

SUBJECT TRACT

AG

W INDEPENDENCE ST

RS-3

RM-O

CS

W EDISON ST

CH

RS

CS

RS-3

N 45 W AVE

N 44 W AVE

N 43 W AVE

N 42 W AVE

N 41 W AVE

N 39 W AVE

W EASTON PL

LEGEND

Tulsa Corporate Limits



BOA-22514

20-12 32

6.1



**BOARD OF ADJUSTMENT
CASE REPORT**

STR: 0232

Case Number: **BOA-22514**

CD: 1

A-P#:

HEARING DATE: 10/09/2018 1:00 PM

APPLICANT: Nathan Cross

ACTION REQUESTED: Special exception to permit a school use in an AG district (Section 25.020).

LOCATION: E of the NE/c W Edison Street & N 57th West Ave **ZONED:** AG

PRESENT USE: Vacant

TRACT SIZE: ± 128 acres

LEGAL DESCRIPTION: S/2 NE/4 AND NW/4 SE/4 AND NW/4 NE/4 SE/4 AND NW/4 SW/4 NE/4 SE/4 AND THE WEST 190.82 FEET OF THE SW/4 SW/4 NE/4 SE/4 AND THE WEST 190.82 FEET OF LOT 4 (SE/4 SE/4) ALL IN SECTION 32, TOWNSHIP 20 NORTH, RANGE 12 EAST OF THE INDIAN BASE AND MERIDIAN, OSAGE COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF. LESS AND EXCEPT THE FOLLOWING DESCRIBED TRACT: A TRACT LOCATED IN LOT 4 (SE/4 SE/4) AND THE N/2 SE/4 OF SECTION 32, TOWNSHIP 20 NORTH, RANGE 12 EAST OF THE INDIAN BASE AND MERIDIAN, OSAGE COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, AND FURTHER DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT 40 FEET EAST OF THE SOUTHWEST CORNER OF THE NW/4 SE/4 OF SAID SECTION 32; THENCE N 00°12'17" E A DISTANCE OF 226.00 FEET; THENCE S 88°27'33" e A DISTANCE OF 685.00 FEET; THENCE S 00°12'17" W A DISTANCE OF 63.00 FEET; THENCE S 88°27'33" E A DISTANCE OF 613.15 FEET; THENCE S 00°49'28" W A DISTANCE OF 373.32 FEET; THENCE N 89°49'18" W A DISTANCE OF 30.00 FEET; THENCE N 00°49'28" E A DISTANCE OF 211.06 FEET; THENCE N 88°27'33" W A DISTANCE OF 1266.39 FEET TO THE POINT OF BEGINNING

RELEVANT PREVIOUS ACTIONS:

None relevant.

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan identifies the subject property as part of a "New Neighborhood" and an "Area of Growth".

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.

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.

ANALYSIS OF SURROUNDING AREA: The subject tract is abutted by large AG zoned tracts to the north, east, and west; a mixture of AG and RS-3 zoned properties abut the site on the south. This property is in Osage County.

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STAFF COMMENTS:

The applicant is before the Board requesting a **Special Exception** to permit a school use in the AG district (Section 25.020).

The applicant has provided the following statement: *“The property at issues in the this request (the “Subject Property”) is a parcel of vacant land located in northwest Tulsa. The developer plans to redevelop the entirety of the lot into a new urbanist housing and mixed-use development. Within that plan, is a plan to construct and operate a school. As part of the application process for the school, the developer has to demonstrate that the obtain approval a school use on the Subject Property.”*

A school use is permitted in the R district only by special exception. A special exception is required as the proposed use is not permitted by right due to potential adverse effect, but if controlled in the particular instance as to its relationship to the neighborhood and to the general welfare, may be permitted.

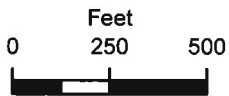
The Board may consider any condition it deems necessary and reasonably related to the request to ensure that the proposed use and future development of the subject property is compatible with and non-injurious to the surrounding neighborhood.

Sample Motion

Move to _____ (approve/deny) a **Special Exception** to permit a school use in an AG district (Section 25.020).

- Subject to the following conditions (including time limitation, if any): _____.

The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.



Subject Tract

BOA-22514

20-12 32

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

Aerial Photo Date: February 2018

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EXHIBIT "B"

BACKGROUND OF DEVELOPMENT:

The property at issue in this request (the "Subject Property") is a parcel of vacant land located in northwest Tulsa. The developer plans to redevelop the entirety of the lot into a new urbanist housing and mixed-use development. Within that plan, is a plan to construct and operate a school. As part of the application process for the school, the developer has to demonstrate that the obtain approval a school use on the Subject Property.

REQUESTED RELIEF:

The developer is requesting a Special Exception allowing a school use in an AG district pursuant to Section 25.020(B)(2), Table 25-1.

EXHIBIT "A"
LEGAL DESCRIPTION

S/2 NE/4 AND NW/4 SE/4 AND NW/4 NE/4 SE/4 AND NW/4 SW/4 NE/4 SE/4 AND THE WEST 190.82 FEET OF THE SW/4 SW/4 NE/4 SE/4 AND THE WEST 190.82 FEET OF LOT 4 (SE/4 SE/4) ALL IN SECTION 32, TOWNSHIP 20 NORTH, RANGE 12 EAST OF THE INDIAN BASE AND MERIDIAN, OSAGE COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

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