



Tulsa Metropolitan Area Planning Commission

Case Number: Z-7595

Hearing Date: March 17, 2021
(Moved from February 17, 2021)

Case Report Prepared by:

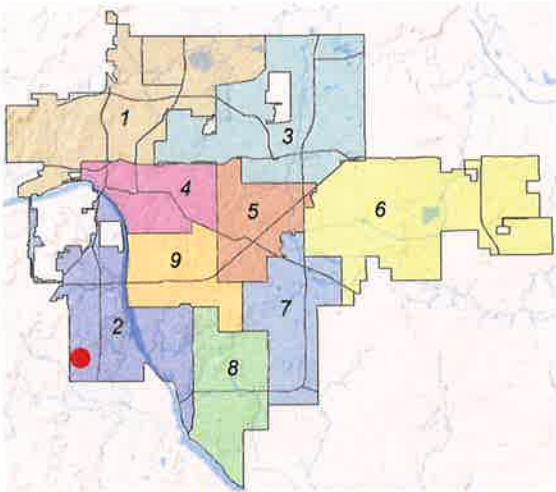
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Tulsa City Council

Property Owner: Justin & Kate Hartman

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Residential

Proposed Use: Residential

Concept summary: This zoning request is part of the City Council initiated program to allow AG-R rezoning at no charge to interested property owners in the West Highlands/Tulsa Hills Small Area Plan.

Tract Size: 2.31 ± acres

Location: East of the Northeast corner of West 77th Street South & South 33rd West Avenue

Zoning:

Existing Zoning: RS-3

Proposed Zoning: AG-R

Comprehensive Plan:

Land Use Map: Existing Neighborhood

Stability and Growth Map: Area of Stability

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 8210
CZM: 51

City Council District: 2

Councilor Name: Jeannie Cue

County Commission District: 2

Commissioner Name: Karen Keith

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SECTION I: Z-7595

DEVELOPMENT CONCEPT: This zoning request is part of the City Council initiated program to allow AG-R rezoning at no charge to interested property owners in the West Highlands/Tulsa Hills Small Area Plan.

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

DETAILED STAFF RECOMMENDATION:

Z-7569 requests AG-R zoning. The parcel will include single households in a detached house. Single family residential uses in this location are consistent with the Existing Neighborhood land use designation in the Comprehensive Plan and in the West Highlands/Tulsa Hills Small Area Plan and,

One of the goals of the West Highlands/Tulsa Hills Small Area Plan included AG-R zoning as an option for rural residential uses recommended by the West Highlands/Tulsa Hills Small Area Plan and,

AG-R zoning is consistent with the provisions identified in an Area of Stability as outlined in the Tulsa Comprehensive Plan, and is consistent with the large lot neighborhood character expected in the small area plan and,

AG-R zoning allows lot density that is consistent with the existing and expected land use pattern in the area north of West 81st Street South and west of South Union Avenue. A much greater lot density is allowed in this area and was established in 1970 without sanitary sewer availability. The existing zoning in those areas would allow property to be developed with RS-3 lots with a minimum of 6900 square feet when connected to a sanitary sewer system. The City of Tulsa has recently completed sanitary sewer construction south of this site that would allow much greater density on property that is currently zoned RS-3 and,

City Council has initiated a voluntary rezoning program for property owners to rezone properties in this area to AG-R at no cost, this request is part of that program. The lot setbacks and building regulations of properties included in this AG-R request meet or exceed the standards defined in the Tulsa Zoning Code therefore,

Staff recommends **Approval** of Z-7595 to rezone properties from RS-3 to AG-R.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The property owners have taken advantage of voluntarily rezoning opportunities for their parcels to AG-R to establish neighborhood stability for large lots consistent with the West Highlands/Tulsa Hills Small Area Plan.

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Land Use Vision:

Land Use Plan map designation: Existing Neighborhood

The Existing Neighborhood category is intended to preserve and enhance Tulsa's existing single-family neighborhoods. Development activities in these areas should be limited to the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code. In cooperation with the existing community, the city should make improvements to sidewalks, bicycle routes, and transit so residents can better access parks, schools, churches, and other civic amenities.

Areas of Stability and Growth designation: Area of Stability

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 that affect this site.

Trail System Master Plan Considerations: None

Small Area Plan: West Highlands Small Area Plan (Adopted 2014)

The recommendations of the small area plan include many references to supporting residential single family uses within a rural context and a rural residential zoning use. Revisions to the Tulsa Zoning Code have implemented those concepts within the AG-R zoning that was added to the code in 2019.

Special District Considerations: None except those design considerations recommended in the West Highlands/Tulsa Hills Small Area Plan.

Historic Preservation Overlay: There are no historic preservation overlays that require consideration in this area.

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The parcel included in this application is one acre or larger and are currently zoned RS-3. The minimum lot size for AG-R zoning potentially allows a single lot split.

Environmental Considerations: None that would affect rezoning considerations for a larger lot.

Streets: Street right of way has been dedicated to the City but streets have not been constructed meeting the current minimum residential street standards.

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The lot is heavily wooded with a single residential home.

Environmental Considerations: None that affect rezoning.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
West 77 th Street South	None	50 feet	2 without curb or storm sewer

Utilities:

The subject tract has municipal water available. Significant sanitary sewer extensions would be required to provide city sewer service to this site.

Surrounding Properties:

<u>Location</u>	<u>Existing Zoning</u>	<u>Existing Land Use Designation</u>	<u>Area of Stability or Growth</u>	<u>Existing Use</u>
North	AG	Existing Neighborhood	Stability	Single Family residential
East	RS-3	Existing Neighborhood	Stability	Single Family residential
South	AG-R	Existing Neighborhood	Stability	Single Family residential
West	AG-R	Existing Neighborhood	Stability	Single Family residential

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11827 dated June 26, 1970 established zoning for the subject property.

Subject Property:

No Relevant History.

Surrounding Property:

Z-7569 October 2020: All concurred in **approval** of a request for *rezoning* a 25.82± acre tract of land from AG to AG-R for Single-family residential as a part of Phase IV of the AG-R rezoning program initiated by City Council, on multiple properties located north of West 81st Street South & south of West 78th Street South between South 33rd West Avenue & South Union Avenue, and south of the southeast corner of West 81st Street South and South 33rd West Avenue.

Z-7568 September 2020: All concurred in **approval** of a request for *rezoning* a 137.38± acre tract of land from AG to AG-R for Single-family residential as a part of Phase III of the AG-R

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rezoning program initiated by City Council, on multiple properties located north of West 86th Street South & South of West 77th Street South between South 33rd West Avenue & South Union Avenue, and northeast corner of West 77th Street South & South 33rd West Avenue.

Z-7558 July 2020: All concurred in **approval** of a request for *rezoning* a 32.62± acre tract of land from AG to AG-R for Single-family residential as a part of Phase I & Phase II of the AG-R rezoning program initiated by City Council, on properties located north of the northwest corner of West 81st Street South and South Union Avenue.

BOA-19134 July 2001: The Board of Adjustment **approved** a *Variance* of the required 30' frontage on a public street or right-of-way to 0' to allow construction of a new dwelling on a private street, finding that all of the lots are five acres or greater and the Board has approved the same variance in the past, on property located south of the southeast corner of West 73rd Street South and 33rd West Avenue.

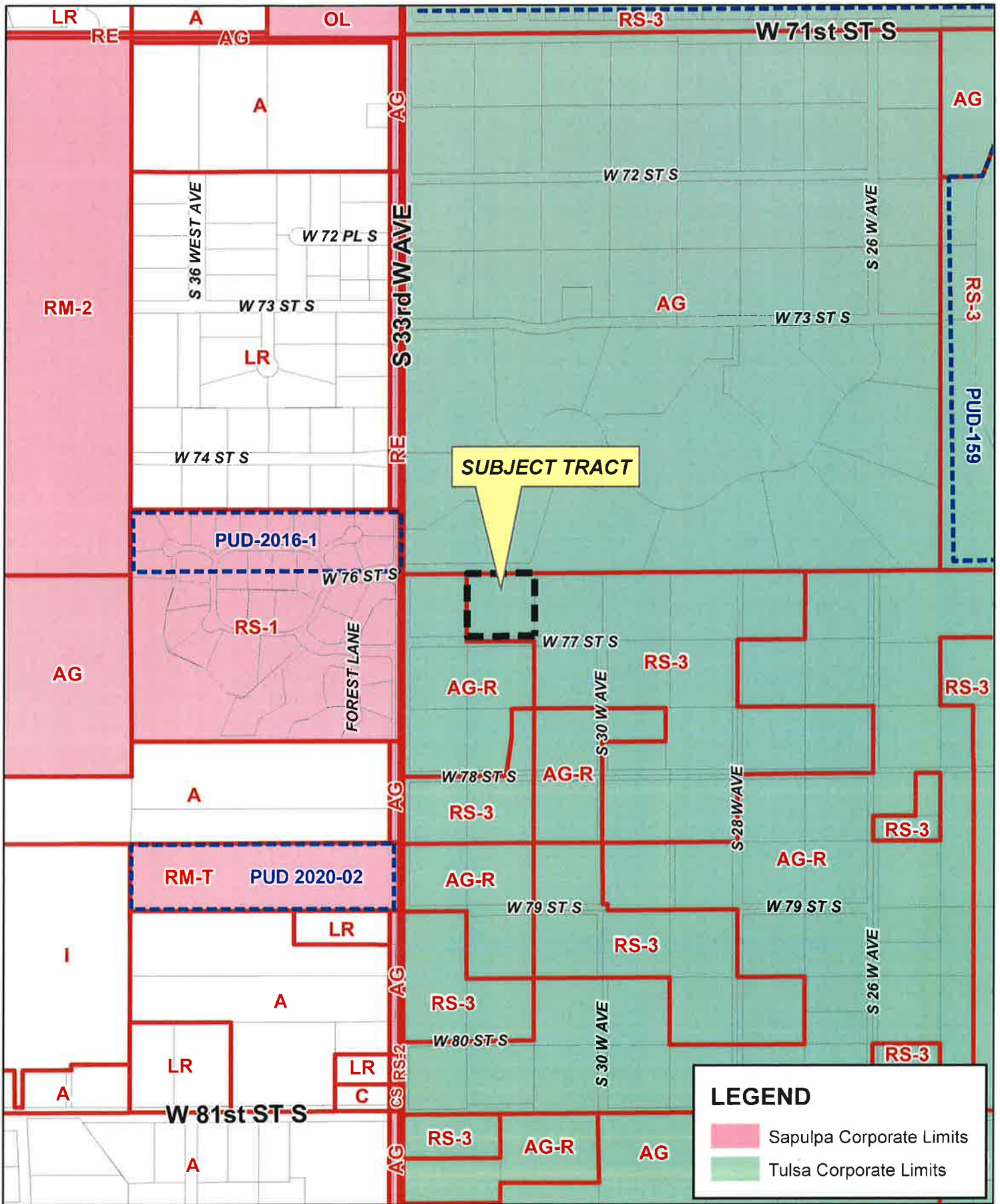
BOA-17497 September 1997: The Board of Adjustment **approved** a *Variance* of the public street frontage requirement (tract derives access from an improved private street), finding that the applicant by the letter of the Code meets the 30' access requirement, but from the practical aspect the development code does not meet the 30' access requirement, on property located southeast of the southwest corner of West 73rd and 33rd West Avenue.

BOA-17704 May 1997: The Board of Adjustment **approved** a *Variance* to permit more than 750 sq. ft. of detached accessory buildings in a residential district, subject to existing storage units being removed, the semi-trailer being removed upon completion of the detached accessory building, the existing outside storage being stored inside the detached accessory building (gooseneck trailer to be parked behind the new building), and there being no commercial activity in the detached accessory building, finding that the existing garage may remain on the subject property the variance would not be injurious, on property located at 3055 West 77th Street South.

BOA-17048 May 1995: The Board of Adjustment **approved** a *Variance* of the required minimum 30' of frontage on a public street or dedicated ROW for 3 separate abutting parcels, per plan submitted, on property located southeast corner of West 73rd Street South and South 33rd West Avenue.

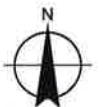
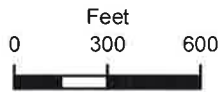
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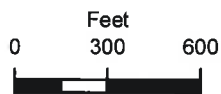
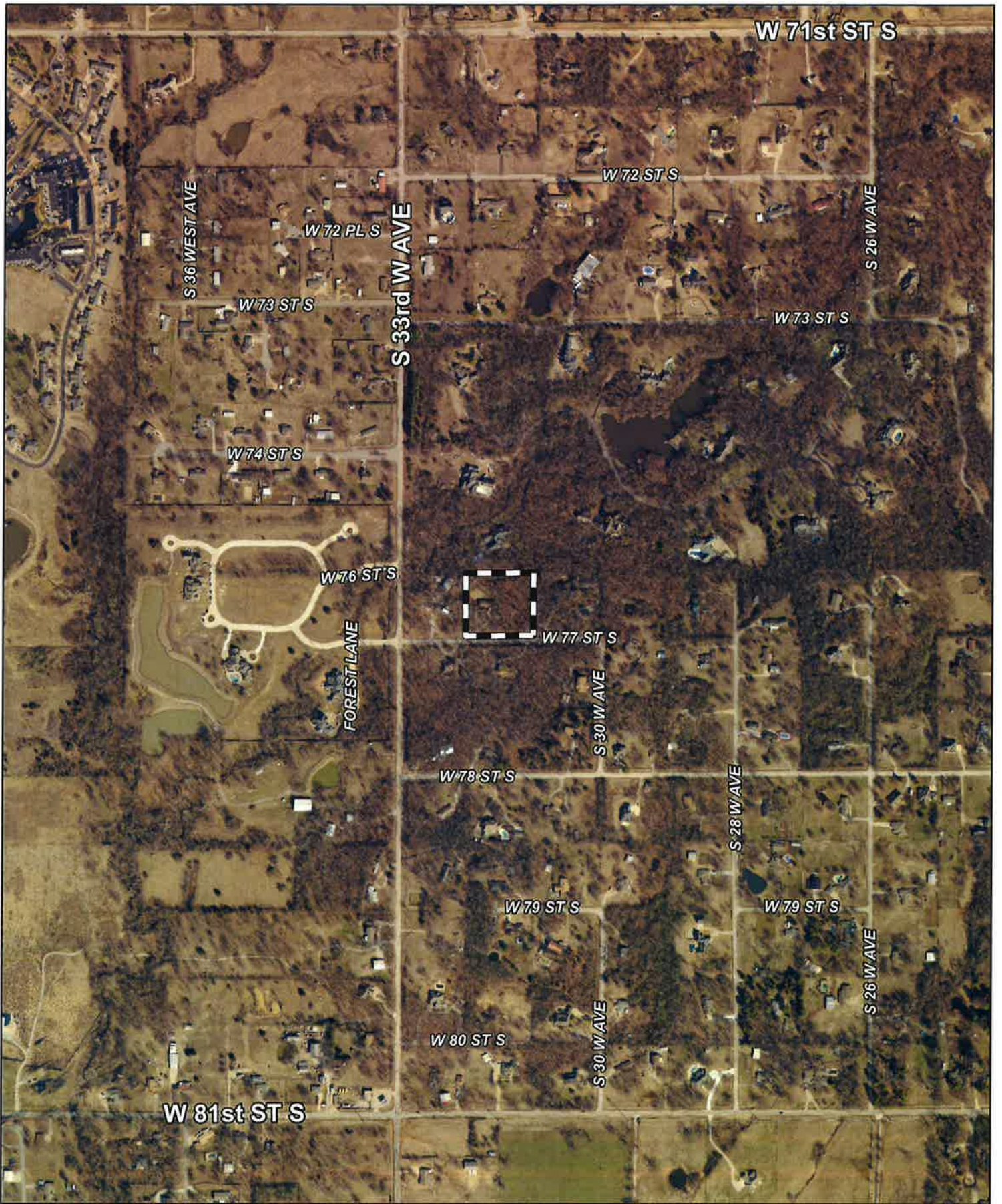


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Subject Tract

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

Aerial Photo Date: February 2018



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W77 ST S



Subject Tract

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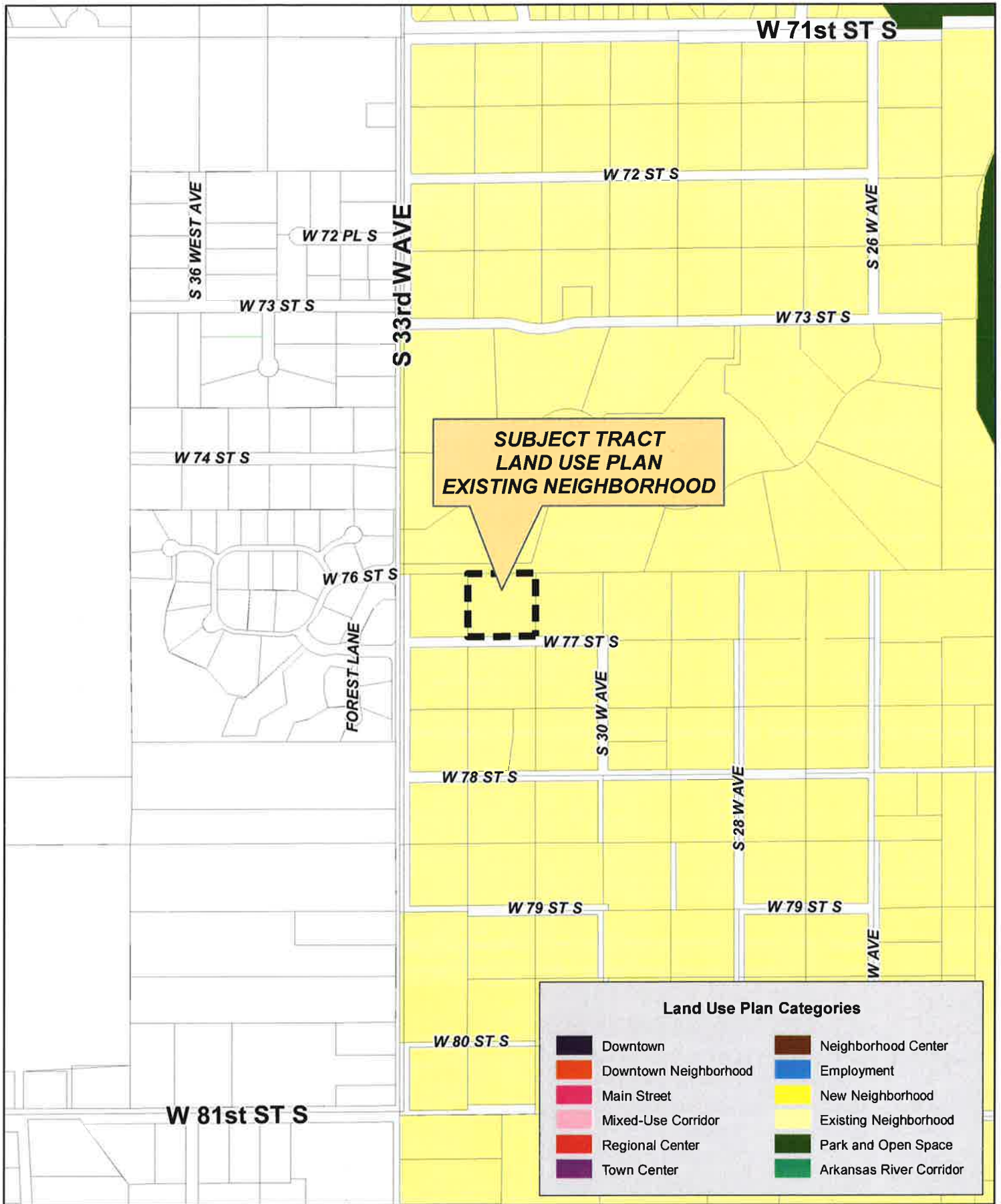
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Aerial Photo Date: February 2018



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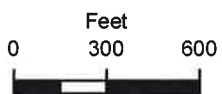
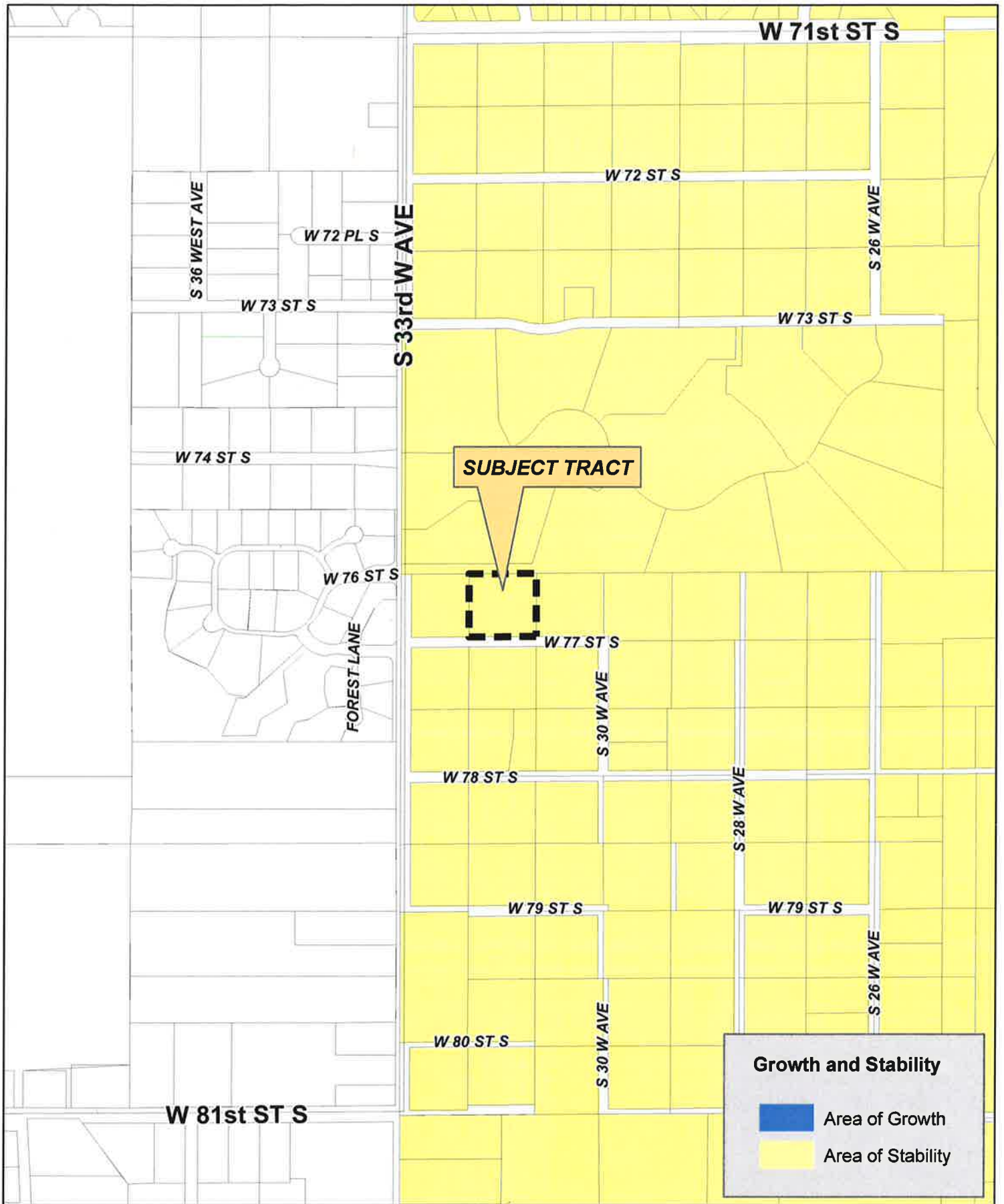


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