



Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7621

Hearing Date: October 20, 2021
(Staff continuance from October 6, 2021)

Case Report Prepared by:

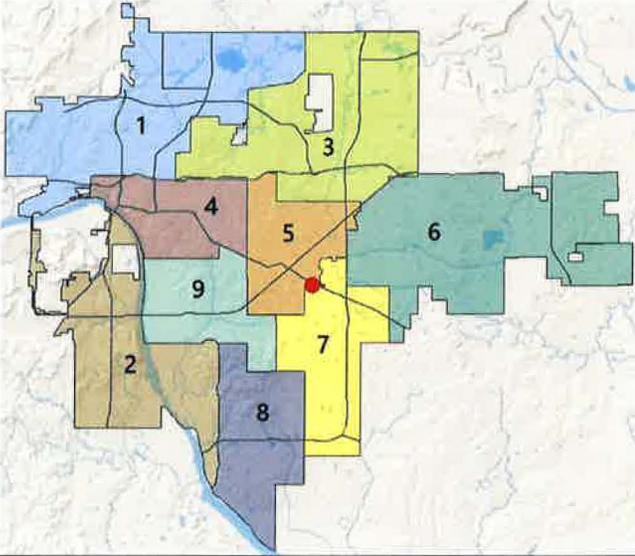
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: A & S Multi-Family LLC

Property Owner: TARE LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Hotel

Proposed Use: Multi-family housing

Concept summary: Convert an under-utilized hotel to multifamily housing. Multi-family housing is not allowed in an IL district. Rezoning is required to achieve the goal of repurposing that hotel

Tract Size: 2.84 ± acres

Location: East of the northeast corner of S. Memorial Dr. & E. 41st St. S.

Zoning:

Existing Zoning: IL

Proposed Zoning: CH

Comprehensive Plan:

Land Use Map: Employment

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 9324

CZM: 48

City Council District: 5

Councilor Name: Mykey Arthrell-Knezek

County Commission District: 3

Commissioner Name: Ron Peters

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SECTION I: Z-7621

DEVELOPMENT CONCEPT: Convert an under-utilized hotel to multi-family housing. Multi-family housing is not allowed in an IL district. Rezoning is required to achieve the goal of repurposing that hotel.

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

DETAILED STAFF RECOMMENDATION:

Z-7621 request CH zoning which is broadly consistent with the Employment land use designation of the Comprehensive Plan and also allows multi-family residential uses that can support surrounding business and employment centers and,

The CH district is primarily intended to accommodate high-intensity commercial and related uses primarily in the core area of the city; encourage use of properties and existing buildings along older commercial corridors; and minimize encroachment and adverse land use impacts on stable residential neighborhoods. This zoning change will support repurposing existing buildings and has little or no impact on surrounding residential neighborhoods and,

Uses allowed in an CH district are similar and consistent with the expected development of surrounding IL properties,

Staff recommends Approval of Z-7621 to rezone property from IL to CH.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: This site abuts an expressway and secondary arterial street. The previous hotel uses partially burned and there is an opportunity to provide work force housing in the remaining building. The zoning code does not allow residential uses in the industrial zoning districts. The applicant has applied for CH zoning to support multi family re-development.

Land Use Vision:

Land Use Plan map designation: Employment

Employment areas contain office, warehousing, light manufacturing, and high tech uses such as clean manufacturing or information technology. Sometimes big-box retail or warehouse retail clubs are found in these areas. These areas are distinguished from mixed-use centers in that they have few residences and typically have more extensive commercial activity.

Employment areas require access to major arterials or interstates. Those areas, with manufacturing and warehousing uses must be able to accommodate extensive truck traffic, and rail in some instances. Due to the special transportation requirements of these districts,

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attention to design, screening and open space buffering is necessary when employment districts are near other districts that include moderate residential use

Areas of Stability and Growth designation: Area of Growth:

An area of growth is a designation 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: Secondary Arterial with Multi Modal Corridor designation:

East 41st Street South is considered a multi-modal corridor. Future development should emphasize plenty of travel choices such as pedestrian, bicycle and transit use. Multimodal streets are located in high intensity mixed-use commercial, retail, and residential areas with substantial pedestrian activity. These streets are attractive for pedestrians and bicyclists because of landscaped medians and tree lawns. Multi-modal streets can have on-street parking and wide sidewalks depending on the type and intensity of adjacent commercial land uses. Transit dedicated lanes, bicycle lanes, landscaping and sidewalk width are higher priorities than the number of travel lanes on this type of street. To complete the street, frontages are required that address the street and provide comfortable and safe refuge for pedestrians while accommodating vehicles with efficient circulation and consolidated-shared parking.

Streets on the Transportation Vision that indicate a transit improvement should use the multi-modal street cross sections and priority elements during roadway planning and design.

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *This is an existing hotel site with multiple buildings and ample parking. Originally the hotel was constructed with four buildings and used as an extended stay hotel. The north building burned, and the remains were demolished leaving three buildings that are planned to be residential multi-family workforce housing.*

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STREET VIEW FROM SOUTHWEST CORNER LOOKING NORTHEAST:



Environmental Considerations: None that may affect site redevelopment

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 41 st Street South	Secondary Arterial with Multi Modal Corridor	100 feet	5 2 each direction with center turn lane

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	RS-3 north of the Broken Arrow Expressway	Existing Neighborhood	Stability	Single Family
East	IL	Employment	Growth	Industrial supply
South	IL	Employment	Growth	Retail /whole sales and vehicle service
West	IL	Employment	Growth	Retail

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SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11824 dated June 26, 1970, established zoning for the subject property.

Subject Property:

BOA-12148 September 1982: The Board of Adjustment **approved** a *Special Exception* to permit a hotel in an IL District, per plot plan submitted, on property located at Lots 2 and 3, Block 1, Bond Addition.

Surrounding Property:

BOA-17298 February 1996: The Board of Adjustment **approved** a *Variance* to permit the display of automobiles for sale on a surface other than an all-weather material behind the setback line immediately west of the showroom floor, limited to no more than 10 vehicles at any time (Section 222.) Use Unit 17, on property located at 3939 South Memorial Dr.

BOA-17038 May 1995: The Board of Adjustment **deny** a *Variance* to permit requirement that vehicles being parked, stored, or displayed for sale be located on an all-weather material before January 1, 1995, (Section 1407.E), Use Unit 17; and to **deny** a *Special Exception* to permit storage and/or display of motorized vehicles on a surface other than all-weather if located behind the building setback line (Section 222.) Use Unit 17; finding that the area in question is visible to surrounding developed uses, on property located at 3939 South Memorial Dr.

BOA-16627 April 1994: The Board of Adjustment **approve** the **appeal** and to **OVERTURN** the decision of the Administrative Official that the all-weather surface requirement for off-street parking applies to the display of automobiles for (merchandise)(Section 1303.D) Use Unit 17; finding that the vehicles are displayed merchandise for sale on the lot and this merchandise does not occupy required off-street parking, but is located in front of the building on a grassed display area; on property located at 3939 South Memorial Dr.

BOA-13724 August 1985: The Board of Adjustment **approved** a *Variance* to permit the 110' setback from the centerline of 41st Street to 100' to permit an addition to an existing structure in an IL zoned district; per plot plan submitted finding a hardship imposed on the applicant by the existing building encroachments in the area, on property located at 8545 East 41st Street.

BOA-13552 May 1985: The Board of Adjustment **deny** a *Special Exception* to permit a billiard parlor and restaurant in an IL zoned district; finding that the special exception request violates the spirit and intent of the Code and the Comprehensive Plan, on property located at 8548 East 41st Street.

BOA-13205 June 1984: The Board of Adjustment **approved** a *Special Exception* to permit Use Units 12 and 19 for a restaurant and billiard parlor in an IL district under the provisions of Section 1680, on property located at the southwest corner of South 87th East Avenue and East 41st Street.

BOA-13023 January 1984: The Board of Adjustment **deny** a *Special Exception* to permit a billiard parlor in an IL District under the provisions of Section 1580, on property located at the SW corner of South 87th East Avenue and East 41st Street.

BOA-11201 October 1980: The Board of Adjustment **approved** a *Variance* to permit a church related school, subject to the variance running with this applicant only, for a period of 3-years with a maximum of 90 students and subject to the parking letters which were approved by Mr. Jackere, on property located at 8516 East 41st Street.

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BOA-10803 November 1979: The Board of Adjustment **approved** a *Variance* to permit the setback requirements from 75' to 0' on the north from an R District and **approve** a *Special Exception* to remove the screening requirement where the purpose of the screening cannot be achieved, per plot plan submitted, on property located at Lot 1, Bond Addition.

BOA-10628 August 1979: The Board of Adjustment **deny** a *Special Exception* to permit dancing and recreational facility in an IL District, on property located at 8516 East 41st Street.

BOA-10519 June 1979: The Board of Adjustment **approved** a *Special Exception* to permit the removal of the screening requirement where the purpose of the screening cannot be achieved, on property located at 3939 South Memorial Rd.

BOA-8326 August 1974: The Board of Adjustment **approved** a *Special Exception* to permit Use Units 12, 13, 14; and a *Variance* to permit Use Unit 19 in an IL District, on property located at 8200 East 41st Street.

BOA-8245 May 1974: The Board of Adjustment **approved** a *Special Exception* to permit operate furniture sales in and IL District as presented to the Board, on property located at north and east of 41st Street and Memorial.

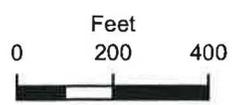
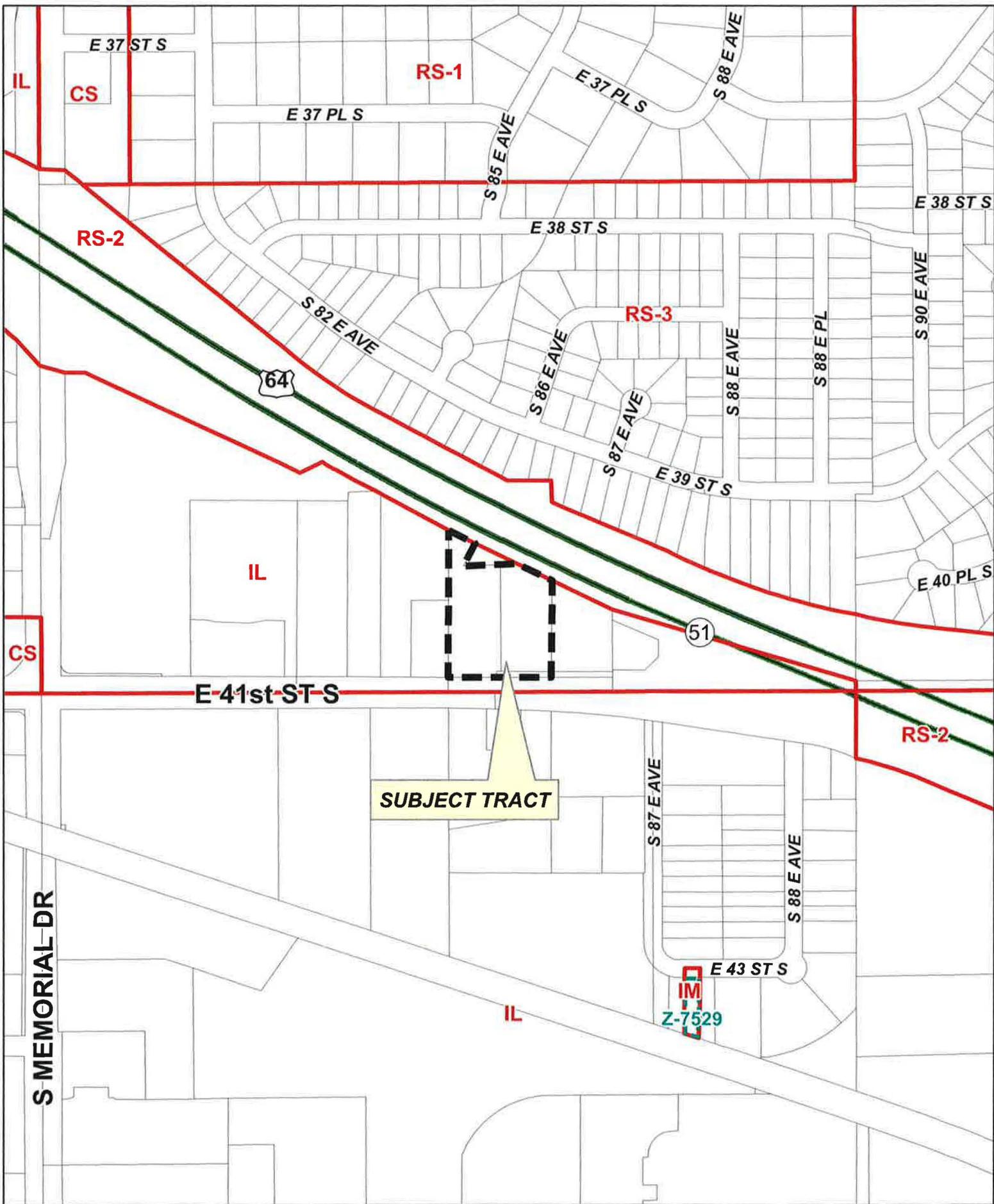
BOA-7477 July 1972: The Board of Adjustment **approved** a *Special Exception* to permit operating retail sales in an IL District and a *Variance* to permit using adjoining property for off-street parking in an IL District, on property located at 8516 East 41st Street.

BOA-7307 February 1972: The Board of Adjustment **approved** a *Special Exception* to permit operating a retail furniture sale along with wholesale sales within an IL District, on property located at 8445 East 41st Street.

BOA-6178 February 1969: The Board of Adjustment **granted** a *Special Exception* to permit erecting a building 50' into a U-3A district, on property located at 8550 East 41st Street.

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Z-7621

19-13 24





E 37 ST S

E 37 PL S

E 37 PL S

S 88 EAVE

S 85 EAVE

E 38 ST S

E 38 ST S

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S 82 EAVE

S 86 EAVE

S 88 EAVE

S 88 EPL

S 90 EAVE

S 87 EAVE

E 39 ST S

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E 40 PL S

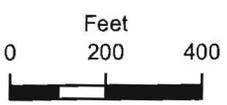
E 41st ST S

S MEMORIAL DR

S 87 EAVE

S 88 EAVE

E 43 ST S



Subject Tract

Z-7621

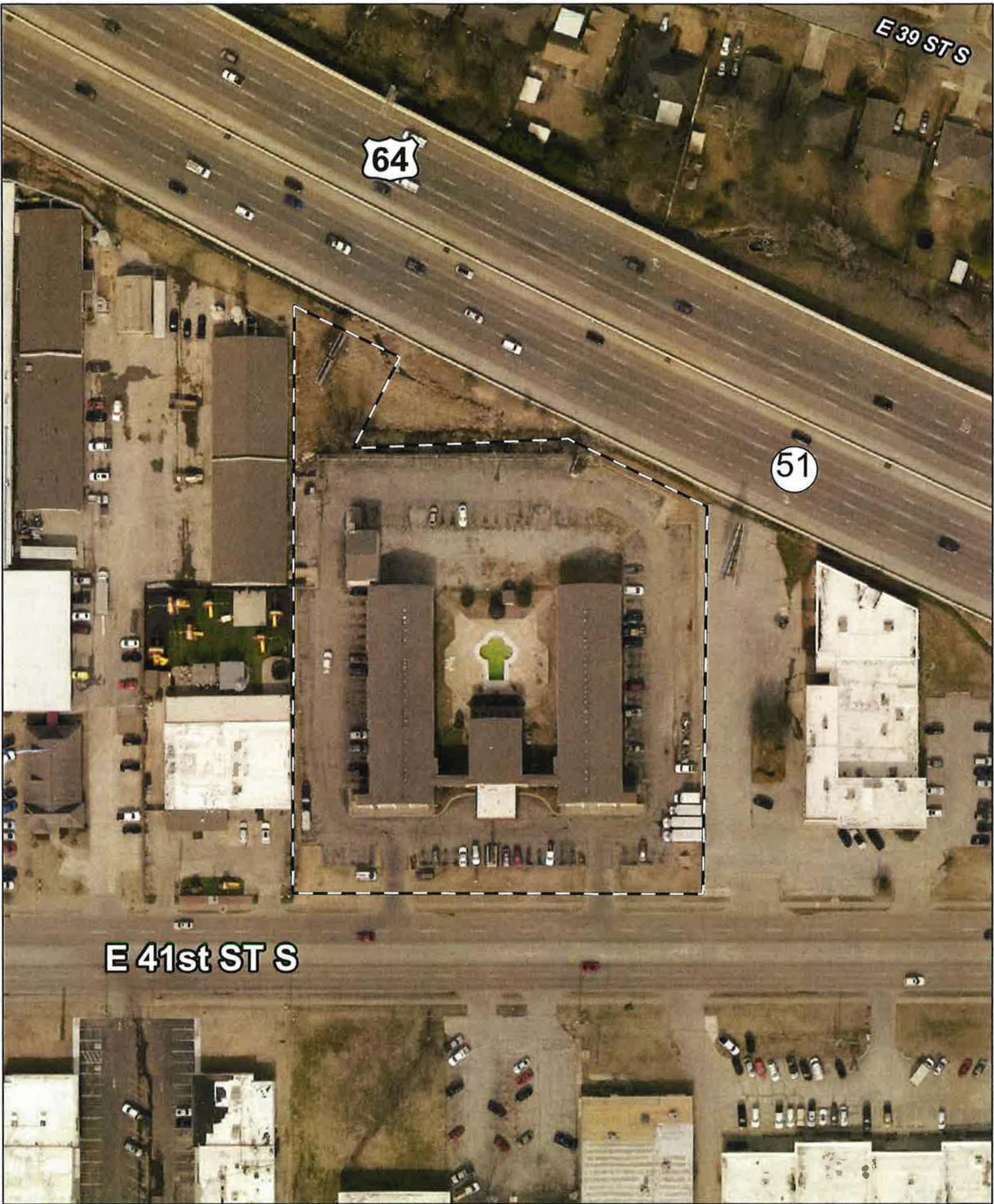
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Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2020/2021

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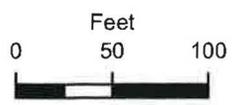


E 39 ST S

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E 41st ST S



Subject Tract

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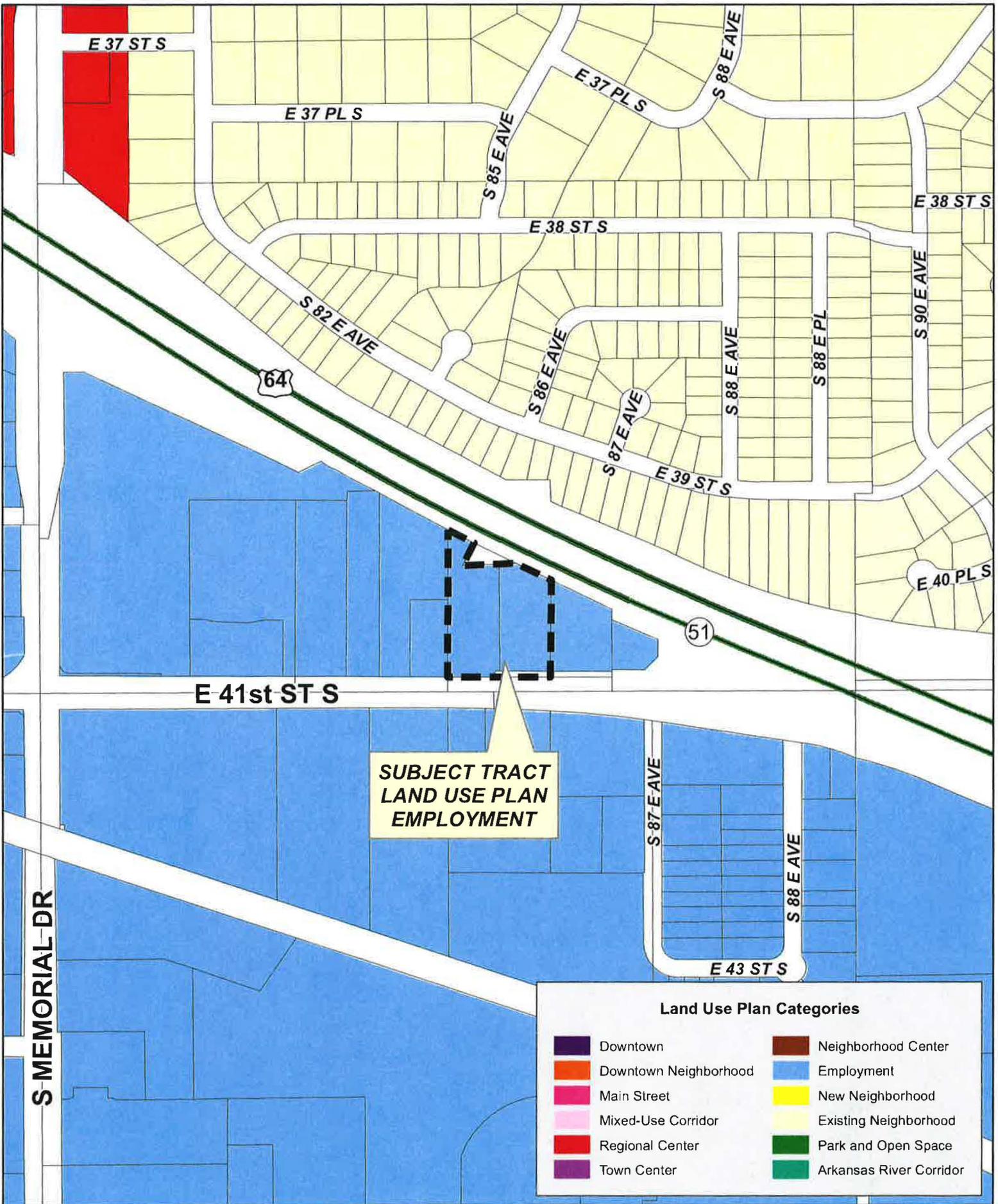
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Aerial Photo Date: 2020/2021

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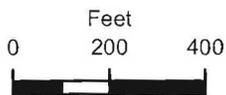


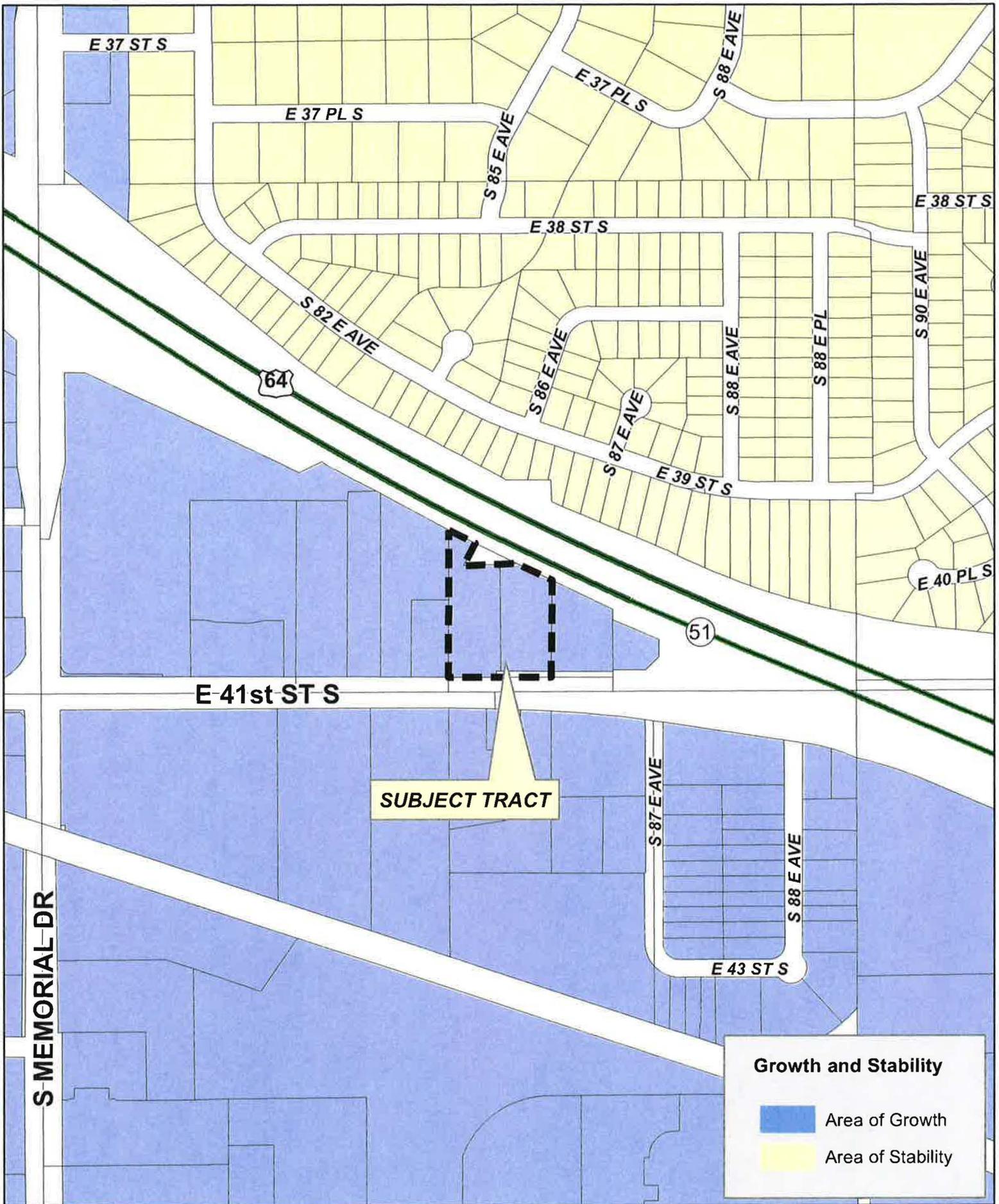


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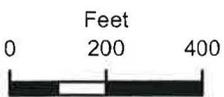
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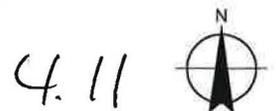
Growth and Stability

- Area of Growth
- Area of Stability



Z-7621

19-13 24



Sawyer, Kim

Z-7621

From: Paul Burgard <Paul@voyconstruction.com>
Sent: Wednesday, October 6, 2021 8:09 AM
To: esubmit
Subject: Z-7621 Paul Burgard 5126 E 38th pl, Tulsa OK.

Planning Commission,

I have an office building at 8500 E 41st street. According to the zoning application they are requesting a change to CH which will allow them to become multi-family housing. My concern is currently we see police across the street almost daily and larger groups of police most weeks. How will this impact the foot traffic in the area, crime, vandalism, drug use.

At my building I have had people use the parking lot to work on their cars, live in cars, property broken into, and a neighboring business has seen needles left in the yard. I understand there are constraints as far as what City and police can do but I question if this zoning change might allow an even worse blight in the area.

I spoke with applicant of zoning change and want to verify they are not the current owners and do plan to improve the building and address issues with crime.

Thank you,

Paul



Paul Burgard
PROJECT MANAGER

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