



Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7703
(Related to CPA-101)

Hearing Date: April 5th, 2023

Case Report Prepared by:

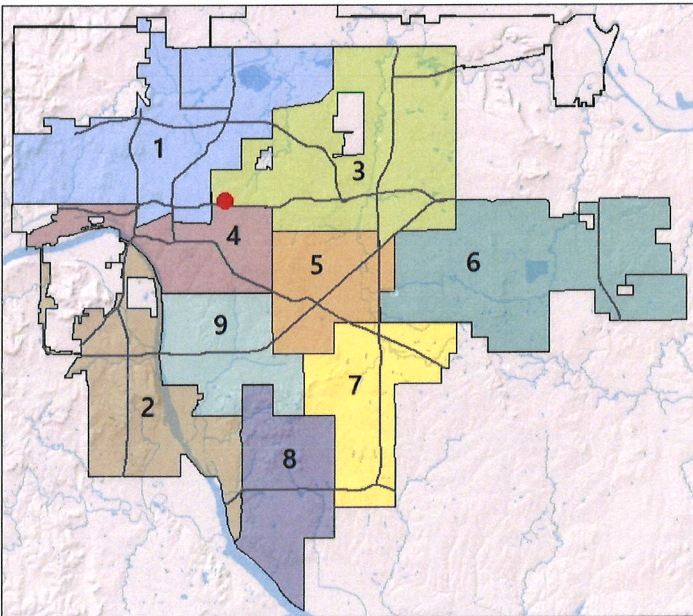
Jeremy Banes

Owner and Applicant Information:

Applicant: Paul Murad

Property Owner: Paul Murad

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Residential

Proposed Use: Community Mixed-use

Concept summary: Rezoning to support neighborhood redevelopment and provide opportunities for social gathering in food truck court and other uses allowed in the MX2-U-35 zoning district.

Tract Size: 0.18 ± acres

Location:

- Southwest corner of East Admiral Court and North Delaware Ave
- 52 North Delaware Avenue

Zoning:

Existing Zoning: RS-3

Proposed Zoning: MX2-U-35

Comprehensive Plan:

Land Use Map: Existing Neighborhood

Proposed land use: Mixed Use Corridor, refer to CPA-101

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 9305

CZM: 37

City Council District: 3

Councilor Name: Crista Patrick

County Commission District: 2

Commissioner Name: Karen Keith

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SECTION I: Z-7703

DEVELOPMENT CONCEPT: Rezoning and Comprehensive Plan Amendment to support new development opportunities that are allowed in a MX2-U district with a maximum building height of 35 feet.

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 illustration

DETAILED STAFF RECOMMENDATION:

Z-7703 is a request to rezone a tract of land from RS-3 to MX2-U-35. MX2 mixed use district is intended to accommodate retail service, entertainment and employment uses that may serve many surrounding neighborhoods. This district also allows a variety of residential uses and building types. The rezoning of this property to MX2 is to accommodate a food truck park, an “Outdoor Assembly and Entertainment” use and,

The Urban character designation is generally intended to be applied in areas with high levels of walkability, but where a greater variety of building types are present or desired, such as in areas designated by the comprehensive plan as Neighborhood, Town, and Regional Centers and along some plan-designated Mixed-Use Corridors and,

This property is in an area designated by the comprehensive plan as an Existing Neighborhood; however, it is adjacent to a Mixed-Use Corridor directly to the south along Admiral Place. Furthermore, Delaware Avenue connects residential multi-family to the north and the University of Tulsa to the south via an underpass of I-244 and intersects Admiral Place. This intersection of a transportation corridor and a commercial corridor in an Area of Growth could serve as a neighborhood center for the housing districts north and south of I-244 and,

The size of the subject property will limit parking availability, but the neighborhood is served with existing sidewalk infrastructure supporting a walkable community. More small-scale infill projects like this could further reduce reliance on autos for common trips as both the University of Tulsa and the multi-family district are within approximately 1/3 of a mile therefore,

Staff recommends Approval of Z-7703 to rezone property from RS-3 to MX2-U-35 along with the land use designation change from Existing Neighborhood to Mixed Use Corridor.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: *The uses and supplemental regulations defined in the MX2 zoning district are not consistent with the Existing Neighborhood land use designation however the applicant has submitted a Comprehensive Plan Amendment [CPA-101] to change the site to a Mixed-Use Corridor. That land use plan designation is common in the area an abuts the south boundary of the subject tract.*

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The Urban “U” character designation allows Townhouse or Apartment/condo residential uses. The existing structure is a single-family residential building that fits within the Existing Neighborhood use designation; however, future development would not be limited to a compatible single-family structure.

Land Use Vision:

Land Use Plan map designation: Existing Neighborhood

The Existing Residential Neighborhood category is intended to preserve and enhance Tulsa’s existing single-family neighborhoods. Development activities in these areas should be limited to the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code.

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: Residential Collector

Delaware Avenue along the subject property’s east side is considered a Residential Collector by the Major Street and Highway Plan. However, just to the south of Admiral Place Delaware Avenue is considered an Urban Arterial.

Trail System Master Plan Considerations: None

Small Area Plan: Kendal-Whittier Sector Plan

The Kendal Wittier sector plan was adopted in November 2016 and designated this area as a low density residential Existing Neighborhood. The plan recognized possible encroachments into the Existing Neighborhood areas with goals recommend redevelopment of vacant or dilapidated residential lots adjacent to mixed use corridors to accommodate larger projects. The related comprehensive plan amendment will help accomplish those goals.

Special District Considerations:

All but the northernmost portion of the subject property is within the Route 66 Overlay. The overlay establishes zoning regulations and incentives intended to ensure the enhancement, development, and revitalization of the authentic Route 66 through the promotion of historic and historically inspired signage, especially neon, along and adjacent to the two alignments of Route 66 in Tulsa. The regulations are generally intended to guide the character of both public and private development as it occurs along Route 66.

Historic Preservation Overlay:

DESCRIPTION OF EXISTING CONDITIONS:

***Staff Summary:** The subject property includes a single-family detached house on the north of the property and a paved area covering most of the remaining property to the south with both access to Delaware Avenue to the east and the QuikTrip parking lot to the south.*

Environmental Considerations: None that would affect site redevelopment.

Streets:

Existing Access	MSHP Design	MSHP R/W	Exist. # Lanes
North Delaware Avenue	Residential Collector	60 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	RS-3	Existing Neighborhood	Growth	Single-family Detached House
East	RS-3	Existing Neighborhood	Growth	Single-family Detached House
South	CS	Mixed-Use Corridor	Growth	Convenience Store
West	RS-3	Existing Neighborhood	Growth	Single-family Detached House

SECTION III: Relevant Zoning History

Subject Property:

History: Z-7703

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

Subject Property:

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SA-4 (Route 66 Overlay) June 2018: All concurred in **approval** to apply supplemental zoning, RT66 (Route 66 Overlay), to multiple properties along South 193rd East Avenue, East 11th Street, South Mingo Road, East Admiral Boulevard, East Admiral Place, West 11th Street South, and Southwest Boulevard, on a portion of the subject property along Southwest Boulevard.

BOA-17369 May 1996: The Board of Adjustment **approved** a *Special Exception* to permit a fence in the required front yard to exceed 4 feet in height to 8 feet & a *Variance* of the Home Occupation Guidelines to permit a sign which is visible from outside the lot, on property located at 2nd house East of 2744 east Admiral Ct.

BOA-13504 March 1985: The Board of Adjustment **approved** a *Special Exception* to permit home occupation to allow a law office in an RS-3 zoned district, on property located at the SW corner of Admiral court and Delaware.

BOA-10156 October 1978: The Board of Adjustment **approved** a *Special Exception* to permit off-street parking to be used in conjunction with a Quik Trip Store on adjoining property, on property located at SW corner of Admiral Court and Delaware Avenue.

Surrounding Property:

BOA-21893 May 2015: The Board of Adjustment **approved** a *Special Exception* to permit automotive and allied activities in the CS District & a *Variance* to permit outside storage and display of merchandise for sale within 300 feet of an adjoining R District, on property located at 2805 East Admiral Place North.

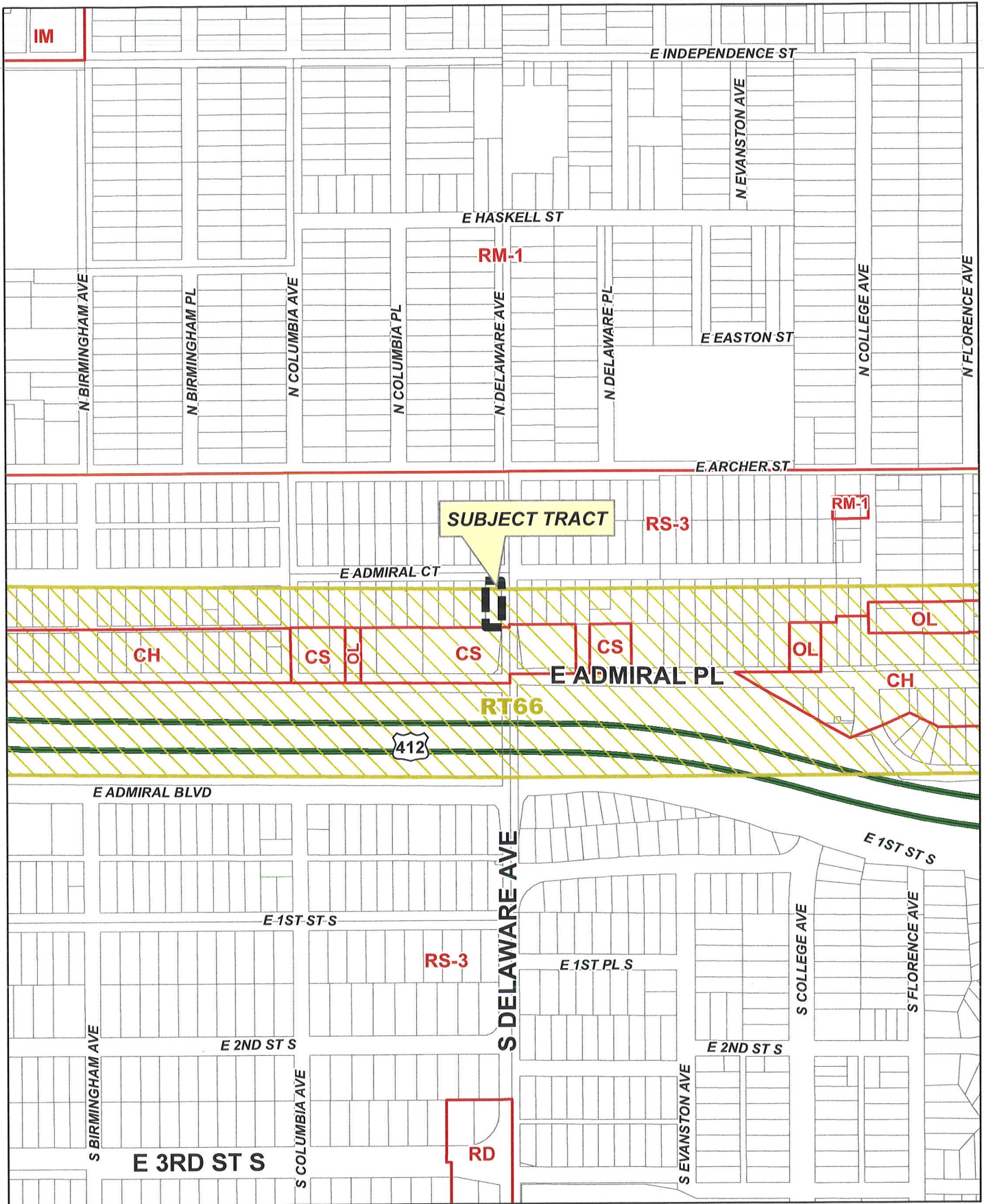
BOA-20629 January 2008: The Board of Adjustment **approved** a *Special Exception* to permit automotive and allied activities in a CS district & a *Variance* to permit outside storage and display of merchandise for sale within 300 ft. of an adjoining R district, on property located at 2805 East Admiral Place North.

BOA-15508 September 1990: The Board of Adjustment **approved** a *Special Exception* to permit a kennel to allow more than 3 dogs as a home occupation with no commercial activity, on property located at 52 North Delaware.

BOA-14843 June 1988: The Board of Adjustment **approved** a *Variance* to permit two flashing signs less than 200' from an R District; a flashing sign less than 20' from the driving surface Admiral Place; a flashing sign less than 50' from the driving surface of a signalized intersection and a sign to be located within 40' of an R District all in a CS zoned district, on property located at NW/c Delaware Avenue and Admiral Place.

BOA-8486 February 1975: The Board of Adjustment **approved** a *Special Exception* to permit an automotive brake and service shop in a CS District, on property located at the northwest corner of Admiral Place and Delaware Avenue.

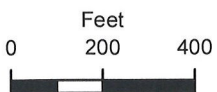
BOA-6839 December 1970: The Board of Adjustment **approved** a *Special Exception* to permit the existing hedge on the East side of property to remain in lieu of screening wall specifications, on property located at 2805 east Admiral Place.



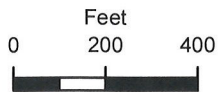
SUBJECT TRACT

Z-7703

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Subject Tract

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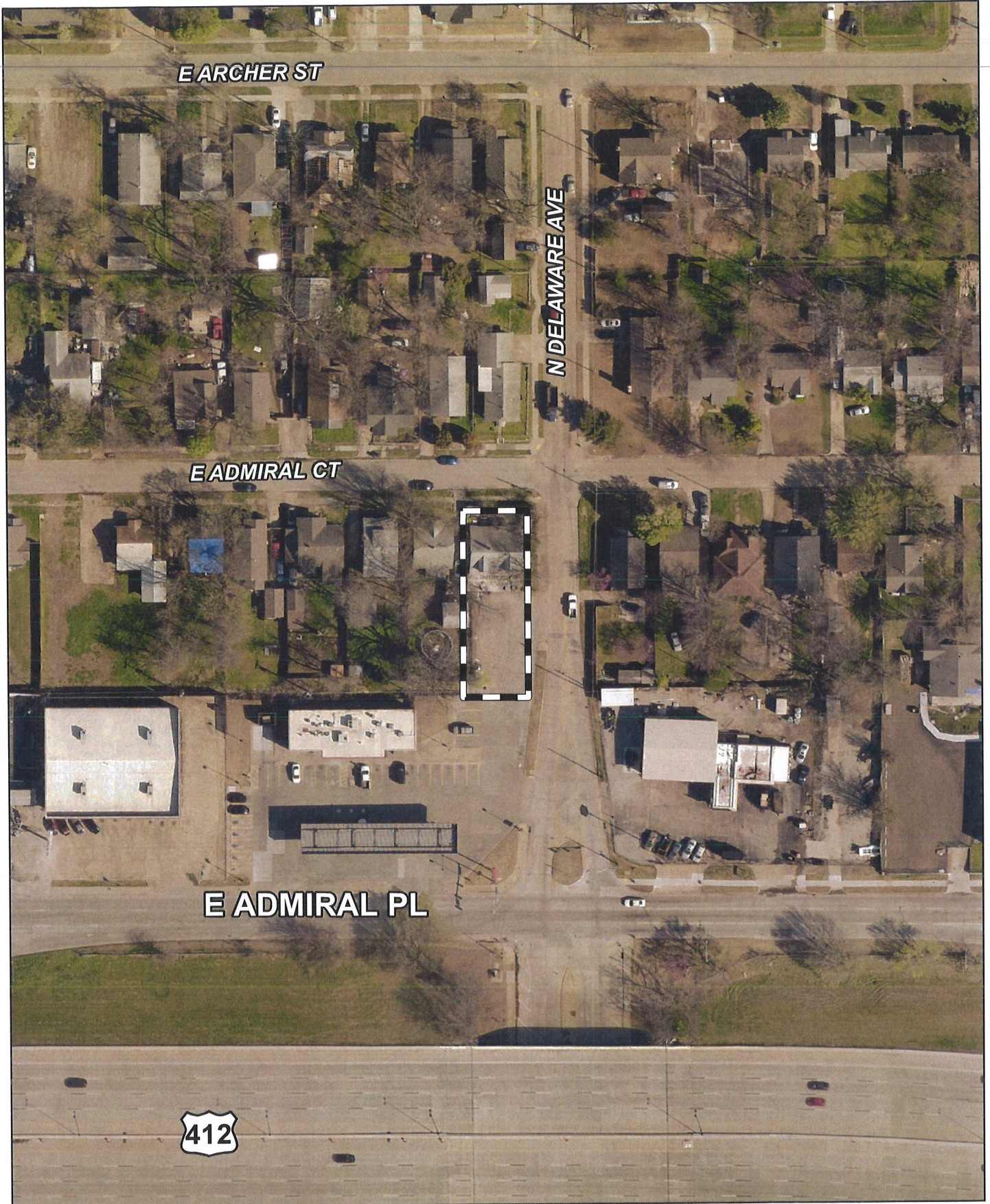
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Aerial Photo Date: 2020/2021



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E ARCHER ST

N DELAWARE AVE

E ADMIRAL CT

E ADMIRAL PL

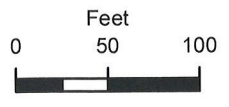


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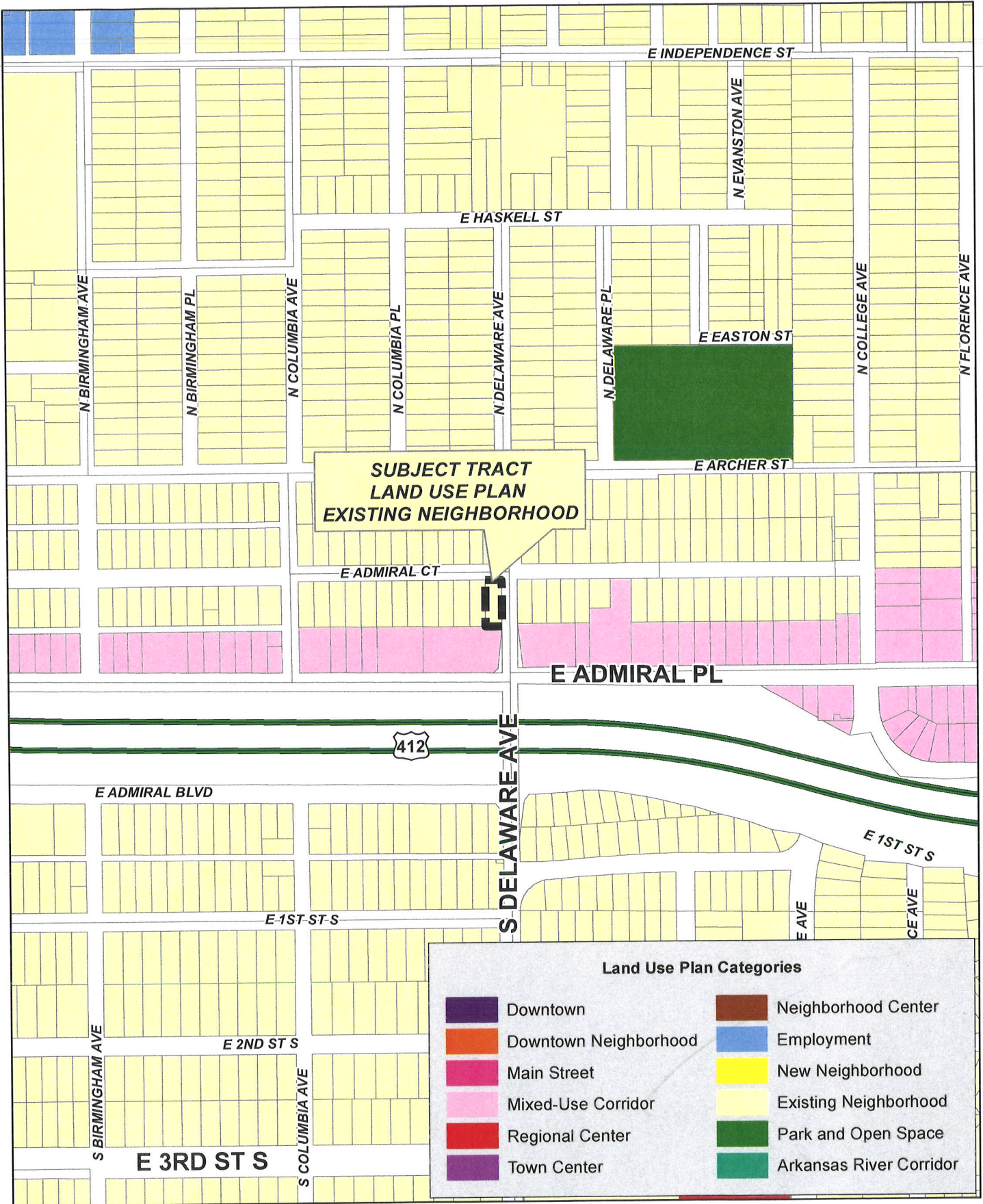
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Aerial Photo Date: 2020/2021















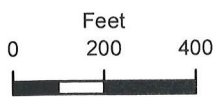
 Subject Tract

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**SUBJECT TRACT
LAND USE PLAN
EXISTING NEIGHBORHOOD**

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

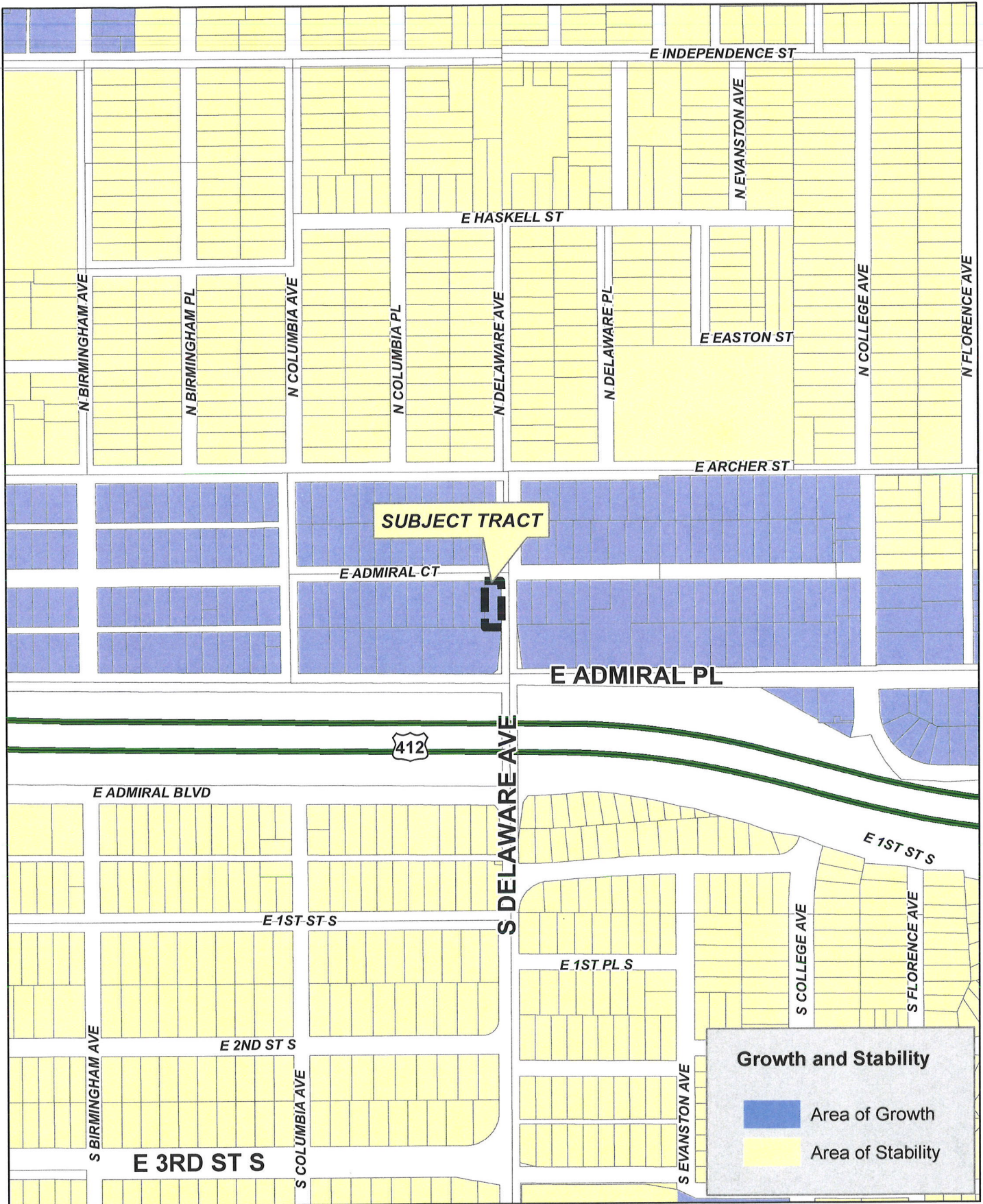


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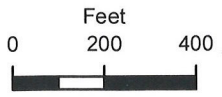
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SUBJECT TRACT

Growth and Stability

- Area of Growth
- Area of Stability

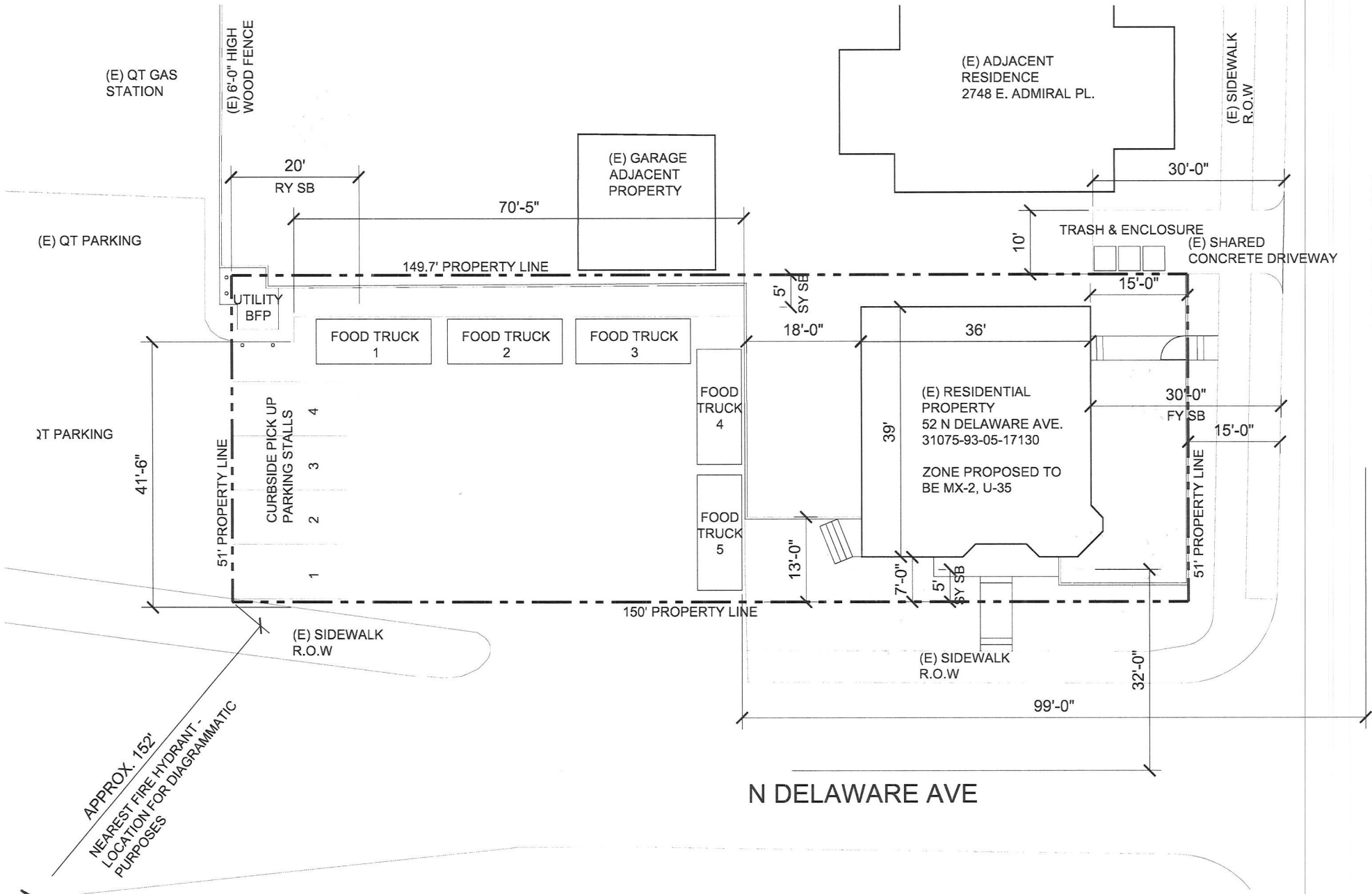


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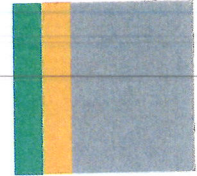


APPROX. 152'
NEAREST FIRE HYDRANT -
LOCATION FOR DIAGRAMMATIC
PURPOSES



Metroplex Realty LLC

PO Box 52603 Tulsa, Oklahoma 74152
(918) 409 - 0030



JUSTIFICATION LETTER

Date: March 28, 2023
To: TMAPC
From: Metroplex Realty, LLC
Subject: Rezoning and Comprehensive Plan Amendment Application

To Whom It May Concern:

We are writing this letter regarding the Rezoning and Comprehensive Plan Amendment request to develop a Neighborhood Mixed-use Project (MX-2) on a 7,650 square feet lot at 52 N Delaware Avenue, Tulsa, Oklahoma 74110.

The property is located in a Residential zone (RS-3), on the fringe of Commercial zone (CS), and mostly covered by the RT 66 Overlay Zone due to Interstate 244 running parallel less than 300 feet from the rear property line. The property is also located just one block south of residential multi-family zoning. Therefore, the requested zoning is conforming to the nearby land use in our humble opinion and will fit well with what is going on there now and what is to come with additional development in the future as Kendall Whittier neighborhood continues to progress and grow. Affordable multifamily housing project on this site will help alleviate the growing housing demand and acute shortage in Tulsa metropolitan area.

The area has seen an increased traffic and activity of the commercial zoning strip alongside Interstate 244 and increased housing demands seen in the residential and multi-family zoned areas north of the property. With the change in zoning we would like to develop affordable multifamily housing on that lot in the long term once interest rates are reduced, inflation is under control, and construction costs are more reasonable. In fact, there are a number of new and recent residential projects in the area that are similar to what we would like to do on this lot.

However, in the interim while we work on the future plans for the lot and await better economic conditions for construction, we would seek to turn the rear of the property into a small food truck lot. The lot is currently split with a home located at the front of the



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property facing East Admiral Court with a paved asphalt lot seamlessly connected with the lot of the QuikTrip gas station next door. The current use of the rear yard has been an appendage to QT's parking lot. The gas station abuts to this property.

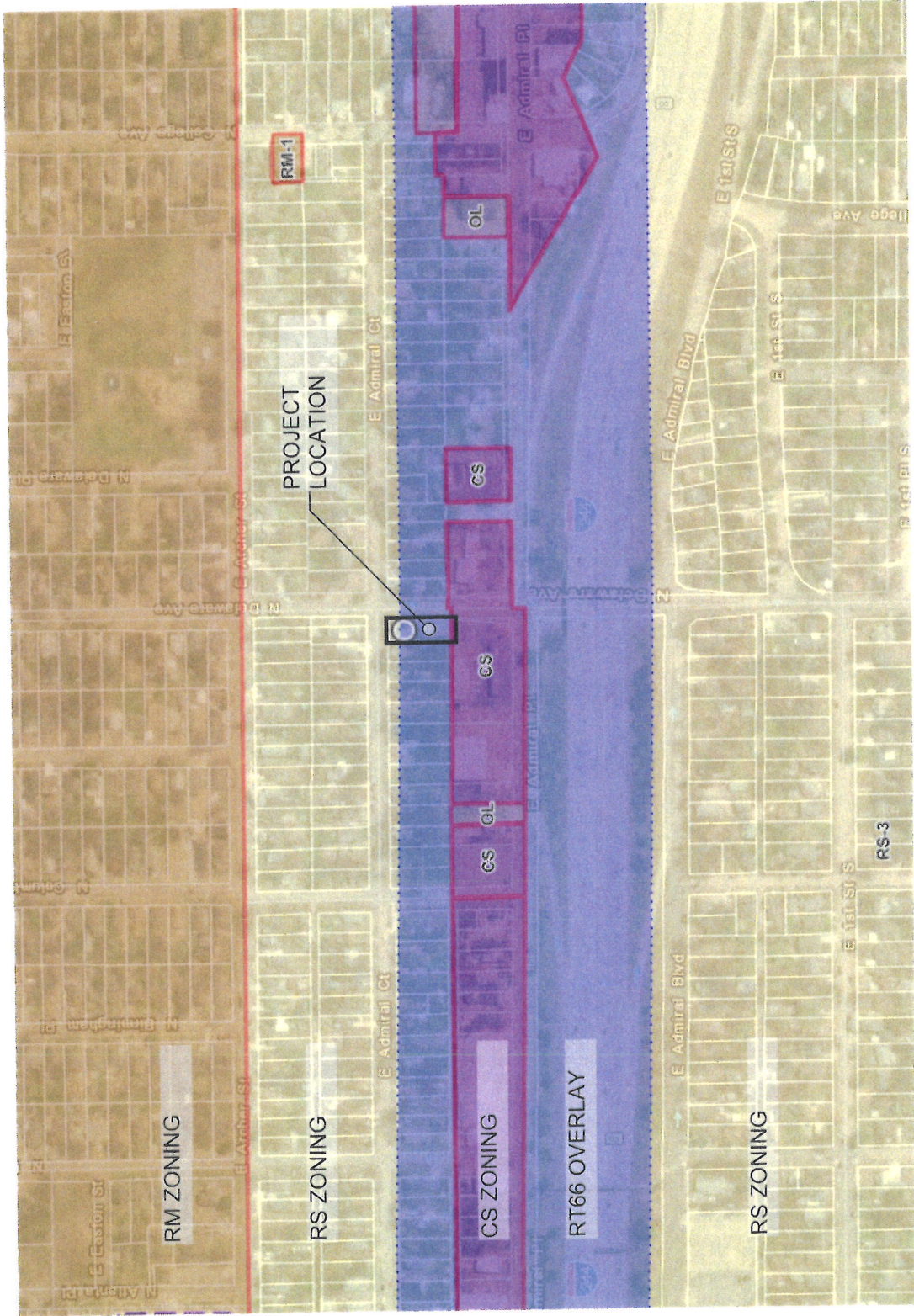
By improving the rear lot to host a few food trucks, the lot would be able to provide an amenity to the adjacent Kendall Whittier neighborhood and to the working community located in the nearby commercial zones. By adding mobile food trucks, it would not only increase economic growth, but align with the values of walkability and inclusion within the neighborhood. This would not be micro-mall, or commercial park, but a relief from the main streets with close vicinity to residential communities. The residential neighborhood in this area is also troubled with abandoned homes which in turn, has allowed for transient and criminal activities within the community. Adding trucks with employees and patrons present in this area will help bring activity and vigilant neighbors which always helps reduce crime and vandalism. This interim use on the lot would improve the ever-growing changes of residential areas and provide a safer, vibrant and more engaged community.

As far as parking, we will plan for it on the lot as part of the new development. In the interim, the food truck staff will be required to park in designated areas that we are working to arrange with neighboring commercial businesses that have larger parking areas. We have identified several of them and started conversations but wanted to make sure this zoning change gets approved before we enter formal agreements. Patrons will be asked by staff to not park in the parking spots of the businesses that have limited parking and do not agree to have additional traffic on their lot. Every food truck will be required to sign an agreement that will address parking protocol for staff and patrons as well as sanitation and cleaning of the area around the truck. Violations of the agreement will result in trucks not allowed back to the lot.

This proposal does not aim to target or alter the make-up of a residential zone, nor do we seek to alter its guiding principles found in municipals codes and city planning. The development of this lot would not hinder housing opportunities but will provide new ones, nor will it challenge the physical character of the neighborhood. As a result, we believe this zoning change will promote more housing opportunities as people want to be near walkable places and abundant dining options. This property is already situated on the line of both commercial and residential zones, and we request your approval for the development to better improve the area and Kendall Whittier community, which we believe will in turn improve the City of Tulsa. We appreciate your help and support for this new development in the City of Tulsa.

Sincerely,

Paul Murad



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