

**TULSA METROPOLITAN AREA PLANNING COMMISSION**  
**Minutes of Meeting No. 2846**

Wednesday, July 21, 2021, 1:00 p.m.

City Council Chamber

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

<b>Members Present</b>	<b>Members Absent</b>	<b>Staff Present</b>	<b>Others Present</b>
Blair	Adams	Davis	Jordan, COT
Covey	Reeds	Foster	Silman, COT
Craddock	Shivel	Hoyt	Skates, COT
Kimbrel	Walker	Miller	VanValkenburgh, Legal
McArtor		Sawyer	
Whitlock		Wilkerson	

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Thursday, July 15, 2021 at 3:48 p.m., posted in the Office of the City Clerk, as well as in the Office of the County Clerk.

Applicants and Members of the public were allowed to attend and participate in the TMAPC meeting in person or via videoconferencing and teleconferencing via **Zoom**, an online meeting and web conferencing tool.

After declaring a quorum present, Chair Covey called the meeting to order at 1:05 p.m.

Mr. Covey read the opening statement and rules of conduct for the TMAPC meeting.

**REPORTS:**

**Chairman’s Report:**

A work session is planned for August 18th, 2021, at 10:00am in the 10th floor north conference room. We will discuss planitulsa update, Route 66 BRT study and proposed zoning code amendments.

**Director’s Report:**

Ms. Miller reported on City Council actions and other special projects.

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**Minutes:**

1. Approval of the minutes of **July 7, 2021, Meeting No. 2845**

**TMAPC Action; 6 members present:**

On **MOTION** of **COVEY**, the TMAPC voted 6-0-0 (Blair, Covey, Craddock, Kimbrel, McArtor, Whitlock, “aye”; no “nays”; none “abstaining”; Adams, Reeds, Shivel, Walker, “absent”) to **APPROVE** the minutes of July 7, 2021, Meeting No. 2845

**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.**

Item 2 was withdrawn by applicant prior to meeting.

**2. PUD-828-3 Simmons Homes** (CD 8) Location: North and west of the northwest corner of East 125<sup>th</sup> Street South and South Sheridan Road requesting a **PUD Minor Amendment** to amend the allowable open space (**Withdrawn by applicant**)

**3. Z-7347-a TEP, Tim Terral** (CD 6) Location: West of the northwest corner of East 21st Street South and South 145th East Avenue requesting a **ODP Minor Amendment** to remove requirement for 150 foot of street frontage

**STAFF RECOMMENDATION:**

**SECTION I:** Z-7347a Minor Amendment

**STAFF RECOMMENDATION**

Amendment Request: Modify the Optional Development Plan standards remove the requirement for 150 ft of street frontage on E 21<sup>st</sup> St S.

The current Optional Development Plan Standards require Development Area B to have 150 ft of street frontage on E 21<sup>st</sup> St S. The applicant is proposing to remove this requirement. They would like to split the lot contained within Development Area B into three lots, as shown on the applicant’s Exhibit A, with two lots fronting E 21<sup>st</sup> St S and the remainder with frontage on S 140<sup>th</sup> E Ave. If approved, the lots would be required to have the minimum street frontage of the

CG zone, which is 50 ft. After the proposed split, the lot with frontage on S 140<sup>th</sup> E Ave would have 60 ft of frontage on S 140<sup>th</sup> E Ave.

*Staff Comment: This request can be considered a Minor Amendment as outlined by Section 70.040l.1.a of the City of Tulsa Zoning Code.*

“The planning commission is authorized to approve amendments to approved development plans as minor amendments if the planning commission determines that substantial compliance is maintained with the approved development plan. “

Staff has reviewed the request and determined:

- 1) The requested amendment does not represent a significant departure from the approved development standards in the Optional Development Plan.
- 2) All remaining development standards defined in Z-7347 shall remain in effect.

With considerations listed above, staff recommends **approval** of the minor amendment request to the remove the requirement for 150 ft of street frontage on E 21<sup>st</sup> St S.

**Legal Description for Z-7347a :**

All That Part Of Lot 1, Block 1, Eastland Plaza, An Addition In The City Of Tulsa, Tulsa County, Oklahoma, According To The Official Recorded Plat Thereof; More Particularly Described As Follows, To-Wit: BEGINNING at the Northwest Corner of said Lot 1; Thence S 89°59'46" E along the North boundary of said Lot 1 a distance of 582.79 feet; THENCE due South a distance of 104.77 feet; THENCE due West a distance of 69.92 feet; THENCE due South a distance of 49.65 feet; THENCE due West a distance of 10.00 feet; THENCE due South a distance of 149.94 feet; THENCE due East a distance of 10.00 feet; THENCE due South a distance of 19.00 feet; THENCE due East a distance of 35.54 feet; THENCE due South a distance of 277.20 feet to a point on the South boundary of said Lot 1 (North right-of-way line of East 21st Street South) 832.24 feet from the South Southeast Corner thereof; THENCE due West along the South boundary of said Lot 1 (North right-of-way line of East 21st Street South) a distance of 476.30 feet to a point 73.00 feet from the Southwest Corner thereof; THENCE N 0°05'04"E parallel to the West boundary of said Lot 1 a distance of 257.00 feet; THENCE due West a distance of 73.00 feet to a point on the West boundary of said Lot 1 (East right-of- way line of South 140th East Avenue) 257.00 feet from the Southwest Corner thereof; THENCE N °05'04" E along the West boundary of said Lot 1 (East right-of-way line of South 140th East Avenue) a distance of 30.00 feet; THENCE due East a distance of 60.00 feet; THENCE N 0°05'04" E parallel to the West boundary of said Lot 1 a distance of' 283.60 feet; THENCE due West a distance of 60.00 feet to a point on the West line of said Lot 1 (East

right-of-way line of South 140th East Avenue) thereof; THENCE N 0°05'04" E along the West boundary of said Lot 1 (East right-of-way line of South 140th East Avenue) a distance 30.00 feet to the POINT OF BEGINNING; containing 288,188 square feet or 6.61589 acres, more or less.

\* \* \* \* \*

**4. Kirkdale Commercial Center – Block One** (CD 8) Change of Access, Location: Southeast corner of East 71<sup>st</sup> Street South and South Sheridan Road

**TMAPC Action; 6 members present:**

On **MOTION** of **COVEY**, the TMAPC voted 6-0-0 (Blair, Covey, Craddock, Kimbrel, McArtor, Whitlock, “aye”; no “nays”; none “abstaining”; Adams, Reeds, Shivel, Walker, “absent”) to **APPROVE** Items 3 and 4 per staff recommendation.

**PUBLIC HEARING-COMPREHENSIVE PLAN AMENDMENTS**

**The applicant requested a continuance of items 5, 7, 8 and 9**

**5. CPA-94 Springhill Land Company c/o AAB Engineering, Alan Betchan** (CD 2) Location: Southwest corner and Southeast corner of West 61st Street South and Highway 75 requesting to amend the Land Use Map designation from **Mixed-Use Corridor** and **Town Center** to **New Neighborhood** on approximately 144.88 acres and **Neighborhood Center** on approximately 1.26 acres (Related to Z-7609, Z-7610 and PUD-648-E) (continued from July 7, 2021)

**TMAPC Action; 6 members present:**

On **MOTION** of **COVEY**, the TMAPC voted 6-0-0 (Blair, Covey, Craddock, Kimbrel, McArtor, Whitlock, “aye”; no “nays”; none “abstaining”; Adams, Reeds, Shivel, Walker, “absent”) to **CONTINUE** Item 5 to August 4, 2021.

**PUBLIC HEARING-REZONING**

The applicant in item 6 originally asked for a continuance to August 18, 2021. He later revised his request to September 1, 2021.

**6. Z-7613 Johnathon Beizley** (CD 4) Location: Southeast corner of East 8th Street and South Quincy Avenue requesting rezoning from **RS-4** to **RM-2** (**Applicant requests a continuance to August 18, 2021**)

**TMAPC Action; 6 members present:**

On **MOTION** of **COVEY**, the TMAPC voted 6-0-0 (Blair, Covey, Craddock, Kimbrel, McArtor, Whitlock, “aye”; no “nays”; none “abstaining”; Adams, Reeds, Shivel, Walker, “absent”) to **CONTINUE** Item 6 to September 1, 2021.

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**7. Z-7609 Springhill Land Company c/o AAB Engineering, Alan Betchan** (CD 2) Location: Southwest corner of West 61st Street South and Highway 75 requesting rezoning from **CO and AG to RS-1 and CG** (Related to Z-7610, PUD-648-E and CPA-94) (Continued from June 2, 2021, and July 7, 2021)

**TMAPC Action; 6 members present:**

On **MOTION** of **COVEY**, the TMAPC voted 6-0-0 (Blair, Covey, Craddock, Kimbrel, McArtor, Whitlock, “aye”; no “nays”; none “abstaining”; Adams, Reeds, Shivel, Walker, “absent”) to **CONTINUE** Item 7 to August 4, 2021.

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**8. Z-7610 Springhill Land Company c/o AAB Engineering, Alan Betchan** (CD 2) Location: Southeast corner of West 61st Street South and Highway 75 requesting rezoning from **AG to RS-3** (Related to Z-7609, PUD-648-E and CPA-94) (Continued from June 2, 2021, and July 7, 2021)

**TMAPC Action; 6 members present:**

On **MOTION** of **COVEY**, the TMAPC voted 6-0-0 (Blair, Covey, Craddock, Kimbrel, McArtor, Whitlock, “aye”; no “nays”; none “abstaining”; Adams, Reeds, Shivel, Walker, “absent”) to **CONTINUE** Item 8 to August 4, 2021.

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**9. PUD-648-E Springhill Land Company c/o AAB Engineering, Alan Betchan** (CD 2) Location: South of the southeast corner of West 61st Street South and Highway 75 requesting a **PUD Major Amendment** to abandon PUD-648-E (Related to Z-7609, Z-7610 and CPA-94) (Continued from June 2, 2021, and July 7, 2021)

**TMAPC Action; 6 members present:**

On **MOTION** of **COVEY**, the TMAPC voted 6-0-0 (Blair, Covey, Craddock, Kimbrel, McArtor, Whitlock, “aye”; no “nays”; none “abstaining”; Adams, Reeds, Shivel, Walker, “absent”) to **CONTINUE** Item 9 to August 4, 2021.

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**10. CO-13 Hall Estill, Stuart Van De Wiele** (CD 2) Location: South of the southwest corner of West 45th Street South and South Elwood Avenue requesting rezoning **IM** to **CO**

**STAFF RECOMMENDATION:**  
**SECTION I: CO-13**

**DEVELOPMENT CONCEPT:** The property located at 4802 South Elwood Avenue (the “Subject Property”) was developed as a mobile home / manufactured home / RV park in the early 1970’s (between 1970 and 1975). The Subject Property has historically provided housing opportunities for short-term and long-term employees of the industrial employers (i.e. refineries) in the area. That use continues to this day.

The Subject Property has been zoned IM (Industrial Medium) since its original zoning designation in 1970. Despite the zoning designation and the provisions of the zoning code, the Subject Property has been used in the same manner for nearly fifty (50) years. This application is simply to bring the underlying zoning into conformity with the historical use of the Subject Property in order to facilitate a pending sale of the Subject Property.

The Subject Property is a 38.6 acre +/- parcel of land located on the west side of Elwood Avenue between West 45th Street and Cherry Creek. The Subject Property is bounded on the north by IM zoned industrial entities, Elwood Avenue on the east, and Cherry Creek to the west and south. The Subject Property is bisected by the Tulsa-Sapulpa Union Railway right-of-way that runs generally north and south through the Subject Property.

The area surrounding the Subject Property is completely or nearly completely developed by moderate industrial users, a large car dealership, and established neighborhoods to the west (on the west side of Cherry Creek).

The Subject Property rezoning application is a proposed Corridor zoning district consisting of residential uses (limited to mobile home / manufactured home / RV park) and Industrial Medium uses (to preserve future industrial use in the area). These proposed land uses are consistent with existing and planned development patterns within the project area, and, most importantly, are consistent with the

historical use of the Subject Property during almost the entirety of the history of the zoning code.

The Corridor Development Plan will consist of a single development area (Development Area A) which is served by Elwood Avenue and interior private driveways. The Subject Property will continue to have its entrance on Elwood Avenue.

### **DETAILED STAFF RECOMMENDATION:**

Industrial uses as outlined in CO-13 are consistent with the Employment land use designation in the Tulsa Comprehensive Plan, while the housing uses may not be directly consistent with the Employment designation, they are in support of Employment uses as they have been since originally constructed in the early 1970s; and

The Corridor Development Plan is a unified treatment of the development possibilities of the project site; and

Provisions have been made for property access, circulation, and functional relationships of uses; and

Permitted Uses, building types and supplemental standards outlined in CO-13 are consistent with the provisions of the Corridor chapter of the Tulsa Zoning Code.

Anticipated uses, lot and building regulations along with normal supplemental regulations in the Tulsa Zoning Code as provided CO-13 are consistent with the existing development pattern in this area of Tulsa; therefore

Staff recommends **Approval** to rezone property from IM to CO as outlined in Section II below.

## **SECTION II: CO-13 DEVELOPMENT STANDARDS**

### **Development Area A – Development Standards**

Gross Land Area:

+/- 38.6 acres

#### **A. Permitted Use Categories, Subcategories, and Specific Uses**

**Residential** - Limited to subcategories, specific uses, and building types below.

- Household Living – [Single, Two, Three or more households on single lot] Residential uses may be permitted only in the following building types.

~~▪—Detached House~~

- Manufactured Housing Unit
- Manufactured Housing Subdivision
- Mobile Home Park

**Commercial** - Limited to subcategories, specific uses, and building types below.

- Lodging – RV Park

**Industrial**

~~Low-impact Manufacturing and industry—Medium— Limited to subcategories, specific uses, and building types below.~~

- ~~• All “Specific Uses” allowed by right in the IM district~~

To the extent that any portion of the Subject Property is redeveloped in the future for (I) ~~Industrial Medium low-impact manufacturing and industry~~ use or (II) any building type that is not (a) a manufactured home, (b) ~~a detached house~~, (c) a mobile home, (d) a recreational vehicle, or (e) buildings that are customary accessory uses to the Residential Uses or Commercial Uses authorized herein, the minimum lot size for such (I) ~~Industrial Medium low-impact manufacturing and industry~~ use or (II) other building type shall have a minimum lot size of 38.6 acres.

**A. Lot & Building Regulations (Manufactured House, Mobile Home, RV Use)**

Minimum Separation Between Units	15 feet
Minimum Building Setbacks	
From the north boundary	10 feet
From the east boundary (abutting Elwood Ave.)	20 feet
From the east boundary (other)	10 feet
From the south boundary	10 feet
From the west boundary	10 feet
Maximum Building Height	35 feet

**B. Lot & Building Regulations (Industrial Uses)**

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<b>Maximum Building Coverage</b>	100% of net lot area
<b>Minimum Building Setbacks</b>	
<b>From the north boundary</b>	10 feet
<b>From the east boundary (abutting Elwood Ave.)</b>	20 feet
<b>From the east boundary (other)</b>	10 feet
<b>From the south boundary</b>	10 feet
<b>From the west boundary</b>	10 feet
<b>Maximum Building Height</b>	Unlimited

**C. Building Regulations (Manufactured House, Mobile Home, RV Use)**

- All mobile homes and manufactured housing units must be completely skirted.
- All mobile homes and manufactured housing units must be attached to the ground.
- All mobile homes and manufactured housing units manufactured after June 15, 1976 must be certified and display applicable federal certifications.
- Accessory buildings must be set back at least 10 feet from mobile homes and manufactured housing units.

**D. Maximum Dwelling Units**

The Subject Property currently contains two hundred seventy eight (278) individual pad sites for mobile homes, manufactured homes, and recreational vehicles. The Subject Property shall not contain more than two hundred seventy eight (278) dwelling units (including mobile homes, manufactured homes, and recreational vehicles).

**E. Minimum Off-Street Parking Spaces Requirements**

There shall be a minimum of one (1) parking space for each mobile home, manufactured home, and recreational vehicle location within the Subject Property.

**F. Landscape & Screening Requirements**

All required landscaping shall be installed and irrigated in accordance with the provisions of the Landscape Chapter 65 of the Tulsa Zoning Code.

**G. Access**

The Subject Property shall have a minimum of one vehicular access points to Elwood Avenue.

The Subject Property will have access to Elwood Avenue and will be served by interior private driveways. The Subject Property will connect vehicular traffic to Elwood Avenue through the main entrance.

#### **H. Signage**

All signage on the Subject Property shall comply with Corridor District signage standards required in the City of Tulsa Zoning Code Chapter 60.090-C.

#### **I. Lighting**

All outdoor lighting (other than customary lighting on a residential building) in the Subject Property shall comply with City of Tulsa Chapter 67 Outdoor Lighting regulations.

### **SECTION III: SUPPORTING DOCUMENTATION**

#### **RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

*Staff Summary:* As the subject area is located in southwest Tulsa, it falls within the bounds of the Southwest Tulsa Neighborhood Plan adopted in May of 2009. This small area plan was created to assist and progress the revitalization of this area, presenting a vision, needs, and goals for the area. As the small area plan lacks any specific land-use recommendations, the 2010 Tulsa Comprehensive Plan solely provides guidance regarding land use for this area. While the current Employment land use and Area of Growth designation of the subject property may not be directly consistent with the Employment designation, they are in support of Employment uses as they have been since originally constructed in the early 1970s. Additionally, the Industrial uses that could come to the site in the future are directly in support of the Employment land use and Area of Growth designation.

#### **Land Use Vision:**

*Land Use Plan map designation:* Employment

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

activity. Employment areas require access to major arterials or interstates. Those areas, with manufacturing and warehousing uses must be able to accommodate extensive truck traffic, and rail in some instances. Due to the special transportation requirements of these districts, attention to design, screening and open space buffering is necessary when employment districts are near other districts that include moderate residential use.

*Areas of Stability and Growth designation: Area of Growth*

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:* S. Elwood Ave is designated as a Secondary Arterial.

*Trail System Master Plan Considerations:* Cherry Creek Trail exists adjacent to the subject property along the edge of Cherry Creek. Cherry Creek Trail is designated as a Multi-Use trail.

Small Area Plan: Southwest Tulsa Neighborhood Plan (Adopted in May of 2009)

This small area plan was created to assist and progress the revitalization of this area, presenting a vision, needs, and goals for the area. With these goals, the small area plan attempts to improve existing housing stock, revitalize underdeveloped areas, and increase accessibility to amenities, goods, and services through the implementation of sidewalks and business practices to

attract retail and grocery stores to the area. It should be noted that while this plan presents a vision, needs, and goals for the southwest Tulsa area, the plan does not make any clear or specific land use recommendations to aid in achieving these goals, nor this particular area in which the subject property is located. Instead, it focuses on presenting proposed capital improvement projects along Route 66, Southwest Boulevard, OSU campus, as well as the Cherry creek and Mooser creek trail system. One of the specific recommendations regarding the Cherry Creek and Mooser Creek this plan makes is to connect these trails to River Parks and Turkey Mountain.

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

*Staff Summary: The subject property currently contains a mobile home park and is bisected by a railroad track and associated railroad Right of Way. This development was established in the early 1970's (just after the adoption of the zoning code) and has since been used over the past nearly 50 years as a mobile home / manufactured home / RV park, despite the lack of conformity with the underlying IM zoning.*

Environmental Considerations: The property is bounded on the west and south by Cherry Creek with the majority located within the 500 year floodplain. Small portions of the property along Cherry Creek are designated as 100 year floodplain and floodway. The applicant will need to work with City of Tulsa Engineering to mitigate any issues of development within floodplain/floodway areas.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
S. Elwood Ave.	Secondary Arterial	100ft	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

<b>Location</b>	<b>Existing Zoning</b>	<b>Existing Land Use Designation</b>	<b>Area of Stability or Growth</b>	<b>Existing Use</b>

N	IM	Employment	Area of Growth	Various Industrial (Tulsa Household Pollutant Collection Facility, MIDCON Shredding, etc.)
S	IM	Employment	Area of Growth	Commercial Repair/Vacant
E	IM	Employment	Area of Growth	Sewage Disposal Facility
W	IM/RS-3/RM-1/PUD-109	Employment/New Neighborhood	Area of Growth	Cherry Creek/Cherry Creek Trail/ Single-family & Multi-family Residential

**SECTION IV: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 11822 dated June 26,1970 established zoning for the subject property.

***Subject Property:***

No Relevant History.

***Surrounding Property:***

**BOA-15268 October 1989:** The Board of Adjustment **approved** a *Special Exception* to permit a sewage disposal facility in an IM zoned district, per plot plan submitted, subject to jogging trail being installed upon completion of the holding facility, subject to landscaping being installed within one year, subject to the basin being used for flow equalization only, with no long-term storage treatment, subject to the facility being drained as soon as possible after excess rainfall dissipates, and subject to the best available methods being implemented to minimize odor, on property located at the east side of South Elwood Avenue, north of East 51<sup>st</sup> Street South.

**Z-6062/PUD-109-A August 1985:** All concurred in **approval** of a request to rezone a 9.50± acre tract of land from RM-1/RS-3/OM to IL/RM-1/PK and **approval** of a proposed *Major Amendment to Abandon* a part of PUD-109, on property located north of West 51<sup>st</sup> Street and East of South Jackson Avenue.

**BOA-08283 June 1974:** The Board of Adjustment **approved** a *Variance* to locate a mobile home, for a period of six months, to house a watchman for security purposes on a 24-hour basis in an IM District, on property located at 4600 South Elwood Avenue.

**BOA-07808 March 1973:** The Board of Adjustment **approved** an *Exception* to for permission to make use of Use Unit 12, 13, and 14 in an IM District, on property located at 4802 South Elwood Avenue.

**BOA-07371 March 1972:** The Board of Adjustment **approved** a *Special Exception* to permit operating a children's day nursery in an IM District, with the restrictions that the principal customers of this center be from the mobile home park, that the number of children cared for be set by the Health Department, and that the applicant be further advised that the Board has requested that he not accept more than five children from the Welfare Department outside the area, and that the use be restricted to lots 121, 122, and 123 of Cherry Creek Mobile Home, on property located at 4808 South Elwood Avenue.

**PUD-109 August 1970:** All concurred in **approval** of a proposed *Planned Unit Development* on a 30.7± acre tract of land for an apartment complex and small commercial shops, on property located at the northwest corner of 51<sup>st</sup> Street and Arkansas River.

**Applicant Comments:**

**Stuart Van De Wiele** 320 South Boston, Suite 200, Tulsa, Oklahoma 74103

The applicant stated his client is in the process of buying the subject property. He stated in the agenda packet on page 10.4 the 1967 aerial shows the park is not there and then on page 10.13 the aerial from 1975 shows the park. The best indication is that it was probably built in 1973 or 1974. The applicant stated a neighborhood meeting was held and the contact was made with Counselor Cue. He stated Counselor Cue was at the neighborhood meeting and was supportive of this application. The applicant stated Counselor Cue wanted to make sure the subject property was not going to be changed to an industrial use. He stated his client, Inspire Communities, owns and operates about 130 of these types of properties around the country that provide about 26,000 homes. The applicant stated currently and historically the residents have been people that work at the refineries and industrial plants in the area. He stated there are a lot of RV residents that work in refineries and occasionally they have long periods of shutdown to do rehab. The applicant stated there is a railroad that runs through the mobile home park that was owned by the Missouri railroad but he is unsure who owns it now. He stated it goes all the way through all the refinery properties, further down south and cuts around the side of Turkey Mountain. The applicant stated they have found a title company that provided a document from pre statehood that conveyed the railroad, from the federal government to the Missouri railroad and there is a crossing agreement in the land records. He stated from an improvement standpoint the only changes are going to be upgrades such as storm shelters, enhanced landscaping, possibly gating the community but nothing is changing from a use standpoint.

Ms. Kimbrel asked if there are any plans to do anything with the residents that currently live there.

The applicant stated none other than keep them there.

**The applicant indicated his agreement with staff's recommendation.**

**There were no interested parties wishing to speak.**

**TMAPC Action; 6 members present:**

On **MOTION** of **COVEY**, the TMAPC voted 6-0-0 (Blair, Covey, Craddock, Kimbrel, McArtor, Whitlock, "aye"; no "nays"; none "abstaining"; Adams, Reeds, Shivel, Walker, "absent") to recommend **APPROVAL** of the CO zoning for CO-13 per staff recommendation.

**Legal Description for CO-13:**

**Exhibit A – Legal Description (excludes rail right of way)**

A tract of land in the Southeast Quarter (SE/4) of Section Twenty-six (26), Township Nineteen (19) North, Range Twelve (12) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the United States Government Survey thereof, more particularly described as follows, to-wit:

BEGINNING at the Northeast corner of the Southeast Quarter of said Section Twenty-six (26); thence S 00°06'31" E, a distance of 948.62 feet along the East line of said Section 26; thence N 90°00'00" W a distance of 220.00 feet; thence S 00°39'26" East distance of 476.93 feet; thence South 85°36'31" West for 97.23 feet; thence North 57°40'49" West for 392.97 feet; thence South 81°10'31" West for 489.19 feet; thence North 36°22'59" West for 1151.19 feet; thence North 43°19'09" West for 249.78 feet; thence N 00°06'19" West for 189.47 feet to a point on the North line of said Southeast Quarter (SE/4 ); thence due East and along said North line for 1985.70 feet to the Point of Beginning.

LESS AND EXCEPT that portion of land deeded to the City of Tulsa by General Warranty Deed recorded March 18, 2015 as Document No. 2015021668 and described as a tract of land in the Southeast Quarter (SE/4) of Section Twenty-six (26), Township Nineteen (19) North, Range Twelve (12) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the United States Government Survey thereof, more particularly described as follows, to-wit:

COMMENCING at the Northeast corner of the Southeast Quarter of said Section Twenty-six (26); thence S 00°46'04" E, a distance of 948.62 feet along the East line of said Section 26; thence N 90°00'00" W a distance of 220.00 feet; thence S 00°39'26" East distance of 377.24 feet to the Point of Beginning; thence S 89°13'20" W a distance of 7.58 feet; thence N 85°14'39" W a distance of 15.80 feet; thence N 83°42'58" W a distance of 98.10 feet; thence N 60°36'11" W a

distance of 12.65 feet; thence N 66°43'15" W a distance of 28.54 feet; thence S 25°34'11" W a distance of 3.52 feet; thence N 66°14'46" W a distance of 40.69 feet; thence N 24°47'33" East distance of 3.10 feet; thence N 64°34'59" W a distance of 31.67 feet; thence N 47°01'20" W a distance of 1.30 feet; thence N 61°04'33" W a distance of 13.19 feet; thence N 61°34'00" W a distance of 13.16 feet; thence N 60°17'54" W a distance of 13.09 feet; thence N 60°26'27" W a distance of 13.14 feet; thence N 61°03'29" W a distance of 6.68 feet; thence N 13°51'54" W a distance of 12.55 feet; thence N 61°51'10" W a distance of 15.05 feet; thence N 65°46'26" W a distance of 47.49 feet; thence N 73°49'17" W a distance of 57.74 feet; thence N 75°56'39" W a distance of 45.65 feet; thence N 82°46'34" W a distance of 46.67 feet; thence N 58°47'11" W a distance of 24.31 feet; thence S 81°52'51" W a distance of 100.00 feet; thence S 82°03'59" W a distance of 66.34 feet; thence S 86°57'19" W a distance of 40.58 feet; thence N 86°29'46" W a distance of 22.13 feet; thence N 82° 11 '32" W a distance of 42.59 feet; thence N 77°14'31" W a distance of 7.29 feet; thence N 74°27'20" W a distance of 50.33 feet; thence N 71°05'09" W a distance of 22.50 feet; thence N 67°02'20" W a distance of 27.21 feet; thence N 62°24'47" W a distance of 42.28 feet; thence N 55°51'14" W a distance of 7.37 feet; thence N 52°55'24" W a distance of 46.63 feet; thence N 48°49'53" W a distance of 25.90 feet; thence N 47°59'10" W a distance of 11.70 feet; thence N 47°19'50" W a distance of 15.95 feet; thence N 40°13'14" W a distance of 36.51 feet; thence N 38°35'03" W a distance of 58.05 feet; thence N 36°33'22" W a distance of 47.71 feet; thence N 37°42'06" W a distance of 0.97 feet; thence N 21°30'20" W a distance of 11.34 feet; thence N 38°19'25" W a distance of 13.30 feet; thence N 42°48'00" W a distance of 13.15 feet; thence N 38°43'08" W a distance of 13.10 feet; thence N 38°33'42" W a distance of 26.37 feet; thence N 38°24'00" W a distance of 39.54 feet; thence N 39°57'12" W a distance of 12.82 feet; thence N 37°12'53" W a distance of 71.93 feet; thence N 37°11 '51" W a distance of 150.20 feet; thence N 37°06'07" W a distance of 99.90 feet; thence N 37°27'40" W a distance of 100.22 feet; thence N 38°53'34" W a distance of 100.07 feet; thence N 39°11 '40" W a distance of 15.43 feet; thence N 37°26'14" W a distance of 65.66 feet; thence N 26°01'47" W a distance of 14.59 feet; thence N 38°06'11" W a distance of 14.79 feet; thence N 58°16'28" W a distance of 13.72 feet; thence N 43°39'50" W a distance of 14.52 feet; thence N 39°11 '40" W a distance of 30.36 feet; thence N 42°23'13" W a distance of 41.02 feet; thence N 41°47'18" W a distance of 49.69 feet; thence N 42°26'28" W a distance of 11.36 feet; thence N 27°37'15" E a distance of 4.51 feet; thence N 42°03'56" W a distance of 203.09 feet to the end of the existing fence line and the East line of West Half of the West Half of said Southeast Quarter of Section 26; thence S 00°54'04" E a distance of 154.99 feet along the East line of the West Half of the West Half of said Southeast Quarter (W½ W½ SE¼) of Section 26 said point also being the Northwest Corner of Royal Manor South an Addition to the City of Tulsa, State of Oklahoma according to the Recorded Plat thereof; thence S 45°50'46" East distance of 252.61 feet; along the South line of the tract of land described in Document 2009044664 in the Tulsa County court house said line also being the North line of said Royal Manor South; thence S 37°02'32" E a distance of 1,151.19 feet and continuing



along the South line of the tract of land described in Document 2009044664 in the Tulsa County court house said line also being the North line of said Royal Manor South; thence continuing along the South line of the tract of and described in Document 2009044664 in the Tulsa County court house the following bearing and distances; thence N 80°30'58" E a distance of 489.19 feet; thence S 58°20'22" E a distance of 392.97 feet; thence N 84°56'58" E a distance of 97.23 feet; thence N 00°39'33" W a distance of 102.22 feet to the POINT OF BEGINNING.

AND LESS AND EXCEPT the existing 100 foot wide Midland Valley Railroad right-of-way.

\* \* \* \* \*

**11. CZ-516 Mark DeMoss** (County) Location: West of the southwest corner of West 26th Street South and South Delaware Avenue rezoning from **AG and IM to AG** to permit agricultural uses

**STAFF RECOMMENDATION:**  
**SECTION I: CZ-516**

**DEVELOPMENT CONCEPT:** The applicant is requesting to rezone from IM/AG to AG to permit agricultural uses on the subject lot. The subject site is currently vacant and is located within the Rural Residential/Agricultural land use designation of the Tulsa County Comprehensive Plan which calls for land that is sparsely occupied and used primarily for farmland, agricultural uses, and single-family homes on large lots. The proposed rezoning to AG zoning would be compatible with this land use designation.

**DETAILED STAFF RECOMMENDATION:**

CZ-516 is non-injurious to surrounding proximate properties;

CZ-516 is compatible with the Residential/Agricultural Land Use designation of the Tulsa County Comprehensive Plan;

CZ-516 is consistent with the anticipated future development pattern of the surrounding property therefore;

**Staff recommends Approval of CZ-516 to rezone property from IM/AG to AG.**

**SECTION II: Supporting Documentation**

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The site is located within the Rural Residential/Agricultural land use designation of the Tulsa County Comprehensive Plan as identified in the Unincorporated Tulsa County Land Use Designations portion of the Comprehensive Plan.

Land Use Vision:

*Land Use Plan map designation:* Rural Residential/Agricultural

Land that is sparsely occupied and used primarily for farmland, agricultural uses, and single-family homes on large lots. Residential lots generally range from one-half acre or greater and may use on-site services where public utilities are not available.

*Areas of Stability and Growth designation:* N/A

Transportation Vision:

*Major Street and Highway Plan:* W 26<sup>th</sup> St S is designated as 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 site is currently vacant, sparsely forested land.

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
W 26 <sup>th</sup> St S	Residential Collector	60 Feet	2

Utilities:

The subject tract does not have municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	IM/AG	Rural Residential/Agricultural	N/A	Vacant
South	CG	Commercial (Sand Springs)	N/A	Vacant
East	AG	Rural Residential/Agricultural	N/A	Vacant
West	AG	Commercial (Sand Springs)	N/A	Vacant

**SECTION III: Relevant Zoning History**

**ZONING ORDINANCE:** Resolution number 98254 dated September 15, 1980 established zoning for the subject property.

***Subject Property:***

No Relevant History.

***Surrounding Property:***

**BOA-07579 September 1972:** The Board of Adjustment **approved** an *Exception* to locate a pet cemetery in an IM District, on property located at 7600 West 26<sup>th</sup> Street.

**The applicant indicated his agreement with staff's recommendation.**

**There were no interested parties wishing to speak.**

**TMAPC Action; 6 members present:**

On **MOTION** of **COVEY**, the TMAPC voted 6-0-0 (Blair, Covey, Craddock, Kimbrel, McArtor, Whitlock, "aye"; no "nays"; none "abstaining"; Adams, Reeds, Shivel, Walker, "absent") to recommend **APPROVAL** of the AG zoning for CZ-516 per staff recommendation.

**Legal Description for CZ-516:**

A tract of land in Government Lot Four (4) of Section Eighteen (18), Township Nineteen (19) North, Range Twelve (12) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the United States Government Survey thereof and more particularly described as follows, to-wit:

Beginning at the Southwest corner of said Government Lot 4; thence North 88°58'18" East a distance of 1383.03 feet to the Southwest corner of said Government Lot 4; thence North 00°57'16" West a distance of 672.78 feet; thence South 88°51'57" West a distance of 105.13 feet; thence North 82°56'59" West a distance of 159.33 feet; thence North 79°47'18" West a distance of 68.39 feet to a point; thence North 79°47'18" West a distance of 301.32 feet; thence North 89°12'19" West a distance of 34.70 feet to a point; thence North 89°12'19" West a distance of 142.84 feet; thence North 88°18'15" West a distance of 188.67 feet to a point; thence North 88°18'15" West a distance of 100.89 feet; thence North 89°48'50" West a distance of 131.65 feet; thence South 88°16'28" West a distance of 134.26 feet; thence South 84°59'29" West a distance of 31.95 feet to a point on the West line of Government Lot 4; thence South 01°20'42" East along the West line of Government Lot 4 a distance of 803.92 feet to the Point of the Beginning.

## **PUBLIC HEARING-PLATS**

**12. The Flats** (County) Minor Subdivision Plat, Location: Southeast corner of East 136<sup>th</sup> Street North and North Sheridan Road

### **STAFF RECOMMENDATION:**

**The Flats** - (County)

Southeast corner of East 136<sup>th</sup> Street North and North Sheridan Road

This plat consists of 8 lots, 2 blocks on 15.92 ± acres.

The Technical Advisory Committee (TAC) met on July 1, 2021 and provided the following conditions:

- 1. Zoning:** Property is zoned AG-R. County Resolution CMF#20211006 was approved by the Board of County Commissioners on May 17, 2021. Proposed lots conform to the requirements of the AG-R district in the Tulsa County Zoning code.
- 2. Addressing:** Addresses provided by INCOG must be shown on face of the plat.
- 3. Transportation & Traffic:** Approved as submitted.
- 4. Sewer/Water:** On-site sewage disposal requires approval by Oklahoma Department of Environmental Quality. Water service to be provided by Washington County Rural Water District #3. Any improvements to existing water

lines must be approved through the RWD.

5. **Stormwater, Drainage, & Floodplain:** Approved as submitted.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** All release letters have been received. Oil & Gas certificate was submitted.

Plat was released by the Tulsa County Engineer on July 8, 2021. Staff recommends **APPROVAL** of the minor subdivision plat subject to the conditions provided by TAC and the requirements of the Subdivisions Regulations.

**The applicant indicated his agreement with staff's recommendation.**

**There were no interested parties wishing to speak.**

**TMAPC Action; 6 members present:**

On **MOTION** of **COVEY**, the TMAPC voted 6-0-0 (Blair, Covey, Craddock, Kimbrel, McArtor, Whitlock, "aye"; no "nays"; none "abstaining"; Adams, Reeds, Shivel, Walker, "absent") to **APPROVE** the Minor Subdivision Plat for The Flats per staff recommendation.

## **OTHER BUSINESS**

### **13. Commissioners' Comments**

**None**

**ADJOURN**

**TMAPC Action; 6 members present:**

On **MOTION** of **COVEY**, the TMAPC voted 6-0-0 (Blair, Covey, Craddock, Kimbrel, McArtor, Whitlock, "aye"; no "nays"; none "abstaining"; Adams, Reeds, Shivel, Walker, "absent") to **ADJOURN** TMAPC meeting of July 21, 2021, Meeting No. 2846.

There being no further business, the Chair declared the meeting adjourned at 1:27 p.m.

Date Approved:

08-04-2021

  
Chairman

ATTEST:



Secretary