



Tulsa Metropolitan Area  
Planning Commission

**Case Number:** Z-7549

**Hearing Date:** May 6, 2020

**Case Report Prepared by:**

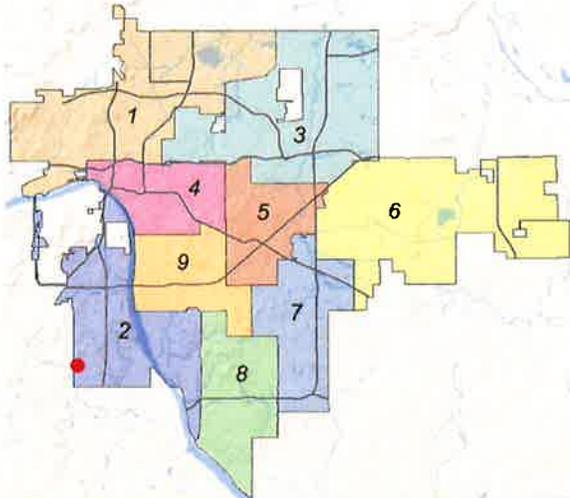
Dwayne Wilkerson

**Owner and Applicant Information:**

*Applicant:* Mark Capron

*Property Owner:* Estates of Copper Creek LLC

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



**Applicant Proposal:**

*Present Use:* Vacant

*Proposed Use:* Residential

*Concept summary:* Rezoning request for single family residential development. AG-R zoning was added to the Tulsa Zoning Code in 2019.

*Tract Size:* 3.7 ± acres

*Location:* East of the southeast corner of West 81st Street South & South 33rd West Avenue

**Zoning:**

*Existing Zoning:* AG

*Proposed Zoning:* AG-R

**Comprehensive Plan:**

*Land Use Map:* Existing Neighborhood

*Stability and Growth Map:* Area of Stability

**Staff Recommendation:**

**Staff recommends approval.**

**Staff Data:**

TRS: 8215

CZM: 51

**City Council District:** 2

*Councilor Name:* Jeannie Cue

**County Commission District:** 2

*Commissioner Name:* Karen Keith

18.1

## SECTION I: Z-7549

**DEVELOPMENT CONCEPT:** The applicant has requested rezoning to allow large lot single-family residential development on property abutting W. 81<sup>st</sup> Street South.

### 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-7549 requests AG-R zoning without a development plan for residential development. The planned development will include single households in a detached house. Single family residential uses in this location are consistent with the Existing Neighborhood land use designation in the Comprehensive Plan and in the West Highlands/Tulsa Hills Small Area Plan and,

One of the goals of the West Highlands/Tulsa Hills Small Area Plan included AG-R zoning as an option for rural residential uses recommended by the West Highlands/Tulsa Hills Small Area Plan and,

AG-R zoning is consistent with the provisions identified in an Area of Stability as outlined in the Tulsa Comprehensive Plan, and is consistent with the large lot neighborhood character expected in the small area plan and,

AG-R zoning allows a lot density that is consistent with the existing and expected land use pattern in the area south of West 81<sup>st</sup> Street South. A much greater lot density is allowed north of this site and was established years ago without sanitary sewer availability. The existing zoning in those areas would allow property to be developed with RS-3 lots with a minimum of 6900 square feet when connected to a sanitary sewer system. The City of Tulsa has recently completed sanitary sewer construction south of this site that would allow much greater density on property that is currently zoned RS-3 and,

City Council has initiated a volunteer rezoning program for property owners to rezone properties in this area to AG-R at no cost, but this request is not part of that program. The lot setbacks and building regulations included in the property included in this AG-R request meet or exceed the standards defined in the Tulsa Zoning Code therefore,

Staff recommends approval of Z-7549 to rezone property from AG to AG-R.

## **SECTION II: Supporting Documentation**

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: Within the West Highlands/Tulsa Hills Small Area Plan a development concept illustrates a single family residential development with a variety of lot sizes, greenspace wildlife corridor for local fauna and a perimeter greenspace buffer that summarize the goals for a context sensitive neighborhood. Without using an optional development plan or recommending a larger lot zoning designation staff does not have any regulatory method to support the visioning concepts illustrated in the plan.*

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## Land Use Vision:

### *Land Use Plan map designation: Existing Neighborhood*

The Existing Residential Neighborhood category is intended to preserve and enhance Tulsa's existing single-family neighborhoods. Development activities in these areas should be limited to the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code. In cooperation with the existing community, the city should make improvements to sidewalks, bicycle routes, and transit so residents can better access parks, schools, churches, and other civic amenities.

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

The Areas of Stability includes approximately 75% of the city's total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability.

The ideal for the Areas of Stability is to identify and maintain the valued character of an area while accommodating the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.

## Transportation Vision:

*Major Street and Highway Plan:* None that would affect site development

*Trail System Master Plan Considerations:* None that affect site development

### Small Area Plan: West Highlands Small Area Plan (Adopted 2014)

The recommendations of the small area plan include many references to supporting residential single family uses within a rural context and a rural residential zoning use. Revisions to the Tulsa Zoning Code have implemented those concepts within the AG-R zoning that was added to the code in 2019.

Special District Considerations: None except those design considerations recommended in the West Highlands/Tulsa Hills Small Area Plan

Historic Preservation Overlay: None

## DESCRIPTION OF EXISTING CONDITIONS:

*Staff Summary: The site abuts property on the south that does not have a public connection to any street. The preliminary plat will require access to the West 81<sup>st</sup> Street South anticipating future development. Street connectivity is an important consideration in the West Highlands/Tulsa Hills Small Area Plan and in the Tulsa Comprehensive Plan.*

Environmental Considerations: The subject property is part of an ongoing stormwater drainage study by the City of Tulsa that may affect building placement and lot configurations.

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Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
West 81 <sup>st</sup> Street South	Secondary Arterial	100 feet	2

Utilities:

The subject tract has municipal water available.

A City of Tulsa sanitary sewer extension will be required to serve this site from approximately ½ mile south of the south boundary of the site.

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	Large lot single family homes
East	AG	Existing Neighborhood	Stability	One single family home
South	AG	Existing Neighborhood	Stability	Undeveloped
West	RS-3	Existing Neighborhood	Stability	Single family homes

**SECTION III: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 11827 dated June 26, 1970 established zoning for the subject property.

***Subject Property:***

**Z-7471 ODP July 2019:** All concurred in **denial** of a request for *rezoning* a 14.69± acre tract of land from AG to RS-1 for Single-family residential, on property located east of the southeast corner of West 81<sup>st</sup> Street South and South 33<sup>rd</sup> West Avenue.

**Z-7446 ODP July 2018:** All concurred in **denial** of a request for *rezoning* a 14.69± acre tract of land from AG to RS-1 for Single-family residential, on property located east of the southeast corner of West 81<sup>st</sup> Street South and South 33<sup>rd</sup> West Avenue.

**Z-7421 ODP February 2018:** All concurred in **denial** of a request for *rezoning* a 15± acre tract of land from AG to RS-2 for Single-family residential, on property located east of the southeast corner of West 81<sup>st</sup> Street South and South 33<sup>rd</sup> West Avenue.

**BOA-11166 September 1980:** The Board of Adjustment **approved** an *Exception* to permit a mobile home in an AG District for a period of 10-years, or until such time as the dairy ceases to operate, whichever comes first, on property located at 3006 West 81<sup>st</sup> Street.

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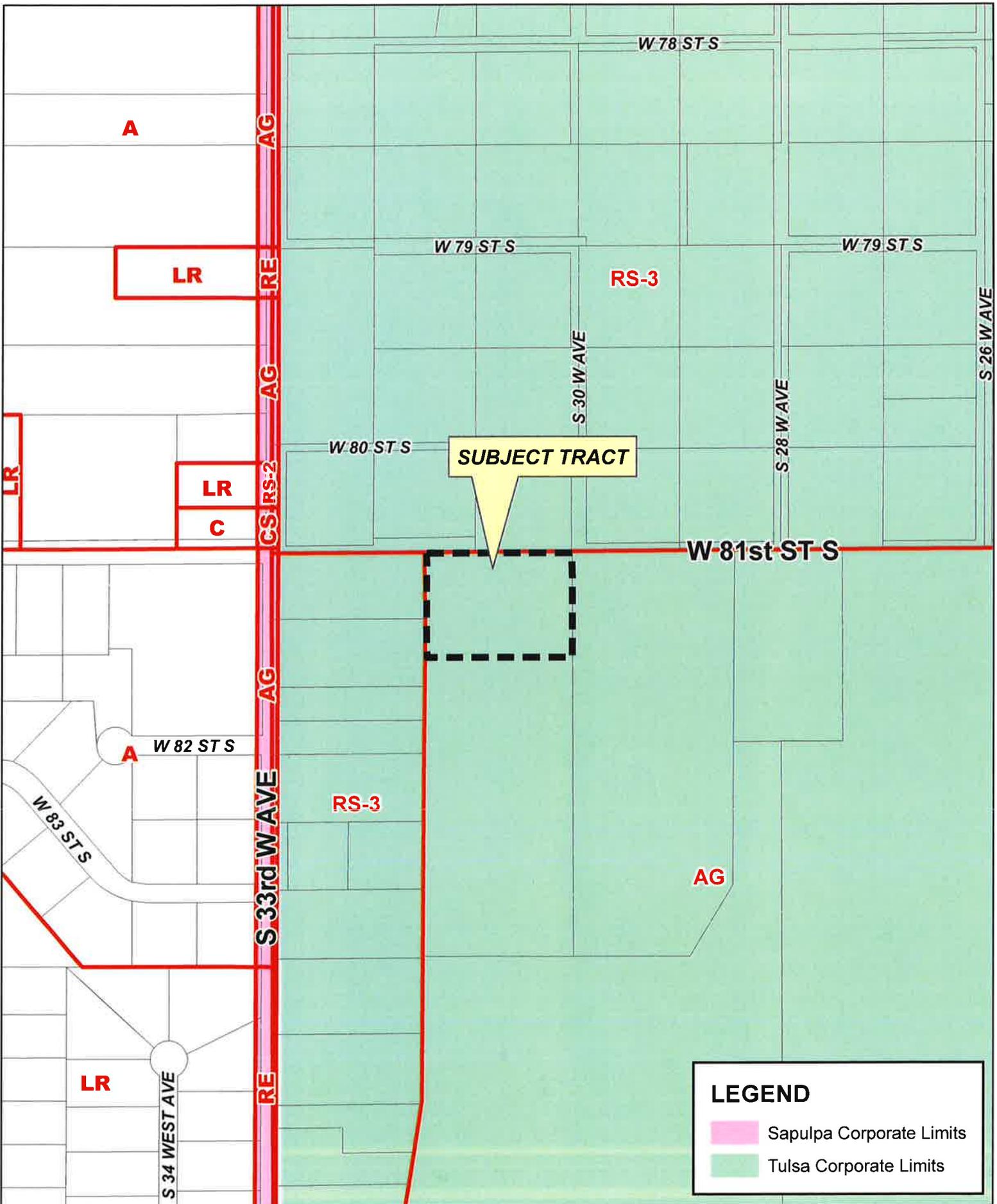
***Surrounding Property:***

**BOA-17934 February 1998:** The Board of Adjustment **denied** a *Variance* to allow 2 dwelling units on one lot of record, a *Special Exception* to allow a manufactured home in an RS-3 zoned district, and a *Variance* of the one year time limit to allow the manufactured home permanently, on property located east of the northeast corner of West 81<sup>st</sup> Street South and South 33<sup>rd</sup> West Avenue.

**BOA-15954 February 1992:** The Board of Adjustment **denied** a *Special Exception* to permit a community group home in an RS-3 zoned district, on property located east of the northeast corner of West 81<sup>st</sup> Street South and South 33<sup>rd</sup> West Avenue.

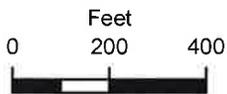
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**LEGEND**

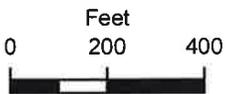
- Sapulpa Corporate Limits
- Tulsa Corporate Limits



**Z-7549**

18-12 15





Subject Tract

**Z-7549**

18-12 15

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

Aerial Photo Date: February 2018

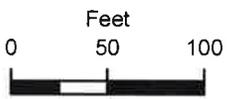
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**W 81st ST S**

**S 30 W AVE**



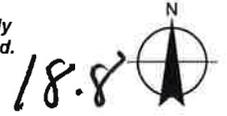
*Subject Tract*

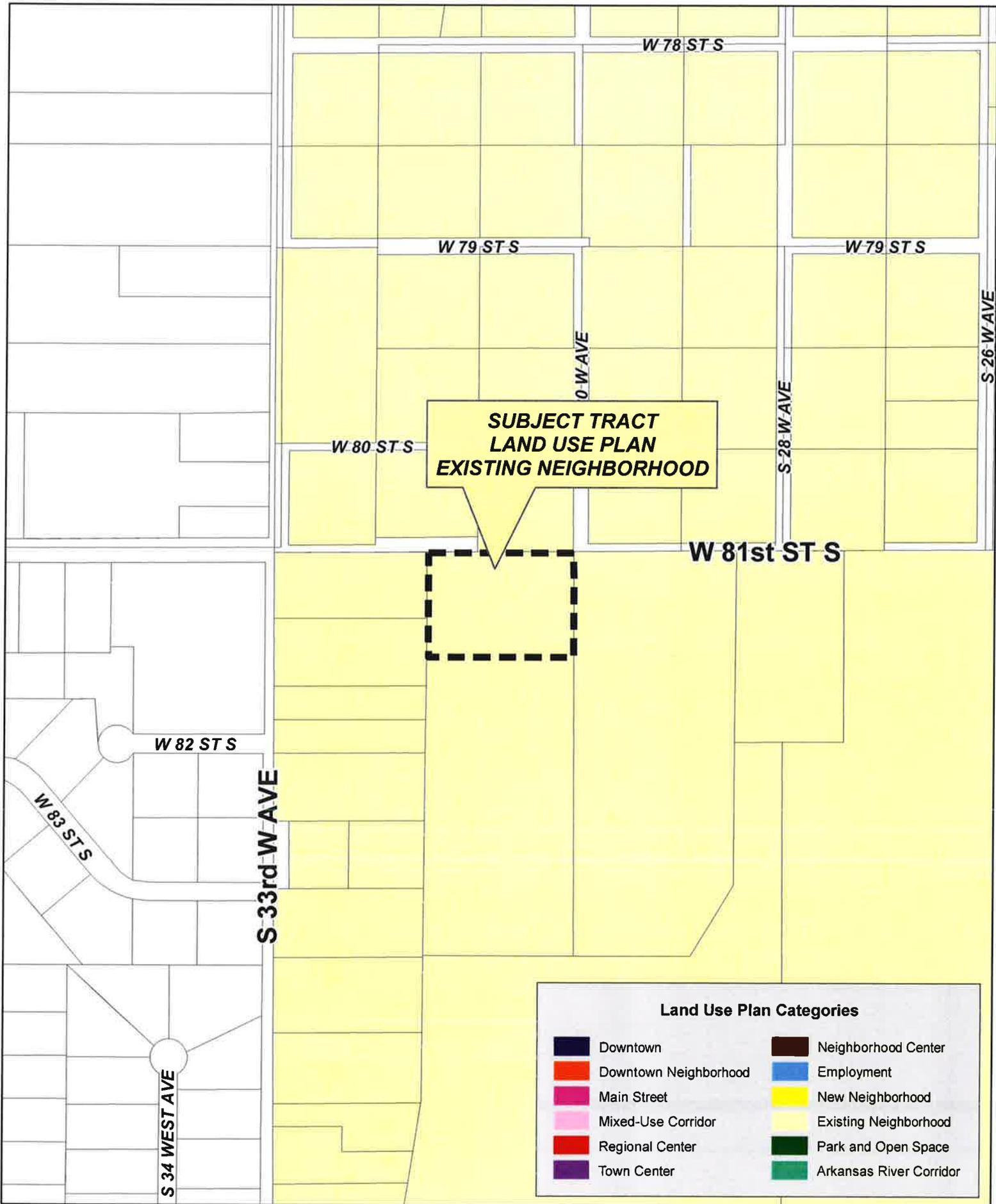
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*Aerial Photo Date: February 2018*

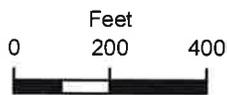


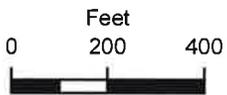
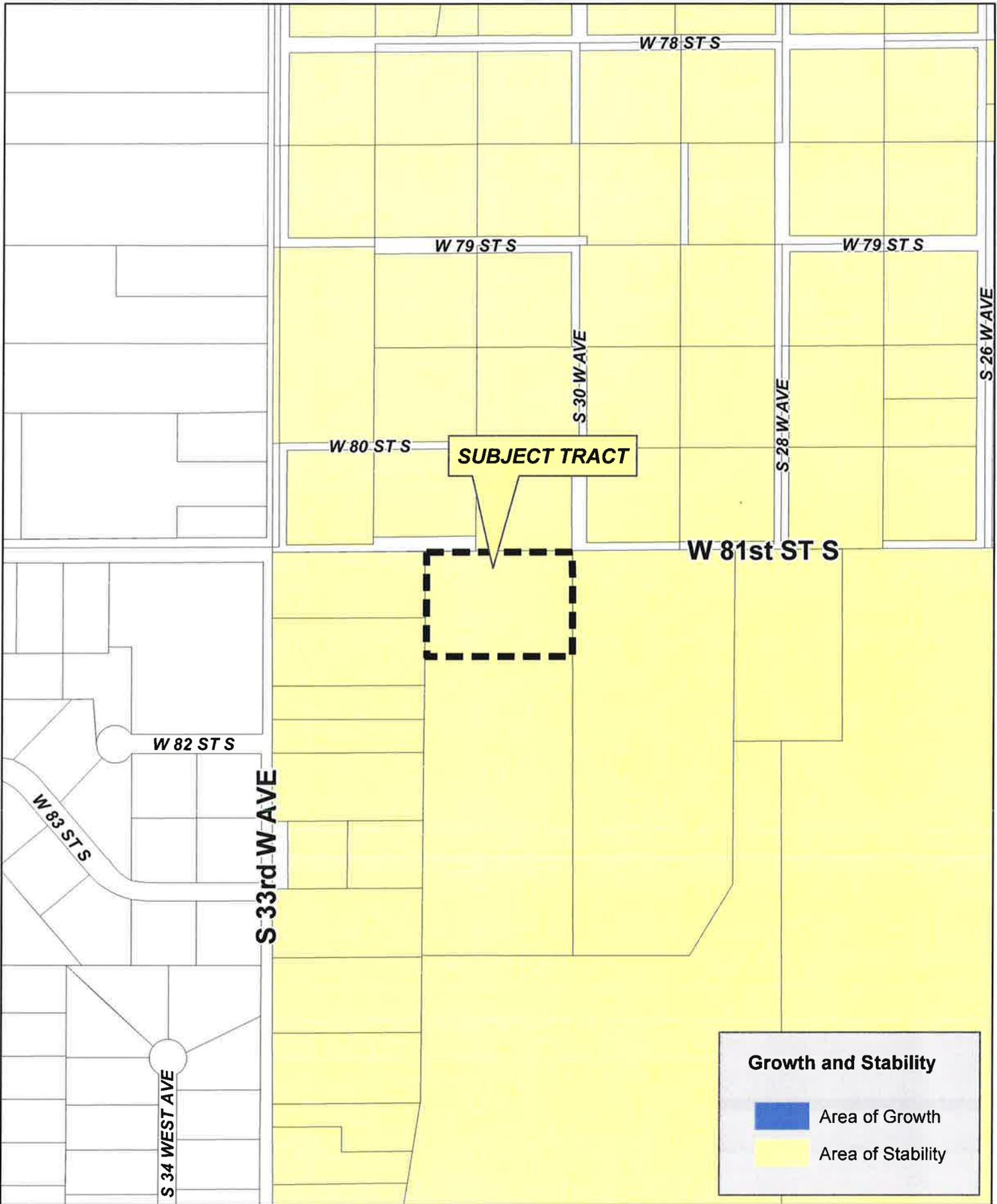


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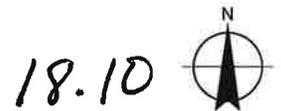
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**Z-7549**

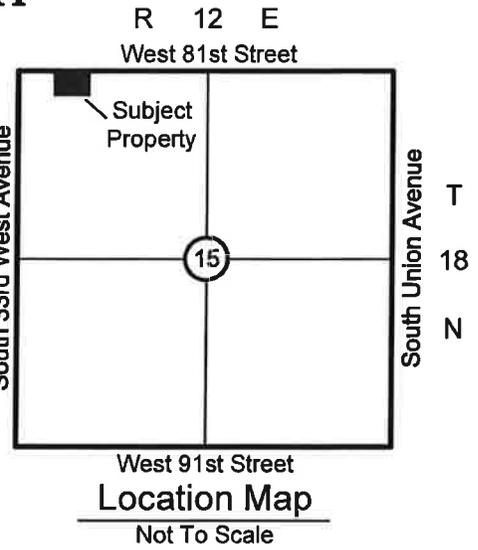
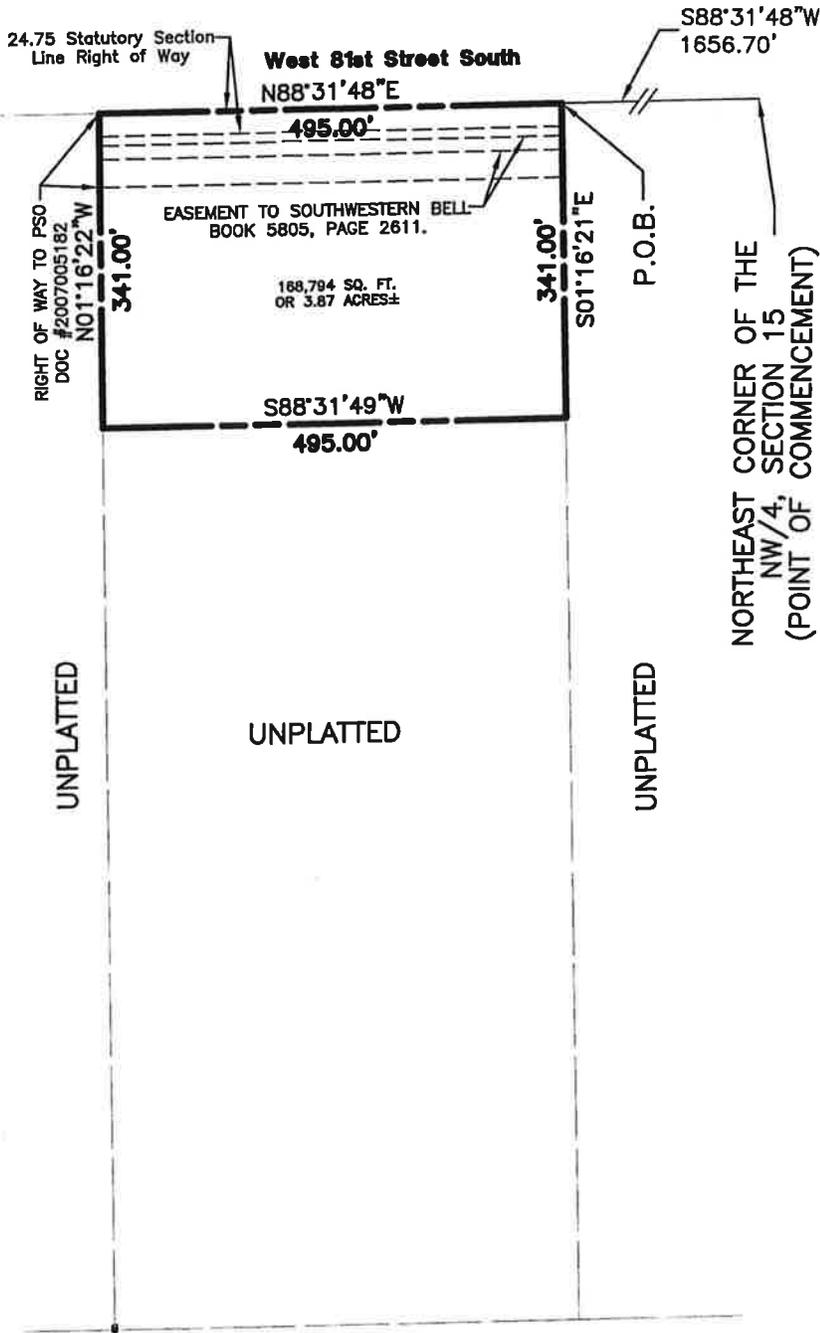
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# EXHIBIT "A"

## REZONING EXHIBIT

Page 2 of 2



**Legend**

P.O.B. = POINT OF BEGINNING



Scale: 1"=200'



FILE: 200760 LG-1A

**Notes**

1. THE BEARING BASE FOR THIS EXHIBIT IS BASED ON THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 15 T-18-N, R-12-E AS S88°31'48"W.
2. SEE EXHIBIT "A" PAGE 2 THRU 3 FOR LEGAL DESCRIPTION AND SURVEYOR'S CERTIFICATE.

BENNETT

SURVEYING, INC.

P.O. BOX 848, CHOCTEAU, OK 74337  
PHONE: (918) 476-7484 FAX: (918) 476-7485  
C.A. NO.: 4502 EXP. DATE: 6/30/20

18.11