



Tulsa Metropolitan Area Planning Commission

Minutes of Meeting No. 2909

Wednesday, March 6, 2024, 1:00 p.m.

Tulsa City Council Chambers, 175 E. 2nd St., Tulsa, OK 74103

The notice and agenda of said meeting were posted in the City Clerk’s and the County Clerk’s office on March 4, 2024 at 8:58 a.m.

Members Present: Carr, Craddock, Fugate, Hood, Humphrey, Robinson, Shivel, Turner-Addison, Walker

Members Absent: Whitlock, Zalk

Staff Present: Nathan Foster, Susan Miller, Kim Sawyer, Dylan Siers, Jeff Stephens

Speaker Key:

- (+) indicates a speaker generally supportive of an item;
- (-) indicates a speaker generally opposed to an item; and
- (=) indicates a speaker generally neutral or who has questions about an item.

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

Reports

Work Session Report: None

Chairman’s Report: None

Director’s Report: None

Approval of Minutes

1. Minutes from Meeting 2908, February 21, 2023

Motion: Approval of the minutes of Meeting 2908 from February 21, 2023.

Motion by: Shivel Second by: Hood

Vote: 8-0-0

Ayes: Carr, Craddock, Fugate, Hood, Robinson, Shivel, Turner-Addison, Walker

Nays: none

Abstentions: none

Absent: Humphrey, Whitlock, Zalk

Mr. Humphrey arrived at 1:03 pm.

Consent Agenda

2. **PUD-190-A-40**

Location: Northwest of the northwest corner of East 79th Street South and South Sheridan Road

City Council District: 8

Applicant: John R. Profitt

Action(s) Requested: PUD Minor Amendment to allow for a separation distance of 10 feet between buildings.

Detailed Staff Recommendation

The applicant is proposing a minor amendment to amend PUD-190-A to allow for a 10 feet separation distance between buildings.

Currently PUD-190-A requires a 15-foot setback between buildings. The applicant wants to build a new home on Lot 10 Block 4 of Minshall Point. The proposed structure would be set back 10 feet from the nearest building to the West (Lot 9, Block 4, Minshall Point). The lot to the east is currently vacant, but the proposed structure would be setback over 5 feet from the property line. The underlying zoning is RS-3 which has a 5 foot setback from property lines, meaning that the proposed building would be permitted by right if it was not within PUD-190-A.

Current standards – 15 foot setback between buildings.

Proposed standards for Lot 10 Block 4 – 10 foot setback between buildings or 5 feet from the side property lines.

With consideration given to the factors listed herein, staff recommends **approval** of the application.

Staff has reviewed the request and determined:

- 1) PUD-190-A-40 is consistent with the provisions for administration and procedures of a PUD in section 30.010-H.
- 2) PUD-190-A-40 does not represent a significant departure from the approved development standards in the PUD and is considered a minor amendment to PUD-190-A.
- 3) All remaining development standards defined in PUD-190-A and subsequent amendments shall remain in effect.

Comprehensive Plan Considerations

Land Use Plan

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

Surrounding Properties:

| <u>Location</u> | <u>Existing Zoning/Overlay</u> | <u>Existing Land Use Designation</u> | <u>Existing Use</u> |
|-----------------|--------------------------------|--------------------------------------|---------------------|
| North | RS-3/PUD-190-A | Neighborhood | Residence |
| East | RS-3/PUD-190-A | Neighborhood | Residence |
| South | RS-3/PUD-190-A | Neighborhood | Residence |
| West | RS-3/PUD-190-A | Neighborhood | Residence |

Small Area Plans

The subject properties are not within a small area plan.

Development Era

The subject property is located in an area developed during the Late Automobile Era.

Late Automobile

The subject property is in an area developed during the Late Automobile Era (1950s-present), which has grown since the mainstreaming of automobile-centric lifestyles, with a high degree of separation between residential and nonresidential uses, and low levels of street connectivity. In these areas, transportation is nearly exclusively concentrated on the mile-by-mile arterial grid, and major streets are often both transportation corridors and destination corridors, which can lead to traffic congestion. Nonresidential uses are predominantly located at the intersections of major arterial streets. Priorities in these areas include commercial revitalization, placemaking, community gathering opportunities, conservation of natural areas, a high degree of privacy, one-stop shopping, and commuting routes.

Transportation

Major Street & Highway Plan: N/A

Comprehensive Plan Street Designation: N/A

Transit: N/A

Existing Bike/Ped Facilities: N/A

Planned Bike/Ped Facilities: N/A

Arterial Traffic per Lane: N/A

Environmental Considerations

Flood Area: The subject properties are not within a flood area.

Tree Canopy Coverage: Tree canopy in the area is 20%-30%. The area would benefit from additional trees, which also capture and treat runoff before it enters the river.

Parks & Open Space: N/A

Property Description

Lot 10, Block 4, Minshall Pointe, City of Tulsa, Tulsa County, State of Oklahoma

3. CO-9-1

Location: North of the northwest corner of East 91st Street South and South Mingo Road

City Council District: 7

Applicant: Karl Fritschen

Action(s) Requested: CO Minor Amendment to change the requirement for public street and street stubs on the north and south boundaries of the development area.

Detailed Staff Recommendation

The applicant is proposing a minor amendment to change the requirement for public street and street stubs on the north and south boundaries of the development area.

The current land reads as follows:

C. Access, Circulation, and Lot Frontage

- The Corridor Development plan will have a maximum of two access points to S. Mingo Rd.
- The development will consist of both public and private streets. At a minimum, the public streets will connect vehicular traffic from the S. Mingo Road entrance, through the development, and provide both a public stub out street to the north of the property and to the south of the property (See Exhibit: Street Diagram)
 - ▶ The north and the south stub out locations depicted on the conceptual site plan are proposed locations. Final locations shall be determined during the subdivision compliance plan phase of the development.
 - ▶ North and South stub outs shall be public streets and accommodate future development.
 - ▶ Lots are not required to have frontage on a public or private street however provisions for vehicular and pedestrian access to any public or private street must be provided on the subdivision plat.
- Sidewalks shall be constructed on both sides of public and private streets as defined in the Tulsa Subdivision and Development Regulations.

The applicant is proposing to change the language to the following:

D. Access, Circulation, and Lot Frontage

- The Corridor Development plan will have a maximum of two access points to S. Mingo Rd.
- *The development will consist of internal private drives connecting all of the lots within the development. This internal drive shall be denoted as an MAE on the development plan accompanying this document as well as in the plat document, which shall ensure all lots have access to a public street. (See Exhibit A)*
 - ▶ Lots are not required to have frontage on a public or private street however provisions for vehicular and pedestrian access to any public or private street must be provided on the subdivision plat.
- Sidewalks shall be constructed on both sides of the private drives as defined in the Tulsa Subdivision and Development Regulations

With consideration given to the factors listed herein, staff recommends **approval** of the application.

Staff has reviewed the request and determined:

- 1) CO-9-1 is consistent with the provisions for administration and procedures of a Corridor Development in section 25.040-E-5.
- 2) CO-9-1 does not represent a significant departure from the approved development standards in the Corridor development and is considered a minor amendment to CO-9.
- 3) All remaining development standards defined in CO-9 and subsequent amendments shall remain in effect.

Comprehensive Plan Considerations

Land Use Plan

The subject property is designated as Neighborhood.

Surrounding Properties:

| <u>Location</u> | <u>Existing Zoning/Overlay</u> | <u>Existing Land Use Designation</u> | <u>Existing Use</u> |
|-----------------|--------------------------------|--------------------------------------|---------------------|
| North | AG | Parks and Open Space | Golf Course |
| East | CO/PUD-559 | Regional Center | Apartments |
| South | AG | Neighborhood | Agricultural |
| West | RS-3/PUD-298 | Neighborhood | Residential |

Small Area Plans

The subject properties are not within a small area plan.

Development Era

The subject property is located in an area developed during the late automobile era.

The subject property is in an area developed during the Late Automobile Era (1950s-present), which has grown since the mainstreaming of automobile-centric lifestyles, with a high degree of separation between residential and nonresidential uses, and low levels of street connectivity. In these areas, transportation is nearly exclusively concentrated on the mile-by-mile arterial grid, and major streets are often both transportation corridors and destination corridors, which can lead to traffic congestion. Nonresidential uses are predominantly located at the intersections of major arterial streets. Priorities in these areas include commercial revitalization, placemaking, community gathering opportunities, conservation of natural areas, a high degree of privacy, one-stop shopping, and commuting routes.

Transportation

Major Street & Highway Plan: Secondary Arterial

Comprehensive Plan Street Designation: N/A

Transit: N/A

Existing Bike/Ped Facilities: N/A

Planned Bike/Ped Facilities: N/A

Arterial Traffic per Lane: 5,000 – 7,500 per lane

Environmental Considerations

Flood Area: The subject properties are within the City of Tulsa Regulatory Floodplain.

Tree Canopy Coverage: Tree canopy in the area is 42%. The area would benefit from additional trees, which also capture and treat runoff before it enters the river.

Parks & Open Space: N/A

Property Description

A TRACT OF LAND LYING IN THE NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (N/2 NE/4 SE/4) OF SECTION THIRTEEN (13), TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (N/2 NE/4 SE/4); THENCE SOUTH 00°02'29" EAST ALONG THE EAST LINE OF SAID NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (N/2 NE/4 SE/4) A DISTANCE OF 330.05 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°46'36" WEST AND PARALLEL WITH THE NORTH LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (N/2 NE/4 SE/4) TO A POINT ON THE WEST LINE OF SAID TRACT WHICH IS 330.06 FEET SOUTH OF THE NORTHWEST CORNER OF THE NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (N/2 NE/4 SE/4); THENCE SOUTH ALONG THE WEST LINE OF SAID NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (N/2 NE/4 SE/4) A DISTANCE OF 330.06 FEET TO THE SOUTHWEST CORNER OF SAID TRACT; THENCE EAST ALONG THE SOUTH LINE OF SAID TRACT A DISTANCE OF 1320.21 FEET TO THE SOUTHEAST CORNER OF SAID TRACT; THENCE NORTH 00°02'29" WEST ALONG THE EAST LINE OF SAID NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (N/2 NE/4 SE/4) A DISTANCE OF 330.05 FEET TO THE POINT OF BEGINNING.

AND

A TRACT OF LAND LYING IN THE NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (N/2 NE/4 SE/4) OF SECTION THIRTEEN (13), TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (N/2 NE/4 SE/4); THENCE SOUTH 00°02'29" EAST ALONG THE EAST LINE OF SAID NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (N/2 NE/4 SE/4) A DISTANCE OF 330.05 FEET; THENCE SOUTH 89°46'36" WEST AND PARALLEL WITH THE NORTH LINE OF SAID NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (N/2 NE/4 SE/4) A DISTANCE OF 659.95 FEET; THENCE NORTHEASTERLY TO A POINT ON THE NORTH LINE OF SAID NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (N/2 NE/4 SE/4), SAID POINT BEING 489.35 FEET WEST OF THE NORTHEAST CORNER OF SAID NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (N/2 NE/4 SE/4); THENCE EAST ALONG THE NORTH LINE OF SAID NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (N/2 NE/4 SE/4); A DISTANCE OF 489.35 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER (SE/4), BEING THE POINT OF BEGINNING,

AND

A TRACT OF LAND LYING IN THE NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (N/2 NE/4 SE/4) OF SECTION THIRTEEN (13), TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S GOVERNMENT SURVEY THEREOF, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (N/2 NE/4 SE/4); THENCE SOUTH 00°02'29" EAST ALONG THE EAST LINE OF SAID NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (N/2 NE/4 SE/4) A DISTANCE OF 330.05 FEET; THENCE SOUTH 89°46'36" WEST AND PARALLEL WITH THE NORTH LINE OF SAID NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (N/2 NE/4 SE/4) A DISTANCE OF 659.95 FEET TO THE POINT OF BEGINNING; THENCE NORTHEASTERLY TO A POINT ON THE NORTH LINE OF SAID NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (N/2 NE/4 SE/4) SAID POINT BEING 489.35 FEET WEST OF THE NORTHEAST CORNER OF SAID TRACT; THENCE WEST ALONG THE NORTH LINE OF SAID TRACT A DISTANCE OF 830.19 FEET TO THE NORTHWEST CORNER OF SAID TRACT; THENCE SOUTH ALONG THE WEST LINE OF SAID TRACT A DISTANCE OF 330.06 FEET, SAID POINT BEING SITUATED ON THE WEST LINE OF SAID TRACT; THENCE IN AN EASTERLY DIRECTION TO THE POINT OF BEGINNING.

AND

A TRACT OF LAND BEING A PART OF THE NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (N/2 NE/4 SE/4) OF SECTION THIRTEEN (13), TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER (SE/4); THENCE WESTERLY, ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER (SE/4) A DISTANCE OF 920 FEET; THENCE SOUTHERLY PERPENDICULAR TO THE NORTH LINE OF SAID SOUTHEAST QUARTER (SE/4) A DISTANCE OF 330 FEET; THENCE EASTERLY PARALLEL WITH THE NORTH LINE OF SAID SOUTHEAST QUARTER (SE/4) A DISTANCE OF 280 FEET; THENCE NORTHERLY PERPENDICULAR TO THE NORTH LINE OF SAID SOUTHEAST QUARTER (SE/4) A DISTANCE OF 275 FEET; THENCE EASTERLY, PARALLEL WITH THE NORTH LINE OF SAID SOUTHEAST QUARTER (SE/4) A DISTANCE OF 640 FEET; THENCE NORTHERLY PERPENDICULAR TO THE NORTH LINE OF SAID SOUTHEAST QUARTER (SE/4) A DISTANCE OF 55 FEET TO THE POINT OF BEGINNING.

4. **PUD-714-A-3**

Location: East of the northeast corner of East 104th Street South and Riverside Parkway

City Council District: 2

Applicant: Chris Crabby

Action(s) Requested: PUD Minor Amendment to reduce the street setback

Detailed Staff Recommendation

The applicant is proposing a minor amendment request to reduce the street setback from public and private right of way from 25' to 22'.

PUD-714-A currently has a setback from private and public right of way of 25'. The applicant is proposing a residence that is 22' from the private right of way. The property is unique in shape which is causing the need to ask for relief. Below the current and proposed standards can be found.

Current standards – Minimum Yards:

Front:

From public street right-of-way 25 FT

From private street right-of-way 25 FT

Proposed standards for Lot 1 Block 3, Riverview Park –

Front:

From public street right-of-way 22 FT

From private street right-of-way 22 FT

With consideration given to the factors listed herein, staff recommends **approval** of the application.

Staff has reviewed the request and determined:

- 1) PUD-714-A-3 is consistent with the provisions for administration and procedures of a PUD in section 30.010-H.
- 2) PUD-714-A-3 does not represent a significant departure from the approved development standards in the PUD and is considered a minor amendment to PUD-714-A.
- 3) All remaining development standards defined in PUD-714 and subsequent amendments shall remain in effect.

Comprehensive Plan Considerations

Land Use Plan

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

Surrounding Properties:

| <u>Location</u> | <u>Existing Zoning/Overlay</u> | <u>Existing Land Use Designation</u> | <u>Existing Use</u> |
|-----------------|--------------------------------|--------------------------------------|---------------------|
| North | RS-3/PUD-714-A | Neighborhood | Residential |
| East | RS-3/PUD-714-A | Neighborhood | Residential |
| South | AG/RDO-3 | Arkansas River Corridor | Vacant |
| West | AG/RDO-2 | Arkansas River Corridor | Vacant |

Small Area Plans

The subject properties are not within a small area plan.

Development Era

The subject property is located in an area developed during the Late automobile era.

The subject property is in an area developed during the Late Automobile Era (1950s-present), which has grown since the mainstreaming of automobile-centric lifestyles, with a high degree of separation between residential and nonresidential uses, and low levels of street connectivity. In these areas, transportation is nearly exclusively concentrated on the mile-by-mile arterial grid, and major streets are often both transportation corridors and destination corridors, which can lead to traffic congestion. Nonresidential uses are predominantly located at the intersections of major arterial streets. Priorities in these areas include commercial revitalization, placemaking, community gathering opportunities, conservation of natural areas, a high degree of privacy, one-stop shopping, and commuting routes.

Transportation

Major Street & Highway Plan: N/A

Comprehensive Plan Street Designation: N/A

Transit: N/A

Existing Bike/Ped Facilities: N/A

Planned Bike/Ped Facilities: N/A

Arterial Traffic per Lane: N/A

Environmental Considerations

Flood Area: The subject properties are within the FEMA 500 year.

Tree Canopy Coverage: Tree canopy in the area is 30%-50%. The area would benefit from additional trees, which also capture and treat runoff before it enters the river.

Parks & Open Space: N/A

Property Description

Lot 1, Block 3, Riverview Park Estates BLK 1-3, City of Tulsa, Tulsa County, State of Oklahoma

Item 5 was removed from the Consent Agenda and placed on the Public Hearing.

DRAFT

6. Crossing at Battle Creek Phase V

Location: South of the southeast corner of East 38th Street South and South 145th East Avenue

City Council District: 6

Applicant: June Young

Action(s) Requested: Surveyor's correction to lot dimension on filed plat

Commission Action

Motion: Approve Consent Agenda items 2, 3, 4, and 6 per staff's recommendation.

Motion by: Craddock Second by: Shivel

Vote: 9-0-0

Ayes: Carr, Craddock, Fugate, Hood, Humphrey, Robinson, Shivel, Turner-Addison, Walker,

Nays: none

Abstentions: none

Absent: Whitlock, Zalk

DRAFT

Public Hearing – Items removed from Consent Agenda

5. **Z-7367-a**

Location: East of the northeast corner of East Mohawk Boulevard and North Peoria Avenue

City Council District: 1

Applicant: Kurt Gariss

Action(s) Requested: ODP Minor Amendment to increase fixture heights for parking lot lighting near Mohawk Boulevard

Detailed Staff Recommendation

The applicant is proposing to increase the allowable height for lighting fixtures within 200 feet of the Mohawk Boulevard right-of-way from 16 feet to 30 feet.

The development standards for Z-7367 were adopted in January of 2018. The original development plan required any light fixture within 200 feet of Mohawk Boulevard to be a maximum of 16 feet from the ground. During the initial permitting of the project, this development standard was not applied and resulted in 6 light fixtures being installed at 30 feet within the restricted area.

The light fixtures have existed since late 2021. The amendment request would not change other requirements of the development plan including the requirement that all lighting comply with the lighting requirements of the Tulsa Zoning Code and that all lighting shall be pointed down and away from the boundary of the development plan.

The building and parking lot elevations for this project sit below the elevation of Mohawk Boulevard which reduces the visibility of the lighting within the parking area from the street. The applicant has also submitted new landscaping plans for the Mohawk Boulevard corridor which will include the planting of around 40 new evergreen trees east of the driveway for the facility. The mixture of evergreen and existing deciduous trees along the Mohawk frontage will provide a natural screening from the street and neighborhood areas to the south.

The applicant has provided a lighting plan and a photometric illustration to demonstrate compliance with all other requirements. The minor amendment request is limited to the existing lighting on-site. Any future installation of lighting will be required to comply with the standards outlined in Z-7367.

Staff has reviewed the request and determined:

- 1) Z-7367-a does not represent a significant departure from the approved development standards in the optional development plan and is considered a minor amendment to Z-7367.
- 2) All remaining development standards defined in Z-7367 and subsequent amendments shall remain in effect.

With consideration given to the factors listed herein, staff recommends **approval** of the application.

Comprehensive Plan Considerations

Land Use Plan

The subject property is designated as Employment.

Employment is intended to accommodate offices, warehousing and storage, manufacturing and assembly, and industrial processes. The Industrial Site Suitability map corresponds to the Employment land use designation and indicates where uses that are potentially incompatible with sensitive land uses are best suited to locate. This directs industrial uses to particular areas of the city while discouraging industrial in close proximity to Neighborhood areas.

Surrounding Properties:

| <u>Location</u> | <u>Existing Zoning/Overlay</u> | <u>Existing Land Use Designation</u> | <u>Existing Use</u> |
|-----------------|--------------------------------|--------------------------------------|---------------------|
| North | RMH/AG | Park and Open Space/Employment | Vacant |
| East | IM/Z-7367 ODP | Employment | Vacant |
| South | RS-3/AG | Neighborhood | Residential |
| West | IM/Z-7367 ODP/AG | Park and Open Space/Employment | Vacant |

Small Area Plans

The subject property is located within the 36th Street North Small Area Plan. The optional development plan standards adopted under Z-7367 seek to implement several goals of the small area plan.

Development Era

The subject property is in an area developed during the Early Automobile Era (1930s-50s), which retained a high degree of the connectivity from neighborhood streets to the arterial network, with mostly commercial, office, industrial, and other active uses along major streets and a mix of housing options and neighborhood-based uses like schools, churches, and libraries in the interior sections. Priorities in these areas include walkability, bikeability, access to public transit, historic preservation, housing type variety, mixed-use development, commercial revitalization, compatibility of scale for neighborhood development, and transitions between commercial corridors and residential areas.

Transportation

Major Street & Highway Plan: East Mohawk Boulevard is designated as collector street which requires an ultimate right-of-way dedication of 60 feet.

Comprehensive Plan Street Designation: N/A

Transit: This property is in a recommended transit-oriented development area due to its proximity to the Peoria BRT line. This project implemented wider side paths along Mohawk Boulevard during construction which enhance pedestrian and bicycle connectivity to the BRT line.

Existing Bike/Ped Facilities: N/A

Planned Bike/Ped Facilities: Mohawk Bike Lanes are a listed recommendation of the GO Plan.

Environmental Considerations

Flood Area: The subject properties contain both FEMA and City of Tulsa Regulatory floodplain boundaries.

Tree Canopy Coverage: Tree canopy in the area is 49%.

The applicant indicated their agreement with staff's recommendation.

TMAPC Comments

Ms. Turner-Addison asked for clarification on the height of the lights on the subject property because she had neighbors inquiring about the lighting requirements.

Speakers

(-) Susan Frederick, 14301 E 11th Street, Tulsa, OK 74108, concerned about the lights because they catch cars on fire on expressways. She claims it is all a part of the SMART city movement.

Commission Action

Motion: Approve the ODP Minor Amendment to increase fixture heights for parking lot lighting, per staff's recommendation.

Motion by: Craddock Second by: Humphrey

Vote: 9-0-0

Ayes: Carr, Craddock, Fugate, Hood, Humphrey, Robinson, Shivel, Turner-Addison, Walker,

Nays: none

Abstentions: none

Absent: Whitlock, Zalk

Property Description

A TRACT OF LAND BEGINNING AT A POINT THAT IS THE SOUTHWEST CORNER OF LOT ONE (1), BLOCK ONE (1), NP36; A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, SAID TRACT OF LAND BEING DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT THAT IS SOUTHWEST CORNER OF LOT 1, BLOCK 1, NP36; THENCE ALONG THE WESTERLY LINE OF SAID LOT 1 FOR THE FOLLOWING SEVENTEEN (17) DESCRIBED COURSES: NORTH 45°28'05" WEST FOR 124.91 FEET; THENCE NORTH 80°10'32" WEST FOR 171.86 FEET; THENCE NORTH 65°11'16" WEST FOR 162.34 FEET; THENCE NORTH 07°22'14" WEST FOR 326.83 FEET; THENCE NORTH 81°26'21" WEST FOR 183.81 FEET; THENCE NORTH 56°34'06" WEST FOR 117.41 FEET; THENCE NORTH 01°11'36" WEST FOR 81.29 FEET; THENCE NORTH 08°25'54" EAST FOR 23.01 FEET TO A POINT OF CURVE; THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT WITH A CENTRAL ANGLE OF 45°46'34", A RADIUS OF 136.87 FEET, A CHORD BEARING OF NORTH 31°19'11" EAST, A CHORD DISTANCE OF 106.47 FEET, FOR AN ARC LENGTH OF 109.35 FEET; THENCE NORTH 54°12'28" EAST FOR 107.46 FEET; THENCE NORTH 35°47'32" WEST FOR 203.19 FEET; THENCE NORTH 88°09'14" EAST FOR 147.45 FEET; THENCE NORTH 52°07'56" EAST FOR 275.09 FEET; THENCE NORTH 13°13'30" EAST FOR 255.86 FEET; THENCE NORTH 32°38'59" EAST FOR 139.23 FEET; THENCE NORTH 01°13'28" WEST FOR 136.22 FEET; THENCE NORTH 88°09'14" EAST FOR 1099.11 FEET; THENCE LEAVING SAID WESTERLY LINE OF LOT 1, SOUTH 46°32'07" EAST FOR 24.62 FEET TO A POINT OF CURVE, THENCE SOUTHWESTERLY, SOUTHERLY AND SOUTHEASTERLY ALONG A CURVE TO THE LEFT, SAID CURVE HAVING AN INITIAL TANGENT BEARING OF SOUTH 52°41'12" WEST, A CENTRAL ANGLE OF 81°46'03", A RADIUS OF 60.00 FEET, A CHORD BEARING OF SOUTH 11°48'10" WEST, A CHORD DISTANCE OF 78.54 FEET, FOR AN ARC LENGTH OF 85.63 FEET; THENCE SOUTH 60°55'09" WEST FOR 217.42 FEET; THENCE SOUTH 29°04'51" EAST FOR 1019.74 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID LOT 1; THENCE SOUTH 60°55'09" WEST ALONG SAID SOUTHERLY LINE FOR 818.93 FEET; THENCE SOUTH 62°58'02" WEST ALONG SAID SOUTHERLY LINE FOR 542.78 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND.

Public Hearing - Rezoning

7. **Z-7614**

Location: Northeast corner of East 11th Street South and South 145th East Avenue

City Council District: 6

Applicant: Greg Norris

Action(s) Requested: Rezoning from CS and AG to CS

Detailed Staff Recommendation

The applicant is proposing to rezone 2.59 acres at the northeast corner of East 11th Street South and South 145th East Avenue to CS to permit commercial uses.

Z-7614 was originally submitted in September of 2021. The applicant requested a rezoning from the existing CS and AG designation to a CG designation with an optional development plan. The original request covered the 2.59 acres under application today and an additional 12 acres to the north. That application also included a request to change the land use designation of the northern 12 acres. TMAPC recommended approval of the application on September 1, 2021, but it was later remanded back to TMAPC for further discussion by the Tulsa City Council. There was no activity on the application until earlier this year. The applicant has reduced the boundary of the application to 2.59 acres being considered today and has withdrawn the comprehensive plan amendment request on the northern 12 acres.

The property is located at the intersection of two arterial streets. East 11th Street is designated as a secondary arterial while South 145th East Avenue is designated as a primary arterial.

The land use designation for the subject property is multiple use. The CS zoning district aligns with the goals of the multiple use designation in this area and permits a range of lower-intensity commercial uses and a variety of residential uses.

With consideration given to the factors listed herein, staff recommends **approval** of the application.

Comprehensive Plan Considerations

Land Use Plan

The subject property is designated as 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.

The subject property is located within the Route 66 Corridor which carries recommendation from Plan 66 adopted in December of 2020. The rezoning to permit commercial uses along the corridor aligns with the goals of the plan to encourage further economic growth in the corridor.

Surrounding Properties:

| <u>Location</u> | <u>Existing Zoning/Overlay</u> | <u>Existing Land Use Designation</u> | <u>Existing Use</u> |
|-----------------|--------------------------------|--------------------------------------|--|
| North | AG | Neighborhood | Vacant |
| East | CS/AG | Multiple Use/Neighborhood | Baseball Facility (under construction) |
| South | CS | Multiple Use | Vacant |
| West | CS/RS-3 | Multiple Use/Neighborhood | Residential |

Small Area Plans

The subject property is not located within any small area plans.

Development Era

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

Transportation

Major Street & Highway Plan: East 11th Street is designated as a secondary arterial which will require an ultimate right-of-way of 100 feet. South 145th East Avenue is designated as a primary arterial which will require an ultimate right-of-way dedication of 120 feet. Right-of-way dedications will be required as development occurs or as part of any subdivision of land.

Comprehensive Plan Street Designation: N/A

Transit: The property is currently not served by public transit routes.

Existing Bike/Ped Facilities: N/A

Planned Bike/Ped Facilities: East 11th Street is planned as a signed bicycle route.

Environmental Considerations

Flood Area: The subject properties do not contain floodplain areas.

Tree Canopy Coverage: Tree canopy in the area is 30-50%. Development will naturally have an impact on tree canopy, but all effort should be taken to preserve a substantial portion of the tree canopy in these areas. These areas should have the highest level of preservation to maintain the existing habitat and recreational places in the city. Future land use planning for Future Growth areas should include the goal of tree canopy preservation.

Parks & Open Space: N/A

Zoning History

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

Z-6661: Ordinance 19453, dated January 7, 1999, rezoned the southern 286 feet of the property from AG to CS.

TMAPC Comments

Ms. Addison-Turner asked what the hours of operation were and was told they were 9am to 12am by appointment only.

Mr. Craddock pointed out that the CS zoning was already along this intersection. He stated it is standard practice for CS zoning to be on hard corners in the city.

Mr. Stephens, City Legal reminded Planning Commissioners that the ultimate use is not what they should be considering but instead is the zoning appropriate on the subject property.

Speakers

- (-) Christy Kellerhals, 15302 E 13th Street, Tulsa, OK 74108, Ms. Kellerhals is the President of the Tower Heights Neighborhood Association, and the neighborhood is opposed to this application and does not want any commercial development or the proposed event center. She is also concerned about noise levels.
- (-) LeAnn Standingwater, 14609 E 12th Street, Tulsa, OK 74108, Ms. Standingwater does not want any commercial development or the proposed event center. Also concerned about noise levels.
- (-) John Ray, 14647 E 12th Street, Tulsa, OK 74108, Mr. Ray does not want any commercial development or the proposed event center. Also concerned about noise levels.
- (-) Susan Frederick, 14301 E 11th Street, Tulsa, OK 74108, concerned about traffic.

- (+) Larry Addis, 114 Water Tower Road, Sand Springs, OK 74063, supports the project. The property owner is his client, and he wants to build a house on the property.

Commission Action

Motion: Recommend approval of the CS, per staff's recommendation.

Motion by: Craddock Second by: Shivel

Vote: 9-0-0

Ayes: Ayes: Carr, Craddock, Fugate, Hood, Humphrey, Robinson, Shivel, Turner-Addison, Walker,

Nays: none

Abstentions: none

Absent: Whitlock, Zalk

Property Description

THE SOUTH 1320 FEET OF THE WEST 660 FEET OF THE SOUTHWEST QUARTER OF SECTION THREE (3), TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE ND MERIDIAN, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, LESS THE EAST 410 FEET OF THE SOUTH 1320 FEET OF THE WEST 660 FEET THEREOF AND LESS BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER, THENCE NORTH 75.87 FEET, THENCE NORTHEAST 24.75 FEET, THENCE SOUTHEAST OF A CURVE TO THE LEFT 72.76 FEET, THENCE SOUTH 24.75 FEET, THENCE SOUTHWEST 74.64 FEET TO THE POINT OF BEGINNING., CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

8. Z-7760

Location: Southwest corner of East 11th Street South and South Peoria Avenue

City Council District: 4

Applicant: Tulsa City Council

Action(s) Requested: Rezoning from RS-3 and Route 66 Overlay to RS-3, Route 66 Overlay and HP Overlay

Detailed Staff Recommendation

The proposal is to rezone the subject property from RS-3 and Route 66 Overlay to RS-3, Route 66 Overlay, and Historic Preservation (HP) Overlay to include the property in the Tracy Park HP Overlay District. The HP zoning map amendment was initiated by the Tulsa City Council on December 13, 2023. The Tulsa Preservation Commission recommended approval of the HP zoning map amendment on January 25, 2024. A detailed report with the preservation commission recommendation is attached.

HP overlays are one of several types of overlay districts established by the Tulsa Zoning Code. Within HP overlays, an HP Permit is required for most exterior work to a building, structure, or lot. The Tulsa Preservation Commission reviews applications for HP Permits based on the Unified Design Guidelines, which provide guidance on the treatment of properties in HP overlays.

The Tracy Park HP Overlay District was adopted and became effective January 4, 2023. Tracy Park was excluded from the overlay at that time, and the city council requested staff to consider amendments to the Unified Design Guidelines that would address projects within city parks and then bring forward a new proposal for the park. Amendments to the non-residential guidelines and related zoning code amendments were approved by the city council and became effective February 6, 2024. This HP zoning map amendment is the next step in that process.

The proposed HP zoning map amendment is consistent with the land use designation for the property and the character of the property and surrounding area, as Tracy Park is a 105-year-old park on the northern end of a historic neighborhood. As described in the preservation commission’s recommendation, the HP zoning map amendment allows for the implementation of multiple goals and policies of the comprehensive plan. The HP zoning map amendment is consistent with the zoning code’s general purposes (Section 1.050), the stated purposes and intents of HP Overlays (Section 20.020-A), and the HP zoning approval criteria (Section 70.060-J).

With consideration given to the factors listed herein, staff recommends **approval** of the application.

Comprehensive Plan Considerations

Land Use Plan

The subject property is designated as Park and Open Space by the comprehensive plan. Park and Open Space includes parks, trails, public sports complexes, country clubs, stormwater facilities, forests, and cemeteries. While these individual uses differ greatly, the general goal of this designation is to ensure these areas remain in their current undeveloped state, and that new development in near proximity does not encroach in ways that undermine the purpose of the property. Active parks and open space should be further activated by development that faces these uses.

Surrounding Properties:

| <u>Location</u> | <u>Existing Zoning/Overlay</u> | <u>Existing Land Use Designation</u> | <u>Existing Use</u> |
|-----------------|--------------------------------|--------------------------------------|---------------------|
| North | MPD-FBC1/RT66 Overlay/NIO | Park and Open Space | Cemetery |

| | | | |
|-------|---------------------------------------|------------------------------|-------------------------------|
| East | MX1-P-U/RT66 Overlay/NIO | Multiple Use | Restaurant/Retail/Residential |
| South | RS-3/RT66 Overlay/HP Overlay CH | Neighborhood Multiple Use | Residential Vacant |
| West | CH/NIO | N/A | Highway right-of-way |

Small Area Plans

The subject property is not within a small area plan.

Development Era

The subject property is in an area developed during the Streetcar Era (1910s-30s), prior to the proliferation of automobiles, when streetcars facilitated growth beyond downtown. Land uses range from fully integrated to somewhat separated, on a half-mile grid, with a mix of housing options. Priorities in these areas include walkability, bikeability, access to public transit, historic preservation, housing type variety, mixed-use development, transit-oriented development, commercial districts, and well-designed streetscapes.

Transportation

Major Street & Highway Plan: East 11th Street is classified as an Urban Arterial and Multi-Modal Corridor, and Peoria Avenue is classified as an Urban Arterial and Main Street. Both street classifications require a minimum right-of-way width of 70 feet. Highway 75 is classified as a Freeway.

Comprehensive Plan Street Designation: East 11th Street is designated as a Multi-Modal Corridor. Multi-modal streets support commercial and residential development along major arterial streets. These streets align with the recommendations for on-street bicycle infrastructure established in the 2015 GO Plan, and they should be evaluated for feasibility with regard to the reallocation of street space for bicycle facilities.

Peoria Avenue is designated as a Main Street. Main Streets are the streets whose land uses have maintained their historic or urban characteristics. Buildings have minimal setbacks, pedestrian infrastructure is safe and comfortable, and many buildings have a mix of uses, whether multiple storefronts, or a combination of retail and residential on different floors of the building. On-street parking, bicycle lanes, pedestrian islands, and curb extensions are used to slow traffic to a speed that is safe for pedestrians and cyclists. These streets are prime candidates for economic development and community development investment efforts.

Transit: The Peoria Aero BRT and the Route 66 Aero BRT alignments connect at the northeast corner of the subject property, and an Aero covered BRT stop is located on the east end of the property. The comprehensive plan showed both alignments as areas in which transit-oriented development should be encouraged to make getting around without an automobile more feasible.

Existing Bike/Ped Facilities: Bike lanes run along both sides of 11th Street on the north side of the property, and sidewalks are present around the perimeter of the lot. There are designated crosswalks at the intersection between 11th Street and Peoria Avenue and mid-block across 11th Street. The Midland Valley Trail runs north and south just to the west of the subject property between Norfolk Avenue and Highway 75.

Planned Bike/Ped Facilities: The GO Plan recommends a bike lane along Peoria Avenue.

Arterial Traffic per Lane: The segment of East 11th Street on the north side of the subject property has a high level of congestion with a count of more than 7,500 Average Annual Daily Traffic (AADT) per lane. The segment of Peoria Avenue on the east side of the subject property has a medium level of congestion with a count between 5,000 and 7,500 AADT per lane.

Environmental Considerations

Flood Area: The Tulsa Regulatory Floodplain runs along the northern and eastern edges of the subject property.

Tree Canopy Coverage: Tree canopy in the area is less than 10%. For areas on the map with this level of coverage, preserving the limited existing canopy should be encouraged, as well as measures to increase the canopy through landscaping. Street-lining trees in particular should be encouraged to spread the benefit of the tree canopy to the pedestrian realm.

Parks & Open Space: The subject property is Tracy Park, a public park. Oaklawn Cemetery is located to the north of Tracy Park across 11th Street.

Zoning History

Ordinance 11814, dated June 26, 1970, established zoning for the subject property.

Speakers

(+) Chip Atkins, 1638 E 17th Place, Tulsa, OK 74120, supports this application.

Commission Action

Motion: Recommend approval of the rezoning to RS-3, Route 66 Overlay, and HP Overlay, per staff's recommendation.

Motion by: Hood

Second by: Humphrey

Vote: 9-0-0

Ayes: Carr, Craddock, Fugate, Hood, Humphrey, Robinson, Shivel, Turner-Addison, Walker,

Nays: none

Abstentions: none

Absent: Whitlock, Zalk

Property Description

TRACY PARK AND PART OF VACATED 11TH PLACE BEGINNING AT THE SOUTHEAST CORNER OF TRACY PARK, THENCE SOUTH 30 FEET, THENCE WEST 300.3 FEET, THENCE NORTH 30 FEET, THENCE EAST 300.3 FEET TO THE POINT OF BEGINNING, IN RIDGEWOOD ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF

Ms. Carr and Mr. Humphrey left at 1:50 pm.
Mr. Humphrey returned at 1:52 pm.
Ms. Carr returned at 1:54 pm.

9. **Z-7759**

Location: Multiple lots at the northeast corner of East 36th Street South and South Braden Avenue

City Council District: 5

Applicant: Select Design

Action(s) Requested: Rezoning from RS-2 to RT (Continued from February 21, 2024)

Detailed Staff Recommendation

The applicant is proposing to rezone three lots from RS-2 to RT to permit the development of townhouses. There are currently three detached houses on the existing lots that would be removed for the proposed development. The total land area under application is 2.91 acres. The applicant's current proposal shows a total of 24 townhouses to be served by a private, gated entry.

Townhouses are still considered single-family units due to the fact that each unit is located on its own lot and can be purchased individually. Townhouses are considered a "missing middle" housing type:

Missing Middle Housing refers to house-scale buildings with multiple units and are often "missing" in cities like Tulsa that have high concentrations of detached housing and multi-dwelling unit housing. These housing types have been more difficult to develop due to zoning regulations that exclude these building types or have site design requirements that make these housing types impractical, as well as difficulty with financing due to the limited number of properties that can be used for comparison. In the Tulsa Zoning Code, five building types fall into this category: Townhouse, Duplex, Multi-Unit House (triplex, quadplex, etc.), Cottage House Development, and small Apartment/Condominiums (10 or fewer units). [planitulsa, Development Review Guide, p.24]

Planitulsa, the City's comprehensive plan, encourages the implementation of missing middle housing types in order to provide a variety of housing options and meet the housing demands projected for future growth. Townhouses provide housing choice by allowing owner occupied units with less maintenance requirements. These types of units can facilitate aging-in-place for existing neighborhood residents who wish to stay in the neighborhood, but reduce overall maintenance responsibilities associated with detached houses and larger yards.

The Citywide Housing Assessment prepared in March of 2023 projects that 12,900 units of all types and price points are needed over the next 10 years to meet demand. The current average production for the City of Tulsa is 830 units per year. Increases in allowable densities at an appropriate scale are required to increase the production rate of new units and meet the City's housing demands.

The requested RT zoning would provide an incremental increase in residential density while maintaining the existing height limitation on new development of 35 feet. This height maximum matches the maximum set by the surrounding RS-2 properties.

The requested RT zoning is consistent with the recommendations of the Tulsa Comprehensive Plan neighborhood designation and appropriate for the early automobile era.

With consideration given to the factors listed herein, staff recommends **approval** of the application.

Comprehensive Plan Considerations

Land Use Plan

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

Surrounding Properties:

| <u>Location</u> | <u>Existing Zoning/Overlay</u> | <u>Existing Land Use Designation</u> | <u>Existing Use</u> |
|-----------------|--------------------------------|--------------------------------------|---------------------------|
| North | RS-2 | Neighborhood | Single-Family Residential |
| East | RS-2 | Neighborhood | Single-Family Residential |
| South | RM-1/RD/RS-2/RS-3/PUD-410 | Multiple Use/Neighborhood | School/Residential |
| West | RS-2 | Park and Open Space | Highland Park |

Small Area Plans

The subject properties are not located within an adopted small area plan.

Development Era

The subject property is in an area developed during the Early Automobile Era (1930s-50s), which retained a high degree of the connectivity from neighborhood streets to the arterial network, with mostly commercial, office, industrial, and other active uses along major streets and a **mix of housing options** and neighborhood-based uses like schools, churches, and libraries in the interior sections. Priorities in these areas include walkability, bikeability, access to public transit, historic preservation, **housing type variety**, mixed-use development, commercial revitalization, compatibility of scale for neighborhood development, and transitions between commercial corridors and residential areas.

Transportation

Major Street & Highway Plan: East 36th Street South is designated as a residential collector which will require an ultimate right-of-way width of 60 feet. If approved, the development of townhouses will require a new subdivision plat which will include all required right-of-way per the Major Street and Highway Plan.

Comprehensive Plan Street Designation: N/A

Transit: N/A

Existing Bike/Ped Facilities: East 36th Street Linkage – Sharrow

Planned Bike/Ped Facilities: N/A

Environmental Considerations

Flood Area: The subject properties do not contain regulatory floodplain.

Tree Canopy Coverage: Tree canopy in the area is 10-20%. Preserving the limited existing canopy should be encouraged, as well as measures to increase the canopy through landscaping. Street-lining trees in particular should be encouraged to spread the benefit of the tree canopy to the pedestrian realm.

Parks & Open Space: Highland Park is adjacent to the subject property to the west. If approved, the development should make considerations for pedestrian access from the development to the park across the street.

Zoning History

Ordinance 11823, dated June 26, 1970, established zoning for the subject property.

Applicant Comments

Mitchell Stephens, 7107 S Yale Avenue, Tulsa, OK, stated there was a neighborhood meeting on Monday March 4, 2024. He wanted to mention there was a no build agreement from 1946 on 2 of the properties and that ingress and egress will be on Braden Avenue.

TMAPC Comments

Mr. Craddock asked if the reason for removing the ingress and egress from 36th Street to Braden Avenue was because of the traffic. The applicant said yes, that was the reason.

Speakers

- (-) Tim Thoman, 3209 S Erie Avenue, Tulsa, OK 74135, wants to keep the character of the neighborhood the same as it is today. If the application is approved, it would bring the zoning down 5 levels. He is also concerned about the additional traffic.
- (-) Joe Cannon, 3110 S 68th E Avenue, Tulsa, OK 74145, represents Undercroft School and they are concerned about additional traffic.
- (-) Mary Patterson, 3705 S Erie, Tulsa, OK 74135, concerned about additional traffic. The proposed buildings are out of character for the neighborhood.
- (-) Phillip Hoey, 3530 S Darlington Avenue, Tulsa, OK 74135, is concerned that the proposed townhomes are out of character for the neighborhood.
- (-) Sue Bertrum, 3517 S Joplin Avenue, Tulsa, OK 74135, is concerned that one ingress and egress will cause a fire hazard.
- (-) John Oxford, 3515 S Darlington Avenue, Tulsa, OK 74135, is concerned about increased car traffic and the safety of pedestrians.
- (-) Bill Martinson, 3521 S Darlington Avenue, Tulsa, OK 74135, is concerned about traffic and students from nearby bus stops.
- (-) Darla Tuttle, 5161 E 36th Street, Tulsa, OK 74135, is concerned about privacy with a 3-story development next to her home. Also concerned about the increased traffic and the safety of the school children at the nearby bus stop.

Mr. Craddock left at 2:23 pm and returned at 2:26 pm.

- (-) Susan Jones, 3529 S Braden Avenue, Tulsa, 74135 is opposed to townhomes because they are out of character of the neighborhood. She believes the townhomes are not a part of the missing middle because they are not affordable at \$500,000, nor are they for Senior Citizens that are aging in place because they are 3 stories.
- (-) Debbi Ashley, 3234 S Fulton Avenue, Tulsa, OK 74135, is opposed because the townhomes change the character of the neighborhood, and the development would demolish 3 historical houses therefore the application is inconsistent with planitulsa.

Mr. Fugate left at 2:32 pm and returned at 2:34 pm

Mr. Walker left at 2:35 pm and returned at 2:38 pm

- (-) Tyler Davidson, 5428 E 35th Street, Tulsa, OK 74135, is opposed because this development does not meet the definition of missing middle housing. The indicators in the Neighborhood Condition Index (NCI) does not support the rezoning of this property. On the report the Highland Park neighborhood scored higher than Tulsa as a whole.

- (-) Richard Letourdete, 5428 E 38th Street, Tulsa, OK 74135, is opposed to the increased traffic and lower property values. He believes this development is contrary to what planitulsa states about not changing the character of a neighborhood.
- (-) Kathy Clark, 3240 S Fulton Avenue, Tulsa, OK 74135, is opposed to the application because it fails to maintain the existing character of the neighborhood as stated in planitulsa. She believes the townhomes are priced too high to qualify as missing middle housing.
- (-) Bill Hickman, 3529 S Braden Avenue 74135, is opposed because there is not adequate sewer for development this size. He is also concerned that the developer does not have proper financing to complete a development this size.

TMAPC Comments

Mr. Fugate asked staff if the missing middle is a target to get people who can't afford the single-family home.

Staff stated the missing middle is tied more to the housing types that are missing in Tulsa. He said over 90% of Tulsa is zoned for single family homes and the missing middle is townhomes, duplexes, multi-unit homes, and cottage houses. He stated missing middle can fill the gap and contribute to affordability by increasing the supply of units in the city of Tulsa.

Commission Action

Motion: to deny Z-7759 rezoning from RS-2 to RT.

Motion by: Craddock Second by: Hood

Vote: 8-1-0

Ayes: Carr, Craddock, Fugate, Hood, Humphrey, Robinson, Shivel, Turner-Addison

Nays: Walker

Abstentions: none

Absent: Whitlock, Zalk

Public Hearing – Comprehensive Plan Conformance

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

10. Adopt a resolution of the Tulsa Metropolitan Area Planning Commission determining that the **Project Anthem Tax Incentive District (TID) Project Plan** is in conformance with the Tulsa Comprehensive Plan and recommending to the City of Tulsa the approval and adoption of the Project Anthem TID Project Plan.

Action(s) Requested: Request

Staff Recommendation

Item

Adopt a resolution of the Tulsa Metropolitan Area Planning Commission determining that the Project Anthem Economic Development **TID** Project Plan **is** in conformance with the Tulsa Comprehensive Plan and recommend its **approval** to the City of Tulsa.

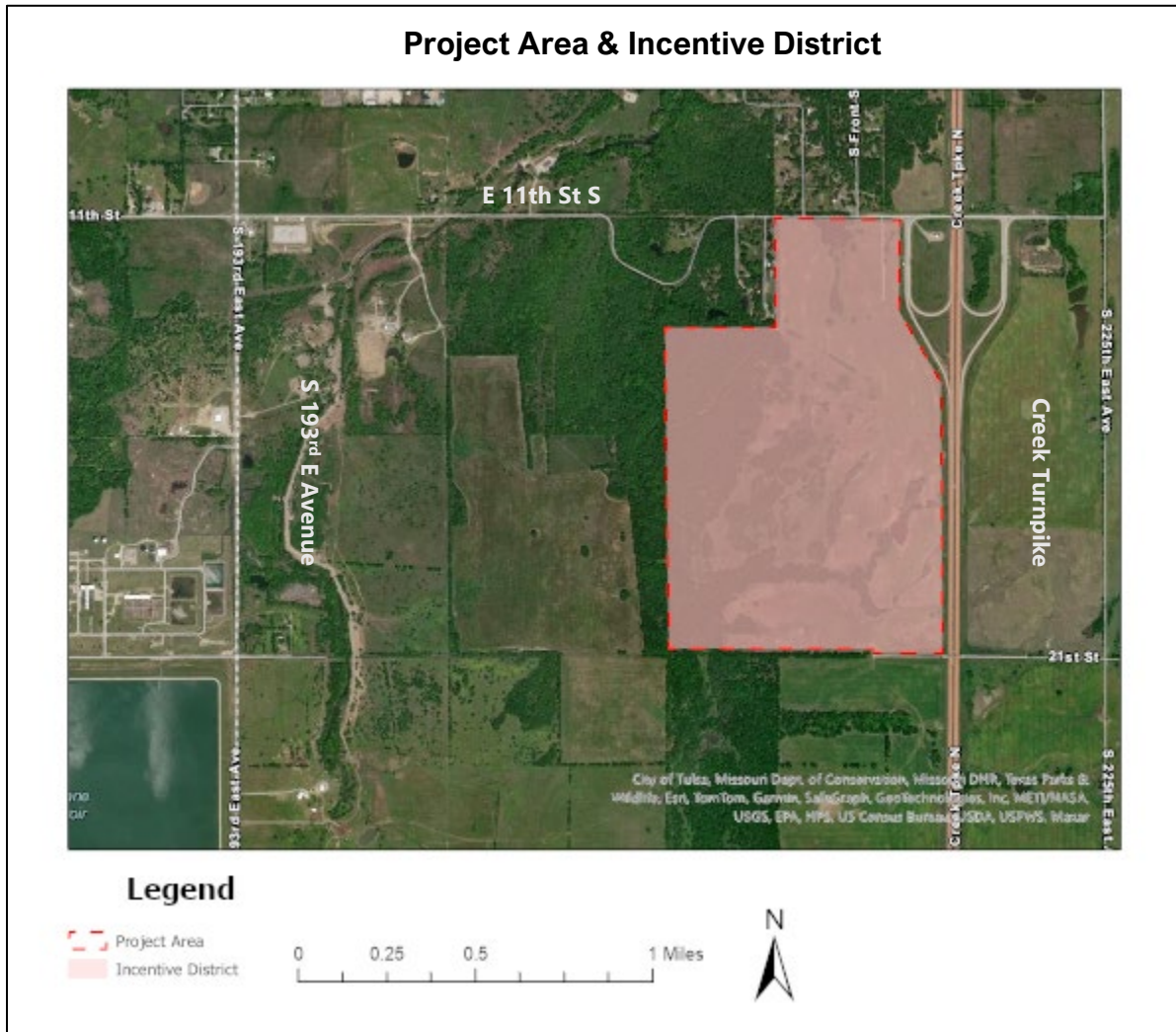
Background

The Oklahoma Constitution authorizes special financing tools to assist with the development or redevelopment of areas determined by a city, town, or county to be unproductive, undeveloped, underdeveloped, or blighted. The Local Development Act provides those tools and guidelines limiting their use to areas where investment, development, and economic growth are difficult but possible if the Act is used.

One of the Act's tools is **Tax Incentive District (TID)**, which allows a city, town, or county to provide tax exemptions applicable to a portion of the ad valorem taxes and ad valorem special assessments imposed from taxing entities maintaining jurisdiction over the proposed Incentive District. The City is designated and authorized as the principle public entity to carry out and administer the provisions of this Project Plan and to exercise all powers necessary or appropriate thereto as provided in Section 854 of the Act. The Incentive District will be assigned a number and an official designation when it becomes effective by action of the Tulsa City Council within 10 years of the adoption of a Project Plan, as required by Section 856(B)(2) of the Act.

The Project Anthem Project Plan is a TID. The Project Area and Incentive District boundary can be generally described as the area located between East 11th Street and southern boundary of Section 8, Township 19 North, Range 15 East of the Indian Meridian, and immediately west of the Creek Turnpike.

Map of Incentive District and Project Area



Objectives

The Principle Objectives of the Project and Tax Incentive District are to make possible Project Anthem Economic Development **TID** Project and support other public initiatives of the City. The tax exemptions to be provided within the Incentive District will be used to support the following objectives:

- A. To facilitate the development of Project Anthem.
- B. To support public education and public-school districts impacted by the development in the Project Area.
- C. To support other governmental entities and services organizations dependent on ad valorem revenues for regular operations.
- D. To repurpose and activate vacant and underutilized property.
- E. To enhance the tax base and make possible investment, development, and economic growth that would otherwise be difficult without the Project Plan and the provision of tax exemptions.

To achieve these objectives, the Project’s Principle Actions will consist primarily of the following:

- A. Project planning, design, and approval.
- B. Leveraging the development of Project Anthem pursuant to a development agreement with the Tulsa Authority for Economic Opportunity, a public trust (“Authority”), and the City.

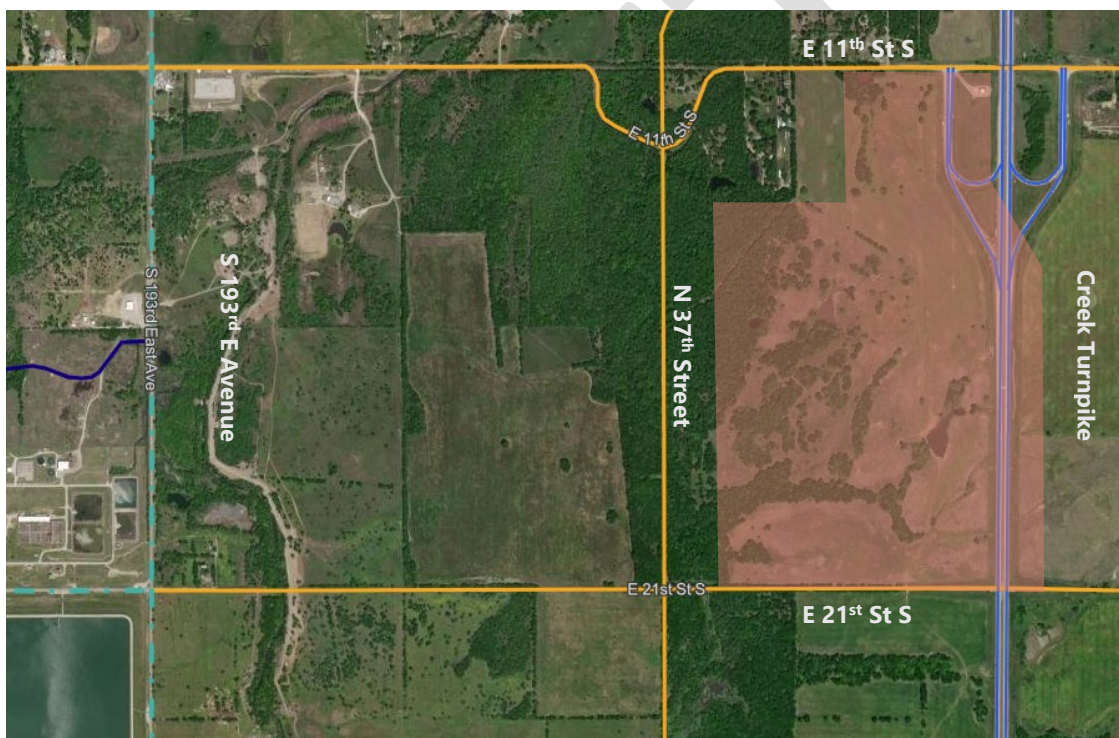
- C. Maintaining of a portion of the ad valorem taxes outside of the tax exemption granted pursuant to this Project Plan to ensure they continue to be received by impacted taxing jurisdictions within the Incentive District.

Review of the Project Plan for Conformance with the Tulsa Comprehensive Plan

Prior to submittal to City Council, TMAPC is asked to review the Project Plan and adopt a resolution stating that the plan is in conformance with the adopted Tulsa Comprehensive Plan. Staff analysis will focus on four aspects of the *Tulsa Comprehensive Plan*: the Major Street and Highway Plan; GO Plan; Land Use Map; and Comprehensive Plan Priorities.

Major Street and Highway Plan

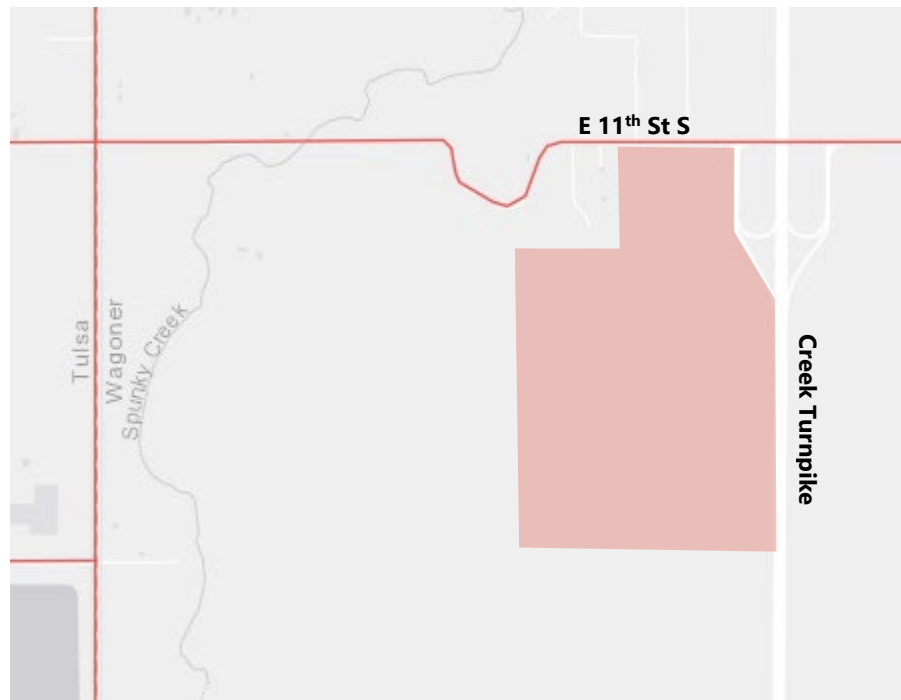
The Major Street and Highway Plan (MSHP) classifies E 11th Street S as a Secondary Arterial. The Creek Turnpike is classified as a Freeway. Both the segment of E 21st Street that will connect the area to the Creek Turnpike and S 193rd East Avenue, and N 37th Street are also classified as Secondary Arterials on the MSHP, but their roadways have not been implemented.



GO Plan

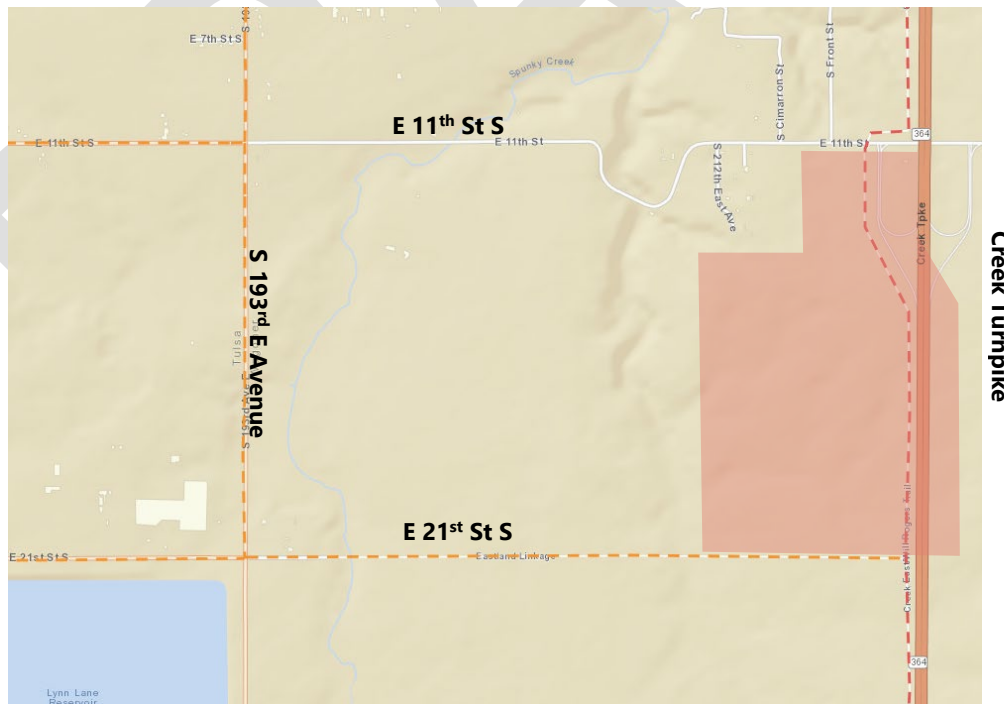
Sidewalk Gaps

The GO Plan identifies the segment of E 11th Street S in the Project Plan Area as a Priority 5 group for sidewalk gap implementation. Sidewalk gaps are also identified along S 193rd East Avenue, west of the Project Plan Area.



Bicycle Facilities

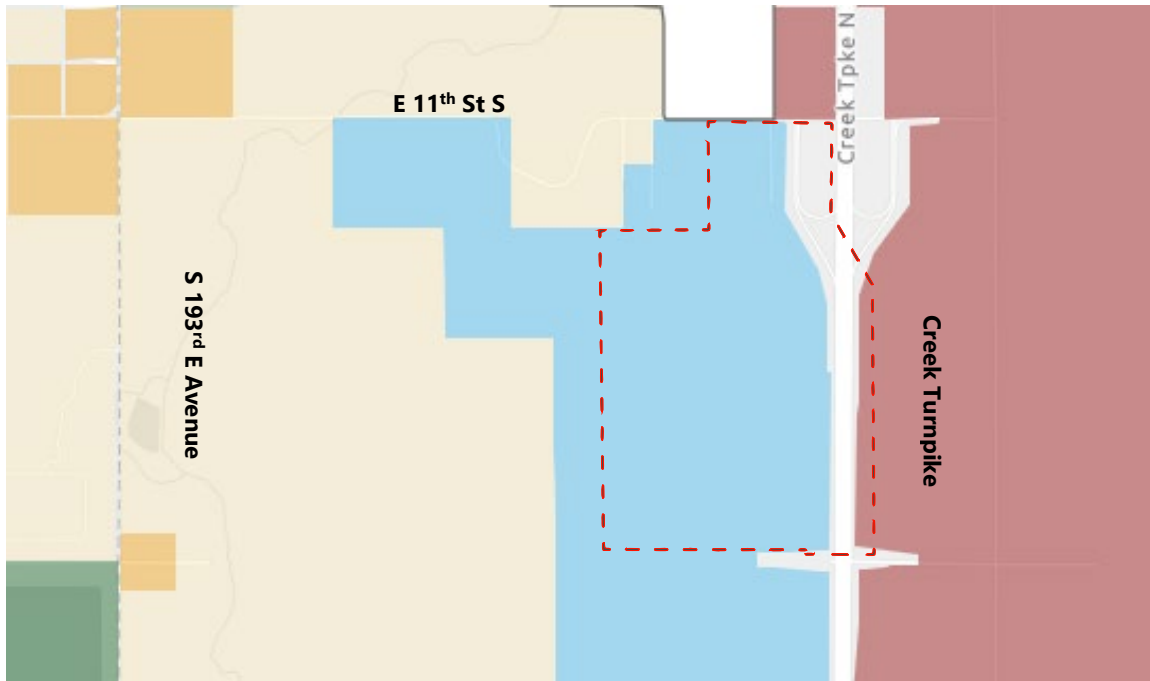
There are two proposed bicycle facilities adjacent to the Project Plan Area. Creek East/Will Rogers Trail is recommended as a Shared Use Path along Creek Turnpike. E 21st St S from S 193rd East Ave to Creek East/Will Rogers Trail, marked as the "Eastland Linkage", has been classified as a Secondary Arterial in the MSHP and is recommended as a Signed Route.



Comprehensive Plan

Land Use Designations

The Project Plan Area is designated as Employment (shown below in blue). The land surrounding the Project Plan Area is designated as Neighborhood (shown in light yellow) on the west; Employment (shown in blue) on the south; and the northeast and west portions are designated Regional Center (In red).



These land use designations are described in the *Tulsa Comprehensive Plan*:

- Neighborhoods are mostly residential uses, which includes detached, missing middle, and multi-dwelling unit housing types. Churches, schools, and other low-intensity uses that support residents' daily needs are often acceptable, particularly for properties abutting Multiple Use, Local Center, or Regional Center land use areas. Multi-dwelling unit housing that takes access off an arterial is considered Multiple Use, Local Center, or Regional Center. If a multi-dwelling unit housing property takes access from a lower-order street separated from the arterial, then it would be considered Neighborhood.
- Regional Centers are defined by existing regional trip generators, in contrast to Local Centers. These centers should be the most connected land use pockets outside of downtown for public transit access and high-capacity arterial streets. New regional trip generators should be permitted in the area with special consideration given to transportation access and circulation. Regional trip generators include universities, malls, large medical campuses, casinos, big-box shopping centers, and very large churches.
- Employment is intended to accommodate offices, warehousing and storage, manufacturing and assembly, and industrial processes. The Industrial Site Suitability map corresponds to the Employment land use designation and indicates where uses that are potentially incompatible with sensitive land uses are best suited to locate. This directs industrial uses to particular areas of the city while discouraging industrial in close proximity to Neighborhood areas.

Comprehensive Plan Priorities

The *Tulsa Comprehensive Plan* contains multiple priorities, goals, and policies to promote economic development in order to attract investment, enhance the tax base, stimulate economic growth, and improve the quality of life in and around the City. Following are portions of the Comprehensive Plan (not all encompassing) that align with the objectives of the Project Anthem Economic Development Project Plan and the supporting Incentive District that can be implemented through the benefits of the Project Plan.

Future Land Use

- LU 3 - Economic development is facilitated at the neighborhood, city, and regional scales.
 - LU 3.2 - Focus regional investments along major transportation corridors, including highways and public transit routes.
 - LU 3.2.1 - Direct the majority of employment growth and change to areas of the city with access to major transportation infrastructure, such as highways, railroads, public transportation, the airport, and Tulsa Ports.
- LU 6.3 - Coordinate with surrounding municipalities and counties to ensure consistent land use planning and development requirements along highways.
 - LU 6.3.2 - In general, reserve highway-adjacent properties for nonresidential uses to maximize economic potential and reduce negative health outcomes associated with sensitive uses in proximity to highway particulate matter and ground-level ozone.

Economic Development

- ED 1 - Economic growth and development contribute to a prosperous and diverse economy capable of providing access to economic opportunity for all Tulsans.
 - ED 1.4 - Diversify the local economy by proactively targeting businesses and industries that are not currently located in Tulsa.
 - ED 1.5 - Ensure public investment initiatives support targeted industry clusters and promote the development and growth of new industry clusters.
 - ED 1.5.1 - Leverage local, state, and federal incentive programs to promote the creation and expansion of businesses in target industry clusters.
- ED 2.3 - Maintain and promote access to economic development and revitalization tools, including tax-increment financing (TIF), business improvement districts, the Economic Infrastructure Fund, the Downtown Revolving Loan Fund, and the Property Assessed Clean Energy program.
- ED 5 - An adequate and appropriate supply of employment land is maintained to meet local industrial and commercial needs.
 - ED 5.3.3 - Work to attract innovative aeronautical industries to locate in Tulsa.
 - ED 5.4 - Establish economic development plans for rail, highway, and turnpike corridors.
 - ED. 5.4.1 - Prioritize commercial, retail, and industrial uses along highways to capitalize on the high level of transportation access and to mitigate against the negative health impacts of sensitive land uses being exposed to highway pollution.

Staff Recommendation

The Objectives and Principle Actions in the Project Plan and supporting Incentive District **are** consistent with the Major Street & Highway Plan, GO Plan, Land Use designations, and Comprehensive Plan Priorities. Staff recommends **approval** of the Project Anthem TID Project Plan, finding it to be **in conformance** with the Tulsa Comprehensive Plan.

TMAPC Comments

Mr. Walker asked if ingress and egress would be on 21st Street.
Staff stated that has not currently been designated.

Speakers

- (-) Susan Frederick, 14301 E 11th Street, Tulsa, OK 74108, opposes the TID because it does not represent the values of the majority of Oklahomans and has several unconstitutional initiatives within it.
- (-) Heidi Fuentes, PO Box 702136, Tulsa, OK 74170, opposes the TID and wants Commissioners to do their research before approving this application.
- (+) Mike Raines, 20313 E 11th Street, Tulsa, OK 74108, supports Project Anthem as far as economic development goes. He thinks the staff report is incomplete and possibly incorrect because all the information in the staff report is revenue based and no expenses were listed. The staff report lists the needed Infrastructure but not how that infrastructure will be paid for. He thinks the City could attract a tenant that did not require an 85% ad valorem tax forgiveness.

Spencer Mitchell, Partner Tulsa, reminded Planning Commissioners that Tax Incentive District plans go before the Commission to make sure it is in conformance with the Comprehensive Plan. Mr. Mitchell stated as part of this plan the tenant has agreed to build the majority of the infrastructure that will also serve the future development of the area.

Kian Kamas, Partner Tulsa, added that the City of Tulsa received a 50-million-dollar grant through ARPA funds that will be the primary funding resource for wastewater infrastructure that will serve the site but also adds capacity for the City of Catoosa and the Port of Catoosa.

Commission Action

Motion: Recommend approval of the Project Anthem Tax Incentive District (TID), Project Plan, finding it to be in conformance with the Tulsa Comprehensive Plan.

Motion by: Walker

Second by: Craddock

Vote: 9-0-0

Ayes: Carr, Craddock, Fugate, Hood, Humphrey, Robinson, Shivel, Turner-Addison, Walker,

Nays: none

Abstentions: none

Absent: Whitlock, Zalk

Other Business

11. Commissioners' Comments

None

Adjournment

Commission Action

Motion: Adjourn

Motion by: Walker Second by: Craddock

Vote: 9-0-0

Ayes: Carr, Craddock, Fugate, Hood, Humphrey, Robinson, Shivel, Turner-Addison, Walker,

Nays: none

Abstentions: none

Absent: Whitlock, Zalk

There being no further business, the meeting adjourned at 3:37 p.m.

DRAFT