

Staff Report Special Exception Case BOA-23651

Hearing Date: March 12, 2024 Prepared by: Dylan Siers dsiers@cityoftulsa.org 918-596-7584

Owner and Applicant Information

Applicant: Peter McGraw

Property Owner: Marketplace East LLC

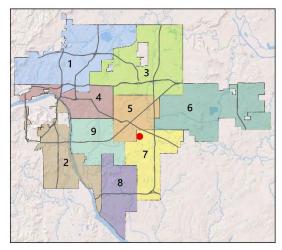
Property Location

5120 S 95th E Ave

Tract Size: ±1.67 acres

Location within the City of Tulsa

(shown with City Council districts)



Elected Representatives

<u>City Council:</u> District 7, Lori Decter Wright <u>County Commission:</u> District 3, Kelley Dunkerley

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 Wholesale Sales and Distribution and Warehouse use in a CS District (Sec. 15.020, Table 15-2)

Zoning Zoning District: CS

Zoning Overlays: N/A

Comprehensive Plan Considerations

Land Use Land Use Plan: Employment Small Area Plans: None Development Era: Late Automobile

Transportation

Major Street & Highway Plan: Multimodal Corridor

planitulsa Street Type: Multi-Modal Corridor

Transit: N/A

Existing Bike/Ped Facilities: N/A

Planned Bike/Ped Facilities: Bike Corridor

Environment

<u>Flood Area</u>: N/A <u>Tree Canopy Coverage</u>: 10-20% Parks & Open Space: N/A

Staff Analysis

The applicant is proposing a Special Exception to permit a Wholesale Sales and Distribution and Warehouse use in a CS District (Sec. 15.020, Table 15-2):

35.060-C Warehouse

Uses conducted within a completely enclosed building that are engaged in longterm and short-term storage of goods and that do not meet the definition of a "self-service storage facility" or a "trucking and transportation terminal."

35.060-D Wholesale Sales and Distribution

Uses engaged in the wholesale sales, bulk storage and distribution of goods. Such uses may also include incidental retail sales and wholesale showrooms. Expressly includes the following uses: bottled gas and fuel oil sales, flea markets, ice distribution centers, monument sales, portable storage building sales, vending machine sales, auctioneers, and frozen food lockers.

Relevant Case History

• None

Comprehensive Plan Considerations

Land Use Plan

The subject property is designated as Employment.

<u>Employment</u> is intended to accommodate offices, warehousing and storage, manufacturing and assembly, and industrial processes. The Industrial Site Suitability map corresponds to the Employment land use designation and indicates where uses that are potentially incompatible with sensitive land uses are best suited to locate. This directs industrial uses to particular areas of the city while discouraging industrial in close proximity to Neighborhood areas.

<u>Location</u>	Existing Zoning/Overlay	Existing Land Use Designation	<u>Existing Use</u>
North	CS	Employment	Commercial
East	CS	Employment	Commercial
South	IL	Employment	Commercial
West	OL/PUD-242	Employment	Commercial

Surrounding Properties:

Small Area Plans

The subject properties are not within a small area plan.

Development Era

The subject property is located in an area developed during the Late Automobile Era.

Late Automobile

The subject property is in an area developed during the Late Automobile Era (1950s-present), which has grown since the mainstreaming of automobile-centric lifestyles, with a high degree of separation between residential and nonresidential uses, and low levels of street connectivity. In these areas, transportation is nearly exclusively

concentrated on the mile-by-mile arterial grid, and major streets are often both transportation corridors and destination corridors, which can lead to traffic congestion. Nonresidential uses are predominantly located at the intersections of major arterial streets. Priorities in these areas include commercial revitalization, placemaking, community gathering opportunities, conservation of natural areas, a high degree of privacy, one-stop shopping, and commuting routes.

Transportation

Major Street & Highway Plan: Multi-Modal Corridor

Comprehensive Plan Street Designation: Multi-Modal Street

Multi-modal streets support commercial and residential development along major arterial streets. These streets align with the recommendations for on-street bicycle infrastructure establish in the 2015 GO Plan, and they should be evaluated for feasibility with regard to the reallocation of street space for bicycle facilities.

Transit: N/A

Existing Bike/Ped Facilities: None

Planned Bike/Ped Facilities: Bike Corridor

Arterial Traffic per Lane: 2500-5000 per lane

Environmental Considerations

Flood Area: The subject property is not within a flood era.

<u>Tree Canopy Coverage</u>: Tree canopy in the area is 10%-20% The area would benefit from additional trees, which also capture and treat runoff before it enters the river.

Parks & Open Space: N/A

Sample Motion

I move to *approve or deny* a Special Exception to permit a Wholesale Sales and Distribution and Warehouse use in a 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

Lot 1 and 2, Block 1, 51st & Mingo Commercial Center, City of Tulsa, State of Oklahoma

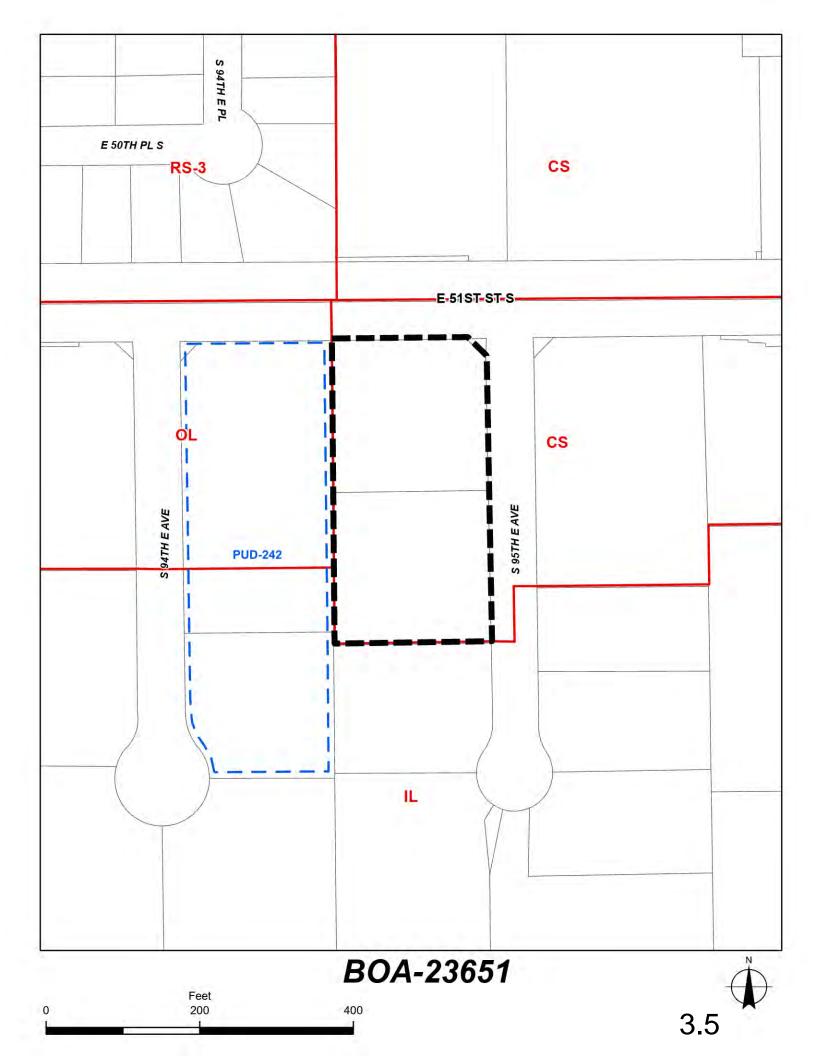
Photos:



Subject Property

<u>Exhibits</u>

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





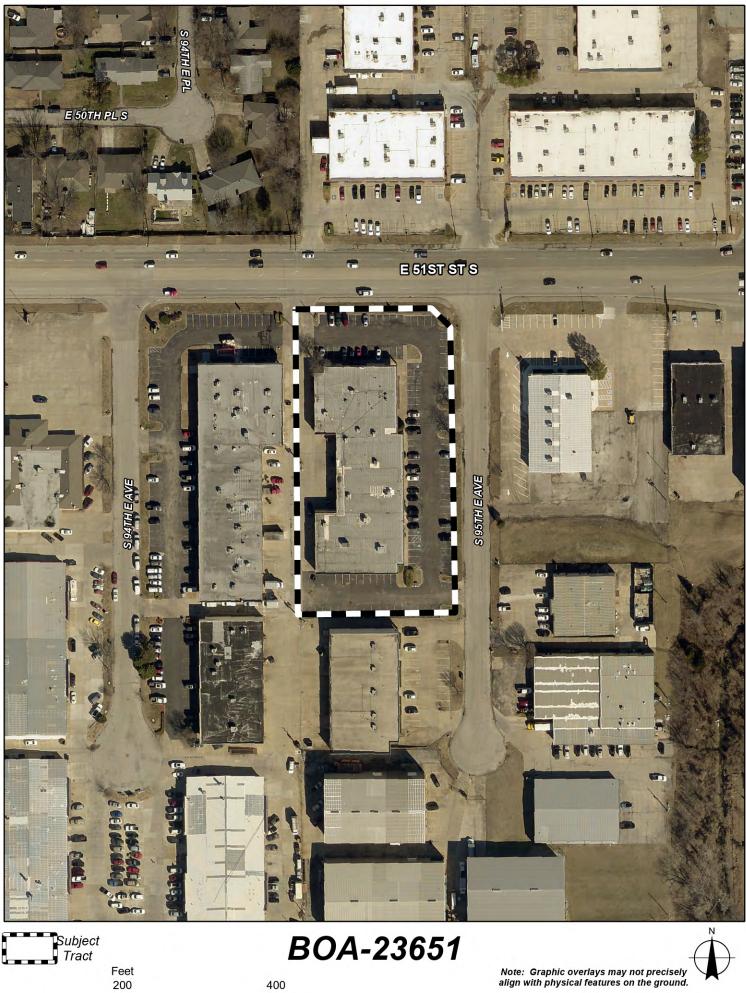
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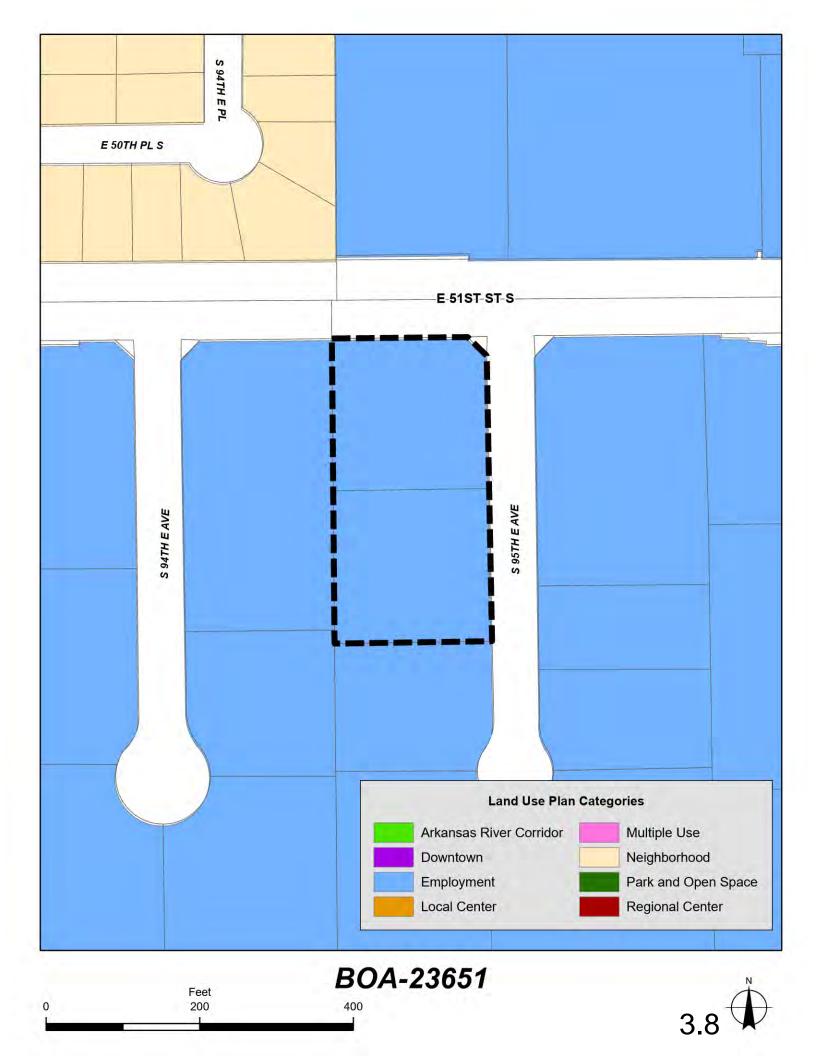
Aerial Photo Date: 2021

3.6



0

3.7



BLDC-166380-2023 (5120 S 95TH AVE E Tulsa, OK 74145) Markup Summary #2

Zoning BLDC-166380-2023 (1)



Subject: Zoning BLDC-166380-2023 Page Label: 2 Author: Jeffrey Bush Date: 1/22/2024 1:16:25 PM Status: Color: Layer: Space:

Review Comment: Brewery was a mistype and shouldn't have been included with this comment. The use of the proposed warehouse space would still require a special exception. Contact the Tulsa Planning Office for further instruction.



January 17, 2024

George Goza		
Building Plans Reviewer		
175 East 2 nd Street		
Tulsa, Oklahoma 74103		
(918) 596-9671		

Jeff Bush Zoning Plans Reviewer 175 East 2nd Street Tulsa, Oklahoma 74103 (918) 596-9657

Re: LOD Number: 1

Subject: BLDC-166380-2023

Dear Reviewers,

Please accept this letter as our acknowledgment to your plan review comments and our acceptance to comply with all comments provided. Below is our response to specific comments.

Review Comments:

1) Section 107.2.6 Site Plan. Please provide a Site Plan indicating parking areas with accessible parking space(s) indicated, property line location with distances to the building and a North arrow. (G101)

Response: A Site Plan showing parking and accessible parking, property lines, and dimensions has been added to Sheet G101.

2) Section 903.2.9 Item 3. The proposed combined fire area for the building exceeds 24,000 square feet. For an S-1 occupancy to be permitted a fire wall separation in accordance with Section 706 is required. (G101)

Response: The project has been revised to Separated Mixed Use per Section 508.4. Per paragraph 508.4.2 the allowable building area (including frontage increases) meets the requirements with a ration of 0.83. Reference attached Sheet G101.

- 3) Section 1008.3.2/1008.3.3. Please indicate emergency lighting locations as new or existing with emergency power in accordance with 1008.3.4 for interior exit passageway and exterior of the building at each exit discharge door. (G101) Response: Emergency lighting locations are identified on Sheet A121.
- 4) Section 1013.1 Exit Signs Re: Please indicate location of exit signs new or existing within the exit access and at each exit discharge door. (G101) **Response:** Exit signs have been identified on Sheet A121.

320 South Boston Ave, Suite 100, Tulsa, Oklahoma 74103 Tel 918.587.6158 • Fax 918.587.0357 • GH2.COM



Permit Reviewers January 17, 2024 Page 2 of 2

 5) Section 1705 Special Inspections – Provide structural Statement of Special Inspections [refer sample 2018 form on our website under Development Services / Inspection Services]. Re: Please review and provide required structural statement of special inspections if a foundation will be required as determined by the professional engineer. (G101)

Response: A fire wall is not being added. There are no structural revisions as part of this project.

6) ICC A117.1-2009 Section 804.4. Sinks in kitchenettes require the sink height to be 34-inches from floor to the rim of the sink in accordance with FIG. 606.3. Please provide note or detail/ elevation to confirm. (A101)

Response: Both kitchenettes are existing with no new scope of work in these areas. Accessible toilets and drinking fountains are added within the area of work to meet the 20 percent of the budget towards accessibility improvements.

7) Section 606.2 Exception 1. If a parallel approach is proposed for the sink in the kitchenette, please indicate a 48-inch space centered on the sink. (A101)

Response: Both kitchenettes are existing with no new scope of work. Accessible toilets and drinking fountains are added within the area of work to meet the 20 percent of the budget towards accessibility improvements.

 8) Sec. 15.020 Table 15-2: The proposed brewery is designated Wholesale, Distribution, & Storage/ Warehouse use. It is located in a CS zoning district. This will require a Special Exception approved by the BOA. Review comment: Submit an approved BOA Special Exception to allow an Wholesale, Distribution, & Storage use in a C-S zoning district. Contact the Tulsa Planning Office for further instruction at 918-596-7526 or Planning@cityoftulsa.org. (G101)

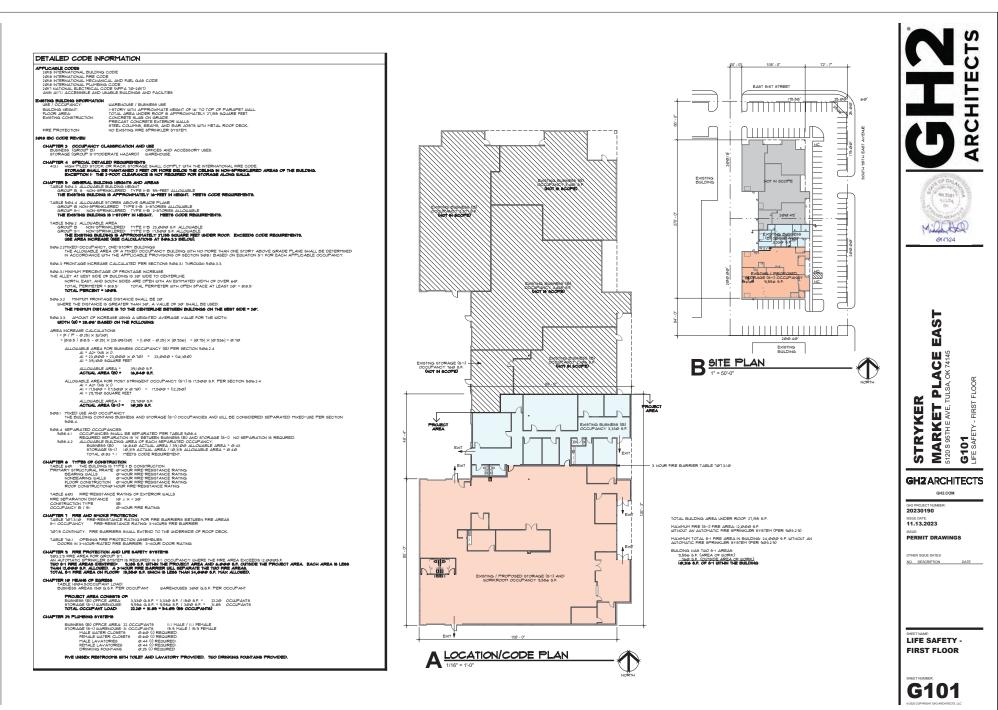
Response: There is no brewery associated with this project. The project is for improvements to Stryker which is a medical device supply company and includes a Business Occupancy and Storage S-1 Occupancy.

Sincerely, GH2 ARCHITECTS, LLC

Michael Park, NCIDQ, ASID

Attachments: - Letter of Deficiency – Response (8.5" x 11") - Sheets (24" x 36")

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3.12

