



Tulsa Metropolitan Area
Planning Commission

Case Number: TCCP-12
(Related to CZ-543 and PUD-867)

Hearing Date: May 17, 2023
(Continued from April 19, 2023)

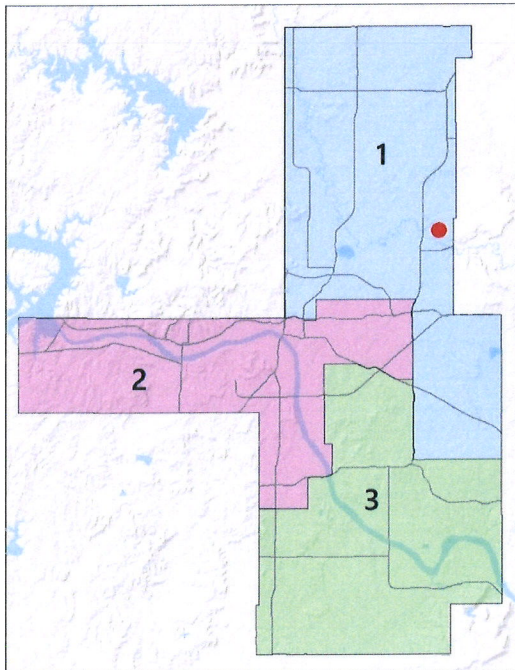
Case Report Prepared by:
Jeremy Banes

Owner and Applicant Information:

Applicant: Nathan Cross

Property Owner: Greenhill Properties, LLC.

Location Map:
(Shown with County Commissioner Districts)



Applicant Proposal:

Present Use: Rural Residential/ Agricultural

Proposed Use: Industrial

Present Land Use Designation:
Rural Residential/Agricultural

Proposed Land Use Designation: Industrial

Tract Size: 225 ± acres

Location: N of the NE/c of Hwy 169 & E. 56th St.
N

Zoning:

Existing Zoning: AG/RS

Proposed Zoning: AG/IM with PUD-867

Tulsa County Comprehensive Land Use Plan:

Area: North Tulsa County

Staff Recommendation:

Staff recommends approval of the Industrial land use west of Bird Creek. The Bird Creek flood plain will serve as a natural aesthetic buffer between the industrial uses and the existing residential uses to the north and southeast of the subject property.

Staff Data:

TRS: 405

CZM: 24

County Commission District: 1

Commissioner Name: Stan Sallee

16.1

TMAPC Staff Report
TCCP-12
County Comprehensive Plan Amendment

Property Information and Land Use Request

The subject property is approximately 225 +/- acre unplatted tract of land located northeast of the intersection of Highway 169 and East 56th Street North and in the Unincorporated area of Tulsa County. The applicant has submitted the following Comprehensive Plan amendment request to amend the land use designation of the of the subject property from *Rural Residential/ Agricultural* to *Industrial*. This request is accompanied by concurrent rezoning requests (CZ-543 and PUD-867), proposing a zoning change on a portion of the subject tract from AG to IM in order to allow industrial uses and an area for limestone mining.

Background

The parcels subject to this Comprehensive Plan amendment request are located within the area of North Tulsa County. The subject tract is irregular in shape and largely abut AG (Agricultural) zoning to the north, south, and west. To the West is Highway 169 which has a mix of Industrial and Agricultural zoning further to the west. The Major Street and Highway Plan designates East 56th Street North, East 66th Street North, and North 145th Avenue East as Secondary Arterials. The Major Street and Highway Plan calls for a north/south Residential Collector Street through the east side of the subject property with another Residential Collector extending from the above mentioned north/south collector going east to North 145th Avenue East.

The land use of the subject property was designated as Rural Residential/Agricultural in the Tulsa County Comprehensive Land Use Plan, which was adopted November 18, 2020, (Resolution 2830:1020) by Tulsa Metropolitan Area Planning Commission and approved by the Board of County Commissioners on December 7, 2020.

Existing Land Use Designation (Tulsa County Comprehensive Land Use Plan)

The **Rural Residential/ Agricultural** designation is defined in the Tulsa County Comprehensive Land Use Plan as follows: land that is sparsely occupied and used primarily for farmland, agricultural uses, and single-family homes on large lots. Residential lots generally range from one-half acre or greater and may use on-site services where public utilities are not available.

Proposed Land Use Designation (Tulsa County Comprehensive Land Use Plan)

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

The **Industrial** designation is defined in the Tulsa County Land Use Plan as follows: The Industrial land use category is designed to accommodate industrial uses as well as wholesaling, warehousing, and distribution facilities, which tend to require large buildings and generate more large-truck traffic than other types of land uses.

The area surrounding the subject property has only agricultural zoning with a Rural Residential/Agricultural land use designation. However, the parcels (along with the concurrent rezoning within the City of Tulsa to the south of the subject property) make up a significant chunk of that Agricultural zone between the fence line of the City of Owasso to the north and Industrial zoning that extends south for several miles on both the east and west sides of Highway 169. Rezoning of some portion of the subject area to Industrial would not be inconsistent with development already occurring in the vicinity.

16.2

Zoning and Surrounding Uses

This application is concurrent with a zoning map amendment (Z-7705) and comprehensive plan amendment (CPA-102) within the City of Tulsa on the property to the south by the same applicant.

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

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.
3. How the proposed change will enhance the surrounding area and Tulsa County.

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.

Rezoning Request

As stated above, mining is one of the largest uses of land in this area of Tulsa County. In addition to the rich limestone in the area, the Subject Property fronts onto Highway 169. The east side of Highway 169 in this area has rapidly developed into an industrial/warehousing corridor ripe for continued development

16.3

with large-scale commercial activities. The owner of the Subject Property proposes to rezone the Subject Property to IM to accommodate future uses along the Highway 169 corridor as well as establish underlying zoning to accommodate mining operations on the balance of the Subject Property.

PUD Request

The proposed mining use referenced above is allowed by right within IM, IH and AG Districts under the Tulsa County Zoning Code. As the Subject Property is to be partial used for moderate industrial uses along the Highway 169 corridor and frontage, the Applicant proposes a PUD to allow the additional use of "Mining and Mineral Processing" in only the areas located within Development Area B depicted on Exhibit "C" with Development Area A limited to IM uses without the Mining and Mineral Processing use. All other portions of the Subject Property will remain zoned AG without any additional development standards. The applicant does not propose any other amendments to the allowed uses and development standards of the IM zoning district. This request represents the minimal amount of relief necessary to accomplish the proposed uses outlined in this application. As referenced above, the proposed PUD would allow for additional access to a vital natural resource that is necessary for construction in Oklahoma as well as continued warehouse and similar industrial uses along the Highway 169 frontage consistent with other developments already in progress and completed (such as Costco).

Staff Summary & Recommendation

The applicant is requesting an amendment to the land use designation from Rural Residential Agricultural to Industrial for the entire site. It is staff's recommendation to approve the change in land use to Industrial on a portion of the subject property and to respect the current land use designation of Rural Residential/Agricultural within a generous buffer separating proposed industrial uses from abutting residential property owners southeast and north of the subject property.

The zoning code allows two options to provide transition guidelines between the applicants request and abutting property owners. 1) Rezoning request could include a Planned Unit Development that provides use and design limitations between new industrial development and the existing agricultural properties. 2) The zoning boundary could be significantly set back in an effort to allow some level of confidence that industrial development would not significantly adversely affect abutting properties that are currently considered agricultural and residential uses.

The applicant has submitted concurrent requests to rezone a 35-acre portion of the west side of the property from Agricultural to Industrial Moderate (CZ-543 and PUD-867) in which exhibit "C" indicates a 400' buffer between mining operations and residential properties to the north and southeast.

This site was included in the Tulsa County Land use map study that was adopted in 2020. The proposed rezoning associated with this comprehensive plan amendment will increase an opportunity for industrial employment to extend along Highway 169. The existing industrial zones located on the east and west of Highway 169 extending several miles to the south has provided employment and manufacturing jobs for Tulsa County and 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. However, private residential properties exist abutting the subject property to the North and Southeast, and an adequate buffer zone should be in place to mitigate harm to those properties.

Staff recommends **approval** of the Industrial land use designation only on the west side of the current course of Bird Creek with the recommendation that any mining operations be restricted to the southwest area of the subject property nearest the intersection of Highway 169 and 56 Street North. In this way the industrial uses will serve as a buffer between any mining operations and the existing residential uses, and the Bird Creek

16.4

course will serve as a natural aesthetic buffer between the industrial uses and the existing residential uses to the north and southeast of the subject property.



E 66TH ST N

169

N GARNETT RD N 113TH E AVE

N 115TH E AVE

N 128TH E AVE

N 128TH CT E

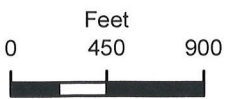
N 130TH E AVE

N 129TH EAST AVE

N 129TH E AVE

E 56TH ST N

N 121ST E AVE



Subject Tract

TCCP-12

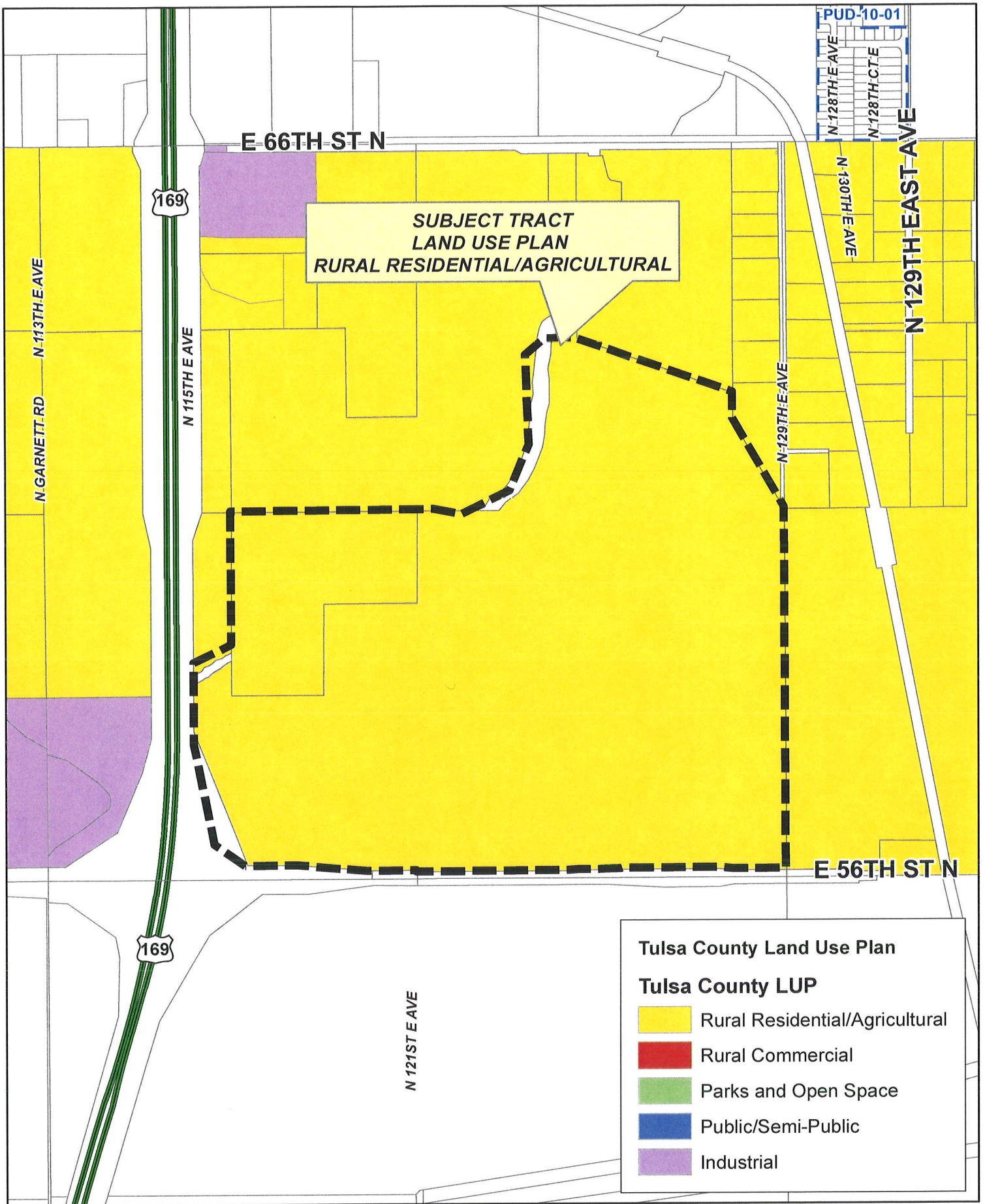
20-14 05

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

Aerial Photo Date: 2020/2021



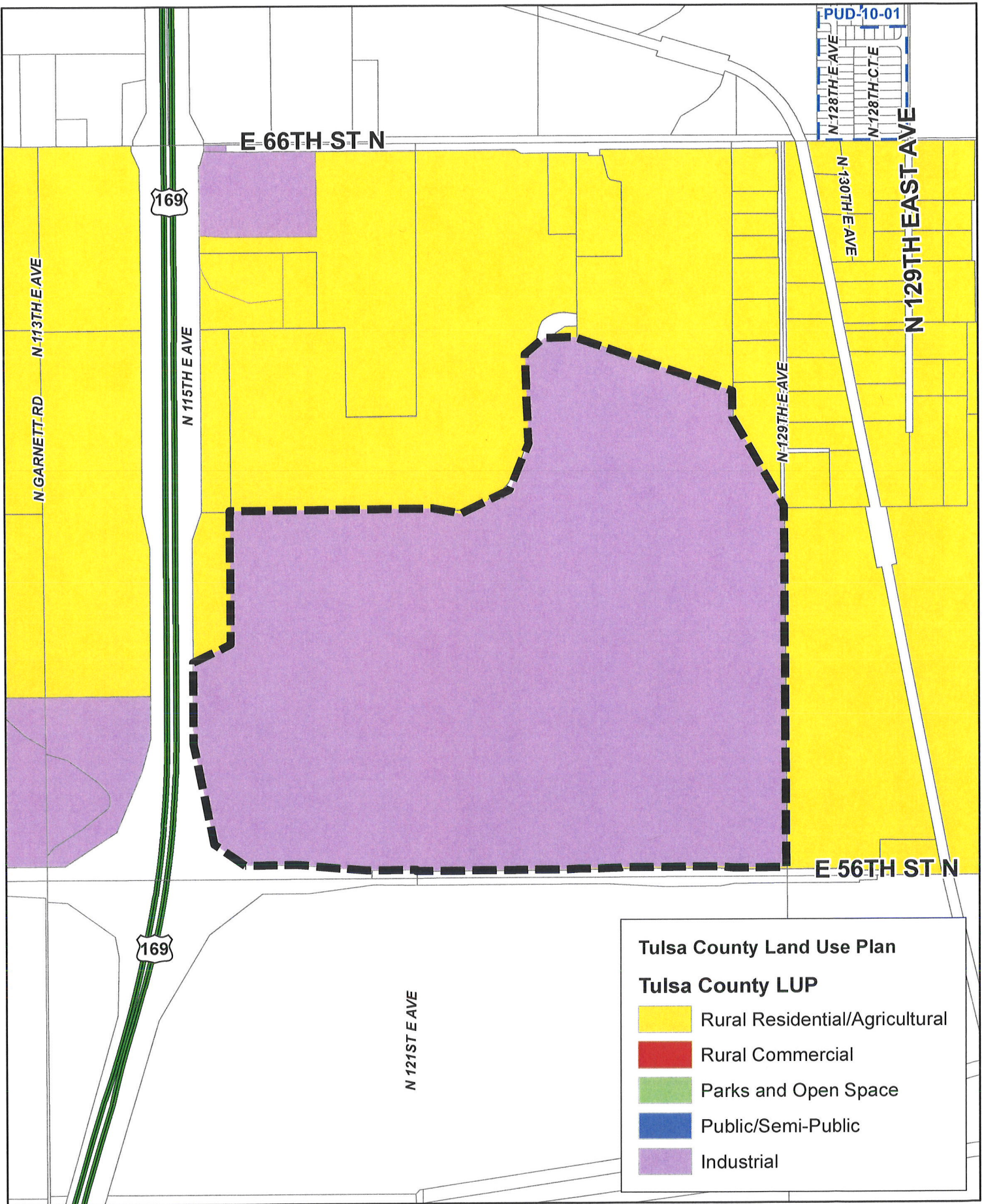
16/4



TCCP-12

20-14 05

16.7 



TCCP-12

20-14 05

