

**TULSA METROPOLITAN AREA PLANNING COMMISSION
Meeting No. 2903**

**December 6, 2023, 1:00 PM
175 East 2nd Street, 2nd Level, One Technology Center
Tulsa City Council Chamber**

Members Present	Members Absent	Staff Present	Others Present
Covey	Carr	Foster	Jordan, COT
Craddock	Humphrey	Miller	Skates, COT
Hood		Sawyer	Stephens, Jeff, Legal
Krug		Siers	
Shivel			
Walker			
Whitlock			
Zalk			

The notice and agenda of said meeting were posted in the Office of the City Clerk, as well as in the Office of the County Clerk on Wednesday November 30, 2023, at 4:32 p.m.

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:

Mr. Covey stated there will be a work session on January 3rd, 2024 at 10:30 am in the 10th Floor South conference room.

Director's Report:

Ms. Miller reported on City Council actions and other special projects.

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Minutes:

1. Minutes of November 15, 2023 Meeting No. 2902

Approval of the Minutes of **November 15, 2023 Meeting No. 2902**

TMAPC Action; 8 members present:

On **MOTION** of **WALKER**, the TMAPC voted 7-0-1(Covey, Craddock, Hood, Krug, Shivel, Walker, Whitlock, “aye”; no “nays”; Zalk, “abstaining”; Carr, Humphrey, “absent”) to **APPROVE** the minutes of **November 15, 2023 Meeting No. 2902**

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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.

- 2. **PUD-500-2 Lou Reynolds** (CD 8) Location: North and East of the Northeast corner of South Yale Avenue and East 81st Street South requesting a PUD **Minor Amendment** to a development plan to permit a lot split, allocate floor area, increase building height, and amend sign standards.

STAFF RECOMMENDATION:

SECTION I: PUD-500-2 Minor Amendment

Amendment Request: PUD minor amendment permit a lot split into Tract 2A and Tract 2B, allocate floor area, increase building height within Tract 2B, provide a ground sign for the street frontage of Tract 2A, amend the setbacks for wall signs for Tract 2A and Tract 2B.

PUD-500 was approved in 1993. Since the original approval there has been one minor amendment to reduce frontage requirements, and a lot split that split a portion of lot two (LS-19988). This was accompanied by a minor amendment to reduce the frontage requirement from 150’ to 100’. The applicant has requested to split lot two once again into two separate lots. These two lots will have a maximum building floor area allocated to them as well as establish building heights and sign standards. Any development standards not listed below will remain the same and can be found in PUD-500.

Lot 2A DEVELOPMENT STANDARDS:

NET LAND AREA: .76 AC
MAXIMUM BUILDING FLOOR AREA: 4,000 SF

MAXIMUM BUILDING HEIGHT: One (1) story not to exceed 20 FT.

SIGNS:

An additional ground sign shall be permitted along South Yale Avenue for Tract A. Ground sign cannot exceed 25 FT in height or 150 SF of surface display area.

No wall signs shall be permitted on the north or east walls of buildings in Tract A or within 300 FT of the east boundary of Lot 2B.

Lot 2A DEVELOPMENT STANDARDS:

NET LAND AREA: 2.76 AC

MAXIMUM BUILDING FLOOR AREA: 40,000 SF*

MAXIMUM BUILDING HEIGHT: Two (2) stories not to exceed 40 FT*

SIGNS:

No wall signs shall be permitted on the north or east walls of buildings in Tract A or within 300 FT of the east boundary of Lot 2B.

*The usable building floor area shall not exceed ~~35,00~~ 35,000 sf.

**The term 'stories shall be a room or set of rooms on one floor or level of a building.

Staff Comment: This request is considered a Minor Amendment as outlined by Section 30.010.1.2.c(9)(10)(12) of the City of Tulsa Zoning Code.

"Lot splits that have been reviewed and approved in accordance with the subdivision and development regulations."

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

"Modifications to approved signage, provided the size, location, number and character (type) of signs is not substantially altered."

Staff has reviewed the request and determined:

- 1) PUD-500-2 is consistent with the provisions for administration and procedures of a PUD in section 30.010-H.
- 2) PUD-500-2 does not represent a significant departure from the approved development standards in the PUD and is considered a minor amendment to PUD-500.
- 3) All remaining development standards defined in PUD-500 and subsequent amendments shall remain in effect.

With considerations listed above, staff recommends **approval** of the PUD minor amendment permit a lot split, allocate floor area, increase building height, and amend sign standards.

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 **WALKER**, the TMAPC voted 8-0-0 (Covey, Craddock, Hood, Krug, Shivel, Walker, Whitlock, Zalk "aye"; no "nays"; none "abstaining"; Carr, Humphrey, "absent") to **APPROVE** Item 2 per staff recommendation.

PUBLIC HEARING – REZONING

3. **Z-7684-1 Nathan Cross** (CD 6) Location: Northeast of the northeast corner of East 41st Street South and South 145th East Avenue requesting an **optional development plan abandonment, retaining RS-5**

STAFF RECOMMENDATION:

SECTION I: Z-7684-1

DEVELOPMENT CONCEPT: The applicant has submitted a request to abandon a previously approved optional development plan under Z-7684. The optional development plan required larger lots than are typically permitted under RS-5 zoning. Since adoption of the optional development plan, several adjacent properties have been rezoned to RS-5.

DETAILED STAFF RECOMMENDATION:

Z-7684-1 requesting and abandonment of Z-7684 optional development plan and retaining base RS-5 zoning, which allows single family residential uses that are compatible with the surrounding properties and,

Lot and building regulations in a RS-5 district allow a greater density than the abutting RS-4 zoned properties; however, RS-5 zoning is consistent with other adjacent properties and the anticipated future development of the area and,

RS-5 zoning is consistent with the Neighborhood land use designation of the Comprehensive Plan therefore,

Staff recommends approval of Z-7684-1 to abandon the optional development plan and retain base RS-5 zoning.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: RS-5 zoning is primarily used for a smaller lot single family residential use and is consistent with the Neighborhood land use designation.

Land Use Vision:

Neighborhood

Neighborhoods are “Mostly Residential Uses” which includes detached, missing middle, and multi-dwelling unit housing types. Churches, schools, and other low-intensity uses that support residents’ daily needs are often acceptable, particularly for properties abutting Multiple Use, Local Center, or Regional Center land use areas. Multi-dwelling unit housing that takes access off of an arterial is considered Multiple Use, Local Center, or Regional Center. If a multi-dwelling unit housing property takes access off a lower-order street separated from the arterial, then it would be considered Neighborhood.

Transportation Vision:

Major Street and Highway Plan: None

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The subject tract is undeveloped and is planned as a continuation of the Battle Creek subdivisions developed to the west.

Environmental Considerations: None.

Streets: Residential streets are required to provide a 50-foot right-of-way dedication. Arrangement of streets will be reviewed, and recommendations will be made, when a preliminary plat of the subdivision is reviewed.

Utilities:

The subject tract will require extensions of municipal water and sewer in order to serve future subdivision development.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Existing Use
North	RS-5	Neighborhood	Vacant
East	RS-4/RS-3	Neighborhood	Vacant

West	RS-4 (Z-7747 requests RS-5)	Neighborhood	Vacant
South	RS-3	Neighborhood	Vacant

SECTION III: Relevant Zoning History

History: Z-7747

ZONING ORDINANCE: Ordinance number 24982 dated February 6, 2023, established zoning for the subject property.

Subject Property:

Z-7684 February 6, 2023: All concurred in **approval** of a request for rezoning of the subject tract from RS-4 to RS-5 with an optional development plan.

Z-7553 August 16, 2020: All concurred in **approval** of a request for *rezoning* a 68.28+ acre tract of land from RS-3 to RS-4 on property located East of the southeast corner of East 36th Street South and South 145th East Avenue.

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 **WALKER**, the TMAPC voted 8-0-0 (Covey, Craddock, Hood, Krug, Shivel, Walker, Whitlock, Zalk “aye”; no “nays”; none “abstaining”; Carr, Humphrey, “absent”) to recommend **APPROVAL** of the **optional development plan abandonment** for Z-7684-1 per staff recommendation.

Legal Description for Z-7684-1:

Exhibit “A.1”

**23215 Battle Creek Boundary Description
Z-7684 Optional Development Plan Abandonment**

A TRACT OF LAND THAT IS A PART OF THE SOUTHEAST QUARTER (SE/4) OF SECTION TWENTY-TWO (22), TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) 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:

COMMENCING AT THE NORTHEAST CORNER OF SAID SE/4; THENCE SOUTH 88°43'43" WEST AND ALONG THE NORTH LINE OF THE SE/4, FOR A DISTANCE OF

544.38 FEET; THENCE SOUTH 1°16'17" EAST AND PERPENDICULAR TO SAID NORTH LINE, FOR A DISTANCE OF 556.38 FEET; THENCE SOUTH 19°17'54" WEST FOR A DISTANCE OF 96.79 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 19°17'54" WEST FOR A DISTANCE OF 198.42 FEET; THENCE SOUTH 1°36'38" EAST FOR A DISTANCE OF 341.71 FEET; THENCE SOUTHEASTERLY ALONG A 52.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, HAVING AN INITIAL TANGENT BEARING OF SOUTH 45°31'15" EAST, A CENTRAL ANGLE OF 81°14'09", WITH A CHORD BEARING AND DISTANCE OF SOUTH 4°54'11" EAST FOR 67.71 FEET, FOR AN ARC DISTANCE OF 73.73 FEET TO A POINT OF REVERSE CURVATURE; THENCE ALONG AN 18.00 FOOT RADIUS CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 37°19'32", WITH A CHORD BEARING AND DISTANCE OF SOUTH 17°03'08" WEST FOR 11.52 FEET, FOR AN ARC DISTANCE OF 11.73 FEET TO A POINT OF TANGENCY; THENCE SOUTH 1°36'38" EAST FOR A DISTANCE OF 202.10 FEET; THENCE SOUTH 88°43'42" WEST FOR A DISTANCE OF 632.26 FEET; THENCE NORTH 83°02'50" WEST FOR A DISTANCE OF 48.78 FEET; THENCE NORTH 58°37'23" WEST FOR A DISTANCE OF 139.92 FEET; THENCE NORTH 73°16'33" WEST FOR A DISTANCE OF 169.33 FEET; THENCE SOUTH 88°43'42" WEST FOR A DISTANCE OF 10.00 FEET; THENCE NORTH 1°16'18" WEST FOR A DISTANCE OF 144.21 FEET; THENCE NORTH 23°20'28" EAST FOR A DISTANCE OF 142.22 FEET; THENCE NORTH 1°16'17" WEST FOR A DISTANCE OF 399.80 FEET; THENCE NORTH 88°43'43" EAST FOR A DISTANCE OF 975.99 FEET TO THE POINT OF BEGINNING;

SAID TRACT CONTAINING 736,818 SQUARE FEET OR 16.915 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:

- (1) 3/8" IRON PIN FOUND AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER (SE/4) CORNER OF SECTION 22;
- (2) 3/8" IRON PIN WITH YELLOW PLASTIC CAP FOUND AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER (SE/4) OF SECTION 22;

THE BEARING BETWEEN SAID MONUMENTS BEING NORTH 88°43'43" EAST.

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4. **Z-7747 Nathan Cross** (CD 6) Location: Northeast of the northeast corner of East 41st Street South and South 145th East Avenue requesting rezoning from **RS-4 to RS-5**

STAFF RECOMMENDATION:

SECTION I: Z-7747

DEVELOPMENT CONCEPT: The applicant has submitted a request to consider rezoning from RS-4 zoning which requires a minimum lot width of 50 feet and a minimum lot size of 5500 square feet to RS-5 zoning that requires a minimum lot width of 30 feet and minimum lot size of 3300 sq. ft.

DETAILED STAFF RECOMMENDATION:

Z-7747 requesting RS-5 zoning allows single family residential uses that are compatible with the surrounding properties and,

Lot and building regulations in a RS-5 district allow a greater density than the abutting RS-4 and RS-3 zoned properties; however, RS-5 zoning is consistent with other adjacent properties and the anticipated future development of the area and,

RS-5 zoning is consistent with the Neighborhood land use designation of the Comprehensive Plan therefore,

Staff recommends approval of Z-7747 to rezone property from RS-4 to RS-5

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: RS-5 zoning is primarily used for a smaller lot single family residential use and is consistent with the neighborhood land use designation.

Land Use Vision:

Neighborhood

Neighborhoods are “Mostly Residential Uses” which includes detached, missing middle, and multi-dwelling unit housing types. Churches, schools, and other low-intensity uses that support residents’ daily needs are often acceptable, particularly for properties abutting Multiple Use, Local Center, or Regional Center

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

Transportation Vision:

Major Street and Highway Plan: None

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The subject tract is undeveloped and is planned as a continuation of the Battle Creek subdivisions developed to the west.

Environmental Considerations: None.

Streets: Residential streets are required to provide a 50-foot right-of-way dedication. Arrangement of streets will be reviewed, and recommendations will be made, when a preliminary plat of the subdivision is reviewed.

Utilities:

The subject tract will require extensions of municipal water and sewer in order to serve future subdivision development.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Existing Use
North	RS-3	Neighborhood	Vacant
East	RS-5	Neighborhood	Vacant
West	RS-3	Neighborhood	Single-Family Residential

South	RS-4	Neighborhood	Vacant
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SECTION III: Relevant Zoning History

History: Z-7747

ZONING ORDINANCE: Ordinance number 24424 dated August 16, 2020, established zoning for the subject property.

Subject Property:

Z-7553 August 16, 2020: All concurred in **approval** of a request for *rezoning* a 68.28+ acre tract of land from RS-3 to RS-4 on property located East of the southeast corner of East 36th Street South and South 145th East Avenue.

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 **WALKER**, the TMAPC voted 8-0-0 (Covey, Craddock, Hood, Krug, Shivel, Walker, Whitlock, Zalk “aye”; no “nays”; none “abstaining”; Carr, Humphrey, “absent”) to recommend **APPROVAL** of the RS-5 zoning for Z-7747 per staff recommendation.

Legal Description for Z-7747:

Exhibit “A.1”
23215 Battle Creek Boundary Description
RS-4 to RS-5

A TRACT OF LAND THAT IS A PART OF THE SOUTH HALF (S/2) OF SECTION TWENTY-TWO (22), TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) 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:

COMMENCING AT THE NORTHEAST CORNER OF SAID S/2; THENCE SOUTH 88°43'43" WEST AND ALONG THE NORTH LINE OF THE S/2, FOR A DISTANCE OF 2,426.87 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 1°16'17" EAST AND PERPENDICULAR TO SAID NORTH LINE, FOR A DISTANCE OF 252.00 FEET; THENCE NORTH 88°43'43" EAST AND PARALLEL WITH THE NORTH LINE, FOR A DISTANCE OF 95.00 FEET; THENCE SOUTH

1°16'17" EAST AND PERPENDICULAR TO THE NORTH LINE, FOR A DISTANCE OF 118.00 FEET; THENCE NORTH 88°43'43" EAST AND PARALLEL WITH THE NORTH LINE, FOR A DISTANCE OF 801.50 FEET; THENCE SOUTH 16°57'51" WEST FOR A DISTANCE OF 76.73 FEET; THENCE SOUTH 1°16'17" EAST AND PERPENDICULAR TO THE NORTH LINE, FOR A DISTANCE OF 603.92 FEET; THENCE SOUTH 23°20'28" WEST FOR A DISTANCE OF 142.22 FEET; THENCE SOUTH 1°16'18" EAST FOR A DISTANCE OF 144.21 FEET; THENCE SOUTH 88°43'42" WEST FOR A DISTANCE OF 465.21 FEET; THENCE NORTH 1°28'29" WEST FOR A DISTANCE OF 660.32 FEET; THENCE SOUTH 88°43'43" WEST AND PARALLEL WITH THE NORTH LINE, FOR A DISTANCE OF 660.00 FEET; THENCE NORTH 1°28'29" WEST FOR A DISTANCE OF 660.00 FEET TO A POINT ON SAID NORTH LINE OF THE S/2 OF SAID SECTION 22; THENCE NORTH 88°43'43" EAST AND ALONG SAID NORTH LINE, FOR A DISTANCE OF 104.58 FEET TO THE NORTHWEST CORNER OF THE SE/4 OF SECTION 22; THENCE NORTH 88°43'43" EAST FOR A DISTANCE OF 212.06 FEET TO THE POINT OF BEGINNING;

SAID TRACT CONTAINING 808,016 SQUARE FEET OR 18.549 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:

- (1) 3/8" IRON PIN FOUND AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER (SE/4) CORNER OF SECTION 22;
- (2) 3/8" IRON PIN WITH YELLOW PLASTIC CAP FOUND AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER (SE/4) OF SECTION 22;

THE BEARING BETWEEN SAID MONUMENTS BEING NORTH 88°43'43" EAST.

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5. **Z-7749 Marc Ruiz** (CD 2) Location: Multiple lots north and south of West 56th Place South between South 43rd West Avenue and South 41st West Avenue requesting rezoning from **RS-3 to RM-1**

STAFF RECOMMENDATION:

SECTION I: Z-7749

DEVELOPMENT CONCEPT: The applicant is proposing to rezone the subject properties from RS-3 to RM-1 to permit the construction of duplexes on each lot. TMAPC recommended approval and City Council adopted a rezoning request for similar purposes on a lot adjacent to the subject properties in June 2023.

DETAILED STAFF RECOMMENDATION:

The Tulsa Comprehensive Plan designates this area as Neighborhood. RM-1 zoning aligns with the recommendations for the Neighborhood land use designation in this area.

Rezoning to RM-1 would permit redevelopment of the site with the addition of more housing units. The applicant is proposing duplexes on each lot under the zoning proposal.

RM-1 zoning requires 5,500 square feet of lot area and 600 square feet of open space per unit in addition to the required parking associated with any new development of the property. The maximum building height allowed in the RM-1 district is 35 feet which is consistent with the surrounding zoning districts in the area.

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

Staff recommends approval of Z-7749 to rezone the property from RS-3 to RM-1.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The subject property is designated as “Neighborhood” by the Comprehensive Plan land use map. The proposed RM-1 district aligns with the recommendations of the “Neighborhood” land use designation in this area.

Land Use Vision:

Neighborhood

Neighborhoods are “Mostly Residential Uses” which includes detached, missing middle, and multi-dwelling unit housing types. Churches, schools, and other low-intensity uses that support residents’ daily needs are often acceptable, particularly for properties abutting Multiple Use, Local Center, or Regional Center land use areas. Multi-dwelling unit housing that takes access off of an arterial is considered Multiple Use, Local Center, or Regional Center. If a multi-dwelling unit housing property takes access off a lower-order street separated from the arterial, then it would be considered Neighborhood.

Transportation Vision:

Major Street and Highway Plan: None

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The subject property is adjacent to existing multifamily residential to the southeast with single-family zoning to north, east, and west.

Streets:

Existing Access	MSHP Design	MSHP R/W	Exist. # Lanes
West 56 th Place	None	50'	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Existing Use
North	RS-3	Neighborhood	Single-Family Residential/Vacant

East	RS-3, RM-1	Neighborhood	Single-Family Residential/Vacant
South	RS-3	Neighborhood	Single-Family Residential/Vacant
West	RS-3	Neighborhood	Single-Family Residential/Vacant

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11821 dated June 26, 1970, established zoning for the subject property.

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 **WALKER**, the TMAPC voted 8-0-0 (Covey, Craddock, Hood, Krug, Shivel, Walker, Whitlock, Zalk "aye"; no "nays"; none "abstaining"; Carr, Humphrey, "absent") to recommend **APPROVAL** of the RM-1 zoning for Z-7749 per staff recommendation.

Legal Description for Z-7749:

LT 13 BLK 1; LT 4, 5,6, 12, BLK 6, DOCTOR CARVER, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.

6. **Z-7750 Marc Ruiz** (CD 1) Location: Multiple lots west of the southwest corner of East 44th Place North and North Delaware Avenue requesting rezoning from **RS-3 to RD**

STAFF RECOMMENDATION:

SECTION I: Z-7750

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

DETAILED STAFF RECOMMENDATION:

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

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

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

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

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

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

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

Land Use Vision:

Neighborhood

Neighborhoods are “Mostly Residential Uses” which includes detached, missing middle, and multi-dwelling unit housing types. Churches, schools, and other low-intensity uses that support residents’ daily needs are often acceptable, particularly for properties abutting Multiple Use, Local Center, or Regional Center land use areas. Multi-dwelling unit housing that takes access off of an arterial is considered Multiple Use, Local Center, or Regional Center. If a multi-dwelling unit housing property takes access off a lower-order street separated from the arterial, then it would be considered Neighborhood.

Transportation Vision:

Major Street and Highway Plan: None

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

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

Streets:

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

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

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

SECTION III: Relevant Zoning History

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

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 **WALKER**, the TMAPC voted 8-0-0 (Covey, Craddock, Hood, Krug, Shivel, Walker, Whitlock, Zalk "aye"; no "nays"; none "abstaining"; Carr, Humphrey, "absent") to recommend **APPROVAL** of the RD zoning for Z-7750 per staff recommendation.

Legal Description for Z-7750:

LTS 1,2,3,4, & 5 BLK 2, YAHOLA HGTS ADDN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.

7. **Z-7751 Marc Ruiz** (CD 2) Location: Multiple lots at the southeast corner of South 38th West Avenue and West 55th Street South requesting rezoning from **RS-3 to RM-1 (Applicant requests continuance to January 3, 2024)**

TMAPC Action; 8 members present:

On **MOTION** of **COVEY**, the TMAPC voted 8-0-0 (Covey, Craddock, Hood, Krug, Shivel, Walker, Whitlock, Zalk “aye”; no “nays”; none “abstaining”; Carr, Humphrey, “absent”) to **CONTINUE** Item 7 to January 3, 2023.

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8. **Z-7752 Mike Thedford** (CD 6) Location: North and west of the northwest corner of East 11th Street South and South 193rd East Avenue requesting rezoning from **RS-1 and AG to RS-3 with an optional development plan**

STAFF RECOMMENDATION:

SECTION I: Z-7752

DEVELOPMENT CONCEPT: The applicant is proposing to rezone the subject properties from RS-1 and AG to RS-3 with an optional development plan to permit the development of a single-family residential subdivision with private streets.

DETAILED STAFF RECOMMENDATION:

The Tulsa Comprehensive Plan designates this area as Neighborhood. RS-3 zoning aligns with the recommendations for the Neighborhood land use designation in this area.

RS-3 zoning requires 6,900 square feet of lot area and 4000 square feet of open space per unit in addition to the required parking associated with any new development of the property. The maximum building height allowed in the RS-3 district is 35 feet which is consistent with the surrounding zoning districts in the area.

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

Staff recommends approval of Z-7752 to rezone the property from RS-1 and AG to RS-3 with an optional development plan.

SECTION II: Z-7752 Development Standards

GENERAL PROVISIONS:

1. All uses, supplemental regulations, residential building types, lot and building regulations, and other relevant regulations shall conform with the provision of the Tulsa Zoning Code for development in an RS-3 zoning district except as outlined in in the optional development plan.
2. The entire optional development plan may be served by private streets.

PERMITTED USES:

Uses permitted by right in the RS-3 Zoning District.

PRIVATE STREETS AND MAINTENANCE OBLIGATIONS FOR COMMON AREAS AND IMPROVEMENTS:

1. All lots within the subdivision shall include direct vehicular access to either a public street or a private street. All private streets shall be in a reserve area as defined on the face of the final plat.
2. All operations and maintenance responsibilities for improvements in reserve areas shall be assigned to the Homeowners Association. The reserve area language in the plat shall include provisions that provide common use and benefit of the owners of the residential lots, their guest, and invitees for providing vehicular and pedestrian access to and from the various residential lots and to and from public streets.
3. Provisions shall be made to allow access to the City of Tulsa, the United States Postal Service, private parcel delivery services, public utility providing service to the subdivision and to any refuse collection service which provides service within the subdivision the right to enter and traverse the private street and to operate thereon all service, emergency and allow government vehicles including, but not limited to, police and fire vehicles and equipment.
4. Private streets and sidewalks abutting private streets shall be constructed to meet or exceed the City of Tulsa Engineering standards for minor residential streets and must satisfy the provisions of the Tulsa Metropolitan Area Subdivision and Development Regulations.
5. Private streets intersecting with public streets must have a vehicular turn around area before any entrance gate that allows a complete turnaround completely outside the street right of way of the intersecting public streets. A building permit is required prior to subdivision entrance features that may include gates, walls, security systems, lighting, and access controls. Entrance features must be reviewed and approved by the technical advisory committee before building permit approval and installation.

PLATTING REQUIREMENT:

A final plat meeting or exceeding the minimum standards of the City of Tulsa shall be filed at the Tulsa County Courthouse prior to receipt of any residential building permit.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The subject property is designated as “Neighborhood” by the Comprehensive Plan land use map. The proposed RS-3 district aligns with the recommendations of the “Neighborhood” land use designation in this area.

Land Use Vision:

Neighborhood

Neighborhoods are “Mostly Residential Uses” which includes detached, missing middle, and multi-dwelling unit housing types. Churches, schools, and other low-intensity uses that support residents’ daily needs are often acceptable, particularly for properties abutting Multiple Use, Local Center, or Regional Center land use areas. Multi-dwelling unit housing that takes access off of an arterial is considered Multiple Use, Local Center, or Regional Center. If a multi-dwelling unit housing property takes access off a lower-order street separated from the arterial, then it would be considered Neighborhood.

Transportation Vision:

Major Street and Highway Plan: There is a planned collector street that bisects the subject property. During platting, a decision about future alignments for the planned collector street will be made.

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The subject property is adjacent to existing multifamily residential to the southeast with single-family zoning to north, east, and west.

Streets:

Existing Access	MSHP Design	MSHP R/W	Exist. # Lanes
South 193 rd East Avenue	None	50'	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Existing Use
North	RS-1	Neighborhood	Salvage
East	RS-1	Neighborhood	Single-Family Residential
South	RS-1/AG-R	Local Center	Single-Family Residential/Vacant
West	AG	Neighborhood	Vacant

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11818 dated June 26, 1970, established zoning for the subject property.

Subject Property:

Ordinance No. 18748 July 5, 1996 All concurred in approval of a rezoning Z-6535 on the northern portion of the subject tract from RS-1 to AG

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 **WALKER**, the TMAPC voted 8-0-0 (Covey, Craddock, Hood, Krug, Shivel, Walker, Whitlock, Zalk "aye"; no "nays"; none "abstaining"; Carr, Humphrey, "absent") to recommend **APPROVAL** of the RS-3 zoning with an optional development plan for Z-7752 per staff recommendation.

Legal Description for Z-7752:

ALL OF BLOCKS SIX (6) AND SEVEN (7), INDIAN HILLS ADDITION TO THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.

AND

THE W/2 OF THE S/2 OF THE N/2 OF THE NE/4 OF THE SE/4 AND THE NORTH 132 FEET OF THE E/2 OF THE S/2 OF THE N/2 OF THE NE/4 OF THE SE/4 OF SECTION

1, TOWNSHIP 19 NORTH. RANGE 14 EAST OF THE I.B.&M., TULSA COUNTY, STATE
OF OKLAHOMA,
ACCORDING TO THE U. S. GOVERNMENT SURVEY THEREOF.

* * * * *

9. **SA-7 Tulsa City Council** (CD 3) Location: All properties bounded by East Apache Street on the north, East Pine Street on the south, North Yale Avenue on the west and South Sheridan Road on the east, requesting to supplementally rezone to **SA-7** (Neighborhood Infill Overlay-2) (Continued from November 15, 2023)

STAFF RECOMMENDATION:

Item

Public hearing to provide a recommendation to the City Council regarding an amendment to the zoning map to supplementally rezone various properties bounded by East Apache to the north, East Pine Street on the south, North Yale Avenue on the west and South Sheridan Road on the east, to the Neighborhood Infill Overlay-2 (NIO-2), a Special Overlay Area.

SECTION I:

NIO-2 Purpose and Intent

The Neighborhood Infill Overlay – 2 (NIO-2) establishes zoning regulations that are intended to promote the development of alternative infill housing in established neighborhoods. The overlay allows for a variety of residential housing types in a manner that is compatible, in mass and scale, with the character of surrounding properties. The regulations are also intended to promote housing types that accommodate households of varying sizes and income levels and provide for a more efficient use of land for residential purposes.

Applicability

Except as otherwise expressly stated, the Neighborhood Infill Overlay regulations of this section apply to RS-3, RS-4, RS-5, RD, RT, RM-0, RM-1, RM-2, RM-3, RMH, OL, OM, OMH, OH, CS, CG, CH, IL, IM, and IH zoning districts only within the boundaries of the Neighborhood Infill Overlay – 2 districts to all new permitted uses and structures and all building alterations and site modifications that require a building permit.

Background

In 2022, the City Council adopted a Neighborhood Infill Overlay for several neighborhoods near downtown to address the need for “Missing Middle” Housing typologies. Missing Middle housing typologies are often similar in size to a detached house but have additional units: duplexes, multi-unit houses, townhouses, and even small-scale apartments. Councilor Patrick expressed the desire for a similar overlay in the Dawson Neighborhood with some modifications, most notably to allow manufactured homes by right and to

preserve the current parking requirements of the zoning code and limit the unit count of apartments to four.

City of Tulsa Zoning Code in Section 20.010 states: "As the name implies, overlay districts 'over-lay' applicable base zoning district classifications to alter some or all of the base zoning district regulations that apply to particular sites. Overlay zoning districts work to modify or supplement the regulations imposed by the base zoning district when necessary to address special situations or accomplish specific city goals. Overlay zoning is intended to be used when the base zoning district applied to an area remains generally appropriate, but when an additional, modified or eliminated requirement could help implement the city's planning goals or address an area-specific planning, design, or land use regulations issue."

City Council has approved the text of the Neighborhood Infill Overlay-2 and it was incorporated in the Zoning Code as of 8/28/2023. The next step is to apply those regulations inside the Dawson Neighborhood as identified in Attachment I. The Neighborhood Infill Overlay-2 helps to promote a variety of residential housing types in the established area that are compatible, in mass and scale, with the character of surrounding properties by:

Allowing the following housing types:

- Detached houses,
- Patio houses,
- Townhouses,
- Manufactured homes constructed in 2016 or newer,
- Cottage houses,
- Duplexes,
- Multi-unit houses (3- and 4-plexes),
- Small-scale apartments/condos (limited to 6 units), and
- Accessory Dwelling Units.

Reducing some lot and area requirements to allow development on smaller lots allowing and more efficient use of property including:

- Allowing Home occupations by right.
- Reducing required setbacks for Industrial-light properties.

Parking requirements are not reduced inside the overlay.

Timeline and Public Engagement

February 2023 – City Council initiated text amendment to the City of Tulsa Zoning Code to establish the Neighborhood Infill Overlay and a zoning map amendment to apply the overlay to Dawson Neighborhood.

March 2023 – Concepts and Overlay Draft (ZCA-24) are presented at the regular meeting of the Dawson Neighborhood. Meeting was held at the Dawson Park Community Center.

May 2023 – TMAPC recommends approval of the overlay text amendment (ZCA-24).

September 2023 – City Council approves the Zoning Text of ZCA-24.

August 2023 – ZCA-24 becomes effective.

October 2023 – Notices sent to 800+ property owners within the proposed overlay boundary and within 300-feet of the boundary to describe the proposal and to advertise another community meeting public meeting to be held in October and the public notice of the zoning map amendment SA-7.

October 2023 – Second Community meeting held at the Dawson Community Center.

SECTION II:

Staff Analysis

The proposed overlay boundary is consistent with the purpose and intent of the adopted Neighborhood Infill Overlay- 2. As of the writing of this staff report we have not received any written objections to the proposed overlay boundary. Should we receive objections prior to the TMAPC hearing, staff will supplement their staff report with a map showing on a map objector to the overlay.

Staff Recommends Approval of:

Proposed Neighborhood Character Overlay (NCO) map amendment as shown in Attachment I;

TMAPC Comments:

Mr. Whitlock asked staff how the neighborhood meeting with Councilor Patrick went.

Staff stated it went well. He stated most of the questions had to do with code violations. He stated Michael Rider was present to answer those questions. Staff stated another concern were tiny homes and someone asked about 25x25 foot lots. He stated even in this overlay you could not build on a lot that size.

Mr. Whitlock asked if the home had wheels, would it be allowed.

Staff stated "no".

Mr. Craddock stated he does not like the thought of having manufactured homes. He stated they don't work long term. He stated over the years the quality deteriorates and you do not create value in older homes by having a lower quality house. Mr. Craddock stated he will be voting no on this because he doesn't think this will help the neighbor.

Mr. Whitlock stated he noticed code enforcement was talked about and one of his biggest concerns is how will the rules be enforced because he hears a lot of issues about code violations that nothing has been done about.

Staff stated the manufactured housing was a big focus of this from the councilor's perspective. There were a lot of property owners in the area who are interested in obtaining housing at a lower cost of entry and manufactured housing provides that entry point. She stated while she understands there's concerns about manufactured housing, those concerns weren't really echoed in this area about that type of housing, and there are some that exist currently in the area. Staff stated that the overall objective is to try and create an opportunity for new housing to be developed, manufactured housing being one of those types, but also offering a variety of other options as well.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **WALKER**, the TMAPC voted 6-2-0 (Covey, Hood, Krug, Shivel, Walker, Zalk "aye"; Craddock, Whitlock, "nays"; none "abstaining"; Carr, Humphrey, "absent") to recommend **APPROVAL** of SA-7 per staff recommendation.

PUBLIC HEARING - PLATS

10. **BMX Headquarters** (CD 1) Minor Subdivision Plat, Location: Southwest corner of East Independence Street and North Lansing Avenue

STAFF RECOMMENDATION:

BMX Headquarters - (CD 1)

Northwest corner of East Archer Street and North Lansing Avenue

This plat consists of 1 lot, 1 block on 22.34 ± acres.

The Technical Advisory Committee (TAC) met on August 15, 2019 and provided the following conditions:

1. **Zoning:** The property is zoned IM (Industrial – Moderate). The use of the property as Outdoor Assembly & Entertainment was approved by the City Board of Adjustment on November 13, 2018 (BOA-22539). Special exception approvals for Outdoor Assembly & Entertainment subject the property to full compliance with the *Subdivision & Development Regulations*.
2. **Addressing:** City of Tulsa will assign lot address to Lot 1. Label lot with address prior to final plat submittal.
3. **Transportation & Traffic:** East Archer Street is a designated commercial collector street that requires installation of sidewalks. Provide recording information for all adjacent ROW or indicate dedication by plat.
4. **Sewer:** Sewer main extensions will be completed through a capital improvement project managed by City of Tulsa Engineering Services. Final plans must be approved prior to the approval of the final plat to ensure accuracy of all easements and ROW.
5. **Water:** Water main extensions will be completed through a capital improvement project managed by City of Tulsa Engineering Services. Final plans must be approved prior to the approval of the final plat to ensure accuracy of all easements and ROW.
6. **Engineering Graphics:** Submit a subdivision control data sheet with final plat. Show all platted properties in the location map and label all other property has unplatted. Label subject property. Add “City of Tulsa” in the plat subtitle before Tulsa County, State of Oklahoma. Graphically provide the bearing angle/distance from point of commencement (POC) to point of beginning (POB).
7. **Stormwater, Drainage, & Floodplain:** Storm sewer system will be completed through a capital improvement project managed by City of Tulsa Engineering Services.
8. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** All utilities

indicated to serve the site must provide a release prior to final plat approval. Provide a Certificate of Records Search from the Oklahoma Corporation Commission to verify no oil & gas activity on the site.

Staff recommends **APPROVAL** of the preliminary subdivision plat subject to the conditions provided by TAC and the requirements of the Subdivisions Regulations.

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 **WALKER**, the TMAPC voted 8-0-0 (Covey, Craddock, Hood, Krug, Shivel, Walker, Whitlock, Zalk "aye"; no "nays"; none "abstaining"; Carr, Humphrey, "absent") to **APPROVE** the Minor Subdivision Plat for BMX Headquarters per staff recommendation.

* * * * *

11. Maybelle Villas (CD 2) Preliminary Plat, Location: South of the southeast corner of West 81st Street South and South Maybelle Avenue

STAFF RECOMMENDATION:

Maybelle Villas - (CD 2)

South of the southeast corner of West 81st Street South and South Maybelle Avenue

This plat consists of 59 lots, 7 blocks on 16.03 ± acres.

The Technical Advisory Committee (TAC) met on November 19, 2020 and provided the following conditions:

1. **Zoning:** The subject tract is zoned RS-3 with an approved optional development plan, Z-7506. The development plan permits the use of private streets within the subdivision. Proposed lots conform to the zoning requirements.
2. **Addressing:** City of Tulsa addresses and street names must be assigned and affixed to the face of the final plat along with an address disclaimer.
3. **Transportation & Traffic:** Private streets are required to be constructed to the same standard as public streets per the Subdivision & Development Regulations. Sidewalks are required per Title 35, Section 602 of the Tulsa Revised Ordinances. Sidewalks and ADA ramps, where required along common areas/reserves, are required to be installed by the developer prior to building permits on individual lots. Property owner's association will be required to be established for purposes of common maintenance of private improvements. Sidewalks, where required, will need to be covered by the common maintenance provisions and appropriate easement language for access. Establish limits of access and limits of no access along Maybelle Avenue to align with final drive configuration.
4. **Sewer/Water:** Infrastructure development plans (IDP) for sewer and water main extensions are required to be approved prior to final plat approval. Performance guarantees will be required for any infrastructure not installed prior to final plat recording.
5. **Fire:** Emergency secondary access is required to be provided. Offsite emergency access easements must be recorded and reflected on the final plat.
6. **Airport:** Avigation notice is required to be affixed to the face of the plat due to the subject tract being located within a recognized flight path.
7. **Engineering Graphics:** Submit subdivision data control sheet with final plat submittal. Add "City of" before Tulsa in the plat subtitle. Under the surveyor heading add the name and an email address for the surveyor. Remove contours from the final plat submittal. Update the location map to reflect all

platted property in the section. Label all other property as "Unplatted" and label the subject tract as "Site" or "Project Location". Graphically show all property pins found or set that are associated with the plat. Replace all references to Maybelle Estates with Maybelle Villas.

8. **Stormwater, Drainage, & Floodplain:** City of Tulsa Regulatory Floodplain exists on the northern portion of the property. Overland drainage easement will be required for any on-site floodplain. Any development proposed in the future within the floodplain area will be required to comply with all city floodplain ordinances and criteria.
9. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** All utilities indicated to serve the site must provide a release prior to final plat approval. Provide a Certificate of Records Search from the Oklahoma Corporation Commission to verify no oil & gas activity on the site.

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

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **COVEY**, the TMAPC voted 8-0-0 (Covey, Craddock, Hood, Krug, Shivel, Walker, Whitlock, Zalk "aye"; no "nays"; none "abstaining"; Carr, Humphrey, "absent") to **CONTINUE** Item 11 to December 20, 2023

* * * * *

12. Spectrum Paint (CD 3) Preliminary Plat, Location: North of the northeast corner of East 36th Street North and North Garnett Road (**Applicant requests continuance to December 20, 2023**)

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **SHIVEL**, the TMAPC voted 8-0-0 (Covey, Craddock, Hood, Krug, Shivel, Walker, Whitlock, Zalk “aye”; no “nays”; none “abstaining”; Carr, Humphrey, “absent”) to **CONTINUE** Item 12 to December 20, 2023.

OTHER BUSINESS

13. Commissioners' Comments

Mr. Craddock announced that Ms. Bayles had resigned from TMAPC.

Mr. Craddock and Mr. Whitlock thanked her for her service and stated that she would be missed.

ADJOURN

TMAPC Action; 8 members present:

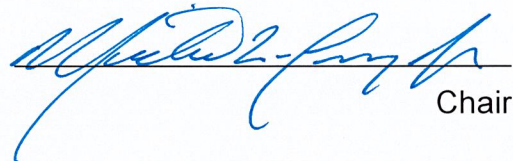
On **MOTION** of **COVEY**, the TMAPC voted 8-0-0 (Covey, Craddock, Hood, Krug, Shivel, Walker, Whitlock, Zalk "aye"; no "nays"; none "abstaining"; Carr, Humphrey, "absent") to **ADJOURN** TMAPC meeting of December 6, 2023, Meeting No. 2903.

ADJOURN

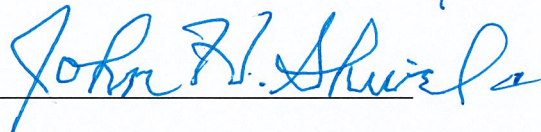
There being no further business, the Chair declared the meeting adjourned at 1:27 p.m.

Date Approved:

12-20-2023


Chair

ATTEST:



Secretary