

**TULSA METROPOLITAN AREA PLANNING COMMISSION
Meeting No. 2902**

**November 15, 2023, 1:00 PM
175 East 2nd Street, 2nd Level, One Technology Center
Tulsa City Council Chamber**

Members Present	Members Absent	Staff Present	Others Present
Carr	Bayles	Chapman	Jordan, COT
Covey	Zalk	Foster	Silman, COT
Craddock		Miller	Stephens, Jeff, Legal
Hood		Sawyer	
Humphrey		Siers	
Krug			
Shivel			
Walker			
Whitlock			

The notice and agenda of said meeting were posted in the Office of the City Clerk, as well as in the Office of the County Clerk on Wednesday November 8, 2023, at 3:45 p.m.

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 actions and other special projects.

Minutes:

1. Minutes of November 1, 2023 Meeting No. 2901

Approval of the Minutes of **November 1, 2023 Meeting No. 2901**

TMAPC Action; 8 members present:

On **MOTION** of **WALKER**, the TMAPC voted 8-0-0 (Carr, Covey, Craddock, Hood, Krug, Shivel, Walker, Whitlock, “aye”; no “nays”; none “abstaining”; Bayles, Humphrey, Zalk, “absent”) to **APPROVE** the minutes of **November 1, 2023 Meeting No. 2901**

DRAFT

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.

2. **Z-7490a Justin Debruin** (CD 2) Location: Southeast of the intersection of West 61st Street South and South 33 West Avenue requesting a **Minor Amendment** to the optional development plan (ODP) to remove the requirement to provide a private street, while allowing the option of a private street or private drive

STAFF RECOMMENDATION:

SECTION I: Z-7490a

Amendment Request: Minor amendment to the optional development plan (ODP) to remove the requirement to provide a private street from the ODP, allowing the option of a private street or private drive.

The applicant has a request to remove the requirement to provide a private street from the optional development plan Z-7490 ODP. TMAPC recommended approval of Z-7490 ODP on 7/17/2019 and later approved by City Council on 8/28/2019. Within the approved staff report there is a section labeled Vehicular Access, that states "A. Vehicular Access will be provided by a privately owned and maintained street, and B. Private streets will conform to the City of Tulsa Engineering standards for a minor residential street. C. Private streets will conform to the Subdivision Regulations for the City of Tulsa." The applicant has requested to remove the requirement to provide a private street. The requirement was originally intended to provide frontage to individual lots within the development plan. There is not currently a plan to create individual lots within the development. Frontage would be measured off public streets or provided private streets.

Staff Comment: *This request is considered a Minor Amendment as outlined by Section 70.040-1(3)(6) of the City of Tulsa Zoning Code.*

"Modification of the internal circulation system that would not increase points of access from adjacent streets, change access to another street or increase projected traffic volumes."

Staff has reviewed the request and determined:

- 1) Z-7490a is consistent with the provisions for administration and procedures of an Amendment to Approved Development Plan (Sec.70.040-1.a.)

- 2) Z-7490a does not represent a significant departure from the approved development standards in the PUD and is considered a minor amendment to Z-7490 ODP.
- 3) All remaining development standards defined in Z-7490a and subsequent amendments shall remain in effect.

With considerations listed above, staff recommends **approval** of the optional development plan amendment to remove the requirement to provide a private street from the ODP, while allowing the option of a private street or private drive.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

Legal Description Z-7490a:

PT NW NW BEG NWC NW TH E687.61 S470.91 SW804.56 N885.48 POB LESS BEG NWC NW NW TH E527 S380 SW207.5 W380 N527 & LESS N50 THEREOF & LESS W50 THEREOF SEC 3 18 12 4.01ACS, City of Tulsa, Tulsa County, State of Oklahoma

3. **PUD-569-A-1/Z-6054-SP-10 EKA Construction** (CD 7) Location: Southeast corner of East 81st Street South and South Highway 169 requesting a **PUD** and **Corridor Minor Amendment** to allow for the use of mobile storage units on the property during renovation

STAFF RECOMMENDATION:

SECTION I: PUD-569-A-1 and Z-6054-SP-10 Minor Amendment

Amendment Request: PUD and Corridor minor amendment to allow for the use of mobile storage units on the property during renovation.

The subject property is a part of development area B of the original PUD, approved in 1997. Within the list of allowed uses include multifamily dwellings. Recently, the property has begun renovations of the site as tenants move out. The applicant has requested that mobile storage units be placed on the property to accommodate the ongoing renovations.

Staff Comment: *This request is considered a Minor Amendment as outlined by Section 30.010.1.2.c) (15) of the City of Tulsa Zoning Code and by Section 70.040.1.1.a of the City of Tulsa Zoning Code.*

“Changes in an approved use to another use may be permitted, provided the underlying zoning on the particular site within the PUD would otherwise permit such use as of right and the proposed use

will not result in any increase of incompatibility with the present and future use of nearby properties.”

Staff has reviewed the request and determined:

- 1) PUD-569-A-1 and Z-6054-SP-10 is consistent with the provisions for administration and procedures of a PUD in section 30.010-H and of a corridor development plan in section 25.040.E.5.
- 2) PUD-569-1 and Z-6054-SP-10 does not represent a significant departure from the approved development standards in the PUD and is considered a minor amendment to PUD-569-A-1 and Z-6054-SP
- 3) All remaining development standards defined in PUD-569-A and Z-6054-SP and previous amendments shall remain in effect.

With considerations listed above, staff recommends **approval** of a PUD and Corridor minor amendment to allow for the use of mobile storage units on the property during renovation.

Legal Description PUD-569-A-1/Z-6054-SP-10:

Lt 1 Blk 1 STONEHAVEN AT MEADOWBROOK, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

Item 4 was removed from the Consent Agenda and placed on the Public Hearing by Mr. Covey. (see Public Hearing below)

- 5. **Z-7008-SP-1t Tanner Consulting** (CD 2) Location: North of the northeast corner of West 81st Street South and South Olympia Avenue East requesting a **Corridor Minor Amendment** to allocate allowable building floor area between proposed lots

STAFF RECOMMENDATION:

SECTION I: Z-7008-SP-1t Minor Amendment

Amendment Request: Corridor minor amendment to allocate allowable building floor area between proposed lots.

This minor amendment is associated with a lot split application LS-21541. This application takes the current tract and splits a 25,425 SF portion into its own tract. Currently there is 149,521 SF allocated for the existing tract. Since this is

being split, the amendment is needed to allocate the needed building floor area to the two new tracts. For the northern tract (.584 acres) the applicant has requested 6,356 SF be allocated to the tract. For the remainder of the tract there will be 143,165 SF allocated.

Staff Comment: *This request is considered a Minor Amendment as outlined by Section 70.040-1(3)(6) of the City of Tulsa Zoning Code.*

“Adjustment of internal development area boundaries, provided the allocation of land to particular uses and the relationship of uses within the project are not substantially altered.”

“Lot splits that have been reviewed and approved in accordance with the subdivision and development regulations.”

Staff has reviewed the request and determined:

- 1) Z-7008-SP-1t is consistent with the provisions for administration and procedures of an Amendment to Approved Development Plan (Sec.70.040-1.a.)
- 2) Z-7008-SP-1t does not represent a significant departure from the approved development standards in the PUD and is considered a minor amendment to Z-7008-SP-1.
- 3) All remaining development standards defined in Z-7008-SP-1 and subsequent amendments shall remain in effect.

With considerations listed above, staff recommends **approval** of the Corridor minor amendment to allocate allowable building floor area between proposed lots.

Legal Description Z-7008-SP-1t:

A TRACT OF LAND THAT IS A PART OF LOTS THREE (3), AND FOUR (4) BLOCK TWO (2), "TULSA HILLS", AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF (PLAT NO. 6154), SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 3, BLOCK 2, TULSA HILLS; THENCE NORTH 00°00'18" WEST ALONG THE WEST LINE OF LOTS 3 AND 4, BLOCK 2 A DISTANCE OF 778.07 FEET TO A POINT OF CURVE; THENCE ALONG THE CURVE TO THE RIGHT HAVING A RADIUS OF 900.00 FEET AND A DELTA ANGLE OF 23°11'32" FOR AN ARC LENGTH OF 364.30 FEET, ALSO HAVING A CHORD BEARING OF NORTH 11°35'27" EAST FOR A DISTANCE OF 361.82 FEET; THENCE SOUTH 62°29'14" EAST FOR DISTANCE OF 388.31 FEET; THENCE SOUTH 35°17'24" EAST FOR A DISTANCE OF 141.62 FEET; THENCE SOUTH 03°20'51" EAST A DISTANCE OF 464.98 FEET; THENCE SOUTH 16°40'13" WEST A DISTANCE OF 60.47 FEET; THENCE SOUTH 06°40'56" EAST A DISTANCE OF 198.44

FEET; THENCE SOUTH 01°17'25" EAST A DISTANCE OF 365.12 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 3; THENCE NORTH 57°02'28" WEST ALONG SAID SOUTH LINE A DISTANCE OF 93.22 FEET; THENCE NORTH 80°11'30" WEST CONTINUING ALONG SAID SOUTH LINE A DISTANCE OF 250.35 FEET; THENCE NORTH

54°30'36" WEST CONTINUING ALONG SAID SOUTH LINE A DISTANCE OF 264.12 FEET TO THE SOUTHWEST

CORNER OF SAID LOT 3, ALSO TO THE POINT OF BEGINNING;

TMAPC Action; 8 members present:

On **MOTION** of **WALKER**, the TMAPC voted 8-0-0 (Carr, Covey, Craddock, Hood, Krug, Shivel, Walker, Whitlock, "aye"; no "nays"; none "abstaining"; Bayles, Humphrey, Zalk, "absent") to **APPROVE** Items 2, 3 and 5 per staff recommendation.

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Mr. Humphrey arrived at 1:08pm.

PUBLIC HEARING – REZONING

Item 4 was moved from the Consent Agenda to the Public Hearing.

- 4. PUD-735-1 Tanner Consulting** (CD 9) Location: North of the northwest corner of East 65th Street South and South Harvard Avenue requesting a **PUD Minor** to allow for the construction of a new single family home and update development standards

STAFF RECOMMENDATION:

SECTION I: PUD-735-1

Amendment Request: PUD Minor amendment to allow for the construction of a new single family home and update development standards.

PUD-735 was approved to allow the development of five single family homes within a gated, private subdivision. The current owner has purchased the property and proposes to construct one single family home but has run into issues with platting requirements and the development standards of the PUD. The applicant has requested to amend some development standards and remove the platting requirement, since it is for one single home, instead of five. The updated development standards are below.

SECTION II: Modified Development Standards

Development Standards – Residential Development Area

Maximum Building Height: 40 feet

Minimum Site Livability Space: 22,500 sq ft

Off-Street Parking:

A minimum of two off-street parking spaces within an enclosed garage shall be provided. Two guest parking spaces shall be provided per lot.

Access and Circulation

Each lot may derive its access from an interior private street which may be gated at the point of access to Harvard, subject to the requirements of the Subdivision

and Development Regulations. Gates and/or guard houses shall not be permitted in the Harvard Avenue right- of-way.

Fencing

Perimeter fencing shall not exceed eight feet in height. In no event shall perimeter fencing, support structures and associated landscaping be permitted within the Harvard Avenue right-of-way. The existing fence may remain in place subject to a license agreement with the City of Tulsa.

Site Plan Review

For the purposes of site plan review requirements, if ever subdivided into two (2) or more lots, the approved recorded plat shall constitute the required detailed site plan, provided however, detailed site plans of proposed perimeter screening and entry and gating facilities shall be submitted to the Planning Commission for review and approval. Otherwise, any one (1) new dwelling constructed on the site shall submit and be approved for the customary site or plot plan submitted in the context of the building permit application.

Platting Requirements

No building permit shall issue until the area comprising the planned unit development has been determined to be in compliance with the Tulsa Metropolitan Area Subdivision and Development Regulations. This requirement may be satisfied by any of the methods available per Section 70.080-B.2 of the Tulsa Zoning Code and the applicable regulations of the Tulsa Metropolitan Area Subdivision and Development Regulations. Restrictive covenants as herein required may be filed by separate instrument if the site remains unplatted.

Staff Comment: This request is considered a Minor Amendment as outlined by Section 30.010.1.2c(9)(13) of the City of Tulsa Zoning Code.

“Changes in structure heights, building setbacks, yards, driveway coverage measured by width, square footage or percentage of the yard, open spaces, building coverage and lot widths or frontages, provided the approved PUD development plan, the approved PUD standards and the character of the development are not substantially altered.”

“Modification to approved screening and landscaping plans, provided the modification is not a substantial deviation from the original approved plan.”

Staff has reviewed the request and determined:

- 1) PUD-735-1 is consistent with the provisions for administration and procedures of an Amendment to Approved Development Plan (Sec.30.010-H.)
- 2) PUD-735-1 does not represent a significant departure from the approved development standards in the PUD and is considered a minor amendment to PUD-735.
- 3) All remaining development standards defined in PUD-735 and subsequent amendments shall remain in effect.

With considerations listed above, staff recommends **approval** of the PUD Minor amendment to allow for the construction of a new single family home and update development standards.

TMAPC Comments:

Mr. Covey asked if this is going to be just one standard residential home and if there was an increase in the height of the home.

Staff stated the proposal does amend the development standards to increase the overall height by 5 feet to 40 feet overall height.

Mr. Walker asked why Staff would make that recommendation if residential zoning were 35 feet.

Staff stated this proposal is considered minor in nature because it is a large lot for one individual home to be constructed. The original development plan did

permit up to three stories on the five lots that were previously proposed, so staff considered it minor to adjust it up to 40 feet.

Mr. Walker asked if this would be a Special Exception or a Variance.

Staff stated “no” because this is in a PUD it can be adjusted at Planning Commission. He stated in context with how large the site is, nearly two acres with one residence on it and staff felt the increase of five feet in height was minor.

Mr. Craddock asked if it was easier to modify the PUD versus to get rid of the PUD and go back to the original RS zoning.

Staff stated he thought it came down to timing for the applicant. He stated the abandonment of a PUD and then rezoning would have been roughly a 120-day process for the new ordinance versus just amending the existing PUD. Staff stated that requests only go to the Planning Commission and doesn't go through a full City Council new ordinance process. He stated since the uses in the PUD were already set up for single family residential, adding development standards to accommodate the development of one residence versus five was a path they could take.

Applicant Comments:

Eric Enyart 5323 South Lewis Avenue, Tulsa, OK

The applicant stated the previous house on the lot was demolished and they want to build one single family house. He stated there was an LOD requirement to either modify or abandon the PUD. If they abandon the PUD, the process would take months. They applicant stated as far as the height, it is the average of the front and the back. He stated there is a lot of fall on the subject property and because of that it will look like a two-story house. He stated it is more of a basement that causes them to get a little bit higher than 35 feet.

TMAPC Action; 9 members present:

On **MOTION** of **WALKER**, the TMAPC voted 8-1-0 (Carr, Covey, Craddock, Hood, Humphrey, Krug, Shivel, Whitlock, “aye”; Walker, “nays”; none “abstaining”; Bayles, Zalk, “absent”) to recommend **APPROVAL** of item 4 per staff recommendation.

Legal Description PUD-735-1:

Per Warranty Deed dated the 15th day of August, 2023 and filed of record as Document No. 2023070250 in the records of the County Clerk of Tulsa County, State of Oklahoma:

The North Two hundred fifty-five (255) feet of the Southeast Quarter of the Northeast Quarter of the Southeast Quarter of the Northeast Quarter (SE/4 NE/4 SE/4 NE/4) of Section 5, Township 18 North, Range 13 East, of the Indian Base

and Meridian, Tulsa County, State of Oklahoma, according to the United States Government Survey thereof.

LESS AND EXCEPT for Right-of-Way Easement the Easterly 50.00 feet of the Northerly 255.00 feet of the Southeast Quarter of the Northeast Quarter of the Southeast Quarter of the Northeast Quarter (SE/4 NE/4 SE/4 NE/4) of Section Five (5), Township Eighteen (18) North, Range Thirteen (13) East.

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6. **SA-7 Tulsa City Council** (CD 3) Location: All properties bounded by East Apache Street on the north, East Pine Street on the south, North Yale Avenue on the west and South Sheridan Road on the east, requesting to supplementally rezone to **SA-7** (Neighborhood Infill Overlay-2)

STAFF RECOMMENDATION:

Item

Public hearing to provide a recommendation to the City Council regarding an amendment to the zoning map to supplementally rezone various properties bounded by East Apache to the north, East Pine Street on the south, North Yale Avenue on the west and South Sheridan Road on the east, to the Neighborhood Infill Overlay-2 (NIO-2), a Special Overlay Area.

SECTION I:

NIO-2 Purpose and Intent

The Neighborhood Infill Overlay – 2 (NIO-2) 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 land for residential purposes.

Applicability

Except as otherwise expressly stated, the Neighborhood Infill Overlay regulations of this section apply to RS-3, RS-4, RS-5, RD, RT, RM-0, RM-1, RM-2, RM-3, RMH, OL, OM, OMH, OH, CS, CG, CH, IL, IM, and IH zoning districts only within the boundaries of the Neighborhood Infill Overlay – 2 districts to all new permitted uses and structures and all building alterations and site modifications that require a building permit.

Background

In 2022, the City Council adopted a Neighborhood Infill Overlay for several neighborhoods near downtown to address the need for “Missing Middle” Housing typologies. Missing Middle housing typologies are often similar in size to a detached house but have additional units: duplexes, multi-unit houses, townhouses, and even small-scale apartments. Councilor Patrick expressed the desire for a similar overlay in the Dawson Neighborhood with some modifications, most notably to allow manufactured homes by right and to preserve the current parking requirements of the zoning code and limit the unit count of apartments to four.

City of Tulsa Zoning Code in Section 20.010 states: "As the name implies, overlay districts 'over-lay' applicable base zoning district classifications to alter some or all of the base zoning district regulations that apply to particular sites. Overlay zoning districts work to modify or supplement the regulations imposed by the base zoning district when necessary to address special situations or accomplish specific city goals. Overlay zoning is intended to be used when the base zoning district applied to an area remains generally appropriate, but when an additional, modified or eliminated requirement could help implement the city's planning goals or address an area-specific planning, design, or land use regulations issue."

City Council has approved the text of the Neighborhood Infill Overlay-2 and it was incorporated in the Zoning Code as of 8/28/2023. The next step is to apply those regulations inside the Dawson Neighborhood as identified in Attachment I. The Neighborhood Infill Overlay-2 helps to promote a variety of residential housing types in the established area that are compatible, in mass and scale, with the character of surrounding properties by:

Allowing the following housing types:

- Detached houses,
- Patio houses,
- Townhouses,
- Manufactured homes constructed in 2016 or newer,
- Cottage houses,
- Duplexes,
- Multi-unit houses (3- and 4-plexes),
- Small-scale apartments/condos (limited to 6 units), and
- Accessory Dwelling Units.

Reducing some lot and area requirements to allow development on smaller lots allowing and more efficient use of property including:

- Allowing Home occupations by right.
- Reducing required setbacks for Industrial-light properties.

Parking requirements are not reduced inside the overlay.

Timeline and Public Engagement

February 2023 – City Council initiated text amendment to the City of Tulsa Zoning Code to establish the Neighborhood Infill Overlay and a zoning map amendment to apply the overlay to Dawson Neighborhood.

March 2023 – Concepts and Overlay Draft (ZCA-24) are presented at the regular meeting of the Dawson Neighborhood. Meeting was held at the Dawson Park Community Center.

May 2023 – TMAPC recommends approval of the overlay text amendment (ZCA-24).

September 2023 – City Council approves the Zoning Text of ZCA-24.

August 2023 – ZCA-24 becomes effective.

October 2023 – Notices sent to 800+ property owners within the proposed overlay boundary and within 300-feet of the boundary to describe the proposal and to advertise another community meeting public meeting to be held in October and the public notice of the zoning map amendment SA-7.

October 2023 – Second Community meeting held at the Dawson Community Center.

SECTION II:

Staff Analysis

The proposed overlay boundary is consistent with the purpose and intent of the adopted Neighborhood Infill Overlay- 2. As of the writing of this staff report we have not received any written objections to the proposed overlay boundary. Should we receive objections prior to the TMAPC hearing, staff will supplement their staff report with a map showing on a map objector to the overlay.

Staff Recommends Approval of:

Proposed Neighborhood Character Overlay (NCO) map amendment as shown in Attachment I;

TMAPC Comments:

Mr. Covey asked how the boundaries were established for the Overlay.

Staff stated proposed Neighborhood Character Overlay was initiated by City Council, but it was Councilor Patrick that put it on the agenda for discussion. He stated Councilor Patrick is a resident in the Dawson neighborhood and took the lead on the public engagements.

Mr. Craddock asked if the existing commercial and industrial uses would be impacted by this overlay.

Staff stated there won't be any additional regulations. He stated there will be greater allowances for residential zoning.

Interested Parties:

Robert Utley 1218 E 73rd Street North, Tulsa, OK 74126

Mr. Utley stated he currently owns a business in Dawson, and he is worried about the rezoning affecting his business.

Renee Plocek 1915 N Kingston Place, Tulsa, OK 74115

Ms. Plocek stated she is a long-time resident of Dawson and works closely with Councilor Patrick in a lot of the aspects of the neighborhood. She stated she would like to ask for a continuance on this application to figure out how to properly petition this rezoning. Ms. Plocek stated she has a list of signatures where many residents of the neighborhood oppose this rezoning. She stated a deferral at the minimum would be beneficial because a lot of the residents don't fully understand what the impact would be on the neighborhood if this rezoning is approved. Ms. Plocek stated a big concern is tiny homes and homeless communities popping up in the neighborhood and they have been unsuccessful speaking with Housing Solutions to try and move these people out of the neighborhood.

Mr. Covey asked if Councilor Patrick was in support of the continuance.

Ms. Plocek stated she spoke with her on the phone last night, but they did not discuss the continuation. She stated she is there representing the neighborhood.

Mr. Whitlock asked what the general feeling and attitude towards the manufactured home aspect was.

Ms. Plocek stated most of the residents do not like it they feel it will devalue the neighborhood. She stated there are some modular units already there, but most neighbors would rather see true stick homes being built instead of modular units. They are also concerned about Section 8 Housing coming into the neighborhood, which she understands can happen anywhere.

Mr. Walker asked what she hoped to accomplish with the continuance.

Ms. Plocek stated at the minimum she would like it if Staff and Councilor Patrick could inform the neighborhood a little more.

Mr. Covey asked if the neighborhood would be alright with removing manufactured homes from the application.

Ms. Plocek stated “yes”.

Dirk DeRose, 6040 E Tecumseh Street, Tulsa, OK 74115

Mr. DeRose stated he loves his neighbors but disagrees with them. He stated he does not see a downside. He said how can brand new construction be a detriment to their neighborhood, especially if it's removing a 70–80-year-old house to get it there. Mr. DeRose stated he loves old houses but can see that investment can be fresh and new with more variety and imagination. He stated there are some nice modular homes out there that you can't even tell the difference between it and stick building. Mr. DeRose stated and brand-new tiny homes are gorgeous. He stated he does see some skepticism from the neighbors but doesn't see any foundation for it.

Vanessa Jones 1916 North Kingston Avenue Tulsa, OK 74115

Ms. Jones stated she opposes the application. She stated that she sees all the development around them, but Dawson is the stepchild. Why would they want to put trailer homes in this area. Ms. Jones stated when she got the notice it was really upsetting. She stated she has talked to many of the Councilors and City of Tulsa staff and has heard them say that there is not anything in the area to draw the people there. What about Tulsa International Airport, a lot of people come to Tulsa and come through that area. She stated that she is against this application.

Staff stated they are indifferent about a continuance. He stated this application in terms of commercial property isn't taking away any rights on what you can do with your commercial properties. This allows greater allowances on residential property and the different types of housing that you can do. He stated he had not seen those signatures and to his knowledge the Planning Office hasn't been contacted with anyone opposing. Staff stated there have been questions on tiny homes and homeless communities but that is not the intent of this proposal. He stated the overlay would still have a minimum lot width. He stated he doesn't know what the definition of a tiny home is but there will be smaller homes than they would see in other parts of town.

Mr. Covey asked if approved can tiny homes go here by right.

Staff stated they don't have a definition of a tiny home if you have a lot you can build a house as small as you want as long as it meets the residential building code or the Federal Housing Authority for what's considered a manufactured home and those have their own criteria for standards.

Mr. Covey asked if staff had any heartburn getting rid of manufactured homes in the overlay.

Staff stated he thought Councilor Patrick would want to be involved in that conversation. He stated the text of that amendment is already in the Zoning Code so that would mean another initiation to amend the text for the infill overlay.

Staff stated if you are familiar with Dawson, it's a very eclectic neighborhood. There's a lot of vacant blocks. There's a lot of opportunity for growth and additional housing. She stated Councilor Patrick hopes that this will help facilitate that housing and therefore it won't give people vacant lots to set up their home. Staff stated they see that around downtown also as soon as development happens the homeless community usually tries to find another location. She stated Councilor Patrick believes this is very positive, but they can take that back to her.

Ms. Carr asked if she wanted to build a manufactured home would she have to go get a Special Exception from the Board of Adjustment.

Staff stated "yes", and if this is approved it would be allowed by right.

TMAPC Action; 9 members present:

On **MOTION** of **COVEY**, the TMAPC voted 9-0-0 (Carr, Covey, Craddock, Hood, Humphrey, Krug, Shivel, Walker, Whitlock, "aye"; no "nays"; none "abstaining"; Bayles, Zalk, "absent") to **CONTINUE** Item 6 to December 6, 2023.

Items 7 and 8 were presented together.

- 7. Z-7746 Lou Reynolds** (CD 5) Location: North of the northeast corner of South Yale Avenue and East 33rd Street South requesting rezoning from **CS and RS-2 to CS (Related to PUD-514-C)**

STAFF RECOMMENDATION:
SECTION I: Z-7746

DEVELOPMENT CONCEPT: The subject tract was part of a larger lot and development plan outlined in PUD-514. The PUD was approved in 1994 and included approximately 3.66 acres. Prior to that process the west portion of the PUD was rezoned from RS-2 to CS. The east portion of the subject tract was never changed to CS and has been RS-2 since before the first PUD approval. The applicant is proposing a drive through car wash in an area where the zoning and the PUD did not allow any type of personal vehicular service. In conjunction with the rezoning request the applicant has provided a companion application for a PUD major amendment that allows a wide variety of uses including the proposed car wash.

This rezoning application will rezone the east portion of the subject tract from RS-2 to CS. The companion PUD-514-C application will replace PUD-514 and all major and minor amendments thereto for the subject property.

This rezoning application from RS-2 to CS and major amendment PUD-514-C will replace all previous ordinances and minor amendments or other zoning approvals that have been contemplated on this site. The major amendment will refer to the current zoning code and modernize all standards of the PUD.

TMAPC reviewed an identical rezoning and PUD major amendment on March 22, 2023, and voted 11-0-0 to recommend approval. The application was withdrawn by the applicant prior to City Council hearings. The property owner has changed since the previous application, but the request is the same.

DETAILED STAFF RECOMMENDATION:

Uses and supplemental regulations that are defined in the CS district are consistent with the comprehensive plan and,

The CS district with the provisions of PUD-514-C is in harmony with the existing and expected development in the area and,

The CS district and related PUD provide unified treatment of the development possibilities of the site and does not affect the remainder of the original PUD and,

The zoning request along with the PUD are consistent with the stated purposes and standards of the PUD chapter of the Tulsa Zoning code therefore,

Staff recommends approval of Z-7746 to rezone property from RS-2 to CS but only with the provisions of PUD 514-C.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: CS zoning with the provisions of PUD-514-C is consistent with the Multiple Use vision in the Tulsa Comprehensive Plan.

Land Use Vision:

Land Use Plan map designation: Multiple Use

Multiple Use areas are “Mostly Commercial or Retail Uses” which include restaurants, shops, services, and smaller format employment uses. This land use designation is most common in areas of the city from earlier development patterns, with Local Centers being more commonplace in newer parts of the city. For single properties that are commercial but surrounded by Neighborhood, Multiple Use is the preferred designation.

Transportation Vision:

Major Street and Highway Plan: None

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *Currently a vacant financial service building with a drive-through facility occupies the site. The facility is closed.*

Environmental Considerations: None that affect site redevelopment.

Streets:

Existing Access	MSHP Design	MSHP R/W	Exist. # Lanes
South Yale Avenue	Primary Arterial	60'	5

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Existing Use
North	CS and RD	Multiple Use/ Neighborhood	Tire Shop and Duplexes
East	RS-2	Neighborhood	Single Family Homes
South	CS and RS-2	Multiple Use	Music Store
West	CH	Multiple Use	Apartments and Hotels

SECTION III: Relevant Zoning History

History: Z-7746 Rel. PUD-514-C

Subject Property:

ZONING ORDINANCE: Ordinance number 11823 dated June 26, 1970, established CS and RS-2 zoning for the subject property.

PUD-514: All concurred in **approval** of a proposed *Planned Unit Development* on a tract located at the northeast corner of South Yale Avenue and East 33rd Street South to provide sufficient parking to an existing music store. Notes in the file for PUD-514 mentioned that west 250 feet of the subject tract was zoned CS.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **WALKER**, the TMAPC voted 9-0-0 (Carr, Covey, Craddock, Hood, Humphrey, Krug, Shivel, Walker, Whitlock, "aye"; no "nays"; none "abstaining"; Bayles, Zalk, "absent") to recommend **APPROVAL** of the CS zoning for Z-7746 per staff recommendation.

Legal Description for Z-7746:

A part of Lot One (1), Block Two (2), YORKSHIRE ESTATES, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat thereof, being more particularly described as follows, to-wit:

BEGINNING at the Northwest corner of said Lot 1; Thence East 400 feet to a point; Thence South 105 feet to a point; Thence West 365 feet to a point; Thence South 45 feet to a point; Thence West 35 feet on the West line of said Lot 1; Thence North 150 feet to the POINT OF BEGINNING.

* * * * *

DRAFT

8. **PUD-514-C Lou Reynolds** (CD 5) Location: North of the northeast corner of South Yale Avenue and East 33rd Street South requesting rezoning from PUD-514 to PUD-514-C (Related to Z-7746)

STAFF RECOMMENDATION:

SECTION I: PUD-514-C

DEVELOPMENT CONCEPT:

The Original PUD-514 was approved in 1994 and included approximately 3.66 acres. The PUD included two development areas Development Area A (Saied Music) and Development Area B (Drive through bank). Both development areas allowed for a mix of retail and office uses. PUD-514-C is a major amendment related to a rezoning request that is limited to the Development Area B (the north 1 acre) of the original PUD 514. Development Area B was most recently used as a drive through bank. The applicant is proposing a drive through car wash. The PUD never contemplated a car wash, and the underlying zoning is not appropriate therefore a major amendment has been presented for approval.

The PUD and underlying zoning will remove all references to the 1984 zoning code and PUD 514-C will rely on current zoning code standards, current process and supplemental regulations that are allowed in the PUD Legacy District chapter of the code. Modifying the underlying zoning and preparing a major amendment to the PUD is expected to allow uses that were not contemplated and remove barriers for many development opportunities on this site.

TMAPC reviewed an identical rezoning and PUD major amendment on March 22, 2023, and voted 11-0-0 to recommend approval. The application was withdrawn by the applicant prior to City Council hearings. The property owner has changed since the previous application, but the request is the same.

This rezoning application from RS-2 to CS and PUD-514-C will replace all previous ordinances and minor amendments that have been previously approved on the subject property.

DETAILED STAFF RECOMMENDATION:

Uses and supplemental regulations that are defined in the CS district are consistent with the comprehensive plan and,

The CS district with the provisions of PUD-514-C is in harmony with the existing and expected development in the area and,

The CS district and related PUD provide unified treatment of the development possibilities of the site and does not affect the remainder of the original PUD and,

The zoning request along with the PUD are consistent with the stated purposes and standards of the PUD chapter of the Tulsa Zoning code therefore,

Staff recommends approval of PUD 514-C but only with the approval of the underlying zoning change from CS and RS-2 to CS.

SECTION II: PUD-514-C Development Standards

PUD-514-C and the associated rezoning will replace all previously approved development standards defined in development area B of PUD-514.

Uses that are not included in the permitted use list below are prohibited.

Permitted Uses:

Residential Use Category

Household living (only if included in the residential building types defined in building type paragraph below)

Single household

Two households on a single lot

Three or more households on a single lot

Group Living

Assisted living facility.

Convent/monastery novitiate

Life care retirement center

Elderly/retirement center

Public, Civic and Institutional

Day Care

Governmental Service or Similar Functions

Hospital

Library or Cultural Exhibit

Natural Resource Preservation

Parks and Recreation

Religious Assembly

Safety Service

School

Utilities and Public Service Facility

Minor

Wireless Communication Facility

Building or tower-mounted antenna

Commercial

Animal Service

Grooming

Veterinary

Broadcast or Recording Studio

- Commercial Service
 - Personal Improvement Service
 - Research Service
- Financial Services
 - Personal credit establishment
- Office
 - Business or professional office
 - Medical, dental or health practitioner office
- Restaurants and bars
 - Restaurant
- Retail Sales
 - Building supplies and equipment
 - Consumer shopping goods
 - Convenience goods
 - Grocery Store
 - Small Box Discount Store
 - Medical Marijuana Dispensary
- Studio, Artist, or Instructional Service
- Trade School
- Vehicle Sales and Services
 - Personal Vehicle repair and maintenance (limited to a car wash)
 - Fueling station
- Other
 - Drive in or Drive through Facility

Residential Building Types:

Household Living

- Single household
 - Townhouse
- 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

Lot and Building Regulations:

Minimum lot area	None
Minimum street frontage	50 ft
Maximum floor area ratio	0.75
Minimum lot area per dwelling unit 1,600sq ft	
Minimum open space per dwelling unit sq ft	200

	Building Setbacks	
	Street	10
feet		
	East boundary of the subject tract	40
feet		
	North Boundary of the subject tract	10
feet		
	Maximum building height	35
feet		

Off-Street Parking:

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

Landscaping and Screening Requirements:

In addition to the provisions of the landscape standards in the Tulsa Zoning Code the following shall apply:

1. A landscape buffer with a minimum width of ten (10) foot landscape shall be located along the east boundary of the subject tract. Inside that landscape buffer trees that are classified as large trees in the plant list for the City of Tulsa will be planted with a maximum spacing of 25 feet along the length of that property line.
2. A masonry screening wall with a minimum height of six (6) feet high or higher shall be located along the east boundary of the subject tract and along the east 230 feet of the north boundary of the subject tract.

Outdoor lighting:

In addition to the outdoor lighting provisions of Chapter 67 of the Tulsa zoning code the following shall apply.

1. No freestanding pole light fixtures shall be installed closer than one hundred (100) feet from the east boundary of the subject tract All pole mounted lights shall be limited to a maximum height of 16 feet.
2. Drive-through canopy lights shall be at least forty (40) feet from the east boundary of the subject tract and shall be directed downward.
3. Building mounted light fixtures shall be mounted no higher than twenty (20) feet high and shall be shielded from adjacent residential properties and directed downward.

Signage:

In addition to the signage provisions of Chapter 60 of the Tulsa zoning code the following shall apply.

Wall signage

1. Illuminated wall signage is prohibited on the east and north wall of any structure.
2. Wall signage shall be limited to 1.5 square feet of display surface area per linear foot of building wall which is attached.
3. Dynamic display wall signage is prohibited.

Ground signage

1. Ground signage shall be limited to one sign on the subject property.
2. Ground signage shall be monument style with a maximum height of 20 feet and a display surface area not exceeding 68 square feet.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: CS zoning with the provisions of PUD-514-C is consistent with the Multiple Use vision in the Tulsa Comprehensive Plan.

Land Use Vision:

Land Use Plan map designation: Multiple Use

Multiple Use areas are “Mostly Commercial or Retail Uses” which include restaurants, shops, services, and smaller format employment uses. This land use designation is most common in areas of the city from earlier development patterns, with Local Centers being more commonplace in newer parts of the city. For single properties that are commercial but surrounded by Neighborhood, Multiple Use is the preferred designation.

Transportation Vision:

Major Street and Highway Plan: None

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: Currently a vacant financial service building with a drive-through facility occupies the site. The facility is closed.

Environmental Considerations: None that affect site redevelopment.

Streets:

Existing Access	MSHP Design	MSHP R/W	Exist. # Lanes
South Yale Avenue	Primary Arterial	60'	5

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Existing Use
North	CS and RD	Multiple Use/ Neighborhood	Tire Shop and Duplexes
East	RS-2	Neighborhood	Single Family Homes
South	CS and RS-2	Multiple Use	Music Store
West	CH	Multiple Use	Apartments and Hotels

SECTION III: Relevant Zoning History

History: PUD-514-C related to Z-7746

Subject Property:

ZONING ORDINANCE: Ordinance number 11823 dated June 26, 1970, established CS and RS-2 zoning for the subject property.

PUD-514: All concurred in **approval** of a proposed *Planned Unit Development* on a tract located at the northeast corner of South Yale Avenue and East 33rd Street South to provide sufficient parking to an existing music store. Notes in the file for PUD-514 mentioned that west 250 feet of the subject tract was zoned CS.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **WALKER**, the TMAPC voted 9-0-0 (Carr, Covey, Craddock, Hood, Humphrey, Krug, Shivel, Walker, Whitlock, “aye”; no “nays”; none “abstaining”; Bayles, Zalk, “absent”) to recommend **APPROVAL** of PUD-514-C per staff recommendation.

Legal Description for PUD-514-C:

A part of Lot One (1), Block Two (2), YORKSHIRE ESTATES, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat thereof, being more particularly described as follows, to-wit:

BEGINNING at the Northwest corner of said Lot 1; Thence East 400 feet to a point; Thence South 105 feet to a point; Thence West 365 feet to a point; Thence South 45 feet to a point; Thence West 35 feet on the West line of said Lot 1; Thence North 150 feet to the POINT OF BEGINNING.

OTHER BUSINESS

9. Commissioners' Comments
None

DRAFT

ADJOURN

TMAPC Action; 9 members present:

On **MOTION** of **COVEY**, the TMAPC voted 9-0-0 (Carr, Covey, Craddock, Hood, Humphrey, Krug, Shivel, Walker, Whitlock, “aye”; no “nays”; none “abstaining”; Bayles, Zalk, “absent”) to **ADJOURN** TMAPC meeting of November 15, 2023, Meeting No. 2902.

ADJOURN

There being no further business, the Chair declared the meeting adjourned at 1:37 p.m.

Date Approved:

Chair

ATTEST: _____

Secretary