



Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7579

Hearing Date: November 4, 2020

Case Report Prepared by:

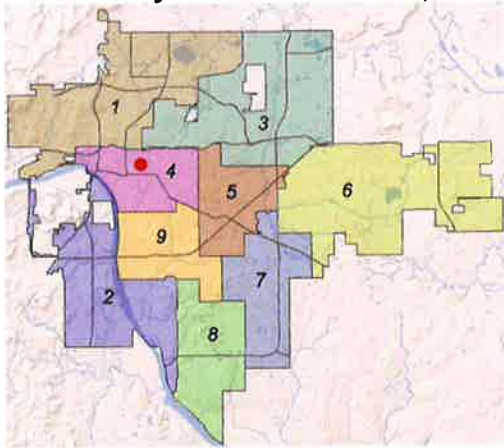
Nathan Foster

Owner and Applicant Information:

Applicant: Cody Brandt

Property Owner: Ashley Hacker

Location Map:
(shown with City Council districts)



Applicant Proposal:

Present Use: Vacant

Proposed Use: Apartments

Concept summary: Rezone property from exclusively single-family residential to a neighborhood-level mixed-use zoning district.

Tract Size: 0.31 ± acres

Location: West of the Southwest corner of East 8th Street South & South Utica Avenue

Zoning:

Existing Zoning: RS-4

Proposed Zoning: MX1-U-35

Comprehensive Plan:

Land Use Map: Downtown Neighborhood

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 9306

CZM: 37

City Council District: 4

Councilor Name: Kara Joy McKee

County Commission District: 2

Commissioner Name: Karen Keith

6.1

SECTION I: Z-7579

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:

DETAILED STAFF RECOMMENDATION:

The applicant is requesting to rezone an approximately 0.3 acre site west of South Utica Avenue on East 8th Street. The request is for MX1-U-35 which translates to a neighborhood level mixed-use district with an urban character and an overall height limitation of 35 feet.

MX1, Neighborhood Mixed-use is intended to accommodate small-scale retail, service, and dining uses in addition to a variety of residential uses and building types. Examples of non-residential uses permitted within the MX1 district are offices, restaurants, retail sales, and studios. Residential uses permitted include apartments and townhouses. Building types and form are controlled by the "Urban" character designation selected by the applicant. Urban character zones pull building facades to the front of the lot through a required build-to zone of 0 feet to 20 feet. Vertical mixed-use buildings including a mix of commercial and residential uses are required to provide a minimum of 40% transparency on the ground floor in order to accommodate a more active street. Buildings intended purely for residential uses would be required a minimum of 20% transparency on the ground floor to accommodate more privacy for ground-floor residential units. The applicant has requested a 35 foot height limitation on new structures which aligns with the current height restriction of the RS-4 district.

In the immediate vicinity of the subject parcel, there is a mix of commercial uses including a convenience store and a pawn shop along the Utica Avenue frontage. Neighborhood parcels are comprised of a mixture of duplexes, a multi-unit house, a single-family home, and a neighborhood religious assembly.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The City's Comprehensive Plan designates this area as a **Downtown Neighborhood** and an **Area of Growth**. Downtown neighborhoods are located outside but are tightly integrated with the Downtown Core. The plan intends these areas to evolve into areas that are pedestrian-oriented where people can both work and live which supports the concept of a neighborhood mixed-use zoning allowing for small-scale commercial uses or medium density housing opportunities.

Staff has found the request for MX1-U-35 to be consistent with the goals and recommendations of the Comprehensive Plan and non-injurious to the surrounding approximate properties.

Staff recommends APPROVAL of z-7579 to rezone property from RS-4 to MX-1-U-35.

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SECTION II: Supporting Documentation

Land Use Vision:

Land Use Plan map designation: **Downtown Neighborhood**

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

Small Area Plan: Pearl District Small Area Plan

The Pearl District Small Area Plan was adopted on July 3, 2019 and maintained the importance of this area as a “Downtown Neighborhood” and supporting the concept of additional housing choice, mixture of uses, and the revitalization of existing neighborhood areas.

Priority 1: Stabilize and revitalize existing residential areas, promote homeownership and housing affordability, and increase housing choice.

Priority 2: Promote development that retains existing businesses and increases employment, mixed-use, commercial, and retail opportunities.

The options afforded under the MX1-U-35 zoning requested are supported by the goals and recommendations of the small area plan for downtown neighborhood areas.

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: In the immediate vicinity of the subject parcel, there is a mix of commercial uses including a convenience store and a pawn shop along the Utica Avenue frontage. Neighborhood parcels are comprised of a mixture of duplexes, a multi-unit house, a single-family home, and a neighborhood religious assembly.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East. 8 th Street	Residential	50'	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

<u>Location</u>	<u>Existing Zoning</u>	<u>Existing Land Use Designation</u>	<u>Area of Stability or Growth</u>	<u>Existing Use</u>
West	RS-4	Downtown Neighborhood	Growth	Multi-unit house
North	RS-4	Downtown Neighborhood	Growth	Duplexes
East	RS-4	Mixed-Use Corridor	Growth	Detached House
South	RS-4/PUD-588-A	Mixed-Use Corridor	Growth	Convenience Store

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11815 dated June 26, 1970 established zoning for the subject property.

Subject Property:

No Relevant History.

Surrounding Property:

PUD-588-A May 2012: All concurred in **approval** of a proposed *Major Amendment* to PUD on a 3.35± acre tract of land to allow a 1.35 acre tract of land located north of the existing PUD to be added to the PUD to allow for the redevelopment of the property with a larger store and greater service capacity, on property located northwest corner of East 11th Street and South Utica Avenue.

Z-7109 September 2008: All concurred in **approval** of a request for *rezoning* a .32± acre tract of land from RS-4 to OL for accessory parking, on property located southeast corner of South Troost Avenue and East 10th Street.

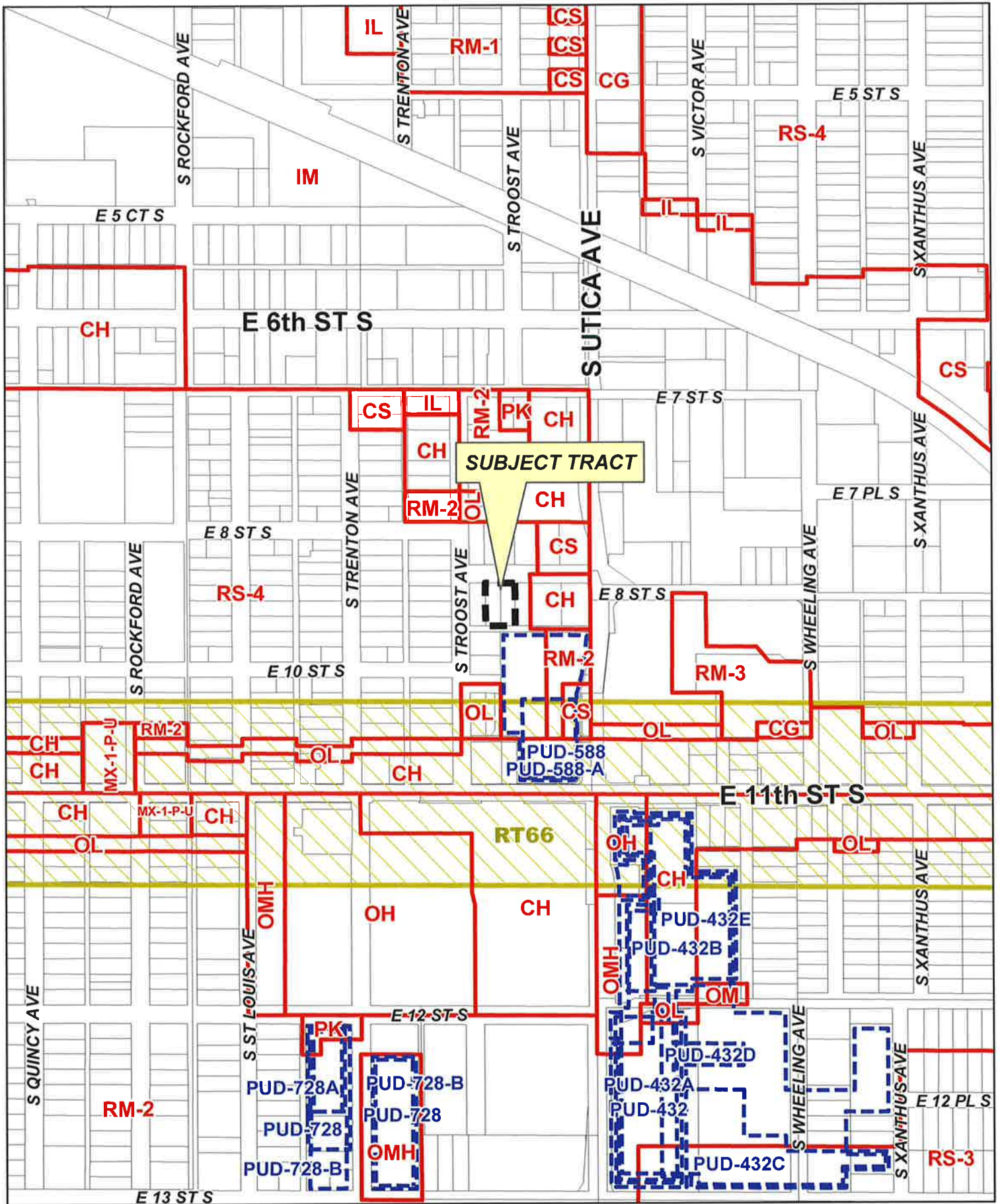
BOA-19667 September 2003: The Board of Adjustment **approved** a *Special Exception* to allow a church in an RS-4 District, a *Variance* of the required one acre lot size, and a *Variance* of the required parking from 42 spaces to 14, finding it is an existing building, with ample parking space, on property located at 810 & 802 South Troost.

PUD-588 June 1998: All concurred in **approval** of a proposed *Planned Unit Development* on a 2± acre tract of land for a convenience store (Quik Trip), on property located on the northwest corner of East 11th Street South and South Utica Avenue.

BOA-12909 December 1983: The Board of Adjustment **approved** a *Special Exception* to permit a Pythian Benevolent Association in an RM-2 zoned district under the provisions of Section 1680, subject to the type of building built on the property being a tilt-up brick veneer building as submitted by the applicant, on property located at the southwest corner of Troost Avenue and 8th Street.

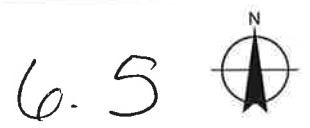
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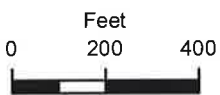
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 Subject Tract

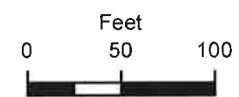
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Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2018





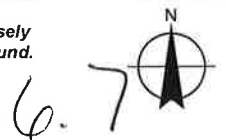
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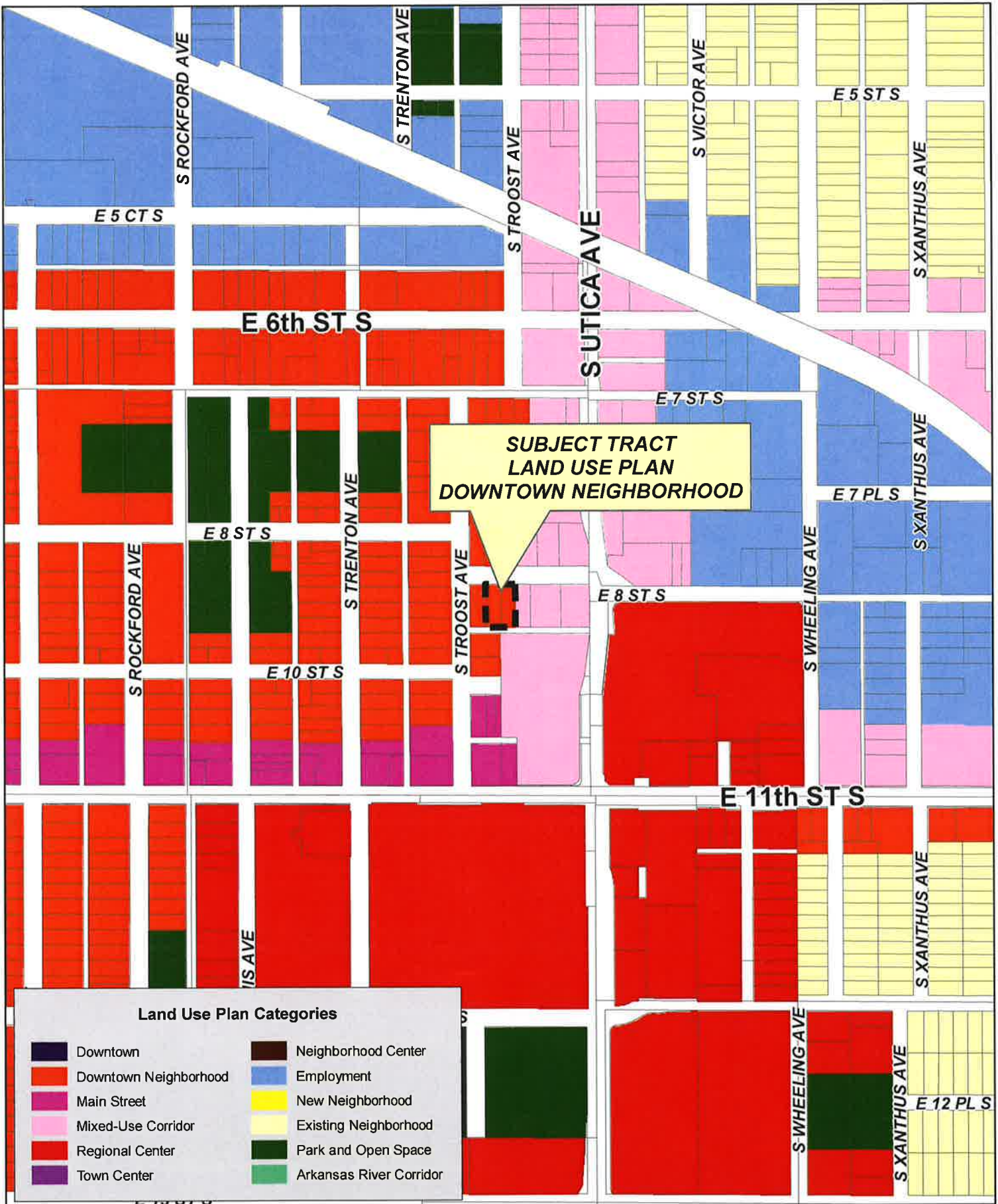
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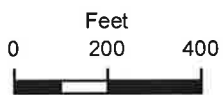
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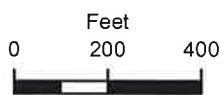
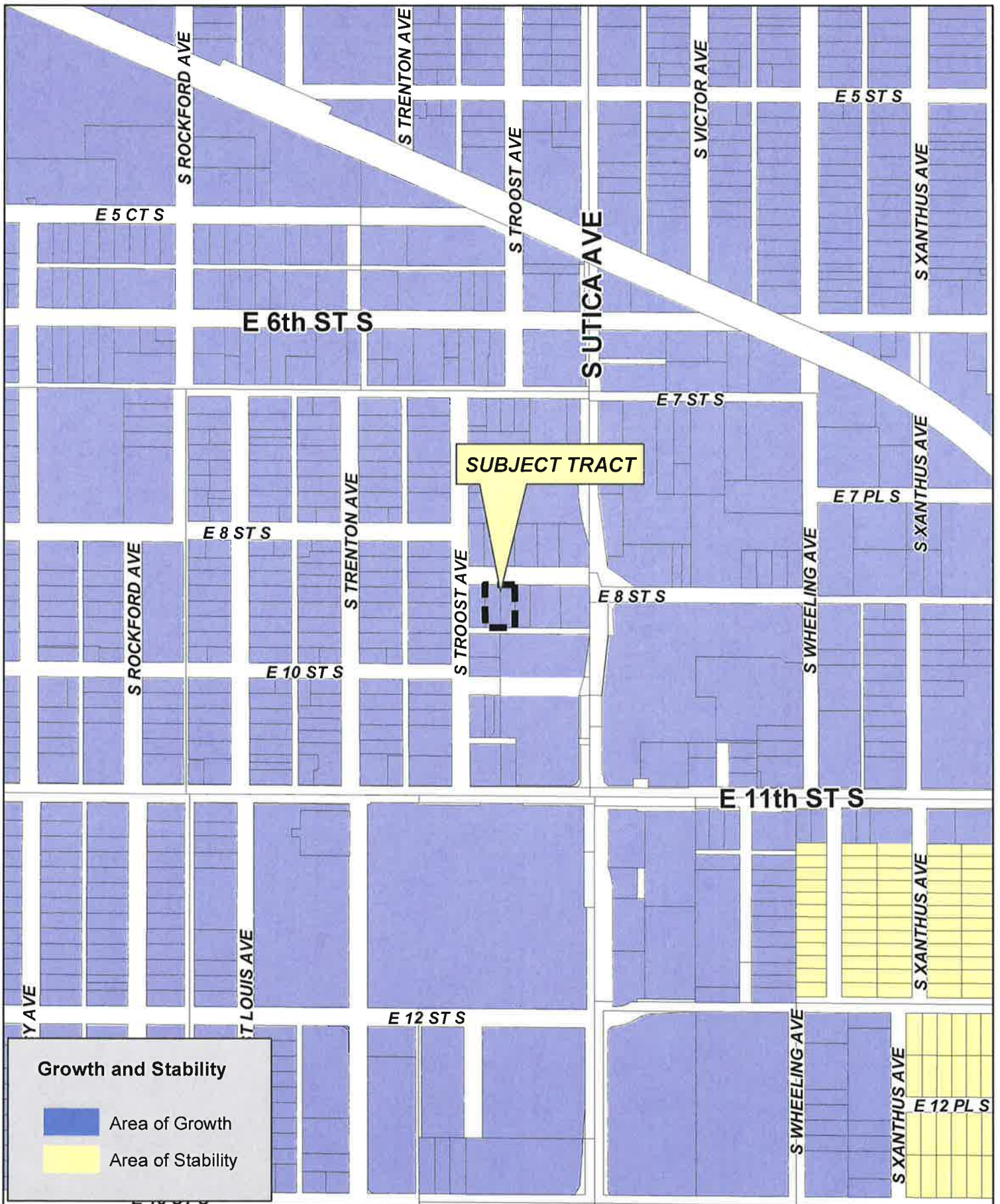
**SUBJECT TRACT
LAND USE PLAN
DOWNTOWN NEIGHBORHOOD**



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