



Tulsa Metropolitan Area  
Planning Commission

**Case Number: Z-7750**

**Hearing Date: January 3, 2024** (Originally heard on December 6, 2023)

**Case Report Prepared by:**

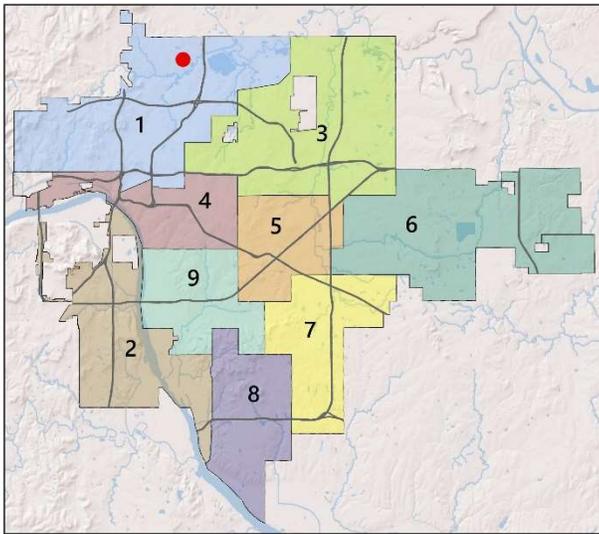
Nathan Foster

**Owner and Applicant Information:**

*Applicant:* Marc Ruiz, NextGen Capital

*Property Owner:* NextGen Capital/BSSM

**Location Map:**  
**(shown with City Council districts)**



**Applicant Proposal:**

*Present Use:* Vacant

*Proposed Use:* Duplexes

*Concept summary:* Rezone subject properties from RS-3 to RD to permit the construction of duplexes.

*Tract Size:* 0.80 ± acres

*Location:* West of the southwest corner of North Delaware Avenue and East 44<sup>th</sup> Place North

**Zoning:**

*Existing Zoning:* RS-3

*Proposed Zoning:* RD

**Comprehensive Plan:**

*Land Use Map:* Neighborhood

**Staff Recommendation:**

**Staff recommends approval of Z-7750 to rezone the site from RS-3 to RD**

**City Council District: 1**

*Councilor Name:* Vanessa Hall-Harper

**County Commission District: 1**

*Commissioner Name:* Stan Sallee

## SECTION I: Z-7750

This item was originally heard by TMAPC on December 6, 2023. TMAPC voted 8-0-0 to recommend approval of the application. Due to an error found on the mailed notices, the case was required to be re-noticed and brought back to TMAPC. No changes have been made to the application or staff recommendation.

**DEVELOPMENT CONCEPT:** The applicant is proposing to rezone the subject properties from RS-3 to RD to permit the construction of duplexes on each lot.

### **EXHIBITS:**

- Case map
- Aerial (small scale)
- Aerial (large scale)
- Tulsa Comprehensive Plan Land Use Map

### **DETAILED STAFF RECOMMENDATION:**

The Tulsa Comprehensive Plan designates this area as Neighborhood. RD zoning aligns with the recommendations for the Neighborhood land use designation in this area.

Rezoning to RD would permit redevelopment of the site with the addition of more housing units. The applicant is proposing duplexes on each lot under the zoning proposal.

RD zoning requires 5,500 square feet of lot area and 2000 square feet of open space per unit in addition to the required parking associated with any new development of the property. The maximum building height allowed in the RD district is 35 feet which is consistent with the surrounding zoning districts in the area. RD adds duplexes as a permitted use but is otherwise consistent with single-family residential zoning.

Rezoning of the property would increase the potential of this property and permit the addition of needed new housing units in the area while maintaining an appropriate scale for the surrounding area.

Staff recommends approval of Z-7750 to rezone the property from RS-3 to RD.

## SECTION II: Supporting Documentation

### **RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

**Staff Summary:** The subject property is designated as “Neighborhood” by the Comprehensive Plan land use map. The proposed RD district aligns with the recommendations of the “Neighborhood” land use designation in this area.

### **Land Use Vision:**

#### **Neighborhood**

Neighborhoods are “Mostly Residential Uses” which includes detached, missing middle, and multi-dwelling 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. Multi-dwelling unit housing that takes access off of an arterial

is considered Multiple Use, Local Center, or Regional Center. If a multi-dwelling unit housing property takes access off a lower-order street separated from the arterial, then it would be considered Neighborhood.

**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 subject property is adjacent to existing single-family residential on all sides. The lots under application are all vacant.

**Streets:**

Existing Access	MSHP Design	MSHP R/W	Exist. # Lanes
East 44 <sup>th</sup> Place North	None	50'	2

**Utilities:**

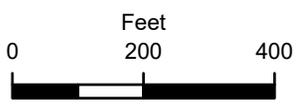
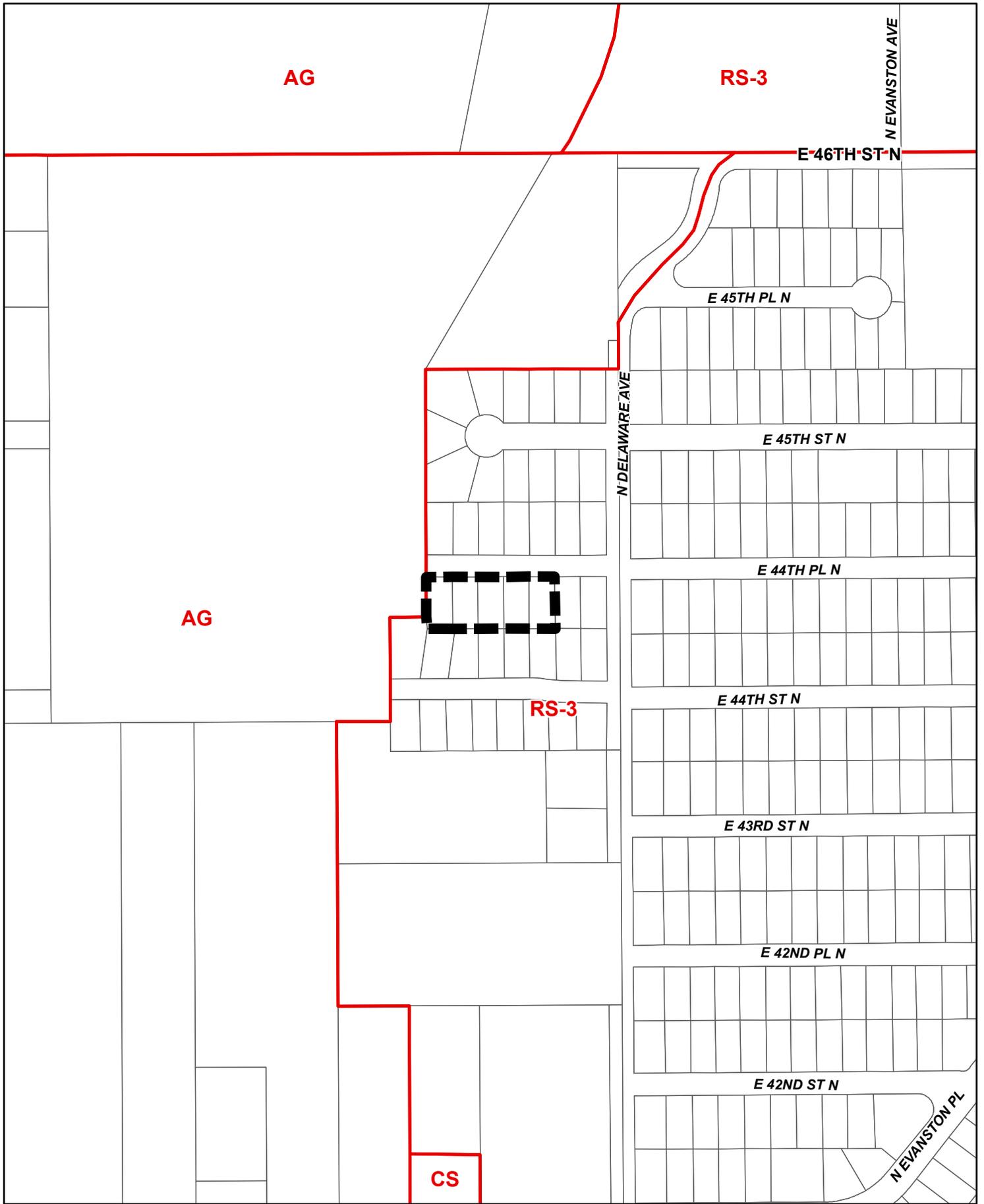
The subject tract has municipal water and sewer available.

**Surrounding Properties:**

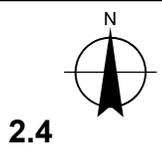
Location	Existing Zoning	Existing Land Use Designation	Existing Use
North	RS-3	Neighborhood	Single-Family Residential
East	RS-3	Neighborhood	Vacant
South	RS-3	Neighborhood	Single-Family Residential
West	AG	Neighborhood	Vacant

**SECTION III: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 11802 dated June 26, 1970, established zoning for the subject property.



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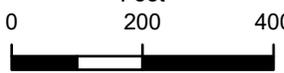
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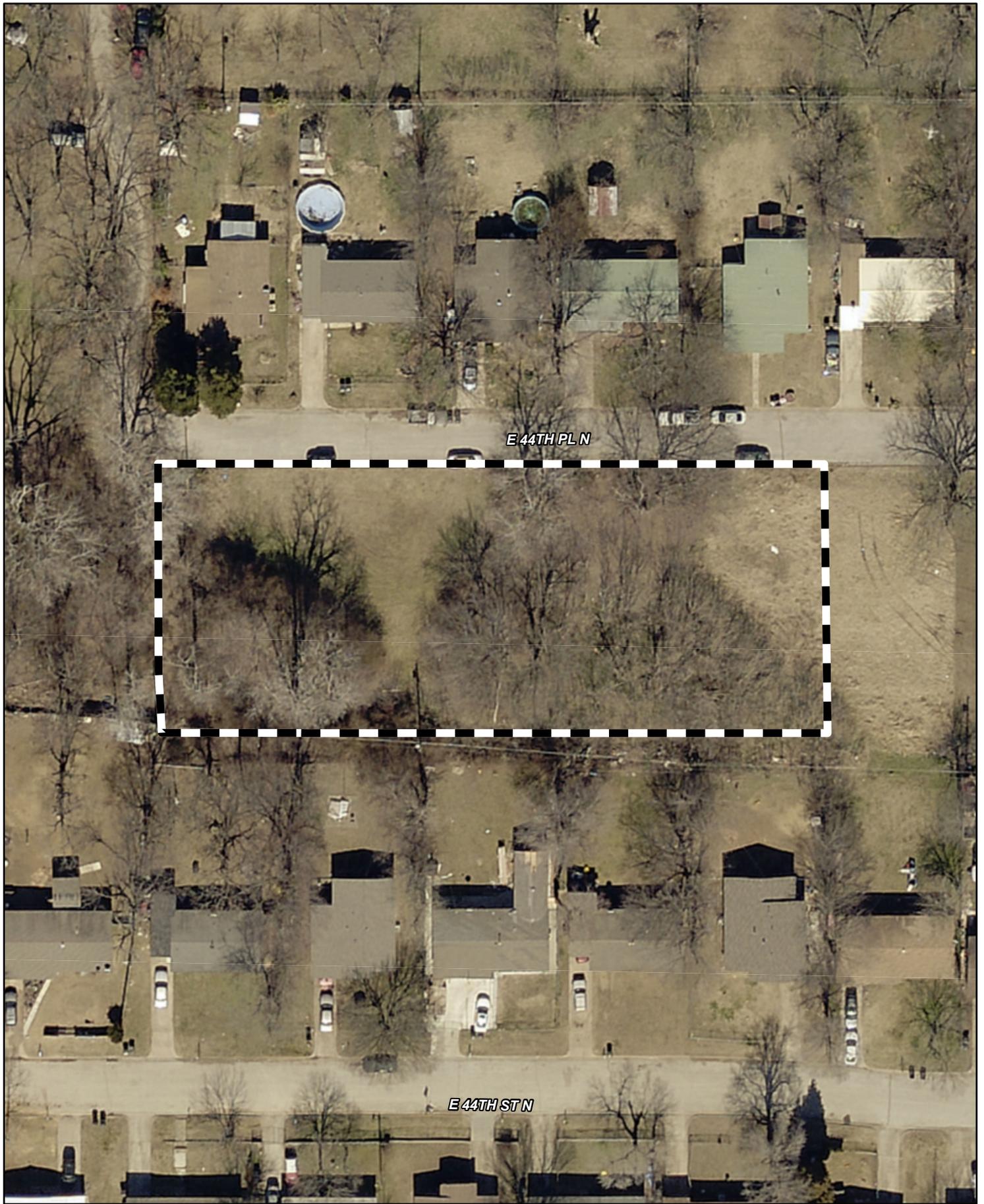
Aerial Photo Date: 2021

2.5

 Subject Tract

Feet  
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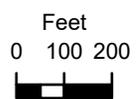




E 44TH PL N

E 44TH ST N

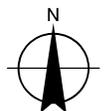
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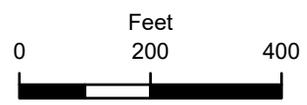
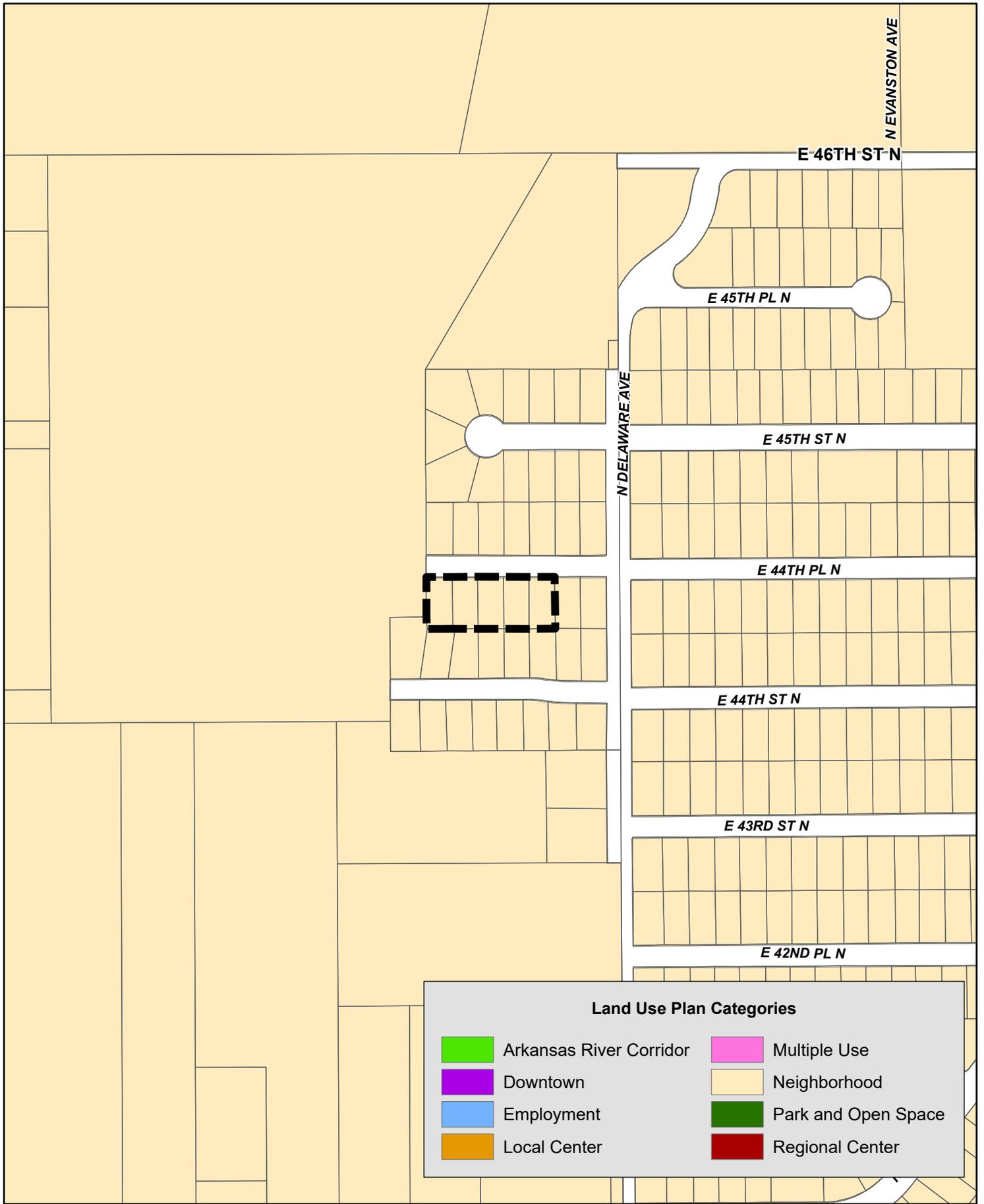


 Subject Tract

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Aerial Photo Date: 2021





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