



Tulsa Metropolitan Area  
Planning Commission

**Case Number: CZ-509**

**Hearing Date: December 16, 2020**

**Case Report Prepared by:**

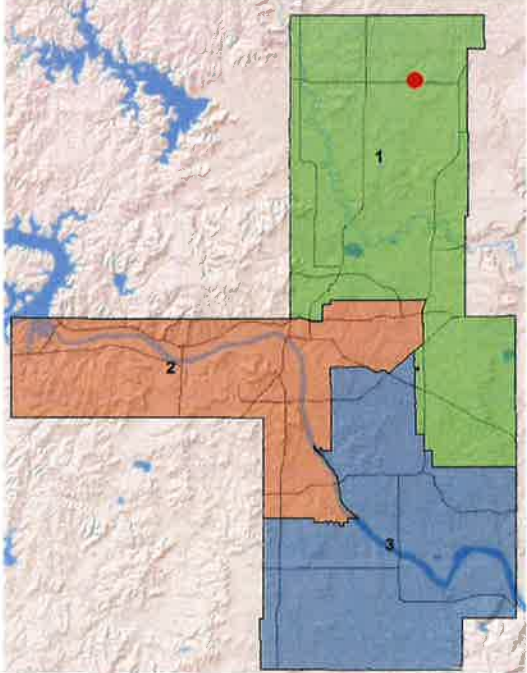
Jay Hoyt

**Owner and Applicant Information:**

*Applicant:* SMALYGO Properties, Inc

*Property Owner:* Smalygo Properties, Inc

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



**Applicant Proposal:**

*Present Use:* Vacant/Residential

*Proposed Use:* Commercial

*Concept summary:* Rezone from AG to CG to permit commercial development.

*Tract Size:* 12.56 ± acres

*Location:* Northwest corner of East 146th Street North & North 97th East Avenue

**Zoning:**

*Existing Zoning:* AG

*Proposed Zoning:* CG

**Comprehensive Plan:**

*Land Use Map:* Residential/Commercial

*Stability and Growth Map:* N/A

**Staff Recommendation:**

**Staff recommends approval.**

**Staff Data:**

TRS: 2324

CZM: 7

**County Commission District: 1**

*Commissioner Name:* Stan Sallee

12.1

## SECTION I: CZ-509

**DEVELOPMENT CONCEPT:** The applicant is proposing to rezone from AG to CG to permit commercial development on the subject lots. Per the applicant, there are currently no specific plans for the future uses of the commercial development. The subject lots are located within the Commercial and Residential land use designations of the Tulsa County Comprehensive Land Use Plan and the City of Collinsville Comprehensive Plan. The City of Collinsville Comprehensive Plan was adopted as part of the Tulsa County Comprehensive Land Use Plan on September 9, 2019.

While portions of the subject area lie within the Residential land use designation, the proposal would be compatible with the general future land use of the area, which calls for commercial uses at all four corners of the intersection of E 146<sup>th</sup> St N and N 97<sup>th</sup> E Ave. Additionally, the City of Collinsville has reviewed the proposed request and has indicated that they do not have any objections to the proposed rezoning request.

### **EXHIBITS:**

- INCOG Case map
- INCOG Aerial
- Tulsa County Comprehensive Plan Land Use Map
- Email from City of Collinsville
- Applicant Exhibits:
  - Tract Exhibits

### **DETAILED STAFF RECOMMENDATION:**

CZ-509 is non-injurious to surrounding proximate properties;

CZ-509 is compatible with the Commercial land use designation of the Tulsa County Comprehensive Land Use Plan and is not objectionable to also incorporate those portions located within the Residential land use designation;

CZ-509 is consistent with the anticipated future development pattern of the surrounding property therefore;

Staff recommends **Approval** of CZ-509 to rezone property from AG to CG.

## **SECTION II: Supporting Documentation**

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

***Staff Summary:** The site is located within the fenceline of the City of Collinsville. The City of Collinsville 2030 Comprehensive Plan was adopted as part of the Tulsa County Comprehensive Plan on September 9, 2019. The planning process for the update of the 2030 Plan was developed by the City Planning Staff and Planning Commission and formalized by the City Commission. Citizen participation in the planning process was sought in a variety of ways. General coverage was given in the local Collinsville News regarding the initiation and progress of the study. The Steering Committee was appointed by the City Commission and included elected and appointed officials and citizen representatives of the business and lay community. The committee hosted public forums and conducted an on-line public survey to solicit input on planning and land use related matters pertaining to the update.*

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*The Land Use Master Plan designates this area as Residential and Commercial. See the attached Land Use Map. Residential land use includes single-family homes, duplexes, townhouses, apartment units, and manufactured homes. Commercial land use includes the retail and service commercial establishments and service areas located within the planning area.*

Land Use Vision:

*Land Use Plan map designation: Residential / Commercial*

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

Transportation Vision:

*Major Street and Highway Plan: E 146<sup>th</sup> St North is designated as a Primary Arterial. N 97<sup>th</sup> E Ave is designated as a Secondary Arterial*

*Trail System Master Plan Considerations: None*

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

*Staff Summary: The site currently contains two single family residences and vacant land.*

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
E 146 <sup>th</sup> St North	Primary Arterial	120 Feet	2
N 97 <sup>th</sup> E Ave	Secondary Arterial	100 Feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

<b>Location</b>	<b>Existing Zoning</b>	<b>Existing Land Use Designation</b>	<b>Area of Stability or Growth</b>	<b>Existing Use</b>
North	AG	Residential	N/A	Vacant
South	AG	Residential / Commercial	N/A	Vacant
East	AG	Residential / Commercial	N/A	Vacant
West	AG	Public and Quasi Public	N/A	Vacant

### **SECTION III: Relevant Zoning History**

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

#### ***Subject Property:***

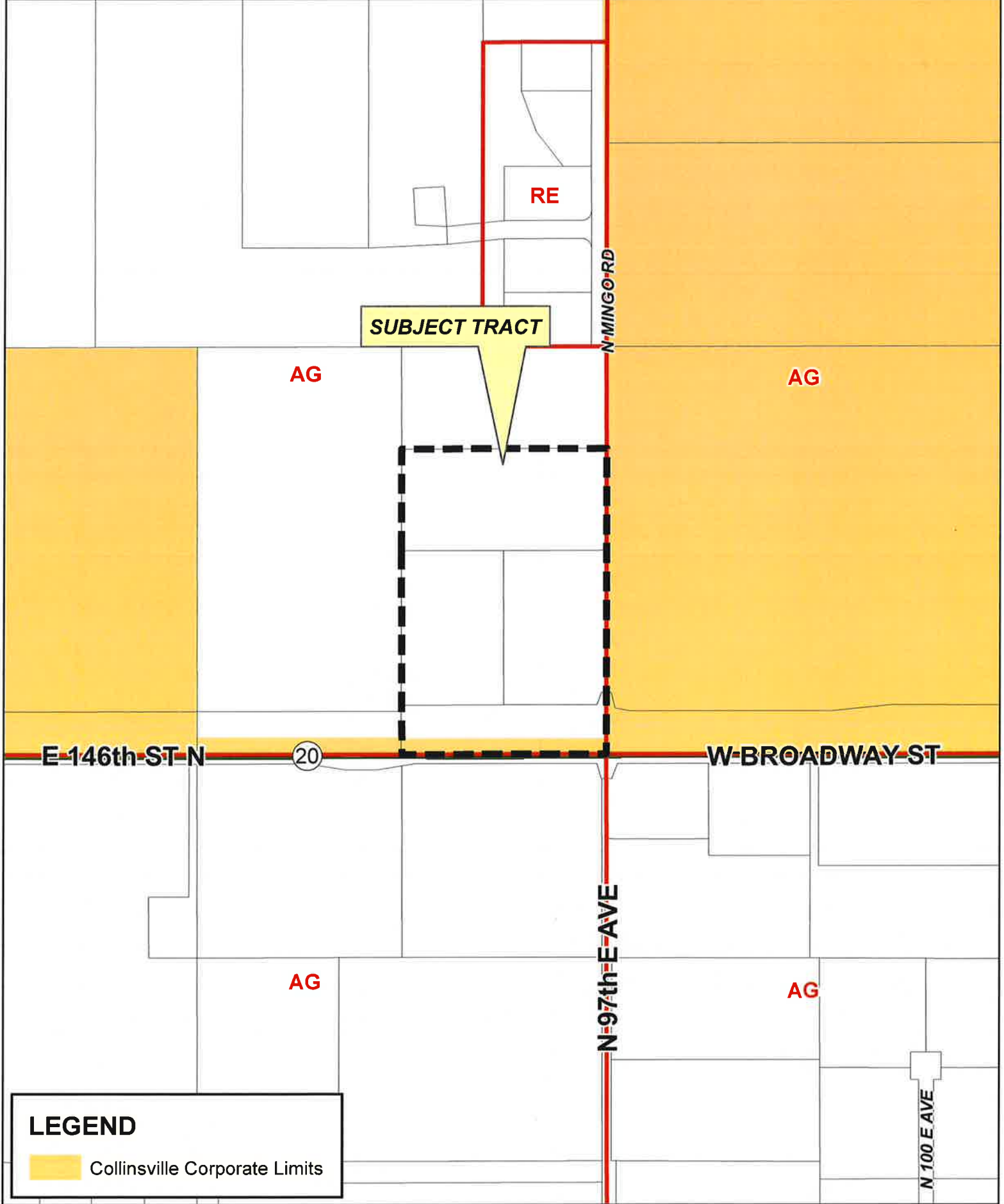
No Relevant History.

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

**BOA-08992 April 1976:** The Board of Adjustment **approved** a *Special Exception* to use property for headquarters facilities for the Verdigris Valley Electric Cooperative, per plot plan and rendering submitted, in an AG district, on property located at north and west of 146<sup>th</sup> Street North and Mingo Road.

12/16/2020 1:00 PM

12.4



SUBJECT TRACT

RE

AG

AG

N-MINGO RD

N-97th E AVE

N-100 E AVE

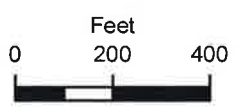
E-146th ST N

20

W-BROADWAY ST

**LEGEND**

 Collinsville Corporate Limits



**CZ-509**

22-13 24

12.5







E 146th ST N

20

W BROADWAY ST

N MINGO RD

N 97th E AVE

N 100 E AVE



Subject Tract

**CZ-509**

22-13 24

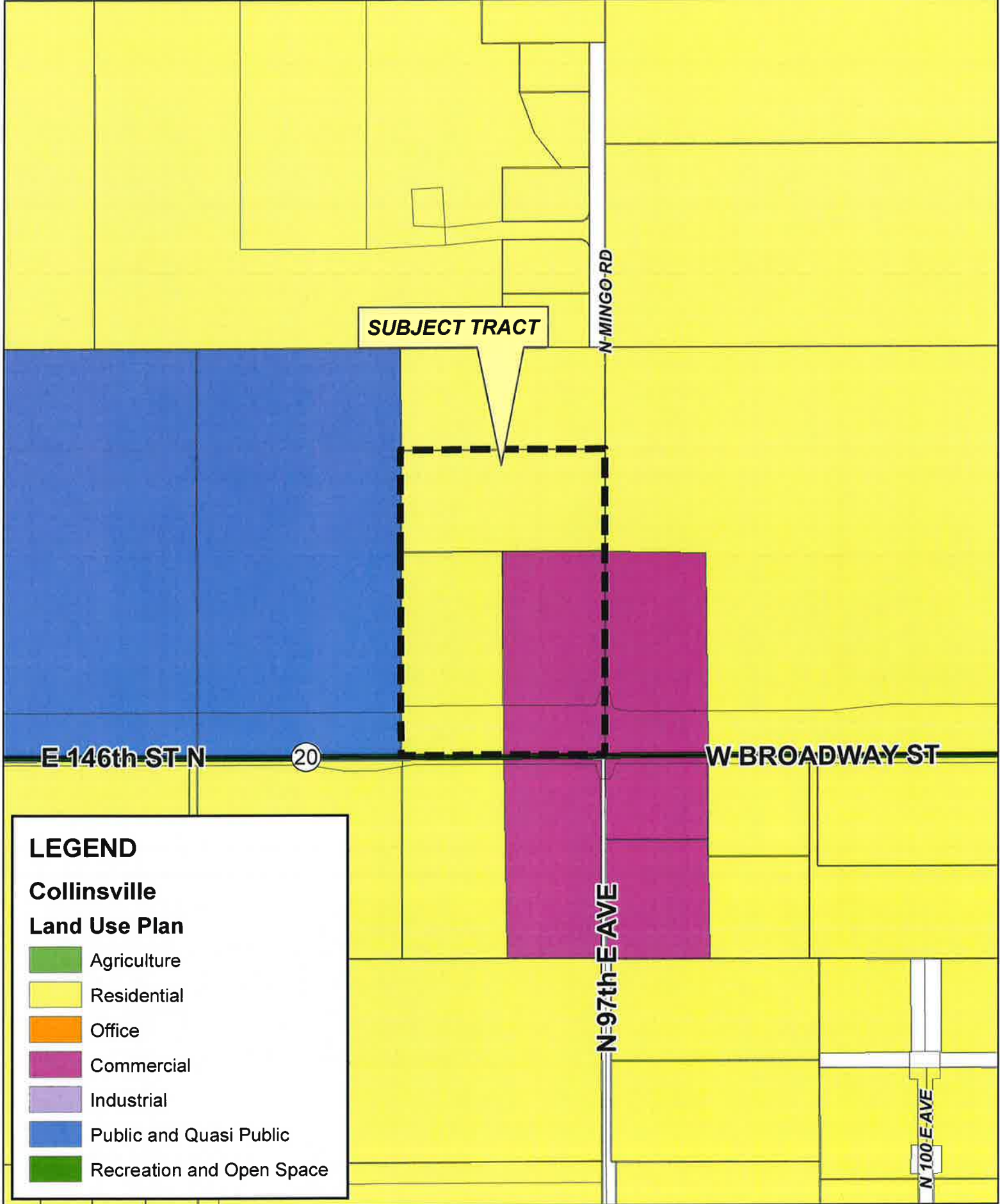
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2018

12.6







**SUBJECT TRACT**

N-MINGO RD

N-97th E AVE

N 100 E AVE

E-146th ST N

20

W-BROADWAY ST

**LEGEND**

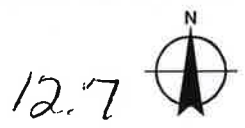
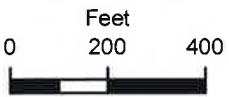
**Collinsville**

**Land Use Plan**

- Agriculture
- Residential
- Office
- Commercial
- Industrial
- Public and Quasi Public
- Recreation and Open Space

**CZ-509**

22-13 24



12.7

## Hoyt, Jay

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**From:** Clinton Johnson <cjohnson@cityofcollinsville.com>  
**Sent:** Monday, December 07, 2020 9:55 AM  
**To:** Hoyt, Jay  
**Subject:** RE: Upcoming County Zoning Case near Collinsville

Jay,

Thank you for following up. I reviewed the request and discussed it with the city administration. We do not have any objections to the request for zoning change. We hope that the applicant will consider annexing into our municipal jurisdiction, but obviously that is their decision. Are the Planning Commission meetings conducted in person or remotely?

Thanks,

Clinton Johnson, CFM  
City Planner  
City of Collinsville  
118 N. 11<sup>th</sup> Street  
Collinsville, OK  
(918)371-1012 ext. 2016  
Cell (918)638-0377



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**From:** Hoyt, Jay <JHoyt@incog.org>  
**Sent:** Monday, December 7, 2020 9:48 AM  
**To:** Clinton Johnson <cjohnson@cityofcollinsville.com>  
**Subject:** RE: Upcoming County Zoning Case near Collinsville

Clint,

I was just following up to see if you have any thoughts or concerns about this upcoming County Zoning case. I am writing the staff report this week and wanted to see if you had any input to the consideration. I've attached a Land Use Plan map that we've created for the case, for your reference.

Thank you,

Jay Hoyt

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**From:** Hoyt, Jay  
**Sent:** Tuesday, December 01, 2020 8:40 AM  
**To:** [cjohnson@cityofcollinsville.com](mailto:cjohnson@cityofcollinsville.com)  
**Subject:** Upcoming County Zoning Case near Collinsville

Clinton,



We have a Tulsa County zoning case coming up on the 12/16 TMAPC agenda. It is located in unincorporated Tulsa County and within the Comprehensive Plan area of Collinsville. I've attached the original application and case maps. They are proposing to rezone from AG to CG. It looks like one of the three lots, the southeast lot, is located in a Commercial designation and the other two lots are located in a Residential designation. They haven't specified a specific use intended.

Please let me know if you have any concerns about their proposal.

Thank you,



**Jay Hoyt**  
Planner

**Tulsa Planning Office**  
918.579.9476  
[jhoyt@incog.org](mailto:jhoyt@incog.org)

Click [here](#) to report this email as spam.

**Exhibit "A.1"**  
**Gilmartin Tract**  
**Tract B**

**Description**

THE FOLLOWING DESCRIPTION IS TAKEN FROM THE QUITCLAIM DEED, RECORDED FEBRUARY 7, 1996 IN BOOK 5871 AT PAGE 1241, DOCUMENT # 96012606, AT THE TULSA COUNTY CLERK'S OFFICE:

THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (S/2 NE/4 SE/4 SE/4) OF SECTION TWENTY-FOUR (24), TOWNSHIP TWENTY-TWO (22) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

AND

THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (E/2 SE/4 SE/4 SE/4) OF SECTION 24, TOWNSHIP 22 NORTH, RANGE 13 EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

AND

THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (W/2 SE/4 SE/4 SE/4) OF SECTION TWENTY-FOUR (24), TOWNSHIP TWENTY-TWO (22) NORTH, 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 CONTAINING 349,474 SQUARE FEET OR 12.546 ACRES.

**Basis of Bearing**

THE BEARINGS SHOWN HEREON ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (3501), NORTH AMERICAN DATUM 1983 (NAD83); SAID BEARINGS ARE BASED LOCALLY UPON FIELD-OBSERVED TIES TO THE FOLLOWING MONUMENTS:

- (1) BRASS CAP FOUND AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER (SE/4) OF SECTION 24;
- (2) 3/8" IRON PIN WITH YELLOW PLASTIC CAP FOUND AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER (SE/4) OF SECTION 24;

THE BEARING BETWEEN SAID MONUMENTS BEING NORTH 1°13'17" WEST.

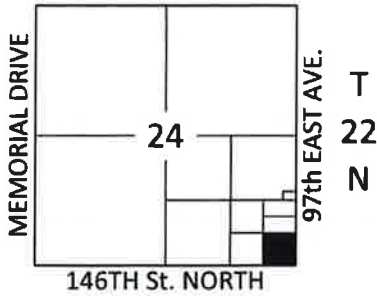
**Certification**

I, DAN E. TANNER, OF TANNER CONSULTING, LLC, CERTIFY THAT THE ATTACHED DESCRIPTION CLOSES IN ACCORD WITH EXISTING RECORDS, IS A TRUE REPRESENTATION OF THE REAL PROPERTY AS DESCRIBED, AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING OF THE STATE OF OKLAHOMA.

DAN E. TANNER, P.L.S.  
OKLAHOMA P.L.S. #1435  
OKLAHOMA CA #2661  
EXPIRATION DATE: 6/30/19



R 13 E  
156th St. NORTH



**Location Map**



NORTH  
NOT TO SCALE

**Exhibit "A.2"**

**Gilmartin Tract**

**Tract B**

1/2" IPFYC  
NE CORNER SE/4 SE/4  
SECTION 24, T-22-N R-13-E

Unplatted  
JUDITH LYNN INGERHAM

659.52'  
N 88°45'48" E

(5)  
Unplatted  
GILMARTIN, JOHN R. & JUDITH L.  
S/2 NE/4 SE/4 SE/4

Unplatted  
VERDIGRIS VALLEY ELECTRIC COOPERATIVE

329.71'  
3.78  
830.16'  
N 114°20' W  
W/2 SE/4 SE/4 SE/4

329.71'  
3.78  
500.15'  
E/2 SE/4 SE/4 SE/4

S 113°17' E  
790.30'

NORTH 97TH EAST AVE.

42.34'  
S 17°55'41" W

16.50'  
S 88°46'29" W

S 88°46'32" W  
628.87

Unplatted  
STATE OF OKLAHOMA

BRASS CAP  
SE CORNER SE/4  
SECTION 24, T-22-N R-13-E

1320.40'

200.00'

THE ILLUSTRATION SHOWN HEREON IS INTENDED TO DEPICT THE LAND DESCRIPTION TO WHICH IT IS ATTACHED AND DOES NOT REPRESENT A LAND OR BOUNDARY SURVEY PLAT AS DEFINED BY THE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR THE STATE OF OKLAHOMA.

**LEGEND**

IPFYC IRON PIN FOUND, WITH YELLOW CAP

09/20/2018 AWEBB 18133EX\_TRACTB

**Tanner Consulting LLC**  
5323 SOUTH LEWIS AVENUE, TULSA OKLAHOMA 74105-6539 | 918.745.9929

12.11

