

**TULSA METROPOLITAN AREA PLANNING COMMISSION**  
**Minutes of Meeting No. 2867**

Wednesday, June 1, 2022, 1:00 p.m.  
City Council Chamber  
One Technology Center – 175 E. 2nd Street, 2nd Floor

<b>Members Present</b>	<b>Members Absent</b>	<b>Staff Present</b>	<b>Others Present</b>
Carr	Bayles	Foster	Jordan, COT
Covey		Hoyt	Skates, COT
Craddock		Miller	VanValkenburgh, Legal
Kimbrel		Sawyer	
Krug		Siers	
Reeds		Wilkerson	
Shivel			
Walker			
Whitlock			
Zalk			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Tuesday May 31, 2022, at 11:47 a.m., posted in the Office of the City Clerk, as well as in the Office of the County Clerk.

After declaring a quorum present, Chair Covey called the meeting to order at 1:00 p.m.

Mr. Shivel read the opening statement and rules of conduct for the TMAPC meeting.

**REPORTS:**

**Chairman's Report:**  
**None**

**Director's Report:**

Ms. Miller reported on City Council and Board of County Commissioner actions and other special projects. She stated the Zoning Code revisions to the Neighborhood Infill Overlay were approved by City Council and should be effective soon. Ms. Miller stated a work session is needed in August to discuss the Kirkpatrick Heights-Greenwood Master Plan, the Tulsa County Zoning Code update, the Tracy Park Historic Preservation Overlay, the Neighborhood Character Overlay, there are some Major Street and Highway Plan amendments and an update to PlaniTulsa.

\* \* \* \* \*

**Minutes:**

1. Amend the minutes of May 4, 2022 Meeting No. 2865 (Legal description, page 37)

Approval of the amended minutes of **May 4, 2022 Meeting No. 2865**

**TMAPC Action; 9 members present:**

On **MOTION** of **WALKER**, the TMAPC voted 9-0-0(Carr, Covey, Craddock, Krug, Reeds, Shivel, Walker, Whitlock, Zalk, “aye”; no “nays”; none “abstaining”; Bayles, Kimbrel, “absent”) to **APPROVE** the minutes of May 4, 2022 Meeting No. 2865

Ms. Kimbrel arrived at 1:05 pm.

**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.**

**NONE**

**PUBLIC HEARING - REZONING**

2. **Z-7649 Kelsey Pierce** (CD 5) Location: West of the northwest corner of East 21st Street South and South Memorial Drive requesting rezoning from **CS and RM-1 to CG with optional development plan** (Continued from May 18, 2022)

**STAFF RECOMMENDATION:**

**SECTION I: Z-7649**

**DEVELOPMENT CONCEPT:** The immediate goal for this request is to allow an Animal Service business that includes boarding or shelters, grooming and a veterinary clinic. The north portion of the subject tract is zoned RM-1 and the remainder is zoned CS. Neither of the zoning categories allows that service without rezoning.

**DETAILED STAFF RECOMMENDATION:**

CG zoning without the optional development plan allows uses that are not compatible with the surrounding properties and are not consistent with the existing budling styles on the site however,

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 and,

The Neighborhood Center land use designation is intended to accommodate pedestrian and local traffic. The development plan outlined in Section II is intended to help integrate the proposed uses in a way that improves pedestrian and local traffic conditions adjacent to a multi modal corridor street. The development plan also provides a meaningful buffer adjacent to residential areas and,

The development plan included in Section II below provides use limitations and site development standards that are consistent with the development plan provisions of the Tulsa Zoning Code and supports meaningful opportunities for long range redevelopment and,

Site improvements required on the site adjacent to 21<sup>st</sup> Street are consistent with the Major Street and Highway Plan and the landscape provisions of the Tulsa Zoning code therefore,

Staff recommends Approval of Z-7649 to rezone property from CS and RM-1 to CG but only with the provisions of the delopment plan identified in Section II as follows:

## **SECTION II: Z-7649 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.

### **PERMITTED USE CATEGORIES, SUBCATEGORIES AND SPECIFIC USES:**

#### **Residential Use Category:**

Household Living (only if allowed in residential building types included below)

- Two households on a single lot
- Three or more households on a single lot

#### **Group Living:**

- Assisted living facility
- Convent/monastery/novitiate
- Elderly/retirement center
- Life care retirement center

#### **Public, Civic and Institutional:**

- Day care
- Hospital

- Library or cultural exhibit
- Religious assembly
- Safety Service
- School
- Utilities and public service facility
  - Minor
  - Major
- Wireless communication facility (Freestanding tower and building or tower-mounted antenna)

Commercial Use Category:

- Animal services
  - Boarding or shelter
  - Grooming
  - Veterinary
- Assembly and Entertainment (Other Indoor, small up to 250-person capacity)
- Broadcast or recording studio
- Commercial Service
  - Building service
  - Business support service
  - Consumer maintenance/repair service
  - Personal improvement service
- Financial Services
- Funeral or mortuary service
- Office:
  - Business or professional office
  - Medical, dental or health practitioner office
- Restaurant and bar
  - Restaurant
- Retail Sales:
  - Building supplies and equipment
  - Consumer shopping goods
  - Convenience goods
  - Grocery store
  - Small box discount store,
  - Medical marijuana dispensary
- Studio, artis, or instructional service
- Trade school

Agricultural Use Category:

- Community Garden
- Farm, market- or community supported

Permitted Residential Building Types:

Household Living

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

#### SITE DEVELOPMENT REQUIREMENTS:

- 1) Uses allowed in the development plan are only allowed after following site improvements are installed:
  - A landscape buffer is installed along the east boundary of the subject tract, extending approximately 120 feet from the northeast corner of the tract to the rear of the existing building, as illustrated in the concept development plan.
  - Parking lot pavement must be removed from the East 21<sup>st</sup> Street South right of way and a vehicular use buffer has been installed as required by Section 65 of the Tulsa Zoning Code.
  - Where the subject tract abuts any R district screening shall meet or exceed the minimum standard for an F1 Screen.
  - All site improvements outside the building must meet or exceed the standards identified in the landscape chapter of the Tulsa zoning code.
- 2) In addition to the requirements listed above, the Animal Services use category which include boarding, sheltering, grooming or veterinary uses is allowed only after the following improvements have been installed on the site.
  - Fencing that is adequate to keep pets from accessing property within 10 feet of the east boundary is required and shall have minimum height of 4 feet. This pet barrier does not need to be a screening fence. Pets are not allowed within 10 feet of the east boundary of the subject tract.
    - As an alternative: A masonry screening wall with a minimum height of 6 feet may be used to meet the screening requirements and reduce the landscape area to a minimum of 5 feet. In that instance the shrubs are not required but evergreen trees are required with a maximum spacing of 25 feet in the landscape buffer area.

- Outdoor pet play area surfaces must be a permeable artificial turf play yard designed specifically for dogs. Natural grass is not an acceptable surface.

### **SECTION III: Supporting Documentation**

#### **Neighborhood Engagement:** (Applicant Summary)

On January 13, 2022, Alta View Real Estate Partnership LLC and its tenant, Alta Vista Animal Hospital (“Alta Vista”), sent a notice via mail to all neighboring property owners within at least a 300-foot radius of the subject property. The letter outlined Alta Vista’s intent to seek rezoning of its property. The notice summarized the proposed rezoning matter and notified the owners of the Alta Vista’s neighborhood gathering on February 5, 2022, to answer any questions and address any concerns of the neighboring property owners.

On February 2, 2022, Alta Vista sent an additional notice to the same property owners confirming their intent to host the neighborhood gathering on February 5, 2022.

On February 5, 2022, Alta Vista hosted the neighborhood gathering. They displayed multiple visual depictions of the changes to the subject property and plans for improvements to the property and the boarding services it would offer if the rezoning is approved by the City of Tulsa. The property owner, other managers of the property, employees of Alta Vista, and Alta Vista’s legal counsel were present to answer questions from the surrounding property owners. Despite Alta Vista’s efforts to get the word out about the meeting, no one attended this gathering to ask any questions or express any concerns.

Even though no one attended the gathering, Alta Vista has received multiple positive communications from the surrounding community since it sent notices on January 13, 2022. Many individuals have stated they will be writing to the Tulsa Metropolitan Area Planning Commission recommending approval of the rezoning. As far as currently known, Alta Vista has received no negative comments or concerns about this rezoning matter.

#### **RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

***Staff Summary:*** CG zoning with the optional development plan is consistent with the Neighborhood Center concept represented in the Tulsa Comprehensive Plan.

#### **Land Use Vision:**

***Land Use Plan map designation:*** Neighborhood Centers

This land use designation should include small-scale, one to three story mixed-use areas intended to serve nearby neighborhoods with retail, dining, and services. They can include apartments, condominiums, and townhouses, with small lot single family homes at the edges. These are pedestrian-oriented places served by transit, and visitors who drive can park once and walk to number of destinations.

***Areas of Stability and Growth designation:*** Area of Growth

An area of growth is a designation to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.”

**Transportation Vision:**

***Major Street and Highway Plan:***

East 21<sup>st</sup> Street South is considered a multi-modal corridor. Future development should emphasize plenty of travel choices such as pedestrian, bicycle and transit use. Multimodal streets are located in high intensity mixed-use commercial, retail, and residential areas with substantial pedestrian activity. These streets are attractive for pedestrians and bicyclists because of landscaped medians and tree lawns. Multi-modal streets can have on-street parking and wide sidewalks depending on the type and intensity of adjacent commercial land uses. Transit dedicated lanes, bicycle lanes, landscaping and sidewalk width are higher priorities than the number of travel lanes on this type of street. To complete the street, frontages are required that address the street and provide comfortable and safe refuge for pedestrians while accommodating vehicles with efficient circulation and consolidated-shared parking.

Streets on the Transportation Vision that indicate a transit improvement should use the multi-modal street cross sections and priority elements during roadway planning and design.

***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 site is developed with a single-story commercial building and surface parking. The north side of the property is partially zoned RM-1 and undeveloped.

**STREEVIEW FROM SOUTHWEST LOOKING NORTHEAST**



**Environmental Considerations:** None that would accept site redevelopment

**Streets:**

<b>Existing Access</b>	<b>MSHP Design</b>	<b>MSHP R/W</b>	<b>Exist. # Lanes</b>
East 21 <sup>st</sup> Street South	Secondary Arterial with Multi Modal Corridor Street designation	100 feet	4

**Utilities:**

The subject tract has municipal water and sewer available.

**Surrounding Properties:**

<b>Location</b>	<b>Existing Zoning</b>	<b>Existing Land Use Designation</b>	<b>Area of Stability or Growth</b>	<b>Existing Use</b>
North	RM-1	Existing Neighborhood	Stability	Large Lot Residential
East	RM-2 and CS	Neighborhood Center	Growth	Multifamily and commercial strip center
South	RS-3	Existing Neighborhood	Stability	Single Family across East 21 <sup>st</sup> Street
West	CS	Neighborhood Center	Growth	Commercial auto sales

**SECTION III: Relevant Zoning History**

**History: Z-7649**

***Subject Property:***

**ZONING ORDINANCE:** Ordinance number 11816 dated June 26, 1970, established zoning for the subject property.

**BOA-21385 February 2012:** The Board of Adjustment **approved** a *Variance* to permit a sign with an electronic message center to be located less than 200 feet

from a designated residential area or district (Section 1221.C.2.c), on property located at 7717 East 21<sup>st</sup> Street.

**BOA-7353 March 1972:** The Board of Adjustment **approved** a *Variance* to modify the setback requirements to permit the erection of a building 90' from the centerline of 21<sup>st</sup> Street (Ordinance requires 110') as per plot plan, on property located at 7717 East 21<sup>st</sup> Street.

***Surrounding Property:***

**BOA-22831 January 2020:** The Board of Adjustment **approved** a *Verification* of the 1,000-foot spacing requirement for a medical marijuana dispensary from another medical marijuana dispensary, on property located at 7727 East 21<sup>st</sup> Street South.

**BOA-21292 July 2011:** The Board of Adjustment **approved** a *Special Exception* to permit Automobile Sales (Use Unit 17) in a CS district; & a *Special Exception* to modify the screening requirement from an abutting R district along 77<sup>th</sup> East Avenue & a *Variance* to permit the display of vehicles offered for sale within 300 ft. of an adjoining R district, on property located at 7701 East 21<sup>st</sup> Street.

**BOA-8922 March 1976:** The Board of Adjustment **approved** a *Special Exception* to permit modification of the screening requirements where the purpose of the screening requirements cannot be achieved; & a *Variance* of the front setback requirement from 110' to 99' to permit a cashier's building in a CS District, on property located at 7701 East 21<sup>st</sup> Street.

**BOA-7317 February 1972:** The Board of Adjustment **approved** a *Variance* to permit erecting two signs with 65 sq. ft. of surface area in an RM-1 District (Ordinance permits one sign 32 sq. ft.), on property located at 7625 East 21<sup>st</sup> Street.

**BOA-6877 January 1971:** The Board of Adjustment **approved** a *Variance* to permit erecting 208 units on one lot in an RM-1 district, on property located at 7600 block on East 21<sup>st</sup> Street.

**BOA-5549 December 1967:** The Board of Adjustment **denied** a *Variance* to permit operation of a sales office, on property located at 7734 East 21<sup>st</sup> Street.

**The applicant indicated his agreement with staff's recommendation.**

**There were no interested parties wishing to speak.**

**TMAPC Action; 10 members present:**

On **MOTION** of **REEDS**, the TMAPC voted 10-0-0(Carr, Covey, Craddock, Kimbrel, Krug, Reeds, Shivel, Walker, Whitlock, Zalk, "aye"; no "nays"; none

“abstaining”; Bayles, “absent”) to recommend **APPROVAL** of the RM-1 zoning for Z-7649 per staff recommendation.

**Legal Description for Z-7649:**

E150 SW SW SE SE LESS S50 SEC 11 19 13

\* \* \* \* \*

3. **Z-7650 Wallace Design Collective, Dani Fields** (CD 1) Location: Southwest corner of West Archer Street and North Cheyenne Avenue requesting rezoning from **IL to CBD**

**STAFF RECOMMENDATION:**

**SECTION I: Z-7650**

DEVELOPMENT CONCEPT: Change the zoning to allow a broad range of commercial, residential and mix of uses that are allowed in the Central Business District support a mixed-use development that is consistent with the Downtown Neighborhood concept identified in the comprehensive plan.

**DETAILED STAFF RECOMMENDATION:**

The CBD district is primarily intended to accommodate and encourage the most desirable, most productive, most intense use of land, without regard to the regulation of building height, floor area, land coverage and parking requirements, within the central core area of the city and encourages a diversity of high-intensity uses that mutually benefit from close proximity to, and from the available services of, the high transportation carrying capacity afforded by locations within the boundaries of the Inner Dispersal Loop and reserve and promote the public and private investment of the existing central core area.

The request to change zoning from IL to CBD is consistent with the Downtown Neighborhood land use designation and,

Z-7650 is consistent with the land use considerations that were contemplated in the Downtown Area Master Plan and,

The uses, building height and density allowed in a CBD zoning classification are consistent with the expected development of this area therefore,

Staff recommends Approval of Z-7650 to rezone property from IL to CBD.

**SECTION II: Supporting Documentation**

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

**Staff Summary:** Rezoning to CBD zoning will support future opportunities for a mixed-use development that is consistent with the Downtown Neighborhood

concept identified in the comprehensive plan and in the Downtown Tulsa Master Plan.

Land Use Vision:

*Land Use Plan map designation: Downtown Neighborhood*

Downtown Neighborhoods are located outside but are tightly integrated with the Downtown Core. These areas are comprised of university and higher educational campuses and their attendant housing and retail districts, former warehousing and manufacturing areas that are evolving into areas where people both live and work, and medium- to high-rise mixed use residential areas. Downtown Neighborhoods are primarily pedestrian-oriented and are well connected to the Downtown Core via local transit. They feature parks and open space, typically at the neighborhood scale.

*Areas of Stability and Growth designation: Area of Growth*

The purpose of Areas of Growth is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.”

Transportation Vision:

*Major Street and Highway Plan:* North Cheyenne Avenue and West Archer are urban arterial streets.

*Trail System Master Plan Considerations:* None

Small Area Plan: Downtown Area Master plan. This plan was adopted in September 2010 and amended in October 2018 to include the Downtown Walkability Analysis.

The Downtown Tulsa Master Plan was adopted prior to the PLANiTULSA land use concepts and included areas outside the central business district. In the plan document it mentioned that the master plan was designed as an integral part of the plan and will serve as a detailed area plan. The major targets of the plan were to revitalize the downtown, connect it to the Tulsa River Park's Stem and Initiate Rail Transit extending outward from the downtown area to the beginnings of future corridors serving the city and the region. This site is on the north end of a city block that abuts the rail transit corridor on the south side of the block. The downtown master plan included recommendations for redevelopment including many recommendations for buildings with ground floor street transparency, discouraging surface lots, encouraging on-street parking and included streetscape improvements and traffic calming supporting pedestrian safety and activity.

Special District Considerations: None except the Downtown Area Master Plan. That plan encourages preservation of historic structures but did not mention the preservation of the brick street (North Cheyenne Ave) that is adjacent to this site. The concept of including street scape improvements and traffic calming devices is important to the redevelopment of downtown. Brick street preservation can be an important part of placemaking and supporting pedestrian and vehicular safety and activity.

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *The site is occupied with one and two-story buildings that were previously used for industrial purposes.*

*Street view from northeast corner looking south*



Environmental Considerations: None that would affect site redevelopment

**Streets:**

Existing Access	MSHP Design	MSHP R/W	Exist. # Lanes
West Archer Street	Urban arterial	70 feet	2 and with on-street parking and bike lanes
North Cheyenne Avenue	Urban arterial	70 feet	2 lane brick
Alley	None	None	2

**Utilities:**

The subject tract has municipal water and sewer available.

**Surrounding Properties:**

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	CBD and IL	Downtown Neighborhood	Growth	Vacant two-story building
East	CBD	Downtown Neighborhood	Growth	Brewery
South	CBD	Downtown Neighborhood	Growth	Vacant two and three-story building
West	CBD	Downtown Neighborhood	Growth	Industrial building

### SECTION III: Relevant Zoning History

**History: Z-7650**

***Subject Property:***

**ZONING ORDINANCE:** Ordinance number 11814 dated June 26, 1970, established zoning for the subject property.

***Surrounding Property:***

**BOA-22701 August 2019:** The Board of Adjustment **approved** a Verification of the 1,000-foot spacing requirement for a medical marijuana dispensary from another medical marijuana dispensary, on property located at 121 North Denver Avenue West.

**BOA-22289 July 2017:** The Board of Adjustment **approved** a Verification of the 300-foot spacing requirement for a bar from public parks, schools, other bars, and religious assemblies and 50 feet from an R-zoned lot to permit, on property located at 114 West Archer Street North.

**Z-7297 May 2015:** All concurred in **approval** of a request for *rezoning* a .15+ acre tract of land from IL to CBD on property located East of southeast corner of West Archer Street South and North Denver Avenue.

**Z-7290 May 2015:** All concurred in **approval** of a request for *rezoning* a .14 acre tract of land from IL to CBD on property located East of northeast corner of West Archer Street and North Denver Avenue

**BOA-20085 July 2005:** The Board of Adjustment **approved** a *Special Exception* to modify conditions of a previous approval (BOA-19212) to increase the allowed beds from 320 to 390, on property located at 302 West Archer Street North.

**BOA-19519 January 2003:** The Board of Adjustment **approved** a *Variance* to permit additional number of signs per street frontage from 1 per 100' to 2 signs, on property located at 121 N. Denver Ave.

**Z-6850 March 2002:** All concurred in **approval** of a request for *rezoning* a tract of land from IL to CBD on property located 210 Reconciliation Way North.

**BOA-19212 October 2001:** The Board of Adjustment **approved** a *Variance* to permit the previously approved conditions (BOA-16534) to increase beds allowed from 285 beds to 320 beds, on property located at 302 W. Archer.

**BOA-17580 February 1997:** The Board of Adjustment **approved** a *Special Exception* to permit a bar in an IL district & a Variance of off-street parking requirements for a bar, on property located at 25 North Cheyenne Avenue.

**Z-6607 November 1997:** All concurred in **approval** of a request for *rezoning* a tract of land from IL to CBD on property located 124 N. Cheyenne Ave West.

**Z-6570/PUD-532:** All concurred in **approval** of a request to rezone a tract of land from IM/IL/RS-3/RM-2 to CBD and **approval** of a proposed *Planned Unit Development* for the Salvation Army expansion of their existing facilities, on property located at the southwest corner of Denver Avenue and Brady Street.

**BOA-16910 January 1995:** The Board of Adjustment **approved** a *Special Exception* to permit a dance hall in an IL District, & a Variance of the all-weather surface requirement for parking, on property located at 228 West Archer.

**BOA-16672 May 1994:** The Board of Adjustment **approved** Amended previously approved site plan, on property located at 300 West Archer.

**BOA-16534 March 1994:** The Board of Adjustment **approved** a *Special Exception* to permit an existing dry cleaners, & a Variance of the required setback from the centerline of North Harvard from 100' to 77', & a Variance of the required setback from the centerline of North Indianapolis Avenue from 50' to 35', & a Variance of the maximum 3000 sq. ft. permitted for a dry cleaners and a Variance of the number of required parking spaces, on property located at 1445 North Harvard.

**Z-6112 July 1986:** All concurred in **approval** of a request for *rezoning* a tract of land from IM to CBD on property located 302 West Archer St. North.

**BOA-12213 September 1982:** The Board of Adjustment **approved** a *Special Exception* to permit community service center to include residence for transients, worship, and other social services, on property located from Denver to Elwood and from Archer and Brady Streets.

**BOA-11937 May 1982:** The Board of Adjustment **grant** permission for uses permitted un Use Units 12 and 13; & a Variance of the parking requirements for Use Unit 12; & a Variance of the parking requirements for Use Unit 13 and the uses permitted in an IL District, on property located at SE corner of Archer Street and Cheyenne Avenue.

**BOA-7230 November 1971:** The Board of Adjustment **approved** a *Variance* to waive the setback requirements in an IL District as per plot plan & a Variance to waive the parking requirements, on property located at Southeast of Cheyenne and Brady.

**The applicant indicated his agreement with staff's recommendation.**

**There were no interested parties wishing to speak.**

**TMAPC Action; 10 members present:**

On **MOTION** of **WALKER**, the TMAPC voted 10-0-0(Carr, Covey, Craddock, Kimbrel, Krug, Reeds, Shivel, Walker, Whitlock, Zalk, "aye"; no "nays"; none "abstaining"; Bayles, "absent") to recommend **APPROVAL** of the CBD zoning for Z-7650 per staff recommendation.

**Legal Description for Z-7650:**

A tract of land lying in Block Sixty-Two (62) Tulsa Original Town, City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat thereof and being more particularly described as follows to-wit: Beginning at the Northeast corner of Lot Six (6), Block Sixty-two (62), Tulsa Original Town, thence N65°36'04"E and along the North line of said Block Sixty-two (62) for a distance of 200.00 feet to a point on the center line of right of way of North Cheyenne Avenue East; thence S24°23'56"E and along the centerline of said right of way for a distance of 124.00 feet; thence S65°36'04"W for a distance of 200.00 feet to a point on the East line of Lot Five (5) Block Sixty-two (62); thence N24°23'56"W and along the East line of said Lots Five (5) and Six (6) for a distance of 124.00 feet to the Point of Beginning; said tract containing 0.57 acres more or less.

\* \* \* \* \*

- 4. Z-7651 Morad El-Raheb (CD 4) Location: Southwest corner of East 6th Street South and South Trenton Avenue requesting rezoning from **IM to CH****

**STAFF RECOMMENDATION:**

**SECTION I: Z-7651**

**DEVELOPMENT CONCEPT:** The CH zoning districts allows a wider variety of uses and has a parking standard that is more consistent with the original building concept. The existing building covers the majority of the lot area.

**DETAILED STAFF RECOMMENDATION:**

Z-7651 is a request to change zoning from IM to CH. Uses allowed within a CH zoning district along with the lot and building regulations are consistent with the Downtown Neighborhood land use vision and,

The CH district is primarily intended to: accommodate high-intensity commercial and related uses primarily in the core area of the city; encourage use of properties and existing buildings along older commercial corridors; and minimize encroachment and adverse land use impacts on stable residential

neighborhoods. The requested CH zoning is consistent with the anticipated growth and redevelopment of the Pearl District.

The supplemental development standards with the lot and building regulations in a CH zoning district support development style similar to surrounding properties therefore,

Staff recommends Approval of Z-7651 to rezone property from IM to CH.

## **SECTION II: Supporting Documentation**

### **RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

***Staff Summary:*** CH zoning supports the idea of providing opportunities for mixed use development that are not available in the IM district.

### **Land Use Vision:**

#### ***Land Use Plan map designation: Downtown Neighborhood***

Downtown Neighborhoods are tightly integrated with the Downtown Core. These areas may be comprising university and higher educational campuses and their attendant housing and retail districts, former warehousing and manufacturing areas that are evolving into areas where people both live and work, and medium-to high-rise mixed-use residential areas. Downtown Neighborhoods provide multimodal and pedestrian oriented transportation options and are well connected to the Downtown Core via local transit. They feature parks and open space, typically at the neighborhood scale

#### ***Areas of Stability and Growth designation: Area of Growth***

An area of growth is a designation to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus

growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.”

### **Transportation Vision:**

***Major Street and Highway Plan:*** East 6<sup>th</sup> Street is considered a Main Street with a commercial/CBD/ Industrial Collector designation.

Main Streets are Tulsa’s classic linear centers. They are comprised of residential, commercial, and entertainment uses along a transit-rich street usually two to four lanes wide, and includes much lower intensity residential neighborhoods situated behind. Main Streets are pedestrian-oriented places with generous sidewalks, storefronts on the ground floor of buildings, and street trees and other amenities. Visitors from outside the surrounding neighborhoods can travel to Main Streets by bike, transit, or car. Parking is provided on street, small private off street lots, or in shared lots or structures.

***Trail System Master Plan Considerations:*** None except the on street bicycle system.

### **Small Area Plan:**

Z-7651 is included in the Pearl District Small Area Plan was adopted and published in 2019.

The Pearl District Small Area Plan replaced the 2006 6th Street Infill Plan, and updated the Tulsa Comprehensive Plan recommendations for this area. In addition to the Pearl District Small Area Plan, the City of Tulsa ("City") is preparing a compatible, implementation-focused Sector Plan in partnership with the Tulsa Development Authority ("TDA"). Together, these Plans are intended to guide public and private improvements in the Pearl District. The Small Area and Sector plans are working towards fulfilling the community’s vision with strategies that will help guide the future of the area: develop specific actions to bring positive changes for the community, invest in corridor improvements along major streets, and prioritize continued economic investment.

The look and feel of the Pearl District continue to reflect development patterns of the early 20th century. As one of Tulsa’s earliest mixed-use neighborhoods, the Pearl District has a traditional street grid pattern that includes a mix of single-family residences and neighborhood scale retail, as well as areas of industrial and other employment uses. Residential and commercial uses range in the current state of repair, from well-maintained older homes and newer townhomes to vacant lots and structures in need of repair.

**Special District Considerations:** This parcel is in the Neighborhood Infill Overlay area.

The Neighborhood Infill Overlay (NIO) establishes zoning regulations that are intended to promote the development of alternative infill housing in established neighborhoods. The overlay allows for a variety of residential housing types in a manner that is compatible, in mass and scale, with the character of surrounding properties. The regulations are also intended to promote housing types that accommodate households of varying sizes and income levels and provide for a more efficient use of residential land.

**Historic Preservation Overlay:** None

**DESCRIPTION OF EXISTING CONDITIONS:**

**Staff Summary:**

*Street view from northeast corner of site looking south*



**Environmental Considerations:** None that affect site redevelopment.

**Streets:**

Existing Access	MSHP Design	MSHP R/W	Exist. # Lanes
East 6 <sup>th</sup> Street	Commercial /CBD/ Industrial Collector	80 feet	2 lanes with on street parking and bike lanes.
South Trenton Avenue	None	50 feet	1

**Utilities:**

The subject tract has municipal water and sewer available.

**Surrounding Properties:**

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	IM	Downtown Neighborhood	Growth	Industrial
East	IM	Downtown Neighborhood	Growth	Industrial
South	CS	Downtown Neighborhood	Growth	Industrial
West	IM	Downtown Neighborhood	Growth	Industrial

**SECTION III: Relevant Zoning History**

**History: Z-7651**

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

***Surrounding Property:***

**BOA-23011 October 2020:** The Board of Adjustment **approved** a *Special Exception* to permit High-Impact Medical Marijuana processing in the IM District, on property located at 1614 East 6<sup>th</sup> Street South.

**BOA-18638 January 2000:** The Board of Adjustment **approved** a *Special Exception* to permit a church in an IM zoned district, on property located at 1628 & 1632 E. 6<sup>th</sup> St.

**BOA-17308 February 1996:** The Board of Adjustment **approved** a *Variance* to permit required setback from the centerline of 6<sup>th</sup> St. from 65' to 30', on property located at 1615 E. 6<sup>th</sup> St.

**BOA-11150 August 1980:** The Board of Adjustment **approved** a *Variance* to permit the setback requirements from 37.5' to 31.9' from the centerline of the street; & a *Variance* of the setback from an R District from 75' to 6' & a *Special Exception* for the modification of the screening requirements where the purpose of the screening cannot be achieved, on property located at SW corner of 7<sup>th</sup> Street and Troost Ave.

**BOA-1368 April 1941:** The Board of Adjustment **approved** a *waiver of* set-back requirements along 6<sup>th</sup> St. to permit erection of an addition to existing buildings, on property located at Lot 5, Block 12, Factory Addition 1538 E. 6<sup>th</sup> Street.

**The applicant indicated his agreement with staff's recommendation.**

**All Interested Parties were in support of the application.**

**Interested Parties:**

**Kevin Anderson** PO Box 4255, Tulsa, OK 74159

**Femi Fasesin** 421 South Olympia Avenue, Tulsa, OK 74127

**TMAPC Action; 10 members present:**

On **MOTION** of **WALKER**, the TMAPC voted 10-0-0(Carr, Covey, Craddock, Kimbrel, Krug, Reeds, Shivel, Walker, Whitlock, Zalk, "aye"; no "nays"; none "abstaining"; Bayles, "absent") to recommend **APPROVAL** of the CH zoning for Z-7651 per staff recommendation.

**Legal Description for Z-7651:**

LT 1 BLK 12, FACTORY ADDN, City of Tulsa, Tulsa County, State of Oklahoma

\* \* \* \* \*

- 5. PUD-459-A Freddy Valverde (CD 5) Location: Southeast corner of East 21st Street South and South 101st East Avenue requesting a **PUD Major Amendment** to Abandon PUD-459 (**Related to Z-7652**)**

**STAFF RECOMMENDATION:**

**SECTION I: PUD-459-A Abandonment**

**DEVELOPMENT CONCEPT:**

Applicant has requested rezoning to OL and abandonment of the PUD approved in 1990. That PUD only allows a convenience store with outdated development standards and rezone for office uses are consistent with the Town Center Land use designations

**DETAILED STAFF RECOMMENDATION:**

Abandoning the PUD and rezoning the subject property to the OL district is primarily intended to facilitate the development and preservation of low-intensity office development. Uses with the lot and building regulations permitted in the OL district are consistent with the Town Center land use designation. The OL district is also consistent with the expected development along a Primary Arterial Street with the multi modal corridor designation and secondary arterial and,

Abandoning the PUD and rezoning to OL expands the allowed uses that were allowed in the PUD. The current supplemental OL standards allow development

and provide standards that is consistent the adjacent Existing Neighborhood land use designations and,

The combined effort of abandoning the outdated PUD along with rezoning the commercial development area to OL is consistent with Town Center land use designation in the Comprehensive Plan therefore,

Staff recommends Approval of PUD-459-A

## **SECTION II: Supporting Documentation**

### **RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

***Staff Summary:** OL zoning allows use and provides supplemental regulations that are consistent with the Town Center Land use vision of the comprehensive plan.*

### **Land Use Vision:**

#### ***Land Use Plan map designation: Town Center***

Town Centers are medium-scale, one to five story mixed-use areas intended to serve a larger area of neighborhoods than Neighborhood Centers, with retail, dining, and services and employment. They can include apartments, condominiums, and townhouses with small lot single family homes at the edges. A Town Center also may contain offices that employ nearby residents. Town centers also serve as the main transit hub for surrounding neighborhoods and can include plazas and squares for markets and events. These are pedestrian-oriented centers designed so visitors can park once and walk to number of destinations.

#### ***Areas of Stability and Growth designation: Area of Growth***

An area of growth is a designation to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus

growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.”

**Transportation Vision:**

***Major Street and Highway Plan:***

East 21<sup>st</sup> Street South is considered a multi-modal corridor. Future development should emphasize plenty of travel choices such as pedestrian, bicycle and transit use. Multimodal streets are located in high intensity mixed-use commercial, retail, and residential areas with substantial pedestrian activity. These streets are attractive for pedestrians and bicyclists because of landscaped medians and tree lawns. Multi-modal streets can have on-street parking and wide sidewalks depending on the type and intensity of adjacent commercial land uses. Transit dedicated lanes, bicycle lanes, landscaping and sidewalk width are higher priorities than the number of travel lanes on this type of street. To complete the street, frontages are required that address the street and provide comfortable and safe refuge for pedestrians while accommodating vehicles with efficient circulation and consolidated-shared parking.

Streets on the Transportation Vision that indicate a transit improvement should use the multi-modal street cross sections and priority elements during roadway planning and design.

South 101<sup>st</sup> Street East Avenue is considered a secondary arterial without a designation

***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 property is vacant. In 1990 The site was zoned with a PUD that only allowed a convenience store that was never constructed.*

**Street view from northwest looking southeast east:** (see next page)



**Environmental Considerations:** None

**Streets:**

Existing Access	MSHP Design	MSHP R/W	Exist. # Lanes
East 21 <sup>st</sup> Street South	Primary Arterial with Multi modal corridor designation	120 feet	5 lanes (2 each direction and a left turn lane for west bound traffic)
South 101 <sup>st</sup> East Avenue	Secondary Arterial	100 feet	3 lanes (one each direction with a right turn lane for northbound traffic)

**Utilities:**

The subject tract has municipal water and sewer available.

**Surrounding Properties:**

<b>Location</b>	<b>Existing Zoning</b>	<b>Existing Land Use Designation</b>	<b>Area of Stability or Growth</b>	<b>Existing Use</b>
North	CS	Town Center	Growth	Commercial/retail
East	RS-3	Existing Neighborhood	Stability	Detached Single family dwelling homes
South	RS-3	Existing Neighborhood	Stability	Detached Single family dwelling homes
West	CS	Town Center	Growth	Commercial/retail

**SECTION III: Relevant Zoning History**

**History: PUD-459-A (Rel.Z-7652)**

***Subject Property:***

**Z-6268/PUD-459:** The City Commission all concurred in **approval** of a request to rezone the subject property from OL to OL and CS with Ordinance 17283 February 23<sup>rd</sup>, 1990. The ordinance designated and the subject tract to OL and supplementally zoned the tract PUD. The PUD limited uses to convenience and gasoline sale store.

***Surrounding Property:***

**BOA-22999 September 2020:** The Board of Adjustment **approved** a *Special Exception* to permit for Commercial/Vehicle Sales and Service/Personal Vehicle Sales & Rental use in a CS District, on property located at 9955 East 21<sup>st</sup> Street South.

**BOA-22880 March 2020:** The Board of Adjustment **approved** a *Special Exception* to permit Outdoor Equipment and Storage in a CS District, on property located at 9955 East 21<sup>st</sup> Street South.

**BOA-22696 July 2019:** The Board of Adjustment **approved** a *Special Exception* to permit a wholesale and distribution use in a CS District, on property located at 10131 East 21<sup>st</sup> Street South.

**BOA-20967 August 2009:** The Board of Adjustment **approved** a *Variance* to permit an outdoor advertising sign outside of a freeway sign corridor, on property located at 9955 East 21<sup>st</sup> Street South.

**BOA-20867 January 2009:** The Board of Adjustment **approved** a verification of the spacing requirement for a liquor store of 300 ft. from blood banks, plasma center, day labor hiring centers bail bond offices, pawn shops, and another liquor store, on property located at 9920 East 21<sup>st</sup> Street South.

**BOA-15911 January 1992:** The Board of Adjustment **approved** a *Special Exception* to permit automobile sales in a CS District, on property located at 10101 East 21<sup>st</sup> Street.

**BOA-13627 June 1985:** The Board of Adjustment **approved** a *Special Exception* to permit a satellite dish as an accessory use for an existing insurance office in a CS zoned district, on property located at 9960 East 21<sup>st</sup> Street.

**BOA-13578 May 1985:** The Board of Adjustment **approved** a *Variance* to permit a 740 sq. ft. outdoor advertising sign in a CS zoned district, on property located at 10101 E. 21<sup>st</sup> Street South.

**BOA-12855 November 1983:** The Board of Adjustment **approved** a *Special Exception* to permit used car sales in a CS zoned district under the provisions of Section 1680, on property located at NE corner of East 21<sup>st</sup> Street South and South 101<sup>st</sup> East Avenue.

**BOA-12211 September 1982:** The Board of Adjustment **approved** a *Special Exception* to sell motor homes, travel trailers, 5<sup>th</sup> wheel trailers in a CS District, on property located at NW corner of 21<sup>st</sup> Street and 101<sup>st</sup> East Avenue.

**BOA-11899 April 1982:** The Board of Adjustment **approved** a *Special Exception* to permit restricted outdoor recreational facility in a CS District, on property located at NW corner of 101<sup>st</sup> East Avenue and 21<sup>st</sup> Street.

**BOA-11341 January 1981:** The Board of Adjustment **approved** a *Special Exception* to permit children's day care home in an RS-3 District, on property located at 2123 South 102<sup>nd</sup> East Avenue.

**TMAPC Action; 10 members present:**

On **MOTION** of **WALKER**, the TMAPC voted 10-0-0(Carr, Covey, Craddock, Kimbrel, Krug, Reeds, Shivel, Walker, Whitlock, Zalk, "aye"; no "nays"; none "abstaining"; Bayles, "absent") to recommend **APPROVAL** of PUD-459-A per staff recommendation.

\* \* \* \* \*

- Z-7652 Freddy Valverde** (CD 5) Location: Southeast corner of East 21<sup>st</sup> Street South and South 101<sup>st</sup> East Avenue requesting rezoning from **OL and CS to OL (Related to PUD-459-A)**

**STAFF RECOMMENDATION:**  
**SECTION I: Z-7652**

**DEVELOPMENT CONCEPT:**

Applicant has requested rezoning to OL and abandonment of the PUD approved in 1990. That PUD only allows a convenience store with outdated development standards and rezone for office uses are consistent with the Town Center Land use designations

**DETAILED STAFF RECOMMENDATION:**

Abandoning the PUD and rezoning the subject property to the OL district is primarily intended to facilitate the development and preservation of low-intensity office development. Uses with the lot and building regulations permitted in the OL district are consistent with the Town Center land use designation. The OL district is also consistent with the expected development along a Primary Arterial Street with the multi modal corridor designation and secondary arterial and,

Abandoning the PUD and rezoning to OL expands the allowed uses that were allowed in the PUD. The OL standards allow development that is consistent the existing residential development pattern anticipated on the edges of the existing neighborhood land use areas and,

The combined effort of abandoning the outdated PUD along with rezoning the commercial development area to OL is consistent with Town Center land use designation in the Comprehensive Plan therefore,

Staff recommends approval of Z-7652 to rezone the site to OL but only if PUD 459-A a is approved which will abandon PUD 459.

**SECTION II: Supporting Documentation**

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

***Staff Summary:*** *OL zoning allows use and provides supplemental regulations that are consistent with the Town Center Land use vision of the comprehensive plan.*

**Land Use Vision:**

***Land Use Plan map designation: Town Center***

Town Centers are medium-scale, one to five story mixed-use areas intended to serve a larger area of neighborhoods than Neighborhood Centers, with retail, dining, and services and employment. They can include apartments, condominiums, and townhouses with small lot single family homes at the edges. A Town Center also may contain offices that employ nearby residents. Town centers also serve as the main transit hub for surrounding neighborhoods and

can include plazas and squares for markets and events. These are pedestrian-oriented centers designed so visitors can park once and walk to number of destinations.

***Areas of Stability and Growth designation: Area of Growth***

An area of growth is a designation to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.”

**Transportation Vision:**

***Major Street and Highway Plan:***

East 21<sup>st</sup> Street South is considered a multi-modal corridor. Future development should emphasize plenty of travel choices such as pedestrian, bicycle and transit use. Multimodal streets are located in high intensity mixed-use commercial, retail, and residential areas with substantial pedestrian activity. These streets are attractive for pedestrians and bicyclists because of landscaped medians and tree lawns. Multi-modal streets can have on-street parking and wide sidewalks depending on the type and intensity of adjacent commercial land uses. Transit dedicated lanes, bicycle lanes, landscaping and sidewalk width are higher priorities than the number of travel lanes on this type of street. To complete the street, frontages are required that address the street and provide comfortable and safe refuge for pedestrians while accommodating vehicles with efficient circulation and consolidated-shared parking.

Streets on the Transportation Vision that indicate a transit improvement should use the multi-modal street cross sections and priority elements during roadway planning and design.

South 101<sup>st</sup> Street East Avenue is considered a secondary arterial without a designation

**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 property is vacant. In 1990 The site was zoned with a PUD that only allowed a convenience store that was never constructed.*

**Street view from northwest looking southeast east:**



**Environmental Considerations:** None

**Streets:**

Existing Access	MSHP Design	MSHP R/W	Exist. # Lanes
East 21 <sup>st</sup> Street South	Primary Arterial with Multi modal corridor designation	120 feet	5 lanes (2 each direction and a left turn lane for west bound traffic)
South 101 <sup>st</sup> East Avenue	Secondary Arterial	100 feet	3 lanes (one each direction with a right turn lane for northbound traffic)

**Utilities:**

The subject tract has municipal water and sewer available.

**Surrounding Properties:**

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	CS	Town Center	Growth	Commercial/retail
East	RS-3	Existing Neighborhood	Stability	Detached Single family dwelling homes
South	RS-3	Existing Neighborhood	Stability	Detached Single family dwelling homes
West	CS	Town Center	Growth	Commercial/retail

**SECTION III: Relevant Zoning History**

**History: Z-7652** (Related to PUD-459-A)

**ZONING ORDINANCE:**

***Subject Property:***

**Z-6268/PUD-459:** The City Commission all concurred in **approval** of a request to rezone the subject property from OL to OL and CS with Ordinance 17283 February 23<sup>rd</sup>, 1990. The ordinance designated and the subject tract to OL and supplementally zoned the tract PUD. The PUD limited uses to convenience and gasoline sale store.

***Surrounding Property:***

**BOA-22999 September 2020:** The Board of Adjustment **approved** a *Special Exception* to permit for Commercial/Vehicle Sales and Service/Personal Vehicle Sales & Rental use in a CS District, on property located at 9955 East 21<sup>st</sup> Street South.

**BOA-22880 March 2020:** The Board of Adjustment **approved** a *Special Exception* to permit Outdoor Equipment and Storage in a CS District, on property located at 9955 East 21<sup>st</sup> Street South.

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**BOA-20967 August 2009:** The Board of Adjustment **approved** a *Variance* to permit an outdoor advertising sign outside of a freeway sign corridor, on property located at 9955 East 21<sup>st</sup> Street South.

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**BOA-15911 January 1992:** The Board of Adjustment **approved** a *Special Exception* to permit automobile sales in a CS District, on property located at 10101 East 21<sup>st</sup> Street.

**BOA-13627 June 1985:** The Board of Adjustment **approved** a *Special Exception* to permit a satellite dish as an accessory use for an existing insurance office in a CS zoned district, on property located at 9960 East 21<sup>st</sup> Street.

**BOA-13578 May 1985:** The Board of Adjustment **approved** a *Variance* to permit a 740 sq. ft. outdoor advertising sign in a CS zoned district, on property located at 10101 E. 21<sup>st</sup> Street South.

**BOA-12855 November 1983:** The Board of Adjustment **approved** a *Special Exception* to permit used car sales in a CS zoned district under the provisions of Section 1680, on property located at NE corner of East 21<sup>st</sup> Street South and South 101<sup>st</sup> East Avenue.

**BOA-12211 September 1982:** The Board of Adjustment **approved** a *Special Exception* to sell motor homes, travel trailers, 5<sup>th</sup> wheel trailers in a CS District, on property located at NW corner of 21<sup>st</sup> Street and 101<sup>st</sup> East Avenue.

**BOA-11899 April 1982:** The Board of Adjustment **approved** a *Special Exception* to permit restricted outdoor recreational facility in a CS District, on property located at NW corner of 101<sup>st</sup> East Avenue and 21<sup>st</sup> Street.

**BOA-11341 January 1981:** The Board of Adjustment **approved** a *Special Exception* to permit children's day care home in an RS-3 District, on property located at 2123 South 102<sup>nd</sup> East Avenue.

**The applicant indicated his agreement with staff's recommendation.**

**There were no interested parties wishing to speak.**

**TMAPC Action; 10 members present:**

On **MOTION** of **WALKER**, the TMAPC voted 10-0-0(Carr, Covey, Craddock, Kimbrel, Krug, Reeds, Shivel, Walker, Whitlock, Zalk, “aye”; no “nays”; none “abstaining”; Bayles, “absent”) to recommend **APPROVAL** of the OL zoning for Z-7652 per staff recommendation.

**Legal Description for Z-7652:**

LOT 1, BLOCK 1, LESS AND EXCEPT THE FOLLOWING DESCRIBED TRACT: BEGINNING AT THE NWC OF LOT 1 BLOCK 1; THENCE SOUTH ALONG THE WEST LINE OF SAID LOT 1 A DISTANCE OF 70 FEET TO THE SWC OF SAID LOT 1; THENCE EAST ALONG THE SOUTH LINE OF SAID LOT 1 A DISTANCE OF 5 FEET; THENCE NORTH AND PARALLEL WITH THE WEST LINE OF SAID LOT 1 A DISTANCE OF 47 FEET; THENCE NORTHEASTERLY A DISTANCE OF 29.12 FEET TO THE NORTH LINE OF SAID LOT 1; THENCE WEST ALONG THE NORTH LINE OF SAID LOT A DISTANCE OF 23 FEET TO THE NWC OF SAID LOT 1 AND THE POINT OF BEGINNING AND LOT 2 AND 3, BLOCK 1 LESS AND EXCEPT THE WEST 5 FEET THEREOF, CHARYL LYNN ACRES AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA.

\*\*\*\*\*

- 7. **Z-7653 City Council** (CD 6, 3) Location: 41 properties south of the southeast corner of East Admiral Place and South 129th East Avenue and North of the northwest corner of East 21st Street South and South 161st East Avenue requesting rezoning from **RS-3 and RS-2 to AG-R**

**STAFF RECOMMENDATION:**

**SECTION I: Z-7653**

**DEVELOPMENT CONCEPT:** This group of zoning requests is part of a City Council initiated program to allow AG-R rezonings at no charge to interested property owners in East Tulsa neighborhood areas. This application is Phase I. Phase II properties will be heard at the next TMAPC meeting.

**DETAILED STAFF RECOMMENDATION:**

Z-7653 includes 41 properties located between East Admiral Place and East 31<sup>st</sup> Street and between South 129<sup>th</sup> East Avenue and South 161<sup>st</sup> East Avenue.

In March, City Council initiated a voluntary AG-R zoning program for this area to assist residents with R zoned property who wish to maintain their agricultural uses. The proposed program serves as a tool for property owners to apply to rezone their properties to AG-R with no application fee.

Staff has found the AG-R zoning to align with the existing development patterns of the area. Lots included meet the minimum requirements of AG-R zoning.

Staff recommends **approval** of Z-7653 to rezone properties from RS-2/RS-3 to AG-R.

## **SECTION II: Supporting Documentation**

### **RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

*Staff Summary:* Property owners have taken advantage of a voluntary rezoning opportunity initiated by the Tulsa City Council. The program allows for eligible properties to be rezoned from residential designations to AG-R, Agriculture-Residential. AG-R sets larger lot minimums and allows for select agricultural uses that would be prohibited under RS districts. The areas under application consist of large tract, single-family homes, many of which include some agricultural component. AG-R zoning would address compliance issues while aligning the zoning regulations with the development patterns in the area.

#### **Land Use Vision:**

*Land Use Plan map designation:* Mixed-Use Corridor, New Neighborhood, Neighborhood Center, Town Center, Existing Neighborhood

Mixed-Use Corridors are Tulsa's modern thoroughfares that pair high-capacity transportation facilities with housing, commercial, and employment uses. Off the main travel route, land uses include multifamily housing, small lot, and townhouse developments, which step down intensities to integrate with single family neighborhoods. Mixed-Use Corridors usually have four or more travel lanes, and sometimes additional lanes dedicated for transit and bicycle use. The pedestrian realm includes sidewalks separated from traffic by street trees, medians, and parallel parking strips. Pedestrian crossings are designed so they are highly visible and make use of the shortest path across a street. Buildings along Mixed-Use Corridors include windows and storefronts along the sidewalk, with automobile parking generally located on the side or behind

The New Neighborhood is intended for new communities developed on vacant land. These neighborhoods are comprised primarily of single-family homes on a range of lot sizes but can include townhouses and low-rise apartments or condominiums. These areas should be designed to meet high standards of internal and external connectivity and shall be paired with an Existing or New Neighborhood or Town Center land use designation.

Neighborhood Centers are small-scale, one to three story mixed-use areas intended to serve nearby neighborhoods with retail, dining, and services. They can include apartments, condominiums, and townhouses, with small lot single family homes at the edges. These are pedestrian-oriented places served by transit, and visitors who drive can park once and walk to number of destinations.

Town Centers are medium-scale, one to five story mixed-use areas intended to serve a larger area of neighborhoods than Neighborhood Centers, with retail, dining, and services and employment. They can include apartments, condominiums, and townhouses with small lot single family homes at the edges. A Town Center also may contain offices that employ nearby residents. Town Centers also serve as the main transit hub for surrounding neighborhoods and can include plazas and squares for markets and events. These are pedestrian-oriented centers designed so visitors can park once and walk to number of destinations.

The Existing Neighborhood category is intended to preserve and enhance Tulsa's existing single-family neighborhoods. Development activities in these areas should be limited to the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code. In cooperation with the existing community, the city should make improvements to sidewalks, bicycle routes, and transit so residents can better access parks, schools, churches, and other civic amenities.

*Areas of Stability and Growth designation:* Area of Growth, Area of Stability

The purpose of Areas of Growth is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial.

Areas of Stability include approximately 75% of the city's total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal for the Areas of Stability is to identify and maintain the valued character of an area while accommodating the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.

#### Transportation Vision:

*Major Street and Highway Plan:* The area under application for Phase I includes 6 square mile sections with a variety of major street and highway plan designations. Those designations include Primary Arterials, Secondary Arterials, Residential Collectors, and standard residential streets. In areas where Residential Collectors are planned but not constructed, further subdivision of

property would come with a requirement to implement the planned collector streets.

*Trail System Master Plan Considerations:* None related to AG-R consideration.

Small Area Plan: None

Special District Considerations: **East Tulsa Neighborhood Implementation Plan** provides guidance for development review and capital project implementation. The plan would be utilized for review of new development proposals or subdivisions.

Historic Preservation Overlay: None.

#### DESCRIPTION OF EXISTING CONDITIONS:

*Staff Summary:* The majority of the area under application includes large-lot single-family homes with a range of select agricultural uses. Many of the tracts are unplatted and are not served by municipal sanitary sewer. AG-R zoning aligns with the existing development patterns of the area more closely than the existing RS zoning districts.

#### Environmental Considerations:

There are existing FEMA and City of Tulsa Regulatory Floodplain areas included within the Phase I geography. Development of these areas will be restricted and required to comply with applicable floodplain regulations if proposed.

#### Streets:

Properties under application are served by a range of existing public streets including arterials, collectors, and residential streets. Close-up aerial images are attached and illustrate the accessible street networks for each property.

#### Utilities:

The subject tracts are served by municipal water. Many tracts under application utilize on-site sewage disposal and do not have direct access to municipal sanitary sewer service.

#### Surrounding Properties:

Properties under application are spread throughout the eligible Phase I area. There is a mixture of zoning districts and land use designations in the surrounding areas. Maps of the land use, growth & stability areas, and aerial photos are included in the attached exhibits.

### **SECTION III: Relevant Zoning History**

#### **History: Z-7653**

**ZONING ORDINANCE:** Ordinance number 11812 dated June 26, 1970, established zoning for the subject property.

Ordinance number 11818 dated June 26, 1970, established zoning for the subject property.

**Interested Parties:**

**Susan Frederick** PO Box 751, Tulsa, OK 74015

Ms. Frederick stated she has lived in her current home at 14301 East 11th Street for 40 years. She stated in 2010 she fought the zoning change and made an application to change her zoning. Ms. Frederick stated she had to pay for her application and now this is being offered for free. She stated she has raised horses for years and the animal code states no animals are allowed in the city limits of Tulsa. Ms. Frederick stated the city is trying to dictate what she can and cannot do with her own property and her whole neighborhood is getting sucked into this rezoning.

**William D Farmer** 14557 East 13th Street, Tulsa, OK 74108

Mr. Farmer stated he is against this proposal to take 41 properties and turn them into agricultural. He stated he has an agricultural lot in front of his house and the owners built a 30x50 greenhouse in their front yard because it was agricultural. Mr. Farmer asked how this got by City Code Enforcement and City Permitting. Mr. Farmer stated they are slaughtering chickens and turkeys in the backyard and that is bringing wild animals into the neighborhood. He stated he lives in a residential zoned area and the difference between the properties is 25 feet. Mr. Farmer stated it was zoned residential and it needs to stay that way. He stated he has a petition to have the greenhouse removed signed by all the neighbors on the that street.

Mr. Craddock asked if City of Tulsa Code Enforcement had been contacted.

Mr. Farmer stated he has called the City Building Inspector and Code Enforcement multiple times. He stated his neighbors have called multiple times. Mr. Farmer stated he believes they built the greenhouse without a building permit.

Mr. Craddock stated that is not something that Planning Commission can control.

**Bruce Denny** 905 South Lynn Lane Road, Tulsa, OK 74108

Mr. Denny stated he is with the Lynn Lane Neighborhood Association and they support this application because they think it will fit the area. He stated he would

like to thank City Councilors Dodson and Patrick and all the counselors for understanding that AG-R was needed in East Tulsa. He stated this helps correct some of the mislabeled RS-1, RS-2 and RS-3 properties that are larger than 1 acre and reflects that there is a mix of residential and agricultural in this area. Mr. Denny stated he has spoken to the Chairman of the Tower Heights Neighborhood Association and they also agree that AG-R zoning is a good decision for the area. He stated he also received a note from Dennis Henson, a resident in the area, who wanted him to express his support of this program also. Mr. Denny stated AG-R zoning is a consensus of the neighborhood. He stated just a reminder, TMAPC denied an RS-4 zoning application for this area because 50 foot lots do not belong in the area. Mr. Denny stated that decision has been challenged at City Council and even a formal protest petition from the adjoining landowners is being challenged. He stated AG-R is a good decision for East Tulsa.

**Sonya Turner** 18002 East 12th Street, Tulsa, OK 74108

Ms. Turner stated she has lived in the area since 1974 and agrees there is a lot of chickens, turkeys, and goats. She stated the residents that have lived in the area all these years have lived as if zoned agricultural and should be reimbursed for the taxes they had to pay while zoned residential since the property is now changing to agricultural and that was what was needed from the beginning. Ms. Turner stated there is a 20 acre plot that has an entertainment system at the facility. She stated at 4 am she hears loud music and wonders what happened to her AG zoning.

Mr. Whitlock asked if Code Enforcement had been contacted.

Ms. Turner stated Code Enforcement has not shown up. She stated it's an obvious code violation and the police drive down the street a lot but no one will step up and take charge to get it cleaned up. Ms. Turner stated you can see it with the naked eye he does not need to be called in, its visible.

**Kevin Parks** 1205 South 131st East Avenue, Tulsa, OK 74108

Mr. Parks stated he has two properties in the area that are a little over 1.25 acres each. Mr. Parks stated he is only one of two gentlemen in the neighborhood that have over 1 acre that speaks English. He stated most of his neighbors are Hispanic. Mr. Parks stated he has had to educate a few of his neighbors on how to care for some of the animals they own. He stated there are legal limits that are set by the state and animal control on how many animals you can have per acre. Mr. Parks stated he loves the animals and has an agreement with one of his neighbors who once a week will bring 4 or 5 sheep over and turn them loose in his backyard so he does not have to mow. Mr. Parks stated he supports this proposal.

Staff stated he heard 2 different ordinances addressed. First the zoning which is what is related to the Animal Welfare Ordinance. He stated slaughtering of any kind of animals is not allowed in the city limits of Tulsa. Staff stated the Animal Welfare Ordinance states one horse per acre and a shelter that is setback at least 75 feet from any neighboring residential property is required. He stated some limitations apply to each type of animal that is allowed within AG-R zoning. There is no sort of commercial agricultural uses allowed as a part of AG-R. Staff stated this is fully intended to be agricultural uses accessory to a residential home. He stated this is not about full-fledged chicken farms and cattle is not allowed as part of this either. Staff stated the ordinance is heavily regulated, and it is enforced by the City of Tulsa's Animal Welfare Department. He stated in these instances where there are situations dealing with animals, Animal Welfare would go out and work to clean up those issues. Staff stated the intent of this application is to help someone who has a horse or two on their large tract that they want to keep and maintain. It also allows for chickens and for rabbits. The City of Tulsa ordinance is pretty explicit that goats are not currently allowed in the City. He stated there are restrictions but they are not in the Zoning Code but are set up in the Animal Welfare Ordinance for what can be done within an AG-R district. Staff stated it does sound like there is a need for some animal welfare enforcement in the area just based on some of the testimonies heard from people today.

Mr. Covey stated just to be clear, this rezoning is not being forced on these residences, residents have actually applied to have the AG-R zoning.

Staff stated, "that is correct," everybody who is included on the application today submitted a consent form to be included in the rezoning to AG-R. He stated some of the topic of forced zoning is related to when the City of Tulsa adopted zoning in 1970. Staff stated the statutory authority for this Planning Commission is to establish zoning regulations in the City of Tulsa so these properties are all in the corporate limits of the City of Tulsa and are subject to our zoning laws. He stated when they were zoned residential it was done as part of the massive comprehensive zoning update that happened in 1970 and this is an attempt to help address some of those outlying issues.

Mr. Craddock asked if information staff presented was for AG-R zoning and AG zoning.

Staff stated there are distinctions in the Animal Welfare Ordinance and AG zoning gets more in terms of number of animals or types of animals, things of that nature than AG-R does. He stated there are specified regulations for AG-R as well as certain prohibitions on AG-R.

Mr. Craddock stated since there are less restrictions in AG zoning it could be that some of the speakers have talked about uses on AG zoned property and therefore allowed by right.

Ms. Kimbrel asked considering the restrictions for AG-R in other areas of Tulsa is there a stricter or more rigorous enforcement to make sure people are following those restrictions of AG-R.

Staff stated so there are provisions in the Animal Welfare Ordinance that also require certain types of animals and things to be registered with Working in Neighborhoods and with Animal Welfare for that exact purpose so that they can be aware of where these animals are and can keep an eye on whether they are being maintained properly. He stated he would imagine it is not an instantaneous process but starts with someone recognizing an issue that results in a violation.

**TMAPC Action; 10 members present:**

On **MOTION** of **REEDS**, the TMAPC voted 9-0-1 (Carr, Covey, Craddock, Krug, Reeds, Shivel, Walker, Whitlock, Zalk, “aye”; no “nays”; Kimbrel, “abstaining”; Bayles, “absent”) to recommend **APPROVAL** of the AG-R zoning for Z-7653 that include 41 properties located between East Admiral Place and East 31<sup>st</sup> Street and between South 129<sup>th</sup> East Avenue and South 161<sup>st</sup> East Avenue. per staff recommendation.

**Legal Descriptions for Z-7653:**

**Legal Description**

Arenivas  
Lot 3 Block 7 Romoland

**Legal Description**

33975-94-10-01130  
Subdivision: RADIO HGTS  
Legal: LTS 1 & 2 LESS N30 LT 2 FOR ST BLK 2  
Section: 10 Township: 19 Range: 14

**Legal Description**

1222 S 131 E Ave  
Subdivision: ROMOLAND  
Legal: LTS 1 & 2 BLK 4  
Section: 09 Township: 19 Range: 14

**Legal description**

Emily Jeanne Ball 99410941016040  
S/2 SE NE SW LESS W30 RD SEC 10 19 14 4.77AC

**Legal Description**

Steven Gates 12725-94-09-00520  
Subdivision: ELEVENTH STREET ACRES Legal: LT 1 & 2 BLK 6  
Section: 09 Township: 19 Range: 14

**Legal Description**

Gustin

Lot 1 Block 8 Radio Heights Addition

**Legal description**

Cathy Harmon  
Cathy Harmon 99416941602630  
BEG 635.654S & 684.769E NWC NW TH E304.885 N305.304 W304.89 S305.327 POB SEC 16 19 14

**Legal Description**

Cathy Harmon 33975941002200  
Lts 3 & 6 & S/2 LT 5 BLK 6, RADIO HGTS

**Legal Description**

Cathy Harmon 33975941002180  
LT 4 BLK 6, RADIO HGTS

**Legal Description**

Warren Higginbotham 99410941017040  
Subdivision: UNPLATTED  
Legal: S/2 NE NW SW LESS W330 & LESS N30 E330 FOR RD SEC 10 19 14 2.273ACS  
Section: 10 Township: 19 Range: 14

**Legal Description**

Craig Hoxie  
S/2 LT BLK 2, Radio HGTS

**Legal Description**

JUAREZ, MOISES & CLAUDIA 99410941026740  
W173 OF E305 SW SE SW LESS S50 THEREOF FOR ST SEC 10 19 14 2.43ACS  
  
JUAREZ, MOISES & CLAUDIA 99410941023740  
W/2 W/2 SE SW LESS S609 W180 THEREOF & LESS S50 THEREOF FOR ST SEC 10 19 14 7.31ACS

**Legal Description**

Christy Kellerhals 33975-94-10-01850  
Subdivision: RADIO HGTS Legal: W212 LTS 1 & 8 BLK 5  
Section: 10 Township: 19 Range: 14

**Legal Description**

Tim Kosciwski  
33975941001260  
Subdivision: RADIO HGTS  
Legal: LT 5 BLK 2  
Section: 10 Township: 19 Range: 14

**Legal Description**

Kathleen Luper  
S/2 N/2 S/2 NW SW SEC 10 19 14

Kathleen Luper  
N/2 N/2 S/2 NW SW Sec 10 19 14

**Legal Description**

Scott Malone 99410-94-10-15040  
Subdivision: UNPLATTED  
Legal: N/2 SW NE SW LESS E30 RD SEC 10 19 14 4.77AC  
Section: 10 Township: 19 Range: 14

**Legal Description**

Scott Malone 99410-94-10-14540  
Subdivision: UNPLATTED  
Legal: S/2 SW NE SW LESS E30 RD SEC 10 19 14 4.77AC  
Section: 10 Township: 19 Range: 14

**Legal Description**

Cherie A Martin  
Legal: W397.5 S/2 NE SW LESS W135 THEREOF & LESS N30 THEREOF FOR ST SEC 10 19 14 1.808ACS  
Section: 10 Township: 19 Range: 14

**Legal Description**

Mary Hill  
1115 S 129 E Ave  
S/2 S/2 W/2 NW NW LESS W50 FOR ST SEC 9 9 14 1.061 ACS

**Legal Description**

Patricia A Mott 13918 E. 11 St  
Lts 3 & 4 BLK 3 Eleventh St Acres

**Legal Description**

Nicoloff  
Lot Three (3), Block Four (4), ROMOLAND, an Addition to the City of Tulsa, County of Tulsa, State of Oklahoma, according to the recorded Plat thereof.

**Legal Description**

Kevin Parks  
1205 S 131 E Ave  
Subdivision: ROMOLAND  
Legal: LT 8 LESS S18 E152.5 & LESS W5 & N5 THEREOF BLK 3  
Section: 09 Township: 19 Range: 14

1221 S 131 E Ave  
Subdivision: ROMOLAND  
Legal: LT 7 & S18 E152.5 LT 8 LESS W5 LT 7 BLK 3  
Section: 09 Township: 19 Range: 14

**Legal Description**

Robert Logan  
W/2 E/2 SW SW Less Beg Son SWC W/2 E2 SW SW TH N310 E315.2 S310 W315.08 POB & LESS E15 N280  
S330 & LESS S50 FOR STS SEC 4 19 17 7.28ACS

**Legal Description**

Mark Rose  
Subdivision: UNPLATTED  
Legal: S/2 S/2 NW SW LESS S300 OF W660 SEC 10 19 14  
Section: 10 Township: 19 Range: 14

**Legal Description**

ABEL SALAS  
LTS 1 & 2 8 BLK 8 ROMOLAD

**Legal Description**

Kalen Sitler 36275940902320  
LTS 3, 4 & 5 BLK 8 & BEG SWC BLK 8 TH E638.59 S20 W638.57 N20 POB SEC 9 19  
14 3.668ACS, ROMOLAND

**Legal Description**

Kalen Sitler 36275940902300

ROMOLAND LT6 BLK 8

**Legal description**

DeMaurice Ann Slinkard  
Lot 4 Block 7 Romoland

Lot 5 Block 7 Romoland

**Legal Description**

Stenson  
LT 7 Less S/2 LT 7 BLK 2, Radio HGTS

LT 8 BLK 2, Radio HGTS

**Legal Description**

Terry L Fiveash  
Lot 4 Block 5, Radio Heights

**Legal Description**

Wagner  
Subdivision: RADIO HGTS  
Legal: LT 3 BLK 5  
Section: 10 Township: 19 Range: 14

Subdivision: RADIO HGTS  
Legal: LT 6 BLK 5  
Section: 10 Township: 19 Range: 14

**Legal Description**

Wesley Worsham  
99410941017540  
Subdivision: UNPLATTED  
Legal: N/2 NW NW SW LESS 30 ON N SIDE SEC 10 19 14  
Section: 10 Township: 19 Range: 14

**Legal Description**

Mcgown  
Subdivision: UNPLATTED  
Legal: W330 S/2 NE NW SW LESS N30 FOR RD SEC 10 19 14 2.273ACS  
Section: 10 Township: 19 Range: 14

**Legal Description**

Christy V. Boggs 33975-94-10-01130  
Subdivision: RADIO HGTS  
Legal: LTS 1 & 2 LESS N30 LT 2 FOR ST BLK 2  
Section: 10 Township: 19 Range: 14

**Legal Description**

DeeAnn/Robert Brown  
Subdivision: Radio HGHTS  
Legals: LTS 3 & 4 BLK 4  
SECTION:10 TOWNSHIP:19 RANGE:1

**Legal Description**

Michael Dean Atto  
LT6 BLK7, RADIO HGTS

\* \* \* \* \*

## PUBLIC HEARING - PLATS

8. **Patterson Farms** (CD 6) Preliminary Plat and Modification of the Subdivision and Development Regulations to extend block length, Location: West of the northwest corner of East 41<sup>st</sup> Street South and South 145<sup>th</sup> East Avenue (Continued from May 4, 2022 and May 18, 2022)

### **STAFF RECOMMENDATION:**

#### **Patterson Farms** - (CD 6)

West of the northwest corner of East 41<sup>st</sup> Street South and South 145<sup>th</sup> East Avenue

The Technical Advisory Committee (TAC) met on April 21, 2022 and provided the following conditions:

1. **Zoning:** The property is zoned RS-4. Proposed lots conform to the requirements of the RS-4 district.
2. **Addressing:** City of Tulsa will assign addresses to each lot. Assigned address is required to be affixed to the face of the final plat prior to approval.
3. **Transportation & Traffic:** Sidewalks and ramps are required to be installed along both sides of all internal streets and along East 41<sup>st</sup> Street South. IDP approval is required prior to approval of final plat. Provide pedestrian connection to Reserve A through Block 4 to extend allowable block length. Provide a pedestrian connection to the northwest to connect pedestrians with the stub street and provide access to the soccer park immediately north. Modification of the subdivision regulations will still be required for block length on block 2. Add street names to the final plat. Temporary turnaround required for stub streets exceeding 150' in length.
4. **Sewer/Water:** Sewer and water extensions are required to obtain IDP approval prior to approval of the final plat. Show all easements with recording information and dimensions.
5. **Engineering Graphics:** Submit a subdivision control data sheet with final plat. Add "City of Tulsa" before Tulsa County in the plat subtitle. Show all platted properties in the location map and label all other property has unplatted. Label subject property. Provide a written legal description. Graphically show all property pins found or set associated with this plat. Provide a bearing angle from the face of the plat to be basis of bearing.
6. **Stormwater, Drainage, & Floodplain:** Improvements to the stormwater system must obtain IDP approval prior to final plat approval.
7. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** All utilities indicated to serve the site must provide a release prior to final plat approval.

Provide a Certificate of Records Search from the Oklahoma Corporation Commission to verify no oil & gas activity on the site.

**Modification to the Subdivision & Development Regulations:**

The applicant has requested a modification to Section 5-030.3 of the *Subdivision and Development Regulations* to extend allowable block length for block 2. Staff recommends approval of the modification with the condition of the pedestrian connection being provided to the northwest to provide access to the soccer facility.

Staff recommends **APPROVAL** of the preliminary subdivision plat and the modification to the Subdivision & Development Regulations subject to the conditions provided by TAC and all other requirements of the Subdivisions Regulations. City of Tulsa release letter is required prior to final plat approval.

**The applicant indicated his agreement with staff's recommendation.**

**There were no interested parties wishing to speak.**

**TMAPC Action; 10 members present:**

On **MOTION** of **REEDS**, the TMAPC voted 10-0-0 (Carr, Covey, Craddock, Kimbrel, Krug, Reeds, Shivel, Walker, Whitlock, Zalk, "aye"; no "nays"; none "abstaining"; Bayles, "absent") to **APPROVE** the Preliminary Subdivision Plat and the modification to the Subdivision & Development Regulations for Patterson Farms per staff recommendation.

\* \* \* \* \*

**OTHER BUSINESS**

**9. Commissioners' Comments**

Mr. Covey welcomed Ms. Carr as the new Mayor's designee to the Planning Commission replacing Jack Blair who was appointed as City Attorney.

Ms. Krug thanked staff for all the information provided in the staff report for item 2 regarding outreach, she though it was very thorough and helpful.

\* \* \* \* \*

**ADJOURN**

**TMAPC Action; 10 members present:**

On **MOTION** of **WALKER**, the TMAPC voted 10-0-0(Carr, Covey, Craddock, Kimbrel, Krug, Reeds, Shivel, Walker, Whitlock, Zalk, “aye”; no “nays”; none “abstaining”; Bayles, “absent”) to **ADJOURN** TMAPC meeting of June 1, 2022, Meeting No. 2867.

**ADJOURN**

There being no further business, the Chair declared the meeting adjourned at 2:00 p.m.

Date Approved:

\_\_\_\_\_

\_\_\_\_\_

Chair

ATTEST: \_\_\_\_\_

Secretary