Case Number: PUD-498-E  
(Related to case Z-7635)

Hearing Date: January 19, 2022

Case Report Prepared by:  
Jay Hoyt

Owner and Applicant Information:  
Applicant: Hall Estill  
Property Owner: HIGH RIDGE LLC

Location Map:  
(shown with City Council Districts)

Applicant Proposal:  
Present Use: Vacant Building  
Proposed Use: Indoor Vehicle Sales  
Concept summary: Major Amendment to the PUD in conjunction with rezoning from OMH to CH to permit indoor vehicle sales and reduce parking requirements.  
Tract Size: 3.09 ± acres  
Location:  
Southwest of the southwest corner of East 71st Street South & South 101st East Avenue  
10010 East 71st Street South

Zoning:  
Existing Zoning: OMH / PUD-498-D  
Proposed Zoning: CH / PUD-498-E

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

Staff Recommendation:  
Staff recommends approval.

Staff Data:  
TRS: 8407  
CZM: 54

City Council District: 7  
Councilor Name: Lori Decter Wright  
County Commission District: 3  
Commissioner Name: Ron Peters
SECTION I: PUD-498-E

DEVELOPMENT CONCEPT: The applicant is proposing a Major Amendment to the PUD in conjunction with rezoning from OMH to CH to permit indoor car sales.

The current development standards for the PUD limit the uses to Mini-Storage, excluding outdoor storage and uses permitted by right in a CS district, except Use Unit 12a – Adult Entertainment Establishments and dance halls are prohibited. The applicant proposes to add Personal Vehicle Sales and Rentals, Commercial Vehicle Sales and Rentals along with accessory uses customary thereto to the allowable uses for the subject lot. All sales and displays of merchandise shall occur indoor and no outdoor displays of merchandise are permitted.

Currently the parking requirements for the site are per the City of Tulsa Zoning Code that existed at the time of the establishment of the PUD. The applicant is proposing that the parking requirement for all uses be reduced to 15 spaces for the subject property.

EXHIBITS:
INCOG Case map
INCOG Aerial (small scale)
INCOG Aerial (large scale)
Tulsa Comprehensive Plan Land Use Map
Tulsa Comprehensive Plan Areas of Stability and Growth Map
Applicant Exhibits:
  Exhibit A
  Exhibit B
  Survey

DETAILED STAFF RECOMMENDATION:

PUD-498-E is consistent with the Regional Center vision of the Tulsa Comprehensive Plan and,

PUD-498-E is consistent with the expected development of surrounding properties and,

All remaining development standards defined in PUD-498 and subsequent amendments shall remain in effect, therefore,

Staff recommends Approval of PUD-498-E to add Personal Vehicle Sales and Rentals, Commercial Vehicle Sales and Rentals along with accessory uses customary thereto and to reduce the required number of parking spaces to 15 for all uses.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The site is designated as Regional Center in the City of Tulsa Comprehensive Plan

Land Use Vision:

Land Use Plan map designation: Regional Center

Regional Centers are mid-rise mixed-use areas for large-scale employment, retail, and civic or educational uses. These areas attract workers and visitors from around the region and are key transit hubs; station areas can include housing, retail, entertainment, and other amenities. Automobile parking is provided on-street and in shared lots. Most Regional Centers include a parking management district.

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.

Transportation Vision:

Major Street and Highway Plan: E 73rd St S is classified as a Residential Collector.

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 a vacant retail building.

Environmental Considerations: None

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>E 73rd St S</td>
<td>Residential Collector</td>
<td>60 Feet</td>
<td>2</td>
</tr>
</tbody>
</table>

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

Surrounding Properties:

<table>
<thead>
<tr>
<th>Location</th>
<th>Existing Zoning</th>
<th>Existing Land Use Designation</th>
<th>Area of Stability or Growth</th>
<th>Existing Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>OMH/PUD-498-D</td>
<td>Regional Center</td>
<td>Growth</td>
<td>Restaurant</td>
</tr>
<tr>
<td>South</td>
<td>CO/PUD-498-B</td>
<td>Existing Neighborhood</td>
<td>Growth</td>
<td>Hotel</td>
</tr>
<tr>
<td>East</td>
<td>CS/RM-2/PUD-521</td>
<td>Regional Center</td>
<td>Growth</td>
<td>Shopping Center</td>
</tr>
<tr>
<td>West</td>
<td>CS/OM/PUD-498</td>
<td>Regional Center</td>
<td>Growth</td>
<td>Retail</td>
</tr>
</tbody>
</table>

SECTION III: Relevant Zoning History

History: Z-7635/PUD-498-E

Ordinance number 24582 dated March 28, 2021, established the current zoning for the subject property.

Subject Property:

Z-7593/PUD-498-D March 2021: All concurred in approval of a request for rezoning a 3.09-acre tract of land from OM/CS/PUD-498 to OMH/PUD-498-D and approval of a proposed
Planned Unit Development for commercial development on property located West of the Southwest corner of east 71st Street South & South 101st East Avenue.

Z-6402/PUD-498 June 1993: All concurred in approval of a request to rezone a 11.4+ acre tract of land from CO to CS and approval of a proposed Planned Unit Development for commercial development, on property located east of the southeast corner of Mingo Road and 71st Street South. This includes the subject property and surrounding property. (Ordinance No. 17952)

Ordinance number 17952 dated June 21, 1993, established the zoning for the subject property.

Ordinance number 11830 dated June 26, 1970 established zoning for the subject property.

Surrounding Property:

PUD-498-B/Z-6714-SP-1a February 2001: All concurred in approval of a proposed Major Amendment to PUD and Minor Amendment to CO on a 1.24+ acre tract of land to increase the maximum building floor area from 27,500 SF to 34,000 SF, on property located southwest corner of East 73rd Street South and South 101st East Avenue.

Z-6714/PUD-498-A/Z-6714-SP-1 October 1999: All concurred in approval of a request to rezone a 1.24+ acre tract of land from OM/PUD-498 to CO, approval of a Major Amendment to PUD, and approval of a proposed Corridor Development Plan for hotel uses, on property located southwest corner of East 73rd Street South and South 101st East Avenue.

Z-6469/PUD-521 January 1995: All concurred in approval of a request to rezone a 8.1+ acre tract of land from CO/OL to CS/RM-2 and approval of a proposed Planned Unit Development for a shopping and restaurant development, on property located west and south of the southwest corner of East 71st Street South and Mingo Valley Expressway.

Z-6357/PUD-489 May 1992: All concurred in approval of a request to rezone a 34+ acre tract of land from CO/CS to CS and approval of a proposed Planned Unit Development for shopping center, on property located northeast corner of East 71st Street South and Mingo Road.

Z-6345/PUD-481 February 1992: All concurred in approval of a request to rezone a 2.5+ acre tract of land from CO/CS to CS to extend CS zoning and approval of a proposed Planned Unit Development on a 35+ acre tract of land for a shopping center, on property located northwest corner of 71st Street and Mingo Valley Expressway.

BOA-15112 April 1989: The Board of Adjustment approved a Special Exception to permit a temporary off-site concrete facility (concrete batch plant) in a CS zoned district for a period of nine-months only, per map submitted, on property located east of the southeast corner of 71st Street and South Mingo Road.

Z-4657 August 1974: All concurred in approval of a request for rezoning a 80+ acre tract of land from AG to CS/RM-2 for commercial or multi-family, on property located east of the southeast corner of 71st Street and Mingo Road.

1/19/2022 1:00 PM
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2020/2021
Note: Graphic overlays may not precisely align with physical features on the ground.
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-7635/PUD-498-E
18-14 07
Exhibit “A”
Legal Description of the “Subject Property”

A TRACT OF LAND THAT IS A PART OF LOT ONE (1), BLOCK (1), “BABY SUPERSTORE”, AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA ACCORDING TO THE RECORDED PLAT THEREOF (PLAT #5110). SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT ONE (1) THENCE SOUTH 00°09'58" WEST, AND ALONG THE WEST LINE OF SAID LOT ONE (1), A DISTANCE OF 270.88 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 89°46'13" EAST FOR A DISTANCE OF 221.00 FEET TO A POINT ON THE EAST LINE OF SAID LOT ONE (1); THENCE SOUTH 00°09'58" WEST AND ALONG SAID EAST LINE FOR A DISTANCE OF 339.20 FEET TO A POINT BEING THE SOUTHEAST CORNER OF SAID BLOCK ONE (1); THENCE NORTH 90°00'00" WEST AND ALONG THE SOUTH LINE OF SAID LOT ONE (1) A DISTANCE OF 221.00 FEET TO A POINT BEING THE SOUTHWEST CORNER OF SAID LOT ONE (1); THENCE NORTH 00°09'58" EAST AND ALONG THE WEST LINE OF SAID LOT ONE (1) A DISTANCE OF 340.09 FEET TO THE POINT OF BEGINNING.
Exhibit "B"
Nature of Proposal and Amendment

When the Subject Property was originally developed as part of the neighboring Home Depot development, the Subject Property was designated as “Lot 3, Block 1” of the Home Depot development and was a standalone lot. Lot 3, Block 1 was a separate lot from “Lot 2, Block 1” (the lot directly to the north of the Subject Property).

Subsequently, in 1996, both (i) Lot 3, Block 1 (the Subject Property) and (ii) Lot 2, Block 1 were combined and replatted as a single lot / block development known as “Lot One (1), Block One (1) Baby Superstore”. That tract was then developed and operated as a “Babies R Us” retail facility until its recent closure in 2018.

In January of 2021, “Lot 1, Block 1 Baby Superstore” was split (LS-21249) into two (2) portions, namely (i) the northern portion which abuts 71st Street which previously contained the parking lot for the “Babies R Us” retail facility and (ii) the southern portion (the Subject Tract) which contains the building that was previously used as the “Babies R Us” retail facility.

The northern lot is being redeveloped and leased as a “Whataburger” restaurant location.

The southern lot (the Subject Tract) contains a vacant building (43,000 sq. ft +/-) that has only twenty (20) parking spaces (+/-) on the Subject Tract.

The application is being filed to:

(i) rezone the property from OMH to CH (with the existing PUD as amended hereby);

(ii) amend the PUD (PUD 498-D) to allow the “Personal vehicle sales and rentals” and “Commercial vehicle sales and rentals” (along with accessory uses customary thereto) as allowed uses under the PUD, provided that, (a) all sales and displays of merchandise occur inside the premises and (b) no outdoor displays of merchandise are permitted; and

(iii) reduce the required number of parking spaces on the Subject Property (for all uses) to fifteen (15).

The proposed purchaser of the Subject Property intends to operate a classic car sales and consignment facility on the Subject Property. All displays of the vehicles or other merchandise will occur entirely within the facility. The traffic to and from the Subject Property is anticipated to be very low as many of the sales activities are conducted online with follow up onsite appointments to the facility to inspect the vehicle. The number of existing parking spaces at the Subject Property is more than sufficient for the proposed purchaser’s staff and customers. The proposed use is a compatible use of the currently vacant facility and will be of minimal (if any) impact on the surrounding uses.