



Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7388

Hearing Date: May 17, 2017

Case Report Prepared by:

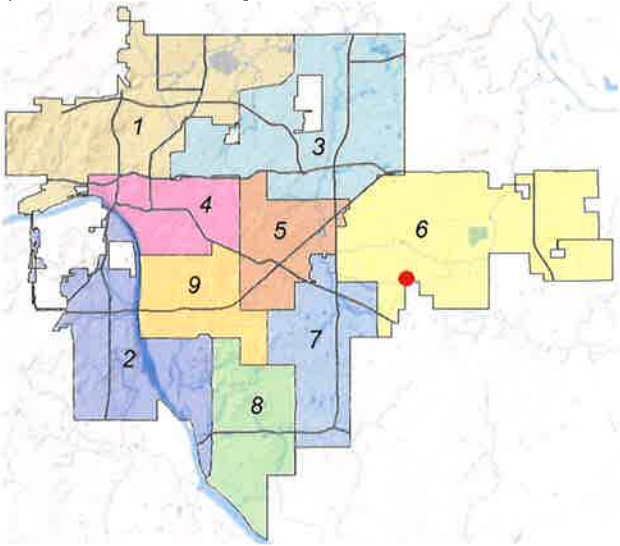
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Erik Enyart

Property Owner: 41ST STREET DEVELOPMENT
LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Vacant

Proposed Use: Multifamily use

Concept summary:

- 1) Align RM-2 zoning boundary with property ownership,
- 2) Increase the land area for multifamily residential uses which will also increase the number of allowable dwelling units,
- 3) Decrease the size of the commercial corner.

Tract Size: 12.9 ± acres

Location: North and east of the northeast corner of E. 41st St. S and S. 145th E. Ave.

Zoning:

Existing Zoning: RM-0/ CS

Proposed Zoning: RM-2

Comprehensive Plan:

Land Use Map: Neighborhood Center/ New Neighborhood

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 9422

CZM: 50

Atlas: 0

City Council District: 6

Councilor Name: Connie Dodson

County Commission District: 1

Commissioner Name: John Smaligo

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SECTION I: Z-7388

DEVELOPMENT CONCEPT: The applicant has identified the site as a potential development opportunity for a multi-family development and has requested a zoning map revision to remove some of the existing CS and RM-0 and rezone to RM-2.

The rezoning request will reduce the CS zoned property from approximately 9.5 acres to approximately 2.9 acres.

In Summary:

- 1) RM-2 zoning requires 1100 square feet of lot area for each dwelling unit or up to 510 dwelling units. Please note that this is a theoretical calculation and is unlikely because of storm water detention areas, street right of way dedication and parking requirements.
- 2) RM-O zoning requires 2900 square feet of lot area for each dwelling unit or up to 193 dwelling units. Please note that this is a theoretical calculation and is unlikely because of storm water detention areas, street right of way dedication and parking requirements.
- 3) Both RM-2 and RM-O zoning districts are limited with a maximum building height of 35 feet.
- 4) Both RM-2 and RM-O zoning have the same building setbacks.

EXHIBITS:

INCOG Case map

INCOG Aerial

Tulsa Comprehensive Plan Land Use Map

Tulsa Comprehensive Plan Areas of Stability and Growth Map

Applicant Exhibits:

None included in staff report

DETAILED STAFF RECOMMENDATION:

RM-2 zoning is consistent with the Neighborhood Center and New Neighborhood land use designations in the comprehensive plan and,

RM-2 zoning is consistent with the expected development pattern and,

RM-2 zoning is considered non injurious to the proximate properties therefore,

Staff recommends Approval of Z-7388 to rezone property from RM-0/ CS to RM-2.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: RM-2 zoning is consistent with the land use designation identified in the Comprehensive Plan.

Land Use Vision:

Land Use Plan map designation: Neighborhood Center/ New Neighborhood

Neighborhood Centers are small-scale, one to three story mixed-use areas intended to serve nearby neighborhoods with retail, dining, and services. They can include apartments, condominiums, and townhouses, with small lot single family homes at the edges. These are

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pedestrian-oriented places served by transit, and visitors who drive can park once and walk to number of destinations.

The New Neighborhood 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.

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: South 145th East Avenue is a Primary Arterial. East 41st Street South is a Secondary Arterial

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is currently vacant land. There are no structures on the subject lot at this time.

Environmental Considerations: None that would affect site development

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South 145 th East Avenue	Primary Arterial	120 feet	2
East 41 st Street	Secondary Arterial	100 feet	2

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Utilities:

The subject tract has municipal water available. Sewer does not currently exist. A sewer extension would be required in order to provide sewer service to the tract.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	RM-0	New Neighborhood	Growth	Vacant
South	CS(Tulsa) A-CG/A-RD (Broken Arrow)	Neighborhood Center (Tulsa) Commercial/ Employment Nodes Transition Area (Broken Arrow)	Growth (Tulsa) N/A (Broken Arrow)	Forested Land / Stream
East	RM-0/RS-3	New Neighborhood	Growth	Single-Family
West	AG	New Neighborhood/ Neighborhood Center	Growth	Vacant

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 15227 dated December 15, 1981, established zoning for the subject property.

Subject Property:

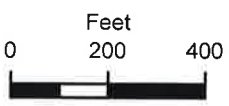
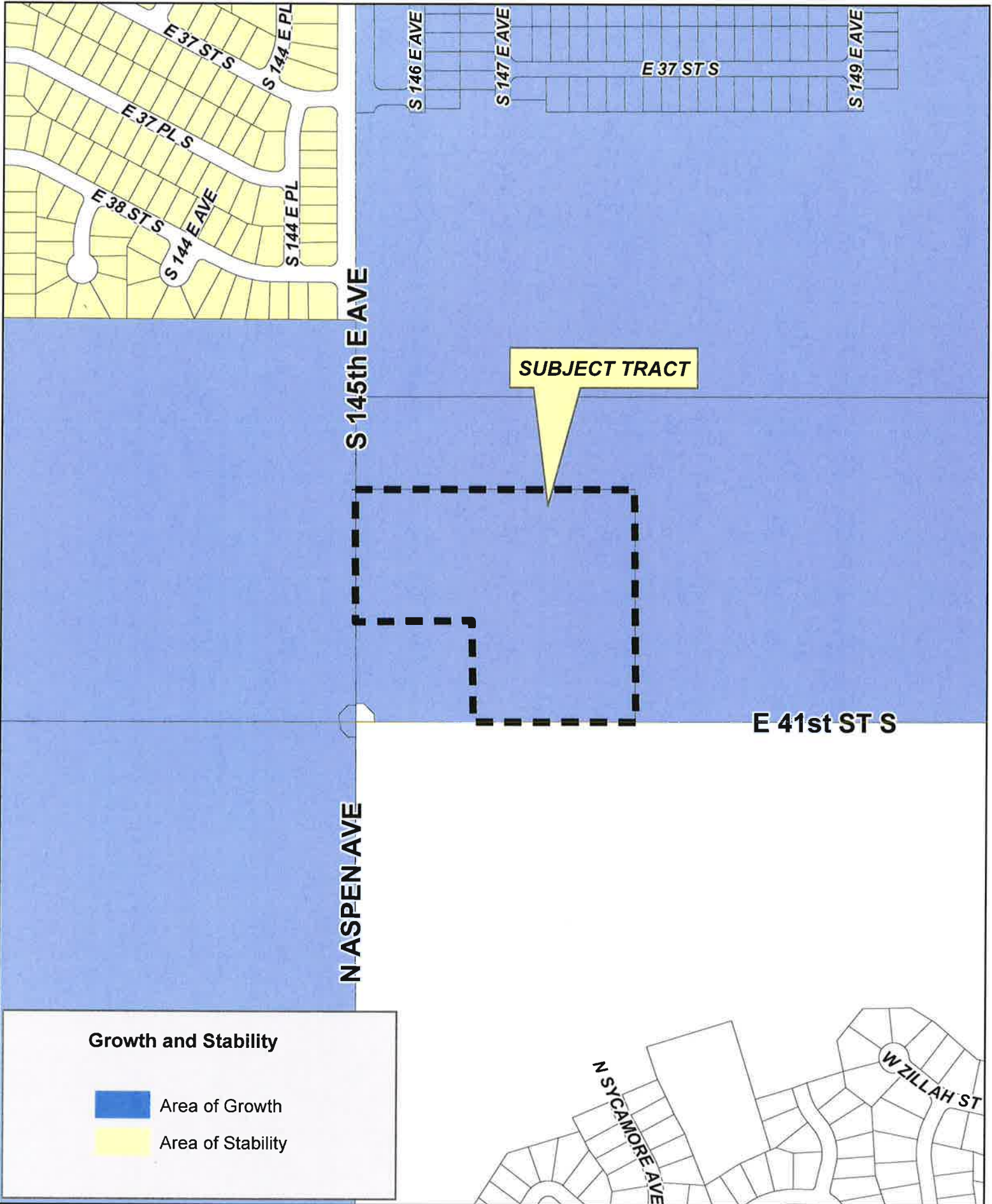
Z-5607 December 1981: All concurred in **approval** of a request for *rezoning* a tract of land from AG to RS-3/ RM-0/ CS, on property located north of E. 41st St. east of S. 145th E. Ave. for a mile.

Surrounding Property:

No relevant history.

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Exhibit "A.1"

Green - 41st Street

Zoning Exhibit Description

Description

A TRACT OF LAND THAT IS A PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW/4 SW/4) OF SECTION TWENTY-TWO (22), TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW/4) OF SAID SECTION 22; THENCE SOUTH 88°44'17" WEST AND ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER FOR A DISTANCE OF 1728.81 FEET TO THE POINT OF BEGINNING.

THENCE SOUTH 88°44'17" WEST AND CONTINUING ALONG SAID SOUTH LINE FOR A DISTANCE OF 528.00 FEET; THENCE NORTH 1°28'54" WEST AND PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST QUARTER FOR A DISTANCE OF 330.00 FEET; THENCE SOUTH 88°44'17" WEST AND PARALLEL WITH SAID SOUTH LINE FOR A DISTANCE OF 380.00 FEET TO A POINT ON THE WEST LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH 1°28'54" WEST AND ALONG SAID WEST LINE FOR A DISTANCE OF 427.89 FEET; THENCE NORTH 88°43'42" EAST FOR A DISTANCE OF 908.00 FEET; THENCE SOUTH 1°28'54" EAST AND PARALLEL WITH SAID WEST LINE FOR A DISTANCE OF 758.05 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 562,832 SQUARE FEET OR 12.921 ACRES.

Basis of Bearing

THE BEARINGS SHOWN HEREON ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (3501), NORTH AMERICAN DATUM 1983 (NAD83); SAID BEARINGS ARE BASED LOCALLY UPON FIELD-OBSERVED TIES TO THE FOLLOWING MONUMENTS:

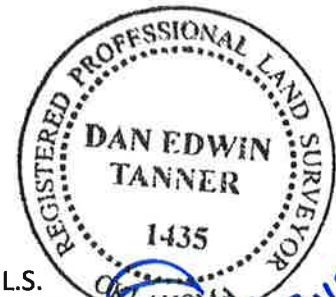
- (1) MAGNETIC PK NAIL FOUND AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW/4) OF SECTION 22;
- (2) MAGNETIC PK NAIL FOUND AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER (SW/4) OF SECTION 22;

THE BEARING BETWEEN SAID MONUMENTS BEING SOUTH 88°44'17" WEST.

Certification

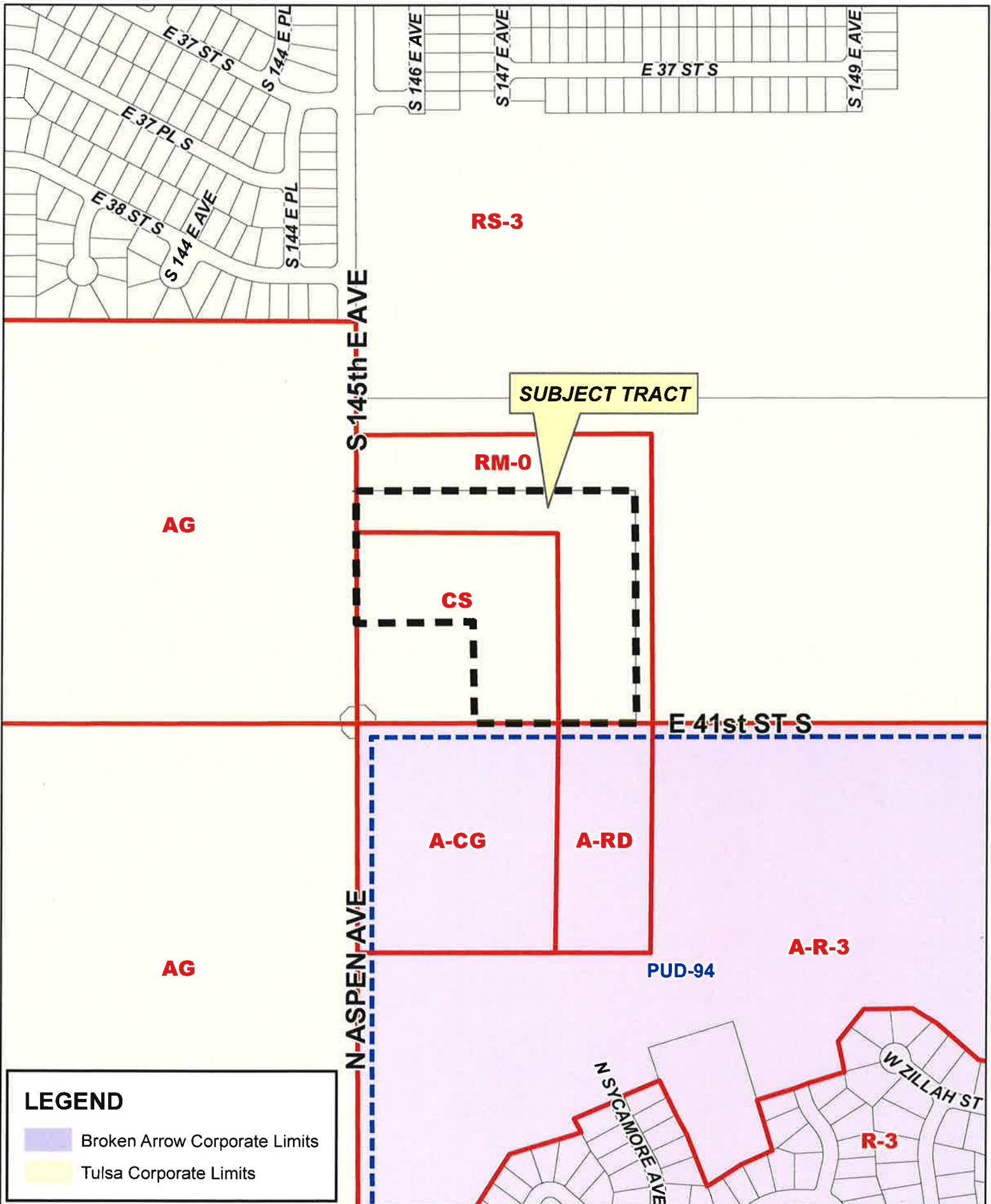
I, DAN E. TANNER, OF TANNER CONSULTING, LLC, CERTIFY THAT THE ATTACHED DESCRIPTION CLOSES IN ACCORD WITH EXISTING RECORDS, IS A TRUE REPRESENTATION OF THE REAL PROPERTY AS DESCRIBED, AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING OF THE STATE OF OKLAHOMA.

DAN E. TANNER, P.L.S.
OKLAHOMA P.L.S. #1435
OKLAHOMA CA #2661
EXPIRATION DATE: 6/30/17



 **Tanner Consulting LLC**
5323 SOUTH LEWIS AVENUE, TULSA OKLAHOMA 74105-6539 | 918.745.9929

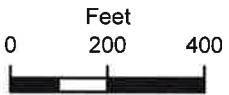
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Subject Tract

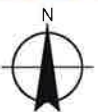
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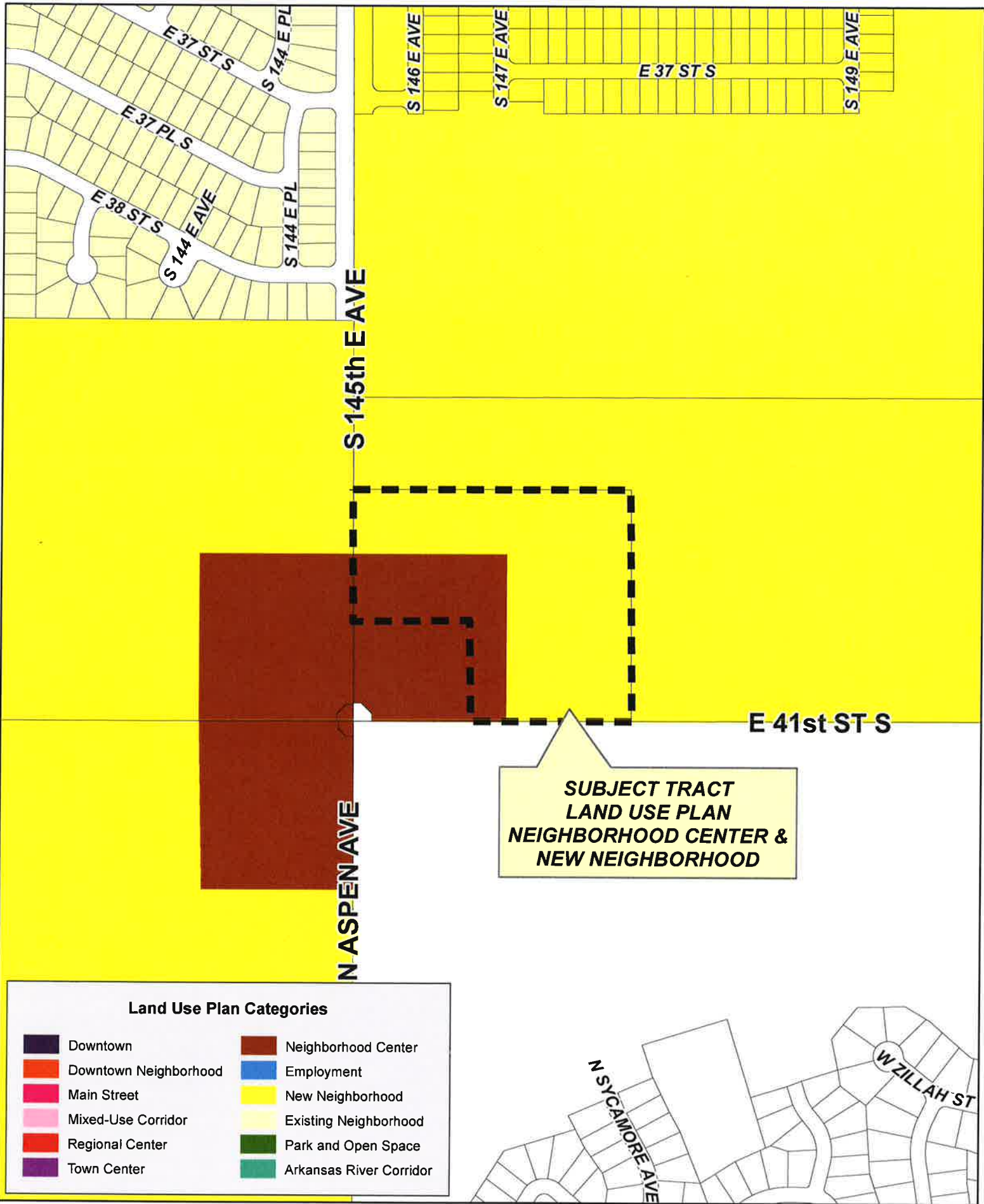
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Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016





**SUBJECT TRACT
LAND USE PLAN
NEIGHBORHOOD CENTER &
NEW NEIGHBORHOOD**

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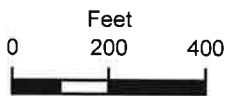
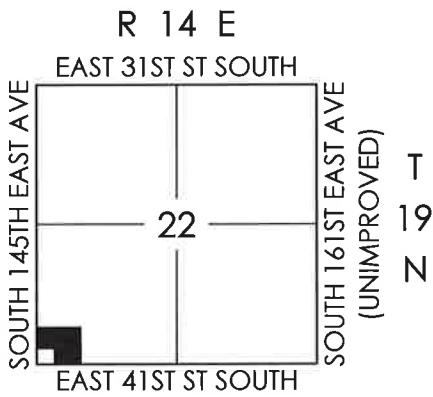


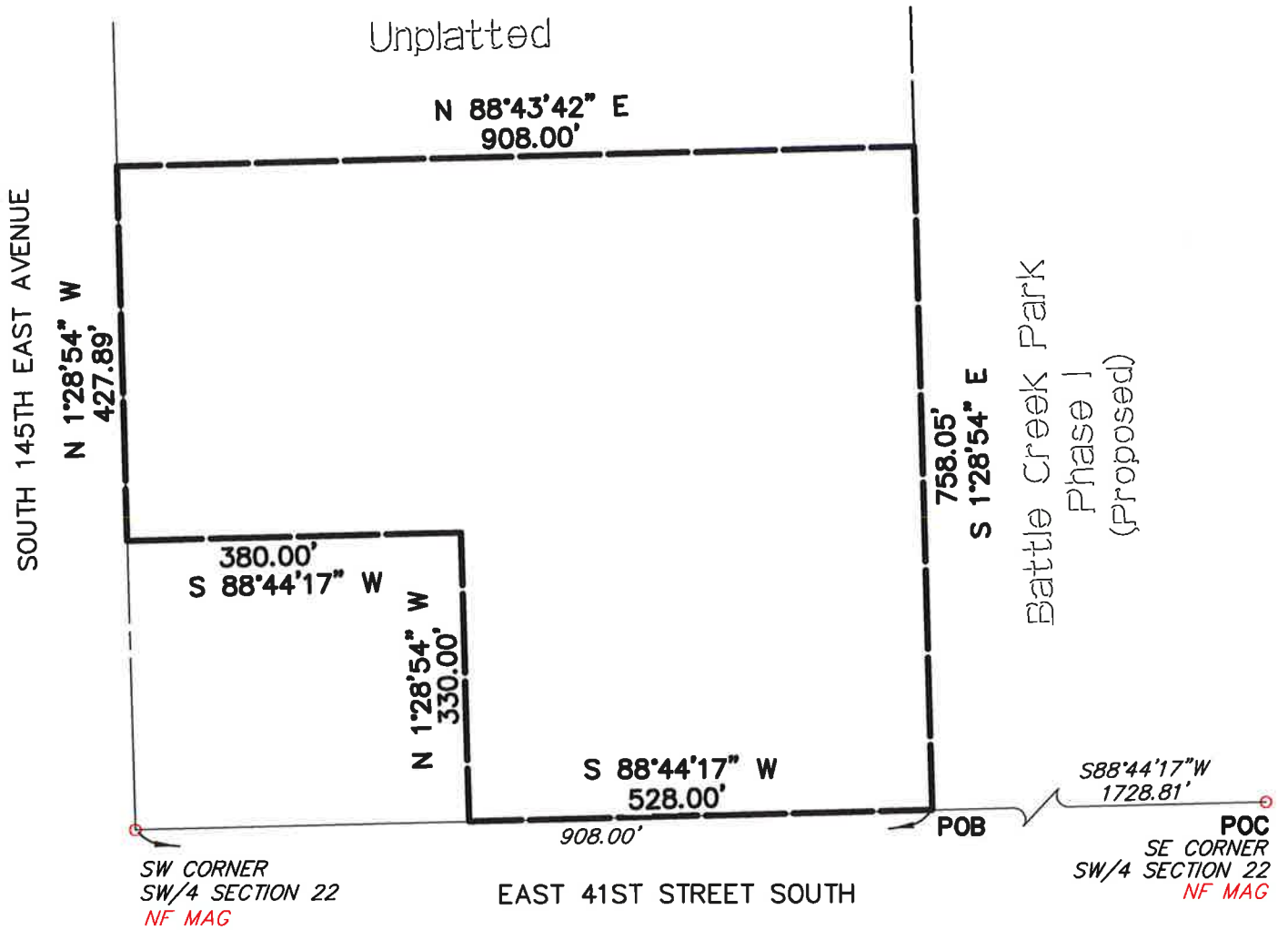
Exhibit "A.2"

Green - 41st Street

Zoning Exhibit



Location Map



LEGEND

- POB POINT OF BEGINNING
- POC POINT OF COMMENCEMENT