



Tulsa Metropolitan Area  
Planning Commission

**Case Number: Z-7543**

**Hearing Date: May 6, 2020**  
(Continued from April 1, 2020)

**Case Report Prepared by:**

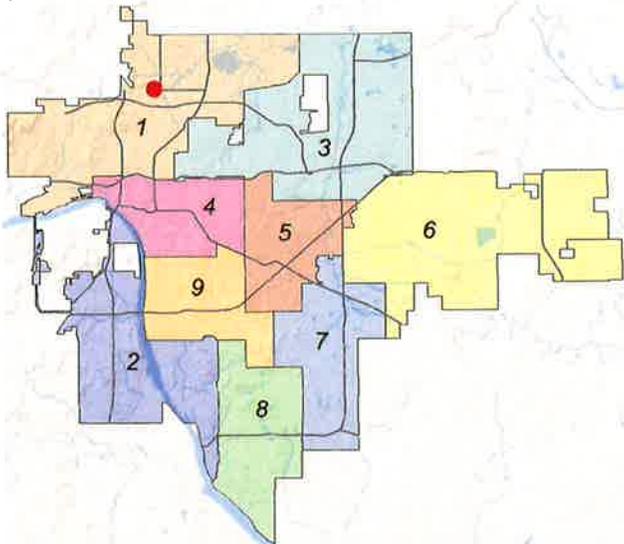
Dwayne Wilkerson

**Owner and Applicant Information:**

*Applicant:* Keith Robertson

*Property Owner:* Ulysses S. Bowler & the Bowler Family Trust

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



**Applicant Proposal:**

*Present Use:* Vacant.

*Proposed Use:* Commercial/Medical Marijuana Dispensary

*Concept summary:*  
Rezoning request changing an office site to commercial use.

*Tract Size:* 0.44 ± acres

*Location:* Northeast corner of East 36th Street North at North Lansing Place

**Zoning:**

*Existing Zoning:* OL

*Proposed Zoning:* CH

**Comprehensive Plan:**

*Land Use Map:* Main Street

*Stability and Growth Map:* Area of Growth

**Staff Recommendation:**

**Staff recommends denial of CH zoning however staff recommends approval of CS zoning.**

**Staff Data:**

TRS: 139  
CZM: 21

**City Council District: 1**

*Councilor Name:* Vanessa Hall-Harper

**County Commission District: 1**

*Commissioner Name:* Stan Sallee

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## SECTION I: Z-7543

**DEVELOPMENT CONCEPT:** The applicant has submitted a rezoning request to change zoning from OL to CH for all commercial uses. No optional development plan has been provided.

### 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 included

### **DETAILED STAFF RECOMMENDATION:**

Z-7543 requesting CH zoning is consistent with the Main Street Land Use Designation in the Tulsa Comprehensive Plan and,

Uses allowed in a CH zoning are consistent with the Land Use recommendations and the goals identified in the 36<sup>th</sup> Street North Small Area Plan however the density of development allowed at this location may not be appropriate for the abutting residential neighborhood and,

Uses allowed with CH with the optional development plan are not consistent with the expected development pattern for the proximate residential properties therefore,

Staff recommends Denial of Z-7543 to rezone property from OL to CH. However the uses and supplemental standards for abutting residential properties in a CS district are more consistent with the anticipated growth on this site. Staff recommends Approval of rezoning from OL to CS..

## **SECTION II: Supporting Documentation**

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary:* Rezoning this site to a commercial use is consistent with the Main Street Vision of 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

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 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:*

*Trail System Master Plan Considerations:* The subject property is abutting the Osage Trail that leads directly to Downtown and north to Skiatook. New development should connect directly to the trail and provide ample bicycle parking opportunities. Fencing along the trail should not be part of this development.

Small Area Plan: 36<sup>th</sup> Street North Small Area Plan (Amended 2016)

36<sup>th</sup> Street North Small Area Plan recommendations include for land use priorities that are supported by this rezoning request.

Special District Considerations: This site is not part of the Voluntary MX rezoning program for Peoria Avenue Bus Rapid Transit.

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *This property was developed prior to any standards for site development and is a single-story office building.*

*See Street view snippet on next page.  
View is from southwest corner looking northeast.*



Environmental Considerations: None that would affect site redevelopment

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 36 <sup>th</sup> Street North	Secondary Arterial	100 feet	4
North Lansing Place	None	50 feet	2

Utilities:

The subject tract has municipal water and sewer available.

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	RS-3	Existing Neighborhood	Stability	Single Family Residential
East	CH	Town Center	Growth	Church
South	CH	Main Street	Growth	Vacant Building
West	CS	Main Street	Growth	Commercial

**SECTION III: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 11914 dated September 1, 1970 established zoning for the subject property.

***Subject Property:***

**SA-3 April 2018** : All concurred in **approval** at city council (TMPAC recommended **denial**) to apply supplemental zoning, HNO (Healthy Neighborhoods Overlay), to multiple properties

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within the plan area boundaries of Greenwood Heritage Neighborhoods Sector Plan (also known as the Unity Heritage Neighborhoods Plan), 36th Street North Corridor Small Area Plan, and The Crutchfield Neighborhood Revitalization Master Plan (related to ZCA-7). This overlay includes the subject property, as well as the surrounding area.

***Surrounding Property:***

**Z-7538 ODP (Pending):** Located west of the southwest corner of East 36<sup>th</sup> Street North and North Peoria Avenue, there is a pending request to *rezone* a 8.51± acre tract of land from MX-2-F-65/MX2-V-65 to MX-2-F-65/CH for a Community Center, School, Church, Vertical Mixed-use Building and Residential. This case was approved by TMAPC on March 4<sup>th</sup>, 2020.

**Z-7534 (Pending):** Located at the northeast and southeast corner of East 36<sup>th</sup> Street North and North Peoria Avenue, there is a pending request to *rezone* a 36.823± acre tract of land from CS/RM-1/AG to RM-1/MX-1-U-U/MX-2-V-65/MX-2-U-U/MX-3-V-45 for a mixed-use development. This case was approved by TMAPC on February 19<sup>th</sup>, 2020.

**Z-7462 December 2018:** All concurred in **approval** of a request for *rezoning* a 9.29± acre tract of land from CS to MX2-F-65/MX2-V-65 for mixed-use, on property located west of the southwest corner of East 36<sup>th</sup> Street North and North Peoria Avenue.

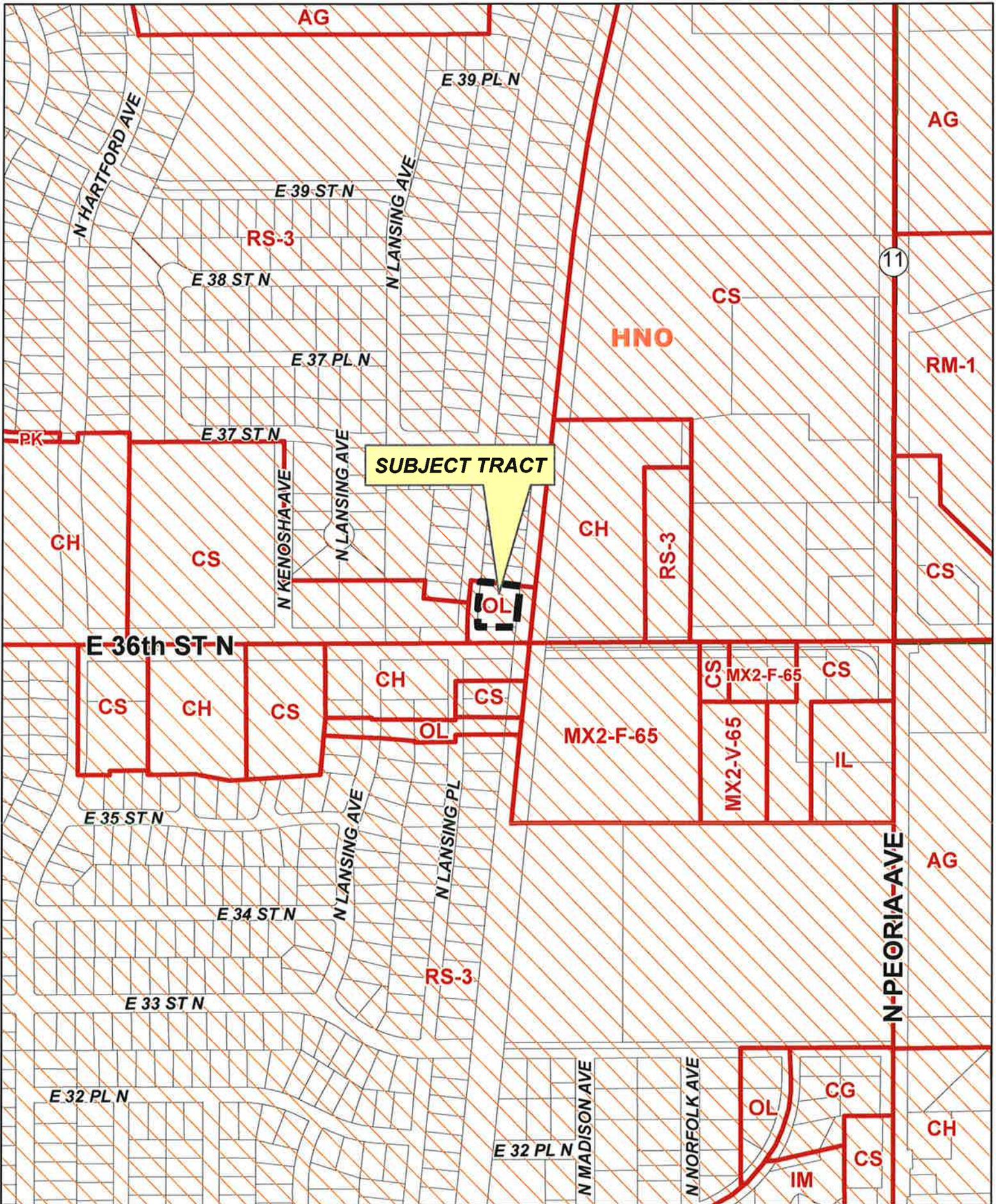
**Z-6098 June 1986:** All concurred in **approval** of a request for *rezoning* a 1.66± acre tract of land from RS-3 to CS, on property located west of the southwest corner of East 36<sup>th</sup> Street North and North Peoria Avenue.

**Z-5478 February 1981:** All concurred in **approval** of a request for *rezoning* the north approximate 589 ft of a 5.8± acre tract of land from RS-3 to CS for a medical clinic, on property located west of the southwest corner of 36<sup>th</sup> Street North and Peoria Ave.

**Z-4268 November 1972:** All concurred in **approval** of a request for *rezoning* a 1.55± acre tract of land from RS-3 to CS for a private club and barber shop, on property located west of the northwest corner of East 36<sup>th</sup> Street North and Lansing Avenue.

**BOA-03609 March 1961:** The Board of Adjustment **approved** a request for permission to operate a home beauty shop on property located Lot 5, Block 3, Chandler-Frates Second Addition.

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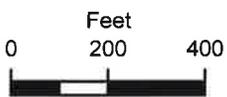


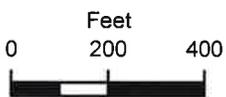
**SUBJECT TRACT**

**Z-7543**

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Subject Tract

**Z-7543**

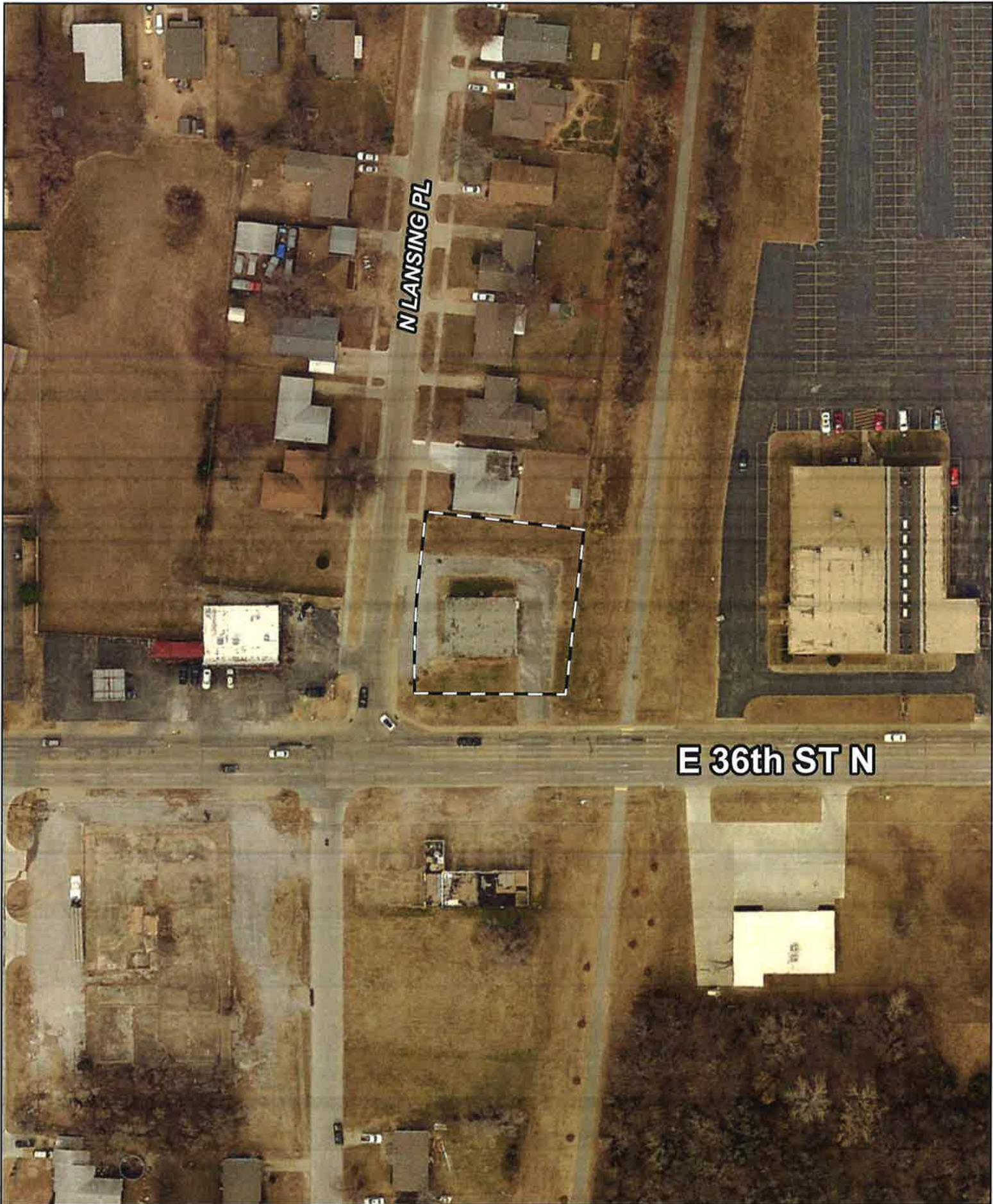
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Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2018

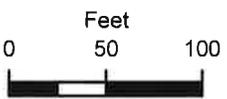
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N LANSING PL

E 36th ST N



 Subject Tract

**Z-7543**

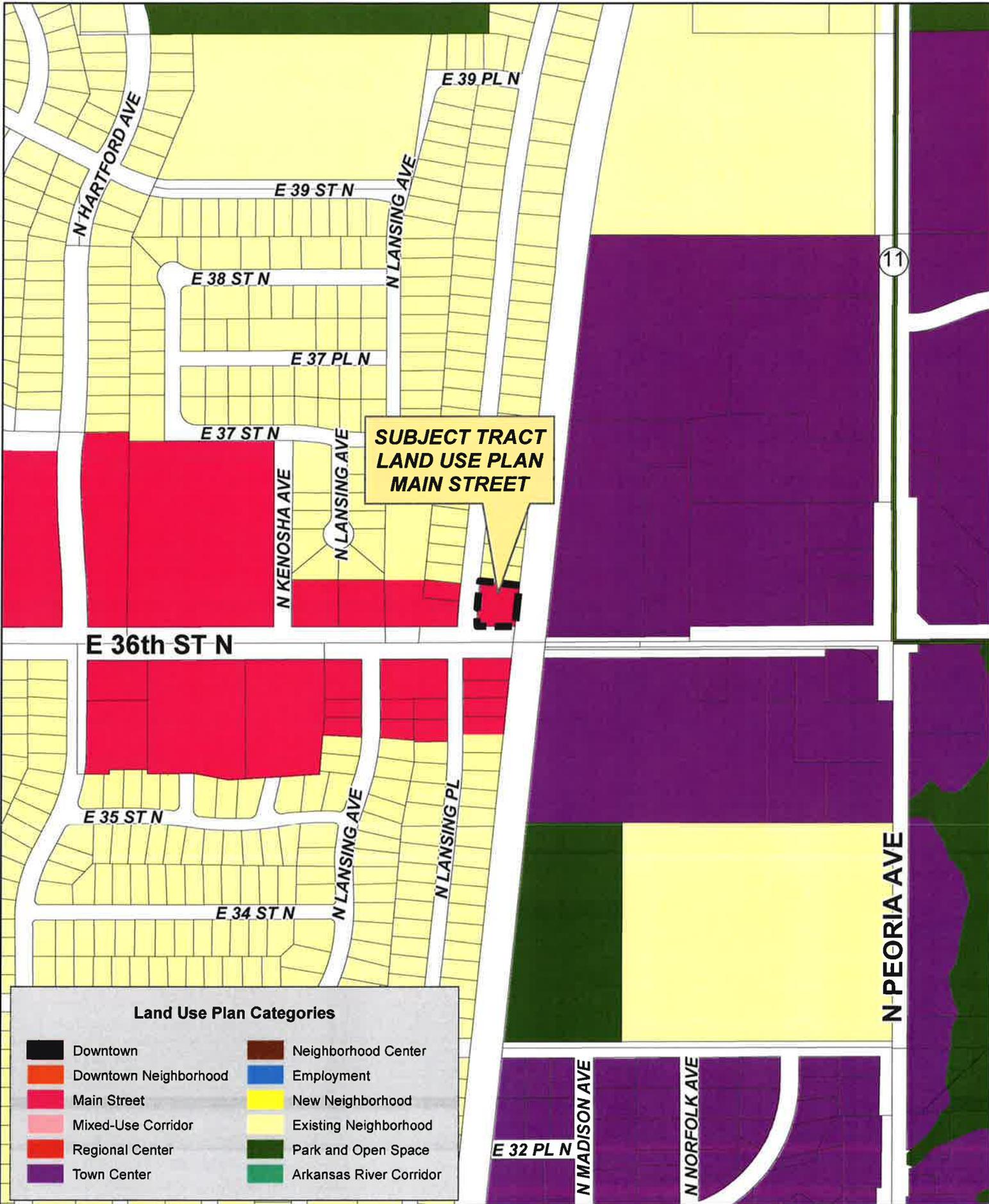
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Aerial Photo Date: February 2018

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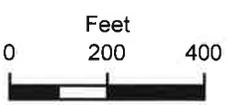




**SUBJECT TRACT  
LAND USE PLAN  
MAIN STREET**

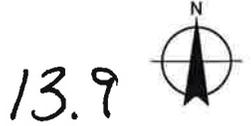
**Land Use Plan Categories**

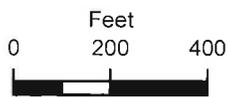
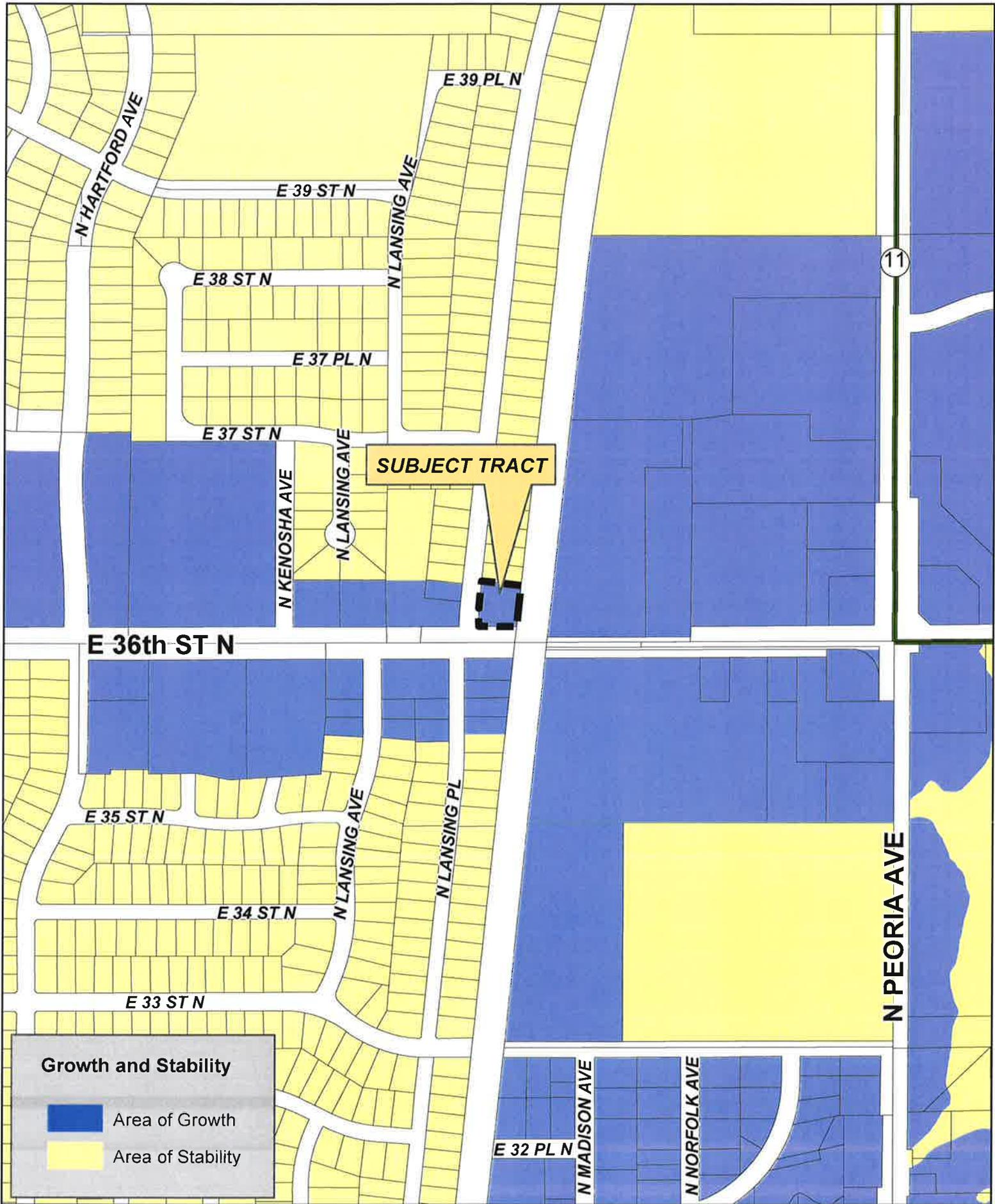
Downtown	Neighborhood Center
Downtown Neighborhood	Employment
Main Street	New Neighborhood
Mixed-Use Corridor	Existing Neighborhood
Regional Center	Park and Open Space
Town Center	Arkansas River Corridor



**Z-7543**

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**Z-7543**

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