

**TULSA METROPOLITAN AREA PLANNING COMMISSION**  
**Minutes of Meeting No. 2856**

Wednesday, December 15, 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>
Bayles	Blair	Foster	Jordan, COT
Covey		Hoyt	Silman, COT
Craddock		Miller	VanValkenburgh, Legal
Kimbrel		Sawyer	
Reeds		Siers	
Shivel		Wilkerson	
Walker			
Whitlock			
Zalk			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Thursday December 9, 2021 at 2:15 p.m., posted in the Office of the City Clerk, as well as in the Office of the County Clerk.

After declaring a quorum present, Chair Covey called the meeting to order at 1:00 p.m.

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

**REPORTS:**

**Chairman's Report:**  
**None**

**Director's Report:**  
Ms. Miller reported on City Council and Board of County Commissioner actions and other special projects.

\* \* \* \* \*

## **Minutes:**

1. Minutes of November 17, 2021 Meeting No. 2854

Approval of the minutes of **November 17, 2021 Meeting No. 2854**

### **TMAPC Action; 9 members present:**

On **MOTION** of **WALKER**, the TMAPC voted 9-0-0 (Bayles, Covey, Craddock, Kimbrel, Reeds, Shivel, Walker, Whitlock, Zalk, "aye"; no "nays"; none "abstaining"; Blair, "absent") to **APPROVE** the minutes of November 17, 2021 Meeting No. 2854

## **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Item 2 was withdrawn by staff.

2. **Koger Executive Center II** (CD 7) Change of Access, Location: Northwest corner of East 41<sup>st</sup> Street South and Highway 169

## **PUBLIC HEARING-COMPREHENSIVE PLAN AMENDMENTS**

Items 3 and 4 were presented together.

3. **TCCP-7 Derek Mordhorst** (County) Location: Northwest corner of North 10<sup>th</sup> East Avenue and East 98<sup>th</sup> Street North request to amend the land use designation from **AG-Residential to Commercial** to permit a Medical Marijuana dispensary (related to CZ-526)

### **STAFF RECOMMENDATION:**

#### **Property Information and Land use Request**

The subject property is a 0.67-acre tract of land on the northwest corner of North 10<sup>th</sup> East Avenue and East 98<sup>th</sup> Street North. The applicant has submitted the following Comprehensive Plan amendment request to amend the land use designation of the of the subject property from *AG-Residential* to *Commercial*. This request is accompanied by a concurrent re-zoning request (CZ-526), which

proposes a zoning change on the subject tract from Agricultural to Commercial in order to allow a medical marijuana dispensary.

## **Background**

The parcel subject to this Comprehensive Plan amendment request is located within the fenceline of Sperry and is surrounded by AG zoning in all directions with a mixture of vacant properties and some residential uses to the east and south. The land use designation of the subject property and abutting parcels were put in place with the adoption of the Sperry fenceline of the Tulsa County Comprehensive Land Use Plan on August 21, 2019, and later approved by the Board of County Commissioners on September 9, 2019. (Resolution Number 2800:1006).

The Major Street and Highway Plan designates East 98<sup>th</sup> Street North as a secondary arterial street. North 10<sup>th</sup> East Avenue is not identified on the Major Street and Highway Plan. The subject property is located within the 100- year floodplain.

In 1993, the Board of Adjustment approved a Special Exception to permit Use Unit 12, Eating Places other than Drive-ins, to permit a barbecue restaurant.

## **Existing Land Use Designation (Tulsa County Comprehensive Land Use Plan)**

An **AG-Residential** land use designation was assigned to the subject property on March 14, 2013, when Sperry adopted a *Comprehensive Growth Guide for the Town of Sperry Oklahoma*. With the creation of the Tulsa County Comprehensive Land Use Plan, the area within the fenceline of Sperry (outside of corporate limits) was adopted by Tulsa Metropolitan Area Planning Commission on August 21, 2019, and later approved by the Board of County Commissioners on September 9, 2019. (Resolution Number 2800:1006).

## **Proposed Land Use Designation (Tulsa County Comprehensive Land Use Plan)**

The applicant is proposing the **Commercial** land use designation for the entirety of the subject property.

## **Zoning and Surrounding Uses**

Location	Existing Zoning	Existing Land Use Designation	Existing Use
N	AG	AG-Residential	Vacant
S	AG	Commercial	Residential
E	AG	AG-Residential	Residential
W	AG	AG-Residential	Vacant

### **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 Tulsa County.

The applicant submitted the following responses:

1. There is a large asphalt and gravel parking lot and the structure cannot be used for residential or agriculture. It functions well as a bar/ restaurant. But will be more attractive as a retail store. Immediately surrounding the property are mostly residential with cars in the yards and lots of clutter.
2. The subject property has been a bar for thirty years. There is no utility to keep the subject property as an agriculture property.
3. I believe the property being used as a commercial space rather than a bar will decrease crime and increase positive traffic on the way into Sperry. The subject property is the first thing people see when driving into the south side of Sperry. A clean profitable commercial store will make a better impact than a 'saloon.' Also more positive traffic and customers will hopefully inspire neighbors to clean up their properties.

### **Staff Summary & Recommendation**



The applicant is requesting to amend the land use designation from AG-Residential to Commercial. They have submitted a concurrent request to rezone the property from Agriculture to Commercial. The proposed rezoning will allow commercial uses on the property. As approved by the County Board of Adjustment in 2013, there was already an existing commercial use of the property. The applicant proposes to change the type of commercial use from a bar to a medical marijuana dispensary which is allowed by right in a CS district. The property to the south of the subject parcel has a land use designated as commercial thus indicating that the anticipated growth is towards commercial development in the nearby area.

Staff recommends **approval** of the Commercial land use designation as requested by the applicant.

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

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

**TMAPC Action; 9 members present:**

On **MOTION** of **WALKER**, the TMAPC voted 9-0-0 (Bayles, Covey, Craddock, Kimbrel, Reeds, Shivel, Walker, Whitlock, Zalk, "aye"; no "nays"; none "abstaining"; Blair, "absent") to **ADOPT** TCCP-7 as an amendment to the Tulsa County Comprehensive Plan per staff recommendation.

## **PUBLIC HEARING-REZONING**

4. **CZ-526 Derek Mordhorst** (County) Location: Northwest corner of North 10th East Avenue and East 98th Street North requesting rezoning from **AG to CS** to permit a Medical Marijuana dispensary (related to TCCP-7)

### **STAFF RECOMMENDATION:** **SECTION I: CZ-526**

**DEVELOPMENT CONCEPT:** The applicant is proposing to rezone the subject lot from AG to CS to permit a medical marijuana dispensary. The site is currently designated as AG-Residential in the Tulsa County Comprehensive Plan and the Sperry Future Land Use Plan. While the proposal would not be compatible with this land use designation, a concurrent County Comprehensive Plan Amendment (TCCP-7) proposes to revise the land use designation to Commercial, which the proposal would be compatible with. The site was approved by the County Board of Adjustment in 1993 to permit an existing commercial business, a restaurant, which has since become a bar. The applicant is proposing to change from the

current use of a bar to a medical marijuana dispensary, which would be an allowable use in the CS district. Currently there is land designated as Commercial land use immediately across E 98<sup>th</sup> St N from the subject lot.

#### **DETAILED STAFF RECOMMENDATION:**

CZ-526 is not consistent with the current land use designation however the applicant has submitted an amendment to the Tulsa County Comprehensive Plan TCCP-7. The applicant has requested revising the land use designation from AG-Residential to Commercial. Staff supports that request and,

CZ-526 is non-injurious to surrounding proximate properties and, with the approval of the proposed comprehensive plan amendment, would be consistent with the Tulsa County Comprehensive Plan therefore,

**Staff recommends Approval of CZ-526 to rezone property from AG to CS.**

#### **SECTION II: Supporting Documentation**

##### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: The site is located within the fenceline of the City of Sperry and is designated as "AG-Residential." The City of Sperry's Comprehensive Plan was adopted as part of the Tulsa County Comprehensive Plan on September 9, 2019. The Plan follows the City of Bixby's Sperry's fenceline which includes unincorporated areas of Tulsa County. The proposal would not be compatible with the current land use designation, however a comprehensive plan amendment, TCCP-7, is proposed to change this designation to Commercial. The proposed rezoning would be compatible with this designation.*

##### Land Use Vision:

*Land Use Plan map designation:*

AG-Residential (current designation) – This land use designation is intended to promote Agricultural and Residential uses.

Commercial (proposed designation) – This land use designation is intended to promote commercial uses such as retail and services.

*Areas of Stability and Growth designation:* None

##### Transportation Vision:

*Major Street and Highway Plan:* E 98<sup>th</sup> St N is designated as a Secondary Arterial

*Trail System Master Plan Considerations: None*

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

**DESCRIPTION OF EXISTING CONDITIONS:**

Staff Summary: *The site currently contains a commercial structure utilized as a bar.*

Environmental Considerations: The site is located within the Tulsa County 100 year floodplain.

Streets:

<u>Existing Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
E 98 <sup>th</sup> St N	Secondary Arterial	100 Feet	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>
North	AG	AG-Residential	N/A	Vacant
South	AG	Commercial	N/A	Residential
East	AG	AG-Residential	N/A	Residential
West	AG	AG-Residential	N/A	Vacant

**SECTION III: Relevant Zoning History**

**History:**

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

***Subject Property:***

**CBOA-1177 July 1993:** The Board of Adjustment **approved** a *Special Exception* to permit Use Unit 12 (barbecue restaurant) in an AG zoned district, on property located at 9800 North Peoria.

***Surrounding Property:***

**CBOA-890 May 1989:** The Board of Adjustment **approved** a *Variance* to permit for two dwellings (two mobile homes) on one lot of record; per plot plan; subject to a building permit and Health Department approval; on property located at 913 East 98<sup>th</sup> Street North.

**CBOA-394 October 1983:** The Board of Adjustment **approved** a *Variance* to permit Use Unit 11 (Offices and Studios) and Use Unit 13 (Convenience Goods and Services) in AG zoned district under the provisions of Section 1670, on property located at West of the NW corner of 98<sup>th</sup> Street North and Peoria Avenue.

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

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

**TMAPC Action; 9 members present:**

On **MOTION** of **WALKER**, the TMAPC voted 9-0-0 (Bayles, Covey, Craddock, Kimbrel, Reeds, Shivel, Walker, Whitlock, Zalk, "aye"; no "nays"; none "abstaining"; Blair, "absent") to recommend **APPROVAL** of the CS zoning for CZ-526 per staff recommendation.

**Legal Description for CZ-526:**

W105 LT 12 LESS BEG SWC TH N28.52 E105.01 S29.2 W105 POB BLK 2, MCNEIL

\* \* \* \* \*

Items 5 and 6 were presented together.

5. **CZ-525 Megan Pasco** (County) Location: South of the southeast corner of East 161<sup>st</sup> Street South and South Elwood Avenue requesting rezoning from **AG to RE** to permit a single family residential subdivision (related to PUD-861)

**STAFF RECOMMENDATION:**  
**SECTION I: CZ-525**

**DEVELOPMENT CONCEPT:** The applicant is requesting to rezone from AG to RE to permit a single-family subdivision. A PUD (PUD-861) is being concurrently proposed with this rezoning to establish the allowable use and the bulk and area requirements. The lots within the PUD area are intended to be half acre minimum in size. Sewer will be provided by an ODEQ approved sewage disposal system. The proposal lies within the Suburban Residential designation of the City of Glenpool Comprehensive Plan, which has been adopted as part of the Tulsa

County Comprehensive Plan. This proposal, along with the accompanying PUD are compatible with this designation.

#### **DETAILED STAFF RECOMMENDATION:**

CZ-525 is non-injurious to surrounding proximate properties and consistent with the Tulsa County Comprehensive Plan;

CZ-525 is consistent with the anticipated future development pattern of the surrounding property therefore,

**Staff recommends Approval of CZ-525 to rezone property from AG to RE.**

#### **SECTION II: Supporting Documentation**

##### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: The site is located within the fenceline of the City of Glenpool and is designated as Suburban Residential. The City of Glenpool Comprehensive Plan – The Glenpool 2030 Plan was adopted as part of the Tulsa County Comprehensive Plan on August 15, 2019. The Glenpool 2030 PLAN was officially adopted (Resolution Number 10-07-01) on July 6, 2010 with an Interim Update adopted (Resolution Number 17013) on November 14, 2017. The Comprehensive Plan is meant to serve as the general policy guide for future physical and economic development of the City based on present and future needs.*

##### Land Use Vision:

*Land Use Plan map designation: Suburban Residential*

This designation is for residential areas where suburban character is established and preserved by achieving a balance between buildings and other site improvements relative to the degree of open space maintained within the neighborhood. This distinguishes suburban character areas from more auto-oriented residential areas where site coverage predominates relative to undeveloped space.

*Areas of Stability and Growth designation: None*

##### Transportation Vision:

*Major Street and Highway Plan: S Elwood Ave is designated as a Secondary Arterial. The MSHP illustrates a potential Residential Collector along the west and south sides of the subject property.*

*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 agricultural land.*

Environmental Considerations: None

**Streets:**

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

**Utilities:**

The subject tract has municipal water available. Sewer will be provided on site by an ODEQ approved system.

**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>
North	AG	Suburban Residential	N/A	Vacant/Agricultural
South	RE/PUD-851	Estate Residential	N/A	Single-Family Subdivision
East	AG	Estate Residential	N/A	Vacant/Agricultural
West	AG	Estate Residential	N/A	Single-Family/Agricultural

**SECTION III: Relevant Zoning History**

**History: CZ-525 & PUD-861**

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

***Subject Property:***

***Surrounding Property:***

**CBOA-2876 February 2021:** The Board of Adjustment **denied** a *Variance* to permit the minimum frontage requirement on a public street or dedicated right-of-way from 30 feet in the AG District to permit the construction of a single-family home and lot split (Section 207) to the April 20, 2021, Board of Adjustment meeting; on property located at 784 East 165<sup>th</sup> Street South.

**PUD-851 November 2018:** All concurred in **approval** of a proposed *Planned Unit Development* on an 80+ acre tract of land on property located North of the Northeast corner of East 171<sup>st</sup> Street South and South Elwood Avenue.

**CZ-479 November 2018:** All concurred in **approval** of a request for *rezoning* a 80+ acre tract of land from AG to RE on property located North of the Northeast corner of East 171<sup>st</sup> Street South and South Elwood Avenue.

**CBOA-1609 October 1609:** The Board of Adjustment **approved** a *Variance* to permit required frontage on a public street from 30' to 0' to construct a single-family dwelling, on property located at 819 East 165<sup>th</sup> Street South.

**CBOA-698 October 1986:** The Board of Adjustment **approved** a *Variance* to permit the required frontage on a public street to permit all lots of Country Acres Subdivision to front on a private street & to **approve** a *Variance* to permit the required lot width in an AG District from 200' to 171' for Lot 14, on property located at ½ mile South and West of East 161<sup>st</sup> Street South and Peoria Avenue.

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

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

**TMAPC Action; 9 members present:**

On **MOTION** of **WALKER**, the TMAPC voted 9-0-0 (Bayles, Covey, Craddock, Kimbrel, Reeds, Shivel, Walker, Whitlock, Zalk, "aye"; no "nays"; none "abstaining"; Blair, "absent") to recommend **APPROVAL** of the RE zoning for CZ-525 per staff recommendation.

**Legal Description for CZ-525:**

A TRACT OF LAND THAT IS THE SOUTH HALF OF THE NORTHWEST QUARTER (S/2 NW/4) OF SECTION TWENTY-FIVE (25), TOWNSHIP SEVENTEEN (17) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, TULSA COUNTY, OKLAHOMA.

SAID TRACT CONTAINS 3,495,298 SQUARE FEET OR 80.241 ACRES.

\* \* \* \* \*

6. **PUD-861 Megan Pasco** (County) Location: South of the southeast corner of East 161<sup>st</sup> Street South and South Elwood Avenue requesting Planned Unit



Development to permit a single family residential subdivision (related to CZ-525)

**STAFF RECOMMENDATION:**  
**SECTION I: PUD-861**

**DEVELOPMENT CONCEPT:** The applicant is requesting to rezone from AG to RE with a PUD overlay to permit a single-family subdivision. A rezoning is being concurrently proposed with this PUD (CZ-525). The proposed PUD will establish the allowable use as well as bulk and area requirements. Lots will need to be large enough to provide sewer systems on each lot and meet Oklahoma Department of Environmental Quality regulations.

**DETAILED STAFF RECOMMENDATION:**

Uses allowed in PUD-861 are consistent with the Suburban Residential land use designation identified in the Tulsa County Comprehensive Land Use plan.

PUD-861 allows lots sizes and uses that are consistent with the anticipated future development pattern of the surrounding property;

PUD-861 is consistent with the provisions of the PUD chapter of the Tulsa County Zoning Code, therefore;

**Staff recommends Approval of PUD-861 to rezone property from AG to RE, PUD-861.**

**PUD-861 DEVELOPMENT STANDARDS:**

**Permitted Uses:** Uses permitted as a matter of right in RE zoning district in the Tulsa County Zoning Code including, but not necessarily limited to detached single-family dwellings, landscaped features, reserve areas, neighborhood recreational facilities, and uses customarily accessory to permitted uses.

**Maximum Number of Lots:** 100 Lots

**Minimum Lot Width:** 125 FT

**Minimum Lot Size:** 21,780 SF (1/2 acre)

**Minimum Land Area per Dwelling Unit:** 24,780 SF

**Minimum Livability Space per Dwelling Unit:** 12,000 SF \*



**Maximum Building Height:** 35 FT \*\*

**Off-street Parking:** Minimum two (2) enclosed off-street parking spaces required per dwelling unit.

**Minimum Yard Setbacks**

Front Yard: 35 FT

Rear Yard: 25 FT

Side Yard: 10 FT & 10 FT

*\* Livability space may be located on a lot or contained within common open space of the development, as per Section 1140.3 of the Tulsa County Zoning Code.*

*\*\* Architectural features such as chimneys and cupolas may extend to a maximum height of 45 feet, however, no habitable portion of any dwelling shall exceed the 35' limitation.*

**STREETS:** Streets within this PUD, whether public or private, shall be constructed to Tulsa County standards for minor residential streets. Streets may be designed with borrow ditches or curbs and gutters as per design standards approved by Tulsa County. Divided, boulevard-style entrances may be constructed, provided any median landscaping and other entry features shall be maintained by the mandatory homeowners' association.

**ACCESSORY BUILDINGS:** Detached accessory buildings shall be permitted subject to Tulsa County Zoning Code regulations. ~~and private restrictions as may be imposed by restrictive covenants or other private deed restrictions filed of record by separate instrument.~~

**SIGNS:** Subdivision entrance signs shall be permitted at each entrance and/or street frontage and shall comply with the accessory use regulations for signage of the Tulsa County Zoning Code. Signage serving residential neighborhood amenities, appropriate for purpose and neighborhood scale, shall be permitted within reserve areas containing neighborhood amenities. Signage shall ~~otherwise~~ comply with the Tulsa County Zoning Code.

**GENERAL PROVISIONS**

**A. ACCESS AND CIRCULATION:** Elwood Crossing Extended is conceptually planned with three (3) points of access: South Elwood Avenue, South 1st East Court, and South 4th East Avenue. The Exhibit B "Conceptual Site Plan" reflects points of access and the conceptual layout for internal streets and pedestrian walking trails. Limits of No Access (LNA) will be imposed by the future plat along the South Elwood Avenue, except at the approved street intersections.

**B. DRAINAGE AND UTILITIES:** The site is moderately sloped and has split drainage, as the site is located at the top of a hill. The north half of the property drains north, ultimately to Coal Creek, while the south half of the property drains to the south, to Duck Creek. An internal stormwater collection system will be designed and constructed to Tulsa County standards. Conceptual drainage design can be inferred on the Exhibit B "Conceptual Site Plan," including onsite stormwater detention ponds, which will be located within reserve areas to be maintained by the mandatory homeowners' association. Stormwater drainage and detention plans will be prepared and submitted to Tulsa County for review and approval during the engineering process. Public water is available to the site by Creek County Rural Water District #2. Water will be provided by a 12" waterline located along Elwood Ave, a 6" line along South 1st East Court and an 8" line along South 4<sup>th</sup> East Avenue. Water service and fire hydrant locations will be coordinated with Creek County Rural Water District # 2 and the fire protection agency having jurisdiction. Public sanitary sewer is not available to the site. Therefore, sewerage will be provided by individual onsite sewage disposal systems approved by the Oklahoma Department of Environmental Quality. The restrictive covenants of the subdivision plat or other such restrictions filed of record by separate instrument may require the maintenance by each lot owner of the individual onsite sewage disposal system according to ODEQ requirements. The covenants may reserve to the developer the right to designate an approved third party contractor with experience in installing/maintaining individual onsite sewage disposal systems for the purpose of performing regular maintenance and monitoring functions of all such systems within the subdivision, and to provide that the fees for such services may be satisfied through homeowners' association dues or regular or special assessments imposed upon each lot. Electric and communications services are available onsite or by extension. Natural gas will be provided if available.

**C. ENVIRONMENTAL ANALYSIS AND TOPOGRAPHY:**

As represented on Exhibit E "FEMA Floodplain Map," the entire site is located within Unshaded Zone X – outside of the 500-year (0.2% Annual Chance) Floodplain.

The USDA Soil Survey of Tulsa County, Oklahoma was used to help identify soil types and possible constraints to development. Existing soils on the subject property primarily consist of Dennis silt loam, 1- 3% slopes, and Dennis silt loam, 3-5% slopes. Development constraints associated with these soils will be addressed in the engineering design phase of the project and, if required, a geotechnical report will be performed to recommend paving sections and subgrade design. Soils and topography are shown on Exhibit D "Existing Topography & Soils" of this PUD.

**D. ZONING AND LAND USE:** This property is currently zoned AG Agriculture District and is currently vacant. It has been used agriculturally. To facilitate this

PUD, a companion application is being filed (CZ-) to rezone the site to RE Residential Single-Family, Estate District. Existing zoning is shown on Exhibit F, and proposed zoning is shown on Exhibit G. Site and surrounding area land uses are depicted on Exhibit A "Aerial Photography & Boundary Depiction."

**E. SITE PLAN REVIEW:** No building permit for a residence within Elwood Crossing Extended shall be issued until a subdivision plat has been approved by the Tulsa Metropolitan Area Planning Commission as being in compliance with the Planned Unit Development concept and development standards. The plat will also serve as the site plan for all residential lots contained within the plat and must be filed of record with the Tulsa County Clerk.

**F. PHASE DEVELOPMENT:** Based on market demand, Elwood Crossing Extended will be developed in phases. Coordination with Tulsa County will be maintained in order to provide adequate traffic circulation and utility service.

**G. SCHEDULE OF DEVELOPMENT:** Initial construction is anticipated to commence once the PUD, engineering design, and subdivision plat have been approved by Tulsa County.

## **SECTION II: Supporting Documentation**

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

*Staff Summary: The site is located within the fenceline of the City of Glenpool and is designated as Suburban Residential. The City of Glenpool Comprehensive Plan – The Glenpool 2030 Plan was adopted as part of the Tulsa County Comprehensive Plan on August 15, 2019. The Glenpool 2030 PLAN was officially adopted (Resolution Number 10-07-01) on July 6, 2010 with an Interim Update adopted (Resolution Number 17013) on November 14, 2017. The Comprehensive Plan is meant to serve as the general policy guide for future physical and economic development of the City based on present and future needs.*

### **Land Use Vision:**

*Land Use Plan map designation:* Suburban Residential

This designation is for residential areas where suburban character is established and preserved by achieving a balance between buildings and other site improvements relative to the degree of open space maintained within the neighborhood. This distinguishes suburban character areas from more auto-oriented residential areas where site coverage predominates relative to undeveloped space.

*Areas of Stability and Growth designation:* None

Transportation Vision:

*Major Street and Highway Plan:* S Elwood Ave is designated as a Secondary Arterial. The MSHP illustrates a potential Residential Collector along the west and south sides of the subject property.

*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 agricultural land.*

Environmental Considerations: None

Streets:

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

Utilities:

The subject tract has municipal water available. Sewer will be provided on site by an ODEQ approved system.

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>
North	AG	Suburban Residential	N/A	Vacant/Agricultural
South	RE/PUD-851	Estate Residential	N/A	Single-Family Subdivision
East	AG	Estate Residential	N/A	Vacant/Agricultural

West	AG	Estate Residential	N/A	Single- Family/Agricultural
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### SECTION III: Relevant Zoning History

#### History: CZ-525 & PUD-861

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

#### ***Subject Property:***

#### ***Surrounding Property:***

**CBOA-2876 February 2021:** The Board of Adjustment **denied** a *Variance* to permit the minimum frontage requirement on a public street or dedicated right-of-way from 30 feet in the AG District to permit the construction of a single-family home and lot split (Section 207) to the April 20, 2021, Board of Adjustment meeting; on property located at 784 East 165<sup>th</sup> Street South.

**PUD-851 November 2018:** All concurred in **approval** of a proposed *Planned Unit Development* on an 80+ acre tract of land on property located North of the Northeast corner of East 171<sup>st</sup> Street South and South Elwood Avenue.

**CZ-479 November 2018:** All concurred in **approval** of a request for *rezoning* a 80+ acre tract of land from AG to RE on property located North of the Northeast corner of East 171<sup>st</sup> Street South and South Elwood Avenue.

**CBOA-1609 October 1609:** The Board of Adjustment **approved** a *Variance* to permit required frontage on a public street from 30' to 0' to construct a single-family dwelling, on property located at 819 East 165<sup>th</sup> Street South.

**CBOA-698 October 1986:** The Board of Adjustment **approved** a *Variance* to permit the required frontage on a public street to permit all lots of Country Acres Subdivision to front on a private street & to **approve** a *Variance* to permit the required lot width in an AG District from 200' to 171' for Lot 14, on property located at ½ mile South and West of East 161<sup>st</sup> Street South and Peoria Avenue.

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

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

#### **TMAPC Action; 9 members present:**

On **MOTION** of **WALKER**, the TMAPC voted 9-0-0 (Bayles, Covey, Craddock, Kimbrel, Reeds, Shivel, Walker, Whitlock, Zalk, "aye"; no "nays"; none "abstaining"; Blair, "absent") to recommend **APPROVAL** of PUD-861 per staff recommendation.

#### **Legal Description for PUD-861:**



A TRACT OF LAND THAT IS THE SOUTH HALF OF THE NORTHWEST QUARTER (S/2 NW/4) OF SECTION TWENTY-FIVE (25), TOWNSHIP SEVENTEEN (17) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, TULSA COUNTY, OKLAHOMA.

SAID TRACT CONTAINS 3,495,298 SQUARE FEET OR 80.241 ACRES.

\* \* \* \* \*

## **PUBLIC HEARING-PLATS**

7. **Cross Timbers Extended at Northwest Passage** (CD 1) Preliminary Plat,  
Location: Southeast corner of West 30<sup>th</sup> Street North and North Gilcrease Museum Road

### **STAFF RECOMMENDATION:**

**Cross Timbers Extended at Northwest Passage** - (City of Tulsa, CD 1)  
Southeast corner of West 30<sup>th</sup> Street North and North Gilcrease Museum Road

This plat consists of 11 lots, 1 block, on 1.75 ± acres.

The Technical Advisory Committee (TAC) met on December 2, 2021 and provided the following conditions:

1. **Zoning:** The property is currently zoned RS-3 with an overlay of PUD-624. The proposed lots conform to the standards of the PUD.
2. **Transportation & Traffic:** Sidewalks, ADA ramps, and driveways in the public right-of-way require approval of IDP. IDP approval is required prior to final plat approval. Provide standard language for sidewalks and access in the deed of dedication.
3. **Sewer/Water:** Sanitary sewer extensions require IDP approval. IDP approval is required prior to final plat approval.
4. **Engineering Graphics:** Submit a subdivision control data sheet with final plat. In the plat subtitle, add "of the Indian Base and Meridian" before Osage County. Add engineer name and email address. In the Location Map, only show platted subdivision boundaries and label each; all other land should be labeled as "Unplatted". Under the basis of bearings information include the coordinate system used. Provide a bearing angle preferably shown on the face of the plat. Graphically label all plat boundary pins that were found or set. Provide address assigned by City of Tulsa on face of the plat. Remove contours from final plat submittal.
5. **Fire:** A secondary remote access road will be required for this development per the IFC.

5. **Stormwater, Drainage, & Floodplain:** Public storm sewers proposed as part of this project will require IDP approval. IDP approval is required prior to final plat approval. No floodplain on property.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** All utilities indicated to serve the site must provide a release prior to final plat approval. Provide a Certificate of Records Search from the Oklahoma Corporation Commission to verify no oil & gas activity on the site.

Staff recommends **APPROVAL** of the preliminary subdivision plat subject to the conditions provided by TAC and the requirements of the Subdivisions Regulations. City of Tulsa release required prior to final plat approval.

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

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

**TMAPC Action; 9 members present:**

On **MOTION** of **WALKER**, the TMAPC voted 9-0-0 (Bayles, Covey, Craddock, Kimbrel, Reeds, Shivel, Walker, Whitlock, Zalk, "aye"; no "nays"; none "abstaining"; Blair, "absent") to **APPROVE** the Preliminary Subdivision Plat for Cross Timbers Extended at Northwest Passage per staff recommendation.

\* \* \* \* \*

8. **Magnolia Estates** (County) Minor Subdivision Plat, Location: Southwest corner of East 171<sup>st</sup> Street South and South Sheridan Road

**STAFF RECOMMENDATION:**

**Magnolia Estates** - (County)

Southwest corner of East 171<sup>st</sup> Street South and South Sheridan Road

This plat consists of 14 lots, 3 blocks on 34.29 ± acres.

The Technical Advisory Committee (TAC) met on December 2, 2021 and provided the following conditions:

1. **Zoning:** Lots conform to the requirements of the AG district.
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 Okmulgee County Rural Water District #6. 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.

Staff recommends **APPROVAL** of the minor subdivision plat subject to the conditions provided by TAC and the requirements of the Subdivisions Regulations. Final release letter from Tulsa County must be received prior to final plat execution.

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

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

**TMAPC Action; 9 members present:**

On **MOTION** of **WALKER**, the TMAPC voted 9-0-0 (Bayles, Covey, Craddock, Kimbrel, Reeds, Shivel, Walker, Whitlock, Zalk, "aye"; no "nays"; none "abstaining"; Blair, "absent") to **APPROVE** the Minor Subdivision Plat for Magnolia Estates per staff recommendation.

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## **OTHER BUSINESS**

### **9. Commissioners' Comments**

None

\* \* \* \* \*



## ADJOURN

### **TMAPC Action; 9 members present:**

On **MOTION** of **COVEY**, the TMAPC voted 9-0-0 (Bayles, Covey, Craddock, Kimbrel, Reeds, Shivel, Walker, Whitlock, Zalk, "aye"; no "nays"; none "abstaining"; Blair, "absent") to **ADJOURN** TMAPC meeting of December 15, 2021, Meeting No. 2856.

## ADJOURN

There being no further business, the Chair declared the meeting adjourned at 1:13 p.m.

Date Approved:

01-05-2022

  
Chairman

ATTEST:



Secretary