

**TULSA METROPOLITAN AREA PLANNING COMMISSION**  
**Minutes of Meeting No. 2866**

Wednesday, May 18, 2022, 1:00 p.m.  
City Council Chamber  
One Technology Center – 175 E. 2nd Street, 2nd Floor

<b>Members Present</b>	<b>Members Absent</b>	<b>Staff Present</b>	<b>Others Present</b>
Bayles	Covey	Foster	Jordan, COT
Carr	Kimbrel	Hoyt	Silman, COT
Craddock	Krug	Miller	Stephens, Jeff, Legal
Reeds	Walker	Sawyer	
Shivel		Wilkerson	
Whitlock			
Zalk			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Monday May 16, 2022 at 8:55 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 Reeds called the meeting to order at 1:03 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 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.

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**Minutes:**

1. Minutes of May 4, 2022 Meeting No. 2865

Approval of the minutes of **May 4, 2022 Meeting No. 2865**

**TMAPC Action; 7 members present:**

On **MOTION** of **CRADDOCK**, the TMAPC voted 5-0-2 (Craddock, Reeds, Shivel, Whitlock, Zalk, “aye”; no “nays”; Bayles, Carr, “abstaining”; Covey, Kimbrel, Krug, Walker, “absent”) to **APPROVE** the minutes of May 4, 2022 Meeting No. 2865

### **CONSENT AGENDA**

**All matters under "Consent" are considered by the Planning Commission to be routine and will be enacted by one motion. Any Planning Commission member may, however, remove an item by request.**

Items 2 and 3 were removed from the Consent Agenda and placed on the Public Hearing.

### **PUBLIC HEARING - REZONING**

- Z-4789-SP-2-3 Marcell Westbrook** (CD 7) Location: West of the northwest corner of South Garnett Road and East 75th Place South requesting a **Corridor Minor amendment** to reduce the building setback from the southern property line from 25 feet to 10 feet

#### **STAFF RECOMMENDATION:**

**SECTION I:** Z-4789-SP-2-3 Minor Amendment

Amendment Request: Modify the Corridor Plan to reduce the building setback line from the southern property line along E 75<sup>th</sup> PI S from 25 ft to 10 ft to permit a storage shed and privacy fence.

The original approval of the corridor zone stated that the building setbacks would be per plat. The plat for the subject lot shows a 25 ft building setback line along E 75<sup>th</sup> PI S and S 111<sup>th</sup> E Ave. The subject lot is a corner lot with the primary frontage located on S 111<sup>th</sup> E Ave. The applicant is proposing to place a storage shed on the south side of the existing home along with a privacy fence adjacent to E 75<sup>th</sup> PI S.

Staff Comment: *This request can be considered a Minor Amendment as outlined by Section 25.040D.3.b(5) of the Corridor District Provisions of the City of Tulsa Zoning Code.*

“Minor amendments to an approved corridor development plan may be authorized by the Planning Commission, which may direct the processing of an amended development plan and subdivision plat, incorporating such changes, so long as substantial compliance is maintained with the approved development plan. “

Staff has reviewed the request and determined:

- 1) The requested amendment does not represent a significant departure from the approved development standards in Z-4789-SP-2.
- 2) All remaining development standards defined in Z-4789-SP-2 and subsequent amendments shall remain in effect.

With considerations listed above, staff recommends **approval** of the minor amendment request to reduce the building setback line from the southern property line along E 75<sup>th</sup> PI S from 25 ft to 10 ft.

**TMAPC Comments:**

Ms. Bayles asked what the size of the storage shed was.

Staff stated it was 12'x10'

Ms. Bayles stated the setback on the side yard facing the street changes the setback 10 feet plus the area between the house and the fence. She stated that will change the look of East 75<sup>th</sup> Street South for the neighbors. Ms. Bayles stated there was a letter from an interested party that was concerned about the blind spot that might be created.

Mr. Reeds stated Staff if they talked about a blind spot when reviewing the application.

Staff stated “no,” the storage shed would be far enough back from the corner of East 75<sup>th</sup> Place intersection that it would not be in a sight triangle.

**Applicant Comments:**

The applicant stated he does not see any issues with a blind spot. He stated from the corner of 111<sup>th</sup> and East 75<sup>th</sup> Place there is quite a distance from the corner to the back of his yard. The applicant stated the storage shed will be 2 to 3 feet inside the privacy fence.

Mr. Zalk asked if there was a reason the shed could not go behind the house.

The applicant stated there was not enough room. He stated the building comes already assembled and there is a utility easement in the way.

**The applicant indicated his agreement with staff’s recommendation.**

**There were no interested parties wishing to speak.**

**TMAPC Action; 7 members present:**

On **MOTION** of **CRADDOCK**, the TMAPC voted 5-2-0(Carr, Craddock, Reeds, Shivel, Zalk, “aye”; Bayles, Whitlock, “nays”; none “abstaining”; Covey, Kimbrel,

Krug, Walker, “absent”) to recommend **APPROVAL** of the Corridor Minor Amendment Z-4789-SP-2-3 to reduce the building setback line from the southern property line along E 75<sup>th</sup> PI S from 25 ft to 10 ft per staff recommendation.

**Legal Description Z-4789-SP-2-3:**

Lot 12 Block 3 Hampton South

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3. **PUD-207-20 Jeff Andrews** (CD 8) Location: West of the northwest corner of East 98th Street South and South Sheridan Road requesting a **PUD Minor Amendment** to increase allowable building height to 35 feet

**STAFF RECOMMENDATION:**

**SECTION I:** PUD-207-20 Minor Amendment

Amendment Request: Modify the PUD Development Standards to increase the allowable building height to 35 ft.

Currently, the development standards for PUD-207 limit the building height for single-family homes to 26 ft. The applicant is proposing to increase the allowable height to 35 ft for a new home to be constructed on the subject lot. The underlying zoning for the lot, RS-2, would permit a maximum building height of 35 ft, so the proposed increase to 35 ft for the subject lot within the PUD would be consistent with RS-2 bulk and area requirements.

Staff Comment: *This request is considered a Minor Amendment as outlined by Section 30.010.1.2.c(9) of the City of Tulsa Zoning Code.*

*“Changes in structure heights, building setbacks, yards, driveway coverage measured by width, square footage or percentage of the yard, open spaces, building coverage and lot widths or frontages, provided the approved PUD development plan, the approved PUD standards and the character of the development are not substantially altered.”*

Staff has reviewed the request and determined:

- 1) PUD-207-20 does not represent a significant departure from the approved development standards in the PUD and is considered a minor amendment to PUD-207.
- 2) All remaining development standards defined in PUD-207 and subsequent amendments shall remain in effect.

With considerations listed above, staff recommends **approval** of the minor amendment to increase allowable building height to 35 ft.

**TMAPC Comments:**

Mr. Craddock asked if staff was aware of any other applications in this area that increased the allowable height.

Staff stated there was one other in this PUD that also increased the height. He stated other homeowners in the area have told staff there are others but he is not sure which properties they are referring to.

**Applicant Comments:**

**Jeff Andrews** 600 Emporia Street, STE A, Muskogee, OK 74401

Mr. Andrews stated he represents the Applicants. He stated the PUD was structured for smaller lots and smaller homes on them. Mr. Andrews stated his client purchased the property with the idea of building a much larger home. He stated there are other homes that exceed the 2 stories and there is not a way to get a 3 story house under 26 feet which is the height limit. Mr. Andrews stated he is not sure how the other homes were built without going through this same process. He stated there is 1 home that went through this process and was approved.

**Interested Parties:**

**William Byrd** 9712 South Maplewood Avenue, Tulsa, OK 74137

Mr. Byrd stated he owns the property on the downhill side of the subject property, which is south. He stated it is one of the smaller homes in the neighborhood. Mr. Byrd stated he looks forward to having new neighbors but the size of the house is an issue. Mr. Byrd stated all the lots are narrow and he knows the way to get a bigger home on a narrow lot is to build up. He stated the subject property sat vacant for 40 years most likely because it slopes in two different directions. He stated from his house it slopes up and his foundation is about 3 feet below the low side of that elevation and it goes up from there. Mr. Byrd stated his house from the foundation is 21 feet tall and that is where he understands the 35 foot would be measured and that would put the top of the subject house 20 foot above his home. He stated there are definitely homes in the neighborhood that are pretty tall but they match and blend with the other properties around it.

**Marcia Richards** 6136 East 97th Street, Tulsa, OK 74137

Ms. Richards stated we also welcomes new neighbors. She stated it is challenging to know the formula that is used to measure. She stated there is an averaging that the City uses to get their total that she does not know how to measure to know if it is accurate. Ms. Richards stated her home is at 24 feet above the ground and that puts the subject property at 11 feet higher than hers. Ms. Richards stated the subject lot that has been unoccupied since 1983 has a natural spring under it and she wants to make sure that the architect and the builder allow for those considerations for the runoff is accounted for.

Mr. Reeds asked if Staff could explain in plain language how the height is measured.

Staff stated if you take the ground level, where the building actually touches the ground, take the average of that height, and then go up from that average point to 35 feet that is how it would be measured.

Mr. Reeds asked if that was from the street.

Staff stated it was from the actual foundation of the building.

Mr. Reeds asked if the height was to the actual ridge.

Staff stated it is to the highest point of the building itself excluding chimneys and architectural features.

Mr. Andrews stated the second floor of the subject house walks out the back at grade level. He stated from the back it will look like it has 2 stories but look higher in the front. Mr. Andrews stated there is a slight incline from the street to the garage level, which is the first floor of the house. The main living areas are on the second and third floors, but the second floor walks out the back at grade level.

Mr. Reeds asked what the pitch of the main room was.

Mr. Andrews stated everything is 4/12. He stated it is a shed roof and not a peak.

Mr. Reeds asked if there were any dormers involved to break it up.

Mr. Andrews stated there are intermediate shed roofs as you go up and down the elevation and there is a deck on the second floor. He stated there is a variation of levels of roofs.

Mr. Andrews stated there is no spring on this property as one speaker stated. He stated there is one down the street that is right against the lake. Mr. Andrews stated they have provided a retaining wall for permitting, which is a requirement and included drainage. He stated the site drainage has been addressed by the engineer that did the site plan.

**TMAPC Action; 7 members present:**

On **MOTION** of **ZALK**, the TMAPC voted 5-2-0(Carr, Reeds, Shivel, Whitlock, Zalk, "aye"; Bayles, Craddock, "nays"; none "abstaining"; Covey, Kimbrel, Krug, Walker, "absent") to recommend **APPROVAL** of the Minor Amendment PUD-207-20 to increase allowable building height to 35 ft. per staff recommendation.

**Legal Description PUD-207-20:**

Lot 2, Block 3 Mill Creek Pond

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4. **Z-7649 Kelsey Pierce** (CD 5) Location: West of the northwest corner of East 21st Street South and South Memorial Drive requesting rezoning from **CS and RM-1 to CG with optional development plan**

**STAFF RECOMMENDATION:**

**SECTION I: Z-7649**

**DEVELOPMENT CONCEPT:** The immediate goal for this request is to allow an Animal Service business that including boarding or shelters, grooming and a veterinary clinic. The north portion of the subject tract is zoned RM-1 and the remainder is zoned CS. Neither of the zoning categories allows that service without rezoning.

**DETAILED STAFF RECOMMENDATION:**

CG zoning without the optional development plan allows uses that are not compatible with the surrounding properties and are not consistent with the existing budling styles on the site however,

The CG district is primarily intended to accommodate established commercial uses, while providing protection to adjacent residential areas and accommodate the grouping of compatible commercial and light industrial uses and,

The Neighborhood Center land use designation is intended to accommodate pedestrian and local traffic. The development plan outlined in Section II is intended to help integrate the proposed uses in a way that improves pedestrian and local traffic conditions adjacent to a multi modal corridor street. The development plan also provides a meaningful buffer adjacent to residential areas and,

The development plan included in Section II below provides use limitations and site development standards that are consistent with the development plan provisions of the Tulsa Zoning Code and supports meaningful opportunities for long range redevelopment and,

Site improvements required on the site adjacent to 21<sup>st</sup> Street are consistent with the major street and highway plan and the landscape provisions of the Tulsa Zoning code therefore,

Staff recommends Approval of Z-7649 to rezone property from CS and RM-1 to CG but only with the provisions of the delopment plan identified in Section II as follows:

**SECTION II: Z-7649 OPTIONAL DEVELOPMENT PLAN STANDARDS:**

The optional development plan standards will conform to the provisions of the Tulsa Zoning Code for development in a Commercial General (CG) district with its supplemental regulations except as further refined below. All use categories, subcategories or specific uses and building types that are not listed in the following permitted list are prohibited.

#### PERMITTED USE CATEGORIES, SUBCATEGORIES AND SPECIFIC USES:

##### Residential Use Category:

Household Living (only if allowed in residential building types included below)

- Two households on a single lot
- Three or more households on a single lot

##### Group Living:

- Assisted living facility
- Community group home
- Convent/monastery/novitiate
- Elderly/retirement center
- Life care retirement center

##### Public, Civic and Institutional:

- Day care
- Hospital
- Library or cultural exhibit
- Religious assembly
- Safety Service
- School
- Utilities and public service facility
  - Minor
  - Major
- Wireless communication facility (Freestanding tower and Building or tower-mounted antenna)

##### Commercial Use Category:

- Animal services
  - Boarding or shelter
  - Grooming
  - veterinary
- Assembly and Entertainment (Other Indoor, small up to 250-person capacity)
- Broadcast or recording studio
- Commercial Service
  - Building service
  - Business support service
  - Consumer maintenance/repair service
  - Personal improvement service



- Financial Services
  - Funeral or mortuary service
  - Office:
    - Business or professional office
    - medical, dental or health practitioner office
  - Parking, Non-accessory
  - Restaurant and bar
    - Restaurant
  - Retail Sales:
    - Building supplies and equipment
    - consumer shopping goods
    - convenience goods
    - grocery store
    - small box discount store,
    - medical marijuana dispensary
  - Studio, artis, or instructional service
  - Trade school
- Agricultural Use Category:
- Community Garden
  - Farm, market- or community supported

Permitted Residential Building Types:

Household Living

- Two households on a single lot
  - Mixed-use building
  - Vertical mixed-use building
- Three or more households on a single lot
  - Mixed-use building
  - Vertical mixed-use building

Site Development Standards:

The concept development plan illustrates a landscape buffer along the east boundary of the subject tract and extends approximately 120 feet from the northeast corner to the rear of the existing building. That landscape area must meet or exceed the following minimum standards for outdoor boarding and shelter areas.

- Pets are not allowed within 10 feet of the east boundary.
- A landscape buffer along the east boundary of the subject tract shall be installed and maintained where the subject property abuts multifamily development and where the abutting property is Zoned RM-2.
- Evergreen shrubs and trees shall meet or exceed the minimum standard for an F1 Screen with a minimum width of 10 feet. Shrubs

shall be planted and installed in the buffer area with a minimum installed height of 36 inches and maximum spacing of 6 feet. Trees shall be installed with a minimum height of 12 feet and maximum spacing of 25 feet in the landscape buffer area.

- A screening fence or wall with a minimum height of 6 feet shall be installed in the landscape buffer areas.
- As an alternative: A masonry screening wall may be used to meet the screening requirements and reduce the landscape area to a minimum of 5 feet. In that instance the shrubs are not required but evergreen trees are required with a maximum spacing of 25 feet in the landscape buffer area.

Vehicular Use area requirements:

- The building permit plans for the pet play yard area, and rear parking area additions to the site shall include modifications to the front parking area. Those improvements will include removing pavement from the street right of way and installing a vehicular use buffer on the lot as required by Section 65 of the Tulsa zoning code.
- The occupancy of the modified space for outdoor play areas will not be approved until those parking improvements are installed.

### **SECTION III: Supporting Documentation**

#### **Neighborhood Engagement:** (Applicant Summary)

On January 13, 2022, Alta Vista Real Estate Partnership LLC and its tenant, Alta Vista Animal Hospital (“Alta Vista”), sent a notice via mail to all neighboring property owners within at least a 300-foot radius of the subject property. The letter outlined Alta Vista’s intent to seek rezoning of its property. The notice summarized the proposed rezoning matter and notified the owners of the Alta Vista’s neighborhood gathering on February 5, 2022, to answer any questions and address any concerns of the neighboring property owners.

On February 2, 2022, Alta Vista sent an additional notice to the same property owners confirming their intent to host the neighborhood gathering on February 5, 2022.

On February 5, 2022, Alta Vista hosted the neighborhood gathering. They displayed multiple visual depictions of the changes to the subject property and plans for improvements to the property and the boarding services it would offer if the rezoning is approved by the City of Tulsa. The property owner, other

managers of the property, employees of Alta Vista, and Alta Vista's legal counsel were present to answer questions from the surrounding property owners. Despite Alta Vista's efforts to get the word out about the meeting, no one attended this gathering to ask any questions or express any concerns.

Even though no one attended the gathering, Alta Vista has received multiple positive communications from the surrounding community since it sent notices on January 13, 2022. Many individuals have stated they will be writing to the Tulsa Metropolitan Area Planning Commission recommending approval of the rezoning. As far as currently known, Alta Vista has received no negative comments or concerns about this rezoning matter.

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

***Staff Summary:** CG zoning with the optional development plan is consistent with the Neighborhood Center concept represented in the Tulsa Comprehensive Plan.*

### **Land Use Vision:**

#### ***Land Use Plan map designation:*** Neighborhood Centers

This land use designation should include small-scale, one to three story mixed-use areas intended to serve nearby neighborhoods with retail, dining, and services. They can include apartments, condominiums, and townhouses, with small lot single family homes at the edges. These are pedestrian-oriented places served by transit, and visitors who drive 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:***

East 21<sup>st</sup> Street South is considered a multi-modal corridor. Future development should emphasize plenty of travel choices such as pedestrian, bicycle and transit use. Multimodal streets are located in high intensity mixed-use commercial, retail, and residential areas with substantial pedestrian activity. These streets are attractive for pedestrians and bicyclists because of landscaped medians and tree lawns. Multi-modal streets can have on-street parking and wide sidewalks depending on the type and intensity of adjacent commercial land uses. Transit dedicated lanes, bicycle lanes, landscaping and sidewalk width are higher priorities than the number of travel lanes on this type of street. To complete the street, frontages are required that address the street and provide comfortable and safe refuge for pedestrians while accommodating vehicles with efficient circulation and consolidated-shared parking.

Streets on the Transportation Vision that indicate a transit improvement should use the multi-modal street cross sections and priority elements during roadway planning and design.

***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 site is developed with a single-story commercial building and surface parking. The north side of the property is partially zoned RM-1 and undeveloped.*

*STREEVIEW FROM SOUTHWEST LOOKING NORTHEAST*



**Environmental Considerations:** None that would accept site redevelopment

**Streets:**

Existing Access	MSHP Design	MSHP R/W	Exist. # Lanes
East 21 <sup>st</sup> Street South	Secondary Arterial with Multi Modal Corridor street designation	100 feet	4

**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-1	Existing Neighborhood	Stability	Large Lot Residential
East	RM-2 and CS	Neighborhood Center	Growth	Multifamily and commercial strip center
South	RS-3	Existing Neighborhood	Stability	Single Family across East 21 <sup>st</sup> Street
West	CS	Neighborhood Center	Growth	Commercial auto sales

### **SECTION III: Relevant Zoning History**

**History: Z-7649**

**ZONING ORDINANCE:** Ordinance number 11816 dated June 26, 1970, established zoning for the subject property.

#### ***Subject Property:***

**BOA-21385 February 2012:** The Board of Adjustment **approved** a *Variance* to permit a sign with an electronic message center to be located less than 200 feet from a designated residential area or district (Section 1221.C.2.c), on property located at 7717 East 21<sup>st</sup> Street.

**BOA-7353 March 1972:** The Board of Adjustment **approved** a *Variance* to modify the setback requirements to permit the erection of a building 90' from the centerline of 21<sup>st</sup> Street (Ordinance requires 110') as per plot plan, on property located at 7717 East 21<sup>st</sup> Street.

#### ***Surrounding Property:***

**BOA-22831 January 2020:** 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 7727 East 21<sup>st</sup> Street South.

**BOA-21292 July 2011:** The Board of Adjustment **approved** a *Special Exception* to permit Automobile Sales (Use Unit 17) in a CS district; & a *Special Exception* to modify the screening requirement from an abutting R district along 77<sup>th</sup> East Avenue & a *Variance* to permit the display of vehicles offered for sale within 300 ft. of an adjoining R district, on property located at 7701 East 21<sup>st</sup> Street.

**BOA-8922 March 1976:** The Board of Adjustment **approved** a *Special Exception* to permit modification of the screening requirements where the purpose of the screening requirements cannot be achieved; & a *Variance* of the front setback requirement from 110' to 99 to permit a cashier's building in a CS District, on property located at 7701 East 21<sup>st</sup> Street.

**BOA-7317 February 1972:** The Board of Adjustment **approved** a *Variance* to permit erecting two signs with 65 sq. ft. of surface area in an RM-1 District (Ordinance permits one sign 32 sq. ft.), on property located at 7625 East 21<sup>st</sup> Street.

**BOA-6877 January 1971:** The Board of Adjustment **approved** a *Variance* to permit erecting 208 units on one lot in an RM-1 district, on property located at 7600 block on East 21<sup>st</sup> Street.

**BOA-5549 December 1967:** The Board of Adjustment **denied** a *Variance* to permit operation of a sales office, on property located at 7734 East 21<sup>st</sup> Street.

Staff requested a continuance to June 1, 2022

**TMAPC Action; 7 members present:**

On **MOTION** of **CRADDOCK**, the TMAPC voted 7-0-0(Bayles, Carr, Craddock, Reeds, Shivel, Whitlock, Zalk, “aye”; no “nays”; none “abstaining”; Covey, Kimbrel, Krug, Walker, “absent”) to **CONTINUE** Item Z-7649 to June 1, 2022.

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**5. CZ-531 Michael Martin** (County) Location: North of the northeast corner of East 126th Street North and North Garnett Road requesting rezoning from **AG to IM** to permit industrial uses

**STAFF RECOMMENDATION:**

**SECTION I: CZ-531**

**DEVELOPMENT CONCEPT:** The applicant is proposing to rezone from AG to IM to permit industrial uses on the subject lot.

The applicant intends to develop the site in two phases. The first phase is to consist of an industrial storage area on the eastern portion of the lot as shown on the renderings provided by the applicant. The second phase will be enclosed industrial spaces as shown on the floor plan provided by the applicant. The land use for the site is designated as Industrial in the Tulsa County Comprehensive Plan. This proposal would be compatible with that designation.

**DETAILED STAFF RECOMMENDATION:**

The IM District is designed to group together a wide range of industrial uses, which may produce moderately objectionable environmental influences in their operation and appearance. CZ-531 contemplates rezoning this site from AG to IM which is consistent with the Industrial land use designation of the Tulsa County Comprehensive Plan and,

The allowed uses in an IM district will have little environmental impact on surrounding properties therefore,

**Staff recommends Approval of CZ-531 to rezone property from AG to IM.**

## SECTION II: Supporting Documentation

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

#### Staff Summary:

*The site is located within the fenceline of the City of Collinsville. The City of Collinsville 2030 Comprehensive Plan was adopted as part of the Tulsa County Comprehensive Plan on September 9, 2019. The planning process for the update of the 2030 Plan was developed by the City Planning Staff and Planning Commission and formalized by the City Commission. Citizen participation in the planning process was sought in a variety of ways. General coverage was given in the local Collinsville News regarding the initiation and progress of the study. The Steering Committee was appointed by the City Commission and included elected and appointed officials and citizen representatives of the business and lay community. The committee hosted public forums and conducted an on-line public survey to solicit input on planning and land use related matters pertaining to the update.*

#### Land Use Vision:

*Land Use Plan map designation: Industrial*

*Industrial areas form basic employment and economic development centers for the residents of Collinsville and the planning area. The external impacts industrial uses have on abutting less-intense areas must be considered along with the special needs of industrial areas for access and transportation, water, sewer, and electric services.*

*Areas of Stability and Growth designation: N/A*

#### Transportation Vision:

*Major Street and Highway Plan: N 113<sup>th</sup> E Ave is designated as a Secondary Arterial*

*Trail System Master Plan Considerations: The GO Plan recommends a shared path as well as indicates a Sidewalk Gap along N 113<sup>th</sup> E Ave.*



Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

*Staff Summary: The site is currently vacant, forested land.*

Environmental Considerations: None

Streets:

Existing Access	MSHP Design	MSHP R/W	Exist. # Lanes
N 113 <sup>th</sup> E Ave	Secondary Arterial	100 Feet	2
E 130 <sup>th</sup> St N	None	N/A	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	IM	Industrial	N/A	Industrial
South	AG	Industrial	N/A	Single-Family/Auto Salvage
East	IM/AG	Industrial	N/A	Single-Family/Industrial
West	AG	Industrial	N/A	Vacant

**SECTION III: Relevant Zoning History**

**History: CZ-531**

**ZONING ORDINANCE:** Resolution number 12875 dated July 12, 1973 established zoning for the subject property.

***Surrounding Property:***

**CBOA-848 November 1988:** The Board of Adjustment **approved** a *Special Exception* to permit storage of dismantled automobiles and trucks in an IM zoned district, on property located at North of NE/c 126<sup>th</sup> Street North and Highway 169.

**BOA-1798 March 2001:** The Board of Adjustment **denied** a *Special Exception* to permit an AG zoned district for Use Unit 20, (Commercial Recreation Paintball Field) & a *Variance* to permit 30 paved parking spaces; and an *Appeal of Administrative Official's Notice* to stop and remove all business activity and related equipment dated October 16, 2000, on property located at 12731 North 118<sup>th</sup> East Avenue.

**The applicant indicated his agreement with staff's recommendation.**

**There were no interested parties wishing to speak.**

**TMAPC Action; 7 members present:**

On **MOTION** of **WHITLOCK**, the TMAPC voted 7-0-0(Bayles, Carr, Craddock, Reeds, Shivel, Whitlock, Zalk, "aye"; no "nays"; none "abstaining"; Covey, Kimbrel, Krug, Walker, "absent") to recommend **APPROVAL** of the IM zoning for CZ-531 per staff recommendation.

**Legal Description for CZ-531:**

S/2 N/2 NW SW E OF R/W SEC 32 22 14 7.862ACS, , City of Tulsa, Tulsa County, State of Oklahoma

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6. **PUD-360-H Crunch Fitness** (CD 8) Location: Northwest corner of East 91st Street South and South Memorial Drive requesting a **PUD Major Amendment** to add Assembly and Entertainment Large to allowable uses to permit a fitness center

**STAFF RECOMMENDATION:**

**SECTION I: PUD-360-H**

**DEVELOPMENT CONCEPT:** The applicant is proposing to add Assembly and Entertainment, Large (>250 person capacity) to the allowable uses of Development Area 2-A-1 of the PUD to permit a fitness center.

The current permitted uses in Development Area 2-A-1 are those permitted by right in the CS district. The proposed Assembly and Entertainment use is considered a special exception use in the City of Tulsa Zoning Code. A major amendment to the PUD is required to add the use due to the use being a special exception use. The applicant intends to operate a Crunch Fitness facility within Development Area 2-A-1.

**DETAILED STAFF RECOMMENDATION:**

PUD-360-H is consistent with the Town Center vision of the Tulsa Comprehensive Plan and,

PUD-360-H is consistent with the expected development of surrounding properties and,

All remaining development standards defined in PUD-360 and subsequent amendments shall remain in effect, therefore,

**Staff recommends Approval of PUD-360-H to add Assembly and Entertainment, Large, to the permitted uses of Development Area 2-A-1.**

## **SECTION II: Supporting Documentation**

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

*Staff Summary: The site is designated as Town Center in the City of Tulsa Comprehensive Plan*

#### **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*

The purpose of Areas of Growth is 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.

#### **Transportation Vision:**

*Major Street and Highway Plan:* E 91<sup>st</sup> St S is designated as a Secondary Arterial

*Trail System Master Plan Considerations:* A bike lane is suggested along E 91<sup>st</sup> St S. A sidewalk gap is shown to exist along the E 91<sup>st</sup> St S frontage.

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

**DESCRIPTION OF EXISTING CONDITIONS:**

*Staff Summary: The site currently contains a retail shopping center*

Environmental Considerations: None

Streets:

Existing Access	MSHP Design	MSHP R/W	Exist. # Lanes
S Memorial Dr	Primary Arterial	120 Feet	4
E 91 <sup>st</sup> St S	Secondary Arterial	100 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	AG/OL/PUD-529	Town Center	Growth	Self-Storage/Utilities
South	CS/PUD-360-A/PUD-360-G	Town Center	Growth	Shopping Center
East	CS/RM-0/PUD-360-E	Town Center	Growth	Shopping Center
West	OL/RM-0/PUD-360-E	Town Center	Growth	Shopping Center

**SECTION III: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 11829 dated June 26, 1970, established zoning for the subject property.

***Subject Property:***

**PUD-360-E October 2008:** All concurred in **approval** of a proposed Major Amendment to PUD-360 on a 20± acre tract of land to add a dog grooming and boarding facility (Use Unit 15) on property located north of the northwest corner of East 91<sup>st</sup> Street South and South Memorial Drive and part of the subject property.

**PUD-360-C April 2005:** All concurred in **approval** of a proposed Major Amendment to PUD-360 on a 20± acre tract of land to allow a woman's health facility on property located north of the northwest corner of East 91<sup>st</sup> Street South and South Memorial Drive and part of the subject property.

**PUD-360-B February 2003:** All concurred in **approval** of a minor amendment to permit an hourly daycare center on property located north of the northwest corner of East 91<sup>st</sup> Street South and South Memorial Drive and part of the subject property.

**PUD-360-A September 1989:** All concurred in **approval** of a Major Amendment to a PUD to reduce the setbacks and required landscaped area within the original PUD-360 tract located on property located north of the northwest corner of East 91<sup>st</sup> Street South and South Memorial Drive and part of the subject property.

**PUD-360 August 1984:** All concurred in **approval** of a request to rezone a 20± acre tract for commercial use, zoned CS/RM-0, on property located north of the northwest corner of East 91<sup>st</sup> Street South and South Memorial Drive and part of the subject property.

***Surrounding Property:***

**PUD-448-A January 2017:** All concurred in **approval** to abandon PUD-448-A, on property located east of the northeast corner of East 91<sup>st</sup> Street South and South Memorial Drive.

**Z-7342/PUD-386-C August 2016:** All concurred in **approval** of a request to rezone a 10± acre tract of land from RM-1/CS/PUD-386 to CG with an Optional Development Plan, approving all uses and customary accessory uses as allowed by right in a CS district on the entirety of subject parcels, and restricts the allowed use of a vehicle sales and service on the western 578 feet to that and a Major Amendment to abandon PUD, on property located north of northeast corner of South Memorial Drive East and East 91<sup>st</sup> Street South.

**Z-7227 July 2013:** All concurred in **denial** of a request for rezoning a 2± acre tract of land from AG to CS and **approval** to OL with accompanied PUD on property located on the east side of South Memorial Drive at East 87<sup>th</sup> Court.

**BOA-20894 April 2008:** The Board of Adjustment **approved** a *variance* of the setback requirement abutting a public street from 25 feet to 22 feet (Section 903); to permit a building addition; per plan, on property located within PUD-360, east of the subject property.

**PUD-704/ Z-5620-SP-12 May 2004:** All concurred in **approval** of a proposed Planned Unit Development on a 12.08± acre tract of land for an automobile dealership on property and with modifications located south of the southeast corner of east 91<sup>st</sup> Street South and South Memorial Drive.

**PUD-405-H June 2000:** All concurred in **approval** of a request for a major amendment to PUD-405 to add 16,000 square feet of allowable floor area to the existing automobile dealership on Lot 5 to expand the business on the adjoining Lot 6. The property is located on the northeast corner of East 92<sup>nd</sup> Street and South 78<sup>th</sup> East Avenue.

**Z-6516 January 1996:** All concurred in **approval** of a request for rezoning a 4.17± acre tract of land from CS to OL for mini-storage on property located north of the northwest corner of East 91<sup>st</sup> Street South and south Memorial Drive.

**Z-6475/PUD-529 January 1995:** All concurred in **denial** of a request for rezoning a 4± acre tract of land from AG to CS and **approval** of AG to OL with accompanied PUD on property located north of the northwest corner of East 91<sup>st</sup> Street South and south Memorial Drive.

**PUD-448 May 1989:** All concurred in **approval** of a proposed Planned Unit Development on a 32.6± acre tract of land for mixed use development on property located on the northeast corner of East 91<sup>st</sup> Street South and South Memorial Drive.

**The applicant indicated his agreement with staff's recommendation.**

**There were no interested parties wishing to speak.**

**TMAPC Action; 7 members present:**

On **MOTION** of **REEDS**, the TMAPC voted 7-0-0(Bayles, Carr, Craddock, Reeds, Shivel, Whitlock, Zalk, "aye"; no "nays"; none "abstaining"; Covey, Kimbrel, Krug, Walker, "absent") to recommend **APPROVAL** of the PUD Major Amendment for - PUD-360-H to add Assembly and Entertainment, Large (>250 person capacity) to the allowable uses of Development Area 2-A-1 per staff recommendation.

**Legal Description for PUD-360-H:**

**TRACT A:**

A part of Lot Two (2), Block One (1), HOMELAND NO. 0102, an Addition in the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat thereof, described as follows, to-wit:

BEGINNING at the Northeast corner of Lot 2, Block 1, HOMELAND NO. 0102; thence due South and along the East line of Lot 2 for a distance of 257.75 feet to a point; thence due West a distance of 37.00 feet to a point; thence due South a distance of 234.70 feet to a point; thence along a curve to the right having a central angle of 41° 59' 29", a radius of 166.75 feet and a curve distance of 122.21 feet, said curve having a chord bearing of South 20° 59' 45" West and a distance of 119.49 feet to a point of reverse curve; thence along a curve to the left having a central angle of 22° 07' 27" a radius of 166.75 feet and a curve distance of 64.39 feet, said curve having a chord bearing of South 30° 55' 45" West and a distance of 63.99 feet to a point; thence due West and parallel with the South line of Lot 2, a distance of 67.30 feet to a point; thence due North a distance of 658.90 feet to a point; thence due East a distance of 180.00 feet to the Point of Beginning.

**TRACT B:**

A part of Lots One (1) and Two (2), Block One (1), HOMELAND NO. 0102, an Addition in the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat thereof, more particularly described as follows, to-wit:

COMMENCING at the Northwest corner of Lot 1, Block 1, HOMELAND NO. 0102; thence due South and along the West line of Lot 1, Block 1, HOMELAND NO. 0102, a distance of 85.90 feet to the Point of Beginning; thence due East a distance of 0.50 feet to a point; thence due South and parallel to the West line of Lot 1 a distance of 171.80 feet to a point; thence due East a distance of .30 feet to a point; thence due South a distance of 5.30 feet to a point; thence due West a distance of 4.45 feet to a point; thence due North a distance of 0.35 feet to a point; thence due West a distance of 33.36 feet to a point; thence due North 4.8 feet; thence due East a distance of 37.00 feet; thence due North along the East line of Lot 2 a distance of 171.80 feet to the Point of Beginning.

\* \* \* \* \*

- 7. **CO-15 Stuart VanDeWiele** (CD 7) Location: West of the Southwest corner of East 41<sup>st</sup> Street South and South Garnett Road requesting **Corridor Development Plan** to add a variety of uses to originally approved site plan

**STAFF RECOMMENDATION:**

**SECTION I: CO-15**

## **DEVELOPMENT CONCEPT:**

The property located at 10918 E 41 Street, Tulsa, OK 74146 (the “Subject Property”) was originally developed as a hotel / hospitality facility in approximately 1982. The Subject Property ceased operations as a hotel / hospitality facility in March of 2020 and was, for short period, thereafter, used a temporary housing facility for homeless individuals. The Subject Property has been vacant since May of 2021 and remains vacant at the date of filing of this application. The Subject Property is in need of rehabilitation to bring it back to any reasonable commercial use.

The Subject Property is anticipated to be acquired by GoodHomesCo, LLC and redeveloped for multifamily use on an open market rental basis.

The Subject Property has been zoned CO (Corridor) since 1982 (Z-5444) and appears to have also had a CO zoning designation prior thereto.

The Subject Property is a 7.11 acre +/- (309,898 sq. ft. +/-) parcel of land located on the south side of 41<sup>st</sup> Street and just east of Highway 169. The Subject Property is bounded on the west, north and east by CS (Commercial Shopping) properties and on the South by a large RM-2 (Residential Multifamily 2) zoned area containing several multifamily facilities.

The Subject Property rezoning application is a proposed Corridor Zoning district consisting of Residential use (multifamily) and accessory uses customary thereto. These proposed land uses are consistent with existing and planned development patterns within the project area and will assist in addressing a shortage of workforce housing stock in the City of Tulsa.

The Corridor Development plan (as amended) will consist of a single development area (Development Area A) which is served by 41<sup>st</sup> Street. The Subject Property will continue to have its entrance on 41<sup>st</sup> Street.

## **DETAILED STAFF RECOMMENDATION:**

Uses and development standards as outlined in CO-15 are consistent with the Town Center land use designation in the Tulsa Comprehensive Plan; and

The Corridor Development Plan is a unified treatment of the development possibilities of the project site; and

Provisions have been made for property access, circulation, and functional relationships of uses; and



Permitted Uses, building types and supplemental standards outlined in CO-15 are consistent with the provisions of the Corridor chapter of the Tulsa Zoning Code.

Anticipated uses, lot and building regulations along with normal supplemental regulations in the Tulsa Zoning Code as provided CO-15 are consistent with the existing development pattern in this area of Tulsa; and

Staff recommends Approval of CO-15 to rezone property from CO that only allowing a hotel to CO-15 as included in the development plan.

## **SECTION II: CO-15**

### **CORRIDOR DEVELOPMENT PLAN AS AMENDED:**

CO-15 will conform to the provisions of the Tulsa Zoning Code for development in a CO district and its supplemental regulations as identified in Section 25 of the Tulsa Zoning Code.

All use categories, subcategories or specific uses and residential building types or building types that are not listed below are prohibited.

### **Development Standards**

Gross Land Area: +/- 7.11 acres

#### **A. Permitted Use Categories, Subcategories, and Specific Uses**

**Residential** - (Use categories, subcategories, and customarily accessory uses allowed only as follows, and in the building types shown below)

**Household Living** – [Three or more households on a single lot] only if allowed in the building types identified below.

**Public, Civic and Institutional** - (Use categories, subcategories, and customarily accessory uses allowed only as follows)

- College or University
- Hospital
- School
- Wireless Communication Facility (building mounted only)

**Commercial** - (Use categories, subcategories, and customarily accessory uses allowed only as follows)

- Financial Services
- Lodging
- Office
- Restaurants and Bars

#### **B. Building Types for Household Living**

- Apartment / condo
- Mixed-use building
- Vertical mixed-use building

**C. Lot and Building Regulations**

§ Maximum Building Coverage	75%
§ Minimum Lot Area	300,000 square feet
§ Maximum Building Height	140 feet
§ Maximum Floor Area	235,000 square feet
§ Minimum Building Setbacks	
Street Setback (41 <sup>st</sup> Street)	25' from the north lot line
From west boundary	20'
From south boundary	20'
From east boundary	20'
Internal lot lines	0'

§ Open space per dwelling unit is not required while redeveloping and repurposing the existing building as identified in Section I (Development Concept)

**D. Maximum Dwelling Units**

The Subject Property currently contains three hundred twenty (320) hotel rooms. The Subject Property shall not contain more than three hundred twenty (320) dwelling units.

**E. Minimum Off-Street Parking Spaces Requirements**

There shall be a minimum of three hundred twenty (320) parking spaces within the Subject Property.

**F. Landscape & Screening Requirements**

All required landscaping shall be installed and irrigated in accordance with the provisions of the Landscape Chapter 65 of the Tulsa Zoning Code.

**G. Access**

The Subject Property shall have a minimum of one access point to 41<sup>st</sup> Street.

**H. Signage**

All signage on the Subject Property shall comply with Corridor District signage standards required in the City of Tulsa Zoning Code Chapter 60.090-C.

## I. Lighting

All outdoor lighting in the Subject Property shall comply with City of Tulsa Chapter 67 Outdoor Lighting regulations.

### **SECTION III: Supporting Documentation**

#### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: The proposal for repurposing the existing hotel as outlined in Section II is consistent with the Town Center Land Use designation. Additional uses and standards identified that might be added to the site that are also included in the development plan 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*

The purpose of Areas of Growth is 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: Multi Modal Corridor*

Multi-modal streets emphasize plenty of travel choices such as pedestrian, bicycle and transit use. Multimodal streets are located in high intensity mixed-use commercial, retail and residential areas with substantial pedestrian activity. These streets are attractive for pedestrians and bicyclists because of landscaped medians and tree lawns. Multi-modal streets can have on-street parking and wide sidewalks depending on the type and intensity of adjacent commercial land uses. Transit dedicated lanes, bicycle lanes, landscaping and sidewalk width are higher priorities than the number of travel lanes on this type of street. To complete the street, frontages are required that address the street and provide comfortable and safe refuge for pedestrians while accommodating vehicles with efficient circulation and consolidated-shared parking.

Streets on the Transportation Vision that indicate a transit improvement should use the multi-modal street cross sections and priority elements during roadway planning and design.

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 site is fully developed with the hotel that was anticipated in the previous corridor site plan.*

*BUILDING IMAGE:*



Environmental Considerations: None that affect site development

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 41 <sup>st</sup> Street South	Secondary Arterial with Multi Modal Corridor designation	100 feet	5 (two lanes each direction plus a center turn lane)

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

<b>Location</b>	<b>Existing Zoning</b>	<b>Existing Land Use Designation</b>	<b>Area of Stability or Growth</b>	<b>Existing Use</b>
North	CS	Town Center	Growth	Shopping Center
East	CS	Town Center	Growth	Restaurant and QuikTrip Kitchens
South	RM-2	Existing Neighborhood	Growth	Multi-family
West	CS	Town Center	Growth	Multi family and cleaners

#### **SECTION IV: Relevant Zoning History**

**History: CO-15**

***Subject Property:***

**ZONING ORDINANCE:** Ordinance number 14889 dated October 31<sup>st</sup>, 1980, established zoning for the subject property.

**CO-12 February 2022:** April 7<sup>th</sup> 2022 the Tulsa Metropolitan Area Planning Commission recommended approval (with a 7-0-0 vote) for a proposed mixed use redevelopment of the existing hotel site. The applicant withdrew the application prior to the City Council hearings.

**BOA-12943 December 1983:** The Board of Adjustment **approved** a *Variance* to permit a satellite dish as an accessory use in a CO zoned district under the provisions of Section 1670 & **approved** a *Variance* of the 60' height limitation to permit a satellite dish in a CO zoned district under the provisions of Section 1670, on property located at East of the Southwest Corner of South 109<sup>th</sup> East Avenue East 41<sup>st</sup> Street.

**Z-5444 October 1980:** All concurred in **approval** of a request for *rezoning* a tract of land from CS to CO with a site plan that only allowed a Hotel on the subject property located at 10918 E. 41<sup>st</sup> Street.

***Surrounding Property:***

**BOA-21051 April 2010:** The Board of Adjustment **approved** a *Verification* of the spacing requirement to permit a digital outdoor advertising sign of 1,200 ft. from any other digital outdoor advertising sign facing the same traveled way, on property located at 10710 East 41<sup>st</sup> Street South.

**BOA-20610 November 2007:** The Board of Adjustment **approved** a *Variance* to permit required parking to 28 parking spaces, on property located at 4126 South Garnett Road.

**BOA-20564 August 2007:** The Board of Adjustment **approved** a *Modification* of a previously approved plan to permit a restaurant remodel, on property located at 10901 East 41<sup>st</sup> Street.

**BOA-20499 May 2007:** The Board of Adjustment **approved** a *Special Exception* to permit Other Trades and Services (Use Unit 15) in a CS district, on property located at 4200 Block of South Garnett Road.

**BOA-20402 December 2006:** The Board of Adjustment **approved** a *Special Exception* to permit a car wash in a CS district, adjoining a convenience store, on property located at 11120 East 41<sup>st</sup> Street.

**BOA-20138 October 2005:** The Board of Adjustment **approved** a *Variance* to permit required frontage in a CS district from 150' to 38' on S. Garnett Road to

permit a lot split, on property located at South & West of the SW/c of 41<sup>st</sup> Street & South.

**BOA-19301 February 2002:** The Board of Adjustment **approved** a *Special Exception* to permit a drive-in restaurant in a CS district, on property located at East 41<sup>st</sup> South & East of US-169.

**BOA-18882 October 2000:** The Board of Adjustment **approved** a *Variance* to permit required 464 parking spaces to permit 426 parking spaces for an existing apartment complex & a *Variance* of land area per dwelling units to permit the existing 288 units on one lot of record as depicted on the survey, on property located at 4343 South 109<sup>th</sup> East Avenue.

**BOA-16831 September 1994:** The Board of Adjustment **approved** a *Variance* to permit requirement that all access be principally from internal collector service streets, on property located at SW/c of 41<sup>st</sup> Street and South Garnett Road.

**BOA-14358 January 1987:** The Board of Adjustment **approved** a *Variance* to permit signage from 159 sq. ft to 265 sq. ft. on the south side of the building and from 210 sq. ft. to 354 sq. ft. on the east side of the building to allow for a sign in a CS zoned district, on property located at 4030 South Garnett Road.

**BOA-10716 October 1979:** The Board of Adjustment **approved** a *Variance* to permit more than 40 units on one lot and approved an exception to permit apartments in a CS District in September 1979, per plot plan, & a *Special Exception* to permit multifamily dwellings and similar uses in a CS District, on property located at Southeast of 41<sup>st</sup> Street and Mingo Valley Expressway.

**TMAPC Comments:**

Mr. Craddock stated he felt this was the proper zoning for the subject property.

Staff stated this is the only property in Tulsa that allows only one use and this is hotel.

Mr. Craddock asked if this property were to be used for homeless lodging would they need to come back to Planning Commission to allow that use.

Staff stated “yes.”

Ms. Bayles asked staff to read the list of uses allowed that are listed in the staff report.

Mr. Shivel asked if this property came before Planning Commission about a year ago.

Staff stated “yes,” at that time it was a broader repurposing plan at that time. He stated there was opportunities for smaller lots and different uses and that was approved at Planning Commission but the applicant withdrew the application before it went to City Council.

**The applicant indicated his agreement with staff’s recommendation.**

**There were no interested parties wishing to speak.**

**TMAPC Action; 7 members present:**

On **MOTION** of **REEDS**, the TMAPC voted 7-0-0(Bayles, Carr, Craddock, Reeds, Shivel, Whitlock, Zalk, “aye”; no “nays”; none “abstaining”; Covey, Kimbrel, Krug, Walker, “absent”) to recommend **APPROVAL** of the Corridor Development Plan for CO-15 to add a variety of uses to originally approved site plan per staff recommendation.

**Legal Description for CO-15:**

**Lot 1, Block 1, ATRIA ONE, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma**

\* \* \* \* \*

**PUBLIC HEARING – PLATS**

- 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 41<sup>st</sup> Street South and South 145<sup>th</sup> East Avenue (Continued from May 4, 2022) (**Staff requests a continuance to June 1, 2022**)

**STAFF RECOMMENDATION:**

**Patterson Farms** - (CD 6)

West of the northwest corner of East 41<sup>st</sup> Street South and South 145<sup>th</sup> 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 41<sup>st</sup> 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.

Staff requested continuance to June 1, 2022.

**TMAPC Action; 7 members present:**

On **MOTION** of **REEDS**, the TMAPC voted 7-0-0(Bayles, Carr, Craddock, Reeds, Shivel, Whitlock, Zalk, "aye"; no "nays"; none "abstaining"; Covey, Kimbrel, Krug, Walker, "absent") to **CONTINUE** Item 8 to June 1, 2022.

\* \* \* \* \*

9. **75 Center** (County) Preliminary Plat, Location: Southwest corner of East 86<sup>th</sup> Street North and North Yale Avenue

**STAFF RECOMMENDATION:**

**75 Center** - (County)

Southwest corner of East 86<sup>th</sup> Street North and North Yale Avenue

This plat consists of 2 lots, 1 block on 10.73 ± acres.

The Technical Advisory Committee (TAC) met on May 5, 2022 and provided the following conditions:

1. **Zoning:** Property is zoned CS (Commercial – Shopping). Proposed lots conform to the requirements of the CS district.
2. **Addressing:** Addresses provided by INCOG must be shown on face of the final plat.
3. **Transportation & Traffic:** Apply limits of access to 86<sup>th</sup> Street North and North Yale Avenue to align with proposed driveways. Indicate full dimension of right-of-way and recording information. If the right-of-way is being dedicated by the plat, indicate “by plat.” Include information for ODOT right-of-way adjacent to west side of the platted boundary.
4. **Sewer/Water:** On-site sewage disposal requires approval by Oklahoma Department of Environmental Quality. ODEQ certificate required on face of the final plat. Water service to be provided by Washington County Rural Water District #3. Any improvements to existing water lines must be approved through the RWD. Release letter is required from the rural water district prior to final plat approval.
5. **Stormwater, Drainage, & Floodplain:** Site is required to meet drainage requirements for Tulsa County. Drainage plans must be approved by the County Engineer prior to final plat approval. Any easements must be shown on the face of the plat.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** Release letters are required from all franchise utilities serving the site. Certificate of Records Search from Oklahoma Corporation Commission for oil & gas activity must be submitted.

Staff recommends **APPROVAL** of the preliminary plat subject to the conditions provided by TAC and the requirements of the Subdivisions Regulations. Final plat must be released by the County Engineer prior to approval.

**The applicant indicated his agreement with staff’s recommendation.**

**There were no interested parties wishing to speak.**

**TMAPC Action; 7 members present:**

On **MOTION** of **REEDS**, the TMAPC voted 7-0-0(Bayles, Carr, Craddock, Reeds, Shivel, Whitlock, Zalk, “aye”; no “nays”; none “abstaining”; Covey, Kimbrel, Krug, Walker, “absent”) to **APPROVE** the Preliminary Subdivision Plat for 75 Center per staff recommendation.

\* \* \* \* \*

**10. North Tulsa Commerce Center** (County) Authorization for Accelerated Release of Building Permits and Modification to the Subdivision & Development Regulations to defer dedication of easements and right-of-way to final plat, Location: Northeast corner of East 76<sup>th</sup> Street North and North Yale Avenue

**STAFF RECOMMENDATION:**

**North Tulsa Commerce Center-** (County)

Northeast corner of East 76<sup>th</sup> Street North and North Yale Avenue

The subject property is required to obtain full compliance with the Subdivision & Development Regulations due to a recently approved rezoning. The applicant has requested that the Planning Commission authorize Tulsa County to issue building permits prior to the filing of a final plat. The *Subdivision & Development Regulations* require the approval of a preliminary plat prior to authorization for an accelerated release of building permits. The preliminary plat has been submitted and reviewed by the Technical Advisory Committee and was approved by TMAPC on January 5, 2022.

The plat includes the dedication of utility easements, access limitations, and additional right-of-way dedications for the subject site. Improvements to infrastructure on the site, primarily sanitary sewer, will be required prior to the filing of the final plat to accommodate future development goals. Sanitary sewer service for this project will be provided by the City of Tulsa and will require the developer to obtain multiple off-site easements prior to the approval of the final plat.

The Technical Advisory Committee met on May 5<sup>th</sup>, 2022 and had no objections to the authorization for accelerated release of building permits with the condition that the accelerated permits be restricted to foundation-only permits.

If approved, this authorization only removes the requirement that the final plat be filed prior to building permits being issued. All other codes and requirements for Tulsa County remain in place.

**Modification to the Subdivision & Development Regulations:**

The applicant has requested a modification to Section 10-110.6-B that requires the dedication of all required ROW and easements prior to permit issuance. It is

preferred by staff that all on-site easements and dedications be included with the final plat rather than dedicated by multiple separate instruments.

Staff recommends **approval** of the accelerated release of a building permit and the requested modification with the following conditions:

1. If an accelerated release is approved, no final inspection of buildings or structures may occur, and no certificate of occupancy may be issued until a final plat for the subject property has been approved and recorded.
2. Accelerated Release applies to foundation only permits with no vertical construction until a final plat for the subject property has been approved and recorded.

**The applicant indicated his agreement with staff’s recommendation.**

**There were no interested parties wishing to speak.**

**TMAPC Action; 7 members present:**

On **MOTION** of **CRADDOCK**, the TMAPC voted 6-0-1(Bayles, Carr, Craddock, Reeds, Shivel, Zalk, “aye”; no “nays”; Whitlock, “abstaining”; Covey, Kimbrel, Krug, Walker, “absent”) to **APPROVE** North Tulsa Commerce Center Accelerated Release of a Building Permit and Modification to the Subdivision & Development Regulations to defer dedication of easements and right-of-way to final plat

\* \* \* \* \*

**OTHER BUSINESS**

**11. Commissioners' Comments**

None

\* \* \* \* \*

**ADJOURN**

**TMAPC Action; 7 members present:**

On **MOTION** of **ZALK**, the TMAPC voted 7-0-0(Bayles, Carr, Craddock, Reeds, Shivel, Whitlock, Zalk, "aye"; no "nays"; none "abstaining"; Covey, Kimbrel, Krug, Walker, "absent") to **ADJOURN** TMAPC meeting of May 18, 2022, Meeting No. 2866.

**ADJOURN**

There being no further business, the Chair declared the meeting adjourned at 1:55 p.m.

Date Approved:

07-20-2022

  
Chair

ATTEST:



Secretary