TMAPC
Tulsa Metropolitan Area
Planning Commission

Case Number: PUD-349-A (Abandonment)
Related to Z-7663 and PUD-423-A

Hearing Date: July 6, 2022

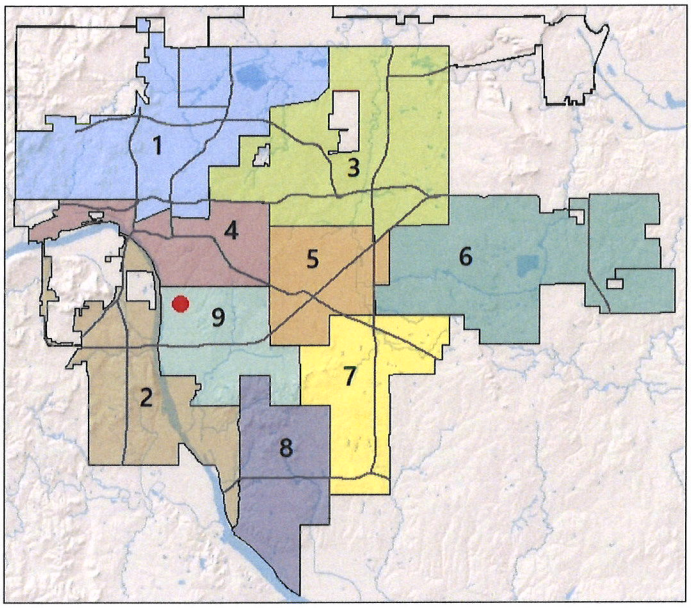
Case Report Prepared by:

Dwayne Wilkerson

Owner and Applicant Information:
Applicant: Lou Reynolds

Property Owner: S Peoria LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Vacant Hardware Store

Proposed Use: Restaurant/Drive-Through

Concept summary: Vacate two planned unit developments (PUD-423 & PUD-349) and rezone properties with multiple zoning districts to CH with an optional development plan for site redevelopment.

Tract Size: 0.67 ± acres

Location: Northeast corner of of East 37th Street South and South Peoria Ave.

3647 South Peoria Avenue

Zoning:

Existing Zoning: CH,OL,PUD-349

Proposed Zoning: CH with an optional development plan

Comprehensive Plan:

Land Use Map: Main Street

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval for the abandonment of PUD-349 but only with the approval of Z-7663 with the development plan provisions outlined in in that zoning case.

Staff Data:

TRS: 9319
CZM: 47

City Council District: 9

Councilor Name: Jayme Fowler

County Commission District:

Commissioner Name: Karen Keith

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SECTION I: PUD-349-A Abandonment

DEVELOPMENT CONCEPT: PUD 349-A request abandonment of the entirety of PUD 349. The concurrent zoning case Z-7663 includes a request to CH with an optional development plan.

EXHIBITS:

INCOG Case map
INCOG Aerial (small scale)
INCOG Aerial (large scale)
Tulsa Comprehensive Plan Land Use Map
Tulsa Comprehensive Plan Areas of Stability and Growth Map

DETAILED STAFF RECOMMENDATION:

Staff recommends Approval of PUD-349-A which will abandon all of PUD-349 but only with the approval of Z-7633 that will rezone the site to CH with an optional development plan.

SECTION II: Supporting Documentation

Neighborhood Engagement:
The applicant has provided evidence of neighborhood meetings and has received a letter of support from the Brookside Business Owners association that documentation is included in Z-7663.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:
Staff Summary: *CH zoning with the optional development plan standards included are consistent with the Main Street land use vision outlined in the Tulsa Comprehensive Plan.*

Land Use Vision:

***Land Use Plan map designation*: Main Street**
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

***Areas of Stability and Growth designation*: Area of Growth**
An area of growth is a designation 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."

Small Area Plan:
This site is included in the Brookside Infill Development Design Recommendation plan and was adopted in 2002. The plan has not been amended. This site is not directly affected by the concepts illustrated in that plan except that the boundary of the commercial growth is illustrated and includes the subject property.

Special District Considerations: There are no special districts that require consideration in this area.

Historic Preservation Overlay: There are no historic preservation overlays that require consideration in this area.

DESCRIPTION OF EXISTING CONDITIONS: (Referencing Z-7663)

Staff Summary: *The site is occupied with a vacant 2 story commercial building and surface parking.*

Street view from northwest corner looking southeast

Street view from southeast corner looking northwest
(See next page)

Environmental Considerations: There are no environmental considerations that would affect site re-development.

Streets: (referencing Z-7663)

Existing Access	MSHP Design	MSHP R/W	Exist. # Lanes
South Peoria Avenue	**Main Street and Urban Arterial**	**70 feet**	4 (2 each direction with center turn lane)
East 37th Street South	**None**	**50 feet**	**2**

Utilities:
The subject tract has municipal water and sewer available.

Surrounding Properties: (referencing Z-7663)

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	CH, CG and RS-2	Main Street	Growth	Commercial and Multi Family
East	RM-O with PUD-423	Main Street	Growth	Vcant
South on the south side of East 37th Street	CH, OL, PK with PUD 789	Main Street	Growth	TV studio
West on the west side of Peoria	CH	Main Street across Peoria	Growth	Commercial

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SECTION III: Relevant Zoning History

History: PUD-349-A Related to Z-7663

Subject Property:

PUD-349 March 1984: All concurred in **approval** of a proposed *Planned Unit Development* on a tract of land for on property located 3647 South Peoria Ave East with ordinance number 15962. The underlying zoning pattern included CH and OL districts which were established in 1970 with ordinance no 11825 dated June 26, 1970.

BOA-14762 March 1988: The Board of Adjustment **approved** a *Variance* to permit setback from 37th Street from 50' to 36' to allow for an addition to an existing building and a variance of the floor area ratio to allow for a 13,962 sq. ft. building & a Variance of parking spaces from 54 to 39, on property located at 3649 South Peoria Avenue.

Surrounding Property:

ZONING ORDINANCE: Ordinance number 16776 dated February 17, 1987, established RM-O zoning for the subject property that is also included in Z-7663.

PUD-423 February 1987: All concurred in **approval** of a proposed *Planned Unit Development* on a tract of land for on property located on Lot 5, Block 1, Lee Dell Addition and is included in Z-7663.

Z-7478 April 2019: All concurred in **approval** of a request for *rezoning* a 2.14± acre tract of land from RS-3 & CH to MX1-P-U on property located 3615 S. Peoria Ave.

BOA-21490 October 2012: The Board of Adjustment **approved** a *Variance* to permit the parking requirement from 15 spaces to 8 spaces to permit a restaurant, on property located at 3629 South Peoria Avenue East.

BOA-20767 August 2008: The Board of Adjustment **approved** a *Variance* to permit required parking to permit restaurant use in an existing commercial building in a CH district, on property located at Northeast corner of South Peoria Avenue and East 37th Place.

BOA-20767-A May 2009: The Board of Adjustment **approved** a *Amendment* to a previously approved site plan, on property located at 3723 South Peoria Avenue East.

BOA-20767-B February 2010: The Board of Adjustment **approved** a *Variance* to permit the parking requirement and an amendment to a previously approved plan; both to permit an outdoor customer seating area in addition to an existing restaurant use in the CH district, on property located at 3723 S. Peoria Ave.

BOA-20631 January 2008: The Board of Adjustment **approved** a *Variance* to permit an outdoor advertising sign outside a freeway corridor; & a Variance of the maximum permitted display surface area from 140.5 to 447 sq. ft. & a Variance to permit an outdoor advertising sign within a required parking space; all to permit a replacement outdoor advertising sign, on property located at 3629 S. Peoria Ave.

BOA-15472 July 1990: The Board of Adjustment **approved** a *Minor Variance* to permit the minimum setback requirement measured from the centerline of Peoria from 50' to 36' to permit replacement of an existing sign, on property located at 3646 South Peoria.

PUD-423 February 1987: All concurred in **approval** of a proposed *Planned Unit Development* on a .2± acre tract of land for on property located North side of 37th Street & East of Peoria.

BOA-11588 September 1981: The Board of Adjustment **approved** a *Special Exception* to permit a Heli-Port on the roof top of a building in a CH District, on property located at 3701 South Peoria Avenue.

Z-5253 July 1979: All concurred in **approval** of a request for *rezoning* a tract of land from CH & RS-3 to CG on property located 1316 E. 36th Street.

BOA-10078 September 1978: The Board of Adjustment **approved** a *Special Exception* to permit a duplex in an RS-3 District, on property located at 1329 East 37th Street.

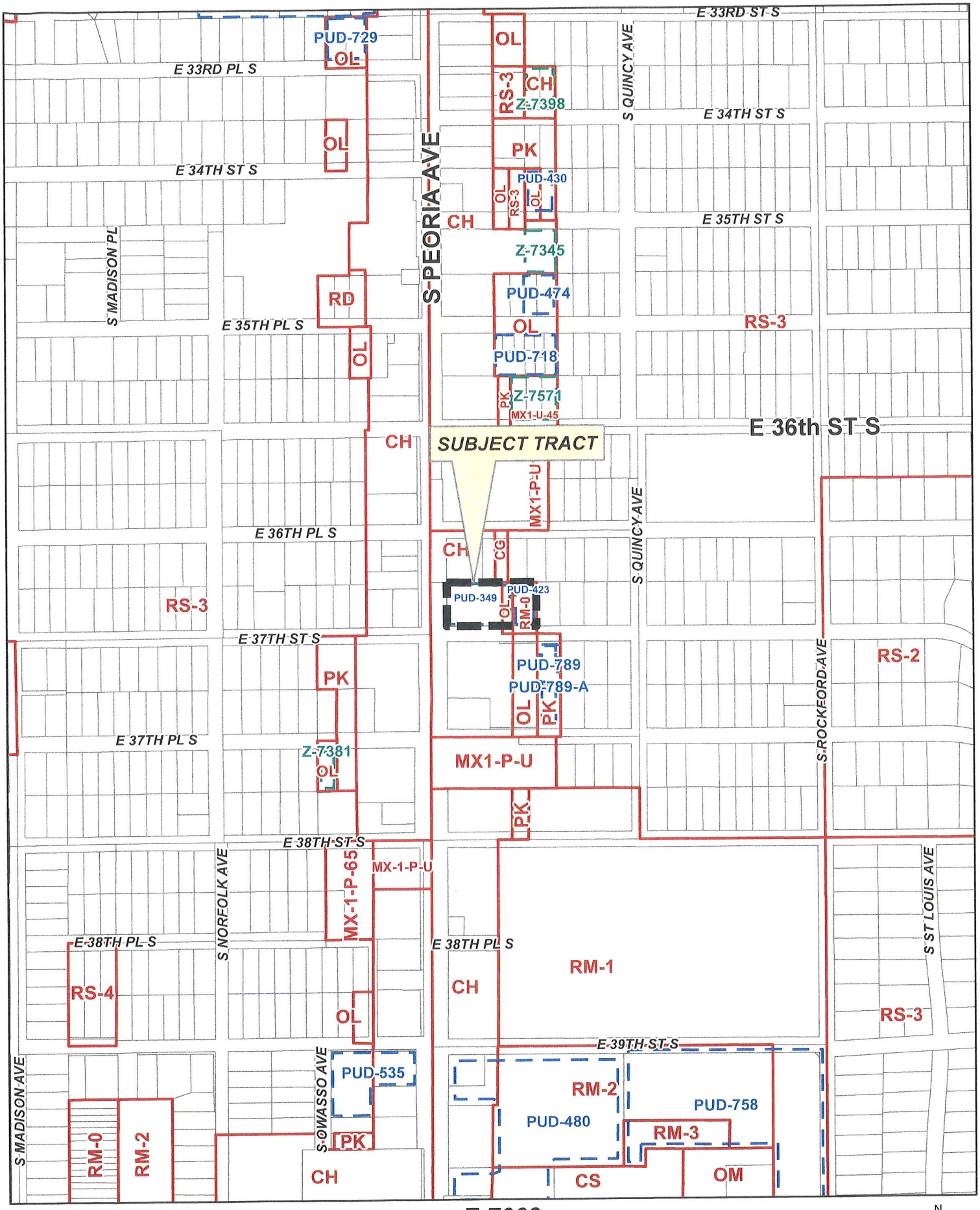
BOA-7951 June 1973: The Board of Adjustment **approved** a *Special Exception* to permit use property for a Bible Study group in an RS-3 District, on property located at 1326 East 37th Street.

BOA-7107 August 1971: The Board of Adjustment **approved** a *Special Exception* to permit operating a nursery school in an RS-3 District, on property located at 1326 East 37th Street.

BOA-6400 August 1969: The Board of Adjustment **approved** a *Special Exception* to permit establishing off-street parking for church use in a U-1C district, on property located at Lot 6, Block 1, Peoria Addition.

BOA-6177 March 1969: The Board of Adjustment **approved** a *Variance* to permit a wood working shop, on property located at 3714 South Peoria Avenue.

BOA-5445 May 1967: The Board of Adjustment **approved** a *Variance* to permit setback requirements on a major street to permit erection of a sign 38 feet from the centerline of Peoria Avenue, on property located at 3702 S. Peoria Avenue.



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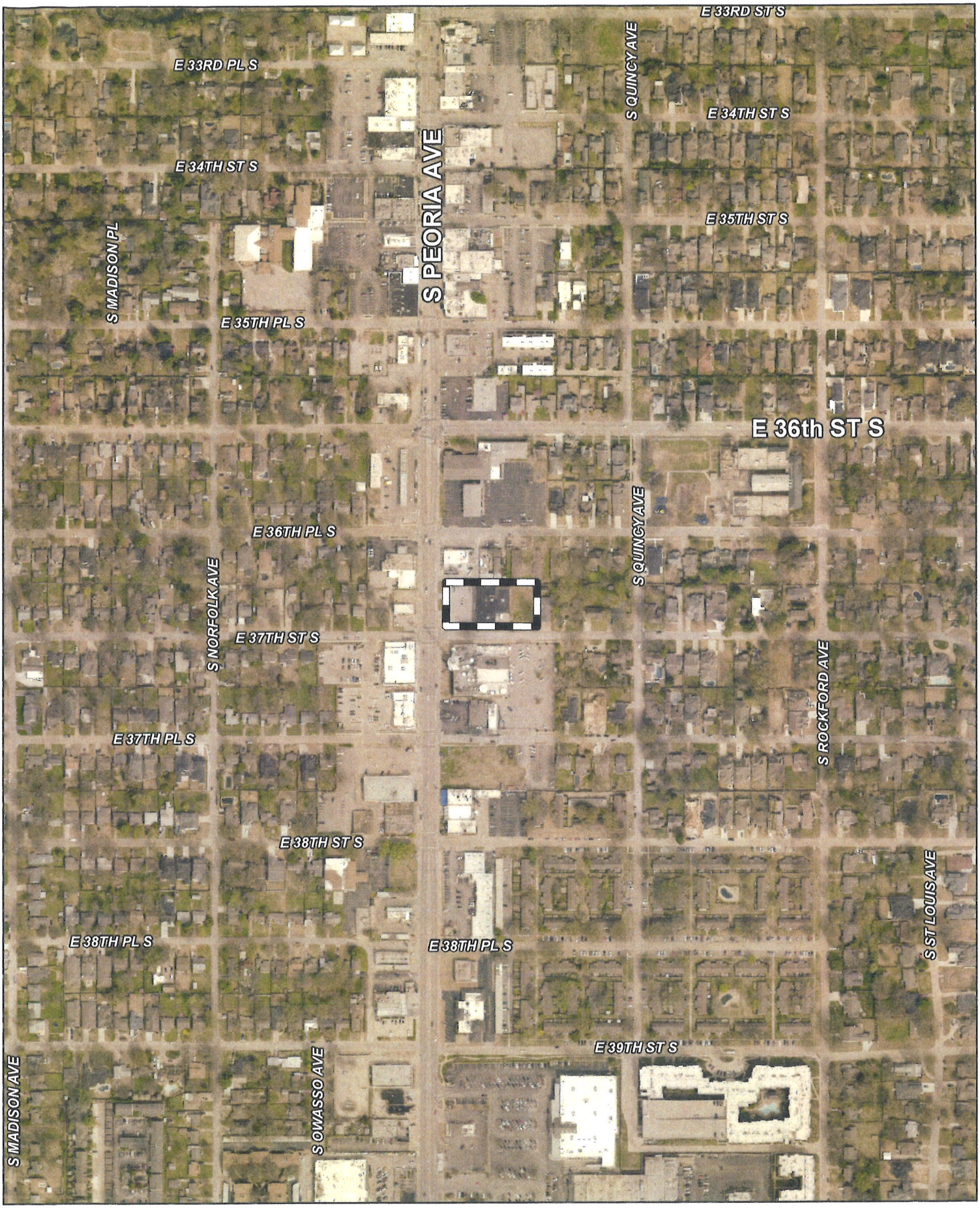

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Subject Tract

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PUD-423-A
PUD-349-A

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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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Subject Tract

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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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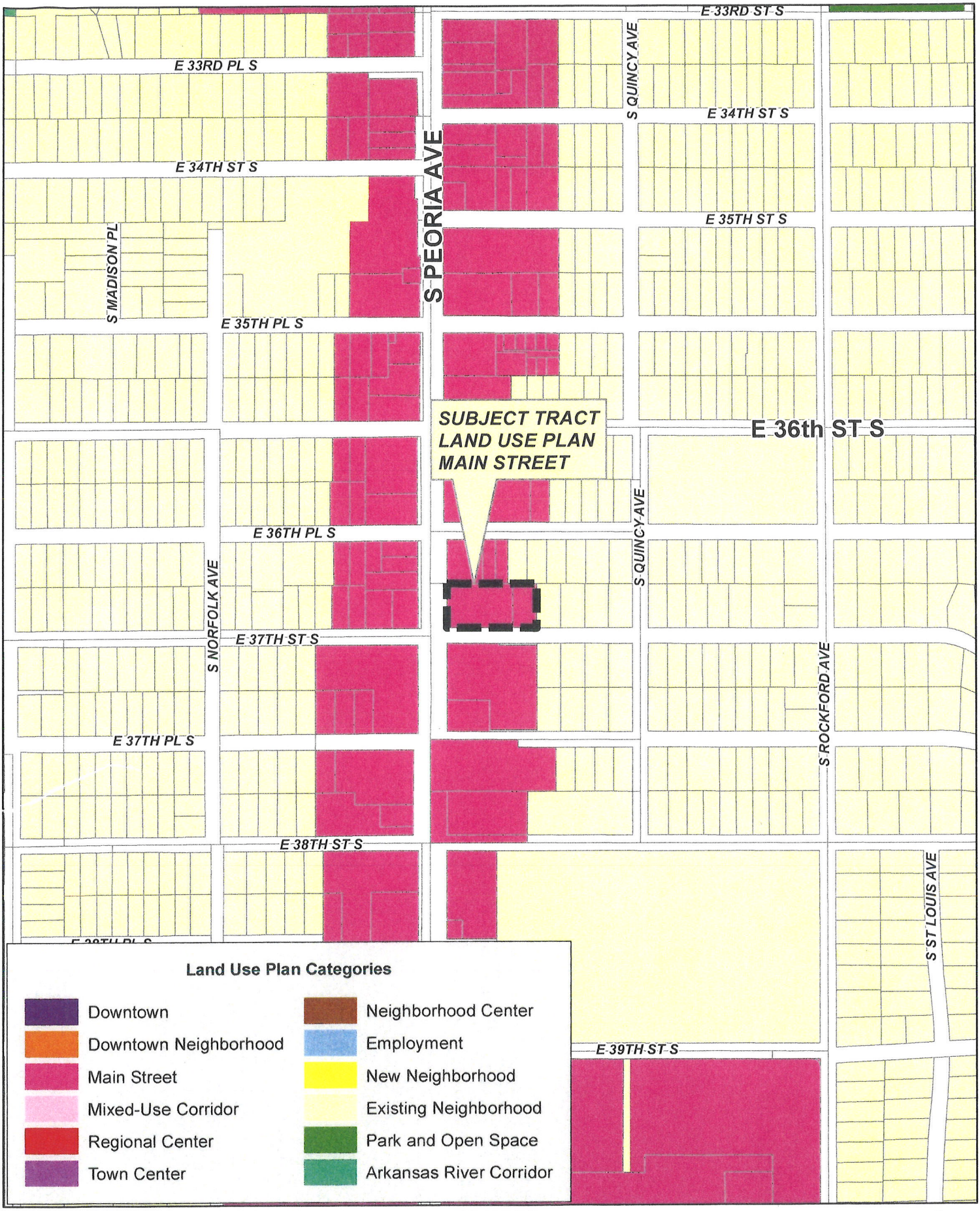

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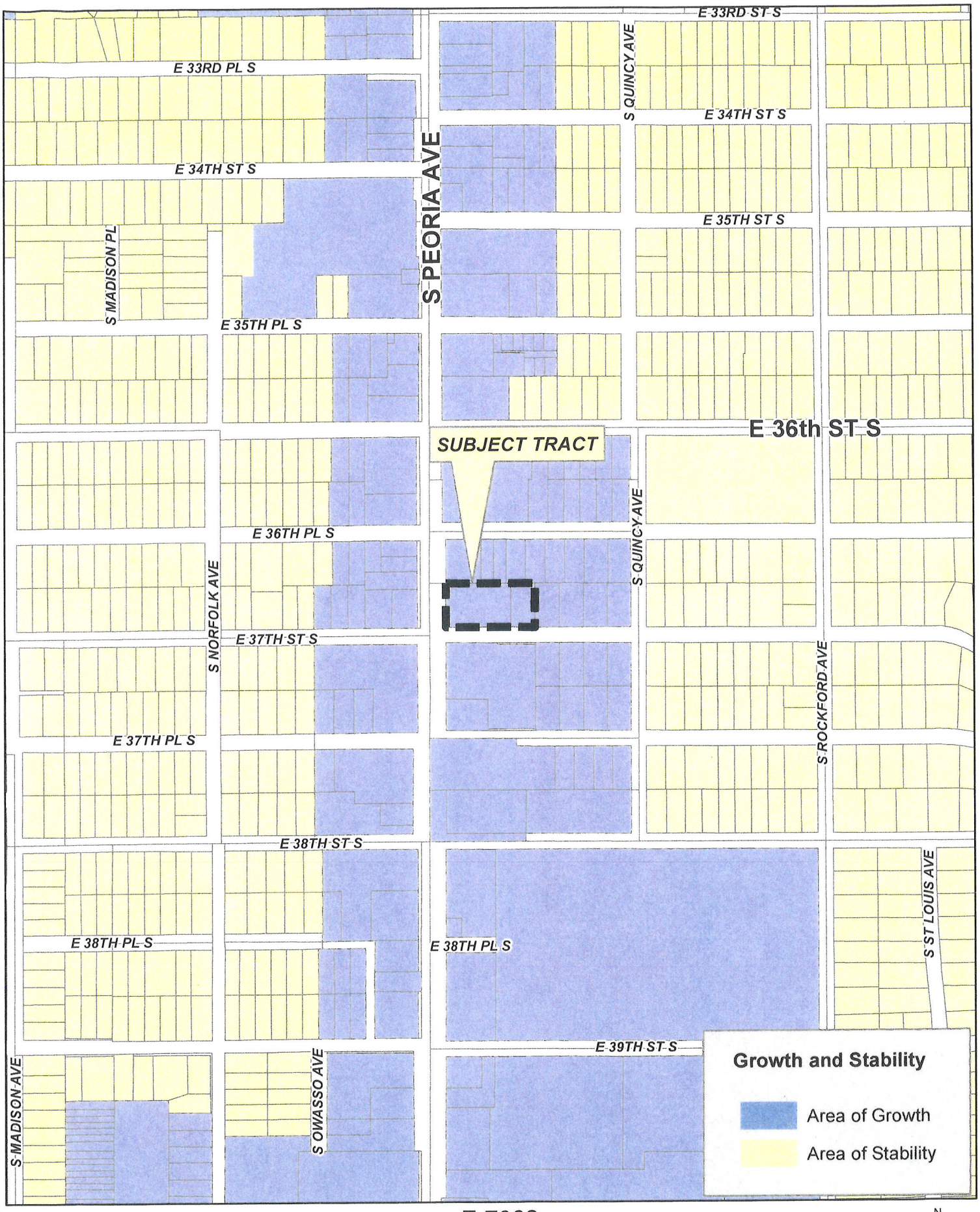

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