



Tulsa Metropolitan Area Planning Commission

Minutes of Meeting No. 2915

Wednesday, June 5, 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 May 29, 2024 at 4:50 p.m.

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

Members Absent: Whitlock

Staff Present: Austin Chapman, Nathan Foster, Susan Miller, Kim Sawyer, Dylan Siers, Mark Swiney

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

Chairman’s Report:

None

Director’s Report: Ms. Miller reported on City Council actions and other special projects. Ms. Miller stated that a work session is needed on August 7, 2024.

Approval of Minutes

1. Minutes from Meeting 2915, May 15, 2024

Motion: Approval of the minutes of Meeting 2915 from May 15, 2024.

Motion by: Shivel **Second by:** Craddock

Vote: 9-0-0

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

Nays: none

Abstentions: none

Absent: Carr, Whitlock

Consent Agenda

None

Ms. Carr arrived at 1:05p.m.

Public Hearing - Rezoning

2. CZ-553

Location: East of the southeast corner of South 27th West Avenue and West 91st Street South

County Commission District: 2

Applicant: Tanner Consulting, LLC

Action(s) Requested: Rezoning from AG to AG-R

Staff Recommendation

The applicant is proposing to rezone from AG to AG-R to permit residential use on the subject tract.

The applicant intends to split the subject tract off of a larger parent tract. The subject tract will contain 1.825 acres, while the current, parent tract is 17.528 acres in size. Lots in the current AG zone are required to be 2.1 acres minimum in area. Lots within the proposed AG-R zoning are required to be 1.1 acres minimum in area. A residence currently exists on the subject tract. The site is located within the Medium Intensity Single-Family designation of the City of Jenks Comprehensive Plan which has been adopted as part of the Tulsa County Comprehensive Plan.

Staff has reviewed the request and finds that it is non-injurious to the surrounding proximate properties and consistent with the Tulsa County Comprehensive Plan and the anticipated future development pattern of the surrounding area, therefore;

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 Medium Intensity Single-Family. Defined as *“Medium intensity single-family is the predominate land use type included in the Land Use Plan. These neighborhoods should largely consist of single-family detached homes while also accommodating duplexes and brownstones in appropriate areas. These neighborhoods should be comprised of mid-size lots that are generally between four and six homes per acre. The City should ensure that all new development of this type connects with existing neighborhoods and preserves and activates open space..”*

Surrounding Properties:

<u>Location</u>	<u>Existing Zoning/Overlay</u>	<u>Existing Land Use Designation</u>	<u>Existing Use</u>
North	AG	Neighborhood (City of Tulsa)	Single-Family/Agriculture
East	AG	Medium Intensity Single-Family	Vacant
South	AG	Medium Intensity Single-Family	Single-Family
West	AG	Medium Intensity Single-Family	Vacant

Small Area Plans

None

Transportation

Major Street & Highway Plan: W 91st St S is designated as a Secondary Arterial, which includes a proposed 100 ft Right-Of-Way.

Transit: None

Existing Bike/Ped Facilities: None

Planned Bike/Ped Facilities: A sidewalk gap is shown on the GO Plan along W 91st St S. A signed on-street bike route is recommended.

Environmental Considerations

Flood Area: None

Parks & Open Space: None

Zoning History

Resolution 98254, dated September 15 1980, established zoning for the subject property.

The applicant indicated their agreement with staff's recommendation.

Speakers

None.

Commission Action

Motion: Recommend approval of the AG-R zoning, per staff's recommendation.

Motion by: Shivel Second by: Hood

Vote: 10-0-0

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

Nays: none

Abstentions: none

Absent: Whitlock

Property Description

A TRACT OF LAND THAT IS A PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (E/2 NE/4 NW/4) OF SECTION TWENTY-TWO (22), TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF; SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER (NW/4) OF SAID SECTION 22; THENCE SOUTH 88°52'32" WEST AND ALONG THE NORTH LINE OF SAID NW/4 FOR A DISTANCE OF 163.50 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 1°07'24" EAST AND PARALLEL WITH THE EAST LINE OF SAID NW/4 FOR A DISTANCE OF 443.00 FEET; THENCE SOUTH 88°52'38" WEST AND PARALLEL WITH THE NORTH LINE OF SAID NW/4 FOR A DISTANCE OF 179.44 FEET; THENCE NORTH 1°07'24" WEST AND PARALLEL WITH THE EAST LINE OF SAID NW/4 FOR A DISTANCE OF 443.00 FEET TO A POINT ON THE NORTH LINE THEREOF; THENCE NORTH 88°52'38" EAST AND ALONG SAID NORTH LINE FOR A DISTANCE OF 179.44 FEET TO THE POINT OF BEGINNING;

SAID TRACT CONTAINS 79,492 SQUARE FEET OR 1.825 ACRES.

Items 3 and 10 were presented together.

3. **Z-7769**

Location: North of the northeast corner of East 11th Street South and South 145th East Avenue

City Council: 6

Applicant: Mark Capron, Wallace Design Collective

Action(s) Requested: Rezoning from AG to IL with an optional development plan (Related to CPA-110)

(Continued from May 15, 2024)

Staff Recommendation

The applicant is proposing to rezone the subject property from AG to IL to permit industrial uses on the property. The property is currently designated as Neighborhood by the Tulsa Comprehensive Plan. A concurrent request for a comprehensive plan amendment to the land use map has been submitted as CPA-110.

The IL zoning is not supported by the existing Neighborhood designation and would require approval of the comprehensive plan amendment to support the application. Staff has is recommending denial of both the comprehensive plan amendment and the rezoning request.

The property is bounded by property designated as Neighborhood to the east, south, and west. The area to the north is designated as Employment and contains industrial uses; however, a consistent line between the Employment land use and the Neighborhood land use has been established to the east and west. Changing this property to Employment would have a negative impact on the areas designated as Neighborhood to the east, south, and west.

There have been two previous requests for industrial zoning on the subject property:

Z-6665/PUD-605, May 1999 – City Council denied the request for IL zoning on the subject property. The denial was appealed to the district court and the district court upheld the City Council’s decision to maintain AG zoning on the property.

Z-7301/PUD-833/CPA-33, May 2015 – TMAPC unanimously denied a request for a rezoning to IL along with a PUD and comprehensive plan amendment on the subject property.

The City has been consistent in supporting the existing line between Employment and Neighborhood land uses in the subject area.

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

The applicant’s proposed optional development plan is outlined below for the commission’s consideration.

Z-7769 Development Standards

Z-7769 shall allow only the uses identified below, along with the customary accessory uses, and subject to the supplemental regulations of the Tulsa Zoning Code. Uses identified below are permitted by right. Uses denoted with “*” require special exception approval by the City Board of Adjustment.

Uses that cannot be reasonably interpreted to fall within a permitted use, as stated in Section 35.020-E of the Tulsa Zoning Code are prohibited.

Permitted Use Categories, Subcategories, and Specific Uses:

RESIDENTIAL Use Category

Household Living Subcategory (if in allowed building types identified below):

- Single household
 - Manufactured housing unit*
 - Mixed-use building*
 - Vertical mixed-use building*
- Two households on single lot
 - Mixed-use building*
 - Vertical mixed-use building*

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

GROUP LIVING

- Residential Treatment Center*
- Shelter, emergency and protective*
- Transitional living center*

PUBLIC, CIVIC, AND INSTITUTIONAL Use Category

- Airport*
- Cemetery*
- College or University*
- Fraternal Organization*
- Hospital*
- Library or Cultural Exhibit*
- Natural Resource Preservation
- Parks and Recreation*
- Religious Assembly*
- Safety Service
- School
- Utilities and Public Service Facility
 - Minor
 - Major*
- Wireless Communication Facility (All specific uses)

COMMERCIAL Use Category

- Animal Service, limited to specific uses below
 - Grooming*
 - Veterinary*
- Broadcast or Recording Studio
- Commercial Service, limited to specific uses below
 - Building service
 - Business support service
 - Consumer maintenance/repair service
 - Personal improvement service
- Financial Services, excluding Personal Credit Establishment
- Funeral or Mortuary Service
- Office, limited to specific uses below
 - Business or professional office
 - Medical, dental or health practitioner office
- Studio, Artist or Instructional Service
- Trade School

WHOLESALE, DISTRIBUTION & STORAGE Use Category

Equipment and Materials Storage, Outdoor
Trucking and transportation terminal*
Warehouse
Wholesale sales and distribution

INDUSTRIAL

Low-impact manufacturing and industry
Moderate-impact manufacturing and industry*

AGRICULTURAL

Community Garden
Farm, Market-, or Community-supported
Horticulture Nursery

Lot and Building Regulations:

Property located within Z-7769 will be subject to the lot and building regulations for the IL district, as defined in the Tulsa Zoning Code.

Parking:

Parking requirements within Z-7769 will be the minimum parking ratios for specific use categories in the IL District as outlined in Chapter 55 of the Tulsa Zoning Code. All parking constructed on site shall conform to the design standards outlined in Chapter 55 of the Tulsa Zoning Code.

Landscaping and Screening:

Landscaping and screening for the project shall conform to the requirements identified in Chapter 65 of the Tulsa Zoning Code and the supplemental regulations for specific use categories.

A twenty-foot (20') landscape buffer will be maintained along the southern boundary.

The landscape buffer shall contain 1 tree per fifty (50) linear feet of edge when adjacent to a building or and outdoor equipment and materials storage area. The trees at the time of planting shall not be less than 3 inches in caliper for deciduous or eight feet in height for evergreen and spaced not more than 60 feet apart. Half of the required trees shall be evergreen.

Signs:

Signage for the project shall conform to the sign regulations identified in Chapter 60 of the Tulsa Zoning Code.

Lighting:

Lighting for the project shall conform to the lighting requirements identified in Chapter 67 of the Tulsa Zoning Code.

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	IL	Employment	Industrial
East	AG	Neighborhood	Vacant
South	AG	Neighborhood	Vacant
West	AG	Neighborhood	Vacant

Small Area Plans

The subject properties are not located within any adopted small area plans.

Development Era

The subject property is in a 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: South 145th East Avenue is a designated primary arterial.

Comprehensive Plan Street Designation: N/A

Transit: N/A

Existing Bike/Ped Facilities: None

Planned Bike/Ped Facilities: None

Environmental Considerations

Flood Area: The subject property contains a small amount of City of Tulsa Regulatory Floodplain.

Tree Canopy Coverage: Tree canopy in the area is 43%. Significant effort should be given to the preservation of mature stands of trees. Tree canopy removal should be minimized, and replacement of trees that need removing should be encouraged.

Parks & Open Space: N/A

Zoning History

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

Applicant Comments

Mark Capron, Wallace Design Collective, 123 Martin Luther King Jr. Blvd., Tulsa, OK 74103 stated they are asking for IL zoning with an optional development plan. He stated that he met with the City Councilor in this district and changed some details in the optional development plan based on the Councilor’s suggestions to provide some protections to the neighbors.

Speakers

- (-) William Farmer, 14557 E 13th Street, Tulsa, OK 74108, was concerned about an increase of traffic in the area.
- (-) Bryan Engles, 14660 E 11th Place, Tulsa, OK 74108, stated this same application went to City Council and then was appealed to District Court in 1999 and again in 2015. Both were denied. The line has been drawn between industrial and residential and he would like that line to be upheld.

Commission Action

Motion: Recommend denial of the IL zoning, per staff's recommendation.

Motion by: Carr Second by: Zalk

Vote: 9-1-0

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

Nays: Craddock

Abstentions: none

Absent: Whitlock

TMAPC Comments

Mr. Craddock stated that residents need to rely on existing zoning when purchasing their properties and he wrestles with development versus the neighbors.

Property Description

The North ½ of the northwest ½ of the Southwest ¼ of Section 3, Township 19 North, Range 14 East, Tulsa County, State of Oklahoma according to the United State Government Survey thereof and being more particularly described as follows to-wit

Beginning at the Northwest corner of the Southwest ¼ of said Section 3
thence N.88°49'53"E., a distance of 1,318.47 feet; along the North line of said
Southwest ¼ of Section 3
thence S.01°16'54"E., a distance of 661.57 feet; along the East line of the North ½
of the Northwest corner of the Southwest corner of said Section 3
thence S.88°51'22"W., a distance of 1,318.17 feet; along the South line of the North
½ of the Northwest corner of the Southwest corner of the said Section 3
thence N.01°18'26" W., a distance of 661.01 feet along the West line of the
Southwest ¼ of Section 3 to the POINT OF BEGINNING.

Containing 871,791.78 square feet or 20.01 acres, more or less.

4. Z-7767

Location: West of the northwest corner of East 11th Street South and South Garnett Road

City Council: 3

Applicant: Joseph A. McCormick

Action(s) Requested: Rezoning from CS and RS-3 to CG with an optional development plan (Continued from May 1, 2024)

Staff Recommendation

The applicant is proposing to rezone the subject property from CS and RS-3 to CG with an optional development plan to align the underlying zoning regulations with the current use of the property.

The property was granted a use variance in 1979 to permit sales and service of Ditch Witch equipment in the RS-3 district. Commercial uses have been present on the property since that time.

Because the original use variance was conditioned with a requirement that it only applied to sales and service of Ditch Witch equipment, the commercial uses operating the site today are not in compliance with the original approval or the existing zoning. The City of Tulsa does not permit use variances through the Board of Adjustment anymore so a rezoning is required to bring the commercial uses into compliance with the zoning code.

The proposed CG zoning aligns with the Employment land use designation of the Tulsa Comprehensive Plan; however, the size of the lot and the proximity to existing residential neighbors has prompted staff to recommend the inclusion of an optional development plan in order to limit uses and establish screening standards for the residential neighbors.

With consideration given to the factors listed herein, staff recommends **approval** of the application only with the optional development plan standards outlined below.

Z-7767 Development Standards

Z-7767 shall allow only the uses identified below, along with the customary accessory uses, and subject to the supplemental regulations of the Tulsa Zoning Code. Uses identified below are permitted by right.

Uses that cannot be reasonably interpreted to fall within a permitted use, as stated in Section 35.020-E of the Tulsa Zoning Code are prohibited.

Permitted Use Categories, Subcategories, and Specific Uses:

RESIDENTIAL Use Category

Household Living Subcategory (if in allowed building types identified below):

Three or more households on single lot

Apartment/Condo

Mixed-Use Building

Vertical Mixed-Use Building

PUBLIC, CIVIC, AND INSTITUTIONAL Use Category

College or University

Day Care (All specific uses)

Hospital

Library or Cultural Exhibit

Natural Resource Preservation

Parks and Recreation

Religious Assembly

Safety Service
 School
 Utilities and Public Service Facility
 Minor
 Wireless Communication Facility (All specific uses)
 COMMERCIAL Use Category
 Animal Service (All specific uses)
 Broadcast or Recording Studio
 Commercial Service, limited to specific uses below
 Building service
 Business support service
 Consumer maintenance/repair service
 Personal improvement service
 Financial Services, excluding Personal Credit Establishment
 Funeral or Mortuary Service
 Lodging
 Hotel/motel
 Office, limited to specific uses below
 Business or professional office
 Medical, dental or health practitioner office
 Parking, Non,accessory
 Restaurants and Bars, limited to specific uses below
 Restaurant
 Retail Sales, excluding medical marijuana dispensary
 Studio, Artist or Instructional Service
 Trade School
 Vehicle Sales and Service, limited to specific uses below
 Commercial Vehicle Repair and Maintenance
 Personal Vehicle Repair and Maintenance
 WHOLESAL, DISTRIBUTION & STORAGE Use Category
 Equipment and Materials Storage, Outdoor
 Warehouse
 [Wholesale Sales and Distribution](#)
 RECYCLING
 Consumer Material Drop-off Station
 AGRICULTURAL
 Community Garden
 Farm, Market-, or Community-supported

Lot and Building Regulations:

Property located within Z-7767 will be subject to the lot and building regulations for the CG district, as defined in the Tulsa Zoning Code.

Parking:

Parking requirements within Z-7767 will be the minimum parking ratios for specific use categories in the CG District as outlined in Chapter 55 of the Tulsa Zoning Code. All parking constructed on site shall conform to the design standards outlined in Chapter 55 of the Tulsa Zoning Code.

Landscaping and Screening:

Landscaping and screening for the project shall conform to the requirements identified in Chapter 65 of the Tulsa Zoning Code and the supplemental regulations for specific use categories. An F1 screening fence must be installed along all shared property boundaries between commercial uses and adjacent R-zoned properties prior to any permit issuance on the subject property.

Signs:

Signage for the project shall conform to the sign regulations identified in Chapter 60 of the Tulsa Zoning Code.

Lighting:

Lighting for the project shall conform to the lighting requirements identified in Chapter 67 of the Tulsa Zoning Code.

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	RS-3	Neighborhood/Employment	Residential/Vacant
East	RM-1	Local Center/Employment	Religious Assembly/Fraternal Organization
South	RM-1	Neighborhood	Multifamily Residential
West	CS/RS-3	Employment/Neighborhood	Commercial/Residential

Small Area Plans

The subject properties are located within the Plan 66, Route 66 Master Plan area. The plan encourages commercial uses along the Route and supports changes that will bring commercial properties into compliance with modernized code standards. The rezoning and the associated development plan will apply new zoning code requirements to an existing commercial use which will result in improved landscaping, screening, and building standards that are currently not applicable.

Development 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: East 11th Street South is designated as a secondary arterial.

Comprehensive Plan Street Designation: East 11th Street is designated as a multi-modal corridor by the Tulsa Comprehensive Plan. Multi-modal streets support commercial and residential development along major arterial

streets. These streets align with the recommendations for on-street bicycle infrastructure establish in the 2015 GO Plan, and they should be evaluated for feasibility with regard to the reallocation of street space for bicycle facilities.

Transit: East 11th Street South is planned as a future alignment for bus rapid transit service.

Existing Bike/Ped Facilities: On-street bike lanes are present along East 11th Street.

Planned Bike/Ped Facilities: None.

Environmental Considerations

Flood Area: The subject property contains FEMA and City of Tulsa Regulatory Floodplain. Development in floodplain areas is required to comply with all City of Tulsa ordinances.

Tree Canopy Coverage: Tree canopy in the area is 30%. Significant effort should be given to the preservation of mature stands of trees. Tree canopy removal should be minimized, and replacement of trees that need removing should be encouraged.

Parks & Open Space: N/A

Zoning History

Ordinance 11817, dated June 26, 1970, established zoning for the subject property.

Applicant Comments

Joe McCormack 6440 South Lewis Avenue, Ste. 100 Tulsa, Oklahoma 74136

He agrees with the staff recommendation and has come forward to voluntarily get into compliance. What staff proposed is not going to be significantly different than what they have been doing for the last 10 or 12 years.

Speakers

(-) Stephen Gray, 2400 W Detroit, Broken Arrow, OK 74012, was contacted by some of the property owners in the area who are opposed to this application. They are concerned about increasing traffic in the area and losing the character of the neighborhood. Also about decreasing home values in the area and asks that if the application is granted Mr. Gray would like the screening to include the fence and some type of landscaping barrier.

Commission Action

Motion: Recommend approval of the CG zoning with an optional development plan, per staff's recommendation.

Motion by: Zalk Second by: Turner-Addison

Vote: 10-0-0

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

Nays: none

Abstentions: none

Absent: Whitlock

Property Description

LOTS FIVE (5) AND SIX (6) AND THE SOUTH 317.5 FT OF LOTS TWENTY-TWO (22), TWENTY-THREE(23), AND TWENTY-FOUR (24) AND THE SOUTH 158.75 FT OF LOT TWENTY-FIVE(25), BLOCK TWO (2), EAST ELEVENTH PARK SUBDIVISION AND THE NORTH 158.75 FT OF LOT SIX (6) OF THE SUBDIVISION OF LOT 4, ALL IN BLOCK 2, EAST ELEVENTH PARK SUBDIVISION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF

DRAFT

5. Z-7771

Location: West of the southwest corner of East Pine Street and North Harvard Avenue

City Council: 3

Applicant: Jacob Cavazos

Action(s) Requested: Rezoning from IL to CG

Staff Recommendation

The applicant is proposing to rezone the subject property from IL to CG to permit commercial redevelopment of the existing buildings. The property is currently zoned industrial, but the primary uses that exist on the site are commercial. The property owner is hoping to expand commercial opportunities and redevelop some of the existing site which has prompted the request for rezoning out of the industrial district.

The proposed CG zoning would permit additional commercial and residential uses on the site while removing allowances for certain industrial and higher intensity uses.

Two of the existing buildings on-site do not conform to the setback requirements for the existing IL district. The rezoning to CG would remove the non-conformity by reducing the setback along the eastern property line. If the property is rezoned, new construction or redevelopment will require compliance with the Tulsa Zoning Code. Specifically, screening of commercial uses from the residential districts and landscaping requirements will be required to be implemented.

The subject property is designated as an Employment area by the City of Tulsa Comprehensive Plan. CG zoning conforms to the recommendations of the Employment land use.

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	RS-3	Neighborhood	Single-Family Residential
East	CS/RS-3	Neighborhood	Commercial/Residential
South	IM	Employment	Industrial
West	IL	Employment	Industrial

Small Area Plans

The subject property is not located within a 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 Pine Street is designated as a secondary arterial that requires an ultimate right-of-way width of 100 feet.

Comprehensive Plan Street Designation: East Pine Street is designated as a multi-modal corridor that encourages implementation of transportation facilities for various modes including bikes, pedestrians, and designated transit routes.

Transit: Regular route service is available along East Pine Street.

Existing Bike/Ped Facilities: East Pine Street is a designated bike route that includes sharrows along outside lanes of travel.

Planned Bike/Ped Facilities: The Tulsa GO Plan calls for on-street bike lanes along East Pine Street

Environmental Considerations

Flood Area: The subject property contains a small portion of the City of Tulsa Regulatory Floodplain at the south end of the property. Development in the floodplain is required to comply with the applicable ordinances of the City of Tulsa.

Tree Canopy Coverage: Tree canopy in the area is 13%. 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: N/A

Zoning History

Ordinance 11809, dated June 26, 1970, established zoning for the subject property.

The applicant indicated their agreement with staff's recommendation.

Speakers

None.

Commission Action

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

Motion by: Zalk Second by: Craddock

Vote: 10-0-0

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

Nays: none

Abstentions: none

Absent: Whitlock

Property Description

East 300 ft, Block one (1) Industrial Subdivision, Tulsa County, State of Oklahoma, according to the recorded plat thereof.

6. Z-7772

Location: North of the northeast corner of West Newton Street and North Union Avenue

City Council: 1

Applicant: Erica Stampley

Action(s) Requested: Rezoning from RS-3 to RS-5

Staff Recommendation

The applicant is proposing to rezone the subject property from RS-3 to RS-5 to permit additional residential density. The rezoning would decrease minimum lot area and lot width requirements to permit a lot split or the development of additional building types.

The existing lot does not conform to the RS-3 minimum requirements and would be considered a legal non-conforming lot per the Tulsa Zoning Code. The rezoning would remove the nonconformities that exist and increase opportunities for new development or redevelopment of the site.

RS-5 permits a minimum lot width of 30 feet and a minimum lot area of 3,300 square feet while RS-3 mandates a lot width of 60 feet and a minimum lot area of 6,900 square feet. Due to the nonconformities, the site would be limited to development as a single detached house. The rezoning would permit other opportunities including a lot split to develop two single-family homes. Additionally, the applicant could choose to pursue a special exception from the Board of Adjustment to permit duplexes.

The rezoning supports the development of additional housing while maintaining a single-family residential district that complements the surrounding properties. The RS-5 zoning is supported by the recommendations of the Neighborhood land use designation of the Tulsa Comprehensive Plan and the recommendations of the Tulsa Housing Strategy.

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 a 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	Neighborhood	Vacant
East	RS-3	Neighborhood	Single-Family Residential
South	RS-3	Neighborhood	Single-Family Residential
West	RS-3	Neighborhood	Single-Family Residential

Small Area Plans

The subject properties are not located within any adopted small area plans.

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: North Union Avenue is designated as a residential collector.

Comprehensive Plan Street Designation: N/A

Transit: N/A

Existing Bike/Ped Facilities: None

Planned Bike/Ped Facilities: North Union Avenue is planned as a signed bike route.

Environmental Considerations

Flood Area: The subject property is not located within any designated floodplain areas.

Tree Canopy Coverage: Tree canopy in the area is 22%. Significant effort should be given to the preservation of mature stands of trees. Tree canopy removal should be minimized, and replacement of trees that need removing should be encouraged.

Parks & Open Space: N/A

Zoning History

Ordinance 11918, dated September 1, 1970, established zoning for the subject property.

The applicant indicated their agreement with staff's recommendation.

Speakers

None.

Commission Action

Motion: Recommend approval of the RS-5 zoning, per staff's recommendation.

Motion by: Hood Second by: Zalk

Vote: 10-0-0

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

Nays: none

Abstentions: none

Absent: Whitlock

Property Description

The South 50 feet of Lot One (1), Block Five (5) Lombard Subdivision, Osage County, State of Oklahoma, according to the recorded plat thereof.

7. Z-7773

Location: Multiple lots south of East 81st Place at South Evanston Avenue

City Council: 2

Applicant: Kurt Volk

Action(s) Requested: Rezoning from RS-3 to RS-5

Staff Recommendation

The applicant is proposing to rezone two existing RS-3 lots to RS-5 that would allow the lots to be split. The applicant’s intent is to split the lots and seek additional approval from the City Board of Adjustment to permit duplexes on the newly created lots. Two similar requests were recently approved in the same subdivision on the western end of East 81st Place.

The RS-5 zoning would reduce the required lot width and lot area requirements. The existing RS-3 zoning requires a 60 foot lot width and a 6900 square foot lot area. RS-5 would reduce the lot width requirement to 30 feet and the lot area requirement to 3,300 square feet.

RS-5 zoning is consistent with the Neighborhood land use designation of the Tulsa Comprehensive Plan and would permit additional housing units that are consistent with the surrounding properties in the same subdivision. RS-5 maintains single-family zoning while increasing opportunities for new housing in the area.

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-3	Neighborhood	Duplex
East	RS-3	Neighborhood	Vacant
South	RD	Neighborhood	Single-Family Residential
West	RS-3	Neighborhood	Duplex

Small Area Plans

The subject properties are not located within any adopted small area plans.

Development 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: None

Existing Bike/Ped Facilities: None

Planned Bike/Ped Facilities: None

Environmental Considerations

Flood Area: The subject properties are not located within any designated flood areas.

Tree Canopy Coverage: Tree canopy in the area is 26%. Significant effort should be given to the preservation of mature stands of trees. Tree canopy removal should be minimized, and replacement of trees that need removing should be encouraged.

Parks & Open Space: N/A

Zoning History

Ordinance 11828, dated June 26, 1970, established zoning for the subject property.

The applicant indicated their agreement with staff's recommendation.

Speakers

None.

Commission Action

Motion: Recommend approval of the RS-5 zoning, per staff's recommendation.

Motion by: Shivel Second by: Zalk

Vote: 10-0-0

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

Nays: none

Abstentions: none

Absent: Whitlock

Property Description

LOTS SIX (6) AND SEVEN (7), BLOCK TWO (2), SOUTHWOOD TERRACE A RESUBDIVISION OF PART OF ORAL ROBERTS UNIVERSITY HEIGHTS 3RD ADDITION, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA ACCORDING TO THE RECORDED PLAT THEREOF.

8. Z-7774

Location: West of the northwest corner of East 11th Street South and South 193rd East Avenue

City Council: 6

Applicant: Nathan Cross

Action(s) Requested: Rezoning from AG to RS-5 with an optional development plan

Staff Recommendation

The applicant is proposing to rezone an 80 acre tract to RS-5 with an optional development plan to permit single-family subdivision development.

The optional development plan allows subdivisions to be served by private streets while maintaining a requirement that a public collector street system be routed through the property to afford access to the arterial streets from adjacent neighborhood developments.

Uses in the optional development plan are limited to only detached houses while prohibiting other housing types typically permitted within the RS-5 district such as townhouses and cottage house developments.

Additionally, while the RS-5 zoning as a straight zoning request would permit over 1,000 lots, the optional development plan limits the total number of lots on the property to 480 in order to preserve meaningful open space and natural flood areas. The limitation on density ensures a more compatible development with the surrounding area while allowing higher utilization of the developable areas of the site.

Single-family residential development with the provisions of the optional development plan are consistent with the future anticipated development pattern of surrounding properties. It is also consistent with the Neighborhood land use designation in the area.

With consideration given to the factors listed herein, staff recommends **approval** of the application with the optional development plan standards outlined below.

Z-7774 Development Standards

Z-7774 shall be developed in accordance with the RS-5 zoning district with the additional provisions outlined below.

Z-7774 shall only permit the uses identified below, along with customary accessory uses, and subject to the supplemental regulations of the Tulsa Zoning Code. Uses identified below are permitted by right.

No other uses are permitted on the subject property except for those listed below:

Permitted Use Categories, Subcategories, and Specific Uses:

- RESIDENTIAL Use Category
 - Household Living Subcategory
 - Single Household
 - Detached Houses

Maximum Dwelling Units:

The area included in the optional development plan is limited to a maximum of 480 lots.

Streets:

Lots in the subdivision may be served by private streets. Private streets are required to be reviewed by the City of Tulsa for conformance with all design and constructions standards per the Subdivision & Development Regulations.

All streets may be private except for one public north/south residential collector and one public east/west residential collector as required by the Tulsa Major Street and Highway Plan. Collector streets will allow connectivity through the subdivisions for adjoining neighborhoods.

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	Neighborhood	Single-Family Residential
East	RS-3, RS-1	Neighborhood	Single-Family Residential
South	AG	Neighborhood	Vacant/Single-Family Residential
West	RS-4/AG	Neighborhood	Vacant/Single-Family Residential

Small Area Plans

The subject properties are not located within any adopted small area plans.

Development Era

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

Transportation

Major Street & Highway Plan: East 11th Street South is designated as a secondary arterial.

Comprehensive Plan Street Designation: N/A

Transit: N/A

Existing Bike/Ped Facilities: None

Planned Bike/Ped Facilities: East 11th Street South has a planned on-street signed bike route.

Environmental Considerations

Flood Area: The subject property contains both City of Tulsa Regulatory Floodplain and FEMA floodways. Development is encouraged to avoid flood areas. Any development in the floodplain areas is required to comply with all related City of Tulsa ordinances.

Tree Canopy Coverage: Tree canopy in the area is 44%. Significant effort should be given to the preservation of mature stands of trees. Tree canopy removal should be minimized, and replacement of trees that need removing should be encouraged.

Parks & Open Space: N/A

Zoning History

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

Z-7695 – TMAPC voted 10-1-0 to recommend approval of RS-4 zoning with an optional development plan on March 22, 2023. City Council denied the application for rezoning on May 17, 2023.

Mr. Walker left at 1:48p.m. and returned at 1:50p.m.

Applicant Comments

Nathan Cross 2 W 2nd Street, Ste. 600, Tulsa, OK 74103

The applicant has met with City Councilor Bengel several times to help him understand the housing need that they are trying to fill and the timeline in which development happens.

Speakers

(-) **Bruce Denny**, 905 S. Lynn Lane Road, Tulsa, OK 74108, is the Lynn Lane Neighborhood Association President. Mr. Denny stated the area mostly has large acreage lots and he wants to maintain that character of the neighborhood. He wants to point out that one year ago the subject property was before the City Council for rezoning to RS-4 and that application was denied. Mr. Denny stated this application is asking for RS-5 rezoning which is smaller lots than the previous denied application. There have been several rezoning applications approved in the area, but nothing was ever built. Stratford Ridge was approved in 2007 for RS-3 and nothing was ever built. The School of the Ozarks was approved in January 2022 but was never built. Settlers Hill was approved for RS-4 at 31st and Lynn Lane and was never built. Z 7605 was 136 acres of RS-4 approved April of 2021 and never built.

TMAPC Comments

Mr. Craddock asked if the guiding principle is the housing shortage is the overall thought process of what the Planning Commission is doing is to provide housing regardless of what anybody else wants.

Ms. Carr stated that she doesn't feel like the Planning Commission has ever done that.

Commission Action

Motion: Recommend approval of the RS-5 zoning with an optional development plan, per staff's recommendation.

Motion by: Craddock **Second by:** Shivel

Vote: 10-0-0

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

Nays: none

Abstentions: none

Absent: Whitlock

Property Description

THE WEST HALF (W/2) OF THE SOUTHEAST QUARTER (SE/4) OF SECTION ONE (1), TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN MERIDEAN

DRAFT

9. Z-7775

Location: Multiple lots at the southeast corner of North Denver Avenue and North Elwood Avenue

City Council: 1

Applicant: Lee Simon Design, Kayla Lee

Action(s) Requested: Rezoning from RS-2 to RS-5

Staff Recommendation

The applicant is proposing to rezone two vacant properties from RS-2 to RS-5 to permit additional housing types and density. The applicant is proposing a cottage house development on the lot located at the corner of North Denver Avenue and North Elwood Avenue. Cottage houses are a permitted building type in the RS-5 district and consist of individual detached houses located around a common courtyard. On the southeastern lot, the applicant is proposing a set of two townhouses. Conceptual plans for the development are attached.

Both cottage house developments and townhomes are considered single-family residential building types and classified as missing middle housing types which are recommended by both the Tulsa Comprehensive Plan and the Citywide Housing Assessment.

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]

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 RS-5 zoning is consistent with the Neighborhood land use designation and the recommendations of the Tulsa Comprehensive Plan.

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/RS-3	Neighborhood	Single-Family Residential

South	RS-3	Neighborhood	Single-Family Residential
West	RS-2/RS-3	Neighborhood	Single-Family Residential

Small Area Plans

The subject properties are located within the Unity Heritage Neighborhood Plan area.

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: N/A

Comprehensive Plan Street Designation: N/A

Transit: N/A

Existing Bike/Ped Facilities: None

Planned Bike/Ped Facilities: None

Environmental Considerations

Flood Area: The subject properties are not located within any designated flood areas.

Tree Canopy Coverage: Tree canopy in the area is 18%. 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: N/A

Zoning History

Ordinance 11918, dated September 1, 1970, established zoning for the subject property.

Speakers

Some of the concerns that were mentioned by the speakers were lack of infrastructure, traffic safety, development out of character for the neighborhood, they do not want short term rentals, decreasing property values, lack of a neighborhood meeting by the applicant, and too much density in the area. Some of the other concerns are the lack of a grocery store in the area and the elevation change on the proposed site.

(-) Duane Mass, 219 W. Victoria Street, Tulsa, OK 74106

(-) Lisa Young, 2338 N. Elwood Avenue, Tulsa, OK 74106

(-) JoAnn Ryan, 2270 N. Denver Place, Tulsa, OK 74106

(-) Eric Clour, 2216 N. Elwood Avenue, Tulsa, OK 74106

- (-) David Keener, 1946 N. Elwood Avenue, Tulsa, OK 74106
- (-) Chad Hinrichs, 2151 N. Elwood Avenue, Tulsa, OK 74106

Ms. Carr left at 2:33p.m. and returned at 2:35p.m.

- (-) Ashlee Reamy, 1934 N. Denver Avenue, Tulsa, OK 74106
- (-) Shane McElrauy, 2145 N. Elwood Avenue, Tulsa, OK 74106
- (-) Valerie Gerhart, 1917 N. Denver Avenue, Tulsa, OK 74106
- (-) Melisa McCelvey, 2144 N. Elwood Avenue, Tulsa, OK 74106 is concerned about the 3-step zoning leap and feels it's too extreme. She is a strong believer in personal property rights and believes the zoning code is there to protect her interest as a homeowner.
- (-) Laura Clegg, 1947 N. Denver Avenue, Tulsa, OK 74106
- (-) Mark Radcliffe, 260 W Victoria Street, Tulsa, OK 74106
- (-) Dawn Oliver, 1947 N. Denver Avenue, Tulsa, OK 74106
- (-) Joshua Rory, 2109 N. Main Street, Tulsa, OK 74106
- (-) Joseph Thompson, 11013 S. Mulberry Avenue, Tulsa, OK 74037
- (-) Casey Stowe, 1959 N. Denver Avenue, Tulsa, OK 74106 is here as a private citizen and not as a representative of Partner Tulsa.

Commission Action

Motion: To continue to June 26, 2024 to allow the applicant to meet with the neighbors.

Motion by: Walker Second by: Carr

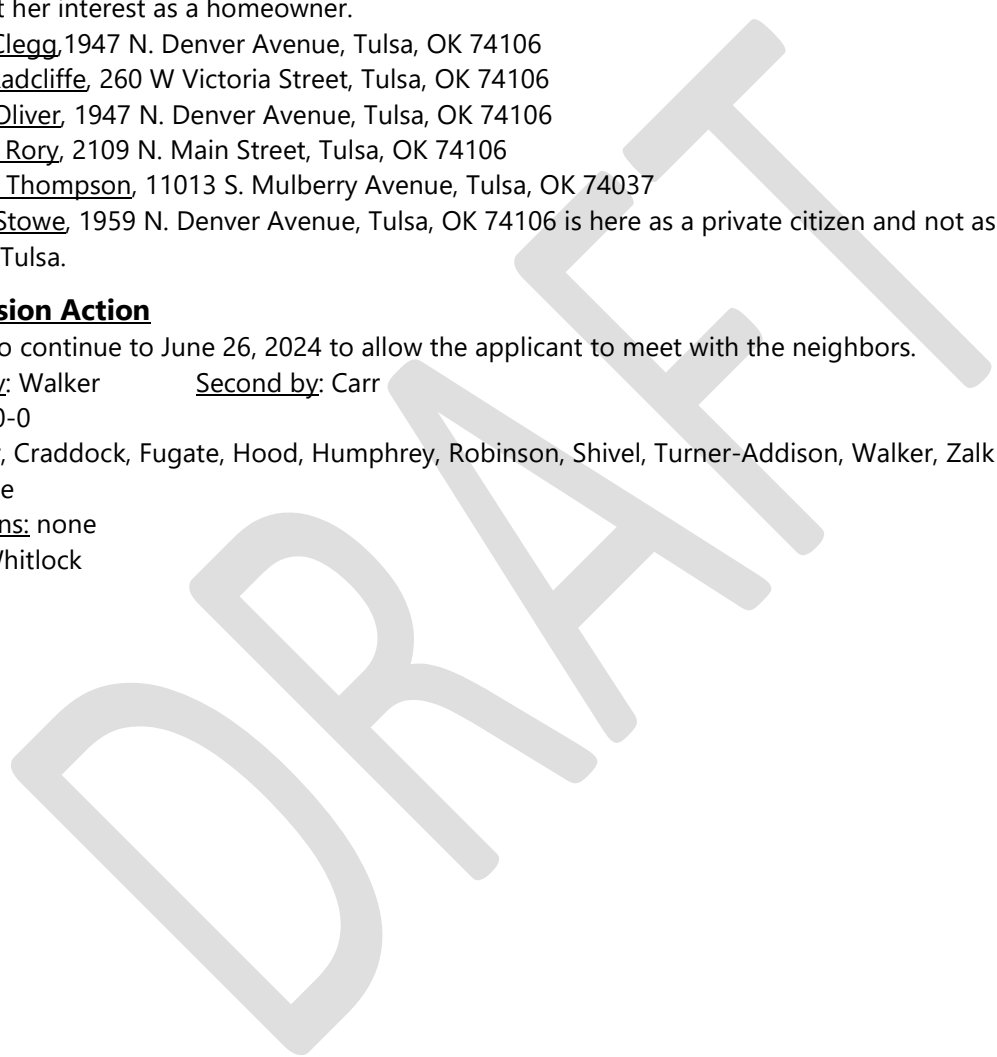
Vote: 10-0-0

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

Nays: none

Abstentions: none

Absent: Whitlock



Public Hearing – Comprehensive Plan Amendments

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

10. CPA-110

Location: North of the northeast corner of South 145th East Avenue and East 11th Street South

City Council: 6

Applicant: Mark Capron, Wallace Design Collective

Action(s) Requested: Change Land Use designation from Neighborhood to Employment (Related to Z-7769)
(Continued from May 15, 2024)

Staff Recommendation

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

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

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

Applicant: (see exhibit)

Staff Response:

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

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

Applicant: (see exhibit)

Staff Response:

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

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

Applicant:

Future Land Use

- GOAL LU 3 - Economic development is facilitated at the neighborhood, city, and regional scales.

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

Economic Development

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

Staff Response:

Future Land Use

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

Economic Development

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

While Goal ED 1 and ED 5 show the City's support for Employment, Action ED 5.4.1 makes clear the intention of the City to protect sensitive land uses, such as residential land uses, that would surround the subject property west, east, and south, should the land use designation on the subject property be changed in support of Industrial uses. Action LU 1.3.2 guides staff to "Utilize the Development Review Guide maps" in the comprehensive plan. The Industrial Employment Suitability in the Development Review Guide lists four criteria when determining suitability for industrial purposes: Incentives, Infrastructure Investment Required, Proximity to Existing Major Infrastructure, and Residential Proximity.

While the subject property is adjacent to other industrial development to the north, based on these criteria, the subject property has been determined to be "Least Suitable" for Industrial Employment. This conclusion is further reinforced by Action LU 3.2.3 that guides the placement of industrial uses away from sensitive land uses, such as residential.

Concluding Statement:

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

Land Use Plan Designation

Existing:

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

Proposed:

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

Surrounding Properties:

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

Small Area Plans

The subject property is not in a Small Area Plan.

Development Era

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

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

Transportation

Major Street & Highway Plan:

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

Comprehensive Plan Street Designation:

none

Commission Action

Motion: Recommend denial of CPA-110, per staff's recommendation.

Motion by: Carr Second by: Zalk

Vote: 9-1-0

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

Nays: Craddock,

Abstentions: none

Absent: Whitlock

Property Description

The North ½ of the northwest ½ of the Southwest ¼ of Section 3, Township 19 North, Range 14 East, Tulsa County, State of Oklahoma according to the United State Government Survey thereof and being more particularly described as follows to-wit

Beginning at the Northwest corner of the Southwest ¼ of said Section 3
thence N.88°49'53"E., a distance of 1,318.47 feet; along the North line of said Southwest ¼ of Section 3
thence S.01°16'54"E., a distance of 661.57 feet; along the East line of the North ½ of the Northwest corner of the Southwest corner of said Section 3
thence S.88°51'22"W., a distance of 1,318.17 feet; along the South line of the North ½ of the Northwest corner of the Southwest corner of the said Section 3
thence N.01°18'26" W., a distance of 661.01 feet along the West line of the Southwest ¼ of Section 3 to the POINT OF BEGINNING.

Containing 871,791.78 square feet or 20.01 acres, more or less.

Public Hearing – Plats

11. **Battle Creek Park Phase III**

Location: East of the Northeast corner of South 152nd East Avenue and East 41st Street South

City Council District: 6

Applicant: Wallace Design Collective

Action(s) Requested: Preliminary Plat approval for new subdivision and a modification of Section 5.030 Table 5-1 of the Subdivision and Development Regulations to permit greater block lengths.

Staff Recommendation

Battle Creek Park Phase III - (CD 6)

East of the northeast corner of South 145th East Avenue and East 41st Street South

This plat consists of 110 lots, 5 blocks, 27.62± acres.

The Technical Advisory Committee (TAC) met on November 21, 2019 and provided the following conditions:

1. **Zoning:** The property is zoned RS-3 (Residential Single-Family). All lots proposed are required to conform to the RS-3 lot regulations found in the City of Tulsa Zoning Code.
2. **Addressing:** City of Tulsa will assign addresses to the plat. Address assignments must be shown on the face of the final plat.
3. **Transportation & Traffic:** Infrastructure Development Plans (IDP) must include all required streets, ADA ramps, and sidewalks within the public ROW. IDP must be approved prior to approval of the final plat. Correct street names on the face of the plat.
4. **Sewer:** Sanitary sewer extensions are required to obtain IDP approval prior to release of the final plat. Adequate easement must be provided to cover all proposed extensions.
5. **Water:** Water main extensions are required to obtain IDP approval prior to release of the final plat. Adequate easement must be provided to cover all proposed extensions.
6. **Engineering Graphics:** Submit a subdivision data control sheet with final plat. Provide C.A. number under surveyor information and provide renewal date. Update location map to reflect only platted properties and label all other property "Unplatted". Indicate "Project Location" or "Site" in the location map for the property being platted. Graphically show all property pins found or set that are associated with the plat. Ensure written legal and face of the plat match.
7. **Stormwater, Drainage, & Floodplain:** Drainage plans must be submitted and approved through the IDP process. Approval for IDP must be obtained prior to approval of the final plat.
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.

The applicant indicated their agreement with staff's recommendation.

Speakers

None.

Commission Action

Motion: Approve the preliminary subdivision plat for Battle Creek Park Phase III, per staff's recommendation.

Motion by: Hood Second by: Zalk

Vote: 10-0-0

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

Nays: none

Abstentions: none

Absent: Whitlock

DRAFT

12. **Maybelle Villas II**

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

City Council District: 2

Applicant: Wallace Design Collective

Action(s) Requested: Request to extend preliminary plat approval by 1 year. Preliminary plat was approved by TMAPC on June 15th, 2022.

Staff Recommendation

Maybelle Villas - (CD 2)

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

This plat consists of 8 lots, 1 block, 6.33 ± acres.

The Technical Advisory Committee (TAC) met on June 2, 2022 and provided the following conditions:

1. **Zoning:** The property is zoned RS-2 with an optional development plan (Z-7631) to permit lots to be served by the private street in Maybelle Villas. Lots must conform to the requirements of the optional development plan and the optional development plan standards and case number must be reflected on the final plat and in the deed of dedication.
2. **Addressing:** City of Tulsa will assign addresses to the plat. Address assignments must be shown on the face of the final plat.
3. **Transportation & Traffic:** Infrastructure Development Plans (IDP) must include all required streets, ADA ramps, and sidewalks. IDP must be approved prior to approval of the final plat. Sidewalks must be located on both sides of residential streets. Where homes already exist, developer is required to install sidewalks as part of the IDP. Private streets must conform to requirements for public streets in the City of Tulsa. Deed of dedication must include language for the homeowner's association and requirements for maintenance of common areas and private infrastructure.
4. **Sewer:** Sanitary sewer extensions are required to obtain IDP approval prior to release of the final plat. Adequate easement must be provided to cover all proposed extensions. Offsite easements must be recorded and reflected on the final plat.
5. **Water:** Water main extensions are required to obtain IDP approval prior to release of the final plat. Adequate easement must be provided to cover all proposed extensions. Offsite easements must be recorded and reflected on the final plat.
6. **Engineering Graphics:** Submit a subdivision data control sheet with final plat. Remove contours from final plat submittals. Add Tulsa County, State of Oklahoma to the plat subtitle. Update location map to show platted boundaries and label all other areas as unplatted. Graphically show all pins found or set that are associated with the plat. Add a bearing angle from POC to POB to the written legal description.
7. **Stormwater, Drainage, & Floodplain:** Drainage plans must be submitted and approved through the IDP process. Approval for IDP must be obtained prior to approval of the final plat.
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. Infrastructure located in the gas company easement must receive written acceptance by the easement holder.

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 approval of the final plat.

The applicant indicated their agreement with staff's recommendation.

Speakers

None.

Commission Action

Motion: Approve the 1-year preliminary subdivision plat extension for Maybelle Villas II, per staff's recommendation.

Motion by: Zalk

Second by: Hood

Vote: 10-0-0

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

Nays: none

Abstentions: none

Absent: Whitlock

DRAFT

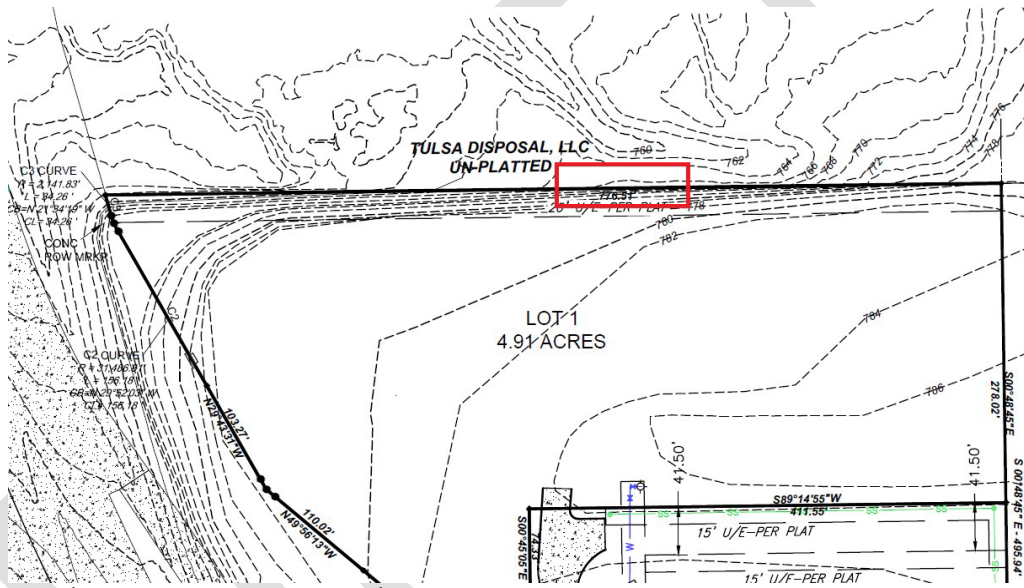
BASIS OF BEARINGS

Horizontal Datum based upon NAD 83 (1993) Oklahoma State Plane Coordinate System North Zone 3501 Vertical Datum based upon NAVD 88 using N. 88°42'00" E. as the North line of the Northwest Quarter of Section 28, Township 19 North, Range 14 East of the Indian Base and Meridian was used as the bearing for this survey.

- Graphically show all property pins found or set that are associated with the plat. Either have a legend entry showing the found or set symbology or label each location with text.
- Please add the bearing angle above this distance described in the written legal description.
- Add signature block for officials to sign to the face of the plat.
- Provide the date of preparation to the face of the plat. I believe this date to be 04/05/2024.

Addressing

- Addresses will be assigned by the City of Tulsa and provided at a later date.



- W 51st Circle needs to be W 51st ST S Frontage (AR)

Article 5: Design and Improvements

Required Infrastructure and Public Improvements (5-020)

- Water & Sanitary sewer modifications were approved under IDP 108300 and its addendum #1 on 09/09/2022. Application indicates stormwater runoff mitigation was addressed similarly but it should have been handled through Tulsa County.

Streets (transportation) (5-060)

- No comments.

Streets (fire) (5-060)

- Outside TFD Response Area, but is inside its permitting jurisdiction.
- Development to meet all required provisions outlined in 2018 International Fire Code.

Sidewalks (5-070)

- Sidewalks will be required as prescribed in City Ordinances.

Protection From Flooding and Other Natural Hazards (Floodplain) (5-090)

- There are no regulatory floodplains on the site.

Stormwater Management (5-100)

- Discharge onto to ODOT right-of-way must be addressed with that entity. Provide project information/documentation to be referenced for this work to show compliance with City of Tulsa stormwater management regulations.

Sewage Disposal (5-130)

- No comments.
- Utility easements on the exterior property lines of the subdivision may be required, more specifically the North, East and west sides of Lot 1 and the North and East lines of Lot 3.

Water (5-140) lines

- Outside TFD Response Area
- No comments

Easements (5-150)

- Provide book and page of existing U/E along 51st Circle and label U/E width sizes where the existing water main lines are run inside.
- Show the reserve or detention easement for the detention facility. Confirm if there are off-site storm sewer easements to be created by separate instrument. Four separate instrument sanitary sewer easements associated with IDP 108300 (ESMTs 457, 532, 533 and 545) are currently making their way through the City's separate instrument easement process. If the intent is to plat the easements, the language of the easements needs to cover City of Tulsa infrastructure. If the separate instrument easements are going to be filed separately, they should be shown on the face of the plat with the recording documents listed. (sms)

Perpetual Maintenance of Common Areas and Improvements (5-200)

- No Comments.

Streets and Stormwater

- The property appears to abut an existing dead end street, but this dead end does not have a proper cul de sac or turnaround. The applicant needs to dedicate RW for the dead end / turnaround to be built.
- Sidewalks are not shown on the plans, sidewalks will be required as prescribed in City Ordinances.
- The Limits of Access need to be reviewed and approved by the City of Tulsa's Traffic Engineer. It appears that the small area of access onto the Gilcrease Expressway access road would place the driveway within the turn lane. I believe that the access needs to be adjusted further to the northwest away from the turn bay.
- Additional RW may need to be dedicated to allow for the sidewalk construction ... OR.... The sidewalk will need to be in a dedicated sidewalk easement.
- If the new driveway is approved and moves to the construction stage A Sidewalk and Driveway permit will be required.
- If the new driveway is approved and moves to the construction stage an ADA compliant sidewalk section will be required to be built through the driveway.
- If the new driveway is approved and moves to the construction stage the location of the driveway will need to be reviewed for stormwater and it will need to be determined if a

stormwater culvert will be necessary under the driveway. Any culvert necessary for the driveways construction will need to be sized by a Engineer.

- After IDP and Construction plans have been submitted, additional issues may come to light that will require additional modification to the plats/plans.

Deed of Dedication:

- Legal to comment after submittal of Final Plat.

Comprehensive Plan Considerations

Land Use Plan

The subject property is designated as Employment by the Tulsa Comprehensive Plan. The employment designation 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 (Outside city limits)	IM	N/A	Undertermined Industrial and Outdoor storage uses
East (Outside city limits)	IM/IL, RS	N/A	Various mix of industrial and storage uses.
South	RS-3	N/A	Large portion of right-of-way for the Gilcrease Expressway
West	RS-3	N/A	Large portion of right-of-way for the Gilcrease Expressway

Small Area Plans

The subject properties are not located within a small area plan.

Development Era

The subject property is located in an area developed during the Late Automobile Era. Beginning in the late 1950s and the 1960s major changes occurred to the urban form of Tulsa. Two significant interventions include the introduction of the Interstate Highway System and the annexation events in the 1960s that more than doubled the size of Tulsa. This area of Tulsa has developed simultaneously with the development of surrounding communities, such as Broken Arrow, Owasso, Jenks, and Bixby. Though the growth of this area has been consistent for more than 60 years, the vast majority of developable land has been developed, leading to a decline in the number of properties being built each decade since the 1970s.

Transportation

Comprehensive Plan Street Designation:

Arterial Traffic per Lane:

Arterial Traffic - North (W 41st St S - 4,647 Vehicles per Lane)

Arterial Traffic - East (S 49th West Ave - 2,778 Vehicles per Lane)

Arterial Traffic - South (W 51st St S - 4,799 Vehicles per Lane)

Arterial Traffic - West (S 65th West Ave - 1,368 Vehicles per Lane)

The applicant indicated their agreement with staff's recommendation.

Speakers

None.

Commission Action

Motion: Approve the preliminary subdivision plat for Frazier's Addition, per staff's recommendation.

Motion by: Zalk Second by: Carr

Vote: 10-0-0

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

Nays: none

Abstentions: none

Absent: Whitlock

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Other Business

None

14. Commissioner Comments

None

Adjournment

Commission Action

Motion: Adjourn

Motion by: Walker Second by: Craddock

Vote: 10-0-0

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

Nays: none

Abstentions: none

Absent: Whitlock

There being no further business, the meeting adjourned at 3:23 p.m.

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