



Tulsa Metropolitan Area
Planning Commission

Case Number: CPA-84

Comprehensive Plan Amendment
(related to Z-7518)

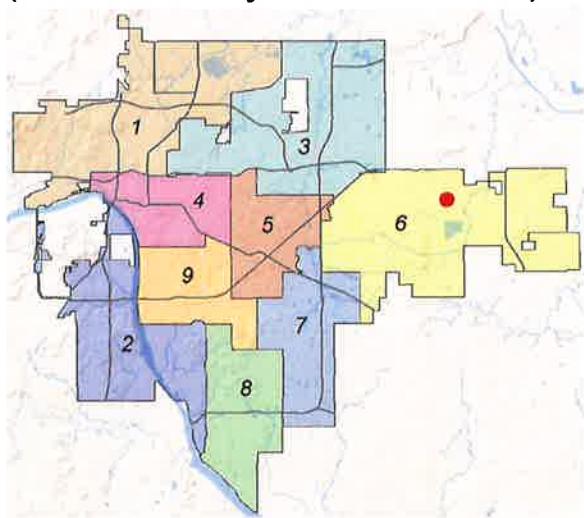
Hearing Date: December 18, 2019

Case Report Prepared by:

Jani Werten

Location Map:

(shown with City Council Districts)



Comprehensive Plan:

Land Use Map

Existing: *Employment*

Proposed: *New Neighborhood*

Stability and Growth Map

Existing: *Area of Growth*

Proposed: *Area of Growth*

Zoning

Existing Zoning: IL

Proposed Zoning: AG

Owner and Applicant Information:

Applicant: Felix Ruiz

Property Owners: Felix Ruiz

Applicant Proposal:

Land Use Map change from *Employment* to
New Neighborhood

Tract Size: 13.66+ acres

Location: East of the Southeast corner of East
11th Street South & South 177th East Avenue

Staff Recommendation:

Staff recommends **approval** of the *New Neighborhood* land use designation as submitted by the applicant.

City Council District: 6

Councilor Name: Connie Dodson

County Commission District: 1

Commissioner Name: Stan Sallee

TMAPC Staff Report
CPA-84
Comprehensive Plan Amendment

Property Information and Land use Request

The applicant has submitted this proposed Comprehensive Plan amendment (CPA-84) and a concurrent rezoning application (Z-7518) to request a change in the Land Use designation from *Employment* to *New Neighborhood*, as well as rezone from IL to AG to permit the building of a single-family residence on a $13.66\pm$ acre property, located east of the southeast corner of East 11th Street South & South 177th East Avenue.

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 *New Neighborhood* and an Area of Stability or Growth designation of *Area of Growth*. As this property does not fall within a small area plan which would offer additional guidance through land use recommendations, the 2010 Tulsa Comprehensive Plan solely provides guidance regarding land use for this area.

In October of 2014, the land use designation for the subject property was changed from *New Neighborhood* to *Employment* via CPA-27. This comprehensive plan amendment was initiated after a request to rezone the subject property from AG to IL (Z-7250) was recommended denial by both staff and the Planning Commission due to the incompatibility between the proposed industrial use and the existing New Neighborhood Land Use designation. Following this meeting, the applicant continued conversations with TMAPC staff, City of Tulsa Planning staff, City Council staff, and adjacent property owners about other potential land use scenarios for the area. The applicant then appealed the TMAPC recommendation of denial to City Council. The City Council voted to approve the land use change to *Employment*, as well as the rezoning request to IL (Z-7250) for the site. Following these approvals, it was determined by the City of Tulsa Permit Center that the use proposed by the applicant was an IM use, not IL as originally thought, and would not be permitted by right in an IL district. The applicant then went before the Board of Adjustment to seek relief, requesting a Special Exception to permit a fabrication facility (Industrial/Moderate Manufacturing Industry) in an IL district, which was denied in March of 2016.

The current owner has requested to rezone the property back to AG (Z-7518) and change the Land Use designation back to *New Neighborhood* to allow the development of a single-family residence, which is not allowed in an IL district.

All surrounding properties are zoned AG with properties to the north, south, and east carrying a Land Use and Area of Growth or Stability designation of *New Neighborhood* and *Area of Growth*, with properties to the west carrying a Land Use and Area of Growth or Stability designation of *Employment* and *Area of Growth*.

6.2

Existing Land Use and Growth Designations (Tulsa Comprehensive Plan)

When the Tulsa Comprehensive Plan was developed and adopted in 2010 the subject tract was designated as an *Area of Growth*:

"The purpose of **Areas of Growth** is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop."

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile."

An *Employment* land use designation was approved for the area subject in CPA 27 in October of 2014:

"Employment areas contain 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. Due to the special transportation requirements of these districts, attention to design, screening, and open space buffering is necessary when employment districts are near other districts that include moderate residential use."

Proposed Land Use Designations (Tulsa Comprehensive Plan)

The applicant is proposing a *New Neighborhood* land use designation and to maintain the *Area of Growth* designation on the subject site.

"The New Neighborhoods Residential Building Block is comprised of a plan category by the same name. It is intended for new communities developed on vacant land. These neighborhoods are comprised primarily of single-family homes on a range of lot sizes but can include townhouses and low-rise apartments or condominiums. These areas should be designed to meet high standards of internal and external connectivity and shall be paired with an existing or new Neighborhood or Town Center."

Zoning and Surrounding Uses:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	AG	New Neighborhood	Area of Growth	Commercial/ Single-family Residential
South	AG	New Neighborhood	Area of Growth	Agricultural
East	AG	New Neighborhood	Area of Growth	Vacant
West	AG	Employment	Area of Growth	Vacant/ Single-family Residential

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 provided the following justification as part of their application:

- The properties in the area have not seen any recent changes.
- Because there has been no change, and the proposed development is residential, this warrants a rezoning and comprehensive plan amendment.
- The property will be developed as originally intended and be in line with the surrounding properties.

Staff Summary & Recommendation

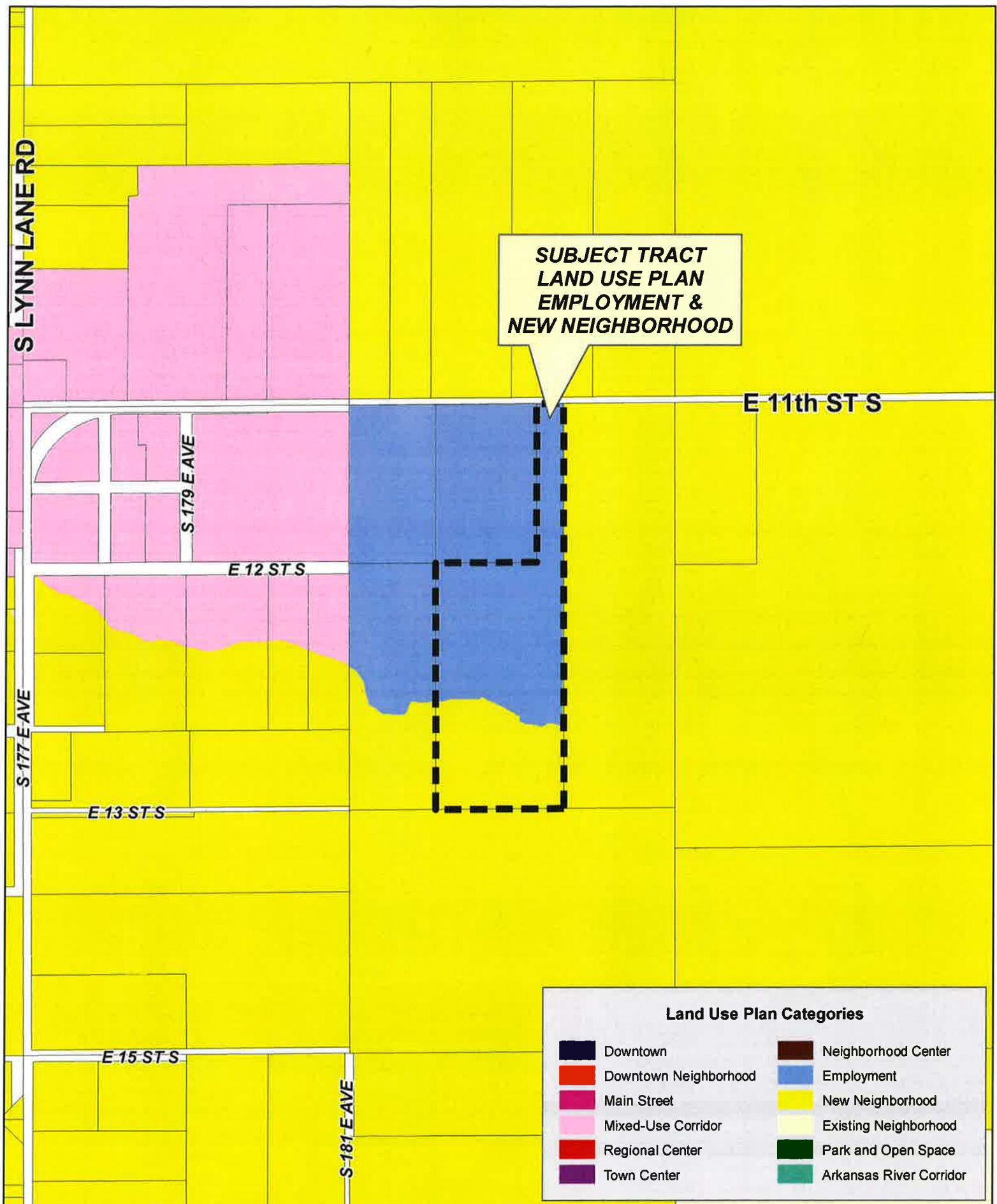
While the land use and zoning designation for the subject property was changed from *New Neighborhood* to *Employment* and AG to IL in October of 2014 via CPA-27 and Z-7520, the current owner has requested to change the land use designation and zoning of the subject property back to *New Neighborhood* and AG (Z-7518) to allow the development of a single-family residence, which is not currently permitted in an IL zoned district.

The subject property is a 13.66+ acre IL zoned lot and is currently vacant. The abutting properties are all zoned AG, with the abutting properties to the north containing a single-family residence and auto garage, abutting properties to the south containing an out building for animals and is being utilized for agricultural purposes, and properties to the east and west being largely vacant with one parcel to the east containing a single-family residence. This has not changed since 2014.

When CPA-27 was originally approved, it was thought that this area would experience increased interest and development as an employment center that would benefit the area. As the area has not changed since 2014 and not experienced non-residential growth as originally anticipated, the

land use change may have been premature. Taking into consideration both the land use and zoning designations, as well as active uses of the properties surrounding the subject property, the request made by the Applicant to change the Land Use designation from *Employment* to *New Neighborhood* appears to be in-line with the current character of the area, as well as available infrastructure. As for the rest of the properties assigned *Employment* as their Land Use designation through CPA-27, this area will be re-evaluated as part of the update to the Tulsa Comprehensive Plan.

Staff recommends **approval** of the *New Neighborhood* land use designation as submitted by the applicant.

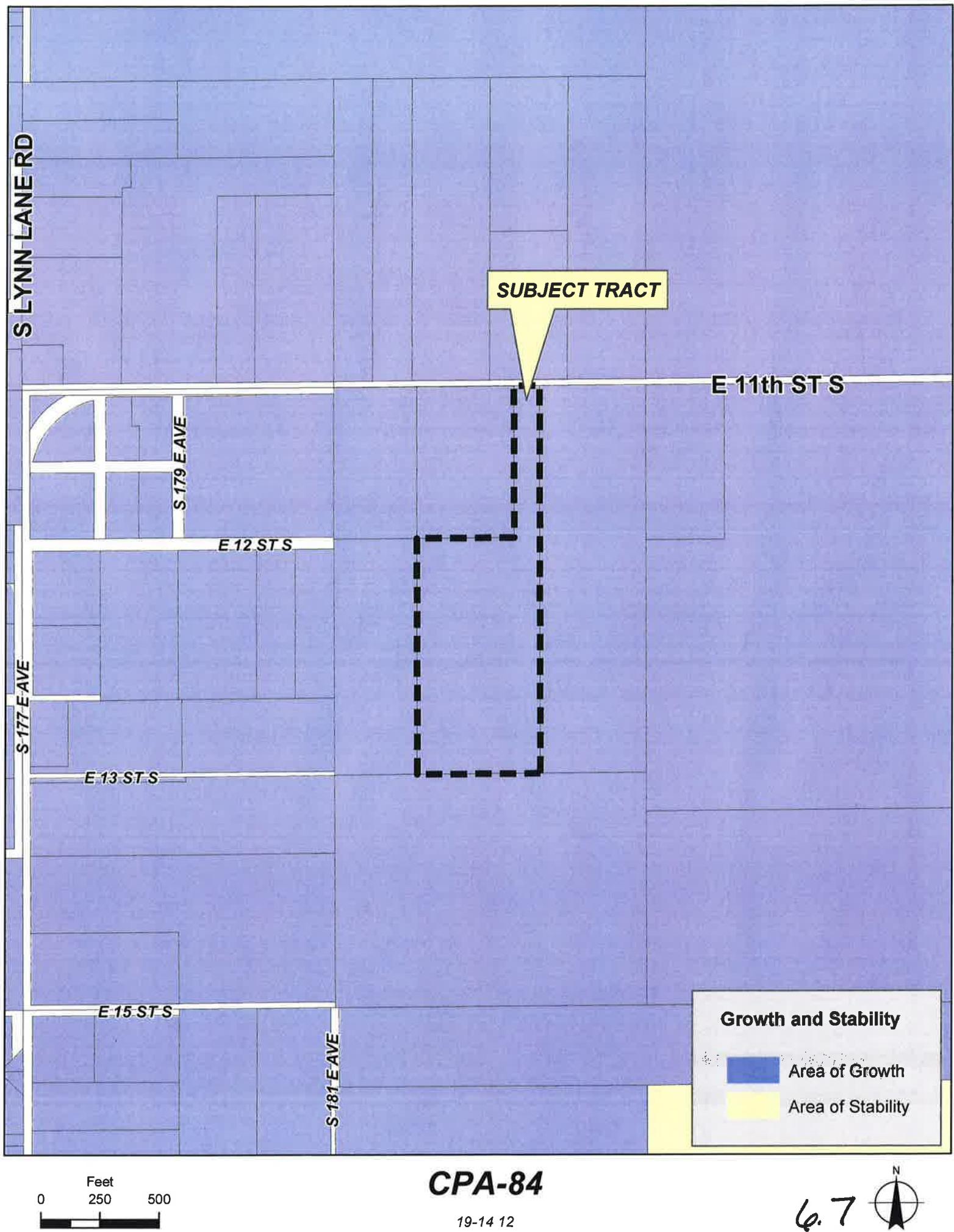


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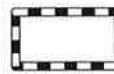
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Subject
Tract

CPA-84

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

Aerial Photo Date: February 2018

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Subject
Tract

CPA-85

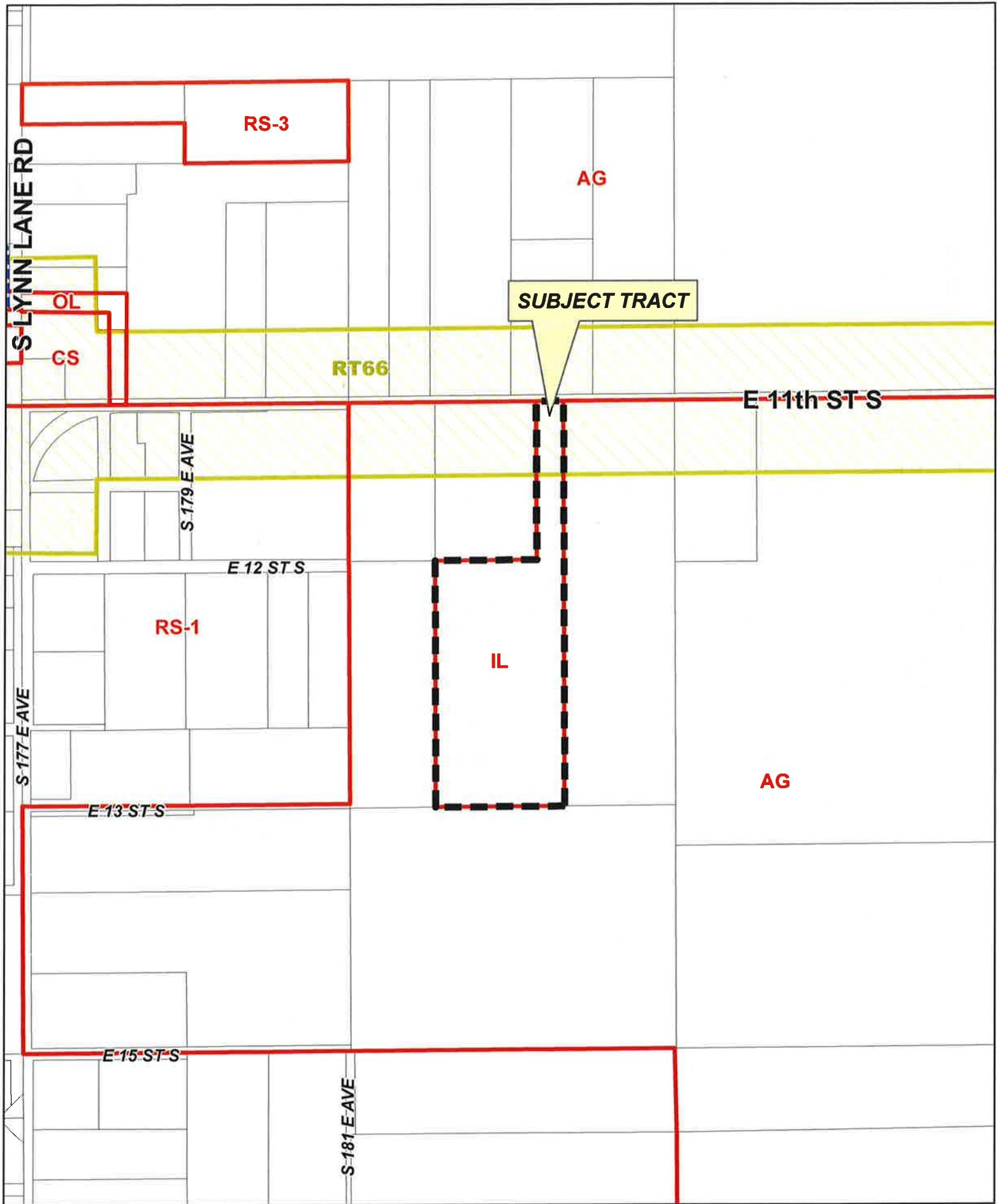
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Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2018

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CPA-84

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