

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 2849

Wednesday, September 1, 2021, 1:00 p.m.

City Council Chamber

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

Members Present	Members Absent	Staff Present	Others Present
Adams	Craddock	Chapman	Jordan, COT
Blair	Kimbrel	Davis	Silman, COT
Covey	Reeds	Hoyt	VanValkenburgh, Legal
Shivel		Miller	
Walker		Sawyer	
Whitlock		Wilkerson	
Zalk			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Thursday, August 26, 2021 at 3:30 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 1:00 p.m.

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

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REPORTS:

Chairman’s Report:

Mr. Covey welcomed new Planning Commissioner Mathew Zalk. Mr. Covey reported that Commissioner Keith McArtor has resigned from the Planning Commission.

Director’s Report:

Ms. Miller reported staff continues to meet with neighborhoods about the Neighborhood Infill Overlay (NIO) map amendment and will determine where the boundaries will be located and then TMAPC will see that on an agenda September 15, 2021. The NIO text amendment that TMAPC recommended approval for was adopted by council and was effective August 31, 2021. She reported on City Council actions and stated there was nothing on County Commissioners agenda since the last TMAPC meeting.

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Minutes:

1. Approval of the minutes of **August 18, 2021 Meeting No. 2848**

TMAPC Action; 6 members present:

On **MOTION** of **COVEY**, the TMAPC voted 6-0-0 (Adams, Blair, Covey, Shivel, Whitlock, Zalk, “aye”; no “nays”; none “abstaining”; Craddock, Kimbrel, Reeds, Walker, “absent”) to **APPROVE** the minutes of August 18, 2021 Meeting No. 2848

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. **PUD-803-11 Nick Puma** (CD 8) Location: South of the southwest corner of East 121st Street South and South Hudson Avenue requesting a **PUD Minor Amendment** to allow driveway coverage greater than 40% in front setback

STAFF RECOMMENDATION:

SECTION I: PUD-803-11 Minor Amendment

Amendment Request: Revise the PUD Development Standards to allow driveway coverage greater than 40% in the front setback.

Currently the development standards limit the Maximum Front Yard Coverage by Parking Area to 40%. The applicant is requesting to increase this allowable coverage to greater than 40% This is due to the unusual shape of the subject lot as shown on the applicant’s site plan included with this report. Staff proposes to increase this requirement to a Maximum Front Yard Coverage by Parking Area to 55%.

Staff Comment: This request is considered a Minor Amendment as outlined by Section 30.010.1.2.c(9) of the City of Tulsa Zoning Code.

“Changes in structure heights, building setbacks, yards, driveway coverage measured by width, square footage or percentage of the yard, open spaces, building coverage and lot widths or frontages, provided the approved PUD development plan, the approved PUD standards and the character of the development are not substantially altered.”

Staff has reviewed the request and determined:

- 1) PUD-803-11 does not represent a significant departure from the approved development standards in the PUD and is considered a minor amendment to PUD-803.
- 2) All remaining development standards defined in PUD-803 and subsequent amendments shall remain in effect.

With considerations listed above, staff recommends **approval** of the minor amendment to increase the Maximum Front Yard Coverage by Parking Area to 55%.

Legal Description PUD-803-11:

Lot 4, Block 12 Estates at the River III

TMAPC Action; 6 members present:

On **MOTION** of **COVEY**, the TMAPC voted 6-0-0 (Adams, Blair, Covey, Shivel, Whitlock, Zalk, “aye”; no “nays”; none “abstaining”; Craddock, Kimbrel, Reeds, Walker, “absent”) to **APPROVE** Item 2 per staff recommendation.

Mr. Walker arrived at 1:04pm.

PUBLIC HEARING-PLATS

3. **Yellowstone Estates II** (County) Preliminary Plat and Modification of the Subdivision & Development Regulations to allow a flag lot, Location: East of the southeast corner of East 161st Street South and South Lewis Avenue

STAFF RECOMMENDATION:

Yellowstone Estates II – (Tulsa County)
East of the southeast corner of East 161st Street South and South Lewis Avenue

This plat consists of 7 lots, 2 blocks on 41.59 ± acres.

The Technical Advisory Committee (TAC) met on August 19, 2021 and provided the following comments:

1. **Zoning:** The subject tract is zoned AG-R. Lots conform to the requirements of the AG-R district.
2. **Addressing:** Final address assignments by INCOG must be shown on the face of the final plat.
3. **County Engineering:** Public street construction requires approval and acceptance by Tulsa County prior to final plat approval. Plans for stormwater and drainage are required to be approved and completed prior to final plat approval.
4. **Sewer/Water:** On-site sewage disposal must be approved by the Oklahoma Department of Environmental Quality. Water service to be provided by Creek County Rural Water District No. 2. Water line extensions must be completed and final plat must be released by the rural water district.
5. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** Release letters are required from all utilities serving the site. Provide certificate of records from Oklahoma Corporation Commission related to oil & gas activity on the site.

Modification of Subdivision Regulations:

1. Modification to allow a flag lot shown as Lot 1 Block 2.

Staff recommends **APPROVAL** of the preliminary plat and the modification to the Subdivision & Development Regulations due to topographical conditions on the site isolating the proposed lot area. Approval is subject to the conditions provided by TAC and the requirements of the Subdivisions Regulations.

The applicant was not present.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **COVEY**, TMAPC voted **7-0-0** (Adams, Blair, Covey, Shivel, Walker, Whitlock, Zalk, “aye”; no “nays”; none “abstaining”; Craddock, Kimbrel, Reeds, “absent”) to **APPROVE** the Preliminary Subdivision Plat and the modification to the Subdivision & Development Regulations for Yellowstone Estates II per staff recommendation.

Items 4 and 5 were presented together.

PUBLIC HEARING-COMPREHENSIVE PLAN AMENDMENTS

4. **CPA-95 Greg Norris** (CD 6) Location: Northeast corner of East 11th Street South and South 145th East Avenue requesting to amend the Land Use Map designation from **New Neighborhood and Mixed Use Corridor** to **Mixed Use Corridor** (related to Z-7614)

STAFF RECOMMENDATION:

TMAPC Staff Report
CPA-95
Comprehensive Plan Amendment

Property Information and Land use Request

The subject property is a 14.89-acre, unplatted tract of land on the northeast corner of South 145th East Avenue and East 11th Street. The applicant has submitted the following Comprehensive Plan amendment request to amend the land use designation of the of the subject property from *New Neighborhood & Mixed-Use Corridor* to *Mixed-Use Corridor*. This request is accompanied by a concurrent rezoning request (Z-7614), which proposes a zoning change on the subject tract from AG and CS to CG in order to permit a mixture of businesses including Construction and Equipment Rental with Outdoor Storage and a Convenience Store.

Background

The parcel subject to this Comprehensive Plan amendment request is located in east Tulsa and surrounded by vacant agricultural land to the north and east with New Neighborhood designations and a zoning designation of AG. The property to the west is zoned RS-3 with a church and residential uses, with the exception of the northwest corner of South 145th East Avenue and East 11th Street South which appears to have a residential use but is zoned CS. The property to the south is vacant and zoned CS. The land use designation for the subject property and abutting parcels were put in place with the adoption of the 2010 Tulsa Comprehensive Plan.

The southern portion of this parcel falls within The Route 66 Overlay which was adopted for development of a sign code than allows historic style neon signage along 11th Street. Allowable uses identified in the zoning districts included in that overlay are not affected by that overlay.

The Major Street and Highway Plan designates S. 145th East Avenue as a primary arterial street and East 11th Street South as a Secondary Arterial as well as a multi-

modal corridor, indicating that any future street improvements should follow the multi-modal street cross sections and will focus expanding travel choices for pedestrians, bicyclists, and transit users, making these choices attractive through design and proximity to mixed-use commercial, retail and residential areas with substantial pedestrian activity.

Existing Land Use and Growth Designations

A *New Neighborhood* land use designation was assigned to the northern portion of the parcel subject to the amendment request at the time of the adoption of the Tulsa Comprehensive Plan in 2010:

“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.”

A *Mixed-Use Corridor* land use designation was assigned to a portion of the parcel located in the southern third subject to the amendment request at the time of the adoption of the Tulsa Comprehensive Plan in 2010:

“**Mixed-Use Corridors** are Tulsa’s modern thoroughfares that pair high-capacity transportation facilities with housing, commercial, and employment uses. Off the main travel route, land uses include multifamily housing, small lot, and townhouse developments, which step down intensities to integrate with single family neighborhoods. Mixed-Use Corridors usually have four or more travel lanes, and sometimes additional lanes dedicated for transit and bicycle use. The pedestrian realm includes sidewalks separated from traffic by street trees, medians, and parallel parking strips. Pedestrian crossings are designed so they are highly visible and make use of the shortest path across a street. Buildings along Mixed-Use Corridors include windows and storefronts along the sidewalk, with automobile parking generally located on the side or behind.”

Proposed Land Use Designation (Tulsa Comprehensive Plan)

The applicant is proposing the *Mixed-Use Corridor land* use designation for the entirety of the subject property:

Zoning and Surrounding Uses

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
N	AG	New Neighborhood	Growth	Agriculture
S	CS	Mixed-Use Corridor Neighborhood	Growth	Vacant
E	AG	New Neighborhood	Growth	Agriculture
W	RS-3 & CS	New Neighborhood & Mixed-Use Corridor	Growth	Church & Residential

Applicant's Justification

As part of the amendment application, the applicant is asked to justify their amendment request. Specifically, they are asked to provide a written justification to address:

1. How conditions on the subject site have changed, as well as those on adjacent properties and immediate area;
2. How changes have impacted the subject site to warrant the proposed amendment; and;
3. How the proposed change will enhance the surrounding area and the City of Tulsa.

The applicant submitted the following responses:

1. How Conditions of the subject property have changed

- A gradual movement of businesses along the 145th Street corridor has changed the dynamics of the area.
- The subject property has been included in the current commercial zoning and the request is to rezone the other continuous acreage

2. How those changes have impacted the subject area to warrant the proposed amendment.

- Development of the 145th & 11th Street will continue to be a magnet to businesses who want to be close to Tulsa and major arterial expressways.

3. How the proposed change will enhance the surrounding area and the City of Tulsa.

- Current services are limited in the area and this zoning change will meet those needs for the Tulsa area residents for and The City of Tulsa. From AG Property Taxes to CG will increase of tax revenue to The City of Tulsa.
- The usual benefits Jobs, Services, and Increased Tax Base.

Staff Summary & Recommendation

The applicant is currently requesting expansion of the Mixed-Use Corridor land use designation along the east side of South 145th East Avenue. The proposed expansion will increase an opportunity for a more significant mix of development opportunities in this area where future residential development is expected. The vision identified in Planitulsa encourages building placement close to the street so future zoning designations should include development plans or MX districts to accomplish that goal.

The limited north south dimension of the existing Mixed-Use Corridor land use designation along 11th Street will only perpetuate small strip development in an area that can reasonably be expected significant development opportunities and provide services for a much larger undeveloped residential area north and east of the site. Carving out a portion of that future neighborhood area and encouraging commercial development will have little impact on the expected neighborhood development north and east of this site.

Staff recommends **approval** of the Mixed-Use Corridor land use designation as requested by the applicant.

TMAPC Action; 7 members present:

On **MOTION** of **COVEY**, TMAPC voted **7-0-0** (Adams, Blair, Covey, Shivel, Walker, Whitlock, Zalk, “aye”; no “nays”; none “abstaining”; Craddock, Kimbrel, Reeds, “absent”) to **ADOPT** CPA-95 as an amendment to the Tulsa Comprehensive Plan per staff recommendation.

PUBLIC HEARING-REZONING

5. **Z-7614 Greg Norris** (CD 6) Location: Northeast corner of East 11th Street South and South 145th East Avenue requesting rezoning from **CS/AG to CG with optional development plan** (related to CPA-95)

STAFF RECOMMENDATION:
SECTION I: Z-7614

APPLICANTS DEVELOPMENT CONCEPT:

The subject property is located at South 145th East Avenue and East 11th Street South and is currently zoned AG and CS. The applicant owns the subject property and plans to use the site for a commercial development.

Pursuant to this optional development plan, the applicant is requesting that the subject property be rezoned from AG to CG.

The optional development plan is proposed to provide concise guidance on future development on the subject property and to lessen the perceived or potential impact of future development on adjacent and nearby commercial and residential areas.

DETAILED STAFF RECOMMENDATION:

The applicant has submitted a concurrent application requesting an amendment to the land use map to expand the Mixed-Use Corridor land use designation area. Staff recommends approval of the amendment to the land use plan and this zoning application is consistent with that request.

The optional development plan is consistent with the development plan provisions of the Tulsa Zoning Code and,

Uses, lot and building regulations in a CG district and as provided in the development plan are consistent with the anticipated future development pattern of the surrounding property. The mixed use corridor contemplates store fronts with buildings close to the street and parking on the sides and in the rear. The development plan provides requirements for that visionary statement therefore,

Staff recommends Approval of Z-7614 to rezone property from CS and AG to CG with the development plan defined in Section II.

SECTION II: Development Plan

The optional development plan standards will conform to the provisions of the Tulsa Zoning Code for development in CG district with its supplemental regulations and Accessory Use provisions except as further refined below. All uses categories, subcategories or specific uses and residential building types that are not listed in the following permitted uses categories are prohibited.

PERMITTED USE CATEGORY

A) PUBLIC, CIVIC, AND INSTITUTIONAL

College or University
Day Care
Hospital
Library or Cultural Exhibit
Natural Resource Preservation
Parks and Recreation
Religious Assembly
Safety Service
School
Utilities and Public Service Facility (minor)
Wireless Communication Facility
 Freestanding tower
 Building or tower-mounted antenna

B) COMMERCIAL

Animal Service
Boarding or shelter
Grooming
Veterinary
Assembly and Entertainment
Other indoor uses as allowed but limited to small uses less than 250-person capacity. This use requires special exception approval if alcoholic beverages are sold or served, and the subject lot is located within 150 feet of any residential zoning district other than R-zoned street right of way.
Broadcast or Recording Studio
Commercial Service
Building service
Business support service
Consumer maintenance/repair service
Personal improvement service
Financial Services
Personal credit establishment
Funeral or Mortuary Service
Office
 Business or professional office
 Medical, dental or health practitioner office
Restaurants and Bars
Restaurant
Bar: This use requires special exception approval if alcoholic beverages are sold or served, and the subject lot is located within 150 feet of any residential zoning district other than R-zoned street right of way.
Brewpub: This use may be allowed if permitted through the special exception at the Board of Adjustment.
Retail Sales
 Building supplies and equipment

Consumer shopping goods
Convenience goods
Small box discount store
Grocery store
Medical marijuana Dispensary
Studio, Artist, or Instructional Service
Trade School
Vehicle Sales and Service
Commercial vehicle sales and rentals
Fueling station
Wholesale, Distribution and Storage
 Equipment and materials storage outdoor
 Warehouse
 Wholesale Sales and Distribution

C) WHOLESALE, DISTRIBUTION AND STORAGE

Equipment & Materials Storage, Outdoor
Warehouse Wholesale Sales and Distribution

F) AGRICULTURAL

Community Garden Farm, Market- or Community-supported
Horticulture Nursery

G) OTHER

Drive-in or Drive-through Facility (as a component of an allowed principal use)

BUILDING PLACEMENT AND PARKING SETBACK STANDARDS:

The maximum building setback for any principal building on a lot shall not exceed 30 feet from the planned right-of-way line. Parking and outdoor storage is prohibited between the principle building and planned right of way.

Parking and outdoor storage may not be placed closer than 20 feet from the planned right of way line.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: With approval of the land use map amendment requested in CPA-95 the zoning request is consistent with the Mixed-Use Corridor land use designation.

Land Use Vision:

Land Use Plan map designation:

The north portion of the tract is included in a New Neighborhood land use designation. Refer to the related comprehensive plan amendment CPA-95 which proposed a change from New Neighborhood to Mixed Use Corridor.

“Mixed-Use Corridors are Tulsa’s modern thoroughfares that pair high-capacity transportation facilities with housing, commercial, and employment uses. Off the main travel route, land uses include multifamily housing, small lot, and townhouse developments, which step down intensities to integrate with single family neighborhoods. Mixed-Use Corridors usually have four or more travel lanes, and sometimes additional lanes dedicated for transit and bicycle use. The pedestrian realm includes sidewalks separated from traffic by street trees, medians, and parallel parking strips. Pedestrian crossings are designed so they are highly visible and make use of the shortest path across a street. Buildings along Mixed-Use Corridors include windows and storefronts along the sidewalk, with automobile parking generally located on the side or behind.”

“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

Area of Growth: An area of growth is a designation to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.”

Transportation Vision:

Major Street and Highway Plan: None except the primary arterial designation

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 vacant.*

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>
145 th East Avenue	Primary Arterial	120 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Zoning and Surrounding Uses

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
N	AG	New Neighborhood	Growth	Agriculture
S	CS	Mixed-Use Corridor Neighborhood	Growth	Vacant
E	AG	New Neighborhood	Growth	Agriculture
W	RS-3 & CS	New Neighborhood & Mixed-Use Corridor	Growth	Church & Residential

SECTION IV: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11818 dated June 26, 1970, established zoning for the subject property.

Surrounding Property:

Z-7302 May 2015: All concurred in **approval** of a request for *rezoning* a 3.33± acre tract of land from RS-3 to CS on property located Southeast corner of East 11th Street and South 145th East Avenue.

BOA-21931 September 2015: The Board of Adjustment **Deny** a *Special Exception* to permit new and used car sales in the CS District (Section 701, Table 1); Variance to allow open air storage and display of merchandise within 300 feet of the R District (Section 1217.C.2) finding that this project will be injurious to the neighborhood and the requested Variance is self-imposed; , on property located at SE/c of East 11th Street South & South 145th East Avenue.

BOA-21095 June 2010: The Board of Adjustment **approved** a *Special Exception* to permit to permit church use (Use Unit 5) in the AG district (Section 301); subject to the conceptual plan 6.5. Lighting is to be shielded from abutting properties; all driving and parking surfaces are to be concrete or asphalt; a plat is required, on property located at East of the NE/c of East 11th Street and South 145th East Avenue.

BOA-20214 March 2006: The Board of Adjustment **approved** a *Special Exception* to permit a used automobile sales lot (Use Unit 17) in a CS district, with conditions for: no outside storage or display of vehicles or merchandise in addition to the

existing conditions already placed on this land, on property located at 1102 South 145th East Avenue.

BOA-18790 August 2000: The Board of Adjustment **Deny** a *Variance* to permit open-air storage or display of automobiles offered for sale within 300' of an R zoned district to 0', on property located at South of SW/c East 11th St. and South 145th East Avenue.

BOA-18602 December 1999: The Board of Adjustment **Deny** request on for removal of the previously approved condition (BOA-11752 on 1-07-82) of "owner only" to permit the sale of autos and mobile homes in a CS district, property located on the SW/c of East 11th Street and 145th East Avenue.

BOA-18233 November 1998: The Board of Adjustment **approved** a *Special Exception* to permit for a church in an RS-3 zoned district, on property located at 764 South 145th East Avenue.

BOA-15259 October 1989: The Board of Adjustment **approved** a *Special Exception* to permit to permit a pole barn in conjunction with a single-family residence in a CS zoned district; per plan submitted; finding that the lot is large enough to accommodate the residence and storage facility, on property located at 14336 East 11th street South.

BOA-14294 November 1986: The Board of Adjustment **Uphold** the Decision of the sign Inspector that 'lighted color bands', in this instance, constitute a sign; and to **approve** a Variance to exceed the square footage for wall signs in a CS District by including the color band area, (approximately 402' total sq. ft.); finding that signs of this type will be reviewed individually; and finding that the variance request was approved at the previous board of adjustment meeting (11-6-86), on property located on the NE/c of Sheridan Avenue and Kings Street.

BOA-11752 January 1982: The Board of Adjustment **approved** a *Special Exception* to permit the sale of automobiles and/or mobile homes in a CS District, that a screening fence be required on the south and west, with a hard-surface parking lot to run with this owner only, on property located at the SW corner of 145th East Avenue and 11th Street.

BOA-11255 November 1980: The Board of Adjustment **approved** a *Special Exception* to permit to use property for church use, and church-related activities; and permission to use property for school use for grades Kindergarten through College, and school-related activities; and, accessory uses to the church and school to permit bus maintenance and service facilities, with underground gasoline storage tanks, on property located at Lot 1, Block 2, Magic Circle Center Addition.

TMAPC Comments:

Mr. Blair asked if the intent was to exclude Car Lots.

Staff stated “yes”.

Mr. Blair stated the use list on page 5.3 on the agenda packet lists vehicle sales and service.

Staff stated further down that list on the next page it limits the use to commercial vehicle sales and rentals and a fueling station. He stated it's limited to that type of use not just for any car sales.

Mr. Zalk asked if a strip club would be allowed under this recommendation.

Staff stated “no”, it is not allowed.

Applicant Comments:

Greg Norris 6388 East 31st Street, Tulsa, OK

The applicant stated he represents the seller of the subject property. He stated the staff presentation encapsulates the method on which they would sell the property. Mr. Norris stated it would be a commercial development and they are anticipating 3 more lots. He stated he thinks the zoning speaks for itself on what will be allowed.

Mr. Covey stated on the northeast corner you're hoping for a carwash and then on the next tract of land to the north you're building a million dollar building what's going to go in that building.

The applicant stated he wasn't going to build it but the potential buyer would build it. He stated it would be an equipment rental business. The applicant stated they had 3 meetings with the Neighborhood Association at Eastland Mall and showed the drawings to them and everyone was impressed. He stated they sent out 2 cards to all the neighbors inviting them to those meetings.

Mr. Covey asked what kind of rental equipment it would be, industrial.

The applicant stated he believes it is some type of industrial but it would primarily be a center for services such as electricians, plumbers, etc., that type of thing is the goal. The applicant stated there aren't any plans right now for the rest of the property.

Interested Parties:

Robert Vela 14328 East 12th Place, Tulsa, OK 74108

Mr. Vela stated he noticed the signs for the proposed change about a week ago. He stated the sign shows the change from Commercial Shopping and Agricultural to

Commercial General and the Land Use Map change from New Neighborhood and Mixed Use Corridor to Mixed Use Corridor. Mr. Vela stated he spoke with some of his neighbors and their concerns are the detailed description from the Tulsa Zoning Code doesn't give any specific details, exemptions or specific businesses that would be allowed under Commercial General. He stated they would like a little bit more detail on the other Commercial General definition. Mr. Vela stated it does say under the Commercial General definition and Tulsa Zoning Code, light industrial. He stated the Applicant said he had notified neighbors and had meetings but he had not received anything in his mail or on his door about the meetings and the 5 or 6 people he had talked with also had not been notified. Mr. Vela stated in light of the lack of notification situation he would like to possibly extend the vote on this to get more input from the neighbors. He asked if apartment complexes were included in a residential zoning description.

Brian Tangles 14660 East 11th Place , Tulsa, OK 74108

Mr. Tangles stated there has been a number of emails sent to Planning Commission in opposition to this application. He stated the concern is truck traffic up and down 145th East Avenue into this area. Mr. Tangles stated the applicant said there would mostly be pickups and trailers that would be used to haul the equipment in and out. He stated he has done industrial installation and the equipment comes in on a big truck and that will increase the big truck traffic down that road. Mr. Tangles stated the applicant talked about truck refueling and he was concerned that a Truck Stop would be allowed.

Ann Wheeler 14643 East 11th Place, Tulsa, OK 74108

Ms. Wheeler stated her home is the first home on the corner of 145th East Avenue and 11th Street, on the southeast corner. She stated she has lived at this location for 14 years and the amount of traffic on 11th Street has increased incredibly. She stated that she tried to get some information about purchasing some of the subject property but after contacting the applicant she never heard back from him. Ms. Wheeler stated she wanted to maintain the agricultural status. She stated the land has a solid limestone surface and because of that everyone in the neighborhood has septic systems. Ms. Wheeler stated there will be a lot of additional traffic. She stated there's plenty of space in other areas of Tulsa that currently are industrial zoned. Ms. Wheeler stated maybe the applicant would be better off to purchase something in line with their business goals rather than taking the subject tract of land and turning it into industrial or a strip mall. She stated the neighbors that she has spoken with have all been opposed and believe this change would be very detrimental to the property values and the quality of life in this area.

Ms. Adams asked how many neighborhood meetings Ms. Wheeler was aware of.

Ms. Wheeler stated only one which took place in a parking lot.

Susan Frederick 14301 East 11th Street, Tulsa, OK 74108

Ms. Fredrick stated her property is zoned AG and she has 5 five acres that she has a horse operation on. She stated she has been there for 35 years. Ms. Fredrick stated back in the 1970s when they annexed her area into Tulsa, they did a tremendous land grab and pulled her property in as RS-3. Ms. Fredrick stated she then had to pay \$1,000 to have it changed back. She stated an Albertson distribution center was built on the corner Admiral and 145 East Avenue and during the blasting of the limestone a sinkhole opened up in her pasture that she had to repair herself because everyone passed the buck. Ms. Fredrick believes AG is a better use of the subject property.

Ms. Adams asked if Ms. Fredrick attended any of the meetings the applicant held.

Ms. Fredrick stated she attended 2 meetings.

Mr. Covey asked if the applicant would like to have a chance for a rebuttal.

The applicant answered "no".

Mr. Zalk asked if fueling stations under the category of vehicle sales and service would be permitted.

Staff stated a fueling station is not a truck stop. Truck stops are not an allowed use.

Mr. Zalk stated there has been some concern expressed about the blasting of limestone that the presumption is that is something done in commercial development but not in residential neighborhoods.

Staff stated anywhere that there's limestone you have to excavate. He stated you have to obviously excavate for utility construction or footing construction, or whatever that might be. This neighborhood would be the same.

Mr. Zalk stated asked if the southern portion of the northeast corner is already zoned for commercial there could be a commercial business such as the carwash go in there as an independent thing unrelated to the transaction that the applicant spoke about.

Staff stated "yes" anything that is allowed in CS zoning could be on the subject property.

Mr. Zalk stated the argument here is whether to expand it as to allow something that is more sizable development and more kind of cohesive commercial development as opposed to having a small commercial and then houses behind it right. Staff stated "correct".

Mr. Zalk asked if staff had any final concerns about streets and truck traffic on the arterial roads. Is there any plan at all to expand those roads or make or ease the burden of traffic.

Staff stated he was not aware of anything that has been funded but there is a Major Street and Highway Plan that shows this being a four lane arterial street so some day this will be more than a two lane street.

Mr. Covey stated with regard to the Land Use Designation change. He stated the Comprehensive Plan is currently being updated and for years Planning Commission has heard about this limestone in the area and about this New Neighborhood Designation. Mr. Covey stated maybe this area really shouldn't be new neighborhood. He asked if he was remembering this correctly.

Staff stated he anticipates the Comprehensive Plan will be more sympathetic to environmental challenges, whether it's floodplain or limestone or terrain. Staff stated Planning Commission may have heard some of those exact conversations from the PSO facility just north of the subject property. He stated the additional cost of development where there is limestone is harder to absorb in a residential development than it is in a commercial development

Mr. Covey asked if this is the area Planning Commission has heard throughout the years that even though it said New Neighborhood, they were not sure New Neighborhood was going to happen. He stated he has been on the Commission for a while and he understands that the land use map says New Neighborhood and usually he is a stickler for that land use designation. The area on the south part of that corner is already a Mixed Use Corridor and we are just talking about expanding it to the north. Mr. Covey stated in regard to zoning there is already CS zoning as Mr Zalk stated anything that could be CS zoning could already go in there so we are only talking about expanding it a little bit to the north and changing it to CG zoning but with those limited uses listed in the agenda packet. Mr. Covey stated he was torn on this case because he can see it both ways.

Ms. Adams stated she felt the same way. She is very sympathetic to what she has read and heard today but it seems as it stands right now there could be businesses there without a change in zoning.

Mr. Zalk stated it seems that with the designation that's on the south part of the northeast corner, because the tract is relatively small, you'd be more prone to finding that type of uses that seems some of the speakers today suggests that they didn't want. He stated it's almost as if expanding it and allowing it to be CG throughout this proposed area allows for a more robust business to come in and have a more attractive use that wouldn't be a convenience store or something that brings unwanted traffic or unwanted activity.

TMAPC Action; 7 members present:

On **MOTION** of **COVEY**, TMAPC voted **7-0-0** (Adams, Blair, Covey, Shivel, Walker, Whitlock, Zalk, “aye”; no “nays”; none “abstaining”; Craddock, Kimbrel, Reeds, “absent”) to recommend **APPROVAL** of the CG zoning with an optional development plan for Z-7614 per staff recommendation.

Legal Description Z-7614:

THE SOUTH 1320 FEET OF THE WEST 660 FEET OF THE SOUTHWEST QUARTER OF SECTION THREE (3), TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE ND MERIDIAN, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, LESS THE EAST 410 FEET OF THE SOUTH 1320 FEET OF THE WEST 660 FEET THEREOF AND LESS BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER, THENCE NORTH 75.87 FEET, THENCE NORTHEAST 24.75 FEET, THENCE SOUTHEAST OF A CURVE TO THE LEFT 72.76 FEET, THENCE SOUTH 24.75 FEET, THENCE SOUTHWEST 74.64 FEET TO THE POINT OF BEGINNING.

* * * * *

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** (Continued from July 21, 2021)

STAFF RECOMMENDATION:

SECTION I: Z-7613

DEVELOPMENT CONCEPT:

DETAILED STAFF RECOMMENDATION:

Z-7613 requesting RM-2 zoning is consistent with the Downtown Neighborhood land use designation and,

Uses and building mass allowed in the RM-2 zoning district is consistent with the expected development of the surrounding properties and preserves the anticipated park and open space area and,

The zoning request is consistent with the goals of the Pearl District Small Area Plan and,

Multi-family zoning at this location is compatible with the redevelopment opportunities for the existing properties therefore,

Staff recommends Approval of Z-7613 to rezone property from RS-4 to RM-2.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The downtown neighborhood land use designation is an area that encourages vertical and dense residential development. In this instance the maximum height is 35 feet in the proposed RM-2 zoning district. The multifamily and townhouse use is appropriate in the Downtown Neighborhood, but the building height in the land use designation may not be compatible with the existing neighborhood building stock. The proposed RM-2 district allows residential density and provides height limitations that are important to the neighborhood character.

Land Use Plan map designations:

Downtown Neighborhoods are located outside but are tightly integrated with the Downtown Core. These areas are comprised of university and higher educational campuses and their attendant housing and retail districts, former warehousing and manufacturing areas that are evolving into areas where people both live and work, and medium- to high-rise mixed-use residential areas. Downtown Neighborhoods are primarily pedestrian-oriented and are well connected to the Downtown Core via local transit. They feature parks and open space, typically at the neighborhood scale.

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 that affect site redevelopment

Trail System Master Plan Considerations: None that affect site redevelopment

Small Area Plan: Pearl District Small Area Plan

The executive Summary, including details of the Priorities, Goals, and Actions was adopted by the Tulsa Metropolitan Area Planning Commission on July 3rd, 2019.

Special District Considerations: This site is included in the proposed boundary of the adopted Neighborhood Infill Overlay. If the boundary is adopted the lot and building regulations would support this type of development.

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is empty and directly across 8th street from the Laura Dester site that was rezoned in 2020 to RM-3 zoning to help preserve and repurpose the existing buildings.

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 6 th Street	NA	50 feet	2
South Quincy Avenue	NA	50 feet	2
Alley	NA	20 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	RM-3	Downtown Neighborhood	Growth	Unoccupied multi family
East	RS-4	Downtown Neighborhood	Growth	Surface parking lot
South	RS-4	Downtown Neighborhood	Growth	Single Family
West	RS-4	Downtown Neighborhood	Growth	Single family

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11815 dated June 26, 1970, established zoning for the subject property

Subject Property: None

Surrounding Property: Z-7557 May 2020: All concurred in **approval** of a request for *rezoning* a tract of land that was the Oklahoma Group home from RS-4 to RM-3 on property located East of the northwest corner of South Peoria Avenue and East 8th Street South requesting rezoning from RS-4 to RM-3.

Z-6481 January 1995: All concurred in **approval** of a request for a *rezoning* on a tract of land from RM-2 to RS-4 for on property located between East 7th Street South and approximately 150' north of approximately 250' east of South Troost Avenue.

BOA-15346 January 1990: The Board of Adjustment **approves**, per plan, a Special Exception to permit off-street parking in a RM-2 zoned district for a state of Oklahoma group home, on property located at the southwest corner of East 8th street and south Rockford Ave. Lots 1 & 2, Block 5, East Lynn Addition.

BOA-10831 January 1980: The Board of Adjustment **approved** a *Variance* of the setback requirements from 25' to 2' 10" from an abutting R District, per plot plan, on property located at Lot 1 through 8, Block 6 East Lynn Addition.

BOA-9064 June 1976: The Board of Adjustment **approved** a *Special Exception* to use on Lots 1-8, Block 6 and for church use and parking on Lots 1 and 2, Block 7 per plot plan, in an RM-2 District, on property located at Lots 1 through 8, Block 6 East Lynn Addition.

BOA-5079 May 1966: The Board of Adjustment grants **approval** to erect a single-family dwelling in a U-2-B district and needs waiver of rear and front yard requirements on East 86 feet of Lot 1 Block 4 East Lynn Addition.

BOA-5013 April 1966: The Board of Adjustment grants **approval** to permit off-street parking for church in a U-2 B District, on property located at Lots 1,2,3, Block 6 East Lynn addition.

BOA-3116 November 1958: The Board of Adjustment grants **approval** for Lots 4 Block 6 for a parking lot, on property located at Lot 4 Block 6 East Lynn Addition.

BOA-2772 December 1955: The Board of Adjustment grants **approval** for church to establish off-street parking on Lots 5 and 6, on property located at Lot 4 Block 6 East Lynn Addition.

BOA-2537 March 1954: The Board of Adjustment grants **approval** to place a duplex on a lot 6 Block 5, there is now an existing small dwelling on rear of lot. Duplex is to be in front of Lot in a U-2 District, property located at Lot 6 Block 5 East Lynn Addition.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **COVEY**, TMAPC voted **7-0-0** (Adams, Blair, Covey, Shivel, Walker, Whitlock, Zalk, "aye"; no "nays"; none "abstaining"; Craddock, Kimbrel, Reeds, "absent") to recommend **APPROVAL** of the RM-2 zoning for Z-7613 per staff recommendation.

Legal Description Z-7613:

LTS 15 & 16 BLK 5, EAST LYNN ADDN

* * * * *

7. **Z-7616 Lou Reynolds** (CD 2) Location: West of the southwest corner of South 49th West Avenue and West 21st Street South requesting rezoning from **IL to IM**

STAFF RECOMMENDATION:
SECTION I: Z-7616

DEVELOPMENT CONCEPT: Applicant request to rezone from IL to IM for moderate-impact manufacturing and industry including but not limited to Medical Marijuana Processing.

DETAILED STAFF RECOMMENDATION:

The IM district is primarily intended to group together a wide range of industrial uses that may produce some moderate adverse land use or environmental impacts in terms of their operation and appearance. Parcels adjacent to this site and in the neighboring area are zoned RS, IL and IM. IH is north of 21st adjacent to the Arkansas River. In context with the Gilcrease expressway (currently in the construction phase) the subject property is isolated from any existing Berryhill neighborhood and is unlikely to evolve into a neighborhood center that provides nearby residences with services. West of the expressway the small neighborhood center area can be integrated into the Neighborhood Center as visualized in the land use plan. IM zoning does not prohibit a neighborhood center development except it does not allow residential uses. Allowed uses include commercial services, short term rental, RV parks, campgrounds, office, retail, restaurant among other wide variety of uses can offer future development opportunities could be integrated into a mixed-use development contemplated in that land use designation and,

Uses and building types allowed in an IM district are not generally consistent with the Neighborhood Center land use designation in the Comprehensive Plan however innovative new development opportunities are available that will require updates to meet the paving and landscape standards of the zoning code that are an important component of the Berryhill Plan and,

IM zoning is consistent with the future development pattern, existing uses and future opportunities for a wide variety of development in the area therefore,

Staff recommends Approval of Z-7616 to rezone property from IL to IM.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: This site was included in the Berryhill Land Use Plan that was adopted in 2019. Prior to the Berryhill study this site was annexed into the City of

Tulsa when the final plans for the extension of Gilcrease Expressway were completed. This property was annexed without a land use designation and was not part of an unincorporated Tulsa County comprehensive plan land use study. During the neighborhood engagement process, when the land use plan was presented, the property owners in the plan area felt that one of the priorities was to promote commercial growth along major street corridors and provide guidance for future industrial site locations. Commercial opportunities in an IM district are expanded in this zoning category. This site was specifically mentioned in the land use study to promote commercial growth along major street corridors and interchanges of the Gilcrease Expressway. The plan suggested limiting industrial uses to specific industrial zones. This site is not included in the area that was identified as an industrial growth option in the land use plan.

Land Use Vision:

Land Use Plan map designation: Neighborhood Center

Neighborhood Centers should include small-scale, one to three story mixed-use areas intended to serve nearby neighborhoods with retail, dining, and services. They can include apartments, condominiums, and townhouses, with small lot single family homes at the edges. These are pedestrian-oriented places served by transit, and visitors who drive can park once and walk to number of destinations.

Areas of Stability and Growth designation: Growth

Area of Growth: An area of growth is a designation to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the city as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.”

Transportation Vision:

Major Street and Highway Plan:

Trail System Master Plan Considerations: Significant trail infrastructure is planned on the west side of the Gilcrease expressway, and a popular on-street trail is identified on West 21st street connecting to that new trail system.

Small Area Plan: The subject property is not in a small area plan however it was included in the Berryhill Land use plan that was adopted in 2019 and is inside the City Limits of Tulsa defined during the Gilcrease expressway design process.

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The existing condition on the site includes multiple single-story buildings with gravel parking.

Street View from north edge of property looking south: (see following page):



Environmental Considerations: None that would effect site redevelopment.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
West 21 st Street South	Secondary arterial with a designated on-street bike lane	100 feet	4
Gilcrease Expressway (limited access does not allow access from this site)	Freeway	NA	Currently in the construction phase.

Utilities:

The subject tract has municipal water available. Sewer service has been provided for the existing facility but it is unknown at the time of this report what service is available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	IM	Neighborhood Center	NA	Industrial (County)
East	IM and RS	Neighborhood Center	NA	Industrial warehouse (County) The RS section appears to be occupied by a single residence in a wooded area east of the site
South	IL	None (expressway)	NA	Gilcrease Expressway (construction phase)
West	IL	None (expressway)	NA	Gilcrease Expressway (construction phase)

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11843 dated June 26, 1970, established zoning for the subject property.

Surrounding Property:

CBOA-2842 August 2020: The Board of Adjustment **approved** a Variance of the required 30 feet of frontage to permit construction of a single-family home (Section 207), on property located at 5110 West 21st Street South.

CZ-447 December 2016: All concurred in **approval** of a request for rezoning approximate 4 acres from RS to CG with intent of combining all the current ownership into a single zoning district anticipating future business expansion, on property located west of the southwest corner of west 21st street and south 49th West Ave.

CBOA-2553 November 2015: The Board of Adjustment **approved** a Variance of the required front setback in the IM district from 50 feet to 20 feet (Section 930, Table 2) with the hardship being the existing building on the subject property, property located at 5001 West 21st Street South.

Z-4132 April 1972: All concurred in **approval** of a request for rezoning approximate 60 acres from AG to IL on property located south of the southwest corner of 21st and 49th west avenue.

Z-4167 June 1972: All concurred in **approval** of a request for a rezoning approximate 5.4 acres from IL to RS-3 on property located on the south side of 21st street west of 49th west avenue.

Z-3934 August 1971: All concurred in **approval** of a request for a rezoning approximate .81 acres from RS-3 to CS on property located on the SW corner of the intersection of 57th West Avenue and 21st Street South.

BOA-545 October 1928: The Board of Adjustment grants **approval** to permit a studio on Lots 12 and 13 Block 10, Norvell Park Addition.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **COVEY**, TMAPC voted **7-0-0** (Adams, Blair, Covey, Shivel, Walker, Whitlock, Zalk, "aye"; no "nays"; none "abstaining"; Craddock, Kimbrel, Reeds, "absent") to recommend **APPROVAL** of the IM zoning for Z-7616 per staff recommendation.

Legal Description Z-7616:

A tract of land in the Northwest Quarter of the Northeast Quarter (NW/4 NE/4) of Section Seventeen (17), 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, being more particularly described as follows, to-wit:

BEGINNING at the Northeast corner of said NW/4 NE/4; THENCE Westerly along the North line of Section 17 for 580.8 feet; THENCE Southeasterly at an interior angle of 40° 18'30" for 434.1 feet; THENCE Southeasterly at a deflection angle to the right of 29°42' for 193.1 feet; THENCE Southeasterly at a deflection angle to the left of 31 °07" for 237.8 feet to the Easterly line of said NW/4 NE/4; THENCE Northerly for 611.6 feet to the POINT OF BEGINNING.

LESS AND EXCEPT A tract that is 100 feet in width that lies in said NW/4 NE/4, the center-line of said 100 foot tract being described as follows, to-wit; BEGINNING at a point on the North line of said Section 17, said point on the center of an existing levee and said point being 883 feet East of the Northwest corner of the NE/4 of Section 17; THENCE South 45°35'10" East for 465 feet to the end of said 100 foot wide tract.

* * * * *

8. **CZ-517 Jimmy J. Dresher** (County) Location: Southeast corner of East 161st Street South and South Yale Avenue requesting rezoning from **AG to AG-R**

STAFF RECOMMENDATION:
SECTION I: CZ-517

DEVELOPMENT CONCEPT: The applicant is proposing to rezone from AG to AG-R to permit single-family residences. The current zoning of AG limits single-family lots to a minimum of 2.1 acres per dwelling unit while the proposed AG-R zoning would allow lots with a minimum of 1.1 acres per dwelling unit. Lots would be established as part of the platting process required with rezoning or if splitting the subject lot into more than four lots. The site is located within the Commercial/Neighborhood Commercial designation of the Tulsa County and City of Bixby Comprehensive Plans. Given the current zoning of the area, current use and anticipated use, the proposal to rezone the subject lot to AG-R would be compatible with the development pattern of the area, while not in direct agreement with the Land Use designations.

DETAILED STAFF RECOMMENDATION:

CZ-517 is non-injurious to surrounding proximate properties;

CZ-517 is consistent with the anticipated future development pattern of the surrounding property therefore;

Staff recommends Approval of CZ-517 to rezone property from AG to AG-R.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The site is located within the fenceline of the City of Bixby and is designated as Commercial and Neighborhood Commercial. The City of Bixby's Comprehensive Plan – Bixby 2030 Our Vision, Our Future was adopted as part of the Tulsa County Comprehensive Plan on August 15, 2019. The Plan follows the City of Bixby's fenceline which includes unincorporated areas of Tulsa County. A city's fenceline is an area preserved for future annexation by virtue of a narrow annexation strip which encloses the area of municipal influence and prevents annexation by other cities. One of the most critical components of a comprehensive plan update is community engagement. Participation by a broad cross section of interests increases the likelihood that the plan's goals and policies will be based on community consensus, which increases the likelihood for successful plan implementation. Gaining community input was achieved through the following public engagement efforts: Stakeholder Interviews, Steering Committee Meetings, Community Kiosks, Informal Brochures, Project Website, Surveys, and Public Workshops.

Land Use Vision:

Land Use Plan map designation: Commercial/Neighborhood Commercial

Commercial

The Commercial designation denotes areas that create retail and commercial destinations for City residents, as well as others throughout the region. This designation may also support offices and business parks. Development shall have direct access to major roads and transit.

Neighborhood Commercial

The Neighborhood Commercial designation denotes areas that provide goods and services to meet the frequent shopping needs of residents. Development shall have access to major roads and provide opportunities for walking and biking from nearby residential areas.

Areas of Stability and Growth designation: N/A

Transportation Vision:

Major Street and Highway Plan: E 161st St S & S Yale Ave are designated as Secondary Arterials

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>
E 161 st St S	Secondary Arterial	100 Feet	2
S Yale Ave	Secondary Arterial	100 Feet	2

Utilities:

The subject tract has municipal water available. Sewer is to be provided by utilizing an ODEQ approved septic system.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	AG	Commercial/Neighborhood Commercial	N/A	Church/Single-Family
South	AG	Neighborhood Commercial	N/A	Agricultural
East	AG	Neighborhood Commercial	N/A	Agricultural
West	AG	Commercial/Neighborhood Commercial	N/A	Single-Family

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11843 dated June 26, 1970, established zoning for the subject property.

Subject Property:

Surrounding Property:

CBOA-1514 July 1997: The Board of Adjustment **approved** a *Special Exception to permit a 180' monopole tower for a PCS antenna in an AG district* on property located at 16100 South Yale Avenue East.

CBOA-445 May 1984: The Board of Adjustment **approved** a *Variance* to permit a waiver of the minimum 200' lot width (frontage) requirement in an AG district, per lot split No. 16158, under the provisions of section 1670 on the subject property, property located at 4702 East 161st Street South.

CBOA-280 October 1982: The Board of Adjustment **approved** a *Variance* to locate a mobile home on a lot of record, that already has a residence on it, subject to Tulsa City- County Health Department, and subject to the issuance of a building Permit on the subject property, property located at 4616 East 161st Street South.

BOA-8552 April 1975: The Board of Adjustment **approved** a *Exception for permission to drill for oil and gas for a period of five years on two separate properties in an AG district*, on property located at the SE corner of 161st and Yale and at the corner of 171st and Yale.

The applicant was not present.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **COVEY**, TMAPC voted **7-0-0** (Adams, Blair, Covey, Shivel, Walker, Whitlock, Zalk, "aye"; no "nays"; none "abstaining"; Craddock, Kimbrel, Reeds, "absent") to recommend **APPROVAL** of the AG-R zoning for CZ-517 per staff recommendation.

Legal Description CZ-517:

The North Four Hundred Seventy-Five (475) feet of the West Four Hundred Seventy-Five (475) of the West Half of the Northwest Quarter (W½ NW¼) of Section Twenty-Seven (27), Township Seventeen (17) North, Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the United States Government Survey thereof.

OTHER BUSINESS

9. Commissioners' Comments

NONE

ADJOURN

TMAPC Action; 7 members present:

On **MOTION** of **COVEY**, TMAPC voted **7-0-0** (Adams, Blair, Covey, Shivel, Walker, Whitlock, Zalk, "aye"; no "nays"; none "abstaining"; Craddock, Kimbrel, Reeds, "absent") to **ADJOURN** TMAPC meeting of September 1, 2021, Meeting No. 2849.

ADJOURN

There being no further business, the Chair declared the meeting adjourned at 2:03 p.m.

Date Approved:

09-15-2021


Chairman

ATTEST:



Secretary