



Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7705

(Related to CPA-102 & adjacent and related to
County cases CZ-543 and TCCP-12)

Hearing Date: May 17, 2023

(Continued from April 19, 2023)

Case Report Prepared by:

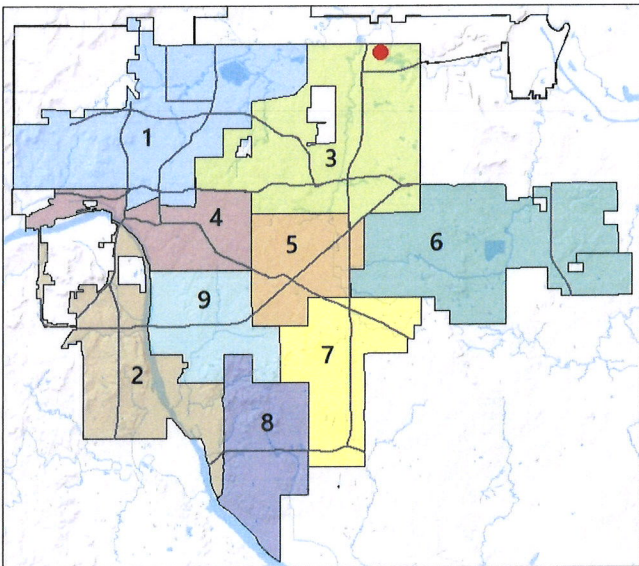
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Nathan Cross

Property Owner: Greenhill Properties LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: AG

Proposed Use: Commercial/Mining

Concept summary: IM

Tract Size: 200.91 ± acres

Location: South of the southeast corner of Highway
169 and East 56th Street North

4816 North 118 East Avenue

Zoning:

Existing Zoning: AG

Proposed Zoning: IM

Comprehensive Plan:

Current Land Use Map: Regional Center

Proposed land use designation: Employment

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS:

CZM: 24

City Council District: 3

Councilor Name: Crista Patrick

County Commission District: 1

Commissioner Name: Stan Sallee

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SECTION I: Z-7705

APPLICANTS DEVELOPMENT CONCEPT:

History

The property at issue in this request (the "Subject Property") is part of the small remaining undeveloped property in north Tulsa that has been primarily vacant since the creation of the City of Tulsa. For 50 years, the Subject Property has been a working ranch owned by the Oxley family. No significant development has occurred on the Subject Property.

Mining

At some point in the distant past, a rich vein of limestone was discovered in and around the Subject Property and in parts of northern Tulsa County. After that discovery, mining operations began to grow in the area. Currently, there are 3 active mining operations within roughly a two-mile radius of the Subject Property. As such, this portion of Tulsa has become a significant source of regional limestone for use in construction. These mining activities have been further bolstered by increased demand due to depletion of other mining resources in the area to the point that this area of Tulsa is now the primary provider of limestone for construction in Tulsa and Oklahoma City as well as other places within the region.

Rezoning Request

As stated above, mining is one of the largest uses of land in this area of Tulsa. In addition to the rich limestone in the area, the Subject Property fronts onto Highway 169. The east side of Highway 169 in this area has rapidly developed into an industrial/warehousing corridor ripe for continued development with large-scale commercial activities. The owner of the Subject Property proposes to rezone the Subject Property to IM to accommodate 68 acres of future commercial use along the Highway 169 corridor as well as establish underlying zoning to accommodate 97 acres of mining operations on the balance of the Subject Property.

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

DETAILED STAFF RECOMMENDATION:

The Tulsa Metropolitan Area Planning Commission unanimously adopted an update to the Tulsa Comprehensive Plan May 3rd, 2023. The public meetings notices, maps, and references in this report were completed before Planning Commission adoption of the plan update. As of the writing of this staff report (3/11/2023), the City Council has not approved the updated plan, but this request is consistent with the existing and the amended comprehensive plan. The City Council is expected to vote on the updated Comprehensive Plan after this zoning has been reviewed at the Planning Commission.

The update to the Comprehensive Plan illustrates this area as a Regional Center and an area of Employment. The site is not included in an area that is most suitable for industrial development, however the land use maps support the proposed industrial development and,

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The uses allowed in the IM district are consistent with the land use maps as proposed in CPA-102 and the expected land use recommendations of the pending Comprehensive Plan update.

IM zoning allows uses at a scale that is appropriate with the existing transportation infrastructure and

The uses allowed in an IM district are consistent with the expected surrounding development area therefore,

Staff recommends Approval of Z-7705 to rezone property from AG to IM.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary:

IM zoning as requested with Z-7705 requesting is consistent with the proposed land use designation associated with CPA-102. Z-7705 is also consistent with the anticipated Employment and Regional Center land use designation that has been approved at the Planning Commission with the plan update.

The expected mining special exception should be limited to the area shown as Employment in the updated plan land use designation.

Land Use Vision:

Existing Land Use and Growth Designations

A *Regional Center* land use designation was assigned to the area subject to the amendment request at the time of the adoption of the Tulsa Comprehensive Plan in 2010:

The *Regional Center* designation is defined in the Tulsa Comprehensive Plan as mid-rise mixed-use areas for large scale employment, retail, and civic or educational uses. These areas attract workers and visitors from around the region and are key transit hubs; station areas can include housing, retail, entertainment, and other amenities. Automobile parking is provided on-street and in shared lots.

Proposed Land Use and Growth Designations (Tulsa Comprehensive Plan)

The applicant is proposing the *Employment* land use designation for the entirety of the subject property:

The *Employment* designation is defined in the Tulsa Comprehensive Plan as areas containing office, warehousing, light manufacturing, and high tech uses such as clean manufacturing or information technology. Sometimes big-box retail or warehouse retail clubs are found in these areas. These areas are distinguished from mixed-use centers in that they have few residences and typically have more extensive commercial activity. Employment areas require access to major arterials or interstates. Those areas, with manufacturing and warehousing uses must be able to accommodate extensive truck traffic, and rail in some instances.

The area surrounding the subject property to the south, west and east has largely industrial or agricultural zoning with an *Employment* or *Regional Center* land use designations. The subject property (along with the concurrent rezoning in North Tulsa County) would extend the industrial zones from the south and west along Highway 169. Rezoning the subject area to *Industrial* with

a land use designation of *Employment* would not be inconsistent with the development already occurring in the vicinity.

Transportation Vision:

Major Street and Highway Plan: The major street and highway plan does not illustrate a collector street or frontage road west of highway 75. Street connectivity from East 46th Street North to East 56th street North is an essential component of industrial and commercial development opportunities east of highway 75. Staff will recommend public street construction with future development in this area.

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 subject property is part of an agricultural farm operation. The east boundary of the site is in the Bird Creek flood plain and limestone is close to the surface and accessible to mining operations similar to the existing quarry operations southeast of Z-7705.*

Environmental Considerations:

Streets:

Existing Access	MSHP Design	MSHP R/W	Exist. # Lanes
56 th Street North	Secondary Arterial	100 feet	2

Utilities:

The subject tract has municipal water and sewer available except where mining is anticipated. The commercial corridor anticipated adjacent to Highway 169 will require significant utility extensions to serve the area.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North (Unincorporated Tulsa County)	AG	Agricultural / Rural Residential Refer to pending case TCCP-12	NA	Undeveloped / agricultural Refer to pending case CZ-543/PUD 867
East	AG	Employment	Growth	Undeveloped / agricultural
South	AG/ IM/ IH	Employment	Growth	
West	IL	Employment	Growth	Undeveloped / agricultural

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SECTION III: Relevant Zoning History

History: Z-7705

Subject Property:

ZONING ORDINANCE: Ordinance number 11804 dated June 26, 1970, established zoning for the subject property.

BOA-20800 October 2008: The Board of Adjustment **approved** a *Special Exception* to permit a Rock Quarry in an AG district, on property located at NW of the intersection of 129th E. Ave. and 46th St. N.

BOA-19674 September 2003: The Board of Adjustment **approved** a *Special Exception* to permit within an 80-acre tract in the IH and AG zoning districts the mining, quarrying and extraction of stone, sand and gravel, including processing, crushing, washing, sale and loading of crushed rock, sand and gravel for utilization off the premises, on property located at E. 46th Street North ½ mile East of N. Garnett Road.

Surrounding Property:

Z-7385 July 2017: All concurred in **approval** of a request for *rezoning* a 97.28± acre tract of land from AG to IM on property located Northeast corner of E. 46th street North and Highway 169.

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E 56TH ST N

169

N 129TH E AVE

N 121ST E AVE

E 50TH ST N

169

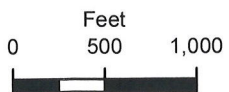
N GARNETT RD

E 46TH ST N

266

E PORT RD

N 129TH EAST AVE



 Subject Tract

Z-7705

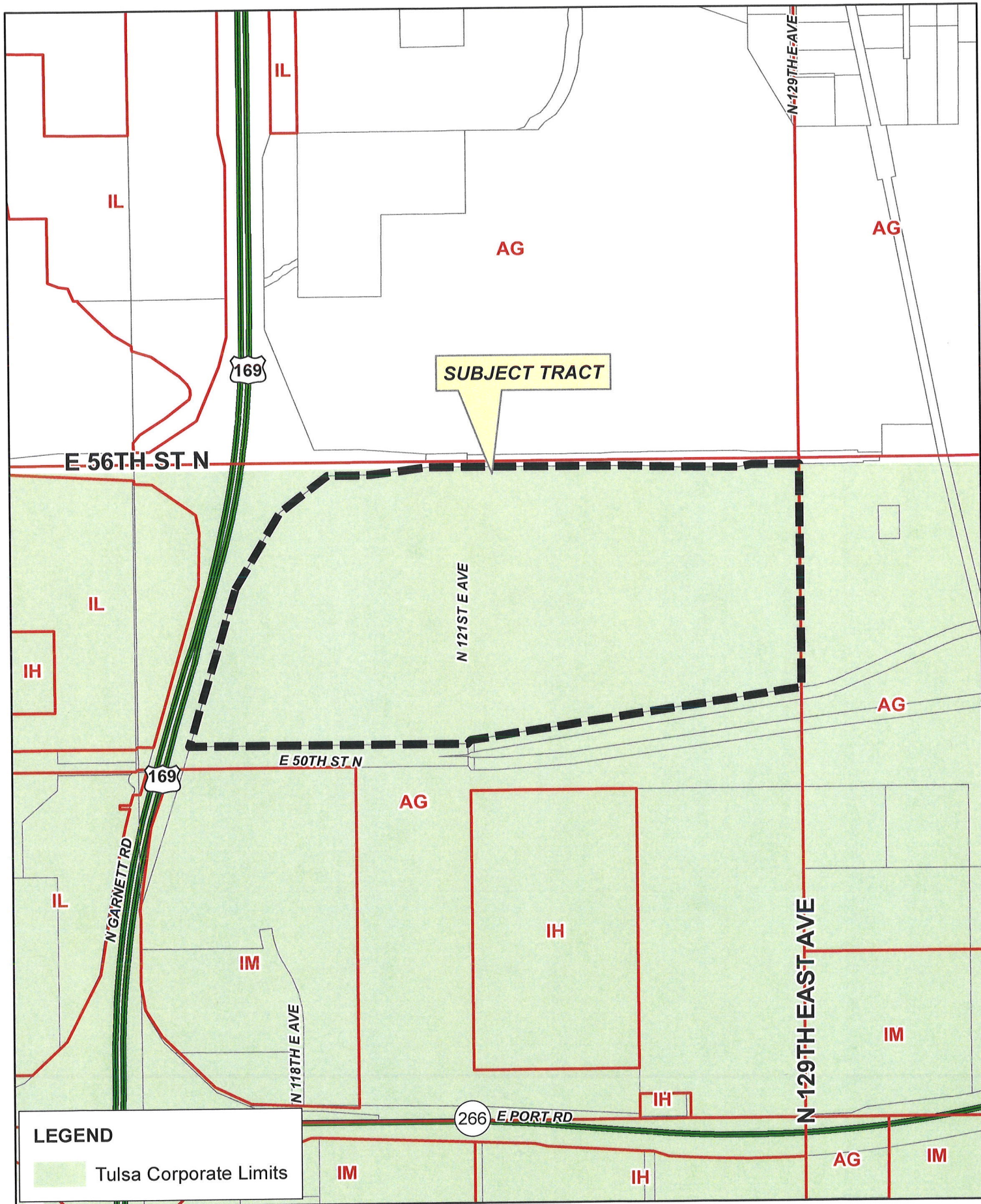
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Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2020/2021



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SUBJECT TRACT

LEGEND

Tulsa Corporate Limits

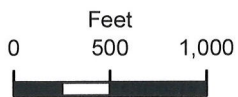
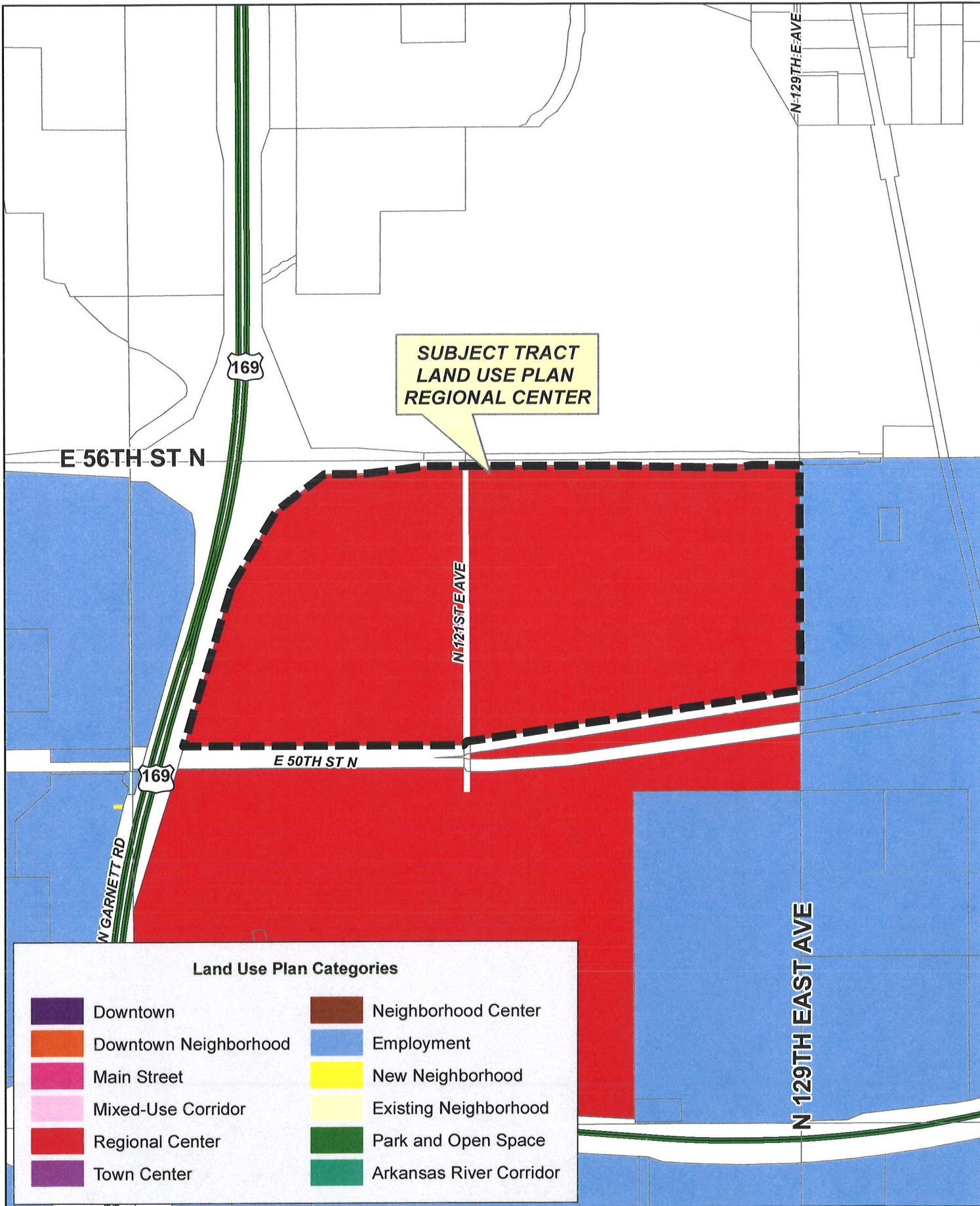


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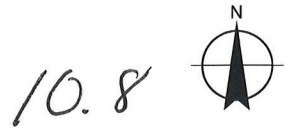


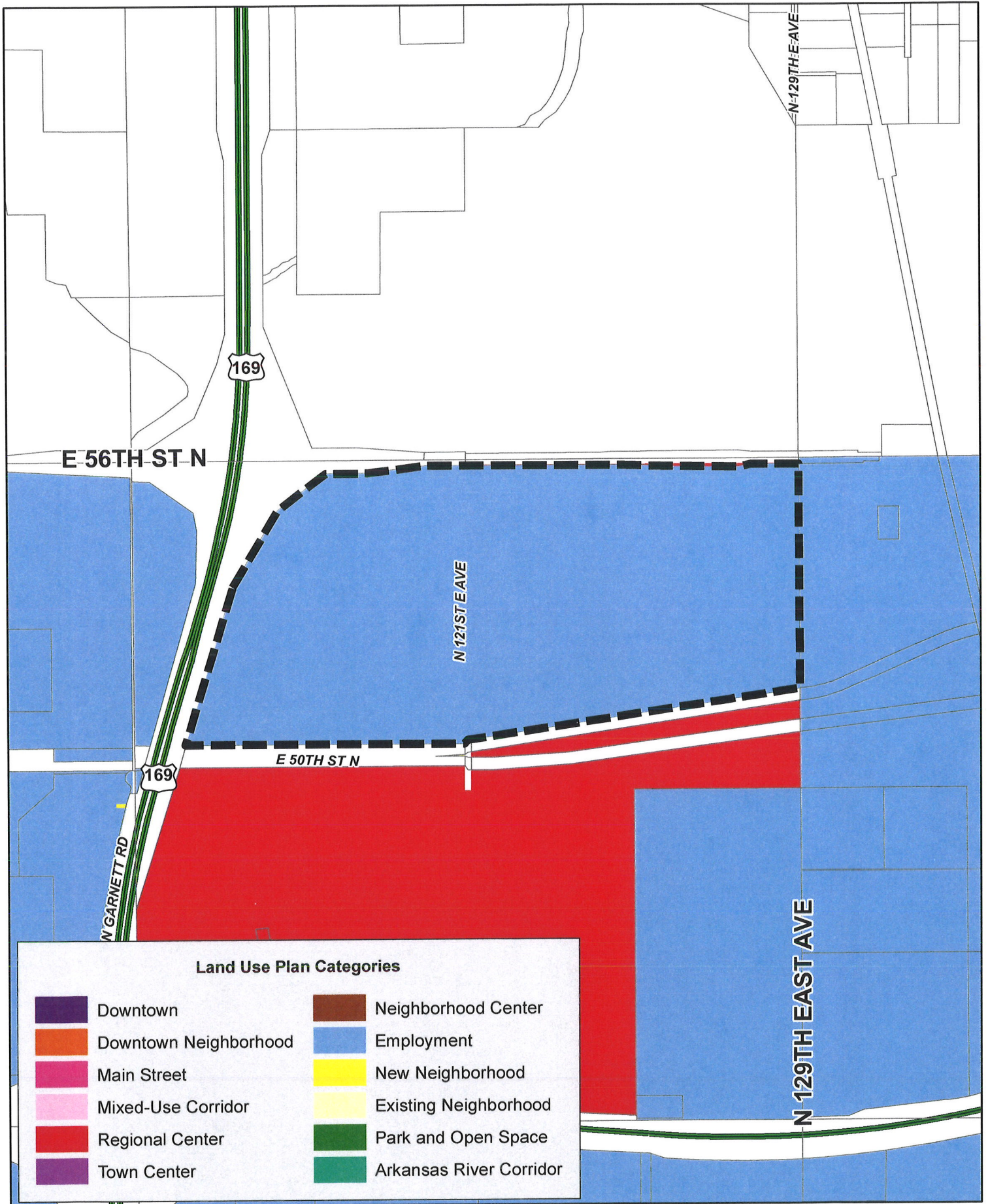


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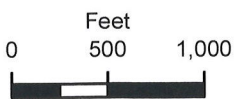
CURRENT LAND USE MAP





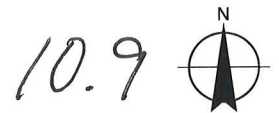
Land Use Plan Categories

- | | |
|---|---|
|  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 |

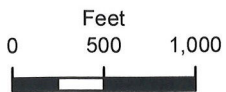
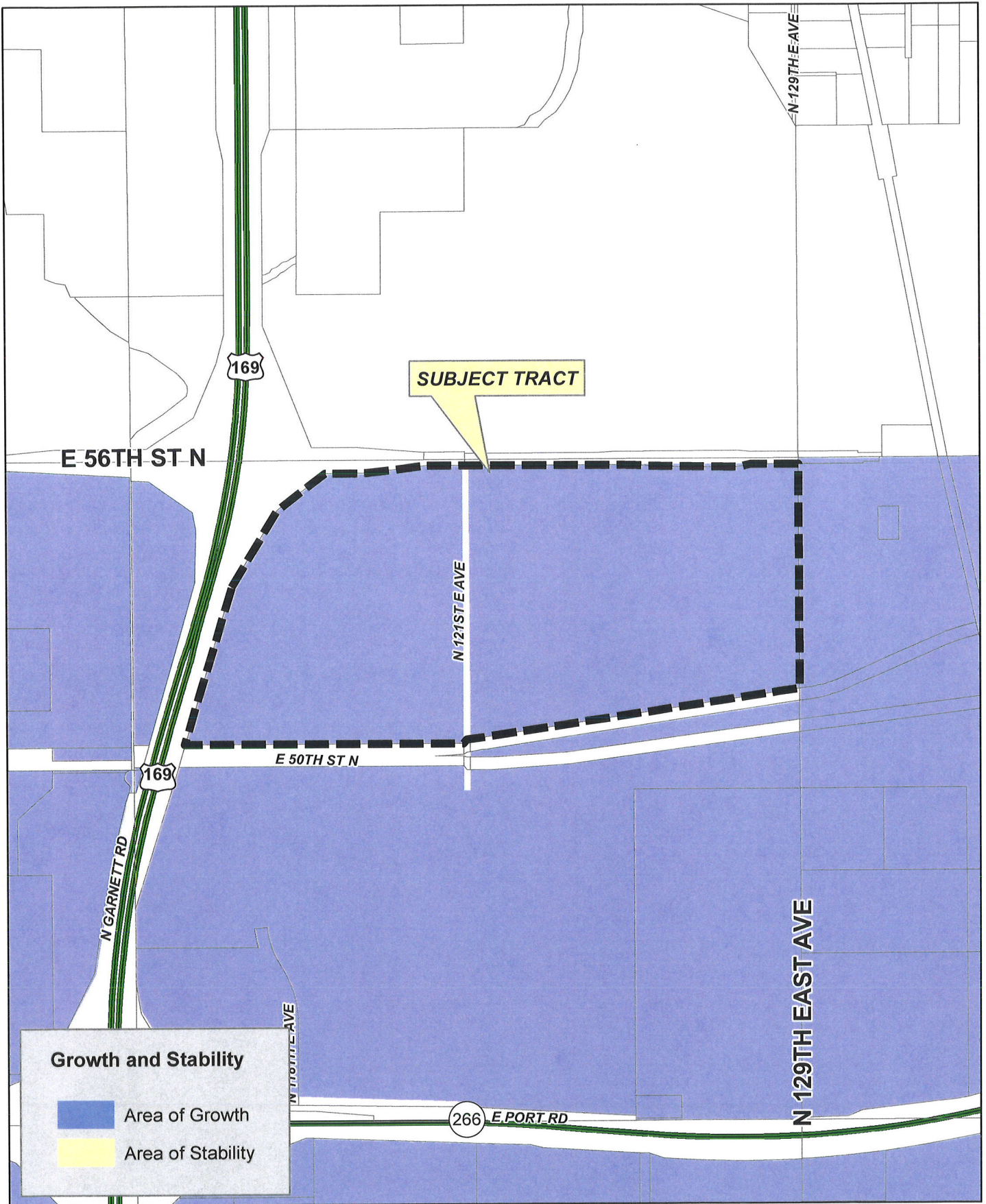


CPA-102

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Land use designation as proposed with CPA-102 and Z-7705



Z-7705

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