

**TULSA METROPOLITAN AREA PLANNING COMMISSION  
Meeting No. 2888**

**April 19, 2023, 1:00 PM  
175 East 2nd Street, 2nd Level, One Technology Center  
Tulsa City Council Chamber**

<b>Members Present</b>	<b>Members Absent</b>	<b>Staff Present</b>	<b>Others Present</b>
Carr	Bayles	Anderson	Jordan, COT
Covey	Zalk	Davis	Silman, COT
Craddock		Foster	Stephens, Jeff, Legal
Hood		Hoyt	VanValkenburgh, Legal
Humphrey		Miller	
Krug		Sawyer	
Shivel		Siers	
Walker		Taylor	
Whitlock		Wilkerson	

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Friday April 14, 2023 at 9:35 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 reported on special projects.

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**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.**

1. **Z-7439a Willis Weigand** (CD 2) Location: North and West of the Northwest corner of South Elwood Avenue and West 91<sup>st</sup> Street requesting a **Minor Amendment** to a development plan to reduce required street setback from 25 feet to 21 feet

**STAFF RECOMMENDATION:**

**SECTION I: 7439a Minor Amendment**

Amendment Request: Reduce the street setback from 25-feet to 21-feet. Currently the Development Plan prescribes the same lot and building regulations as the RS-3 Zoning District, except for a 500 square foot reduction in open space. The requested relief from the development plan would still be greater than the required 20-foot setback for a standard RS-4 zoned lot outside of a development plan. The subject tract is an irregular shape and approval of this minor amendment would permit an encroachment identified in the as-built survey provided in your packet.

Staff has reviewed the request and determined:

- 1) Z-7439a does not represent a significant departure from the approved development standards in the Development Plan and is considered a minor amendment to the Z-7439.
- 2) All remaining development standards defined in Z-7439 will remain in effect.

With considerations listed above, staff recommends approval of the minor amendment to reduce the street setback from 25-feet to 21-feet.

**Legal Description for Z-7439a:**

Lot 25, Block 5 Winchester Park

**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 **CRADDOCK**, the TMAPC voted 8-0-0 (Covey, Craddock, Hood, Humphrey, Krug, Shivel, Walker, Whitlock, "aye"; no "nays"; none "abstaining"; Bayles, Carr, Zalk, "absent") to **APPROVE** Item 1 per staff recommendation.

**PUBLIC HEARING – REZONING**

Items 2,3,4,13 and 14 were continued to May 17, 2023.

2. **Z-7705 Nathan Cross** (CD 3) Location: South of the southeast corner of Highway 169 and East 56<sup>th</sup> Street North requesting rezoning from **AG to IM (Related to CPA-102) (Staff requests a continuance to May 17, 2023)**

**TMAPC Action; 8 members present:**

On **MOTION** of **COVEY**, the TMAPC voted 8-0-0 (Covey, Craddock, Hood, Humphrey, Krug, Shivel, Walker, Whitlock, “aye”; no “nays”; none “abstaining”; Bayles, Carr, Zalk, “absent”) to **CONTINUE** Item 2 to May 17, 2023.

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3. **CZ-543 Nathan Cross** (County) Location: Northeast corner of Highway 169 and East 56<sup>th</sup> Street North requesting rezoning from **AG to IM** to permit Mining and Industrial development (**Related to PUD-867 and TCCP-12) (Staff requests a continuance to May 17, 2023)**

**TMAPC Action; 8 members present:**

On **MOTION** of **COVEY**, the TMAPC voted 8-0-0 (Covey, Craddock, Hood, Humphrey, Krug, Shivel, Walker, Whitlock, “aye”; no “nays”; none “abstaining”; Bayles, Carr, Zalk, “absent”) to **CONTINUE** Item 3 to May 17, 2023.

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4. **PUD-867 Nathan Cross** (County) Location: Northeast corner of Highway 169 and East 56<sup>th</sup> Street North requesting **PUD-852** to permit Mining and Industrial development (**Related to CZ-543 and TCCP-12) (Staff requests a continuance to May 17, 2023)**

**TMAPC Action; 8 members present:**

On **MOTION** of **COVEY**, the TMAPC voted 8-0-0 (Covey, Craddock, Hood, Humphrey, Krug, Shivel, Walker, Whitlock, “aye”; no “nays”; none “abstaining”; Bayles, Carr, Zalk, “absent”) to **CONTINUE** Item 4 to May 17, 2023.

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**Ms. Carr arrived at 1:05pm**

5. **Z-7699 JKR Properties** (CD 4) Location: Southwest corner of East 4<sup>th</sup> Place South and South Yale Avenue requesting rezoning from **OL to CS with an optional development plan** (Continued from April 5, 2023)

**STAFF RECOMMENDATION:**

## **SECTION I: Z-7699**

### **DEVELOPMENT CONCEPT:**

Change zoning to allow uses that may be more consistent with a Neighborhood Center land use designation and to support redevelopment of the existing property that is zoned OL. In summary the optional development plan outlined in Section II provides a comprehensive list of allowed uses and generally prohibits the following:

- All of the specific uses included in Vehicle Sales and Services subcategory
- All of the specific uses included in the Assembly and Entertainment subcategory
- All of the subcategories in the Recycling use category are prohibited
- The subcategory that includes Sexually Oriented Business Establishment is prohibited

Specific uses allowed in the Convenience goods and services subcategory are allowed except package stores are prohibited.

### **DETAILED STAFF RECOMMENDATION:**

Uses allowed in a CS zoning district and supplemental regulations are consistent with a Neighborhood Center land use designation in the Tulsa Comprehensive Plan and,

The applicant has worked with staff to outline allowed uses in an optional development plan as requested by the planning commission during the April 5<sup>th</sup> planning commission meeting. Development design standards beyond what is required in a CS zoned district are not included in the development plan. Staff supports use limitations without additional development standards for site and building development at this location and,

Staff supports the rezoning of the site from OL to CS knowing that additional street right of way requirements for development may result in site conditions that are not developable as planned by the applicant and,

The uses allowed in the optional development plan illustrated in Section II are consistent with the Neighborhood Center land use designation therefore,

Staff recommends Approval of Z-7699 with or without the Optional Development Plan to rezone property from OL to CS as requested by the applicant.

### **SECTION II: Z-7699 OPTIONAL DEVELOPMENT STANDARDS:**

The optional development plan standards will conform to the provisions of the Tulsa Zoning Code for development in a Commercial Shopping (CS) 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**

Household Living (if in allowed building type identified below)

Single household

Two households on a single lot

3 or more households on a single lot

**Group living**

Assisted living facilities.

Community group home

Convent/monastery/novitiate

Elderly/retirement center

Fraternity/Sorority

Life care retirement center

Rooming/boarding house

**PUBLIC, CIVIC, AND INSTITUTIONAL**

Day Care

Library or Cultural Exhibit

Parks and Recreation

Religious Assembly

**COMMERCIAL**

Animal Service

Grooming

Veterinary

Commercial Service

Business support services

Consumer maintenance repair service

Personal Improvement service

Financial Services

Lodging

Bed and breakfast

Short term rental

Office

Business or professional office

Medical, dental or health practitioner office

Restaurant

Retail Sales (includes all specific uses except package stores)

Building supplies and equipment

Consumer shopping goods

Convenience goods

Small box discount store

Medical Marijuana dispensary

Studio, Artist, or Instructional Service



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:*

Multi Modal Corridor: South Yale Avenue is considered a multimodal 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 vacant and has previously been used as a single-story convenience store and a fueling station. OL zoning prohibits both uses. In 1969 a gas station was recognized as a non-conforming use during a board of adjustment case. Neither the Planning Commission Staff or the applicant has determined if this is still a nonconforming use. The site may have lost its non-conforming status as outlined in Section 80.040-E.3 of the Tulsa Zoning Code. That section of the code clarifies that if the non-conforming use of a building is discontinued for 36 consecutive months or for 36 months during any 4-year period, the nonconforming use may not be re-established.*

*The site has multiple Board of Adjustment cases that have been heard with setback variances approved and canopy variances denied. Planned right-of-way for 50 feet width on Yale Ave. would not allow new gas canopy or building expansion on this site.*

*The Subdivision and Development Regulations will require subdivision compliance and approximately 25 feet of additional right-of-way will be required along South Yale Avenue during that process. The acquisition of planned right-of-way will take away most of the parking on the lot and the existing canopy will need to be removed. Those requirements make redevelopment on this site more challenging.*

*Current OL zoning would allow many uses including all office uses identified in our code, single family residential, short-term rental in the lodging category, artist and instructional services and three or more households on a single lot with a mixed-use building.*

*Street view looking southwest from the northeast corner of the site:*





	designation	measures approximately 60 feet with approximately 25 feet west of the section line in S. Yale.	of the street
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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-3	Existing Neighborhood	Stability	Single Family Homes
East	RS-2	Existing Neighborhood	Stability	Single Family Homes
South	RS-3	Existing Neighborhood	Growth	Church / food pantry
West	RS-4	Existing Neighborhood	Growth	Church

**SECTION IV: Relevant Zoning History**

**History: Z-7699**

**ZONING ORDINANCE:** Ordinance number 11815 dated June 26, 1970 & Ordinance number 14402 dated March 23, 1979, established zoning for the subject property.

***Subject Property:***

**Z-7615 January 2022:** All concurred in **denied** of a request for *rezoning* a 0.28+ acre tract of land from OL to CG on property located Southwest corner of East 4<sup>th</sup> Place south & South Yale Avenue.

**BOA-14804 April 1988:** The Board of Adjustment **approved** a *Variance* to permit setback from the centerline of south Yale from 60' to 30' to allow for a business sign, on property located at SW/c 4<sup>th</sup> Place and Yale Avenue.

**BOA-12940 January 1984:** The Board of Adjustment **denied** a *Variance* to permit the setback requirement from 60' to 27' for a gasoline canopy in an OL District under the provisions of Section 1670, on property located at the SW corner of 4<sup>th</sup> Place and Yale Avenue.

**BOA-11585 August 1981:** The Board of Adjustment **denied** a *Variance* to permit the setback requirements from 60' to 27' from the centerline of Yale Avenue to permit the erection of service station canopies in an OL District, on property located at 4752 East 4<sup>th</sup> Place.

**BOA-10432 November 1980:** The Board of Adjustment **approved** a *Variance* to permit the setback requirements from 55' to 44.33' from the centerline of 4<sup>th</sup> Place, on property located at Lot 1, & the North 95.7' of Lot 2, Block 1, Kendall View Addn.

**Z-5224 March 1979:** All concurred in **approval** of a request for *rezoning* a tract of land from RS-3 to OL on property located Lot 1 & the North 95.7 feet of Lot 2 Block 1 Kendall View Addn.

**BOA-6236 August 1974:** The Board of Adjustment **approved** a *Variance* to permit replacing a sign for a nonconforming service station (Not less than 60' from the centerline of Yale Avenue), on property located at 4752 East 4<sup>th</sup> Place.

### **Surrounding Property:**

**BOA-23497 February 2023:** The Board of Adjustment **approved** a *Special Exception* to permit a Day Care Use in the RS-2 District & a *Variance* to reduce the 12,000 square-foot minimum lot width for *Special Exception* uses in the RS-2 District & a *Variance* to reduce the 25-foot setback for non-residential *Special Exception* uses from R-zoned lots, on property located at 4905 East 4<sup>th</sup> Place.

**BOA-23158 July 2021:** The Board of Adjustment **approved** a *Variance* to permit a dynamic display sign within 20 feet of the driving surface of East 4<sup>th</sup> Place & a *Special Exception* to allow a dynamic display sign in an RS-3 District for a Religious Assembly Use and to be located within 200 feet of a Residential District, on property located at 4739 East 5<sup>th</sup> Street South.

**BOA-14656 November 1987:** The Board of Adjustment **approved** a *Variance* to permit the setback from the centerline of Yale Avenue from 60' to 30' to allow a gasoline island canopy, on property located at SW/c of 4<sup>th</sup> Place and Yale Avenue.

**BOA-6746 September 1970:** The Board of Adjustment **denied** a *Special Exception* to permit operating a children's day nursery in an RS-2 District, on property located at 4<sup>th</sup> street and Yale Avenue.

### **TMAPC Comments:**

Mr. Covey stated just to recap the history of this application a year or more ago, TMAPC unanimously approved changing the subject property to CS. He stated the case then went to the City Council who agreed with that change to CS but then a few months after approving the zoning they reconsidered this application and by a unanimous vote they rejected it. Mr. Covey stated this application was continued 2

weeks ago so that the applicant could consider whether they wanted to do an optional development plan and limit the uses to exclude the use of a dispensary.

Staff stated, "that was correct". He stated they met with the applicant, and she did not think that it was appropriate to limit that use specifically. Staff stated the applicant wants to allow as many uses as possible to better market the property.

Mr. Covey stated at the last meeting most of the neighbors wanted to restrict the use of a dispensary. He asked if the applicant did not agree with that.

Staff stated that is correct.

**Applicant Comments:**

**Jamesha Ross** 2035 E 54<sup>th</sup> Street North, Tulsa, OK 74130

Ms. Ross stated she bought her first investment property in 2016. She stated today she has 10 residential homes, and this would be her second commercial. Ms. Ross stated she is asking for CS zoning because this property has been operating as a convenience store with a fueling station since the 1960's and a lot of the opposition from the neighborhood probably does not include anyone that was in the neighborhood before that. She stated she is not asking for a change from what the use has been for decades she is asking that site to be brought up into compliance. She stated this development is consistent with the Neighborhood Center Land Use designation in the Comprehensive Plan. Ms. Ross stated this CS request was previously approved by the Planning Commission and City Council and then was later rescinded by the City Council. She stated this request is in alignment with the City of Tulsa's Mission Statement and the AIM Plan because it will create a framework of high expectations for not only the subject site but for the city as a whole. Ms. Ross stated it is also in alignment with the Tulsa Comprehensive Plan and in the Executive Summary of that document it states that Tulsa should have a vibrant and dynamic economy. It goes on to say in the chapter on Economic Development that the state's economic development efforts will be coordinated to expand opportunity and improve Tulsans quality of life. She stated the guiding principles say that entrepreneurs, small businesses, which she considers herself to be, and large employers should find Tulsa an easy place to do business. Business owners are able to easily find adequate and attractive space for expanding businesses along main streets which Yale Avenue is a main street. Ms. Ross stated this development is also in alignment with Tulsa's Resilience Plan and the Executive Summary says that Tulsa was founded on hope in an entrepreneurial spirit. She stated everything that she is doing with the subject property is in alignment with all the previously stated plans. Ms. Ross stated her plan is to totally rehab this building. She stated that last week she received a citation from the Working in Neighborhoods (WIN) department because of the graffiti defacing the building. She stated she spoke with the WIN Inspector, and he understands what she is trying to do to get things into compliance. Ms. Ross stated she has read some of the neighbor's opposition letters and they were insensitive, in many ways, and it made her question their concerns and real motivation behind the opposition. She stated she wanted to work together with the

neighborhood to make this a successful venture. Ms. Ross stated another concern of the neighborhood is traffic. She stated Yale Avenue is a major road and 4<sup>th</sup> Street is a residential feeder street both of which have a lot of traffic associated with it. Ms. Ross stated a lot of the opposition is coming from the White City neighborhood. Ms. Ross stated the subject property is roughly 2300 square feet and there is a huge difference in the rental rate for a commercial property lease versus an office light property lease. She stated the lease rates are down and the vacancy rates are up because a lot of offices are now working remotely. Ms. Ross stated the current vacancy rate is 38%.

Mr. Covey asked when the applicant bought the subject property.

Ms. Ross stated February of this year.

Mr. Covey asked if she bought the property knowing it was zoned OL.

Ms. Ross stated "yes". She stated the previous owner shared with her the rezoning experience and also shared with her that the church wanted him to donate the building to the church and when he said no, he experienced the wrath of making things happen that were not in his favor.

Mr. Covey asked if the applicant is related to the gentleman that presented this item at the last TMAPC meeting.

Ms. Ross stated, "yes".

Mr. Covey stated this case was continued to discuss limiting the uses to not allow a dispensary.

Ms. Ross stated as a health care provider she is on the front line of life and death every day and does not see anything wrong with a dispensary being in that location if they have a benefit business concept. She stated there are 369,000 medical marijuana card holders in the state. She stated being at the bedside of a bone cancer patient that is maxed out on morphine or other drugs she appreciates someone that wants an alternative option to opioids.

Mr. Walker asked if the applicant would consider removing the dispensary use in the application.

Ms. Ross stated, "no". She stated she would like to keep her options open. Ms. Ross stated there are state regulations that can tell you where dispensary should go and can go and if someone has a problem with a dispensary, they should have problem with Walgreens or CVS. She stated it is only legal for medical use.

**Interested Parties:**

**Gwen Palace** 4703 East 8th Street, Tulsa, OK 74112

Ms. Palace stated she lives 4 short residential blocks away from the subject property. She stated that she has lived there since 1991. Ms. Palace stated she is a retired teacher having taught most of her career at Monroe Middle School, Wilson Middle School and Booker T. Washington. She stated she attends church in a somewhat adjacent neighborhood Kendall Whittier so this area is her life. Ms. Palace stated Turner Park is one of the historic neighborhoods in this area. The homes were built in the 1940's for workers of the Douglas B24 Plant. They were comprised of young families with children. She stated now they are seniors and elders in the community and single people as well. Ms. Palace stated White City is an adjoining neighborhood. It was built on the White City dairy farm in the 1920's and 1930's. She stated it is called White City because of the distinctive characteristic of the dairy farm with the white barns and is on the National Historic Register of Places. Ms. Palace stated these 2 neighborhoods are separated by Yale Avenue. She stated there is no commercial property in this area. All of the commercial activity in the neighborhoods was designed and is located either on Admiral Boulevard or 11th Street along Yale Avenue. Ms. Palace stated she wants the subject property to remain Office Light as it has been for decades. She stated there were a lot of emails that the Planning Commission received supporting this application but after mapping the addresses on Google Maps everyone of those emails that were on the template form were far beyond the vicinity. Ms. Palace asked why are so many people that are very far from our neighborhood so concerned with the small rezoning of this property. She stated they all wrote identical letters or extremely similar worded letters and as a teacher we call this plagiarism. Ms. Palace stated the neighbors would like something that is in character with their neighborhood and supporting their quality of life as a unique community in long standing presence. She stated they would like to see a specific plan from the applicant other than she is going to lease the property out. Ms. Palace stated she likes the idea that the applicant wants a long-term stable business in the area, but it needs to be something that is supported by the neighborhood.

Mr. Craddock asked if Ms. Palace had ever visited this property and when it was a convenience store.

Ms. Palace stated, "yes", her insurance company agent was right on the corner. Her doctor was at 15th and Yale. Her whole life is in this community. Ms. Palace stated the problem with the property as a functioning convenience store is the ingress and the egress, especially the egress. She stated it is very difficult to get out of the parking lot and it is her understanding that with the new requirements of the right of way, the parking lot will be further reduced for this property if development takes place, so it is going to be even more difficult to get into and out of.

Mr. Walker left at 1:33pm and returned at 1:35pm.

**David Dryer** 5110 South Yale Avenue, STE 430, Tulsa, OK 74135

Mr. Dryer stated he is the Deacon at the Braveheart Baptist Church. He stated he specifically wants to address the comment about the church wanting the owner of the subject property to give the subject property to the church. Mr. Dryer stated the

church at no time ever pressured anyone to donate the subject property. He stated it was offered based on some plans that the owner had discussed but to raise the issue that the church somehow put pressure on this individual is 110% wrong. Mr. Dryer stated the applicant stated they purchased the property, but land records do not show an actual sale. He stated he would hope this Commission would look at the impact on the community. The building has been neglected and is in disarray but to add something to the community that would be more injurious, such as a dispensary, would be harmful to the church and the area. Mr. Dryer stated there is pending legislation now with the state that is going to restrict dispensaries to being 1000 feet away from churches because our legislature missed that part of their code. He stated that he suspects this may be an opportunity to try and get it under the radar before that law goes into effect, which would prohibit a dispensary there. Mr. Dryer stated this Commission approved this application previously and then met with a unanimous decision by the City Council to deny it based on the fact that the City Council at the time was told the applicant would not do a dispensary and now we are faced with the same issue. Mr. Dryer stated he thinks this would be very injurious to the neighborhood. He said the neighbors do not want it and they would not patronize it. Mr. Dryer stated they request the Planning Commission leave it as office light.

**Patricia Martin** 515 South Zurich Avenue, Tulsa, OK 74112

Ms. Martin stated she does not know anyone who has been contacted to meet and greet Ms. Ross. She stated she wrote a letter requesting the zoning stay the same OL. She stated her reasons are in the letter and based on the traffic, when the neighborhoods were platted and the recent decision of the City Council and basically that it is too busy for commercial use. Ms. Martin stated she does not anticipate supporting any retail sales establishment at that corner. The property needs to remain office.

**Susan Socha** 543 South Pittsburg Avenue, Tulsa, OK 74112

Ms. Socha stated she is part of the Organizing Committee of the Turner Park Neighborhood Association. She stated on behalf of the Association they would like to work with the property owner to build a reciprocal community building relationship. Ms. Socha stated they want this property to be developed because it is an eyesore, but they support community-oriented development that is safe for all aspects including the traffic aspect. She stated the property is landlocked, it is surrounded on all four sides and cannot expand to improve any kind of traffic problems or parking. Ms. Socha stated she opposes the dispensary because there are three schools in the neighborhood all of which would find additional problems with student drug use. She stated for these reasons, the neighborhood cannot support the rezoning of the property to CS.

**Chyla Gibbs** 4905 E 4th Place, Tulsa, OK 74112

Ms. Gibbs stated she represents the Tiny Buddy's Daycare Center on the corner of 4<sup>th</sup> Place and Yale Avenue. She stated it has recently been brought to my attention that the unoccupied dwelling on the opposite corner of the daycare is in the pursuance of a zoning change. Ms. Gibbs stated as someone who has recently dealt

with this process in obtaining a Special Exception to operate the daycare at the current location, she completely understands the hardship that the current owner of the subject property is facing. She stated the property has sat empty for several years and has attracted vandalism of all kinds, which has made the property unattractive to potential renters. Ms. Gibbs stated she knows very little about the previous owner outside of the fact that he allowed the property to deteriorate to its current state and learning the news that someone had purchased the property and is seeking to obtain a change of the zoning so that a business could be put in and possibly bring revenue to the neighborhood, she was in full support. She stated she grew up in White City neighborhood and her grandmother was a resident since the 1950s. Ms. Gibbs stated she has been there for 16 years. She stated the subject property used to be a gas station and when the City expanded Yale Avenue it hurt businesses in that area. Ms. Gibbs stated the current owner is unable to use the building in the manner which she wants under the current zoning code. She stated she is unaware of what the current owner wants to put in, but she thinks the new owner does not want to put anything unsavory at the location but instead wants to change the current status of the building for the better and Ms. Gibbs is all for that.

**Shane Bevel** 816 South Jamestown Avenue, Tulsa, OK 74112

Mr. Bevel stated he owns three investment properties within the confines of Turner Park near this building. He stated the neighborhood that was presented by the applicant is not the neighborhood he lives in. The neighborhood he lives in is filled with wonderful people and families of all ages and has some crime like all of Midtown neighborhoods. Mr. Bevel stated he does not know if the mean price of houses is really \$96,000. He stated he needs to have a conversation with the Tax Assessor because that is not what he is charging him for his property. Mr. Bevel stated he does not know what any of that has to do with residents having input in what happens in their neighborhood. He stated when he bought every single one of his properties, he knew how they were zoned, and how he could use them. Mr. Bevel stated had he wanted to use them in some other way he probably would have bought a different property or would have made those changes before purchasing the property. He stated he has been through the zoning process a couple of times both on the BOA side and on the side where he was for and against different rezonings. Mr. Bevel stated it is the one opportunity in a world where he very much believes in private property rights and for neighbors to have input on what is done with property near them. He stated that is why they are here. All of these neighbors are saying the same thing that they do not want this rezoned to CS because they do not want another dispensary. Mr. Bevel stated this area does not get the fancy dispensaries that are on Peoria or downtown they get the dispensaries that move in and paint the entire front of the building with some obnoxious color, put a cannabis leaf on it then make no further improvements and open their doors. He stated that is not a good look for the community and not what they want.

**Darryl DeBorde** 4739 E Fifth Street, Tulsa, OK 74112

Mr. DeBorde stated he is the pastor at Braden Park Baptist Church formerly known as the White City Baptist Church. He stated he has been the pastor since 1973. Mr.



DeBorde stated he previously helped negotiate with Git-N-Go to open a store in this location after receiving a variance. Mr. DeBorde stated he worked with staff on a bond issue that redesigned 11th street and Yale and that whole community as a corridor. He stated he helped develop the Route 66 Business Association for that part of town and part of the goal was to keep Yale Avenue from the expressway south to 15th Street as a classic neighborhood. Mr. DeBorde stated there is no commercial building on Yale Avenue. It is classic homes and churches that represent what this community looked like in the 50s and the 60s to go with a Route 66 theme. He stated this neighborhood also provides an entrance for the fairgrounds and all the activities that happen there. Mr. DeBorde stated what the neighborhood is asking is that the Planning Commission keep the OL zoning. He stated the owner has neglected the subject property for six years and lost the variance for commercial use. Mr. DeBorde stated they want an acceptable business that is not predatory, or exploitative, or inappropriate for being next to a church and in this community strip.

**Applicant's Rebuttal:**

The applicant stated it is 2023 and not 1921. She stated the City of Tulsa has evolved. The applicant stated she would encourage everyone to use their imagination and see how great this corner could be with the commercial site instead of thinking about all the bad things that could come with it. She stated she is going to use common sense and involve the neighborhood if they want to be involved in a pleasant way to work with the applicant to make sure that it is a win for both sides. The applicant stated she does not want anything to be predatory or to create a hardship for the church but what she has found looking at the zoning notes in the records is that this neighborhood has a trend of challenging everything. She stated right now they are allies with the church but not too long ago they were mad because the church wanted a digital sign, so it just depends how they wake up in the morning. The applicant stated she could see a coffee shop or donut shop at this location, but she needs to make sure that something is there because she does not have the liberty like the previous owner to have a building sit and be empty. The applicant stated she is asking the Planning Commission to consider approving this again, as they did before. She stated she spoke with City Councilor Bellis this morning and she was supportive. The applicant stated Councilor Bellis let her know that she was getting text messages from some of the people that attend this meeting, and some comments were made in those messages that did not give her a good feeling about walking in this room today. But she still walked in here because she believes in what she is doing. The applicant stated she knew this site had OL zoning when she bought it but thought TMAPC would approve it again because it has been out of compliance all these years. She stated she feels like she can make a difference in this neighborhood. The applicant stated the speakers mentioned several times that this could be a facility for medical providers, but a lot are no longer officing in the buildings but instead choose to work from home. She stated that is just an example of why she wants to change the zoning because with OL she will have that same issue.

Mr. Humphrey asked if the applicant was aware that this application would have to go back to the City Council who rescinded the previous approval. He stated he thinks

this is a perfect corner for commercial but believes the applicant will have a difficult road without adding the optional development plan assuring the neighbors that this will not be a dispensary.

The applicant stated “yes” that was part of the purpose of meeting with Councilor Bellis this morning. She stated that Councilor Bellis offered to help her get in contact with the leaders of the neighborhood organization.

Mr. Craddock asked staff if the building square footage and the parking ratio match the proper zoning right now.

Staff stated once the zoning is in place the applicant will work with Development Services because there is such a wide variety of required parking depending on the use.

**TMAPC Comments:**

Mr. Whitlock stated this has been before us a couple of times. He stated they approved this previously and he will be voting in favor of this because vacant buildings are not good, and a plan is better than no plan. Mr. Whitlock stated this company is willing to put up resources to increase the business and the quality of that corner. He stated no one wants to see graffiti every day.

Mr. Covey stated he previously voted in favor of this application but has changed his mind. He stated the property owner bought the property knowing the current zoning. She did not make it contingent upon obtaining a CS zoning. Mr. Covey stated the neighbors are now saying they did not necessarily like it when it was a convenience store, and they want to keep the OL zoning that is currently there. He stated the City Council unanimously voted this down about a year ago. Mr. Covey stated the biggest thing that weighs on him at today’s hearing is that the applicant is unwilling to omit the dispensary use that the neighbors requested. He stated that does not make any sense to him to jeopardize getting the CS zoning just for carving out the dispensary use.

Ms. Carr stated she agrees with that. She stated the applicant made a lot of good points, but she would not want a dispensary in her neighborhood. But she does not want any more dispensaries anywhere. Ms. Carr stated that she would consider CS if the applicant would carve out the dispensary use.

Mr. Hood stated he feels like there is a lot of common ground between the two sides with both wanting this to be a better neighborhood and wanting to see something there that is going to help the neighborhood. He stated the neighborhood asked to remove the dispensary use and the applicant decided not to do that. one thing that could help get this approved.

Mr. Humphrey stated he is pro-business but thinks the applicant should go to the highest and best use for the subject property and he is not sure if it is a dispensary or

not. He stated this is a busy intersection and the neighbors do not want the traffic, but it is the traffic that actually brings these customers to the area to allow them to be successful. Mr. Humphrey stated there are a lot of laws that need to be checked to see if this works at all. He stated his concern is that opposition in this area will continue to keep this building empty and deteriorating. Mr. Humphrey stated he will be voting to approve CS.

Mr. Craddock stated this property has been a commercial shopping designated property for decades and he does not know why this board and city allowed it to be OL. He stated this neighborhood has seen the up and down of this commercial property, they may want it to go away but it is a small enough property, and it may be finally getting the correct zoning. Mr. Craddock stated he would be supporting it.

Mr. Shivel stated he has heard so many suggestions from the community that they would be supportive of this application and would assist in this development being successful to the degree that they could as long as it is not a dispensary. He stated he will be voting to deny this application.

**TMAPC Action; 9 members present:**

On **MOTION** of **WALKER**, the TMAPC voted 5-4-0(Craddock, Humphrey, Krug, Walker, Whitlock, “aye”; Carr, Covey, Hood, Shivel, “nays”; none “abstaining”; Bayles, Zalk, “absent”) to recommend **APPROVAL** of the CS zoning without the optional development plan for Z-7699 per staff recommendation.

**Legal Description for Z-7699:**

LT 1 & N95.7 LT 2 LESS BEG NEC LT 1 TH S28 W8 N12 NW14.14 W7 N6 E25 POB BLK 1, KENDALL VIEW ADDN, City of Tulsa, Tulsa County, State of Oklahoma

\* \* \* \* \*

6. **CZ-542 Tom Schick** (County) Location: East of the southeast corner of North Yale Avenue and East 92<sup>nd</sup> Street North requesting rezoning from **RE to AG** to permit agricultural uses

**STAFF RECOMMENDATION:**

**SECTION I: CZ-542**

**DEVELOPMENT CONCEPT:** The applicant is proposing to rezone the subject parcels from RE to AG. The applicant intends to utilize the land for Agricultural, specifically for the raising and care of agricultural animals, which would not be allowed in the RE zoning district. The site lies within the Rural Residential/Agricultural land use designation of the North Tulsa County Land Use Plan which has been adopted as part of the Tulsa County Comprehensive Plan. This proposed rezoning would be compatible with this designation.

**DETAILED STAFF RECOMMENDATION:**

CZ-542 is non-injurious to surrounding proximate properties;

CZ-542 is compatible with the Rural Residential Land/Agricultural Land Use designation of the Tulsa County Comprehensive Plan;

CZ-542 is consistent with the anticipated future development pattern of the surrounding property therefore;

**Staff recommends Approval of CZ-542 to rezone property from RE to AG.**

**SECTION II: Supporting Documentation**

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: The North Tulsa County area lies north of East 56th Street North and borders the Sperry and Skiatook fencelines on the west, the Collinsville fenceline on the north, and the Owasso Fenceline on the east. There is a separate portion the lies northeast of the Collinsville fenceline. The majority of the North Tulsa County Area was previously included in the North Tulsa County Comprehensive Plan (Cherokee Corridor) as a part of the Tulsa Metropolitan Comprehensive Plan. Public Input North Tulsa County is an area of about 2,100 people and roughly 750 households. The public process began with an area-wide survey which was shared throughout the area. An advisory team was formed and gave valuable information about the community and continued to submit feedback as the Future Land Use map was created for North Tulsa County.*

Land Use Vision:

*Land Use Plan map designation: Rural Residential/Agricultural*

*Land that is sparsely occupied and used primarily for farmland, agricultural uses, and single-family homes on large lots. Residential lots generally range from one-half acre or greater and may use on-site services where public utilities are not available.*

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

Transportation Vision:

*Major Street and Highway Plan: E 92<sup>nd</sup> St N does not have a designation.*

*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 currently vacant agricultural land*

Environmental Considerations: None

Streets:

<b>Existing Access</b>	<b>MSHP Design</b>	<b>MSHP R/W</b>	<b>Exist. # Lanes</b>
E 92 <sup>nd</sup> St N	None	N/A	2

**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	RE	Rural Residential/Agricultural	N/A	Agricultural
South	RE	Rural Residential/Agricultural	N/A	Agricultural
East	RE	Rural Residential/Agricultural	N/A	Single-Family
West	RE	Rural Residential/Agricultural	N/A	Single-Family

**SECTION III: Relevant Zoning History**

**History: CZ-542**

**ZONING ORDINANCE:** Ordinance number 98254 dated September 15, 1980, established zoning for the subject property.

***Surrounding Property:***

**CBOA-2725 December 2018:** The Board of Adjustment **approved** a *Special Exception* to permit a manufactured home in an RE District & a Variance to permit two dwelling units on a single lot of record, on property located at 9029 N. Yale Ave. E.

**Applicant Comments:**

Mr Craddock asked what it meant in the staff report where it talks about the raising and care of agricultural animals.

The applicant stated he has horses and needs more grazing land for them. He stated he purchased the subject property with the intent of getting the zoning change to run horses.

Mr. Craddock asked if the applicant lived nearby.

He stated he lives on one property to the east of the subject property.

**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 **WALKER**, the TMAPC voted 9-0-0(Carr, Covey, Craddock, Hood, Humphrey, Krug, Shivel, Walker, Whitlock, "aye"; no "nays"; none "abstaining"; Bayles, Zalk, "absent") to recommend **APPROVAL** of the AG zoning for CZ-542 per staff recommendation.

**Legal Description for CZ-542:**

BEG 1105.4E SWC S/2 NW E221.08 N493.77 W221.08 S493.77 POB LESS N50 THEREOF FOR RD SEC 22 21 13 2.252ACS; BEG 884.32E SWC S/2 NW E221.08 N493.77 W221.08 S493.77 POB LESS N50 THEREOF FOR RD SEC 22 21 13 2.252ACS, City of Tulsa, Tulsa County, State of Oklahoma

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7. **Z-7706 John Libby Jr.** (CD 3) Location: North of the northeast corner of East 36<sup>th</sup> Street North and Highway 169 requesting rezoning from **AG to IM**

**STAFF RECOMMENDATION:**

**SECTION I: Z-7706**

**DEVELOPMENT CONCEPT:** The applicant is proposing a rezoning of unplatted AG (Agriculture) zoned property to IM (Industrial-Moderate). The subject tract is located within the Employment designation of the City of Tulsa Comprehensive Plan. Surrounding properties consist of a mixture of IM (Industrial – Moderate) and IH (Industrial – High) zoning districts with one remaining AG (Agriculture) tract to the south.

**DETAILED STAFF RECOMMENDATION:**

Provisions of the IM district are consistent with the Employment designation of the comprehensive plan. The property is located within the Highway 169 corridor and is adjacent to similarly zoned properties.

The IM district is in harmony with the existing and expected development of the area.

Staff recommends approval of Z-7706 to rezone property from AG to IM.

**SECTION II: Supporting Documentation**

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

***Staff Summary:** The subject tract is located within an area designated as “Employment” by the comprehensive plan. The location of the subject tract within a major highway corridor combined with the existing zoning pattern in the area support the rezoning of the tract from an AG designation to the IM designation.*

**Land Use Vision:**

***Land Use Plan map designation: Employment***

**Employment** areas contain office, warehousing, light manufacturing and high tech uses such as clean manufacturing or information technology. Sometimes big-box retail or warehouse retail clubs are found in these areas. These areas are distinguished from mixed-use centers in that they have few residences and typically have more extensive commercial activity.

Employment areas require access to major arterials or interstates. Those areas, with manufacturing and warehousing uses must be able to accommodate extensive truck traffic, and rail in some instances. Due to the special transportation requirements of these districts, attention to design, screening and open space buffering is necessary when employment districts are near other districts that include moderate residential use.

**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:** The subject tract frontage is along the Highway 169 frontage road/North Garnett Road. This area of North Garnett Road is designated as a secondary arterial on the Major Street and Highway Plan.

**Trail System Master Plan Considerations:** None.

**Small Area Plan:** None.

**Special District Considerations:** None.

**Historic Preservation Overlay:** None.

**DESCRIPTION OF EXISTING CONDITIONS:**

**Staff Summary:** *The subject tract is currently vacant.*

**Environmental Considerations:** Western portions of the subject tract are impacted by both FEMA and City of Tulsa regulatory floodplain boundaries. Development within floodplain areas is required to comply with City of Tulsa ordinances.

**Streets:**

Existing Access	MSHP Design	MSHP R/W	Exist. # Lanes
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North Garnett Road	Secondary Arterial	100'	2
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**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	Employment	Growth	Vacant
East	IH	Employment	Growth	Vacant
South	AG	Employment	Growth	Vacant
West	Highway 169			

**SECTION III: Relevant Zoning History**

**History: Z-7706**

**ZONING ORDINANCE:** Ordinance number 11804 dated June 26, 1970, established zoning for the subject property.

***Surrounding Property:***

**BOA-21976 October 2015:** The Board of Adjustment **approved** a *Verification* of the spacing requirement for an outdoor advertising sign of 1,200 ft. from another outdoor advertising sign on the same side of the highway and a *Verification* of the spacing requirement for 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 4041 N. Garnett Road East.

**BOA-20855 January 2009:** The Board of Adjustment **approved** a *Verification* of the spacing requirement for an outdoor advertising sign of 1,200 ft. from another outdoor advertising sign on the same side of the highway, on property located at 4041 N. Garnett Road.

**Z-6837 October 2001:** All concurred in **approval** of a request for *rezoning* a tract of land from AG to IH on property located.

**Z-4509 September 1973:** All concurred in **approval** of a request for *rezoning* a tract of land from AG to IM on property located N/2 of the NW/4 of SW/4 of Section 17 Township 20 North Range 14 East.

**The applicant was not present.**

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

**TMAPC Action; 9 members present:**

On **MOTION** of **WALKER**, the TMAPC voted 9-0-0(Carr, Covey, Craddock, Hood, Humphrey, Krug, Shivel, Walker, Whitlock, “aye”; no “nays”; none “abstaining”; Bayles, Zalk, “absent”) to recommend **APPROVAL** of the IM zoning for Z-7706 per staff recommendation.

**Legal Description for Z-7706:**

S/2 SW NW LESS S315.01 THEREOF SEC 17 20 14 10.589ACS, City of Tulsa,  
Tulsa County, State of Oklahoma

\* \* \* \* \*

8. **Z-7707 Peter Nguyen** (CD 6) Location: East of the southeast corner of East Admiral Place and South 177<sup>th</sup> East Avenue requesting rezoning from **AG-R to CG with an optional development plan**

**STAFF RECOMMENDATION:**

**SECTION I: Z-7707**

**DEVELOPMENT CONCEPT:** The applicant has submitted a rezoning request to change the subject tract from AG-R to CG with an optional development plan. The development plan will limit uses and provide development standards that help integrate the commercial site with the existing surrounding properties. The development plan will provide design specifics along the south boundary of the tract creating a substantial buffer against the abutting residential properties.

**DETAILED STAFF RECOMMENDATION:**

Z-7707 is a request to rezone the subject tract from AG-R to CG with an optional development plan. Uses and supplemental standards included in the CG district are consistent with the mixed-use corridor land use designation, and

Included with the application is an optional development plan that provides additional protections for the neighborhood south and the residential property east of the subject tract and,

The development plan outlined in Section II below provides additional design considerations important for adjacent property owners and is consistent with the development plan provisions of the Tulsa Zoning Code therefore,

With the inclusion of the optional development plan standards, the CG zoning is consistent with the Mixed-Use Corridor land use recommendations of the Tulsa Comprehensive Plan and staff recommends approval of Z-7707 to rezone property from AG-R to CG with an optional development plan.

## **SECTION II: Z-7707 OPTIONAL DEVELOPMENT PLAN STANDARDS:**

The development plan standards will conform to the provisions of the Tulsa Zoning Code for development in a Commercial Shopping (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** (if in allowed residential building types identified below)

- Single household
- Two households on single lot
- 3 or more households on single lot

#### **PUBLIC, CIVIC, AND INSTITUTIONAL**

- Day Care
- Library or Cultural Exhibit
- Parks and Recreation
- Religious Assembly

#### **COMMERCIAL**

- Animal Service
  - Boarding or Shelter
  - Grooming
  - Veterinary
- Broadcast or Recording Studio
- Commercial Service
  - Building service
  - Business support service
  - Consumer maintenance/repair service
  - Personal improvement service
  - Research Service
- Financial Services
- Office
  - Business or professional office
  - Medical, dental or health practitioner office
- Restaurants and Bars
  - Restaurant
- Retail Sales
  - Building supplies and equipment
  - Consumer shopping goods
  - Convenience goods
  - Grocery store

Small box discount store  
Medical Marijuana dispensary  
Self-service Storage Facility  
Studio, Artist, or Instructional Service  
Trade School

**WHOLESALE, DISTRIBUTION, & STORAGE**

Equipment & Materials Storage, Outdoor  
Warehouse  
Wholesale Sales and Distribution

**AGRICULTURAL**

Community Garden  
Farm, Market-or Community-supported

**RESIDENTIAL BUILDING TYPES:**

**HOUSEHOLD LIVING**

Single Household  
Mixed-Use Building  
Vertical Mixed-Use Building  
Two households on single lot  
Mixed-Use Building  
Vertical Mixed-Use Building  
Three or more households on single lot  
Mixed-Use Building  
Vertical Mixed-Use Building

**SITE DEVELOPMENT REQUIREMENTS:**

Construction and Lot Development will conform to the CG regulations as described in the Tulsa Zoning Code, with the following additional requirements:

Setbacks Requirements:

- a. Buildings, parking, and outdoor storage of any kind are prohibited within 10 feet on the north 200' of the East boundary of the subject tract as measured from the planned right of way line of East Admiral Place.
- b. Buildings, parking, and outdoor storage of any kind are prohibited within 30 feet of the remainder of the East property line.
- c. Buildings, parking, and outdoor storage of any kind are prohibited within 30 feet of the South boundary of the subject tract.
- d. Overhead doors are prohibited within 100' of the east and south boundary of the subject tract.
- e. Dumpsters are prohibited within 100' of the east and south boundary of the subject tract.

Signage shall conform to the provisions of the CG district except the following standards apply.

- a. Illuminated wall signage facing east or south is prohibited:
- b. Ground signage is prohibited within 100 feet of the south or east boundaries of the subject tract.

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

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

The CG zoning request is consistent with the Mixed-Use Corridor land use designation. The optional development plan provides protections for the existing neighborhood adjacent to the subject site.

#### **Land Use Vision:**

Land Use Plan: Mixed-Use Corridor

A Mixed-Use Corridor is a plan category used in areas surrounding Tulsa's modern thoroughfares that pair high-capacity transportation facilities with housing, commercial, and employment uses. The streets usually have four or more travel lanes, and sometimes additional lanes dedicated for transit and bicycle use. The pedestrian realm includes sidewalks separated from traffic by street trees, medians, and parallel parking strips. Pedestrian crossings are designed so they are highly visible and make use of the shortest path across a street. Buildings along Mixed-Use Corridors include windows and storefronts along the sidewalk, with automobile parking generally located on the side or behind. Off the main travel route, land uses include multifamily housing, small lot, and townhouse developments, which step down intensities to integrate with single family neighborhoods.

#### ***Areas of Stability and Growth: 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.

#### **Transportation Vision:**

*Major Street and Highway Plan:* East Admiral Place is a Secondary Arterial

*Trail System Master Plan Considerations: None*

**Small Area Plan:** None

**Special District Considerations:** None

**Historic Preservation Overlay:** None

**DESCRIPTION OF EXISTING CONDITIONS:**

View from Admiral looking south. The site is currently vacant.



**Environmental Considerations:**

**Streets:**

Existing Access	MSHP Design	MSHP R/W	Exist. # Lanes
East Admiral Place	Secondary Arterial	100'	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-1	Employment	Growth	Residential
East	AG-R	Mixed-Use Corridor	Growth	Residential
South	RD	Existing Neighborhood	Stability	Residential
West	CS/PUD-290-A	Mixed-Use Corridor	Growth	Mini Storage

### SECTION III: Relevant Zoning History

**History: Z-7707 w/ ODP**

***Subject Property:***

**ZONING ORDINANCE:** Ordinance number 11818 dated June 26, 1970, & Ordinance number 24881 dated August 14, 2022, established zoning for the subject property.

**Z-7658 August 2022:** All concurred in **approval** of a request for *rezoning* a tract of land from RS-1 to AG-R on property located 18116 East Admiral Place South.

***Surrounding Property:***

**Z-7658 August 2022:** All concurred in **approval** of a request for *rezoning* a 129.71± acre tract of land from RS-1, RE & RS-3 to AG-R on property located 33 properties S of the SE/c of E Admiral PI and S. 161<sup>st</sup> E.

**Z-7623 w/ ODP June 2022:** All concurred in **approval** of a request for *rezoning* a 89.62± acre tract of land from AG to RS-4 on property located South and East of the Southeast corner of east Admiral Place & South Lynn Lane Road.

**Z-7327 Rel. PUD-290-A June 2016:** All concurred in **approval** of a request for *rezoning* a 4.6± acre tract of land from AG, OL & PUD-290 to CS & PUD-290-A on property located East of the southeast corner of South 177<sup>th</sup> East Avenue and East Admiral Place North.

**BOA-20585 October 2007:** The Board of Adjustment **approved** a *Special Exception* to permit (Use Unit 5) accessory church use (parking) in an RS-1 district; & a *Special Exception* to permit required parking on a lot other than the one containing the principal use, on property located at SE/c of E. Admiral PI and South 183<sup>rd</sup> E. Ave.

**BOA-14494 July 1987:** The Board of Adjustment **approved** a *Special Exception* to permit a mobile home in an RS-1 zoned district & a *Variance* of the time regulation

from 1 year to permanently & a *Variance* to allow for 2 dwellings on one lot of record, on property located at 18101 East Admiral Place.

**Z-6135 February 1987:** All concurred in **approval** of a request for *rezoning* a tract of land from RS-1 to IL on property located 18125 E. Admiral Place N.

**BOA-13608 June 1985:** The Board of Adjustment **approved** a *Special Exception* to permit mobile home (2) in an RS-1 zoned district & a *Variance* to allow two mobile homes per lot and to permit the mobile homes permanently & a *Variance* to allow two dwelling units (mobile homes) per lot of record, on property located at 18101 East Admiral Place.

**BOA-12214 September 1982:** The Board of Adjustment **approved** a *Special Exception* to permit mobile home in an RS-1 district, on property located at 18101 East Admiral Place.

**PUD-290 August 1982:** All concurred in **approval** of a proposed *Planned Unit Development* on a 4.59± acre tract of land for on property located East of SE corner of South 177<sup>th</sup> east Avenue & East Admiral Place.

**BOA-11553 July 1981:** The Board of Adjustment **approved** a *Special Exception* to permit a day care center as an operation of a church in an RS-3 District, on property located at 18210 East Admiral Place.

**BOA-11188 September 1980:** The Board of Adjustment **denied** a *Special Exception* to permit a mobile home in an RS-1 District, on property located at South and East of Admiral Place and 177<sup>th</sup> East Avenue.

**BOA-9460 April 1977:** The Board of Adjustment **approved** a *Variance* to permit side yard requirements from 10' to 5' to permit 5' on each side of single-family dwellings to be constructed in an RD District, on property located at South 181<sup>st</sup> East Avenue between 2<sup>nd</sup> Street and 4<sup>th</sup> Street.

**BOA-6720 September 1970:** The Board of Adjustment **approved** a *Special Exception* to permit erecting a church and operating a day nursery in an RS-3 district, on property located at 183<sup>rd</sup> East Avenue and Admiral.

**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 **WALKER**, the TMAPC voted 9-0-0(Carr, Covey, Craddock, Hood, Humphrey, Krug, Shivel, Walker, Whitlock, "aye"; no "nays"; none "abstaining"; Bayles, Zalk, "absent") to recommend **APPROVAL** of the CG zoning with an optional development plan for Z-7707 per staff recommendation.



**Legal Description for Z-7707:**

The West 195 feet of Lot Six (6), Section One (1). Township Nineteen (19) North, Range Fourteen (14) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the United States Government Survey thereof.

\* \* \* \* \*

- 9. **Z-7708 Deborah Palinskee** (CD 3) Location: Southeast corner of East Apache Street and North Yale Avenue requesting rezoning from **OL, CG and RS-3 to CG**

**STAFF RECOMMENDATION:**

**SECTION I: Z-7708**

DEVELOPMENT CONCEPT: The immediate goal for this request is to allow Office complex with small warehouses that includes Equipment & Materials Storage Outdoors. The middle portion of the subject tract is zoned OL, the east portion is zoned RS-3 and the remainder is zoned CG. The CG zoning category allows that service without rezoning.

**DETAILED STAFF RECOMMENDATION:**

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 pedestrians and local traffic. CG zoning allows a development pattern that is consistent with the neighborhood Center concept and,

Uses allowed in the CG district are consistent with the expected development in the area therefore,

Staff recommends Approval of Z-7708 to rezone property from OL, CG & RS-3 to CG as requested by the applicant.

**SECTION II: Supporting Documentation**

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

*Staff Summary: The requested CG zoning on this site can provide a small-scale version of a Neighborhood Center.*

**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:**

Multi Modal Corridor: North Yale Avenue is considered a multimodal 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 to 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:** None

**Staff Summary:** *The site is undeveloped and vacant. The middle and east of the property is partially zoned OL and RS-3 and undeveloped.*

**Environmental Considerations:** None that would affect site redevelopment.

**Streets:**

Existing Access	MSHP Design	MSHP R/W	Exist. # Lanes
North Yale E. Ave.	Secondary arterial with Multi Modal Corridor Street designation	100 feet	6 Lanes with median 4 north bound. 2 south bound.
East Apache	Secondary Arterial	100 feet	6 lanes with median. Two east bound. 4 west bound.

**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	CG, OL & RS-3	Vacant	Area of Growth	City of Tulsa ownership used for Apache Street widening.

East	RS-3	Existing Neighborhood	Area of Growth	Single Family Homes
South	CG, OL & RS-3	Neighborhood Center	Area of Growth	Religious Assembly
West	CS	Neighborhood Center	Area of Growth	Small scale convenience store

### SECTION III: Relevant Zoning History

**History: Z-7708**

***Subject Property:***

**ZONING ORDINANCE:** Ordinance number 11910 dated June 26, 1970, established zoning. Ordinance number 12524 dated July 21<sup>st</sup> July 21<sup>st</sup>, 1972, re-established the same zoning for the subject property.

***Surrounding Property:***

**BOA-22807 November 2019:** The Board of Adjustment **approved** a *Verification* of the 1,000 spacing requirements for a medical marijuana dispensary from another medical marijuana dispensary, on property located at 2400 N. Yale Avenue East.

**BOA-21934 July 2015:** The Board of Adjustment **approved** a *Special Exception* to permit a temporary concrete plant in an IL district for the length of 12 months, on property located at 4535 E. Apache St. N.

**BOA-18185 September 1998:** The Board of Adjustment **approved** a *Special Exception* to permit a night club in an IL zoned district, on property located at 2610 N. Yale.

**BOA-14349 January 1987:** The Board of Adjustment **approved** a *Variance* to permit signage from 201 sq. ft. to 335 sq. ft. to allow for an existing sign in IL zoned district, on property located at 2610 North Yale.

**BOA-13806 October 1985:** The Board of Adjustment **approved** a *Special Exception* to permit a convenience store in an IL zoned district, on property located at the NW/c of Yale and Apache.

**BOA-13420 January 1984:** The Board of Adjustment **approved** a *Special Exception* to permit an office warehouse in a CS zoned district & a *Variance* to permit the 110' setback from the centerline of Yale to 100' to permit a new building to align with

existing building to the north, on property located at the NW/c of Young Court and Yale Avenue.

**BOA-11524 June 1981:** The Board of Adjustment **approved** a *Special Exception* to permit a mobile home in an RS-3 district; & a *Variance* of the time limitation to permit a mobile home in an RS-3 district for more than one year, on property located at 2453 North Yale Avenue.

**BOA-8744 September 1975:** The Board of Adjustment **approved** a *Variance* to permit the setback requirements from 110' to 79' in a CS district, on property located at 2464 North Yale Avenue.

**BOA-8549 April 1975:** The Board of Adjustment **approved** a *Special Exception* to permit a car wash in a CS district, on property located at southwest of Apache Street and Yale Avenue.

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

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

**TMAPC Action; 9 members present:**

On **MOTION** of **WALKER**, the TMAPC voted 9-0-0(Carr, Covey, Craddock, Hood, Humphrey, Krug, Shivel, Walker, Whitlock, "aye"; no "nays"; none "abstaining"; Bayles, Zalk, "absent") to recommend **APPROVAL** of the CG zoning for Z-7708 per staff recommendation.

**Legal Description for Z-7708 :**

Lots Two (2), Three (3), and the North Half (N/2) of Lot Four (4), and the East 635.5 feet of the South Half CS/2) of Lot Four (4). and the East 635.5 feet of Lot Five (5). all in Block Three (3), S. R. LEWIS ADDITION to the Town of Dawson, now an Addition to the City of Tulsa. Tulsa County, State of Oklahoma, according to the recorded Plat thereof

\* \* \* \* \*

**10. Z-7709 Tanner Consulting, LLC** (CD 8) Location: South of East 121<sup>st</sup> Street South and West of South Sheridan Road (All of Enclave II at Addison Creek & 12300 Block of S Hudson Ave) requesting rezoning from **RS-3 to RS-4 with an optional development plan**

**STAFF RECOMMENDATION:**  
**SECTION I: Z-7709**

**DEVELOPMENT CONCEPT:**

Part of the east portion of the subject property was originally developed using the standards of a PUD 828. The platted boundary with Enclave II at Addison Creek

(part of the subject tract) did not match the PUD boundary and the PUD cannot be expanded so a portion of PUD 828 was abandoned leaving the underlying RS-3 zoning on a portion of the subject tract.

The development team has now requested RS-4 zoning with an optional development plan that covers all of Enclave II at Addison Creek and vacant land west of the platted boundary. The lot and building regulations defined in the development plan are similar to the original development pattern that covers the entire subject tract. Minimum lot sizes exceed RS-4 standards and match RS-3 lot sizes.

Street setbacks and open space requirements are all greater than the minimum standards in the standard RS-4 district and consistent with RS-3 development. The only building types allowed are detached single family homes.

Summary of Zoning Development Plan differences:

	RS-4 Zoning	<b>Development Plan standards</b>	RS-3 zoning
Lot area	5500 square feet	6900 square feet	6900 square feet
Minimum lot width	50 feet	60 feet	60 feet
Street Setbacks	20 feet	25 feet	25 feet
Minimum open space	2500 square feet	3250 square feet	4000 square feet

**DETAILED STAFF RECOMMENDATION:**

Z-7709 with the optional development plan provisions outlined in section II is consistent with the New Neighborhood vision of the Tulsa Comprehensive Plan and,

The applicants request for zoning change from RS-3 to RS-4 with the development plan standards defined is consistent with the expected development of surrounding properties and,

The development plan standards outlined in Section II are consistent with the provisions allowed by the optional development plan provisions in the Tulsa Zoning Code therefore,

Staff recommends Approval of Z-7709 to rezone property from RS-3 to RS-4 but only with the provisions outlined in Section II below.

**SECTION II: Z-7709 DEVELOPMENT STANDARDS:**

The optional development plan standards will conform to the provisions of the Tulsa Zoning Code for development in an RS-4 district with its supplemental regulations,

except as further refined and restricted below. All use categories, subcategories or specific uses and residential building types that are not listed in the following permitted uses categories are prohibited:

PERMITTED USE CATEGORY

- A) RESIDENTIAL  
Household Living (if in allowed building type identified below)  
Single household
- B) PUBLIC, CIVIC, AND INSTITUTIONAL  
Natural Resource Preservation
- C) COMMERCIAL  
Lodging (short-term rental)
- D) AGRICULTURAL  
Community Garden

RESIDENTIAL BUILDING TYPES

Single household  
Detached house.  
(note: Accessory dwelling units may be allowed by special exception on a lot occupied by a detached house. Supplemental regulations are provided in section 45.031 of the Tulsa zoning code)

LOT AND BUILDING REGULATIONS:

Detached House Minimum lot area:	6900 square feet.
Detached House Minimum Lot width	60 feet.
Minimum Street frontage	30 feet
Minimum Building setbacks	
Arterial street	35 feet
Other streets	25 feet
	<i>Note: For detached houses on corner lots, the minimum side street setback along a non-arterial street may be reduced to 15 feet, provided that the minimum setback for street-facing garage doors is 20 feet.</i>
Interior side	5 feet
Rear	20 feet
Minimum Open Space	3250 square feet

Maximum Building Height

35 feet

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

***Staff Summary:*** *Single family detached homes are consistent with the New Neighborhood Land use designation.*

**Land Use Vision:**

***Land Use Plan map designation: New Neighborhood***

The New Neighborhood residential building block is comprised of a plan category by the same name. It is intended for new communities developed on vacant land. These neighborhoods are comprised primarily of single-family homes on a range of lot sizes, but can include townhouses and low-rise apartments or condominiums. These areas should be designed to meet high standards of internal and external connectivity, and shall be paired with an existing or New Neighborhood or Town Center.

***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 subject property is partially platted as Enclave II at Addison Creek. The subdivision is a single family detached development. The west portion of the subject tract is not developed. The next phase of Enclave at Addison Creek will extend to Hudson Avenue. Significant common open space has been established along the south boundary of the site where stormwater management and common open space is integrated into the development. The existing lot sizes in Enclave II at Addison Creek are consistent with the standards of the development plan.*

**Environmental Considerations:** None that would affect site development

**Streets:**

Existing Access	MSHP Design	MSHP R/W	Exist. # Lanes
East 123 <sup>rd</sup> Street South	None	50 feet	2
East 125 <sup>th</sup> Street South	Residential Collector	60 feet	2
South Hudson Avenue	Residential Collector	60 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	New Neighborhood	Area of Growth	Undeveloped
East	RS-3 / PUD-828	New Neighborhood	Area of Growth	Single family detached homes

South	RS-3	New Neighborhood	Area of Growth	Single family detached homes
West	RS-3 / PUD-803	New Neighborhood	Area of Growth	Single family detached homes

**SECTION III: Relevant Zoning History**

**History: Z-7709**

***Subject Property:***

**ZONING ORDINANCE:** Ordinance number 23498 dated June 19, 2016, & Ordinance number 23307 dated June 19, 2015, established zoning for the subject property.

**PUD-828-A January 2023:** All concurred in **approval** for the abandonment of a portion of PUD 828. PUD-828-A is a major amendment that abandoned approximately 7.8 acres of PUD 828 that is the eastern portion of the subject tract.

**Z-7603 June 2021:** All concurred in **approval** of a request for *rezoning* a 20.010± acre tract of land from AG to RS-3 on property located S. of the SE/c of E. 121<sup>st</sup> St. S & S. Hudson.

**Z-7337 June 2016:** All concurred in **approval** of a request for *rezoning* a 64.01± acre tract of land from AG & RS-3 to RS-3 on property located South of SW/c of E. 121<sup>st</sup> St. & S. Sheridan Rd.

**Z-7295/PUD-828 June 2015:** All concurred in **approval** of a request to rezone a 30± acre tract of land from AG to RS-3 and **approval** of a proposed *Planned Unit Development* for Single-Family Residential, on property located SW of East 121<sup>st</sup> Street & South Sheridan Road.

***Surrounding Property:***

**Z-7470 April 2019:** All concurred in **approval** of a request for *rezoning* a 80± acre tract of land from RS-3 to CS on property located N. of NW/c of E. 131<sup>st</sup> St. S. & S. Sheridan Road.

**Z-7337 June 2016:** All concurred in **approval** of a request for *rezoning* a 64.01± acre tract of land from AG & RS-3 to RS-3 on property located South of SE/c of E. 121<sup>st</sup> St. & S. Sheridan Rd.

**Z-7295/PUD-828 June 2015:** All concurred in **approval** of a request to rezone a 30± acre tract of land from AG to RS-3 and **approval** of a proposed *Planned Unit Development* for Single-Family Residential, on property located SW/c East 121<sup>st</sup> Street & South Sheridan Road.

**Z-7243/PUD-803 January 2014:** All concurred in **approval** of a request to rezone a 121.329± acre tract of land from AG to RS-3 and **approval** of a proposed *Planned Unit Development* for Single-Family Residential, on property located East of SE/c of 121<sup>st</sup> Street & Yale.

**BOA-12274 November 1982:** The Board of Adjustment **approved** a *Special Exception* to permit a mobile home along with an existing single-family dwelling in an AG district, on property located at N. of the northwest corner of 131<sup>st</sup> & Sheridan Road.

**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 **WALKER**, the TMAPC voted 9-0-0(Carr, Covey, Craddock, Hood, Humphrey, Krug, Shivel, Walker, Whitlock, "aye"; no "nays"; none "abstaining"; Bayles, Zalk, "absent") to recommend **APPROVAL** of the RS-4 zoning with an optional development plan for Z-7709 per staff recommendation.

**Legal Description for Z-7709:**

**Enclave II at Addison Creek and  
"Addison Creek Crossing"  
City of Tulsa, Tulsa County, OK  
Rezoning Whole Property Description**

ALL OF "ENCLAVE II AT ADDISON CREEK", A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT (PLAT NO. 7074) THEREOF;

AND

A TRACT OF LAND THAT IS THE WEST HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (W/2 SW/4 NE/4) OF SECTION THREE (3), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID W/2 SW/4 NE/4; THENCE NORTH 0°57'49" WEST AND ALONG THE WEST LINE OF THE W/2 SW/4 NE/4, FOR A DISTANCE OF 1322.74 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 88°54'35" EAST AND ALONG THE NORTH LINE OF THE W/2 SW/4 NE/4, FOR A DISTANCE OF 658.99 FEET TO THE NORTHEAST CORNER THEREOF;

THENCE SOUTH 0°58'35" EAST AND ALONG THE EAST LINE OF THE W/2 SW/4 NE/4, FOR A DISTANCE OF 1322.03 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE SOUTH 88°50'52" WEST AND ALONG THE SOUTH LINE OF THE W/2 SW/4 NE/4, FOR A DISTANCE OF 659.28 FEET TO THE POINT OF BEGINNING;

SAID TRACT CONTAINING 871,628 SQUARE FEET, OR 20.010 ACRES.

THE BEARINGS SHOWN HEREON ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (3501), NORTH AMERICAN DATUM 1983 (NAD83); SAID BEARINGS ARE BASED LOCALLY UPON FIELD-OBSERVED TIES TO THE FOLLOWING MONUMENTS:

(a) 5/8" IRON PIN FOUND AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER (NE/4) OF SECTION 3;

(b) 3/8" IRON PIN WITH YELLOW PLASTIC CAP FOUND AT THE SOUTHWEST CORNER THE SOUTHEAST QUARTER (SE/4) OF SECTION 3;

THE BEARING BETWEEN SAID MONUMENTS BEING SOUTH 0°57'49" EAST.

SAID TRACT OF LAND CONTAINING 20.010 ACRES IS TO BE PLATTED AS ALL OF "ADDISON CREEK CROSSING", A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT (PLAT NO. \_\_\_\_\_) THEREOF.

\* \* \* \* \*

**11.Z-7710 Kyle Gibson** (CD 1) Location: West of the northwest corner of North Guthrie Avenue and West 1<sup>st</sup> Street requesting rezoning from **IL to CBD**

**STAFF RECOMMENDATION:**  
**SECTION I: Z-7710**

DEVELOPMENT CONCEPT: Change the zoning to allow a broad range of commercial, residential and mix of uses that are allowed in the Central Business District support a mixed-use development that is consistent with the Downtown land use designation of the comprehensive plan.

**DETAILED STAFF RECOMMENDATION:**

The CBD district is primarily intended to accommodate and encourage the most desirable, most productive, most intense use of land, without regard to the regulation of building height, floor area, land coverage and parking requirements, within the central core area of the city and encourages a diversity of high-intensity uses that mutually benefit from close proximity to, and from the available services of, the high transportation carrying capacity afforded by locations within the boundaries of the

Inner Dispersal Loop and reserve and promote the public and private investment of the existing central core area.

The request to change zoning from IL to CBD is consistent with the Downtown land use designation and,

Z-7710 is consistent with the land use considerations that were contemplated in the Downtown Area Master Plan and,

The uses, building height and density allowed in a CBD zoning classification are consistent with the expected development of this area therefore,

Staff recommends approval of Z-7710 to rezone property from IL to CBD.

## **SECTION II: Supporting Documentation**

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

***Staff Summary:*** *Rezoning to CBD zoning will support future opportunities for mixed-use development that is consistent with the Downtown land use designation of the comprehensive plan and the vision of the Downtown Tulsa Master Plan.*

### **Land Use Vision:**

#### ***Land Use Plan map designation: Downtown***

**Downtown** is Tulsa's most intense regional center of commerce, housing, culture, and entertainment. It is an urban environment of primarily high-density employment and mixed-use residential uses, complemented by regional-scale entertainment, conference, tourism, and educational institutions. Downtown is primarily a pedestrian-oriented area with generous sidewalks shaded by trees, in-town parks, open space, and plazas. The area is a regional transit hub. New and refurbished buildings enhance the pedestrian realm with ground-floor windows and storefronts that enliven the street. To support downtown's lively and walkable urban character, automobile parking ideally is located on-street and in structured garages, rather than in surface parking lots.

#### ***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:*** 1<sup>st</sup> Street and Lawton Avenue are both unclassified streets.

***Trail System Master Plan Considerations:*** None.

**Small Area Plan:** Downtown Area Master Plan

The Downtown Area Master Plan was adopted in September of 2010 and amended in October 2018 to include the Downtown Walkability Analysis. The provisions of CBD zoning are consistent with the vision and recommendations found in the Downtown Area Master Plan.

**Special District Considerations:** None.

**Historic Preservation Overlay:** None.

**DESCRIPTION OF EXISTING CONDITIONS:**

***Staff Summary:*** Existing building on the lot that is built to all lot lines. CBD zoning will resolve issues of compliance with building setbacks, lot size, and parking regulations.

**Environmental Considerations:** None.

**Streets:**

Existing Access	MSHP Design	MSHP R/W	Exist. # Lanes
West 1 <sup>st</sup> Street	None	-	2
South Lawton Avenue	None	-	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	IL	Downtown	Growth	Commercial
East	IL	Downtown	Growth	Vacant
South	IL	Downtown	Growth	I-244 Access Ramp
West	IL	Downtown	Growth	I-244

**SECTION III: Relevant Zoning History**

**History: Z-7710**

**ZONING ORDINANCE:** Ordinance number 11814 dated June 26, 1970, established zoning for the subject property.

***Subject Property:***

**BOA-21173 November 2010:** The Board of Adjustment **approved** a *Variance* to permit the parking requirement for a commercial/industrial building in an IL district within the IDL, on property located at 629 W. 1<sup>st</sup> Street.

***Surrounding Property:***

**BOA-21735 June 2014:** The Board of Adjustment **approved** a *Variance* to permit the building line setback from W 1<sup>st</sup> Street from 25 ft to 0 ft in an IL district & a *Variance* of the building line setback from 25 ft to 13.3 ft in an IL district & a *Variance* of the building line setback from abutting RS-3 zoning from 10 ft to 0 ft. & a *Variance* of the off-street parking requirement from 12 spaces to 2 spaces, on property located at 802 W. 1<sup>st</sup> Street South.

**BOA-17892 January 1998:** The Board of Adjustment **withdrawal** a *Special Exception* to permit manufactured housing in an IL zoned district & a *Variance* to the all-weather surface parking requirement, on property located at 3 North Lawton.

**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 **WALKER**, the TMAPC voted 9-0-0(Carr, Covey, Craddock, Hood, Humphrey, Krug, Shivel, Walker, Whitlock, “aye”; no “nays”; none “abstaining”;

Bayles, Zalk, “absent”) to recommend **APPROVAL** of the CBD zoning for Z-7710 per staff recommendation.

**Legal Description for Z-7710:**

Part of Lots Seven (7) and Eight (8) in Block Twenty-three (23), OWEN ADDITION to the City of Tulsa, Tulsa County, State of Oklahoma, according to the South part of the Amended Plat thereof, described as follows: Beginning on the South line of Block 23 at a point 35 feet Southwesterly from the Southeast Corner thereof; thence Southwesterly on the Southerly line of Block 23 to the Southwest Corner of said Block; thence North on the West Line of said Block 23 to the Northwest Corner of Lot Seven (7); thence Easterly to a point 15 feet West of the Northeast Corner of Lot Seven (7); thence Southwesterly to the POINT OF BEGINNING.

\* \* \* \* \*

12. **ZCA-26** Various amendments to the City of Tulsa Zoning Code in the following sections: Chapter 1 Introductory Provisions: Section 1.090 Rules of Language and Construction; Chapter 5 Residential Districts: Section 5.020 Use Regulations; Chapter 10 Mixed-use Districts: Table 10-4: Lot and Building Regulations for -P Character Zones; Chapter 15 Office, Commercial and Industrial Districts: Table 15-3: O, C, and I District Lot and Building Regulations, Section 15.030-B Table Notes; Chapter 20 Overlay Districts: Section 20.030 SA, Special Area Overlays; Chapter 70 Review and Approval Procedures: Section 70.010 Common Provisions, Table 70-1: Review and Decision-making Authority Summary Table; Section 70.010-G Hearing Procedures; Chapter 75 Administration: Section 75.020 Preservation Commission, Section 75.020-L Staff; Chapter 95 Definitions: Section 95.150 Terms Beginning with “L”, Land Use Administrator

**STAFF RECOMMENDATION:**

**Item**

Consider various amendments to the City of Tulsa Zoning Code in the following sections: Chapter 1 Introductory Provisions: Section 1.090 Rules of Language and Construction; Chapter 5 Residential Districts: Section 5.020 Use Regulations; Chapter 10 Mixed-use Districts: Table 10-4: Lot and Building Regulations for -P Character Zones; Chapter 15 Office, Commercial and Industrial Districts: Table 15-3: O, C, and I District Lot and Building Regulations, Section 15.030-B Table Notes; Chapter 20 Overlay Districts: Section 20.030 SA, Special Area Overlays; Chapter 70 Review and Approval Procedures: Section 70.010 Common Provisions, Table 70-1: Review and Decision-making Authority Summary Table; Section 70.010-G Hearing Procedures; Chapter 75 Administration: Section 75.020 Preservation Commission, Section 75.020-L Staff; Chapter 95 Definitions: Section 95.150 Terms Beginning with “L”, Land Use Administrator

**Background**



During the development of the City of Tulsa Zoning Code, staff anticipated that clean-up items would be identified as implementation began in 2016. In early 2016, a zoning code implementation team was established and began meeting regularly to discuss situations where inconsistencies existed, clarification was needed, intent was not fully accomplished, and unintended consequences occurred. Since the effective date of the zoning code, staff has brought several rounds of general clean-up amendments through the approval process. The zoning code implementation team meets biweekly and consists of members of the Tulsa Planning Office, Development Services Department, and City Legal.

The clean-up amendments are a result of the continuing work of the zoning code implementation team. Primarily these items were identified through interactions with the public, both through the zoning and building permit processes. There are no substantive changes in this clean-up effort. Staff presented the proposed amendments at a March 22, 2023 TMAPC work session. Below is a general description of items included in this round of clean-up.

- Section 1.090-I-4 & 1.090-I-10, Land Use Administrator description adjusted to reflect City reorganization effective July 1, 2023.
- Section 5.020-A, Use Classification System - Remove "and building types" because they are not listed in Table 5-2.
- Table 10-4 Table Note 1, Change "parking is prohibited" to "parking spaces, not including drive aisles, are prohibited between building and street right-of-way."
- Table 15-3 Table Note 6, 75', Minimum building setback for IL next to AG, AG-R, R or O zoned properties is currently reduced to 10' abutting R-zoned freeway right-of-way and should also be exempt next to R-zoned railroad right-of-way.
- 20.030-A General Clarify that Historic Preservation Overlays (HP), Parking Impact Overlays (PI) and Planned Unit Developments (PUD) are not considered Special Area Overlays.
- 20.030-C, "CBD district" should be referred to as "CBD zoning".
- Table 70-1 & 70.010-G, Clarify public hearing procedures related to City Council processes.
- Definitions, page 95-11, Reference # for Land Use Administrator is incorrect, should be I10, not I9.

The amendments proposed to the City of Tulsa Zoning Code, Title 42 Tulsa Revised Ordinances, are shown in ~~strike through~~/underline in **Attachment I**.

**Staff Recommendation**

Approval of the proposed amendments to the City of Tulsa Zoning Code as shown in the attachment

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

**TMAPC Action; 9 members present:**

On **MOTION** of **WALKER**, the TMAPC voted 9-0-0(Carr, Covey, Craddock, Hood, Humphrey, Krug, Shivel, Walker, Whitlock, “aye”; no “nays”; none “abstaining”; Bayles, Zalk, “absent”) to recommend **ADOPTION** of ZCA-26 per staff recommendation.

\* \* \* \* \*

**PUBLIC HEARING-COMPREHENSIVE PLAN AMENDMENTS**

**13. CPA-102 Nathan Cross** (CD 3) Location: South of the southeast corner of Highway 169 and East 56<sup>th</sup> Street North requesting to amend the Land Use Map designation from **Regional Center** to **Employment (Related to Z-7705)** (Staff requests a continuance to May 17, 2023)

**TMAPC Action; 8 members present:**

On **MOTION** of **COVEY**, the TMAPC voted 8-0-0 (Covey, Craddock, Hood, Humphrey, Krug, Shivel, Walker, Whitlock, “aye”; no “nays”; none “abstaining”; Bayles, Carr, Zalk, “absent”) to **CONTINUE** Item 13 to May 17, 2023.

\* \* \* \* \*

**14. TCCP-12 Nathan Cross** (County) Location: North of the northeast corner of Highway 169 and East 56<sup>th</sup> Street North requesting rezoning from **Rural Residential/Agricultural** to **Industrial (related to CZ-543 and PUD-867)** (Staff requests a continuance to May 17, 2023)

**TMAPC Action; 8 members present:**

On **MOTION** of **COVEY**, the TMAPC voted 8-0-0 (Covey, Craddock, Hood, Humphrey, Krug, Shivel, Walker, Whitlock, “aye”; no “nays”; none “abstaining”; Bayles, Carr, Zalk, “absent”) to **CONTINUE** Item 14 to May 17, 2023.

\* \* \* \* \*

## PUBLIC HEARING-CAPITAL IMPROVEMENT PROJECTS

Review and possible adoption, adoption with modifications, denial, or deferral of the following:

### **15. Public hearing approving new capital improvement projects** for the Capital Improvement Plan (CIP), Fiscal Year 2024-2028

#### **STAFF RECOMMENDATION:**

##### **Item**

Public hearing approving new capital improvement projects for the Capital Improvement Plan, Fiscal Year 2024 – 2028.

##### **Background**

The Capital Improvement Plan (CIP), containing recommended capital projects for the next five years, is a tool to implement the Comprehensive Plan. State Statutes provide that once a comprehensive plan has been adopted, no capital project shall be constructed or authorized without approval of its location, character, and extent by the Planning Commission.

City departments generated the list of new capital improvements in the plan. The City of Tulsa prepares an annual Capital Improvement Plan that is published with the fiscal year budget. The Planning Commission generally reviews any new additions proposed for inclusion in the proposed capital plan before the draft budget and capital plan are published.

##### **Staff Analysis**

TMAPC staff reviewed the newly proposed Capital Improvement Plan projects for consistency with the City of Tulsa's Comprehensive Plan. In general, the improvements listed are consistent with the Comprehensive Plan.

A new CIP projects summary is attached. Below is a summarized list of those items, including: the name of requesting Department, the project name, the item number(s) that correspond with the attached chart, and staff comments regarding relationship and consistency with the Comprehensive Plan.

- **Asset Management**

1. City Wide Facility Renovations

**Staff comments:** *These proposed projects are related to rehabilitation and upgrades of existing facilities. Although no specific guidance is provided in the Comprehensive Plan, the project will contribute to public safety and maintenance of existing City facilities.*

- **BOK Center**

2. Arena Fixed Seating
3. Arena Lighting Control
4. BOK Center Roof
5. Spotlight replacement

**Staff comments:** *The proposed improvements/rehabilitation to the BOK Center is consistent with the Comprehensive Plan's understanding of the downtown core as Tulsa's "...most intense regional center of commerce, housing, culture and entertainment." (p. LU-31)*

- § *The Arena District Master Plan identifies the BOK Center's importance as a key destination for locals and visitors to encourage economic*

development via retail, entertainment, dining and attracting infill development in downtown.

§ *The Downtown Area Master Plan identifies the BOK Center as a focal point in various of its project proposals.*

· **Fire**

6. Replacement of portable radios with new UHF-VHF-800 MHz portable radios
7. Covered outdoor shipping container shelter
8. Installation of Solar Panels at TFD Facilities

**Staff comments:** *The projects will provide the City of Tulsa Fire Department with improved facilities and equipment. Although no specific guidance is provided in the Comprehensive Plan, the projects will contribute to public safety and maintenance of existing City facilities. The installation of solar panels is also consistent with the Comprehensive Plan's Six Livability Principles, the second to last of which aims to "coordinate policies and leverage investment...including making smart energy choices such as locally generated renewable energy."(TR-34)*

· **Gilcrease**

9. Administration Annex
10. Land Use Management Plan

**Staff comments:** *The proposed projects involve the reconstruction of the existing museum on the same site and are aligned with the Plan's overarching goal of enriching education and elevating the quality of life for Tulsa's residents.*

· **Information Technology**

11. Desktop user experience upgrades
12. ERP/Utility Billing Replacement
13. Security System Replacement

**Staff comments:** *These proposed projects are related to rehabilitation and system upkeep and are generally consistent with the Comprehensive Plan's direction on infrastructure maintenance.*

· **MTTA**

14. MTTA Headquarters Facility
15. South Tulsa Sub-Hub
16. Transit- MicroTransit

**Staff comments:** *These projects involve maintaining and enhancing the existing transportation system through strategic investments and promoting multiple transportation choices for citizens. Maintenance and Improvement of all MTTA facilities is consistent with the Comprehensive Plan's Transportation Policy 1.*

- *Transportation Policy 1: Provide a wide range of reliable transportation options so every Tulsan can efficiently get where they want to go.*

§ *Goal 1 – All Tulsans have a variety of transportation options for getting around the city. Policies to support this goal include:*

- *Policy 1.1: Coordinate closely with MTTA to provide for transit-supportive enhancements in the high frequency bus, bus rapid transit, streetcar, light rail, and commuter rail corridors. (p. TR-36)*

- *The Downtown Area Master Plan identified the Denver Avenue Station as a priority location in downtown Tulsa due to its opportunity for redevelopment or enhancement (p. 32).*

- **PAC**

- 17. ADA upgrades and repairs
- 18. Building ADA audit/report
- 19. Orchestra Shell replacement
- 20. Replace Chapman FlySystems
- 21. ADA entrance stage doors

**Staff comments:** *The proposed projects involve improving the City's accessibility, ensuring compliance with ADA standards, and general improvements to the Performing Arts Center (PAC). This is consistent with the Comprehensive Plan's Transportation Priority 3 as well as with the Comprehensive Plan's understanding of the downtown core as Tulsa's "...most intense regional center of commerce, housing, culture and entertainment." (p. LU-31) including:*

§ *Policy 3.7: Enhance visual enjoyment of public spaces and art.*

- *Civic institutions and community events, such as street fairs, parades, farmers markets and live performances, all give Tulsa an important cultural and urban flair. (p.LU-79)*

- *Transportation Priority 3: Ensure That Transportation Investments Enhance the Land Uses They Serve*

§ *Goal 7 – Transportation facilities fit their physical setting and preserve scenic, aesthetic, historic and environmental resources, while maintaining safety and mobility. Policies to support this goal include:*

- *Policy 7.1: Build upon the connectivity concepts in INCOG's 2030 Bicycle and Pedestrian Plan by expanding the scope of Public Works' current ADA Transition plan to address studying and prioritizing the need for connections to off-street trails from neighborhoods and regional destinations (p. TR-38)*

§ *Goal 13 - Pedestrians have easy access to jobs, shopping and recreation. Policies to support this goal include:*

- *13.1 Support the ADA Transition Plan objective to perform a calculated sidewalk inventory of key civic and private destinations and neighborhoods and expand and include information to develop a Pedestrian Master Plan for the entire city that will include:*
  - *Continue program for providing curb ramps and other facilities to accommodate persons with disabilities and improve access to transit. In conjunction with the curb ramp program, review the road and sidewalk system and the pedestrian crossing areas to make sure they provide access to persons with disabilities. (TR-41)*

- *The Downtown Area Master Plan identifies the PAC as a focal point in various of its project proposals.*

- **Parks**

- 22. Replace Chat Trail Sections
- 23. Sports Complex Facilities Improvements
- 24. Water Playground Replacement
- 25. Back of House Support Facilities

**Staff comments:** *Based on the statements below and similar policies regarding parks, the proposed projects are in conformance with the Tulsa Comprehensive Plan as well as Tulsa Parks and Recreation Master Plan*

- *Tulsa Comprehensive Plan: Parks, Trails and Open Space – Priority 5: Improve Access and Quality of Parks and Open Space*

- § *Goal 14: Parks and recreational facilities are updated to address changing needs and desires.*

- *Policy 14.1: Add comfort and convenience features to parks.*
- *Policy 14.2: Identify parks components that need to be updated or replaced and develop a schedule, budget and methodology to complete improvements.*
- *Policy 14.4: Identify Parks throughout the City for upgrade and develop an action plan to accomplish upgrades. (p. PA-29)*

- *Tulsa Parks and Recreation Master Plan*

- § *Goal 7: Improve trail connectivity and walkability*

- *Strategy 7.1: Work with other government agencies and community partners to improve walkable access to parks and recreation opportunities throughout Tulsa. (p.15)*

- **PartnerTulsa**

- 26. Beautification – Lighting 2
- 27. Beautification – Lighting 3
- 28. Greenwood Plaza
- 29. KHGMP – Beautification - Lighting
- 30. KHGMP - Sewer
- 31. KHGMP - Stormwater
- 32. KHGMP - Water
- 33. KHGMP -Streets and Streetscape
- 34. Park
- 35. Pedestrian and Trail Extension 1
- 36. Pedestrian and Trail Extension 2

**Staff comments:** *The proposed projects are in conformance with The Comprehensive Plan and the Unity Heritage Neighborhoods Plan, as they promote access to service infrastructure, safe transportation networks and streetscaping. The proposed projects represent a rehab and new construction project to allow*

implementation of the Kirkpatrick Heights Greenwood Master Plan (KHGMP) guiding principles for creating a “Healthy Place” and “Connected Place” (p 29-30).

- Guiding principle # 6- Healthy Place that cultivates wellbeing, fresh foods, spiritual health, sustainable development, and community resilience.
  - Objective # 1- New development should incorporate innovative solutions for stormwater management and district energy production.
- Guiding principle # 7- Connected Place where relationships are nurtured-physical, social and community services and amenities.
  - Objective# 1-Improve mobility by reconnecting Kirkpatrick Heights / Greenwood to Downtown and surrounding neighborhoods (sidewalk gaps, add lighting, add signage, improve street tree coverage, etc.)

- **PartnerTulsa: Robson West**

- 37. Robson West - Road 21st - 31st on 207<sup>th</sup>
- 38. Robson West - Road 11th Street Realignment
- 39. Robson West - Road 21st - 31st on 225th
- 40. Robson West - Water 11th-21st
- 41. Robson West - Water 21st - 31st on 207th
- 42. Robson West - Water 21st - 31st on 225th

**Staff comments:** *The above projects propose increasing access to undeveloped land for economic development by providing water, sewer and transportation infrastructure. These projects are consistent with the Comprehensive Plan’s direction on infrastructure, under one of its Guiding Principles for Economic Development which mentions that “The City invests in the critical infrastructure necessary to develop a robust and diversified economy.” (p. 6), and the Robson Fair Oaks Master Plan (to be adopted).*

- **Planning**

- 43. Phase II - Council Oak - Dream Keepers Park Connection

**Staff comments:-***The above project connects Council Oak Commemorative Site to Dream Keepers Park in Tulsa. This is consistent with the Comprehensive Plan’s direction on promoting connectivity, historic preservation and highlighting areas of cultural significance, and the use of parks and open spaces. It is also referenced in the Downtown Area Master Plan under its Open Space and Recreational Plan as “Connect to significant open spaces near downtown”. (p. 25)*

- **Police**

- 44. Airbus Helicopter
- 45. Bearcat
- 46. Uniform Divisions Mingo Valley, Gilcrease and Riverside

**Staff comments:** *The projects will provide the City of Tulsa Police Department with updated uniforms and equipment. Although no specific guidance is provided in the Comprehensive Plan, the projects will contribute to public safety and maintenance of existing City facilities.*

- **River Parks Authority**

- 47. Playground Replacement

**Staff comments:** Based on the below and similar policies regarding parks, the proposed projects are in conformance with the Tulsa Comprehensive Plan.

- Parks, Trails, and Open Space – Priority 5: Improve Access and Quality of Parks and Open Space

§ Goal 14: Parks and recreational facilities are updated to address changing needs and desires.

- Policy 14.2: Identify parks components that need to be updated or replaced and develop a schedule, budget, and methodology to complete improvements.
- Policy 14.4: Identify parks throughout the City for upgrade and develop an action plan to accomplish upgrades.

- **Public Works: Sewer**

48. CBD Sewer Rehabilitation and Relief, Contract 2
49. CBD Sewer Rehabilitation and Relief, Contract 3
50. FEB Expansion - Phase 3
51. FEB Improvements - Phase 1 (ARPA Grant)
52. Haikey Creek Waterline Loop
53. Nickel Creek Extension Phase 3
54. Port South Lift Station FEB Rehabilitation
55. Spunky Creek Lift Station & Force Main Upgrades (ARPA Grant)
56. WWTP Concrete Rehabilitation & Replacement
57. WWTP Expansion - Phase 4

**Staff comments:** The above projects are generally sewer maintenance/improvements. One of the Guiding Principles for Economic Development is “The City invests in the critical infrastructure necessary to develop a robust and diversified economy.” (p. 6) The projects are consistent with the Comprehensive Plan’s direction on infrastructure.

- **Public Works: Water**

58. ABJ Disinfection Alternatives
59. MOH Disinfection Alternatives
60. Mohawk WTP Chemical Tank Replacement
61. Mohawk WTP Concrete Repairs
62. Reservoir Hill Tank Rehab
63. Turkey Mountain Tank Rehabilitation
64. West Tulsa Tank Rehabilitation

**Staff comments:** The above projects are generally water maintenance/improvements. One of the Guiding Principles for Economic Development is “The City invests in the critical infrastructure necessary to develop a robust and diversified economy.” (p. 6) The projects are consistent with the Comprehensive Plan’s direction on infrastructure.

**Staff recommendation**

Approve based on the finding that the new capital improvement projects for the Capital Improvement Plan, FY 2024-2028 are in conformance with the Tulsa Comprehensive Plan.

**TMAPC Comments:**



Mr. Craddock stated there is a statement in the staff report he wants clarification and to understand. He stated it says the Downtown area Master Plan identifies that Denver Avenue Bus Station as a priority location in downtown Tulsa due to its opportunity for redevelopment or enhancement. He asked if that means the priority is to maintain a bus station or is it a priority to relocate it to a different location and the Denver property will be available for redevelopment.

Staff stated she believes that is all being considered and whether it stays or moves is part of the evaluation.

**TMAPC Action; 9 members present:**

On **MOTION** of **WALKER**, the TMAPC voted 9-0-0(Carr, Covey, Craddock, Hood, Humphrey, Krug, Shivel, Walker, Whitlock, “aye”; no “nays”; none “abstaining”; Bayles, Zalk, “absent”) to recommend **APPROVAL** based on the finding that the new capital improvement projects for the Capital Improvement Plan, FY 2024-2028 are in conformance with the Tulsa Comprehensive Plan.

**PUBLIC HEARING - PLATS**

**16. Tulsa Classical Academy** (CD 8) Preliminary Plat, Request to revise preliminary plat conditions to remove requirement for emergency access to adjacent stub streets, Location: North of the northeast corner of South Sheridan Road and East 101<sup>st</sup> Street South

**STAFF RECOMMENDATION:**

**Request to Revise Preliminary Plat Conditions**

**Tulsa Classical Academy** - (CD 8)

North of the northeast corner of South Sheridan Road and East 101<sup>st</sup> Street South

The preliminary plat for this project was approved on August 17, 2022. As a condition of approval, staff recommended and TMAPC approved a requirement for the developer to extend internal access drives to 3 adjacent dead-end “stub” streets for the purposes of emergency access only.

Due to several complaints from adjacent neighbors about the drives connecting to neighborhood streets, the developer is working with the City of Tulsa Development Services department and the fire marshal to determine alternative solutions to meet emergency access needs.

Removal of this condition only allows the subdivision plat to move forward while alternative solutions are explored. It does not remove or provide relief from any other applicable ordinance or requirements of the fire marshal deemed necessary for building and development permits.

Staff recommends **approval** of the request to revise preliminary plat conditions as shown on the attached preliminary plat recommendation.

**Tulsa Classical Academy** - (CD 8)

North of the northeast corner of South Sheridan Road and East 101<sup>st</sup> Street South

This plat consists of 1 lot, 1 block, 14.83 ± acres.

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

1. **Zoning:** The property is currently zoned AG (Agriculture). The City Board of Adjustment approved a special exception to permit a school on the site (BOA-23305) which requires the property to be platted.
2. **Addressing:** City of Tulsa will assign a final address to the plat. Address assignments must be shown on the face of the final plat along with the standard address disclaimer.
3. **Transportation & Traffic:** Sidewalks are required along South Sheridan Road. Provide limits of no access along South Sheridan Road. The Subdivision & Development Regulations require adjacent stub streets to either be connected through the subdivision or the installation of a permanent turnaround. Current proposal requires approval of the requested modification to remove the requirement.
4. **Sewer/Water:** Water and sanitary sewer extensions are required to obtain IDP approval prior to release of the final plat. Adequate easement must be provided to cover all proposed extensions. Offsite easements must be recorded and reflected on the final plat. Provide easement for access to public water mains intersecting the site.
5. **Engineering Graphics:** Submit a subdivision control data sheet with final plat. Remove contours from final plat submittal. Add "City of Tulsa" before Tulsa County in the plat subtitle. In the location map, label all platted properties and label the plat location as "project location" or "site". Provide graphically on the face of the plat all property pins found or set associated with the plat. Under the basis of bearing information include the coordinate system used and provide a bearing angle shown on the face of the plat. Add 3501 after North Zone toward the right-hand corner of the face. Graphically label the point of beginning on the face of the plat. Provide a date of preparation.
6. **Stormwater, Drainage, & Floodplain:** Drainage plans must be submitted and approved through the IDP process. Approval for IDP must be obtained prior to approval of the final plat. This site does not contain any FEMA or City of Tulsa Regulatory floodplain. If offsite easements are needed for drainage purposes, those easements must be recorded and shown on the face of the final plat prior to final 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. Infrastructure located in the gas company easement must receive written acceptance by the easement holder.

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

Section 5-060.5 – A.2

“At the time that the temporary dead-end street is extended or connected to another street segment, any existing temporary turnaround must be removed by the developer responsible for extending the street. **If for any reason the stub street is not extended, a permanent turnaround must be constructed by the subject developer on the abutting site being developed.**”

The applicant has requested a modification to remove the requirement to install a permanent turnaround at the end of the 3 existing stub streets adjacent to the site. Tulsa Planning Office met with staff from Engineering Services, Streets & Stormwater, Development Services, and the Tulsa Fire Department to discuss the modification request. Staff is in favor of removing the requirement for cul-de-sacs finding that the adjacent subdivisions were platted over 25 years ago and the stub streets have been sufficient. The support for the modification includes the following conditions:

1. Internal private drives should be extended to all 3 stub street locations to provide emergency access to the existing subdivisions. Stubs can remain gated with emergency gates for fire and emergency access. Pedestrian access, controlled or not, should be considered at these entry points prior to final plat approval.

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

**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 **WALKER**, the TMAPC voted 9-0-0(Carr, Covey, Craddock, Hood, Humphrey, Krug, Shivel, Walker, Whitlock, “aye”; no “nays”; none “abstaining”; Bayles, Zalk, “absent”) to **APPROVE** the Preliminary Subdivision Plat for Tulsa Classical Academy per staff recommendation.

\* \* \* \* \*

## OTHER BUSINESS

### 17. Commissioners' Comments

None

**ADJOURN**

**TMAPC Action; 9 members present:**

On **MOTION** of **CRADDOCK**, the TMAPC voted 9-0-0(Carr, Covey, Craddock, Hood, Humphrey, Krug, Shivel, Walker, Whitlock, "aye"; no "nays"; none "abstaining"; Bayles, Zalk, "absent") to **ADJOURN** TMAPC meeting of April 19, 2023, Meeting No. 2888.

**ADJOURN**

There being no further business, the Chair declared the meeting adjourned at 2:47 p.m.

Date Approved:

May 17, 2023  
J A Walker  
Chair

ATTEST:

John H Shivel

Secretary