



Tulsa Metropolitan Area  
Planning Commission

**Case Number:** PUD-859  
(Related to CZ-518)

**Hearing Date:** September 15, 2021

**Case Report Prepared by:**

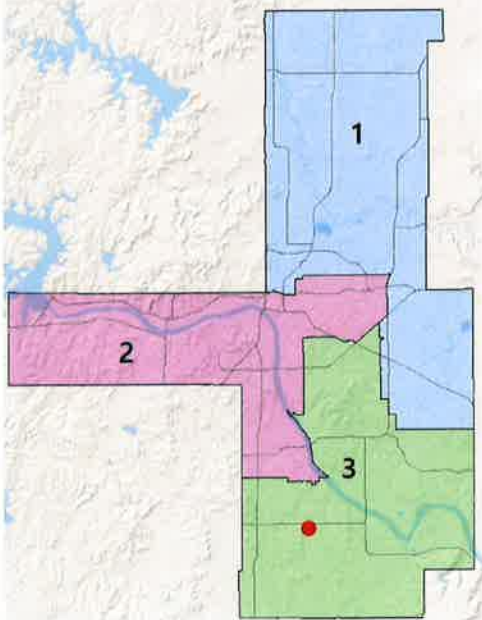
Jay Hoyt

**Owner and Applicant Information:**

*Applicant:* Ryan McCarty

*Property Owner:* Lindsay Development LLC

**Location Map:**  
(shown with County Commission Districts)



**Applicant Proposal:**

*Present Use:* Vacant

*Proposed Use:* Single-Family Residential

*Concept summary:* Rezone from AG to RE with a PUD overlay to permit a single-family residential subdivision.

*Tract Size:* 36.21 ± acres

*Location:* East of the southeast corner of East 151st Street South & South Lewis Avenue

**Zoning:**

*Existing Zoning:* AG

*Proposed Zoning:* RE/PUD-859

**Comprehensive Plan:**

*Land Use Map:* Medium Density Residential / Commercial

*Stability and Growth Map:* N/A

**Staff Recommendation:**

**Staff recommends approval.**

**Staff Data:**

TRS: 7320  
CZM: 66

**County Commission District: 3**

*Commissioner Name:* Ron Peters

6.1

**SECTION I: PUD-859**

**DEVELOPMENT CONCEPT:** The applicant is requesting to rezone from AG to RE with a PUD overlay to permit a single-family subdivision. A rezoning is being concurrently proposed with this PUD (CZ-518). The proposed PUD will establish the allowable use as well as bulk and area requirements. Lots will need to be large enough to provide sewer systems on each lot and meet Oklahoma Department of Environmental Quality regulations.

**EXHIBITS:**

- INCOG Case map
- INCOG Aerial
- Comprehensive Plan Land Use Map
- Applicant Exhibits:
  - Statement of Intent
  - Development Concept
  - Development Standards
  - Exhibit A – Conceptual Site Plan
  - Exhibit B – Aerial Photography
  - Exhibit C – Site Topography

**DETAILED STAFF RECOMMENDATION:**

PUD-859 allows lots sizes and uses that are consistent with the anticipated future development pattern of the surrounding property;

PUD-859 is consistent with the provisions of the PUD chapter of the Tulsa County Zoning Code, therefore

**Staff recommends Approval of PUD-859 to rezone property from AG to RE, PUD-859.**

**DEVELOPMENT STANDARDS:**

Permitted uses: All uses allowed by right in the RE zoning district specifically Use Unit 6 – Single Family Dwelling and customary facilities and amenities.

Maximum dwelling units (residential lots) allowed by this PUD: ..... 31

Minimum lot width (at building setback line): ..... 140 feet \*

\* Lots with cul-de-sac frontage may have a minimum width of 30 feet at the right-of-way line but shall meet the minimum requirements for lot area as specified in this PUD.

Minimum lot area: ..... 22,500 square feet

Minimum land area per dwelling unit: ..... 26,250 square feet

Maximum structure height: ..... 40 feet \*

\* With the exception of chimneys, cupolas, or other architectural structures which may extend to a maximum height of 45 feet.

*6.2*  
REVISED 9/9/2021

Off-Street Parking: ..... Two (2) enclosed off-street parking spaces per dwelling unit

Front yard building setback from private street reserve: ..... 50 feet

Rear yard building setback: ..... 25 feet

Interior side yard building setback: ..... 15 feet \*

\* No residence shall be built nearer than fifteen (15) feet to any side lot on one side, and fifteen (15) feet on the other side, thus requiring a combined total of at least thirty (30) feet between the residences.

**Signage**

Two entry identification signs shall be permitted with a maximum of 64 square feet of display signage surface. Additional signage for amenities will be allowed with a maximum of 16 square feet.

**Access and Circulation**

The subject tract shall be accessed from Highway 67 (East 151st Street South). Interior vehicular access shall be derived from a single private street with an approved turnaround for emergency vehicles.

**SECTION II: Supporting Documentation**

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

*Staff Summary: The site is located within the fenceline of the City of Bixby and is designated as Medium Density Residential and Commercial. The City of Bixby’s Comprehensive Plan – Bixby 2030 Our Vision, Our Future was adopted as part of the Tulsa County Comprehensive Plan on August 15, 2019. The Plan follows the City of Bixby’s fenceline which includes unincorporated areas of Tulsa County. A city’s fenceline is an area preserved for future annexation by virtue of a narrow annexation strip which encloses the area of municipal influence and prevents annexation by other cities. One of the most critical components of a comprehensive plan update is community engagement. Participation by a broad cross section of interests increases the likelihood that the plan’s goals and policies will be based on community consensus, which increases the likelihood for successful plan implementation. Gaining community input was achieved through the following public engagement efforts: Stakeholder Interviews, Steering Committee Meetings, Community Kiosks, Informal Brochures, Project Website, Surveys, and Public Workshops.*

**Land Use Vision:**

Land Use Plan map designation: Medium Density Residential / Commercial

**Medium Density Residential**

The Medium Density Residential designation denotes areas within Bixby where there is a sense of neighborhood cohesion. Medium Density Residential mostly consists of attached and detached single-family homes but may also include other integrated land uses that support the neighborhood, such as shops, religious institutions, small offices, and educational institutions that reflect the neighborhood’s character.

6.3

**Commercial**

The Commercial designation denotes areas that create retail and commercial destinations for City residents, as well as others throughout the region. This designation may also support offices and business parks. Development shall have direct access to major roads and transit.

*Areas of Stability and Growth designation:*

Transportation Vision:

*Major Street and Highway Plan:* E 151<sup>st</sup> St S is designated as a Primary Arterial

*Trail System Master Plan Considerations:* None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

**DESCRIPTION OF EXISTING CONDITIONS:**

Staff Summary: *The subject tract is currently vacant agricultural land.*

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
E 151 <sup>st</sup> St S	Primary Arterial	120 Feet	4

Utilities:

The subject tract has municipal water available. Sewer is to be provided by utilizing an ODEQ approved septic system.

Surrounding Properties:

<b>Location</b>	<b>Existing Zoning</b>	<b>Existing Land Use Designation</b>	<b>Area of Stability or Growth</b>	<b>Existing Use</b>
North	AG	Medium Density Residential / Commercial	N/A	Single-Family Residences
South	AG	Low Density Residential	N/A	Single-Family Residence/Agricultural Land
East	AG	Medium Density Residential / Commercial	N/A	Agricultural Land
West	AG	Medium Density Residential / Commercial	N/A	Agricultural Land

### **SECTION III: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 11842 dated June 26, 1970, established zoning for the subject property.

#### ***Subject Property:***

**CBOA-1994 August 2002:** The Board of Adjustment **deny** a Variance to permit a wholesale and retail brick and stone use in an AG district; and a Variance of required all-weather surface to permit gravel on back part of road, finding it would cause substantial detriment to the public good or impair the purposes, spirit, and intent of the Code, or Comprehensive Plan, on property located at 1320' E of SE/c S. Lewis & 151<sup>st</sup> St. S.

#### ***Surrounding Property:***

**CBOA-2006 October 2002:** The Board of Adjustment deny a Use Variance to permit a warehouse in an AG district, finding a lack of hardship and that re-zoning would better serve the purpose, on property located at 15025 South Lewis.

**CBOA-1611 November 1998:** The Board of Adjustment approved a Variance to permit the required land area per dwelling from 2.2 to .91 acres to construct a single-family dwelling and a Variance of required lot width from 200' to 150', on property located at 15116 South Lewis Ave.

**CBOA-1453 September 1996:** The Board of Adjustment approved a Use Variance to permit a kennel in an AG zoned district-Use Unit 15, on property located at 2808 E. 151<sup>st</sup> St. South.

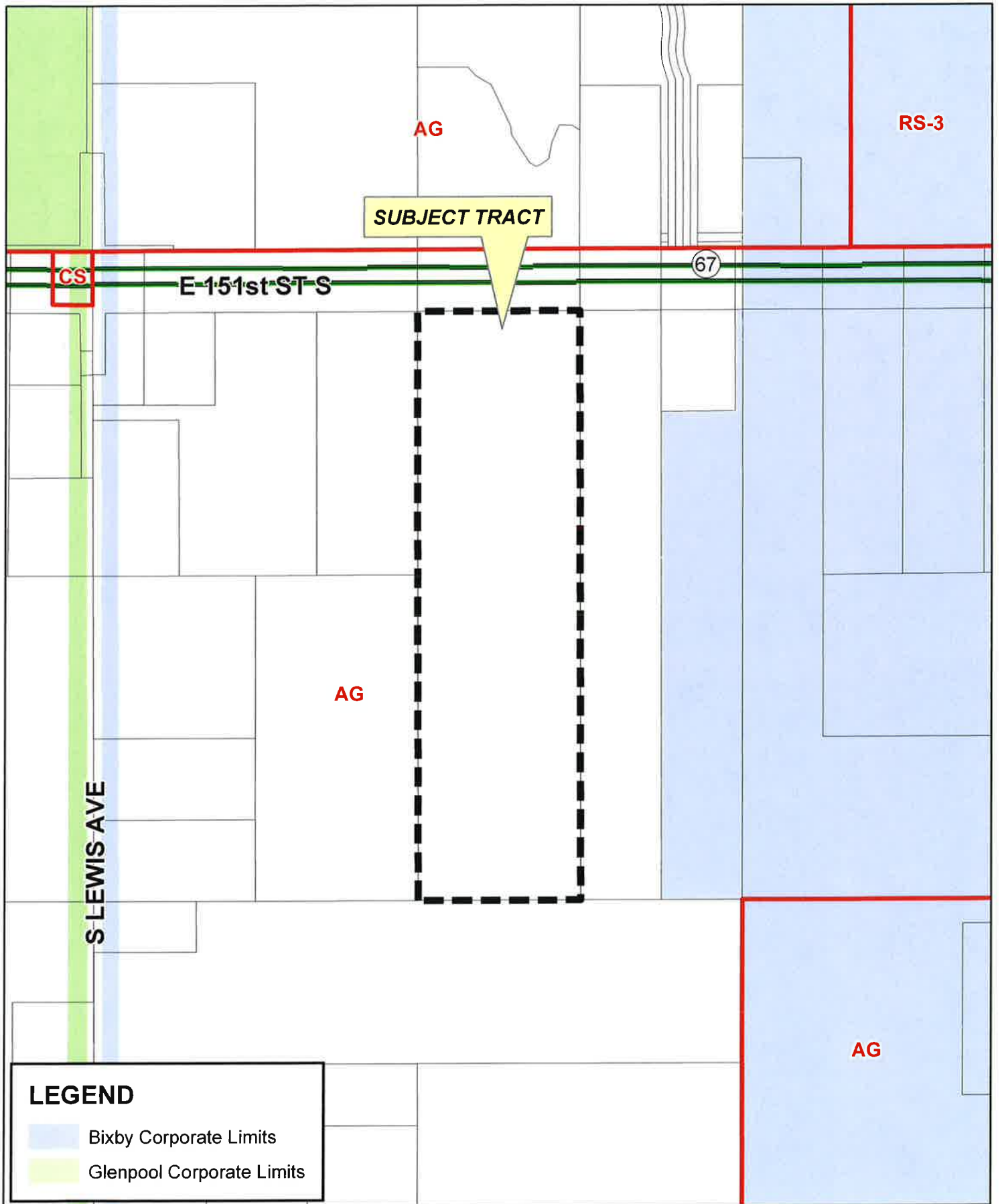
**CBOA-1194 October 1993:** The Board of Adjustment approved a Special Exception to permit the raising of one adult cougar in an AG zoned district- Use Unit 3; subject to approval by USDA and the State of Oklahoma; subject to each litter being sold prior to maturity; finding that the State inspects the property regularly; and finding the use, per conditions, on property located at 2808 E. 151<sup>st</sup> St. South.

**CBOA-562 July 1985:** The Board of Adjustment deny a Special Exception to permit a home occupation to sell automobiles in AG zoned district & a Variance to allow a sign, an employee other than a family member, and to conduct the business outside of the principal building & a Variance to allow gravel in lieu of an all-weather parking surface, on property located at 15080 S. Columbia Ave E.



**CBOA-137 December 1981:** The Board of Adjustment approved a Special Exception to permit the operation of a flower and gift shop in an AG district, and a Variance to permit a 4' x 8' sign in an AG district for a home occupation, for a period of one year, on property located at 2606 East 151<sup>st</sup> Street South.

9/15/2021 1:00 PM

6.5



**LEGEND**

-  Bixby Corporate Limits
-  Glenpool Corporate Limits



**CZ-518/PUD-859**

17-13 20



6-6





E 151st ST S

67

S LEWIS AVE



Subject Tract

**CZ-518/PUD-859**

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

17-13 20

Aerial Photo Date: 2020/2021

6.7





**SUBJECT TRACT  
LAND USE PLAN  
COMMERICAL AND  
MEDIUM DENSITY RESIDENTIAL**

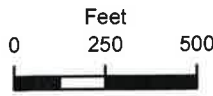
**E 151st ST S**

67

**S LEWIS AVE**

**LEGEND**

- |  |  |   |
|--|--|---|
|  100 Year Floodplain                |  Medium-High Density Residential    |  Industrial                |
|  Rural Agriculture (Unincorporated) |  High Density Residential           |  Public/Institutional      |
|  Agricultural                       |  Residential Manufactured Home Park |  Recreation and Open Space |
|  Rural Residential                  |  Mixed Use                          |  Flood District            |
|  Low Density Residential            |  Neighborhood Commercial            |   |
|  Medium Density Residential         |  Commercial                         |   |



**CZ-518/PUD-859**

17-13 20





August 4, 2021

**Whisper Lane  
PUD Application  
Tulsa County, OK**



DEVELOPMENT ANALYSIS  
PROJECT MANAGEMENT  
DRAFTING & DESIGN

P.O. Box 548  
Bixby, Oklahoma 74008  
Phone: (918) 798-8356

**Development Plan – Statement of Intent**

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1. Identify why the proposed development cannot be implemented with any of the other applicable zoning regulations.

*The subdivision regulations require a PUD for private, gated subdivisions. See below:*

*5-060.8 Private Streets A. Private streets proposed in the unincorporated county require review and approval through the PUD rezoning process.*

2. Provide specific information outlining how the development plan will result in a project that is consistent with the City's adopted comprehensive plans that affect the site. This may include the Tulsa Comprehensive Plan, small area plans, sector plans, special studies or other documents that help guide future development in the City of Tulsa.

*Based on density standards in the RE zoning district, conventional zoning would allow for 60 residential lots. Our proposed PUD and conceptual site plan proposed 31 residential lots which is approximately a 50% reduction in allowable density.*

3. Include details identifying how the development plan will provide greater public benefit than could be achieved using conventional zoning regulations.

*Refer to attached PUD narrative for text / details for explanation on how this development plan will exceed the minimum standards required to development the property. Lindsay Development, LLC is dedicated to preserving natural features, providing meaningful open space and a quality development for the residents in Whisper Lane.*

Please feel free to contact me with any questions.

A handwritten signature in blue ink, appearing to read "Ryan McCarty".

Ryan McCarty, President

**CZ-\_\_\_ / PUD-\_\_\_**

Single-Family Residential Subdivision

# WHISPER LANE

Date Prepared - 7/24/2021



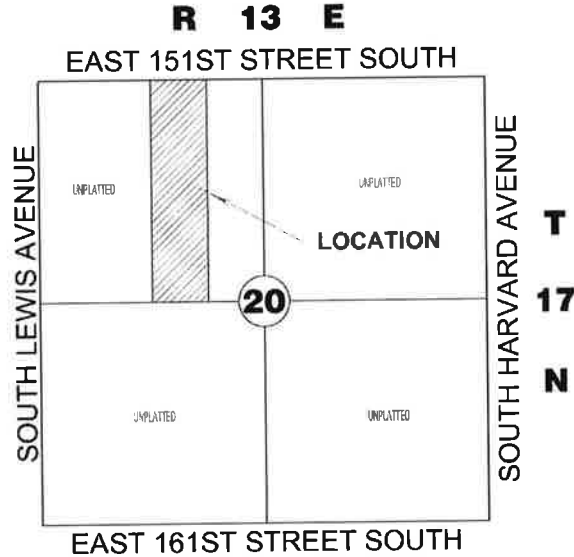
6.10

**Prepared By:**

*Select Design*  
Ryan McCarty  
P.O. Box 548  
Bixby, OK 74008  
Phone: (918) 798-8356  
[rmccarty.selectdesign@gmail.com](mailto:rmccarty.selectdesign@gmail.com)

**Prepared for:**

*Lindsay Development, LLC*  
1420 South Harvard Avenue  
Tulsa, OK 74112  
Phone: (918) 749-1637  
[lindsay@newlots.com](mailto:lindsay@newlots.com)



**Development Concept**

Whisper Lane is a proposed residential neighborhood with a gated, private street in Tulsa County, Oklahoma. The project is located on the south side of Highway 67 (East 151<sup>st</sup> Street South) approximately a quarter mile east of South Lewis Avenue. The property is surrounded by unplatted properties on all sides. This Planned Unit Development is an overlay covering the RE zoning district and will follow RE dimensional and density standards with a few notable exceptions.

The neighborhood will be included in the Whisper Lane Homeowners' Association. Covenants for the neighborhood have been prepared to set forth design standards and other criteria which establish and maintain a quality development.

Whisper Lane is a professionally planned neighborhood with recreational amenities such as a stocked fishing pond with fountains/aerators, new tree plantings and substantial green space for the enjoyment of the residents in Whisper Lane.

**Development Standards**

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Land Area: ..... 36.44 Acres

Permitted uses: All uses allowed by right in the RE zoning district specifically Use Unit 6 – Single Family Dwelling and customary facilities and amenities.

Permitted Uses: ..... RE Single Family Residential Development

Residential lot density calculation:

Maximum dwelling units allowed in RE zoning district (1,587,345 / 26,250 square feet): ..... 60

Maximum dwelling units (residential lots) allowed by this PUD: ..... 31

Minimum lot width (at building setback line): ..... 140 feet \*

\* Lots with cul-de-sac frontage may have a minimum width of 30 feet at the right-of-way line but shall meet the minimum requirements for lot area as specified in this PUD.

Minimum lot area: ..... 22,500 square feet

Minimum land area per dwelling unit: ..... 26,250 square feet

Maximum structure height: ..... 40 feet \*

\* With the exception of chimneys, cupolas, or other architectural structures which may extend to a maximum height of 45 feet.

Off-Street Parking: ..... Two (2) enclosed off-street parking spaces per dwelling unit

Front yard building setback from private street reserve: ..... 50 feet

Rear yard building setback: ..... 25 feet

Interior side yard building setback: ..... 15 feet \*

\* No residence shall be built nearer than fifteen (15) feet to any side lot on one side, and fifteen (15) feet on the other side, thus requiring a combined total of at least thirty (30) feet between the residences.



## Signage

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Two entry identification signs shall be permitted with a maximum of 64 square feet of display signage surface. Additional signage for amenities will be allowed with a maximum of 16 square feet.

## Access and Circulation

---

The subject tract shall be accessed from Highway 67 (East 151<sup>st</sup> Street South). Interior vehicular access shall be derived from a single private street with an approved turnaround for emergency vehicles.

## Topography and Existing Soils

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The property consists of pastureland with elevations ranging from 647 feet to 702 feet. The Soil Survey of Tulsa County, Oklahoma was used to help identify soil types present on the site. Existing soils consist of the following:

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
12	Dennis silt loam, 1 to 3 percent slopes	0.8	2.0%
14	Dennis silt loam, 3 to 5 percent slopes, eroded	7.6	19.9%
15	Dennis-Pharoah complex, 1 to 3 percent slopes	28.1	73.0%
16	Dennis-Radley complex, 0 to 12 percent slopes	1.0	2.6%
20	Eram-Coweta complex, 5 to 15 percent slopes	0.9	2.4%
<b>Totals for Area of Interest</b>		<b>38.5</b>	<b>100.0%</b>

## Utilities and Drainage

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Utilities are available at the development boundaries, with the exception that a septic system for each lot will be required. Storm water drainage will be collected, and detention will be addressed within designated reserve areas in accordance with Tulsa County development regulations. Domestic and irrigation water service will be provided by Creek County Rural Water District #2.

## Environmental and Open Space Considerations

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The detention facilities will be designed in a way to provide an amenity to wildlife and for passive neighborhood recreation opportunities. The purpose of this open space will remain a storm water management system, however landscaping and recreational amenities will be included as part of the open space design. A broad variety of vegetation will be installed, the detention facilities will be fully stocked with native fish species (bass, catfish, etc.) for the enjoyment of the residents in the Whisper Lane neighborhood.

6.13

## **Amenities**

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- Gated entry w/ keypad
- Fully stocked fishing pond
- Fountains / Aerators
- New tree planting and professional landscaping
- Approximately 2.5 acres of green space / reserve areas

## **Waiver of Sidewalk Requirement**

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Due to the existing conditions and design of this property (bar ditches, no curb and gutter, etc.), a sidewalk waiver is requested for this development.

## **Site Plan Review**

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For the purposes of site plan review requirements, the approved final plat shall constitute the required detailed site plan.

## **Platting Requirement**

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No building permit shall be issued until the area comprising the Planned Unit Development has been included within a subdivision plat submitted to and approved by the Tulsa Metropolitan Area Planning Commission (TMAPC) and the Tulsa County Board of County Commissioners and duly filed of record. The required subdivision plat shall include covenants of record implementing the development standards of the approved Planned Unit Development and the Tulsa Metropolitan Area Planning Commission (TMAPC) shall be a beneficiary thereof.

## **Anticipated Construction Schedule**

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Whisper Lane anticipated construction schedule begins in September of 2021 and is expected to be complete and ready for lot sales in the spring of 2022.

## **Legal Description**

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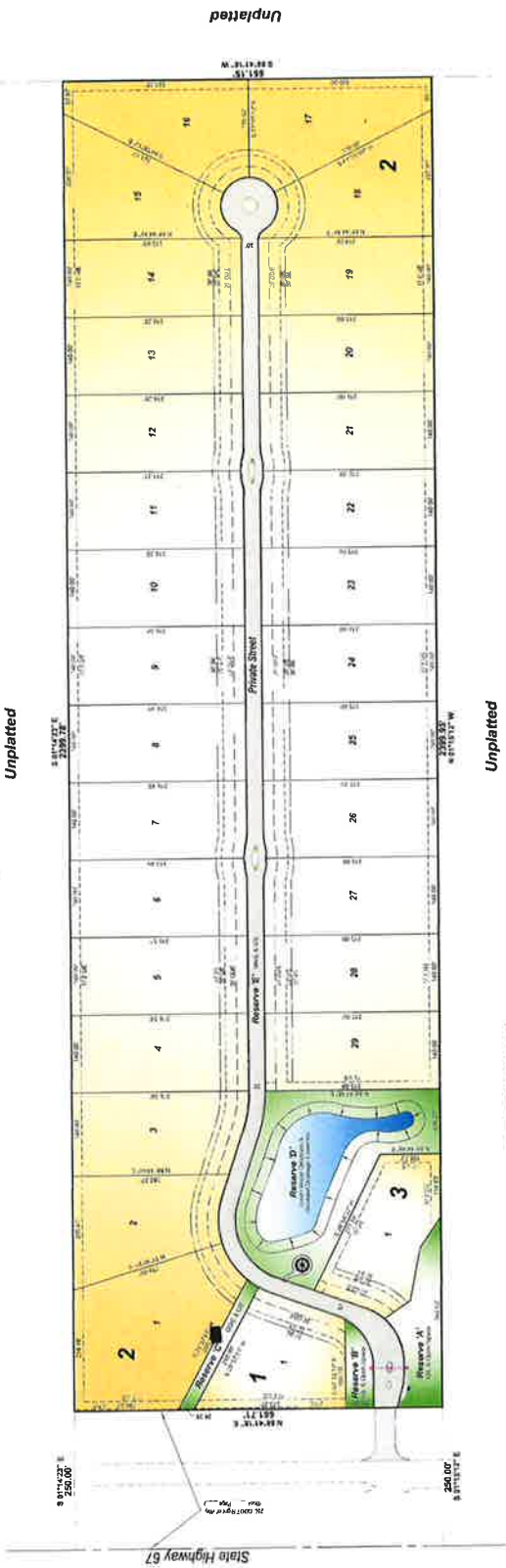
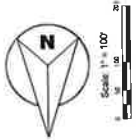
A TRACT OF LAND THAT IS THE WEST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER (W/2 E/2 NW/4) OF SECTION TWENTY (20), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, LESS AND EXCEPT THE NORTH 250 FEET THEREOF.

SAID TRACT OF LAND CONTAINS 1,587,345.24 SQUARE FEET OR 36.44 ACRES

**Exhibits**

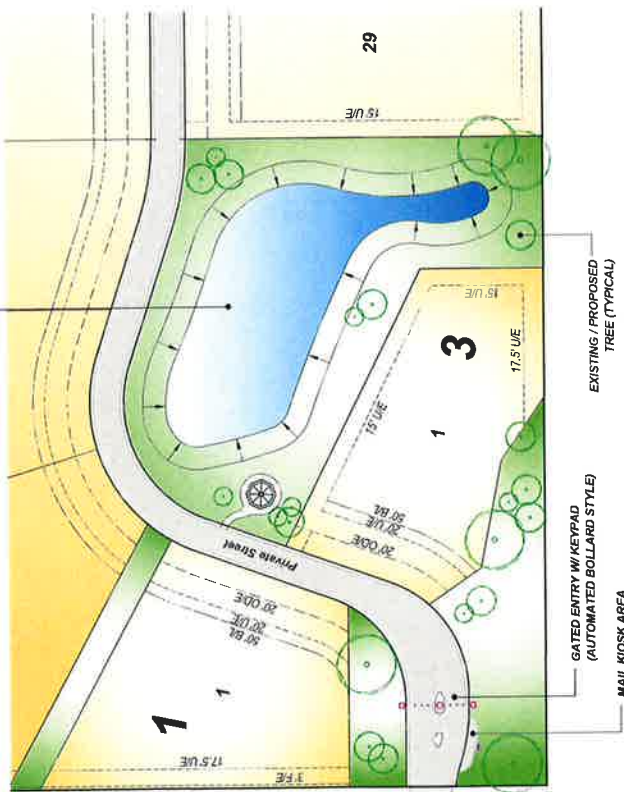
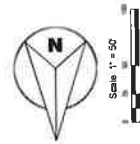
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- Exhibit A: ..... Conceptual Site Plan
- Exhibit B: ..... Aerial Photography
- Exhibit C: ..... Site Topography



# Residential Subdivision Whisper Lane

A SUBDIVISION IN TULSA COUNTY, STATE OF OKLAHOMA, BEING A PART OF THE NW/4 OF SECTION TWENTY (20), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF



# EXHIBIT A

CONCEPTUAL SITE PLAN

6e.14





Residential Subdivision

# Whisper Lane

A SUBDIVISION IN TULSA COUNTY, STATE OF OKLAHOMA, BEING A PART OF THE NW¼ OF SECTION TWENTY (20), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE PLAT OF THE STATES GOVERNMENT SURVEY THEREOF.

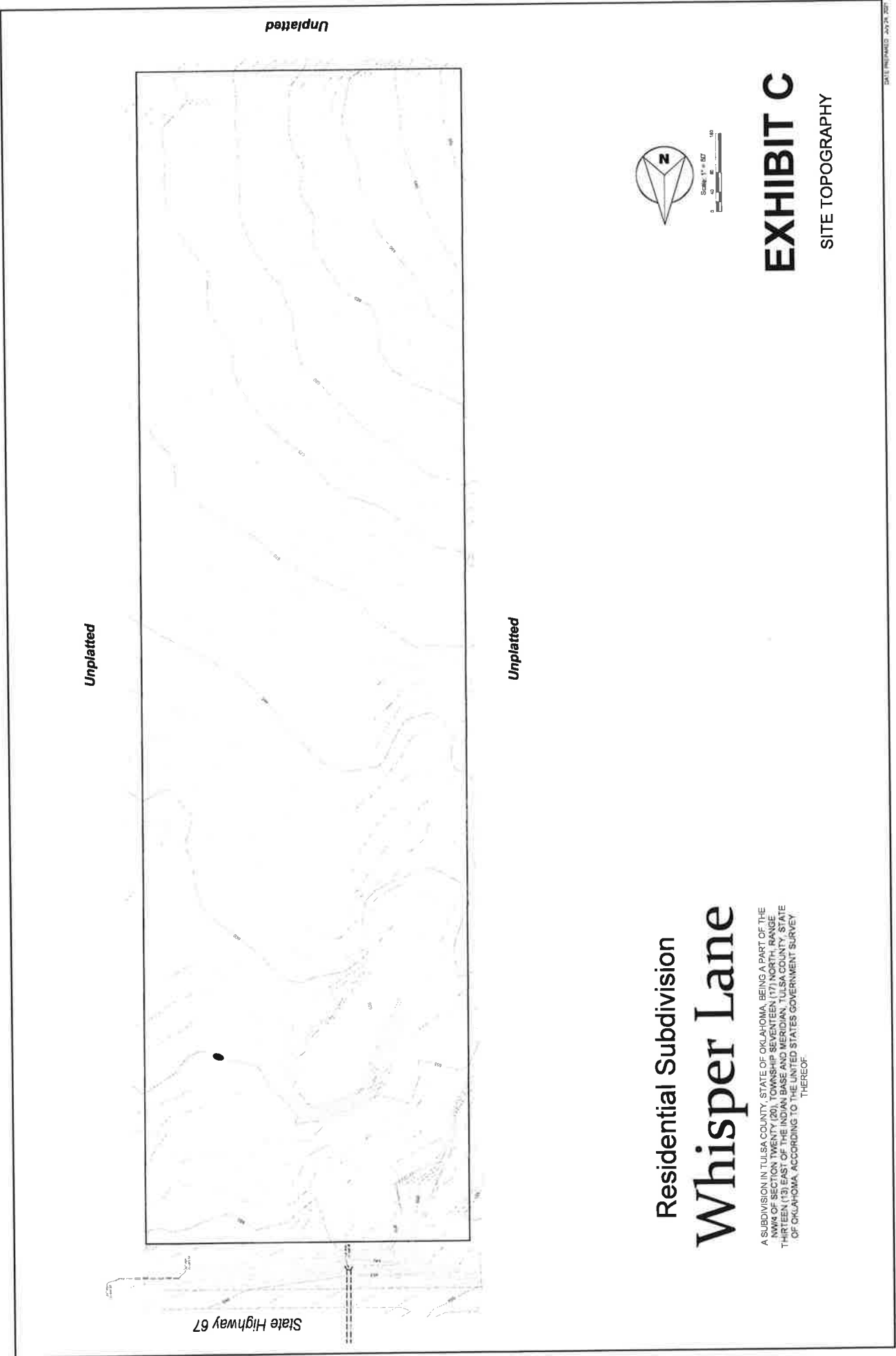


Scale 1" = 100'

## EXHIBIT B

AERIAL PHOTOGRAPHY

6.17



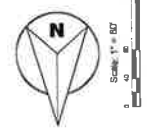
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State Highway 67

Residential Subdivision  
**Whisper Lane**

A SUBDIVISION IN TULSA COUNTY, STATE OF OKLAHOMA, BEING A PART OF THE NW/4 OF SECTION TWENTY (20), TOWNSHIP SEVENTEEN (17) NORTH RANGE THIRTY (30) WEST OF THE INDIAN BASE AND MERIDIAN, IN TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF.

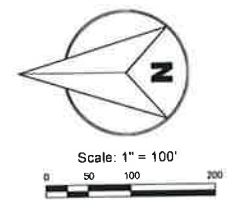
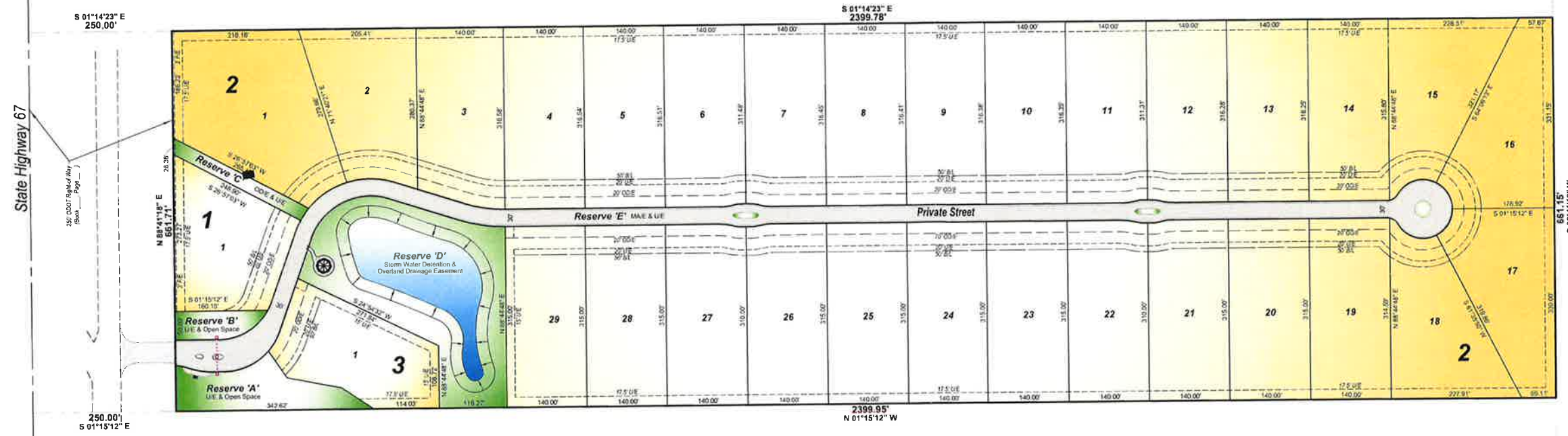


# EXHIBIT C

SITE TOPOGRAPHY

Co. 108

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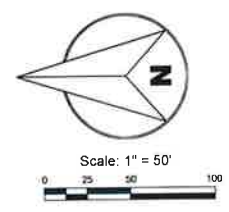
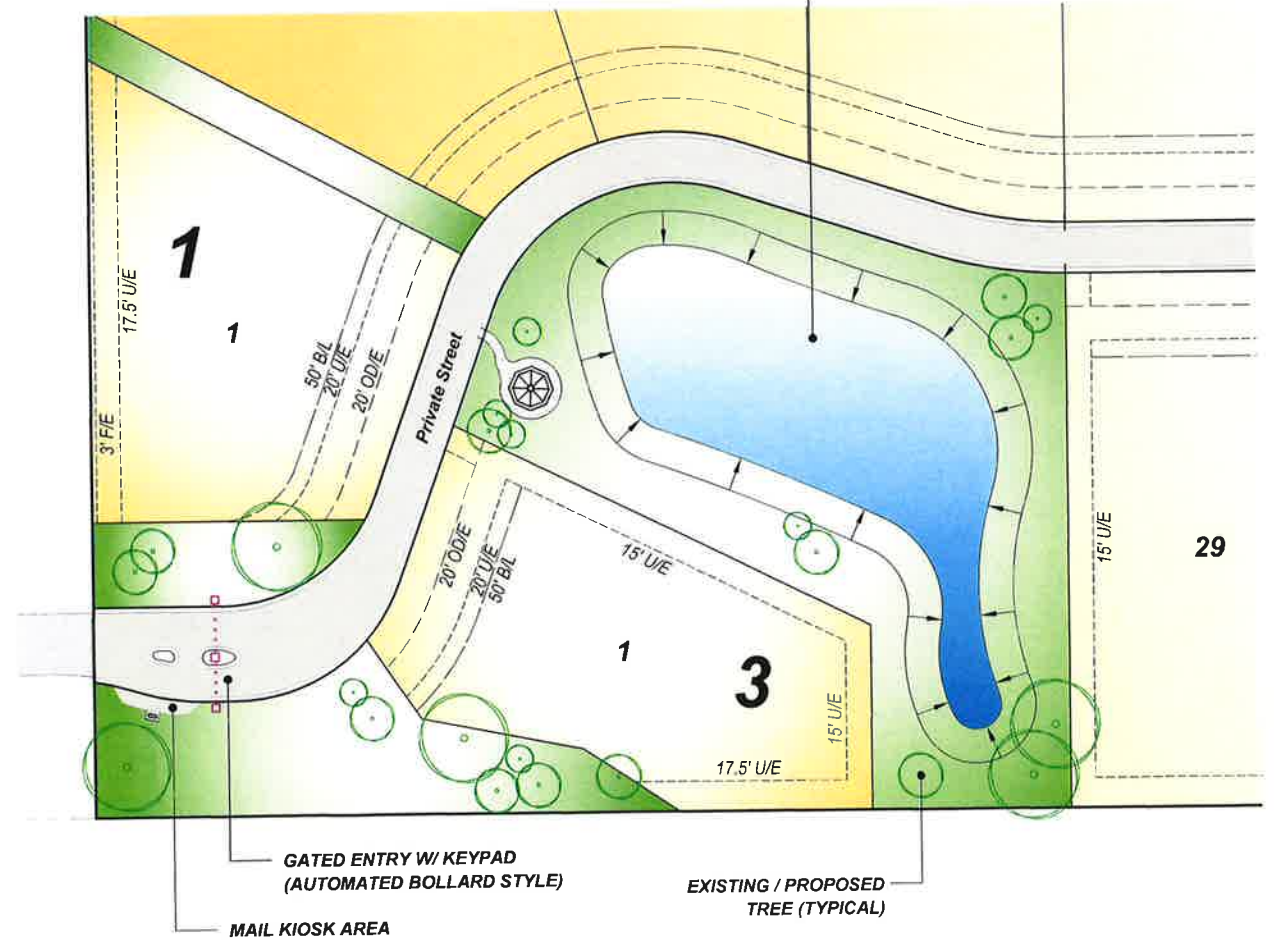


State Highway 67

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DETENTION FACILITY & STOCKED FISHING POND WITH FOUNTAINS/AERATORS



# Residential Subdivision Whisper Lane

A SUBDIVISION IN TULSA COUNTY, STATE OF OKLAHOMA, BEING A PART OF THE NW/4 OF SECTION TWENTY (20), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF.

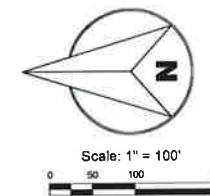
## EXHIBIT A CONCEPTUAL SITE PLAN





Residential Subdivision  
**Whisper Lane**

A SUBDIVISION IN TULSA COUNTY, STATE OF OKLAHOMA, BEING A PART OF THE  
NW/4 OF SECTION TWENTY (20), TOWNSHIP SEVENTEEN (17) NORTH, RANGE  
THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE  
OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY  
THEREOF.



**EXHIBIT B**

AERIAL PHOTOGRAPHY



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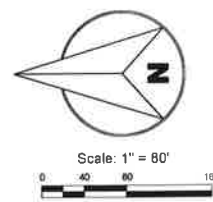
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State Highway 67



Residential Subdivision  
**Whisper Lane**

A SUBDIVISION IN TULSA COUNTY, STATE OF OKLAHOMA, BEING A PART OF THE  
 NW/4 OF SECTION TWENTY (20), TOWNSHIP SEVENTEEN (17) NORTH, RANGE  
 THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE  
 OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY  
 THEREOF.



**EXHIBIT C**

SITE TOPOGRAPHY

C-21