

AGENDA
TULSA METROPOLITAN AREA PLANNING COMMISSION
Meeting No. 2747
June 7, 2017, 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:

Work Session Report:

Director's Report:

1. Minutes of May 17, 2017, Meeting No. 2746

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-903** (Lot-Combination) (CD 4) – Location: Northwest corner of East 13th Street and South Trenton Avenue
3. **LS-21009** (Lot-Split) (CD 6) – Location: Northeast of the northeast corner of South 129th East Avenue and East 61st Street South
4. **LS-21010** (Lot-Split) (CD 6) – Location: West of the southwest corner of East Admiral Place and South Lynn Lane Road (Related to LC-904)
5. **LC-904** (Lot-Combination) (CD 6) – Location: West of the southwest corner of East Admiral Place and South Lynn Lane Road (Related to LS-21010)
6. **LS-21012** (Lot-Split) (CD 1) – Location: Southeast corner of North Peoria Avenue and East 56th Street North
7. **PUD-397-B-2 Sack and Associates, Inc./Ted Sack** (CD 7) Location: South of the southeast corner of South 90th East Avenue and East 61st Street requesting a **PUD Minor Amendment** to allow single-family residences and revise development standards
8. **Stone Lake Phase IV** (County) Final Plat, Location: West of the southwest corner of East 136th Street North and North Sheridan Road
9. **Stone Creek Commercial Center** (CD 6) Change of Access, Location: North of the northwest corner of East 51st Street South and South 193rd East Avenue

CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA:

COMPREHENSIVE PLAN AMENDMENT PUBLIC HEARING:

10. **LS-21001** (Lot-Split) (CD 4) – Location: Northeast corner of East 3rd Street and South Greenwood Avenue (Related to LC-902, LS-21002, LS-21003, LS-21004, LS-21005, LS-

21006 and LS-21007) (Continued from May 17, 2017) (**Applicant requests continuance to June 21, 2017**)

11. **LS-21002** (Lot-Split) (CD 4) – Location: Northeast corner of East 3rd Street and South Greenwood Avenue (Related to LC-902, LS-21001, LS-21003, LS-21004, LS-21005, LS-21006 and LS-21007) (Continued from May 17, 2017) (**Applicant requests continuance to June 21, 2017**)
12. **LS-21003** (Lot-Split) (CD 4) – Location: Northeast corner of East 3rd Street and South Greenwood Avenue (Related to LC-902, LS-21001, LS-21002, LS-21004, LS-21005, LS-21006 and LS-21007) (Continued from May 17, 2017) (**Applicant requests continuance to June 21, 2017**)
13. **LS-21004** (Lot-Split) (CD 4) – Location: Northeast corner of East 3rd Street and South Greenwood Avenue (Related to LC-902, LS-21001, LS-21002, LS-21003, LS-21005, LS-21006 and LS-21007) (Continued from May 17, 2017) (**Applicant requests continuance to June 21, 2017**)
14. **LS-21005** (Lot-Split) (CD 4) – Location: Northeast corner of East 3rd Street and South Greenwood Avenue (Related to LC-902, LS-21001, LS-21002, LS-21003, LS-21004, LS-21006 and LS-21007) (Continued from May 17, 2017) (**Applicant requests continuance to June 21, 2017**)
15. **LS-21006** (Lot-Split) (CD 4) – Location: Northeast corner of East 3rd Street and South Greenwood Avenue (Related to LC-902, LS-21001, LS-21002, LS-21003, LS-21004, LS-21005 and LS-21007) (Continued from May 17, 2017) (**Applicant requests continuance to June 21, 2017**)
16. **LS-21007** (Lot-Split) (CD 4) – Location: Northeast corner of East 3rd Street and South Greenwood Avenue (Related to LC-902, LS-21001, LS-21002, LS-21003, LS-21004, LS-21005 and LS-21006) (Continued from May 17, 2017) (**Applicant requests continuance to June 21, 2017**)
17. **LC-902** (Lot-Combination) (CD 4) – Location: Northeast corner of East 3rd Street and South Greenwood Avenue (Related to LS-21001, LS-21002, LS-21003, LS-21004, LS-21005, LS-21006, and LS-21007) (Continued from May 17, 2017) (**Applicant requests continuance to June 21, 2017**)
18. **BOA-22245 Plat Waiver** (CD 6) Location: East of the northeast corner of East 21st Street South and South 145th East Avenue
19. **Z-7391 Plat Waiver** (CD 9) Location: Southwest corner of East 51st Street South and South Oswego Avenue
20. **CPA-56 JR Donelson** (CD 9) Location: North and east of the northeast corner of South Lewis Avenue and East Skelly Drive requesting to amend the Comprehensive Plan Land Use Map from **Existing Neighborhood** to **Mixed-Use Corridor** and the Stability and Growth Map from **Area of Stability** to an **Area of Growth** (Related to Z-7373) (Continued from February 15, 2017, March 1, 2017, April 19, 2017 and May 17, 2017)
21. **Z-7373 JR Donelson** (CD 9) Location: North and east of the northeast corner of South Lewis Avenue and East Skelly Drive requesting rezoning from **RS-1** to **OL with optional development plan** (Related to CPA-56) (Continued from February 15, 2017, March 1, 2017, April 19, 2017 and May 17, 2017)

22. **CPA-61 Stuart Van De Wiele** (CD 6) Location: North of the northeast corner of South Garnett Road and East 19th Street South requesting to amend the Comprehensive Plan Land Use Map from **Existing Neighborhood** to **Town Center** (Related to Z-7395)
23. **Z-7395 Stuart Van De Wiele** (CD 6) Location: North of the northeast corner of South Garnett Road and East 19th Street South requesting rezoning from **RS-2** to **OM with optional development plan**. (Related to CPA-61)
24. **CPA-62 Pam Chandler** (CD 3) Location: West of the southwest corner of East 36th Street North and North Sheridan Road requesting to amend the Comprehensive Plan Land Use Map from **Existing Neighborhood** to **Employment** (Related to Z-7396) (**Staff requests a continuance to June 21st, 2017**)
25. **Z-7396 Pam Chandler** (CD 3) Location: West of the southwest corner of East 36th Street North and North Sheridan Road requesting rezoning from **RMH** to **IM** (Related to CPA-62) (**Staff requests a continuance to June 21st, 2017**)
26. **CZ-458 Kevin Vanover** (County) Location: South and west of the southwest corner of East 66th Street North and North Yale Avenue requesting rezoning from **AG** to **IM**
27. **CZ-459 Brian Doyle** (County) Location: East of the northeast corner of East 86th Street North and North Sheridan Road requesting rezoning from **AG** to **RS**
28. **Z-7394 Lou Reynolds** (CD 2) Location: North of the northwest corner of South 57th West Avenue and West 23rd Street requesting rezoning from **RS-3** to **IL** (**Staff requests continuance to June 21, 2017**)
29. **ZCA-4** - Various amendments to the City of Tulsa Zoning Code to correct omissions and errors from Ordinance 23668 in the following tables and sections: Table 5-3 (R District Lot and Building Regulations); Table 10-5 (Lot and Building Regulations for –U Character Zones); Table 10-6 (Lot and Building Regulations for –V Character Zones); Section 10.030-E2; Table 10-7 (Lot and Building Regulations for –F Character Zones); Table 15-2.5 (O, C and I District Building Type Regulations for Household Living); Section 20.050-C; Table 20-1 (RDO District Use Regulations); Section 40.400-B; and Section 70.030-G.
30. **PUD-93-D GSS Sign Design**-(CD 7) Location: 6010 South Memorial requesting **PUD Sign Plan**. (**Withdrawn by applicant**)

OTHER BUSINESS

31. **Refund Request** – GSS Sign Design, PUD-93-D – PUD Sign Plan, Location: 6010 South Memorial, requesting a refund of \$200.00, Applicant has withdrawn this application (CD 7)

32. 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.



Case Number: PUD-397-B-2
Minor Amendment

Hearing Date: June 7, 2017
Amended Staff Report June 6, 2017

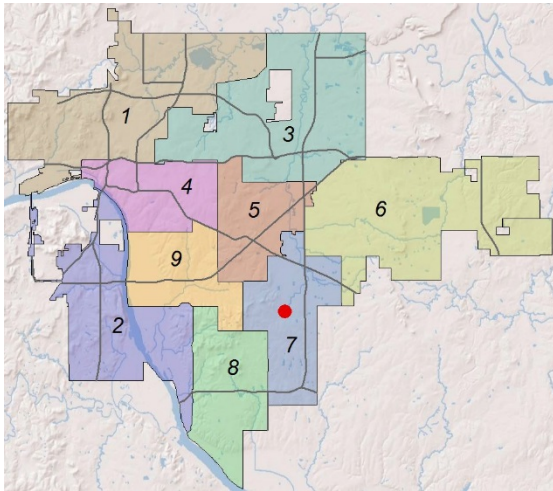
Case Report Prepared by:
 Jay Hoyt

Owner and Applicant Information:

Applicant: Sack & Associates, Inc.

Property Owner: Woodland Valley Dev, LLC

Location Map:
 (shown with City Council Districts)



Applicant Proposal:

Concept summary: PUD minor amendment to allow single-family residences and revise development standards.

Gross Land Area: 8.18 acres

Location: South of SE/c S. 90th E. Ave. and E. 61st St. S.

Development Area D-1

Zoning:

Existing Zoning: RM-1/PUD-397-B
 Proposed Zoning: No Change

Comprehensive Plan:

Land Use Map: Mixed-Use Corridor
 Growth and Stability Map: Growth

Staff Recommendation:

Staff recommends **approval**.

Staff Data:

TRS: 8301

CZM: 53

Atlas: 759

City Council District: 7

Councilor Name: Anna America

County Commission District: 3

Commissioner Name: Ron Peters

SECTION I: PUD-397-B-2 Minor Amendment

STAFF RECOMMENDATION

Amendment Request: Modify the PUD Development Standards to allow single-family development within Development Area D-1 and revise development standards to reflect single-family use.

The applicant proposes to construct a single-family subdivision containing approximately 41 residential lots. The development will be a private neighborhood with gated entry. The revised development standards are included in the Applicant's Minor Amendment packet, included with this report.

The conceptual site plan included with the applicant's packet does not show accommodation for vehicles approaching the emergency gate in the NE corner of the site on S 92nd East Ave to turn around if approaching from outside of the development. This should be taken into account in order to prevent what would effectively be a dead-end street, since this gate is for emergency access. A cul-de-sac or other type of turn around should be provided within the boundaries of ~~PUD-397-B the proposed Woodland Valley development~~ to allow for vehicles to turn around.

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."

As well as Section 30.010.1.2.c(15):

"Changes in an approved use to another use may be permitted, provided the underlying zoning on the particular site within the PUD would otherwise permit such use as of right and the proposed use will not result in any increase of incompatibility with the present and future use of nearby properties."

Staff has reviewed the request and determined:

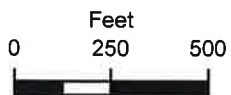
- 1) The requested amendment does not represent a significant departure from the approved development standards in the PUD.
- 2) A cul-de-sac or other turn around shall be provided within the boundaries of ~~PUD-397-B the proposed development~~ to allow traffic approaching outside the gate at the NE corner to turn around.

- 3) All remaining development standards defined in PUD-397-B and subsequent minor amendments shall remain in effect.

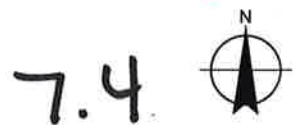
Exhibits included with staff recommendation:

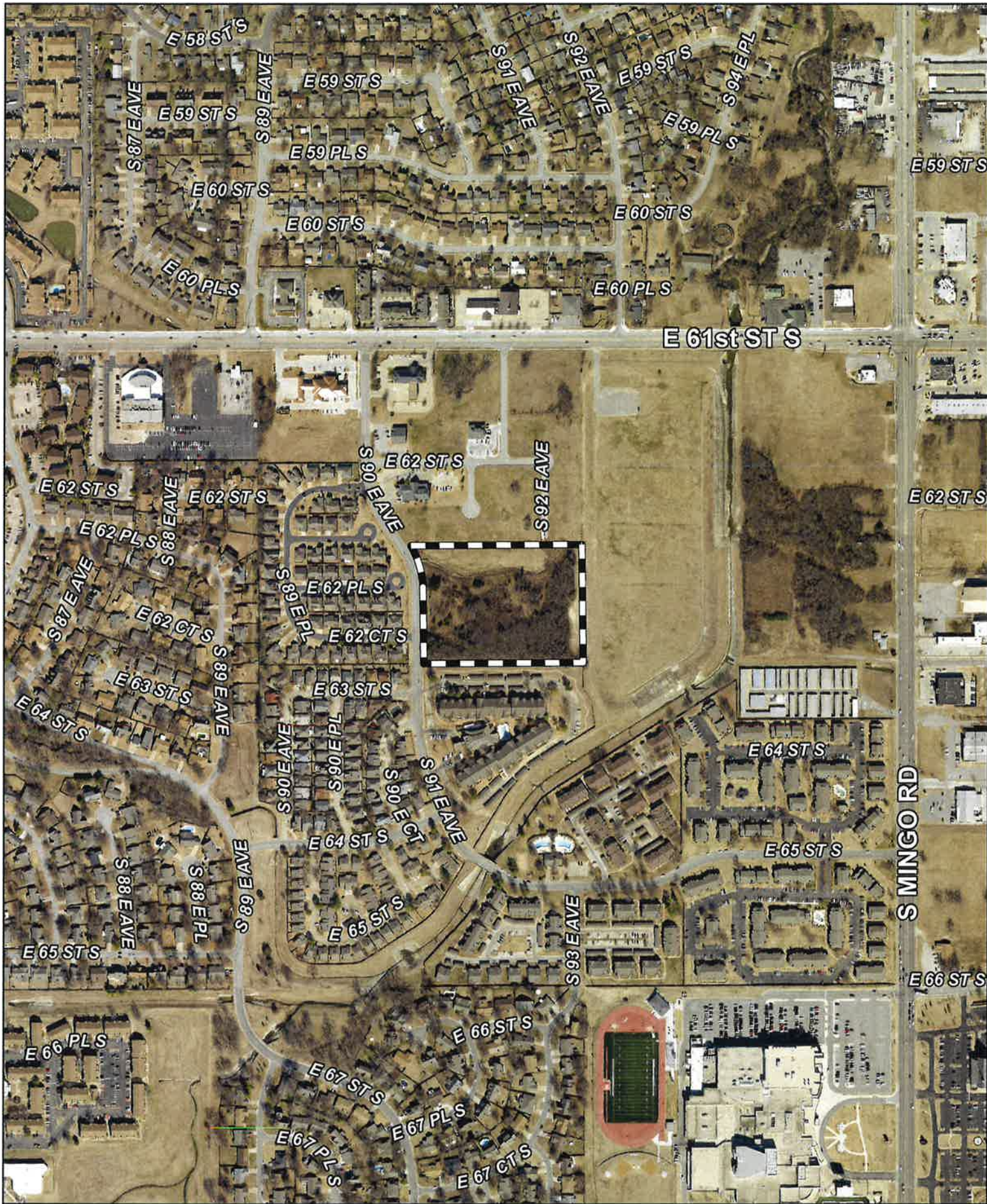
INCOG zoning case map
INCOG aerial photo
INCOG aerial photo (enlarged)
Applicant Minor Amendment Packet

With considerations listed above, staff recommends **approval** of the minor amendment request to allow single-family residences and revise development standards.



18-13 01





Feet
0 250 500



**Subject
Tract**

PUD-397-B-2

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

18-13 01

Aerial Photo Date: February 2016



2016
7.5



0 50 100
Feet



Subject
Tract

PUD-397-B-2

18-13 01

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

Aerial Photo Date: February 2016



7.6

Woodland Valley

*Minor Amendment
Planned Unit Development Number 397-B-2
City of Tulsa, Tulsa County, Oklahoma*

Prepared For:
*Woodland Valley Development, LLC
1300 South Kalanchoe Avenue
Broken Arrow, OK 74012*

June 2017

Prepared By:



SACK AND ASSOCIATES, INC.
3530 East 31st Street South, Suite A, Tulsa, Oklahoma 74135-1519
Ph: 918.592.4111 Fax: 918.592.4229 E-mail: sai@sackandassociates.com
CA Number 1783 (PE/LS)

Woodland Valley
Planned Unit Development No. 397-B-2

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Woodland Valley
Planned Unit Development No. 397-B-2

I. DEVELOPMENT CONCEPT

This project that is to be known as "Woodland Valley" consists of 7.6234 acres (gross) of land located in an established, residential neighborhood at East 62nd Street South and South 90th East Avenue (between Memorial Drive and Mingo Road). It will consist of approximately 41 single, family residential lots in a private neighborhood with a gated entry. A Concept Illustration is attached as Exhibit "A."

Woodland Valley Office Park, an office development, is situated to the north of the site and the City of Tulsa Gleneagles detention facility is east of the property. West of the site is Cottages at Woodland Valley and Kingsridge Estates, both S-4 Single Family developments. The property south of the site is Country Club of Woodland Hills, a retirement facility. Average lot sizes and bulk and area requirements will be roughly equivalent with RS-4 standards.

Access to the neighborhood will be from a publicly dedicated street, South 90th East Avenue. The main entrance will feature landscaping, a sprinkler system, and masonry columns with signage at the west end of the Property. There will also be an island to alleviate traffic control problems with an efficient design to alleviate traffic and stacking problems. The private, interior street will be a 26-foot wide street.

There will be two (2) reserve areas that accommodate the private street and proposed detention.

Woodland Valley
Planned Unit Development No. 397-B-2

II. DEVELOPMENT STANDARDS

GROSS AREA: 332,077 SF/7.6234 Acres

NET AREA: 317,266 SF/7.2834 Acres

PERMITTED USES:

All lots shall be known and described as residential lots and shall be used solely for single-family residences and single family residential purposes as permitted by the City of Tulsa Zoning Code.

MAXIMUM NUMBER OF DWELLING UNITS: 43

MINIMUM LOT AREA: 4,900 SF and as shown on Exhibit "A"

MINIMUM LIVABILITY SPACE PER LOT: 2,000 SF and as shown on Exhibit "A"

MAXIMUM BUILDING HEIGHT: 35 FT

MINIMUM YARDS:

FRONT: 15 FT

FRONT ON CUL-DE-SAC LOTS 15 FT

SIDE 5 FT

REAR 15 FT

MINIMUM SETBACK FOR GARAGES 20 FT

Woodland Valley
Planned Unit Development No. 397-B-2

III. ACCESS AND CIRCULATION

Access to the neighborhood will be from South 90th East Avenue through a private street. The private street will feature a looped 26' wide street with an emergency access to South 92nd East Avenue in Woodland Valley Office Park.

IV. SITE PLAN REVIEW

The final subdivision plat of the planned unit development shall serve as the required detail site plan.

V. PLATTING REQUIREMENTS

No building permit shall be issued until the project area has been included within a subdivision plat submitted to and approved by the Tulsa Metropolitan Area Planning Commission and the Council of the City of Tulsa, and duly filed of record.

VI. EXPECTED SCHEDULE OF DEVELOPMENT

The project is expected to commence in the Fall of 2017 and to be completed in the Spring of 2018.

Woodland Valley
Planned Unit Development No. 397-B-2

VII. LEGAL DESCRIPTION

A TRACT OF LAND THAT IS PART OF THE NW/4 OF THE NE/4 OF SECTION 1, T-18-N, R-13-E, OF THE INDIAN BASE AND MERIDIAN, CITY OF TULSA, TULSA COUNTY, OKLAHOMA, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

"BEGINNING AT A POINT" ON THE EASTERLY LINE OF SAID NW/4 OF THE NE/4, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF LOT 1, BLOCK 3, "WOODLAND VALLEY OFFICE PARK", A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA; THENCE S 00°03'20" W ALONG SAID EASTERLY LINE FOR 483.46' TO A POINT, SAID POINT BEING THE NORTHEAST CORNER OF LOT 1 IN BLOCK 6 OF "BLOCKS 4, 5 AND 6 OF GLENEAGLES", SAID POINT ALSO BEING THE SOUTHEAST CORNER OF THE NW/4 OF THE NE/4; THENCE S 89°55'46" W ALONG THE NORTHERLY LINE OF SAID LOT 1 AND THE SOUTHERLY LINE OF THE NW/4 OF THE NE/4 FOR 650.00' TO A POINT THAT IS THE NORTHWEST CORNER OF SAID LOT 1, SAID POINT ALSO BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF SOUTH 90TH EAST AVENUE; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE AS FOLLOWS: N 00°04'14" W FOR 310.00' TO A POINT OF CURVE; THENCE NORTHWESTERLY ALONG A CURVE TO THE LEFT WITH A CENTRAL ANGLE OF 31°42'43" AND A RADIUS OF 330.00' FOR 182.65' TO A POINT, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF BLOCK 2 OF SAID "WOODLAND VALLEY OFFICE PARK"; THENCE N 89°55'46" E ALONG THE SOUTHERLY LINE OF SAID BLOCK 2 FOR 700.33' TO THE "POINT OF BEGINNING" OF SAID TRACT OF LAND.

THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 317,266 SQUARE FEET OR 7.2834 ACRES.

Woodland Valley
Planned Unit Development No. 397-B-2

VIII. ENVIRONMENTAL ANALYSIS

The Woodland Valley site fronts on South 90th East Avenue between East 61st Street and 65th Street South. Exhibit B indicates the site boundaries, topography, existing and proposed utilities and drainage.

TOPOGRAPHY:

The highest point on the property is near the southwest corner where the elevation is approximately 702 feet MSL. The low point near the northeast of the property is at approximately 688 feet MSL. Woodland Valley is not within a City of Tulsa regulatory floodplain.

DRAINAGE:

The stormwater for Woodland Valley will be collected in drop inlets and carried to an existing 66-inch RCP which is located at the northeast corner of the property. On-site detention may be required.

UTILITIES:

A 8-inch water main runs along the east side of South 90th East Avenue. Water lines will be constructed within Woodland Valley connecting to the existing 8-inch main to provide fire protection and domestic service and looped to the existing 6-inch water line in Woodland Valley Office Park.

An 8-inch sanitary sewer main is located along the north side of Woodland Valley. A 15-inch sanitary sewer main is located on the east side of Woodland Valley. Sanitary sewer lines within Woodland Valley will be connected to the existing main on the east.

OTHER UTILITIES:

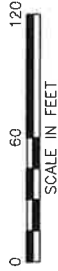
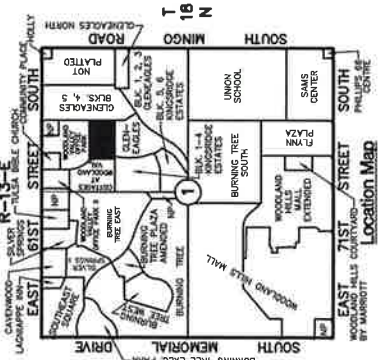
Other utilities and communications services are available and accessible to Woodland Valley.

Area Zoning is shown on Exhibit "C", Zoning Map.

WOODLAND VALLEY
BULK AND AREA REQUIREMENTS
May 3, 2017

Lots	No. of Lots	Lot Area	Livability Space (SF)	Total Livable Space	Gross Bldg Area	Net Bldg Area
Lots 2-6, Block 1 / Lots 9-13, Block 3	10	5487	2097	20973	2990	2590
Lots 2-5, Block 2 / Lots 8-22, Block 2	8	5610	2195	17560	3015	2615
Lots 1, 6, 7, 12, Block 2	4	6700	3153	12612	3147	2747
Lots 1, 2, 3, Block 3	3	6330	2152	6455	3778	3378
Lot 1, Block 1	1	5742	2847	2847	2495	2095
Lot 7, Block 1	1	4985	2184	2184	2401	2001
Lot 8, Block 1	1	5242	2167	2167	2675	2275
Lot 9, Block 1	1	11316	4251	4251	6665	6265
Lot 10, Block 1	1	5729	2593	2593	2736	2336
Lot 11, Block 1	1	7332	3487	3487	3445	3045
Lot 4, Block 3	1	6621	2511	2511	3710	3310
Lot 5, Block 3	1	6039	2477	2477	3162	2762
Lot 6, Block 3	1	8876	3168	3168	5308	4908
Lot 7, Block 3	1	4940	2168	2168	2372	1972
Lot 8, Block 3	1	5451	2116	2116	2935	2535
Lot 14, Block 3	1	4995	2192	2192	2403	2003
Lot 15, Block 3	1	5712	2347	2347	2965	2565
Lot 16, Block 3	1	7904	3192	3192	4312	3912
Lot 17, Block 3	1	5713	2588	2588	2725	2325
Lot 18, Block 3	1	7331	3486	3486	3445	3045
DETENTION AREA (RESERVE B)				14680		
TOTAL				116054		
REQUIRED				41 Lots x 2500 SF/Lot = 102,500 SF		

7.14

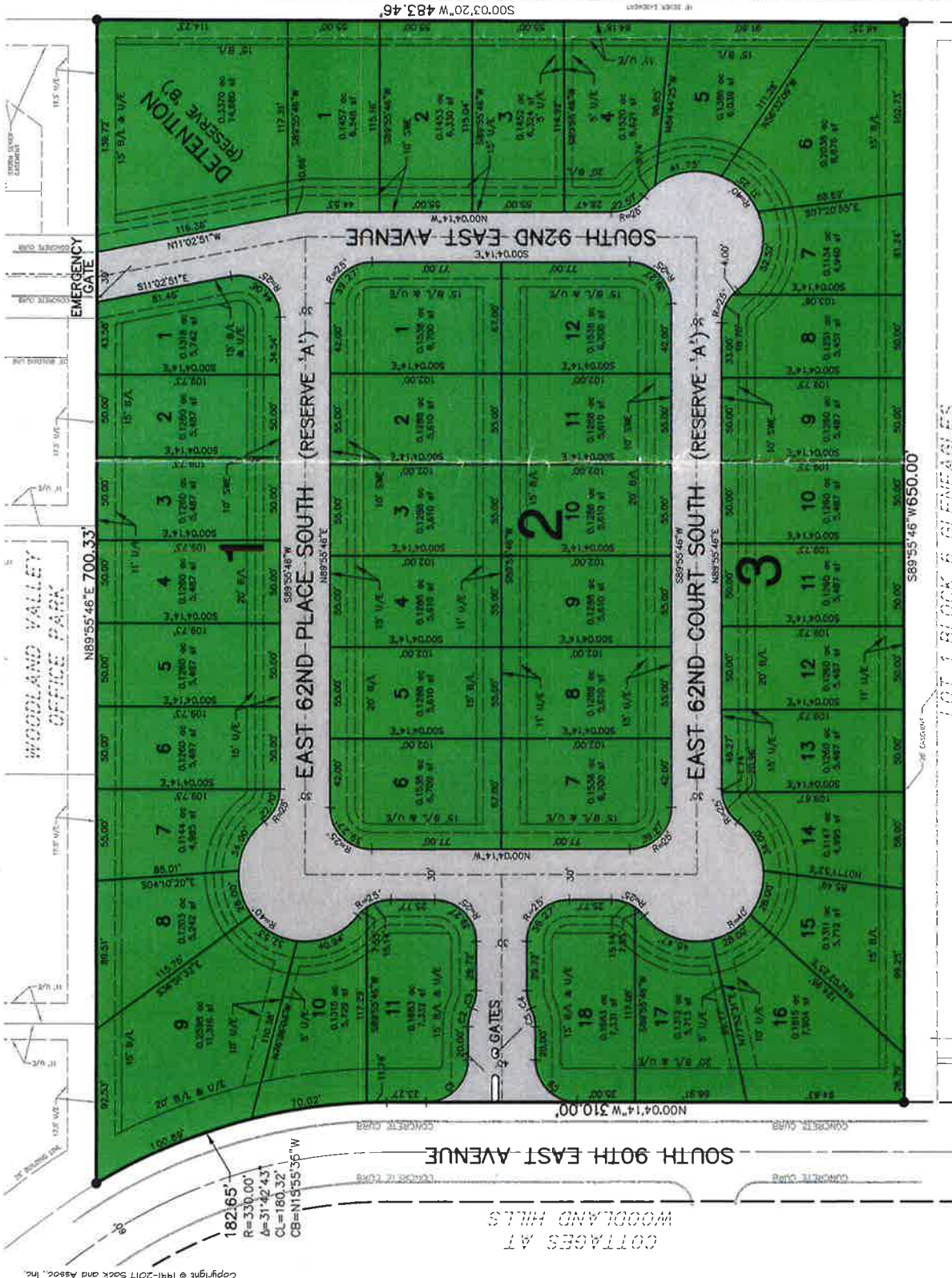


Curve Table		
CURVE	LENGTH	RADIUS
C1	39.27'	25.00'
C2	11.29'	25.00'
C3	11.28'	25.00'
C4	11.28'	25.00'
C5	11.29'	25.00'
C6	39.27'	25.00'

Woodland Valley

Concept Illustration EXHIBIT 'A'

Planned Unit Development Number 397-B-2



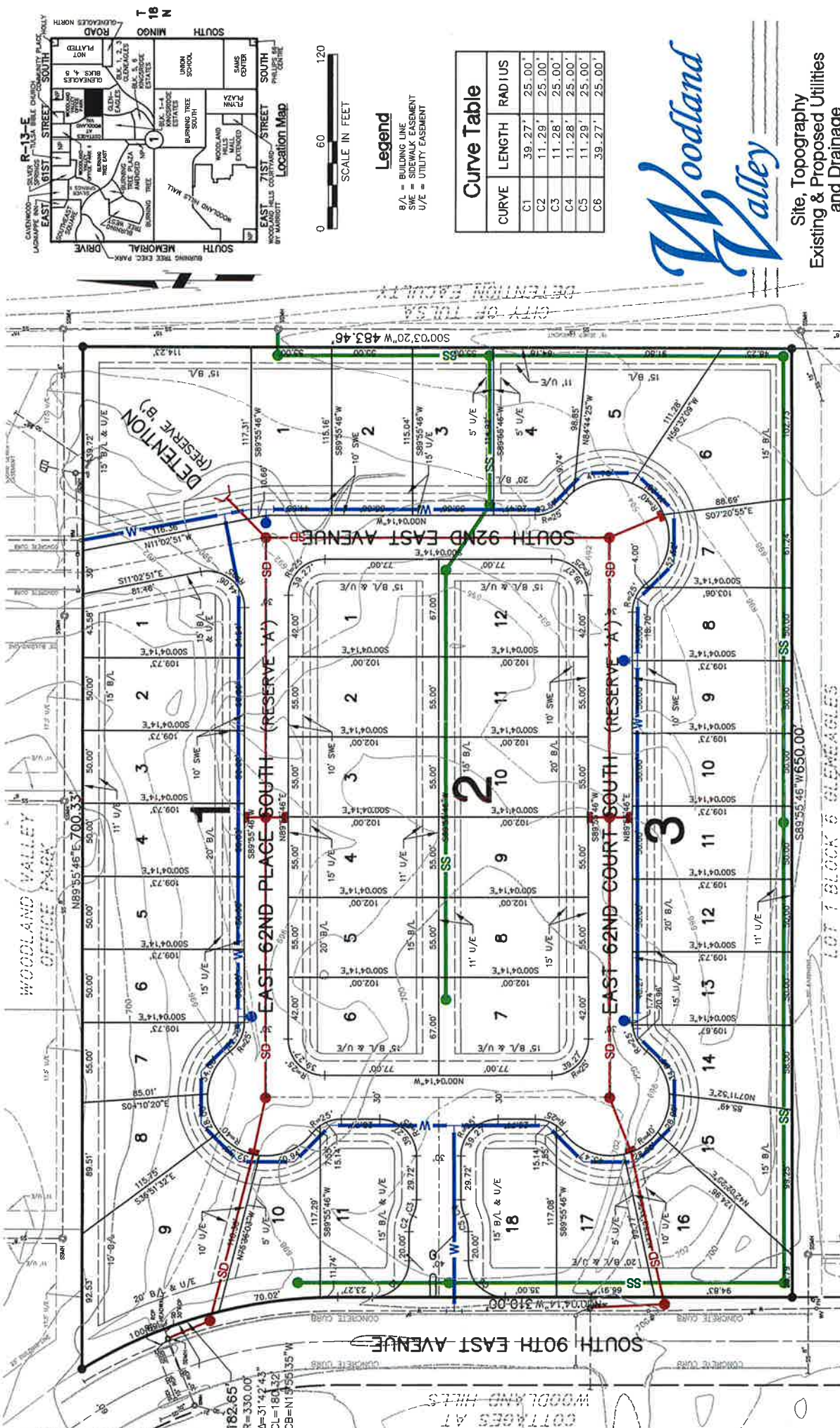
Legend

- B/L = BUILDING LINE
- SWE = SIDEWALK EASEMENT
- U/E = UTILITY EASEMENT

SACK AND ASSOCIATES, INC.

2500 East 21st Street, Suite 100, Tulsa, Oklahoma 74105-0118
 Phone: (918) 438-1111 Fax: (918) 438-1112
 Project: WOODLAND VALLEY SOUTH-A Drawing: PU002A
 Drawn: CHN Order: 0275E Date: 18 MAY 2017

51.7



Curve Table

CURVE	LENGTH	RADIUS
C1	39.27'	25.00'
C2	11.29'	25.00'
C3	11.28'	25.00'
C4	11.28'	25.00'
C5	11.29'	25.00'
C6	39.27'	25.00'

Legend
 B/L = BUILDING LINE
 SWE = SIDEWALK EASEMENT
 U/E = UTILITY EASEMENT



Woodland Valley

Site, Topography
Existing & Proposed Utilities
and Drainage

EXHIBIT 'B'

Planned Unit Development Number 397-B-2

Utility Legend

- SD PROPOSED STORM SEWER LINE
- SS PROPOSED SANITARY SEWER LINE
- W PROPOSED 6" WATERLINE
- SD EXISTING STORM SEWER LINE
- SS EXISTING SANITARY SEWER LINE
- W EXISTING WATERLINE

SACK AND ASSOCIATES, INC.
 3330 East 21st Street, Suite 200, Omaha, NE 68131
 (402) 426-1111 Fax (402) 426-1112
 Project: WOODLAND VALLEY SOUTH-A Drawing: PUD03B
 Date: 02/25/15 File: 1813.01 Drawn: CH

7.14

EXHIBIT 'C'

Planned Unit Development Number 397-B-2

SACK AND ASSOCIATES, INC.
3530 East 31st Street South, Suite A, Tulsa, Oklahoma 74120-1519
Ph: 918.392.4111 Fax: 918.562.4229 E-mail: sackandassociates.com
CA Number: 1703 (PC/A3)

Project: WOODLAND VALLEY SOUTH-A Drawing: PU005A
Drawn: BAB Order: G275E File: 1813.01 Drawer:
XREFs: COPYRITE S-1117X T-SAJ
Plotted: 16 MAY 2017

Project: WOODLAND VALLEY SOUTH-A Drawing: PUD05A
Drawn: BAB Order: G275E File: 1813.01 Drawer:

XREFS: COPYRIGHT S-117X T-S&J
Plotted: 16 MAY 2017

Drawer:

Drawing
13.01

JTH-A
File: 18

ALLEY SOUTH
G275E

DODLAND V.
Order

Subject: WOOD
Owner: BAB

A vertical scale bar labeled "SCALE IN FEET". The bar has markings at 360, 0, 360, and 720. The segments between 360 and 0, and between 0 and 360, are divided into alternating black and white squares. The segment between 360 and 720 is solid black.



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 2530 S. 20th St., Suite 100
 Phoenix, AZ 85041
 Phone: 602.955.1111 Fax: 602.955.1112
 Email: info@sackandassoc.com
 Website: www.sackandassoc.com

Project: WOODLAND VALLEY SOUTH-A
Drawing: PUD004A
Drawn: BAB
Over: 02705
Date: 16 MAY 2017

Project: S-1177X T-SAL3
Drawn: S-1177X T-SAL3
Over: S-1177X T-SAL3
Date: 16 MAY 2017



Woodland Valley

Aerial Photo

EXHIBIT 'D'

Planned Unit Development Number 397-B-2

7.18



Tulsa Metropolitan Area
Planning Commission

Case : Stone Lake Phase IV

Hearing Date: June 7, 2017

Case Report Prepared by:

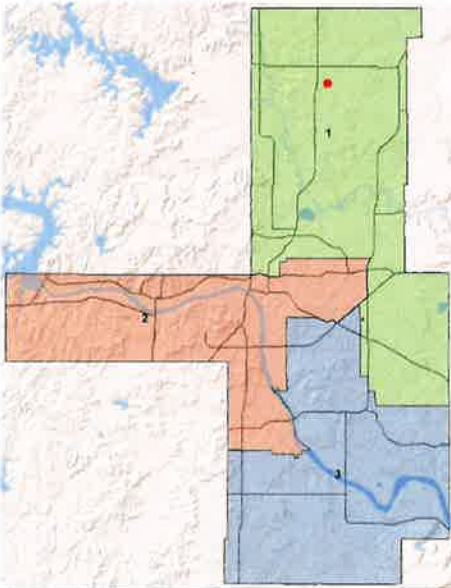
Nathan Foster

Owner and Applicant Information:

Applicant: Kellogg Engineering, Harley Swan

Owner: K&S Developments, INC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Final Plat

15 lots, 3 blocks, 9.98 ± acres

Location: West of the southwest corner of
East 136th Street North and North Sheridan
Road

Zoning:

RE (Residential Estate)

Staff Recommendation:

Staff recommends **approval** of the Final Plat

County Commission District: 1

Commissioner Name: John Smaligo

EXHIBITS: Final Plat



Tulsa Metropolitan Area
Planning Commission

Case: Change of Access –
Stone Creek Commercial Center

Hearing Date: June 7, 2017

Case Report Prepared by:

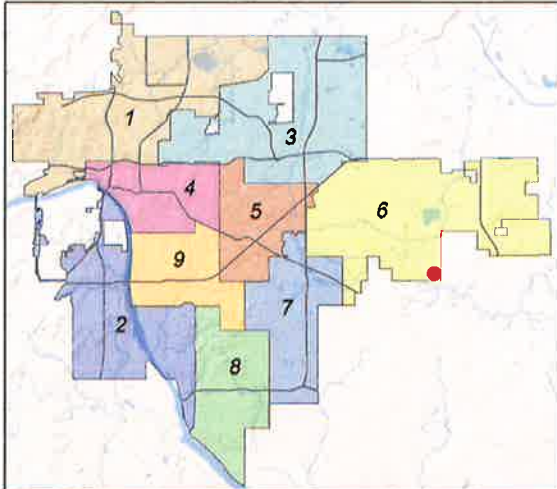
Nathan Foster

Owner and Applicant Information:

Applicant: HRAOK

Owner: Stone Creek Commercial Center,
LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Change of Access

Location: North of the northwest corner of
East 51st Street South and South 193rd East
Avenue

Zoning:

OL (Office – Low)

Staff Recommendation:

Staff recommends **approval** of the Change
of Access request.

City Council District: 6

Councilor Name: Connie Dodson

County Commission District: 1

Commissioner Name: John Smaligo

EXHIBITS:

Proposed new access & limits of access

9.1

**CHANGE OF AND CONSENT TO
AREAS OF ACCESS AS SHOWN ON RECORDED PLAT**

WHEREAS, Stone Creek Commercial Center, LLC
are the owners of Stone Creek Commercial Center, in the
city and/or county of Tulsa, Oklahoma, according to the recorded plat thereof; and

WHEREAS, said owners desire to change the access points from per
Exhibit 'A' (attached) to the above
described property and,

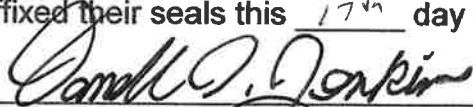
WHEREAS, such change requires approval of the Tulsa Metropolitan Area
Planning Commission; and

WHEREAS, the Tulsa Metropolitan Area Planning Commission may approve
such change of access with a favorable recommendation by the City Engineer of the
City of Tulsa, Oklahoma, or County Engineer of Tulsa County, Oklahoma.

NOW THEREFORE, the undersigned owners of the above named property in
the City (and/or) County of Tulsa, Oklahoma according to the recorded plat thereof,
does hereby change the access point(s) from its (their) present location as shown on
the above named plat as recorded in the office of the County Clerk of Tulsa County,
Oklahoma, as plat number 6085 to the location(s) as shown on the attached Exhibit
A, which is incorporated herein by reference and made a part hereof for all purposes.

The Tulsa Metropolitan Area Planning Commission by the affixing of its
approval to this instrument does hereby stipulate and agree to such change and, that
from and after the date of this consent, ingress and egress shall be permitted over,
through and across the areas of access as shown on attached Exhibit A, which is
incorporated herein by reference. The area of "access" as previously shown are hereby
revoked and access to the property prohibited across said area. The area of limits of
no access previously existing along the area of access now permitted by this change
and consent is hereby expressly vacated, annulled and held for naught.

IN WITNESS WHEREOF, the parties have hereunto set their hands and
affixed their seals this 17th day of MAY, 2017.



Owner

Owner

APPROVED:



City/County Engineer

TMAPC

STATE OF OKLA)

) SS

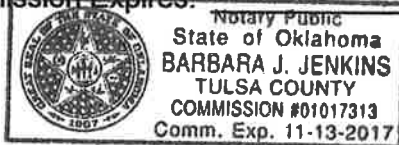
INDIVIDUAL ACKNOWLEDGEMENT

COUNTY OF TULSA)

Before me, the undersigned, a Notary Public in and for said County and State, on this 17th day of MAY, 2017, personally appeared DARRELL G. JENKINS, to me known to be the identical person who executed the foregoing instrument and acknowledged to me that He executed the same as his free and voluntary act and deed for the purposes therein set forth.

GIVEN under my hand and seal the day and year last above written.

My Commission Expires: _____



Barbara J. Jenkins
Notary Public

STATE OF OKLA)

) SS

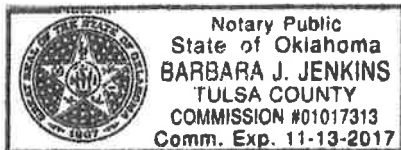
CORPORATE ACKNOWLEDGEMENT

COUNTY OF TULSA)

Before me, the undersigned, a Notary Public in and for said County and State, on this 17th day of MAY, 2017, personally appeared DARRELL G. JENKINS, to me known to be the identical person who subscribed the name of the maker thereof to the foregoing instrument as its MANAGER and acknowledged to me that He executed the same as his free and voluntary act and deed of such corporation, for the purposes therein set forth.

GIVEN under my hand and seal the day and year last above written.

My Commission Expires: _____

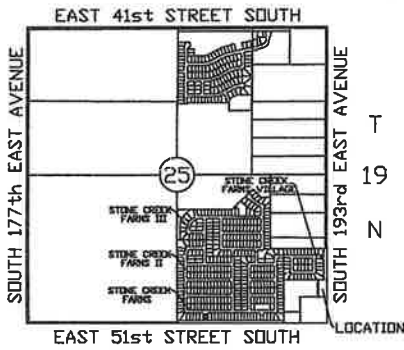


Barbara J. Jenkins
Notary Public

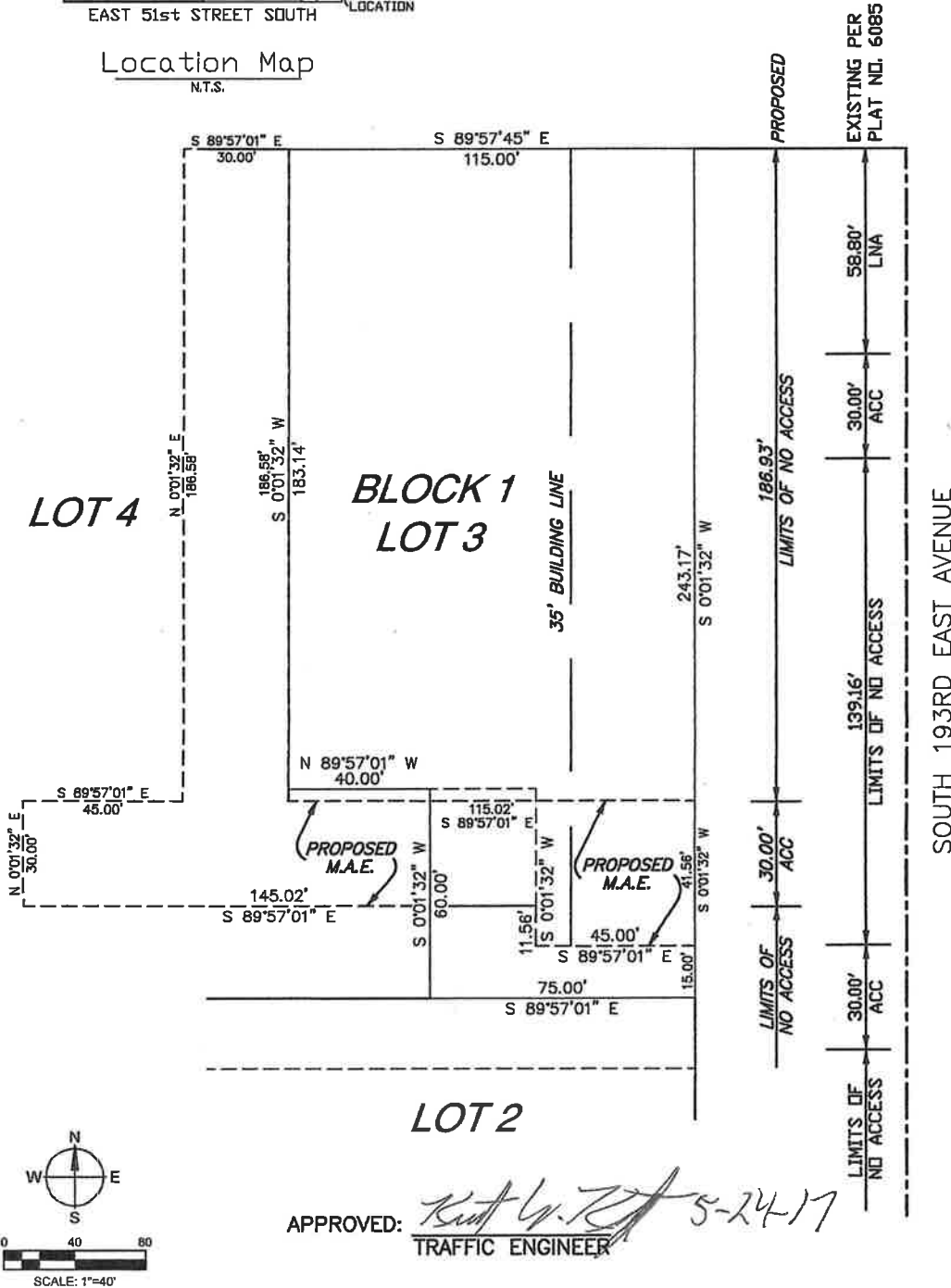
R 14 E

EXHIBIT 'A'

MUTUAL ACCESS EASEMENT
LOTS 3 & 4, BLOCK 1,
STONE CREEK
COMMERCIAL CENTER
 RECORDED PLAT NO. 6085
 CITY OF TULSA,
 TULSA COUNTY, STATE OF OKLAHOMA



Location Map
N.T.S.



APPROVED:

TRAFFIC ENGINEER



DRAFTED BY: DWM
 JOB NUMBER: 131375
 FILE NUMBER: 1914.25
 SURVEY BY: N/A
 SURVEY DATE: N/A
 BOOK: N/A PAGE: N/A

PREPARED FOR: JENKINS COMPANIES

#	REVISIONS	DATE	BY

9.4

Sawyer, Kim

From: Ulmer, Amy
Sent: Wednesday, May 31, 2017 1:04 PM
To: Sawyer, Kim
Subject: Continuance Request

Kim,

Please forward to the Planning Commission that the applicant has requested the agenda items listed below be continued to the June 21st, 2017 Planning Commission meeting;

- LS-21001
- LS-21002
- LS-21003
- LS-21004
- LS-21005
- LS-21006
- LS-21007
- LC-902

Thank you.

Amy Ulmer | Assistant Planner, Land Development Services
2 West Second Street, Suite 800
Tulsa, OK 74130
918.579.9471
918.579.9571 fax
aulmer@incog.org



From: Yvonne Hovell [<mailto:yhovell@holstongroup.com>]
Sent: Wednesday, May 31, 2017 12:56 PM
To: Ulmer, Amy; Brandon Jackson
Subject: Re: LS-21001-21007 & LC-902

Amy

We appreciate your follow up.

We ask that our issues before INCOG be granted a continuance until the 6/21 meeting.

Please confirm once this has been done. Thank you

Yvonne Hovell
Tulsa Urban Development Group, LLC dba URBAN8
www.urban8tulsa.com/

On Tue, May 30, 2017 at 10:56 AM, Ulmer, Amy <aulmer@incog.org> wrote:

Hello,

Items 10 through 17

I am checking my agenda items for next week's planning commission and know that you wanted to speak with the city before putting your items on an agenda. Would you like your items (LS-21001-21007 & LC-902) on the 6/7 agenda or to request a continuance to the 6/21 meeting? Thanks!

Amy Ulmer | Assistant Planner, Land Development Services

2 West Second Street, Suite 800

Tulsa, OK 74130

[918.579.9471](tel:918.579.9471)

[918.579.9571](tel:918.579.9571) fax

aulmer@incog.org



--

items 10-17



Tulsa Metropolitan Area
Planning Commission

Case : BOA-22245 Plat Waiver

Hearing Date: June 7, 2017

Case Report Prepared by:

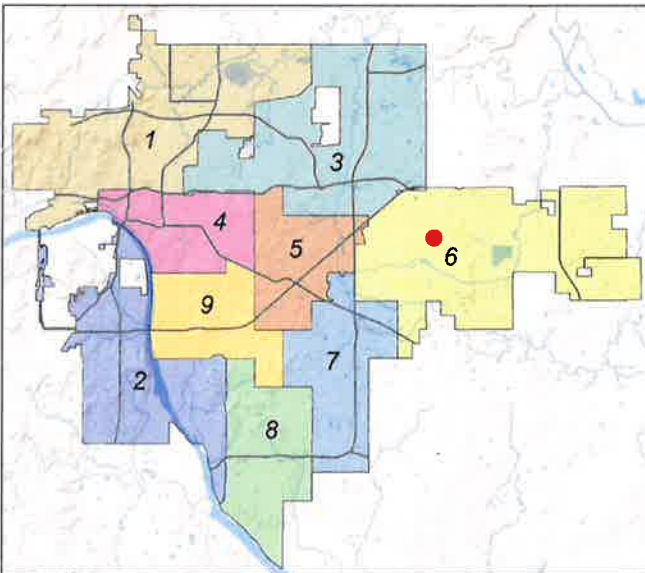
Nathan Foster

Owner and Applicant Information:

Applicant: Wallace Engineering, Jim Beach

Owner: St. Joseph Church

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Plat Waiver

Location: East of the northeast corner of East 21st Street South and South 145th East Avenue

Zoning:

RS-3 (Residential Single-Family)

Staff Recommendation:

Staff recommends **denial** of the plat waiver request.

City Council District: 6

Councilor Name: Connie Dodson

County Commission District: 1

Commissioner Name: John Smaligo

EXHIBITS: Site Map, Aerial, Applicant Submittal, Site Plan

PLAT WAIVER

BOA-22245 – (CD 6)

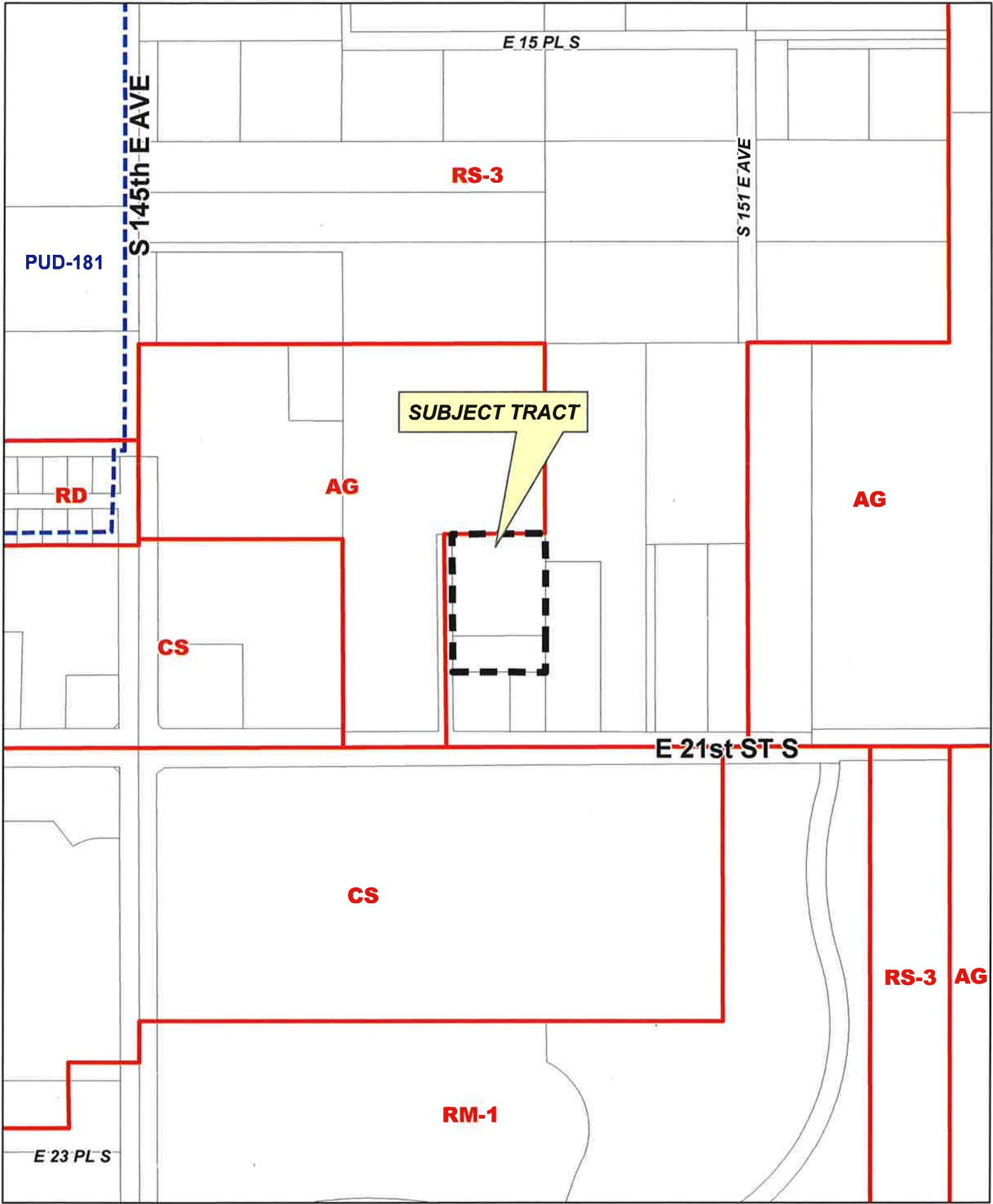
East of the northeast corner of East 21st Street South and South 145th East Avenue

The platting requirement for this property is being triggered by a special exception approval by the City of Tulsa Board of Adjustment. The special exception approved the expansion of an existing church into two adjacent parcels. Special exceptions granted for any Public, Civic, or Institutional use require the filing of a subdivision plat per Section 70.080 of the City of Tulsa Zoning Code.

The Technical Advisory Committee met on May 18, 2017 and the following items were determined:

1. The properties under application are 3 separate parcels that have never been platted.
2. There have been no plats filed on any adjacent property to the site.
3. A dedication of an additional 10' of right-of-way for East 21st Street is required to comply with the Major Street and Highway Plan.
4. Water line extension will be required.
5. There is currently no sanitary sewer service within 250' of the site. An extension of a sewer line will be required along with any necessary easements.
6. Detention facilities are required on-site with necessary easements and maintenance access per Section 1304.8 of the Stormwater Management Criteria Manual.

Due to multiple infrastructure requirements and the need for additional right-of-way and easement dedication, staff recommends the processing of a subdivision plat on the property and **denial** of the plat waiver request.

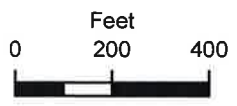


SUBJECT TRACT

BOA-22245

19-14 10

18.3





S 145th E AVE

E 15th PL S

S 151st E AVE

E 21st ST S

E 23rd PL S

0 200 400
Feet



Subject
Tract

BOA-22245

19-14 10

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

Aerial Photo Date: February 2016



18.4



E 21st ST S



**Subject
Tract**

BOA-22245

19-14 10

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

Aerial Photo Date: February 2016



18.5

TULSA METROPOLITAN AREA PLANNING COMMISSIONINCOG - 2 West 2nd Street, Suite 800 - Tulsa, Oklahoma 74103 - (918) 584-7526 - FAX (918) 583-1024

www.tmapc.org

☒ PLAT WAIVER [] *ACCELERATED RELEASE OF BUILDING PERMIT***APPLICATION INFORMATION**

RECEIVED BY: AV DATE FILED: 5/4/17 TAC DATE: 5/18/17 TMAPC DATE: 6/7/17
ZONING REFERENCE CASE: _____ BOA REFERENCE CASE: BOA-22245
TMAPC DATE (IF PENDING): _____ PROPOSED ZONING: _____ BOA DATE (IF PENDING): _____

*A PRELIMINARY PLAT MUST BE IN PROCESS BEFORE A REQUEST FOR ACCELERATED RELEASE WILL BE CONSIDERED.

*PLAT NAME: _____ *APPROVAL DATE: _____ *ANTICIPATED APPROVAL DATE: _____

SUBJECT PROPERTY INFORMATION

ADDRESS OR DESCRIPTIVE LOCATION: 14905 E. 21st ST. S.
LEGAL DESCRIPTION: ATTACHED LOT COMBO EXHIBIT A

PRESENT ZONING RS-3 T-R-S 9410 CZM _____ ATLAS _____ CD 6

INFORMATION ABOUT YOUR PROPOSAL

REASON FOR PLAT WAIVER APPLICATION: This is expansion of existing church onto adjacent property it has owned for many years. It will be combined by lot combination. Water line extension is in public right-of-way.
*EXTRAORDINARY OR EXCEPTIONAL CIRCUMSTANCES THAT JUSTIFY ACCELERATED RELEASE OF A BUILDING PERMIT: _____

*BENEFITS AND PROTECTIONS TO THE CITY IF THE BUILDING PERMIT IS RELEASED PRIOR TO FILING THE FINAL PLAT: _____

APPLICANT INFORMATION		PROPERTY OWNER INFORMATION	
NAME	<u>WALLACE ENGINEERING</u>	NAME	<u>ST. JOSEPH CHURCH</u>
ADDRESS	<u>200 E. MATTHEW BRADY ST.</u>	ADDRESS	
CITY, ST, ZIP	<u>TULSA, OK 74103</u>	CITY, ST, ZIP	
DAYTIME PHONE	<u>918 584 5858</u>	DAYTIME PHONE	
EMAIL	<u>jbeach@wallacesc.com</u>	EMAIL	
I, THE UNDERSIGNED APPLICANT, CERTIFY THAT THE INFORMATION ON THIS APPLICATION IS TRUE AND CORRECT.			
SIGNATURE & DATE:		<u>[Signature]</u> <u>5/4/17</u>	
DOES OWNER CONSENT TO THIS APPLICATION? <input checked="" type="checkbox"/> YES [] NO. WHAT IS APPLICANT'S RELATIONSHIP TO OWNER? <u>CONSULTANT</u>			
APPLICATION FEES			
TOTAL DUE:	\$ <u>250</u>	RECEIPT NUMBER:	<u>229272</u>

APPLICATION FEES IN WHOLE OR PART WILL NOT BE REFUNDED AFTER NOTIFICATION HAS BEEN GIVEN.

DISPOSITION

TMAPC ACTION: [] APPROVED [] DENIED DATE: _____ CONDITIONS: _____

18.6

REVISED 11/3/2015

NOTE: THIS FORM ACCOMPANIES PLAT WAIVER APPLICATIONS ONLY, NOT USED FOR ACCELERATED RELEASE REQUESTS.

TMAPC POLICY ON PLAT WAIVERS:

(This form is to be completed by applicant.)

It shall be the policy of the Tulsa Metropolitan Area Planning Commission that all requests for plat waivers shall be evaluated by the staff and by the Technical Advisory Committee based on the following list. After such evaluation, TMAPC Staff shall make a recommendation to the TMAPC as to the merits of the plat waiver request accompanied by the answers to these questions:

A YES answer to the following 3 questions would generally be FAVORABLE to a plat waiver:

- | | YES | NO |
|--|--------------------------|-------------------------------------|
| 1) Has property previously been platted? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2) Are there restrictive covenants contained in a previously filed plat? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3) Is property adequately described by surrounding platted properties or street R/W? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

A YES answer to the remaining questions would generally NOT be favorable to a plat waiver:

- | | | |
|--|-------------------------------------|-------------------------------------|
| 4) Is right-of-way dedication required to comply with Major Street and Highway Plan? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5) Will any restrictive covenants be filed by separate instrument? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6) Infrastructure requirements | | |
| a) Water | | |
| i) Is a main line water extension required? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ii) Is an internal system or fire line required? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iii) Are additional easements required? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Sanitary Sewer | | |
| i) Is a main line extension required? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ii) Is an internal system required? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iii) Are additional easements required? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Storm Sewer | | |
| i) Is a P.F.P.I. required? | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii) Is an Overland Drainage Easement required? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iii) Is on-site detention required? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iv) Are additional easements required? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 7) Floodplain | | |
| a) Does the property contain a City of Tulsa (Regulatory) Floodplain? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Does the property contain a F.E.M.A. (Federal) Floodplain? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 8) Change of Access | | |
| a) Are revisions to existing access locations necessary? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 9) Is the property in a P.U.D.? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| a) If yes, was plat recorded for the original P.U.D.? | <input type="checkbox"/> | <input type="checkbox"/> |
| 10) Is this a Major Amendment to a P.U.D.? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| a) If yes, does the amendment make changes to the proposed physical development of the P.U.D.? | <input type="checkbox"/> | <input type="checkbox"/> |

NOTE:

If, after consideration of the above criteria, a plat waiver is granted on *unplatted* properties, a current ALTA/ACSM/NSPS Land Title Survey (and as subsequently revised) shall be required. Said survey shall be prepared in a recordable format and filed at the County Clerk's office by the applicant.

LOT COMBINATION EXHIBIT "A"

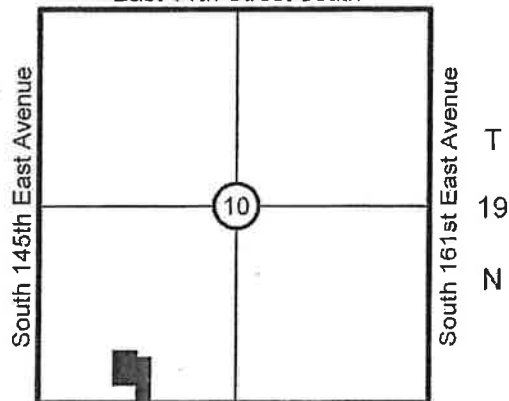
Page 1 of 3



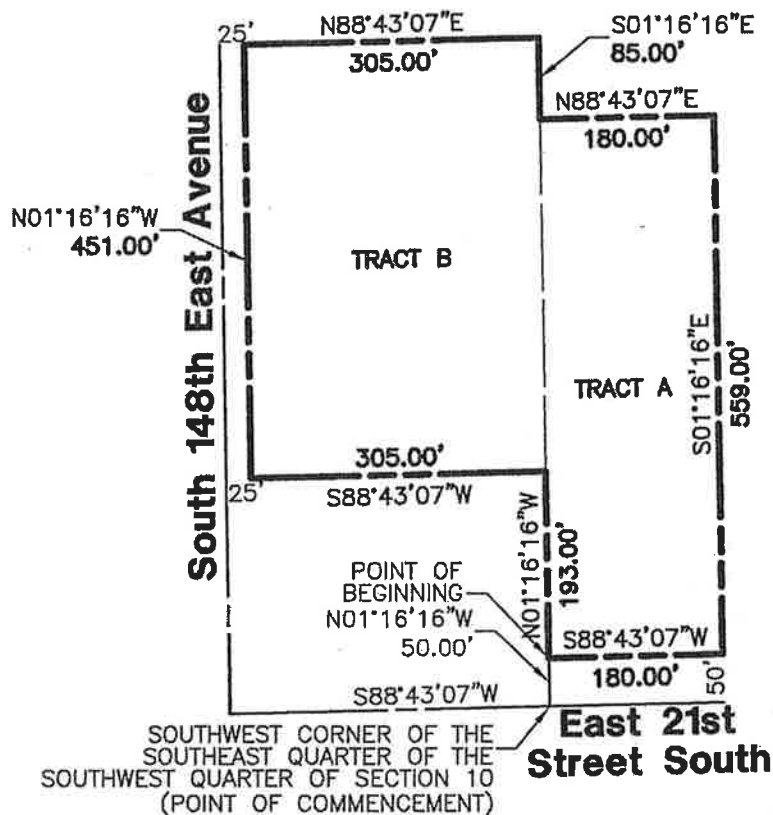
Scale: 1"=200'



R 14 E
East 11th Street South



East 21st Street South
Location Map



FILE: 171110 LG-A

Notes

1. THE BEARING BASE FOR THIS EXHIBIT IS BASED ON THE SOUTH LINE OF SECTION 10 T-19-N, R-14-E AS S88°43'07"W.
2. SEE EXHIBIT "A" PAGE 2 THRU 3 FOR LEGAL DESCRIPTION AND SURVEYOR'S CERTIFICATE.



**BENNETT
SURVEYING, INC.**

P.O. BOX 848, CHOUTEAU, OK 74337
PHONE: (918) 476-7484 FAX: (918) 476-7485
C.A. NO.: 4502 EXP. DATE: 6/30/18

18.8



LOT COMBINATION EXHIBIT "A" LEGAL DESCRIPTION TRACT A

THE SOUTH 609.00 FEET OF THE WEST 180.00 FEET OF THE WEST HALF OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (W/2 W/2 SE SW) LESS THE SOUTH 50.00 THEREOF FOR STREET RIGHT OF WAY ALL IN SECTION TEN (10), TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA. SAID TRACT CONTAINING 2.31 ACRES MORE OR LESS.

LOT COMBINATION EXHIBIT "A" LEGAL DESCRIPTION TRACT B

BEGINNING 363 NORTH OF THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW/4 SW/4) THENCE NORTH 331.00 FEET THENCE WEST 330.00 THENCE SOUTH 331.00 FEET THENCE EAST 330.00 FEET TO THE POINT OF BEGINNING LESS WEST 25.00 FEET THEREOF FOR ROAD RIGHT OF WAY ALL IN SECTION TEN (10), TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA. SAID TRACT CONTAINING 2.39 ACRES MORE OR LESS.

AND

THE NORTH 120.00 FEET OF THE SOUTH 363.00 OF EAST 330.00 OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (E/2 SW/4 SW/4) LESS THE WEST 25.00 FEET THEREOF FOR ROAD RIGHT OF WAY ALL IN SECTION TEN (10), TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA. SAID TRACT CONTAINING 0.77 ACRES MORE OR LESS.

LOT COMBINATION EXHIBIT "A" LEGAL DESCRIPTION COMBINED TRACT

A TRACT OF LAND LYING IN THE SOUTHWEST QUARTER OF SECTION TEN (10), TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF; TULSA COUNTY STATE OF OKLAHOMA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS TO-WIT:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 10; THENCE N01°16'16"W FOR A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING; THENCE N01°16'16"W FOR A DISTANCE OF 193.00 FEET; THENCE S88°43'07"W FOR A DISTANCE OF 305.00 FEET; THENCE N01°16'16"W FOR A DISTANCE OF 451.00 FEET; THENCE N88°43'07"E FOR A DISTANCE OF 305.00 FEET; THENCE S01°16'16"E FOR A DISTANCE OF 85.00 FEET; THENCE N88°43'07"E FOR A DISTANCE OF 180.00 FEET; THENCE S01°16'16"E FOR A DISTANCE OF 559.00 FEET; THENCE S88°43'07"W FOR A DISTANCE OF 180.00 FEET TO THE POINT OF BEGINNING; SAID TRACT CONTAINING 5.47 ACRES MORE OR LESS.

LEGAL DESCRIPTION WAS PREPARED ON MARCH 16, 2017 BY CLIFF BENNETT, PLS #1815
WITH THE BEARINGS BASED ON THE SOUTH LINE OF SECTION 10 AS BEING S88°43'07"W.
FILE: 171110 LG-A

PAGE 2 OF 3

18.9

SURVEYOR'S CERTIFICATE

I, CLIFF BENNETT OF BENNETT SURVEYING, INC., CERTIFY THAT THE LEGAL DESCRIPTION HEREON CLOSES IN ACCORDANCE WITH CURRENT TOLERANCES AND IS A TRUE REPRESENTATION OF THE LOT COMBINATION DESCRIBED, AND THAT THE SURVEY OF THE LOT COMBINATION MEETS THE MINIMUM TECHNICAL STANDARDS AS ADOPTED BY THE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR THE STATE OF OKLAHOMA.

WITNESS MY HAND AND SEAL THIS 17TH DAY OF MARCH, 2017.



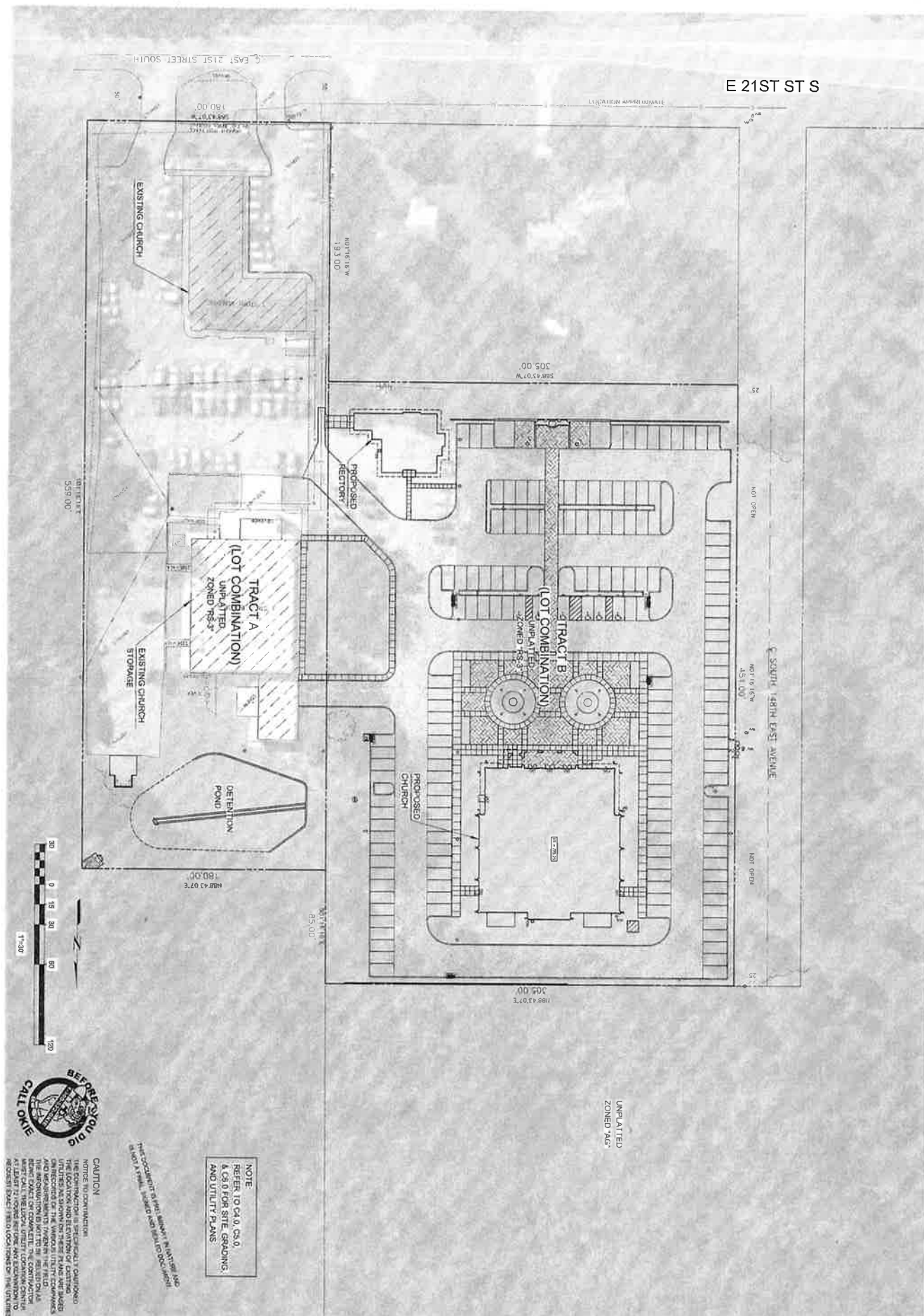
Cliff Bennett

CLIFF BENNETT, PLS
OKLAHOMA NO.1815
CERT. OF AUTH. NO. 4502
EXP. DATE JUNE 30, 2018



18.11

E 21ST ST S



C4.1

ST JOSEPH VIETNAMESE CATHOLIC CHURCH

TULSA, OKLAHOMA

18.12

8000 W. AIRPORT FREEWAY, STE 200
DALLAS, TEXAS 75241

EDR® TEXAS 76021
800-828-8888

CNK ARCHITECTS, INC.



18.13



Tulsa Metropolitan Area
Planning Commission

Case : Z-7391 Plat Waiver

Hearing Date: June 7, 2017

Case Report Prepared by:

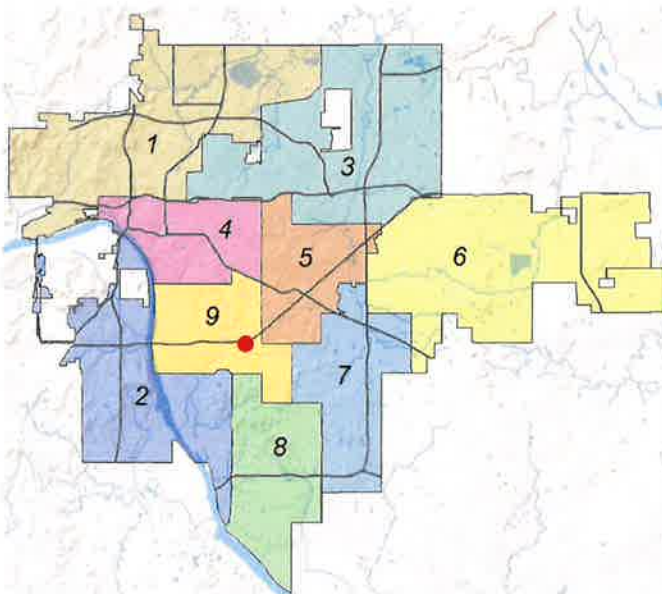
Nathan Foster

Owner and Applicant Information:

Applicant: Lou Reynolds

Owner: Accurate Environmental LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Plat Waiver

Location: Southwest corner of East 51st
Street South and South Oswego Avenue

Zoning:

Current: OL
Proposed: CS

Staff Recommendation:

Staff recommends **approval** of the plat waiver

City Council District: 9

Councilor Name: Ben Kimbro

County Commission District: 3

Commissioner Name: Ron Peters

EXHIBITS: Site Map, Aerial, Applicant Submittal

PLAT WAIVER

Z-7391 – (CD 9)

Southwest corner of East 51st Street South and South Oswego Avenue

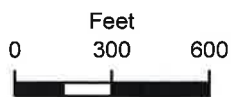
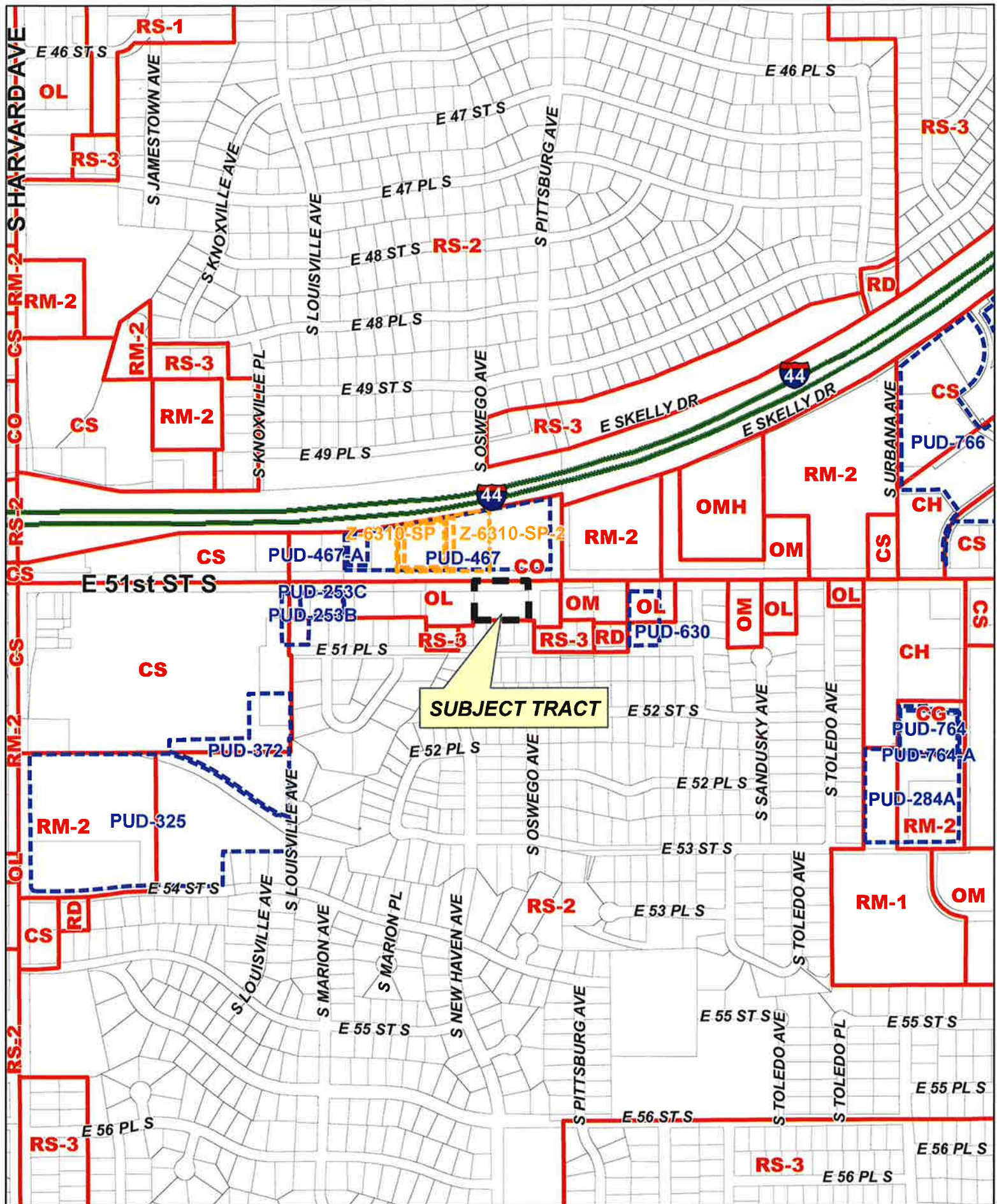
The platting requirement for this property is being triggered by a rezoning request (Z-7391) that was recommended for approval by TMAPC on May 17, 2017. If approved by City Council, the property will be rezoned from OL to CS.

The Technical Advisory Committee met on May 18, 2017 and the following items were determined:

1. All required right-of-way has been dedicated and is in place.
2. Necessary easements and utilities are all in place and no additional easements will be needed at this time.
3. Property boundary is defined by adjacent plats and right-of-way on all sides.
4. Use will take place within existing buildings on the property. No additional permits are being sought at this time.

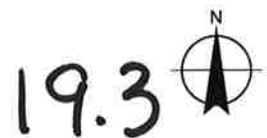
Staff recommends **approval** of the plat waiver with the following condition of the subdivision regulations:

If unplatted property is approved for a plat waiver, a current ALTA/ACSM/NSPS Land Title Survey is required to be filed of record with the Tulsa County Clerk's office per the Subdivision Regulations Section 1.9. **This document must be filed prior to the issuance of building permits and a filed copy must be submitted concurrently with any building permit application.**



Z-7391

19-13 33





0 300 600
Feet



Subject
Tract

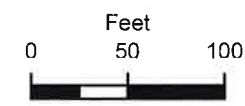
Z-7391

19-13 33

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

Aerial Photo Date: February 2016





 Subject Tract

Z-7391

19-13 33

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

Aerial Photo Date: February 2016



TULSA METROPOLITAN AREA PLANNING COMMISSIONINCOG - 2 West 2nd Street, Suite 800 - Tulsa, Oklahoma 74103 - (918) 584-7526 - FAX (918) 583-1024

www.tmapc.org

[X] PLAT WAIVER [] *ACCELERATED RELEASE OF BUILDING PERMIT***APPLICATION INFORMATION**RECEIVED BY: AV DATE FILED: 05/05/2017 TAC DATE: 5/18/17 TMAPC DATE: 6/7/17ZONING REFERENCE CASE: 2-7391 BOA REFERENCE CASE: _____TMAPC DATE (IF PENDING): 5/17/2017 PROPOSED ZONING: CS BOA DATE (IF PENDING): _____


*A PRELIMINARY PLAT MUST BE IN PROCESS BEFORE A REQUEST FOR ACCELERATED RELEASE WILL BE CONSIDERED.

*PLAT NAME: _____ *APPROVAL DATE: _____ *ANTICIPATED APPROVAL DATE: _____

SUBJECT PROPERTY INFORMATIONADDRESS OR DESCRIPTIVE LOCATION: 3910 E. 51st StreetLEGAL DESCRIPTION: See Exhibit "A" attached hereto.PRESENT ZONING OL T-R-S 19/13/33 CZM _____ ATLAS _____ CD 9**INFORMATION ABOUT YOUR PROPOSAL**REASON FOR PLAT WAIVER APPLICATION: See Exhibit "B" attached hereto.

*EXTRAORDINARY OR EXCEPTIONAL CIRCUMSTANCES THAT JUSTIFY ACCELERATED RELEASE OF A BUILDING PERMIT: _____

*BENEFITS AND PROTECTIONS TO THE CITY IF THE BUILDING PERMIT IS RELEASED PRIOR TO FILING THE FINAL PLAT: _____

APPLICANT INFORMATION		PROPERTY OWNER INFORMATION	
NAME	R. Louis Reynolds	NAME	Accurate Environmental LLC, c/o R. Louis Reynolds
ADDRESS	2727 E. 21st Street, Suite 200	ADDRESS	2727 E. 21st Street, Suite 200
CITY, ST, ZIP	Tulsa, OK 74114	CITY, ST, ZIP	Tulsa, OK 74114
DAYTIME PHONE	918-747-8900	DAYTIME PHONE	918-747-8900
EMAIL	rlreynolds@ellerdetrich.com	EMAIL	rlreynolds@ellerdetrich.com
I, THE UNDERSIGNED APPLICANT, CERTIFY THAT THE INFORMATION ON THIS APPLICATION IS TRUE AND CORRECT.			
SIGNATURE & DATE: 			

DOES OWNER CONSENT TO THIS APPLICATION ☒ YES [] NO. WHAT IS APPLICANT'S RELATIONSHIP TO OWNER? Lawyer for owner**APPLICATION FEES**TOTAL DUE: \$ 250 RECEIPT NUMBER: 229275

APPLICATION FEES IN WHOLE OR PART WILL NOT BE REFUNDED AFTER NOTIFICATION HAS BEEN GIVEN.

DISPOSITION

TMAPC ACTION: [] APPROVED [] DENIED DATE: _____ CONDITIONS: _____

NOTE: THIS FORM ACCOMPANIES PLAT WAIVER APPLICATIONS ONLY, NOT USED FOR ACCELERATED RELEASE REQUESTS.

TMAPC POLICY ON PLAT WAIVERS:
(This form is to be completed by applicant.)

It shall be the policy of the Tulsa Metropolitan Area Planning Commission that all requests for plat waivers shall be evaluated by the staff and by the Technical Advisory Committee based on the following list. After such evaluation, TMAPC Staff shall make a recommendation to the TMAPC as to the merits of the plat waiver request accompanied by the answers to these questions:

A YES answer to the following 3 questions would generally be FAVORABLE to a plat waiver:

- | | YES | NO |
|--|-------------------------------------|-------------------------------------|
| 1) Has property previously been platted? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2) Are there restrictive covenants contained in a previously filed plat? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3) Is property adequately described by surrounding platted properties or street R/W? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

A YES answer to the remaining questions would generally NOT be favorable to a plat waiver:

- | | | |
|--|--------------------------|-------------------------------------|
| 4) Is right-of-way dedication required to comply with Major Street and Highway Plan? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5) Will any restrictive covenants be filed by separate instrument? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6) Infrastructure requirements | | |
| a) Water | | |
| i) Is a main line water extension required? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii) Is an internal system or fire line required? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iii) Are additional easements required? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Sanitary Sewer | | |
| i) Is a main line extension required? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii) Is an internal system required? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iii) Are additional easements required? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Storm Sewer | | |
| i) Is a P.F.P.I. required? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii) Is an Overland Drainage Easement required? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iii) Is on-site detention required? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iv) Are additional easements required? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 7) Floodplain | | |
| a) Does the property contain a City of Tulsa (Regulatory) Floodplain? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Does the property contain a F.E.M.A. (Federal) Floodplain? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 8) Change of Access | | |
| a) Are revisions to existing access locations necessary? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 9) Is the property in a P.U.D.? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| a) If yes, was plat recorded for the original P.U.D.? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 10) Is this a Major Amendment to a P.U.D.? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| a) If yes, does the amendment make changes to the proposed physical development of the P.U.D.? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

NOTE:

If, after consideration of the above criteria, a plat waiver is granted on *unplatted* properties, a current ALTA/ACSM/NSPS Land Title Survey (and as subsequently revised) shall be required. Said survey shall be prepared in a recordable format and filed at the County Clerk's office by the applicant.

Technical Advisory Committee (TAC) Meeting Date: Thursday, 5/18/17 1:30 p.m.
Large Conference Room, 8th Floor, INCOG, 2 West 2nd Street

Tulsa Metropolitan Area Planning Commission (TMAPC) Case Number: 6/7/17
TMAPC Date: Wednesday, 6/7/17 1:30 p.m.
Tulsa City Council Room, 2nd Level, One Technology Center, 175 East 2nd Street

A person knowledgeable of the application and the property must attend the meetings to represent the application.

PLATTING REQUIREMENTS:

For any land which has been rezoned upon application of a private party, no building permit or zoning clearance permit may be issued until that portion of the tract on which the permit is sought has been included within a subdivision plat or replat, as the case may be, submitted to and approved by the Planning Commission, and filed of record in the office of the County Clerk where the property is situated. Provided that the Planning Commission, pursuant to their exclusive jurisdiction over subdivision plats, may waive the platting requirement upon a determination that the above stated purposes have been achieved by previous platting or could not be achieved by a plat or replat.

If your application is approved, you will need additional permits.

Contact the Permit Center at 596-9601 if your tract is in the City of Tulsa or

Tulsa County Building Inspector's Office at 596-5296 if in unincorporated Tulsa County.

Tulsa Metropolitan Area Planning Commission
2 West 2nd Street, Suite 800
Tulsa, Oklahoma 74103
(918) 584-7526
Email: dfernandez@incog.org

Exhibit A

The North One Hundred Ninety (190) feet of the West Two Hundred Seventy (270) feet of the East Four Hundred Thirty (430) feet of the Northeast Quarter of the Northeast Quarter of the Northwest Quarter (NE/4 NE/4 NW/4) of Section Thirty-three (33), Township Nineteen (19) North, Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the United States Government Survey thereof.

Exhibit B

REASON FOR PLAT WAIVER APPLICATION

The Property has been developed for over 40 years and all public streets, sidewalks and utilities are available at the Property and no public purpose would be served by requiring that the Property be platted.

19.10



Tulsa Metropolitan Area
Planning Commission

Case Number: CPA-56
Comprehensive Plan Amendment
(related to Z-7373)

Hearing Date: June 7, 2017
(continued from February 15, 2017, March 1,
2017, April 19th, 2017, and May 17th, 2017)

Case Report Prepared by:

Amy Ulmer

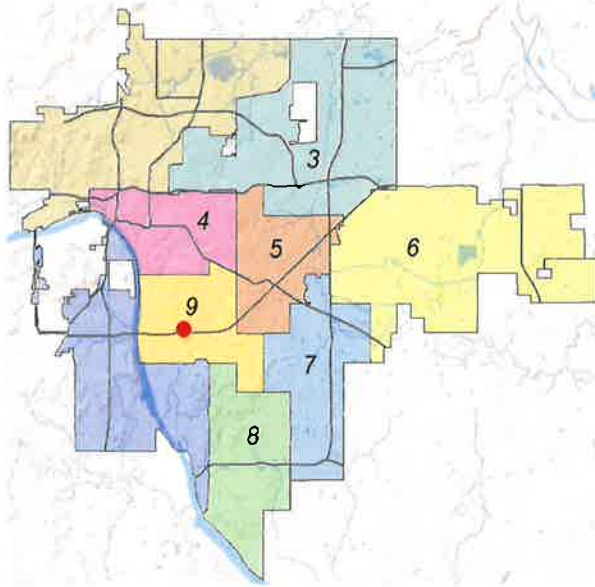
Owner and Applicant Information:

Applicant: JR Donelson

Property Owner: Twenty Six Oaks Property

Location Map:

(shown with City Council Districts)



Applicant Proposal:

Land Use Map change from **Existing Neighborhood** to **Mixed-Use Corridor**

Stability and Growth Map change from **Area of Stability** to an **Area of Growth**

Existing Use: Vacant Lot

Proposed Use: Accessory Parking

Tract Size: .17 acre

Location: N and E of the NE/c corner of S.
Lewis Ave. and E. Skelly Dr.

Comprehensive Plan:

Land Use Map:

Existing: *Existing Neighborhood*

Proposed: *Mixed-Use Corridor*

Stability and Growth Map:

Existing: *Area of Stability*

Proposed: *Area of Growth*

Zoning:

Existing Zoning: RS-1

Proposed Zoning: OL

Staff Recommendation:

Staff recommends **approval** of the *Mixed-Use Corridor* land use and *Area of Growth* designation.

City Council District: 9

Councilor Name: Ben Kimbro

County Commission District: 3

Commissioner Name: Ron Peters

COMPREHENSIVE PLAN LAND USE MAP AMENDMENT REQUEST

N and E of the NE/c corner of S. Lewis Ave. and E. Skelly Dr. (CPA-56)

1. PROPERTY INFORMATION AND LAND USE REQUEST

Existing Land Use: <i>Existing Neighborhood</i> Existing Stability and Growth designation: <i>Area of Stability</i>
Proposed Land Use: <i>Mixed-Use Corridor</i> Proposed Stability and Growth designation: <i>Area of Growth</i>
Location: <i>N and E of NE/c corner of S. Lewis Ave. and E. Skelly Dr.</i>
Size: <i>.17 acre</i>

A. Background

The site that is subject to this Comprehensive Plan amendment application is located north of I-44, on the east side of Lewis Ave. Currently the subject site is vacant and surrounded by established residential homes to the north and east and low-intensity office development to the south and west. According to the applicant, the ODOT owned property immediately to the east serves as the new entrance to the subject lot and was designed and constructed during the I-44 improvement efforts.

The lots immediately to the north, east, and west of the subject lot are designated as *Existing Neighborhood* and *Areas of Stability*. The area immediately south of the site designated as a *Mixed-Use Corridor* and an *Area of Growth*. The applicant has submitted this proposed Comprehensive Plan amendment and a concurrent rezoning application (Z-7373) with an optional development plan to permit an accessory parking area for the office use immediately north of the site.

B. Existing Land Use and Growth Designations (Tulsa Comprehensive Plan)

An *Existing Neighborhood land* use designation was assigned to the area subject to the amendment request at the time of the adoption of the Tulsa Comprehensive Plan in 2010:

"The *Existing Neighborhood* residential area is comprised of a plan category by the same name. 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 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 amenities."

When the new Tulsa Comprehensive Plan was developed and adopted in 2010, the subject tract was designated as an *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."

C. Proposed Land Use and Growth Designations (Tulsa Comprehensive Plan)

The applicant is proposing an *Area of Growth* and *Mixed- Use Corridor* designation on the subject site.

"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.”

“A *Mixed-Use Corridor* is a plan category used in areas surrounding Tulsa’s modern thoroughfares that pair high capacity transportation facilities with housing, commercial, and employment uses. The streets 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. Off the main travel route, land uses include multifamily housing, small lot, and townhouse developments, which step down intensities to integrate single family neighborhoods.”

D. Zoning and Surrounding Uses:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Area of Growth	Existing Use
North	RS-1	<i>Existing Neighborhood</i>	<i>Area of Stability</i>	Vacant Lot- ODOT owned property
South	OL	<i>Mixed-Use Corridor</i>	<i>Area of Growth</i>	Office
East	RS-1	<i>Existing Neighborhood</i>	<i>Area of Stability</i>	Single-Family Residential
West	RS-1	<i>Existing Neighborhood</i>	<i>Area of Stability</i>	ODOT owned property- Access Road

E. Applicant’s Justification:

As part of the amendment application, the applicant is asked to justify their amendment request. Specifically, they are asked to provide a written justification to address:

1. How conditions on the subject site have changed, as well as those on adjacent properties and immediate area;
2. How changes have impacted the subject site to warrant the proposed amendment; and;

3. How the proposed change will enhance the surrounding area and the City of Tulsa.

The applicant provided the following justification as part of their application:

1. *"The request is to change the land use from existing residential neighborhood to a mixed use corridor and from an area of stability to an area of growth. The desire is to rezone the property from "RS-1" to "OL". This zoning is compatible with the office complex to the south and the office complex to the west. The rezoning from "RS-1" to "OL" will allow a parking lot to be constructed on the property. A single family residential home was removed from this property prior to the new construction and modification of South Lewis Ave. and I-44."*
2. *"The Oklahoma Department of Transportation closed the entrance to the Twenty-Six Oaks office complex from South Lewis Ave., when I-44 and South Lewis Ave. was widened and improved. A new entrance to the Twenty-Six Oaks office complex was designed and constructed by ODOT during the widening and improvement to I-44. The new entrance is shown on the attachment. The new entrance constructed for the Twenty-Six Oaks office complex will not permit another residential house to be constructed on the property."*
3. *"The proposed parking lot and proposed amendment to the Comprehensive Plan will not have an adverse impact on surrounding properties. The property to the south is the Twenty-Six Oaks office complex. The property to the north is vacant. The property to the east is a single family residence. The property to the west of South Lewis is a parking lot and office complex. The proposed parking lot will provide a use for this property. The property will provide additional parking for the Twenty-Six Oaks office complex. This additional parking space will enhance the Twenty-Six Oaks office complex for employees, guest and clients."*

F. Staff Summary:

The residential vacant subject lot was designated as *Existing Neighborhood* and an *Area of Stability* when the Comprehensive Plan was adopted in 2010. The subject site is abutted by *Existing Neighborhood* land use and an *Area of Stability* designation to the north, east, and west. The planning area immediately to the south is designated a *Mixed-use Corridor* and an *Area of Growth*. Since 2010 there have been no noted changes in zoning and land use designations in the area surrounding the subject site.

In order to accommodate the proposed rezoning to OL, the applicant is requesting to expand the *Mixed-Use Corridor* land use and *Areas of Growth* designation to provide additional parking relief for the Twenty-Six Oaks office complex immediately south of the subject lot. The proposed amendment would be an extension of *Mixed-Use Corridor* and *Areas of Growth* land use designation immediately to the south of the subject lot. According to the original site plan submitted for PUD-227, the Twenty-Six Oaks office complex has 143 off-street parking spaces, which was consistent with the OL zoning parking requirements at the time of the PUD approval. The new Tulsa Zoning Code does not require additional parking on the Twenty-Six Oaks office complex site.

The subject lot abuts two ODOT owned properties (see attached) to the west and north that are currently designated *Existing Neighborhood* and *Areas of Stability*. According to the applicant, during the widening and improvements to I-44, ODOT closed the South Lewis Avenue entrance to the Twenty- Six Oaks office complex. These events were taking place during the same time period as when the Comprehensive Plan was being developed and adopted. The parcel to the west of the subject site serves as the new entrance to the office complex that was designed and constructed by ODOT. If the proposed amendments on are approved on the subject site, the ODOT owned parcels west and north of the site will be included as part of the annual housekeeping amendments to the same designations.

The applicant has stated, "*The new entrance constructed for the Twenty-Six Oaks office complex will not permit another residential house to be constructed on the property.*" The RS-1 zoned subject site is a non-conforming lot that is 7,405 SF while the minimum lot area and lot area per dwelling unit requirement within the RS-1 district is 13,500 SF. Therefore, the subject site does pose some constraints in building a home that is consistent with the size of the typical homes found in the surrounding RS-1 zoning district.

The location and existing size of the subject site could limit the type of uses and development allowed on this lot. If developed residentially, a new residence at this location would be not be oriented toward the adjacent neighborhoods, leaving it isolated. An expansion of the *Mixed-Use Corridor* land use and *Areas of Growth* designation into this lot could provide an adequate transition to the existing residences and utilize a lot that has limited development options.

STAFF RECOMMENDATION

- Staff recommends **Approval** of the *Mixed-Use Corridor* and *Area of Growth* land use designation as submitted by the applicant.

CPA-56 Application/Request

Located generally east of northeast corner of S. Lewis Avenue and 51st Street South

- Planning Comments and Considerations -

January 3, 2017

COMMENTS AND CONSIDERATIONS:

1. A change in zoning (Case no. Z-7373) and in the Tulsa Comprehensive Plan is proposed for a vacant somewhat isolated parcel that is immediately adjacent the established Twenty Six Oaks office development on the north portion of the Skelly Expressway/I-44 corridor. This office development appears to be comprised of an association of various "condominium" property owners (Twenty Six Oaks Property Owners Association Inc.) which share in use and maintenance of parking and associated common facilities. Tulsa County Assessor records indicate that the subject parcel and the parking lot and common areas to the south are under the same ownership.
2. The subject parcel is located in an existing residential single-family neighborhood designated by the Tulsa Comprehensive Plan as a Existing Neighborhood and located immediately adjacent the designated Mixed-Use Corridor along the north side of Skelly Drive/I-44.
3. Additional information regarding planned development for the subject site, including a site plan, is needed for understanding of the actual proposal. The application should include sufficient data to allow proper analysis and evaluation by the Planning Review Committee (PRC) of the requested CPA and rezoning request. PRC review should be scheduled for review once full application information is provided in a timely manner.
4. A planning recommendation based on incomplete data is appropriate and not provided at this time.



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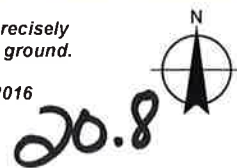
Subject Tract

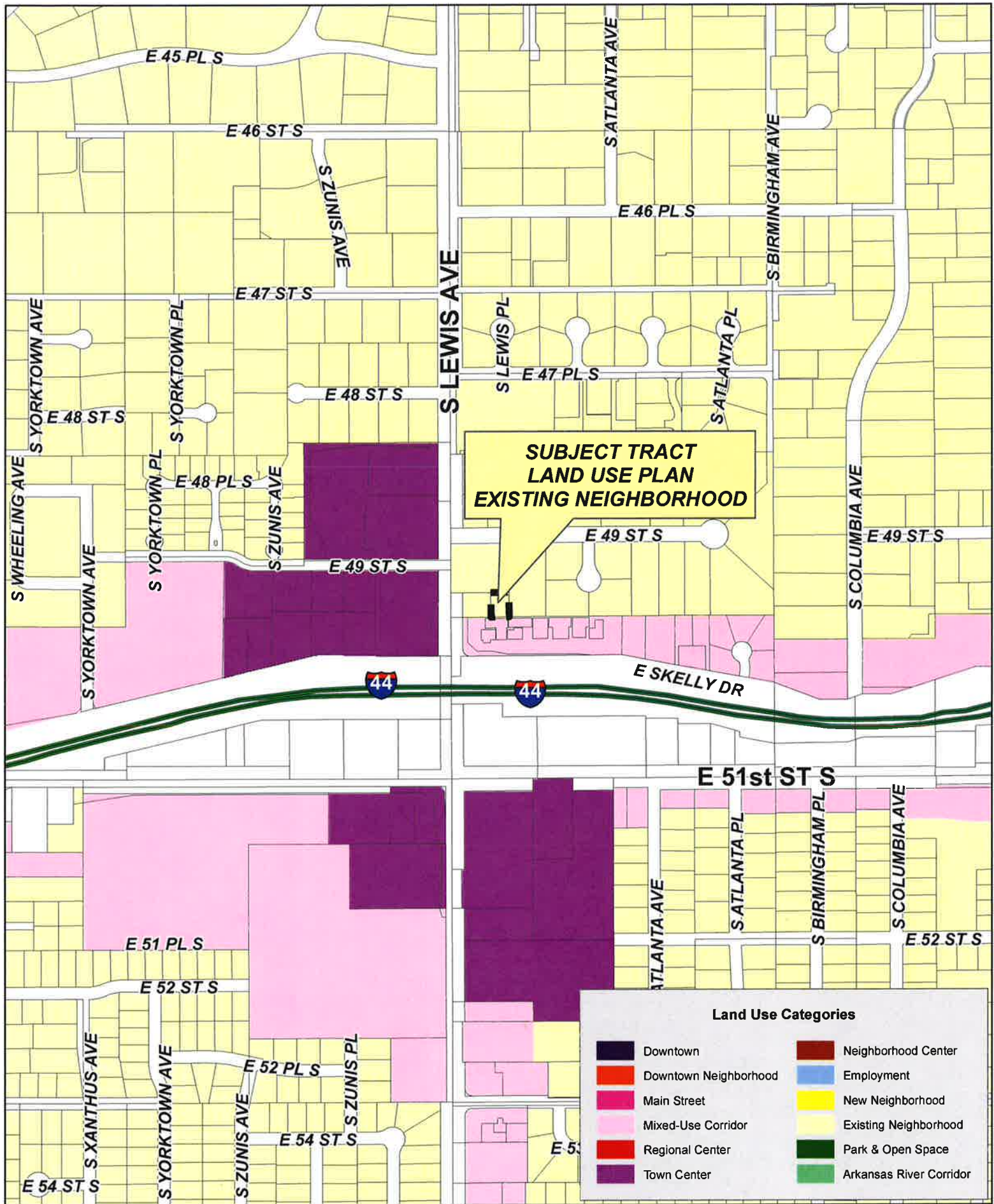
CPA-56

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

Aerial Photo Date: February 2016



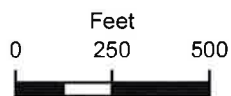
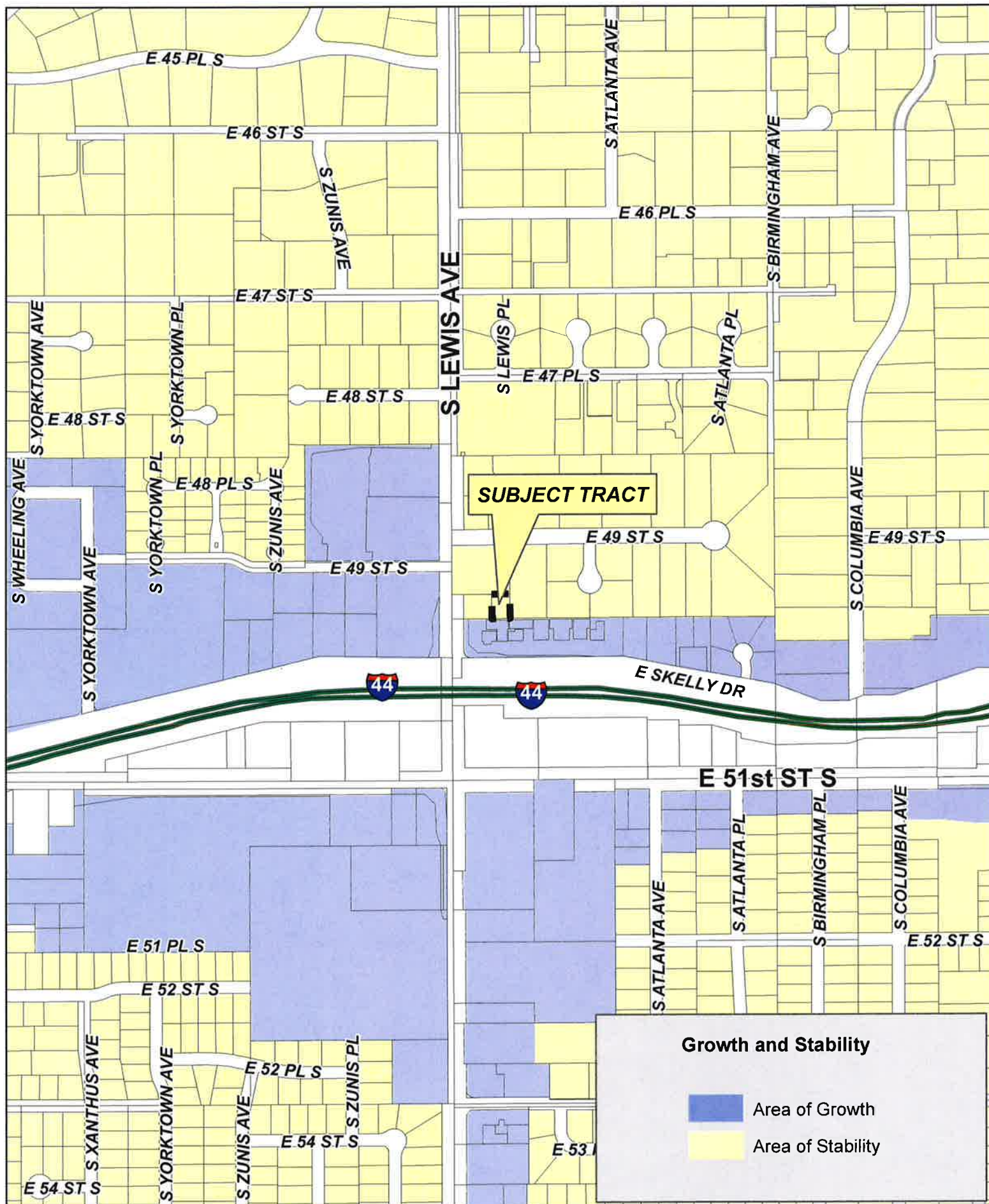


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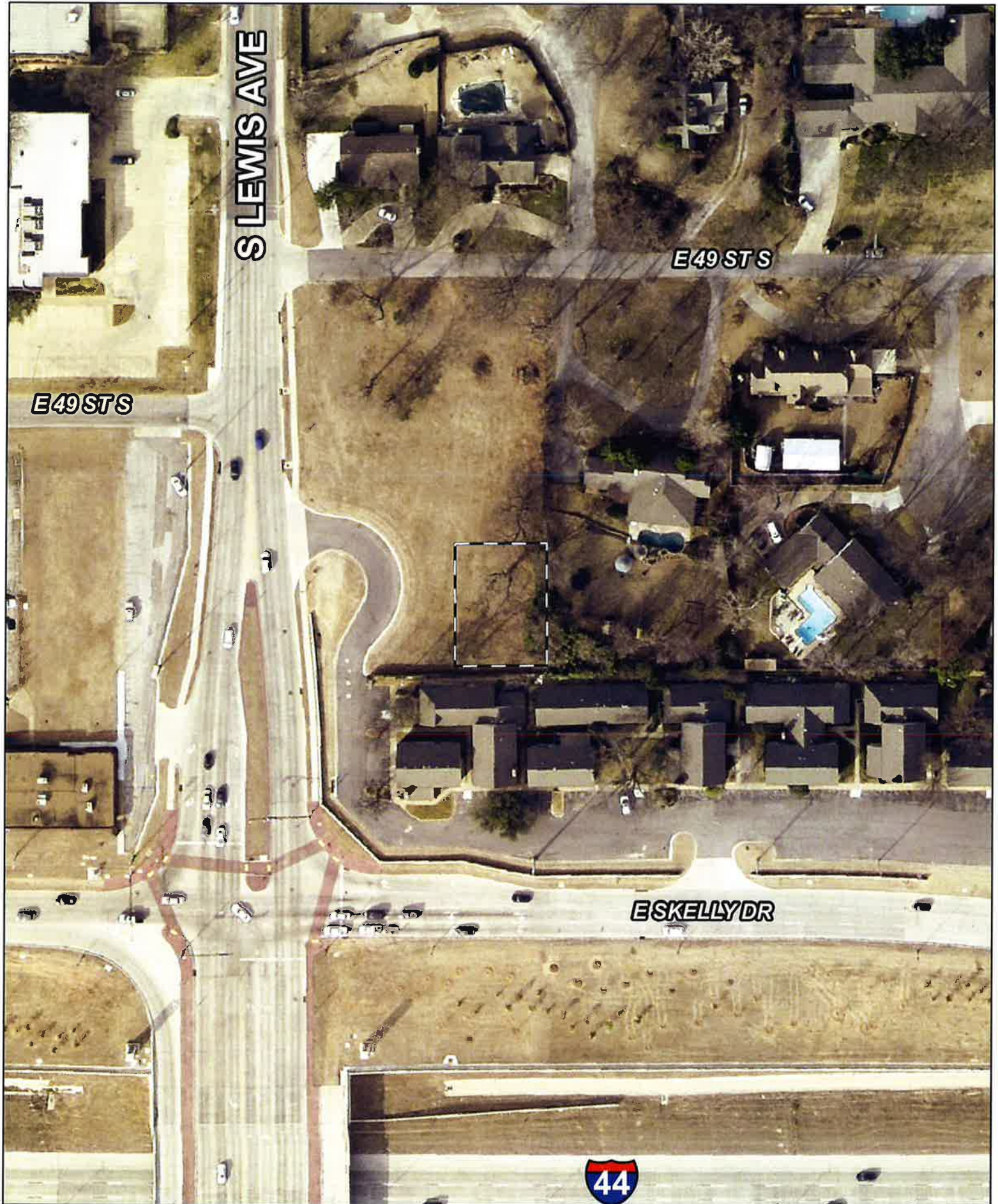
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Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016



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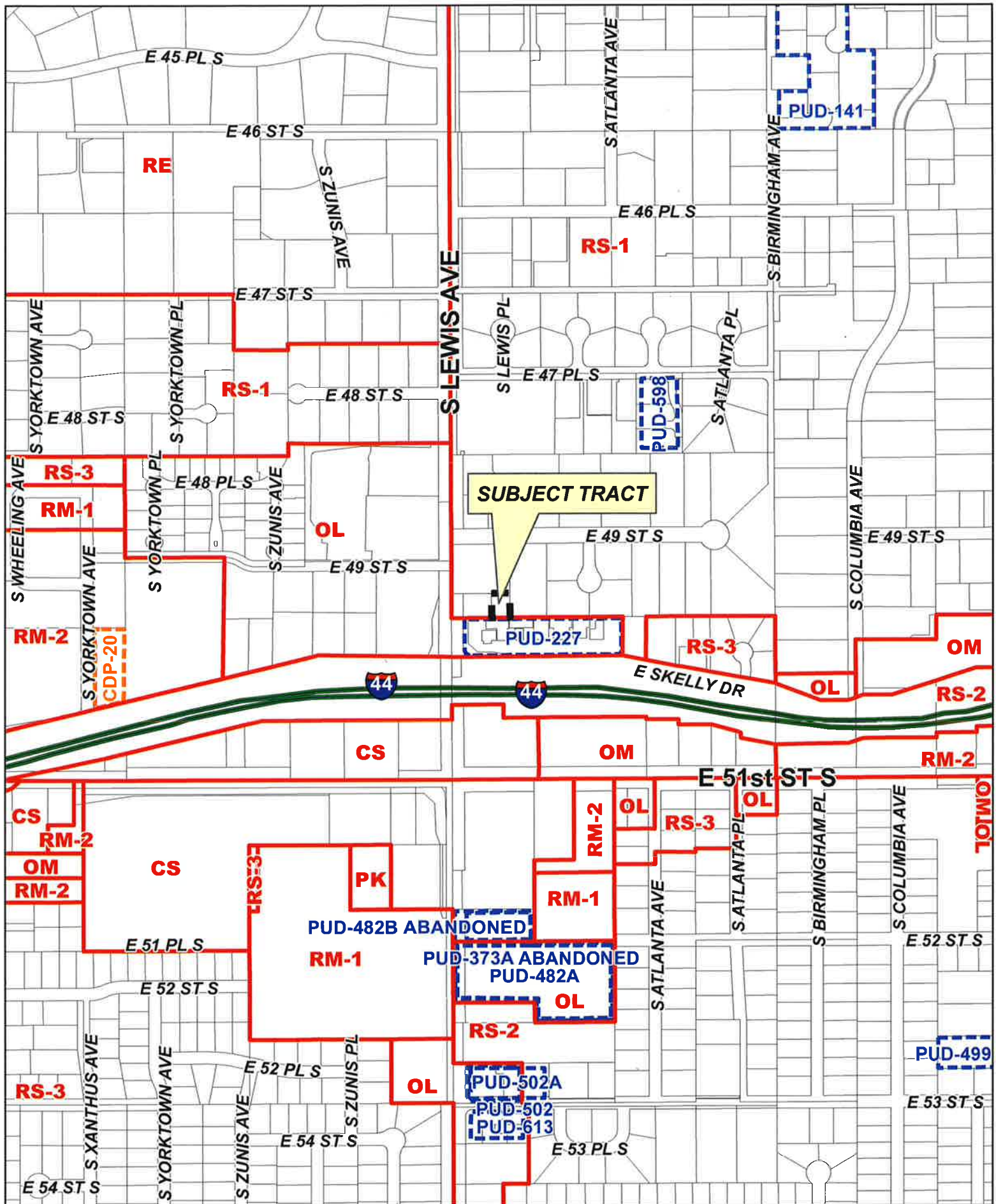
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Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016



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CPA-56

19-13 29

20.13

Janell Whitby
2403 E. 49 St
Tulsa, OK 74105

February 3, 2017

Susan Miller
incog
2 West 2nd Street Suite 800
Tulsa, OK 74102

Dear Susan and Committee Members:

This letter is to contest the rezoning Case No. CPA-56 and Z-7373.

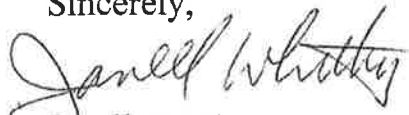
I have lived on the north east corner of 49th and Lewis for 37 years. When I bought this new house it was zoned "residential single-family." It was a peaceful dead end street. There were 2 houses on the hill across the street from me to the south.

When I-44 was expanded, ODOT bought the corner and removed the 2 houses to build a curved driveway east off Lewis for access to the office condominiums on the hill. ODOT assured me that the land would remain empty.

In 1992, I was served notice that I had to relocate my piano studio because the neighborhood is zoned residential. I complied and rented commercial space at 5741 S. Harvard where I am still located today. This current issue has far greater implications than a piano studio.

I am definitely opposed to a rezoning of the area to an "area of growth" and "office-Low." This opens the door to further unknown commercial development, increased traffic in my front yard, and the possibility of high-rise buildings built across 49th Street.

Sincerely,


Janell Whitby

20.14

20.15

JAMES, POTTS & WULFERS, INC.

DAVID W. WULFERS
SHANNON K. DAVIS
DAVID T. POTTS

ATTORNEYS AT LAW
401 SOUTH BOSTON AVENUE, SUITE 2600
MID-CONTINENT TOWER
TULSA, OKLAHOMA 74103-4015
TELEPHONE (918) 584-0881
TELECOPIER (918) 584-4521
jpwlaw.com

OF COUNSEL
THOMAS G. POTTS
PAMELA K. WHEELER
RICHARD L. CARPENTER
MATTHEW T. CROOK
[Email: rcarpenter@jpwlaw.com]

February 15, 2017

Susan Miller (Via Email smiller@incog.org)
TMAPC Staff

Land Regulation Specialist (Via Email esubmit@incog.org)
2 West 2nd Street, Suite 800
Tulsa, OK 74103

Dwayne Wilkerson (Via Email dwilkerson@incog.org)

Re: Case No. CPA-56
Case No. Z-7373
North of Northeast Corner of South Lewis Ave. and East Skelly Drive
Present Zoning: RS-1
Protest of Richard Carpenter
Hearing: February 15, 2017 at 1:30 p.m.

Dear Ms. Miller, Land Regulation Specialist, and Mr. Wilkerson:

Please accept this letter as my protest of a change in zoning and a change and use of the property described in the referenced case numbers. My name is Richard Carpenter. I live at 2477 East 49th Street, Tulsa, Oklahoma. The affected property was part of a residential lot at 49th Street east of Lewis and Lewis Avenue. It is misleadingly described as being north of Skelly Drive. That gives an inference of commercial use. The whole of the land in question constitutes the entrance to our no-outlet neighborhood (Mannburn Place). It had a stately house and contained magnificent oak trees. It provided a beautiful entrance to the neighborhood.

ODOT exceeded its statutory authority in purchasing this land when it only needed a small strip along the western border to widen Lewis Avenue. It had no statutory authority to buy all of the land and consequently, if it has done so, had no statutory authority to sell it. Nevertheless, it used the land as a staging area for the dirt work that was done in constructing the new overpass at I-44 and in the process killed five of the large oak trees.

Now, someone wants to convert the northern part of the land taken by ODOT into a "parking lot" that will undoubtedly take two of the remaining large oak trees with the idea that it is converting the land to an "Area of Growth." This is part of a residential neighborhood. This

20.16

February 15, 2017

Page 2

parking lot supposedly will serve a commercial development that has existed for probably 30 years and has more parking and access now than it had before Lewis Avenue was widened. The change would introduce "commercial growth" that intrudes toward our neighborhood access.

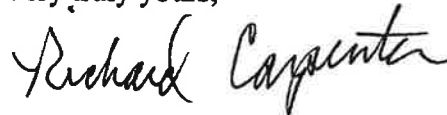
If this change in zoning is made and designated "Area of Growth," the next move will be to degrade further to the north with the argument that "We already have changed the zoning of the south end of this lot, why shouldn't we be allowed to change the zoning on the north part of the lot and put in a three story office building?"

The use should be kept as it is. I have lived in this neighborhood for over 40 years. The inhabitants of the neighborhood should not be required to have the entrance to their residential neighborhood turned into a parking lot where instead of seeing a beautiful residence, they are looking at vehicles.

I hope you will have a Google map and photographs of the stumps of the huge oak trees that have already been killed in this area now requested to be re-zoned and the oak trees that will be undoubtedly removed after re-zoning and re-designating the land use, if it is accomplished.

I would be present in person to protest this re-zoning and re-designation and express the reasons I have set forth herein, if it were possible.

Very truly yours,



Richard Carpenter and
Margaret Carpenter
2477 East 49th Street (for over 40 years)
Tulsa, OK 74105

RC/jer

c

Teresa39@cox.net

janelwhitby@yahoo.com

20.17



Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7373
(Related to CPA-56)

Hearing Date: June 7, 2017

Neighborhood continuance from 2.15.2017, 3.1.2017,
4.19.2017, 5.17.2017.

Case Report Prepared by:

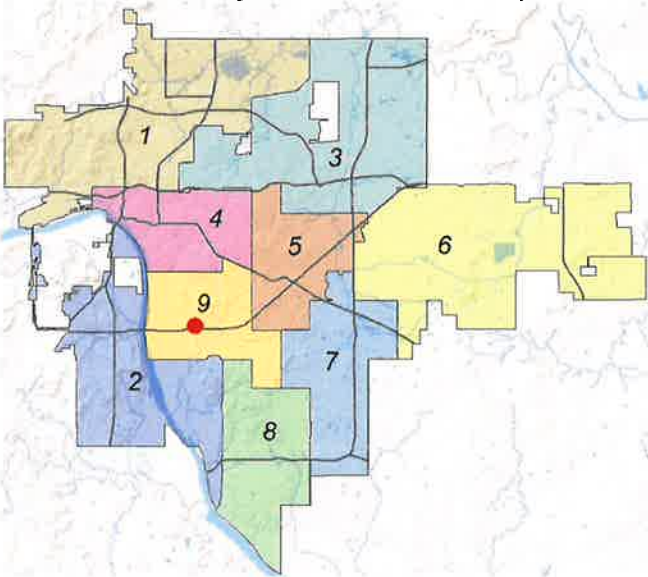
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: JR Donelson

Property Owner: TWENTY SIX OAKS
PROPERTY

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Vacant

Proposed Use: Accessory parking area for the
office use immediately south of the site.

Concept summary: Rezone parcel that was
acquired by ODOT for I-44 at S. Lewis interchange
reconstruction. Property has been acquired by
abutting property owners south of this tract who
are proposing a small parking lot.

Tract Size: 0.17 ± acres

Location: North and East of the northeast corner
of S. Lewis Ave. and E. Skelly Dr.

Zoning:

Existing Zoning: RS-1

Proposed Zoning: OL with optional
development plan

Comprehensive Plan:

Existing Land Use Map: Existing Neighborhood

Proposed Land Use Map: Mixed-use Corridor

Existing Stability and Growth Map: Stability

Proposed Stability and Growth Map: Growth

Staff Recommendation:

**Staff recommends approval for rezoning from
RS-1 to OL with an optional development plan
defined in Section II of the following staff
report.**

Staff Data:

TRS: 9329

CZM: 47

Atlas: 471

City Council District: 9

Councilor Name: Ben Kimbro

County Commission District: 2

Commissioner Name: Karen Keith

SECTION I: Z-7373

DEVELOPMENT CONCEPT: Twenty-Six Oaks plans to construct a small parking lot on the subject tract, which abuts the Twenty-Six Oaks office complex, in order to replace a portion of the office complex's parking lot that ODOT removed during the widening of I-44. The applicant has submitted an optional development plan to provide additional design standards that satisfy concerns of neighboring property owners regarding screening, lighting, and landscaping.

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:
 - Survey
- Neighborhood Correspondence:
 - Miscellaneous emails and letters:

SECTION II: OPTIONAL DEVELOPMENT PLAN STANDARDS

The optional development plan standards proposed in Z-7373, as set forth below, will conform to the provisions of the Tulsa Zoning Code for development of unenclosed off-street parking in an OL zoning district and will additionally conform to certain supplemental standards defined below:

- A. **Permitted Uses:** The subject tract shall only be used for the purposes of off-site parking accessory to the OL zoned property located in existing PUD-227.
- B. **Minimum Parking Setbacks:** The unenclosed off-site parking area must be set back from abutting streets at least 25 feet.
- C. **Screening:**
 - a. The unenclosed off-site parking area must be screened from abutting RE-zoned lots and RS-zoned lots by a F1 screening fence or wall.
 - b. The northern and eastern sides of the lot must be screened by installation of an opaque wooden fence at least 6 feet in height and at least one tree per 25 linear feet of fence.
 - c. All braces and supports shall be constructed on the interior, unless both sides are of the same design and appearance.
- D. **Landscaping:**
 - a. At least 20% of the required street setback area must be established and maintained as landscaped area. At least one tree must be preserved or planted and maintained or replaced in required street yard landscape areas for each 1,200 square feet of area, or fraction thereof. The landscaped area must be at least 5 feet in width and extend along the entirety of abutting street right-of-way, except at points of vehicular or pedestrian access. This area may be counted towards satisfying the minimum landscaped area required in (b) below.
 - b. The parking area must be separated from the abutting rights-of-way, residential districts and abutting residential development areas by a landscaped area that is at least 10 feet in width and that contains an S1 screen containing at least 3, 5-gallon shrubs per 10 linear feet. This landscaped area may be counted towards satisfying minimum street landscaping set forth in (a) above if it is located within the street yard.

21.2

- c. All parking spaces must be located within 50 feet of a tree. Required parking lot trees must be located in a landscaped area that is at least 64 square feet in area and that has a minimum width or diameter of 8 feet.
- d. The Land Use Administrator will inform neighboring property owners, when the landscape plan application is made, and the applicant will cooperate with neighboring property owners to reach a mutually agreeable landscape plan.

E. Lighting:

- a. Shielding. Light sources must be concealed or shielded with cutoffs so that no more than 2.5% of the light emitted directly from the lamp or indirectly from the fixture is projected at an angle of more than 90 degrees above nadir and no more than 10% of the light emitted directly from the lamp or indirectly from the fixture is projected at an angle of more than 80 degrees above nadir.
- b. Spillover Light. Light trespass along the lot line of the subject property may not exceed 0.5 foot-candles when abutting a residential zoning district and may not exceed 3.0 foot-candles when abutting any other zoning district or public right-of-way. Maximum illumination levels are measured 3 feet above grade or from the top of any opaque screening fence or wall along the property line.
- c. Fixture Height. Maximum fixture height shall not exceed 5 feet.
- d. Number of Lights Posts. No more than 3 light posts shall be placed on the lot.

F. Signs:

- a. Signs Allowed. A maximum of one on-premise sign shall be allowed. The on-premise sign may be a wall sign or a free-standing sign. Roof signs and off-premise outdoor advertising signs are prohibited.
- b. Maximum Area. Signs may not exceed 32 square feet in area or 0.30 square feet of sign area per linear foot of street frontage, whichever is greater, but in no case may the sign exceed 150 square feet in area.
- c. Maximum Height. Freestanding signs may not exceed 20 feet in height.
- d. Dynamic Displays. Dynamic displays are prohibited.

DETAILED STAFF RECOMMENDATION:

The rezoning request (with or without the optional development plan) included in Z-7373 is consistent with the anticipated land use vision proposed in the Tulsa Comprehensive Plan amendment as identified in CPA-56 (Mixed Use Corridor) and,

OL zoning typical supports small office development and is a compatible use with adjacent residential and office zoning districts. The proposed use is for a small surface parking lot abutting the rear yard of adjacent to a single family residential lot. The abutting residential property owners have worked with the applicant to prepare an optional development plan to help mitigate possible negative impacts to the residential use and,

OL rezoning requested is consistent with the anticipated future development of the surrounding property and also consistent with the anticipated redevelopment of the land acquired by ODOT during highway reconstruction therefore,

Staff recommends Approval of Z-7373 to rezone property from RS-1 to OL with the optional development plan as outlined in Section II above.

21.3.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The site was purchased by ODOT with the reconfiguration of the interchange of I-44 at South Lewis homes on the site were demolished as part of the highway reconstruction. After construction the properties were left vacant and could now be considered for uses other than an existing neighborhood. CPA-56 supports the request to change the land use from Existing Neighborhood land use designation to Mixed Use Corridor. With approval of the amendment to the Comprehensive Plan, OL zoning would be consistent with the plan.

Existing 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.

Proposed Land Use as associated with CPA-56:

Land Use Plan Map Designation: Mixed Use Corridor

A Mixed-Use Corridor is a plan category used in areas surrounding Tulsa's modern thoroughfares that pair high capacity transportation facilities with housing, commercial, and employment uses. The streets 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. 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.

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: Secondary Arterial with Multi Modal Overlay

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: As part of the reconstruction of I-44 existing homes were demolished and a new access drive was constructed to serve the offices immediately south of the request. This small vacant tract of land is remaining east of the new driveway.

Street view snippet looking east from ODOT driveway:



Environmental Considerations: None that would affect site redevelopment.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Lewis Avenue	Secondary Arterial with Multi Modal overlay	100 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-1	Existing Neighborhood	Stability	Vacant
East	RS-1	Existing Neighborhood	Stability	Single Family Residential
South	OL/PUD 227	Mixed Use Corridor	Growth	Office
West	OL west of Lewis	Town Center	Growth	Vacant

SECTION IV: Relevant Zoning History

21.6

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

Subject Property:

No relevant history.

Surrounding Property:

Z-5364 March 1980: All concurred in **approval** of a request for *rezoning* a 2.9± acre tract of land from RS-1 to OL for an office development, on property located on the northeast corner of S. Lewis Avenue and Interstate 44 and abutting south of subject property.

PUD-227 March 1980: All concurred in **approval** of a proposed *Planned Unit Development* on a 2.9± acre tract of land for an office development, on property located on the northeast corner of S. Lewis Avenue and Interstate 44 and abutting south of subject property.

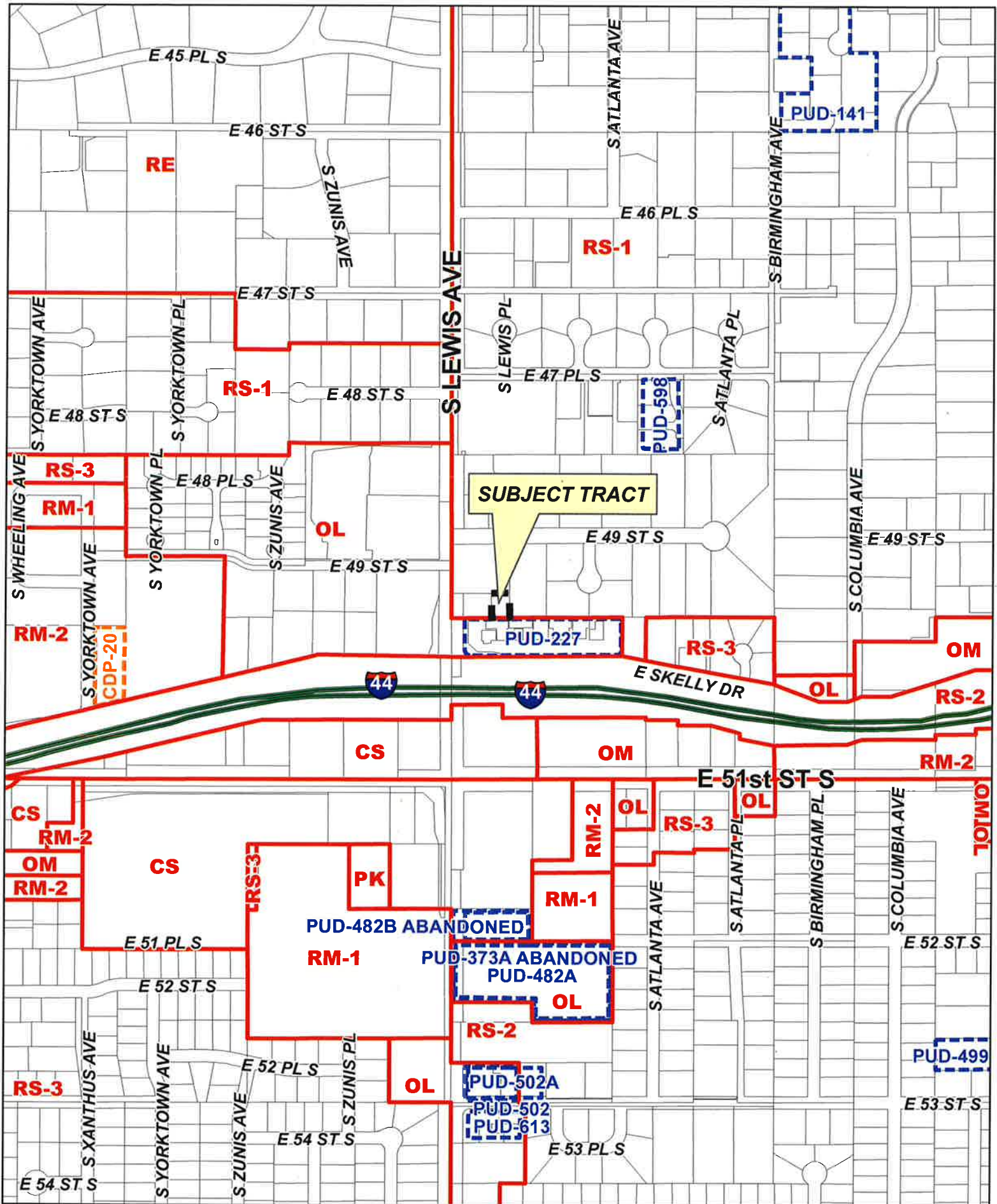
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21.7

APPLICANT EXHIBITS:

Concept plan A:

Plan B illustrating parking in context with abutting property:



Z-7373

19-13 29

21.9



0 Feet
250
500



Subject
Tract

Z-7373

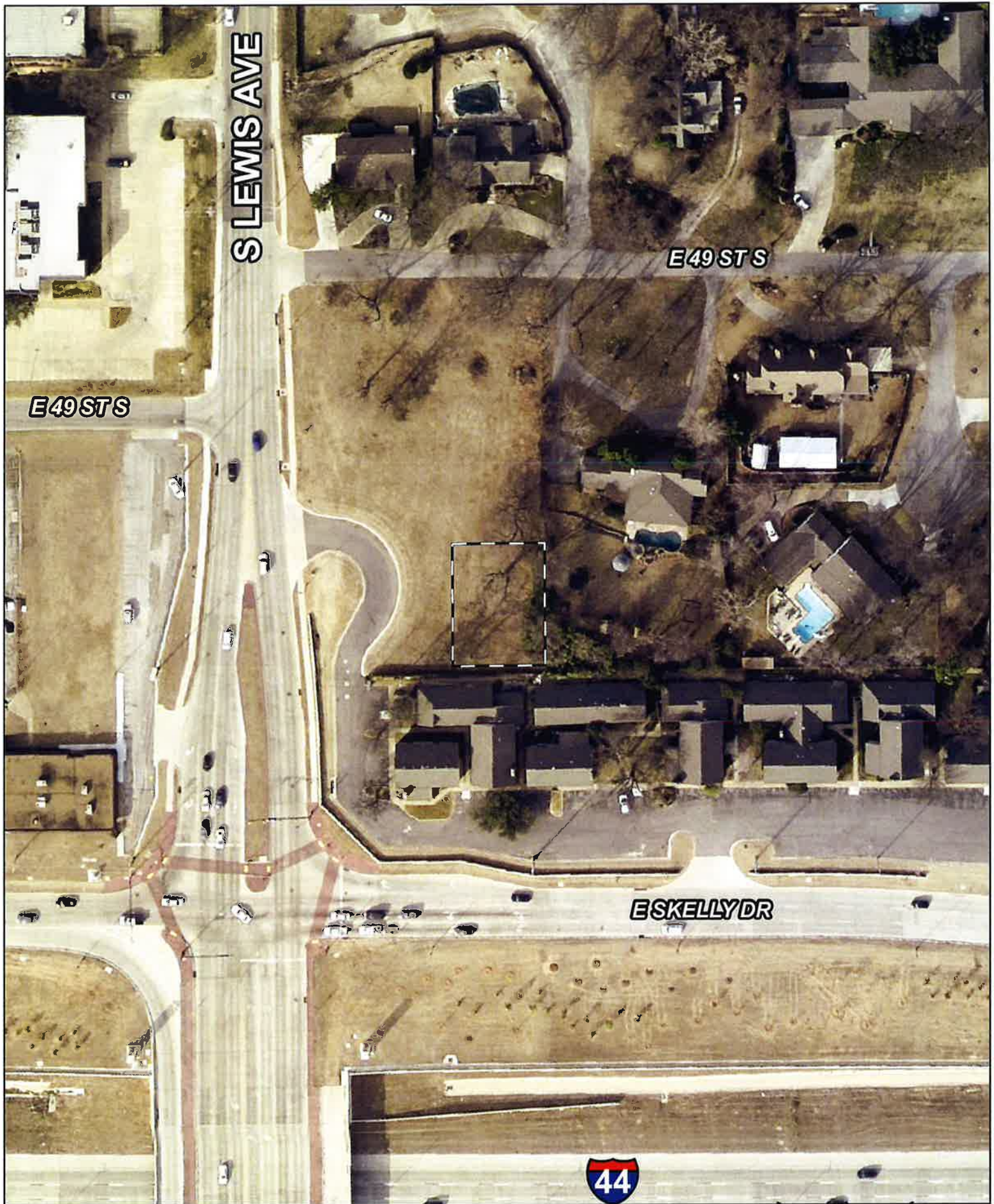
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Note: Graphic overlays may not precisely
align with physical features on the ground.

Aerial Photo Date: February 2016



21.10



S LEWIS AVE

E 49 ST S

E 49 ST S

E SKELLY DR



Subject
Tract

Z-7373

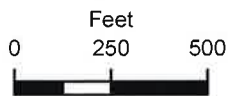
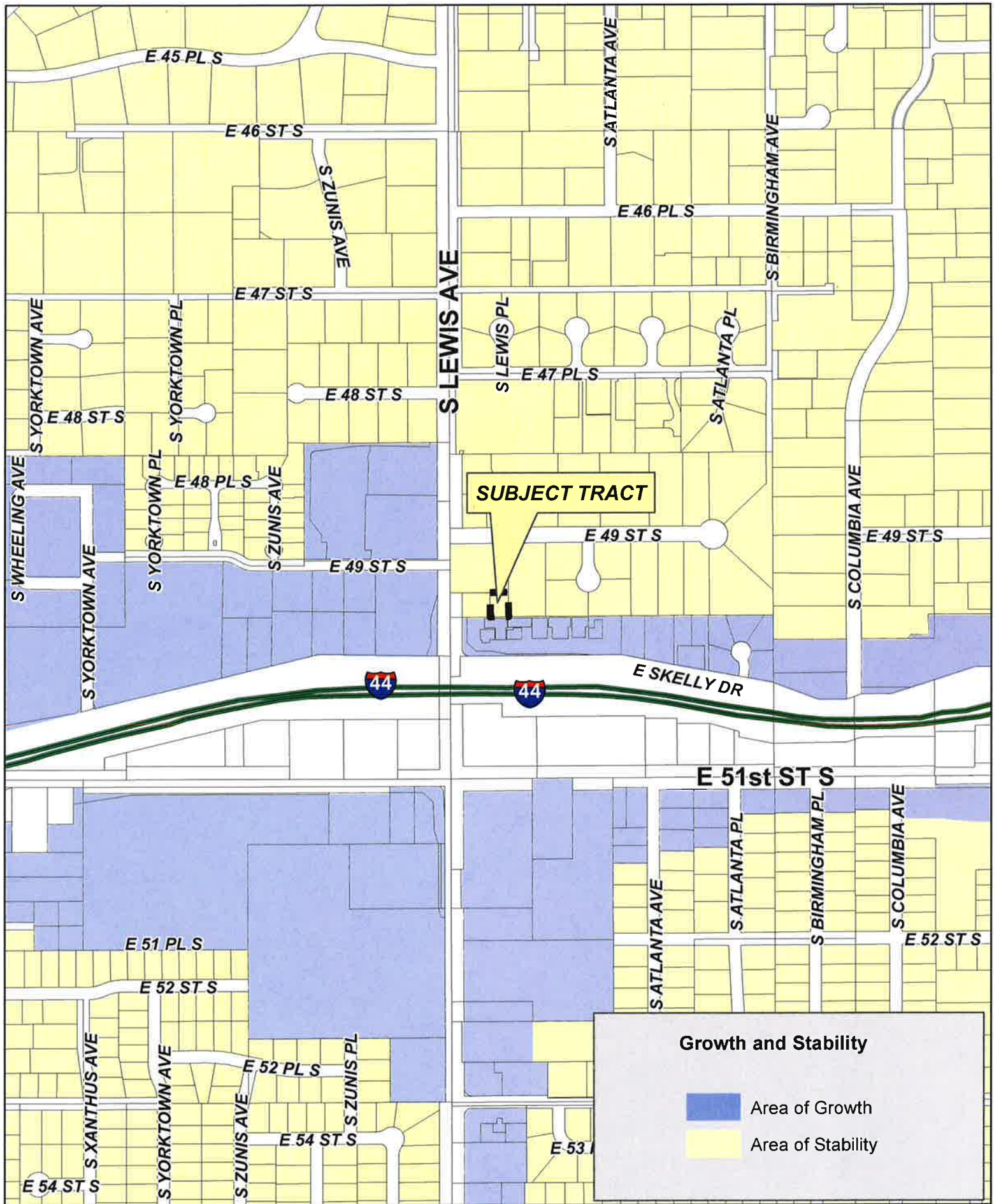
19-13 29

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

Aerial Photo Date: February 2016



21.11

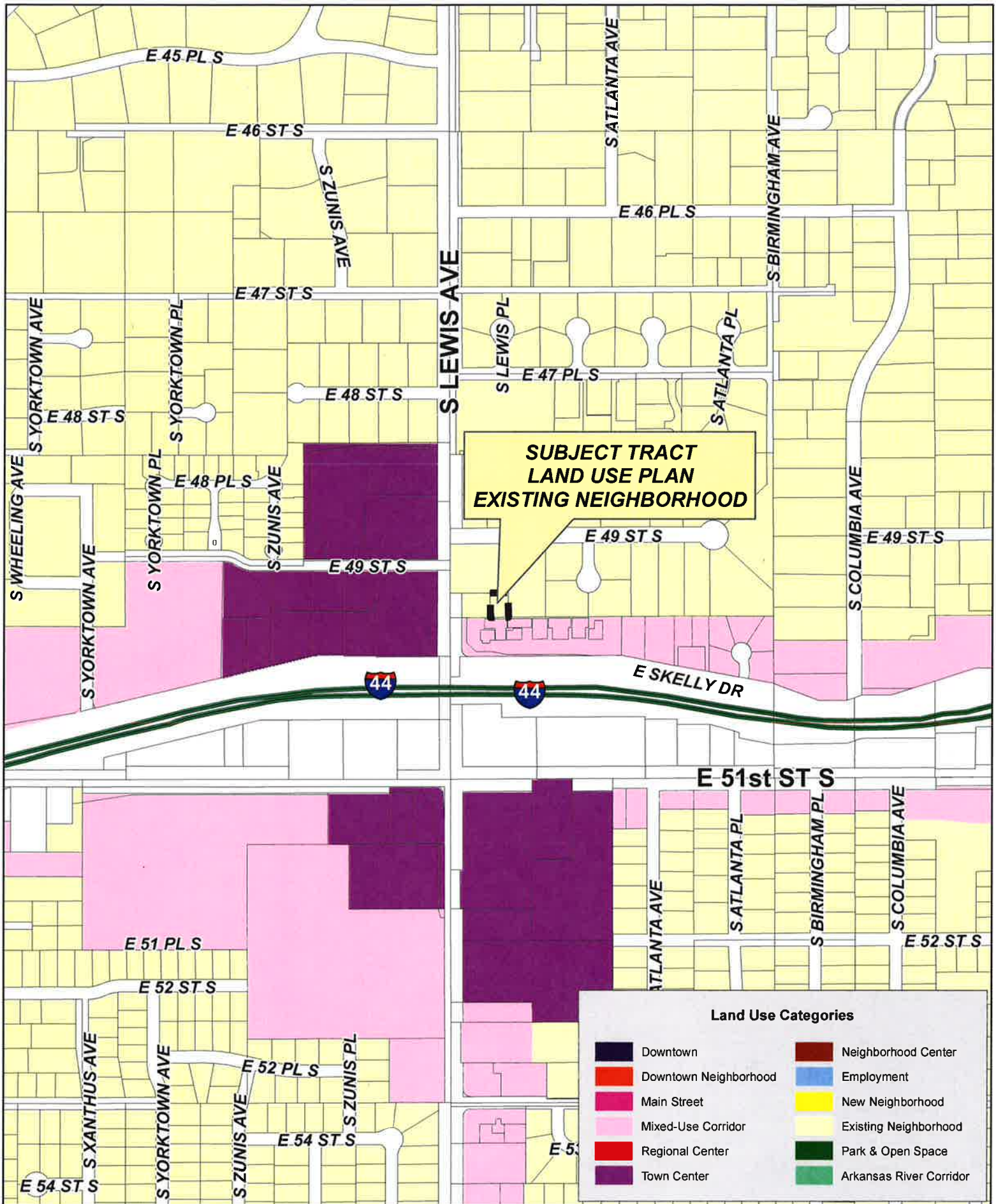


Z-7373

19-13 29



21.12



Z-7373

19-13 29



APPLICANT EXHIBITS:

Concept plan A:

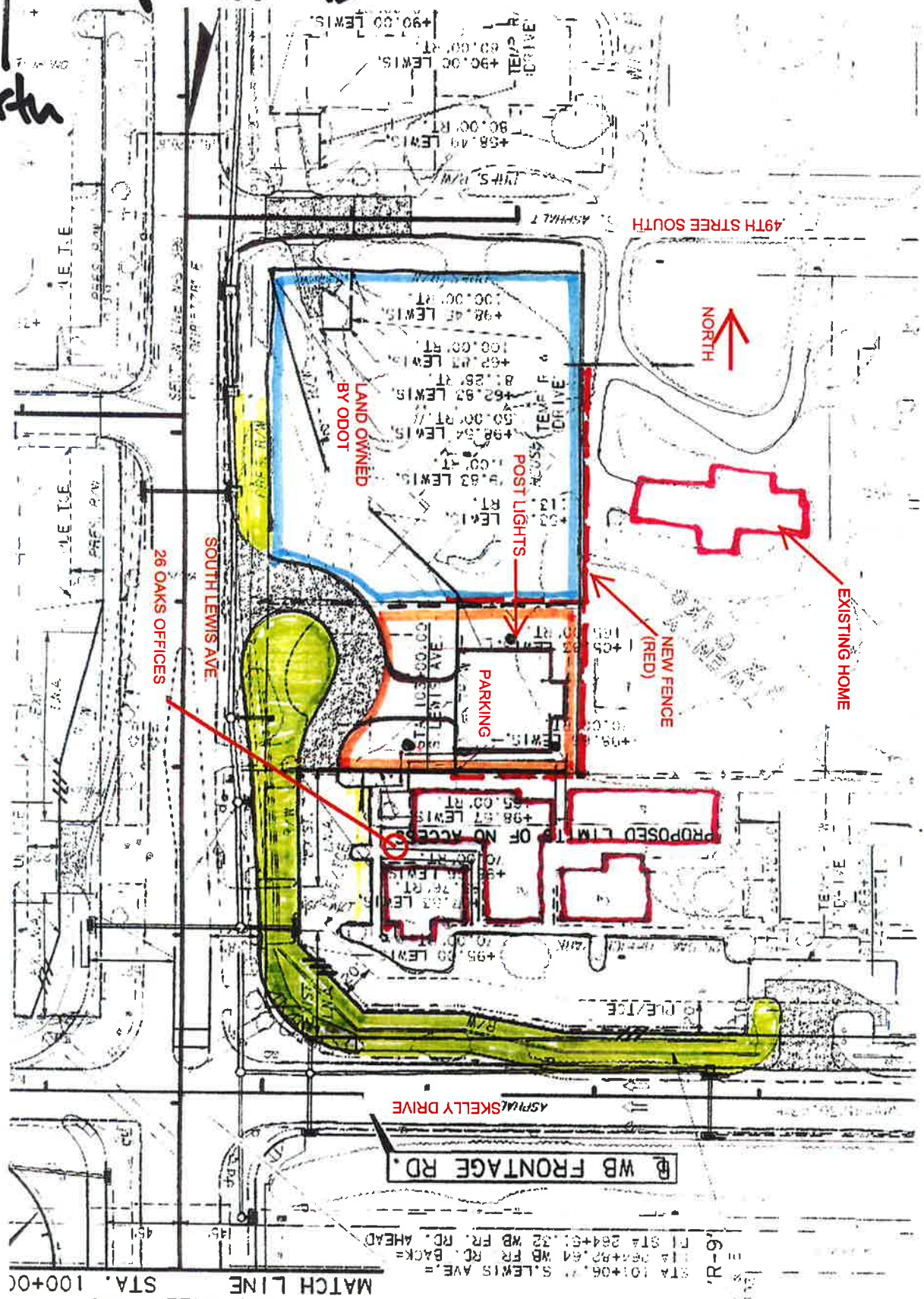
Plan B illustrating parking in context with abutting property:


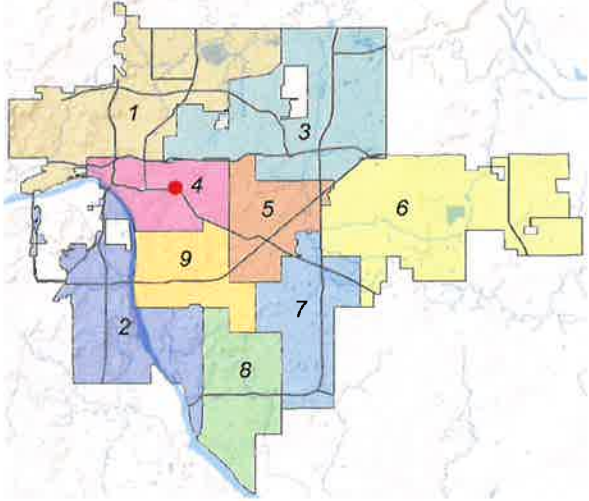
VG
ation



↑
north

Plan B



 <p>Tulsa Metropolitan Area Planning Commission</p>	<p>Case Number: CPA-61 Comprehensive Plan Amendment (related to Z-7395)</p> <p>Hearing Date: June 7, 2017</p>
<p><u>Case Report Prepared by:</u></p> <p>Amy Ulmer</p>	<p><u>Owner and Applicant Information:</u></p> <p>Applicant: Stuart Van De Wiele</p> <p>Property Owners: Mouasu Bliaya</p>
<p><u>Location Map:</u> (shown with City Council Districts)</p> 	<p><u>Applicant Proposal:</u></p> <p>Land Use Map change from <i>Existing Neighborhood</i> to <i>Town Center</i></p> <p>Existing Use: Vacant, Church</p> <p>Proposed Use: Community/ Cultural Center, Office Space</p> <p>Tract Size: 9.82 ± acres</p> <p>Location: North of the northeast corner of South Garnett Road & East 19th Street South</p>
<p><u>Comprehensive Plan:</u></p> <p>Land Use Map: Existing: <i>Existing Neighborhood</i> Proposed: <i>Town Center</i></p> <p>Stability and Growth Map: Existing: <i>Area of Growth</i></p> <p><u>Zoning:</u> Existing Zoning: RS-2 Proposed Zoning: OM</p>	<p><u>Staff Recommendation:</u></p> <p>Staff recommends approval of the <i>Town Center</i> designation.</p> <p><u>City Council District: 6</u> <i>Councilor Name:</i> Connie Dodson</p> <p><u>County Commission District: 1</u> <i>Commissioner Name:</i> John Smaligo</p>

COMPREHENSIVE PLAN LAND USE MAP AMENDMENT REQUEST

N of the NE/c of S Garnett Rd and E 19th St S (CPA-61)

I. PROPERTY INFORMATION AND LAND USE REQUEST

Existing Land Use: <i>Existing Neighborhood</i> Existing Stability and Growth designation: <i>Area of Growth</i>
Proposed Land Use: <i>Town Center</i>
Location: N of the NE/c of S Garnett Rd and E 19 th St S
Size: 9.82 \pm acres

A. Background

The land use assignment for this site at the time of adoption of the 2010 Tulsa Comprehensive Plan is *Existing Neighborhood*, with a Stability and Growth Map designation of *Area of Growth*. The subject site is located in East Tulsa, surrounded by a mixture of uses. The areas to the east and north are single family residences, with a land use designation of *Existing Neighborhood* and a Stability and Growth Map designation of *Area of Stability*. The commercial and office uses to the south and west are designated *Town Center* and *Area of Growth*.

The applicant has submitted a Comprehensive Plan amendment and a rezoning application from RS-2 to OM with an optional development plan. The current site contains three existing buildings that have previously been used as a church and a church sponsored school. The applicant has stated the owner of the subject property "has no current plans to construct further improvements, with the exception of one or more community garden spaces".

B. Existing Land Use and Growth Designations (Tulsa Comprehensive Plan)

An *Existing Neighborhood* land use designation was assigned for the subject area at the time of the adoption of the Tulsa Comprehensive Plan in 2010:

“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.”

When the new Tulsa Comprehensive Plan was developed and adopted in 2010, the subject tract was designated as an *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.”

C. Proposed Land Use Designation (Tulsa Comprehensive Plan)

The applicant is proposing a *Town Center* land use designation on the subject site.

“*Town Centers* are medium-scale, one to five story mixed-use areas intended to serve a larger area of neighborhoods than Neighborhood centers, with retail, dining, and services and employment. They can include apartments, condominiums, and townhouses with small lot single family homes at the edges. A Town Center also may contain offices that employ nearby residents. Town

centers also serve as the main transit hub for surrounding neighborhoods, and can include plazas and squares for markets and events. These are pedestrian-oriented centers designed so visitors can park once and walk to number of destinations.”

D. Zoning and Surrounding Uses:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Area of Growth	Existing Use
North	RS-3	<i>Existing Neighborhood</i>	<i>Area of Stability</i>	Single family residential
South	CS	<i>Town Center</i>	<i>Area of Growth</i>	Commercial
East	RS-3	<i>Existing Neighborhood</i>	<i>Area of Stability</i>	Single family residential
West	OL & CS	<i>OL parcel: Existing Neighborhood CS parcels: Town Center</i>	<i>Area of Growth</i>	Commercial/ Office

E. Applicant’s Justification:

As part of the amendment application, the applicant is asked to justify their amendment request. Specifically, they are asked to provide a written justification to address:

1. How conditions on the subject site have changed, as well as those on adjacent properties and immediate area;
2. How changes have impacted the subject site to warrant the proposed amendment; and;
3. How the proposed change will enhance the surrounding area and the City of Tulsa.

The applicant provided the following justification as part of their application:

HOW CONDITIONS OF THE SUBJECT AREA HAVE CHANGED

The Subject Property is pending a change of zoning from RS-2 to OM.

The current Comprehensive Plan designation "Existing Neighborhood" is a misnomer in that the Subject Property has not been utilized in a residential capacity for decades (if ever). The "Existing Neighborhood" designation seems to

have been a carryover from the neighborhoods which are adjacent to the North and East.

The Subject Property has been used for many years as a church and, at certain times, a church sponsored school. However, the church has disbanded, consolidated with other congregations, or relocated to a new location. The existing facilities (as will be repurposed and utilized by the applicant), along with (i) the existing single family neighborhoods to the North and to the East (zoned RS-3), (ii) the commercial properties to the South (zoned CS), and (iii) the commercial and office properties to the West (zoned CS and OL), seem to place the Subject Property squarely within the concept of a "Town Center" designation (similar to the properties extending several blocks to the South).

Additionally, Tulsa (and East Tulsa in particular), has experienced years of cultural diversification, and there are now approximately 3,000 members of the Hmong community living and working in this area of Tulsa. The current property owner, Mouasu Bliaya, has acquired the Subject Property to provide facilities for Tulsa's growing Hmong community to congregate, hold religious ceremonies, celebrate family and cultural events, and conduct other activities related to their religious, cultural and community events.

HOW THESE CHANGES HAVE IMPACTED THE SUBJECT AREA AND WARRANT THE PROPOSED CHANGE

The changes to the cultural diversification and makeup of East Tulsa and the desire of Tulsa's Hmong community to meet, worship and celebrate together in facilities that are near their homes and places of work just is as important to the Hmong community as it is to other religious or cultural groups or communities in other parts of the City. This amendment to the Comprehensive Plan is a necessary first step in providing for the zoning change that is a simple reflection of the beneficial use of the Subject Property and its existing improvements.

Additionally, the Subject Property contains a large building that was once used a church sponsored school that is now vacant and unused. The applicant desires to repurpose this building to provide small to medium office space for lease to the public.

HOW THESE PROPOSED CHANGE WILL ENHANCE THE SURROUNDING AREA AND THE CITY OF TULSA

The Subject Property is also designated as an "Area of Growth" which would appear to support the change of the Land Use Designation to a "Town Center" in

order to help facilitate growth in the area by bringing online new office space, business growth and resulting employment opportunities.

Providing for infill office space and places of employment should be an important goal for the City and can only serve to enhance not only a previously unused property but also the surrounding areas and the City as a whole. This repurposing of an existing space into an area of employment and business growth should be welcomed to the City.

Further, the applicant intends that portions of the open space on the Subject Property (East of the improvements) will be utilized as garden spaces. These gardens will provide not only beautification of the Subject Property but also will provide opportunities to congregate and socialize as well as providing healthy locally grown produce.

F. Staff Summary:

The applicant is proposing to expand the *Town Center* designation and rezone the subject site to OM with an optional development plan to allow the Hmong Community to “congregate, hold religious ceremonies, celebrate family and cultural events, and conduct other activities related to their religious, cultural and community events”. Additionally, the property owner plans to repurpose one of the existing buildings “to provide small to medium office space for lease to the public”.

The subject site was designated as *Existing Neighborhood* and an *Area of Growth* when the Comprehensive Plan was adopted in 2010. The applicant has stated that, “the Subject Property has not been utilized in a residential capacity for decades (if ever)”. This is a unique situation in which the subject lot and the OL zoned tract to the west were designated *Existing Neighborhood* and *Area of Growth* when the Comprehensive Plan was adopted in 2010. *Existing Neighborhood* designations are typical coupled with *Areas of Stability*. The commercial zoned areas immediately to the south and southwest are designated *Town Center* and *Area of Growth*.

There is always concern that changes in land use designations will destabilize existing residential uses on adjacent properties. The RS-3 zoned lots immediately to the east and north are occupied by single-family residences. To ensure appropriate setbacks between the existing structures and the established residential neighborhood the requested rezone will be accompanied by a development plan that will require lighting limitations and appropriate building setbacks along the north and eastern boundary of the subject site.

Providing infill office space and the repurposing of vacant buildings align with the Comprehensive Plan’s goals for *Areas of Growth*. As stated by the Comprehensive Plan,

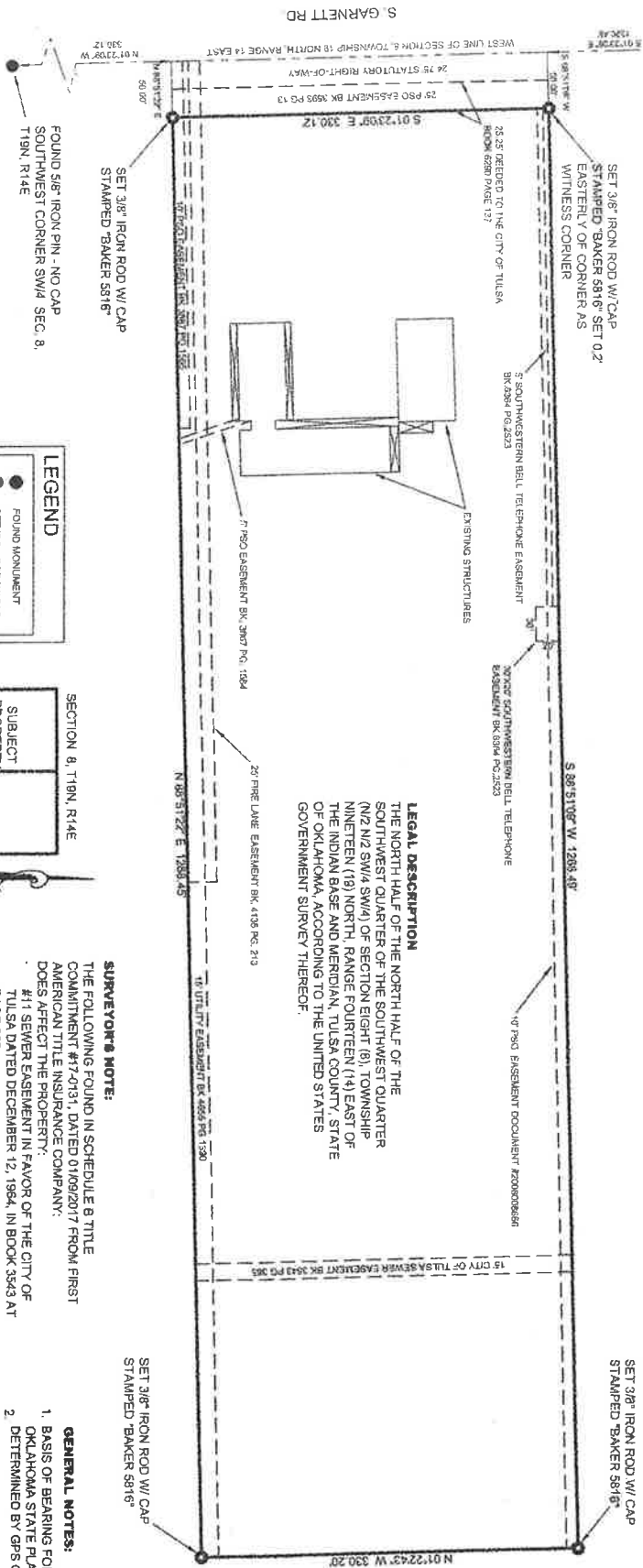
existing residents and businesses, and where necessary, provide the stimulus to redevelop". An expansion of the *Town center* land use designation onto this tract would eliminate inconsistencies with the *Area of Growth* map designation.

STAFF RECOMMENDATION

- Staff recommends **approval** of the *Town Center* land use designation as submitted by the applicant.

FOUND PK WMAHER STAMPED SWA CA2421
NORTHWEST CORNER SW/4 SEC. 8, T19N, R14E

PLAT OF SURVEY



LEGAL DESCRIPTION
THE NORTH HALF OF THE NORTH HALF OF THE
SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER
(N/2 N/2 SW/4 SW/4) OF SECTION EIGHT (8), TOWNSHIP
NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST OF
THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE
OF OKLAHOMA, ACCORDING TO THE UNITED STATES
GOVERNMENT SURVEY THEREOF.

SURVEYOR'S NOTE:

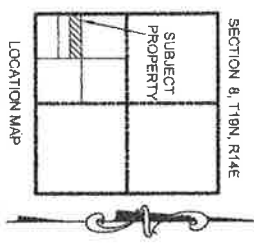
THE FOLLOWING FOUND IN SCHEDULE B TITLE
COMMITMENT #17-0131, DATED 01/09/2017 FROM FIRST
AMERICAN TITLE INSURANCE COMPANY:
DOES AFFECT THE PROPERTY:
#11 SEWER EASEMENT IN FAVOR OF THE CITY OF
TULSA DATED DECEMBER 12, 1984, IN BOOK 3543 AT
PAGE 365.
EASEMENT IN FAVOR OF PUBLIC SERVICE COMPANY
OF OKLAHOMA DATED JUNE 15, 1985, FILED IN BOOK
3887 AT PAGE 1584.
RIGHT-OF-WAY EASEMENT IN FAVOR OF PUBLIC
SERVICE COMPANY OF OKLAHOMA FILED IN BOOK
3887 AT PAGE 1585.
FIRE LANE EASEMENT DATED JUNE 27, 1974, FILED IN
BOOK 4158 AT PAGE 213.
UTILITY EASEMENT IN FAVOR OF THE PUBLIC DATED
DECEMBER 1, 1982, IN BOOK 4855 AT PAGE 1390
EASEMENT IN FAVOR OF SOUTHWESTERN BELL
TELEPHONE COMPANY DATE MAY 3, 2000, FILED IN
BOOK 6384 AT PAGE 2523.
UNDERGROUND RIGHT OF WAY EASEMENT IN FAVOR
OF PUBLIC SERVICE COMPANY OF OKLAHOMA DATED
JANUARY 9, 2008, FILED AS DOCUMENT NO.
2009008668 OF THE RECORDS OF THE TULSA COUNTY
CLERK.
GENERAL WARRANTY DEED IN FAVOR OF THE CITY OF
TULSA DATED DECEMBER 3, 1999, FOR A STREET
RIGHT-OF-WAY FILED IN BOOK 6290, PAGE 2523

GENERAL NOTES:

1. BASIS OF BEARING FOR THIS SURVEY IS GRID NORTH,
OKLAHOMA STATE PLANE, NORTH ZONE, NAD 83, AS
DETERMINED BY GPS OBSERVATION.
2. ALL UNITS ARE U.S. SURVEY FEET
3. NO EFFORT WAS MADE TO LOCATE ANY UNDERGROUND
UTILITIES OR ABOVE GROUND EVIDENCE OF UTILITIES.

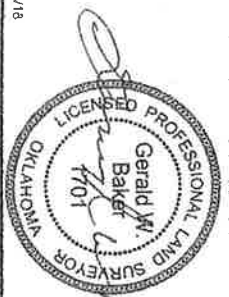
LEGEND

- FOUND MONUMENT
- SET IRON ROD W/ CAP
- MEASURED DIMENSIONS
- PROPERTY LINE
- SECTION LINE



I, GERALD W. BAKER, OKLAHOMA PLS #1701, DO HEREBY CERTIFY THAT THE SURVEY SHOWN HEREON, IS A TRUE AND ACCURATE
REPRESENTATION OF CONDITIONS FOUND AT THE TIME OF THE SURVEY, WAS PERFORMED UNDER MY DIRECT SUPERVISION, AND THAT
THIS PLAT MEETS OR EXCEEDS THE OKLAHOMA MINIMUM STANDARDS FOR LAND SURVEYING, EFFECTIVE JULY, 25 2013. ALL FIELD WORK
FOR THIS SURVEY WAS PERFORMED BETWEEN 27/4/2017 & 30/1/2017.
SIGNED MARCH 2ND, 2017

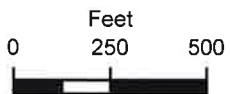
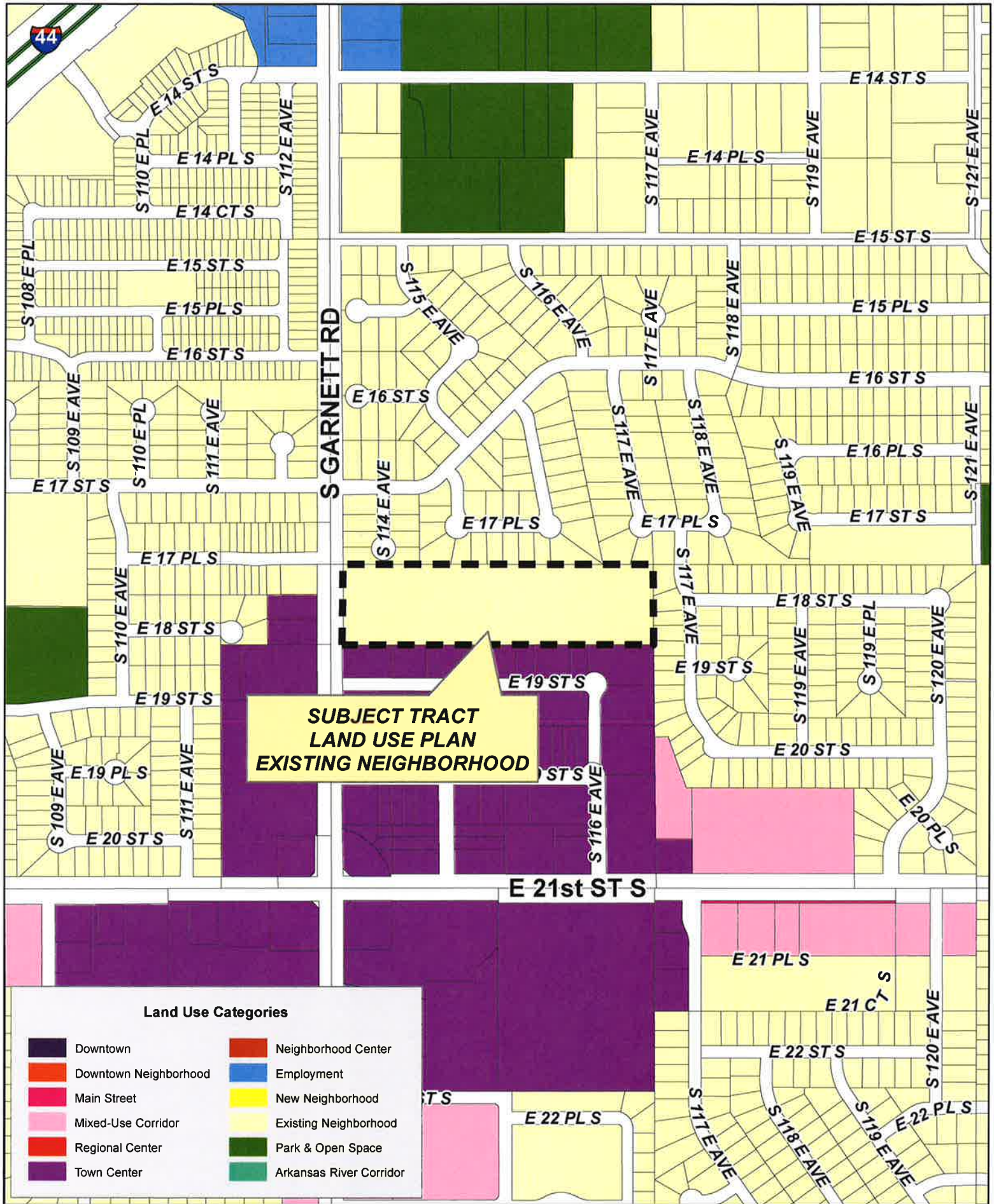
GERALD W. BAKER, PLS #1701
BAKER SURVEYING, LLC
1776 SOUTH UTICA AVENUE
TULSA, OKLAHOMA 74104
OKLAHOMA CA 85816 EXPIRES 6/30/18



3-2-17



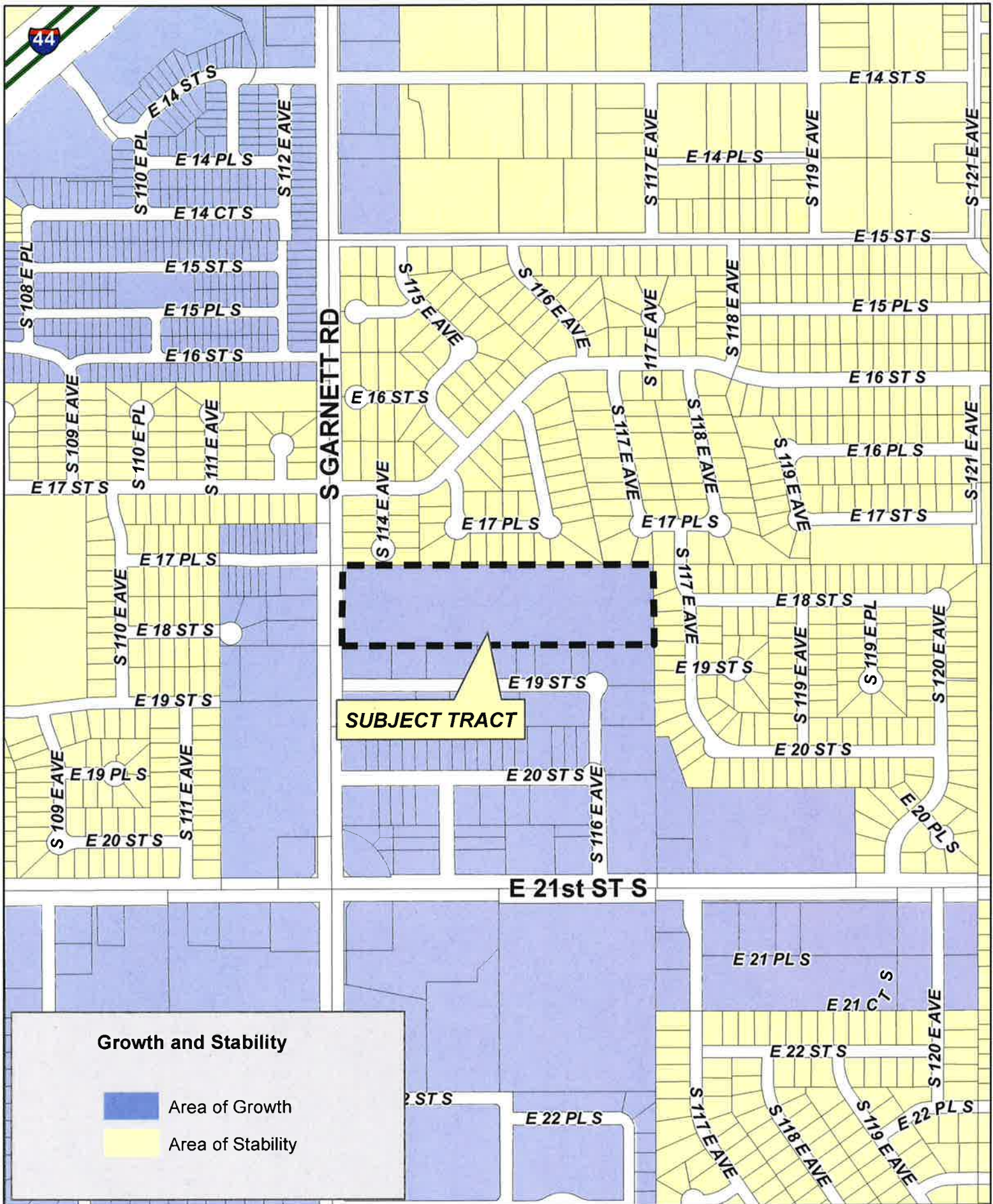
BOUNDARY SURVEY SECTION 8, T19N, R14E TULSA COUNTY, OK	
DATE: March 2, 2017	SCALE: 1"=40'
DRAWN BY: GWB	CHECKED BY: AWB
NOV. MODIFICATION: OK	DATE: 3/1/2017
BAKER SURVEYING, LLC TULSA, OK 74104 CA 85816 Expires 6/30/18	
SHEET 1 OF 1	



CPA-61

19-14 08





Growth and Stability



Area of Growth

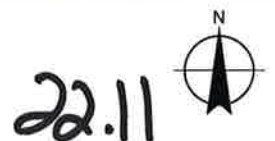


Area of Stability



CPA-61

19-14 08





0 250 500
Feet



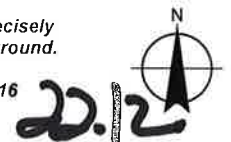
Subject
Tract

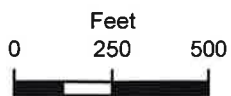
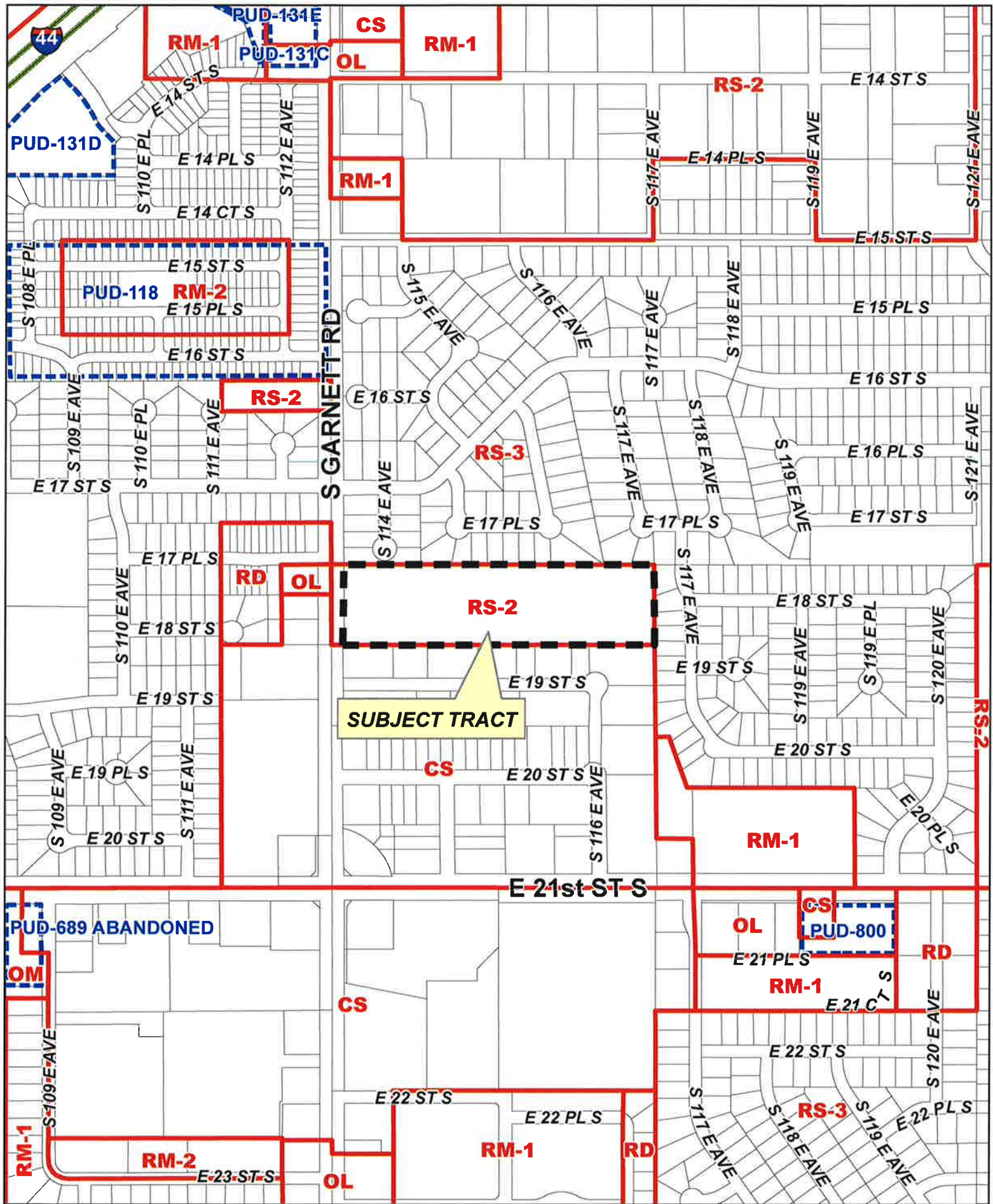
CPA-61

19-14 08

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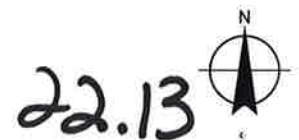
Aerial Photo Date: February 2016





CPA-61

19-14 08





Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7395

with an optional development plan
(Related to CPA-61)

Hearing Date: June 7, 2017

Case Report Prepared by:

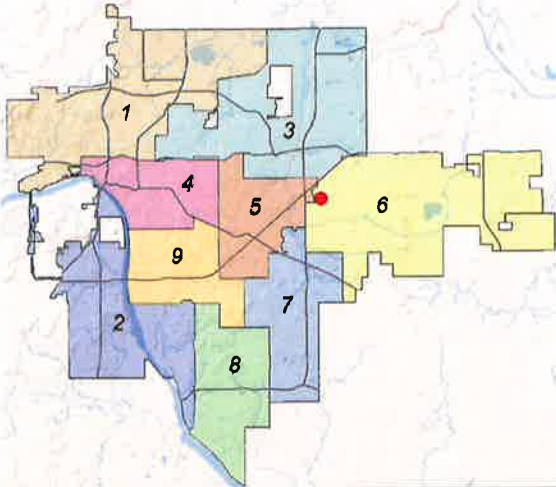
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Stuart Van De Wiele

Property Owner: SOUTHEAST FREEWILL
BAPTIST

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Vacant church

Proposed Use: Office, religious assembly, and
cultural community center use

Concept summary:

Tract Size: 9.82 ± acres

Location: North of northeast corner of S. Garnett
Rd. and E. 19 St. S.

Zoning:

Existing Zoning: RS-2

Proposed Zoning: OM with an optional
development plan

Comprehensive Plan:

Current Land Use Map: Existing Neighborhood

Proposed Land Use(CPA-61): Town Center

Stability and Growth Map: Area of Growth

Staff Recommendation:

**Staff recommends approval of OM zoning with
the optional development plan identified in
Section II.**

Staff Data:

TRS: 9408

CZM: 39

Atlas: 859

City Council District: 6

Councilor Name: Connie Dodson

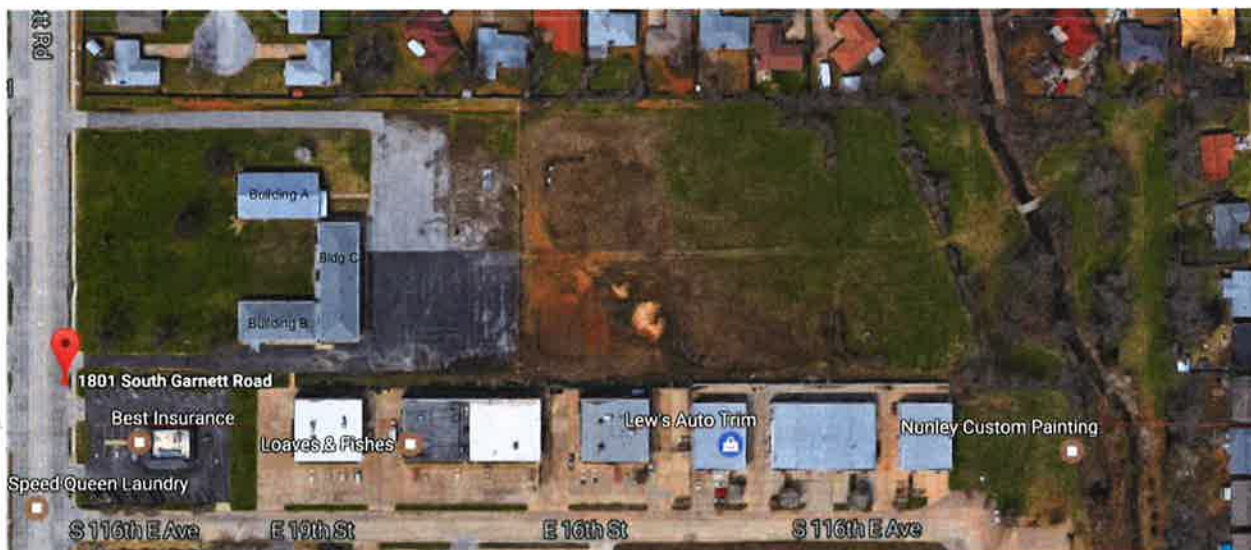
County Commission District: 1

Commissioner Name: John Smaligo

SECTION I: Z-7395

APPLICANTS DEVELOPMENT CONCEPT:

The Subject Property, although currently zoned RS-2, has not been utilized in a residential capacity for decades (if ever). The Subject Property has been used for many years as a church and, at certain times, a church sponsored school. The applicant has acquired the Subject Property and has no current plans to construct further improvements on the Subject Property, with the exception of one or more community garden spaces. The applicant intends on utilizing (i) the portions of the Subject Property previously utilized as the church sanctuary ("Building A" shown below) and the church dining hall / cafeteria ("Building B" shown below) for religious, cultural and community events, meetings and ceremonies for Tulsa's Hmong community residing in the surrounding area, (ii) the portions of the Subject Property previously utilized as the church sponsored school ("Bldg C" shown below) as office space available for lease to the public, and (iii) the open portions of the Subject Property lying East of the parking lot for one or more community gardens and other uses compatible with the religious, cultural and community activities on the Subject Property, all in accordance with the Tulsa Zoning Code. The Optional Development Plan is proposed to provide guidance and limitation on future development on the Subject Property and to lessen the perceived or potential impact of future development on those residential areas to the North and East.



SECTION II OPTIONAL DEVELOPMENT PLAN STANDARDS

II. Optional Development Plan Standards

Z-7395 with the optional development plan standards will conform to the provision of the Tulsa Zoning Code for development in an OM zoning district and its supplemental regulations except as further refined below:

A. Permitted Uses:

- a. Residential Use Category limited to the subcategories and specific uses defined below and uses that are customarily accessory to the permitted uses.
 - i. Townhouse
- b. Public, Civic and Institutional
 - i. Day Care
 - ii. Library or Cultural Exhibit
 - iii. Natural Resource Preservation

- iv. Parks and Recreation
 - b. Religious Assembly
 - c. School
- c. Commercial
 - a. Financial Services
- d. Office
 - a. Business or professional office
 - b. Medical, dental or health practitioner
- e. Studio, Artist or Instructional Service
- f. Agricultural
 - a. Community Garden
 - b. Farm Market or Community Supported

B. Building Setbacks

- a. Building Setbacks (North and East). The Subject Property shall maintain a thirty foot (30') building setback along the North edge and the East edge of the Subject Property in which only currently existing improvements, existing or future utilities, existing or future landscaping, and existing or future fencing or screening may be constructed.
- b. Other Setbacks. The remaining building setbacks shall be in accordance with the Tulsa Zoning Code.

C. Building Heights

- a. Building height shall not exceed 50 feet.

D. Floodplain Restrictions. To the extent that any portion of the Subject Property lies within a regulatory floodplain, there shall be no improvements constructed in such portion of the Subject Property other than one or more community garden spaces, utilities, landscaping, and fencing or screening unless the same are approved by a minor amendment to this Optional Development Plan.

E. Fencing, Screening and Landscaping. All fencing, screening and landscaping shall be in compliance with the Tulsa Zoning Code.

F. Lighting Limitations

- a. North and East Property Lines. The Subject Property shall contain no outdoor lighting fixtures within the thirty foot (30') building setback along the North edge and East edge of the Subject Property.
- b. Other Lighting. Any outdoor lighting fixtures on the Subject Property (other than existing lighting, if any) shall not exceed sixteen feet (16') in height unless the same are approved by a minor amendment to this Optional Development 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:

DETAILED STAFF RECOMMENDATION:

Z-7395 requests a zoning change on the property from RS-2 to OM with an optional development plan. The request is not consistent with the current Existing Neighborhood land use designation. Staff supports the concurrent Comprehensive Plan Amendment # CPA-61 to Town Center and,

OM zoning with the optional development plan is consistent with the Town Center vision of the Comprehensive Plan and,

Z-7395 is consistent with the expected development pattern of the area and,

Z-7395 is considered non injurious to the proximate properties therefore,

Staff recommends **Approval** of Z-7395 to rezone property from RS-2 to OM but only with the optional development plan standards identified in section II above.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The existing church was considered part of the Existing Neighborhood land use designation in the Tulsa Comprehensive Plan. Conversion of the church property to add certain specific uses will still be an asset to the stability of the adjacent neighborhood but also adds a mixed use component and design standard that is appropriate in the Town Center designation.

Land Use Vision:

Existing 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.

Proposed Land Use Plan map designation: Town Center

Town Centers are medium-scale; one to five story mixed-use areas intended to serve a larger area of neighborhoods than Neighborhood Centers, with retail, dining, and services and employment. They can include apartments, condominiums, and townhouses with small lot single family homes at the edges. A Town Center also may contain offices that employ nearby residents. Town centers also serve as the main transit hub for surrounding neighborhoods, and can include plazas and squares for markets and events. These are pedestrian-oriented centers designed so visitors can park once and walk to number of destinations.

Areas of Stability and Growth designation: Area of Growth

The purpose of Areas of Growth is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in

some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

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

Transportation Vision:

Major Street and Highway Plan:

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary:

The site contains a vacant church with a single story assembly area and a two story building. The site is generally flat except that the east end of the property is in a regulated floodplain.

See street view snippet below:

View from the northwest corner looking southeast from South Garnett Road:



Environmental Considerations:

Floodplain snippet:

Snippet illustrating FEMA floodway in blue and the 100 Year floodplain mapped in grey (2016).



Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Garnett Road	Secondary Arterial with Multi modal corridor overlay	100 feet	5 (2 each direction and a 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	RS-2	Existing Neighborhood	Stability	Single Family detached
East	RS-2	Existing Neighborhood	Stability	Single Family detached
South	CS	Town Center	Growth	Miscellaneous office warehouse
West	OL (North 1/3 rd) CS(South 2/3 rd)	Town Center (south 2/3 rd) Existing Neighborhood (north 1/3 rd)	Growth	Vacant/ Restaurants

SECTION IV: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11817 dated June 26, 1970, established zoning for the subject property.

Subject Property:

23.6

REVISED 5/30/2017

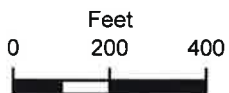
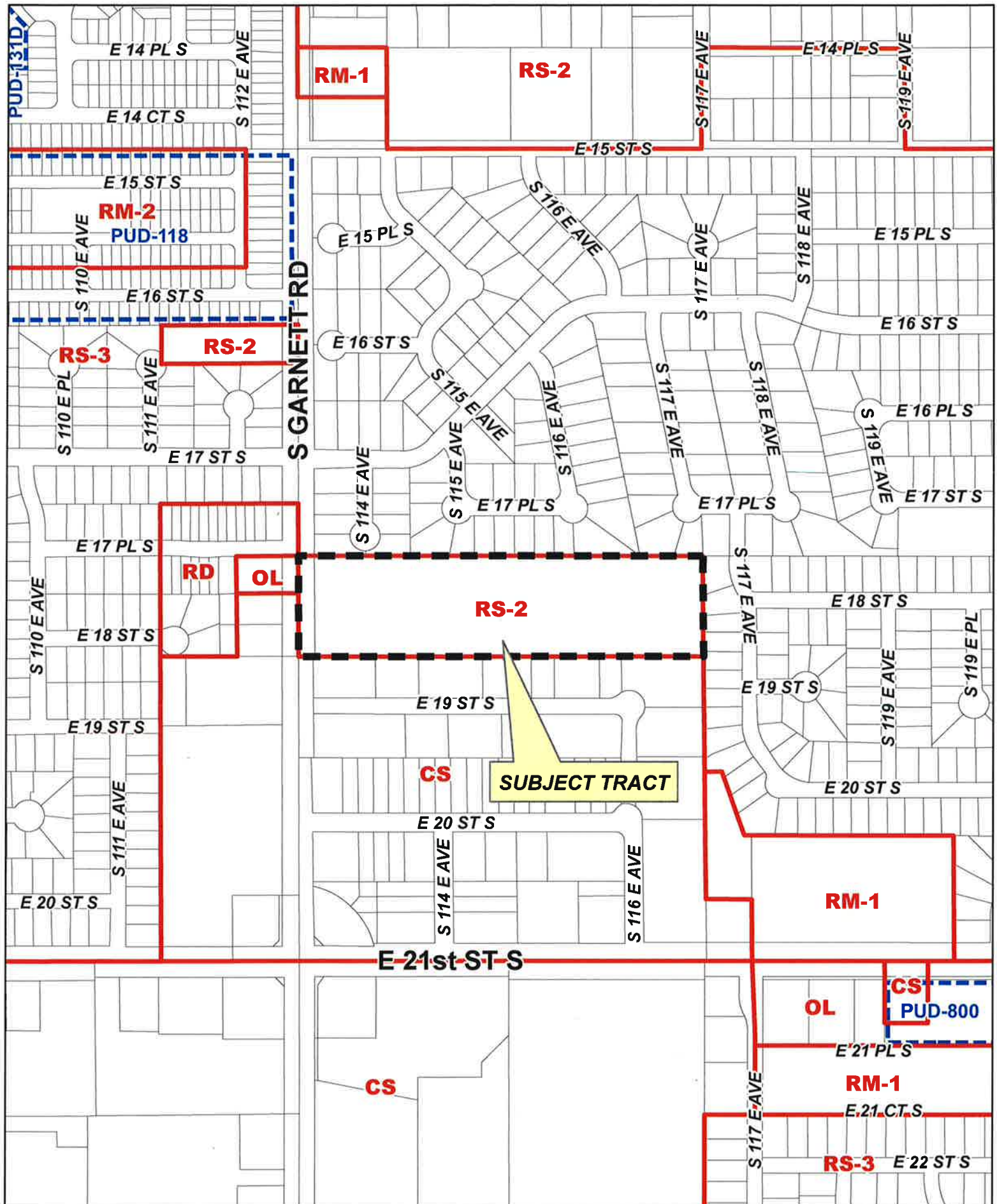
BOA-6626 April 7, 1970: The Board of Adjustment approved a special exception to permit a day nursery in conjunction with a church use, on property located at 1801 S. Garnett Rd., and also known as the subject property.

BOA-5172 September 14, 1966: The Board of Adjustment approved a special exception to permit a church, on property located north of northeast corner of S. Garnett Rd. and E. 19 St. S., and also known as the subject property.

Surrounding Property:

No relevant history.

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19-14 08


Z-7395
with Optional
Development Plan





Feet

0 200 400



**Subject
Tract**

19-14 08

Z-7395
with Optional
Development Plan

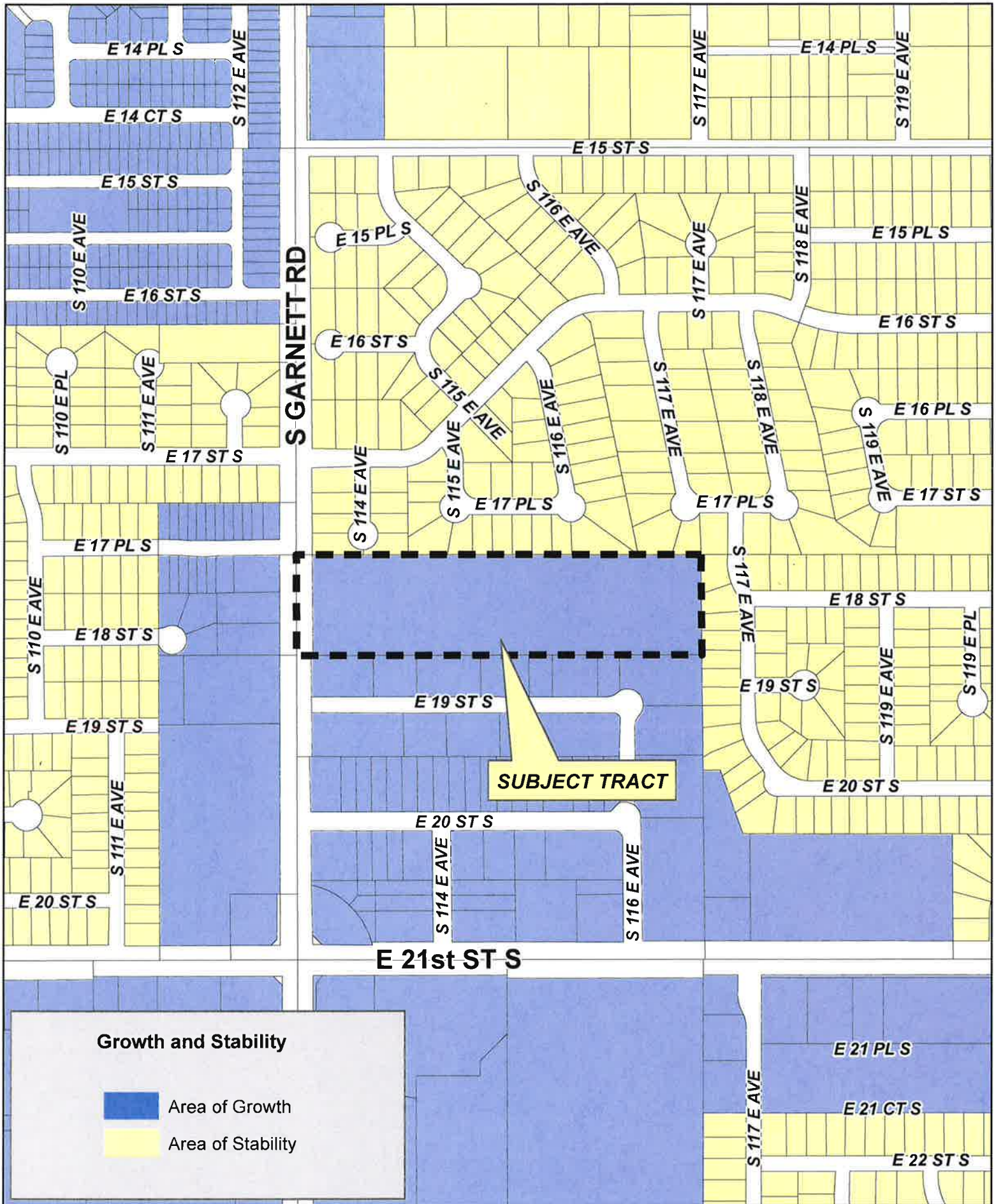
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016



23.9

23.10



Sawyer, Kim

CPA-62 & Z-7396

From: Wilkerson, Dwayne
Sent: Tuesday, May 30, 2017 11:02 AM
To: Sawyer, Kim
Cc: Miller, Susan; Ulmer, Amy
Subject: CPA-62 and Z-7396

Kim,

Staff has met with the applicant and business owner regarding the referenced cases scheduled for June 7th. Staff request a continuance to June 21st for both items for additional time to prepare an optional development plan. Please forward Staff Continuance request from June 7th to June 21st.

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



*Celebrating 50 Years of Service
to the Tulsa Region*

Item 24 & 25



Tulsa Metropolitan Area
Planning Commission

Case Number: CZ-458

Hearing Date: June 7, 2017

Case Report Prepared by:

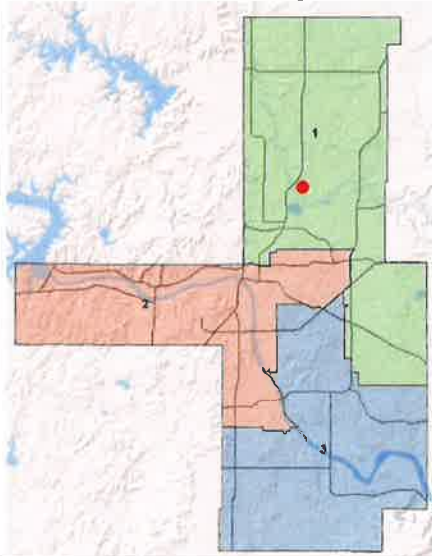
Jay Hoyt

Owner and Applicant Information:

Applicant: Kevin Vanover

Property Owner: INDUSTRIES FOR TULSA INC

Location Map:
(shown with County Commission Districts)



Applicant Proposal:

Present Use: Vacant

Proposed Use: Moderate manufacturing and industry

Concept summary: Rezone from AG to IM to permit a moderate manufacturing facility.

Tract Size: 58.65 \pm acres

Location: South and west of southwest corner of E. 66th St. N and N. Yale Ave.

Zoning:

Existing Zoning: AG

Proposed Zoning: IM

Comprehensive Plan:

Land Use Map: N/A

Stability and Growth Map: N/A

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 196

CZM: 22

Atlas: 0

County Commission District: 1

Commissioner Name: John Smaligo

26.1

SECTION I: CZ-458

DEVELOPMENT CONCEPT: The applicant is proposing to rezone from AG to IM in order to permit a moderate manufacturing facility. Currently, a facility is planned for the northeast corner of the subject tracts, adjacent to N. Yale Ave. The remaining area will be held by the owner for future use or possibly marketing to other industrial uses.

EXHIBITS:

INCOG Case map
INCOG Aerial
Applicant Exhibits:
Boundary and Topographic Survey

DETAILED STAFF RECOMMENDATION:

CZ-458 is non injurious to the existing proximate properties and;

IM zoning is consistent with the anticipated future development pattern of the surrounding property therefore;

Staff recommends Approval of CZ-458 to rezone property from AG to IM.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: *This area is outside of the City of Tulsa Comprehensive Plan area.*

Land Use Vision:

Land Use Plan map designation: N/A

Areas of Stability and Growth designation: N/A

Transportation Vision:

Major Street and Highway Plan: Both East 66th Street North and North Yale Ave are Secondary Arterials

Trail System Master Plan Considerations: None

Small Area Plan: N/A

Special District Considerations: N/A

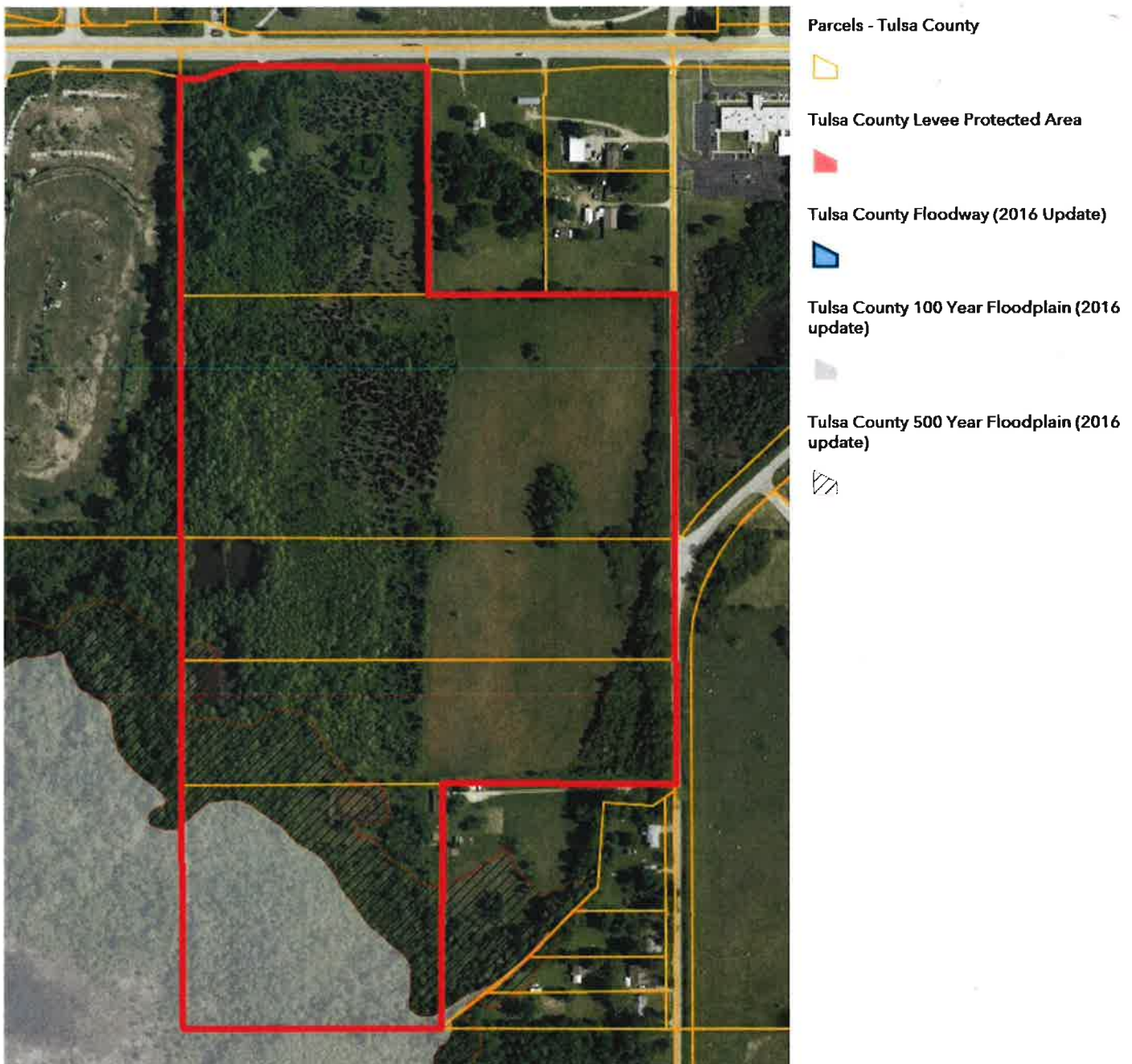
Historic Preservation Overlay: N/A

DESCRIPTION OF EXISTING CONDITIONS:

26.2

Staff Summary: The site consists of five vacant tracts. Portions of the tracts are forested. Multiple ponds exist on the tracts.

Environmental Considerations: A portion of the southern tracts is located within the Tulsa County 100 year and 500 year flood plains. The applicant will need to work with Tulsa County to mitigate any floodplain issues that may be required before developing those portions of the tracts.



Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 66 th Street North	Secondary Arterial	100 Feet	4
North Yale Avenue	Secondary Arterial	100 Feet	2

26.3

REVISED 5/30/2017

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/IM	N/A	N/A	Single-Family/Light Industrial/Cemetery
South	AG	N/A	N/A	Single-Family/Vacant
East	IL/IM	N/A	N/A	Industrial
West	AG/IM	N/A	N/A	Vacant/Former Race Track

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 98254 dated September 15, 1980, established zoning for the subject property.

Subject Property:

No relevant history.

Surrounding Property:

CBOA-2381 July 20, 2010: The Board of Adjustment a Special Exception to permit a cemetery and accessory funeral home (Use Unit 2) in the AG district (Section 301), on property located at 4301 E. 66th St. N. and is north of subject property across E. 66th St.

CZ-298 March 2002: All concurred in approval of a request for rezoning a 19± acre tract of land from AG to IL for light industrial use on property located on the northwest corner of East 66th Street North and North Yale Avenue and south of subject property.

CZ-269 September 2000: All concurred in approval of a request to rezone a 17± acre tract from AG to IM for a proposed office and warehouse, on property located west of the northwest corner of East 66th Street North and North Whirlpool Drive and fronting East 66th Street and U. S. Highway 75 North.

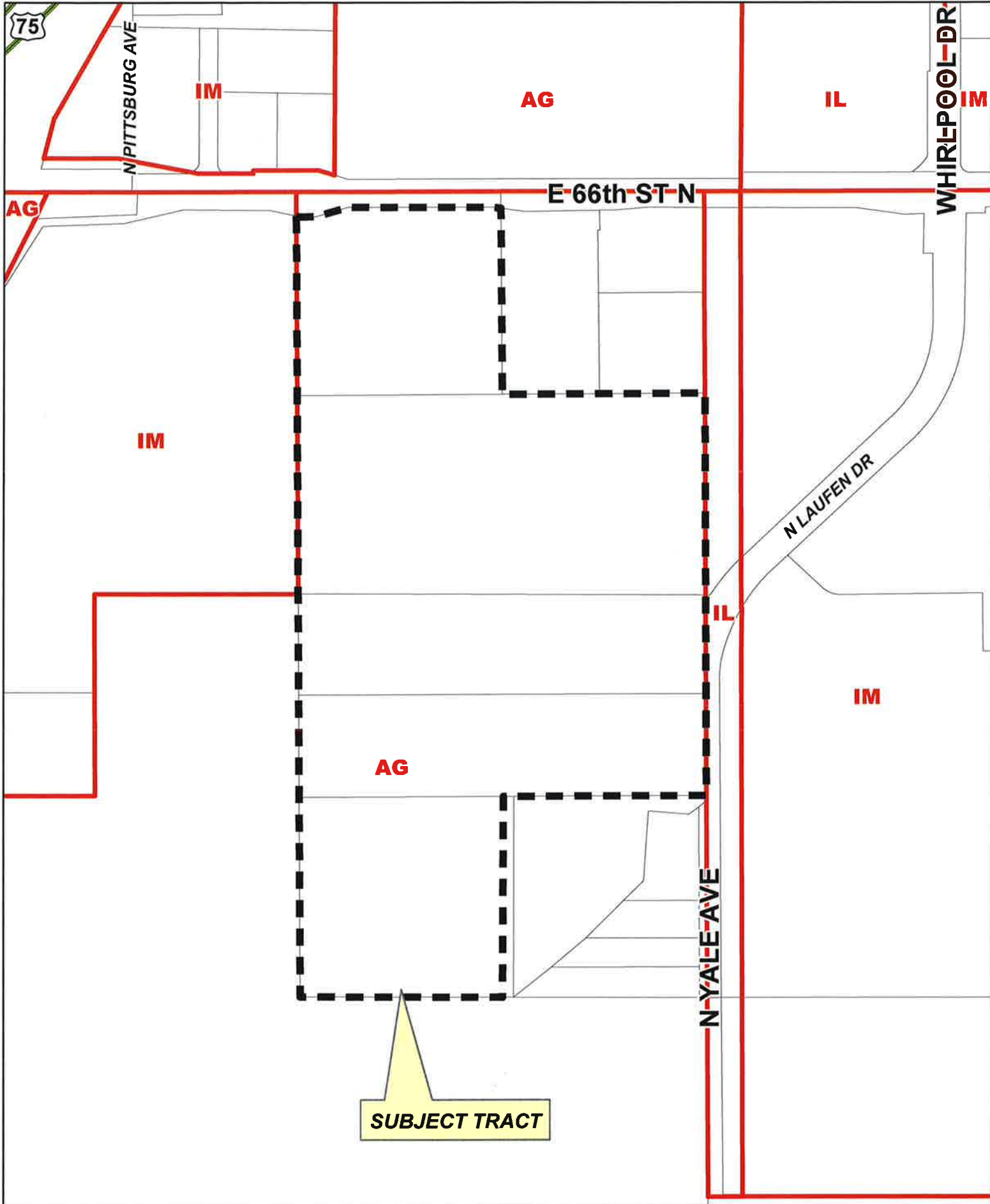
CBOA-1683 November 16, 1999: The Board of Adjustment a to allow mining/ dirt removal (non-coal) in an AG district, with conditions, on property located at north and west of the northwest corner of E. 56th St. N. and N. Yale Ave. and abutting south of subject property.

CBOA-666 July 15, 1986: The Board of Adjustment approve a Special Exception to permit a rifle and pistol range in an IM district subject to conditions, on property located south and west of the southwest corner of N. Yale Ave. and E. 66th St. N. and is abutting west of subject property.

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264

REVISED 5/30/2017



75

N PITTSBURG AVE

IM

AG

IL

IM

E 66th ST N

WHIRLPOOL DR

IM

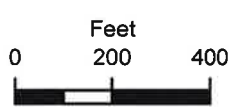
N LAUFEN DR

IM

AG

N YALE AVE

SUBJECT TRACT



CZ-458

20-13 04



75

N QUEBEC AVE

E 66th ST N

WHIRLPOOL DR

N LAUFEN DR

N YALE AVE



0 Feet 200 400



Subject Tract

CZ-458

20-13 04

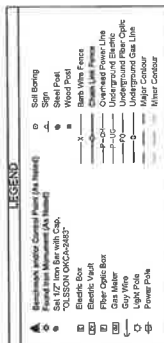
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016



26.6

A PART OF THE NE/4 OF SEC. 20, T-20-N, R-13-E, I.M.
IN TULSA, TULSA COUNTY, OKLAHOMA



PREPARED FOR:
MILLAN EDWARDS, INC.
15005 S. 33RD WEST AVE
TULSA, OK 74157

PREPARED BY:
OLSSON ASSOCIATES
201 NW 63RD STREET, SUITE 130
OKLAHOMA CITY, OK 73116

PREPARED BY:

DOLSON ASSOCIATES
201 NW 63RD STREET, SUITE 130
OKLAHOMA CITY, OK 73116

TOPOGRAPHIC SURVEY FOR ALLAN EDWARDS, INC.

OLSSON
ASSOCIATES

101 NEW BRIDGE STREET, SUITE 120 TEL. 405.242.8000

Drawn by: CRT	DATE	REVISION	BY
Surveyed by: DFB/SPH			
Checked by: NSS			
Approved by: NSS			
Project no: 017-0513			
File name: V.SHW.72613			


 SCALE IN FEET
 BASIS OF BEARINGS
 GRID NORTH BASED ON OKLAHOMA STATE
 PLANE COORDINATE SYSTEM 1983
 NORTH ZONE
 VERTICAL DATUM
 NAVD88 BASED ON CITY OF
 TULSA CONTROL MONUMENTS

26.8



Tulsa Metropolitan Area
Planning Commission

Case Number: CZ-459

Hearing Date: June 7, 2017

Case Report Prepared by:

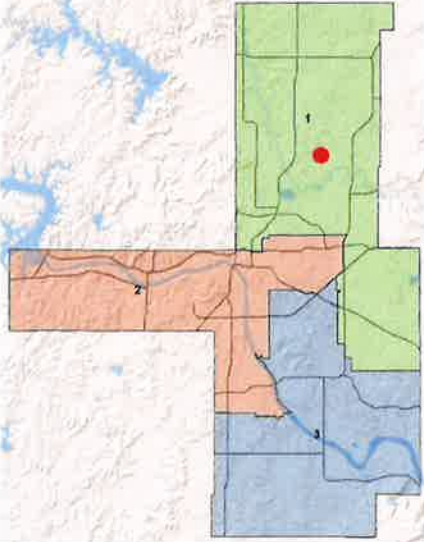
Jay Hoyt

Owner and Applicant Information:

Applicant: K&S Development, INC

Property Owner: JACKSON, GAIL & GOREY,
VIRGINIA REV TRUST

Location Map:
(shown with County Commission Districts)



Applicant Proposal:

Present Use: Vacant

Proposed Use: Single-family residential

Concept summary: Rezone from AG to RS to permit
single-family subdivision

Tract Size: 93.18 \pm acres

Location: East of the northeast corner of E. 86th St.
N. and N. Sheridan Rd.

Zoning:

Existing Zoning: AG

Proposed Zoning: RS

Comprehensive Plan:

Land Use Map: N/A

Stability and Growth Map: N/A

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 1323

CZM: 17

Atlas: 0

County Commission District: 1

Commissioner Name: John Smaligo

SECTION I: CZ-459

DEVELOPMENT CONCEPT: Rezone subject tracts from AG to RS to permit construction of a single-family subdivision.

EXHIBITS:

INCOG Case map
INCOG Aerial
Applicant Exhibits:
Revised Legal Description
ALTA Survey

DETAILED STAFF RECOMMENDATION:

CZ-459 is non injurious to the existing proximate properties and;

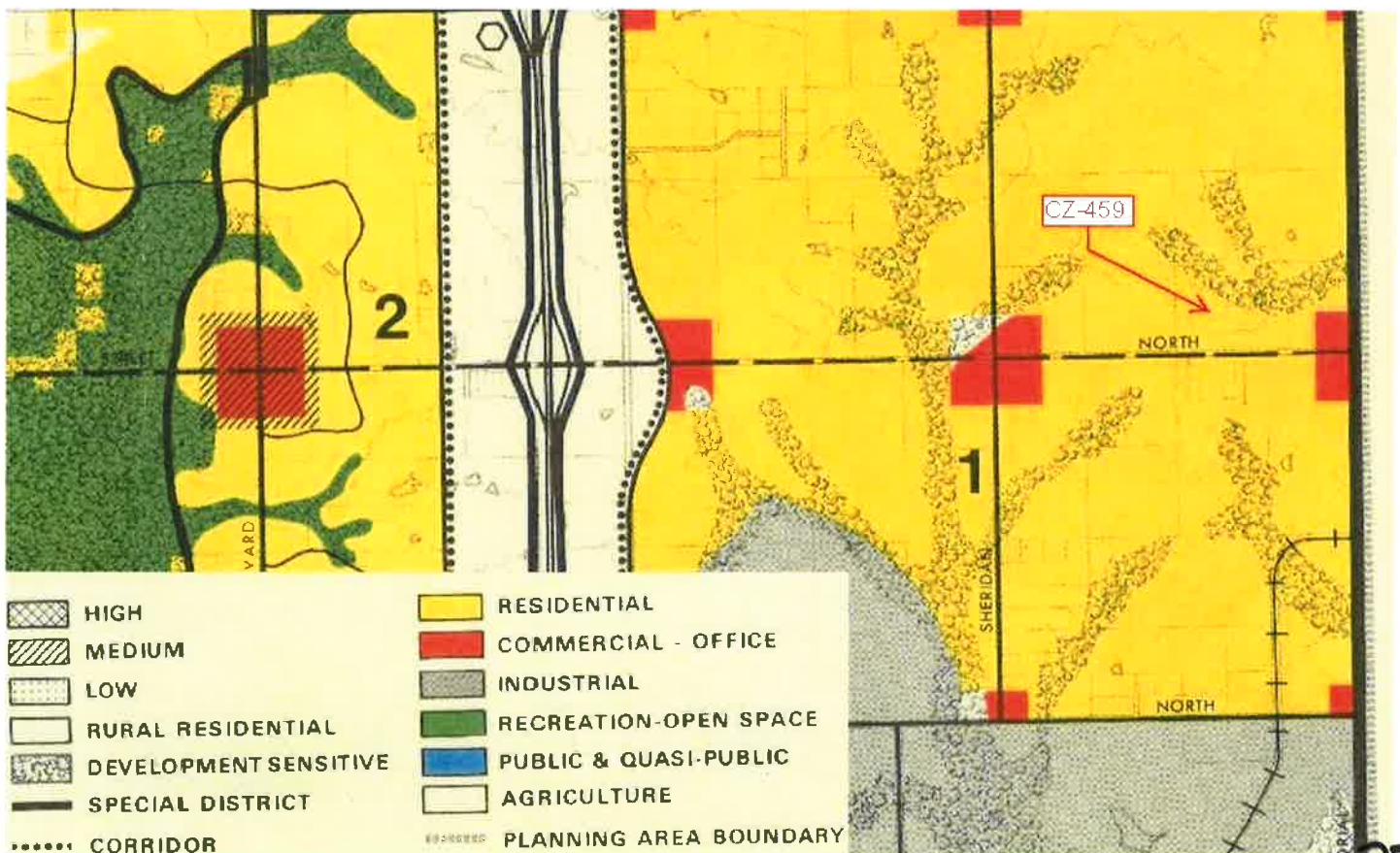
RS zoning is consistent with the anticipated future development pattern of the surrounding property therefore;

Staff recommends Approval of CZ-459 to rezone property from AG to RS.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: No current comprehensive plan contains a designation for CZ-459 however it is designated as Residential, Low Intensity in the North Tulsa County Comprehensive Plan 1980-2000.



The subject tracts are located adjacent to the City of Owasso. Karl Fritschen, Planning Manager with Owasso and Bronce Stephenson, Community Development Manager with Owasso have been contacted regarding this proposal. Mr. Fritschen stated that RS would be appropriate here, as Owasso also has single-family development in the area. Mr. Stephenson has stated that the City of Owasso supports the proposal. He also noted that sanitary sewer for this proposed development would be provided by the City of Owasso.

Land Use Vision:

Land Use Plan map designation: N/A

Areas of Stability and Growth designation: N/A

Transportation Vision:

Major Street and Highway Plan: East 86th Street North is a Primary Arterial

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *The site is primarily vacant land with ponds at various locations throughout the site. A mobile home and two bards are currently located in the northeast corner of the subject tract.*

Environmental Considerations: A small area in the southeast, near the intersection of N 77th East Ave and E 86th St N is located in the Tulsa County 100 year floodplain. The applicant will need to work with Tulsa County to mitigate any floodplain issues that may be required before developing those portions of the tracts.



Parcels - Tulsa County



Tulsa County Levee Protected Area



Tulsa County Floodway (2016 Update)



Tulsa County 100 Year Floodplain (2016 update)



Tulsa County 500 Year Floodplain (2016 update)



Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 86 th Street North	Primary Arterial	120 feet	2
North 77 th East Avenue	None	N/A	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	N/A	N/A	Vacant
South	AG/RE/RS-2/RS-3	N/A	N/A	Single-Family
East	AG	N/A	N/A	Single Family
West	RE	N/A	N/A	Vacant / Single-Family

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 98254 dated September 15, 1980, established zoning for the subject property.

Subject Property:

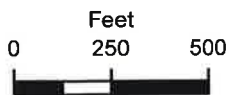
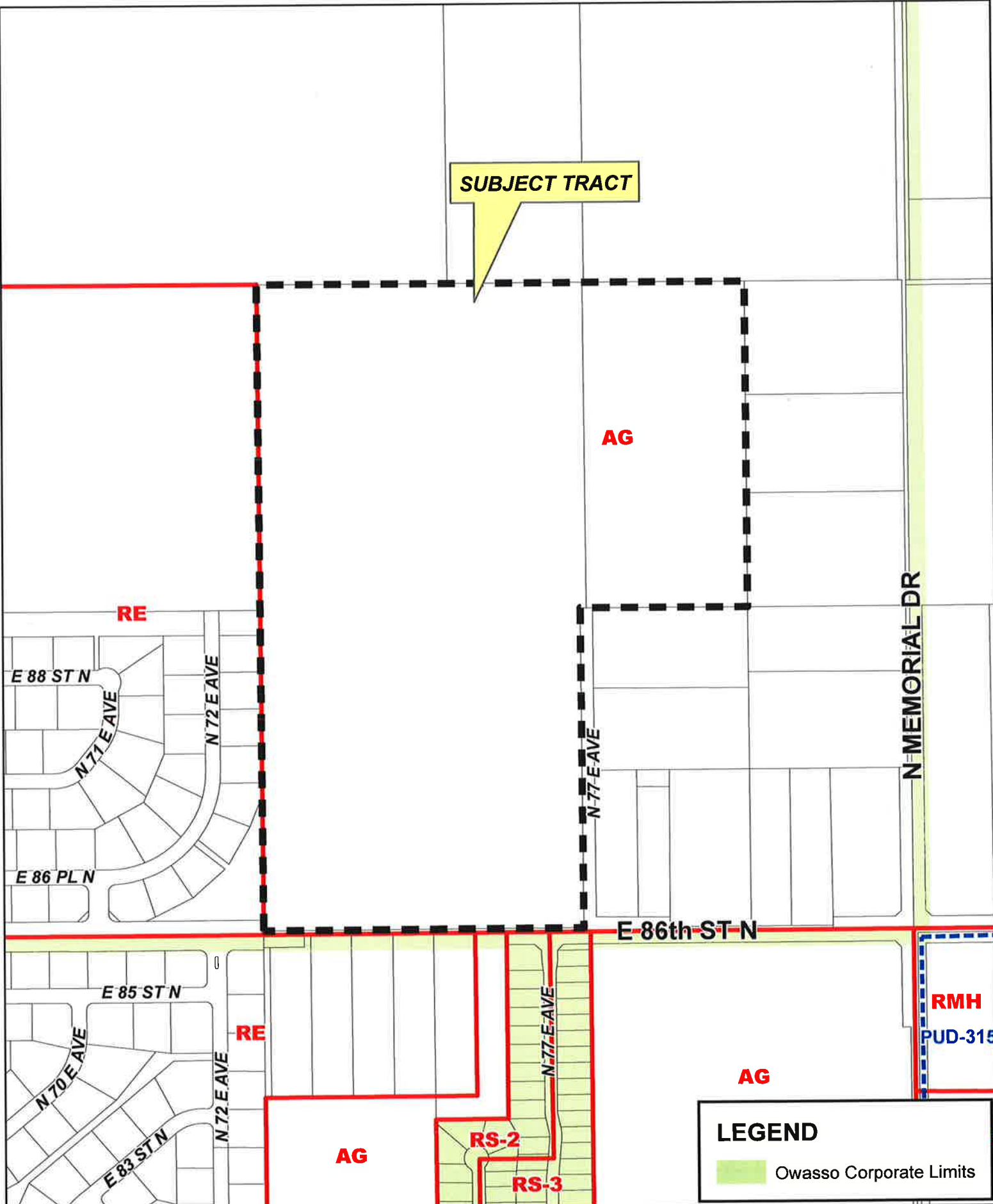
No relevant history.

Surrounding Property:

CZ-423 April 2013: All concurred in approval of a request for rezoning a 160+ acre tract of land from AG to RE for residential development, on property located northeast corner of East 86th Street North and North Sheridan Road.

CZ-347 September 2004: All concurred in approval of a request for rezoning a 160+ acre tract of land from AG to RE for residential development, on property located on the southeast corner of East 86th Street North and North Sheridan Road and abutting south of subject property.

6/7/2017 1:30 PM



CZ-459

21-13 23





0 250 500
Feet



Subject
Tract

CZ-459

21-13 23

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

Aerial Photo Date: February 2016



LEGAL DESCRIPTION

A tract of land located in the Southeast Quarter (SE/4) of Section Twenty-three (23) of Township Twenty-one (21) North and Range Thirteen (13) East of the Indian Base and Meridian (I.B.&M.), according to the U.S. Government Survey, thereof, Tulsa County, State of Oklahoma; being more particularly described as follows:

Commencing at the SW corner of the SE/4 of Sec. 23, T-21-N, R-13-E, I.B.&M.; Thence N 01°25'11" W along the west line of said SE/4 a distance of 16.50 feet to the Point of Beginning; Thence N 01°25'11" W a distance of 2616.84 feet to the NW corner of said SE/4; Thence N 88°54'11" E along the north line of said SE/4 a distance of 1741.55 feet; Thence S 46°14'38" E a distance of 100.77 feet; Thence S 01°23'27" E a distance of 1242.31 feet to the south line of the NE/4 of said SE/4; Thence S 88°47'57" W a distance of 494.69 feet to the SW corner of said NE/4 SE/4; Thence S 88°47'57" W a distance of 25.00 feet; Thence S 01°24'02" E a distance of 1297.82 feet; Thence S 88°41'42" W parallel with the south line of said SE/4 a distance of 1291.80 feet to the Point of Beginning, and containing 93.181 acres, more or less.

Basis of bearing is the Oklahoma State Plane Coordinate System.

From: Wilkerson, Dwayne
Sent: Tuesday, May 30, 2017 1:07 PM
To: R. Louis Reynolds
Cc: Miller, Susan; Sawyer, Kim; Mariboho, Mindi
Subject: Z-7394 Yellow sign location error.

Lou,

Late Friday afternoon we were notified that the sign required in Section 70.030-D.3 of the Tulsa Zoning Code was inadvertently posted on the wrong property. The sign must be placed on the correct property 20 days in advance so we must move the hearing to June 21 planning commission meeting to satisfy the notice requirement.

Please let me know if you would like to discuss further and we apologize for the inconvenience.

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



*Celebrating 50 Years of Service
to the Tulsa Region*

TMAPC Public Hearing Staff Report
June 7, 2017
ZCA-4, Zoning Code amendments

Item: Various amendments to the City of Tulsa Zoning Code to correct omissions and errors from Ordinance 23668 in the following tables and sections: Table 5-3 (R District Lot and Building Regulations); Table 10-5 (Lot and Building Regulations for –U Character Zones); Table 10-6 (Lot and Building Regulations for –V Character Zones); Section 10.030-E2; Table 10-7 (Lot and Building Regulations for –F Character Zones); Table 15-2.5 (O, C and I District Building Type Regulations for Household Living); Section 20.050-C; Table 20-1 (RDO District Use Regulations); Section 40.400-B; and Section 70.030-G.

- A. Background:** The new City of Tulsa Zoning Code became effective on January 1, 2016. After almost a year of implementation, a number of items were identified that required amendments to the new Zoning Code. Primarily these items were identified through interactions with the public, both through the zoning and building permit processes. The amendments were adopted in Ordinance No. 23668 and became effective on **May 10, 2017**.

During incorporation of the amendments contained in the 48-page ordinance into the Zoning Code, staff identified several items in Ordinance No. 23668 that require cleanup. A follow-up ordinance has been drafted to correct these errors and omissions. TMAPC is asked to consider and provide a recommendation on these items at the **June 7, 2017**, public hearing.

The clean-up amendments proposed to the City of Tulsa Zoning Code, Title 42 Tulsa Revised Ordinances, are in **Attachment I** shown in ~~strike through~~/underline.

- B. Staff recommends APPROVAL** of proposed amendments to the City of Tulsa Zoning Code as shown in Attachment I.

ATTACHMENT I

DRAFT - 5.22.17

(Published in the Tulsa World

_____, 2017.)

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE TULSA ZONING CODE, TITLE 42 TULSA REVISED ORDINANCES (HEREINAFTER "TITLE 42"), BY AMENDING TABLE 5-3: R DISTRICT LOT AND BUILDING REGULATIONS; TABLE 10-5: LOT AND BUILDING REGULATIONS FOR -U CHARACTER ZONES; TABLE 10-6: LOT AND BUILDING REGULATIONS FOR -V CHARACTER ZONES; SECTION 10.030-E2 (ALLOWED BUILDING TYPES IN -F CHARACTER ZONES); TABLE 10-7: LOT AND BUILDING REGULATIONS FOR -F CHARACTER ZONES; TABLE 15-2.5: O, C AND I DISTRICT BUILDING TYPE REGULATIONS FOR HOUSEHOLD LIVING; TABLE 20-1: RDO DISTRICT USE REGULATIONS; SECTION 20.050-C (RESIDENTIAL BUILDING TYPES IN RDO DISTRICTS); SECTION 40.400-B (SUPPLEMENTAL USE RESTRICTIONS FOR VEHICLE SALES AND SERVICE); AND SECTION 70.030-G (PROTEST PETITIONS); REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY OF TULSA:

Section 1. That Title 42, Chapter 5, Table 5-3: R District Lot and Building Regulations, be and the same is hereby amended to read as follows:

Table 5-3: R District Lot and Building Regulations

Regulations	RE	RS-1	RS-2	RS-3	RS-4	RS-5	RD	RT	RM-0	RM-1	RM-2	RM-3	RMH
Minimum Lot Area (sq. ft.)													
Detached house	22,500	13,500	9,000	6,900	5,500	3,300	5,500	5,500	5,500	5,500	5,500	5,500	5,500
Patio house	-	-	-	6,900	5,500	3,300	5,500	5,500	5,500	5,500	5,500	5,500	-
Townhouse	-	-	-	4,500	4,500	2,200	2,750	1,600	1,600	1,600	1,600	1,600	-
Cottage house dev't	-	-	-	-	-	15,000	15,000	15,000	15,000	15,000	15,000	15,000	-
Duplex	-	-	-	9,000	9,000	3,300	6,900	6,900	6,900	6,900	6,900	6,900	-
Multi-unit house	-	-	-	-	-	3,300	6,900	5,500	5,500	5,500	5,500	5,500	-
Apartment/condo	-	-	-	-	-	-	-	-	10,000	10,000	6,000	24,000	-
Mobile home park	-	-	-	-	-	-	-	-	-	-	-	-	[1]
Other allowed buildings/uses													
Permitted by right	22,500	13,500	9,000	6,900	5,500	5,500	5,500	5,500	5,500	5,500	5,500	5,500	5,500
Special exceptions	22,500	13,500	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000
Min. Lot Area per Unit (sq. ft.)													
Detached house	22,500	13,500	9,000	6,900	5,500	3,300	5,500	5,500	5,500	5,500	5,500	5,500	-
Patio house	-	-	-	6,900	5,500	3,300	5,500	5,500	5,500	5,500	5,500	5,500	-
Townhouse	-	-	-	4,500	4,500	2,200	2,750	1,600	1,600	1,600	1,600	1,600	-
Cottage house dev't	-	-	-	-	-	2,750	2,750	2,750	2,750	2,750	2,750	2,750	-
Duplex	-	-	-	4,500	4,500	1,650	3,450	3,450	3,450	3,450	3,450	3,450	-
Multi-unit house	-	-	-	-	-	1,100	1,800	1,800	1,800	1,375	1,100	900	-
Apartment/condo	-	-	-	-	-	-	-	-	2,900	1,750	1,100	400	-

Regulations	RE	RS-1	RS-2	RS-3	RS-4	RS-5	RD	RT	RM-0	RM-1	RM-2	RM-3	RMH
Other allowed buildings/uses													
Permitted by right	–	–	–	–	–	–	–	–	5,500	5,500	5,500	5,500	5,500
Special exceptions	22,500	13,500	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000
Minimum Lot Width (ft.)													
Detached house	150	100	75	60	50	30	50	50	50	50	50	50	–
Patio house	–	–	–	60	50	30	50	50	50	50	50	50	–
Townhouse	–	–	–	30	30	20	25	20	20	20	20	20	–
Cottage house dev't	–	–	–	–	–	5 75	75	75	75	75	75	75	–
Duplex	–	–	–	75	75	30	60	60	60	60	60	60	–
Multi-unit house	–	–	–	–	–	30	50	50	50	50	50	50	–
Apartment/condo	–	–	–	–	–	–	–	–	100	100	50	100	–
Other allowed buildings/uses													
Permitted by right	150	100	75	60	50	50	50	50	50	50	50	50	50
Special exceptions	150	100	100	100	100	100	100	100	100	100	100	100	100
Minimum Street Frontage													
Residential bldgs/uses [2]	30	30	30	30	30	30	30	30	30	30	30	30	30
Min. Building Setbacks (ft.)													
Street [3]													
Arterial or fwy service rd.	35	35	35	35	35	35	35	35	35	35	35	35	35
Other streets	35	35	30	25	20	20	25	10	25	25	10	25	25
Side (interior) [4]	15	5	5	5	5	5	5	5[5]	5[6]	5[6]	5[6]	5[7]	10
Rear [4]	25	25	25	20	20	20	20	20	20	20	10	20	15
Min. Open Sp./Unit (sq. ft.)	12,000	7,000	5,000	4,000[8]	2,500	600	2,000	1,200	1,200	600	200	–	2,500
Max. Building Height (feet)	35	35	35	35	35	35	35	35	35	35	35	–	35

Section 2. That Title 42, Chapter 10, Table 10-5: Lot and Building Regulations for –U Character Zones, be and the same is hereby amended to read as follows:

Table 10-5: Lot and Building Regulations for –U Character Zones

Minimum Lot Area (sq. ft.)		Min. Parking Setbacks (feet)(see also §55.080-C)[1]	
Townhouse	1,600	Primary street	30
Apartment/condo	7,500	Secondary street or R zoning district	10
All other	3,500	Nonresidential district	0
Minimum Lot Width (feet)		Min. Ground Floor Ceiling Height (feet)	
Townhouse	20	Vertical mixed-use, Mixed-use and commercial buildings	14
Apartment/condo	50	Other buildings	–
All other	25	Minimum Transparency (%)	
Minimum Street Frontage (feet)	20	Vertical mixed-use buildings	
Minimum Open Space per Unit (sq. ft.)		Ground floor	40
Townhouse	200	Upper floors	20
Apartment/condo/mixed-use	100	Commercial buildings and mixed-use buildings	
Minimum Building Setbacks (feet)		Ground floor	35
Street	0	Upper floors	20
Abutting R district	10	Other buildings	20
Abutting nonresidential district	0	Street-facing Entrance Required	Yes
Abutting alley	5		
Build-to-Zone (BTZ) (minimum/maximum in feet)	0/20		
Primary street BTZ (%)	60		
Secondary street BTZ (%)	30		

[1] Parking is prohibited between building and street right-of-way (see Figure 10-4). Parking structures are subject to Section 40.280.

Section 3. That Title 42, Chapter 10, Table 10-6: Lot and Building Regulations for –V Character Zones, be and the same is hereby amended to read as follows:

Table 10-6: Lot and Building Regulations for –V Character Zones

Minimum Lot Area (sq. ft.)		C Build-to-Zone (BTZ) (minimum/maximum in feet)	0/110
Townhouse	1,600	Primary street BTZ (%)	50
Apartment/condo	7,500	Secondary street BTZ (%)	25
All other	3,500	D Min. Parking Setbacks (feet)(see also §55.080-C)[1]	
A Minimum Lot Width (feet)		Street or R zoning district	10
Townhouse	20	Nonresidential zoning district	0
Apartment/condo	50	Min. Ground Floor Ceiling Height (feet)	
All other	25	Vertical mixed-use, Mmixed-use and commercial buildings	14
B Minimum Street Frontage (feet)	20	Other buildings	–
Minimum Open Space per Unit (sq. ft.)		Minimum Transparency (%)	
Townhouse	200	Vertical mixed-use buildings	
Apartment/condo/mixed-use	100	E Ground floor	40
Minimum Building Setbacks (feet)		F Upper floors	20
Street	0	Commercial buildings and mixed-use buildings	
Abutting R district	10	E Ground floor	35
Abutting nonresidential district	0	F Upper floors	20
Abutting alley	5	Other buildings	20
		G Street-facing Entrance Required	Yes

See Figure 10-6 for illustration of selected regulations.

[1] A maximum of one double-loaded parking aisle (2 parking bays) is permitted between the building and street right-of-way (see Figure 10-5 and Figure 10-6). Parking structures are subject to Section 40.280.

Section 4. That Title 42, Chapter 10, Section 10.030-E2 Allowed Building Types, and Table 10-7: Lot and Building Regulations for –F Character Zones, be and the same are hereby amended to read as follows:

2. Allowed Building Types

The following building types are permitted in –F character zones (see building type definitions in Section 35.010):

- Vertical mixed-use and Mmixed-use buildings
- Commercial buildings
- Apartment/Condo
- Townhouses
- Duplexes
- Detached houses
- Civic/Institutional buildings
- Open space sites

Table 10-7: Lot and Building Regulations for –F Character Zones

Minimum Lot Area (sq. ft.)		Minimum Parking Setbacks (feet)(see also §55.080-C)	
Townhouse	1,600	Detached house/townhouse/duplex	–
Duplex	5,000	Other buildings [3]	
Apartment/condo	7,500	Street	10
Other buildings	3,500	Abutting R district	10
Minimum Lot Width (feet)		Abutting nonresidential district	0
Townhouse	20	Abutting alley	2
Duplex	45	Min. Ground Floor Ceiling Height (feet)	
Apartment/condo	50	Vertical mixed-use, Mmixed-use and commercial buildings	14

Other buildings	25
Minimum Street Frontage (feet)	20
Minimum Open Space per Unit (sq. ft.)	
Detached house	400
Townhouse/Duplex	200
Apartment/condo/mixed-use	100
Minimum Building Setbacks (feet)	
Detached house/townhouse/duplex	
Street	15[1]
Side	3[2]
Rear	20
Other buildings	
Street	5
Abutting R district	10
Abutting nonresidential district	0
Abutting alley	5

Other buildings	—
Minimum Transparency (%)	
Vertical mixed-use buildings	
Ground floor	40
Upper floors	20
Commercial buildings and mixed-use buildings	
Ground floor	35
Upper floors	20
Other buildings	20
Street-facing Entrance Required	Yes

[1] Garage doors must be set back at least 20 feet from back of sidewalk (see [Figure 10-7](#)).

[2] For townhouses, side setback applies only to exterior wall of end units.

[3] Parking structures are subject to [Section 40.280](#).

Section 5. That Title 42, Chapter 15, Table 15-2.5: O, C and I District Building Type Regulations for Household Living, be and the same is hereby amended to read as follows:

Table 15-2.5: O, C and I District Building Type Regulations for Household Living

USE CATEGORY												Supplemental Regulations
Subcategory	OL	OM	OMH	OH	CS	CG	CH	CBD	IL	IM	IH	
Specific use												
Building Types												
RESIDENTIAL												
Household Living												
Single household												
Detached house	P	S	S	S	S	S	S	S	—	—	—	
Townhouse	P	P	P	P	P	P	P	P	—	—	—	
Manufactured housing unit	—	—	—	—	—	S	S	—	S	S	S	Section 40.210
Mixed-Use building	P	P	P	P	P	P	P	P	S	—	—	
Vertical mixed-use building	P	P	P	P	P	P	P	P	S	—	—	
Two households on single lot												
Duplex	P	S	S	S	S	S	S	S	—	—	—	
Mixed-Use building	P	P	P	P	P	P	P	P	S	—	—	
Vertical mixed-use building	P	P	P	P	P	P	P	P	S	—	—	
Three or more households on single lot												
Multi-unit House	P	S	S	S	S	S	S	S	—	—	—	
Apartment/condo	S	P	P	P	P	P	P	P	—	—	—	Section 40.030
Mixed-Use building	P	P	P	P	P	P	P	P	S	—	—	
Vertical mixed-use building	P	P	P	P	P	P	P	P	S	—	—	

P= Permitted; S=Special Exception Approval Required; — = Prohibited

Section 6. That Title 42, Chapter 20, Table 20-1: RDO District Use Regulations, be and the same is hereby amended to read as follows:

Table 20-1: RDO District Use Regulations

USE CATEGORY		RDO-1	RDO-2	RDO-3
Subcategory				
Specific use				
X = expressly prohibited use □ and unlisted uses = underlying zoning governs				
RESIDENTIAL				
Household Living (if in allowed building type allowed in underlying zoning and not prohibited in Table 20-1.5)				
Single household		X	X [1]	□
Two households on single lot		X	X [1]	□
Three or more households on single lot		X	X	X
PUBLIC, CIVIC AND INSTITUTIONAL				
Cemetery		X	X	X
Utilities and Public Service Facility				
Major		X	X	□ [2]
Wireless Communication Facility				
Freestanding tower		X	X	X
COMMERCIAL				
Assembly and Entertainment				
Indoor gun club		X	X	X
Outdoor gun club		X	X	X
Commercial Service				
Building service		X	X	X
Business support service		X	X	X
Consumer maintenance/repair service		X	X	X
Research service		X	X [1]	□
Financial Services (except as below)		X	X [1]	□
Personal credit establishment		X	X	X
Funeral or Mortuary Service		X	X	X
Office				
Business or professional office		X	X [1]	□
Medical, dental or health practitioner office		X	X [1]	□
Plasma center		X	X	X
Retail Sales				
Building supplies and equipment		X	X	X
Self-service Storage Facility		X	X	X
Sexually Oriented Business Establishment		X	X	X
Vehicle Sales and Service				
Commercial vehicle repair/maintenance		X	X	X
Commercial vehicle sales and rentals		X	X	X
Fueling station		X	X	X
Personal vehicle repair and maintenance		X	X	X
Personal vehicle sales and rentals		X	X	X
Vehicle part and supply sales		X	X	X
Vehicle body and paint finishing shop		X	X	X
WHOLESALE, DISTRIBUTION AND STORAGE				
Equipment and Materials Storage, Outdoor		X	X	X
Trucking and Transportation Terminal		X	X	X
Warehouse		X	X	X
Wholesale Sales and Distribution		X	X	X
INDUSTRIAL				
Moderate-impact Manufacturing & Industry		X	X	X
High-impact Manufacturing & Industry		X	X	X
Mining or Mineral Processing		X	X	X
Junk or Salvage Yard		X	X	X
RECYCLING				
Construction or Demolition Debris		X	X	X
Consumer Material Drop-off Station		X	X	X
Consumer Material Processing		X	X	X

USE CATEGORY			
Subcategory	RDO-1	RDO-2	RDO-3
Specific use			
AGRICULTURAL			
Animal Husbandry	X	X	X
Horticulture Nursery	X	X	X
OTHER			
Drive-in or Drive-through Facility (as a component of an allowed use)	X	X	X
Off-premise Outdoor Advertising Sign	X	X	X

[1] Use allowed above the ground-floor level only.

[2] Use limited to water and wastewater treatment facilities (Special Exception required).

Section 7. That Title 42, Chapter 20, Section 20.050-C Residential Building Types, be and the same is hereby amended to read as follows:

20.050-C Residential Building Types

Residential uses allowed in RDO districts must be located in residential buildings as allowed in the underlying zoning district, except as prohibited by Table 20-1.5.

Descriptions of the residential building types and references to applicable regulations are found in Section 35.010. The following residential building types are allowed in RDO districts.

Section 8. That Title 42, Chapter 40, Section 40.400-B, be and the same is hereby amended to read as follows:

40.400-B Whenever commercial or personal vehicle sales or rentals are within 300 feet of an R-zoned lot, off-street parking and vehicle display areas must comply with the parking area design standards of Section 55.090.

Section 9. That Title 42, Chapter 70, Section 70.030-G Protest Petitions, be and the same is hereby amended to read as follows:

70.030-G Protest Petitions

1. If a valid protest petition is filed against any proposed zoning map amendment, passage of the zoning map amendment requires a favorable vote of three-fourths of the members of the entire city council.

~~2. A protest petition will be deemed valid if it is signed and acknowledged by the owners of 20% or more of the area of the lots included in proposed zoning map amendment area or by the owners of 50% or more of the area of the lots within 300 feet of the area included in the proposed zoning map amendment area.~~

~~3.2.~~ A protest petition will be deemed valid if it is signed and acknowledged by the owners of 20% or more of the area of the lots included in the proposed zoning map amendment or by the owners of 50% or more of the area of the lots within 300 feet of the area included in the proposed zoning map amendment and if it meets the other regulations of this Section 70.030-G.

3. A written protest petition opposing a zoning map amendment must be submitted to the land use administrator at least 3 business days before the city council's vote.

4. The protest petition must identify the zoning case number for which the protest is

filed and must state that it is a formal protest of the proposed zoning map amendment.

5. Persons signing the protest petition must be at least eighteen (18) years of age and must hold record title to their properties, as shown in the land records of the Tulsa County Clerk. If a lot is owned jointly by more than one owner, all owners must sign the protest petition. If a lot is owned by a trust, the trustee must sign, noting that he or she signs "as trustee". If there is more than one trustee, and no single trustee is authorized to sign, then all the trustees must sign. If a lot is owned by a corporation, the president or a vice-president or the chair or vice chair of the board of directors, must sign. If a lot is owned by a limited liability company, a manager must sign. If a lot is owned by any other legal entity, the person signing the protest petition must be someone authorized by that entity to convey title to land.
6. Persons signing the protest petition must indicate the street address of the lot owned. If no street address is assigned, a legal description (lot and block of a subdivision, metes and bounds description of unplatted tracts) or a map must be provided.
7. If a protest petition contains multiple signature pages, each page must contain the same protest language. Signatures must be the normal cursive signature of the person signing and should be accompanied by the legibly printed or typed name of the person signing. The name of the person signing must be the same as the name of that person as shown in the land records of the Tulsa County Clerk.
8. A protest petition may not be amended, supplemented or corrected subsequent to the deadline for filing the petition.

Section 10. That all ordinances or parts of ordinances in conflict herewith be and the same are hereby expressly repealed.

Section 11. That an emergency is hereby declared to exist for the preservation of the public peace, health and safety, by reason whereof this ordinance shall take effect immediately from and after its passage, approval and publication.

ADOPTED by the Council: _____, 2017.

ADOPTED as an emergency measure: _____.

Chair of the Council

OFFICE OF THE MAYOR

Received by the Mayor: _____, at _____.
Date Time

G.T. Bynum, Mayor

By _____
Secretary

APPROVED by the Mayor of the City of Tulsa, Oklahoma: _____ 2017,
Date
at _____
Time

Mayor

(Seal)
ATTEST:

City Clerk

APPROVED:

City Attorney

Sawyer, Kim

PUD-93-D withdraw

From: Hoyt, Jay
Sent: Monday, May 15, 2017 10:46 AM
To: Sawyer, Kim
Subject: FW: Golf Tec - 6010 S. Memorial

Kim,

The applicant has requested a refund for the sign plan review that was not needed.

Thank you,

Jay Hoyt

From: mohammad@globalsignsolutions.com [<mailto:mohammad@globalsignsolutions.com>]
Sent: Monday, May 15, 2017 10:42 AM
To: Hoyt, Jay <JHoyt@incog.org>
Subject: Re: Golf Tec - 6010 S. Memorial

Hello Jay
Thank you for your respond
I would like a refund for this application
Thanks

From: Hoyt, Jay
Sent: Monday, May 15, 2017 10:31 AM
To: mohammad@globalsignsolutions.com
Subject: RE: Golf Tec - 6010 S. Memorial

I'm afraid the fee can't be used as a credit. It has to do with our accounting system. We will have to process your refund separately from any new application fees. Due to requirements, the refund has to be approved by the planning commission. If you could, please reply to this email indicating that I can forward your refund request to the commission for their approval.

Thank you,

Jay Hoyt

From: mohammad@globalsignsolutions.com [<mailto:mohammad@globalsignsolutions.com>]
Sent: Friday, May 12, 2017 3:20 PM
To: Hoyt, Jay <JHoyt@incog.org>
Subject: Fw: Golf Tec - 6010 S. Memorial

Hello Jay
yes can I bring a PUD application and use this credit today
Thanks

LOOK AT YOU COMMENT BELOW

From: Hoyt, Jay [<mailto:JHoyt@incog.org>]
Sent: Friday, April 28, 2017 9:21 AM

30.1

To: mohammad@globalsignsolutions.com

Cc: Kolibas, Robert

Subject: Golf Tec - 6010 S. Memorial

Looking over your PUD sign pan review application for Golf Tec, it appears this shopping center is not located within a PUD. The shopping center is located in CS zoning, without a PUD overlay. The zoning map shows a portion of the center in the PUD, but this is an error. The PUD is meant for the residential development to the west and wasn't intended to cover the commercial area. A PUD Sign Plan review will not be required.

I can submit a request for refund from TMAPC for the application fee submitted if you respond to this email letting me know you wish to request a refund.

Thank you,

Jay Hoyt

Land Development Planner

INCOG

2 West 2nd Street

Suite 800

Tulsa, OK 74103

918.579.9476 phone

918.579.9576 fax

jhoyt@incog.org

30.2

REQUEST FOR REFUND

Case No. PUD-93-D

The applicant, GSS Sign Design, 17424 S. Union Ave., Mounds, Oklahoma 74047, made application to TMAPC, asked for a refund of fees paid for an application for: PUD Sign Plan

Sign Plan		
From TMAPC (X)		
	Fees Paid	Fees Used
Base Request	200.00	00.00
Additional Requests	00.00	00.00
Newspaper Publication	00.00	00.00
Sign (Special Exception Uses in COT only)	00.00	00.00
300' Property Owners Mailing and Postage	00.00	00.00
Application Subtotal:	200.00	00.00
Notice Subtotal:	00.00	00.00
Total Fees Paid:	200.00	00.00

Recommended Refund:

\$200.00

The application was withdrawn: yes (X) no ()

Application withdrawn by staff.

The staff recommends the refund listed above.