TMAPC

Tulsa Metropolitan Area Planning Commission

Case Number: Z-7541 with an optional development plan

Hearing Date: May 6, 2020
(Continued from April 1, 2020)

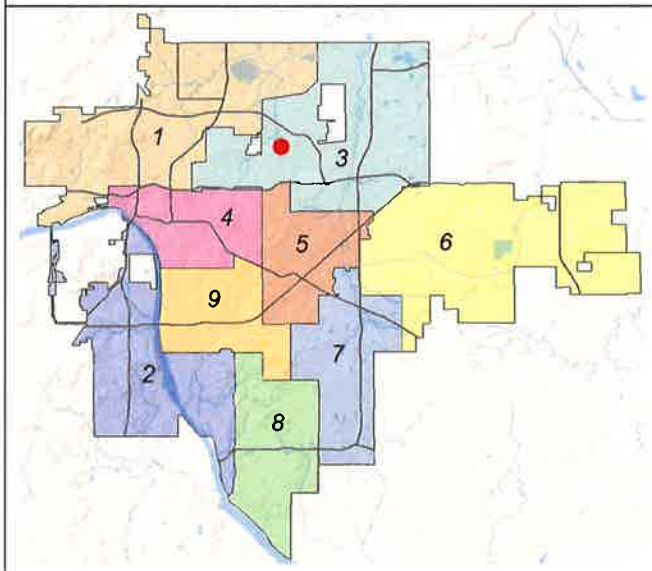
Case Report Prepared by:

Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Shane Morgan

Property Owner: Bekra Commercial & BDBB Outdoor LLC



Applicant Proposal:

Present Use: Commerical

Proposed Use: Horticulture Grow Facility

Concept summary: Repurpose the existing building for horticulture grow facility

Tract Size: 0.17 ± acres

Location: Southwest corner of East Tecumseh Street & North Kingston Place

Zoning:

Existing Zoning: CH

Proposed Zoning: IL with optional development plan

Comprehensive Plan:

Land Use Map: Main Street

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 0327

City Council District: 3

Councilor Name: Crista Patrick

County Commission District: 1

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SECTION I: Z-7541

DEVELOPMENT CONCEPT: The applicant has requested rezoning of CH to IL with an optional development plan that is consistent with the Tulsa Comprehensive Plan. The proposed rezoning will facilitate the use of the property for an indoor medical marijuana growing facility. The proposed rezoning is consistent with the current use of the neighboring properties in the area, which are currently occupied by an aluminum hard coating facility, an auto repair shop, and a storm shelter manufacturing facility.

EXHIBITS:

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

Applicant Exhibits:

None included

SECTION II: OPTIONAL DEVELOPMENT PLAN STANDARDS

Z-7541 with the optional development plan standards will conform to the provisions of the Tulsa Zoning Code for development in an IL district and its supplemental regulations except as further refined below. All use categories, subcategories or specific uses and residential building types that are not listed below are prohibited.

PERMITTED USE CATEGORY

A) RESIDENTIAL (see allowed residential building types below)
- Household Living
  - Two households on a single lot
  - Three or more households on single lot

B) PUBLIC, CIVIC, AND INSTITUTIONAL
- College or university
- Day Care
- Fraternal Organization
- Library or cultural exhibit
- Parks and recreation
- Religious Assembly
- Safety Service

C) COMMERCIAL
- Animal Service (includes all specific uses)
- Assembly and entertainment
  - Other indoor (small up to 250-person capacity)
- Broadcast or Recording Studio
- Commercial Service (includes all permitted specific uses)
- Financial Services (includes all permitted specific uses)
- Funeral or Mortuary Service
- Office (includes all specific uses)

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Parking, non-accessory
Restaurants and bars (include all permitted specific uses)
Retail sales (includes all permitted specific uses)
Self-service Storage Facility
Studio, Artist, or Instructional service
Trade School
Vehicle Sales and Service
Commercial vehicle repair and maintenance
Commercial vehicle sales and rentals
Personal vehicle repair and maintenance
Personal vehicle sales and rentals
Vehicle part and supply sales
Vehicle body and paint finishing shop

D) WHOLESALE, DISTRIBUTION AND STORAGE
Equipment and Materials Storage, Outdoor
Warehouse
Wholesale Sales and Distribution

E) AGRICULTURAL
Community garden
Farm, market or community-supported
Horticulture Nursery

RESIDENTIAL BUILDING TYPES: The following building types are prohibited unless allowed through the Special Exception process at the Board of Adjustment

RESIDENTIAL Use Category
Household Living Subcategory
Two households on a single lot
Mixed-Use building
Vertical mixed-use building
Three or more households on a single lot
Mixed-Use building
Vertical mixed-use building

DETAILED STAFF RECOMMENDATION:

Z-7541 requests rezoning property from CH to IL with an optional development plan. The uses outlined in Section II are consistent with the existing and proposed Main Street land use designation of the Comprehensive Plan. IL zoning without the associated optional development plan is not consistent with the land use designation and;

IL zoned property without use limitations does not provide appropriate land use limitations to integrate with the surrounding properties on the east and south however the design standards required in our zoning are appropriate and;

The provisions of the optional development plan outlined in Section II above are consistent with the development plan provisions of section 70.040 of the Tulsa Zoning Code, therefore;

Staff recommends Approval of Z-7541 to rezone property from CH to IL with the provisions of the optional development outlined in section II of this report.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

> *Staff Summary: The zoning request with the optional development plan is consistent with the Main Street Land use designation.*

Land Use Vision:

Land Use Plan map designation: Main Street

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

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: Residential Collector

> Residential collector streets strengthen neighborhood cohesion, promote alternative transportation, calm traffic and connect recreational destinations. They typically can be applied in two instances: in new residential neighborhoods or as retrofits in existing residential or downtown streets that may be wide, but do not provide sufficient parking, bicycle and pedestrian accommodations or traffic calming measures. These streets place a higher priority on landscape medians, tree lawns, sidewalks, on-street parking, and bicycle lanes than the number of travel lanes.
>
> Residential streets consist of two or four travel lanes but place a much higher priority on pedestrian bicycle friendliness than on auto mobility.

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 is an existing single story building with parking in the rear.

Street View from Northwest looking southeast

Environmental Considerations: None that would affect site redevelopment

Streets:

Exist. Access	MSHP Design	MSHP R/W	Exist. # Lanes
North Kingston Place	North Kingston Place	60 Feet	4 lane width but only 2 striped lanes
East Tecumseh Street	Residential Collector	60 Feet	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	CH	Main Street	Growth	Surface parking area.
East	CH	Main Street	Growth	Commercial tornado shelter supply
South	CH	Railroad Right of way (Existing Neighborhood)	Rail Line	Rail line
West	CH	Main Street	Growth	Commercial building supply

SECTION IV: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11910 dated June 26, 1970 established zoning for the subject property.

Subject Property:

BOA-21287 September 2015: The Board of Adjustment **denied** a *Variance* of the required off-street parking from 8 spaces to 0 spaces in the CH District for an event center, finding a lack of a hardship, on property located at 1826 North Kingston Place East.

BOA-03789 February 1962: The Board of Adjustment **approved** a request for permission to operate a light industrial machine shop in a U-3-E District, on Lots 1 & 2, Block 15, O.T. of Dawson.

Surrounding Property:

BOA-21287 June 2011: The Board of Adjustment **approved** a *Special Exception* to allow a machine shop (Use Unit 25) in a CH district, on property located at 6033 East Tecumseh Street North. The Board found that the RM-1 zoning to the north is not a residential property (it is and office), the hours of operation are limited to 7:00am to 7:00pm, weekdays and weekends, and the existing shade cloth fence to remain on the west and on the south side be maintained in good condition.

Z-5609 April 1981: All concurred in **approval** of a request for *rezoning* a .23± acre tract of land from RM-1 to CH for a warehouse and garage, on property located southeast corner of Tecumseh Avenue and Kingston Place.

BOA-05343 February 1967: The Board of Adjustment **approved** a request for permission to extend a non-conforming use (machine shop) in a U-3-E District to permit a 45' x 103' addition, on Lots 1,2,3, Block 16, Dawson Addition.

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BOA-04694 June 1965: The Board of Adjustment **approved** a request for permission to operate an automobile paint and body shop in conjunction with general auto repair shop in a U-3-E District, on Lots 8, Block 15, Dawson Addition.

BOA-04525 November 1964: The Board of Adjustment **approved** a request for permission to extend a non-conforming use (machine shop) 35' x 24' to the south of Lots 1 & 2, Block 16, Dawson a U-3-E District.

BOA-03849 July 1962: The Board of Adjustment **approved** a request for permission to relocate welding shop from building next door in a U-3-E District on Lot 5, Block 17, O.T. of Dawson.

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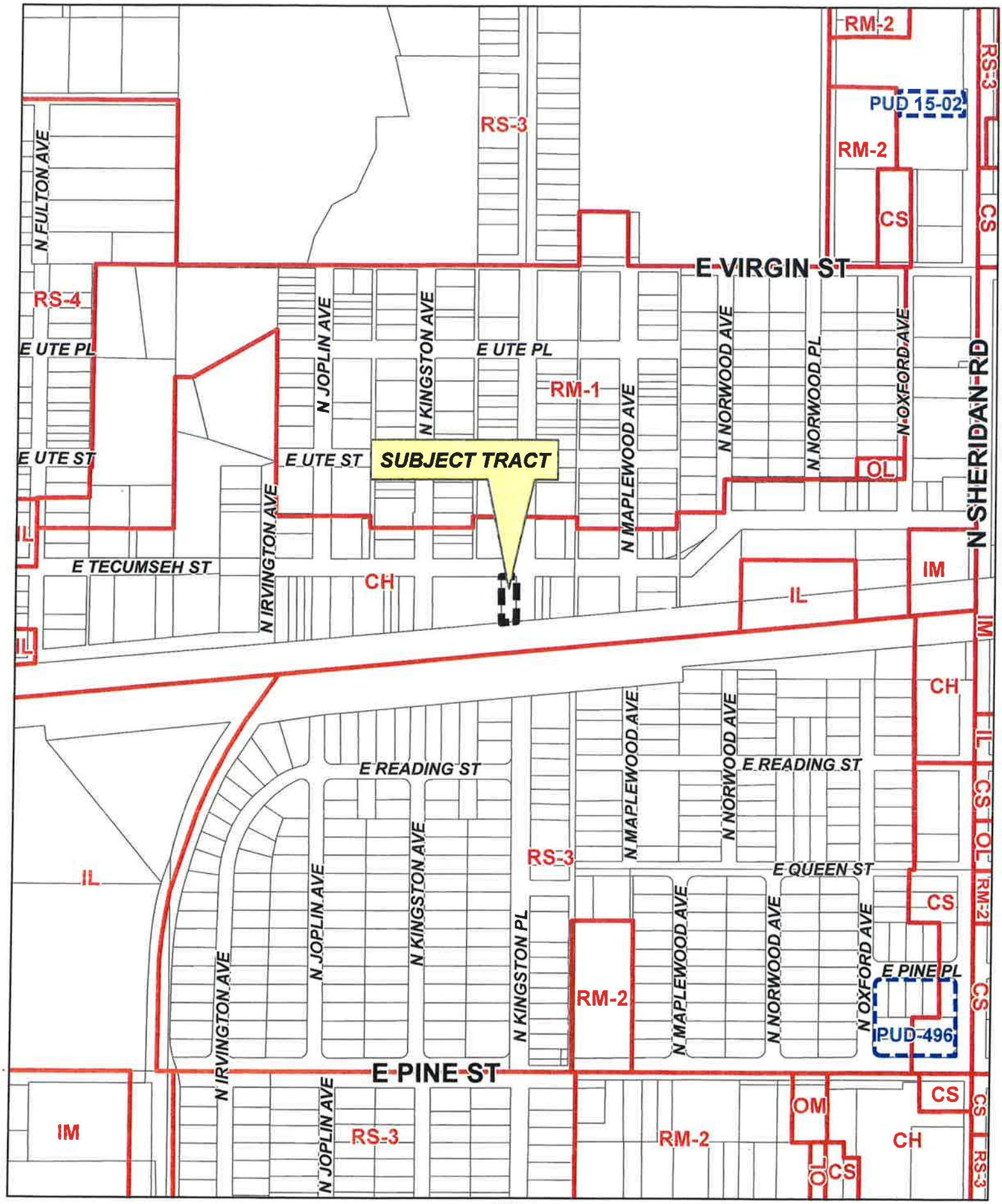

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Z-7541
with Optional
Development Plan

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Subject Tract

20-13 27

Z-7541 with Optional Development Plan

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

Aerial Photo Date: February 2018

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Subject Tract

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Z-7541 with Optional Development Plan

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

Aerial Photo Date: February 2018

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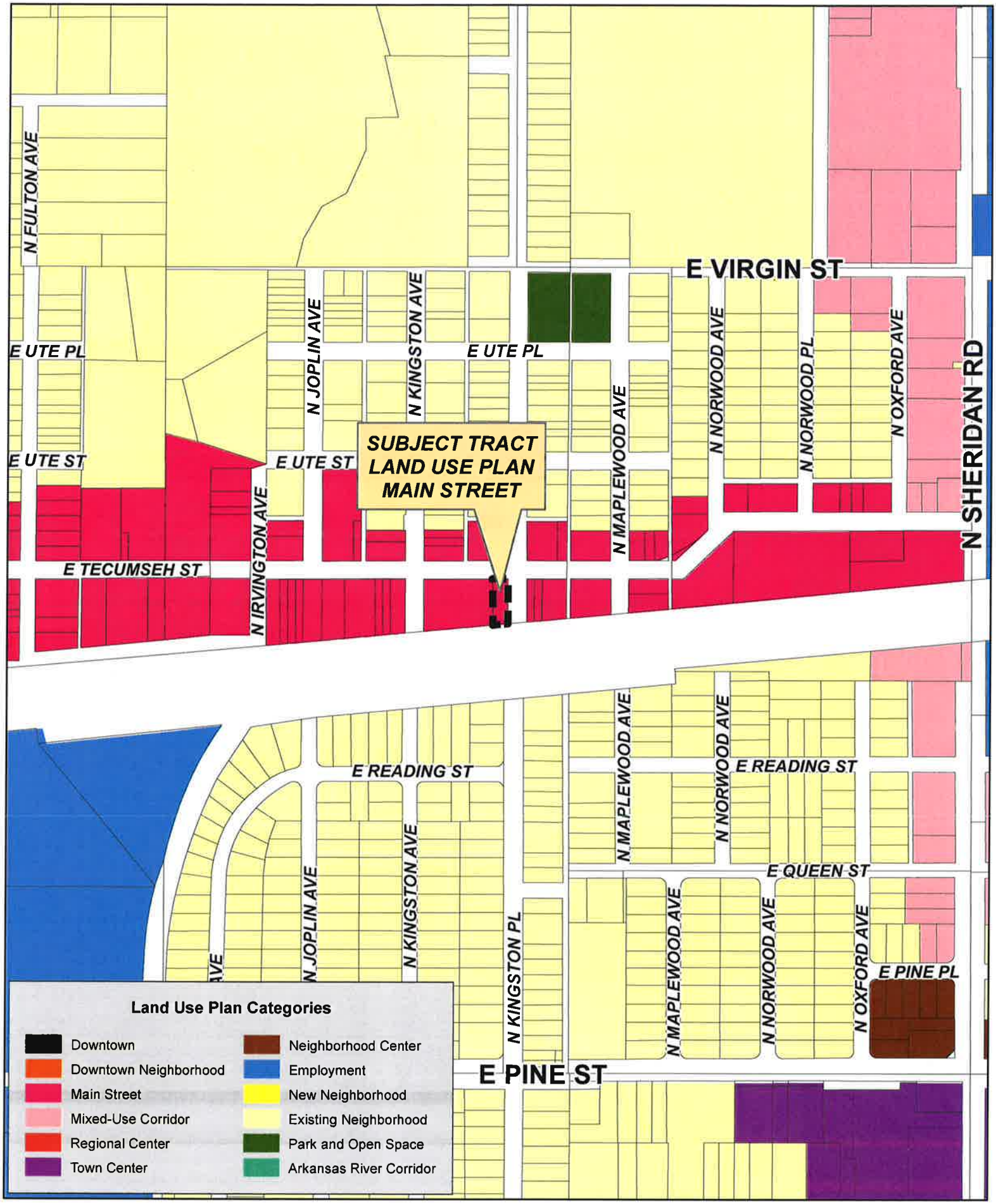

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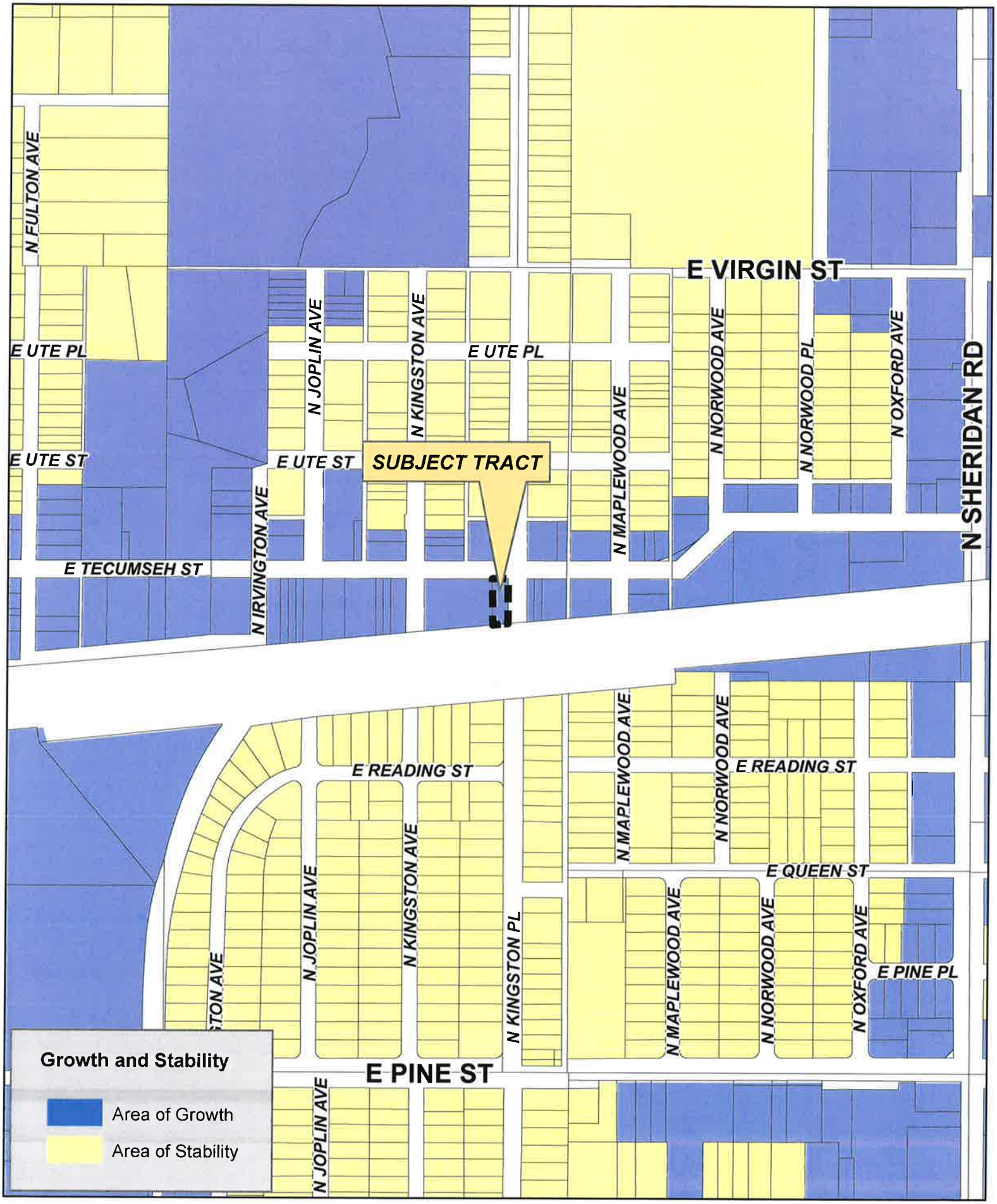
Z-7541 with Optional Development Plan



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