



Board of Adjustment

**Staff Report
BOA-23985**

Hearing Date: January 13, 2026
Prepared by: Erin Roark
eroark@cityoftulsa.org
918-596-7618

Owner and Applicant Information

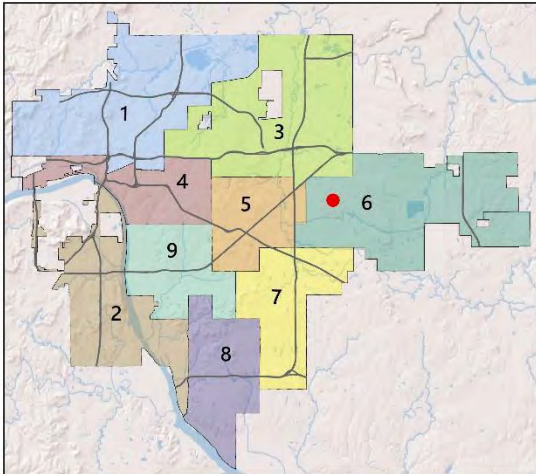
Applicant: Shahnaz Kasmani
Property Owner:
Shahnaz Kasmani & Asma Farid Padela

Property Location

13111 East 21st Street South
Tract Size: ±0.64 acres

Location within the City of Tulsa

(shown with City Council districts)



Elected Representatives

City Council: District 6. Christian Bengel
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

Amendment to CDP-33 to allow a Personal Vehicle Sales use within a Community Development Project (CDP-33) (Section 30.020).

Zoning

Zoning District: RS-3, CDP-33
Zoning Overlays: N/A

Comprehensive Plan Considerations

Land Use

Land Use Plan: Multiple Use
Small Area Plans: East Tulsa
Development Era: Late Automobile Era

Transportation

Major Street & Highway Plan: Primary Arterial
planitulsa Street Type: N/A
Transit: Regular Route, TOD Area
Existing Bike/Ped Facilities: Sidewalk
Planned Bike/Ped Facilities: Sidewalks

Environment

Flood Area: N/A
Tree Canopy Coverage: 0-9%
Parks & Open Space: Harvey Young Airport

Staff Analysis

The applicant is requesting an amendment to CDP-33 to allow a Personal Vehicle Sales use within the Community Development Project (CDP) (Section 30.020). The proposed use is a new and used car lot. CDPs are legacy zoning districts that predate Planned Unit Developments (PUDs) in Tulsa. Most CDPs in the city have now expired, but a few remain. The board of adjustment has the authority to approve any proposed changes or amendments to CDPs. The subject property is in Area II of CDP-33, which originally allowed off-street parking, residential uses, and some professional office uses. The remainder of CDP-33, Area I, originally allowed residential uses and religious assembly.

Section 30.020 CDP, Community Development Projects

30.020-A General

CDP was the predecessor of PUD zoning. Before adoption of the city's 1970 zoning code, which created the PUD district, the board of adjustment had authority to approve site-specific CDPs.

30.020-B Expiration and Lapse of Approval

Pursuant to Section 204 of the 1970 zoning code, all CDPs approved by the board of adjustment before 1970 effectively expired on June 30, 1975 except those extended by the board of adjustment or for which building permits had been issued or construction had commenced in accordance with the terms and conditions approved by the board of adjustment. The following CDPs have expired pursuant to this provision and are now governed by the zoning district regulations that apply to the subject property: CDP01, CDP02, CDP03, CDP04, CDP05, CDP06, CDP07, CDP08, CDP09, CDP10, CDP11, CDP12, CDP13, CDP14, CDP15, CDP16, CDP17, CDP18, CDP19, CDP23, CDP24, CDP25, CDP26, CDP27, CDP28, CDP30, CDP31, CDP32, CDP34, CDP35, CDP36, CDP37, CDP38, CDP39, CDP40, CDP41, CDP42, CDP43, CDP44, CDP45, CDP46, CDP47, CDP48, CDP49, CDP50, CDP51, CDP52, CDP55, CDP56, CDP57, CDP58, CDP59, CDP60, CDP61, CDP62, CDP64, CDP65, CDP66, CDP67, CDP68, CDP69, CDP70, CDP71, CDP72, CDP73, CDP74, CDP75, CDP76, CDP77, CDP78, CDP79, CDP81, CDP82, CDP83, CDP84, CDP85, CDP86, and CDP87

30.020-C Active CDPs

The following CDPs remain active and are governed by the terms of the CDP approval granted by the board of adjustment: CDP20, CDP21, CDP22, CDP29, CDP33, CDP53, CDP54, CDP63, and CDP80. Proposed changes and amendments to active CDPs require a public hearing and approval by the board of adjustment.

Relevant Case History

- None found.

Comprehensive Plan Considerations

Land Use Plan

The subject property is designated as Multiple Use. Multiple Use areas are mostly commercial or retail uses, which include restaurants, shops, services, and smaller format employment uses. This land use designation is most common in areas of the city from earlier development patterns, with Local Centers being more commonplace in newer parts of the city. For single properties that are commercial but surrounded by Neighborhood, Multiple Use is the preferred designation.

Surrounding Properties:

<u>Location</u>	<u>Existing Zoning/Overlay</u>	<u>Existing Land Use Designation</u>	<u>Existing Use</u>
North	RS-3, CDP-33	Multiple Use	Day Care
East	RS-3, CDP-33	Multiple Use	Religious Assembly
South	CS, PUD-492	Local Center	Gym
West	CS	Local Center	Commercial and Office

Small Area Plans

The subject property is included in the East Tulsa Phase 1 Planning Area.

Development Era

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: East 21st Street South runs parallel to the south side of the subject property and is classified as a Primary Arterial, which has a minimum planned right-of-way width of 120 feet.

Comprehensive Plan Street Designation: N/A

Transit: Bus Routes 140 and 150 run along East 21st Street South with a stop adjacent to the south of the subject property. The subject property is located within a Transit Oriented Development (TOD) Area.

Existing Bike/Ped Facilities: Sidewalks are present along East 21st Street South.

Planned Bike/Ped Facilities: Sidewalks are recommended along all street frontages.

Arterial Traffic per Lane: East 21st Street South has an average annual daily traffic (AADT) count of 2,411 vehicles per lane.

Environmental Considerations

Flood Area: N/A

Tree Canopy Coverage: Tree canopy in the area is 8%. Preserving the limited existing canopy should be encouraged, as well as measures to increase the canopy through landscaping. Street-lining trees in particular should be encouraged to spread the benefit of the tree canopy to the pedestrian realm.

Parks & Open Space: Harvey Young Airport is located nearby to the northeast of the subject property.

Site Photos



View north from East 21st Street South, April 2025 (Image from Google Street View)

Sample Motion

CDP Amendment

I move to approve or deny an amendment to CDP-33 to allow a Personal Vehicle Sales use within the Community Development Project (CDP) (Section 30.020),

- per the conceptual plan(s) shown on page(s) _____ of the agenda packet.
- subject to the following conditions (including time limitation, if any): _____.

Property Description

LT 6 BLK 1, PLAZA HILLS CENTER , City of Tulsa, Tulsa County, State of Oklahoma

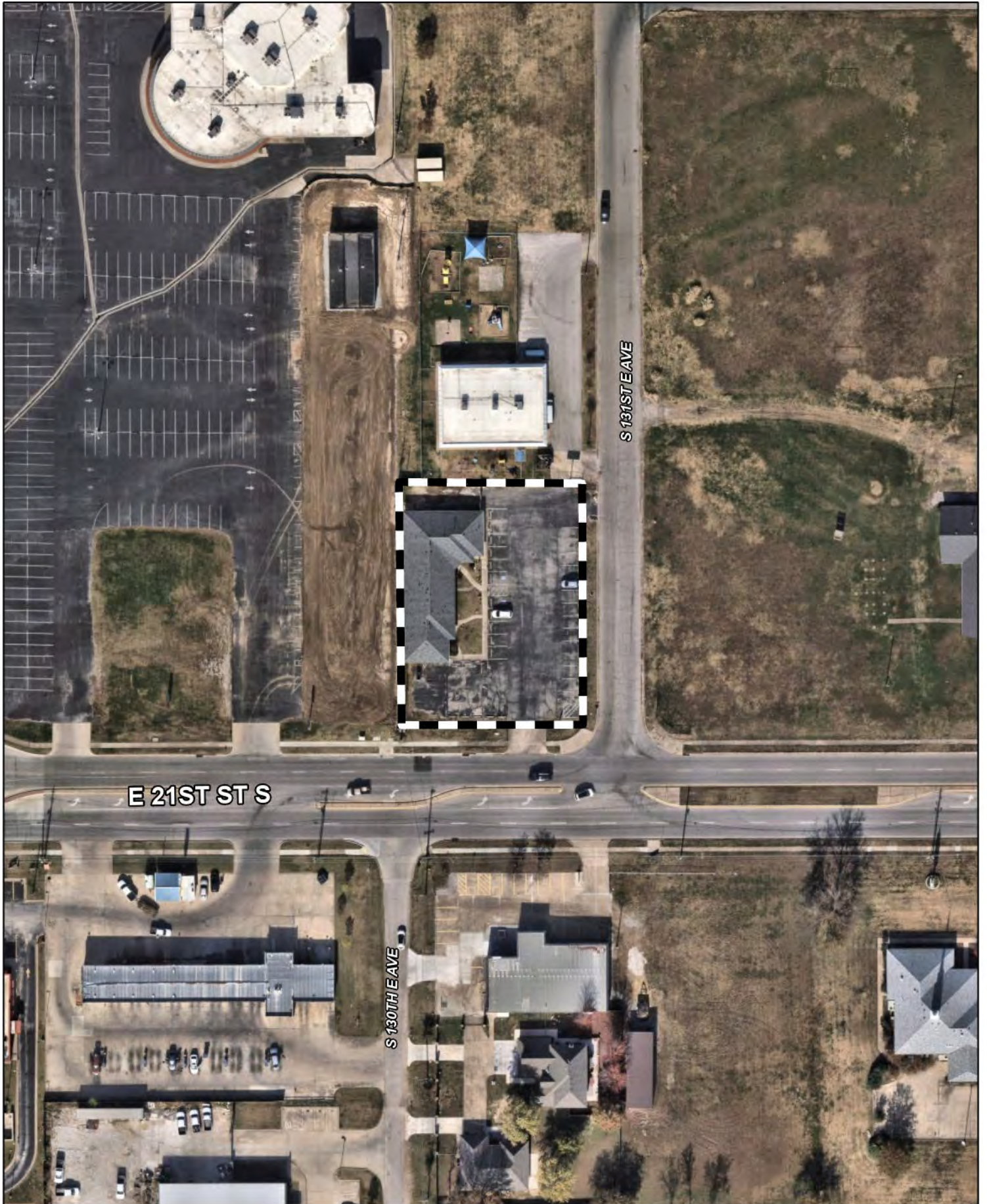
Exhibits

Case map

Aerial (small scale)

Aerial (large scale)

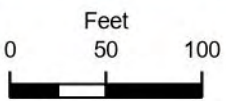
Tulsa Comprehensive Plan Land Use Map



E 21ST ST S

S 131ST E AVE

S 130TH E AVE



Subject Tract

BOA-23985

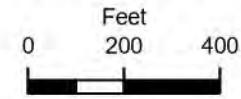
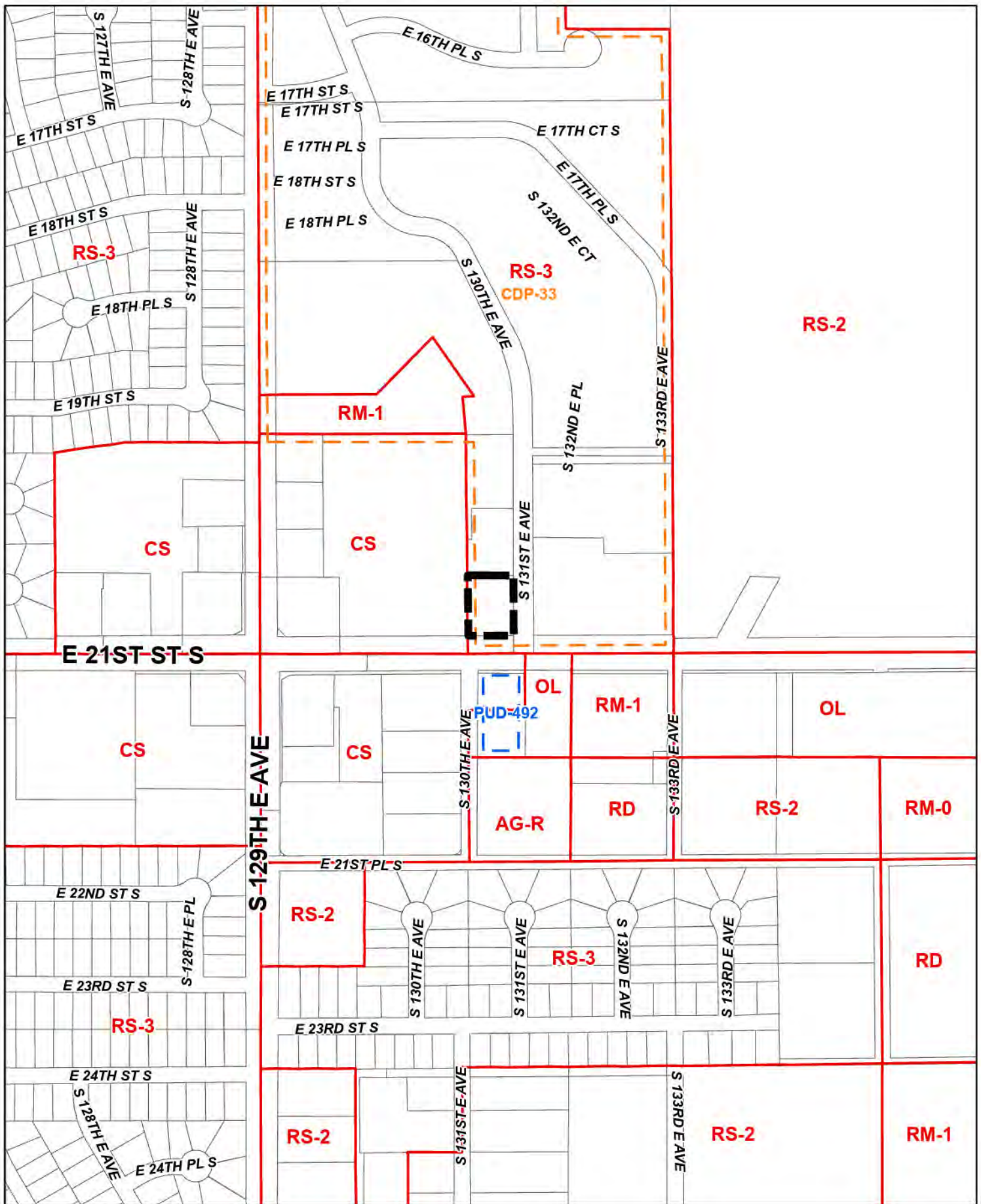
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Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2025



10.7

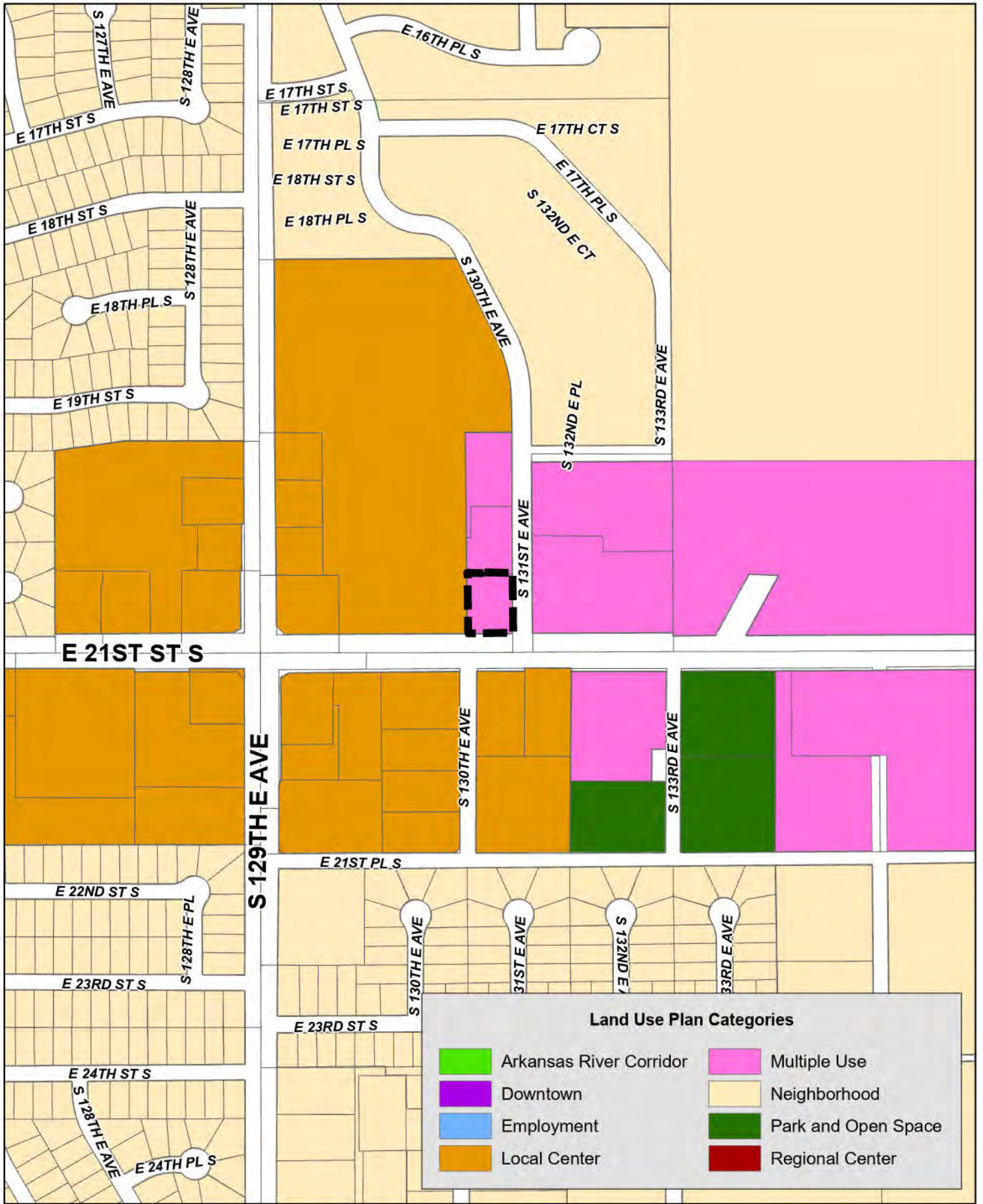










 Subject Tract

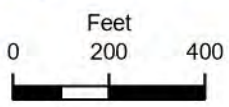
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Land Use Plan Categories			
	Arkansas River Corridor		Multiple Use
	Downtown		Neighborhood
	Employment		Park and Open Space
	Local Center		Regional Center



 Subject Tract

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OFFICIAL RECORD: EXHIBIT # D-1
Entered in the July 24, 1968
Minutes of the Tulsa Metropolitan
Area Planning Commission.

Location:

North and East of the intersection of
21st Street and 129th East Avenue.

Total Area:

65 acres $\frac{+}{-}$

Plat:

Development in accord with this plan
shall not be permitted on any portion
of the land not included in a plat that
has received the approval of the Tulsa
Metropolitan Area Planning Commission
and been properly filed of record.

Total Number of Dwelling Units:

435

Open Area and Recreational Area:

Approximately 7 acres

Allowed Use:

Single family, duplex, multi-family or
townhouse.

Development Standards:

Development shall meet the minimum
Lot Width, Rear Yard Depth, Side
Yard Width, and required On-Site
Parking Spaces as set out for a U 2A
District in Title 42, Section 5 (e) of
the Revised Ordinances of the City of
Tulsa in effect on July 24, 1968. The
minimum Lot Area shall be 7,000 square
feet and the Lot Area Per Dwelling
Unit shall be 2,000 square feet. Land
owned in common or by a home's as-
sociation may be included when calculating
the minimum Lot Area. There shall be a
minimum fifteen (15) foot Front Yard.

No building or structure shall exceed thirty-five (35) feet in height: except that no building in excess of one story in height shall be constructed within one-hundred twenty (120) feet of the North, East, or West boundary of the property.

Area I

Alternative Use:
Church.

Development Standards for Alternative Use:

The tract shall be not less than 2 1/2 acres in size and the church structure shall be located so as to provide for a front building set-back of not less than thirty-five (35) feet, and a side and rear building set-back of not less than twenty-five (25) feet. One off-street parking space shall be provided for each five (5) sanctuary seats.

Area II

Alternative Use:

Any use as allowed in a U 3B District in Title 42, Section 5 (i).

max. 1 acre

Development Standards for Alternative Use:

The tract shall not be less than one (1) acre in size. The height and lot coverage shall conform to the present U 3B Use District requirements.

Variations

Proof of Hardship

The Board of Adjustment is allowed to approve variations only after determining that the following conditions exist. Below, describe how your request satisfies **each** of these conditions.

1. That the physical surroundings, shape, or topographic conditions of the subject property would result in unnecessary hardships or practical difficulties for the property owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out;

issues go beyond a simple inconvenience and prevent normal use of the property under the current regulations

2. That the literal enforcement of the subject zoning code provision is not necessary to achieve the provision's intended purpose;

Granting this variance will still meet all safety, health and neighborhood compatibility intentions of the zoning code and the requested change does not negatively impact public welfare or the intent of the regulation

3. That the conditions leading to the need of the requested variance are unique to the subject property and not applicable, generally, to other property within the same zoning classification;

The unusual lot shape / topography / easement / size / placement does not apply to other nearby properties in the same zoning classification making this request specific to this parcel only

4. That the alleged practical difficulty or unnecessary hardship was not created or self-imposed by the current property owner;

These conditions existed before my ownership and are inherent to the property's physical characteristics and historical development

5. That the variance to be granted is the *minimum* variance that will afford relief;

I am not seeking anything excessive only what is required to address the specific hardship created by the property's unique conditions

6. That the variance to be granted will not alter the essential character of the neighborhood in which the subject property is located, nor substantially or permanently impair use or development of adjacent property; and

The proposed use/development remains consistent with surrounding properties and will not negatively impact adjacent property owners. It will not create noise safety concerns or any impairments to neighboring land use.

7. That the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of the zoning code or the comprehensive plan.

will follow a city guideline and laws to maintain a good relationship with the public.

