



Tulsa Metropolitan Area  
Planning Commission

**Case Number: Z-7518**  
(related to CPA-84)

**Hearing Date: December 18, 2019**

**Case Report Prepared by:**

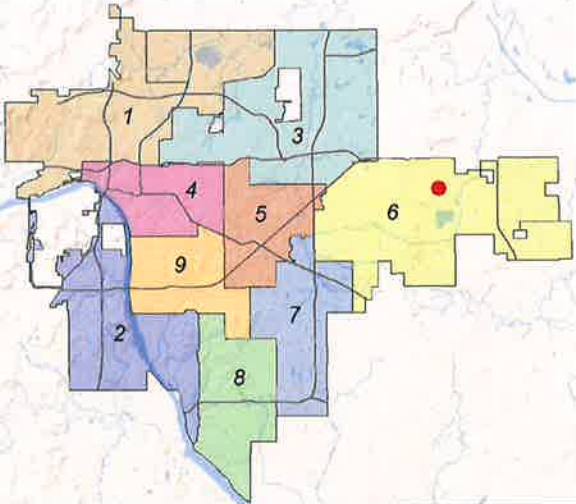
Dwayne Wilkerson

**Owner and Applicant Information:**

*Applicant:* Felix Ruiz

*Property Owner:* Felix Ruiz

**Location Map:**  
(shown with City Council Districts)



**Applicant Proposal:**

*Present Use:* Vacant/ Mobile Office

*Proposed Use:* Single-family Residential

*Concept summary:*

*Tract Size:* 13.66 ± acres

*Location:* East of the Southeast corner of East 11th Street South & South 177th East Avenue

**Zoning:**

*Existing Zoning:* IL

*Proposed Zoning:* AG

**Comprehensive Plan:**

*Existing Land Use Map:* Employment

*Proposed Land Use Map:* New Neighborhood

*Stability and Growth Map:* Area of Growth

**Staff Recommendation:**

Staff recommends **approval** of Z-7518 to rezone property from IL to AG.

**Staff Data:**

TRS: 9412  
CZM: 40

**City Council District: 6**

*Councilor Name:* Connie Dodson

**County Commission District: 1**

*Commissioner Name:* Stan Sallee

## SECTION I: Z-7518

### DEVELOPMENT CONCEPT:

The applicant has submitted a request to rezone the property from IL to AG to permit the development of a single-family detached home.

### 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
- Applicant Exhibits:
  - None provided

### DETAILED STAFF RECOMMENDATION:

**Staff recommends Approval of Z-7518 to rezone property from IL to AG.**

The land use and zoning designation for the subject property was changed from *New Neighborhood* to *Employment* and AG to IL in October of 2014 via CPA-27 and Z-7520. The developer was not able to develop the site as intended however the land use designation is still valid and,

The current owner has requested to change the land use designation and zoning of the subject property back to *New Neighborhood* and AG (Z-7518) to allow the development of a single-family residence which is not currently permitted in an IL zoned district and,

The subject property is a 13.66+ acre IL zoned lot and is vacant. The abutting properties are all zoned AG, with the abutting properties to the north containing a single-family residence and auto garage, abutting properties to the south containing an out-building for animals and is being utilized for agricultural purposes, and properties to the east and west being largely vacant with one parcel to the east containing a single-family residence. The surrounding property uses have not changed in character since 2014 and,

AG zoning is primarily intended to accommodate agricultural, mining or mineral processing uses in rural areas. The district allows very low density residential and other uses and serves as a holding zone pending an orderly transition to more urban development that can be efficiently served by public facilities and services therefore,

Staff recommends **approval** of the proposed AG zoning. In order to permit all agricultural uses and building types.

## SECTION II: Supporting Documentation

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: In October of 2014, the land use designation for the subject property was changed from New Neighborhood to Employment via CPA-27. This comprehensive plan amendment was initiated after a request to rezone the subject property from AG to IL (Z-7250) was recommended denial by both staff and the Planning Commission due to the incompatibility between the proposed industrial use and the existing New Neighborhood Land Use designation. Following this meeting, the applicant continued conversations with TMAPC staff, City of Tulsa Planning staff, City Council staff, and adjacent property owners about other potential land use scenarios for the area. The applicant then appealed the TMAPC recommendation of denial to City Council. The City Council voted to approve the land use change to Employment, as well as the rezoning request to IL (Z-7250) for the site. Following these approvals, it was determined by the City of Tulsa Permit Center that the use proposed by the applicant was an IM use, not IL as originally thought, and would not be permitted by right in an IL district. The applicant then went before the Board of Adjustment to seek relief, requesting a Special Exception to permit a fabrication facility (Industrial/Moderate Manufacturing Industry) in an IL district, which was denied in March of 2016.*

*The current owner has requested to change the land use designation and zoning of the subject property back to New Neighborhood and AG (Z-7518) to allow the development of a single-family residence. That use is not currently permitted in an IL zoned district. The subject property is a 13.66+ acre IL zoned lot and is currently vacant. The abutting properties are all zoned AG, with the abutting properties to the north containing a single-family residence and auto garage, abutting properties to the south containing an out building for animals and is being utilized for agricultural purposes, and properties to the east and west being largely vacant with one parcel to the east containing a single-family residence. This has not changed since 2014.*

*When CPA-27 was originally approved, it was thought that this area would experience increased interest and development as an employment center. The area did not experience the development that was originally anticipated.*

### Land Use Vision:

#### *Land Use Plan map designation: Employment*

Employment areas contain office, warehousing, light manufacturing and high-tech uses such as clean manufacturing or information technology. Sometimes big-box retail or warehouse retail clubs are found in these areas. These areas are distinguished from mixed-use centers in that they have few residences and typically have more extensive commercial activity.

Employment areas require access to major arterials or interstates. Those areas, with manufacturing and warehousing uses must be able to accommodate extensive truck traffic, and rail in some instances. Due to the special transportation requirements of these districts, attention to design, screening, and open space buffering is necessary when employment districts are near other districts that include moderate residential use

#### *Areas of Stability and Growth designation: Area of Growth*

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 in 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.

Transportation Vision:

*Major Street and Highway Plan:* The Comprehensive Plan designates East 11<sup>th</sup> Street South as a secondary arterial.

*Trail System Master Plan Considerations:* As a part of the GO-Plan, this part of East 11<sup>th</sup> Street South is designated as a Signed Bike Route.

Small Area Plan: There is no small area plan that requires consideration in this area.

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:

Staff Summary:

*The subject property is a 13.66± acre IL zoned lot and is currently vacant. The abutting properties are all zoned AG, with the abutting properties to the north containing a single-family residence and auto garage, abutting properties to the South containing an out building for animals and is being utilized for agricultural purposes, and properties to the east and west being largely vacant with one parcel to the east containing a single-family residence.*

Environmental Considerations: The 100 year floodplain runs between East 11<sup>th</sup> Street South and East 15<sup>th</sup> Street South, spanning from beyond South Lynn Lane Road to South 193<sup>rd</sup> East Avenue and crossing the southern end of the subject property.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 11 <sup>th</sup> Street South	Secondary Arterial	100 ft.	2

Utilities:

The subject tract has municipal water service. Sanitary sewer is not available at this time. A private septic system will be required.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	AG	<i>New Neighborhood</i>	<i>Area of Growth</i>	Commercial/ Single-family Residential
South	AG	<i>New Neighborhood</i>	<i>Area of Growth</i>	Agricultural
East	AG	<i>New Neighborhood</i>	<i>Area of Growth</i>	Vacant
West	AG	<i>Employment</i>	<i>Area of Growth</i>	Vacant/ Single-family Residential

**SECTION III: Relevant Zoning History**

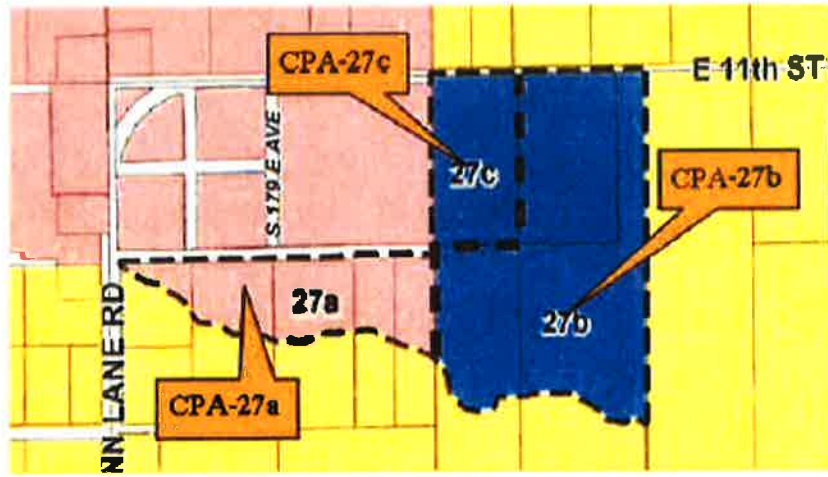
**ZONING ORDINANCE:** Ordinance number 11818 dated June 26, 1970 established zoning for the subject property.

***Subject Property:***

**BOA-22041 March 2016:** The Board of Adjustment **denied** a *Special Exception* to permit a fabrication facility (Industrial/Moderate Manufacturing Industry) in the IL District, on property located at 18280 East 11<sup>th</sup> street South.

**Z-7250 January 2014:** All concurred in **denial** of a request for *rezoning* a 13± acre tract of land from AG to IL on property located east of the southeast corner of East 11<sup>th</sup> Street and South 177<sup>th</sup> East Avenue. This decision was overturned by City Council, and the request was ultimately **approved** on October 2<sup>nd</sup>, 2014.

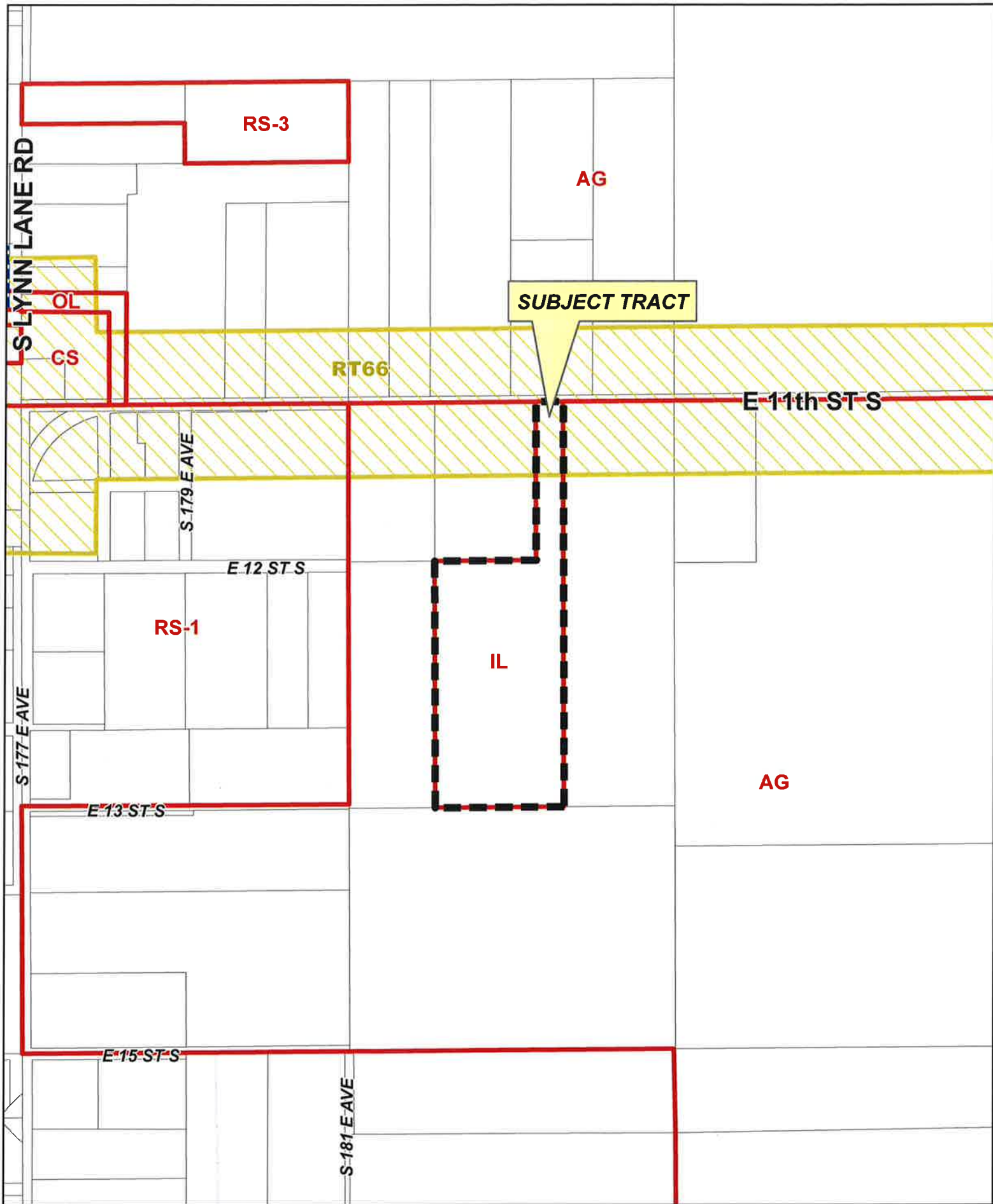
**CPA-27b September 2014:** All concurred in **approval** to *adopt* an amendment to CPA-27, amending the land use from New Neighborhood to Employment on property located east of the southeast corner of East 11<sup>th</sup> Street and South 177<sup>th</sup> East Avenue.



**Surrounding Property:**

**Z-7319 October 2015:** All concurred in **denial** of a request for rezoning a 2.5± acre tract of land from AG to IL, on property located south of the southeast corner of East 11<sup>th</sup> Street and South 177<sup>th</sup> East Avenue.

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**Z-7518**

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7.7





S LYNN LANE RD

E 11th ST S

S 179 E AVE

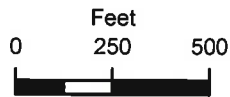
E 12 ST S

S 177 E AVE

E 13 ST S

E 15 ST S

S 181 E AVE



Subject Tract

**Z-7518**

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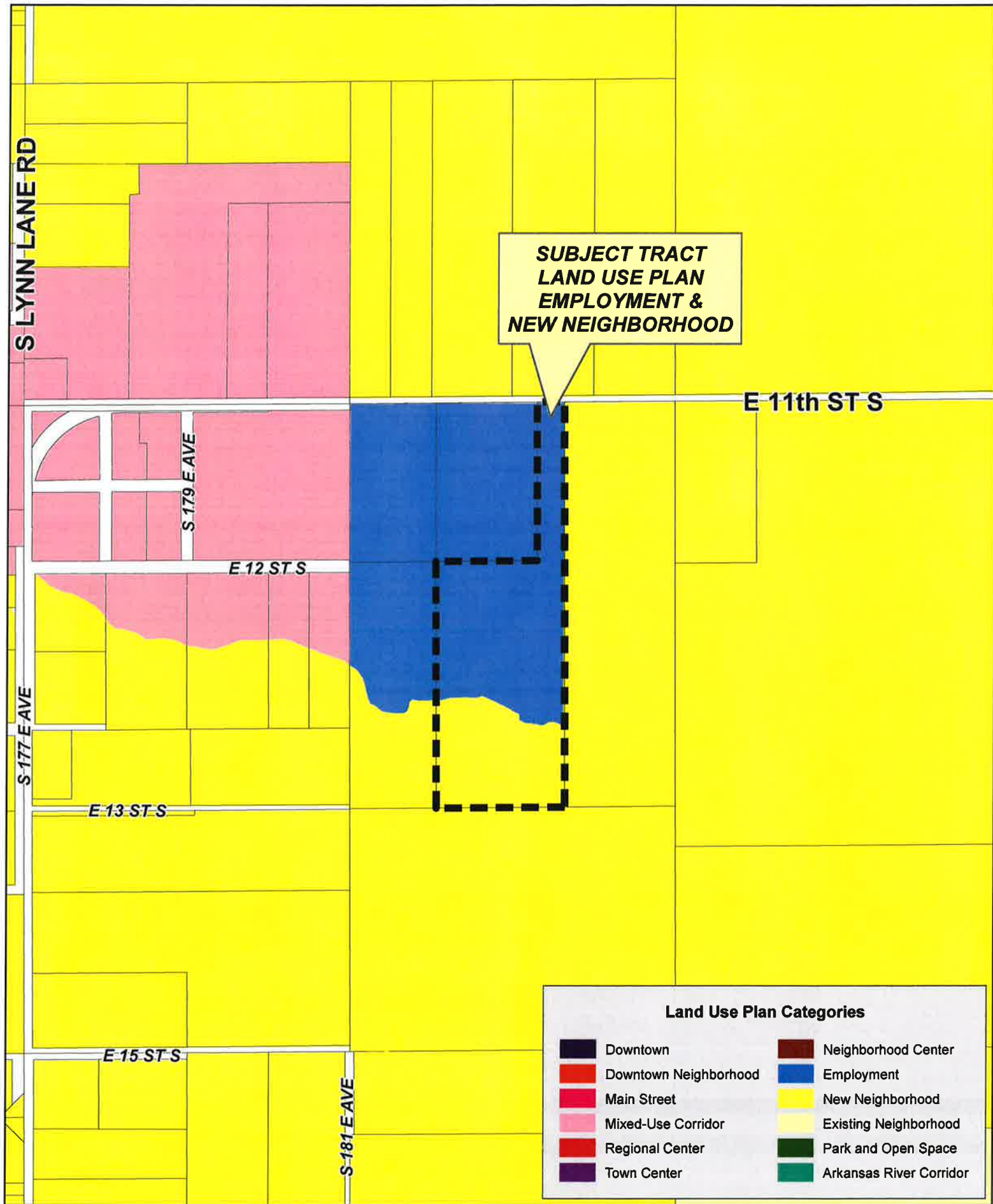
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2018

7.8

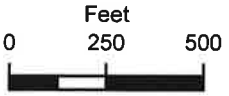






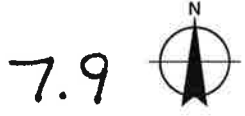
**SUBJECT TRACT  
LAND USE PLAN  
EMPLOYMENT &  
NEW NEIGHBORHOOD**

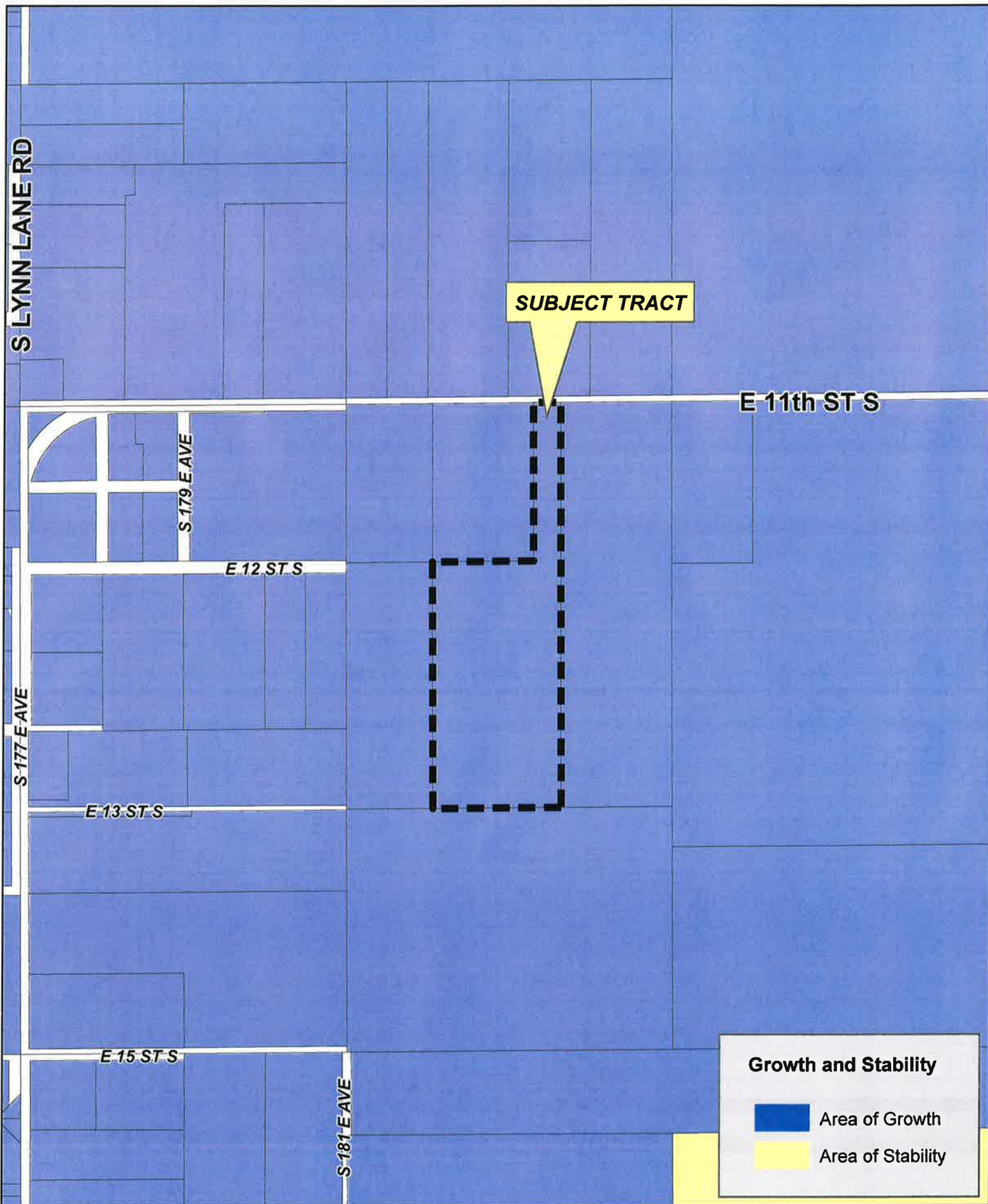
Land Use Plan Categories			
	Downtown		Neighborhood Center
	Downtown Neighborhood		Employment
	Main Street		New Neighborhood
	Mixed-Use Corridor		Existing Neighborhood
	Regional Center		Park and Open Space
	Town Center		Arkansas River Corridor



**Z-7518**

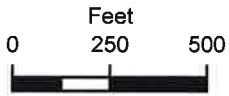
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**Growth and Stability**

- Area of Growth
- Area of Stability



**Z-7518**

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