



Tulsa Metropolitan Area Planning Commission

Z-7791 Staff Report

Hearing Date: October 2, 2024
Prepared by: Nathan Foster
nathanfoster@cityoftulsa.org
918-596-7609

Owner and Applicant Information

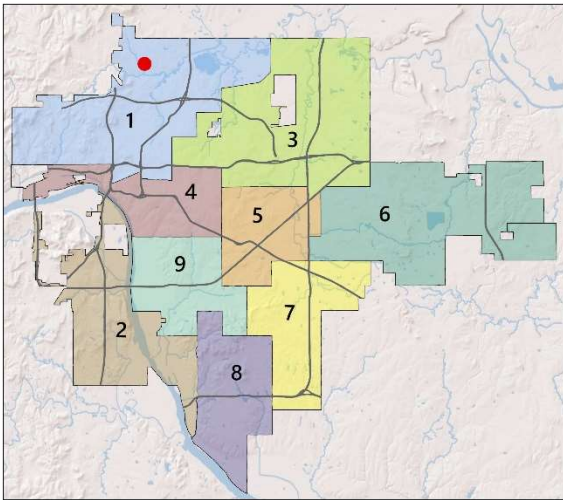
Applicant: Karl Fritschen, Wallace Design Collective
Property Owner: Cherokee Nation

Property Location

West of the northwest corner of East 46th Street North
and North Peoria Avenue
Tract Size: ±4.03 acres

Location within the City of Tulsa

(shown with City Council districts)



Elected Representatives

City Council: District 1, Vanessa Hall-Harper
County Commission: District 1, Stan Sallee

Public Notice Required

Newspaper Notice – min. 20 days in advance
Mailed Notice to 300’ radius – min. 20 days in advance
Posted Sign – min. 20 days in advance

Staff Recommendation

Staff recommends approval.

Request Summary

Rezone subject property from RS-3 to CS to permit a community center.

Zoning

Existing Zoning: Residential Single-Family 3 (RS-3)
Existing Overlays: None
Proposed Zoning: Commercial – Shopping (CS)

Use

Current Use: Religious Assembly (Vacant)
Proposed Use: Community Center

Comprehensive Plan Considerations

Land Use

Land Use Plan: Local Center
Small Area Plans: None
Development Era: Early Automobile

Transportation

Major Street & Highway Plan:
East 46th Street North – Secondary Arterial
planitulsa Street Type: N/A
Transit: BRT Route

Existing Bike/Ped Facilities: Sidewalks/Osage Trail
Planned Bike/Ped Facilities: N/A

Environment

Flood Area: N/A
Tree Canopy Coverage: 20-30%
Parks & Open Space: N/A

Detailed Staff Recommendation

The applicant is proposing to rezone the subject property from RS-3 to CS to permit a small community center. The property currently contains a church building that is not operational.

The property is designated as a local center by the Tulsa Comprehensive Plan. The CS zoning would be consistent with the recommendations of the local center land use designation by permitting redevelopment of the site with light commercial and office uses that would serve the surrounding areas.

The subject property is adjacent to the Osage Trail to the west and existing commercial uses to the east. The lots across East 46th Street North, as well as the lots adjacent to the east side of the property, are all zoned CS. The rezoning on this tract to CS would be consistent with the surrounding properties.

The property has access directly to East 46th Street North which is a secondary arterial street.

With consideration given to the factors listed herein, staff recommends **approval** of the application.

Comprehensive Plan Considerations

Land Use Plan

The subject property is designated as local center. Local Centers serve the daily needs of those in the surrounding neighborhoods. This designation implies that the center generally does not serve an area beyond the nearby neighborhoods. Typical uses include commercial or retail uses that serve the daily needs of nearby residents. In order to introduce a regional trip generator, the entire local center designation should be amended to be Regional Center with significant input from all affected properties and nearby neighborhoods.

Surrounding Properties:

<u>Location</u>	<u>Existing Zoning/Overlay</u>	<u>Existing Land Use Designation</u>	<u>Existing Use</u>
North	RS-3	Local Center	Vacant
East	CS/RS-3	Local Center	Commercial/Residential
South	CS	Local Center	Commercial
West	RS-3	Neighborhood	Religious Assembly

Small Area Plans

The subject property is not located within any adopted small area plans.

Development Era

The subject property is in an area developed during the Early Automobile Era (1930s-50s), which retained a high degree of the connectivity from neighborhood streets to the arterial network, with mostly commercial, office, industrial, and other active uses along major streets and a mix of housing options and neighborhood-based uses like schools, churches, and libraries in the interior sections. Priorities in these areas include walkability, bikeability, access to public transit, historic preservation, housing type variety, mixed-use development, commercial revitalization, compatibility of scale for neighborhood development, and transitions between commercial corridors and residential areas.

Transportation

Major Street & Highway Plan: East 46th Street North is designated as a secondary arterial which will require an ultimate right-of-way width of 100 feet.

Comprehensive Plan Street Designation: N/A

Transit: The Aero BRT Route is available along North Peoria Avenue just east of the subject property.

Existing Bike/Ped Facilities: The Osage Trail is adjacent to the subject property to the west and there are sidewalks along East 46th Street North. Development of the site should consider pedestrian and bicycle access to the existing facilities.

Planned Bike/Ped Facilities: None.

Environmental Considerations

Flood Area: The subject property is not contained with any floodplain areas.

Tree Canopy Coverage: Tree canopy in the area is 27%. Significant effort should be given to the preservation of mature stands of trees. Tree canopy removal should be minimized, and replacement of trees that need removing should be encouraged.

Parks & Open Space: N/A

Zoning History

Ordinance 11914, dated September 1, 1970, established zoning for the subject property.

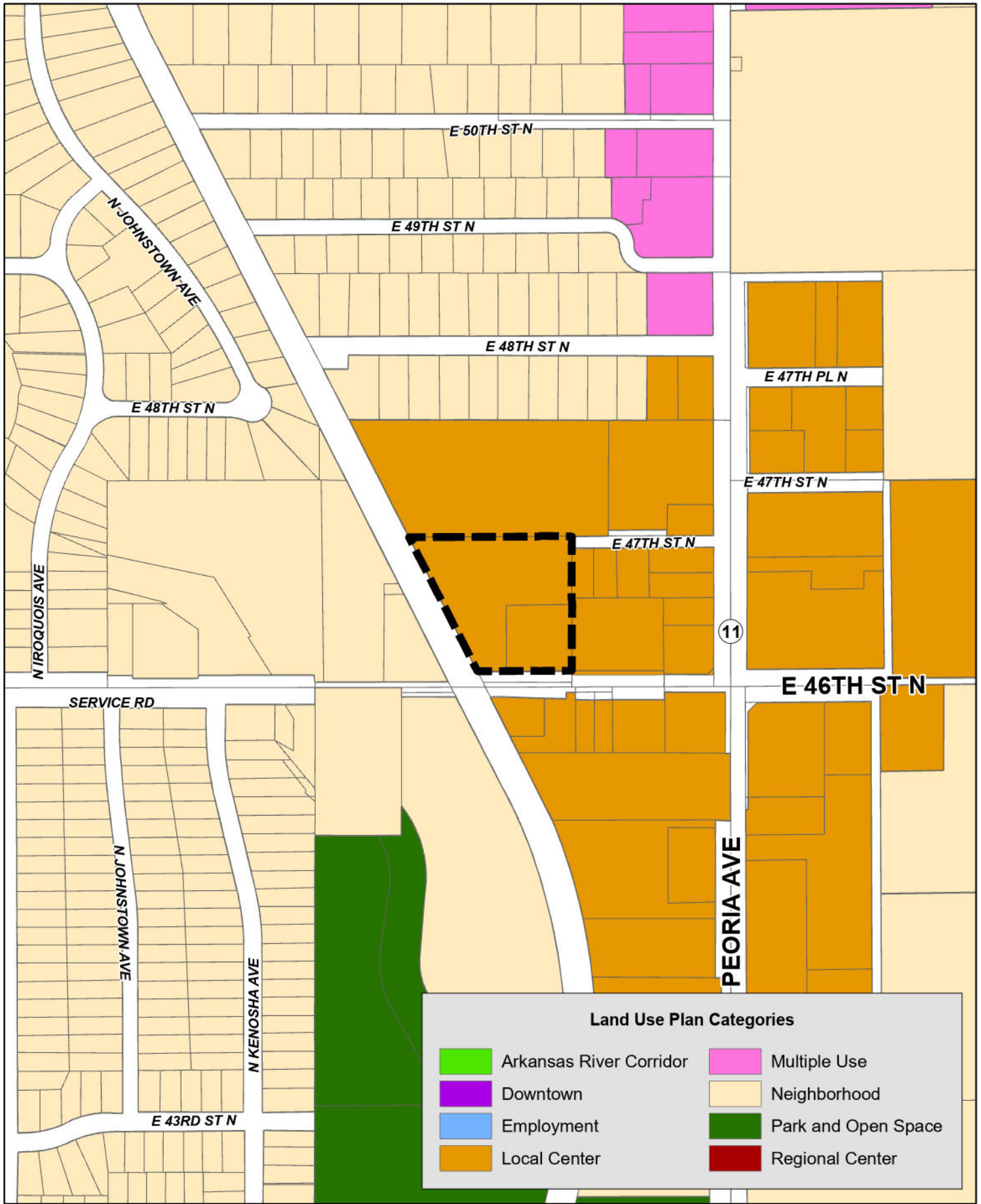
Exhibits









Case map

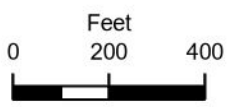
Aerial (small scale)

Aerial (large scale)

Tulsa Comprehensive Plan Land Use Map



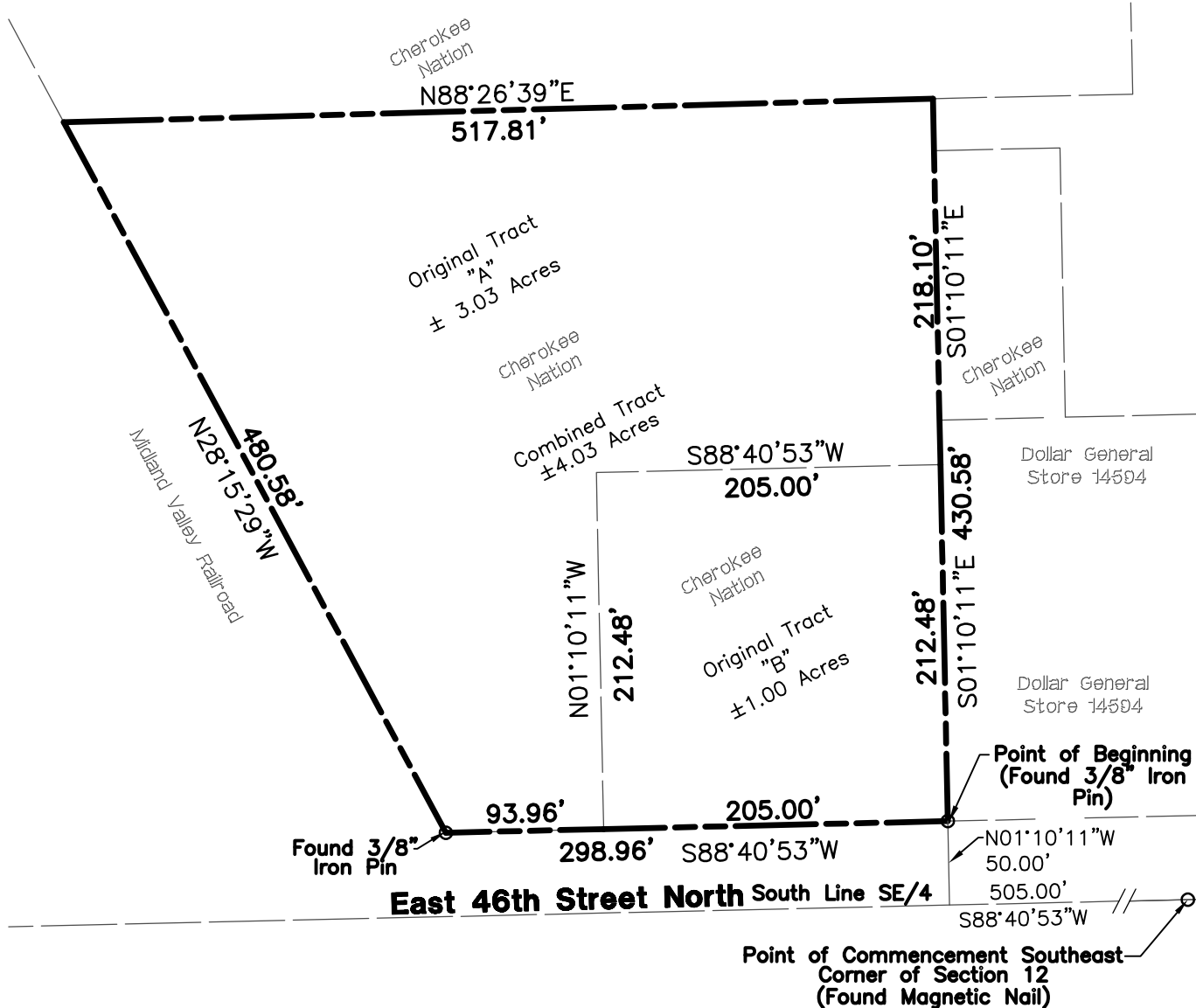
Land Use Plan Categories			
	Arkansas River Corridor		Multiple Use
	Downtown		Neighborhood
	Employment		Park and Open Space
	Local Center		Regional Center



 Subject Tract

Z-7791
20-12 12





BASIS OF BEARINGS
 THE BASIS OF BEARING FOR THIS SURVEY IS THE OKLAHOMA STATE PLANE COORDINATE SYSTEM (NAD83 OKLAHOMA NORTH ZONE 3501).

SURVEYOR'S LAST SITE VISIT:
 JULY 19, 2024

LEGAL DESCRIPTION TRACT (A)
 A TRACT OF LAND BEGINNING AT A POINT 480 FEET NORTH AND 505 FEET WEST OF THE SE CORNER OF THE SE/4 OF SAID SECTION 12; THENCE WEST 516 FEET TO THE EAST LINE OF THE RIGHT-OF-WAY OF THE MIDLAND VALLEY RAILROAD; THENCE SE ALONG THE RAILROAD RIGHT-OF-WAY TO THE SOUTH LINE OF THE SE/4; THENCE EAST 290 FEET; THENCE NORTH 480 FEET TO THE POINT OF BEGINNING. LESS AND EXCEPT THE SOUTH 30 FEET DEEDED TO THE CITY OF TULSA, ALL IN THE SE/4 OF THE SE/4 OF SECTION 12, TOWNSHIP 20 NORTH, RANGE 12 EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.

CONTAINED IN GENERAL WARRANTY DEED BOOK: 4518, PAGE 1908 DATED 12-30-80

LEGAL DESCRIPTION TRACT (B)
 NORTH 212.48 FEET OF THE SOUTH 232.48 FEET OF THE EAST 205 FEET OF THE FOLLOWING DESCRIBED PROPERTY (THIS TRACT WOULD BE SUBJECT TO B.O.A. AND PLATTING REQUIREMENTS) BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS TO-WIT: BEGINNING 30 FEET NORTH AND 505 WEST OF THE SE/CORNER OF THE SE/4 OF SECTION 12, TOWNSHIP 20 NORTH, RANGE 12 EAST, THENCE WEST 288.98 FEET; THENCE NORTH 23°31'35" WEST 502.93 FEET; THENCE EAST 517.28 FEET; THENCE S00°27'55"W FOR A DISTANCE OF 450 TO THE POINT OF BEGINNING.

CONTAINED IN GENERAL WARRANTY DEED BOOK: 4975, PAGE 2133 DATED 9-13-86

LEGAL DESCRIPTION COMBINED
 A PORTION OF THE TRACT OF LAND DESCRIBED IN DOCUMENT NUMBER 2023105705 OF THE TULSA COUNTY CLERKS OFFICE AND LYING IN THE SOUTHEAST QUARTER (SE/4), SECTION TWELVE (12), TOWNSHIP TWENTY (20) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN (I.B.&M.), CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

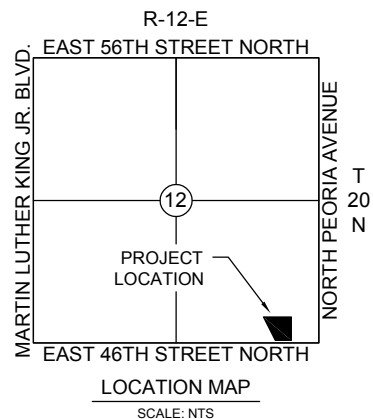
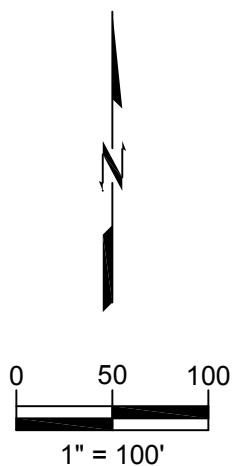
COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 12; THENCE S88°40'53"W ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 12 FOR A DISTANCE OF 505.00 FEET; THENCE N01°10'11"W FOR A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING; THENCE S88°40'53"W AND PARALLEL TO THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 12 FOR A DISTANCE OF 298.96 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF THE MIDLAND VALLEY RAILROAD; THENCE N28°15'29"W AND ALONG THE SAID RAILROAD RIGHT-OF-WAY FOR A DISTANCE OF 480.58 FEET; THENCE N88°26'39"E FOR A DISTANCE OF 517.81 FEET; THENCE S01°10'11"E FOR A DISTANCE OF 430.58 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 4.03 ACRES, MORE OR LESS

CERTIFICATION
 I, AARON BURNS, HEREBY CERTIFY THAT THE ABOVE REPRESENTS A SURVEY PERFORMED UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS OF THIS DATE. THIS PLAT OF SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS, AS ADOPTED BY THE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR THE STATE OF OKLAHOMA.

WITNESS MY HAND AND SEAL THIS 26TH DAY OF AUGUST 2024.

Aaron Burns
 AARON BURNS P.L.S.
 OKLAHOMA NO. 1923
 CERT. OF AUTH. NO. 1460
 EXP. DATE JUNE 30, 2025



wallace design collective, pc
 structural · civil · landscape · survey
 123 north martin luther king jr. blvd.
 tulsa, oklahoma 74103
 918.584.5858
 oklahoma ca1460
 exp: 6-30-23



LOT COMBINATION

E. 46TH ST N.
 TULSA., CITY
 OF TULSA, OK

DATE 8-26-24
 PROJECT NO. 2440231.2
 SHEET NAME

EXHIBIT

SHEET NO.

1