



Tulsa Metropolitan Area
Planning Commission

Case Number: CPA-102
Comprehensive Plan Amendment
(Related to Z-7705)

Hearing Date: May 17, 2023

Case Report Prepared by:

Jeremy Banes

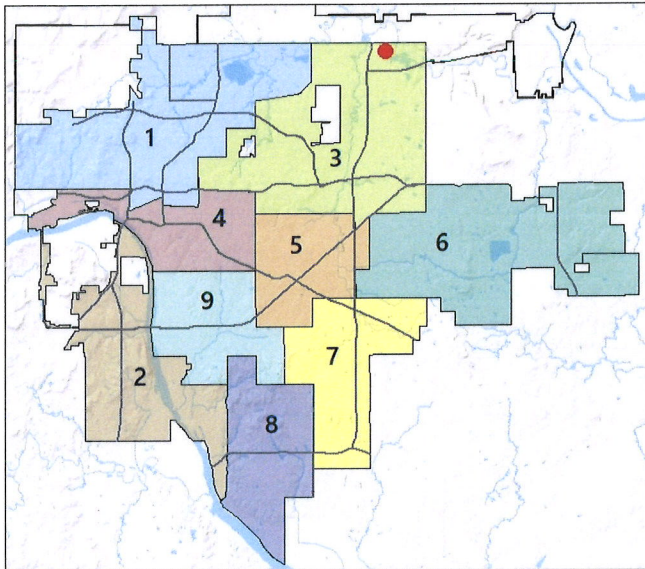
Owner and Applicant Information:

Applicant: Nathan Cross

Property Owner: Greenhill Properties, LLC.

Location Map:

(shown with City Council Districts)



Applicant Proposal:

Land Use Map change from **Regional Center** to **Employment**

Tract Size:

200.91 ± acres

Location:

S of the SE/c of Hwy 169 & E. 56th St. N

Comprehensive Plan:

Land Use Map

Existing: *Regional Center*

Proposed: *Employment*

Zoning

Existing: AG (Agricultural)

Proposed: IM (Industrial Moderate), refer to Z-7705

Staff Recommendation:

Staff recommends **approval** of the *Employment* land use designation.

Staff Data:

TRS: 0408

CZM: 24

City Council District: 3

Councilor Name: Crista Patrick

County Commission District: 1

Commissioner Name: Stan Sallee

15.1

TMAPC Staff Report
CPA-102
Comprehensive Plan Amendment

Property Information and Land Use Request

The subject property is approximately 200.97± acres of unplatted land located southeast of the intersection of Highway 169 and East 56th Street North. The applicant has submitted the following Comprehensive Plan amendment request to amend the land use designation of the of the subject property from *Regional Center* to *Employment*. This request is accompanied by a concurrent rezoning request (Z-7705), which proposes a zoning change on the subject tract from AG to IM in order to allow all industrial uses that may be allowed in an IM district. The applicant has provided conceptual plans for a mining operation that will require board of adjustment approval of a special exception for that use. The zoning code and the comprehensive plan for the City of Tulsa does not currently identify specific locations for mining operations. However, the underlying limestone formation is being excavated, processed, and shipped east and south of the subject tract. It is reasonable to expect continued expansion of quarry operations where the stone is high quality and plentiful. The previous comprehensive plan did not recognize the location of the stone resource in its regional center land use designation.

Background

The Land Use and Area of Stability or Growth designations for the subject property were made in 2010 with the adoption of the 2010 Tulsa Comprehensive Plan. At this time, the subject property was assigned a Land Use designation of *Regional Center* and an Area of Stability or Growth designation of *Area of Growth*. As there are no other plans that cover this area that offer land use recommendations, the 2010 Tulsa Comprehensive Plan solely provides guidance regarding land use for this area.

The parcel subject to this Comprehensive Plan amendment request is located within the area in the north of the City of Tulsa. The parcel abuts AG (Agricultural) zoning to the north and east. A concurrent rezoning and comprehensive plan amendment are being pursued by the same applicant and property owner on property zoned for Agricultural to the north of East 56th Street North (CZ-543, PUD-867, and TCCP-12). To the West is Highway 169 which has IL (Industrial) directly across from the subject property and IH (Industrial High) zoning further to the west. West across Highway 169, east adjacent to the subject property and southeast of the subject property has a Land Use designation of *Employment* and *Area of Growth*. Directly south of the subject property, below 50th Street North, is owned by the same property owner and is designated as *Regional Center*, and some of that property is already zoned for Moderate and High Industrial already. The Major Street and Highway Plan designates East 56th Street North as a Secondary Arterial. North 121st Avenue East and 50th Street North are not classified by the Major Street and Highway Plan.

Existing Land Use and Growth Designations

A *Regional Center* land use designation was assigned to the area subject to the amendment request at the time of the adoption of the Tulsa Comprehensive Plan in 2010:

The *Regional Center* designation is defined in the Tulsa Comprehensive Plan as mid-rise mixed-use areas for large scale employment, retail, and civic or educational uses. These areas attract workers and visitors from around the region and are key transit hubs; station areas can include housing, retail, entertainment, and other amenities. Automobile parking is provided on-street and in shared lots.

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Proposed Land Use and Growth Designations (Tulsa Comprehensive Plan)

The applicant is proposing the *Employment* land use designation for the entirety of the subject property:

The *Employment* designation is defined in the Tulsa Comprehensive Plan as areas containing office, warehousing, light manufacturing, and high tech uses such as clean manufacturing or information technology. Sometimes big-box retail or warehouse retail clubs are found in these areas. These areas are distinguished from mixed-use centers in that they have few residences and typically have more extensive commercial activity. Employment areas require access to major arterials or interstates. Those areas, with manufacturing and warehousing uses must be able to accommodate extensive truck traffic, and rail in some instances.

The area surrounding the subject property to the south, west and east has largely industrial or agricultural zoning with an *Employment* or *Regional Center* land use designations. The subject property (along with the concurrent rezoning in North Tulsa County) would extend the industrial zones from the south and west along Highway 169. Rezoning the subject area to *Industrial* with a land use designation of *Employment* would not be inconsistent with the development already occurring in the vicinity.

Zoning and Surrounding Uses

This application is concurrent with a county zoning map amendment (CZ-543 and PUD-867) and Tulsa County Comprehensive Plan amendment (TCCP-12) within the area of North Tulsa County on the property to the north by the same applicant and owner.

Location	Existing Zoning	Existing Land Use Designation	Existing Use
N	AG	Agricultural/Rural Residential	Vacant/Agricultural
S	AG/IM/IH	Regional Center/Employment	Vacant/Agricultural/Industrial
E	AG	Employment	Vacant/Agricultural
W	IL	Employment	Vacant/Agricultural

Applicant's Justification

As part of the amendment application, the applicant is asked to justify their amendment request. Specifically, they are asked to provide a written justification to address:

1. How conditions on the subject site have changed, as well as those on adjacent properties and immediate area;
2. How changes have impacted the subject site to warrant the proposed amendment; and;
3. How the proposed change will enhance the surrounding area and the City of Tulsa.

The applicant submitted the following responses:

History

The property at issue in this request (the "Subject Property") is part of the small remaining undeveloped property in north Tulsa that has been primarily vacant since statehood. For 50 years, the Subject

Property has been a working ranch owned by the Oxley family. No significant development has occurred on the Subject Property.

Mining

At some point in the distant past, a rich vein of limestone was discovered in and around the Subject Property and in parts of northern Tulsa County. After that discovery, mining operations began to grow in the area. Currently, there are 3 active mining operations within roughly a two-mile radius of the Subject Property. As such, this portion of Tulsa County has become a significant source of regional limestone for use in construction. These mining activities have been further bolstered by increased demand due to depletion of other mining resources in the area to the point that this area of Tulsa is now the primary provider of limestone for construction in Tulsa and Oklahoma City as well as other places within the region.

Comprehensive Plan

The Applicant believes that the history of agricultural use of the Subject Property combined with more general overall planning ideas led to the current land use classification of "Regional Center" being overlaid onto the Subject Property without detailed investigation of the uses in the area. As stated above, mining is one of the largest uses of land in this area of Tulsa. The limestone under the Subject Property and surrounding areas is a rare natural resource that is in high demand. Further, at no point has anyone approached the owner of the Subject Property with any questions about historical or future uses of the Subject Property or development patterns in the area for purposes of Comprehensive Plan designation identification or planning purposes. As such, the Applicant feels that the combination of the large amount of mining operations in the area and the location of a rare and necessary natural resource dictates that the Subject Property should be designated as an "Employment" land use consistent with the large swaths of adjacent property that contain mining operations. The Applicant proposes to follow this application with a request to rezone the Subject Property from AG to IM to accommodate mining as well as industrial uses along the frontage of Highway 169 for future commercial development of that highway corridor.

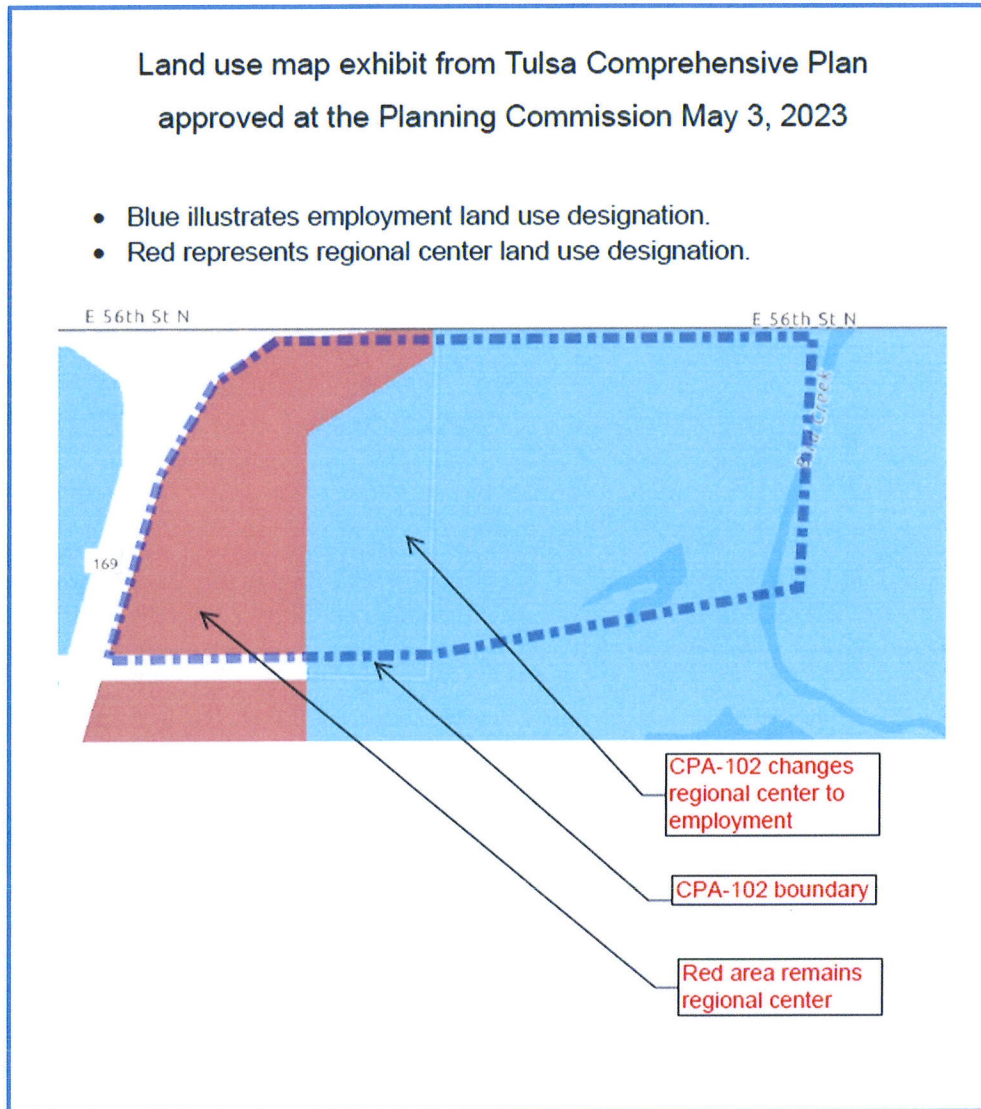
Staff Summary & Recommendation

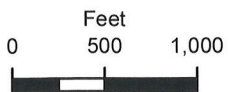
The applicant is requesting an amendment to the land use designation from *Regional Center* to *Employment*. *Employment* areas require access to major arterials or interstates. Those areas, with manufacturing and warehousing uses, must be able to accommodate extensive truck traffic and rail in some instances. The applicant has submitted a concurrent request to rezone the property from Agriculture (AG) to Industrial Moderate (IM). If approved, the proposed rezoning would allow for the utilization of this currently underutilized property for industrial and mining.

This site was included in the Tulsa Comprehensive Plan that was adopted in 2010 as *Regional Center*. Changing the land use designation to *Employment* will still provide new employment opportunities in this area of North Tulsa in a pattern that is consistent with development in the area. The proposed rezoning associated with this comprehensive plan amendment will increase an opportunity for industrial development with access along Highway 169 in an area where many such uses are already present. The existing industrial zone located on the east and west of Highway 169 extending several miles to the south has provided employment and manufacturing jobs for the north of the City of Tulsa and this land use change opens an opportunity to use the existing highway and utility infrastructure in the area for further industrial development.

The Tulsa Metropolitan Area Planning Commission unanimously adopted an update to the Tulsa Comprehensive Plan May 3rd, 2023. The public meetings notices, maps, and references in this report were completed before Planning Commission adoption of the plan update. As of the writing of this staff report (3/11/2023), the City Council has not approved the updated plan, but this request is consistent with the existing and the amended comprehensive plan. The City Council is expected to vote on the updated Comprehensive Plan after this zoning has been reviewed at the Planning Commission.

Staff recommends **approval** of the *Employment* land use designation not as shown in CPA-102 but only as illustrated in the Land Use maps of the plan that was recently adopted by the Planning Commission. Refer to illustration below for staff recommendation.





 Subject Tract

CPA-102

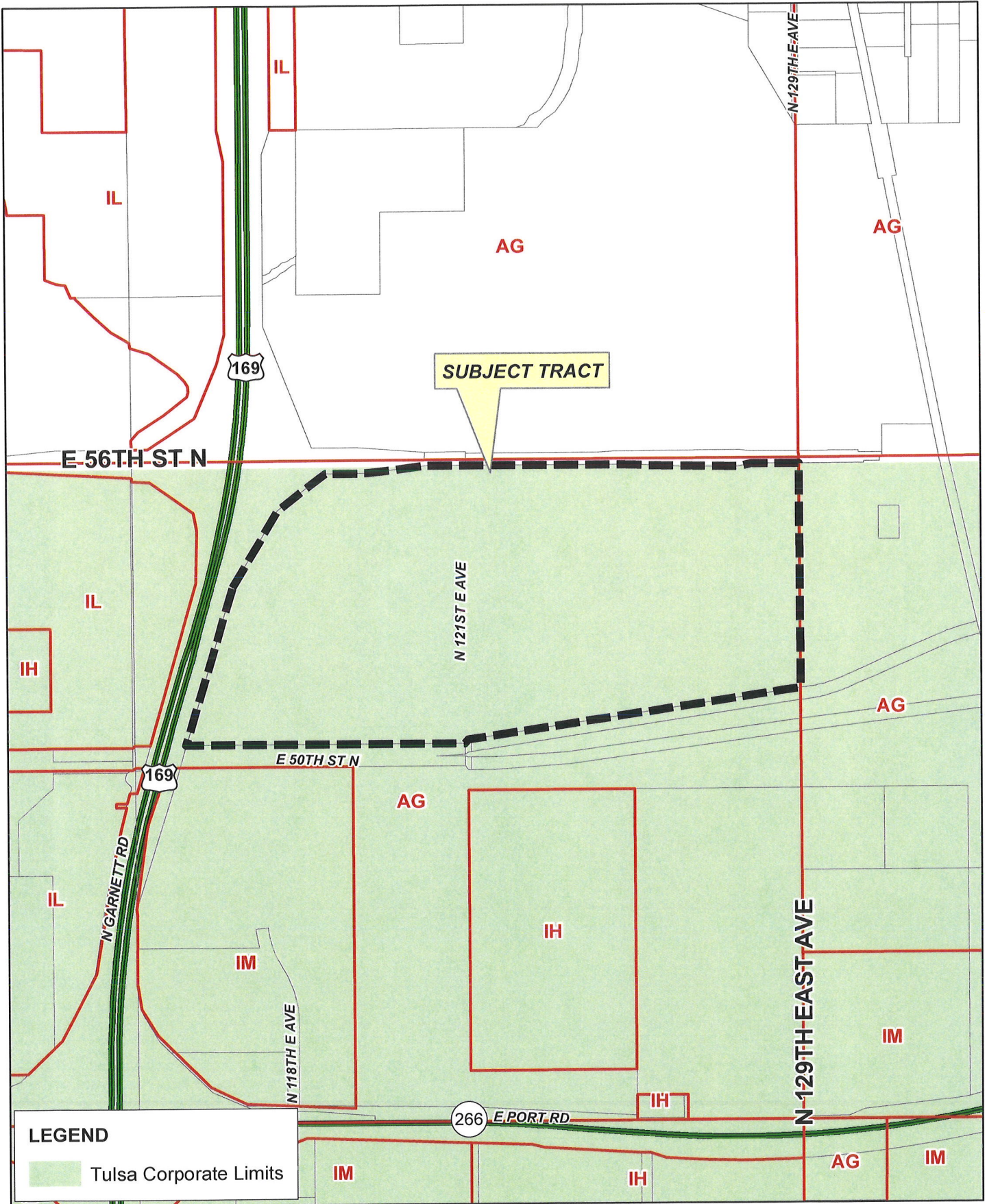
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Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2020/2021

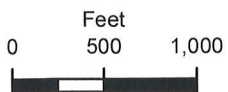


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LEGEND

Tulsa Corporate Limits

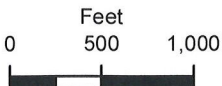
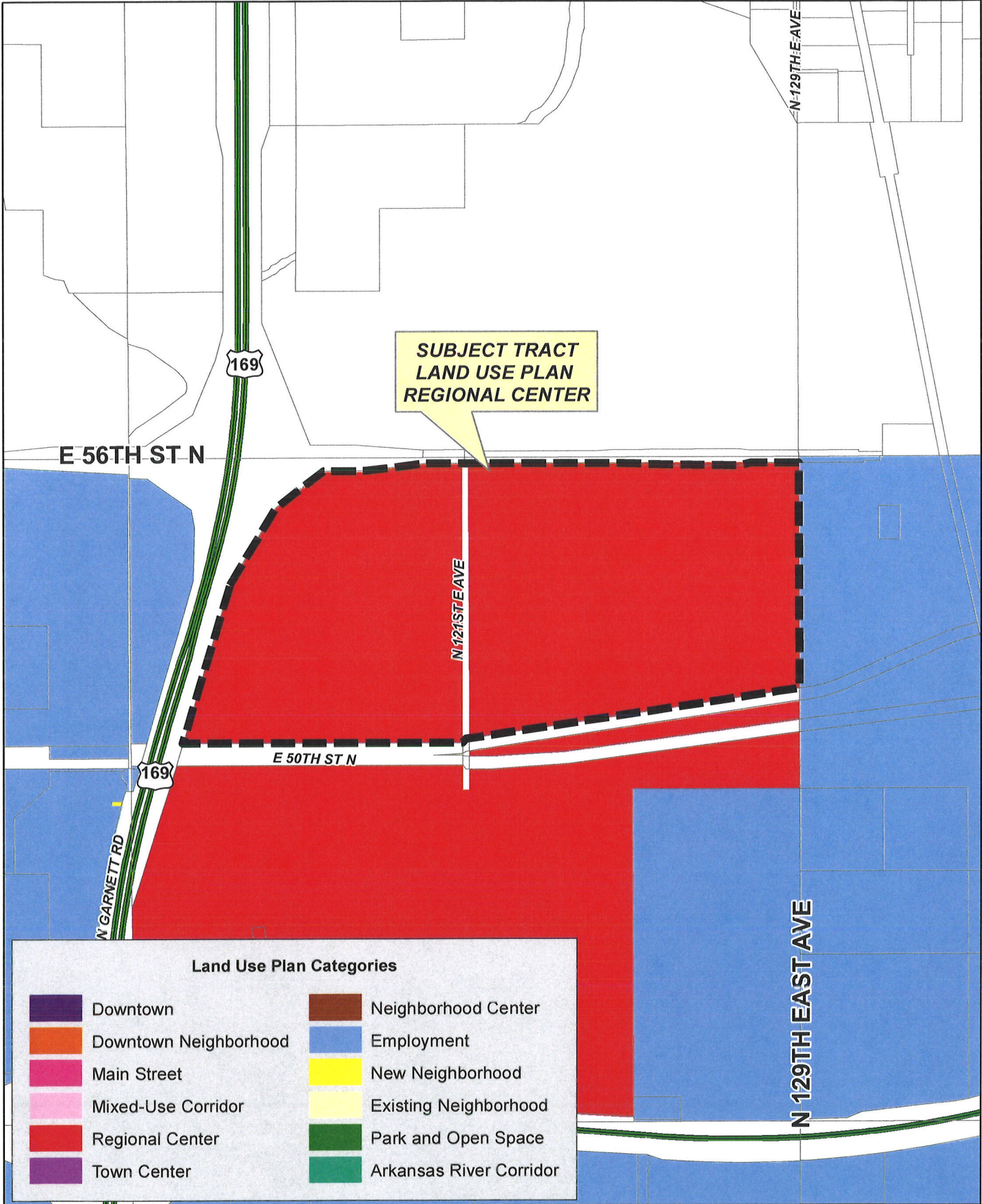


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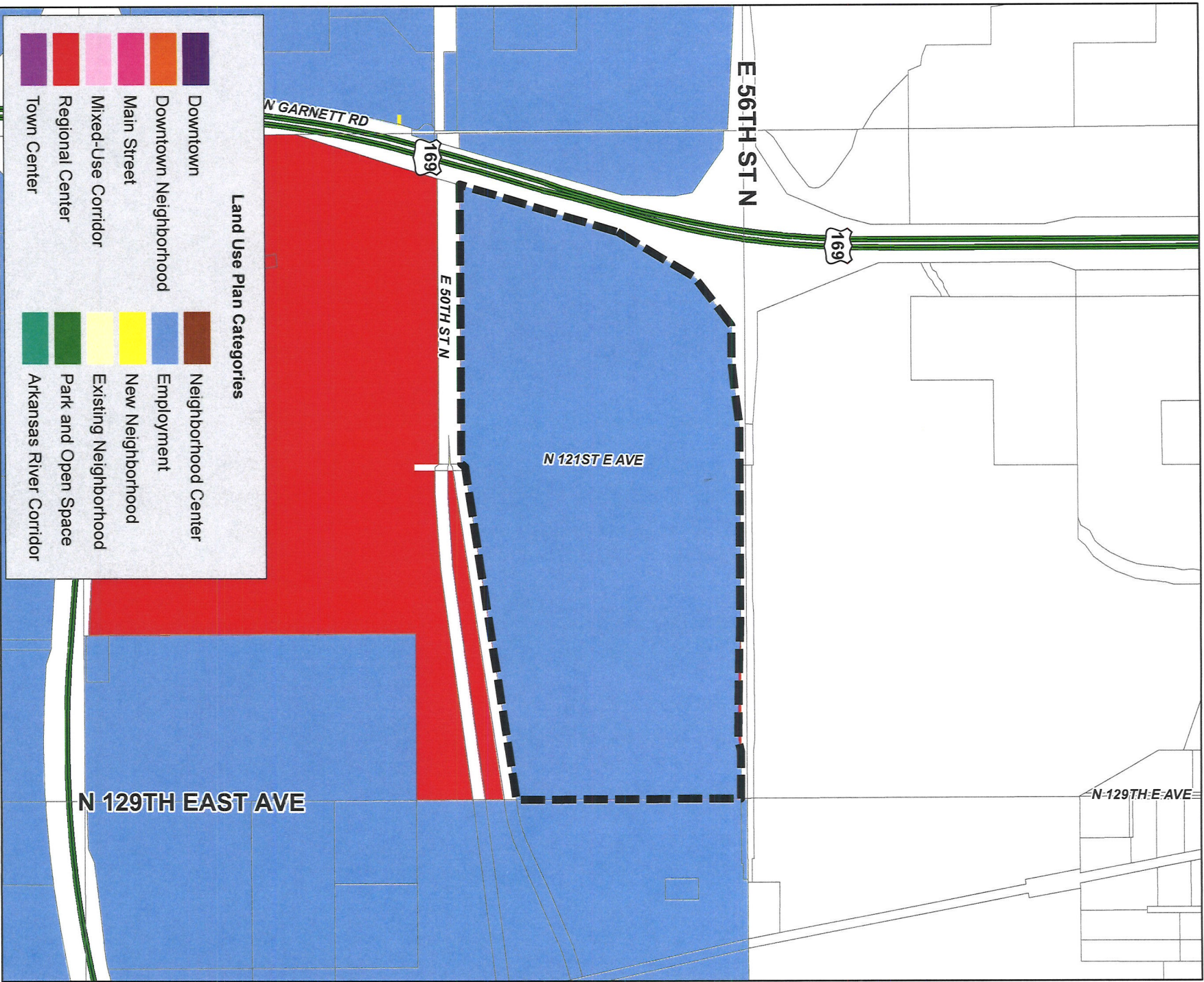


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Land Use Plan Categories

	Downtown		Neighborhood Center
	Downtown Neighborhood		Employment
	Main Street		New Neighborhood
	Mixed-Use Corridor		Existing Neighborhood
	Regional Center		Park and Open Space
	Town Center		Arkansas River Corridor

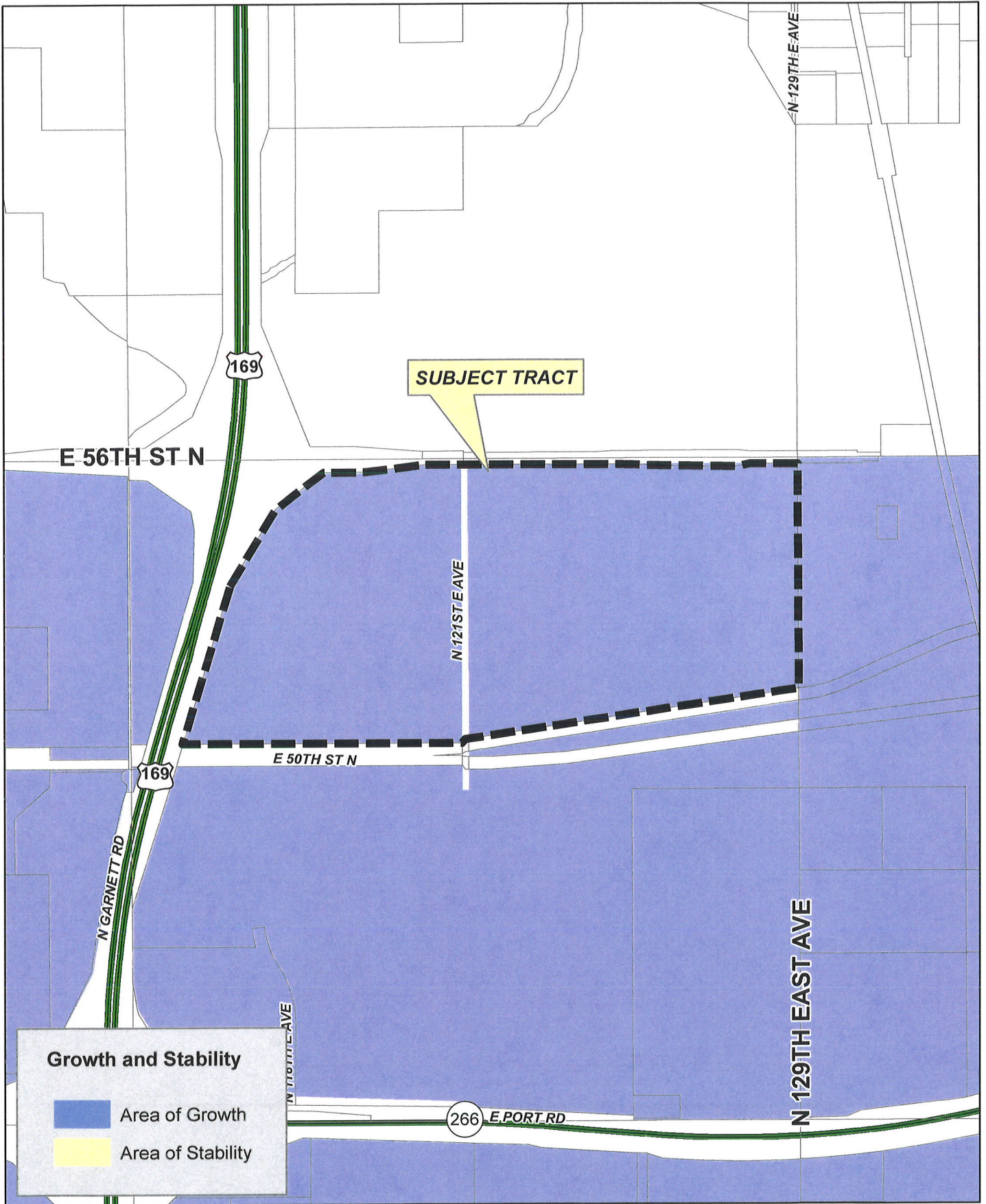


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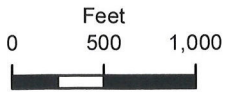


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Growth and Stability

- Area of Growth
- Area of Stability



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