



Board of Adjustment

**Staff Report
Special Exception Case BOA-23629**

Hearing Date: January 23, 2024
Prepared by: Dylan Siers
dsiers@cityoftulsa.org
918-596-7584

Owner and Applicant Information

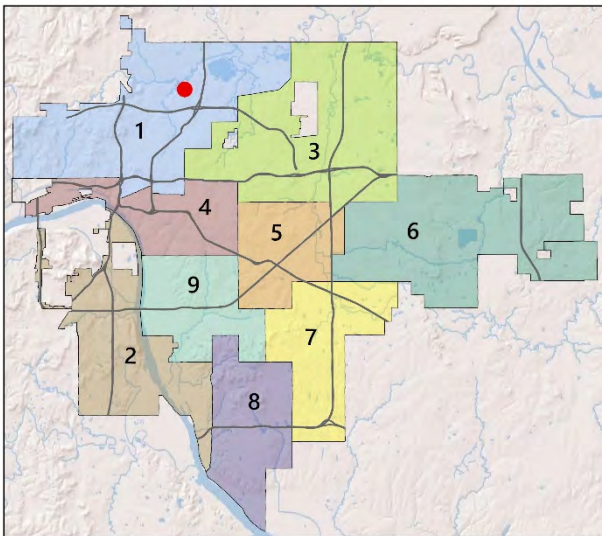
Applicant: Harold Campbell
Property Owner: Khalil Properties LLC

Property Location

4620 N. Lewis Ave.
Tract Size: ±2.34 acres

Location within the City of Tulsa

(shown with City Council districts)



Elected Representatives

City Council: District 1, Vanessa Hall-Harper
County Commission: District 1, Stan Sallee

Public Notice Required

Newspaper Notice – min. 10 days in advance
Mailed Notice to 300’ radius – min. 10 days in advance
Posted Sign – min. 10 days in advance

Request Summary

Special Exception to permit a transitional living center in the CS District (Sec. 15.020, Table 15-2)

Zoning

Zoning District: CS/RS-3
Zoning Overlays: None

Comprehensive Plan Considerations

Land Use

Land Use Plan: Neighborhood
Small Area Plans: None
Development Era: Early Automobile

Transportation

Major Street & Highway Plan: Secondary Arterial.
planitulsa Street Type: Multi-Modal Corridor
Transit: Regular Route
Existing Bike/Ped Facilities: None
Planned Bike/Ped Facilities: Bike Lane

Environment

Flood Area: None.
Tree Canopy Coverage: 20-50%
Parks & Open Space: N/A

Staff Analysis

The applicant is proposing a Special Exception to permit a transitional living center in the CS District (Sec. 15.020, Table 15-2). This use is defined as follows:

Transitional Living Center

A community-based residential facility that provides room and board, a supervised living environment, counseling and rehabilitation services for persons with a history of juvenile delinquency, behavioral disorders, alcoholism or drug abuse for a continuous period of no more than 120 consecutive days.

The applicant has provided little detail in their description and site plan as to how the property will be used. Additional information has been requested of the applicant including their capacity. The Board may wish to continue the case until additional information has been provided.

Relevant Case History

None.

Comprehensive Plan Considerations

Land Use Plan

The subject property is designated as Neighborhood.

Neighborhoods are “Mostly Residential Uses” which includes detached, missing middle, and multi-dwelling unit housing types. Churches, schools, and other low-intensity uses that support residents’ daily needs are often acceptable, particularly for properties abutting Multiple Use, Local Center, or Regional Center land use areas. Multi-dwelling unit housing that takes access off of an arterial is considered Multiple Use, Local Center, or Regional Center. If a multi-dwelling unit housing property takes access off of a lower-order street separated from the arterial, then it would be considered Neighborhood.

Surrounding Properties:

<u>Location</u>	<u>Existing Zoning/Overlay</u>	<u>Existing Land Use Designation</u>	<u>Existing Use</u>
North	RS-3	Neighborhood	Single Family Home
East	RS-3	Neighborhood	Single Family Home
South	RS-3	Neighborhood	Single Family Home
West	RS-3	Neighborhood	Single Family Home

Small Area Plans

The subject property is not apart of a small area plan.

Development Era

The subject property is located in an area developed during the Early Automobile era. The Early Automobile Era area includes those parts of the city that developed prior to and after World War II but prior to the major annexations of the 1960s. These neighborhoods developed during the rise of the automobile, but generally maintain a rectilinear street grid with homes on smaller lots.

Transportation

Major Street & Highway Plan: Secondary Arterial

Comprehensive Plan Street Designation: Multi-Modal Corridor

Transit: Regular Route

Existing Bike/Ped Facilities: None

Planned Bike/Ped Facilities: Bike lanes are included in the City’s Comprehensive plan.

Arterial Traffic per Lane: N. Lewis Ave. has between 2,500 and 5,000 Annual Average Daily Traffic per lane. These arterials have low levels of congestion. These arterials may be suitable for reallocation of space for other transportation modes. New development is unlikely to have a noticeable impact on traffic.

Environmental Considerations

Flood Area: The subject property is not in a flood area

Tree Canopy Coverage: Tree canopy in the area is 30-50%. For areas on the map with between 20% and 50% canopy coverage, significant effort should be given to the preservation of mature stands of trees. Tree canopy removal should be minimized, and replacement of trees that need removing should be encouraged.

Parks & Open Space: N/A

Sample Motion

I move to approve or deny a Special Exception to permit a transitional living center in the CS District (Sec. 15.020, Table 15-2)

- per the conceptual plan(s) shown on page(s) _____ of the agenda packet.
- 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.

Property Description

LT-6-BLK-1,NORTH HIGHLAND ACRES ADDN , CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

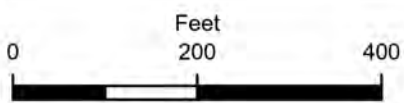
Photos



Subject Property

Exhibits

- Case map
- Aerial (small scale)
- Aerial (large scale)
- Tulsa Comprehensive Plan Land Use Map
- Applicant Exhibits



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8.5



E 48TH ST N

N ZUNI AVE

E 47TH PL N

E 48TH ST N

N ATLANTA AVE

E 47TH PL N

E 46TH ST N

N LEWIS AVE



Subject Tract

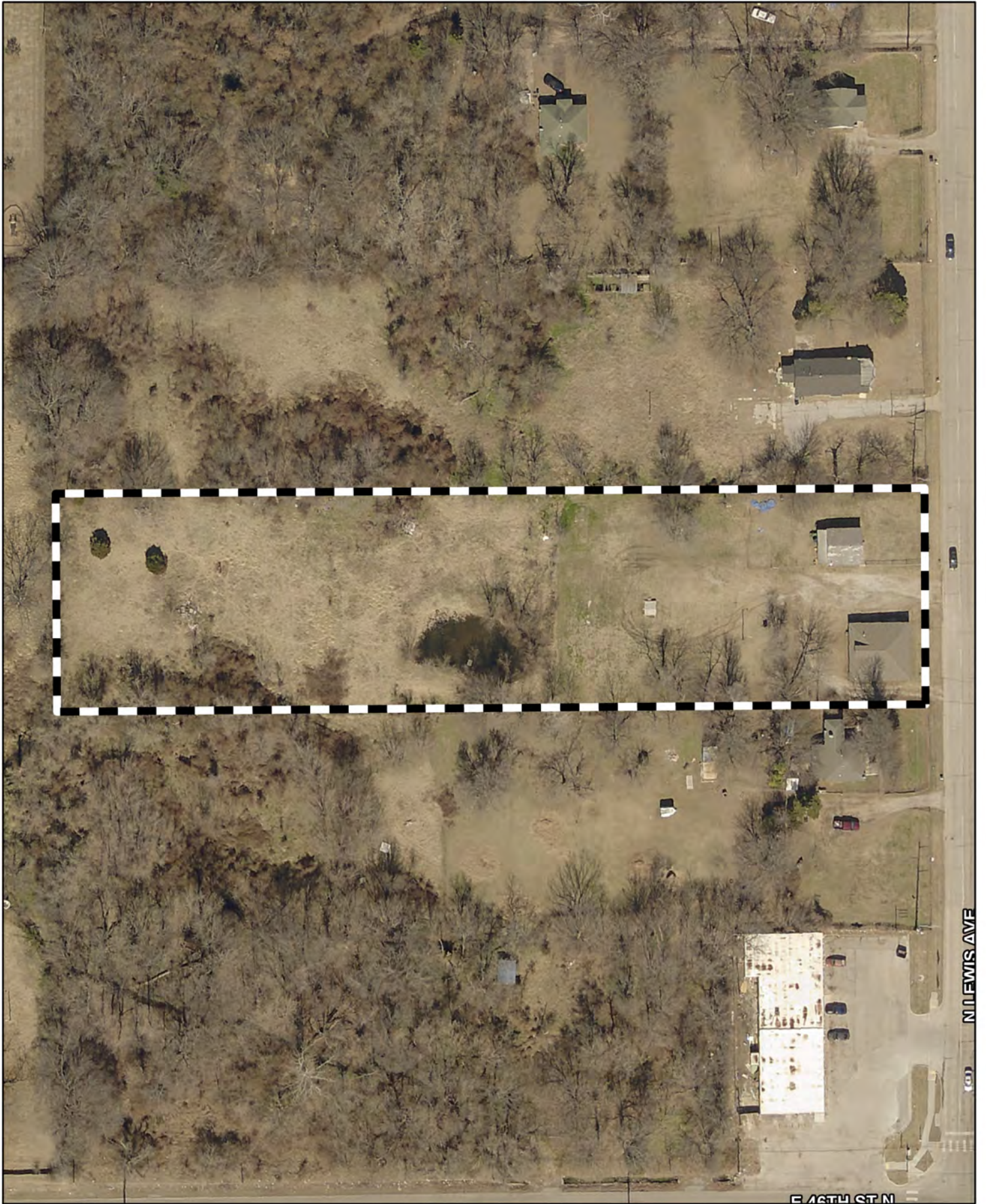
Feet
0 200 400

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

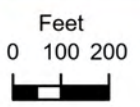


Aerial Photo Date: 2021.8.6



N LEWIS AVE

E 16TH ST N



 Subject Tract

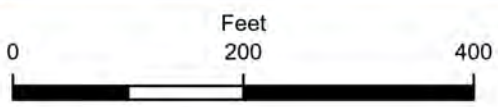
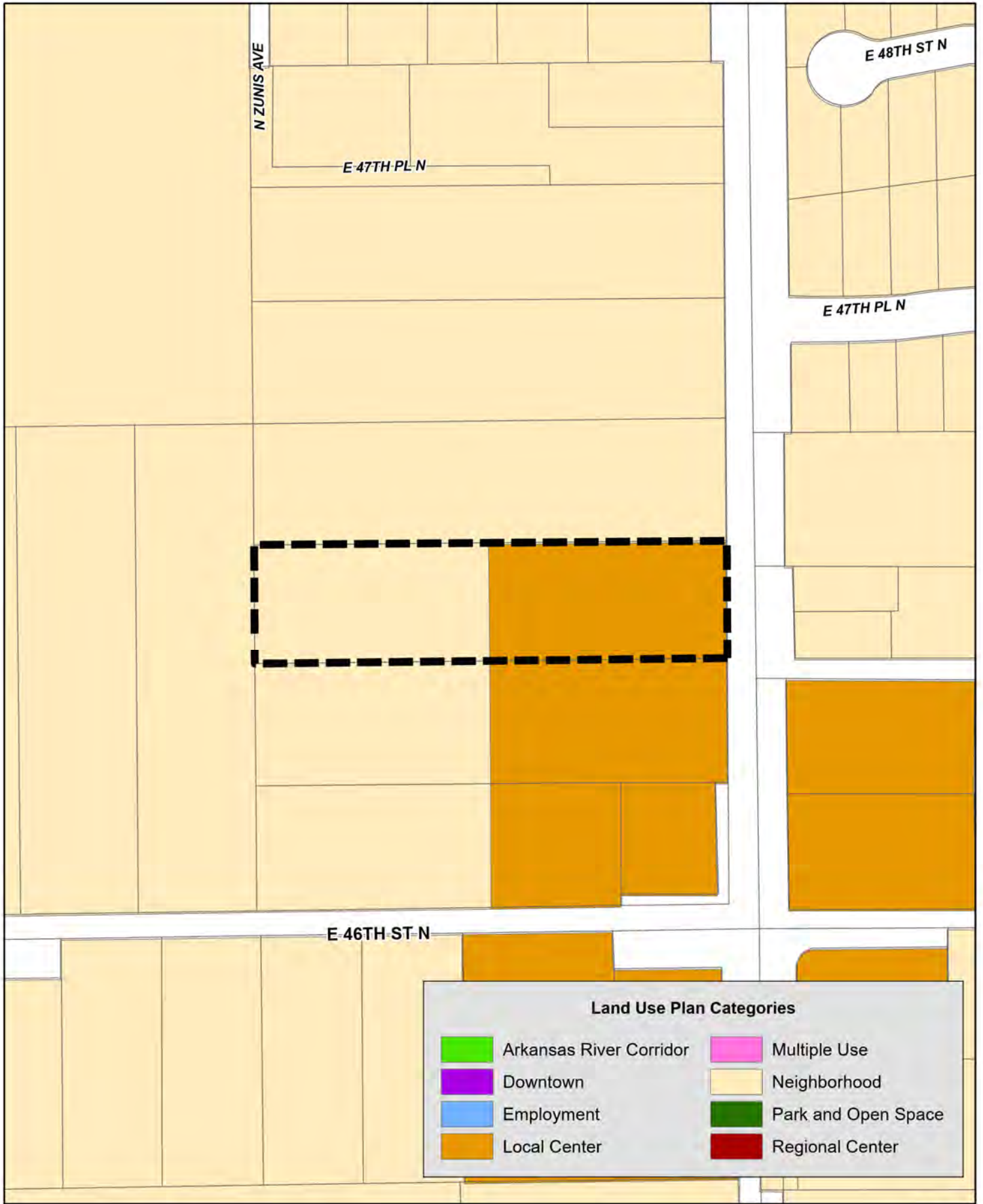
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Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2021



8.7



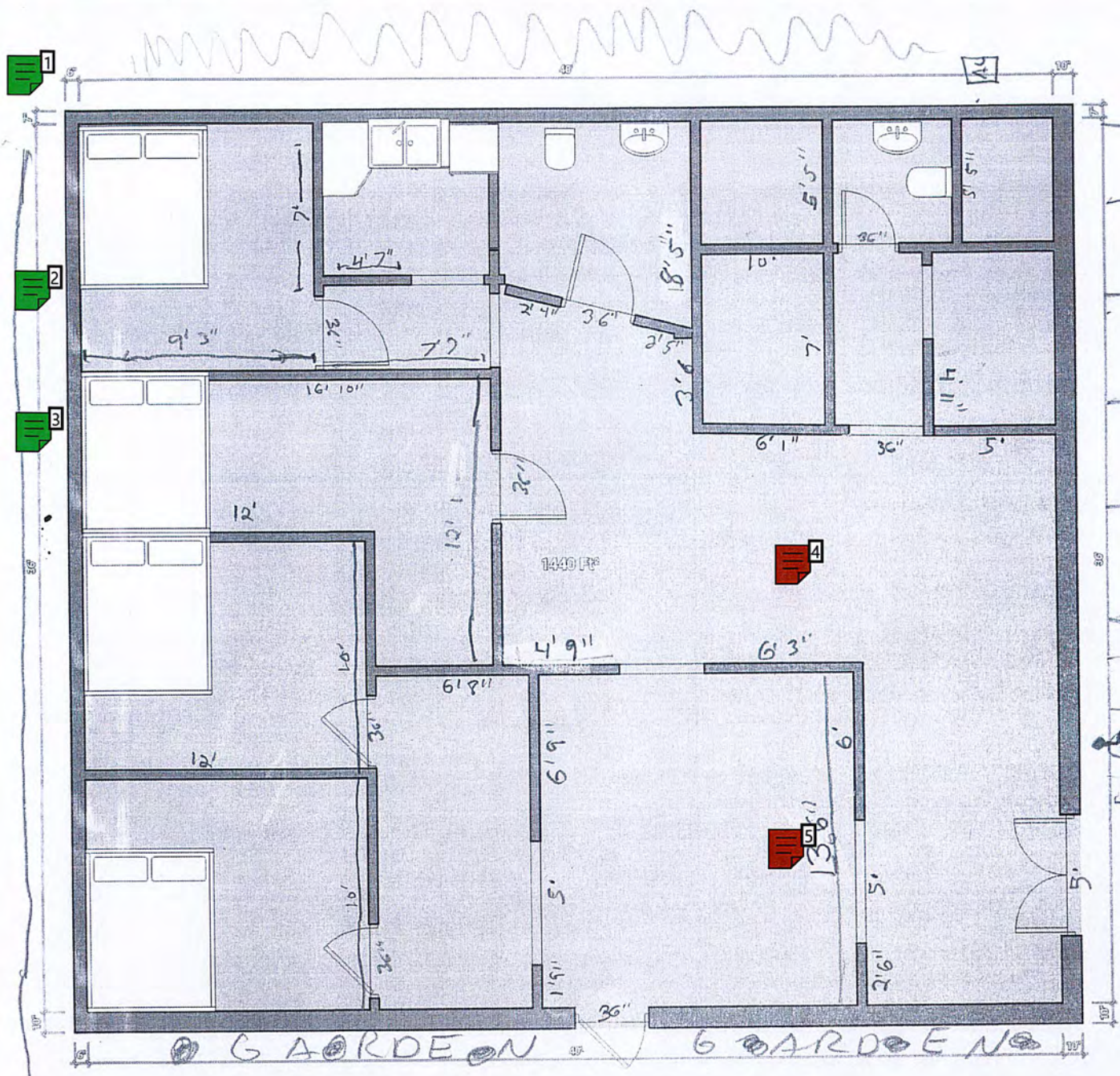
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Summary of Comments on Scanned by Scan2Net

Page: 1

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- Number: 1 Author: Jeffrey Bush Subject: Zoning BLDC-166297-2023 Date: 11/20/2023 11:31:37 AM
- 1.Sec.70.080-C: Applications for a Building Permit shall include a site plan that provides zoning data for the Zoning review portion of the Building Permit application. You may have submitted a site plan that does not sufficiently cover all pertinent zoning data necessary for a complete review. Review comment: The zoning site plan is required to provide the following: Submit a site plan that provides the additional information listed below
- North arrow
 - Appropriate drawing scale;
 - Legal description of the lot;
 - Actual shape and dimensions of the lot;
 - Location and dimensions of all easements;
 - Lot lines and names of abutting streets;
 - Public rights-of-way as designated on the Major Street and Highway Plan (MSHP) (Contact INCOG @ 918-584-7526 for Right-of-Way information on the MSHP) or follow the link below:
<https://incog.maps.arcgis.com/apps/instant/sidebar/index.html?appid=1154e58d87484b1f9c6aeb6ce13a2b44>
 - The location and dimensions of existing buildings or structures, including distances to lot lines;
 - The location, dimensions and height of proposed buildings or structures;
 - The intended use of existing and proposed buildings, structures or portion of the lot;
 - The setbacks from the proposed new buildings to the centerline of abutting Right-of-Way;
 - Location and dimensions of parking areas. This includes the parking spaces, the maneuvering areas necessary to enter and exit the spaces and the drives providing access to the parking spaces and maneuvering areas from a public or private street or other parking areas.
 - NOTE: The zoning review for your permit application will resume after a zoning site plan is submitted. Additional deficiencies may be found and are required to be resolved prior to approval of your application.
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- Number: 2 Author: Jeffrey Bush Subject: Zoning BLDC-166297-2023 Date: 11/20/2023 11:38:59 AM
- 40.130-B To avoid over-concentration, all detention and correctional facilities, emergency and protective shelters, homeless centers, residential treatment centers and transitional living center uses must be separated from one another by a minimum distance of 2,640 feet, as measured in a straight line from the nearest point on the lot line of the property occupied by one of these uses to the nearest point on a lot line of the other property occupied by one of the subject uses (see Figure 40-6). The separation distance requirements of this subsection may be reduced if approved through the special exception approval process.
- Review Comment: Please provide spacing verification of the next closest use listed in the code section above.
-
- Number: 3 Author: Jeffrey Bush Subject: Zoning BLDC-166297-2023 Date: 11/20/2023 11:41:50 AM
- Review Comment: Your use is designated as Residential/Household Living/Group Living/Transitional Living Center and is located within a CS zoned district. According to Table 15-2 of the Tulsa Zoning Code this use requires a special exception. Please contact the Tulsa Planning Office for further instruction at 918-596-7526 or at Planning@CityofTulsa.org
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- Number: 4 Author: tlegendre Subject: Note Date: 11/29/2023 4:15:48 PM
1. Section 308.4 Institutional Group I-3. The plans for project shall be by a State of Oklahoma licensed architect. The use shall be identified and all work required under said use or applicable use if not I-3. The plans from a licensed architect shall be signed, sealed and dated.
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- Number: 5 Author: tlegendre Subject: Note Date: 11/29/2023 4:15:50 PM
2. Section 107.2.1 Information on construction documents. There is no information to identify what work is proposed, or clear indication of whether occupants are required by law to be in this building, the amount of occupants, with staff counted separate. Is it a 24-hour bases, etc. Is it 24- hour with class rooms? I can't give an architectural review with information provided. Submit plans that are complete. What is existing, what is proposed? Why is the building not accessible? There is no sight plan and no framing plan, existing /demo plans, or floor plans. Revise and provide plans as requested. Other items will be brought to review based on information provided if not proposed in compliance with the building code and applicable standards and codes.



Lewis

