



**Tulsa Metropolitan Area
Planning Commission**

CPA-110 Staff Report

(related to Z-7769)

Hearing Date: June 5, 2024

Prepared by: Jeremy Banes

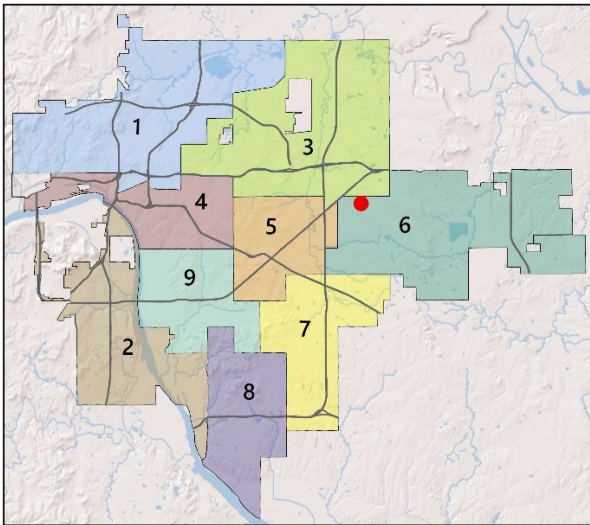
jbanes@cityoftulsa.org

918-596-7646

Owner and Applicant Information
Applicant: Mark Capron, Wallace Design Collective
Property Owner: Pawnee Industrial III LLC

Property Location
North of the NE/c of S 145th E Ave and E 11th St S

Tract Size: ± 20.00 acres
Location within the City of Tulsa
(shown with City Council districts)



Elected Representatives
City Council: District 6, Christian Bengel
County Commission: District 1, Stan Sallee

Public Notice Required
Newspaper Notice – min. 15 days in advance
Mailed Notice to 300’ radius – min. 20 days in advance
Posted Sign – min. 20 days in advance

Staff Recommendation
Staff recommends **denial** of the proposed
Employment land use designation.

Request Summary

Amend land use designation from Neighborhood to Employment, concurrent with Z-7769 to develop an office warehouse. Case was continued from May 15, 2024.

Land Use Plan Designation

Existing: Neighborhood

Proposed: Employment

Zoning

Existing Zoning: Agricultural (AG)

Existing Overlays: None

Proposed Zoning: Industrial Light (IL)

Use

Current: Vacant

Proposed: Industrial

Considerations

Small Area Plans: None

Development Era: Future Growth

Major Street & Highway Plan:

S 145th Av E is classified as Primary Arterial.

planitulsa Street Type: None

Detailed Staff Recommendation

The applicant is proposing a comprehensive plan amendment for ± 20 acres to be changed from Neighborhood to Employment.

As part of the application, applicants are asked the following questions: how conditions on the subject site, adjacent properties, and the immediate area have changed; how changes have affected the subject site to warrant the proposed amendment; and how the proposed change will further other City of Tulsa goals, strategies, and actions as outlined in the Comprehensive Plan. The applicant's responses are attached as an exhibit to the staff report; staff responses are below.

- 1) How conditions on the subject site, adjacent properties, and the immediate area have changed?

Applicant: (see exhibit)

Staff Response:

The referenced AEP site to the north extended the Employment land use to a line with similar land uses to both the east and west. The referenced Commercial General zoning for the purpose of an outlet mall to the west of the subject site is incorrect; the application was withdrawn by the applicant. The properties to the west, east, and south of the subject site are and remain zoned Agricultural with a future land use designation of Neighborhood. Extending the Employment land use to the subject site would be incongruous leaving it surrounded west, east, and south by land intended for use as Neighborhoods.

- 2) How changes have affected the subject site to warrant the proposed amendment?

Applicant: (see exhibit)

Staff Response:

The subject area has a clear east/west line separating the Employment and Neighborhood land uses. No changes have taken place in the area extending the Employment land use south of this line. Extending the Employment land use to the subject site would leave it surrounded by Neighborhood land uses to the west, east, and south.

- 3) How the proposed change will further other City of Tulsa goals, strategies, and actions as outlined in the Comprehensive Plan?

Applicant:

Future Land Use

- GOAL LU 3 - Economic development is facilitated at the neighborhood, city, and regional scales.
 - STRATEGY LU 3.2 - Focus regional investments along major transportation corridors, including highways and public transit routes.
 - ACTION LU 3.2.1 - Direct the majority of employment growth and change to areas of the city with access to major transportation infrastructure, such as highways, railroads, public transportation, the airport, and the Tulsa Ports.

Economic Development

- GOAL ED 1 - Economic growth and development contribute to a prosperous and diverse economy capable of providing access to economic opportunity for all Tulsans.
- GOAL ED 5 - An adequate and appropriate supply of employment land is maintained to meet local industrial and commercial needs.

Staff Response:

Future Land Use

- GOAL LU 1 - Tulsa's land use decisions promote fiscal stability and move the city towards the community's vision.
 - STRATEGY LU 1.3 - Ensure that future development and policy recommendations align with the categories in the Land Use Plan Map and the Development Era Map.
 - ACTION LU 1.3.2 - Utilize the Development Review Guide maps in conjunction with comprehensive plan policies to evaluate zoning consistency, including proposed zoning map amendments, and zoning text changes.
- GOAL LU 3 - Economic development is facilitated at the neighborhood, city, and regional scales.
 - STRATEGY LU 3.2 - Focus regional investments along major transportation corridors, including highways and public transit routes.
 - ACTION LU 3.2.1 - Direct the majority of employment growth and change to areas of the city with access to major transportation infrastructure, such as highways, railroads, public transportation, the airport, and the Tulsa Ports.
 - ACTION LU 3.2.3 - Locate industrial uses in areas that are most economically suitable and have minimal negative impact on sensitive land uses.

Economic Development

- GOAL ED 1 - Economic growth and development contribute to a prosperous and diverse economy capable of providing access to economic opportunity for all Tulsans.
- GOAL ED 5 - An adequate and appropriate supply of employment land is maintained to meet local industrial and commercial needs.
 - STRATEGY ED 5.4 - Establish economic development plans for rail, highway, and turnpike corridors.
 - ACTION ED 5.4.1 - Prioritize commercial, retail, and industrial uses along highways to capitalize on the high level of transportation access and to mitigate against the negative health impacts of sensitive land uses being exposed to highway pollution.

While Goal ED 1 and ED 5 show the City's support for Employment, Action ED 5.4.1 makes clear the intention of the City to protect sensitive land uses, such as residential land uses, that would surround the subject property west, east, and south, should the land use designation on the subject property be changed in support of Industrial uses. Action LU 1.3.2 guides staff to "Utilize the Development Review Guide maps" in the comprehensive plan. The Industrial Employment Suitability in the Development Review Guide lists four criteria when determining suitability for industrial purposes: Incentives, Infrastructure Investment Required, Proximity to Existing Major Infrastructure, and Residential Proximity. While the subject property is adjacent to other industrial development to the north, based on these criteria, the subject property has been determined to be "Least Suitable" for Industrial Employment. This conclusion is further reinforced by Action LU 3.2.3 that guides the placement of industrial uses away from sensitive land uses, such as residential.

Concluding Statement:

With consideration given to the factors listed herein, staff recommends **denial** of the proposed land use designation.

Land Use Plan Designation

Existing:

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 from a lower-order street separated from the arterial, then it would be considered Neighborhood.

Proposed:

Employment 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.

Surrounding Properties:

<u>Location</u>	<u>Existing Zoning/Overlay</u>	<u>Existing Land Use Designation</u>	<u>Existing Use</u>
North	Industrial Light	Employment	Industrial
East	Agricultural	Neighborhood	Agricultural/Vacant
South	Agricultural	Neighborhood	Agricultural/Vacant
West	Agricultural	Neighborhood	Agricultural/Vacant

Small Area Plans

The subject property is not in a Small Area Plan.

Development Era

The subject property is located in an area designated as Future Growth.

These areas of the city have yet to be developed beyond agricultural uses, and they present opportunities to ensure the pattern of development is efficient and fiscally responsible. These areas typically do not have subdivision streets or connectivity beyond the mile-by-mile grid, have poor public service distribution (fire, police, transit, etc.) and lack utility infrastructure (water, sewer, broadband, etc.). Some areas also include exposed bedrock and/or extreme slopes. Priorities in these areas include ensuring the ability to provide adequate public services, the implementation of planned streets in the Major Street and Highway Plan, land use planning to establish frameworks for decision making, and conservation of natural areas.

Transportation

Major Street & Highway Plan:

S 145th Av E is classified as a Primary Arterial.

Comprehensive Plan Street Designation:

none

Exhibits

Applicant's Justification

Case map

Aerial (small scale)

Aerial (large scale)

Land Use Plan Map



April 4, 2024

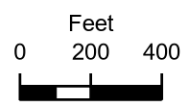
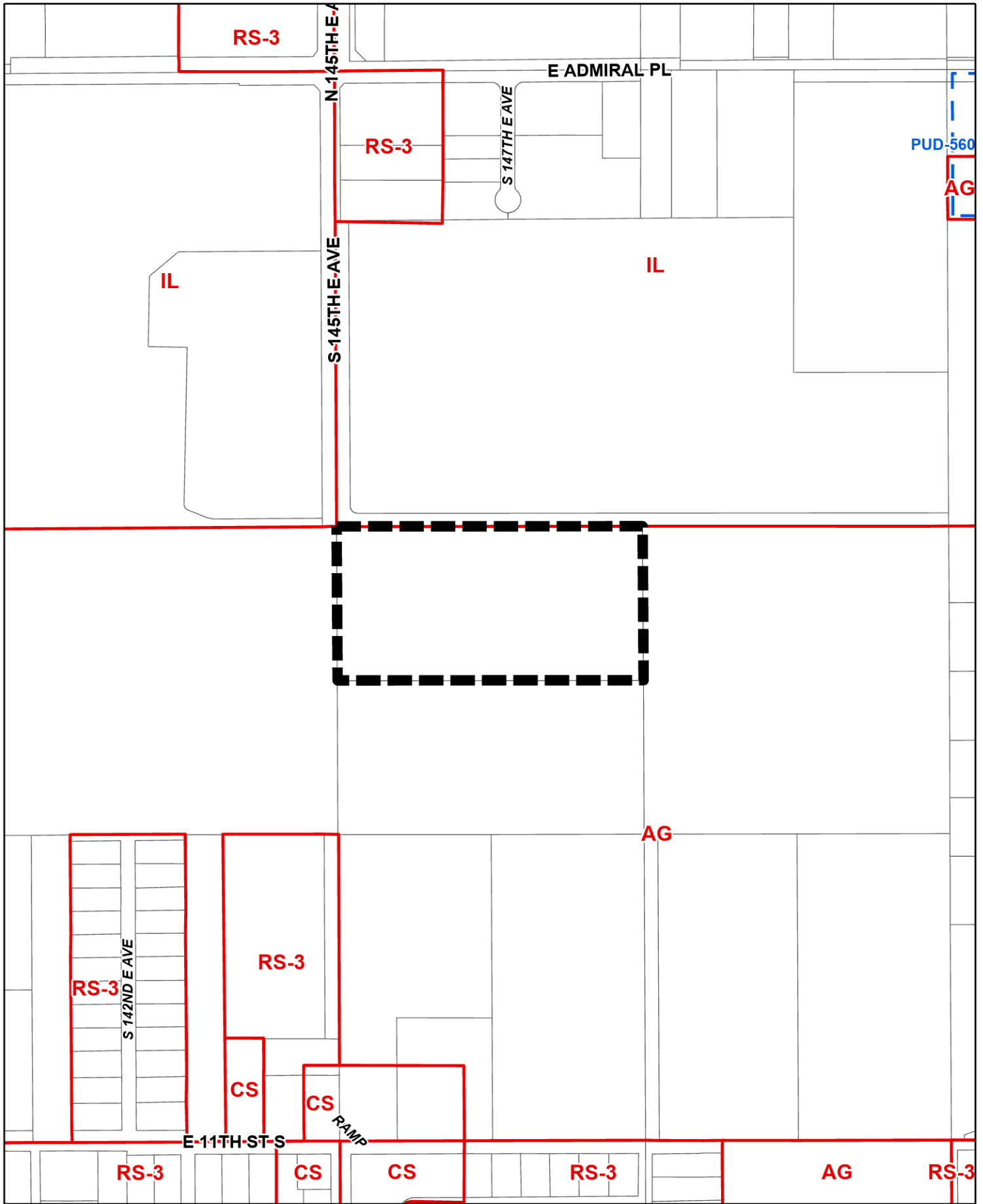
The North $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 3
Township 19 North, Range 14 East
City of Tulsa, Tulsa County, Oklahoma

Proposed Comprehensive Plan Amendment

The conditions of the subject area have recently changed. The area west was planned to be an outlet mall and rezoned Commercial General. However, the retail development has not happened and the area may continue to develop as something within the rights of CG zoning district. AEP Distribution has developed directly north of the subject tract. More industrial development is planned to the east.

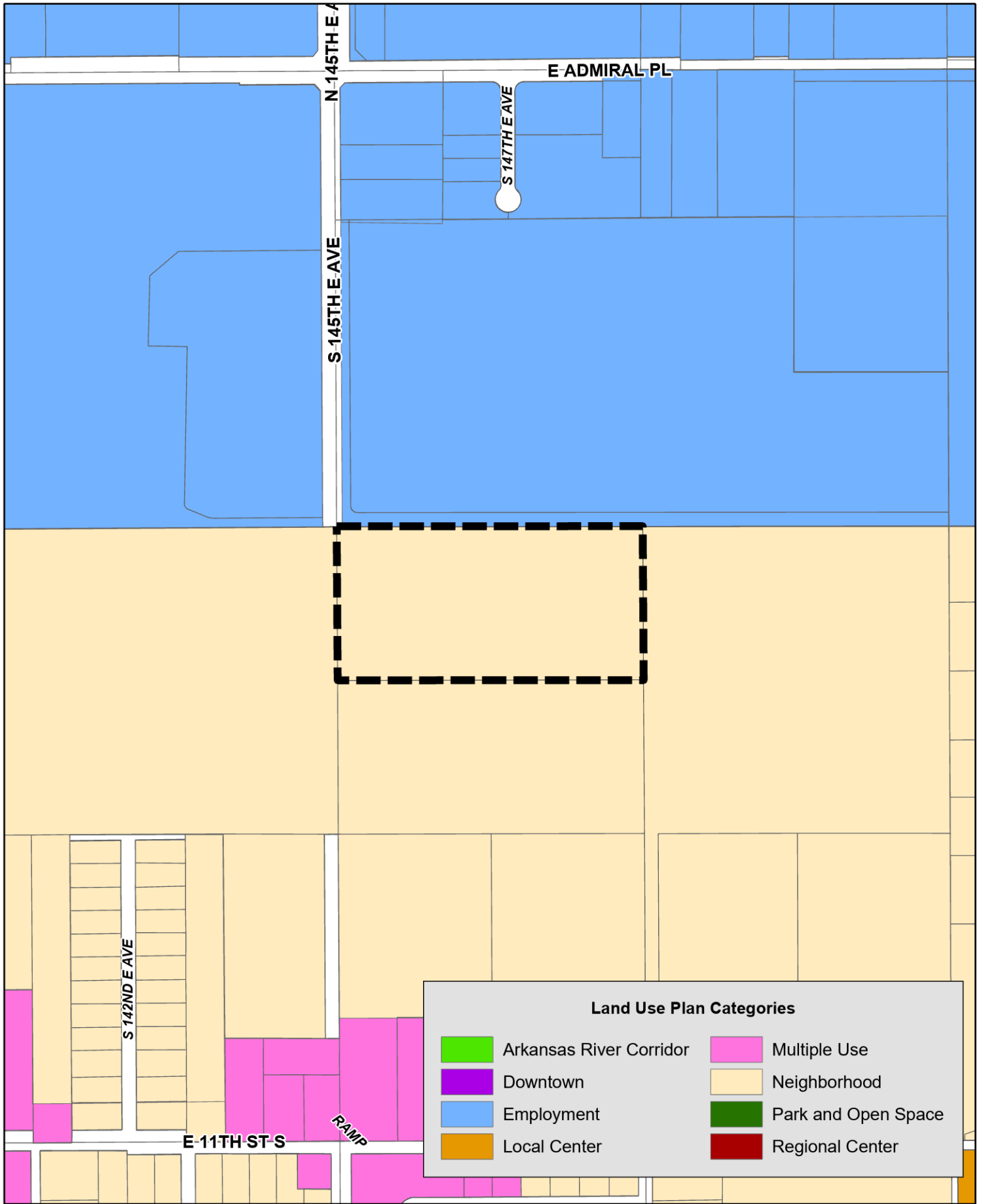
These changes have impacted the subject area to warrant the proposed amendment since this development may continue a development pattern. The proposed Optional Development Plan affords protections to the surrounding by regulating the development.

The proposed change will enhance the surrounding area and the City of Tulsa by providing employment and services to the citizens of Tulsa.











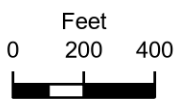
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Land Use Plan Categories

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



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