



APPROVED
Sept. 4, 2024

Tulsa Metropolitan Area Planning Commission

Minutes of Meeting No. 2918

Wednesday, August 7, 2024, 1:00 p.m.

Tulsa City Council Chambers, 175 E. 2nd St., Tulsa, OK 74103

The notice and agenda of said meeting were posted in the City Clerk’s and the County Clerk’s office on August 5, 2024 at 8:48 a.m.

Members Present: Craddock, Fugate, Hood, Rosene Robinson, Shivel, Turner-Addison, Walker, Zalk

Members Absent: Carr, Humphrey, Whitlock

Staff Present: Austin Chapman, Nathan Foster, Susan Miller, Kim Sawyer, Jeff Stephens

Speaker Key:

- (+) indicates a speaker generally supportive of an item;
- (-) indicates a speaker generally opposed to an item; and
- (=) indicates a speaker generally neutral or who has questions about an item.

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

Reports

Chairman’s Report: None

Director’s Report: None

Approval of Minutes

1. Minutes from Meeting 2917, July 17, 2024

Motion: Approval of the minutes of Meeting 2917 from July 17, 2024.

Motion by: Shivel Second by: Hood

Vote: 7-0-0

Ayes: Craddock, Hood, Rosene Robinson, Shivel, Turner-Addison, Walker, Zalk

Nays: none

Abstentions: none

Absent: Carr, Fugate, Humphrey, Whitlock

Mr. Fugate arrived at 1:05 p.m.

Consent Agenda

None

Items 2 and 3 were presented together.

Public Hearing - Rezoning

2. CZ-556 (County)

Location: West of the Northwest corner of East 151st Street South and South 129th East Avenue

County Commission District: 3

Applicant: Megan Pasco

Action Requested: Rezoning from AG to RS (Related to PUD-869)

Staff Recommendation

The applicant is proposing to rezone from AG to RS to permit a gated single-family subdivision. A PUD (PUD-869) is being concurrently proposed with this rezoning to establish the allowable use and the bulk and area requirements. The lots within the PUD area are to provide a minimum of 8,400 sf per dwelling unit. The proposal lies within the Greenway/Floodway designation of the Tulsa County Comprehensive Plan, which adopted the land use designations in place by the City of Broken Arrow Comprehensive Plan. This area is also called out as Level 1 – Rural Residential. This proposal, along with the accompanying PUD are compatible with this designation.

Staff has reviewed the request and finds that it is non-injurious to the surrounding proximate properties and consistent with the Comprehensive Plan and the anticipated future development pattern of the surrounding area, therefore;

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

Comprehensive Plan Considerations

Land Use Plan

The subject property is designated as:

Greenway/Floodplain, defined as *“Areas that fall within the FEMA designated floodplain.”*

Level 1 – Rural Residential, defined as *“Level 1 represents the lowest intensity of land use in Broken Arrow. It is used primarily in the non-urbanized areas of Broken Arrow or to reflect established areas of very low-density residential development that may be expected to remain as an exception in urbanized areas. The principal uses in this level are either agriculturally related or single-family homes on large lots.”*

Surrounding Properties:

<u>Location</u>	<u>Existing Zoning/Overlay</u>	<u>Existing Land Use Designation</u>	<u>Existing Use</u>
North	AG	Greenway/Floodplain and Level 1 – Rural Residential	Agricultural
East	AG	Greenway/Floodplain and Level 1 – Rural Residential	Agricultural / Single-Family
South	AG	Greenway/Floodplain and Level 1 – Rural Residential	Agricultural / Single-Family
West	AG	Greenway/Floodplain and Level 1 – Rural Residential	Agricultural

Small Area Plans

None

Transportation

Major Street & Highway Plan: East 151st Street South and South 129th East Avenue are both designated as Secondary Arterials

Transit: None

Existing Bike/Ped Facilities: None

Planned Bike/Ped Facilities: A sidewalk gap is shown along both E 151st St S and S 129th E Ave

Environmental Considerations

Flood Area: The entirety of the site is located within the 100-year floodplain. The applicant will need to work with Tulsa County Engineering to mitigate any flood issues.

Parks & Open Space: None

Zoning History

Resolution 98254, dated September 15 1980, established zoning for the subject property.

TMAPC Comments

None

Speakers

None.

The applicant indicated their agreement with staff's recommendation.

Commission Action

Motion: Recommend approval of the RS zoning, per staff's recommendation.

Motion by: Shivel Second by: Craddock

Vote: 8-0-0

Ayes: Craddock, Fugate, Hood, Rosene Robinson, Shivel, Turner-Addison, Walker, Zalk

Nays: none

Abstentions: none

Absent: Carr, Humphrey, Whitlock

Property Description

LEGAL DESCRIPTION: A TRACT OF LAND THAT IS A PART OF THE SOUTHEAST QUARTER OF (SE/4) OF SECTION SEVENTEEN (17), TOWNSHIP SEVENTEEN (17) 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: BEGINNING AT THE SOUTHWEST CORNER OF SAID SE/4; THENCE NORTH 1°15'08" WEST AND ALONG THE WEST LINE OF SAID SE/4 FOR A DISTANCE OF 2662.70 FEET TO A POINT AT THE NORTHWEST CORNER OF SAID SE/4; THENCE NORTH 88°49'42" EAST AND ALONG THE NORTH LINE OF SAID SE/4 FOR A DISTANCE OF 1324.25 FEET TO A POINT AT THE NORTHWEST CORNER OF THE NE/4 SE/4 OF SAID SECTION 17; THENCE SOUTH 1°10'35" EAST AND ALONG THE WEST LINE OF SAID NE/4 SE/4 FOR A DISTANCE OF 1326.18 FEET TO A POINT AT THE SOUTHWEST CORNER OF SAID NE/4 SE/4; THENCE NORTH 88°36'16" EAST AND ALONG THE SOUTH LINE OF SAID NE/4 SE/4 FOR A DISTANCE OF 1322.50 FEET TO THE SOUTHEAST CORNER OF SAID NE/4 SE/4; THENCE SOUTH 1°06'00" EAST AND ALONG THE EAST LINE OF THE SE/4 SE/4 OF SAID SECTION 17 FOR A DISTANCE OF 805.99 FEET; THENCE SOUTH 88°22'47" WEST AND PARALLEL WITH THE SOUTH LINE OF SAID SE/4 FOR A DISTANCE OF 1321.46 FEET; THENCE NORTH 1°10'35" WEST FOR A DISTANCE OF 148.07 FEET; THENCE SOUTH 88°29'32" WEST FOR A DISTANCE OF 330.41 FEET; THENCE SOUTH 1°11'44" EAST FOR A DISTANCE OF 663.74 FEET TO A POINT ON THE SOUTH LINE OF SAID SE/4; THENCE SOUTH 88°22'47" WEST AND ALONG SAID SOUTH LINE FOR A DISTANCE OF 990.58 FEET TO THE POINT OF BEGINNING

3. PUD-869 (County)

Location: West of the Northwest corner of East 151st Street South and South 129th East Avenue

County Commission District: 3

Applicant: Megan Pasco

Action Requested: Planned Unit Development for a residential subdivision RS (Related to CZ-556)

Staff Recommendation

The applicant is requesting to rezone from AG to RS to a permit gated single-family subdivision.

A rezoning is being concurrently proposed with this PUD (CZ-556). The proposed PUD will establish the allowable use and the bulk and area requirements. The lots within the PUD area are to provide a minimum of 8,400 sf per dwelling unit. The proposal lies within the Greenway/Floodway designation of the Tulsa County Comprehensive Plan, which adopted the land use designations in place by the City of Broken Arrow Comprehensive Plan. This area is also called out as Level 1 – Rural Residential. This proposal, along with the accompanying rezoning are compatible with this designation.

Staff has reviewed the request and finds that it is non-injurious to the surrounding proximate properties and consistent with the Comprehensive Plan and the anticipated future development pattern of the surrounding area, therefore;

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

DEVELOPMENT STANDARDS

Riverbend Meadows shall be developed in accordance with the use and development regulations of the RS district of the Tulsa County Zoning Code, except as noted herein:

Project Gross Land Area: 4,364,354 SF 100.192 AC

Permitted Uses: Uses permitted as a matter of right in RS zoning district in the Tulsa County Zoning Code

Maximum Number of Lots: 375 Lots

Minimum Lot Width: 40 FT

Minimum Lot Size: 4,400 SF

Minimum Land Area per Dwelling Unit: 8,400 SF

Minimum Livability Space per Dwelling Unit: 4,000 SF *

Maximum Building Height: 35 FT **

Off-street Parking: Minimum two (2) off-street parking spaces required per dwelling unit.

Minimum Yard Setbacks

Front Yard (Arterial Street): 35 FT

Front Yard (Non-Arterial Street): 20 FT

Rear Yard: 20 FT

Side Yard: 5 FT & 5 FT

Side Yard Adjacent to Arterial Street: 35 FT

Side Yard Adjacent to Non-Arterial Street: 15 FT

* Livability space may be located on a lot or contained within common open space of the development, as per Section 1140.3 of the Tulsa County Zoning Code.

** Architectural features such as chimneys and cupolas may extend to a maximum height of 45 feet, however, no habitable portion of any dwelling shall exceed the 35 feet limitation.

STREETS: Streets within this PUD, whether public or private, shall be constructed to Tulsa County standards for minor residential streets. Streets may be designed curbs and gutters as per design standards

approved by Tulsa County. Divided, boulevard-style entrances may be constructed, provided any median landscaping and other entry features shall be maintained by the mandatory homeowners’ association.

ACCESSORY BUILDINGS: Detached accessory buildings shall be permitted subject to Tulsa County Zoning Code regulations and private restrictions as may be imposed by restrictive covenants or other private deed restrictions filed of record by separate instrument.

SIGNS: Subdivision entrance signs shall be permitted at each entrance and/or street frontage and shall comply with the accessory use regulations for signage of the Tulsa County Zoning Code. Signage serving residential neighborhood amenities, appropriate for purpose and neighborhood scale, shall be permitted within reserve areas containing neighborhood amenities. Signage shall otherwise comply with the Tulsa County Zoning Code.

FENCING: Fences along the subdivision perimeters, reserve areas, and individual homesites shall comply with fence requirements of the Tulsa County Zoning Code.

Comprehensive Plan Considerations

Land Use Plan

The subject property is designated as:

Greenway/Floodplain, defined as “Areas that fall within the FEMA designated floodplain.”

Level 1 – Rural Residential, defined as “Level 1 represents the lowest intensity of land use in Broken Arrow. It is used primarily in the non-urbanized areas of Broken Arrow or to reflect established areas of very low-density residential development that may be expected to remain as an exception in urbanized areas. The principal uses in this level are either agriculturally related or single-family homes on large lots.”

Surrounding Properties:

<u>Location</u>	<u>Existing Zoning/Overlay</u>	<u>Existing Land Use Designation</u>	<u>Existing Use</u>
North	AG	Greenway/Floodplain and Level 1 – Rural Residential	Agricultural
East	AG	Greenway/Floodplain and Level 1 – Rural Residential	Agricultural / Single-Family
South	AG	Greenway/Floodplain and Level 1 – Rural Residential	Agricultural / Single-Family
West	AG	Greenway/Floodplain and Level 1 – Rural Residential	Agricultural

Small Area Plans

None

Transportation

Major Street & Highway Plan: East 151st Street South and South 129th East Avenue are both designated as Secondary Arterials

Transit: None

Existing Bike/Ped Facilities: None

Planned Bike/Ped Facilities: A sidewalk gap is shown along both E 151st St S and S 129th E Ave

Environmental Considerations

Flood Area: The entirety of the site is located within the 100-year floodplain. The applicant will need to work with Tulsa County Engineering to mitigate any flood issues.

Parks & Open Space: None

Zoning History

Resolution 98254, dated September 15 1980, established zoning for the subject property.

TMAPC Comments

None

The applicant indicated their agreement with staff's recommendation.

Speakers

None.

The applicant indicated their agreement with staff's recommendation.

Commission Action

Motion: Recommend approval of PUD-869, per staff's recommendation.

Motion by: Shivel Second by: Craddock

Vote: 8-0-0

Ayes: Craddock, Fugate, Hood, Rosene Robinson, Shivel, Turner-Addison, Walker, Zalk

Nays: none

Abstentions: none

Absent: Carr, Humphrey, Whitlock

Property Description

LEGAL DESCRIPTION: A TRACT OF LAND THAT IS A PART OF THE SOUTHEAST QUARTER OF (SE/4) OF SECTION SEVENTEEN (17), TOWNSHIP SEVENTEEN (17) 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: BEGINNING AT THE SOUTHWEST CORNER OF SAID SE/4; THENCE NORTH 1°15'08" WEST AND ALONG THE WEST LINE OF SAID SE/4 FOR A DISTANCE OF 2662.70 FEET TO A POINT AT THE NORTHWEST CORNER OF SAID SE/4; THENCE NORTH 88°49'42" EAST AND ALONG THE NORTH LINE OF SAID SE/4 FOR A DISTANCE OF 1324.25 FEET TO A POINT AT THE NORTHWEST CORNER OF THE NE/4 SE/4 OF SAID SECTION 17; THENCE SOUTH 1°10'35" EAST AND ALONG THE WEST LINE OF SAID NE/4 SE/4 FOR A DISTANCE OF 1326.18 FEET TO A POINT AT THE SOUTHWEST CORNER OF SAID NE/4 SE/4; THENCE NORTH 88°36'16" EAST AND ALONG THE SOUTH LINE OF SAID NE/4 SE/4 FOR A DISTANCE OF 1322.50 FEET TO THE SOUTHEAST CORNER OF SAID NE/4 SE/4; THENCE SOUTH 1°06'00" EAST AND ALONG THE EAST LINE OF THE SE/4 SE/4 OF SAID SECTION 17 FOR A DISTANCE OF 805.99 FEET; THENCE SOUTH 88°22'47" WEST AND PARALLEL WITH THE SOUTH LINE OF SAID SE/4 FOR A DISTANCE OF 1321.46 FEET; THENCE NORTH 1°10'35" WEST FOR A DISTANCE OF 148.07 FEET; THENCE SOUTH 88°29'32" WEST FOR A DISTANCE OF 330.41 FEET; THENCE SOUTH 1°11'44" EAST FOR A DISTANCE OF 663.74 FEET TO A POINT ON THE SOUTH LINE OF SAID SE/4; THENCE SOUTH 88°22'47" WEST AND ALONG SAID SOUTH LINE FOR A DISTANCE OF 990.58 FEET TO THE POINT OF BEGINNING

4. **Z-7778**

Location: East of the intersection of Southwest Boulevard and Riverside Drive

City Council: 4

Applicant: Tulsa City Council

Action(s) Requested: Rezoning from CH, RM-2 and RS-3 to CH (Continued from July 17, 2024)

Staff Recommendation

Z-7778 was initiated by the Tulsa City Council on May 1, 2024. The subject property is owned by the City of Tulsa. On April 29, 2024, a request for proposals (RFP) was issued by the City of Tulsa seeking proposals for a new commercial development at this location.

Much of the subject property is already zoned Commercial-High (CH). The southern portion of the property is Residential Multifamily 2 (RM-2). The northern portion of the property, recently acquired from the Oklahoma Department of Transportation as surplus right-of-way, is zoned Residential Single-Family (RS-3). RS-3 was a commonly used zoning designation for right-of-way areas when the City adopted comprehensive zoning maps in 1970.

The property is uniquely situated where Route 66 intersects with the Arkansas River. The City's request for proposals seeks to identify a development that can complement both destinations. The rezoning of the site to a single zoning district, rather than the three existing districts, eliminates development challenges and aligns all regulations under one zoning district.

In addition to the Tulsa Zoning Code's standards for CH districts, the property is contained within three separate zoning overlay districts.

River Design Overlay – The RDO applies additional design standards to new development within the Arkansas River Corridor. By requiring build-to-zones, use limitations, and enhanced landscaping, the RDO prescribes regulations to meet the objectives of creating more walkable and complementary development along the Arkansas River and the River Parks trail system.

Route 66 Overlay – The Route 66 Overlay provides incentives to developers to include neon as part of any newly proposed sign by increasing sign budgets and dimensional standards for specifically neon signs.

Neighborhood Infill Overlay – The NIO allows for additional housing types and reduced dimensional requirements for lots to encourage the construction of additional housing units in neighborhoods near downtown. The NIO does not apply to CH districts.

The proposed CH zoning with the additional standards of the River Design Overlay is consistent with the recommendations of the Tulsa Comprehensive Plan designation for the Arkansas River Corridor.

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

Comprehensive Plan Considerations

Land Use Plan

The subject property is designated as part of the Arkansas River Corridor. The Arkansas River Corridor comprises a mix of uses – residential, commercial, recreation, and entertainment – that are well connected and primarily designed for the pedestrian. This Corridor is characterized by a set of design standards that support and enhance the Arkansas River Corridor as a lively, people-oriented destination. The Corridor connects nodes of high-quality

development with parks and open space. The natural habitat and unique environmental qualities are amenities and are respected and integrated as development and redevelopment occur. The future development of this Corridor is intended to complement the adjacent thriving neighborhoods by providing appropriate transitions and connections to the Arkansas River.

Surrounding Properties:

<u>Location</u>	<u>Existing Zoning/Overlay</u>	<u>Existing Land Use Designation</u>	<u>Existing Use</u>
North	RS-3, RT66, NIO	N/A	ODOT ROW
East	RM-2, RDO, NIO, RT66	Arkansas River Corridor	Apartment/Condo
South	CH, RM-2	Arkansas River Corridor	Riverside Drive
West	RS-3	N/A	ODOT ROW

Small Area Plans

The subject property is included in the Downtown Area Master Plan (2010) which recognizes this property as an "Urban Gateway" to downtown and includes recommendations for a Route 66 development at this location.

Development Era

The subject property is in an area developed during the Streetcar Era (1910s-30s), prior to the proliferation of automobiles, when streetcars facilitated growth beyond downtown. Land uses range from fully integrated to somewhat separated, on a half-mile grid, with a mix of housing options. Priorities in these areas include walkability, bikeability, access to public transit, historic preservation, housing type variety, mixed-use development, transit-oriented development, commercial districts, and well-designed streetscapes.

Transportation

Major Street & Highway Plan: The property is adjacent to three separate streets classified by the Major Street and Highway Plan. Both Southwest Boulevard and West 12th Street are designated as secondary collector streets. Riverside Drive is designated as a commercial collector.

Comprehensive Plan Street Designation: Southwest Boulevard and West 12th Street are designated as multi-modal corridors which encourage implementation of transportation facilities for bicycles, buses, and pedestrians.

Transit: There is regular route service along Southwest Boulevard at this location. Southwest Boulevard is a planned corridor for BRT service.

Existing Bike/Ped Facilities: West 12th Street has on-street bike lanes and Southwest Boulevard is designated as a signed bicycle route. The River Park trail system is across Riverside Drive from the subject property.

Environmental Considerations

Flood Area: The subject property is not located within any designated floodplain areas.

Tree Canopy Coverage: Preserving the limited existing canopy should be encouraged, as well as measures to increase the canopy through landscaping. Street-lining trees in particular should be encouraged to spread the benefit of the tree canopy to the pedestrian realm.

Parks & Open Space: River Parks is across Riverside Drive from the subject property.

Zoning History

Ordinance 11814, dated June 26, 1970, established zoning for the subject property.

Ordinance 23554 dated September 26, 2016, established the RDO-3 overlay.

Ordinance 23933 and 23954 dated July 1, 2018, established the RT66 overlay.

Ordinance 24712 dated November 4, 2021, established the NIO overlay.

TMAPC Comments

Mr. Craddock asked when the proposals were due.

Ms. Ray, Managing Director of the City Design Studio stated proposals were due by the end of July 2024. She stated there were 4 proposals submitted and a decision would be made by the end of September.

Mr. Craddock asked if the anticipated zoning match the requests in the 4 proposals.

Ms. Ray stated "yes".

Speakers

None

Commission Action

Motion: Recommend approval of the CH zoning, per staff's recommendation.

Motion by: Craddock Second by: Hood

Vote: 8-0-0

Ayes: Craddock, Fugate, Hood, Rosene Robinson, Shivel, Turner-Addison, Walker, Zalk

Nays: none

Abstentions: none

Absent: Carr, Humphrey, Whitlock

Property Description

A TRACT OF LAND THAT IS A PART OF LOT NINE (9) OF BLOCK THIRTEEN (13), ALL OF LOTS ONE (1), TWO (2), THREE (3), FOUR (4), FIVE (5), SIX (6), SEVEN (7), AND EIGHT (8), BLOCK THIRTEEN (13), AND A PART OF LOT FOUR (4), FIVE (5), SIX (6), NINE (9), LOT TEN (10) AND BLOCK SIX (6) AND A PART OF THAT PORTION OF WEST 13TH STREET LYING BETWEEN BLOCK SIX (6) AND BLOCK THIRTEEN (13), ALL IN NORVELL PARK ADDITION, AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA, AND PART OF GOVERNMENT LOT ONE (1) OF SECTION ELEVEN (11), TOWNSHIP NINETEEN (19) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, OKLAHOMA, SAID TRACT OF LAND BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 5, BLOCK 6; THENCE SOUTH 14°35'00" WEST ALONG THE EASTERLY LINE OF SAID BLOCK 6 AND BLOCK 13, FOR A DISTANCE OF 300.00 FEET TO A POINT OF CURVE; THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 85.00 FEET, A CHORD BEARING OF SOUTH 55°32'49" WEST, A CHORD DISTANCE OF 104.45 FEET, FOR AN ARC DISTANCE OF 108.71 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID BLOCK 13; THENCE NORTH 52°08'56" WEST AND ALONG THE SOUTHERLY LINE OF SAID BLOCK 13, FOR A DISTANCE OF 188.85 FEET TO THE SOUTHWEST CORNER OF SAID LOT 6; THENCE NORTH 14°35'00" EAST AND ALONG THE WESTERLY LINE OF SAID LOT 6, AND FOR A DISTANCE OF 25.12 FEET; THENCE NORTH 52°14'37" WEST ALONG THE NEW RIGHT-OF-WAY LINE OF RIVERSIDE DRIVE, FOR A DISTANCE OF 125.65 FEET TO A POINT ON THE WESTERLY LINE OF SAID BLOCK 13; THENCE NORTH 31°58'05" EAST, FOR A DISTANCE OF 258.88 FEET TO A NON-TANGENT CURVE; THENCE ALONG SAID CURVE TO THE RIGHT WITH A RADIUS OF 25.00 FEET, A CHORD BEARING OF SOUTH 88°00'31" EAST, A CHORD DISTANCE OF 23.23 FEET, FOR AN ARC DISTANCE OF 24.16 FEET TO A POINT OF CURVE; THENCE ALONG SAID CURVE TO THE LEFT WITH A RADIUS OF 240.00 FEET, A CHORD BEARING OF SOUTH 79°13'22" EAST, A CHORD DISTANCE OF 155.44 FEET, FOR AN ARC DISTANCE OF 158.30 FEET; THENCE SOUTH 75°25'00" EAST AND PARALLEL WITH THE NORTH LINE OF SAID BLOCK 6, FOR A DISTANCE OF 100.39 FEET TO A POINT ON THE EASTERLY LINE OF SAID BLOCK 6; THENCE SOUTH 14°35'00" WEST AND ALONG SAID EASTERLY LINE, FOR A DISTANCE OF 35.00 FEET TO THE POINT OF BEGINNING.

Items 5 and 9 were presented together.

5. Z-7780

Location: North of the northwest corner of East 101st Street South and South Garnett Road

City Council District: 7

Applicant: Priscila Jelsing

Action(s) Requested: Rezoning from AG to OL (Related to CPA-111)

Staff Recommendation

The applicant is proposing to rezone a 1.81-acre tract from AG to OL to permit a dental office. The subject property is located on South Garnett Road with direct access to the secondary arterial.

A concurrent application to amend the Tulsa Comprehensive Plan has been submitted under CPA-111. The requested CPA seeks to change the land use designation for the property from "Neighborhood" to "Local Center".

The change to OL would be consistent with the proposed "Local Center" designation by allowing small-scale commercial and office development to serve surrounding neighborhoods.

OL would not be injurious to the surrounding neighborhood and would not change the character of the surrounding area. Immediately to the north of this property, a large multifamily development was recently completed. The Creek Turnpike is across South Garnett Road from the subject property which would prevent any future neighborhood development to the east.

The proposed OL district would not align with the existing "Neighborhood" land use designation. Staff is recommending approval of the CPA.

With consideration given to the factors listed herein, staff recommends **approval** of the application only if the proposed change under CPA-111 is also approved.

Comprehensive Plan Considerations

Land Use Plan

Existing:

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

Proposed:

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

Surrounding Properties:

<u>Location</u>	<u>Existing Zoning/Overlay</u>	<u>Existing Land Use Designation</u>	<u>Existing Use</u>
North	CO-5	Neighborhood	Vacant

East	N/A	N/A	Creek Turnpike/Vacant
South	Agriculture	Neighborhood	Residential
West	Agriculture	Neighborhood	Residential

Small Area Plans

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

Development Era

The subject property is in an area developed during the Late Automobile Era (1950s-present), which has grown since the mainstreaming of automobile-centric lifestyles, with a high degree of separation between residential and nonresidential uses, and low levels of street connectivity. In these areas, transportation is nearly exclusively concentrated on the mile-by-mile arterial grid, and major streets are often both transportation corridors and destination corridors, which can lead to traffic congestion. Nonresidential uses are predominantly located at the intersections of major arterial streets. Priorities in these areas include commercial revitalization, placemaking, community gathering opportunities, conservation of natural areas, a high degree of privacy, one-stop shopping, and commuting routes.

Transportation

Major Street & Highway Plan: South Garnett Road is designated as a secondary collector which requires an ultimate right-of-way width of 100 feet.

Comprehensive Plan Street Designation: Multi-Modal Corridor

Transit: N/A

Existing Bike/Ped Facilities: Liberty Trail is located across South Garnett Road from the subject property.

Planned Bike/Ped Facilities: N/A

Environmental Considerations

Flood Area: Most of the subject property is located within the City of Tulsa Regulatory Floodplain. Development in the floodplain comes with additional requirements that will be required to be addressed through the permitting process.

Tree Canopy Coverage: Tree canopy in the area is 16%. Preserving the limited existing canopy should be encouraged, as well as measures to increase the canopy through landscaping. Street-lining trees in particular should be encouraged to spread the benefit of the tree canopy to the pedestrian realm.

Parks & Open Space: N/A

Zoning History

Ordinance 11834, dated June 26, 1970, established zoning for the subject property.

Applicant Comments

Clark Bracken, 9914 South Garnett Road, Broken Arrow, OK 74012, would like to build a small dental office adjacent to the apartment complex.

Speakers

(-) Remson Britel, 9928 South Garnett Road, Broken Arrow, OK 74012, is opposed to the rezoning. He lives next door and shares a driveway with the applicant and the applicant never contacted him about the development.

Mr. Britel is concerned about trees being removed from the property because the property is heavily wooded and provides a traffic noise buffer from the nearby streets and highway and they also provide privacy between his and the applicant's homes.

TMAPC Comments

Ms. Turner-Addison supports the application but agrees that the applicant should have spoken with the neighbor. Mr. Fugate stated that Garnett Road was an arterial road and that is where most commercial is built. Mr. Hood suggested a continuance to allow the applicant and Mr. Britel to find a solution.

Commission Action

Motion: Continue to August 21, 2024 to allow the applicant and the neighbor time to work out their grievance.

Motion by: Walker Second by: Hood

Vote: Vote: 6-2-0

Ayes: Hood, Rosene Robinson, Shivel, Turner-Addison, Walker, Zalk

Nays: Craddock, Fugate,

Abstentions: none

Absent: Carr, Humphrey, Whitlock

6. Z-7781

Location: Multiple lots north and east of the northeast corner of East 42nd Street South and South Peoria Avenue

City Council District: 9

Applicant: Michael Joyce

Action(s) Requested: Rezoning from CH and MX3-U-U to CH with an optional development plan

Staff Recommendation

The applicant is proposing to rezone the subject properties from CH and MX3-U-U to CH with a development plan to permit commercial uses and contain all property within a single zoning district. The development plan submitted by the applicant divides the properties into two development areas. The northern development area contains a limitation on uses that would be permitted. The southern development area limits use and establishes enhanced screening and landscaping standards to buffer new development from the single-family residential neighborhood to the south.

Most of the subject property is zoned MX3-U-U which was approved as part of the BRT mixed-use zoning incentive program. The original development plans for the MX3-U-U district are no longer proposed for the property.

The CH district is primarily intended to:

- a. Accommodate high-intensity commercial and related uses primarily in the core area of the city.
- b. Encourage use of properties and existing buildings along older commercial corridors; and
- c. Minimize encroachment and adverse land use impacts on stable residential neighborhoods.

As a straight zoning, CH would not be appropriate for this property due the intensity of some of the uses permitted by right under that designation. The optional development plan, as recommended by staff, removes the more intense uses permitted by CH and establishes standards for the neighborhood edge to minimize the effects of the development on nearby residential neighbors.

With consideration given to the factors listed herein, staff recommends **approval** of the application subject to the conditions of the optional development plan outlined below.

Z-7781 Development Standards

Property included within the Z-7781 development plan shall be developed in accordance with the CH zoning district with the additional provisions outlined herein.

The property shall be divided into two (2) development areas.

Development Area A (Lots 2, 3, and 4, Block 1 of the attached Brookside Marketplace Preliminary Plat):

Z-7781 shall only permit the uses identified below within Development Area A, along with customary accessory uses, and subject to the supplemental regulations of the Tulsa Zoning Code. Uses not listed below are prohibited. Uses identified below are permitted by right.

Permitted Use Categories, Subcategories, and Specific Uses:

Uses denoted with "" require special exception approval by the City of Tulsa Board of Adjustment*

RESIDENTIAL Use Category

Household Living Subcategory (if in allowed building types identified below):

Single household

Two households on single lot

Three or more households on single lot

Group Living Subcategory

Assisted Living Facility

Elderly/retirement center

Life care retirement center

PUBLIC, CIVIC, AND INSTITUTIONAL Use Category

College or University

Day Care

Family Child Care Home

Child Care Center

Library or Cultural Exhibit

Natural Resource Preservation

Parks and Recreation

Postal Services*

Religious Assembly

Safety Service

School

Established on or before Jan. 1, 1998

Others

Utilities and Public Service Facility

Minor

Major*

Wireless Communication Facility

Building or tower-mounted antenna

COMMERCIAL Use Category

Animal Service

Boarding or shelter

Grooming

Veterinary

Assembly and Entertainment

Other indoor

Small (up to 250-person capacity), *requires Special Exception approval if serving alcohol within 150 feet of a R-district*

Broadcast or Recording Studio

Commercial Service

Building service

Business support service

Consumer maintenance/repair service

Personal improvement service

Research service

Financial Services, excluding personal credit establishments

Funeral or Mortuary Service

Lodging

Bed & breakfast

Short-term rental

- Hotel/motel
- Marina*
- Office
 - Business or professional office
 - Medical, dental or health practitioner office
- Restaurants and Bars
 - Restaurant
 - Bar (except as below), *requires Special Exception approval within 150 feet of a R-district*
 - Brewpub*
- Retail Sales
 - Consumer shopping goods
 - Convenience goods
 - Grocery store
 - Small box discount store
- Studio, Artist or Instructional Service
- Vehicle Sales and Service
 - Personal vehicle sales and rentals, limited to indoor showrooms only with no outdoor storage or display of merchandise
 - Vehicle part and supply sales, limited to indoor uses only with no outdoor storage or display of merchandise
- RECYCLING Use Category
 - Consumer Material Drop-off Station
- AGRICULTURAL Use Category
 - Community Garden
 - Farm, Market-, or Community-supported
- OTHER Use Category
 - Drive-in or Drive-through Facility (as a component of an allowed principal use)

Residential Building Types

- Household Living
 - Single Household
 - Detached House*
 - Townhouse
 - Patio House*
 - Mixed-use building
 - Vertical mixed-use building
 - Two households on one lot
 - Duplex*
 - Mixed-use building
 - Vertical mixed-use building
 - Three or more households on one lot
 - Multi-unit house*
 - Apartment/Condo
 - Mixed-use building
 - Vertical mixed-use building

Development Area B (Lot 1 Block 1 of the attached Brookside Marketplace preliminary plat):

Z-7781 shall only permit the uses identified below within Development Area B, along with customary accessory uses, and subject to the supplemental regulations of the Tulsa Zoning Code. Uses not listed below are prohibited. Uses identified below are permitted by right.

Permitted Use Categories, Subcategories, and Specific Uses:

Uses denoted with "" require special exception approval by the City of Tulsa Board of Adjustment*

RESIDENTIAL Use Category

Household Living Subcategory (if in allowed building types identified below):

Single household

Two households on single lot

Three or more households on single lot

Group Living Subcategory

Assisted Living Facility

Elderly/retirement center

Life care retirement center

PUBLIC, CIVIC, AND INSTITUTIONAL Use Category

College or University

Day Care

Family Child Care Home

Child Care Center

Library or Cultural Exhibit

Natural Resource Preservation

Parks and Recreation

Postal Services*

Religious Assembly

Safety Service

School

Established on or before Jan. 1, 1998

Others

Utilities and Public Service Facility

Minor

Wireless Communication Facility

Building or tower-mounted antenna

COMMERCIAL Use Category

Animal Service

Grooming

Veterinary

Broadcast or Recording Studio

Commercial Service

Building service

Business support service

Consumer maintenance/repair service

Personal improvement service

Research service

Financial Services, excluding personal credit establishments

Funeral or Mortuary Service

Lodging

Bed & breakfast

Short-term rental

- Hotel/motel
- Office
 - Business or professional office
 - Medical, dental or health practitioner office
- Restaurants and Bars
 - Restaurant
 - Bar (except as below), *requires Special Exception approval within 150 feet of a R-district*
 - Brewpub*
- Retail Sales
 - Consumer shopping goods
 - Convenience goods
 - Grocery store
 - Small box discount store
- Studio, Artist or Instructional Service
- AGRICULTURAL Use Category
 - Community Garden
 - Farm, Market-, or Community-supported
- OTHER Use Category
 - Drive-in or Drive-through Facility (as a component of an allowed principal use)

Residential Building Types

- Household Living
 - Single Household
 - Detached House*
 - Townhouse
 - Patio House*
 - Mixed-use building
 - Vertical mixed-use building
 - Two households on one lot
 - Duplex*
 - Mixed-use building
 - Vertical mixed-use building
 - Three or more households on one lot
 - Multi-unit house*
 - Apartment/Condo
 - Mixed-use building
 - Vertical mixed-use building

Minimum Building Setbacks:

- From East boundary of Development Area B: 50 feet
- From South boundary of Development Area B: 10 feet

Building Materials:

Building materials shall be masonry, stucco, glass, or wood. Building accents may include steel or other painted or coated metal.

Landscaping and Screening Requirements:

A wooden screening fence at least six feet (6') high or higher shall be located along the eastern boundary of the Project.

An opaque screening wall at least six feet, six inches (6'6") high or higher with masonry base and columns shall be located along the southern boundary of the Project where adjacent to the RS-3 zoning district. Such screening wall shall be set back at least ten feet (10') from southern Project boundary.

Along the southern boundary of the Project, required street trees shall be at least fourteen feet (14') tall with a four-inch (4") caliper at planting, together with extensive shrubs and ground cover that will meet or exceed Code requirements.

Dumpster Screening:

Dumpsters shall be screened from view with a masonry screening wall made of similar materials as the principal structure and enclosure doors with at least 95% opacity.

Drive-Through Facilities:

The drive-through facilities, including all speakers, ordering stations, and service windows shall be located within the northern 40 feet of Development Area B.

Access:

A maximum of two (2) access points shall be permitted on East 42nd Street. The westerly driveway onto East 42nd Street will contain a raised directional median restricting left-hand turns onto 42nd Street.

Signage:

Signage is prohibited on east facing walls of any structure.

Comprehensive Plan Considerations

Land Use Plan

The subject property is designated as multiple use. Multiple Use areas are mostly commercial or retail uses, which include restaurants, shops, services, and smaller format employment uses. This land use designation is most common in areas of the city from earlier development patterns, with Local Centers being more commonplace in newer parts of the city. For single properties that are commercial but surrounded by Neighborhood, Multiple Use is the preferred designation.

Surrounding Properties:

<u>Location</u>	<u>Existing Zoning/Overlay</u>	<u>Existing Land Use Designation</u>	<u>Existing Use</u>
North	CH/CS/RM-2/MX/RM-1	Multiple Use	Bank/Multifamily
East	MX2-F-65/RS-3	Multiple Use/Neighborhood	Multifamily/Single-Family
South	CH/RS-3	Multiple Use/Neighborhood	Restaurant/Single-Family
West	CH	Multiple Use	Commercial

Small Area Plans

The subject property is located within the Brookside Infill Plan.

Development Era

The subject property is in an area developed during the Early Automobile Era (1930s-50s), which retained a high degree of the connectivity from neighborhood streets to the arterial network, with mostly commercial, office, industrial, and other active uses along major streets and a mix of housing options and neighborhood-based uses

like schools, churches, and libraries in the interior sections. Priorities in these areas include walkability, bikeability, access to public transit, historic preservation, housing type variety, mixed-use development, commercial revitalization, compatibility of scale for neighborhood development, and transitions between commercial corridors and residential areas.

Transportation

Major Street & Highway Plan: South Peoria Avenue is designated as a secondary arterial street which requires an ultimate right-of-way width of 100 feet.

Comprehensive Plan Street Designation: N/A

Transit: The Aero BRT route is located on South Peoria Avenue.

Existing Bike/Ped Facilities: Sidewalks are in place along South Peoria Avenue.

Planned Bike/Ped Facilities: None.

Environmental Considerations

Flood Area: Portions of the subject property are located within the City of Tulsa Regulatory Floodplain. Development in floodplain areas have additional requirements for development that will be applied during the permitting process.

Tree Canopy Coverage: Tree canopy in the area is 14%. Preserving the limited existing canopy should be encouraged, as well as measures to increase the canopy through landscaping. Street-lining trees in particular should be encouraged to spread the benefit of the tree canopy to the pedestrian realm.

Parks & Open Space: N/A

Zoning History

Ordinance 11823, dated June 26, 1970, established zoning for the subject property.

Ordinance 23843, dated January 20, 2017 changed a portion of the property to MX3-U-U.

Ordinance 25112, dated August 31, 2023 changed a portion of the property to MX3-U-U.

Applicant Comments

Michael Joyce, P.O. Box 52248, Tulsa, OK 74152

Mr. Joyce gave an overview of the history of this application including the Board of Adjustment decision.

Speakers

- (-) John Frazer, 1404 East 42nd Street, Tulsa, OK 74105, is concerned about increased traffic and encroachment into the neighborhood.
- (-) Gabriele Tredt, 1332 East 42nd Street, Tulsa, OK 74105, is concerned about increased crime and homelessness in the area. She also is worried about an increase in flooding if this is built because it is in a flood zone.
- (-) Jamey Beller, 1320 East 42nd Street, Tulsa, OK 74105, concerned about emergency vehicle access to the neighborhood because of the added traffic.
- (-) Alex Hewitt, 1336 East 42nd Street, Tulsa, OK 74105, believes CH is not appropriate adjacent to residential. He would like the current zoning maintained. He is also concerned about increased traffic into the neighborhood.
- (+) Marilyn Trout, 4221 S Owasso Avenue, Tulsa, OK 74101, is in support of this application and looks forward to Chick fil A in the area.

- (+) Dana Manny, 4341 South Madison Place, Tulsa, OK 74105, is in support of Chick fil A and is excited for it to be on Brookside.
- (=) Jackson Slayter, 2770 Washington Dr, Norman, OK 73069, is a Traffic Engineer at Traffic Engineering Consultants, INC. (TEC). Mr. Slater did the traffic report for the proposed development. He conducted traffic counts at the intersections of 41st Street and Peoria Ave., 41st Place and Peoria Ave. and 42nd Street and Peoria Ave. Mr. Slayter stated based on their testing Chick fil A will be able to hold all the cars that will come on to their site whether it is drive through or dine in.

Mr. Craddock left at 2:13 pm and returned at 2:16 pm.

- (+) Scott Petty, 3038 South Troost Avenue, Tulsa, OK 74114, believes that the proposed development will have a lot of economic benefits that will help the city budget with regards to fire and police services. He supports this application.
- (+) Tim Clark, 4129 South Peoria Avenue, STE 200 Tulsa, OK 74105, stated he is the developer and a neighbor. He believes that Chick fil A is a great asset for the neighborhood, and he welcomes it as a neighbor.
- (+) Lou Reynolds 2727 S Lewis Avenue, Tulsa OK 74114, represents Chick fil A. He gave a presentation highlighting all the changes that were made to accommodate the neighbors' concerns including robust landscaping.

Commission Action

Motion: Recommend approval of the CH with an optional development plan, per staff's recommendation.

Motion by: Walker Second by: Rosene Robinson

Vote: 7-1-0

Ayes: Craddock, Fugate, Rosene Robinson, Shivel, Turner-Addison, Walker, Zalk

Nays: Hood

Abstentions: none

Absent: Carr, Humphrey, Whitlock

Property Description

A tract of land being ALL of Lots One (1) through Five (5), inclusive of Block Four (4), JENNINGS-ROBARDS ADDITION (PLAT #705), according to the recorded plat thereof, TOGETHER WITH ALL of THE RETREAT AT BROOKSIDE SOUTH (PLAT #6215), according to the recorded plat thereof, TOGETHER WITH a portion of the Northwest Quarter (NW/4) of Section Thirty (30), Township Nineteen North (T19N), Range Thirteen East (R13E) of the Indian Meridian, City of Tulsa, County of Tulsa, State of Oklahoma, all together being more particularly described by metes and bounds as follows:

COMMENCING at the Northwest corner of said NW/4, marked by a MAG Nail found in place; thence S01°17'55"E along the West line of said NW/4 a distance of 464.51 feet; thence

N89°16'08"E a distance of 35.62 feet to a point on the Eastern Right of Way line of South Peoria Avenue marked by a 5/8" Rebar found in place, same being the POINT OF BEGINNING; thence

N01°19'35"W along said R/W line a distance of 127.90 feet to its intersection with the South line of East 41st Place South, same being the Northwest corner of Lot 1 Block 4 JENNINGS-ROBARDS ADDITION (PLAT #705), marked by a 1/2" Rebar with illegible cap found in place; thence

N89°14'46"E along said South R/W line a distance of 256.87 feet to a point marked by a 3/8" Rebar with cap stamped "RLS1233" found in place; thence

S01°00'28"E along said South R/W line a distance of 1.53 feet to a point marked by a 3/8" Rebar with cap stamped "RLS1233" found in place; thence

N89°07'49"E along said South R/W line a distance of 332.50 feet to the Northeast corner of THE RETREAT AT BROOKSIDE SOUTH (PLAT #6215), marked by a chiseled "X" found in place; thence

S01°00'27"E along the East line of said Plat #6215 a distance of 255.44 feet to the Southeast corner of said plat marked by a MAG Nail with shiner stamped "Blew & Assoc. OK COA5387" set in place; thence

S88°58'49"W along the South line of said Plat #6215, same being the North Right of Way line of East 42nd Street South a distance of 335.00 feet to the SW corner of said plat, marked by a 5/8" Rebar with cap stamped "Blew & Assoc. OK COA5387" set in place; thence

S88°58'44"W along said R/W line a distance of 253.66 feet to its intersection with the East R/W line of said South Peoria Avenue, marked by a 3/8" Rebar with illegible cap found in place; thence

N01°00'26"W along said East line a distance of 131.14 feet to the POINT OF BEGINNING.

Said Tract having an area of 151, 327 Square Feet or 3.47 Acres, more or less.

7. CO-19

Location: North of the northwest corner of East 91st Street South and South Mingo Road

City Council District: 7

Applicant: Nathan Cross

Action(s) Requested: Rezoning from AG to CO (Related to CPA-112) **(Applicant requests continuance to August 21, 2024)**

Speakers

None

Commission Action

Motion: To continue CO-19 to August 21, 2024.

Motion by: Craddock Second by: Hood

Vote: 8-0-0

Ayes: Craddock, Fugate, Hood, Rosene Robinson, Shivel, Turner-Addison, Walker, Zalk

Nays: none

Abstentions: none

Absent: Carr, Humphrey, Whitlock

8. Z-7759

Location: Multiple lots at the northeast corner of East 36th Street North and South Braden Avenue

City Council District: 5

Applicant: Select Designs

Action(s) Requested: Rezoning from RS-2 to RS-4 with an optional development plan (**Remanded back to Planning Commission from City Council**)

Staff Recommendation

Z-7759 was heard by TMAPC on March 6th, 2024. The original request was to rezone three lots zoned RS-2 to RT to permit a townhouse development. At that hearing, TMAPC voted 8-1-0 to recommend denial of the zoning change. The applicant appealed the TMAPC recommendation to the Tulsa City Council. At their May 1, 2024 hearing, the Tulsa City Council voted to remand the application back to TMAPC for consideration of a revised zoning request and the addition of an optional development plan. The City Council also requested additional meetings between the applicant and the surrounding property owners.

The applicant held two meetings with interested parties to present alternative development scenarios:

Tuesday, June 25, 2024 – Bishop Kelly High School 6:30 PM

Wednesday, July 10, 2024 – Bishop Kelly High School 6:30 PM

The request has been revised to rezone three lots zoned RS-2 to RS-4 with an optional development plan which is outlined below. The development plan limits the use of the property to detached houses and a maximum lot count of twelve. The development plan also permits the proposed lots to be served by a private street.

The property is designated as “Neighborhood” by the Tulsa Comprehensive Plan. The request for RS-4 and the optional development plan is consistent with the neighborhood land use designation.

With consideration given to the factors listed herein, staff recommends **approval** of the application with the development standards outlined below.

Z-7759 Development Standards

Property included within the Z-7759 development plan shall be developed in accordance with the RS-4 zoning district with the additional provisions outlined herein.

Z-7759 shall only permit the uses identified below, along with customary accessory uses, and subject to the supplemental regulations of the Tulsa Zoning Code. Uses not listed below are prohibited. Uses identified below are permitted by right.

Permitted Use Categories, Subcategories, and Specific Uses:

RESIDENTIAL Use Category

Household Living Subcategory

Single Household

Detached Houses

Maximum Number of Dwelling Units:

The area included in Z-7759 is limited to a maximum number of 12 lots.

Streets:

Lots located in Z-7759 may be served by private streets. Private streets are required to be reviewed by the City of Tulsa for conformance with all design and construction standards per the Subdivision & Development Regulations.

Comprehensive Plan Considerations

Land Use Plan

The subject property is designated as 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 an arterial is considered Multiple Use, Local Center, or Regional Center. If a multi-dwelling unit housing property takes access from a lower-order street separated from the arterial, then it would be considered Neighborhood.

Surrounding Properties:

<u>Location</u>	<u>Existing Zoning/Overlay</u>	<u>Existing Land Use Designation</u>	<u>Existing Use</u>
North	RS-2	Neighborhood	Single-Family Residential
East	RS-2	Neighborhood	Single-Family Residential
South	RM-1/RD/RS-2/RS-3/PUD-410	Multiple Use/Neighborhood	School/Residential
West	RS-2	Park and Open Space	Highland Park

Small Area Plans

The subject properties are not located within an adopted small area plan.

Development Era

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

Transportation

Major Street & Highway Plan: East 36th Street South is designated as a residential collector which will require an ultimate right-of-way width of 60 feet. If approved, the development will require a new subdivision plat which will include all required right-of-way per the Major Street and Highway Plan.

Comprehensive Plan Street Designation: N/A

Transit: N/A

Existing Bike/Ped Facilities: East 36th Street Linkage – Sharrow

Planned Bike/Ped Facilities: N/A

Environmental Considerations

Flood Area: The subject properties do not contain regulatory floodplain.

Tree Canopy Coverage: Tree canopy in the area is 10-20%. Preserving the limited existing canopy should be encouraged, as well as measures to increase the canopy through landscaping. Street-lining trees in particular

should be encouraged to spread the benefit of the tree canopy to the pedestrian realm.

Parks & Open Space: Highland Park is adjacent to the subject property to the west. If approved, the development should make considerations for pedestrian access from the development to the park across the street.

Zoning History

Ordinance 11823, dated June 26, 1970, established zoning for the subject property.

Applicant Comments

Kelsey Pierce 525 South Main, Tulsa, OK 74103

Mr. Pierce gave a brief history of the application including the denial at Planning Commission that was appealed to City Council. City Council then remanded the application back to Planning Commission. He stated that the reason for the RS-4 is that the developer needs 50-foot lots. Mr. Pierce stated there have been 4 neighborhood meetings. He stated the development was reduced from 23 units down to 12 to address the neighbors' concerns.

Speakers

All speakers expressed concerns about increased traffic and wanting to keep the character of the neighborhood.

- (-) Sandy Van Meter, 5145 East 35th Street, Tulsa, OK 74135, is concerned about the increase in traffic and the high cost of the lots. She stated she does not like the decreased setbacks that is not in accordance with the other homes in the neighborhood and will block the view when pulling out on to the street.
- (-) Philip Hoey, 3530 South Darlington Avenue, Tulsa, OK 74135, does not want the zoning change from RS-2 to RS-4. He believes the applicant can still do what he wants to do without the zoning change.
- (-) Susan Jones, 3529 South Braden Avenue, Tulsa, OK 74135, stated there is not a reason to change the zoning and the applicant can do what he wants with the current zoning. Ms. Jones asked the Planning Commission to wait until after the traffic study that the City Council has asked for before voting on this. She stated the traffic study is supposed to be during September or October while school was in session.
- (-) Karri Hartman, 3217 South Fulton, Tulsa, OK 74135, is concerned about mature trees being cut down to make room for the proposed development. She is also concerned that if the development fails, he will abandon those lots after the zoning change.
- (-) Darla Tuttle, 5161 East 36th Street, Tulsa, OK 74135, is concerned about traffic and would like Planning Commission to table this to wait on the traffic study.
- (-) Russell Burkhart, 3539 South Darlington Avenue, Tulsa, OK 74135, believes the developers petition and request for up zoning needs to offer a persuasive rationale for change and disrupting the status quo of the neighborhood. He asks that Planning Commission deny the rezoning and let the neighborhood continue to thrive as a cozy, welcoming neighborhood with spacious, green landscape, lawns, narrow streets where walkers, joggers, strollers, wagons and bicycles all share the road. This neighborhood was not built for increased housing density.
- (-) Bill Martinson, 3521 South Darlington, Tulsa, OK 74135, agrees with the previous speakers. He would add that there was not enough neighborhood engagement by the applicant. Mr. Martinson does not want a gated community.
- (-) John Oxford, 3515 South Darlington, Tulsa, OK 74135, agrees with all the previous speakers. He does not want the zoning changed because there is no need to change it when the applicant can do what he is proposing without changing the zoning.

TMAPC Comments

Mr. Hood asked if staff has been told about a traffic study related to this project that would be done in September or October.

Staff stated a traffic study is normally done at the platting stage of a project, but he did not know the details about a traffic study. He stated any traffic study that had been discussed by City Council would not involve the Planning Office.

Commission Action

Motion: Recommend approval of the RS-4 zoning with an optional development plan, per staff's recommendation.

Motion by: Zalk Second by: Rosene Robinson

Vote: 6-2-0

Ayes: Fugate, Rosene Robinson, Shivel, Turner-Addison, Walker, Zalk

Nays: Craddock, Hood

Abstentions: none

Absent: Carr, Humphrey, Whitlock

Property Description

LT 5 W 60 N 150 LT 7 BLK 10; LT 7 BLK 10 LESS W.60 OF N 150; LT 6 BLK 10, YORKSHIRE ESTATES RESUB L2-4 B3 & ALL B4-13, City of Tulsa, Tulsa County, State of Oklahoma

Public Hearing – Comprehensive Plan Amendments

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

9. CPA-111

Location: North of the northwest corner of East 101st Street South and South Garnett Road

City Council District: 7

Applicant: Priscila Jelsing

Action(s) Requested: Change Land Use designation from Neighborhood to Local Center (Related to Z-7780)

Staff Recommendation

The applicant is proposing a comprehensive plan amendment for ± 1.81 acres to be changed from Neighborhood to Local Center.

As part of the application, applicants are asked the following questions: how conditions on the subject site, adjacent properties, and the immediate area have changed; how changes have affected the subject site to warrant the proposed amendment; and how the proposed change will further other City of Tulsa goals, strategies, and actions as outlined in the Comprehensive Plan. The applicant's responses are attached as an exhibit to the staff report; staff responses are below.

- 1) How conditions on the subject site, adjacent properties, and the immediate area have changed?

Applicant: (see exhibit)

Staff Response:

Staff agrees that a multi-family property has been developed generally north of the subject property. Staff has not found that this section of Garnett Road is planned for a road expansion at this time.

- 2) How changes have affected the subject site to warrant the proposed amendment?

Applicant: (see exhibit)

Staff Response:

Staff agrees that the subject property facing a Secondary Arterial with increasing densities in the area could support a change from Neighborhood to Local Center at this location.

- 3) How the proposed change will further other City of Tulsa goals, strategies, and actions as outlined in the Comprehensive Plan?

Applicant: (see exhibit)

Staff Response:

Future Land Use

- GOAL LU 3 - Economic development is facilitated at the neighborhood, city, and regional scales.
 - STRATEGY LU 3.5 - Promote quality Local Centers which serve the needs of the surrounding neighborhood population.
 - STRATEGY LU 3.6 - Encourage development that fills existing market gaps and provides for the necessities of life.

- ACTION LU 3.6.2 - Promote a mix of essential services in Local Centers including grocery stores, education, childcare, health, and social services.
- GOAL LU 5 - Tulsa's neighborhoods are recognized for distinct characteristics, and development occurs with sensitivity to local context.
 - STRATEGY LU 5.3 - Ensure appropriate transitions are provided between nonresidential and residential uses.

Economic Development

- GOAL ED 1 - Economic growth and development contribute to a prosperous and diverse economy capable of providing access to economic opportunity for all Tulsans.
- GOAL ED 5 - An adequate and appropriate supply of employment land is maintained to meet local industrial and commercial needs.
 - STRATEGY ED 5.4 - Establish economic development plans for rail, highway, and turnpike corridors.
 - ACTION ED 5.4.1 - Prioritize commercial, retail, and industrial uses along highways to capitalize on the high level of transportation access and to mitigate against the negative health impacts of sensitive land uses being exposed to

Concluding Statement:

With consideration given to the factors listed herein, staff recommends **approval** of the proposed land use designation.

Land Use Plan Designation

Existing:

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

Proposed:

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

Surrounding Properties:

<u>Location</u>	<u>Existing Zoning/Overlay</u>	<u>Existing Land Use Designation</u>	<u>Existing Use</u>
North	CO-5	Neighborhood	Vacant
East	N/A	N/A	Creek Turnpike/Vacant
South	Agriculture	Neighborhood	Residential
West	Agriculture	Neighborhood	Residential

Small Area Plans

The subject property is not in a Small Area Plan.

Development Era

The subject property is in an area developed during the Late Automobile Era (1950s-present), which has grown since the mainstreaming of automobile-centric lifestyles, with a high degree of separation between residential and nonresidential uses, and low levels of street connectivity. In these areas, transportation is nearly exclusively concentrated on the mile-by-mile arterial grid, and major streets are often both transportation corridors and destination corridors, which can lead to traffic congestion. Nonresidential uses are predominantly located at the intersections of major arterial streets. Priorities in these areas include commercial revitalization, placemaking, community gathering opportunities, conservation of natural areas, a high degree of privacy, one-stop shopping, and commuting routes.

TransportationMajor Street & Highway Plan:

S Garnett Rd E is classified as a Secondary Arterial.

Comprehensive Plan Street Designation:

Multi-Modal Corridor

Commission Action

Motion: Continue to August 21, 2024 to allow the applicant and the neighbor time to work out grievance.

Motion by: Walker Second by: Hood

Vote: Vote: 6-2-0

Ayes: Hood, Rosene Robinson, Shivel, Turner-Addison, Walker, Zalk

Nays: Craddock, Fugate,

Abstentions: none

Absent: Carr, Humphrey, Whitlock

10. CPA-112

Location: North of the northwest corner of East 91st Street South and South Mingo Road

City Council District: 7

Applicant: Nathan Cross

Action(s) Requested: Change Land Use designation from Neighborhood to Local Center (Related to CO-19)

(Applicant requests continuance to August 21, 2024)

Commission Action

Motion: To continue CPA-112 to August 21, 2024.

Motion by: Craddock Second by: Hood

Vote: 8-0-0

Ayes: Craddock, Fugate, Hood, Rosene Robinson, Shivel, Turner-Addison, Walker, Zalk

Nays: none

Abstentions: none

Absent: Carr, Humphrey, Whitlock

Public Hearing - Plats

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

11. **JR & B Office**

Location: Northeast corner of North 94th East Avenue and East Marshall Street

City Council District: 3

Applicant: Wallace Design Collective, Mark Capron

Action Requested: Request to extend preliminary plat approval by 1 year. Preliminary plat was approved by TMAPC on August 3rd, 2022.

The applicant indicated their agreement with staff's recommendation.

Speakers

None.

Commission Action

Motion: To approve the extension for the preliminary subdivision plat approval for 1 year, per staff's recommendation.

Motion by: Walker

Second by: Craddock

Vote: 8-0-0

Ayes: Craddock, Fugate, Hood, Rosene Robinson, Shivel, Turner-Addison, Walker, Zalk

Nays: none

Abstentions: none

Absent: Carr, Humphrey, Whitlock

12. Tulsa Classical Academy

Location: North of the northeast corner of South Sheridan Road and East 101st Street South

City Council District: 8

Applicant: Route 66 Engineering, John Droz

Action Requested: Request to extend preliminary plat approval by 1 year. Preliminary plat was approved by TMAPC on August 17th, 2022.

The applicant was not present.

Speakers

None.

Commission Action

Motion: To approve the extension for the preliminary subdivision plat approval for 1 year, per staff's recommendation.

Motion by: Hood Second by: Addison

Vote: 8-0-0

Ayes: Craddock, Fugate, Hood, Rosene Robinson, Shivel, Turner-Addison, Walker, Zalk

Nays: none

Abstentions: none

Absent: Carr, Humphrey, Whitlock

13. Project Anthem

Location: West of the Creek Turnpike between East 11th Street South and East 21st Street South

City Council District: 6

Applicant: Olsson, Inc. -John Flaxbeard

Action Requested: Approval of Preliminary Plat

Staff Recommendation

The plat consists of 1 lot, 1 block, ±[Company Phone] acres. Staff recommends **approval** of the preliminary subdivision plat subject to the following conditions provided by the Technical Advisory Committee (TAC) and all other requirements of the Subdivisions Regulations. A City of Tulsa release letter is required prior to final plat approval. TAC Conditions:

Zoning:

- The proposed subdivision meets the standards of IL zoning district.

Engineering Graphics

- Submit subdivision control data sheet with the final plat.
- Remove contours on final plat submittal.
- In the plat subtitle add "State of" before Oklahoma.
- Provide the mailing address under the Owner information.
- Provide an engineer and surveyor heading/section that has the name of the business, mailing address, name of the engineer/surveyor, CA number with expiration date, phone number, and email address.
- Provide the individual lot addresses on the face of the plat.
- Consider having a Subdivision section that list out acreage, square feet, zoning, number of lots, number of blocks, reserve areas, etc.
- In the Location Map show the Creek Turnpike and label the section line streets on the perimeter of the section. Those being E 11th St S, E 21st St S, S 193rd E Ave, and S 225th E Ave. Label all other land in the section as "unplatted".
- Provide graphically on the face of the plat the address disclaimer/caveat.
- Provide the date of preparation on the face of the plat. Typically this is shown at the lower right-hand corner of the page.
- Under the Basis of Bearings information include the coordinate system used. Provide a bearing angle preferably shown on the face of the plat. See example below.

BASIS OF BEARINGS

Horizontal Datum based upon NAD 83 (1993)
Oklahoma State Plane Coordinate System North
Zone 3501 Vertical Datum based upon NAVD 88
using N. 88°42'00" E. as the North line of the
Northwest Quarter of Section 28, Township 19
North, Range 14 East of the Indian Base and
Meridian was used as the bearing for this survey.

- Add signature block for officials to sign to the face of the plat.
- Provide on the face of the plat the last date of survey site visit. If this was a range of dates provide those.
- There are several hatch patterns used on the north end of the plat. Add to the legend.

Addressing

- Add the following address to the plat pdf: Lot 1: 21304 E 11TH ST S

Article 5: Design and Improvements

Required Infrastructure and Public Improvements (5-020)

- Site will require infrastructure improvements for sanitary sewer and water main extensions, roads, driveways, and sidewalks, and storm water runoff mitigation through detention facilities or other means. A pre-development meeting for the first phase covering initial utility extensions and road was held on 07/08/2024.
- This preliminary plat does not reflect a separate lot or reserve for the AEP facility that is planned to be installed on the south side of the property. If multiple lots are proposed, public infrastructure requirements for all lots must be met. Reserve language will determine how reserves are handled with respect to utilities.

Streets (transportation) (5-060)

- E. 11th St. and E. 21st St. are both secondary arterial streets which require a total ROW of 100' or 50' from the section line/centerline of the street.

Streets (fire) (5-060)

- Please ensure the proposed bridge meets Title 14 T Fire Prevention Code of being able to withstand 88,000 pounds.

Sidewalks (5-070)

- Sidewalks are required along all City of Tulsa streets and should be either 2' behind the curb or 18" from the property line.

Protection From Flooding and Other Natural Hazards (Floodplain) (5-090)

- Site includes no federal flood plains per FEMA FIRM Panel 40145C0040J. The City of Tulsa regulatory floodplains are present per City of Tulsa atlas panel 172 and are to be appropriately bounded by easements shown.

Stormwater Management (5-100)

- Future development will require detention, other mitigation runoff, or approved recommendation for Fee-in-lieu-of detention. Multiple proposed detention easements appear to be shown on the face of plat without callouts or labelling. The outlet structures from the ponds should not be in the detention easements, as those outlet pipe structures will be privately held.

Sewage Disposal (5-130)

- Site is not adjacent to public sanitary sewer or 250' from a sewer line. This project is to be served for sanitary sewer by a capital project. The capital project being complete, and functioning is a condition attached to this plat.

Water (5-140) lines

- The extension of public water main line across property frontage abutting public roadways are required before the plat is approved.

Easements (5-150)

- No Comments.

Streets and Stormwater

- I do not see any perimeter easements displayed on the plat, those will need to be referenced if dedicated by separate instrument.
- Per NFIP CRS requirements, plot boundary of floodplain on face of plat to show it is contained within the OD/E.
- Southeast corner – Clarify “Find” or “Found” for the described aluminum monumentation.
- Any offsite easements to cover public infrastructure extensions required by this project will need to be filed and the recording information shown on the face of the plat prior to filing the plat.
- Recording information for all easements “By Separate Instrument” that contain public infrastructure will need to be included on the final plat.
- Many easements that do not specify what kind of easement. Please clarify.
- Easements that are created via this plat need to have dimensions.
- Provide metes and bounds for ROW dedication where it is not parallel to existing ROW and can be described with a simple dimension.
- It appears that ROW is to be dedicated on the south side, along E. 21st Street. Clearly dimension the proposed ROW dedication.
- Statutory ROW call outs should be based on section line, not total ROW.

Deed of Dedication:

-Legal to comment after submittal of Final Plat.

Comprehensive Plan Considerations

Land Use Plan

The subject property is designated as Employment by the Tulsa Comprehensive Plan. Employment The employment designation is intended to accommodate offices, warehousing and storage, manufacturing and assembly, and industrial processes. The “Industrial Site Suitability” map corresponds to the Employment land use designation and indicates where uses that are potentially incompatible with sensitive land uses are best suited to locate. This directs industrial uses to particular areas of the city while discouraging industrial in close proximity to Neighborhood areas.

Surrounding Properties:

<u>Location</u>	<u>Existing Zoning/Overlay</u>	<u>Existing Land Use Designation</u>	<u>Existing Use</u>
North	AG	Neighborhood/ Regional center (Partially Unincorporated Wagoner County)	Residential/ Agricultural
East	AG	Regional Center	Undeveloped Agricultural
South	AG	Employment	Undeveloped Agricultural
West	AG	Neighborhood/ Employment	Summer Camp/ Agricultural

Small Area Plans

The subject properties are not located within a small area plan.

Development Era

The subject property is located is undeveloped and defined as a Future Growth Area. These areas of the city have yet to develop beyond agricultural uses and present opportunities to ensure the pattern of development is efficient and fiscally responsible. The two primary regions that have yet to develop are the northwest corner of the city, which is all located within Osage County and where the Gilcrease Expressway will connect, and the far east area of the city from roughly 145th E Ave. to beyond the Creek Turnpike.

Transportation

Comprehensive Plan Street Designation: Not Classified.

Arterial Traffic per Lane:

Arterial Traffic - North (E Admiral Pl - 2,518 Vehicles per Lane)

Arterial Traffic - East (N/A)

Arterial Traffic - South (E 11th St S - 395 Vehicles per Lane)

Arterial Traffic - West (S 193rd East Ave - 5,216 Vehicles per Lane)

The applicant indicated their agreement with staff's recommendation.

Speakers

(=) Frankie Foster, 1411 E 42nd Street, Tulsa, OK 74105, Ms. Foster stated she was not there to oppose the application she just wanted more information about the data center because she has a rental property across the street from the subject property.

Commissioner Craddock encouraged her to speak with the applicant after the meeting.

Commission Action

Motion: Approve the preliminary subdivision plat for Project Anthem, per staff's recommendation.

Motion by: Walker Second by: Craddock

Vote: 8-0-0

Ayes: Craddock, Fugate, Hood, Rosene Robinson, Shivel, Turner-Addison, Walker, Zalk

Nays: none

Abstentions: none

Absent: Carr, Humphrey, Whitlock

Other Business

None

14. Commissioner Comments

None

Adjournment

Commission Action

Motion: Adjourn

Motion by: Walker Second by: Craddock

Vote: 8-0-0

Ayes: Craddock, Fugate, Hood, Rosene Robinson, Shivel, Turner-Addison, Walker, Zalk

Nays: none

Abstentions: none

Absent: Carr, Humphrey, Whitlock

There being no further business, the meeting adjourned at 3:34 p.m.