# AGENDA TULSA METROPOLITAN AREA PLANNING COMMISSION Meeting No. 2760 December 20, 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:

<u>Director's Report</u>: Discuss City Council and County Commission actions taken and other special projects

Review TMAPC Receipts for the month of November 2017

# 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.

- 1. <u>LS-21087</u> (Lot-Split) (CD 5) Location: Northeast corner of East 46th Street South and South 70th East Avenue
- <u>LC-962</u> (Lot-Combination) (CD 9) Location: West of the northwest corner of East 34th Street South and South Rockford Avenue
- 3. <u>LC-959</u> (Lot-Combination) (CD 3) Location: South of the southwest corner of East 36th Street North and North Sheridan Road
- 4. <u>LS-21088</u> (Lot-Split) (CD 7) Location: North of the northeast corner of East 51st Street South and South 83rd East Avenue (Related to LC-961)
- <u>LC-961</u> (Lot-Combination) (CD 7) Location: North of the northeast corner of East 51st Street South and South 83rd East Avenue (Related to LS-21088)
- <u>LS-21070</u> (Lot-Split) (CD 4) Location: East of the northeast corner of North 25th West Avenue and West Easton Street
- 7. <u>Sequoyah Hill II (CD 8)</u> Amendment to Deed of Dedication, Location: East of South Delaware Avenue at East 116th Place South
- Crane Carrier Industrial Addition (CD3) Change of Access, Location: Northeast corner of East 46th Street North and North Mingo Road
- 9. <u>Enclave at Addison Creek</u> (CD 8) Final Plat, Location: South of the southwest corner of East 121st Street South and South Sheridan Road
- PUD-310-1 Joy Ward (County) Location: South of the southeast corner of South Campbell Creek Road and Highway 51 requesting a PUD Minor Amendment to add Use Unit 17 (Continued from September 20, 2017, October 18, 2017 and November 15, 2017)

# CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA:

# PUBLIC HEARINGS:

- <u>LS-21066</u> (Lot-Split) (County) Location: South of the southeast corner of East 86th Street North and North Harvard Avenue (Continued from November 15, 2017 and December 6, 2017)
- 12. <u>LS-21085</u> (Lot-Split) (County) Location: North of the northeast corner of East 146th Street North (Hwy 20) and North Trenton Avenue
- 13. <u>LS-21086</u> (Lot-Split) (County) Location: South of the southeast corner of West 41st Street South and South 61st West Avenue
- 14. <u>BOA-22362 Plat Waiver</u> (CD 4) Location: East of the southeast corner of East 21st Street South and South Lewis Avenue
- 15. <u>BOA-22359 Plat Waiver</u> (CD 3) Location: Southwest corner of East 46th Street North and North Mingo Road
- <u>Z-7425 Kathleen Mowry</u> (CD 4) Location: North of the Northwest corner of South Lewis Avenue and East 17th Street South requesting rezoning from RS-3 to OL (Related to PUD-750-A)
- PUD-750-A Kathleen Mowry (CD 4) Location: North of the Northwest corner of South Lewis Avenue and East 17th Street South requesting to Abandon PUD-750 (Related to Z-7425)
- <u>Z-7428 Tulsa City Council/Janine Billings (</u>CD 9) Location: East of the southeast corner of South Peoria Avenue and East 44th Place South requesting rezoning from CS to MX1-V-U
- <u>Z-7429 Lou Reynolds (CD 4)</u> Location: North and east of the northeast corner of South Xanthus Avenue and East 21st Street requesting rezoning from CS/OL to CH (Related to Z-7429 Plat Waiver)
- 20. <u>**Z-7429 Plat Waiver**</u> (CD 4) Location: North and east of the northeast corner of South Xanthus Avenue and East 21st Street South (Related to Z-7429)

# OTHER BUSINESS

21. Commissioners' Comments

# ADJOURN

#### CD = Council District

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

Visit our website at <u>www.tmapc.org</u>

email address: <a href="mailto:esubmit@incog.org">esubmit@incog.org</a>

#### TMAPC RECEIPTS Month of November 2017

 $^{2}$ 

IT ZONING Zoning Letters Zoning Plan Reviews Refunds NSF LAND DIVISION Minor Subdivision	EM 10 4 22	CITY \$912,50 1,625,00 2,700,00 0,00 0,00 \$5,237,50	S912,50 1,625,00 2,700,00 0,00 \$5,237,50	TOTAL RECEIVED \$1,825.00 3,250.00 5,400.00 0.00 0.00	1TEM 53 32 110	CITY 3,050.00 13,575.00 14,515.00 0.00	3,050.00 13,575.00 14,515.00 0,00	TOTAL RECEIVED \$6,100.00 27,150.00 29,030.00
ZONING Zoning Letters Zoning Plan Reviews Refunds NSF	10 4 22	\$912,50 1,625,00 2,700,00 0,00 0,00	\$912,50 1,625,00 2,700,00 0,00 0,00	RECEIVED \$1,825.00 3,250.00 5,400.00 0.00 0.00	53 32	3,050.00 13,575.00 14,515.00	3,050,00 13,575.00 14,515.00	\$6,100.00 27,150.00 29,030.00
Zoning Letters Zoning Plan Reviews Refunds NSF LAND DIVISION	4 22	1,625.00 2,700.00 0.00 0.00	1,625_00 2,700_00 0_00 0_00	3,250.00 5,400.00 0.00 0.00	32	13,575.00 14,515.00	13,575.00 14,515.00	27,150.00 29,030.00
Zoning Plan Reviews Refinds NSF LAND DIVISION	4 22	1,625.00 2,700.00 0.00 0.00	1,625_00 2,700_00 0_00 0_00	3,250.00 5,400.00 0.00 0.00	32	13,575.00 14,515.00	13,575.00 14,515.00	27,150.00 29,030.00
Zoning Plan Reviews Refunds NSF LAND DIVISION	4 22	1,625.00 2,700.00 0.00 0.00	1,625_00 2,700_00 0_00 0_00	3,250.00 5,400.00 0.00 0.00	32	13,575.00 14,515.00	13,575.00 14,515.00	29,030.00
Plan Reviews Refunds NSF LAND DIVISION		0_00 0_00	0,00 0,00	0.00 0.00	110			
NSF LAND DIVISION	0	0.00	0.00	0.00		0.00	0.00	0.00
LAND DIVISION	0							0.00
	0	<u>\$5,237.50</u>	\$5,237.50			0.00	0,00	0.00
	0			\$10,475.00		\$31,140.00	\$31,140.00	\$62,280.00
Minor Subdivision	0							
	0	\$0.00	0.00	0_00	1	\$435.00	\$435.00	870.00
Preliminary Plats	3	1,380_00	1,380.00	2,760.00	10	\$4,842.35	\$4,842.35	9,684.70
Final Plats	5	1,690.28	1,690 28	3,380,55	12	\$4,435.28	\$4,435.28	8,870.55
Plat Waviers	5	625_00	625.00	1,250.00	18	\$2,250.00	\$2,250.00	4,500.00
Lot Splits	10	550_00	550.00	1,100.00	58	\$3,000.00	\$3,000.00	6,000.00
Lot Combinations	9	450_00	450.00	900.00	38	\$1,925.00	\$1,925.00	3,850.00
Other	0	0_00	0_00	0.00	7	\$700.00	\$700.00	1,400.00
NSF		0.00	0_00	0.00		\$0.00	\$0.00	0.00
Refunds		0_00	0,00	0.00		(\$50.00)	(\$50.00)	(100.00)
		\$4,695.28	<u>\$4,695.28</u>	\$9,390.55		\$17,537.63	\$17,537.63	\$35,075.25
TMAPC COMP								
Comp Plan Admendment	0	\$0,00	\$0.00	\$0.00	3	\$750.00	\$0.00	\$750.00
Refund		<u>\$0.00</u>		<u>\$0.00</u>		\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00		\$750.00	<u>\$0.00</u>	\$750.00
BOARDS OF ADJUSTMENT								
Fees	23	\$6,800.00	\$2,150.00	\$8,950.00	110	\$35,250.00	\$8,600.00	\$43,850.00
Refunds		(500.00)	0.00	(\$500.00)		(\$1,750.00)	\$0.00	(1,750.00)
NSF Check		0_00	0.00	\$0.00		(\$500.00)	\$0.00	(500.00)
		\$6,300.00	\$2,150.00	\$8,450.00		\$33,000.00	\$8,600.00	<u>\$41,600.00</u>
TOTAL		\$16,232.78	\$12,082.78	\$28,315.55		\$82,427.63	\$57,277.63	\$139,705.25
LESS WAIVED FEES *		(\$2,396.60)		(\$2,396.60)		(\$3,557.52)		(\$3,557.52)
<b>GRAND TOTALS</b>		\$13,836.18	\$12,082.78	\$25,918.95		\$78,870.11	\$57,277.63	\$136,147.73

\* Advertising, Signs & Postage Expenses for City of Tulsa Applications with Fee Waivers.

# November 2017 TMAPC Receipt Comparison

	Nov. 2017	October 2017	Nov. 2016
Zoning Letters	10	13	8
Zoning	4	9	11
Plan Reviews	22	27	21
Minor Subdivisions	0	0	0
Preliminary Plats	3	2	0
Final Plats	5	2	1
Plat Waivers	5	4	2
Lots Splits	10	10	11
Lot Combinations	9	6	11
Other	0	3	0
Comp Plan Amendments	0	0	0

12/14/2017

Tulsa Metropolitan Area Planning Commission	<u>Case :</u> Sequoyah Hill II <u>Hearing Date</u> : December 20, 2017
Case Report Prepared by:	Owner and Applicant Information:
Nathan Foster	Applicant: Mark Reents
	Owner: Multiple Owners (Attached)
Location Map: (above with City Council Districts)	Applicant Proposal:
(shown with City Council Districts)	Amendment to Deed of Dedication
	Location: East of South Delaware Avenue at East 116 <sup>th</sup> Place South
Zoning: RS-2/PUD-709	Staff Recommendation: Staff recommends approval of the
	amendment
	City Council District: 8
	Councilor Name: Phil Lakin
	County Commission District: 3
EXHIBITS: Applicant Submittal	Commissioner Name: Ron Peters

EXHIBITS: Applicant Submittal

# FIRST AMENDMENT TO DEED OF DEDICATION SEQUOYAH HILL II <u>PUD NO. 709</u>

WHEREAS, on July 10, 2006, one certain subdivision plat and accompanying Deed of

Dedication was recorded in the Land Records of the Tulsa County Clerk, as Doc#2006077947, for

the following described property, to-wit:

# SEQYOYAH HILL II, a subdivision in the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat as Plat No. 6015

WHEREAS, the Deed of Dedication for SEQUOYAH HILL II, contains certain covenants

related to the use, occupancy and enjoyment of the property located within and as depicted on the

Plat for SEQUOYAH HILL II, for use as Lots, Blocks, Reserve Areas and Streets.

WHEREAS, one of the Reserve Areas depicted on the Plat of SEQUOYAH HILL II, is

described in the Plat as **RESERVE B**;

WHEREAS, SECTION II. of the Deed of Dedication, PLANNED UNIT

**DEVELOPMENT RESTRICTIONS**, subsection B provides in pertinent part as follows:

#### **"B. OTHER RESERVE AREAS**

THE USE OF RESERVE 'B' SHALL BE LIMITED TO COMMON AREA LANDSCAPING AND OPEN SPACE, SECURITY FACILITIES AND SUCH OTHER USES AS MAY BE PERMITTED PURSUANT TO THIS DEED OF DEDICATION, INCLUDING BUT NOT LIMITED TO THE USE OF RESERVE 'B' FOR UTILITY EASEMENTS PURSUANT TO SECTION 1(A).....".

WHEREAS, it is the desire of some of the owners of certain lots in SEQUOYAH HILL II

abutting **RESERVE B** (hereinafter collectively referred to herein as the "Abutting Owners") to acquire, from time to time, a portion of **RESERVE B** for their own private use and enjoyment, in order to extend the yards of their residences..

WHEREAS, the owner of **RESERVE B** has no desire to retain the land comprising

**RESERVE B** and desires to transfer **RESERVE B** to the Abutting Owners for their own

exclusive, separate and private ownership, use and enjoyment, subject to the terms and conditions

contained in the Deed of Dedication, as amended herein;

WHEREAS, in order to accomplish the foregoing it is necessary to amend the Deed of

Dedication to revise the uses permitted within **<u>RESERVE</u>** B to permit single family residential use.

WHEREAS, SECTION VI. of the Deed of Dedication, titled ENFORCEMENT, DURATION, AMENDMENT AND SEVERABILITY at subsection C. titled AMENDMENT, provides in pertinent part as follows:

"... EXCEPT AS PROVIDED IN SECTION II D. MINOR AMENDMENTS ABOVE, THE COVENANTS CONTAINED WITHIN SECTION II PLANNED UNIT DEVELOPMENT RESTRICTIONS, MAY BE AMENDED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE LOT OWNERS OF MORE THAN 65% OF THE LOTS AND APPROVED BY THE TMAPC, OR ITS SUCCESSORS. ANY INSTRUMENT AMENDING THE COVENANTS CONTAINED WITHIN SECTION II, PLANNED UNIT DEVELOPMENT RESTRICTIONS SHALL BEAR THE ENDORSEMENT OF THE TMAPC AND SHALL BE DULY FILED OF RECORD. ... ".

WHEREAS, the undersigned Lot Owners desire that <u>RESERVE B</u> no longer be a common area, for use as landscaping and open space, security facilities or other common use, but rather that the use of <u>RESERVE B</u> permit and be limited to single family residential purposes, with individual portions of <u>RESERVE B</u> to become an extension of the yards of the Abutting Owners.

WHEREAS, the undersigned, constituting the owners of more than sixty-five percent (65%) of the twenty (20) lots within SEQUOYAH HILL II, desire to amend the Deed of Dedication to the extent set forth in this Amendment.

**NOW, THEREFORE,** in consideration of the foregoing, the Deed of Dedication is hereby amended as follows:

The term "Lot" as used throughout this Amendment shall mean and refer to (a) a lot as shown on the original Plat of SEQYOYAH HILL II, ("Original Platted Lot") and (b) as such Lot may have be increased in size by virtue of a lot owner's acquisition of a portion of **RESERVE** <u>B</u> and approval of a Lot Combination by the Tulsa Metropolitan Area Planning Commission.

2. For purposes of payment of dues, assessments or determining the number of votes to which a lot owner may be entitled, an Original Platted Lot plus any additions to the Original Platted Lot created out of **RESERVE B**, as reflected in any Lot Combination approved by the, Tulsa Metropolitan Area Planning Commission, shall together constitute but a single lot.

3. Except as amended by this Amendment, the Deed of Dedication and the covenants contained therein are applicable to the Original Platted Lot and the New Lot created out of **RESERVE B**, as reflected in Lot Splits and Lot Combinations as may be approved by the Tulsa Metropolitan Area Planning Commission, each of which combined lots shall constitute but a single lot together for single family residential use.

4. **RESERVE B** shall no longer be common area and when a portion of **RESERVE B** is combined with an abutting lot, such combined Lot shall be used for single family residential purposes. Therefore, the language in SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS, found at subsection B. OTHER RESERVE AREAS, reading as follows:

"THE USE OF RESERVE 'B' SHALL BE LIMITED TO COMMON AREA LANDSCAPING AND OPEN SPACE, SECURITY FACILITIES AND SUCH OTHER USES AS MAY BE PERMITTED PURSUANT TO THIS DEED OF DEDICATION, INCLUDING BUT NOT LIMITED TO THE USE OF RESERVE 'B' FOR UTILITY EASEMENTS PURSUANT TO SECTION 1(A)".

shall be deleted, and the following language inserted in its place, to-wit:

"THE USE OF THE REAL PROPERTY COMPRISING **RESERVE B** SHALL BE LIMITED TO SINGLE FAMILY RESIDENTIAL USE, AS AN EXTENSION OF THE YARD IN CERTAIN ABUTTING LOTS IN THE SUBDIVISION, TO THE LOCATION OF UTILITIES PROVIDED FOR IN SECTION I (A) AND BEING FURTHER SUBJECT TO THE EXISTENCE AND TERMINATION OF RIGHTS IN OTHERS, AS PROVIDED FOR PURSUANT TO THAT CERTAIN LICENSE CONTAINED IN THAT CERTAIN AGREEMENT DATED EFFECTIVE SEPTEBER 1, 2005, RECORDED AS DOC#2005113849 IN THE TULSA COUNTY LAND RECORDS."

5. Any reference in the Deed of Dedication to **RESERVE B** being Common Area or for the common use by others, other than for use as a utility easements pursuant to Section I (A), shall be stricken.

6. Except as amended herein, all other terms and conditions contained in the Deed of Dedication shall remain unchanged and in full force and effect.

7. The undersigned owners, constituting more than sixty-five percent (65%) of the

lots of Sequoyah Hill II, hereby consent to and adopt the changes set forth in this Amendment.

8. This Amendment shall not be effective until approved and endorsed by the TMAPC

and duly filed of record with the Tulsa County Clerk's Office.

**IN WITNESS WHEREOF**, THE UNDERSIGNED HAVE CAUSED THIS AMENDMENT TO BE EXECUTED ON THE DATE SET FORTH IN THE ACKNOWLEDGMENT.

**OWNERS** LORI ANN NALLEY, a single person

# **LEGAL DESCRIPTION**

LOTS ONE (1), AND TWO (2) BLOCK ONE (1) SEQUOYAH HILL II, a Subdivision in the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat thereof.

Address: 11536 = 11528 South New Haven, Ave., Tulsa, 0K 74137

STATE OF OKLAHOMA ) ) ss. COUNTY OF TULSA )

Individual Acknowledgement

Before me, the undersigned, a Notary Public, in and for said County and State, on this  $\frac{2}{2}d$  day of ..., 2017 personally appeared LORI ANN NALLEY, a single person, to me known to be the identical person who executed the within and foregoing instrument, and acknowledged to me that she executed the same as her free and voluntary act and deed for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I hereunto set my official signature and affixed my notarial seal the day and

year last above written. My Commission Number: My Commission Expires: 10 SEAL unninnun ..... Minimum minimum)

NOTARY PUBLIC

OWNERS	
SAS	
ROBERT STERLING, and his wife	-
KIMBERLY A. SPERLING	-

### LEGAL DESCRIPTION

LOT THREE (3), BLOCK ONE (1) SEQUOYAH HILL II, a Subdivision in the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat thereof.

Address: 11520 S. New Haven Ave. Tulsa, OK 74137

STATE OF OKLAHOMA ) ) ss. COUNTY OF TULSA )

Individual Acknowledgement

Before me, the undersigned, a Notary Public, in and for said County and State, on this  $10^{-10}$  day of  $10^{-10}$ , 2017, personally appeared ROBERT S. STERLING and KIMBERLY A. STERLING, husband and wife, known by me to be the identical persons who executed the within and foregoing instrument, and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

**IN WITNESS WHEREOF**, I hereunto set my official signature and affixed my notarial seal the day and year last above written.

100 d4 My Commission Number: My Commission Expires: SEAL



**OWNERS** 

TEJ LAD and his wife

BEENA LAD

### **LEGAL DESCRIPTION**

LOT FOUR (4), BLOCK ONE (1) SEQUOYAH HILL II, a Subdivision in the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat thereof.

Address: 11512 S. New Haven Ave. Tulsa, OK 74137

STATE OF OKLAHOMA ) ) ss. COUNTY OF TULSA )

Individual Acknowledgement

Before me, the undersigned, a Notary Public, in and for said County and State, on this 22 day of 2017, personally appeared TEJ LAD and BEENA LAD, husband and wife, to me known to be the identical persons who executed the within and foregoing instrument, and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

**IN WITNESS WHEREOF**, I hereunto set my official signature and affixed my notarial seal the day and year last above written.

My Commission Number:  $\frac{1700249}{1021}$ My Commission Expires:  $\frac{31022}{2121}$ 

NOTARY PUBLIC



**OWNERS** GENE ALLEN DANIEL, and his wife

NICOLE LYNN DANIEL

#### LEGAL DESCRIPTION

LOT FIVE (5), BLOCK ONE (1) SEQUOYAH HILL II, a Subdivision in the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat thereof.

Address: 11714 S. Oswego Ave. Tulsa, OK 74137

STATE OF OKLAHOMA ) ) ss. COUNTY OF TULSA )

Individual Acknowledgement

Before me, the undersigned, a Notary Public, in and for said County and State, on this  $21^{54}$  day of 2017, personally appeared GENE ALLEN DANIEL and NICOLE LYNN DANIEL, husband and wife to me known to be the identical persons who executed the within and foregoing instrument, and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

**IN WITNESS WHEREOF**, I hereunto set my official signature and affixed my notarial seal the day and year last above written.

My Commission Number: 100 408 7

My Commission Expires: 05 03 2019 SEAL

Notary Public State of Oklahoma TERRI M. LEY COMMISSION #11004087 Comm. Exp. 05-03-2019

7.9

#### <u>OWNERS</u>

CORBIN L. ROUSCH and HOLLY L. ROUSCH LIVING TRUST DATED JANUARY 28, 2005

IN L. ROUSCH, Trustee

d

YIL. ROUSCH, Trustee

# STATE OF OKLAHOMA ) ) ss. COUNTY OF TULSA )

#### LEGAL DESCRIPTION

LOT SIX (6), BLOCK ONE (1)

SEQUOYAH HILL II, a Subdivision in the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat thereof.

Address:	2905	E. ~	115 <sup>49</sup> Pl.
TUBA	DIC	1	4131

#### Acknowledgement

Before me, the undersigned, a Notary Public, in and for said County and State, on this <u>1</u> day of <u>2010</u>, 2017, personally appeared CORBIN L. ROUSCH and HOLLY L. ROUSCH, in their capacities as Trustees of the Corbin L. Rousch and Holly L. Rousch Living Trust Dated January 28, 2005, to me known to be the identical person who executed the within and foregoing instrument, and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

**IN WITNESS WHEREOF**, I hereunto set my official signature and affixed my notarial seal the day and year last above written.

My Commission Number: 1200249My Commission Expires: 31021SEAL

NOTARY



**OWNERS** 

MURALI MANOHAR, and his wife

RADHIKA MANOHAR

# LEGAL DESCRIPTION

LOT SEVEN (7), BLOCK ONE (1) SEQUOYAH HILL II, a Subdivision in the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat thereof.

Address: 3911 East 115<sup>th</sup> Place Tulsa, OK 74137

STATE OF OKLAHOMA ) ) ss. COUNTY OF TULSA )

Individual Acknowledgement

Before me, the undersigned, a Notary Public, in and for said County and State, on this <u>11</u> day of <u>1254</u>, 2017, personally appeared MURALI MANOHAR and RADHIKA MANOHAR, husband and wife, to me known to be the identical person who executed the within and foregoing instrument, and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

**IN WITNESS WHEREOF**, I hereunto set my official signature and affixed my notarial seal the day and year last above written.

My Commission Number: 1700 2419 My Commission Expires: 3 0 2 SEAL

NOTARY PUBLIC



#### <u>OWNERS</u>

THE JACQUELINE J. BRUNSMAN REVOCABLE TRUST, DATED FEBRUARY 24, 2004 Jacqueline (Druch Sman)

ACQUELINE BRUNSMAN, Trustee

# LEGAL DESCRIPTION

LOT EIGHT (8), BLOCK ONE (1) SEQUOYAH HILL II, a Subdivision in the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat thereof.

Address: 3919 East 115<sup>th</sup> Place Tulsa, OK 74137

# STATE OF OKLAHOMA ) ) ss. COUNTY OF TULSA )

Individual Acknowledgement

Before me, the undersigned, a Notary Public, in and for said County and State, on this  $\frac{15}{100}$  day of  $\frac{1000}{1000}$ , 2015 personally appeared JACQUELINE J. BRUNSMAN, as Trustee of the Jacqueline J. Brunsman Revocable Trust, dated February 24, 2004, to me known to be the identical person who executed the within and foregoing instrument, and acknowledged to me that she executed the same as her free and voluntary act and deed for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I hereunto set my official signature and affixed my notarial seal the day and year last above written.

My Commission Number: 15007424

My Commission Expires: 8-10-19 SEAL

ANT REAL	ANNE PILKINGTON	Π.
	NOTARY FUBLIC	
15(1)71	STATE OF OKLAHOMA	1
	COMMISSION NO. 15007424	
Sec.	EXPIRES 08-10-2019	

# **OWNERS**

AME I. REYNOLDS, and her husband AMBER

JOHN REYNOLDS III

# **LEGAL DESCRIPTION**

LOT NINE (9), BLOCK ONE (1) SEQUOYAH HILL II, a Subdivision in the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat thereof.

PO Box 648 Address: 0K 74402

#### STATE OF OKLAHOMA ) ) ss. COUNTY OF TULSA )

Individual Acknowledgement

Before me, the undersigned, a Notary Public, in and for said County and State, on this day of <u>ACCM</u>, 2017, personally appeared AMBER HENRY REYNOLDS a/k/a AMBER H. REYNOLDS, and JOHN REYNOLDS III, wife and husband, to me known to be the identical persons who executed the within and foregoing instrument, and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

**IN WITNESS WHEREOF**, I hereunto set my official signature and affixed my notarial seal the day and year last above written.

My Commission Number: 170024 My Commission Expires: SEAL

NOTARY PUBLIC



### <u>OWNERS</u>

By:

#### LEGAL DESCRIPTION

# LOT TEN

# (10), BLOCK ONE (1)

SEQUOYAH HILL II, a Subdivision in the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat thereof.

Address:

# STATE OF OKLAHOMA ) ) ss. COUNTY OF TULSA )

MIKE HARRISON CUSTOM HOMES, L.L.C.,

An Oklahoma limited liability company

Mike Harrison, its Manager

Individual Acknowledgement

Before me, the undersigned, a Notary Public, in and for said County and State, on this day of MSUS, 2017, personally appeared MIKE HARRISON, in his capacity as the Manager of Mike Harrison Custom Homes, L.L.C., an Oklahoma limited liability company, to me known to be the identical person who executed the within and foregoing instrument, and acknowledged to me that he executed the same as in his free and voluntary act and deed for the uses and purposes therein set forth as the Manager of Mike Harrison Custom Homes, L.L.C., an Oklahoma limited liability company.

IN WITNESS WHEREOF, I hereunto set my official signature and affixed my notarial seal the day and year last above written.

1002419 My Commission Number: My Commission Expires: SEAL



OWNF

H. MICHAEL BERMAN, and his wife

### **LEGAL DESCRIPTION**

LOT FOUR (4), BLOCK THREE (3)

SEQUOYAH HILL II, a Subdivision in the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat thereof.

Address: 11511 5 New Haven Tuba 0/274137

### STATE OF OKLAHOMA ) ) ss. COUNTY OF TULSA )

Individual Acknowledgement

Before me, the undersigned, a Notary Public, in and for said County and State, on this (2) day of (201), personally appeared H. MICHAEL BERMAN and REBECCA BERMAN, husband and wife, to me known to be the identical persons who executed the within and foregoing instrument, and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

**IN WITNESS WHEREOF**, I hereunto set my official signature and affixed my notarial seal the day and year last above written.

My Commission Number: My Commission Expires: SEAL

NOTARY PUBLIC

White a state of the state of t 170024 OFOK "In Internation

#### <u>OWNERS</u>

David Michael Boncaldo and Tiffany Brooke Boncaldo, Trustees of THE DAVID MICHAEL BONCALDO AND TIFFANY BROOKE BONCALDO LIVING TRUST DATED June 5, 2008

**DAVID MICHAEL BONCALDO, Trustee** OKE BONCALDO, Trustee

#### LEGAL DESCRIPTION

LOT FIVE (5), BLOCK THREE (3) SEQUOYAH HILL II, a Subdivision in the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat thereof.

Address:

STATE OF OKLAHOMA ) ) ss. COUNTY OF TULSA )

Individual Acknowledgement

Before me, the undersigned, a Notary Public, in and for said County and State, on this \_\_\_\_\_\_ day of \_\_\_\_\_\_\_, 2017, personally appeared DAVID MICHAEL BONCALDO and TIFFANY BROOKE BONCALDO, Trustees of the David Michael Boncaldo and Tiffany Brooke Boncaldo Living Trust Dated June 5, 2008, to me known to be the identical person who executed the within and foregoing instrument, and acknowledged to me that they executed the same, in their capacity as Trustees of the David Michael Boncaldo and Tiffany Brooke Boncaldo Living Trust Dated June 5, 2008, as their free and voluntary acts and deeds for the uses and purposes therein set forth.

**IN WITNESS WHEREOF**, I hereunto set my official signature and affixed my notarial seal the day and year last above written.

My Commission Number: My Commission Expires: SEAL



<u>OWNERS</u>	
	53
SIAMAK AHMADY	1
SUZANNE AHMADY	mA
STATE OF OKLAHOMA	) *
COUNTY OF TULSA	) ss.

#### LEGAL DESCRIPTION

LOT SIX (6), BLOCK THREE (3) SEQUOYAH HILL II, a Subdivision in the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat thereof.

Address:	แร	28	5.	Oswego	Ave.
70	150,	OK	74	137	

Individual Acknowledgement

Before me, the undersigned, a Notary Public, in and for said County and State, on this  $29^{\circ}$  day of 40000, 2016, personally appeared SIAMAK AHMADY, to me known to be the identical person who executed the within and foregoing instrument, and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I hereunto set my official signature and affixed my notarial seal the day and year last above written.

My Commission Number: <u>130/1302</u>	na n
My Commission Expires: <u>17/18/17</u>	Manauf amen
SEAL	NOTARY PUBLIC
	State of Oklahoma MALLORY PONTIOUS
	COMMISSION #13011202
STATE OF OKLAHOMA	Comn. Exp. 12-18-2017
) SS.	
COUNTY OF TULSA )	Individual Acknowledgement

Before me, the undersigned, a Notary Public, in and for said County and State, on this  $\underline{24}$  day of  $\underline{2016}$ , personally appeared SUZANNE AHMADY, to me known to be the identical person who executed the within and foregoing instrument, and acknowledged to me that she executed the same as her free and voluntary act and deed for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I hereunto set my official signature and affixed my notarial seal the day and year last above written.

My Commission Number: 1600699 My Commission Expires: 7-19-2020 SEAL

# **WIND RIVER HOMEOWNERS ASSOCIATION, INC.,** an Oklahoma Not-for Profit Corporation

President

### STATE OF OKLAHOMA ) ) ss. COUNTY OF TULSA )

Acknowledgement

Before me, the undersigned, a Notary Public, in and for said County and State, on this 2017, personally appeared HUGH RACKIEY day of in his capacity as the \_\_\_\_\_\_\_ President of Wind River Homeowners Association, Inc., to me known to be the identical person who executed the within and foregoing instrument, and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

**IN WITNESS WHEREOF**, I hereunto set my official signature and affixed my notarial seal the day and year last above written.

My Commission Number: 14005145 My Commission Expires: 665/18 SEAL

NOTARY PUBLIC



The foregoing and attached FIRST AMENDMENT TO DEED OF DEDICATION SEQUOYAH HILL II, PUD NO. 709, is hereby approved by the TULSA METROPOLITAN AREA PLANNING COMMISSION.

# TULSA METROPOLITAN AREA PLANNING COMMISION

By:

Name: \_\_\_\_\_ Title: \_\_\_\_\_

#### STATE OF OKLAHOMA ) ) ss. COUNTY OF TULSA )

Acknowledgement

Before me, the undersigned, a Notary Public, in and for said County and State, on this day of \_, 2017, personally appeared

on behalf of the Tulsa Metropolitan Area Planning Commission, to me known to be the identical person who executed the within and foregoing instrument, and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I hereunto set my official signature and affixed my notarial seal the day and year last above written.

My Commission Number:

My Commission Expires: SEAL

NOTARY PUBLIC

Tulsa Metropolitan Area Planning Commission Case Report Prepared by: Nathan Foster	Case : AdditionCrane Carrier Industrial AdditionHearing Date:December 20, 2017Owner and Applicant Information: Applicant:Mark CapronOwner.Duncan & Sons Real Estate
Location Map: (shown with City Council Districts)	Applicant Proposal: Change of Access <i>Location</i> : Northeast corner of East 46 <sup>th</sup> Street North and North Mingo Road
Zoning: IM	Staff Recommendation: Staff recommends approval of the change of access
	City Council District: 3
	Councilor Name: David Patrick
	County Commission District: 1
	Commissioner Name: John Smaligo

EXHIBITS: Applicant Submittal

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

WHEREAS, DUNCAN & SONS REAL ESTATE LLC are the owners of CRANE CARRIER INDUSTRIAL ADDITION 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 <u>NORTH</u> MINGO ROAD 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 designated Engineer of the City of Tulsa or 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 3318 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 <u>4TH</u> day of <u>DECEMBER</u>, 2017

Owner

Owner

APPROVED

City/County Engineer

TMAPC

STATE OF OF	(LAHOMA	)	
			) SS
COUNTY OF	TULSA	_)	

#### INDIVIDUAL ACKNOWLEDGEMENT

Before me, the undersigned, a Notary Public in and for said County and State, on this  $\frac{4TH}{BRUCE DUNCAN}$ ,  $20 \frac{17}{2000}$ , personally appeared \_\_\_\_\_\_, to me known to be the identical person(s) who executed the foregoing instrument and acknowledged to me that  $\frac{HE}{E}$  executed the same as  $\frac{HIS}{E}$  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: 8/141	HULLY LeMENON # 15007563 # 15007563 EXP. 08/14/2019 Notary Public ALLIC OF OKLAHO
STATE OF)	
) SS COUNTY OF )	CORPORATE ACKNOWLEDGEMENT

Before me, the undersigned, a Notary Public in and for said County and State, on this \_\_\_\_\_\_day of \_\_\_\_\_\_, 20\_\_\_\_\_, personally appeared \_\_\_\_\_\_\_, to me known to be the identical person(s) who subscribed the name of the maker thereof to the foregoing instrument as its \_\_\_\_\_\_ and acknowledged to me that \_\_\_\_\_\_ executed the same as \_\_\_\_\_\_ free and voluntary act and deed of such corporation, for the purposes therein set forth.

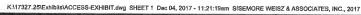
GIVEN under my hand and seal the day and year last above written.

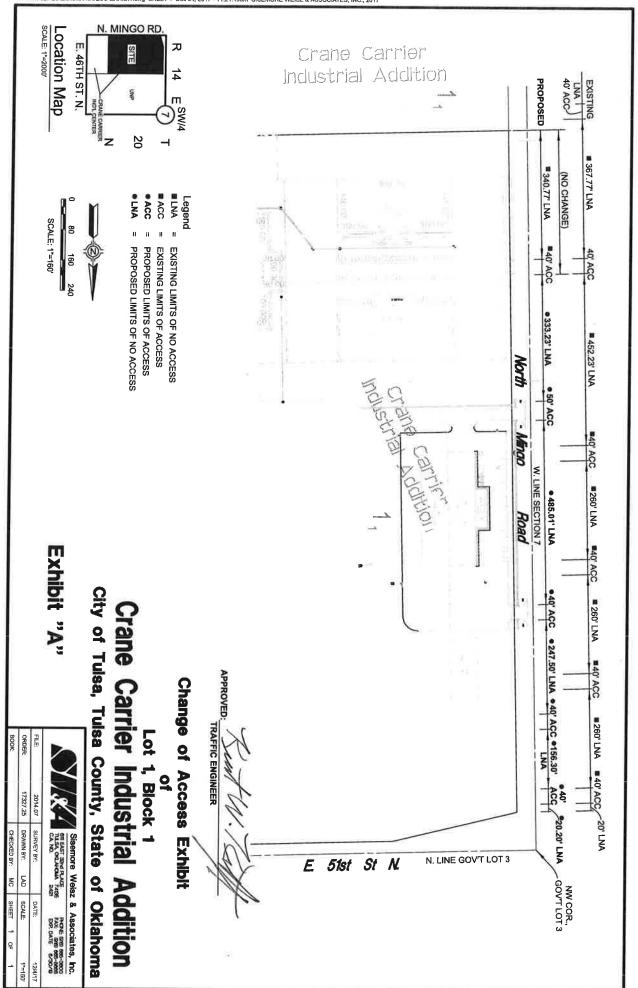
My Commission Expires:

Notary Public

Change Of And Consent To Areas As Shown On Recorded Plat

page 2

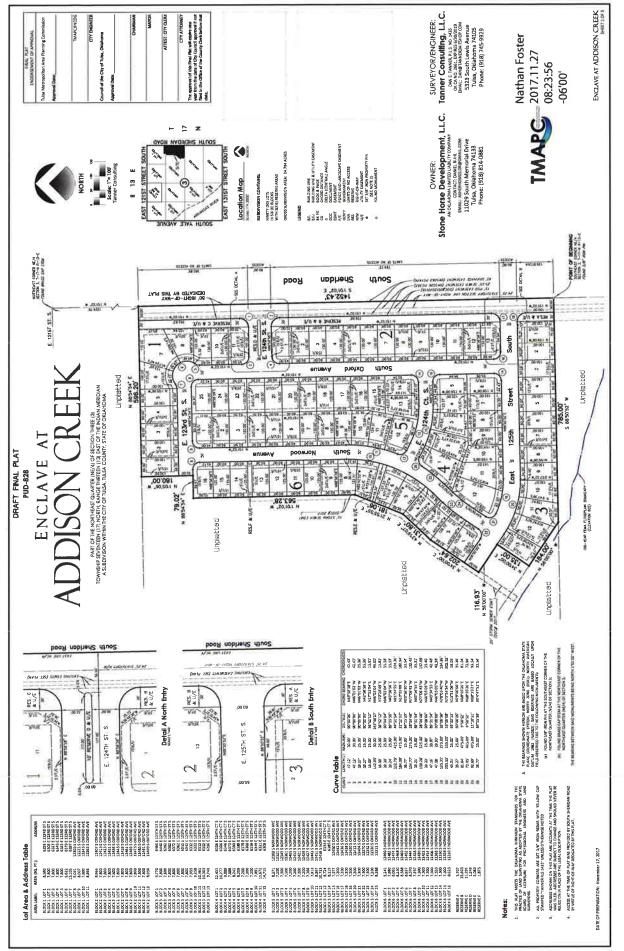




8.4

Tulsa Metropolitan Area Planning Commission Case Report Prepared by: Nathan Foster	Case :       Enclave at Addison Creek         Hearing Date:       December 20, 2017         Owner and Applicant Information:       Applicant: Tanner Consulting, LLC         Owner.       Stone Horse Development, LLC
<section-header></section-header>	Applicant Proposal:         Final Plat         Location: South of the southwest corner of East 121 <sup>st</sup> Street South and South Sheridan Road
Zoning: RS-3/PUD-828	<u>Staff Recommendation:</u> Staff recommends <b>approval</b> of the final plat
	City Council District: 8 Councilor Name: Phil Lakin County Commission District: 3
EXHIBITS: Final Plat	Commissioner Name: Ron Peters

EXHIBITS: Final Plat



9.2



ber 17, 2017

DATE OF PREPARATION: Novel

ENCLAVE AT ADDISON CREEK

DRAFT FINAL FLAT PUD-828

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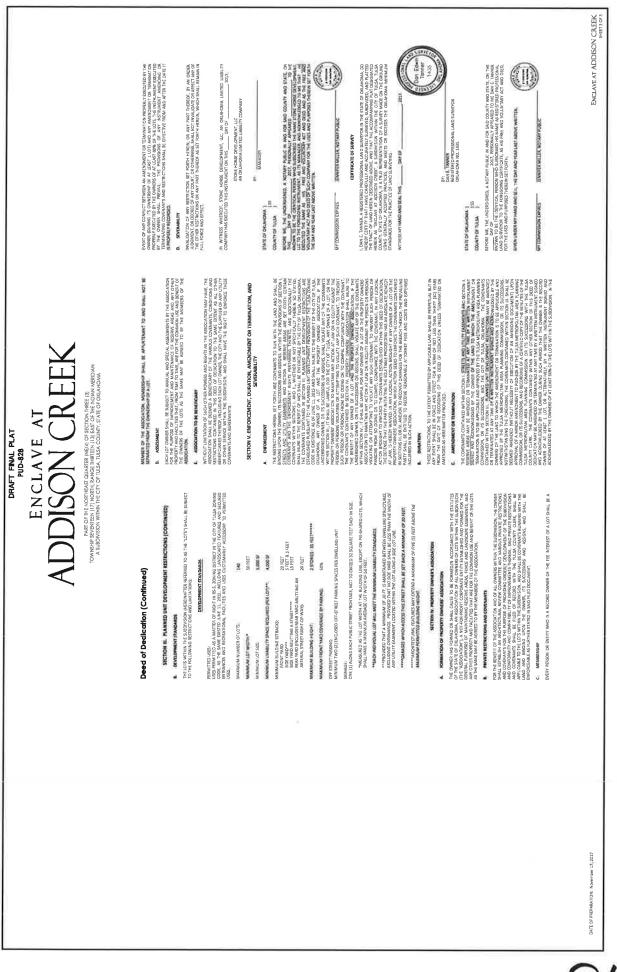
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WHERERS, PUD 628 WAS SUBMITTED AS A PLANNED UNIT DEVELOPMENT PURSUANT TO SECTIONS 1100-1170 DFTHE TULSA ZONING CODE, IN EXSTENCE AS OF JUNE 11, 2015, AND

WHEREAS FUD-BLAI WAS RECOMMENDED FOR APPROVAL IN THE TULSA METROPOUTAN AIGA PUDANING COMMESCIN ON NANCH. IS, 2023 AND 2479/0020 BT IFE COTOR TULSA, OLOGOMA ON LURE 11, 2023, THE INPERATOR ING OKONANCE NO, 2020, PUBLISHED LIVE 19, 2025, AND

THEREAR, THE OWNER DOES HERER INFOSE THE FOLLOWING RESTRICTIONS AND COVERANTS WHICH SHALLER CONSUMPRISATION REVEAL ON DAYS STATE BEINDING ROWINE, ITS SUCCESSION, AND SWIGK, AND SWILL BEENDERGUES HEREMANTER SET FORTH,



Tusa Metropolitan Area Planning Commission	<u>Case Number:</u> PUD-310-1 Minor Amendment <u>Hearing Date:</u> December 20, 2017 (Continued from Sept. 20, Oct. 18, and Nov. 15, 2017)
<u>Case Report Prepared by:</u> Jay Hoyt	<u>Owner and Applicant Information</u> : Applicant: Joy Ward Property Owner: Same
<image/>	Applicant Proposal: Concept summary: PUD minor amendment to add use Unit 17 to allow an RV Park. Gross Land Area: 7.28 acres Location: S. of the SE/c of S. Campbell Creek RD. and W. 21 <sup>st</sup> St. Lot 1, Block 1, Coyote Canyon Mobile Home Park
Zoning: Existing Zoning: RS Proposed Zoning: No Change Comprehensive Plan: Land Use Map: N/A Growth and Stability Map: N/A	Staff Recommendation: Staff recommends approval.
Staff Data: TRS: 9014 CZM: 33 Atlas:	County Commission District: 2 Commissioner Name: Karen Keith

# SECTION I: PUD-310-1 Minor Amendment

# STAFF RECOMMENDATION

<u>Amendment Request:</u> Modify the PUD Development Standards to add Use Unit 17 to allow an RV park. The applicant is required to and has sought a use variance for the RV park in an RS zone, to be heard at the 12/19/17 Tulsa County Board of Adjustment. Once approved, this use may be added to the allowable uses of the PUD. The current allowed use is Mobile Home Dwellings and Accessory Units.

<u>Staff Comment:</u> This request can be considered a Minor Amendment as outlined by Section 1170.7 of the Tulsa County Zoning Code.

"Minor changes in the PUD may be authorized by the Planning Commission, which may direct the processing of an amended subdivision plat, incorporating such changes, so long as a substantial compliance is maintained with the outline development plan and the purposes and standards of the PUD provisions hereof. Changes which would represent a significant departure from the outline development plan shall require compliance with the notice and procedural requirements of an original Planned Unit Development."

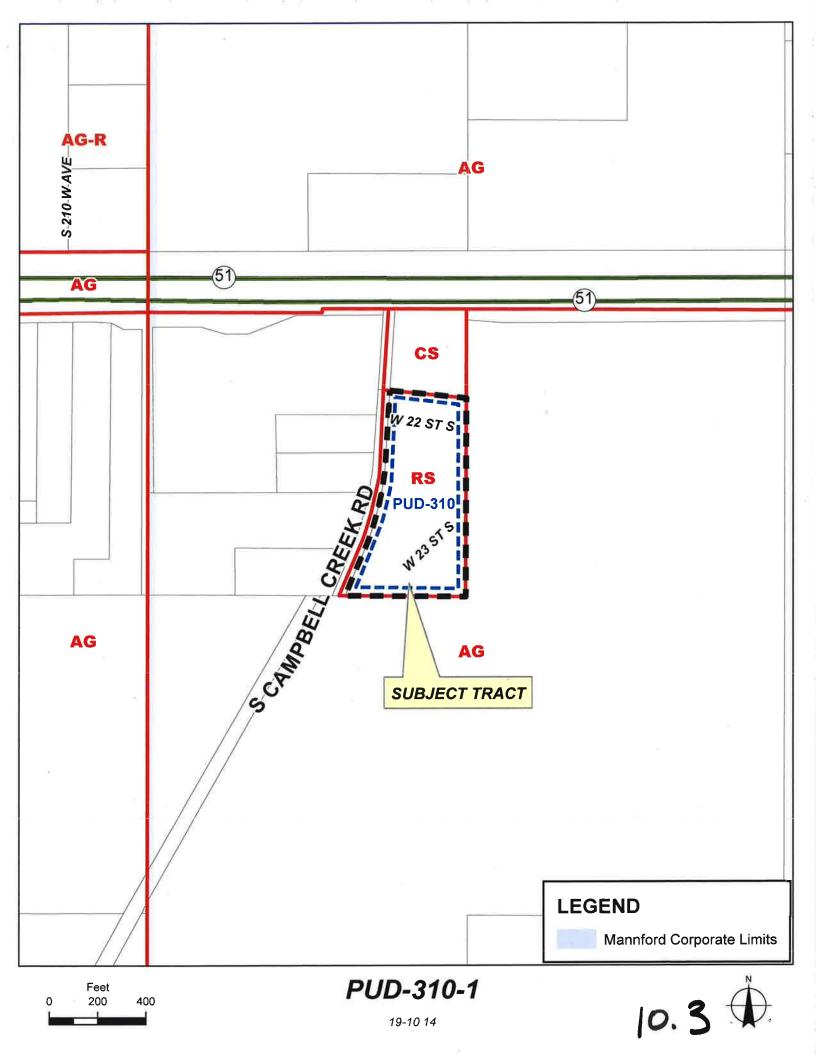
Staff has reviewed the request and determined:

- 1) The requested amendment does not represent a significant departure from the approved development standards in the PUD.
- 2) Use Unit 17 use shall be restricted to an RV Park.
- 3) All remaining development standards defined in PUD-310 shall remain in effect.

Exhibits included with staff recommendation:

INCOG zoning case map INCOG aerial photo INCOG aerial photo enlarged

With considerations listed above, staff recommends **approval** of the minor amendment add Use Unit 17 to allow an RV park.





Feet 0 200 400



PUD-310-1

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



Aerial Photo Date: February 2016

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Tulsa Metropolitan Area Planning Commission Case Report Prepared by: Amy Ulmer	Case Number:LS-21066Lot-SplitHearing Date:December 20, 2017Owner and Applicant Information:Applicant:Brandon PotterProperty Owners:Pamela Fisher	
Location Map: (shown with County Commission Districts)	Applicant Proposal: Proposal to split an existing AG tract into two tracts.The lot-split requires a waiver of the Subdivision Regulations that no lot have more than three side lot lines.Existing Use: VacantTract 1 Size: 26.80 ± acres Tract 2 Size: 2.11 ± acresLocation: South of Southeast corner of East 86 <sup>th</sup> Street North and North Harvard Avenue	
Comprehensive Plan: N/A Zoning: Existing Zoning: AG	Staff Recommendation: Staff recommends <b>approval</b> of the lot-split and the waiver of the Subdivision Regulations that no lot have more than three side lot lines. County Commission District: 1 Commissioner Name: John Smaligo	

December 20, 2017

# LS-21066 Brandon Potter, (1328) (AG) (County) Location: South of the southeast corner of East 86<sup>th</sup> Street North and North Harvard Avenue

The Lot-Split proposal is to split an existing Agriculture (AG) tract into two tracts. On November 14, 2017 The County Board of Adjustment granted a Variance of the minimum frontage requirement on a public street/dedicated right of way from 30 ft. to 0 ft. on Tract 1 and Tract 2. Therefore, both tracts will meet the Bulk and Area requirements of the Tulsa County Zoning Code.

The Technical Advisory Committee met on November 2, 2017. Washington County Rural water district # 3 stated that at such time as water service is requested, all requirements of the district must be met.

The proposed lot-split would not have an adverse affect on the surrounding properties and staff recommends **APPROVAL** of the lot-split and the waiver of the Subdivision Regulations that no lot have more than three side lot lines.

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Tulsa Metropolitan Area Planning Commission	<u>Case Number:</u> LS-21085 Lot-Split <u>Hearing Date:</u> December 20, 2017
Case Report Prepared by: Amy Ulmer	<u>Owner and Applicant Information</u> : Applicant: Lloyd Garrison Property Owners: Doy and Carolyn Raines
Location Map: (shown with County Commission Districts)	<ul> <li>Applicant Proposal: Proposal to split an existing AG-R tract into four tracts.</li> <li>The lot-split requires a waiver of the Subdivision Regulations that no lot have more than three side lot lines.</li> <li>Existing Use: Residential</li> <li>Tract 1 Size: 2.02 ± acres Tract 2 Size: 2.70 ± acres Tract 2 Size: 2.67 ± acres</li> <li>Tract 4 Size: 2.26 ± acres</li> <li>Location: North of the northeast corner of East 146<sup>th</sup> Street North (Hwy 20) and North Trenton Avenue</li> </ul>
Comprehensive Plan: Land Use Map: <i>N/A</i> Stability and Growth Map: <i>N/A</i> Zoning:	Staff Recommendation: Staff recommends <b>approval</b> of the lot-split and the waiver of the Subdivision Regulations that no lot have more than three side lot lines.

December 20, 2017

# LS-21085

# Doy Raines, (2319) (AG-R) (County) Location: North of the northeast corner of East 146<sup>th</sup> Street North (Hwy 20) and North Trenton Avenue

The Lot-Split proposal is to split an existing Agriculture-Residential (AG-R) tract into four tracts. All tracts will meet the Bulk and Area requirements of the Tulsa County Zoning Code.

The Technical Advisory Committee met on December 7, 2017 and had the following comment. The County Engineer is requesting that 30' of right-of-way be dedicated along North Trenton Avenue, including any previously dedicated right-of-way. Washington County Rural water district # 3 stated that water service is available for Tract 1, Tract 2, and Tract 3. At such time as water service is requested for Tract 4, all requirements of the district must be met.

The proposed lot-split would not have an adverse affect on the surrounding properties and staff recommends **APPROVAL** of the lot-split and the waiver of the Subdivision Regulations that no lot have more than three side lot lines.

	Case Number: LS-21086
TMAPC	Lot-Split
Tuka Matropalitan Arag	Hearing Date: December 20, 2017
Tulsa Metropolitan Area Planning Commission	Treating Date. December 20, 2017
Case Report Prepared by:	Owner and Applicant Information:
Amy Ulmer	Applicant: Jerritt Basquez
	Property Owners: Cheryl and Terry Jech
Location Map:	Applicant Proposal:
(shown with County Commission Districts)	Proposal to split an existing RS tract into two tracts.
	The lot-split requires a waiver of the Subdivision Regulations that no lot have more than three side lot lines.
	Existing Use: Residential
	Tract 1 Size: 3.09 <u>+</u> acres
	Tract 2 Size: 1.93 <u>+</u> acres
	Location: South of the southeast corner of West 41 <sup>st</sup> Street South and South 61 <sup>st</sup> West Avenue
Comprehensive Plan:	Staff Recommendation:
Land Use Map: <i>N/A</i>	Staff recommends <b>approval</b> of the lot-split
	and the waiver of the Subdivision Regulations
Stability and Growth Map: N/A	that no lot have more than three side lot lines.
<u>Zoning:</u> Existing Zoning: RS	County Commission District: 2 Commissioner Name: Karen Keith

#### Lot-Split and Waiver of Subdivision Regulations

December 20, 2017

# LS-21086 Jerritt Basquez, (9229) (RS) (County) Location: South of the southeast corner of West 41<sup>st</sup> Street South and South 61<sup>st</sup> West Avenue

The Lot-Split proposal is to split an existing Residential Single-Family (RS) tract into two tracts. The applicant is required to and has sought a variance of the minimum frontage requirement on a public street/dedicated right-of-way from 30 ft. to 0 ft., to be heard at the 12/19/17 Tulsa County Board of Adjustment. Once approved, both tracts will meet the Bulk and Area requirements of the Tulsa County Zoning Code.

The Technical Advisory Committee met on December 7, 2017 and had the following comment. Development Services has stated that Tract 2 could require a waterline easement and extension at the time service is requested.

The proposed lot-split would not have an adverse affect on the surrounding properties and staff recommends **APPROVAL** of the lot-split and the waiver of the Subdivision Regulations that no lot have more than three side lot lines.

Tulsa Metropolitan Area Planning Commission	<u>Case :</u> BOA-22362 Plat Waiver <u>Hearing Date</u> : December 20, 2017
Case Report Prepared by:	Owner and Applicant Information:
Nathan Foster	Applicant: Lou Reynolds
	Owner. Midtown Acme Inc.
Location Map: (shown with City Council Districts)	Applicant Proposal: Plat Waiver <i>Location</i> : East of the southeast corner of East 21 <sup>st</sup> Street South and South Lewis Avenue
<u>Zoning</u> : OL	<u>Staff Recommendation:</u> Staff recommends <b>approval</b> of the plat waiver
	City Council District: 4
	Councilor Name: Blake Ewing
	County Commission District: 2
EVHIDITS: Site Man Aprial Applicant Submitte	Commissioner Name: Karen Keith

EXHIBITS: Site Map, Aerial, Applicant Submittal

#### PLAT WAIVER

# BOA-22362 - (CD 4)

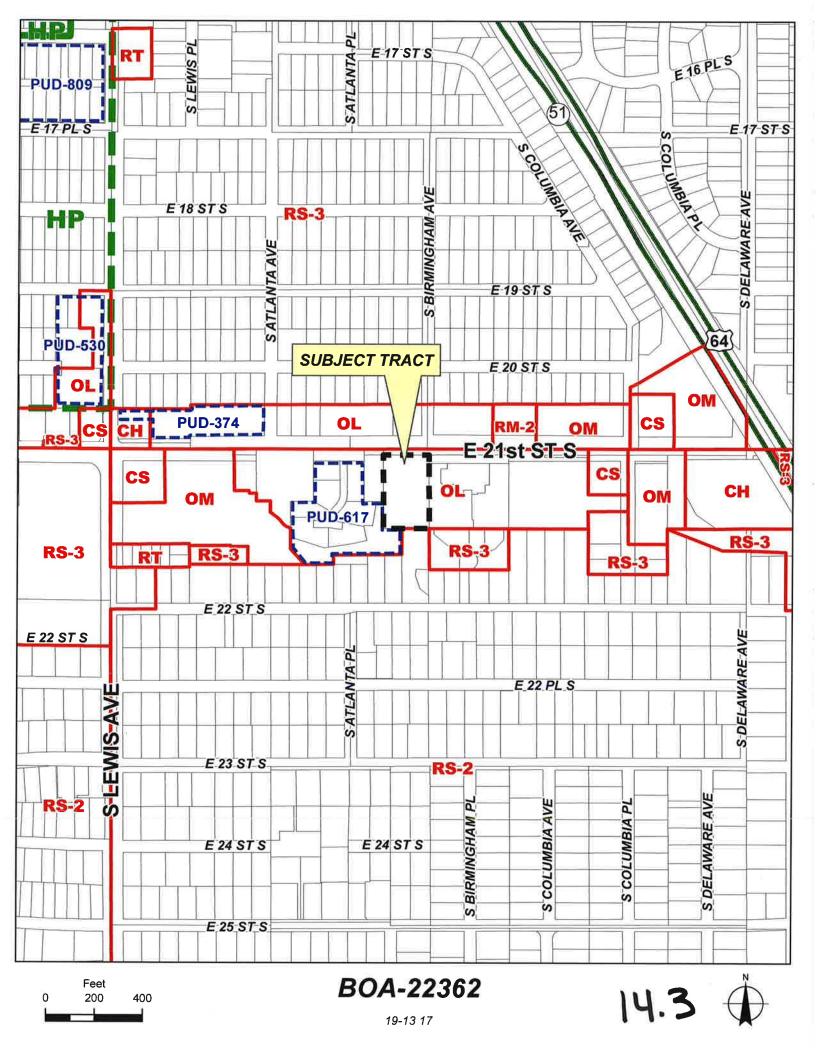
East of the southeast corner of East 21<sup>st</sup> Street South and South Lewis Avenue

The platting requirement for this property is being triggered by a special exception approval by the Board of Adjustment on December 12, 2017 to permit an assisted living facility in the OL district. The use will take place within an existing building on the site and no new construction is proposed at this time.

The Technical Advisory Committee met on December 7, 2017 and the following items were determined:

- 1. The property was previously platted as part of the Harter's Second Subdivision.
- 2. Necessary utilities are all in place and no additional utility easements will be needed at this time.
- 3. All right-of-way dedications have been made to comply with the Major Street Highway Plan.
- 4. The property does contain portions of the Crow Creek floodplain. Floodplain will be required to be placed in an easement prior to any new construction on the property.

Staff recommends approval of the plat waiver.





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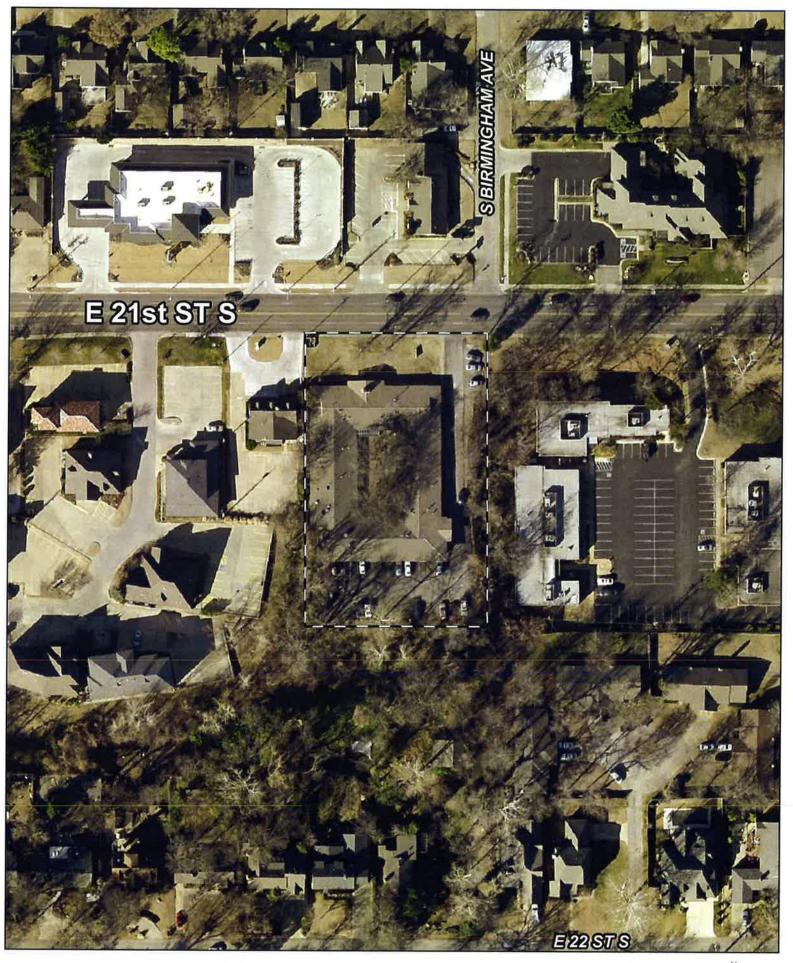
BOA-22362

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

Aerial Photo Date: February 2016

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BOA-22362 Note align

Note: Graphic overlays may not precisely align with physical features on the ground. Aerial Photo Date: February 2016

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#### Exhibit "A"

Applicant requests a plat waiver for the Property in conjunction with a special exception for an Assisted Living Facility, which triggers a platting requirement under the Tulsa Zoning Code. Additionally, no platting or plat waiver occurred after the Property was rezoned in 2003 from RM-2 to OL (Case Z-6907).

The infrastructure and utilities needed for this development are already available within existing easements. A nursing home facility has operated on the Property for over 50 years. The proposed Assisted Living Facility poses no significant changes to the use of the Property and its existing utilities and infrastructure. Therefore, no purposes, as set forth in the Subdivision Regulations, will be served by replatting the Property and/or have already been served by previous platting.

TMARC         Tulsa Metropolitan Area         Planning Commission         Case Report Prepared by:         Nathan Foster	<u>Case :</u> BOA-22359 Plat Waiver <u>Hearing Date</u> : December 20, 2017 <u>Owner and Applicant Information</u> : <i>Applicant</i> : City of Tulsa, Mary Kell <i>Owner</i> : City of Tulsa
	Applicant Proposal: Plat Waiver <i>Location</i> : Southwest corner of East 46 <sup>th</sup> Street North and North Mingo Road
<u>Zoning</u> : IL	<u>Staff Recommendation:</u> Staff recommends <b>approval</b> of the plat waiver
	City Council District: 3 Councilor Name: David Patrick County Commission District: 1 Commissioner Name: John Smaligo

EXHIBITS: Site Map, Aerial, Applicant Submittal

# PLAT WAIVER

# BOA-22359 - (CD 3)

Southwest corner of East 46<sup>th</sup> Street North and North Mingo Road

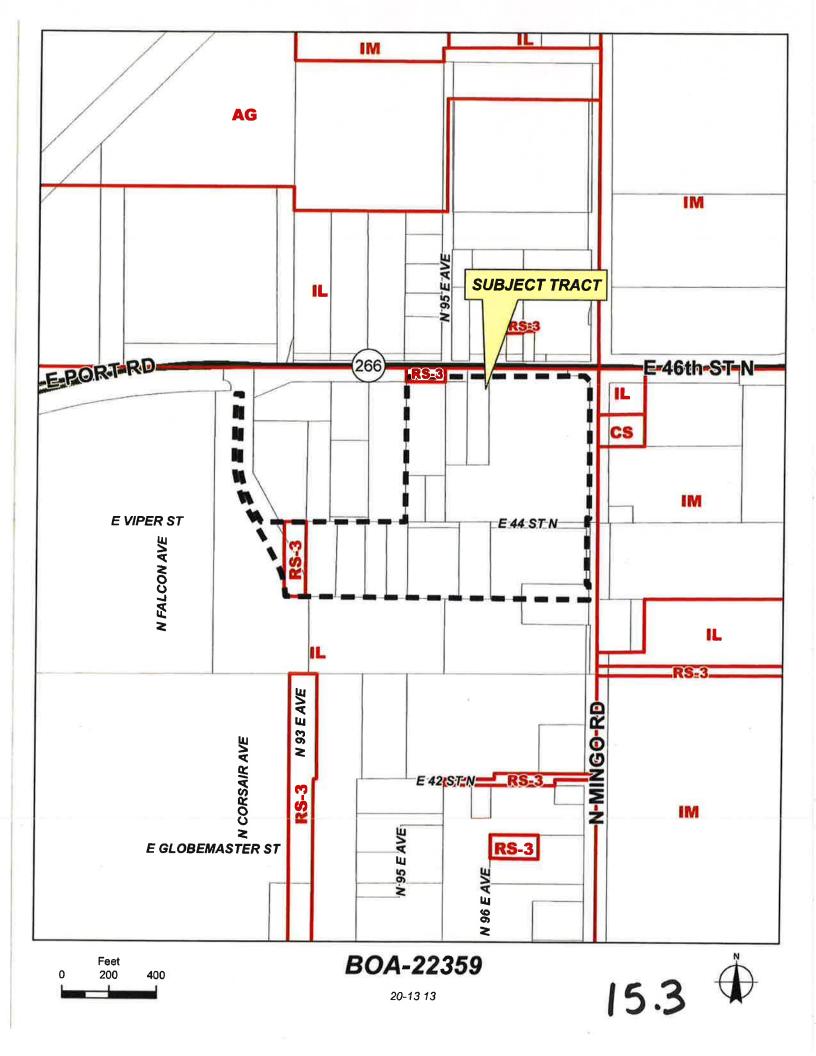
The platting requirement for this property is being triggered by a special exception approval by the Board of Adjustment on December 12, 2017 to permit a Governmental Services use in the IL & RS-3 districts. The approval was granted to allow for the development of a flight simulator to support the Air National Guard. The project is partially funded by Vision Tulsa with other funding being provided by federal and state partnerships. When completed, the new facility will include four combat flight simulators.

The City of Tulsa will retain ownership of the property and the facility will be operated under a long-term lease.

The Technical Advisory Committee met on December 7, 2017 and the following items were determined:

- 1. The property has received lot combination approval to ensure all lots can be developed as one. No further subdivision of the property is proposed.
- 2. Utility extensions are being completed by the City of Tulsa and no easements will be granted due to City ownership. Notice of location will be filed on public utility lines on the property.
- 3. Portions of East 44<sup>th</sup> Street North from Mingo will be closed and vacated to ensure a secure facility. Public access will be maintained via N 93rd East Ave from E 46<sup>th</sup> Street North.
- 4. Federal Aviation Administration permits are required and are currently under review due to proximity to Tulsa International Airport.
- 5. Due to portions of the property being unplatted, a filed ALTA survey will be required upon completion of the project per the requirements of the subdivision regulations.

Staff recommends approval of the plat waiver.



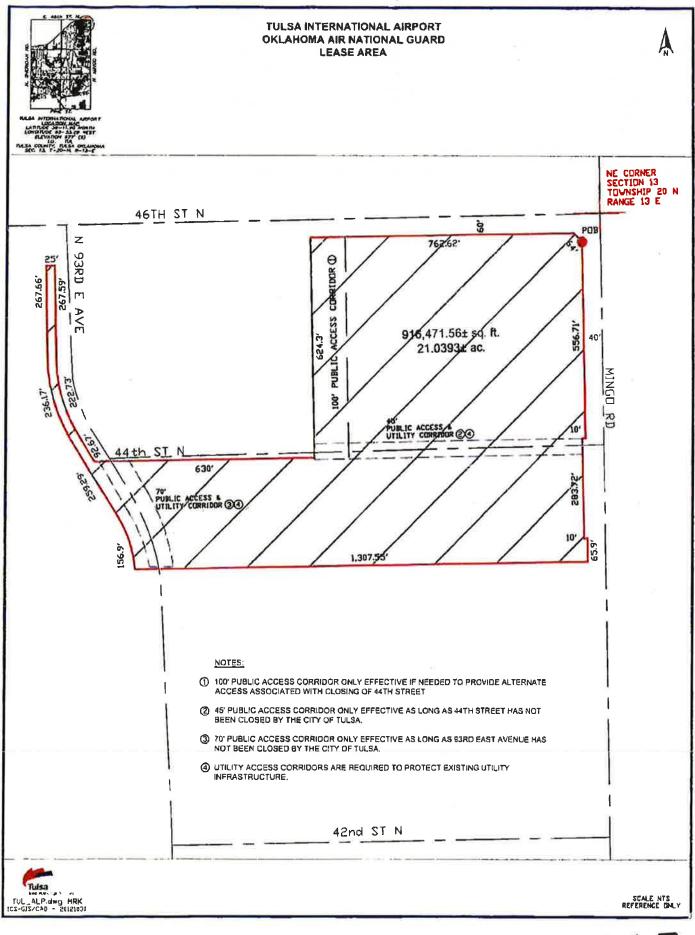


Feet 0 200 400 Subject Tract BOA-22359

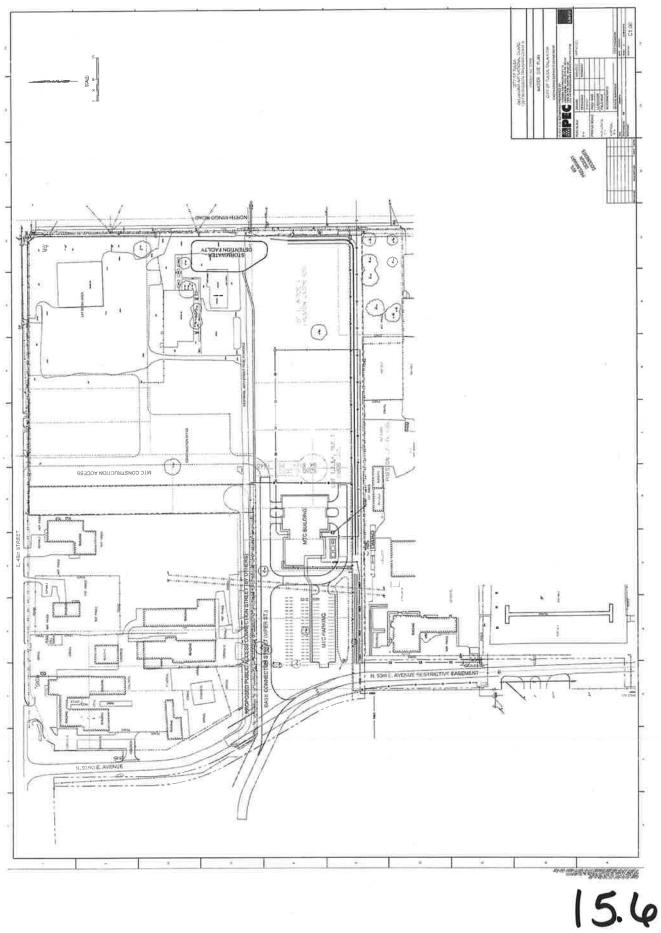
Note: Graphic overlays may not precisely align with physical features on the ground.

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Aerial Photo Date: February 2016



# 15.5



Tulsa Metropolitan Area Planning Commission	<u>Case Number:</u> Z-7425 (Related to case PUD-750-A) <u>Hearing Date</u> : December 20, 2017		
<u>Case Report Prepared by:</u> Jay Hoyt	Owner and Applicant Information: Applicant: Kathleen Mowry Property Owner: KAM FAMILY LLC		
Location Map: (shown with City Council Districts)	Applicant Proposal:Present Use: vacantProposed Use: green spaceConcept summary: Rezone from RS-3 to OL. No new development is planned at this time.Tract Size: 0.17 ± acresLocation: North of the northwest corner of South Lewis Avenue & East 17th Street South		
Zoning:	Staff Recommendation:		
Existing Zoning: RS-3 / HP	Staff recommends approval.		
Proposed Zoning: OL / HP			
Comprehensive Plan:			
Land Use Map: Mixed-Use Corridor			
Stability and Growth Map: Area of Stability			
Staff Data:           TRS: 9307           CZM: 37         Atlas: 13, 30	City Council District: 4 Councilor Name: Blake Ewing County Commission District: 2 Commissioner Name: Karen Keith		

# SECTION I: Z-7425

**DEVELOPMENT CONCEPT:** Rezone the subject parcel from RS-3 to OL. No development is planned at this time. The applicant has indicated that this lot will be landscaped and serve as a green space to help beautify the area. The subject lot is located between OL zones to the North and South.

# **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 PUD-750-A/Z-7425 Relationship Map **Applicant Exhibits: Property History and Overview** 

# **DETAILED STAFF RECOMMENDATION:**

Z-7425 requested OL zoning is consistent with the expected development pattern in the area,

OL zoning is non-injurious to the proximate properties and,

OL zoning is consistent with the City of Tulsa Comprehensive Plan therefore.

# Staff recommends Approval of Z-7425 to rezone property from RS-3 to OL.

# **SECTION II: Supporting Documentation**

#### **RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

Staff Summary: OL zoning is consistent with the Mixed-Use Corridor land use designation and is compatible with the recommendations of the Lewis Study.

#### Land Use Vision:

Land Use Plan map designation: Mixed-Use Corridor

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

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

16.2 REVISED 12/13/2017

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. 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. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.

# Transportation Vision:

Major Street and Highway Plan: S Lewis Ave is an Urban Arterial

Trail System Master Plan Considerations: The GO Plan recommends a bike lane along S Lewis Ave

# Small Area Plan: None

<u>Special District Considerations</u>: The subject parcel is located within the Lewis Study area. OL zoning is consistent with the recommendations of this study.

<u>Historic Preservation Overlay</u>: The subject parcel is located within the Yorktown District. Any new development shall comply with the Historic Preservation requirements of that district.

# **DESCRIPTION OF EXISTING CONDITIONS:**

Staff Summary: The subject lot is currently vacant.

# Environmental Considerations: None

# Streets:

Exist. Access	MSHP Design	MSHP R/W	Exist. # Lanes
S Lewis Ave	Urban Arterial	70 feet	4

#### <u>Utilities:</u>

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	OI	Mixed-Use Corridor	Growth	Parking Lot
South	PUD-750/OL/HP	Mixed-Use Corridor	Stability	Offices
East	CH	Town Center	Growth	Drive-In Restaurant
West	RS-3/HP	Existing	Stability	Single-Family
		Neighborhood	j	

# **SECTION III: Relevant Zoning History**

ZONING ORDINANCE:



- Ordinance 18524 dated August 18, 1995 (Z-6490 & Z-6490a) established a Historic Preservation (HP) Overlay zoning;
- Ordinance number 11815 dated June 26, 1970, established zoning for the subject property.

# Subject Property:

**<u>Z-6490 & Z-6490-A August 1995</u>**: All concurred in **approval** of a request for rezoning a 74<u>+</u> acre tract of land for an HP (Historic Preservation) overlay zoning, on property located between East 15<sup>th</sup> Street and East 21<sup>st</sup> Street and between South Utica Avenue and South Lewis Avenue and includes the subject property.

# Surrounding Property:

**BOA-22112 August 2016:** The Board of Adjustment **approved** a *special exception* to permit an existing detached house in the CH District (Section 15.020, Table 15-2), subject to being "as built", on property located north of the northeast corner of East 16<sup>th</sup> Street South and South Lewis Avenue.

**<u>Z-7077/PUD-750 April 2008</u>**: All concurred in **approval** of a request for rezoning three lots, (a .50<u>+</u> acre tract of land), from RS-3 to OL/PUD-750 for office use in accord with the provisions of the 15<sup>th</sup> Street/Lewis Study, on property located north of the northwest corner of East 17<sup>th</sup> Street and South Lewis Avenue.

**BOA-20054 June 2005:** The Board of Adjustment **denied** a *special exception* to permit a home occupation (real estate management) in an RS-3 District (Section 402.B.6.b), on property located north of the northwest corner of East 17<sup>th</sup> Street South and South Lewis Avenue.

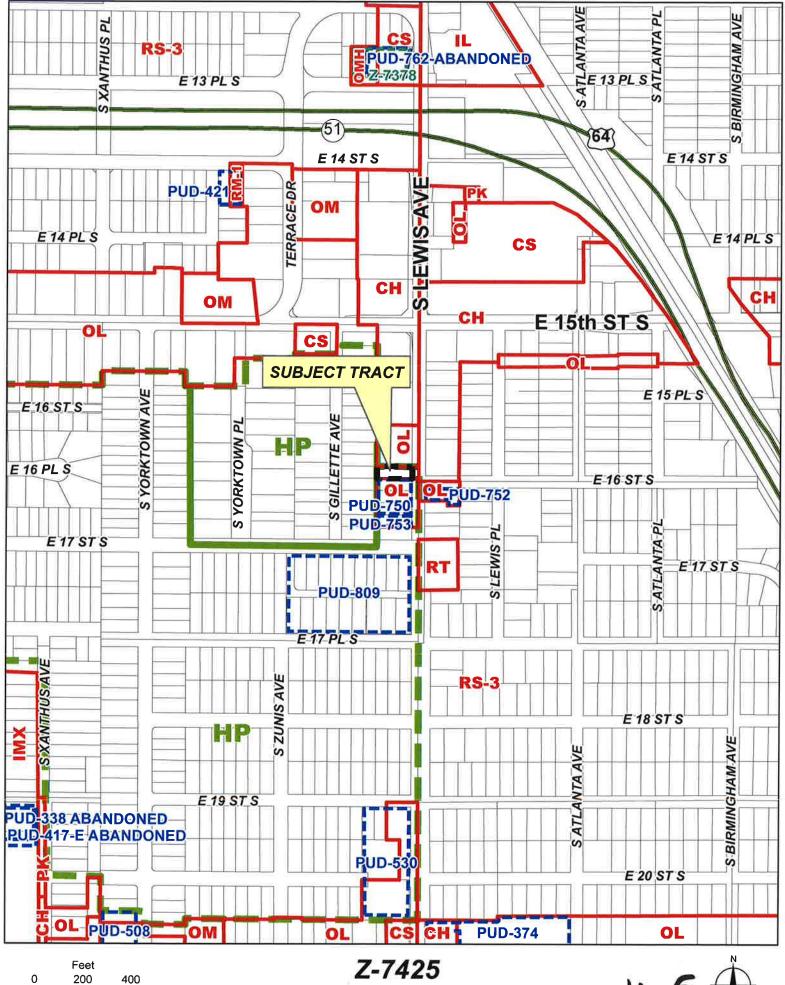
**<u>PUD-809 November 1995</u>**: All concurred in **approval** of a proposed Planned Unit Development on a 3.96<u>+</u> acre tract of land for single-family residential, on property located on the southwest corner of East 17<sup>th</sup> Street South and South Lewis Avenue.

**<u>Z-7095/PUD-752 April 2008</u>**: All concurred in **approval** of a request for rezoning a .19<u>+</u> acre tract of land from RS-3/HP to OL/HP/PUD-752; All concurred in **approval** of a proposed Planned Unit Development, subject to screening along the south 95' boundary line and the north 11' of the "north-south 20' boundary line, on property located on the southeast corner of East 16<sup>th</sup> Street South and South Lewis Avenue.

**<u>Z-7090/PUD-753 April 2008</u>**: All concurred in **approval** of a request for rezoning a .17<u>+</u> acre tract of land from RS-3/HP to OL/HP/PUD; All concurred in **approval** of a proposed Planned Unit Development, subject to an existing, non-required six-foot fence or any six-foot fence may be permitted along the north or south boundaries of the lot, but may not extend beyond the front wall of the principal structure, on property located on the northwest corner of East 17<sup>th</sup> Street South and South Lewis Avenue.

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Z-7425

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

Aerial Photo Date: February 2016

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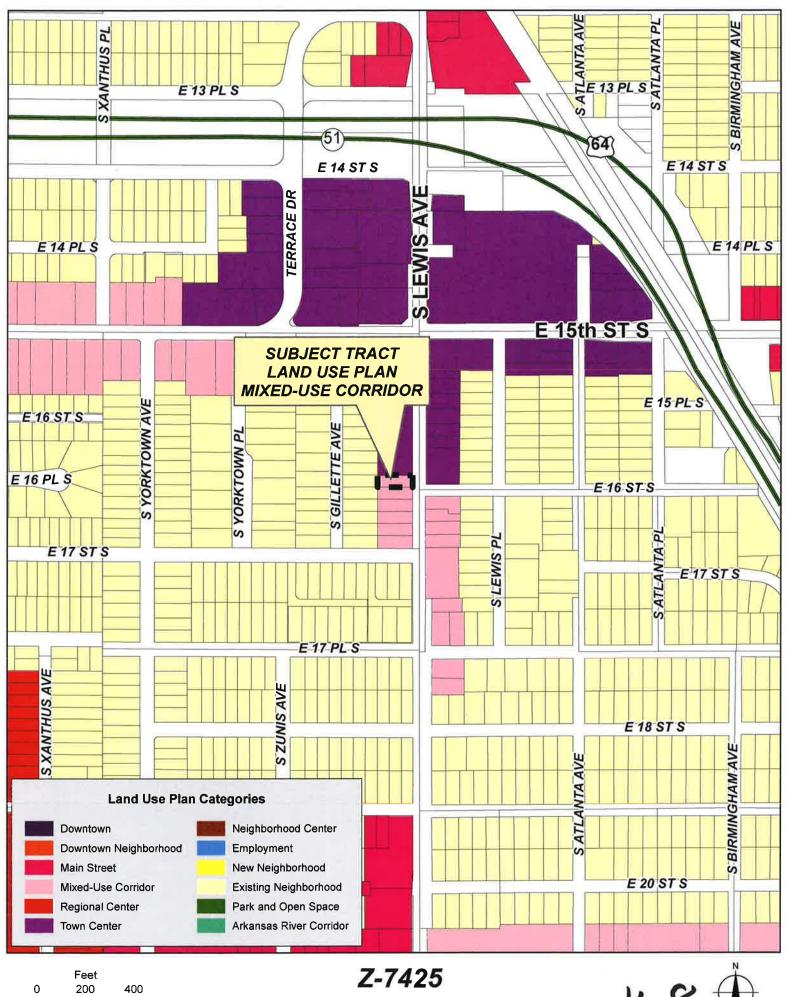
Z-7425

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

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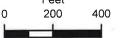
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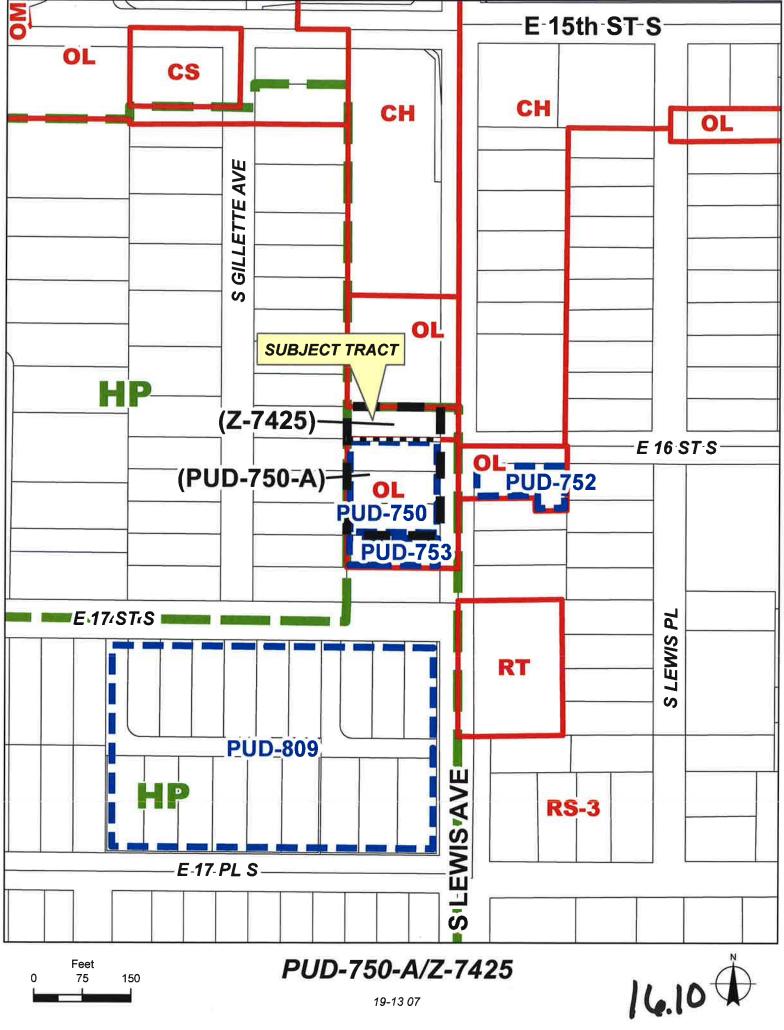


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#### Property history and overview

The property which is the subject of this re-zoning application is the vacant located at 1548 S Lewis Ave, Lot 12, block 1, Hoppings Addition. The dilapidated residential structure located on this lot was demolished several years ago with the approval of the historical committee. The vacant lot is zoned RS-3HP.

This vacant lot is located directly to the south of Office Depot, and directly across the street from the Sonic Drive In. To its south, are three lots, one vacant, and two with residential structures that are used as commercial offices. These three lots comprise PUD 750, which allows the lots OL zoning. Because the zoning code will not allow the PUD to be expanded to include the one remaining residentially designated lot, we are requesting that the PUD be dissolved and all four lots designated the same OL status.

There are no plans to develop this lot, but just to keep it neatly landscaped as a green area to help beautify the area.

16.11

Tulsa Metropolitan Area Planning Commission	<u>Case Number:</u> PUD-750-A (Related to case Z-7425) <u>Hearing Date</u> : December 20, 2017
<u>Case Report Prepared by:</u> Jay Hoyt	Owner and Applicant Information: Applicant: Kathleen Mowry Property Owner: KAM FAMILY LLC
Location Map: (shown with City Council Districts)	Applicant Proposal:Present Use: offices and vacant lotProposed Use: offices and vacant lotConcept summary: Major Amendment to abandorPUD-750 for underlying OL zoningTract Size: 0.5 ± acresLocation: N of the NW/c of S. Lewis Ave. & E.17thSt. S.
Zoning:	Staff Recommendation:
Existing Zoning: PUD-750,OL, HP	Staff recommends approval.
Proposed Zoning: Abandonment of PUD-750 Comprehensive Plan: Land Use Map: Mixed-Use Corridor	
Stability and Growth Map: Area of Stability	
<u>Staff Data:</u> TRS: 9307 CZM: 37 Atlas: 13, 30	City Council District:4Councilor Name:Blake EwingCounty Commission District:2Commissioner Name:Karen Keith

# SECTION I: PUD-750-A

**DEVELOPMENT CONCEPT:** The applicant proposes to abandon PUD-750 in order to utilize the underlying OL zoning. This is in conjunction with zoning case Z-7425 for the lot immediately to the north of PUD-750 to rezone from RS-3 to OL. The applicant indicates that no new development is planned at this time.

# **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 PUD-750-A/Z-7425 Relationship Map

# **DETAILED STAFF RECOMMENDATION:**

The request to abandon PUD-750 is consistent with the expected development pattern in the area.

PUD-750-A is non-injurious to the proximate properties and,

PUD-750-A is consistent with the City of Tulsa Comprehensive Plan therefore,

# Staff recommends Approval of PUD-750-A to for the Abandonment of PUD-750.

# **SECTION II: Supporting Documentation**

#### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

<u>Staff Summary</u>: OL zoning is consistent with the Mixed-Use Corridor land use designation and is compatible with the recommendations of the Lewis Study.

#### Land Use Vision:

# Land Use Plan map designation: Mixed-Use Corridor

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

# 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. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.

# Transportation Vision:

Major Street and Highway Plan: S Lewis Ave is an Urban Arterial

Trail System Master Plan Considerations: The GO Plan recommends a bike lane along S Lewis Ave

# Small Area Plan: None

<u>Special District Considerations</u>: The subject parcel is located within the Lewis Study area. OL zoning is consistent with the recommendations of this study.

<u>Historic Preservation Overlay</u>: The subject parcels are located within the Yorktown District. Any new development shall comply with the Historic Preservation requirements of that district.

# **DESCRIPTION OF EXISTING CONDITIONS:**

<u>Staff Summary:</u> PUD-750 currently contains three lots, two of which contain professional offices and another that is vacant.

# Environmental Considerations: None

Streets:

Exist. Access	MSHP Design	MSHP R/W	Exist. # Lanes
S Lewis Ave	Urban Arterial	70 feet	4

Utilities:

The subject tract has municipal water and sewer available.

# Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	RS-3/HP	Mixed-Use Corridor	Stability	Vacant
South	PUD-753/OL/HP	Mixed-Use Corridor	Stability	Single-Family
East	OL/RS-3	Mixed-Use Corridor	Growth	Single-Family
West	RS-3/HP	Existing Neighborhood	Stability	Single-Family

# **SECTION III: Relevant Zoning History**

# ZONING ORDINANCE:

Ordinance 21774 dated April 3, 2008 (Z-7077 & PUD-750) established OL/PUD-750 zoning;



- Ordinance 18524 dated August 18, 1995 (Z-6490 & Z-6490a) established a Historic Preservation (HP) Overlay zoning;
- Ordinance number 11815 dated June 25, 1970, established zoning for the subject property.

# Subject Property:

**<u>Z-7077/PUD-750 April 2008</u>**: All concurred in **approval** of a request for rezoning three lots, (a .50<u>+</u> acre tract of land), from RS-3 to OL/PUD-750 for office use in accord with the provisions of the 15<sup>th</sup> Street/Lewis Study, on property located north of the northwest corner of East 17<sup>th</sup> Street and South Lewis Avenue.

**BOA-20054 June 2005:** The Board of Adjustment **denied** a *special exception* to permit a home occupation (real estate management) in an RS-3 District (Section 402.B.6.b), on property located north of the northwest corner of East 17<sup>th</sup> Street South and South Lewis Avenue.

**<u>Z-6490 & Z-6490-A August 1995</u>**: All concurred in **approval** of a request for rezoning a 74<u>+</u> acre tract of land for an HP (Historic Preservation) overlay zoning, on property located between East 15<sup>th</sup> Street and East 21<sup>st</sup> Street and between South Utica Avenue and South Lewis Avenue and includes the subject property.

# Surrounding Property:

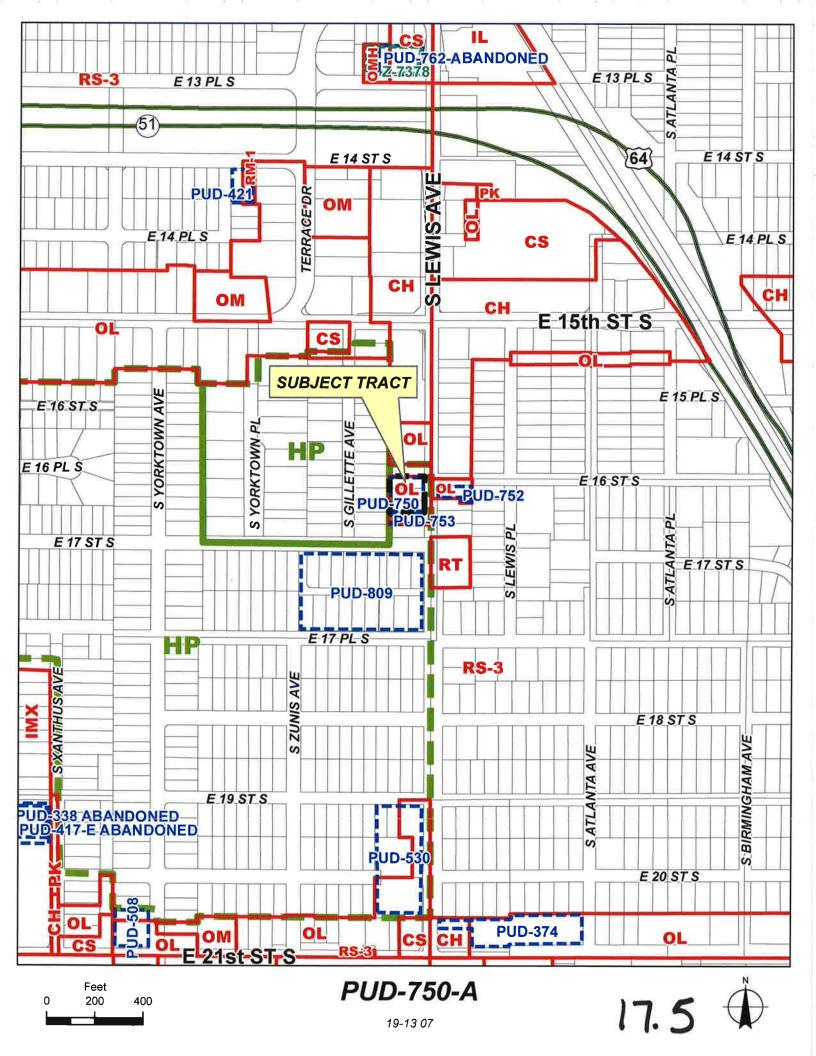
**BOA-22112 August 2016:** The Board of Adjustment **approved** a *special exception* to permit an existing detached house in the CH District (Section 15.020, Table 15-2), subject to being "as built", on property located north of the northeast corner of East 16<sup>th</sup> Street South and South Lewis Avenue.

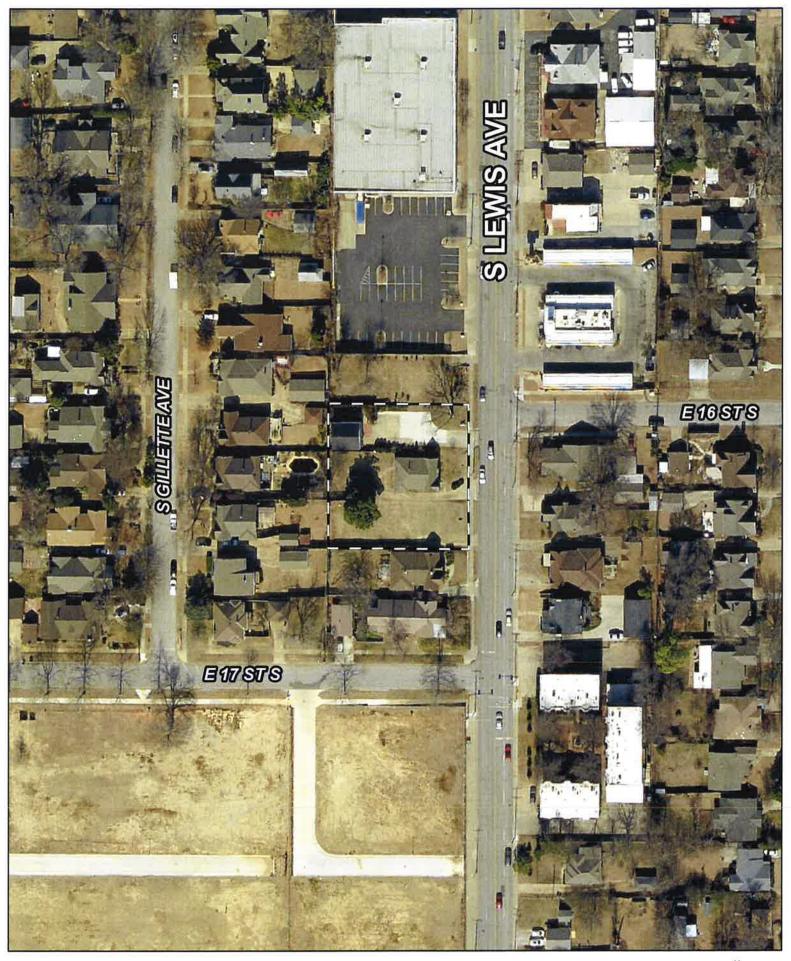
<u>PUD-809 November 1995</u>: All concurred in **approval** of a proposed Planned Unit Development on a 3.96<u>+</u> acre tract of land for single-family residential, on property located on the southwest corner of East 17<sup>th</sup> Street South and South Lewis Avenue.

**Z-7095/PUD-752 April 2008:** All concurred in **approval** of a request for rezoning a .19<u>+</u> acre tract of land from RS-3/HP to OL/HP/PUD-752; All concurred in **approval** of a proposed Planned Unit Development, subject to screening along the south 95' boundary line and the north 11' of the "north-south 20' boundary line, on property located on the southeast corner of East 16<sup>th</sup> Street South and South Lewis Avenue.

**Z-7090/PUD-753 April 2008:** All concurred in **approval** of a request for rezoning a .17<u>+</u> acre tract of land from RS-3/HP to OL/HP/PUD; All concurred in **approval** of a proposed Planned Unit Development, subject to an existing, non-required six-foot fence or any six-foot fence may be permitted along the north or south boundaries of the lot, but may not extend beyond the front wall of the principal structure, on property located on the northwest corner of East 17<sup>th</sup> Street South and South Lewis Avenue.

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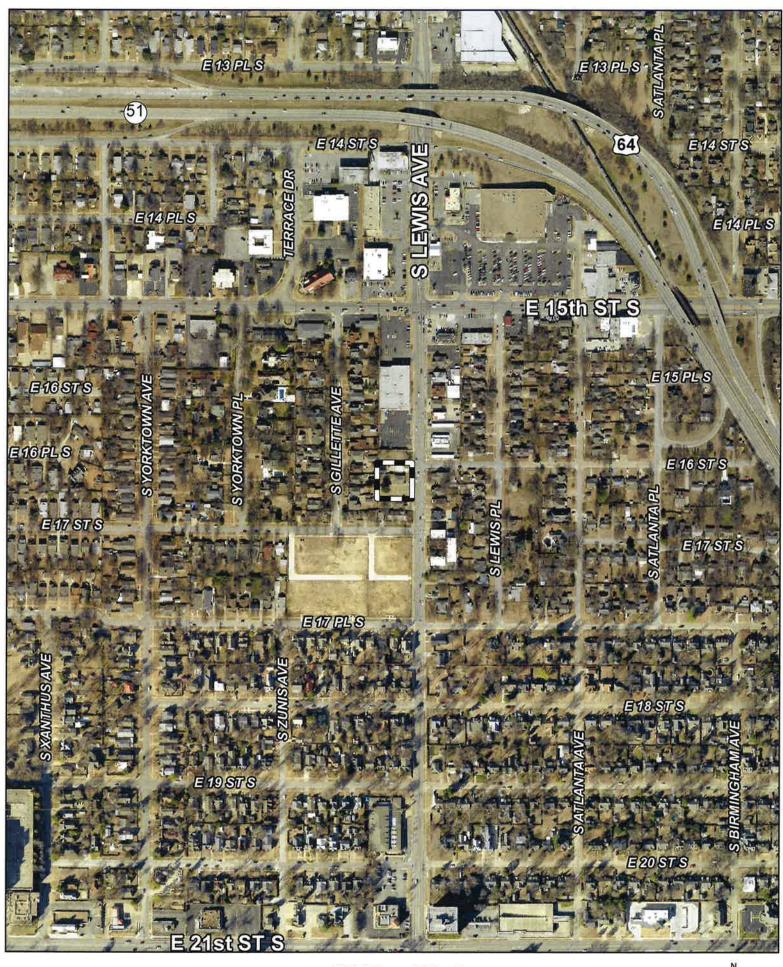
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**PUD-750-A** Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016





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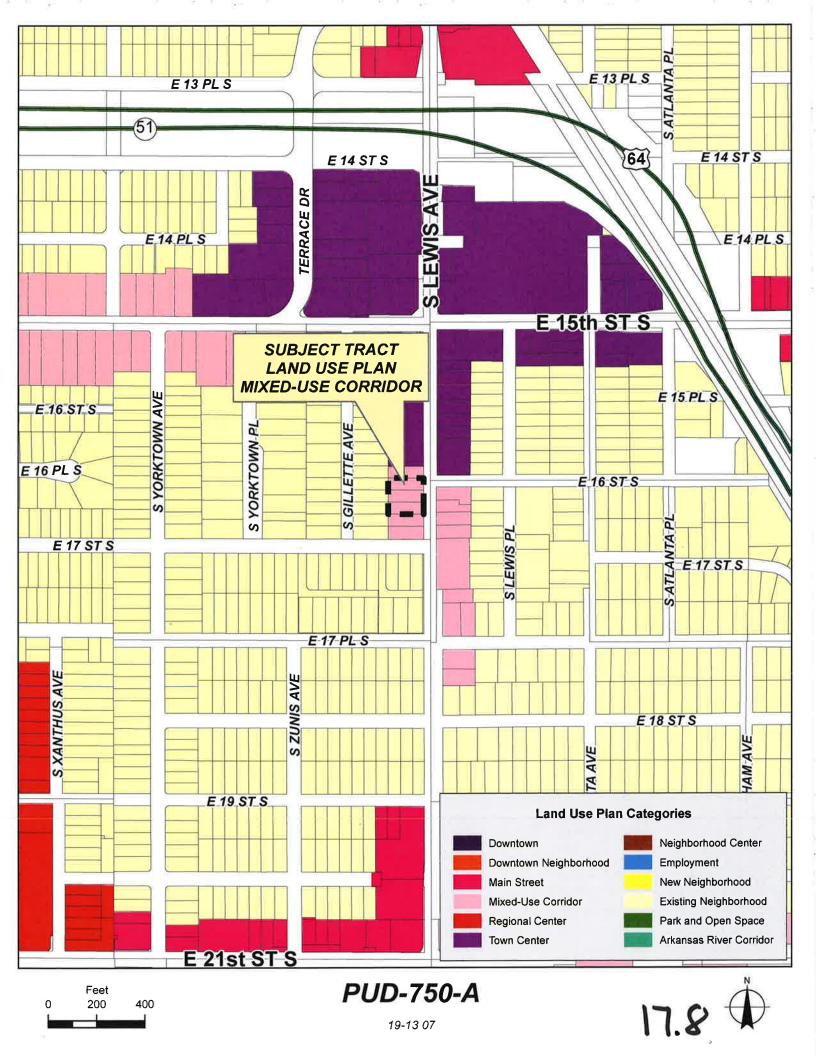
PUD-750-A

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

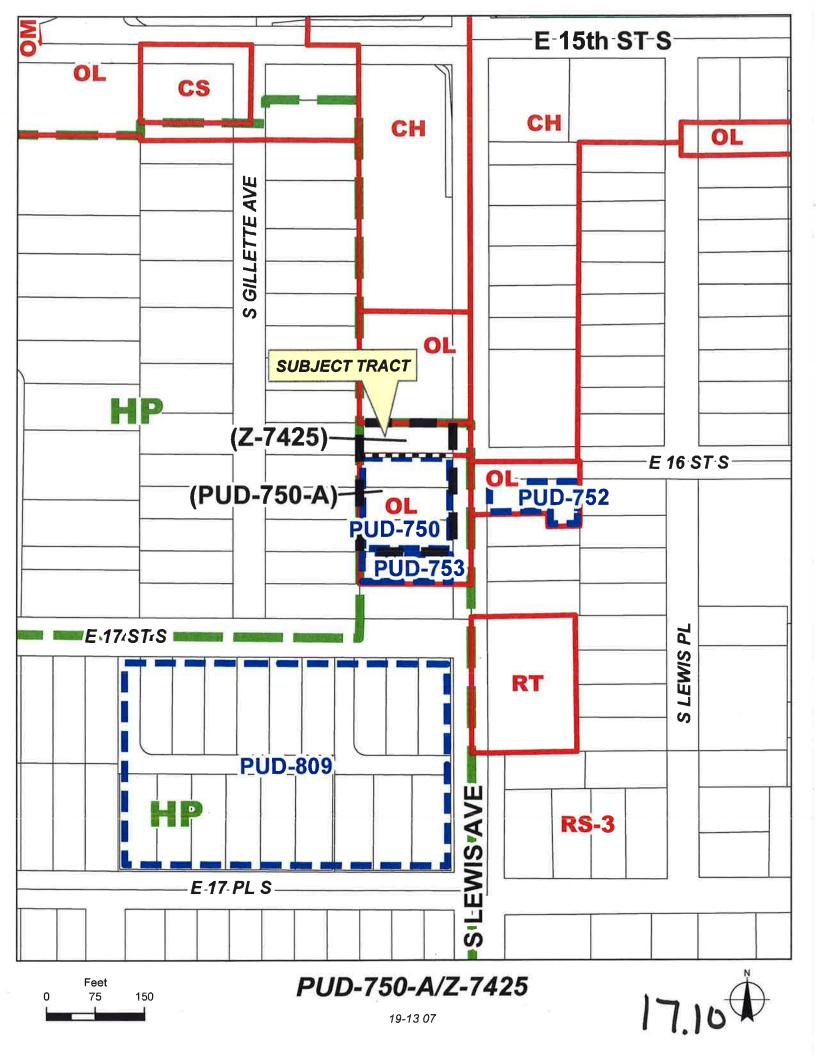
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Aerial Photo Date: February 2016

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Tulsa Metropolitan Area Planning Commission	<u>Case Number:</u> Z-7428 <u>Hearing Date</u> : December 20, 2017
<u>Case Report Prepared by:</u> Dwayne Wilkerson	Owner and Applicant Information: Applicant: Tulsa City Council c/o Janine Billings Property Owner: BILLINGS, JANINE M
Location Map: (shown with City Council Districts)	Applicant Proposal:Present Use: OfficeProposed Use: OfficeConcept summary: Rezoning request as part of the mixed-use zoning initiative associated with the bus rapid transit system along Peoria Avenue.Tract Size: 0.21 ± acresLocation: E of SE/c of S. Peoria Ave. and E. 44th Pl. S.
Zoning: Existing Zoning: CS	<u>Staff Recommendation:</u> Staff recommends approval.
Proposed Zoning: MX1-V-U (Neighborhood Mixed Use-Variable Character-Unlimited Height) Comprehensive Plan:	
Land Use Map: Mixed-Use Corridor Stability and Growth Map: Area of Growth	
Staff Data: TRS: 9330 CZM: 47 Atlas: 390	City Council District: 9 Councilor Name: Ben Kimbro County Commission District: 2 Commissioner Name: Karen Keith



#### SECTION I: Z-7428

**DEVELOPMENT CONCEPT:** This request for rezoning is responsive to a City Council initiative to encourage mixed-use development along the proposed bus rapid transit system route. The current zoning on the site is CS. The site does not have height restrictions within the CS district abutting South Peoria.

#### **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 Bus Rapid Transit recommendation map. Applicant Exhibits: None Included

#### **DETAILED STAFF RECOMMENDATION:**

Case Z-7428 request MX1-V-U is consistent with the expected development pattern in the area and,

MX1-V-U is not injurious to the surrounding property owners and,

The MX1 requested is considered a neighborhood Mixed-Use district intended to accommodate small scale retail, service and dining uses that serve nearby residential neighborhoods. MX1 zoning supports the anticipated uses in this area location along South Peoria. The rezoning request is consistent with the Bus Rapid Transit System study and its land use recommendations and,

MX1-V-U is consistent with the Brookside Infill Plan and.

MX1-V-U is consistent with the Mixed-Use Corridor land use vision in the Tulsa Comprehensive Plan therefore

#### Staff recommends Approval of Z-7428 to rezone property from CS / to MX1-V-U.

#### **SECTION II: Supporting Documentation**

# **RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

Staff Summary: MX1-V-U is consistent with the land use vision in the Tulsa Comprehensive Plan and is also consistent with the goals, objectives and strategies of the Brookside Infill Plan.

# Land Use Vision:

# 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:

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 multimodal street cross sections and priority elements during roadway planning and design

#### Trail System Master Plan Considerations:

The trail system along the Riverside Drive is approximately ½ mile from this site. Pedestrian and bicycle connectivity should be an important concept with any new redevelopment opportunity.

#### Small Area Plan: Brookside Infill Design Recommendations (Completed 2002)

Concept statement: "As Tulsa continues to mature as a city, infill development will become more important as land on the perimeter is no longer available for development. Infill will no longer be the exception; it will be the rule in terms of predominant types of development. Support and encouragement of infill development are strongly recommended and should be implemented through City regulations, policies and philosophies in order to ensure quality and consistency in future development".

<u>Staff comment:</u> This was a statement from the infill task force prepared by the Mayor's office and the Planning Commission in 1999 and continues to be more relevant today with implementation of the Bus Rapid Transit system and the construction of the Gathering Place. It has taken almost 20 years for the City to adopt zoning categories to support infill development strategies that will encourage design standards and building placement strategies to help create an urban fabric along Peoria from East 36<sup>th</sup> South street to I-44. Many design recommendations were restricted to the street right of way. Some of that has been implemented from 41<sup>st</sup> Street to Crow Creek.

Peoria from 38<sup>th</sup> Street South to 51<sup>st</sup> Street South (Skelly Drive) Goals:

- A. It is intended that the physical environment and services in the business areas are maintained and enhanced to benefit existing business, as well as to promote and encourage revitalization, redevelopment and reuse of undervalued, vacant lots and obsolete buildings.
- B. Improvements in the area will be made to help provide a continuity of image and to foster an improved emphasis on pedestrians. This is to be accomplished in part by providing sidewalk design and replacement crosswalks at selected locations, streetscape elements and other features will link this area and connect with the other portions of Brookside
- C. The historical context of business development patterns in this area is encouraged to continue, but with the additional emphasis of accommodating pedestrians and linking with the overall Brookside marketplace.
- D. Business in this area along Peoria Avenue and those streets intersecting with Peoria Avenue may develop with buildings constructed nearer to the abutting street property line. Developments with storefront parking should provide no more than one or two rows of double-loaded parking in the front of buildings. Zero-setback from the front property lines is encouraged.
- E. Sufficient parking for all business land uses is intended to be provided for all new development and redevelopment.

Special District Consideration: None

Historic Preservation Overlay: None

#### **DESCRIPTION OF EXISTING CONDITIONS:**

<u>Staff Summary:</u> The site is currently occupied by a single-story office building. The building placement is consistent with the building placement requirements for MX1-V-U.

<u>Environmental Considerations:</u> No known environmental considerations that would affect rezoning decisions or redevelopment opportunities.

#### Streets:

South Peoria AvenueSecondary Arterial with Multi Modal Corridor100 feet4 lanes with a center turn lane this site also has access to two lanes of a South Peoria Avenue frontage road.	Exist. Access	MSHP Design	MSHP R/W	Exist. # Lanes
	South Peoria Avenue		100 feet	turn lane this site also has access to two lanes of a South Peoria



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## 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 (Across E. 44 <sup>th</sup> Pl. S)	CS/PUD-541	Mixed Use Corridor	Growth	Commercial
East	RS-3	Mixed Use Corridor	Stability	Single Family Residential
South	CS	Mixed Use Corridor	Growth	Office
West (across Peoria)	CS	Mixed Use Corridor	Growth	Commercial

## SECTION III: Relevant Zoning History

#### ZONING ORDINANCE:

- Ordinance number 18950 dated March 24, 1997, (Z-6581), established (CS) zoning;
- Ordinance number 11823 dated June 26, 1970, established (RM-2) zoning for the subject property.

#### Subject Property:

**BOA-20608** November 2007: The Board of Adjustment **approved** a *variance* of the setback requirement for a commercial parking lot within 50 ft. of an R district from 50' to 33' from the centerline of an abutting street (Section 1302.B) per plan, on the subject property.

**BOA-19988 September 2004:** The Board of Adjustment **approved** a *variance* of the required 25 ft. building setback to 10 ft. along South Peoria Avenue for Lot 14 and along South Peoria Avenue for Lot 13 to allow for the construction of an office building, on the subject property.

**BOA-18897 November 2000:** The Board of Adjustment **approved** a *special exception* to allow multifamily in a CS zoned district, subject to submitting a detail site plan to the BOA for approval on property located on the southeast corner of East 44<sup>th</sup> Place South and South Peoria Avenue, including the subject property.

**<u>Z-6581 January 1997</u>**: All concurred in **approval** of a request for rezoning a .69<u>+</u> acre tract of land from RM-2 to CS on property located on the southeast corner of East 44<sup>th</sup> Place South and South Peoria Avenue.

#### Surrounding Property:

**BOA-19916 September 2004:** The Board of Adjustment **approved** a *variance* to reduce the off-street parking requirement from 117 spaces to 111 spaces to permit the enclosure of 400 square feet of outdoor dining space and deletion of two rear parking spaces, on property located on the northeast corner of South Peoria Avenue and East 44<sup>th</sup> Place South.



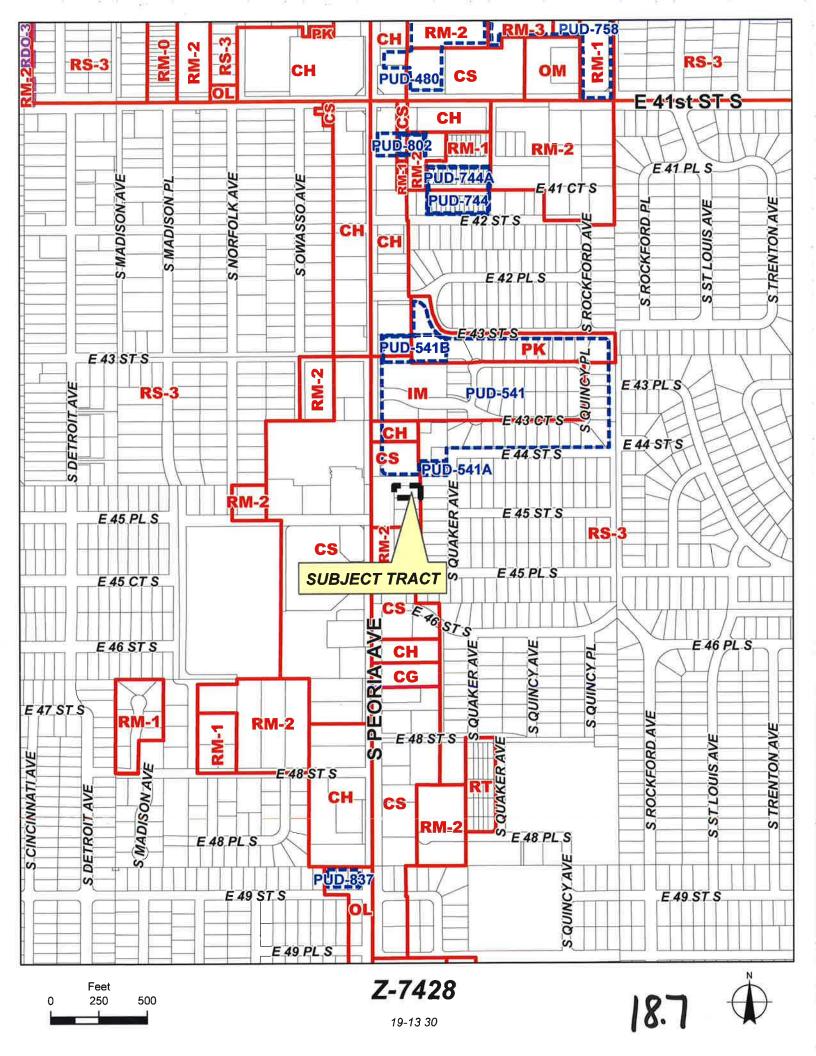
**<u>PUD-541-B</u>** July 1998: All concurred in approval of a proposed Major Amendment to PUD-541 permit an auto repair use subject to modifications on property located on the northeast corner of East 44<sup>th</sup> Place and South Peoria Avenue.

<u>PUD-541-A October 1996</u>: All concurred in **approval** of a proposed Major Amendment to PUD-541 to increase the PUD area by adding a 74.6 x 140' lot for off-street parking on property located on the northwest corner of East 44<sup>th</sup> Place and South Quaker Avenue.

<u>PUD-541 January 1996</u>: All concurred in **approval** of a proposed Planned Unit Development on a 16.8<u>+</u> acre tract of land from IM, CH, CS, PK and RS-3 to IM, CH, CS, PK, RS-3/PUD-541 for mixed use with commercial and office uses on property located on the east side of South Peoria between East 43<sup>rd</sup> Street South and West 44<sup>th</sup> Street South.

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Feet 0 250 500



Z-7428

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

19-13 30

Aerial Photo Date: February 2016



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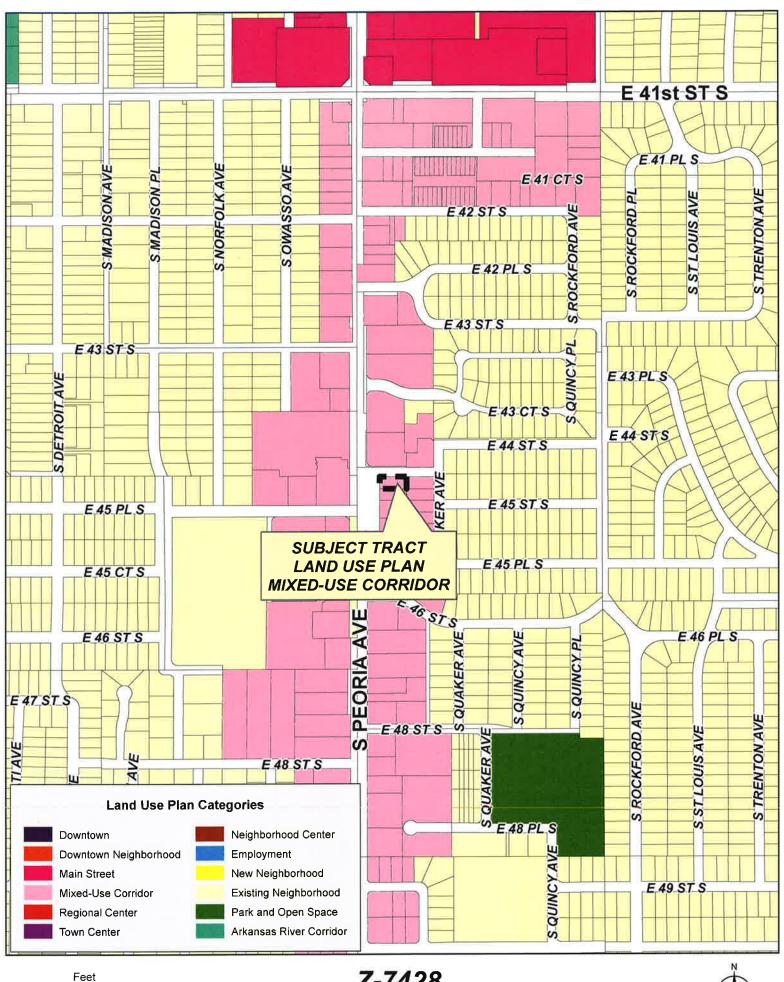
Z-7428

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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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**Z-7428** 

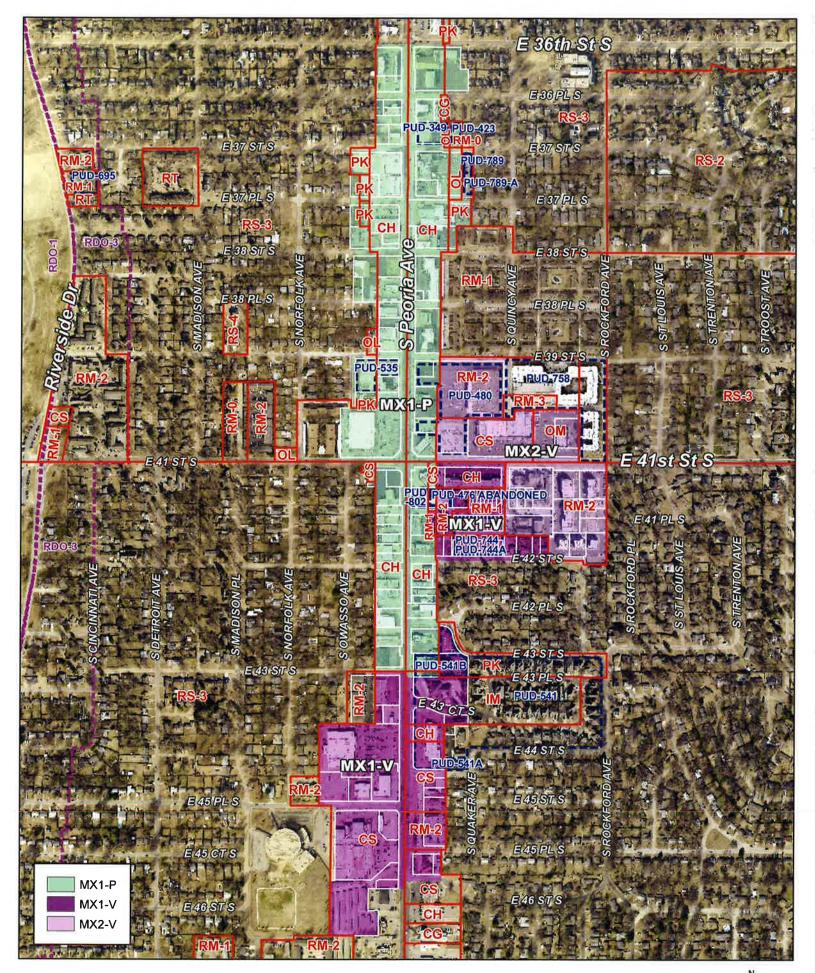
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500









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

41st Street

Feet 0 300

600

# Wilkerson, Dwayne

From: Sent: To: Subject: Janine Billings <janine.billings.cyyd@statefarm.com> Wednesday, December 06, 2017 9:53 AM Wilkerson, Dwayne Zoning Case Z-4728 requesting: MX1-V-U Zoning

# State Farm<sup>®</sup>

Janine Billings, Agent www.JanineBillings.net



Janine Billings Agent

**Dear Planning Committee:** 

Although I am unable to attend my zoning hearing on December 20<sup>th</sup>, please accept my approval on this proposed zoning change.

Thank You! Janine Billings 4401 S Peoria Ave Tulsa, OK 74105

Janine Billings Agent



Tulsa Metropolitan Area Planning Commission	<u>Case Number:</u> Z-7429 (related to Z-7429 Plat Waiver) <u>Hearing Date</u> : December 20, 2017
<u>Case Report Prepared by:</u> Dwayne Wilkerson	<u>Owner and Applicant Information</u> : <i>Applicant</i> : Lou Reynolds <i>Property Owner</i> : 2005 East 21 <sup>st</sup> Street, LLC c/o Eller & Detrich, P.C.
Location Map: (shown with City Council Districts)	Applicant Proposal:Present Use: officeProposed Use: commercial/mixed-useConcept summary: Rezoning request for anticipated multi story mixed use building.Tract Size: 0.64 ± acresLocation: N and E of the NE/c of S Xanthus Ave & E 21st St S
Zoning: Existing Zoning: CS,OL Proposed Zoning: CH Comprehensive Plan: Land Use Map: Regional Center Stability and Growth Map: Area of Growth	Staff Recommendation: Staff recommends approval to rezone property from CS,OL to CH.
Staff Data:TRS: 9307CZM: 37Atlas: 32	<u>City Council District:</u> 4 <i>Councilor Name</i> : Blake Ewing <u>County Commission District:</u> 2 <i>Commissioner Name:</i> Karen Keith

#### SECTION I: Z-7429

**DEVELOPMENT CONCEPT:** The CH zoning request is consistent the Regional Center land use designation in the Tulsa Comprehensive Plan and is consistent with the expected development of the abutting St. Johns medical complex along East 21<sup>st</sup> Street South.

#### EXHIBITS:

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

### DETAILED STAFF RECOMMENDATION:

Case Z-7429 requesting CH zoning is consistent with the expected development pattern in the area and,

CH zoning is not injurious to the surrounding property owners and,

CH zoning is consistent with the Utica Midtown Corridor Plan and,

CH zoning is consistent with the Regional Center land use vision in the Tulsa Comprehensive Plan therefore,

#### Staff recommends Approval of Z-7429 to rezone property from CS,OL to CH.

#### **SECTION II: Supporting Documentation**

#### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

<u>Staff Summary</u>: The proposed CH zoning is consistent with the Regional Center designation of the Comprehensive plan. The Utica Midtown Corridor small area plan offers several recommendations for mixed use zoning, building height considerations and active ground floor considerations and that can be accomplished in CH zoning district. CH zoning does not specifically require those development standards. It should be noted that CH zoning removes any building setbacks and allows multi story buildings with parking structures. It is unlikely that a site this small would be constructed with anything greater than 8 stories as recommended in the small area plan.

#### Land Use Vision:

## Land Use Plan map designation: Regional Center

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

19.2

REVISED 12/14/2017

#### 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*: East 21<sup>st</sup> Street is classified as an Urban Arterial with a 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 multimodal street cross sections and priority elements during roadway planning and design.

#### Trail System Master Plan Considerations: None

Small Area Plan: Utica Midtown Corridor South Plan

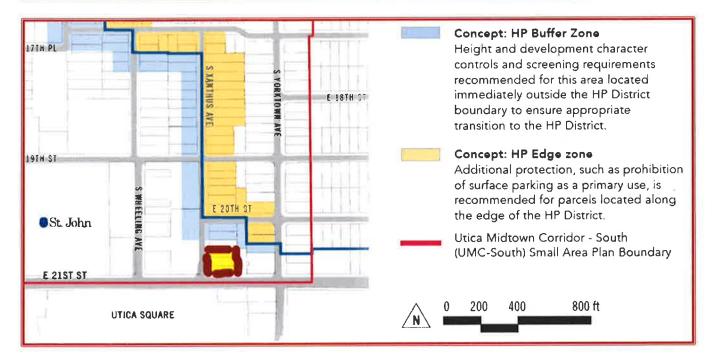
This site is included in the plan area boundary and outside the Yorktown Historic District

Land use recommendations in the small area plan encourage transition guidelines in areas that are identified in the following illustration. The guidelines recommended included Height and development character controls and screening requirements for area immediately outside the HP District boundary to ensure appropriate transition to the HP district. Z-7429 is outside of the transition zone identified in the small area plan.

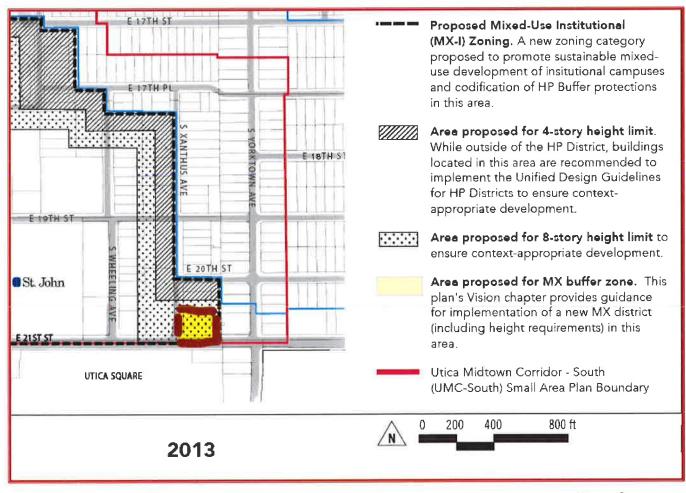
The Mixed-Use Zoning conceptual boundary includes all of Z-7429 however the mixed-use zoning established for St. Johns did not include this site. Mixed-use zoning would also be an acceptable zoning category for this site.



## SMALL AREA PLAN FIG. S-5.1: TRANSITION ZONE RECOMMENDATIONS:

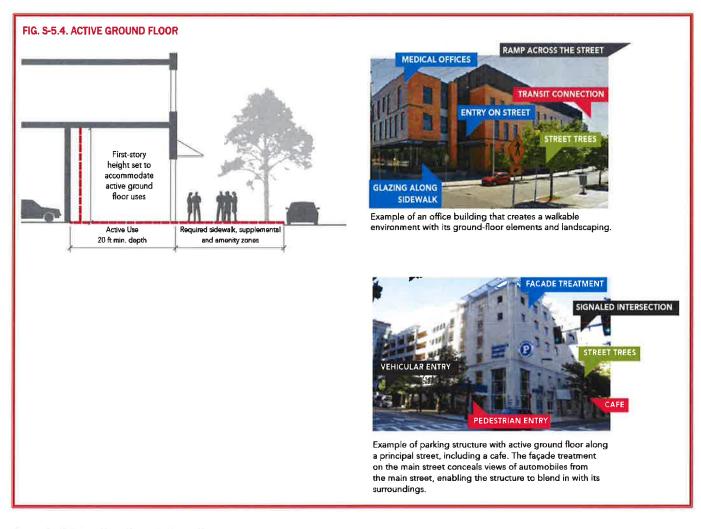


## SMALL AREA PLAN FIG. S-5.2 PROPOSED MIXED USE ZONNG DESIGNATIONS:





# SMALL AREA PLAN FIG. S-5.4 ACTIVE GROUND FLOOR:



#### Special District Considerations: None

Historic Preservation Overlay: None

#### **DESCRIPTION OF EXISTING CONDITIONS:**

Staff Summary: The site is occupied with a restaurant.

Environmental Considerations: No known environmental concerns have been presented.

Streets:

Exist. Access	MSHP Design	MSHP R/W	Exist. # Lanes
South Xanthus	None	50 feet	2
East 21 <sup>st</sup> Street South	Urban Arterial	70 feet	4 with center turn lane

#### Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	OL	Regional Center	Area of Growth	Single Family Residential
East	OM	Regional Center	Area of Growth	Drive-thru bank
South (Across 21 <sup>st</sup> )	СН	Regional Center	Area of Growth	Utica Square Shopping Center
West	IMX	Regional Center	Area of Growth	St. John's Hospital complex

#### **SECTION III: Relevant Zoning History**

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

Subject Property: No relevant history.

#### Surrounding Property:

<u>PUD-417-E (Abandonment) / Z-7325 January 2016:</u> All concurred in **approval** of IMX zoning for Z-7325 and abandonment for PUD-417-E, a Planned Unit Development on a 35<u>+</u> acre tract of land on property located north and east of the northeast corner of East 21<sup>st</sup> Street South and South Utica Avenue.

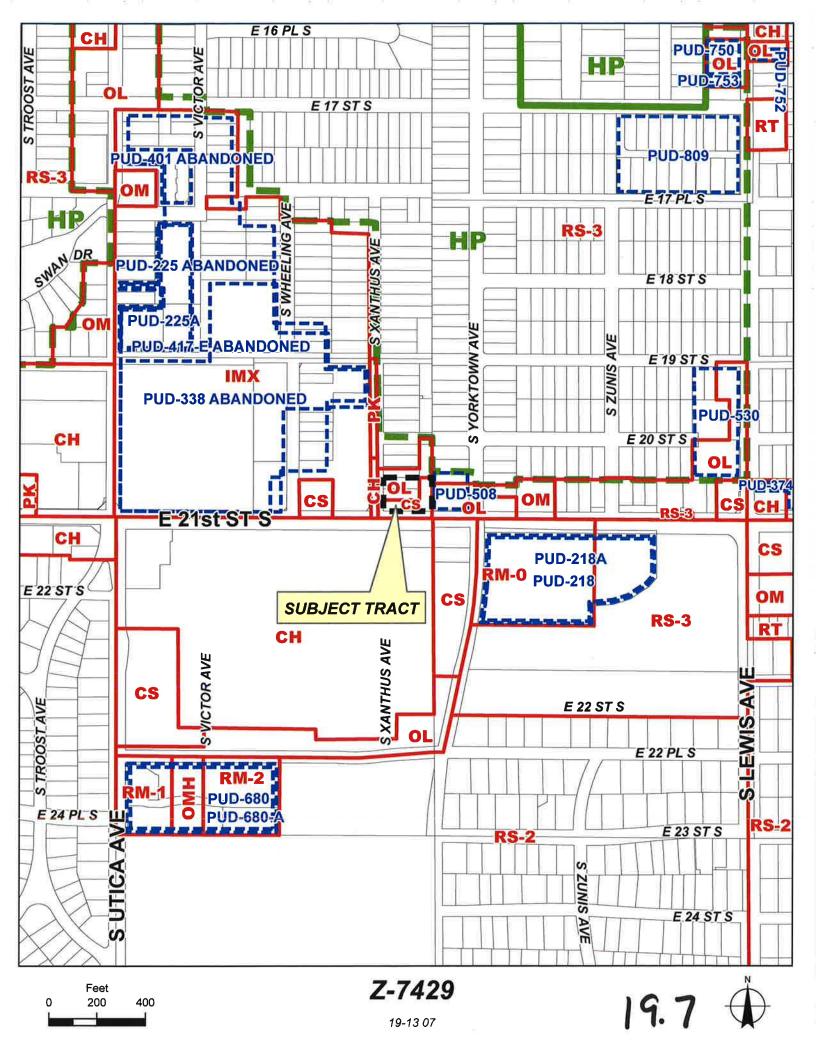
<u>PUD-508 March 1994</u>: All concurred in **approval**, with conditions, of a proposed Planned Unit Development on a tract of land for a drive-in bank facility on property located on the northwest corner of East 21<sup>st</sup> Street South and South Yorktown Avenue.

**BOA-15936 February 1992:** The Board of Adjustment **approved** a *variance* of front setback from the centerline of East 21<sup>st</sup> Street South from 80' to 51' and from the centerline of South Yorktown Avenue from 55' to 0' for additions to a non-conforming building; **approved** a *variance* of the screening fence requirement on the north property line; **approved** a *variance* to permit required parking on a lot other than the lot of principal use; and **approved** a *special exception* to exceed FAR from 30% to 34%, per plot plan, subject to the execution of a tie contract between the lot containing the principal use and the parking lot to the north, on property located on the northeast corner of South Yorktown Avenue and East 21<sup>st</sup> Street South.

**<u>Z-6138 January 1987</u>**: All concurred in **denial** of a request for rezoning a tract of land from RS-3 to OL on property located on the southwest corner of East 20<sup>th</sup> Street South and South Yorktown Avenue.

<u>PUD-218 July 1979</u>: All concurred in **approval** of a proposed Planned Unit Development on a 7<u>+</u> acre tract of land for a multi-story residential building and accessory uses, on property located on the southeast corner of South Yorktown Avenue and East  $21^{st}$  Street.

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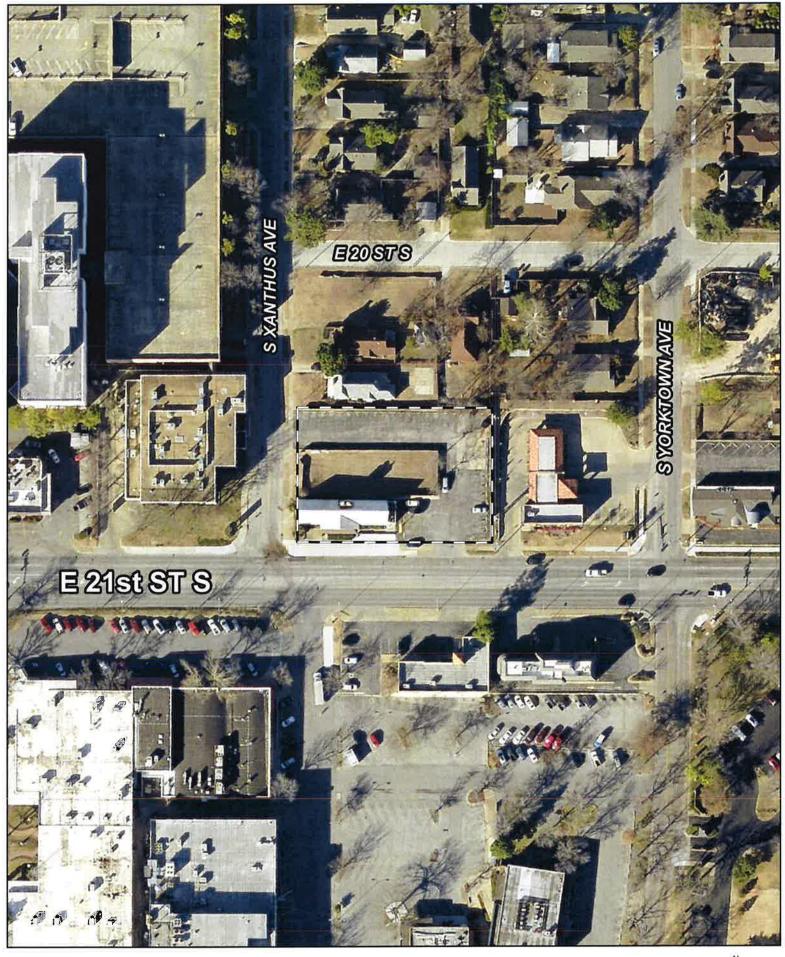


Feet 0 200 400 Subject Tract Z-7429

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

Aerial Photo Date: February 2016

19.8



Feet 0 50 100

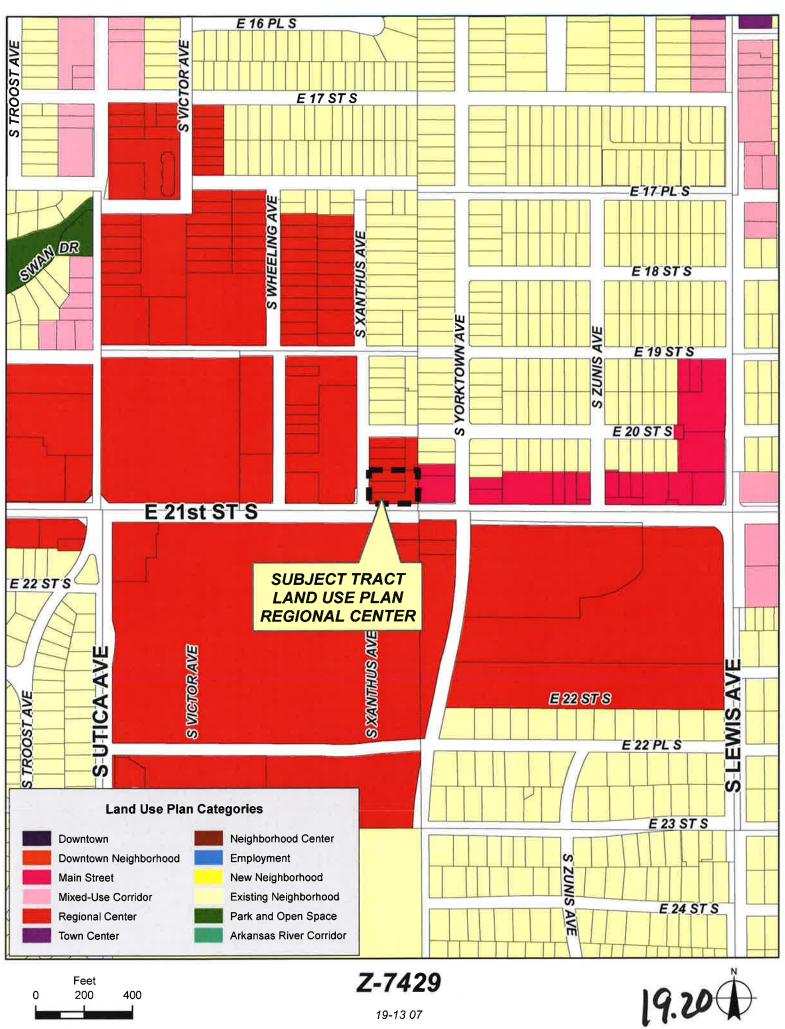


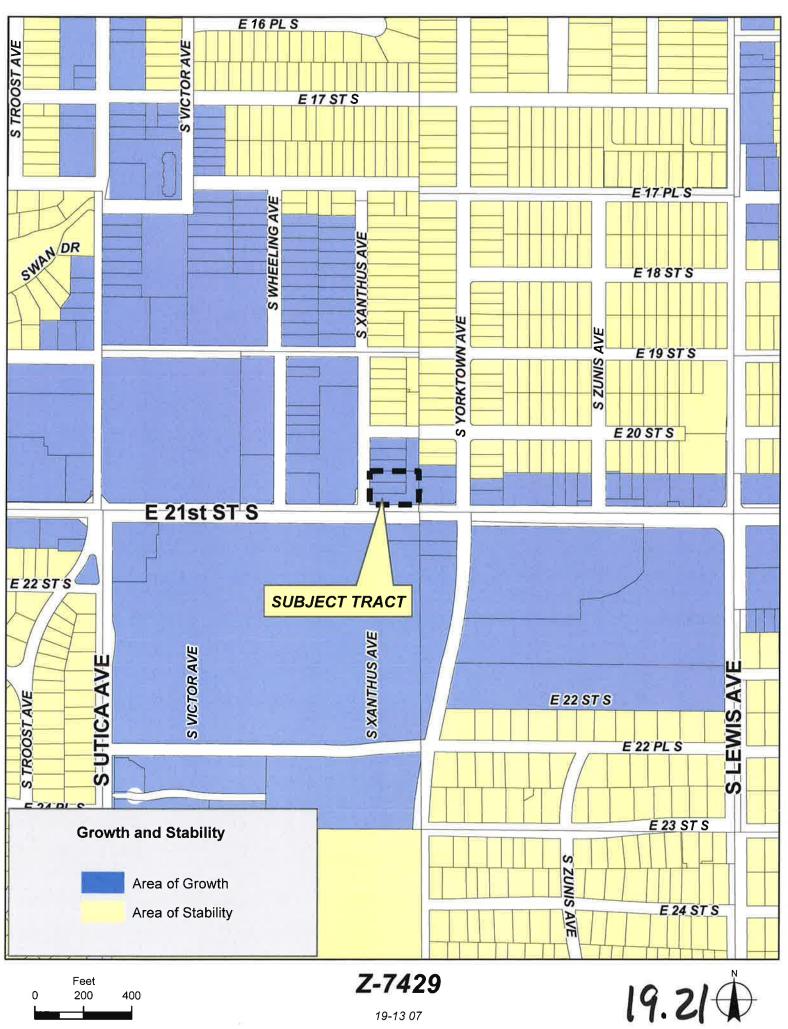
Z-7429

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

9.9

Aerial Photo Date: February 2016





Tulsa Metropolitan Area Planning Commission	<u>Case:</u> Z-7429 Plat Waiver (related to Z-7429) <u>Hearing Date</u> : December 20, 2017
<u>Case Report Prepared by:</u> Nathan Foster	<u>Owner and Applicant Information</u> : <i>Applicant</i> : Lou Reynolds <i>Owner</i> : 2005 East 21 <sup>st</sup> Street, LLC
<section-header></section-header>	Applicant Proposal: Plat Waiver <i>Location</i> : N and E of the NE/c of S Xanthus Ave & E 21st St S
Zoning: Existing: CS & OL Proposed: CH	<u>Staff Recommendation:</u> Staff recommends <b>approval</b> of the plat waiver
	<u>City Council District:</u> 4 Councilor Name: Blake Ewing <u>County Commission District:</u> 2 Commissioner Name: Karen Keith

EXHIBITS: Site Map, Aerial, Applicant Submittal

#### PLAT WAIVER

#### <u>**Z-7429**</u> – (CD 4)

North and east of the northeast corner of South Xanthus Avenue & East 21st Street South

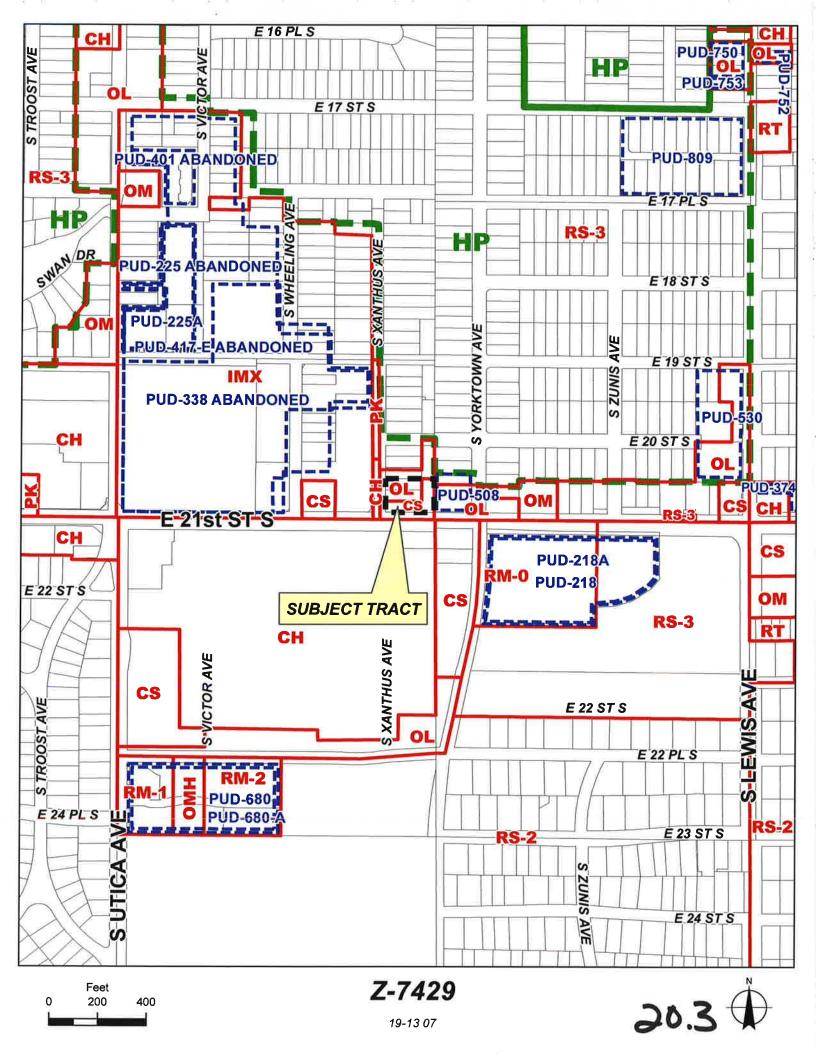
The platting requirement for this property is being triggered by a request to rezone the property from the current CS/OL designation to a CH designation in anticipation of a redevelopment.

The Technical Advisory Committee met on December 7, 2017 and the following items were determined:

- 1. The property was previously platted as part of the Reddin Third Addition.
- 2. All right-of-way dedications have been made to comply with the Major Street Highway Plan.
- 3. No floodplain exists on the property.
- 4. No further subdivision of the property is proposed.
- 5. A lot combination will be required if the proposed development crosses existing property lines.
- 6. Storm sewer improvements may be required as part of the development. IDP approval will be required and necessary easements will be dedicated at that time.

20.Z

Staff recommends **approval** of the plat waiver.





Feet 0 50 100



Z-7429

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



Aerial Photo Date: February 2016

#### **EXHIBIT "A"**

#### LEGAL DESCRIPTION

The West 150 feet of the South 13.07 feet of Lot Five (5) and the West 150 feet of the North 32.37 feet of Lot Six (6), Block Five (5), REDDIN THIRD ADDITION to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof.

#### AND

All of Lots Seven (7) and Nine (9); the East 13.50 feet of the South 19.50 feet of Lot Four (4); the East 13.50 feet of Lots Five (5) and Six (6); the West 150 feet of the South 6.63 feet of Lot Six (6); the West 150 feet of the South 19.51 feet of Lot Four (4); the West 150 feet of the North 25.93 feet of Lot Five (5), all in Block 5, REDDIN THIRD ADDITION to the City of Tulsa, Tulsa County, State of Oklahoma, according to recorded plat thereof.



#### **EXHIBIT "B"**

#### **REASON FOR PLAT WAIVER APPLICATION**

Although the Property has been developed for over 50 years, the rezoning of the Property to CH and the redevelopment thereof will not require any material changes to the public streets, sidewalks and utilities which are in place today and available at the Property and no public purpose will be served by requiring the Property to be replatted.

1:/06.1013/011/PLAT WAIVER/PLAT WAIVER APPLICATION WITH EXHIBITS (2017.11.09)



REVISED 11/9/2017