TMAPC
Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7639

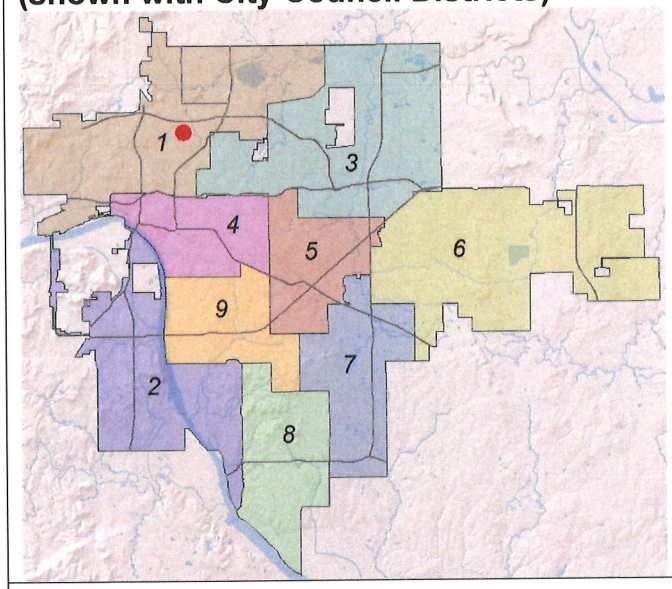
Hearing Date: Febuary 2, 2022

Case Report Prepared by:

Dwayne Wilkerson

Owner and Applicant Information:
Applicant: Kenneth Brooks
Property Owner: CITY OF REFUGE INC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Residential

Proposed Use: CS

Concept summary: Rezoning vacant lot to support commercial development and church uses.

Tract Size: 0.21 ± acres

Location:

South of the Southwest Corner of East Apache Street and North Martin Luther King Jr. Boulevard.

2538 North Martin Luther King Jr. Boulevard

Zoning:

Existing Zoning: RS-3

Proposed Zoning: CS

Comprehensive Plan:

Land Use Map: Neighborhood Center

Stability and Growth Map: Area of Growth,

Staff Recommendation:

Staff recommends approval

Staff Data:

TRS: 0226
CZM: 28

City Council District: 1

Councilor Name: Vanessa Hall-Harper

County Commission District:

Commissioner Name: Stan Sallee

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SECTION I: Z-7639

DEVELOPMENT CONCEPT:

Rezone lot to allow all uses that are permitted in a CS district. The applicant has stated he plans to establish a church use on the site.

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:

The subject tract and properties abutting the site are included in the Neighborhood Center land use designation that support small scale commercial zoning. The site gains vehicular access from Martin Luther King Jr. Blvd and,

The request for CS zoning expands development opportunities, and the zoning code provides predictable results for the surrounding property owners providing supplemental regulations that will continue to help integrate this site into the surrounding areas and,

Uses allowed in the proposed CS district and normal supplemental regulations are consistent with the Neighborhood Center Land use designation in the City of Tulsa Comprehensive Plan and the Unity Heritage Neighborhood Sector Plan and,

The uses with supplemental regulations identified in the zoning code are compatible with the surrounding proximate properties therefore,

Staff recommends Approval of Z-7639 to rezone property from RS-3 to CS.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary:

Executive Summary of the Unity Heritage Neighborhood Sector plan was adopted in 2016. This site is included in the Neighborhood Center land use designation as defined in that plan. Uses and land development regulations identified in the CS zoning district are appropriate in that land use designation.

Land Use Vision:

Land Use Plan map designation: Neighborhood Center

Neighborhood Centers: This land use designation should include small-scale, one to three story mixed-use areas intended to serve nearby neighborhoods with retail, dining, and services. They can

include apartments, condominiums, and townhouses, with small lot single family homes at the edges. These are pedestrian-oriented places served by transit, and visitors who drive can park once and walk to number of destinations.

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: None, except the secondary arterial designation.

Trail System Master Plan Considerations: None

Small Area Plan: Unity Heritage Neighborhood Sector Plan

Special District Considerations: Z-7639 is included in the Healthy Neighborhood Overlay. The CS zoning district allows small box discount stores, but the overlay would potentially affect the ability to construct that use on this site if others are located withing the spacing limit of the overlay.

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The lot is vacant and appears to have been developed as a single family residential tract

Environmental Considerations: None that would affect site redevelopment.

Streets:

Existing Access	MSHP Design	MSHP R/W	Exist. # Lanes
Martin Luther King Jr. Blvd	Secondary Arterial	100 feet	4

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

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Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	CS	Neighborhood Center	Growth	Retail
East	CH	Neighborhood Center	Growth	Vacant retail
South	RS-3	Existing Neighborhood	Stability	Single family residential / office
West	RS-3	Existing Neighborhood	Stability	Single family residential

SECTION III: Relevant Zoning History

History: Z-7639

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

Subject Property:

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).

BOA-1465 June 1942: The Board of Adjustment **approved** two duplexes and one four-family apartment on 180 feet along North Cincinnati Avenue, on property located at --.

Surrounding Property:

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BOA-18682 March 2000: The Board of Adjustment **deny** a *Appeal of Building Inspector's decision* that this proposed liquor store is over 300' from an existing liquor store, on property located at 2616 North Cincinnati.

BOA-18343 March 1999: The Board of Adjustment **approved** a *Variance* to permit the required 150' frontage on an arterial street to 105' in a CS District, on property located at East of Northeast corner East Apache and North Cincinnati.

BOA-17159 September 1995: The Board of Adjustment **deny** a *Special Exception* to permit a residence in a CS zoned district, on property located at 2621 North N Boston Place.

BOA-16959 April 1995: The Board of Adjustment **denied** a *Special Exception* to permit automobile repair, automobile sales and a residential use in a CS zoned district, on property located at 2621 North Boston.

BOA-16059 June 1992: The Board of Adjustment **approved** a *Variance* to permit the required setback from the centerline of East Apache Street from 100' to 85' & **approved** a *Variance* of the required 50' setback from the centerline of East Apache Street to 40' to permit two signs, on property located at 2605 North Cincinnati.

BOA-13827 December 1985: The Board of Adjustment **approved** a *Variance* to permit setback requirement from the centerline of Cincinnati Avenue, from 100' to 50' and from 100' to 40' from the centerline of Apache Street & **approved** a *Variance* to permit an existing building and a planned addition, on property located at 2606 North Cincinnati Avenue.

BOA-11946 September 1982: The Board of Adjustment **approved** a *Special Exception* to permit a car wash in a CS District and **approved** a *Variance* to permit the setback from Apache Street from 100' to 50'; and **approved** a *Variance* from Cincinnati Avenue from 100' to 77.6', on property located at 2606 North Cincinnati Avenue.

BOA-2777 January 1956: The Board of Adjustment **approved** for permission to establish a private home for girls, ages 8 to 18, on property located at 2606 North Martin Luther King JR Blvd East.

BOA-2542 April 1954: The Board of Adjustment **approved** a request to permit a two-story garage, lower floor for cars, upper floor for living quarters, on property located at 2538 N Boston Place East.

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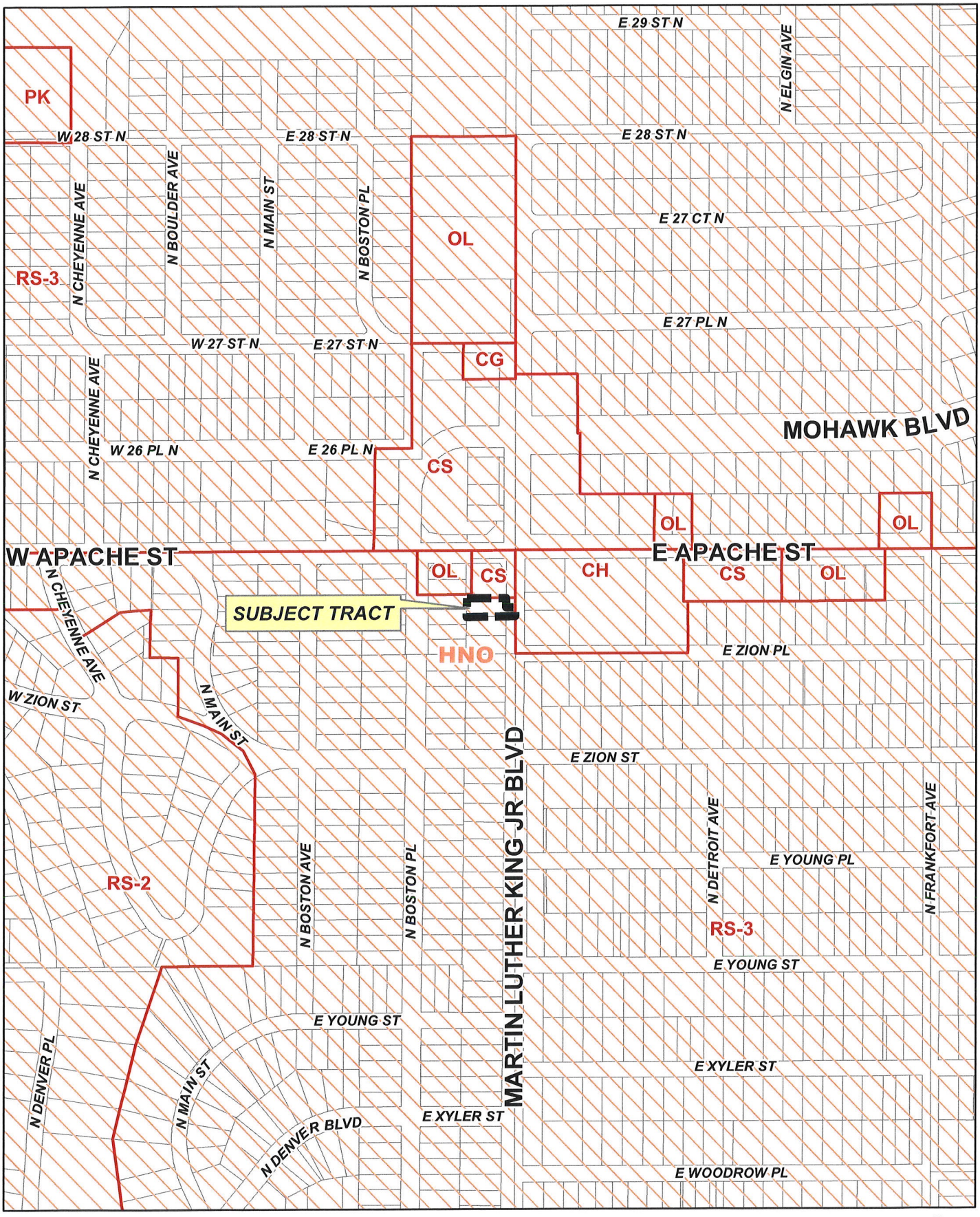

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Z-7639

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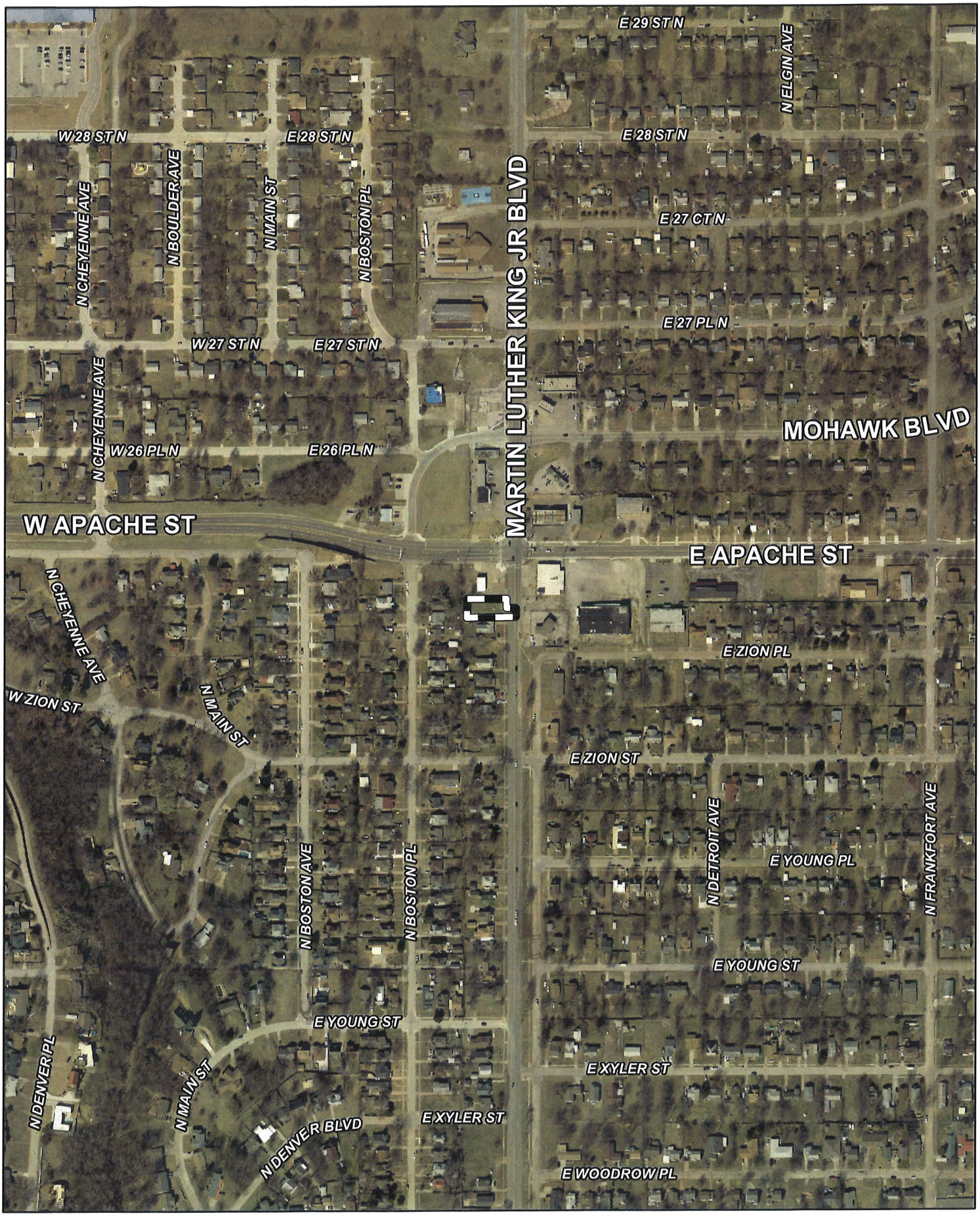

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Subject Tract

Z-7639

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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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Subject Tract

Z-7639

20-12 26

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

Aerial Photo Date: 2020/2021

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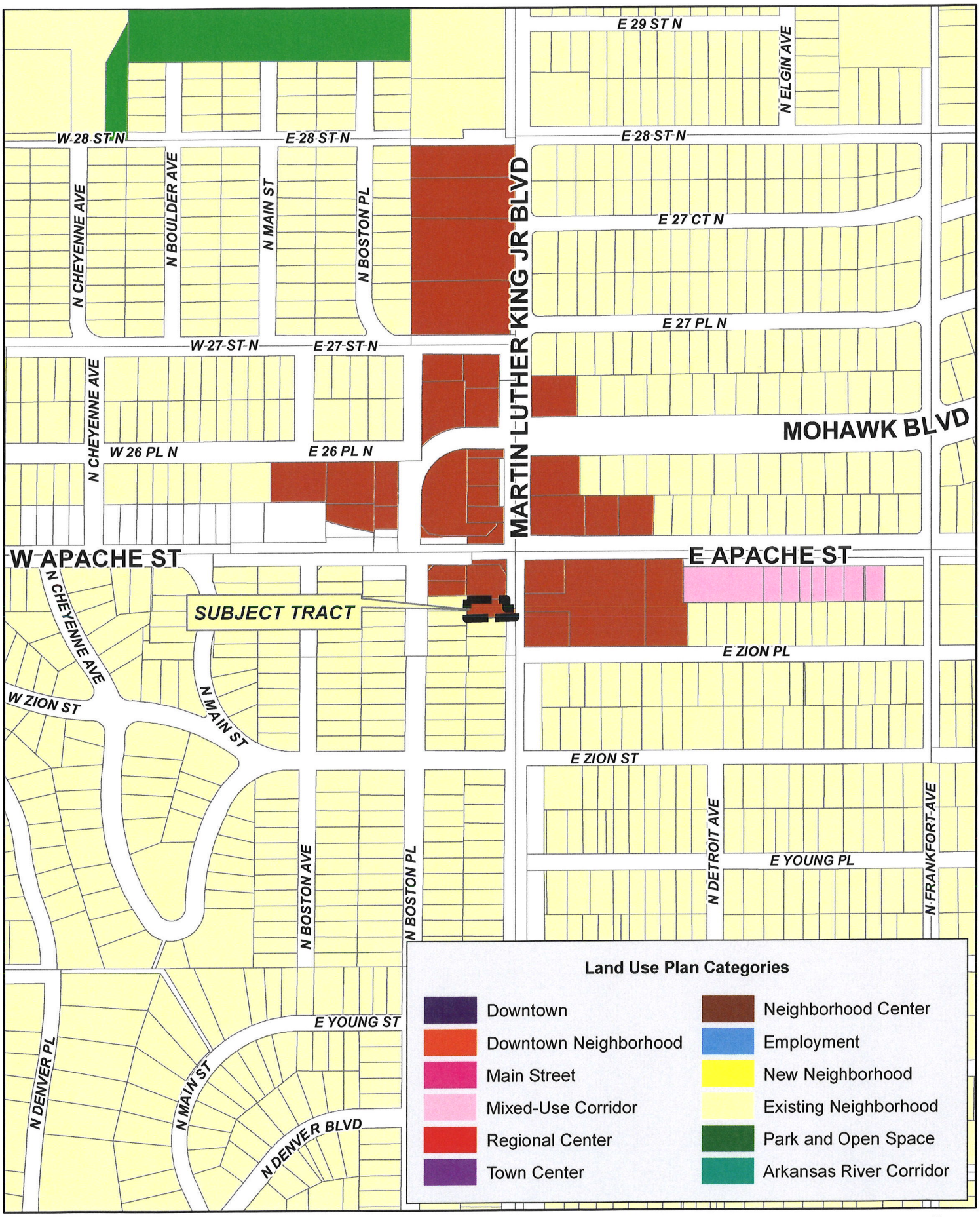

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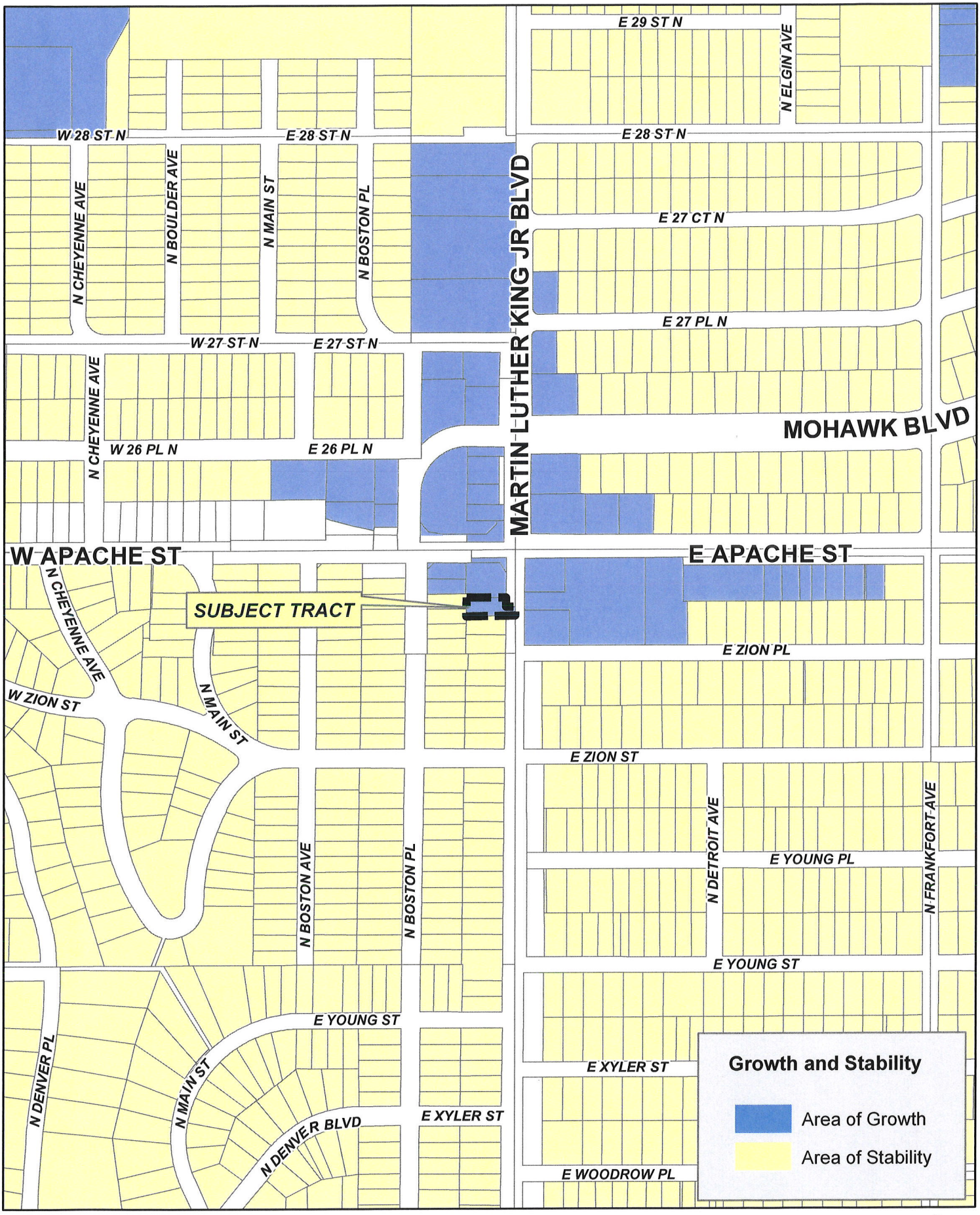

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Z-7639

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