



Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7701

Hearing Date: April 5th, 2023

Case Report Prepared by:

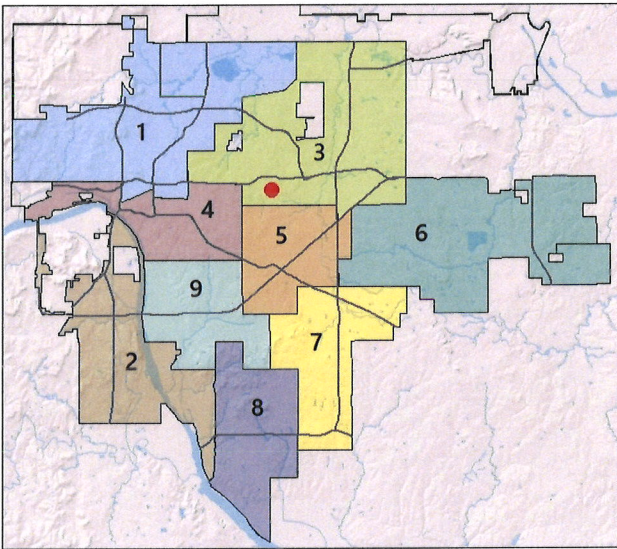
Austin Chapman

Owner and Applicant Information:

Applicant: Hector Julio Ramirez

Property Owner: Hector Julio Ramirez

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Vacant

Proposed Use: Commercial property to rent

Concept summary: Re-zone existing residential property to Commercial to increase available lease options.

Tract Size: 0.14 ± acres

Location: North of the Northeast corner of South Sheridan Road and East 4th Place South

Zoning:

Existing Zoning: RS-3

Proposed Zoning: CS

Comprehensive Plan:

Land Use Map: Mixed-Use Corridor

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends **Approval**.

Staff Data:

TRS: 9302

CZM: 38

City Council District: 3

Councilor Name: Crista Patrick

County Commission District: 2

Commissioner Name: Karen Keith

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SECTION I: Z-7701

DEVELOPMENT CONCEPT: The applicant wishes to re-zone the existing RS-3 property to CS to increase available lease options. Per the applicant there is not an intended user in mind for the property, but they would like the opportunity to lease the property to commercial users.

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.

DETAILED STAFF RECOMMENDATION:

The applicant's request for CS as outlined in case Z-7701 is consistent with the general provisions of the Comprehensive Plan that recognize the importance of small scale development and re-use of existing buildings.

The strip of Sheridan in between E. 11th St. and E. Admiral Pl. is populated with a mix of uses, that include churches, residential, day cares, vehicle sales, medical marijuana dispensaries, pharmacies, restaurants and retail. Per zoning code the the existing property would be prohibited from conversion into a medical marijuana dispensary based on spacing requirement from the existing dispensaries.

CS Zoning includes a district-wide prohibition on the outdoor storage and display of merchandise within 300-feet of residential development:

15.040-A Outdoor Storage and Display

In the CS district, outdoor storage, including storage of recyclable materials, and outdoor merchandise display is prohibited within 300 feet of an abutting R or AG-R district.

Staff would not recommend any more intensity of zoning that would allow by right additional Vehicle sales, Outdoor Display, or Industrial uses.

Because of the facts present above staff recommends **Approval** of Z-7701 to rezone property from RS-3 to CS.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The rezoning is consistent with the Mixed-use corridor land use designation.

Land Use Vision:

Land Use Plan map designation: 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

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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.

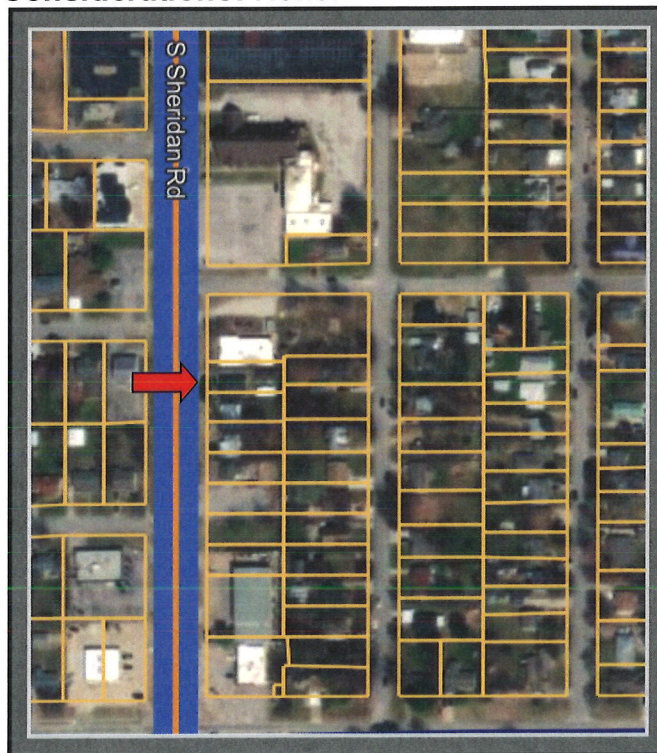
Areas of Stability and Growth designation: Area of Growth

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.

Transportation Vision:

Major Street and Highway Plan: Property fronts S. Sheridan Rd which is classified as a Secondary Arterial Street. The ultimate right-of-way of S. Sheridan has been previously dedicated, and sidewalks are in place.

Trail System Master Plan Considerations: None.



Small Area Plan: None.

Special District Considerations: None.

Historic Preservation Overlay: None.

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: Property is currently a vacant single-family residential lot occupied by a vacant detached house and two accessory buildings.



(Image taken from google.com street view. Capture date: January 2023)

Environmental Considerations: Parking on site does not appear to meet City of Tulsa all weather surfacing requirements. Future development on site will need to incorporate dustless, all-weather surfacing requirements for parking. Generally uses allowed by right in the CS district should have minimal if any environmental effects.

Streets:

Existing Access	MSHP Design	MSHP R/W	Exist. # Lanes
S. Sheridan Rd.	Secondary arterial	100-feet	4

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 of the Subject property	RS-3	Mixed-use Corridor	Growth	Day Care
South of the Subject property	RS-3	Mixed-use Corridor	Growth	Residential
West of the Subject property across Sheridan	OL	Mixed-use Corridor	Growth	Vacant Office building
East of the Subject property	RS-3	Existing Neighborhood	Stability	Residential

SECTION III: Relevant Zoning History

History: Z-7701

Subject Property:

ZONING ORDINANCE: Ordinance number 11816 dated June 26, 1970, established zoning for the subject property.

BOA-15065 February 1989: The Board of Adjustment **approved** a *Variance* to permit the required 85' setback from the centerline of South Sheridan Road to 76', on property located at 415 South Sheridan Road.

Surrounding Property:

BOA-22740 September 2019: The Board of Adjustment **approved** a *Verification* of the 1,000 spacing requirements for a medical marijuana dispensary from another medical marijuana dispensary, on property located at 432 South Sheridan Road East.

PUD-633-A April 2019: All concurred in **withdrawal** of a proposed *Planned Unit Development* on a 0.29+ acre tract of land for on property located South of the Southeast corner of South Sheridan Road and east 4th Street South.

BOA-21716 May 2014: The Board of Adjustment **approved** a *Special Exception* to permit Automobile Sales in a CS District, on property located at 439 South Sheridan.

BOA-21763 August 2014: The Board of Adjustment **approved** a *Variance* to permit outdoor display of merchandise for sale within 300 ft. of an adjoining R district for automobile sales, on property located at 439 South Sheridan.

PUD-633 June 2000: All concurred in **approval** of a proposed *Planned Unit Development* on a 0.48+ acre tract of land for office, commercial and automotive uses on property located South of Southeast corner of East 4th street South and South Sheridan Road.

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Z-6566 December 1996: All concurred in **approval** of a request for *rezoning* a tract of land from RS-3 to OL on property located 423 South Sheridan Road East.

BOA-17805 April 1998: The Board of Adjustment **approved** a *Special Exception* to permit an existing auto body repair shop in a CS district & a *Special Exception* to allow an auto paint shop in a CS district & **STRIKE** the request for a *Variance* of the 150' setback requirement from an R district to 0 feet, on property located at 439 South Sheridan Road.

BOA-17748 June 1997: The Board of Adjustment **denied** a *Special Exception* to permit auto sales in a CS district & a *Variance* of required 300' from R district for open air storage or display of merchandise offered for sale & a *Variance* of off-street parking requirements for a catering business from 5 to 4, on property located at 432 South Sheridan Road.

BOA-16997 March 1995: The Board of Adjustment **denied** a *Variance* to permit setback from 100' to 85' to permit the enclosure of an existing canopy on a proposed restaurant, on property located at 432 South Sheridan.

BOA-14084 May 1986: The Board of Adjustment **denied** a *Special Exception* to permit an auto repair/salvage garage in a CS district & a *Variance* of the required 100' setback from the centerline of Sheridan to 65' to allow construction of repair garage, on property located at the NW/c of Sheridan and 4th Terrace.

BOA-13082 April 1984: The Board of Adjustment **approved** a *Special Exception* to permit retail tire center in a CS district under the provisions of Section 1680, on property located at north of the NE corner of East 5th Street and South Sheridan Road.

BOA-12633 June 1983: The Board of Adjustment **approved** a *Variance* to permit parking other than on lot of use; & a *Special Exception* for modification of screening wall or fence requirements; & a *Variance* to expand structure to line up with existing nonconforming west wall; & a *Variance* of the setback from an abutting R district from 10' to 5' to line up with an existing structure, on property located at 316 South Sheridan Road.

Z-5483 February 1981: All concurred in **approval** of a request for *rezoning* a tract of land from RS-3 to OL on property located 427 South Sheridan Road East.

BOA-11262 November 1980: The Board of Adjustment **approved** a *Special Exception* to permit Use Unit 15 (retail sales of manufacturing equipment such as lathes, drill presses, etc.) in a CS district, on property located at Lots 16, 17 and 18, Block G, Crest View Estates Addition.

BOA-10818 December 1979: The Board of Adjustment **approved** a *Special Exception* to permit off-street parking for church uses, on property located at the NE corner of 4th street and 66th East Avenue.

Z-4684 April 1975: All concurred in **approval** of a request for *rezoning* a tract of land from RS-3 to CS on property located Lot 1 Block 1 Sheridan Heights Addition.

BOA-8628 June 1975: The Board of Adjustment **approved** a *Special Exception* to permit a car wash in a CS District, on property located at north and east of 4th Place and Sheridan Road.

Z-4709 October 1974: All concurred in **approval** of a request for *rezoning* a tract of land from RS-3 to OL on property located Lot 1 Block 4 Sheridan Heights Addition.

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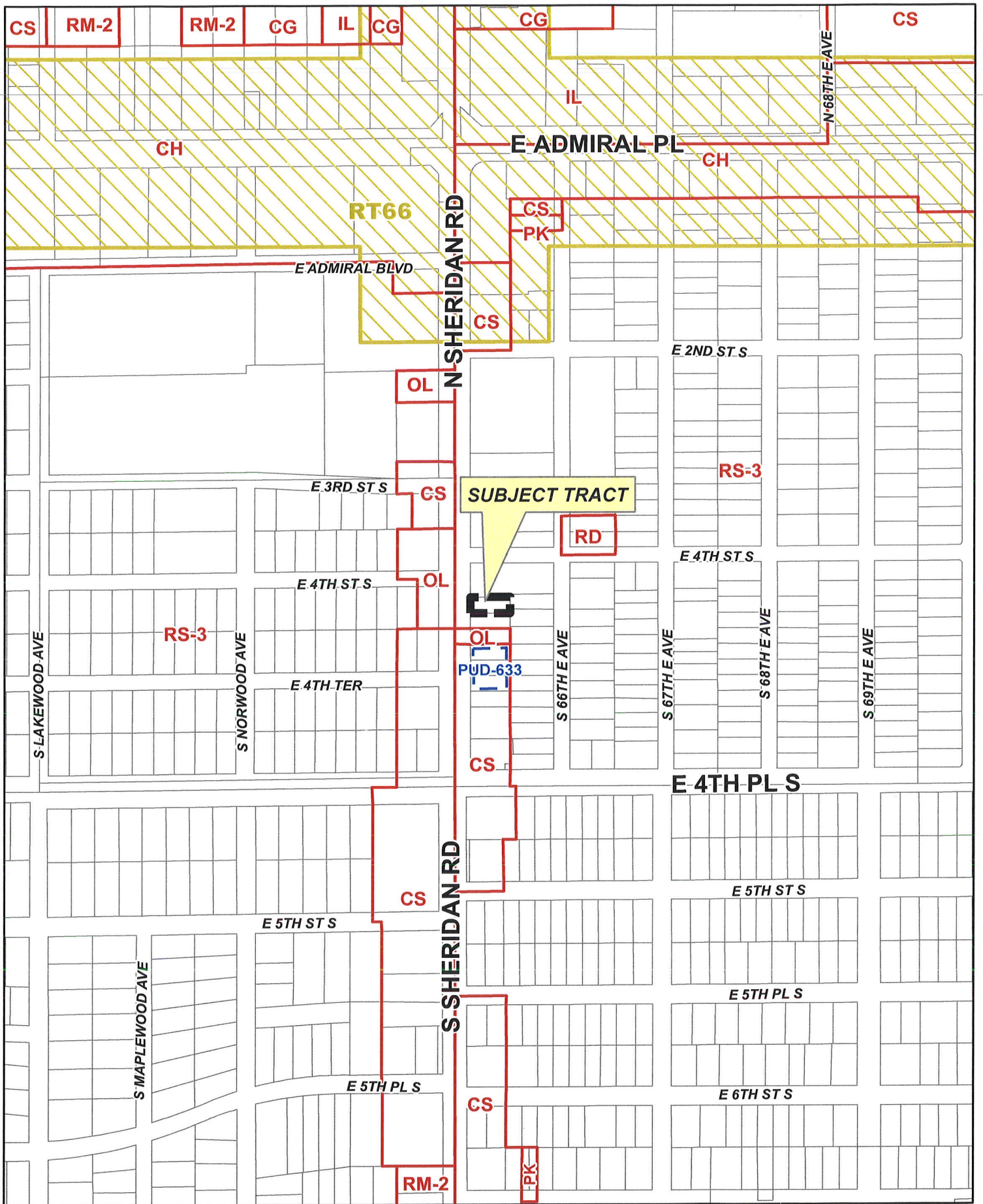
BOA-7898 May 1973: The Board of Adjustment **approved** a *Special Exception* to permit children's nursery in an RS-3 District, on property located at the SE corner of 4th Street and Sheridan Road.

BOA-7843 March 1973: The Board of Adjustment **approved** a *Minor Variance* to permit a modification of rear yard requirements from 20' to 16' in an RD District, on property located at the northeast corner of 66th east Avenue and 4th Street.

Z-4067 May 1972: All concurred in **approval** of a request for *rezoning* a tract of land from RS-3 to CS on property located 6339 East 4th Ter St.

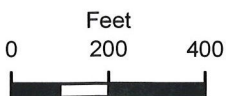
Z-4093 May 1972: All concurred in **approval** of a request for *rezoning* a tract of land from RS-3 to RD on property located Lot 13 & 14 Block E of Crest View Estate Addition.

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SUBJECT TRACT

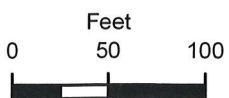
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Subject
Tract

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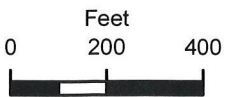
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Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2020/2021

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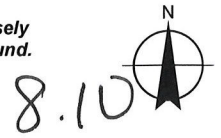
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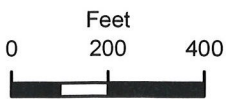
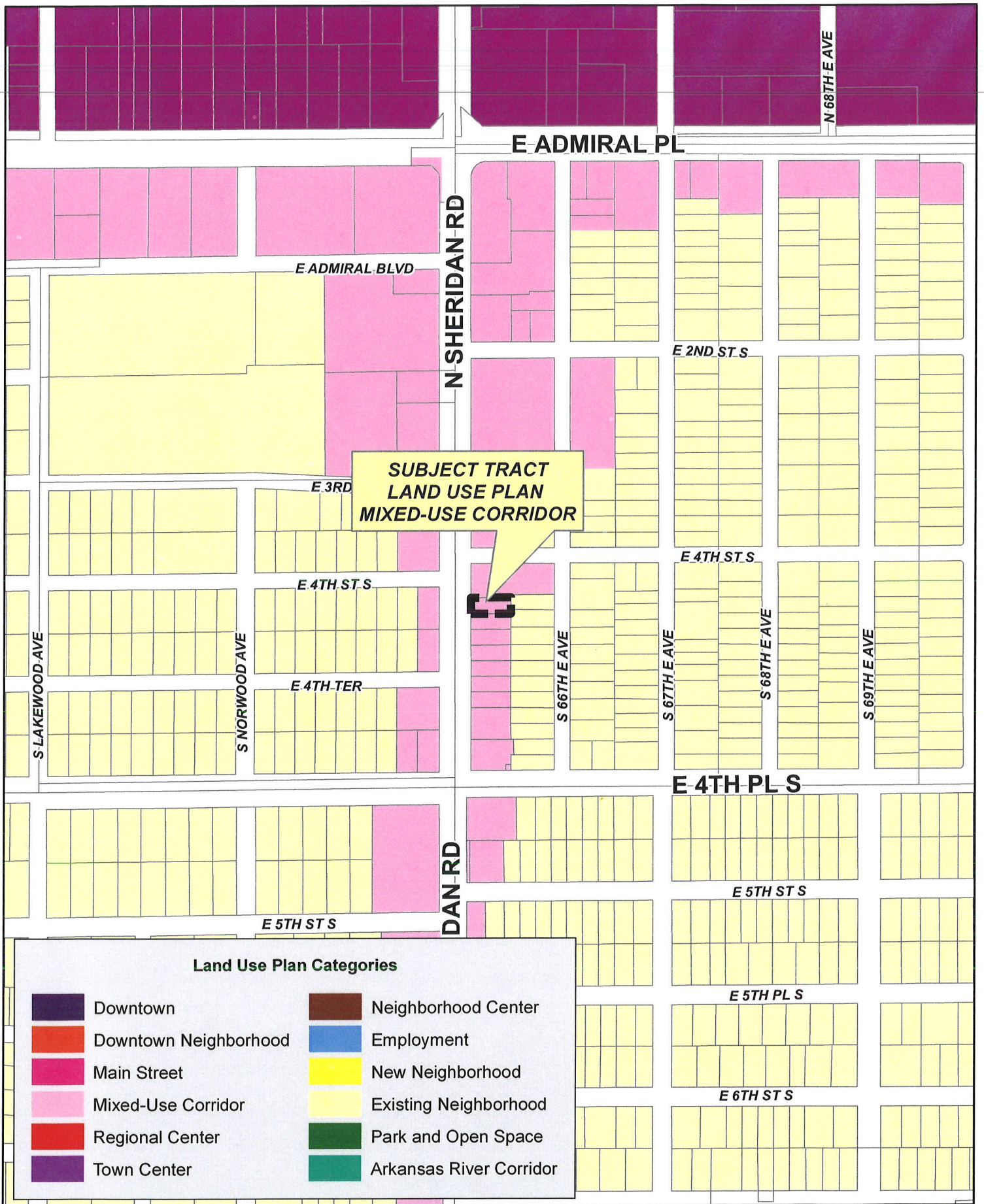
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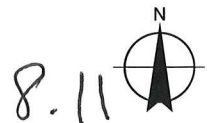
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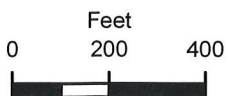
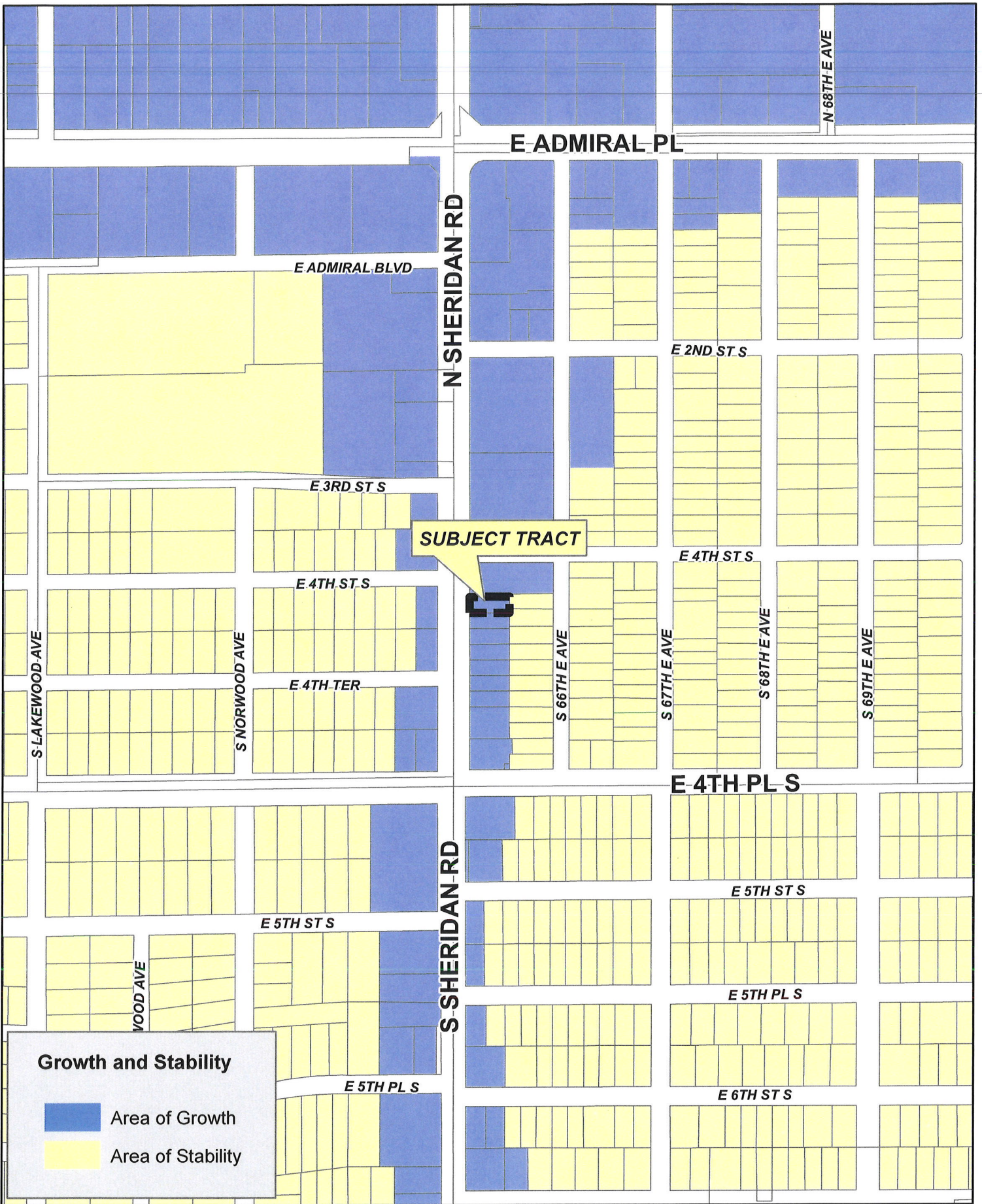




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