

# TULSA METROPOLITAN AREA PLANNING COMMISSION

## Minutes of Meeting No. 2811

Wednesday, February 5, 2020, 1:00 p.m.

City Council Chamber

One Technology Center – 175 E. 2<sup>nd</sup> Street, 2<sup>nd</sup> Floor

<b>Members Present</b>	<b>Members Absent</b>	<b>Staff Present</b>	<b>Others Present</b>
Craddock	Covey	Davis	Jordan, COT
Kimbrel	Doctor	Foster	Silman, COT
McArtor	Ray	Miller	VanValkenburgh, Legal
Reeds		Sawyer	
Ritchey		Wilkerson	
Shivel			
Van Cleave			
Walker			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Tuesday, January 28, 2020 at 4:36 p.m., posted in the Office of the City Clerk, as well as in the Office of the County Clerk.

After declaring a quorum present, 1<sup>st</sup> Vice-Chair Walker called the meeting to order at 1:00 p.m.

### **REPORTS:**

#### **Chairman's Report:**

**None**

#### **Director's Report:**

Ms. Miller reported on City Council and Board of County Commissioner actions and other special projects. Ms. Miller stated there will be a work session on March 4, 2020.

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1. **Minutes:**

**Approval of the minutes of December 18, 2019 Meeting No. 2808**

On **MOTION** of **REEDS**, the TMAPC voted 8-0-0 (Craddock, Kimbrel, McArtor, Reeds, Ritchey, Shivel, Van Cleave, Walker, “aye”; no “nays”; none “abstaining”; Covey, Doctor, Ray, “absent”) to **APPROVE** the minutes of the meeting of December 18, 2019, Meeting No. 2808.

2. **Minutes:**

**Approval of the minutes of January 8, 2020 Meeting No. 2809**

On **MOTION** of **REEDS**, the TMAPC voted 8-0-0 (Craddock, Kimbrel, McArtor, Reeds, Ritchey, Shivel, Van Cleave, Walker, “aye”; no “nays”; none “abstaining”; Covey, Doctor, Ray, “absent”) to **APPROVE** the minutes of the meeting of January 8, 2020, Meeting No. 2809.

**CONSENT AGENDA**

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

None

Mr. Ritchey read the opening statement and rules of conduct for the TMAPC meeting.

**PUBLIC HEARINGS:**

3. **Z-7533 Christopher McHenry** (CD 3) Location: Southwest corner and southeast corner of East Tecumseh Street North and North Irvington Avenue East requesting rezoning from **CH to IH with an optional development plan (Staff requests a continuance to February 19, 2020)**

**TMAPC Action; 8 members present:**

On **MOTION** of **McARTOR**, TMAPC voted 8-0-0 (Craddock, Kimbrel, McArtor, Reeds, Ritchey, Shivel, Van Cleave, Walker, “aye”; no “nays”; none “abstaining”; Covey, Doctor, Ray, “absent”) to **CONTINUE** Z-7533 to February 19, 2020.

4. **Whittier Heights** (CD 3) Preliminary Plat, Location: Southwest corner of East Archer Street and North Lewis Avenue

**STAFF RECOMMENDATION:**

**Whittier Heights** - (CD 3)

Southwest corner of East Archer Street and North Lewis Avenue

This plat consists of 30 lots, 5 blocks, 3.44 ± acres.

The Technical Advisory Committee (TAC) met on January 16, 2020 and provided the following conditions:

1. **Zoning:** Property is zoned RM-2. Northern lot conforms to the RM-2 standards for all uses. Lots proposed on the south half of the property meet the requirements for townhouse developments.
2. **Addressing:** Address will be assigned to final plat. Provide lot address graphically on the face of the final plat.
3. **Transportation & Traffic:** Sidewalks required to be installed adjacent to all public streets. IDP is required to be approved prior to approval of final plat. ROW dedications must be dimensioned and labeled with recording information. Provide limits of no access along Archer and Lewis.
4. **Sewer/Water:** Water and sanitary sewer extensions will require IDP approval prior to the approval of the final plat. Provide all recording information for existing easements and label new easements to indicate dedication by plat.
5. **Engineering Graphics:** Submit a subdivision data control sheet with final plat submittal. Graphically label point of beginning (POB). Remove contours on final plat submittal. Add City of Tulsa, Tulsa County, State of Oklahoma in the plat subtitle. Include coordinate system used under basis of bearings heading. Provide a bearing angle, preferably shown on the face of the plat. Ensure written legal matches the face of the plat. Add missing subdivisions to the location map and label all other land as unplatted or UNP. Add scale both written and graphically to the face of the plat.
6. **Fire:** All townhouse locations must be accessible by fire emergency services. Fire Marshall must provide release of all lots.
7. **Stormwater, Drainage, & Floodplain:** Property contains City of Tulsa Regulatory Floodplain (Redfork Creek). Any proposed construction within the floodplain must be contained within an overland drainage easement. Text will be needed in the covenants for ODE. Additional drainage easements may be required if onsite detention is necessary.
8. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** All utilities

indicated to serve the site must provide a release prior to final plat approval. Provide a Certificate of Records Search from the Oklahoma Corporation Commission to verify no oil & gas activity on the site.

Staff recommends **APPROVAL** of the preliminary subdivision plat subject to the conditions provided by TAC and the requirements of the Subdivision & Development Regulations. Final plat must be released by the City of Tulsa prior to approval.

**TMAPC Comments:**

Mr. Reeds asked if this was for the southern part and the northern part of the site.

Staff stated the whole site is under review. Staff stated roughly halfway between the site is where the lot line is drawn. He stated if you look at page 4.8 of the agenda packet that is the overall preliminary plan, the north half would be developed into just one single lot, whereas the south half is going to be the additional townhome lots.

Mr. Reeds stated he sees there is a street in between them as well.

Staff stated the street is a private drive between the two.

**Applicant Comments:**

**Mary Huckabee** 4000 One Williams Center, Tulsa, OK 74104

Ms. Huckabee stated she was here on behalf of the applicant, the engineering firm is in Kansas City and couldn't be here today so they sent her, the attorney. She stated she could answer any questions about the project. Ms. Huckabee stated this project is to build multifamily housing, primarily for seniors on the north half and a project for Habitat for Humanity on the south to do a townhome type development.

Ms. Kimbrel asked Ms. Huckabee to talk about how this plan promotes or is consistent with neighborhood development goals and how it addresses issues like neighborhood connectivity and inclusivity.

Ms. Huckabee stated if there's particular concerns she might be able to respond more specifically. She stated in terms of connectivity there is the private drive that goes through the middle of the development and there will be sidewalks along the front and down the middle to walk from the townhomes out to Lewis.

Ms. Kimbrel asked if Ms. Huckabee could talk about the interaction between pedestrian and vehicular access?

Ms. Huckabee stated the landscape engineer is here and he might know a little more specifics about the location of the sidewalks.

**Interested Parties:**

**Dan Alaback** 3202 East 21<sup>st</sup> Street, Tulsa, OK 74114

Mr. Alaback stated he is the landscape architect for the subject property. He stated there is parking along the perimeter and some internally also. He stated there are sidewalks along Lewis, on Archer and along Gillette. Mr. Alaback stated there is access around the entire property. He stated there is a courtyard in the senior living area that is gated.

Ms. Kimbrel asked what the interaction with the sidewalks between the private homes and the senior living?

Mr. Alaback stated he didn't know yet. He stated a separate developer is doing the south half.

Ms. Kimbrel stated "Okay",

**TMAPC Action; 8 members present:**

On **MOTION** of **McARTOR**, TMAPC voted 8-0-0 (Craddock, Kimbrel, McArtor, Reeds, Ritchey, Shivel, Van Cleave, Walker, "aye"; no "nays"; none "abstaining"; Covey, Doctor, Ray, "absent") to **APPROVE** the Preliminary Subdivision Plat for Whittier Heights per staff recommendation.

\* \* \* \* \*

5. **33<sup>rd</sup> Center** (CD 2) Preliminary Plat, Location: North of the northeast corner of South 33<sup>rd</sup> West Avenue and Southwest Boulevard

**STAFF RECOMMENDATION:**

**33<sup>rd</sup> Center** - (CD 2)

North of the northeast corner of South 33<sup>rd</sup> West Avenue and Southwest Boulevard

This plat consists of 1 lot, 1 block, 1.98 ± acres.

The Technical Advisory Committee (TAC) met on January 16, 2020 and provided the following conditions:

1. **Zoning:** Lot contains two separate zoning districts (CS & IL). Proposed lot conforms to requirements of both zoning districts.
2. **Addressing:** Address will be assigned to final plat. Provide lot address graphically on the face of the final plat.
3. **Transportation & Traffic:** Sidewalks required along South 33<sup>rd</sup> West Avenue. Remove vacated ROW upon completion of vacation process. Provide dimension and dedication information for new ROW associated with or adjacent to the plat. IDP required for roadway improvements and sidewalks. IDP must be approved prior to final plat approval.

4. **Sewer/Water:** Provide recording information for existing sanitary sewer easements or indicate dedication by plat. Any required IDP must be approved prior to the approval of a final plat.
5. **Engineering Graphics:** Submit a subdivision data control sheet with final plat submittal. Remove contours on final plat submittal. Add City of Tulsa, Tulsa County, State of Oklahoma in the plat subtitle. Include coordinate system used under basis of bearings heading. Provide a bearing angle, preferably shown on the face of the plat. Ensure written legal matches the face of the plat. Add missing subdivisions to the location map and label all other land as unplatted or UNP. Add scale both written and graphically to the face of the plat.
6. **Fire:** Proposed cul-de-sac does not meet the requirements of the International Fire Code. Approved turnaround will be required.
7. **Stormwater, Drainage, & Floodplain:** Property contains City of Tulsa Regulatory Floodplain (Redfork Creek). Any proposed construction within the floodplain must be contained within an overland drainage easement. Text will be needed in the covenants for ODE. Additional drainage easements may be required if onsite detention is necessary.
8. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** All utilities indicated to serve the site must provide a release prior to final plat approval. Provide a Certificate of Records Search from the Oklahoma Corporation Commission to verify no oil & gas activity on the site.

Staff recommends **APPROVAL** of the preliminary subdivision plat subject to the conditions provided by TAC and the requirements of the Subdivision & Development Regulations. Final plat must be released by the City of Tulsa prior to approval.

**Applicant Comments:**

**Daniel Chambers** 4705 South 129 East Avenue Tulsa, Oklahoma 74134

Mr. Chambers stated he works for QuikTrip who owns this property and can answer any questions.

Ms. Kimbrel asked if Mr. Chambers could talk a little bit about access and sidewalks and pedestrians.

Mr. Chambers stated that is something that is a very big issue and concern because we do have a lot of pedestrian people as well as a lot of vehicle traffic on the lots. He stated any site that QuikTrip proposes will fully comply with all the subdivision regulations. Mr. Chambers stated QuikTrip has 50 years of internal experience and will utilize it to make sure the layout provides the safest experience for both the customers and the vehicular drivers.

Ms. Kimbrel stated where in this application is that information.

Mr. Chambers stated they did not have that developed yet at this time we are just doing the preliminary plat. He stated they wanted to get that secured and then they will continue to further develop the design plans.

**TMAPC Action; 8 members present:**

On **MOTION** of **McARTOR**, TMAPC voted 8-0-0 (Craddock, Kimbrel, McArtor, Reeds, Ritchey, Shivel, Van Cleave, Walker, “aye”; no “nays”; none “abstaining”; Covey, Doctor, Ray, “absent”) to **APPROVE** the Preliminary Subdivision Plat for 33<sup>rd</sup> Center per staff recommendation.

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6. **Z-7515 GC Real Estate** (CD 1) Location: Multiple parcels south and west of the southwest corner of East Latimer Place and North Peoria Avenue requesting rezoning from **IL, RM-1 and IM to CH with an optional development plan** to support a Mixed-Use development (Continued from December 4, 2019, December 18, 2019 and January 8, 2020)

**STAFF RECOMMENDATION:**  
**SECTION I: Z-7515**

**DEVELOPMENT CONCEPT:** The applicant has requested rezoning of CH with an optional development plan that is supported by the Crutchfield small area plan. The broad concept is to provide a wide variety of small lot homes that also supports a live work environment. The property is fragmented and could also be considered as a Master Planned Development.

**SECTION II: OPTIONAL DEVELOPMENT PLAN STANDARDS:**

**GENERAL PROVISIONS:**

All district use regulations, supplemental regulations, building types, lot and building regulations, along with other relevant regulations shall conform with the provision of the Tulsa Zoning Code for development in a CH zoning district except as further limited below.

**DEVELOPMENT AREA X HAS BEEN REMOVED FROM THE APPLICATION**

**DEVELOPMENT AREA 1:** (Areas north of King Street)

**PERMITTED USES**

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

- A. Residential

- a. Household Living
  - i. Single Household
  - ii. Two households on a single lot
  - iii. Three or more households on a single lot
- b. Group Living
  - i. Assisted living facility
  - ii. Community group home
  - iii. Elderly retirement center
  - iv. Rooming/boarding house
- B. Public, Civic and Institutional
  - a. College or University
  - b. Day Care
  - c. Library or Cultural Exhibit
  - d. Natural Resource Preservation
  - e. Religious Assembly
  - f. Safety Service
  - g. School
- C. Commercial
  - a. Animal Service and all specific uses
  - b. Assembly and Entertainment
    - i. Other indoor uses
      - 1. Small (up to 250-person capacity)
  - c. Broadcast or Recording Studio
  - d. Commercial Service and all specific uses
  - e. Financial Services (personal credit establishment is not allowed)
  - f. Lodging
    - i. Bed and Breakfast
    - ii. Hotel / motel
- D. Office
  - a. Business or professional office
  - b. Medical, dental or health practitioner office
- E. Parking Non-accessory
- F. Restaurants and Bars
  - a. Restaurant
  - b. Bar
  - c. Brewpub
- G. Retail Sales with all specific uses
- H. Wholesale, Distribution and Storage
  - a. Equipment. and Materials Storage, Outdoor
  - b. Warehouse



- I. Agricultural
  - a. Community Garden
  - b. Farm Market or Community-Supported garden
  - c. Horticulture Nursery

**PERMITTED RESIDENTIAL BUILDING TYPES:**

- A. Household Living
  - a. Single household
    - i. Townhouse limited to 45 feet in height
    - ii. Mixed-use building limited to 45 feet in height
    - iii. Vertical mixed-use building

**LOT AND BUILDING REGULATIONS:**

Minimum building setbacks from any street shall be 10 feet.

**LANDSCAPING AND SCREENING:**

- a. All lots shall conform to the provisions of Chapter 65 | Landscaping and Screening.

**SIGNAGE:**

Signage shall conform to the provisions of Chapter 60 | Signs of the Tulsa zoning code except as follows:

- a. Dynamic Display signage is prohibited on any lot west of North Norfolk Avenue
- b. Off-premise outdoor advertising signs are prohibited.

**LIGHTING:**

- A. Outdoor lighting (wall or pole mounted) shall not exceed 16 feet in height.
- B. All lighting shall be pointed down and away from abutting lots.

**BUILDING DESIGN:**

Maximum building height shall not exceed 45 feet.

**DEVELOPMENT AREA 2: (Areas south of King Street)**

**PERMITTED USES**

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

- A. Residential
  - d. Household Living
    - i. Single Household
    - ii. Two households on a single lot
    - iii. Three or more households on a single lot
  - e. Group Living
    - i. Assisted living facility
    - ii. Community group home
    - iii. Elderly retirement center
    - iv. Rooming/boarding house

- B. Public, Civic and Institutional
  - a. College or University
  - b. Day Care
  - c. Library or Cultural Exhibit
  - d. Natural Resource Preservation
  - e. Religious Assembly
  - f. Safety Service
  - g. School
- C. Commercial
  - a. Animal Service and all specific uses
  - b. Assembly and Entertainment
    - i. Other indoor uses
      - 1. Small (up to 250-person capacity)
  - c. Broadcast or Recording Studio
  - d. Commercial Service and all specific uses
  - e. Financial Services (personal credit establishment is not allowed)
  - f. Lodging
    - i. Bed and Breakfast
    - ii. Hotel / motel
- D. Office
  - a. Business or professional office
  - b. Medical, dental or health practitioner office
- E. Restaurants and Bars
  - a. Restaurant
  - b. Bar
  - c. Brewpub
- F. Retail Sales with all specific uses
- G. Wholesale, Distribution and Storage
  - a. Warehouse
- H. Agricultural
  - a. Community Garden
  - b. Farm Market or Community-Supported garden
  - c. Horticulture Nursery

**PERMITTED RESIDENTIAL BUILDING TYPES:**

- A. Household Living
  - b. Single household
    - i. Townhouse limited to 45 feet in height
    - ii. Mixed-use building limited to 45 feet in height
    - iii. Vertical mixed-use building
    - iv.

**LOT AND BUILDING REGULATIONS: (amended during 2.5.2020 planning commission meeting)**

Minimum building setbacks from any street shall be 10 feet **except that on corner lots, the side yard street setback shall be a minimum of 0 feet.** Any garage door opening shall be a minimum of 20 feet from the lot line abutting a public street. Note: Alleys are not considered a public street for this requirement.

**LANDSCAPING AND SCREENING:**

All uses and building types on all lots shall conform to the provisions of Chapter 65 | Landscaping and Screening.

**SIGNAGE:**

Signage shall conform to the provisions of Chapter 60 | Signs of the Tulsa zoning code except as follows:

- a. Signs may not exceed 32 square feet in area or 0.20 feet of sign area per linear foot of street frontage, whichever is greater, but in no case may the total sign budget exceed 86 square feet.
- b. The maximum display surface area of any single sign may not exceed 48 square feet.
- c. A maximum of one ground sign is permitted on any single lot.
- d. When the sign is a ground sign the maximum height must be less than 6 feet.
- e. Off-premise outdoor advertising signs are prohibited.
- f. Combined lots shall be considered a single lot for the purposes of these calculations and restrictions.

**LIGHTING:**

- A. Outdoor lighting shall not exceed 16 feet in height.
- B. All lighting whether shall be pointed down and away from abutting lots.

**BUILDING DESIGN:**

- A. Maximum building height shall not exceed 45 feet.
- B. At least one building entrance is required with direct connection to public street.

**SECTION III: DETAILED STAFF RECOMMENDATIONS**

Z-7515 requesting CH zoning with the optional development plan as outlined in Section II is consistent with the anticipated residential and mixed-use building concepts identified in the Crutchfield Small Area Plan and,

CH zoning with the use limitations and standards for signage, landscaping and other development considerations as outlined in the optional

development plan are consistent with the anticipated redevelopment of this area and,

CH zoning without the optional development plan would allow uses that could be considered injurious to the residential property owners east of the site however the optional development plan provides use limitations and design standards that will integrate this site into the adjoining single-family residential area and,

CH zoning with the optional development is consistent with the expected development pattern in the area therefore,

Staff recommends Approval of Z-7515 as outlined in Section II above.

## **SECTION IV: Supporting Documentation**

### **RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

*Staff Summary:* The focus of the Crutchfield Small Area Planning effort centered around the possibility of supporting the development of an expanded range of housing types, including single-family housing types such as cottage housing, clustered homes, and narrow-lot homes and appropriately scaled “missing middle” (mid-density) housing types such as townhomes, multi-unit houses (duplexes, triplexes, quads), live-work units, and accessory dwelling units. The plan also encouraged compatible, neighborhood-scale development that provides "missing middle" housing types. Mixed-use residential development along major corridors, live-work units, and small-scale, visually compatible multi-unit houses are desirable in neighborhood edge and transition zones between residential and employment uses. This development plan encourages the type of expanded live work units that are contemplated in the small area plan. Continued expansion of this development pattern in the area where the Crutchfield Small Area Plan was adopted is anticipated. For further details the executive summary that was adopted in 2019 can be found at the following link: <http://tulsaplanning.org/plans/Crutchfield-Small-Area-Plan.pdf>.

### **Land Use Vision:**

*Land Use Plan map designation:* Downtown Neighborhood, Main Street,

Downtown Neighborhoods are located outside but are tightly integrated with the Downtown Core. These areas are comprised of university and higher educational campuses and their attendant housing and retail districts, former

warehousing and manufacturing areas that are evolving into areas where people both live and work, and medium- to high-rise mixed-use residential areas. Downtown Neighborhoods are primarily pedestrian-oriented and are well connected to the Downtown Core via local transit. They feature parks and open space, typically at the neighborhood scale.

Main Streets are Tulsa's classic linear centers. They are comprised of residential, commercial, and entertainment uses along a transit-rich street usually two to four lanes wide and includes much lower intensity residential neighborhoods situated behind. Main Streets are pedestrian-oriented places with generous sidewalks, storefronts on the ground floor of buildings, and street trees and other amenities. Visitors from outside the surrounding neighborhoods can travel to Main Streets by bike, transit, or car. Parking is provided on street, small private off street lots, or in shared lots or structures.

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

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.”

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

Transportation Vision:

*Major Street and Highway Plan:* None

*Trail System Master Plan Considerations:* None

Small Area Plan: Crutchfield Small Area Plan

Boundary:

The Crutchfield Small Area Plan area is located northeast of downtown Tulsa. It is bounded by Pine Street on the north, Utica Avenue on the east, Interstate 224 on the south, and Highway 75 on the west. The plan area boundary is larger than the 2004 plan area, now extending south past the railroad tracks to Admiral Boulevard.

Crutchfield at a Glance:

The Crutchfield neighborhood of Tulsa, Oklahoma is located within walking distance to downtown but cordoned off by highways, rail lines, and other barriers. There is strong community interest in reinvestment in housing and employment, as well as improving and strengthening the physical links between Crutchfield and other neighborhoods that would bring more attention and provide more welcoming entrances to the area.

Crutchfield Small Area Plan was originally adopted in 2004 and recently updated through a 6-step process that included the City Councilor, a Citizens advisory team, a technical review and public meetings in addition to the normal meetings at Planning Commission and City Council. The updated plan was adopted in 2019.

Map 4: Crutchfield Plan Area



The following excerpts are provided to give a summary of the small area plan priorities and goals.

**Priority 1:** Stabilize and revitalize existing residential areas, while preserving housing affordability and increasing housing choice.

- Goal 1 Promote development of complete neighborhoods, defined in the Comprehensive Plan (p. LU-18) as “neighborhoods that blend amenities, connectivity, and housing options together.”
- Goal 2 Enhance neighborhood amenities.
- Goal 3 Address vacant and blighted properties.
- Goal 4 Provide appropriate buffering between residential areas and nearby employment land uses.

**Priority 2:** Support compatible residential infill and reinvestment.

Goal 5 Increase housing choices available in Crutchfield.

5.1 Support the development of an expanded range of housing types, including single-family housing types such as cottage housing, clustered homes, and narrow-lot homes and appropriately scaled "missing middle" (mid-density) housing types such as townhomes, multi-unit houses (duplexes, triplexes, quads), live-work units, and accessory dwelling units.

5.2 Work with Tulsa Development Authority to acquire and sell properties to address blight, improve housing quality and safety, expand access to high quality affordable housing, and contribute to a vibrant mixed-use neighborhood.

5.3 Encourage compatible, neighborhood-scale development that provides "missing middle" housing types. Mixed-use residential development along major corridors, live-work units, and small-scale, visually compatible multi-unit houses are desirable in neighborhood edge and transition zones between residential and employment uses.

Goal 6 Maintain housing affordability.

**Priority 3:** Improve corridors to support economic activity and improve mobility options.

**Priority 4:** Support development that increases employment and commercial opportunities.

**Priority 5:** improve urban infrastructure to support health and wellness and catalyze development.

Special District Considerations: None

Historic Preservation Overlay: None

#### DESCRIPTION OF EXISTING CONDITIONS:

*Staff Summary: The property is an eclectic mix of industrial, single family residential, assembly and entertainment and vacant properties. The subject property is composed of lots that were developed without the current zoning guidelines. Many of the lots were platted in 1910 and 1912 with minimum lot widths of 25 feet, 60-foot-wide street right of way and 20 foot alley.*

Environmental Considerations: None that will affect site re-development

Streets:



<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
All lots have access to public street and alley frontage.	None of the streets are included in the Major Street and Highway Plan	50 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

The surrounding properties are a mix of industrial, assembly and entertainment, residential uses.

**SECTION III: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 11918 dated September 1, 1970 established zoning for the subject property.

***Subject Property:***

**BOA-22636 May 2019:** The Board of Adjustment **approved** a *Variance* of the required street setback from East Latimer Place, a *Variance* to allow an existing structure be located within the City of Tulsa street right-of-way/ planned street right-of-way, and a *Variance* of the required lot width for two proposed lots (Lot 2 & Lot 5), subject to conceptual plan 14.13 of the agenda packet, on property located at 1037 North Owasso Avenue East. The board finds the hardship to be the original structures were built over the property lines, probably before the lots were combined but the Board does not have that information.

**SA-3 April 2018 :** All concurred in **approval** at city council (TMPAC recommended **denial**) to apply supplemental zoning, HNO (Healthy Neighborhoods Overlay), to multiple properties within the plan area boundaries of Greenwood Heritage Neighborhoods Sector Plan (also known as the Unity Heritage Neighborhoods Plan), 36th Street North Corridor Small Area Plan, and The Crutchfield Neighborhood Revitalization Master Plan (related to ZCA-7).

**Z-6949 September 2004:** All concurred in approval of a request for rezoning a 29+ acre tract of land from RM-1 to IL for retail shopping and warehouse, on property located east of the southeast corner of East. Independence St. and N. Norfolk Ave. and northeast of subject property.

**BOA-19219 October 2001:** The Board of Adjustment **denied** a *Special Exception* for a mobile home in an RM-1 zoned district and a *Special Exception* to extend the one-year time limit, on property located 1144 E. Haskell.

**BOA-19096 June 2001:** The Board of Adjustment **approved** a *Variance* to the parking requirements and allow meeting the required parking on a lot other than the lot with principal use and a *Variance* of the hard surface, dust free parking to allow gravel parking, with the condition that a tie-contract be obtained, executed and filed of record, finding it is an industrial area and there are many other gravel lots in the area, on property located at southwest corner of East Latimer Place and North Peoria.

**BOA-05260 November 1966:** The Board of Adjustment **approved** a request for a modification of set-back requirements in a U-4-A District to allow a 10-foot set-back from rear property line, on property located Bulleete Third Addition.

**Z-2764 May 1966:** All concurred in **approval** of a request for *rezoning* a 1.62± acre tract of land from U-2A to U-4A on property located northeast corner of Norfolk Avenue and King street.

**BOA-03565 January 1961:** The Board of Adjustment **approved** a request for a modification of set-back requirements in a U-4-B District to permit a building within 25 feet of a U-2-A District on Lots 5-10, on property located Bulleete Third Addition.

### ***Surrounding Property:***

**SA-3 April 2018** : All concurred in **approval** at city council (TMPAC recommended **denial**) to apply supplemental zoning, HNO (Healthy Neighborhoods Overlay), to multiple properties within the plan area boundaries of Greenwood Heritage Neighborhoods Sector Plan (also known as the Unity Heritage Neighborhoods Plan), 36th Street North Corridor Small Area Plan, and The Crutchfield Neighborhood Revitalization Master Plan (related to ZCA-7).

**Z-7382 May 2017**: All concurred in **approval** of a request for *rezoning* lots 29, 30, 31 and 32 only from RM-1 to IL, on property located west of the Northwest corner of East Haskell Place and North Norfolk Avenue.

**Z-5624 December 1981**: All concurred in **approval** of a request for *rezoning* 50' x 150' tract of land from RM-1 to IL, on property located north west of Haskell Street and Peoria Avenue.

### **TMAPC Comments:**

Mr. Reeds stated he likes this because you can create a hub in the Crutchfield neighborhood with mixed use.

Ms. Kimbrel asked staff to talk about specific advantages of using an optional development plan over an MPD.

Staff stated the standards in the Zoning Code that deal with signage, landscaping and screening are strong compared to what that have been in the past. He stated all the standards apply to an optional development plan and then the regulations are tightened down to restrict the uses. Staff stated this was a better use of the Zoning Code than a Master Plan Development.

Ms. Kimbrel stated an optional development plan is more restrictive and an MPD would have been broader.

Staff stated "yes".

Ms. Kimbrel asked if it was possible with the live/work combinations that the applicant is proposing residential for the parts that would be residential and commercial for the parts that would be commercial instead of full commercial everywhere.

Staff stated the optional development plan could have restricted the project in that way but the goals in the Comprehensive Plan was integrating residential and commercial uses harmoniously. He stated there were some restrictions north of King Street (development area 1) and south of King Street (development area 2).

Mr. Reeds stated the way staff treated signage differently in both of them, it just helps weave it into the fabric of the community. He thinks it is well thought out.

**Applicant's Comments:**

**Stuart McDaniel** 628 East Third Street, Tulsa, Oklahoma 74120

Mr. McDaniel stated he doesn't have a formal presentation and that staff spent so much time helping him get this application down that he really leaned on the information they put together which is excellent and he can't thank them enough. He stated the essence of this neighborhood has been a question to most city staff and planners for the last 40 years. What do you do with Crutchfield? It's a mix of very heavy industrial buildings that have been abandoned, more or less. He stated the highest percentage of vacancy in homes in the entire city are in Crutchfield. Mr. McDaniel asked what you do with these little 25 foot lots. He stated he saw a grand opportunity to put in a mixed-use development. Mr. McDaniel stated others are scratching their head trying to shove a suburban model of 50 foot lots into this spot with a front facing driveway. He stated this development is perfect for that Chicago neighborhood setting where townhomes are setting on 25 foot lots with rear entry alleys. Mr. McDaniel stated the line is intentionally blurred between commercial and residential because maybe you would like to have a little bodega on the corner or a little single practitioner law firm with the office on the bottom floor and little apartment above. He stated he supports the optional development plan restrictions because he doesn't want adult oriented businesses or funeral homes in the middle of this development. Mr. McDaniel stated he wants to encourage all the different good and interesting eclectic mix things as an advantage. He stated most things north of King Street are mostly industrial. Mr. McDaniel stated when you see RM-1 on the map it is deceiving because over half of the lots are vacant and owned by the applicant. He stated he brought 78 new residents to this neighborhood by putting old homes back online that were set for demolition.

Mr. Walker asked how all the properties were accumulated.

Mr. McDaniel stated he owns 47 acres of this neighborhood. He stated he grew up near this neighborhood and his office is on Third Street. Mr. McDaniel stated his heart and soul is in downtown and the surrounding areas. He stated the new housing study is in support of infill and higher density designs.

Ms. Kimbrel asked if there was any community engagement with this development.

Mr. McDaniel stated the sector plan, the small area plan, the revitalization plan, the GO Plan, the Aero Transit and the the Housing Study, all have targeted this neighborhood for this type of development. He stated the residents have spoken they want more housing, new types of housing and incorporate it into the commercial and blend the neighborhood.

Ms. Kimbrel asked if he could explain what the live/work combination would look like.

Mr. McDaniel stated you might have a 25 foot lot with a two story home. He stated the first floor has little English storefront or an office and then there's an apartment upstairs. He stated more people, less asphalt.

**Interested Parties:**

**Katie Plohocky** 1310 East Jasper Street, Tulsa, Ok 74106

Ms. Plohocky stated she is the Executive Director of the Healthy Community Store initiative and RMG family grocers. She stated she supports this development and because of the plans that Mr. McDaniel envisions Ms. Plohocky stated they recently moved their headquarters into this neighborhood and have plans for expansion. She stated because of this new infill and housing, they are also planning to open a grocery store this summer in this neighborhood. Ms. Plohocky stated she has looked at this neighborhood for a really long time and the potential is there. She stated there's been a lot of neglect in the area and when you say Crutchfield people have no idea what district your talking about because it's been invisible. Ms. Plohocky stated she hopes Planning Commission approves this zoning changes.

Ms. Kimbrel asked if Ms. Plohocky participated in the Crutchfield Small Area Plan

Ms. Plohocky stated "No", but she had participated in the Northland Plan and was on the advisory board.

**Cherie Cook** PO Box 52144, Tulsa, OK 74152

Ms. Cook stated she was here to support this project. She stated she worked with Mr. McDaniel and visited several of his properties in the last couple of years. Ms. Cook stated most know her as a preservation advocate, but she also supports fair housing and serves on the committee. Ms. Cook stated Mr. McDaniel has done all the studies and she has visited a lot of his properties and they are amazing. Ms. Cook stated more of it is needed on downtown properties. The neighborhoods both west and north of downtown have been ignored for years.

Ms. Kimbrel asked if Ms. Cook was a part of the Crutchfield Small Area Plan.

Ms. Cook stated she had participated in many of those plans before. She stated she was on the North Tulsa development plan and attended several meetings. this.

Ms. Kimbrel stated this is a mixed-use plan and she is reading the key priorities of the critical plan are, housing affordability. She stated housing choice is a stated goal also and in her short time on this commission she heard the Small Area planning process has big visions and big intent, but in terms of the implementation that can sometimes go by the wayside. She asked how will these goals in terms of housing for affordability and housing choice be realized?

Mr. McDaniel stated in contrast to what Ms. Kimbrel has experienced in the past, this will probably be one of the first to implement exactly what the people asked for. Mr. McDaniel stated he did attend all of those Small Area Plan meetings and he had neighboring property owners that he was collaborating with at those meetings. He stated the meetings were well attended. Mr. McDaniel stated the neighbors went to those meetings and vocalized support of a higher density housing stock. He stated skinny homes is what they were calling the houses with 25 foot lot lines, these are normal in Nashville, Austin, Portland and Chicago. Mr. McDaniel stated a lot of that same language was reincorporated into the sector and small area plans. He stated it talks about access to affordable homes, a lot of the residents were afraid of scraping a block and building mega apartment complex and nobody wants 61<sup>st</sup> and Peoria at Archer in Peoria were there is a conglomerated group of apartments. Mr. McDaniel stated they also don't want high end housing that the residents in this neighborhood can't even afford. That is why they have designed an entry level house to meet a house payment that's real close to what residents are paying in rent right now. He stated there will be a mix of market rate housing sold to just regular working class, blue collar all the way down to people that are paying \$300 and \$400 a month for a two bedroom apartment because it's partially subsidized. Mr. McDaniel stated he didn't know when the appropriate time was to talk about setbacks. He stated there's a 10 foot setback off of the front which is completely conducive with a corner urban townhome type layout but a 25 foot lot line with a 5 foot walkway down the other side limits site to a 10 foot house. Mr. McDaniel stated he would need to request a zero foot lot line on those corner lots.

Staff stated he told the applicant on a corner lot where the front door is facing a public street that 10 foot setback should be honored but if it can somehow be considered a side yard then he felt like a zero setback is actually consistent with a lot of the buildings in the area. He stated if the Planning Commission chooses to make a recommendation it needs to say a 10 foot setback for the front yard is required and the side yard setback can be 0 feet even if the side yard is abutting another street. Staff stated it's important for the character of the neighborhood to keep the front yard setback at least 10 feet to give basically 22 feet of grass between the curb and the front of the house.

Ms. VanValkenburgh with City of Tulsa Legal Department stated the city will not allow any door swings or windows swings out beyond a 0 ft. street setback even if it's not the front yard. A door on the side of the house with a 0 ft. setback from the street could not open into the right of way.

Staff stated there could be a window with a slide either vertically or horizontally. He stated that would require those buildings to either have front door access or rear yard access and then the building code determines what the ingress and egress issues are abutting a lot line.

Mr. Reeds asked if porches are allowed to extend into the right of way.

Staff stated not into the street right of way.

Staff stated to further expand on that topic the eaves of the house can't go into the right of way either so that forces the architecture of that building to not have an eaves.

**TMAPC Action; 8 members present:**

On **MOTION** of **McARTOR**, TMAPC voted 7-0-1 (Craddock, McArtor, Reeds, Ritchey, Shivel, Van Cleave, Walker, “aye”; no “nays”; Kimbrel “abstaining”; Covey, Doctor, Ray, “absent”) to recommend **APPROVAL** of the CH zoning with an optional development for Z-7515 per staff recommendation that the front setback shall be 10 feet and the minimum side yard street setback shall be 0 feet.

**Legal Description for Z-7515:**

S 19FT, LT 1 & ALL LT 2 THRU 10, BLK 1, BULLETTE THIRD ADDN; LTS 1 THRU 5, BULLETTE SECOND ADDN; LT 1, BLOCK 1, J H JENKINS ADDN; LTS 15 THRU 22, BULLETTE THIRD ADDN; E 85FT, LTS 21 & 22 & ALL LT 20 BULLETTE SECOND ADDN; LTS 1 THRU 14 & LTS 19 THRU 22, BLK 2, BULLETT ADDN; E 48FT, LTS 15 THRU 18, BLK 2, BULLETT ADDN; LTS 19 THRU 26 & 30 THRU 34, BLK 1, BULLETT ADDN; LTS 19 THRU 22 & LTS 45 & 46, BLK 1, FRISCO ADDN; LTS 5 & 6, BLK 4, FRISCO ADDN

\* \* \* \* \*

7. **Z-7530 Holly Berry** (CD 7) Location: East of the southeast corner of East 59<sup>th</sup> Street and South Mingo Road requesting rezoning from **PK to OL**

**STAFF RECOMMENDATION:**

**SECTION I: Z-7530**

**DEVELOPMENT CONCEPT:** Rezoning property to allow single family residential construction along with potential for future light office uses.

## **DETAILED STAFF RECOMMENDATION:**

The applicants request for all uses allowed by an OL zoning district is supported by the Employment land use designation in the Tulsa Comprehensive Plan and,

Single family residential and other uses allowed in an OL district are consistent with the expected development pattern in the area and,

OL zoning allows a wide range of uses and provides development guidelines that provide a predictable outcome important to the abutting residential properties, therefore

**Staff recommends Approval of Z-7530 to rezone property from PK to OL.**

## **SECTION II: Supporting Documentation**

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: The subject lots are located within an area of Employment and an Area of Growth as designated by the City of Tulsa Comprehensive Plan.*

### Land Use Vision:

*Land Use Plan map designation:* Employment

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

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

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

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



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

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

Transportation Vision:

*Major Street and Highway Plan:* East 59<sup>th</sup> Street South does not have a designation in the Major Street and Highway Plan

*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 lots are currently vacant without existing structures present.

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 59 <sup>th</sup> Street South	None	N/A	2
South 99 <sup>th</sup> East Avenue	None	N/A	2
South 100 <sup>th</sup> East Avenue	None	N/A	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	IL	Employment	Growth	Fire Station / Industrial
South	RS-3	Employment	Growth	Single Family
East	RS-3	Employment	Growth	Single Family
West	IL	Employment	Growth	Vacant

**SECTION III: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 19959 dated October 26, 2000 established zoning for the subject property.

***Subject Property:***

**Z-6783 October 2000:** All concurred in **approval** of a request for *rezoning* a 1.15± acre tract of land from RS-3 to IL or PK for parking, on property located on the southwest corner and southeast of East 59<sup>th</sup> Street and South 99<sup>th</sup> East Avenue. IL was denied, but PK was granted.

Ordinance number 11825 dated June 26, 1970 established zoning for the subject property.

***Surrounding Property:***

**Z-7046 February 2007:** All concurred in **approval** of a request for *rezoning* a .89± acre tract of land from RS-3 to IL for an Office/Warehouse, on property located east of the northeast corner of South Mingo Road and East 61<sup>st</sup> Street.

**Z-6995 September 2005:** All concurred in **approval** of a request for *rezoning* a 3.48± acre tract of land from RS-3 to IL for a retail center, on property located southeast corner of East 59<sup>th</sup> Street South and South Mingo Road.

**Z-6512 November 1995:** All concurred in **approval** of a request for *rezoning* a 1± acre tract of land from RS-3 to IL for car sales, on property located east of the northeast corner of South Mingo Road and East 61<sup>st</sup> Street.

**Z-6488 June 1995:** All concurred in **approval** of a request for *rezoning* a 2.65± acre tract of land from IL/RS-3 to CS for a QuikTrip, on property located on the northeast corner of South Mingo Road and East 61<sup>st</sup> Street.

**Z-6445 June 1994:** All concurred in **approval** of a request for *rezoning* a .01± acre tract of land from RS-3 to IL to allow access to the industrial (IL) property, on property located 9999 East 59<sup>th</sup> Street. The strip was originally left RS-zoned to restrict access to the industrial property by use of residential street. The Comprehensive Plan anticipates industrial growth in this area and the barricade from the residential street was eliminated.

**Z-6410 September 1993:** All concurred in **approval** of a request for *rezoning* a .35± acre tract of land from OL to IL for a music store, on property located on the northeast corner of East 61<sup>st</sup> Street South and South 99<sup>th</sup> East Avenue.

**Z-6253 July 1989:** TMAPC **denied** a request for *rezone* a five-foot strip of land from RS-3 to IL to allow access to the IL tract to the north from East 59<sup>th</sup> Street, on property located on the north side of East 59<sup>th</sup> Street South at 99<sup>th</sup> East Avenue. Upon appeal to the City Commission, **approved** was granted for IL zoning on three separate strips (.005 acres).

**Z-6230 April 1989:** All concurred in **approval** of a request for *rezoning* a .35± acre tract of land from RS-3 to OL for Offices, on property located northeast corner of 61<sup>st</sup> Street and South 99<sup>th</sup> East Avenue.

**Z-5950/PUD-368 June 1986:** All concurred in **approval** of a request to rezone a 1± acre tract of land from OL to IL and **approval** of a proposed *Planned Unit Development* for a trade center, subject to retaining an OL buffer to the north, east, and west and excluding uses specific uses within Use Units 11, 12, 13, and 14, on property located on the northwest corner of East 61<sup>st</sup> Street and South 99<sup>th</sup> Avenue East.

**Z-5824 August 1983:** All concurred in **approval** of a request for *rezoning* a 1± acre tract of land from RS-3 to IL for industrial, on property located northeast corner of 61<sup>st</sup> and Mingo.

**Z-5809 May 1983:** All concurred in **approval** of a request for *rezoning* a .7± acre tract of land from RS-3 to OL for offices, on property located northeast corner of East 61<sup>st</sup> Street South and South 99<sup>th</sup> East Avenue.

**Z-5776 February 1983:** All concurred in **approval** of a request for *rezoning* a 1± acre tract of land from RS-3 to IL for Industrial, on property located on the northeast corner of East 61<sup>st</sup> Street South and South 100<sup>th</sup> East Avenue.

**Z-5698 June 1982:** All concurred in **approval** of a request for *rezoning* a 4± acre tract of land from RS-3 to IL for light industry, on property located east of the northeast corner of 61<sup>st</sup> Street and 100th East Avenue.

**Z-5631 November 1981 :** All concurred in **approval** of a request for *rezoning* a 10± acre tract of land from RS-3 to IL for an Industrial Park, on property located northeast corner of East 59<sup>th</sup> Street and South 100<sup>th</sup> East Avenue.

**Z-5520 May 1981:** All concurred in **denial** of a request for *rezoning* a 8.9± acre tract of land (less the south 5 feet) from RS-3 to IM for industrial development, but **approval** for IL, on property located east of the northeast corner of 59<sup>th</sup> Street and Mingo Road.

**Z-5449 October 1980:** All concurred in **approval** of a request for *rezoning* a 1± acre tract of land from RS-3 to IL for Office/Warehouse, on property located east of the northeast corner of East 61<sup>st</sup> Street South and South 100<sup>th</sup> East Avenue.

**Z-5352 January 1980:** All concurred in **approval** of a request for *rezoning* a 2.5± acre tract of land from RS-3 to IL for Industrial, on property located 10221 East 61<sup>st</sup> Street.

**Z-5113 February 1978:** All concurred in **approval** of a request for *rezoning* a 5.8± acre tract of land from RS-3 to IL, on property located 660' north of the northeast corner of 61<sup>st</sup> Street South and Mingo Road.

**Applicant Comments:**

Scott Eudey 106 North Main Street, Broken Arrow, OK 74012

Mr. Eudey stated he represents the current owner of this property. He stated the request is consistent with the Comprehensive Plan and they are looking at residential for this area but also considering other options.

**There were no interested parties wishing to speak.**

**TMAPC Action; 8 members present:**

On **MOTION** of **McARTOR**, TMAPC voted 8-0-0 (Craddock, Kimbrel, McArtor, Reeds, Ritchey, Shivel, Van Cleave, Walker, "aye"; no "nays"; none "abstaining"; Covey, Doctor, Ray, "absent") to recommend **APPROVAL** of the OL zoning for Z-7530 per staff recommendation.

**Legal Description for Z-7530:**

LT 1 BLK 1; W90 LT 1 BLK 2; E80 LT 1 BLK 2; W80 LT 14 BLK 2; E90 LT 14 BLK 2, GUY COOK SUB, City of Tulsa, Tulsa County, State of Oklahoma

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8. **Z-7531 Dave Anderson** (CD 4) Location: East of the northeast corner of East 2<sup>nd</sup> Street South and South Peoria Avenue requesting rezoning from RM-2 to IL

**STAFF RECOMMENDATION:**

**SECTION I: Z-7531**

**DEVELOPMENT CONCEPT:** The property is currently zoned RM-2 however the abutting property on the west, east and south is all IL. RM-2 properties north of the alley are vacant, single family or small multifamily residential properties.

**DETAILED STAFF RECOMMENDATION:**

The applicants request for all uses allowed in an IL zoning district is supported by the Employment land use designation in the Tulsa Comprehensive Plan and,

The existing residential uses, as well as uses allowed in an IL district are consistent with the expected development pattern in the area and,

IL zoning allows a wide range of commercial, office and light industrial uses. Development requirements also provide a predictable outcome important to the abutting light industrial and RM-2 properties, therefore

**Staff recommends Approval of Z-7531 to rezone property from RM-2 to IL.**

**SECTION II: Supporting Documentation**

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

*Staff Summary: The subject lot is located within an area of Employment and an Area of Growth as designated by the City of Tulsa Comprehensive Plan as well as being located within the Pearl District Small Area Plan.*

**Land Use Vision:**

*Land Use Plan map designation:* Employment

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

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

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

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

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

Transportation Vision:

*Major Street and Highway Plan:* East 2<sup>nd</sup> Street South does not have a designation in the Major Street and Highway Plan

*Trail System Master Plan Considerations:* None

Small Area Plan: Pearl District Small Area Plan. The executive summary of the Pearl District Small Area Plan was updated and adopted in July 2019.

Part 1 of the Executive summary illustrates this area as an area of Employment with Residential land use area.

Employment with residential areas contain office, warehousing, light manufacturing and high tech uses such as manufacturing or information technology. These areas may also have residences, residential and office lofts in industrial buildings, and more extensive commercial activity. Employment with residential areas require access to major arterials or

interstates. Those areas, with manufacturing and warehousing uses must be able to accommodate extensive truck traffic. Since residential and industrial uses are allowed in this district, extensive screening and buffering between these uses within the district are not required for many of the existing uses.

Special District Considerations: None

Historic Preservation Overlay: None

**DESCRIPTION OF EXISTING CONDITIONS:**

*Staff Summary: The site is currently a vacant lot with existing industrial uses located immediately to the South, East and West.*

**Street View snippet from SE corner of site looking northwest:**



Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
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East 2 <sup>nd</sup> Street South	None	N/A	2
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Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	RM-2	Employment	Growth	Single Family
South	IL	Employment	Growth	Industrial
East	IL	Employment	Growth	Industrial
West	IL	Employment	Growth	Industrial

**SECTION III: Relevant Zoning History**

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

***Subject Property:***

No Relevant History.

***Surrounding Property:***

**Z-7182 September 2011:** All concurred in **approval** of a request for *rezoning* a .48± acre tract of land from RM-2 to IL for Industrial, on property located east of the southeast corner of South Peoria Avenue and East 2<sup>nd</sup> Street and east of the northeast corner of South Peoria Avenue and East 2<sup>nd</sup> Street.

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

**Z-6625 April 1998:** All concurred in **approval** of a request for *rezoning* a .5± acre tract of land from RM-2 to IL for a warehouse, on property located west of the southwest corner of East 2<sup>nd</sup> Street and South Quincy Avenue.

**Z-6290 August 1990:** All concurred in **approval** of a request for *rezoning* a 2.12± acre tract of land from RM-2 to IL for Industrial, on property located east of the northeast corner of South Peoria Avenue and East 2<sup>nd</sup> Street.



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

**Z-5905 May 1984:** All concurred in **approval** of a request for *rezoning* a .16± acre tract of land from RM-2 to IL for a warehouse and offices, on property located east of the southeast corner of 1<sup>st</sup> Street and Peoria Avenue.

**Z-5090 February 1978:** All concurred in **approval** of a request for *rezoning* a .31± acre tract of land from RM-2 to IL, on property located east of the southeast corner of 1<sup>st</sup> street and Quincy Avenue.

**The applicant indicated his agreement with staff's recommendation.**

**There were no interested parties wishing to speak.**

**TMAPC Action; 8 members present:**

On **MOTION** of **McARTOR**, TMAPC voted 8-0-0 (Craddock, Kimbrel, McArtor, Reeds, Ritchey, Shivel, Van Cleave, Walker, "aye"; no "nays"; none "abstaining"; Covey, Doctor, Ray, "absent") to recommend **APPROVAL** of the IL zoning for Z-7531 per staff recommendation.

**Legal Description for Z-7531:**

LT 16 BLK 13, LYNCH & FORSYTHE'S ADDN, City of Tulsa, Tulsa County, State of Oklahoma

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9. **Z-7532 Katera Meachem** (CD 1) Location: South of the southwest corner of East 36<sup>th</sup> Street North and North Harvard Avenue requesting rezoning from **RS-3 to CS**

**STAFF RECOMMENDATION:**

**SECTION I: Z-7532**

**DEVELOPMENT CONCEPT:** The applicant proposes to construct a small commercial building that could support all CS zoning uses.

**DETAILED STAFF RECOMMENDATION:**

The applicants request for all uses allowed by a CS zoning district is supported by the Town Center land use designation in the Tulsa Comprehensive Plan and,

This is one of the first zoning applications in this Town Center land use areas near East 36<sup>th</sup> Street North and North Harvard Avenue and is consistent with the expected development pattern in the area,

CS zoning allows a wide range of uses and provides development guidelines that provide a predictable outcome important to the abutting residential properties, therefore

**Staff recommends Approval of Z-7532 to rezone property from RS-3 to CS.**

**SECTION II: Supporting Documentation**

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: The subject lot is located within a Town Center and Area of Growth designated by the City of Tulsa Comprehensive Plan.*

Land Use Vision:

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

*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:* North Harvard Avenue is designated as a Secondary Arterial by the Major Street and Highway Plan.

*Trail System Master Plan Considerations:* None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *The site formerly contained a single-family home that was demolished after a fire approximately two years ago.*



Environmental Considerations:

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
North Harvard Avenue	Secondary Arterial	100 feet	4

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

<b>Location</b>	<b>Existing Zoning</b>	<b>Existing Land Use Designation</b>	<b>Area of Stability or Growth</b>	<b>Existing Use</b>
North	RS-3	Town Center	Growth	Vacant
South	CS	Town Center	Growth	Vacant
East	RS-3	Town Center	Growth	Single Family
West	RS-3	Town Center	Growth	Single Family

**SECTION III: Relevant Zoning History**

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

***Subject Property:*** No relevant history

***Surrounding Property:***

**BOA-15171 June 1989:** The Board of Adjustment **approved** a Special Exception to permit a bait shop in a CS zoned district, **denied** a Variance of the setback from the centerline of Harvard Avenue from 88' (average required setback) to 75' and from the south property line from 10' to 8', **approved** a Variance of the screening requirements along the west line and the south property line, and approved a Variance of one (1) parking space on a dust free, all weather, hard surface subject to Stormwater Management approval, on property located at 3326 North Harvard Avenue.

**The applicant indicated her agreement with staff's recommendation.**

**There were no interested parties wishing to speak.**

**TMAPC Action; 8 members present:**

On **MOTION** of **McArtor**, TMAPC voted 7-0-1 (Craddock, McArtor, Reeds, Ritchey, Shivel, Van Cleave, Walker, "aye"; no "nays"; Kimbrel, "abstaining"; Covey, Doctor, Ray, "absent") to recommend **APPROVAL** of the CS zoning for Z-7532 per staff recommendation.

**Legal Description for Z-7532:**

BEG 165S OF NEC N/2 N/2 SE NE NE TH W200 N65 E200 S65 POB SEC 20 20 13, , City of Tulsa, Tulsa County, State of Oklahoma

\*\*\*\*\*

**OTHER BUSINESS**

**10. Commissioners' Comments**

None

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**ADJOURN**

**TMAPC Action; 8 members present:**

On **MOTION** of **REEDS**, TMAPC voted 8-0-0 (Craddock, Kimbrel, McArtor, Reeds, Ritchey, Shivel, Van Cleave, Walker, "aye"; no "nays"; none "abstaining"; Covey, Doctor, Ray, "absent") to **ADJOURN** TMAPC meeting of February 5, 2020, Meeting No. 2811.

**ADJOURN**

There being no further business, the Chair declared the meeting adjourned at 2:07 p.m.

Date Approved:

\_\_\_\_\_

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Chairman

ATTEST: \_\_\_\_\_  
Secretary

DRAFT