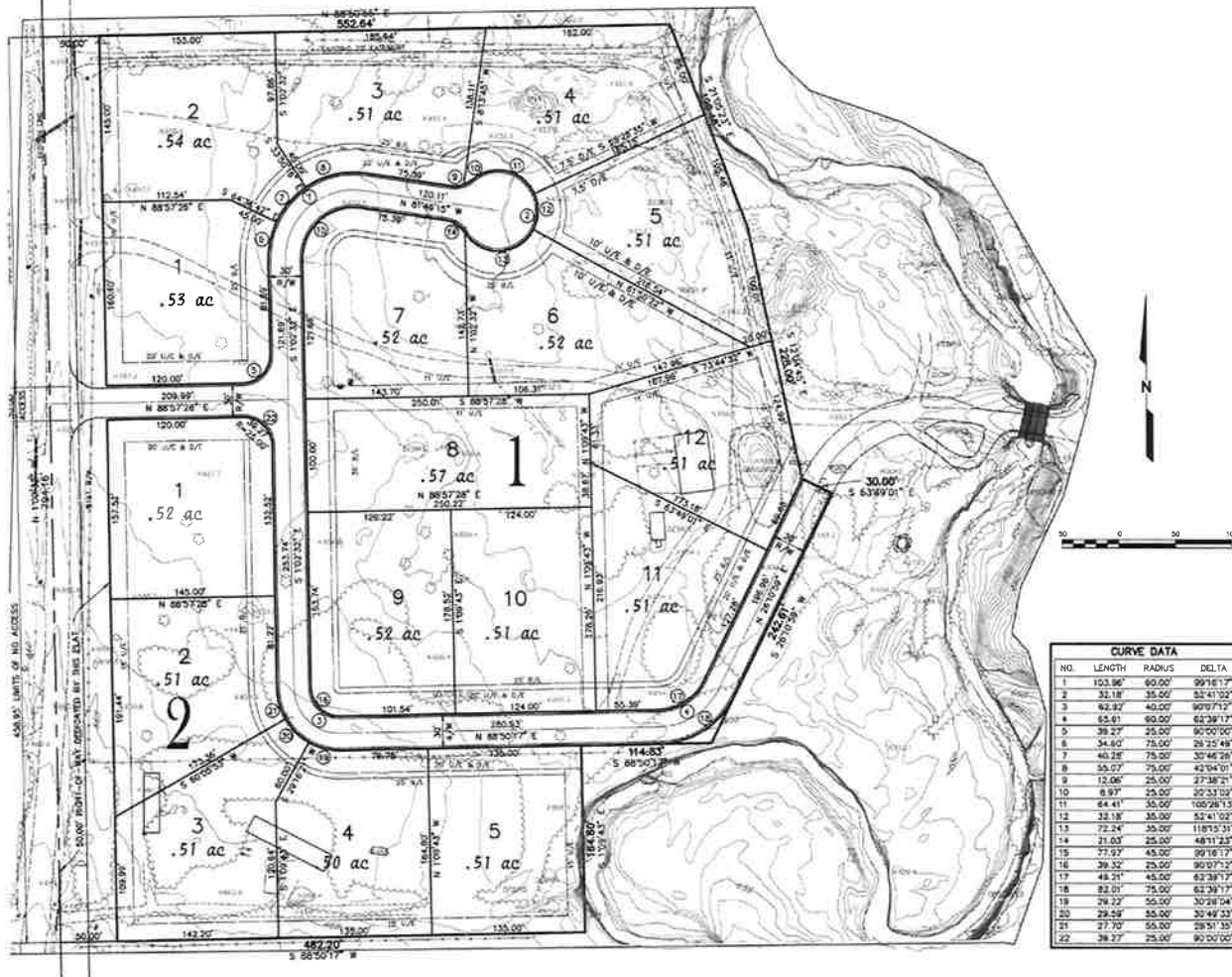


Feet  
0 250 500

18-12 34



# PRELIMINARY PLAT FOR *Stone Creek Estates*





Tulsa Metropolitan Area  
Planning Commission

**Case :** Stone Creek Estates (Related to  
CZ-498 and PUD-856)

**Hearing Date:** January 8, 2020

**Case Report Prepared by:**

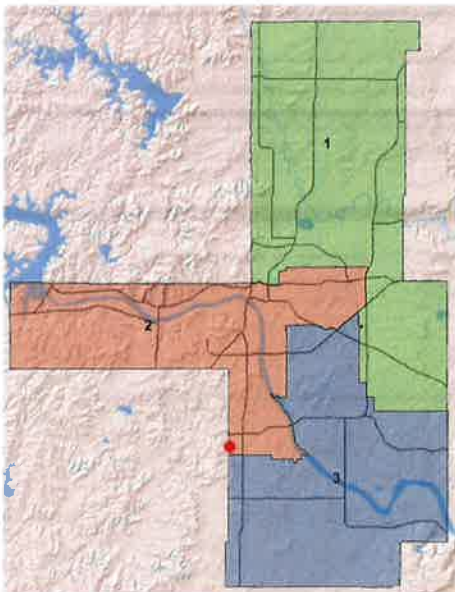
Nathan Foster

**Owner and Applicant Information:**

*Applicant:* Rob Miles

*Owner:* Rick Wilson

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



**Applicant Proposal:**

Preliminary Plat

17 lots, 2 blocks, 10 ± acres

*Location:* South of the southeast corner of  
West 111<sup>th</sup> Street South and South 33<sup>rd</sup> West  
Avenue

**Zoning:**

Present: AG

Proposed: RS/PUD-856

**Staff Recommendation:**

Staff recommends **approval** of the  
preliminary plat

**County Commission District: 2**

*Commissioner Name:* Karen Keith

**EXHIBITS:** Site Map, Aerial, Preliminary Plat, Conceptual Improvements Plan

## PRELIMINARY SUBDIVISION PLAT

### Stone Creek Estates - (County)

South of the southeast corner of West 111<sup>th</sup> Street South and South 33<sup>rd</sup> West Avenue

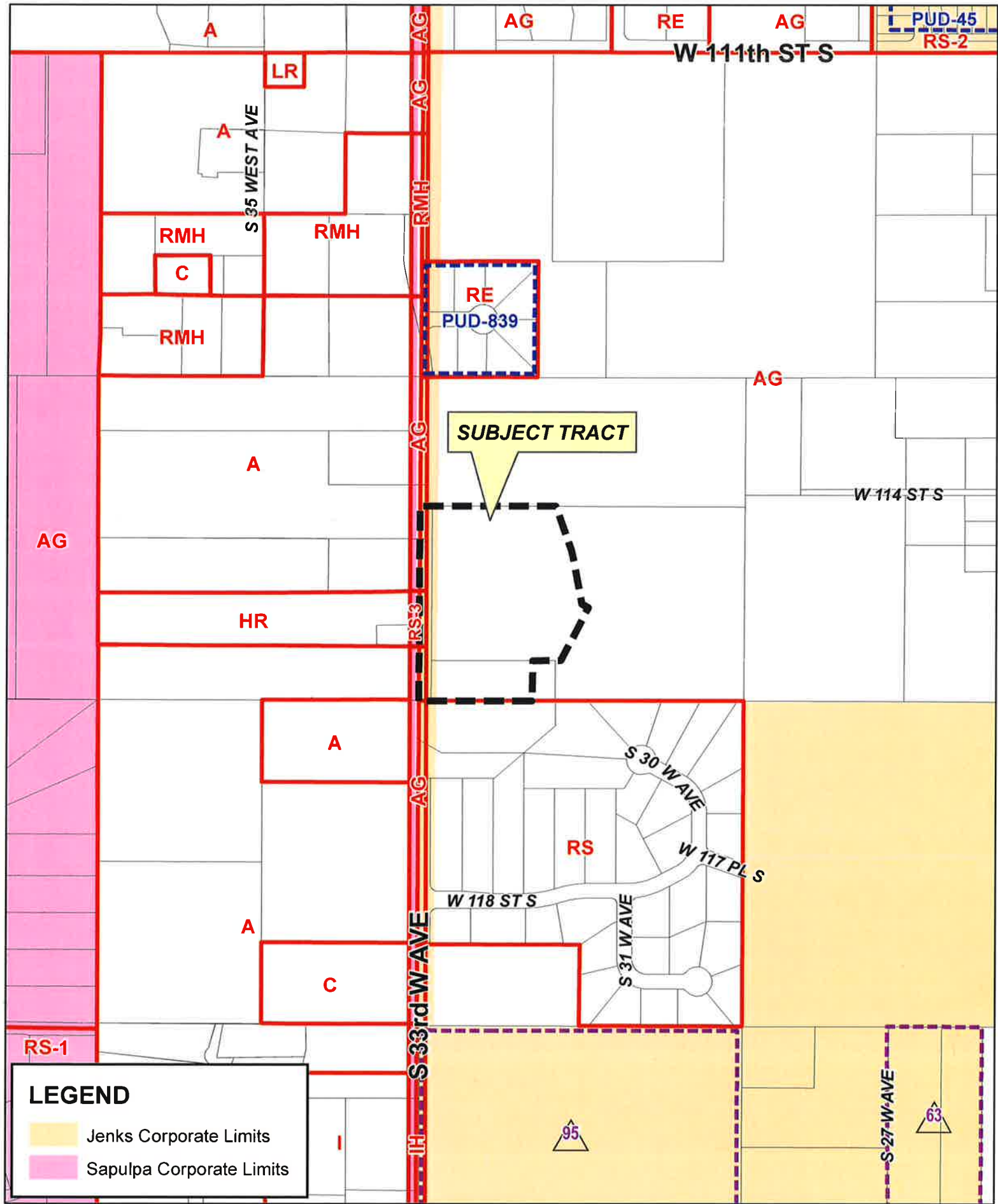
This plat consists of 17 lots, 2 blocks on 10 ± acres.

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

1. **Zoning:** There is a pending request to rezone the property under application to RS (Residential Single-Family) with an associated planned unit development (PUD-856) to permit the use of private streets. The rezoning must be approved and in effect prior to the approval of a final plat. Lots do not conform to the existing AG zoning.
2. **Addressing:** INCOG will assign addresses to final plat. Graphically show addresses on the face of the final plat submittal and include address disclaimer/caveat.
3. **Transportation & Traffic:** An approved turnaround is required for the dead-end street that terminates at the east boundary of the plat. Local fire service or state fire Marshall will be required to approve single point of access as shown on the conceptual layout. Gated entry, if proposed, must be given final approval by County Engineer.
4. **Sewer:** Lots will be served by on-site sewage disposal and will need approval from Oklahoma Department of Environmental Quality.
5. **Water:** Service connections will be made to existing main line for Rural Water District #2 in Creek County. Release letter will need to be provided prior to final plat approval.
6. **Engineering Graphics:** Remove contours from final plat submittal. Graphically label the point of beginning on the face of the plat. Provide graphically the bearing angle associated with the 50' from POC to POB on the face of the plat.
7. **Stormwater, Drainage, & Floodplain:** Drainage report required by Tulsa County. Any necessary drainage or known flood areas will be required to be placed in an appropriate easement.
8. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** All utilities indicated to serve the site must provide a release prior to final plat approval. Provide a Certificate of Records Search from the Oklahoma Corporation Commission to verify no oil & gas activity on the site.

Staff recommends **APPROVAL** of the preliminary subdivision plat subject to the conditions provided by TAC and all other requirements of the Subdivision and Development Regulations



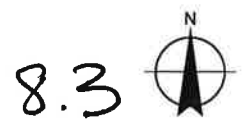
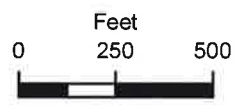


**LEGEND**

- Jenks Corporate Limits
- Sapulpa Corporate Limits

**STONE CREEK  
ESTATES**

18-12 34







0 Feet 250 500



Subject  
Tract

## STONE CREEK ESTATES

18-12 34

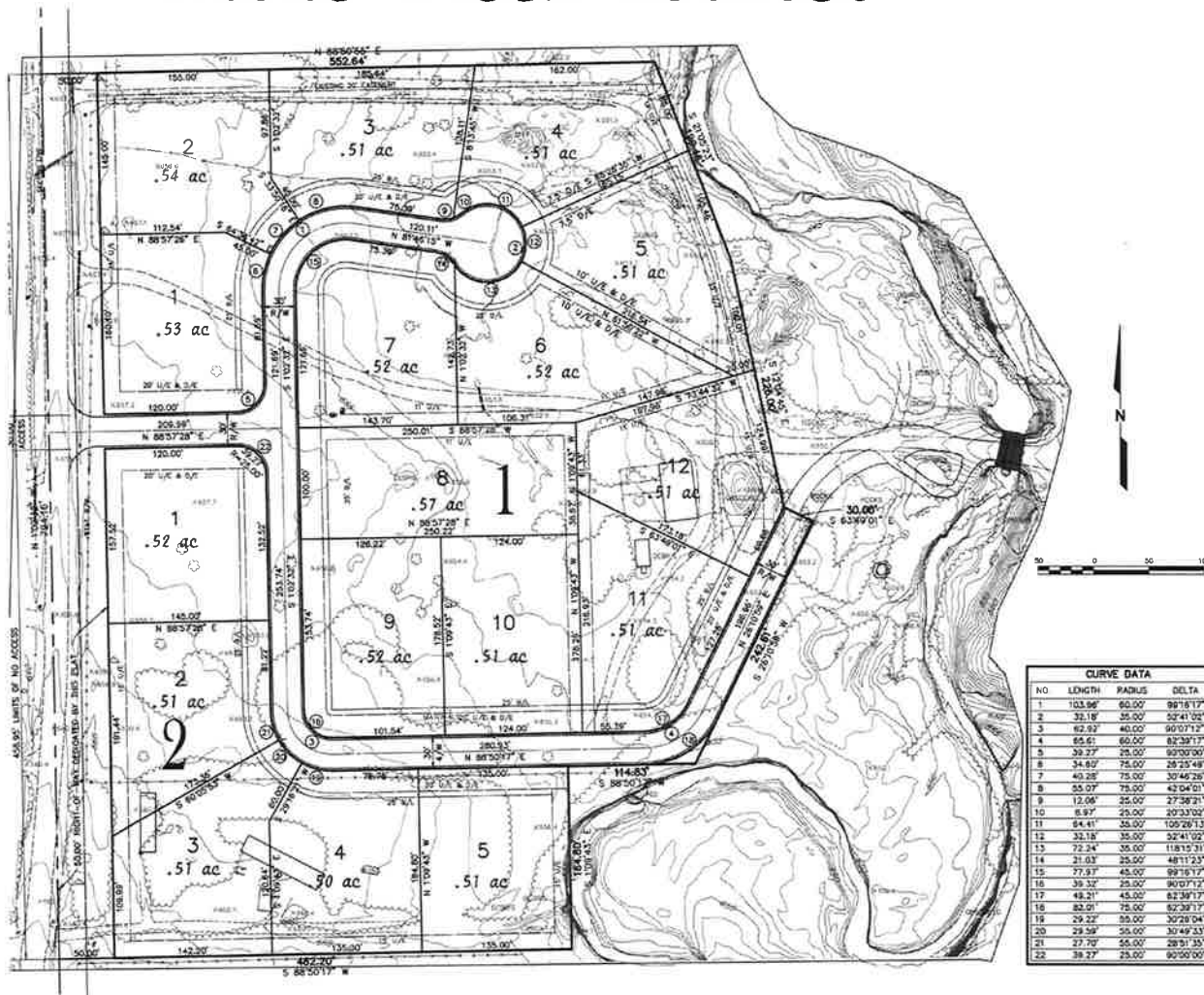
Note: Graphic overlays may not precisely  
align with physical features on the ground.

Aerial Photo Date: February 2018

8.4



# PRELIMINARY PLAT FOR *Stone Creek Estates*





Deed of Dedication

STONE CREEK ESTATES

KNOW ALL MEN BY THESE PRESENTS:

THAT RICHARD WILSON AND REBECCA WILSON, TRUSTEES OF THE WILSON REVOCABLE TRUST, HEREINAFTER REFERRED TO AS THE "OWNER" IS THE OWNER OF THE FOLLOWING DESCRIBED LAND IN TULSA COUNTY, STATE OF OKLAHOMA, TO-WIT:

A TRACT OF LAND THAT IS PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (SW/4 NW/4) OF SECTION THIRTY-FOUR (34), TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE NW/4 OF SAID SECTION 34;  
THENCE NORTH 01°02'34" WEST ALONG THE WEST LINE THEREOF 794.06 FEET;  
THENCE NORTH 88°50'16" EAST 552.64 FEET;  
THENCE SOUTH 21°05'23" EAST 190.46 FEET;  
THENCE SOUTH 12°04'45" EAST 225.00 FEET;  
THENCE SOUTH 63°49'01" EAST 30.00 FEET;  
THENCE SOUTH 26°10'59" WEST 242.61 FEET;  
THENCE SOUTH 88°50'17" WEST 114.83 FEET;  
THENCE SOUTH 01°09'43" EAST 164.80 FEET TO THE SOUTH LINE OF THE NW/4 OF SAID SECTION 34;  
THENCE SOUTH 88°50'17" WEST ALONG SAID SOUTH LINE 462.19 FEET TO THE POINT OF BEGINNING, SAID TRACT OF LAND CONTAINING 467,735.85 SQUARE FEET OR 10.74 ACRES;

AND HAS CAUSED THE ABOVE DESCRIBED TRACT OF LAND TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO SEVENTEEN (17) LOTS, TWO (2) BLOCKS, IN CONFORMITY WITH THE ACCOMPANYING PLAT, AND HAS DESIGNATED THE SUBDIVISION AS "STONE CREEK ESTATES", A SUBDIVISION IN TULSA COUNTY, OKLAHOMA.

BASIS OF BEARING IS OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE 3501, NAD83.

**SECTION I. PUBLIC STREETS AND EASEMENTS**

- A. THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC THE STREET RIGHT-OF-WAY AS DEPICTED ON THE ACCOMPANYING PLAT AS SOUTH 33<sup>RD</sup> WEST AVENUE. ADDITIONALLY, THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC THE UTILITY EASEMENTS DESIGNATED AS "U/E" OR "UTILITY EASEMENT"; AND "D/E" OR "DRAINAGE EASEMENT", FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING, AND/OR REMOVING ANY AND ALL PUBLIC UTILITIES, INCLUDING STORM WATER CONVEYANCE, WHETHER OVERLAND OR UNDERGROUND, TELEPHONE AND COMMUNICATION LINES, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES, WATER LINES AND CABLE TELEVISION LINES, TOGETHER WITH ALL FITTINGS, INCLUDING THE POLES,



WIRES, CONDUITS, PIPES, VALVES, METERS, AND EQUIPMENT FOR EACH OF SUCH FACILITIES AND ANY OTHER APPURTENANCES THERETO, WITH THE RIGHTS OF INGRESS AND EGRESS TO AND UPON THE UTILITY EASEMENTS AND DRAINAGE EASEMENTS FOR THE USES AND PURPOSES AFORESAID, PROVIDED HOWEVER, THE OWNER HEREBY RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND RE-LAY WATER LINES AND DRAINAGE FACILITIES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING AND RELAYING OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS AND DRAINAGE EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER AND/OR DRAINAGE TO THE AREA INCLUDED IN THE PLAT. THE OWNER HEREIN IMPOSES A RESTRICTIVE COVENANT, WHICH COVENANT SHALL BE BINDING ON EACH LOT OWNER AND SHALL BE ENFORCEABLE BY TULSA COUNTY, OKLAHOMA, AND BY THE SUPPLIER OF ANY AFFECTED UTILITY SERVICE, THAT WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT NO BUILDING, STRUCTURE OR OTHER ABOVE OR BELOW GROUND OBSTRUCTION THAT INTERFERES WITH THE ABOVE SET FORTH USES AND PURPOSES OF AN EASEMENT SHALL BE PLACED, ERECTED, INSTALLED OR MAINTAINED, PROVIDED HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT DRIVES, PARKING AREAS, CURBING, LANDSCAPING AND CUSTOMARY SCREENING FENCES THAT DO NOT CONSTITUTE AN OBSTRUCTION.

**B. UNDERGROUND SERVICE**

1. OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICES MAY BE LOCATED WITHIN THE PERIMETER EASEMENTS OF THE SUBDIVISION. STREET LIGHT POLES OR STANDARDS MAY BE SERVED BY OVERHEAD LINE OR UNDERGROUND CABLE. ELSEWHERE THROUGHOUT THE SUBDIVISION, ALL SERVICE SUPPLY LINES INCLUDING ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS LINES SHALL BE LOCATED UNDERGROUND IN THE EASEMENTS DEDICATED FOR GENERAL UTILITY SERVICES AS DEPICTED ON THE ACCOMPANYING PLAT. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN THE EASEMENTS.
2. UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES WHICH ARE LOCATED WITHIN THE SUBDIVISION MAY BE RUN FROM THE NEAREST GAS MAIN, SERVICE PEDESTAL OR TRANSFORMER TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF SUCH STRUCTURE AS MAY BE LOCATED UPON THE LOT. PROVIDED THAT UPON THE INSTALLATION OF A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT, EFFECTIVE AND NON-EXCLUSIVE RIGHT-OF-WAY EASEMENT ON THE LOT, COVERING A 5 FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE OR LINE EXTENDING FROM THE GAS MAIN, SERVICE PEDESTAL OR TRANSFORMER TO THE SERVICE ENTRANCE ON THE STRUCTURE.
3. THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS SERVICE, THROUGH ITS AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT OR

OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF THE UNDERGROUND ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS SERVICE FACILITIES INSTALLED BY THE SUPPLIER OF THE UTILITY SERVICE.

4. THE OWNERS OF THE LOTS SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND SERVICE FACILITIES LOCATED ON THEIR LOTS AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES. EACH SUPPLIER OF SERVICE SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE OWNER OF THE LOT SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OF THE LOT OR HIS AGENTS OR CONTRACTORS.
5. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY EACH SUPPLIER OF THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS SERVICE AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY

**C. GAS SERVICE**

1. THE SUPPLIER OF GAS SERVICE THROUGH ITS AGENTS AND EMPLOYEES SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS SHOWN ON THE PLAT OR AS PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, REMOVING, REPAIRING, OR REPLACING ANY PORTION OF THE FACILITIES INSTALLED BY THE SUPPLIER OF GAS SERVICE.
2. THE OWNERS OF THE LOTS SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND GAS FACILITIES LOCATED IN THEIR LOT AND SHALL PREVENT THE ALTERATION OF GRADE, OR ANY OTHER CONSTRUCTION ACTIVITY THAT WOULD INTERFERE WITH THE GAS SERVICE. THE SUPPLIER OF THE GAS SERVICE SHALL BE RESPONSIBLE FOR THE ORDINARY MAINTENANCE OF SAID FACILITIES, BUT THE OWNER OF THE LOT SHALL PAY FOR DAMAGE OR RELOCATION OF FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OF THE LOT, OR ITS AGENTS OR CONTRACTORS.
3. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE GAS SERVICE AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

**D. PAVING, LANDSCAPING OR OTHER IMPROVEMENTS WITHIN EASEMENTS**

THE OWNER OF THE LOT AFFECTED SHALL BE RESPONSIBLE FOR THE REPAIR OF DAMAGE TO LANDSCAPING, PAVING, AND OTHER PRIVATE IMPROVEMENTS OCCASIONED BY NECESSARY INSTALLATION OR MAINTENANCE OF UNDERGROUND WATER, DRAINAGE, NATURAL GAS, COMMUNICATION, CABLE TELEVISION, OR ELECTRIC FACILITIES WITHIN THE UTILITY EASEMENT AND DRAINAGE EASEMENT AREAS ON THE ACCOMPANYING PLAT, PROVIDED HOWEVER, TULSA COUNTY, OKLAHOMA, OR THE SUPPLIER OF THE UTILITY

SERVICE SHALL USE REASONABLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES.

**E. SURFACE DRAINAGE:**

EACH LOT SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION AND FROM PUBLIC STREETS AND EASEMENTS. NO LOT OWNER SHALL CONSTRUCT OR PERMIT TO BE CONSTRUCTED ANY FENCING OR OTHER OBSTRUCTIONS WHICH WOULD IMPAIR THE DRAINAGE OF STORM AND SURFACE WATERS OVER AND ACROSS HIS LOT. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER AND BY TULSA COUNTY, OKLAHOMA.

- F. LIMITS OF NO ACCESS:** THE UNDERSIGNED OWNER HEREBY RELINQUISHES RIGHTS OF VEHICULAR INGRESS OR EGRESS FROM ANY PORTION OF THE PROPERTY ADJACENT TO SOUTH 33<sup>RD</sup> WEST AVENUE WITHIN THE BOUNDS DESIGNATED AS "LIMITS OF NO ACCESS" (L.N.A.) ON THE ACCOMPANYING PLAT, WHICH "LIMITS OF NO ACCESS" MAY BE AMENDED OR RELEASED BY TULSA COUNTY PLANNING COMMISSION, OR ITS SUCCESSOR, AND WITH THE APPROVAL OF THE COMMISSIONERS OF TULSA COUNTY, OKLAHOMA, OR AS OTHERWISE PROVIDED BY THE STATUTES AND LAWS OF THE STATE OF OKLAHOMA PERTAINING THERETO, AND THE LIMITS OF NO ACCESS ABOVE ESTABLISHED SHALL BE ENFORCEABLE BY THE TULSA COUNTY.

**SECTION II. ENFORCEMENT, DURATION, AMENDMENT AND SEVERABILITY**

**A. ENFORCEMENT**

THE RESTRICTIONS HEREIN ARE COVENANTS WHICH SHALL RUN WITH THE LAND AND SHALL BE BINDING UPON THE OWNER, ITS SUCCESSORS AND ASSIGNS. WITHIN THE PROVISIONS OF SECTION I "PUBLIC STREETS AND EASEMENTS", ARE CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERETO. THE COVENANTS WITHIN SECTION I, WHETHER OR NOT SPECIFICALLY STATED, SHALL INURE TO THE BENEFIT AND SHALL BE ENFORCEABLE BY THE TULSA COUNTY. IN ANY JUDICIAL ACTION BROUGHT TO ENFORCE THE COVENANTS ESTABLISHED WITHIN THIS DEED OF DEDICATION, THE DEFENSE THAT THE PARTY INITIATING THE EQUITABLE PROCEEDING HAS AN ADEQUATE REMEDY AT LAW IS HEREBY WAIVED.

**B. DURATION**

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

**C. AMENDMENT**

THE COVENANTS CONTAINED WITHIN SECTION 1. "PUBLIC STREETS AND EASEMENTS" MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LAND TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE TULSA COUNTY COMMISSION, OR ITS SUCCESSORS AND TULSA COUNTY, OKLAHOMA.

**D. SEVERABILITY**

INVALIDATION OF ANY RESTRICTION OR ANY PART THEREOF, BY AN ORDER, JUDGEMENT, OR DECREE OF ANY COURT, OR OTHERWISE, SHALL NOT INVALIDATE OR AFFECT ANY OF THE OTHER RESTRICTIONS OR ANY PART THEREOF, WHICH SHALL THEREAFTER REMAIN IN FULL FORCE AND EFFECT.

IN WITNESS WHEREOF, RICHARD WILSON AND REBECCA WILSON, TRUSTEES OF THE WILSON REVOCABLE TRUST HAVE EXECUTED THIS INSTRUMENT THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

RICHARD WILSON AND REBECCA WILSON,  
TRUSTEES OF THE WILSON REVOCABLE TRUST

BY: \_\_\_\_\_  
RICHARD WILSON, TRUSTEE

BY: \_\_\_\_\_  
REBECCA WILSON, TRUSTEE

STATE OF OKLAHOMA     )  
  ) SS.  
COUNTY OF TULSA     )

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, PERSONALLY APPEARED RICHARD WILSON AND REBECCA WILSON, TO ME KNOWN TO BE THE IDENTICAL PERSONS WHO SUBSCRIBED THEIR NAMES TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME, AS THE TRUSTEES OF THE WILSON REVOCABLE TRUST,



THAT THEY EXECUTED THE SAME AS THEIR FREE AND VOLUNTARY ACT AND DEED,  
AND AS THE FREE AND VOLUNTARY ACT AND DEED OF THE WILSON REVOCABLE  
TRUST, FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND SEAL THE DAY AND YEAR LAST ABOVE WRITTEN.

---

NOTARY PUBLIC

MY COMMISSION NUMBER:

---

MY COMMISSION EXPIRES:

---

APPROVAL AS TO FORM:

---

ASSISTANT CITY ATTORNEY

\*\*\*\*\* SURVEYOR'S CERTIFICATE\*\*\*\*\*ANDY FRITZ





Tulsa Metropolitan Area  
Planning Commission

**Case Number:** Z-7524

**Hearing Date:** January 8, 2020

**Case Report Prepared by:**

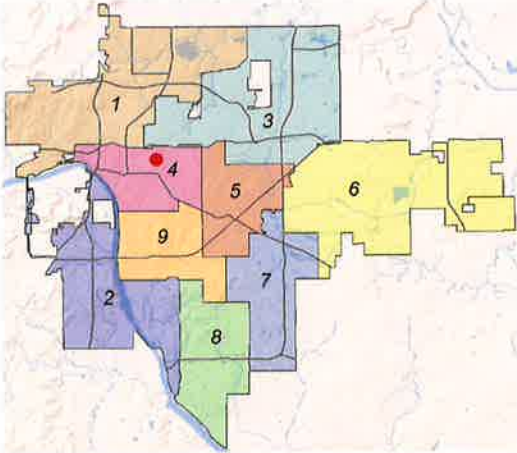
Dwayne Wilkerson

**Owner and Applicant Information:**

*Applicant:* Sally Moseby

*Property Owner:* CHARNEY PROPERTIES INC

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



**Applicant Proposal:**

*Present Use:* Vacant/Residential

*Proposed Use:* Residential

*Concept summary:* Residential

*Tract Size:* 1.21 ± acres

*Location:* East of the southeast corner of South Lewis Avenue and East 6<sup>th</sup> Street South

**Zoning:**

*Existing Zoning:* MX1-U-45

*Proposed Zoning:* RM-2

**Comprehensive Plan:**

*Land Use Map:* Existing Neighborhood

*Stability and Growth Map:* Area of Growth

**Staff Recommendation:**

**Staff recommends approval.**

**Staff Data:**

TRS: 9305  
CZM: 37

**City Council District:** 4

*Councilor Name:* Kara Joy Mckee

**County Commission District:** 2

*Commissioner Name:* Karen Keith

9.1



## SECTION I: Z-7524

**DEVELOPMENT CONCEPT:** One of the missing residential options for redevelopment in this evolving neighborhood is a duplex development. After further research it was determined that duplex building types may be the best fit for the neighborhood fabric. Unfortunately, MX1-U zoning does not allow duplex development, so the applicant has requested RM-2.

### 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:**

**Staff recommends Approval of Z-7524 to rezone property from MX1-U-45 to RM-2.**

Case Z-7524 requesting RM-2 zoning is consistent with the expected development pattern in the and, RM-2 zoning is non-injurious to the surrounding property owners and,

RM-2 zoning is consistent with the Existing Neighborhood land use vision identified the Tulsa Comprehensive Plan and,

RM-2 zoning is consistent with the Kendall Whittier Small Area Plan therefore,

## **SECTION II: Supporting Documentation**

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: RM-2 zoning supports the concept that mixed residential types are vital to the success of the Kendall Whittier Small Area Plan and the Tulsa Comprehensive Plan.*

### Land Use Vision:

*Land Use Plan map designation:* Existing Neighborhood. (Mixed residential in Kendall Whittier Small area Plan)

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

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

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

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

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

#### Transportation Vision:

*Major Street and Highway Plan:* None affecting site redevelopment

*Trail System Master Plan Considerations:* None affecting site redevelopment

Sector Plan: This area is included in the Kendall-Whittier Sector Plan that was adopted November of 2016.

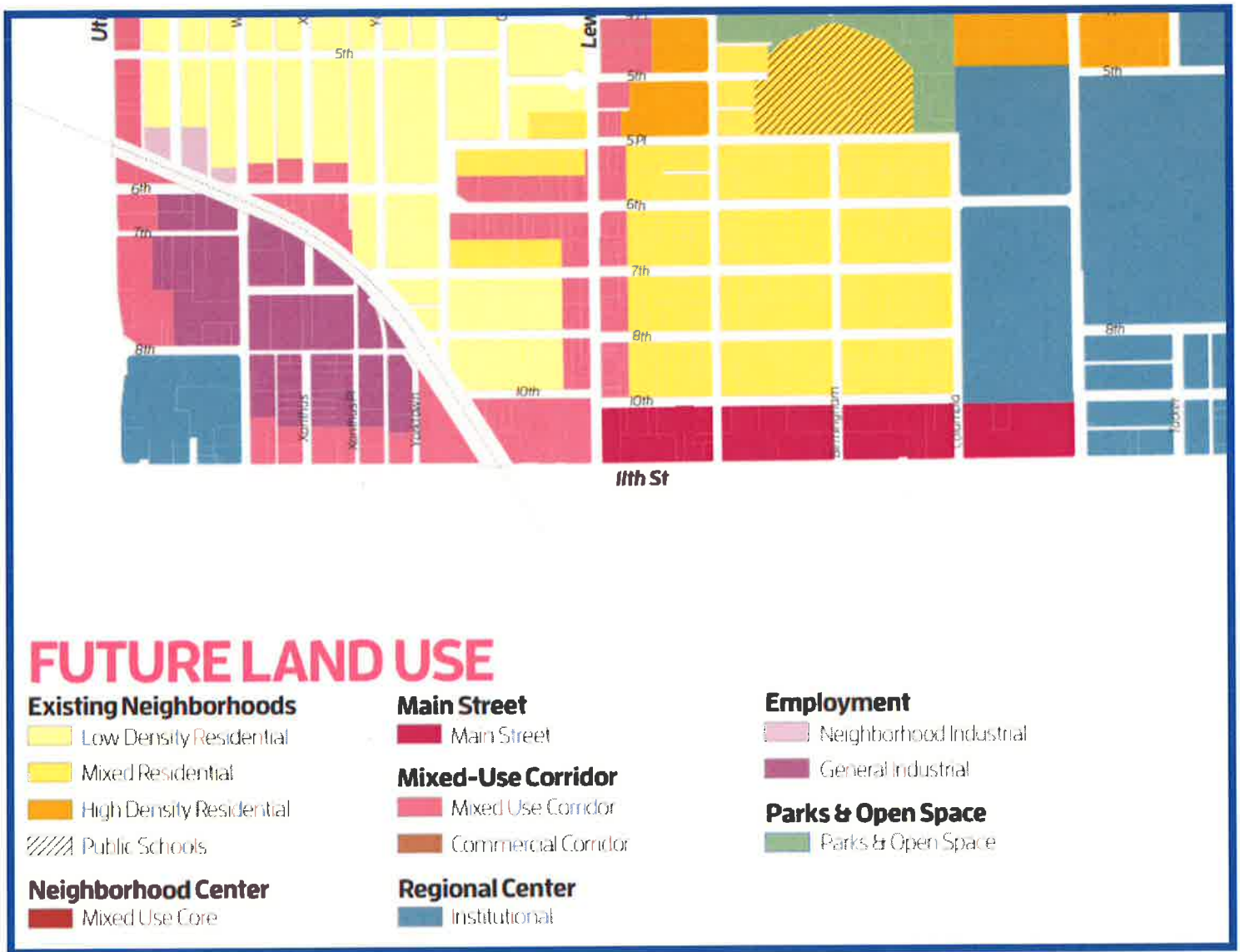
The small area plan provides a land use table demonstrating the relationship between the sector plan and the Tulsa Comprehensive plan. In this instance the existing neighborhood anticipated low, medium and high density residential uses. This mixed-use development is expected to be a medium density residential with some possible commercial or office component. At least two goals in the recognize the importance of high quality redevelopment opportunities in this area

Goal 1 in the plan recommends supporting the development of quality high-density residential development that appeals to a broad spectrum of potential tenants including students, seniors, young professionals and families of mixed incomes around the University of Tulsa.

Goal 4.2 specifically recognizes that senior and multifamily housing should be assessed on and approved on a case by case basis, especially in areas where it is expected to increase housing choice within Kendall Whittier and supports nearby commercial or public uses.

KENDALL WHITTIER SECTOR PLAN

LAND USE MAP: (see next page)



Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

***Staff Summary:** The site is vacant land with single family residential homes on the southeast corner. The site was originally platted with small lots. The surrounding properties have been developed with a mix of small scale multifamily and single family residential.*

Environmental Considerations: None that would affect site redevelopment

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP RW</u>	<u>Exist. # Lanes</u>
6 <sup>th</sup> Street South	Residential Collector	60 feet	2 with additional lanes for on street parking
7 <sup>th</sup> Street South	None	50 feet	2 lanes



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 across 6 <sup>th</sup> street	RM-2	Existing Neighborhood	Growth	Empty land and single family residential
East	RM-2	Existing Neighborhood	Growth	Multifamily and single family residential
South across 7 <sup>th</sup> Street	RM-2	Existing Neighborhood	Growth	Single family residential
West	RM-2 and CS	Mixed Use Corridor and Existing Neighborhood	Growth	Office and multi family

**SECTION III: Relevant Zoning History**

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

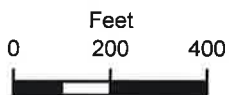
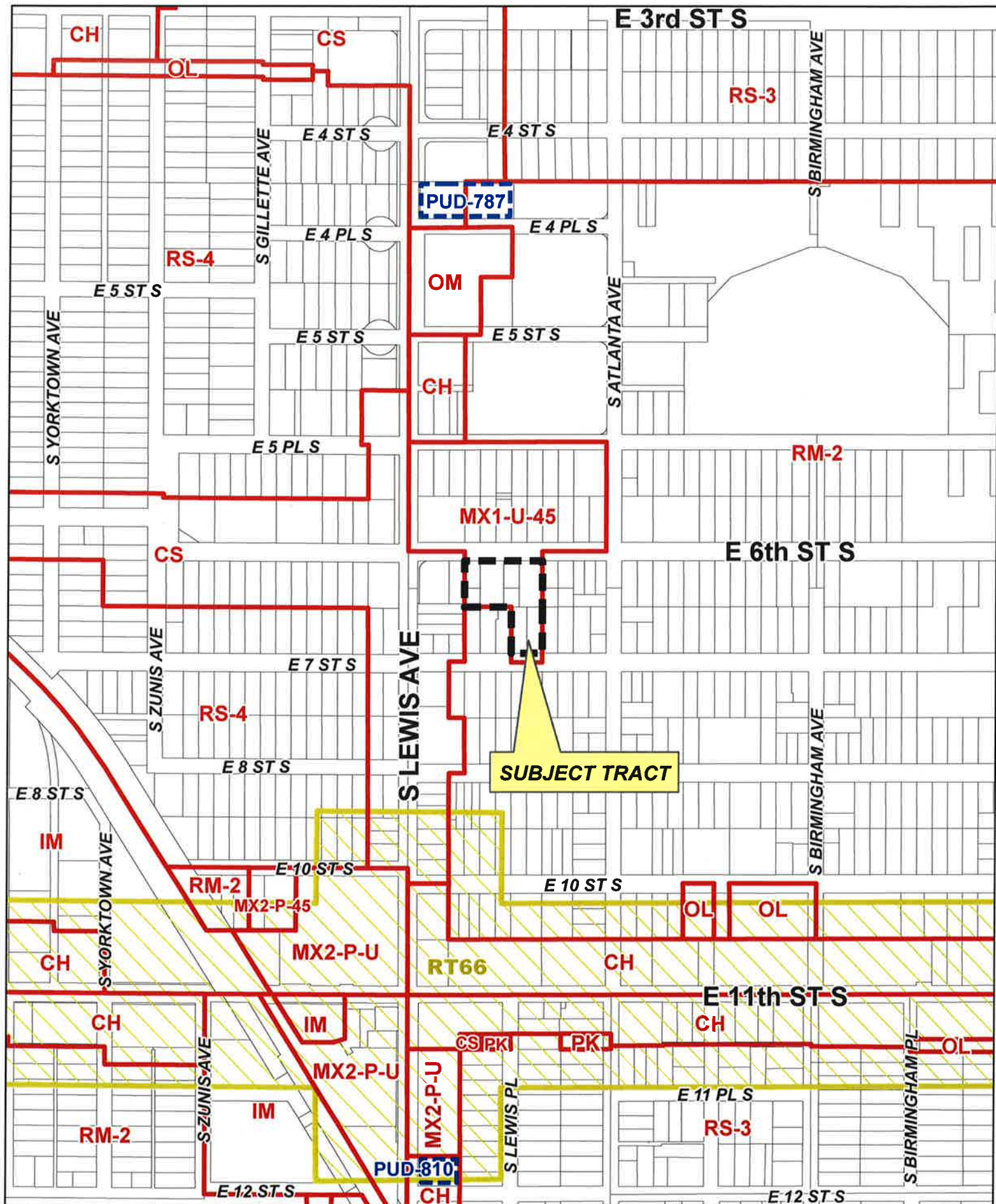
***Subject Property:***

**Z-7436 April 2018 :** All concurred in **approval** of a request for *rezoning* a 1.21± acre tract of land from RM-2 to MX1-U-45 for a mixed use development with retail/office/restaurant use on the ground floor with multi-family residential units on the ground floor and upstairs, on property located east of the southeast corner of South Lewis Avenue and East 6<sup>th</sup> Street South.

***Surrounding Property:***

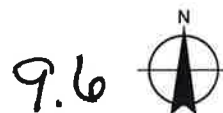
**Z-7450 August 2018:** All concurred in **approval** of a request for *rezoning* a 4.24± acre tract of land from RM-2/CS to MX1-U-45 for multifamily housing, on property located northeast corner of South Lewis Avenue and East 6<sup>th</sup> Street South.

1/8/2020 1:30 PM



**Z-7524**

19-13 05







Subject  
Tract

**Z-7524**

19-13 05

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

Aerial Photo Date: February 2018

9.7







S LEWIS AVE

E 6th ST S

S ATLANTA AVE

E 7th ST S

0 50 100  
Feet



Subject  
Tract

**Z-7524**

19-13 05

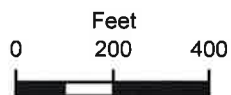
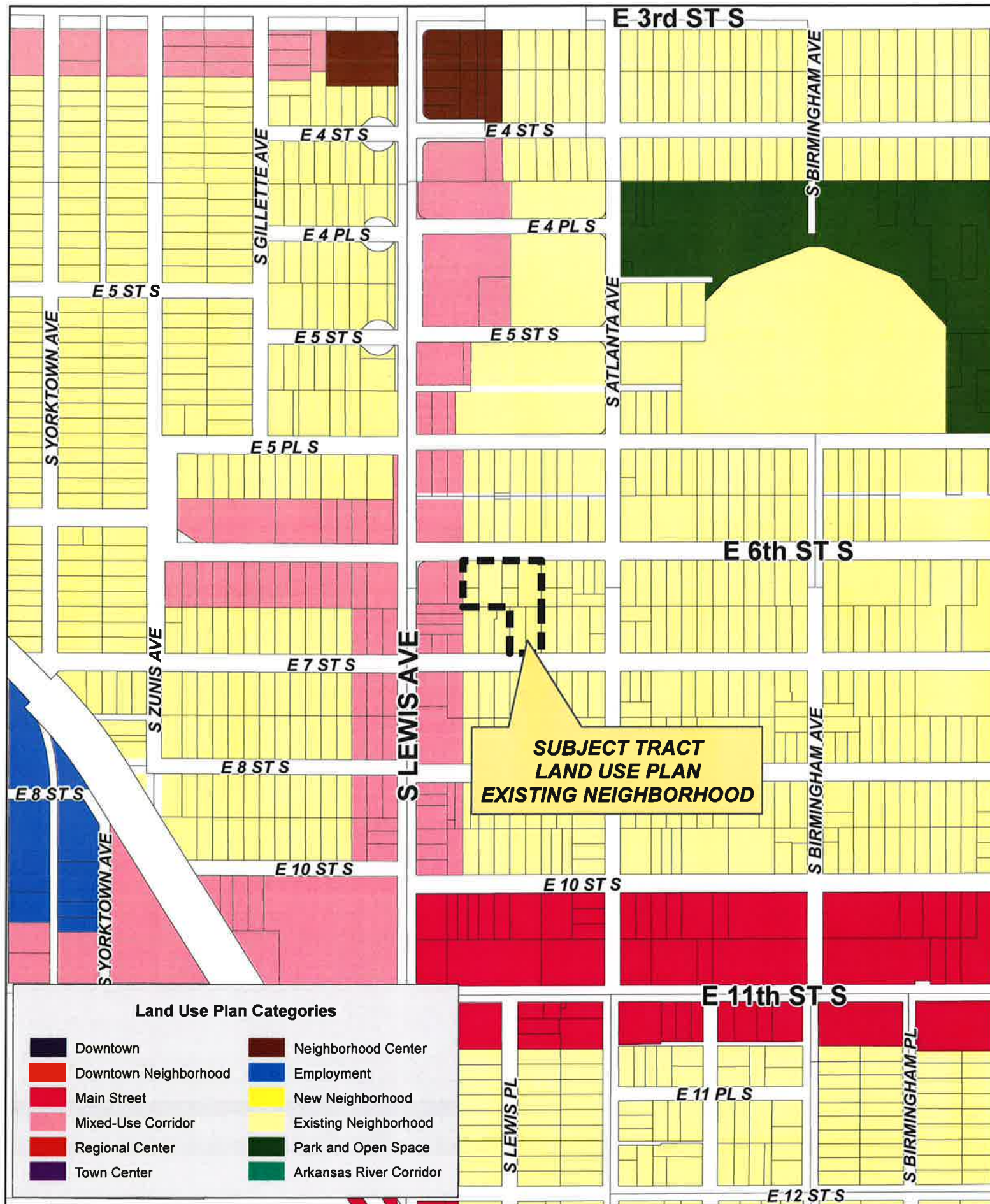
Note: Graphic overlays may not precisely  
align with physical features on the ground.

Aerial Photo Date: February 2018

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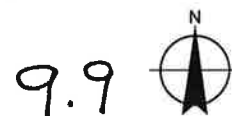




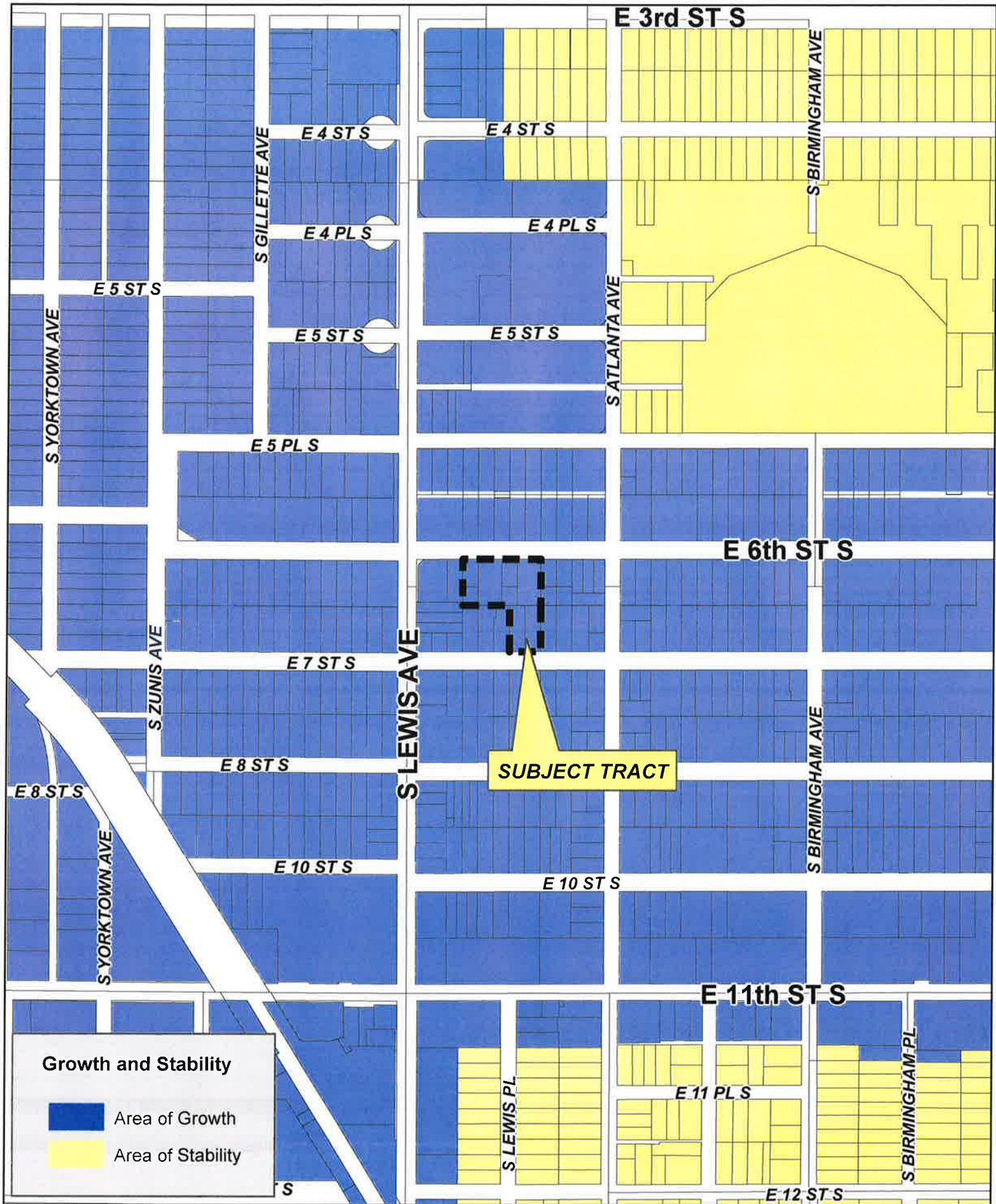


**Z-7524**

19-13 05



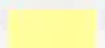




**Growth and Stability**



Area of Growth

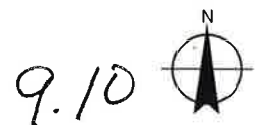


Area of Stability



**Z-7524**

19-13 05







Tulsa Metropolitan Area  
Planning Commission

**Case Number:** Z-7525

**Hearing Date:** January 8, 2020

**Case Report Prepared by:**

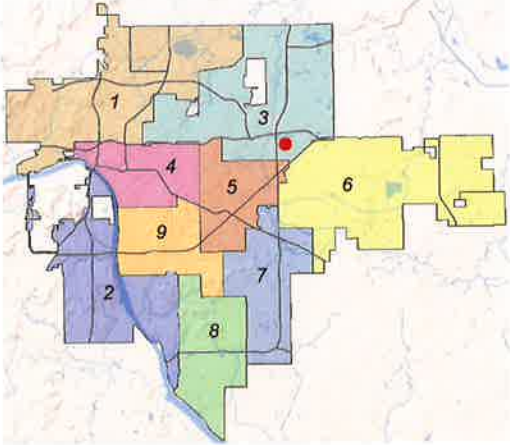
Dwayne Wilkerson

**Owner and Applicant Information:**

*Applicant:* Margaret Rosene Robinson

*Property Owner:* WAGON WHEEL TRADE  
CENTER LLC

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



**Applicant Proposal:**

*Present Use:* Auto mechanic and Medical  
Marijauna growing

*Proposed Use:* Medical Marijauna Processing

*Concept summary:*

*Tract Size:* 0.63 ± acres

*Location:* South & West of the Southwest corner of  
East Admiral Place & South Garnett Road

**Zoning:**

*Existing Zoning:* CS

*Proposed Zoning:* IL

**Comprehensive Plan:**

*Land Use Map:* Employment

*Stability and Growth Map:* Area of Growth

**Staff Recommendation:**

**Staff recommends denial.**

**Staff Data:**

TRS: 9406  
CZM: 39

**City Council District:** 3

*Councilor Name:* Crista Patrick

**County Commission District:** 1

*Commissioner Name:* Stan Sallee

10.1

## SECTION I: Z-7525

### DEVELOPMENT CONCEPT:

Use the existing building for medical marijuana growing facility.

### 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:

The employment land use designation encourages light manufacturing and high tech uses for clean manufacturing and warehouse uses and,

The surrounding property has been developed with standards and uses only allowed in a CS district with a variety of special exceptions that allow vehicular uses and repair and,

The architectural style of the development in this area is similar to many light industrial development areas in Tulsa however no evidence has been provided that indicate the surrounding properties are being used for light industrial uses therefore,

Staff recommends Denial of Z-7525 to rezone property from CS to IL.

## SECTION II: Supporting Documentation

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary:* IL zoning may be appropriate in many areas of Tulsa that are included in areas of employment. In this instance all the surrounding properties and the expected development pattern will continue to be CS uses.

### 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

10.2

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 rezoning decisions or future development considerations

*Trail System Master Plan Considerations:* None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

#### DESCRIPTION OF EXISTING CONDITIONS:

*Staff Summary: The existing building and many of the surrounding buildings are moderately sized warehouse style buildings. Many of the structures are being used for automotive repair facilities and other warehouse uses that are allowed uses or have been allowed thorough the special exception process at the Board of Adjustment*

*Street view from southeast looking northwest:*





Environmental Considerations: None that affect site development or rezoning decisions

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South 111 <sup>th</sup> Street South	None	50 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

<b>Location</b>	<b>Existing Zoning</b>	<b>Existing Land Use Designation</b>	<b>Area of Stability or Growth</b>	<b>Existing Use</b>
North	CS	Employment	Growth	Auto Repair
East	CS	Employment	Growth	Truck Repair
South	CS	Employment	Growth	Empty lot
West	CS	Employment	Growth	Plumbing and Mechanical

**SECTION III: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 11812 dated June 26, 1970 established zoning for the subject property.

***Subject Property:***

No Relevant History.

***Surrounding Property:***

**BOA-20487 April 2007:** The Board of Adjustment **approved** a *Special Exception* to permit automotive restoration in a CS District with conditions for 5 years, on property located at 107 South 111<sup>th</sup> Avenue.

**BOA-18421 May 1999:** The Board of Adjustment **approved** a *Special Exception* to allow automotive related uses in a CS district to include: sale of automobiles, motorcycles, personal watercraft, boats, motorcycle parts, and motorcycle accessories, as well as the service and repair of motorcycles, subject to no outside storage or sale of any products and no on-street parking related to the use, on property located at 102 South 111<sup>th</sup> East Avenue.

**BOA-16740 July 1994:** The Board of Adjustment **denied** a *Special Exception* to permit Use Unit 17 (Automotive and Allied Activities) in a CS zoned district and a *Variance* of the all-weather surface requirement for parking, finding the use to be inappropriate and inconsistent with the Board's original requirement for a 150' buffer area, due to the proximity to the residential neighborhood, on property located at 10922 East 2<sup>nd</sup> Street.

10.4

**BOA-15275 November 1989:** The Board of Adjustment **approved** a *Special Exception* to permit automobile sales, service and accessory body shop in a CS zoned district, subject to all automobile repairs being conducted inside the building and no outside storage of parts or inoperable automobiles, on property located at 40 South Garnett.

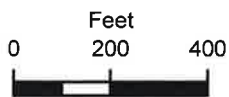
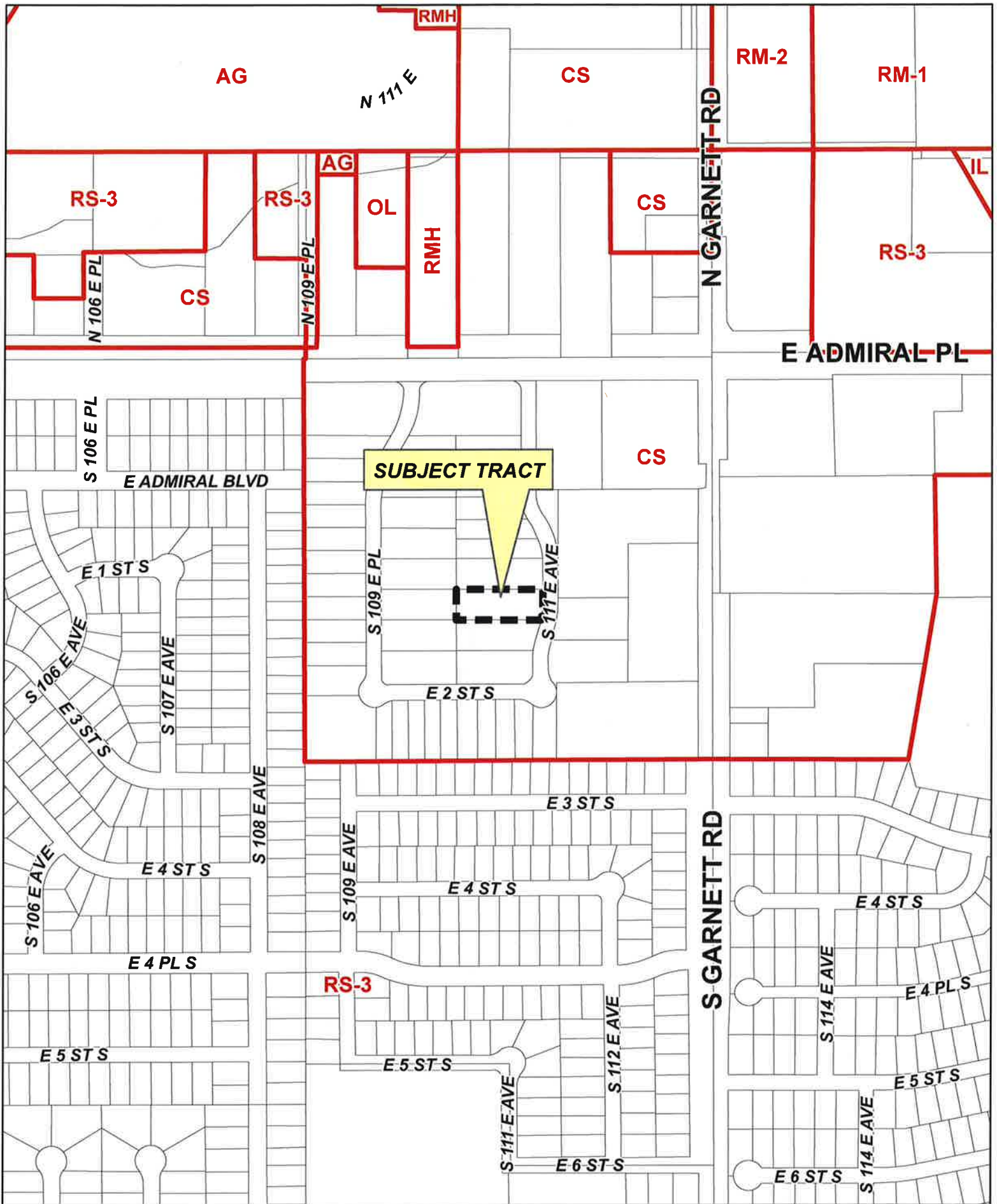
**BOA-13053 March 1984:** The Board of Adjustment **approved** a *Variance* to permit Use Unit 1225 (automotive painting) to permit antique automobile restoration in a CS District under the provisions of Section 1670, with the conditions that there be no outside storage of vehicles, that it be for this owner only, and that the painting not become the principal use of the property, on property located south of the southwest corner of admiral and South 111<sup>th</sup> East Avenue.

**BOA-12945 January 1984:** The Board of Adjustment **approved** a *Special Exception* to permit a four-bay car wash in a CS District under the provisions of Section 1680, limited to the north-west 102' by 80' of the lot per pictures and plans submitted, with the structure being brick with a mansard roof and with the color of the brick matching as closely as possible the color of the brick used in the shopping center, on property located at west of the southwest corner of Admiral Place and 111<sup>th</sup> East Avenue.

**BOA-12848 November 1983:** The Board of Adjustment **denied** a *Special Exception* to permit restoring antique cars in a CS zoned District under the provisions of Section 1680, on property located south of the southwest corner of South 109<sup>th</sup> East Place and Admiral Place. Since the motion did not have three affirmative votes, Mr. Chappelle made a motion to APPROVE the application. The motion died for lack of a second, so the application was DENIED.

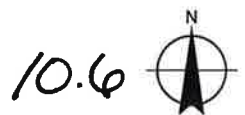
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**Z-7525**

19-14 06







Feet

0 200 400



**Subject  
Tract**

**Z-7525**

19-14 06

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

**Aerial Photo Date: February 2018**

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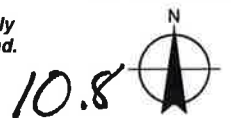
Subject  
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**Z-7525**

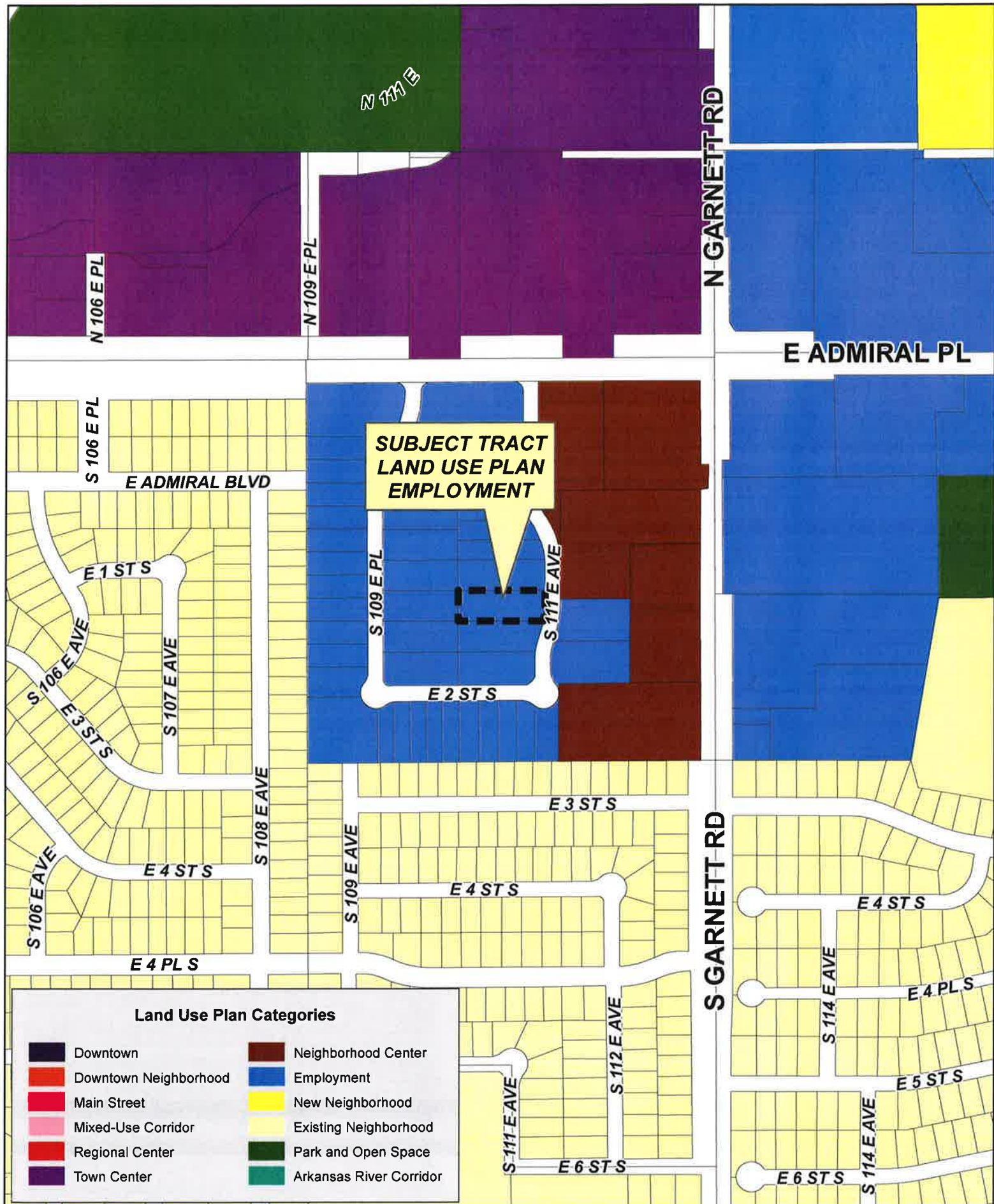
19-14 06

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

Aerial Photo Date: February 2018

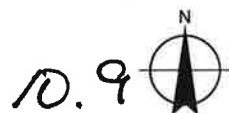




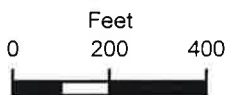
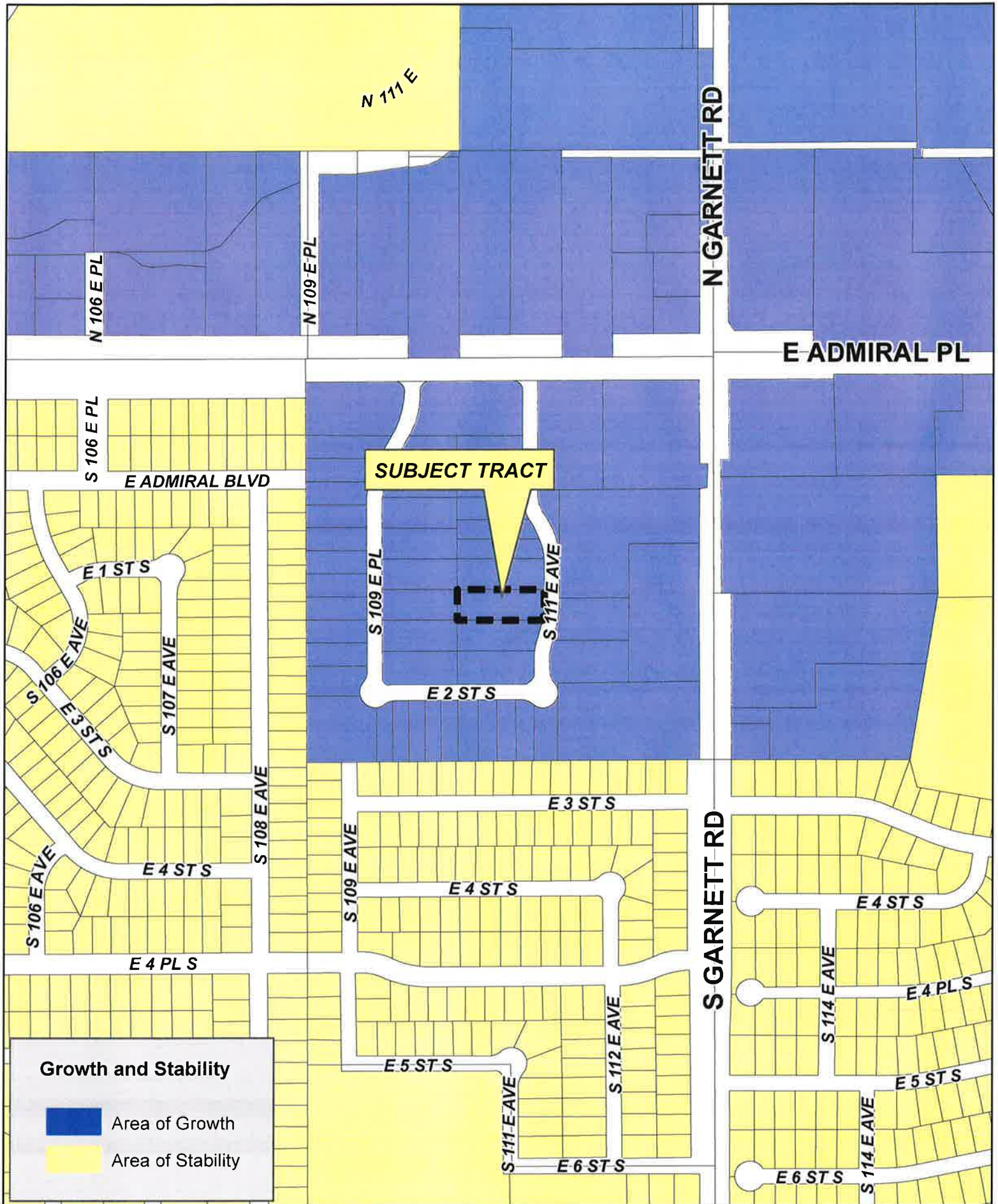


**Z-7525**

19-14 06

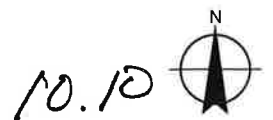






Z-7525

19-14 06





Tulsa Metropolitan Area  
Planning Commission

**Case Number:** Z-7526

**Hearing Date:** January 8, 2020

**Case Report Prepared by:**

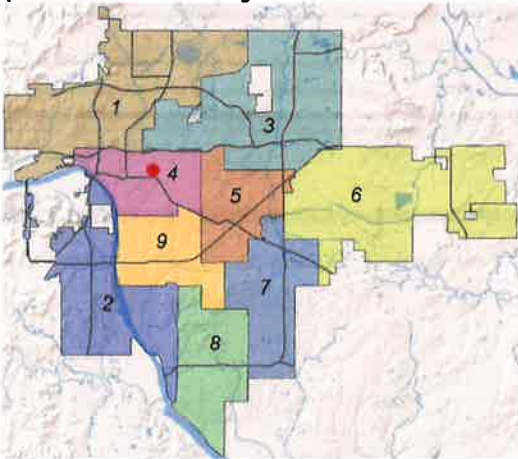
Dwayne Wilkerson

**Owner and Applicant Information:**

*Applicant:* Mike Thedford

*Property Owner:* TWS ROUTE 66 LLC

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



**Applicant Proposal:**

*Present Use:* Vacant

*Proposed Use:* Mixed-Use

*Concept summary:* Commercial and Mixed-Use redevelopment.

*Tract Size:* 1.04  $\pm$  acres

*Location:* Northwest corner of East 11th Street  
South & South Lewis Avenue

**Zoning:**

*Existing Zoning:* RM-2/MX2-P-45

*Proposed Zoning:* MX2-P-U

**Comprehensive Plan:**

*Land Use Map:* Mixed-Use Corridor

*Stability and Growth Map:* Area of Growth

**Staff Recommendation:**

**Staff recommends approval for MX2-P-U**

**Staff Data:**

TRS: 9306

CZM: 37

**City Council District:** 4

*Councilor Name:* Kara Joy McKee

**County Commission District:** 2

*Commissioner Name:* Karen Keith

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## SECTION I: Z-7526

### DEVELOPMENT CONCEPT:

Rezone property to allow a harmonious mixed-use development for multiple tracts at and near 11<sup>th</sup> Street at South Lewis Avenue. The mixed-use zoning category will support the anticipated redevelopment of property east of the railroad tract and abutting previously approved MX-2-U rezoning. The unlimited building height is consistent with the abutting properties.

### EXHIBITS:

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

### DETAILED STAFF RECOMMENDATION:

Z-7526 abuts two areas that are the same land use designation (MX-2) and the pedestrian character designation (P) and,

The request is consistent with the Mixed-Use Corridor land use vision in the Tulsa Comprehensive Plan and,

MX2-P-U is consistent with the anticipated development in the proximate properties and,

Uses, building types and heights are compatible with the existing and proposed surrounding properties therefore,

Staff recommends Approval of Z-7526 to rezone property from RM-2/MX2-P-45 to MX2-P-U.

## SECTION II: Supporting Documentation

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: The Mixed-use zoning categories were integrated into the Tulsa Zoning Code specifically to provide zoning district opportunities that could be used in parts of Tulsa where the suburban style zoning code of the 1970's conflicted with the original development pattern. Mixed-use zoning at this location is precisely the type of redevelopment opportunity that was anticipated in the comprehensive plan.*

### Land Use Vision:

*Land Use Plan map designation:* Mixed-Use Corridor

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



include multifamily housing, small lot, and townhouse developments, which step down intensities to integrate with single family neighborhoods.

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

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

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

**Transportation Vision:**

***Major Street and Highway Plan:*** None

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

**Small Area Plan:** None

**Special District Considerations:** This site is part of the Route 66 overlay that allows a different signage type that is supportive of the overall desire to redeveloped property along the old Route 66 that is now 11<sup>th</sup> Street .

**Historic Preservation Overlay:** None

**DESCRIPTION OF EXISTING CONDITIONS:**

***Staff Summary:*** The land surrounding this application and the property included in this zoning designation includes a wide variety of commercial and industrial uses with some open land and large parking lots. The buildings have been removed and building slabs are being used as parking areas that do not meet current zoning code standards.

**Environmental Considerations:** None that will affect site redevelopment

**Streets:**

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 10 <sup>th</sup> Street	None	50 feet	2 lane dead end street

**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 of 10 <sup>th</sup>	RS-4	Existing Neighborhood	Growth	Single Family residential
East	MX2-P-U	Mixed Use Corridor	Growth	Vacant
South	MX2-P-U	Mixed Use Corridor	Growth	Vacant
West (across rail track)	IM	Mixed Use Corridor	Growth	Miscellaneous light industrial and commercial uses

**SECTION III: Relevant Zoning History**

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

***Subject Property:***

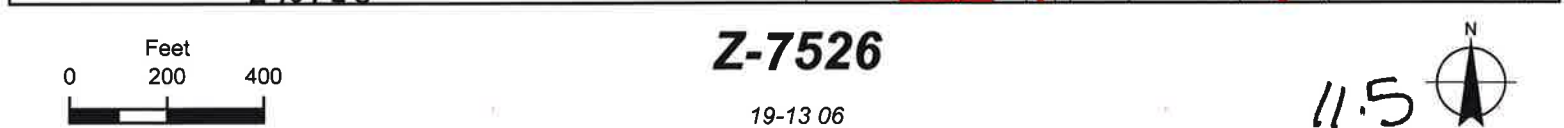
**Z-7405 October 2017:** All concurred in **approval** of a request for *rezoning* a 8.29± acre tract of land from RM-2/OL/CH/IM to MX2-P-45/MX2-P-U on property located northwest corner and southwest corner and south of the southeast corner of East 11<sup>th</sup> Street and South Lewis Avenue. This rezoning case includes both the current subject property, as well as property to the south of the subject property that is currently home to Mother Road Market.

***Surrounding Property:***

**Z-6415 October 1993:** All concurred in **approval** of a request for *rezoning* a 24± acre tract of land from RM-2 to RS-4 on property located between 6<sup>th</sup> Street and 10<sup>th</sup> street, Xanthus Place and Lewis Avenue.

1/8/2020 1:30 PM

11.4

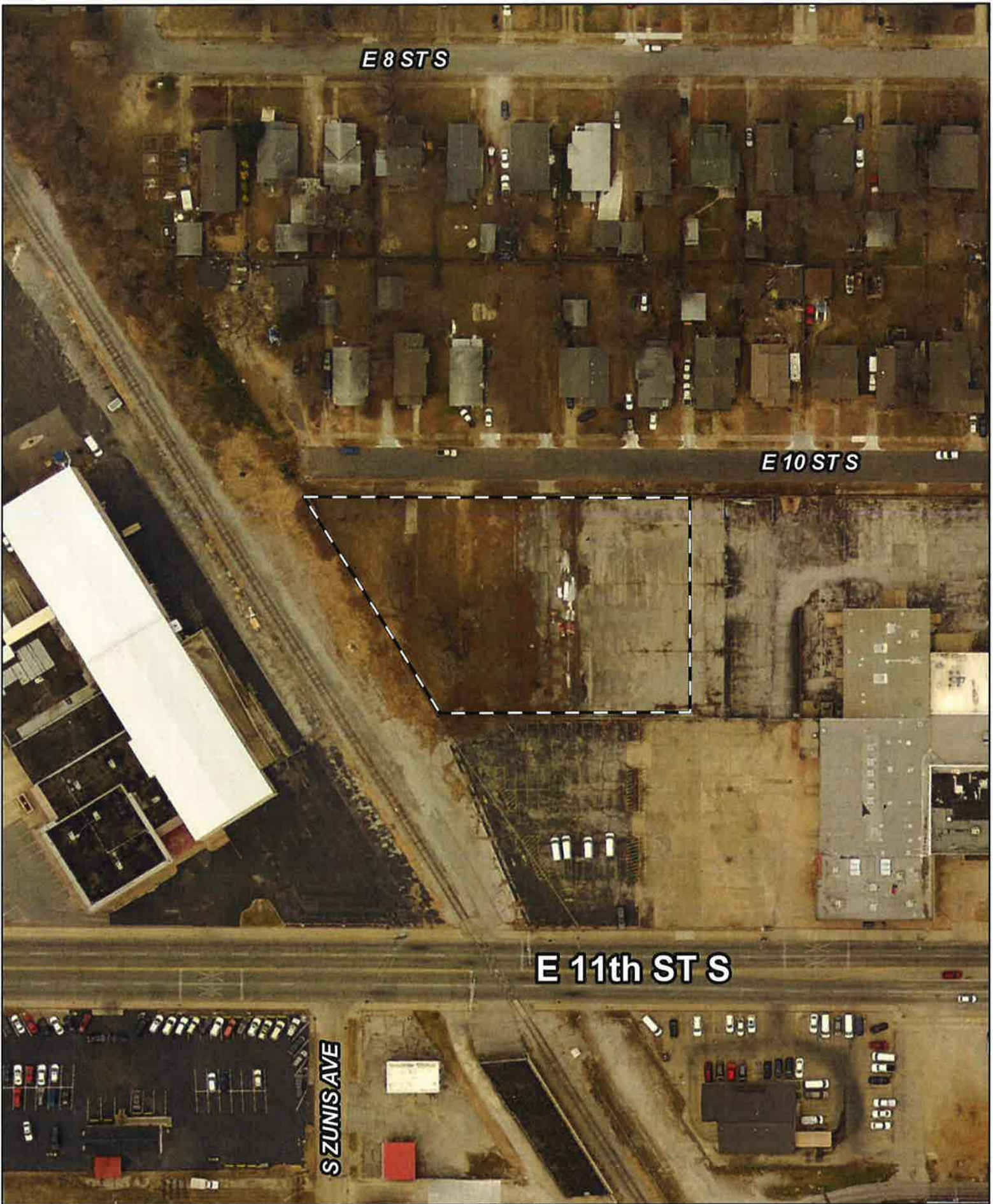


19-13 06

11.5







0 Feet 50 100

 Subject Tract

**Z-7526**

19-13 06

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

Aerial Photo Date: February 2018

11.6 





0 200 400  
Feet



Subject  
Tract

**Z-7526**

19-13 06

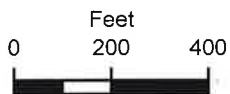
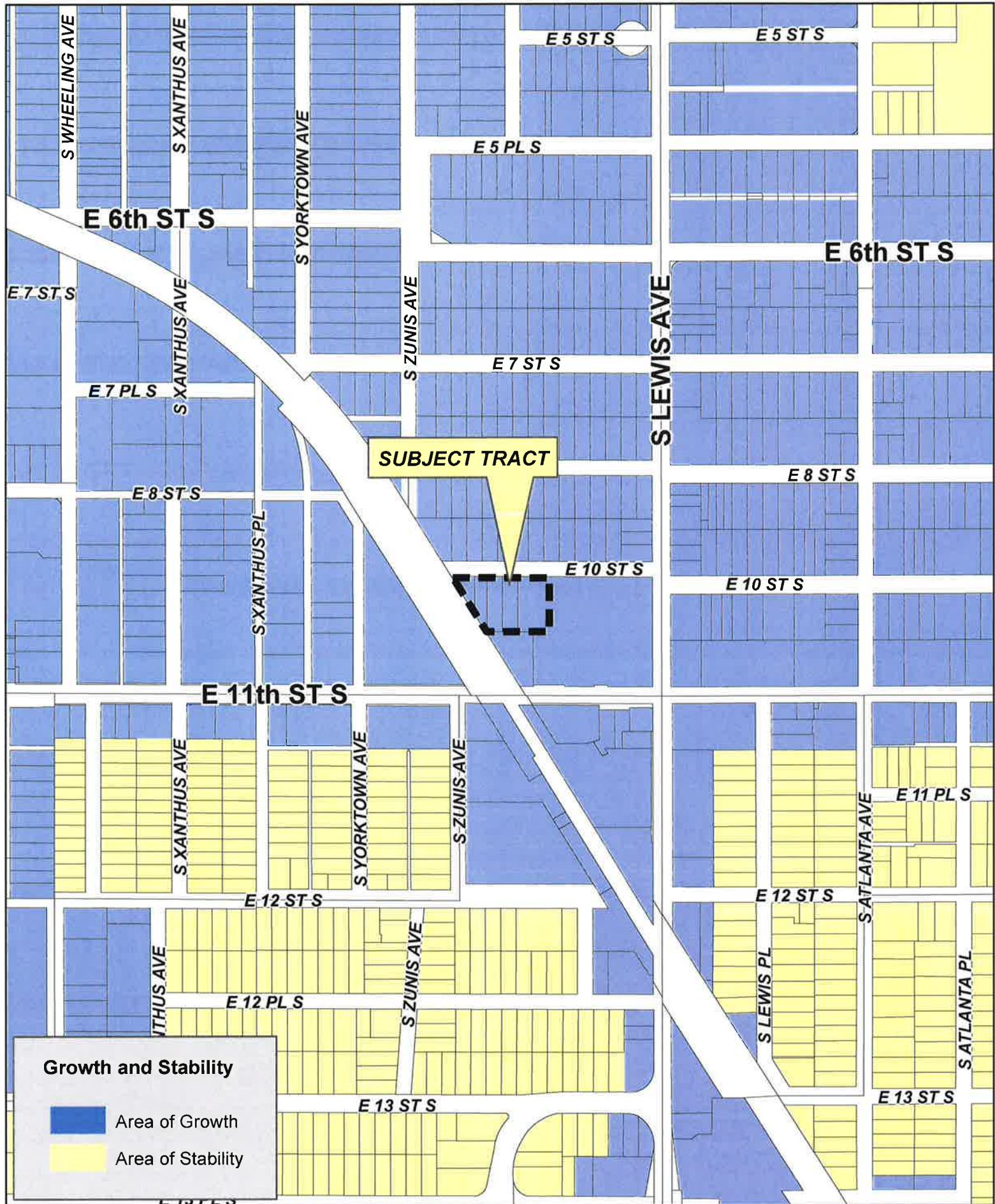
Note: Graphic overlays may not precisely  
align with physical features on the ground.

Aerial Photo Date: February 2018

11.7

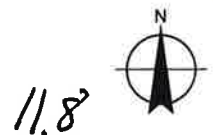




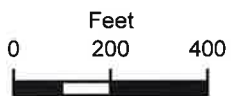
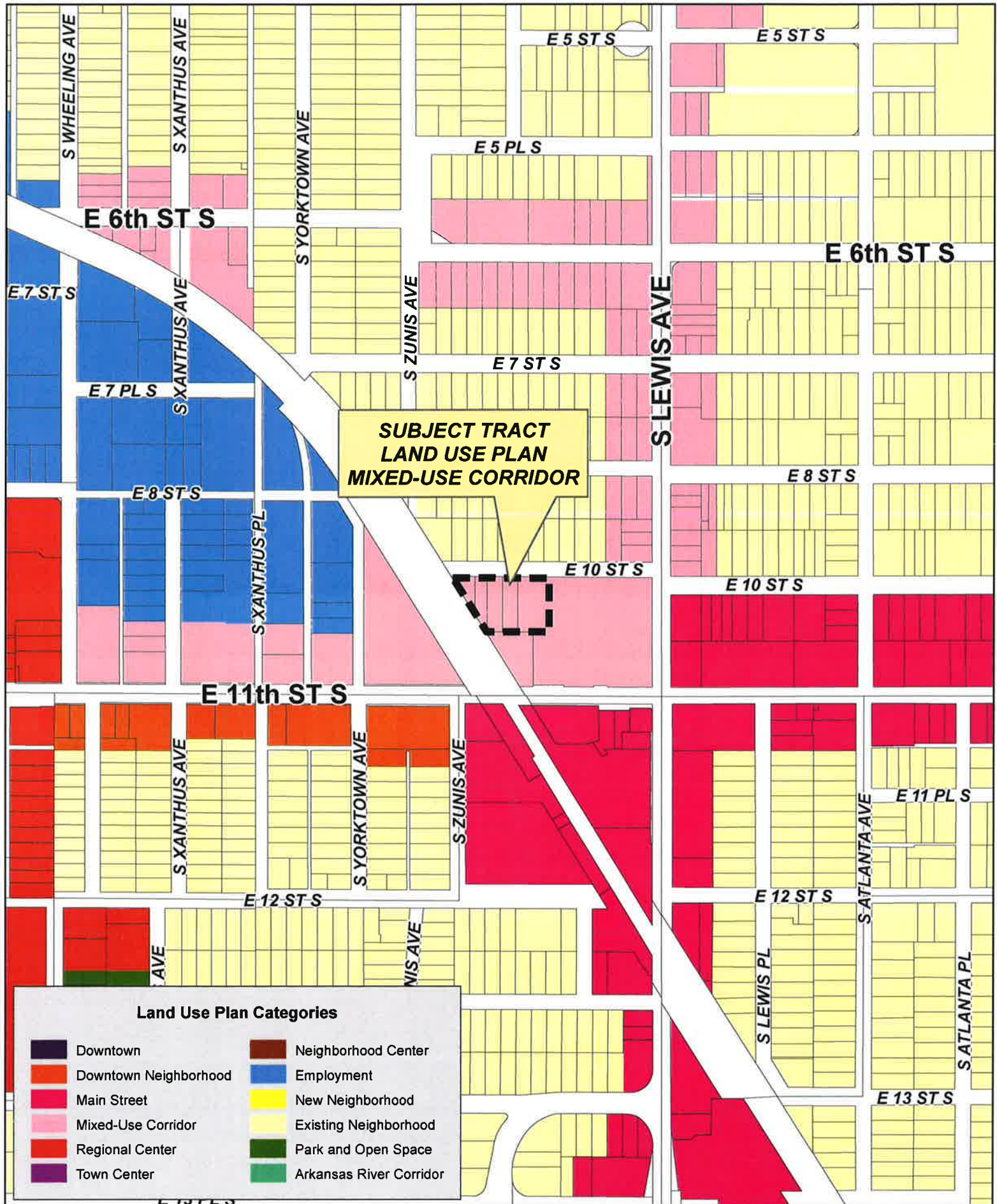


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**Z-7526**

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11.9



