TMAPC

Tulsa Metropolitan Area Planning Commission

Case Number: CPA-89
Comprehensive Plan Amendment
(related to Z-7571)

Hearing Date: November 18, 2020
(Continued from September 2, 2020, September 16, 2020, & October 21, 2020)

Case Report Prepared by:

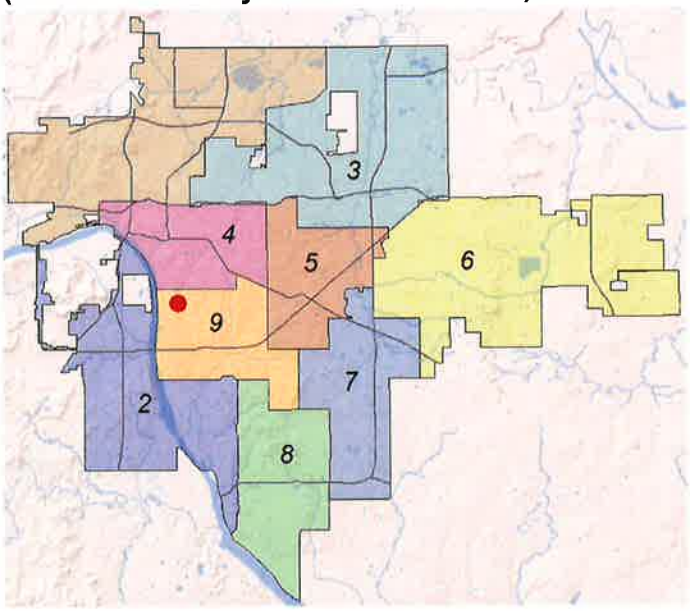
Jani Wertin

Owner and Applicant Information:

Applicant: CBC Builds c/o AAB Engineering, LLC

Property Owner: John E. and Harriet L. Vaughn

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Land Use Map change from ***Existing Neighborhood*** to ***Main Street*** and
Areas of Stability & Growth Map change from an ***Area of Stability*** to an ***Area of Growth***

Tract Size: 0.48 + acres

Location: East of the Northeast corner of East 36th Street South & South Peoria Avenue

Staff Recommendation:

Staff recommends **approval** of *Main Street* and *Area of Growth* designations

Comprehensive Plan:

Land Use Map
Existing: *Existing Neighborhood*
Proposed: *Main Street*

Stability and Growth Map
Existing: *Area of Stability*
Proposed: *Area of Growth*

Zoning
Existing Zoning: RS-3
Proposed Zoning: MX1-U-45

City Council District: 9

Councilor Name: Ben Kimbro

County Commission District: 2

Commissioner Name: Karen Keith

TMAPC Staff Report
CPA-89
Comprehensive Plan Amendment

Property Information and Land use Request

The applicant has submitted this proposed Comprehensive Plan amendment (CPA-89) with a concurrent rezoning request (Z-7571) to request a change in both the Land Use and the Growth and Stability designation of the subject property from *Existing Neighborhood* to *Main Street* and *Area of Stability* to *Area of Growth*. The concurrent zoning request proposes MX1-U-40 from RS-3 for a mixed-use development.

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 *Existing Neighborhood* 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 site is currently made up of three separate parcels, each with a single-family detached home. The proposed development will remove those homes and construct a mixed-use building that includes commercial on the ground floor and residential units above. The parcels abutting the subject property to the north and west are currently zoned OL/PUD-718 and PK/CH, respectively, both carrying a Land Use Map designation of *Main Street*, as well as an Area of Growth and Stability Map designation of *Area of Growth*. These parcels contain office space and townhomes to the north and a commercial strip mall to the west. The parcel abutting the subject property to the south is zoned MX1-P-U/RS-3 and carries both a *Main Street* and *Existing Neighborhood* Land Use designation, as well as both *Area of Growth* and *Area of Stability* designations due to the location of both single-family detached homes and the Brookside Church. The Brookside Church is zoned MX1-P-U and was rezoned as part of the City Council initiated rezoning opportunities along the Bus Rapid Transit Corridor. The land use designation was changed from *Existing Neighborhood* to *Main Street* in 2019. Abutting to the east are more RS-3 zoned parcels with single-family detached homes that carry a land use designation of *Existing Neighborhood* and a growth designation of *Area of Stability*.

The Brookside Infill Development Design Recommendations was a plan adopted in 2002 that generally provide design guidance for development along and on either side of South Peoria Avenue immediately west of the subject property. The plan did not specifically make any recommendations to this site.

Existing Land Use and Growth Designations

An *Existing Neighborhood* 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 Existing Residential Neighborhood category is intended to preserve and enhance Tulsa's existing single-family neighborhoods. Development activities in these areas should be limited to the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code. In cooperation with the existing community, the city should make improvements to sidewalks, bicycle routes, and transit so residents can better access parks, schools, churches, and other civic amenities."

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

> "The Areas of Stability includes approximately 75% of the city's total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal for the Areas of Stability is to identify and maintain the valued character of an area while accommodating the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life."

Proposed Land Use and Growth Designations (Tulsa Comprehensive Plan)

The applicant is proposing the *Main Street* land use designation for the subject property:

> "Main Streets are Tulsa's classic linear centers. They are comprised of residential, commercial, and entertainment uses along a transit-rich street usually two to four lanes wide and includes much lower intensity residential neighborhoods situated behind. Main Streets are pedestrian-oriented places with generous sidewalks, storefronts on the ground floor of buildings, and street trees and other amenities. Visitors from outside the surrounding neighborhoods can travel to Main Streets by bike, transit, or car. Parking is provided on street, small private off street lots, or in shared lots or structures."

The applicant is also proposing the *Area of Growth,* growth designation for the subject property:

> "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."

Zoning and Surrounding Uses

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	OL/PUD-718	Main Street	Area of Growth	Offices and Townhomes
South	MX1-P-U / RS-3	Main Street/ Existing Neighborhood	Area of Growth	Brookside Church and Single-family Residential
East	RS-3	Existing Neighborhood	Area of Stability	Single-family Residential
West	PK/CH	Main Street	Area of Growth	Commercial Strip Center

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.

"To Whom It May Concern,

We have made application to modify the comprehensive plan designation for three lots along the North side of 36th Street and East of Peoria Avenue. We propose to change the designation of these lots form Existing Neighborhood to Main Street and from Area

of Stability to Area of Growth as depicted on the attached exhibits. This modification is submitted in conjunction with a request to change the zoning from RS-3 to MX1-U-45.

The three lots are currently used a single-family residence but are under contract for purchase and redevelopment. As you can see on the exhibits these lots represent a "leave out" from the normally rectangular area of main street designation. The eastern boundary of this designation seems to have followed the existing development pattens regardless of the suitability of these areas for other use. Given that the parcels are currently under contract for redevelopment this area warrants reconsideration as Main Street. The parcels are abutted by a multi-story apartment project to the north which is contained in a PUD and PK/CH zoning to the west. The areas south of 36th Street fronting this tract are zoned MX1-P-U. The surrounding development patterns support the requested re-designation."

Staff Summary & Recommendation

The applicant is currently requesting a *Main Street* land use designation and growth designation of *Area of Growth*, which are the current land use and growth designations held by the parcels abutting this property to the north, south, and west. Main Streets are typically comprised of residential, commercial, and entertainment uses along a transit-rich street usually two to four lanes wide and includes much lower intensity residential neighborhoods situated behind. They are also pedestrian-oriented places with generous sidewalks, storefronts on the ground floor of buildings, and street trees and other amenities.

Areas of Growth 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. Additionally, 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.

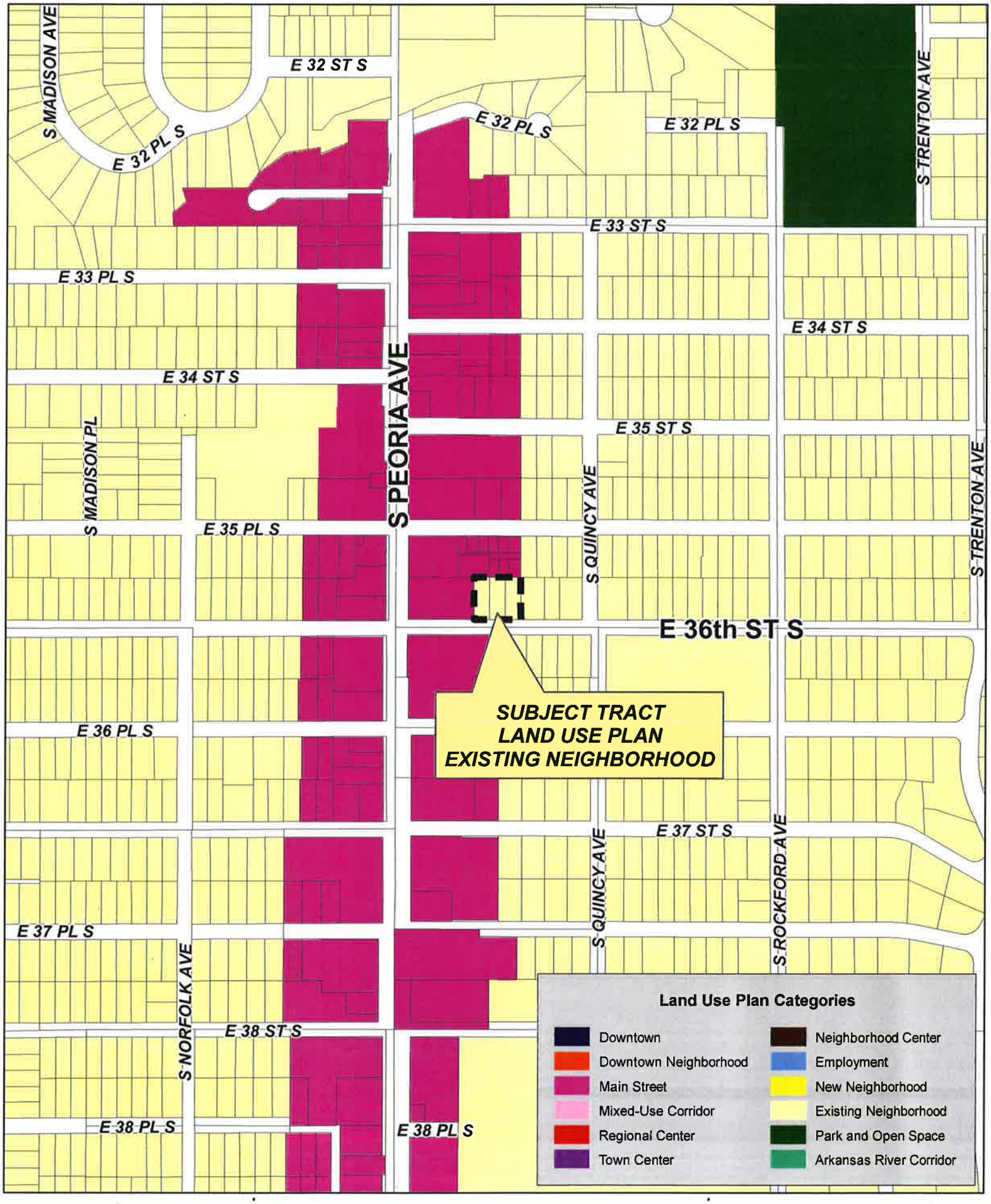
The Comprehensive Plan outlines the following criteria that was used to previously identify areas of growth that can be used to identify new areas of growth:

-Underutilized land, especially surface parking lots or vacant buildings downtown or along corridors
-Areas already undergoing positive change which is expected to continue
-Areas adjacent to transit and around transit stations, existing and planned
-Areas along corridors with frequent bus service that can accommodate development on underutilized land
-Locations where appropriate infill development will promote shorter and less frequent auto trips
-Areas with special opportunities such as where major public or private investments are planned

While the subject property may not necessarily be underutilized as there are currently houses on them, the property is close to Bus Rapid Transit (BRT) stops along Peoria Avenue and the surrounding area has been undergoing positive change, offering special opportunities with both existing and planned major public or private investments. Higher density opportunities, such as this, are appropriate along BRT corridors.

The character of the abutting developments, the Go Plan's designation of this stretch of 36th Street as a suggested shared bike route and the subject property's proximity to Peoria Avenue, which offers BRT access, the *Main Street* land use designation and *Area of Growth*, growth designation would appear to be an appropriate fit for this property and the neighborhood and help create a more uniform boundary between the existing single-family neighborhood and the Peoria Avenue commercial corridor.

Staff recommends **approval** of the *Main Street* and *Area of Growth* designations.



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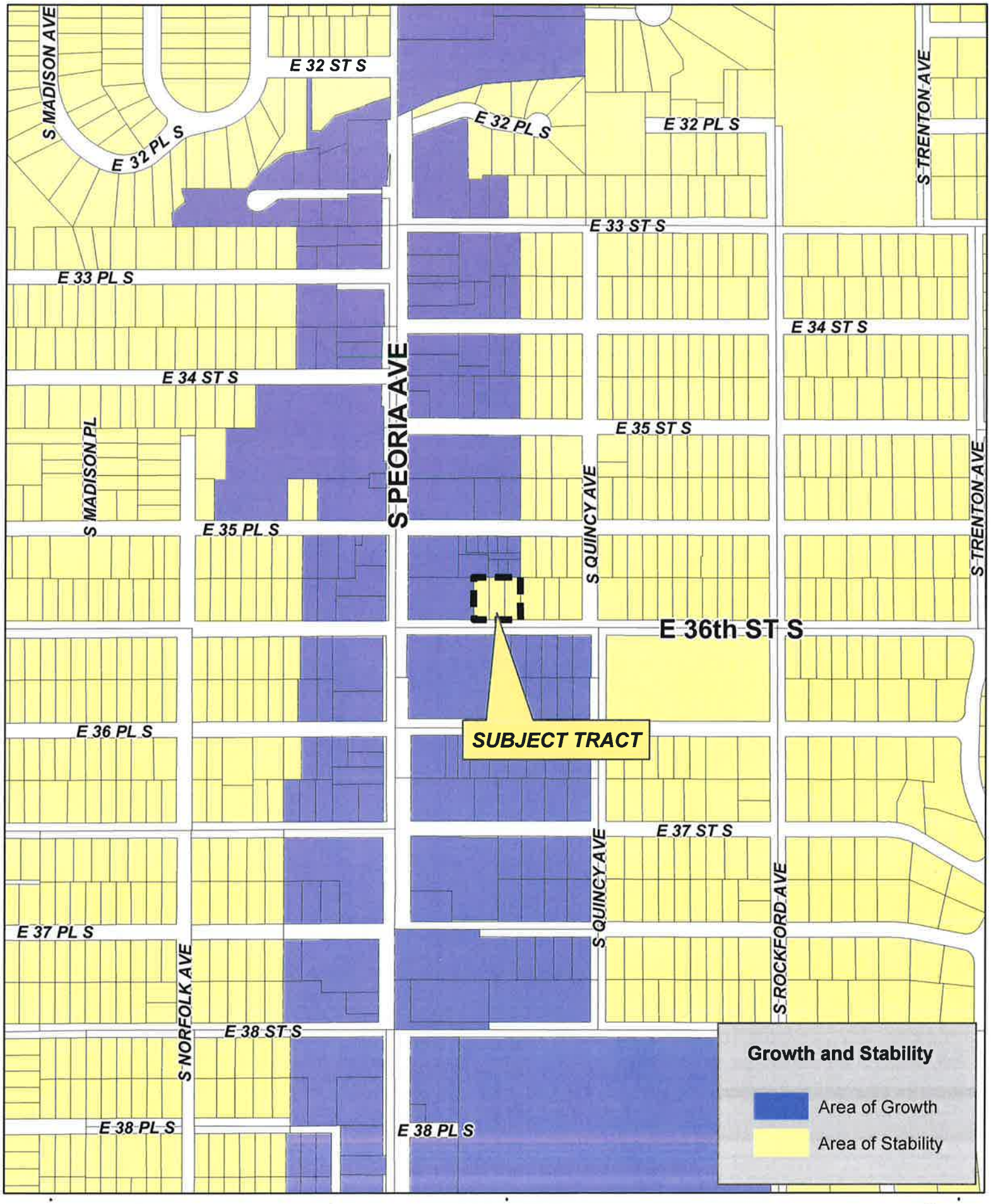

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Feet
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Subject Tract

CPA-89

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

Aerial Photo Date: February 2018

6.9

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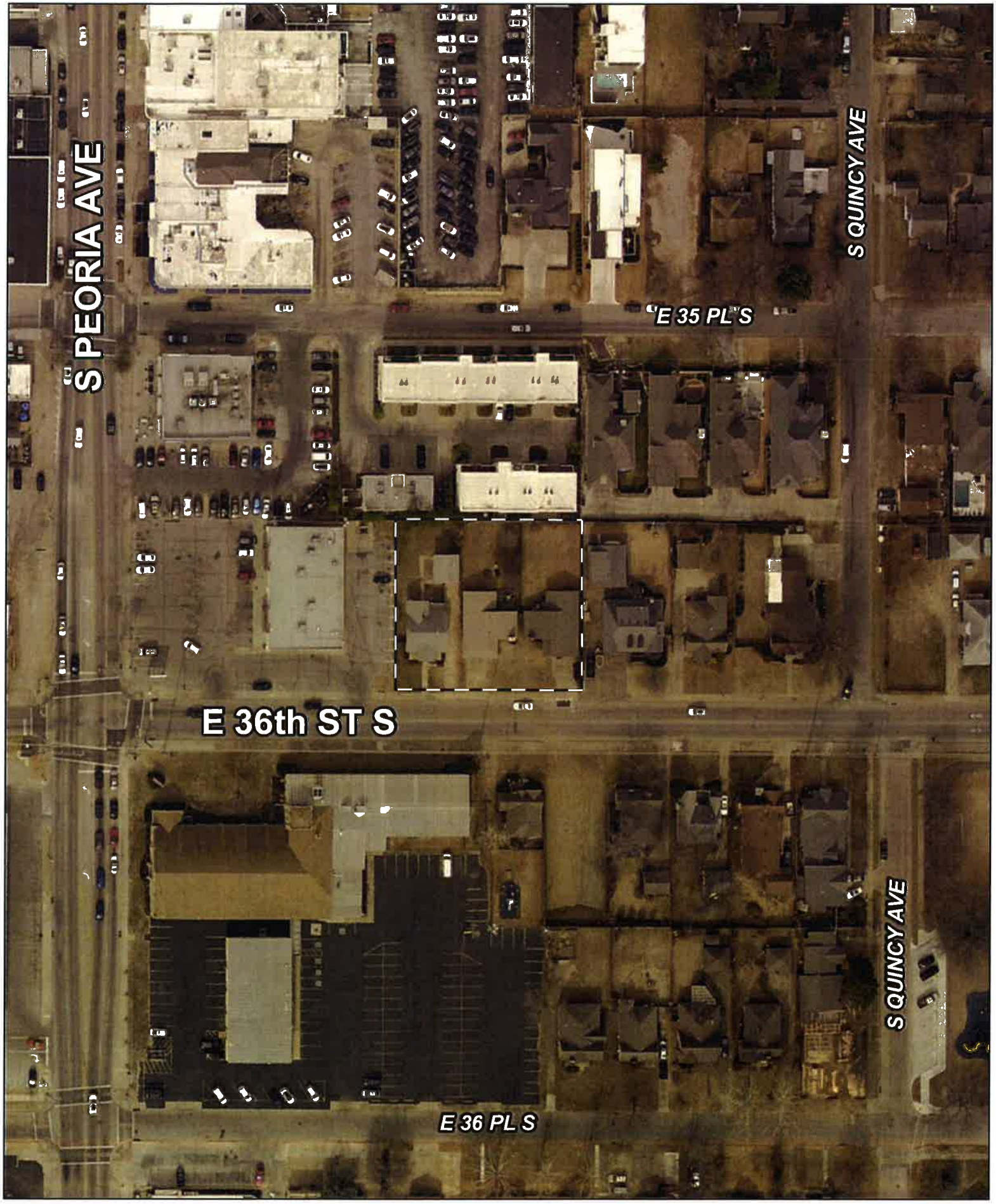

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Subject Tract

CPA-89

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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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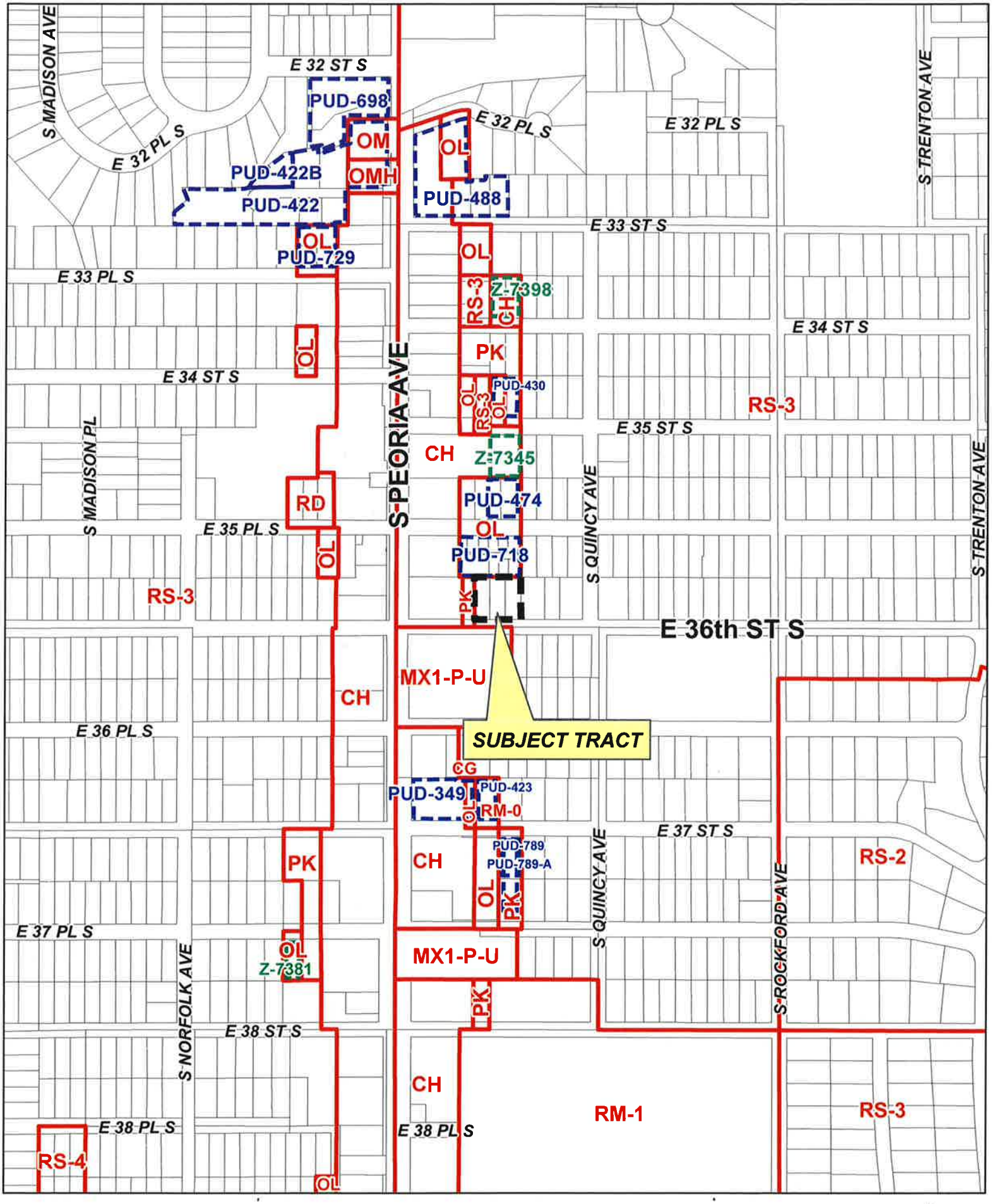

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