**Case Number:** Z-7729 (Related to PUD-772-A)  
**Hearing Date:** July 19, 2023

### Case Report Prepared by:
Nathan Foster

### Owner and Applicant Information:
*Applicant:* Lou Reynolds  
*Property Owner:* Mandalay Bay Investments LLC

### Location Map:
(shown with City Council Districts)

![Location Map Image](image)

### Applicant Proposal:
*Present Use:* Vacant  
*Proposed Use:* Commercial

**Concept summary:** Rezoning of the subject property from RM-2 to CS with an associated major amendment to PUD-772 to establish development standards for two development areas.  
*Tract Size:* 3.5 ± acres  
*Location:* Northwest corner of South Utica Avenue and East 13th Place South

### Zoning:
*Existing Zoning:* RM-2/PUD-772/NIO  
*Proposed Zoning:* CS/PUD-772-A/NIO

### Comprehensive Plan:
*Land Use Map:* Regional Center and Neighborhood

### Staff Recommendation:
Staff recommends approval of the rezoning with the Planned Unit Development standards outlined in PUD-772-A.

### Staff Data:
*TRS:* 9307  
*CZM:* 37

### City Council District:
*4*

### Councilor Name:
Laura Bellis

### County Commission District:
*2*

### Commissioner Name:
Karen Keith

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**REVISED 7/13/2023**
SECTION I: Z-7729

DEVELOPMENT CONCEPT: Rezoning of the subject property from RM-2 to CS with a PUD major amendment to establish development standards for two development areas.

EXHIBITS:
- INCOG Case map
- INCOG Aerial (small scale)
- INCOG Aerial (large scale)
- Tulsa Comprehensive Plan Land Use Map
- Applicant Exhibits: See PUD-772-A

DETAILED STAFF RECOMMENDATION:

The applicant is proposing to rezone the subject tract from CS to RM-2 with a PUD Major Amendment to establish two separate development areas.

The development standards outlined in PUD-772-A are consistent with the “Regional Center” and “Neighborhood” land use designations of the City’s comprehensive plan by limiting commercial uses to the areas included within “Regional Center” and allowing only residential uses within the “Neighborhood” designation.

Staff recommends approval of Z-7729 as outlined in Section I only with the approval of the associated PUD major amendment, PUD-772-A.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: CS zoning is consistent with the “Regional Center” designation and, with the proposed development standards of PUD-772-A, consistent with the “Neighborhood” designation. Commercial uses will be limited to the eastern development area.

Land Use Vision:

Land Use Plan map designation: Regional Center and Neighborhood

Existing regional trip generators define the Regional Centers in contrast to Local Centers. These centers should be the most connected land use pockets outside of downtown for public transit access and high-capacity arterial streets. New regional trip generators should be permitted in the area with special consideration given to the transportation access and circulation. Regional trip generators include universities, malls, large medical campuses, casinos, big-box shopping centers, and very large churches.

Neighborhoods are “Mostly Residential Uses” which includes detached, missing middle, and multidwelling unit housing types. Churches, schools, and other low intensity uses that support residents’ daily needs are often acceptable, particularly for properties abutting Multiple Use, Local Center, or Regional Center land use areas. Multidwelling unit housing that takes access off of an arterial is considered Multiple Use, Local Center, or Regional Center. If a multidwelling unit housing property takes access off of a lowerorder street separated from the arterial, then it would be considered Neighborhood.

Transportation Vision:

10.2

REVISED 7/13/2023
**Major Street and Highway Plan:** South Utica Avenue is considered an Urban Arterial by the Major Street and Highway Plan. East 13th Place is considered a freeway access road. Both classifications are adequate to support the proposed uses of PUD-772-A. East 13th Street South is not classified by the Major Street and Highway Plan.

**Trail System Master Plan Considerations:** East 13th Street South is designated for on-street bicycle lanes by the GO Plan. East 13th Place South is designated as a "Signed Route" by the GO Plan. Site development should consider bicycle access and parking to support the planned bicycle network adjacent to the site.

**Small Area Plan:** Utica Midtown Corridor Small Area Plan

The subject property is located within the Utica Midtown Corridor Small Area Plan. The proposed development areas included in PUD-772-A align with the recommendations of the small area plan for commercial development adjacent to South Utica Avenue with a transition to neighborhood development west of South Troost Avenue.

**Special District Considerations:** None

**Historic Preservation Overlay:** None

**DESCRIPTION OF EXISTING CONDITIONS:**

**Staff Summary:** The subject property is currently vacant. There is an existing religious assembly and a medical facility north of the subject property. The site is adjacent to the Broken Arrow Expressway to the south. There are existing single-family residences to the west of the subject property.

**Environmental Considerations:** None

**Streets:**

<table>
<thead>
<tr>
<th>Existing Access</th>
<th>MSHP Design</th>
<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
</tr>
</thead>
<tbody>
<tr>
<td>South Utica Avenue</td>
<td>Urban Arterial</td>
<td>70'</td>
<td>4</td>
</tr>
<tr>
<td>East 13th Place South</td>
<td>Freeway</td>
<td>Variable</td>
<td>2</td>
</tr>
<tr>
<td>East 13th Street South</td>
<td>None</td>
<td>50'</td>
<td>2</td>
</tr>
<tr>
<td>South Trenton Avenue</td>
<td>None</td>
<td>50'</td>
<td>2</td>
</tr>
</tbody>
</table>

**Utilities:**
The subject tract has municipal water and sewer available.

**Surrounding Properties:**

<table>
<thead>
<tr>
<th>Location</th>
<th>Existing Zoning</th>
<th>Existing Land Use Designation</th>
<th>Existing Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>RM-2</td>
<td>Regional Center</td>
<td>Religious Assembly</td>
</tr>
<tr>
<td>East</td>
<td>RM-2</td>
<td>Regional Center</td>
<td>Vacant</td>
</tr>
<tr>
<td>South</td>
<td>N/A</td>
<td>None</td>
<td>Broken Arrow Expressway</td>
</tr>
<tr>
<td>West</td>
<td>RM-2</td>
<td>Neighborhood</td>
<td>Single-Family Residential</td>
</tr>
</tbody>
</table>

REvised 7/13/2023
SECTION III: Relevant Zoning History

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

PUD-772 – Ordinance number 22131 dated October 14, 2009 established PUD-772 on the subject property.
Your comments will be forwarded to the planning commission.

Thanks,

Dylan Siers | Planner
Tulsa Planning Office
Department of City Experience
175 E. 2nd Street, Suite 480
Tulsa, OK 74103-3216
T: 918-596-7584
E: dsiers@civofotulsa.org
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From: Aaron LaBounty <aaron.labounty@gmail.com>
Sent: Thursday, July 13, 2023 9:06 AM
To: esubmit@incog.org; Tulsa Planning Office <Planning@cityoftulsa.org>
Subject: Public Comment for Case Z-7729

I would like to say that I strongly oppose this zoning change, for a variety of reasons.

First I'd like to point out that based on the supporting documents filed with the application only 4 residents of the area were contacted and invited to a meeting to discuss this change, all others were representatives from business in the area, and they do not live in the area. I think this shows a complete lack of willingness to engage the people that will be most affected by this change in the conversation.

Second, based on the current housing inventory and historic price jumps over the last couple of years, and the increase in people experiencing homelessness, Tulsa does not need more commercial property, it needs its residential properties to stay as residential, and someone to build dense housing on them. That combined with the influx of people from places like California, DC, and Colorado, houses cost more and more every day, and redfin has good data showing this (https://www.redfin.com/city/35765/OK/Tulsa/housing-market#demand).

I have two friends that are currently trying to buy their first house, and have been trying for over 6 months. They both work, have a combined income well above the median, but have struggled to find one they can afford, that isn't getting multiple offers over asking, and waiving things like inspections.

Third, I personally don't want to see a fast food chain restaurant in this area. There are already 3 within .5 miles, and 8 within 1.5 miles including...you guessed it, a Chick-fil-a (map attached for reference, link: https://www.google.com/maps/d/u/0/edit?mid=1rhnKnRabTANA-T_NrXu9LvcR_kqjWYY&usp=sharing).

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Aaron LaBounty

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