<table>
<thead>
<tr>
<th><strong>Case Report Prepared by:</strong></th>
<th><strong>Owner and Applicant Information:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Dwayne Wilkerson</td>
<td>Applicant: Justin Picard</td>
</tr>
<tr>
<td></td>
<td>Property Owner: Justin Picard</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th><strong>Location Map:</strong></th>
<th><strong>Applicant Proposal:</strong></th>
</tr>
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<tbody>
<tr>
<td>(shown with City Council Districts)</td>
<td>Present Use: Medical Clinic</td>
</tr>
<tr>
<td><img src="image" alt="Location Map" /></td>
<td>Proposed Use: Community Center, School, Church, Vertical Mixed-use Building and Residential</td>
</tr>
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<table>
<thead>
<tr>
<th><strong>Zoning:</strong></th>
<th><strong>Concept summary:</strong></th>
</tr>
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<tbody>
<tr>
<td>Existing Zoning: MX2-F-65/MX2-V-65</td>
<td>Rezoning required for Crossover Community Center.</td>
</tr>
<tr>
<td>Proposed Zoning: MX2-F-65 and CH with an optional development plan</td>
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<table>
<thead>
<tr>
<th><strong>Comprehensive Plan:</strong></th>
<th><strong>Staff Recommendation:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Land Use Map: Town Center</td>
<td>Staff recommends approval for CH with the optional development plan outlined in Section II and recommends approval for MX2-F-65 on a separate parcel adjacent to the east boundary of the proposed CH property.</td>
</tr>
<tr>
<td>Stability and Growth Map: Area of Growth</td>
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<table>
<thead>
<tr>
<th><strong>Staff Data:</strong></th>
<th><strong>City Council District:</strong></th>
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<tr>
<td>TRS: 0224</td>
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<tr>
<td>CZM: 28</td>
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<tr>
<th><strong>Commissioner Name:</strong></th>
<th><strong>County Commission District:</strong></th>
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<tbody>
<tr>
<td>Vanessa Hall-Harper</td>
<td>1</td>
</tr>
<tr>
<td>Stan Sallee</td>
<td></td>
</tr>
</tbody>
</table>

Case Number: Z-7538

Hearing Date: March 4, 2020
SECTION I: Z-7538

DEVELOPMENT CONCEPT: This site was recently rezoned as part of the City Council Initiated BRT zoning initiative. Unfortunately, the MX zoning that was requested and approved do not fully support the Crossover Community Center uses, building design and operational goals. The only zoning district that supports the plans for the Community Center is CH. CH zoning allows uses, lot and building placement that is not consistent with the vision of the 36th street North Small Area Plan and the expected development in the area. To remedy those concerns the optional development plan standards have been applied that are similar to the previous MX zoning standards.

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:
  Concept Plan
  Exhibit A for CH zoning with optional development plan
  Exhibit B for MX2-F-65 zoning

DETAILED STAFF RECOMMENDATION:

Z-7538 requesting MX2-F-65 and CH with the optional development plan are both consistent with the Town Center Land Use Designation in the Tulsa Comprehensive Plan and,

MX2-F-65 and CH with the optional development plan are both consistent with the Land Use recommendations and the goals identified in the 36th Street North Small Area Plan and,

MX2-F-65 and CH with the optional development plan is consistent with the goals of the Healthy Neighborhood Overlay and,

MX2-F-65 and CH with the optional development plan are consistent with the recommendations offered by the Bus Rapid Transit System study and,

MX2-F-65 and CH with the optional development plan are consistent with the expected development pattern for the proximate properties therefore,

Staff recommends Approval of Z-7538 to rezone property from MX2-F-65 and MX2-V-65 to CH with the optional development plan as outlined in Section II below and MX2-F-65 on a tract identified in the applicants attached legal descriptions.

SECTION II: CH ZONING - 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.
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. Life care retirement center
      v. Rooming/boarding house

B. Public, Civic and Institutional
   a. College or University
   b. Day Care
   c. Hospital
   d. Library or Cultural Exhibit
   e. Natural Resource Preservation
   f. Parks and Recreation
   g. Religious Assembly
   h. Safety Service
   i. School
   j. Utilities and Public Service Facility
      i. Minor
   k. Wireless Communication Facility
      i. Freestanding tower
      ii. Building or tower mounted antenna

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
      i. (personal credit establishment)
   f. Lodging
      i. Bed and Breakfast
      ii. Hotel / motel

D. Office
   a. Business or professional office
   b. Medical, dental or health practitioner office
   c. Plasma Center

E. Restaurants and Bars
a. Restaurant
b. Bar
F. Retail Sales with all specific uses
G. Studio, Artist or instructional Service
H. Trade School
I. Wholesale, Distribution and Storage
   a. Warehouse
J. Recycling
   a. Consumer Material Drop-off Station
K. 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
      iii. Vertical mixed-use building
   b. Two households on a single lot
      i. Mixed-use building
      ii. Vertical mixed-use building
   c. Three or more households on a single lot
      i. Apartment / condo
      ii. Mixed-use building
      iii. Vertical mixed-use building

LOT AND BUILDING REGULATIONS:
Minimum lot area 7500 square feet
Minimum lot width 50 feet
Minimum street frontage 20 feet

Minimum open space per dwelling unit
   Townhouse 200 square feet
   Apartment/condo/mixed use 100 square feet

Minimum Building Setback
   Street 10 feet
   Abutting R district 10 feet
   Abutting nonresidential district 0 feet

Build-to-zone (BTZ) (Minimum / Maximum in feet) 0/100
   East 36th Street North BTZ (%) 40

Minimum Parking Setbacks
   Street or R Zoning district 10 feet

Minimum Ground Floor Ceiling Height 14 feet
Minimum Transparency (%) | Existing building as illustrated on concept plan is exempt from transparency requirements.
---|---
Ground floor | 30
Upper floors | 0

Street Facing Entrance is required

Sidewalk requirements

In addition to the sidewalk requirement along 36th street north, a sidewalk shall connect to the Osage Prairie Trail as illustrated on the concept plan.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

**Staff Summary:** CH zoning with the optional development plan outlined in Section II is consistent with the Town Center and Area of Growth designations of the 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: None

Trail System Master Plan Considerations: The site abuts the Osage Trail which is classified as a Bikeway and Multi-use trail on the west side of the site. Building placement, and orientation should not turn their back to the trail or place obstructions for access.

Small Area Plan: 36th Street North Small Area Plan (Amended 2016)

36th Street North Small Area Plan recommendations include for land use priorities that are supported by this rezoning request.

Special District Considerations: This site is part of the Voluntary MX rezoning program for Peoria Avenue Bus Rapid Transit that was reauthorized by City Council in January 2020. The program expires in December 2021.

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: Undeveloped property except where the Crossover Health Services building is located at the northwest corner of the site adjacent to the existing trail.

Environmental Considerations: None that affect site redevelopment

Streets:

<table>
<thead>
<tr>
<th>Exist. Access</th>
<th>MSHP Design</th>
<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
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<tr>
<td>East 36th Street North</td>
<td>Secondary Arterial</td>
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Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

<table>
<thead>
<tr>
<th>Location</th>
<th>Existing Zoning</th>
<th>Existing Land Use Designation</th>
<th>Area of Stability or Growth</th>
<th>Existing Use</th>
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</thead>
<tbody>
<tr>
<td>North</td>
<td>CH/RS-3/CS with HNO</td>
<td>Town Center</td>
<td>Growth</td>
<td>Church Commercial uses</td>
</tr>
<tr>
<td>East</td>
<td>CS with HNO</td>
<td>Town Center</td>
<td>Growth</td>
<td>Fire Department Convenience store and School</td>
</tr>
<tr>
<td>South</td>
<td>AG with HNO</td>
<td>New Neighborhood Park and Open Space</td>
<td>Growth and Stability</td>
<td>School and Hawthorne Park</td>
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<tr>
<td>West</td>
<td>RS-3/OL/CH with HNO</td>
<td>Main Street Existing Neighborhood</td>
<td>Growth and Stability</td>
<td>Undeveloped Detached single family</td>
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</tbody>
</table>
SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 24070 dated January 20, 2019 established zoning for the subject property.

Subject Property:

**Z-7462 January 2019:** All concurred in approval of a request for rezoning a 9.29+ acre tract of land from CS to MX-2-F-65 and MX-2-V-65 for mixed-use, on property located west of the southwest corner of East 36th Street North and North Peoria Avenue.

**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). Both the subject property and surrounding properties within 300’ ft fall under this overlay.

**Z-6098 June 1986:** All concurred in approval of a request for rezoning a 1.66+ acre tract of land from RS-3 to CS, on property located west of the southwest corner of East 36th Street North and North Peoria Avenue.

**Z-5478 March 1981:** All concurred in approval of a request for rezoning a 6.8+ acre tract of land from RS-3 to CS, on property located west of the southwest corner of East 36th Street North and North Peoria Avenue.

Ordinance number 11918 dated September 1, 1970 established zoning for the subject property.

Surrounding Property:

**Z-7534 Pending:** Located at the northeast corner and southeast corner of East 36th Street North and North Peoria Avenue, there is a pending request to zone a 8.51+ acre tract of land from MX-2-F-65/MX-2-V-65 to CH/ MX-2-F-65 for Mixed-use. This case was heard and approved by the TMAPC on February 19th, 2020.

**BOA-17957 March 1998:** The Board of Adjustment approved a Special Exception to allow a community center with meeting room, Tulsa foodbank distribution, office, and day-care center, subject to there being no more than 80 children, the hours of operation being from 7:00 am to 10:00 pm, and screening requirements be lifted, on property located at 1125 East 36th Street North.

**BOA-17674 March 1997:** The Board of Adjustment approved a Special Exception to approve an amended site plan to construct an addition to Hawthorne School, on property located at East 33rd Street North and North Peoria.

**BOA-17237 November 1995:** The Board of Adjustment approved a Minor Special Exception to permit one classroom trailer at a public school in an RS-3, on property located at 1105 East 33rd Street North.
**BOA-16555 January 1994:** The Board of Adjustment approved a *Special Exception* to permit school use in an RS-3 zoned district, on property located at 1105 East 33rd Street North.

**BOA-13357 November 1984:** The Board of Adjustment approved a *Special Exception* to allow a carwash in a CS zoned district and denied a *Variance* of the 100' setback to 56.5' from the centerline of 36th Street North to permit construction of a car wash, finding that the applicant did not meet the burden of proof to demonstrate a hardship, on property located on the northwest corner of 36th Street North and Peoria.

**Z-5395 July 1980:** All concurred in approval of a request for rezoning a 1.66+ acre tract of land from RS-3 to CS, on property located west of the southwest corner of East 36th Street North and North Peoria Avenue.

**BOA-08880 December 1975:** The Board of Adjustment approved a *Exception* for a public park with improvements to consist of a junior pool complex, picnic shelter, playground development and water fountain, two picnic grills, four picnic tables, outdoor gym, and 5,120' of sidewalk and landscaping, subject to the site plan submitted, in an RS-3 District, on property located at 33rd Street North and Madison Avenue.

**Z-4268 November 1972:** All concurred in approval of a request for rezoning a 1.55+ acre tract of land from RS-3 to CS for a private club and barber shop, on property located west of the northwest corner of East 36th Street North and Lansing Avenue.

**BOA-07302 February 1972:** The Board of Adjustment approved a *Exception* to permit maintaining a boat and marine sales business in a CS District, per plot plan, on property located at 3606 North Peoria Avenue.

3/4/2020 1:00 PM
SUBJECT TRACT

MX2-F-65

(CH)

MX2-F-65

(MX2-F-65)

SUBJECT TRACT

Z-7538

with Optional Development Plan
Z-7538 with Optional Development Plan

Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: February 2018
SUBJECT TRACT LAND USE PLAN TOWN CENTER

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-7538 with Optional Development Plan
LEGAL DESCRIPTION EXHIBIT "A"
Page 2 of 2

FILE: 184450LG-A

Notes:
1. THE BEARING BASE FOR THIS EXHIBIT IS BASED ON THE NORTH LINE OF THE SECTION 24, TOWNSHIP 20 NORTH, RANGE 12, TULSA COUNTY, STATE OF OKLAHOMA AS N88°40'04"E.

2. SEE EXHIBIT "A" PAGE 1 FOR LEGAL DESCRIPTION AND SURVEYOR'S CERTIFICATE.
LEGAL DESCRIPTION
EXHIBIT "A"
LOT ONE (1), BLOCK ONE (1), NORTHSIDE CLINIC, A SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE/4 NE/4) OF SECTION TWENTY FOUR (24), TOWNSHIP TWENTY (20) NORTH, RANGE TWELVE (12) EAST, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, PLAT NO. 4543.

AND
BEGINNING AT A POINT FIFTY (50) FEET SOUTH AND SIX-HUNDRED THIRTY-FIVE (635) FEET WEST OF THE NORTHEAST CORNER OF SECTION TWENTY FOUR (24), TOWNSHIP TWENTY (20) NORTH, RANGE TWELVE (12) EAST, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, THENCE S01°08'58"E FOR A DISTANCE OF 539.04 FEET; THENCE S88°37'13"W FOR A DISTANCE OF 194.52 FEET; THENCE N01°09'54"W FOR A DISTANCE OF 539.20 FEET; THENCE N88°40'04"E FOR A DISTANCE OF 194.67 FEET TO THE POINT OF BEGINNING.

SURVEYOR'S CERTIFICATE
I, CLIFF BENNETT OF BENNETT SURVEYING, INC., CERTIFY THAT THE LEGAL DESCRIPTION HEREON CLOSES IN ACCORDANCE WITH CURRENT TOLERANCES AND IS A TRUE REPRESENTATION OF THE LEGAL DESCRIPTION DESCRIBED, AND THAT THE SURVEY OF THE LEGAL DESCRIPTION MEETS THE MINIMUM TECHNICAL STANDARDS AS ADOPTED BY THE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR THE STATE OF OKLAHOMA.


CLIFF BENNETT, PLS
OKLAHOMA NO. 1815
CERT. OF AUTH. NO. 4502
EXP. DATE JUNE 30, 2020
FILE: 184450LG-B

Notes
1. THE BEARING BASE FOR THIS EXHIBIT IS BASED ON THE NORTH LINE OF THE SECTION 24, TOWNSHIP 20 NORTH, RANGE 12, TULSA COUNTY, STATE OF OKLAHOMA AS N88°40'04"E.

2. SEE EXHIBIT "B" PAGE 1 FOR LEGAL DESCRIPTION AND SURVEYOR'S CERTIFICATE.
LEGAL DESCRIPTION
EXHIBIT "B"

BEGINNING AT A POINT ONE-HUNDRED NINETY-FIVE (195) FEET SOUTH AND SIX-
HUNDRED THIRTY-FIVE (635) FEET WEST OF THE NORTHEAST CORNER OF SECTION
TWENTY FOUR (24), TOWNSHIP TWENTY (20) NORTH, RANGE TWELVE (12) EAST, CITY OF
TULSA, TULSA COUNTY, STATE OF OKLAHOMA, THENCE N88°40'04"E FOR A DISTANCE
OF 219.85 FEET THENCE S01°08'58"E FOR A DISTANCE OF 393.86 FEET; THENCE
S88°37'13"W FOR A DISTANCE OF 219.85 FEET; THENCE N01°08'58"W FOR A DISTANCE
OF 394.04 FEET TO THE POINT OF BEGINNING.

SURVEYOR'S CERTIFICATE

I, CLIFF BENNETT OF BENNETT SURVEYING, INC., CERTIFY THAT THE LEGAL
DESCRIPTION HEREON CLOSES IN ACCORDANCE WITH CURRENT TOLERANCES AND IS A
TRUE REPRESENTATION OF THE LEGAL DESCRIPTION DESCRIBED, AND THAT THE
SURVEY OF THE LEGAL DESCRIPTION MEETS THE MINIMUM TECHNICAL STANDARDS AS
ADOPTED BY THE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND
SURVEYORS FOR THE STATE OF OKLAHOMA.


CLIFF BENNETT, PLS
OKLAHOMA NO.1815
CERT. OF AUTH. NO. 4502
EXP. DATE JUNE 30, 2020