

**TULSA METROPOLITAN AREA PLANNING COMMISSION**  
**Minutes of Meeting No. 2868**

Wednesday, June 15, 2022, 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	Krug	Foster	Jordan, COT
Carr		Hoyt	Silman, COT
Covey		Miller	VanValkenburgh, Legal
Craddock		Sawyer	
Kimbrel		Siers	
Reeds		Wilkerson	
Shivel			
Walker			
Whitlock			
Zalk			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Monday June 13, 2022 at 3:01 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. She stated there will be a Work Session August 17, 2022.

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**Minutes:**

1. Minutes of May 18, 2022 Meeting No. 2866

Approval of the minutes of **May 18, 2022 Meeting No. 2866**

**TMAPC Action; 10 members present:**

On **MOTION** of **WALKER**, the TMAPC voted 10-0-0(Bayles, Carr, Covey, Craddock, Kimbrel, Reeds, Shivel, Walker, Whitlock, Zalk, "aye"; no "nays"; none "abstaining"; Krug, "absent") to **APPROVE** the minutes of May 18, 2022 Meeting No. 2866

2. Minutes of June 1, 2022 Meeting No. 2867

Approval of the minutes of **June 1, 2022 Meeting No. 2867**

**TMAPC Action; 10 members present:**

On **MOTION** of **WALKER**, the TMAPC voted 9-0-1(Carr, Covey, Craddock, Kimbrel, Reeds, Shivel, Walker, Whitlock, Zalk, "aye"; no "nays"; Bayles, "abstaining"; Krug, "absent") to **APPROVE** the minutes of June 1, 2022 Meeting No. 2867

**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.**

3. **PUD-168-A-1 Claude Neon Federal, Jesse Bucelluni** (CD 8) Location: Southeast corner of East 81st Street South and South Harvard Avenue requesting a **PUD Minor Amendment** to allow additional monument sign.

**STAFF RECOMMENDATION:**

**SECTION I:** PUD-168-A-1 Minor Amendment

**Amendment Request:** Modify the PUD Development Standards to allow an additional ground sign.

The current PUD development standards allow for two monument signs for the shopping center development that are limited to tenant signs for the development and are limited to 400 sf in area and 16 ft in height. The applicant proposes to add a monument sign for the Kum & Go project being constructed at this location.

The sign shall be limited to 25 ft in height and 100 sf in sign area. The proposed signage can be seen on the attached exhibit provided by the applicant and will be located near the intersection of 81<sup>st</sup> St and Harvard Ave as shown on the applicant's site plan exhibit.

Staff Comment: *This request is considered a Minor Amendment as outlined by Section 30.010.1.2.c(12) of the City of Tulsa Zoning Code.*

*"Modifications to approved signage, provided the size, location, number and character (type) of signs is not substantially altered."*

Staff has reviewed the request and determined:

- 1) PUD-168-A-1 does not represent a significant departure from the approved development standards in the PUD and is considered a minor amendment to PUD-168-A.
- 2) The sign be limited to 25 ft in height and 100 sf in sign area.
- 3) All remaining development standards defined in PUD-168-A shall remain in effect.

With considerations listed above, staff recommends **approval** of the minor amendment to allow an additional monument sign.

**TMAPC Action; 10 members present:**

On **MOTION** of **WALKER**, the TMAPC voted 10-0-0(Bayles, Carr, Covey, Craddock, Kimbrel, Reeds, Shivel, Walker, Whitlock, Zalk, "aye"; no "nays"; none "abstaining"; Krug, "absent") to **APPROVE** Item 3 per staff recommendation.

**Legal Description for 168-A-1:**

PRT LT 1 BEG SWC TH N550.10 E5 N215 E5 N145 NE28.34 E40 N10 E224.31 S170 W35.81 S165.56 E241.5 S606.86 NW CRV LF 35.41 W464.65 POB BLK 1, FOREST CREEK CENTER

**PUBLIC HEARING - REZONING**

4. **Z-7654 Leanne Robison** (CD 2) Location: West of the southwest corner of South Elwood Avenue and West 37th Place South requesting rezoning from **RS-3 to IL**

**STAFF RECOMMENDATION:**

**SECTION I: Z-7654**

**DEVELOPMENT CONCEPT:** The subject tract and requested zoning designation will allow IL uses that are consistent with the expected development of the surrounding area and uses allowed would have little environmental impact on surrounding properties. The site is in a FEMA flood plain area and uses will be limited to those that can be integrated into a flood plain site.

**DETAILED STAFF RECOMMENDATION:**

Uses allowed by right in the IL district are primarily intended to provide areas suitable for manufacturing, wholesaling, warehousing, and other industrial activities that have few if any adverse land use or environmental impacts and,

Employment land use designation in the Tulsa Comprehensive Plan contemplates a wide variety of uses that are typically allowed in a light industrial district and,

The subject property is in a FEMA regulated flood plain and will require significant engineering analysis for any development and will require subdivision compliance review prior to issuing a building permit and,

IL uses are consistent with the expected development of the surrounding area and uses allowed would have little environmental impact on surrounding properties therefore,

Staff recommends Approval of Z-7654 to rezone property from RS-3 to IL.

**SECTION II: Supporting Documentation**

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

***Staff Summary:*** *The uses along with the supplemental regulations required in an IL district are consistent with the Employment land use designation of the comprehensive plan.*

**Land Use Vision:**

***Land Use Plan map designation: Employment***

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

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

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

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

***Trail System Master Plan Considerations:*** None except the subject tract is within ½ mile of the River Parks West Trail system.

**Small Area Plan:** None

**Special District Considerations:** None

**Historic Preservation Overlay:** None

**DESCRIPTION OF EXISTING CONDITIONS:**

**Staff Summary:** Vacant property with little topography and no significant vegetation or wildlife habitat.

**Environmental Considerations:** This site is in the middle of a mapped flood plain area just west of the Arkansas River. Significant flooding will occur on this site during the 100-year flood event. Rezoning the site from RS-3 to IL will prohibit any future residential uses in the flood plain and development in the flood plain for any allowed industrial uses will be regulated by development services and meet or exceed Tulsa standards for development in the floodplain.

**See Illustration on next page for graphic representation of lot in flood zone.**

The blue shading is FEMA flood zone  
The hand drawn magenta line is the subject property.



**Streets:**

Existing Access	MSHP Design	MSHP R/W	Exist. # Lanes
West 37 <sup>th</sup> Place South	None	50 feet	2

**Utilities:**

The subject tract has municipal water and sewer available however capacity to provide service has not been verified.

**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	RS-3	Employment	Growth	Mobile home residential
East	IM	Employment	Growth	Warehouse and outdoor storage
South	IM	Employment	Growth	Vacant flood plain area
West	RS-3	Employment	Growth	Vacant flood plain area

**SECTION III: Relevant Zoning History**

**History: Z-7654**

***Subject Property:***

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

***Surrounding Property:***

**Z-7411 November 2017:** All concurred in **approval** of a request for *rezoning* a 4.34± acre tract of land from RS-3/IM to IL on property located West of the Southwest corner of West 36<sup>th</sup> Place South and South Elwood Avenue.

**BOA-21803 December 2014:** The Board of Adjustment **approved** a Special Exception to permit the removal of the screening requirement, on property located at 3702 South Elwood Avenue.

**BOA-18445 July 1999:** The Board of Adjustment **approved** a Variance to permit setback from an R District from the required 75' to 25' to permit warehouse in an IM District & a Special Exception to remove the requirement for screening from an abutting R District which is vacant land on the west property line, on property located at East 37<sup>th</sup> Street & Elwood.

**BOA-15632 January 1991:** The Board of Adjustment **approved** a Variance to permit two dwelling units on one lot of record & a Special Exception to permit a mobile home in a Residential District & a Variance of the required side yard from 5' to 0' to permit an existing mobile home & a Variance of the one-year time limit and removal bond requirements, on property located at Lot 6, Block 3, Garden City Addition.

**BOA-12291 December 1982:** The Board of Adjustment **approved** a Variance to permit the setback from the centerline of 37<sup>th</sup> Place from 50' to 32', on property located at 608 West 37<sup>th</sup> Place.

**Z-4695 March 1975:** All concurred in **approval** of a request for *rezoning* a tract of land from RS-3 to IM on property located West 37<sup>th</sup> Place South.

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

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

**TMAPC Action; 10 members present:**

On **MOTION** of **WALKER**, the TMAPC voted 10-0-0(Bayles, Carr, Covey, Craddock, Kimbrel, Reeds, Shivel, Walker, Whitlock, Zalk, "aye"; no "nays"; none "abstaining"; Krug, "absent") to recommend **APPROVAL** of the IL zoning for Z-7654 per staff recommendation.

**Legal Description for Z-7654:**

LT 4 BLK 3; LT 3 BLK 3; LT 2 BLK 3, GARDEN CITY

\* \* \* \* \*

- Z-7655 Wallace Design Collective, Dani Fields** (CD 3) Location: West of North Mingo Road and south of Pine at the northeast corner of East Marshall Street and North 94th East Avenue requesting rezoning from **RD, RM-2, RM-1 to CG with optional development plan and RM-3**

**STAFF RECOMMENDATION:**

**SECTION I: Z-7655**

**DEVELOPMENT CONCEPT:** The applicant is seeking to change multiple zoning designations on a single parcel to allow office and storage on the east portion of the site. On the west part of the property the applicant has requested RM-3 zoning to allow all residential uses and building types as allowed in the zoning category.

**DETAILED STAFF RECOMMENDATION:**

Z-7655 is requesting a CG zoning district with an optional development plan to allow certain uses in a CG district that are consistent with a Mixed-Use Corridor land use designation in the Tulsa Comprehensive Plan and,

Z-7655 is also requesting an RM-3 zoning district without a development plan to allow a variety of residential uses that are consistent with a Mixed-Use Corridor land use designation in the Tulsa Comprehensive Plan and,



The Tulsa Comprehensive Plan recognizes this area as an Area of Growth and the normal uses that are allowed in a CG district may not be consistent with the expected future development of the surrounding area; however, CG zoning with use limitations and supplemental regulations in the development plan are consistent with expected future development patterns in the area and,

The development plan outlined in Section II below is consistent with the provisions of the Tulsa Zoning code and,

Uses and Building Types in the RM-3 district and as requested for the west portion of the property on the subject tract is consistent with the expected development in the surrounding area therefore,

Staff recommends Approval of Z-7655 to rezone property from RD, RM-2, and RM-1 to CG with an optional development plan and RM-3 as illustrated by the development Area boundary exhibit.

## **SECTION II: OPTIONAL DEVELOPMENT PLAN FOR CG Area (west 178 feet +/-)**

### **CG Development Area Development Standards:**

The optional development plan standards for the area Zoned CG will conform to the provisions of the Tulsa Zoning Code for development in a CG district with its supplemental regulations 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. Some uses may only be allowed if approved at the Board of Adjustment through the special exception process. Those uses are labeled (only with special exception approval)

## PERMITTED USE CATEGORIES, SUBCATEGORIES and SPECIFIC USES

### A) RESIDENTIAL (see allowed residential building types below)

1. Household Living
  - Single household
  - Two households on a single lot
  - Three or more households on single lot
2. Group Living
  - Assisted living facility
  - Community group home
  - Convent/monastery/novitiate
  - Elderly/retirement center
  - Life care retirement center

### B) PUBLIC, CIVIC, AND INSTITUTIONAL

1. Fraternal Organization (only with special exception approval)
2. Library or Cultural Exhibit
3. Natural Resource Preservation
4. Parks and Recreation
5. Postal Services (only with special exception approval)
6. Religious Assembly
7. Safety Service

### C) COMMERCIAL

1. Animal Service
  - Grooming
  - Veterinary
2. Broadcast or Recording Studio (only with special exception approval)
3. Commercial Service
  - Building service
  - Business support service
  - Consumer maintenance/repair service
  - Personal improvement service
  - Research service (only with special exception approval)
4. Financial Services
  - Personal credit establishment
5. Lodging
  - Bed and breakfast
  - Short-term rentals
6. Office

- Business or professional office
  - Medical, dental or health practitioner office
8. Restaurants and Bars
    - Restaurant
  9. Retail Sales
    - Building supplies and equipment
    - Consumer shopping goods
    - Convenience goods
    - Grocery store
  10. Self-service Storage Facility
  11. Studio, Artist, or Instructional Service
  12. Trade School

#### E) WHOLESALE, DISTRIBUTION AND STORAGE

1. Equipment and Material Storage, Outdoor
2. Trucking and Transportation Terminal
3. Warehouse
4. Wholesale Sales and Distribution

#### H) AGRICULTURAL

1. Community Garden
2. Farm, Market or Community-supported
3. Horticulture Nursery (only with special exception approval)

#### I) PERMITTED RESIDENTIAL BUILDING TYPES

##### Household Living

1. Single household
  - Detached house (only with special exception approval)
  - Townhouse
  - Patio House (only with special exception approval)
  - Mixed-Use building
  - Vertical mixed-use building
2. Two Households on single lot
  - Duplex (Special Exception)
  - Mixed-use building
  - Vertical mixed-use building
3. Three or more households on single lot
  - Multi-unit house (only with special exception approval)
  - Apartment/Condo

- Mixed-Use building
- Vertical mixed-use building

**SITE DEVELOPMENT REQUIREMENTS:** In addition to the supplemental standards required for development in a CG district the following standards shall apply.

1. Signage:
  - In the CG district dynamic display signs are prohibited.
  - The maximum sign height shall be limited to 12 feet and ground signage shall be monument style.
  - Illuminated wall signs are prohibited on the North, West and South face of any building.
2. Outdoor storage:
  - Outdoor storage areas must be on a paved surface and may not be located in front of any building or within 150 feet of Marshall Street.
3. Lighting
  - Site lighting (pole mounted or wall mounted) shall not exceed 16 feet in height and pointed down and away from any residential district.
4. Trash enclosures
  - All trash enclosures must be place within 50 feet of the east boundary of the CG district.

### **SECTION III: Supporting Documentation**

**Neighborhood Engagement:** The applicant has mailed information about the proposed development and received input from the surrounding properties. Staff has received some email correspondence with concerns about the multifamily component of the request.

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

**Staff Summary:** *The CG district with the optional development plan and the RM-3 zoning request are both consistent with the Mixed-Use Corridor land use designation.*

### **Land Use Vision:**

#### ***Land Use Plan map designation: Mixed-Use Corridor***

A Mixed-Use Corridor is a plan category used in areas surrounding Tulsa's modern thoroughfares that pair high-capacity transportation facilities with housing, commercial, and employment uses. The streets 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. 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.

***Areas of Stability and Growth designation: 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

***Trail System Master Plan Considerations:*** None

**Small Area Plan:** None

**Special District Considerations:** None

**Historic Preservation Overlay:** None

**DESCRIPTION OF EXISTING CONDITIONS:** None

**Staff Summary:** *The site is empty and surrounded by residential development, commercial development and a church.*

**Environmental Considerations:** None that would affect site development

**Streets:**

Existing Access	MSHP Design	MSHP R/W	Exist. # Lanes
Marshall Street for CG tract	None	50 feet	2
Marshall Street and North 94 <sup>th</sup> East Avenue RM-3 tract	None	50 feet	2

**Utilities:**

The subject tract has municipal water and sewer available, but capacity of existing utility infrastructure is unknown.

**Surrounding Properties:**

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	RS-3	Mixed-Use Corridor	Growth	Religious Assembly
East	CS	Mixed-Use Corridor	Growth	Commercial
South	CG and CS	Mixed-use Corridor	Growth	Residential and commercial
West	RS-3	Existing Neighborhood	Stability	Single Family Residential

**SECTION IV: Relevant Zoning History**

**History: Z-7655**

***Subject Property:***

**ZONING ORDINANCE:** Ordinance number 13013 dated November 20<sup>th</sup>, 1973, established zoning for the subject property.

**BOA-14949 October 1988:** The Board of Adjustment **approved** a *Special Exception* to permit a temporary tent revival (brush arbor), on property located at SW/c North Mingo and East Newton Street.

**BOA-3756 January 1962:** The Board of Adjustment **granted** Airport Free Will Baptist Church permission to erect a church, on property located at The North

198 feet of the NE ¼, SE ¼, NE ¼ of Section 36-20-13, Tulsa County, Oklahoma.

***Surrounding Property:***

**BOA-19767 February 2004:** The Board of Adjustment **approved** a *Special Exception* to permit “Other Trades and Services” for contractor services business, on property located at 1150 North Mingo.

**BOA-19644 July 2003:** The Board of Adjustment **approved** a *Special Exception* to permit Use Unit 15, foundation construction and repair, in a CS zoned district, on property located at N. of NW/c East Marshall Street & North Mingo Road.

**BOA-19522 February 2003:** The Board of Adjustment **approved** a *Special Exception* to permit auto repair in a CS zoned district, on property located at 9404 East Marshall.

**BOA-14949 October 1988:** The Board of Adjustment **approved** a *Special Exception* to permit a temporary tent revival (brush arbor), on property located at SW/c North Mingo and East Newton Street.

**BOA-14807 April 1988:** The Board of Adjustment **DENY** a *Special Exception* to permit to allow a home occupation for a kennel (6 dogs) in an RS-3 zoned district, on property located at 9448 East Newton Street.

**BOA-8938 February 1976:** The Board of Adjustment **approved** a *Special Exception* to permit a home beauty shop subject to the shop being closed on Sundays in an RS-3 District, on property located at Lot 6, Block 13, Amended Plat of Van Acres Addition.

**BOA-8207 March 1974:** The Board of Adjustment **approved** a *Special Exception* to permit a mobile home in an RS-3 District, on property located at 9186 East Latimer Court.

**BOA-7816 March 1973:** The Board of Adjustment **approved** a *Special Exception* to permit a mobile home in an RS-3 District, on property located at 9186 East Latimer Court.

**BOA-7370 March 1972:** The Board of Adjustment **approved** a *Variance* to permit erecting a combination business and residence building in a CS District, on property located at the Southwest corner of Marshall Street and Mingo Road.

**BOA-7360 March 1972:** The Board of Adjustment **approved** a *Variance* to permit a mobile home in a CS District, on property located at Southwest corner of Marshall Street and Mingo Road.

**BOA-7350 March 1972:** The Board of Adjustment **approved** a *Special Exception* to permit a mobile home in an RS-3 District, on property located at 9186 East Latimer Court.

**BOA-6899 March 1971:** The Board of Adjustment **approved** a *Special Exception* to permit a mobile home in an RS-3 District, on property located at 9186 East Latimer Court.

**Applicant Comments:**

**Mark Capron** 123 Martin Luther King Junior Boulevard, Tulsa, OK 74103

The applicant stated his client would like to locate his headquarters on the subject property. He stated the business is a concrete contracting company. The applicant stated there will not be any mixing of concrete on this site or cement trucks but they will be building the forms and then the forms will be taken to the jobsites where the concrete will be mixed and poured. He stated the optional development plan would allow a CG designation for the area where the forms are built. The applicant stated on the western portion of the property his client has expressed an interest in developing that area into duplexes in the future. He stated there would not be any apartments built on the site. The applicant stated they sent out letters to the neighbors explaining what they wanted to do and to call if they had questions. He stated they received about 6 calls but it was mostly people wanting to know what was going on. The applicant stated there was some concerns about apartments.

Ms. Kimbrel asked how the church was using the property.

The applicant stated there is a backstop on the property currently so he assumes it was used for recreation purposes.

**Interested Parties:**

**Cheryl Easter** 1130 North 94<sup>th</sup> East Avenue, Tulsa, OK 74115  
Declined to speak.

**Nick Easter** 1130 North 94<sup>th</sup> East Avenue, Tulsa, OK 74115

Mr. Easter stated he lives adjacent to the subject property and has 2 concerns. He stated the first one is an increase in traffic to the area and the second is decreased property value.

**Marjorie Manning** 9162 East Marshall Street, Tulsa, OK 74115

Ms. Manning stated she has lived at her location for 22 years. She stated in the last 5 years there has been an increase in occupancy in the area which has led to extreme congestion on the streets and difficulty in getting around the area. Ms. Manning stated in the absence of a direct plan she would have to say no to any changes and a definite no to change to RM-3.



**Applicant Rebuttal:**

The applicant stated typically they get a lot of questions regarding traffic, property values and stormwater. He stated stormwater will be addressed like any other project at a later point in the process. The applicant stated he believes they have a grid system will support additional traffic but he does not think there will be a lot of traffic coming from such a small area. He stated the subject property is 1.4 acres and it would be about a half a dozen duplexes. The applicant stated if you look at the surrounding zoning, on page 5.8 of the agenda packet, there is RD, RM, and the RS-2 so they are asking for zoning that is appropriate for the area. He stated they requested RM-3 to get the density that his client needs and if they went with RS they would have a different setback.

Mr. Reeds stated so the applicant is putting less on the subject property than is currently allowed by changing the zoning.

The applicant stated “yes,” there will be less housing available to this three acre piece of property by rezoning to commercial.

Ms. Bayles stated she has driven by this site what she saw was the opportunity for commercial to abut what is already commercial and residential to be complementary to what is across the street and that is ideal. She stated in the discussions with the Realtors Association, and individuals looking for housing in the City of Tulsa, particularly during the pandemic and after, duplexes are the highest need ever. Ms. Bayles stated they tend to stabilize many corners within the city and those homes and those taxpaying citizens will live there and support our community.

**TMAPC Action; 10 members present:**

On **MOTION** of **REEDS**, the TMAPC voted 10-0-0(Bayles, Carr, Covey, Craddock, Kimbrel, Reeds, Shivel, Walker, Whitlock, Zalk, “aye”; no “nays”; none “abstaining”; Krug, “absent”) to recommend **APPROVAL** of the CG with an optional development and RM-3 zoning for Z-7655 per staff recommendation.

**Legal Description for Z-7655:**

**LEGAL DESCRIPTION: WEST TRACT (RM-3)**

THE WEST 157.50 FEET OF THE EAST 335.00 FEET OF THE WEST 360.00 FEET OF THE NORTH 387.00 FEET OF THE SOUTH 412.00 FEET OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (NE/4 SE/4 NE/4) OF SECTION THIRTY-SIX (36), TOWNSHIP TWENTY (20) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF.

**LEGAL DESCRIPTION: EAST TRACT (CG with optional development plan)**

THE EAST 335.00 FEET OF THE WEST 360.00 FEET OF THE NORTH 387.00 FEET OF THE SOUTH 412.00 FEET OF THE NORTHEAST QUARTER OF THE

SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (NE/4 SE/4 NE/4) OF SECTION THIRTY-SIX (36), TOWNSHIP TWENTY (20) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF.

LESS AND EXCEPT

THE WEST 157.50 FEET OF THE EAST 335.00 FEET OF THE WEST 360.00 FEET OF THE NORTH 387.00 FEET OF THE SOUTH 412.00 FEET OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (NE/4 SE/4 NE/4) OF SECTION THIRTY-SIX (36), TOWNSHIP TWENTY (20) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF.

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6. **Z-7656 JR Donelson** (CD 6) Location: Southwest corner of East 31st Street South and South 177th East Avenue requesting rezoning from **MPD-1 to RS-4**

**STAFF RECOMMENDATION:**  
**SECTION I: Z-7656**

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

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

**DETAILED STAFF RECOMMENDATION:**

RS-4 as requested will eliminate the possibility of integrating a commercial and mixed-use component to the neighborhood as was previously designed. RS-4 zoning only allows single family residential homes and conflicts with the Neighborhood Center land use designation map in the Tulsa Comprehensive

Plan. MPD-1 was consistent with the New Neighborhood and Neighborhood Center land use designation in the Comprehensive Plan and was compatible with the existing and expected development of surrounding areas however,

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

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

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

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

### SECTION III: SUPPORTING DOCUMENTATION

NEIGHBORHOOD ENGAGEMENT: None provided

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

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

Land Use Plan map designation: Neighborhood Center and New Neighborhood

New Neighborhood residential building block is comprised of a plan category by the same name. It is intended for new communities developed on vacant land. These neighborhoods are comprised primarily of single-family homes on a range

of lot sizes but can include townhouses and low-rise apartments or condominiums. These areas should be designed to meet high standards of internal and external connectivity and shall be paired with an existing or New Neighborhood or Town Center.

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

Areas of Stability and Growth designation: Areas of Growth

The purpose of Areas of Growth is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop. Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth on a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.”

Transportation Vision: None except the Secondary Arterial designation in the major street and highway plan.

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

Trail System Master Plan Considerations: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

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

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

**Streets:**

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

**Utilities:**

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

**Surrounding Properties:**

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

**SECTION III: Relevant Zoning History**

**History: Z-7656**

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

**Subject Property:**

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

**Surrounding Property:**

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

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

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

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

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

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

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

**TMAPC Comments:**

Ms. Kimbrel asked if page 6.11 of the agenda packet is a departure from the previous MPD and now represents the new vision.

Staff stated on 6.11 of the agenda packet is the current MPD-1. He stated if the MPD-1 is changed to straight zoning that would dramatically change how that property would be developed. He stated it would be just another place to build houses and not necessarily a neighborhood. Staff stated in the center of MPD-1 there was a community area and some commercial components that created a sense of neighborhood. He stated RS-4 is consistent with the Comprehensive Plan.

Ms. Kimbrel asked if there were RS-4 components reflected in the original MPD-1.

Staff stated some of the lots would have been the size of RS-4 lots.

Mr. Reeds asked if this would preclude them from coming back to Planning Commission to get a commercial or community use.

Staff stated that was the reason he did not want to suggest changing the Comprehensive Plan. If there was a way in the future to develop something he wanted to support that concept.

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

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

**TMAPC Action; 10 members present:**

On **MOTION** of **REEDS**, the TMAPC voted 10-0-0(Bayles, Carr, Covey, Craddock, Kimbrel, Reeds, Shivel, Walker, Whitlock, Zalk, "aye"; no "nays"; none "abstaining"; Krug, "absent") to recommend **APPROVAL** of the RS-4 zoning for Z-7656 per staff recommendation.

**Legal Description for Z-7656:**

A TRACT OF LAND IN THE NORTHEAST QUARTER (NE/4) OF SECTION TWENTY-THREE (23), TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER (NE/4) OF SAID SECTION TWENTY-THREE (23); THENCE SOUTH 01°26'13" EAST ALONG THE EAST LINE OF THE NORTHEAST QUARTER (NE/4) A DISTANCE OF 2640.16 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER (NE/4) OF SAID SECTION TWENTY-THREE (23); THENCE SOUTH 88°40'47" WEST ALONG THE SOUTH LINE OF THE

NORTHEAST QUARTER (NE/4) OF SAID SECTION TWENTY-THREE (23) A DISTANCE OF 1872.51 FEET; THENCE NORTH 01°19'13" WEST A DISTANCE OF 417.46 FEET; THENCE NORTH 52°24'14" EAST A DISTANCE OF 345.53 FEET; THENCE NORTH 08°22'39" EAST A DISTANCE OF 204.20 FEET; THENCE NORTH 68°44'03" WEST A DISTANCE OF 423.39 FEET; THENCE NORTH 06°15'21" WEST A DISTANCE OF 250.80 FEET; THENCE NORTH 09°38'07" EAST A DISTANCE OF 428.17 FEET; THENCE SOUTH 77°18'48" WEST A DISTANCE OF 306.21 FEET; THENCE NORTH 17°52'52" EAST A DISTANCE OF 227.41 FEET; THENCE NORTH 05°47'17" EAST A DISTANCE OF 440.76 FEET; THENCE NORTH 02°00'34" EAST A DISTANCE OF 92.57 FEET; THENCE NORTH 36°36'05" WEST A DISTANCE OF 167.21 FEET; THENCE NORTH 07°16'14" WEST A DISTANCE OF 164.76 FEET TO A POINT ON THE NORTH LINE OF THE NORTHEAST QUARTER (NE/4) OF SAID SECTION TWENTY-THREE (23); THENCE NORTH 88°41'29" EAST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER (NE/4) OF SAID SECTION TWENTY-THREE (23) A DISTANCE OF 2164.46 FEET TO POINT OF BEGINNING. SAID TRACT CONTAINS 5,117,790.30 SQUARE FEET OR 117.49 ACRES MORE OR LESS.

\* \* \* \* \*

7. **Z-7658 City Council** (CD 6) Location: 33 properties south of the southeast corner of East Admiral Place and South 161st Street East Avenue and North of the northwest corner of East 21st Street South and South 193rd East Avenue requesting rezoning from **RS-3, RE and RS-1 to AG-R**

**STAFF RECOMMENDATION:**  
**SECTION I: Z-7658**

**DEVELOPMENT CONCEPT:** This group of zoning requests is part of a City Council initiated program to allow AG-R rezonings at no charge to interested property owners in East Tulsa neighborhood areas. This application includes properties from Phase II of the program.

**DETAILED STAFF RECOMMENDATION:**

Z-7658 includes 33 properties located between East Admiral Place and East 21<sup>st</sup> Street and between South 161<sup>st</sup> East Avenue and South 193<sup>rd</sup> East Avenue

In March, City Council initiated a voluntary AG-R zoning program for this area to assist residents with R zoned property who wish to maintain their agricultural uses. The proposed program serves as a tool for property owners to apply to rezone their properties to AG-R with no application fee.

Staff has found the AG-R zoning to align with the existing development patterns of the area. Lots included meet the minimum requirements of AG-R zoning.



Staff recommends **approval** of Z-7658 to rezone properties from RE/RS-1/RS-3 to AG-R.

## **SECTION II: Supporting Documentation**

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

*Staff Summary:* Property owners have taken advantage of a voluntary rezoning opportunity initiated by the Tulsa City Council. The program allows for eligible properties to be rezoned from residential designations to AG-R, Agriculture-Residential. AG-R sets larger lot minimums and allows for select agricultural uses that would be prohibited under RS districts. The areas under application consist of large tract, single-family homes, many of which include some agricultural component. AG-R zoning would address compliance issues while aligning the zoning regulations with the development patterns in the area.

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

*Land Use Plan map designation:* New Neighborhood, Mixed-Use Corridor, Neighborhood Center

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 land use designation.

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

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

*Areas of Stability and Growth designation: 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.

Transportation Vision:

*Major Street and Highway Plan:* The area under application for Phase II includes 4 square mile sections with a variety of major street and highway plan designations. Those designations include Primary Arterials, Secondary Arterials, Residential Collectors, and standard residential streets. In areas where Residential Collectors are planned but not constructed, further subdivision of property would come with a requirement to implement the planned collector streets.

*Trail System Master Plan Considerations:* None related to AG-R consideration.

Small Area Plan: None

Special District Considerations: **East Tulsa Neighborhood Implementation Plan** provides guidance for development review and capital project implementation. The plan would be utilized for review of new development proposals or subdivisions.

Historic Preservation Overlay: None.

DESCRIPTION OF EXISTING CONDITIONS:

*Staff Summary:* The majority of the area under application includes large-lot single-family homes with a range of select agricultural uses. Many of the tracts are unplatted and are not served by municipal sanitary sewer. AG-R zoning aligns with the existing development patterns of the area more closely than the existing RS zoning districts.

Environmental Considerations:

There are existing FEMA and City of Tulsa Regulatory Floodplain areas included within the Phase II geography. Development of these areas will be restricted and required to comply with applicable floodplain regulations if proposed.

Streets:

Properties under application are served by a range of existing public streets including arterials, collectors, and residential streets. Close-up aerial images are attached and illustrate the accessible street networks for each property.

Utilities:

The subject tracts are served by municipal water. Many tracts under application utilize on-site sewage disposal and do not have direct access to municipal sanitary sewer service.

Surrounding Properties:

Properties under application are spread throughout the eligible Phase II area. There is a mixture of zoning districts and land use designations in the surrounding areas. Maps of the land use, growth & stability areas, and aerial photos are included in the attached exhibits.

**SECTION III: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 11812 dated June 26, 1970, & Ordinance number 11818 dated June 26, 1970, established zoning for the subject property.

Interested Parties:

**Sonya Turner** 18002 East 12<sup>th</sup> Street, Tulsa, OK 74108

Ms. Turner stated that she supports the AG-R rezoning and would like to apologize for what she said at the last meeting. She stated it was not her intention to harm anyone. Ms. Turner stated some help with Code Enforcement is needed in this neighborhood regarding properties that need to be cleaned up, mowed or repairs needed. She stated animal welfare should also be contacted.

Mr. Whitlock stated one of the common themes that Commissioners have heard is that City of Tulsa Code Enforcement is not doing their job. He stated all the complaints should be documented and he would encourage residents to contact their City Councilor.

**Susan Fredrick** 14301 East 11<sup>th</sup> Street Tulsa, OK 74108

Ms. Fredrick stated her property was changed to RS-3 zoning back in the 70's and she had to pay to have it changed back to AG. She stated better infrastructure is needed in this area. There are no sidewalks and there are deep ditches along the roads.

Staff stated it is obvious there needs to be some sort of new enforcement effort in this area. But that is something that he does not think will worsen by the changes that are being proposed. Staff stated this is purely talking about accessory animal agricultural uses with single family residences and homes that are already out there and will still have to comply with those animal welfare ordinances. He

stated nothing about this application is related to any kind of new annexations. Staff stated related to infrastructure, he thinks most of this is a downzoning, it is lessening the intensity that can be developed on some of these lots, which if there is a lack of infrastructure this application will not cause anything to be any worse. In fact, it would prevent more development from occurring along that inadequate infrastructure.

Mr. Covey asked who the City Councilor was in this district.

Staff stated Councilor Connie Dodson.

Ms. Kimbrel asked if staff had discussions with Councilor Dodson about enforcement issues.

Staff stated they have had a lot of conversation with her about this program and he thinks she is aware of the concerns. He stated staff has shared the correspondence they have received from neighbors. Staff stated there will be an effort from staff to make sure that everyone is aware that there does appear to be some sort of code enforcement issue.

**TMAPC Action; 10 members present:**

On **MOTION** of **REEDS**, the TMAPC voted 10-0-0(Bayles, Carr, Covey, Craddock, Kimbrel, Reeds, Shivel, Walker, Whitlock, Zalk, “aye”; no “nays”; none “abstaining”; Krug, “absent”) to recommend **APPROVAL** of the AG-R zoning for Z-7658 per staff recommendation.

**Legal Descriptions for subject properties:**

1.

Subdivision: UNPLATTED

Legal: E195 W390 GOV LT 6 LESS N40 FOR ST SEC 1 19 14 2.775ACS

Section: 01 Township: 19 Range: 14

2.

Subdivision: Unplatted

Legal: : W1/3 W/2 SE BEG 50E SWC SE TH N1236.62 ESS S50 THEREOF S 19 14 10.382ACS

FOR ST & LESS N30 THEROF SEC 11 19 14 10.382ACS

3.

Earp

Lot 2 bIK 8, LYNN LANE ESTATES, SEC 11 TWN 19 RNG 14

4.

LTS 1 2 & 7 BLK 7 LYNN LANE ESTATES

5.

Subdivision: INDIAN HILLS Legal: LT 4 BLK 2

6.

Subdivision: INDIAN HILLS Legal: LT 5 BLK 2

Section: 01 Township: 19 Range: 14

7.

Legal: PRT N/2 SW BEG SECR BLK 24 ROSE DEW THIRD ADD TH S183.28 W177.64 N145.71 E140 N19 E630 N34.81 E289 S16.42  
E118.52 POB SEC 2 19 14 4.678ACS

8.

PRT LT 1 BLK 3 & PRT VAC ST & ALL LT 4 BLK 2 BEG SWC LT 4 TH N600 E159 S600 W159 POB BLK 2

9.

Subdivision: LYNN LANE DRIVE  
Legal: N280 W160 W/2 LT 1 BLK 3  
Section: 12 Township: 19 Range: 14

10.

Subdivision: LYNN LANE DRIVE  
Legal: W/2 LT 4 BLK 2  
Section: 12 Township: 19 Range: 14

11.

Subdivision: UNPLATTED

Legal: E219 W427 N528 E/2 SE SEC 11 19 14 2.655ACS

Section: 11 Township: 19 Range: 14

12.

Subdivision: UNPLATTED  
Legal: N/2 N/2 NW SW SW SEC 1 19 14 2.508ACS  
Section: 01 Township: 19 Range: 14

13.

Nguyen

N11.24 ACS S .22.48ACS NE SEC 11 19 14

14.

Subdivision: UNPLATTED

Legal: W195 GOV LT 6 LESS N40 FOR ST SEC 1 19 14 2.775ACS

Section: 01 Township: 19 Range: 14

15.

Subdivision: UNPLATTED  
Legal: S650 E640 NE LESS W357 N325 SEC 11 19 14 6.886ACS  
Section: 11 Township: 19 Range: 14

16.

BEG 1293.42S NWC NW TH E535 S415 W535 N415 POB SEC 11 19 14 5.097ACS UNPLATTED

17.

BEG 1233.42S NWC NW TH E732 SE150.28 SE146.68 SE242.52 SE201.38 NW625.84 N415 W535 N60 POB SEC 11 19 14 6.652ACS

18.

Subdivision: LYNN LANE DRIVE  
Legal: W/2 LT 1 LESS S20 THEREOF & LESS N280 W160 THEREOF BLK 3  
Section: 12 Township: 19 Range: 14

19.

W179 E549.68 GOV LT 5 LESS .16AC THEROF FOR RD & LESS BEG 525W NEC GOV LT 6 TH SLY TO PT 200.67N SL LT 6 TH ALONG  
CRV94.67 TO PT 110.53N & 550W SEC LT 6 TH N TO NL LT 6 TH E25 POB SEC 1 19 14 2.18 AC

20.

W313 S233.36 LT 5 BLK 9

LYNN LANE ESTATES

21.

Legal: BEG 743.7E & 698.7N SWC N/2 SW TH E30 S145.71 E1177.64 S183 W1207.65 N330.38 POB SEC 2 19 14 5.196ACS  
Section: 02 Township: 19 Range: 14

22.

N/2 N/2 SW & BEG 1293.4S NWC SW TH E655.71 S24.04 W660.71 N25.87 POB LESS W33 THEREOF FOR RD SEC 12 19 14 10.359ACS

23.

Description: The North Half of the Northeast Quarter of the Southwest Quarter of the Southwest Quarter (N1/2 NE1/4  
SW1/4.SW1/4) in Section One (1). Township Nineteen (19) North. Range Fourteen (14) East of the Indian Base and Meridian, Tulsa  
County, State of Oklahoma, according to the U.S. Government Survey thereof.

24.

Parcel 24375941100680 - LT 1 BLK 5 SEC 11 TWN 19 RNG 14 LYNN LANE ESTATES

25.

Parcel - 24375941100710.00 - LT 2 BLK 5 LYNN LANE ESTATES

26.

Parcel - 24375941100030.00 - LT 1 BLK 1 LYNN LANE ESTATES

27.

Parcel - 24375941100060.00 - LT 2 Less N 15 thereof BLK 1 LYNN LANE ESTATES

28.

BEG 743.7E SWC N/2 SW TH N368.32 E1207.65 S366.4 W1207.91 POB SEC 2 19 14

9.468ACS

29.

Subdivision: LYNN LANE ESTATES

Legal: PRT LTS 1 & 2 BEG SECR LT 1 TH W134 TH ON CRV 39.26 N331.57 E318 S356.57 W159 POB BLK 2

Section: 11 Township: 19 Range: 14

30.

E ½ LT 1 BLK 3 Less s.20' FOR RD

Lynn Lane Drive

Sect 12 Twnshp 19 Range 14

31.

Subdivision Unplatted

Legal: W420.80 E 595.63 Lt & SEC 2 19 14 6.316 ACS

32.

Subdivision: UNPLATTED

Legal: PRT W1/3 W/2 SE BEG 50E SWC SE TH N1236.62 E390.90 S1236.62 W TO POB LESS S50 THEREOF FOR ST & LESS N30 THEREOF  
SEC 11 19 14 10.382ACS

Section: 11 Township: 19 Range: 14

33.

LT Blk 7

Subdivision Lynn Lane Estates

Sec 11 Twnshp 19 Range 14

\* \* \* \* \*

Items 8 and 9 were presented together.

- 8. **CZ-532 Troy Wilsead** (County) Location: East of the southeast corner of East 126th Street North and North 97th East Avenue requesting rezoning from **AG to IL** to permit a mini-storage facility. (Related to TCCP-10)

**STAFF RECOMMENDATION:**

**SECTION I: CZ-532**

**DEVELOPMENT CONCEPT:** The applicant is proposing to rezone the subject lot from AG to IL to permit a mini-storage facility. The site is located within the Commercial land use designation of the Tulsa County Comprehensive Plan, which this proposal would not be compatible with, however a concurrent application has been submitted (TCCP-10) to amend the comprehensive plan designation from Commercial to Industrial which this proposal would be compatible with. The comprehensive plan designates the property immediately east as Industrial as well as multiple properties to the south of the subject lot, so the proposed use and land use designation would be compatible with the future land use of the area.

**DETAILED STAFF RECOMMENDATION:**

CZ-532 is non-injurious to surrounding proximate properties;

The allowed uses in an IL district will have little environmental impact on surrounding properties, and

CZ-532 is not consistent with the current land use designation however the applicant has submitted an amendment to the Tulsa County Comprehensive Plan Amendment, TCCP-10. The applicant has requested revising the land use designation from Commercial to Industrial. Staff supports that request therefore,

**Staff recommends Approval of CZ-532 to rezone property from AG to IL.**

## **SECTION II: Supporting Documentation**

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: The subject property is located within the fenceline of Owasso. The Tulsa County Comprehensive Land Use Plan (adopted July 2019) and the Owasso Comprehensive Plan (adopted in 2014 and amended in 2016 and 2018) designates the land use as Commercial.*

#### Land Use Vision:

##### *Land Use Plan map designation:*

Commercial (current designation)

The Commercial Land Use District represents areas of retail trade and services. Typically, these areas are located around nodes of arterial street intersections or in some cases, at intersections of collectors and arterials. Commercial Districts can also be found in corridors that have an established commercial use pattern, such as the Smith Farm area, or highly visible areas, such as along US-169, SH-20, and 116th St. N. west of US-169. The Commercial District includes uses that range from small neighborhood convenience shopping areas, single free standing buildings, big box retailers, restaurants, automotive services centers, and other similar retail uses.

Industrial (proposed by designation in TCCP-10)

The Industrial Land Use District represents the highest intensity of land use in Owasso. The Plan calls for industrial uses to be targeted around existing patterns of industrial activity, including: locations near S. 5th St. and Main St. east and west sides of US-169 south of 76th St. N. and near the existing quarry sites near 66th St. N. and 129<sup>th</sup> E. Ave. Most of Owasso's current industrial activity includes light industrial uses, such as warehousing and storage and facilities and small manufacturing shops. It is expected that this trend will continue with perhaps



targeted efforts for research and development facilities. Some higher intensity commercial uses may be appropriate in the Industrial/Regional Employment Use district. These may include more intensity auto and truck repair, truck rental facilities, lumber yard, etc., which are also found in the CH zoning district.

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

Transportation Vision:

*Major Street and Highway Plan:* E 126<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 Single-Family Residence*

Environmental Considerations: None

Streets:

Existing Access	MSHP Design	MSHP R/W	Exist. # Lanes
E 126 <sup>th</sup> St N	Secondary Arterial	100 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	AG	Residential	N/A	Residential
South	AG	Commercial	N/A	Vacant/Agricultural
East	AG	Industrial	N/A	Agricultural
West	AG	Commercial	N/A	Residential

### **SECTION III: Relevant Zoning History**

#### **History: CZ-532**

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

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

**CBOA-2730 February 2019:** The Board of Adjustment Withdrawal a Variance to permit two dwelling units on a single lot of record, on property located at 12221 North 97<sup>th</sup> Avenue East.

**CBOA-281 October 1982:** The Board of Adjustment approved a Special Exception to permit mobile home in an AG-R District, on property located at West of SW/c 126<sup>th</sup> Street No. & 97<sup>th</sup> East Avenue.

#### **Applicant Comments:**

**Troy Wilsead** 15945 North Sheridan Road, Collinsville, OK 74021

The applicant stated there is a mini storage on the other side of the road and City of Owasso has said they do want light industrial for the area and is in the process of updating their Comprehensive Plan.

#### **Interested Parties:**

**John Dix** 12221 North 97<sup>th</sup> East Avenue Collinsville, OK 74021

Mr. Dix stated the Comprehensive Plan for Owasso was done in 1970.

Staff stated this plan has been updated since 1970.

Mr. Dix stated he was not consulted and he owns almost all the property around the subject property. He stated he and his 2 neighbors that are here today are all opposed to this change in zoning and Comprehensive Plan. Mr. Dix stated there are single family homes north of this, which falls under Collinsville city limits. He stated in 2007 this board denied industrial zoning on the south side of the street. Mr. Dix stated he owns about 127 acres and as long as he owns it, it will never be industrial because it is in a trust and his children want to have a home in this area. He stated he is opposed to industrial on the south side of 126th in either the Comprehensive Plan or by any zoning. Mr. Dix stated once this is allowed it can be used for anything that falls within the industrial zoning area and is nonspecific to storage units. He stated there are a lot of rumors from the applicant's family that this could end up being a grow station for certain products. Mr. Dix stated that very thing happened across the street to the west of him and he bought that property and tore the house down. He stated there is an Industrial area east that the City of Collinsville built right by them and they cannot change that now but they need to stop this encroachment into their block which is in the Owasso fence line.

Mr. Covey asked if Mr. Dix was aware that the City of Owasso was doing a new Land Use plan and they have that whole area as industrial.

Mr. Dix stated the reason they made it industrial is because there is a railroad located there.

**Dan Thirion** 10110 East 126<sup>th</sup> Street North, Owasso, OK 74055

Mr. Thirion stated his property is east of the subject property. He stated he bought his property in 1989 and that one mile stretch road had two homes, his home in the home on the subject property. Mr. Thirion stated his property is in a trust for the children and grandchildren. He stated they have horses and have no plans of moving unless the zoning starts changing. Mr. Thirion stated when Jimmy Davis, a neighbor in the area, tried to rezone the property on the east side of Mr. Thirion's property the board ruled against him for the same reasons that he is against this application. He stated there is plenty of surrounding property that is zoned light industry that this mini storage could be built on.

Mr. Walker asked if the surrounding property owners met with the applicant or were there any neighborhood meetings.

Mr. Thirion stated "No," not of which he was aware.

**James Rinck** 10008 East 126<sup>th</sup> Street North, Owasso, OK 74055

Mr. Rinck stated he has 7 acres that he purchased about 7 years ago. He stated his property was vacant for about 20 years and he has spent a lot of time cleaning it up. He is opposed to the rezoning and did not know the City of Owasso was going to change the subject property to commercial or light commercial.

Mr. Zalk asked if any owners on the south side of 126<sup>th</sup> aware that the land was going to sell or had it already been sold by the time you the neighbors found out. He asked if the former why did the neighbors not choose to buy it.

Mr. Rinck stated he was aware the property was being sold and had just purchased property and did not need more at the time.

Mr. Dix stated to clarify, there has been two signs on the property. One was the sign advertising the storage units across the street, and the other was a real estate sign. He stated he thought that the property would naturally go as a residential unit because it is a livable house so he did not bother with acquiring this property.

The applicant stated its already in the City of Owasso Comprehensive Plan to change this area to commercial zoning. He stated Mr. Dix claims he bought all

the property up in the area when it became available but there was a sign up for almost 30 days and the applicant bought the property after the 45th day of being listed. The applicant stated he does own the property across the street, which is a mini storage and that is what he plans for this property.

Ms. Bayles asked if the property across the street zoned CS.

The applicant stated "yes."

Ms. Bayles asked if the applicant would consider CS instead of the IL zoning.

The applicant stated they need IL to have a mini storage.

Ms. Bayles asked how long the applicant has had the mini storage across the street.

The applicant stated 8 years.

Ms. Bayles stated Owasso does one of the best jobs of updating their Comprehensive Plan every four to five years. She stated the last one was done in 2018 and now in 2022 and their public process as far as citizen engagement is exceptionally good.

Mr. Reeds asked if the applicant looked next door to his existing facility and just expanding the existing mini storage.

The applicant stated "yes," the owner does not wish to sell the land.

Mr. Reeds asked if the applicant owned any other land to use for the mini storage.

The applicant stated not at this time.

Mr. Covey stated currently the Comprehensive Plan shows the subject property as commercial but it needs to be industrial for a mini storage.

Staff stated "yes."

Mr. Covey stated we have an email from the City of Owasso saying that their Comprehensive Plan is going to be amended in July 2022 and this area will be Industrial. He stated that is what staff is relying on.

Staff stated "yes."

Ms. Kimbrel asked if mini storages could only be built in CS.

Staff stated “no” they can be in CG and CH zoning. He stated there are commercial zones where it could be viable.

Mr. Reeds stated this change to Industrial is the vision of the City of Owasso but as of now there is no industrial zoning in the area so he is having trouble changing this zoning, regardless of the future plans.

Mr. Zalk stated he wondered why the surrounding neighbors did not buy that piece of land if they felt so strongly about preserving it as part of the trust that the community is built. He stated if the applicant has purchased the land and deemed it is the highest and best use of that land after 45 days of being on the market he thinks if the neighbors wanted to preserve it as farmland they should have done it when they had the chance.

Mr. Covey stated it is so important for the citizens to be involved in the property they own. He stated he does not know how often the City of Owasso updates its Comprehensive Plan but it is fairly often according to Ms. Bayles. He stated if that is the case then this area has had a Land Use designation of Industrial and or Commercial for at least five years. Mr. Covey stated if the residents did not want to see it with that Land Use designation why were they not engaging their Councilor or the Planning Department to get it changed. He stated this area is all AG and if a few families own a majority of the property then it seems like there is a complete disconnect between what the City of Owasso is doing and what the residents have envisioned for this area.

Ms. Miller stated she wanted to clarify that this jurisdiction is TMAPC’s. She stated it is not the City of Owasso jurisdiction, which is why it is before TMAPC today. Ms. Miller stated it is within Owasso’s fence line but they do not have the right to rezone any property in that area, which is the function of TMAPC. She stated the Comprehensive Plan process that has been established with the City of Owasso is a little complicated to explain but they adopt their Comprehensive Plan including areas within their fence line and we respect their future growth and vision and TMAPC adopted their County Land Use plan recently that reflects that. Ms. Miller stated but it is TMAPC jurisdiction, and they just coordinate with Owasso when they make amendments or when we have amendments we seek their input. She stated those things should be consistent with each other.

Ms. Carr asked if someone comes in later and wants to put a storage facility right next to the applicant are they still going to have to come before TMAPC.

Ms. Miller stated “yes,” until it is annexed into the City of Owasso. But currently it is in unincorporated Tulsa County, which is this jurisdiction of the Planning Commission and the Board of County Commissioners.

Ms. Kimbrel stated the City of Owasso's vision based on the Comprehensive Plan is industrial in July but that is not what it is today and things can change between now and July so it is not definite.

Ms. Carr asked if it was TMAPC practice that if the Comprehensive Plan is Industrial Light to allow the use to coincide with that.

Ms. Miller stated "yes," in fact, the State Statute requires that zoning be consistent with the Comprehensive Plan. She stated it is a guide but that is driven by State Statute.

Ms. Carr asked if that State Statute would be upheld when it is actually Owasso's Comprehensive Plan.

Ms. Miller stated it is complicated because if Owasso makes that change in July, staff will update the County Comprehensive Plan and bring that change back to TMAPC to adopt any additional industrial in the area. She stated even though it is not their jurisdiction TMAPC follows their vision. Ms. Miller stated it is not a regulatory document it is a policy guiding document but a strong one.

Mr. Zalk stated he is leaning towards rejecting the proposal and having the citizens of the area go back speak with the City of Owasso. He stated the applicant can then reapply in six months.

Ms. Carr asked if the time has passed for the neighbors to voice their opinions on this Comprehensive Plan change.

Ms. Miller stated it is never too late and the City of Owasso should always be receptive to that.

Mr. Walker asked if it would be helpful to ask for a continuance to give neighbors time to speak with the City of Owasso.

Ms. Miller stated it would need to be to the first meeting in August at least.

Mr. Covey asked the applicant if he was interested in continuing this or would he like an up or down vote today.

The applicant stated he was willing to continue if he wants to be a good neighbor.

Mr. Covey asked if the neighbors are comfortable with a continuance.

The neighbors agreed to a continuance.

Mr. Whitlock stated he felt it needed to be an up or down vote because the applicant bought the land and is going through the right channels, as laid out in the process. He stated he will be voting to approve his request.

Ms. Bayles would like to thank the applicant. She stated the comment that he said that resonates with her is that he wants to be a good neighbor.

**TMAPC Action; 10 members present:**

On **MOTION** of **KIMBREL**, the TMAPC voted 10-0-0(Bayles, Carr, Covey, Craddock, Kimbrel, Reeds, Shivel, Walker, Whitlock, Zalk, “aye”; no “nays”; none “abstaining”; Krug, “absent”) to **CONTINUE** Item 8 to August 3, 2022.

**PUBLIC HEARING-COMPREHENSIVE PLAN AMENDMENTS**

Review and possible adoption, adoption with modifications, denial, or deferral of the following:

- 9. TCCP-10 Troy Wilsead** (County) Location: East of the southeast corner of East 126<sup>th</sup> Street North and North 97<sup>th</sup> East Avenue requesting to change the Land Use Designation from **Commercial to Industrial** to allow an industrial use for a mini-storage (related to CZ-532)

**STAFF RECOMMENDATION:**

**TMAPC Staff Report  
TCCP-10  
County Comprehensive Plan Amendment**

**Property Information and Land Use Request**

The subject property is a 2.75-acre, unplatted tract of land located east of the southeast corner of East 126<sup>th</sup> Street North and North 97<sup>th</sup> East Avenue. The applicant has submitted the following Comprehensive Plan amendment request to amend the land use designation of the of the subject property from *Commercial* to *Industrial*. This request is accompanied by a concurrent rezoning request (CZ-532), which proposes a zoning change on the subject tract from AG to IL in order to allow an industrial use for a mini-storage.

**Background**

The parcel subject to this Comprehensive Plan amendment request is located within the fenceline of Owasso and abuts AG (Agricultural) zoning and to the north, south, east, and west. There is a parcel to the northeast that is zoned CS (Commercial Shopping) and is the site of a mini-storage business located in Collinsville Corporate Limits. Collinsville’s fenceline begins just north of East

126<sup>th</sup> Street North. The Major Street and Highway Plan designates East 126<sup>th</sup> Street North as a Secondary Arterial.

The land use designation of the subject property was designated as Commercial in the 2030 Owasso Land Use Master Plan which was adopted in 2014. It was later adopted on June 19, 2019 (Resolution 2796:1002) by Tulsa Metropolitan Area Planning Commission and approved by the Board of County Commissioners on July 15, 2019, as part of the Tulsa County Comprehensive Land Use Plan.

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

The **Commercial** designation is defined in both the 2030 GrOwasso Master Land Use Plan and the Tulsa County Comprehensive Land Use Plan as follows: The Commercial Land Use District represents areas of retail trade and services. Typically, these areas are located around nodes of arterial street intersections or in some cases, at intersections of collectors and arterials. Commercial Districts can also be found in corridors that have an established commercial use pattern, such as the Smith Farm area, or highly visible areas, such as along US-169, SH-20, and 116th St. N. west of US-169. The Commercial District includes uses that range from small neighborhood convenience shopping areas, single free-standing buildings, big box retailers, restaurants, automotive services centers, and other similar retail uses.

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

The applicant is proposing the **Industrial** land use designation for the entirety of the subject property:

The **Industrial** designation is defined in both the 2030 GrOwasso Master Land Use Plan and the Tulsa County Land Use Plan as follows: The Industrial/Regional Employment Land Use District represents the highest intensity of land use in Owasso. The Plan calls for industrial uses to be targeted around existing patterns of industrial activity, including locations near S. 5th St. and Main St. east and west sides of US-169 south of 76th St. N. and near the existing quarry sites near 66th St. N. and 129th E. Ave. Most of Owasso's current industrial activity includes light industrial uses, such as warehousing and storage and facilities and small manufacturing shops. It is expected that this trend will continue with



perhaps targeted efforts for research and development facilities. Some higher intensity commercial uses may be appropriate in the Industrial/Regional Employment Use district. These may include more intensity auto and truck repair, truck rental facilities, lumber yard, etc., which are also found in the CH zoning district.

The City of Collinsville has zoned several parcels industrial in an area north of 126th St. N. in the northwestern portion of the Owasso fenceline, and there are already some existing industrial businesses operating in this location. For this reason, the Plan shows a large area as Industrial/Regional Employment Districts just across the street from this emerging industrial area in Collinsville. Additionally, Owasso does not have a lot of land area left in which to place small industrial users, so it made sense to show this area as Industrial/Regional Employment. With the new standards in the zoning code for landscaping and buffering in place, adequate protection for any nearby residential areas is enhanced.

**Zoning and Surrounding Uses**

<b>Location</b>	<b>Existing Zoning</b>	<b>Existing Land Use Designation</b>	<b>Existing Use</b>
N	AG	Residential	Residential
S	AG	Commercial	Vacant/Agricultural
E	AG	Industrial	Agricultural
W	AG	Commercial	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.

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

The applicant submitted the following responses:

### **Justification of Request**

“The Comprehensive Plan says its objectives are to encourage and promote quality development and utilize existing infrastructure and city services. We believe this project meets these objectives.

While the property is zoned Agricultural, it is no longer a suitable zoning for the site as industrial companies are choosing to locate further North of Tulsa or in or around the existing area. However, the subject property is an ex in-fill location for this multi-building industrial project with relatively convenient access to existing services and utilities. Also, the property is in a central location with excellent access to major roadways and to the several of the premier residential areas to include Owasso, Collinsville, and Sperry. In addition, this project will substantially increase the Property Tax roll value of the property.”

### **Additional Information provided by the applicant:**

Request:

TJT Properties, LLC is requesting to rezone the subject property from AG (Agricultural) to IM (Industrial) to allow for the development of a new industrial project. The future land use of the property is mini storage.

Site Characteristics & History:

The property is owned by TJT Properties, LLC. It is currently an undeveloped piece of land. The proposed project will entail a new industrial site with 8 mini storage buildings. The site is 3.8 acres+/-.

Surrounding Uses:

North: Property has a mini storage of 177 units with 8 buildings.  
Zoned: Industrial  
East: Undeveloped- Owasso has made their comprehensive plan  
Zoned: Industrial  
West: AG with Comprehensive Plan of commercial

**Staff Summary & Recommendation**

The applicant is requesting to amend the land use designation from Commercial to Industrial. They have submitted a concurrent request to rezone the property from Agricultural to Industrial Light. Staff contacted the Planning Manager in the City of Owasso, Karl Fritchen, for comments. Mr. Fritchen reviewed the request and stated that The City of Owasso supports the proposed change as it would conform to the industrial/regional employment category in Owasso’s proposed new Land Use Plan (to be adopted in July 2022).

The conditions surrounding the subject site have changed over time and industrial growth is anticipated in this area. The proposed rezoning will increase an opportunity for industrial development which is supported by the future land use plan that the City of Owasso is recommending.

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

**TMAPC Action; 10 members present:**

On **MOTION** of **KIMBREL**, the TMAPC voted 10-0-0(Bayles, Carr, Covey, Craddock, Kimbrel, Reeds, Shivel, Walker, Whitlock, Zalk, “aye”; no “nays”; none “abstaining”; Krug, “absent”) to **CONTINUE** Item 9 to August 3, 2022.

\* \* \* \* \*

**PUBLIC HEARING – PLATS**

Mr. Zalk left the room at 2:33 p.m.

**10. West End Lofts** (CD 2) Preliminary Plat, Location: Southeast corner of West 61<sup>st</sup> Street South and South 33<sup>rd</sup> West Avenue

**STAFF RECOMMENDATION:**

**West End Lofts** - (CD 2)

Southeast corner of South 33<sup>rd</sup> West Avenue and West 61<sup>st</sup> Street South

This plat consists of 12 lots, 3 blocks, 4 ± acres.

The Technical Advisory Committee (TAC) met on June 2, 2022 and provided the following conditions:

1. **Zoning:** The property is zoned CS with an optional development plan (Z-7490) to allow for private streets. Lots are required to conform to the optional development plan standards and optional development plan number and standards must be reflected on the plat.
2. **Addressing:** City of Tulsa will assign addresses to the plat. Address assignments must be shown on the face of the final plat.
3. **Transportation & Traffic:** Infrastructure Development Plans (IDP) must include all required streets, ADA ramps, and sidewalks. IDP must be approved prior to approval of the final plat. Sidewalks must be located on both sides of the street and extend to the arterial street. Private streets must conform to requirements for public streets in the City of Tulsa. Revise access dimensions to align with public street connections.
4. **Sewer:** Sanitary sewer extensions are required to obtain IDP approval prior to release of the final plat. Adequate easement must be provided to cover all proposed extensions. Offsite easements must be recorded and reflected on the final plat.
5. **Water:** Water main extensions are required to obtain IDP approval prior to release of the final plat. Adequate easement must be provided to cover all proposed extensions. Offsite easements must be recorded and reflected on the final plat.
6. **Engineering Graphics:** Submit a subdivision data control sheet with final plat. Surveyor CA number expires and will need to be updated on final plat. Update location map to show all platted property boundaries. Label all other areas as unplatted. Graphically show a bearing angle and distance from the POC to the POB.
7. **Stormwater, Drainage, & Floodplain:** Drainage plans must be submitted and approved through the IDP process. Approval for IDP must be obtained prior to approval of the final plat.
8. **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. Infrastructure located in the gas company easement must receive written acceptance by the easement holder.

Staff recommends **APPROVAL** of the preliminary subdivision plat subject to the conditions provided by TAC and all other requirements of the Subdivision and Development Regulations. City of Tulsa release letter is required prior to approval of the final plat.

**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 **REEDS**, the TMAPC voted 9-0-0(Bayles, Carr, Covey, Craddock, Kimbrel, Reeds, Shivel, Walker, Whitlock, , "aye"; no "nays"; none "abstaining"; Krug, Zalk "absent") to **APPROVE** the Preliminary Subdivision Plat for West End Lofts per staff recommendation.

\* \* \* \* \*

Mr. Zalk returned at 2:35 p.m.

**11. Maybelle Villas II** (CD 2) Preliminary Plat, Location: South of the southeast corner of West 81<sup>st</sup> Street South and South Maybelle Avenue

**STAFF RECOMMENDATION:**

**Maybelle Villas II** - (CD 2)

South of the southeast corner of West 81<sup>st</sup> Street South and South Maybelle Avenue

This plat consists of 8 lots, 1 block, 6.33 ± acres.

The Technical Advisory Committee (TAC) met on June 2, 2022 and provided the following conditions:

1. **Zoning:** The property is zoned RS-2 with an optional development plan (Z-7631) to permit lots to be served by the private street in Maybelle Villas. Lots must conform to the requirements of the optional development plan and the optional development plan standards and case number must be reflected on the final plat and in the deed of dedication.
2. **Addressing:** City of Tulsa will assign addresses to the plat. Address assignments must be shown on the face of the final plat.
3. **Transportation & Traffic:** Infrastructure Development Plans (IDP) must include all required streets, ADA ramps, and sidewalks. IDP must be approved prior to approval of the final plat. Sidewalks must be located on both sides of residential streets. Where homes already exist, developer is required to install sidewalks as part of the IDP. Private streets must conform to requirements for public streets in the City of Tulsa. Deed of dedication

must include language for the homeowner's association and requirements for maintenance of common areas and private infrastructure.

4. **Sewer:** Sanitary sewer extensions are required to obtain IDP approval prior to release of the final plat. Adequate easement must be provided to cover all proposed extensions. Offsite easements must be recorded and reflected on the final plat.
5. **Water:** Water main extensions are required to obtain IDP approval prior to release of the final plat. Adequate easement must be provided to cover all proposed extensions. Offsite easements must be recorded and reflected on the final plat.
6. **Engineering Graphics:** Submit a subdivision data control sheet with final plat. Remove contours from final plat submittals. Add Tulsa County, State of Oklahoma to the plat subtitle. Update location map to show platted boundaries and label all other areas as unplatted. Graphically show all pins found or set that are associated with the plat. Add a bearing angle from POC to POB to the written legal description.
7. **Stormwater, Drainage, & Floodplain:** Drainage plans must be submitted and approved through the IDP process. Approval for IDP must be obtained prior to approval of the final plat.
8. **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. Infrastructure located in the gas company easement must receive written acceptance by the easement holder.

Staff recommends **APPROVAL** of the preliminary subdivision plat subject to the conditions provided by TAC and all other requirements of the Subdivision and Development Regulations. City of Tulsa release letter is required prior to approval of the final plat.

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

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

**TMAPC Action; 10 members present:**

On **MOTION** of **WALKER**, the TMAPC voted 10-0-0(Bayles, Carr, Covey, Craddock, Kimbrel, Reeds, Shivel, Walker, Whitlock, Zalk, "aye"; no "nays"; none "abstaining"; Krug, "absent") to **APPROVE** the Preliminary Subdivision Plat for Maybelle Villas II per staff recommendation.

\* \* \* \* \*

**12. Battle Creek Park Phase III** (CD 6) Preliminary Plat, Location: East of the northeast corner of East 41<sup>st</sup> Street South and South 145<sup>th</sup> East Avenue

## **STAFF RECOMMENDATION:**

### **Battle Creek Park Phase III** - (CD 6)

East of the northeast corner of South 145<sup>th</sup> East Avenue and East 41<sup>st</sup> Street South

This plat consists of 110 lots, 5 blocks, 27.62± acres.

The Technical Advisory Committee (TAC) met on November 21, 2019 and provided the following conditions:

1. **Zoning:** The property is zoned RS-3 (Residential Single-Family). All lots proposed are required to conform to the RS-3 lot regulations found in the City of Tulsa Zoning Code.
2. **Addressing:** City of Tulsa will assign addresses to the plat. Address assignments must be shown on the face of the final plat.
3. **Transportation & Traffic:** Infrastructure Development Plans (IDP) must include all required streets, ADA ramps, and sidewalks within the public ROW. IDP must be approved prior to approval of the final plat. Correct street names on the face of the plat.
4. **Sewer:** Sanitary sewer extensions are required to obtain IDP approval prior to release of the final plat. Adequate easement must be provided to cover all proposed extensions.
5. **Water:** Water main extensions are required to obtain IDP approval prior to release of the final plat. Adequate easement must be provided to cover all proposed extensions.
6. **Engineering Graphics:** Submit a subdivision data control sheet with final plat. Provide C.A. number under surveyor information and provide renewal date. Update location map to reflect only platted properties and label all other property "Unplatted". Indicate "Project Location" or "Site" in the location map for the property being platted. Graphically show all property pins found or set that are associated with the plat. Ensure written legal and face of the plat match.
7. **Stormwater, Drainage, & Floodplain:** Drainage plans must be submitted and approved through the IDP process. Approval for IDP must be obtained prior to approval of the final plat.
8. **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 all other requirements of the Subdivision and

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

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

**TMAPC Action; 10 members present:**

On **MOTION** of **WALKER**, the TMAPC voted 10-0-0(Bayles, Carr, Covey, Craddock, Kimbrel, Reeds, Shivel, Walker, Whitlock, Zalk, "aye"; no "nays"; none "abstaining"; Krug, "absent") to **APPROVE** the Preliminary Subdivision Plat for Battle Creek Park Phase III per staff recommendation.

\* \* \* \* \*

**OTHER BUSINESS**

**13. Commissioners' Comments**

Mr. Whitlock would like to encourage fellow Commissioners to read the Policies and Procedures for TMAPC there is a lot of good information that is useful to know what is expected of TMAPC members as a board.

\* \* \* \* \*



**ADJOURN**

**TMAPC Action; 10 members present:**

On **MOTION** of **COVEY**, the TMAPC voted 10-0-0(Bayles, Carr, Covey, Craddock, Kimbrel, Reeds, Shivel, Walker, Whitlock, Zalk, "aye"; no "nays"; none "abstaining"; Krug, "absent") to **ADJOURN** TMAPC meeting of June 15, 2022, Meeting No. 2868.

**ADJOURN**


There being no further business, the Chair declared the meeting adjourned at 2:39 p.m.

Date Approved:

07-06-2022

  
Chair

ATTEST:

  
Secretary

Secretary