



Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7432

Hearing Date: March 7, 2018

Case Report Prepared by:

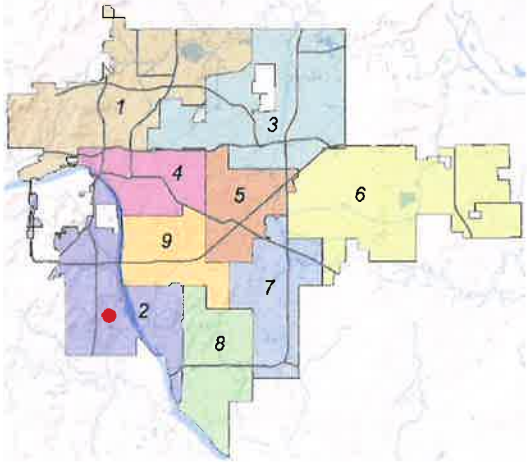
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Jamelle Moore

Property Owner: JJ RANGER LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Vacant

Proposed Use: Residential

Concept summary: Rezoning request is for a single family residential subdivision.

Tract Size: 20 ± acres

Location: S of the SW/c of S. Elwood Ave & W. 71st St. S.

Zoning:

Existing Zoning: AG

Proposed Zoning: RS-3

Comprehensive Plan:

Small Area Plan: West Highlands Small Area Plan

Land Use Map: New Neighborhood

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval for RS-3 zoning

Staff Data:

TRS: 8211

CZM: 51

Atlas: 1141, 1142

City Council District: 2

Councilor Name: Jeanie Cue

County Commission District: 2

Commissioner Name: Karen Keith

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SECTION I: Z-7432

DEVELOPMENT CONCEPT: Rezoning request for anticipated development of a single family residential subdivision.

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:
 - ALTA Survey

DETAILED STAFF RECOMMENDATION:

RS-3 zoning allows single family residential zoning that is land use supported by the West Highlands Small area plan and by Tulsa Comprehensive Plan and,

RS-3 zoning supports a density that is consistent with the anticipated development pattern east of Tulsa Hills Shopping Center and west of South Elwood and,

RS-3 is non-injurious to the existing proximate properties therefore,

Staff recommends Approval of Z-7432 to rezone property from AG/ to RS-3.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The new neighborhood vision and the area of growth identified in the Tulsa Comprehensive Plan anticipated this type of development. Street connectivity will be an important consideration during the preliminary plat phase of this project.

Land Use Vision:

Land Use Plan map designation: New Neighborhood

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

Areas of Stability and Growth designation: Area of Growth

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.

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

Transportation Vision:

Major Street and Highway Plan: None

Trail System Master Plan Considerations: None

Small Area Plan: 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 not implemented those concepts. The primary emphasis for agricultural style residential development in the plan area are west of Highway 75.

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

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is a gently sloping site that is generally drains toward the Hagar Creek flood plain area at the west end of the site. The north edge of the zoning request abuts a recently constructed Multi Family Project. There are no reasonable expectations for street extensions except to the south and possibly west where property is currently still zoned AG.

Three parcels are included in the zoning request. Each parcel has a single family home.

Hager Creek flood plain snippet:



Environmental Considerations: Single family residential development is unlikely in the floodplain area however the preliminary plat will be arranged in a way to preserve as much green space as possible in that area.

An electrical transmission line is on the east boundary of the property. Residential setbacks will be greater than the normal setback from the planned street right of way as a result of that transmission line.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Elwood Avenue	Secondary Arterial	100 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

<u>Location</u>	<u>Existing Zoning</u>	<u>Existing Land Use Designation</u>	<u>Area of Stability or Growth</u>	<u>Existing Use</u>
North	PUD-738 / CS, RM-O, RS-3	Town Center	Growth	Multi Family
East	AG	Existing Neighborhood	Stability	Large lot single family residential
South	AG	New Neighborhood	Growth	Large lot single family residential
West	AG	New Neighborhood	Growth	Large lot single family residential

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11827 dated June 26, 1970, established zoning for the subject property.

Subject Property:

BOA-19353 May 2002: The Board of Adjustment **denied** a *variance* of the required 30' of frontage on a public street or dedicated right-of-way to 0'; and a *variance* of lot width from 200' to 165' to permit a lot-split, for lack of hardship, on property located south of the southwest corner of South Elwood Avenue and West 71st Street South, the subject property.

BOA-17358 April 1996: The Board of Adjustment **approved** a *special exception* to permit a double-wide manufactured home in an AG zoned district permanently (Section 301), on property located south of the southwest corner of South Elwood Avenue and West 71st Street South, the subject property.

Surrounding Property:

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Z-7353 August 2016: All concurred in **approval** of a request for *rezoning* a 2.58± acre tract of land from RS-3 to CS, on property located south of the southeast corner of South Jackson Avenue and West 71st Street South.

PUD-742-A October 2015: All concurred in **approval**, with conditions, of a proposed Major Amendment to PUD on a 25± acre tract of land for elementary school use (Use Unit 5), on property located south of the southeast corner of South Elwood Avenue and West 71st Street.

Z-7286 December 2014: All concurred in **approval** of a request for *rezoning* a 3.52± acre tract of land from RS-3 to CS on property located west of the southwest corner of West 71st Street South and South Elwood Avenue.

Z-7065/ PUD-742 September 2007: All concurred in **approval** of a request for *rezoning* a 24± acre tract of land and a proposed *Planned Unit Development* for an office park from AG to OL on property located south of the southeast corner of East 71st Street and South Elwood Avenue.

Z-7052/ PUD-738 May 2007: All concurred in **approval** of a request for *rezoning* a 40± acre tract of land from AG to RS-3/RM-0/CS/PUD and a proposed *Planned Unit Development* for a mixed use development on property located on the southwest corner of West 71st Street and South Elwood Avenue.

Z-7008-SP-1/Z-6966-SP-1/Z-6967-SP-1 March 2006: All concurred in **approval** of a request for a *Corridor Development Plan* on a 176± acre tract of land to permit a regional shopping center known as the Tulsa Hills site with a total of 1,554,194 square feet of maximum building floor area approved at a .25 floor area ratio, on property located east of US Highway 75 between West 71st and West 81st Streets.

Z-7008 March 2006: All concurred in **approval** of a request for *rezoning* a 43.6± acre tract of land from AG/RS-3 to CO for a regional shopping center known as Tulsa Hills, on property located on the east side of U.S. Highway 75 South between West 71st Street South and West 81st Street South.

BOA-19228 November 2001: The Board of Adjustment **approved** a *variance* of lot width from required 200' to 135' on Tract A and 100' on Tract B; a *variance* of lot area from 2 acres to 1.89 acres on Tract A; and a *variance* of land area per dwelling unit from 2.2 acres to 2.0 acres on Tract A to permit a lot split, per survey submitted, finding the hardship to be the configuration of the lot, on property located south of the southeast corner of South Elwood Avenue and West 71st Street South.

BOA-18614 January 2000: The Board of Adjustment **approved** a *variance* of average lot width from 200' to 125' and 142' to permit a lot-split in an AG district, on property located south of the southeast corner of South Elwood Avenue and West 71st Street South.

3/7/2018 1:30 PM

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W 71st ST S

S JACKSON AVE

W 73 ST S

S ELWOOD AVE

W 77 ST S

W 77 ST S

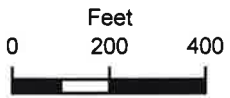
W 77 PL S

W 77 ST S

S GUTHRIE AVE

W 77 PL S

S FRISCO AVE



Subject Tract

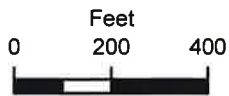
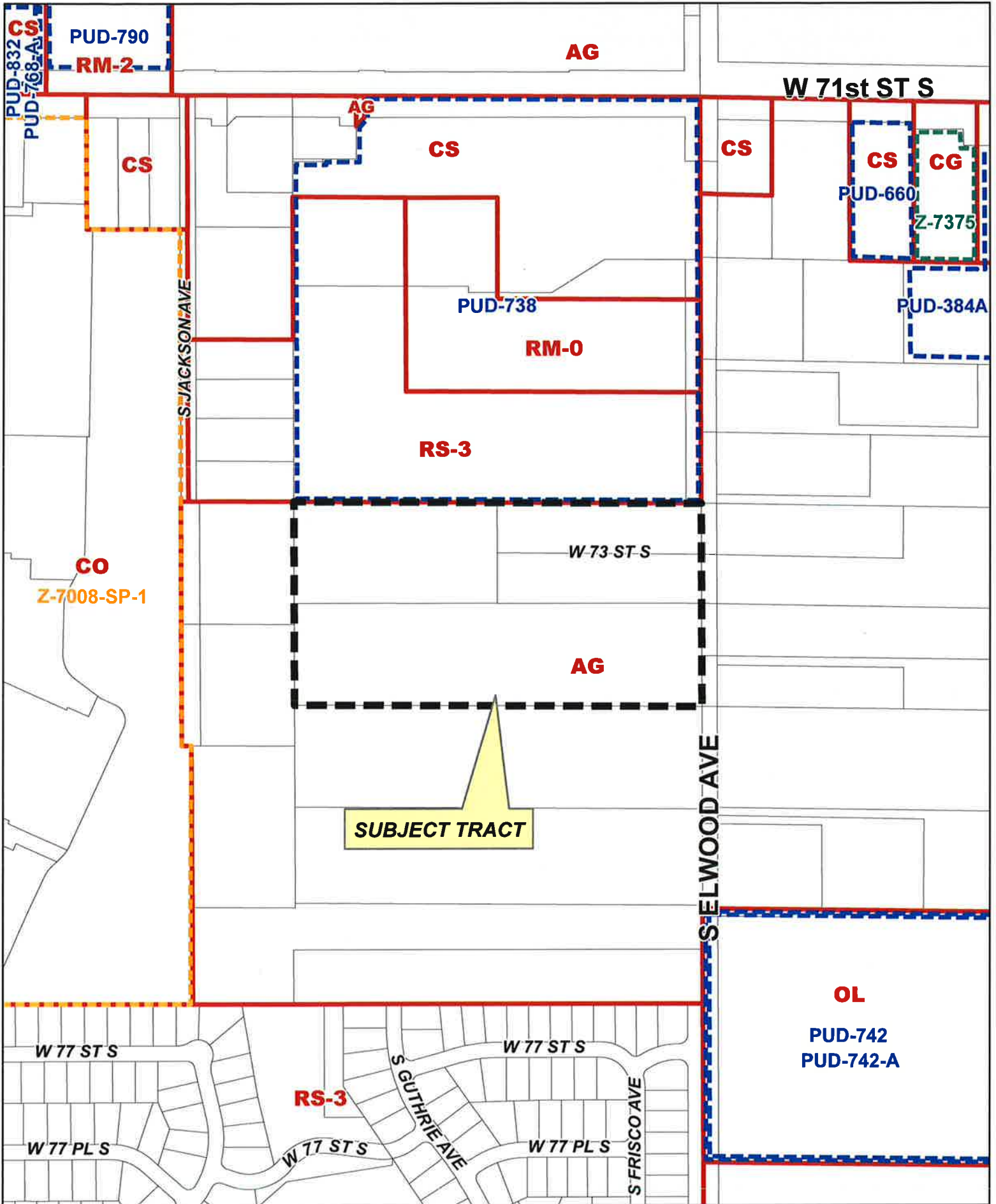
Z-7432

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

Aerial Photo Date: February 2016

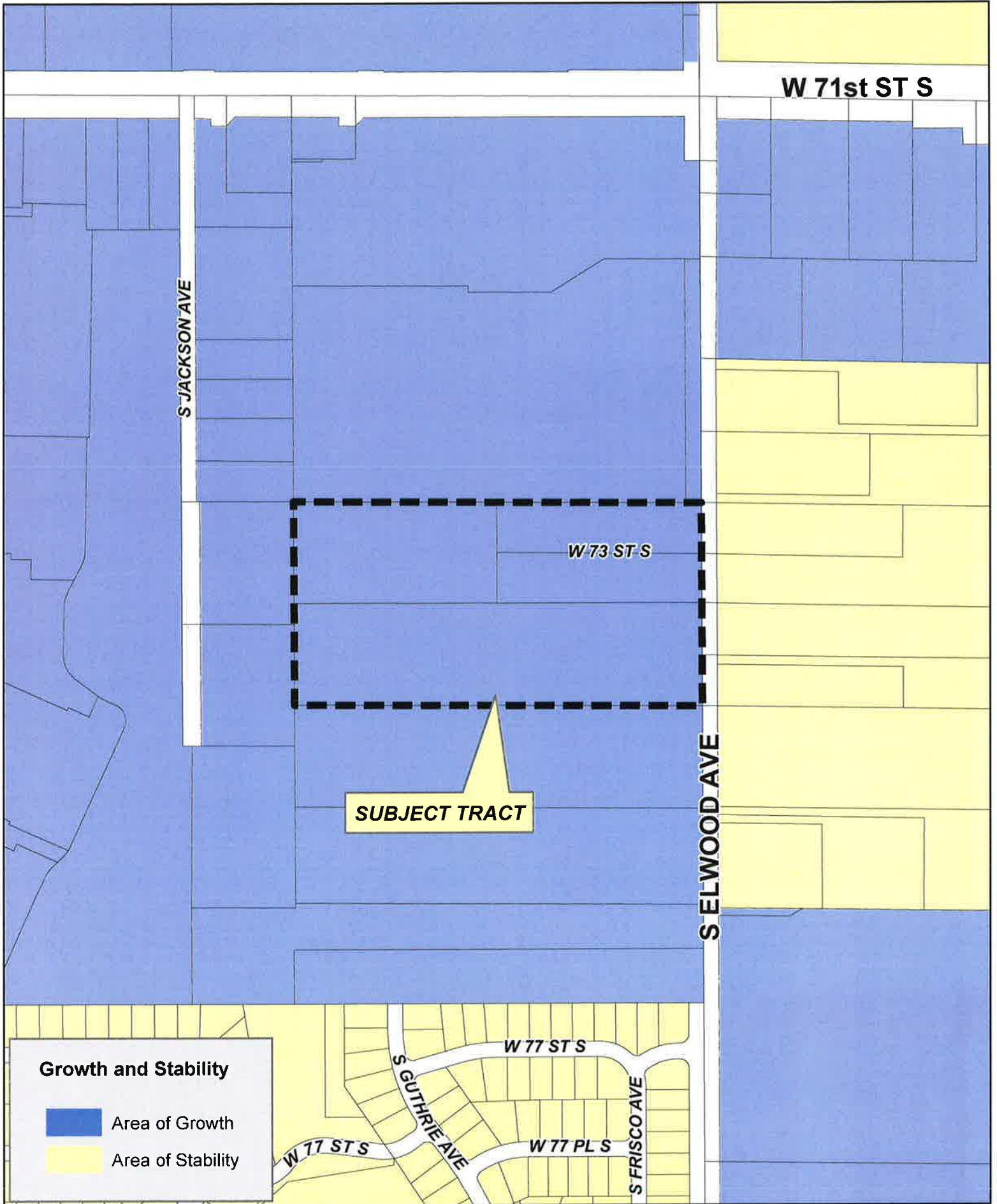




Z-7432

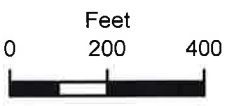
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Growth and Stability

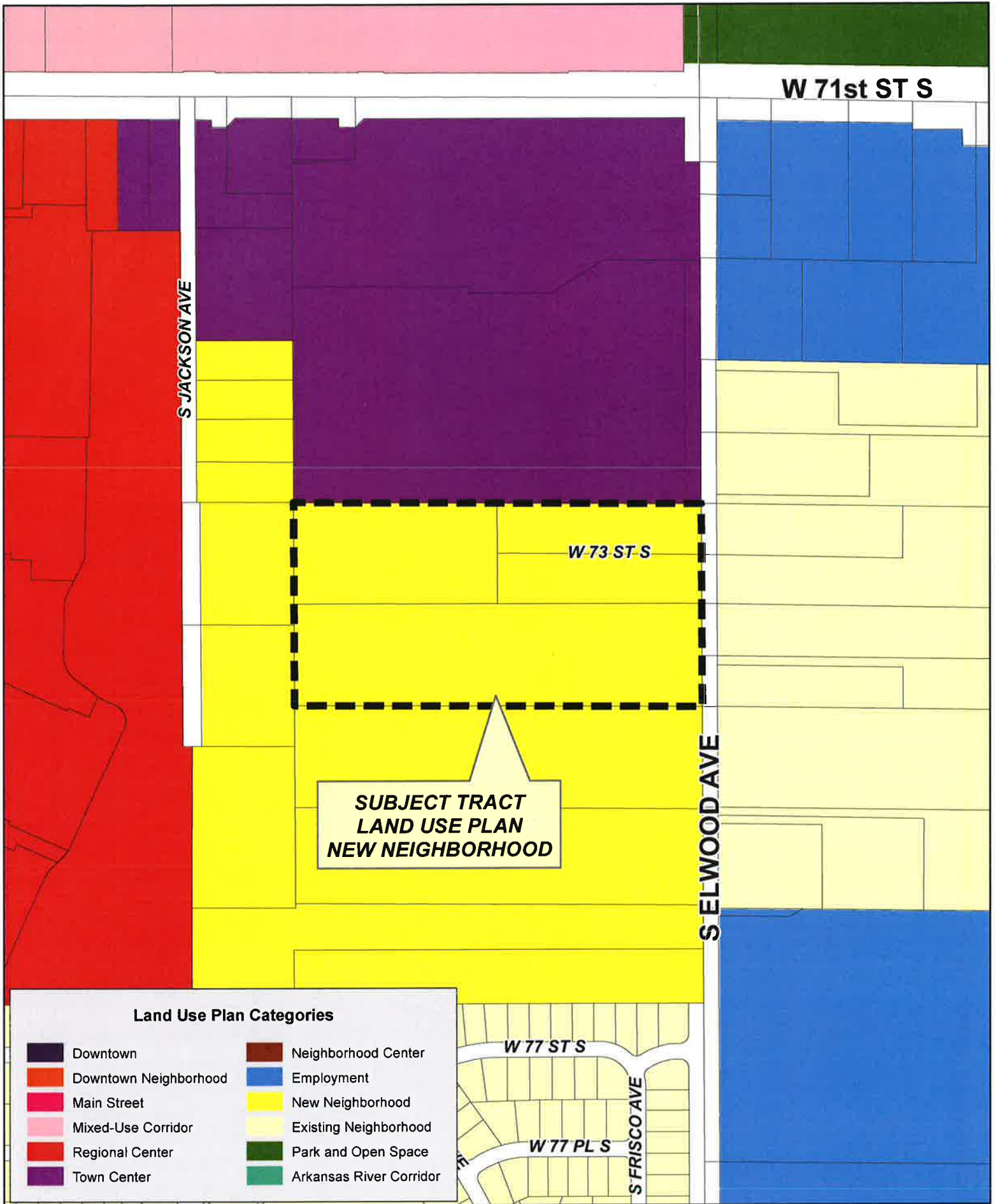
- Area of Growth
- Area of Stability



Z-7432

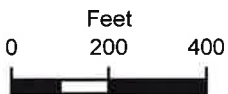
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Land Use Plan Categories

- | | |
|--|---|
|  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-7432

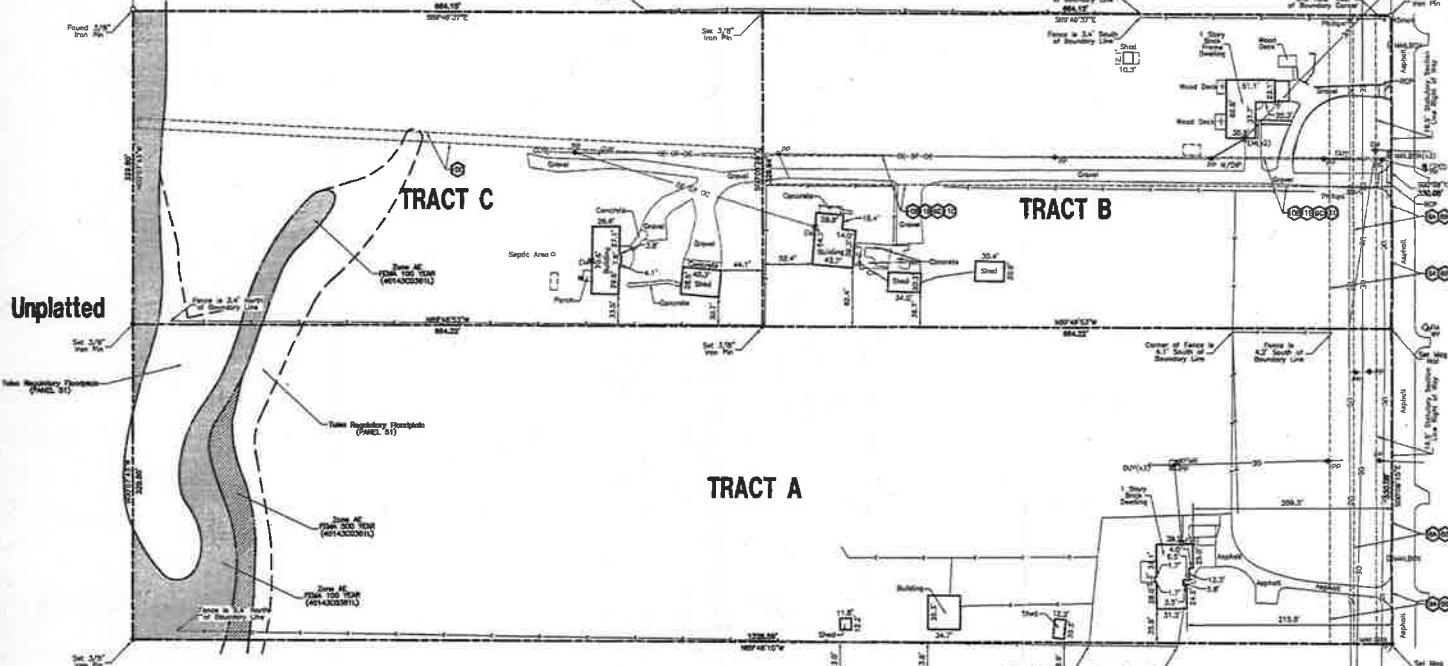
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Legend

EW ELECTRIC WATER
 SW GAS WATER
 DF DRAIN FLOW
 OF OIL FLOW
 PP POTENTIAL
 CC CONCRETE CURB
 OF OVERHEAD ELECTRICAL
 OF OVERHEAD TELEPHONE
 PP POWER POLE
 HC HEAVY CONCRETE
 PC PORCULAN PIPE
 UC UNDERGROUND CABLE
 UE UNDERGROUND ELECTRIC
 UG UNDERGROUND GAS
 US UNDERGROUND SAND

**Lot 1,
Block 1,
71 at Tulsa Hills**



Unplatted

TRACT C

TRACT B

TRACT A

Unplatted



West 81st Street South
Location Map
Scale 1"=200'

Notes

1. ALL EASEMENTS AND RIGHTS OF WAY THAT ARE CONTAINED IN THE TITLE COMMITMENT BY MAIN STREET TITLE WITH AN EFFECTIVE DATE OF AUGUST 21, 2017 AT 7:59 AM, COMMITMENT NO. 1708116, ARE SHOWN AND NOTED HEREON.
2. ALL EASEMENTS AND RIGHTS OF WAY THAT ARE CONTAINED IN THE TITLE COMMITMENT BY MAIN STREET TITLE WITH AN EFFECTIVE DATE OF JULY 26, 2017 AT 7:00 AM, COMMITMENT NO. 1708551, ARE SHOWN AND NOTED HEREON.
3. ALL EASEMENTS AND RIGHTS OF WAY THAT ARE CONTAINED IN THE TITLE COMMITMENT BY MAIN STREET TITLE WITH AN EFFECTIVE DATE OF AUGUST 10, 2017 AT 7:00 AM, COMMITMENT NO. 1708552, ARE SHOWN AND NOTED HEREON.
4. ALL UNDERGROUND UTILITIES SHOWN WERE NOT BE SHOWN (ONLY "ON" BEFORE DITCHED).
5. THE PROPERTY DESCRIBED HEREON CONTAINS 578,800 SQUARE FEET OR 20.12 ACRES MORE OR LESS.
6. THE PROPERTY CONTAINS NO IMPROVED BUILDING AREAS.
7. THE PROPERTY REPRESENTED HAS BEEN EXAMINED BY A MAP OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP TULSA COUNTY, OKLAHOMA, MAP NO. 811423241N, MAP DATED OCTOBER 10, 2012, WHICH SHOWS A PORTION OF THE PROPERTY DESCRIBED HEREON AS LOCATED IN ZONE (AE) (AE) (AE) WHICH IS CLASSIFIED AS AREAS DETERMINED TO BE INSIDE OF THE 100 YEAR ANNUAL CHANCE FLOOD PLAIN.
8. EXCEPT AS SHOWN HEREON, THERE ARE NO ENCROACHMENTS OR PROGRESSIVE CONSTRUCTION ADJOINING PREMISES, STREETS OR ALLEYS BY ANY BUILDINGS OR PUBLIC IMPROVEMENTS ON THE SUBJECT PROPERTY.
9. EXCEPT AS SHOWN HEREON, THERE ARE NO ENCROACHMENTS ON THE SUBJECT PROPERTY BY BUILDINGS OR VISIBLE IMPROVEMENTS SITUATED ON ADJOINING PREMISES.
10. THE BASIS OF BEARING IS BASED ON THE EAST OF THE NE 1/4 OF SECTION 11 AS BEING S007°51'E.
11. THERE IS NO OBSERVED EVIDENCE OF THE SITE BEING USED AS A SOLID WASTE DUMP, SWAMP OR SANITARY LANDFILL.
12. THERE IS NO OBSERVED EVIDENCE OF THE SITE BEING IN A METEORIC AREA.
13. THERE IS NO OBSERVED EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADJOINING WITHIN RECENT MONTHS.
14. THE HORIZONTAL DATUM FOR THIS SURVEY IS BASED ON OAHOMAH STATE PLANE MATHS.

Legal Descriptions

Legal Description Commitment No. 1708116 TRACT A

THE SOUTH HALF OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (S/2 N/2 SE/4 NE/4) OF SECTION 11, TOWNSHIP 18 NORTH, RANGE 12 EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

Legal Description Commitment No. 1708551 TRACT B

THE SOUTH HALF OF THE EAST 660 FEET OF THE NORTH HALF OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (N/2 N/2 SE/4 NE/4) OF SECTION 11, TOWNSHIP 18 NORTH, RANGE 12 EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

Legal Description Commitment No. 1708552 TRACT C

THE NORTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (N/2 NW/4 SE/4 NE/4) OF SECTION 11, TOWNSHIP 18 NORTH, RANGE 12 EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

ALTA/NSPS LAND TITLE SURVEY
of part of the
SE/4, NE/4
Section 11, T-18-N, R-12-E
Tulsa County, Oklahoma

Surveyor's Certification

WE, BENNETT SURVEYING, INC. DO HEREBY CERTIFY TO:

MAIN STREET TITLE COMPANY, LLC

CORSE 103

BY: JAVAN H. FOSTER AND JAVAN J. FOSTER, BROCKHOUSE TRUST DATED APRIL 3, 2017

DOYLE E. BLACK AND CHARLISE D. BLACK

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 BARRISTER STANDARD OF PRACTICE FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES FIGURES 1, 2, 4, 7(A), 8, 9, 11, 16, 18, AND 19 OF TABLE A THEREOF. THE FELLOWSHIP WAS COMPLETED ON SEPTEMBER 12, 2017.

WITNESS MY HAND AND SEAL THIS 3RD DAY OF OCTOBER 2017.



BENNETT SURVEYING, INC.
Cliff Bennett
CLIFF BENNETT
REGISTERED PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 1815

Exceptions Commitment No. 1708116 TRACT A

- 8A. EASEMENT AND RIGHT OF WAY IN FAVOR OF THE OKLAHOMA POWER CO. FILED 12/30/26 IN BOOK 597, PAGE 626. (AFFECTS SUBJECT PROPERTY AS SHOWN)
- 8A. RIGHT OF WAY IN FAVOR OF CHEROKEE PIPE LINE CO. FILED 8/24/57 IN BOOK 2813, PAGE 252. (AFFECTS SUBJECT PROPERTY AS SHOWN)
- 10A. RIGHT OF WAY IN FAVOR OF CREEK COUNTY RURAL WATER DISTRICT #2 FILED 6/9/65 IN BOOK 3585, PAGE 155. (AFFECTS THE S/2, N/2, SE/4, NE/4, AS A SUBJECT)

Exceptions Commitment No. 1708551 TRACT B

- 8B. EASEMENT AND RIGHT OF WAY IN FAVOR OF THE OKLAHOMA POWER COMPANY FILED 12-30-26 IN BOOK 597, PAGE 626. (AFFECTS SUBJECT PROPERTY AS SHOWN)
- 9B. RIGHT OF WAY IN FAVOR OF CHEROKEE PIPE LINE CO. FILED 9-24-57 IN BOOK 2813, PAGE 252. (AFFECTS SUBJECT PROPERTY AS SHOWN)
- 10B. ROADWAY EASEMENT FILED 10-2-77 IN BOOK 3990, PAGE 1381. (AFFECTS SUBJECT PROPERTY AS SHOWN)
- 11B. ROAD MAINTENANCE AGREEMENT FILED 9-1-92 IN BOOK 5432, PAGE 851. (AFFECTS SUBJECT PROPERTY AS SHOWN)

Exceptions Commitment No. 1708552 TRACT C

- 8C. RIGHT OF WAY IN FAVOR OF CHEROKEE PIPE LINE CO. FILED 3-24-57 IN BOOK 2813, PAGE 252. (AFFECTS SUBJECT PROPERTY)
- 9C. ROADWAY EASEMENT FILED 10-2-77 IN BOOK 3990, PAGE 1381. (PROVIDES ACCESS TO SUBJECT PROPERTY, AFFECTS SUBJECT PROPERTY AS SHOWN)
- 10C. RIGHT OF WAY IN FAVOR OF PUBLIC SERVICE COMPANY OF OKLAHOMA FILED 10-26-94 IN BOOK 4825, PAGE 701. (AFFECTS SUBJECT PROPERTY AS SHOWN)
- 11C. ROAD MAINTENANCE AGREEMENT FILED 9-1-92 IN BOOK 5432, PAGE 851. (ADJACENT TO SUBJECT PROPERTY, DOES NOT AFFECT SUBJECT PROPERTY)

Utility Statement

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING CHANGES. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPARE ALL SUCH UTILITIES IN THE AREA. OTHER IN SERVICE OR ABANDONED, THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED ALL UNDERGROUND UTILITIES.



REVISION	BY	DATE	BENNETT SURVEYING, INC.	
FILED:	1815.11	SURVEY BY:	CLIFF BENNETT	08/15/17
ORDER:	172341	ISSUED BY:	AMC	08/15/17
FILE NO:	081/3/17	CHECKED BY:	CCB	08/15/17
				1 OF 1

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