



Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7552

Hearing Date: June 17, 2020

Case Report Prepared by:

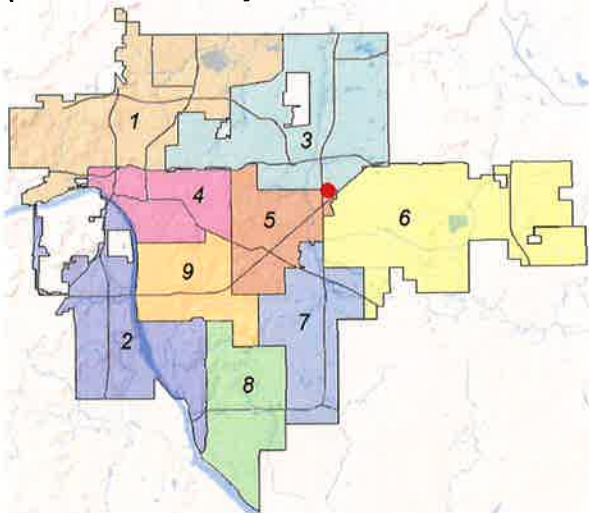
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Stuart Van De Wiele

Property Owner: Kennon & Jones LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Commercial

Proposed Use: Commercial

Concept summary: Repurpose existing building with expanded uses that may be allowed in a CG district. CG provides additional floor area opportunities and additional use opportunities.

Tract Size: 0.9 ± acres

Location: East of the Southeast corner of East 11th Street South & South 107th East Avenue

Zoning:

Existing Zoning: CS

Proposed Zoning: CG

Comprehensive Plan:

Land Use Map: Mixed-Use Corridor

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 9407

CZM: 39

City Council District: 5

Councilor Name: Cass Fahler

County Commission District: 1

Commissioner Name: Stan Sallee

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SECTION I: Z-7552

DEVELOPMENT CONCEPT: Repurpose existing building and property with expanded uses that may be allowed in a CG district. CG provides additional floor area opportunities and additional use opportunities.

EXHIBITS:

- INCOG Case map
- INCOG Aerial (small scale)
- INCOG Aerial (large scale)
- Tulsa Comprehensive Plan Land Use Map
- Tulsa Comprehensive Plan Areas of Stability and Growth Map
- Applicant Exhibits: (none included)

DETAILED STAFF RECOMMENDATION:

CG zoning allows uses that are generally consistent with the Mixed-Use Corridor land use designation and,

The surrounding property has been developed with uses allowed in a CS district and a variety of special exceptions that allow light industrial uses in a CS district. CG zoning is generally consistent with that development pattern and,

The architectural style of the development in this area is like many light industrial development areas and the proposed zoning change the Mixed-Use Corridor land use designation for the area therefore,

Staff recommends approval of Z-7552 to rezone property from CS to CG.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The uses allowed in a CG zoning category allow more vehicular uses that are not currently allowed in the surrounding properties however many of the surrounding properties have been granted special exception uses for vehicular use categories. The mixed-use corridor

Land Use Vision:

Land Use Plan map designation: Mixed-Use Corridor

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

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Areas of Stability and Growth designation: Area of Growth

The purpose of Areas of Growth is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.”

Transportation Vision:

Major Street and Highway Plan:

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

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

Trail System Master Plan Considerations: None that affect this site.

Small Area Plan: None

Special District Considerations: Route 66 Overlay. This overlay designation changes sign standards but does not affect any uses.

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *The site is currently occupied with a single-story office warehouse.*

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Street View looking from northwest to southeast on next page.



Environmental Considerations: None that would affect site redevelopment.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 11 th Street	Secondary Arterial with Multi Modal Overlay	100 feet	(6 lanes) 3 each direction with landscape median

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	CS	Employment	Growth	Retail
East	CS	Mixed-use corridor	Growth	Dollar General
South	CS	Mixed-use corridor	Growth	Mobile Home Park
West	CG	Mixed-use corridor	Growth	Commercial use with light industry approvals

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11812 dated June 26, 1970 established zoning for the subject property.

Subject Property:

BOA-13911 January 1986: The Board of Adjustment **approved** a *Special Exception* to allow retail, building material sales business with minor wholesaling in a CS District, per plot plan submitted, on property located at the southeast corner of 11th Street and 107th East Avenue.

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REVISED 6/11/2020

BOA-13804 October 1985: The Board of Adjustment **approved** a *Special Exception* to allow automobile sales in a CS zoned district, subject to a maximum of 12 cars being parked on the northeast portion of the subject lot and said cars being parked no further south than the southern boundary of the restaurant, on property located at 10724 East 11th Street.

BOA-12976 January 1984: The Board of Adjustment **approved** a *Variance* of the required 100' setback from the centerline of 11th Street to 89' to allow for new construction in a CS District under the provisions of Section 1670, per plans submitted, on property located at the southeast corner of 11th Street and South 107th East Avenue.

Surrounding Property:

Z-7535 February 2019: All concurred in **denial** of a request for *rezoning* a .42± acre tract of land from CS to IL for a medical marijuana grow facility, on property located northwest corner of East 12th Street South and South 107th East Avenue.

PUD-843 February 2016: All concurred in **approval** of a proposed *Planned Unit Development* on a 4.37± acre tract of land for mixed-use/commercial, on property located west of the southwest corner of East 11th Street and S. Garnett Road.

BOA-21889 May 2015: The Board of Adjustment **approved** a *Special Exception* to permit Use Unit 15 (other trades & services), Use Unit 16 (mini-storage) in a CS District (Section 701), with the condition that all the Use Units referred both in 15, 16, 12, and 14 are referenced in the letter from Tanner Consulting dated May 26th, 2015, per conceptual site plan 3.8, on property located at 10880 East 11th Street.

BOA-20547 September 2007: The Board of Adjustment **approved** a *Special Exception* to permit automobile and allied activities (Use Unit 17) in a CS District (Section 701), with conditions: limited to tire/wheel sales and service, automotive repair except engine work, no portable signs in place on the property, no outside storage of materials, parts or equipment, all refuse placed in appropriate containers, approval for a period of five years, on property located at 10705 East 11th Street South.

BOA-19709 November 2003: The Board of Adjustment **denied** a *Special Exception* to permit Use Unit 17 uses in a CS District, a *Variance* of the setback from an R District from 12' to 0' to permit a building at the property line, and a *Variance* of required screening from an R District, finding it is an inappropriate use for cart blanc Use Unit 17 in this area, and finding a lack of hardship, on property located at northwest corner of East 11th Street and South 107th East Avenue.

BOA-19331 March 2002: The Board of Adjustment **approved** a *Special Exception* to permit a Use Unit 15 (electrical contractor) in a CS district, on property located at 10705 East 11th Street.

BOA-18957 January 2001: The Board of Adjustment **approved** a *Special Exception* to allow RV and trailer sales in a CS zoned district and a *Variance* of the required all-weather surface parking to allow gravel parking, for a period not to exceed one year from the date of this hearing, on property located at 10740 East 11th Street.

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BOA-18668 March 2000: The Board of Adjustment **approved** a *Special Exception* to allow an electrical contractor business (Use Unit 15) in a CS district, on property located at 1136 South 107th East Avenue.

BOA-14951 October 1988: The Board of Adjustment **approved** a *Special Exception* to permit Use Unit 17 (automotive uses) in a CS zoned district, a *Variance* to allow open air storage and display of merchandise for sale within 300' of an R District, per site plan submitted, subject to Traffic Engineering approval for the location of storage racks on the north and east sides of the property, and subject to the sales business being limited to pick-up camper shells and accessories, finding that the original plot plan has been revised and the variance of the setback from the street to the east and the variance of the parking requirements is no longer needed, on property located at east of the northeast corner of 11th and 107th East Avenue.

BOA-13933 February 1986: The Board of Adjustment **approved** a *Special Exception* to allow an automotive custom repair and related sales facility in a CS zoned district and a *Special Exception* to remove the screening requirements where existing physical features provide visual separation of uses; finding that there are similar uses in the area and the automotive facility will be compatible with the neighborhood, and finding that the RS zoned property to the north that would require screening is actually vacant land and a creek, on property located at 10877 East 11th Street.

BOA-13517 April 1985: The Board of Adjustment **approved** a *Special Exception* to permit a car wash in a CS zoned district with the restrictions that the exterior building materials of the car wash be compatible with the abutting apartment complex, there will be an attendant on duty seven days a week from 8:00am to 10:00pm, and that it is built per plot plan submitted, on property located at the northwest corner of 11th Street and 107th East Avenue.

BOA-13350 November 1984: The Board of Adjustment **approved** a *Variance* to allow a guttering and roofing establishment in a CS zoned district, per plot plan submitted, finding that due to the unusual circumstances of the land (in regard to the flood plain developed), on property located at east of the northeast corner of 107th East Avenue and 11th Street, finding that the literal enforcement of the Code would result in an unnecessary hardship to the applicant

Z-5462 December 1982: All concurred in **approval** of a request for *rezoning* a 2.3± acre tract of land from CS/RS-3 to CG for a Use Unit 21- Outdoor Advertising to allow a larger sign, on property located east of the northeast corner of 11th Street and Mingo Valley Expressway.

BOA-12137 August 1982: The Board of Adjustment **approved** a *Special Exception* to allow a Use Unit 17 (muffler shop) in a CS District as described using tilt-up rock panels, subject to all work being performed inside, that all storage be inside with no outside storage being permitted, that refuse be placed outside in covered containers, and that no manufacturing of mufflers take place at the subject location, on property located at 10705 East 11th Street.

BOA-11993 June 1982: The Board of Adjustment **denied** a *Special Exception* to locate a muffler shop in a CS District, on property located at 10705 East 11th Street.

Z-5484 March 1981: All concurred in **approval** of a request for *rezoning* a 2.1± acre tract of land from CS/RS-3 to CG commercial, on property located east of the northeast corner of 11th and Mingo Valley Expressway.

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BOA-11386 March 1981: The Board of Adjustment **approved** a *Special Exception* to permit a Use Unit 15 for other trades and services in a CS District and a *Special Exception* to waive the screening requirement on the north property line until such time that the north portion of the property is developed residentially or is sold, all subject to plans submitted, with the condition that no outside storage will be permitted, on property located at east of the northeast corner of 107th and 11th Streets.

BOA-11040 June 1980: The Board of Adjustment **approved** an *Exception* to permit an electrical contractor in a CS District with the screening fence to be constructed all around the building as drawn on the submitted plot plan, with access being also screened, (gates) as shown on the plot plan, no outside storage shall exceed the height of the screening fence, outside storage limited to lighting poles and arms, on property located at 10705 East 11th Street.

BOA-09990 June 1978: The Board of Adjustment **approved** an *Exception* to operate a retail glass outlet and an *Exception* to remove the screening requirement cannot be achieved, per plot plan, in a CS and RS-3 District, on property located at 10737 East 11th Street.

BOA-07212 November 1971: The Board of Adjustment **approved** a *Special Exception* to permit operating a sales and service of travel trailers (camping trailers) and articles incidental to recreation and camping activities, on property located at 10884 East 11th Street.

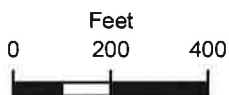
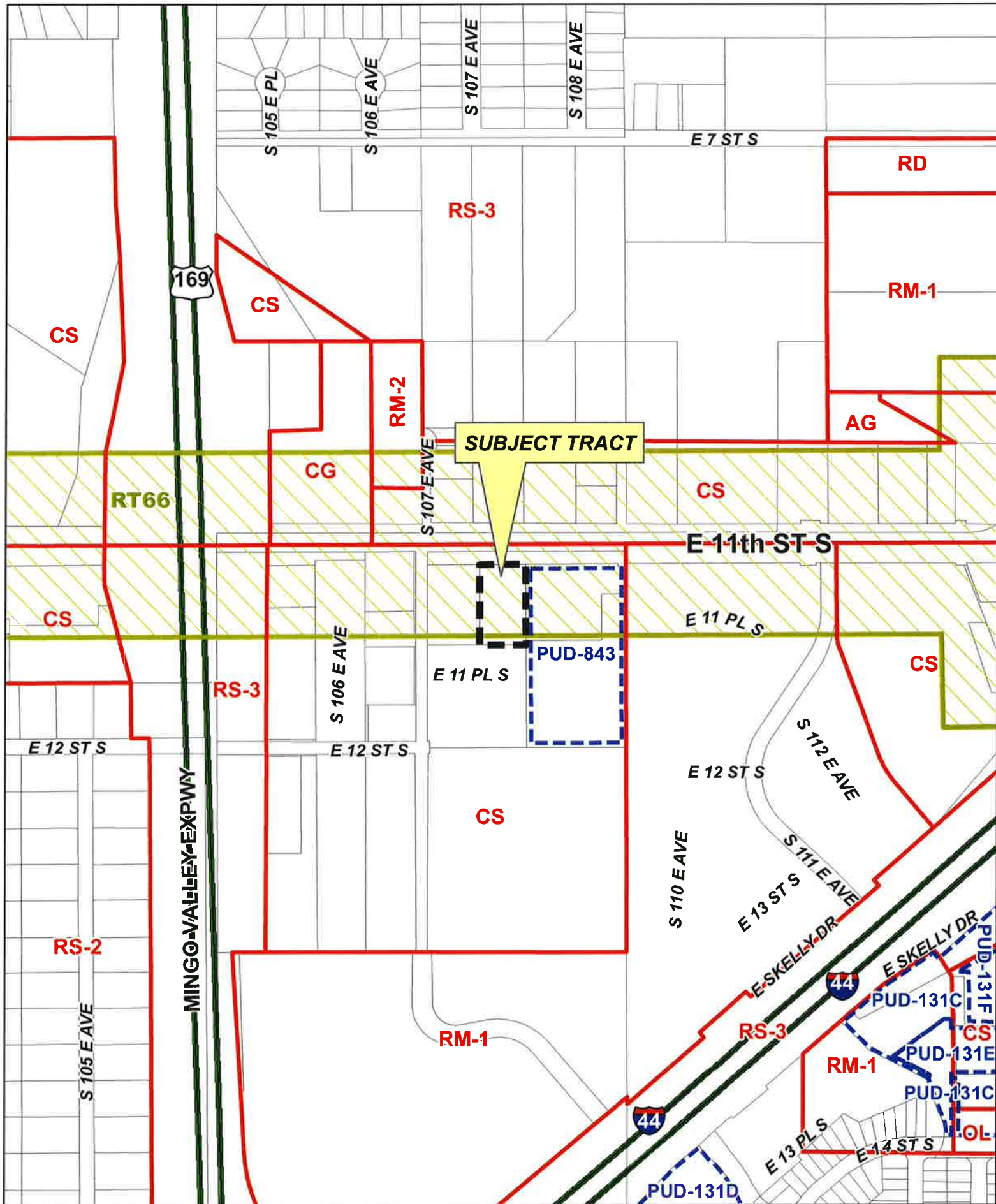
Z-3972 August 1971: All concurred in **approval** of a request for *rezoning* a 27.998± acre tract of land from CS to RM-1 for Multi-family, on property located southwest corner of 11th Street and Garnett Road.

Z-3854 February 1971: All concurred in **approval** of a request for *rezoning* a 1.8± acre tract of land from RS-3/CS to RM-2 for apartments, on property located north side 11th Street, east of Mingo Valley Expressway.

BOA-05814 March 1968: The Board of Adjustment **approved** a *Variance* of the permitted use provisions of U-3A to permit the erection of pumps, lights, and canopy for a service station, subject to the plot plan submitted, on property located at southwest corner of 107th East Avenue and 11th Street.

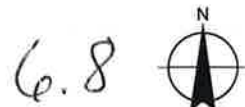
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Z-7552

19-14 07





169

MINGO VALLEY EXPWY

S 105 E PL

S 106 E AVE

S 107 E AVE

S 108 E AVE

E 7 ST S

S 107 E AVE

E 11th ST S

S 106 E AVE

E 11 PL S

E 11 PL S

E 12 ST S

E 12 ST S

E 12 ST S

S 112 E AVE

S 105 E AVE

S 110 E AVE

E 13 ST S

S 111 E AVE

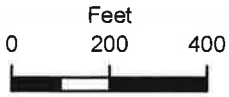
E SKELLY DR

44

44

E 13 PL S

E 14 ST S



Subject Tract

Z-7552

19-14 07

Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2018





S 107 E AVE

E 11th ST S

E 11 PLS

E 12 STS



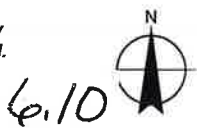
Subject Tract

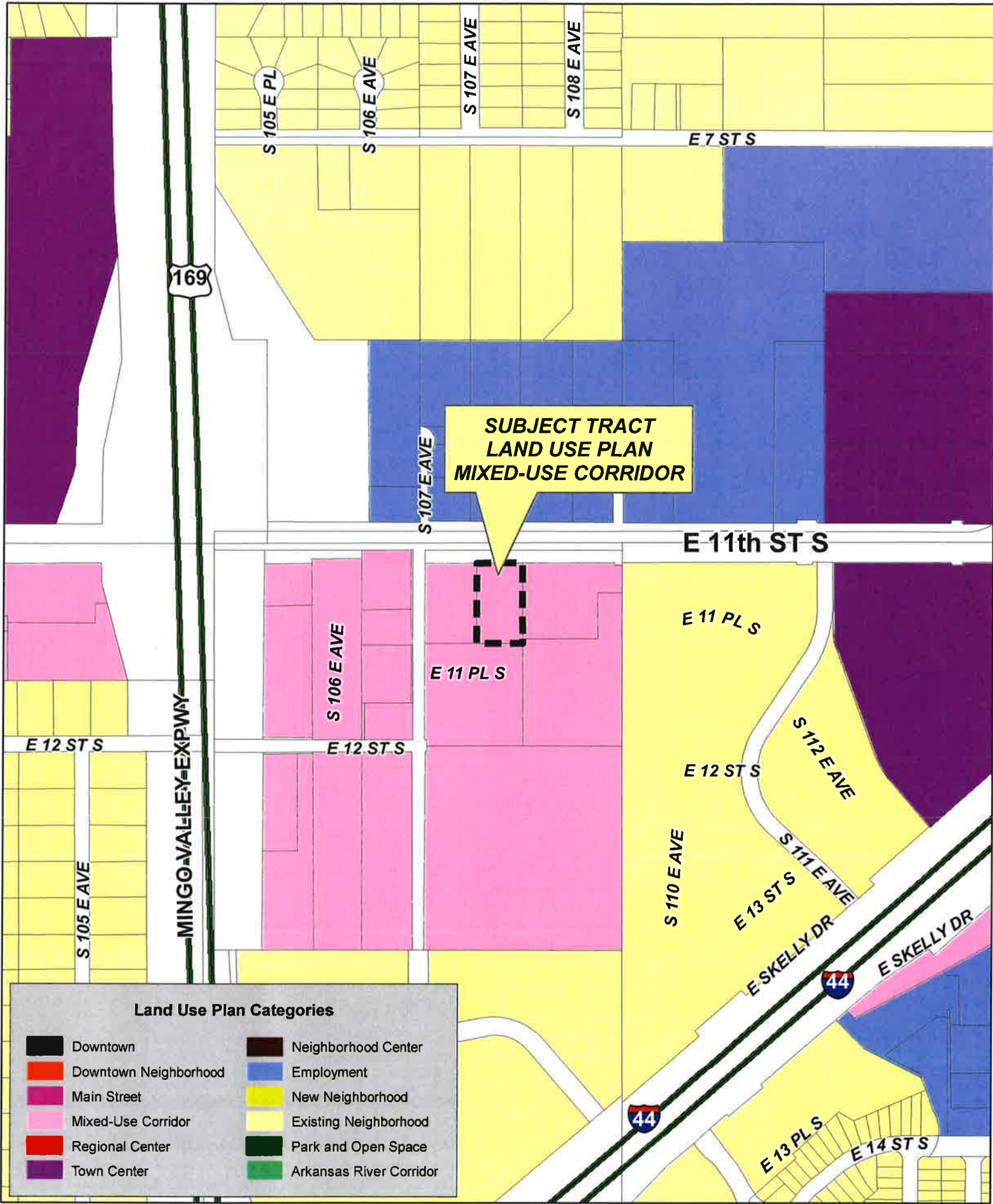
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19-14 07

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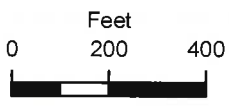
Aerial Photo Date: February 2018





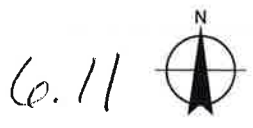
**SUBJECT TRACT
LAND USE PLAN
MIXED-USE CORRIDOR**

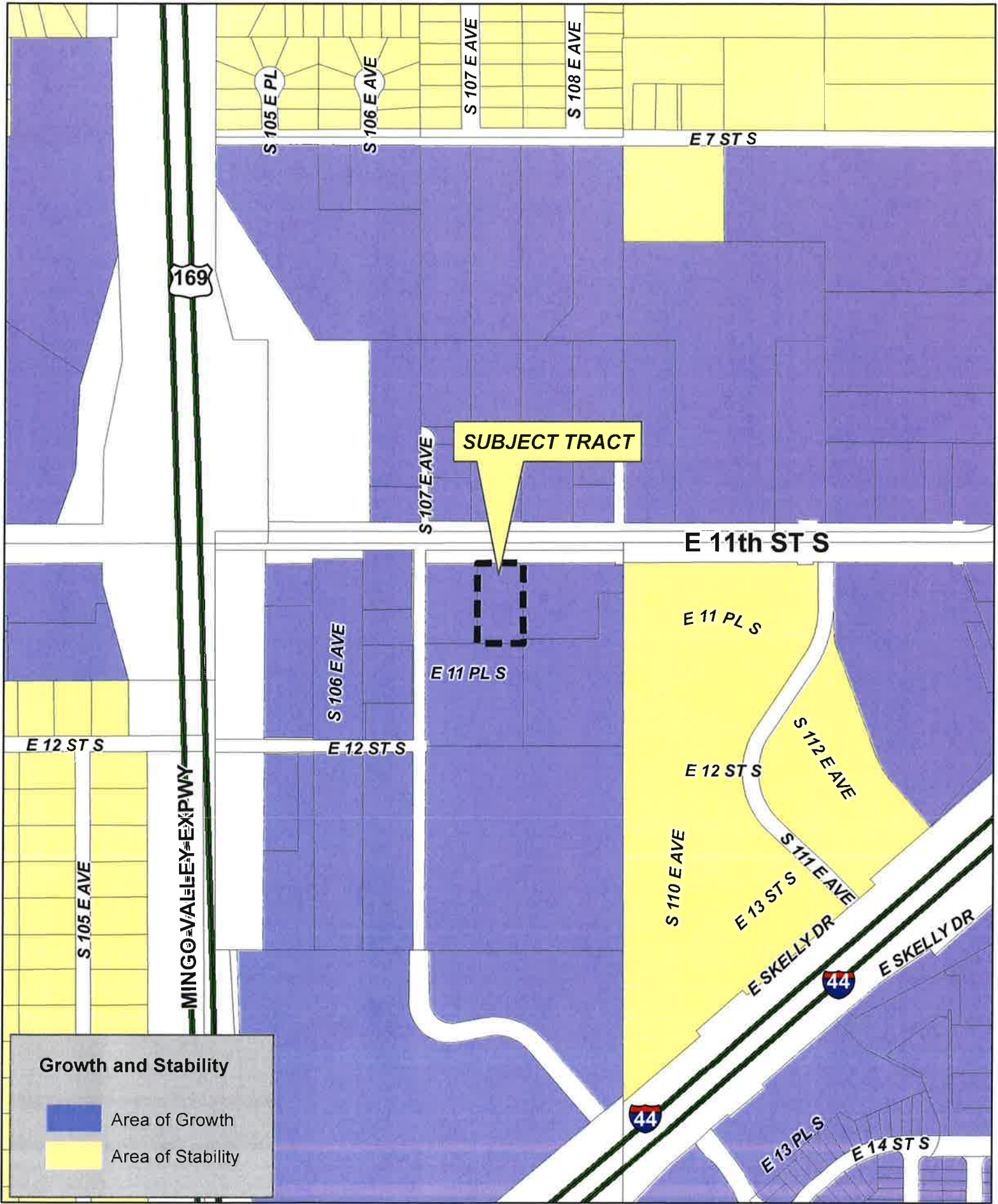
Land Use Plan Categories			
	Downtown		Neighborhood Center
	Downtown Neighborhood		Employment
	Main Street		New Neighborhood
	Mixed-Use Corridor		Existing Neighborhood
	Regional Center		Park and Open Space
	Town Center		Arkansas River Corridor



Z-7552

19-14 07

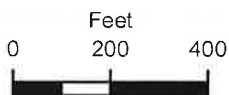




SUBJECT TRACT

Growth and Stability

- Area of Growth
- Area of Stability



Z-7552

19-14 07

