

AMENDED
TULSA METROPOLITAN AREA PLANNING COMMISSION
Meeting No. 2735
December 7, 2016, 1:30 PM
175 East 2nd Street, 2nd Level, One Technology Center
Tulsa City Council Chamber

CONSIDER, DISCUSS AND/OR TAKE ACTION ON:

Call to Order:

REPORTS:

Chairman's Report:

Worksession Report:

Director's Report:

1. Minutes of November 16, 2016, Meeting No. 2734

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.

2. **LC-831** (Lot-Combination) (CD 8) – Location: Northeast corner of South Harvard Avenue and East 77th Place South
3. **LC-832** (Lot-Combination) (CD 9) – Location: West of the Northwest corner of South Sandusky Avenue and East 31st Street
4. **LC-833** (Lot-Combination) (CD 8) – Location: North of East 101st Street South and South Granite Avenue (related to LS-20943)
5. **LS-20943** (Lot-Split) (CD 8) – Location: North of East 101st Street South and South Granite Avenue (related to LC-833)
6. **LS-20940** (Lot-Split) (CD 3) – Location: East of the Northeast corner of South Sheridan Road and East Admiral Place
7. **LS-20941** (Lot-Split) (CD 1) – Location: West of the Northwest corner of North Harvard Avenue and East Apache Street
8. **LS-20942** (Lot-Split) (County) – Location: Northeast corner of South Peoria Avenue and East 181st Street South
9. **The Crossing at Battle Creek II** – Final Plat, Location: North of East 41st Street and east of South 145th East Avenue, (CD 6)
10. **Sunset Hills Estates (formerly known as Sunset Hills II)** – Final Plat, Location: East of the southeast corner of East 41st Street and South 161st East Avenue, (CD 6)
11. **Northern Territory** – Final Plat, Location: North of the northwest corner of East 176th Street North and North Garnett Road (County)

12. **PUD-766-7 Cedar Creek Consulting** (CD 9) Location: North of the Northwest corner of East 50th Street and South Yale Avenue, **PUD Minor Amendment** to increase the maximum building height from 55 feet to 82 feet and to increase the allowable floor area from 43,470 square feet to 54,500 square feet.

CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA:

PUBLIC HEARINGS:

13. **CZ-447 Stephen Schuller** (County) Location: West of the Southwest corner of West 21st Street and South 49th West Avenue requesting rezoning from **RS to CG** (**Applicant requests continuance to December 21, 2016**)
14. **SA-2 Tulsa City Council** (CD 2) Location: South of the southwest corner of South Riverside Drive and East 71st Street requesting to apply supplemental RDO-1 zoning to 26 acres.
15. **Z-7354 AAB Engineering** (CD 9) Location: East of the northeast corner of East 41st Street and South Utica Avenue requesting rezoning from **RS-2 to RS-3 with Optional Development Plan** (**Application was returned to Planning Commission from UED to include an Optional Development Plan**)
16. **Z-7361 Lou Reynolds** (CD 9) Location: West of the southwest corner of South Peoria Avenue and East 37th Place requesting rezoning from **RS-3 to PK** (Continued from October 5, 2016 and November 2, 2016)
17. **Z-7366 Dr. John Day** (CD 2) Location: South of the Southeast corner of South Elwood Avenue and West 71st Street requesting rezoning from **AG to CG with Optional Development Plan**
18. **Z-7368 Mark Capron** (CD 5) Location: Southeast corner of South 77th East Avenue and East 11th Street South requesting rezoning from **RS-3/OL to CH/CS**
19. **Z-7369 Amos Baker** (CD 7) Location: East of the northeast corner of East 61st Street and South Memorial Drive requesting rezoning from **OL to RM-3 with Optional Development Plan**
20. **Z-7370 Alan Betchan** (CD 3) Location: East of the Southeast corner of East Pine Street and North Garnett Road requesting rezoning from **RS-3 to IL**

OTHER BUSINESS

21. 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 Land Development Services, INCOG. Ringing/sound on all cell phones and paggers must be turned off during the Planning Commission.

Visit our website at www.tmapc.org

email address: 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.

Final Subdivision Plat

The Crossing at Battle Creek II - (CD 6)

North of East 41st Street and east of South 145th East Avenue

This plat consists of 69 Lots, 7 Blocks, on 20 acres.

Staff has received release letters for this plat and can recommend **APPROVAL** of the Final Plat.

Final Subdivision Plat

Sunset Hills Estates (formerly Sunset Hills II) - (CD 6)

East of the southeast corner of East 41st Street and South 161st East Avenue

This plat consists of 136 Lots, 6 Blocks, on 40 acres.

Staff has received release letters for this plat and can recommend **APPROVAL** of the Final Plat.

10.1

11/29/16

Final Subdivision Plat

Northern Territory - (County)

North of the northwest corner of East 176th Street North and North Garnett Road

This plat consists of 10 Lots, 2 Blocks, on 21.3 acres.

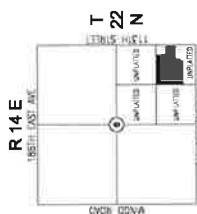
Staff has received release letters for this plat and can recommend **APPROVAL** of the Final Plat.

11.1

11/29/16

COLLINSVILLE, OKLAHOMA

ENGINEER/SURVEYOR:
BIRD SURVEYING & DESIGN, PLLC
9020 NORTH 175th EAST AVE
OWASSO, OK 74055
PHONE: (918) 645-8392
rebird@cox.net
CA 4454 / PE 16512



VICINITY MAP
SUBDIVISION CONTAINS:
10 LOTS IN 2 BLOCKS
TOTAL AREA: 21.3 ACRES
BASE OF BEARINGS: GP-8

FINAL PLAT

CERTIFICATE OF APPROVAL

I hereby certify that this plat was approved by the Joint Metropolitan Area Planning Commission on:

_____ / _____ / _____

This document is void if this plat is not filed in the Office of the County Clerk on or before

_____ / _____ / _____

CITY OF SEATTLE - NOBLE

DESCRIPTION
A PARCEL OF LAND LYING IN THE SOUTHEAST (SE/4) OF THE SOUTHEAST (SE/4) OF SECTION 6, TOWNSHIP 22 NORTH, RANGE 14 EAST OF THE INITIAL BASE MERIDIAN, WHOSE PARTICULARS ARE DESCRIBED AS FOLLOWS:

COMING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER (SE/4) OF SAO SECTION 6; THENCE
S89°52'E 20.00 FEET TO THE EASTERN BOUNDARY OF SAO SECTION 6; THENCE S89°54'W 7'
S89°52'E 50.00 FEET TO THE POINT OF BEGINNING; THENCE S01°26'S E A DISTANCE OF 311.38 FEET;
THENCE S88°45'W 1/4" A DISTANCE OF 439.00 FEET; THENCE S01°24'S E A DISTANCE OF 180.00 FEET;
THENCE S89°55'W 1/4" A DISTANCE OF 65.00 FEET; THENCE S07°32' E A DISTANCE OF 100.00 FEET; THENCE S05°53'W
A DISTANCE OF 716.85 FEET; THENCE N07°26' W A DISTANCE OF 901.31 FEET; THENCE N88°14' E A DISTANCE OF
330.00 FEET; THENCE N89°43' E A DISTANCE OF 330.00 FEET; THENCE N89°43' E A DISTANCE OF 260.00 FEET;
THENCE S01°26' S E A DISTANCE OF 330.00 FEET; THENCE S89°52' E A DISTANCE OF 330.00 FEET;

TO THE POINT OF BEGINNING, SAID POLY CURVATURE CLOUDING, FEET ON 21.3 ACRES MORE OR LESS.

CERTIFICATION

I, ROBERT E BIRD, PE, PLS, BIRD SURVEYING AND DESIGN, PLLC, CERTIFY THAT THIS PLAT OF SURVEY CLOSES IN ACCORD WITH EXISTING RECORDS AND IS A TRUE REPRESENTATION OF THE REAL PROPERTY AS DESCRIBED AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING OF THE STATE OF OKLAHOMA.

ANNUAL REPORT OF MANAGEMENT QUALITY

THE TULSA OFFICE OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY HAS APPROVED THIS PLAN FOR THE USE OF PUBLIC WATER SYSTEMS AND ON SITE SEWER SYSTEMS ON THIS _____ DAY OF _____, 2016.

ENVIRONMENTAL PROGRAM SPECIALIST
DEPARTMENT OF ENVIRONMENTAL QUALITY

LEGEND

— BUILDING SETBACK LINE

— UTILITY EASEMENT

ADDRESS SHOWN ON THIS PLAT ARE ACCURATE AS OF THE TIME THE PLAT WAS FILED. ADDRESS ARE SUBJECT TO CHANGE AND SHOULD BE RELIED ON IN PLACE OF LEGAL DESCRIPTION.

THE CLAYTON NOTATIONS REPRESENT THE MINIMUM SIZE OF SMOOTH HOPE PIPES OR RCP REQUIRED FOR PROPERTY

ALL CORNERS ARE MONUMENTED WITH 1/2" IRON PINS

FLOOD PLAIN NOTE: PROPOSED SITE IS OUTSIDE OF FEMA 100 YEAR FLOOD PLAN BOUNDARIES. FEMA PANEL NO. 65 OF 530, MAP NUMBER 4014300065K REVISED DATE AUGUST 3, 2009.

I, ROBERT E. BIRD, A REGISTERED LAND SURVEYOR IN THE STATE OF OKLAHOMA, HEREBY CERTIFY THAT I HAVE CAREFULLY AND ACCURATELY SURVEYED AND PLATTED THE TRACT OF LAND DESCRIBED ABOVE, AND THAT SAID PLAT DESIGNATED AS NORTH 23, AN ADDITION TO THE CITY OF COLLINSVILLE, TULSA COUNTY, OK, IS A TRUE AND ACCURATE REPRESENTATION OF SAID SURVEY. WITNESS MY HAND AND SEAL THIS 30TH DAY OF NOVEMBER, 2016



ROBERT L. BIRD, JR., PLS.
OK PLS. #1308
OK CA #4454 Exp. 6/30/2018



CNAME	COUNTRY				LONG	POD
	INDUS	BLTA	LLANG	LLANG		
C1	802.26	81.13.15	239.65	500253.176	236.42	
C2	81.50	79.26.15	84.83	50811.176	77.60	
C3	81.50	79.26.17	82.44	50813.276	78.70	
C4	81.50	80.24.37	81.72	50811.176	82.99	
C5	81.50	80.24.37	81.72	50815.176	82.99	
C6	81.50	80.24.37	81.72	50817.176	77.74	
C7	802.26	5.506.26	210.23	50817.076	216.88	
C8	81.00	11.27.07	17.99	50423.176	77.26	
C9	71.48	11.27.07	22.44	50725.176	37.56	
C10	50721.176			50721.176	5.07	

CULVERT SIZE	
1015	5475
1	15
2	15
3	15
4	15
5	15
6	15
7	15
8	15
9	15
10	15



Case Number: PUD-766-7
Minor Amendment

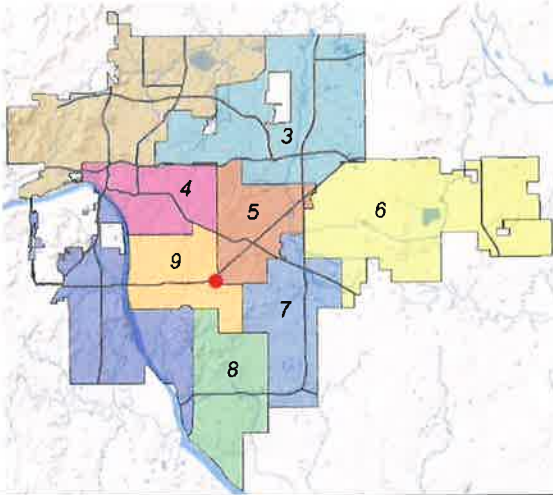
Hearing Date: December 7, 2016
(Continued from November 2, 2016)

Case Report Prepared by:
Jay Hoyt

Owner and Applicant Information:
Applicant: Cedar Creek Consulting

Property Owner: Sunny Investment Properties, LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Concept summary: PUD minor amendment to increase the maximum building height and allowable floor area.

Gross Land Area: 1.5 acres

Location: North of NW/c South Yale Ave and East 50th St South

Part of Lot 8, 51 Yale

Zoning:
Existing Zoning: CH/PUD-766
Proposed Zoning: No Change

Comprehensive Plan:
Land Use Map: Town Center
Growth and Stability Map: Growth

Staff Recommendation:
Staff recommends **approval**.

Staff Data:
TRS: 9328
CZM: 47

Atlas: 468

City Council District: 9
Councilor Name: G.T. Bynum

County Commission District: 3
Commissioner Name: Ron Peters

SECTION I: PUD-766-7 Minor Amendment

STAFF RECOMMENDATION

Amendment Request: Modify the PUD Development Standards to increase the maximum building height and allowable floor area.

Currently, the development standards limit the height on Lot 8 to 4 stories, not to exceed 55 ft. The applicant is proposing to revise this to 6 stories, not to exceed 82 feet, in order to permit the construction of a proposed hotel, illustrated in the attached site plan and building elevations. In addition, the applicant is requesting that the allowable floor area for Lot 8 be increased from 43,470sf to 54,500sf.

Staff Comment: This request can be considered a Minor Amendment as outlined by Section 30.010.1.2.c(9) of the City of Tulsa Zoning Code.

"Changes in structure heights, building setbacks, yards, open spaces, building coverage and lot widths or frontages, provided the approved PUD development plan, the approved standards and the character of the development are not substantially altered."

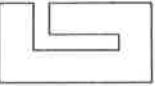
Staff has reviewed the request and determined:

- 1) The requested amendment does not represent a significant departure from the approved development standards in the PUD.
- 2) All remaining development standards defined in PUD-766 and subsequent minor amendments shall remain in effect.

Exhibits included with staff recommendation:

INCOG zoning case map
INCOG aerial photo
INCOG aerial photo enlarged
Applicant Site Plan
Applicant Exterior Elevations

With considerations listed above, staff recommends **approval** of the minor amendment request to increase the maximum building height from 4 stories, not to exceed 55 ft, to 6 stories, not to exceed 82 feet and increase the allowable floor area from 43,470sf to 54,500sf.



FOR PRINT USE ONLY

SCALE

FOR PRINT USE ONLY

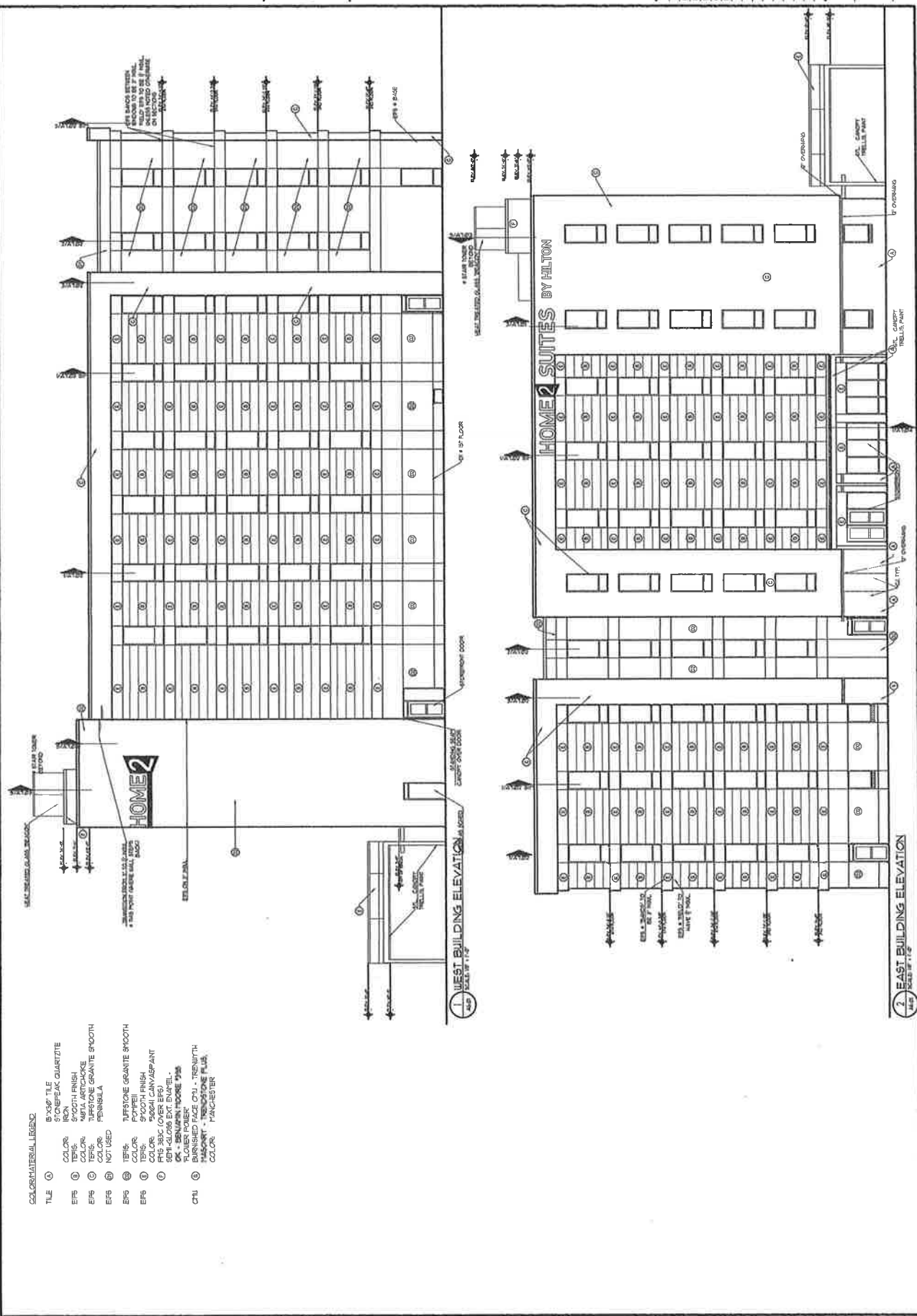
HOME 2 SUITES BY HILTON
 TULSA MIDTOWN
 TULSA
 OKLAHOMA

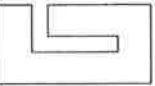
DESCRIPTION	DATE
PROJECT SET	3-11-11
3RD SET	06-24-11
CONSTRUCTION SET	-
REVISION	-


PROJECT NUMBER
 Y1528-H1528

ELEVATIONS

SHEET NUMBER
 A6.01





ARCHITECTS  architect, planning, interior design,
14018 HERTZ QUAIL SPRING PARKWAY
OKLAHOMA CITY, OK 73134
V. 406.843.0522 F. 406.843.0523

PERMIT USE ONLY

TV35

PARENT USE ONLY

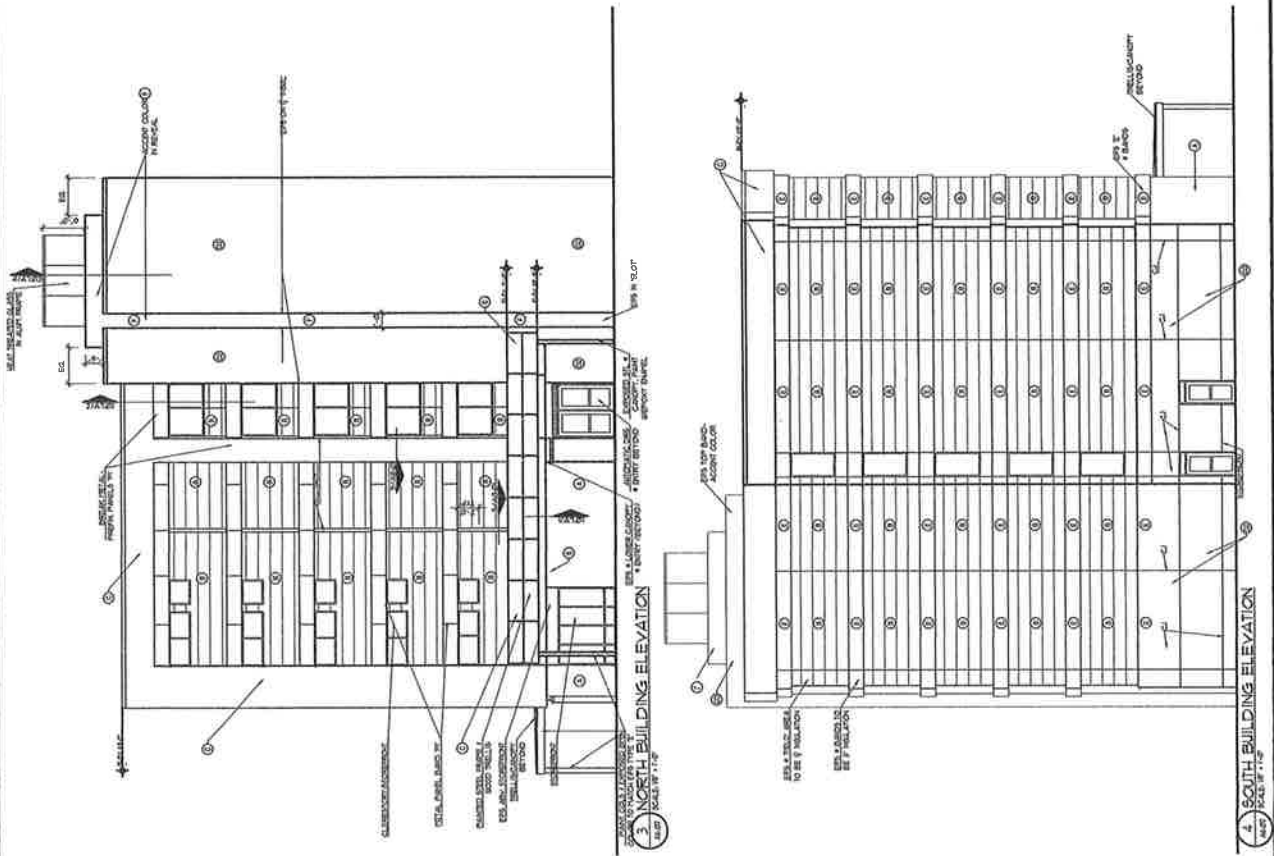
HOME 2 SUITES BY HILTON
TULSA MIDTOWN
TULSA
OKLAHOMA

DRAWING ISSUE		DATE
DESCRIPTION		
PRELIMINARY		3-14-11
PERMIT SET		05-20-05
BID SET		"
CONSTRUCTION SET		"
REVISION		"

PROJECT NUMBER
Y1528-H1528

SHEET TITLE
ELEVATIONS

A6.02
SHEET SOURCE



Sawyer, Kim

CZ-447

From: Wilkerson, Dwayne
Sent: Tuesday, November 22, 2016 3:20 PM
To: Sawyer, Kim
Cc: Miller, Susan; Hoyt, Jay; Stephen A. Schuller; Mariboho, Mindi
Subject: FW: Application for Zoning No. CZ-447 - IMPORTANT

Kim,

Staff supports the applicants request for a continuance from the Scheduled meeting December 7th to the December 21st Planning commission hearing.

Please forward this to the Planning Commission Chairman.

Respectfully,

INCOG

C. Dwayne Wilkerson
Assistant Director Land Development Services

2 West Second Street
Suite 800
Tulsa, OK 74103

918-579-9475
dwilkerson@incog.org

From: Stephen A. Schuller [mailto:sschuller@gablelaw.com]
Sent: Tuesday, November 22, 2016 9:05 AM
To: Wilkerson, Dwayne
Subject: RE: Application for Zoning No. CZ-447 - IMPORTANT

Yes – continuance until the meeting when we can have the entire project considered at the same time. The client would like to move it to the 21 December meeting, if at all possible (let me know what I need to do to help make this possible), and if not, then the 4 January meeting.

Feel free to contact me by telephone or e-mail if you have any questions.



Stephen A. Schuller | Attorney At Law | GableGotwals
1100 ONEOK Plaza | 100 West 5th Street | Tulsa, OK 74103-4217 USA
(Office) 918.595.4800 | (FAX) 918.595.4990 | www.GableLaw.com

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From: Wilkerson, Dwayne [mailto:DWilkerson@incog.org]
Sent: Tuesday, November 22, 2016 7:01 AM
To: Stephen A. Schuller <sschuller@gablelaw.com>
Subject: Re: Application for Zoning No. CZ-447 - IMPORTANT

Good morning Steve. This new parcel will expand the 300 foot notice area. I cannot re advertise and meet state statute requirements for the December 7 meeting. Today is the cutoff date for the January 4 planning commission meeting,

unfortunately that may be the first meeting we can get to. We have already prepared our maps and mail out package for the meeting in the third week in December. I don't think we can realistically re do all of that and still hit the Mail out notice requirement for December 21 but will discuss with everyone this morning .

Please confirm that no matter what meeting you can be scheduled you are requesting a continuance for the current case so this can be all heard at the same time.

I will confirm and get back to you by 9:00 when I am wrapped up again in a subdivision regulation update work session all morning.

Dwayne

Sent from my iPhone

On Nov 21, 2016, at 5:30 PM, Stephen A. Schuller <sschuller@gablelaw.com> wrote:

Dwayne –

My client just called me about this today, and when I tried to call you this afternoon you were in a meeting. I thought I'd send this e-mail so you could have the information before you, and then you can call me on Tuesday 22 November, please.

I filed the Application for Zoning for **Case No. CZ-447** (attached) on 27 October, and it's set for hearing by the TMAPC on Wednesday 7 December. My client has just purchased the following adjoining property and would like to add it to the rezoning application:

**The East 140 feet of the South 396 feet of the West 330 feet of the NE/4 NE/4 NE/4
AND**

**The North 25 feet of the East 75 feet of the South 396 feet of the West 190 feet of the
NE/4 NE/4 NE/4 AND**

**The East 100 feet of the West 190 feet of the South 371 feet of the NE/4 NE/4 NE/4
AND**

The East 25 feet of the West 115 feet of the North 289 feet of the NE/4 NE/4 NE/4

All in Section 17, Township 19 North, Range 12 East, Tulsa County, Oklahoma

I have attached your zoning map, highlighting (in **yellow**) the property that is the subject of Case No. CZ-447 and (in **blue**) the property my client is purchasing and would like to add to the rezoning application.

1. Is it possible to add this property to the rezoning application scheduled for hearing on 7 December?
I realize I may have to get you an additional filing fee tomorrow (22 November).
2. If not, can it be added to the TMAPC agenda for 21 December?

I hope you will have a chance to look this over on Tuesday morning 22 November and call me. Feel free to contact me by telephone or e-mail if you have any questions.



Stephen A. Schuller | Attorney At Law | GableGotwals
1100 ONEOK Plaza | 100 West 5th Street | Tulsa, OK 74103-4217 USA
(Office – Direct) 918.595.4864 | (FAX) 918.595.4990 | www.GableLaw.com

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<Application for Zoning (1554199x9DA4C).pdf>

<Zoning Map - marking proposed changes (1564521x9DA4C).pdf>



Tulsa Metropolitan Area
Planning Commission

Case Number: SA-2

Hearing Date: December 7, 2016

Case Report Prepared by:

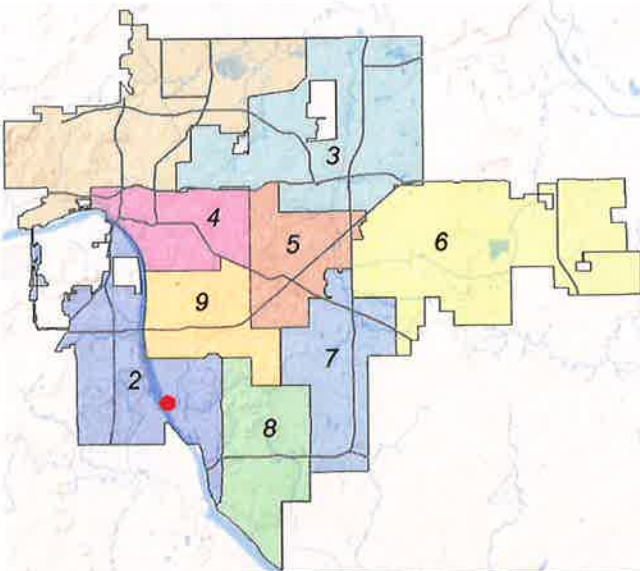
Susan Miller, AICP

Owner and Applicant Information:

Applicant: Tulsa City Council

Property Owner: TULSA PUBLIC FACILITIES

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Apply River Design Overlay - RDO-1

Tract Size: 25 ± acres

Location: South of southwest corner of S. Riverside Dr. and E. 71st St. S.

Zoning:

Current Zoning: AG

Proposed Zoning: Current zoning with RDO-1,
River Design Overlay

Comprehensive Plan:

Land Use Map: Arkansas River Corridor

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 8307

CZM: 52

Atlas: 1278

City Council District: 2

Councilor Name: Jeannie Cue

County Commission District: 2

Commissioner Name: Karen Keith

14.1

SECTION I: SA-2

BACKGROUND: In 2016, during the map amendment process to assign RDO-1, RDO-2 and RDO-3 to certain properties along the river, several members of the public made comments during the public process regarding Helmerich Park and if it should be designated RDO-2 (as originally proposed) or if it should receive an RDO-1 designation. The City Council identified this portion of Helmerich Park (the subject site) which includes an existing improved park, access road and parking lot and voted to remove it from the area considered for the overlay at that time and bring back at a later date. On October 12, 2016, the City Council voted to initiate applying supplemental zoning of RDO-1 to approximately 25 acres located south of southwest corner of S. Riverside Drive and E. 71st St. South.

The **River Design Overlay (RDO)** is the first Special Area (SA) overlay district incorporated into the City of Tulsa's Zoning Code. Section 20.050 was added into the Zoning Code (effective on July 11, 2016), to establish the regulations of a Special Area Overlay district (River Design Overlay - RDO) pertaining to uses and site and building design for RDO zoned properties. The zoning map amendments to assign RDO-1, RDO-2 and RDO-3 designations to properties along the river became effective on October 26, 2016.

1. Purpose and Intent

The RDO, River Design Overlay regulations of this section establish regulations governing form, function, design and use for properties located within the boundaries of the River Design Overlay district. The regulations are generally intended to maintain and promote the Arkansas River corridor as a valuable asset to the city and region in terms of economic development and quality of life. The regulations are also intended to:

- a. Support and enhance the river corridor as a lively people-oriented destination, connecting nodes of high-quality development with parks and open spaces;*
- b. Protect the city's investment as well as the investments of property owners, developers and others who enjoy the benefits of the Arkansas River corridor;*
- c. Encourage development that enhances the appearance of the Arkansas River corridor and the surrounding area;*
- d. Ensure development and redevelopment that is sensitive to the area's natural resources and environmental qualities;*
- e. Establish the area as an interconnected, pedestrian-oriented, cultural and recreational destination, attracting both residents and visitors to the Arkansas River; and*
- f. Foster a sense of community and civic pride.*

2. Districts

Three RDO districts are established, as follows:

- a. The RDO-1 district is primarily intended to apply to park, recreation and open space uses adjacent to the river. RDO-1 regulations help promote development that is compatible with public parks and green space and that complements park uses.*
- b. The RDO-2 district is primarily intended to apply to other (non-RDO-1) properties with direct access to the river. RDO-2 regulations help to ensure safe, attractive and activated pedestrian areas by requiring that new development is oriented to the river and abutting streets. The regulations also promote integration with the River Parks trail system and avoidance of adverse environmental impacts.*
- c. The RDO-3 district is primarily intended to apply to properties that do not have direct access to the river but that are visible from riverfront areas. These areas benefit from proximity to the river and contribute to the overall visual environment of the riverfront area.*

There are minor, although important, differences in the RDO-1, RDO-2 & RDO-3 district regulations.

- There are minor differences in prohibited uses in RDO-1, RDO-2 and RDO-3;
- RDO-1 and RDO-2 have a river build-to zone; RDO-3 does not since it has no trail or river frontage;
- RDO-2 envisions greater density of development than RDO-1 by requiring river-facing façade occupy at least 70% of the build-to zone length and street-facing façade occupy at least 50% of the build-to zone length prior to building outside of the build-to zone;
- Since RDO-3 does not have trail or river frontage, only street-facing façades must occupy at least 50% of the build-to zone length prior to building outside of the build-to zone;
- RDO-1 and RDO-2 require building entrances facing the river and the parking/common open space area, RDO-3 does not; and
- No more than one driveway is allowed per 300 linear feet of public right-of-way in RDO-1 and RDO-2.

EXHIBITS:

INCOG Case map
INCOG Aerial (small scale)
Tulsa Comprehensive Plan Land Use Map
Tulsa Comprehensive Plan Areas of Stability and Growth Map

DETAILED STAFF RECOMMENDATION:

Staff recommends Approval of SA-2 to apply supplemental RDO-1 (River Design Overlay) zoning to the property as depicted on the attached maps based on the following:

The proposed River Design Overlay began at the direction of the Mayor and City Council and has been a collaborative process, with multiple steering committee meetings and subsequent public meetings;

The properties and land uses along the river corridor were carefully evaluated to determine the most relevant and appropriate boundary for the overlay;

The properties within the proposed overlay boundary are key development and park sites that will contribute to protecting public and private investments along the river corridor through the implementation of regulations contained in Section 20.050 of the City of Tulsa Zoning Code;

The proposed River Design Overlay zoning is constant with the vision for the river in the Arkansas River Corridor Master Plan;

The proposed River Design Overlay zoning is consistent with the Land Use vision of Arkansas River Corridor and Parks assigned to this property in the Tulsa Comprehensive Plan; and

The abandonment of PUD 128-I on this site in 2015 removed the park approval for Helmerich Park, leaving the site as a legally nonconforming use. Staff recommends follow up action with the City of Tulsa Board of Adjustment to request a special exception for parks and recreation on this 25 acre site.

SECTION II: Supporting Documentation

There is extensive background leading to the development of the proposed River Design Overlay. Initially design guidelines for development along the river were recommended in the Arkansas River Corridor Master Plan, which was adopted over 10 years ago (2004). In 2010, the City of Tulsa Comprehensive Plan, or PlaniTulsa, was adopted and contained policies regarding enhancing the Arkansas River, orienting new development toward the river & creating design guidelines.

In February, 2015, a joint Mayor and City Council retreat was held where they identified a shared goal of “drafting regulatory tools to guide river development” and “adopting river corridor design guidelines.” As a result, a steering committee was established in early 2015 to begin working on design guidelines for the area surrounding the Arkansas River.

Concurrently with the adoption of the RDO into the Zoning Code in 2016, the Comprehensive Plan was amended to include a new land use category, Arkansas River Corridor. The Land Use and Areas of Stability and Growth Maps were also amended to align with proposed RDO designations. Following adoption of the RDO into the Zoning Code and the Comprehensive Plan amendments, the zoning map was amended to apply RDO-1, RDO-2 and RDO-3 to certain properties along the Arkansas River corridor. The map amendments became effective on October 26, 2016.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The other areas assigned RDO-1 on the zoning map are represented on the Land Use Map with a Parks and Open Space category and are shown on the Stability and Growth Map as an Area of Stability. RDO-2 and RDO-3 districts were designated as Arkansas River Corridor and an Area of Growth since it was envisioned that properties in these districts may experience redevelopment over time and, as they do, it is important that they adhere to design standards that respect the built and natural environment that surrounds the river corridor.

*Since this site was originally proposed for RDO-2, the land use designation is **Arkansas River Corridor** and the Area of Stability and Growth designation is **Area of Growth**. This is not significantly incompatible and can be resolved through the 2017 housekeeping amendment process.*

Land Use Vision:

Land Use Plan map designation: Arkansas River Corridor

The **Arkansas River Corridor** is located along the Arkansas River and scenic roadways running parallel and adjacent to the river. The Arkansas River Corridor is comprised of a mix of uses - residential, commercial, recreation and entertainment – that are well connected and primarily designed for the pedestrian. Visitors from outside the surrounding neighborhoods can access the corridor by all modes of transportation.

This Corridor is characterized by a set of design standards that support and enhance the Arkansas River Corridor as a lively people-oriented destination. The Corridor connects nodes of high quality development with parks and open spaces. The natural habitat and unique environmental qualities are amenities and are respected and integrated as development and redevelopment occur. The future development of this Corridor is intended to complement the residential character of adjacent thriving neighborhoods by providing appropriate transitions and connections to the Arkansas River.

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.

Shaping Tulsa's future involves more than deciding where and how new development will take place. It is equally important to enhance those qualities that attracted people here in the first place. In recognition of how strongly Tulsa's citizens feel about their neighborhoods, the comprehensive plan includes tools for the maintenance of valued community characteristics in older and stable neighborhoods. These new measures provide tools that address rehabilitation of property and help shape where and how redevelopment occurs.

Transportation Vision:

Major Street and Highway Plan: Parkway / Multi Modal corridor

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.

Trail System Master Plan Considerations:

The existing river trail is an integral part of the trail system along the banks of the Arkansas River. Future development will be subject to the River Design Overlay (RDO-1) standards which will provide an opportunity to integrate stronger design components that consider the river, the trail system and the transportation system.

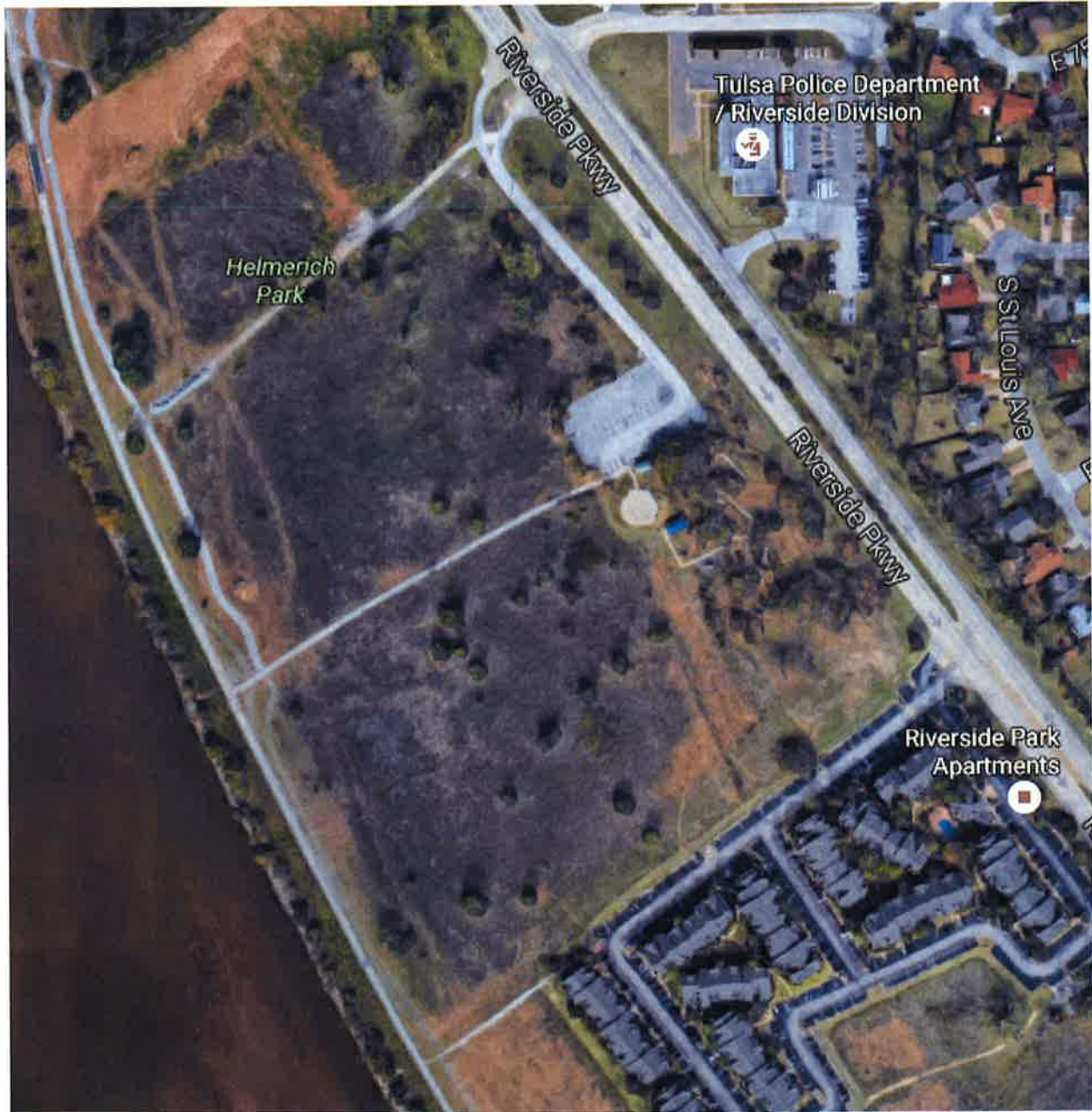
Small Area Plan: Arkansas River Corridor Master Plan

Special District Considerations: Arkansas River Corridor

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The subject site contains an improved park, access drive and parking lot. The balance of the 25 acres is open space.



Environmental Considerations: Arkansas River

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Riverside Drive	Parkway	150 feet	4+

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	AG	Arkansas River Corridor	Area of Growth	open space
South	RM-2, AG	Arkansas River Corridor	Area of Growth	open space, multi-family
East	RM-1, RM-2, OM	Arkansas River Corridor, Existing Neighborhood	Area of Growth, Area of Stability	Riverside Parkway, police station & single family residential
West	AG	None	Area of Growth	Arkansas River

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 23405 dated November 17, 2015, established zoning for the subject property.

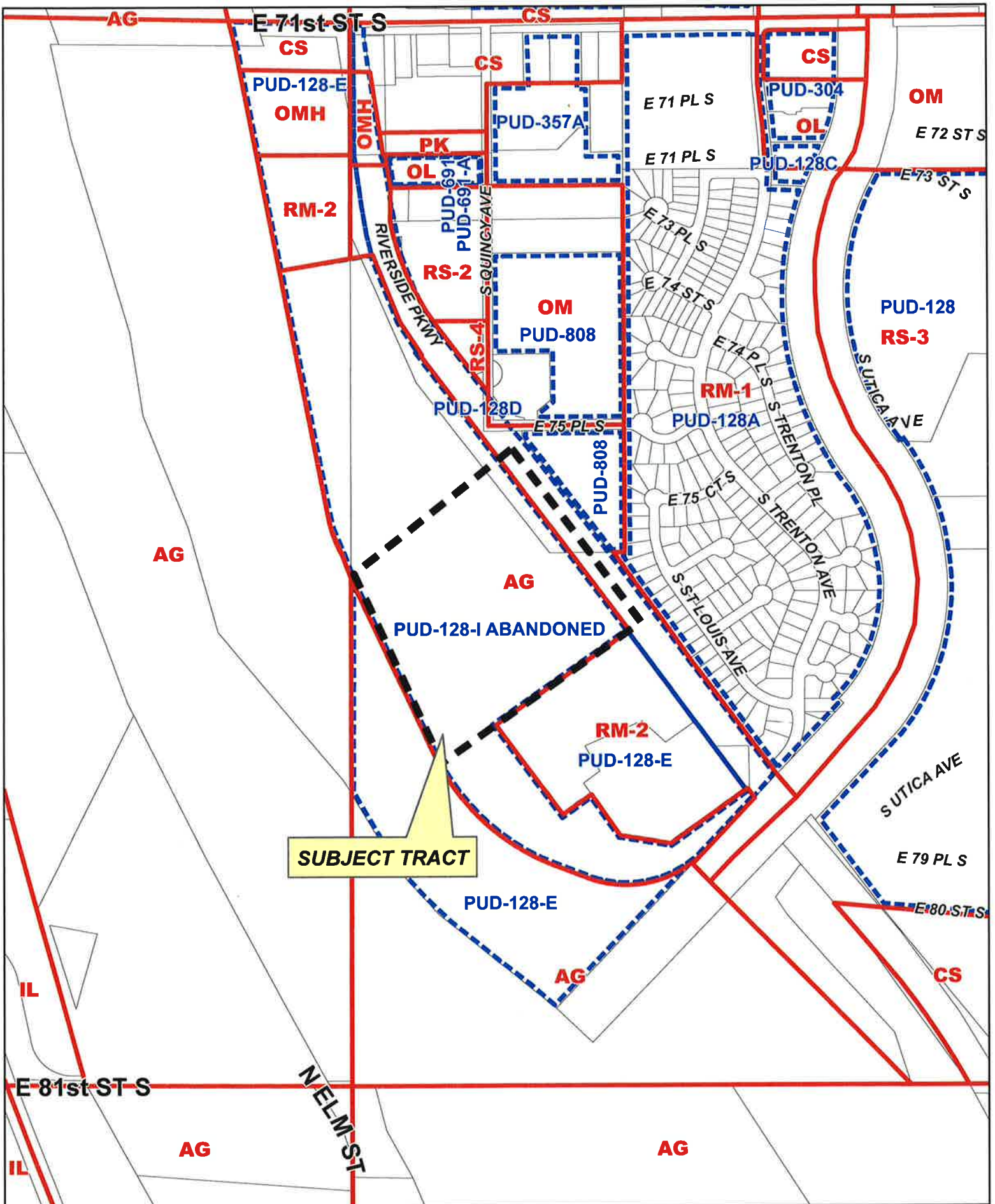
Subject Property:

Z-7314 November 2015: All concurred in approval of a request for rezoning a 54± acre tract of land from RS-4/ RM-2/ PUD-128E to AG for park and open space, on property located south of southwest corner of S. Riverside Dr. and E. 71st St. S. and also known as a part of the subject property.

PUD-128-I November 2015: All concurred in approval of a proposed Major Amendment to Abandon PUD-128-E on a 54± acre tract of land for park and open space, on property located south of southwest corner of S. Riverside Dr. and E. 71st St. S. and also known as a part of the subject property.

PUD-128-E-4 August 1997: All concurred in **approval** for a Minor Amendment to PUD-128-E, to allow public park and related facilities use in Development Areas A through E and H, on a 67± acre tract located west and south of East 71st Street and South Riverside Drive.

12/7/2016 1:30 PM



SUBJECT TRACT



SA-2

18-13 07





0 300 600
Feet



Subject
Tract

SA-2

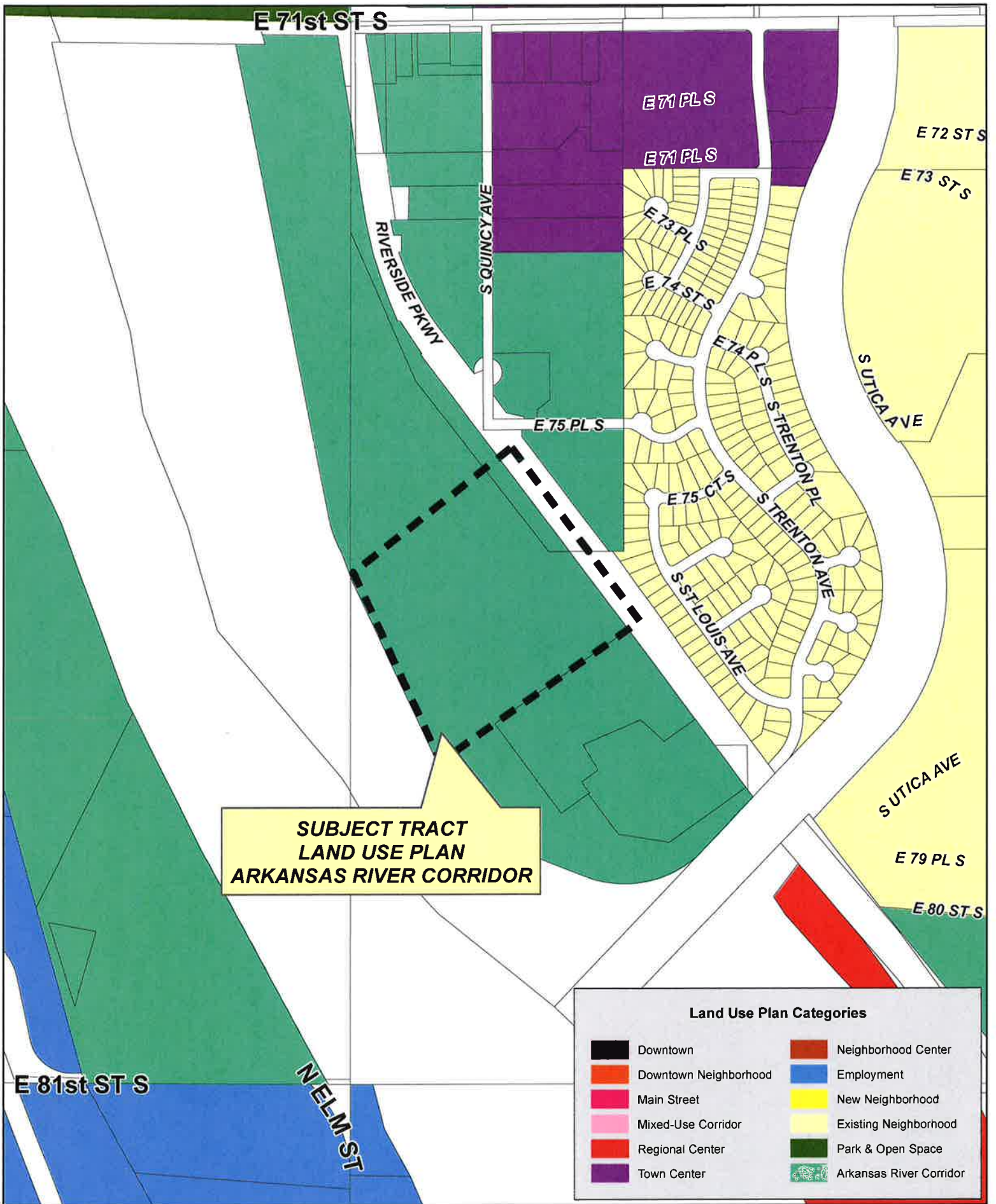
18-13 07

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

Aerial Photo Date: February 2016



14.9

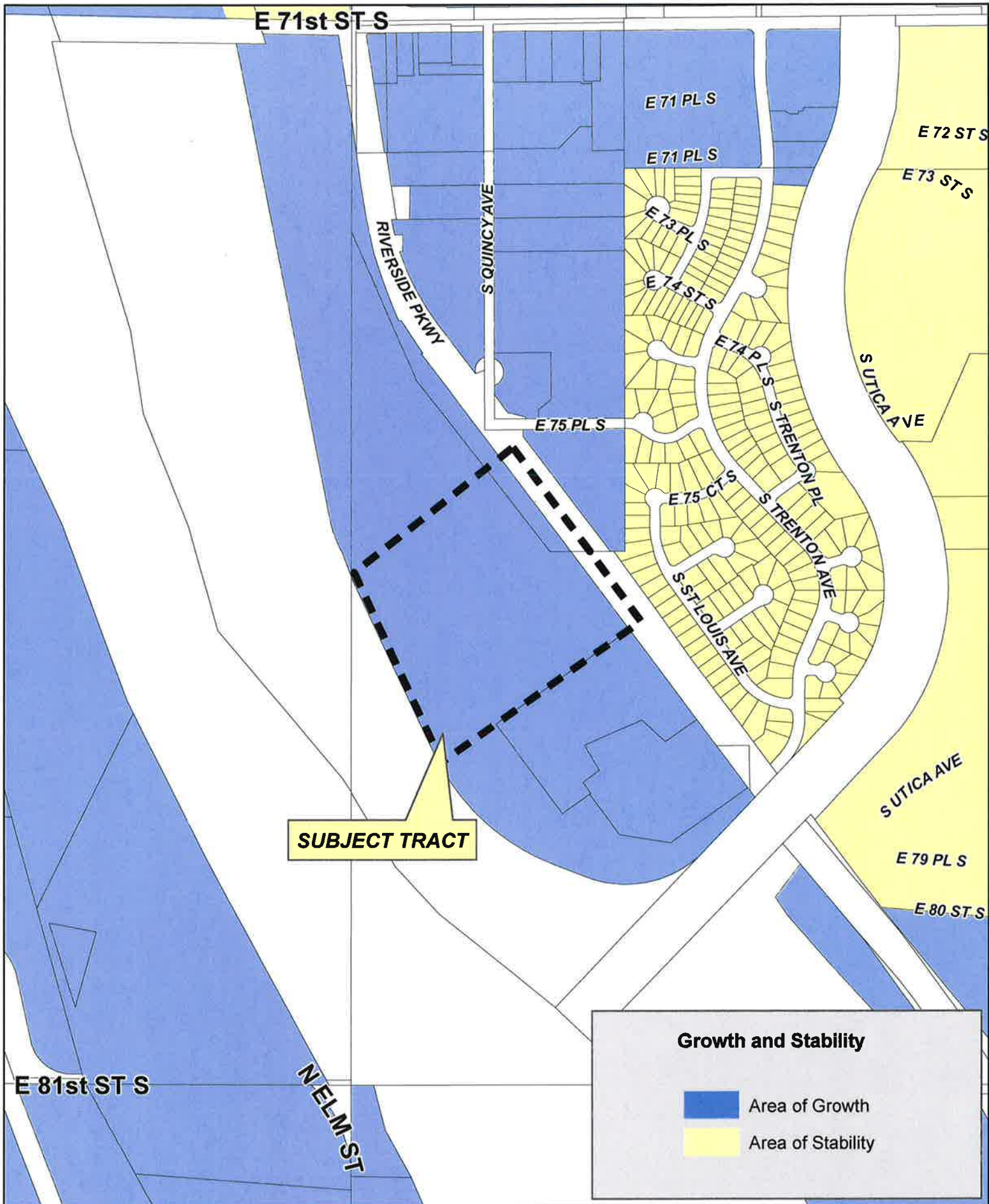


**SUBJECT TRACT
LAND USE PLAN
ARKANSAS RIVER CORRIDOR**

SA-2

18-13 07

14.10





Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7354

w/ Optional Development Plan

Hearing Date: December 7, 2016

Previously heard at TMAPC on 8/3/16. City Council returned to Planning Commission to consider an optional development plan.

Case Report Prepared by:

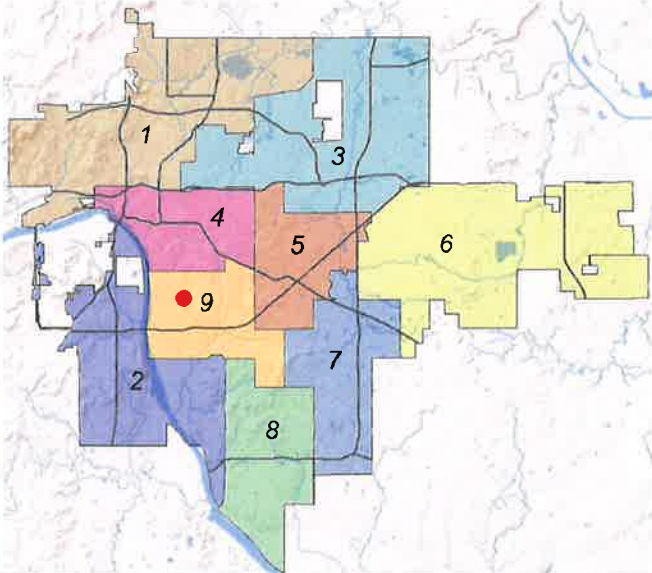
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Alan Betchan

Property Owner: Madison J. Bowers Trust/ The Genave King Rogers Revocable Trust

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Single-family

Proposed Use: Single-family

Concept summary: Rezone property to allow single family residential infill development similar to gated communities east of this site on the north side of East 41st Street.

Tract Size: 3.12 ± acres

Location: East of northeast corner of E. 41st St. and S. Utica Ave.

Zoning:

Existing Zoning: RS-2

Proposed Zoning: RS-3

Comprehensive Plan:

Land Use Map: Existing Neighborhood

Stability and Growth Map: Area of Stability

Staff Recommendation:

Staff recommends approval.

This zoning request was returned to the Planning Commission at the City Councils Urban and Economic Development Committee meeting to consider an optional development plan.

Staff Data:

TRS: 9319

CZM: 47

Atlas: 247

City Council District: 9

Councilor Name: G.T. Bynum

County Commission District: 2

Commissioner Name: Karen Keith

15.1

SECTION I: Z-7354 (WITH OPTIONAL DEVELOPMENT PLAN)

APPLICANTS DEVELOPMENT CONCEPT:

Zoning Application Z-7354 is a rezoning request from RS-2 to RS-3 for the property located on the north side of 41st Street South at approximately Victor Ave. Two large homes currently occupy the existing two tracts that are being rezoned. The developer is under contract to purchase both properties and proposes a 10 lot gated residential subdivision similar to the existing subdivisions located along 41st St. to the east. The developer envisions an upscale subdivision with homes in excess of 3000 sq. ft. Access to all properties will be derived from a private gated street that will be maintained by the home owners association. The street will be constructed to City of Tulsa standards for public streets but will be contained with a mutual access easement instead of standard right of way. Attached is a conceptual development plan depicting the anticipated development configuration.

Staff comment: The proposed rezoning and lot configuration to support single family residential infill development similar to gated communities east of this site on the north side of East 41st Street. The proposed redevelopment will include a private street system and will require a waiver of the Subdivision Regulations because they currently require private streets to be in a PUD. The zoning code does not allow new PUD projects. Additional approvals will be required from the Board of Adjustment to approve a variance from Zoning Code to allow lots without frontage on a public street.

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:
 - Legal Description
 - Legal Description Exhibit
 - Conceptual site plan
- Neighborhood Correspondence:
 - Multiple email objections

SECTION II, OPTIONAL DEVELOPMENT PLAN STANDARDS:

Z-7354 with the optional development plan will conform with the provisions of the Tulsa Zoning Code for development in an RS-3 zoning district except as follows.

Permitted Uses:

The only use category, subcategory and specific uses are allowed as follows:

- Permitted Use Categories:
 - Residential
- Permitted Subcategory
 - Household Living
- Permitted Specific Use
 - Detached house

Maximum number of lots:

No more than 10 lots for residential construction shall be permitted within the subdivision. Reserve areas for infrastructure such as streets and stormwater detention are not considered lots.

Minimum Home Size:

The total square footage of any home within the subdivision shall not be less than 3,000 square feet.

Minimum Private Street Frontage:

The minimum street frontage shall be 30 feet and shall be measured along the proposed edge of the mutual access easement or reserve area containing the private street.

Minimum Building Setbacks:

No building shall be located closer than 20 feet to the private street. This 20 foot setback shall be measured from the actual edge of curb.

Vehicular Access Management:

- 1) Vehicular ingress or egress is prohibited from any residential lot, within the optional development plan area, to East 41st Street South. All properties will derive access from a private street. Only one private street connection to East 41st Street South is allowed.
- 2) Any gate system limiting vehicular access from a private drive with access to East 41st Street South shall receive written approval from the City of Tulsa Infrastructure Development Plan manager prior to Preliminary Plat Approval at the Planning Commission.

DETAILED STAFF RECOMMENDATION:

Z-7354 requesting RS-3 zoning with the optional development plan is consistent with the Existing Neighborhood Land Use designation of the Comprehensive Plan and;

The site is isolated from the surrounding neighborhood and vehicular access will be provided from East 41st Street South with a private drive. The RS-3 zoning with the limited uses and development standards identified in Section II are not injurious to the surrounding proximate properties and;

The proposed residential density is an efficient use of existing utility and street infrastructure and;

The requested zoning is consistent with the anticipated future development pattern at this location therefore:

Staff recommends Approval of Z-7354 to rezone property from RS-2 to RS-3 with the Optional Development Plan as outlined in Section II above.

SECTION III: Supporting Documentation**RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

Staff Summary: The infill opportunity at this site is consistent with the Existing Neighborhood vision that recommends small scale infill projects.

Land Use Vision:

Land Use Plan map designation: Existing Neighborhood

The Existing Residential Neighborhood category is intended to preserve and enhance Tulsa's existing single family neighborhoods. Development activities in these areas should be limited to

the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code. In cooperation with the existing community, the city should make improvements to sidewalks, bicycle routes, and transit so residents can better access parks, schools, churches, and other civic amenities.

Areas of Stability and Growth designation: Area of Stability

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

Transportation Vision:

Major Street and Highway Plan: East 41st Street south is a Multi Modal Corridor.

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:

The site is within one mile of the Riverparks and trail system. Pedestrian or bicycle access improvements to Riverside Drive will be an important consideration. Sidewalk construction along East 41st Street South will be required as part of the IDP plans.

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is currently occupied with two large residences which cover part of 4 existing lots.

Environmental Considerations: The terrain slopes down away from 41st street. Stormwater detention would likely affect lot layout forcing most of the new lot configuration closer to the 41st.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 41 st Street	Multi Modal/Urban Arterial	70 feet	4

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	RS-2	Existing Neighborhood	Stability	Single Family Residential
East	RS-1	Existing Neighborhood	Stability	Single Family Residential
South (south side of East 41 st)	RE	Existing Neighborhood	Stability	Single Family Residential
West	RS-2	Existing Neighborhood	Stability	Single Family Residential

SECTION IV: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11823 dated June 26, 1970, established zoning for the subject property.

Subject Property:

No relevant history except Z-7354 as follows:

- On 8/3/2016, the Planning Commission voted 8-0-0 to approve RS-3 zoning without an optional development plan.
- During the City Councils Urban and Economic Development Committee meeting on 9/14/2016 the project was remanded back to the Planning Commission for consideration of an optional development plan.

Surrounding Property:

PUD-749-A Abandonment August 2010: All concurred in approval of a proposed Major Amendment to Abandon PUD, on a 2+ acre tract of land, on property located east of the northeast corner of East 41st Street and South Utica Avenue and abutting east of subject property.

PUD-749 April 2008: All concurred in **approval** of a proposed *Planned Unit Development* on a 2.07+ acre tract of land for a small gated single-family subdivision on property located east of the northeast corner of East 41st Street and South Utica Avenue and abutting east of the subject property.

Z-7063 August 2007: A request for *rezoning* a 1.96+ acre tract of land from RS-1 to RS-2 was **withdrawn** on the subject property also described as east of northeast corner of East 41st Street South and South Utica Avenue.

PUD-589 August 1998: All concurred in **approval** of a proposed *Planned Unit Development* on a 2.9+ acre tract of land for a gated subdivision with seven units maximum, retaining one of existing two houses, on property located west of the northwest corner of East 41st Street and South Lewis Avenue and abutting the subject property to the east.

PUD-546 June 1996: All concurred in **approval** of a proposed *Planned Unit Development* on a 2.3+ acre tract of land for a five single-family lots with a private street on property located north of northeast corner of East 37th Street and South Lewis Avenue

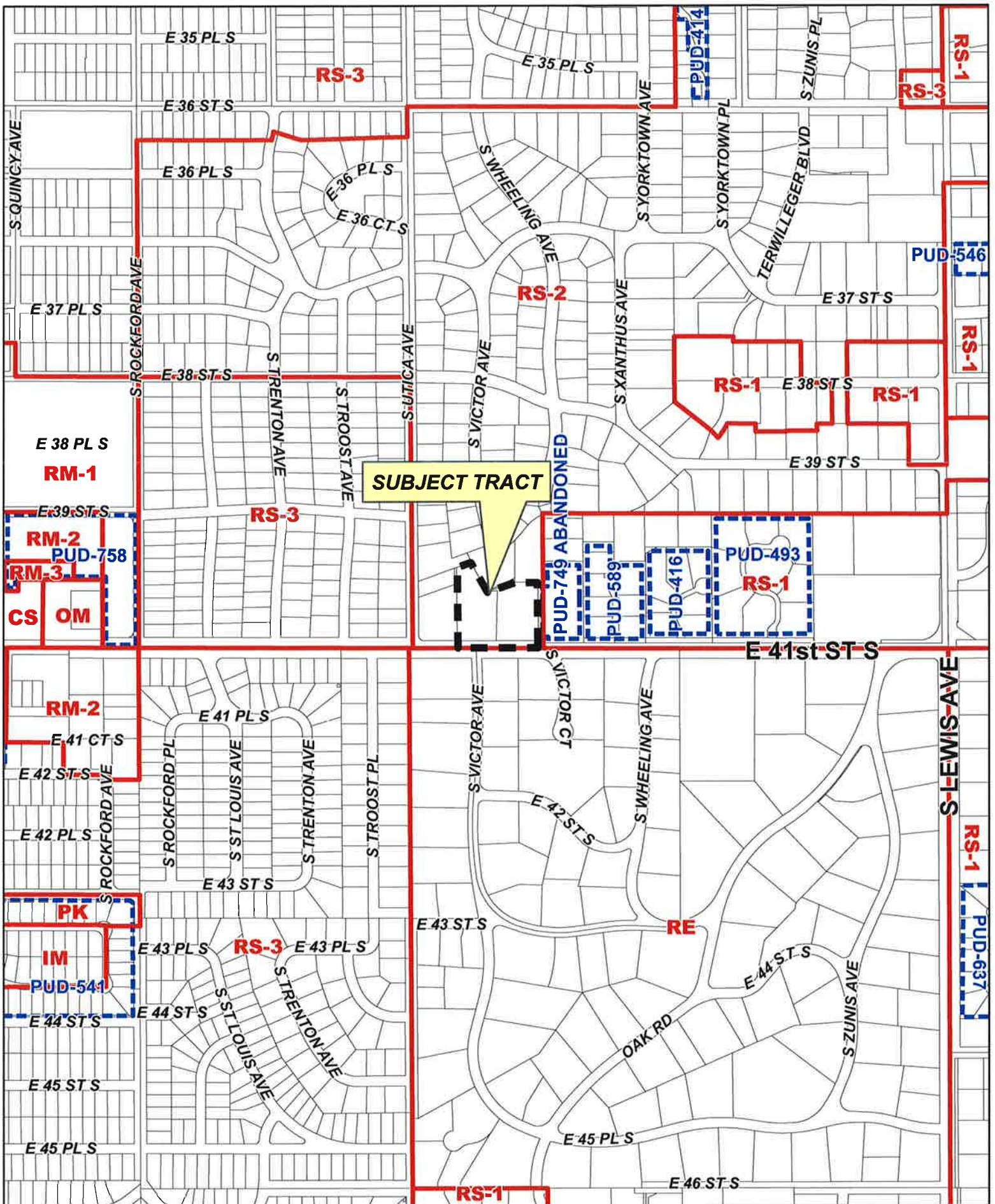
Z-6395 March 1993: All concurred in **approval** of a request for *rezoning* a 200+ acre tract of land from RS-1 to RE for single-family development on property located on the southwest corner of East 41st Street and South Lewis Avenue and south, across E. 41st St., of subject property.

PUD-493 October 1992: All concurred in **approval** of a proposed *Planned Unit Development* on a 7+ acre tract of land for an eight lot development of single-family homes with private streets on property located west of northwest corner of East 41st Street and South Lewis Avenue.

PUD-416 June 1986: All concurred in **approval** of a proposed *Planned Unit Development* on a 3.6+ acre tract of land for a single-family, private street development with a maximum of 7 lots on property located west of northwest corner of East 41st Street and South Lewis Avenue.

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Z-7354

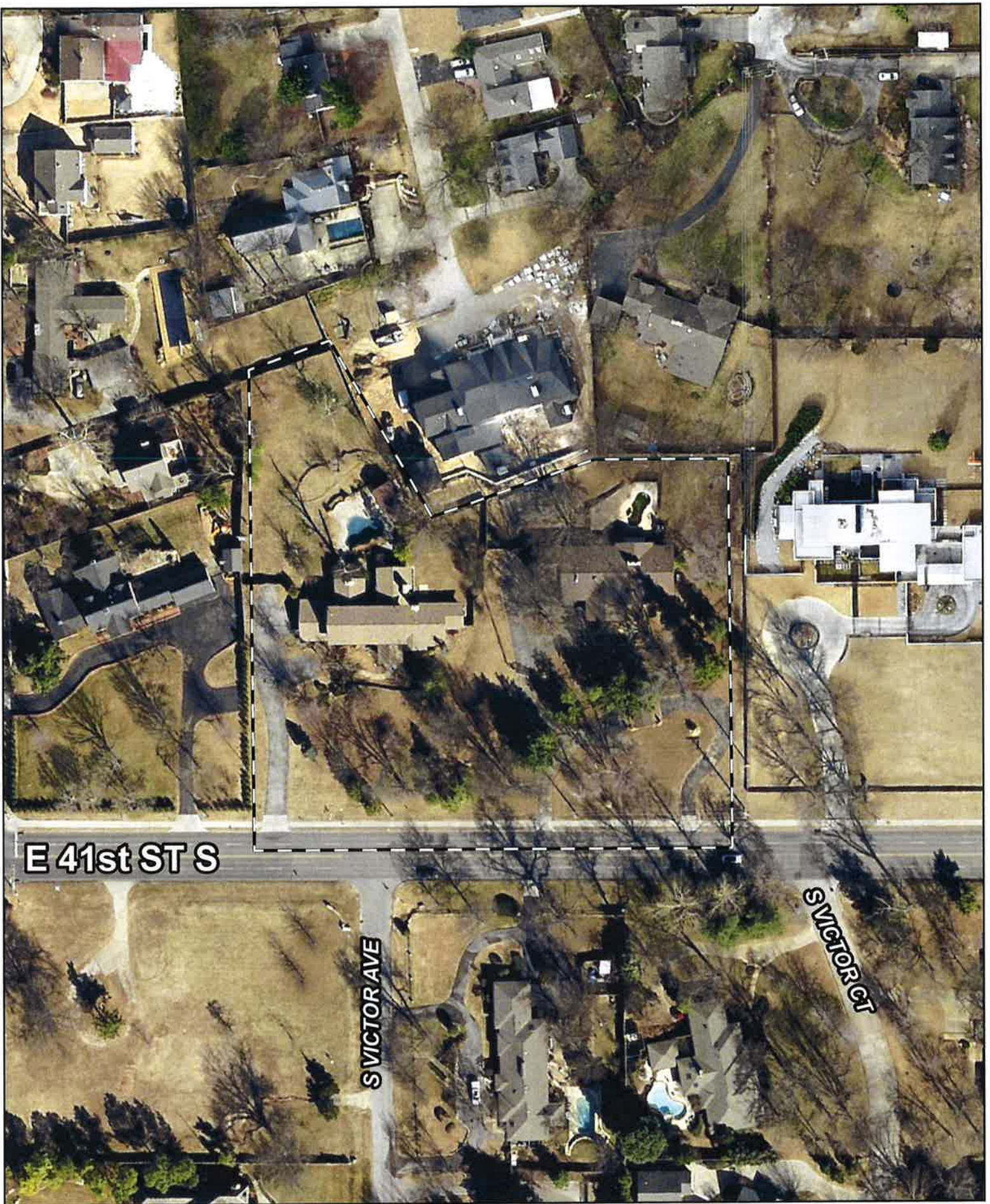
**with Optional
Development Plan**



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E 41st ST S

S VICTOR AVE

S VICTOR CT



Subject
Tract

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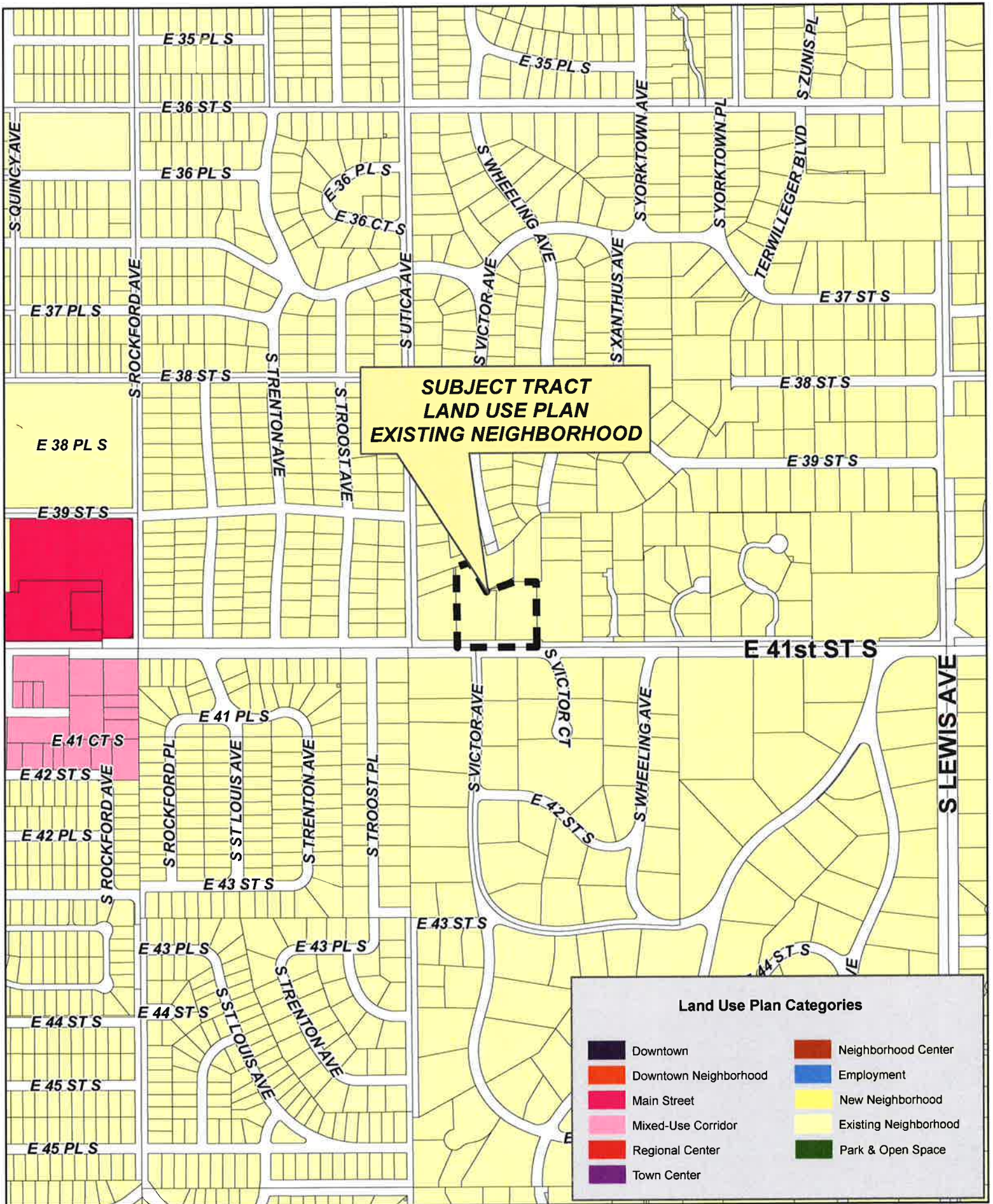
Z-7354
with Optional
Development Plan

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

Aerial Photo Date: February 2016

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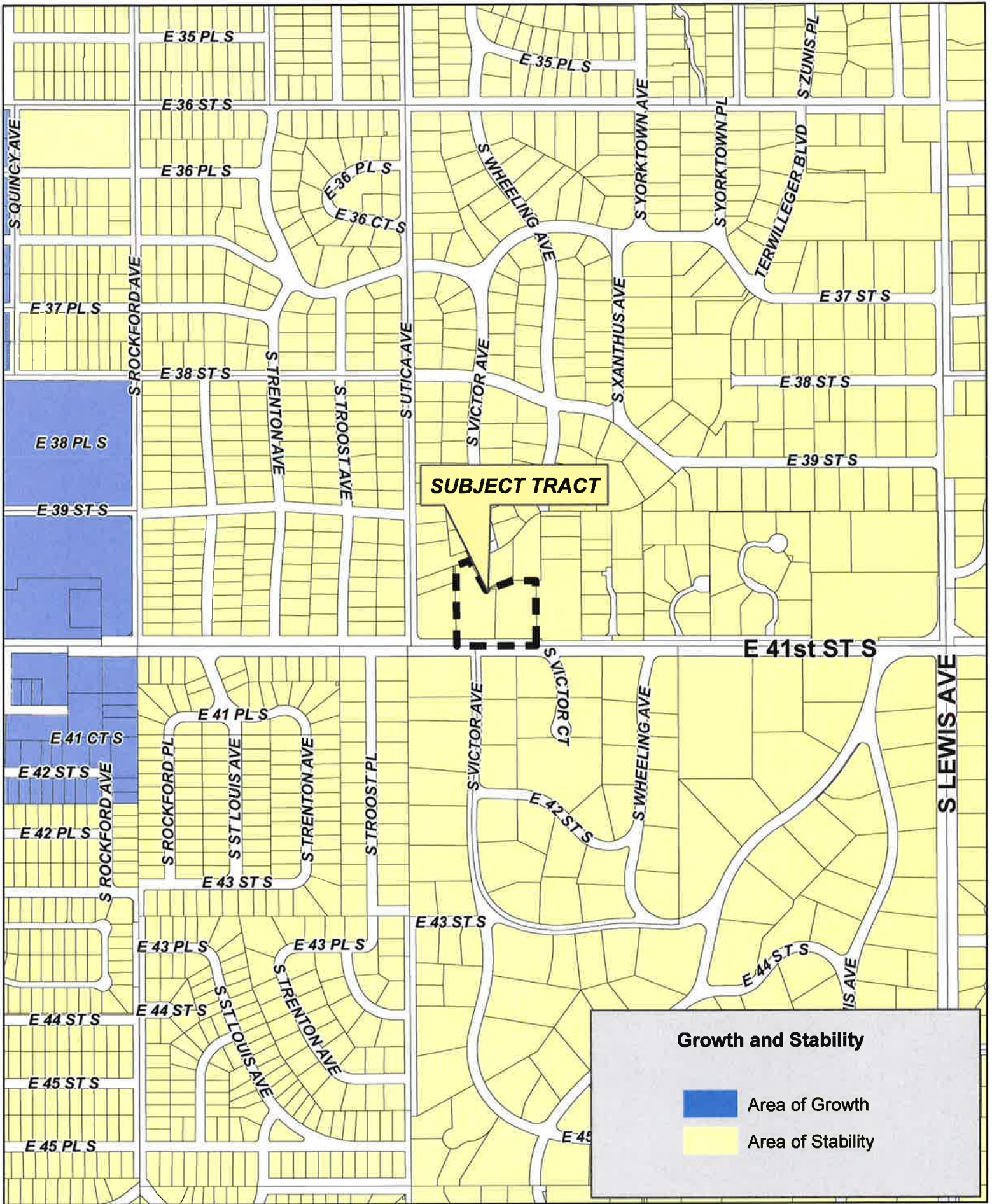


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

Z-7354
with Optional
Development Plan

15.10



SUBJECT TRACT

Growth and Stability

-  Area of Growth
-  Area of Stability



19-13 19

Z-7354
with Optional
Development Plan

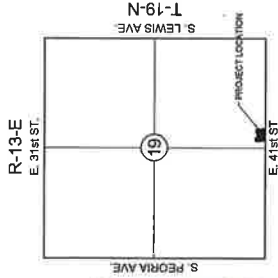
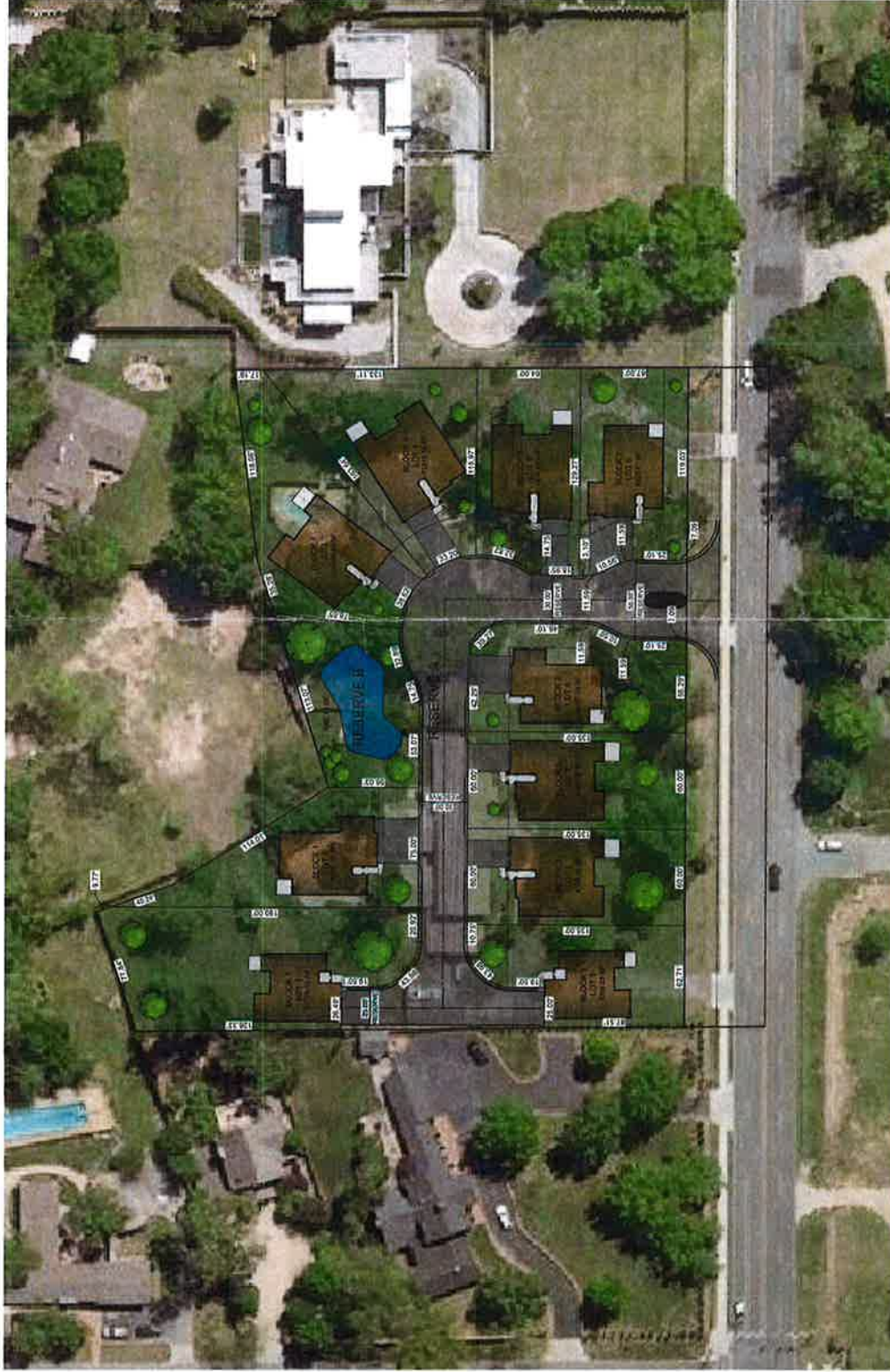
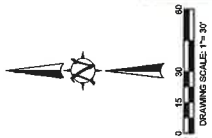
15.11



APPLICANT SUBMITTALS

15.12

41st & S. Victor Ave



LOCATION MAP
SCALE: 1"=200'



NEIGHBORHOOD CORRESPONDENCE

Received after publication with optional development plan

Sawyer, Kim

From: Foster, Nathan
Sent: Wednesday, November 02, 2016 8:43 AM
To: Sawyer, Kim
Subject: FW: Zoning Case No. Z-7354; and protest petition - Public hearing Wednesday December 7th, 2016 TMAPC 1:30 p.m.
Attachments: Z-7354 Option Development Plan (41st & Vicoter Ave).pdf

Protest regarding Z-7354 below.

FILE COPY

From: Graber, Lauren [<mailto:Lauren.Graber@McKesson.com>]
Sent: Wednesday, November 02, 2016 12:31 AM
To: Ulmer, Amy; Moye, Nikita; Mariboho, Mindi; Foster, Nathan
Cc: christophergraber@yahoo.com
Subject: Zoning Case No. Z-7354; and protest petition - Public hearing Wednesday December 7th, 2016 TMAPC 1:30 p.m.

Hi TMAPC,

Please advise on where it's best to send this objection to a development plan that is being considered by the board (reference: Z-7354).

I live near the intersection of 41st & S. Victor Avenue and I've been informed by a neighbor that the attached Development Plan has recently been re-submitted requesting approval to turn two lots on 41st street into 10 residences. I'm concerned that this approach is not in line with the rest of the Bolewood Acres neighborhood (entrance is at 41st St and S. Victor Avenue) as well as the much larger lots (homes directly to the North, East and West of the proposed area and will severely threaten all of our property values. Additionally, the resulting traffic is going to bring safety issues for us turning onto 41st St. (entering/departing our neighborhood).

Lastly, the commitment by the developer to stick to the proposed plan is also very concerning – the newly submitted plan is the original plan with some wording changes so I assume they would have full leniency to dramatically change aspects of the plan based on 'market rationale'. As neighbors of this development, there would be no recourse once approval was made for additional residences, less frontage space, etc.

I ask that this committee continue to carefully consider the elements of this proposal and its potential affect on our neighborhood. My address is outside of the 300 foot notification area so I hope it is OK that I proactively reached out with my concerns. Thank you for your time and consideration.

Lauren Graber
1833 E 43rd Street
Tulsa, OK 74105
(918) 728 - 8332

NEIGHBORHOOD CORRESPONDENCE

Received prior to publication with optional development plan

15.14

REVISED 12/1/2016

Sawyer, Kim

From: Wilkerson, Dwayne
Sent: Monday, August 01, 2016 8:34 AM
To: Sawyer, Kim
Subject: FW: Zoning change (Z-7354)

INCOG
C. Dwayne Wilkerson
Assistant Director Land Development Services

2 West Second Street
Suite 800
Tulsa, OK 74103

918-579-9475
dwilkerson@incog.org

-----Original Message-----

From: Gail Barbre [<mailto:gbarbre@cox.net>]
Sent: Sunday, July 31, 2016 10:20 AM
To: Wilkerson, Dwayne
Subject: Zoning change

We are against any zoning change on 41st street.

Charles & Gail Barbre

Sent from my iPad

FILE COPY

Z-7354

Sawyer, Kim

From: Wilkerson, Dwayne
Sent: Tuesday, July 26, 2016 3:33 PM
To: Sawyer, Kim
Subject: FW: Z-7354

FILE COPY

INCOG

C. Dwayne Wilkerson
Assistant Director Land Development Services

2 West Second Street
Suite 800
Tulsa, OK 74103

918-579-9475
dwilkerson@incog.org

From: Mawlaw [<mailto:mawlaw@aol.com>]
Sent: Tuesday, July 26, 2016 3:21 PM
To: Wilkerson, Dwayne
Subject: Z-7354

Subject: Case Number Z-7354

Hello Dwayne,

After discussion with my neighbors, I am opposed to changing the zoning from RS2 to RS3. According to the Tulsa zoning regulations, the minimum lot width for RS2 is 75 Ft. and 60 Ft. for RS3.

The integrity of the area will be subjugated by this change. This will not promote the type of development which as created the uniqueness we have. There is pride in grass, large lawns, trees and homes.

In addition, this will further disrupt the traffic hazards at 41 and Victor, Utica and Troost Place. I have been the victim of the hazards which presently exist.

Thank you for your consideration.
Merl and Carol Whitebook
4364 S. Trenton Ave.
Tulsa, OK 74105
918-521-5700

Sent from my iPhone

Sawyer, Kim

From: Wilkerson, Dwayne
Sent: Tuesday, July 26, 2016 3:33 PM
To: Sawyer, Kim
Subject: FW: north of 41st and Victor proposed change FW: Z-7354

INCOG

C. Dwayne Wilkerson
Assistant Director Land Development Services

2 West Second Street
Suite 800
Tulsa, OK 74103

918-579-9475
dwilkerson@incog.org

FILE COPY

From: robob344@aol.com [<mailto:robob344@aol.com>]
Sent: Tuesday, July 26, 2016 2:38 PM
To: Wilkerson, Dwayne
Subject: north of 41st and Victor proposed change

As a long time (30+ years) resident of Bolewood, we are vehemently against this multi-family project diluting the sovereignty of our wonderful south Tulsa neighborhood. If you all keep carving up these large lots to cram in more people (tax base) we will start looking and living like the "projects" in NY and Chicago. ENOUGH IS ENOUGH. Robert and Peggy Moore

Sawyer, Kim

From: Wilkerson, Dwayne
Sent: Tuesday, July 26, 2016 3:35 PM
To: Sawyer, Kim
Subject: FW: Case Number Z-7354

FILE 0079

INCOG

C. Dwayne Wilkerson
Assistant Director Land Development Services

2 West Second Street
Suite 800
Tulsa, OK 74103

918-579-9475
dwilkerson@incog.org

From: mastulsa@aol.com [<mailto:mastulsa@aol.com>]
Sent: Tuesday, July 26, 2016 3:35 PM
To: Wilkerson, Dwayne
Subject: Case Number Z-7354

We, also, are opposed to changing the zoning from RS2 to RS3. According to the Tulsa zoning regulations, the minimum lot width for RS2 is 75 Ft. and 60 Ft. for RS3. This would change the whole look and feel of 41st Street from Utica to Lewis and further to the east. But of more concern is the potential with special provisions that might allow for Townhouse and/or Duplex development in the future. This information can be found on pages 5-1 and 5-2 of the Tulsa Zoning Code.

This would be damaging to the surrounding neighbors and reduce property values.

Respectfully submitted,
Wayne & Martha Creasy
4133 S. Victor Ct
Tulsa, OK 74105-4230

Sawyer, Kim

From: Wilkerson, Dwayne
Sent: Tuesday, July 26, 2016 3:35 PM
To: Sawyer, Kim
Subject: FW: Case Number Z-7354

FILE COPY

INCOG

C. Dwayne Wilkerson

Assistant Director Land Development Services

2 West Second Street
Suite 800
Tulsa, OK 74103

918-579-9475
dwilkerson@incog.org

From: Duenner, Robert [mailto:Robert.Duenner@morganstanley.com]

Sent: Tuesday, July 26, 2016 2:15 PM

To: Wilkerson, Dwayne

Cc: midlandrr@cox.net; MWKJ@ME.COM; thomasmurphy@earthlink.net; murnel@att.net; katejennemann@gmail.com; sethjennemann@gmail.com; jay_eshelman@ajg.com; kimmeresh@me.com; mary.ellen.jones@cox.net; arinrobi@gmail.com; matt@el2s.com; milsten@cox.net; Lynnberklacy@yahoo.com; saberklacydds@yahoo.com; CBRowan@bluestone-nr.com; Elubin27@aol.com; Paul@KorteCPA.com; robob344@aol.com; johnallen@ventureproperties.com; dha4141@att.net; SJBass0107@aol.com; michael.bass@verizon.com; tolyarutunoff@gmail.com; sheria1119@aol.com; asallen@ventureproperties.com; cdavis51554@aol.com; kscraft19@gmail.com; DBVF54@gmail.com; Heid1955@aol.com; oduecker@mac.com; blafortune@tulsacoxmail.com; djomorán@gmail.com; Cary.Marshall@arlp.com; cmarshall4464@gmail.com; mahluwal@gmail.com; bebgok@aol.com; JFRomine@Aol.com; peter.fehl@gmail.com; amy.fehl@gmail.com; oakwold1@cox.net; bcalderon@oru.edu; brian@bovaird.com; micha@malco-pc.com; marycsedlacek@aol.com; jsedlacek3@cox.net; anne@ipipes.com; edengles@swbell.net; paganojb@netscape.net; Paganom@me.com; lmlm221@cox.net; DMarks96@aol.com; Daeykim@gmail.com; rgnkm@yahoo.com; Jerry.Clark1947@Gmail.com; clarkj@stifel.com; melenaw8s@att.net; 9186257590@txt.att.net; Danastephens@yahoo.com; jason@leesupplytulsa.com; Teresagawey@cox.net; cowens918@cox.net; gowens@idealaero.com; GBARBRE@cox.net; mallomar42@hotmail.com; bridonw@cox.net; rmstamile@aol.com; hulselaura@icloud.com; Walthulse@aol.com; Rfitzpat@swbell.net; rfitzpatrick@hallestill.com; ahstoeppelwerth@icloud.com; karren.o@sbcglobal.net; flossdaily@cox.net; DRLance.Miller@gmail.com; kmiller3131@gmail.com; mbain@tulsarealtors.com; marci.bain@gmail.com; zita-halka@utulsa.edu; dmoore4644@cox.net; kymwatt@yahoo.com; dmdutton@mcelroy.com; dgduyton@mcelroy.com; MasTulsa@aol.com; Edward@lawsonpetro.com; jay.lawson@lawsonpetro.com; tulsauto@tulsacoxmail.com; tribaudo@cox.net; damcmahon@petroleumintl.com; kintdes@sbcglobal.net; lesliecash@mac.com; blee@ramenergy.net; katmacamtak@gmail.com; mheck1@cox.net; janetgotwals@aol.com; jim.gotwals@jrgotlaw.com; jgotwals@bancfirst.com; kjoels@gmail.com; wallintul@cox.net; gwallace1956@cox.net; carolwallace@me.com; Duenner, Robert; Ag@DanielsGreer.com; LUCKYDOGO@aol.com; laurenakomar@yahoo.com; christophergraber@yahoo.com; SGillett@HallEstill.com; matthew.gillett@oneok.com; heatheavans1@gmail.com; land.j@sbcglobal.net; kramertd@yahoo.com; RAMiller@flemingbuildingco.com; C.RoseM2021@Cox.net; kdullye@yahoo.com; cosmo2066@yahoo.com; fdwns@sbcglobal.net; shepherd1212@gmail.com; scottethomas@cox.net; scott@totalenergypartners.com; Dru.McQueen@yahoo.com; Ken-mcqueen@outlook.com; Carene50@Gmail.com; gator17mm@yahoo.com; rupadesilva73@gmail.com; duminda@dimensionalcapital.com; tclark8403@gmail.com; heislerclark@mac.com; STM1964@aol.com; DB_Thomas@Yahoo.com; thomas133@cox.net; jeannie_farrar@hotmail.com; kmfarley1969@yahoo.com; JTAllenok@gmail.com; pballen@ventureproperties.com; SBgDuLuTh@aol.com; evian2000@msn.com; Gbreipohl@aol.com; wendyspell@gmail.com; flickjenny1@yahoo.com; Soksix@aol.com; Carla.F.Skelton@gsk.com; traceymgifford@yahoo.com; thoeffling@oxleyfdn.com; robinhoeffling@sbcglobal.net; alex.kronfeld@plymouthgas.com; kronfeld@sbcglobal.net; birdturner@gmail.com; Lturner@arrowengine.com; lauretribbey@yahoo.com; t.lance.lane@gmail.com; benkstewart@gmail.com; chris@murphydesigns.com;

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Subject: Case Number Z-7354

Here is the latest from the lot Zoning change that is NORTH of 41st and Victor. Many of you have expressed strong objection to a more Dense multifamily setting vs the two Large homes that are there now. Please Let Dwayne Wilkerson now your thoughts at dwilkerson@incog.org. Please do NOT send them to me as it does a lot more good letting him know how you feel.

My wife and I prefer to leave the Zoning as IS. See picture below.

FILE COPY

From: David Dutton [<mailto:DGDUTTON@mcelroy.com>]

Sent: Tuesday, July 26, 2016 12:16 PM

To: Dwayne Wilkerson (dwilkerson@incog.org)

Cc: Herb Beattie; janetgotwals@aol.com; Veronica Donnelly; laurenakomar@yahoo.com; Duenner, Robert (Wealth Mgmt MS); Donna Dutton

Subject: Case Number Z-7354

Hello Dwayne,

Thank you for returning my call this morning and I appreciate your clarification on this issue.

I am opposed to changing the zoning from RS2 to RS3. According to the Tulsa zoning regulations, the minimum lot width for RS2 is 75 Ft. and 60 Ft. for RS3. This would change the whole look and feel of 41st Street from Utica to Lewis and further to the east. But of more concern is the potential with special provisions that might allow for Townhouse and/or Duplex development in the future. This information can be found on pages 5-1 and 5-2 of the Tulsa Zoning Code.

This would be damaging to the surrounding neighbors and reduce property values.

Respectfully submitted,
David Dutton



FILE COPY

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Sawyer, Kim

From: Wilkerson, Dwayne
Sent: Wednesday, July 27, 2016 9:08 AM
To: Sawyer, Kim
Subject: FW: Case number z-7354

FILE COPY

INCOG

C. Dwayne Wilkerson
Assistant Director Land Development Services

2 West Second Street
Suite 800
Tulsa, OK 74103

918-579-9475
dwilkerson@incog.org

From: Lauren Graber [<mailto:laurenakomar@yahoo.com>]
Sent: Tuesday, July 26, 2016 11:13 PM
To: Wilkerson, Dwayne
Cc: christophergraber@yahoo.com
Subject: Case number z-7354

Case Number Z-7354

Dwayne,

We are nearby residents of this proposed re-zoning. We are opposed to changing the zoning from RS2 to RS3. According to the Tulsa zoning regulations, the minimum lot width for RS2 is 75 Ft. and 60 Ft. for RS3. This would change the whole look and feel of 41st Street from Utica to Lewis and further to the east. But of more concern is the potential with special provisions that might allow for Townhouse and/or Duplex development in the future. This information can be found on pages 5-1 and 5-2 of the Tulsa Zoning Code.

This would be damaging to the surrounding neighbors and reduce property values.

Thank you for your time and consideration,
Lauren and Chris Graber
1833 e 43rd street
918-728-8322

Sawyer, Kim

From: Wilkerson, Dwayne
Sent: Wednesday, July 27, 2016 9:09 AM
To: Sawyer, Kim
Subject: FW: Case No. Z-7354

FILE COPY

INCOG

C. Dwayne Wilkerson
Assistant Director Land Development Services

2 West Second Street
Suite 800
Tulsa, OK 74103

918-579-9475
dwilkerson@incog.org

From: Jim Gotwals [<mailto:Jim.Gotwals@jrgotlaw.com>]
Sent: Tuesday, July 26, 2016 11:19 PM
To: Wilkerson, Dwayne
Cc: Janet Gotwals; Amy Cochran
Subject: Case No. Z-7354

Dear Mr. Wilkerson:

We live at 1710 East 43rd street (two Bolewood blocks south of the subject property). My wife and I are steadfastly against the zoning change from RS-2 to RS-3. In addition to the fact that the lot width goes down to 60' as a permitted use, the lot size is reduced to 6,900 square feet as a permitted use. They could potentially put five houses across this lot as a matter of right. Patio homes are a permitted use as a matter of right. The patio homes can have 0 setbacks on one side if they double the setback (to 10') on the non-zero side.

Were they to obtain an exception or variance for a two bedroom townhome, The lot size reduces to 4,500 Square feet as does the lot width down to 30'. Duplexes are also a use for which a variance or exception could be obtained.

While I think I understand why they are not showing the plat of the intended subdivision rather than the exterior boundary and the requested change of zoning, it can only be intended to put more than two houses in there. It is not reasonable to assume that the developers don't presently know their intentions with regard to the re-zoned plat. It would likely generate more opposition if they stated what they are planning if they are successful in obtaining the zoning change. It seems somewhat like a Trojan horse at this point.

Practically speaking, there are single family dwellings on 41st street on both the north side and south side of 41st street from Rockford east to Edison High school. The master plan does not envision a radical change in the character of 41st street. Traffic would necessarily be increased and the charm of the neighborhood would be destroyed. This incongruous use, (particularly the patio

home permitted use), would devalue neighborhood properties, diminish the tax base, and change the beauty of the neighborhood without justification.

I will try and give you a call tomorrow to discuss this matter further.

Yours truly,

Jim Gotwals

James R. Gotwals
James R. Gotwals & Associates, Inc.
525 South Main Street, Suite 1130
Tulsa, Oklahoma 74103-4512
Voice: (918) 599-7088
Fax: (918) 599-7153
Email: jim.gotwals@jrgotlaw.com

FILE COPY

Sawyer, Kim

From: Wilkerson, Dwayne
Sent: Wednesday, July 27, 2016 9:09 AM
To: Sawyer, Kim
Subject: FW: Case Number Z-7354

INCOG

C. Dwayne Wilkerson
Assistant Director Land Development Services

2 West Second Street
Suite 800
Tulsa, OK 74103

918-579-9475
dwilkerson@incog.org

FILE COPY

From: David P. Lawrence [<mailto:david.lawrence@unitcorp.com>]
Sent: Wednesday, July 27, 2016 8:14 AM
To: Wilkerson, Dwayne
Cc: carenlawrence@yahoo.com
Subject: FW: Case Number Z-7354

As a resident of Bolewood I am opposed to changing the zoning from RS2 to RS3. This would be damaging to the surrounding neighbors and reduce property values.

DAVID P. LAWRENCE | CHIEF LANDMAN
UNIT PETROLEUM COMPANY | PO Box 702500 | TULSA, OK 74170-2500
WORK (918) 477-5740 | CELL (918) 978-8055 | DAVID.LAWRENCE@UNITCORP.COM

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Subject: Case Number Z-7354

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Cc: Herb Beattie; janetgotwals@aol.com; Veronica Donnelly; laurenakomar@yahoo.com; Duenner, Robert (Wealth Mgmt MS); Donna Dutton
Subject: Case Number Z-7354

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David Dutton

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NOTICE: Effective May 1, 2016, Unit Corporation moved to its new corporate offices at 8200 South Unit Drive, Tulsa, OK 74132-5300. The PO Box address, Lock Box address, phones, extensions and fax numbers are the same.

Sawyer, Kim

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Sent: Wednesday, July 27, 2016 9:10 AM
To: Sawyer, Kim
Subject: FW: Case Number Z-7354

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C. Dwayne Wilkerson
Assistant Director Land Development Services

2 West Second Street
Suite 800
Tulsa, OK 74103

918-579-9475
dwilkerson@incog.org

From: Caren Lawrence [mailto:carenlawrence@yahoo.com]
Sent: Wednesday, July 27, 2016 8:35 AM
To: Wilkerson, Dwayne
Subject: Fwd: Case Number Z-7354

As a resident of Bolewood I am opposed to changing the zoning from RS2 to RS3. This would be damaging to the surrounding neighbors and reduce property values.

Caren Lawrence, DVM, CCRT
VCA Woodland South Animal Hospital
9340 S. Memorial Dr.
Tulsa, OK 74133
918-524-5000

Begin forwarded message:

From: "David P. Lawrence" <david.lawrence@unitcorp.com>
Date: July 27, 2016 at 8:14:29 AM CDT
To: "dwilkerson@incog.org" <dwilkerson@incog.org>
Cc: "carenlawrence@yahoo.com" <carenlawrence@yahoo.com>
Subject: FW: Case Number Z-7354

As a resident of Bolewood I am opposed to changing the zoning from RS2 to RS3. This would be damaging to the surrounding neighbors and reduce property values.

DAVID P. LAWRENCE | CHIEF LANDMAN

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FILE COPY

From: Duenner, Robert [<mailto:Robert.Duenner@morganstanley.com>]

Sent: Tuesday, July 26, 2016 2:15 PM

To: dwilkerson@incog.org

Cc: midlandrr@cox.net; MWKJ@ME.COM; thomasmurphy@earthlink.net; murnel@att.net; katejennemann@gmail.com; sethjennemann@gmail.com; jay_eshelman@ajg.com; kimmeresh@me.com; mary.ellen.jones@cox.net; arinrobi@gmail.com; matt@el2s.com; milsten@cox.net; Lynnberklacy@yahoo.com; saberklacydds@yahoo.com; CBRowan@bluestone-nr.com; Elubin27@aol.com; Paul@KorteCPA.com; robob344@aol.com; johnallen@ventureproperties.com; dha4141@att.net; SJBass0107@aol.com; michael.bass@verizon.com; tolyarutunoff@gmail.com; sheria1119@aol.com; asallen@ventureproperties.com; cdavis51554@aol.com; kscraft19@gmail.com; DBVF54@gmail.com; Heid1955@aol.com; oduecker@mac.com; blafortune@tulsacoxmail.com; djomoran@gmail.com; Cary.Marshall@arlp.com; cmarshall4464@gmail.com; mahluwal@gmail.com; bebgok@aol.com; JFRomine@Aol.com; peter.fehl@gmail.com; amy.fehl@gmail.com; oakwold1@cox.net; bcalderon@oru.edu; brian@bovaird.com; micha@malco-pc.com; marycsedlacek@aol.com; jsedlacek3@cox.net; anne@ipipes.com; edengles@swbell.net; paganobjb@netscape.net; Paganom@me.com; lmim221@cox.net; DMarks96@aol.com; Daeykim@gmail.com; rgnkm@yahoo.com; Jerry.Clark1947@Gmail.com; clarkj@stifel.com; melenaw8s@att.net; 9186257590@txt.att.net; Danastephens@yahoo.com; jason@leesupplytulsa.com; Teresagawey@cox.net; covens918@cox.net; gowens@idealaero.com; GBARBRE@cox.net; mallomar42@hotmail.com; bridonw@cox.net; rmstamile@aol.com; hulselaura@icloud.com; Walthulse@aol.com; Rfitzpat@swbell.net; rfitzpatrick@hallestill.com; ahstoepfelwerth@icloud.com; karren.o@sbcglobal.net; flossdaily@cox.net; DRLance.Miller@gmail.com; kmiller3131@gmail.com; mbain@tulsarealtors.com; marci.bain@gmail.com; zita-halka@utulsa.edu; dmoore4644@cox.net; kymwatt@yahoo.com; dmdutton@mcelroy.com; dgdupton@mcelroy.com; MasTulsa@aol.com; Edward@lawsonpetro.com; jay.lawson@lawsonpetro.com; tulsaoto@tulsacoxmail.com; tribaudo@cox.net; damcmahon@petroleumintl.com; kintdes@sbcglobal.net; lesliecash@mac.com; blee@ramenergy.net; katmacamtak@gmail.com; mheck1@cox.net; janetgotwals@aol.com; jim.gotwals@jrgotlaw.com; jgotwals@bancfirst.com; kjoels@gmail.com; wallintul@cox.net; gwallace1956@cox.net; carolwallace@me.com; Duenner, Robert; Ag@DanielsGreer.com; LUCKYDOGO@aol.com; laurenakomar@yahoo.com; christophergraber@yahoo.com; SGillett@HallEstill.com; matthew.gillett@oneok.com; heatheavans1@gmail.com; land.j@sbcglobal.net; kramertd@yahoo.com; RAMiller@flamingbuildingco.com; C.RoseM2021@Cox.net; kdullye@yahoo.com; cosmo2066@yahoo.com; fdowns@sbcglobal.net; shepherd1212@gmail.com; scottethomas@cox.net; scott@totalenergypartners.com; Dru.McQueen@yahoo.com; Ken-mcqueen@outlook.com; Carene50@Gmail.com; gator17mm@yahoo.com; rupadesilva73@gmail.com; duminda@dimensionalcapital.com; tclark8403@gmail.com; heislerclark@mac.com; STM1964@aol.com; DB_Thomas@Yahoo.com; thomas133@cox.net; jeannie.farrar@hotmail.com; kmfarley1969@yahoo.com; JTAllenok@gmail.com; pballen@ventureproperties.com; SBgDuLuTh@aol.com; evian2000@msn.com; Gbreipohl@aol.com; [wendyspell@gmail.com](mailto>wendyspell@gmail.com); flickjenny1@yahoo.com; Soksix@aol.com; Carla.F.Skelton@gsk.com; traceymgifford@yahoo.com; thoefling@oxleyfdn.com; robinhoefling@sbcglobal.net; alex.kronfeld@plymouthgas.com; kronfeld@sbcglobal.net; birdturner@gmail.com; Lturner@arrowengine.com; laurenttribbey@yahoo.com; t.lance.lane@gmail.com; benkstewart@gmail.com; chris@murphydesigns.com; dseebass@cox.net; sickingfamily@cox.net; thehoppersemail@gmail.com; john-hale@utulsa.edu; kayla-acebo@utulsa.edu; gailstorey@sbcglobal.net; Agravender@cox.net; ddtodd55@gmail.com; bb23bb@sbcglobal.net; markcandrews@sbcglobal.net; Carolandrews522@Gmail.com; marcoux@swbell.net; david@tulsagums.com; TulsaGums@Gmail.com; lizneas@gmail.com; neasgreg@gmail.com; David P. Lawrence; carenlawrence@yahoo.com; cullenmancuso@sbcglobal.net; nikkioverland@gmail.com; janjackson@cox.net; brandon@jacksonconstructiongroup.com; Thebostons72311@yahoo.com; AADA1124@cox.net;

andy@lucascontrolsco.com; lfishpaw33@yahoo.com; beckyagnew@cox.net; mwelke@me.com; mwelke@icloud.com; jpsartin@prodigy.net; glennu@swbell.net; juhren@cox.net; juhren@nordam.com; auhren@cox.net; shoffman@s5networks.com; msclean64@msn.com; mfucci6494@cox.net; fuccidrm@usa.redcross.org; rfpoo@sbcglobal.net; ndunitz@aol.com; Soledocmc@sbcglobal.net; msclean64@msn.com; mlj@mljnewman.com; pwlauinger@cox.net; tonylauinger@okforlife.org; jack@cfr-ins.com; Jack.Allen@hubinternational.com; gailandrussnewman@cox.net; RNewman@fltconcepts.com; gandrnewman@gmail.com; Danhiggins2003@yahoo.com; Higgins, Daniel W; dsybusybee@cox.net; fred.mckenzie00@gmail.com; jep0321@yahoo.com; sfarris@tulsarealtors.com; jfarris@tulsalawyer.com; tawnini@yahoo.com; racheledenny@gmail.com; markdenny44@gmail.com; barbara@reevestulsa.com; laurasmolen@gmail.com; danielsmolen@ssrok.com; charterland@sbcglobal.net; vykelley@yahoo.com; ffrasier@aol.com; kfrasier@aol.com; PiperTurner@mac.com; SBgDuLuTh@aol.com; gannongill@yahoo.com; jenfrgill@yahoo.com; janejo@cox.net; Tmaun1@yahoo.com; Mmaun24@yahoo.com; hockey2r@cox.net; tld5827@gmail.com; davidhenry03@gmail.com; henrypa0706@gmail.com; jeldod@cox.net; mpomeroy@coremd.net; fdowns@sbcglobal.net; charterland@sbcglobal.net; cjandsl@cox.net; kellygibson@cox.net; MAWLAW@Aol.com; judydoe@sbcglobal.net; hcantrella@gmail.com; lynnaa926@sbcglobal.net; cwelch@seismicexchange.com; mittalma@toctulsa.com; bailey@austin-bean.com; Dewey Bartlett; Morrisett@sbcglobal.net; JCrews@McGrawOK.com; herb.beattie@sbcglobal.net; jwoolman@mcgrawok.com; SMiller@incog.org; TSTOUT@cityoftulsa.org; TCARTNER@cityoftulsa.org; Clange@cityoftulsa.org; PEnix@cityoftulsa.org; nmoye@incog.org; Yuenho@cityoftulsa.org; DMIDGET@cityoftulsa.org; janjackson@cox.net; wbj@tulsaconnect.com; sdaniel@dsda.com; john.bell@hpinc.com; nikkibbell@hotmail.com; joanbatkinson@gmail.com

Subject: Case Number Z-7354

Here is the latest from the lot Zoning change that is NORTH of 41st and Victor. Many of you have expressed strong objection to a more Dense multifamily setting vs the two Large homes that are there now. Please Let Dwayne Wilkerson now your thoughts at dwilkerson@incog.org. Please do NOT send them to me as it does a lot more good letting him know how you feel. My wife and I prefer to leave the Zoning as IS. See picture below.

From: David Dutton [<mailto:DGDUTTON@mcelroy.com>]

Sent: Tuesday, July 26, 2016 12:16 PM

To: Dwayne Wilkerson (dwilkerson@incog.org)

Cc: Herb Beattie; janetgotwals@aol.com; Veronica Donnelly; laurenakomar@yahoo.com; Duenner, Robert (Wealth Mgmt MS); Donna Dutton

Subject: Case Number Z-7354

Hello Dwayne,

FILE COPY

Thank you for returning my call this morning and I appreciate your clarification on this issue.

I am opposed to changing the zoning from RS2 to RS3. According to the Tulsa zoning regulations, the minimum lot width for RS2 is 75 Ft. and 60 Ft. for RS3. This would change the whole look and feel of 41st Street from Utica to Lewis and further to the east. But of more concern is the potential with special provisions that might allow for Townhouse and/or Duplex development in the future. This information can be found on pages 5-1 and 5-2 of the Tulsa Zoning Code.

This would be damaging to the surrounding neighbors and reduce property values.

Respectfully submitted,
David Dutton



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NOTICE: Effective May 1, 2016, Unit Corporation moved to its new corporate offices at 8200 South Unit Drive, Tulsa, OK 74132-5300. The PO Box address, Lock Box address, phones, extensions and fax numbers are the same.

FILE COPY

Sawyer, Kim

From: Wilkerson, Dwayne
Sent: Wednesday, July 27, 2016 10:41 AM
To: Sawyer, Kim
Subject: FW: Case Number Z-7354

INCOG

C. Dwayne Wilkerson
Assistant Director Land Development Services

2 West Second Street
Suite 800
Tulsa, OK 74103

918-579-9475
dwilkerson@incog.org

From: Amanda Duenner [<mailto:ag@danielsgreer.com>]
Sent: Wednesday, July 27, 2016 10:20 AM
To: Wilkerson, Dwayne
Cc: 'robert duenner'; 'David Dutton'
Subject: FW: Case Number Z-7354

Dwayne:

Robert Duenner and I oppose the re-zoning of this parcel referenced below. We are Bolewood residents and specifically bought a house in Bolewood because of the big lots. If we start to allow lot splits and developments such as proposed, then the entire history, charm and characteristics of Bolewood is depleted.

This development is best suited for south Tulsa, not 41st Street.

Thank you-

Amanda Duenner

From: Duenner, Robert [<mailto:Robert.Duenner@morganstanley.com>]
Sent: Tuesday, July 26, 2016 2:15 PM
To: dwilkerson@incog.org

FILE COPY

From: David Dutton [<mailto:DGDUTTON@mcelroy.com>]
Sent: Tuesday, July 26, 2016 12:16 PM
To: Dwayne Wilkerson (dwilkerson@incog.org)
Cc: Herb Beattie; janetgotwals@aol.com; Veronica Donnelly; laurenakomar@yahoo.com; Duenner, Robert (Wealth Mgmt MS); Donna Dutton
Subject: Case Number Z-7354

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This would be damaging to the surrounding neighbors and reduce property values.

Respectfully submitted,
David Dutton

FILE COPY



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FILE COPY



Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7361

Hearing Date: December 7, 2016

Neighborhood continuance from October 5th to November 2nd.
Applicant continuance from November 2nd to December 7th.

Case Report Prepared by:

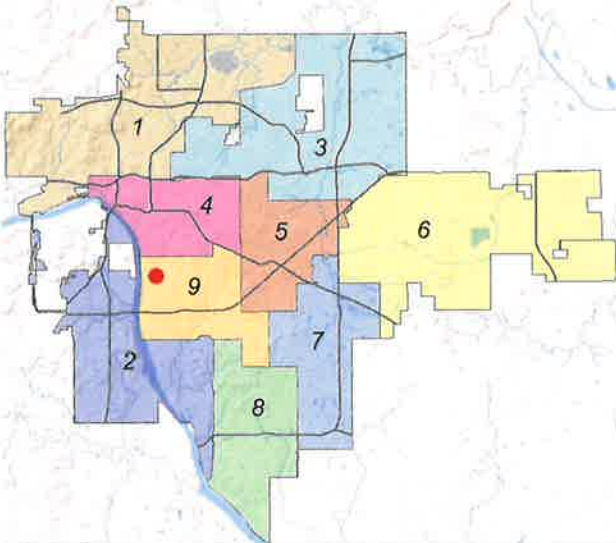
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Lou Reynolds

Property Owner: ALLEN H W CO

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Single Family Residential

Proposed Use: Parking lot

Concept summary: Construct a surface parking lot that is consistent with the Comprehensive plan and meet or exceed minimum design standards identified on PK zoned property.

Tract Size: 0.2 ± acres

Location: West of southwest corner of S. Peoria Ave. and E. 37th Pl.

Zoning:

Existing Zoning: RS-3

Proposed Zoning: PK

Comprehensive Plan:

Land Use Map: Main Street

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends denial of PK zoning however staff may support PK zoning with an appropriate optional development plan.

Prior to the October 5th Planning Commission meeting the applicant agreed to a continuance for further neighborhood discussion including a possible optional development plan. No additional information has been provided.

Staff Data:

TRS: 9224

CZM: 46

Atlas: 249

City Council District: 9

Councilor Name: G.T. Bynum

County Commission District: 2

Commissioner Name: Karen Keith

16.1

SECTION I: Z-7361

DEVELOPMENT CONCEPT:

Parking district zoning is primarily intended to accommodate off-street parking areas bordering on residential zoning districts, while protecting nearby residential areas from adverse impacts associated with spillover parking into residential neighborhoods. This zoning request is supported by the Tulsa Comprehensive Plan.

EXHIBITS:

- INCOG Case map
- INCOG Aerial (small scale)
- INCOG Aerial (large scale)
- Tulsa Comprehensive Plan Land Use Map
- Tulsa Comprehensive Plan Areas of Stability and Growth Map
- Applicant Exhibits:
 - None Provided
- Neighborhood Correspondence:

DETAILED STAFF RECOMMENDATION:

Z-7361 is occupied by a single family residential home zoned RS-3 however the Comprehensive Plan recognized this area as part of the Main Street Land Use Designation. The Brookside Infill Development Design Recommendations recognize that this lot could be used for parking. Additional encroachment into the neighborhood west of this request is not supported by either of those plans and;

PK zoning as requested by Z-7361 provides setback standards for fencing and parking that protect the street character where parking is adjacent to single family residential areas. Screening and landscape concepts required by the code are similar to recommendations recognized in the Brookside Infill Development Design Recommendations and;

PK zoning only allows parking with associated landscaping and screening provisions. The parking is injurious to the single family residential property west and north of the site. Staff supported a continuance from October 5th to November 2nd for discussion regarding a possible optional development plan that integrated additional design standards protecting the single-family residential properties. Staff has met with neighborhood representatives but an optional development plan has not been submitted and;

PK zoning at this location is harmonious with the expected future Main Street Development pattern at this location but the design standards identified in PK zoning are not harmonious with the Brookside Infill Development Design Recommendations or the expectations of the property owners north of the zoning request therefore;

Staff recommends Denial of Z-7361 to rezone property from RS-3 to PK however staff may support PK zoning with an appropriate optional development plan.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

16.2

Staff Summary: The design standards for PK zoning require the basic concepts for screening that were recommended in the Brookside Plan. The Brookside Plan suggested a higher quality fence design standard and significant landscaping beyond what is required in the PK zoned district.

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 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:

Trail System Master Plan Considerations: None

Small Area Plan: Brookside Infill Development Design Recommendations (effective beginning 2002)

The plan recommends several design considerations including:

- 1) The boundary between the commercial areas and residential areas should be appropriately screened with fencing, landscaping and buffering materials which include wooden fences with cap-rails and base-rails, trees, plants, or any combination of the above which provides appropriate visual separation, high durability, and long term easy and low maintenance.
- 2) The screening fence should be provided with a wooden fence with Brick, stone or masonry pilasters to be used as the fence support; or
- 3) A brick, stone or masonry wall fence is also a recommended option for screening.

Special District Considerations: None except the provisions identified in the Brookside Infill plan.

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is currently a single family residential residence with surface parking on the south and east. If the house is removed and the parking lot is constructed it is important to remove the drive approach to the lot from East 37th and install a sidewalk.

(See street view image on next page. Viewed looking southeast from the northwest corner of the lot):



Environmental Considerations: None that would affect site development as a parking lot.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 37 th Place South	None	50 feet	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	RS-3	Main Street	Growth	Single Family Residential
East	PK	Main Street	Growth	Surface Parking Lot
South	RS-3	Main Street	Growth	Surface Parking Lot (re: BOA# 4153 in 1963)
West	RS-3	Existing Neighborhood	Stability	Single Family Residential

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:

Z-7298 June 2015: All concurred in **approval** of a request for *rezoning* a .19± acre tract of land from RS-3 to PK for a parking lot, on property located west of the northwest corner of S. Peoria Ave. and E. 37th Pl. and northeast of subject property.

Z-7107 October 2008: All concurred in **approval** of a request for *rezoning* a .5± acre tract of land from RS-3 to PK for parking lot, on property located west of southwest corner of E. 37th St. and S. Peoria Ave.

Z-6749 March 2000: All concurred in **approval** of a request for *rezoning* a .457± acre tract of land from RS-3/RM-1 to PK for parking on property located east of northeast corner of S. Peoria Ave. and E. 38th St. S.

BOA-17826 September 23, 1997: The Board of Adjustment **approved** a *Variance* of the required 5 ft. landscaping strip between parking lot and an R district; and a *Variance* of required 50 ft. setback from abutting street; and a *Variance* of screening required along property lines abutting an R district; per plan submitted; subject to execution of a tie agreement between the subject lot and the parking lot and use to the east, on property located at 1128A & 1128B E. 37th Pl. S. and abutting subject property to the east.

Z-6597 August 1997: All concurred in **approval** of a request to *rezone* a .19± acre tract of land from RS-3 to PK for a parking lot, located west of the southwest corner of E. 37th Pl. and S. Peoria Ave. and abutting east of subject property.

BOA-4153 September 1963: The Board of Adjustment **approved** off-street parking use in a U-1-C district (RS-3) in conjunction with business property on the east, subject to the applicant hard surfacing the lot and fencing the lot, on property located at 1135 E. 38th St. and abutting south of subject property.

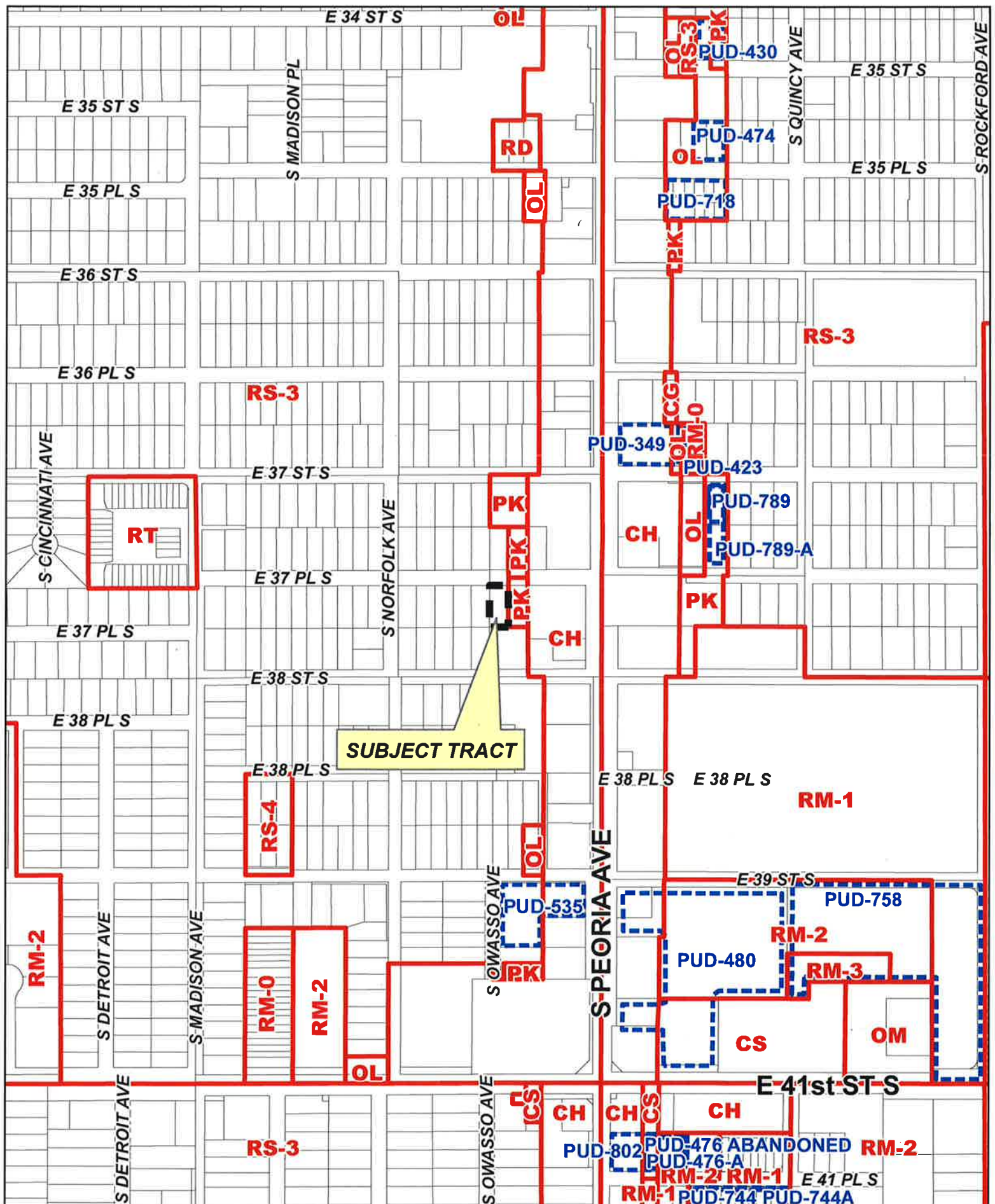
BOA-2062 August 10, 1949: The Board of Adjustment **approved** a church use, on property located at 1132 E. 38th St.

10/5/2016 1:30 PM

NEIGHBORHOOD CORRESPONDENCE:

16.4

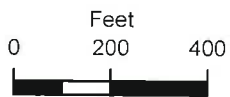
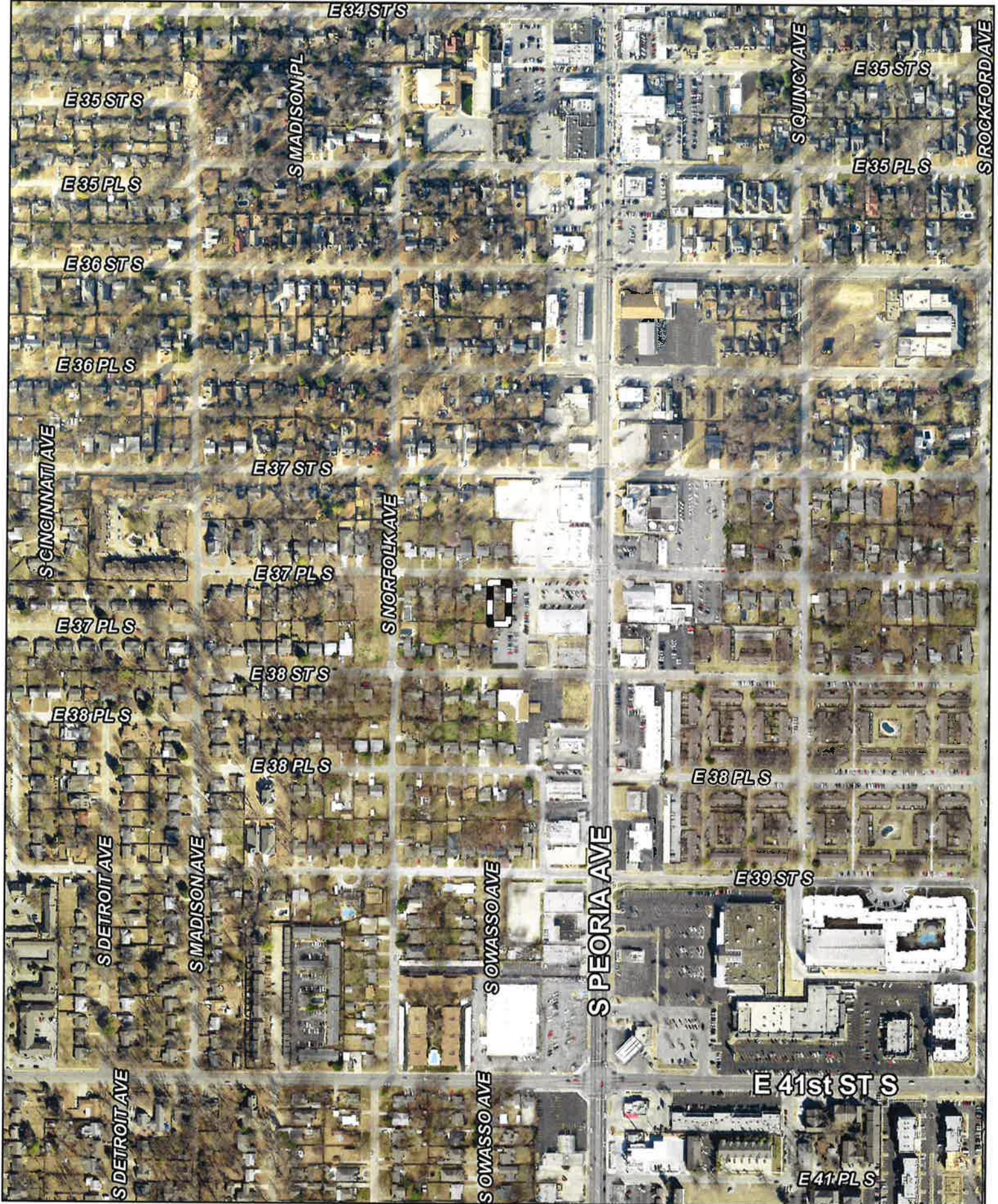
REVISED 11/23/2016



Z-7361

19-12 24

16.7



Subject
Tract

Z-7361

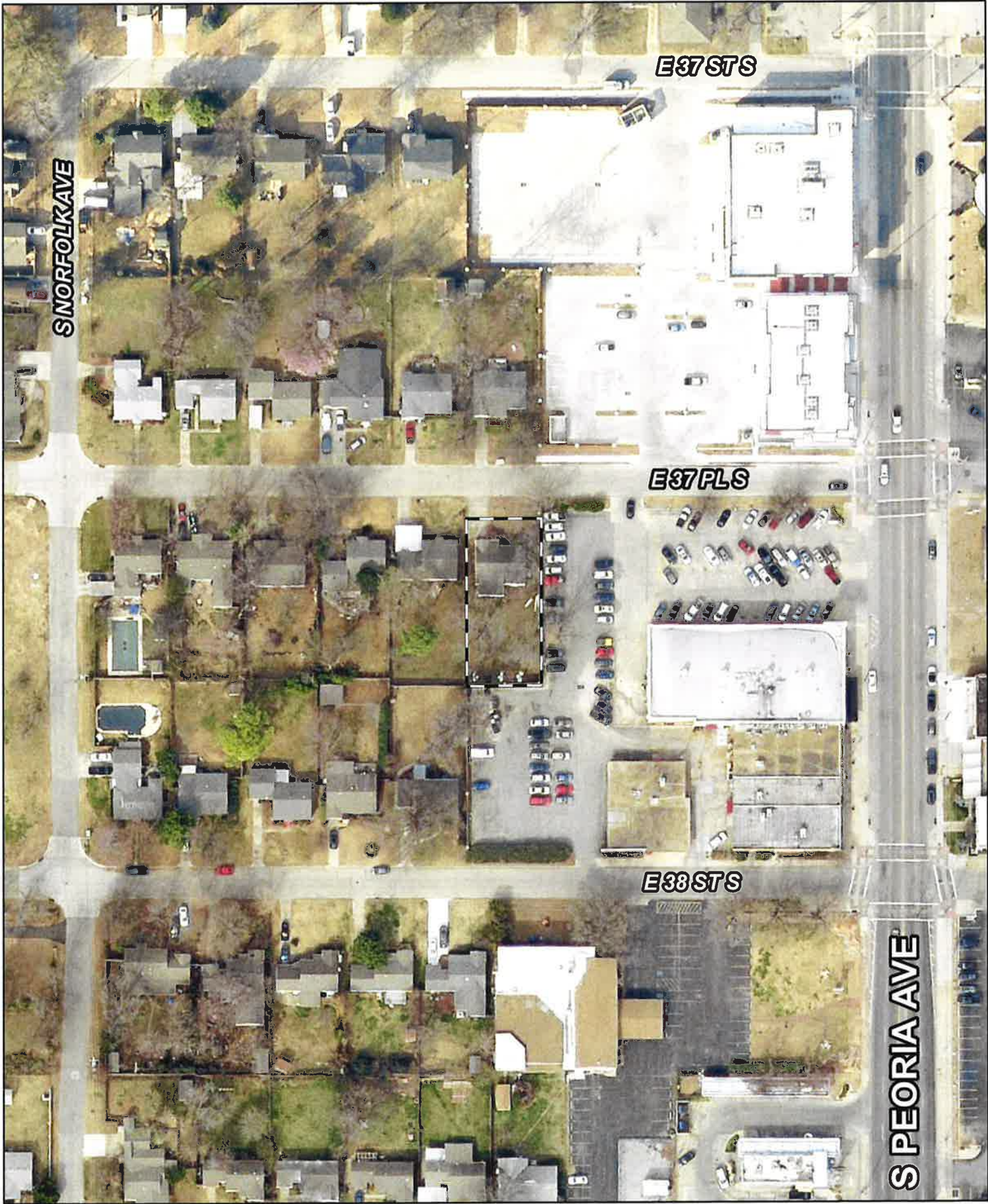
19-12 24

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

Aerial Photo Date: February 2



14.8



SNORFOLK AVE

E 37 STS

E 37 PLS

E 38 STS

S PEORIA AVE



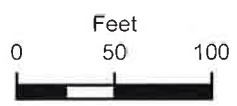
Subject Tract

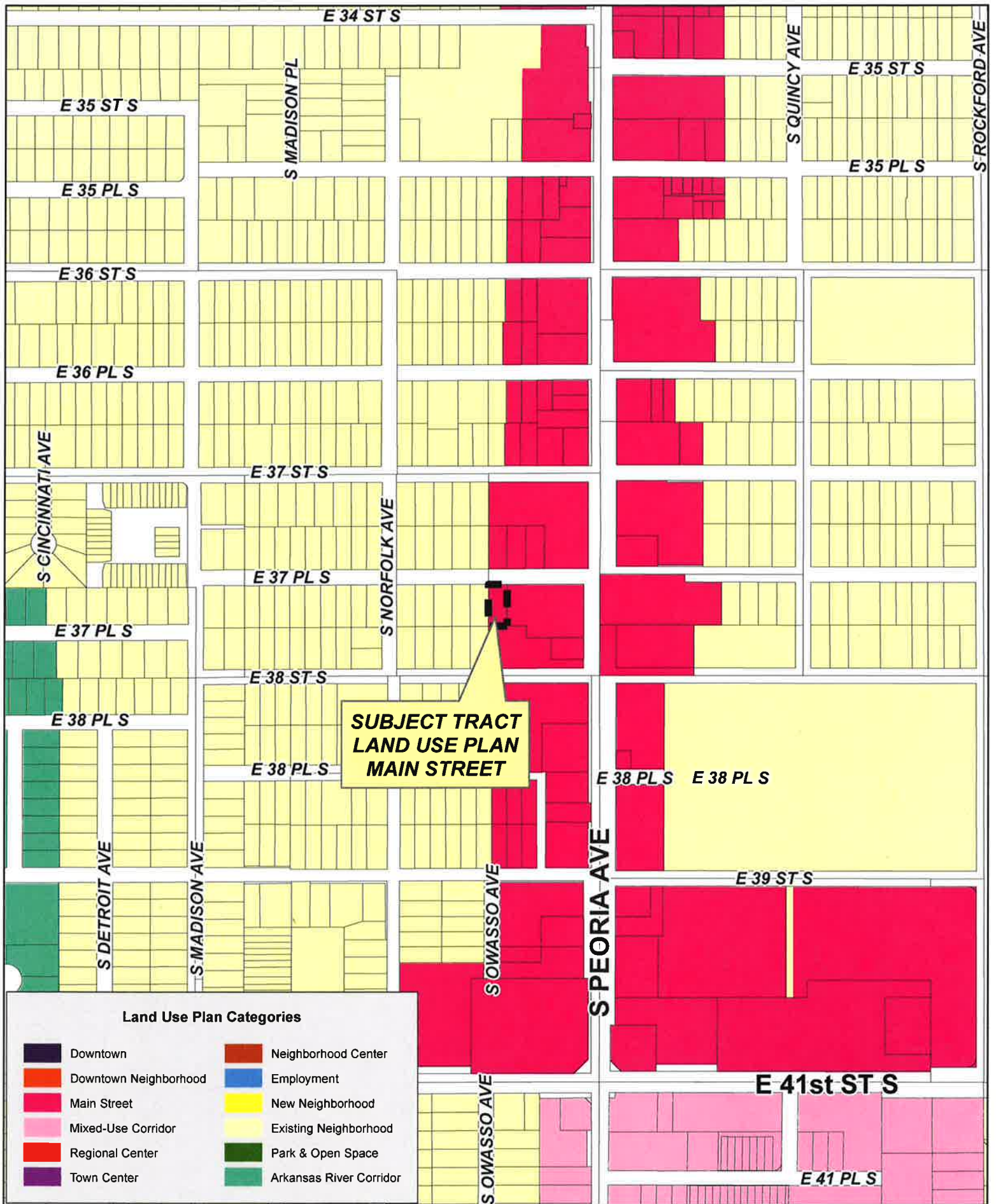
Z-7361

19-12 24

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

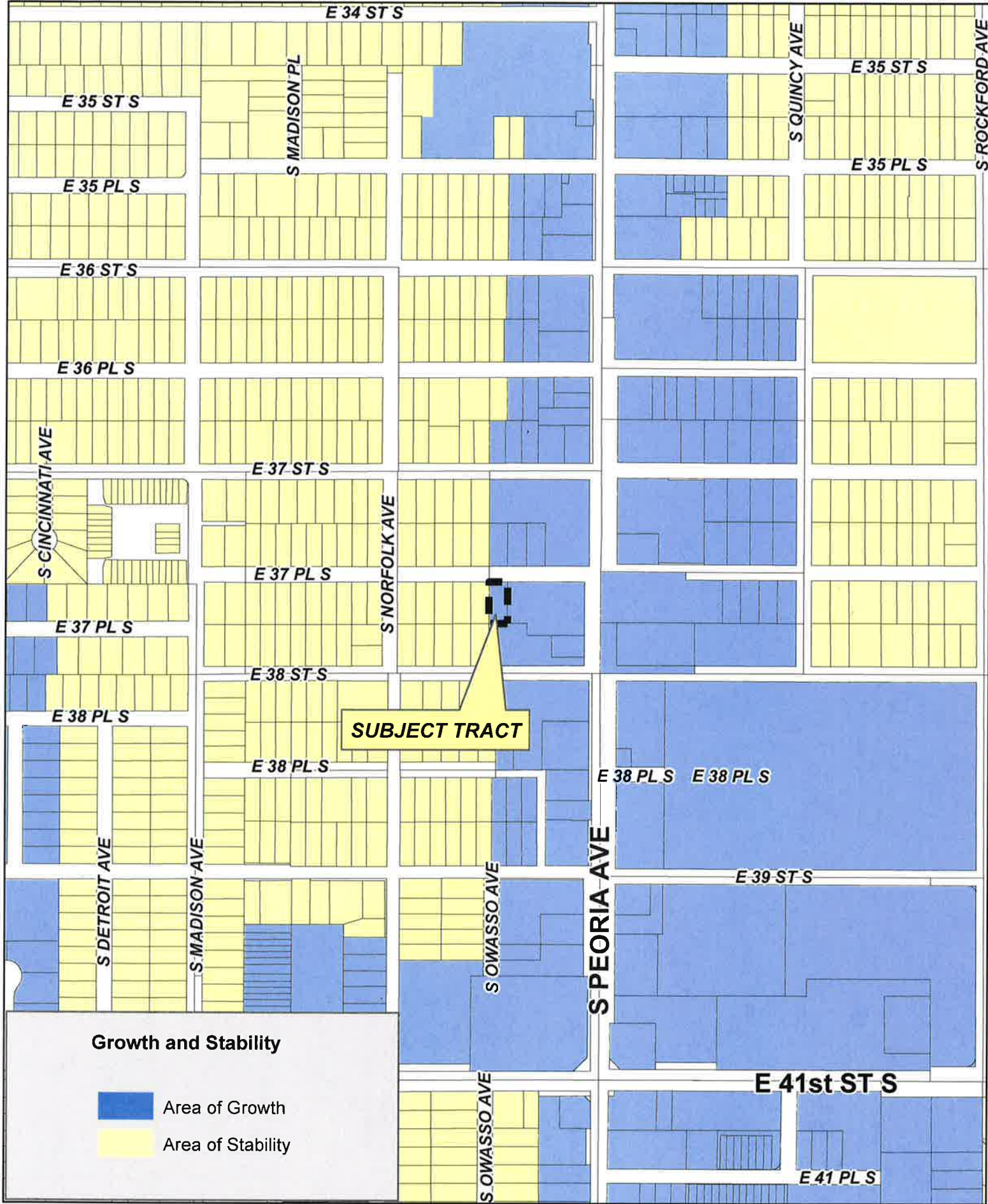
Aerial Photo Date: February 20





Z-7361

19-12 24



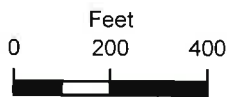
Growth and Stability



Area of Growth



Area of Stability



Z-7361

19-12 24

1611



NEIGHBORHOOD CORRESPONDENCE:

16.12

Sawyer, Kim

From: Wilkerson, Dwayne
Sent: Tuesday, October 04, 2016 9:30 AM
To: Miller, Susan; Sawyer, Kim; Michael Covey
Cc: Nathan's House; R. Louis Reynolds
Subject: FW: Objection to Z-7361, request for continuance

Good morning Chairman Covey,

Please accept the neighbors request for a continuance to October 19th to allow time to meet with the applicant and to consider an optional development plan.

If an optional development plan is submitted by the applicant, the continuance must be moved to November 2nd to accommodate the 21 day lead time policy identified on our calendar for a development plan submittal.

Staff supports the continuance request to allow discussion with the neighborhood.

Respectfully,

INCOG

C. Dwayne Wilkerson
Assistant Director Land Development Services

2 West Second Street
Suite 800
Tulsa, OK 74103

918-579-9475
dwilkerson@incog.org

FILE COPY

From: nleigh42@gmail.com [mailto:nleigh42@gmail.com] **On Behalf Of** Nathan's House
Sent: Tuesday, October 04, 2016 9:00 AM
To: Wilkerson, Dwayne
Cc: Adele Baker; dist9@tulsacouncil.org; Traci Leigh; rreynolds@ellerdetrich.com
Subject: Re: Objection to Z-7361, request for continuance

Oct 19th is acceptable.

I plan on speaking tomorrow. Do I need to sign up in advance?

Thanks,
Nathan

On Tue, Oct 4, 2016 at 8:49 AM, Wilkerson, Dwayne <DWilkerson@incog.org> wrote:

Nathan,

Please confirm that October 19th is the correct date for your continuance request.

INCOG

C. Dwayne Wilkerson

Assistant Director Land Development Services

2 West Second Street

Suite 800

Tulsa, OK 74103

918-579-9475

dwwilkerson@incog.org

From: Wilkerson, Dwayne

Sent: Tuesday, October 04, 2016 8:46 AM

To: 'Nathan's House'

Cc: Adele Baker; dist9@tulsacouncil.org; Traci Leigh; rlreynolds@ellerdetrich.com

Subject: RE: Objection to Z-7361, request for continuance

Nathan,

Thank you for your email I will forward your request to the Planning Commission.

Please be sure to sign up to speak at the meeting tomorrow.

Respectfully.

INCOG

C. Dwayne Wilkerson

Assistant Director Land Development Services

2 West Second Street

Suite 800

Tulsa, OK 74103

[918-579-9475](tel:918-579-9475)

dwilkerson@incog.org

From: nleigh42@gmail.com [<mailto:nleigh42@gmail.com>] **On Behalf Of** Nathan's House

Sent: Tuesday, October 04, 2016 8:42 AM

To: Wilkerson, Dwayne

Cc: Adele Baker; dist9@tulsacouncil.org; Traci Leigh; rlreynolds@ellerdetrich.com

Subject: Objection to Z-7361, request for continuance

I have objections to the request for zoning change Z-7361; Residential Single Family (RS-3) to Parking Lot (PK). This is for a lot bordering the property that includes Charleston's in Brookside; address 1124 E 37th PL. I own & reside in the home across the street, one house east at 1119 E 37th PL.

I would like to ask that a continuance be issued to provide time to develop an Optional Development Plan. I, along with several other local residents, have concerns with how this proposed change will interface with the established neighborhood. Therefore, I feel that it would be appropriate for the land owner to host a public meeting inviting all interested parties.

It should be noted that the application incorrectly notes that the land is "Vacant". There is currently a well maintained, single family home on this property. There are also several mature trees on the lot that provide shade for the neighborhood and help limit the heat sink affect of the current parking lot.

I respectfully disagree that increasing the size of the existing parking lot meets the expectations of a Multi-Modal, Main Street Corridor identified by the Tulsa Comprehensive Plan (PLANiTULSA).

The current development is zoned Commercial-High District (CH). In the recently updated Tulsa Zoning Code, the parking requirements for CH were lowered to "help avoid the negative impacts that can result from requiring excessive supplies of off-street parking" and discourage "parking encroachment into stable neighborhoods" (Section 55.010-A). From my calculations, I estimate that the current development has a minimum parking requirement of 73 parking spots. The current lot has approx 118 parking spots, 6 parking spots marked along Peoria, and on-street parking along 37th PL & 38th ST adds 20 more. This creates a total of 144 available spots to the current development, or **twice the minimum parking spots required by Tulsa Zoning Code.**

The lot in question is zoned as part of the area of Growth in the Main Street Corridor. Therefore, I do not contest the land owner's desire to change from RS-3. A change to an office, retail, or a mixed use building that incorporates the existing trees could provide a much more appropriate transition between the established neighborhood and the Brookside business district.

The final result could be a win-win for the land owner, City of Tulsa, and the neighborhood. A parking lot requires flood lights 24/7, storm water mitigation, & regular maintenance; yet it does not pay rent & does not produce any sales tax.

Application: <http://www.tmapc.org/tmapc/Z-7361.pdf>

Thank you for your assistance in this matter.

Nathan Leigh

1119 E 37th PL

918.289.7679

Wilkerson, Dwayne

From: nleigh42@gmail.com on behalf of Nathan's House
[house@nathanleigh.com]
Sent: Tuesday, October 04, 2016 8:42 AM
To: Wilkerson, Dwayne
Cc: Adele Baker; dist9@tulsacouncil.org; Traci Leigh;
rlreynolds@ellerdetrich.com
Subject: **Objection to Z-7361, request for continuance**

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Thank you for your assistance in this matter.

Nathan Leigh

1119 E 37th PL
918.289.7679

Sawyer, Kim

From: Carolyn [amaryllis104@yahoo.com]
Sent: Wednesday, October 05, 2016 10:47 AM
To: Wilkerson, Dwayne
Cc: Carolyn Cobb
Subject: 10/5/16--Request for continuance...case Z-7361

I am very opposed to the rezoning application for southwest corner of Peoria and E 37 Pl....

I live at 1110 E 38, at corner of Norfolk and 38 St.
Several other neighbors on this street also opposed, including Sally McGrew, Jessica Cobb.

Need continuance please.

Wilkerson, Dwayne

From: Adele Baker [AdeleBa@kfoc.net]
Sent: Tuesday, October 04, 2016 10:12 AM
To: 'Nathan's House'; Wilkerson, Dwayne
Cc: dist9@tulsacouncil.org; Traci Leigh; rreynolds@ellerdetrich.com
Subject: RE: Objection to Z-7361, request for continuance

I agree with Nathan's request for a continuance. I live directly across the street (1127 E 37th Pl.) from the existing house that is scheduled for the zoning change hearing. I have lived there since late October 1991. I have already lost the lot behind me to the north, the one next to it to the north east, (both of which were a combined large empty lot with big oak trees), the lot next to me on the east, and the lot beyond it to the east, both of which had houses and large trees, all to a large parking lot for Trader Joe's and the other stores yet to be developed. And previous to that zoning change, there was a duplex located in the lot just east of 1124 E 37th Pl. (southeast to my house) which was rezoned to be a parking lot. I do not wish to look out my front window and see more parking lots, nor do I think it is reasonable for the city to surround my house with them.

Adele Baker

From: nleigh42@gmail.com [<mailto:nleigh42@gmail.com>] **On Behalf Of** Nathan's House
Sent: Tuesday, October 04, 2016 8:42 AM
To: dwilkerson@incog.org
Cc: Adele Baker; dist9@tulsacouncil.org; Traci Leigh; rreynolds@ellerdetrich.com
Subject: Objection to Z-7361, request for continuance

FILE COPY

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Application: <http://www.tmapc.org/tmapc/Z-7361.pdf>

Thank you for your assistance in this matter.

Nathan Leigh
1119 E 37th PL
918.289.7679

Sawyer, Kim

From: Wilkerson, Dwayne
Sent: Wednesday, October 05, 2016 11:44 AM
To: Jessa Cobb; Carolyn Cobb
Cc: Sawyer, Kim
Subject: RE: Continuance

Thank you Ms. Cobb,

We will forward your request for a continuance to the Planning Commission.

INCOG
C. Dwayne Wilkerson
Assistant Director Land Development Services

2 West Second Street
Suite 800
Tulsa, OK 74103

918-579-9475
dwilkerson@incog.org

FILE COPY

-----Original Message-----

From: Jessa Cobb [<mailto:jessa.cobb@gmail.com>]
Sent: Wednesday, October 05, 2016 11:40 AM
To: Wilkerson, Dwayne; Carolyn Cobb
Subject: Continuance

Hello.

I live at 1106 e 38th st. I have objections to the rezoning application (case number z7361) but am unable to attend the meeting this afternoon. I request a continuance as I would like to register my objections and have a chance to speak to those involved about a compromise.

Thank you,
Jessica Cobb

Sawyer, Kim

From: Wilkerson, Dwayne
Sent: Wednesday, October 05, 2016 11:41 AM
To: Sawyer, Kim
Cc: Miller, Susan
Subject: FW: rezoning extension request, Brookside (Z-7361)

Kim,

Please forward this to the Planning Commission.

Thanks

INCOG

C. Dwayne Wilkerson
Assistant Director Land Development Services

2 West Second Street
Suite 800
Tulsa, OK 74103

918-579-9475
dwilkerson@incog.org

FILE COPY

From: bigsal24@aol.com [<mailto:bigsal24@aol.com>]
Sent: Wednesday, October 05, 2016 11:36 AM
To: Wilkerson, Dwayne; herbbeattie@sbcglobal.net
Subject: rezoning extension request, Brookside

Hello,

I am Sally McGrew, and my husband and I live at 1101 E. 38th St., one street south of the lot for which the zoning change has been proposed.

I too would like to request a continuation so that the owner can meet with neighbors and discuss possible alternatives to making the area a parking lot. I have some of the same concerns shared by others, such as the loss of trees, how the border area between development and the stable residential neighborhood will be handled, and the fact that the existing parking is in excess of what's required by the current code.

I can be contacted at 918-808-8958, or through email at this address.

Thanks for your consideration.

Sally McGrew

Sawyer, Kim

From: Wilkerson, Dwayne
Sent: Wednesday, October 05, 2016 3:09 PM
To: Sawyer, Kim
Subject: FW: amendment...Fw: 10/5/16--Request for continuance...case Z-7361

INCOG

C. Dwayne Wilkerson
Assistant Director Land Development Services

2 West Second Street
Suite 800
Tulsa, OK 74103

918-579-9475
dwilkerson@incog.org

FILE COPY

From: Carolyn [<mailto:amaryllis104@yahoo.com>]
Sent: Wednesday, October 05, 2016 12:39 PM
To: Wilkerson, Dwayne
Cc: Carolyn Cobb
Subject: amendment...Fw: 10/5/16--Request for continuance...case Z-7361

I am unable to make changes in order to be present today at meeting.
I have had unexpected medical issues/appts that cannot be changed, for today.
I had planned to be there at 1:30pm.
It is my understanding that each side is entitled to a continuance, if requested.
I am requesting continuance, so that discussion between parties can be had.
Carolyn Cobb

----- Forwarded Message -----

From: Carolyn <amaryllis104@yahoo.com>
To: "dwilkerson@incog.org" <dwilkerson@incog.org>
Cc: Carolyn Cobb <amaryllis104@yahoo.com>
Sent: Wednesday, October 5, 2016 10:47 AM
Subject: 10/5/16--Request for continuance...case Z-7361

I am very opposed to the rezoning application for southwest corner
of Peoria and E 37 Pl....

I live at 1110 E 38, at corner of Norfolk and 38 St.
Several other neighbors on this street also opposed, including
Sally McGrew, Jessica Cobb.

Need continuance please.

Sawyer, Kim

From: R. Louis Reynolds [LReynolds@ellerdetrich.com]
Sent: Wednesday, October 05, 2016 12:02 PM
To: Wilkerson, Dwayne; Miller, Susan; Sawyer, Kim; Michael Covey
Cc: Nathan's House
Subject: RE: Objection to Z-7361, request for continuance

Dear Dwayne: A continuance to November 2nd is acceptable to the Applicant. Best, Lou Reynolds

R. Louis Reynolds

Eller & Detrich

2727 E. 21st Street, Ste 200
Tulsa, Oklahoma 74114-3533

☎ (918) 747-8900 phone
☎ (866) 547-8900 toll free
✉ (918) 392-9407 e-fax
✉ LReynolds@EllerDetrich.com

FILE COPY



<http://www.EllerDetrich.com/>

CONFIDENTIALITY STATEMENT. This e-mail and any attachments hereto are subject to the Electronic Communications Privacy Act, Tit. 18 U.S.C. Sec. 2510. The information contained in this transmission is or may be protected by the attorney-client and/or the attorney work product privilege and is confidential. It is intended only for the use of the individual or entity identified above. If the recipient or reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. No applicable privilege or confidentiality is waived by the party sending this communication and/or any attachments. If you received this email communication in error, please notify the sender immediately by reply e-mail or by telephone and delete the message and any attachments from your server/system. Thank you and we apologize for any inconvenience you may have encountered.



Please consider the environment before printing this e-mail! ~ Thank you!

From: Wilkerson, Dwayne [mailto:DWilkerson@incog.org]
Sent: Tuesday, October 4, 2016 9:30 AM
To: Miller, Susan <SMiller@incog.org>; Sawyer, Kim <ksawyer@incog.org>; Michael Covey <mcovey@cox.net>
Cc: Nathan's House <house@nathanleigh.com>; R. Louis Reynolds <LReynolds@ellerdetrich.com>
Subject: FW: Objection to Z-7361, request for continuance

Good morning Chairman Covey,

Please accept the neighbors request for a continuance to October 19th to allow time to meet with the applicant and to consider an optional development plan.

If an optional development plan is submitted by the applicant, the continuance must be moved to November 2nd to accommodate the 21 day lead time policy identified on our calendar for a development plan submittal.

Staff supports the continuance request to allow discussion with the neighborhood.

Respectfully,

INCOG

C. Dwayne Wilkerson

Assistant Director Land Development Services

2 West Second Street

Suite 800

Tulsa, OK 74103

918-579-9475

dwilkerson@incog.org

From: nleigh42@gmail.com [<mailto:nleigh42@gmail.com>] **On Behalf Of** Nathan's House

Sent: Tuesday, October 04, 2016 9:00 AM

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Application: <http://www.tmapc.org/tmapc/Z-7361.pdf>

Thank you for your assistance in this matter.

Nathan Leigh

1119 E 37th PL

918.289.7679



Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7366

w/ Optional Development Plan

Hearing Date: December 7, 2016

Continued by planning commission at 11.16.2016 hearing.

Case Report Prepared by:

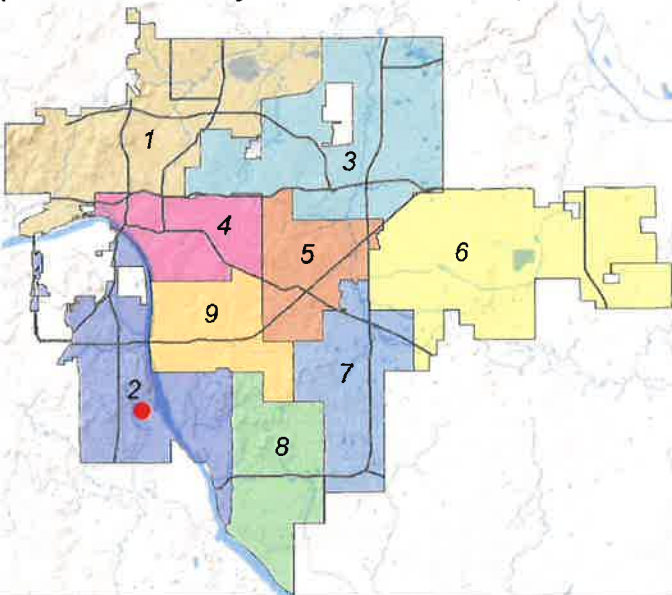
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: John Day

Property Owner: Jane P. Fritz & Mary Ann Gough

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Vacant

Proposed Use: Dog boarding & training

Concept summary:

Tract Size: 1.47 ± acres

Location: South of southeast corner of S. Elwood Ave. and W. 71st St.

Zoning:

Existing Zoning: AG

Proposed Zoning: CG

Comprehensive Plan:

Land Use Map: Employment

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval of CG zoning but only with the included optional development standards.

Staff Data:

TRS: 8212

CZM: 51

Atlas: 1141

City Council District: 2

Councilor Name: Jeannie Cue

County Commission District: 2

Commissioner Name: Karen Keith

17.1

SECTION I: Z-7366

DEVELOPMENT CONCEPT:

The initial development anticipated for this project is for the construction and operation of a dog training and kennel facility. The applicant proposes an appearance of a country farm and will ultimately assimilate with the surrounding land. Operations are not expected disrupt surrounding residents either visually or with excessive unnatural noises, smells, or disturbances.

SECTION II: Z-7366 OPTIONAL DEVELOPMENT STANDARDS:

Z-7366 with the optional development plan will conform to the provisions of the Tulsa Zoning Code for development in an CG zoning district except as further refined below:

PERMITTED USES:

The only use category, subcategory and specific use are allowed as follows:

- Permitted Use Category
Commercial
- Permitted Sub Category
 - a. Animal Service
 - Permitted specific uses:
 - Boarding or shelter
 - Grooming
 - Veterinary
 - b. Office
 - All specific office uses allowed except plasma centers are prohibited
 - c. Studio, Artist or Instructional Services

Site development within this optional development plan must meet or exceed the standards of the Tulsa Zoning Code except as further refined below:

GENERAL OPTIONAL DEVELOPMENT PLAN REQUIREMENTS:

Building Setbacks:

1. Buildings shall be set back from South Elwood a minimum of 17.5 feet from the planned right of way.
2. Building setbacks from the north and south lot line shall be a minimum of 11 feet.

Parking Standards:

1. Parking shall not exceed 20% of the minimum required for each use.
2. Parking islands where provided shall be greater than 128 square feet with a minimum 15 feet of green space measured from the edge of pavement or back of curb.
3. No parking space shall be further than 50 feet from a tree.

Building design standards:

1. Buildings will have decorative facades facing Elwood Drive and shall include a minimum of 25% masonry facade on the west facing wall.
2. Vinyl siding is not permitted.

Business hours of operation:

1. Business hours other than boarding will be no later than 7:30pm.

17.2

Landscaping and screening:

1. Landscaping within the Project, as proposed, will substantially exceed the requirements of the Landscaping and Planned Unit Development Chapters of the Tulsa Zoning Code and where appropriate, will incorporate healthy existing trees and natural vegetation and shall be designed to achieve an attractive streetscape and appropriate buffering from adjacent residential areas.
2. On the lot and within 20 feet of the street right-of-way a minimum of one tree shall be placed or preserved for each 25 linear feet of street frontage. Preserved trees must exceed 4" caliper to be included in the minimum tree count.
3. Trash enclosures must be provided with a masonry enclosure and a minimum height of 6' or as required to fully screen the dumpster or dumpsters. Enclosure gates must be steel frame with wood or other opaque material that screens a minimum of 85% of the dumpster gate. Trash enclosures may not be within 25 feet of the perimeter of the optional development plan boundary.

Light standards:

1. Pole lights with 25 feet of the north and south boundaries of the lot will be prohibited. All wall mounted building lighting shall be pointed down and shall not be greater than 12 feet above finished floor elevation of the first floor.
2. Pole mounted lighting shall not be taller than 16 feet from finished ground elevation at the base of the pole and shall be pointed down in conformance with the Tulsa Zoning Code.

Signage:

1. Digital display signage is prohibited
2. Ground signs within the Project shall be permitted as follows:
 - A. One (1) ground sign on South Elwood Avenue with a maximum of 64 SF of display surface area and a maximum height of 20 FT. The sign will be a monument style supported by two masonry columns or with full masonry base construction.
 - B. Said ground sign shall not be placed closer than 50 feet from the north or south boundaries of the project.
3. Wall Signs:
 - A. Wall signage on north, south or east facing walls is prohibited.
 - B. West facing wall signage shall not to exceed 0.10 SF of surface display area per linear foot of building wall to which attached; provided, however, the surface display area of any such wall sign shall not exceed 125 SF. Wall signs may not be illuminated.
4. Driveway Signs:

Driveway signs for way finding purposes within the Project may be freestanding if not exceeding 4 SF of surface display area and 4 FT in height.

ANIMAL SERVICE OPERATIONS: In addition to the provisions of the Tulsa Zoning Code and the General provisions outlined above, any principal use or customarily accessory use associated with animal service use category shall also conform to the following operational standards:

1. Animal play and boarding activities must be indoors before 7:00 am and after 7:30 pm.
2. Facilities for a 24-hour attendant on-site will be included in the animal service operations facility.
3. Sanitation for disease and parasite controls will follow strict guidelines and standards set forth by the American Boarding Kennel Association inside of the facility.

4. External "natural" areas will be kept properly mowed and maintained, including pest control measures taken to limit and control naturally occurring rodents and insects.
5. Sanitary sewer lines will be constructed into the facility to handle the volume of waste water estimated for cleaning indoor kennel areas, and outdoor play areas adjacent to the building.
6. Business hours will be no later than 7:30pm.
7. Screening fencing will be provided along all outer edges of the "natural" areas on the north and south edges of the property. Slatted chain link fencing may be used on internal fencing however the screening fencing abutting the north and south property lines must be wood, composite or masonry fencing.

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:

DETAILED STAFF RECOMMENDATION:

The proposed CG zoning is not consistent with the Employment Use identified in the comprehensive plan without an optional development plan and;

The optional development plan provides use limitations and design standards to integrate the proposed facility into the surrounding neighborhood and to add consistency with the West Highlands Small Area Plan and;

Z-7366 with the optional development plan is non injurious to the surrounding property and;

Z-7366 with the optional development plan is consistent with the expected development pattern of the surrounding area therefore;

Staff recommends Approval of Z-7366 to rezone property from AG to CG with the optional Development Plan Standards outlined in Section II above.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The requested CG zoning with an optional development plan is consistent with the Employment Land Use vision of the comprehensive plan.

Land Use Vision:

Land Use Plan map designation: Employment

Employment areas contain office, warehousing, light manufacturing and high tech uses such as clean manufacturing or information technology. Sometimes big-box retail or warehouse retail clubs are found in these areas. These areas are distinguished from mixed-use centers in that they have few residences and typically have more extensive commercial activity.

Employment areas require access to major arterials or interstates. Those areas, with manufacturing and warehousing uses must be able to accommodate extensive truck traffic, and rail in some instances. Due to the special transportation requirements of these districts, attention to design, screening and open space buffering is necessary when employment districts are near other districts that include moderate residential use.

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: Elwood does not have any special overlay considerations that would affect site development.

Trail System Master Plan Considerations: None

Small Area Plan: **West Highlands Small Area Plan**

This site is on the eastern edge of the West Highlands small area plan that was approved by City Council with resolution# 2670:322 and effective April 2014.

The West Highlands Small area plan however the small area plan recognized that some of the area had already been zoned but development had not occurred. The small area plan recognized that "Improvements in road capacity and mass transit have been identified, but only road capacity improvements are programmed. Specific improvements-like new trails or mass-transit upgrades- are planned, though funding has yet to be identified.

The land use designation in the small area plan recognized that this area would also be considered an Employment Area but encouraged development strategies to maintain the existing character such as:

- 1) Retaining tree cover;
- 2) Maintaining significant amounts of open space, through strategies such as clustering, land banking and conservation easements;
- 3) Installing lot line fencing;
- 4) Clustering new homes to maximize open space;
- 5) Use of native stone, darker brick, corrugated metal and/or wooden building materials in home construction; and

6) Lowering parking lot requirements, so as to preserve open space.

One of the specific goals of the area was to “concentrate most-intense development in the eastern area”. Placement of the school on this eastern edge of the small area plan seems to accommodate that goal.

The street system is an important consideration for future development. The following snippet illustrates the significant tree cover anticipated adjacent to street networks with 4 lanes of traffic sidewalks medians and street trees.

Figure 2:7: Three lanes of traffic in a 100' right-of-way, applicable anywhere

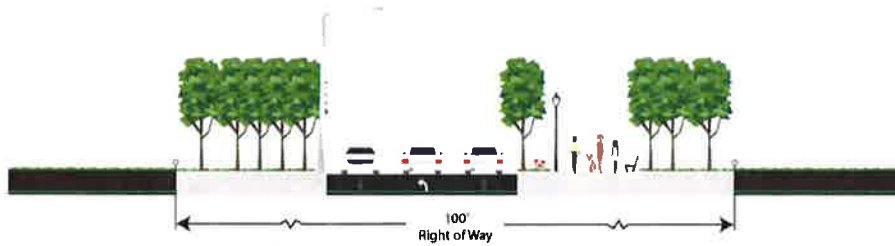


Figure 2:8: Four lanes of traffic in a 100' right-of-way, with green median (applicable on roads east of US-75)

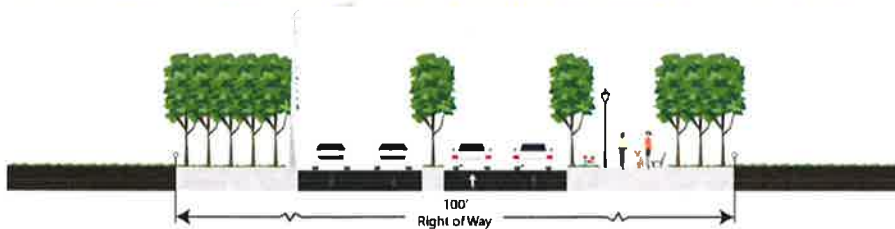
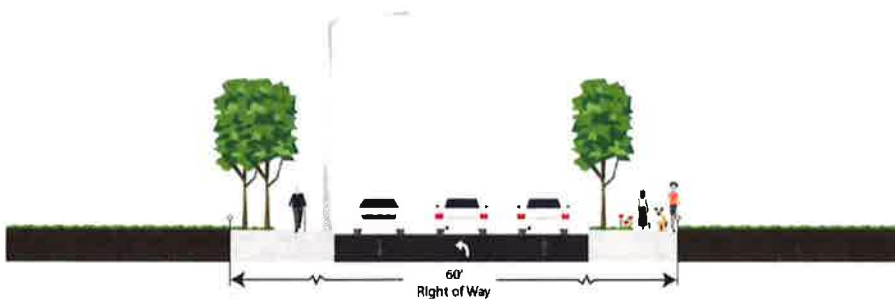


Figure 2:9: Three lanes of traffic in 60' right-of-way, with multi-use trails on both sides.



Special District Considerations: Significant special considerations are identified in the West Highlands Small Area Plan.

Historic Preservation Overlay: none

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *Preservation of the naturally wooded site is an important consideration of the West Highlands Small area plan. Obviously a large percentage of the vegetative cover will be removed but in this instance the terrain can be used to the advantage of the school user. There are no existing conditions that will prohibit development of the site and the existing terrain will be an advantage for the natural character preservation north and east of the proposed building and parking area.*

Environmental Considerations: The site is heavily wooded with careful and thoughtful development on this site will provide a natural area consistent with the vision of the West Highlands small area plan for preserving natural drainage areas and the wooded character of the area.

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:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	AG	Employment	Growth	Single Family Residential
East	AG	Employment	Growth	undeveloped
South	AG	Employment	Growth	Single Family Residential
West	AG	New Neighborhood	Growth	Single Family Residential and riding stable

SECTION IV: Relevant Zoning History

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

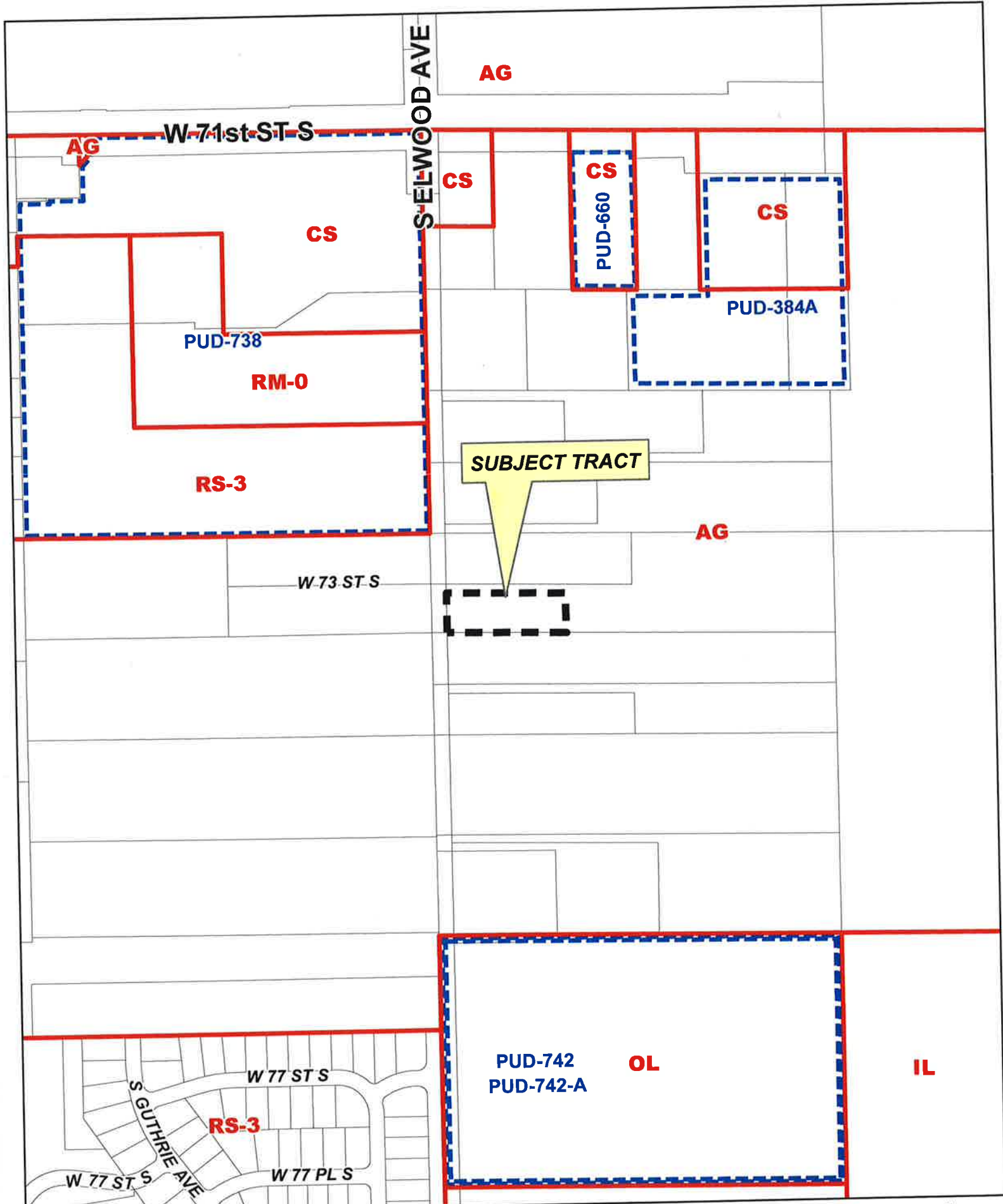
Subject Property:

No relevant history.

Surrounding Property:

PUD-742-A October 2015: All concurred in **approval** 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 southeast corner of S. Elwood Ave. and W. 71st St. City Council put conditions on the approval.

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, on property located south of southeast corner of East 71st Street and South Elwood Avenue.

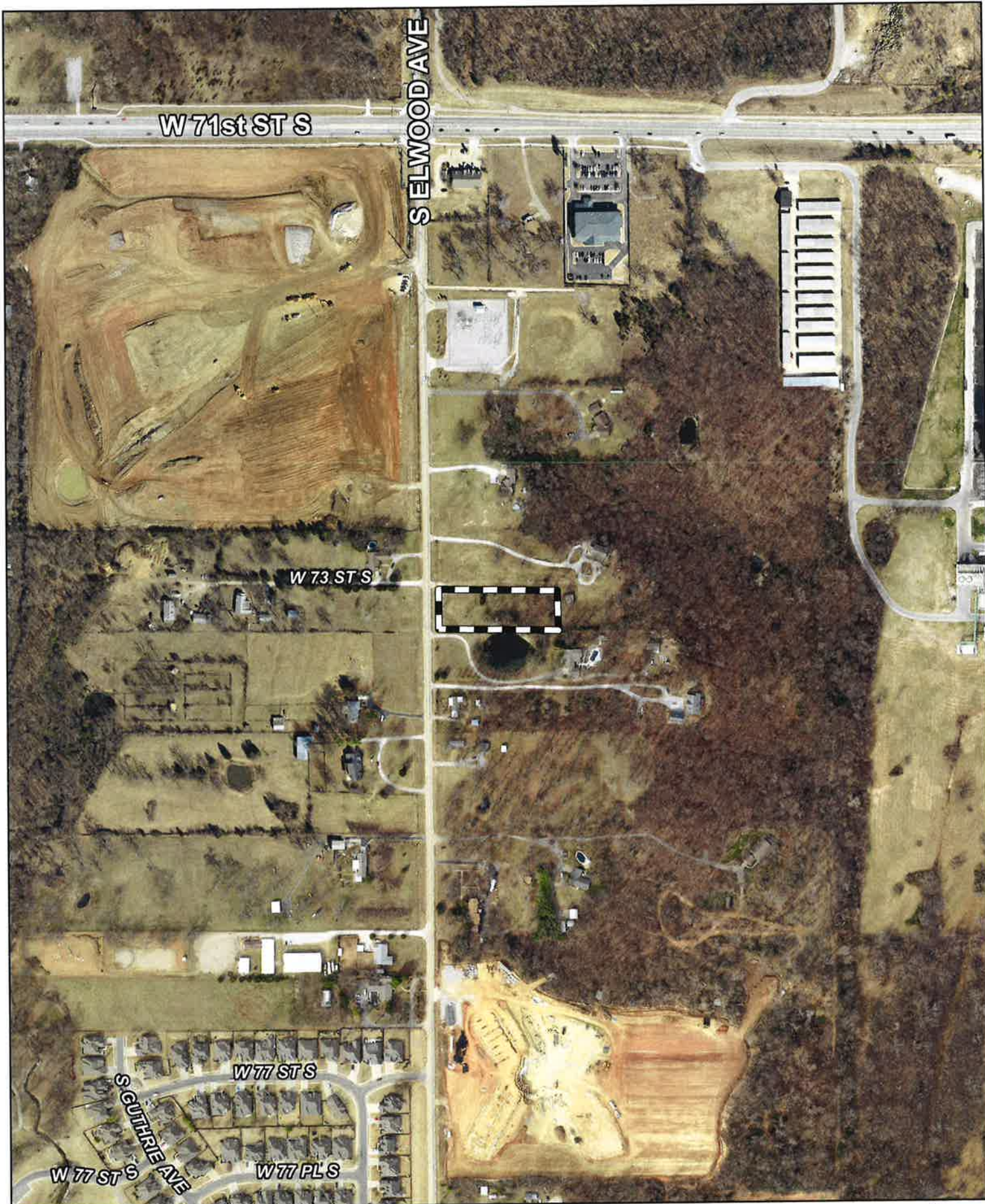


18-12 12

Z-7366
with Optional
Development Plan

17.8





W 71st ST S

S ELWOOD AVE

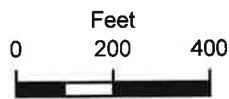
W 73 ST S

W 77 ST S

W 77 ST S

W 77 PL S

S GUTHRIE AVE



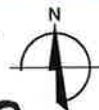
Subject
Tract

18-12 12

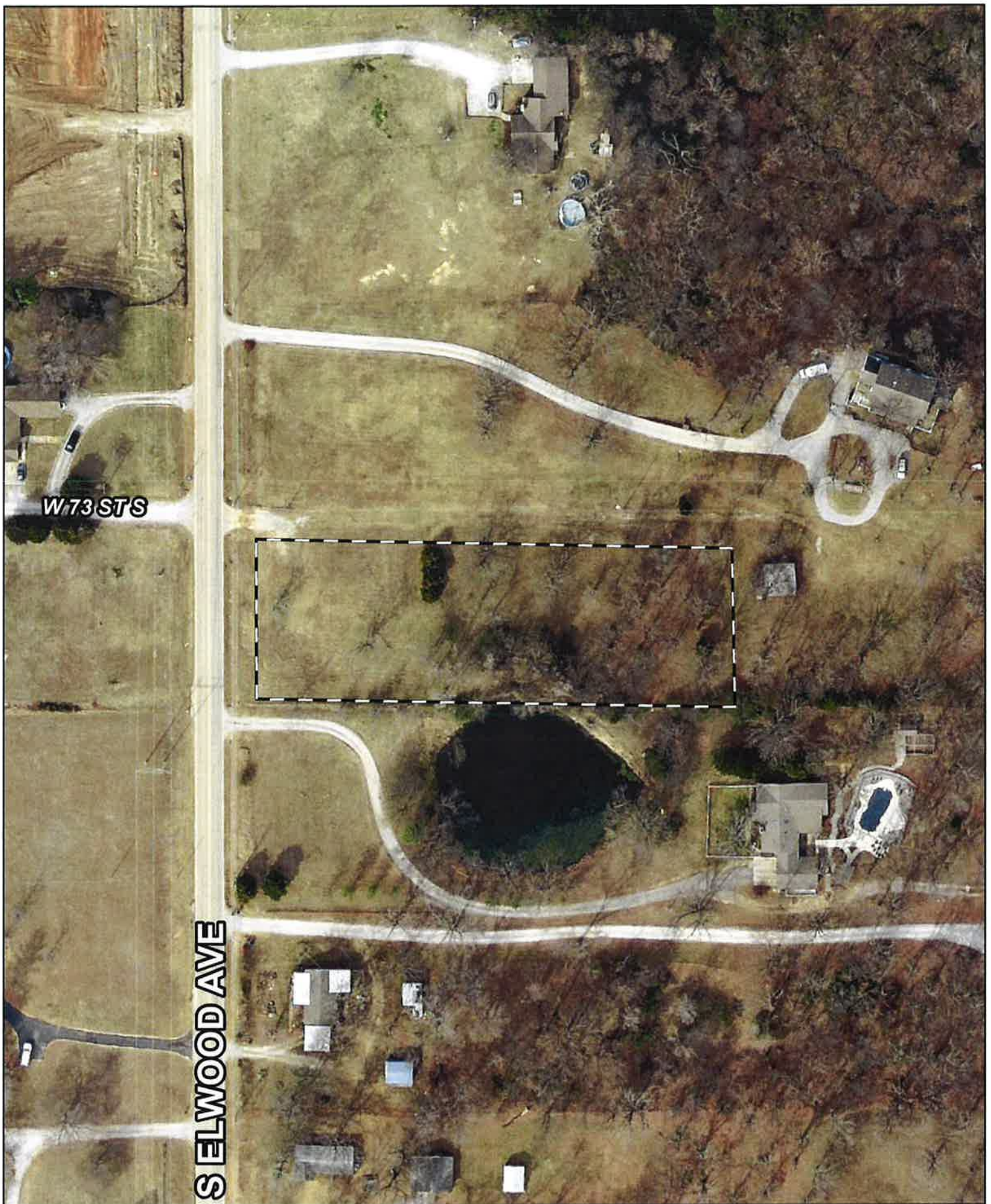
Z-7366
with Optional
Development Plan

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

Aerial Photo Date: Febua

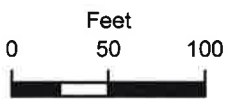


17.9



W 73 ST S

SELWOOD AVE



Subject
Tract

18-12 12

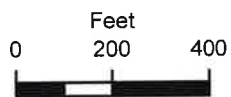
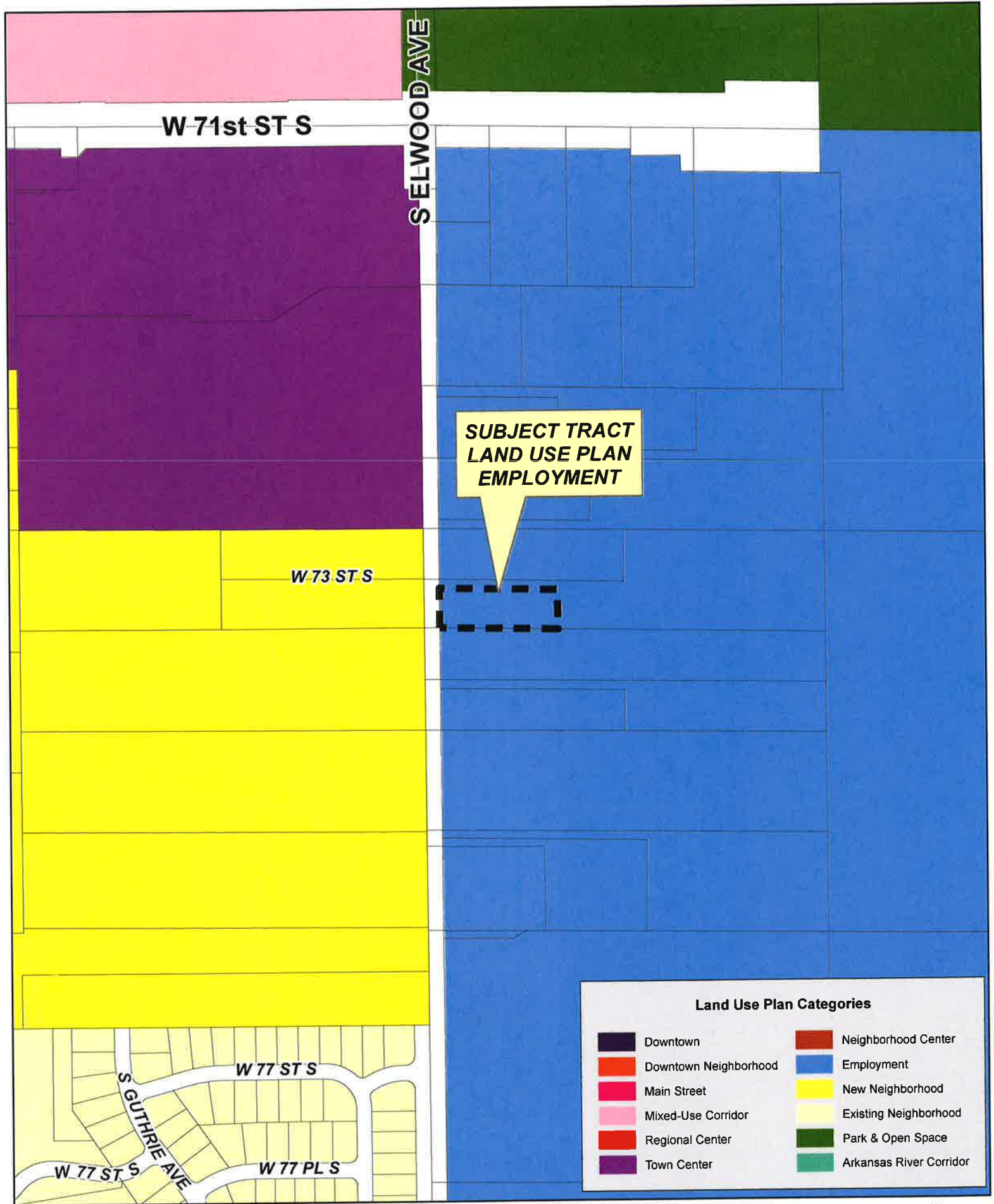
Z-7366
with Optional
Development Plan

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

Aerial Photo Date: Feb 2012



17.10

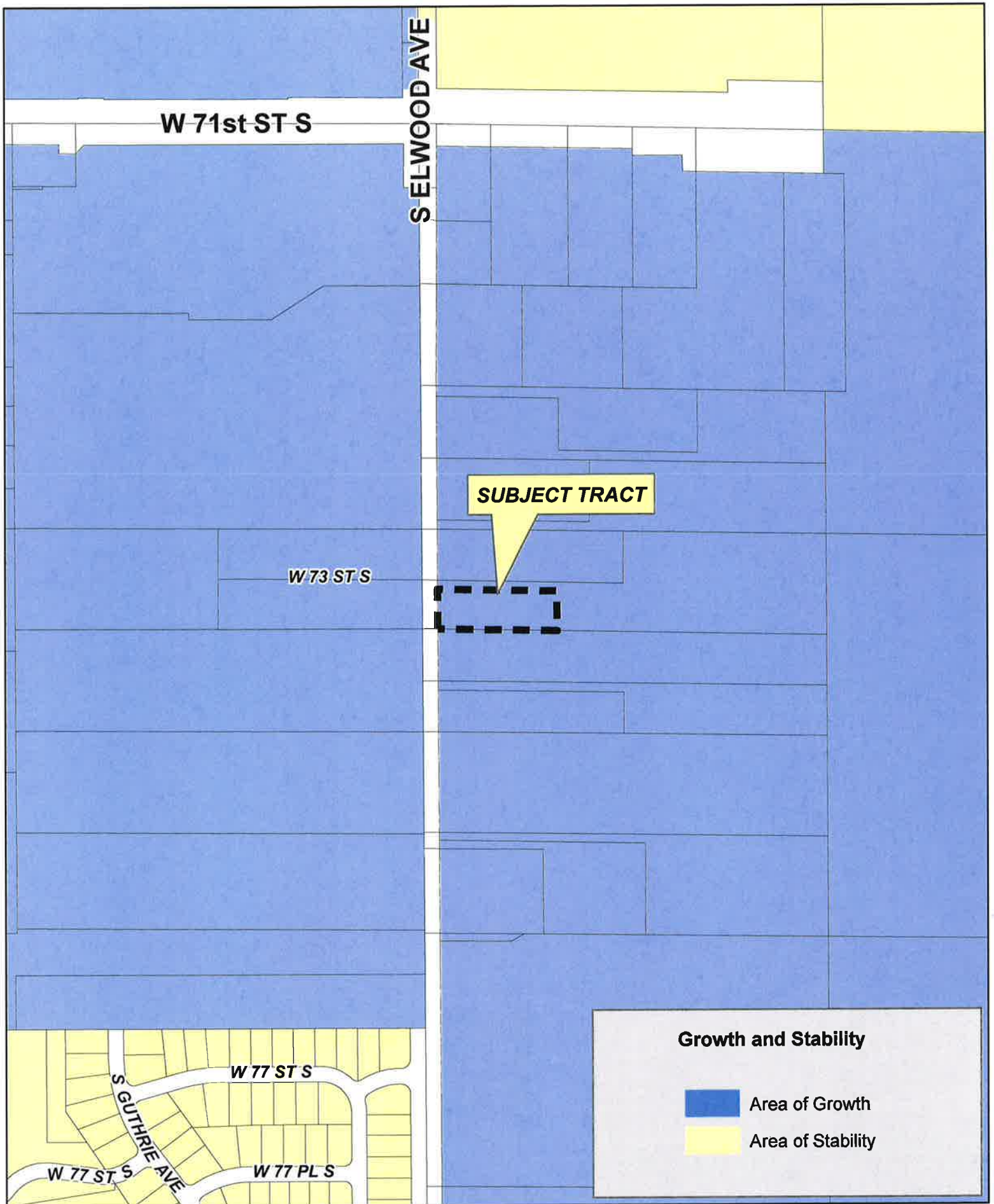


18-12 12

Z-7366
with Optional
Development Plan

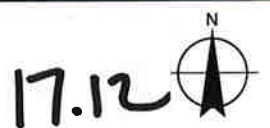
17.11





18-12 12

Z-7366
with Optional
Development Plan



BOUNDARY SURVEY / LOT SPLIT EXHIBIT

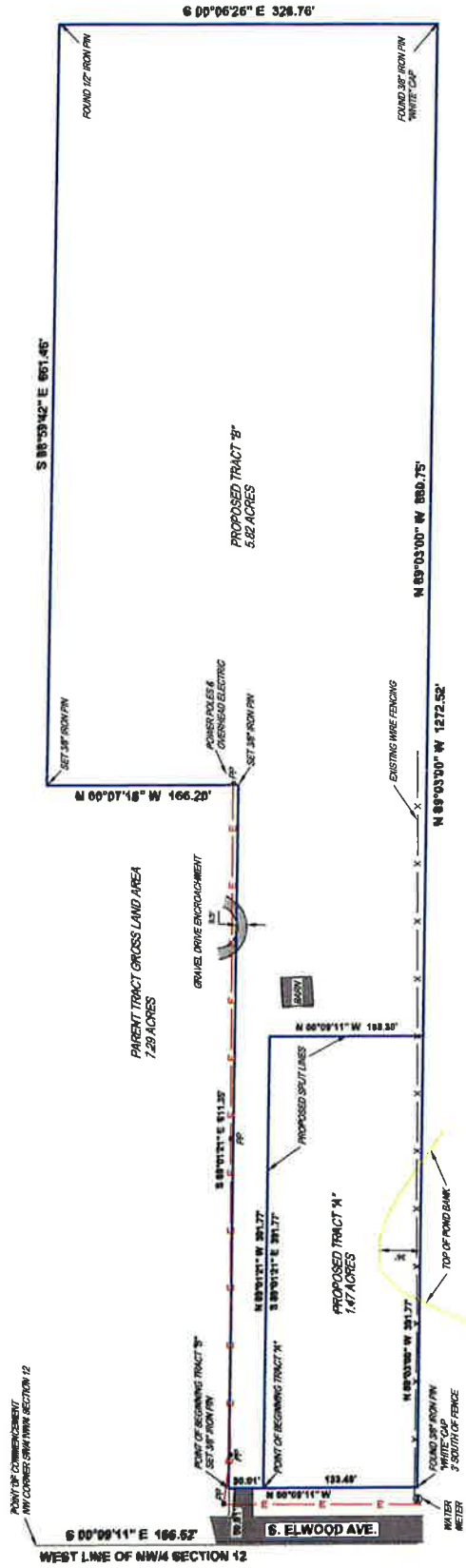
PROPERTY ADDRESS: 7331 S. ELWOOD AVENUE, TULSA, OK

SURVEYOR'S CLIENT: JOHN DAY

PARENT TRACT LEGAL DESCRIPTION AS PROVIDED (UNOFFICIAL): S/2 N/2 NW/4 SW/4 NW/4 AND THE S/2 N/2 NE/4 SW/4 NW/4 AND THE N/2 N/2 NE/4 SW/4 NW/4 LESS THE NORTH 1.5 FEET THEREOF AND THE S/2 N/2 NE/4 SW/4 NW/4 AND THE N/2 N/2 NE/4 SW/4 NW/4 LESS THE WEST 50 FEET OF THE SOUTH 163.5 FEET THEREOF IN SECTION 12, TOWNSHIP 18 NORTH, RANGE 12 EAST, TULSA COUNTY, STATE OF OKLAHOMA.

PROPOSED TRACT "A" LEGAL DESCRIPTION: A TRACT OF LAND THAT IS PART OF THE NORTHWEST QUARTER (NW/4) OF THE NORTHWEST QUARTER (SW/4) OF THE NORTHWEST QUARTER (NW/4) OF SECTION TWELVE (12), TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE SW/4 OF THE NW/4 OF SAID SECTION 12; THENCE SOUTH 00°09'11" EAST ALONG THE WEST LINE OF THE NW/4 OF SECTION 12 A DISTANCE OF 166.52 FEET; THENCE SOUTH 89°01'21" EAST 30.01 FEET; THENCE SOUTH 00°09'11" EAST 30.01 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°01'21" EAST 391.77 FEET; THENCE SOUTH 00°09'11" EAST 133.30 FEET; THENCE NORTH 89°03'00" WEST 391.77 FEET; THENCE NORTH 00°09'11" WEST 133.49 FEET TO THE POINT OF BEGINNING.

PROPOSED TRACT "B" LEGAL DESCRIPTION: A TRACT OF LAND THAT IS PART OF THE NORTH HALF (N/2) OF THE NORTH HALF (N/2) OF THE NORTHWEST QUARTER (SW/4) OF THE NORTHWEST QUARTER (NW/4) OF SECTION TWELVE (12), TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE SW/4 OF THE NW/4 OF SAID SECTION 12; THENCE SOUTH 00°09'11" EAST ALONG THE WEST LINE OF THE NW/4 OF SECTION 12 A DISTANCE OF 166.52 FEET; THENCE SOUTH 89°01'21" EAST 50.01 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89°01'21" EAST 61.35 FEET; THENCE NORTH 00°09'11" WEST 166.20 FEET TO A POINT ON THE NORTH LINE OF THE SW/4 OF THE NW/4; THENCE SOUTH 89°59'42" EAST ALONG SAID NORTH LINE 661.46 FEET TO THE EAST LINE OF THE SW/4 OF THE NW/4; THENCE SOUTH 00°09'11" EAST 328.76 FEET; THENCE NORTH 89°03'00" WEST 880.75 FEET; THENCE NORTH 00°09'11" WEST 133.30 FEET; THENCE NORTH 89°01'21" WEST 391.77 FEET; THENCE NORTH 00°09'11" WEST 30.01 FEET TO THE POINT OF BEGINNING.



SURVEYOR'S NOTES:

- DATE OF LAST SITE VISIT WAS SEPTEMBER 30, 2016.
- BASIS FOR BEARINGS ARE ASSUMED USING THE WEST LINE OF THE NW/4 OF SECTION 12 AS N 00°09'11" W.
- UTILITIES WERE NOT FIELD LOCATED AND ARE NOT SHOWN - CALL OKIE 1-800-522-6543.
- SURVEYOR WAS NOT CONTRACTED TO PERFORM A RECORDS SEARCH NOR WAS HE PROVIDED WITH ANY ADDITIONAL DOCUMENTATION TO CONSIDER OR NOTE. DOCUMENTS OF RECORD MAY EXIST THAT AFFECT THE SUBJECT PROPERTY.

PREPARED BY:

FRITZ LAND SURVEYING, LLC
2017 W. 91st STREET
TULSA, OK 74132
PH: 918.231.0575
FRITZLANDSURVEYING@GMAIL.COM
FLSH 16436

SURVEYOR'S STATEMENT

FRITZ LAND SURVEYING, LLC AND THE UNDERSIGNED PROFESSIONAL LAND SURVEYOR, UNDER CERTIFICATE OF AUTHORIZATION CA #5848, DO HEREBY STATE THAT THIS PLAT OF SURVEY IS A TRUE AND ACCURATE REPRESENTATION OF THE SURVEY MADE ON THE GROUND BY ANDY FRITZ, PLS. AND OF THE FACTS AS FOUND AT THE TIME OF THE SURVEY AND THAT THIS PLAT MEETS OR EXCEEDS THE MINIMUM TECHNICAL STANDARDS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS. THE LEGAL DESCRIPTIONS CREATED BY THIS SURVEY ARE MADE IN ACCORD WITH EXISTING RECORD AND DO MATHEMATICALLY CLOSE.

[Signature]
ANDY FRITZ, PLS
OK LIC. 1694

WITNESS MY HAND AND SEAL THIS
3TH DAY OF OCTOBER, 2016.



Sawyer, Kim

From: Mark Fritz [mfritz07@hotmail.com]
Sent: Wednesday, November 16, 2016 9:54 AM
To: esubmit; Mark Fritz
Subject: Case number Z-7366

My name is Jane Fritz and I represent the Fritz-Gough L.L.C. that own the property (case number Z-7366) that is being considered for rezoning at todays hearing. It is now zoned AG and proposed change is for CG. I am not able to attend the hearing but would like it to be known that the Fritz-Gough L.L.C. would be in favor of the rezoning to

Commercial General. I would like to be notified of the results of the hearing. I can be contacted at mfritz07@hotmail.com or Jane Fritz 918 513 2392. Thank you for your consideration in this matter.

Jane Fritz, C.E.O. Fritz-Gough L.L.C.

FILE COPY



FILE COPY

OFFICIAL RECORD EXHIBIT
ENTERED BY THE
TULSA COUNTY
CLERK OF THE TULSA COUNTY
AREA PLANNING COMMISSION.

7-73660

17.15

Sawyer, Kim

From: Michael Willis [mwillis@tulsacounty.org]
Sent: Monday, November 14, 2016 8:01 AM
To: Steve Lauterwasser
Cc: Miller, Susan; Sawyer, Kim
Subject: RE: Rezoning hearing

2-7366

Steve,

I appreciate you making contact with me. I am copying TMAPC staff on this e-mail so that your feedback may be shared with the entire Planning Commission. As a member of the commission, I am not really supposed to engage in dialogue regarding a specific case, or indicate my support or lack of support for a certain issue. I hope you understand. But, your comments are appreciated and I will certainly consider them.

Best,

Michael

FILE COPY

Michael Willis
Chief Deputy County Commissioner
Public Information Officer
(918) 596-5018, (918) 630-5952

From: Steve Lauterwasser [mailto:skl51@sbcglobal.net]
Sent: Saturday, November 12, 2016 9:14 AM
To: Michael Willis
Subject: Rezoning hearing

I had breakfast this morning with Rachel Brewer and she suggested I contact you. My name is Steve Lauterwasser and I live at 7325 S. Elwood Ave., Tulsa. 74132. This is just south of the new apts. being built and on the east side of the road. I have lived here for 26 years and am concerned abt maintaining some sense of livability here on Elwood. I am sure you are aware of all the building that is happening on Elwood. The land just to the south of my property, and adjacent to mine, sold approx. 3 weeks ago. It is abt. 7 acres of land with 4.5a - 5 acres of woods backing up to city property. He has requested a rezoning hearing to change the zoning from agri. to commercial on the front 1.5 acres. Case number Z-7366. He want's to put in a dog training and boarding center. I am opposed to this for many reasons. Primarily, I don't want to open up more of this land to commercial development. There are many people who still enjoy living out here. I have contacted Jeannie Cue and have a meeting with her on Tuesday the 15th. The hearing is on the 16th. I am writing to express my opposition and to see if you are willing or able to help me in this matter. I realize time is getting short until the hearing and I apologize for the lateness of notifying you. I would be happy to meet with you to further explain my opposition. Thank you for your consideration.
Steve Lauterwasser

The information in this e-mail message (including any information contained in attachments hereto) is intended only for use of the addressee. This e-mail message may contain confidential or privileged information. If you receive this e-mail message unintentionally, please notify the sender immediately and then delete this message. E-mail transmission is not guaranteed to be secured or error free. The sender is in no way liable for any errors or omissions in the content of this e-mail message, which may arise as a result of e-mail transmission. E-mails, text messages, and other electronic communications made or received in connection with the transaction of public business, the expenditure of public funds, or the administration of public property are subject to the Oklahoma Open Records Act and the Records Management Act.

Sawyer, Kim

From: Wilkerson, Dwayne
Sent: Tuesday, November 15, 2016 11:52 AM
To: Sawyer, Kim
Cc: Steve Lauterwasser; John Day
Subject: Z-7366 with optional Development Plan
Attachments: 1823_001.pdf

Kim,

Mr. Steve Lauterwasser is the property owner immediately north of the referenced rezoning case. We met this morning and I expect him to protest the proposed zoning application.

Mr. Lauterwasser provided a package of protest signatures for the Planning Commission members and asked us to forward them to the Planning Commission Members. Please forward the protest letters as requested.

INCOG

C. Dwayne Wilkerson
Assistant Director Land Development Services

2 West Second Street
Suite 800
Tulsa, OK 74103

918-579-9475
dwilkerson@incog.org

FILE COPY

From: lobby@incog-copier.org [<mailto:lobby@incog-copier.org>]
Sent: Tuesday, November 15, 2016 11:18 AM
To: Wilkerson, Dwayne
Subject: Attached Image

ZONING PROTEST PETITION

Zoning Case Being Protested Zoning Case # Z-7366

Zoning Change from Agricultural to Commercial (Dog Boarding and Training Facility)

Protestor's Name and Property Description

1) Legal description of your property (full address or legal description):

7251 S. ELWOOD AVE TULSA OK.

2) Owner of Property as listed with the Tulsa County property tax records:

Michael R. Sulala

3) If name of protestor signing petition is not the same as the owner of the property listed above, please describe legal authority to sign petition (i.e., power of attorney, corporation representative, etc).

I/We, the undersigned, do hereby protest the change to the zoning regulations proposed in the above-described Tulsa Zoning Case. By signing below, I/We hereby represent that I/We am/are the owner(s) of the above-described Property or that I/We am/are authorized to sign this protest on behalf of the identified owners pursuant to a power of attorney or similar authority that is in full force and effect as of the time and date indicated below. I/We further represent that the statements made herein are true and correct.

Name of Protestor(s): _____

Name _____

Title (if applicable) _____

Signature Michael R. Sulala

Date 11/12/2016

17.18

ZONING PROTEST PETITION

Zoning Case Being Protested Zoning Case # Z-7366

Zoning Change from Agricultural to Commercial (Dog Boarding and Training Facility)

Protestor's Name and Property Description

1) Legal description of your property (full address or legal description):

7325 S Edward

2) Owner of Property – as listed with the Tulsa County property tax records:

STEVE + Marna LAUTENWASSER

3) If name of protestor signing petition is not the same as the owner of the property listed above, please describe legal authority to sign petition (i.e., power of attorney, corporation representative, etc).

I/We, the undersigned, do hereby protest the change to the zoning regulations proposed in the above-described Tulsa Zoning Case. By signing below, I/We hereby represent that I/We am/are the owner(s) of the above-described Property or that I/We am/are authorized to sign this protest on behalf of the identified owners pursuant to a power of attorney or similar authority that is in full force and effect as of the time and date indicated below. I/We further represent that the statements made herein are true and correct.

Name of Protestor(s):

Name STEVE LAUTENWASSER

Title (if applicable)

Signature Steve Lautenwasser

Date 11/11/2016

ZONING PROTEST PETITION

Zoning Case Being Protested Zoning Case # Z-7366

Zoning Change from Agricultural to Commercial (Dog Boarding and Training Facility)

Protestor's Name and Property Description

1) Legal description of your property (full address or legal description):

Rustan and Kim Schwichtenberg
7405 S. Elwood Ave, Tulsa, OK 74132

2) Owner of Property – as listed with the Tulsa County property tax records:

Same

3) If name of protestor signing petition is not the same as the owner of the property listed above, please describe legal authority to sign petition (i.e., power of attorney, corporation representative, etc).

I/We, the undersigned, do hereby protest the change to the zoning regulations proposed in the above-described Tulsa Zoning Case. By signing below, I/We hereby represent that I/We am/are the owner(s) of the above-described Property or that I/We am/are authorized to sign this protest on behalf of the identified owners pursuant to a power of attorney or similar authority that is in full force and effect as of the time and date indicated below. I/We further represent that the statements made herein are true and correct.

Name of Protestor(s):

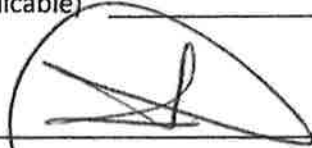

Rustan Schwichtenberg

Name

Kim Schwichtenberg

Title (if applicable)

Signature

Date

11-13-16

ZONING PROTEST PETITION

Zoning Case Being Protested Zoning Case # Z-7366

Zoning Change from Agricultural to Commercial (Dog Boarding and Training Facility)

Protestor's Name and Property Description

1) Legal description of your property (full address or legal description):

7409 S Elwood Ave
Tulsa OK 74132

2) Owner of Property – as listed with the Tulsa County property tax records:

Jorge Busquets AND SUSANNE BUSQUETS

3) If name of protestor signing petition is not the same as the owner of the property listed above, please describe legal authority to sign petition (i.e., power of attorney, corporation representative, etc).

I/We, the undersigned, do hereby protest the change to the zoning regulations proposed in the above-described Tulsa Zoning Case. By signing below, I/We hereby represent that I/We am/are the owner(s) of the above-described Property or that I/We am/are authorized to sign this protest on behalf of the identified owners pursuant to a power of attorney or similar authority that is in full force and effect as of the time and date indicated below. I/We further represent that the statements made herein are true and correct.

Name of Protestor(s):

Jorge Busquets

Name

Susanne Busquets

Title (if applicable)

Signature

[Signature] [Signature]

Date

11-13-16

ZONING PROTEST PETITION

Zoning Case Being Protested Zoning Case # Z-7366

Zoning Change from Agricultural to Commercial (Dog Boarding and Training Facility)

Protestor's Name and Property Description

1) Legal description of your property (full address or legal description):

27415 S. Elwood Ave Tulsa OK 74132
RUBY PRINCE

2) Owner of Property as listed with the Tulsa County property tax records:

3) If name of protestor signing petition is not the same as the owner of the property listed above, please describe legal authority to sign petition (i.e., power of attorney, corporation representative, etc).

I/We, the undersigned, do hereby protest the change to the zoning regulations proposed in the above-described Tulsa Zoning Case. By signing below, I/We hereby represent that I/We am/are the owner(s) of the above-described Property or that I/We am/are authorized to sign this protest on behalf of the identified owners pursuant to a power of attorney or similar authority that is in full force and effect as of the time and date indicated below. I/We further represent that the statements made herein are true and correct.

Name of Protestor(s): _____

Name _____

Title (if applicable) _____

Signature Ruby Prince

Date Nov. 12, 2014

ZONING PROTEST PETITION

Zoning Case Being Protested Zoning Case # Z-7366

Zoning Change from Agricultural to Commercial (Dog Boarding and Training Facility)

Protestor's Name and Property Description

1) Legal description of your property (full address or legal description):

7511 So ELWOOD

2) Owner of Property – as listed with the Tulsa County property tax records:

GERALD GONZALES

3) If name of protestor signing petition is not the same as the owner of the property listed above, please describe legal authority to sign petition (i.e., power of attorney, corporation representative, etc).

I/We, the undersigned, do hereby protest the change to the zoning regulations proposed in the above-described Tulsa Zoning Case. By signing below, I/We hereby represent that I/We am/are the owner(s) of the above-described Property or that I/We am/are authorized to sign this protest on behalf of the identified owners pursuant to a power of attorney or similar authority that is in full force and effect as of the time and date indicated below. I/We further represent that the statements made herein are true and correct.

Name of Protestor(s): GERALD GONZALES

Name

Title (if applicable)

Signature

Date 12 NOV 14

ZONING PROTEST PETITION

Zoning Case Being Protested Zoning Case # Z-7366

Zoning Change from Agricultural to Commercial (Dog Boarding and Training Facility)

Protestor's Name and Property Description

1) Legal description of your property (full address or legal description):

7515 S. ELWOOD Ave
Tulsa OK 74132

2) Owner of Property – as listed with the Tulsa County property tax records:

ANTHONY SNAPP

3) If name of protestor signing petition is not the same as the owner of the property listed above, please describe legal authority to sign petition (i.e., power of attorney, corporation representative, etc).

I/We, the undersigned, do hereby protest the change to the zoning regulations proposed in the above-described Tulsa Zoning Case. By signing below, I/We hereby represent that I/We am/are the owner(s) of the above-described Property or that I/We am/are authorized to sign this protest on behalf of the identified owners pursuant to a power of attorney or similar authority that is in full force and effect as of the time and date indicated below. I/We further represent that the statements made herein are true and correct.

Name of Protestor(s):

Anthony Snapp

Name

Title (if applicable)

Signature

Anthony Snapp

Date

11-12-14

17.24

ZONING PROTEST PETITION

Zoning Case Being Protested Zoning Case # Z-7366

Zoning Change from Agricultural to Commercial (Dog Boarding and Training Facility)

Protestor's Name and Property Description

1) Legal description of your property (full address or legal description):

7525 S. Elwood
Tulsa, OK 74137

2) Owner of Property – as listed with the Tulsa County property tax records:

Graham Gardner

3) If name of protestor signing petition is not the same as the owner of the property listed above, please describe legal authority to sign petition (i.e., power of attorney, corporation representative, etc).

I/We, the undersigned, do hereby protest the change to the zoning regulations proposed in the above-described Tulsa Zoning Case. By signing below, I/We hereby represent that I/We am/are the owner(s) of the above-described Property or that I/We am/are authorized to sign this protest on behalf of the identified owners pursuant to a power of attorney or similar authority that is in full force and effect as of the time and date indicated below. I/We further represent that the statements made herein are true and correct.

Name of Protestor(s): Graham Gardner

Name _____

Title (if applicable) _____

Signature 

Date 11/13/16

ZONING PROTEST PETITION

Zoning Case Being Protested Zoning Case # Z-7366

Zoning Change from Agricultural to Commercial (Dog Boarding and Training Facility)

Protestor's Name and Property Description

1) Legal description of your property (full address or legal description):

1251 S. ELWOOD AVE TULSA OK.

2) Owner of Property as listed with the Tulsa County property tax records:

Michael R. Sulala

3) If name of protestor signing petition is not the same as the owner of the property listed above, please describe legal authority to sign petition (i.e., power of attorney, corporation representative, etc).

I/We, the undersigned, do hereby protest the change to the zoning regulations proposed in the above-described Tulsa Zoning Case. By signing below, I/We hereby represent that I/We am/are the owner(s) of the above-described Property or that I/We am/are authorized to sign this protest on behalf of the identified owners pursuant to a power of attorney or similar authority that is in full force and effect as of the time and date indicated below. I/We further represent that the statements made herein are true and correct.

Name of Protestor(s): _____

Name _____

Title (if applicable) _____

Signature Michael R. Sulala

Date 11/12/2016

ZONING PROTEST PETITION

Zoning Case Being Protested Zoning Case # Z-7366

Zoning Change from Agricultural to Commercial (Dog Boarding and Training Facility)

Protestor's Name and Property Description

1) Legal description of your property (full address or legal description):

7325 S Edward

2) Owner of Property – as listed with the Tulsa County property tax records:

STEVE & MARA LAUTENWASSER

3) If name of protestor signing petition is not the same as the owner of the property listed above, please describe legal authority to sign petition (i.e., power of attorney, corporation representative, etc).

I/We, the undersigned, do hereby protest the change to the zoning regulations proposed in the above-described Tulsa Zoning Case. By signing below, I/We hereby represent that I/We am/are the owner(s) of the above-described Property or that I/We am/are authorized to sign this protest on behalf of the identified owners pursuant to a power of attorney or similar authority that is in full force and effect as of the time and date indicated below. I/We further represent that the statements made herein are true and correct.

Name of Protestor(s):

Name STEVE LAUTENWASSER

Title (if applicable)

Signature Steve Lautenwasser

Date 11/11/2016

ZONING PROTEST PETITION

Zoning Case Being Protested Zoning Case # Z-7366

Zoning Change from Agricultural to Commercial (Dog Boarding and Training Facility)

Protestor's Name and Property Description

1) Legal description of your property (full address or legal description):

Rustan and Kim Schwichtenberg
7405 S. Elwood Ave, Tulsa, OK 74132

2) Owner of Property – as listed with the Tulsa County property tax records:

Same

3) If name of protestor signing petition is not the same as the owner of the property listed above, please describe legal authority to sign petition (i.e., power of attorney, corporation representative, etc).

I/We, the undersigned, do hereby protest the change to the zoning regulations proposed in the above-described Tulsa Zoning Case. By signing below, I/We hereby represent that I/We am/are the owner(s) of the above-described Property or that I/We am/are authorized to sign this protest on behalf of the identified owners pursuant to a power of attorney or similar authority that is in full force and effect as of the time and date indicated below. I/We further represent that the statements made herein are true and correct.

Name of Protestor(s): Rustan Schwichtenberg

Name Kim Schwichtenberg

Title (if applicable) _____

Signature

Date 11-13-16

ZONING PROTEST PETITION

Zoning Case Being Protested Zoning Case # Z-7366

Zoning Change from Agricultural to Commercial (Dog Boarding and Training Facility)

Protestor's Name and Property Description

1) Legal description of your property (full address or legal description):

7409 S Elwood Ave
Tulsa OK 74132

2) Owner of Property – as listed with the Tulsa County property tax records:

Jorge Busquets AND SUSANNE BUSQUETS

3) If name of protestor signing petition is not the same as the owner of the property listed above, please describe legal authority to sign petition (i.e., power of attorney, corporation representative, etc).

I/We, the undersigned, do hereby protest the change to the zoning regulations proposed in the above-described Tulsa Zoning Case. By signing below, I/We hereby represent that I/We am/are the owner(s) of the above-described Property or that I/We am/are authorized to sign this protest on behalf of the identified owners pursuant to a power of attorney or similar authority that is in full force and effect as of the time and date indicated below. I/We further represent that the statements made herein are true and correct.

Name of Protestor(s):

Jorge Busquets
Susanne Busquets

Name

Title (if applicable)

Signature

Date

11-13-16

17.29

ZONING PROTEST PETITION

Zoning Case Being Protested Zoning Case # Z-7366

Zoning Change from Agricultural to Commercial (Dog Boarding and Training Facility)

Protestor's Name and Property Description

1) Legal description of your property (full address or legal description):

27415 S. Elwood Ave Tulsa OK 74132
RUBY PRINCE

2) Owner of Property as listed with the Tulsa County property tax records:

3) If name of protestor signing petition is not the same as the owner of the property listed above, please describe legal authority to sign petition (i.e., power of attorney, corporation representative, etc).

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Name of Protestor(s): _____

Name _____

Title (if applicable) _____

Signature Ruby Prince

Date Nov. 12, 2014

17.30

ZONING PROTEST PETITION

Zoning Case Being Protested Zoning Case # Z-7366

Zoning Change from Agricultural to Commercial (Dog Boarding and Training Facility)

Protestor's Name and Property Description

1) Legal description of your property (full address or legal description):

7511 So ELWOOD

2) Owner of Property – as listed with the Tulsa County property tax records:

GERALD HENRY

3) If name of protestor signing petition is not the same as the owner of the property listed above, please describe legal authority to sign petition (i.e., power of attorney, corporation representative, etc).

I/We, the undersigned, do hereby protest the change to the zoning regulations proposed in the above-described Tulsa Zoning Case. By signing below, I/We hereby represent that I/We am/are the owner(s) of the above-described Property or that I/We am/are authorized to sign this protest on behalf of the identified owners pursuant to a power of attorney or similar authority that is in full force and effect as of the time and date indicated below. I/We further represent that the statements made herein are true and correct.

Name of Protestor(s):

Gerald Henry

Name

Title (if applicable)

Signature

Date

12 NOV 14

17.31

ZONING PROTEST PETITION

Zoning Case Being Protested Zoning Case # Z-7366

Zoning Change from Agricultural to Commercial (Dog Boarding and Training Facility)

Protestor's Name and Property Description

1) Legal description of your property (full address or legal description):

7515 S. ELWOOD Ave
Tulsa OK 74132

2) Owner of Property – as listed with the Tulsa County property tax records:

ANTHONY SNAPP

3) If name of protestor signing petition is not the same as the owner of the property listed above, please describe legal authority to sign petition (i.e., power of attorney, corporation representative, etc).

I/We, the undersigned, do hereby protest the change to the zoning regulations proposed in the above-described Tulsa Zoning Case. By signing below, I/We hereby represent that I/We am/are the owner(s) of the above-described Property or that I/We am/are authorized to sign this protest on behalf of the identified owners pursuant to a power of attorney or similar authority that is in full force and effect as of the time and date indicated below. I/We further represent that the statements made herein are true and correct.

Name of Protestor(s):

Anthony Snapp

Name _____

Title (if applicable) _____

Signature

Anthony Snapp

Date

11-12-14

17.32

ZONING PROTEST PETITION

Zoning Case Being Protested Zoning Case # Z-7366

Zoning Change from Agricultural to Commercial (Dog Boarding and Training Facility)

Protestor's Name and Property Description

1) Legal description of your property (full address or legal description):

7525 S. Elwood
Tulsa, OK 74132

2) Owner of Property – as listed with the Tulsa County property tax records:

Graham Gardner

3) If name of protestor signing petition is not the same as the owner of the property listed above, please describe legal authority to sign petition (i.e., power of attorney, corporation representative, etc).

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Name of Protestor(s): Graham Gardner

Name _____

Title (if applicable) _____

Signature 

Date 11/13/16



Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7368

Hearing Date: December 7, 2016

Case Report Prepared by:

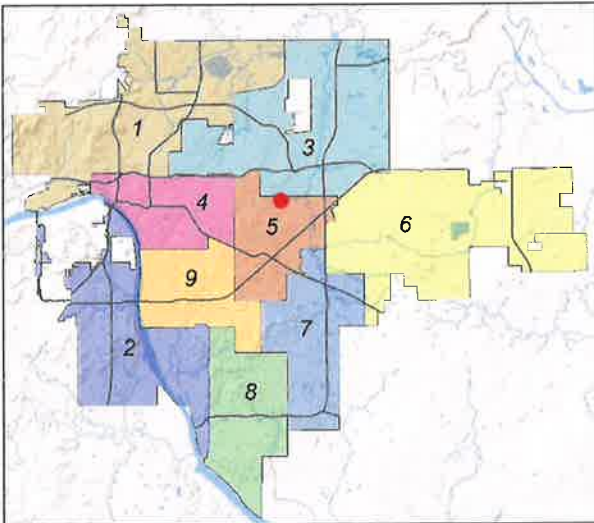
Jay Hoyt

Owner and Applicant Information:

Applicant: Mark Capron

Property Owner: MELTON, ROY

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Vacant car lot

Proposed Use: Retail car sales

Concept summary: Rezone existing OL/RS-3 zones to CH/CS to permit car sales.

Tract Size: 1.66 ± acres

Location: Southeast corner of S. 77th E. Ave. and E. 11th St. S.

Zoning:

Existing Zoning: RS-3/ OL

Proposed Zoning: CH/ CS

Comprehensive Plan:

Land Use Map: Mixed-Use Corridor

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 9311

CZM: 38

Atlas: 372

City Council District: 5

Councilor Name: Karen Gilbert

County Commission District: 2

Commissioner Name: Karen Keith

18.1

SECTION I: Z-7368

DEVELOPMENT CONCEPT: The applicant is requesting to rezone the subject parcels from OL/RS-3 to CH/CS to permit car sales on the subject lots. If the zoning is approved, the proposed use would require F1 screening along shared property lines with R district properties. F1 screening consists of a 6 foot high opaque screening fence and one tree per lineal foot of fence or a 6 foot high masonry wall.

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:
 - Tracts A & B Exhibit
 - Tracts A & B Exhibit with Aerial Overlay

DETAILED STAFF RECOMMENDATION:

The rezoning request included in Z-7368 is consistent with the land use vision in the Tulsa Comprehensive Plan and,

Rezoning request is compatible with the existing surrounding properties and,

CH/CS rezoning requested is consistent with the anticipated future development of the surrounding property therefore,

Staff recommends Approval of Z-7368 to rezone property from RS-3/ OL to CH/ CS.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: Z-7368 is included in Mixed-Use Corridor and an Area of Growth. The rezoning request will complement the vision identified.

Land Use Vision:

Land Use Plan map designation: Mixed-Use Corridor

Mixed-Use Corridors are Tulsa's modern thoroughfares that pair high capacity transportation facilities with housing, commercial, and employment uses. Off the main travel route, land uses include multifamily housing, small lot, and townhouse developments, which step down intensities to integrate with single family neighborhoods. Mixed-Use Corridors usually have four or more travel lanes, and sometimes additional lanes dedicated for transit and bicycle use. The pedestrian realm includes sidewalks separated from traffic by street trees, medians, and parallel parking strips. Pedestrian crossings are designed so they are highly visible and make use of the shortest path across a street. Buildings along Mixed-Use Corridors include windows and storefronts along the sidewalk, with automobile parking generally located on the side or behind.

18.2

and storefronts along the sidewalk, with automobile parking generally located on the side or behind.

Areas of Stability and Growth designation: Area of Growth

The purpose of an Area 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 in 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: East 11th Street is a Secondary Arterial

Trail System Master Plan Considerations: Site is approximately 1 mile from Mingo Trail

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *The site is currently a vacant car lot.*

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP RW</u>	<u>Exist. # Lanes</u>
South 77 th East Avenue	None	50 feet	2
East 11 th Street South	Secondary Arterial	100 feet	6

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	CH	Mixed-Use	Growth	Cell Tower/Collision Center
East	CH/OL	Mixed-Use	Growth	Commercial Bakery
South	RS-3	New Neighborhood	Growth	Single-Family
West	CH/RS-3	Mixed-Use/Existing Neighborhood	Growth/Stability	Car Sales/Single-Family

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11816 dated June 26, 1970, established zoning for the subject property.

Subject Property:

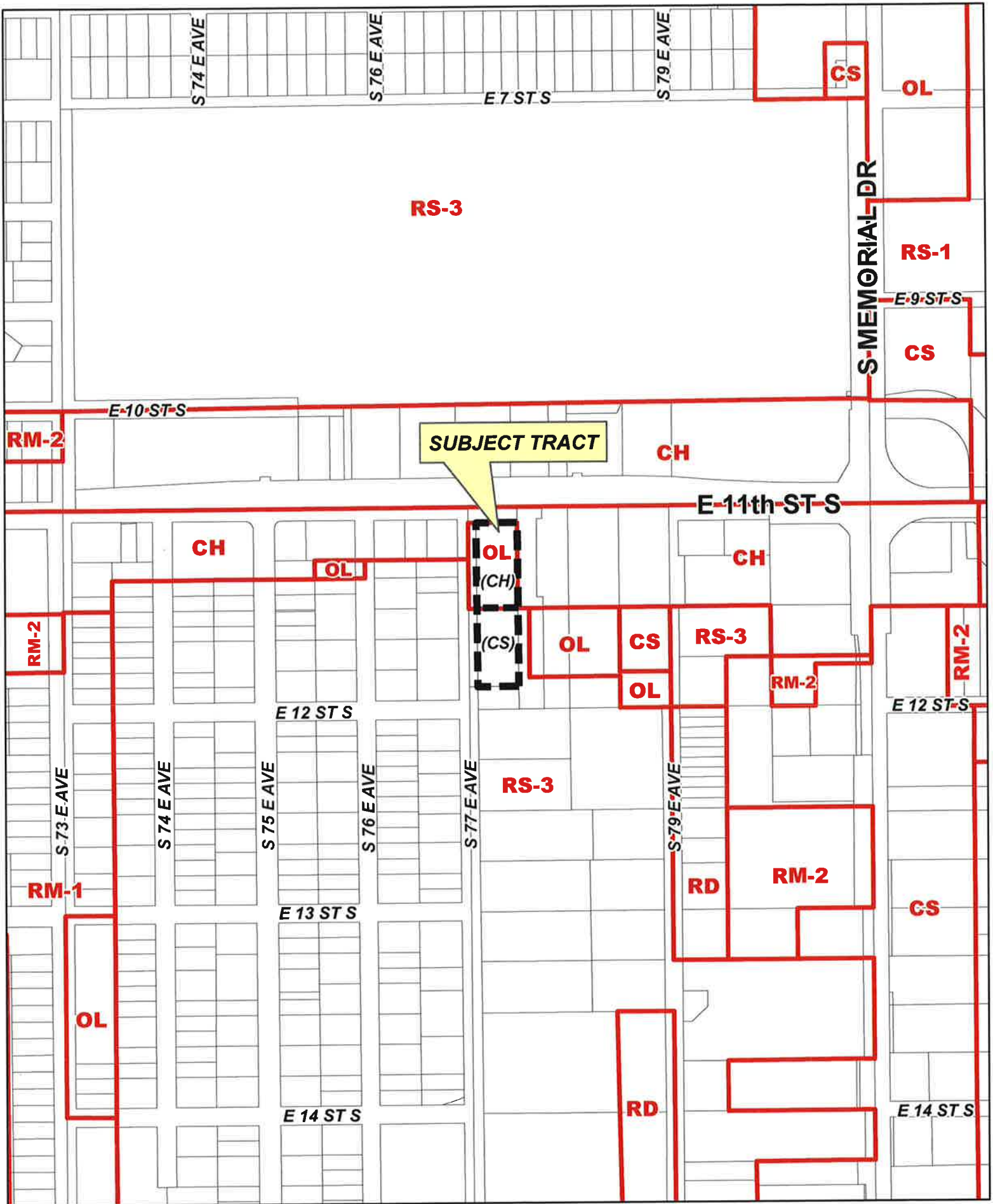
No relevant history.

Surrounding Property:

BOA-20508 June 12, 2007: The Board of Adjustment **approved** a *Special Exception* to permit bakery manufacturing (Use Unit 25) in a CH district, with conditions, on property located at 7712 E. 11th St. S. and abutting east of subject property.

12/7/2016 1:30 PM

18.4



SUBJECT TRACT

Z-7368

19-13 11

18.5





0 200 400
Feet



Subject
Tract

Z-7368

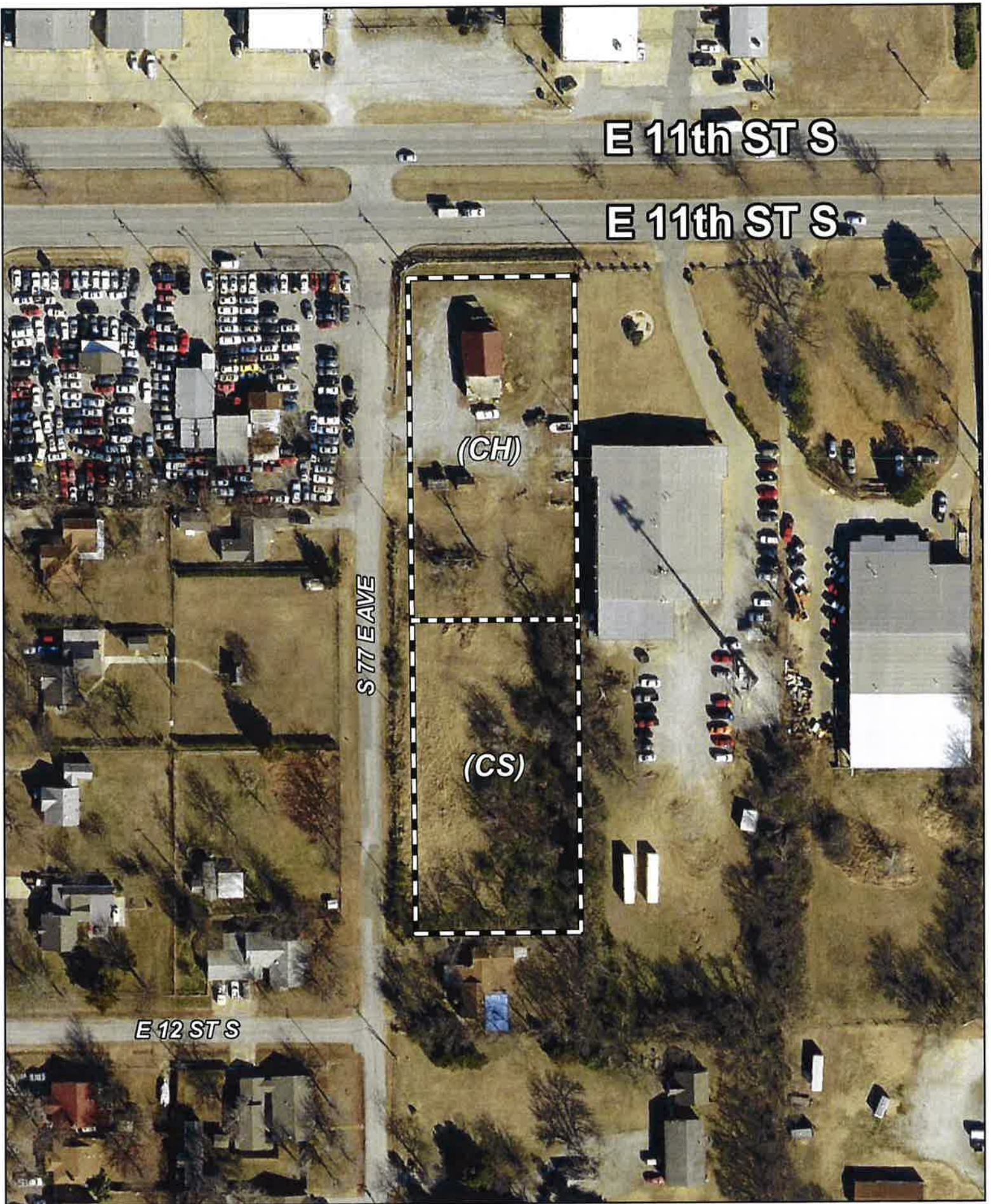
19-13 11

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

Aerial Photo Date: February 2016



18.4



E 11th ST S

E 11th ST S

(CH)

(CS)

S 77 E AVE

E 12 ST S

0 Feet 50 100



Subject Tract

Z-7368

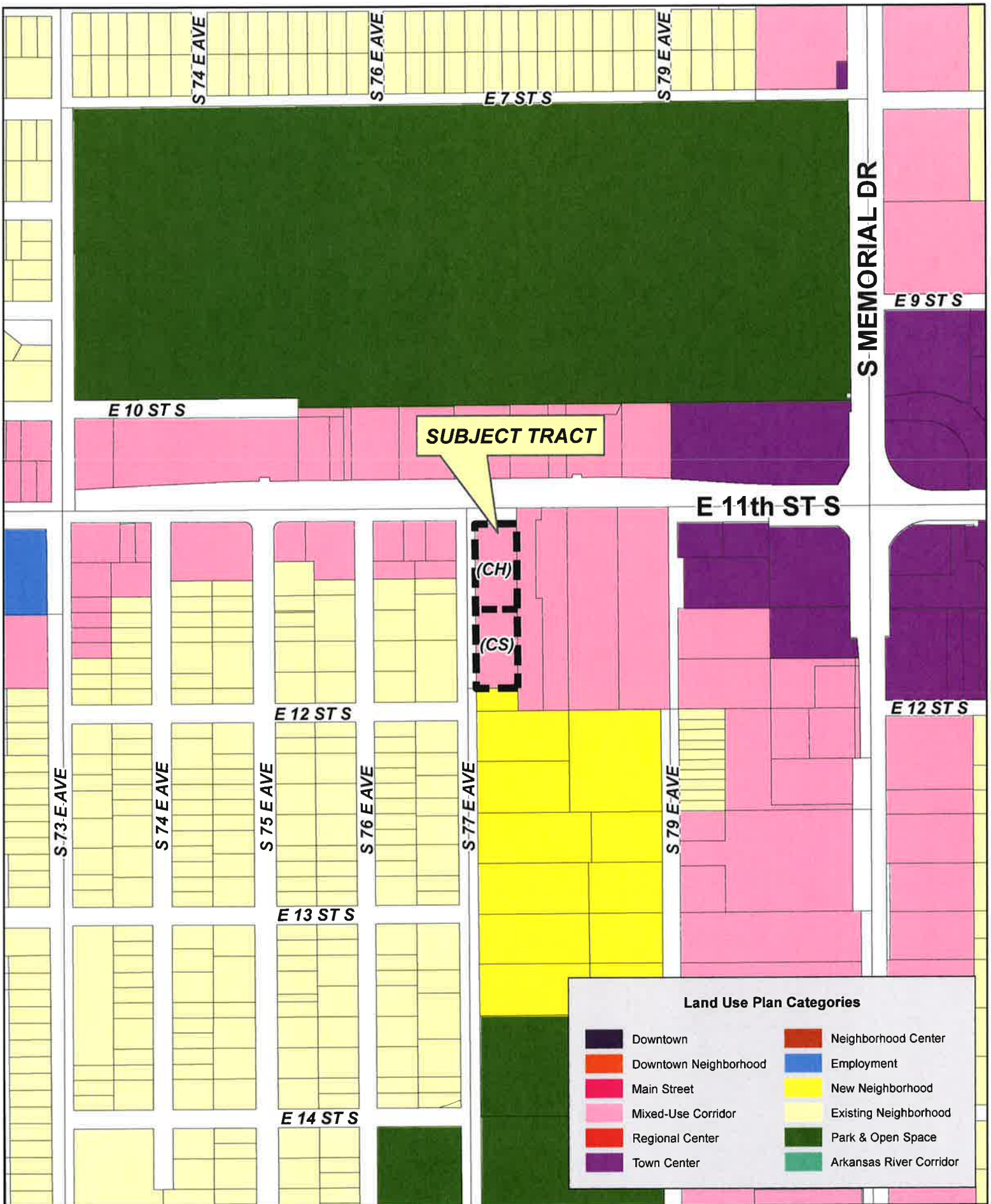
19-13 11

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

Aerial Photo Date: February 2016



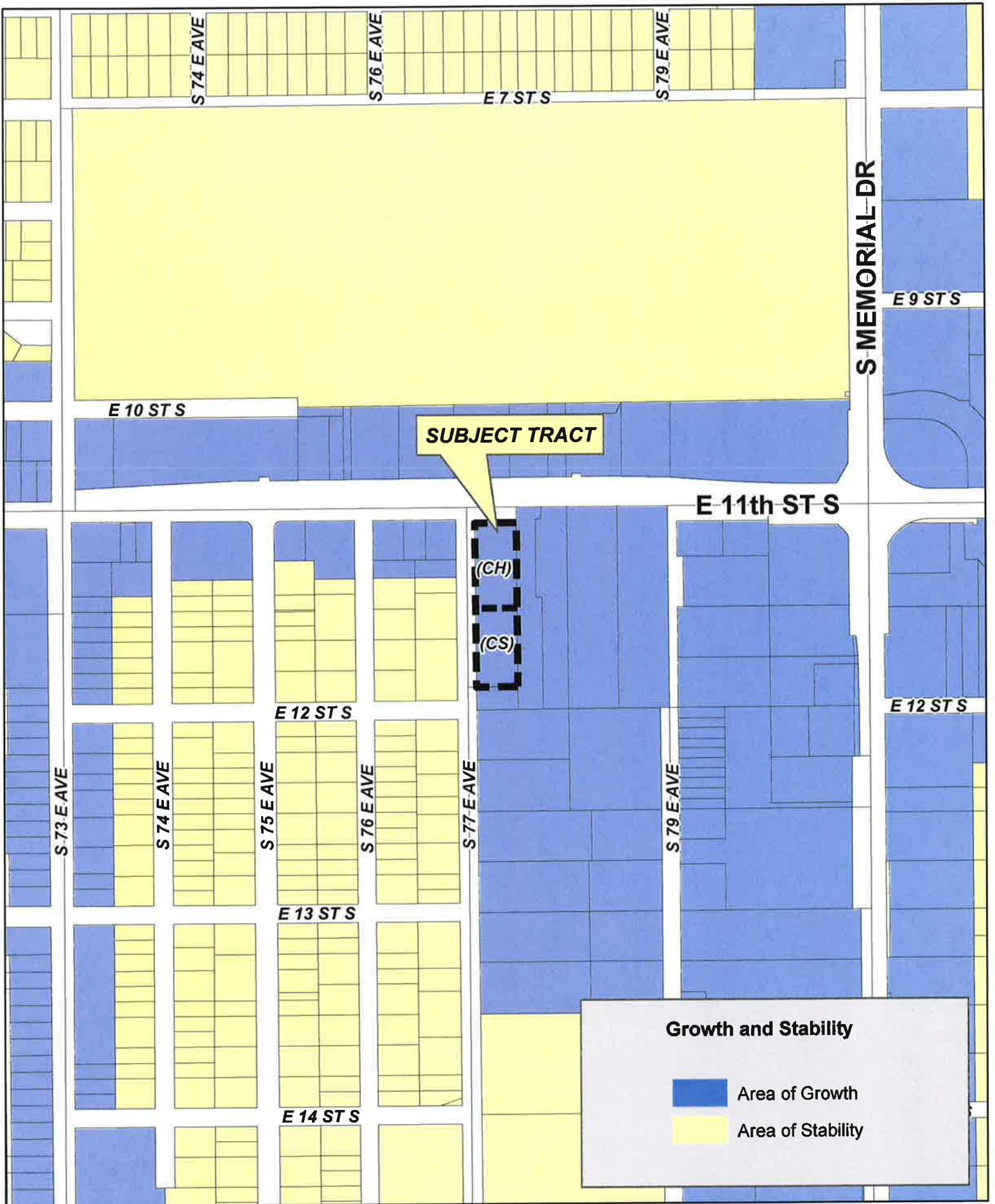
18.7



Z-7368

19-13 11



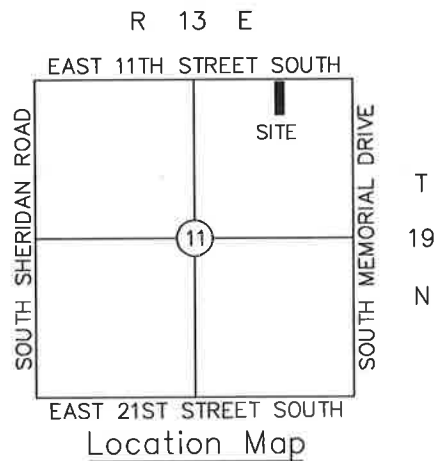
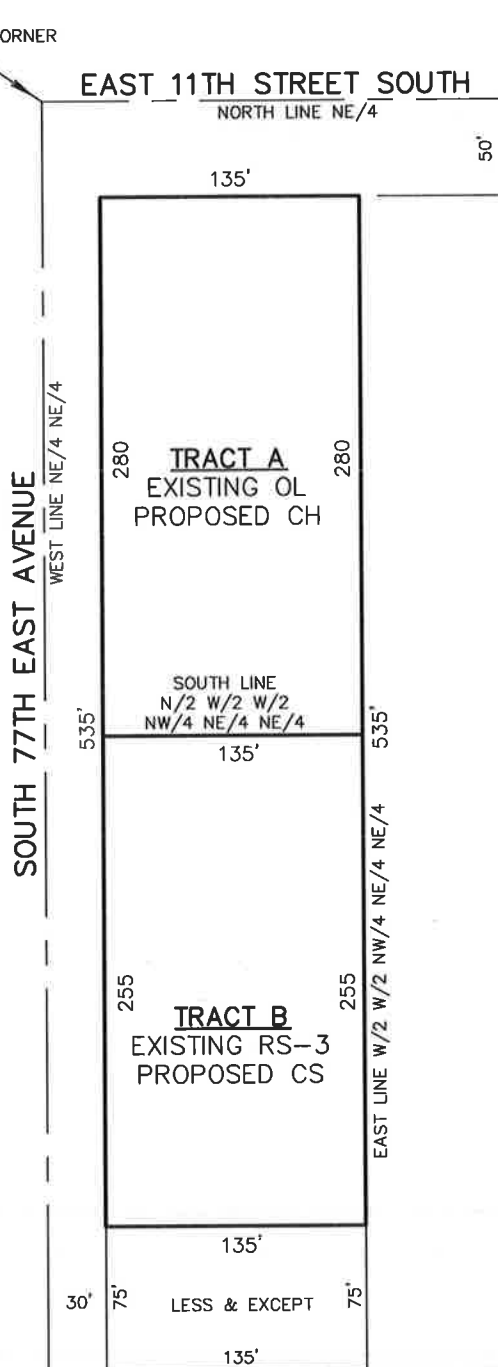


Exhibit



NORTHWEST CORNER
NE/4 NE/4

Scale: 1"=100'



Sisemore Weisz & Associates, Inc.

6111 EAST 32nd PLACE
TULSA, OKLAHOMA 74135
C.A. NO. 2421
W.O. NO. 17889

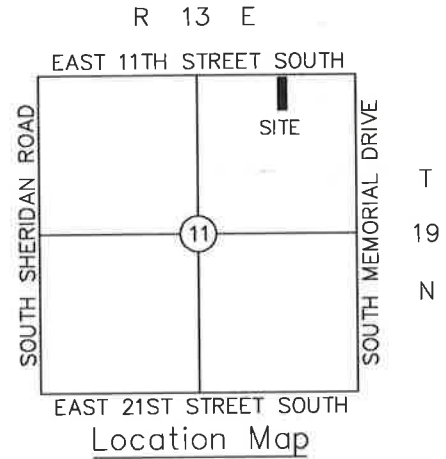
PHONE: (918) 665-3600
FAX: (918) 665-8668
EXP. DATE 6/30/17
FILE NO: 1913.1100

Exhibit



NORTHWEST CORNER
NE/4 NE/4

Scale: 1"=100'



Sisemore Weisz & Associates, Inc.

6111 EAST 32nd PLACE
TULSA, OKLAHOMA 74135
C.A. NO. 2421
W.O. NO. 17889

PHONE: (918) 665-3600
FAX: (918) 665-8668
EXP. DATE 6/30/17
FILE NO: 1913.1100



Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7369

w/ Optional Development Plan

Hearing Date: December 7, 2016

Case Report Prepared by:

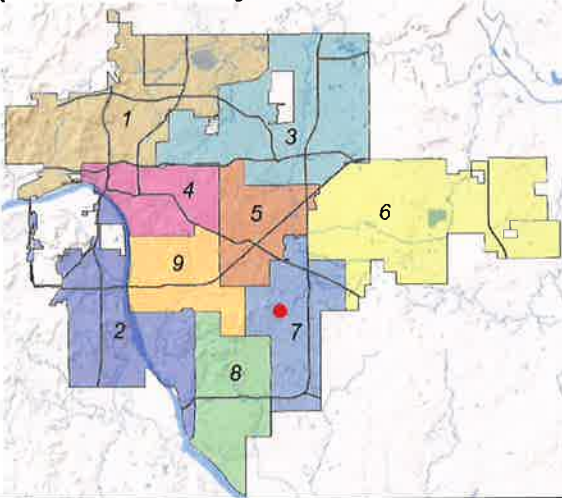
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Amos Baker

Property Owner: RHV LLC ATTN: Krystyna Rakowski

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Vacant/ drainage

Proposed Use: Multifamily

Concept summary: Rezoning the property from OL to RM-3 to allow a three story building with parking below.

Tract Size: 1.23 ± acres

Location: East of the northeast corner of E. 61st St. S. and S. Memorial Dr.

Zoning:

Existing Zoning: OL

Proposed Zoning: RM-3

Comprehensive Plan:

Land Use Map: Existing Neighborhood

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval for RM-3 zoning with the optional development plan included in Section II of the staff report.

Staff Data:

TRS: 9336

CZM: 48

Atlas: 760

City Council District: 7

Councilor Name: Anna America

County Commission District: 3

Commissioner Name: Ron Peters

19.1

SECTION I: Z-7369 With Optional Development Plan

DEVELOPMENT CONCEPT:

The planned project will entail the construction of a new multifamily development with related parking and trash facilities, planned to conform to the physical features of the Subject Property and provide the needed open spaces. The planned project will also take advantage of the ability to walk or bike to the nearby retail uses.

To the knowledge of the Applicant, the Subject Property has never been developed except for a stormwater drainage system. The Subject Property is bordered on the north and east with existing duplexes and on the west by an existing garden apartment project and on the south by a church. The property has approximately 331.25 feet of frontage on East 61st Street and is roughly one mile from Woodland Hills Mall.

The development is currently design to contain approximately 54 Dwelling Units, the optional development plan limits the number of dwelling units to 60, RM-3 zoning would allow up to 133 dwelling units. The development will feature open and covered parking. The covered parking will be under the building. The building height and shapes will maintain architectural interest and the design will allow it to conform to the sloping topography.

The existing height of the land above the neighboring properties to the North and East will offer residents outstanding views above the adjacent residential properties north and east.

The Optional Development Plan is being voluntarily imposed by the proposed owner to lessen the perceived impact of the development of those residentially zoned properties adjacent to the north and east edges of the site.

Although the conceptual site plan submitted herewith depicts the general massing and architectural style currently contemplated by the owner and its architect, the final product may vary from the conceptual site plan.

SECTION II: Z-7369 Optional Development Plan Standards

Z-7369 with the optional development plan will conform to the provisions of the Tulsa Zoning Code for development in an RM-3 zoning district except as further refined below:

Permitted uses:

The only use category, subcategory and specific use are allowed as follows:

1. Permitted Uses Categories:
 - a. Residential
2. Permitted Subcategories:
 - a. Household Living
3. Permitted Specific Uses
 - a. Townhouse
 - b. Duplex
 - c. Multi Unit House
 - d. Apartments/condo

Maximum Number of Dwelling Units.

Z-7369 shall be limited to a maximum of 60 dwelling units.

Height Limitations:

The maximum building height shall not exceed 55 feet as measured from the first floor elevation.

Lighting:

1. Light fixtures mounted on the building or ground may not exceed 16 feet above the ground level immediately below the light.
2. All lights must be pointed down.
3. Parking lot lighting must be further than 20 feet from the northeast boundary of the site.
4. Lighting that may be in the parking area under the building must be recessed or shielded so the fixture is not visible from the perimeter of the site.

Dumpsters and Recyclable Material Enclosures:

1. Material:
The enclosure must be masonry and complimentary to the materials used on the main building.
2. Location:
The dumpster enclosure may not be closer than 50 feet to the northeastern parcel line identified on the attached exhibits.

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:
 Conceptual Exterior View
 Illustrative Site Plan
 Aerial Exhibit illustrating stormwater relocation concept.

DETAILED STAFF RECOMMENDATION:

Z-7369 requesting RM-3 zoning with the optional development plan is consistent with the Existing Neighborhood Land Use designation of the Comprehensive Plan and;

The site is isolated from the surrounding neighborhood and vehicular access will be provided from East 61st Street South. The RM-3 zoning with the limited uses and development standards identified in Section II are not injurious to the surrounding proximate properties and;

The proposed residential density is an efficient use of existing utility and street infrastructure and;

The requested zoning is consistent with the anticipated future development pattern at this location therefore:

Staff recommends Approval of Z-7369 to rezone property from OL to RM-3 with the Optional Development Plan as outlined in Section II above.

SECTION III: Supporting Documentation**RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

Staff Summary: The proposed optional development plan and zoning request provides clear infill development standards that are consistent with appropriate infill standards at this location.

Land Use Vision:

Land Use Plan map designation: Existing Neighborhood

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

Areas of Stability and Growth designation: Area of 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: Multi Modal Streets

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: None that affect the site

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is vacant however significant stormwater considerations will affect site development. The properties north of the site are at a slightly higher elevation than the subject property and are not expected to be adversely affected by construction of a multi story building. The proposed construction will create a visual and sound barrier for the adjacent duplexes from the traffic on East 61st Street South.

Street view near southeast corner of the site looking northwest:



Environmental Considerations: None that would affect site development.

Streets:

<u>Existing Access</u>	<u>MSHP Design</u>	<u>MSHP RW</u>	<u>Exist. # Lanes</u>
East 61 st Street	Secondary Arterial with Multi modal Corridor Overlay	100 feet	4 with Center Turn Lane

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/East	RS-3	Existing Neighborhood	Area of Stability	Duplex
South across 61st	RS-3 / PUD 112A	Neighborhood Center	Area of Growth	Church with school
West	CS	Town Center	Area of Growth	Multifamily and shopping center

SECTION IV: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 21462 dated February 21, 2007, established zoning for the subject property.

Subject Property:

Z-7043 February 2007: Staff recommended denial of a request for *rezoning* a 1± acre tract of land, which is a part of a drainage easement as dedicated within the Woodland View Park South subdivision plat, from RS-3 to OL for light office use, on property located west of northwest corner of East 61st and South 89th Avenue and also known as the subject property. TMAPC and City Council concurred in **approval** of the request.

Surrounding Property:

PUD-390-B March 2003: All concurred in **approval** of a *major amendment to PUD* to allow a barber and beauty shop and to amend the development standards for Development Area B on a 1.15± acre tract located on the northeast corner of East 61st Street and South 89th East Avenue.

PUD-390-A January 2002: All concurred in **approval** of a *major amendment to the PUD* to allow a drive-through bank with the underlying OL zoning, on a tract located on the northeast corner of East 61st Street and South 89th East Avenue.

PUD-112-A November 2001: A *major amendment to PUD* was **approved** to allow addition of a private school offering compulsory education curriculum, on property located south and east of the southeast corner of E. 61st St. and S. Memorial Dr.

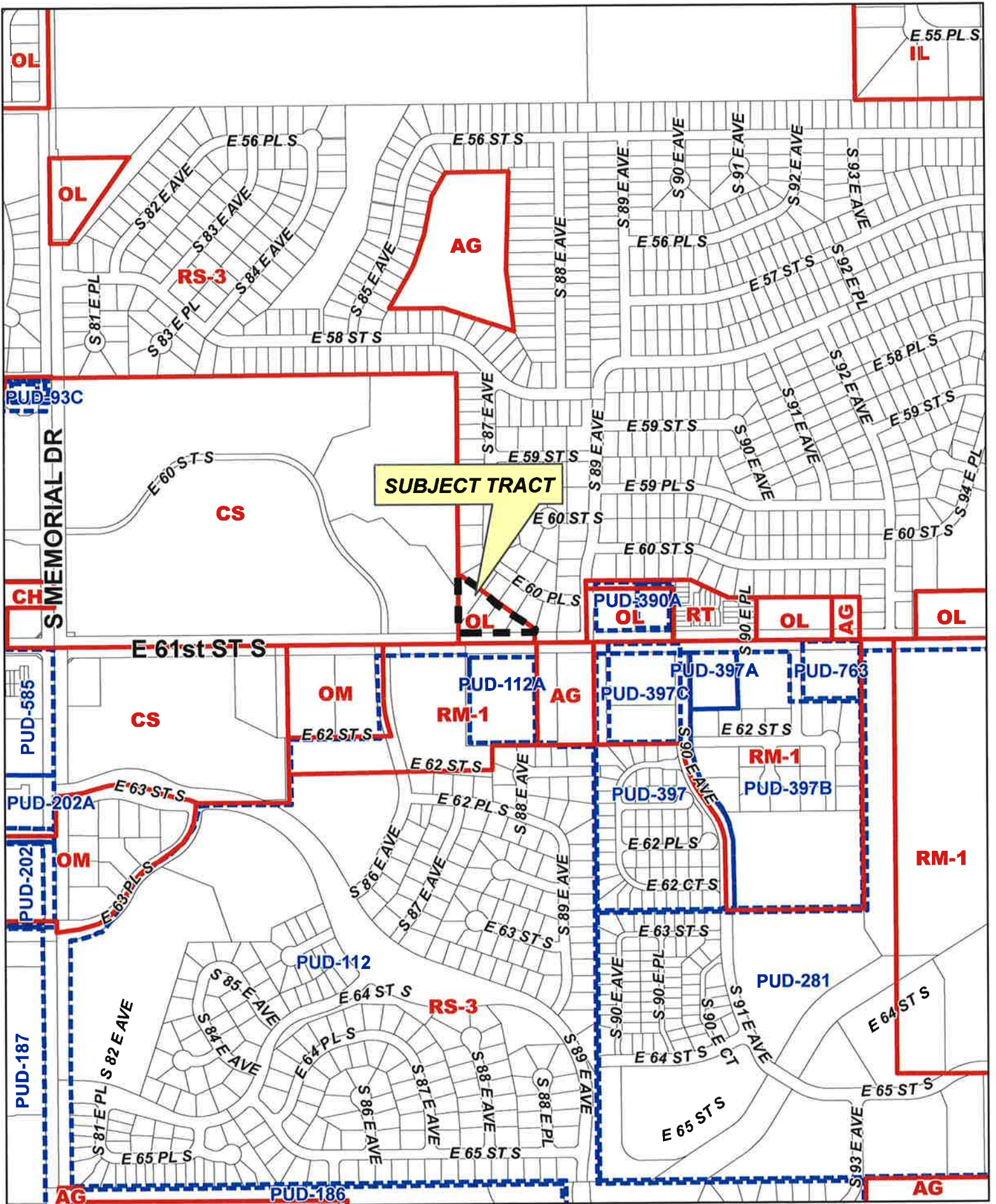
BOA-17264 December 12, 1995: The Board of Adjustment **approved** a *Special Exception* to permit multifamily buildings and accessory uses in a CS district; per plan submitted; subject to the construction of a detention facility, finding that the extension of the apartment project to the south tract will allow the traffic from the north tract to enter 61st St. without entering the ring road around Easton Square, on property located at north and east of the northeast corner of E. 61st St. and S. Memorial Dr.

Z-6016/PUD-390 March 1985: A request to rezone a tract of land from RMT to OL was recommended for denial by staff and TMAPC and was referred back to TMAPC by the City Commission to allow the applicant an opportunity to file a PUD for a proposed one-story office building. All concurred in **approval** of the *rezoning and PUD*, subject to conditions, on a tract located on the northeast corner of East 61st Street and South 89th East Avenue.

Z-4048/PUD-112 January 1972: All concurred in **approval** of a proposed *Planned Unit Development* and rezoning of 202 acres, from AG to RM-1/ OM/ RS-3 for multifamily, townhouse, and single-family

development, with approval of church use within the RS-3-designated development area. No commercial uses were allowed except the customary laundry and vending machines that would serve the multifamily uses, on property located south and east of the southeast corner of E. 61st St. and S. Memorial Dr.

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19-13 36

Z-7369
with Optional
Development Plan

19.8





Feet
0 300 600



Subject
Tract

19-13 36

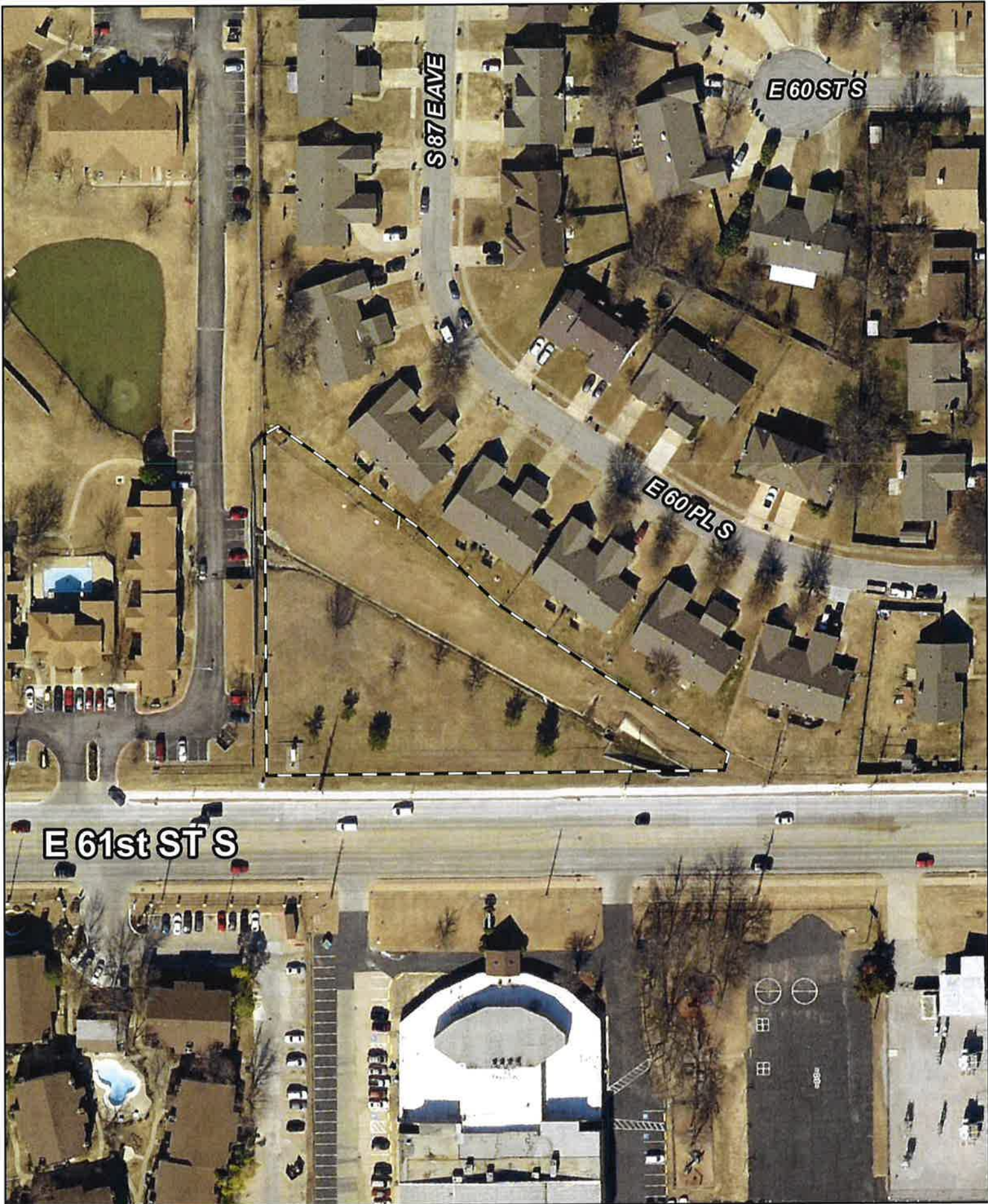
Z-7369
with Optional
Development Plan

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

Aerial Photo Date: February 2016



19.9

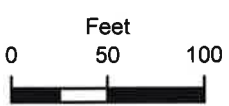


E 61st ST S

S 87th AVE

E 60th ST S

E 60th PL S



Subject
Tract

19-13 36

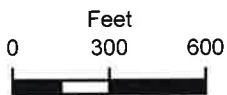
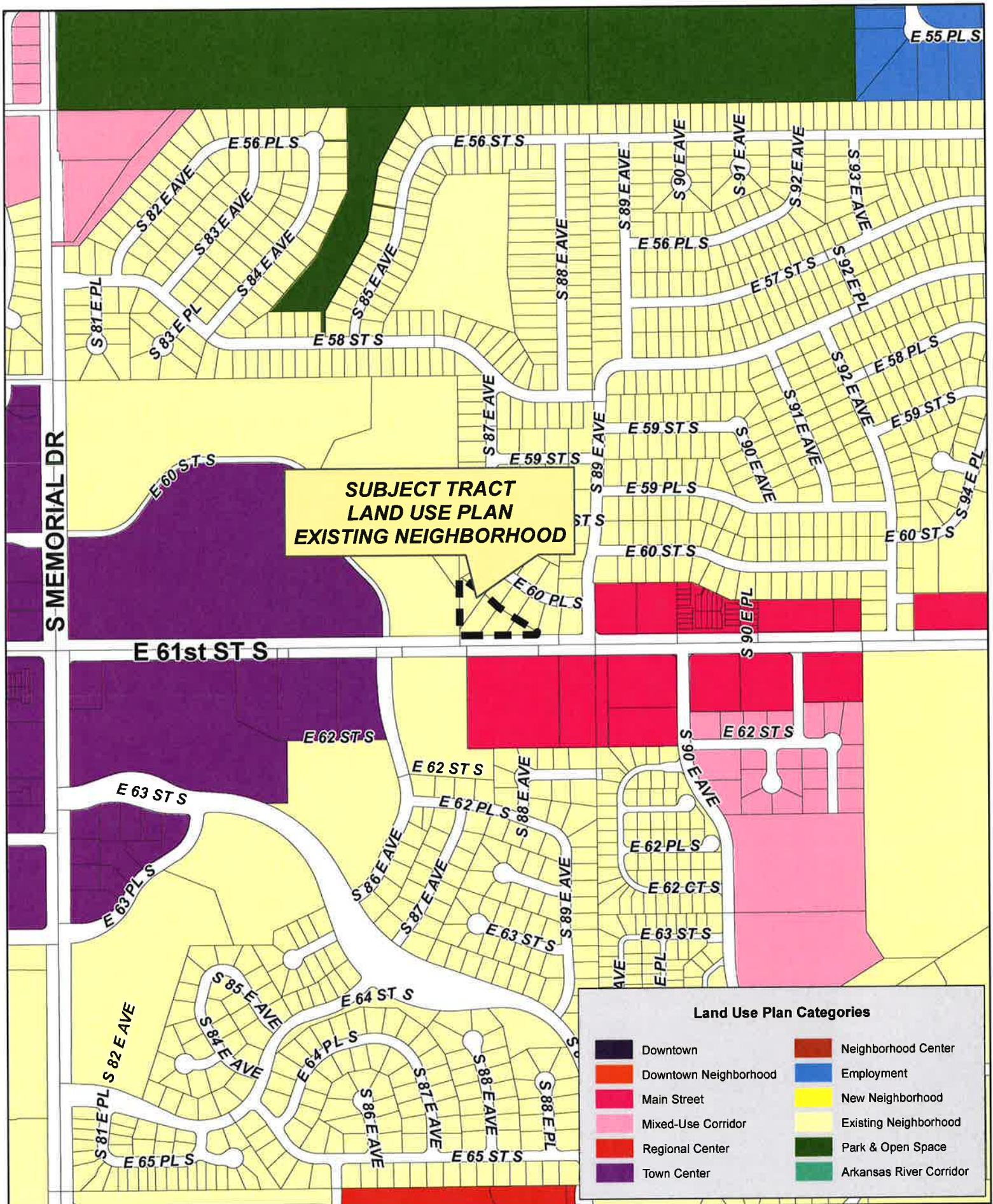
**Z-7369
with Optional
Development Plan**

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

Aerial Photo Date: February 2016



19.10



19-13 36

Z-7369
with Optional
Development Plan

19.11





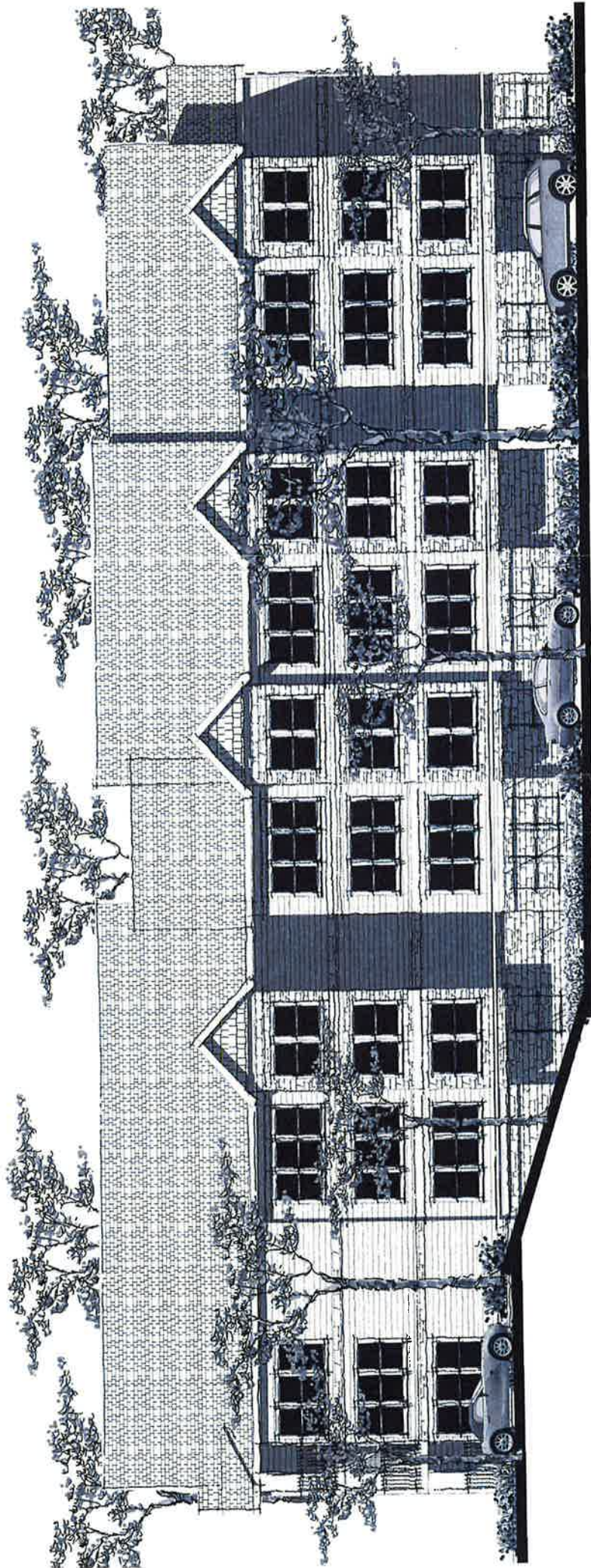
Feet
0 300 600

19-13 36

Z-7369
with Optional
Development Plan

19.12

Applicant Exhibits



EXTERIOR VIEW
NO SCALE

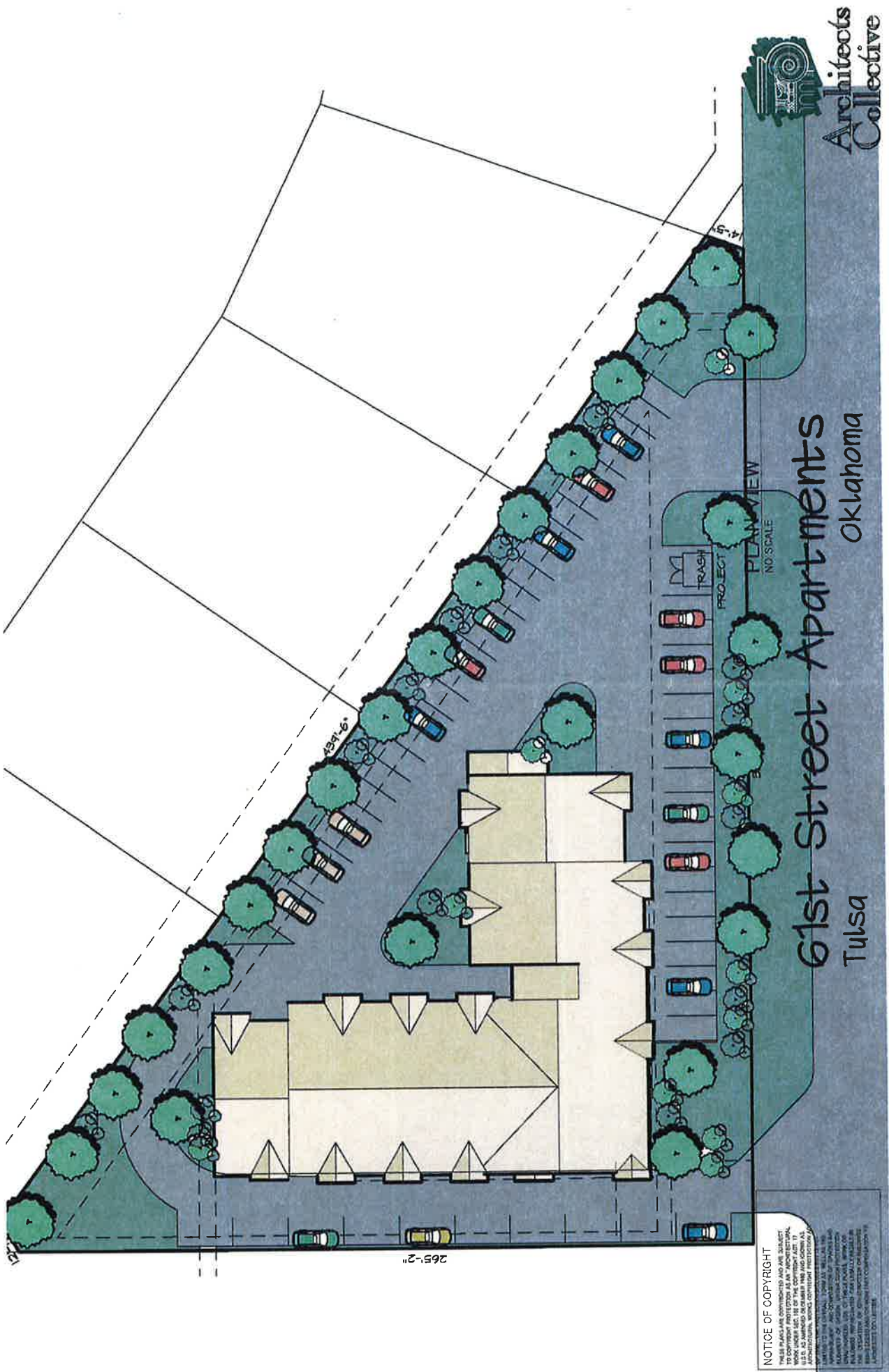
61st Street Apartments Tulsa Oklahoma



NOTICE OF COPYRIGHT

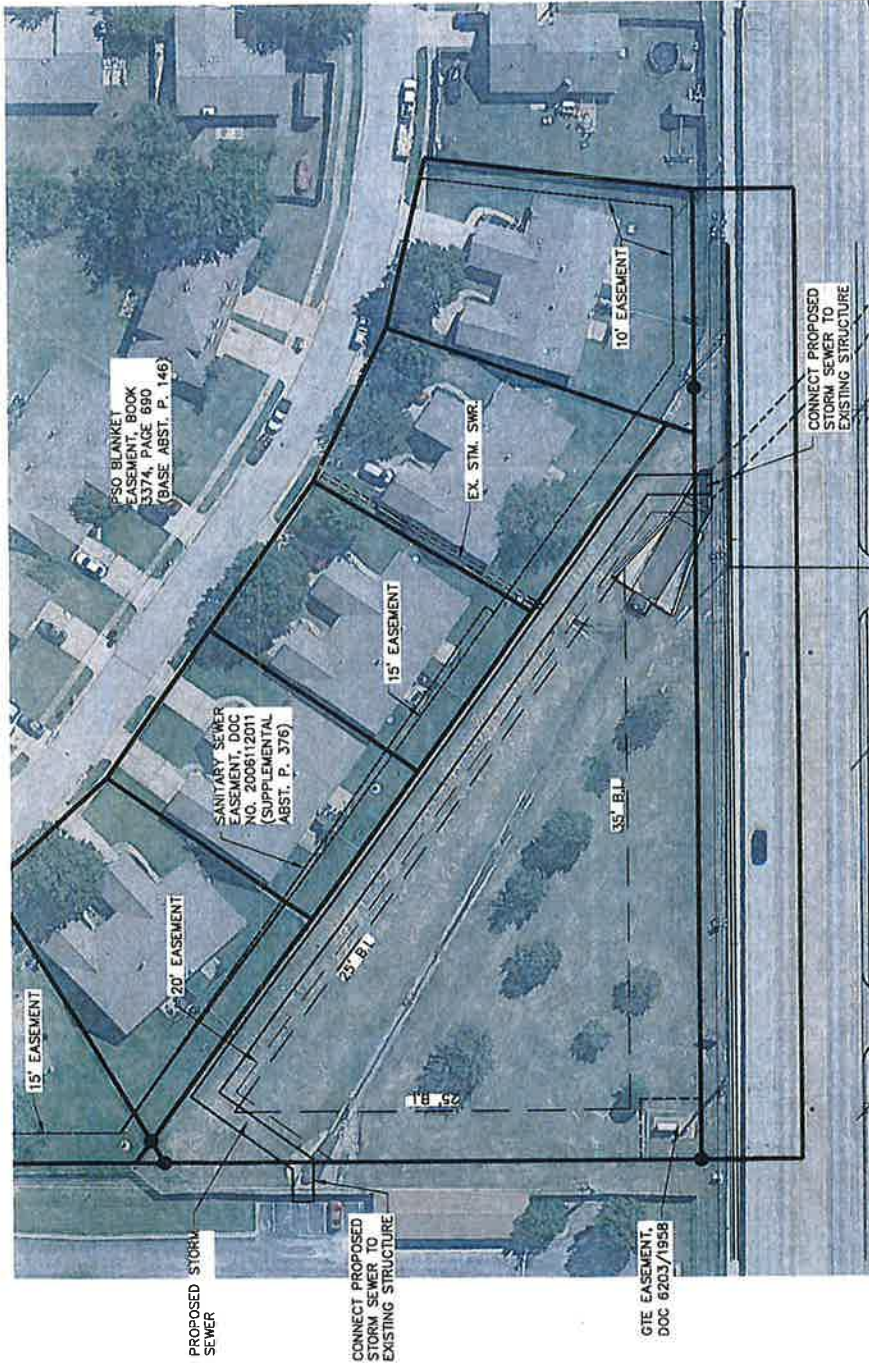
THESE PLANS ARE COPYRIGHTED AND ARE SUBJECT TO THE COPYRIGHT ACT OF 1976, 17 U.S.C. § 101, AND THE COPYRIGHT ACT OF 1909, 17 U.S.C. § 101. THE PROTECTION INCLUDES BUT IS NOT LIMITED TO THE ORIGINAL FORM AND DESIGN OF THE PLANS. THE PROTECTION INCLUDES BUT IS NOT LIMITED TO THE ORIGINAL FORM AND DESIGN OF THE PLANS. THE PROTECTION INCLUDES BUT IS NOT LIMITED TO THE ORIGINAL FORM AND DESIGN OF THE PLANS. THE PROTECTION INCLUDES BUT IS NOT LIMITED TO THE ORIGINAL FORM AND DESIGN OF THE PLANS.

19.14



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 THESE PLANS ARE COPYRIGHTED AND ARE SUBJECT
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 IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR
 MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING,
 OR BY ANY INFORMATION STORAGE AND RETRIEVAL
 SYSTEM, WITHOUT PERMISSION IN WRITING FROM THE
 ARCHITECTS COLLECTIVE

19.15



NOTE:
ALL DATA HAS NOT
BEEN FIELD VERIFIED

ONE INCH
0

SCALE CONFIRMATION

ON THE ORIGINAL DRAWING THE BAR SCALE
SHOWN ABOVE IS ONE INCH LONG. IF THE BAR
SCALE IS NOT ONE INCH LONG ON THIS COPY
THE DIMENSIONS ARE NOT PROPORTIONATELY
REDUCED.

DESIGNED: <u>RAE</u>			AMOS BAKER WOODLAND PARK APARTMENTS	AERIAL EXHIBIT	
CHECKED: <u>RAE</u>					
DRAWN: <u>RAE</u>					
APPROVED: <u>RAE</u>					
Date	Notes	By			

19.16



Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7370

Hearing Date: December 7, 2016

Case Report Prepared by:

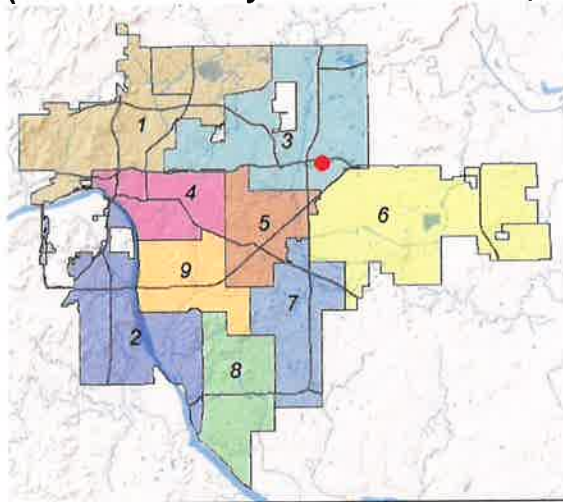
Jay Hoyt

Owner and Applicant Information:

Applicant: Alan Betchan

Property Owner: CROSSTOWN IN TULSA LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Residential

Proposed Use: Industrial use

Concept summary: Rezone parcel from RS-3 to IL to permit light industrial development.

Tract Size: 2.52 ± acres

Location: East of southeast of E. Pine St. and N. Garnett Rd.

Zoning:

Existing Zoning: RS-3

Proposed Zoning: IL

Comprehensive Plan:

Land Use Map: Employment

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 0432

CZM: 31

Atlas: 851, 972

City Council District: 3

Councilor Name: David Patrick

County Commission District: 1

Commissioner Name: John Smaligo

20.1

SECTION I: Z-7370

DEVELOPMENT CONCEPT: The applicant is requesting to rezone the subject parcel from RS-3 to IL to permit light industrial development. The site is currently surrounded on all sides by IL 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:
 - Exhibit A – Page 1
 - Exhibit A – Page 2

DETAILED STAFF RECOMMENDATION:

The rezoning request included in Z-7370 is consistent with the land use vision in the Tulsa Comprehensive Plan and,

Rezoning request is compatible with the existing surrounding properties and,

IL rezoning requested is consistent with the anticipated future development of the surrounding property therefore,

Staff recommends Approval of Z-7370 to rezone property from RS-3 to IL.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: Z-7370 is included in Employment and an Area of Growth. The rezoning request will complement the vision identified.

Land Use Vision:

Land Use Plan map designation: Employment

Employment areas contain office, warehousing, light manufacturing and high tech uses such as clean manufacturing or information technology. Sometimes big-box retail or warehouse retail clubs are found in these areas. These areas are distinguished from mixed-use centers in that they have few residences and typically have more extensive commercial activity.

Employment areas require access to major arterials or interstates. Those areas, with manufacturing and warehousing uses must be able to accommodate extensive truck traffic, and rail in some instances. Due to the special transportation requirements of these districts, attention to design, screening and open space buffering is necessary when employment districts are near other districts that include moderate residential use.

20.2

Areas of Stability and Growth designation: Area of Growth

The purpose of an Area 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 in 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: East Pine Street is a Secondary Arterial

Trail System Master Plan Considerations: None

Small Area Plan: East Tulsa Neighborhood Implementation Plan

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *The site currently contains a single-family residence.*

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP RW</u>	<u>Exist. # Lanes</u>
East Pine Street	Secondary Arterial	100 feet	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	IL	Employment	Growth	Light Industrial
East	IL	Employment	Growth	Vacant
South	IL	Employment	Growth	Vacant
West	IL	Employment	Growth	Vacant

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11811 dated June 26, 2016, established zoning for the subject property.

Subject Property:

No relevant history.

Surrounding Property:

Z-7117 2008: All concurred in approval of a request for rezoning a 2.5± acre tract of land from RS-3 to IL, for machine parts processing, on property located west of southwest corner of East Pine Street and North 129th East Avenue and east of subject property.

Z-6917 January 2004: All concurred in approval of a request for rezoning a 2.25± acre tract of land from RS-3 to IL, for storage of portable mini storages, on property located west of the southwest corner of East Pine Street and North 129th East Avenue.

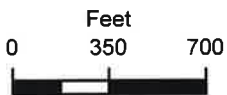
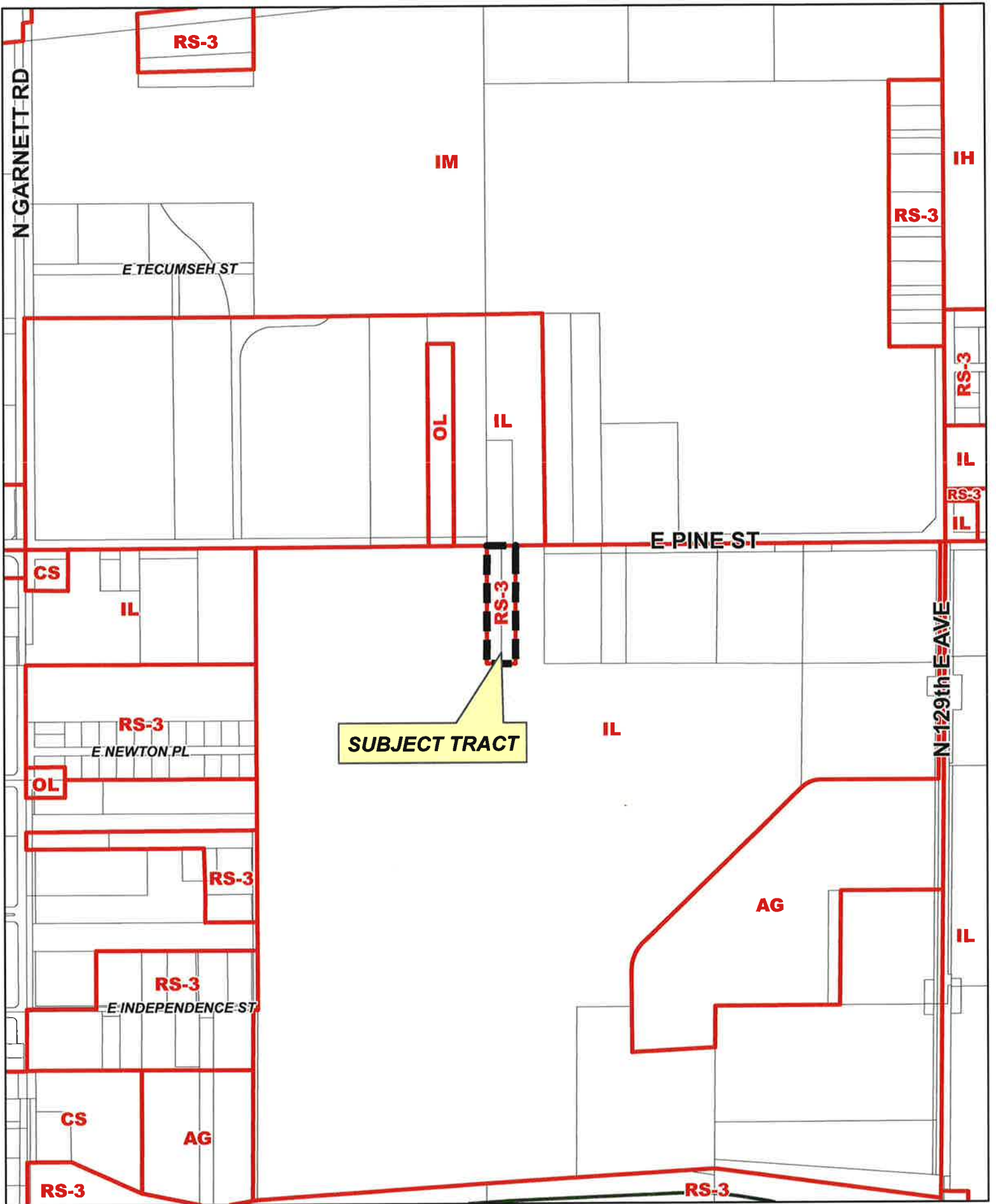
Z-6764 June 2000: All concurred in approval of a request for rezoning a 5.5± acre tract from RS-3 to IL, for a machine shop, located west of southwest corner of East Pine Street and North 129th East Avenue and east of the subject tract.

Z-6229 February 1989: All concurred in approval of a request for rezoning a 5± acre tract from RS-3 to IL, on property located west of the southwest corner of East Pine Street and North 129th East Avenue.

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20.4

REVISED 11/30/2016



Z-7370

20-14 32





0 Feet 350 700



Subject
Tract

Z-7370

20-14 32

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

Aerial Photo Date: February 2016



20.6

E PINE ST



0 50 100
Feet



Subject
Tract

Z-7370

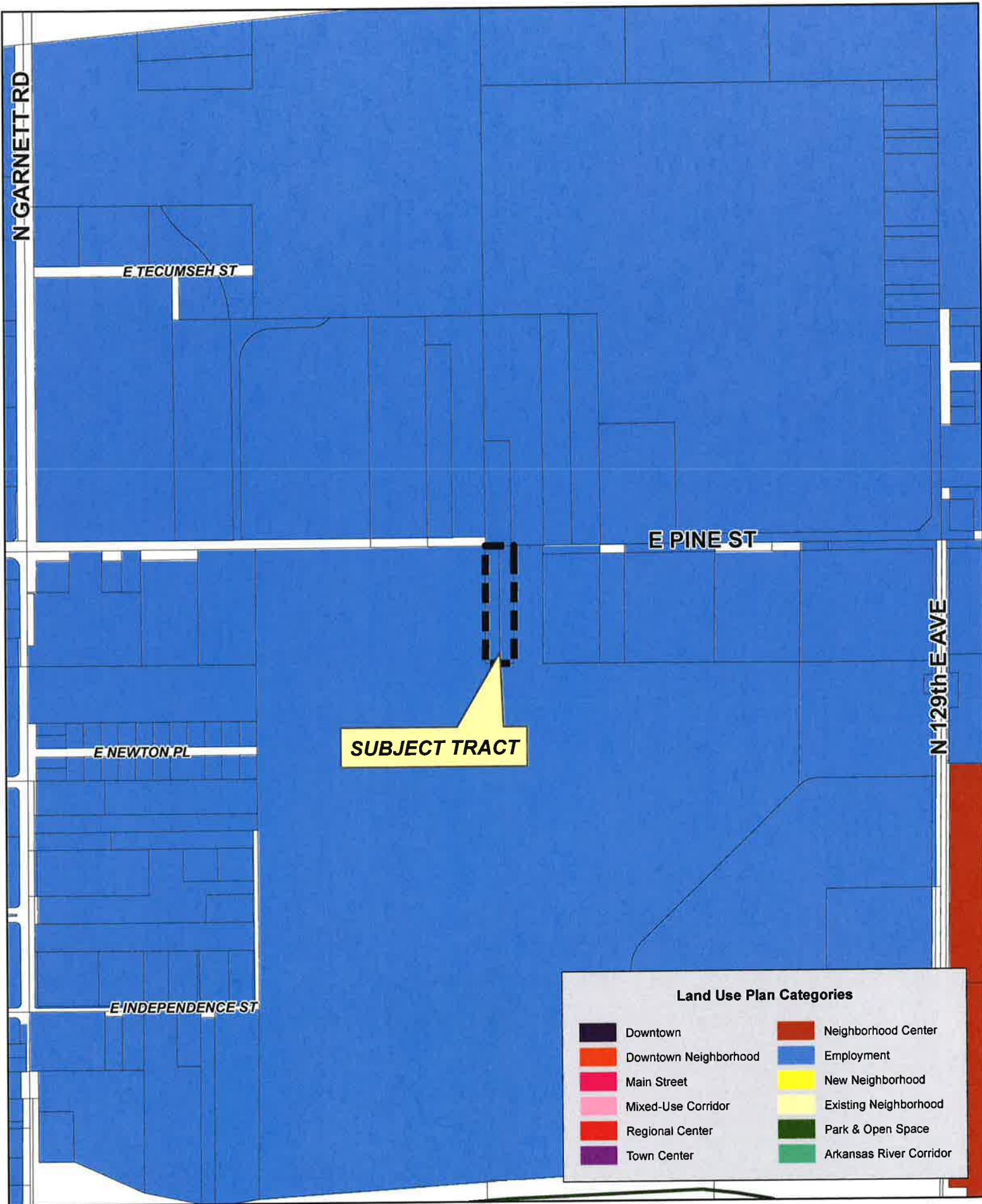
20-14 32

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

Aerial Photo Date: February 2016



207



N GARNETT RD

E TECUMSEH ST

E PINE ST

N 129th E AVE

E NEWTON PL

SUBJECT TRACT

E INDEPENDENCE ST

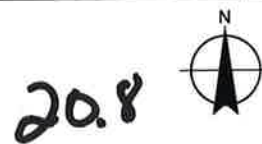
Land Use Plan Categories

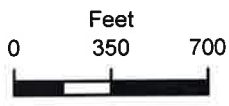
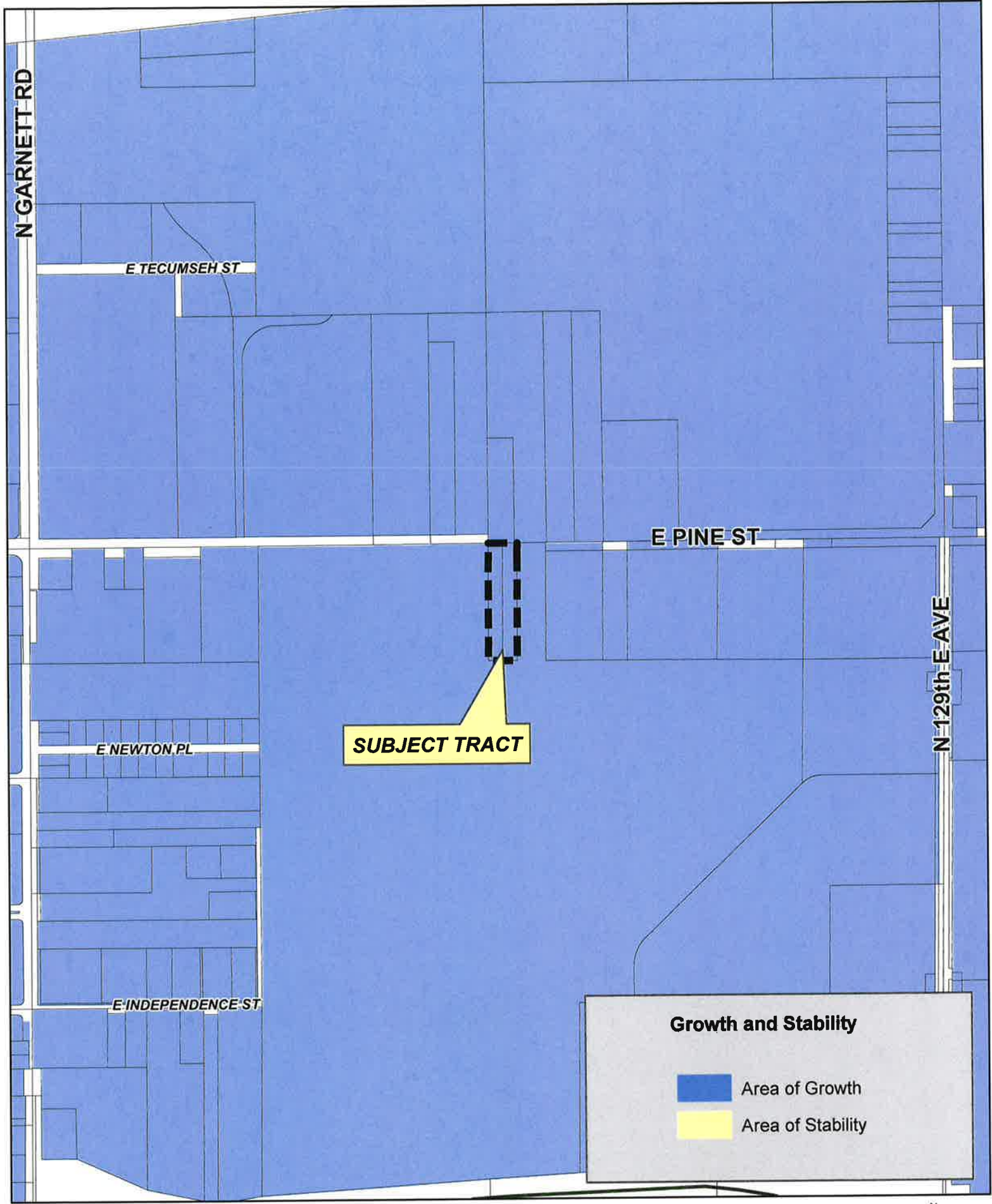
	Downtown		Neighborhood Center
	Downtown Neighborhood		Employment
	Main Street		New Neighborhood
	Mixed-Use Corridor		Existing Neighborhood
	Regional Center		Park & Open Space
	Town Center		Arkansas River Corridor



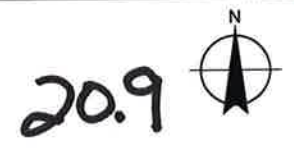
Z-7370

20-14 32

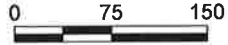




Z-7370
20-14 32



PAGE 1 OF 2



The map shows a grid of streets. East Pine Street runs horizontally across the top. Garnett Road runs vertically on the left. 129th East Avenue runs vertically on the right. T-20-N runs horizontally across the bottom. A central vertical road is labeled 32. Other streets shown include 31st, 30th, 29th, 28th, 27th, 26th, 25th, 24th, 23rd, 22nd, 21st, 20th, 19th, 18th, 17th, 16th, 15th, 14th, 13th, 12th, 11th, 10th, 9th, 8th, 7th, 6th, 5th, 4th, 3rd, 2nd, 1st, and 0th. The Site Area is located between 32nd and 31st streets, east of Garnett Road. The 129th East Avenue intersection is marked with a large 'X'. The T-20-N intersection is marked with a large 'X'.

20.10

Exhibit A

PAGE 2 OF 2

LEGAL DESCRIPTION

A TRACT OF LAND THAT IS PART OF THE NORTHEAST QUARTER (NE/4) OF SECTION THIRTY-TWO (32), TOWNSHIP TWENTY (20) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION THIRTY-TWO (32); THENCE NORTH 88°37'04" EAST ALONG THE NORTH LINE OF SAID SECTION THIRTY-TWO (32) A DISTANCE OF 164.59 FEET TO A POINT ON THE EAST LINE OF THE WEST HALF OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (W/2, W/2, NW/4, NW/4, NE/4) OF SAID SECTION THIRTY-TWO (32); THENCE SOUTH 01°02'36" EAST ALONG SAID EAST LINE A DISTANCE OF 660.37 FEET TO A POINT ON THE SOUTH LINE OF THE WEST HALF OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST OF THE NORTHEAST QUARTER (W/2, W/2, NW/4, NW/4, NE/4) OF SAID SECTION THIRTY-TWO (32); THENCE SOUTH 88°37'30" WEST ALONG SAID LINE A DISTANCE OF 164.54 FEET TO A POINT ON THE WEST LINE OF THE WEST HALF OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (W/2, W/2, NW/4, NW/4, NE/4) OF SAID SECTION THIRTY-TWO (32); THENCE NORTH 01°02'52" WEST ALONG SAID WEST LINE A DISTANCE OF 660.35 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 108,670.74 SQUARE FEET/ 2.49 ACRES MORE OR LESS

PLOT DATE: Thu, 27 Oct 2016 FILE: P:\2014\32-129TH OLSON PROPERTY\BASE

20.11