TMAPC
Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7656

Hearing Date: June 15, 2022

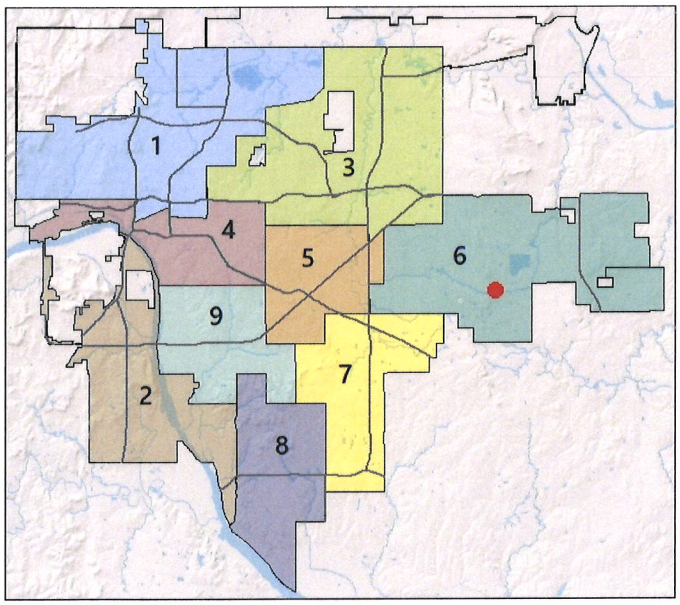
Case Report Prepared by:

Dwayne Wilkerson

Owner and Applicant Information:
Applicant: JR Donelson

Property Owner: Flat Top Development LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Vacant

Proposed Use: Residential

Concept summary: Rezone for Single Family Residential Zoning

Tract Size: 117.49 ± acres

Location:

Southwest corner of East 31st Street South at South 177th East Avenue.

Zoning:

Existing Zoning: MPD-1

Proposed Zoning: RS-4

Comprehensive Plan:

Land Use Map: New Neighborhood, Neighborhood Center

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 9423
CZM: 50, 40

City Council District: 6

Councilor Name: Connie Dodson

County Commission District: 1

Commissioner Name: Stan Sallee

6.1

SECTION I: Z-7656

DEVELOPMENT CONCEPT: The applicant has requested rezoning the tract from MPD-1 to RS-4 without a development plan. The original concept for MPD-1 (Concord) was a master planned community that utilized new urbanist design principles in order to create a walkable, environmentally sustainable, and economically diverse community. The project was proposed to be a mixed-use master planned community consisting of multiple housing types, recreational, civic and commercial uses with integrated open space and park development. That neighborhood model has several physical, social, and economic attributes that provide several positive consequences that help to sustain a pattern of livability and economic vitality.

The RS-4 zoning seems to be more palatable with local lending institutions.

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:
  - Settlers Preliminary Plat
  - Concord Development site plan illustration

DETAILED STAFF RECOMMENDATION:

RS-4 as requested will eliminate the possibility of integrating a commercial and mixed-use component to the neighborhood as was previously designed. RS-4 zoning only allows single family residential homes and conflicts with the Neighborhood Center land use designation map in the Tulsa Comprehensive Plan. MPD-1 was consistent with the New Neighborhood and Neighborhood Center land use designation in the Comprehensive Plan and was compatible with the existing and expected development of surrounding areas however,

Uses allowed in an RS-4 district are consistent with the New Neighborhood land use designation. Stormwater Detention facilities will be placed in the area where Neighborhood Center land use designation was identified on the land use plans. It is unlikely that the Neighborhood Center could ever be developed as illustrated on the Comprehensive Plan land use maps and,

Residential zoning districts are primarily intended to create, maintain, and promote a variety of housing opportunities for individual households and to maintain and promote the desired physical character of existing and developing neighborhoods. RS-4 zoning establishes minimum lot size but does not identify a maximum lot size and,

RS-4 zoning district allows uses and building types that are consistent with the expected development in the surrounding area therefore,

Staff recommends Approval of Z-7656 to rezone property from, MPD-1 to RS-4.

SECTION III: SUPPORTING DOCUMENTATION

NEIGHBORHOOD ENGAGEMENT: None provided

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: MPD-1 was consistent with the expected use for a Neighborhood Center and New Neighborhood however the commercial component of that plan was moved away from the intersection at the northeast edge of the site. Unfortunately, RS-4 zoning will eliminate the ability to establish the Neighborhood Center as identified on the land use plan. In this instance the RS-4 zoning request conflicts with the Neighborhood Center designation however the preliminary plat illustrates a large reserve area that will be designated as a stormwater detention facility and will be included in a reserve area. It is unlikely that a Neighborhood Center could ever be developed at the southwest corner of East 31st Street South at South 177th East Avenue. The development standards required in our zoning code for RS-4 zoning are consistent with the expected development and align themselves the New Neighborhood Land Use Vision:

Land Use Plan map designation: Neighborhood Center and New Neighborhood

New Neighborhood residential building block is comprised of a plan category by the same name. It is intended for new communities developed on vacant land. These neighborhoods are comprised primarily of single-family homes on a range of lot sizes but can include townhouses and low-rise apartments or condominiums. These areas should be designed to meet high standards of internal and external connectivity and shall be paired with an existing or New Neighborhood or Town Center.

Neighborhood Centers are 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: Areas 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 on 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: None except the Secondary Arterial designation in the major street and highway plan.

Major Street and Highway Plan: None except the Secondary Arterial designation on East 31st and on South 177th East Avenue in the major street and highway plan.

Trail System Master Plan Considerations: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The property is undeveloped and has been historically used for rearing cattle and other agricultural purposes.

Environmental Considerations: Tulsa regulatory flood plain bisects the property in two locations. Both of those flood plain areas will be maintained as open spaces during the subdivision compliance process and will be protected from future development with easements and reserve areas.

Streets:

Existing Access	MSHP Design	MSHP R/W	Exist. # Lanes
East 31st Street South	Secondary Arterial	100 feet	2
South 177th East Avenue	Secondary Arterial	100 feet	2

Utilities:
The subject tract will require offsite sanitary sewer extensions and offsite water infrastructure improvements to provide municipal water and sewer services.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	CS at intersection AG on the remainder	Neighborhood Center at intersection New Neighborhood on the remainder	Growth	Vacant / agricultural land
East	CS RS-5, and RM-O	Neighborhood Center at intersection New Neighborhood on the remainder	Growth	Vacant / agri cultural land
South	AG	New Neighborhood	Growth	Vacant / agricultural land
West	AG	New Neighborhood	Growth	Vacant wooded with steep slopes

SECTION III: Relevant Zoning History

History: Z-7656

ZONING ORDINANCE: Ordinance number 24116 dated April 2019, established zoning for the subject property.

Subject Property:

MPD-1 April 2019: All concurred in **approval** of a request for *rezoning* a 117.5± acre tract of land from AG to Master Planned Development (MPD) on property located Southwest corner of East 31st Street and South 177th East Avenue.

Surrounding Property:

Z-7605 April 2021: All concurred in **approval** of a request for *rezoning* a 136.78± acre tract of land from AG to RS-5 on property located Southeast corner of East 31st street south and South 177th East Avenue.

BOA-11669 November 1981: The Board of Adjustment **approved** a *Special Exception* to permit multifamily use in a CS district & a Special Exception to permit the modification of the screening requirements & a Variance to permit more than (40) units on a lot & a Variance of the setback requirements, on property located at the SE Corner of East 31st Street and South 145th East Avenue.

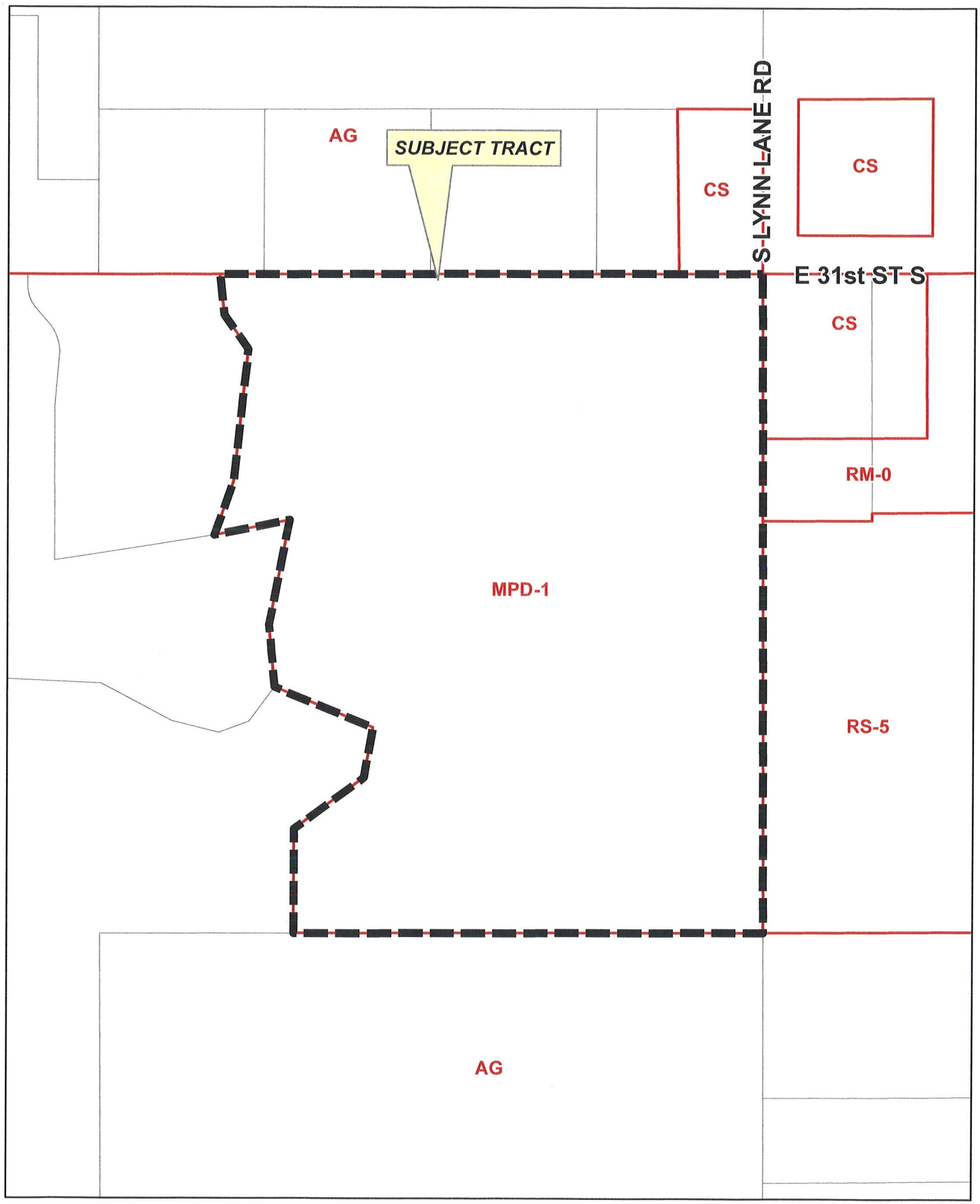
***BOA-17616* January 1997:** The Board of Adjustment approved a Special Exception to permit a model airplane facility in an AG & CS zoned district & a Variance of required parking from 4274 to 45 and a Variance of required all weather surface to permit parking on gravel & grass, on property located at Northeast corner 31st and Lynn Lane.

BOA-17432 July 1996: The Board of Adjustment approved a Special Exception to permit a model airplane facility in an AG zoned district & a Variance of the required all-weather surface to allow parking on gravel & grass, on property located at ½ mile South of 21st Street & Lynn Lane on east side.

***BOA*-16770 August 1994:** The Board of Adjustment approved a Special Exception to permit a mobile home in an AG zoned district & a Variance to permit two dwelling units on one lot of record, on property located at 17001 East 31st Street.

***BOA*-16956 February 1995:** The Board of Adjustment approved a Special Exception to permit experimentation and testing of RF Telemetry Digital Seismic Recording Systems, on property located at 16101-16811 East 31st Street.

BOA-6811 November 1970: The Board of Adjustment **approved** a *Special Exception* to permit occupying a mobile home in an AG district, on property located at Northeast of 31st Street and Lynn Lane.



Feet
0 250 500

Z-7656

19-14 23

N

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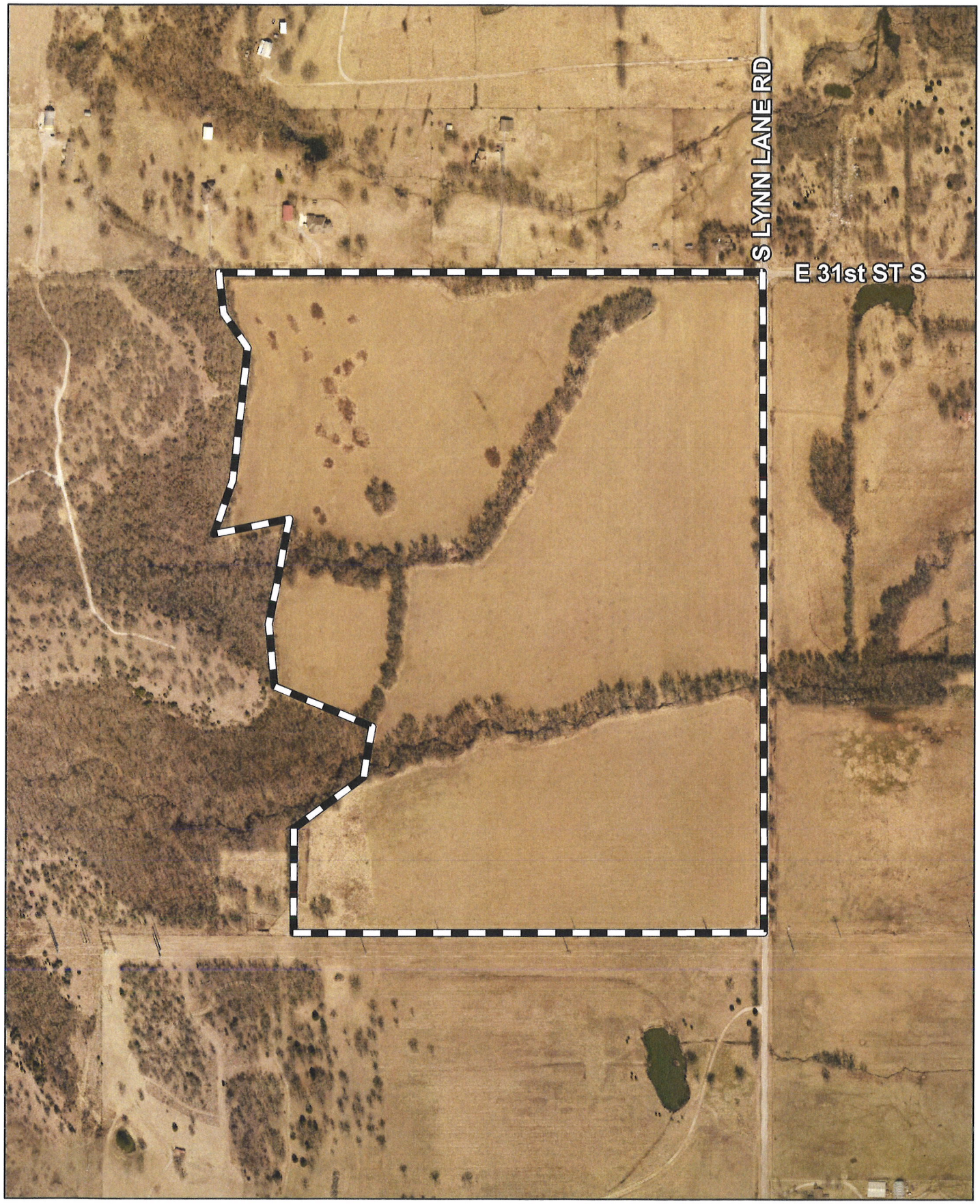

Feet
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Subject Tract

Z-7656

19-14 23

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

Aerial Photo Date: 2020/2021

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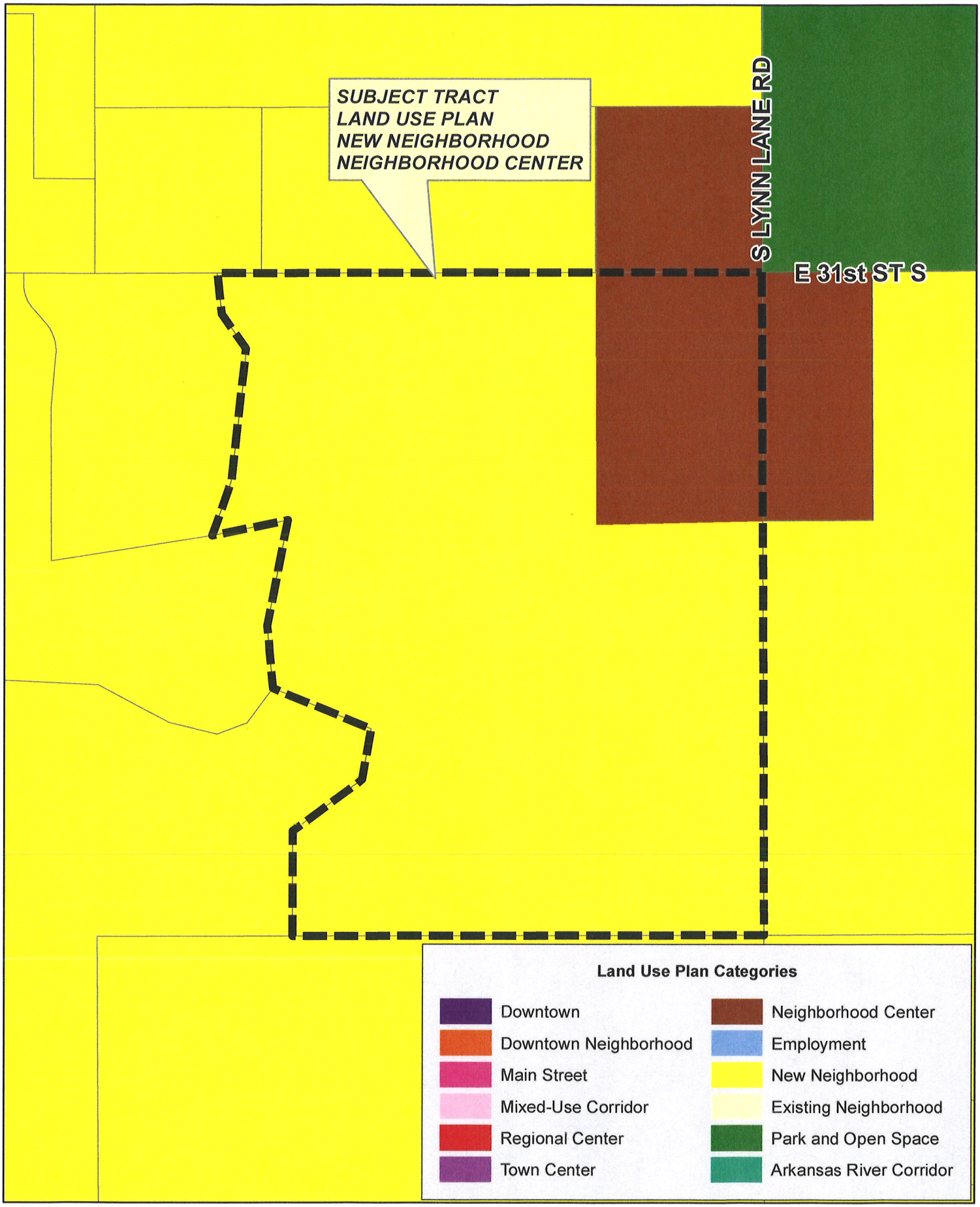

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Z-7656

19-14 23

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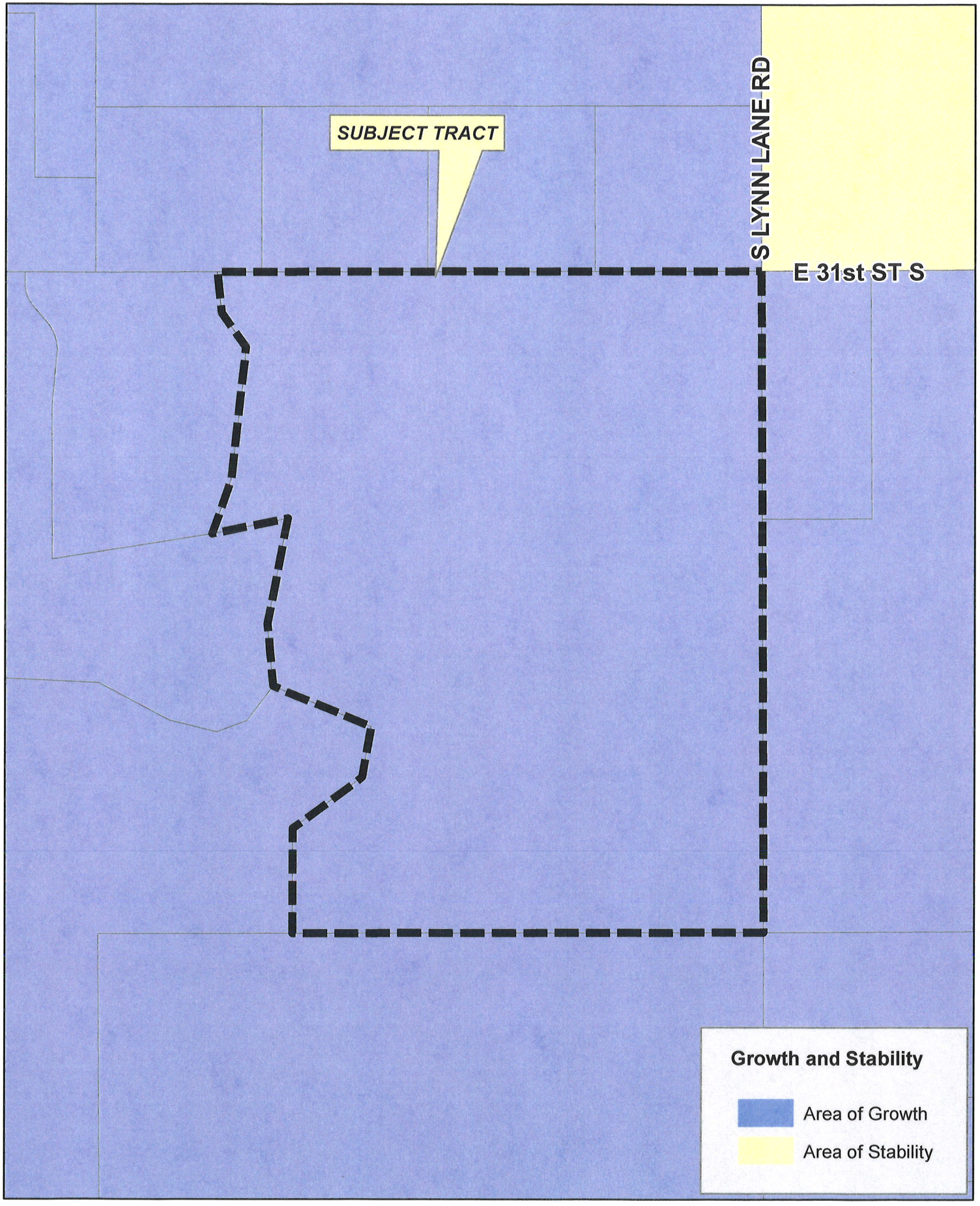

Feet
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Z-7656

19-14 23

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Z-7656

PRELIMINARY PLAT

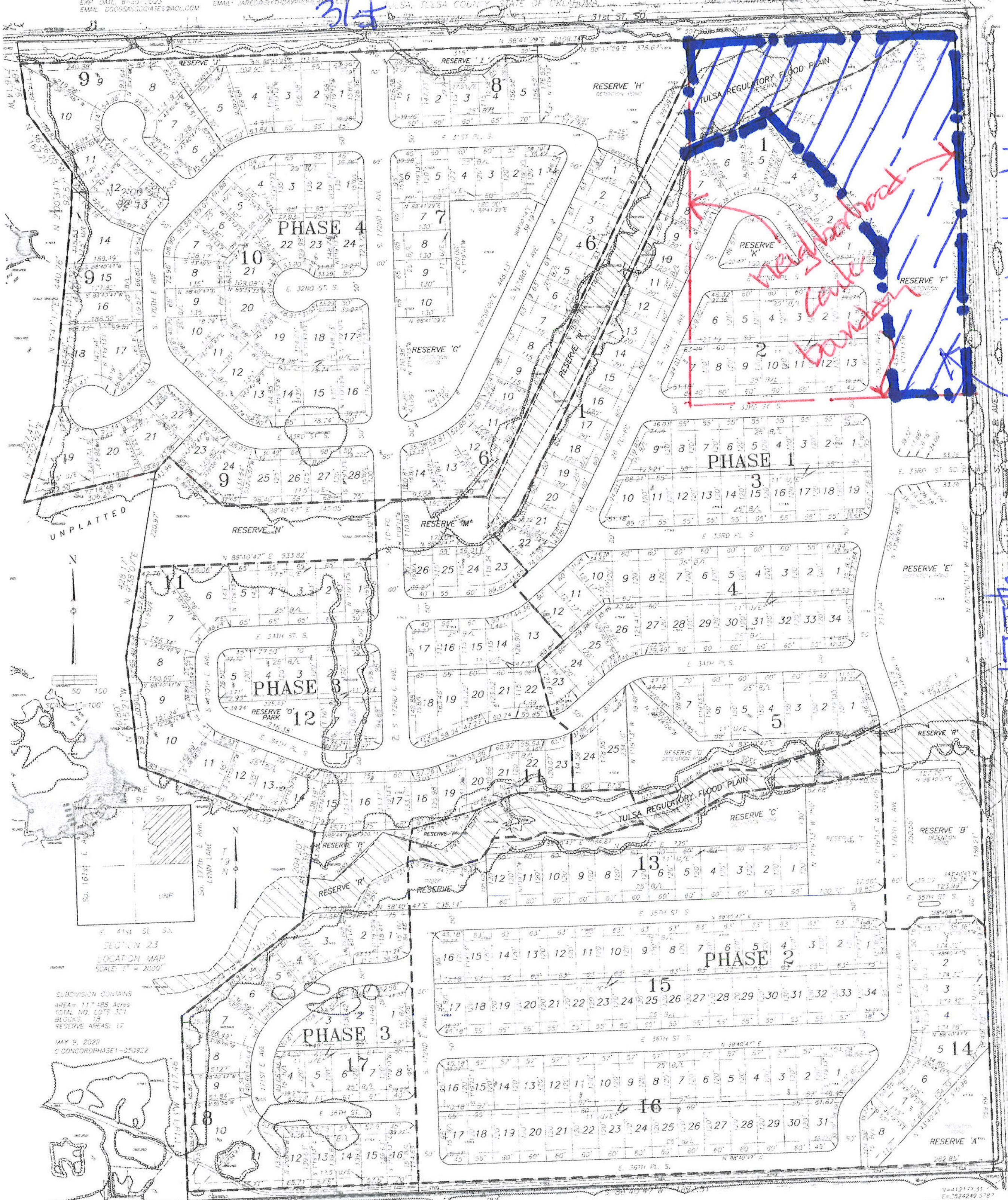
SETTLER'S HILL

A SUBDIVISION IN THE NE/4 OF SECTION 23, T-19-N, R-14-E OF THE INDIAN BASE AND MERIDIAN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

SURVEYOR:
D. GOSS & ASSOCIATES, LLC
12347 HEYWOOD HILL RD
SAPULPA, OKLAHOMA 74066
PHONE: 918-638-9203
C.A. NO. 3932
EXP. DATE: 6-30-2023
EMAIL: DGOSSASSOCIATES@AOL.COM

OWNER:
FLAT TOP DEVELOPERS, LLC
P.O. BOX 52356
TULSA, OKLAHOMA 74152
PHONE: 918-521-3923
CONTACT: JARED ANDERSON
EMAIL: JARED@SIXTHDAYPROPERTIES.COM

ENGINEER:
JR DONELSON, INC
12820 SO. MEMORIAL DR #100
BIXBY, OK 74008
PHONE: 918-394-3030
C.A. NO. 5611
EXP. DATE: 6-30-2023
EMAIL: JRDON@TULSACOXMAIL.COM



SUBDIVISION CONTAINS
AREA: 117.488 Acres
TOTAL NO. LOTS: 351
BLOCKS: 18
RESERVE AREAS: 17

MAY 9, 2022

UNPLATTED

LEGEND

℄	CENTER LINE
B.L.	BUILDING LINE
U/E	UTILITY EASEMENT
R.O.W.	RIGHT OF WAY
O.D.E.	OVERLAND DRAINAGE EASEMENT
FND	FOUND
ESMT	EASEMENT
A.O.	ACCESS OPENING
L.N.A.	LIMITS OF NO ACCESS
NW/4	NORTHWEST QUARTER
PL	PLACE
UNP	UNPLATTED
RES	RESERVE

NOTES:

1. BASIS FOR BEARINGS:
THE BASIS FOR BEARINGS IS THE EAST LINE OF THE NE/4 OF SECTION 23, T-19-N, R-14-E SHOWN AS AN ASSUMED BEARING S 01°26'13"E. USED OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE 3501, NORTH AMERICAN DATUM 1983 (NAD83). (SECTION 5.3 3(a))

2. THIS PLAT MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND SURVEYORS.

3. 3/8" IRON PINS WERE EITHER FOUND OR SET AT EACH PROPERTY CORNER.

FINAL PLAT
ENDORSEMENT OF APPROVAL

Tulsa Metropolitan Area Planning Commission Approval Date: ______	______ MAYOR
______ TMAPC/INCOG	______ ATTEST: CITY CLERK
______ CITY ENGINEER	______ CITY ATTORNEY
Council of the City of Tulsa, Oklahoma Approval Date: ______ ______ CHAIRMAN	The approval of this Final Plat will expire one year from the date of City Council approval if not filed in the Office of the County Clerk before that date.

SETTLER'S HILL
MAY 9, 2022
SHEET 1 OF 1

INTRODUCTION

PROJECT DESCRIPTION

Concord is a new master planned community located in eastern Tulsa, Oklahoma that utilizes New Urbanism design principals in order to create a vibrant, walkable, environmentally sustainable, and economically diverse community. Concord is proposed to be a mixed-use master planned community consisting of multiple housing types, recreational, civic, and commercial uses surrounded by open space and parks. The design and inspiration for developing Concord was born out of the idea that well designed, attractive, and sought after walkable communities aren't just communities people should have to vacation to in order to experience.

The development is seeking rezoning under the Master Plan Development (MPD) zoning designation in order to construct a variety of housing typologies that more closely reflect urban lot and setbacks standards, implement more pedestrian friendly thoroughfares standards, and allow for a mix of residential and neighborhood commercial uses all within the same development project.