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 May 17, 2023 Meeting No. 2890

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. PUD-636-C-2/ Z-5457-SP-5-a Lou Reynolds (CD 2) Location: North and East of the northeast corner of West 81st Street and South Union Avenue requesting a PUD Minor Amendment to reallocate floor area and revise building and parking setbacks

PUBLIC HEARING-REZONING
Review and possible recommendation of approval, approval with modifications, denial, or deferral of the following:

3. **Z-7681 Lion Clendenen** (CD 9) Location: East of the northeast corner of South Harvard Avenue and East 45th Street South requesting rezoning from **RS-1 to OL with an optional development plan** (Continued from November 2, 2022 and May 3, 2023)

4. **Z-7715 John Carmichael** (CD 2) Location: North of the northeast corner of West 81st Street South and South 28th West Avenue requesting rezoning from **RS-3 to AG-R**

5. **Z-7717 Mathew D Ward** (CD 2) Location: West of the northwest corner of West 57th Street South and South 41st West Avenue requesting rezoning from **RS-3 to RM-1**

6. **Z-7720 Nathan Cross** (CD 6) Location: Northeast of the northeast corner of East 41st Street South and South 145th East Avenue requesting rezoning from **RS-4 to RS-5**

7. **Z-7721 Stuart McDaniel** (CD 1) Location: Southwest corner of East Admiral Place and North Utica Avenue requesting rezoning from **CS and RM-2 to CH with an optional development plan**

8. **Z-7722 Nathan Cross** (CD 2) Location: South and west of the southwest corner of East 91st Street South and South Harvard Avenue requesting rezoning from **RM-0 and RM-1 to OL (Related to PUD-306-L)**

9. **PUD-306-L Nathan Cross** (CD 2) Location: Location: South and west of the southwest corner of East 91st Street South and South Harvard Avenue requesting a **PUD Major Amendment** to allow for office development **(Related to Z-7722)**

**PUBLIC HEARING- SUBDIVISION AND DEVELOPMENT REGULATIONS AMENDMENTS**

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

10. **SR-2** – Consider various amendments to the Tulsa Metropolitan Area Subdivision and Development Regulations in the following sections: Article 1. Introductory Provisions, Section 1-080.3, Public Officials and Agencies; Article 5. Design and Improvements, Section 5-060.6, Right-of-Way Widths, and Table 5-2, Minimum Right-of-Way Widths for Streets Not Shown on Major Street and Highway Plan; Article 5. Design and Improvements, Section 5-
130, Water Supply and Sewage Disposal, Section 5-130.1 City of Tulsa; Article 10. Review and Approval Procedures, Section 10-060, Lot Splits and Adjustments, Section 10-060.6 Review and Approval Criteria

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 Report Prepared by:**
Dylan Siers

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

![Location Map Image]

**Zoning:**
Existing Zoning: PUD-636-C/Z-5457-SP-4a
Proposed Zoning: No Change

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

**Staff Data:**
TRS: 8211

**Case Number:** Minor Amendment
PUD-636-C-2 and Z-5457-SP-5a

**Hearing Date:** June 7, 2023

**Owner and Applicant Information:**
Applicant: Lou Reynolds
Property Owner: HWT Investments LLC

**Applicant Proposal:**
Concept summary: PUD minor amendment reallocate floor area, and revise building and parking setbacks along new public street.

Gross Land Area: 11.32 acres
Lot 1C: 6.26 acres
Lot 1D: 5.06 acres

Location: North and East of the NE/c of W. 81st St & S Union Avenue

A tract of land being part of Lot 1 of NICKEL CREEK PHASE IV, and Addition to the City of Tulsa, Tulsa County, Oklahoma in part of the Southwest Quarter (SW1/4) of Section Eleven (11), Township 18 North, Range 12 E of the 2nd Meridian, being more particularly described as follows: COMMENCING at the northeast Southwest Corner of the Southwest Quarter (SW1/4) of Section Eleven (11), Township Eighteen North (T18N), Range Twelve East (R12E) of the Indian Meridian, in said Nickel Creek Phase IV; Thence N00°15’31”W along the West line of said SW1/4 a distance of 717.50 feet; Thence 88°44’59”E a distance of 50.50 feet to the POINT OF BEGINNING; Thence N00°15’31”W a distance of 716.86 feet; Thence S59°37’27”E a distance of 140.67 feet; Thence W68°59’37”E a distance of 34.53 feet; Thence S24°31’25”E a distance of 192.83 feet; Thence N08°47’24”W a distance of 23.99 feet; Thence S58°08’38”E a distance of 135.85 feet; Thence S08°24’34”W a distance of 178.53 feet; Thence N34°54’28”E a distance of 91.07 feet; Thence N59°04’33”E a distance of 92.59 feet; Thence S17°35’57”E a distance of 53.99 feet; Thence S49°20’03”W a distance of 1492 feet; Thence S30°17’17”E a distance of 90.89 feet; Thence N58°07’38”E a distance of 48.61 feet; Thence S47°28’30”W a distance of 236.40 feet; Thence N42°47’30”W a distance of 53.18 feet; Thence S80°16’33”W a distance of 116.10 feet; Thence S01°04’57”E a distance of 76.81 feet; Thence S32°34’47”E a distance of 30.13 feet; Thence S58°06’42”W a distance of 60.00 feet; Thence N03°19’26”F a distance of 31.03 feet; Thence N01°14’05”W a distance of 299.31 feet; Thence N65° 03’43”W a distance of 35.36 feet; Thence S58°55’40”W a distance of 271.84 feet; Thence 54°56’50”W a distance of 39.26 feet to the POINT OF BEGINNING.

**Staff Recommendation:**
Staff recommends approval.

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

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

June 7, 2023
SECTION I: CONCEPT STATEMENT
PUD-636-C-2 and Z-5457-SP-5a and Minor Amendment

Amendment Request: PUD minor amendment reallocate floor area, and revise building and parking setbacks along new public street.

PUD-636-C was approved in 2014. Within that approval Development area “F” was allocated a maximum building floor area of 158,122 SF. This minor amendment will reallocate the maximum building floor area to permit a lot split (LS-21510) in this development area. This will create Lot 1C and Lot 1B. Each of these lots will have their own building floor area and building setbacks which can be found below. With approval of this minor amendment the lot split approval will follow splitting lot 1B into two different lots with their own development standards.

Lot 1C DEVELOPMENT STANDARDS:

<table>
<thead>
<tr>
<th>NET LAND AREA:</th>
<th>6.26 AC</th>
</tr>
</thead>
<tbody>
<tr>
<td>MAXIMUM BUILDING FLOOR AREA:</td>
<td>69,059 SF</td>
</tr>
<tr>
<td>MINIMUM BUILDING SETBACKS:</td>
<td></td>
</tr>
<tr>
<td>From the centerline of South Union Avenue</td>
<td>100 FT</td>
</tr>
<tr>
<td>From the centerline of South Tacoma West Avenue</td>
<td>80 FT</td>
</tr>
<tr>
<td>From the centerline of West 79th Street South</td>
<td>80 FT</td>
</tr>
<tr>
<td>From internal boundaries of the Project</td>
<td>10 FT</td>
</tr>
<tr>
<td>MINIMUM PARKING SETBACK:</td>
<td></td>
</tr>
<tr>
<td>From North boundary</td>
<td>10 FT</td>
</tr>
<tr>
<td>From South boundary</td>
<td>10 FT</td>
</tr>
<tr>
<td>From West boundary</td>
<td>10 FT</td>
</tr>
<tr>
<td>From East boundary</td>
<td>10 FT</td>
</tr>
<tr>
<td>From internal boundaries of the Project</td>
<td>5 FT</td>
</tr>
</tbody>
</table>

Lot 1D DEVELOPMENT STANDARDS

<table>
<thead>
<tr>
<th>NET LAND AREA:</th>
<th>5.06 AC</th>
</tr>
</thead>
<tbody>
<tr>
<td>MAXIMUM BUILDING FLOOR AREA:</td>
<td>73,563 SF</td>
</tr>
<tr>
<td>MINIMUM BUILDING SETBACKS:</td>
<td></td>
</tr>
<tr>
<td>From the centerline of West 81st Street South</td>
<td>110 FT</td>
</tr>
<tr>
<td>From the centerline of South Union Avenue</td>
<td>100 FT</td>
</tr>
<tr>
<td>From the centerline of South Tacoma West Avenue</td>
<td>80 FT</td>
</tr>
<tr>
<td>From the centerline of West 79th Street South</td>
<td>80 FT</td>
</tr>
</tbody>
</table>
From the north boundary 17.5 FT
From internal boundaries of the Project 10 FT

MINIMUM PARKING SETBACK:

From North boundary 10 FT
From South boundary 10 FT
From West boundary 10 FT
From East boundary 10 FT
From internal boundaries of the Project 05 FT

Staff Comment: This request is considered a Minor Amendment as outlined by Section 30.010.1.2.c(1)(9)(10) and by Section 25.040.E.5 of the City of Tulsa Zoning Code.

"Adjustment of internal development area boundaries, provided the allocation of land to particular uses and the relationship of uses within the project are not substantially altered."

"Lot splits that have been reviewed and approved in accordance with the subdivision and development regulations."

"The planning commission is authorized to approve minor amendments to an approved development plan as long as substantial compliance is maintained with the approved development plan."

Staff has reviewed the request and determined:

1) PUD-636-C-2 is consistent with the provisions for administration and procedures of a PUD in section 30.010-H.

2) PUD-636-C-2 and Z-5457-SP-5a does not represent a significant departure from the approved development standards in the PUD and is considered a minor amendment to PUD-636-C and Z-5457-SP-5a.

3) All remaining development standards defined in PUD-636-C and subsequent amendments shall remain in effect.

Exhibits included with staff report:
INCOG zoning case map
INCOG aerial photo
Applicant Exhibit A (Development Standards 1C & 1D)
Applicant Exhibit B (Lot 1B)
Applicant Exhibit C (Lot 1C)
Applicant Exhibit D (Lot 1D)

With considerations listed above, staff recommends approval of the minor amendment reallocate floor area, and revise building and parking setbacks along new public street.
Note: Graphic overlays may not precisely align with physical features on the ground.
EXHIBIT “A”

MINOR AMENDMENT TO HORIZON WEST
Pud. 636-2 and Z-5457-SP.5a

I. DEVELOPMENT STANDARDS:

DEVELOPMENT AREA “F”
Lot 1C

GROSS LAND AREA: 6.26 AC

MAXIMUM BUILDING FLOOR AREA: 69,059 SF

MINIMUM BUILDING SETBACKS:

- From the centerline of South Union Avenue: 100 FT
- From the centerline of South Tacoma West Avenue: 80 FT
- From the centerline of West 79th Street South: 80 FT
- From the North boundary: 17.5 FT
- From internal boundaries of the Project: 10 FT

MINIMUM PARKING SETBACK:

- From North boundary: 10 FT
- From South boundary: 10 FT
- From West boundary: 10 FT
- From East boundary: 10 FT
- From internal boundaries of the Project: 5 FT
EXHIBIT “A”

MINOR AMENDMENT TO HORIZON WEST

DEVELOPMENT AREA “F”

Lot ID

NET LAND AREA: 5.06 AC

MAXIMUM BUILDING FLOOR AREA: 73,563 SF

MINIMUM BUILDING SETBACKS:

From the centerline of West 81st Street South 110 FT
From the centerline of South Union Avenue 100 FT
From the centerline of South Tacoma West Avenue 80 FT
From the centerline of West 79th Street South 80 FT
From internal boundaries of the Project 10 FT

MINIMUM PARKING SETBACK:

From North boundary 10 FT
From South boundary 10 FT
From West boundary 10 FT
From East boundary 10 FT
From internal boundaries of the Project 5 FT

i:/13.1320/06/Exhibit A – Minor Amendment to Horizon West (2023.05.03)
LEGAL DESCRIPTION

A Tract of land being part of Lot 1 of NICKEL CREEK PHASE IV, and Addition to the City of Tulsa, Tulsa County, Oklahoma in part of the Southwest Quarter (SW1/4) of Section Eleven (11), Township 18 North, Range 12 E of the Indian Meridian, being more particularly described as follows:

COMMENCING at the Southwest Corner of the Southwest Quarter (SW1/4) of Section Eleven (11), Township Eighteen North (T18N), Range Twelve East (R12E) of the Indian Meridian, in said Nickel Creek Phase IV; Thence N01°15'01"W along the West line of said SW1/4 a distance of 128.77 feet; Thence N88°44'35"E a distance of 53.00 feet to a point on the West line of Lot 1 in NICKEL CREEK PHASE IV and the POINT OF BEGINNING; Thence N01°15'01"W a distance of 130.71 feet; Thence S39°53'10"E a distance of 140.84 feet; Thence N88°59'27"E a distance of 24.53 feet; Thence S24°31'28"E a distance of 40.03 feet; Thence S11°17'28"W a distance of 23.99 feet; Thence S28°05'59"E a distance of 125.65 feet; Thence S60°24'34"E a distance of 178.52 feet; Thence S34°04'22"E a distance of 91.97 feet; Thence N88°43'53"E a distance of 32.59 feet; Thence S17°30'07"E a distance of 53.99 feet; Thence S49°20'07"E a distance of 148.29 feet; Thence S30°17'17"E a distance of 90.89 feet; Thence S90°23'58"E a distance of 46.61 feet to a point on the North line of Lot 2 in NICKEL CREEK PHASE IV; Thence along said North line S47°26'30"W a distance of 230.40 feet; Thence N42°47'36"W a distance of 53.18 feet; Thence S88°53'32"W a distance of 116.15 feet; Thence N01°03'52"W a distance of 15.00 feet; Thence N88°53'32"W a distance of 60.00 feet; Thence S01°03'52"E a distance of 268.91 feet; Thence S33°20'13"E a distance of 21.91 feet; Thence S91°03'20"E a distance of 312.00 feet to a tangent curve to the right; Thence along said curve to the right having a radius of 30.00 feet, with a chord bearing of S43°56'40"W and a chord distance of 42.43 feet and an arc distance of 47.12 feet; Thence S08°59'40"W a distance of 232.22 feet; Thence S86°58'40"W a distance of 232.22 feet; Thence N40°09'48"W a distance of 97.95 feet to the POINT OF BEGINNING.

Containing 493,155.76 Sq. Ft. or 11.321 Acres, more or less.

SURVEYOR'S STATEMENT

The basis of bearings for the legal descriptions are based on Oklahoma State Plane Coordinate System (North Zone) using South 01°15'01" East as the west line of the Southwest Quarter of Section 11, Township 18 North, Range 12 East of the Indian Meridian as shown on the plat of NICKEL CREEK PHASE IV.

SURVEYOR'S CERTIFICATION

I, TROY DEE, OF GOLDEN LAND SURVEYING, CERTIFY THAT THE ATTACHED LEGAL DESCRIPTION CLOSES IN Accord WITH EXISTING RECORDS, IS A TRUE REPRESENTATION OF THE EASEMENT AS DESCRIBED, AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING OF THE STATE OF OKLAHOMA.

Prepared By

GOLDEN LAND SURVEYING
7304 NW 1640 Str., Suite #5, Edmond, Oklahoma 73034
Telephone: (405) 802-7885 Email: troy@goldenls.com

TROY DEE
TROY DEE, PLS #1745
January 13, 2023
EXHIBIT "B" - LOT 1B
LEGAL DESCRIPTION AND MAP

LOT "1B" EXHIBIT

SURVEYOR'S STATEMENT

The basis of bearings, distances, and area are based on Oklahoma State Plane Coordinate System (North Zone) using South 01°15'01" East as the west line of the Southern U.S. Grid System, Section 11, Township 18 North, Range 12 East of the Indian Meridian as shown on the plat of Nickel Creek Phase IV.

Prepared By
TROY DEE
Troy Dee, PLS #1745
January 13, 2023

GOLDEN
LAND SURVEYING
7301 NW 16th St., Suite #5, Edmond, Oklahoma 73013
C.A. # 7261 / Exp. Date 6/30/2022
Telephone: (405) 808-7883 Email: troy@goldenls.com
Drafted by: CT GIS Job No. 21842
Plot Date: January 13, 2023

Sheet 2 Of 2
LEGAL DESCRIPTION

A Tract of land being part of Lot 1 of NICKEL CREEK PHASE IV, and Addition to the City of Tulsa, Tulsa County, Oklahoma in part of the Southwest Quarter (SW/4) of Section Eleven (11), Township 18 North, Range 12 E of the Indian Meridian, being more particularly described as follows:

COMMENCING at the most Southwest Corner of the Southwest Quarter (SW/4) of Section Eleven (11), Township Eighteen North (T18N), Range Twelve East (R12E) of the Indian Meridian, in said Nickel Creek Phase IV, Thence N01°15'01"W along the West line of said SW/4 a distance of 717.50 feet; Thence N88°44'59"E a distance of 50.00 feet to the POINT OF BEGINNING; Thence N01°15'01"W a distance of 716.58 feet; Thence S39°53'10"E a distance of 140.84 feet; Thence S88°59'27"E a distance of 24.53 feet; Thence S24°31'26"E a distance of 40.93 feet; Thence S11°17'28"W a distance of 23.99 feet; Thence S29°09'58"E a distance of 125.85 feet; Thence S67°24'34"E a distance of 178.52 feet; Thence S34°54'22"E a distance of 91.07 feet; Thence N88°04'53"E a distance of 92.59 feet; Thence S17°35'07"E a distance of 53.99 feet; Thence S46°26'02"E a distance of 149.29 feet; Thence S30°11'17"E a distance of 90.89 feet; Thence S59°02'26"E a distance of 46.61 feet; Thence S47°26'30"W a distance of 230.40 feet; Thence N42°47'32"W a distance of 53.18 feet; Thence S88°59'27"W a distance of 116.10 feet; Thence S01°04'37"E a distance of 262.61 feet; Thence S22°34'47"E a distance of 32.13 feet; Thence S88°59'27"W a distance of 60.00 feet; Thence N33°35'26"W a distance of 21.92 feet; Thence N01°04'05"W a distance of 299.37 feet; Thence N46°03'43"W a distance of 35.36 feet; Thence S43°50'30"W a distance of 35.30 feet to the POINT OF BEGINNING.

Containing 291,078.59 Sq. Ft. or 6.682 Acres, more or less.

SURVEYOR'S STATEMENT

The basis of bearings for the legal descriptions are based on Oklahoma State Plane Coordinate System (North Zone) using South 01°15'01" East as the west line of the Southwest Quarter of Section Eleven, Township 18 North, Range 12 East of the Indian Meridian as shown on the plat of NICKEL CREEK PHASE IV.

SURVEYOR'S CERTIFICATION

I, TROY DEE, OF GOLDEN LAND SURVEYING, CERTIFY THAT THE ATTACHED LEGAL DESCRIPTION CLOSES IN ACCORD WITH EXISTING RECORDS, IS A TRUE REPRESENTATION OF THE EASEMENT AS DESCRIBED, AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING OF THE STATE OF OKLAHOMA.

Prepared By
GOLDEN LAND SURVEYING
7304 NW 156th St., Suite 5, Edmond, Oklahoma 73013
Telephone: (405) 341-7619 Fax: (405) 341-7609

Troy Dee, PLS #1745
March 9, 2023
EXHIBIT "C" - LOT 1C
LEGAL DESCRIPTION AND MAP

LOT "1C" EXHIBIT

SUBJECT PROPERTY
291,078.59 Sq. Ft.
6.682 Acres

PROPOSED RIGHT-OF-WAY
DEDICATION PERIOD
FOR Lot-16448-2022

POINT OF BEGINNING
N 88°40'35" E 39.08'

POINT OF COMMENCING
SW Center of the SW4
Sec. 13, T18N, R17W, I.M.
R.F.P. #3

SURVEYOR'S STATEMENT
The basis of bearings for the legal descriptions are based on Oklahoma State Plane Coordinate System (North Zone) using South 01°15'01" East as the west line of the Southwest Quarter of Section 11, Township 18 North, Range 12 East of the Indian Meridian as shown on the plat of NICKEL CREEK PHASE IV

Prepared By
GOLDEN LAND SURVEYING

Troy Dee, PLS #1745
March 9, 2023
LEGAL DESCRIPTION

A Tract of land being part of Lot 1 of NICKEL CREEK PHASE IV, and Addition to the City of Tulsa, Tulsa County, Oklahoma in part of the Southwest Quarter (SW/4) of Section Eleven (11), Township 18 North, Range 12 E of the Indian Meridian, being more particularly described as follows:

COMMENCING at the most Southwest Corner of the Southwest Quarter (SW/4) of Section Eleven (11), Township Eighteen North (18N), Range Twelve East (R12E) of the Indian Meridian, in said Nickel Creek Phase IV; Thence N01°15'01"W along the West line of said SW/4 a distance of 217.50 feet; Thence N 48°44'59"E a distance of 90.00 feet to the POINT OF BEGINNING; Thence N43°50'50"E a distance of 35.30 feet; Thence S01°04'07"E a distance of 299.38 feet; Thence S33°35',13"E a distance of 21.91 feet; Thence S01°04'07"E a distance of 590.73 feet to the POINT OF BEGINNING;

Containing 220,587.08 Sq Ft or 5.064 Acres, more or less.

SURVEYOR'S STATEMENT

The basis of bearings for the legal descriptions are based on Oklahoma State Plane Coordinate System (North Zone) using South 01°15'01" East as the west line of the Southwest Quarter of Section 11, Township 18 North, Range 12 East of the Indian Meridian as shown on the plat of NICKEL CREEK PHASE IV.

SURVEYOR'S CERTIFICATION

I, TROY DEE, OF GOLDEN LAND SURVEYING, CERTIFY THAT THE ATTACHED LEGAL DESCRIPTION CLOSES IN ACCORD WITH EXISTING RECORDS, IS A TRUE REPRESENTATION OF THE EASEMENT AS DESCRIBED, AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING OF THE STATE OF OKLAHOMA.
SURVEYOR'S STATEMENT

The basis of bearings for the legal descriptions are based on Oklahoma State Plane Coordinate System (North Zone) using South 01°15'01" East as the west line of the Southwest Quarter of Section 11, Township 16 North, Range 12 East of the Indian Meridian as shown on the plat of NICKEL CREEK PHASE IV.
Case Number: Z-7681

Hearing Date: June 7, 2023
(Continued from May 3rd, 2023 and November 2nd, 2022 for preparation of optional development plan)

Case Report Prepared by:
Nathan Foster

Owner and Applicant Information:
Applicant: Lion Clendenen
Property Owner: Clendenen Properties LLC

Applicant Proposal:
Present Use: Vacant
Proposed Use: Medical/Dental Office
Concept summary: Expand dental office including surface parking area.
Tract Size: 0.46 ± acres
Location: East of the Northeast corner of South Harvard Avenue and East 45th Street South

Zoning:
Existing Zoning: RS-1
Proposed Zoning: OL with optional development plan

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

Staff Recommendation:
Staff recommends approval with optional development plan standards outlined in Section II.

City Council District: 9
Councilor Name: Jayme Fowler
County Commission District: 3
Commissioner Name: Kelly Dunkerley

Staff Data:
TRS: 9328
CZM: 47

(REVISED 8/1/2023)
SECTION I: Z-7681

DEVELOPMENT CONCEPT: The applicant has requested rezoning a lot east of an existing dental office with the idea that office uses will be developed on this lot with specific design details being considered for new site development and included in the 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: None included

DETAILED STAFF RECOMMENDATION:
OL zoning is consistent with the Mixed-Use Corridor land use designation and the Area of Growth and,

The uses permitted in an OL district are intended to facilitate the development and preservation of low-intensity office development uses and are intended to promote neighborhood employment uses and services and,

The development standards in the OL district and the submitted optional development plan provide adequate design and development standards for building size and parking design to help mitigate office expansion closer to the existing neighborhood and,

This site is at the eastern side of the Mixed-Use Corridor land use designation and the Area of Growth that recognizes appropriate infill development therefore,

Staff recommends approval of Z-7681 to rezone property from RS-1 to OL with the optional development plan standards outlined in Section II.

SECTION II: Z-7681 OPTIONAL DEVELOPMENT PLAN STANDARDS
The optional development plan standards will conform to the provisions of the Tulsa Zoning Code for development in an Office-Light (OL) district with its supplemental regulations except as further refined below. All use categories, sub-categories or specific uses and building types that are not listed in the following permitted list are prohibited.

PERMITTED USE CATEGORIES:

RESIDENTIAL (if in allowed building types identified below)
- Single household
- Two households on single lot
- Three or more households on single lot

PUBLIC, CIVIC, AND INSTITUTIONAL
- Natural Resource Preservation
- Utilities and Public Services Facility
  - Minor
- Wireless Communication Facility
Building or tower-mounted antenna

COMMERCIAL

Financial Services
Office

- Business or professional office
- Medical, dental or health practitioner office

Parking, Non-accessory
Studio, Artist, or Instructional Service

RESIDENTIAL BUILDING TYPES:

HOUSEHOLD LIVING

Single Household

- Detached House
- Patio House
- Townhouse
- Mixed-Use Building

Two households on single lot

- Duplex
- Mixed-Use Building

Three or more households on single lot

- Multi-unit House
- Mixed-Use Building

Maximum Building Height: 25 feet

Maximum Building Floor Area: 4000 square feet

Setbacks:

Street Setback (E. 45th Street South) – 30 feet

Parking:

Parking is prohibited within the 30-foot street setback from East 45th Street South.

Window Placement:

Any east-facing windows must be designed with a windowsill height of 6 feet above finish floor elevation.

Signage:

No wall signs permitted on the east-facing wall of any building.

Illuminated signs are prohibited.

Freestanding signs are limited to 8 feet in height. Any freestanding sign must be a monument style sign.
Lighting:

No pole-mounted lights within 30' of adjacent R-zoned district.

No wall-mounted lighting permitted on the east-facing wall of any building.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: Mixed-Use Corridor and the Area of Growth both support the idea of appropriate small infill development.

Land Use Vision:

Land Use Plan map designation: Mixed-Use Corridor

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

Areas of Stability and Growth designation: Area of Growth

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
Staff Summary:

The site was originally zoned for detached single family dwelling. The home has been removed and gravel spread on a portion of the site. Large trees have been preserved and the site is gently sloping to the south toward a street with no curb and no visible underground drainage solution.

The image below is street view taken in March 2022 from the southwest corner of the subject property looking northeast.

Environmental Considerations: None that would affect site redevelopment.

Streets:

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<th>MSHP Design</th>
<th>MSHP R/W</th>
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Utilities:
The subject tract has municipal water and sewer available.
Surrounding Properties:

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<th>Location</th>
<th>Existing Zoning</th>
<th>Existing Land Use Designation</th>
<th>Area of Stability or Growth</th>
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SECTION IV: Relevant Zoning History

History: Z-7681

Subject Property:

ZONING ORDINANCE: Ordinance number 11823 dated June 26, 1970, established zoning for the subject property.

Surrounding Property:

BOA-22795 December 2019: The Board of Adjustment approved a Variance to permit two additional wall signs on the East elevation in an OL District with one street frontage, on property located at 4436 South Harvard Avenue East.

BOA-21811 December 2014: The Board of Adjustment approved a Variance to permit wall sign to exceed the permitted display surface area from 36 square feet to 39.5 square feet along East 44th Street; & a Variance to permit two signs to be erected per street frontage of a lot and to exceed the permitted display surface area from 32 square feet to 55.49 square feet along South Harvard Avenue, on property located at 4408 South Harvard Avenue.

BOA-21785 October 2014: The Board of Adjustment approved a Variance to increase the cubic content of a non-conforming structure & a Variance to allow a two-story building in an OL District & a Variance to reduce the setback from 100 feet to 65 feet from the centerline of South Harvard Avenue, on property located at 3305 East 45th Street.

BOA-20240 March 2006: The Board of Adjustment denied a Special Exception to permit a .40 Floor Area Ratio in an OL district; and a Variance to permit a 3-story building in an OL district, on property located at 4416 South Harvard Avenue.

BOA-18568 October 1999: The Board of Adjustment approved a Variance to permit maximum building height in OL zoned district from one-story to two-stories & a Special Exception to increase F.A.R. from .30 to .34, on property located at 4416 South Harvard.

BOA-17817 September 1997: The Board of Adjustment approved a Special Exception to permit the screening requirement along the E. property line, on property located at NE/c 45th Street & South Harvard.

BOA-14453 April 1987: The Board of Adjustment approved a Variance to permit setback from the centerline of South Harvard Avenue from 50' to 45' to allow for a sign, on property located at 4436 South Harvard.
BOA-13545 May 1985: The Board of Adjustment approved a Special Exception to permit a satellite dish to be used with an existing insurance office in an OL zoned district, on property located at 4412 South Harvard.

BOA-11092 July 1980: The Board of Adjustment denied a Variance to permit a 3' x 5' sign on a lot that has three other signs in an OL District, on property located at 4515 South Harvard Avenue.

BOA-11082 September 1980: The Board of Adjustment approved a Special Exception to permit .40 floor area ratio, and a building height of two stories in an OL District, on property located at 4520 S. Harvard Ave.

BOA-11058 June 1980: The Board of Adjustment approved a Special Exception to permit the screening requirement where existing physical features provide visual separation of uses (on the north and the west), on property located at 4412 South Avenue.

BOA-11036 May 1980: The Board of Adjustment approved a Special Exception to permit the screening requirements where an alternative screening will provide visual separation of uses, on property located at 4416 South Harvard Avenue.

BOA-10673 September 1979: The Board of Adjustment approved a Variance to permit the setback requirements from 100' to 99' from the centerline of Harvard Avenue, on property located at south and east of 45th street and Harvard Avenue.

BOA-10386 April 1979: The Board of Adjustment approved a Special Exception to permit a floor area ratio of .40 and a building height of two stories in an OL District, on property located at 4404-4427 South Harvard Avenue.

Z-5315 September 1979: All concurred in approval of a request for rezoning a tract of land from RS-1 to OL on property located 4503 S. Harvard Ave E.

Z-5246 April 1979: All concurred in approval of a request for rezoning a tract of land from RS-1 to OL on property located 4415 S. Harvard Ave E.

Z-5284 August 1979: All concurred in approval of a request for rezoning a tract of land from RS-1 to OL on property located 3305 East 45th St S.

Z-5094 April 1978: All concurred in approval of a request for rezoning a tract of land from OL & RS-1 to OL on property located 4503 S. Harvard Avenue E.

Z-5134 September 1978: All concurred in approval of a request for rezoning a tract of land from RS-1 to OL on property located 4436 S. Harvard Ave E.

Z-4969 April 1977: All concurred in approval of a request for rezoning a tract of land from RS-1 to OL on property located 4516 S. Jamestown Ave E.

Z-4817 November 1975: All concurred in approval of a request for rezoning a tract of land from RS-1 to OL on property located 4408 S. Harvard Avenue E.

Z-4721 October 1974: All concurred in approval of a request for rezoning a tract of land from RS-1 to OL on property located 4520 S. Harvard Avenue E.
Z-5284 August 1979: All concurred in approval of a request for rezoning a tract of land from RS-1 to OL on property located 3305 East 45th St S.
Note: Graphic overlays may not precisely align with physical features on the ground.

Subject Tract

Z-7681

19-13 28

Aerial Photo Date: 2020/2021
Note: Graphic overlays may not precisely align with physical features on the ground.

Z-7681
19-13 28

Aerial Photo Date: 2020/2021

3.11
Case Report Prepared by:
Dylan Siers

Owner and Applicant Information:
Applicant: John Carmichael
Property Owner: John Carmichael

Location Map:
(shown with City Council Districts)

Applicant Proposal:
Present Use: Residential
Proposed Use: Agricultural Residential
Concept summary: Rezoning of the subject tract from RS-3 to AG-R.
Tract Size: 2.31 ± acres
Location: North of the Northeast corner of West 81st Street South and South 28th West Avenue

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

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

Staff Recommendation:
Staff recommends approval.

City Council District: 2
Councilor Name: Jeannie Cue

County Commission District: 2
Commissioner Name: Karen Keith
SECTION I: Z-7715

DEVELOPMENT CONCEPT: The applicant is proposing to rezone from RS-3 to AG-R. The property is currently being used as a single-family residence. Many of the tracts near the subject property were a part of a group AG-R rezoning effort in The City of Tulsa zoning code requires that AG-R lots be a minimum of 1 acre and 150' wide. This rezoning would not put the subject property out of compliance as it meets the minimum requirements for AG-R.

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

DETAILED STAFF RECOMMENDATION:

Z-7715 is requesting AG-R zoning to allow for the applicant to utilize their property as intended. This tract is not a part of any overlay. AG-R zoning is consistent with the Existing Neighborhood designation.

AG-R zoning is consistent with this area as many surrounding properties are zoned AG-R. This is due to Z-7568 being approved in October 2020. This was a voluntary rezoning of multiple properties in this area to AG-R.

AG-R zoning is consistent with the surrounding properties as well as the Existing Neighborhood land use designation therefor.

Staff recommends approval of Z-7715 to rezone the subject tract from RS-3 to AG-R.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: AG-R zoning is consistent with the Existing Neighborhood land use designation.

Land Use Vision:

Land Use Plan map designation: Existing Neighborhood

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

Areas of Stability and Growth designation: Area of Stability

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

Transportation Vision:

**Major Street and Highway Plan:** None

**Trail System Master Plan Considerations:** None

**Small Area Plan:** Southwest Tulsa neighborhood Plan & West Highlands Tulsa Hills

**Special District Considerations:** None

**Historic Preservation Overlay:** None

**DESCRIPTION OF EXISTING CONDITIONS:**

**Staff Summary:** The subject property currently has a residential structure on it and is used as a residence.

**Environmental Considerations:** None

**Streets:**

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<tr>
<th>Existing Access</th>
<th>MSHP Design</th>
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**Utilities:**
The subject tract ---- municipal water and sewer available.

**Surrounding Properties:**

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<tr>
<th>Location</th>
<th>Existing Zoning</th>
<th>Existing Land Use Designation</th>
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**SECTION III: Relevant Zoning History**
History: Z-7715

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

Subject Property:

BOA-22446 June 2018: The Board of Adjustment approved a Variance to permit non-all-weather parking surface material and a Variance to allow a detached accessory structure to exceed 40% of the floor area of the principal residential structure, on property located at 8015 S. 28th Ave W.

Surrounding Property:

Z-7568 October 2020: All concurred in approval of a request for rezoning multiple tracts 137.38+ acres of land from RS-3 to AG-R on property located (Multiple properties) N. of W. 86th St. S. & S. of W. 77th St. S. between S. 33rd W. Ave. & S. Union Ave.; NE/c of W. 77th St. S. & S. 33rd W. Ave.

BOA-22776 November 2019: The Board of Adjustment approved a Variance to permit allowable square footage for detached accessory buildings in the RS-3 District & a Variance to allow a detached accessory building to exceed one story or 18 feet in height, on property located at 2626 W. 79th Street S.

BOA-20256 March 2006: The Board of Adjustment approved a Variance to permit the maximum size of an accessory building in an RS-3 district; and a variance of the maximum height of the top plate for an accessory building, on property located at 8025 S. 28th Ave W.
**Case Report Prepared by:** Nathan Foster  

**Case Number:** Z-7717  
**Hearing Date:** June 7th, 2023  

**Owner and Applicant Information:**  
Applicant: Mathew D. Ward  
Property Owner: MKW Properties, LLC

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

![Location Map](image)

**Applicant Proposal:**  
**Present Use:** Vacant  
**Proposed Use:** Duplex  
**Concept summary:** Rezone to RM-1 to allow for a duplex.  
**Tract Size:** 0.16 ± acres  
**Location:** West of the Northwest corner of West 57th Street South and South 41st West Avenue

**Zoning:**  
**Existing Zoning:** RS-3  
**Proposed Zoning:** RM-1

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

**Staff Recommendation:**  
Staff recommends approval.

**Staff Data:**  
TRS: 9233  
CZM: 45

**City Council District:** 2  
**Councilor Name:** Jeannie Cue  
**County Commission District:** 2  
**Commissioner Name:** Karen Keith
SECTION I: Z-7717

DEVELOPMENT CONCEPT: Rezone a single residential lot from RS-3 to RM-1 to permit the construction of a duplex.

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

DETAILED STAFF RECOMMENDATION:

The subject tract is currently zoned RS-3. The applicant is seeking to rezone the subject tract to RM-1 to permit the construction of a duplex. Duplexes are permitted by special exception in the RS-3 district; however, the size of the lot does not comply with the lot and building regulations that are required to support a duplex in the RS-3 district.

RM-1 zoning is consistent with the existing neighborhood designation and allows for a variety of residential buildings. The subject tract is also considered an area of growth. Due to the size of the lot, the maximum density permitted on the lot would be up to 3 apartments. The applicant has stated the intent to construct a duplex.

While there are no other RM-zoned properties in the immediate area, staff supports the request to rezone the site to RM-1 due to the nature of RM-1 being one of the lowest intensity multifamily zoning districts and the lot size limiting the amount of density that could be developed on the tract.

Staff recommends approval of Z-7717 to rezone the tract from RS-3 to RM-1.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: RM-1 zoning is consistent with the existing neighborhood and area of growth designations of the Tulsa Comprehensive Plan.

Land Use Vision:

Land Use Plan map designation: Existing Neighborhood

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

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

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

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: There are vacant properties on all sides of the subject property. There are new single-family homes located on the east end of the block. South Haven Manor, a development of the Tulsa Housing Authority, is located east of South 41st West Avenue.

Environmental Considerations: None

Streets:

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<td>West 57th Street South</td>
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Utilities:
The subject tract has municipal water available. According to City of Tulsa infrastructure atlases, the nearest sanitary sewer is located at the intersection of West 57th Street and South 41st West Avenue.

Surrounding Properties:

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<tr>
<th>Location</th>
<th>Existing Zoning</th>
<th>Existing Land Use Designation</th>
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SECTION III: Relevant Zoning History

History: Z-7717

Subject Property:

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

Surrounding Property:

**BOA-14624 October 1987:** The Board of Adjustment approved a Special Exception to permit a mobile home in an RS-3 zoned district and a Variance to permit the time regulation from 1 year to permanently, on property located at 4102 West 57th Street South.

**BOA-11471 May 1981:** The Board of Adjustment approved a Special Exception to permit a mobile home in an RS-3 District; and a Variance to permit the mobile home for more than one year, on property located at 4102 West 57th Street.

**BOA-10377 April 1979:** The Board of Adjustment approved a Variance to permit the setback requirements on a corner lot from 25' to 18' on the north and a Variance of 25' to 12' on the east, and request for permission to build across a lot line, on property located at 57th Street and 43rd West Avenue.

**BOA-10353 March 1979:** The Board of Adjustment approved a Special Exception to permit a mobile home in an RS-3 District on the SW corner of 57th Street and 41st West Avenue, on property located at SW corner of 57th Street and 41st West Avenue.

**BOA-11006 May 1980:** The Board of Adjustment approved a Special Exception to permit a mobile home in an RS-3 District, on property located at 4102 W. 57th Street.
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2020/2021
Subject Tract Z-7717

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

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

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-7717
19-12 33
**Case Report Prepared by:**
Nathan Foster

**Case Number:** Z-7720

**Hearing Date:** June 7th, 2023

**Owner and Applicant Information:**
**Applicant:** Nathan Cross
**Property Owner:** RC Battle Creek, LLC

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

**Applicant Proposal:**

**Present Use:** Vacant

**Proposed Use:** Single-Family Subdivision

**Concept summary:** Rezone from RS-4 to RS-5 to permit smaller lot single-family subdivision development.

**Tract Size:** 68.28 ± acres

**Location:** Northeast of the northeast corner of East 41st Street South and South 145th East Avenue

**Zoning:**
**Existing Zoning:** RS-4
**Proposed Zoning:** RS-5

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

**Staff Recommendation:**
Staff recommends approval.

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

**City Council District:** 6
**Councilor Name:** Christian Bengel

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

(REVISED 6/1/2023)
SECTION I: Z-7720

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.

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

Applicant Exhibits:

DETAILED STAFF RECOMMENDATION:

Z-7720 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-4 and RS-3 zoned properties; however, RS-5 zoning is consistent with the anticipated future development of the area 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

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

Areas of Stability and Growth designation: Area of Growth

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

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

**Transportation Vision:**

**Major Street and Highway Plan:** None

**Trail System Master Plan Considerations:** None

**Small Area Plan:** None

**Special District Considerations:** None

**Historic Preservation Overlay:** None

**DESCRIPTION OF EXISTING CONDITIONS:**

*Staff Summary:* The subject tract is undeveloped and is planned as a continuation of the Battle Creek subdivisions developed to the west.

**Environmental Considerations:** None.

**Streets:** The subject tract does not currently have any access to a public street. Development of this site will be dependent upon the completion of adjacent subdivision development and the extension of adequate public streets to serve the development. Residential streets are required to provide a 50-foot right-of-way dedication. Arrangement of streets will be reviewed, and recommendations will be made, when a preliminary plat of the subdivision is reviewed.

**Utilities:**
The subject tract will require extensions of municipal water and sewer in order to serve future subdivision development.

**Surrounding Properties:**

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

**REVIEWED 6/1/2023**
SECTION III: Relevant Zoning History

History: Z-7720

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

Subject Property:

Z-7553 August 16, 2020: All concurred in approval of a request for rezoning a 68.28+ acre tract of land from RS-3 to RS-4 on property located East of the southeast corner of East 36th Street South and South 145th East Avenue.

Surrounding Property:

Z-7553 August 16, 2020: All concurred in approval of a request for rezoning a 68.28+ acre tract of land from RS-3 to RS-4 on property located East of the southeast corner of East 36th Street South and South 145th East Avenue.

Z-7684 October 2022: All concurred in approval of a request for rezoning a 17.89+ acre tract of land from RS-4 to RS-5 on property located Northeast of the northeast corner of South 152nd East Avenue and east 41st Street South.

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 on property located E. of the NE/c of 41st St. S and S. 145th E. Ave.
Note: Graphic overlays may not precisely align with physical features on the ground.
**Case Report Prepared by:**
Austin Chapman

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

<table>
<thead>
<tr>
<th>Number</th>
<th>District</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
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<td>8</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td></td>
</tr>
</tbody>
</table>

**Zoning:**
*Existing Zoning:* CS, RM-2
*Proposed Zoning:* CH w/optional development plan

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

**Applicant Information:**
*Applicant:* Stuart McDaniel
*Property Owner:* 22 North Utica LLC

**Applicant Proposal:**
*Present Use:* Vacant Residential
*Proposed Use:* Mixed-use/ Low-rise apartments

*Concept summary:* Rezone property to CH with an optional development plan to allow apartments with the opportunity for a mixed-use development in the future.

*Tract Size:* 1.1 acres
*Location:* SWlc of E. Admiral Pl. and N. Utica Ave.

**Staff Recommendation:**
Staff recommends approval of CH with optional development plan standards defined in Section II.

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

**County Commission District:** 1
*Commissioner Name:* Stan Salee
SECTION I: Z-7721

DEVELOPMENT CONCEPT: Applicant is seeking to redevelop the subject property into an apartment building. There is no current plan presented, but the applicant has stated a portion of the property fronting Utica Ave. may be reserved for commercial or office use. The applicant will seek to keep the existing structure on the southwest portion of the property which is currently a single-family detached house.

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

DETAILED STAFF RECOMMENDATION:

Staff recommends Approval of Z-7721 to rezone property from CS and RM-2 to CH with optional development plan standards included in Section II. The development plan was requested by staff to restrict some uses that may not be compatible with the proposed residential development on the site including Vehicle Sales and Service uses, Medical Marijuana related uses and Industrial Uses.

Staff is not supportive of restricting the property use solely for residential but does support a mixed-use concept that allows flexibility in the development of the site.

SECTION II OPTIONAL DEVELOPMENT PLAN STANDARDS:
The optional development plan standards will conform to the provisions of the Tulsa Zoning Code for development in the CH 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:

Those uses marked with a * require a Special Exception approved in accordance with Sec. 70.120 of the Tulsa Zoning Code.

RESIDENTIAL Use Category:
Household Living Subcategory (if in allowed building type identified below):
Specific Use:
- Single household
- Two households on single lot
- Three or more households on single lot

Group Living
Assisted living facility
Community group Home
Convent/ monastery/novitiate
Elderly/retirement center
Fraternity/Sorority
Homeless center *

7.2
REVISED 6/1/2023
Life care retirement center  
Re-entry facility *  
Residential Treatment center *  
Rooming/Boarding house  
Shelter, emergency and protective *  
Transitional Living Center*

PUBLIC, CIVIC, and INSTITUTIONAL Use Category:
  College or University  
  Day Care  
  Government Service or Similar Function*  
  Hospital  
  Library or Cultural Exhibit  
  Natural Resource Preservation  
  Parks and Recreation  
  Postal Service*  
  Religious Assembly  
  School  
  Utilities and Public Service Facility  
    Minor  
  Wireless Communication Facility  
    Freestanding tower  
    Building or tower mounted antenna

COMMERCIAL Use Category:
  Animal Service  
    Boarding or shelter  
    Grooming  
    Veterinary  
  Assembly and Entertainment (Gun Clubs, outdoor or indoor, are prohibited)  
    Other Indoor,  
      Small (up to 250-person capacity)  
      Large (>250-person capacity)*  
  Other Outdoor*  
  Broadcast or Recording Studio
  Commercial Service  
    Building Service
    Business Support Service
    Consumer Maintenance/Repair Service
    Personal Improvement Service
    Research Service
  Financial Service
    Personal credit establishment
  Lodging
    Bed & Breakfast
    Short-term rental
    Hotel / Motel
  Office
    Business or professional office
    Medical, dental or Health practitioner office
  Restaurants and Bars
Restaurant
Bar
Brewpub*
Retail Sales
  Building Supplies and Equipment
  Consumer shopping goods
  Convenience goods
  Grocery Store
  Small Box Discount Store
Self-service Storage Facility
Studio, Artist or Instructional Service
Trade School

WHOLESALE, DISTRIBUTION & STORAGE
  Warehouse

AGRICULTURAL
  Community Garden
  Farm, market- or Community Supported

RESIDENTIAL BUILDING TYPES
Single Household
  Detached House*
  Townhouse
  Patio House*
  Mixed-Use Building
  Vertical Mixed-Use Building
Two Households on Single Lot
  Duplex*
  Mixed-Use Building
  Vertical Mixed-Use Building
Three Households on Single Lot
  Multi-unit House
  Apartment/Condo
  Mixed-Use Building
  Vertical mixed-use building

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The proposed development as defined in section II above is consistent with the Employment land use designation of the comprehensive plan. Staff would not support restricting the uses to residential but supports the development plan as written that would allow for commercial activities.

Land Use Vision:

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

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

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

**Transportation Vision:**

**Major Street and Highway Plan:** N. Utica Ave. is an Urban Arterial and considered a Multi-Modal Street. 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.

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

**Small Area Plan:** None.

**Special District Considerations:** The property is located inside both the RT 66 and NIO Zoning Overlays.

**Historic Preservation Overlay:** None.

**DESCRIPTION OF EXISTING CONDITIONS:**

**Staff Summary:** The property is made up of 8 separate blocks originally developed as a residential subdivision. The majority of the lots are currently vacant and the applicant is seeking to preserve the existing house located on lot 8.

**Environmental Considerations:** None.

**Streets:**
Utilities:
Municipal water and sewer are available on the subject tract.

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-2</td>
<td>Employment</td>
<td>Growth</td>
<td>Residential</td>
</tr>
<tr>
<td>South</td>
<td>CH</td>
<td>Employment</td>
<td>Growth</td>
<td>Auto Service/ Retail sales</td>
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<tr>
<td>East</td>
<td>RM-1</td>
<td>Park and Open Space</td>
<td>Stability</td>
<td>Park</td>
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<tr>
<td>West</td>
<td>RM-2</td>
<td>Employment</td>
<td>Growth</td>
<td>Residential</td>
</tr>
</tbody>
</table>

SECTION IV: Relevant Zoning History

History: Z-7721

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

Subject Property:

SA-5 (Neighborhood Infill Overlay) August 2021: All concurred in approval of a request for a Special Area Overlay on multiple properties along the multiple properties located within certain neighborhoods adjacent to downtown to establishes zoning regulations that are intended to promote the development of alternative infill housing in established neighborhoods. The overlay allows for a variety of residential housing types in a manner that is compatible, in mass and scale, with the character of surrounding properties. The regulations are also intended to promote housing types that accommodate households of varying sizes and income levels and provide for a more efficient use of residential land and available public infrastructure.

BOA-14918 September 1988: The Board of Adjustment approved a Special Exception to permit a parking lot in an RM-2 zoned district, on property located at 1626 East Admiral Place.

Surrounding Property:

SA-5 (Neighborhood Infill Overlay) August 2021: All concurred in approval of a request for a Special Area Overlay on multiple properties along the multiple properties located within certain neighborhoods adjacent to downtown to establishes zoning regulations that are intended to promote the development of alternative infill housing in established neighborhoods. The overlay allows for a variety of residential housing types in a manner that is compatible, in mass and scale, with the character of surrounding properties. The regulations are also intended to promote housing types that accommodate households of varying sizes and income levels and provide for a more efficient use of residential land and available public infrastructure.
BOA-21665 January 2014: The Board of Adjustment approved a Spacing verification for a liquor store in the CH District from blood banks, plasma centers, day labor hiring centers, other liquor stores, bail bond offices and pawn shops, on property located at 12 N. Utica Ave East.

BOA-20990 October 2009: The Board of Adjustment approved a Variance to permit frontage required in the IM district from 200 ft. to 109.74 ft. to permit a lot split/combination, on property located at South of the SW/c of E. Archer St. and N. Utica Ave.

BOA-17101-A January 2013: The Board of Adjustment approved a Modification to a previously approved site plan (BOA-17101) to replace existing identification sign for Admiral Park, on property located at 29 N. Victor Avenue.

BOA-17101 June 1995: The Board of Adjustment approved a Special Exception to permit a public park in an RM-1 zoned district, on property located at —.

BOA-15666 June 1991: The Board of Adjustment approved a Variance to permit the required structure setback, as measured from the centerline of Utica Avenue, from 50' to 30', to permit additional parking spaces, on property located at 14 North Utica.

BOA-14368 January 1987: The Board of Adjustment approved a Use Variance to permit a produce warehouse in an RM-2 zoned district & a Variance of setback from the centerline of Admiral Place from 85' to 35 of Lot 1, and from 100' to 35' of Lot 2 for the construction of a building & a Variance of the setback from the abutting R District, on property located at 29 North Fulton.

BOA-14766 March 1988: The Board of Adjustment approved a Variance to permit the screening requirement to permit a screening fence off the property & a Variance of the Board approved 32' setback from the centerline of Utica Avenue to 30' to permit the relocation of a sign & a request for approval of amended plot plan from Board of Adjustment No.10694, on property located at Lots 21-24, Block 8, Lynch-Forsythe Addition.

BOA-10694 October 1979: The Board of Adjustment approved a Variance to permit the setback requirements from 50' to 32' from the centerline of Utica Avenue and from 50' to 34' from the centerline of Admiral Boulevard to permit the erection of two signs; and an Special Exception for a modification of the screening requirements where the purpose of the screening cannot be achieved, on property located at NW corner of Admiral Boulevard and Utica Avenue.
Growth and Stability

Area of Growth
Area of Stability

Z-7721
19-13 06

7.12
**Case Number:** Z-7722  
( Related to PUD-306-L)  

**Hearing Date:** June 7, 2023

**Case Report Prepared by:**  
Austin Chapman

**Owner and Applicant Information:**  
**Applicant:** Nathan Cross  
**Property Owner:** Roger Marshall LLC Etal

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

![Location Map](image)

**Applicant Proposal:**  
**Present Use:** Vacant  
**Proposed Use:** Office Complex

**Concept summary:**  
Rezone to OL to allow for office development  
**Tract Size:** 6.47 ± acres  
**Location:** South and west of the SW/c of E. 91st St.S. and S. Harvard Ave.

**Zoning:**  
*Existing Zoning:* RM-1, RM-0, PUD-306  
*Proposed Zoning:* OL

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

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

**Staff Data:**  
TRS: 8320  
CZM: 56

**City Council District:** 2  
**Councilor Name:** Jeannie Cue  
**County Commission District:** 3  
**Commissioner Name:** Kelly Dunkerley

![Staff Data]
SECTION I: Z-7722

DEVELOPMENT CONCEPT: Applicant is seeking to prepare the site to be developed as small low-rise office buildings. There is no development plan associated with the rezoning request and standards would need to meet those of the OL 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:

DETAILED STAFF RECOMMENDATION:

Staff recommends Approval Z-7722 to rezone property from RM-1 and RM-0 to OL.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The existing land use designation on the site of Neighborhood Center would support the rezoning to OL.

Land Use Vision:

*Land Use Plan map designation*: Neighborhood Center

Neighborhood Centers are 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*: 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.

Transportation Vision:

*Major Street and Highway Plan*: Property has frontage on S. Harvard Ave. (Residential Collector) and E. 91st St. S. (Secondary Arterial). E. 91st St. considered a Multi-Modal Street. 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. Appropriate rights-of-way appear to have been dedicated to serve those streets. Property will require recording of a subdivision plat or Subdivision Conformance Review prior to the issuance of building permits.

**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 subject tract is currently vacant. Staff is unaware of any development that has occurred in the past on the subject property.

**Environmental Considerations:** A small portion of the property is located in any floodplain; staff does not believe it will significantly affect development on the site. There is an existing stormwater drainage channel to the West that is owned by the Homeowners Association connected the Woodside Village subdivisions.

(From City of Tulsa online Floodplain Map)
Streets:

<table>
<thead>
<tr>
<th>Existing Access</th>
<th>MSHP Design</th>
<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
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<tr>
<td>E. 91st St.</td>
<td>Secondary Arterial</td>
<td>100-feet</td>
<td>4 that narrow to 2 lanes near the Western half of the property</td>
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<tr>
<td>S. Harvard Ave.</td>
<td>Residential Collector</td>
<td>60-feet</td>
<td>2</td>
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Utilities:
The subject tract has municipal water and sewer available.

Surrounding Properties:

<table>
<thead>
<tr>
<th>Location</th>
<th>Existing Zoning</th>
<th>Existing Land Use Designation</th>
<th>Area of Stability or Growth</th>
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<tr>
<td>South</td>
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<td>Stability</td>
<td>Religious Assembly</td>
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<td>East</td>
<td>CS and AG</td>
<td>Neighborhood Center/Park and Open Space</td>
<td>Growth/ Stability</td>
<td>Vacant with temporary plant and produce sales/ Cemetery</td>
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<td>Existing Neighborhood</td>
<td>Stability</td>
<td>Single-family Residential</td>
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<td>West</td>
<td>RM-1/PUD-306</td>
<td>Existing Neighborhood</td>
<td>Stability</td>
<td>Residential</td>
</tr>
</tbody>
</table>

SECTION III: Relevant Zoning History

History: Z-7722 Rel. PUD-306-L

ZONING ORDINANCE: Ordinance number 11832 dated June 26, 1970, established zoning for the subject property.

Subject Property:

BOA-21686 March 2014: The Board of Adjustment approved a Special Exception to permit tent sales (Use Unit 2) for produce and bedding plants in the CS district portion of subject property for 10 years & a Special Exception to permit gravel parking material & a Variance to increase the maximum number of days in a calendar year from 179 to 200 days for tent sales, on property located at 3212 East 91st Street S.

BOA-19764 February 2004: The Board of Adjustment approved a Special Exception to permit produce, bedding plants and Christmas tree sales (Use Unit 2) for a maximum of 179 days per year for 10 years; and a Special exception to allow gravel parking, on property located at SW/c E. 91st St. S. & S. Harvard Avenue.

BOA-18376 April 1999: The Board of Adjustment approved a Special Exception to permit temporary bedding plants, produce and Christmas tree sales from April 15, 1999, for 179 days per year for a period of five years, on property located at 3212 E. 91st St. S.
BOA-17672 April 1997: The Board of Adjustment approved a Special Exception to permit temporary produce & Christmas Tree sales from May 1, 1998, for 120 days & from Thanksgiving Day through Christmas Day for 2 years and review conditions of previous approval of dust free all-weather surface granted 4/9/96 and seeking an extension of time to coincide with Special Exception, on property located at 3212 E. 91st Street.

BOA-17346 April 1996: The Board of Adjustment approved a Special Exception to permit a temporary tent for produce sales for 120 days beginning May 11 and Christmas tree sales from Thanksgiving Day through Christmas Day; both periods of sales to occur in 1996 and 1997, on property located at 3212 E. 91st Street.

BOA-16595 March 1994: The Board of Adjustment approved a Special Exception to permit a produce tent and Christmas tree sales for the years 1994 and 1995, on property located at 3212 E. 91st Street.

BOA-15331 February 1990: The Board of Adjustment approved a Special Exception to permit Christmas tree sale for a period of three years, and Special Exception to permit a landscaping business and wood lot in a CS zoned district, on property located at SW/c East 91st street and South Harvard Avenue.

BOA-14076 May 1986: The Board of Adjustment approved a Variance to permit an outdoor advertising sign outside of a freeway sign corridor, within 150' of a residential district to not be oriented to be primarily visible from the freeway, to be supported by more than one post, on property located at south of the SE/c of 91st street and Harvard Avenue.

BOA-13992 April 1986: The Board of Adjustment approved a Variance to permit an outdoor advertising sign outside of a freeway sign corridor, within 150' of a residential district, to not be oriented to be primarily visible from the freeway, to be supported by more than one post, on property located at south of the SW/c of 91st and Harvard.

Surrounding Property:

Z-5787/PUD-306 February 1983: All concurred in approval of a request to rezone a 273.4± acre tract of land from RM-2, RM-1, RS-3, AG and FD to CS, RM-0, RM-1, RS-3 and FD and approval of a proposed Planned Unit Development for a combination of commercial, office, multifamily and single-family uses, on property located Between 91st Street and 101st Street South, both sides of Delaware.

BOA-10998 May 1980: The Board of Adjustment approved a Special Exception to permit property for cemetery and related uses, on property located southeast of 91st Street and Harvard Avenue.
Subject Tract

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

Aerial Photo Date: 2020/2021

Z-7722
18-13 20
SUBJECT TRACT
LAND USE PLAN
NEIGHBORHOOD CENTER

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

Z-7722
18-13 20
LEGAL DESCRIPTION

A TRACT OF LAND THAT IS PART OF THE NORTHEAST QUARTER (NE/4) OF SECTION TWENTY (20), TOWNSHIP EIGHTEEN (18), RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NE/4; THENCE SOUTH 01° 07' 18" EAST ALONG THE EASTERLY LINE OF SAID NE/4 FOR 466.84 FEET; THENCE SOUTH 88° 52' 42" WEST, A DISTANCE OF 30.00 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF SOUTH HARVARD AVENUE AND THE POINT OF BEGINNING: THENCE SOUTH 01° 07' 18" EAST, PARALLEL WITH SAID EASTERLY LINE AND ALONG SAID WESTERLY RIGHT OF WAY OF SOUTH HARVARD AVENUE FOR A DISTANCE OF 196.08 FEET TO A POINT ON THE SOUTH LINE OF THE NE/4 NE/4; THENCE SOUTH 88° 39' 11" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 887.35 FEET; THENCE NORTH 10° 04' 27" EAST, A DISTANCE OF 0.00 FEET TO A POINT ON A CURVE; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 29° 42' 04", A RADIUS OF 227.81 FEET, A CHORD BEARING OF NORTH 31° 09' 05" EAST FOR A CHORD DISTANCE OF 68.32 FEET, FOR A ARC LENGTH OF 160.95 FEET; THENCE NORTH 01° 06' 32" WEST, A DISTANCE OF 155.32 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY FOR EAST 91ST STREET SOUTH; THENCE NORTH 88° 36' 41" EAST PARALLEL WITH THE NORTHERLY LINE OF THE NE/4 AND ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR A DISTANCE OF 27.06 FEET; THENCE SOUTH 01° 07' 18" EAST, A DISTANCE OF 412.43 FEET; THENCE NORTH 88° 36' 41" EAST, A DISTANCE OF 436.70 FEET TO THE POINT OF BEGINNING, CONTAINING 263,173.50 SQUARE FEET OR 6.04 ACRES, MORE OR LESS.
EXHIBIT "B"

BACKGROUND

The property at issue in this application (the "Subject Property") is an approximately 6.04 acre tract in the southwest quadrant of 91st Street and Harvard Avenue. It is bounded on the north and east by a 4.09 acre tract at the hard corner of 91st and Harvard this is currently zoned CS. The Subject Property is currently zoned RM-0 and both the Subject Property and the 4.09 acre tract to the northeast are vacant. A small portion of the Subject Property in the southwest corner is within PUD 306.

REZONING REQUEST

The Applicant proposes to rezone the Subject Property to OL to allow for a mix of office and commercial uses that would be an appropriate buffer between the commercial use near the corner of 91st and Harvard and the adjacent church and residential properties. The proposed rezoning is a straight OL request with all uses allowed by right in an OL district. As part of this request, the Applicant is also proposing a partial vacation of PUD 306 to remove the portion of the Subject Property currently encumbered by PUD 306 from same.
**Tulsa Metropolitan Area Planning Commission**

**Case Number:** PUD-306-L  
(Related to Z-7722)

**Hearing Date:** June 7, 2023

### Case Report Prepared by:
Austin Chapman

### Owner and Applicant Information:
- **Applicant:** Nathan Cross  
- **Property Owner:** Roger Marshall LLC Etal

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

![Location Map](image)

### Applicant Proposal:
- **Present Use:** Vacant  
- **Proposed Use:** Office Complex  
- **Concept summary:** Abandon PUD-306 on the subject property and re-zone to OL to allow for office development.  
- **Tract Size:** 1.34 ± acres  
- **Location:** South and west of the SW/c of E. 91st St. S. and S. Harvard Ave.

### Zoning:
- **Existing Zoning:** RM-1, PUD-306  
- **Proposed Zoning:** OL

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

### Staff Data:
- **TRS:** 8320  
- **CZM:** 56

### Staff Recommendation:
Staff recommends approval.

### City Council District:
- **2**

### County Commissioner District:
- **3**  
- **Commissioner Name:** Kelly Dunkerly

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**REVISED 6/1/2023**
SECTION I: PUD-306-L

DEVELOPMENT CONCEPT: Applicant is seeking to prepare the site to be developed as small low-rise office buildings. Abandonment of the PUD on this site and rezoning to OL (Z-7722) in conjunction with the property to the east would need to meet the standards of the OL zoning district. The original PUD limited the subject property to single-family residential uses that adhere to the lot and area requirements of the RS-3 district.

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

DETAILED STAFF RECOMMENDATION:

Staff recommends Approval of PUD-306-L to abandon the PUD on the property. Staff recommendation is contingent upon the approval of Z-7722 which will rezone the site to OL.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The existing land use designation on the site of Neighborhood Center would support the abandonment of the PUD and the rezoning to OL. All street frontage for the site is derived from South Harvard Ave. and E. 91st St. through a commonly owned parcel on the east. There are no connections from the site to the existing established neighborhoods.

Land Use Vision:

Land Use Plan map designation: Neighborhood Center

Areas of Stability and Growth designation: Area of Growth

Transportation Vision:

Major Street and Highway Plan: Property is currently landlocked and access to South Harvard Avenue and E. 91st St. S. will require a combination to the neighborhood properties which are currently under the same ownership.

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 subject tract is currently vacant. It is surrounded by properties zoned for residential with an existing neighborhood to the east. The property zoned RM-0 to the east is included in the associated rezoning Z-7722 and is planned to be a part of the same office development.

**Environmental Considerations:** Property is not located in any floodplain. There is an existing stormwater drainage channel to the west that is owned by the Homeowners Association connected the Woodside Village subdivisions.

**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>Property is currently landlocked.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Utilities:**
The subject tract does not have municipal water and sewer available currently but would have access to it once combined to the neighboring tract which is under the same ownership and included in the same rezoning case.

**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>West</td>
<td>RM-1/ PUD-306</td>
<td>Existing Neighborhood</td>
<td>Stability</td>
<td>Residential</td>
</tr>
<tr>
<td>South</td>
<td>RS-3/ PUD-306-J</td>
<td>Existing Neighborhood</td>
<td>Stability</td>
<td>Religious Assembly</td>
</tr>
<tr>
<td>East and North</td>
<td>RM-0</td>
<td>Neighborhood Center</td>
<td>Growth</td>
<td>Vacant</td>
</tr>
</tbody>
</table>

**SECTION III: Relevant Zoning History**

History: PUD-306-L Rel. Z-7722

**ZONING ORDINANCE:** Ordinance number 11832 dated June 26, 1970, established zoning for the subject property.

**Subject Property:**

**BOA-21686 March 2014:** The Board of Adjustment approved a Special Exception to permit tent sales (Use Unit 2) for produce and bedding plants in the CS district portion of subject property for 10 years &
a Special Exception to permit gravel parking material & a Variance to increase the maximum number of days in a calendar year from 179 to 200 days for tent sales, on property located at 3212 East 91st Street S.

**BOA-19764 February 2004:** The Board of Adjustment approved a Special Exception to permit produce, bedding plants and Christmas tree sales (Use Unit 2) for a maximum of 179 days per year for 10 years; and a Special exception to allow gravel parking, on property located at SW/c E. 91st St. S. & S. Harvard Avenue.

**BOA-18376 April 1999:** The Board of Adjustment approved a Special Exception to permit temporary bedding plants, produce and Christmas tree sales from April 15, 1999, for 179 days per year for a period of five years, on property located at 3212 E. 91st St. S.

**BOA-17672 April 1997:** The Board of Adjustment approved a Special Exception to permit temporary produce & Christmas Tree sales from May 1, 1998, for 120 days & from Thanksgiving Day through Christmas day for 2 years and review conditions of previous approval of dust free all-weather surface granted 4/9/96 and seeking an extension of time to coincide with Special Exception, on property located at 3212 E. 91st Street.

**BOA-17346 April 1996:** The Board of Adjustment approved a Special Exception to permit a temporary tent for produce sales for 120 days beginning May 11 and Christmas tree sales from Thanksgiving Day through Christmas Day; both periods of sales to occur in 1996 and 1997, on property located at 3212 E. 91st Street.

**BOA-16595 March 1994:** The Board of Adjustment approved a Special Exception to permit a produce tent and Christmas tree sales for the years 1994 and 1995, on property located at 3212 E. 91st Street.

**BOA-15331 February 1990:** The Board of Adjustment approved a Special Exception to permit Christmas tree sale for a period of three years, and Special Exception to permit a landscaping business and wood lot in a CS zoned district, on property located at SW/c East 91st street and South Harvard Avenue.

**BOA-14076 May 1986:** The Board of Adjustment approved a Variance to permit an outdoor advertising sign outside of a freeway sign corridor, within 150' of a residential district to not be oriented to be primarily visible from the freeway to be supported by more than one post to be within 1200; of another outdoor advertising sign, on property located at south of the SE/c of 91st street and Harvard Avenue.

**BOA-13992 April 1986:** The Board of Adjustment approved a Variance to permit an outdoor advertising sign outside of a freeway sign corridor, within 150' of a residential district, to not be oriented to be primarily visible from the freeway, to be supported by more than one post, on property located at south of the SW/c of 91st and Harvard.

**Surrounding Property:**

**Z-5787/PUD-306 February 1983:** All concurred in approval of a request to rezone a 273.4+ acre tract of land from-2, RM-1, RS-3, AG and FD to CS, RM-0, RM-1, RS-3 and FD and approval of a proposed Planned Unit Development for a combination of commercial, office, multifamily and single-family uses, on property located Between 91st Street and 101st Street South, both sides of Delaware.
BOA-10998 May 1980: The Board of Adjustment approved a Special Exception to permit property for cemetery and related uses, on property located southeast of 91st Street and Harvard Avenue.
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

PUD-306-L
18-13 20
A tract of land containing 1.3463 acres that is part of the Northwest Quarter of the Northeast Quarter of the Northeast Quarter (NW/4 NE/4 NE/4) of Section Twenty (20), Township Eighteen (18) North, Range Thirteen (13) East of the Indian Base and Meridian, in the City of Tulsa, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, said tract of land being described as follows, to-wit:

Starting at the Northeast Corner of said Section 20; thence South 01°08’55” East along the Easterly line of Section 20 for 662.72 feet to a point, said point being the Southeast corner of the NE/4 NE/4 NE/4 of said Section 20; thence South 88°37’38” West along the Southerly line of the NE/4 NE/4 NE/4 for 661.20 feet to the “Point of Beginning” of said tract of land, said point being the Southeast corner of the NW/4 NE/4 NE/4 of said Section 20; thence North 01°08’12” West along the Easterly line of said NW/4 NE/4 NE/4 of said Section 20 for 456.94 feet; thence South 22°29’59” West for 160.95 feet to a point of curve; thence Southwesterly along a curve to the right, with a central angle of 17°14’52” and a radius of 227.81 feet, for 68.58 feet to a point of tangency; thence South 39°44’51” West along said tangency for 111.31 feet to a point of curve; thence Southwesterly and Southerly along a curve to the left, with a central angle of 29°41’22” and a radius of 366.26 feet, for 189.79 feet to a point on the Southerly line of the NW/4 NE/4 NE/4 of said Section 20; thence North 88°37’38” East along said Southerly line for 256.24 feet to the “Point of Beginning” of said tract of land;
Item
Consider various amendments to the Tulsa Metropolitan Area Subdivision and Development Regulations in the following sections: Article 1. Introductory Provisions, Section 1-080.3, Public Officials and Agencies; Article 5. Design and Improvements, Section 5-060.6, Right-of-Way Widths, and Table 5-2, Minimum Right-of-Way Widths for Streets Not Shown on Major Street and Highway Plan; Article 5. Design and Improvements, Section 5-130, Water Supply and Sewage Disposal, Section 5-130.1 City of Tulsa; Article 10. Review and Approval Procedures, Section 10-060, Lot Splits and Adjustments, Section 10-060.6 Review and Approval Criteria

Background
Since adoption of the Subdivision and Development Regulations in May of 2018, several items have been identified that require an amendment. These items include clean-up items and adjustments to reflect the City reorganization effective on July 1, 2023. Staff presented the proposed amendments at a March 22, 2023 TMAPC work session. Below is a general description of items included in this set of amendments.

- Section 1-080 City and County References
  - Updating the section related to “Public Officials and Agencies” to reflect recently announced organizational changes at the City of Tulsa and INCOG.

- Section 5-060.6 Right of Way Widths
  - Clarifying applicability of required right-of-way widths to streets both classified on the Major Street and Highway Plan and those that are not classified.

- Section 5-130 Water Supply and Sewage Disposal
  - Adding references to applicable ordinances related to the installation and requirements for sanitary sewer systems in the City of Tulsa.

- Section 10-060 Lot Splits and Adjustments
  - Correcting reference to water supply and sewage disposal regulations to include correct section number. Current regulations errantly refer to a section that does not exist.

The amendments proposed to the Tulsa Metropolitan Area Subdivision and Development Regulations are shown in strike-through/underline in Attachment I.

Staff Recommendation
Approval of the proposed amendments to the Subdivision and Development Regulations as shown in the attachment

Attachment
- Summary of changes for Subdivision and Development Regulations amendments
ATTACHMENT I
SR-2 – Amendment to Subdivision & Development Regulations

1-080 RULES OF LANGUAGE AND CONSTRUCTION

1-080.3 Public Officials and Agencies

A. References in these regulations to the “planning commission” are references to the Tulsa Metropolitan Area Planning Commission, which is established as a City-County cooperative planning commission pursuant to Section 863.1 et. seq. Title 19, Oklahoma Statutes.

B. References in these regulations to the “land use administrator” are references to the head manager of Planning Services land development services division of at the Indian Nations Council of Governments (INCOG) for applications in unincorporated areas of Tulsa County and the director of the Tulsa Planning Office for applications in the City of Tulsa.

C. References in this these regulations to the “county engineer” are references to the county engineer of Tulsa County.

D. References in this these regulations to the “city engineer” are references to the director of public works engineering services of the City of Tulsa.

E. All other employees, public officials, bodies, and agencies to which references are made are those of the City of Tulsa or Tulsa County, unless otherwise expressly stated.

5-060 STREETS

5-060.6 Right-of-Way Widths

The minimum right-of-way width of all proposed streets must comply with the Major Street and Highway Plan and the requirements of Table 5-2. If no width is specified on the Major Street and Highway Plan, the minimum width requirements of Table 5-2 apply. Alternative right-of-way widths may be approved through the modification procedures of 10-070 or the administrative modification procedures of 10-080 as applicable.

Table 5-2: Minimum Right-of-Way Width for Streets Not Shown on Major Street and Highway Plan

<table>
<thead>
<tr>
<th>Street Type</th>
<th>Minimum ROW Width (feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Freeway</td>
<td>150 per ODOT Standards</td>
</tr>
<tr>
<td>Parkway</td>
<td>150 per ODOT Standards</td>
</tr>
</tbody>
</table>
ATTACHMENT I
SR-2 – Amendment to Subdivision & Development Regulations

<table>
<thead>
<tr>
<th>Street Type</th>
<th>Minimum ROW Width (feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary Arterial</td>
<td>120 [1]</td>
</tr>
<tr>
<td>Secondary Arterial</td>
<td>100 [2]</td>
</tr>
<tr>
<td>Secondary Arterial Alternate</td>
<td>100 [2]</td>
</tr>
<tr>
<td>Special Traffickeyway</td>
<td>100</td>
</tr>
<tr>
<td>Residential Collector, Residential with open drainage (County), Commercial/Industrial Street</td>
<td>60</td>
</tr>
<tr>
<td>Commercial/Industrial Collector, Commercial/Industrial Street with open drainage (County)</td>
<td>80</td>
</tr>
<tr>
<td>Residential Street</td>
<td>50</td>
</tr>
<tr>
<td>Urban Arterial</td>
<td>70[3]</td>
</tr>
<tr>
<td>CBD Street</td>
<td>80</td>
</tr>
</tbody>
</table>

Table 5-2 Notes
[1] Minimum ROW width of 130 feet required for right-turn lane on a primary arterial street at the major street intersection to extend at least 388 feet paralleling the right side of the primary arterial street, measured from the section line.
[2] Minimum ROW width of 108 feet required for right-turn lane on a secondary arterial street at the major street intersection to extend at least 388 feet paralleling the right side of the secondary arterial street, measured from the section line.
[3] Minimum right-of-way width of 80 feet (at least 40 feet on each side of centerline) is required at the major street intersection to extend a distance of at least 388 feet measured from the intersection line.

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5-130 WATER SUPPLY AND SEWAGE DISPOSAL

5-130.1 City of Tulsa

A. Subdivisions within the corporate limits of the City of Tulsa must be served by a public drinking water supply approved by the Oklahoma Department of Environmental Quality.

B. The developer must provide an internal sanitary sewer collection system in accordance with Title 17 (Section 906) and the requirements of Title 11-C, Chapter 5, Tulsa Revised Ordinances.

...
10-060.6 Review and Approval Criteria
Review and final action on all proposed type 1 and type 2 lot split/adjustments must be based on whether the proposed lot split/adjustment complies with the following review and approval criteria, as applicable:

C. Water Supply and Sewage Disposal

(1) When a proposed lot split/adjustment abuts a public water or sanitary sewer connection, the lot split/adjustment may not create any lots that will be cut off from accessing that water or sewer connection, unless expressly approved by the land use administrator.

(2) Lot split/adjustments must comply with the water supply and sewage disposal regulations of 5-130 5-120, except that for lots within the corporate limits of the city that are not served by sanitary sewer, an easement may be required to be dedicated to provide for the future extension of the sewer. The applicant must obtain approval of the location and size of any required easements and submit evidence of required easement dedication before the lot split/adjustment receives final approval.