INTRODUCTION AND NOTICE TO THE PUBLIC
At this meeting the TMAPC, in accordance with and pursuant to applicable TMAPC Policies and Procedures, will review, consider, discuss, and may take action on, approve, recommend for approval, amend or modify, recommend for approval with modifications, deny, reject, recommend for denial, or defer action on any item listed on the agenda.

Call to Order:

REPORTS:

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

Review and possible approval, approval with modifications, denial, or deferral of the following:

1. Minutes of November 2, 2022 Meeting No. 2877

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.

Review and possible approval, approval with modifications, denial, or deferral of the following:

2. Z-7460a Randy Branstetter (CD 2) Location: North of the northeast corner of West 91st Street South and South Maybelle Avenue requesting a ODP Minor Amendment to allow 7 building permits before the required street extension is complete (Continued from November 2, 2022)

3. PUD-713-9 Bell Land Use, LLC (CD 8) Location: Southeast corner of South Kingston Avenue and East 118th Street South requesting a PUD Minor Amendment to decrease setback along East 118th Street South and increase allowable driveway width in the street setback and right-of-way
4. **PUD-828-4 Tanner Consulting, LLC** (CD 8) Location: South of the southwest corner of East 121st Street South and South Sheridan Road requesting a **PUD Minor Amendment** to disable all development standards

**PUBLIC HEARING-REZONING**

Review and possible recommendation of approval, approval with modifications, denial, or deferral of the following:

5. **Z-7670 ODP Lou Reynolds** (CD 1) Location: West of the northwest corner of North Harvard Avenue and East 36th Street North requesting rezoning from **RS-3 to CS with an optional development plan**

6. **Z-7682 Lou Reynolds** (CD 3) Location: North and west of the northwest corner of East Pine Street and North Memorial Drive requesting rezoning from **IL to CH**

7. **Z-7683 Erik Enyart** (CD 6) Location: Northeast of the northeast corner of South 145th East Avenue and East 41st Street South requesting rezoning from **RM-2 to RM-3 with an optional development plan**

8. **Z-7684 Erik Enyart** (CD 6) Location: Northeast of the northeast corner of South 152nd East Avenue and East 41st Street South requesting rezoning from **RS-4 to RS-5 with an optional development plan**

**PUBLIC HEARING-COUNTY ZONING CODE AMENDMENTS**

9. **Tulsa County Zoning Code**- Review and make recommendation to the Board of County Commissioners (BOCC) on adoption of a new zoning code, repealing and replacing the existing Tulsa County Zoning Code

**PUBLIC HEARING-COMPREHENSIVE PLAN CONFORMANCE**

Review and possible approval, approval with modifications, denial, or deferral of the following:

10. TMAPC consideration of adoption of Resolution No. 2878:1044 finding the **Kirkpatrick Heights Greenwood Master Plan** in conformance with the Tulsa Comprehensive Plan
OTHER BUSINESS

11. 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 at 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. All electronic devices must be silenced during the Planning Commission meeting.

Visit our website at tulsaplanning.org     email address: esubmit@incog.org

TMAPC Mission Statement: The Mission of the Tulsa Metropolitan Area Planning Commission (TMAPC) is to provide unbiased advice to the City Council and the County Commissioners on development and zoning matters, to provide a public forum that fosters public participation and transparency in land development and planning, to adopt and maintain a comprehensive plan for the metropolitan area, and to provide other planning, zoning and land division services that promote the harmonious development of the Tulsa Metropolitan Area and enhance and preserve the quality of life for the region’s current and future residents.
**Case Number:** Z-7460a  
**Minor Amendment**

**Hearing Date:** November 16, 2022  
(Continued from November 2, 2022)

---

**Case Report Prepared by:**  
Jay Hoyt

**Owner and Applicant Information:**  
**Applicant:** Randy Branstetter  
**Property Owner:** The Estates at Tulsa Hills, LLC

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

![Location Map](image)

**Applicant Proposal:**

- **Concept summary:** ODP minor amendment to allow 7 building permits before the required street extension is complete.
- **Gross Land Area:** 40 ± Acres  
- **Location:** North of the NEC W 91st St S and S Maybelle Ave

---

**Zoning:**
- **Existing Zoning:** RS-1/Z-7460  
- **Proposed Zoning:** No Change

**Comprehensive Plan:**
- **Land Use Map:** New Neighborhood  
- **Growth and Stability Map:** Growth

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**Staff Recommendation:**  
Staff recommends denial

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**Staff Data:**  
**TRS:** 8214

---

**City Council District:** 2  
**Councilor Name:** Jeannie Cue  
**County Commission District:** 2  
**Commissioner Name:** Karen Keith
SECTION I: Z-7460a Minor Amendment

Amendment Request: Revise the Optional Development Plan Standards to allow 7 building permits before the required street extension is complete.

Currently the Optional Development Plan Standards state that street improvements to South Maybelle Avenue meeting or exceeding the minimum standards of a residential collector street including its required sidewalks shall be completed from the current end of pavement on South Maybelle Avenue to 91st St prior to issuing residential building permits.

The applicant is proposing to allow 7 residential building permits be issued before the street extension is complete. Staff has spoken with the City of Tulsa Development Services Department, who has expressed concern about allowing residential building permits before the required street improvements have been completed.

Staff Comment: This request is considered a Minor Amendment as outlined by Section 70.040.1.1.a(1) of the City of Tulsa Zoning Code.

“Any deviation expressly authorized at the time of development plan approval.”

Staff has reviewed the request and determined:

1) Z-7460a represents a significant departure from the approved development standards in the Optional Development Plan.

2) If approved, all remaining development standards defined in Z-7460 shall remain in effect.

Exhibits included with staff report:
   INCOG zoning case map
   INCOG aerial photo

With considerations listed above, staff recommends denial of the minor amendment to allow 7 building permits before the required street extension is complete.
<table>
<thead>
<tr>
<th><strong>Case Report Prepared by:</strong></th>
<th><strong>Owner and Applicant Information:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Jay Hoyt</td>
<td>Applicant: Bell Land Use LLC</td>
</tr>
<tr>
<td></td>
<td>Property Owner: Scott and Sheri Soder, Labella Homes</td>
</tr>
</tbody>
</table>

| **Location Map:**            | **Applicant Proposal:**               |
| (shown with City Council Districts) | Concept summary: PUD minor amendment to decrease setback along 118th St and increase allowable driveway width in the street setback and right-of-way. |

<table>
<thead>
<tr>
<th><strong>Zoning:</strong></th>
<th><strong>Staff Recommendation:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing Zoning: RS-1/PUD-713</td>
<td>Staff recommends approval.</td>
</tr>
<tr>
<td>Proposed Zoning: No Change</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Comprehensive Plan:</strong></th>
<th><strong>City Council District:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Land Use Map: Existing Neighborhood Growth and Stability Map: Stability</td>
<td>8</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Staff Data:</strong></th>
<th><strong>County Commission District:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>TRS: 8334</td>
<td>3</td>
</tr>
</tbody>
</table>

|                               | **Councilor Name:** Phil Lakin, Jr.   |
|                               | **Commissioner Name:** Kelly Dunkerley |
SECTION I: PUD-713-9 Minor Amendment

Amendment Request: Revise the PUD Development Standards to decrease the required setback along 118th St and increase the allowable driveway width within the street setback and the street right-of-way.

The development standards of the PUD currently require a 30 ft setback along 118th St. The applicant is proposing to reduce this setback to 20 ft to permit the construction of a home as illustrated on the site plan provided by the applicant. That applicant has stated that there is a 20 ft drainage easement along the southern lot line of the property that prevents the home from being relocated so that it can comply with the current 30 ft setback requirement.

Currently driveways in RS zoned lots with a width of 75+ feet cannot exceed 50% of the lot frontage or 27 ft of driveway width in the right-of-way and 30 ft within the street setback, whichever is less. The applicant is proposing a circle drive along S Kingston Ave, with the two ends at 10 ft in width each. They are also proposing a driveway along the cul-de-sac on 118th St approximately 39 ft in width. This would bring the total driveway width at the frontage to 59 ft. Due to the curve of the circle drive as shown on the site plan, the width would be slightly wider than 10 ft for each side of the drive, there for staff recommends allowing 65 ft of driveway width in both the street setback and the right-of-way.

The subject lot is a corner lot and has approximately 275 ft of total frontage. This would bring the total requested drive width to 23.6% of the total frontage.

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, driveway coverage measured by width, square footage or percentage of the yard, open spaces, building coverage and lot widths or frontages, provided the approved PUD development plan, the approved PUD standards and the character of the development are not substantially altered."

Staff has reviewed the request and determined:

1) PUD-713-9 does not represent a significant departure from the approved development standards in the PUD and is considered a minor amendment to PUD-713.

2) All remaining development standards defined in PUD-713 and subsequent amendments shall remain in effect.
Exhibits included with staff report:
  INCOG zoning case map
  INCOG aerial photo
  INCOG aerial photo (enlarged)
  Applicant Site Plan

With considerations listed above, staff recommends approval of the minor amendment to reduce the required setback along 118th St from 30 ft to 20 ft and to increase the total allowable driveway width to 65 ft in both the street setback and the right-of-way.
Subject Tract

PUD-713-9

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

Aerial Photo Date: 2020/2021
The subject request is to reduce the 30-foot Building Line associated with the Exterior Side property line along 118th Street of Lot 14 Block 2, The Estates of River Oaks Amended to 20 feet.

The subject property was created with a 20-foot Drainage Easement along its south property line. This property line is recognized as a sideline that would normally require a 5-foot setback. The exterior sideline which is associated with 118th street is also further impacted as being a part of a cul-de-sac. The existing 30-foot building line in conjunction with the cul-de-sac and the 20-foot Drainage Easement create a hardship for development of the lot.

The Zoning Code specifies that on corner lots, the minimum side street setback along a non-arterial street may be reduced to 15 feet, provided that the minimum setback for street-facing garage doors is 20 feet. The estates of River Oaks Amended was approved with relief of the 30-foot building line for properties fronting 116th Street (See Building Standards of DOD). The requested 10-foot relief is less than the additional 15-foot setback created by the Drainage Easement and is recognized as a request to be the minimum necessary for relief.

The requested 20-foot building line is in compliance with the standards of the underlying zoning district. The original PUD provided relief to the 30-foot building line in other areas of the development and therefore, the requested amendment remains in character with The Estates of River Oaks Amended.

The President of the Board of Directors for the Estates of River Oaks Amended Homeowners Association has approved the minor amendment of the building line from 30 feet to 20 feet. The approval letter is attached.

The PUD amendment is also documenting that lots within the development have been created with a circle drive in addition to the driveway to the attached garage. Lot 4 Block 1 as shown on the attached air photo was constructed in this manner. The proposed structure is being developed with a 3-car garage accessing from 118th Street. The PUD Amendment shall authorize the width of the driveway from 118th Street will be increased from 30 feet to 38 feet.
**LEGEND**

- **FD**: French drain from downsputs to curb or daylight
- **DS**: Downsputs
- **IND**: Indicates drainage flow (shale as nec.)

**OPEN SPACE CALCULATIONS**

<table>
<thead>
<tr>
<th>Description</th>
<th>Value</th>
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</thead>
<tbody>
<tr>
<td>LOT AREA</td>
<td>22073</td>
</tr>
<tr>
<td>MAIN LEVEL</td>
<td>4008</td>
</tr>
<tr>
<td>GARAGE</td>
<td>116</td>
</tr>
<tr>
<td>COV'D PORCH</td>
<td>906</td>
</tr>
<tr>
<td>OPEN SPACE</td>
<td>14254</td>
</tr>
</tbody>
</table>

**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, aeral, and utility easements, building lines, property lines or setbacks prior to any construction whatsoever to prevent possible encroachments.

**Client:** Soder Residence

**Project:** 220526 - Plot & Erosion Control Plan

**Scale:** 1:30

**Location:** 11029 S. Kingston Ave, Tulsa, OK 74104

**Phone:** 918.499.1497

**Client:** 38

**Designer:** Bainbridge Design Group

**Address:** 2723 E. 15th St., Tulsa, OK 74104

**Phone:** 918.499.1497

**Legal Description:** Lot 14, Block 2, River Oaks, A Subdivision in the City of Tulsa, Tulsa County, State of Oklahoma

**Field Verify:** Location of House

**Panel:** 3-8
Scott and Sherry Soder
17820 S 25 AV E
Mounds OK 74047

Scott and Sherry:

It has come to the attention of The Estates of River Oaks Amended HOA Board of Directors that you may have an interest in purchasing Lot 14 Block 2 in the River Oaks subdivision. It has also come to the Board’s attention that your building plans may require a front building line reduction from the filed Plat.

The HOA Board will support your request to the Tulsa Metropolitan Area Planning Commission ("TMAPC") should you proceed with your lot purchase and with your building plans where the front of your home faces E 118th St.

The HOA Board of Directors by this letter endorse a front building line reduction from the existing 30 foot building line along E 118th St to a 20 foot building line and will provide such endorsement to the TMAPC when and if necessary.

[Signature]
Ron Hoffman

3.9
Case Number: PUD-828-4
Minor Amendment

Hearing Date: November 16, 2022

Case Report Prepared by:
Jay Hoyt

Owner and Applicant Information:
Applicant: Tanner Consulting, LLC
Property Owner: Stone Horse Development, LLC

Applicant Proposal:
Concept summary: PUD minor amendment to disable all development standards.

Gross Land Area: 7.53 Acres
Location: South of the SW/c E 121st St S and S Sheridan Rd

Zoning:
Existing Zoning: RS-3/PUD-828
Proposed Zoning: No Change

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

Staff Data:
TRS: 7303

Staff Recommendation:
Staff recommends approval.

City Council District: 8
Councilor Name: Phil Lakin, Jr.

County Commission District: 3
Commissioner Name: Kelly Dunkerley
SECTION I: PUD-828-4 Minor Amendment

Amendment Request: Revise the PUD Development Standards to eliminate the PUD specific development standards on the subject lots. (See attached PUD-828 Current Development Standards)

The applicant is proposing to eliminate the development standards of the PUD on the subject lots and to make those lots subject to the Zoning Code requirements of the RS-3 district, which is the underlying zoning of the PUD. Currently the development standards of the PUD allow for a smaller lot width (50 ft vs 60 ft), lot size (5,000 sf vs 6,900 sf) and front yard (20 ft vs 25 ft) than would be allowed in an RS-3 district.

The applicant has also applied for a Major Amendment to the PUD which is currently scheduled to be heard at the December 7th TMAPC meeting which would remove the same subject lots from PUD-828 completely, leaving them subject to the requirements of the RS-3 district. Per the letter provided by the applicant, they have proposed the Minor Amendment prior to the Major Amendment so that they may move forward with filing the Plat for Enclave II at Addison Creek before the Major Amendment would go into effect, if approved.

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, driveway coverage measured by width, square footage or percentage of the yard, open spaces, building coverage and lot widths or frontages, provided the approved PUD development plan, the approved PUD standards and the character of the development are not substantially altered."

Staff has reviewed the request and determined:

1) PUD-828-4 does not represent a significant departure from the approved development standards in the PUD and is considered a minor amendment to PUD-828.

2) All remaining development standards defined in PUD-828 and subsequent amendments shall remain in effect.
Exhibits included with staff report:
- INCOG zoning case map
- INCOG aerial photo
- PUD-828 Current Development Standards
- Applicant Letter to TMAPC
- Applicant PUD Boundary Exhibit

With considerations listed above, staff recommends **approval** of the minor amendment to eliminate the PUD development standards from the subject lots, which would then be subject to RS-3 requirements.
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2020/2021
**PUD-828 DEVELOPMENT STANDARDS:**

<table>
<thead>
<tr>
<th>Gross Land Area:</th>
<th>1,323,337 sq.ft.</th>
<th>30.38 acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Net Land Area:</td>
<td>1,243,463 sq.ft.</td>
<td>28.55 acres</td>
</tr>
</tbody>
</table>

**Permitted Uses:**
Uses permitted as a matter of right in RS-3, zoning district in the City of Tulsa Zoning Code, including landscaped features and recreational facilities and uses customarily accessory to permitted uses.

<table>
<thead>
<tr>
<th>Maximum Number of Lots:</th>
<th>140 lots</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Width: *</td>
<td>50 ft.</td>
</tr>
<tr>
<td>Minimum Lot Size:</td>
<td>5,000 sq.ft.</td>
</tr>
<tr>
<td>Minimum Livability Space Required (per lot): **</td>
<td>4,000 sq.ft.</td>
</tr>
</tbody>
</table>

**Minimum Building Setbacks**

<table>
<thead>
<tr>
<th>Front yard:</th>
<th>20 ft.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Side Yard: ***</td>
<td>5 ft. &amp; 5 ft.</td>
</tr>
<tr>
<td>Side yard abutting a street: ****</td>
<td>15 ft.</td>
</tr>
<tr>
<td>Rear Yard (includes rear yard abutting an arterial street right of way):</td>
<td>20 ft.</td>
</tr>
</tbody>
</table>

**Maximum Building Height: *******

| 2 Stories 35 ft. |

**Maximum Front Yard Coverage by Parking:**

| 50 % |

**Off Street Parking:**

Minimum two (2) enclosed off-street parking spaces per dwelling unit.

| One (1) along each public street frontage, not to exceed 32 square feet each in size. |

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* Measured as the lot width at the building line, except on pie shaped lots which shall have a minimum average lot width of 50 feet.

** Per Section 1104-C of the Tulsa Zoning Code, livability space for lots may be contained within common open space located within the PUD. The final plat will require a summary of the minimum allowed livability space for each lot unless the storm water detention facility illustrated on Exhibit B is completely eliminated. If the detention facility is eliminated each individual lot will meet the minimum livability standards defined in the PUD.

*** Provided that a minimum of 10 ft. is maintained between dwelling structures, excluding overhangs. Provided that no side yard shall be less that the width of any utility easement located within the lot along a side lot line.

**** Garages which access this street shall be setback a minimum of 20 feet.

***** Architectural features may extend a maximum of five (5) feet above the maximum permitted building height.
October 27, 2022

Tulsa Metropolitan Area Planning Commission
2 West 2nd Street South, Suite 800
Tulsa, OK 74103

Re: PUD-828 – Minor Amendment

Dear Chair and Commissioners:

Our firm prepared the original PUD-828 and the plat of “Enclave at Addison Creek,” Plat No. 6802, along with the other PUDs and plats comprising the “Addison Creek” master planned community developed thus far.

“Enclave II at Addison Creek” has been constructed and is ready to be platted. During the review of the Draft Final Plat of “Enclave II at Addison Creek” a review comment resulted in an interpretation by the Tulsa Planning Office that lots only partially within the PUD are unacceptable. Therefore, since time is of the essence, we propose a Minor Amendment to PUD-828 to disable all PUD development standards within this second phase, allowing all building and development standards of the underlying RS-3 district to control, which will allow the Final Plat to be released for filing.

The proposed amendment is in keeping with the spirit and intent of the original restriction and the Zoning Code.

No other changes are proposed by this Minor Amendment.

Please contact me at (918) 745-9929 or enyart@tannerbaitshop.com if you have any questions or need additional information.

Respectfully,

Erik Enyart, AICP, CFM
**Case Report Prepared by:**
Dwayne Wilkerson

**Owner and Applicant Information:**
*Applicant:* Lou Reynolds
*Property Owner:* Helen P. Powell Revocable Trust

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

**Applicant Proposal:**
*Present Use:* Residential
*Proposed Use:* Animal Shelter access drive

*Concept summary:* Rezoning request from RS-3 to CS with optional development plan. This is the south portion of the original Z-7670 case that was originally submitted to rezone the entire lot as IL; however, City Council only approved the northern portion with IL and remanded the southern half back to TMAPC.

*Tract Size:* 9.6 ± acres
*Location:* West of the northwest corner of North Harvard and East 36th Street North

**Zoning:**
*Existing Zoning:* RS-3

*Proposed Zoning:* Original application was from RS-3 to IL. Applicant has provided an optional development plan with CS as the base zoning and an optional development plan.

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

**Staff Recommendation:**
Staff recommends approval.

**Staff Data:**
TRS: 0317
CZM: 22

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

**County Commission District:** 1
*Commissioner Name:* Stan Sallee
SECTION I:  Z-7670 ODP

DEVELOPMENT CONCEPT: The applicant originally submitted a zoning request from RS-3 to IL to be consistent with the employment land use designation. After a neighborhood engagement process the current application has been prepared requesting CS with an optional development plan.

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: Exhibit A (Access drive location)

DETAILED STAFF RECOMMENDATION:

The CS district is primarily intended to accommodate convenience, neighborhood, subcommunity, community, and regional shopping centers providing a range of retail and personal service uses. In this instance the applicant has coordinated efforts with the neighborhood to limit uses on the property. Staff supports the efforts in the neighborhood engagement and supports the provisions of the optional development plan outlined in section II.

The supplemental regulations and development standards that are included in the Zoning Code for permitted uses are intended to help integrate potential development with the surrounding property owners and,

The anticipated development of this site as outlined is expected to be compatible with that use therefore,

Staff recommends Approval of Z-7670 ODP to rezone property from RS-3 to CS with the provisions of the optional development plan.

SECTION II OPTIONAL DEVELOPMENT PLAN STANDARDS:

The optional development plan standards will conform to the provisions of the Tulsa Zoning Code for development in a CS district with its supplemental regulations and accessory use provisions except as further refined below.

All uses categories, subcategories or specific uses and residential building types that are not listed in the following permitted uses categories are prohibited.

Permitted Use Categories

Residential
Household Living (only if allowed in residential building types identified below)
  Single household
  Three or more households on a single lot
Office
Business or professional office
Agricultural
Community Garden
Farm, Market- or Community-supported
Residential Building Types Allowed

Household Living
  Single household
    Detached house (only if allowed by special exception)
  Townhouse

Three or more households on a single lot
  Mixed Use building
  Vertical Mixed-Use building

Site development limitations

1. Access to and through this site will be limited to allow a private access road with landscaping, lighting, monument-style signage, gates, and accessory uses that are customarily incidental for an access road.

2. The private access road will be constructed with concrete or asphaltic materials.

3. Vehicular access is limited to one driveway onto East 36th Street North at the location shown on Exhibit “A”, attached hereto, and incorporated herein by reference.

4. Pole mounted lighting shall not exceed 16 feet in height in the southern 100 feet in the Property and shall not exceed 25 feet in the remainder of the Property. All exterior lights shall be designed so that no light extends beyond the property line, and lights on poles will be shielded.

LOT AND BUILDING REGULATIONS shall conform to CS district except as modified below:

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Modification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum lot area</td>
<td>4 acres</td>
</tr>
<tr>
<td>Minimum street frontage</td>
<td>200 feet</td>
</tr>
<tr>
<td>Maximum floor area ratio</td>
<td>0.2</td>
</tr>
<tr>
<td>Building setbacks</td>
<td>35 feet from East 36th street north planned right of way</td>
</tr>
<tr>
<td></td>
<td>100 feet from west parcel line</td>
</tr>
<tr>
<td></td>
<td>25 feet from east parcel line</td>
</tr>
<tr>
<td>Maximum building height</td>
<td>35 feet</td>
</tr>
</tbody>
</table>

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: CS zoning as requested by applicant is consistent with the Employment land use designation in the comprehensive plan.

Land Use Vision:

Land Use Plan map designation: Employment

Employment areas contain office, warehousing, light manufacturing and high tech uses such as clean manufacturing or information technology. Sometimes big-box retail or warehouse retail clubs are found in these areas. These areas are distinguished from mixed-use centers in that they have few residences and typically have more extensive commercial activity.
Employment areas require access to major arterials or interstates. Those areas, with manufacturing and warehousing uses must be able to accommodate extensive truck traffic, and rail in some instances. Due to the special transportation requirements of these districts, attention to design, screening and open space buffering is necessary when employment districts are near other districts that include moderate residential use.

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

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

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

**Transportation Vision:**

**Major Street and Highway Plan:** None

**Trail System Master Plan Considerations:** None

**Small Area Plan:** None

**Special District Considerations:** None

**Historic Preservation Overlay:** None

**DESCRIPTION OF EXISTING CONDITIONS:**

**Staff Summary:** The site is mostly vacant land with a detached single-family home.

**Environmental Considerations:** None that would affect site development.

**Streets:**

<table>
<thead>
<tr>
<th>Existing Access</th>
<th>MSHP Design</th>
<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
</tr>
</thead>
<tbody>
<tr>
<td>East 36th Street North</td>
<td>Secondary Arterial</td>
<td>100 feet</td>
<td>Transitions from 2 lanes on east boundary to 4 lanes with median on west boundary</td>
</tr>
</tbody>
</table>

**Utilities:**

5.4

REVISED 11/8/2022
The subject tract has municipal water and sewer available.

**Surrounding Properties:**

<table>
<thead>
<tr>
<th>Location</th>
<th>Existing Zoning</th>
<th>Existing Land Use Designation</th>
<th>Area of Stability or Growth</th>
<th>Existing Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>IL</td>
<td>Employment</td>
<td>Growth</td>
<td>Vacant and light industrial uses</td>
</tr>
<tr>
<td>East</td>
<td>RS-3</td>
<td>Employment</td>
<td>Growth</td>
<td>Vacant and single family homes on large lots</td>
</tr>
<tr>
<td>South</td>
<td>RS-3</td>
<td>Employment</td>
<td>Growth</td>
<td>Single family homes on large lots</td>
</tr>
<tr>
<td>West</td>
<td>IL</td>
<td>Employment</td>
<td>Growth</td>
<td>Highway 75</td>
</tr>
</tbody>
</table>

**SECTION IV: Relevant Zoning History**

**History: Z-7670-ODP**

**Subject Property:**

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

**Z-7670 August 2022** was originally submitted as a rezoning request including approximately 18 acres. The Planning Commission recommended rezoning to IL for the entire 18 acres. After the Planning Commission meeting the City Council approved the north portion of the site for IL zoning but remanded the south portion of the site to planning commission for an optional development plan consideration. Z-7670-ODP was readvertised for IL zoning with the optional development plan. The applicant submitted a development plan with CS zoning.

**Surrounding Property:**

**Z-6914 December 2003:** All concurred in approval of a request for rezoning a tract of land from RS-3 to IL on property located Lots 1, 2, and 3, Block 10 and Lots 4, 5, 6 and 7, Block 11, LAKE VIEW HEIGHTS ADDITION

**BOA-18080 June 1998:** The Board of Adjustment approved a Special Exception to permit an animal shelter in a RS-3 district, on property located at 2910 Mohawk Blvd.

**BOA-17549 October 1996:** The Board of Adjustment approved a Variance to permit a sign with a display surface area larger than 300 SF, which is visible from an R district to be located with 200' of the R district, on property located at 2932 East 38th Street North.

**BOA-15537 September 1990:** The Board of Adjustment approved a Variance to permit the minimum setback from expressway (US 75) from 10' to 0.2', & a Variance of the minimum setback from a nonarterial street from 25' to 21.4' & a Special Exception to waive the requirement for a screening fence along the southerly property line abutting an RS-3 District, on property located at 3000 North Mohawk Boulevard.
Z-6293 September 1990: All concurred in approval of a request for rezoning a tract of land from RS-3 to IL on property located East 38th Street North.

Z-6289 August 1990: All concurred in approval of a request for rezoning a tract of land from RS-3 to IL on property located 3000 East Mohawk Blvd North.

BOA-14437 April 1987: The Board of Adjustment approved a Special Exception to permit an existing mobile home in an RS-3 zoned district & a Variance of the time regulation from 1 year to permanently, on property located at 3630 North Harvard Avenue.

BOA-11352 February 1981: The Board of Adjustment approved a Special Exception to permit a mobile home in an RS-3 District, on property located at 3630 North Harvard Avenue.

BOA-11851 March 1982: The Board of Adjustment approved a Special Exception to permit a mobile home in an RS-3 District & Variance to leave mobile home indefinitely on the subject property indefinitely, on property located at 3630 North Harvard.
Subject Tract

Z-7670 with Optional Development Plan

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

Aerial Photo Date: 2020/2021
Land Use Plan Categories

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

Z-7670 with Optional Development Plan
20-13 17
Growth and Stability

- Area of Growth
- Area of Stability

Z-7670 with Optional Development Plan
20-13 17

5.10
**Case Report Prepared by:**
Dwayne Wilkerson

**Owner and Applicant Information:**
*Applicant: Lou Reynolds*
*Property Owner: Redstone, LLC*

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

**Applicant Proposal:**
*Present Use: Vacant*

*Proposed Use: Hotels and Commercial Center*

*Concept summary: Rezone to support uses not currently allowed in the existing zoning category.*

*Tract Size: 10.22 ± acres*

*Location: North and West of the Northwest corner of East Pine Street and North Memorial Drive*

**Zoning:**
*Existing Zoning: IL*

*Proposed Zoning: CH*

**Comprehensive Plan:**
*Land Use Map: Employment*

*Stability and Growth Map: Area of Growth*

**Staff Data:**
*TRS: 0326*

*CZM: 30*

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

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

**County Commission District:** 1
*Commissioner Name: Stan Sallee*
SECTION I: Z-7682

DEVELOPMENT CONCEPT: Expand opportunities for redevelopment of site currently occupied with a surface parking area. The current IL zoning prohibits hotel uses that would be allowed with a CH zoning district.

EXHIBITS:

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

DETAILED STAFF RECOMMENDATION:

Z-7682 request CH zoning which is broadly consistent with the Employment land use designation of the Comprehensive Plan and also allows multi-family residential uses and lodging opportunities that can support surrounding business and employment centers and,

The CH district is primarily intended to accommodate high-intensity commercial and related uses primarily in the core area of the city; encourage use of properties and existing buildings along older commercial corridors; and minimize encroachment and adverse land use impacts on stable residential neighborhoods and,

CH zoning will will support repurposing existing properties and encourage a wider variety of uses near the airport and,

Supplemental regulations in the CH district provide predictable development patterns that are appropriate near the airport and,

Development anticipated in a CH district are similar and consistent with the expected development of surrounding IL properties therefore,

Staff recommends Approval of Z-7682 to rezone property from IL to CH.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: CH zoning categories allows uses and development standards that are consistent with the Employment land use designation. The uses in a CH district will support development of lodging opportunities near the airport entrance that are not currently allowed.

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.

REVISED 11/9/2022
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**

An area of growth is a designation 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 except the Multi Modal Corridor on Pine Street.

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

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

**Trail System Master Plan Considerations:** None

**Small Area Plan:** None

**Special District Considerations:** None

**Historic Preservation Overlay:** None

REVISED 11/9/2022
DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The property has been used for surface parking for a variety of uses from car rental to bus storage however it has been a vacant surface lot for several years.

Environmental Considerations:

Streets:

<table>
<thead>
<tr>
<th>Existing Access</th>
<th>MSHP Design</th>
<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
</tr>
</thead>
<tbody>
<tr>
<td>North Memorial Drive</td>
<td>Secondary Arterial</td>
<td>100 feet</td>
<td>5 - 6 lanes 2 northbound, 2 Southbound Miscellaneous turn lanes</td>
</tr>
<tr>
<td>East Pine Street</td>
<td>Secondary Arterial with Multi Modal Corridor</td>
<td>100 feet</td>
<td>5 lanes 2 eastbound 2 westbound Center turn lanes each side of intersection with Memorial</td>
</tr>
<tr>
<td>East Reading Street</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
</tbody>
</table>

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

Surrounding Properties:

<table>
<thead>
<tr>
<th>Location</th>
<th>Existing Zoning</th>
<th>Existing Land Use Designation</th>
<th>Area of Stability or Growth</th>
<th>Existing Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>IL</td>
<td>Employment</td>
<td>Growth</td>
<td>Industrial</td>
</tr>
<tr>
<td>East</td>
<td>RS-3 (ODOT-Highway right of way)</td>
<td>Employment</td>
<td>Growth</td>
<td>Undeveloped across North Memorial</td>
</tr>
<tr>
<td>South</td>
<td>CS and RS-3</td>
<td>Town center and existing neighborhood</td>
<td>Growth and stability in neighborhood area near southwest corner of site</td>
<td>Undeveloped at intersection. Union Hall approximately 1000 feet south</td>
</tr>
<tr>
<td>West</td>
<td>IL</td>
<td>Employment</td>
<td>Growth</td>
<td>Mixed industrial and outdoor storage.</td>
</tr>
</tbody>
</table>

SECTION III: Relevant Zoning History

History: Z-7682
Subject Property:

ZONING ORDINANCE: Ordinance number 11910 dated June 26, 1970, established zoning for the subject property.

BOA-16584 February 1994: The Board of Adjustment approved a Variance to permit parking on a gravel lot and a Variance of the required setback from the centerline of E. Pine from 100' to 95', on property located at 7735 E. Pine.

BOA-6174 January 1969: The Board of Adjustment approved a Variance to permit the construction of a single-family residence on a tract, on property located at 7924 East Reading.

BOA-2607 October 2607: The Board of Adjustment approved a request for permission to use the S. ½, of SE ¼, NE ¼, SE ¼, SE ¼, of Section 26, Township 20 North, Range 13 East for church purposes.

Surrounding Property:

BOA-9788 December 1977: The Board of Adjustment approved a Variance to permit frontage requirements in an IL District to permit a lot-split, on property located at 7711 East Pine Street.

BOA-6432 September 1969: The Board of Adjustment approved a Variance to permit the erection of a two-story motel that will be 30 feet in height (Ordinance permits only one-story, not to exceed 30 feet in height), on property located at the Southwest corner of Pine and Memorial.

BOA-2995: The Board of Adjustment approved a request for permission to erect a dwelling in a U-4-A District on a tract of land 180 feet by 140 feet out of the SE ¼, SE ¼ of Section 26-20-13.
Growth and Stability

- Blue: Area of Growth
- Yellow: Area of Stability

Z-7682
20-13 26
**Hearing Date:** November 16, 2022

**Case Number:** Z-7683

**Owner and Applicant Information:**
- **Applicant:** Erik Enyart
- **Property Owner:** 151 Bixby LLC

**Case Report Prepared by:**
- Dwayne Wilkerson

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

**Applicant Proposal:**
- **Present Use:** Vacant / multi family allowed.
- **Proposed Use:** Multi-family Residential
- **Concept summary:** Rezoning with optional development plan to allow building heights greater than 35 feet.
- **Tract Size:** 12.93 ± acres
- **Location:** Northeast of the Northeast corner of South 145th East Avenue and East 41st Street South

**Zoning:**
- **Existing Zoning:** RM-2
- **Proposed Zoning:** RM-3 with an optional development plan

**Comprehensive Plan:**
- **Land Use Map:** Neighborhood Center, New Neighborhood
- **Stability and Growth Map:** Area of Growth

**Staff Recommendation:**
Staff recommends approval of RM-3 but only with the provisions of the optional development plan provided in Section II.

**Staff Data:**
- **TRS:** 9422
- **CZM:** 50, 49

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

**County Commission District:** 1
- **Commissioner Name:** Stan Sallee
SECTION I: Z-7683

APPLICANTS DEVELOPMENT CONCEPT:
“Development plans are required with some property owner-initiated rezonings and are optional with other property owner initiated rezonings. The purpose is to depict a property owner’s generalization plan for the type, amount and character of development proposed on the subject property. By providing certainty about development proposals, development plans provide review and decision-making bodies with additional information on which to base a rezoning decision.”

EXHIBITS:
INCOG Case map
INCOG Aerial (small scale)
INCOG Aerial (large scale)
Tulsa Comprehensive Plan Land Use Map
Tulsa Comprehensive Plan Areas of Stability and Growth Map
Applicant Exhibits:
Building height exhibit
Neighborhood context exhibit

DETAILED STAFF RECOMMENDATION:
The applicant is requesting RM-3 zoning with an optional development plan that is consistent with the uses currently allowed on the property in the RM-2 district.

The three-story development is currently allowed with a maximum height of 35 feet. That development could only be accomplished with a flat roof design and could be constructed with a 10-setback abutting single family residential lot lines and,

The optional development plan provides significant setbacks from abutting RS-3 lots in an effort to mitigate the additional height request for a roof pattern that is more consistent with the surrounding residential development and,

The optional development plan in Section II is consistent with the provisions of the Tulsa Zoning Code therefore,

Staff recommends approval of Z-7683 to rezone property from RM-2 to RM-3 but only with the provisions of the optional development plan included in Section II below.

SECTION II OPTIONAL DEVELOPMENT STANDARDS:
The optional development plan standards will conform to the provisions of the Tulsa Zoning Code for development in RM-3 district with its supplemental regulations and accessory use provisions except as further refined below.

All uses categories, subcategories or specific uses and residential building types that are not listed in the following use categories are prohibited:

PERMITTED USE CATEGORIES

Residential Use Category
Household Living only if allowed in the residential building types section identified below:
Single households
Three or more households on a single lot

Residential building types:
Single household
Detached house
Patio House
Townhouse
  - 2-unit townhouse
  - 3+ - unit townhouse
Three or more households on a single lot
Cottage house development
Multi-unit house
Apartment/Condo

District Lot and Building regulations
Lot and building regulations shall conform to the provisions of the RM-3 district except as outlined below:
- Building setbacks abutting RS-3 zoning on the east boundary of the subject tract be greater than 80 feet.
- Minimum open space per dwelling unit 200 sq ft.
- Maximum building height 45 feet

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: RM-3 zoning with the optional development plan is consistent with the expected development in a Neighborhood Center with the provisions outlined in the optional development plan and is generally consistent with the expected development pattern in Broken Arrow on the south side of East 41st Street.

Land Use Vision:

Land Use Plan map designation: Neighborhood Center at Southwest corner of subject propety and New Neighborhood on remainder

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

Neighborhood Centers: This land use designation should include small-scale, one to three story mixed-use areas intended to serve nearby neighborhoods with retail, dining, and services. They can include apartments, condominiums, and townhouses, with small lot single family homes at the edges. These are pedestrian-oriented places served by transit, and visitors who drive can park once and walk to number of destinations.

Areas of Stability and Growth designation:
The subject property is considered an area of growth which is a designation 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."

**Broken Arrow Land Use Summary:** The land use plan for Broken Arrow includes three levels of development anticipated abutting East 41st Street South.

- Level 2 represents an area that is typically a residential subdivision development

- Level 3 represents an area that transitions from strictly residential to strictly nonresidential. The principal uses would be higher density single-family, detached residential some multi family apartments, neighborhood offices and planned office parks.

- Level 4 represents the typical local commercial and office intensity of land use in Broken Arrow. This area generally designates commercial or office activities that have developed in nodes around arterial street intersections.

---

**Broken Arrow Land Use map**
Transportation Vision:

Major Street and Highway Plan:
East 41st street south (Dearborn in Broken Arrow) is considered a multi-modal corridor. Future development should emphasize plenty of travel choices such as pedestrian, bicycle and transit use. Multimodal streets are located in high intensity mixed-use commercial, retail, and residential areas with substantial pedestrian activity. These streets are attractive for pedestrians and bicyclists because of landscaped medians and tree lawns. Multi-modal streets can have on-street parking and wide sidewalks depending on the type and intensity of adjacent commercial land uses. Transit dedicated lanes, bicycle lanes, landscaping and sidewalk width are higher priorities than the number of travel lanes on this type of street. To complete the street, frontages are required that address the street and provide comfortable and safe refuge for pedestrians while accommodating vehicles with efficient circulation and consolidated-shared parking.

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

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: Undeveloped property with single family residential development on the east and north.

Environmental Considerations: None that will affect site development.

Streets:

<table>
<thead>
<tr>
<th>Existing Access</th>
<th>MSHP Design</th>
<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
</tr>
</thead>
<tbody>
<tr>
<td>South 145th east avenue</td>
<td>Primary Arterial</td>
<td>120 feet</td>
<td>2</td>
</tr>
<tr>
<td>East 41st street south</td>
<td>Secondary Arterial with multi modal corridor street designation</td>
<td>100 feet</td>
<td>2</td>
</tr>
</tbody>
</table>

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

Surrounding Properties:

<table>
<thead>
<tr>
<th>Location</th>
<th>Existing Zoning</th>
<th>Existing Land Use Designation</th>
<th>Area of Stability or Growth</th>
<th>Existing Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>RM-0</td>
<td>New Neighborhood</td>
<td>Growth</td>
<td>Multi family</td>
</tr>
<tr>
<td>East</td>
<td>RS-3</td>
<td>New Neighborhood</td>
<td>Growth</td>
<td>Detached single family</td>
</tr>
<tr>
<td>---------</td>
<td>--------------------</td>
<td>--------------------------------</td>
<td>----------------------</td>
<td>------------------------</td>
</tr>
<tr>
<td>South</td>
<td>City of Broken Arrow PUD-94</td>
<td>Level 4 (Commercial/employment node) Level 3 (Transition area) Level 2 (Urban Residential area)</td>
<td>City of Broken Arrow</td>
<td>Undeveloped</td>
</tr>
<tr>
<td>West</td>
<td>CS and AG</td>
<td>New neighborhood and neighborhood center</td>
<td>Growth</td>
<td>Undeveloped</td>
</tr>
</tbody>
</table>

SECTION IV: Relevant Zoning History

History: Z-7683

Subject Property:

ZONING ORDINANCE: Ordinance number 23730 & 24312 dated July 12, 2017 & March 8, 2020, established zoning for the subject property.

Subject Property:

Z-7388 July 2017: All concurred in approval of a request for rezoning a 12.9+ acre tract of land from RM & CS to RM-2 for potential development of a multi-family development. The rezoning request will reduce the CS zoned property at the corner from approximately 9.5 acres to approximately 2.9 acres. The proposal will align the RM-2 boundary with property ownership and increase the land area for multi-family and number of allowable units, on property located 5323 South Lewis Avenue.

Surrounding Property:

Z-7575 December 2020: All concurred in approval of a request for rezoning a 5.61+ acre tract of land from RS-3 to RS-4 for approximately 28 lots. This request is being made to provide some lot variety within the development and respond to consumer demand. Additionally, this rezoning will help the applicant coordinate with an adjacent development to the south that needs a secondary point of access to meet Fire Code requirements. Lot and building regulations in a RS-4 district allow a great density than the abutting RS-3 zoned properties however RS-4 zoning is consistent with the anticipated future development pattern of the surrounding property and the New Neighborhood land use designation of the Comprehensive Plan on property located 4058 North College Avenue.

Z-7521 March 2020: All concurred in approval of a request for rezoning a 18.21+ acre tract of land from RS-3 to RM-0 to permit residential duplexes. The proposed rezoning will be in conjunction with existing RM-0 zoning immediately to the south. The proposed rezoning is compatible with the New Neighborhood designation of the Comprehensive Plan as well as the Area of Growth on property located North of the northeast corner of East 41st street South & South 145th East Avenue.

BOA-22206 February 2017: The Board of Adjustment approved a Variance to permit a 9-foot-high masonry wall within the street right-of-way; & a Special Exception to permit a fence and/or wall height greater than 4 feet within the required street setback of East 41st Street South, on property located at 14815 East 41st Street South.
Siteplan View Keymap

View 1- From 3rd Story Balcony of Multi-Family Residential- Looking Toward Single-Family Residential

View 2- Toward Multi-family Residential

20' Tall Trees @ 20' Spacing

8' Fence

NE 41st & 145th- Multi-Family Residential- Views

Project No. 22221
07 November 2022
Z-7683 with Optional Development Plan

Subject Tract

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

Aerial Photo Date: 2020/2021
SUBJECT TRACT
LAND USE PLAN
NEW NEIGHBORHOOD/
NEIGHBORHOOD CENTER

Z-7683 with Optional Development Plan
19-14 22
7.12
**Case Report Prepared by:**
Dwayne Wilkerson

**Owner and Applicant Information:**
**Applicant:** Erik Enyart  
**Property Owner:** Premium Land LLC

---

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

![Location Map](image)

---

**Applicant Proposal:**
**Present Use:** Vacant  
**Proposed Use:** Single-family Residential

**Concept summary:** Rezone from RS-4 (minimum 50 feet wide and 5500 sq. ft.) to RS-5 (minimum 30 feet wide and 3300 sq. ft.).

**Tract Size:** 17.89 + acres  
**Location:** Northeast of the Northeast corner of South 152nd East Avenue and East 41st Street South

---

**Zoning:**
**Existing Zoning:** RS-4  
**Proposed Zoning:** RS-5 with an optional development plan

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

---

**Staff Recommendation:**  
Staff recommends approval with or without the optional development plan.

---

**Staff Data:**
**TRS:** 9422  
**CZM:** 50

---

**City Council District:** 6  
**Councilor Name:** Connie Dodson  
**County Commission District:** 1  
**Commissioner Name:** Stan Sallee

---

**REVISED 11/9/2022**
SECTION I: Z-7684

DEVELOPMENT CONCEPT:

The applicant has submitted a request to consider rezoning from RS-4 zoning which requires a minimum lot width of 50 feet and a minimum lot size of 5500 square feet to RS-5 zoning that requires a minimum lot width of 30 feet and minimum lot size of 3300 sq. ft. In conjunction with the zoning request the applicant has submitted an optional development plan to set minimum lot standards larger than the minimum allowed. The subject tract is anticipated to be the next phase of The Crossing at Battle Creek and off-site street construction will be required for access prior to completion of this phase of the development.

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
The Crossing at Battle Creek preliminary plat
Applicant Exhibits:
None included

DETAILED STAFF RECOMMENDATION:

Z-7684 requesting RS-5 zoning allows single family residential uses that are compatible with the surrounding properties and,

Lot and building regulations in a RS-5 district allow a greater density than the abutting RS-3 zoned properties however RS-5 zoning is consistent with the anticipated future development pattern of the surrounding property and,

RS-5 zoning is consistent with the New Neighborhood land use designation of the Comprehensive Plan therefore,

Staff recommends Approval of Z-7553 to rezone property from RS-4 to RS-5 with or without the optional development plan standards.

SECTION II: OPTIONAL DEVELOPMENT PLAN STANDARDS:

The optional development plan standards will conform to the provisions of the Tulsa Zoning Code for development in an RS-5 district with its supplemental regulations and accessory use provisions except as further refined below.

All uses categories, subcategories or specific uses and residential building types that are not listed in the following permitted uses categories are prohibited.

PERMITTED USE CATEGORIES, SUBCATEGORIES AND SPECIFIC USES:

Household Living
Residential
Single household
Detached House
Minimum Lot Width: 40 feet
Minimum Lot Area: 4,300 square feet
Minimum Lot Area per Unit: 4,300 square feet
Minimum Street Frontage: 30 feet
Minimum Building Setbacks:
  Street 25 feet
  Corner lot side street 15 feet (except street facing garage door entrance must be 20 feet from lot line).
Minimum Open Space per Unit: 1,550 Square Feet
Maximum building height: 25 feet

RESIDENTIAL BUILDING TYPES:
  Household living
    • Single household
      Detached house

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

  Staff Summary: RS-5 zoning is primarily used for a smaller lot single family residential use and is consistent with the New Neighborhood land use designation.

Land Use Vision:

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

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

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

Transportation Vision:

Major Street and Highway Plan:
The east side of the site abuts a planned arterial street and adequate street right of way should be dedicated as part of the plat process. The street does not exist, and the applicant should be aware that some access to the south along that right of way may be required for redevelopment of this site.

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is undeveloped with some tree cover and gently sloping terrain. The east side of the site is at the upper end of Adams Creek drainage basin and may be sensitive to wetlands and water quality considerations. Terrain around the creek is steeper and may be more challenging for home site development.

Environmental Considerations: Adams Creek stream channel is near the east boundary of the site. During the plat process considerations for creek preservation and development on the fringes of the floodplain will be necessary to preserve the water quality in the basin. The alignment of East 161st Street may not follow the typical section line arrangement and we will recommend alignment considerations during the plat process and recommend further discussions with City Engineering early in the plat process to discuss street construction and alignment possibilities.

Streets:

<table>
<thead>
<tr>
<th>Existing Access</th>
<th>MSHP Design</th>
<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
</tr>
</thead>
<tbody>
<tr>
<td>South 157th East Avenue</td>
<td>None</td>
<td>50 feet</td>
<td>2</td>
</tr>
<tr>
<td>(construction phase)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>South 159th East Avenue</td>
<td>NA</td>
<td>50 feet</td>
<td>2</td>
</tr>
<tr>
<td>(construction phase)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Future Access requirements</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>161st Street South (East</td>
<td>Secondary Arterial</td>
<td>100 feet</td>
<td>This planned street has not been constructed</td>
</tr>
<tr>
<td>boundary of subject property)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Location</th>
<th>Existing Zoning</th>
<th>Existing Land Use Designation</th>
<th>Area of Stability or Growth</th>
<th>Existing Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>RS-4</td>
<td>New Neighborhood</td>
<td>Growth</td>
<td>Undeveloped</td>
</tr>
<tr>
<td>East</td>
<td>RS-3</td>
<td>New Neighborhood</td>
<td>Growth</td>
<td>Undeveloped</td>
</tr>
<tr>
<td>South</td>
<td>RS-3</td>
<td>New Neighborhood</td>
<td>Growth</td>
<td>Undeveloped</td>
</tr>
<tr>
<td>West</td>
<td>RS-4</td>
<td>New Neighborhood</td>
<td>Growth</td>
<td>Single-family</td>
</tr>
</tbody>
</table>

**SECTION IV: Relevant Zoning History**

**History:** Z-7684

**Subject Property:**

**ZONING ORDINANCE:** Ordinance number 24424 dated August 16, 2020, established zoning for the subject property.

**Z-7553 August 2020:** All concurred in approval of a request for rezoning a 68.28+ acre tract of land from RS-3 to RS-4 in order to achieve smaller lot sizes for a new single family residential subdivision. RS-3 zoning requires a minimum lot width of 60 feet and a minimum lot size of 6900 square feet compared to RS-4 zoning that requires a minimum lot width of 50 feet and minimum lot size of 5500 sq. ft. on property located.

**Surrounding Property:**

**Z-7577 December 2020:** All concurred in approval of a request for rezoning a 27.62+ acre tract of land from RS-3 to RS-4 for single family development on property located East of the northeast corner of east 41st Street south & South 145th East Avenue.

**Z-7392 September 2017:** All concurred in approval of a request for rezoning a 5.5+ acre tract of land from AG/RM-0 to RS-3 for single family development on property located West of northwest corner of East 41st Street & South 161st East Avenue.
Z-7684 with Optional Development Plan
19-14 22

Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: 2020/2021
Item
Public hearing to provide a recommendation to the Board of County Commissioners regarding adopting the update to the Tulsa County Zoning Code.

Background
The Tulsa County Zoning Code was first adopted in 1980. Through the years, amendments were made but the structure and basics of the code remained unchanged over the years. In July 2021, Duncan Associates, was retained to help lead the code update effort.

Once the new code format was created, a Technical Team was formed to review the initial draft. The Technical Team consisted of staff members from Tulsa Planning Office, Tulsa County Inspections Department, and an attorney from the Tulsa County District Attorney’s Office. Suggested edits were submitted and discussed during virtual meetings. Changes included adding regulations governing Marijuana-related uses, revising accessory building size regulations, adding two new “RS” districts (RS-1 and RS-2), incorporating new animal-keeping regulations in residential districts, and the addition of RV-living and accessory dwelling unit (ADU) regulations. The Technical Team also helped proofread, and review content for accuracy between the old Code and the updated Code.

The next step was the creation of a Work Group to serve as a sort of “sounding board” for review and discussion of key code changes before releasing a draft for public review. Each County Commissioner recommended three people to be a part of the Work Group. The group met in-person a total of five times and provided helpful feedback on a variety of issues, particularly as related to ensuring that the new code is not overly burdensome on farmers and rural landowners.

On August 17, 2022, the consultant presented an update of the progress on the Tulsa County Zoning Code at a Work Session. A link to the draft of the document was later emailed to the Planning Commissioners so they could review the document and provide feedback at the Work Session meeting on October 5, 2022. During the second work session, the consultant, Kirk Bishop, gave a presentation of the draft of the Tulsa County Zoning Code update.

The draft was open for public review and comments from October 7-21, 2022. The public was notified through various methods including emails to residents of unincorporated Tulsa County who subscribe to Tulsa Planning Office and the County Commissioner’s email lists, a press release was issued and Fox 23 and Channel 6 featured stories about it, Tulsa Planning Office created a webpage that directed interested parties to the review draft, Tulsa County shared the information on their News and Inspections webpage, and a link to the draft was posted on the Facebook pages of Tulsa Planning Office and Tulsa County then reshared by others. Please see the attached public comments and the response to those comments.

Staff Recommendation
Staff recommends that TMAPC recommend approval of the Tulsa County Zoning Code update.

Next Step
- December – BOCC public hearing
The following table summarizes the substantive comments received on the public review draft of the county's updated zoning code, as well as the (consultant/staff) technical team's responses to those comments. Red underlined text indicates a change made in response to comment. Non-substantive comments (e.g., typographic errors) are not listed in the table.

<table>
<thead>
<tr>
<th>No.</th>
<th>SECTION</th>
<th>PUBLIC COMMENT</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Sec. 1.040 Applicability and Jurisdiction</td>
<td>Does this section say that certain bodies (i.e., government bodies) would be exempt from adhering to the zoning regulations?</td>
<td>No, this section merely states the county's zoning regulations do not apply to lands within cities (incorporated areas)</td>
</tr>
<tr>
<td>2</td>
<td>Sec. 1.040 Applicability and Jurisdiction</td>
<td>Will new regulations be retroactively enforced on existing businesses?</td>
<td>Nothing in this code will be retroactively enforced on existing businesses (assuming they were lawfully established).</td>
</tr>
<tr>
<td>3</td>
<td>Sec. 1.040 Applicability and Jurisdiction</td>
<td>Do HOA restrictions take precedent over county zoning regulations?</td>
<td>Yes, HOA restrictions do take precedence if they are more restrictive than these zoning regulations (See 1.080-C).</td>
</tr>
<tr>
<td>4</td>
<td>Table 2-2 Residential Building Types (in A Districts)</td>
<td>Why is single-section manufactured housing unit - SPECIAL EXCEPTION and multi-section manufactured housing unit - PERMITTED in AG-R district? I find single-wide a SPECIAL EXCEPTION for AG-R in current county zoning code, but I do not find reference to multi-wide in current county zoning code. Is the difference based on average size of living space of single vs. multi-section, or something else?</td>
<td>As you note, single-wides (now single-section) are currently a special exception and the county's practice has been to permit double-wides as of right. So, this just clarifies existing practice. Both single- and multi-section are defined in the definitions article under &quot;manufactured housing&quot;</td>
</tr>
<tr>
<td>5</td>
<td>Table 2-2 Residential Building Types (in A Districts)</td>
<td>Why does a detached house and one single section manufactured housing unit in AG-R require Special Exception approval, but a detached house and one multi-section manufactured housing unit is &quot;Permitted&quot;? Shouldn't they both be &quot;S&quot;?</td>
<td>This is the same regulation that applies under the county's current zoning code.</td>
</tr>
<tr>
<td>6</td>
<td>Table 2-2 Residential Building Types (in A Districts)</td>
<td>So, this means you are allowing more use of manufacture homes in the unincorporated areas? Why the change?</td>
<td>This is the same regulation that applies under the county's current zoning code. Manufactured housing units are allowed in the same districts as today.</td>
</tr>
<tr>
<td>7</td>
<td>Table 2-3 Agricultural District Lot and Building Regulations</td>
<td>Where is minimum lot width measured? If a minimum frontage on maintained public road is 30 feet, then is the minimum lot width not met?</td>
<td>The measurement of lot width is explained in Sec. 18.050 of the proposed code. It's basically the average distance between the side lots lines along the entire depth of the lot. This is the same as today (not a change).</td>
</tr>
<tr>
<td>No.</td>
<td>SECTION</td>
<td>PUBLIC COMMENT</td>
<td>Response</td>
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</tr>
<tr>
<td>8</td>
<td>Table 3-2 Residential Building Types (in R Districts)</td>
<td>If a manufactured housing unit, single-section is Special Exception Approval Required, then why doesn't that requirement apply to all manufactured housing unit, multi-section?</td>
<td>This is the same regulation that applies under the county's current zoning code. The updated code isn't changing how (manufactured or stick-built) residential dwelling units are allowed.</td>
</tr>
<tr>
<td>9</td>
<td>Table 3-3 Residential District Lot and Building Regulations</td>
<td>In Table 2-3, minimum lot area is 2 Acres for AG and 1 acre for AG-R, however, RE in Table 3-3 minimum square feet is 22,500 sq ft which is 0.516 acres. Should RE minimum sq ft be 43,560 sq ft which equals 1 acre?</td>
<td>No, all the minimum lot area regulations referred to are correct. They are the same regulations that apply today.</td>
</tr>
<tr>
<td>10</td>
<td>Sec. 5.030 PK, Parking District</td>
<td>I think eliminating parking regulations is a bad idea.</td>
<td>Elimination of parking regulations is NOT proposed. The draft zoning merely proposes the elimination of the &quot;PK&quot; zoning district, which has never been used. Parking requirements are in Chapter 10 of the updated zoning code.</td>
</tr>
<tr>
<td>11</td>
<td>Table 6-1 Use Table</td>
<td>Short-term rentals (STRs) should be &quot;S&quot; not &quot;P&quot; in all R zoning districts</td>
<td>Permitting STRs as of right is thought to be a reasonable approach. (Note: they are permitted by right in CoT R districts)</td>
</tr>
<tr>
<td>12</td>
<td>Table 6-1 Use Table</td>
<td>Building or tower-mounted antennas should be an &quot;S&quot; not a &quot;P&quot;</td>
<td>Permitting building and tower-mounted antennas by-right outside of R districts is consistent with the current zoning code. Note: there are also federal regulations governing the types of telecommunications equipment that must be allowed by right (administrative approval).</td>
</tr>
<tr>
<td>13</td>
<td>Table 6-1 Use Table</td>
<td>Why isn't Grooming in AG an &quot;S&quot;?</td>
<td>Because it's not allowed today. Note: any use not currently shown as a &quot;P&quot; or &quot;S&quot; can be approved by the Board of Adjustment as a use variance.</td>
</tr>
<tr>
<td>14</td>
<td>7.060 Marijuana-Related Uses</td>
<td>Is this trying to prevent grow operations or are we having to comply with state law.</td>
<td>No, not trying to prohibit. The draft code permits grow operations and other marijuana-related uses, subject to a few reasonable conditions.</td>
</tr>
<tr>
<td>15</td>
<td>7.140-E Sexually oriented material may not be displayed to be visible from outside the building in which the use is conducted.</td>
<td>This is way too vague</td>
<td>&quot;Sexually oriented materials&quot; are defined in Sec. 6.050-N2. Not sure of what's meant by the reference to vagueness.</td>
</tr>
<tr>
<td>16</td>
<td>7.150 Short-Term Rentals</td>
<td>These regulations will have unintended consequences that I do not think you have through thru very well.</td>
<td>We welcome additional questions and clarifications about the alleged &quot;unintended consequences.&quot;</td>
</tr>
<tr>
<td>17</td>
<td>7.190-A Purpose (Wireless Communications)</td>
<td>This Purpose statement represents a wholesale gutting of the existing Code. Allowing EMTs to watch moves in 4K on their phones does not improve health and safety. The telecommunication tower regulations of this draft are the same as apply today. Moreover, the county is barred by federal law from denying the ability to site</td>
<td></td>
</tr>
<tr>
<td>No.</td>
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<td>PUBLIC COMMENT</td>
<td>Response</td>
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<tr>
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</tr>
<tr>
<td>18</td>
<td>Table 8-1 Accessory Building Coverage, Height, and Setback Regulations</td>
<td>Shouldn't the maximum height for an accessory building on a lot over one acre be 35 feet, like the limit on the house height?</td>
<td>Additional building height seems reasonable in more rural (larger lot) settings. The regulations in the draft have been revised from today's code in light of the fact that the BoA routinely waives or varies existing requirements that apply to accessory buildings.</td>
</tr>
<tr>
<td>19</td>
<td>8.040-C.2 Number of accessory dwelling units allowed</td>
<td>I have 11 acres on the Tulsa/Okmulgee County line. I already have one barn (30x30) and I would like another. On the size of my property, a one building limitation is ridiculous and it's overreaching, and I don't think that you should be able to tell me how many buildings that I can have on my own property.</td>
<td>This provision applies to accessory DWELLING UNITS, not barns or other accessory buildings. The updated code does not limit the ability to place multiple barns or accessory buildings on farm properties.</td>
</tr>
<tr>
<td>20</td>
<td>Table 8-2 Animal Unit Equivalencies</td>
<td>Who came up with these equivalencies? 3 horses per acre in AG-R is way too many unless you want them living on a dry lot/dirt. In some cases, even 1 horse per acre is too many if much of the acreage is taken up by the house, roadways, accessory buildings, barns, etc. Horse density is way too high.</td>
<td>Animal unit equivalencies come from Dept of Agriculture. The county's existing regulations do not currently address the keeping of horses outside of the AG district, although there are many instances of horses being kept on such properties today.</td>
</tr>
<tr>
<td>21</td>
<td>8.130-B.1.b Chickens and Domestic Fowl</td>
<td>&quot;...if all animals are owned by the subject property owner&quot; should be stricken from subsection.</td>
<td>Yes, this language was in error and should not have been included. The draft has been revised to remove this language.</td>
</tr>
<tr>
<td>22</td>
<td>8.130-B Chickens and Domestic Fowl</td>
<td>Why not allow free-range chickens in AG-R or R? Should allow them to free range and put them up at night.</td>
<td>Updated code does NOT prohibit outdoor/free-range chickens if they are kept in a fenced area.</td>
</tr>
<tr>
<td>23</td>
<td>Table 8-3: Bird Unit Equivalencies</td>
<td>Equivalent bird units is crazy. If you own 10 acres of AG-R or R, you can have 320 chickens! If you have 320 chickens, then you are producing chickens and/or eggs as a business not for personal use.</td>
<td>The code could impose an absolute cap on number of chickens, but such a cap is not thought to be necessary. It is important to note that running such a “business” is not allowed in AG-R and R districts, so there are other factors that would prevent such a large chicken-keeping operation. Also, there a very few 10-acre or larger parcels in existence in AG-R or R districts.</td>
</tr>
<tr>
<td>24</td>
<td>8.130-Bb. “The keeping of roosters and on-site slaughter is prohibited”</td>
<td>This rule is more restrictive than City of Tulsa, which allows 1 rooster. Please reconsider and allow at least 1 rooster. We need the ability to reproduce our chickens, if necessary.</td>
<td>The keeping of roosters (as well pigs and goats) is a common source of complaints fielded by the county inspection office.</td>
</tr>
<tr>
<td>No.</td>
<td>SECTION</td>
<td>PUBLIC COMMENT</td>
<td>Response</td>
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<tr>
<td>25</td>
<td>8.160 Recreational Vehicle Living</td>
<td>So, the person has to get permission from the county to live in their RV for an extended period of time? So, Tulsa County wants to increase homelessness?</td>
<td>It is extremely rare for zoning codes to allow roosters (or poultry slaughtering) in residential districts. Living in RVs is currently prohibited in the county, so this is, in fact, a more lenient approach.</td>
</tr>
<tr>
<td>26</td>
<td>9.040-B Temporary Mobile Storage Units</td>
<td>Proposed regulations governing size of containers; time limits on use and number of containers allowed don't work and will cause multiple challenges for local businesses and property owners.</td>
<td>The draft regulations have been revised to remove the temporary mobile storage unit regulations of Sec. 9.040-B and 9.040-C. In lieu of those regulations, the updated draft will expressly state that storage containers are permitted as accessory uses/structures, subject to compliance with applicable accessory structure/building regulations. These revisions will ensure that the updated code follows current county practices.</td>
</tr>
<tr>
<td>27</td>
<td>9.050-B Fireworks Retail Sales (Temporary Use)</td>
<td>The regulations in this section should apply only to temporary stands and tent locations. Indoor buildings should be exempt. Permits should be for 5 years rather than 3. Year-round sales are allowed by state and should be permitted in the zoning code.</td>
<td>The regulations in this section apply only to fireworks retailers and are consistent with state law and existing county zoning practice. By OK law, year-round sales of fireworks are allowed only for licensed manufacturers, distributors or wholesalers. Those uses are not eligible for temporary use approval, but instead require the appropriate zoning for “high-impact manufacturing and industry” or “wholesale sales and distribution” uses, respectively. See Table 6-1, Sec. 6.060-D, and Sec. 6.070-C.</td>
</tr>
<tr>
<td>28</td>
<td>11.030-E Temporary Signs</td>
<td>Opposed to proposed restrictions on temporary signs and banners. Should not require permits. Regulations will be difficult to enforce.</td>
<td>The draft regulations have been simplified and relaxed. These revised “temporary and ancillary” sign regulations no longer impose time-limits on such signs and expressly state that permits are not required.</td>
</tr>
<tr>
<td>29</td>
<td>14-010-E Neighbor Communications</td>
<td>Why is this required?</td>
<td>This provision merely states current practice. The provisions is intended merely as an early &quot;heads-up&quot; for applicants who may not be aware of the expectations of review/decision-making bodies. Boards and commissions request neighborhood communications for the reasons stated in Sec. 14-010-E.1 (a-c).</td>
</tr>
<tr>
<td>30</td>
<td>14.020-A Zoning Regulation Text Amendments</td>
<td>Should the code allow for correction of non-substantive text errors without a public hearing? Note: this was not a public comment.</td>
<td>The draft regulations have been revised to authorize the correction of non-substantive typographical and formatting errors without following the formal text amendment process.</td>
</tr>
<tr>
<td>No.</td>
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<td>PUBLIC COMMENT</td>
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</tbody>
</table>
| 31  | 14.040-I Amendments to Approved Development Plans | Need to add the following to the list of changes that may be processed as minor amendments to an approved PUD:  
- The addition of an approved use may be permitted, provided the underlying zoning on the particular site within the PUD would otherwise permit such use as by right or special exception and the proposed use would not result in any increase of incompatibility with the present and future use of nearby properties.  
- Increases in the number of dwelling units, provided the approved number of dwelling units is permitted by the underlying zoning and the density of a development area is not increased more than 15%.  
- Increases in permitted nonresidential floor area, provided the increased floor area is permitted by the underlying zoning and floor area of a development area is not increased more than 15%.  
- Changes in points of access, provided the traffic design and capacity are not substantially altered.  
- Changes in structure heights, building setbacks, yards, driveway coverage measured by width, square footage or percentage of the yard, open spaces, building coverage and lot widths or frontages, provided the approved PUD development plan, the approved PUD standards and the character of the development are not substantially altered.  
- Home occupations that comply with the regulations of Section 8.120. | The draft regulations have been revised to include this expanded list of changes that may be processed as minor amendments to an approved PUD development plan. |
<p>| 32  | 14.060-D Platting Requirement | Do we really need the platting requirement to apply to all these Special Exceptions? We removed Bed and Breakfast from the City Code and in the city it only applies to Outdoor Assembly and Entertainment. I would also be inclined to pick exactly what Group living and &quot;Public, Civic and Institutional Uses&quot; would trigger it. | The list of uses subject to platting under this section is actually much reduced from the current code. The draft regulations have been revised to remove bed &amp; breakfasts uses. |
| 33  | 14-100-B Authorized Variances | Should prohibit variances that &quot;waive, modify or amend any definition or use classification.&quot; | Respectfully disagree. Adding that prohibition would constitute a major change from current county practice. |</p>
<table>
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<tbody>
<tr>
<td>34</td>
<td>15.010-K Appeals to District Court</td>
<td>Is there statutory authority for requiring that the BoA provide notice to surrounding property owners when appeals are taken to District Court and that appellants pay notification costs? Note: this was not a public comment.</td>
</tr>
<tr>
<td>35</td>
<td>Chapter 17 Enforcement</td>
<td>Is there a way to fine property owners that violate some kind of a maintenance clause.</td>
</tr>
<tr>
<td>36</td>
<td>Chapter 17 Enforcement</td>
<td>Will it just be the &quot;squeaky wheels&quot; that the enforcement and penalties are placed on, or are inspectors going house to house and business to business to make sure no stone is un-turned and everyone is following the same requirements and rules?</td>
</tr>
<tr>
<td>37</td>
<td>17.040-A Fines</td>
<td>Please advise how 17.040-A will be enforced? Is this something that needs to be added to the zoning code, so that citizens understand that specific process and how to engage it?</td>
</tr>
<tr>
<td>38</td>
<td>Chapter 19 (&quot;Household&quot; definition)</td>
<td>You need to allow homes with more than 8 individuals we do not have enough special needs homes in OK.</td>
</tr>
<tr>
<td>39</td>
<td>General Comment and 1.050-A</td>
<td>As I have read through this document, I find myself browsing back up to 1.050-A, re-reading one of the purposes of the proposed changes. I have asked many questions, with each question I have gone back to your purpose which states &quot;public health, safety and general welfare&quot;. I would encourage the committee reviewing this document to ask themselves...do these zoning regulations truly resolve our purpose or are we overreaching our boundaries as a presiding agency. Also ask the question, what will the impact look like for the residents and businesses of Tulsa County? Are these regulations truly a matter of life safety.....temporary sign permits, container regulations, fireworks restrictions for ALL structures including the County's two indoor fireworks retail locations, chickens, roosters, limitations on number buildings in</td>
</tr>
</tbody>
</table>

**Response**

The draft regulations have been revised to remove requirements calling (1) for notice to be provided to surrounding property owners and (2) for appellants to pay the costs f such notification. Note: this change is intended to make the provisions consistent with Oklahoma Statutes.

Property maintenance codes are not typically part of zoning regulations.

"Enforcement" efforts are currently complaint-based and will be in future, as is true in most jurisdictions.

Under the updated code, monetary fines are one of several penalties or enforcement actions that may be imposed if property owners do not elect to comply with applicable regulations. The goal of zoning enforcement is to secure compliance, rather than to impose penalties on property owners. The process for seeking to obtain voluntary compliances, and if necessary, enforcement action will be same as today.

The code does allow larger group homes by special exception. See Table 6-1.
<table>
<thead>
<tr>
<th>No.</th>
<th>SECTION</th>
<th>PUBLIC COMMENT</th>
<th>Response</th>
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<td>unincorporated areas with acres and acres of land, and so many more concerns that were echoed by the comments on this community review document. Are these regulations helping or hurting businesses? Personally, as a business owner and life-long resident of unincorporated Tulsa County, I see more cost, more regulations, more restrictions. If we are going to keep this about public health and safety then let’s do just that, reinvent this document for the original purpose that you intended it for. Thank you for your time and consideration! This document is more than just words on paper, the decisions you are making will adversely affect every resident and business in unincorporated Tulsa County. How about we take a different approach...where in this document does it reference partnering with residents and business, to help our community flourish together while keeping safety our number one priority and the prosperity of our constituents the number 2 priority. Let’s work to promote and help Tulsa County flourish not by setting stringent restrications</td>
<td></td>
</tr>
<tr>
<td>40</td>
<td>General Comment on Updated Regulations</td>
<td>The folks who live in the unincorporated areas of Tulsa County are there by choice. If they wanted to be governed by the City of Tulsa, they would have lived inside the city limits. My home community of Berryhill was destroyed by the turnpike. Many lives were affected by decisions of others and without consideration for the people who live there. And now you want to tell them what they can and cannot do on their own property. This is overreach and no changes should be made without community input. As a property owner I am opposed to these changes.</td>
<td></td>
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<tr>
<td>41</td>
<td>General Comment on Updated Regulations</td>
<td>Why isn’t there more time for the public to know about this and have say? People in the country of Tulsa County have no desire to have the same codes as the city. Many don’t even know about this to voice their concerns.</td>
<td></td>
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<tr>
<td>42</td>
<td>General Comment on Updated Regulations</td>
<td>This information wasn’t made known to the public in a very widespread way. There should have been more time for residents to know about this. This is a big impact for people living in the country of Tulsa County.</td>
<td></td>
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</tbody>
</table>
Item

TMAPC consideration of adoption of Resolution No. 2878:1044 finding the Kirkpatrick Heights Greenwood Master Plan in conformance with the Tulsa Comprehensive Plan

Background

Over the past year, PartnerTulsa, the City of Tulsa, Tulsa Planning Office and the 11-member Leadership Committee appointed by Mayor Bynum have worked with a consultant group led by WRT out of Philadelphia, to create a vision and framework for redevelopment of 56 acres of publicly owned land in the Kirkpatrick Heights Greenwood area of North Tulsa. The planning process was supported by local engagement partners World Won Development and Standpipe Hill Strategies, as well as the Tulsa Planning Office and planning and landscape architecture firm TSW.

This community-led planning process kicked off in August 2021 and included a series of community workshops in October 2021, followed by pop-ups at community events, focus group sessions, virtual community meetings that included young entrepreneurs and stakeholders in creative industries, and a series of charrettes in April 2022 that included student workshops at area schools and hands on workshops for the wider public. The community feedback and priority themes that emerged from these sessions were used to define the vision for the Kirkpatrick Heights Greenwood Master Plan and shaped the design concepts for Sites 1, 2, and 3 and reinvestment strategies for implementation.

In June 2022, the Leadership Committee and City staff began to review the plan narrative and draft development concepts in detail leading up to a community presentation attended by over 200 residents at the Greenwood Cultural Center on June 28th. Following a formal plan presentation, community members had the opportunity to provide direct feedback through keypad polling using Mentimeter and a Q+A session with comment cards. The draft plan that emerged from that process was presented to TMAPC on October 19, 2022. Simultaneously, the draft was hosted online at OurLegacyTulsa.org for a 2-week Public Review Period with comment period closing October 31st.

Updates have been made to the plan based on additional public comment received. A summary of changes is attached to this report.

The Kirkpatrick Heights Greenwood Master Plan is considered a functional plan and falls under the category of “other types of plans, studies and initiatives” in the TMAPC Policies and Procedures, which requires that the plan be reviewed for conformance with the Tulsa Comprehensive Plan. Following this action, the City Council will be asked to concur with the finding of conformance.

Comprehensive Plan Conformance

In this conformance review, Kirkpatrick Heights Greenwood Master Plan was reviewed against the Tulsa Comprehensive Plan (planitulsa) and Greenwood Heritage Neighborhoods Sector Plan. After conformance review of relevant recommendations in these plans (see below), staff finds that the Kirkpatrick Heights Greenwood Master Plan is in conformance with planitulsa and Greenwood Heritage Neighborhoods Sector Plan.
**Tulsa Comprehensive Plan (planitulsa)**

Planitulsa contains priorities, goals and policies supporting economic development, housing choices, walkable, higher density, and mixed-use development. The most relevant sections of planitulsa are included below. Staff finds that the Kirkpatrick Heights Greenwood Master Plan is in conformance with planitulsa.

**Land Use Priority 3: Focus redevelopment, revitalization and enhancement programs on areas that have been severely economically disadvantaged.**

**Goal 9**—Tulsa North’s economy is at least as robust, sustainable and as stable as the remainder of Tulsa’s economy. Policies to support this goal include:

9.1 Focus planning, reinvestment and rehabilitation programs in Goal 8 in the Tulsa North area to provide opportunities for residents and businesses to improve economic stability.

9.2 Enhance the quality of the built and natural environment consistent with the measures outlined in Goal 3 (See below).

**Goal 10**—The life expectancy levels in Tulsa North are consistent with the regional averages. Policies to support this goal include:

10.1 Address access to adequate medical care by providing transit service to medical facilities.

10.2 Partner with schools and community centers to address health issues and healthy lifestyles.

10.3 Create walkable communities and enhance recreational areas to encourage walking and biking.

**Goal 3**—New development is consistent with the PLANITULSA building blocks. Policies to support this goal include:

3.1 Promote pedestrian-friendly streetscapes by designing pedestrian-friendly streetscapes and encouraging new developments to provide pedestrian-oriented amenities and enhancements, including:

- Arcades, awnings and other architectural features to provide a human scale and offer protection from rain and the summer heat;
- Pedestrian plazas and green open space that offer interesting public places for people to enjoy the street experience. These should incorporate water features, sculptures, art or other architectural objects or focal points;
- Public art, benches, trash receptacles, bike racks and other amenities that enhance the quality of the pedestrian experience;
- Walkways and sidewalks that differentiate the pedestrian space from the auto realm;
- Pedestrian-oriented street lighting to increase the sense of safety and reduce the impact of light pollution;
- Trees and other landscaping to visually enhance the space as well as provide shade and a cooler microclimate. Native or drought resistant species should be encouraged;
- Walkways leading directly to the street from building entrances;
- Moving overhead wires to underground locations and relocating other utilities to the rear of the development to improve the area’s appearance.

3.2 Encourage a balance of land uses within walking distance of each other.

- Integrate and balance land uses, so they complement the surrounding area.
- Focus downtown development on increasing urban-style housing, retail, parks, cultural and arts amenities and entertainment to create an active, vibrant 24-hour urban core.
- Support the creation of higher density mixed-use areas at major centers served by transit.
- Transform commercial strips along Multi-modal Corridors into mixed-use boulevards.
- Create pedestrian-oriented, mixed-use campus areas that will serve student populations, faculty, and surrounding neighborhoods.
- Support ground floor retail along main streets along with upper story housing and offices.
- Build neighborhood facilities, such as schools, libraries and community centers, within walking distance of transit stations and homes.

3.3 Work with utility providers to increase options for street light fixtures that encourage walking and safety, to increase options for trees, and to resolve maintenance issues.
3.4 Allocate City funds and find other funding to enhance pedestrian amenities on streets in priority areas.

3.5 Place buildings adjacent to the street with generous sidewalks; sidewalk cafes, attractive landscaping, and pedestrian areas.
- Mass buildings with common parking lots rather than situated individually surrounded by private lots.
- Provide ground floor retail, professional service, and/or professional office storefronts on parking lots that front the street.
- Enhance parking structure facades when ground floor uses cannot be provided.
- Provide building entrances and windows to offer "eyes on the street," improving security and pedestrian access.
- Sidewalks should accommodate pedestrian seating and other amenities.
- Place parking lots, garage doors, loading zones and mechanical equipment away from streets.

3.6 Encourage complementary building height, scale, design and character.
- Create a sense of place by encouraging development of buildings, structures and landscapes that complement the character and scale of their setting.
- Encourage new development to be appropriate to the context of its location in density, massing, intensity and size, particularly when adjacent to existing residential areas and historic districts.
- Design buildings to be compatible in height, scale, bulk and massing to the urban context and established character of the surrounding area.
- Design parking lot location, configuration, access points and screening to minimize spillover and mitigate any negative effects.

3.7 Enhance visual enjoyment of public spaces and art.
- Civic institutions and community events, such as street fairs, parades, farmers markets and live performances, all give Tulsa an important cultural and urban flair.
- Continue to support the Tulsa Arts Commission and the Arts and Humanities Council of Tulsa and the one percent public art program fund. Consider increasing incrementally to fund a long-term arts maintenance program.
- Site art in locations targeted for mixed-use, pedestrian environments.

Greenwood Heritage Neighborhoods Sector Plan

The Kirkpatrick Heights Greenwood Master Plan area is within the boundaries of the Greenwood Heritage Neighborhoods Sector Plan. This plan was adopted in 2016 as an amendment to planitulsa. The community vision and guiding principles in the Kirkpatrick Heights Greenwood Master Plan closely align with the vision statement/guiding principles in the Greenwood Heritage Neighborhoods Sector Plan:

Be a symbol of the city’s history and its future, an area that invokes the echoes of Black Wall Street and Brady Heights, while becoming a preferred choice for an attractive urban lifestyle.
- Continue to build upon the legacy of previous residents and icons by celebrating history as the basis for progress.
- Provide local goods and services for residents in easy-to-access shopping areas with businesses operated by residents of the community.
- Host a variety of housing that allows families, professionals, and seniors to be important members of the community.
- Capitalize on the proximity of Downtown Tulsa, interstate access, trails, transit, and other assets to become a destination within the Tulsa region.
- Support innovation and education through local schools, colleges and universities, major employers, and community-based entrepreneurs.
- Demonstrate the power of collaboration among City leadership, institutions, communities of faith, and businesses to achieve a collective vision.
The Greenwood Heritage Neighborhood Plan contains specific goals relating to the future of this area:

**Goal # 4: Capitalize on OSU-Tulsa, Langston University Tulsa, and proximity to Downtown to spur redevelopment of the southern edge of the Greenwood Heritage area.** Collectively, these represent major anchors that may provide the stimulus for new institutional and spin-off

**Goal # 6: Celebrate the area’s history and strengthen its character.** North Tulsa has a wealth of local history, from the legacy of “Black Wall Street” to the prominence of a more contemporary citizens who have made significant national and global contributions. Celebrating this history is critical not only to attract new investment from outside of North Tulsa, but also to build the sense of community pride from within.

**Staff Recommendation**

Adopt a resolution finding the Kirkpatrick Heights Greenwood Master Plan in conformance with the Tulsa Comprehensive Plan.
MEMORANDUM

To: Tulsa Metropolitan Area Planning Commission Members

Date: November 9, 2022

From: Garlen Capita, Professional in Charge, WRT
Nancy O'Neill, Project Manager, WRT

Ref. No.: 08456.01

Project: Our Legacy, Our Community Kirkpatrick Heights & Greenwood Master Plan

Pages: 2

Re: 3rd Draft KHGMP:
Planning Commission

CC: Susan Miller, Director Tulsa Planning Office; Jonathan Butler, SVP Community Development Partner Tulsa; Rodrigo Rojas, Deputy Chief of Staff Tulsa Mayor's Office; Kian Kamas, Executive Director Partner Tulsa

In June 2022, the Leadership Committee and City staff began to review the plan narrative and draft development concepts in detail leading up to a community presentation attended by over 200 residents at the Greenwood Cultural Center on June 28th. Following a formal plan presentation, community members had the opportunity to provide direct feedback through keypad polling and a Q+A session with 89 comment cards received.

The draft of the Kirkpatrick Heights and Greenwood Master Plan was then shared for community feedback from October 17-October 31st on https://www.ourlegacytulsa.org and https://planitulsa.konveio.com/. Following the Planning Commission Work Session on Oct. 19, WRT completed edits for clarity and consistency throughout the draft, including review from Co-Chair Dr. Turner-Addison. The public draft for review included 18 comments or questions summarized as follows:

- **Viewing the Plan**: Two comments on frustration of viewing the plan in the window – the team later added a download link to the website.
- **Butane hazard needs to be addressed in implementation**: Two comments, the master plan currently does not make mention of the butane hazard “this ‘transloading’ operation it recognized by the US EPA to have a vapor cloud explosion damage distance of 0.4 miles reaching well into the study area.” “I hope that a policy can be embedded about the Butane facility. No current change but should be planned for in implementation.
- **Mixed-Use, Affordable, Honor**: “Let’s make this mixed use area a place for living and working with a history that values Greenwood. It needs to be AFFORDABLE and accessible to people of color and honor several cultures, including the cultures
of the Cherokee, Creek, Osage that were on this land before Greenwood."
Consider New Orleans as inspiration – a poly-cultural identity known for great food and music...Tulsa Theater and Cain's and being reborn between the Skyline Mansion and the amphitheater area, where festivals bring that grassy area to life. The Core ties those singular venues together. Let's continue that. Building homes with businesses below or beside, where decorating porches and the district for Juneteenth, Indigenous people's day, Mardi gras and Day of the Dead etc. is a given and the streets are full of music, dancing and laughter, day and night. Done right with a plan and heart, this area could be a place where people from miles around come to celebrate the cultures we silenced 100 years ago.

- Streetcar & Transit: “Love this and would like to see it even expanded to incorporate more homes / businesses / places of interest. Also consider connecting BRT lines with the streetcar. “The OKC streetcar largely fails because it doesn’t go where people live/want to go so I’d like to see this avoid that.”
- Support for removing or redesigning I-244 from one reviewer

Comments Specific to the Three Publicly Owned Sites (consider for implementation and next steps, no change to master plan):

- **Concern with Apartments (Site 1, The Core, Option A):** On the block between E. Haskell Pl. & John Hope Franklin Blvd, **four commenters** concerned with suggested density, “Parking is already tight, the streets can’t handle this, and it doesn’t fit with the historic homes/neighborhood.” “As a long-time homeowner in the Heights Neighborhood, I am concerned about the placement of apartments adjacent to our historic neighborhood.” In addition, “Why would you put apartments behind the historic homes in The Heights?” Support for townhomes or single-family homes inviting extension of the historic architecture to Main Street.
- **Site 1, Parking Garage:** Multi-level parking garages would further establish a barrier at I-244, if not possible to remove the highway could the plan consider garages built “over the top of I-244” – this would allow green development...integrating attaching this proposed development to the Arts District area.
- **Site 1, Adjacent to Heights (alley at Cheyenne and Main):** “So excited for development. Please consider the alley between Cheyenne and Main. That alley is the only way several of us have access to our driveway/garage. The alley is very tight now... adding additional cars would be terrible (in my opinion).
- **Site 3, The Green Stitch:** Since JHF Park provides a place for reflection and healing, consider low-impact sports like pickleball here. “Do we have too many memorials”

Implementation related:

- **Downtown TIF:** The plan states either expand the Downtown Master Plan TIF or create a separate Project Plan area. “A new stand-alone TIF should be developed in order to ensure the community gets what it wants.” NOTE: we’ve edited this language to reflect.
MEMORANDUM

- **Question:** Does the Leadership Committee sunset, “I think new and fresh people needed to brought on board”. -A. Yes, a new Advisory Committee with application process is recommended under Section 2, Immediate Next Steps (p.112)

- **Aspirational Projects:** Comment in support of connecting the district to Evans Fintube and USA BMX sites