

TULSA METROPOLITAN AREA PLANNING COMMISSION

Meeting No. 2803

October 2, 2019, 1:30 PM

**175 East 2nd Street, 2nd Level, One Technology Center
Tulsa City Council Chamber**

CONSIDER, DISCUSS AND/OR TAKE ACTION ON:

Call to Order:

REPORTS:

Chairman's Report:

Work session Report:

Director's Report:

Review TMAPC Receipts for the month of August 2019

Minutes:

1. Minutes of September 4, 2019, Meeting No. 2801
2. Minutes of September 18, 2019, Meeting No. 2802

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.

3. **PUD-806-2 Doug Walker** (CD 8) Location: North of the northwest corner of East 121st Street South and South Sheridan Road requesting a **PUD Minor Amendment** to allow an 8-foot fence in the front yard (Continued from August 21, 2019 and September 4, 2019)
4. **Roan-Shire Estates** (County) Vacation of Plat & Termination of Deed of Dedication, Location: Northeast corner of East 161st Street South and South Peoria Avenue

PUBLIC HEARINGS:

5. **GCC Maybelle** (CD 2) Preliminary Plat, Location: South of the southwest corner of West 41st Street South and South Maybelle Avenue

6. **CZ-492 Matt King** (County) Location: Southwest corner of West 51st Street South and West Skyline Road requesting rezoning from **AG to CS** to allow a marijuana dispensary
7. **CZ-493 Richard Peek** (County) Location: Southwest corner of Highway 51 and South 241st West Avenue requesting rezoning from **AG to IL** to allow all light industrial uses
8. **Z-7500 John Madden** (CD 9) Location: East of the northeast corner of East 30th Street South and South Harvard Avenue requesting rezoning from **RS-3 to CH with optional development plan** limiting uses and providing site design standards
9. **Z-7501 William Kerr** (CD 3) Location: Northwest corner of East Tecumseh Street and North Fulton Avenue requesting rezoning from **CH to IL** to permit light industrial uses
10. Consider a motion and vote to enter Executive Session pursuant to Title 25 OS. Section 307(B)(4) to discuss pending litigation in case of Wilson et al v TMAPC et al, Tulsa County District Court Case No. CV-2019-13, for the purpose of allowing confidential communications between a public body and its attorney concerning a pending claim, investigation, or litigation.
11. Leave Executive Session on discussion of pending litigation in case of Wilson et al v. TMAPC et al, Tulsa County District Court Case No. CV-2019-13 for the purpose of taking any appropriate related actions.

OTHER BUSINESS

12. Commissioners' Comments

ADJOURN

CD = Council District

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

Visit our website at www.tmapc.org

email address: esubmit@incog.org

TMAPC Mission Statement: The Mission of the Tulsa Metropolitan Area Planning Commission (TMAPC) is to provide unbiased advice to the City Council and the County

Commissioners on development and zoning matters, to provide a public forum that fosters public participation and transparency in land development and planning, to adopt and maintain a comprehensive plan for the metropolitan area, and to provide other planning, zoning and land division services that promote the harmonious development of the Tulsa Metropolitan Area and enhance and preserve the quality of life for the region's current and future residents.

TMAPC RECEIPTS
Month of August 2019

----- Current Period -----					----- Year To Date -----			
	ITEM	CITY	COUNTY	TOTAL RECEIVED	ITEM	CITY	COUNTY	TOTAL RECEIVED
ZONING								
Zoning Letters	8	\$400.00	\$400.00	\$800.00	17	812.50	812.50	\$1,625.00
Zoning	15	4,275.00	4,275.00	8,550.00	27	7,575.00	7,575.00	15,150.00
Plan Reviews	20	2,625.00	2,625.00	5,250.00	44	5,400.00	5,400.00	10,800.00
Refunds		0.00	0.00	0.00		0.00	0.00	0.00
NSF		0.00	0.00	0.00		0.00	0.00	0.00
		<u>\$7,300.00</u>	<u>\$7,300.00</u>	<u>\$14,600.00</u>		<u>\$13,787.50</u>	<u>\$13,787.50</u>	<u>\$27,575.00</u>
LAND DIVISION								
Minor Subdivision	3	\$1,525.00	1,525.00	3,050.00	3	\$1,525.00	\$1,525.00	3,050.00
Preliminary Plats	1	600.00	600.00	1,200.00	2	\$1,200.00	\$1,200.00	2,400.00
Final Plats	1	450.00	450.00	900.00	3	\$1,350.00	\$1,350.00	2,700.00
Development Reg. Compliance	1	250.00	250.00	500.00	1	\$250.00	\$250.00	500.00
Lot Splits	7	525.00	525.00	1,050.00	12	\$900.00	\$900.00	1,800.00
Lot Line Adjustment	9	850.00	850.00	1,700.00	16	\$1,375.00	\$1,375.00	2,750.00
Other	3	375.00	375.00	750.00	4	\$425.00	\$425.00	850.00
NSF		0.00	0.00	0.00		\$0.00	\$0.00	0.00
Refunds		0.00	0.00	0.00		\$0.00	\$0.00	0.00
		<u>\$4,575.00</u>	<u>\$4,575.00</u>	<u>\$9,150.00</u>		<u>\$7,025.00</u>	<u>\$7,025.00</u>	<u>\$14,050.00</u>
TMAPC COMP								
Comp Plan Admendment	0	\$0.00	\$0.00	\$0.00	0	\$0.00	\$0.00	\$0.00
Refund		<u>\$0.00</u>		<u>\$0.00</u>		<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
		<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>		<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
BOARDS OF ADJUSTMENT								
Fees	23	\$6,300.00	\$2,100.00	\$8,400.00	54	\$15,800.00	\$2,700.00	\$18,500.00
Refunds		(500.00)	0.00	(\$500.00)		(\$500.00)	\$0.00	(500.00)
NSF Check		0.00	0.00	\$0.00		\$0.00	\$0.00	0.00
		<u>\$5,800.00</u>	<u>\$2,100.00</u>	<u>\$7,900.00</u>		<u>\$15,300.00</u>	<u>\$2,700.00</u>	<u>\$18,000.00</u>
TOTAL		\$17,675.00	\$13,975.00	\$31,650.00		\$36,112.50	\$23,512.50	\$59,625.00
LESS WAIVED FEES *		\$0.00		\$0.00		\$0.00		\$0.00
GRAND TOTALS		<u>\$17,675.00</u>	<u>\$13,975.00</u>	<u>\$31,650.00</u>		<u>\$36,112.50</u>	<u>\$23,512.50</u>	<u>\$59,625.00</u>

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

AUGUST 2019 receipt comparison

	AUGUST 2019	JULY 2019	AUGUST 2018
Zoning Letters	8	9	20
Zoning	15	12	11
Plan Reviews	20	24	23
Minor Subdivisions	3	0	0
Preliminary Plats	1	1	2
Final Plats	1	2	2
Development Regulations Compliance (includes plat waivers prior to 5/10/2018)	1	0	0
Lots Splits	7	5	3
Lot Line Adjustments (includes lot combinations prior to 5/10/2018)	9	7	7
Other	3	1	3
Comp Plan Amendments	0	0	0

Case Number: PUD-806-2
Minor Amendment

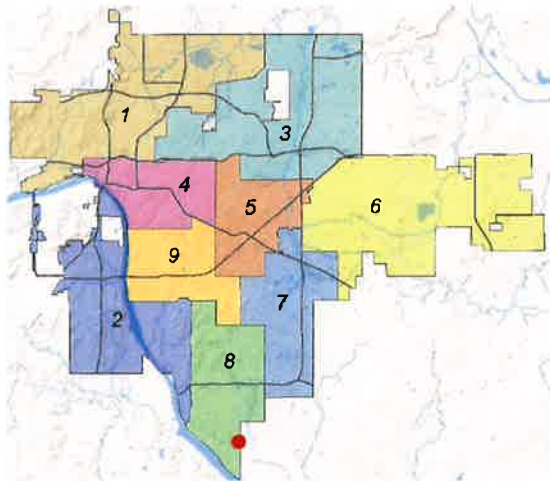
Hearing Date: October 2, 2019
(Continued from August 21, 2019 &
September 4, 2019)

Case Report Prepared by:
Jay Hoyt

Owner and Applicant Information:
Applicant: Doug Walker

Property Owner: Ashley Bray

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Concept summary: PUD minor amendment
to allow an 8 ft fence in front yard.

Gross Land Area: 5 acres

Location: N of NW/c E 121st St S & S
Sheridan Rd

11908 S Sheridan Rd

Zoning:
Existing Zoning: RS-1/PUD-806
Proposed Zoning: No Change

Comprehensive Plan:
Land Use Map: Existing Neighborhood
Growth and Stability Map: Stability

Staff Recommendation:
Staff recommends **approval**.

Staff Data:
TRS: 8334

City Council District: 8
Councilor Name: Phil Lakin, Jr.

County Commission District: 3
Commissioner Name: Ron Peters

SECTION I: PUD-806-2 Minor Amendment

STAFF RECOMMENDATION

Amendment Request: Revise the development standards to allow an 8 ft wall/fence in the required front yard.

The applicant intends to construct an 8 ft precast concrete fence along the front yard of the subject property. This fence is to match the existing 8 ft precast concrete fence located along the frontage of the properties to the south in both style and height.

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

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

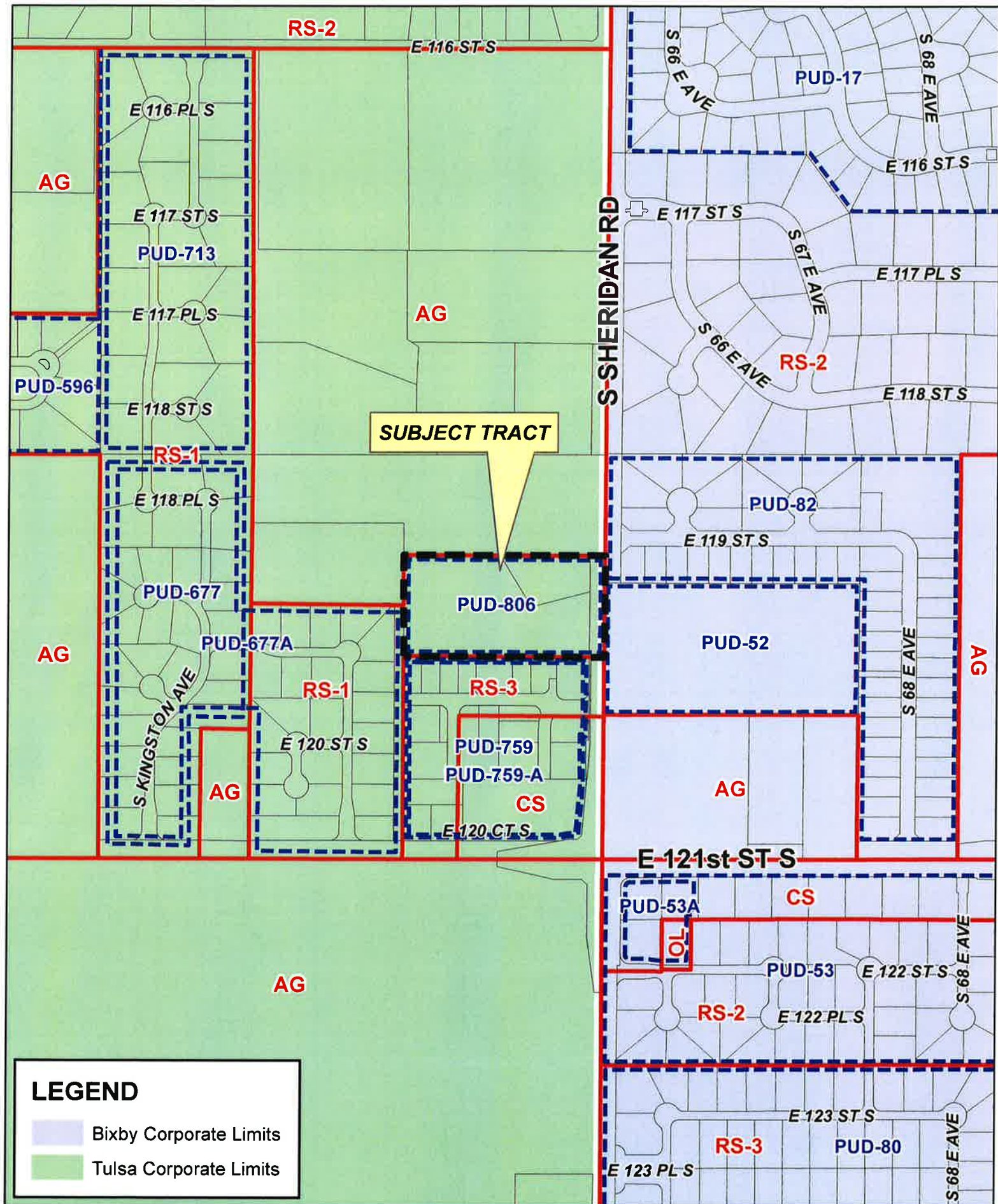
Staff has reviewed the request and determined:

- 1) The requested amendment does not represent a significant departure from the approved development standards in the PUD.
- 2) If approved, the design and layout of the 8 ft fence shall be subject to a detail site plan review.
- 3) All remaining development standards defined in PUD-806 and subsequent amendments shall remain in effect.

Exhibits included with staff recommendation:

INCOG zoning case map
INCOG aerial photo
INCOG aerial photo (enlarged)
Applicant Survey

With considerations listed above, staff recommends **approval** of the minor amendment request to allow an 8 ft fence in the required front yard.



PUD-806-2



0 Feet 200 400



Subject Tract

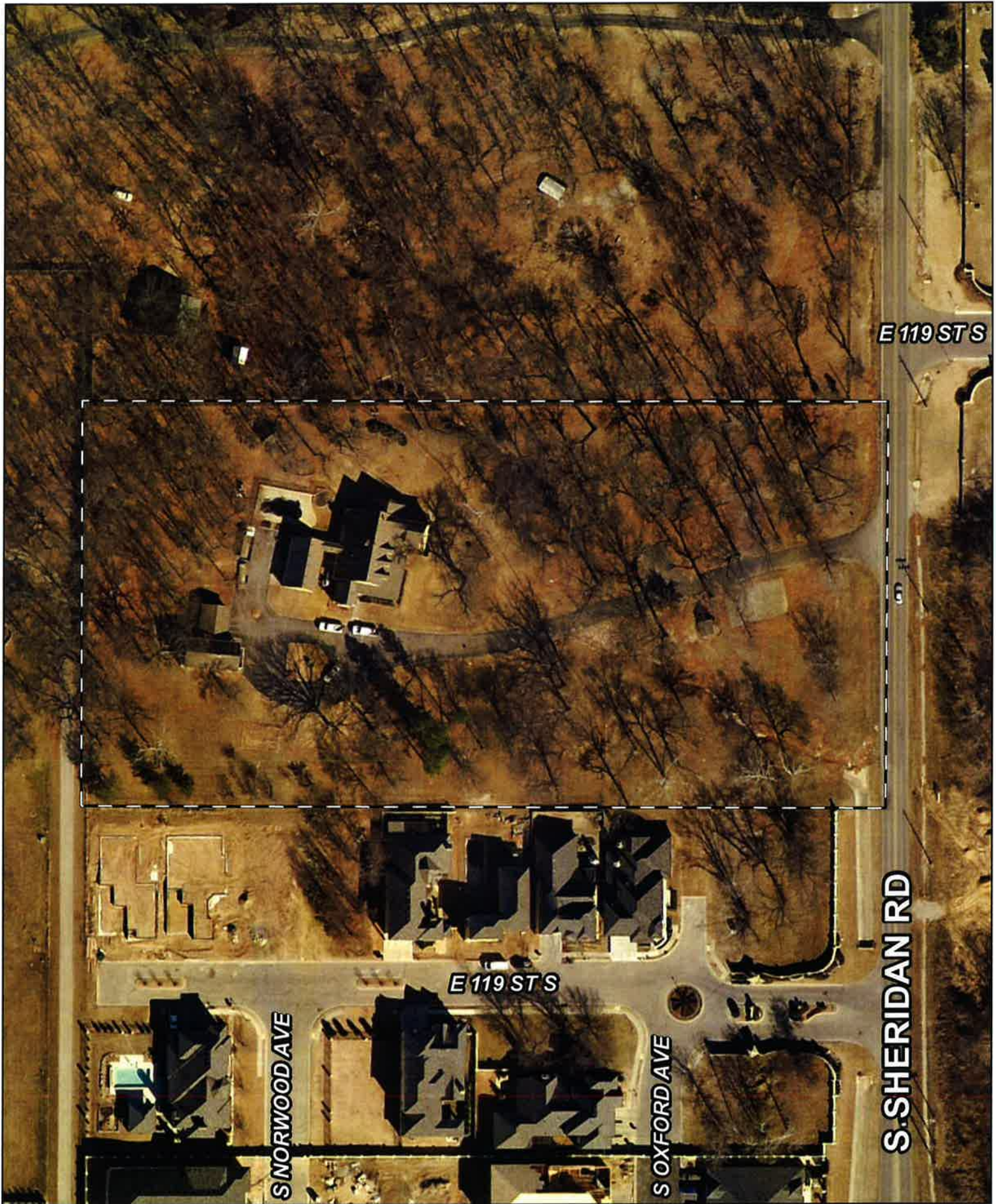
PUD-806-2

18-13 34

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

Aerial Photo Date: February 2018





0 Feet
50
100



Subject
Tract

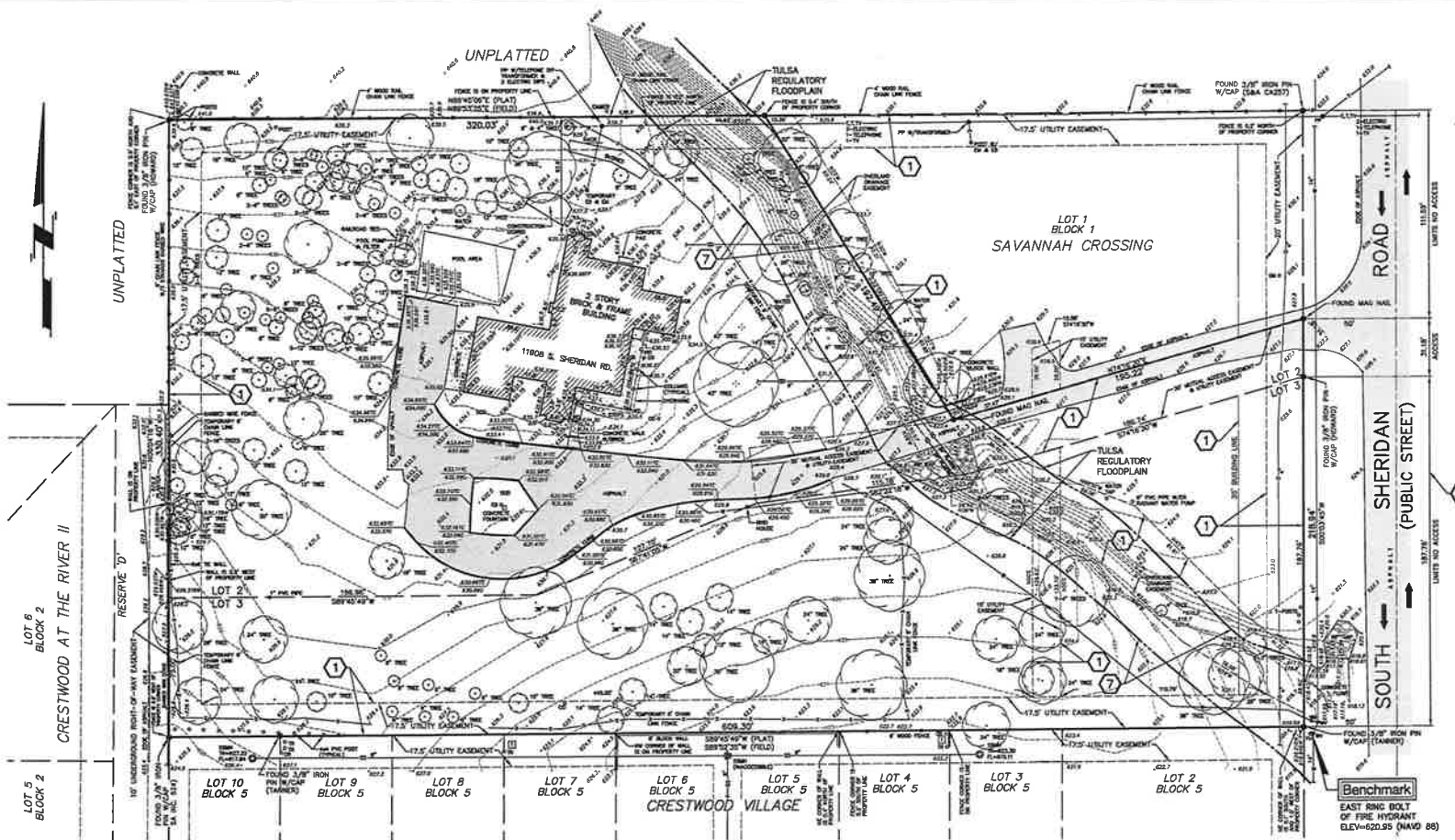
PUD-806-2

18-13 34

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

Aerial Photo Date: February 2018





Notes

1. EASEMENTS, INCLUDING SET BACK LINES AND LIMITS OF NO ACCESS FROM THE PLAT OF RECORD OF "SAVANNAH CROSSING".
2. THE BEARINGS SHOWN HEREIN ARE BASED ON THE PLAT OF RECORD OF "SAVANNAH CROSSING".
3. ALL CORNERS SHOWN ON THIS PLAT WERE SET USING A 3/8" X 1/8" IRON PIN WITH A YELLOW CAP STAMPED "SACK LS 1139" OR "SACK CA 1783", UNLESS OTHERWISE NOTED.
4. NO CURRENT ABSTRACT OR TITLE OPINION HAS BEEN FORMED BY US. THEREFORE, CERTAIN EASEMENTS, ENCUMBRANCES, DEDICATIONS, OR OTHER ENCUMBRANCES ARE SHOWN OR NOTED ON THIS PLAT.
5. FIELD WORK WAS COMPLETED ON SEPTEMBER 25, 2019.
6. LOTS 2 AND 3 COMBINED CONTAIN 167,258 SQUARE FEET OR 3,839.97 ACRES.
7. CITY OF TULSA REGULATORY FLOORPLAN PER MAP ATLAS DATED APRIL 2017.

Utility Statement

THE UNDERGROUND UTILITIES SHOWN ON THIS PLAT HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ON THIS PLAT ARE IN THE EXACT LOCATION INDICATED; ALTHOUGH, HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. CALL OKIE BEFORE DIGGING (800) 522-6543.

Certificate

WE, SACK AND ASSOCIATES, INC., DO HEREBY CERTIFY THAT WE HAVE MADE AN ON THE GROUND SURVEY OF THE PROPERTY SHOWN HEREON, AND THAT THIS IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY.

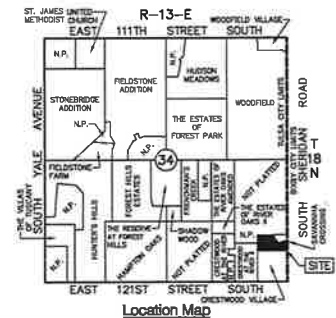
THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

CERTIFIED THIS 28TH DAY OF SEPTEMBER, 2018.



SACK AND ASSOCIATES, INC.

THEODORE A. SACK
LICENSED PROFESSIONAL LAND
SURVEYOR, OKLAHOMA NO. 1139



Legend

- | | |
|-----|-------------------------|
| 16 | OVERHEAD ELECTRIC LINE |
| 17 | OVERHEAD ELECTRIC CABLE |
| 18 | OVERHEAD TRIPPING LINE |
| 19 | OVERHEAD TRIPPING LINE |
| 20 | OVERHEAD TRIPPING LINE |
| 21 | OVERHEAD TRIPPING LINE |
| 22 | OVERHEAD TRIPPING LINE |
| 23 | OVERHEAD TRIPPING LINE |
| 24 | OVERHEAD TRIPPING LINE |
| 25 | OVERHEAD TRIPPING LINE |
| 26 | OVERHEAD TRIPPING LINE |
| 27 | OVERHEAD TRIPPING LINE |
| 28 | OVERHEAD TRIPPING LINE |
| 29 | OVERHEAD TRIPPING LINE |
| 30 | OVERHEAD TRIPPING LINE |
| 31 | OVERHEAD TRIPPING LINE |
| 32 | OVERHEAD TRIPPING LINE |
| 33 | OVERHEAD TRIPPING LINE |
| 34 | OVERHEAD TRIPPING LINE |
| 35 | OVERHEAD TRIPPING LINE |
| 36 | OVERHEAD TRIPPING LINE |
| 37 | OVERHEAD TRIPPING LINE |
| 38 | OVERHEAD TRIPPING LINE |
| 39 | OVERHEAD TRIPPING LINE |
| 40 | OVERHEAD TRIPPING LINE |
| 41 | OVERHEAD TRIPPING LINE |
| 42 | OVERHEAD TRIPPING LINE |
| 43 | OVERHEAD TRIPPING LINE |
| 44 | OVERHEAD TRIPPING LINE |
| 45 | OVERHEAD TRIPPING LINE |
| 46 | OVERHEAD TRIPPING LINE |
| 47 | OVERHEAD TRIPPING LINE |
| 48 | OVERHEAD TRIPPING LINE |
| 49 | OVERHEAD TRIPPING LINE |
| 50 | OVERHEAD TRIPPING LINE |
| 51 | OVERHEAD TRIPPING LINE |
| 52 | OVERHEAD TRIPPING LINE |
| 53 | OVERHEAD TRIPPING LINE |
| 54 | OVERHEAD TRIPPING LINE |
| 55 | OVERHEAD TRIPPING LINE |
| 56 | OVERHEAD TRIPPING LINE |
| 57 | OVERHEAD TRIPPING LINE |
| 58 | OVERHEAD TRIPPING LINE |
| 59 | OVERHEAD TRIPPING LINE |
| 60 | OVERHEAD TRIPPING LINE |
| 61 | OVERHEAD TRIPPING LINE |
| 62 | OVERHEAD TRIPPING LINE |
| 63 | OVERHEAD TRIPPING LINE |
| 64 | OVERHEAD TRIPPING LINE |
| 65 | OVERHEAD TRIPPING LINE |
| 66 | OVERHEAD TRIPPING LINE |
| 67 | OVERHEAD TRIPPING LINE |
| 68 | OVERHEAD TRIPPING LINE |
| 69 | OVERHEAD TRIPPING LINE |
| 70 | OVERHEAD TRIPPING LINE |
| 71 | OVERHEAD TRIPPING LINE |
| 72 | OVERHEAD TRIPPING LINE |
| 73 | OVERHEAD TRIPPING LINE |
| 74 | OVERHEAD TRIPPING LINE |
| 75 | OVERHEAD TRIPPING LINE |
| 76 | OVERHEAD TRIPPING LINE |
| 77 | OVERHEAD TRIPPING LINE |
| 78 | OVERHEAD TRIPPING LINE |
| 79 | OVERHEAD TRIPPING LINE |
| 80 | OVERHEAD TRIPPING LINE |
| 81 | OVERHEAD TRIPPING LINE |
| 82 | OVERHEAD TRIPPING LINE |
| 83 | OVERHEAD TRIPPING LINE |
| 84 | OVERHEAD TRIPPING LINE |
| 85 | OVERHEAD TRIPPING LINE |
| 86 | OVERHEAD TRIPPING LINE |
| 87 | OVERHEAD TRIPPING LINE |
| 88 | OVERHEAD TRIPPING LINE |
| 89 | OVERHEAD TRIPPING LINE |
| 90 | OVERHEAD TRIPPING LINE |
| 91 | OVERHEAD TRIPPING LINE |
| 92 | OVERHEAD TRIPPING LINE |
| 93 | OVERHEAD TRIPPING LINE |
| 94 | OVERHEAD TRIPPING LINE |
| 95 | OVERHEAD TRIPPING LINE |
| 96 | OVERHEAD TRIPPING LINE |
| 97 | OVERHEAD TRIPPING LINE |
| 98 | OVERHEAD TRIPPING LINE |
| 99 | OVERHEAD TRIPPING LINE |
| 100 | OVERHEAD TRIPPING LINE |

DETAILED TOPOGRAPHIC SURVEY
OF
LOTS 2 & 3 IN BLOCK 1
OF
'SAVANNAH CROSSING'
SECTION 34, T-18-N, R-13-E
CITY OF TULSA, TULSA COUNTY, OKLAHOMA

A horizontal scale bar with tick marks at 0, 30, and 60 feet. The text "SCALE IN FEET" is centered below the bar.

SACK AND ASSOCIATES, INC.
• ENGINEERING • SURVEYING • PLANNING •
3520 East 2nd Street South, Suite A, Tulsa, Oklahoma 74125-1319
PH 918.382.4111 Fax 918.382.4238 E-mail sa@sackandassociates.com
SA Number 1783 (P/L/S)

SURVEY KG BOOKS 5808 SCALE 1"=30' DATE 7/2018
DRAWN GDH CHECKED RLM ORDER G397A FILE 1813.34
PROJECT NAME SAVANNAH CHURCHING BY 12-3-8 DRAWING NAME TOPOOPE
PLOTTED SEPTEMBER 26, 2018 AT 3:47 PM DRAWER _____
SHEET'S COPYRTE 5-2234 SEAL-TAG 2-SAL SHEET 1 OF 1



Tulsa Metropolitan Area
Planning Commission

Case : Roan-Shire

Hearing Date: October 2, 2019

Case Report Prepared by:

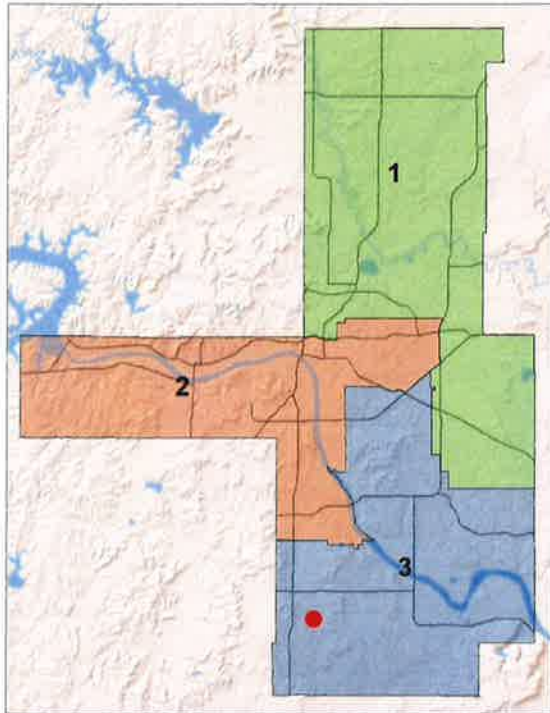
Nathan Foster

Owner and Applicant Information:

Applicant: Nathalie Cornett, Eller & Detrich

Owner: Emily Strauss

Location Map:
(shown with County Commission
districts)



Applicant Proposal:

Vacation of Plat & Termination of Deed of
Dedication

Roan-Shire, Plat No. 3952

Location: Northeast corner of East 161st
Street South and South Peoria Avenue

Zoning: AG

Staff Recommendation:

Staff recommends **approval**.

County Commission District 3:

Commissioner Name: Ron Peters

EXHIBITS: Vacation of Plat and Termination of Deed of Dedication

**VACATION OF PLAT AND
TERMINATION OF CERTIFICATE OF DEDICATION**

**ROAN-SHIRE ESTATES
[PLAT NO. 3952]**

THIS VACATION OF PLAT AND TERMINATION OF CERTIFICATE OF DEDICATION, ROAN-SHIRE ESTATES, PLAT NO. 3952 is entered into to be effective on the date set forth below.

RECITALS:

- A. The Plat and Certificate of Dedication of ROAN-SHIRE ESTATES was recorded in the office of the Tulsa County Clerk as Plat No. 3952 on September 14, 1979 (the "Plat").
- B. The Plat affects a tract of land that is located in Section 19, T-17-N, R-13-E, Tulsa County, Oklahoma, more specifically described below.
- C. The undersigned property owner is the owner of all of the lots in the Plat.
- D. The Plat and Certificate of Dedication should be vacated and the covenants and restrictions imposed thereby released as provided below in order to allow such land to be re-platted and redeveloped.

VACATION OF PLAT:

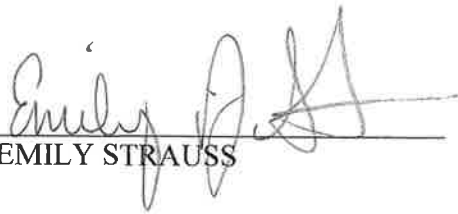
NOW, THEREFORE, the undersigned, being the sole owner of all of the property affected by the Plat, agrees that the Plat and Certificate of Dedication of ROAN-SHIRE ESTATES is hereby vacated and held for naught, and that the following described land is no longer subject to said Plat or Certificate of Dedication:

The S/2 of the SW/4 of the SW/4 and the S/2 of the N/2 of the SW/4 of the SW/4 of Section 19, Township 17 North, Range 13 East, Tulsa County, Oklahoma, according to the U.S. Government Survey thereof, and containing 30 acres more or less.

FURTHER, this instrument terminates and vacates all of the building and use restrictive covenants, setback lines, limits of no access, easements, and public ways provided for in the Plat and Certificate of Dedication recorded with said Plat No. 3952, pursuant to 11 O.S. § 42-106.

The undersigned has executed this instrument to be effective as of the date of set forth below.

Dated this 1st day of September, 2019.



EMILY STRAUSS

STATE OF OKLAHOMA)
) ss
COUNTY OF TULSA)

This instrument was acknowledged before me, a Notary Public, on this 11th day of September, 2019, by Emily Strauss, a single person.



NOTARY PUBLIC

My commission expires:

Commission No. _____



On this _____ day of _____, 2019, the Tulsa Metropolitan Area Planning Commission expressly acknowledges, consents and approves of the vacation of ROAN-SHIRE ESTATES, Plat No. 3952 and to the termination of the Certificate of Dedication accompanying the Plat.

Chairman of the TMAPC

On this _____ day of _____, 2019, the Board of County Commissioners of Tulsa County expressly acknowledges, consents and approves of the vacation of ROAN-SHIRE ESTATES, Plat No. 3952 and to the termination of the Certificate of Dedication accompanying the Plat.

Chairman

Attest:

Tulsa County Clerk

Date: _____

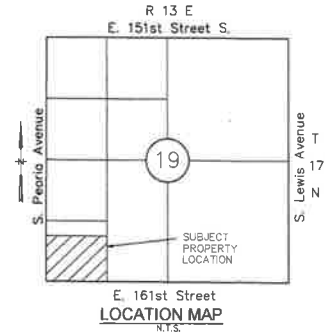
APPROVED AS TO FORM:

By: _____
Assistant District Attorney
Tulsa County, Oklahoma

Date: _____

PLAT OF SURVEY

A TRACT OF LAND LOCATED IN GOVERNMENT LOT 4, SW/4 OF SECTION 19, TOWNSHIP 17 NORTH, RANGE 13 EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.



Legend

- IRON PIN FOUND
- IRON PIN W/ CAP SET 'PLS 1893'
- EXISTING FENCE
- F.M. FIELD MEASURED
- MAG NAIL FOUND
- MAG NAIL SET
- POB POINT OF BEGINNING
- POC POINT OF COMMENCEMENT
- IPF IRON PIN FOUND
- IPCS IRON PIN W/ CAP SET

PLATTED LEGAL DESCRIPTION AS PLATTED - ROAN-SHIRE ESTATES PLAT NO.3952.

The S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the S $\frac{1}{2}$ of the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 19, Township 17 North, Range 13 East, Tulsa County, Oklahoma, according to the U.S. Government Survey thereof, and containing 30 acres more or less.

LEGAL DESCRIPTION AS PER ALTA COMMITMENT NO.18100376. DATED OCTOBER 26, 2018 AT 07:30 AM.

The South Half of the North Half (S $\frac{1}{2}$ N $\frac{1}{2}$) of Lot Four (4), and the South Half (S $\frac{1}{2}$) of Lot 4 (4), Section Nineteen (19), Township Seventeen (17) North, Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof.

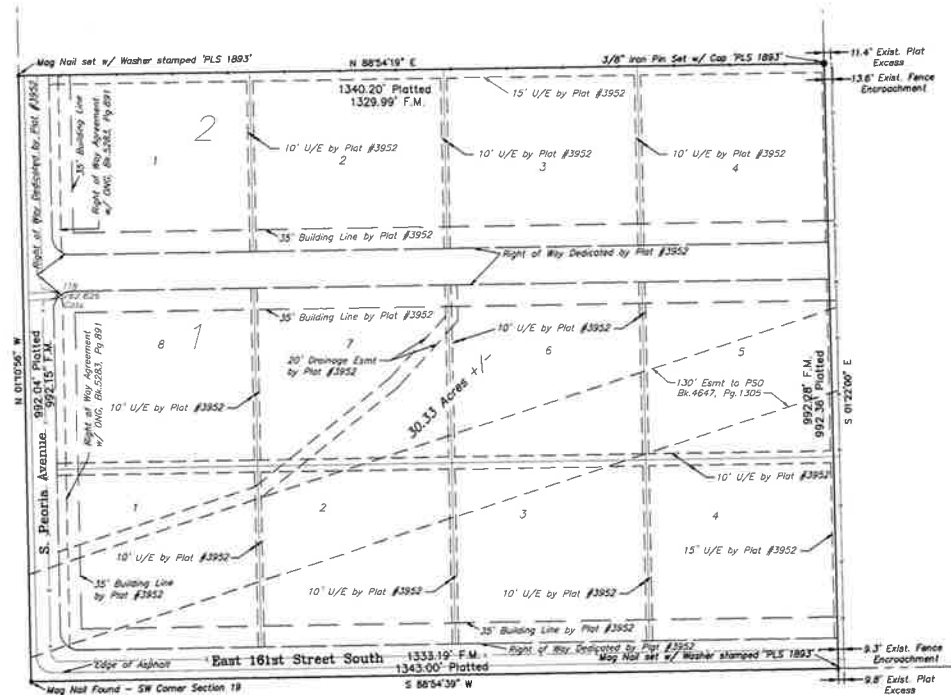
A/K/A All of ROAN-SHIRE ESTATES, an Addition to Tulsa County, State of Oklahoma, according to the recorded Plat thereof.



I, E. Dane Trout, a Registered Land Surveyor in the State of Oklahoma, hereby certify that the above plat represents a true and accurate survey performed under my direct supervision, and that this Plat of Survey meets or exceeds the Oklahoma Minimum Standards, as adopted by the Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors. Field survey was completed on April 3rd, 2019. Witness my hand and seal this 4th day of April, 2019.

TROUT LAND SURVEYING, LLC
 818.734.3423 • 807 N. Birch St. Jenks, OK 74037
 CA 7312 (LS) Exp. 6-30-2022

Scale:
 1 inch = 100 ft.



NOTES:

1. It is this Surveyor's opinion that the Plat, ROAN-SHIRE ESTATES was erroneously surveyed as a regular Section when, in fact, Section 19 is an irregular section bordering the Township line and should have been prorated into Government Lots as was the original Government Survey, approved April 9, 1898.
2. The ROAN-SHIRE ESTATES Plat is shown here, overlaid as platted with excess dimensioned for clarity. It is the owner's intent to vacate the existing Plat.
3. Basis of Bearings: Grid North as established by State Plane Datum NAD83(2011).
4. This firm was not contracted to research easement or encumbrances of record. No attempt to research the County Records or other Record Offices was performed by this firm, therefore, easements may affect the Subject Tract that are not reflected by this plat.

410



Tulsa Metropolitan Area
Planning Commission

Case: GCC Maybelle

Hearing Date: October 2, 2019

Case Report Prepared by:

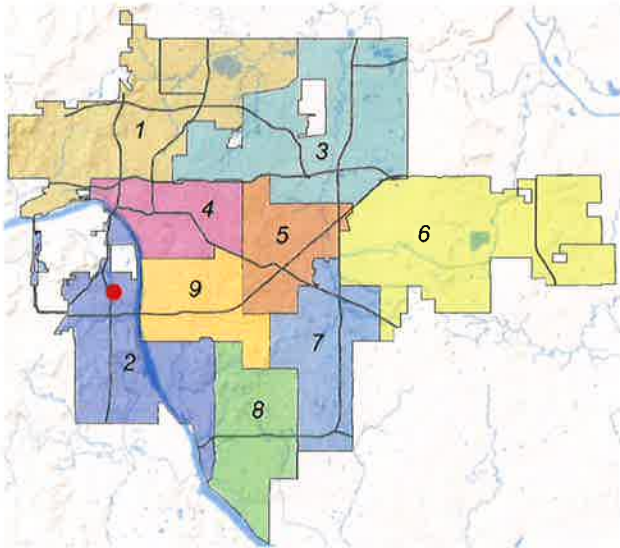
Nathan Foster

Owner and Applicant Information:

Applicant: Tanner Consulting

Owner: Standard Materials Group, INC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Preliminary Plat

1 lot, 1 block, 9.47 ± acres

Industrial

Location: South of the southwest corner of
West 41st Street South and South Maybelle
Avenue

Zoning: IM (Industrial – Moderate)

Staff Recommendation:

Staff recommends **approval** of the
preliminary plat

City Council District: 2

Councilor Name: Jeannie Cue

County Commission District: 2

Commissioner Name: Karen Keith

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

PRELIMINARY SUBDIVISION PLAT

GCC Maybelle - (CD 2)

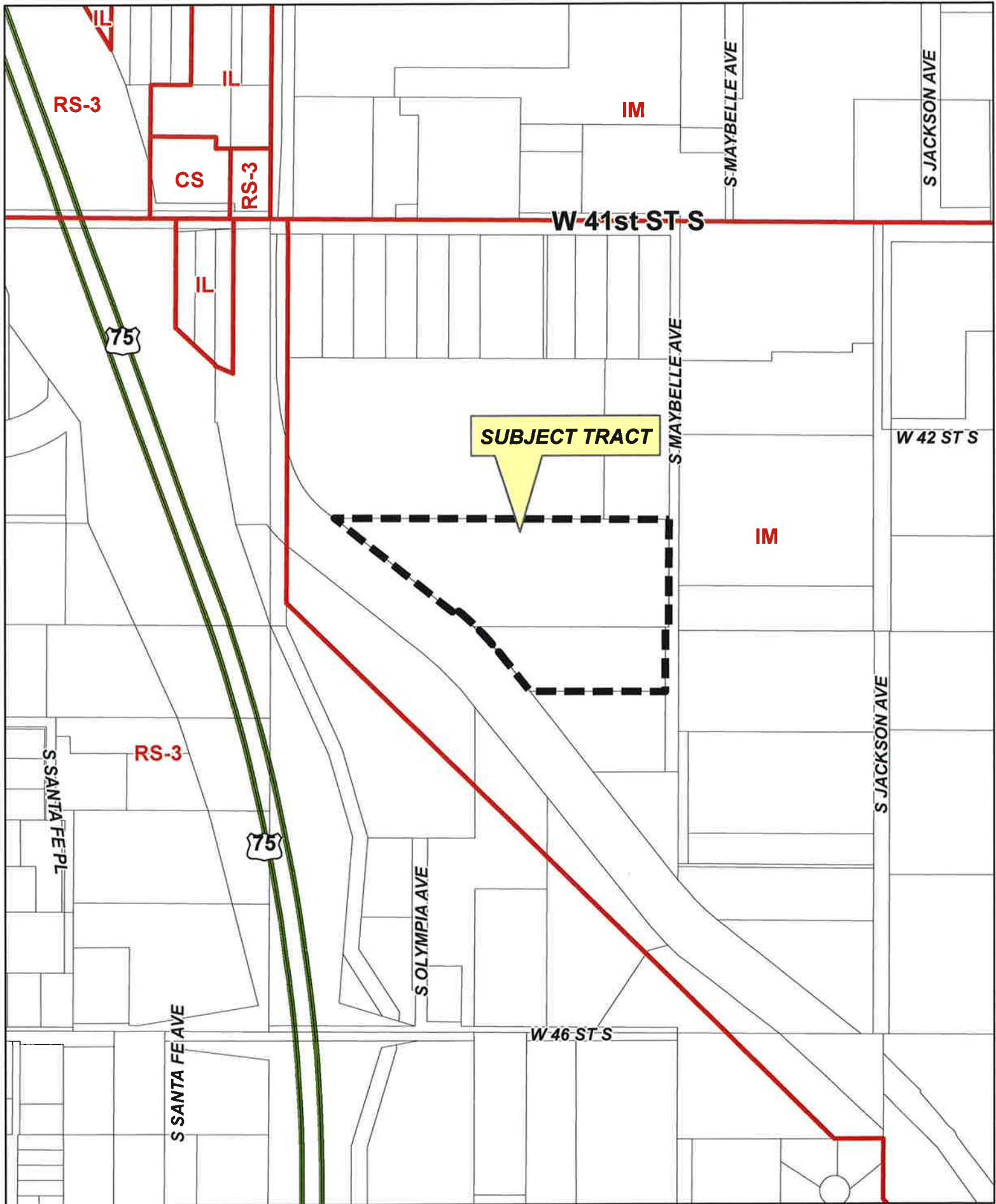
South of the southwest corner of West 41st Street South and South Maybelle Avenue

This plat consists of 1 lot, 1 block on 9.47 ± acres.

The Technical Advisory Committee (TAC) met on September 19, 2019 and provided the following conditions:

1. **Zoning:** All property included within the subdivision plat is zoned IM (Industrial – Moderate). The proposed lot conforms to the requirements of the IM district.
2. **Addressing:** City of Tulsa addresses and street names must be assigned and affixed to the face of the final plat.
3. **Transportation & Traffic:** Label all right-of-way and easement information with recording information or indicated “by plat” for any new dedications. Easement required for Cherry Creek Trail encroachment within west property line. Trail easement will be adjacent to utility easement. Language for easement will be provided by Tulsa Planning Office.
4. **Sewer:** Existing sewer service adjacent to South Maybelle Avenue.
5. **Water:** Existing water service adjacent to South Maybelle Avenue.
6. **Engineering Graphics:** Submit a subdivision control data sheet with the final plat. CA number shown on the face of the plat for Surveyor/Engineer has expired. Graphically show all property pins found or set that are associated with the plat. Correct location map to include all platted properties and label all other property as “Unplatted”. Remove parcel lines from location map. Indicate “Subject Tract” in location map. Ensure consistency between legal description and face of the plat.
7. **Fire:** No comments.
8. **Stormwater, Drainage, & Floodplain:** Modifications or expansions to existing City of Tulsa drainage facilities will require IDP approval and appropriate easements.
9. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** All utilities indicated to serve the site must provide a release prior to final plat approval. Provide a Certificate of Records Search from the Oklahoma Corporation Commission to verify no oil & gas activity on the site.

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



GCC MAYBELLE

19-12 26





0 200 400
Feet



Subject
Tract

GCC MAYBELLE

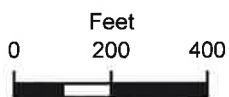
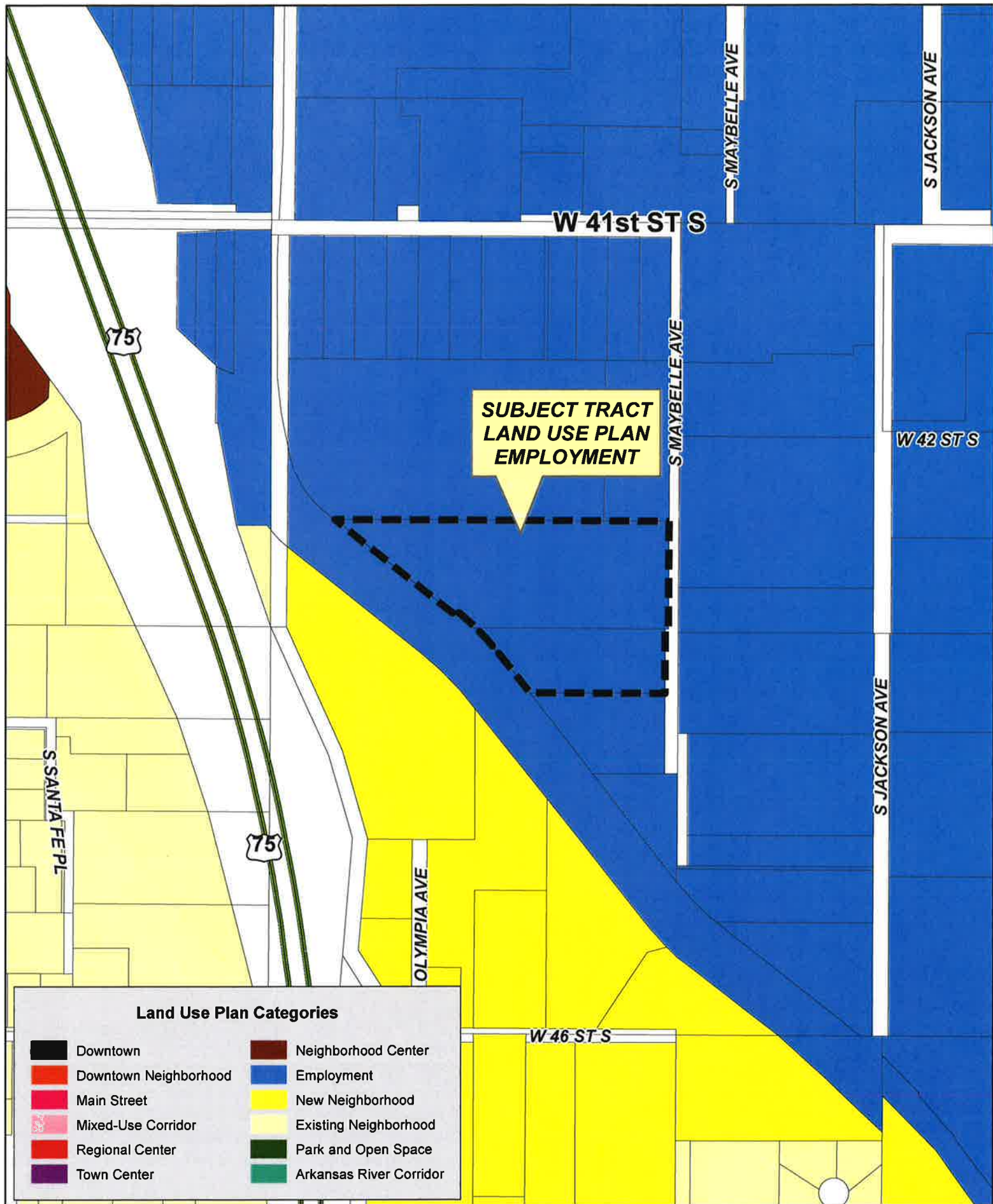
19-12 26

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

Aerial Photo Date: February 2018

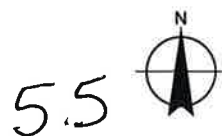


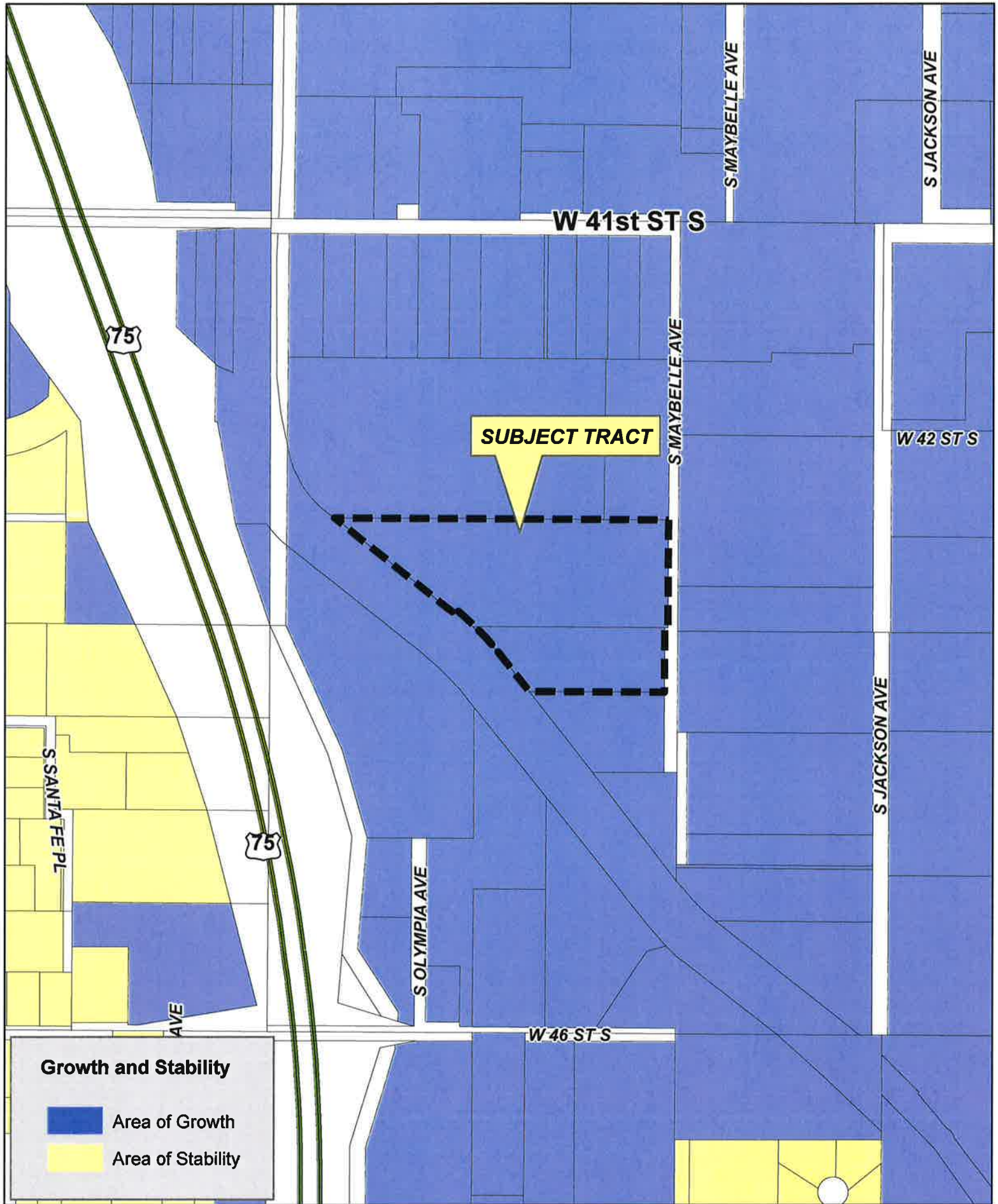
5.4



GCC MAYBELLE

19-12 26





GCC MAYBELLE

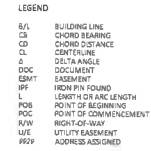
19-12 26



GCC Maybelle

PART OF THE NORTHWEST QUARTER (NW/4) OF SECTION TWENTY-SIX (26)
TOWNSHIP NINETEEN (19) NORTH, RANGE TWELVE (12) EAST, OF THE INDIAN MERIDIAN
AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

DAN E TANNER, P.L.S. NO. 1435
OK CA NO. 2661, EXPIRES 6/30/2017
EMAIL: DAN@TANNERBAITSHOP.COM
5323 South Lewis Avenue
Tulsa, Oklahoma 74105
Phone: (918) 745-9929



FINAL PLAT	
ENDORSEMENT OF APPROVAL	
Tulsa Metropolitan Area Planning Commission	
Approval Date:	
	TMAPC/INCDG
	CITY ENGINEER
Council of the City of Tulsa, Oklahoma	
Approval Date:	
	CHAIRMAN
	MAYOR
	ATTY: CITY CLERK
	CITY ATTORNEY
The approval of this Final Plat will expire one year from the date of City Council approval if not filed in the Office of the County Clerk within that date.	



Unplatted
OZARK STEEL LLC
DOC# 2015019D01

Unplatted
OZARK STEEL LLC
DOC# 2015019001

Unplatted
S&R COMPRESSION LLC
DOC# 2013095224

Unplatted
AAA COOPER TRANSPORTATION ATTN
TX DEPT DOC# 05768-01190

Unplatted
MAYBELLE INDUSTRIAL INVESTORS LLC
DOC# 2012114779

THIS PLAT MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF SURVEYING AND MEASURING AS REQUIRED BY THE STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

ALL PROPERTY CORNERS ARE SET 3/8" IRON REBAR WITH YELLOW CAP STAMPED "TANNER RKS 1433" UNLESS OTHERWISE NOTED.

THE BOUNDARIES SHOWN HEREON ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM WITH THE 1983 NATIONAL ADJUSTMENT (NAD83). SHED BEARINGS ARE BASED ONCE UPON FIELD OBSERVED TIES TO THE NEARBY SURVEYED CORNERS.

(1) CDOT BEARING CAP FOUND AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER (NW1/4) OF SECTION 26;

(2) 3/8" IRON PIN FOUND AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER (NW1/4) OF SECTION 26;

(3) BOUNDARIES BETWEEN SAID NEIGHBORHOODS BEING 30'00" EAST.

ADDRESSES SHOWN ON THIS PLAT ARE ACCURATE AT THE TIME THE PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN THE EVENT OF THE LEGAL DISPUTE.

ACCESS TO THE TRAIL RIGHT-OF-WAY WAS PROVIDED BY SOUTH HAZLEWELL AVENUE BY VIRTUE OF RIGHT-OF-WAY DEED DATED BY THIS PLAT.

GCC Maybelle
SHEET 1 OF 3

57

Preliminary Plat

GCC Maybelle

PART OF THE NORTHWEST QUARTER (NW/4) OF SECTION TWENTY-SIX (26) TOWNSHIP NINETEEN (19) NORTH, RANGE TWELVE (12) EAST, OF THE INDIAN MERIDIAN AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

Deed of Dedication

KNOW ALL MEN BY THESE PRESENTS

THAT MID-CONTINENT CONCRETE COMPANY, INC. HEREIN AFTER REFERRED TO AS THE "OWNER", IS THE OWNER OF THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA:

THE FOLLOWING DESCRIBED IS BASED ON THE CORRESPONDING SPECIAL WARRANTY DEED, RECORDED AUGUST 21, 2018 AS DOCUMENT #2018079564 AT THE TULSA COUNTY CLERK'S OFFICE:

A TRACT OF LAND IN THE EAST HALF OF THE NORTHWEST QUARTER (1/2 NW/4) OF SECTION TWENTY-SIX (26), TOWNSHIP NINETEEN (19) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT A POINT ON THE NORTH-SOUTH MAIN SECTION LINE A DISTANCE OF 324.1 FEET SOUTH OF THE NORTHEAST CORNER OF THE MAIN OF SAID SECTION 26; THENCE SOUTH 89°24'47" WEST TO THE POINT OF BEGINNING;

THENCE SOUTH 0°42'20" EAST FOR A DISTANCE OF 350.53 FEET; THENCE SOUTH 89°24'47" WEST A DISTANCE OF 20.00 FEET; THENCE SOUTH 0°42'20" EAST A DISTANCE OF 350.53 FEET; THENCE SOUTH 89°24'47" WEST A DISTANCE OF 430.17 FEET; THENCE NORTH 89°24'47" WEST A DISTANCE OF 148.88 FEET TO A POINT OF CURVE; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 971.45 FEET A DISTANCE OF 213.29 FEET TO A POINT; THENCE SOUTH 0°42'20" WEST FOR A DISTANCE OF 33.00 FEET; THENCE NORTH 52°21'24" WEST A DISTANCE OF 480.76 FEET; THENCE NORTH 89°24'47" EAST A DISTANCE OF 330.00 FEET TO THE POINT OF BEGINNING.

SUBJECT PROPERTY CONTAINS 432,544.54 SQUARE FEET OR 9.873 ACRES IN TOTAL.

THE BEARINGS SHOWN HEREON ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM NORTH ZONE (2011), NORTH AMERICAN DATUM 1983 (NAD83); SAID BEARINGS ARE BASED LOCALLY UPON FIELD-OBSERVED TIES TO THE FOLLOWING MONUMENTS:

- (1) COOT BARRIS CAD FOUND AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER (NW/4) OF SECTION 26;
- (2) 5/8" IRON PIN FOUND AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER (SW/4) OF SECTION 26; THE BEARING BETWEEN SAID MONUMENTS BEING SOUTH 78°20' EAST.

THE OWNER HAS CAUSED THE SAME TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO LOTS, BLOCKS, RESERVES AREAS, AND STREETS AS SHOWN BY THE ACCOMPANYING PLAT AND SURVEY THEREOF, AND WHICH PLAT IS MADE A PART HEREOF; AND THE OWNER HAS GIVEN TO SAID PLAT THE NAME OF "GCC MAYBELLE LLC", A SUBDIVISION WITHIN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA, (HEREINAFTER THE WORD "SUBDIVISION" APPEARS HEREIN THE SAME SHALL CONCLUSIVELY BE DEEMED TO MEAN "GCC MAYBELLE LLC" UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE, WHEREVER THE WORD "CITY" APPEARS HEREIN THE SAME SHALL CONCLUSIVELY BE DEEMED TO MEAN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA, UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE). NOW, THEREFORE, THE OWNER, FOR THE PURPOSE OF PROVIDING FOR THE ORDERLY DEVELOPMENT OF THE SUBDIVISION, AND FOR THE PURPOSE OF IMPOSING ADEQUATE RESTRICTIONS FOR THE MUTUAL BENEFIT OF THE OWNER, ITS SUCCESSORS, GRANTEES AND ASSIGNEES, THE BENEFICIARIES OF THE COVENANTS SET FORTH BELOW, DOES HEREBY MAKE THE FOLLOWING RESTRICTIONS AND COVENANTS, WHICH SHALL BE COVENANTS RUNNING WITH THE LAND AND WHICH SHALL BE ENFORCEABLE BY THE OWNER OR OWNER OF ANY PROPERTY WITHIN THE SUBDIVISION AND BY THE BENEFICIARIES OF THE COVENANTS SET FORTH BELOW AND WHICH SHALL BE ENFORCEABLE AS HEREINAFTER SET FORTH:

SECTION I. STREETS, EASEMENTS, AND UTILITIES

THE OWNER HEREBY DEDICATES TO THE PUBLIC THE STREET RIGHTS-OF-WAY DEPICTED ON THE ACCOMPANYING PLAT. THE OWNER FURTHER DEDICATES TO THE PUBLIC THE UTILITY EASEMENTS DESIGNATED AS "LOT OR UTILITY EASEMENT" FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING, AND/OR REMOVING ANY AND ALL PUBLIC UTILITIES, INCLUDING STORM SEWERS, SANITARY SEWERS, TELEPHONE AND COMMUNICATION LINES, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES, WATER LINES AND CABLE TELEVISION LINES, TOGETHER WITH ALL FITTINGS, INCLUDING THE POLES, WIRES, CONDUITS, PIPES, VALVES, METERS, MANHOLES, AND EQUIPMENT FOR EACH OF SUCH FACILITIES AND ANY OTHER APPURTENANCES THEREON, WITH THE RIGHTS OF INGRESS AND EGRESS TO AND UPON THE UTILITY EASEMENTS FOR THE USES AND PURPOSES STATED, PROVIDED THE OWNER RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, REPAIR, AND REPLACE OR REPLACE WATER LINES, SANITARY SEWERS, STORM SEWERS, AND STORM SEWER MAINS, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, REPAIRING, REPLACING, AND/OR REMOVING, AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT FOR THE PURPOSE OF FURNISHING WATER, SANITARY SEWERS, AND STORM SEWER SERVICES TO AREAS DEPICTED ON THE PLAT. THE OWNER HEREBY IMPOSES A RESTRICTIVE COVENANT, WHICH COVENANT SHALL BE BINDING ON EACH LOT OWNER AND SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA, AND BY THE SUPPLY OF AFFICTED UTILITY SERVICES THAT, WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, NO BUILDING, STRUCTURE, OR OTHER ABOVE OR BELOW GROUND OBSTRUCTION THAT INTERFERES WITH STATED USES AND PURPOSES OF THE UTILITY EASEMENTS SHALL BE PLACED, DIRECTED, INSTALLED, OR MAINTAINED; PROVIDED NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT DRIVES, PARKING AREAS, CURBS,

LANDSCAPING, AND CUSTOMARY SCREENING FENCES THAT DO NOT CONSTITUTE AN OBSTRUCTION.

B. UTILITY SERVICES:

1. OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE, CABLE TELEVISION, AND COMMUNICATION SERVICES MAY BE LOCATED WITHIN THE RIGHT-OF-WAY DEPICTED ON THIS PLAT AND WITHIN THE UTILITY EASEMENT OF THE SUBDIVISION. STREET LIGHT POLES OR STANDARDS SHALL BE SERVED ONLY BY UNDERGROUND CABLE AND, EXCEPT AS PROVIDED IN THE MAINTENANCE-PRECEDENCE SCHEDULE, ALL SUPPLY LINES INCLUDING ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS LINES SHALL BE LOCATED UNDERGROUND OR EASEMENTS PROVIDED FOR GENERAL UTILITY SERVICE AND THE RIGHTS-OF-WAY OF THE PUBLIC STREETS AS DEPICTED ON THE ACCOMPANYING PLAT. SERVICE RECEPTS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN GENERAL UTILITY EASEMENTS.

2. UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES WITHIN THE SUBDIVISION MAY BE EXTENDED FROM THE NEAREST GAS MAIN, SERVICE PEDISTAL, OR TRANSFORMER TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF A STRUCTURE UPON THE LOT. PROVIDED THAT, UPON INSTALLATION OF A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEDICATIVE, PERMANENT, EFFECTIVE, AND NON-EXCLUSIVE EASEMENT ON THE LOT, CONTAINING A 5-FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE OR LINE EXTENDING FROM THE GAS MAIN, SERVICE PEDISTAL, OR TRANSFORMER TO THE SERVICE ENTRANCE ON THE STRUCTURE.

3. EACH SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION, COMMUNICATION, AND GAS SERVICE, THROUGH ITS AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS SHOWN ON THE PLAT OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REPAIRING, OR REPLACING ANY PORTION OF THE UNDERGROUND ELECTRIC, TELEPHONE, CABLE TELEVISION, COMMUNICATION, OR GAS FACILITIES INSTALLED BY THE SUPPLIER OF THE UTILITY SERVICE.

4. THE OWNER OF ANY LOT OR RESERVE AREA SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND SERVICE FACILITIES LOCATED ON THE OWNER'S LOT OR RESERVE AREA AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY OTHER CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE ELECTRIC, TELEPHONE, CABLE TELEVISION, COMMUNICATION, OR GAS FACILITIES. EACH SUPPLIER OF THESE SERVICES SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE OWNER OF THE LOT OR RESERVE AREA SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OF THE LOT OR RESERVE AREA OR SAID OWNERS AGENTS OR CONTRACTORS.

5. THE COVENANTS SET FORTH IN THIS SUBSECTION A, SHALL BE ENFORCEABLE BY EACH SUPPLIER OF ELECTRIC, TELEPHONE, COMMUNICATION, OR GAS SERVICE, AND THE OWNER OF EACH LOT OR RESERVE AREA AGREES TO BE BOUND BY THESE COVENANTS.

C. GAS SERVICE:

1. THE SUPPLIER OF GAS SERVICE THROUGH ITS AGENTS AND EMPLOYEES SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS SHOWN ON THE PLAT OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MOVING, REPAIRING, OR REPLACING ANY PORTION OF THE FACILITIES INSTALLED BY THE SUPPLIER OF GAS SERVICE.

2. THE OWNER OF THE LOT OR RESERVE AREA SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND GAS FACILITIES LOCATED IN THEIR LOT OR RESERVE AREA AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY OTHER CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE GAS SERVICE. THE SUPPLIER OF THE GAS SERVICE SHALL BE RESPONSIBLE FOR THE ORDINARY MAINTENANCE OF SAID FACILITIES, BUT THE OWNER OF THE LOT OR RESERVE AREA SHALL PAY FOR DAMAGE OR RELOCATION OF FACILITIES CAUSED OR NECESSITATED BY ACTS OF SUCH OWNER OR SUCH OWNER'S AGENTS OR CONTRACTORS.

3. THE FOREGOING COVENANTS SET FORTH IN THIS SUBSECTION B, SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE GAS SERVICE AND THE LOT OR RESERVE AREA OWNER AGREES TO BE BOUND BY THESE COVENANTS.

C. WATER, SANITARY SEWER, AND STORM SEWER SERVICE:

1. THE OWNER OF EACH LOT OR RESERVE AREA SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAIN, SANITARY SEWER MAINS, AND STORM SEWERS LOCATED WITHIN THE OWNER'S LOT OR RESERVE AREA.

2. WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GRADE FROM THE CONTIGUOUS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, SANITARY SEWER MAIN, OR STORM SEWER, OR ANY CONSTRUCTION ACTIVITY WHICH, IN THE JUDGMENT OF THE CITY OF TULSA, WOULD INTERFERE WITH PUBLIC WATER MAIN, SANITARY SEWER MAINS, OR STORM SEWERS SHALL BE PROHIBITED.

3. THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER MAINS, SANITARY SEWER MAINS, AND STORM SEWERS BUT THE

OWNER OF THE LOT OR RESERVE AREA SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE LOT OR RESERVE AREA OWNER OR SAID OWNERS AGENTS OR CONTRACTORS.

4. THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION, FOR THE PURPOSE OF INSTALLING, MAINTAINING, REPAIRING, OR REPLACING ANY PORTION OF UNDERGROUND WATER, SANITARY SEWER, OR STORM SEWER FACILITIES.

5. THE FOREGOING COVENANTS SET FORTH IN SUBSECTION C, SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, AND THE OWNER OF EACH LOT OR RESERVE AREA AGREES TO BE BOUND BY THESE COVENANTS.

D. OVERLAND DRAINAGE EASEMENTS:

1. THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC PORTABLE EASEMENTS ON, OVER, AND ACROSS THOSE AREAS DESIGNATED ON THE ACCOMPANYING PLAT AS "OVERLAND DRAINAGE EASEMENT OR "DOE" FOR THE PURPOSE OF PERMITTING THE OVERLAND FLOW, CONVEYANCE, AND DISCHARGE OF STORMWATER RUNOFF FROM VARIOUS LOTS AND RESERVE AREAS WITHIN THE SUBDIVISION AND FROM PROPERTIES OUTSIDE THE SUBDIVISION.

2. DRAINAGE FACILITIES LOCATED WITHIN OVERLAND DRAINAGE EASEMENTS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE ADOPTED STANDARDS OF THE CITY OF TULSA, OKLAHOMA, AND PLANS AND SPECIFICATIONS APPROVED BY THE CITY OF TULSA, OKLAHOMA.

3. NO FENCE, WALL, BUILDING, OR OTHER OBSTRUCTION SHALL BE PLACED OR MAINTAINED WITHIN AN OVERLAND DRAINAGE EASEMENT, NOR SHALL THERE BE ANY ALTERATION OF THE GRACE IN SUCH EASEMENTS UNLESS APPROVED BY THE CITY OF TULSA, OKLAHOMA, PROVIDED THAT THE PLANTING OF TULIP SHALL NOT REQUIRE THE APPROVAL OF THE CITY OF TULSA, OKLAHOMA.

4. THE OVERLAND DRAINAGE EASEMENT LOCATED WITHIN THE SUBDIVISION SHALL BE MAINTAINED BY THE LOT OWNER. IN THE EVENT THE LOT OWNER FAILS TO PROPERLY MAINTAIN THE EASEMENT LOCATED THEREON OR, IN THE EVENT OF THE PLACEMENT OF AN OBSTRUCTION WITHIN THE EASEMENT, ON THE ALTERATION OF GRADE THEREIN, THE CITY OF TULSA, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR MAY ENTER THE OVERLAND DRAINAGE EASEMENT AND PERSONAL MAINTENANCE NECESSARY TO ACHIEVE THE INTENDED DRAINAGE FUNCTIONS AND MAY REMOVE ANY OBSTRUCTION OR CORRECT ANY ALTERATION OF GRADE, AND THE COSTS SHALL BE PAID BY THE OWNER. IN THE EVENT THE OWNER FAILS TO PAY THE COST OF MAINTENANCE AFTER RECEIPT OF A STATEMENT OF COSTS FROM THE CITY OF TULSA, OKLAHOMA, THE CITY MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS IN THE LAND RECORDS OF THE TULSA COUNTY CLERK, AND THEREAFTER THE COSTS SHALL BE A LIE AGAINST EACH LOT IN THE SUBDIVISION. A LIEN ESTABLISHED AS PROVIDED ABOVE MAY BE FORECLOSED BY THE CITY OF TULSA, OKLAHOMA.

E. SURFACE DRAINAGE:

EACH LOT AND RESERVE AREA SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS, RESERVE AREAS, AND DRAINAGE AREAS OF HIGHER ELEVATION, AND LOT OR RESERVE AREA OWNER SHALL CONSTRUCT OR PERMIT TO BE CONSTRUCTED ANY FENCE OR OTHER OBSTRUCTIONS WHICH WOULD IMPAIR THE DRAINAGE OF STORM AND SURFACE WATERS OVER AND ACROSS THE OWNER'S LOT OR RESERVE AREA. THE COVENANTS SET FORTH IN THIS PARAGRAPH E, SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OR RESERVE AREA OWNER AND BY THE CITY OF TULSA, OKLAHOMA.

F. PAVING AND LANDSCAPING WITHIN EASEMENTS:

THE OWNER OF ANY LOT OR RESERVE AREA DEPICTED ON THE ACCOMPANYING PLAT SHALL BE RESPONSIBLE FOR THE REPAIR OF DAMAGE TO LANDSCAPING AND PAVING OCCASIONED BY INSTALLATION OR NECESSARY MAINTENANCE OF UNDERGROUND WATER, SANITARY SEWER, STORM SEWER, NATURAL GAS, CABLE TELEVISION, COMMUNICATION, OR ELECTRIC FACILITIES WITHIN THE EASEMENT AREAS DEPICTED ON THE ACCOMPANYING PLAT. THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, OR THE SUPPLIER OF THE UTILITY SERVICE SHALL USE REASONABLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES.

G. SIDEWALKS:

SIDEWALKS SHALL BE CONSTRUCTED AND MAINTAINED ALONG STREETS DESIGNATED BY AND IN ACCORDANCE WITH THE TULSA METROPOLITAN AREA SUBDIVISION AND DEVELOPMENT REGULATIONS AND IN CONFORMANCE WITH THE CITY OF TULSA ENGINEERING DESIGN STANDARDS. THE OWNER SHALL BE RESPONSIBLE FOR CONSTRUCTION OF A SIDEWALK WITHIN THE STREET RIGHTS-OF-WAY AS DEPICTED ON THE ATTACHED PLAT. SIDEWALKS SHALL BE CONSTRUCTED WITH ADJOINING SIDEWALKS.

H. CERTIFICATE OF OCCUPANCY RESTRICTIONS:

NO CERTIFICATE OF OCCUPANCY FOR A BUILDING WITHIN THE SUBDIVISION SHALL BE ISSUED BY

THE CITY OF TULSA, OKLAHOMA UNTIL CONSTRUCTION OF THE REQUIRED INFRASTRUCTURE (STREETS, WATER, SANITARY SEWER, AND STORM SEWER SYSTEMS, AND SIDEWALKS) THAT THE OWNER IS OBLIGATED TO CONSTRUCT SERVING THE ENTIRE SUBDIVISION HAS BEEN COMPLETED AND ACCEPTED BY THE CITY. NOTWITHSTANDING THE FOREGOING, THE CITY MAY AUTHORIZE THE ISSUANCE OF A TEMPORARY CERTIFICATE OF OCCUPANCY IF, IN THE CITY'S SOLE DISCRETION, THE CIRCUMSTANCES SUPPORT THE ISSUANCE. FURTHER NOTWITHSTANDING THE FOREGOING, THE CITY MAY AUTHORIZE THE PHASING OF THE CONSTRUCTION OF INFRASTRUCTURE WITHIN THE SUBDIVISION, AND IF PHASING IS AUTHORIZED, A CERTIFICATE OF OCCUPANCY FOR A BUILDING WITHIN AN AUTHORIZED PHASE MAY ISSUE UPON THE COMPLETION AND ACCEPTANCE OF THE INFRASTRUCTURE SERVING THE PARTICULAR PHASE. BUILDING CONSTRUCTION OCCURRING FROM THE LOT, NOTWITHSTANDING THE ISSUANCE OF A BUILDING PERMIT OR OF A TEMPORARY CERTIFICATE OF OCCUPANCY.

SECTION I. EASEMENT, DURATION, AMENDMENT OR TERMINATION, AND SEVERABILITY

A. EASEMENT:

THE RESTRICTIONS HEREIN SET FORTH ARE COVENANTS TO RUN WITH THE LAND AND SHALL BE BINDING UPON THE CITY, ITS SUCCESSORS AND ASSIGNS, WITHIN THE PROVISIONS OF SECTION I. STREETS, EASEMENTS, AND UTILITIES, SECTION II. RESERVE AREAS, AND SECTION V. EASEMENT, DURATION, AMENDMENT OR TERMINATION, AND SEVERABILITY ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THEREON, AND ADDITIONALLY THE COVENANTS WITHIN SECTIONS I., II., AND V., WHETHER OR NOT SPECIFICALLY THEREIN SO STATED, SHALL RUN TO THE BENEFIT OF AND SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA. THE COVENANTS CONTAINED IN SECTION II., PLAT RESTRICTIONS ARE ESTABLISHED PURSUANT TO THE OPTIMAL DEVELOPMENT PLAN PROVISIONS OF THE TULSA ZONING CODE IN EFFECT AS OF FEBRUARY 01, 2018 AND SHALL RUN TO THE BENEFIT OF THE CITY OF TULSA, OKLAHOMA, ANY OWNER OF A LOT, AND THE PROPERTY OWNERS' ASSOCIATION. IF THE PROPERTY OWNER, OR ITS SUCCESSORS OR ASSIGNS, SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTION II., IT SHALL BE LAWFUL FOR THE CITY OF TULSA, ANY OWNER OF A LOT, OR THE PROPERTY OWNERS ASSOCIATION TO MAINTAIN ANY ACTION AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT, TO PREVENT SUCH PERSON OR PERSONS FROM SO DOING OR TO COMPEL COMPLIANCE WITH THE COVENANT. THE COVENANTS CONTAINED IN SECTION II. PROPERTY OWNERS ASSOCIATION SHALL RUN TO THE BENEFIT OF ANY OWNER OF A LOT AND THE PROPERTY OWNERS ASSOCIATION. IF THE UNDERGROUNDED OWNER, OR ITS SUCCESSORS OR ASSIGNS, SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTION IV., IT SHALL BE LAWFUL FOR ANY OWNER OF A LOT OR THE PROPERTY OWNERS ASSOCIATION TO MAINTAIN ANY ACTION AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT, TO PREVENT SUCH PERSON OR PERSONS FROM SO DOING OR TO COMPEL COMPLIANCE WITH THE COVENANT. IN ANY ADDITIONAL ACTION TO ENFORCE THE COVENANTS ESTABLISHED WITHIN THIS DEED OF DEDICATION, THE COURTING THAT THE PARTY VIOLATING THE COVENANT PROCEEDING HAS AN ADEQUATE REMEDY AT LAW, IS HEREBY WAIVED. IN ANY JUDICIAL ACTION BROUGHT BY ANY OWNER OF A LOT OR THE PROPERTY OWNERS ASSOCIATION, WHICH ACTION SEEMS TO ENFORCE THE COVENANTS CONTAINED IN SECTION IV. AND/OR TO RECOVER DAMAGES FOR THE VIOLATION THEREOF, THE PREVAILING PARTY SHALL BE ENTITLED TO RECOVER REASONABLE ATTORNEY FEES AND COSTS AND EXPENSES INCURRED IN SUCH ACTION.

B. DURATION:

THESE RESTRICTIONS, TO THE EXTENT PERMITTED BY APPLICABLE LAW, SHALL BE PERPETUAL, BUT IN ANY EVENT SHALL BE IN FORCE AND EFFECT FOR A TERM OF NOT LESS THAN THIRTY (30) YEARS FROM THE DATE OF THE RECORDING OF THIS DEED OF DEDICATION UNLESS TERMINATED OR AMENDED AS HEREINAFTER PROVIDED.

C. AMENDMENT OR TERMINATION:

THE COVENANTS CONTAINED WITHIN SECTION I. STREETS, EASEMENTS, AND UTILITIES, SECTION II. EASEMENT, DURATION, AMENDMENT OR TERMINATION, AND SEVERABILITY MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND CONVEYED BY THE OWNER OF THE LAND TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, OR ITS SUCCESSORS, AND THE CITY OF TULSA, OKLAHOMA. IN THE EVENT OF ANY CONFLICT BETWEEN AN AMENDMENT OR TERMINATION PROPERLY DECEDED BY THE OWNER (DURING THE OWNERSHIP OF AT LEAST A LOT) AND ANY AMENDMENT OR TERMINATION PROPERLY DECEDED BY THE OWNERS OF AT LEAST EIGHT (8) OF THE LOTS, THE INSTRUMENT DECEDED BY THE OWNER SHALL PREVAIL. THE PROVISIONS OF ANY INSTRUMENT AMENDING OR TERMINATING COVENANTS AND RESTRICTIONS SHALL BE EFFECTIVE FROM AND AFTER THE DATE IT IS PROPERLY RECORDED.

D. SEVERABILITY:

INVALIDATION OF ANY RESTRICTION SET FORTH HEREIN, OR ANY PART THEREOF, BY AN ORDER, JUDGMENT, OR DECREE OF ANY COURT, OR OTHERWISE, SHALL NOT INVALIDATE OR AFFECT ANY OF THE OTHER RESTRICTIONS OR ANY PART THEREOF AS SET FORTH HEREIN, WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

IN WITNESS WHEREOF, MID-CONTINENT CONCRETE COMPANY, INC. AN OKLAHOMA CORPORATION, HAS DECEDED THIS INSTRUMENT ON THIS ____ DAY OF ____ 2018.

MID-CONTINENT CONCRETE COMPANY, INC. AN OKLAHOMA CORPORATION

BY: _____

STATE OF OKLAHOMA)

COUNTY OF TULSA)

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS ____ DAY OF ____, 2018, PERSONALLY APPEARED DANIEL E. TANNER, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED THE NAME OF MID-CONTINENT CONCRETE COMPANY, INC. TO THE FOREGOING CERTIFICATE, AS HIS FREE AND VOLUNTARY ACT AND DEED AND AS TO ME THAT HE DECEDED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED AND AS THE FREE AND VOLUNTARY ACT AND DEED OF SUCH CORPORATION FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND SEAL THE DAY AND YEAR LAST ABOVE WRITTEN.

MY COMMISSION EXPIRES _____ NOTARY PUBLIC

CERTIFICATE OF SURVEY:

I, DANIEL E. TANNER, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA, DO HEREBY CERTIFY THAT I HAVE CAREFULLY AND ACCURATELY SURVEYED, SUBDIVIDED, AND PLATTED THE TRACT OF LAND HEREIN DESCRIBED ABOVE, AND THAT THE ACCOMPANYING PLAT DESIGNATED HEREIN AS "GOLDEN HILL PART", A SUBDIVISION WITHIN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, IS A TRUE REPRESENTATION OF A SURVEY MADE ON THE GROUND USING GENERALLY ACCEPTED PRACTICES, AND MEETS OR EXCEEDS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING.

WITNESS MY HAND AND SEAL THIS ____ DAY OF ____, 2018.

BY: _____

DANIEL E. TANNER LICENSED PROFESSIONAL LAND SURVEYOR OKLAHOMA REG. 1483

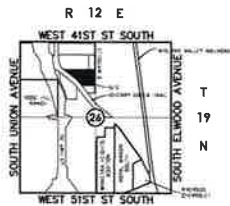
STATE OF OKLAHOMA)

COUNTY OF TULSA)

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THE ____ DAY OF ____, 2018, PERSONALLY APPEARED TO ME DANIEL E. TANNER, KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HIS NAME AS LICENSED PROFESSIONAL LAND SURVEYOR TO THE FOREGOING CERTIFICATE, AS HIS FREE AND VOLUNTARY ACT AND DEED, FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND SEAL THE DAY AND YEAR LAST ABOVE WRITTEN.

MY COMMISSION EXPIRES _____ JENNIFER MILLER, NOTARY PUBLIC



Location Map
Scale: 1" = 200'

SUBDIVISION CONTAINS:
1 LOT
IN ONE (1) BLOCK
GROSS SUBDIVISION AREA: 9.471 ACRES (412,345.94 SF)

OWNER:
**MID-CONTINENT CONCRETE
COMPANY, INC**
4302 South Maybelle Ave.
Tulsa, Oklahoma 74132
Phone: (918) 560-4682
Contact: Kyle Gober

Conceptual Utility Plan

GCC Maybelle

PART OF THE NORTHWEST QUARTER (NW/4) OF SECTION TWENTY-SIX (26)
TOWNSHIP NINETEEN (19) NORTH, RANGE TWELVE (12) EAST, OF THE INDIAN MERIDIAN
AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

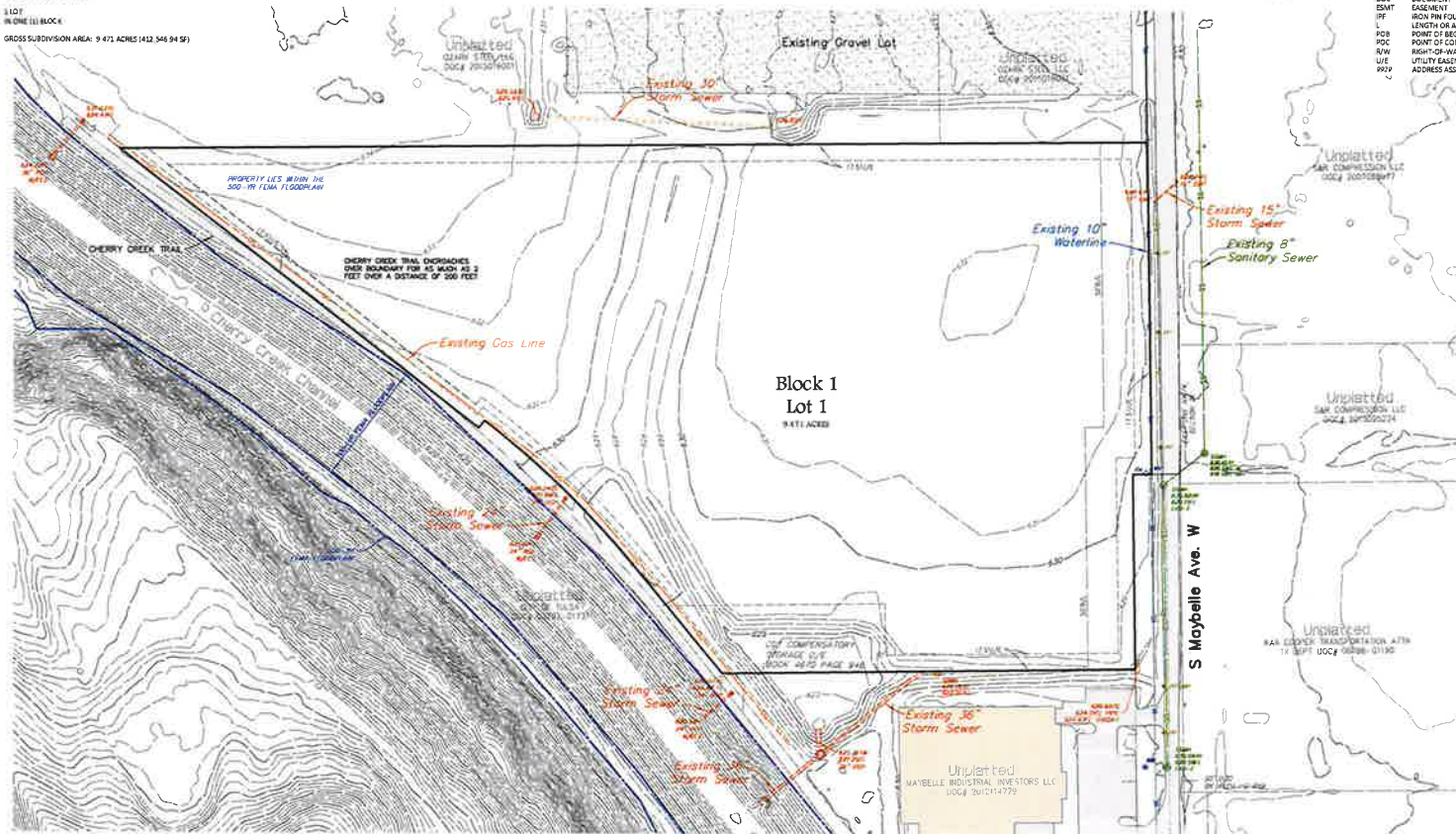
SURVEYOR/ENGINEER:
Tanner Consulting, L.L.C.

DRN E. TANNER, P.L.S. NO. 1435
OK CA NO. 2661, EXPIRES 6/30/2017
EMAIL: DAN@TANNERBAITSHOP.COM
5523 South Lewis Avenue
Tulsa, Oklahoma 74105
Phone: (918) 745-9929



LEGEND

BL	BUILDING LINE
CB	CHORD BEARING
CD	CHORD DISTANCE
CL	CENTERLINE
DA	DELTA ANGLE
DOC	DOCUMENT
ESMT	EASEMENT
FF	IRON PIPE FOUND
L	LENGTH OR ARC LENGTH
POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
R/W	RIGHT-OF-WAY
U/L	UTILITY EASEMENT
9929	ADDRESS ASSIGNED



DATE OF PREPARATION: September 11, 2019

5.9



Tulsa Metropolitan Area
Planning Commission

Case Number: CZ-492

Hearing Date: October 2, 2019

Case Report Prepared by:

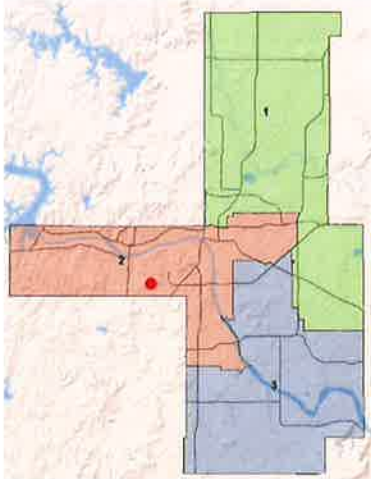
Robi Jones

Owner and Applicant Information:

Applicant: Matt King

Property Owner: HILL, JAMES H

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Vacant

Proposed Use: Dispensary

Concept summary: Rezone to CS to allow a medical marijuana dispensary.

Tract Size: 3.46 ± acres

Location: Southwest corner of West 51st Street
South & West Skyline Road

Zoning:

Existing Zoning: AG

Proposed Zoning: CS

Comprehensive Plan:

Land Use Map: Commercial (Sand Springs)

Stability and Growth Map: n/a

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 9125
CZM: 44

County Commission District: 2

Commissioner Name: Karen Keith

6.1

SECTION I: CZ-492

DEVELOPMENT CONCEPT: The applicant is requesting to rezone the subject property from AG to CS in order to allow a medical marijuana dispensary to operate at that location. CS zoning is limited in the area although there is property to the east in the Sand Spring City limits that is considered as Industrial use according to the County Assessor's records.

EXHIBITS:

- INCOG Case map
- INCOG Aerial (small scale)
- INCOG Aerial (large scale)
- Sand Springs Comprehensive Plan Land Use Map
- Applicant Exhibits: None included
- Neighbor's Comments

DETAILED STAFF RECOMMENDATION:

CZ-492 is non-injurious to the existing proximate properties and;

CZ-492 is consistent with the Sand Springs Future Land Use Map;

CZ-492 is consistent with the anticipated future development pattern of the surrounding property therefore;

Staff recommends Approval of CZ-492 to rezone property from AG to CS.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The site is located in the fenceline of Sand Springs and according to the Sand Springs Comprehensive Plan, the future land use designation is Commercial. The Sand Springs Comprehensive Plan was adopted in 2017.

Commercial Description (from Sand Springs Comprehensive Plan):

The Commercial Land Use District represents areas of retail trade and services. Typically, these areas are located around nodes of arterial street intersections or in some cases, at intersections of collectors and arterials. Commercial Districts can also be found in corridors that have an established commercial use pattern. The Commercial District includes uses that range from small neighborhood convenience shopping areas, single free-standing buildings, big box retailers, restaurants, automotive services centers, and other similar retail uses.

Land Use Vision:

Land Use Plan map designation: Commercial (Sand Springs)

Areas of Stability and Growth designation: N/A

Transportation Vision:

Major Street and Highway Plan: West 51st Street South is classified as a Secondary Arterial

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is a large flat parcel with little vegetation. There is an existing single-story building on the property. The building is a 2,930 square foot metal building according to the site plan provided by the applicant.

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
West 51 st Street South	Secondary Arterial	100 feet	2

Utilities:

The subject tract does not have municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	RE	Residential – Sand Springs Fenceline	n/a	Single-family
South	AG	n/a	n/a	Scissortail Farms – Retail Sales
East	AG	Residential - City of Sand Springs	n/a	vacant
West	AG	Residential – City of Sand Springs	n/a	agricultural

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Resolution number 227583 dated May 10, 2013 established zoning for the subject property.

Subject Property:

CZ-424 May 2013: All concurred in **approval** of a request for *rezoning* a 3.3± acre tract of land from RE to AG on property located on the southeast corner of West 51st Street and West Skyline Drive.

6.3

CBOA-2459 March 2013: The County Board of Adjustment **approved** a request for *Use Variance* to permit Use Unit 13 in an AG District (section 310), on property located at 8302 West 51st Street South.

CZ-378 March 2006: All concurred in **approval** of a request for *rezoning* a 25.31± acre tract of land from AG to RE on property located on the northwest corner of West 51st Street and South 81st West Avenue (including the subject property). Applicant was asking for RS zoning but staff could only support RE zoning.

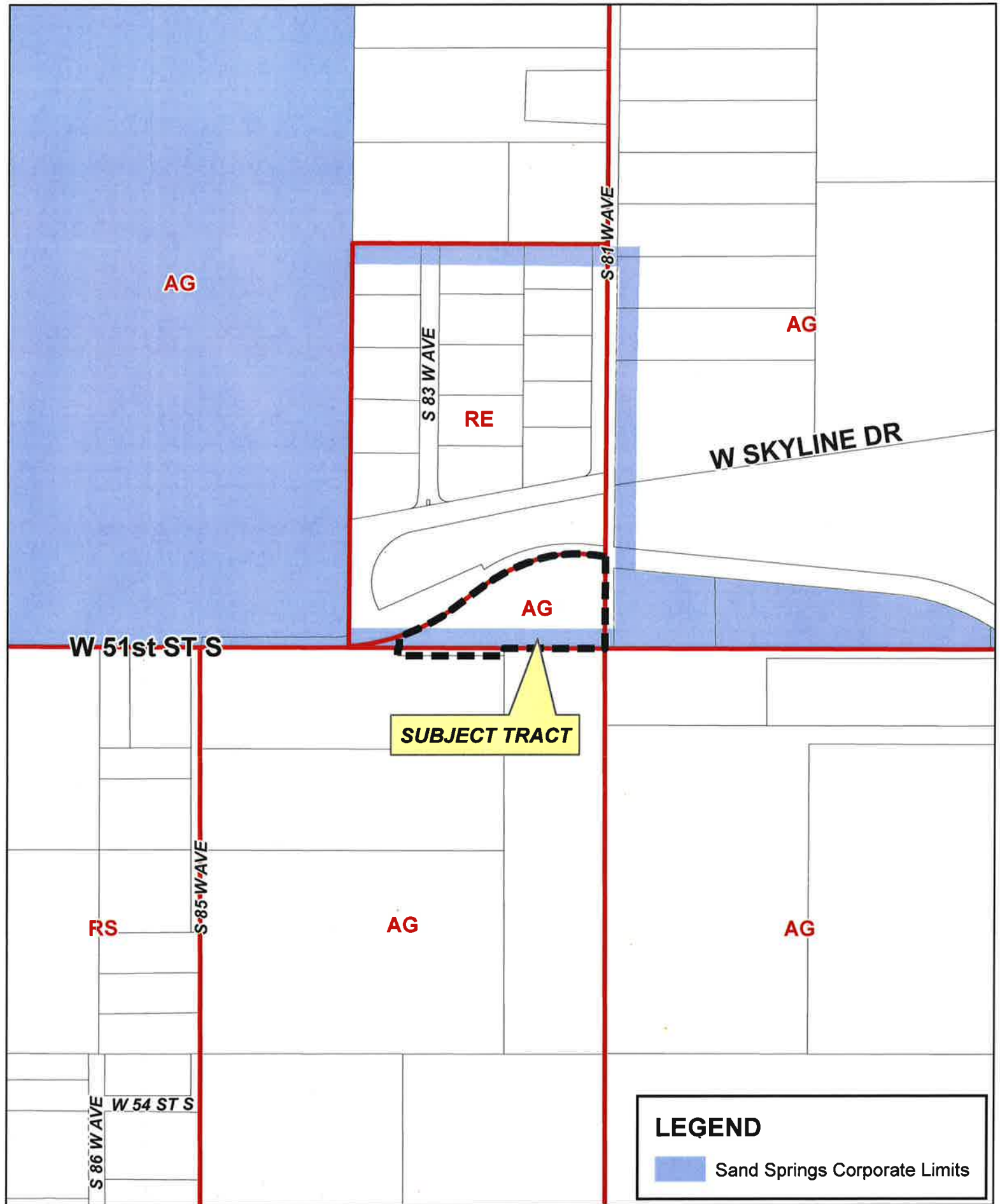
Surrounding Property:

CBOA-2482 November 2013: The County Board of Adjustment **approved** a request for *Use Variance* to allow retail sales (Use Unit 13) in an in an AG District for produce and gift shop items, on property located 8450 West 51st Street.

CBOA-2428 April 2012: The County Board of Adjustment **denied** a request for *Special Exception* to permit dirt extraction (borrow fill pit) within Use Unit 24- Mining & Mineral Processing- in an AG District, on property located South of the SE/c of West 51st Street South & South 85th West Avenue.

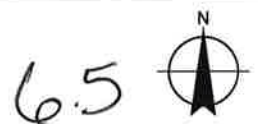
CBOA-1511 June 1997: The County Board of Adjustment **denied** a request for *Use Variance* to permit sign fabrication and auto repair as a home occupation in an AG District (section 310), on property located at 7300 West 51st Street.

10/2/2019 1:30 PM



CZ-492

19-11 25 & 19-11 36





W 51st ST S

S 83 W AVE

S 81 W AVE

W SKYLINE DR

S 85 W AVE

S 86 W AVE

W 54 ST S



Subject
Tract

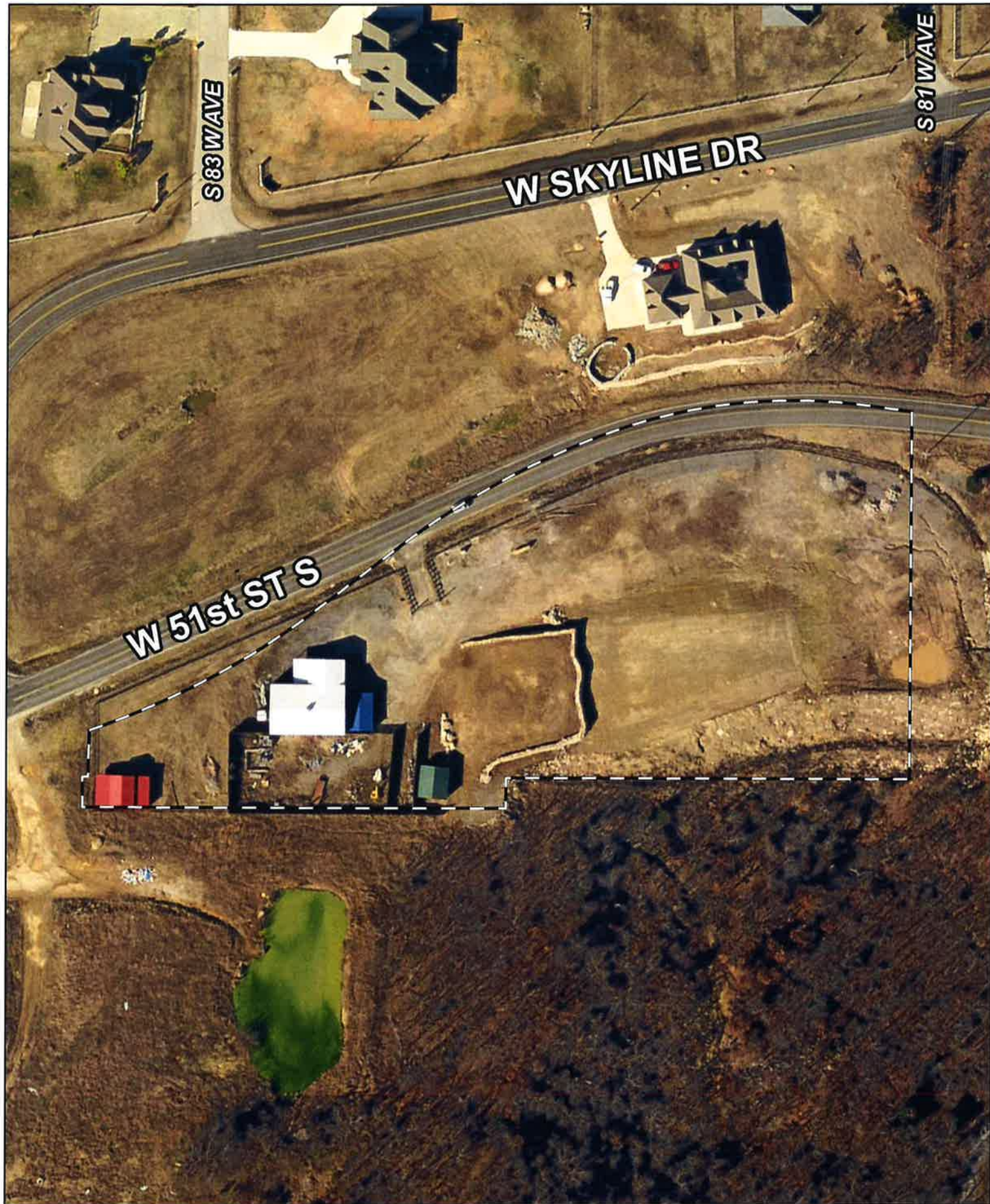
CZ-492

19-11 25 & 19-11 36

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

Aerial Photo Date: February 2018





0 50 100
Feet



Subject
Tract

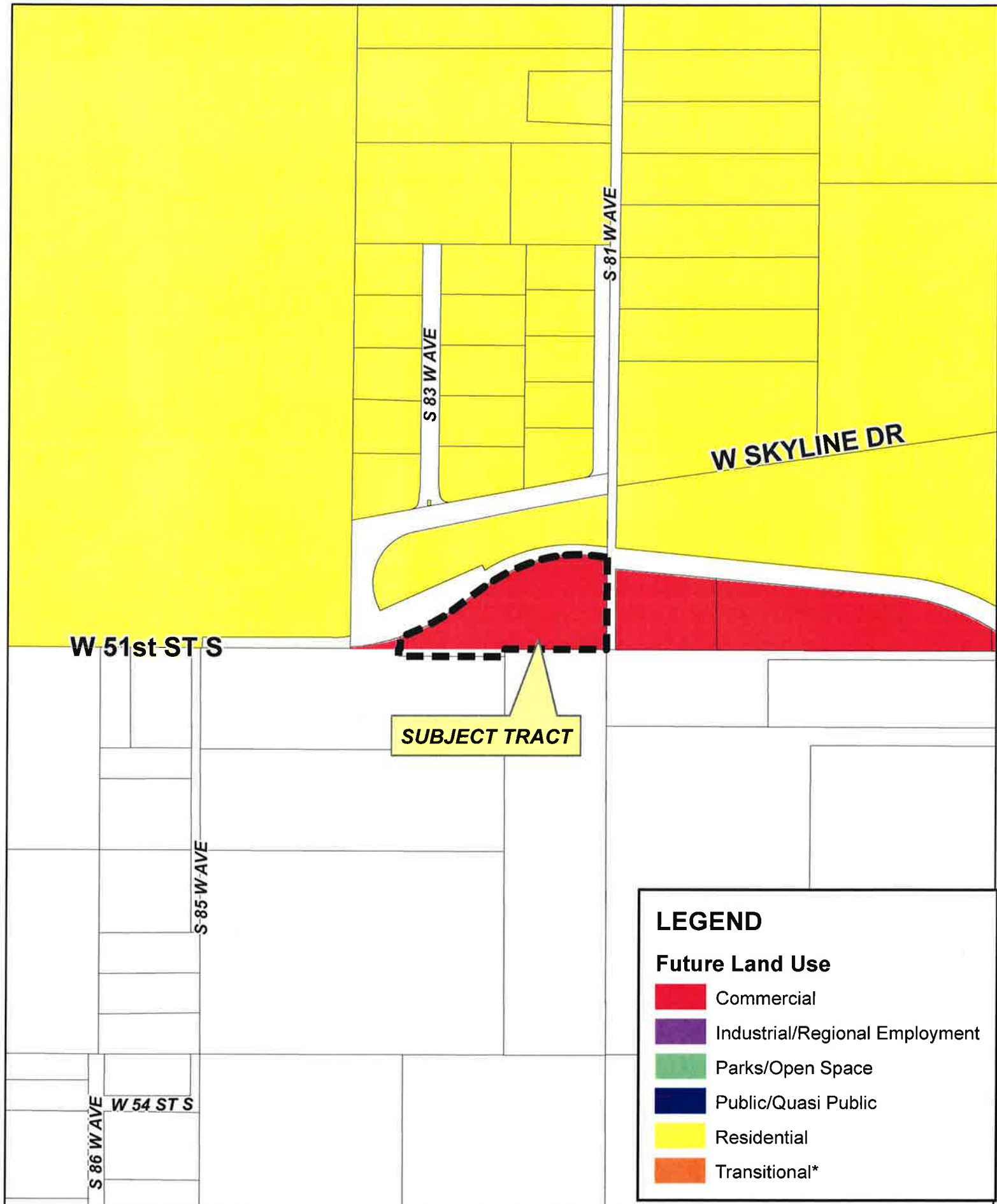
CZ-492

19-11 25 & 19-11 36

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

Aerial Photo Date: February 2018





LEGEND

Future Land Use

- Commercial
- Industrial/Regional Employment
- Parks/Open Space
- Public/Quasi Public
- Residential
- Transitional*



CZ-492

19-11 25 & 19-11 36



FILE COPY

Dated: 09-12-2019

Re: Hearing on Wednesday, October 2, 2019 at 1:30pm to change the county rezoning from AG to CS at SW 51st S. & West Skyline Drive, Tulsa, OK 74107 requested by applicant Matt King to be held at: City Council Chambers, 2nd Level, 175 East 2nd St. Tulsa, OK.

To Whom It May Concern with the Tulsa Metropolitan Planning Commission:

We are strongly opposed to the request for the rezoning change for the above referenced application. We have lived at our residence for over 35 years and do not wish to now start living by the "Yellow House Dispensary" which will sell Cannabis, also known as marijuana in its dispensary and or any other type business that sells or distributes a psychoactive drug from the Cannabis plant which can be used for medical or recreational purposes. We oppose anything to do with this type of business which will bring unwanted additional traffic from possibly impaired motor vehicle operators. We live on Skyline Drive and this is totally unacceptable to us as residential property owners. This would reduce property values in our area and create a negative impact on the resell value of all the residential homesites in our area. There are many expensive newly built residential homesites in our area and the negative impact this would bring would decrease the property values and that would be devastating to all of us as property owners.

Sincerely,



Paul Winningham and Stevanna Winningham

7875 West Skyline Drive
Tulsa, OK 74107
(918) 694-9354

6.9

62-492



Tulsa Metropolitan Area
Planning Commission

Case Number: CZ-493

Hearing Date: October 2, 2019

Case Report Prepared by:

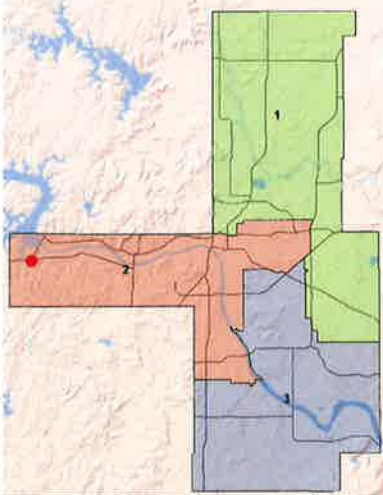
Robi Jones

Owner and Applicant Information:

Applicant: Richard Peek

Property Owner: PEEK, RICHARD & JACKIE

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Vacant

Proposed Use: Storage and Rental

Concept summary: Rezone from AG to IL to allow all light industrial uses.

Tract Size: 41.78 \pm acres

Location: Southwest corner of Highway 51 & South 241st West Avenue

Zoning:

Existing Zoning: AG

Proposed Zoning: IL

Comprehensive Plan:

Land Use Map: n/a

Stability and Growth Map: n/a

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 9017

CZM: 32

County Commission District: 2

Commissioner Name: Karen Keith

7.1

SECTION I: CZ-493

DEVELOPMENT CONCEPT: Applicant is requesting to rezone the property from AG to IL in order to permit indoor and outdoor storage and industrial space rentals. All uses permitted in Industrial Light zoning would be permitted with approval of CZ-493.

EXHIBITS:

INCOG Case map
INCOG Aerial (large scale)
Applicant Exhibits: Survey Plat, Preliminary Site Plan, Conceptual Zoning Layout – Overall,
Zoning Layout - Overall

DETAILED STAFF RECOMMENDATION:

The IL District is designed to provide areas suitable for manufacturing, wholesaling, warehousing, and other industrial activities which have no objectionable environmental influences. Therefore, given the proposed use and context of the subject lot, IL zoning would be appropriate and would be non-injurious to the existing proximate properties and;

CZ-493 is consistent with the anticipated future development pattern of the surrounding property;

CZ-493 has vehicular access from South 241st West Avenue available for industrial uses, therefore;

Staff recommends Approval of CZ-493 to rezone property from AG to IL.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: This area is outside of the City of Tulsa Comprehensive Plan area. It is not located in an area where there is a Comprehensive Plan in place. It was never included in the Tulsa Metropolitan Area District Plans.

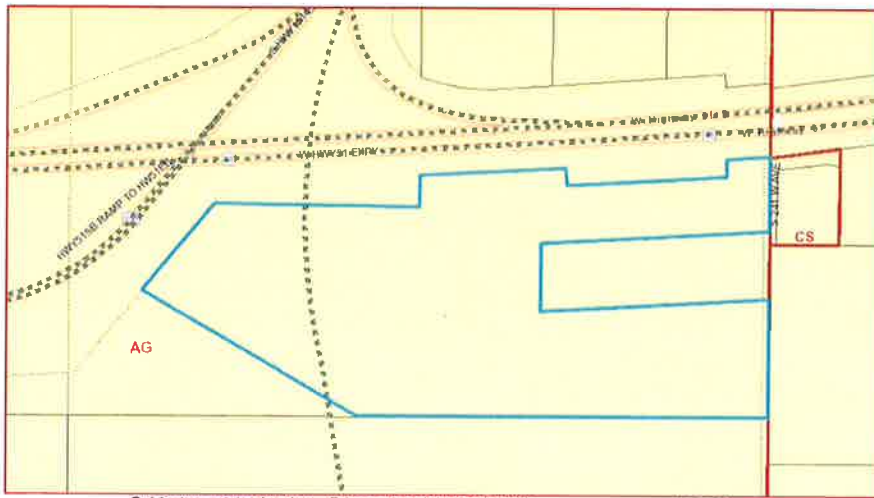
Land Use Vision:

Land Use Plan map designation: N/A

Areas of Stability and Growth designation: N/A

Transportation Vision:

Major Street and Highway Plan: Highway 51 is a Primary Arterial and the Major Street and Highway Plan shows a planned Primary Arterial cutting through the west side of the subject property. These are often conceptual drawings and will be given consideration when going through the platting process.



Subject property showing a Primary Arterial crossing the west portion of the property.

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site currently has an earth change permit, issued March 4, 2019, to bring in dirt from a state project.

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
West Highway 51 Expressway	Primary Arterial	120 Feet	Divided highway with 2 lanes each direction
South 241 st West Avenue	none	none	2 (road is gated)

Utilities:

The subject tract has municipal water available and does not have sewer available.

Surrounding Properties:

<u>Location</u>	<u>Existing Zoning</u>	<u>Existing Land Use Designation</u>	<u>Area of Stability or Growth</u>	<u>Existing Use</u>
North	AG	n/a	n/a	Agricultural & Single-family
South	AG	n/a	n/a	Agricultural
East	CS & AG	n/a	n/a	Keystone Schools Baseball Field
West	AG	n/a	n/a	HWY 51

7.3

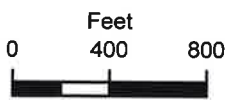
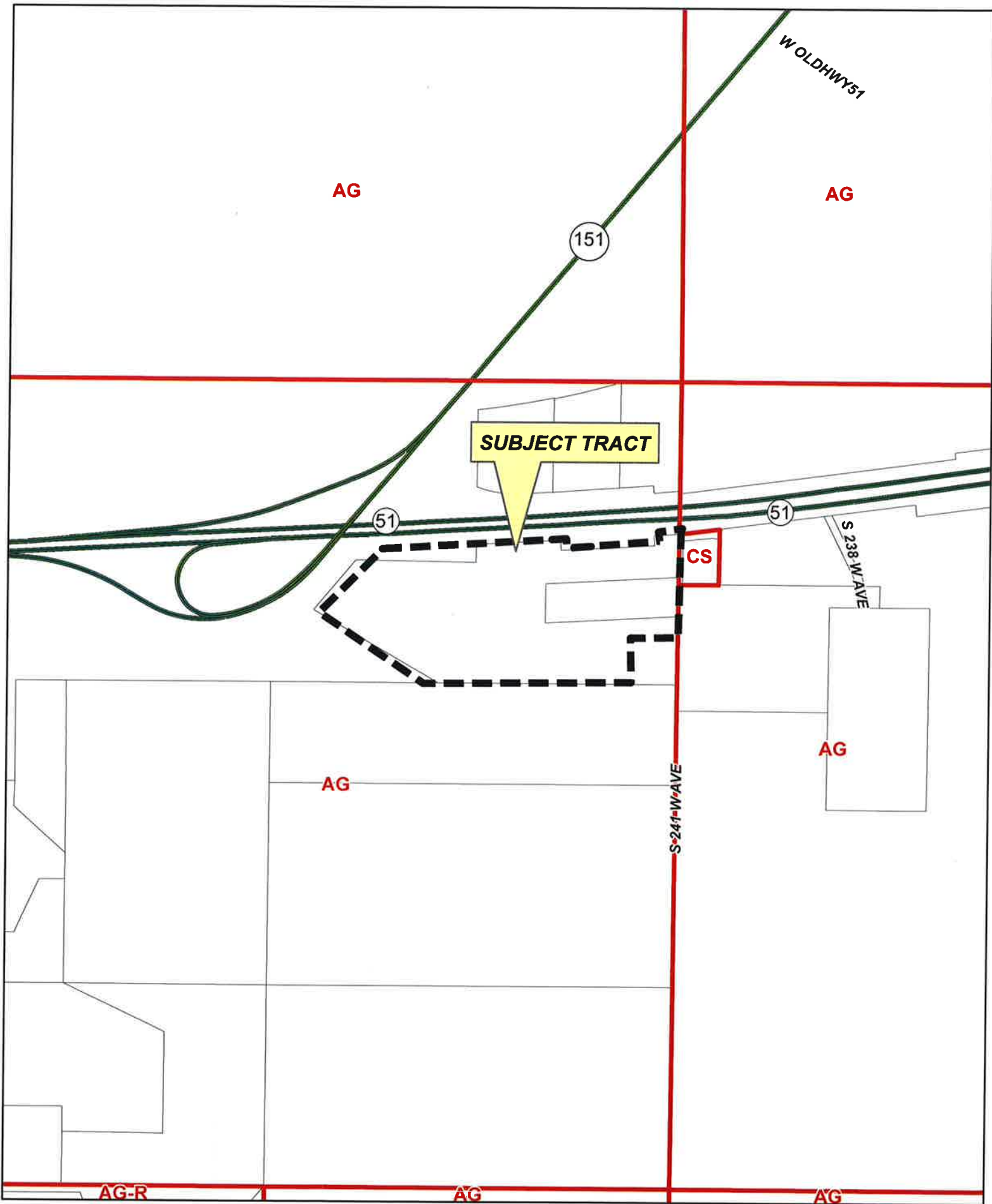
SECTION III: Relevant Zoning History

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

Subject Property: No Relevant History.

Surrounding Property: No Relevant History.

10/2/2019 1:30 PM



CZ-493

19-10 17





0 Feet 400 800



Subject Tract

CZ-493

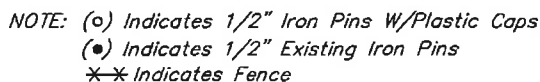
19-10 17

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

Aerial Photo Date: February 2018



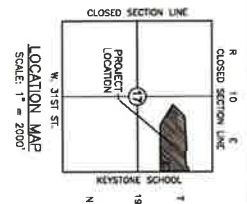
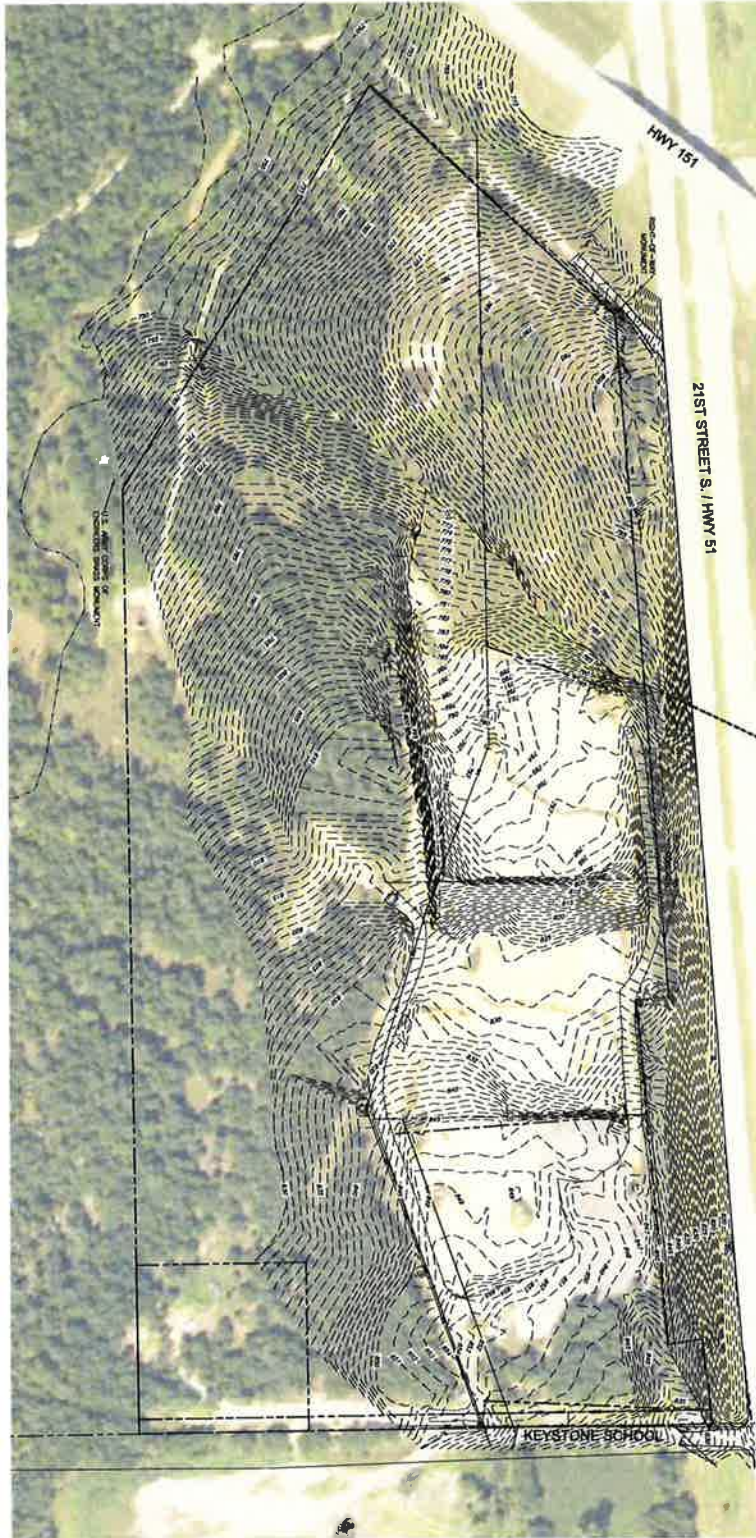
NE Corner NE/4
Sec. 17-T19N-R10E



Scale 1"=400'

Bearings are based on a previous survey, provided by our client (Richard Peek) and the Department of Transportation Highway Plans, contract 60-1857.

I, James B. Marshall, a Professional Land Surveyor, hereby certify that on this 9th day of November, 2013, a careful survey was made under my supervision on the property shown above and described as a tract of land lying in the Northeast Quarter (NE/4) of Section 17, Township 19 North, Range 10 East of the Indian Meridian, Tulsa County, Oklahoma and further described as Commencing at the Northeast Corner of said NE/4; thence S 00°44'03" E along the East line of said NE/4 for a distance of 832.80 feet to the Point of Beginning said point lying on the South Right-of-Way line of State Highway Number 51; thence S 00°44'03" E along said East line of the NE/4 for a distance of 1002.09 feet; thence S 88°50'33" W for a distance of 1670.70 feet to the East boundary of Keystone Reservoir boundary; thence N 57°02'13" W along said East boundary of Keystone Reservoir for a distance of 823.19 feet; thence N 43°31'55" E along the said East boundary of Keystone Reservoir for a distance of 588.36 feet to the South Right-of-Way line of State Highway Number 51; thence N 85°45'11" E along said South Right-of-Way line for a distance of 1096.48 feet; thence thence Northeasterly along said South Right-of-Way line on a curve to the left having a radius of 21,650.93 feet, with a chord bearing and distance of N 85°08'33" E, 101.55 feet, having an arc distance of 101.55 feet; thence S 04°30'42" E along said South Right-of-Way line for a distance of 60.00 feet; thence Northeasterly along said South Right-of-Way line on a curve to the left having a radius of 21,710.93 feet, with a chord bearing and distance of N 84°28'35" E, 606.28 feet, having an arc distance of 606.28 feet; thence N 08°05'42" W along said South



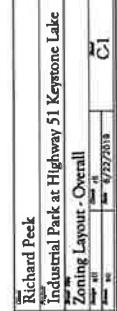
Revisions		
No.	Date	By

LANDES ENGINEERING L.L.C.
www.landesengineering.net
 903 E. 35th Street • P.O. BOX 1032
 Shawnee, OK 74802-1032
 (405) 275-5388 • Fax (405) 275-9047
 CA # 2260 EXP. 6-30-19

Prepared by	Billy Frazier
Checked by	Peek
Designed by	Preliminary Site
Drawn by	
Date	07/13/2018
Sheet	C1

7.8

0.7



LANDES ENGINEERING L.L.C.
www.landesengineering.net
903 E. 35th Street • P.O. BOX 1032
Shawnee, OK 74802-1032
(405) 275-5368 • Fax (405) 275-9047
CA # 2260 EXP. 6-30-21



Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7500

Hearing Date: October 2, 2019

Case Report Prepared by:

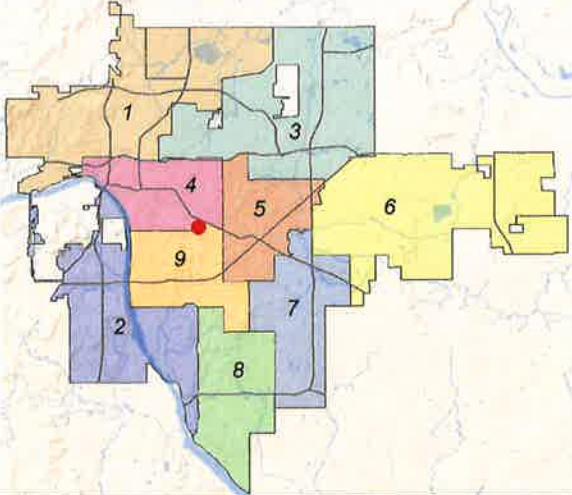
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: John Madden

Property Owner: BLAKMAR LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Parking

Proposed Use: Commercial

Concept summary: Rezone with optional development plan limiting uses and providing site design standards.

Tract Size: 0.32 \pm acres

Location: East of northeast corner of East 30th Street South & South Harvard Avenue

Zoning:

Existing Zoning: RS-3,CH

Proposed Zoning: CH with an optional development plan

Comprehensive Plan:

Land Use Map: Mixed-Use Corridor, Main Street

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval of CH zoning with the provisions of the Development Standards outlined in Section II.

Staff Data:

TRS: 9316

CZM: 37

City Council District: 9

Councilor Name: Ben Kimbro

County Commission District: 2

Commissioner Name: Karen Keith

8.1

SECTION I: Z-7500

DEVELOPMENT CONCEPT:

J. Madden Homes plans to use the property as their business office. The optional development plan covers two lots. The west lot (part of Block-2 Kirkmore Second Addition) is zoned CH and does not require rezoning. The east lot (Lot-7, Block 3 Bellaire Heights Addition) requires rezoning for the proposed development. Both lots are included in the development plan guidelines for an integrated solution for future site development. The planned development of this site includes a new building in the north end of the west lot, a fenced area on the east lot with a low impact development standards for site development throughout.

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:
 - Applicants statement of intent
 - Sheet A-1 Site Plan
 - ALTA/NSPS survey
 - Groggs Green Barn Alternative Compliance Landscape Plan (for concept only)

SECTION II: OPTIONAL DEVELOPMENT PLAN STANDARDS:

GENERAL PROVISIONS:

All district use regulations, supplemental regulations, building types, lot and building regulations, along with other relevant regulations shall conform with the provision of the Tulsa Zoning Code for development in a CH zoning district except as further limited below.

PERMITTED USES:

Use Categories are limited to the subcategories and specific uses defined below and uses that are customarily accessory to the permitted uses.

- A. Residential
 - a. Household Living
 - i. Single Household
 - ii. Two households on a single lot
- B. Commercial
 - a. Building Service
 - b. Business support service
 - c. Personal improvement service
- C. Office
 - a. Business or professional office
 - b. Medical, dental or health practitioner office
- D. Retail Sales
 - a. Consumer shopping goods
- E. Wholesale, Distribution and Storage
 - a. Equipment. and Materials Storage, Outdoor
 - b. Warehouse

8.2

F. Agricultural

- a. Community Garden
- b. Farm Market or Community-Supported garden

PERMITTED RESIDENTIAL BUILDING TYPES:

A. Household Living

- a. Single household
 - i. Townhouse
 - ii. Mixed-use building
 - iii. Vertical mixed-use building

VEHICULAR ACCESS:

- A. A single point of vehicular access is allowed within the development area frontage on East 30th Street South with a maximum width of 25 feet.
- B. The east curb of the access drive must be a minimum of 30 feet from the east line of lot 7.

LOT AND BUILDING REGULATIONS:

Minimum building setbacks from East 30th Street South shall be 25 feet from the lot lines as they exist with this application.

LANDSCAPE AND SCREENING:

- A. Landscaping shall be installed and maintained as approved through the alternative compliance landscape plan process identified in the zoning code. The plan shall conform to the conceptual plan included in this packet. The landscaping shall be installed prior to receipt of any occupancy permit.
- B. Fencing along the north and east lot line of lot 7 shall be a screening fence with wood or masonry construction and a minimum height of 6 feet and a maximum height of 9 feet.
- C. Masonry screening if used shall be constructed of a material similar to the principal building.
- D. Outdoor equipment and materials storage shall be screened from abutting residential and office lots.
- E. All outdoor equipment and materials storage shall be on an all-weather surface.

SIGNAGE:

All signage is prohibited except as may be allowed in an OL district.

LIGHTING:

- A. Outdoor lighting shall not exceed 16 feet in height.
- B. All lighting shall be pointed down and away from abutting residentially zoned lots
- C. Pole mounted light fixtures shall not be closer than 25 feet from the east line of lot 7.

DUMPSTER AND TRASH COLLECTION:

Dumpsters, collection boxes and any other trash collection shall be set back from the south lot line a minimum of 100 feet and at least 25 feet from the east line of lot 7.

BUILDING DESIGN:

- A. Maximum building height shall not exceed 35 feet.

DETAILED STAFF RECOMMENDATION:

Z-7500 requesting CH zoning with the optional development plan as outlined in Section II is consistent with the Mixed-Use Corridor and Main Street land use designation of the Tulsa Comprehensive Plan and,

CH zoning without the optional development plan would allow uses that could be considered injurious to the residential property owners east of the site however the optional development plan provides use limitations and design standards that will integrate this site into the adjoining single-family residential area and,

CH zoning with the optional development is consistent with the expected development pattern in the area therefore,

Staff recommends Approval of Z-7500 as outlined in Section II above.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: This site abuts the west edge of an existing neighborhood. The development standards provide screening, and development limitations beyond what is required in the zoning code. CH zoning along with the use and development standards as identified in Section II are consistent with the land use designation of the Tulsa Comprehensive Plan.

Land Use Vision:

Land Use Plan map designation: Mixed-Use Corridor on east lot, Main Street on west lot

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.

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

Areas of Stability and Growth designation: Area of Growth

The purpose of Areas of Growth is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with

fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

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

Transportation Vision:

Major Street and Highway Plan: None

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *The existing property includes an office building with asphalt parking*

Street view from southeast corner looking northwest:



Environmental Considerations: None that would affect site re-development

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 30 th Street South	None	50 feet	2 lanes

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	CH and RS-3	Main Street and Mixed-Use Corridor	Growth	Office parking lot and vacant lot
East	RS-3	Existing Neighborhood	Growth	Single family residential
South	CH and OL	Town Center	Growth	Warehouse building and Parking Lot
West	CH	Main Street	Growth	Office uses

SECTION IV: Relevant Zoning History

History: Z-7500

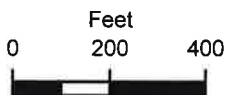
ZONING ORDINANCE: Ordinance number 11815 dated June 26, 1970 established zoning for the subject property.

Subject Property:

BOA- 14677 December 1987: The Board of Adjustment **approved** a request for *Use Variance* to allow for both an air conditioner repair shop and off-street parking in an RS-3 zoned district, on property located at 3322 East 30th Street.

Surrounding Property:

BOA- 3729 November 1961: The Board of Adjustment **approved** a request for permission to operate a home beauty shop in a U-1-C District, on property located on Lot 10, Block 6, Bellaire Heights Addition.



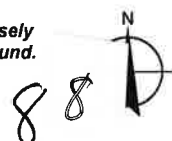
Subject
Tract

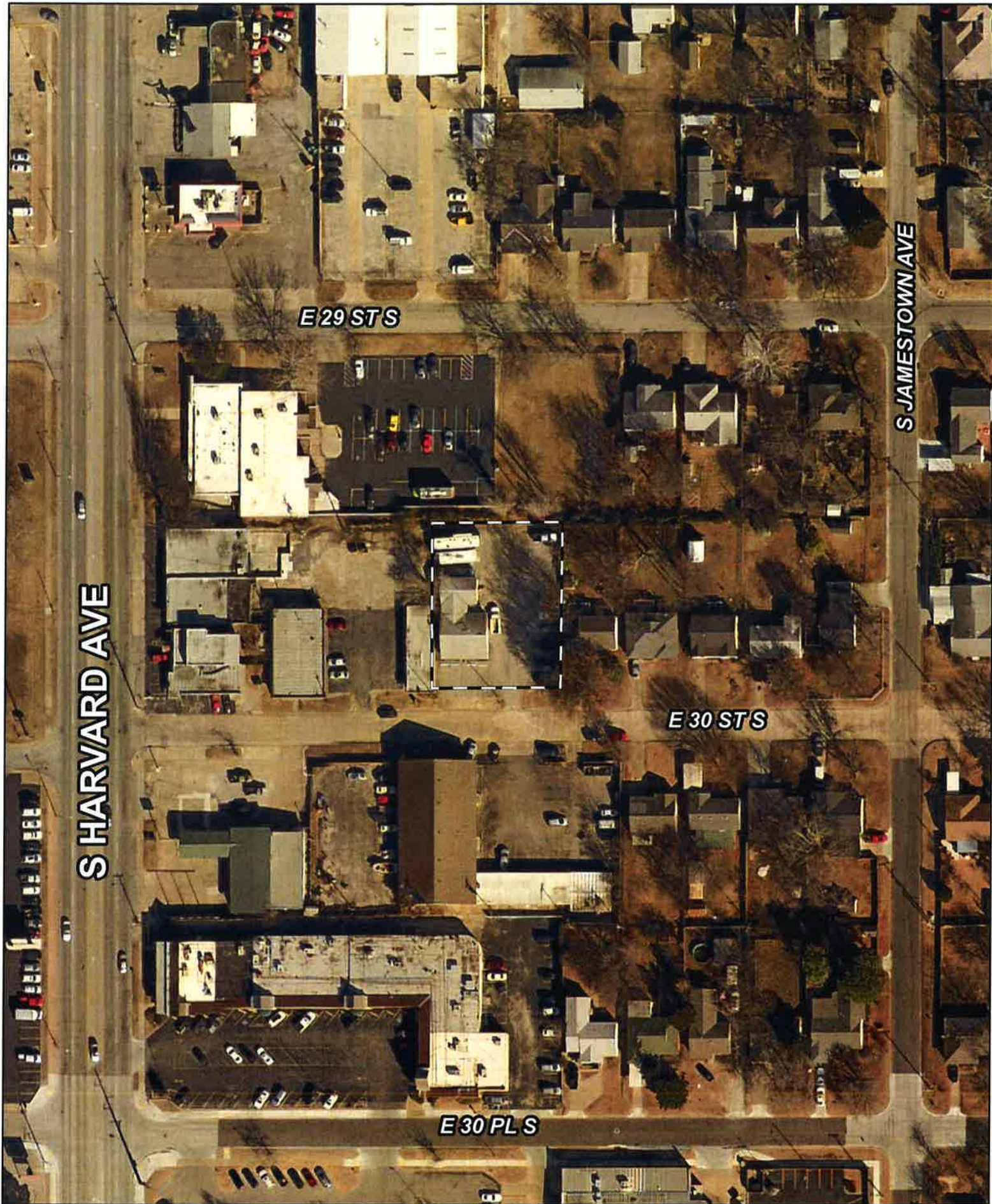
19-13 16

Z-7500 **with Optional** **Development Plan**

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

Aerial Photo Date: February 2018





0 50 100
Feet



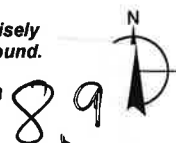
Subject
Tract

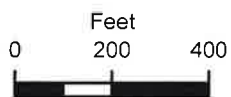
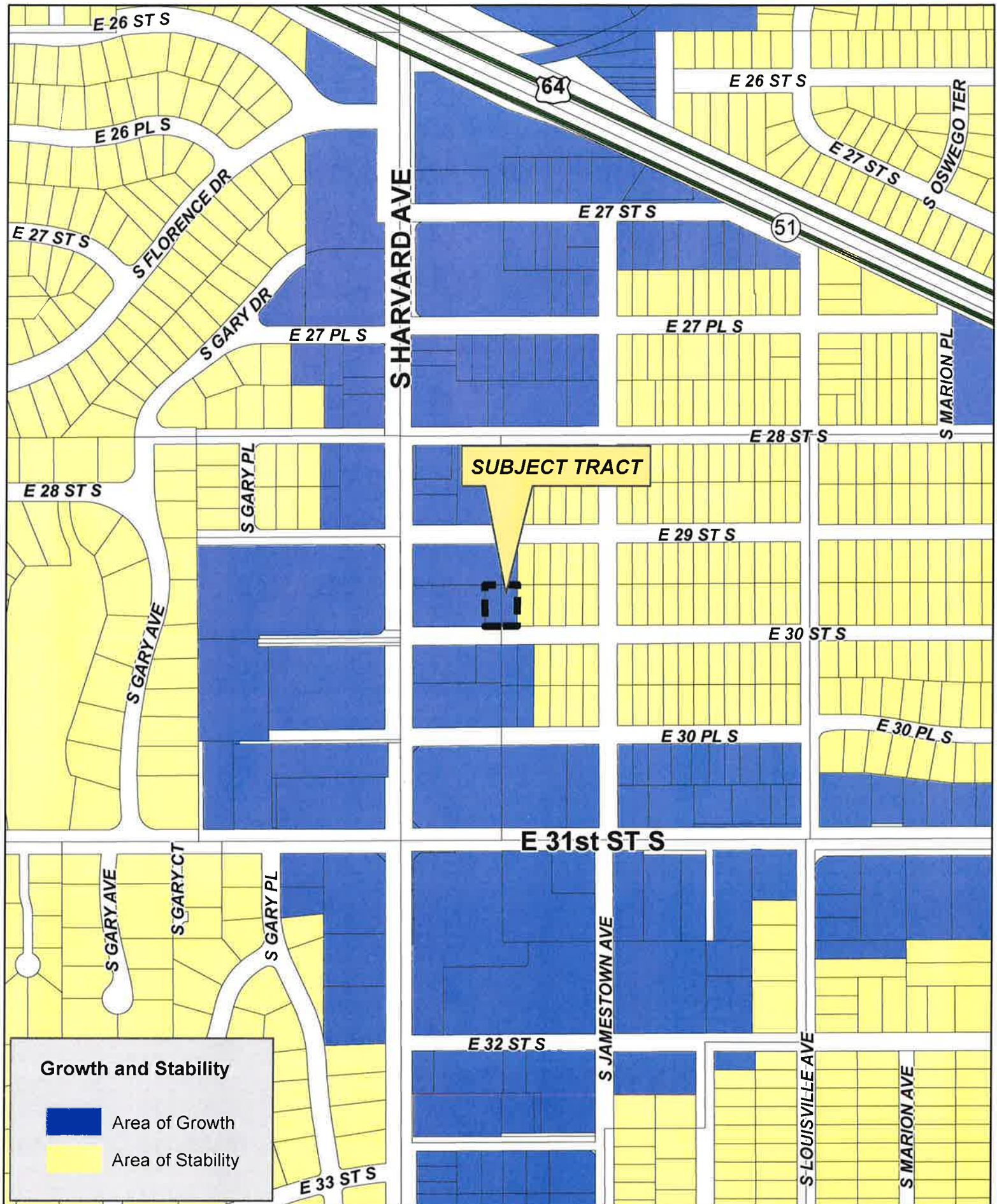
19-13 16

Z-7500
with Optional
Development Plan

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

Aerial Photo Date: February 2018

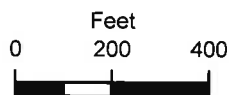
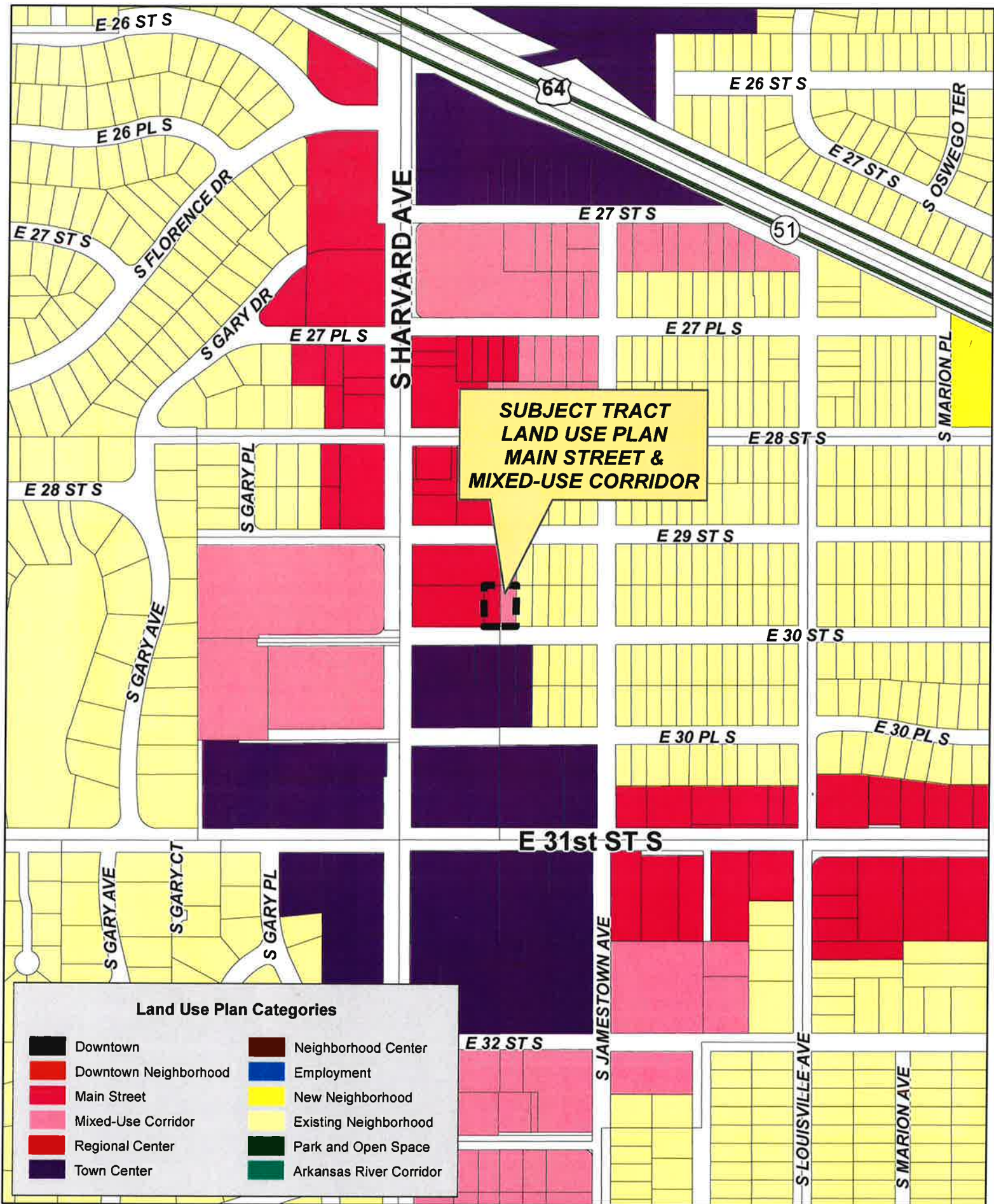




19-13 16

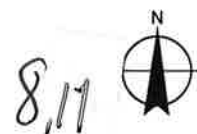
Z-7500
with Optional
Development Plan





19-13 16

Z-7500
with Optional
Development Plan





Re: Zoning Change

3321 E 30th Street

Tulsa, OK 74114

To Whom It May Concern:

Below, you will find our intentions regarding our request for zoning change.

Intentions:

Our plan is to use this property as our business office. Once the zoning and lot combination are complete, we plan to build a new building in the far rear of the property to be use as closed storage. This will not be a high traffic site. We will be surrounding the site with a minimum of 6' privacy fence on the residential sides. The front of the property will have an 8' privacy fence and screened, locking gate. As reflected in our site design, we are planning on utilizing LID (Low Impact Development) to minimize water runoff. We will also use Xeriscaping to maximize water efficiency, and as a natural habitat for native migration.

We will not be using standard parking lot lighting; instead, we will be utilizing canopied security lighting to minimize light pollution toward our neighbors. We will not be using dynamic display signage. Our revised site plan shows a complete re-build of the front entrance to comply with ROW standards and our new landscape plan.

Please feel free to contact me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Madden", with a large, sweeping loop at the end.

John Madden

John@JMaddenHomes.com

(918)269-9688, PO BOX 52612, Tulsa, OK 74152

8.12.1



SITE PLAN

COPYRIGHT © 2018 ZONA DESIGNS. UNAUTHORIZED USE OF PLANS WITHOUT PRIOR WRITTEN CONSENT OF ZONA DESIGNS IS PROHIBITED. ALL RIGHTS RESERVED.



ZONA DESIGNS

J. Madden Homes LLC
Building & Remodeling

PROPOSED ZONING CHANGE

KIRKMOORE ADDITION • E52 S135 BLOCK 2
BELLAIRE HEIGHTS • LOT 7 BLOCK 3
3321 E 30TH ST • TULSA OK 74135

A1

LEGAL DESCRIPTION - PER TITLE COMMITMENT FILE NO. 1994-0164-80

LOT SEVEN (7), BLOCK THREE (3), BELLAIRE HEIGHTS ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.

THE EAST FIFTY-TWO (52) FEET OF THE SOUTH ONE HUNDRED THIRTY-FIVE (135) FEET OF BLOCK TWO (2), KIRKMOORE SECOND ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF

SCHEDULE B - SECTION II NOTES

AMERICAN EAGLE TITLE INSURANCE COMPANY
FRISCO TITLE COMPANY
(FILE NO. 1994-0164-80 - COMMITMENT DATE MAY 13, 2019 AT 07:59 AM)

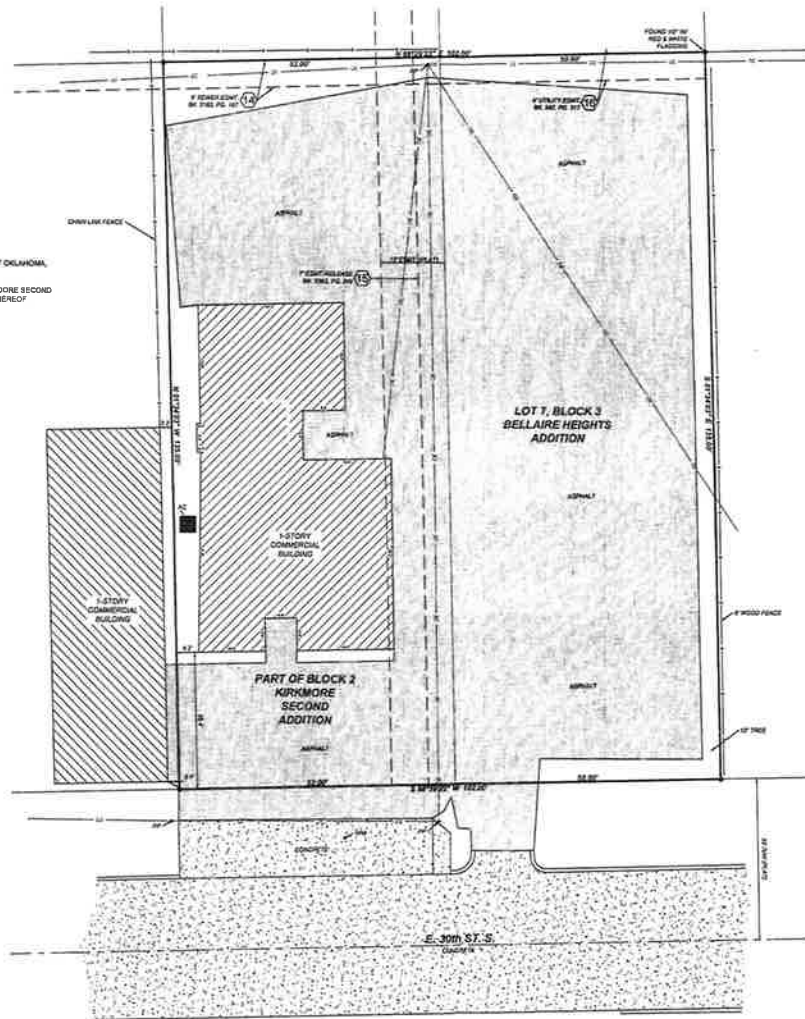
1. BUILDING SETBACK LINES AS SHOWN ON PLATS KIRKMOORE AND BELLAIRE HEIGHTS, NO SETBACK LINES SHOWN ON FACE OF EITHER PLAT.
2. DEED OF DEDICATION RECORDED FOR KIRKMOORE SECOND ADDITION AS PLAT #776, FOR BELLAIRE HEIGHTS AS PLAT #1084, AFFECTS THE SUBJECT PROPERTY IN A BLANKET MANNER, NOT A SURVEY MATTER, NO GRAPHICS SHOWN.
3. RIGHT OF WAY IN FAVOR OF MISSOURI, KANSAS AND OKLAHOMA RAILROAD COMPANY FILED IN BOOK #156, PAGE 423, DOES NOT AFFECT THE SUBJECT PROPERTY.
4. SEWER EASEMENT IN FAVOR OF THE CITY OF TULSA FILED IN BOOK #182, PAGE 187, AFFECTS THE NORTH 2' OF THE SOUTH HALF OF BLOCK 2 AS SHOWN HEREON.
5. ORDINANCE NO. 8571 IN BOOK 2363, PAGE 249, AFFECTS THE WEST 1' OF THE EAST 12' OF BLOCK 2 AS SHOWN HEREON.
6. RESTRICTIONS AGREEMENT FOR BELLAIRE HEIGHTS IN BOOK 562, PAGE 317 AFFECTS THE NORTH 2' OF LOT SEVEN AS SHOWN HEREON.

LEGEND

AC - AIR CONDITIONER
PW - POWER POLE
RW - RENT-TO-RENT
WM - WATER METER

LINETYPE

—○— OVERHEAD ELECTRIC
—S— SANITARY SEWER
—F— FENCE LINE



ALTA TABLE 'A' NOTES

- ITEM 1: SET 3/8" IRON PIN IN GREEN "FRITZ CASAB" CAP OR MAG NAIL IN "FRITZ CASAB" WADHER AT ALL CORNERS UNLESS NOTED AND SHOWN OTHERWISE HEREON
- ITEM 2: SUBJECT PROPERTY ADDRESS - 3321 E. 30th ST. S., TULSA, OK 74114
- ITEM 3: WE HAVE EXAMINED A MAP BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP, TULSA COUNTY, OKLAHOMA AND INCORPORATED AREAS, MAP NO. 46143C0325M - MAY 2, 2019, WHICH INDICATES THE SUBJECT PROPERTY TO BE WITHIN UNSHADED ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN)
- ITEM 4: GROSS LAND AREA: 13,770.01 SF / 0.32 ACRES
- ITEM 5: FEATURES OBSERVED AT THE TIME OF THE SURVEY ARE SHOWN HEREON
- ITEM 19: NO EARTH MOVING WORK OR BUILDING CONSTRUCTION WAS OBSERVED AT THE TIME OF SURVEY

SURVEYOR'S CERTIFICATION

TO: AMERICAN EAGLE TITLE INSURANCE COMPANY
FRISCO TITLE COMPANY
BLANKMAN, LLC
BOBBY JO ONSTEAD AND KAREN L. ONSTEAD, CO-TRUSTEES OF THE BOBBY JO ONSTEAD REVOCABLE LIVING TRUST, DATED THE 19th OF JANUARY, 2003 (L 7, B 3, BELLAIRE HEIGHTS)
BOBBY JO ONSTEAD AND KARA JUNE ONSTEAD, CO-TRUSTEES OF THE BOBBY JO ONSTEAD REVOCABLE LIVING TRUST, DATED THE 19th OF JANUARY, 2003 (B 52 OF S 135 S2, KIRKMOORE SECOND)

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2018 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA SURVEYS AND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 8, AND 16 OF TABLE A THEREOF. DATE OF LAST SITE VISIT WAS MAY 6, 2019. BEARINGS ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, ZONE 16N, NORTH AMERICAN DATUM 1983 (NAD83). USING THE SOUTH LINE OF BLOCK 2 KIRKMOORE SECOND ADDITION AS SOUTH 80°29'22" WEST.

WITNESS MY HAND AND SEAL THIS 24th DAY OF MAY, 2019

ANDY FRITZ, PLS
OK LIC. 1004
CA 6586



ALTA/NSPS LAND TITLE SURVEY 1904-0164-80

LOT 7, BLOCK 3, BELLAIRE HEIGHTS ADDITION, AND THE EAST 52' OF THE SOUTH 135' OF BLOCK 2, KIRKMOORE SECOND ADDITION, TULSA COUNTY, OKLAHOMA

DRAWN BY: DATE: 05/15/19
APPROVED BY: DATE: 05/15/19
SCALE: 1"=40'
PROJECT NO: 10138

PREPARED BY: FRITZ LAND SURVEYING, L.L.C.
2016 N. 81ST STREET, TULSA, OK 74116
PH: 918.521.6575
FRLANDSURVEYING@GMAIL.COM
CA # 6586 EXP. 06-30-2021





Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7501

Hearing Date: October 2, 2019

Case Report Prepared by:

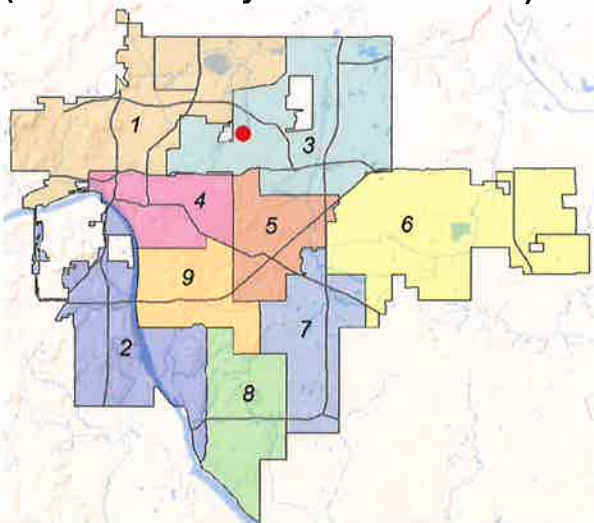
Jay Hoyt

Owner and Applicant Information:

Applicant: William Kerr

Property Owner: KERR, WILLIAM D & DONNA

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Vacant

Proposed Use: General Light Industrial Use

Concept summary: Rezone from CH to IL to permit light industrial uses

Tract Size: 0.63 ± acres

Location: Northwest corner of East Tecumseh Street & North Fulton Avenue

Zoning:

Existing Zoning: CH

Proposed Zoning: IL

Comprehensive Plan:

Land Use Map: Main Street

Stability and Growth Map: Area of Growth,
Area of Stability

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 0327

CZM: 30

City Council District: 3

Councilor Name: Crista Patrick

County Commission District: 1

Commissioner Name: Stan Sallee

SECTION I: Z-7501

DEVELOPMENT CONCEPT: The applicant is proposing to rezone from CH to IL to permit general light industrial uses on the subject lots.

The proposed light industrial uses would be buffered by a 75 ft setback from R and AG zoned properties. For most IL uses, excluding agricultural uses, they are also required F1 screening along lot lines in common with R and AG zoned properties. F1 screening consists of a 6 ft high screening fence along with trees spaced at 25 ft O.C. or a 6 ft high masonry wall.

EXHIBITS:

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

DETAILED STAFF RECOMMENDATION:

Z-7501 allows uses that are non-injurious to surrounding proximate properties;

Z-7501 is consistent with the anticipated future development pattern of the surrounding property;

Z-7501 is consistent with the Main Street land use designation of the Comprehensive Plan, therefore;

Staff recommends **Approval** of Z-7501 to rezone property from CH to IL.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The subject lots are located within the Main Street Land Use designation as well as both the Area of Growth and Area of Stability designations.

Land Use Vision:

Land Use Plan map designation: Main Street

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

Areas of Stability and Growth designation: Area of Growth, Area of Stability

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.

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: E Tecumseh St is designated a Secondary Arterial.

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site contains a former small storage lot and masonry building.

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
E Tecumseh St	Secondary Arterial	100 Feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	RS-4	Existing Neighborhood	Stability	Vacant
South	CH	Main Street	Growth	Vacant
East	RM-1/CH	Main Street	Growth	Salvage Yard
West	IL/RS-4	Main Street/Existing Neighborhood	Growth/Stability	Industrial

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 23916 dated May 19, 2018 established zoning for the subject property.

Subject Property:

Z-7437 April 2018: All concurred in **approval** of a request for *rezoning* a 0.31± acre tract of land from RS-4 to CH on property located north of the northwest corner of North Fulton Avenue and East Tecumseh Street.

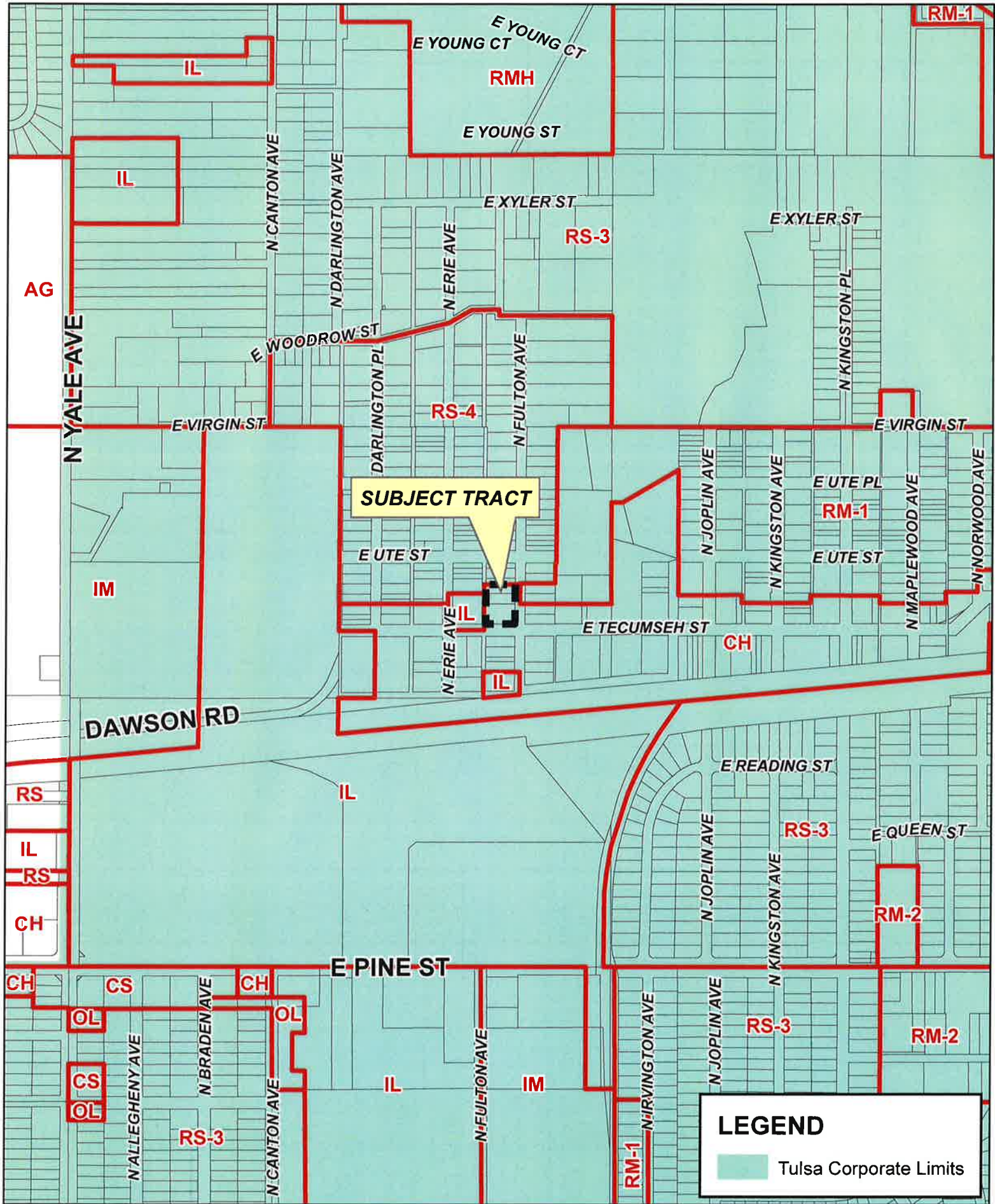
BOA- 4770 September 1964: The Board of Adjustment **approved** a request for permission to operate a light machine shop in a U-3-E District, on property located on East 88 feet of Lots 10, 11, 12 Block 27, O.T. of Dawson.

Surrounding Property:

No Relevant History.

10/2/2019 1:30 PM

9.4



Z-7501

20-13 27



0 300 600
Feet



Subject
Tract

Z-7501

20-13 27

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

Aerial Photo Date: February 2018



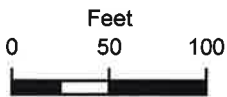


EUTE ST

NFULTON AVE

ETECUMSEH ST

NERIE AVE



**Subject
Tract**

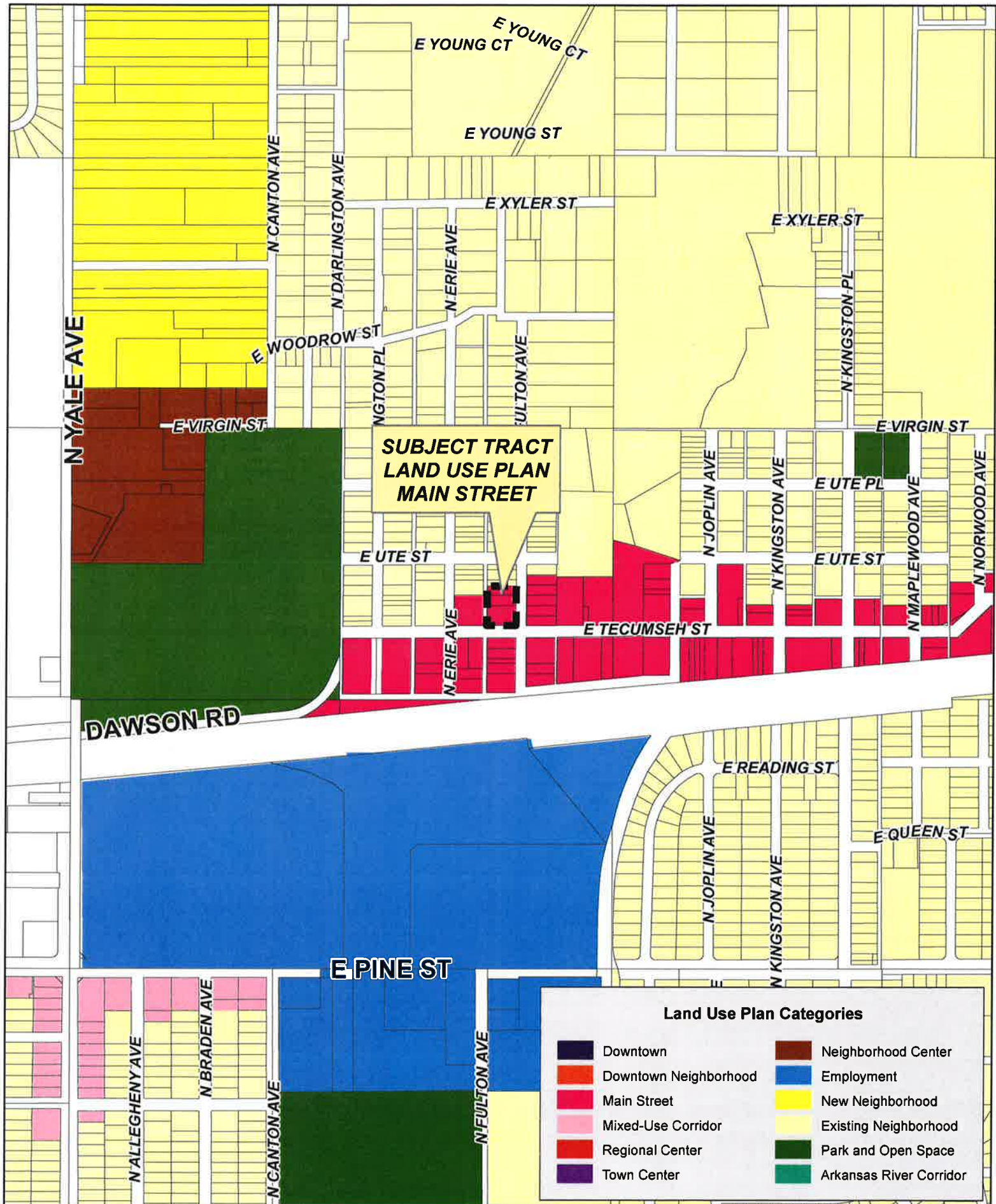
Z-7501

20-13 27

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

Aerial Photo Date: February 2018

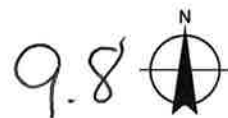


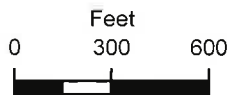
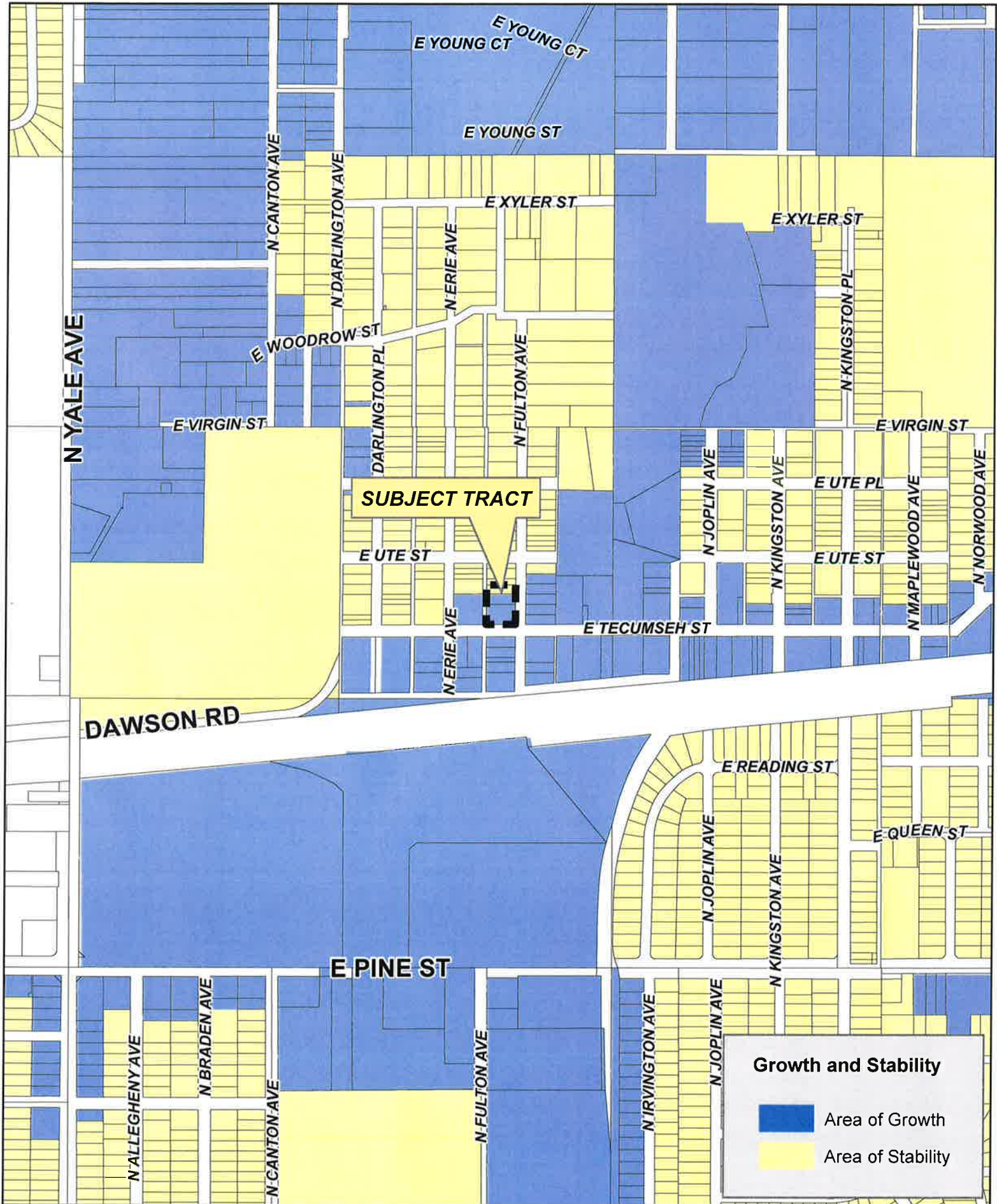


0 300 600
Feet

Z-7501

20-13 27





Z-7501

20-13 27

