

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 2865

Wednesday, May 4, 2022, 1:00 p.m.
City Council Chamber
One Technology Center – 175 E. 2nd Street, 2nd Floor

Members Present	Members Absent	Staff Present	Others Present
Covey	Bayles	Miller	Jordan, COT
Craddock		Sawyer	Ling, COT
Kimbrel		Siers	Silman, COT
Krug		Wilkerson	Skates, COT
Reeds			VanValkenburgh, Legal
Shivel			
Walker			
Whitlock			
Zalk			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Monday May 2, 2022 at 11:01 a.m., posted in the Office of the City Clerk, as well as in the Office of the County Clerk.

After declaring a quorum present, Chair Covey called the meeting to order at 1:00 p.m.

Mr. Shivel read the opening statement and rules of conduct for the TMAPC meeting.

REPORTS:

Chairman’s Report:
None

Director’s Report:
Ms. Miller stated the voluntary AG-R program in East Tulsa has had 72 applications submitted and compared them to the 86 that were submitted through the AG-R program in the Tulsa Hills area. Ms. Miller stated City Council has initiated a Historic Preservation Overlay for the Tracy Park Neighborhood and staff is starting to work on putting a timeline together for that process. She also reported on City Council and Board of County Commissioner actions and other special projects. Ms. Miller stated a work session will be needed in August to discuss the Kirkpatrick Heights Master Plan and Tulsa County Zoning Code update.

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Minutes:

1. Minutes of April 20, 2022 Meeting No. 2864

Approval of the minutes of **April 20, 2022 Meeting No. 2864**

TMAPC Action; 8 members present:

On **MOTION** of **REEDS**, the TMAPC voted 7-0-1 (Covey, Craddock, Krug, Reeds, Shivel, Whitlock, Zalk, “aye”; no “nays”; Kimbrel, “abstaining”; Bayles, Walker, “absent”) to **APPROVE** the minutes of April 20, 2022 Meeting No. 2864

2. Amend the minutes of March 2, 2022 Meeting No. 2861 (pages 10-21)

Approval of the minutes of **March 2, 2022 Meeting No. 2861 (pages 10-21)**

TMAPC Action; 8 members present:

On **MOTION** of **REEDS**, the TMAPC voted 8-0-0 (Covey, Craddock, Kimbrel, Krug, Reeds, Shivel, Whitlock, Zalk, “aye”; no “nays”; none “abstaining”; Bayles, Walker, “absent”) to **APPROVE** the minutes of March 2, 2022 Meeting No. 2861 (pages 10-21)

PUBLIC HEARING - REZONING

Mr. Walker arrived at 1:06pm.

3. **Z-7646 Timothy Forsman** (CD 1) Location: South of the southeast corner of East Pine Street North and North Utica Avenue requesting rezoning from **RM-2 to CS**

STAFF RECOMMENDATION:

SECTION I: Z-7646

DEVELOPMENT CONCEPT: The neighborhood is transitioning from residential uses to commercial properties as contemplated in the Tulsa Comprehensive Plan. If the zoning is approved, this group of lots will be developed for small businesses.

DETAILED STAFF RECOMMENDATION:

Z-7646 is a request to change zoning from RM-2 to CS. Uses allowed within a CS zoning district along with the lot and building regulations are consistent with the Town Center land use vision and,

The CS district is primarily intended to accommodate convenience, neighborhood, subcommunity, community, and regional shopping centers providing a range of retail and personal service uses that are consistent with the expected development pattern for a Town Center land use designation,

The supplemental development standards with the lot and building regulations in a CS zoning district support development style similar to surrounding properties therefore,

Staff recommends Approval of Z-7646 to rezone property from RM-2 to CS.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

***Staff Summary:** Uses, lot and building standards along with the supplemental regulations allowed in a CS district are consistent with the Town Center land use designation*

Land Use Vision:

Land Use Plan map designation: Town Center

Town Centers are medium-scale, one to five story mixed-use areas intended to serve a larger area of neighborhoods than Neighborhood Centers, with retail, dining, and services and employment. They can include apartments, condominiums, and townhouses with small lot single family homes at the edges. A Town Center also may contain offices that employ nearby residents. Town centers also serve as the main transit hub for surrounding neighborhoods and can include plazas and squares for markets and events. These are pedestrian-oriented centers designed so visitors can park once and walk to number of destinations

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: 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 surrounding and existing properties are a wide variety of residential and non-residential uses and vacant properties. The surrounding residential neighborhood is primarily small single family homes showing signs of improvement.*

STREET VIEW FROM SOUTHEAST LOOKING NORTHWEST



STREET VIEW FROM NORTHWEST LOOKING SOUTHEAST



STREET VIEW FROM NORTHEAST LOOKING SOUTHWEST:



Environmental Considerations: None that would affect site redevelopment.

Streets:

Existing Access	MSHP Design	MSHP R/W	Exist. # Lanes
East Oklahoma Place	None	50 feet	2
East Oklahoma Street	None	50 feet	2
North Wheeling Avenue	None	50 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	RM-2	Town Center	Growth	Vacant and Residential
East	RM-2	Town Center and Existing Neighborhood	Stability	Residential and residential with home occupation
South	IL	Employment	Growth	Industrial

West	RM-2	Town Center	Growth	Residential with home occupation.
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SECTION III: Relevant Zoning History

History: Z-7646

Subject Property:

ZONING ORDINANCE: Ordinance number 11809 dated June 26, 1970, established zoning for the subject property.

Surrounding Property:

BOA-22727 August 2019: The Board of Adjustment **approved** a *Verification* of the 1,000-foot spacing requirement for a medical marijuana dispensary from another medical marijuana dispensary, on property located at 1333 North Utica Avenue East.

SA-3 April 2018: All concurred in **approval** at city council (TMPAC recommended **denial**) to apply supplemental zoning, HNO (Healthy Neighborhoods Overlay), to multiple properties within the plan area boundaries of Greenwood Heritage Neighborhoods Sector Plan (also known as the Unity Heritage Neighborhoods Plan), 36th Street North Corridor Small Area Plan, and The Crutchfield Neighborhood Revitalization Master Plan (related to ZCA-7).

BOA-19777 March 2004: The Board of Adjustment **denied** a *Special Exception* to permit auto sales in a CS district; & a *Variance* of use conditions that there be no open display or sale of merchandise within 300; of R district, on property located at 1810 East Pine Street.

BOA-19243 November 2001: The Board of Adjustment **approved** a *Special Exception* to permit an auto detail shop in a CS district, on property located at 1902 East Pine Street.

BOA-17498 September 1996: The Board of Adjustment **approved** a *Special Exception* to allow Use Unit 17 uses in a CS district, on property located at 1403 North Utica Avenue.

BOA-16919 January 1995: The Board of Adjustment **approved** a *Variance* to permit the required setback from the centerline of East Oklahoma and a *Special Exception* to permit Use Unit 15 Other goods and Services in a CS Zoned District, on property located at Northeast corner of North Utica Avenue and East Oklahoma Street.

BOA-13590 May 1985: The Board of Adjustment **approved** a *Variance* to permit the 100' setback from the centerline of Utica to 58' and of the 50' setback from the centerline of Newton Street to 42' to allow construction of a building in an IL zoned district, on property located at on the NW/c of Utica and Newton Street.

BOA-7193 November 1971: The Board of Adjustment **approved** a *Special Exception* to permit operating a generator shop in a CS District, on property located at 1810 East Pine Street.

BOA-5353 February 1967: The Board of Adjustment **granted** permission to enclose front porch in a U-2-B District which encroaches in front yard, on property located at Lot 9, Block 1, Carpenters First Addition.

BOA-4782 September 1965: The Board of Adjustment **granted approval** for a modification of set-back requirements in a U-4-A District on Lots 2 & 3, Block 4, Utica Addition to permit building up to the rear lot line.

BOA-4188 September 1963: The Board of Adjustment **granted** permission for a modification of set-back requirements in a U-4-A District to permit erection of a building 20 feet from the rear lot line on Lot 3, Block 4, Utica Addition.

Z-5019 October 1977: All concurred in **approval** of a request for *rezoning* a tract of land from RM-1 to IL on property located 1404 North Utica Ave East.

TMAPC Comments:

Ms. Kimbrel asked if staff knew how the applicant plans to use the property.

Staff stated there is not a development plan with this application so it is not regulatory, but the applicant has said that he wants to build residential type building for small mom and pop type businesses, such as a bakery or electrician shop where it would have a live/work component. He stated but it would be for all uses that would be allowed in a CS District.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **REEDS**, the TMAPC voted 9-0-0 (Covey, Craddock, Kimbrel, Krug, Reeds, Shivel, Walker, Whitlock, Zalk, "aye"; no "nays"; none "abstaining"; Bayles, "absent") to recommend **APPROVAL** of the CS zoning for Z-7646 per staff recommendation.

Legal Description for Z-7646:

LT-8-BLK-2; LT-7-BLK-2; LT-6-BLK-2; LT-5-BLK-2; LT-18-BLK-2; W50 RESERVE A; PT RESERVE A W100 E250 RESERVE A; RESERVE A E75

RESERVE A, CARPENTER'S FIRST ADDN, City of Tulsa, Tulsa County, State of Oklahoma

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4. Z-7647 Ellison Investment Group, LLC (CD 1) Location: Southwest corner of East Tecumseh Street and North Midland Avenue requesting rezoning from RS-4 to RM-2 with optional development plan

STAFF RECOMMENDATION:

SECTION I: Z-7647

DEVELOPMENT CONCEPT: The applicant proposed to rezone the site to accommodate a proposed townhouse development anticipating individual ownership. The optional development plan is provided to allow single family homes and townhomes but does not allow multi-family development.

DETAILED STAFF RECOMMENDATION:

Z-7647 requesting RM-2 zoning with the optional development plan is consistent with the development plan provisions allowed in the Tulsa Zoning Code and,

Z-7647 with the optional development plan is consistent with the Existing Neighborhood land use designation in the Tulsa Comprehensive Plan and,

Residential zoning districts are primarily intended to create, maintain, and promote a variety of housing opportunities for individual households and to maintain and promote the desired physical character of existing and developing neighborhoods. While the districts primarily accommodate residential uses, some nonresidential uses are also allowed. The various R districts are primarily differentiated on the basis of allowed building types, density and lot and building regulations. In this instance, the RM-2 district with the optional development plan provides clear and objective development standards that are consistent with the current and future development anticipated in the area and,

The redevelopment plan for this site is appropriate with the existing street and trail infrastructure therefore,

Staff recommends Approval of Z-7647 to rezone property from RS-4 to RM-2 with the provisions outlined in Section II.

SECTION II Z-7647 OPTIONAL DEVELOPMENT PLAN STANDARDS:

Z-7647 with the optional development plan standards will conform to the provisions of the Tulsa Zoning Code for development in an RM-2 zoning district and its supplemental regulations except as further refined below.

A. Permitted Uses:

Household living (if in allowed building type identified below)

- a. Residential Use Category (limited to the subcategories and specific uses defined below and uses that are customarily accessory to the permitted uses).

Single household

B. Building Type Regulations for Household Living:

Residential Subcategory

Household living, (specific uses but only as follows):

Single household

Detached house

Townhouse including 2-unit townhouse and 3+ unit townhouses

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: *Single family homes with an opportunity to provide single family home ownership in a townhouse building are important home ownership options that are both supported by the Existing Neighborhood land use vision.*

Land Use Vision:

Land Use Plan map designation: Existing Neighborhood

The Existing 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. In cooperation with the existing community, the city should make improvements to sidewalks, bicycle routes, and transit so residents can better access parks, schools, churches, and other civic amenities.

Areas of Stability and Growth designation: Area of Stability

The Areas of Stability includes approximately 75% of the city's total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal for the Areas of Stability is to identify and maintain the valued character of an area while

accommodating the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.

Transportation Vision:

Major Street and Highway Plan: None

Trail System Master Plan Considerations: This site is abutting the Midland Valley Trail system that provides direct access for pedestrian and bicycle access to Downtown Tulsa and north to Skiatook.

Small Area Plan: None

Special District Considerations: None except that this site is included in the Healthy Neighborhood Overlay. That overlay restricts placement of small box discount stores. This rezoning request does not allow any commercial development and is not affected by the overlay.

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: Empty lot abutting public streets and the Midland Valley trail system.

STREETVIEW FROM NORTHEAST CORNER LOOKING SOUTHWEST:



Environmental Considerations: None that affect site redevelopment

Streets:

Existing Access	MSHP Design	MSHP R/W	Exist. # Lanes
East Tecumseh Street	None	50 feet	2
North Midland Drive and Midland Valley Trail	None	50 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-4	Existing Neighborhood	Stability	Detached single family home
East	RS-4	Existing Neighborhood	Growth	Detached single family home
South	RS-4	Existing Neighborhood	Stability	Detached single family home
West	RS-4	New Neighborhood	Growth	Detached single family home

SECTION IV: Relevant Zoning History

History: Z-7647 w/ ODP

Subject Property:

ZONING ORDINANCE: Ordinance number 11918 dated September 1, 1970, established zoning for the subject property.

SA-3 April 2018: All concurred in **approval** at city council (TMPAC recommended **denial**) to apply supplemental zoning, HNO (Healthy Neighborhoods Overlay), to multiple properties within the plan area boundaries of Greenwood Heritage Neighborhoods Sector Plan (also known as the Unity Heritage Neighborhoods Plan), 36th Street North Corridor Small Area Plan, and The Crutchfield Neighborhood Revitalization Master Plan (related to ZCA-7).

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BOA-22380 December 2017: The Board of Adjustment **approved** a *Special Exception* to permit the driveway width to exceed 20 feet, on property located at 1860 North Hartford Avenue East.

BOA-22342 September 2017: The Board of Adjustment **approved** a *Special Exception* to permit a Day Care Center for children in an R District, on property located at 737 East Tecumseh Street North.

BOA-11645 October 1981: The Board of Adjustment **approved** a *Special Exception* to permit a club in an RM-1 District; and a *Variance* of the setback requirements from 25' to 5' along the east boundary in an RM-1 District, on property located at 713 East Tecumseh Ave.

BOA-7857 April 1973: The Board of Adjustment **approved** a *Special Exception* to permit property for a care home & a *Variance* to extend a care home across lot lines in an RM-1 District, on property located at 1944 North Iroquois.

BOA-4012 February 1963: The Board of Adjustment **approved** permission to operate a nursing home and request for a waiver of parking requirements and request for permission to use house now on lot for quarters, on property located at Lot 2, Block 2, Pershing Addition.

BOA-3053 April 1958: The Board of Adjustment **approved** *permission* to permit dwelling on rear of Lot 17, Block 4, Carter Addition.

BOA-2557 May 1954: The Board of Adjustment **approved** permission to permit an additional dwelling on the east half of said South ½ of Lot 9, Block 3, Carter Addition.

BOA-1431 January 1942: The Board of Adjustment **approved** appeals from an order of the Building Inspector to remove a three-room dwelling erected on the West 20 feet of the South one-half of Lot 3, Block 2, Roosevelt Addition, account of insufficient lot area, and requests permission to erect another one-half of Lot 3, Block 2, both parcels being 20' by 65' in size.

TMAPC Comments:

Mr. Covey stated under RS-4 townhouses are not allowed. He stated the applicant would need an RM designation for townhouses. Mr. Covey stated the

subject property is in an Area of Stability and has a Land Use Designation of Existing Neighborhood.

Staff stated "correct."

Staff stated in the Existing Neighborhood designation the whole idea is that development activities should be limited to rehabilitation and improvement of existing home stock. He stated that the small scale infill projects developed with clear and objective setback height and other development standards is something that staff looks at very carefully and in a neighborhood like this, because of its proximity to the trail system, this was the perfect place for a higher density single family home development.

Ms. Kimbrel asked if RS-4 is considered higher density and asked what types of residential structures is most comparable in RS-4.

Staff stated RS-4 is primarily for small lot single family homes. He stated what is typically seen from the street is 5 foot setbacks from the lot line so that would be 10 feet of space between houses. The difference between RS-4 and this application is these houses are built right next to each other as kind of a brown stone idea, but an RS-4 could go down to a 50 foot lot that would require 5 foot setbacks, therefore you could only have a 40 foot wide house that was very small.

Ms. Kimbrel stated what the applicant is currently proposing is single family.

Staff stated "correct," with the way the development plan is written it has to be a single family ownership opportunity. He stated it will not be an apartment.

Ms. Kimbrel stated when she hears multifamily she thinks of complexes.

Staff stated the development plan prohibits apartment complexes.

Mr. Reeds stated these are condos with townhouse type structures, they will have a fire separation wall between each unit.

Staff stated "yes."

Applicant Comments:

Terrell Ellison 8120 East 112th Street North, Owasso OK

Ms. Kimbrel asked if the applicant had any engagement with the surrounding neighbors about this application.

The applicant stated there was a Town Hall meeting with City Councilor Hall-Harper last week and the applicant presented a rendering of the development

and his vision for the area. He stated he currently lives in Owasso but is moving to North Tulsa into one of his properties. The applicant stated he has built several houses in the area that have helped to increase the property value tremendously. He stated he hears the complaints about streets being bad or not having commercial options in the area but there needs to be people and rooftops in the area. The applicant stated his townhomes would be higher end to target young professionals. He stated it would be an opportunity for them to have ownership and be on the northside close to downtown.

Mr. Craddock asked if there was an estimated price point for these individual homes.

The applicant stated the price point would be somewhere around \$240,000 to \$250,000. He stated he would be selling them for about \$150.00 per square foot.

Mr. Craddock asked if there will be a Homeowners Association.

The applicant stated "Yes," it will have an HOA and he is going to purchase one of the units so he can maintain the integrity and have that ownership. He stated part of the HOA dues will go for maintenance.

Ms. Kimbrel asked if the other homes the applicant has in the area are the same style as what is being proposed today.

The applicant stated "No," they are single family homes on single lots.

Interested Parties:

Darrick Bramlett 1841 North Hartford Avenue, Tulsa, OK 74106

Mr. Bramlett stated his house is directly west of the subject property. He stated he opposes this application and would like this Commission to deny the application. Mr. Bramlett stated the multi structure homes does not fit the characteristics of the neighborhood and the street is not designed for this higher density development. He stated a daycare opening up in the future directly across the street from the subject property and will generate more traffic. Mr. Bramlett stated this project has the potential to add 40 to 50 cars which would contribute to the instability of traffic in the area. He stated the proposed project would contribute to the danger to public safety and the health of the community. Mr. Bramlett stated the residents in this neighborhood built single family detached homes and he would like that pattern to continue and would like this application denied. He stated one of the staff talked about the trail system but this development is not facing the trail.

Ms. Kimbrel asked how Mr. Bramlett thought the applicant should use the subject property.

Mr. Bramlett stated single family detached homes instead of apartments.

Jim Summers 1810 North Midland Avenue, Tulsa, OK 74106

Mr. Summers stated he lives about a half a block from the proposed development. He stated when he was told the applicant was going to build his personal home on the subject lot he was happy to hear that because the residents built this area themselves with no help from the City. Mr. Summers stated each resident made an investment and they built a nice neighborhood. He stated no one talked with the neighbors about the development until last week when Councilor Hall-Harper come by talking about the TMAPC meeting that was happening the very next day. Mr. Summers stated somebody comes in off the cuff and has a vision for the neighborhood, what about the vision the people currently living in the neighborhood have for that area. He stated the applicant has planning staff and a City Councilor advocating for him but where is the neighborhoods advocate. Mr. Summers stated nothing personal against the applicant he is just trying to make money but the neighbors have an interest in the area.

Mr. Kimbrel asked Mr. Summers how he interprets the vision for the neighborhood and how the property should be used.

Mr. Summers stated the neighbor's vision is for a nice single family neighborhood. He stated this was a desolate place with no houses and each person individually made an investment and built their home here. Everybody looks out for each other and they do not have any crime or have any trouble.

Ms. Kimbrel stated her understanding is that the units proposed are for single home ownership and Mr. Summers is saying that does not fit the neighborhood.

Mr. Summers stated to him it looks like 2 buildings with 4 units each building.

Joyce Brown 570 East Quincy Street, Tulsa, OK 74106

Ms. Brown stated she is here on behalf of the residents who oppose this development to present an official petition from the homeowners. Residents of east Tecumseh Street and North Midland Avenue neighborhoods and adjoining communities oppose this application and are asking that TMAPC deny Z-7647. Ms. Brown stated having multiple attached units in a residential building is a danger to homeowners and residents' public safety and health. She stated it is a catalyst for deteriorating the growth and stability of the neighborhood and adjoining communities. Ms. Brown stated there are asking TMAPC to grant and forever anchor the existing zoning RS-4. She stated the petition has 13 pages and 9 pages with signatures. She stated there are vulnerable populations in the area that are federally protected such as the aging and the disabled and she asks that TMAPC respect the citizens in this community and deny the application.

Jackie Green 1670 North Midland Avenue, Tulsa, OK 74106

Ms. Green stated her property is further down the street from the proposed development. She stated on TMAPC website under TMAPC process overview it states that even if a project does not require rezoning that it is best for the developer or the landowner to engage in a collaborative process with the other residences. Ms. Green stated and as you know, this project does require a rezoning to take effect, which is why we are here today and therefore this collaborative process is even more important. She stated Monday, April 25, 2022 the applicant and City Councilor Hall-Harper visited her home and notified them of a meeting occurring the following evening to discuss this proposed project. Ms. Green stated during this meeting, the neighborhood shared many concerns with Mr. Ellison and Councilor Hall-Harper, which were not alleviated or addressed per TMAPC guidance. She stated those concerns included the location of where the proposed development was going to be located. Ms. Green stated they asked if there were alternate locations but none were given. She stated they asked about the building not having brick as is consistent with the other structures in the neighborhood and that was not addressed. Ms. Green stated and the biggest concern for her that she expressed was about this project disrupting the continuity of the neighborhood. She stated they made it very clear that if this was an appropriate single family residence that it would more than likely be welcomed into the neighborhood and that the neighbors would love to see development in their neighborhood if it's the right kind of development but detached single family home units were not proposed. Ms. Green stated they were told to consider the options of future homeowners, not present homeowners, but that future homeowners might need this type of dwelling option. She stated they were informed about the developer's financial investment and return on the investment. Ms. Green stated and since none of residents' concerns, only a few of which are stated here, were not addressed and not alleviated, it was not a collaborative meeting. She stated it is not surprising to her that there is so much community opposition to this project and it is her understanding that the petition has over 100 names on it and she would respectfully ask Planning Commission to reject this rezoning request.

John Green 1670 North Midland Avenue, Tulsa, OK 74106

Mr. Green stated there has been several discussions this week about the vision of the neighborhood and one of the things that he sees is at the applicant's price point there will be people who cannot afford it. He stated if the applicant has trouble selling at that price the neighbors will have to look at a building that is not going to sell and will then become an Airbnb. Mr. Green stated he heard staff say there were rules to keep that from happening and to keep the applicant from leasing the units. He stated then we have a structure that the neighbors do not want to see because it does not look like other homes in neighborhood. Mr. Green stated this development will set a precedent once the applicant builds it and make it easier for other people to buy vacant lots and do the same thing. He stated they welcome developing the neighborhood but want detached single family homes.

Bridget Jones 1722 North Midland Avenue, Tulsa, OK 74106

Ms. Jones stated she is passionate about her neighborhood and is concerned about what happens in the neighborhood. She stated she is the neighborhood nosy person and when she sees people come into the neighborhood she will ask, who are you and what are you doing. Ms. Jones stated the applicant introduced himself to her and they had a great conversation and even exchanged information. She stated she was very excited and immediately went to the neighborhood text and told them there was a new neighbor and that he had showed her his home and it looks like it's going to be beautiful. Ms. Jones stated she travels quite a bit and when she came home to find out that the applicant had changed his mind and decided to build multi-unit attached townhomes she immediately became concerned because of the location. She stated if you are not familiar with the area this location is very narrow and with the nursery going in across the street it is sometimes very unsafe and if walking you would need to pull yourself physically off on the road because it can be dangerous. Ms. Jones stated everyone wants Mr. Ellison to do well but in this particular neighborhood, they would like for it to remain a single family detached residential structures.

Monroe Shaw 702 East Seminole Street, Tulsa, OK 74106

Mr. Shaw stated he lives around the corner from the subject lot. He asked if this Commission would hear the voices of the neighborhood and act accordingly to what they have asked for.

Jaron Shaw 1818 Midland Avenue, Tulsa, Ok 74106

Mr. Shaw stated he lives next door to Mr. Jim Summers and down the street from Ms. Jones. He stated his parents also live in the neighborhood. Mr. Shaw would ask that TMAPC reject this application and to serve the neighborhood and protect the integrity of what they built. He stated it is great that Tulsa has taken interest in this area where there was no interest before. Mr. Shaw stated his father helped him rent equipment to break up foundations to tear down the home that was on his land. He stated he was cutting down trees and cleaning up the property in collaboration with his neighbor Mr. Summers. Mr. Shaw stated all the homes on Midland Avenue, which is a one way street, are all brick. He stated he has the little house on the block but neighbors helped him make sure it fit in with the other houses and add value to the neighborhood. Mr. Shaw stated not all development is good development and what the neighborhood is asking is that Commissioners honor what the community wants and they want single family detached homes, not something that does not fit in the neighborhood.

LaShawn Ellison 8120 East 112th Street North, Owasso OK

Ms. Ellison stated she is the wife of the applicant. She stated they bought the subject property to build and join that community. Ms. Ellison stated it is not their intention to disrupt the community, it is to love a community that has the same values that they have. She stated that she is a realtor and held open houses in this area and the buyers of those homes have said that there is so much love put

into the building of these homes. Ms. Ellison stated a lot of the amenities that are in the homes that are being built are not something that other builders are giving. She stated as she listened to some of the objections from the neighborhood they are not supported by hard facts. Ms. Ellison stated she heard this is an endangerment to human health and safety. She stated as she looks at the rendering of the property she is trying to understand where that comes into play. She stated someone said it deprives the community of life and liberty, again where does that come into play. Ms. Ellison stated this is a single family dwelling and she keeps hearing apartments and wants to make sure that the community understands this is not an apartment complex.

Applicant Rebuttal:

The applicant stated the neighbors have done a job sharing their thoughts and their concerns and he wants to thank them for voicing their thoughts and ideas for this particular project. He stated the main thing that he heard was single family homes and these are single family. The applicant stated they are separated by a firewall that gives clear separation He stated there will also be a separate fence between each of the units. He stated one speaker talked about 40-50 cars and if each one of the units had 2 cars that would be 32 cars. The applicant stated in order for the streets to be upgraded with new streets with curbs and gutters you need more than 5 people on a single street adding tax revenue that the city needs. He stated single family housing is perfect for this location. The applicant stated if there is a concern about the façade he does not have a problem adding brick. He stated if that is a concern he can definitely get together and discuss that further.

Ms. Kimbrel asked if there was there anything he heard today he had not heard from the engagement that occurred with him and the City Councilor.

The applicant stated he heard one of the speakers say he would be okay if the units had brick. He stated they can definitely consider that.

Ms. Kimbrel asked if there any other ways that the applicant could meet and address the concerns of the community in terms of maintaining the character.

The applicant stated he believes an HOA and maintenance as part of the sales package will definitely maintain the stature of the neighborhood.

Mr. Reeds stated looking on page 4.13 of the agenda packet it looks like this development does not face Midland Avenue as indicated on that page. He asked if the applicant meant Tecumseh.

The applicant stated it faces Tecumseh.

Mr. Reeds asked how many curb cuts there will be.

The applicant stated 8.

Mr. Reeds asked if that could be narrowed down to a couple because it seems like there is a lot of concrete being added unnecessarily.

The applicant stated he would welcome Mr. Reeds ideas.

Mr. Reeds stated he understands the definition of single family dwelling and that the applicant has presented it well, but they are attached single family as opposed to detached which is what the neighbors are concerned about and there is a difference.

Mr. Whitlock stated he looked at the renderings and he would think that the applicant would want to blend in with the existing properties. He asked what the exteriors looked like.

The applicant stated the exterior is siding.

Ms. Kimbrel asked if the applicant would consider continuing the application to work through some of his future neighbors' concerns.

The applicant stated he is open to that and can talk about and work through the concerns, but if he is going to be the only one responsive and the neighbors not wanting to hear then that is not really working together.

Ms. Kimbrel stated she is hopeful that there could be some movement from both parties.

Mr. Covey stated from his standpoint he does not think he has heard enough to think that they are even close enough to agreeing for a continuance. He stated he heard two people mention the exterior materials but heard a lot of them do not want multifamily or they do not want that design and they want single family detached RS-4 housing. Mr. Covey stated he does not think a continuance from his perspective would get them there.

Ms. Krug asked if this is something that would be allowed in the Neighborhood Infill Overlay. She stated she looked at the boundaries and it looks like they go up to the east of the Midland Valley Trail and was curious if there was a reason for the defining line such as a difference between the character of the neighborhoods on either side. Ms. Krug stated she does not think it would be allowed even if they went down to 6 units, but it would be closer.

Staff stated the idea of how that line was defined was part of the Housing Study and those lines were defined based on that study. He stated he does not think there was a study that looked at the character style.

Ms. Kimbrel asked if it is a greater density than the current RS-4.

Staff stated he has not done the math but suspects if you built the largest structure that you can build on the subject lot as an RS-4, 35 feet tall with 25 foot setbacks it will be about the same size as the proposed building structure. He stated in this instance he feels like they are talking more about a townhouse style development and not thinking about architectural style, but all of those things that have been discussed are things that can be integrated into a development plan. But he does not think they could write a development plan that satisfies the neighborhood concerns that he heard with anything other than RS zoning.

Mr. Covey asked how the New Neighborhood designation was decided on versus another designation.

Staff stated he thinks a lot of the parcels that are currently designated a New Neighborhood were taken at the time that the map on page 4.10 of the agenda packet was drawn and there are definitely some inconsistencies. He stated there are some new homes that are where those New Neighborhood designations are and a lot of those are large homes. Staff stated some of the combined floor areas of some of those houses may not be much different than the size of the proposed structures.

Mr. Zalk stated he agrees with a lot of what has been said that the gap is large, but in recognizing that, is it possible the development plan can also include things like the maintenance package or the HOA that would commit the development over time to maintain the care.

Staff stated they would have to be very careful about how that's done the idea of a rear yard entrance there would have to be some a common space that would be maintained by a common ownership of some kind. He stated that in itself would require a HOA.

Mr. Shivel stated in the detailed Staff recommendation staff has specified the plan is consistent with the Existing Neighborhood designation but what he is hearing staff say now is they could have an optional development plan that would somehow bring the parties together.

Staff stated they would not change the building types that has been proposed and say that it was consistent with the neighborhood. He stated he would not ever write something that said, a multifamily home is consistent with this neighborhood. However, when it's single family lots that have homes right next to each other that is a building type that offers homeownership options that are not widely available in Tulsa, he thinks that is appropriate single family home development and makes a lot of sense in this neighborhood with a development plan.

Mr. Craddock stated he has heard all the neighbors; he loves the development concept but is struggling with putting this in the middle of a neighborhood that has zoning that neighbors have all relied upon to make massive investments. He stated unfortunately he would be voting no for this application because he thinks that the development is inconsistent with the Zoning Code and the Land Use.

Mr. Covey stated he thought Mr. Craddock articulated his position well and carried the same thoughts that he had based on the location of the subject property. He stated it is in the middle of an RS-4 area, in an Area of Stability, under an Existing Neighborhood. Mr. Covey stated numerous people rely on this RS-4 zoning so he will be voting no.

Ms. Krug asked if the application is denied can the applicant make changes and bring it back.

Mr. Covey stated "yes," in six months.

Mr. Zalk stated he is struggling. The neighborhood opposes it and it is not in character with the rest of the neighborhood but the city really needs new housing. He stated this could be one solution to the housing crisis in Tulsa but might not be the ultimate solution. Mr. Zalk stated a continuance does not sound like it is going to get us to the place where the neighbors and the community welcome the idea. He stated what's the point of rejecting this proposal and continue kicking the can down the road asking the developer to invest more money to present a new design only to have it rejected down the road.

TMAPC Action; 9 members present:

On **MOTION** of **CRADDOCK**, the TMAPC voted 5-4-0 (Covey, Craddock, Reeds, Shivel, Whitlock, "aye"; Kimbrel, Krug, Walker, Zalk, "nays"; none "abstaining"; Bayles, "absent") to **DENY** the RM-2 zoning with the optional development plan for Z-7647 per staff recommendation.

Legal Description for Z-7647:

N 1/2 LT 1 BLK 3, PERSHING ADDN, City of Tulsa, Tulsa County, State of Oklahoma

* * * * *

Mr. Walker left at 2:36pm.

Items 5 and 6 were presented together.

- 5. PUD-484-A Tom Neal** (CD 4) Location: Southeast corner of South Delaware Place and East 11th Street South requesting a **PUD Major Amendment** to abandon PUD-484 to allow single detached residential development on the south edge

STAFF RECOMMENDATION:

SECTION I: PUD-484-A

DEVELOPMENT CONCEPT: The PUD was approved in 1992 and required development standards for large street setbacks and surface parking in front of buildings. That pattern is no longer consistent with the expected development goals in the Tulsa Comprehensive Plan along Route 66 (East 11th Street South). Rezoning these properties and abandoning the PUD removes barriers for future development opportunities for main street style development.

DETAILED STAFF RECOMMENDATION:

Abandoning the PUD and rezoning to CS is primarily intended to accommodate convenience, neighborhood, subcommunity, community, and regional shopping centers providing a range of retail and personal service uses. Uses and lot and building regulations permitted in the CS district are consistent with the Main Street land use designation in the Comprehensive Plan and the Urban Arterial with the Main Street overlay on the Major Street and Highway Plan and,

Abandoning the PUD and rezoning to RS-4 is primarily intended for single family residential homes that were prohibited in 1992. The RS-4 standards allow urban lots that are consistent the existing residential development pattern anticipated on the edges of the existing neighborhood land use areas and,

The combined effort of abandoning the outdated PUD along with rezoning the commercial development area to CS and residential lot to RS-4 are consistent with Main Street and Existing Neighborhood land use designations in the Comprehensive Plan therefore,

Staff recommends approval of PUD 484-A to abandon PUD 484 but only with the approval of the Z-7648 rezoning the site from CH, OL and RS to CS and RS-4

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: *Abandonment of the PUD and rezoning will help remove obstacles that were established in the PUD. The southern portion of the parcel will be rezoned to RS-4 and the northern portion of the parcel will be rezoned to CS. This will allow redevelopment that is consistent with the Tulsa Comprehensive Plan.*

Land Use Vision:

Land Use Plan map designation:

Main Street

The northern 3/4ths of the subject tract is considered Main Streets are Tulsa's classic linear centers. They are comprised of residential, commercial, and entertainment uses along a transit-rich street usually two to four lanes wide and includes much lower intensity residential neighborhoods situated behind. Main Streets are pedestrian-oriented places with generous sidewalks, storefronts on the ground floor of buildings, and street trees and other amenities. Visitors from outside the surrounding neighborhoods can travel to Main Streets by bike, transit, or car. Parking is provided on street, small private off street lots, or in shared lots or structures

Existing Neighborhood

The southern 1/4th of the subject tract is considered Existing Neighborhood.

Areas of Stability and Growth designation:

Area of Growth,

The northern 3/4ths of the parcel is considered an 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.”

Area of Stability

The southern 1/4th of the subject tract is considered an Area of Stability. The Areas of Stability includes approximately 75% of the city's total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal for the Areas of Stability is to identify and maintain the valued character of

an area while accommodating the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.

Transportation Vision:

Major Street and Highway Plan:

East 11th Street south is classified as an Urban Arterial with Main Street designation. The Main Street designation encourages building placement closer to the curb and encourages pedestrian oriented development.

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations. This site is included in the Route 66 overlay that supports affects sign standards encouraging neon and is immediately south the Tulsa University Campus.

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *Existing single story commercial development.*

Environmental Considerations: None that would affect site redevelopment.

Streets:

Existing Access	MSHP Design	MSHP R/W	Exist. # Lanes
East 11 th Street South	Urban Arterial with Main Street Designation	70 feet	4 lanes (2 each direction)
South Delaware Place	None	50 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	CH	Regional Center	Growth	Tulsa University
East	CH, OL and RS-3	Main Street and Existing Neighborhood	Growth and Area of Stability	Commercial and Single-family dwelling
South	RS-3	Existing Neighborhood	Area of Stability	Single-family dwelling
West	CH, OL and RS-3	Main Street and Existing Neighborhood	Growth and Area of Stability	Commercial and Single-family dwelling

Neighborhood Engagement:

The subject property is included in the Renaissance Neighborhood Association area. That group is active in zoning and land use decisions. We have received correspondence, met with the neighborhood association representative, and have received support from that neighborhood supporting the rezoning request and for the abandonment of the planned unit development.

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 17690 dated April 13, 1992, replaced Ordinance number 11815, establishing the current zoning for the subject property.

Subject Property:

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.

PUD-484 April 1992: All concurred in **approval** of a proposed *Planned Unit Development* on a tract of land for on property located Southeast corner of E. 11th Street & S. Delaware Place.

Surrounding Property:

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-21713 May 2014: The Board of Adjustment **approved** a *Special Exception* to permit required off-street parking on a lot other than the lot containing the use (Section 1301.D); & a *Modification* to a previously approved site plan (BOA-19528) to reduce approved parking from 311 spaces to 244 spaces in the RM-2 and CH district; & a *Variance* of the off-street parking setback requirement from the centerline of East 10th Street from 50 feet to 35 feet in the RM-2 and CH Districts & a *Variance* of the screening fence requirement to extend existing fence type as approved under BOA-19528 in the RM-2 and CH districts & a *Modification* of the required tie agreement of Tract A,B, and C as established by BOA-19528 and removal of Tract C as part of required parking , on property located at NE/c and NW/c of East 11th Street South and South Columbia Avenue.

BOA-20284 June 2006: The Board of Adjustment **approved** a *Special Exception* to permit Use Unit 5 (University Housing) in the RM-2 and OL districts & a *Special Exception* to permit required parking on a lot not containing the principal use & a *Variance* of the maximum structure height in the RM-2 district from 35 ft. to 45 ft. and a *Variance* of the 75 ft. setback for 3-story multi-family buildings in the RM-2 district from an RS district, on property located at east side of S. Delaware Ave. to the west side of Skelly Stadium between E. 11th St. and E. 8th St..

BOA-19615 June 2003: Amended Exhibit H, Tract C, off-street parking plan east of South Delaware Avenue to add the two lots to the site, landscape, and screening and lighting plan approved by the Board in Case No. 19528; & a *Variance* deleting the screening requirements of Section 504.B of the Tulsa Zoning Code to permit off-street parking on the west side of the PK parking district lots on the east side of South Delaware Avenue, without a 3' high screening fence or berm as shown on Amended Exhibit H (The screening requirements of Section 504.B will be met along the south side of the PK lots along East 12th Street) & a *Variance* of the off-street parking setback from the centerline of South Delaware Avenue required by Section 1302.B of the zoning code from 50' to 35'. & a *Variance* of the off-street parking setback from the centerline of East 12th street required by Section 1302.B of the Tulsa zoning Code from 50' to 38' & a *Variance* deleting the screening requirement of Section 1302.E to permit the use of the two PK district lots with screening as shown on Amended Exhibit H. (The two PK district lots will be screened on the east side by a 6' high screening and on the south side by a 3' high screening fence required in the PK district.) located NE/c S. Delaware Ave. & E. 12th St.

BOA-19528 February 2003: The Board of Adjustment **approved** a *Special Exception* to permit Use Unit 23, within the existing CH and CG districts and the requested additional CG district & a *Variance* of the Major Street Plan setback required under Section 215 reducing the urban arterial setback on the westside

of the centerline of Delaware from 35' to 22'. & a Variance of the building setback required by Section 703 in the CG zoning district on the west side of the centerline of Delaware from 85' (35' urban arterial right-of-way width plus 50') to 22' for approximately 75' & a Variance of the requirements of Section 1301.D to permit a part of the required off-street parking for the offices and plant facilities within Tract A to be located within Tracts B and C (Exhibits G-H). and a Variance deleting the screening requirement of Section 1302.A for the existing off-street parking in Tract B in a RM-2 district along the north boundary and the north 20' of the west boundary (Exhibit G) & a Variance from the centerline of 10th Street required by Section 1302.B from 50' to 35' to permit existing off-street parking in Tract B to be located along the north boundary & a Variance deleting the screening requirement of Section 1032.A to permit off-street parking setback from the centerline of Delaware required by Section 1302.B from 50' to 35' to permit off-street parking in Tract C along the east side of Delaware, on property located at 2745 e. 11th St.

BOA-18983 February 2001: The Board of Adjustment **approved** a *Variance* to permit design standards for off-street parking areas & a Special Exception to reduce required parking spaces from 28 to 20 spaces, on property located at 2913 E. 11th St.

BOA-17572 November 1996: The Board of Adjustment **approved** a *Variance* to permit the setback from 11th street from 50' to 32' for 6 directional signs, on property located at 2918 East 11th Street.

BOA-17505 September 1996: The Board of Adjustment **approved** a *Variance* to permit the required setback from 11th St from 50' to 35' to erect a new sign, on property located at 2918 E. 11th Street.

BOA-17430 July 1996: The Board of Adjustment **approved** a *Variance* to permit required parking to be located on a lot other than the lot containing the principal use & Variance to permit the multiple lots within the site to be considered as a single lot for the purpose of establishing and measuring building and parking setbacks and calculation the amount and locating signage within the site, on property located at 2900-2998 East 11th Street.

BOA-16896 January 1995: The Board of Adjustment **approved** a *Special Exception* to permit a student community center in an RS-3 zoned district, on property located at 1128 South College.

BOA-14474 May 1987: The Board of Adjustment **approved** a *Variance* to permit the setback from the centerline of 11th Street from 50' to 33' to allow for a sign, on property located at 2924 East 11th Street.

BOA-14291 December 1986: The Board of Adjustment **approved** a *Variance* to permit the screening requirement between an OL and RS-3 District, on property located at SW/c East 11th and South Delaware Place.

BOA-12609 June 1983: The Board of Adjustment **approved** a *Variance* to permit the designated setback from the centerline of 11th Street from 50' to 40' (edge of right-of-way) for a sign, on property located at SE corner of 11th Street and Delaware Avenue.

BOA-12423 January 1983: The Board of Adjustment **approved** a *Variance* to permit more than 750 square feet of detached accessory building and more than 20% rear yard coverage, on property located at 1127 South Evanston Avenue.

BOA-8934 February 1976: The Board of Adjustment **approved** a *Special Exception* to permit modification of the screening requirements where the purpose of the screening requirement cannot be achieved on the west south and east property lines in a CH District, on property located at 2800 East 11th Street.

BOA-5617 December 1967: The Board of Adjustment **approved** a *Special Exception* to permit extending a restaurant use into a U-3A district a distance of 37 feet, on property located at 2918 East 11th Street.

BOA-5514 August 1967: The Board of Adjustment **approved** a *Variance* to permit to modify major street setback requirements in a U-3E district to permit erection of a sign 32 feet from the centerline of 11th Street, on property located at Lot 6, Block 27, College Addition.

BOA-2011 November 1948: The Board of Adjustment **approved** waiver of set-back requirements along Delaware Avenue to permit erection of a building on Lots 18, 19, and the South 4 feet of Lots 20, Block 3, Signal Addition approximately fifteen feet beyond the established major street building line along Delaware.

BOA-1665 May 1944: The Board of Adjustment **approved** waiver of set-back requirements along Eleventh Street to permit erection of a temporary building approximately nine feet over the established setback line on Lot 11, Block 26, College Addition, on property located at Northwest corner of 11th & Evanston.

BOA-1381 June 1941: The Board of Adjustment **approved** a *waiver of set-back requirements along Eleventh Street to permit erection of a 5' x 9' temporary frame building ten feet over the established set-back line on Lot 1, Block 3, Pilche Summit Addition* on property located at 2922 East 11th Street to house portable hot dog stand.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **REEDS**, the TMAPC voted 8-0-0 (Covey, Craddock, Kimbrel, Krug, Reeds, Shivel, Whitlock, Zalk, “aye”; no “nays”; none “abstaining”; Bayles, Walker, “absent”) to recommend **APPROVAL** of the PUD Major Amendment to abandon PUD-484-A.

Legal Description for PUD-484-A:

N 20' OF LT 21 & ALL LT 22 BLK 2; LTS 23 & 24 BLK 2; N 30' OF LT 20 S 30' OF LT 21 BLK 2; N40 OF LT 19 S20 OF LT 20 BLK 2, SIGNAL ADDN, City of Tulsa, Tulsa County, State of Oklahoma

* * * * *

- 6. **Z-7648 Tom Neal** (CD 4) Location: Southeast corner of South Delaware Place and East 11th Street South requesting rezoning from **OL, RS-3, CH, and PUD-484 to CS and RS-4**

STAFF RECOMMENDATION:

SECTION I: Z-7648

DEVELOPMENT CONCEPT: The PUD was approved in 1992 and required development standards for large street setbacks and surface parking in front of buildings. That pattern is no longer consistent with the expected development goals in the Tulsa Comprehensive Plan. Rezoning these properties and abandoning the PUD removes barriers for future development opportunities for main street style development.

LEGAL DESCRIPTIONS:

CS zoning: All of Lots 24,23, 22, 21 and the North 40 feet of Lot 20 in Block 2 of SIGNAL ADDN, City of Tulsa, Tulsa County, State of Oklahoma

RS-4 zoning: North 40 feet of lot 19 and the South 10 feet of lot 20 In Block 2 of SIGNAL ADDN, City of Tulsa, Tulsa County, State of Oklahoma

DETAILED STAFF RECOMMENDATION:

The CS district is primarily intended to accommodate convenience, neighborhood, subcommunity, community, and regional shopping centers providing a range of retail and personal service uses. Uses and lot and building regulations permitted in the CS district are consistent with the Main Street land use designation in the comprehensive plan and the Urban Arterial with the Main Street overlay on the Major Street and Highway Plan and,

RS-4 Zoning is primarily intended for single family residential homes on smaller urban lots that are consistent the existing residential development pattern and,

The combined effort of abandoning the outdated PUD along with rezoning the commercial development area to CS and residential lot to RS-4 are consistent with Main Street Designations Comprehensive Plan the existing neighborhood land use designation therefore,

Staff recommends approval of Z-7648 to rezone property from CH, OL, and RS-3 with PUD 484 to CS, RS-4 but only with the approval of the abandonment of PUD 484.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: *Abandonment of the PUD and rezoning will help remove obstacles that were established in the PUD. The southern portion of the parcel will be rezoned to RS-4 and the northern portion of the parcel will be rezoned to CS. This will allow redevelopment that is consistent with the Tulsa Comprehensive Plan.*

Land Use Vision:

Land Use Plan map designation:

Main Street

The northern 3/4ths of the subject tract is considered Main Streets are Tulsa's classic linear centers. They are comprised of residential, commercial, and entertainment uses along a transit-rich street usually two to four lanes wide and includes much lower intensity residential neighborhoods situated behind. Main Streets are pedestrian-oriented places with generous sidewalks, storefronts on the ground floor of buildings, and street trees and other amenities. Visitors from outside the surrounding neighborhoods can travel to Main Streets by bike, transit, or car. Parking is provided on street, small private off street lots, or in shared lots or structures

Existing Neighborhood

The southern 1/4th of the subject tract is considered Existing Neighborhood.

Areas of Stability and Growth designation:

Area of Growth,

The northern 3/4ths of the parcel is considered an 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.”

Area of Stability

The southern 1/4th of the subject tract is considered an Area of Stability. The Areas of Stability includes approximately 75% of the city’s total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal for the Areas of Stability is to identify and maintain the valued character of an area while accommodating the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.

Transportation Vision:

Major Street and Highway Plan:

East 11th Street south is classified as an Urban Arterial with Main Street designation. The Main Street designation encourages building placement closer to the curb and encourages pedestrian oriented development.

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations. None except this is also included in the Route 66 overlay that supports affects sign standards encouraging neon. This site is immediately south the Tulsa University Campus.

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: Existing single story commercial development.

Environmental Considerations: None that would affect site redevelopment.

Streets:

Existing Access	MSHP Design	MSHP R/W	Exist. # Lanes
East 11 th Street South	Urban Arterial with Main Street Designation	70 feet	4 lanes (2 each direction)
South Delaware Place	None	50 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	CH	Regional Center	Growth	Tulsa University
East	CH, OL and RS-3	Main Street and Existing Neighborhood	Growth and Area of Stability	Commercial and Single-family dwelling
South	RS-3	Existing Neighborhood	Area of Stability	Single-family dwelling
West	CH, OL and RS-3	Main Street and Existing Neighborhood	Growth and Area of Stability	Commercial and Single-family dwelling

Neighborhood Engagement:

The subject property is included in the Renaissance Neighborhood Association area. That group is active in zoning and land use decisions. We have received correspondence, met with the neighborhood association representative, and have received support from that neighborhood supporting the rezoning request and for the abandonment of the planned unit development.

SECTION III: Relevant Zoning History

History: Z-7648 (Rel. to PUD-484-A)

ZONING ORDINANCE: Ordinance number 17690 dated April 13, 1992, replaced Ordinance number 11815, establishing the current zoning for the subject property.

Subject Property:

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.

PUD-484 April 1992: All concurred in **approval** of a proposed *Planned Unit Development* on a tract of land for on property located Southeast corner of E. 11th Street & S. Delaware Place.

Surrounding Property:

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-21713 May 2014: The Board of Adjustment **approved** a *Special Exception* to permit required off-street parking on a lot other than the lot containing the use (Section 1301.D); & a Modification to a previously approved site plan (BOA-19528) to reduce approved parking from 311 spaces to 244 spaces in the RM-2 and CH district; & a Variance of the off-street parking setback requirement from the centerline of East 10th Street from 50 feet to 35 feet in the RM-2 and CH Districts & a Variance of the screening fence requirement to extend existing fence type as approved under BOA-19528 in the RM-2 and CH districts & a Modification of the required tie agreement of Track A,B, and C as established by BOA-19528 and removal of Tract C as part of required parking , on property located at NE/c and NW/c of East 11th Street South and South Columbia Avenue.

BOA-20284 June 2006: The Board of Adjustment **approved** a *Special Exception* to permit Use Unit 5 (University Housing) in the RM-2 and OL districts & a *Special Exception* to permit required parking on a lot not containing the principal use & a Variance of the maximum structure height in the RM-2 district from 35 ft. to 45 ft. and a Variance of the 75 ft. setback for 3-story multi-family buildings in the RM-2 district from an RS district, on property located at east side of S. Delaware Ave. to the west side of Skelly Stadium between E. 11th St. and E. 8th St..

BOA-19615 June 2003: Amended Exhibit H, Tract C, off-street parking plan east of South Delaware Avenue to add the two lots to the site, landscape, and screening and lighting plan approved by the Board in Case No. 19528; & a Variance deleting the screening requirements of Section 504.B of the Tulsa Zoning Code to permit off-street parking on the west side of the PK parking district lots on the east side of South Delaware Avenue, without a 3' high screening fence or berm as shown on Amended Exhibit H (The screening requirements of Section 504.B will be met along the south side of the PK lots along East 12th Street) & a Variance of the off-street parking setback from the centerline of South Delaware Avenue required by Section 1302.B of the zoning code from 50' to 35'. & a Variance of the off-street parking setback from the centerline of East 12th street required by Section 1302.B of the Tulsa zoning Code from 50' to 38' & a Variance deleting the screening requirement of Section 1302.E to permit the use of the two PK district lots with screening as shown on Amended Exhibit H. (The two PK district lots will be screened on the east side by a 6' high screening and on the south side by a 3' high screening fence required in the PK district.) located NE/c S. Delaware Ave. & E. 12th St.

BOA-19528 February 2003: The Board of Adjustment **approved** a Special Exception to permit Use Unit 23, within the existing CH and CG districts and the requested additional CG district & a Variance of the Major Street Plan setback required under Section 215 reducing the urban arterial setback on the westside of the centerline of Delaware from 35' to 22'. & a Variance of the building setback required by Section 703 in the CG zoning district on the west side of the centerline of Delaware from 85' (35' urban arterial right-of-way width plus 50') to 22' for approximately 75' & a Variance of the requirements of Section 1301.D to permit a part of the required off-street parking for the offices and plant facilities within Tract A to be located within Tracts B and C (Exhibits G-H). and a Variance deleting the screening requirement of Section 1302.A for the existing off-street parking in Tract B in a RM-2 district along the north boundary and the north 20' of the west boundary (Exhibit G) & a Variance from the centerline of 10th Street required by Section 1302.B from 50' to 35' to permit existing off-street parking in Tract B to be located along the north boundary & a Variance deleting the screening requirement of Section 1032.A to permit off-street parking setback from the centerline of Delaware required by Section 1302.B from 50' to 35' to permit off-street parking in Tract C along the east side of Delaware, on property located at 2745 e. 11th St.

BOA-18983 February 2001: The Board of Adjustment **approved** a Variance to permit design standards for off-street parking areas & a Special Exception to reduce required parking spaces from 28 to 20 spaces, on property located at 2913 E. 11th St.

BOA-17572 November 1996: The Board of Adjustment **approved** a Variance to permit the setback from 11th street from 50' to 32' for 6 directional signs, on property located at 2918 East 11th Street.

BOA-17505 September 1996: The Board of Adjustment **approved** a *Variance* to permit the required setback from 11th St from 50' to 35' to erect a new sign, on property located at 2918 E. 11th Street.

BOA-17430 July 1996: The Board of Adjustment **approved** a *Variance* to permit required parking to be located on a lot other than the lot containing the principal use & *Variance* to permit the multiple lots within the site to be considered as a single lot for the purpose of establishing and measuring building and parking setbacks and calculation the amount and locating signage within the site, on property located at 2900-2998 East 11th Street.

BOA-16896 January 1995: The Board of Adjustment **approved** a *Special Exception* to permit a student community center in an RS-3 zoned district, on property located at 1128 South College.

BOA-14474 May 1987: The Board of Adjustment **approved** a *Variance* to permit the setback from the centerline of 11th Street from 50' to 33' to allow for a sign, on property located at 2924 East 11th Street.

BOA-14291 December 1986: The Board of Adjustment **approved** a *Variance* to permit the screening requirement between an OL and RS-3 District, on property located at SW/c East 11th and South Delaware Place.

BOA-12609 June 1983: The Board of Adjustment **approved** a *Variance* to permit the designated setback from the centerline of 11th Street from 50' to 40' (edge of right-of-way) for a sign, on property located at SE corner of 11th Street and Delaware Avenue.

BOA-12423 January 1983: The Board of Adjustment **approved** a *Variance* to permit more than 750 square feet of detached accessory building and more than 20% rear yard coverage, on property located at 1127 South Evanston Avenue.

BOA-8934 February 1976: The Board of Adjustment **approved** a *Special Exception* to permit modification of the screening requirements where the purpose of the screening requirement cannot be achieved on the west south and east property lines in a CH District, on property located at 2800 East 11th Street.

BOA-5617 December 1967: The Board of Adjustment **approved** a *Special Exception* to permit extending a restaurant use into a U-3A district a distance of 37 feet, on property located at 2918 East 11th Street.

BOA-5514 August 1967: The Board of Adjustment **approved** a *Variance* to permit to modify major street setback requirements in a U-3E district to permit erection of a sign 32 feet from the centerline of 11th Street, on property located at Lot 6, Block 27, College Addition.

BOA-2011 November 1948: The Board of Adjustment **approved** waiver of set-back requirements along Delaware Avenue to permit erection of a building on Lots 18, 19, and the South 4 feet of Lots 20, Block 3, Signal Addition approximately fifteen feet beyond the established major street building line along Delaware.

BOA-1665 May 1944: The Board of Adjustment **approved** waiver of set-back requirements along Eleventh Street to permit erection of a temporary building approximately nine feet over the established setback line on Lot 11, Block 26, College Addition, on property located at Northwest corner of 11th & Evanston.

BOA-1381 June 1941: The Board of Adjustment **approved** a *waiver of set-back requirements along Eleventh Street to permit erection of a 5' x 9' temporary frame building ten feet over the established set-back line on Lot 1, Block 3, Pilche Summit Addition* on property located at 2922 East 11th Street to house portable hot dog stand.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **REEDS**, the TMAPC voted 8-0-0 (Covey, Craddock, Kimbrel, Krug, Reeds, Shivel, Whitlock, Zalk, "aye"; no "nays"; none "abstaining"; Bayles, Walker, "absent") to recommend **APPROVAL** of the CS and RS-4 zoning for Z-7648 per staff recommendation.

Legal Description for Z-7648:

CS zoning: All of Lots 24,23, 22, 21 and the North 40 feet of Lot 20 in Block 2 of SIGNAL ADDN, City of Tulsa, Tulsa County, State of Oklahoma

RS-4 zoning: North 40 feet of lot 19 and the South 10 feet of lot 20 In Block 2 of SIGNAL ADDN, City of Tulsa, Tulsa County, State of Oklahoma

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PUBLIC HEARING - PLATS

- Red Hawk Hill** (County) Minor Subdivision Plat, Location: East of the southeast corner of East 166th Street North and North Sheridan Road

STAFF RECOMMENDATION:

Red Hawk Hill - (County)

East of the southeast corner of East 166th Street North and North Sheridan Road

This plat consists of 4 lots, 1 block on 55.04 ± acres.

The Technical Advisory Committee (TAC) met on December 2, 2021 and provided the following conditions:

1. **Zoning:** Property is zoned AG (Agriculture). Proposed lots conform to the requirements of the AG district.
2. **Addressing:** Approved as submitted.
3. **Transportation & Traffic:** Approved as submitted.
4. **Sewer/Water:** Approved as submitted. All release letters received.
5. **Stormwater, Drainage, & Floodplain:** Approved as submitted.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** All release letters have been received. Oil & Gas certificate was submitted.

Staff recommends **APPROVAL** of the minor subdivision plat.

The applicant was not present.

TMAPC Action; 8 members present:

On **MOTION** of **REEDS**, the TMAPC voted 8-0-0 (Covey, Craddock, Kimbrel, Krug, Reeds, Shivel, Whitlock, Zalk, “aye”; no “nays”; none “abstaining”; Bayles, Walker, “absent”) to **APPROVE** the Minor Subdivision Plat for Red Hawk Hill per staff recommendation.

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Staff requested a continuance on item 8

8. **Patterson Farms** (CD 6) Preliminary Plat and Modification of the Subdivision and Development Regulations to extend block length, Location: West of the northwest corner of East 41st Street South and South 145th East Avenue

STAFF RECOMMENDATION:

Patterson Farms - (CD 6)

West of the northwest corner of East 41st Street South and South 145th East Avenue

The Technical Advisory Committee (TAC) met on April 21, 2022 and provided the following conditions:

1. **Zoning:** The property is zoned RS-4. Proposed lots conform to the requirements of the RS-4 district.
2. **Addressing:** City of Tulsa will assign addresses to each lot. Assigned address is required to be affixed to the face of the final plat prior to approval.
3. **Transportation & Traffic:** Sidewalks and ramps are required to be installed along both sides of all internal streets and along East 41st Street South. IDP approval is required prior to approval of final plat. Provide pedestrian connection to Reserve A through Block 4 to extend allowable block length. Provide a pedestrian connection to the northwest to connect pedestrians with the stub street and provide access to the soccer park immediately north. Modification of the subdivision regulations will still be required for block length on block 2. Add street names to the final plat.
4. **Sewer/Water:** Sewer and water extensions are required to obtain IDP approval prior to approval of the final plat. Show all easements with recording information and dimensions.
5. **Engineering Graphics:** Submit a subdivision control data sheet with final plat. Add "City of Tulsa" before Tulsa County in the plat subtitle. Show all platted properties in the location map and label all other property has unplatted. Label subject property. Provide a written legal description. Graphically show all property pins found or set associated with this plat. Provide a bearing angle from the face of the plat to be basis of bearing.
6. **Stormwater, Drainage, & Floodplain:** Improvements to the stormwater system must obtain IDP approval prior to final plat approval.
7. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** All utilities indicated to serve the site must provide a release prior to final plat approval. Provide a Certificate of Records Search from the Oklahoma Corporation Commission to verify no oil & gas activity on the site.

Modification to the Subdivision & Development Regulations:

The applicant has requested a modification to Section 5-030.3 of the *Subdivision and Development Regulations* to extend allowable block length for block 2. Staff recommends approval of the modification with the condition of the pedestrian connection being provided to the northwest to provide access to the soccer facility.

Staff recommends **APPROVAL** of the preliminary subdivision plat and the modification to the Subdivision & Development Regulations subject to the conditions provided by TAC and all other requirements of the Subdivisions Regulations. City of Tulsa release letter is required prior to final plat approval.

TMAPC Action; 8 members present:

On **MOTION** of **REEDS**, the TMAPC voted 8-0-0 (Covey, Craddock, Kimbrel, Krug, Reeds, Shivel, Whitlock, Zalk, “aye”; no “nays”; none “abstaining”; Bayles, Walker, “absent”) to **CONTINUE** Item 8 to May 18, 2022.

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9. **QT 0018** (CD 2) Preliminary Plat, Location: Southwest corner of South 33rd West Avenue and West 45th Street South

STAFF RECOMMENDATION:

QT 0018 - (CD 2)

Southwest corner of South 33rd West Avenue and West 45th Street South

The Technical Advisory Committee (TAC) met on April 21, 2022 and provided the following conditions:

1. **Zoning:** The property is zoned IL. The lot conforms to the requirements of the IL district.
2. **Addressing:** City of Tulsa will assign addresses to each lot. Assigned address is required to be affixed to the face of the final plat prior to approval.
3. **Transportation & Traffic:** Sidewalks and ramps are required to be installed along West 45th Street South and South 33rd West Avenue. IDP approval is required prior to final plat approval. Street closure/vacation for South 34th West Avenue must be completed prior to final plat approval.
4. **Sewer/Water:** Sewer and water extensions are required to obtain IDP approval prior to approval of the final plat. Show all easements with recording information and dimensions. 17.5 U/E required along the east, west, and south property lines.
5. **Engineering Graphics:** Submit a subdivision control data sheet with final plat. Add “City of Tulsa” before Tulsa County in the plat subtitle. Show all platted properties in the location map and label all other property has unplatted. Label subject property. Provide a written legal description. Graphically show all property pins found or set associated with this plat. Provide a bearing angle from the face of the plat to be basis of bearing.
6. **Stormwater, Drainage, & Floodplain:** Improvements to the stormwater system must obtain IDP approval prior to final plat approval.
7. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** All utilities indicated to serve the site must provide a release prior to final plat approval. Provide a Certificate of Records Search from the Oklahoma Corporation Commission to verify no oil & gas activity on the site.

Staff recommends **APPROVAL** of the preliminary subdivision plat subject to the conditions provided by TAC and all other requirements of the Subdivisions Regulations. City of Tulsa release letter is required prior to final plat approval.

The applicant indicated his agreement with staff's recommendation.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **REEDS**, the TMAPC voted 8-0-0 (Covey, Craddock, Kimbrel, Krug, Reeds, Shivel, Whitlock, Zalk, "aye"; no "nays"; none "abstaining"; Bayles, Walker, "absent") to **APPROVE** the Preliminary Subdivision Plat for QT 0018 per staff recommendation.

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OTHER BUSINESS

10. Commissioners' Comments

None

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ADJOURN

TMAPC Action; 8 members present:

On **MOTION** of **COVEY**, the TMAPC voted 8-0-0 (Covey, Craddock, Kimbrel, Krug, Reeds, Shivel, Whitlock, Zalk, "aye"; no "nays"; none "abstaining"; Bayles, Walker, "absent") to **ADJOURN** TMAPC meeting of May 4, 2022, Meeting No. 2865.

ADJOURN

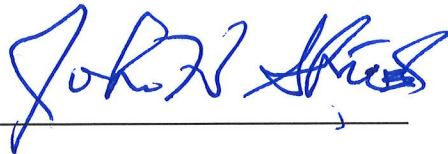
There being no further business, the Chair declared the meeting adjourned at 2:45 p.m.

Date Approved:

06-01-2022


Chair

ATTEST:


Secretary

Secretary