



Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7564 ODP

Hearing Date: July 15th, 2020

Case Report Prepared by:

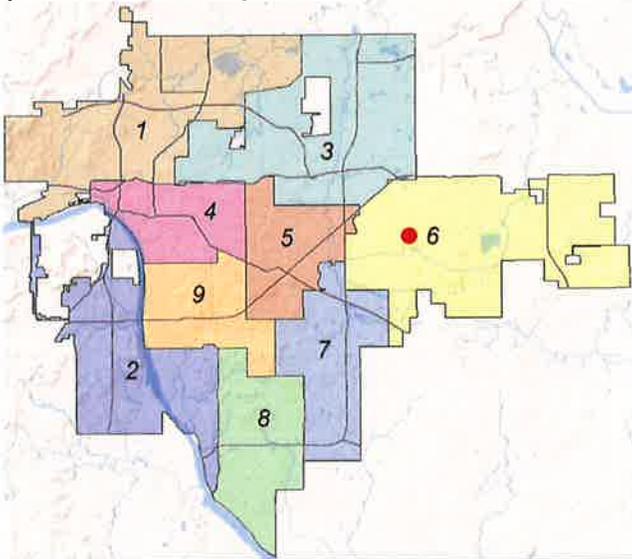
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Wallace Engineering | Mike Thedford

Property Owner: EG VENTURES LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Multiple Commercial and Office Uses

Proposed Use: Commercial, Office and Mixed-Use Buildings.

Concept summary: Rezone the Eastgate Metroplex site from CS to CG with an optional development plan. that supports expanded uses including horticulture nursery operations.

Tract Size: 65.95 ± acres

Location: Southwest corner of East 21st Street South & South 145th East Avenue

Zoning:

Existing Zoning: CS

Proposed Zoning: CG

Comprehensive Plan:

Land Use Map: Regional Center

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 9416

CZM: 39

City Council District: 6

Councilor Name: Connie Dodson

County Commission District: 1

Commissioner Name: Stan Sallee

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SECTION I: Z-7564

DEVELOPMENT CONCEPT: The continued evolution of this site as an employment center along with zoning code modifications over the last 4 years have opened opportunities for expanded uses for this site. The applicant believes the CG zoning with the development plan defined in section II below will support the continued growth of this facility. The small area plan for this area in 2005 recommended opportunities that can be realized with this rezoning request.

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-7564 is requesting rezoning with an optional development plan to allow certain uses in a CG district is consistent with a Regional Center Land Use designation in the Tulsa Comprehensive Plan and,

The Tulsa Comprehensive plan recognizes this area as an area of growth and the normal uses that are allowed in a CG district may not be consistent with the expected future development of the surrounding area however CG zoning with use limitations and supplemental regulations in the current zoning code are consistent with expected future development patterns in the area and,

The development plan outlined in Section II below is consistent with the provisions of the Tulsa Zoning code and,

The development plan and CG zoning is consistent with the goals identified in the 2005 East Tulsa Implementation Plan therefore,

Staff recommends Approval of Z-7564 to rezone property from CS to CG with the optional development plan standards outlined in Section II.

SECTION II: OPTIONAL DEVELOPMENT PLAN STANDARDS

The optional development plan standards will conform to the provisions of the Tulsa Zoning Code for development in a CG district with its supplemental regulations except as further refined below. All uses categories, subcategories or specific uses and residential building types that are not listed in the following permitted uses categories are prohibited:

PERMITTED USE CATEGORIES

Residential Use Category

- Single households (townhome development only)
- Three or more households on a single lot

Group Living

(only if allowed through the special exception process)

- * Homeless center

Special exception only

- * Re-entry facility Special exception only
- * Residential treatment center Special exception only
- * Shelter, emergency and protective Special exception only
- * Transitional living center Special exception only

PUBLIC, CIVIC AND INSTITUTIONAL

- College or University
- Day Care
- *Governmental Service or Similar Functions Special exception only
- Hospital
- Library or Cultural Exhibit
- *Postal Services Special exception only
- Religious Assembly
- Safety Service
- School
 - Established on or before Jan. 1, 1998
 - Others
- Utilities and Public Service Facility**
 - Minor

- Wireless Communication Facility**
 - Freestanding tower
 - Building or tower-mounted antenna

COMMERCIAL

- Animal service**
 - Boarding or shelter
 - Grooming
 - Veterinary
- Assembly and Entertainment**
 - *Indoor gun club Special exception only
 - Other indoor
 - *Small (up to 250-person capacity) Special exception only
 - *Large (>250-person capacity) Special exception only
 - Other outdoor Special exception only
- Broadcast or Recording Studio**
- Commercial Service**
 - Building service
 - Business support service
 - Consumer maintenance/repair service
 - Personal improvement service
 - Research service
- Financial Services** (except as below)
 - Personal credit establishment
 - Funeral or Mortuary Service
- Lodging**
 - Campgrounds and RV parks
 - Hotel/motel
- Office**
 - Business or professional office
 - Medical, dental or health practitioner office
 - Plasma center
- Parking, Non-accessory**

Restaurants and Bars

Restaurant

Bar

*Brewpub

Special exception only

Retail Sales

Building supplies and equipment

Consumer shopping goods

Convenience goods

Grocery Store

Small Box Discount Store

Medical Marijuana Dispensary

Self-service Storage Facility

Studio, Artist or Instructional Service

Trade School

Vehicle Service (sales not allowed)

Commercial vehicle repair / maintenance

Fueling station

Personal vehicle repair / maintenance

Vehicle part and supply sales

Vehicle body and paint finishing shop

WHOLESALE, DISTRIBUTION. & STORAGE

Wholesale Sales and Distribution

INDUSTRIAL

*Low-impact Manufacturing & Industry

Special exception only

AGRICULTURAL

Community Garden

Farm, Market- or Community-supported

*Horticulture Nursery

Special exception only

OTHER

Drive-in or Drive-through Facility (as component of an allowed principal use)

RESIDENTIAL BUILDING TYPES

Household living

Single household

Townhouse

Mixed-Use building

Vertical mixed-use building

Two households on a single lot

Mixed-use building

Vertical-mixed use building

Three or more households on a single lot

Mixed-use building

Vertical-mixed use building

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: *Uses and supplemental regulations defined in the optional development plan associated with the CG zoning request are consistent with the small area plan and the land use designation in the Tulsa Comprehensive Plan.*

Land Use Vision:

Land Use Plan map designation: Regional Center

Regional Centers are mid-rise mixed-use areas for large-scale employment, retail, and civic or educational uses. These areas attract workers and visitors from around the region and are key transit hubs; station areas can include housing, retail, entertainment, and other amenities. Automobile parking is provided on-street and in shared lots. Most Regional Centers include a parking management district.

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:

East 21st and South 145th East Avenue are both designated as Primary Arterial streets. East 21st is also classified as a Multi Modal Corridor.

Multi-modal streets emphasize plenty of travel choices such as pedestrian, bicycle and transit use. Multimodal streets are located 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: Z-7564 is in the East Tulsa Neighborhood Detailed Implementation Plan that was adopted in November 2005. The plan has not been updated but is being reviewed as part of new zoning application research.

The small area plan recognizes this site as a major activity center and encourages gateways that help identify the character for the neighborhood. Activity centers can be developed by clustering uses and ultimately taking on the characteristics of the historic town center. Concentration of civic institutional and commercial activity in these centers is encouraged and should be well designed.

The plan consists of 30 goals that all generally support major activity centers that are properly designed and may develop with mixed and multiple uses exhibiting an urban character, pedestrian friendly, walkable environments and appropriate transition areas.

East 21st and South 145th East Avenue are both considered Special Treatment Corridors that should optimize the use of existing street infrastructure and add the elements of the Special Treatment Corridor during redevelopment. This would include extensive landscape, street trees, boulevard treatments, streetscape, pedestrian scale lighting textured crosswalk at street intersections, appropriate traffic calming techniques and other appropriate roadway solutions.

Special District Considerations:

Future redevelopment considerations have been identified in the East Tulsa Neighborhood Detailed Implementation Plan.: During the 2016 zoning code update building setbacks have been reduced and parking ratios have been relaxed in a way that supports the type of development illustrated below.

THE PLAN
East Tulsa Neighborhood Detailed Implementation Plan – Phase I

Exhibit 6



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Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site was developed as a regional retail mall prior to implementation of any zoning code requirements for landscaping and when buildings were required to be set back from the street. The facility is now repurposed as a major employment center and includes multi story office structures. The building includes an underground vehicular access area for that was originally provided for retail loading, service and deliveries.



Environmental Considerations: None that affect site redevelopment

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 21 st Street South	Primary Arterial with Multi Modal Corridor designation	120 feet	7 including various turn lanes
South 145 th East Avenue	Primary Arterial	120 feet	6 including various turn lanes and grass medians.
South 137 th East Avenue	Residential Collector	60 feet	2 with on street parking

Utilities:

The subject tract has municipal water and sewer available.

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Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	CS and CG with development plan Z-7347	Regional Center	Growth	Commercial uses
East	CS and RM-1	Regional Center	Growth	Undeveloped
South	RM-1	Regional Center	Growth	Multi family
West	RM-1	Regional Center	Growth	multifamily

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 13178 dated May 15, 1974 established the current zoning for the subject property.

Subject Property:

BOA-20999 November 2009: The Board of Adjustment **approved** a *Special Exception* to permit a trade school use (Use Unit 15) in the CS District, with conditions for no outside storage or activity around the building and that they conform to the City of Tulsa building and fire codes, on property located at the southwest corner of East 21st Street and South 145th East Avenue.

BOA-17827 September 1997: The Board of Adjustment **approved** a *Special Exception* to permit a trade-vocational school in a CS District, on property located at 14002 East 21st Street.

BOA-16142 September 1992: The Board of Adjustment **approved** a *Special Exception* to permit an RV show and sale as a temporary open air activity from 9:00am to 9:00pm, October 23, 1992 through October 25th, 1992, finding that the code does not specifically address the temporary sale of recreational vehicles as an open air activity, on property located at the southwest corner of East 21st Street and South 145th East Avenue.

BOA-13232 July 1984: The Board of Adjustment **approved** a *Special Exception* to permit a mobile home in an RS-3 district under the provisions of Section 1680, subject to the Health Department approval with a one-year removal bond required, on property located north of the northwest corner of 25th West Avenue and Young Street.

BOA-08161 December 1973: The Board of Adjustment **denied** a *Variance* of the setback requirements from the centerline of 21st Street from 110' to 75' and 110' to 85' from the centerline of 145th East Avenue in a CS district as no hardship was proven, on property located southwest of 21st Street and 145th East Avenue.

BOA-08139 December 1973: The Board of Adjustment **approved** an *Exception* to use property for automotive and allied activities in a CS District, on property located southeast corner of 21st Street and 137th East Avenue.

BOA-06971 April 1971: The Board of Adjustment **approved** an *Exception* to permit established off-street parking to be used in conjunction with a shopping center in an RM-1 district, on property located south and west of 145th East Avenue and 21st Street.

Z-4640 May 1974: All concurred in **approval** of a request for *rezoning* a 10.49± acre tract of land from RM-1 to CS for a commercial shopping center, on property located south of the southwest corner of 21st Street and 145th East Avenue. (Ordinance No. 13178)

Ordinance number 11817 dated June 26, 1970 established zoning for the subject property.

Surrounding Property:

Z-7390 July 2017: All concurred in **approval** of a request for *rezoning* a 9.81± acre tract of land from RD to RM-1 for Residential multi-family, on property located west of the northwest corner of East 24th Street and South 137th East Avenue.

Z-7347 July 2016: All concurred in **approval** of a request for *rezoning* a 7.44± acre tract of land from CS to CG for commercial/retail, on property located west of the northwest corner of East 21st Street South and South 145th East Avenue.

Z-7326/PUD-844 (Withdrawn April 2016): Request to rezone a 20.75± acre tract of land from CS to CG and establish a proposed *Planned Unit Development* for mixed-use on property located north and west of the northwest corner of East 21st Street and South 145th East Avenue, was withdrawn April 11th, 2016.

Z-7308/PUD-835 (Withdrawn September 2015): Request to rezone a 20.75± acre tract of land from CS to CG and establish a proposed *Planned Unit Development* for mixed-use on property located northwest corner of East 21st Street and South 145th East Avenue, was withdrawn September 2nd, 2015.

BOA-15818 September 1991: The Board of Adjustment **approved** a *Special Exception* to permit church use in an OL, RM-1, RM-0 zoned district and a *Variance* of the required all-weather material for off-street parking to permit gravel parking for one year only, per plot plan submitted, on property located at 13650 East 21st Street.

BOA-14384 May 1988: The Board of Adjustment **approved** a *Special Exception* to allow for automotive and allied activities (tire store) in a CS zoned district, subject to no outside storage, and subject to all activities being conducted inside the building, on property located northwest corner 21st Street and South 145th East Avenue.

Z-5591 September 1981: All concurred in **approval** of a request for *rezoning* a 2.12± acre tract of land from RM-1 to OL an office, on property located west of the southwest corner of 137th East Avenue and 21st Street.

BOA-08866 December 1975: The Board of Adjustment **approved** a *Exception* to operate a children's nursery, per plot plan, and subject to no sign being permitted in an RM-2 district, on property located at 2218 South 137th East Avenue.

Z-4541 October 1973: All concurred in **approval** of a request for *rezoning* a 54.46± acre tract of land from AG & RM-1 to RM-1 for multi-family housing, on property located east of the southeast corner of 21st Street and 145th East Avenue.

Z-4375 May 1973: All concurred in **approval** of a request for *rezoning* a 5± acre tract of land from AG to CS for commercial, on property located west of the northwest corner of 21st Street and 145th East Avenue.

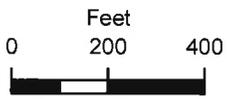
Z-4338 March 1973: All concurred in **approval** of a request for *rezoning* a 10± acre tract of land from RS-3 to CS for commercial shopping and retail, on property located on the northeast corner of 21st Street and 145th East Avenue.

Z-3821 December 1971: All concurred in **approval** of a request for *rezoning* a 14.5± acre tract of land from AG to CS/RM-2 for a furniture store, on property located north side of 21st Street, west of 145th East Avenue.

BOA-06051 November 1968: The Board of Adjustment **approved** an *Exception* to permit erecting a church in a U-1C district, on property located at north side of 21st Street, ¼ mile west of 145th East Avenue.

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 Subject Tract

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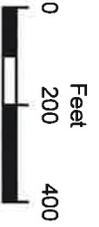
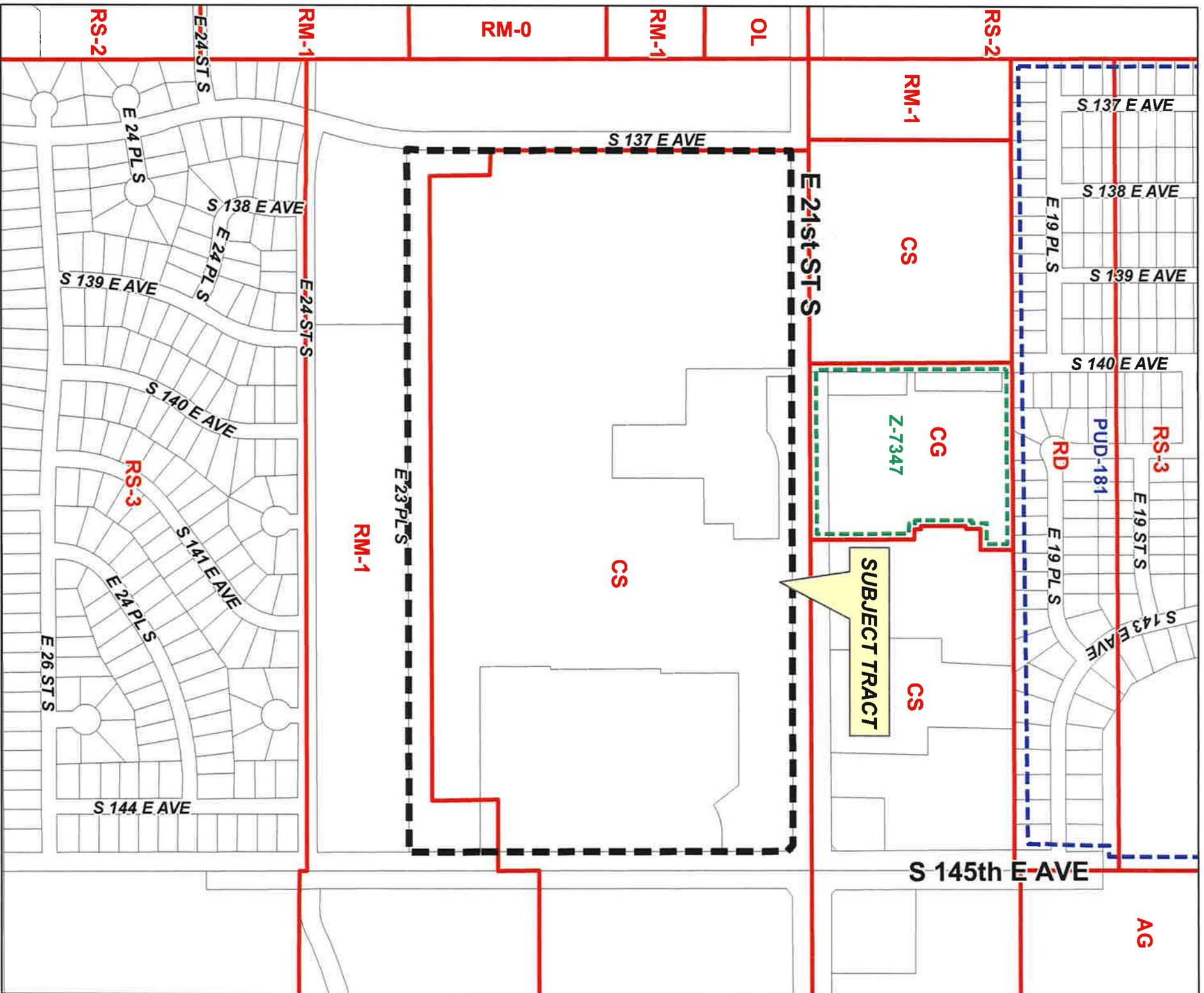
Z-7564 with Optional Development Plan

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

Aerial Photo Date: February 2018



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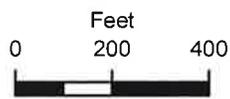
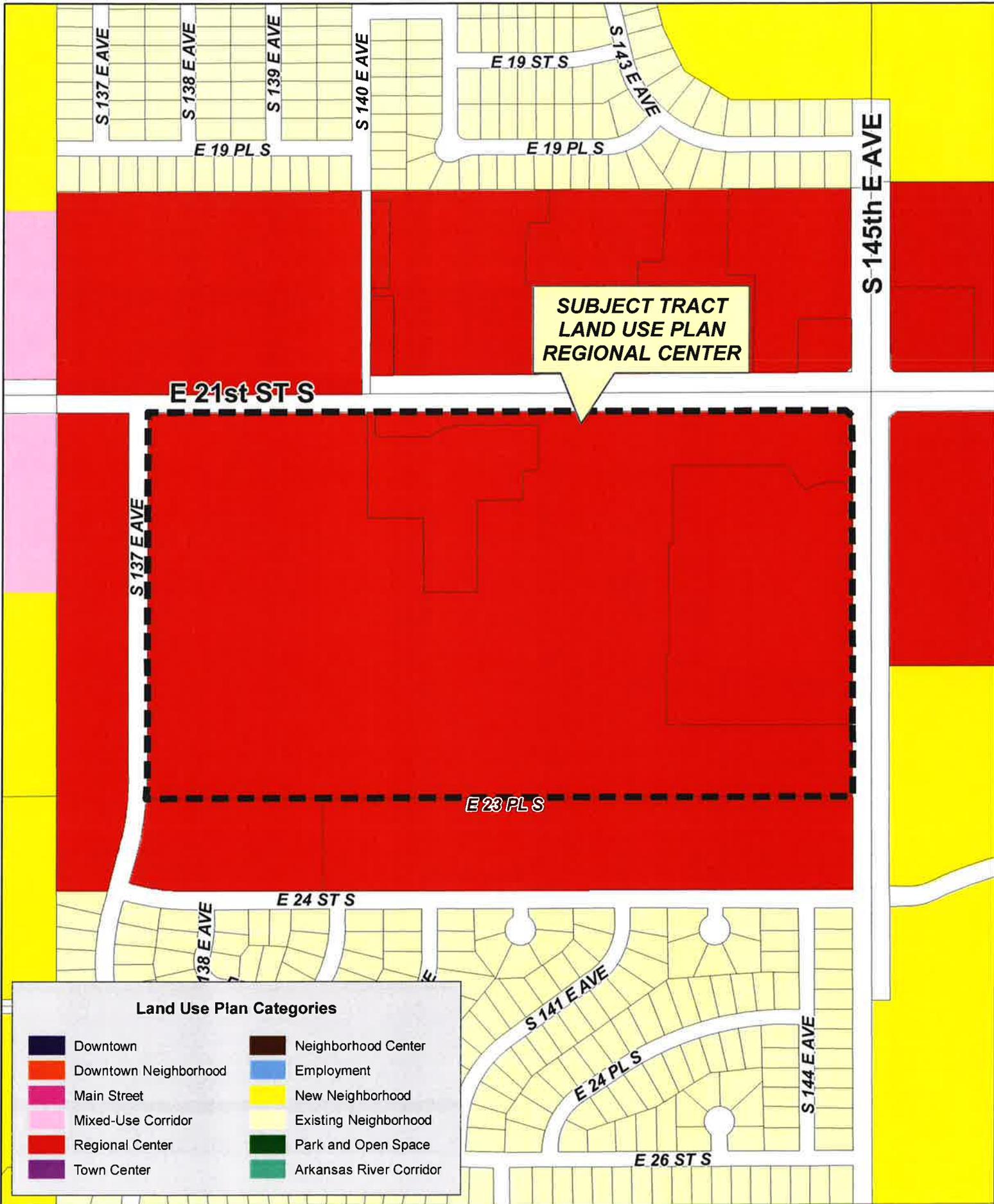


19-14 16

Z-7564
with Optional
Development Plan



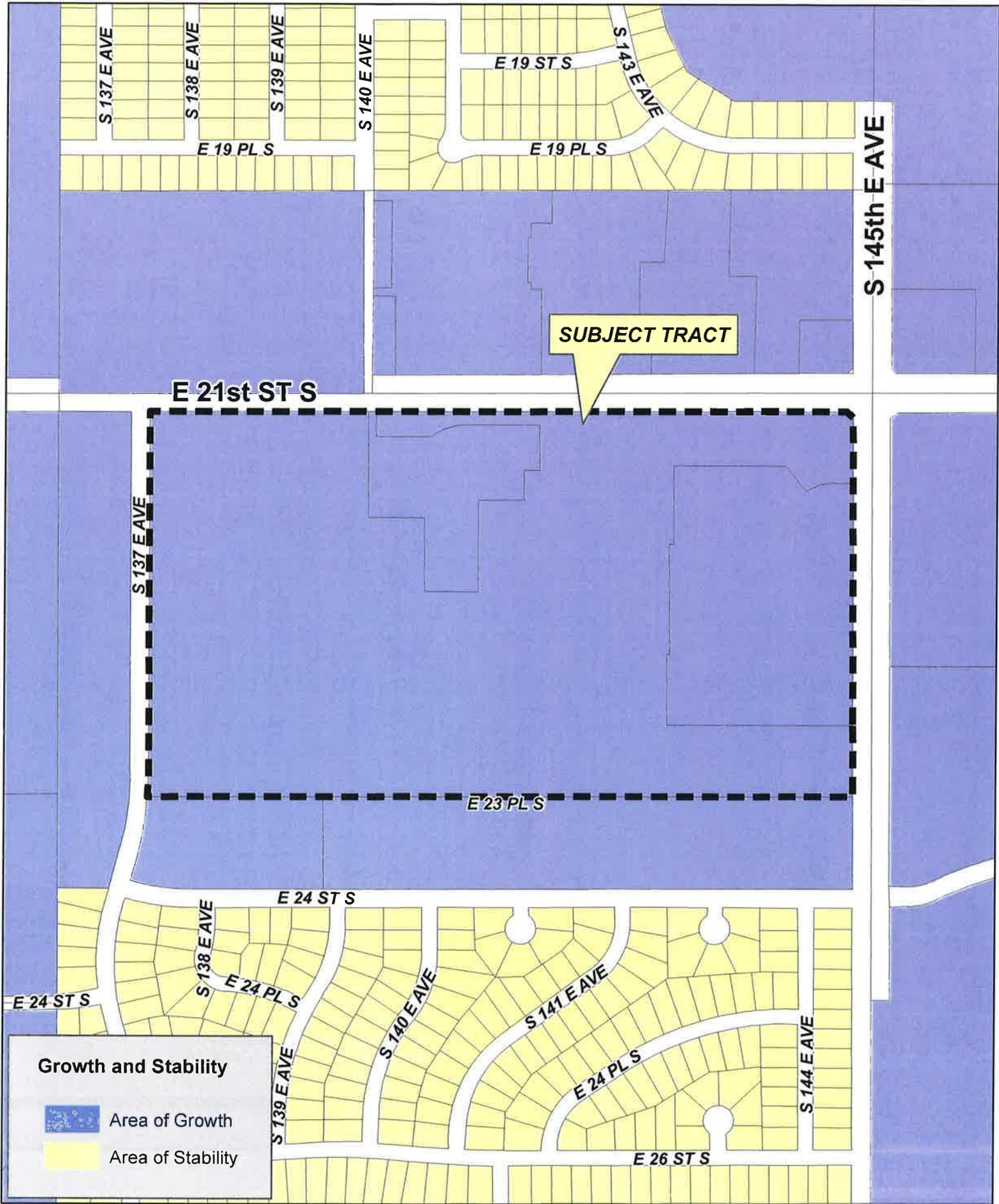
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19-14 16

Z-7564
with Optional
Development Plan

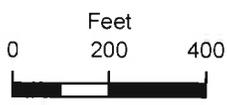




SUBJECT TRACT

Growth and Stability

-  Area of Growth
-  Area of Stability



19-14 16

Z-7564
with Optional
Development Plan

