



Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7626

Hearing Date: October 6, 2021

Case Report Prepared by:

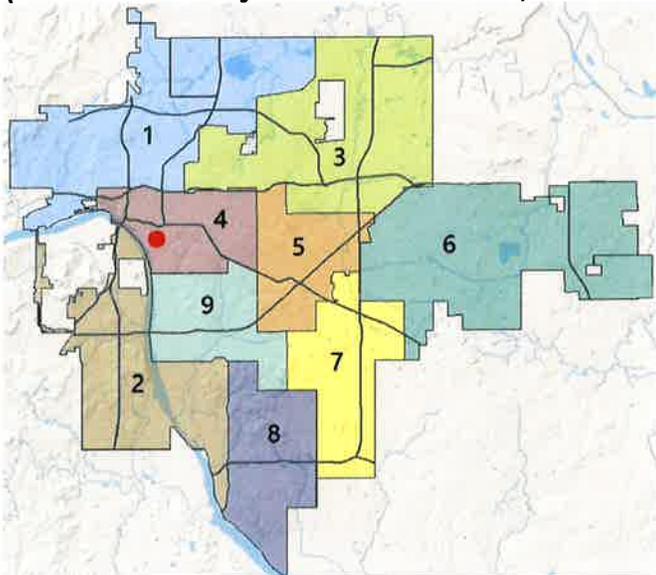
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Mike Thedford, Wallace Design
Collective

Property Owner: JIMICKEL LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Salon & Print Shop

Proposed Use: Restaurant, Office, Salon

Concept summary: Rezoning to support
redevelopment an existing parcel that contains
several buildings. The current proposal is to
remodel and repurpose the existing buildings.

Tract Size: 0.41 + acres

Location: Southwest corner of East 18th Street
South & South Cincinnati Avenue

Zoning:

Existing Zoning: RM-2 and OL

Proposed Zoning: MX1-U-45 with optional
development plan

Comprehensive Plan:

Land Use Map: Neighborhood Center

Stability and Growth Map: Area of Growth

Staff Recommendation:

**Staff recommends approval with or without the
optional development plan**

Staff Data:

TRS: 9212

CZM: 36

City Council District: 4

Councilor Name: Kara Joy McKee

County Commission District: 2

Commissioner Name: Karen Keith

02.1

SECTION I: Z-7626

APPLICANTS DEVELOPMENT CONCEPT:

This development plan anticipates redevelopment of the subject property with improvements that are sensitive to the area along with appropriate use categories. The intent of the project will be to update and modernize the existing structures for a new restaurant, office, and small-scale service use on the corner closest to 18th Street and Cincinnati Avenue. The redevelopment of this site will be for improvements to the existing structures, accentuation of the historical features and enhancement of the overall appearance of the property as shown and included the attached architectural renderings

Conceptual plans illustrate streetscape improvements with café style outdoor dining for the restaurant use. Outdoor dining is an important part of the concept however that will require coordination with City of Tulsa Engineering Department to modify street, curb and sidewalk quality and re-configuration.

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:
 - Concept renderings
 - ALTA Survey

DETAILED STAFF RECOMMENDATION:

Z-7626 request rezoning from RM-2 and OL to MX1-U-45 with an optional development plan. MX1 zoning is considered a Neighborhood Mixed-use district and is intended to accommodate small scale retail, service and dining uses that serve nearby residential neighborhoods. The district also allows a variety of residential uses and building types. MX1 zoning is generally intended for application in areas designated by the Comprehensive Plan as Neighborhood Centers, Main Streets, and Mixed-Use Corridors. The uses allowed in the MX1 zoning category are consistent goals of the Neighborhood Center land use designation, and

The allowed building types along with the lot and building regulations defined in the Urban Character Zone are consistent with the expected future development in the area, and

The development plan is consistent with the provisions of the Tulsa Zoning Code and reflects the intent of the current site redevelopment however staff supports rezoning the site with MX1-U-45 with or without the development plan submitted and,

The 45-foot-tall maximum building height designation is consistent with the expected development pattern and is consistent with existing multifamily construction in the immediate area therefore,

MX1-U-45 is consistent with the Neighborhood Center land use designation therefore,

Staff recommends Approval of Z-7626 to rezone property from RM-2 and OL to MX1-U-45 with or without the development plan defined in section II below.

22.2

SECTION II: Z-7626 DEVELOPMENT PLAN STANDARDS:

The optional development plan standards will conform to the provisions of the Tulsa Zoning Code for development in a MX-U-45 district with its supplemental regulations except as further refined below. All use categories, subcategories or specific uses and residential building types that are not listed in the following permitted uses categories are prohibited.

PERMITTED USE CATEGORY

Residential

Household Living (as allowed in building types referenced below)

Commercial

Commercial Service

Consumer maintenance / repair service

Personal improvement service

Financial Services (excludes personal credit establishments)

Office

Business or professional office

Medical, dental or health practitioner office

Restaurants and Bars

Restaurants

Bar (Requires a special exception approval)

Retail Sales

Consumer shopping goods

Convenience Goods

Grocery Store

Studio, Artist or Instructional Service

DESIGN STANDARDS

Lot and Building Regulations

- a. New building construction and lot development will conform to the provision of the urban character zone.
- b. Existing buildings may be used and remodeled inside and out. Those buildings are exempt from compliance with build-to zone requirements, ground floor ceiling height and transparency regulations.

BUILDING TYPES

- a. Vertical mixed-use and mixed-use buildings
- b. Commercial buildings
- c. Townhouses

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: MX1-U-45 allows uses, building types and requires new building placement, and design standards that are consistent with the Neighborhood Center land use designation. The applicant has chosen to add additional development limitations to the application that are also consistent with the Neighborhood Center land use designation.

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Land Use Vision:

Land Use Plan map designation: Neighborhood Center

Neighborhood Centers: This land use designation should include small-scale, one to three story mixed-use areas intended to serve nearby neighborhoods with retail, dining, and services. They can include apartments, condominiums, and townhouses, with small lot single family homes at the edges. These are pedestrian-oriented places served by transit, and visitors who drive can park once and walk to number of destinations.

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

Trail System Master Plan Considerations: None except that this site is less than one block from the Midland Valley Trail System. Bicycle parking should be an important part of the site redevelopment plan.

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *The site is a collection of single-story underutilized buildings.*

Environmental Considerations: None that would affect site redevelopment.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Cincinnati Avenue	Residential Collector	60 feet	2 (southbound only)
East 18 th Street South	Residential Collector	60 feet	3 (one westbound, two eastbound with right turn lane)

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	CS and RM-2	Neighborhood Center	Growth	Single Family and Multi Family and Commercial north of 18 th .
East	RS-3 / HP	Existing Neighborhood	Stability	Single Family Residential
South	RM-2	Neighborhood Center	Growth	Office
West	RMT and CS	Neighborhood Center	Growth	Residential

SECTION IV: Relevant Zoning History

Subject Property:

ZONING ORDINANCE: Ordinance number 14152 dated June 1978, and Ordinance number 11814 dated June 26, 1970 established zoning for the subject property.

Surrounding Property:

Z-7594 May 30, 2021: All concurred in **approval** of a request for *rezoning* a 0.17+ acre tract of land from OL to RM-2 on property located N. of the NW/c of E. 18th St. S & S. Cincinnati Ave.

BOA-21327 September 27 2011: The Board of Adjustment **approved** a *Variance* to permit the parking requirements for a public school (UU1) from 55 to 44 (Section 1201.D) & a *Variance* of the building setback for a *Special Exception* use in an R District from another R District from 25' to 12' (Section 404.F.4) and a Minor Special Exception to reduce the required setback from a public street for a special exception use in an RM-2 District from 10' 6.3; on property located at ALL OF BLK 16 17, SOUTH SIDE ADDN, SECOND SOUTH SIDE.

BOA-20911 May 2009: The Board of Adjustment **approved** a *Variance* to permit the parking requirement to permit commercial uses within an existing building in a CG district (Section 1200), on property located at 118 E. 18th St S.

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BOA-19915 September 2004: The Board of Adjustment **approved** a *Variance* to permit required 300 foot spacing from another Adult Entertainment Establishment, finding other such variances approved in the area, and other establishments where the 300' was not adhered to in this neighborhood, on property located at 1747 S. Boston Ave E.

BOA-18140 August 1998: The Board of Adjustment **approved** a *Variance* to permit the structure height of accessory building from one story to two story and a *Variance* of the size of accessory building from 750 Sf to 1,168 SF. Per plan submitted with the condition that no second dwelling be allowed and nothing that the request would have to go before the Historic Preservation Society for approval, on property located at 1719 S. Cincinnati Pl.

BOA-17727 June 1997: The Board of Adjustment **approved** a *Special Exception* to modify a previously approved site plan, on property located at NW/c 21st & Cincinnati.

BOA-16558 January 1994: The Board of Adjustment **approved** a *Special Exception* to permit school use in an Rs-3 zoned district, on property located at 1920 South Cincinnati Ave.

BOA-15422 April 1990: The Board of Adjustment **approved** a *Variance* to permit required parking spaces to be located on a lot other than the lot containing the principal use for 30 days only; per plan submitted, on property located at 112 East 18th Street.

BOA-13388 November 1984: The Board of Adjustment **deny** a *Variance* to permit the number of parking spaces for a private club from 24 to 5 in a CH zoned district; & a *Variance* to permit off-site parking for a private club in a CH zoned district, all under Section 1670, on property located at NW and NE corners of 18th and Boston Avenue.

BOA-12280 December 1982: The Board of Adjustment **approved** a *Special Exception* to permit office use in an RM-2 District, on property located at 1820 South Cincinnati Ave.

BOA-1535 January 1943: The Board of Adjustment **grants permission** to convert dwelling, on property located at Lots 54-55, Blk 7, South Side Addition.

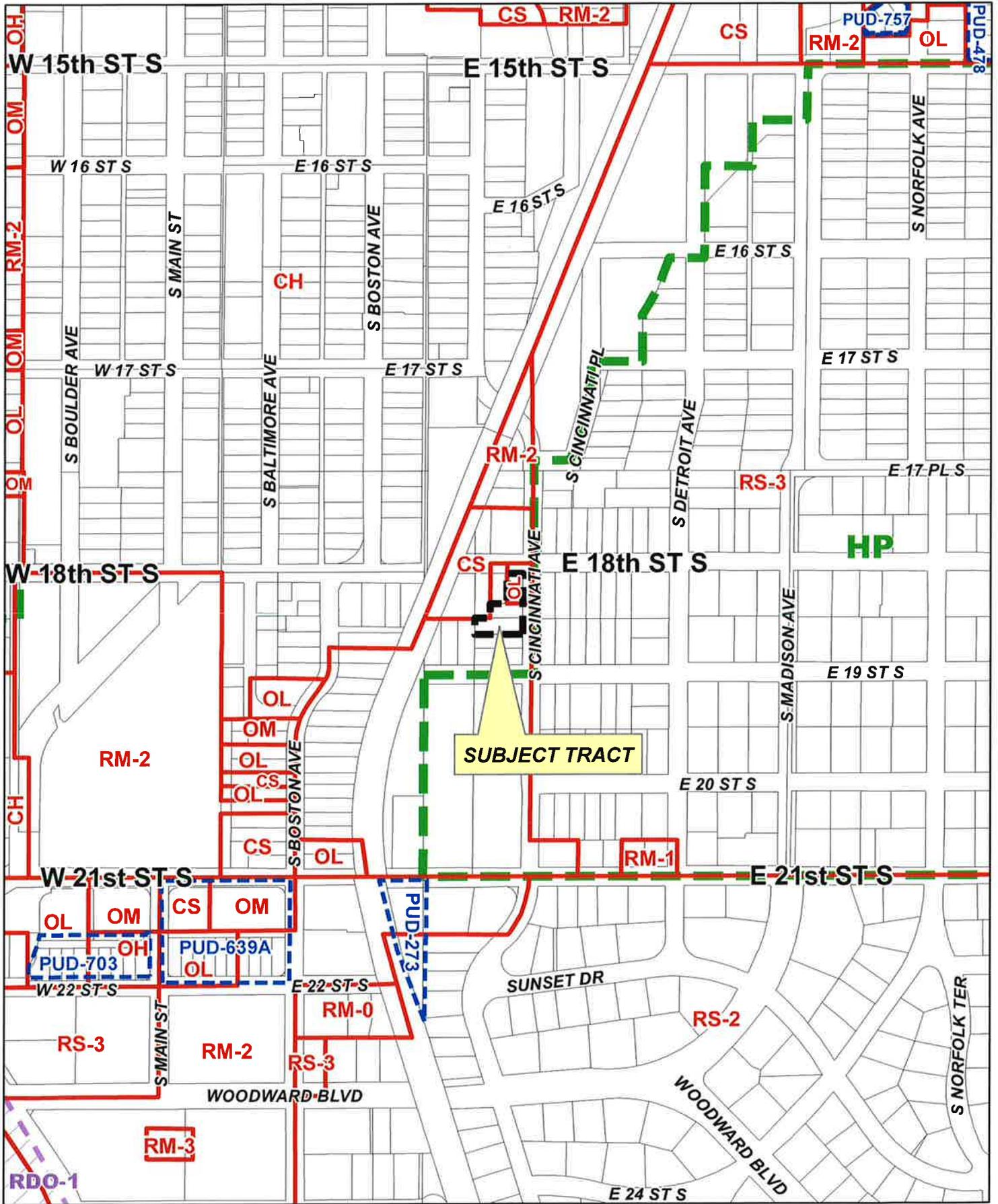
BOA-2886 November 1956: The Board of Adjustment **grants permission** to erect a substation on lot, on property located at Lot 122, Block 15, Southside Second.

BOA-2793 January 1956: The Board of Adjustment **grants a permission** to extend garage apartment approximately 12 feet, on property located at Lot 57, Block 7, Southside Addition.

BOA-1233 May 1938: The Board of Adjustment **grants permission** for approval of private school, on property located at Lots 34-35-36-37, Block 6, South Side Addition.

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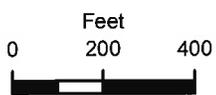
Z-7626

**with Optional
Development Plan**



19-12 12





Subject Tract

19-12 12

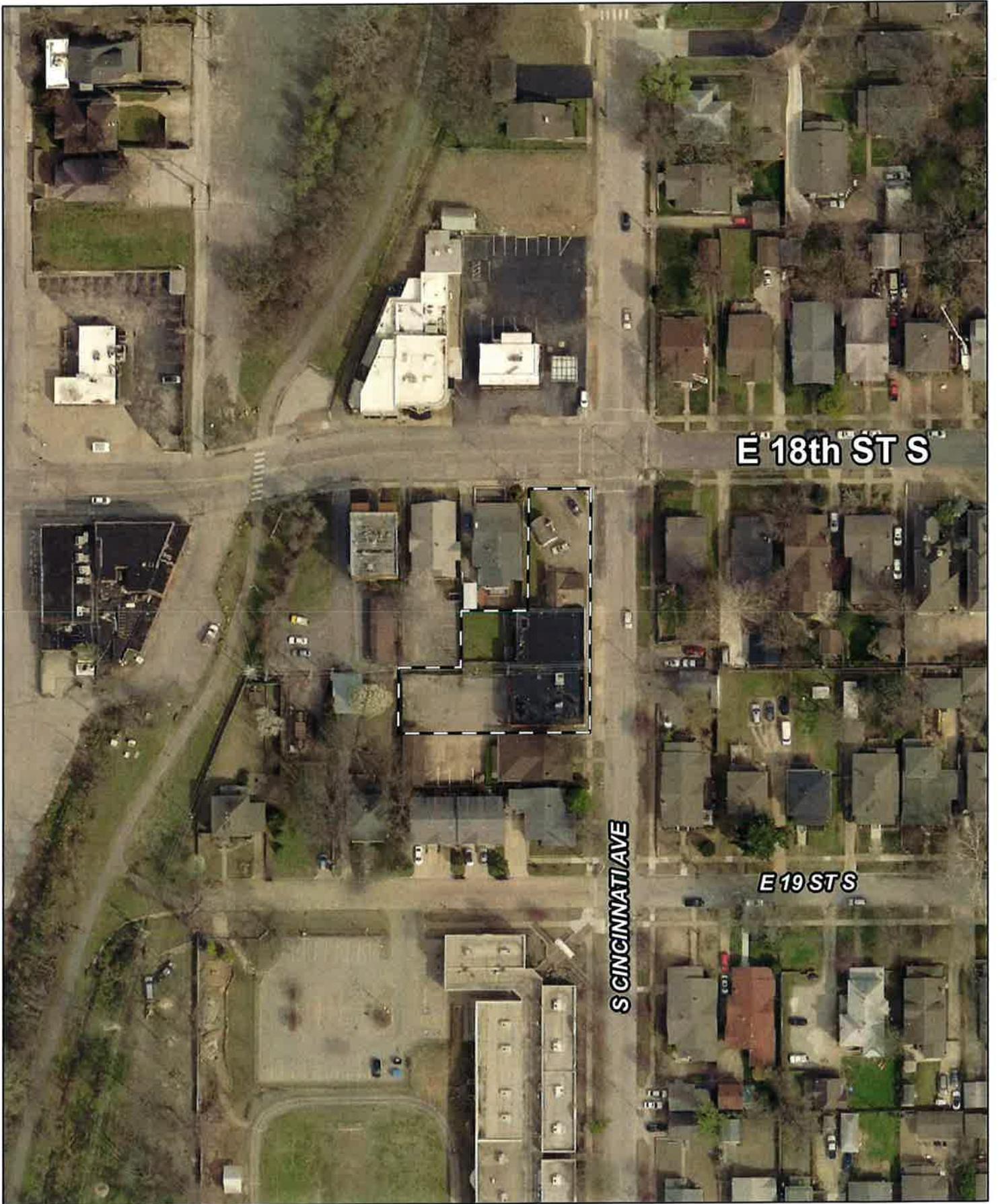
Z-7626 with Optional Development Plan

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

Aerial Photo Date: 2020/2021



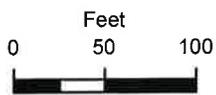
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E 18th ST S

S CINCINNATI AVE

E 19 STS



Subject Tract

19-12 12

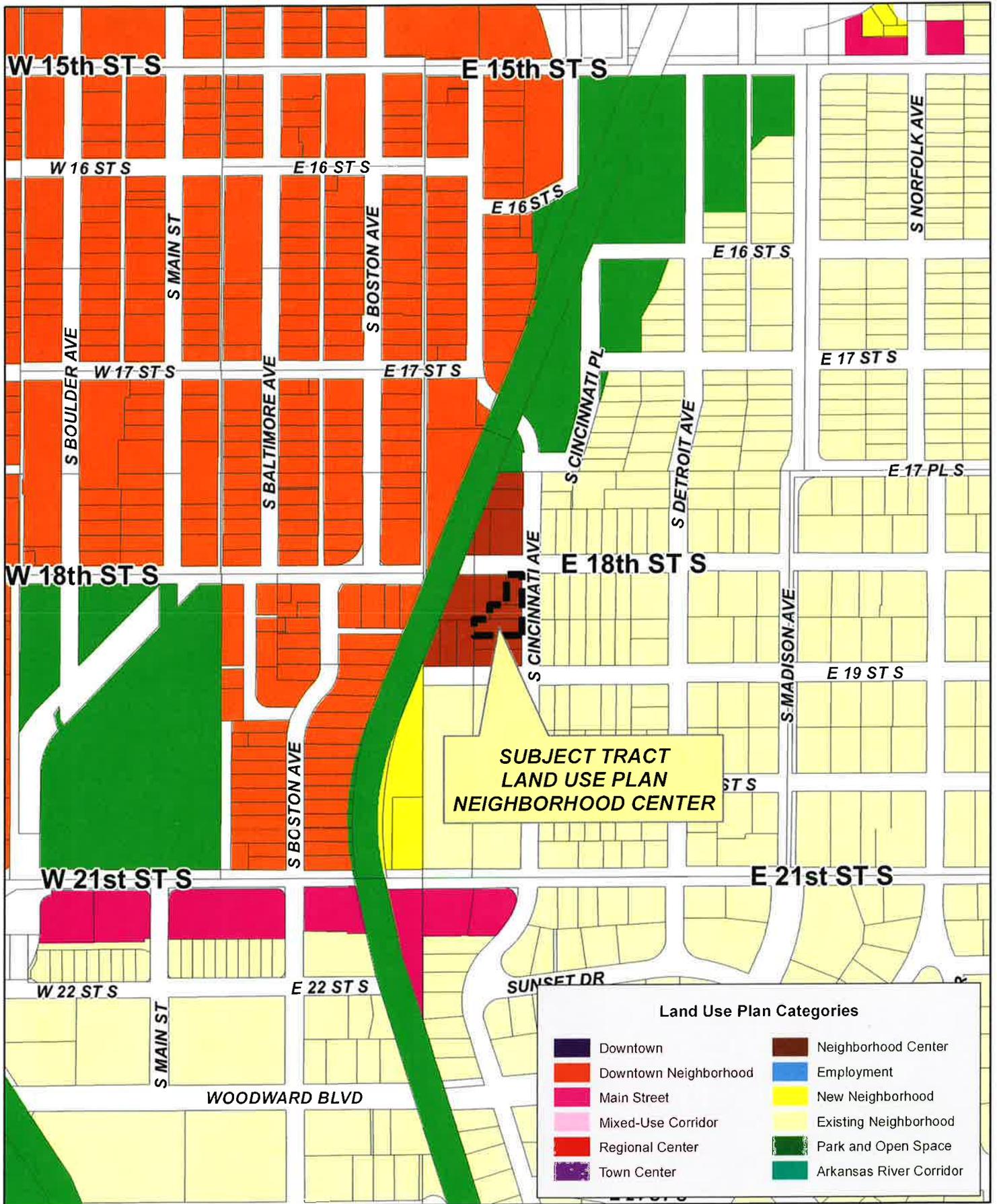
**Z-7626
with Optional
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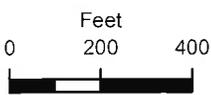


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**SUBJECT TRACT
LAND USE PLAN
NEIGHBORHOOD CENTER**

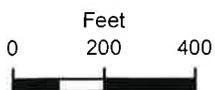
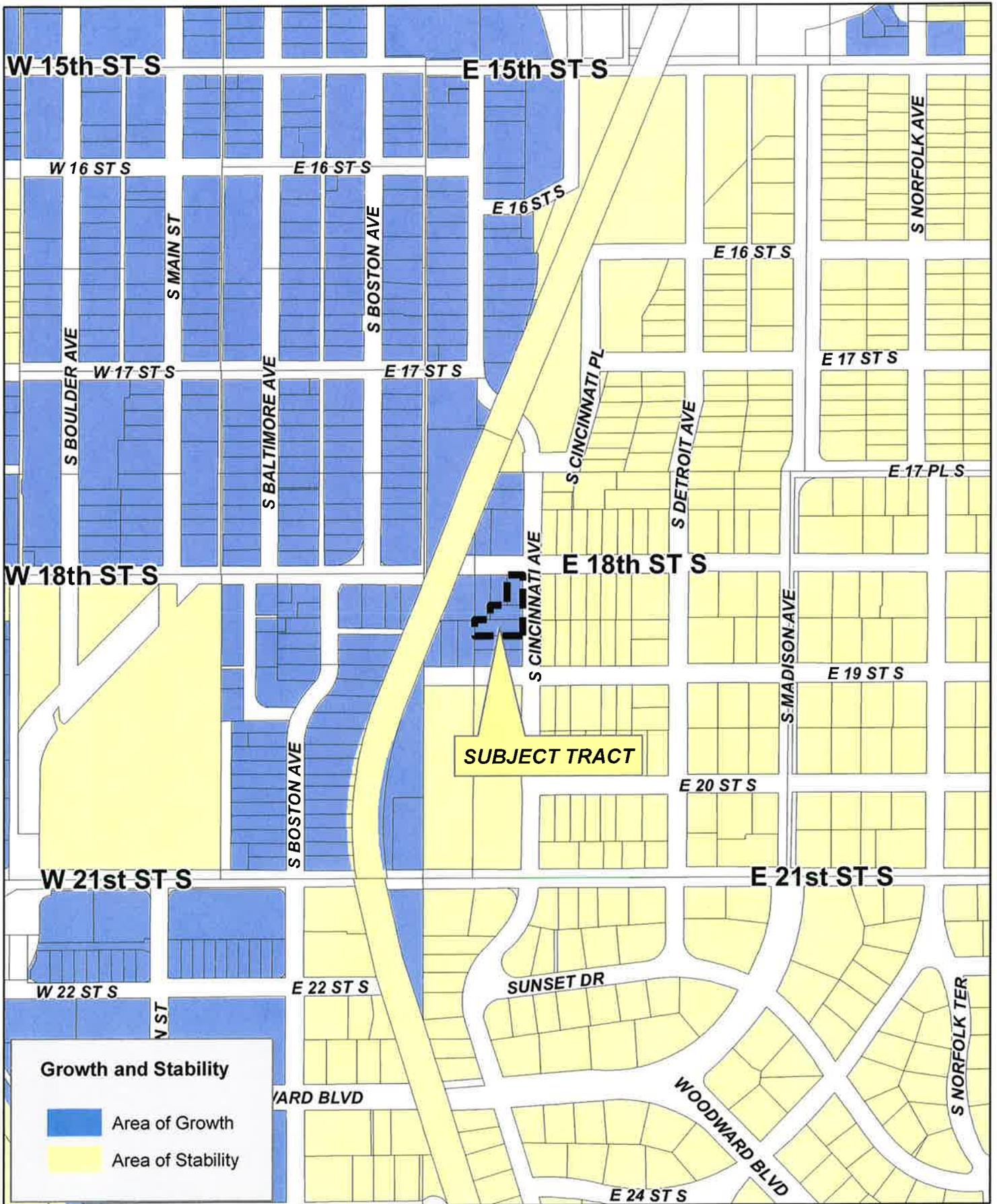
Land Use Plan Categories			
	Downtown		Neighborhood Center
	Downtown Neighborhood		Employment
	Main Street		New Neighborhood
	Mixed-Use Corridor		Existing Neighborhood
	Regional Center		Park and Open Space
	Town Center		Arkansas River Corridor



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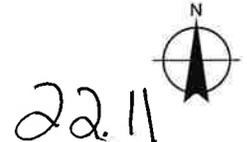
**Z-7626
with Optional
Development Plan**





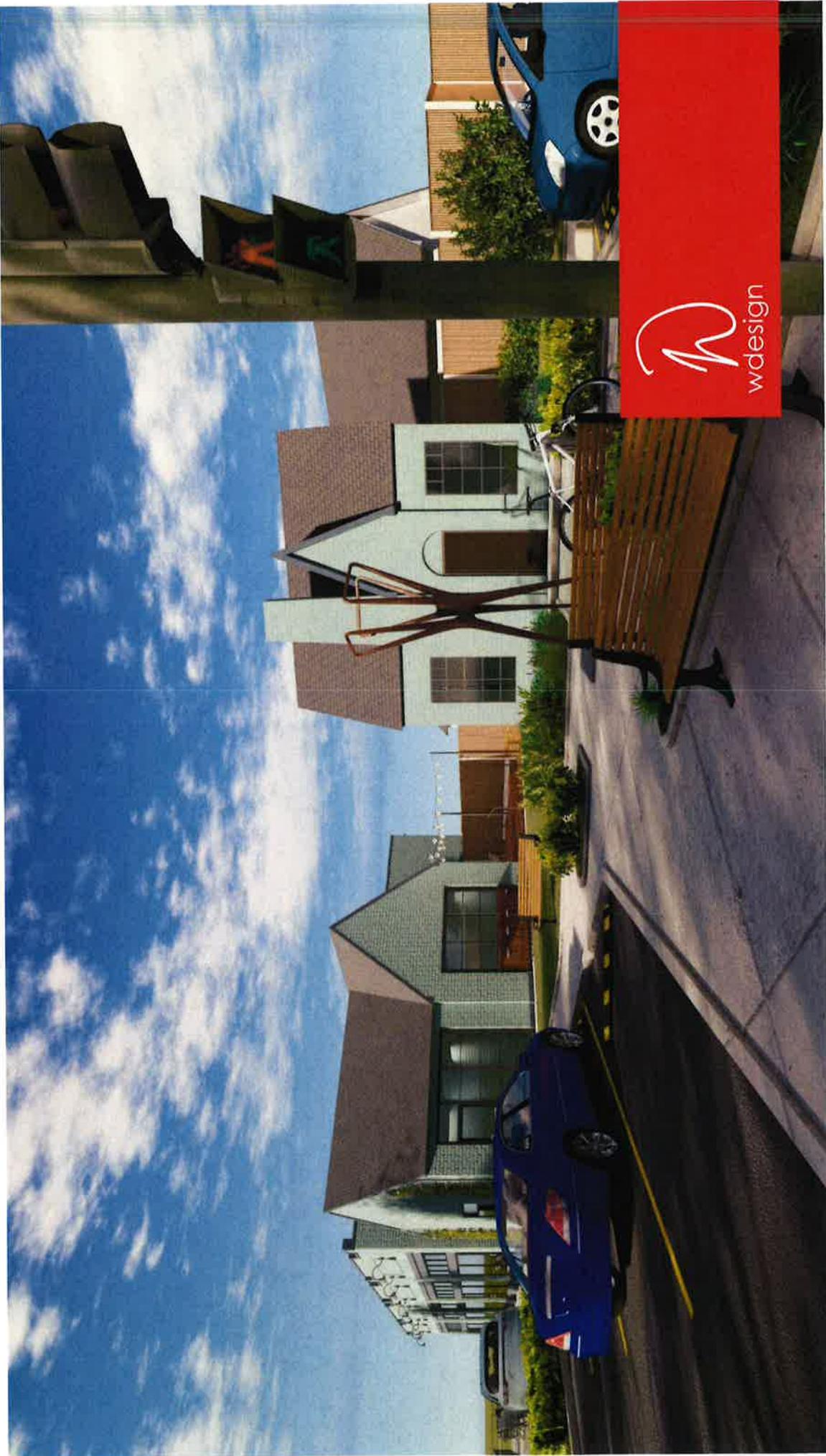
19-12 12

Z-7626
with *Optional*
Development Plan





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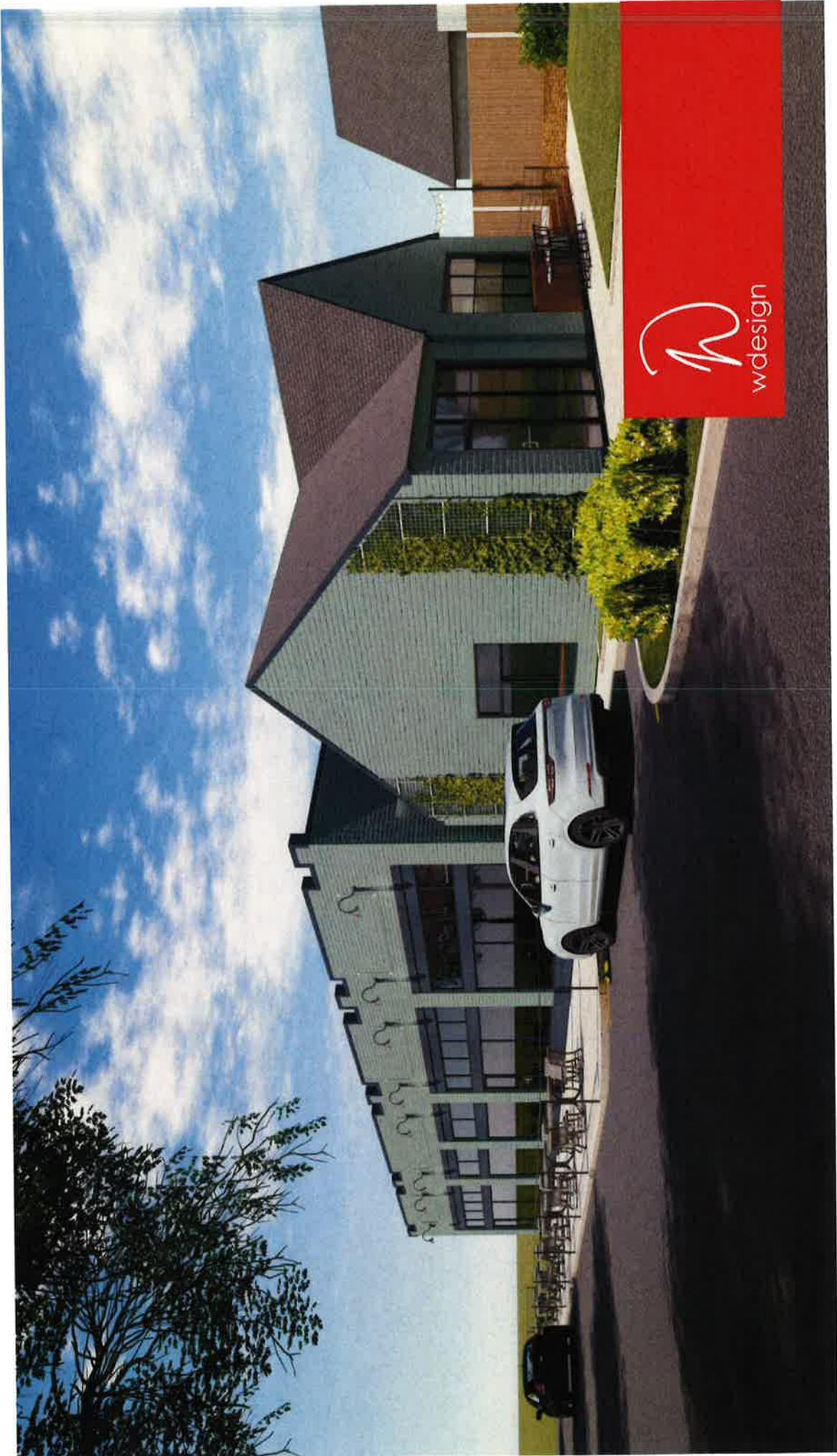


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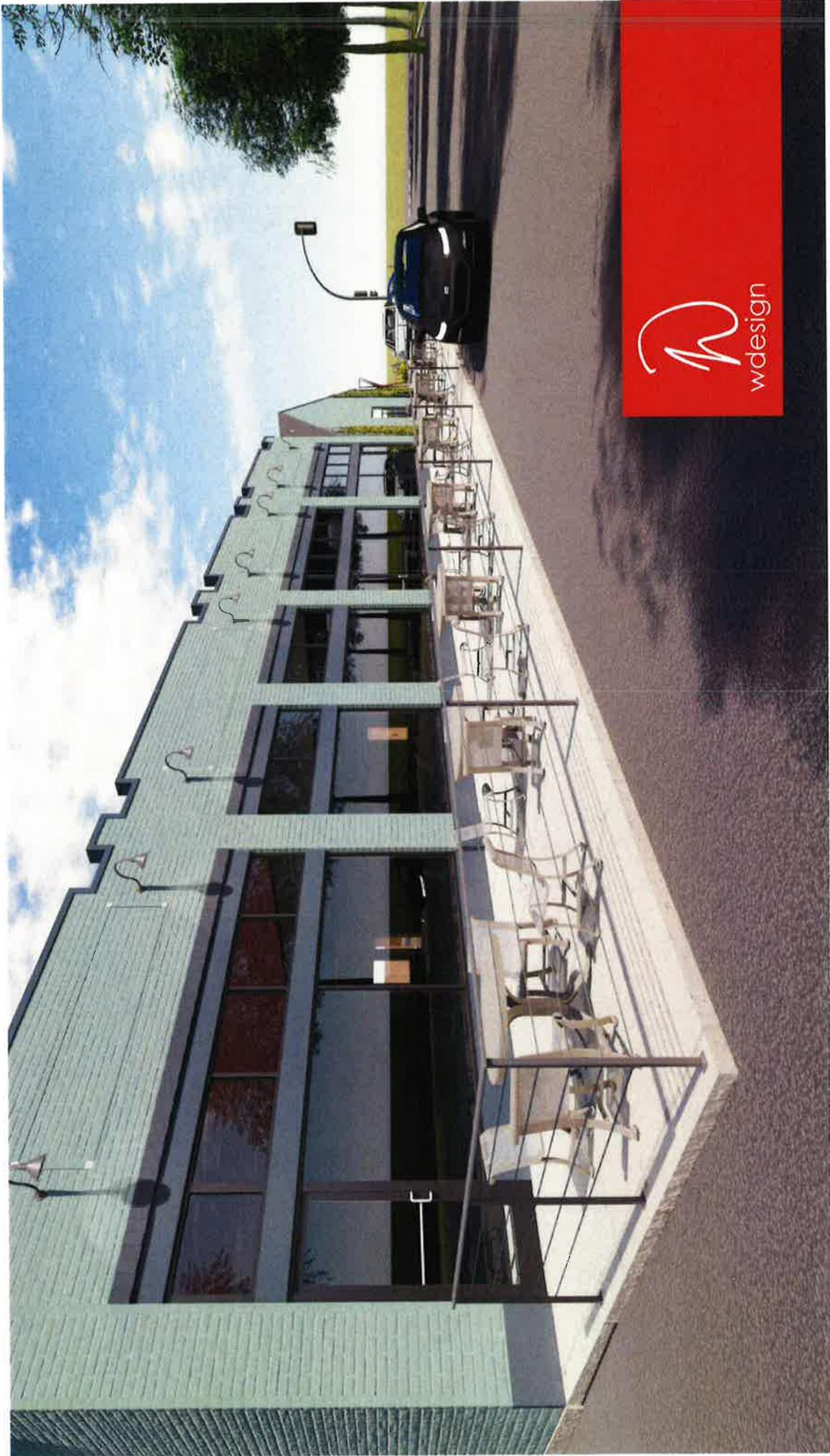
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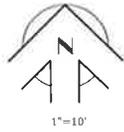


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LEGEND

- U/E UTILITY EASEMENT
- CB CHORD BEARING
- RCB REINFORCED CONCRETE BOX
- RCP REINFORCED CONCRETE PIPE
- SM SEWER MANHOLE
- PF POWER POLE
- LI LIGHT POLE
- WM WATER METER
- WV WATER VALVE
- FH FIRE HYDRANT
- GM GAS METER
- GS GAS SERVICE
- GV GAS VALVE
- TP TELEPHONE PEDESTAL
- TS TELEPHONE SERVICE
- CP CABLE PEDESTAL
- ES ELECTRIC SERVICE
- EP ELECTRIC PEDESTAL
- AL AIR CONDITIONER UNIT
- ET ELECTRIC TRANSFORMER
- ICB IRRIGATION CONTROL BOX
- TSB TRAFFIC SIGNAL BOX
- CO CLEAN OUT
- MP METER POINT
- GP GUARD POST
- RO ROOF DRAIN
- SC SIGN
- CON CONCRETE
- ASP ASPHALT
- SGC SINGLE GRATE DROP INLET
- DGC DOUBLE GRATE DROP INLET
- FL FENCE LINE
- OA OUT ANCHOR
- OH OVERHEAD UTILITIES
- SS SANITARY SEWER LINE
- ST STORM SEWER LINE
- BEFORE ANY BE CALL FOR THE LOCATION OF UNDERGROUND UTILITIES (SEE 811)

GENERAL NOTES

INVOICE NO. 204-193332

THE BEARINGS SHOWN HEREIN ARE BASED ON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM AND AT 12711.

THE PROPERTY DESCRIBED HEREIN CONTAINS 0.41 ACRES, MORE OR LESS.

THE PROPERTY DESCRIBED HEREIN CONTAINS NO MARKED PARKING SPACES.

BY GRAPHIC PLOTTING ONLY, PORTIONS OF THE SUBJECT TRACT LIE WITHIN ZONE X UNDESIGNED DEFINED AIR AREAS DETERMINED TO BE OUTSIDE THE Q 23 ANNUAL CHANCE FLOODPLAIN AS SHOWN ON THE MAP PANEL NUMBER 141333333 WITH AN EFFECTIVE DATE OF 10/18/2012.

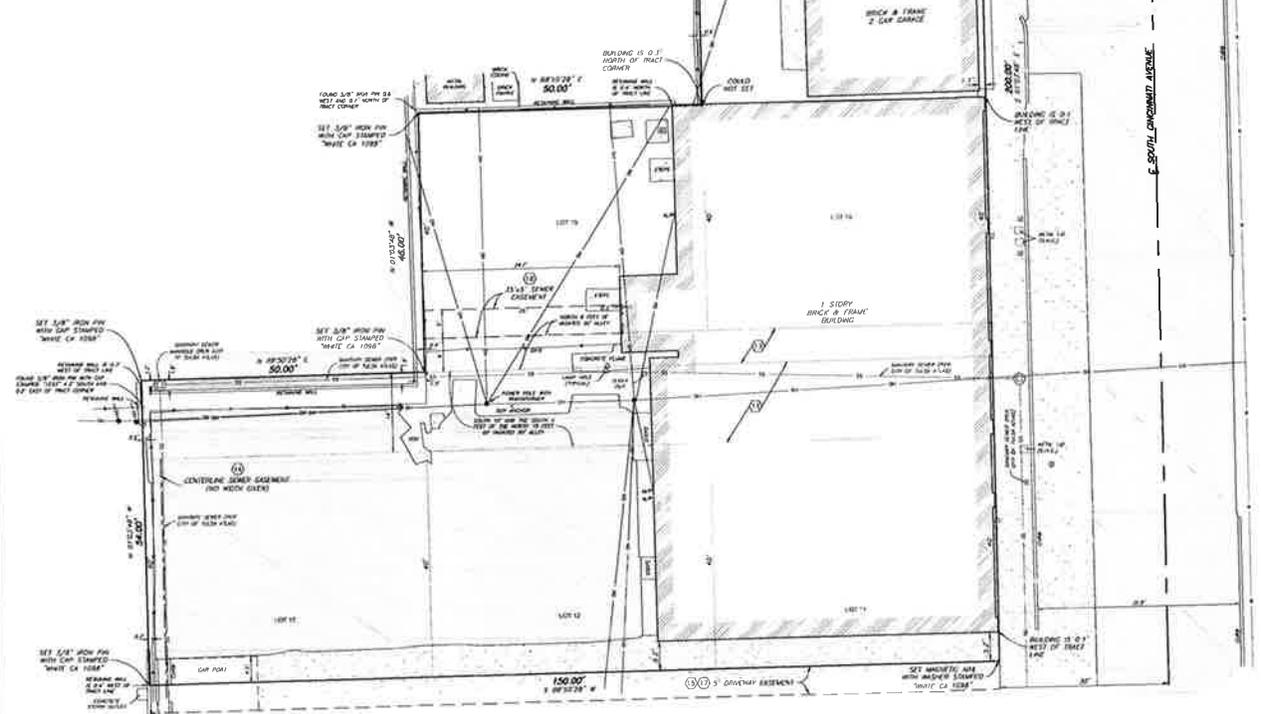
THE PROPERTY DESCRIBED HEREIN IS NOT LOCATED WITHIN THE REGULATORY FLOOD ZONE, AS PER THE CITY OF TULSA REGULATORY FLOOD PLAN MAP ATLAS DATED 01/12/2013.

NO EASEMENTS OR BUILDING SETBACK LINES ARE SHOWN ON THE PLAN OF SOUTH SIDE ADDITION, PLAT NO. 142.

ABOVE GROUND UTILITIES OF PUBLIC UTILITIES SUCH AS BUT NOT LIMITED TO, NECESSARY VALVES, MANHOLES, POLES AND PIPES, ARE LOCATED AND SHOWN HEREIN, NO UNDERGROUND UTILITY LINES WERE FLAGGED BY THEIR RESPECTIVE OWNERS AND THEREFORE ARE NOT SHOWN.

THERE ARE NO DISCREPANCY EVIDENCES OF RECENT EARTH WORKING, BUILDING CONSTRUCTION OR BUILDING ADDITIONS ON THE DATE SHOWN HEREIN.

ADDRESSES: 1810 AND 1818 S. CANTON AVENUE, TULSA, OK 74119



INSTRUMENT NOTES

- 1. ALL EASEMENTS AND RIGHTS-OF-WAY CONTAINED IN ALLIANT NATIONAL TITLE INSURANCE COMPANY'S COMMITMENT FOR TITLE INSURANCE, COMMITMENT NO. 01-107584, COMMITMENT DATE MARCH 2, 2007 AT 7:00 A.M. ARE SHOWN HEREIN.
- 2. THE PROPERTY DESCRIBED HEREIN IS SUBJECT TO CONVEYANCE, EASEMENTS, RESTRICTIONS, EASEMENTS AND BUILDING SETBACK LINES ESTABLISHED IN THE CERTIFICATE OF DESIGNATION AND AS SHOWN ON PLAN OF SOUTH SIDE ADDITION, FILED APRIL 19, 1915 AS DOCUMENT NO. 1228 WHICH DOES NOT PROVIDE FOR A FURTHER OR REVERSION OF INTEREST, BUT OBTAINING ANY CONVEYANCE OR RESTRICTION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, ANNUAL STATUS OR NATIONAL ORIGIN UNLESS AND ONLY TO THE EXTENT THAT SAID CONVEYANCE OR RESTRICTION UNDER CHAPTER 42, SECTION 1603 OF THE UNITED STATES CODE OR 160 RELATES TO HANDICAP BUT DOES NOT DISCRIMINATE AGAINST HANDICAP PERSONS.
- 3. THE PROPERTY DESCRIBED HEREIN IS SUBJECT TO CONVEYANCE, EASEMENTS, RESTRICTIONS, EASEMENTS AND BUILDING SETBACK LINES CONTAINED IN THE DEED OF DESIGNATION, DATED MARCH 23, 1938, FILED MARCH 27, 1938 AS DOCUMENT NO. 2029 AND RECORDED IN BOOK 28, PAGE 128 WHICH DOES NOT PROVIDE FOR A FURTHER OR REVERSION OF INTEREST, BUT OBTAINING ANY CONVEYANCE OR RESTRICTION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, ANNUAL STATUS OR NATIONAL ORIGIN UNLESS AND ONLY TO THE EXTENT THAT SAID CONVEYANCE OR RESTRICTION UNDER CHAPTER 42, SECTION 1603 OF THE UNITED STATES CODE OR 160 RELATES TO HANDICAP BUT DOES NOT DISCRIMINATE AGAINST HANDICAP PERSONS.
- 4. TERMS, CONDITIONS AND PROVISIONS OF ORDINANCE NO. 1344 IN FAVOR OF VOLCANO VALLEY RAILROAD COMPANY, DATED JUNE 12, 1904, FILED JUNE 28, 1904 AS DOCUMENT NO. 1068 AND RECORDED IN BOOK 16, PAGE 169 IN THE OFFICE OF THE TULSA COUNTY CLERK DOES NOT AFFECT THE PROPERTY DESCRIBED HEREIN.
- 5. TERMS, CONDITIONS AND PROVISIONS OF ORDINANCE NO. 1344 IN FAVOR OF THE PUBLIC, DATED OCTOBER 1, 1916, FILED OCTOBER 16, 1916 AS DOCUMENT NO. 2544 AND RECORDED IN BOOK 202, PAGE 370 IN THE OFFICE OF THE TULSA COUNTY CLERK.
- 6. TERMS, CONDITIONS AND PROVISIONS OF EASEMENT IN FAVOR OF CITY OF TULSA, A MUNICIPAL CORPORATION, DATED AUGUST 28, 1915, FILED SEPTEMBER 4, 1915 AS DOCUMENT NO. 73568 AND RECORDED IN BOOK 183, PAGE 130 IN THE OFFICE OF THE TULSA COUNTY CLERK.
- 7. TERMS, CONDITIONS AND PROVISIONS OF EASEMENT CONTAINED WITHIN GENERAL WARRANTY DEED IN FAVOR OF ANNA P. BAKER, DATED OCTOBER 8, 1924, FILED OCTOBER 9, 1924 AS DOCUMENT NO. 28914 AND RECORDED IN BOOK 140, PAGE 129 IN THE OFFICE OF THE TULSA COUNTY CLERK.
- 8. THE PROPERTY DESCRIBED HEREIN IS SUBJECT TO TERMS, CONDITIONS AND PROVISIONS OF CONTRACT FOR DEED, DATED IN FAVOR OF M. BRADY, DATED AUGUST 13, 1929, FILED OCTOBER 13, 1929 AS DOCUMENT NO. 41519 AND RECORDED IN BOOK 818, PAGE 371 IN THE OFFICE OF THE TULSA COUNTY CLERK.
- 9. TERMS, CONDITIONS AND PROVISIONS OF AGREEMENT FOR EASEMENT IN FAVOR OF THE ESTATE OF EDWARD S. SCOTT, DECEASED AND BETTY H. SCOTT, A WIDOW, DATED OCTOBER 26, 1928, FILED OCTOBER 28, 1928 AS DOCUMENT NO. 33483 AND RECORDED IN BOOK 1478, PAGE 284 IN THE OFFICE OF THE TULSA COUNTY CLERK.
- 10. TERMS, CONDITIONS AND PROVISIONS OF OTHER AGREEMENTS IN FAVOR OF CITY OF TULSA, OKLAHOMA, DATED AUGUST 17, 1928, FILED AUGUST 22, 1928 AS DOCUMENT NO. 73184 AND RECORDED IN BOOK 5133, PAGE 544 IN THE OFFICE OF THE TULSA COUNTY CLERK.

ALTA/NSPS LAND TITLE SURVEY

OF:

THE NORTH 40 FEET OF LOTS 10, 11, 12 AND 13 AND THE SOUTH 10 FEET OF LOTS 14, 15 AND 16, TRACT 4, BEING 18 FEET OF THE NORTH 18 FEET OF BLOCK 14, ALLEY 15 AND 16, SOUTH 10 FEET OF BLOCK 14, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAN NO. 142, AND

THE SOUTH 10 FEET OF LOTS 17, 18 AND 19 AND BETWEEN 17A) AND THE NORTH 10 FEET OF THE VACATED ALLEY ALONGING LOTS 17, 18 AND 19 AND BETWEEN 17A) ON THE SOUTH, IN BLOCK THREE (3), BEING 501 ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAN NO. 144, AND

THE NORTH 10 FEET OF LOT 20, BEING THREE (3), SOUTH SIDE ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, REFERRED TO IN THE RECORDED PLAN NO. 142

CERTIFICATE

WHITE SURVEYING COMPANY, AN OKLAHOMA CORPORATION AND THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY TO:

JIMICKEL, LLC and/or assigns
 GUARANTY TITLE COMPANY, LLC
 ALLIANT NATIONAL TITLE INSURANCE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAN AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2025 MINIMUM STANDARD TECHNICAL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 8 AND 10 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON APRIL 22, 2021.



WHITE SURVEYING COMPANY
 CERTIFICATE OF
 AUTHORIZATION NO. 041698
 (RENEWAL 6/30/2023)

BY: *Randy K. Shoetfall*
 REGISTERED PROFESSIONAL LAND SURVEYOR OKLAHOMA NO. 1678

WHITE SURVEYING COMPANY
 providing land surveying services since 1940
 9930 E. 50th Place • Tulsa, OK 74148 • 918.683.6924 • 918.684.8366 fax

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