



Tulsa Metropolitan Area  
Planning Commission

**Case Number:** Z-7561

**Hearing Date:** July 15<sup>th</sup>, 2020

**Case Report Prepared by:**

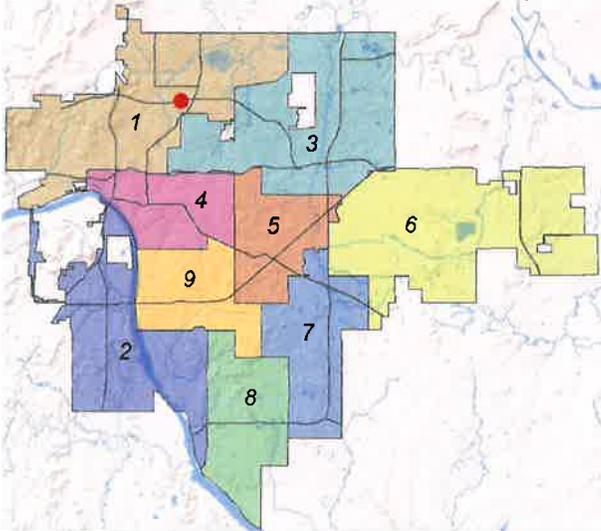
Dwayne Wilkerson

**Owner and Applicant Information:**

*Applicant:* Chris Price

*Property Owner:* MCCURTAIN, PAUL R

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



**Applicant Proposal:**

*Present Use:* Vacant

*Proposed Use:* All uses as allowed in a CS district.

*Concept summary:* The applicant anticipates the initial use of the site to be a medical marijuana dispensary which is allowed by right in a CS district.

*Tract Size:* 0.2 ± acres

*Location:* Northeast corner of East 30th Place North & North Lewis Avenue

**Zoning:**

*Existing Zoning:* RS-3

*Proposed Zoning:* CS

**Comprehensive Plan:**

*Land Use Map:* Mixed-Use Corridor

*Stability and Growth Map:* Area of Growth

**Staff Recommendation:**

**Staff recommends approval.**

**Staff Data:**

TRS: 0320

CZM: 29

**City Council District:** 1

*Councilor Name:* Vanessa Hall-Harper

**County Commission District:** 1

*Commissioner Name:* Stan Sallee

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## SECTION I: Z-7561

### DEVELOPMENT CONCEPT:

The applicant has requested CS zoning without any use restrictions or design standards beyond what is included in the Zoning Code. The applicant anticipates that the initial use of the site will be a medical marijuana dispensary which is allowed by right in a CS district.

### 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:

Z-7561 is a request that will allow all uses in a CS district. Those uses are consistent with the Mixed-Use Corridor land use designation in the Tulsa Comprehensive Plan and,

The Tulsa Comprehensive plan recognizes this area as an area of growth even though the development pattern east of North Lewis and south the Gilcrease Expressway is platted and developed as a residential area with two lane streets and surface drainage on the shoulder of the street. The expected development pattern along North Lewis will be a mix of commercial, office and other uses typical along either side of an arterial street. It is unlikely that future residential development will occur along Lewis in this area and the CS district will be consistent with future development and,

The size of the site will prohibit some uses including the possibility of any off-premise outdoor advertising signage that could be objectionable to the surrounding single-family homes. Off premise advertising signages are required to be at least 150 feet from the R districts surrounding the site. That limitation will prohibit that type of signage while the abutting properties are zoned with an R designation and,

This site is not included in a small area plan that has additional guidance for this location therefore,

**Staff recommends Approval of Z-7561 to rezone property from RS-3 to CS.**

## SECTION II: Supporting Documentation

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: CS zoning is generally consistent with the Mixed-Use Corridor land use designation.

### Land Use Vision:

*Land Use Plan map designation:* Mixed-Use Corridor

A Mixed-Use Corridor is a plan category used in areas surrounding Tulsa's modern thoroughfares that pair high capacity transportation facilities with housing, commercial, and employment uses. The streets usually have four or more travel lanes, and sometimes additional lanes dedicated for transit and bicycle use. The pedestrian realm includes sidewalks separated

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from traffic by street trees, medians, and parallel parking strips. Pedestrian crossings are designed so they are highly visible and make use of the shortest path across a street. Buildings along Mixed-Use Corridors include windows and storefronts along the sidewalk, with automobile parking generally located on the side or behind. Off the main travel route, land uses include multifamily housing, small lot, and townhouse developments, which step down intensities to integrate with single family neighborhoods.

*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: Multi Modal Corridor*

Multi-modal streets emphasize plenty of travel choices such as pedestrian, bicycle and transit use. Multimodal streets are in high intensity mixed-use commercial, retail and residential areas with substantial pedestrian activity. These streets are attractive for pedestrians and bicyclists because of landscaped medians and tree lawns. Multi-modal streets can have on-street parking and wide sidewalks depending on the type and intensity of adjacent commercial land uses. Transit dedicated lanes, bicycle lanes, landscaping and sidewalk width are higher priorities than the number of travel lanes on this type of street. To complete the street, frontages are required that address the street and provide comfortable and safe refuge for pedestrians while accommodating vehicles with efficient circulation and consolidated-shared parking.

Streets on the Transportation Vision that indicate a transit improvement should use the multi-modal street cross sections and priority elements during roadway planning and design.

*Trail System Master Plan Considerations: None*

Small Area Plan: None (Unity Heritage Sector Plan and the Healthy Neighborhood overlay is on the west side of Lewis)

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is a small site measuring approximately 67'5 feet x 130 feet with 8770 square feet and abuts the Gilcrease expressway which is elevated on the north side of the site. Visibility for this site is limited from southbound traffic on Lewis because of the expressway. CS zoning will only allow a maximum floor area of 4,385 for commercial uses.

Street view from northwest corner looking south.



Street view from southwest corner looking northeast.



Environmental Considerations: None that would affect site development

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
North Lewis Avenue	Secondary Arterial	100 feet	5 lanes, two each direction with a center

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			turn lane
East 30 <sup>th</sup> Place North	None	50 feet	2 lanes, no curb

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North across expressway	IL	Employment	Growth	Industrial uses
East	RS-3	Mixed Use Corridor	Growth	Single family residential
South	RS-3	Mixed Use Corridor	Growth	Single family residential
West	RS-3	None	None	Expressway right-of- way-

**SECTION III: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 11809 dated June 26, 1970 established zoning for the subject property.

***Subject Property:***

No Relevant History.

***Surrounding 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 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).

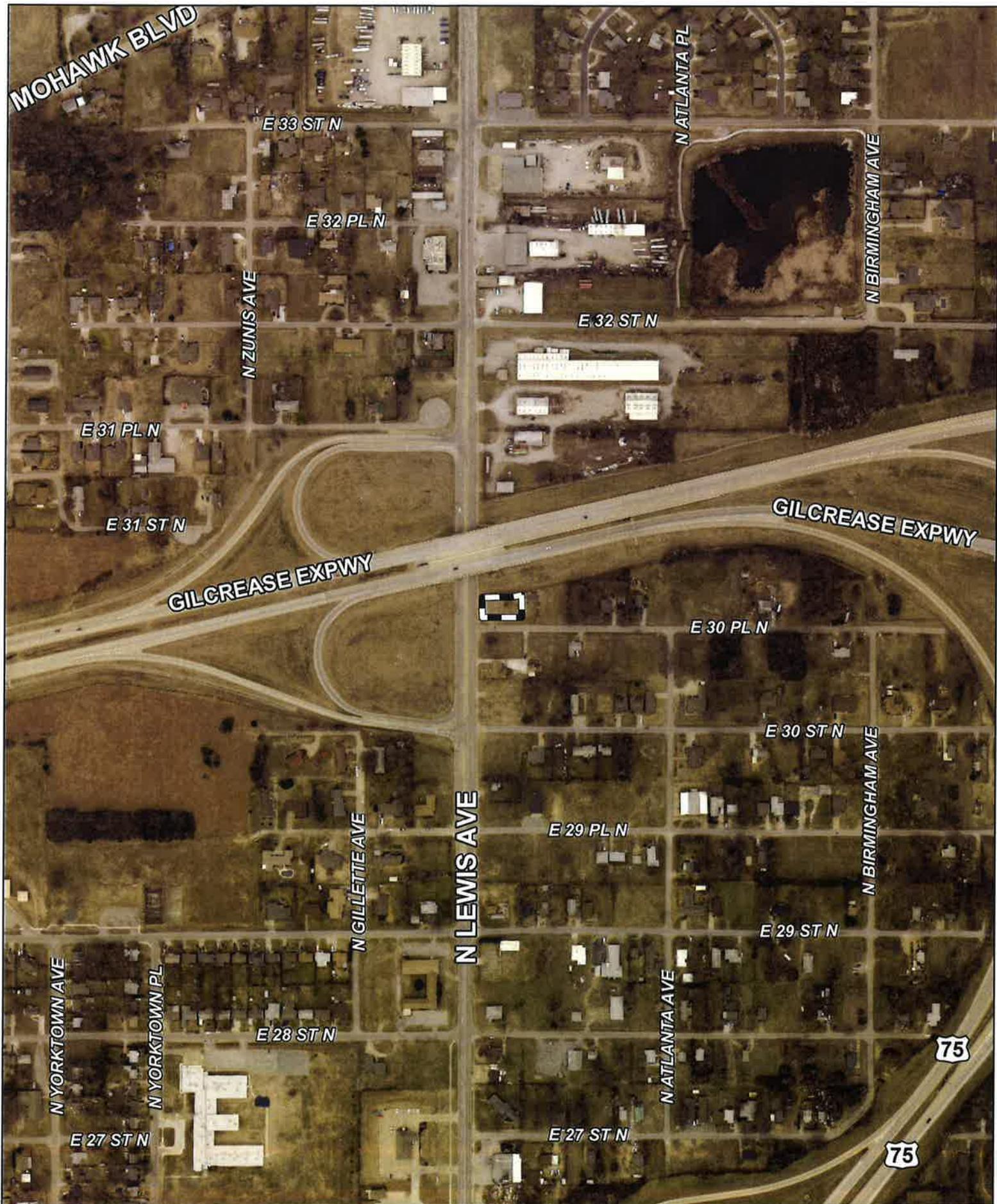
**BOA-08327 August 1974**: The Board of Adjustment **approved** a *Special Exception* to operate a day care center and a *Minor Variance* to build across lot lines in an RS-3 district, on property located south and east of 30<sup>th</sup> Street North and Lewis Avenue.

**BOA-08101 November 1973**: The Board of Adjustment **approved** an *Exception* to operate a children's nursery and a *Minor Variance* to erect a building across a lot line in an RS-3 District, on property located north and east of 31<sup>st</sup> Street North and Lewis Avenue.

**BOA-06855 December 1970**: The Board of Adjustment **approved** an *Exception* to permit erecting a church in an RS-3 district and a *Variance* waiving the minimum lot area of one acre in an RS-3 district to permit the erection of a church, on property located northwest of 30<sup>th</sup> Street North and Atlanta Avenue.

**BOA-05748 February 1968**: The Board of Adjustment **approved** a *Variance* of Section 5 (d) (2) under Section 23 to permit a second house on a lot to be used as a house of prayer in a U-1C district, on property located northeast of 30<sup>th</sup> Street North and Lewis.

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 Subject Tract

**Z-7561**

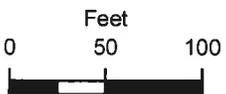
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Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2018

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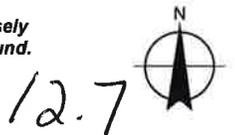
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Tract

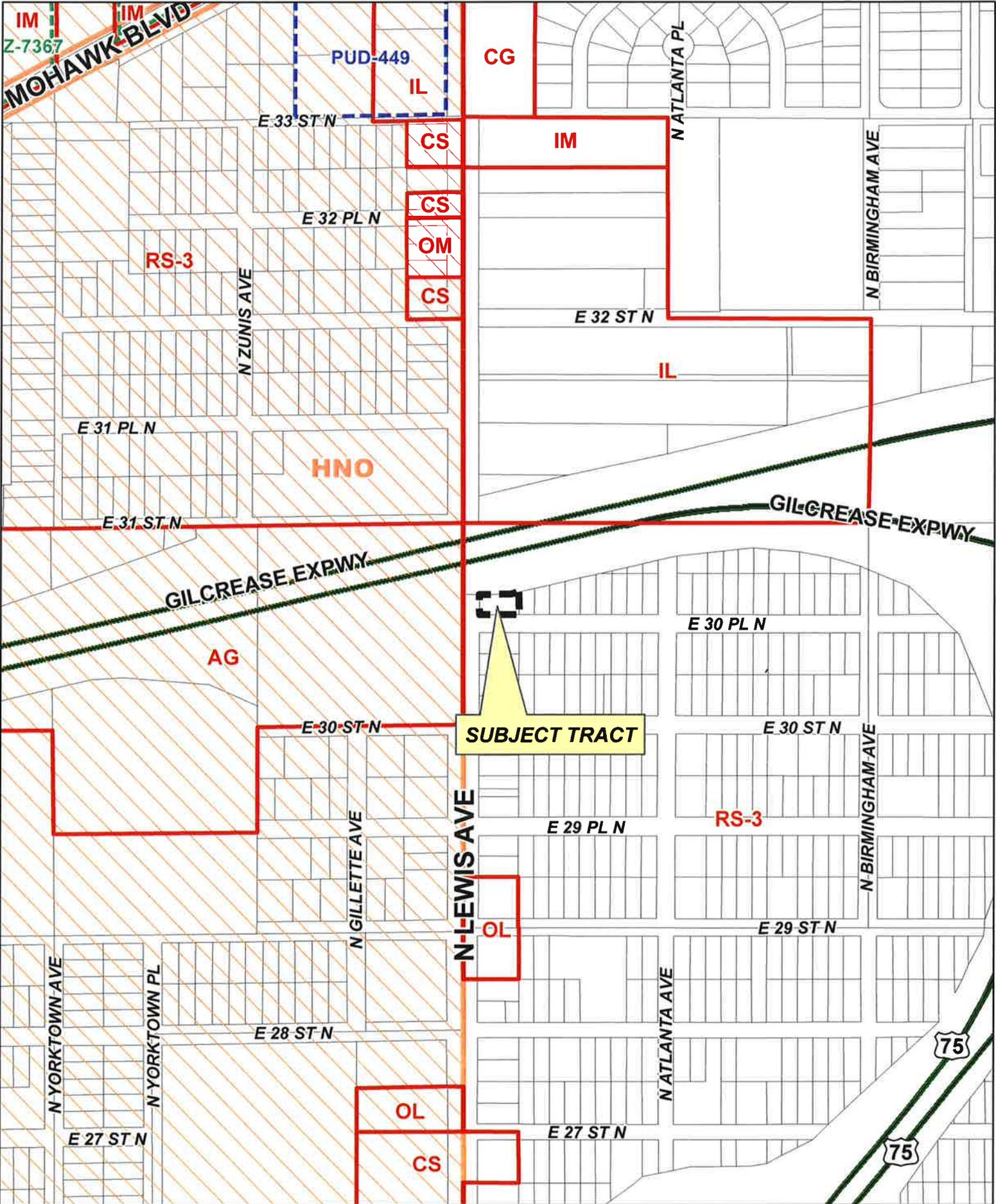
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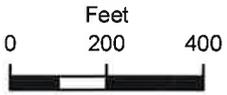


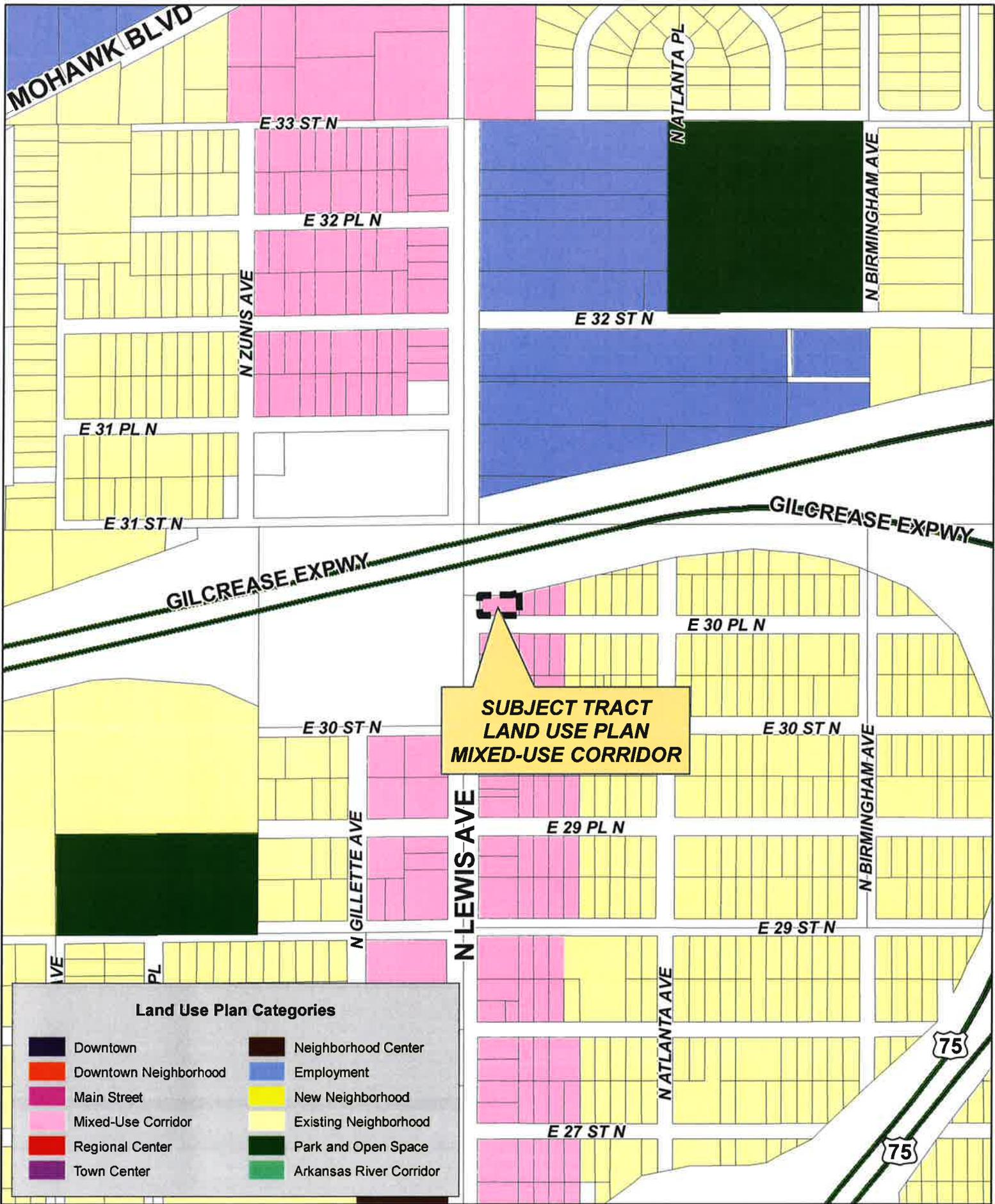


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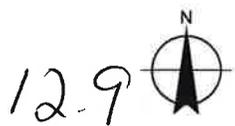
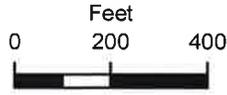




**SUBJECT TRACT  
LAND USE PLAN  
MIXED-USE CORRIDOR**

**Z-7561**

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**MOHAWK BLVD**

**E 33 ST N**

**E 32 PL N**

**N ATLANTA PL**

**N BIRMINGHAM AVE**

**N ZUNIS AVE**

**E 32 ST N**

**E 31 PL N**

**E 31 ST N**

**GILCREASE EXPWY**

**GILCREASE EXPWY**

**E 30 PL N**

**SUBJECT TRACT**

**E 30 ST N**

**E 30 ST N**

**N BIRMINGHAM AVE**

**E 29 PL N**

**N LEWIS AVE**

**E 29 ST N**

**OWN AVE**

**TOWN PL**

**N GILLETTE AVE**

**E 28 ST N**

**N ATLANTA AVE**

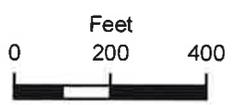
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**Growth and Stability**

-  Area of Growth
-  Area of Stability



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