



Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7681

Hearing Date: June 7, 2023

(Continued from May 3rd, 2023 and November 2nd, 2022 for preparation of optional development plan)

Case Report Prepared by:

Nathan Foster

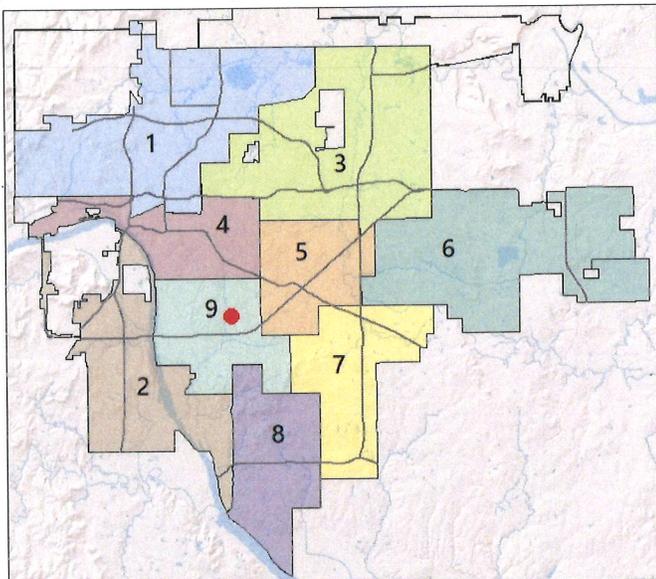
Owner and Applicant Information:

Applicant: Llon Clendenen

Property Owner: Clendenen Properties LLC

Location Map:

(shown with City Council districts)



Applicant Proposal:

Present Use: Vacant

Proposed Use: Medical/Dental Office

Concept summary: Expand dental office including surface parking area.

Tract Size: 0.46 ± acres

Location: East of the Northeast corner of South Harvard Avenue and East 45th Street South

Zoning:

Existing Zoning: RS-1

Proposed Zoning: OL with optional development plan

Comprehensive Plan:

Land Use Map: Mixed-Use Corridor

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval with optional development plan standards outlined in Section II.

Staff Data:

TRS: 9328

CZM: 47

City Council District: 9

Councilor Name: Jayme Fowler

County Commission District: 3

Commissioner Name: Kelly Dunkerley

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SECTION I: Z-7681

DEVELOPMENT CONCEPT: The applicant has requested rezoning a lot east of an existing dental office with the idea that office uses will be developed on this lot with specific design details being considered for new site development and included in the optional development plan.

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:

OL zoning is consistent with the Mixed-Use Corridor land use designation and the Area of Growth and,

The uses permitted in an OL district are intended to facilitate the development and preservation of low-intensity office development uses and are intended to promote neighborhood employment uses and services and,

The development standards in the OL district and the submitted optional development plan provide adequate design and development standards for building size and parking design to help mitigate office expansion closer to the existing neighborhood and,

This site is at the eastern side of the Mixed-Use Corridor land use designation and the Area of Growth that recognizes appropriate infill development therefore,

Staff recommends approval of Z-7681 to rezone property from RS-1 to OL with the optional development plan standards outlined in Section II.

SECTION II: Z-7681 OPTIONAL DEVELOPMENT PLAN STANDARDS

The optional development plan standards will conform to the provisions of the Tulsa Zoning Code for development in an Office – Light (OL) district with its supplemental regulations except as further refined below. All use categories, subcategories or specific uses and building types that are not listed in the following permitted list are prohibited.

PERMITTED USE CATEGORIES:

RESIDENTIAL (if in allowed building types identified below)

- Single household
- Two households on single lot
- Three or more households on single lot

PUBLIC, CIVIC, AND INSTITUTIONAL

- Natural Resource Preservation
- Utilities and Public Services Facility
- Minor
- Wireless Communication Facility

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Building or tower-mounted antenna

COMMERCIAL

Financial Services

Office

- Business or professional office
- Medical, dental or health practitioner office

Parking, Non-accessory

Studio, Artist, or Instructional Service

RESIDENTIAL BUILDING TYPES:

HOUSEHOLD LIVING

Single Household

- Detached House
- Patio House
- Townhouse
- Mixed-Use Building

Two households on single lot

- Duplex
- Mixed-Use Building

Three or more households on single lot

- Multi-unit House
- Mixed-Use Building

Maximum Building Height: 25 feet

Maximum Building Floor Area: 4000 square feet

Setbacks:

Street Setback (E. 45th Street South) – 30 feet

Parking:

Parking is prohibited within the 30-foot street setback from East 45th Street South.

Window Placement:

Any east-facing windows must be designed with a windowsill height of 6 feet above finish floor elevation.

Signage:

No wall signs permitted on the east-facing wall of any building.

Illuminated signs are prohibited.

Freestanding signs are limited to 8 feet in height. Any freestanding sign must be a monument style sign.

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Lighting:

No pole-mounted lights within 30’ of adjacent R-zoned district.

No wall-mounted lighting permitted on the east-facing wall of any building.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: *Mixed-Use Corridor and the Area of Growth both support the idea of appropriate small infill development.*

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 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

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

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary:

The site was originally zoned for detached single family dwelling. The home has been removed and gravel spread on a portion of the site. Large trees have been preserved and the site is gently sloping to the south toward a street with no curb and no visible underground drainage solution.

The image below is street view taken in March 2022 from the southwest corner of the subject property looking northeast.



Environmental Considerations: None that would affect site redevelopment.

Streets:

Existing Access	MSHP Design	MSHP R/W	Exist. # Lanes
East 45 th Street South	None	50 feet	2

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/PUD-351-A	Mixed-Use Corridor	Growth	Office
East	RS-1	Existing Neighborhood	Stability	Detached Single Family
West	OL	Mixed-Use Corridor	Growth	Office
South	RS-1	Mixed-Use Corridor	Growth	Detached Single Family

SECTION IV: Relevant Zoning History

History: Z-7681

Subject Property:

ZONING ORDINANCE: Ordinance number 11823 dated June 26, 1970, established zoning for the subject property.

Surrounding Property:

BOA-22795 December 2019: The Board of Adjustment **approved** a *Variance* to permit two additional wall signs on the East elevation in an OL District with one street frontage, on property located at 4436 South Harvard Avenue East.

BOA-21811 December 2014: The Board of Adjustment **approved** a *Variance* to permit wall sign to exceed the permitted display surface area from 36 square feet to 39.5 square feet along East 44th Street; & a *Variance* to permit two signs to be erected per street frontage of a lot and to exceed the permitted display surface area from 32 square feet to 55.49 square feet along South Harvard Avenue, on property located at 4408 South Harvard Avenue.

BOA-21785 October 2014: The Board of Adjustment **approved** a *Variance* to increase the cubic content of a non-conforming structure & a *Variance* to allow a two-story building in an OL District & a *Variance* to reduce the setback from 100 feet to 65 feet from the centerline of South Harvard Avenue, on property located at 3305 East 45th Street.

BOA-20240 March 2006: The Board of Adjustment **denied** a *Special Exception* to permit a .40 Floor Area Ratio in an OL district; and a *Variance* to permit a 3-story building in an OL district, on property located at 4416 South Harvard.

BOA-18568 October 1999: The Board of Adjustment **approved** a *Variance* to permit maximum building height in OL zoned district from one-story to two-stories & a *Special Exception* to increase F.A.R. from .30 to .34, on property located at 4416 South Harvard.

BOA-17817 September 1997: The Board of Adjustment **approved** a *Special Exception* to permit the screening requirement along the E. property line, on property located at NE/c 45th Street & South Harvard.

BOA-14453 April 1987: The Board of Adjustment **approved** a *Variance* to permit setback from the centerline of South Harvard Avenue from 50' to 45' to allow for a sign, on property located at 4436 South Harvard.

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BOA-13545 May 1985: The Board of Adjustment **approved** a *Special Exception* to permit a satellite dish to be used with an existing insurance office in an OL zoned district, on property located at 4412 South Harvard.

BOA-11092 July 1980: The Board of Adjustment **denied** a *Variance* to permit a 3' x 5' sign on a lot that has three other signs in an OL District, on property located at 4515 South Harvard Avenue.

BOA-11082 September 1980: The Board of Adjustment **approved** a *Special Exception* to permit .40 floor area ratio, and a building height of two stories in an OL District, on property located at 4520 S. Harvard Ave.

BOA-11058 June 1980: The Board of Adjustment **approved** a *Special Exception* to permit the screening requirement where existing physical features provide visual separation of uses (on the north and the west), on property located at 4412 South Avenue.

BOA-11036 May 1980: The Board of Adjustment **approved** a *Special Exception* to permit the screening requirements where an alternative screening will provide visual separation of uses, on property located at 4416 South Harvard Avenue.

BOA-10673 September 1979: The Board of Adjustment **approved** a *Variance* to permit the setback requirements from 100' to 99' from the centerline of Harvard Avenue, on property located at south and east of 45th street and Harvard Avenue.

BOA-10386 April 1979: The Board of Adjustment **approved** a *Special Exception* to permit a floor area ratio of .40 and a building height of two stories in an OL District, on property located at 4404-4427 South Harvard Avenue.

Z-5315 September 1979: All concurred in **approval** of a request for *rezoning* a tract of land from RS-1 to OL on property located 4503 S. Harvard Ave E.

Z-5246 April 1979: All concurred in **approval** of a request for *rezoning* a tract of land from RS-1 to OL on property located 4415 S. Harvard Ave E.

Z-5284 August 1979: All concurred in **approval** of a request for *rezoning* a tract of land from RS-1 to OL on property located 3305 East 45th St S.

Z-5094 April 1978: All concurred in **approval** of a request for *rezoning* a tract of land from OL & RS-1 to OL on property located 4503 S. Harvard Avenue E.

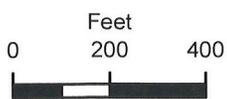
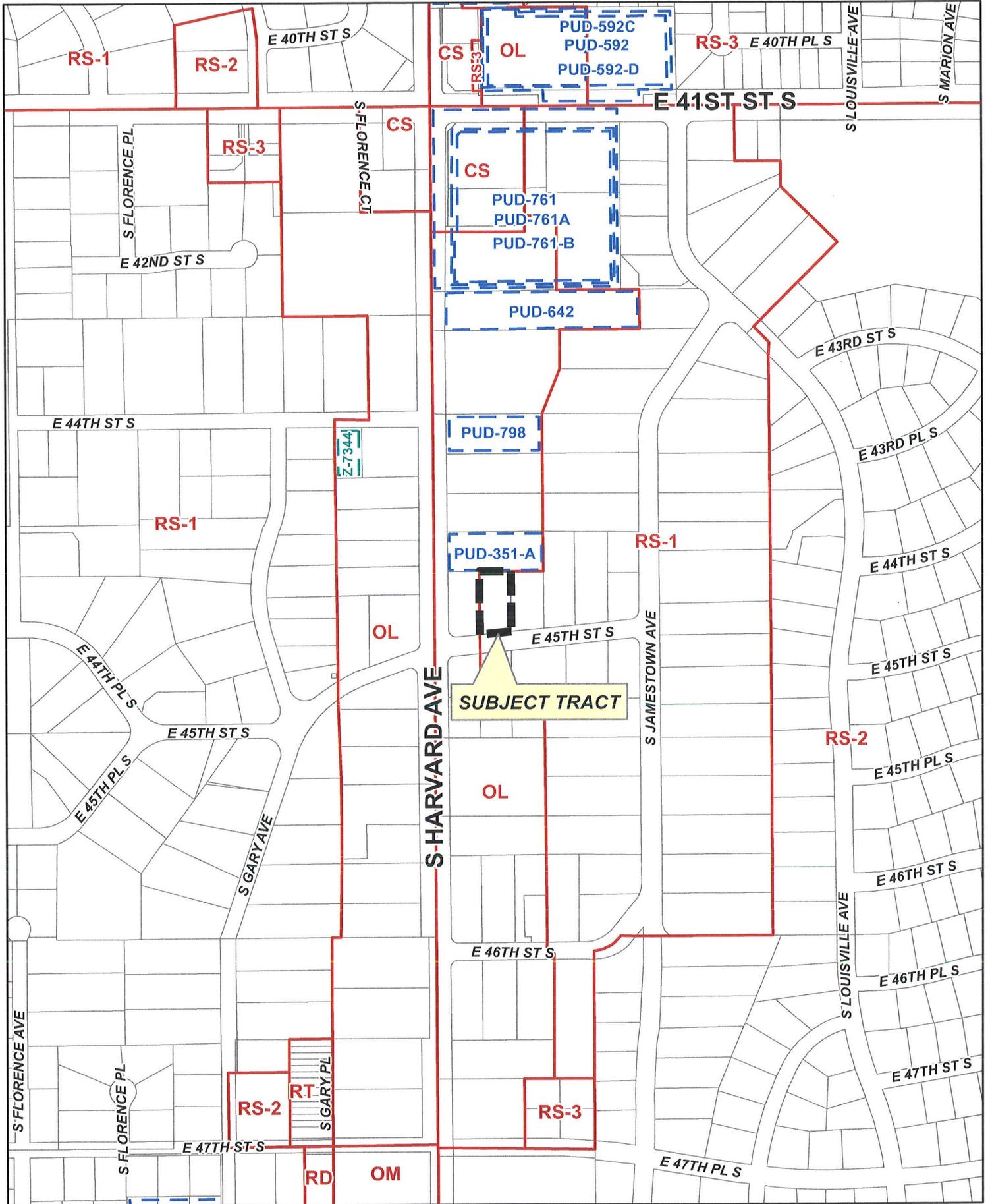
Z-5134 September 1978: All concurred in **approval** of a request for *rezoning* a tract of land from RS-1 to OL on property located 4436 S. Harvard Ave E.

Z-4969 April 1977: All concurred in **approval** of a request for *rezoning* a tract of land from RS-1 to OL on property located 4516 S. Jamestown Ave E.

Z-4817 November 1975: All concurred in **approval** of a request for *rezoning* a tract of land from RS-1 to OL on property located 4408 S. Harvard Avenue E.

Z-4721 October 1974: All concurred in **approval** of a request for *rezoning* a tract of land from RS-1 to OL on property located 4520 S. Harvard Avenue E.

Z-5284 August 1979: All concurred in **approval** of a request for *rezoning* a tract of land from RS-1 to OL on property located 3305 East 45th St S.



Z-7681

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E 40TH ST S

E 40TH PL S

E 41ST ST S

S LOUISVILLE AVE

S MARION AVE

S FLORENCE PL

E 42ND ST S

E 43RD ST S

E 43RD PL S

E 44TH ST S

E 44TH ST S

E 44TH PL S

E 45TH ST S

S JAMESTOWN AVE

E 45TH ST S

E 45TH ST S

E 45TH PL S

E 45TH PL S

S GARY AVE

S HARVARD AVE

E 46TH ST S

E 46TH ST S

S LOUISVILLE AVE

E 46TH PL S

S FLORENCE AVE

S FLORENCE PL

S GARY PL

E 47TH ST S

E 47TH ST S

E 47TH PL S



Subject Tract

Z-7681

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

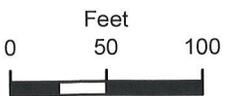
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S HARVARD AVE

E 45TH ST S



Subject Tract

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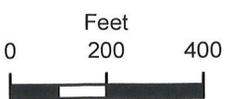
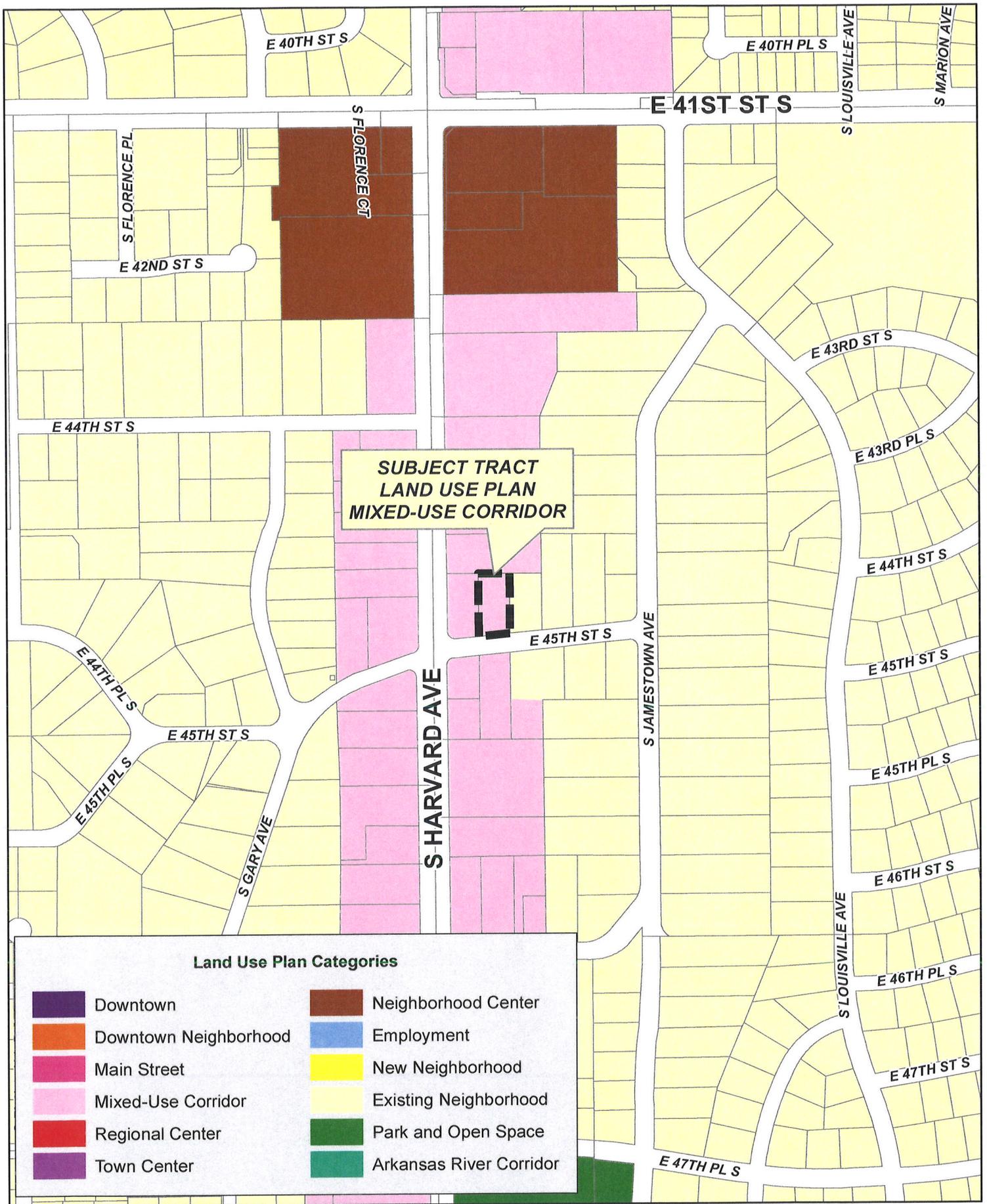
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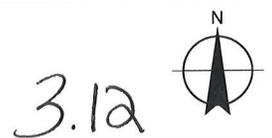
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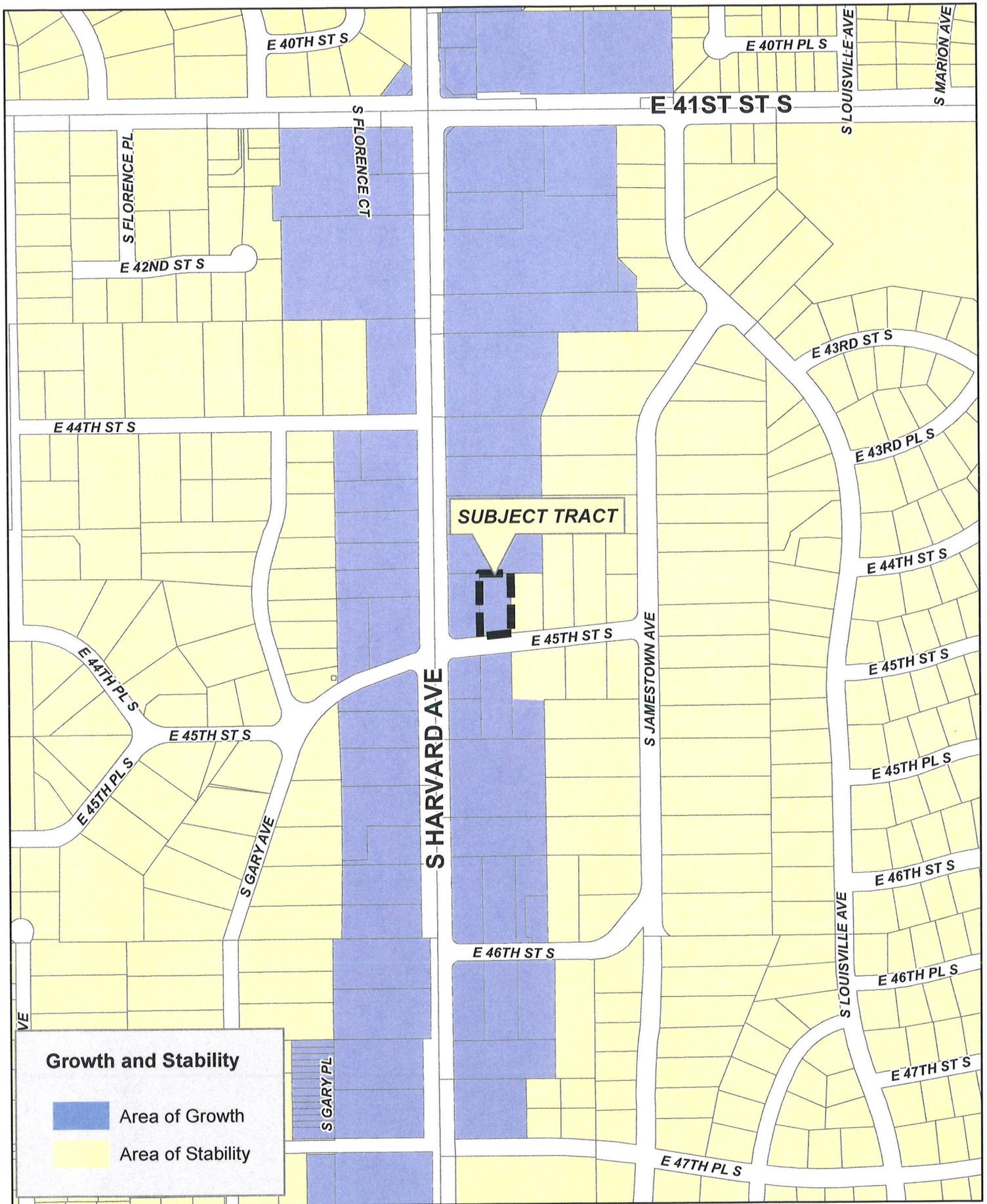




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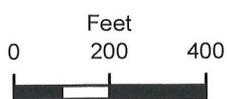
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Growth and Stability

- Area of Growth
- Area of Stability



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