INTRODUCTION AND NOTICE TO THE PUBLIC
At this meeting the TMAPC, in accordance with and pursuant to applicable TMAPC Policies and Procedures, will review, consider, discuss, and may take action on, approve, recommend for approval, amend or modify, recommend for approval with modifications, deny, reject, recommend for denial, or defer action on any item listed on the agenda.

Call to Order:

REPORTS:

Chairman's Report:
Work session Report:
Director's Report:

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.

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

None

PUBLIC HEARING-REZONING
Review and possible recommendation of approval, approval with modifications, denial, or deferral of the following:

1. **Z-7731 Nathan Cross** (CD 1) Location: South of the southwest corner of East 5th Street South and South Victor Avenue requesting rezoning from RS-4 and IL to CG with an optional development plan (Related to CPA-105) (Continued from July 19, 2023)
2. **Z-7729 Lou Reynolds** (CD 4) Location: Northwest corner of South Utica Avenue and East 13th Place South requesting rezoning from **RM-2/NIO** to **CS/NIO** *(Related to PUD-772-A)*

3. **PUD-772-A Lou Reynolds** (CD 4) Location: Northwest corner of South Utica Avenue and East 13th Place South requesting a **PUD Major Amendment** to establish two development areas *(Related to Z-7729)* *(Continued from July 19, 2023)*

4. **Z-7733 Abdul Alhlou** (CD 3) Location: Northeast corner of 11th Street South and South 129th East Avenue requesting rezoning from **CS and RS-2 to CG and CS with an optional development plan** *(Staff requests a continuance to August 16, 2023)*

5. **Z-7734 Rey Bustos** (CD 6) Location: East of the southeast corner of East 11th Street South and South 161st East Avenue requesting rezoning from **AG to CG** *(Related to CPA-106)*

6. **PUD-488-A Stuart VanDeWiele, Hall Estill** (CD 9) Location: Northeast corner of East 33rd Street South and South Peoria Avenue requesting a **PUD Major Amendment** to abandon PUD-488 *(Related to Z-7735)*

7. **Z-7735 Stuart VanDeWiele, Hall Estill** (CD 9) Location: Northeast corner of East 33rd Street South and South Peoria Avenue requesting rezoning from **OL, CH and RS-3 to MX2-V-U with an optional development plan** *(Related to PUD-488-A)*

8. **Z-7736 Mark Capron, Wallace Design** (CD 4) Location: Northwest corner of South Quaker Avenue and East 13th Place South requesting rezoning from **RM-2 to CS** *(Related to CPA-107)*

**PUBLIC HEARING-COMPREHENSIVE PLAN AMENDMENTS**

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

9. **CPA-105 Nathan Cross** (CD 1) Location: South of the southwest corner of East 5th Street South and South Victor Avenue requesting to amend the Land Use Map designation from **Neighborhood to Employment** *(Related to Z-7731)* *(Continued from July 19, 2023)*

10. **CPA-106 Rey Bustos** (CD 6) Location: East of the southeast corner of East 11th Street South and South 161st East Avenue requesting to amend the Land Use Map designation from **Neighborhood to Multiple Use** *(Related to Z-7734)*
11. **CPA-107 Mark Capron, Wallace Design** (CD 4) Location: Northwest corner of South Quaker Avenue and East 13th Place South requesting to amend the Land Use Map designation from Neighborhood to Multiple Use (Related to Z-7736)

**OTHER BUSINESS**

12. Commissioners' Comments

**ADJOURN**

CD = Council District

**NOTE:** If you require special accommodation pursuant to the Americans with Disabilities Act, please notify the Tulsa Planning Office at 918-596-7526. Exhibits, petitions, pictures, etc., presented to the Planning Commission may be received and deposited in case files to be maintained at the Tulsa Planning Office. All electronic devices must be silenced during the Planning Commission meeting.

Visit our website at [tulsaplaying.org](http://tulsaplaying.org)  email address: [planning@cityoftulsa.org](mailto:planning@cityoftulsa.org)

**TMAPC Mission Statement:** The Mission of the Tulsa Metropolitan Area Planning Commission (TMAPC) is to provide unbiased advice to the City Council and the County Commissioners on development and zoning matters, to provide a public forum that fosters public participation and transparency in land development and planning, to adopt and maintain a comprehensive plan for the metropolitan area, and to provide other planning, zoning and land division services that promote the harmonious development of the Tulsa Metropolitan Area and enhance and preserve the quality of life for the region’s current and future residents.
| **Case Report Prepared by:** | Case Number: Z-7731 with optional development plan  
(Related to CPA-105) |
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Nathan Foster</td>
<td><strong>Hearing Date:</strong> August 2, 2023 (Continued from July 19, 2023)</td>
</tr>
<tr>
<td><strong>Owner and Applicant Information:</strong></td>
<td>---------------------</td>
</tr>
<tr>
<td>Applicant: Nathan Cross</td>
<td><strong>Applicant Proposal:</strong></td>
</tr>
<tr>
<td>Property Owner: 540 S Victor Ave LLC</td>
<td>Present Use: Commercial/Vacant</td>
</tr>
<tr>
<td></td>
<td>Proposed Use: Commercial Vehicle Storage</td>
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<tr>
<td></td>
<td>Concept summary: Rezone the site from IL and RS-4 to CG with an optional development plan to expand commercial uses.</td>
</tr>
<tr>
<td>Location Map: (shown with City Council Districts)</td>
<td>Tract Size: 0.3 ± acres</td>
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<tr>
<td>Location: South of the southwest corner of East 5th Street South and South Victor Avenue</td>
<td></td>
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<tr>
<td><strong>Zoning:</strong></td>
<td><strong>Staff Recommendation:</strong></td>
</tr>
<tr>
<td>Existing Zoning: IL and RS-4</td>
<td>Staff recommends approval with the optional development plan standards outlined in Section II.</td>
</tr>
<tr>
<td>Proposed Zoning: CG with an optional development plan</td>
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<tr>
<td><strong>Comprehensive Plan:</strong></td>
<td></td>
</tr>
<tr>
<td>Land Use Map:</td>
<td></td>
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<tr>
<td>Existing: Employment, Neighborhood</td>
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<td>Proposed: Employment</td>
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<td><strong>Staff Data:</strong></td>
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<tr>
<td>TRS: 9306</td>
<td><strong>Councilor Name:</strong> Vanessa Hall-Harper</td>
</tr>
<tr>
<td>CZM: 37</td>
<td><strong>County Commission District:</strong> 2</td>
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<tr>
<td></td>
<td>Commissioner Name: Karen Keith</td>
</tr>
</tbody>
</table>
SECTION I: Z-7731 with an optional development plan

DEVELOPMENT CONCEPT: The applicant is proposing to rezone the subject property from RS-4 and IL to CG with an optional development plan to support an expansion of the existing commercial use located to the south. CPA-105 is associated with this application and requests a change in the land use designation for the north half of the property from “Neighborhood” to “Employment” to match the designation on the southern half of the subject property.

EXHIBITS:

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

DETAILED STAFF RECOMMENDATION:

The subject property is currently adjacent to industrially zoned properties on the south and west with residentially zoned properties to the north and east. The subject property has two zoning districts, IL and RS-4 and the applicant is requesting to rezone the entire property to CG with an optional development plan outlined in Section II.

Rezoning to a commercial district will require an amendment to the Tulsa Comprehensive Plan land use map for the northern half of the subject property, currently designated as “Neighborhood”. The applicant has submitted an associated comprehensive plan amendment (CPA-105) to request a land use change to “Employment” to align with the existing designation on the southern half of the property.

The CG district is primarily intended to:

- Accommodate established commercial uses, while providing protection to adjacent residential areas; and
- Accommodate the grouping of compatible commercial and light industrial uses.

The CG zoning district and the optional development standards would provide a buffer between the existing neighborhood areas and the industrial areas to the south and west.

Staff recommends approval of Z-7731 with the optional development plan outlined in Section II.

SECTION II: Z-7731 OPTIONAL DEVELOPMENT PLAN STANDARDS:

The optional development plan standards will conform to the provisions of the Tulsa Zoning Code for development in a Commercial General (CG) district with its supplemental regulations except as further refined below. All use categories, subcategories or specific uses and building types that are not listed in the following permitted list are prohibited.

Uses with “*” require special exception approval by the City of Tulsa Board of Adjustment.
PERMITTED USE CATEGORIES:

RESIDENTIAL (if in allowed building types identified below)
  Single household
  Two households on single lot
  Three or more households on single lot

PUBLIC, CIVIC, AND INSTITUTIONAL
  Day Care
  Library or Cultural Exhibit
  Natural Resource Preservation
  Parks and Recreation
  Religious Assembly

COMMERCIAL
  Animal Service
    • Grooming
    • Veterinary
  Assembly and Entertainment
    • Small (Up to 250-person capacity)
    • Large (>250-person capacity)*
  Broadcast of Recording Studio
  Commercial Service
    • Building service
    • Business support service
    • Consumer maintenance/repair service
    • Personal improvement service
  Financial Services
  Office
    • Business or professional office
    • Medical, dental or health practitioner office
  Parking, Non-accessory
  Restaurants and Bars
    • Restaurant
  Retail Sales
    • Building supplies and equipment
    • Consumer shopping goods
    • Convenience goods
    • Grocery store
    • Small box discount store
Self-service Storage Facility
Studio, Artist, or Instructional Service

Vehicle Sales and Service (Must be conducted fully indoors)
Personal vehicle repair and maintenance

Wholesale, Distribution, & Storage
Warehouse
Wholesale Sales and Distribution

Industrial
Low-impact Manufacturing and Industry*

Residential Building Types:

Household living
Single Household
- Detached House*
- Townhouse
- Mixed-Use Building
- Vertical Mixed-Use Building

Two households on single lot
- Duplex*
- Mixed-Use Building
- Vertical Mixed-Use Building

Three or more households on single lot
- Mixed-Use Building
- Vertical Mixed-Use Building

Site Development Requirements:
Development will conform to the CG regulations as described in the Tulsa Zoning Code, with the following additional requirements:

a. A minimum 10' wide landscape buffer along the north property line including an F1 screen.
b. No commercial overhead doors on north-facing walls.
c. No building mounted illuminated signage on north or east facing walls.
d. Freestanding signs are limited to a maximum height of 6 feet.
e. Dynamic Displays are prohibited.

Section III: Supporting Documentation

Relationship to the Comprehensive Plan:

Staff Summary: The south half of the subject property is currently designated as “Employment”. CG zoning aligns with the recommendations of the “Employment” land use designation.
CPA-105 is associated with this application and seeks to amend the land use map for the northern half of the subject property from “Neighborhood” to “Employment” to align with the southern half.

**Land Use Vision:**

**Existing Land Use:** Employment, Neighborhood

**Proposed Land Use (CPA-105): Employment**

The employment designation 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.

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 an arterial is considered Multiple Use, Local Center, or Regional Center. If a multi-dwelling unit housing property takes access off a lower-order street separated from the arterial, then it would be considered Neighborhood.

**Transportation Vision:**

**Major Street and Highway Plan:** South Victor Avenue is not classified by the Major Street and Highway Plan.

**Trail System Master Plan Considerations:** None

**Small Area Plan:** Kendall-Whittier Sector Plan

The Kendall-Whittier Sector Plan recognized the existence of light industrial areas adjacent to existing residential areas and recommended a balance to support existing industrial uses while establishing appropriate standards for neighborhood edges. The request to rezone from IL and RS-4 to CG with an optional development plan will align with the goals and recommendations of the sector plan.

**Special District Considerations:** None

**Historic Preservation Overlay:** None

**DESCRIPTION OF EXISTING CONDITIONS:**

**Staff Summary:** The lot is currently vacant. There are industrial uses to the south and west of the subject property and residential uses to the east and north.

**Streets:**

<table>
<thead>
<tr>
<th>Existing Access</th>
<th>MSHP Design</th>
<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
</tr>
</thead>
<tbody>
<tr>
<td>South Victor Avenue</td>
<td>N/A</td>
<td>50’</td>
<td>2</td>
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</table>
**Utilities:**
The subject tract has municipal water and sewer available.

**Surrounding Properties:**

<table>
<thead>
<tr>
<th>Location</th>
<th>Existing Zoning</th>
<th>Existing Land Use Designation</th>
<th>Existing Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>RS-4</td>
<td>Neighborhood</td>
<td>Single-Family Residential</td>
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<tr>
<td>South</td>
<td>IL</td>
<td>Employment</td>
<td>Industrial</td>
</tr>
<tr>
<td>East</td>
<td>RS-4</td>
<td>Neighborhood</td>
<td>Single-Family Residential</td>
</tr>
<tr>
<td>West</td>
<td>IL</td>
<td>Employment</td>
<td>Industrial</td>
</tr>
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</table>

**SECTION III: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 11815 dated June 26, 1970, established zoning for the subject property.

**Subject Property:**

**Z-6414 November 1993:** All concurred in approval of a request for rezoning a 73+ acre tract of land from RM-1 to RS-4 including the north half of the subject property. Ordinance No. 18064
Subject Tract

Z-7731

Aerial Photo Date: 2023

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

19-13 06

0  50  100

Feet

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

SUBJECT TRACT
LAND USE PLAN
NEIGHBORHOOD/EMPLOYMENT
Exhibit “A”

(Legal Description)

Lots Twelve (12), Thirteen (13), Fourteen (14) and Fifteen (15), ABDOS ADDITION to the City of Tulsa, Tulsa County State of Oklahoma, according to the recorded plat thereof.
EXHIBIT “B”

REZONING REQUEST

The parcel at issue in the application (the “Subject Property”) is a vacant parcel currently zoned RS-4 and is surrounded on two sides and caddy-corner from IL-zoned property. The applicant desires to rezone the Subject Property CG for the purpose of expanding the building immediately adjacent to the south and allowing the property owner to continue its uses of the property as an auto storage facility and to allow a possible future use of the property as a museum. An optional development plan is also being proposed to add development standards to minimize any impact on surrounding properties.

OPTIONAL DEVELOPMENT PLAN DEVELOPMENT STANDARDS

Roll-up Doors

No roll-up doors shall be constructed on the north-facing walls of any building constructed on the Subject Property.

Privacy Fencing

The property owner shall maintain the existing wood privacy fence on the north property boundary of the Subject Property.
**Case Number:** Z-7729 (Related to PUD-772-A)  
**Hearing Date:** August 2, 2023 (Continued from July 19, 2023)

<table>
<thead>
<tr>
<th>Case Report Prepared by:</th>
<th>Owner and Applicant Information:</th>
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<tbody>
<tr>
<td>Nathan Foster</td>
<td>Applicant: Lou Reynolds</td>
</tr>
<tr>
<td></td>
<td>Property Owner: Mandalay Bay Investments LLC</td>
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<table>
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<tr>
<th>Location Map: (shown with City Council Districts)</th>
<th>Applicant Proposal:</th>
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<tbody>
<tr>
<td><img src="image" alt="Location Map" /></td>
<td>Present Use: Vacant</td>
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<tr>
<td></td>
<td>Proposed Use: Commercial</td>
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<tr>
<td></td>
<td><strong>Concept summary:</strong> Rezoning of the subject property from RM-2 to CS with an associated major amendment to PUD-772 to establish development standards for two development areas.</td>
</tr>
<tr>
<td></td>
<td><strong>Tract Size:</strong> 3.5 ± acres</td>
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<tr>
<td></td>
<td><strong>Location:</strong> Northwest corner of South Utica Avenue and East 13th Place South</td>
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</table>

<table>
<thead>
<tr>
<th>Zoning:</th>
<th>Staff Recommendation:</th>
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</thead>
<tbody>
<tr>
<td><strong>Existing Zoning:</strong> RM-2</td>
<td>Staff recommends approval of the rezoning with the Planned Unit Development standards outlined in PUD-772-A.</td>
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<tr>
<td><strong>Proposed Zoning:</strong> CS/PUD-772-A</td>
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</tr>
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</table>

| Comprehensive Plan: | |
|---------------------| |
| **Land Use Map:** Regional Center and Neighborhood | |

<table>
<thead>
<tr>
<th>Staff Data:</th>
<th>City Council District: 4</th>
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<tbody>
<tr>
<td>TRS: 9307</td>
<td><strong>Councilor Name:</strong> Laura Bellis</td>
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<td>CZM: 37</td>
<td><strong>County Commission District:</strong> 2</td>
</tr>
<tr>
<td></td>
<td><strong>Commissioner Name:</strong> Karen Keith</td>
</tr>
</tbody>
</table>
SECTION I: Z-7729

DEVELOPMENT CONCEPT: Rezoning of the subject property from RM-2 to CS with a PUD major amendment to establish development standards for two development areas.

EXHIBITS:
- INCOG Case map
- INCOG Aerial (small scale)
- INCOG Aerial (large scale)
- Tulsa Comprehensive Plan Land Use Map
- Applicant Exhibits: See PUD-772-A

DETAILED STAFF RECOMMENDATION:

The applicant is proposing to rezone the subject tract from CS to RM-2 with a PUD Major Amendment to establish two separate development areas.

The development standards outlined in PUD-772-A are consistent with the “Regional Center” and “Neighborhood” land use designations of the City’s comprehensive plan by limiting commercial uses to the areas included within “Regional Center” and allowing only residential uses within the “Neighborhood” designation.

Staff recommends approval of Z-7729 as outlined in Section I only with the approval of the associated PUD major amendment, PUD-772-A.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: CS zoning is consistent with the “Regional Center” designation and, with the proposed development standards of PUD-772-A, consistent with the “Neighborhood” designation. Commercial uses will be limited to the eastern development area.

Land Use Vision:

Land Use Plan map designation: Regional Center and Neighborhood

Existing regional trip generators define the Regional Centers in contrast to Local Centers. These centers should be the most connected land use pockets outside of downtown for public transit access and high-capacity arterial streets. New regional trip generators should be permitted in the area with special consideration given to the transportation access and circulation. Regional trip generators include universities, malls, large medical campuses, casinos, big-box shopping centers, and very large churches.

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.
Transportation Vision:

**Major Street and Highway Plan:** South Utica Avenue is considered an Urban Arterial by the Major Street and Highway Plan. East 13th Place is considered a freeway access road. Both classifications are adequate to support the proposed uses of PUD-772-A. East 13th Street South is not classified by the Major Street and Highway Plan.

**Trail System Master Plan Considerations:** East 13th Street South is designated for on-street bicycle lanes by the GO Plan. East 13th Place South is designated as a "Signed Route" by the GO Plan. Site development should consider bicycle access and parking to support the planned bicycle network adjacent to the site.

**Small Area Plan:** Utica Midtown Corridor Small Area Plan

The subject property is located within the Utica Midtown Corridor Small Area Plan. The proposed development areas included in PUD-772-A align with the recommendations of the small area plan for commercial development adjacent to South Utica Avenue with a transition to neighborhood development west of South Troost Avenue.

**Special District Considerations:** None

**Historic Preservation Overlay:** None

**DESCRIPTION OF EXISTING CONDITIONS:**

**Staff Summary:** The subject property is currently vacant. There is an existing religious assembly and a medical facility north of the subject property. The site is adjacent to the Broken Arrow Expressway to the south. There are existing single-family residences to the west of the subject property.

**Environmental Considerations:** None

**Streets:**

<table>
<thead>
<tr>
<th>Existing Access</th>
<th>MSHP Design</th>
<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
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<tr>
<td>South Trenton Avenue</td>
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**Utilities:**
The subject tract has municipal water and sewer available.
### Surrounding Properties:

<table>
<thead>
<tr>
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<th>Existing Zoning</th>
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<tr>
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<tr>
<td>West</td>
<td>RM-2</td>
<td>Neighborhood</td>
<td>Single-Family Residential</td>
</tr>
</tbody>
</table>

### SECTION III: Relevant Zoning History

**ZONING ORDINANCE:** Ordinance number 11815 dated June 26, 1970, established zoning for the subject property.

**PUD-772** – Ordinance number 22131 dated October 14, 2009 established PUD-772 on the subject property.
I would like to say that I strongly oppose this zoning change, for a variety of reasons.

First I'd like to point out that based on the supporting documents filed with the application only 4 residents of the area were contacted and invited to a meeting to discuss this change, all others were representatives from business in the area, and they do not live in the area. I think this shows a complete lack of willingness to engage the people that will be most affected by this change in the conversation.

Second, based on the current housing inventory and historic price jumps over the last couple of years, and the increase in people experiencing homelessness, Tulsa does not need more commercial property, it needs its residential properties to stay as residential, and someone to build dense housing on them. That combined with the influx of people from places like California, DC, and Colorado, houses cost more and more every day, and redfin has good data showing this (https://www.redfin.com/city/35765/OK/Tulsa/housing-market#demand).

I have two friends that are currently trying to buy their first house, and have been trying for over 6 months. They both work, have a combined income well above the median, but have struggled to find one they can afford, that isn't getting multiple offers over asking, and waiving things like inspections.

Third, I personally don't want to see a fast food chain restaurant in this area. There are already 3 within .5 miles, and 8 within 1.5 miles including...you guessed it, a Chick-fil-a (map attached for reference, link: https://www.google.com/maps/d/u/0/edit?mid=1rhnKnRabTANA-T_NrXu9LvcR_kqiWYY&usp=sharing).

--
Aaron LaBounty
He/Him
aaron.labounty@gmail.com
918-348-4684

CAUTION: This email originated from outside of the organization. Do not reply, forward, click links, or open attachments unless you recognize the sender and know the content is safe. Please report using the Phish Alert button in the Outlook Desktop Client if this message contains potentially unsafe content.
TMAPC Commission,

I am writing to express my strong opposition to the rezoning of the 13th and Utica lot for a Chick-Fil-A drive thru restaurant. I live at 1920 E 13th Street, near this planned development and believe this will not be a positive addition to the surrounding neighborhoods.

The 2013 Utica Midtown Corridor small area plan makes a number of recommendations for this stretch of Utica, which the proposed development does not reflect whatsoever. Through public engagement with the neighborhood, the plan recommends improving walkability, adding more housing and mixed use developments, and reducing the amount of car centric, and specifically drive thru oriented commercial development in the area. The proposed Chick-Fil-A at this site would be antithetical to the needs of this growing area expressed by the neighborhood and PlaniTulsa. Our neighborhood has already seen increased traffic congestion and accidents resulting from the Drive Thru Cirque Coffee at 14th and Utica, and further car centric uses will only increase traffic in the area.

From the Utica Midtown Corridor Small Area Plan, listing drive thru chain restaurant as the lowest preference for neighborhood residents:
Additionally, both Terrace Drive and Forest Orchard neighborhoods have been growing quickly, along with the need for more housing in this area. This lot was formerly a mix of single and multifamily homes, which were demolished. The proposed development would be an unfortunate use of a lot which could have a much higher and better use for an area in such close proximity to both Cherry Street and the Market District, areas that have experienced rising demand and rising housing costs. Recent projects such as the NOMA apartments and the 1515 lofts show this area can support the type of dense mixed-use development that is needed, and that a single fast-food restaurant with surface parking would be a major step backwards for the area.

This lot has the potential to be transformative to the Forest Orchard and Terrace Drive neighborhoods. The lot is near a public park, located in a dense, walkable residential area that continues to grow in demand. A fast-food restaurant at this location will likely remain for decades and prevent more impactful developments that could be located at this site. I encourage the TMAPC to consider both the current and future needs of this area when making their decision.

Thank you,
Steven Lassman
1920 E. 13th Street

CAUTION: This email originated from outside of the organization. Do not reply, forward, click links, or open attachments unless you recognize the sender and know the content is safe. Please report using the Phish Alert button in the Outlook Desktop Client if this message contains potentially unsafe content.
TMAPC Commission,

I am writing as a neighbor as well as the Board President of the Terrace Drive Neighborhood Association to express my strong opposition to the rezoning of the 13th and Utica lot for a Chick-Fil-A drive-thru restaurant. I live at 2221 E 12th Pl, near this planned development, and believe this will not be a positive addition to the surrounding neighborhoods in our area.

The key reasons I believe this lot should not be rezoned and developed this way include:

- The 2013 Utica Midtown Corridor small area plan makes a number of recommendations for this stretch of Utica, which the proposed development does not reflect whatsoever. Through public engagement with the neighborhood, the plan recommends improving walkability, adding more housing and mixed-use developments, and reducing the amount of car-centric, and specifically drive-thru-oriented commercial development in the area. The proposed Chick-Fil-A at this site would be antithetical to the needs of this growing area expressed by the neighborhood and PlaniTulsa.
- Our neighborhood has already seen increased traffic congestion and accidents resulting from the Drive Thru Cirque Coffee at 14th and Utica, and further car-centric uses will only increase traffic in the area.
- Both Terrace Drive and Forest Orchard neighborhoods have been growing quickly, along with the need for more housing in this area. This lot was formerly a mix of single and multi-family homes, which were demolished. The proposed development would be an unfortunate use of a lot that could have a much higher and better use for an area in such close proximity to both Cherry Street and the Market District, areas that have experienced rising demand and rising housing costs. Recent projects such as the NOMA apartments and the 1515 lofts show this area can support the type of dense mixed-use development that is needed, and that a single fast-food restaurant with surface parking would be a major step backward for the area.

I and others believe this lot has the potential to be transformative to the Forest Orchard and Terrace Drive neighborhoods. The lot is near a public park, located in a dense, walkable residential area that continues to grow in demand. A fast-food restaurant at this location will likely remain for decades and prevent more impactful developments that could be located at and nearby this site.

I strongly encourage TMAPC to consider these concerns as well as both the current and future needs of this area when making their decision.

Ashley Bath
She / Her / Ella
A: 2221 E 12th Pl, Tulsa, OK 74104
P: (314) 402-2870
FB: @ashbath32
LI: @ashbath32

“You cannot get through a single day without having an impact on the world around you. What you do makes a difference and you have to decide what kind of a difference you want to make.”
—Jane Goodall
Dear Tulsa Metropolitan Area Planning Commission (TMAPC):

I am writing to express my deep concern as a resident of 1136 S Xanthus Ave, located in the Terrace Drive Neighborhood adjacent to the proposed development on the edge of the Forest Orchard Neighborhood. It is disheartening to learn that TMAPC is contemplating a zoning change that would disrupt the thriving upper Midtown culture, characterized by walkable and sustainable development. The inclusion of fast-food drive-thru restaurants between the burgeoning Cherry Street District and the newly emerging Meadow Gold District and Market District Corridors, connected by Utica Ave, is simply unacceptable. Instead, the development along Utica should complement the existing denser and pedestrian-friendly structures in the area.

I implore you not to cater to the interests of fast-food corporations and a car-reliant culture that may be prevalent in other cities or other parts of our city. Let us preserve the essence of our walkable and pedestrian-friendly neighborhoods, fostering harmonious growth for the future. Allowing an increase in traffic and the introduction of a fast-food drive-thru restaurant would not serve Tulsa’s best interests in terms of future infill growth and development. I am particularly concerned about the impact on the value of residential properties, as they may no longer be described as places that are welcoming to pedestrians, adorned with locally owned niche establishments such as restaurants, shops, galleries, spas, and cafés. A corporate fast-food drive-thru is simply incompatible with the vision we have for our neighborhood.

I kindly request that you reconsider the zoning change proposed in Case Z-7729. It is evident, both through PlaniTulsa and the Utica Midtown Corridor Small Area Plan, that such a change is not in the best interest of the residents. We value our community and the principles it upholds, and we trust that TMAPC will act in accordance with the desires and aspirations of the people it serves.

Thank you for your time and consideration.

Sincerely,

Aaron T. Christensen
1136 S. Xanthus AVE
Tulsa, OK 74104
Hello,

My name is Sam Boehning, I live at 1916 E.13th street, and I want to express my opposition to the proposed Chick-Fil-A at 13th and Utica. A Chick-fil-A at this location will only add congestion to our neighborhood and further erode our community.

We already feel the strain of businesses like Hillcrest take advantage of our neighborhood and I don’t want to see that increased by a Chick-fil-A.

Thank you,

-Sam Boehning
Greetings,

Please reject this requested change, Tulsa desperately needs the housing, preferably affordable and workforce, that this area is currently zoned for. It should remain unchanged.

Besides, there’s already plenty of fast food options already located in the area.

Respectfully,

Aaron Griffith
2561 E. 17th St.
Tulsa, OK 74104

CAUTION: This email originated from outside of the organization. Do not reply, forward, click links, or open attachments unless you recognize the sender and know the content is safe. Please report using the Phish Alert button in the Outlook Desktop Client if this message contains potentially unsafe content.
Tulsa Metropolitan Area Planning Commission (TMAPC)
Tulsa Planning Office
Tulsa City Hall
175 E 2nd St., Suite 480
Tulsa, OK 74103

Re: Case Number: Z-7729 and PUD 772-A

Dear Commissioners,

I am writing to speak to the rezoning request which has been submitted for the property located between 13th Place and 13th Street, and between Utica Ave and Trenton St. This request for rezoning is from Chick-Fil-A, on development area A and Philos Hospitality, Inc. dba Hospitality House of Tulsa on development area B.

As you know, the healthcare provider sector makes up one of the largest employment providers in our city. Healthcare accounts for more than 64,000 direct jobs in the Tulsa region, which encompasses eleven counties, for a direct total economic impact of $3.8 billion. Factor in the multiplier effect and other jobs that are added because of that sector, and health care exerts a $7.3 billion economic impact on the area, according to the Tulsa Regional Chamber. Health care also supports $240 million in local tax collection. Large metros are economic hubs for health care, by offering a range of services that include specialty and trauma care.

Because of this quality and specialty of healthcare, Tulsa receives over 25,000 visitors to our city, who may never be counted in our tourism numbers. These visitors spend their hard-earned dollars at our restaurants, hotels, pharmacies, and gas stations. They come from small towns across Oklahoma, forty-eight states in the U.S., and even foreign countries. However, they are not coming because they want to be in Tulsa; they come because they must be here for life-saving medical care. Tragically, about 40% of these families coming in for medical care have exhausted their financial resources and cannot afford to pay for hotels or meals. Trying to sleep in waiting room chairs or their vehicles leads to further decline in their physical and mental health.

Fortunately, for the last 18 years, Hospitality House of Tulsa, a local nonprofit, has been providing medical lodging, meals, transportation assistance, and spiritual support for these healthcare travelers. By decreasing the burden of out-of-pocket expenses, 30% of these guests report that they were able to avoid foreclosure or eviction because of what Hospitality House of Tulsa provided. Hospitality House is an important provider of services within our healthcare solutions and now has the opportunity to expand their services to help more families. Since they maintain nearly 100% occupancy each night with a waiting list, they plan to build a new hospital hospitality house on the section of land located between 13th place and 13th street, and between Trenton and Troost. While Hospitality House serves all Tulsa area hospitals and outpatient centers, five of those hospitals will be within walking distance from Hospitality House.
Ascension
St. John

Developing good community partners and neighbors is also beneficial to healthcare. Having Chick-Fil-A next door to Hospitality House of Tulsa will be a tremendous help to our healthcare and social services communities. The location of this restaurant is ideal for our medical staff and visitors to have access to quick, convenient, and affordable meals.

You may be aware, that Chick-Fil-A is known for its compassionate care and outreach within our community. Whenever a crisis occurs, very often local Chick-Fil-A owners/operators are quick to respond with meals to support first responders, volunteers, and community helpers. Similarly, when a medical crisis occurs in a struggling family’s life, Hospitality House of Tulsa responds by meeting their needs, just as it does so for thousands of people each year. Developing this specific section of land by pairing two compassionate organizations that excel in hospitality will be a tremendous benefit to Tulsa.

As the city of Tulsa continues to partner with many agencies in Tulsa to solve the homeless issues, having an excellent community partner such as Chick-Fil-A, which will no doubt increase the sales tax revenue in this part of town will be a significant help as sales tax dollars support the City of Tulsa’s goals around homelessness and social services.

I encourage you to approve the requested zoning change which will allow Chick-Fil-A and Hospitality House of Tulsa to build and provide excellence in hospitality for Tulsans and traveling Oklahomans.

Sincerely,

Lucky Lamons
Chief Advocacy Officer
Ascension St. John

Ascension St John Administration
1923 S Utica Avenue, Davis Tower 2nd Floor
Tulsa, OK 74104
918-744-2180
ascension.org
July 25, 2023

Tulsa Metropolitan Area Planning Commission (TMAPC)
Tulsa Planning Office
Tulsa City Hall
175 E 2nd St., Suite 480
Tulsa, OK 74103

Re: Case Number: _Z-7729 and PUD 772-A_

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Fortunately, for the last 18 years, Hospitality House of Tulsa, a local nonprofit, has been providing medical lodging, meals, transportation assistance, and spiritual support for these healthcare travelers. By decreasing the burden of out-of-pocket expenses, 30% of these guests report that they were able to avoid foreclosure or eviction because of what Hospitality House of Tulsa provided. Hospitality House is an important provider of services within our healthcare solutions and now has the opportunity to expand their services to help more families. Since they maintain nearly 100% occupancy each night with
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I encourage you to approve the requested zoning change which will allow Chick-Fil-A and Hospitality House of Tulsa to build and provide excellence in hospitality for Tulsans and traveling Oklahomans.

Sincerely,

Xavier Villarreal
CEO, Hillcrest Medical Center

Hillcrest Medical Center
July 25, 2023

Tulsa Metropolitan Area Planning Commission (TMAPC)
Tulsa Planning Office
Tulsa City Hall
175 E 2nd St., Suite 480
Tulsa, OK 74103

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I encourage you to approve the requested zoning change which will allow Chick-Fil-A and Hospitality House of Tulsa to build and provide excellence in hospitality for Tulsans and traveling Oklahomans.

Sincerely,

[Signature]

Kevin J. Gross
President, Hillcrest HealthCare System

Hillcrest HealthCare System
Case Number: PUD-772-A (Related to Z-7729)

Hearing Date: August 2, 2023 (Continued from July 19, 2023)

Case Report Prepared by:
Nathan Foster

Owner and Applicant Information:
Applicant: Lou Reynolds
Property Owner: Mandalay Bay Investments LLC

Location Map:
(shown with City Council Districts)

Applicant Proposal:
Present Use: Vacant
Proposed Use: Commercial

Concept summary: Major amendment to establish two development areas. Development Area A will consist of commercial development along South Utica Avenue. Development Area B consists of residential uses.
Tract Size: 3.5 + acres
Location: Northwest corner of South Utica Avenue and East 13th Place South

Zoning:
Existing Zoning: RM-2, PUD-772
Proposed Zoning: CS, PUD-772-A

Comprehensive Plan:
Land Use Map: Regional Center and Neighborhood

Staff Recommendation:
Staff recommends approval with the development standards outlined in Section II.

Staff Data:
TRS: 9307
CZM: 37

City Council District: 4
Councilor Name: Laura Bellis

County Commission District: 2
Commissioner Name: Karen Keith
SECTION I: PUD-772-A

DEVELOPMENT CONCEPT: Major amendment to PUD-772 to establish development standards for two development areas. Development Area A will consist of commercial uses customarily found in the CS district. Development Area B will consist of residential and group living uses that would be consistent with the “Neighborhood” land use designation of the City’s comprehensive plan.

EXHIBITS:
- INCOG Case map
- INCOG Aerial (small scale)
- INCOG Aerial (large scale)
- Tulsa Comprehensive Plan Land Use Map
- Applicant Exhibits:
  - Exhibit 1 – Development Plan
  - Exhibit A – Development Area A Conceptual Site Plan
  - Exhibit B – Development Area Map
  - Exhibit C – Development Area A Landscape and Screening Concept
  - Exhibit D – Development Area A Existing Utilities
  - Exhibit E – Development Area A Grading and Drainage Plan
  - Exhibit F – Legal Description

DETAILED STAFF RECOMMENDATION:

PUD-772-A is a major amendment to an existing planned unit development to divide the existing development area into two development areas and establish standards for development. Development Area A, which is adjacent to South Utica Avenue, will permit a range of commercial and residential uses which are consistent with the “Regional Center” designation of the City’s comprehensive plan. Development Area B will permit residential and group living uses that are consistent with the “Neighborhood” designation of the City’s comprehensive plan.

The major amendment application is related to a rezoning request to change the underlying zoning on the subject property from RM-2 to CS. The CS zoning district will permit the commercial uses desired for Development Area A while adjusting lot and building regulations to align with the desired use of Development Area B.

Staff recommends approval of PUD-772-A with the development standards outlined in Section II below.

SECTION II: PUD-772-A DEVELOPMENT STANDARDS:

Except as provided in the Development Standards below, the standards for development in the CS zoning district, with its supplemental regulations and accessory use provisions, shall apply.

GROSS LAND AREA OF PROJECT: 5.892 AC

NET LAND AREA OF PROJECT: 3.582 AC

Development Area “A”
(Tract 1)

PERMITTED USE CATEGORIES:
- Residential (if in allowed building type listed below)
Household Living
   Single household
   Two households on a single lot
   Three or more households on a single lot

Group Living
   Assisted living facility
   Community group home
   Convent/monastery/novitiate
   Elderly/retirement center
   Life care retirement center
   Residential treatment center
   Rooming/boarding house
   Shelter, emergency and protective
   Transitional living center

PUBLIC, CIVIC, AND INSTITUTIONAL
   College or University
   Day Care
   Governmental Service or Similar Functions
   Hospital
   Library or Cultural Exhibit
   Parks and Recreation
   Religious Assembly
   Safety Service
   Religious Assembly
   School
   Utilities and Public Service Facility
      Minor
   Wireless Communication Facility
      Freestanding tower
      Building or tower-mounted antenna

COMMERCIAL
   Animal service
      Grooming
      Veterinary
   Broadcast or Recording Studio
   Commercial Service
      Building service
      Business support service
      Consumer maintenance/repair service
      Personal improvement service
      Research service
   Financial Services (except personal credit establishment is prohibited)
   Funeral or Mortuary Service
   Lodging
      Bed & Breakfast
      Short-term rental
      Hotel/motel
   Office
      Business or professional office
      Medical, dental or health practitioner office
   Parking, Non-accessory
   Restaurants and Bars
Restaurant
Bar
Retail Sales
   Building supplies and equipment
   Consumer shopping goods
   Convenience goods
   Grocery Store
Studio, Artist or Instructional Service
Trade School
Vehicle Sales and Service
   Fueling station
AGRICULTURAL
   Community Garden
OTHER
   Drive-in or Drive-through Facility (as a component of an allowed principal use)
   Off-Premise Outdoor Advertising Sign

PERMITTED RESIDENTIAL BUILDING TYPES
Household living
   Single household
      Detached House
      Townhouse
      Patio House
      Mixed-Use building
      Vertical mixed-use building
Two households on a single lot
   Mixed-use building
   Vertical-mixed use building
Three or more households on a single lot
   Multi-unit House
   Apartment/Condo
   Mixed-use building
   Vertical-mixed use building

MAXIMUM BUILDING FLOOR AREA: 35,190 SF

MINIMUM BUILDING SETBACKS:

   From South Utica Avenue 0 FT
   From East 13th Place 5 FT
   From South Troost Avenue 10 FT
   From East 13th Street 10 FT

MINIMUM PARKING SETBACKS:

   From North boundary 5 FT
   From South boundary 5 FT
   From West boundary 10 FT
   From East boundary 5 FT

OFF-STREET PARKING:
Minimum parking ratios shall be as provided in Chapter 55 of the Tulsa Zoning Code for the applicable Use Category.

DRIVE-THROUGH:

Drive-through facilities, including drive-through signs, stacking lanes, trash receptacles, loudspeakers and service windows may be located on the street-facing side(s) of Development Area A.

SIGNS:

Signage shall conform to the provisions of the Tulsa Zoning Code in the CS District, except as provided below:

DRIVE-THROUGH SIGNS:

Drive-through signs and menu boards shall be set back a minimum of 7.5 feet from the southern boundary of Development Area A.

LIGHTING:

All pole mounted lights shall be limited to a maximum height of twenty (20) feet. Drive-through canopy lights and building mounted light fixtures shall be mounted no higher than fifteen (15) feet high and shall be shielded from adjacent residential properties and directed downward.

TRASH AND MECHANICAL EQUIPMENT AREAS:

All trash and mechanical equipment areas (excluding utility service transformers, pedestals or equipment provided by franchise utility providers) including building mounted, shall be screened from public view in such a manner that the same cannot be seen by a person standing on any part of the property line at ground level.

Dumpsters shall be screened from view from all street rights-of-way and R-zoned property. Dumpster screening shall be of masonry construction with steel frame doors. The doors shall be covered with appropriate covering containing a minimum of ninety-five percent (95%) opacity.

NO OUTSIDE STORAGE:

There shall be no outside storage or recycling material, trash or similar materials outside of a screened receptacle, nor shall trucks or trailer trucks be parked unless they are actively being loaded or unloaded. Truck trailers and shipping containers shall not be used for storage.

ACCESS AND CIRCULATION:

No vehicular access shall be permitted from Utica Avenue.

LANDSCAPED AREA:

A minimum of ten percent (10%) of the Net Land Area of Development Area A shall be improved as internal landscaped open space.

LANDSCAPING AND SCREENING DETAILS:
The Project landscaping and screening details will comply with the requirements of the Tulsa Zoning Code for street frontage and parking area landscape.

The landscape boundaries of Development Area A will be landscaped as shown on the Landscape and Screening Concept attached hereto as Exhibit “C”.

Development Area “B”  
(Tract 2)

PERMITTED USE CATEGORIES:

RESIDENTIAL (IF IN ALLOWED BUILDING TYPE LISTED BELOW)
Household Living
   Single household
   Two households on a single lot
   Three or more households on a single lot
Group Living
   Assisted living facility
   Community group home
   Convent/monastery/novitiate
   Elderly/retirement center
   Life care retirement center
   Residential treatment center
   Rooming/boarding house
   Shelter, emergency and protective
   Transitional living center

PUBLIC, CIVIC, AND INSTITUTIONAL
   College or University
   Day Care
   Governmental Service or Similar Functions
   Hospital
   Library or Cultural Exhibit
   Parks and Recreation
   Religious Assembly
   Safety Service
   School
   Utilities and Public Service Facility
      Minor
   Wireless Communication Facility
      Building or tower-mounted antenna

COMMERCIAL
   Lodging
      Bed & Breakfast
      Short-term rental
   Office (All Office uses must be located in a permitted mixed-use or vertical mixed-use building type)
      Business or professional office
      Medical, dental or health practitioner office

AGRICULTURAL
   Community Garden
PERMITTED RESIDENTIAL BUILDING TYPES

Household living
  Single household
  Detached House
  Townhouse
  Patio House
  Mixed-Use building
  Vertical mixed-use building

Two households on a single lot
  Mixed-use building
  Vertical-mixed use building

Three or more households on a single lot
  Multi-unit House
  Apartment/Condo
  Mixed-use building
  Vertical-mixed use building

MAXIMUM BUILDING FLOOR AREA:  31,366 SF

MINIMUM BUILDING SETBACKS:

  From East 13th Place            5 FT
  From South Troost Avenue       10 FT
  From South Trenton Avenue      10 FT
  From East 13th Street          10 FT
  From internal Development Area boundaries  0 FT
  From Lot 1, Block 8, Forrest Park Addition  10 FT

MINIMUM PARKING SETBACKS:

  From North boundary           5 FT
  From South boundary           5 FT
  From West boundary            10 FT
  From East boundary            5 FT
  From internal Development Area boundaries  5 FT
  From Lot 1, Block 8, Forrest Park Addition  5 FT

OFF-STREET PARKING:

Minimum parking ratios shall be as provided in Chapter 55 of the Tulsa Zoning Code for the applicable Use Category.

SIGNS:

Signage shall conform to the provisions of the Tulsa Zoning Code in the CS District.

LIGHTING:
All pole mounted lights shall be limited to a maximum height of twenty (20) feet. Building mounted light fixtures shall be mounted no higher than fifteen (15) feet high and shall be shielded from adjacent residential properties and directed downward.

TRASH AND MECHANICAL EQUIPMENT AREAS:

All trash and mechanical equipment areas (excluding utility service transformers, pedestals or equipment provided by franchise utility providers) including building mounted, shall be screened from public view in such a manner that the same cannot be seen by a person standing on any part of the property line at ground level.

Dumpsters shall be screened from view from all street rights-of-way and R-zoned property. Dumpster screening shall be of masonry construction with steel frame doors. The doors shall be covered with appropriate covering containing a minimum of ninety-five percent (95%) opacity.

NO OUTSIDE STORAGE:

There shall be no outside storage or recycling material, trash or similar materials outside of a screened receptacle, nor shall trucks or trailer trucks be parked unless they are actively being loaded or unloaded. Truck trailers and shipping containers shall not be used for storage.

LANDSCAPING AND SCREENING DETAILS:

The Project landscaping and screening details will comply with the requirements of the Tulsa Zoning Code for street frontage and parking area landscape.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: CS zoning is consistent with the “Regional Center” designation and, with the proposed development standards of PUD-772-A, consistent with the “Neighborhood” designation. Commercial uses will be limited to the eastern development area.

Land Use Vision:

Land Use Plan map designation: Regional Center and Neighborhood

Existing regional trip generators define the Regional Centers in contrast to Local Centers. These centers should be the most connected land use pockets outside of downtown for public transit access and high-capacity arterial streets. New regional trip generators should be permitted in the area with special consideration given to the transportation access and circulation. Regional trip generators include universities, malls, large medical campuses, casinos, big-box shopping centers, and very large churches.

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.

**Transportation Vision:**

**Major Street and Highway Plan:** South Utica Avenue is considered an Urban Arterial by the Major Street and Highway Plan. East 13th Place is considered a freeway access road. Both classifications are adequate to support the proposed uses of PUD-772-A. East 13th Street South is not classified by the Major Street and Highway Plan.

**Trail System Master Plan Considerations:** East 13th Street South is designated for on-street bicycle lanes by the GO Plan. East 13th Place South is designated as a “Signed Route” by the GO Plan. Site development should consider bicycle access and parking to support the planned bicycle network adjacent to the site.

**Small Area Plan:** Utica Midtown Corridor Small Area Plan

The subject property is located within the Utica Midtown Corridor Small Area Plan. The proposed development areas included in PUD-772-A align with the recommendations of the small area plan for commercial development adjacent to South Utica Avenue with a transition to neighborhood development west of South Troost Avenue.

**Special District Considerations:** None

**Historic Preservation Overlay:** None

**DESCRIPTION OF EXISTING CONDITIONS:**

**Staff Summary:** The subject property is currently vacant. There is an existing religious assembly and a medical facility north of the subject property. The site is adjacent to the Broken Arrow Expressway to the south. There are existing single-family residences to the west of the subject property.

**Environmental Considerations:** None

**Streets:**

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<th>Existing Access</th>
<th>MSHP Design</th>
<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
</tr>
</thead>
<tbody>
<tr>
<td>South Utica Avenue</td>
<td>Urban Arterial</td>
<td>70’</td>
<td>4</td>
</tr>
<tr>
<td>East 13th Place South</td>
<td>Freeway</td>
<td>Variable</td>
<td>2</td>
</tr>
<tr>
<td>East 13th Street South</td>
<td>None</td>
<td>50’</td>
<td>2</td>
</tr>
<tr>
<td>South Trenton Avenue</td>
<td>None</td>
<td>50’</td>
<td>2</td>
</tr>
</tbody>
</table>

**Utilities:**
The subject tract has municipal water and sewer available.
Surrounding Properties:

<table>
<thead>
<tr>
<th>Location</th>
<th>Existing Zoning</th>
<th>Existing Land Use Designation</th>
<th>Existing Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>RM-2</td>
<td>Regional Center</td>
<td>Religious Assembly</td>
</tr>
<tr>
<td>East</td>
<td>RM-2</td>
<td>Regional Center</td>
<td>Vacant</td>
</tr>
<tr>
<td>South</td>
<td>N/A</td>
<td>None</td>
<td>Broken Arrow Expressway</td>
</tr>
<tr>
<td>West</td>
<td>RM-2</td>
<td>Neighborhood</td>
<td>Single-Family Residential</td>
</tr>
</tbody>
</table>

SECTION III: Relevant Zoning History

**ZONING ORDINANCE:** Ordinance number 11815 dated June 26, 1970, established zoning for the subject property.

**PUD-772** – Ordinance number 22131 dated October 14, 2009 established PUD-772 on the subject property.
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2023

PUD-772-A

Subject Tract

19-13 07

3.13

Feet 0 50 100
Exhibit "B"
Information contained on this drawing and in all digital files produced for above named project may not be reproduced in any manner without express written or verbal consent from authorized project representatives.

FLS # 0529

CHICK-FILA
NWC E 13th Place and Utica Ave.
Tulsa, OK 74104

CONSTRUCTION NOTE:
WATER AND SANITARY SEWER LINES ONLY: PRIOR TO CONSTRUCTION OF ALL SERVICE LINES, THE CITY LINE MAINTENANCE SUPERINTENDENT OR SUPERVISOR MUST BE NOTIFIED. THE CITY WILL MAKE ALL UTILITY CONNECTIONS TO EXISTING PUBLIC UTILITIES AND SHALL INSPECT ALL UTILITY CONNECTIONS TO PRIVATE MAINLINES. THE LINE MAINTENANCE SUPERVISOR MAY REQUIRE ANY UNAUTHORIZED UTILITY CONNECTIONS TO BE EXCAVATED FOR INSPECTION.

PRIOR TO ANY UNDERGROUND CONSTRUCTION THE CONTRACTOR SHALL HIRE AN EXTENSIVE UNDERGROUND UTILITY LOCATE COMPANY TO VERIFY ALL EXISTING UTILITY LOCATIONS. INFORMATION SHOWN ON THESE PLANS WERE TAKEN FROM MUNICIPALITY RECORDS AND ACTUAL LOCATIONS COULD VARY IN THE FIELD.

PLUMBING SITE PLAN

6 1-31-2020 BLDG. COMMENTS

3.18

3.18

Exhibit "D"
<table>
<thead>
<tr>
<th>NAME</th>
<th>ADDRESS</th>
<th>E-MAIL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lou Reynolds</td>
<td>2727 E. 21st St.</td>
<td><a href="mailto:leynolds@detrich.com">leynolds@detrich.com</a></td>
</tr>
<tr>
<td>Lauren Liebmann</td>
<td>1120 S. Utica</td>
<td><a href="mailto:lauren.liebmann@hillcrest.com">lauren.liebmann@hillcrest.com</a></td>
</tr>
<tr>
<td>Cathy Otey</td>
<td>4008 E. 45th St.</td>
<td><a href="mailto:Office@felctulsa.org">Office@felctulsa.org</a></td>
</tr>
<tr>
<td>Kathy Seymour</td>
<td>Tulsa 74103</td>
<td><a href="mailto:kseymour3@cox.net">kseymour3@cox.net</a></td>
</tr>
<tr>
<td>George Otey</td>
<td>4008 E. 45th St.</td>
<td><a href="mailto:gotey@sbcglobal.net">gotey@sbcglobal.net</a></td>
</tr>
<tr>
<td>Bob Moody</td>
<td>1126 S. Evansville Ave</td>
<td><a href="mailto:bmood@smithmoody.com">bmood@smithmoody.com</a></td>
</tr>
<tr>
<td>Tim C. Clark SR</td>
<td>4125 S. Peoria Ave.</td>
<td></td>
</tr>
<tr>
<td>G.tra Sanders</td>
<td>5200 Buffetton Rd.</td>
<td>Chick-fil-A, Inc.</td>
</tr>
<tr>
<td>Todd Rogers</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shannon McComin</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stephen Mamula</td>
<td>1601 E. 13th St.</td>
<td><a href="mailto:S_mamula@yahoo.com">S_mamula@yahoo.com</a></td>
</tr>
</tbody>
</table>

3.20
Travis E. Dust & Sara L. Short
1720 East 13th Street
Tulsa, Oklahoma 74104

Re: Northwest Corner of E. 13th Street and S. Utica Avenue Neighborhood Meeting

Dear Mr. Dust and Ms. Short:

This law firm represents Chick-fil-A in connection with the property at 1312 S. Utica Avenue, located at the northwest corner of East 13th Place South and South Utica Avenue, just north of the Broken Arrow Expressway.

We intend to file applications to rezone the property from RM-2 (Residential Multi-family 2) to CS (Commercial Shopping) and amend the existing Planned Unit Development PUD-772 in order to redevelop the eastern portion of the property as a Chick-fil-A restaurant.

I am writing to you to invite you to a meeting with the Chick-fil-A team on Tuesday, May 30, 2022, at the First Lutheran Church, located at 1244 S. Utica Ave., Tulsa, Oklahoma 74104, at 6:00 p.m.
On behalf of Chick-fil-A, we hope to see you at the meeting and will make every effort to answer any questions you may have about the project. Again, we look forward to seeing you at the May 30th meeting.

Sincerely,

ELLER AND DETRICH
A Professional Corporation

R. Louis Reynolds
Philip J. Eller  
Kevin H. Wylie  
R. Louis Reynolds  
Daniel C. Cupps  
Andrew A. Shank  
Shanann Pinkham Passley  
Mac D. Finlayson  
Steven P. Flowers  
Kenneth E. Crump, Jr.  
Sloane Ryan Lile  
Nathalie M. Cornett  
Natalie J. Marra  
Jacob W. Purdum

Of Counsel  
Donald L. Detrich, Retired  
Jerry M. Snider  
Katherine Saunders, PLC  
Heidi L. Shadid  
Joshua M. Tietsort

Telephone  
(918) 747-8900

Toll Free  
(866) 547-8900

Facsimile  
(918) 747-2665

Writer's Direct Line  
(918) 392-9400

Writer's Direct Fax  
(918) 392-9406

Writer's E-Mail  
rlreynolds@ellerdetroit.com

May 23, 2023

First Evangelical Lutheran Church  
1244 S. Utica  
Tulsa, Oklahoma  74104-4213

Re:  Northwest Corner of E. 13th Street and S. Utica Avenue Neighborhood Meeting

Dear Sir or Madam:

This law firm represents Chick-fil-A in connection with the property at 1312 S. Utica Avenue, located at the northwest corner of East 13th Place South and South Utica Avenue, just north of the Broken Arrow Expressway.

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www.EllerDetroit.com  
2727 East 21st Street, Suite 200, Tulsa, Oklahoma 74114-3533
May 23, 2023
Page 2

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Sincerely,

ellar and dETRICH
A Professional Corporation

[Signature]
R. Louis Reynolds
Gary & Sharon Gould & Allison Gould  
2506 S. Evanston Avenue  
Tulsa, Oklahoma 74114

Re: Northwest Corner of E. 13th Street and S. Utica Avenue Neighborhood Meeting

Dear Mr. and Mses. Gould:

This law firm represents Chick-fil-A in connection with the property at 1312 S. Utica Avenue, located at the northwest corner of East 13th Place South and South Utica Avenue, just north of the Broken Arrow Expressway.

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Sincerely,

ELLER AND DETRICH  
A Professional Corporation

[Signature]

R. Louis Reynolds
May 23, 2023

JSM Management LLC
6440 South 221st East Avenue
Broken Arrow, OK 74014-2021

Re: Northwest Corner of E. 13th Street and S. Utica Avenue Neighborhood Meeting

Dear Sir or Madam:

This law firm represents Chick-fil-A in connection with the property at 1312 S. Utica Avenue, located at the northwest corner of East 13th Place South and South Utica Avenue, just north of the Broken Arrow Expressway.

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Sincerely,

ELLER AND DETRICH
A Professional Corporation

R. Louis Reynolds
Glenda Rae and Gary Wayne Rust
1715 East 13th Place
Tulsa, Oklahoma  74104

Re:  Northwest Corner of E. 13th Street and S. Utica Avenue Neighborhood Meeting

Dear Mr. and Ms. Rust:

This law firm represents Chick-fil-A in connection with the property at 1312 S. Utica Avenue, located at the northwest corner of East 13th Place South and South Utica Avenue, just north of the Broken Arrow Expressway.

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May 23, 2023
May 23, 2023
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Sincerely,

ELLER AND DETRICH
A Professional Corporation

[Signature]

R. Louis Reynolds
May 23, 2023

The Short Revocable Trust
c/o Donald L. & Decanne Short, Trustees
254 Paradise Drive
Chouteau, Oklahoma 74337-2844

Re: Northwest Corner of E. 13th Street and S. Utica Avenue Neighborhood Meeting

Dear Mr. and Ms. Short:

This law firm represents Chick-fil-A in connection with the property at 1312 S. Utica Avenue, located at the northwest corner of East 13th Place South and South Utica Avenue, just north of the Broken Arrow Expressway.

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Sincerely,

ELLER AND DETRICH
A Professional Corporation

R. Louis Reynolds
The Short Revocable Trust
c/o Donald L. & Deanne Short,
Trustees
254 Paradise Dr.
Choteau, Ok. 74337-2844
Harry E. & Theresa Irene Stutzman  
& Thomas Michael Stutzman  
1711 East 13th Place  
Tulsa, Oklahoma 74104-4423

Re: Northwest Corner of E. 13th Street and S. Utica Avenue Neighborhood Meeting

Dear Messrs. and Ms. Stutzman:

This law firm represents Chick-fil-A in connection with the property at 1312 S. Utica Avenue, located at the northwest corner of East 13th Place South and South Utica Avenue, just north of the Broken Arrow Expressway.

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Sincerely,

ELLER AND DETRICH
A Professional Corporation

R. Louis Reynolds
Tulsa Psychiatric Center
1620 East 12th Street
Tulsa, Oklahoma 74120

Re: Northwest Corner of E. 13th Street and S. Utica Avenue Neighborhood Meeting

Dear Sir or Madam:

This law firm represents Chick-fil-A in connection with the property at 1312 S. Utica Avenue, located at the northwest corner of East 13th Place South and South Utica Avenue, just north of the Broken Arrow Expressway.

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Sincerely,

ELLER AND DETRICH
A Professional Corporation

[Signature]

R. Louis Reynolds
May 23, 2023

Tulsa Psychiatric Center
1225 S. Saint Louis Avenue
Tulsa, Oklahoma 74120-5414

Re: Northwest Corner of E. 13th Street and S. Utica Avenue Neighborhood Meeting

Dear Sir or Madam:

This law firm represents Chick-fil-A in connection with the property at 1312 S. Utica Avenue, located at the northwest corner of East 13th Place South and South Utica Avenue, just north of the Broken Arrow Expressway.

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Sincerely,

ELLER AND DETRICH
A Professional Corporation

R. Louis Reynolds
May 23, 2023

Tulsa Psychiatric Foundation
1620 East 12th Street
Tulsa, Oklahoma 74120-5407

Re: Northwest Corner of E. 13th Street and S. Utica Avenue Neighborhood Meeting

Dear Sir or Madam:

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ELLER AND DETRICH
A Professional Corporation

R. Louis Reynolds
Philip J. Eller
Kevin H. Wylie
R. Louis Reynolds
Daniel C. Cupps
Andrew A. Shank
Shanann Pinkham Passley
Mac D. Finlayson
Steven P. Flowers
Kenneth E. Crump, Jr.
Sloane Ryan Lile
Nathalie M. Cornett
Natalie J. Marra
Jacob W. Purdum

Of Counsel
Donald L. Detrich, Retired
Jerry M. Snider
Katherine Saunders, PLC
Heidi L. Shadid
Joshua M. Tietz

Telephone
(918) 747-8900

Toll Free
(866) 547-8900

Facsimile
(918) 747-2665

Writer’s Direct Line
(918) 392-9400

Writer’s Direct Fax
(918) 392-9406

Writer’s E-Mail
rlreynolds@ellerdetrich.com

May 23, 2023

VTR Hillcrest MC Tulsa LLC
c/o AHS Mgmt Services of OK LLC
110 West 7th Street, Suite 2530
Tulsa, Oklahoma  74119-1104

Re:  Northwest Corner of E. 13th Street and S. Utica Avenue Neighborhood Meeting

Dear Sir or Madam:

This law firm represents Chick-fil-A in connection with the property at 1312 S. Utica Avenue, located at the northwest corner of East 13th Place South and South Utica Avenue, just north of the Broken Arrow Expressway.

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www.EllerDetrich.com
2727 East 21st Street, Suite 200, Tulsa, Oklahoma  74114-3533
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Sincerely,

ELLER AND DETRICH
A Professional Corporation

[Signature]

R. Louis Reynolds
VTR Hillcrest MC Tulsa LLC
P. O. Box 71970
Phoenix, AZ  85050-1017

Re:  Northwest Corner of E. 13th Street and S. Utica Avenue Neighborhood Meeting

Dear Sir or Madam:

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Sincerely,

ELLER AND DETRICH
A Professional Corporation

[Signature]

R. Louis Reynolds
Yelle Properties LLC  
2021 S. Lewis Avenue  
Suite 150  
Tulsa, OK 74104-5758

Re: Northwest Corner of E. 13th Street and S. Utica Avenue Neighborhood Meeting

Dear Sir or Madam:

This law firm represents Chick-fil-A in connection with the property at 1312 S. Utica Avenue, located at the northwest corner of East 13th Place South and South Utica Avenue, just north of the Broken Arrow Expressway.

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Sincerely,

ELLER AND DETRICH
A Professional Corporation

[Signature]

R. Louis Reynolds
July 26, 2023

Tulsa Metropolitan Area Planning Commission (TMAPC)
Tulsa Planning Office
Tulsa City Hall
175 E 2nd St., Suite 480
Tulsa, OK 74103

Re: Case Number: *2-7729 and PUD 772-A*

Dear Commissioners,

I am writing to speak to the rezoning request which has been submitted for the property located between 13th Place and 13th Street, and between Utica Ave and Trenton St. This request for rezoning is from Chick-Fil-A, on development area A and Philos Hospitality, Inc. dba Hospitality House of Tulsa on development area B.

As you know, the healthcare provider sector makes up one of the largest employment providers in our city. Healthcare accounts for more than 64,000 direct jobs in the Tulsa region, which encompasses eleven counties, for a direct total economic impact of $3.8 billion. Factor in the multiplier effect and other jobs that are added because of that sector, and health care exerts a $7.3 billion economic impact on the area, according to the Tulsa Regional Chamber. Health care also supports $240 million in local tax collection. Large metros are economic hubs for health care, by offering a range of services that include specialty and trauma care.

Because of this quality and specialty of healthcare, Tulsa receives over 25,000 visitors to our city, who may never be counted in our tourism numbers. These visitors spend their hard-earned dollars at our restaurants, hotels, pharmacies, and gas stations. They come from small towns across Oklahoma, forty-eight states in the U.S., and even foreign countries. However, they are not coming because they want to be in Tulsa, they come because they must be here for life-saving medical care. Tragically, about 40% of these families coming in for medical care have exhausted their financial resources and cannot afford to pay for hotels or meals. Trying to sleep in waiting room chairs or their vehicles leads to further decline in their physical and mental health.

Fortunately, for the last 18 years, Hospitality House of Tulsa, a local nonprofit, has been providing medical lodging, meals, transportation assistance, and spiritual support for these healthcare travelers. By decreasing the burden of out-of-pocket expenses, 30% of these guests report that they were able to avoid foreclosure or eviction because of what Hospitality House of Tulsa provided. Hospitality House is an important provider of services within our healthcare solutions and now has the opportunity to expand their services to help more families. Since they maintain nearly 100% occupancy each night with a waiting list, they plan to build a new hospital hospitality house on the section of land located between 13th place and 13th street, and between Trenton and Troost. While Hospitality House serves all Tulsa area hospitals and outpatient centers, five of those hospitals will be within walking distance from Hospitality House.
Ascension St. John

Developing good community partners and neighbors is also beneficial to healthcare. Having Chick-Fil-A next door to Hospitality House of Tulsa will be a tremendous help to our healthcare and social services communities. The location of this restaurant is ideal for our medical staff and visitors to have access to quick, convenient, and affordable meals.

You may be aware, that Chick-Fil-A is known for its compassionate care and outreach within our community. Whenever a crisis occurs, very often local Chick-Fil-A owners/operators are quick to respond with meals to support first responders, volunteers, and community helpers. Similarly, when a medical crisis occurs in a struggling family’s life, Hospitality House of Tulsa responds by meeting their needs, just as it does so for thousands of people each year. Developing this specific section of land by pairing two compassionate organizations that excel in hospitality will be a tremendous benefit to Tulsa.

As the city of Tulsa continues to partner with many agencies in Tulsa to solve the homeless issues, having an excellent community partner such as Chick-Fil-A, which will no doubt increase the sales tax revenue in this part of town will be a significant help as sales tax dollars support the City of Tulsa’s goals around homelessness and social services.

I encourage you to approve the requested zoning change which will allow Chick-Fil-A and Hospitality House of Tulsa to build and provide excellence in hospitality for Tulsans and traveling Oklahomans.

Sincerely,

Lucky Lamons
Chief Advocacy Officer
Ascension St. John
July 25, 2023

Tulsa Metropolitan Area Planning Commission (TMAPC)
Tulsa Planning Office
Tulsa City Hall
175 E 2nd St., Suite 480
Tulsa, OK 74103

Re: Case Number: Z-7729 and PUD 772-A

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As you know, the healthcare provider sector makes up one of the largest employment providers in our city. Healthcare accounts for more than 64,000 direct jobs in the Tulsa region, which encompasses eleven counties, for a direct total economic impact of $3.8 billion. Factor in the multiplier effect and other jobs that are added because of that sector, and health care exerts a $7.3 billion economic impact on the area, according to the Tulsa Regional Chamber. Health care also supports $240 million in local tax collection. Large metros are economic hubs for health care, by offering a range of services that include specialty and trauma care.

Because of this quality and specialty of healthcare, Tulsa receives over 25,000 visitors to our city, who may never be counted in our tourism numbers. These visitors spend their hard-earned dollars at our restaurants, hotels, pharmacies, and gas stations. They come from small towns across Oklahoma, forty-eight states in the U.S., and even foreign countries. However, they are not coming because they want to be in Tulsa, they come because they must be here for life-saving medical care. Tragically, about 40% of these families coming in for medical care have exhausted their financial resources and cannot afford to pay for hotels or meals. Trying to sleep in waiting room chairs or their vehicles leads to further decline in their physical and mental health.

Fortunately, for the last 18 years, Hospitality House of Tulsa, a local nonprofit, has been providing medical lodging, meals, transportation assistance, and spiritual support for these healthcare travelers. By decreasing the burden of out-of-pocket expenses, 30% of these guests report that they were able to avoid foreclosure or eviction because of what Hospitality House of Tulsa provided. Hospitality House is an important provider of services within our healthcare solutions and now has the opportunity to expand their services to help more families. Since they maintain nearly 100% occupancy each night with
a waiting list, they plan to build a new hospital hospitality house on the section of land located between 13th place and 13th street, and between Trenton and Troost. While Hospitality House serves all Tulsa area hospitals and outpatient centers, six of those hospitals will be within either walking distance or within 5 minutes of the patient’s bedside.

Developing good community partners and neighbors is also beneficial to healthcare. Having Chick-Fil-A next door to Hospitality House of Tulsa will be a tremendous help to our healthcare and social services communities. The location of this restaurant is ideal for our medical staff and visitors to have access to quick, convenient, and affordable meals.

You may be aware, that Chick-Fil-A is known for its compassionate care and outreach within our community. Whenever a crisis occurs, very often local Chick-Fil-A owners/operators are quick to respond with meals to support first responders, volunteers, and community helpers. Similarly, when a medical crisis occurs in a struggling family’s life, Hospitality House of Tulsa responds by meeting the needs of thousands of people each year. Developing this specific section of land by pairing two compassionate organizations that excel in hospitality will be a tremendous benefit to Tulsa.

As the city of Tulsa continues to partner with many agencies in Tulsa to solve the homeless issues, having an excellent community partner such as Chick Fil A, which will no doubt increase the sales tax revenue in this part of town will be a significant help as sales tax dollars support the City of Tulsa’s goals around homelessness and social services.

I encourage you to approve the requested zoning change which will allow Chick-Fil-A and Hospitality House of Tulsa to build and provide excellence in hospitality for Tulsans and traveling Oklahomans.

Sincerely,

[Signature]

Xavier Villarreal
CEO, Hillcrest Medical Center

hillcrest
Medical Center
July 25, 2023

Tulsa Metropolitan Area Planning Commission (TMAPC)
Tulsa Planning Office
Tulsa City Hall
175 E 2nd St., Suite 480
Tulsa, OK 74103

Re: Case Number: Z-7729 and PUD 772-A

Dear Commissioners,

I am writing to speak to the rezoning request which has been submitted for the property located between 13th Place and 13th Street, and between Utica Ave and Trenton St. This request for rezoning is from Chick-Fil-A, on development area A and Philos Hospitality, Inc. dba Hospitality House of Tulsa on development area B.

As you know, the healthcare provider sector makes up one of the largest employment providers in our city. Healthcare accounts for more than 64,000 direct jobs in the Tulsa region, which encompasses eleven counties, for a direct total economic impact of $3.8 billion. Factor in the multiplier effect and other jobs that are added because of that sector, and health care exerts a $7.3 billion economic impact on the area, according to the Tulsa Regional Chamber. Health care also supports $240 million in local tax collection. Large metros are economic hubs for health care, by offering a range of services that include specialty and trauma care.

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an important provider of services within our healthcare solutions and now has the opportunity to expand their services to help more families. Since they maintain nearly 100% occupancy each night with a waiting list, they plan to build a new hospital hospitality house on the section of land located between 13th place and 13th street, and between Trenton and Troost. While Hospitality House serves all Tulsa area hospitals and outpatient centers, six of those hospitals will be within either walking distance or within 5 minutes of the patient’s bedside.

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As the city of Tulsa continues to partner with many agencies in Tulsa to solve the homelessness issues, having an excellent community partner such as Chick Fil-A, which will no doubt increase the sales tax revenue in this part of town will be a significant help as sales tax dollars support the City of Tulsa’s goals around homelessness and social services.

I encourage you to approve the requested zoning change which will allow Chick-Fil-A and Hospitality House of Tulsa to build and provide excellence in hospitality for Tulsans and traveling Oklahomans.

Sincerely,

[Signature]

Kevin J. Gross
President, Hillcrest HealthCare System

Hillcrest
HealthCare System
Kim,

In Z-7733 Staff requests a continuance until the **August 16th, 2023** TMAPC Hearing in order to hear it concurrently with a Comprehensive Plan Amendment application to change the Land Use Designation from “Neighborhood” to “Multiple Use”.

Best,

**Austin Chapman | Senior Planner, AICP**
Tulsa Planning Office
Department of City Experience
175 E. 2nd Street, Suite 480
Tulsa, OK 74103-3216
T: 918-596-7597
E: achapman@cityoftulsa.org
www.tulsaplanning.org

---

Austin, I have spoken to Abdul and advised him to submit the Comp Plan amendment application.

Please continue this item until August 16th.

Thank you,

JR Donelson

918-394-3030

e-mail: jrdon@tulsacoxmail.com

On 7/19/2023 1:00 PM, Chapman, Austin wrote:

   Mr. Alhlou,

   It has come to our attention that the Comprehensive Plan for the subject property in Z-7733 is classified as Multiple Use for only a portion of the property the rest is Neighborhood. Based on that condition we would not be support of re-zoning to Commercial unless there was a comprehensive plan Amendment along with your
application.

Our recommendation would be to continue this item until the August 16th 2023 TMAPC and submit a Comprehensive Plan Amendment (link is below) to change the designation from Neighborhood to Multiple Use.

https://tulsaplanning.org/forms/Comprehensive-Plan-Amendment-Application.pdf

You may continue with the application with on August 2nd, but staff will recommend denial any Commercial Zoning without the Comprehensive Plan amendment.

Best,

Austin Chapman | Senior Planner, AICP
Tulsa Planning Office
Department of City Experience
175 E. 2nd Street, Suite 480
Tulsa, OK 74103-3216
T: 918-596-7597
E: achapman@cityoftulsa.org
www.tulsaplanning.org

CAUTION: This email originated from outside of the organization. Do not reply, forward, click links, or open attachments unless you recognize the sender and know the content is safe. Please report using the Phish Alert button in the Outlook Desktop Client if this message contains potentially unsafe content.
### Case Report Prepared by:
Dylan Siers

### Owner and Applicant Information:
**Applicant:** Rey Bustos  
**Property Owner:** Quality First Cabinetry LLC

### Location Map:
(shown with City Council Districts)

### Applicant Proposal:
**Present Use:** Agricultural  
**Proposed Use:** Wholesale Shop  
**Concept summary:** Rezone the site to CG to utilize it as a cabinet shop with warehousing elements.  
**Tract Size:** 2.5 + acres  
**Location:** East of the southeast corner of East 11th Street South and South 161st East Avenue

### Zoning:
**Existing Zoning:** AG  
**Proposed Zoning:** CG

### Land Use Map:
**Existing:** Neighborhood  
**Proposed:** Multiple Use

### Staff Recommendation:
Staff recommends approval.

### Staff Data:
**TRS:** 9411  
**CZM:** 40

### City Council District:
**City Council District:** 6  
**Councilor Name:** Christian Bengel

### County Commission District:
**County Commission District:** District 1  
**Commissioner Name:** Stan Sallee
SECTION I: Z-7734

DEVELOPMENT CONCEPT: The applicant has utilized this site as a housing location for their products in years past. They are now wanting to use the site has a place to make and sell their products. This use will involve some warehousing elements as well as retail sales. The property is zoned AG with a Neighborhood land use designation. There is a related comprehensive plan amendment to change the site to a Multiple Use land use designation.

EXHIBITS:
- INCOG Case map
- INCOG Aerial (small scale)
- INCOG Aerial (large scale)
- Tulsa Comprehensive Plan Land Use Map

DETAILED STAFF RECOMMENDATION:

The uses along with the lot and building regulations are consistent with the Tulsa Comprehensive Plan for a Multiple Use land use designation and,

The CG district is primarily intended to accommodate established commercial uses, while providing protection to adjacent residential area; and accommodate the grouping of compatible commercial and light industrial uses,

The applicants proposed use would be allowed by right in CG.

Staff recommends Approval of Z-7734 to rezone the property from AG to CG.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The proposed use is consistent with the proposed Multiple Use land use designation.

Land Use Vision:

Land Use Plan map designation: Neighborhood

Neighborhoods are "Mostly Residential Uses" which includes detached, missing middle, and multidwelling 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. Multidwelling unit housing that takes access off of an arterial is considered Multiple Use, Local Center, or Regional Center. If a multidwelling unit housing property takes access off of a lower order street separated from the arterial, then it would be considered Neighborhood.
**Proposed Land Use Plan map designation:** 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.

**Transportation Vision:**

**Major Street and Highway Plan:** East 11th Street is classified as a Secondary Arterial Street.

South 169th East Avenue is classified as a Residential Collector.

**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 subject property currently has a pole barn towards the south of the property. There is a single-family residence directly to the west, as well as to the North. The property to the East is currently being used for agricultural uses.
Streets:

<table>
<thead>
<tr>
<th>Existing Access</th>
<th>MSHP Design</th>
<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
</tr>
</thead>
<tbody>
<tr>
<td>East 11th Street</td>
<td>Secondary Arterial</td>
<td>100’</td>
<td>2</td>
</tr>
<tr>
<td>South 169th East Ave</td>
<td>Residential Collector</td>
<td>60’</td>
<td>2</td>
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</table>

Utilities:
The subject tract has municipal water and sewer available.

Surrounding Properties:

<table>
<thead>
<tr>
<th>Location</th>
<th>Existing Zoning</th>
<th>Existing Land Use Designation</th>
<th>Existing Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>AG</td>
<td>Neighborhood</td>
<td>Single-family Residential</td>
</tr>
<tr>
<td>South</td>
<td>AG</td>
<td>Neighborhood</td>
<td>Raw Land</td>
</tr>
<tr>
<td>East</td>
<td>AG-R</td>
<td>Multiple Use</td>
<td>Agricultural Uses</td>
</tr>
<tr>
<td>West</td>
<td>AG</td>
<td>Neighborhood</td>
<td>Single Family Residential</td>
</tr>
</tbody>
</table>

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11818 dated 1970, established zoning for the subject property.
Subject Tract Z-7734

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

Aerial Photo Date: 2021

5.6
| **Case Report Prepared by:** | **Location Map:**  
(shown with City Council Districts) |
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<tbody>
<tr>
<td>Nathan Foster</td>
<td><img src="image" alt="Location Map" /></td>
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<tr>
<th><strong>Case Number:</strong></th>
<th><strong>Owner and Applicant Information:</strong></th>
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</thead>
</table>
| PUD-488-A – Abandonment  
(Related to Z-7735) | **Applicant:** Hall Estill  
**Property Owner:** BOKF Foundation |

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<tr>
<th><strong>Hearing Date:</strong></th>
<th><strong>Applicant Proposal:</strong></th>
</tr>
</thead>
</table>
| August 2, 2023    | **Present Use:** Commercial  
**Proposed Use:** Commercial, Shopping, Residential  
**Concept summary:** Abandonment of PUD-488 and rezoning the site from CH, OL, and RS-3 to MX2-V-U with an optional development plan to limit uses, reduce maximum building height, and provide for enhanced landscape buffers from adjacent residential areas  
**Tract Size:** 1.73 + acres  
**Location:** Northeast corner of East 33rd Street South and South Peoria Avenue |

<table>
<thead>
<tr>
<th><strong>Zoning:</strong></th>
<th><strong>Staff Recommendation:</strong></th>
</tr>
</thead>
</table>
| **Existing Zoning:** CH, OL, RS-3, PUD-488  
**Proposed Zoning:** MX2-V-U with an optional development plan | **Staff recommends approval of PUD-488-A to abandon PUD-488 with approval of staff’s recommendation for Z-7735** |

<table>
<thead>
<tr>
<th><strong>Comprehensive Plan:</strong></th>
<th><strong>Staff Data:</strong></th>
</tr>
</thead>
</table>
| **Land Use Map:** Multiple Use | **TRS:** 9319  
**CZM:** 47 |

| **Staff Data:** | **City Council District:** 9  
**Councilor Name:** Jayme Fowler  
**County Commission District:** 2  
**Commissioner Name:** Karen Keith |
|------------------|--------------------------|
| **TRS:** 9319  
**CZM:** 47 | **City Council District:** 9  
**Councilor Name:** Jayme Fowler  
**County Commission District:** 2  
**Commissioner Name:** Karen Keith |
SECTION I: PUD-488-A – Abandonment of PUD-488

DEVELOPMENT CONCEPT: The applicant is proposing to abandon PUD-488 which was adopted in 1992 to accommodate the development of the existing banking facility. The abandonment is related to Z-7735 which requests to change the underlying zoning of the subject property from CH, OL, RS-3 to MX2-V-U with an optional development plan.

EXHIBITS:
- INCOG Case map
- INCOG Aerial (small scale)
- INCOG Aerial (large scale)
- Tulsa Comprehensive Plan Land Use Map
- PUD-488 Development Standards

DETAILED STAFF RECOMMENDATION:

PUD-488 was adopted in 1992 and established development standards for the construction of the existing building on the subject property.

The applicant is requesting an abandonment of the existing PUD in order to accommodate a mixed-use development on the site. Development standards for the new development are outlined in the optional development plan included with Z-7735.

Staff recommends approval of PUD-488-A to abandon PUD-488.

Staff recommendation is contingent upon the approval of the associated rezoning under Z-7735.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The entire subject property is designated as “Multiple Use” by the Comprehensive Plan land use map. The proposed MX2 district aligns with the recommendations of the “Multiple Use” land use designation.

Land Use Vision:

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.

Transportation Vision:

Major Street and Highway Plan: South Peoria Avenue at this location is considered an Urban Arterial with a Main Street classification. Urban Arterials require a minimum of 70’ for right-of-way dedications. The anticipated use of Urban Arterials with Main Street designations are primary traffic ways with a high
level of pedestrian infrastructure and traditional building patterns. The proposed MX district would align the land use with the main street classification found in the major street and highway plan.

**Trail System Master Plan Considerations:** The GO Plan calls for an off-street shared use path along Crow Creek from South Peoria Avenue to the Arkansas River. The subject property should accommodate bicycle and pedestrian traffic through the implementation of sidewalks and bicycle facilities.

**Small Area Plan:** Brookside Infill Plan (2002)

**Special District Considerations:** None

**Historic Preservation Overlay:** None

**DESCRIPTION OF EXISTING CONDITIONS:**

**Staff Summary:** The site is currently an operational financial institution with parking and drive through lanes for bank services. The property is adjacent to Crow Creek on the north, residential uses to the east, and commercial uses within the Brookside corridor to the south and west.

**Streets:**

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<tr>
<th>Existing Access</th>
<th>MSHP Design</th>
<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
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<tbody>
<tr>
<td>South Peoria Avenue</td>
<td>Urban Arterial</td>
<td>70'</td>
<td>4</td>
</tr>
<tr>
<td>East 33rd Street South</td>
<td>Residential</td>
<td>50'</td>
<td>2</td>
</tr>
</tbody>
</table>

**Utilities:**
The subject tract has municipal water and sewer available.

**Surrounding Properties:**

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<th>Existing Use</th>
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<tbody>
<tr>
<td>North</td>
<td>RS-3</td>
<td>Neighborhood</td>
<td>Crow Creek</td>
</tr>
<tr>
<td>South</td>
<td>CH</td>
<td>Multiple Use</td>
<td>Commercial/Restaurant</td>
</tr>
<tr>
<td>East</td>
<td>RS-3</td>
<td>Neighborhood</td>
<td>Single-Family Residential</td>
</tr>
<tr>
<td>West</td>
<td>CH/OMH</td>
<td>Multiple Use</td>
<td>Office/Coffee Shop</td>
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**SECTION III: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 11823 dated June 26, 1970, established zoning for the subject property.

Note: Graphic overlays may not precisely align with physical features on the ground.
Land Use Plan Categories

- Neighborhood
- Multiple Use
- Local Center
- Regional Center
- Employment
- Downtown
- Park and Open Space
- Arkansas River Corridor

Z-7735/PUD-488-A
19-13 19

6.7
| **Case Number:** Z-7735 with optional development plan  
(related to PUD-488-A) |
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**Proposed Use:** Commercial, Shopping, Residential  
**Concept summary:** Rezone the site from CH, OL, and RS-3 to MX2-V-U with an optional development plan to limit uses, reduce maximum building height, and provide for enhanced landscape buffers from adjacent residential areas  
**Tract Size:** 1.73 ± acres  
**Location:** Northeast corner of East 33rd Street South and South Peoria Avenue |

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</table>
| **Existing Zoning:** CH, OL, RS-3, PUD-488  
**Proposed Zoning:** MX2-V-U with an optional development plan |

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<tr>
<th><strong>Comprehensive Plan:</strong></th>
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<tr>
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<tr>
<th><strong>Staff Recommendation:</strong></th>
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<tr>
<td>Staff recommends approval of an alternative MX2-V-65 with the optional development plan standards outlined in Section II to limit uses, limit building height to four stories, and enhance landscaping between the property and adjacent residential properties.</td>
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| TRS: 9319  
CZM: 47 |

| **City Council District:** 9  
**Councilor Name:** Jayme Fowler |
|-----------------------------|
| **County Commission District:** 2  
**Commissioner Name:** Karen Keith |

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7.1

REVISED 7/27/2023
SECTION I: Z-7735 with an optional development plan

DEVELOPMENT CONCEPT: The applicant is proposing to rezone the subject property to MX2-V-U to allow for a mix of commercial and residential uses. The application includes an optional development plan that would establish standards for permitted uses, maximum building height, and landscaping.

EXHIBITS:
- INCOG Case map
- INCOG Aerial (small scale)
- INCOG Aerial (large scale)
- Tulsa Comprehensive Plan Land Use Map

DETAILED STAFF RECOMMENDATION:

The applicant is proposing a rezoning of the subject property from CH, OL, and RS-3 to MX2-V-U. The proposed zoning district by the applicant includes an unlimited height designation. Staff is supportive of the rezoning to MX2-V but recommends a reduction in the allowable height to align the zoning with the recommendations of the Brookside Infill Plan and ensure compatibility with the existing development pattern in the area.

Staff recommends MX2-V-65 with the optional development plan standards outlined in Section II below to limit the maximum building height to a maximum of 4 stories.

In addition to limitations on the building height, the optional development plan standards outlined in Section II will limit uses by prohibiting medical marijuana dispensaries and vehicle sales and service uses.

Finally, the optional development plan enhances the landscaping standards for the areas adjacent to residential neighborhoods to reduce the impact of the development on the neighborhood.

Staff recommends approval of Z-7735 to rezone the property from CH, OL, RS-3 to MX2-V-65 with the optional development plan outlined in Section II.

SECTION II: Z-7735 OPTIONAL DEVELOPMENT PLAN STANDARDS:

The optional development plan standards will conform to the provisions of the Tulsa Zoning Code for development in a MX-2-V-65 district with its supplemental regulations except as further refined below. All use categories, subcategories or specific uses and building types that are not listed in the following permitted list are prohibited.

Uses with “*” require special exception approval by the City of Tulsa Board of Adjustment.

PERMITTED USE CATEGORIES:

RESIDENTIAL (if in allowed building types identified below)

PUBLIC, CIVIC, AND INSTITUTIONAL
- College or University*
- Day Care
- Fraternal Organization
Governmental Service or Similar Functions*
Hospital*
Library or Cultural Exhibit
Natural Resource Preservation
Parks and Recreation
Postal Services*
Religious Assembly
Safety Service
Utilities and Public Service Facility
  Minor
  Major*
Wireless Communication Facility
  Freestanding Tower*
  Building or tower-mounted antenna

COMMERCIAL
Animal Service
  • Grooming
  • Veterinary
Assembly and Entertainment
  Indoor (Requires special exception approval if selling or serving alcoholic beverages and located on a lot within 150 feet of any residential zoning district other than R-zoned street right-of-way)
    • Small (Up to 250-person capacity)
    • Large (>250-person capacity)
  Outdoor*
Broadcast of Recording Studio
Commercial Service
  • Building service*
  • Business support service*
  • Consumer maintenance/repair service
  • Personal improvement service
  • Research service
Financial Services
Funeral or Mortuary Service
Lodging
  • Bed & breakfast
• Short-term rental
• Hotel/motel

Marina

Office
• Business or professional office
• Medical, dental or health practitioner office

Parking, Non-accessory*

Restaurants and Bars
• Restaurant
• Bar (Requires special exception approval if selling or serving alcoholic beverages and located on a lot within 150 feet of any residential zoning district other than R-zoned street right-of-way)

Retail Sales
• Building supplies and equipment*
• Consumer shopping goods
• Convenience goods
• Grocery store
• Small box discount store

Studio, Artist, or Instructional Service

Trade School*

RECYCLING

Consumer Material Drop-off Station*

AGRICULTURAL

Community Garden

OTHER

Drive-in or Drive-through Facility (as a component of an allowed use)*

Oil or Gas Well*

RESIDENTIAL BUILDING TYPES:

HOUSEHOLD LIVING

Two households on single lot
• Townhouses

Three or more households on single lot
• Apartments/Condos
• Townhouses
• Mixed-Use Building
• Vertical Mixed-Use Building
MAXIMUM BUILDING HEIGHT:

The maximum allowable building height will be 65 feet as prescribed by MX2-V-65 with a maximum of 4 occupied stories. Parking structures are limited to one ground level parking area and one additional parking level with a maximum overall height of 20 feet.

LANDSCAPING:

The area on the attached conceptual site plan designated as “Landscape Area A” shall contain eleven (11) trees (one (1) tree per twenty linear feet (20’) of edge) which are (at the time of planting) not less than three inches (3”) in caliper for deciduous or nine feet (9’) in height for evergreen and spaced not more than thirty feet (30’) apart. At least one-half (½) of the required trees shall be evergreen.

The area on the attached conceptual site plan designated as “Landscape Area B” shall contain eleven (11) trees (one (1) tree per twenty linear feet (20’) of edge) which are (at the time of planting) not less than three inches (3”) in caliper for deciduous or nine feet (9’) in height for evergreen and spaced not more than thirty feet (30’) apart. At least one-half (½) of the required trees shall be evergreen.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

**Staff Summary:** The entire subject property is designated as “Multiple Use” by the Comprehensive Plan land use map. The proposed MX2 district aligns with the recommendations of the “Multiple Use” land use designation by permitting a range of commercial and residential uses.

**Land Use Vision:**

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.

**Transportation Vision:**

**Major Street and Highway Plan:** South Peoria Avenue at this location is considered an Urban Arterial with a Main Street classification. Urban Arterials require a minimum of 70’ for right-of-way dedications. The anticipated use of Urban Arterials with Main Street designations are primary traffic ways with a high level of pedestrian infrastructure and traditional building patterns. The proposed MX district would align the land use with the main street classification found in the major street and highway plan.

**Trail System Master Plan Considerations:** The GO Plan calls for an off-street shared use path along Crow Creek from South Peoria Avenue to the Arkansas River. The subject property should accommodate bicycle and pedestrian traffic through the implementation of sidewalks and bicycle facilities.
**Small Area Plan:** Brookside Infill Development Design Recommendations (2002)

The subject property is located within the boundary of the Brookside Infill Development Design Recommendations adopted in May of 2002. The small area plan provides guidance for new infill development as it relates to scale and interaction with the public right-of-way. With the four-story height restriction included in the optional development plan the MX2 district is in alignment with the recommendations of the small area plan.

**Special District Considerations:** None

**Historic Preservation Overlay:** None

**DESCRIPTION OF EXISTING CONDITIONS:**

**Staff Summary:** The site is currently an operational financial institution with parking and drive through lanes for bank services. The property is adjacent to Crow Creek on the north, residential uses to the east, and commercial uses within the Brookside corridor to the south and west.

**Streets:**

<table>
<thead>
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<th>MSHP Design</th>
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<tr>
<td>East 33rd Street South</td>
<td>Residential</td>
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**Utilities:**
The subject tract has municipal water and sewer available.

**Surrounding Properties:**

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<th>Location</th>
<th>Existing Zoning</th>
<th>Existing Land Use Designation</th>
<th>Existing Use</th>
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<td>RS-3</td>
<td>Neighborhood</td>
<td>Crow Creek</td>
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<td>South</td>
<td>CH</td>
<td>Multiple Use</td>
<td>Commercial/Restaurant</td>
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<td>East</td>
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<td>West</td>
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<td>Office/Coffee Shop</td>
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**SECTION III: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 11823 dated June 26, 1970, established zoning for the subject property.

Optional Development Plan No. ______

**Applicant:**
Fishless Desert Development, LLC
# TABLE OF CONTENTS

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<td>III. Legal Description</td>
<td>3</td>
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<tr>
<td>IV. Conceptual Site Plan</td>
<td>4</td>
</tr>
</tbody>
</table>
I. Concept Statement

The Subject Property is located at or about 3237 S. Peoria Avenue and consists of three (3) adjoining parcels (the “Property”). The Property consists of approximately 1.73 acres (+/-). A commercial bank currently operates on the Property.

The Applicant plans to develop the Property by constructing (i) one or more restaurants, (ii) rooftop seating for one or more of the restaurants, (iii) banking facilities, (iv) retail shopping areas, (v) office areas, and (vi) residential areas (as either condominium or multifamily units).

The size and scale of the development will complement the area and provide additional residential, retail and dining options. The intended uses are compatible with the Subject Property’s designation as a “Main Street” and an “Area of Growth”.

The anticipated uses are designed to be complementary of one another from a parking standpoint and the Property is currently designed with parking spaces (including structured parking) which meets or exceeds the amount required by the Tulsa Zoning Code.

This Optional Development Plan is being voluntarily imposed by the Applicant to lessen the perceived or potential impact of the development on those residential areas in the immediate vicinity of the Property.

Although the conceptual site plan submitted herewith depicts the current design contemplated by the Applicant, the final project may vary from the conceptual site plan.
II. Optional Development Plan – Development Standards

In order to lessen the perceived or potential impact of the rezoning of the Subject Property (from CH, OL, and RS-3 to MX2-V-U) on the nearby residentially zoned areas, the Applicant has elected to impose additional restrictions on the property by requesting the implementation of an Optional Development Plan as is allowed under the Tulsa Zoning Code.

The development of the Property shall meet the standards of the MX2 zoning districts except as otherwise limited or restricted below:

1. **Permitted Uses.** The Subject Property shall be used only for the uses allowed by right or by special exception in the MX2-V-U zoning district, along with all uses and amenities accessory or incidental thereto. Notwithstanding the foregoing, “Vehicle Sales & Services” and “Medical Marijuana Dispensary” uses shall be prohibited.

2. **Minimum Parking.** The Property shall contain parking spaces in compliance with the Tulsa Zoning Code for the MX2 zoning designation.

3. **Height Limitations.** Subject to the limitations provided in Section 10.040-B of the Tulsa Zoning Code, the maximum building height on any structure located within the Property shall be seventy-five feet (75’). The parking structure to be located on the Property will be no more than a ground level and one (1) additional parking level.

4. **Lighting.** All lighting shall be in compliance with the Tulsa Zoning Code for the MX2 zoning designation.

5. **Landscaping.**

The area on the attached conceptual site plan designated as “Landscape Area A” shall contain eleven (11) trees (one (1) tree per twenty linear feet (20’) of edge) which are (at the time of planting) not less than three inches (3”) in caliper for deciduous or nine feet (9’) in height for evergreen and spaced not more than thirty feet (30’) apart. At least one-half (½) of the required trees shall be evergreen.

The area on the attached conceptual site plan designated as “Landscape Area B” shall contain eleven (11) trees (one (1) tree per twenty linear feet (20’) of edge) which are (at the time of planting) not less than three inches (3”) in caliper for deciduous or nine feet (9’) in height for evergreen and spaced not more than thirty feet (30’) apart. At least one-half (½) of the required trees shall be evergreen.

All other landscaping shall comply with the applicable requirements of the Tulsa Zoning Code for the MX2 zoning designation.

6. **Other Bulk and Area Limitations.** The Subject Property shall comply with all other bulk and area requirements imposed upon MX2 zoned properties by the Tulsa Zoning Code.
III. Legal Description

TRACT 1:
LOTS 1 AND 2, ROGERS RE-SUBDIVISION OF LOT ONE, BLOCK ONE, CEDAR HAVEN ADDITION, A SUBDIVISION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, LESS AND EXCEPT THE EAST 25 FEET OF SAID LOT 2

TRACT 2:
LOTS 2, 3, 4, AND 5, BLOCK 1, CEDAR HAVEN, AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF
IV. Conceptual Site Plan

1 To be revised to exclude stand alone parking lot tract
Nathan,

In preparing our rezoning application and preliminary design of the site, we did review the Brookside Infill Development Design Recommendations from 2002 and although somewhat outdated and with certain elements inconsistent with the more recent Comprehensive Plans adopted by the City, we did find a few policy recommendations we are achieving with our proposed plan.

**Overall Design Policies (Section 1)**

- Protects and enhances the pedestrian environment
- Minimizes the curb cuts (maintains current cuts)
- Encourages high quality residential...and commercial infill development
- Improves high quality development and property values
- Mixed use development

**Design Recommendations (Section 3)**

- Preserves and enhances the multiple use village marketplace
- Providing sufficient parking for land use
- Providing appropriate screened fencing, landscaping, and buffering materials between the Business Area and the Residential Area
- Streetscaping: Our plan calls for outdoor dining, wider sidewalks, and street trees along Peoria that correspond to the proposed Street Section Crow Creek to 38th St along Peoria Ave (Exhibit 27 - page 45)
- Parking: Our plan for the parking garage provides the screening and buffering that correspond to the Concept Illustration of Multiple-Level Parking Facility (Exhibit 30 - page 50)

Our proposed development is consistent with the previous land use of "Main Street" and the newly adopted "Multiple Use" in Residential Density, Urban Form, Land Use diversity, Connectivity, Parking, Screening, and Signage.

Matt Newman
Fishless Desert Development

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Zoning Change Request  
Case #Z-7735 & PUD-488-A  
Fishless Desert Development, LLC – City Council & Neighbor Communications

May 11 – Meeting with INCOG

June 01 – Meeting with Councilor Fowler

June 07 – Meeting with Councilor Bellis

June 26 – Meeting with Councilor Cue

June 30 – Meeting with Councilor Fowler & Brookside Neighbor

July 06 – Brookside Neighborhood Meeting (Small Group-Residents of 32nd St Cul de Sac)

• Sign in sheet attached.

• General Concerns:
  o Cul de sac on 32nd gets congested on big Brookside events (Boo Ha Ha) with people parking on both sides of the street. It blocks traffic and doesn’t allow these residents to leave.
  o Potential noise from rooftop restaurant
  o Site line into backyards from the upper residential floors.
  o What will the property look like?
  o The 75’ height.
  o Current bank parking lot and sidewalks are used to walk their pets.

• Suggestions:
  o A no parking sign in the cul de sac. Better enforcement.
  o If the development is fully fenced, a potential gate for the cul de sac residents to use to access the green space.
  o Higher fence along property line.
  o Heavy landscaping along property line.
  o 4 stories in height.

• Sent out a follow up email to attendees with our formal application and development plan.
  o Received an email back from one of the attendees reiterating that main concern is the size. They like the plan the ground level parking to be gated, fenced, and heavily landscaped. Liked the prohibited uses in the development plan. Would like to see if 4
stories are possible. Their last concern is the potential of overflow parking going on the cul de sac at 32nd and would like to see “no parking” or “parking on one side only” signs on that street.

- General Comments:
  - Neighbors did appreciate us coming to them instead of them finding out too late.
  - General understanding of the financial constraints of real estate and the attraction to Brookside, but still concerned about the direct impact to their small cul de sac.

July 11 – Brookside Neighborhood Meeting (Small Group)

- Sign in sheet attached.
- General Concerns:
  - Height of the building. Size compared to the buildings in near proximity.
  - Increased traffic and parking.
  - Noise from rooftop restaurant.
  - Setting the precedent for other developers/redevelopment along Brookside.
- Suggestions:
  - Looking at a 4-story version.
  - Condos for the residential portion.
  - Working with the City on how to address traffic along Peoria.
  - Creating a more walkable Brookside (from one side to another).
- Sent out a follow up email to attendees with our formal application and development plan.
  - Received an email back from one of attendees with a concern that Brookside is becoming too developed. They would like to see if the project could work at 4 stories.

July 12 – Brookside Business Association (Monthly Meeting)

- Could request sign in sheet from BBA.
- General Concerns:
  - Overall traffic calming for Brookside.
  - Better pedestrian street crossings.
  - Streetscape, sidewalks.
- Overall, BBA members were very supportive of the development and will provide support as needed.

July 24 – Brookside Neighborhood Association (Informal Meeting)

- Sign in sheet attached.
- General Concerns:
  - Additional traffic on Peoria and cutting through 33rd (the neighborhood).
  - Additional parking on the streets. And potential overnight parking for the residents.
  - Height of the building.
- Compliance with the Brookside Infill Development Standards.
- Type of residents that will be living in the development.
- Other land on Brookside that hasn’t been developed.

• Suggestions:
  - Going to a 4-story version to reduce the height.
  - Including “pork chops” in the site design to force traffic away from exiting into the neighborhood.
  - Heavy landscaping and trees.
  - Ensure parking for residents is realistic.
  - Traffic light to turn left onto Peoria from the development.

• General Comments:
  - Overall traffic and speeding continues to be an issue on Brookside.
  - Would like someone to figure out parking and traffic calming for the continued growth and redevelopment of Brookside.
  - Appreciated the meeting and open dialogue.

• Sent out a follow up email to attendees with our formal application and development plan.
# July 06 Meeting

## Please Sign In*

<table>
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*We will ONLY use the contact information provided here to contact you regarding opportunities that fit your interests and NEVER sell or share it with any other organization or third party.
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7.27
Case Number: Z-7736 (Related to CPA-107)

Hearing Date: August 2, 2023

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<tr>
<th>Case Report Prepared by:</th>
<th>Owner and Applicant Information:</th>
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<tr>
<td>Nathan Foster</td>
<td>Applicant: Mark Capron, Wallace Design</td>
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<td>Property Owner: Peoria Pawn LLC</td>
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Location Map:
(shown with City Council Districts)

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<th>Applicant Proposal:</th>
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<td>Present Use: Parking</td>
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<td>Proposed Use: Commercial</td>
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<tr>
<td>Concept summary: Rezone the site RM-2 to CS to support redevelopment of adjacent commercial property</td>
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<td>Tract Size: 0.3 ± acres</td>
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<td>Location: Northwest corner of South Quaker Avenue and East 13th Place South</td>
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Zoning:

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<td>Proposed Zoning: CS</td>
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Comprehensive Plan:

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<tr>
<td>Existing: Neighborhood</td>
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<td>Proposed: Multiple Use</td>
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Staff Recommendation:

| Staff recommends approval. |

Staff Data:

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<tbody>
<tr>
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City Council District: 4

| Councilor Name: Laura Bellis |

County Commission District: 2

| Commissioner Name: Karen Keith |
SECTION I: Z-7736

DEVELOPMENT CONCEPT: The applicant is proposing to rezone the property to CS to permit commercial uses and support the redevelopment of the adjacent property. This application has an associated comprehensive plan amendment requesting a change in the land use designation for the subject property from “Neighborhood” to “Multiple Use”.

EXHIBITS:
- INCOG Case map
- INCOG Aerial (small scale)
- INCOG Aerial (large scale)
- Tulsa Comprehensive Plan Land Use Map

DETAILED STAFF RECOMMENDATION:

The application is related to CPA-107 which proposes change the land use designation of the subject property from “Neighborhood” to “Multiple Use”.

The CS district is primarily intended to accommodate convenience, neighborhood, subcommunity, community, and regional shopping centers providing a range of retail and personal service uses.

CS zoning would align with the proposed land use designation of “Multiple Use” by allowing for a range of commercial and residential uses. CS is listed as the least intensive commercial zoning district.

Staff recommends approval of Z-7736 to rezone the property from RM-2 to CS.

Staff recommendation is contingent upon the approval of CPA-107 to change the land use designation for the property to “Multiple Use”.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: CPA-107 is associated with this application. The proposed amendment to the comprehensive plan land use map requests a change from “Neighborhood” to “Multiple Use”. The request for CS zoning would be consistent with the “Multiple Use” land use designation.

Land Use Vision:

Existing Land Use: Neighborhood

Proposed Land Use: Multiple Use

Neighborhoods are “Mostly Residential Uses” which includes detached, missing middle, and multidwelling 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. Multidwelling unit housing that takes access off of an arterial is considered Multiple Use, Local Center, or Regional Center. If a multidwelling unit housing property takes access off of a lower order street separated from the arterial, then it would be considered Neighborhood.
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.

**Transportation Vision:**

**Major Street and Highway Plan:** East 13th Place is classified under the “Freeway” designation of the major street and highway plan due to it being utilized as an access road for the Broken Arrow Expressway. South Quaker Avenue is a residential street that is not classified by the major street and highway plan.

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

**Small Area Plan:** Utica Midtown Corridor Small Area Plan

The subject property is located on the western edge of the Utica Midtown Corridor Small Area Plan which was adopted in 2013. The plan calls for commercial uses to the west of the subject property, adjacent to Peoria Avenue. The subject property is designated for multi-family residential which would be permitted in the requested CS district.

**Special District Considerations:** None

**Historic Preservation Overlay:** None

**DESCRIPTION OF EXISTING CONDITIONS:**

**Staff Summary:** There is an existing parking area located on the subject property that was approved by the Board of Adjustment in 1961. There are apartments to the north of the subject property and detached houses across South Quaker Avenue. The Peoria commercial corridor is located to the west and the Broken Arrow Expressway is located to the south.

**Streets:**

<table>
<thead>
<tr>
<th>Existing Access</th>
<th>MSHP Design</th>
<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
</tr>
</thead>
<tbody>
<tr>
<td>South Quaker Avenue</td>
<td>None</td>
<td>50'</td>
<td>2</td>
</tr>
<tr>
<td>East 13th Place South</td>
<td>Freeway</td>
<td>Variable</td>
<td>2 – One Way</td>
</tr>
</tbody>
</table>

**Utilities:** The subject tract has municipal water and sewer available.
Surrounding Properties:

<table>
<thead>
<tr>
<th>Location</th>
<th>Existing Zoning</th>
<th>Existing Land Use Designation</th>
<th>Existing Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>RM-2</td>
<td>Neighborhood</td>
<td>Apartments</td>
</tr>
<tr>
<td>South</td>
<td>N/A</td>
<td>N/A</td>
<td>Broken Arrow Expressway</td>
</tr>
<tr>
<td>East</td>
<td>RM-2</td>
<td>Neighborhood</td>
<td>Single-Family Residential</td>
</tr>
<tr>
<td>West</td>
<td>CH</td>
<td>Multiple Use</td>
<td>Commercial</td>
</tr>
</tbody>
</table>

SECTION III: Relevant Zoning History

**ZONING ORDINANCE:** Ordinance number 11815 dated June 26, 1970, established zoning for the subject property.

**BOA-3613,** April 12, 1961 – The Board of Adjustment approved a request to establish off-street parking on the lot
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2021
### Case Report Prepared by:
Nathan Foster

### Owner and Applicant Information:
**Applicant:** Nathan Cross  
**Property Owner:** 540 S Victor Ave LLC

### Location Map: (shown with City Council districts)
![Location Map](image)

### Applicant Proposal:
**Land Use Map change from Neighborhood to Employment**
- **Tract Size:** 0.3 + acres
- **Location:** South of the southwest corner of East 5th Street South and South Victor Avenue

### Staff Recommendation:
Staff recommends **approval** of Employment

### Comprehensive Plan:
**Land Use Map**
- **Existing:** Neighborhood  
- **Proposed:** Employment

**Zoning**
- **Existing Zoning:** RS-4/IL  
- **Proposed Zoning:** CG with an optional development plan

### City Council District: 1
**Councilor Name:** Vanessa Hall-Harper

### County Commission District: 2
**Commissioner Name:** Karen Keith
Property Information and Land Use Request

The applicant has submitted this proposed Comprehensive Plan amendment (CPA-105) with a concurrent rezoning request (Z-7731) to request a change in the Land Use designation for the northern half of the subject property from Neighborhood to Employment. The concurrent zoning request proposes a change from RS-4 and IL to CG with an optional development plan to permit an expansion of commercial uses.

Background

The proposed land use designation for this site is Employment. The south half of the subject property is already designated as Employment. The north half of the property, which is currently zoned RS-4, is designated as Neighborhood. The applicant would like to change the land use designation to apply Employment to the entire site.

The area consists of both industrial and residential properties. The subject property is zoned both RS-4 and IL.

The subject property is currently vacant. The applicant is proposing an expansion of the existing commercial uses located to the south while establishing development standards through an optional development plan to protect the neighborhood areas to the north and east.

Existing Land Use Designation: Neighborhood

“Neighborhoods are “Mostly Residential Uses” which includes detached, missing middle, and multidwelling 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. Multidwelling unit housing that takes access off an arterial is considered Multiple Use, Local Center, or Regional Center. If a multidwelling unit housing property takes access off a lower order street separated from the arterial, then it would be considered Neighborhood.”

Proposed Land Use and Growth Designation: Employment

“The employment designation 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.”
### Zoning and Surrounding Uses

<table>
<thead>
<tr>
<th>Location</th>
<th>Existing Zoning</th>
<th>Existing Land Use Designation</th>
<th>Existing Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>RS-4</td>
<td>Neighborhood</td>
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</tr>
<tr>
<td>South</td>
<td>IL</td>
<td>Employment</td>
<td>Industrial</td>
</tr>
<tr>
<td>East</td>
<td>RS-4</td>
<td>Neighborhood</td>
<td>Single-Family Residential</td>
</tr>
<tr>
<td>West</td>
<td>IL</td>
<td>Employment</td>
<td>Industrial</td>
</tr>
</tbody>
</table>

### 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; and;
3. How the proposed change will enhance the surrounding area and the City of Tulsa.

“The property at issue in this request (the “Subject Property”) is part of a tract of non-residential properties located at the end of a dead-end street abutting a railroad right-of-way and, due to the proximity to the railroad, has been used for non-residential purposes for a number of years. The Subject Property is abutted by a large district of industrially zoned property to the south and industrially zoned property to the west. This application is being submitted jointly with a rezoning request to rezone the Subject Property and an adjacent lot to the south “CG” to allow the applicant to utilize the Subject Property to expand a private auto storage facility and future museum.

The Subject Property is two small lots that have been vacant for a number of years and were combined at some point in the past. The Applicant believes that the current Comprehensive Plan designation of neighborhood was likely overlaid on the subject property because it was vacant at the time of the implementation of the comprehensive plan and that such a designation does not represent the true character of the area. Due to the industrial and commercial uses in the surrounding area that have always been in place and also have recently developed, the immediate proximity to other “Employment” designated property, and the relative size of the lot, the Applicant believes that applying “Employment” designation to the subject property fits with the overall spirit of the Comprehensive Plan”

### Staff Summary & Recommendation

The property under application is in a unique area made up of industrial properties, a railroad line, and existing residentially zoned properties. The proposal to change the land use designation from “Neighborhood” to “Employment” and the associated rezoning request would provide opportunities to buffer the neighborhood areas from the industrial area and railroad. A change in land use will align the designation with the historic use of the property.
Staff recommends approval of the Employment lad use designation.
Note: Graphic overlays may not precisely align with physical features on the ground.

CPA-105
19-13 06
Aerial Photo Date: 2021
PROPOSED COMPREHENSIVE PLAN AMENDMENT

HISTORY

The property at issue in this request (the “Subject Property”) is part of tract of non-residential properties located at the end of a dead-end street abutting a rail-road right of way and, due to the proximity to the railroad, has been used for non-residential purposes for a number of years. The Subject Property is abutted by large district of industrially zoned property to the south and industrially zoned property to the west. This Application is being submitted jointly with a rezoning request to rezone the Subject Property and an adjacent lot to the south “CG” to allow the Applicant to utilize the Subject Property to expand a private auto storage facility and future museum.

COMPREHENSIVE PLAN

The Subject Property is two small lots that have been vacant for a number of years and were combined at some point in the past. The Applicant believes that the current Comprehensive Plan designation of “Existing Neighborhood” was likely overlaid on the Subject Property because it was vacant at the time of the implementation of the Comprehensive Plan and that such designation does not represent the true character of the area. Due to the industrial and commercial uses in the surrounding area that have always been in place and also have recently developed, the immediate proximity to other “Employment” designated property, and the relative size of the lot, the Applicant believes that applying the “Employment” designation to the Subject Property fits with the overall spirit of the Comprehensive Plan.

6548297.1
Case Number: CPA-106
Comprehensive Plan Amendment
(Related to Z-7734)

Hearing Date: August 2, 2023

Case Report Prepared by:
Dylan Siers

Owner and Applicant Information:
Applicant: Rey Bustos
Property Owner: Quality First Cabinetry LLC

Location Map:
(shown with City Council Districts)

Applicant Proposal:
Land Use Map change from *Neighborhood* to *Multiple Use*
Tract Size: 2.5 + acres
Location:
East of the Southeast corner of East 11th Street
South and South 161st East Avenue

Comprehensive Plan:

Land Use Map
Existing: *Neighborhood*
Proposed: *Multiple Use*

Zoning
Existing Zoning: AG
Proposed Zoning: CG

Staff Recommendation:
Staff recommends approval of *Multiple Use*

City Council District: 6
Councilor Name: Christian Bengel

County Commission District: District 1
Commissioner Name: Stan Sallee
Property Information and Land use Request

The applicant has submitted this proposed Comprehensive Plan amendment (CPA-106) with a concurrent rezoning request (Z-7734) to request a change in the Land Use designation of the subject property from Neighborhood to Multiple Use. The concurrent zoning request proposes CG from AG for redevelopment of the subject tract that is initially planned as cabinet shop with some warehousing elements.

Background

The applicant used the existing building as storage for products before requesting the rezoning. Now as their business expands, they want to house their cabinet company at this site and get dedicated utilities to this site.

This property has Multiple Use land use designations directly to the east and Neighborhood designations to the north, south and west. If this was changed, it would be an extension of the already existing Multiple Use land use to the east.

The subject property currently has access onto East 11th Street which is identified as a secondary arterial in the City of Tulsa Major Street and Highway Plan.

Existing Land Use: Neighborhood
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.

Proposed Land Use: Multiple Use
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.

Zoning and Surrounding Uses

<table>
<thead>
<tr>
<th>Location</th>
<th>Existing Zoning</th>
<th>Existing Land Use Designation</th>
<th>Existing Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>AG</td>
<td>Neighborhood</td>
<td>Single-family Residential</td>
</tr>
<tr>
<td>South</td>
<td>AG</td>
<td>Neighborhood</td>
<td>Vacant</td>
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<tr>
<td>East</td>
<td>AG-R</td>
<td>Multiple Use</td>
<td>Agricultural Uses</td>
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<tr>
<td>West</td>
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<td>Neighborhood</td>
<td>Single Family Residential</td>
</tr>
</tbody>
</table>

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;

   “We wanted it as a future workplace, but after talking with other contractors they told us in order to add water, power, and gas it needed to be commercial, so we used it as storage but now that we need to expand our business, we need to change it to commercial in order to all the utilities.”
2. How changes have impacted the subject site to warrant the proposed amendment; and;

   “These changes have already impacted the area, we already started cleaning up and trimming all throughout putting in a road path to allow access to the area with plans to expand our business such as expanding the building adding power, water, and gas.”

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

   “If these changes come to happen, we plan on generating more jobs to the area. We already have so many people coming asking for a job with us bus because of our limited workspace we have to turn them away until we move over to this site. We think this would be great for the City of Tulsa to help a small business with over 20 years. It turns this mistreated land into a prosperous area for future businesses.”

**Staff Summary & Recommendation**

Multiple land use is located along East 11th Street to the east of the subject property. While those properties have not transitioned from their current zoning of primarily AG and AGR, this site will be the first to encourage development along this section of East 11th Street. Much of this portion of East 11th Street is vacant, with some single-family homes scattered throughout. This proposal is consistent with anticipated development in the area.

Staff recommends approval of the change to Multiple Use.
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2021
Case Number: CPA-107
Comprehensive Plan Amendment
(related to Z-7736)

Hearing Date: August 2, 2023

Case Report Prepared by:
Nathan Foster

Owner and Applicant Information:
Applicant: Mark Capron, Wallace Design
Property Owner: Peoria Pawn LLC

Location Map:
(shown with City Council districts)

Applicant Proposal:
Land Use Map change from *Neighborhood* to *Multiple Use*
Tract Size: 0.3 + acres
Location: Northwest corner of South Quaker Avenue and East 13th Place South

Staff Recommendation:
Staff recommends approval of *Multiple Use*

Comprehensive Plan:

<table>
<thead>
<tr>
<th>Land Use Map</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Existing:</strong>  Neighborhood</td>
<td><strong>Proposed:</strong> Multiple Use</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Zoning</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Existing Zoning:</strong> RM-2</td>
<td><strong>Proposed Zoning:</strong> CS</td>
</tr>
</tbody>
</table>

City Council District: 4
Councilor Name: Laura Bellis

County Commission District: 2
Commissioner Name: Karen Keith
Property Information and Land Use Request

The applicant has submitted this proposed Comprehensive Plan amendment (CPA-107) with a concurrent rezoning request (Z-7736) to request a change in the Land Use designation of the subject property from Neighborhood to Multiple Use. The concurrent zoning request proposes a change from RM-2 to CS to support redevelopment of the adjacent commercial property.

Background

The proposed land use designation for this site is Multiple Use. The subject property is currently located within a Neighborhood designation but is adjacent to Multiple Use properties located along South Peoria Avenue. The property under application is located on the south edge of the block and is adjacent to the Broken Arrow Expressway.

The applicant is proposing an expansion of commercial zoning and the Multiple Use land use designation to support redevelopment of the commercial property to the west. The property has been used as a parking lot since 1961 and has not been utilized as a residential property.

The area under application is located within the “Streetcar Era” which anticipates a mixture of neighborhood level commercial uses and residential uses. Multiple Use would align with the anticipated uses and development pattern of a streetcar era neighborhood.

Existing Land Use Designation: Neighborhood

“Neighborhoods are “Mostly Residential Uses” which includes detached, missing middle, and multidwelling 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. Multidwelling unit housing that takes access off an arterial is considered Multiple Use, Local Center, or Regional Center. If a multidwelling unit housing property takes access off a lower order street separated from the arterial, then it would be considered Neighborhood.”

Proposed Land Use and Growth Designation: 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.
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<th>Existing Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>RM-2</td>
<td>Neighborhood</td>
<td>Apartments</td>
</tr>
<tr>
<td>South</td>
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<td>N/A</td>
<td>Broken Arrow Expressway</td>
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<tr>
<td>East</td>
<td>RM-2</td>
<td>Neighborhood</td>
<td>Single-Family Residential</td>
</tr>
<tr>
<td>West</td>
<td>CH</td>
<td>Multiple Use</td>
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</table>

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; and;
3. How the proposed change will enhance the surrounding area and the City of Tulsa.

“The developer seeks to repurpose the pawn shop building (zoned CH) on the northeast corner of East 13th Place and South Peoria Avenue, adjacent to the subject property. In order to provide parking to support the proposed redevelopment this application seeks to develop the subject property with a new parking lot. The developer would like to maintain the opportunity to develop the property as residential.

The proposed redevelopment of the old pawn shop changes the intensity of the use of the area. Legitimate off-street parking will be needed in support of the redevelopment. If the needed parking is not provided, then patrons would be tempted to park in the surrounding streets.

East 13th Street serves as a service road to the Broken Arrow Expressway directly southeast of the inner dispersal loop. The properties adjacent to the subject lots are zoned commercial-heavy which the comprehensive plan designates as “Multiple Use”. The proposed designation of “Multiple Use” for the subject lots will allow rezoning to CS. This proposed rezoning will act as a step-down zoning and buffer to East 13th Place for the existing neighborhood.

With the existing conditions and the opportunity for redevelopment, the proposed comprehensive plan and zoning amendment will provide a more consistent and logical use pattern for the area.”

Staff Summary & Recommendation

The property under application is in a unique area between commercial properties, the Broken Arrow Expressway, and an existing residential neighborhood. The proposal to change the land use designation from “Neighborhood” to “Multiple Use” would provide opportunities to buffer the neighborhood areas from the commercial area and highway corridor. A change in land use will align the designation with the historic use of the property.

Staff recommends approval of the Multiple Use land use designation.
Subject Tract

CPA-107

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

Aerial Photo Date: 2021

19-13 07

0 200 400 Feet

11.5
Applicant’s Justification
13th Place and Quaker
Z-7736 and CPA

The developer seeks to repurpose the pawn shop building (zoned CH) on the northeast corner of adjacent to the subject property. In order to provide parking to support the proposed redevelopment this application seeks to develop the subject property with a new parking lot. However, the developer would like to maintain the opportunity to develop the property as residential development.

The proposed redevelopment of the old pawn shop changes the intensity of the use of the area. Legitimate off-street parking will be needed in support of the new redevelopment. If the needed parking is not provided, then patrons would be tempted to park in the surrounding street.

East 13th Street serves as a service road to the Broken Arrow Expressway directly southeast of the inner dispersal loop. The properties adjacent to the subject lots are zoned Commercial Heavy. The Comprehensive Plan designates it as a Multiple Use area. The proposed designation of Multiple Use for the subject lots will allow the rezoning to Commercial Shopping. This proposed zoning will act as a step-down zoning and a buffer to the East 13th Place for the existing residential neighborhood.

With the existing conditions and the opportunity for redevelopment, the proposed comprehensive plan and zoning amendment will provide a more consistent and logical use pattern for the area.