

**TULSA METROPOLITAN AREA PLANNING COMMISSION
Meeting No. 2904**

**December 20, 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	Krug	Foster	Jordan, COT
Covey	Humphrey	Miller	Silman, COT
Craddock		Sawyer	Stephens, Jeff, Legal
Hood		Siers	
Shivel			
Walker			
Whitlock			
Zalk			

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 December 14, 2023, at 9:16 a.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.

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Minutes:

1. Minutes of December 6, 2023 Meeting No. 2903

Approval of the Minutes of **December 6, 2023 Meeting No. 2903**

TMAPC Action; 7 members present:

On **MOTION** of **SHIVEL**, the TMAPC voted 7-0-0 (Covey, Craddock, Hood, Shivel, Walker, Whitlock, Zalk, “aye”; no “nays”; none “abstaining”; Carr, Humphrey, Krug, “absent”) to **APPROVE** the minutes of **December 6, 2023 Meeting No. 2903**

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. **PUD-642-1** (CD 9) Location: South of the southeast corner of East 41st Street South and South Harvard Avenue requesting a **Minor Amendment** to increase the display area of a wall sign

STAFF RECOMMENDATION:

SECTION I: PUD-642-1

Amendment Request: The applicant has requested to amend PUD-642 to increase the display area of a wall sign from 37.5 to 45 square feet in development area A.

PUD-642 was approved in November of 2000. Within that approval, development areas were established as well as standards for those areas. The subject property is located within development area A in which the established sign standard states “As permitted in the OL District”. Since this was accepted in 2000 this standard is governed by the zoning code adopted in 1970. In the zoning code, in 6.4.c it states that “The sign shall not exceed two-tenths (2/10) of a square foot of display surface area per lineal foot of street frontage.”. The applicant has requested to change this from “As permitted in the OL District.” to “45 square feet in development A.”.

Staff Comment: *This request is considered a Minor Amendment as outlined by Section 30.010.1.2.c12) of the City of Tulsa Zoning Code.*

“Modifications to approved signage, provided the size, location, number and character (type) of signs is not substantially altered.”

Staff has reviewed the request and determined:

- 1) PUD-642-1 is consistent with the provisions for administration and procedures of a PUD in section 30.010-H.
- 2) PUD-642-1 does not represent a significant departure from the approved development standards in the PUD and is considered a minor amendment to PUD-642.
- 3) All remaining development standards defined in PUD-642 and subsequent amendments shall remain in effect.

With considerations listed above, staff recommends **approval** of the PUD minor amendment to increase the display area of a wall sign from 37.5 square feet to 45 square feet in Development area A.

Legal Description for PUD-642-1:

Part of the Northwest Quarter of the Northwest Quarter (NW/4 NW/4) of Section Twenty-eight (28), Township Nineteen (19) North, Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the United States Government Survey thereof, being more particularly described as follows, to-wit: BEGINNING 600 feet South of the Northwest corner of the NW/4; Thence East 660 feet; Thence South 125 feet; Thence West 660 feet; Thence North 125 feet to the POINT OF BEGINNING. LESS AND EXCEPT the West Fifty (50) feet thereof.

TMAPC Action; 7 members present:

On **MOTION** of **WALKER**, the TMAPC voted 7-0-0 (Covey, Craddock, Hood, Shivel, Walker, Whitlock, Zalk, "aye"; no "nays"; none "abstaining"; Carr, Humphrey, Krug, "absent") to **APPROVE** Item 2 per staff recommendation.

PUBLIC HEARING – REZONING

Ms. Carr arrived at 1:05 pm.

- CZ-549 Lou Reynolds** (County) Location: South and West of the intersection of East 76th Street North and N Whirlpool Drive requesting a rezoning from **IL to IM**

STAFF RECOMMENDATION:

SECTION I: CZ-549

DEVELOPMENT CONCEPT: The applicant has requested to rezone from IL to IM to permit Industrial Moderate uses on the subject lots. Currently the subject lots are vacant land zoned IL. The applicant is proposing to rezone to IM in order to allow additional Industrial uses as permitted by IM zoning. No specific uses have been proposed for the subject lots at this time. IM zoning currently exists to the east, across Whirlpool Drive and to the northeast at the intersection of E 76th Street North Whirlpool Drive. The site is located within the Industrial land use designation of the North Tulsa County comprehensive plan area of the Tulsa County Comprehensive Plan. The proposed IM zoning would be compatible with this designation.

The IL (Industrial Light) zone, as defined by the Tulsa County Zoning Code is designed to provide areas suitable for wholesaling, warehousing, and other industrial activities which have no objectionable environmental influences. The IM (Industrial Moderate) zone is defined as designed to group together a wide range of manufacturing and other industrial activities which may produce moderately objectionable environmental influences in their operation and appearance.

DETAILED STAFF RECOMMENDATION:

CZ-549 is non-injurious to surrounding proximate properties and consistent with the Tulsa County Comprehensive Plan,

CZ-549 is consistent with the anticipated future development pattern of the surrounding property therefore,

Staff recommends Approval of CZ-549 to rezone property from IL to IM.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: *The site is located within the Industrial land use designation of the Tulsa County Comprehensive Plan as identified in the Unincorporated Tulsa County Land Use Designations (North Tulsa*

County) portion of the Comprehensive Plan which was adopted as part of the Tulsa County Comprehensive Plan on December 7, 2020. The North Tulsa County portion of the Tulsa County Comprehensive Plan does not provide guidance as to the appropriateness of the various levels of possible Industrial uses, such as IL, IM and IH, but simply refers to Industrial uses in general.

Land Use Vision:

Land Use Plan map designation: Industrial

This land use category is designed to accommodate industrial uses as well as wholesaling, warehousing, and distribution facilities, which tend to require large buildings and generate more large-truck traffic than other types of land uses.

Transportation Vision:

Major Street and Highway Plan: Whirlpool Drive is designated as a Secondary Arterial

Trail System Master Plan Considerations: The GO Plan shows a sidewalk gap along Whirlpool Dr.

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *The subject tracts are currently vacant land.*

Environmental Considerations: None

Streets:

Existing Access	MSHP Design	MSHP R/W	Exist. # Lanes
Whirlpool Drive	Secondary Arterial	100 Feet	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	IL/AG	Industrial	N/A	Vacant/Single-Family
South	AG	Industrial	N/A	Vacant
East	IM	Industrial	N/A	Industrial
West	AG	N/A	N/A	US Highway 75

SECTION III: Relevant Zoning History

ZONING RESOLUTION: Resolution numbers 184034 dated March 27, 2002 and 227584 dated May 10, 2013, established zoning for the subject properties.

Surrounding Property:

CZ-217 October 1994: All concurred in approval of a request for rezoning a 988± acre tract of land from AG to IM on property located on the east side of North Yale Avenue between East 61st Street North and East 76th Street North and east of the subject tract from IL to IM.

CZ-269 September 2000: All concurred in approval of a request for rezoning a 17± acre tract of land from AG to IM on property located on the west of the northwest corner of East 66th Street North and North Whirlpool Drive and fronting on East 66th Street North and US Highway 75.

CZ-522 September 2000: All concurred in approval of a request for rezoning a 38.5± acre tract of land from AG to IM on property located on the northeast corner of East 76th Street North and North Yale Avenue/Whirlpool Drive.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **WALKER**, the TMAPC voted 8-0-0 (Carr, Covey, Craddock, Hood, Shivel, Walker, Whitlock, Zalk, “aye”; no “nays”; none “abstaining”; Humphrey, Krug, “absent”) to recommend **APPROVAL** of the IM zoning for CZ-549 per staff recommendation.

Legal Description for CZ-549:

E132 N330 SW NE NE & N/2 SE NE NE LESS E50 THEREOF FOR RD & S/2 SW NE NE LESS BEG SWC THEREOF TH N329 E294.3 SLY ON CRV RT 331.4 W258 POB SEC 33 21 13 8.710ACS; TR BEG 440.11N SECR SE NE TH W1251.37 TO PT ON EL HWY R/W NELY ON CRV RT228.42 E1190.01 S219.84 POB SEC 33 21 13 6.157ACS

4. **Z-7753 Nathan Cross** (CD 1) Location: East of the northeast corner of East 36th Street North and North Peoria Avenue requesting rezoning from **RMH to RS-5**

STAFF RECOMMENDATION:
SECTION I: Z-7753

DEVELOPMENT CONCEPT: The applicant is proposing to rezone the subject property from RMH (Residential – Mobile Homes) to RS-5 (Residential Single-Family) to permit the development of a single-family subdivision.

DETAILED STAFF RECOMMENDATION:

The Tulsa Comprehensive Plan designates this area as Neighborhood. RS-5 zoning aligns with the recommendations for the Neighborhood land use designation in this area.

Rezoning to RS-5 would permit redevelopment of the site with the addition of more housing units. The applicant is proposing a single-family subdivision consisting of detached houses.

Detached houses would be permitted in RS-5 and the rezoning would remove the permitted use of mobile and manufactured homes on the subject property. RS-5 requires a minimum lot area of 3,300 square feet for detached houses with a minimum lot width of 30 feet. The applicant has provided a conceptual layout for a new subdivision.

Rezoning of the property would increase the potential of this property and permit the addition of needed new housing units in the area while maintaining an appropriate scale for the surrounding area.

Staff recommends approval of Z-7753 to rezone the property from RMH to RS-5.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The subject property is designated as “Neighborhood” by the Comprehensive Plan land use map. The proposed RS-5 district aligns with the recommendations of the “Neighborhood” land use designation in this area.

Land Use Vision:

Neighborhood

Neighborhoods are “Mostly Residential Uses” which includes detached, missing middle, and multi-dwelling unit housing types. Churches, schools, and other low-intensity uses that support residents’ daily needs are often acceptable, particularly for properties abutting Multiple Use, Local Center, or Regional Center land use areas. Multi-dwelling unit housing that takes access off of an arterial is considered Multiple Use, Local Center, or Regional Center. If a multi-dwelling unit housing property takes access off a lower-order street separated from the arterial, then it would be considered Neighborhood.

Transportation Vision:

Major Street and Highway Plan: None

Trail System Master Plan Considerations: None

Small Area Plan: 36th Street North (Adopted 2013/Amended 2016)

The 36th Street North Small Area Plan recommends a neighborhood land use on the subject property which is in alignment with the recommendations made by the Tulsa Comprehensive Plan. The proposed rezoning is supported by the recommendations of the small area plan, primarily the following:

Housing Priority 1 – Increase diversity of housing stock types and housing ownership.

Encourage a range of housing types, including multifamily, townhomes, and traditional single-family.

23.1 – Promote new single-family residential developments of high quality and at or above market rate by citywide standards.

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The subject property is adjacent to multifamily development to the west with vacant AG-zoned property to the north and east. There is a significant amount of floodplain, both FEMA and City regulatory, on the eastern portions of the subject property.

Streets:

Existing Access	MSHP Design	MSHP R/W	Exist. # Lanes
East 36 th Street North	Secondary Arterial	100'	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Existing Use
North	AG	Park and Open Space	Vacant
East	AG	Park and Open Space	Vacant
South	RMH	Park and Open Space	Vacant
West	MX	Regional Center	Comanche Park/Multifamily

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11802 dated June 26, 1970, established zoning for the subject property.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **WALKER**, the TMAPC voted 8-0-0 (Carr, Covey, Craddock, Hood, Shivel, Walker, Whitlock, Zalk, "aye"; no "nays"; none "abstaining"; Humphrey, Krug, "absent") to recommend **APPROVAL** of the RS-5 zoning for Z-7753 per staff recommendation.

Legal Description for Z-7753:

Lot One (1), Block One (1), BUTTER CREEK PARK, an Addition in Tulsa County, State of Oklahoma, according to the Recorded Plat No. 3177, LESS AND EXCEPT a strip, piece or parcel of land deeded to the Department of Transportation of the State of Oklahoma, said strip, piece or parcel being described as follows:

Beginning at the SE corner of said Lot 1; thence South 88°09'22" West along the South line of said Lot 1 a distance of 319.33 feet; thence North 60°05'01" East a distance of 170.00 feet; thence North 88°09'22" East a

distance of 170.03 feet to a point on the East line of said Lot 1; thence South 01°20'38" East along said East line a distance of 80.00 feet to the point of beginning.

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5. **PUD-647-A Jeffrey Lord** (CD 3) Location: South of I-244 between Garnett Road and South 129th East Avenue requesting a **PUD Major Amendment** to add RV Parks/Campgrounds as an approved use

STAFF RECOMMENDATION:
SECTION I: PUD-647-A

DEVELOPMENT CONCEPT: The applicant is proposing a major amendment to PUD-647 to add RV Parks/Campgrounds as permitted uses within the PUD boundary. PUD-647 was approved in March of 2001 and permits manufactured homes, outdoor advertising, and manufactured home sales on the subject property. The applicant is proposing to add RV Parks/Campgrounds to the development concept while maintaining the original approved uses.

DETAILED STAFF RECOMMENDATION:

PUD-647 was approved in March of 2010 and permitted the use of the property for manufactured homes, manufactured home sales, and outdoor advertising. Since adoption, the only use implemented on the subject property is an outdoor advertising sign.

The applicant is proposing to add RV Parks/Campgrounds as permitted uses within the PUD boundary. All other permitted uses would remain the same.

Staff recommends approval of PUD-647-A.

SECTION II: PUD-647-A Development Standards

Except as provided in the Development Standards below, the standards adopted in PUD-647 and standards for development in the IL district, with its supplemental regulations and accessory use provisions, shall apply.

“RV Parks/Campgrounds” are added as permitted uses within the PUD Boundary along with all customarily accessory uses.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The subject property is designated as “Neighborhood” by the Comprehensive Plan land use map. The proposed amendment under PUD-647-A aligns with the recommendations of the “Neighborhood”

land use designation in this area and maintains previously permitted uses for additional housing on the subject property.

Land Use Vision:

Neighborhood

Neighborhoods are “Mostly Residential Uses” which includes detached, missing middle, and multi-dwelling unit housing types. Churches, schools, and other low-intensity uses that support residents’ daily needs are often acceptable, particularly for properties abutting Multiple Use, Local Center, or Regional Center land use areas. Multi-dwelling unit housing that takes access off of an arterial is considered Multiple Use, Local Center, or Regional Center. If a multi-dwelling unit housing property takes access off a lower-order street separated from the arterial, then it would be considered Neighborhood.

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: The subject property is adjacent to Interstate 244 between South Garnett Road and South 129th East Avenue. There is an existing mobile home park to the east of the subject property. There is an existing Tulsa Housing Authority development, East Central Village, to the south of the subject property. The property west of the subject property is vacant.

Streets:

The subject property currently does not have frontage on a public street. The original development standards adopted in PUD-647 require a minimum of two public access points to the subject property prior to development. The developer will be required to extend public streets to the subject property during the subdivision platting process.

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Existing Use
North	RS-3	N/A	I-244
East	RMH	Neighborhood	Mobile Home Park
South	RMH/RM-1/AG	Neighborhood	Multifamily/Vacant
West	RM-1	Neighborhood	Vacant

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 17855, dated January 21, 1993 and ordinance number 18794, dated August 12, 1996 established zoning for the subject property. Ordinance number 20110 dated May 3, 2001, established PUD-647 on the subject property.

TMAPC Comments:

Mr. Covey asked if the Land Use Map calls for this area to be Neighborhood.

Staff stated that is correct.

Mr. Covey asked if the Land Use Plan would need to be updated.

Staff stated currently there was an underlying IL zoning, and the RV park campgrounds are a permitted use within the IL zoning designation. He stated the proposal for this site is a mixture of both permanent residential uses and some more temporary residential type uses. Staff stated they have found that this would align with the current Land Use Map and therefore not require a Comprehensive Plan amendment.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **WALKER**, the TMAPC voted 8-0-0 (Carr, Covey, Craddock, Hood, Shivel, Walker, Whitlock, Zalk, "aye"; no "nays"; none "abstaining"; Humphrey, Krug, "absent") to recommend **APPROVAL** of the PUD Major Amendment for PUD-647-A per staff recommendation.

Legal Description for PUD-647-A:

Part of the W/2, SE/ 4, lying South of the highway right-of-way beginning at the southwest corner of the SE/4, thence N 920', SE460.64', S 449.82', SE 181.02', thence on a curve to the right 233.79', SE 68.64', E 150', SE 211.2', E 203.50', thence North to the South line of the highway, thence West along

the right-of-way to the West line of the W/2, SE/4, thence South to POB, Section 32, T-20-N, R-14- E, *and* part of the E/2, SW/4, beginning 980' N of the Southeast corner SE/ 4, SW/ 4, thence N 404.15', W 1,316.51', S 517.62', E 740.75', N 83.66', E 250', N 60', E 300', to POB, Section 32, T-20-N, R-14-E and located on the south side of 1-244 between North Garnett Road and North 1291h East Avenue, Tulsa, Oklahoma,

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6. **Z-7754 Olsson, Inc, Austin Mayes** (CD 2) Location: West of the southwest corner of East 81st Street South and South Evanston Avenue requesting rezoning from **RS-3 to RS-5**

STAFF RECOMMENDATION:

SECTION I: Z-7754

DEVELOPMENT CONCEPT: The applicant has requested to rezone the property from RS-3 to RS-5 to reduce lot requirements and permit a lot split. The proposed use for the property would be two duplexes. Duplexes in RS-5 are required to obtain a special exception approval from the City Board of Adjustment. The lot previously had a duplex on it that was lost in a fire. A single duplex could be rebuilt on the property today, but a rezoning and Board approval would be required to permit the two duplexes proposed by the applicant.

DETAILED STAFF RECOMMENDATION:

The property under application is designated as “Neighborhood” by the Tulsa Comprehensive Plan. Neighborhood areas encourage a mix of residential building types where appropriate. RS-5 is the highest density single-family residential district. As a matter of right, it would only permit detached single-family homes and townhomes which remain consistent with the surrounding area.

A rezoning to RS-5 would reduce the lot size requirements on this property and would permit a lot split to create two lots. The applicant is proposing a lot split to accommodate two duplexes on the property where previously only one duplex was permitted. To obtain permits for two duplexes, the City Board of Adjustment would be required to approve a special exception for another duplex even if the rezoning is approved. If required approvals are obtained, the number of units on the lot would increase from two units to four units.

RS-3 to RS-5 would reduce the required lot width from 60 feet down to 30 feet. It would also reduce the required lot area for detached houses and duplexes from 6,900 square feet to 3,300 square feet. The existing lot is 95 feet wide and 115 feet deep. The existing lot area is 10,927 ± square feet.

RS-5 would permit an increase in housing density while maintaining the use requirements of the existing RS-3 zoning district. RS-5 is consistent with the Neighborhood land use designation.

Staff recommends approval of Z-7754 to rezone the property from RS-3 to RS-5.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The subject property is designated as “Neighborhood” by the Tulsa Comprehensive Plan. RS-5 zoning is consistent with the goals of the Neighborhood land use designation.

Land Use Vision:

Neighborhood

Neighborhoods are “Mostly Residential Uses” which includes detached, missing middle, and multi-dwelling unit housing types. Churches, schools, and other low-intensity uses that support residents’ daily needs are often acceptable, particularly for properties abutting Multiple Use, Local Center, or Regional Center land use areas. Multi-dwelling unit housing that takes access off of an arterial is considered Multiple Use, Local Center, or Regional Center. If a multi-dwelling unit housing property takes access off of a lower-order street separated from the arterial, then it would be considered Neighborhood.

Transportation Vision:

Major Street and Highway Plan: East 81st Place is not classified by the Major Street and Highway Plan and would be considered a residential street requiring 50 feet of ultimate right-of-way.

Trail System Master Plan Considerations: None.

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The subject property is located on a dead-end street, East 81st Place. All developed properties adjacent to this portion of East 81st Place currently contain duplexes. The subject property backs up to East 81st Street South, a major arterial street.

Streets:

Existing Access	MSHP Design	MSHP R/W	Exist. # Lanes
East 81 st Place South	None	50'	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Existing Use
North	MPD-4	Regional Center	Oral Roberts University
East	RS-3	Neighborhood	Duplex
South	RS-3	Neighborhood	Duplex
West	RS-3 (RS-5 recommended for approval on 10/18/2023, Z-7742)	Neighborhood	Duplex

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11828 dated June 26, 1970, established zoning for the subject property.

TMAPC Comments:

Mr. Craddock stated the applicant is splitting what would be one lot into two lots. He stated the half lot would have been 47.51 feet would now have two properties on it which would have a frontage of less than 25 feet per unit.

Staff stated “yes, there would be two units on a 47-and-a-half-foot lot. He stated The applicant would have to design the duplex onto the 47-and-a-half-foot lot and that can be done several ways. They could be side by side or they could be stacked duplexes. Staff stated if the applicant is successful in obtaining the rezoning proposed here today, they will also have to go to the Board of Adjustment if they want to implement the other half of that lot.

Mr. Craddock asked if the Housing study that staff mentioned pinpointed where additional housing units could be built.

Staff stated the study talked about housing across the spectrum. He stated in all areas of the city.

Applicant Comments:

Austin Mayes 1717 South Boulder Avenue, Tulsa, OK 74119

Mr. Mayes stated he represents the developer. He stated his client purchased a lot that is 95 feet by 115 feet and had a burned down duplex on it. He wants to rezone it to meet the minimum lot area and instead of rebuilding one structure,

he wants to build two structures and each of them will be a duplex. Mr. Mayes stated each unit would rent for about \$2200 a month.

Mr. Whitlock asked if this neighborhood was going to be primarily an investor type of neighborhood,

Mr. Mayes stated he does not know the answer to that question. He stated his client only owns the subject property and he doesn't know if this will continue with other lots.

Interested Parties:

Margaret Roberts 8744 S Delaware Place, Tulsa, OK 74137

Ms. Roberts stated she lives south of the subject property. She stated all the duplexes on the same side of the street as the subject property are owned by Lakeland Ventures and are all rental units. Ms. Roberts stated the applicant said these duplexes would be affordable housing for ORU students, young professionals, or graduate students but at \$2,200 a month for a graduate student, she doesn't consider that affordable. Ms. Roberts stated she lives in one of the few single family residential neighborhoods down the street and fears Delaware Avenue, which is already quite busy, would increase in traffic if there are twice as many renters in the area. She stated there is only one entrance and exit out of the cul-de-sac and if you bring in young families with children there will need to be a bus stop and she doesn't believe a school bus can turn around in the cul-de-sac because the street is very narrow. So, for all of those are reasons and the fact that it could possibly bring down property values the neighborhood she is against this rezoning.

Mr. Covey asked if Ms. Roberts lived approximately a mile away from the subject property.

Ms. Roberts stated "yes".

Mr. Covey stated as Ms. Roberts pointed out there is only one exit entrance/exit into this neighborhood, but it isn't on Delaware Avenue it is on 81st Street so traffic may never even go down Delaware Avenue. He stated as far as the school bus, there may already be children that ride the bus in this neighborhood and the bus may already be servicing this area in some manner.

Ms. Roberts stated currently the bus stops in front of the entrance into the neighborhood.

Ms. Pickard and Ms. Hardy stated the previous speaker covered their concerns and they did not want to speak.

Joanna Pickard 8722 S Delaware Place, Tulsa, OK 74137

Elizabeth Hardy 8754 S College Avenue, Tulsa, OK 74137

TMAPC Comments:

Mr. Craddock stated there was a previous rezoning next door to the subject lot that he was adamantly opposed to because this would double the density in the area if this same thing continued to other lots in the neighborhood. He stated he will be voting no on this application because he thinks it creates an opportunity for others to start dividing lots and make these less than 25-foot lots.

Mr. Hood stated this is an outlier, it is one street that's only accessible from 81st Street and every property on that street is a duplex. Many of the properties are owned by leasing companies. He stated the precedent that Planning Commission is setting is density. Two duplexes in a duplex development burned down and in keeping with the need for different types of housing, TMAPC is allowing a bit more density, which basically means four families. Mr. Hood stated as far as he can tell nobody within the 300-foot radius had a problem with it, the neighbors did not have a problem with it. Individuals in different neighborhoods that are not connected and might not ever drive by any of these properties in the entire time they live in this area are the ones we have heard from. He stated he thinks this is a perfect opportunity for some smart growth for developing different types of housing that is needed.

Mr. Zalk stated from an economic perspective the challenge with broken down units and the current cost of construction these burned-out units could have just sit on these lots forever without constructing anything that makes economic sense. But the alternative is to develop 4 units. He stated there is a housing shortage and there are vacant lots that should ultimately be incentivized to develop at some level so they can house people in our community. Mr. Zalk stated why would we restrict reasonable and moderate growth that makes economic sense

TMAPC Action; 8 members present:

On **MOTION** of **SHIVEL**, the TMAPC voted 6-2-0 (Carr, Covey, Hood, Shivel, Walker, Zalk, "aye"; Craddock, Whitlock "nays"; none "abstaining"; Humphrey, Krug, "absent") to recommend **APPROVAL** of the RS-5 zoning for Z-7754 per staff recommendation.

Legal Description for Z-7754:

LOT THREE (3), BLOCK ONE (1), SOUTHWOOD TERRACE, A RESUBDIVISION OF BLOCK-1 OF ORAL ROBERTS UNIVERSITY HEIGHTS 3RD ADDITION, A SUDIVISION OF THE N/2 OF THE N/2 OF THE NW/4 OF THE NE/4 OF SECTION 17, T-18-N, R-13-E, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO. 3800.

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PUBLIC HEARING - PLATS

7. **Maybelle Villas** (CD 2) Preliminary Plat and Modification of the Subdivision and Development Regulations to extend block length, Location: South of the southeast corner of West 81st Street South and South Maybelle Avenue (Continued from December 6, 2023)

STAFF RECOMMENDATION:

Maybelle Villas - (CD 2)

South of the southeast corner of West 81st Street South and South Maybelle Avenue

This plat consists of 59 lots, 7 blocks on 16.03 ± acres.

The Technical Advisory Committee (TAC) met on November 16th and provided the following conditions:

1. **Zoning:** The subject tract is zoned RS-3 with an approved optional development plan, Z-7506. The development plan permits the use of private streets within the subdivision. Proposed lots conform to the zoning requirements.
2. **Addressing:** City of Tulsa addresses and street names must be assigned and affixed to the face of the final plat along with an address disclaimer.
3. **Transportation & Traffic:** Private streets are required to be constructed to the same standard as public streets per the Subdivision & Development Regulations. Sidewalks are required per Title 35, Section 602 of the Tulsa Revised Ordinances. Sidewalks and ADA ramps, where required along common areas/reserves, are required to be installed by the developer prior to building permits on individual lots. Property owner's association will be required to be established for purposes of common maintenance of private improvements. Sidewalks, where required, will need to be covered by the common maintenance provisions and appropriate easement language for access. Establish limits of access and limits of no access along Maybelle Avenue to align with final drive configuration.
4. **Sewer/Water:** Infrastructure development plans (IDP) for sewer and water main extensions are required to be approved prior to final plat approval. Performance guarantees will be required for any infrastructure not installed prior to final plat recording.
5. **Fire:** Emergency secondary access is required to be provided. Offsite emergency access easements must be recorded and reflected on the final plat.
6. **Airport:** Avigation notice is required to be affixed to the face of the plat due to the subject tract being located within a recognized flight path.

7. **Engineering Graphics:** Add missing platted property to location map. Update contact information for owner.
8. **Stormwater, Drainage, & Floodplain:** City of Tulsa Regulatory Floodplain exists on the northern portion of the property. Overland drainage easement will be required for any on-site floodplain. Any development proposed in the future within the floodplain area will be required to comply with all city floodplain ordinances and criteria.
9. **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 Subdivision & Development Regulations:

The applicant is requesting a modification to Section 5-030.3, Table 5-1 of the Subdivision and Development Regulations.

The table cited establishes maximum block lengths for subdivision in the City of Tulsa and Tulsa County. The intent of block length regulations is to provide connectivity between subdivisions. The subdivision proposed in this application is a gated, private street subdivision which will not connect to any adjacent properties. The applicant is requesting approval of the block lengths reflected on the preliminary plat.

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

TMAPC Comments:

Mr. Craddock asked if the stormwater and drainage has been dealt with in this area.

Applicant Comments:

Mike Thedford 123 North Martin Luther King Jr. Blvd., Tulsa OK

The applicant stated the infrastructure is almost 100% complete. He stated there is an approved IDP. The applicant stated there are two drainage areas, one detention on the southeast corner and a larger one in the northwest corner. The applicant stated drainage was the primary concern of a lot of the residents when they were trying to rezone and because of that they have had a couple of Town Hall meetings and discussed this with Paul Zachary. He stated everything has been approved and they will meet all the City of Tulsa requirements.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **WALKER**, the TMAPC voted 8-0-0 (Carr, Covey, Craddock, Hood, Shivel, Walker, Whitlock, Zalk, “aye”; no “nays”; none “abstaining”; Humphrey, Krug, “absent”) to **APPROVE** the Preliminary Subdivision Plat for Maybelle Villas per staff recommendation.

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8. **Spectrum Paint** (CD 3) Preliminary Plat, Location: North of the northeast corner of East 36th Street North and North Garnett Road (Continued from December 6, 2023)

STAFF RECOMMENDATION:

Spectrum Paint - (CD 3)

North of the northeast corner of East 36th Street North and North Garnett Road

This plat consists of 1 lot, 1 block on 20.12 ± acres.

The Technical Advisory Committee (TAC) met on November 16th and provided the following conditions:

1. **Zoning:** The property is currently zoned IM. The proposed lot conforms to the IM district regulations.
2. **Addressing:** City of Tulsa addresses and street names must be assigned and affixed to the face of the final plat along with the address disclaimer.
3. **Transportation & Traffic:** Sidewalks and appropriate ADA compliant ramps are required along all street frontages adjacent to the property. Right-of-way permits will be required for driveways connecting to public streets. IDP approval is required prior to final plat approval. Label and dimension all street right-of-way adjacent to the site with either recording information or "dedicated by plat". Right-of-way dedications are required to comply with major street and highway plan. Align limits of access and no access dimensions with proposed driveway.
4. **Sewer/Water:** Label and dimension all required or existing easements. Any required offsite easements are required to be recorded and recording information must be provided on the final plat. IDP approval is required prior to final plat approval.
5. **Engineering Graphics:** Submit subdivision control data sheet with final plat. Remove contours from final plat submittal. Add missing platted properties to location map and label all other areas as unplatted. Include coordinate system used under basis of bearing heading.
6. **Stormwater, Drainage, & Floodplain:** IDP approval for storm sewer improvements is required prior to final plat approval. Floodplain areas are required to be placed in an overland drainage easement.
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.

Staff recommends **APPROVAL** of the preliminary subdivision plat subject to the conditions provided by TAC and all other requirements of the Subdivision and Development 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; 8 members present:

On **MOTION** of **WALKER**, the TMAPC voted 8-0-0 (Carr, Covey, Craddock, Hood, Shivel, Walker, Whitlock, Zalk, "aye"; no "nays"; none "abstaining"; Humphrey, Krug, "absent") to **APPROVE** the Preliminary Subdivision Plat for Spectrum Paint per staff recommendation.

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9. **9100 Delaware** (CD 2) Minor Subdivision Plat, Location: West of the northwest corner of East 91st Street South and South Delaware Avenue

STAFF RECOMMENDATION:

9100 Delaware - (CD 2)

West of the northwest corner of East 91st Street South and South Delaware Avenue

This plat consists of 1 lot, 1 block on 8.17 ± acres.

The Technical Advisory Committee (TAC) met on November 5, 2020 and provided the following conditions:

1. **Zoning:** The subject tract is zoned MX2-V-U. The proposed lot conforms to the requirements of the zoning district.
2. **Addressing:** City of Tulsa addresses and street names must be assigned and affixed to the face of the final plat along with an address disclaimer.
3. **Transportation & Traffic:** Corner clip dedication required at the intersection of South Lewis Place and East 91st Street South. Access limitations approved as submitted. Sidewalks will be required along street frontages in conjunction with permits for any new buildings.
4. **Sewer/Water:** Easements must be provided as required to cover existing/proposed public infrastructure. All easements are required to be labeled and dimensioned on the face of the final plat. Perimeter easements to be shown on the final plat as required by Development Services.
6. **Engineering Graphics:** Submit subdivision data control sheet with final plat submittal. Remove contours on the final plat submittal. Add City of Tulsa before Tulsa County in the plat subtitle. In the location map, show all platted boundaries in Section 17, label all other property as unplatted and label the plat location as "project location" or "site". Under the basis of bearing information, add 3501 after North Zone and provide a bearing angle shown on the face of the plat.
7. **Stormwater, Drainage, & Floodplain:** City of Tulsa Regulatory Floodplain exists on the northern portion of the property. Overland drainage easement will be required for any on-site floodplain. Any development proposed in the future within the floodplain area will be required to comply with all city floodplain ordinances and criteria.
8. **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.

Staff recommends **APPROVAL** of the preliminary subdivision plat subject to the conditions provided by TAC and all other requirements of the Subdivision and

Development Regulations. City of Tulsa release letter including Development Services, City Legal, and Engineering Services 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; 8 members present:

On **MOTION** of **WALKER**, the TMAPC voted 8-0-0 (Carr, Covey, Craddock, Hood, Shivel, Walker, Whitlock, Zalk, "aye"; no "nays"; none "abstaining"; Humphrey, Krug, "absent") to **APPROVE** the Minor Subdivision Plat for 9100 Delaware per staff recommendation.

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Items 10 and 11 were presented together.

10.36N (CD 1) Preliminary Plat and Modification of the Subdivision and Development Regulations to remove requirement for performance guarantees, Location: Northeast corner of East 36th Street North and North Peoria Avenue (Related to 36N Request for authorization of accelerated release of building permits)

STAFF RECOMMENDATION:

36N - (CD 1)

Northeast corner of East 36th Street North and North Peoria Avenue

This preliminary plat review consists of 7 phases as shown on the face of the preliminary plat:

PHASE PROJECTED CONSTRUCTION SCHEDULE	
PHASE 2	JUNE 2025
PHASE 3	DECEMBER 2026
PHASE 4	JUNE 2026
PHASE 5	DECEMBER 2026
PHASE 6	JUNE 2027
PHASE 7	MAY 2029

The Technical Advisory Committee (TAC) met on December 7th and provided the following conditions:

- 1. Zoning:** The zoning on the property includes several MX districts and RM-1. The proposed lots conform to the requirements of the applicable districts.
- 2. Addressing:** City of Tulsa will assign addresses to each lot as phasing begins. The assigned addresses are required to be affixed to the face of the final plat prior to approval.
- 3. Transportation & Traffic:** Sidewalks and ADA ramps are required to be installed along all streets. Indicate which street rights-of-way are dedicated by plat and recording information for any existing dedications to remain.
- 4. Sewer/Water:** Sewer and water extension are being constructed through a capital project with public funds. Publicly funded infrastructure must have final plans for infrastructure prepared prior to final plat approval and filing to ensure accuracy of all easements/ROW.
- 5. Engineering Graphics:** Submit a subdivision control data sheet with final plat. Show all platted properties in the location map and label all other property has unplatted. Label subject property. 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. Surveyor CA is expired and will need to be updated.
- 6. Stormwater, Drainage, & Floodplain:** Publicly funded infrastructure must have final plans for infrastructure prepared prior to final plat approval and

filing to ensure accuracy of all easements/ROW. Any privately funded 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 10-110.6-C of the *Subdivision and Development Regulations* which would require the developer to submit a financial guarantee to the City of Tulsa for outstanding infrastructure improvements required for the project. The public infrastructure supporting this project is being done through a publicly funded capital improvement project. Because the infrastructure is already being funded by the City, the performance guarantee would not be necessary. Staff supports the request for modification.

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; 8 members present:

On **MOTION** of **WALKER**, the TMAPC voted 8-0-0 (Carr, Covey, Craddock, Hood, Shivel, Walker, Whitlock, Zalk, "aye"; no "nays"; none "abstaining"; Humphrey, Krug, "absent") to **APPROVE** the Preliminary Subdivision Plat and Modification of the Subdivision and Development Regulations for 36N per staff recommendation.

11.36N (CD 1) Request for authorization for accelerated release of building permits, Location: Northeast corner of East 36th Street North and North Peoria Avenue (Related to 36N Preliminary Plat and Modification of the Subdivision and Development Regulations)

STAFF RECOMMENDATION:

36N (CD 1)

Northeast corner of East 36th Street North and North Peoria Avenue

The applicant has requested that the Planning Commission authorize the City of Tulsa to issue building permits prior to the filing of a final plat. The *Subdivision & Development Regulations* require the approval of a preliminary plat prior to authorization for an accelerated release of building permits. The preliminary plat is also on the agenda for approval today.

This project is being managed by the Tulsa Housing Authority in partnership with the City of Tulsa and the U.S. Department of Housing and Urban Development along with other private partners. The site was awarded a federal CHOICE neighborhood grant through HUD that seeks to revitalize areas through the creation of affordable, walkable, and safe neighborhoods. The required infrastructure will be funded by the City of Tulsa and the implementation projects will be managed by Engineering Services. Any additional infrastructure not funded by the City of Tulsa will be required to obtain IDP approval.

As part of the platting process there will be relocation of existing utilities and expansions of new infrastructure as well as a need to close and vacate several underlying easements and existing rights-of-way. The associated grant with this project requires construction to begin on a specific timeline where delays could create issues. The applicant has requested deferring the requirement for the plat to be filed to the certificate of occupancy in order to prevent delays on building permits. The Technical Advisory Committee met on Thursday, December 7th and no objections were raised to the authorization of an accelerated release of building permits.

If approved, this authorization only removes the requirement that the final plat be filed prior to building permits being issued. All other codes and requirements of the City of Tulsa remain in place.

Staff recommends **approval** of the accelerated release of a building permit

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **WALKER**, the TMAPC voted 8-0-0 (Carr, Covey, Craddock, Hood, Shivel, Walker, Whitlock, Zalk, “aye”; no “nays”; none “abstaining”; Humphrey, Krug, “absent”) to **APPROVE** the accelerated release of building permits for 36N per staff recommendation.

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OTHER BUSINESS

Commissioners' Comments

Mr. Craddock stated that Commissioner Krug was being replaced. He stated he would like to thank Luisa Krug for her service to the Planning Commission.

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ADJOURN

TMAPC Action; 8 members present:

On **MOTION** of **WALKER**, the TMAPC voted 8-0-0 (Carr, Covey, Craddock, Hood, Shivel, Walker, Whitlock, Zalk, “aye”; no “nays”; none “abstaining”; Humphrey, Krug, “absent”) to **ADJOURN** TMAPC meeting of December 20, 2023, Meeting No. 2904.

ADJOURN

There being no further business, the Chair declared the meeting adjourned at 1:38 p.m.

Date Approved:

Chair

ATTEST: _____

Secretary