

SUBJECT TRACT

BOA-23127

8.1



19-14 17



**BOARD OF ADJUSTMENT
CASE REPORT**

STR: 9417
CZM: 39
CD: 6

Case Number: **BOA-23127**

HEARING DATE: 05/25/2021 1:00 PM

APPLICANT: Gary Schellhorn, City of Tulsa

ACTION REQUESTED: Minor Special Exception to to modify a previously approved site plan to make improvements to McCullough Park (Sec. 70.120)

LOCATION: 11534 E 25 ST S;

ZONED: AG

PRESENT USE: Public Park

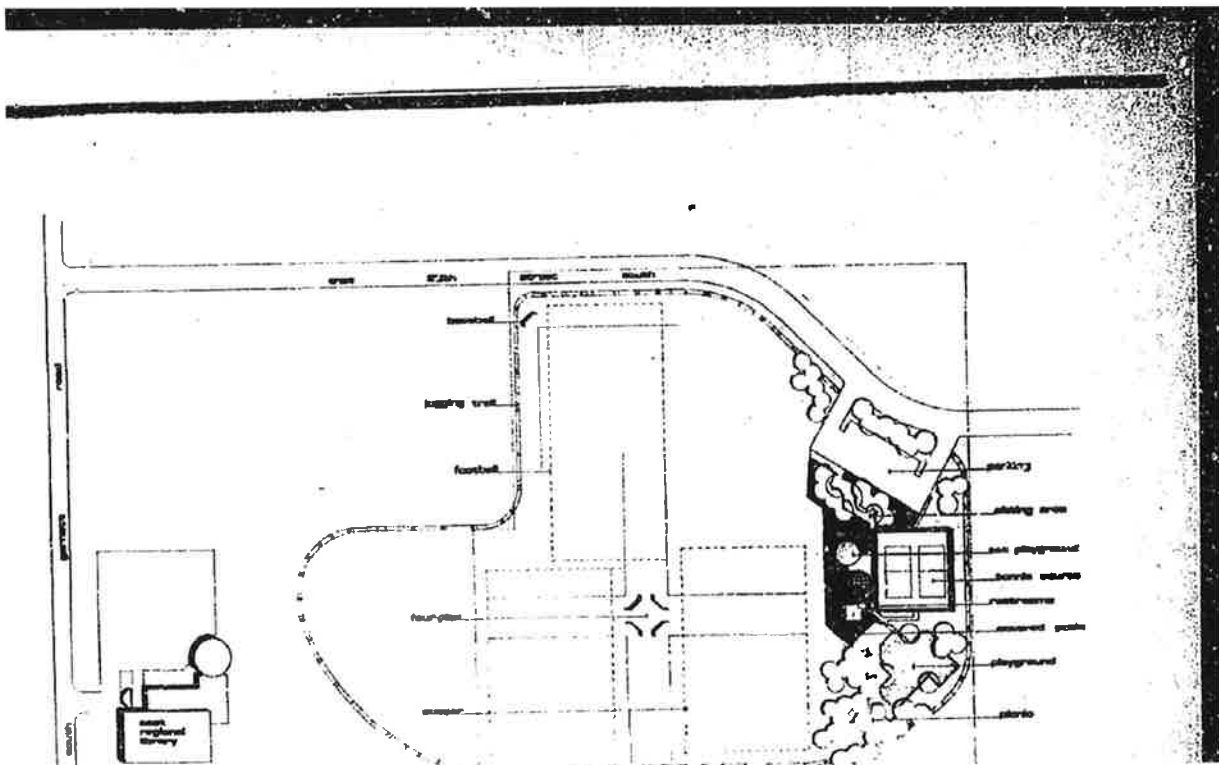
TRACT SIZE: 500942.05 SQ FT

LEGAL DESCRIPTION: See attached.

RELEVANT PREVIOUS ACTIONS:

Subject proeprty:

BOA-9036; On 05.06.76 the Board approved a Special Exception to permit a park per the site plan below:



8.2

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan identifies the subject property as “Parks and Open Space “ and an “Area of Stability“.

Tulsa’s **park and open space** are assets. These are areas to be protected and promoted through the targeted investments, public- private partnerships, and policy changes identified in the Parks, Trails, and Open Space chapter. Zoning and other enforcement mechanisms will assure that recommendations are implemented. No park and/or open space exists alone: they should be understood as forming a network, connected by green infrastructure, a transportation system, and a trail system. Parks and open space should be connected with nearby institutions, such as schools or hospitals, if possible.

The **Areas of Stability** include approximately 75% of the city’s total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal for the Areas of Stability is to identify and maintain the valued character of an area while accommodating the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.

ANALYSIS OF SURROUNDING AREA: The subject tract is located East of the SE/c of E. 25th Street and S. Garnett just West of Disney Elementary School.

STAFF COMMENTS: The applicant is requesting Minor Special Exception to to modify a previously approved site plan to make improvements to McCullough Park (Sec. 70.120). Included in your sampel motion is language that if made a part of the approval would allow future improvement to be made to McCullough park without approval from the Board.

SAMPLE MOTION:

Move to _____ (approve/deny) a Minor Special Exception to to modify a previously approved site plan to make improvements to McCullough Park (Sec. 70.120)

- Per the Conceptual Plan(s) shown on page(s) _____ of the agenda packet.
- ***Suggested Condition:*** And to include future modifications and improvements commensurate with park amenities, with no further Board of Adjustment approval required.
- Subject to the following conditions (including time limitation, if any):
_____.

The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Legal Description for BOA-23127

The East 720 feet of a tract beginning at a point on the West section line 2284 feet South of the Northwest corner of Section 17, thence East to a point 2281.90 feet South of the North line of said Section 17 to the East line of the West half of the **Northwest quarter of said section; thence South on said line a distance of 363 feet; thence West along the South line of the West half of the Northwest quarter and on a line parallel with the North line of this tract to the West section line; thence North on said section line a distance of 363 feet to the point of beginning all in the West half of the Northwest quarter of Section 17, Township 19 North, Range 14 East, and containing 6 acres more or less.**
(Book 4098, Page 1861)

And

The East 660 feet of a tract beginning at a point on the West section line 1921 feet **South of the Northwest corner of Section Seventeen; thence East to a point 1918.90 feet South of the North line of said Section 17 to the East line of the West half of the Northwest quarter of said section; thence South on said line a distance of 363 feet; thence West on a line parallel with the North line of this tract to West section line; thence North on said section line a distance of 363 feet to the point of beginning, all in the West half of the Northwest quarter of Section 17, Township 19 North, Range 14 East of the Indian Base and Meridian, Tulsa County¹ Oklahoma, according to the U.S. Government Survey thereof. The above-described property containing 5.5**
, City of Tulsa, Tulsa County, State of Oklahoma

9034

Action Requested:

Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) to operate a children's nursery in an RS-3 District located at 1524 North Elwood Avenue.

Presentation:

Ananias Carson requested to operate a children's nursery on the subject property, advising that he is presently leasing the property with the intention of buying it in the future. He pointed out that the location has been approved by the Health Department for the care of 13 children.

Protests: None.

Mr. Gardner advised the Board that the subject property is located within the "take line" of the proposed Osage Expressway and the applicant should be made aware of that fact.

Board Action:

On MOTION of SMITH, the Board (3-0) approved an Exception (Section 410 - Principal Uses Permitted in Residential Districts - Section 1205 - Community Services, Cultural and Recreational Facilities) to operate a children's nursery in an RS-3 District on the following described tract:

Lot 6, Block 1, Faunsdale Addition to the City of Tulsa, Oklahoma.

9036

Action Requested:

Exception (Section 310 - Principal Uses Permitted in the Agriculture District - Section 1205 - Community Services, Cultural and Recreational Facilities) to use property as a public park with improvements consisting of parking, unlighted sports field, jogging trail, tot playground, restrooms, covered patio, picnic facilities and unlighted tennis courts in an AG District located at 116th East Avenue and 24th Place.

Presentation:

Randy Nicholson, representing the City of Tulsa Park and Recreation Department, submitted the plot plan (Exhibit "L-1") requesting public park use of the subject property with improvements to consist of two unlighted tennis courts, a four-plex ball field, parking, jogging trail located around the perimeter of the park area and other improvements as noted within the application. He pointed out that the property is surrounded by an elementary school, the proposed YMCA site and the new regional library.

Protests: None.

Board Action:

On MOTION of SMITH, the Board (3-0) approved an Exception (Section 310 - Principal Uses Permitted in the Agriculture District - Section 1205 - Community Services, Cultural and Recreational Facilities) to use property as a public park with improvements consisting of parking, unlighted sports field, jogging trail, tot playground, restrooms, covered patio, picnic facilities and two unlighted tennis courts, per site plan, in an AG District on the following described tract:

5.6.76:211(27)

8.5

9036 (continued)

The East 660' of a tract beginning at a point on the West Section Line 1,921' South of the NW corner of Section 17; thence East to a point 1,918' South of the North line of said Section 17 to the East Line of the W/2 of the NW/4 of said Section 17; thence South on said line a distance of 363'; thence West of a line parallel with the North line of this tract to West Section Line; thence North on said Section Line a distance of 363' to the point of beginning. The East 660' of a tract beginning at a point on the West Section Line 1,921' South of the NW corner of Section 17; thence East to a point 1,918.90' South of the North line of said Section 17 to the East line of the W/2 of the NW/4 of said Section 17; thence South on said line a distance of 363'; thence on a line parallel with the North line of this tract to the West Section Line; thence North on said Section Line a distance of 363' to the point of beginning, ALL in the W/2 of the NW/4 of Section 17, Township 19 North, Range 14 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U. S. Government Survey thereof. Both tracts total 11.5 acres.

9037

Action Requested:

Exception (Section 310 - Principal Uses Permitted in the Agriculture District - Section 1220 - Commercial Recreation: Intensive) to operate a motorcycle race track in an AG District located north and west of 66th Street North and Harvard Avenue.

Presentation:

Charles Sisler, representing the applicant, requested permission to operate a motorcycle race track on the subject property which he owns. He submitted a map (Exhibit "M-1") noting the proposed location of the track, concession and sanitary facilities. Mr. Sisler pointed out, upon questioning by the Board, that the only access available to the property is an existing gravel road which he would be required to maintain. Mr. Sisler reviewed the plan with the Board, advising that temporary outside sanitary facilities will be provided, that an existing lean-to shed will be utilized for concessions, that automobiles will be parking on the grass, and that the races are anticipated to be held on Sunday afternoons weather permitting.

Mr. Gardner pointed out that there is a subdivision located approximately 3/4 mile to the north and suggested that the Board place a time limitation on the operation at this time in order that the Board might later have a chance to again review the application with regard to development that has taken place since the original approval of the application. Also at the time the applicant refiles his application, there might be comment provided the Board from surrounding land owners with regard to the affect that the use is having on the area.

Protests: None.

LEGEND

	ARTIFICIAL TURF SURFACING		EXISTING TREES
	ARTIFICIAL TURF SURFACING		SANITARY SEWER MANHOLE
	CONCRETE SIDEWALK		WATER METER
	CONCRETE PAVING		BENCHMARK
	U3 BERMUDA SOD		DECIDUOUS CANOPY TREES
	ASPHALT PARKING		ORNAMENTAL TREES
	MILLED AND RESURFACED PARKING		BAMBOO PLANTING
	HANDICAP RAMP		
	SPORTS LIGHT		
	CONTOUR MAJOR		
	CONTOUR MINOR		
	SPLIT RAIL FENCE		
	EXPANSION JOINT		
	HAND TOOLED CONTROL JOINT		

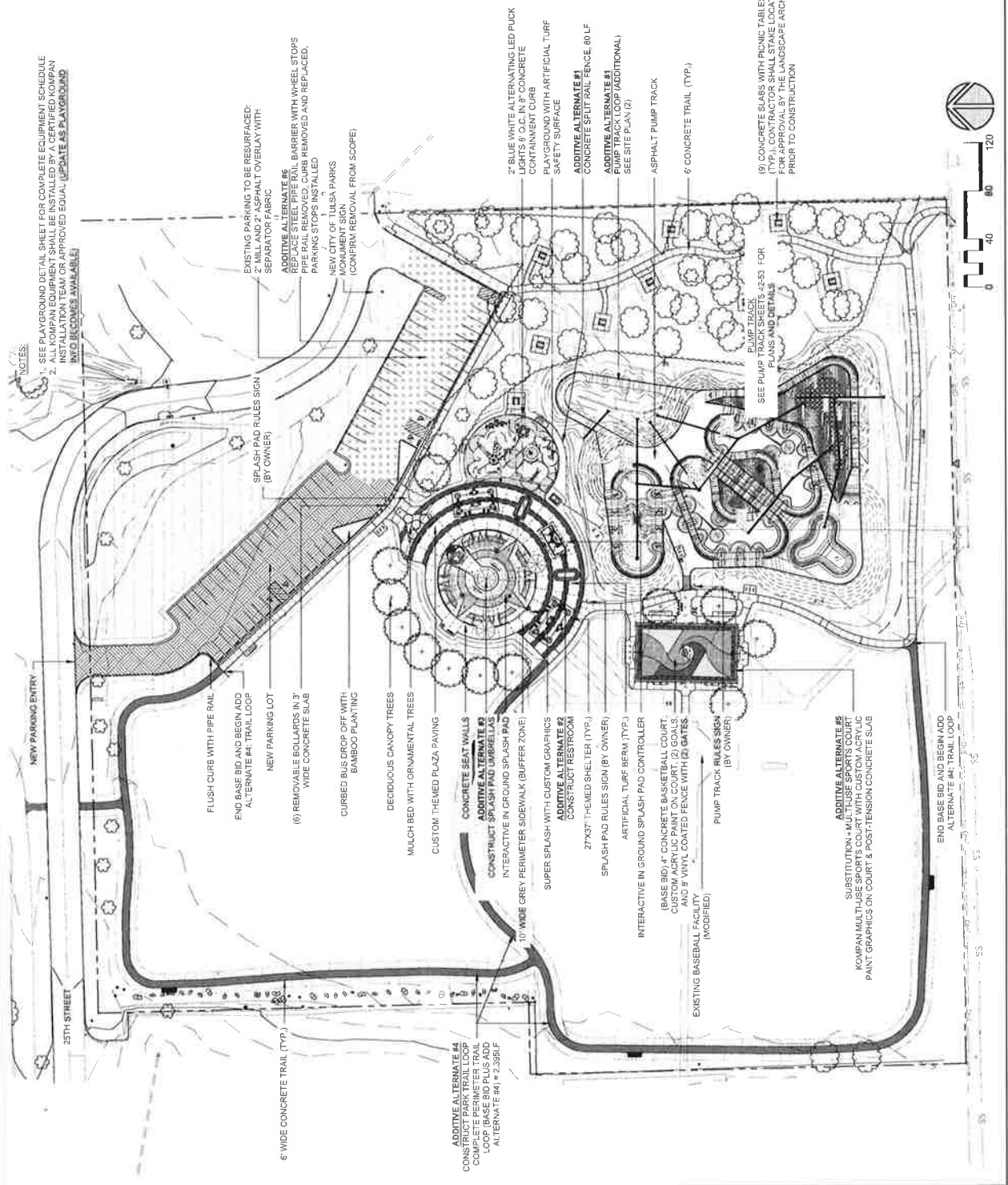
100% REVIEW SET
MARCH 2021

SITE PLAN (2)
PROJECT # 170725

TULSA MCCULLOUGH PARK
CITY OF TULSA, OKLAHOMA
LANDPLAN CONSULTANTS

DATE	DESCRIPTION
11/15/20	CONCEPT PLAN
02/01/21	100% REVIEW SET

NOTES:
1. SEE PLAYGROUND DETAIL SHEET FOR COMPLETE EQUIPMENT SCHEDULE
2. ALL KOMPAN EQUIPMENT SHALL BE INSTALLED BY A CERTIFIED KOMPAN INSTALLATION TEAM OR APPROVED EQUAL UPDATE AS PLAYGROUND INFO BECOMES AVAILABLE



2.8



Facing toward Disney Elementary School



Facing Southwest from parking Lot



Facing Northwest from parking Lot



E 21st ST S

E 21 PL S

E 21 CT S

E 22 ST S

S 120 EAVE

E 22 ST S

E 22 PL S

S 117 EAVE

S 118 EAVE

E 22 PL S

E 23 ST S

S 109 EAVE

E 23 ST S

E 23 ST S

E 23 PL S

E 24 ST S

S 119 EAVE

S 121 EAVE

E 24 ST S

S 110 EAVE

S 111 EAVE

S 112 EAVE

E 26 ST S

E 26 ST S

E 25 ST S



S 109 EAVE

E 26 PL S

E 27 ST S

E 27 ST S

E 27 ST S

E 27 PL S

E 27 ST S

S 117 EAVE

S 118 EAVE

S 119 EAVE

S 120 EAVE

E 28 ST S

E 28 ST S

E 27 CT S

S 114 EAVE

S 115 EAVE

S 115 EPL

S 116 EAVE

S 117 EPL

S 118 EAVE

E 28 PL S

E 28 PL S

E 28 ST S

E 28 PL S

E 29 ST S

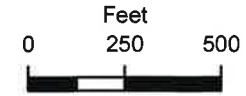
E 29 ST S

E 28 PL S

E 29 PL S

S 111 EAVE

E 29 ST S



Subject Tract

BOA-23127

19-14 17

Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2018

8.10



E 25 STS



Subject Tract

BOA-23127

19-14 17

Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2018

8.11



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