



Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7614

(related to CPA-95)

Hearing Date: September 1, 2021

Case Report Prepared by:

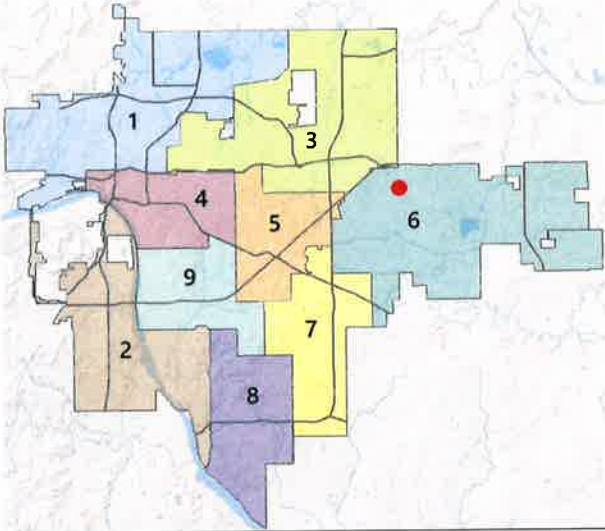
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Greg Norris

Property Owner: Myers Property Management LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Vacant

Proposed Use: Construction and Equipment Rental with outdoor storage, Convenience Store

Concept summary: Establish a larger business development opportunity than currently allowed.

Tract Size: 14.89 ± acres

Location: Northeast corner of East 11th Street South & South 145th East Avenue

Zoning:

Existing Zoning: CS, AG

Proposed Zoning: CG with an optional development plan.

Comprehensive Plan:

Current Land Use Map: New Neighborhood, Mixed-Use Corridor

Proposed Land Use Map: CPA-95 requests all of property change to Mixed-Use Corridor

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval of CG zoning with the provisions of the development plan outlined in section II.

Staff Data:

TRS: 9403
CZM: 40, 39

City Council District: 6

Councilor Name: Connie Dodson

County Commission District: 1

Commissioner Name: Stan Sallee

SECTION I: Z-7614

APPLICANTS DEVELOPMENT CONCEPT:

The subject property is located at South 145th East Avenue and East 11th Street South and is currently zoned AG and CS. The applicant owns the subject property and plans to use the site for a commercial development.

Pursuant to this optional development plan, the applicant is requesting that the subject property be rezoned from AG to CG.

The optional development plan is proposed to provide concise guidance on future development on the subject property and to lessen the perceived or potential impact of future development on adjacent and nearby commercial and residential areas.

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:

The applicant has submitted a concurrent application requesting an amendment to the land use map to expand the Mixed-Use Corridor land use designation area. Staff recommends approval of the amendment to the land use plan and this zoning application is consistent with that request.

The optional development plan is consistent with the development plan provisions of the Tulsa Zoning Code and,

Uses, lot and building regulations in a CG district and as provided in the development plan are consistent with the anticipated future development pattern of the surrounding property. The mixed use corridor contemplates store fronts with buildings close to the street and parking on the sides and in the rear. The development plan provides requirements for that visionary statement therefore,

Staff recommends Approval of Z-7614 to rezone property from CS and AG to CG with the development plan defined in Section II.

SECTION II: Development Plan

The optional development plan standards will conform to the provisions of the Tulsa Zoning Code for development in CG district with its supplemental regulations and Accessory Use provisions 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 CATEGORY

A) PUBLIC, CIVIC, AND INSTITUTIONAL
College or University

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- Day Care
- Hospital
- Library or Cultural Exhibit
- Natural Resource Preservation
- Parks and Recreation
- Religious Assembly
- Safety Service
- School
- Utilities and Public Service Facility (minor)
- Wireless Communication Facility
 - Freestanding tower
 - Building or tower-mounted antenna

B) COMMERCIAL

- Animal Service
 - Boarding or shelter
 - Grooming
 - Veterinary
- Assembly and Entertainment
 - Other indoor uses as allowed but limited to small uses less than 250-person capacity. This use requires special exception approval if alcoholic beverages are sold or served, and the subject lot is located within 150 feet of any residential zoning district other than R-zoned street right of way.
- Broadcast or Recording Studio
- Commercial Service
 - Building service
 - Business support service
 - Consumer maintenance/repair service
 - Personal improvement service
- Financial Services
 - Personal credit establishment
- Funeral or Mortuary Service
- Office
 - Business or professional office
 - Medical, dental or health practitioner office
- Restaurants and Bars
 - Restaurant
 - Bar: This use requires special exception approval if alcoholic beverages are sold or served, and the subject lot is located within 150 feet of any residential zoning district other than R-zoned street right of way.
 - Brewpub: This use may be allowed if permitted through the special exception at the Board of Adjustment.
- Retail Sales
 - Building supplies and equipment
 - Consumer shopping goods
 - Convenience goods
 - Small box discount store
 - Grocery store
 - Medical marijuana Dispensary
- Studio, Artist, or Instructional Service
- Trade School
- Vehicle Sales and Service

Commercial vehicle sales and rentals
Fueling station
Wholesale, Distribution and Storage
Equipment and materials storage outdoor
Warehouse
Wholesale Sales and Distribution

C) WHOLESALE, DISTRIBUTION AND STORAGE

Equipment & Materials Storage, Outdoor
Warehouse Wholesale Sales and Distribution

F) AGRICULTURAL

Community Garden Farm, Market- or Community-supported
Horticulture Nursery

G) OTHER

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

BUILDING PLACEMENT AND PARKING SETBACK STANDARDS:

The maximum building setback for any principal building on a lot shall not exceed 30 feet from the planned right-of-way line. Parking and outdoor storage is prohibited between the principle building and planned right of way.

Parking and outdoor storage may not be placed closer than 20 feet from the planned right of way line.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: With approval of the land use map amendment requested in CPA-95 the zoning request is consistent with the Mixed-Use Corridor land use designation.

Land Use Vision:

Land Use Plan map designation:

The north portion of the tract is included in a New Neighborhood land use designation. Refer to the related comprehensive plan amendment CPA-95 which proposed a change from New Neighborhood to Mixed Use Corridor.

“**Mixed-Use Corridors** are Tulsa's modern thoroughfares that pair high-capacity transportation facilities with housing, commercial, and employment uses. 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. Mixed-Use Corridors usually have four or more travel lanes, and sometimes additional lanes dedicated for transit and bicycle use. The pedestrian realm includes sidewalks separated 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.”

"The **New Neighborhood** is intended for new communities developed on vacant land. These neighborhoods are comprised primarily of single-family homes on a range of lot sizes but can include townhouses and low-rise apartments or condominiums. These areas should be designed to meet high standards of internal and external connectivity and shall be paired with an existing or new Neighborhood or Town Center."

Areas of Stability and Growth designation: Area of Growth

Area of Growth: An area of growth is a designation 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: None except the primary arterial designation

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *The site is vacant.*

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>
145 th East Avenue	Primary Arterial	120 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Zoning and Surrounding Uses

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
N	AG	New Neighborhood	Growth	Agriculture
S	CS	Mixed-Use Corridor Neighborhood	Growth	Vacant
E	AG	New Neighborhood	Growth	Agriculture
W	RS-3 & CS	New Neighborhood & Mixed-Use Corridor	Growth	Church & Residential

SECTION IV: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11818 dated June 26, 1970, established zoning for the subject property.

Surrounding Property:

Z-7302 May 2015: All concurred in **approval** of a request for *rezoning* a 3.33± acre tract of land from RS-3 to CS on property located Southeast corner of East 11th Street and South 145th East Avenue.

BOA-21931 September 2015: The Board of Adjustment **Deny** a *Special Exception* to permit new and used car sales in the CS District (Section 701, Table 1); Variance to allow open air storage and display of merchandise within 300 feet of the R District (Section 1217.C.2) finding that this project will be injurious to the neighborhood and the requested Variance is self-imposed; , on property located at SE/c of East 11th Street South & South 145th East Avenue.

BOA-21095 June 2010: The Board of Adjustment **approved** a *Special Exception* to permit to permit church use (Use Unit 5) in the AG district (Section 301); subject to the conceptual plan 6.5. Lighting is to be shielded from abutting properties; all driving and parking surfaces are to be concrete or asphalt; a plat is required, on property located at East of the NE/c of East 11th Street and South 145th East Avenue.

BOA-20214 March 2006: The Board of Adjustment **approved** a *Special Exception* to permit a used automobile sales lot (Use Unit 17) in a CS district, with conditions for: no outside storage or display of vehicles or merchandise in addition to the existing conditions already placed on this land, on property located at 1102 South 145th East Avenue.

BOA-18790 August 2000: The Board of Adjustment **Deny** a *Variance* to permit open-air storage or display of automobiles offered for sale within 300' of an R zoned district to 0', on property located at South of SW/c East 11th St. and South 145th East Avenue.

BOA-18602 December 1999: The Board of Adjustment **Deny** request on for removal of the previously approved condition (BOA-11752 on 1-07-82) of "owner only" to permit the sale of autos and mobile homes in a CS district, property located on the SW/c of East 11th Street and 145th East Avenue.

BOA-18233 November 1998: The Board of Adjustment **approved** a *Special Exception* to permit for a church in an RS-3 zoned district, on property located at 764 South 145th East Avenue.

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BOA-15259 October 1989: The Board of Adjustment **approved** a *Special Exception* to permit to permit a pole barn in conjunction with a single-family residence in a CS zoned district; per plan submitted; finding that the lot is large enough to accommodate the residence and storage facility, on property located at 14336 East 11th street South.

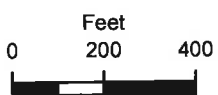
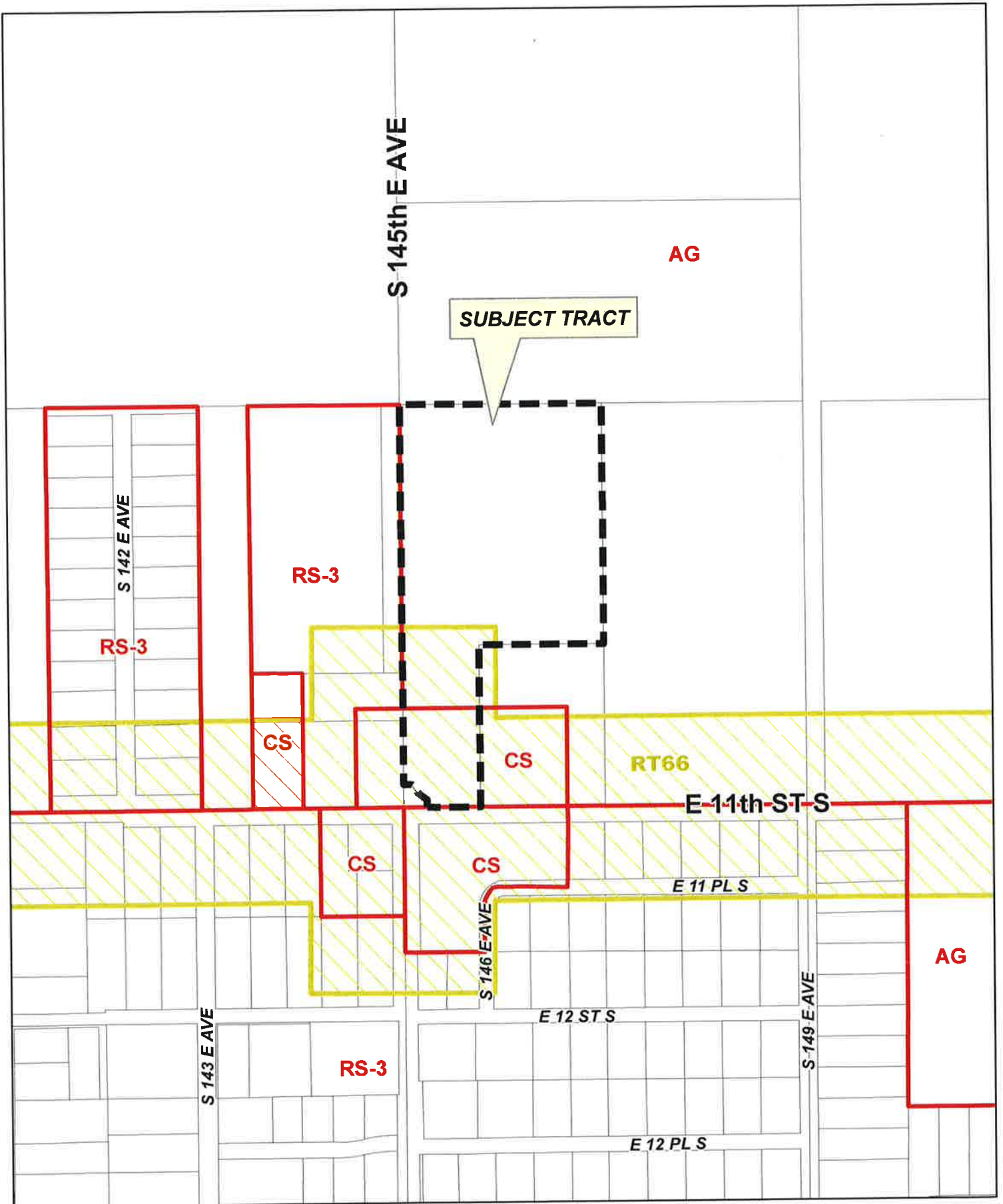
BOA-14294 November 1986: The Board of Adjustment **Uphold** the Decision of the sign Inspector that 'lighted color bands', in this instance, constitute a sign; and to **approve** a Variance to exceed the square footage for wall signs in a CS District by including the color band area, (approximately 402' total sq. ft.); finding that signs of this type will be reviewed individually; and finding that the variance request was approved at the previous board of adjustment meeting (11-6-86), on property located on the NE/c of Sheridan Avenue and Kings Street.

BOA-11752 January 1982: The Board of Adjustment **approved** a *Special Exception* to permit the sale of automobiles and/or mobile homes in a CS District, that a screening fence be required on the south and west, with a hard-surface parking lot to run with this owner only, on property located at the SW corner of 145th East Avenue and 11th Street.

BOA-11255 November 1980: The Board of Adjustment **approved** a *Special Exception* to permit to use property for church use, and church-related activities; and permission to use property for school use for grades Kindergarten through College, and school-related activities; and, accessory uses to the church and school to permit bus maintenance and service facilities, with underground gasoline storage tanks, on property located at Lot 1, Block 2, Magic Circle Center Addition.

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Z-7614
with Optional
Development Plan

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Feet



Subject
Tract

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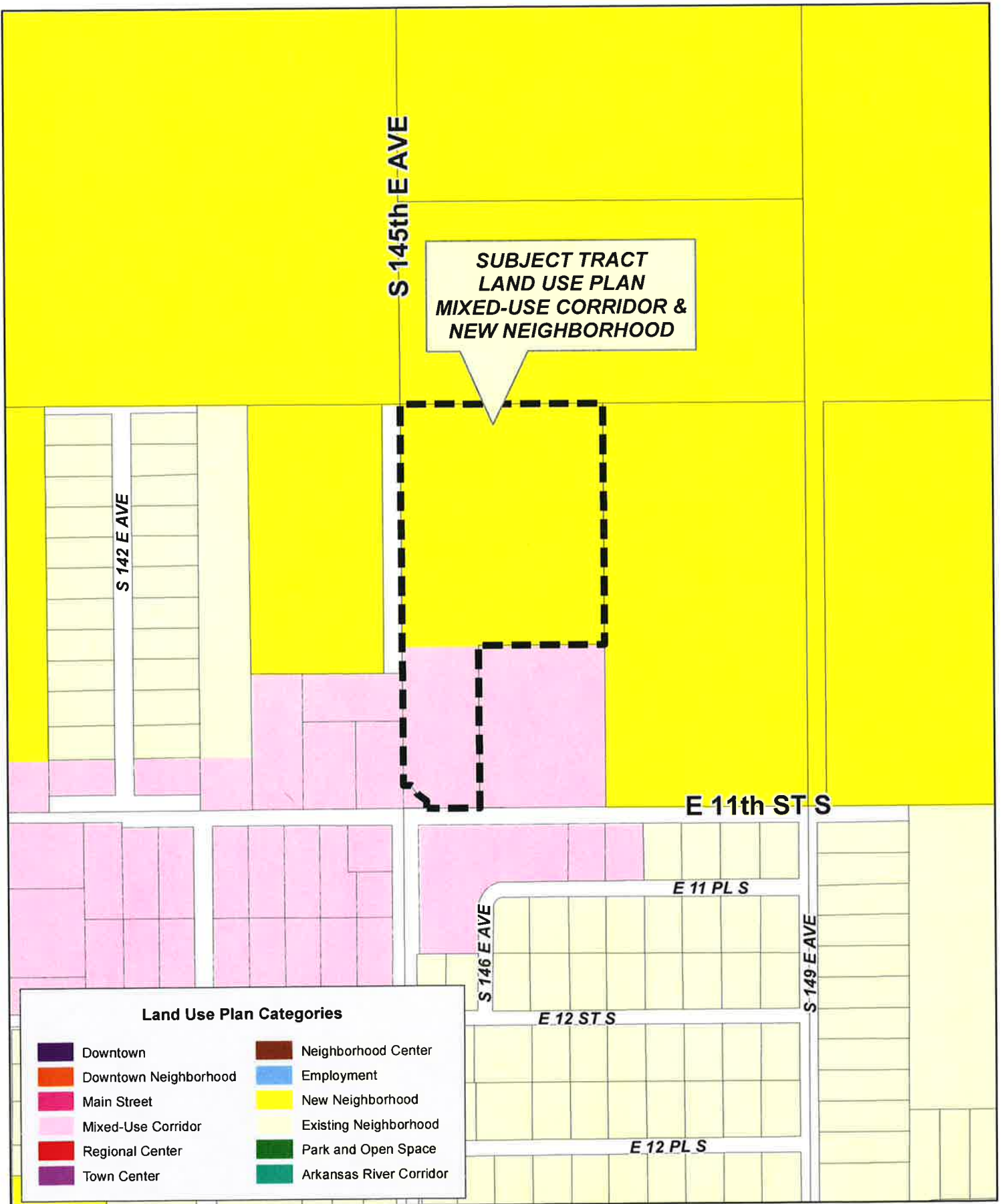
Z-7614
with Optional
Development Plan

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

Aerial Photo Date: 2020/2021



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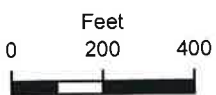
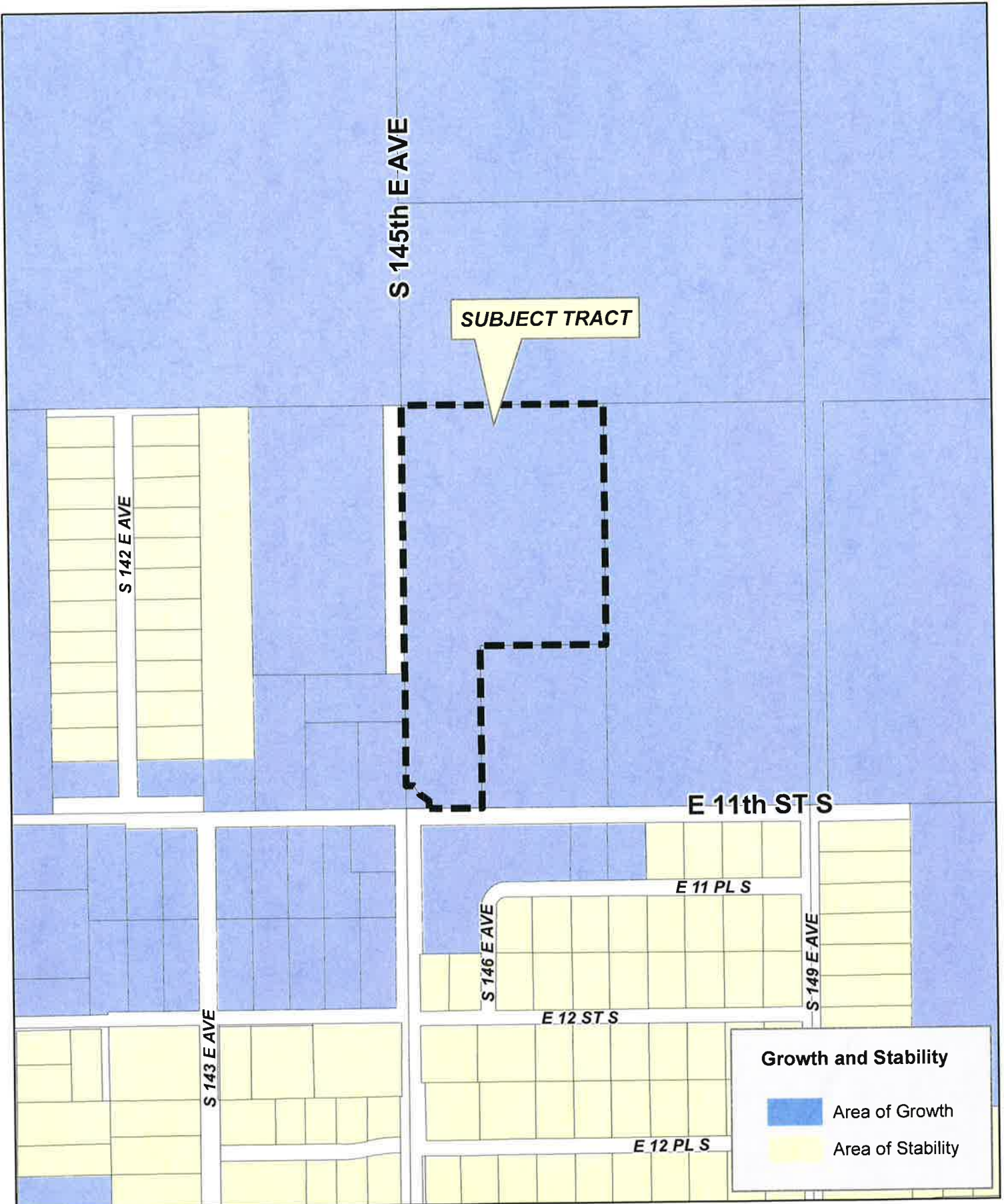


19-14 03

Z-7614
with Optional
Development Plan



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Z-7614
with Optional
Development Plan

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