

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2746

Wednesday, May 17, 2017, 1:30 p.m.

City Council Chamber

One Technology Center – 175 E. 2nd Street, 2nd Floor

Members Present	Members Absent	Staff Present	Others Present
Adams	Reeds	Foster	Silman, COT
Carnes	Shivel	Miller	VanValkenburgh, Legal
Covey	Walker	Sawyer	
Dix		Ulmer	
Doctor		Wilkerson	
Fretz			
Krug			
Millikin			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Thursday, May 11, 2017 at 3:30 p.m., posted in the Office of the City Clerk, as well as in the Office of the County Clerk.

After declaring a quorum present, Chair Covey called the meeting to order at 1:30 p.m.

REPORTS:

Chairman's Report:

Director's Report:

Ms. Miller reported on the TMAPC Receipts for the month of April 2017 and City Council and Board of County Commission agenda items and actions taken. Ms. Miller stated staff is compiling information about undeveloped PUD's for City Council. Ms. Miller reported on the progress of the Subdivision Regulations and Landscape Ordinance updates.

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1. Minutes:

Minutes of May 3, 2017, Meeting No. 2745

Approval of the minutes of May 3, 2017 Meeting No. 2745

On **MOTION** of **DIX**, the TMAPC voted 8-0-0 (Adams, Carnes, Covey, Dix, Doctor, Fretz, Krug, Millikin, “aye”; no “nays”; none “abstaining”; Reeds, Shivel, Walker, “absent”) to **APPROVE** the minutes of the meeting of May 3, 2017, Meeting No. 2745.

Mr. Covey removed items 9 to 16 from Consent Agenda and placed them on Public Hearing.

CONSENT AGENDA

All matters under "Consent" are considered by the Planning Commission to be routine and will be enacted by one motion. Any Planning Commission member may, however, remove an item by request.

2. **LC-896** (Lot-Combination) (CD 1) – Location: West of the northwest corner of East Admiral Place and North Peoria Avenue
3. **LS-20999** (Lot-Split) (County) – Location: South of the southeast corner of South Harvard Avenue and East 171st Street South
4. **LC-897** (Lot-Combination) (CD 4) – Location: Southwest corner of East 3rd Street and South Boston Avenue
5. **LC-898** (Lot-Split) (County) – Location: Northwest corner of East 161st Street South and South Harvard Avenue (Related to LS-21000 on public hearing agenda)
6. **LC-899** (Lot-Combination) (CD 7) – Location: North of the northwest corner of South Garnett Road and East 51st Street South
7. **LC-900** (Lot-Combination) (CD 4) – Location: Northeast corner of East 17th Street South and South Cincinnati Avenue
8. **LC-901** (Lot-Combination) (CD 6) – Location: East of the northeast corner of South 145th East Avenue and East 21st Street South
17. **LS-21008** (Lot-Split) (CD 8) – Location: Southwest corner of East 71st Street South and South Memorial Drive

TMAPC Action; 8 members present:

On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Adams, Carnes, Covey, Dix, Doctor, Fretz, Krug, Millikin, “aye”; no “nays”; none “abstaining”; Reeds, Shivel, Walker, “absent”) to **APPROVE** Items 2 through 8 and 17 per staff recommendation

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Ms. Millikin read the opening statement and rules of conduct for the TMAPC meeting.

PUBLIC HEARING AND CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA:

Applicant requests a continuance for items 9 through 16 that was moved from Consent Agenda

9. **LS-21001** (Lot-Split) (CD 4) – Location: Northeast corner of East 3rd Street and South Greenwood Avenue (Related to LC-902, LS-21002, LS-21003, LS-21004, LS-21005, LS-21006 and LS-21007)
10. **LS-21002** (Lot-Split) (CD 4) – Location: Northeast corner of East 3rd Street and South Greenwood Avenue (Related to LC-902, LS-21001, LS-21003, LS-21004, LS-21005, LS-21006 and LS-21007)
11. **LS-21003** (Lot-Split) (CD 4) – Location: Northeast corner of East 3rd Street and South Greenwood Avenue (Related to LC-902, LS-21001, LS-21002, LS-21004, LS-21005, LS-21006 and LS-21007)
12. **LS-21004** (Lot-Split) (CD 4) – Location: Northeast corner of East 3rd Street and South Greenwood Avenue (Related to LC-902, LS-21001, LS-21002, LS-21003, LS-21005, LS-21006 and LS-21007)
13. **LS-21005** (Lot-Split) (CD 4) – Location: Northeast corner of East 3rd Street and South Greenwood Avenue (Related to LC-902, LS-21001, LS-21002, LS-21003, LS-21004, LS-21006 and LS-21007)
14. **LS-21006** (Lot-Split) (CD 4) – Location: Northeast corner of East 3rd Street and South Greenwood Avenue (Related to LC-902, LS-21001, LS-21002, LS-21003, LS-21004, LS-21005 and LS-21007)
15. **LS-21007** (Lot-Split) (CD 4) – Location: Northeast corner of East 3rd Street and South Greenwood Avenue (Related to LC-902, LS-21001, LS-21002, LS-21003, LS-21004, LS-21005 and LS-21006)

16. **LC-902** (Lot-Combination) (CD 4) – Location: Northeast corner of East 3rd Street and South Greenwood Avenue (Related to LS-21001, LS-21002, LS-21003, LS-21004, LS-21005, LS-21006, and LS-21007)

22. **CPA-56 JR Donelson** (CD 9) Location: North and east of the northeast corner of South Lewis Avenue and East Skelly Drive requesting to amend the Comprehensive Plan Land Use Map from Existing Neighborhood to Mixed-Use Corridor and the Stability and Growth Map from Area of Stability to an Area of Growth (Related to Z-7373) (Continued from February 15, 2017, March 1, 2017 and April 19, 2017) (**Applicant requests a continuance to June 7, 2017**)

23. **Z-7373 JR Donelson** (CD 9) Location: North and east of the northeast corner of South Lewis Avenue and East Skelly Drive requesting rezoning from **RS-1** to **OL** (Related to CPA-56) (Continued from February 15, 2017, March 1, 2017 and April 19, 2017) (**Applicant requests a continuance to June 7, 2017**)

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Adams, Carnes, Covey, Dix, Doctor, Fretz, Krug, Millikin, “aye”; no “nays”; none “abstaining”; Reeds, Shivel, Walker, “absent”) to **CONTINUE** items 9 through 16 and items 22 and 23 to June 7, 2017 per staff recommendation

This application was withdrawn by applicant

24. **Z-7376 Steven Schuller** (CD 4) Location: South of southwest corner of S. Gary Ave. and E. 15th St. (aka 1508 S. Gary Ave. E.) requesting rezoning from **CH** to **RS-3** (Continued from February 15, 2017, March 1, 2017 and April 19, 2017) (**Withdrawn by Applicant**)

Applicant requests a Continuance to June 21, 2017

31. **Z-7393 Nathan Cross** (CD 7) Location: South of the southeast corner of South 75th East Avenue and East 61st Street requesting rezoning from **RS-3/CS** to **CG** with optional development plan (**Applicant requests a continuance to June 21, 2017**)

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Adams, Carnes, Covey, Dix, Doctor, Fretz, Krug, Millikin, “aye”; no “nays”; none “abstaining”; Reeds, Shivel, Walker, “absent”) to **CONTINUE** Z-7393 to June 21, 2017 per staff recommendation

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18. LS-21000 (Lot-Split) (County) – Location: Northwest corner of East 161st Street South and South Harvard Avenue (Related to LC-898 on consent agenda)

STAFF RECOMMENDATION:

The Lot-Split proposal is to split an existing AG (Agriculture) tract into three tracts. Tract 1 and Tract 2 will meet the Bulk and Area requirements of the Tulsa County Zoning Code. Tract 3 will meet the Bulk and Area requirements with the concurrent lot-combination application (LC-898).

The Technical Advisory Committee met on May 4, 2017 and had the following comment. The County Engineer requests a Right-of-Way dedication to total 50’ along East 161st Street South and South Harvard Avenue.

The proposed lot-split would not have an adverse affect on the surrounding properties and staff recommends **APPROVAL** of the lot-split and the waiver of the Subdivision Regulations that no lot have more than three side lot lines.

The applicant indicated her agreement with staff’s recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Adams, Carnes, Covey, Dix, Doctor, Fretz, Krug, Millikin, “aye”; no “nays”; none “abstaining”; Reeds, Shivel, Walker, “absent”) to **APPROVE** LS-21000 per staff recommendation

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19. Z-7379 Plat Waiver (CD 9) Location: South of the southeast corner of East 51st Street South and South Columbia Place

STAFF RECOMMENDATION:

The platting requirement for this property is being triggered by a rezoning approval (Z-7379) on May 4, 2017 from RS-2 to RS-3. The applicant intends to divide a single residential lot into two lots to accommodate two dwelling units. The property was previously platted as part of the Bethel Union Heights subdivision.

The Technical Advisory Committee met on May 4, 2017 and the following items were determined:

1. All required right-of-way has been dedicated and is in place.
2. Necessary easements and utilities are all in place and no additional easements will be needed at this time.
3. A lot split application (LS-20995) has been filed and reviewed for compliance with the bulk and area requirements of the City of Tulsa Zoning Code.

Staff recommends **approval** of the plat waiver.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, TMAPC voted **8-0-0** (Adams, Carnes, Covey, Dix, Doctor, Fretz, Krug, Millikin, "aye"; no "nays"; none "abstaining"; Reeds, Shivel, Walker, "absent") to **APPROVE** Plat Waiver Z-7379 per staff recommendation

20.Z-6860 Plat Waiver (CD 1) Location: East of the northeast corner of East Apache Street North and North Birmingham Avenue

STAFF RECOMMENDATION:

The platting requirement for this property is being triggered by a rezoning approval given in July of 2002. The property was rezoned from a CS designation to an IL designation. The applicant is seeking to continue using the property for used car sales and was met with a platting requirement while seeking a new Certificate of Occupancy. The property was previously platted under the Ben C. Franklin addition plat.

The Technical Advisory Committee met on May 4, 2017 and the following items were determined:

4. All required right-of-way has been dedicated and is in place.
5. Necessary easements and utilities are all in place and no additional easements will be needed at this time.
6. The proposed use of the property is a continuance of an existing use within existing buildings that will require no additional building or construction permits.
7. The property currently consists of two separate lots that will require a lot combination if they are both being used for the proposed car lot.

Staff recommends **approval** of the plat waiver.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Adams, Carnes, Covey, Dix, Doctor, Fretz, Krug, Millikin, “aye”; no “nays”; none “abstaining”; Reeds, Shivel, Walker, “absent”) to **APPROVE** Plat Waiver Z-6860 per staff recommendation

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21. CBOA-2632 Plat Waiver (County) Location: South of the southeast corner of West 6th Street and South 65th West Avenue

STAFF RECOMMENDATION:

The platting requirement for this property is being triggered by a special exception approval by the Tulsa County Board of Adjustment to permit a temporary fireworks stand (Use Unit 2). The property was platted under the Partridge Subdivision plat and there is currently no plan for new construction on the property.

The Technical Advisory Committee met on May 4, 2017 and the following items were determined:

8. All required right-of-way has been dedicated and is in place.
9. Necessary easements and utilities are all in place and no additional easements will be needed at this time.
10. The proposed use of the property is temporary and will not require any new building or construction permits on the property.

Staff recommends **approval** of the plat waiver.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Adams, Carnes, Covey, Dix, Doctor, Fretz, Krug, Millikin, “aye”; no “nays”; none “abstaining”; Reeds, Shivel, Walker, “absent”) to **APPROVE** Plat Waiver CBOA-2632 per staff recommendation

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25.Z-7387 C.S. Benge (CD 9) Location: Northwest corner of South Louisville Avenue and East 32nd Street South requesting rezoning from **RS-3** to **RM-0**

STAFF RECOMMENDATION:

SECTION I: Z-7387

DEVELOPMENT CONCEPT: The applicant has requested rezoning for a small multifamily development.

DETAILED STAFF RECOMMENDATION:

RM-O zoning is consistent with the infill development pattern expected in the Existing Neighborhood land use designation of the Comprehensive Plan and,

RM-O zoning is consistent with the anticipated future redevelopment of this block and,

RM-O is considered non injurious to the proximate properties therefore,

Staff recommends Approval of Z-7387 to rezone property from RS-3 to RM-0.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The subject lot is located within an Existing Neighborhood Land Use and designated as an Area of Stability.

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 include 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. 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: Neither East 32nd Street South nor South Louisville Avenue are classified by the Major Street and Highway Plan.

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 currently contains a single-family residence.*

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 32 nd Street South	None	N/A	2
South Louisville Avenue	None	N/A	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	RS-3	Existing Neighborhood	Stability	Single-Family
South	RS-3	Existing Neighborhood	Stability	Single-Family
East	RS-3	Existing Neighborhood	Stability	Single-Family
West	RM-2	Mixed-Use Corridor	Growth	Multi-Family

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11823 dated June 26, 1970, established zoning for the subject property.

Subject Property:

No relevant history.

Surrounding Property:

Z-7206 September 2012: All concurred in **approval** of a request for *rezoning* a .56± acre tract of land from RS-3/OL to OL/CS for office use, on property located south of southwest corner of E. 31st St. and S. Louisville Ave.

Z-7121 January 2009: A request was made for *rezoning* a 12,188± square foot tract of land from PK to OM. All concurred in denial of OM and **approval** of OL zoning for office use, on property located south of southwest corner of East 31st Street and South Louisville Avenue north of the subject property.

PUD-638 October 2000: All concurred in **approval** of a request for a *Planned Unit Development* on a 1.9-acre tract located on the southwest corner of East 32nd Place and South Jamestown from RM-1 and RM-2 to PUD for a two-story medical office development.

Z-6227 January 1989: All concurred in **approval** of a request to *rezone* a 1.3+ acre tract from RS-3 to OL on the north 150' and PK zoning, on the south tract located on the southeast corner of East 31st Street South and South Louisville Avenue.

PUD-345 January 1984: All concurred in **approval** of a proposed *Planned Unit Development* a 3.1+ acre tract of land for office use including the Tulsa Teacher's Credit Union, on property located west of the southwest corner of East 31st Street and South New Haven Avenue.

BOA-8657 July 3, 1975: The Board of Adjustment **approved** a request to convert a duplex into eight sleeping rooms in an RD district, on property located at 3203 S. Knoxville Ave.

BOA-2560 June 9, 1954: The Board of Adjustment **approved** a *Special Exception* for church use, on property located at 3143 S. Jamestown Ave. and west of subject property.

TMAPC COMMENTS:

Mr. Covey asked staff if the Land Use Plan classified the OL adjacent to the subject property as an Existing Neighborhood.

Staff answered "yes".

Mr. Covey asked staff "why"?

Staff stated that along the edges of Existing Neighborhood there are times light office is appropriate.

Mr. Covey stated to staff so you are saying the house located on this property could be an office.

Staff stated "yes".

Mr. Dix asked staff to explain RM-0 as compared to RM-1.

Staff answered the primary difference is the required open space on a lot for each dwelling unit.

INTERESTED PARTIES COMMENTS:

Katie Heffernen 3131 South Louisville Avenue, Tulsa, OK 74135

Ms. Heffernen stated she is the home owner across the street from proposed property. Ms Heffernen stated she is concerned about her property values with an apartment complex such as the one being proposed, across the street from her.

Steve Benge 18617 East 43rd Street, Tulsa, OK 74134

Mr. Benge stated he is the applicant. Mr. Benge stated he recognizes the concerns about property values, but he is bringing \$750,000 dollars of new life into an old neighborhood. Mr. Benge stated the proposed development is like houses that touch each other, each have their own separate house, their own separate driveway and garage and front door. There will be sidewalks in front where there are not sidewalks now. Mr. Benge stated the houses are very compatible with the rest of the neighborhood which also has single car garages and except for the fact that they are connected by a firewall the structures could easily be single family homes. Mr. Benge stated these units are solely marketed to tenants 55 and over, bills are paid and maintenance is provided. Mr. Benge stated the properties are very well maintained and this is a business plan that Mr. Benge has used before. Mr. Benge stated the average renter stays in the units for 4 years and become a part of the local community. Mr. Benge stated he believes these units are a great transitional element between commercial and an existing stable neighborhood. Mr. Benge stated he also believes this is the last chance to stop the commercial creep coming from 31st Street into the neighborhood. Mr. Benge stated he is taking a risk and paid too much for the land but thinks there is a need for these units among senior citizens looking to downsize.

Mr. Covey asked how many units Mr. Benge was going to build.

Mr. Benge answered "6".

Mr. Covey asked Mr. Benge if that was 2 units of three.

Mr. Benge responded "yes", there will be 3 that face 32nd Street and 3 that face Louisville Avenue.

Mr. Dix asked Mr. Benge what the square footage of each unit would be not including the garage portion.

Mr. Benge stated a two bedroom would be 1325 square feet and a one bedroom would be 1105 square feet.

Mr. Dix asked if they included laundry rooms.

Mr. Benge stated "yes", and washer and dryers are included along with all other appliances.

Michael Heffernen 225 North Sante Fe, Tulsa, OK 74127

Mr. Heffernen stated Katie Heffernen is his daughter and they own the house across the street. Mr. Heffernen stated that Louisville Avenue has always been single residential homes and Mr. Heffernen stated he could see this proposed development being marketed to 55 and over residents but he questioned what would happen 10 -15 years from now if Mr. Bengé decided to sell the property as he did in Broken Arrow. Mr. Heffernen stated he believes this development is better suited for midtown where if they take down a property they put up a residence that is bigger and better than what was there originally. Mr. Heffernen stated that Mr. Bengé didn't pay a lot for this property and could sell it to a developer for residential homes.

APPLICANT'S REBUTTAL

Mr. Bengé stated to Mr. Heffernen that he was a developer. Mr. Bengé stated this property backs to some very economical apartments and no one is going to buy a house that is backed up to those apartments. If houses could have been developed successfully on this lot it would have been done before now, the property has been like it is now for 16 years. Mr. Bengé stated as a developer you have to know when you can sell a house and when you can't. Mr. Bengé stated a divorce caused him to sell the property in Broken Arrow and that the subject property is owned by Mr. Bengé and his son who will still be here in 15 years. Mr. Bengé stated he has a reputation of having nice properties that are well maintained and would like to partner with the people in the neighborhood and become part of the community. Mr. Bengé stated he knocked on every door in the subdivision within the 300 foot radius and made a presentation and had one negative response with the resident to the immediate north and Katie Heffernen who said "wait and see". Mr. Bengé stated he believes that speaks for the quality of the product that he is going to deliver to the neighborhood.

Ms. Millikin stated she thinks the plan is appropriate with the surrounding properties stated that with a large number of baby boomers retiring now there is a need to come up with housing options to allow senior citizens to remain in their homes and Ms. Millikin stated this plan meets that requirement.

TMAPC Action; 8 members present:

On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Adams, Carnes, Covey, Dix, Doctor, Fretz, Krug, Millikin, "aye"; no "nays"; none "abstaining"; Reeds, Shivel, Walker, "absent") to **APPROVE** Z-7387 rezoning from **RS-3** to **RM-0** per staff recommendation.

Legal Description for Z-7387

S170 E/2 LT 8, ALBERT PIKE 2ND RESUB W/2 L8, City of Tulsa, Tulsa County, State of Oklahoma

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26. Z-7388 Tanner Consulting, LLC/Erik Enyart (CD 6) Location: North and east of the northeast corner of East 41st Street South and South 145th East Avenue requesting rezoning from **RM-0/CS** to **RM-2**

STAFF RECOMMENDATION:

SECTION I: Z-7388

DEVELOPMENT CONCEPT: The applicant has identified the site as a potential development opportunity for a multi-family development and has requested a zoning map revision to remove some of the existing CS and RM-0 and rezone to RM-2.

The rezoning request will reduce the CS zoned property from approximately 9.5 acres to approximately 2.9 acres.

In Summary:

- 1) RM-2 zoning requires 1100 square feet of lot area for each dwelling unit or up to 510 dwelling units. Please note that this is a theoretical calculation and is unlikely because of storm water detention areas, street right of way dedication and parking requirements.
- 2) RM-O zoning requires 2900 square feet of lot area for each dwelling unit or up to 193 dwelling units. Please note that this is a theoretical calculation and is unlikely because of storm water detention areas, street right of way dedication and parking requirements.
- 3) Both RM-2 and RM-O zoning districts are limited with a maximum building height of 35 feet.
- 4) Both RM-2 and RM-O zoning have the same building setbacks.

DETAILED STAFF RECOMMENDATION:

RM-2 zoning is consistent with the Neighborhood Center and New Neighborhood land use designations in the comprehensive plan and,

RM-2 zoning is consistent with the expected development pattern and,

RM-2 zoning is considered non injurious to the proximate properties therefore,

Staff recommends Approval of Z-7388 to rezone property from RM-0/ CS to RM-2.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: RM-2 zoning is consistent with the land use designation identified in the Comprehensive Plan.

Land Use Vision:

Land Use Plan map designation: Neighborhood Center/ New Neighborhood
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.

The New Neighborhood 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.

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: South 145th East Avenue is a Primary Arterial. East 41st Street South is a Secondary Arterial

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 currently vacant land. There are no structures on the subject lot at this time.

Environmental Considerations: None that would affect site development

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South 145 th East Avenue	Primary Arterial	120 feet	2
East 41 st Street	Secondary Arterial	100 feet	2

Utilities:

The subject tract has municipal water available. Sewer does not currently exist. A sewer extension would be required in order to provide sewer service to the tract.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	RM-0	New Neighborhood	Growth	Vacant
South	CS(Tulsa) A-CG/A-RD (Broken Arrow)	Neighborhood Center (Tulsa) Commercial/ Employment Nodes Transition Area (Broken Arrow)	Growth (Tulsa) N/A (Broken Arrow)	Forested Land / Stream
East	RM-0/RS-3	New	Growth	Single-Family

		Neighborhood		
West	AG	New Neighborhood/ Neighborhood Center	Growth	Vacant

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 15227 dated December 15, 1981, established zoning for the subject property.

Subject Property:

Z-5607 December 1981: All concurred in **approval** of a request for *rezoning* a tract of land from AG to RS-3/ RM-0/ CS, on property located north of E. 41st St. east of S. 145th E. Ave. for a mile.

Surrounding Property:

No relevant history.

Applicant’s Comments:

Ricky Jones, Tanner Consulting 5323 S Lewis Ave, Tulsa, OK 74105
 Mr. Jones stated this property was rezoned by MAP in 1980. Applicant stated that the area has been surveyed and the legal description does go up to the abutting single family subdivision to the east. Mr. Jones stated since the property was rezoned in approximately 1980 it is Mr. Jones belief that the property was set up for a PUD which is no longer available but would have allowed the applicant to spread the density from the CS to the RM-0 and across the entire project. Mr. Jones stated after speaking to Mr. Wilkerson the applicant decided to clean up the zoning designations because they are proposing a new type of multifamily development that is similar to what is being built in the Dallas, Texas area. Mr. Jones stated that for the proposed development the rezoning was not necessary but it would clean up the designations. Mr. Jones stated traffic impacts have also been reviewed by transportation engineers.

Mr. Dix asked Mr. Jones if there would be RM-0 zoning on any of this property after the rezoning to RM-2.

Mr. Jones answered “yes”, but it will not be on the applicant’s property. Mr. Jones stated it will be on the single family subdivision property to the east.

Dr. Dix asked if there would be RM-0 on the north also.

Mr. Jones stated "yes", that is property that the applicant does not own and there will be an RM-0 strip leftover on that side also. When that property is developed the developers will have to clean up the zoning on that property just as the applicant is doing.

TMAPC Action; 8 members present:

On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Adams, Carnes, Covey, Dix, Doctor, Fretz, Krug, Millikin, "aye"; no "nays"; none "abstaining"; Reeds, Shivel, Walker, "absent") to **APPROVE** Z-7388 rezoning from **RM-0/CS** to **RM-2** per staff recommendation.

Legal Description for Z-7388

A TRACT OF LAND THAT IS A PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW/4 SW/4) OF SECTION TWENTY-TWO (22), TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW/4) OF SAID SECTION 22; THENCE SOUTH 88°44'17" WEST AND ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER FOR A DISTANCE OF 1728.81 FEET TO THE POINT OF BEGINNING. THENCE SOUTH 88°44'17" WEST AND CONTINUING ALONG SAID SOUTH LINE FOR A DISTANCE OF 528.00 FEET; THENCE NORTH 1°28'54" WEST AND PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST QUARTER FOR A DISTANCE OF 330.00 FEET; THENCE SOUTH 88°44'17" WEST AND PARALLEL WITH SAID SOUTH LINE FOR A DISTANCE OF 380.00 FEET TO A POINT ON THE WEST LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH 1°28'54" WEST AND ALONG SAID WEST LINE FOR A DISTANCE OF 427.89 FEET; THENCE NORTH 88°43'42" EAST FOR A DISTANCE OF 908.00 FEET; THENCE SOUTH 1°28'54" EAST AND PARALLEL WITH SAID WEST LINE FOR A DISTANCE OF 758.05 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 562,832 SQUARE FEET OR 12.921 ACRES., City of Tulsa, Tulsa County, State of Oklahoma

27. Z-7389 Tanner Consulting, LLC/Ricky Jones (CD 2) Location: Southwest corner of West 71st Street and South Jackson Avenue requesting rezoning from **RS-3** to **CS**

STAFF RECOMMENDATION:

SECTION I: Z-7389

DEVELOPMENT CONCEPT:

Rezoning requested for commercial and office uses along W. 71st Street South. The site is partially in the Town Center land use designation and partially in the Regional Center. Both land use categories support CS zoning.

DETAILED STAFF RECOMMENDATION:

CS zoning is consistent with the development pattern expected in the Town Center and Regional land use designation of the Comprehensive Plan and,

CS zoning is consistent with the West Highlands Small Area Plan

CS zoning is consistent with the anticipated future development of the proximate properties and,

CS is considered non injurious to the proximate properties therefore,

Staff recommends Approval of Z-7389 to rezone property from RS-3 to CS.

SECTION II: Supporting Documentation**RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

Staff Summary: The permitted land uses that are identified in CS zoning district are consistent with the land use map in both the West Highlands Small Area Plan and the Tulsa Comprehensive Plan. Design standards and goals suggested in the West Highlands Small Area Plan are not included in the CS zoning category.

Land Use Vision:

Land Use Plan map designation: Regional Center, Town Center

Regional Centers are mid-rise mixed-use areas for large-scale employment, retail, and civic or educational uses. These areas attract workers and visitors from around the region and are key transit hubs; station areas can include housing, retail, entertainment, and other amenities. Automobile parking is provided on-street and in shared lots. Most Regional Centers include a parking management district.

Town Centers are medium-scale, one to five story mixed-use areas intended to serve a larger area of neighborhoods than Neighborhood Centers, with retail, dining, and services and employment. They can include apartments, condominiums, and townhouses with small lot single family homes at the edges.

A Town Center also may contain offices that employ nearby residents. Town centers also serve as the main transit hub for surrounding neighborhoods, and can include plazas and squares for markets and events. These are pedestrian-oriented centers designed so visitors can park once and walk to number of destinations.

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: West 71st Street South is a Primary Arterial

Trail System Master Plan Considerations: The subject tracts are approximately ½ mile from Turkey Mountain Urban Wilderness Area and Riverparks West Trail.

Small Area Plan: West Highlands Tulsa Hills

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The western two subject lots each contain a single-family residence. The eastern most lot contains a small commercial business.

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
West 71 st Street	Primary Arterial	120 feet	6 / 4
South Jackson Avenue	None	None	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	RM-2/PUD-790	Mixed-Use Corridor	Growth	Senior Living Facility
South	CO/Z-7008-SP-1	Regional Center	Growth	Tulsa Hills Shopping Center Detention Reserve Area
East	CS	Town Center	Growth	Vacant
West	CO/Z-7008-SP-1	Regional Center	Growth	Tulsa Hills Shopping Center

SECTION III: Relevant Zoning History

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

Subject Property:

BOA-21248 April 11, 2011: The Board of Adjustment **approved** a *Special Exception* to permit a home occupation (window film application) within an existing building in an RS-3 district; and a *Variance* to permit signs for the home occupation, with conditions, on property located at 704 W. 71st St. S. and also known as a part of the subject property.

Surrounding Property:

BOA-22137 September 27, 2016: The Board of Adjustment **approved** a *Special Exception* to permit a self-storage facility in the CS district, on property located on the southeast corner of S. Jackson Ave. and W. 71st St. S.

Z-7353 October 2016: All concurred in **approval** of a request for *rezoning* a 2.58± acre tract of land from RS-3 to CS, for self-storage use, on property located south of the southeast corner of S. Jackson Ave. and W. 71st St.

PUD-832 July 2015: All concurred in **approval** of a proposed *Planned Unit Development* on a 10.64± acre tract of land for a medical and office development, on property located east of northeast corner of W. 71st St. and Highway 75.

Z-7286 February 2015: All concurred in **approval** of a request for *rezoning* a 3.5± acre tract of land from RS-3 to CS, for commercial uses, on property located on the southeast corner of W. 71st St. and S. Jackson Ave. and abutting north of subject property.

Z-7195/ PUD-790 March 2012: All concurred in **approval** of a request for *rezoning* a 4± acre tract of land from AG to RM-2 and a Planned Unit Development (PUD-790), for life care retirement cent and assisted living facility with a maximum 80,000 sq. ft. and 120 dwelling units, on property located east of northeast corner of West 71st Street and South Olympia Avenue.

PUD-783-A September 2011: All concurred in **approval** of a *Major Amendment to PUD-783* on a 2.69± acre tract of land to add to Development Area A and to allow for access between PUD-783 and Olympia Medical Park/PUD-648 to the west, on property located east of the northeast corner of Highway 75 South and West 71st Street.

PUD-783 April 2011: All concurred in **approval** of a proposed *Planned Unit Development* on a 5± acre tract of land for mixed use, and QuikTrip site, on property located east of northeast corner of Highway 75 and West 71st Street.

Z-7052/PUD-738 May 2007: All concurred in **approval** of a request to *rezone* a 39.19± acre tract from AG to RS-3/RM-0/CS and a Planned Unit Development for a mixed use development with two Development Areas, on property located at the southwest corner of West 71st Street South and South Elwood Avenue. Northern Development Area A permits office and commercial use and the southern Development Area B allows for children's nursery and church use, townhouse and multi-family dwelling as well as off-street parking and offices and studios.

Z-7008-SP-1/Z-6966-SP-1/Z-6967-SP-1 March 2006: All concurred in **approval** of a *Corridor Site Plan* on 176± acres to permit a regional shopping center known as the Tulsa Hills site with a total of 1,554,194 square feet of maximum building floor area approved at a .25 floor area ratio. On property located east of US Highway 75 between West 71st and West 81st Streets and west of subject property.

Z-7008 March 2006: All concurred in **approval** of a request to *rezone* a 43.6+ acre tract from AG/RS-3 to CO on property located East side of U. S. Highway 75

South between West 71st Street South and West 81st Street South for regional shopping center known as Tulsa Hills.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Adams, Carnes, Covey, Dix, Doctor, Fretz, Krug, Millikin, "aye"; no "nays"; none "abstaining"; Reeds, Shivel, Walker, "absent") to **APPROVE** Z-7389 rezoning from **RS-3** to **CS** per staff recommendation.

Legal Description for Z-7389

A TRACT OF LAND THAT IS A PART OF THE WEST HALF OF THE NORTHEAST QUARTER (W/2 NE/4) OF SECTION ELEVEN (11), TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE WEST HALF OF THE NORTHEAST QUARTER (W/2 NE/4) OF SAID SECTION 11; THENCE SOUTH 89°08'48" WEST AND ALONG THE NORTH LINE OF SAID WEST HALF FOR A DISTANCE OF 360.00 FEET TO A POINT AT THE NORTHEAST CORNER OF THAT TRACT OF LAND DESCRIBED IN DOCUMENT NO. 2009047458, COUNTY OF TULSA RECORDS, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE SOUTH 1°18'30" EAST, CONTINUING ALONG EAST LINE OF SAID TRACT AND ALONG THE WEST RIGHT OF WAY LINE OF SOUTH JACKSON AVENUE, AS DEDICATED IN BOOK 3456 AT PAGE 285, TULSA COUNTY RECORDS FOR A DISTANCE OF 435.00 FEET; THENCE SOUTH 89°08'48" WEST AND ALONG THE NORTH LINE OF RESERVE "E" AND THE EAST LINE OF LOT 11, BLOCK 2, "TULSA HILLS", AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF (PLAT NO. 6154), FOR A DISTANCE OF 303.94 FEET TO A POINT ON THE EAST LINE OF SAID LOT 11; THENCE NORTH 1°18'11" WEST AND ALONG THE EAST LINE OF SAID LOT 11 AND THE EAST LINE OF LOT 19, SAID BLOCK 2 FOR A DISTANCE OF 435.00 FEET TO A POINT ON THE NORTH LINE OF THE WEST HALF OF THE NORTHEAST QUARTER (W/2 NE/4) OF SAID SECTION 11; THENCE NORTH 89°08'48" EAST AND ALONG SAID NORTH LINE FOR A DISTANCE OF 303.90 FEET TO THE POINT OF BEGINNING; SAID TRACT CONTAINS 132,201 SQUARE FEET OR 3.035 ACRES.

* * * * *

28. Z-7390 Rick Stuber (CD 6) Location: West of the northwest corner of East 24th Street and South 137th East Avenue requesting rezoning from **RD** to **RM-1**

STAFF RECOMMENDATION:
SECTION I: Z-7390

DEVELOPMENT CONCEPT:

The applicant has requested a requested rezoning to construct a multifamily development on an underutilized tract of land west of the Eastgate Metroplex near 21st at 145th East Avenue. The site when originally defined was surrounded by street right of way however the street infrastructure was never constructed. Some of the right of way has been vacated and only a portion of the street on the south boundary was ever constructed. A public street is expected to be part of the development requirements along the south boundary of the rezoning request.

DETAILED STAFF RECOMMENDATION:

RM-1 zoning is consistent with the Existing Neighborhood and the Area of Growth land use designations identified in the Tulsa Comprehensive Plan and,

RM-1 zoning is considered non-injurious to the surrounding property and

RM-1 zoning is consistent with the expected development pattern in the area and,

The property has never been platted however some street right of way has been dedicated without complete street improvements. Development of this tract will improve the existing substandard street infrastructure providing desired connectivity defined in the comprehensive plan therefore,

Staff recommends Approval of Z-7390 to rezone property from RD/ to RM-1.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: This site is not part of a single family neighborhood and was previously zoned for duplex development that was never constructed. The Area of Growth indicates an area where new development was expected. This area is an opportunity for an infill product that will provide improvements to the sidewalk and street network.

Land Use Vision:

Land Use Plan map designation: Existing Neighborhood

“The 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.”

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: None

Trail System Master Plan Considerations: Just east of the southeast corner of the site the Go Plan designates a bike corridor on South 137th East Avenue. The proposed rezoning is does not affect that corridor however the additional population expected would increase the users along this corridor.

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is gently sloping to from the northeast corner of the property toward the southwest corner with approximately 18 feet of elevation change. The site is grass covered with few trees. The property does not show signs of previous building activity.

Street view: Looking from southwest corner to the northeast.



Environmental Considerations: None that would affect site development

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 24 th Street South	None	50 feet	Unimproved and two lanes where the street exists.

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	RM-O/RD	New Neighborhood	Growth	Undeveloped
East	RM-1/RS-3	Existing Neighborhood	Growth on North ½ Stability on South ½	Multifamily north ½ Single family south 1/2
South	RS-2	New Neighborhood	Growth	Single family residential and church
West	RS-2 with special exception to allow a safety school	New Neighborhood	Growth	Undeveloped

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 14560 dated October 15, 1979, established zoning for the subject property.

Subject Property:

Z-5280 October 1979: All concurred in denial of a request for *rezoning* a tract of land from RS-2 to RM-0, but **approved** RD zoning, on property located west of the northwest corner of E. 24th St. and S. 137th E. Ave. and also known as the subject property.

Surrounding Property:

BOA-16911 February 14, 1995: The Board of Adjustment **approved** a *Special Exception* to permit a safety school in an RS-2 district, on property located on the southeast corner of E. 23rd St. and S. 132nd E. Ave. and abutting west of subject property.

BOA-15818 September 10, 1991: The Board of Adjustment **approved** a *Special Exception* to permit church use in OL/ RM-1/ RM-0 districts, on property located at 13650 E. 21st St. and abutting north of subject property.

BOA-12950 December 29, 1983: The Board of Adjustment **approved** a *Special Exception* to permit a church us in an RS-2 district, per plan, on property located on the southeast corner of E. 24th St. and S. 135th E. Ave. and abutting south of subject property.

TMAPC COMMENTS:

Mr. Dix asked staff on page 28.8 of the agenda packet, why there is a jog in the south property line.

Staff answered that on the east half of the property the full street right of way width has been previously dedicated.

Mr. Dix asked if the south side of that property line had already been acquired.

Staff stated “yes”.

Mr. Dix stated with this platting the entire right of way of the street will be finished.

INTERESTED PARTIES COMMENTS:

Linda Baker 13612 East 24th Street, Tulsa, OK 74134

Ms. Baker stated she lives across from the apartment building and believes there are enough apartment buildings and multifamily dwellings in the area. Ms. Baker states it would reduce the property values in the area. Ms. Baker stated the property is already zoned for duplexes and she feels that is enough.

Michael Baker 13612 East 24th Street, Tulsa, OK 74134

Mr. Baker stated if a car is parked on each side of the street a car cannot go between them. Mr. Baker stated if there is a fire the fire department would not be able to respond in a timely manner because of the narrow street. Mr. Baker stated the street is too narrow for the amount of traffic this development would add.

Applicant's Comments:

Rick Stuber 2642 East 21st, STE#195, Tulsa, OK 74114

Mr. Stuber stated he is providing zoning assistant to the owner. Mr. Stuber stated that when looking at the current zoning code requirements for RM-1 the preliminary analysis is his client could comply with straight zoning without any specific development plan. Mr. Stuber stated his client recognizes he needs to go through platting and all the development standards for the right of way

improvements. Mr. Stuber stated his client intends to own and operate the apartment complex and the complex would meet or exceed standards of the property that is currently adjacent to the subject property. The proposed development would be 2 stories and be fenced, gated with a clubhouse and security system. There will also be a common area with a pool.

Mr. Stuber stated the current street configuration is 2 dead ends that were built many years ago and as this property is developed his client will have to meet current City of Tulsa standards for streets, drainage as well as sidewalks. Mr. Stuber stated they will also have to work closely with Development Services to provide a proper street alignment and improvements and that should mitigate some concerns neighbors have about current egress.

TMAPC Action; 8 members present:

On **MOTION** of **DIX**, TMAPC voted **8-0-0** (Adams, Carnes, Covey, Dix, Doctor, Fretz, Krug, Millikin, “aye”; no “nays”; none “abstaining”; Reeds, Shivel, Walker, “absent”) to **APPROVE** Z-7390 rezoning from **RD** to **RM-1** per staff recommendation.

Legal Description for Z-7390

E/2 N/2 SE NW LESS S25 E329.57 FOR ST SEC 16 19 14 9.81ACS, City of Tulsa, Tulsa County, State of Oklahoma

* * * * *

29. Z-7391 Lou Reynolds (CD 9) Location: Southwest corner of East 51st Street and South Oswego Avenue requesting rezoning from **OL** to **CS**

STAFF RECOMMENDATION:

SECTION I: Z-7391

DEVELOPMENT CONCEPT: The existing building is will be occupied by an Environmental Lab that provides testing lab services. Part of their business provides training for environmental services. The building permit office has classified that part of their business as a trade school. Trade schools are not allowed in the existing OL designation. The applicant contents that CS zoning is consistent with the Town Center land use designation identified in the Tulsa Comprehensive Plan and also supports the current desired use.

DETAILED STAFF RECOMMENDATION:

CS zoning is consistent with the Town Center land use designation of the Tulsa Comprehensive Plan and,

CS zoning is compatible with the existing land use and zoning pattern along the East 51st street and,

CS zoning is not considered injurious to the proximate properties, therefore

Staff recommends Approval of Z-7391 to rezone property from OL to CS.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: Town Center land use designation supports a wide variety of uses that are consistent with permitted uses in a CS zoning district.

Land Use Vision:

Land Use Plan map designation: Town Center

Town Centers are medium-scale, one to five story mixed-use areas intended to serve a larger area of neighborhoods than Neighborhood Centers, with retail, dining, and services and employment. They can include apartments, condominiums, and townhouses with small lot single family homes at the edges. A Town Center also may contain offices that employ nearby residents. Town centers also serve as the main transit hub for surrounding neighborhoods, and can include plazas and squares for markets and events. These are pedestrian-oriented centers designed so visitors can park once and walk to number of destinations.

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: East 51st Street South is a Secondary Arterial. South Oswego Avenue is a Residential Collector.

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 subject tract contains a one story office building and associated parking areas to the east and west.

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 51 st Street	Secondary Arterial	100 feet	4
South Oswego Avenue	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	CO/PUD-467	Town Center	Growth	Medical Office/Vacant
South	RS-2	Existing Neighborhood	Stability	Single-Family
East	OL	Town Center	Growth	Vacant
West	OL	Town Center	Growth	Commercial

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11823 dated June 26, 1970, established zoning for the subject property.

Subject Property:

BOA-6284 May 6, 1969: The Board of Adjustment **approved** a *Variance* to permit a sign 6' x 10' and 30' high in an OL district, on property located on the southwest corner of E. 51st St. and S. Oswego Ave. and also known the subject property.

BOA-6011 October 1, 1968: The Board of Adjustment **approved** a *Variance* of the lot coverage requirements to permit a one-story office building that will cover 25% of the lot area, on property located on the southwest corner of E. 51st St. and S. Oswego Ave. and also known the subject property.

Surrounding Property:

PUD-467-A/ Z-6310-SP-6 May 2016: All concurred in **approval** of a proposed *Major Amendment to PUD* on a .57± acre tract of land to add Off-premise Outdoor Advertising as an allowable use, on property located west of northwest corner of E. 51 St. S. and S. Pittsburgh Ave.

Z-6873 January 2003: All concurred in **approval** of a request for *rezoning* a 6000± square foot tract of land, from RS-3 to OL, for office use, on property located south of the southeast corner of East 51st Street and South Oswego Avenue, and abutting east of the subject property.

Z-6317 June 1991: All concurred in **approval** of a request for *rezoning* a tract of land from RS-3 to OL, on a lot located west of the southwest corner of East 51st Street and South Oswego Avenue and abutting west of the subject property.

Z-6310/ PUD-467 May 1991: All concurred in **approval** of a request for *rezoning* a 7.88± acre tract of land from OM/ OMH to CO with a Planned Unit Development for a commercial development including restaurant and retail, on

property located on the northwest corner of E. 51st St. and S. Pittsburgh Ave. and north across 51st St. of the subject property.

The applicant indicated his agreement with staff’s recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, TMAPC voted **8-0-0** (Adams, Carnes, Covey, Dix, Doctor, Fretz, Krug, Millikin, “aye”; no “nays”; none “abstaining”; Reeds, Shivel, Walker, “absent”) to **APPROVE** Z-7391 rezoning from **OL** to **CS** per staff recommendation

Legal Description for Z-7391

The North One Hundred Ninety (190) feet of the West Two Hundred Seventy (270) feet of the East Four Hundred Thirty (430) feet of the Northeast Quarter of the Northeast Quarter of the Northwest Quarter (NE/4 NE/4 NW/4) of Section Thirty-three (33), Township Nineteen (19) North, Range Thirteen (13) East of the Indian Base and Meridian, City of Tulsa, Tulsa County, State of Oklahoma, according to the United States Government Survey thereof.

* * * * *

30. Z-7392 Mark Capron (CD 6) Location: West of the Northwest corner of East 41st Street and South 161st East Avenue requesting rezoning from **AG/RM-0** to **RS-3**

STAFF RECOMMENDATION:

SECTION I: Z-7392

DEVELOPMENT CONCEPT: The applicant is preparing documents for Jamestown Phase I, a single family residential subdivision. The majority of the plat is already zoned for RS-3 sized lots however the eastern portion of the plat was previously zoned RM-O to support multifamily residential development. At the time, RM-O zoning which was considered a buffer adjacent to future commercial zoned property adjacent to the southeast corner of the section. AG zoning remained at the southeast corner of the section. RM-O zoning allows single family residential development but a portion of the subdivision extended into the AG tract. It is desirable for all of the subdivision to be the same RS-3 zoning to eliminate confusion about allowable uses and development standards.

DETAILED STAFF RECOMMENDATION:

Z-7392 is consistent with the New Neighborhood and Neighborhood Center land use designations of the Tulsa Comprehensive Plan and,

The permitted uses allowed by with RS-3 zoned property is consistent with the expected land use of the proximate properties and,

RS-3 zoned property is considered non injurious to the existing surrounding properties therefore,

Staff recommends Approval of Z-7392 to rezone property from AG/ RM-0 to RS-3.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The east portion of the rezoning request is consistent with the Neighborhood Center. Jamestown Phase I preliminary plat illustrates small lots on the edges of the Center and provides a reserve for stormwater detention and street right of way where the neighborhood center is currently mapped. Drainage and wetlands considerations will complicate the ability to develop the Neighborhood Center vision at this location. The street and stormwater facility could potentially be an infrastructure asset for the benefit of any future Neighborhood Center development.

The single family residential development being proposed with RS-3 zoning is consistent with the new neighborhood vision that supports small lot residential development on the edges.

Land Use Vision:

Land Use Plan map designation: Neighborhood Center/ New Neighborhood

Neighborhood 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.

New Neighborhood:

“The 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.”

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: East 41st Street is considered a secondary arterial street with a multi modal overlay. The multi modal overlay is partially identified in the Major Street and Highway Plan as follows:

Multi-modal streets 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: The property is heavily vegetated with grasses and small trees. Terrain within Z-7392 is generally sloping to the south with storm water drainage south. Aerial imagery does not illustrate evidence of any previous building construction.

Street View: Looking northwest from the southeast corner of the zoning request.



Environmental Considerations: None that affect site development for the area being rezoned by this application.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
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East 41 st Street	Secondary Arterial with Multi-modal corridor	100 feet	2
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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	New Neighborhood	Growth	Undeveloped
East	RM-O/AG	New Neighborhood and Neighborhood Center	Growth	Undeveloped
South	AG	New Neighborhood and Neighborhood Center	Growth	Undeveloped
West	RS-3	New Neighborhood	Growth	Undeveloped

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 15227 dated December 15, 1981(RM-0), and 11826 dated June 26, 1970 (AG), established zoning for the subject property.

Subject Property:

Z-5607 December 1981: All concurred in approval of a request for rezoning a tract of land from AG to RS-3/ RM-0/ CS, on property located north of E. 41st St. east of S. 145th E. Ave. for a mile.

Surrounding Property:

No relevant history.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 8 members present:

On **MOTION** of **CARNES**, TMAPC voted **8-0-0** (Adams, Carnes, Covey, Dix, Doctor, Fretz, Krug, Millikin, "aye"; no "nays"; none "abstaining"; Reeds, Shivel, Walker, "absent") to **APPROVE** Z-7392 rezoning from **AG/RM-0** to **RS-3** per staff recommendation

Legal Description for Z-7392

A TRACT OF LAND THAT IS PART OF THE SOUTHEAST QUARTER (SE/4) OF THE SOUTHEAST QUARTER (SE/4) OF SECTION TWENTY-TWO (22), TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, SAID STRIP OF LAND BEING DESCRIBED AS FOLLOWS; COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER (SE/4); THENCE SOUTH 88°44'24" WEST ALONG THE SOUTHERLY LINE OF THE SOUTHEAST QUARTER (SE/4) FOR 320.09 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND; THENCE CONTINUING SOUTH 88°44'24" WEST ALONG SAID SOUTHERLY LINE FOR 146.91 FEET; THENCE NORTH 01°22'56" WEST PARALLEL WITH THE EASTERLY LINE OF SAID SOUTHEAST QUARTER (SE/4) FOR 467.00 FEET; THENCE NORTH 88°44'24" EAST FOR 16.45 FEET; THENCE SOUTH 46°37'28" EAST FOR 181.88 FEET; THENCE SOUTH 01°36'09" EAST FOR 339.21 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID SOUTHEAST QUARTER (SE/4) AND THE POINT OF BEGINNING OF SAID TRACT OF LAND. THE ABOVE DESCRIBED LAND CONTAINS 59,967.99 SQUARE FEET OR 1.377 ACRES MORE OR LESS. AND A TRACT OF LAND THAT IS PART OF THE SOUTHEAST QUARTER (SE/4) OF THE SOUTHEAST QUARTER (SE/4) OF SECTION TWENTY-TWO (22), TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, SAID STRIP OF LAND BEING DESCRIBED AS FOLLOWS; COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER (SE/4); THENCE SOUTH 88°44'24" WEST ALONG THE SOUTHERLY LINE OF THE SOUTHEAST QUARTER (SE/4) FOR 467.00 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND; THENCE CONTINUING SOUTH 88°44'24" WEST ALONG SAID SOUTHERLY LINE FOR 300.00 FEET; THENCE NORTH 01°22'56" WEST PARALLEL WITH THE EASTERLY LINE OF SAID SOUTHEAST QUARTER (SE/4) FOR 767.00 FEET; THENCE NORTH 88°44'24" EAST FOR 121.85 FEET; THENCE SOUTH 01°36'43" EAST FOR 279.73 FEET; THENCE NORTH 88°23'17" EAST FOR 171.93; THENCE SOUTH 46°37'28" EAST FOR 30.35 FEET; THENCE SOUTH 88°44'24" WEST FOR 16.45 FEET; THENCE SOUTH 01°22'56" EAST PARALLEL WITH SAID EASTERLY LINE FOR 467.00 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID SOUTHEAST QUARTER (SE/4) AND THE POINT OF BEGINNING OF SAID TRACT OF LAND. THE ABOVE DESCRIBED LAND CONTAINS 180,639.46 SQUARE FEET OR 4.147 ACRES MORE OR LESS.

OTHER BUSINESS

32. Commissioners' Comments

ADJOURN

TMAPC Action; 8 members present:

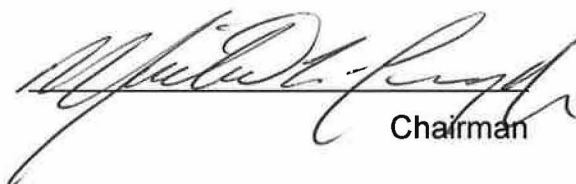
On **MOTION** of **MILLIKIN**, TMAPC voted **8-0-0** (Adams, Carnes, Covey, Dix, Doctor, Fretz, Krug, Millikin, "aye"; no "nays"; none "abstaining"; Reeds, Shivel, Walker, "absent") to **ADJOURN** TMAPC meeting 2746.

ADJOURN

There being no further business, the Chair declared the meeting adjourned at 2:43 p.m.

Date Approved:

06-07-2017


Chairman

ATTEST:


Secretary