

# **TULSA METROPOLITAN AREA PLANNING COMMISSION**

**Meeting No. 2790**

**March 20, 2019, 1:30 PM**

**175 East 2<sup>nd</sup> Street, 2<sup>nd</sup> Level, One Technology Center  
Tulsa City Council Chamber**

## **CONSIDER, DISCUSS AND/OR TAKE ACTION ON:**

Call to Order:

## **REPORTS:**

### **Chairman's Report:**

**Work session Report:** A work session will be held on April 3rd at 11:00am to discuss:

Tulsa Hills/West Highland Small Area Plan clean-up and implementation; Landscape Ordinance update; Tulsa County Comp Plan update; and Destination District Program

### **Director's Report:**

1. Minutes of February 20, 2019, Meeting No. 2788

## **CONSENT AGENDA:**

**All matters under "Consent" are considered by the Planning Commission to be routine and will be enacted by one motion. Any Planning Commission member may, however, remove an item by request.**

None

## **PUBLIC HEARINGS:**

2. **Ernest Childers VA Clinic** (CD 7) Preliminary Plat and request for Modification of the Subdivision & Development Regulations to remove requirements for performance guarantees, Location: Northeast corner of East 91<sup>st</sup> Street South and South Mingo Road (Related to Accelerated Release of Building Permit) (Continued from February 6, 2019, February 20, 2019 and March 6, 2019)

3. **Ernest Childers VA Clinic** (CD 7) Authorization for Accelerated Release of Building Permit, Location: Northeast corner of East 91<sup>st</sup> Street South and South Mingo Road (Related to Preliminary Plat) (Continued from February 6, 2019, February 20, 2019 and March 6, 2019)
4. **MR-5** (CD 9) Modification to the Subdivision & Development Regulations to remove the sidewalk requirement for a single-family residence, Location: Northwest corner of East 37<sup>th</sup> Place South and South Rockford Avenue
5. **MPD-2 Nathan Cross** (CD 1) Location: West and north of the northwest corner of West Edison Street and North 41<sup>st</sup> West Avenue requesting a Master Plan Development for private street mixed-use community (Continued from February 20, 2019 and March 6, 2019) (**materials will be provided under a separate cover**)
6. **Z-7472 Larry Holmes** (CD 2) Location: North and west of the northwest corner of West 37<sup>th</sup> Place South and South Union Place requesting rezoning from **RS-3/CH to CH**
7. **PUD-578-B Tom Vogt** (CD 8) Location: North of the northwest corner of East 111<sup>th</sup> Street South and South Memorial Drive and requesting a **PUD Major Amendment** to allow vehicle sales and service
8. **Z-7474 Greg Weisz** (CD 3) Location: Southeast corner of East Archer Street and North Gillette Avenue requesting rezoning from **RM-1 to RM-2**
9. **Z-7475 Sheena Grewal** (CD 7) Location: South of the southeast corner of East 61<sup>st</sup> Street South and South 75<sup>th</sup> East Avenue requesting rezoning from **RS-3 to OL** (Related to PUD-187-A) (**Applicant requests a continuance to April 17, 2019**)
10. **PUD-187-A Sheena Grewal** (CD 7) Location: South of the southeast corner of East 61<sup>st</sup> Street South and South 75<sup>th</sup> East Avenue requesting a **PUD Major Amendment** to allow office use (Related to Z-7475) (**Applicant requests a continuance to April 17, 2019**)
11. **ZCA-13**, amendments to the Tulsa Zoning Code, Title 42 Tulsa Revised Ordinances, to provide for principal and accessory short-term rental uses, to identify zoning districts in which such uses are permitted, and to establish supplemental use regulations for such uses.

## OTHER BUSINESS

### 12. Commissioners' Comments

ADJOURN

CD = Council District

**NOTE: If you require special accommodation pursuant to the Americans with Disabilities Act, please notify INCOG (918) 584-7526. Exhibits, Petitions, Pictures, etc., presented to the Planning Commission may be received and deposited in case files to be maintained at Tulsa Planning Office, INCOG. Ringing/sound on all cell phones must be turned off during the Planning Commission.**

Visit our website at [www.tmapc.org](http://www.tmapc.org)

email address: [esubmit@incog.org](mailto:esubmit@incog.org)

**TMAPC Mission Statement:** The Mission of the Tulsa Metropolitan Area Planning Commission (TMAPC) is to provide unbiased advice to the City Council and the County Commissioners on development and zoning matters, to provide a public forum that fosters public participation and transparency in land development and planning, to adopt and maintain a comprehensive plan for the metropolitan area, and to provide other planning, zoning and land division services that promote the harmonious development of the Tulsa Metropolitan Area and enhance and preserve the quality of life for the region's current and future residents.





Tulsa Metropolitan Area  
Planning Commission

**Case :** Ernest Childers VA Clinic  
(Related to Ernest Childers VA Clinic  
Authorization for Accelerated Release of  
Building Permits)

**Hearing Date:** March 20, 2019  
(Continued from February 6, 2019,  
February 20, 2019 and March 6, 2019)

**Case Report Prepared by:**

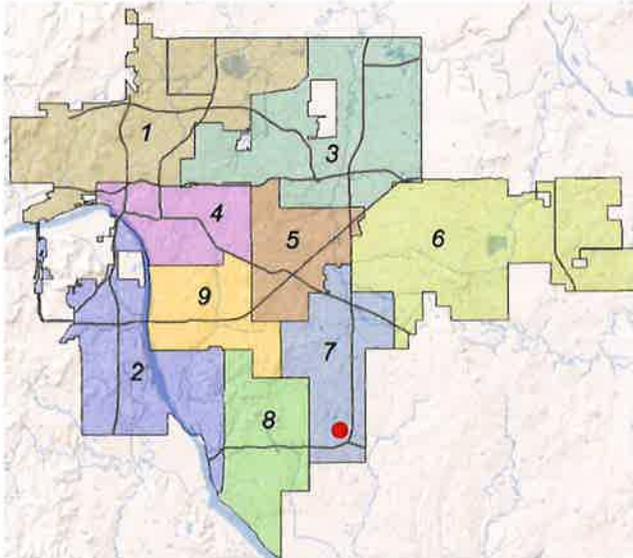
Nathan Foster

**Owner and Applicant Information:**

*Applicant:* Mike Thedford, Wallace  
Engineering

*Owner:* Morningcrest Healthcare  
Foundation

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



**Applicant Proposal:**

Preliminary Plat & Modification to the  
Subdivision & Development Regulations to  
remove requirements for performance  
guarantees

1 lot, 1 block, 21.649 ± acres

*Location:* Northeast corner of East 91<sup>st</sup>  
Street South and South Mingo Road

**Zoning:** CO

**Staff Recommendation:**

Staff recommends approval of the  
preliminary plat and the modification

**City Council District:** 7

*Councilor Name:* Lori Decter Wright

**County Commission District:** 3

*Commissioner Name:* Ron Peters

**EXHIBITS:** Site Map, Aerial, Land Use Map, Growth & Stability Map, Preliminary Plat,  
Conceptual Improvements Plan

## PRELIMINARY SUBDIVISION PLAT

### Ernest Childers VA Clinic - (CD 7)

Northeast corner of East 91<sup>st</sup> Street South and South Mingo Road

This plat consists of 1 lot, 1 block on 21.64 ± acres.

The Technical Advisory Committee (TAC) met on January 17, 2019 and provided the following conditions:

1. **Zoning:** The property is zoned CO (Corridor District). A corridor development plan (CO-8) was presented to TMAPC on February 20, 2019. TMAPC voted 8-0-0 to recommend approval of the development plan to City Council. The proposed lot would conform to the requirements of the development plan. CO-8 must be in effect prior to approval of the final plat.
2. **Addressing:** City of Tulsa addresses and street names must be assigned and affixed to the face of the final plat along with address disclaimer.
3. **Transportation & Traffic:** Label all adjacent right-of-way with recording information and appropriate dimensions. If right-of-way is to be dedicated by this plat, indicate "by plat". 50 foot dedication required for both arterial streets. Sidewalks are required to be installed on South Mingo Road and East 81<sup>st</sup> Street South. Access limitations are currently shown offsite. Provide recording information for LNA or revise dimensions to reflect lot being platted. Language for sidewalks and LNA required in deed of dedication.
4. **Sewer:** A public sanitary sewer extension is required to support the proposed lot. Infrastructure Development Plans (IDP) must be submitted and approved prior to approval of the final plat. Easements required by Development Services must be affixed to the face of the plat.
5. **Water:** Water mainline extensions are required to serve the subject lot. Infrastructure Development Plans (IDP) must be submitted and approved prior to approval of the final plat. Easements required by Development Services must be affixed to the face of the plat.
6. **Engineering Graphics:** Submit a subdivision control data sheet with final plat. Add all platted boundaries to the location map and label all other property unplatted. Under the basis of bearing heading include the coordinate system used and provide a bearing angle associated with this plat. Graphically show all pins found or set that are associated with this plat. Add general location to plat title. Label Point of Beginning (POB). Provide surveyor CA information and renewal date. Add signature block for official signature.
7. **Stormwater, Drainage, & Floodplain:** City regulatory floodplain exists on the subject lot and is required to be delineated on the final plat. All floodplain areas are required to be contained within an overland drainage easement. Infrastructure Development Plans (IDP) are required for drainage

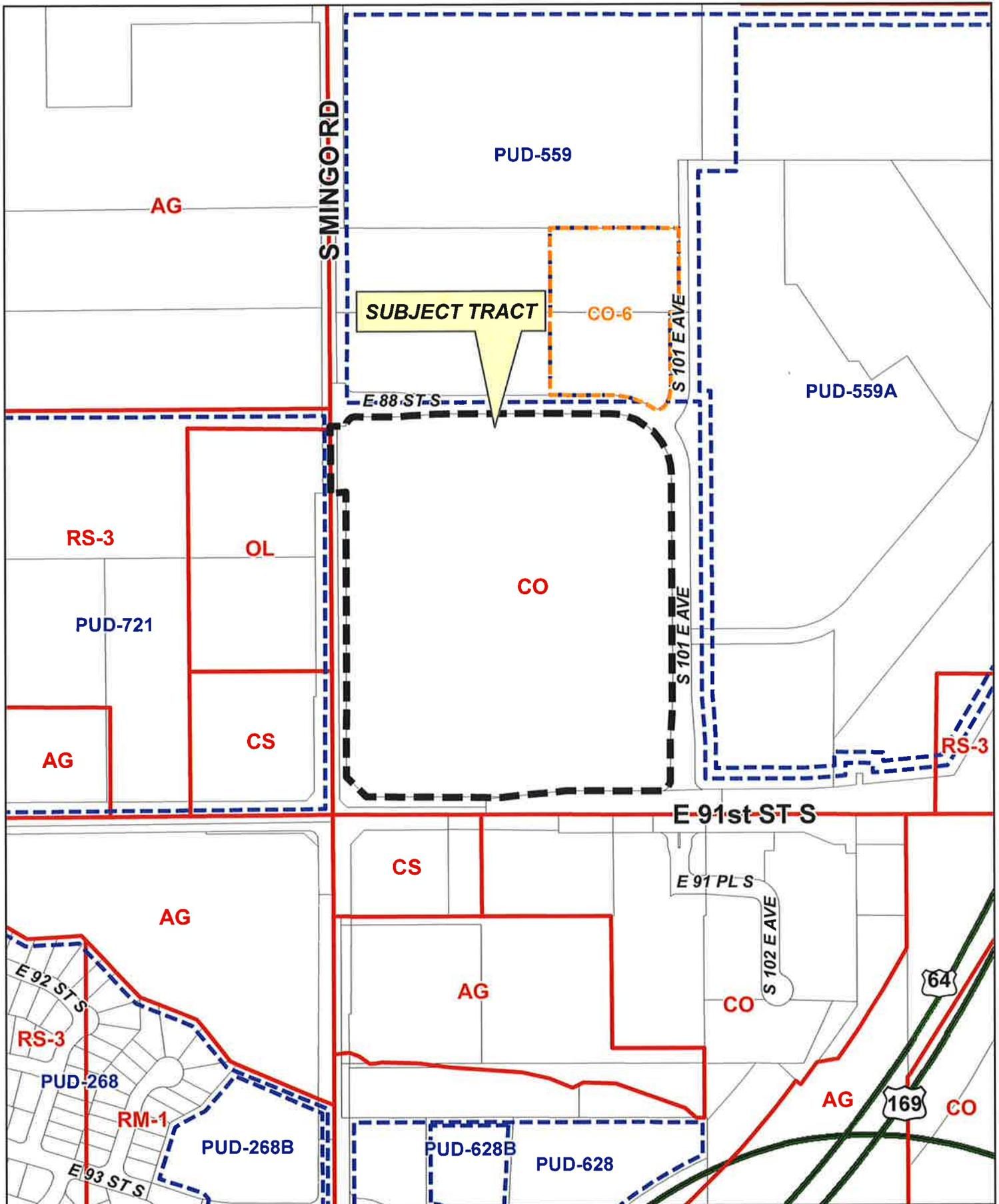
and stormwater plans. Onsite detention pond, outflow pipe, and any storm sewer which conveys offsite storm water discharges are required to be placed in proper easements.

8. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** All utilities indicated to serve the site must provide a release prior to final plat approval. Provide a Certificate of Records Search from the Oklahoma Corporation Commission to verify no oil & gas activity on the site.

**Modification to the Subdivision & Development Regulations:**

The applicant has requested a modification to Section 10-110.6-C of the *Subdivision and Development Regulations* which would require the developer to submit a financial guarantee to the City of Tulsa for outstanding infrastructure improvements required for the project. Due to the funding sources for this project being provided by public entities, additional guarantees would not be able to be obtained and would prevent the issuance of building permits if required. Staff supports the request for modification.

Staff recommends **APPROVAL** of the preliminary subdivision plat and the modification to the Subdivision & Development Regulations subject to the conditions provided by TAC and all other requirements of the Subdivision and Development Regulations.



**ERNEST CHILDERS  
VA CLINIC**

2.4



18-14 18





S MINGO RD

E 88 ST S

S 101 EAVE

S 101 EAVE

E 91st ST S

E 91 PL S

S 102 EAVE

E 92 ST S

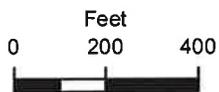
S 94 EAVE

S 93 EAVE

E 93 ST S

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Subject Tract

# ERNEST CHILDERS VA CLINIC

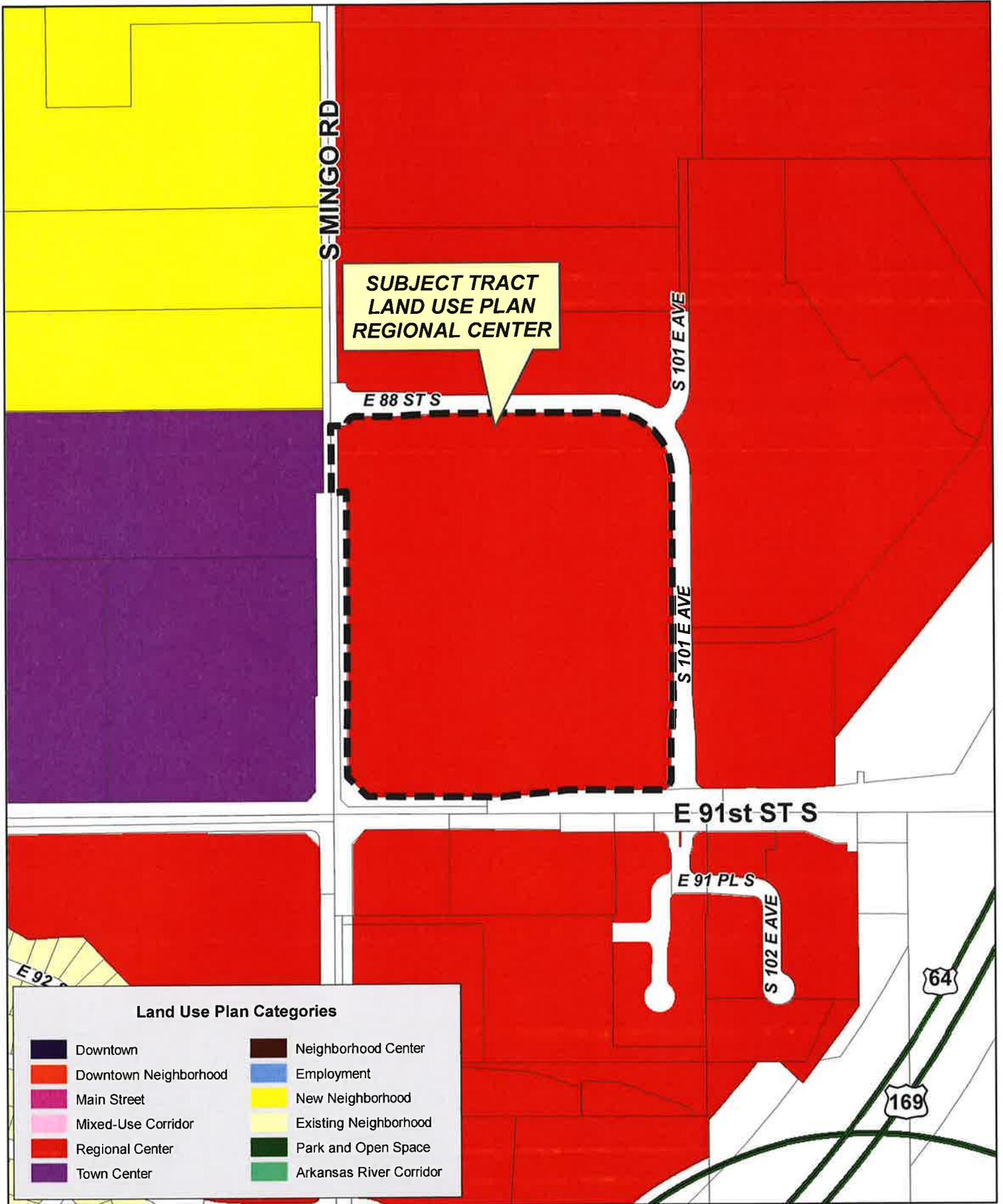
18-14 18

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

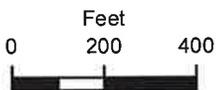
Aerial Photo Date: February 2018





**SUBJECT TRACT  
LAND USE PLAN  
REGIONAL CENTER**

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

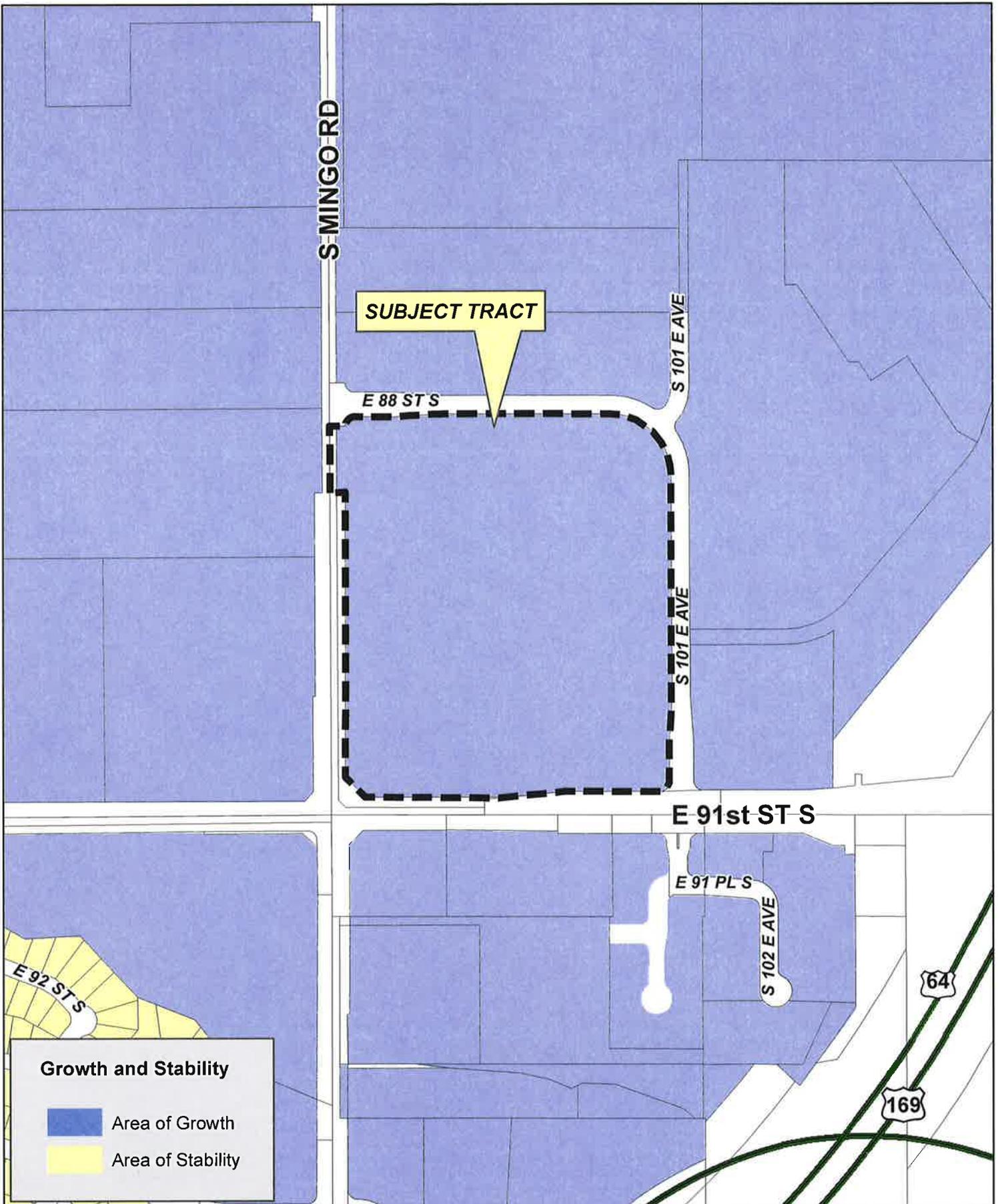


**ERNEST CHILDERS  
VA CLINIC**

18-14 18

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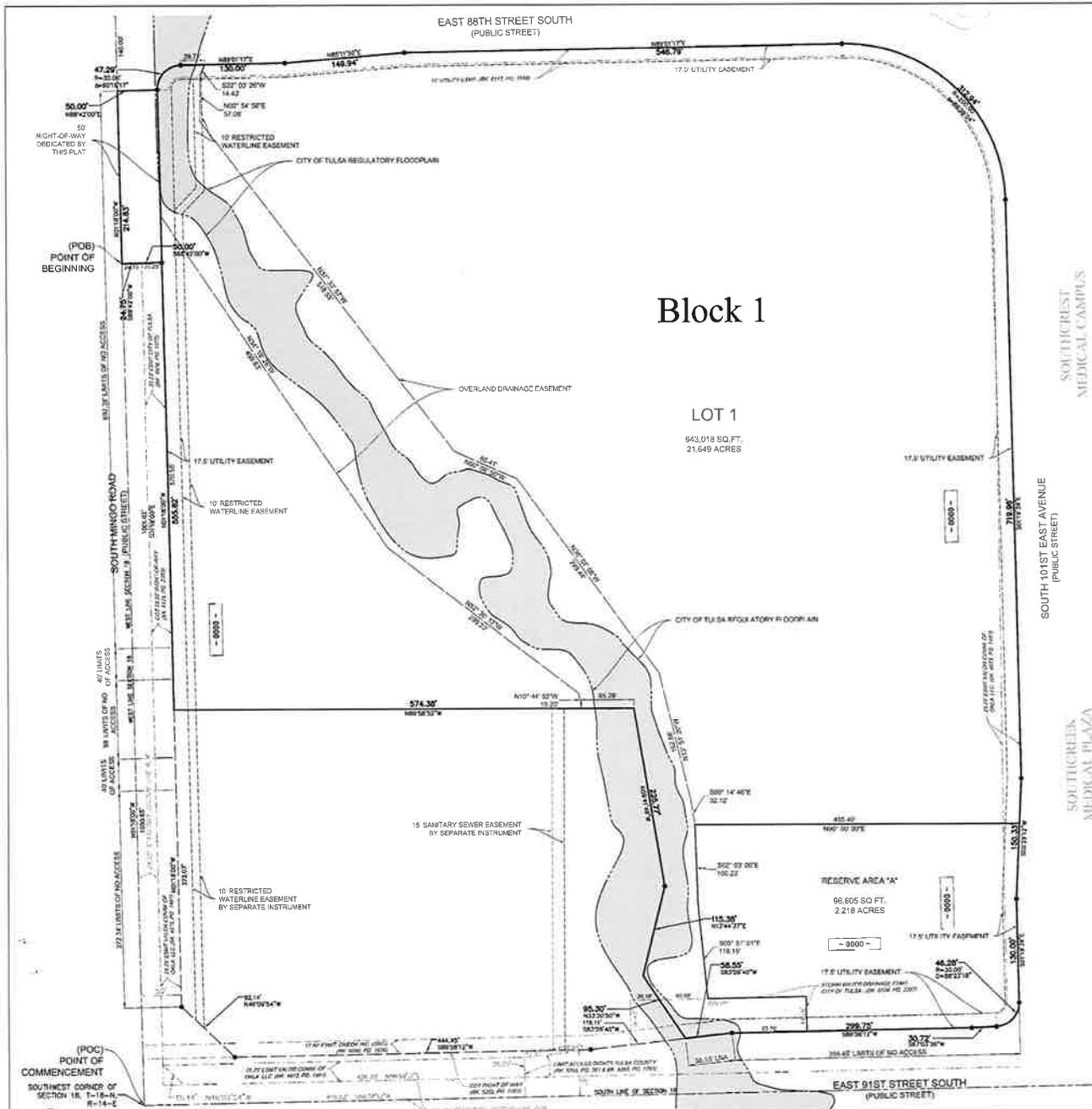


**ERNEST CHILDERS  
VA CLINIC**

18-14 18

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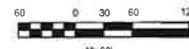


# PRELIMINARY PLAT ERNEST CHILDERS VA CLINIC

A PART OF THE SOUTH WEST QUARTER (NW/4) OF SECTION EIGHTEEN (18),  
TOWNSHIP EIGHTEEN (18) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE  
AND MERIDIAN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA



Location Map  
Scale 1" = 200'



Block 1

LOT 1  
943,018 SQ. FT.  
21.649 ACRES

**DEVELOPER**  
SASD DEVELOPMENT GROUP, LLC  
4888 PACIFIC HIGHWAY  
SAN DIEGO, CA 92110  
ATTN: STEVE DOCTOR

**ENGINEER**  
WALLACE ENGINEERING  
STRUCTURAL CONSULTANTS, INC.  
200 EAST BRADY STREET  
TULSA, OK 74103  
(918) 584-6200  
OKLAHOMA CA 11490  
EXP. DATE 6/30/19  
ALLAN TAYLOR P.E.  
ataylor@wallaceoc.com

**SURVEYOR**  
BENNETT SURVEYING, INC.  
210 CHOUTEAU AVENUE  
CHOUTEAU, OK 74537  
TEL: 918-410-7058  
FPL# 1556, CA 84830  
EXPIRES 6/30/2019  
wb@bennettsurveying.com

**SUBDIVISION STATISTICS**

SUBDIVISION CONTAINS ONE (1) LOT IN ONE (1) BLOCK AND ONE (1) RESERVE.

LOT ONE CONTAINS 943,018 SQUARE FEET, 21.649 ACRES. RESERVE 'A' CONTAINS 96,605 SQUARE FEET, 2.218 ACRES.

S. WINGED ROAD RIGHT-OF-WAY DEDICATED BY PLAT CONTAINS 16,142 SQUARE FEET, 0.37 ACRES.

SUB DIVISION CONTAINS 1,068,544 24,340 SQUARE FEET.

**MONUMENTATION**

IRON PINS FOUND AT ALL PROPERTY CORNERS UNLESS OTHERWISE NOTED.

**BENCHMARK**

BENCHMARK "BRASS CAP" AT EAST QUARTER CORNER. NORTH 37.0664 20; EAST 283.0273 07 ELEVATION 678.12 NAVD83

**BASIS OF DATUM**

HORIZONTAL DATUM BASED UPON NAD 83 (1983) OKLAHOMA STATE PLANE COORDINATE SYSTEM NORTH ZONE 2001. VERTICAL DATUM BASED UPON NAVD 88 USING N 0118297' W AS THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 14 EAST OF THE INDIAN BASE AND MERIDIAN WAS USED AS THE BEARING FOR THIS PLAT.

**ADDRESS NOTE**

ADDRESS SHOWN ON THIS PLAT WERE ACCURATE AT THE TIME THIS PLAT WAS ADDED AND ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF LEGAL DESCRIPTION.

**BENCHMARK NOTES**

BENCHMARK 1 SET MAG NAIL ELEV: 712.29 N: 38027.8185 E: 2561496.6857	BENCHMARK 2 FURNISHED IRON PIN ELEV: 682.75 N: 381037.1877 E: 2561481.3007	BENCHMARK 3 FURNISHED IRON PIN ELEV: 682.75 N: 381037.1877 E: 2561481.3007	BENCHMARK 4 SET IRON PIN ELEV: 682.75 N: 381037.1877 E: 2560168.2079
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DATE: 01/14/19  
ERNEST CHILDERS VA CLINIC  
PRELIMINARY PLAT  
SHEET 1 OF 1

2.8



Tulsa Metropolitan Area  
Planning Commission

**Case :** Ernest Childers VA Clinic  
(Related to Ernest Childers VA Clinic Preliminary Plat)

**Hearing Date:** March 20, 2019  
(Continued from February 6, 2019, February 20, 2019 and March 6, 2019)

**Case Report Prepared by:**

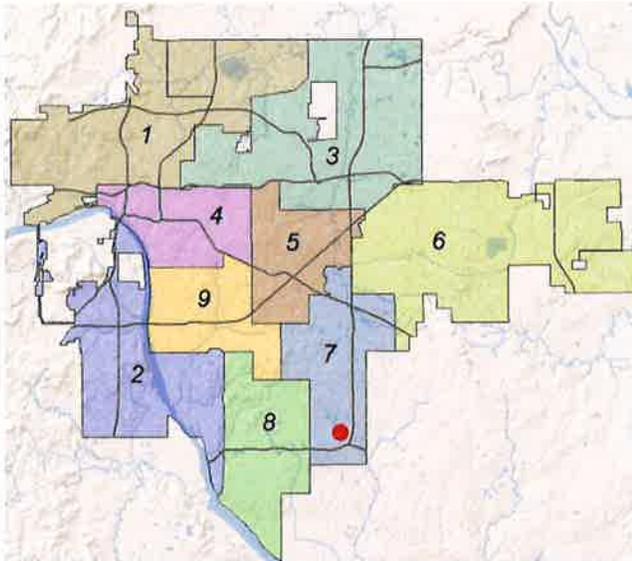
Nathan Foster

**Owner and Applicant Information:**

*Applicant:* Mike Thedford, Wallace Engineering

*Owner:* Morningcrest Healthcare Foundation

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



**Applicant Proposal:**

Authorization for Accelerated Release of a Building Permit

*Summary:* Applicant requests authorization for issuance of building permits prior to the filing of a final plat.

1 lot, 1 block, 21.649 ± acres

*Location:* Northeast corner of East 91<sup>st</sup> Street South and South Mingo Road

**Zoning:** CO

**Staff Recommendation:**

Staff recommends approval of the authorization for accelerated release of building permits

**City Council District:** 7

*Councilor Name:* Lori Decter Wright

**County Commission District:** 3

*Commissioner Name:* Ron Peters

**EXHIBITS:** SEE ATTACHMENTS FOR ERNEST CHILDERS VA CLINIC PRELIMINARY PLAT

## ACCELERATED RELEASE OF BUILDING PERMIT

### Ernest Childers VA Clinic - (CD 7)

Northeast corner of East 91<sup>st</sup> Street South and South Mingo Road

The applicant has requested that the Planning Commission authorize the City of Tulsa to issue building permits prior to the filing of a final plat. A preliminary plat for the project is on for TMAPC approval concurrent with this request.

The federal Department of Veterans Affairs has entered into an agreement to develop a new 140,000 square foot facility to replace the existing Ernest Childers VA clinic and to consolidate additional veteran's services in the Tulsa area.

The Technical Advisory Committee met on January 17, 2019 and no objections were raised to the authorization of an accelerated release of a building permit. Major infrastructure extensions are still required to be completed in order to serve the subject site and will need to be approved prior to the filing of a final plat.

If approved, this authorization only removes the requirement that the final plat be filed prior to building permits being issued. All other codes and requirements of the City of Tulsa remain in place.

Staff recommends **approval** of the accelerated release of a building permit with the following condition of the *Subdivision and Development Regulations*:

1. If an accelerated release is approved, no final inspection of buildings or structures may occur, no certificate of occupancy may be issued, no public potable water service may be provided, and no building may be occupied until a final plat for the subject property has been approved and recorded.



Tulsa Metropolitan Area  
Planning Commission

**Case:** MR-5 – 1441 E 37<sup>th</sup> PI

**Hearing Date:** March 20, 2019

**Case Report Prepared by:**

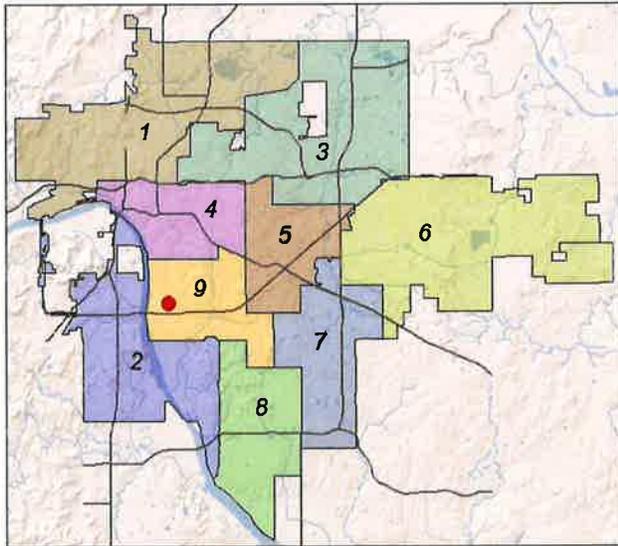
Nathan Foster

**Owner and Applicant Information:**

*Applicant:* Brandon Jackson

*Owner:* R. Snelling

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



**Applicant Proposal:**

Modification to the Subdivision and  
Development Regulations

*Purpose:* Requesting a modification to the  
sidewalk requirements of Section 5.070 to  
remove the requirement for construction of  
sidewalks.

*Location:* Northwest corner of East 37<sup>th</sup> PI  
South and South Rockford Ave

South half of Lot 6, Block 3 – Leoki Place

**Zoning:** RS-3

**Staff Recommendation:**

Staff recommends **approval** of the  
modification

**City Council District:** 9

*Councilor Name:* Ben Kimbro

**County Commission District:** 2

*Commissioner Name:* Karen Keith

**EXHIBITS:** Site Map, Aerials, Site Plan

## MODIFICATION OF THE SUBDIVISION AND DEVELOPMENT REGULATIONS

MR-5 – 1441 E. 37<sup>th</sup> Pl. - (CD 9)

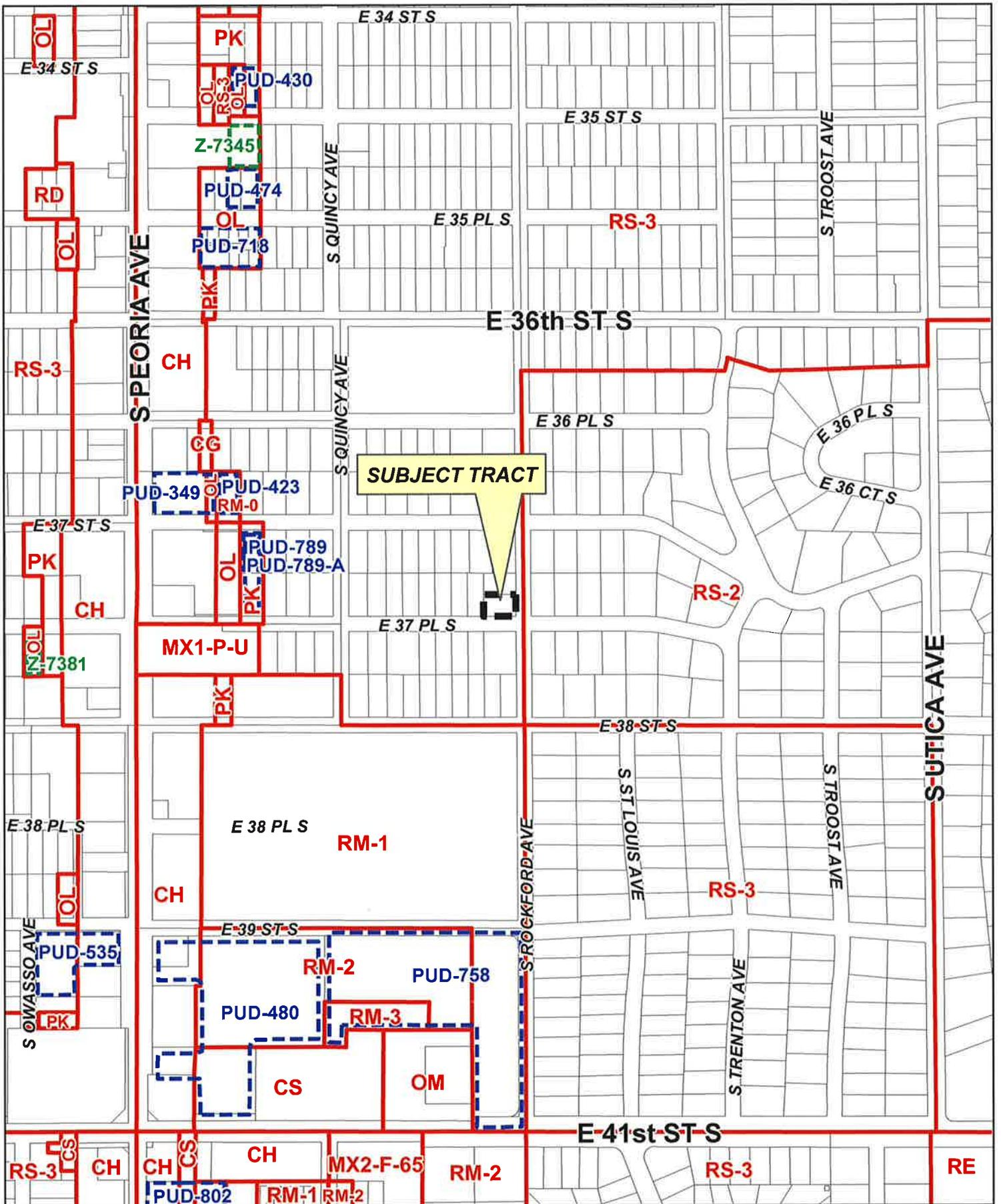
Northwest corner of East 37<sup>th</sup> Place South and South Rockford Avenue – South half of Lot 6, Block 3 – Leoki Place

The applicant has requested that the Planning Commission remove the requirement that the property owner construct a sidewalk as part of the construction of a new home. The newly adopted Subdivision and Development Regulations require sidewalks to be constructed on any new development requiring both new construction building permits and a certificate of occupancy.

The property under application is located within a neighborhood where there are currently no sidewalks. The newly constructed home would be the only property in the immediate area with a sidewalk and the sidewalk would not provide the connectivity that is the intended goal of the Subdivision and Development Regulations.

It is anticipated that the City of Tulsa will begin collecting fees-in-lieu for sidewalks in the near future to address situations where the immediate installation of sidewalks is not practical. Currently, the program for collection and allocation of those fees has not been implemented and a modification approval by TMAPC is the only relief from the sidewalk requirement.

Staff recommends **approval** of the modification of the Subdivision and Development Regulations to remove the requirement for sidewalk construction on this property.



**SUBJECT TRACT**

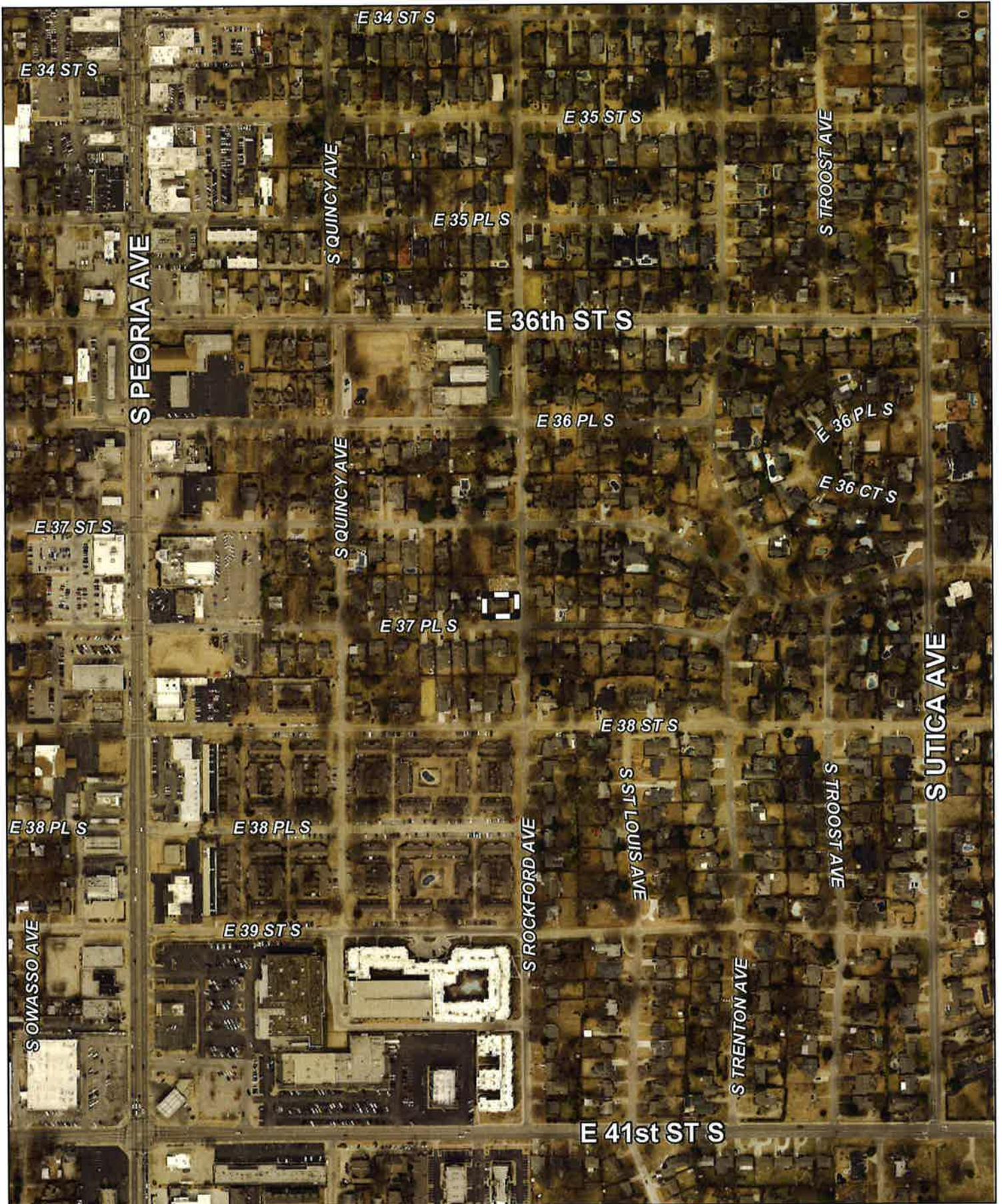


**BOA-22584**

19-13 19

**4.3**





Subject Tract

**BOA-22584**

19-13 19

**4.4**

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

Aerial Photo Date: February 2018





E37 ST S

S ROCKFORD AVE

E37 PLS

E38 ST S



Subject Tract

**BOA-22584**

19-13 19

**4.5**

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

Aerial Photo Date: February 2018

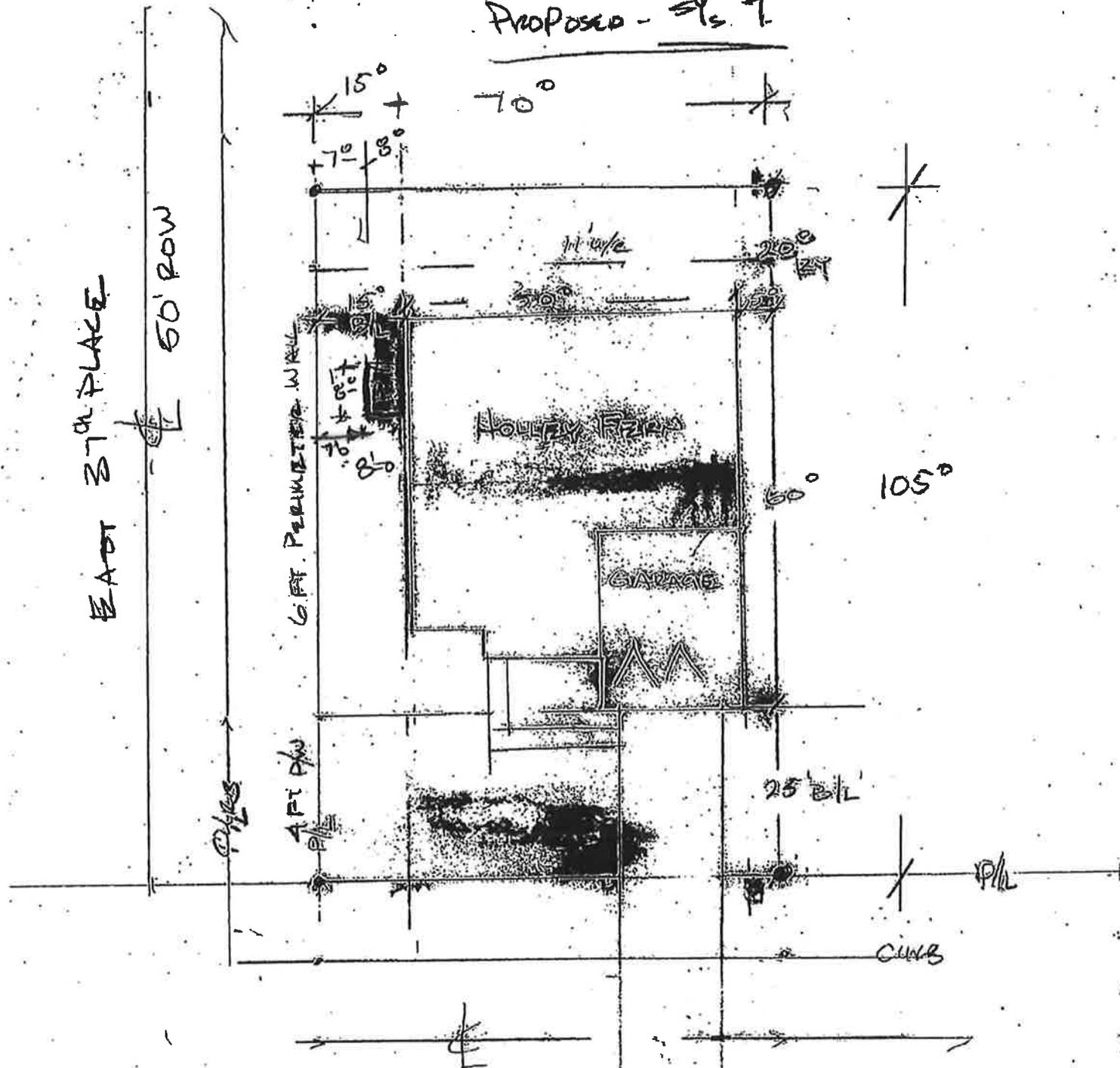


S6, 70' L6, B3 LEOKI PLACE  
1441 EAST 37<sup>th</sup> PLACE

TULSA, OK 74105 TULSA COUNTY

RY 25' RY 20' SY 15' BL SY 5'

PROPOSED - SY 7'



Ⓐ SCALE 1:20

So. ROCK FORD AVE, NORTH  
60' ROW

4.6



Tulsa Metropolitan Area  
Planning Commission

**Case Number: Z-7472**

**Hearing Date: March 20, 2019**

**Case Report Prepared by:**

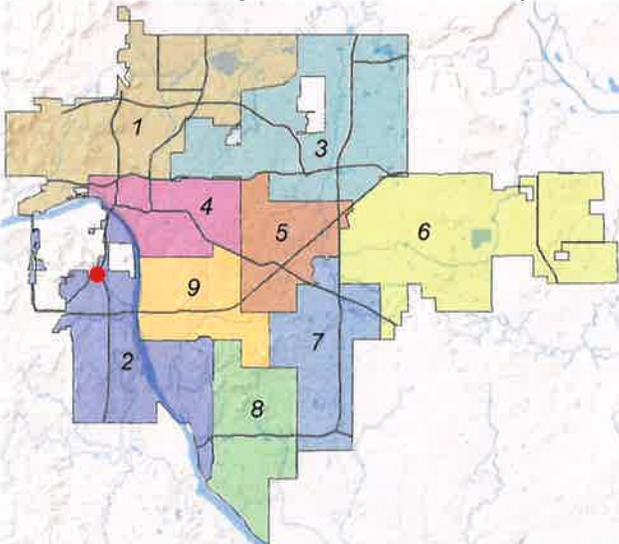
Dwayne Wilkerson

**Owner and Applicant Information:**

*Applicant:* Larry Holmes

*Property Owner:* HOLMES IRREVOCABLE TRUST

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



**Applicant Proposal:**

*Present Use:* Commercial

*Proposed Use:* Heavy Commercial

*Concept summary:* This parcel has been surrounded by CH zoning for decades. CH zoning is consistent with the anticipated land use adjacent to the expressway.

*Tract Size:* 1.18 ± acres

*Location:* North and West of the Northwest corner of West 37<sup>th</sup> Place South and South Union Place

**Zoning:**

*Existing Zoning:* RS-3/CH

*Proposed Zoning:* CH

**Comprehensive Plan:**

*Land Use Map:* Main Street

*Stability and Growth Map:* Area of Growth

**Staff Recommendation:**

**Staff recommends approval.**

**Staff Data:**

TRS: 9222

CZM: 46

Atlas:

**City Council District: 2**

*Councilor Name:* Jeannie Cue

**County Commission District: 2**

*Commissioner Name:* Karen Keith

6.1

## SECTION I: Z-7472

### DEVELOPMENT CONCEPT:

No changes are anticipated at this time. CH zoning will help establish the Main Street Corridor along this side of Southwest Blvd.

### 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:
- Assessor Pages for four parcels.

### DETAILED STAFF RECOMMENDATION:

Z-7472 requesting CH zoning is consistent with the Tulsa Comprehensive Plan, and

Uses allowed in a CH district are non-injurious to the surrounding property and

Uses allowed in a CH district are consistent with the expected development of the area, therefore

Staff recommends Approval of Z-7472 to rezone property from RS-3,CH/ to CH.

## SECTION II: Supporting Documentation

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: The requested zoning is consistent with the land use vision as a Main street area. CH zoning removes building setback requirements and supports density that would be necessary for main street designations.*

### Land Use Vision:

*Land Use Plan map designation: Main Street*

Main Streets are Tulsa's classic linear centers. They are comprised of residential, commercial, and entertainment uses along a transit-rich street usually two to four lanes wide and includes much lower intensity residential neighborhoods situated behind. Main Streets are pedestrian-oriented places with generous sidewalks, storefronts on the ground floor of buildings, and street trees and other amenities. Visitors from outside the surrounding neighborhoods can travel to Main Streets by bike, transit, or car. Parking is provided on street, small private off street lots, or in shared lots or structures.

*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

6.2

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:* Secondary Arterial with Multi Modal Corridor designation.

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:*

Small Area Plan: Southwest Tulsa Neighborhood Plan effective 2009.

The Southwest Tulsa Neighborhood plan is consistent with the Main Street Designation that is part of the Tulsa Comprehensive Plan.

#### Special District Considerations:

This site is part of the Route 66 Overlay that supports historic style signage for new development.

#### Historic Preservation Overlay:

#### DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *The site is currently occupied with three different building types.*



Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
Southwest Boulevard	Secondary Arterial with multi modal corridor	100 feet	5 lanes, two each direction with a center turn lane

Utilities:

The subject tract has municipal water and sewer 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	RS-3 (Expressway Right of way)	Expressway ROW	Growth	I-244
East		Main Street	Growth	Warehouse
South	RS-3 across Southwest Blvd.	Existing Neighborhood	Growth	Single Family Residential
West	CH	Main Street	Growth	Single Family Residential

6.4

### SECTION III: Relevant Zoning History

**ZONING ORDINANCE:** Ordinance number 11822 dated June 26, 1970 established zoning for the subject property.

**Subject Property:** *No relevant history*

#### **Surrounding Property:**

**BOA-20353 October 2006:** The Board of Adjustment **approved** a *Variance* of the rear yard requirement in an RS-2 district from 25' to 19.1' to permit a covered porch addition, on property located West of the Southwest corner of West 37<sup>th</sup> Place South & South Union Place.

**BOA-20259 May 2006:** The Board of Adjustment **approved** a *Special Exception* to permit a single-family dwelling in a CH district, per two plan sheets submitted on property located North and East of the Northeast corner of South Xenophon Avenue West & Southwest Boulevard/Old Sapulpa Linkage.

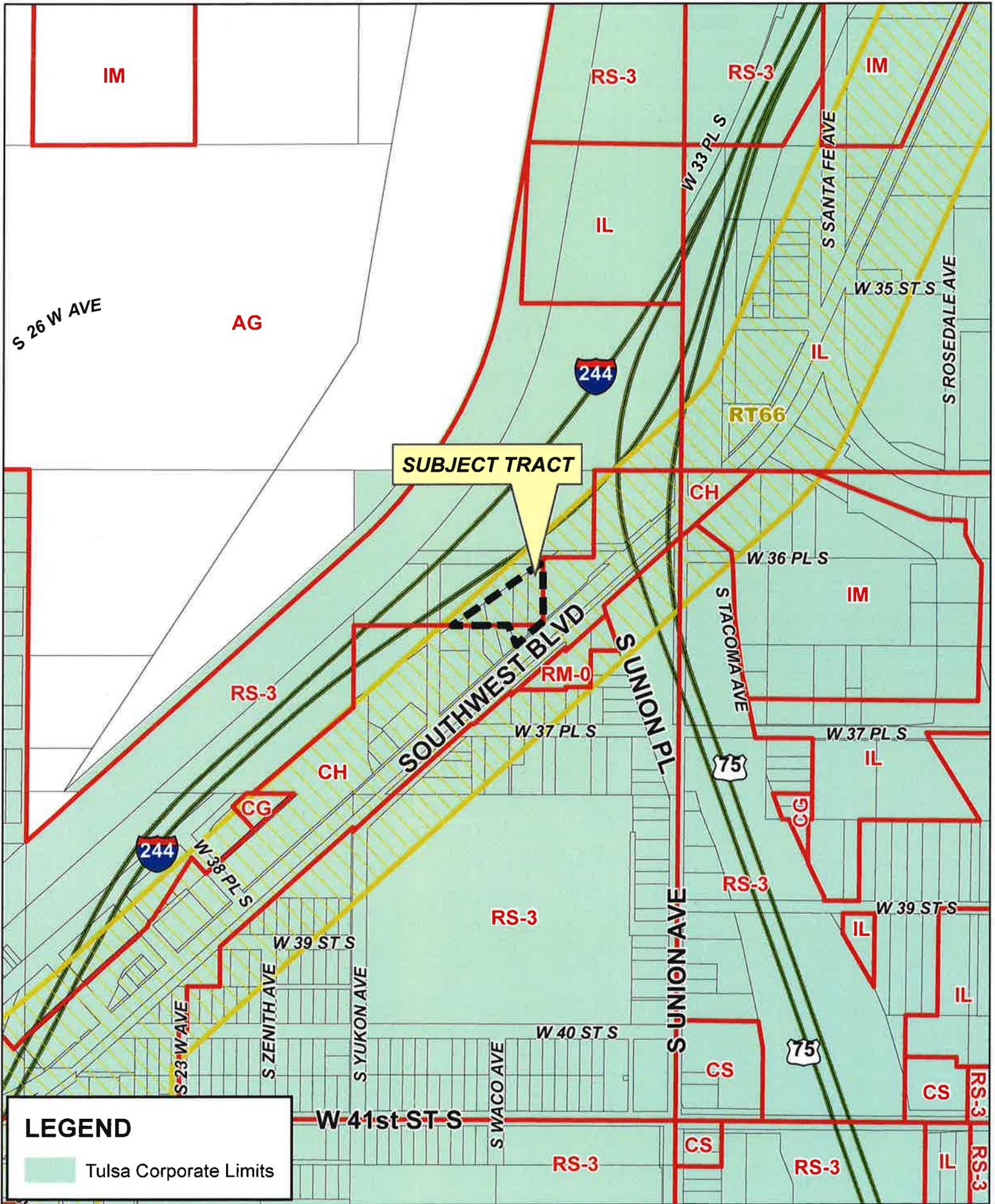
**Z-6540 July 1996:** All concurred in **approval** of a request for *rezoning* a 1.62± acre tract of land from CG to CH on property located North of Southwest Boulevard/Old Sapulpa Linkage & South Yukon Avenue West.

**BOA-13337 October 1984:** The Board of Adjustment **approved** a *Use Variance* to allow 4 mobile homes on 4 separate lots in a CH district, subject to Health Dept. approval and a Building permit, located at the Northwest corner of Southwest Boulevard and Xenophon Avenue.

**Z-4878 July 1976:** All concurred in **approval** of a request for *rezoning* a tract of land from RS-3 to RM-0 on property located South and West of the Southwest corner of West 36<sup>th</sup> Place South & South Union Place.

3/20/2019 1:30 PM

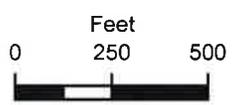
6.5



**SUBJECT TRACT**

**LEGEND**

Tulsa Corporate Limits

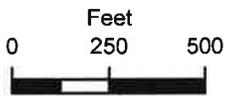


**Z-7472**

19-12 22

**6.6**





Subject Tract

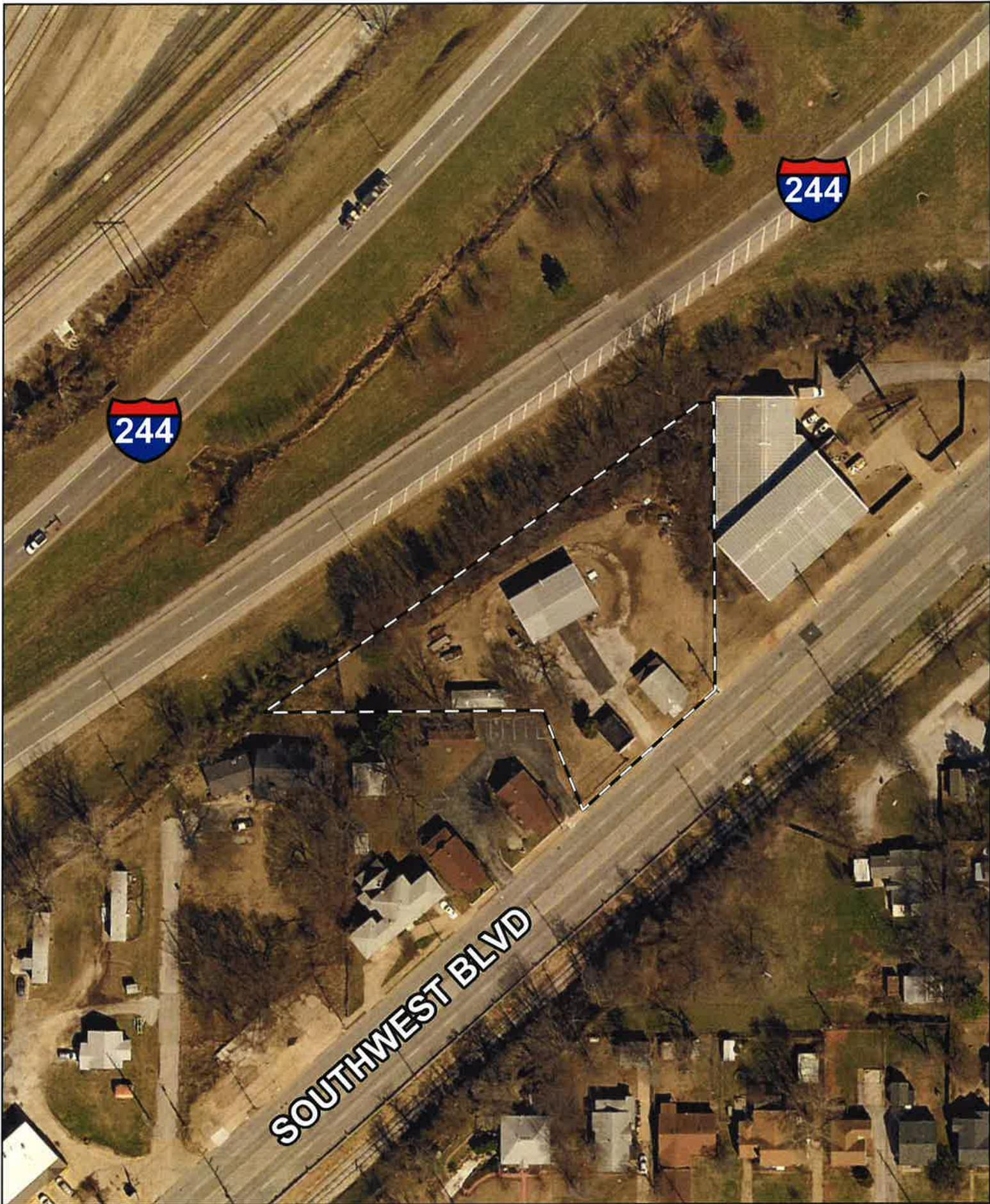
**Z-7472**

19-12 22

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

Aerial Photo Date: February 2018





Subject Tract

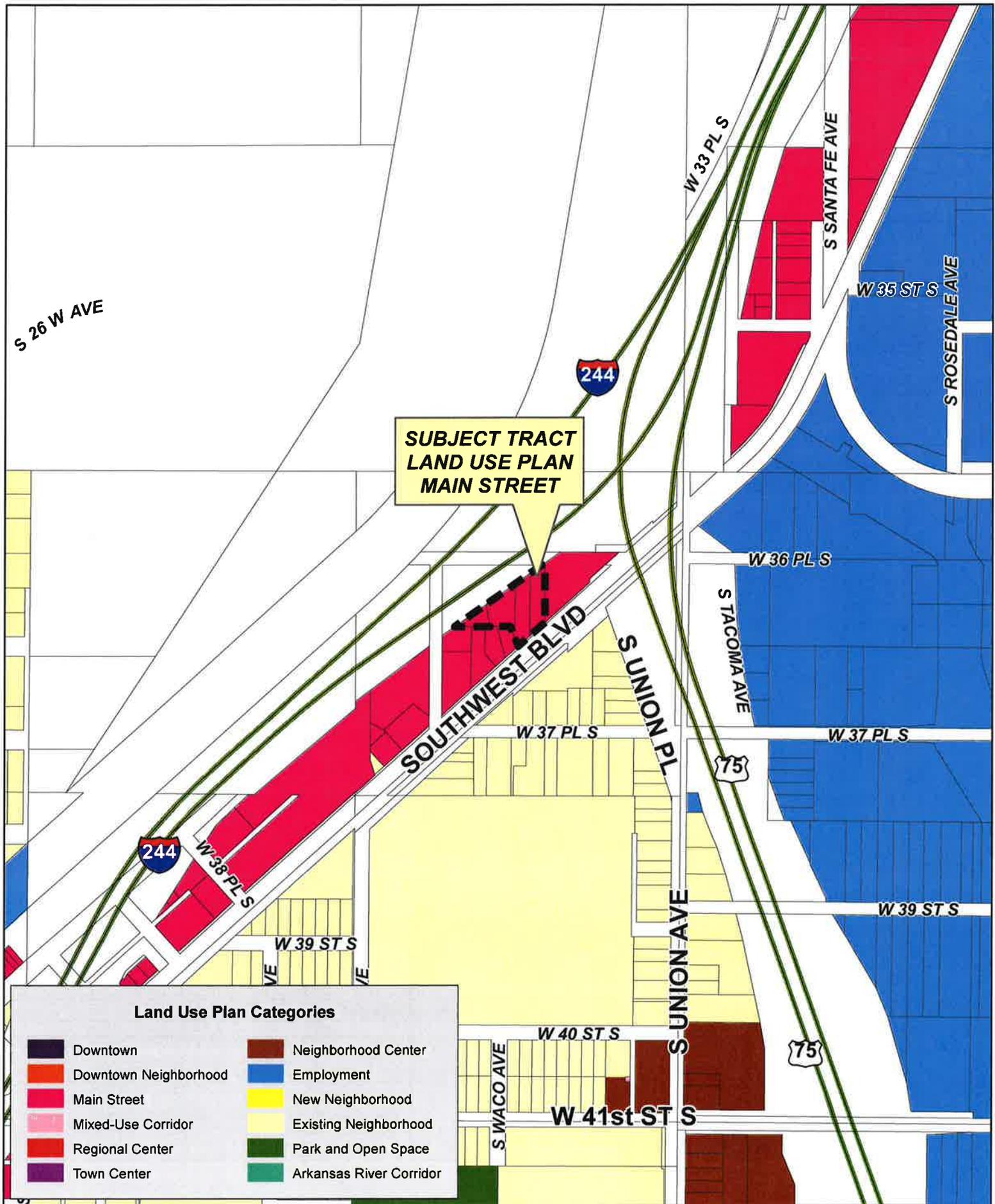
**Z-7472**

19-12 22

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

Aerial Photo Date: February 2018





Z-7472

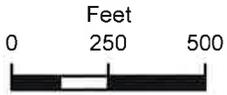
19-12 22





**Growth and Stability**

- Area of Growth
- Area of Stability



**Z-7472**

19-12 22

6.10  
[Handwritten signature]





No  
Image  
Available

John A. Wright  
Tulsa County Assessor  
www.assessor.tulsacounty.org 918.596.5100 Date 1/31/2019

Account Number 20200-92-22-02100

Mailing Addr. HOLMES, LARRY T

3680 SOUTHWEST BLVD

TULSA, OK 741075609

Property Addr.

Subdivision  
INTERURBAN ADDN

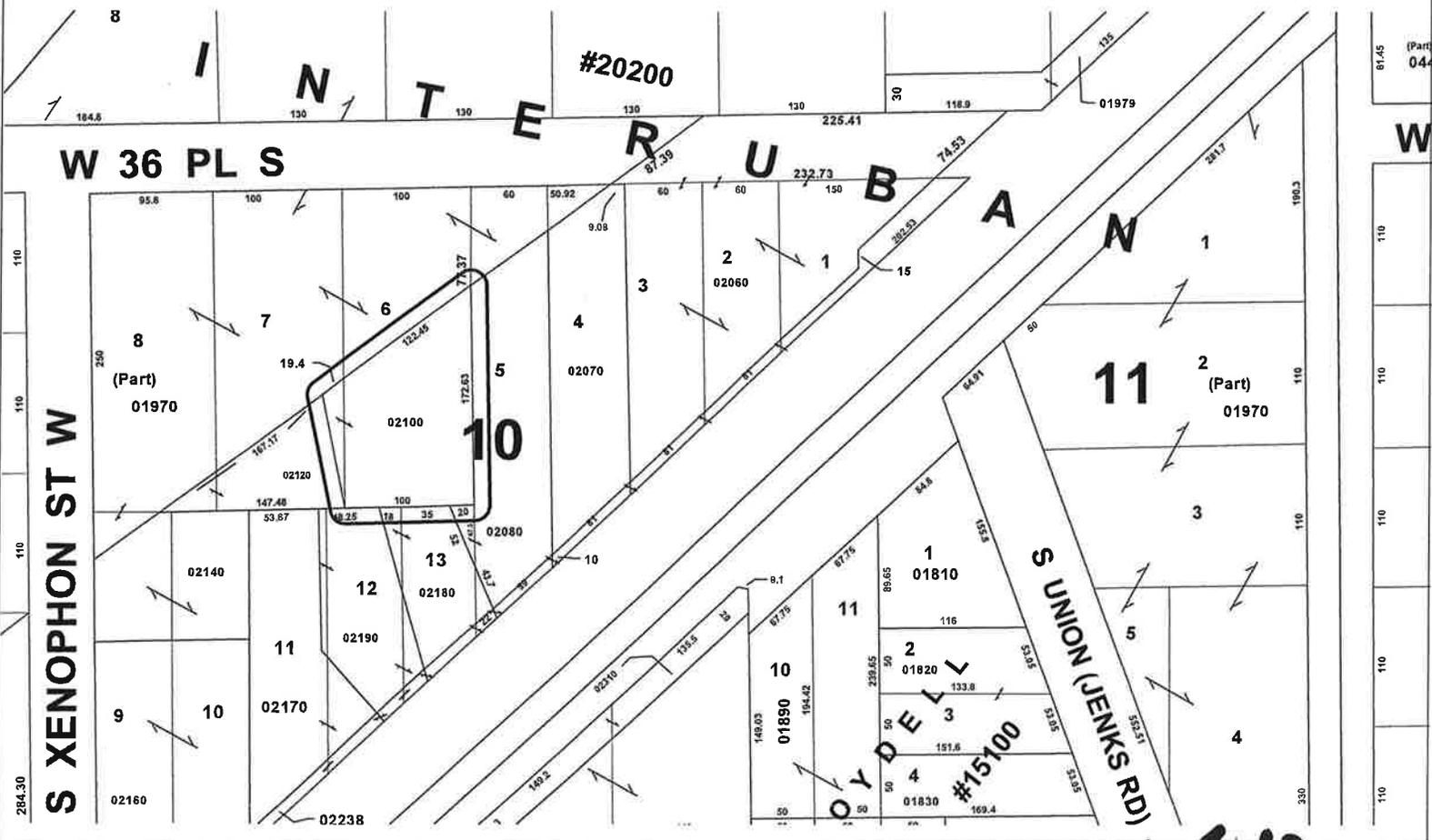
Legal Description

PRT LTS 6 & 7 BEG 77.37S NEC LT 6 TH SW122.45  
WLY19.40 SE TO SEC LT 7 TH E100 N172.63 POB  
BLK 10

Acct Type : Residential 0 imp  
Zone : RS3  
School Dist : T-1A  
Neighborhd : 0726  
LEA : 0726  
Land Area : 14827.00 Sq. Ft.

BlAs :  
Bldg Area :  
Quality :  
Year Built : 0  
Bath : 0  
Stories : 0  
HVAC :  
Roof :  
Condition :  
Ext Wall :  
Pool : No  
Garage : 0

Deed Date : Rec:  
Deed Price : \$  
Multi Parcel Sale : NO  
Allocated Val :  
Verification :  
Land Value : \$ 5,400  
Adj Actual : \$ 5,400  
Actual : \$ 5,400  
Adjustment :  
Adjustment :  
Adjustment :  
Adjustment :





John A. Wright  
 Tulsa County Assessor  
 www.assessor.tulsacounty.org 918.596.5100 Date 1/31/2019

Account Number 20200-92-22-02080

Mailing Addr. HOLMES IRREVOCABLE TRUST

C/O ACCEL BLDG MAINTENANCE  
 3860 SOUTHWEST BLVD  
 TULSA, OK 741075609

Property Addr. 3680 S SOUTHWEST BV W

Subdivision  
 INTERURBAN ADDN

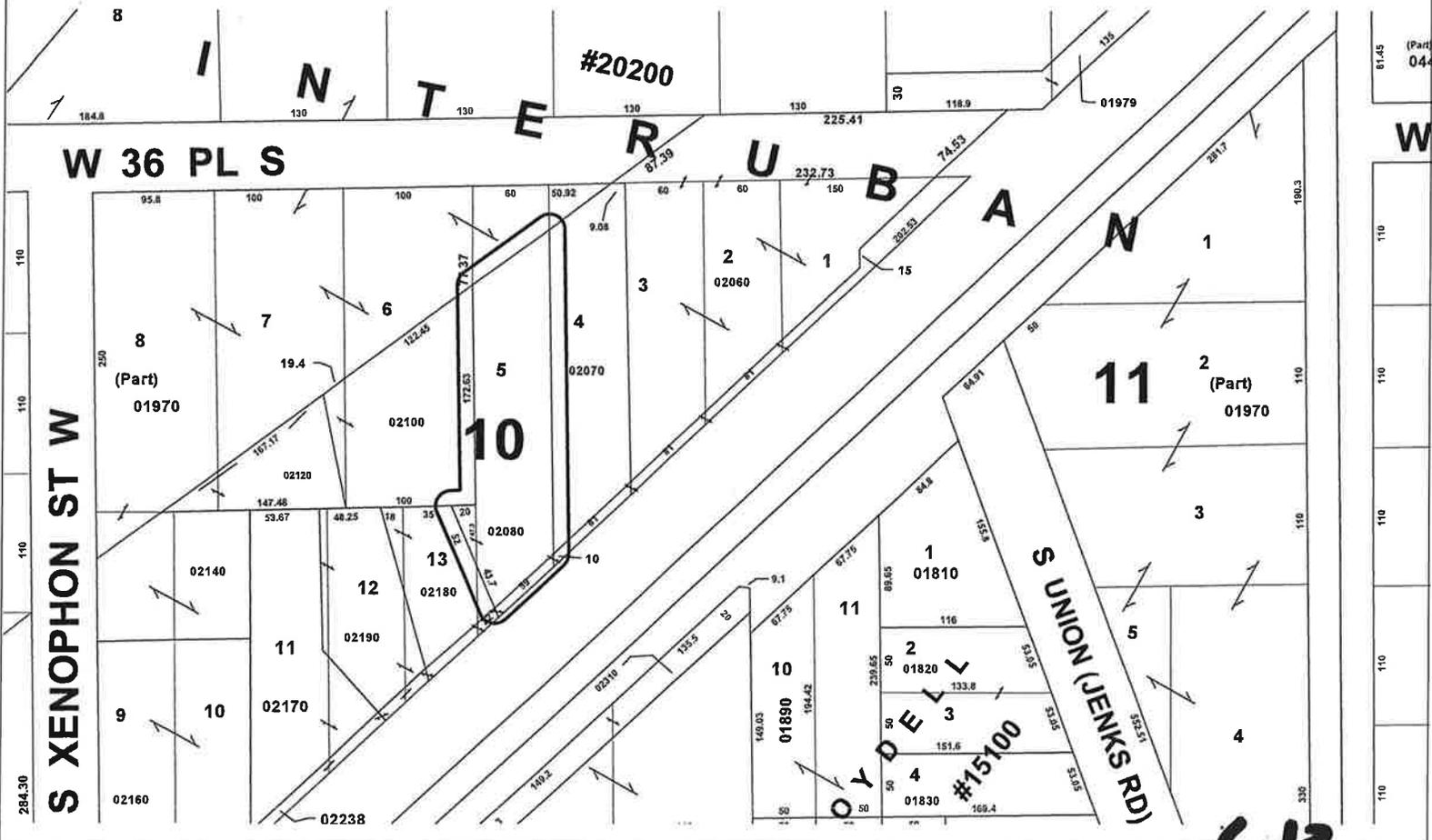
Legal Description  
 LT 5 LESS BEG NWC TH S77.37 NE TO EL N TO NEC  
 W60 POB & LESS BEG SWC LT 5 TH NE22 NW43.7 S  
 TO POB & PRT LT 13 BEG NEC TH W20 SE52 N47.3  
 POB & LESS S10 THEREOF BLK 10

20200-92-22-02080 (11/2018)

Acct Type : Commercial 1 imp  
 Zone : CH  
 School Dist : T-1A  
 Neighborhd : 7294  
 LEA : 7295  
 Land Area : 15368.00 Sq. Ft.

BlAs : Office Building  
 Bldg Area : 468  
 Quality : Average  
 Year Built : 1930  
 Bath : 0  
 Stories : 1  
 HVAC : Floor Wall Furnace  
 Roof :  
 Condition : Fair  
 Ext Wall :  
 Pool : No  
 Garage : 0

Deed Date : Rec:  
 Deed Price : \$  
 Multi Parcel Sale : NO  
 Allocated Val :  
 Verification :  
 Land Value : \$ 30,700  
 Adj Actual : \$ 32,600  
 Actual : \$ 32,600  
 Adjustment :  
 Adjustment :  
 Adjustment :  
 Adjustment :







Tulsa Metropolitan Area  
Planning Commission

**Case Number:** PUD-578-B

**Hearing Date:** March 20, 2019

**Case Report Prepared by:**

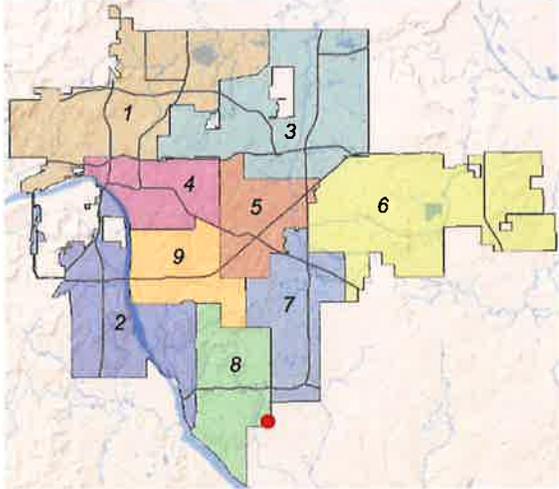
Jay Hoyt

**Owner and Applicant Information:**

*Applicant:* Tom Vogt

*Property Owner:* HSM S MEMORIAL PLAZA ASSOC LP

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



**Applicant Proposal:**

*Present Use:* Shopping Center

*Proposed Use:* Add Commercial/Vehicle Sales and Service/Personal Vehicle Repair

*Concept summary:* PUD Major Amendment to add Commercial/Vehicle Sales and Service/Personal Vehicle Repair in order to permit a proposed Meineke Service Center.

*Tract Size:* 4.97 ± acres

*Location:* North of the Northwest corner of East 111<sup>th</sup> Street South & South Memorial Drive

**Zoning:**

*Existing Zoning:* CS, PUD-578A, RS-3

*Proposed Zoning:* PUD-578-B

**Comprehensive Plan:**

*Land Use Map:* Regional Center

*Stability and Growth Map:* Area of Growth

**Staff Recommendation:**

**Staff recommends approval.**

**Staff Data:**

TRS: 8326  
CZM: 57

**City Council District:** 8

*Councilor Name:* Phil Lakin, Jr.

**County Commission District:** 3

*Commissioner Name:* Ron Peters

## SECTION I: PUD-578-B

**DEVELOPMENT CONCEPT:** The applicant proposed to add Commercial/Vehicle Sales and Service/Personal Vehicle Repair in order to permit a Meineke Service Center to the allowable uses for the PUD so that it may be located within the existing shopping center on the subject lot.

### 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:  
Exhibit "A"

### DETAILED STAFF RECOMMENDATION:

**Staff recommends Approval of PUD-578-B to rezone property from PUD-578-A to PUD-578-B.**

### PUD-578-B DEVELOPMENT STANDARDS:

**Permitted Uses:** **Commercial Vehicle Sales and Service / Personal Vehicle Repair**

**All other standards and uses adopted in PUD-578-A and subsequent amendments shall remain in effect.**

## SECTION II: Supporting Documentation

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary:* The subject site is located within the Regional Center designation of the City of Tulsa Zoning Code.

### Land Use Vision:

*Land Use Plan map designation:* Regional Center

Regional Centers are mid-rise mixed-use areas for large-scale employment, retail, and civic or educational uses. These areas attract workers and visitors from around the region and are key transit hubs; station areas can include housing, retail, entertainment, and other amenities. Automobile parking is provided on-street and in shared lots. Most Regional Centers include a parking management district.

*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 near 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. 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:* S Memorial Drive is designated as a Primary 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 an existing, fully developed shopping center with various uses located within.

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
S Memorial Drive	Primary Arterial	120 Feet	6

Utilities:

The subject tract has municipal water and sewer 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	PUD-619-C	Regional Center	Growth	Shopping Center
South	PUD-578-A	Regional Center	Growth	Shopping Center
East	PUD-570/PUD-570-A	Regional Center	Growth	Shopping Center
West	PUD-578-A	Regional Center	Growth	Shopping Center

## SECTION III: Relevant Zoning History

### History: PUD-578-B

**ZONING ORDINANCE:** Ordinance number 20003 dated January 11, 2001 established zoning for the subject property.

### ***Subject Property:***

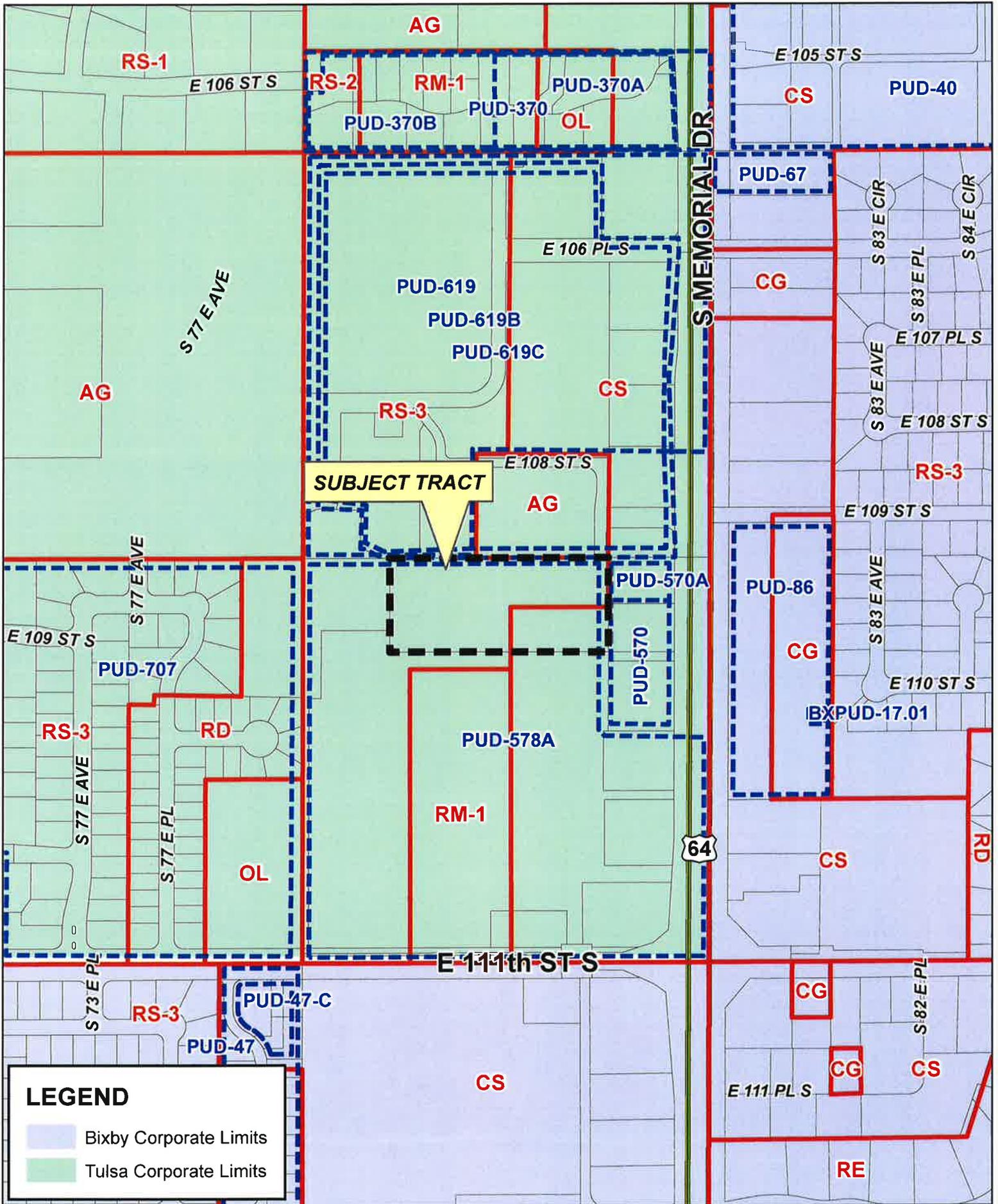
**BOA-20830 January 2009:** The Board of Adjustment **accepted** an applicant's *verification of spacing* between a liquor store and blood banks, plasma centers, day labor hiring centers, bail bond offices, pawn shops and another liquor store, on property located North and West of the Northwest corner of East 111<sup>th</sup> Street South & South Memorial Drive.

**Z-6795/PUD-578-A January 2001:** All concurred in **approval** of a proposed *Planned Unit Development* on a 4.5± acre tract of land; and all concurred in **approval** of a request for *rezoning* from RS-3, OL, RM-1 to CS on property located at the Northwest corner of East 111<sup>th</sup> Street South & South Memorial Drive. (Z-6795 Ordinance number 20003 dated January 11, 2001 amended ordinance number 19195 – incorrectly as it should have amended 19237)

**PUD-578 March 1998:** All concurred in **approval** of a proposed *Planned Unit Development* on a 35.71± acre tract of land for on property located at the Northwest corner of East 111<sup>th</sup> Street South and South Memorial Drive. (Ordinance number 19237 dated March 19, 1998 amended ordinance 19195 dated February 5, 1998 for the subject property.)

### ***Surrounding Property:***

**BOA-17978 March 1998:** The Board of Adjustment **approved** a *variance* of allowable size to permit an accessory building from 750' to 912' for new garage, on property located at East 111<sup>th</sup> Street South and South Memorial Drive.



**SUBJECT TRACT**

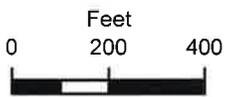
**LEGEND**

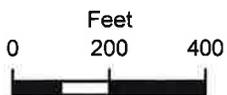
- Bixby Corporate Limits
- Tulsa Corporate Limits

**PUD-578-B**

18-13 26

**7.5**





Subject  
Tract

**PUD-578-B**

18-13 26

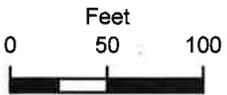
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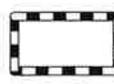
Aerial Photo Date: February 2016

7.6



E 108 STS



 Subject Tract

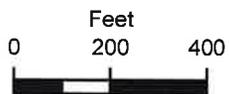
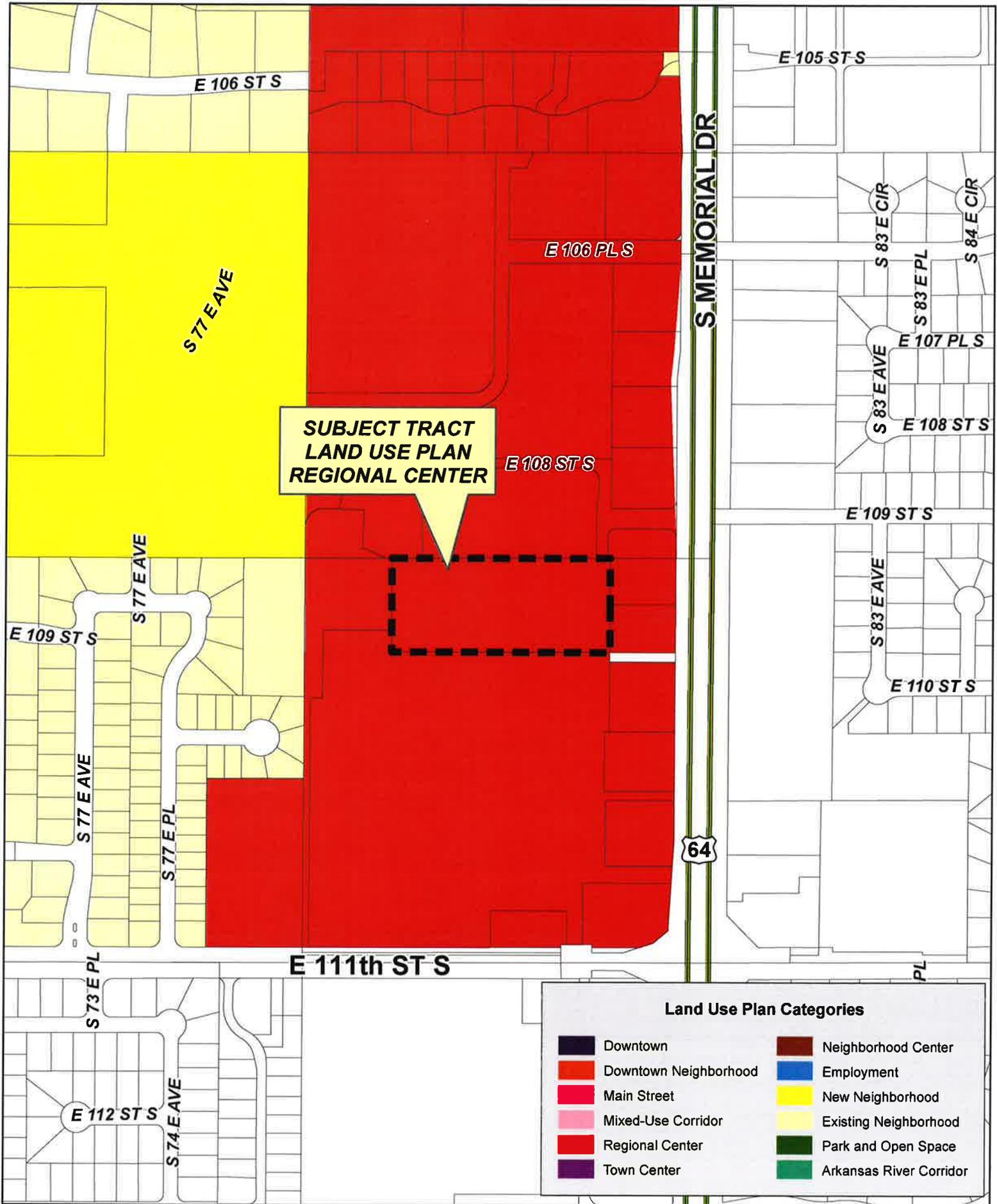
**PUD-578-B**

18-13 26

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

Aerial Photo Date: February 2018

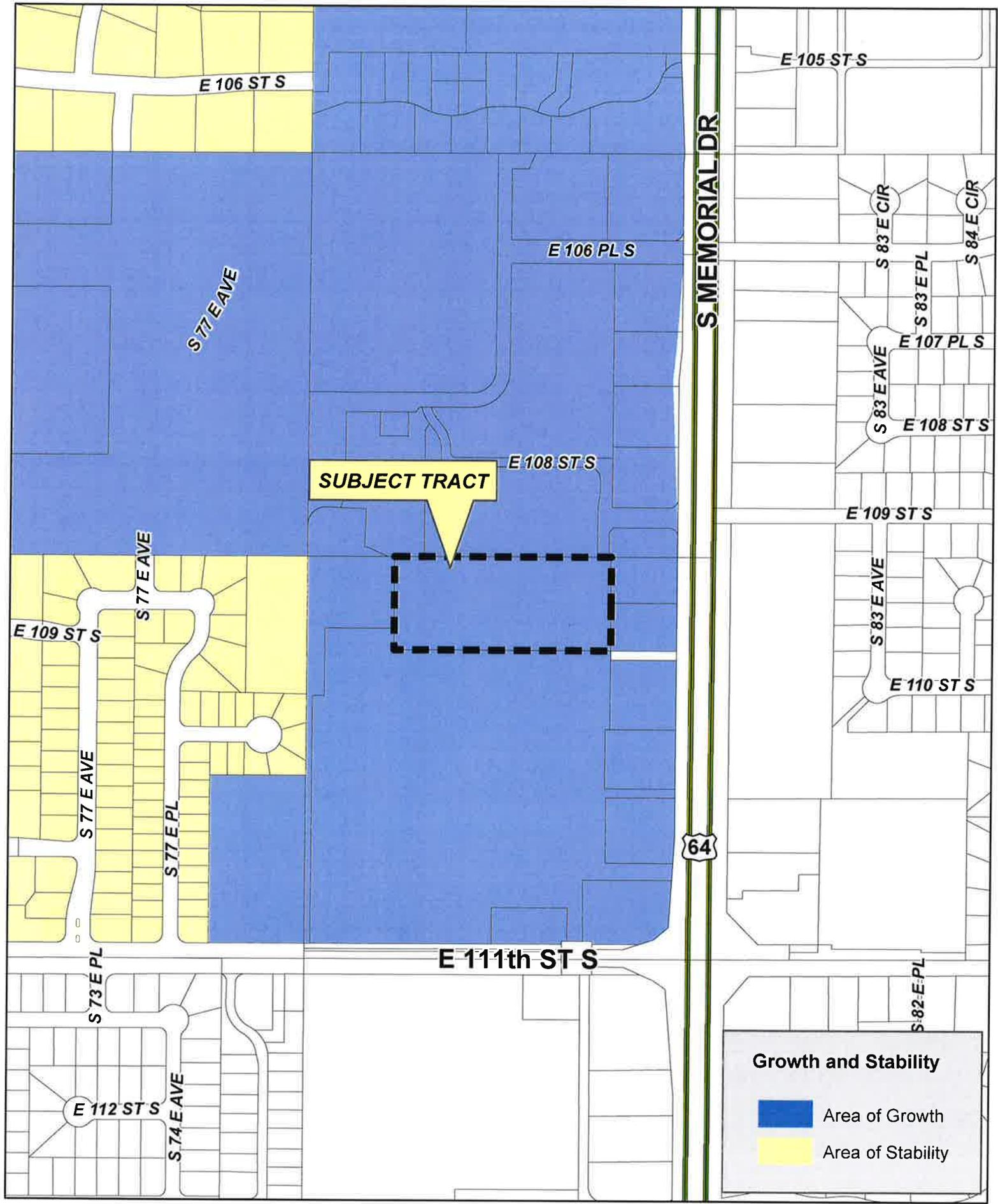




**PUD-578-B**

18-13 26

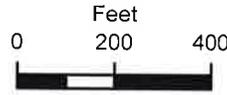




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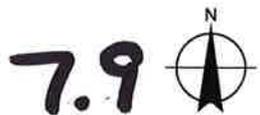
**Growth and Stability**

- Area of Growth
- Area of Stability



**PUD-578-B**

18-13 26



**EXHIBIT "A"**

Applicant is the owner of Lot 2, Block 1, Wal-Mart Supercenter # 1597-03. Pursuant to PUD 578-A-2, Lot 2 was allocated 55,000 square feet of building floor area, out of the 310,000 square feet permitted by PUD 578-A. Lot 1 (upon which a Wal-Mart Supercenter is located) was allocated 231,000 square feet, and remainder was allocated to out parcels upon which are located Citizens Bank, Burger King and Braums.

There is located on Applicants property a commercial shopping center containing two (2) buildings with a total of approximately 48,000 square feet of building area. Applicant intends to lease approximately 6,000 square feet of vacant space for a Meineke Service Center. Although Commercial/Vehicle Sales & Service/Personal Vehicle Repair & Maintenance use is permitted as a matter of right under CS zoning, at the time PUD 578-A was approved such use was not permitted as a matter of right under CS zoning.



Tulsa Metropolitan Area  
Planning Commission

**Case Number:** Z-7474

**Hearing Date:** March 20, 2019

**Case Report Prepared by:**

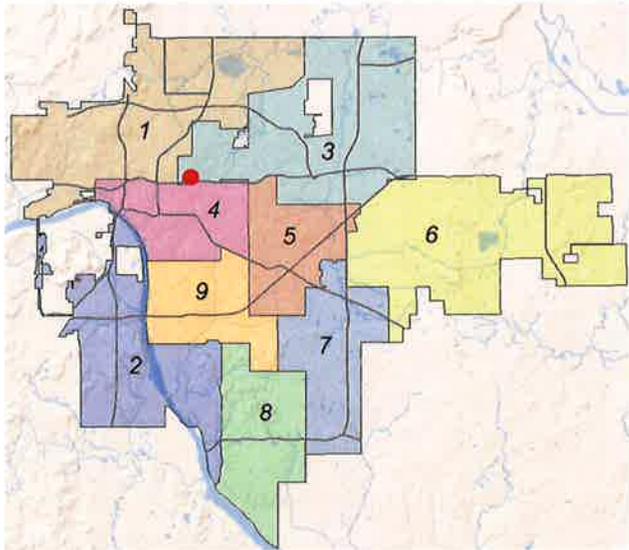
Dwayne Wilkerson

**Owner and Applicant Information:**

*Applicant:* Greg Weisz

*Property Owner:* VINTAGE HOUSING INC

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



**Applicant Proposal:**

*Present Use:* vacant

*Proposed Use:* multi-family

*Concept summary:* Rezoning requested to support higher density for proposed multi-family development.

*Tract Size:* 3.4 ± acres

*Location:* Southeast corner of East Archer Street & N. Gillette Avenue

**Zoning:**

*Existing Zoning:* RM-1

*Proposed Zoning:* RM-2

**Comprehensive Plan:**

*Land Use Map:* Neighborhood Center

*Stability and Growth Map:* Area of Growth

**Staff Recommendation:**

**Staff recommends approval.**

**Staff Data:**

TRS: 9306

CZM: 37

**City Council District:** 3

*Councilor Name:* Crista Patrick

**County Commission District:** 1

*Commissioner Name:* Stan Sallee

8.1

## SECTION I: Z-7474

### DEVELOPMENT CONCEPT:

3 story multi-family development with approximately 52 dwelling units is proposed for the block between N. Gillette and North Lewis. This property is currently zoned RM-1. The density requested requires RM-2 Zoning.

### 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:
  - Site Plan

### DETAILED STAFF RECOMMENDATION:

Z-7474 requesting RM-2 zoning is consistent with the Tulsa Comprehensive Plan, and Uses and densities allowed in a RM-2 district are non-injurious to the surrounding property and Uses allowed in a RM-2 district are consistent with the expected development of the area, therefore Staff recommends Approval of Z-7474 to rezone property from RM-1 to RM-2.

## SECTION II: Supporting Documentation

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: The site is part of a Neighborhood Center land use designation. Multi Family development is consistent with that land use designation.*

### Land Use Vision:

*Land Use Plan map designation: Neighborhood Center*

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

*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: Main Street*

Main Streets are Tulsa’s classic linear centers. They are comprised of residential, commercial, and entertainment uses along a transit-rich street usually two to four lanes wide, and includes much lower intensity residential neighborhoods situated behind. Main Streets are pedestrian-oriented places with generous sidewalks, storefronts on the ground floor of buildings, and street trees and other amenities. Visitors from outside the surrounding neighborhoods can travel to Main Streets by bike, transit, or car. Parking is provided on street, small private off street lots, or in shared lots or structures.

*Trail System Master Plan Considerations: None*

Small Area Plan: Kendall-Whitter Sector Plan was effective 2016.

Special District Considerations: Route 66 overlay

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

*Staff Summary: The site is vacant and almost flat.*

Environmental Considerations: none that affect site development

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP RW</u>	<u>Exist. # Lanes</u>
North Lewis Avenue	Urban Arterial w/main street designation	70	4
East Archer Street	Residential Collector	60	2
North Gillette Ave	None	50	2

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	RM-1	Neighborhood Center	Growth	Retail
East	CH	Neighborhood Center	Growth	Multi family / single family
South	RM-1	Neighborhood Center	Growth	Vacant
West	RS-4	Existing Neighborhood	Growth	Single Family

### SECTION III: Relevant Zoning History

**History: Z-7474**

**ZONING ORDINANCE:** Ordinance number 11815 dated June 26, 1970 established zoning for the subject property.

***Subject Property:***

**BOA-19923 October 2004:** The Board of Adjustment **approved** a *special exception* to allow medical offices (Use Unit 11) in an RM-1 zoned district, on property located on the subject tract.

**BOA-16016 April 1992:** The Board of Adjustment **approved** a *special exception* to permit a public school in an R district, on property located on the subject tract.

***Surrounding Property:***

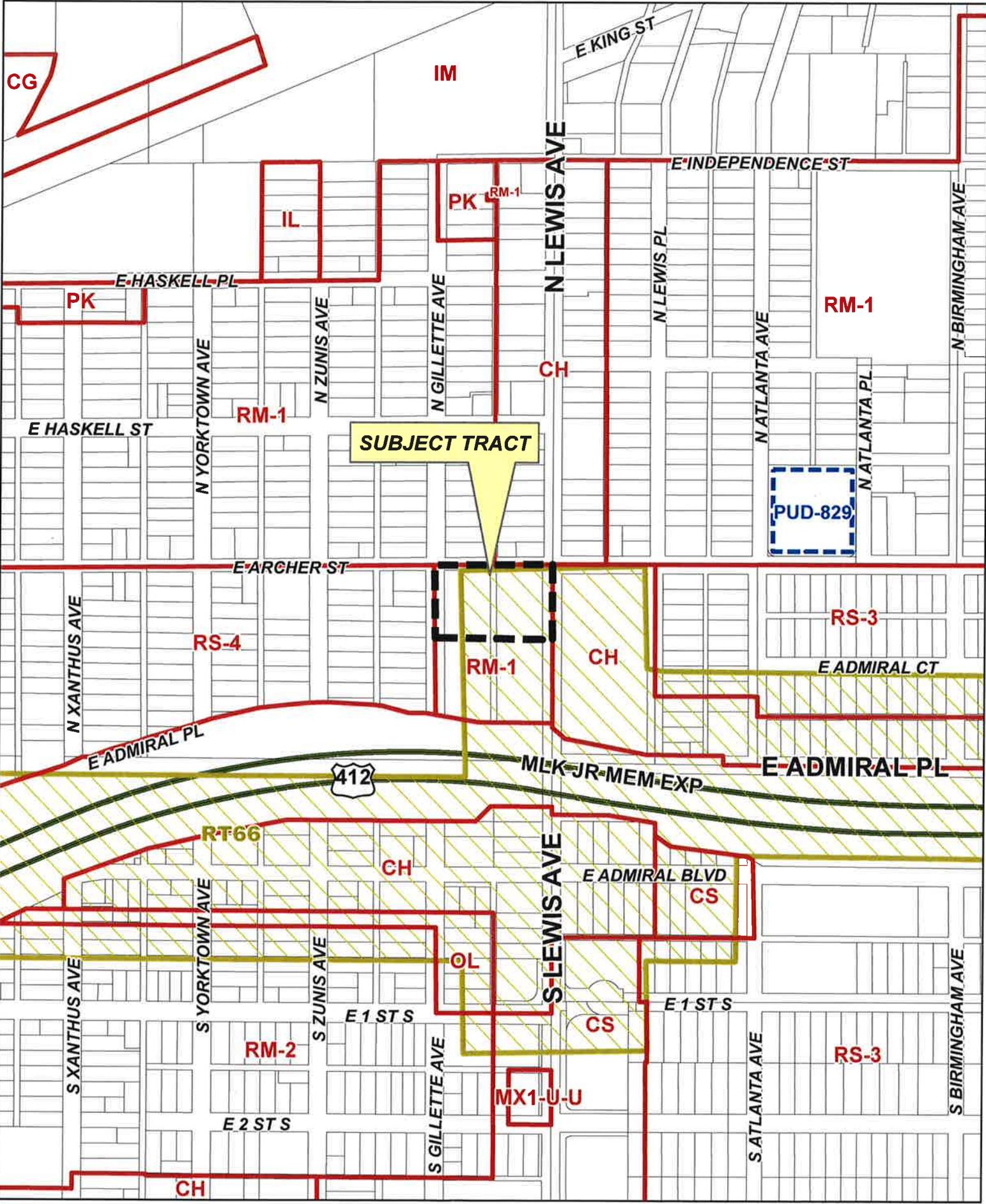
**BOA-22140 September 2016:** The Board of Adjustment **denied** a request for a *Variance* to permit a dynamic display sign within 200 feet of the R District, on property located at the Southeast corner of East Archer Street and North Lewis Place.

**BOA-17720 May 1997:** The Board of Adjustment **approved** a *variance* of the required 10' side yard setback to 9' on south side to move house on property located North of the Northeast corner of East Archer Street and North Gillette Avenue.

**BOA-15425 April 1990:** The Board of Adjustment **approved** a *variance* of the requirement that off-street parking spaces shall be located on the lot containing the use for which the required spaces are to be provided, on property located at the Northeast corner of I-244 and Lewis Avenue.

**BOA-14604 October 1987:** The Board of Adjustment **approved** a *variance* of the required screening requirements, except for the existing ingress/egress on the northeast corner only on property located at the Northeast corner of I-244 and Lewis Avenue.

**BOA-12559 May 1983:** The Board of Adjustment **approved** a *variance* to allow two dwellings on one lot of record **and** a *variance* of the setback to the north in order to line up with the existing structure, on property located South of the Southeast corner of East Archer Street & North Zunis Avenue.

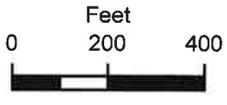


**SUBJECT TRACT**

**PUD-829**



**RT66**

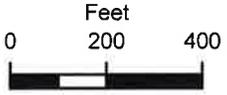
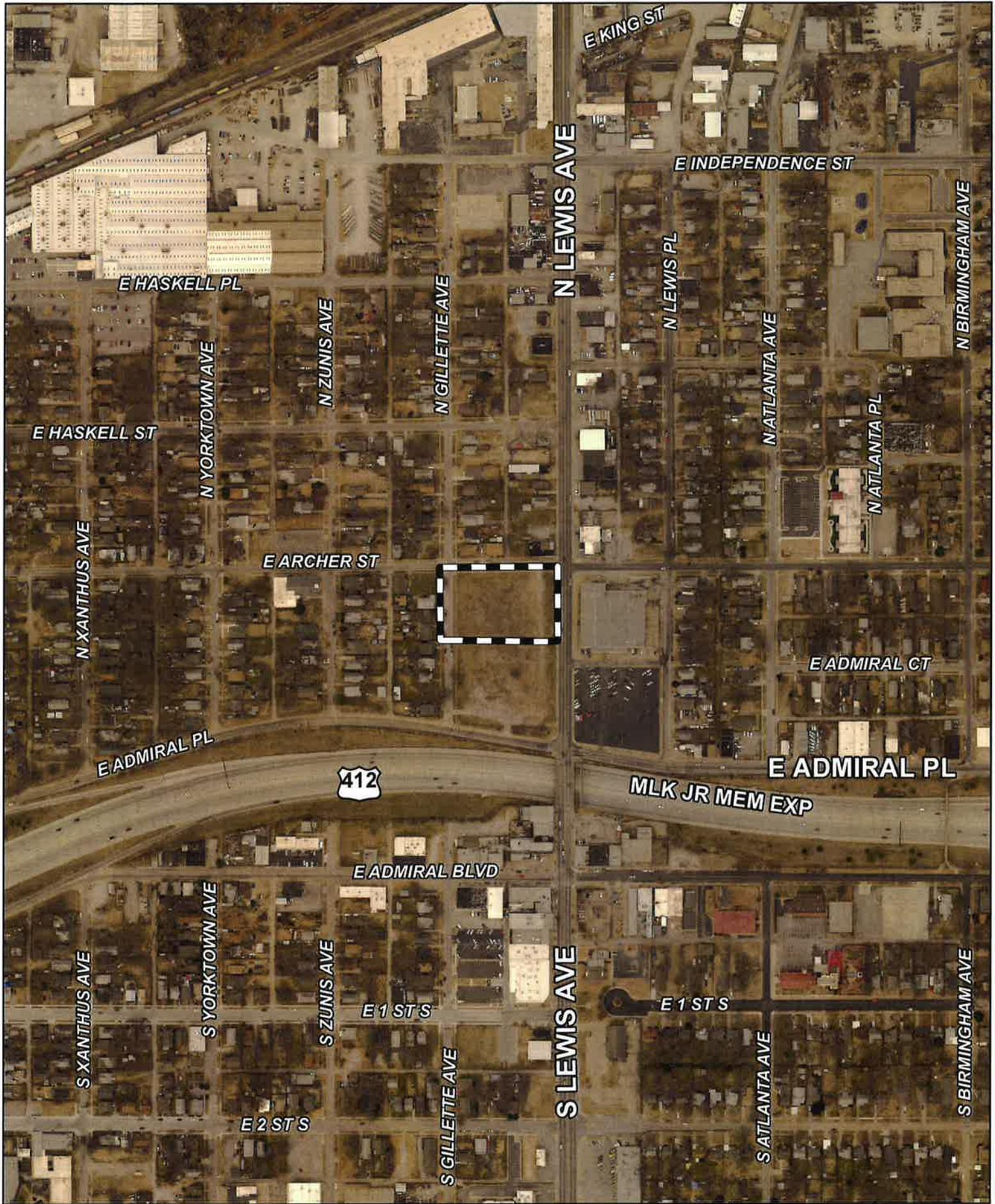


**Z-7474**

19-13 06

**8.5**





Subject Tract

**Z-7474**

19-13 06

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

Aerial Photo Date: February 2018





**N GILLETTE AVE**

**N LEWIS AVE**

**E ARCHER ST**

**E ADMIRAL PL**



**Subject Tract**

**Z-7474**

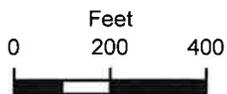
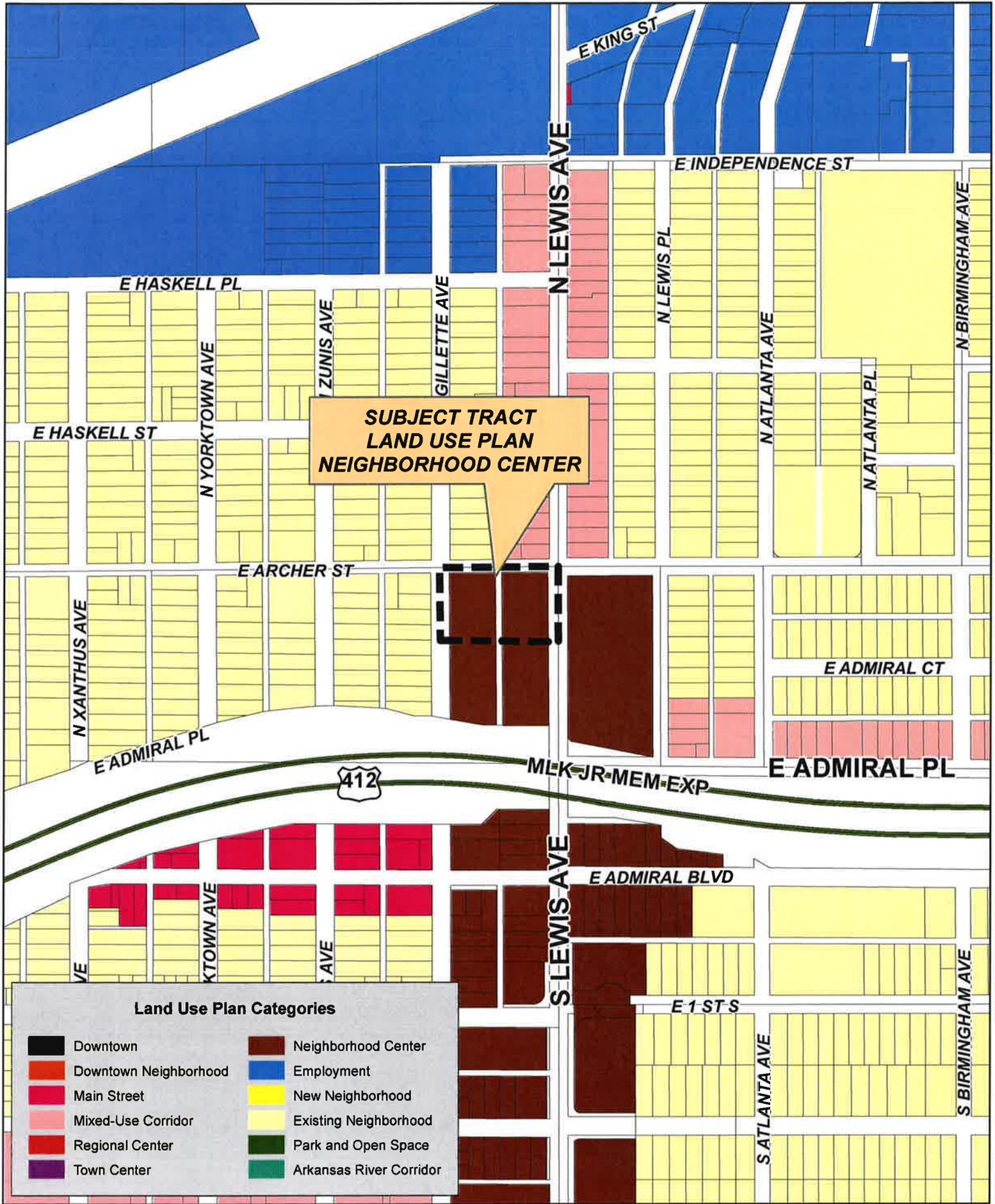
19-13 06

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

Aerial Photo Date: February 2018

**8.7**

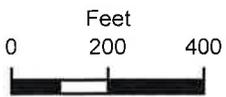
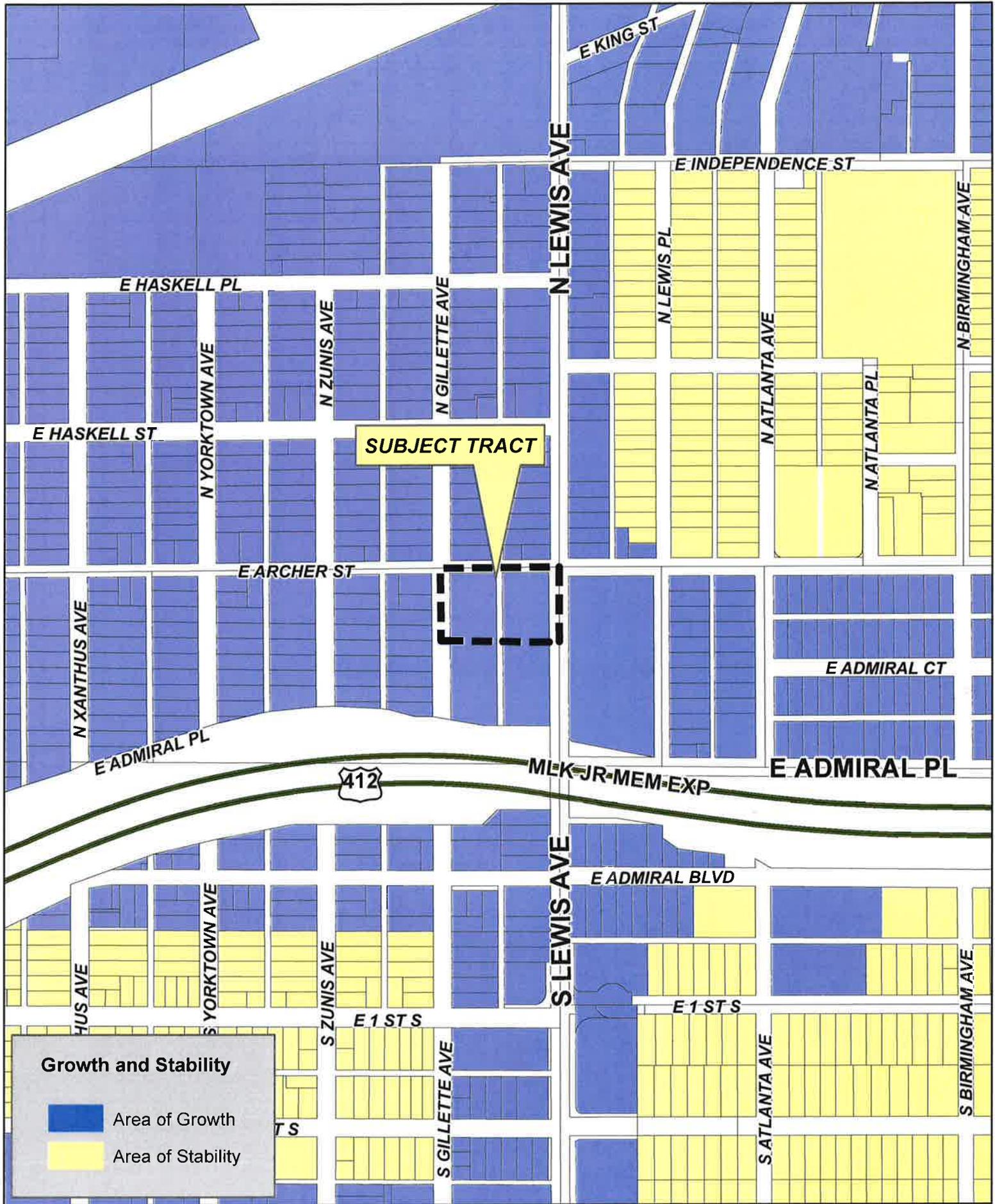




**Z-7474**

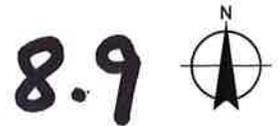
19-13 06





**Z-7474**

19-13 06



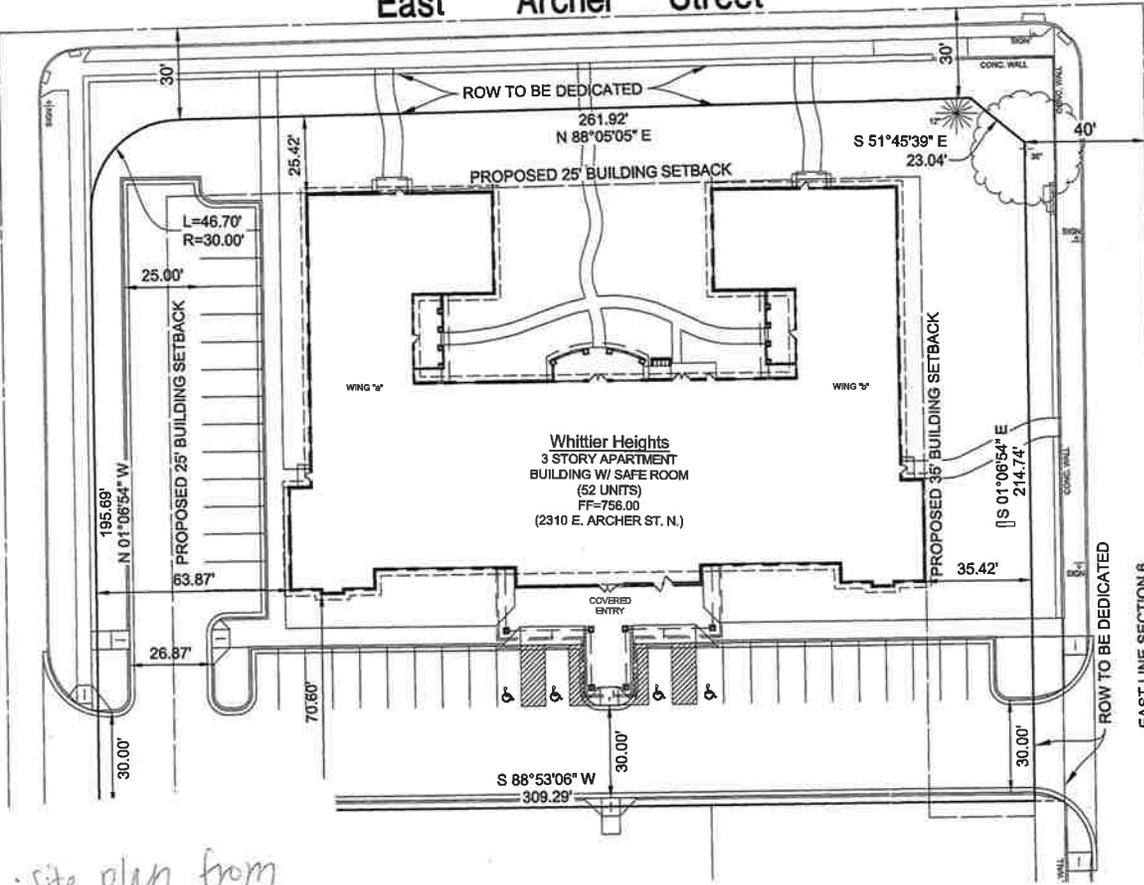
K:\17614.03\EXHIBITS\17614.03\NSPL-EXHBT.dwg N-STPL Dec 17, 2018 - 12:36:55pm SISEMORE WEISZ & ASSOCIATES, INC., 2018

018

North Gillette Avenue

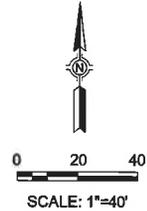
East Archer Street

North Lewis Avenue



**Whittier Heights**  
 3 STORY APARTMENT  
 BUILDING W/ SAFE ROOM  
 (52 UNITS)  
 FF=756.00  
 (2310 E. ARCHER ST. N.)

Site plan from  
 withdrawn BOA-  
 22573



### Whittier Heights

Board of Adjustment Site Plan Exhibit

DATE PREPARED: DECEMBER 17, 2018

BOA-22573

Exhibit "A"

FILE: 1913.06 WO#: 17614.03

**3s, inc.**  
 815-3800  
 (918) 662-8868  
 FAX DATE 6/30/19

2421

2-7475

Sawyer, Kim

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**From:** Foster, Nathan  
**Sent:** Tuesday, March 12, 2019 10:45 AM  
**To:** Sawyer, Kim  
**Subject:** Z-7475/PUD-187 Applicant Requests Continuance

Kim,

I discussed this case with the applicant and they would like to request a continuance to April 17<sup>th</sup>, 2019 to allow time for crafting additional development standards.

Let me know if you need anything else.

**Nathan Foster**  
Senior Planner

**Tulsa Planning Office**  
918.579.9481  
nfoster@incog.org



9.1



PUD-187-A

Sawyer, Kim

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**From:** Foster, Nathan  
**Sent:** Tuesday, March 12, 2019 10:45 AM  
**To:** Sawyer, Kim  
**Subject:** Z-7475/PUD-187 Applicant Requests Continuance

Kim,

I discussed this case with the applicant and they would like to request a continuance to April 17<sup>th</sup>, 2019 to allow time for crafting additional development standards.

Let me know if you need anything else.

**Nathan Foster**  
Senior Planner

**Tulsa Planning Office**  
918.579.9481  
nfoster@incog.org



10.1



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Prepared by Nathan Foster, [nfoster@incog.org](mailto:nfoster@incog.org), 918.579.9481

## Item

Consider amendments to the Tulsa Zoning Code, Title 42 Tulsa Revised Ordinances, to provide for principal and accessory short-term rental uses, to identify zoning districts in which such uses are permitted, and to establish supplemental use regulations for such uses.

## Background

Over the past few years, the City of Tulsa has seen a significant increase in residential properties being rented on a short-term basis. Typically, the residence is marketed through an online platform, such as AirBnB or VRBO (VacationRental by Owner), and accommodates guests for periods of time less than 30 days.

The City of Tulsa Zoning Code currently classifies any property being rented for less than 30 days as "Lodging". Within the "Lodging" use category there are a number of subcategories such as hotels, campgrounds, and bed and breakfasts. The current City interpretation is that all short-term rentals shall be classified as bed and breakfasts. Bed and breakfasts require special exception approval by the City Board of Adjustment (BOA) when they are situated in residentially zoned areas.

Short-term rentals come in a variety of forms that the current zoning code language does not address. The intent of this amendment would be to provide clarification as to how short-term rentals are classified and to apply additional regulations and requirements for property owners who wish to operate within residential areas. In the past couple of years, there have been multiple cases presented to the BOA for this use. Of those cases, 16 were approved, 6 were denied and 5 were withdrawn. Due to the controversial nature of some of these cases, Councilors Ben Kimbro (District 9) and Blake Ewing (District 4) organized and held Town Hall meetings on October 10, 2017 and October 11, 2017. Following the Town Hall meetings, staff at INCOG and across City departments started researching best practices and discussing technical details of a potential short term rental program for the City of Tulsa.

The Tulsa City Council officially initiated the process to amend the zoning ordinance on August 29, 2018. Since initiation, a working group comprised of representatives from the Tulsa Planning Office, City Legal, and the Mayor's office was formed to discuss and draft a proposal. Additional meetings were held with representatives from Working in Neighborhoods (Inspections), Development Services (Permits), and Finance (Licensing). Councilor Kara Joy McKee (District 4) held a Town Hall meeting on January 12, 2019 at Central Center to solicit feedback and discuss the proposal.

A draft ordinance has been developed through meetings with the working group and refined following input from the public meetings and other stakeholders. The proposal would establish 2 types of short-term rentals:

1. Accessory Use Short-Term Rentals
2. Principal Use Short-Term Rentals

Short-term rentals would be classified as accessory when the principal use of the lot will remain a residence and the occupants of that residence would be renting their own home or part of their home to a single party of guests on a short-term basis. The current proposal would permit accessory use short-term rentals by right without a public hearing.

Short-term rentals would be classified as a principal use if the owner intends to list the property full-time as a short-term rental and has no intention of having actual residents living in the property. Under the current draft, a principal use short-term rental would still be required to obtain approval by the City of Tulsa Board of Adjustment. That process would include notification to neighbors within 300' of the proposal, a sign placed on the property in advance of the meeting, and a publication in the newspaper regarding the proposal.

Both classifications of the use would be required to obtain a license from the City of Tulsa in order to legally operate. The proposed license would be required to be renewed each year and hosts would be required to provide certain information to the City of Tulsa. The licensing process would determine whether the proposed short-term rental will be principal or accessory and will require a local contact for the property who can be contacted in case of violations.

### **Staff Recommendation**

Approval of the proposed amendments to Tulsa Zoning Code as shown in Attachment I

## Attachment I

### Chapter 5 – Residential Districts

Section 5.020, Table 5-2: R District Use Regulations

USE CATEGORY	RE	RS-					RD	RT	RM-				RMH	Supplemental Regulations
Subcategory Specific use		1	2	3	4	5			0	1	2	3		
<b>COMMERCIAL</b>														
Lodging														
<u>Short-term rental</u>	<u>S</u>	<u>Section 40.375</u>												

### Chapter 10 – Mixed-use Districts

*Table 10 2: MX District Use Regulations*

USE CATEGORY				Supplemental Regulations
Subcategory Specific use	MX1	MX2	MX3	
Lodging				
Bed & breakfast	S	<del>S-P</del>	<del>S-P</del>	Section 40.060
<u>Short-term rental</u>	<u>S</u>	<u>P</u>	<u>P</u>	<u>Section 40.375</u>
Hotel/motel	-	P	P	Section 40.170

### Chapter 15 – Office, Commercial, and Industrial Districts

Section 15.020, Table 15-2: O, C and I District Use Regulations, page 15-3

USE CATEGORY												Supplemental Regulations
Subcategory Specific use	OL	OM	OMH	OH	CS	CG	CH	CBD	IL	IM	IH	
<b>COMMERCIAL</b>												
Lodging												
Bed & Breakfast	S	S	S	S	<del>S-P</del>	<del>S-P</del>	<del>S-P</del>	<del>S-P</del>	S	S	S	Section 40.060
<u>Short-Term Rental</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>Section 40.375</u>

### Chapter 25 – Special Districts

Section 25.020, Table 25-1: AG District Use Regulations

USE CATEGORY		Supplemental Use Regulations
Subcategory Specific use	AG	
<b>COMMERCIAL</b>		
Lodging		
<u>Short-term Rental</u>	<u>S</u>	<u>Section 40.375</u>

## Chapter 35 – Building Types and Use Categories

### 35.050-G Lodging

Uses that provide temporary lodging for less than 30 days where rents are charged by the day or by the week. Lodging uses sometimes provide food or entertainment, primarily to registered guests. Examples of specific lodging use types include:

1. Bed and Breakfast

~~A detached house~~ An establishment in which the owner/operator offers overnight accommodations ~~and meal service~~ to guests for compensation. A bed and breakfast may serve meals to guests and concurrently rent rooms to more than one party of guests. Subject to the supplemental use regulations, a bed and breakfast may be rented for on-site events.

2. Hotel/Motel

An establishment, other than a bed and breakfast, short-term rental or rural retreat, in which temporary lodging is offered for compensation. A hotel/motel use may include an accessory bar.

3. Recreational Vehicle Park/ Campground

An establishment that provides temporary overnight accommodations for camping in recreational vehicles or tents.

4. Rural Retreat

An establishment that is part of a working farm or ranch that provides temporary overnight accommodations for individuals or groups engaged in supervised training or personal improvement activities. Examples include corporate retreat facilities, educational facilities and dude ranches or working farm learning centers.

5. Short-Term Rental

A dwelling unit, or a portion thereof, in which temporary lodging is offered for compensation to one party of guests. For purposes of this section, "party of guests" shall mean an individual or group renting or seeking to rent the entirety of the short-term rental. Short-Term Rentals can be principal or accessory uses.

## Chapter 40 – Supplemental Use and Building Regulations

### 40.375 Short-Term Rental

The supplemental use regulations of this section apply to all principal use short-term rentals.

40.375-A When occupied by a party of guests, the short-term rental shall not be separately rented to any other individual or party of guests.

40.375-B A short-term rental must comply with all licensing requirements of the City of Tulsa and an approved license number must be included with any material advertising the short-term rental.

40.375-C Events are not permitted in conjunction with a short-term rental use. Examples of events include, but are not limited to, weddings, receptions, anniversaries, private parties, and business seminars.

40.375-D A register of short-term rental guests must be maintained and made available to city code enforcement upon request.

40.375-E External structural alterations or site improvements that change the residential character of the lot upon which a short-term rental is located are prohibited. Examples of such prohibited alterations include, but are not limited to, the construction of a parking lot, the addition of commercial-like exterior lighting, and signage.

40.375-F No recreational vehicle, bus, or trailer shall be parked on a residential street in conjunction with a short-term rental use. A recreational vehicle, bus or trailer may be parked on the property if not visible from the street.

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### 45.185 Short-Term Rental - Accessory

#### 45.185-A Description

The rental of all or a portion of a dwelling unit, which is the primary residence of a household, to one party of guests for temporary lodging for a period of less than 30 consecutive days. For purposes of this section, “party of guests” shall mean an individual or group renting or seeking to rent the entirety of the short-term rental.

#### 45.185-B General

The supplemental use regulations of this section apply to all accessory use short-term rentals.

1. When occupied by a party of guests, the short-term rental shall not be separately rented to any other individual or party of guests.

2. An accessory short-term rental must comply with all licensing requirements of the City of Tulsa and an approved license number must be included with any material advertising the short-term rental.
3. An accessory short-term rental may only be rented to one party of guests at any one time and may not exceed more than eight (8) individuals in the dwelling unit.
4. A register of short-term rental guests must be maintained and made available to city code enforcement upon request.
5. On-site events are not permitted in conjunction with an accessory short-term rental. Examples of on-site events include but are not limited to weddings, receptions, anniversaries, private parties, banquets, and business seminars.
6. External structural alterations or site improvements that change the residential character of the lot upon which an accessory short-term rental is located are prohibited. Examples of such prohibited alterations include the construction of a parking lot, the addition of commercial-like exterior lighting, and signage.
7. No recreational vehicle, bus, or trailer shall be parked on a residential street in conjunction with a short-term rental use. A recreational vehicle, bus or trailer may be parked on the property if not visible from the street.