



Tulsa Metropolitan Area Planning Commission

**Case Number: Z-7558**

**Hearing Date: June 17, 2020**

**Case Report Prepared by:**

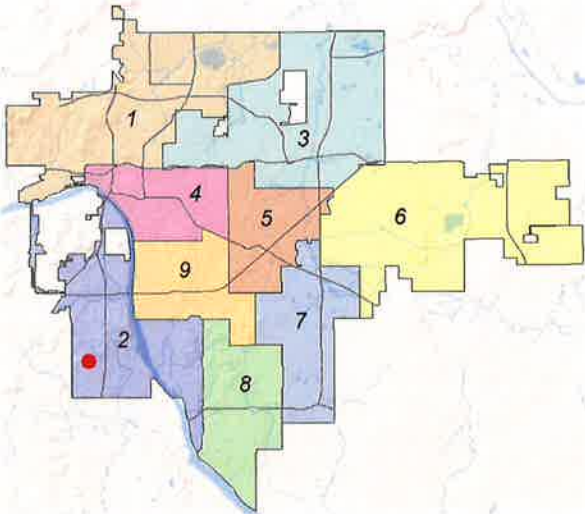
Dwayne Wilkerson

**Owner and Applicant Information:**

*Applicant:* Tulsa City Council

*Property Owner:* Multiple property owners with the last names as follows: Johnson, March, Helmle, Wantiez, Poe, Kay, Black, Butler

**Location Map:  
(shown with City Council Districts)**



**Applicant Proposal:**

*Present Use:* Single-family Residential

*Proposed Use:* Single-family Residential

*Concept summary:* This group of zoning request is part of the City Council initiated program to allow AG-R rezoning at no charge to interested property owners in the West Highlands/Tulsa Hills Small Area Plan.

*Tract Size:* 32.62 ± acres

*Location:* Multiple properties north of the northwest corner of West 81st Street South & South Union Avenue

**Zoning:**

*Existing Zoning:* RS-3

*Proposed Zoning:* AG-R

**Comprehensive Plan:**

*Land Use Map:* Existing Neighborhood  
*Stability and Growth Map:* Area of Stability

**Staff Recommendation:**

**Staff recommends approval.**

**Staff Data:**

TRS: 8210  
CZM: 51

**City Council District: 2**

*Councilor Name:* Jeannie Cue

**County Commission District: 2**

*Commissioner Name:* Karen Keith

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## SECTION I: Z-7558

**DEVELOPMENT CONCEPT:** This group of zoning request is part of the City Council initiated program to allow AG-R rezoning at no charge to interested property owners in the West Highlands/Tulsa Hills Small Area Plan.

### 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 Provided

### **DETAILED STAFF RECOMMENDATION:**

Z-7558 requests AG-R zoning. The parcels will include single households in a detached house. Single family residential uses in this location are consistent with the Existing Neighborhood land use designation in the Comprehensive Plan and in the West Highlands/Tulsa Hills Small Area Plan and,

One of the goals of the West Highlands/Tulsa Hills Small Area Plan included AG-R zoning as an option for rural residential uses recommended by the West Highlands/Tulsa Hills Small Area Plan and,

AG-R zoning is consistent with the provisions identified in an Area of Stability as outlined in the Tulsa Comprehensive Plan, and is consistent with the large lot neighborhood character expected in the small area plan and,

AG-R zoning allows a lot density that is consistent with the existing and expected land use pattern in the area north of West 81<sup>st</sup> Street South and west of South Union Avenue. A much greater lot density is allowed in this area and was established in 1970 without sanitary sewer availability. The existing zoning in those areas would allow property to be developed with RS-3 lots with a minimum of 6900 square feet when connected to a sanitary sewer system. The City of Tulsa has recently completed sanitary sewer construction south of this site that would allow much greater density on property that is currently zoned RS-3 and,

City Council has initiated a voluntary rezoning program for property owners to rezone properties in this area to AG-R at no cost, this request is part of that program. The lot setbacks and building regulations included in the property included in this AG-R request meet or exceed the standards defined in the Tulsa Zoning Code therefore,

Staff recommends **Approval** of Z-7558 to rezone properties from RS-3 to AG-R.

## **SECTION II: Supporting Documentation**

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: The property owners have taken advantage of voluntarily rezoning opportunities for their parcels to AG-R to establish neighborhood stability for large lots consistent with the West Highlands/Tulsa Hills Small Area Plan.*

*Within the West Highlands/Tulsa Hills Small Area Plan a development concept illustrates a single family residential development with a variety of lot sizes, greenspace wildlife corridor for*

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*local fauna and a perimeter greenspace buffer that summarize the goals for a context sensitive neighborhood. Without using an optional development plan or recommending a larger lot zoning designation staff does not have any regulatory method to support the visioning concepts illustrated in the plan.*

### Land Use Vision:

*Land Use Plan map designation:* Existing Neighborhood

The Existing Neighborhood category is intended to preserve and enhance Tulsa's existing single-family neighborhoods. Development activities in these areas should be limited to the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code. In cooperation with the existing community, the city should make improvements to sidewalks, bicycle routes, and transit so residents can better access parks, schools, churches, and other civic amenities.

*Areas of Stability and Growth designation:* Area of Stability

The Areas of Stability includes approximately 75% of the city's total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal for the Areas of Stability is to identify and maintain the valued character of an area while accommodating the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.

### 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 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 site development

Small Area Plan: West Highlands Small Area Plan (Adopted 2014)

The recommendations of the small area plan include many references to supporting residential single family uses within a rural context and a rural residential zoning use. Revisions to the Tulsa Zoning Code have implemented those concepts within the AG-R zoning that was added to the code in 2019.

Special District Considerations: None except those design considerations recommended in the West Highlands/Tulsa Hills Small Area Plan

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Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

*Staff Summary:* All the parcels included in this application are one acre or larger and are currently zoned RS-3.

Environmental Considerations: None that would affect rezoning considerations for a larger lot.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Union Avenue	Secondary Arterial w/multi modal corridor	100 feet	2
South 28 <sup>th</sup> West Avenue	None	50 feet	2
South 26 <sup>th</sup> West Avenue	Residential Collector	60 feet	2
South 24 <sup>th</sup> West Avenue	None	50 feet	2
South Yukon Avenue	None	50 feet	2
South Xenophon Avenue	None	50 feet	2
West 77 <sup>th</sup> Street South	None	50 feet	2
West 78 <sup>th</sup> Street South	Residential Collector	60 feet	2

Utilities:

The subject tract has municipal water available.

Surrounding Properties:

<b>Location</b>	<b>Existing Zoning</b>	<b>Existing Land Use Designation</b>	<b>Area of Stability or Growth</b>	<b>Existing Use</b>
North	AG, PUD/RS-3, and RS-3	Existing Neighborhood	Stability	Single Family
East	PUD-636/CO east of Union and RS-3 west of Union	Existing Neighborhood	Growth east of Union. Stability west of Union	Office Building east of Union and single-family residential west of Union
South	RS-3	Existing Neighborhood	Stability	Single Family
West	RS-3	Existing Neighborhood	Stability	Single Family

**SECTION III: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 11827 dated June 26<sup>th</sup>, 1970 established zoning for the subject property.

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**Subject Property:**

No Relevant History.

**Surrounding Property:**

**BOA-19134 July 2001:** The Board of Adjustment **approved** a *Variance* of the required 30' frontage on a public street or right-of-way to 0' to allow construction of a new dwelling on a private street, finding that all of the lots are five acres or greater and the Board has approved the same variance in the past, on property located south of the southeast corner of West 73<sup>rd</sup> Street South and 33<sup>rd</sup> West Avenue.

**PUD-636/Z-4825-SP-1/Z-5457-SP-2 September 2000:** All concurred in **approval** of a proposed *Planned Unit Development/ Corridor Site Plan* on a 108± acre tract of land for Single-family detached dwellings in Development Area A, Multi-family dwellings in Development areas B, C, D, and E, and commercial uses on development areas F and G, on property located at the northeast corner of US Highway 75 and West 81<sup>st</sup> Street South.

**PUD-606 April 1999:** All concurred in **approval** of a proposed *Planned Unit Development* on a 30± acre tract of land for 10 Single-family detached homes, per staff recommendation, on property located south of the southwest corner of West 71<sup>st</sup> Street and South Union.

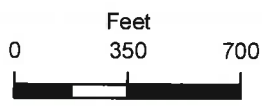
**BOA-18163 September 1998:** The Board of Adjustment **approved** a *Variance* of the required 30' frontage on a public street to 25', noting that it is an oddly shaped tract with only 25' of frontage, on property located west of the southwest corner of West 73<sup>rd</sup> Street South and South 26<sup>th</sup> West Avenue.

**BOA-17497 September 1997:** The Board of Adjustment **approved** a *Variance* of the public street frontage requirement (tract derives access from an improved private street), finding that the applicant by the letter of the Code meets the 30' access requirement, but from the practical aspect the development code does not meet the 30' access requirement, on property located southeast of the southwest corner of West 73<sup>rd</sup> and 33<sup>rd</sup> West Avenue.

**BOA-17048 May 1995:** The Board of Adjustment **approved** a *Variance* of the required minimum 30' of frontage on a public street or dedicated ROW for 3 separate abutting parcels, per plan submitted, on property located southeast corner of West 73<sup>rd</sup> Street South and South 33<sup>rd</sup> West Avenue.

**BOA-15898 December 1991:** The Board of Adjustment **approved** a *Variance* of the required 30' of frontage on a public street or dedicated right-of-way to 0' to permit access by mutual access agreement, per plot plan submitted, subject to the execution of a mutual access easement, and dedication of necessary easements to serve the lots, on property located at 7500 South Union.

**PUD-159 June 1974:** All concurred in **approval** of a proposed *Planned Unit Development* on a 597.2± acre tract of land for a golf course, commercial, and residential development, with the residential development consisting of Single-family detached, Single-family attached, and apartments, on property located between 61<sup>st</sup> and 71<sup>st</sup> Street and Union Avenue.



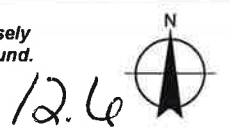
 Subject Tract

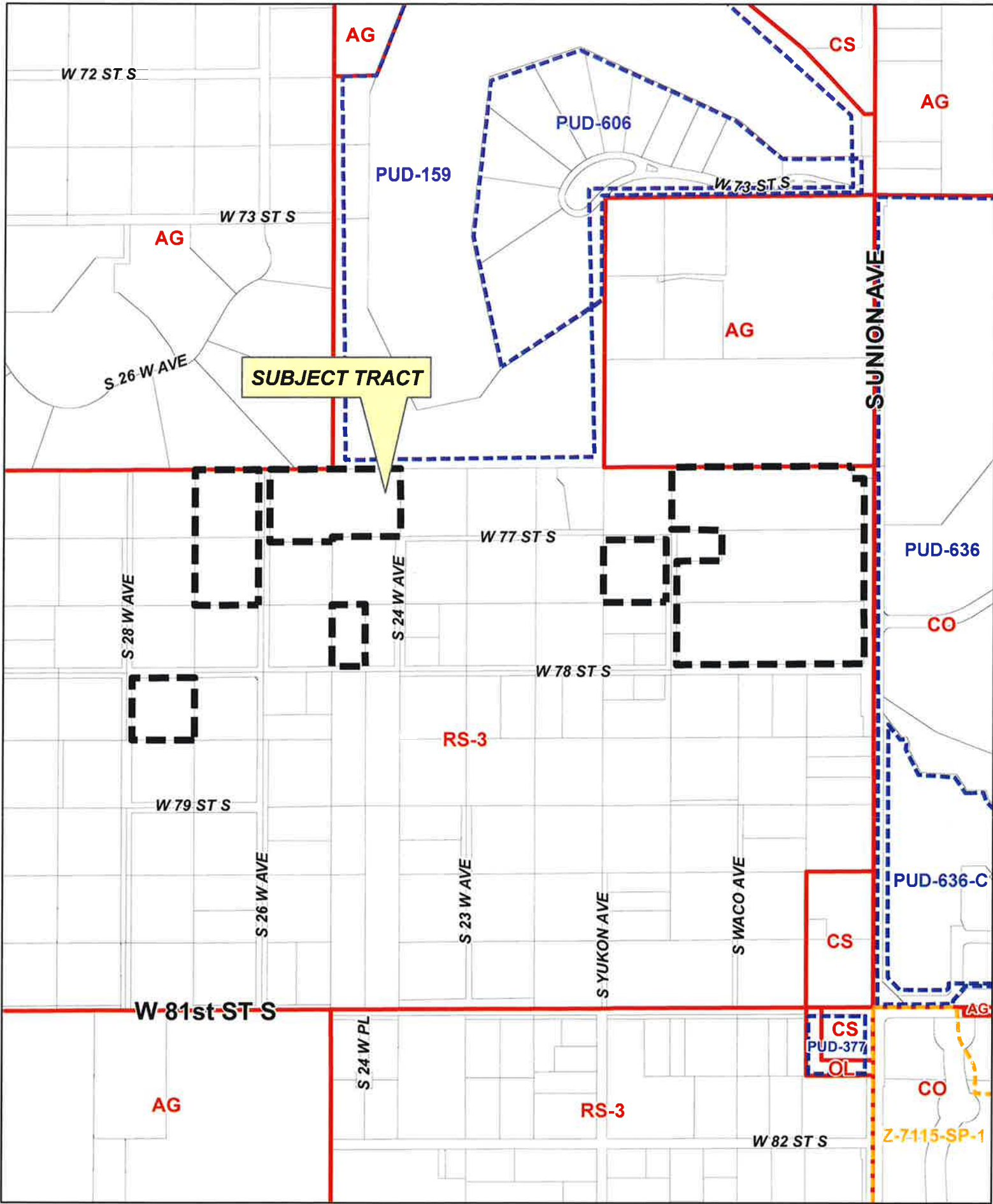
**Z-7558**

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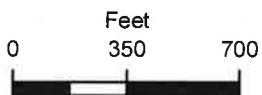
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2018



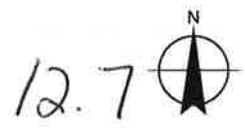


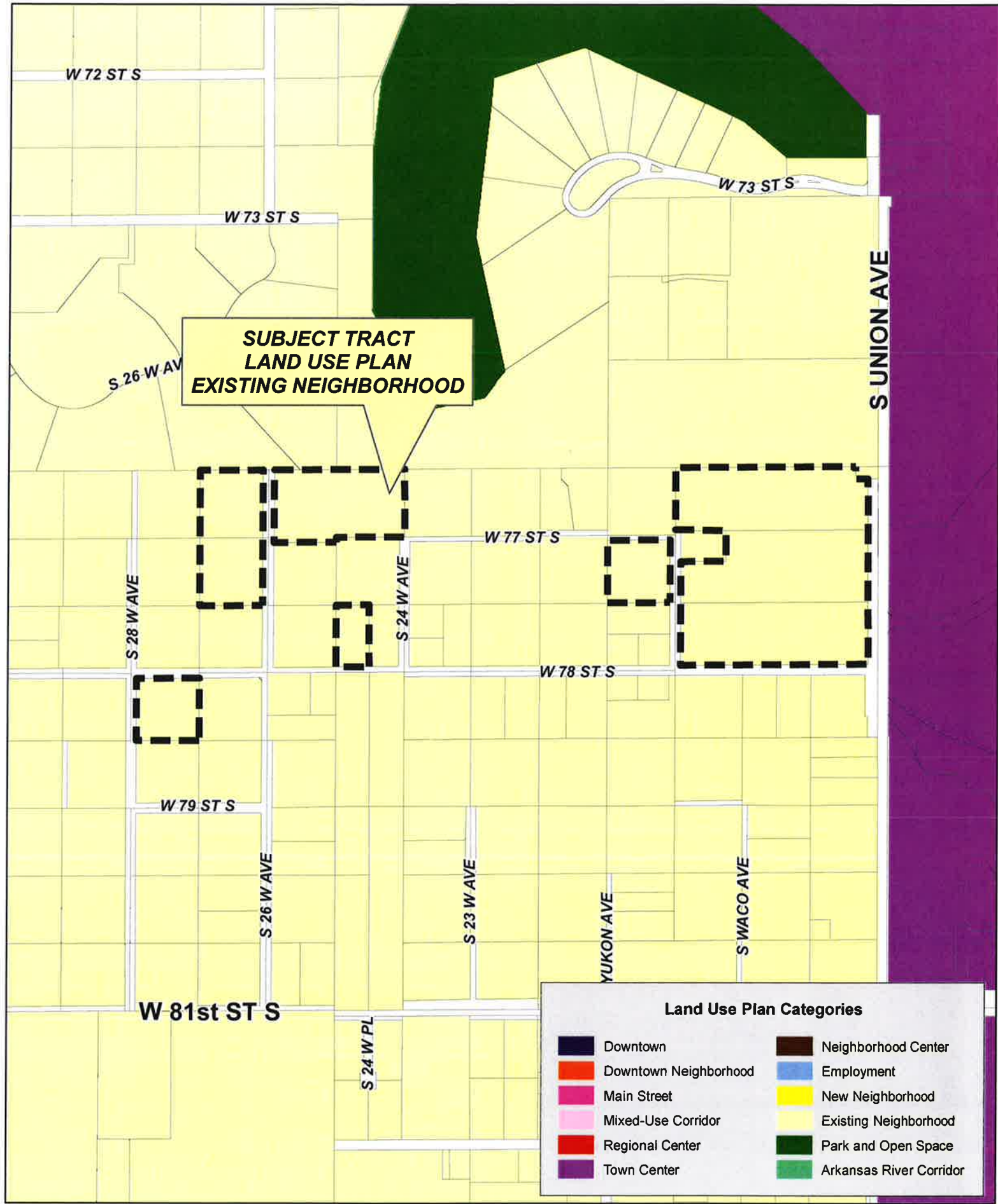
**SUBJECT TRACT**



**Z-7558**

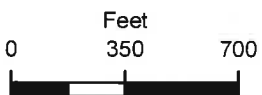
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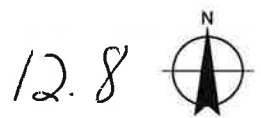
**SUBJECT TRACT  
LAND USE PLAN  
EXISTING NEIGHBORHOOD**

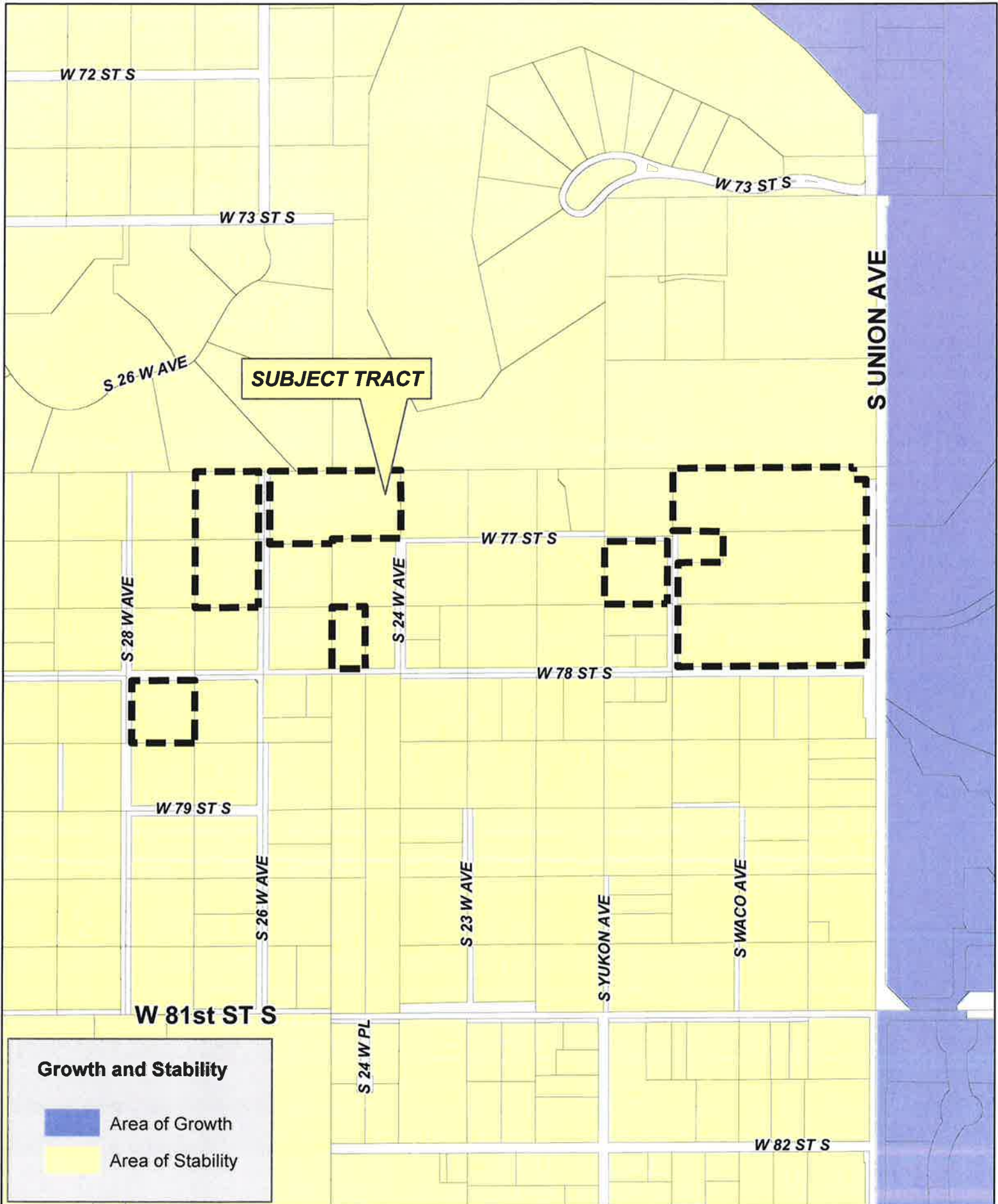
Land Use Plan Categories			
	Downtown		Neighborhood Center
	Downtown Neighborhood		Employment
	Main Street		New Neighborhood
	Mixed-Use Corridor		Existing Neighborhood
	Regional Center		Park and Open Space
	Town Center		Arkansas River Corridor



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