



Case Number: Z-7410a
Minor Amendment

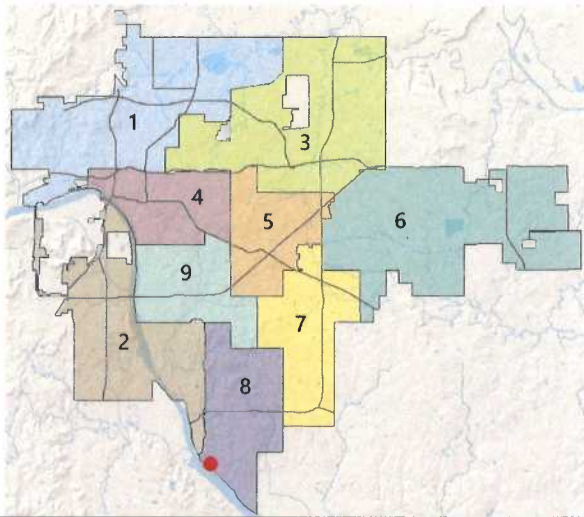
Hearing Date: November 17, 2021

Case Report Prepared by:
 Jay Hoyt

Owner and Applicant Information:
 Applicant: Tanner Consulting, LLC

Property Owner: Various, c/o Precision Project Management, Inc., Daniel Ruhl

Location Map:
 (shown with City Council Districts)



Applicant Proposal:

Concept summary: Modify the Optional Development Plan standards to enable private streets.

Gross Land Area: 15.8 acres

Location: North of the NEC of S Delaware Ave and E 116th St S

All of Delaware Park

Zoning:
 Existing Zoning: CG with optional development plan
 Proposed Zoning: No Change

Comprehensive Plan:
 Land Use Map: Arkansas River Corridor
 Growth and Stability Map: Growth

Staff Recommendation:
 Staff recommends **approval**.

Staff Data:
 TRS: 8333

City Council District: 8
Councilor Name: Phil Lakin, Jr.

County Commission District: 3
Commissioner Name: Ron Peters

SECTION I: Z-7410a Minor Amendment

STAFF RECOMMENDATION

Amendment Request: Modify the Optional Development Plan standards to enable the use of private, gated streets.

Currently the streets within Delaware park are public. The applicant is proposing to allow those streets to be made private with a gated entrance and proposes to add the following text to the Development Standards of the Optional Development Plan:

Streets:

Streets may be public or private and gated

Private streets and gates systems shall conform to the standards outlined for minor residential streets in the Tulsa Subdivision and Development Regulations effective May 10, 2018 and secure the approval of the City of Tulsa Fire Department.

Additionally, City Council has requested that any changes made to the Development Plan receive their approval. If the proposed changes are approved by TMAPC, this minor amendment will then go to City Council for their approval.

Staff Comment: *This request can be considered a Minor Amendment as outlined by Section 70.040I.1.a of the City of Tulsa Zoning Code.*

“The planning commission is authorized to approve amendments to approved development plans as minor amendments if the planning commission determines that substantial compliance is maintained with the approved development plan. “

Staff has reviewed the request and determined:

- 1) The requested amendment does not represent a significant departure from the approved development standards in the Optional Development Plan.
- 2) All remaining development standards defined in Z-7410 shall remain in effect.
- 3) City Council has requested that any changes to the Optional Development Plan be approved by them.

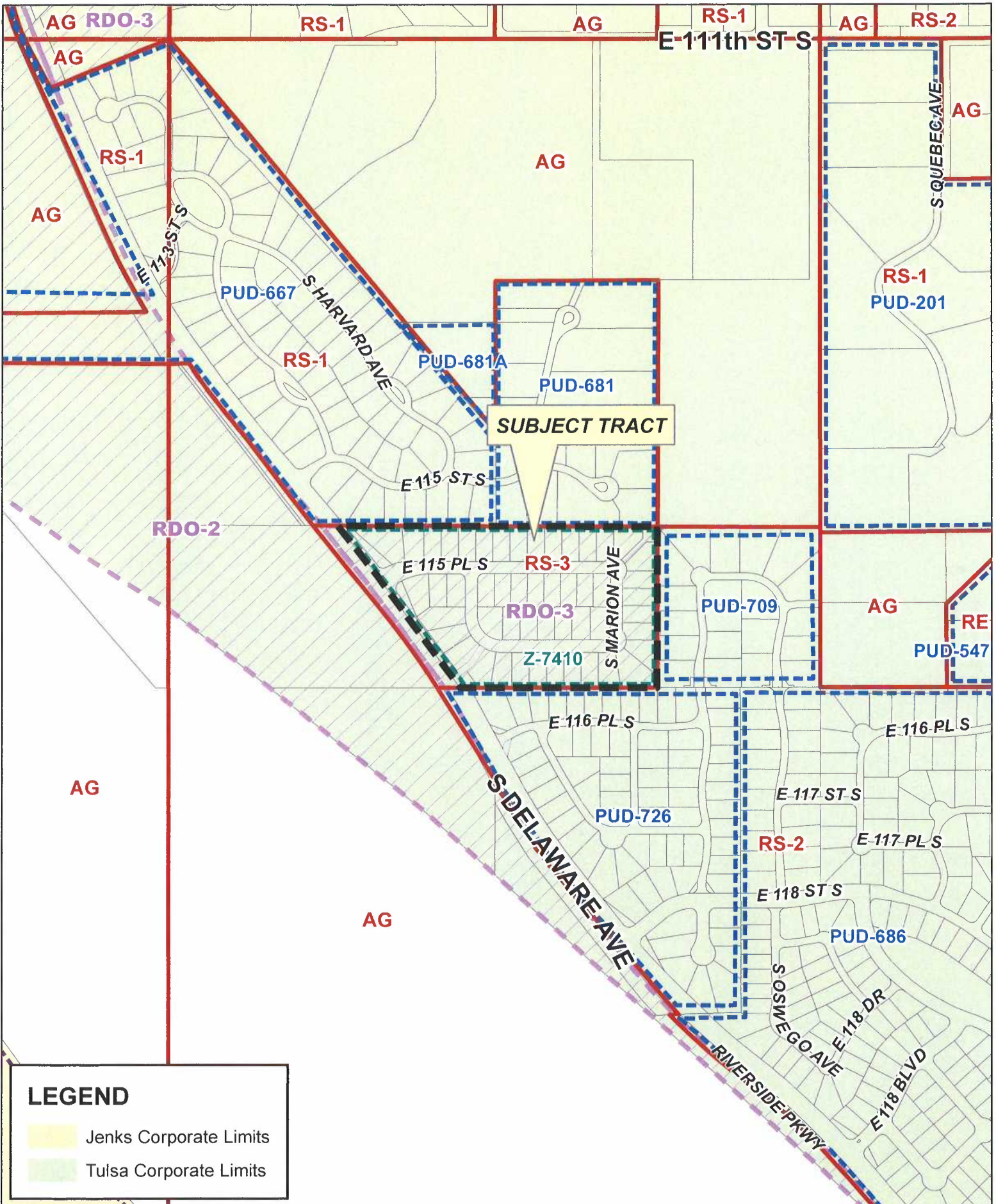
Exhibits included with staff recommendation:

INCOG zoning case map

INCOG aerial photo

Applicant Amendment Statement

With considerations listed above, staff recommends **approval** of the minor amendment request to enable use of private, gated streets.



LEGEND

- Jenks Corporate Limits
- Tulsa Corporate Limits



18-13 33

Z-7410a
with Optional
Development Plan





E 111th ST S

S QUEBEC AVE

E 113 ST S

S HARVARD AVE

E 115 ST S

E 115 PL S

S MARION AVE

S NEW HAVEN AVE

E 116 PL S

E 116 PL S

S DELAWARE AVE

E 117 ST S

E 117 PL S

E 117 PL S

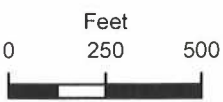
E 118 ST S

S OSWEGO AVE

E 118 DR

RIVERSIDE PKWY

E 118 BLVD



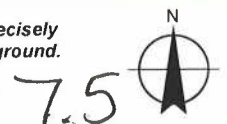
Subject Tract

18-13 33

Z-7410a with Optional Development Plan

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

Aerial Photo Date: 2020/2021



Amendment
Z-7410 Optional Development Plan

Tulsa Zoning Code Section 70.040-A Purpose

Development plans are required with some property owner-initiated rezonings and are optional with other property owner initiated rezonings. The purpose is to depict a property owner's generalization plan for the type, amount and character of development proposed on the subject property. By providing certainty about development proposals, development plans provide review and decision-making bodies with additional information on which to base a rezoning decision.

"Delaware Park" was approved for rezoning with Optional Development Plan (ODP) under case number Z-7410. Although intended to be developed with private, gated streets, the project fell within the 'gap years' where no new private street subdivisions could be created. Home-buyers within Delaware Park have purchased their homes with the understanding, and expectation, that the streets will be privatized, gated, and become the maintenance responsibility of the Homeowners' Association. The following is a summary of events:

01/01/2016 new Tulsa Zoning Code effective; no new PUDs

01/01/2016 : 05/10/2018 TMAPC Subdivision Regulations Section 4.2.11.A. still required PUD to enable use of private streets

01/31/2018 City Council approves rezoning with ODP

05/10/2018 new TMAPC Subdivision and Development Regulations effective; Section 5-060.8.A. enables use of private streets within a mandatory development plan or optional development plan (ODP)

This proposed amendment to the ODP is requested to enable the streets to be taken private and gated. All other requisite legal and procedural exercises are presently underway.

Request an Amendment adding the following to the Development Standards:

Streets:

Streets may be public or private and gated.

Private streets and gate systems shall conform to the standards outlined for minor residential streets in the Tulsa Subdivision and Development Regulations effective May 10, 2018 and secure the approval of the City of Tulsa Fire Department.