

TULSA METROPOLITAN AREA PLANNING COMMISSION

Meeting No. 2804

October 16, 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

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, September 4, 2019 and October 2, 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 (Originally scheduled for October 2, 2019)
5. **NGP Business Complex** (CD 8) Amendment to Deed of Dedication and Restrictive Covenants to align with approved PUD standards, Location: North of the northwest corner of East 101st Street South and South Memorial Drive

PUBLIC HEARINGS:

6. **ZCA-16** Consider amendments to the City of Tulsa Zoning Code, Tile 42, revised ordinances, regarding dumpster and recyclable material bins/donation bins.
7. **SMG Maybelle (Formerly GCC Maybelle)** (CD 2) Preliminary Plat, Location: South of the southwest corner of West 41st Street South and South Maybelle Avenue (Originally scheduled for October 2, 2019)
8. **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 (Originally scheduled for October 2, 2019)
9. **CZ-493 Richard Peek** (County) Location: Southwest corner of Highway 51 and South 241st West Avenue requesting rezoning from **AG to IL** to allow light industrial uses (Originally scheduled for October 2, 2019)
10. **CZ-494 Alan Betchan** (County) Location: Northeast corner of East 106th Street North and North Memorial Drive requesting rezoning from **RE to RS** to permit a single-family subdivision (Related to 106th ~ Memorial)
11. **106th ~ Memorial** (County) Preliminary Plat, Location: Northeast corner of East 106th Street North and North Memorial Drive (Related to CZ-494)
12. **Z-7498 Malcolm Rosser** (CD 6) Location: South of the southeast corner of East 11th Street South and East Skelly Drive rezoning from **CS to IL with optional development plan** to permit a mixed-use facility (Continued from September 18, 2019)
13. **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 and CH to CH with optional development plan** limiting uses and providing site design standards (Originally scheduled for October 2, 2019)
14. **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 (Originally scheduled for October 2, 2019)
15. **Z-7502 Brian Carbajal Carranza** (CD 3) Location: South of the southeast corner of Dawson Road and North Harvard Avenue requesting rezoning from **RM-2 and CS to IL** to permit a medical marijuana cultivation facility
16. **Z-7503 David Henke/City Council** (CD 4) Location: North of the Northeast corner of East 11th Street South and South Peoria Avenue requesting rezoning from **RS-4 and CH to MX1-U-U** as part of the mixed-use zoning initiative associated with the Bus Rapid Transit System along Peoria Avenue

17. **Z-7504 Erik Enyart** (CD 2) Location: South of the southwest corner of West 81st Street South and South Union Avenue rezoning from **AG to RS-3 with optional development plan** to permit single-family subdivision (**Applicant has requested continuance to November 6, 2019**)
18. **Z-7505 Mark Capron** (CD 8) Location: Northwest of the northwest corner of East 111th Street South and South Memorial Drive requesting rezoning from **AG to RS-3 and RT** to permit single-family homes and townhouses
19. **Z-7506 Mike Thedford** (CD 2) Location: South of the southeast corner of West 81st Street South and South Maybelle Avenue rezoning from **AG to RS-5** to permit single-family homes
20. 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. (Originally scheduled for October 2, 2019)
21. 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. (Originally scheduled for October 2, 2019)

OTHER BUSINESS

22. 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.



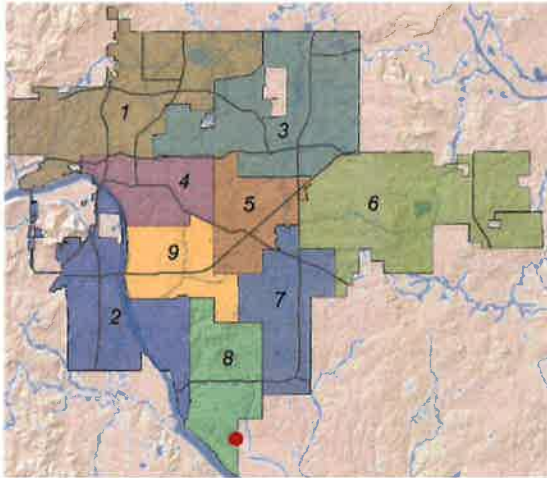
Case Number: PUD-806-2
Minor Amendment

Hearing Date: **October 16, 2019**
 (Continued from August 21, 2019,
 September 4, 2019 & October 2, 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.



0 Feet 200 400



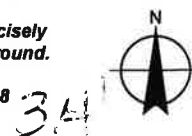
Subject
Tract

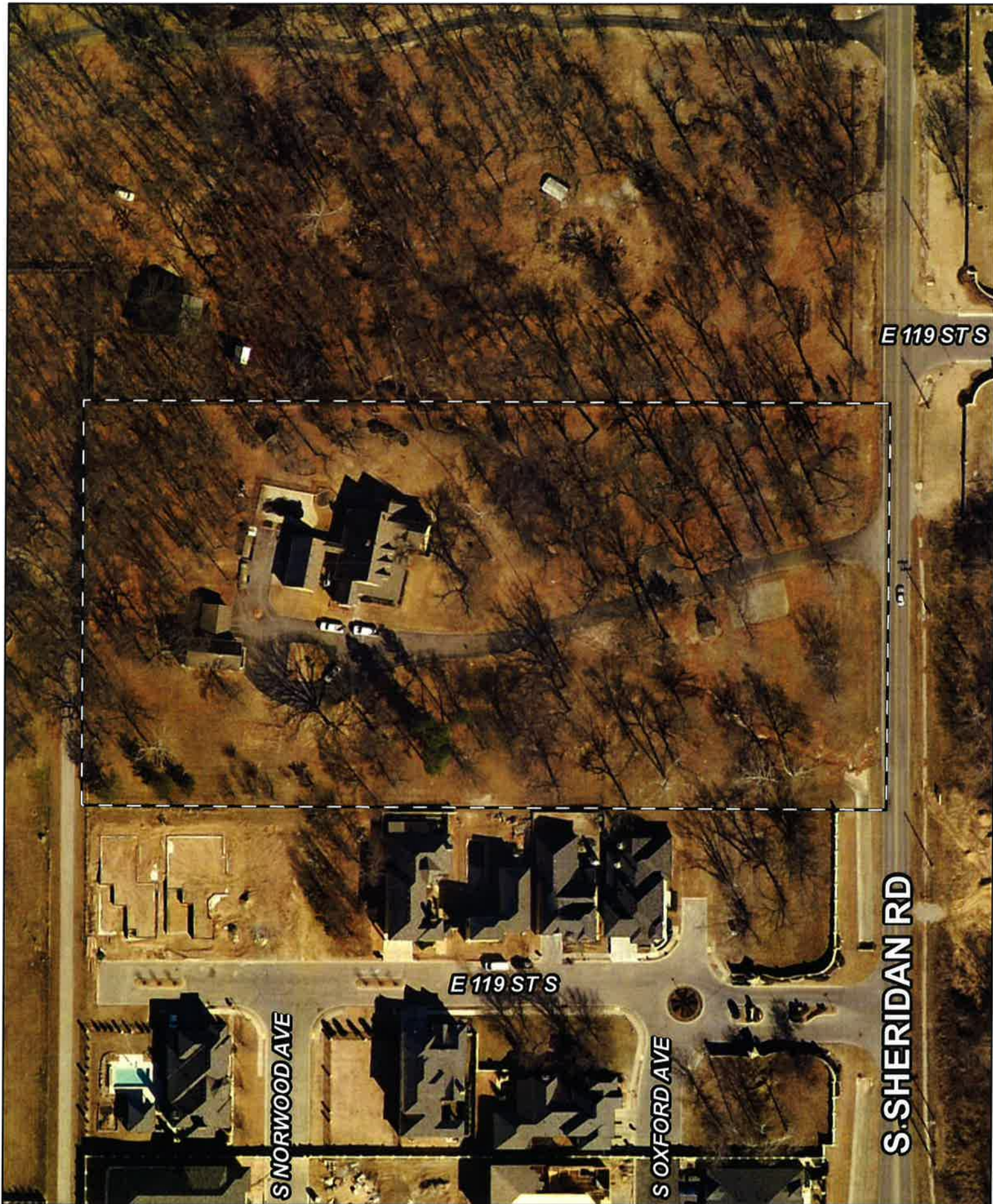
PUD-806-2

18-13 34

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

Aerial Photo Date: February 2018





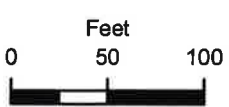
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S. SHERIDAN RD

E 119 ST S

SNORWOOD AVE

S OXFORD AVE



Subject Tract

PUD-806-2

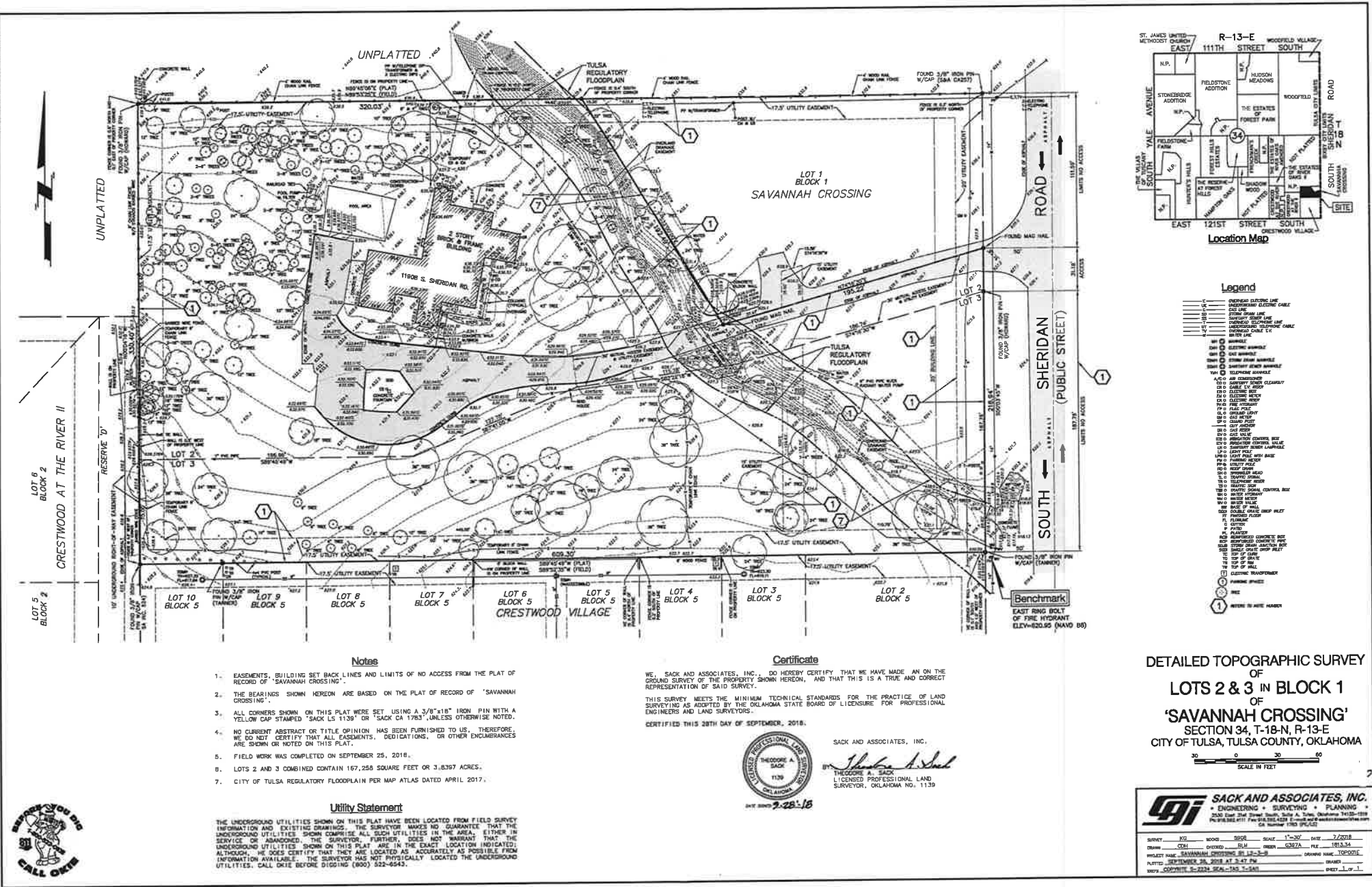
18-13 34

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

Aerial Photo Date: February 2018



365

[illegible]

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

[illegible]

- Notes**
1. EASEMENTS, BUILDING SET BACK LINES AND LIMITS OF NO ACCESS FROM THE PLAT OF RECORD OF 'SAVANNAH CROSSING'.
 2. THE BEARINGS SHOWN HEREON ARE BASED ON THE PLAT OF RECORD OF 'SAVANNAH CROSSING'.
 3. ALL CORNERS SHOWN ON THIS PLAT WERE SET USING A 3/8"x18" IRON PIN WITH A YELLOW CAP STAMPED "SAC 15 1130" OR "SAC CA 1783" UNLESS OTHERWISE NOTED.
 4. NO CURRENT ABSTRACT OR TITLE PINNING HAS BEEN FURNISHED TO US, THEREFORE, WE DO NOT CERTIFY THAT ALL EASEMENTS, DEDICATIONS, OR OTHER ENCUMBRANCES ARE SHOWN OR NOTED ON THIS PLAT.
 5. FIELD WORK WAS COMPLETED ON SEPTEMBER 25, 2018.
 6. LOTS 2 AND 3 COMBINED TOTAL 167,256 SQUARE FEET OR 3,8397 ACRES.
 7. CITY OF TULSA REGULATORY FLOODPLAIN PER MAP ATLAS DATED APRIL 2017.

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

Utility Statement

THE UNDERGROUND UTILITIES SHOWN ON THIS PLAN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN ACCURATELY REPRESENT THE ACTUAL UTILITIES. EITHER IN PLACE OR ABANDONED. THE SURVEYOR, FURTHER, DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ON THIS PLAN ARE IN THE EXACT LOCATION INDICATED; HOWEVER, HE DOES CERTIFY THAT THE DATA SHOWN ARE ACCURATELY POSSIBLE FROM THE INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. CALL 800E BEFORE DIGGING (800) 522-6543.



Tulsa Metropolitan Area
Planning Commission

Case : Roan-Shire

Hearing Date: October 16, 2019
(Originally scheduled for October 2, 2019)

Case Report Prepared by:

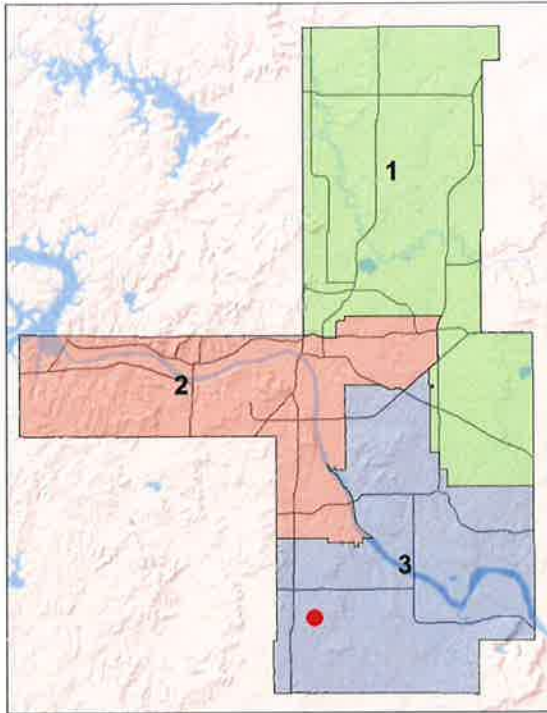
Nathan Foster

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

4.1

**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:

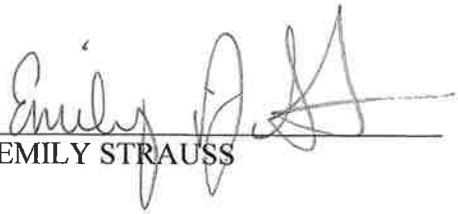
NOW, THEREFORE, the undersigned, being the sole owner of all of the property affected by the Plat, agrees that the Plat and Certificate of Dedication of ROAN-SHIRE ESTATES is hereby vacated and held for naught, and that the following described land is no longer subject to said Plat or Certificate of 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 1th 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: _____



Tulsa Metropolitan Area
Planning Commission

Case : NGP Business Complex

Hearing Date: October 16, 2019

Case Report Prepared by:

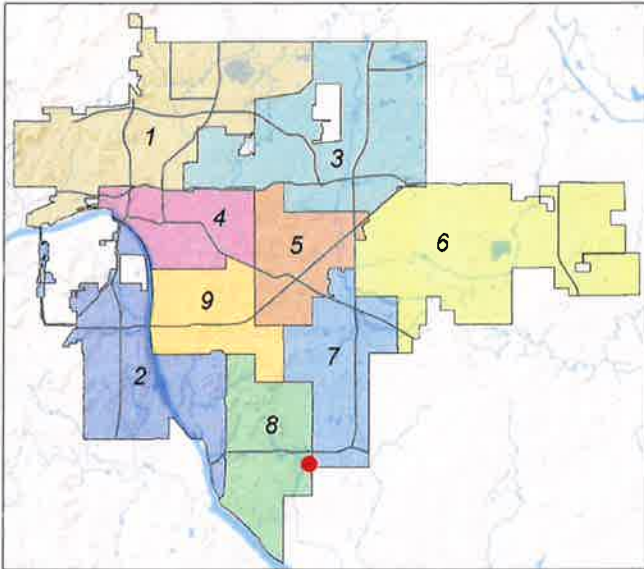
Nathan Foster

Owner and Applicant Information:

Applicant: Stephen A. Schuller

Owner: HACA Investment Company, LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Amendment to Deed of Dedication

Location: North of the northwest corner of
East 101st Street South and South
Memorial Drive

Summary: Amending previously filed deed
of dedication to align with PUD
amendments and approved development
standards

Zoning: OL, CS, PUD-773

Staff Recommendation:

Staff recommends **approval** of the
amendment

City Council District: 8

Councilor Name: Phil Lakin

County Commission District: 3

Commissioner Name: Ron Peters

EXHIBITS: Amendment of Deed of Dedication and Restrictive Covenants for NGP Business
Complex

Amendment of Deed of Dedication and Restrictive Covenants for NGP Business Complex

KNOW ALL BY THESE PRESENTS:

That **HACA Investment Company, L.L.C., an Oklahoma limited liability company**, is the owner of the following described parcel of land situated in the **NGP BUSINESS COMPLEX**, a Subdivision of Land in the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat [No. 6340] thereof:

Lot 6, Block 1, NGP BUSINESS COMPLEX, a Subdivision of Land in the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat [No. 6340] thereof.

Pursuant to the terms and provisions of **Section IV of the Deed of Dedication and Restrictive Covenants for NGP Business Complex** filed for record on **20 May 2010** in the Office of the County Clerk of Tulsa County, Oklahoma as a component part of the **Plat** of NGP BUSINESS COMPLEX, the above named owner of the specified land situated in the NGP BUSINESS COMPLEX hereby amends the **Section II "Planned Unit Development Restrictions"** set forth in the Deed of Dedication and Restrictive Covenants for NGP Business Complex in the following particulars:

Part B. "Development Standards - for Lot 6, Block 1 (Development Area 'B')" is hereby amended to implement the **Minor Amendment of PUD No. 773** approved by the Tulsa Metropolitan Area Planning Commission on **5 June 2019** as **Minor Amendment No. PUD-773-2** as to only the following specified development standards:

PERMITTED USES:

Uses permitted as a matter of right in the "Consumer Shopping Goods"/"Convenience Goods" and "Fueling Station" Use Categories identified in the Tulsa Zoning Code

MAXIMUM PERMITTED HEIGHT OF FUEL PUMP CANOPY: 25 ft

MINIMUM CANOPY SETBACK:

From the West Boundary: 120 ft

LANDSCAPE BUFFER:

The required 8 Austrian Pine trees shall be a minimum of 8 feet in height at the time of planting.

RETAINING WALL:

The existing retaining wall extending through the western portion of Development Area "B" shall remain in place. A 6-foot tall privacy fence (conforming to the current Tulsa Zoning Code's requirements) shall be erected atop such retaining wall to provide further screening from the residential properties to the West of PUD 773.

All Development Standards prescribed for Development Area "B" in the original PUD 773, except as specifically provided above, remain unchanged and are not amended or modified hereby.

NGP, L.L.C. as the original "Developer" of the NGP Business Complex subdivision and an owner of at least one lot in such subdivision hereby joins in this Amendment of the Deed of Dedication and Restrictive Covenants for NGP Business Complex as required by the provisions of Section IV thereof.

EXECUTED at Tulsa, Oklahoma, to be effective for all purposes as of **5 June 2019**.

HACA Investment Company, L.L.C.

NGP, L.L.C.

By: _____


Manager

By: _____



Craig R. Grotts
Manager

APPROVED BY THE **TULSA METROPOLITAN AREA PLANNING COMMISSION** in accordance with **Minor Amendment No. PUD-773-2** approved 5 June 2019:

Date: _____

Chair

Secretary

STATE OF OKLAHOMA)
COUNTY OF TULSA) ss.

This instrument was acknowledged before me this _____ day of August, 2019, by
Joe Brown as **Manager of HACA Investment Company,**
L.L.C.



Julie O'Connor
Notary Public

Commission No./Expiration:

14008057 9-8-2022

STATE OF OKLAHOMA)
COUNTY OF TULSA) ss.

This instrument was acknowledged before me this 25 day of September ^{BW} 2019, by
Craig R. Grotts as **Manager of NGP, L.L.C.**

(SEAL)



Brittany Wright
Notary Public

Commission No./Expiration:

07/23/23



Prepared by Susan Miller, smiller@incog.org, 918.579.9470
Felicity Good, fgood@incog.org, 918.579.9456

Item

Consider amendments to the City of Tulsa Zoning Code, Title 42 Revised Ordinances, regarding dumpsters and recyclable material bins/donation bins.

Background

The City of Tulsa Zoning Code became effective on January 1, 2016. Included in the Zoning Code were new regulations regarding dumpsters and recyclable material bins that were not in the previous code. A key component of the regulations was a retroactive screening requirement for all dumpsters and recyclable material bins, stating a compliance date of November 1, 2017. A proactive effort to enforce this provision took place earlier in 2019 and several businesses received notice that their dumpsters were not in compliance. These businesses contacted elected officials at City Hall about the issues resulting from these regulations. A few key issues identified were:

- In existing development, there may not be enough space to place the dumpster/screening out of view from streets and abutting properties.
- Recyclable Material Bins will not be visible if required to be screened, which will impact donations.
- Dumpsters in alley rights-of-way should be exempt from screening requirements.

In order to address these and other related issues, the zoning code implementation team convened to address the identified issues. The zoning code implementation team is comprised of members of Tulsa Planning Office, Development Services Department and City Legal.

Tulsa Planning Office staff presented the proposed ordinance to the Planning Commission at the end of their September 18, 2019 meeting. Also, at the request of the Tulsa Authority for the Recovery of Energy (TARE) Board, staff presented the proposed ordinance at their September 24, 2019 meeting. To date, all interested parties have expressed support for the proposal.

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

Staff Recommendation

Approval of the proposed amendments to the City of Tulsa Zoning Code as shown in Attachment II.

6.1



Attachment(s)

Attachment I - Summary of Changes for Dumpster & Recyclable Material Bins/Donation
Bins zoning code amendments

Attachment II – Proposed amendments to City of Tulsa Zoning Code regarding
Dumpster & Recyclable Material Bins/Donation Bins (as of 09.12.2019)

Attachment III -Existing City of Tulsa Zoning Code (as of 09.12.2019)

Attachment I

Dumpster & Recyclable Material Bins/Donation Bins Zoning Code Amendments Draft Summary of Changes

EXISTING

- Dumpsters and recyclable material bins grouped together with the same regulations
- Limited restrictions on placement of dumpsters and recyclable material bins
- No standards for excess trash and debris

Dumpsters

- Unclear if dumpsters must be screened from R-zoned properties or *all* abutting properties
- No exemptions for dumpsters in alleys
- Screening requirements retroactively applied to all dumpsters
- No set review process for approving dumpster location
- 6-foot screening wall or fence always required
- Opaque, lockable gate always required

Recyclable Material Bins

- Donation bins not specifically mentioned under the definition of recyclable material bins
- Screening fence required for recyclable material bins
- No standards for maintenance or upkeep
- No contact information requirements
- Primary use Consumer Material Dropoff Stations staffed by personnel when accepting recyclables

PROPOSED

- Dumpsters and recyclable material bins separated
- Dumpsters and recyclable material bins are not allowed in a required landscape area, street setback, or side setback
- Surrounding sites must be maintained free of litter, debris and other materials

Dumpsters

- Dumpsters must be screened from view of all rights-of-way and R-zoned property
- Screening of dumpsters located in alleys is not required
- Screening requirements only apply to new construction or occupancy
- Dumpsters and screening must be included on site plans for occupancy, zoning, building permits
- Dumpsters may be screened by a principal structure or a screening fence or wall
- Gate required only when dumpster is completely enclosed by screening fence or wall

Recyclable Material Bins

- "Recyclable Material Bin" changed to "Recyclable Material Bin/Donation Bin"
- All goods must be screened from view within the bins
- Bins must be maintained in good condition with no structural damage, holes, visible rust, graffiti
- Name, phone number, and website of operator and all other entities benefiting from donations must be displayed on bin in bold 1/2" x 1/2" letters
- Consumer Material Dropoff Stations are staffed by personnel on site a minimum of 20 hours per week

Attachment II

Proposed City of Tulsa Zoning Code

(as of 09.12.2019)

Section 35.080 Recycling Use Category

35.080-B Consumer Material Drop-off Station

An establishment that (1) accepts consumer recyclable commodities directly from the consuming party; (2) is staffed by personnel ~~during times when recyclables are accepted from consumers on site for a minimum of 20 hours per week~~; and (3) stores materials temporarily before transferring them to recyclable material processing facilities. Establishments that process recyclable materials are classified as "consumer material processing" establishments. (Note: accessory use dumpsters and recyclable material bins/donation bins are ~~regulated as accessory uses~~, subject to the regulations of Sections 45.050 and 45.051.)

Section 45.050 Dumpsters and Recyclable Material Bins

45.050-A Applicability

- ~~1. The regulations of this section apply to all dumpsters and recyclable material bins established or placed on or after the effective date specified in Section 1.030.~~
- ~~2. Dumpsters and recyclable material bins established or placed before the effective date specified in Section 1.030 must be removed or brought into compliance with the regulations of this section no later than November 1, 2017.~~

45.050-B Where Allowed

~~Dumpsters and recyclable material bins are allowed as an accessory use.~~

45.050-CA Regulations

~~Dumpsters and recyclable material bins~~ established or placed on or after the effective date specified in Section 1.030 are subject to the following regulations:

- ~~1. Dumpsters and recyclable material bins~~ may only be placed with the written permission of the owner of the subject property.
- ~~2. Dumpsters and recyclable material bins~~ must be located on a dustless, all-weather surface ~~and must be screened from view of all rights-of-way and R-zoned property in accordance with §65.060-B2, provided that no trees are required as part of the required screening. No signs are allowed on the exterior of the required screening fence or wall.~~
- ~~3. Dumpsters and recyclable material bins~~ may not:
 - ~~a. Obstruct motorized or non-motorized traffic;~~
 - ~~b. Reduce any sidewalk or walkway designed for the passage of pedestrians to less than 5 feet in width;~~
 - ~~c. Be located within 10 feet of a fire hydrant or fire suppression connection; or~~
 - ~~d. Be located in a required parking space or required landscape area; or~~
 - e. Be located in a street setback or side setback.
4. The site surrounding the dumpster must be maintained free of litter, debris, and other materials.
5. Dumpsters must be screened from view of all street rights-of-way and R-zoned property by a principal structure or an F1 screening fence or wall in accordance with §65.060-B2, provided that no trees are required as part of the required screening. Screening of

dumpsters located in alley rights-of-way is not required. No signs are allowed on the exterior of a required screening fence or wall.

6. Where the use of a dumpster is proposed, the location and intended screening demonstrating compliance with the standards of this section must be included with the submittal of a site plan for a zoning clearance, building or certificate of occupancy permit.

Section 45.051 Recyclable Material Bins/Donation Bins

45.051-A Regulations

Recyclable material bins/donation bins established or placed on or after December 1, 2019 are subject to the following regulations, and recyclable material bins/donation bins established before December 1, 2019 must be removed or brought into compliance with the following regulations no later than July 1, 2020:

1. Recyclable material bins/donation bins may only be placed with the written permission of the owner of the subject property.
2. Recyclable material bins/donation bins must be located on a dustless, all-weather surface.
3. Recyclable material bins/donation bins may not:
 - a. Obstruct motorized or non-motorized traffic;
 - b. Reduce any sidewalk or walkway designed for the passage of pedestrians to less than 5 feet in width;
 - c. Be located within 10 feet of a fire hydrant or fire suppression connection;
 - d. Be located in a required parking space or required landscape area; or
 - e. Be located in a street setback or side setback.
 - f. Exceed 7 feet in height, 6 feet in width, and 6 feet in depth.
4. All goods must be screened from view within the recyclable material bin or donation bin.
5. The site surrounding the bin must be maintained free of litter, debris, and other materials.
6. Recyclable material bins/donation bins must be maintained in good condition with no structural damage, holes, visible rust, or graffiti.
7. The exterior of a recyclable material bin or donation bin must clearly display the name, phone number, and website (if any) of the person or entity operating the bin and of any charitable or for-profit entity that benefits from the collected items. The information must be printed in bold letters, each at least one-half inch tall and one-half inch wide. See also Oklahoma Statutes, Title 78, Section 56.

Section 65.060-B Features to be Screened

2. Dumpsters and Recyclable Material Bins

All dumpsters and recyclable material bins must be screened from view of the street and all abutting properties all street rights-of-way and R- zoned property. Screening of dumpsters located in alley rights-of-way is not required. Required screening must consist of Dumpsters may be screened from view by a principal structure or by an F1 screening fence or wall in accordance with §65.060-C2. When an F1 screening fence or wall encloses a dumpster on four sides, one One side of the storage area must be furnished with an opaque, lockable gate kept closed at all times except during waste deposit or collection. The gate must be located and constructed to allow for unobstructed access to each dumpster during collection.

Chapter 95. Definitions

Donation Bins

See "Recyclable Material Bins/Donation Bins".

Dumpster

A container with a capacity of more than 1.5 cubic yards or a height of more than 4.5 feet that is designed for receiving, transporting, and depositing waste materials produced by uses that are on the subject site. Dumpsters are typically designed to be hoisted and emptied into a garbage truck. (See [Section 45.050](#) for applicable regulations)

Recyclable Material Bins/Donation Bins

A container or drop box with a capacity of more than 1.5 cubic yards or a height of more than 4.5 feet that is provided for receiving and temporary storing of recyclable materials or salvageable personal property such as paper, ~~cars~~ metal, glass, and plastics as well as clothing, shoes, books, and toys. Recyclable material bins/donation bins may receive items to be reused or resold for the purpose of charitable solicitation. Recyclable material bins/donation bins include both containers used by uses located on the subject site and those used by consumers who bring their recyclables from other (off-site) locations. (See [Section 45.050](#)~~1~~ for applicable regulations)

Site Plan

A detailed plan or set of plans depicting the arrangement of buildings, parking, landscaping, lighting, walls, grading, elevations, building materials, signs, dumpsters, and other information necessary to determine compliance with applicable regulations (see also [Section 70.050](#)).

Attachment III

Existing City of Tulsa Zoning Code (as of 09.12.2019)

Section 35.080 Recycling Use Category

35.080-B Consumer Material Drop-off Station

An establishment that (1) accepts consumer recyclable commodities directly from the consuming party; (2) is staffed by personnel during times when recyclables are accepted from consumers; and (3) stores materials temporarily before transferring them to recyclable material processing facilities. Establishments that process recyclable material are classified as "consumer material processing" establishments. (Note: dumpsters and recyclable material bins are regulated as accessory uses, subject to the regulations of [Section 45.050](#).)

Section 45.050 Dumpsters and Recyclable Material Bins

45.050-A Applicability

1. The regulations of this section apply to all dumpsters and recyclable material bins established or placed on or after the effective date specified in [Section 1.030](#).
2. Dumpsters and recyclable material bins established or placed before the effective date specified in [Section 1.030](#) must be removed or brought into compliance with the regulations of this section no later than November 1, 2017.

45.050-B Where Allowed

Dumpsters and recyclable material bins are allowed as an accessory use.

45.050-C Regulations

Dumpsters and recyclable material bins are subject to the following regulations:

1. Dumpsters and recyclable material bins may only be placed with the written permission of the owner of the subject property.
2. Dumpsters and recyclable material bins must be located on a dustless, all-weather surface and must be screened from view of all rights-of-way and R- zoned property in accordance with [§65.060-B2](#), provided that no trees are required as part of the required screening. No signs are allowed on the exterior of the required screening fence or wall.
3. Dumpsters and recyclable material bins may not:
 - a. Obstruct motorized or non-motorized traffic;
 - b. Reduce any sidewalk or walkway designed for the passage of pedestrians to less than 5 feet in width;
 - c. Be located within 10 feet of a fire hydrant or fire suppression connection; or
 - d. Be located in a required parking space.

Section 65.060-B Features to be Screened

2. Dumpsters and Recyclable Material Bins

All dumpsters and recyclable material bins must be screened from view of the street and all abutting properties. Required screening must consist of an F1 screening fence or wall in

accordance with §65.060-C2. One side of the storage area must be furnished with an opaque, lockable gate.

Chapter 95. Definitions

Dumpster

A container with a capacity of more than 1.5 cubic yards or a height of more than 4.5 feet that is designed for receiving, transporting, and depositing waste materials produced by uses that are on the subject site. Dumpsters are typically designed to be hoisted and emptied into a garbage truck. (See [Section 45.050](#) for applicable regulations)

Recyclable Material Bins

A container or drop box with a capacity of more than 1.5 cubic yards or a height of more than 4.5 feet that is provided for receiving and temporary storing of recyclable paper, cans, glass and plastics as well as clothing, shoes, books, and toys. Recyclable material bins include both containers used by uses located on the subject site and those used by consumers who bring their recyclables from other (off-site) locations. (See [Section 45.050](#) for applicable regulations)

Site Plan

A detailed plan or set of plans depicting the arrangement of buildings, parking, landscaping, lighting, walls, grading, elevations, building materials, signs and other information necessary to determine compliance with applicable regulations (see also [Section 70.050](#)).



Tulsa Metropolitan Area
Planning Commission

Case: SMG Maybelle (Formerly GCC Maybelle)

Hearing Date: October 16, 2019
(Originally scheduled for October 2, 2019)

Case Report Prepared by:

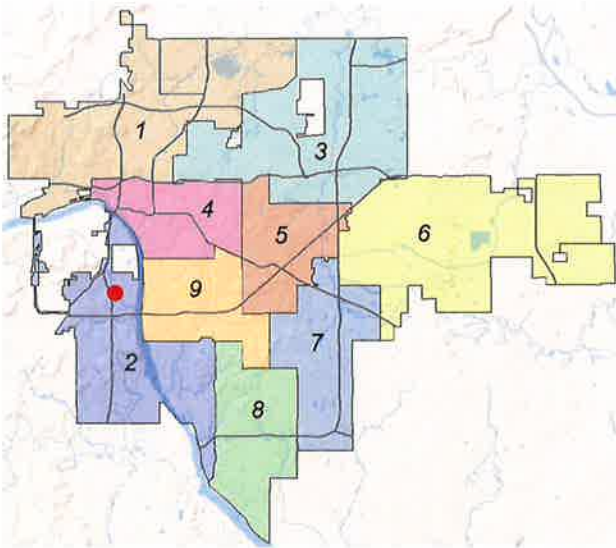
Nathan Foster

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

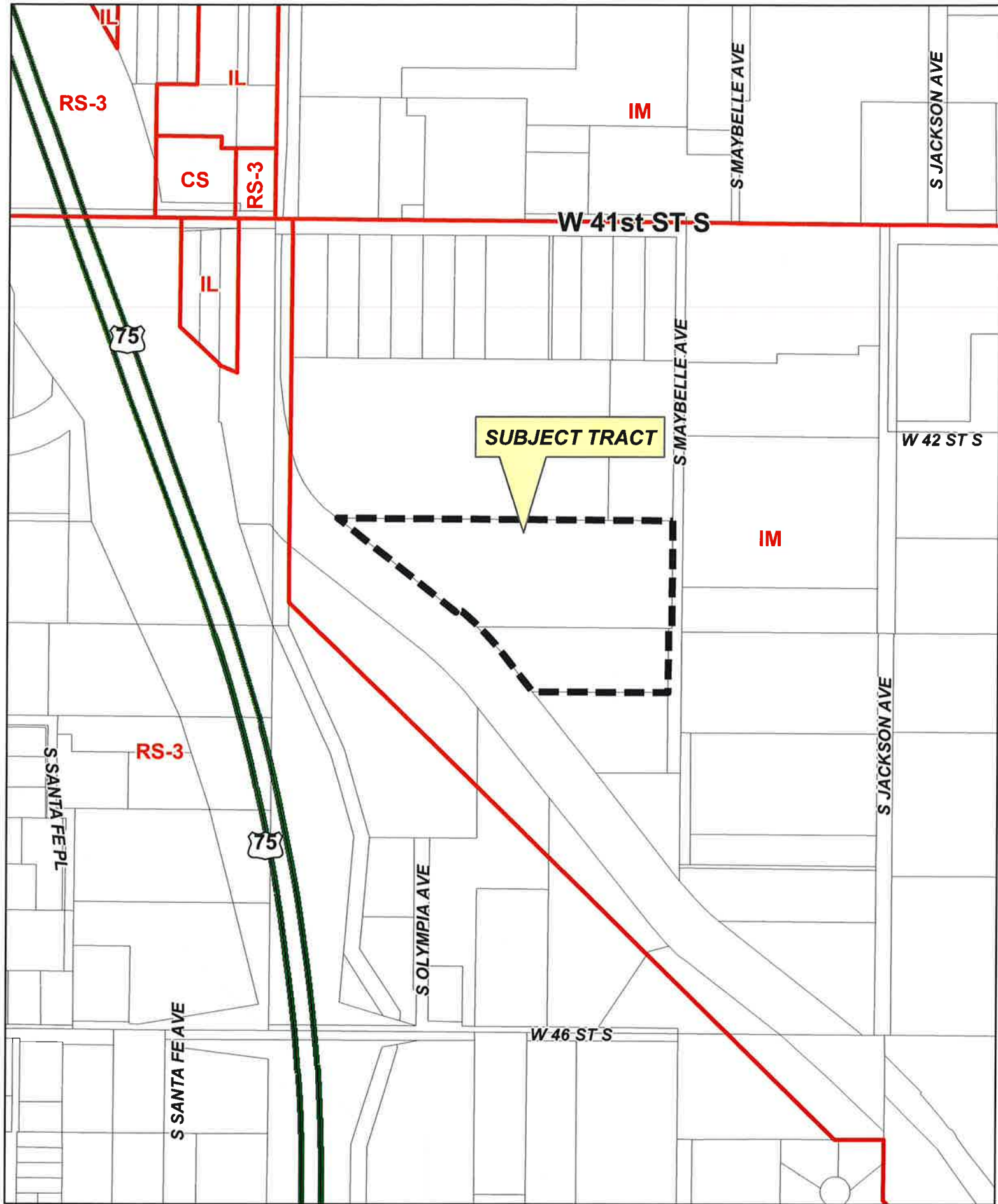
City Council District: 2

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



GCC MAYBELLE

19-12 26





0 200 400
Feet



Subject
Tract

GCC MAYBELLE

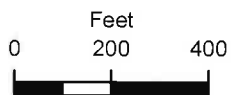
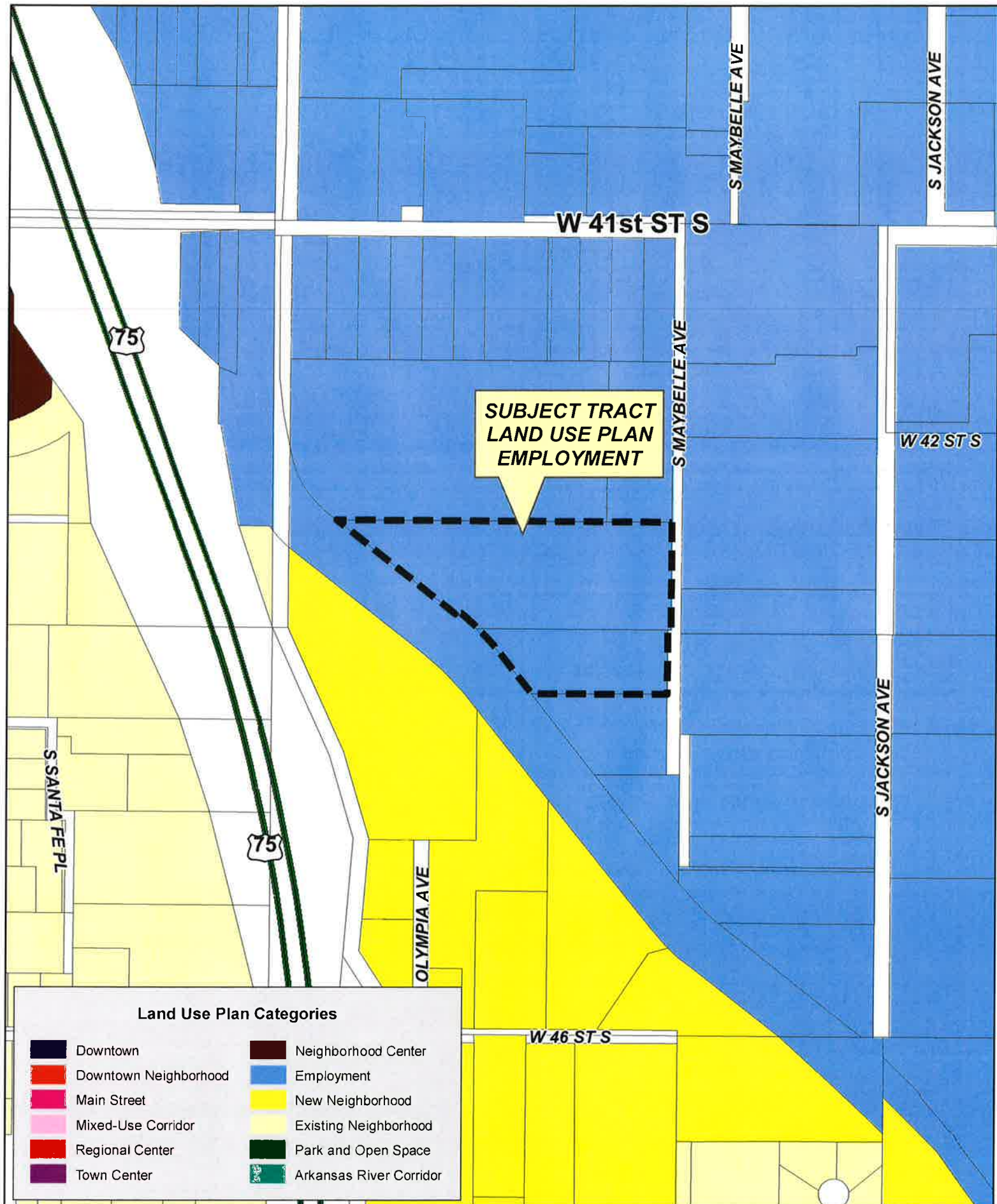
19-12 26

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

Aerial Photo Date: February 2018



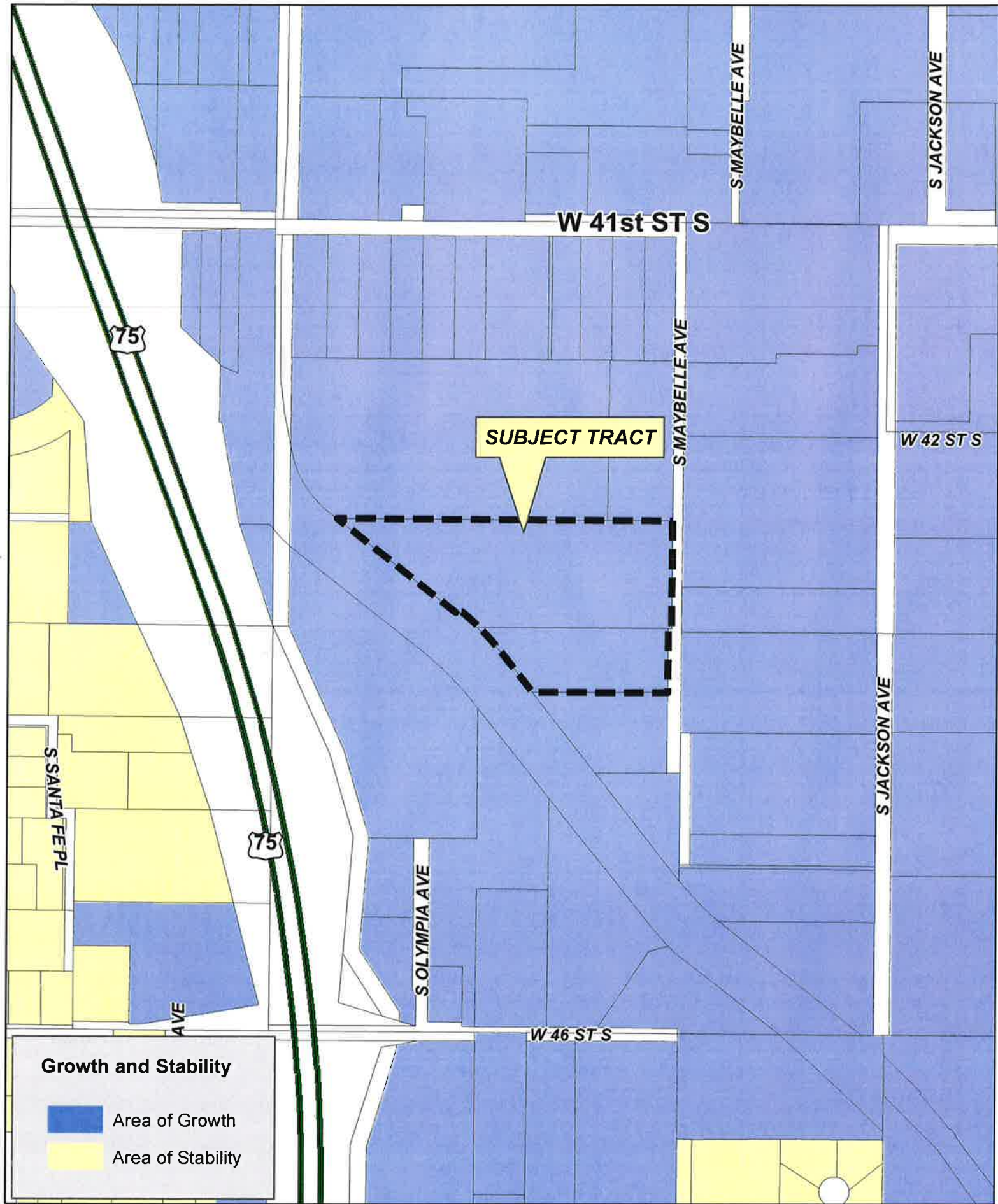
7.3



GCC MAYBELLE

19-12 26





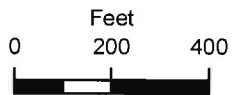
Growth and Stability



Area of Growth



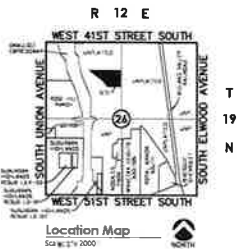
Area of Stability



GCC MAYBELLE

19-12 26





SURVEYOR CONTAINS:
ONE (1) LOT
NINE (9) BLOCKS
GROSS SUBDIVISION AREA: 8.475 ACRES

OWNER:
Standard Materials Group, INC.
755 East Millisap Road
Fayetteville, Arkansas 72703
Phone: (918)560-4682
Contact: Kyle Gaber

Draft Final Plat

SMG Maybelle

PART OF THE EAST HALF OF THE NORTHWEST QUARTER (E/2 NW/4) OF SECTION TWENTY-SIX (26) TOWNSHIP NINETEEN (19) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN MERIDIAN A SUBDIVISION WITHIN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

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

DAN E. TANNER, P.L.S., NO. 1493
OK CA NO. 7861, EXPIRES 6/30/2021
EMAIL: DAN@TANNERBATSHP.COM
5323 South Lewis Avenue
Tulsa, Oklahoma 74105
Phone: (918) 745-9929



FINAL PLAT ENDORSEMENT OF APPROVAL
Tulsa Metropolitan Area Planning Commission
Approval Date: _____
TMA/PC/ACDO
CITY ENGINEER
Council of the City of Tulsa, Oklahoma
Approval Date: _____
CHAIRMAN
MAYOR
ATTORNEY, 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 before that date.

Notes:

- THIS PLAT MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.
- ALL PROPERTY CORNERS ARE SET 3/8" IRON REBAR WITH YELLOW CAP STAMPED "TANNER RLS 1435" UNLESS OTHERWISE NOTED.
- THE BEARINGS SHOWN HEREON ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (1983), NORTH AMERICAN DATUM 1983 (NAD83). SAID BEARINGS ARE BASED LOCALLY UPON FIELD-OBSERVED TIES TO THE FOLLOWING MONUMENTS:
 - ODOT BRASS CAP FOUND AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER (NW/4) OF SECTION 26, N-480645.5 E-255852.1 A-2
 - 5/8" IRON PIN FOUND AT SOUTHEAST CORNER OF THE NORTHWEST QUARTER (NW/4) OF SECTION 26, N-482424.48 E-255849.58
 THE BEARINGS BETWEEN SAID MONUMENTS BEING SOUTH 87°22'00" 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 PLACE OF THE LEGAL DESCRIPTION.
- ACCESS AT THE TIME OF PLAT WAS PROVIDED BY SOUTH MAYBELLE AVENUE A PUBLIC STREET, BY VIRTUE OF RIGHT-OF-WAY DEDICATED BY THIS PLAT.

DATE OF PREPARATION: October 8, 2019

SMG Maybelle
SHEET 1 OF 2

710

Draft Final Plat

SMG Maybelle

PART OF THE EAST HALF OF THE NORTH-WEST QUARTER (E1/2 NW1/4) OF SECTION TWENTY-SIX (26)
TOWNSHIP NINETEEN (19) NORTH RANGE TWELVE (12) EAST OF THE INDIAN MERIDIAN
A SUBDIVISION WITHIN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

Deed of Dedication

KNOW ALL MEN BY THESE PRESENTS:

THAT STANDARD MATERIALS GROUP, INC., A DELAWARE CORPORATION, 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:

PART OF THE EAST HALF OF THE NORTH-WEST QUARTER (E1/2 NW1/4) OF SECTION TWENTY-SIX (26), TOWNSHIP NINETEEN (19) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN MERIDIAN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NW1/4 OF SAID SECTION 26; THENCE SOUTH 0°48'20" EAST ALONG THE EAST LINE OF THE NW1/4, FOR A DISTANCE OF 97.45 FEET; THENCE SOUTH 89°11'40" WEST FOR A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 0°48'20" EAST FOR A DISTANCE OF 350.51 FEET; THENCE SOUTH 89°23'40" WEST, FOR A DISTANCE OF 20.00 FEET; THENCE SOUTH 0°48'20" EAST A DISTANCE OF 207.02 FEET; THENCE SOUTH 89°11'40" WEST, FOR A DISTANCE OF 438.81 FEET TO A POINT ON THE NORTHEASTLY RIGHT-OF-WAY LINE OF CHERRY CREEK CHANNEL, AS RECORDED JANUARY 27, 1967, IN WARRANTY DEED, IN BOOK 3797 AT PAGE 3741, COUNTY OF TULSA, STATE OF OKLAHOMA RECORDS; THENCE ALONG SAID NORTHEASTLY RIGHT-OF-WAY LINE FOR THE FOLLOWING FOUR (4) COURSES:

NORTH 39°30'21" WEST, FOR A DISTANCE OF 149.68 FEET TO A POINT OF CURVATURE; THENCE ALONG A 97.145 FOOT RADIUS CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 127.56502°, A CHORD BEARING AND DISTANCE OF NORTH 45°58'22" WEST FOR 238.83 FEET; FOR AN ARC DISTANCE OF 218.29 FEET; THENCE SOUTH 37°38'30" WEST FOR A DISTANCE OF 10.00 FEET; THENCE NORTH 1°21'22" WEST A DISTANCE OF 480.76 FEET;

THENCE NORTH 89°26'40" EAST, FOR A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING;

SUBJECT PROPERTY CONTAINS 412,547 SQUARE FEET OR 9.471 ACRES.

THE OWNER HAS CAUSED THE SAME TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO LOTS, BLOCKS, 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 "SMG MAYBELLE", A SUBDIVISION WITHIN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA, (WHETHER THE WORD "SUBDIVISION" APPEARS HEREIN THE SAME SHALL CONCLUSIVELY BE DEEMED TO MEAN "SMG MAYBELLE" UNLESS THE CONTEXT CLEARLY DICTATES OTHERWISE; LIKEWISE, WHENEVER THE WORD "CITY" APPEARS HEREIN THE SAME SHALL CONCLUSIVELY BE DEEMED TO MEAN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA, UNLESS THE CONTEXT CLEARLY DICTATES OTHERWISE). NOW, THEREFORE, THE OWNER, FOR THE PURPOSE OF PROVIDING FOR THE ORDERLY DEVELOPMENT OF THE SUBDIVISION, AND FOR THE PURPOSE OF INSURING ADEQUATE RESTRICTIONS FOR THE MUTUAL BENEFIT OF THE OWNER, ITS SUCCESSORS, GRANTEES AND ASSIGNS, THE BENEFICIARIES OF THE COVENANTS SET FORTH BELOW, DOES HEREBY IMPOSE 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 HEREIN BY HER DEED TO THE ACCOMPANYING PLAT. THE OWNER FURTHER DEDICATES TO THE PUBLIC THE UTILITY EASEMENTS DESIGNATED AS "U" 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 THERETO, 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, LAY, AND REPAIR OR REPLACE WATER LINES, SANITARY SEWER MAINS, AND STORM SEWER MAINS, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING, REPAIRING, AND REPLACING OVER, ACROSS, AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT FOR THE PURPOSE OF FURNISHING WATER, SANITARY SEWER, 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 SUPPLIER OF ANY AFFECTED UTILITY SERVICE 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, ERRECTED, INSTALLED, OR MAINTAINED, PROVIDED NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT DRIVES, PARKING AREAS, CURBING, LANDSCAPING, AND CUSTOMARY SCREENING FENCES THAT DO NOT CONSTITUTE AN OBSTRUCTION.

A. UTILITY SERVICE:

1. OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE, CABLE TELEVISION, AND COMMUNICATION SERVICES MAY BE LOCATED WITHIN THE RIGHT-OF-WAY DEDICATED BY THIS PLAT AND WITHIN THE PERIMETER UTILITY EASEMENT OF THE SUBDIVISION. STREET LIGHT POLES OR STANDARDS SHALL BE SERVED ONLY BY UNDERGROUND CABLE AND, EXCEPT AS PROVIDED IN THE IMMEDIATELY-PRECEDING SENTENCE, ALL SUPPLY LINES INCLUDING ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS LINES SHALL BE LOCATED UNDERGROUND IN EASEMENTS DEDICATED FOR GENERAL UTILITY SERVICE AND THE RIGHT-OF-WAY OF THE PUBLIC STREETS AS DEPICTED ON THE ACCOMPANYING PLAT. SERVICE PEDSTALS 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 PEDestal, 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 DEFINITIVE, REMANENT, EFFECTIVE, AND NON-EXCLUSIVE EASEMENT ON THE LOT, COVERING A 5 FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE OR LINE EXTENDING FROM THE GAS MAIN, SERVICE PEDestal, 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, REMOVING, 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 SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND SERVICE FACILITIES LOCATED ON THE OWNER'S LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY 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 SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OF THE LOT OR SAID OWNER'S 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 AGREES TO BE BOUND BY THESE COVENANTS.

B. 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 AS OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, REMOVING, REPAIRING, OR REPLACING ANY PORTION OF THE FACILITIES INSTALLED BY THE SUPPLIER OF GAS SERVICE.

2. THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND GAS FACILITIES LOCATED IN THEIR LOT 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 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 OWNER AGREES TO BE BOUND BY THESE COVENANTS.

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

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

2. WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GRADE FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, SANITARY WATER MAIN, OR STORM SEWER, OR ANY CONSTRUCTION ACTIVITY WHICH, IN THE JUDGMENT OF THE CITY OF TULSA, WOULD INTERFERE WITH THE USES AND PURPOSES OF THE UTILITY EASEMENTS 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 SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE LOT OWNER OR SAID OWNER'S AGENTS OR CONTRACTORS.

4. THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, SHALL AT ALL TIMES HAVE THE 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, REMOVING, 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 AGREES TO BE BOUND BY THESE COVENANTS.

D. OVERLAND DRAINAGE EASEMENTS:

1. THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC PERPETUAL EASEMENTS ON, OVER, AND ACROSS THESE AREAS DESIGNATED ON THE ACCOMPANYING PLAT AS "OVERLAND DRAINAGE EASEMENT" OR "ODE" FOR THE PURPOSE OF PERMITTING THE CONSTRUCTION, MAINTENANCE, REPAIR, OR REPLACEMENT OF ANY AND ALL VARIOUS LOTS 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 GRADE IN SUCH EASEMENTS UNLESS APPROVED BY THE CITY OF TULSA, OKLAHOMA, PROVIDED THAT THE PLANTING OF TURF 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, ALL IN ACCORDANCE WITH STANDARDS PRESCRIBED BY THE CITY OF TULSA, OKLAHOMA. 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, OR THE ALTERATION OF GRADE THEREIN, THE CITY OF TULSA, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR, MAY ENTER THE OVERLAND DRAINAGE EASEMENT AND PERFORM 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 LIEN 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 SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION. NO LOT OWNER SHALL CONSTRUCT OR PERMIT TO BE CONSTRUCTED ANY FENCING OR OTHER OBSTRUCTIONS WHICH WOULD IMPAIR THE DRAINAGE OF STORM AND SURFACE WATERS OVER AND ACROSS THE OWNER'S LOT. THE COVENANTS SET FORTH IN THIS PARAGRAPH E, SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER AND BY THE CITY OF TULSA, OKLAHOMA.

F. PAVING AND LANDSCAPING WITHIN EASEMENTS:

THE OWNER OF ANY LOT DEPICTED ON THE ACCOMPANYING PLAT SHALL BE RESPONSIBLE FOR THE REPAIR OR 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 EASEMENTS AREAS DEPICTED ON THE ACCOMPANYING PLAT, PROVIDED 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. TRAIL ENCROACHMENT:

LANGUAGE TO BE PROVIDED BY CITY OF TULSA

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 SO FORTH) 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 JUDGMENT, 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 PRIOR TO THE CITY'S ACCEPTANCE OF THE INFRASTRUCTURE SHALL BE AT THE RISK OF THE OWNER OF THE LOT. NOTWITHSTANDING THE ISSUANCE OF A BUILDING PERMIT OR OF A TEMPORARY CERTIFICATE OF OCCUPANCY,

SECTION II. ENFORCEMENT, DURATION, AMENDMENT OR TERMINATION, AND SEVERABILITY

A. ENFORCEMENT:

THE RESTRICTIONS HEREIN SET FORTH ARE COVENANTS TO RUN WITH THE LAND AND SHALL BE BINDING UPON THE OWNER, ITS SUCCESSORS AND ASSIGNS, WITHIN THE PROVISIONS OF SECTION I, STREETS, EASEMENTS, AND UTILITIES, AND SECTION II, ENFORCEMENT, DURATION, AMENDMENT OR TERMINATION, AND SEVERABILITY. THE COVENANTS ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERETO, AND ADDITIONALLY THE COVENANTS WITHIN SECTIONS I, AND II, WHETHER OR NOT SPECIFICALLY THEREIN SO STATED, SHALL INURE TO THE BENEFIT OF AND SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA, IN ANY JUDICIAL ACTION BROUGHT TO ENFORCE THE COVENANTS ESTABLISHED WITHIN THIS DEED OF DEDICATION, THE DEFENSE THAT THE PARTY INITIATING THE EQUITABLE PROCEEDINGS HAS AN ADEQUATE REMEDY AT LAW, IS HEREBY WAIVED.

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 AND SECTION II, ENFORCEMENT, DURATION, AMENDMENT OR TERMINATION, AND SEVERABILITY MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED 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. 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:

INVALUATION OF ANY RESTRICTION SET FORTH HEREIN, OR ANY PART THEREOF, BY AN ORDER, JUDGMENT, OR DECREE OF ANY COURT, OR OTHERWISE, SHALL NOT INVALUATE 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, STANDARD MATERIALS GROUP, INC., A DELAWARE CORPORATION, HAS EXECUTED THIS INSTRUMENT ON THIS _____ DAY OF _____, 2019.

STANDARD MATERIALS GROUP, INC. A DELAWARE CORPORATION

BY: _____ NAME _____ TITLE _____
STATE OF _____)
I, SS
COUNTY OF _____)

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS _____ DAY OF _____, 2019, PERSONALLY APPEARED _____, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED THE NAME OF STANDARD MATERIALS GROUP, INC., A DELAWARE CORPORATION, TO THE FOREGOING INSTRUMENT, AS ITS _____, AND ACKNOWLEDGED TO ME THAT HE/H/ SHE EXECUTED THE SAME AS HER/HIS FREE AND VOLUNTARY ACT AND DEED AND AS THE FREE AND VOLUNTARY ACT AND DEED OF STANDARD MATERIALS GROUP, INC., A DELAWARE 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, DAN 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 "SMG MAYBELLE", 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 _____, 2019.



BY: _____ DAN E. TANNER
LICENSED PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 1435

STATE OF OKLAHOMA)
I, SS
COUNTY OF TULSA)

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THE _____ DAY OF _____, 2019, PERSONALLY APPEARED TO ME DAN 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



SMG Maybelle
SHEET 2 OF 2



Tulsa Metropolitan Area
Planning Commission

Case Number: CZ-492

Hearing Date: October 16, 2019
(Originally scheduled for October 2, 2019)

Case Report Prepared by:

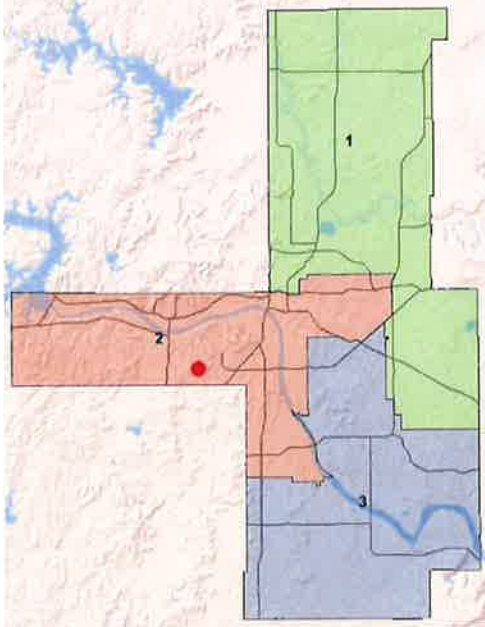
Robi Jones

Owner and Applicant Information:

Applicant: Matt King

Property Owner: HILL, JAMES H

Location Map:
(shown with County Commissioner 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

8.1

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:

8.2

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.

8.3

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.

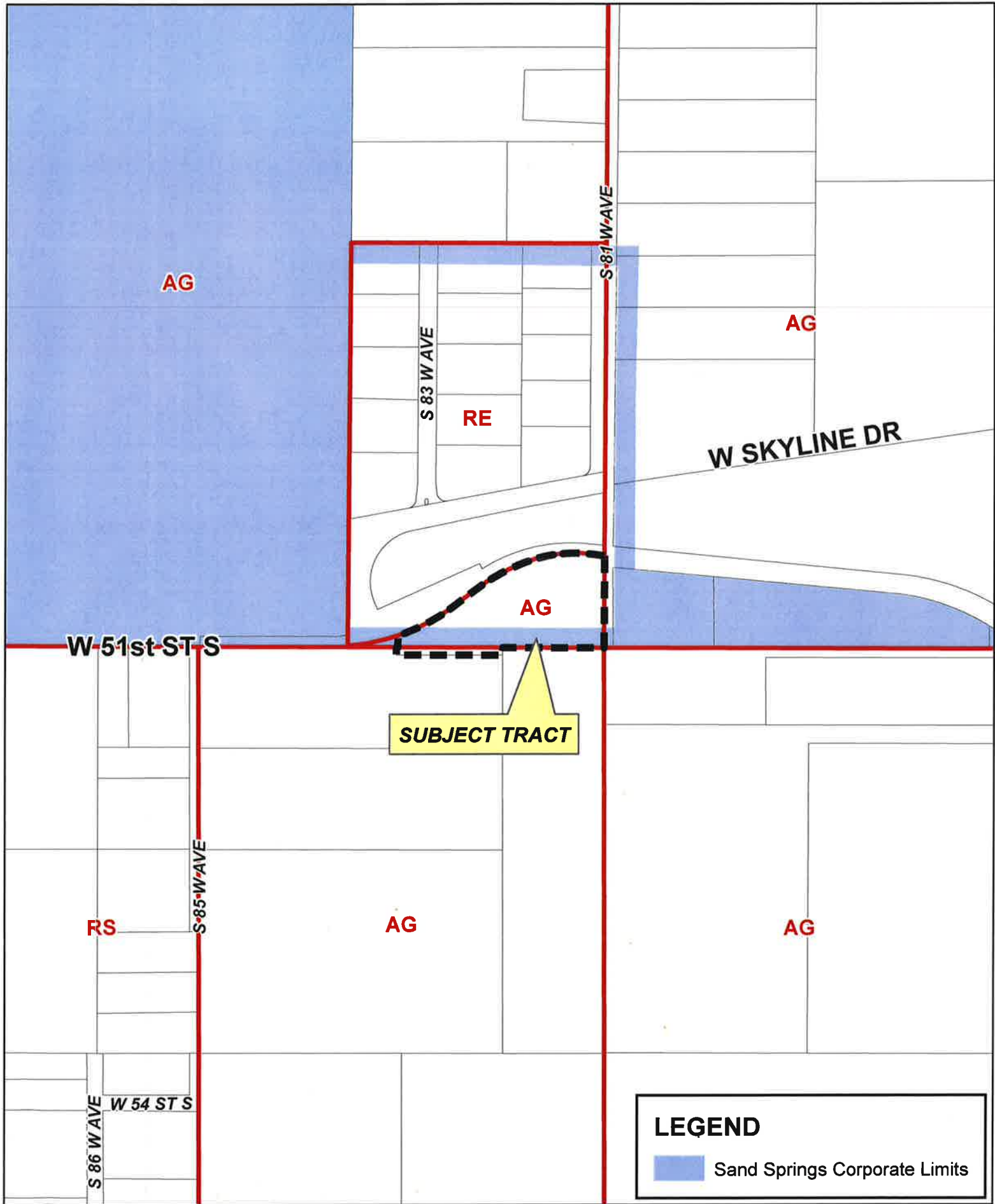
Surrounding Property:

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

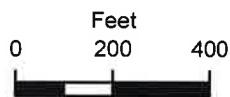
S 81 W AVE

W SKYLINE DR

S 85 W AVE

W 54 ST S

S 86 W AVE



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

8.6





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

8.7





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

8.9

C2-492



Tulsa Metropolitan Area
Planning Commission

Case Number: CZ-493

Hearing Date: October 16, 2019
(Originally scheduled for October 2, 2019)

Case Report Prepared by:

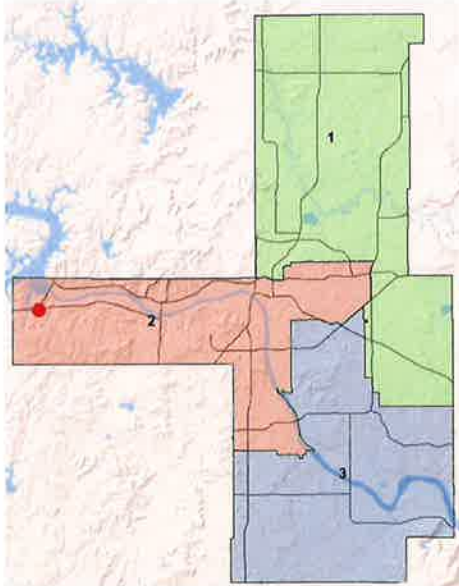
Robi Jones

Owner and Applicant Information:

Applicant: Richard Peek

Property Owner: PEEK, RICHARD & JACKIE

Location Map:
(shown with County Commissioner Districts)



Applicant Proposal:

Present Use: Vacant

Proposed Use: Storage and Rental

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

Tract Size: 41.78 ± 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

9.1

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:

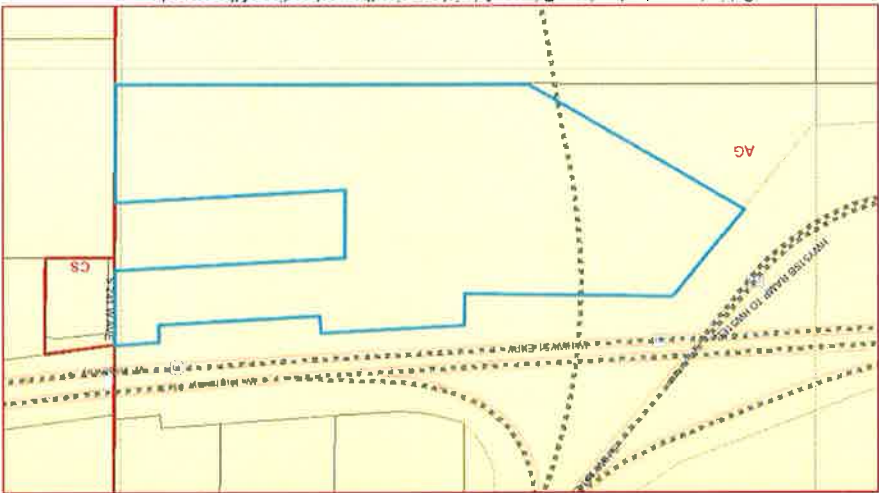
Land Use Plan map designation: N/A

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.

9.2



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 24 th West Avenue	none	none	2 (road is gated)

Utilities:

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

Surrounding Properties:

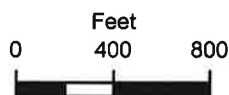
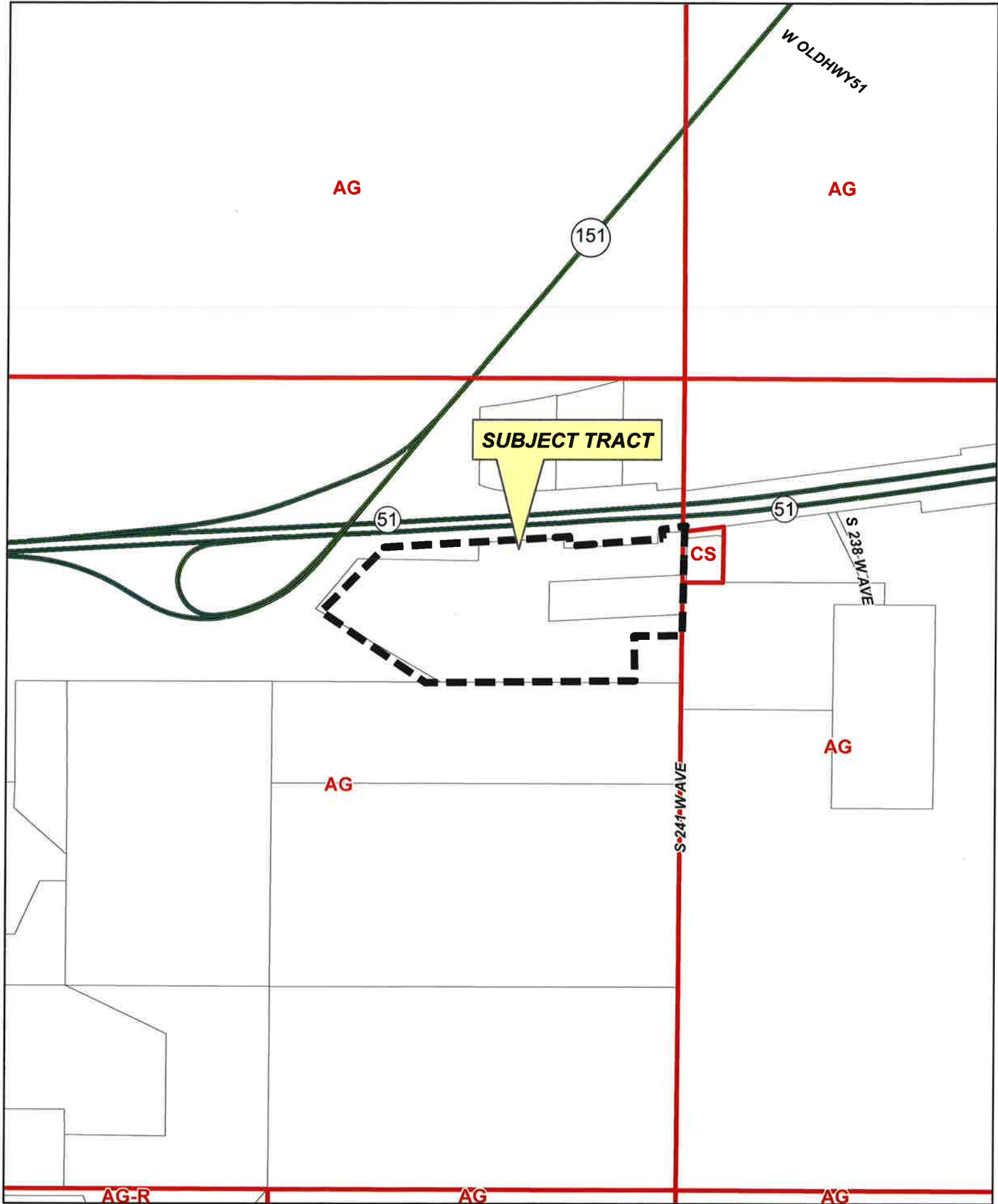
<u>Location</u>	<u>Existing Zoning</u>	<u>Existing Land Use</u>	<u>Area of Stability or Growth</u>	<u>Existing Use</u>
North	AG	n/a	n/a	Agricultural & Single-family
South	AG	n/a	n/a	Agricultural
East	CS & AG	n/a	n/a	Keystone Schools Baseball Field
West	AG	n/a	n/a	HWY 51

SECTION III: Relevant Zoning History

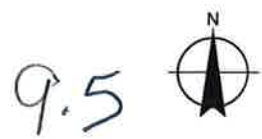
ZONING ORDINANCE: Resolution number 98254 dated September 15, 1980 established zoning for the subject property.

Subject Property: No Relevant History.

Surrounding Property: No Relevant History.



CZ-493
19-10 17





0 Feet 400 800



Subject Tract

CZ-493

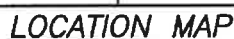
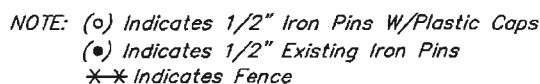
19-10 17

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

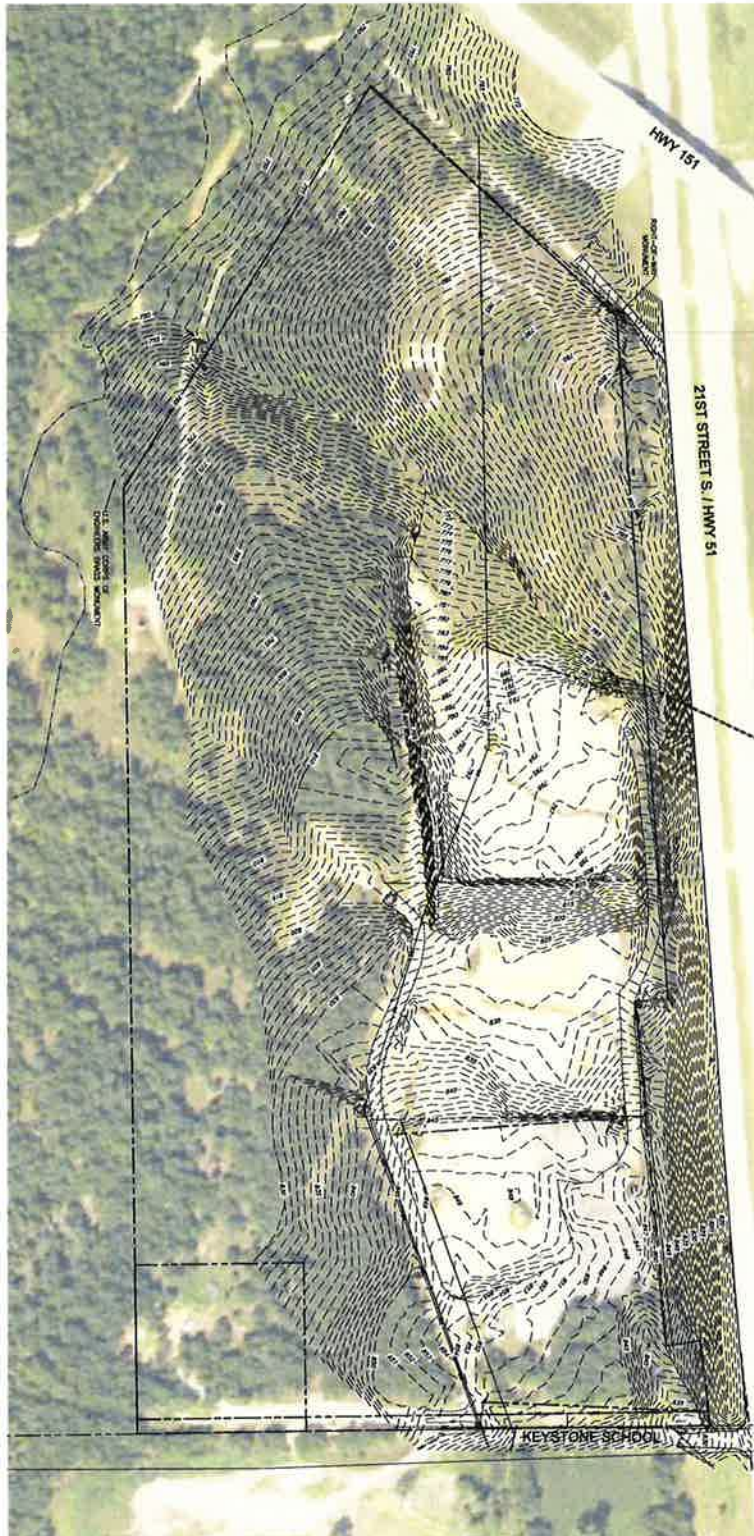


Scale 1"=400'

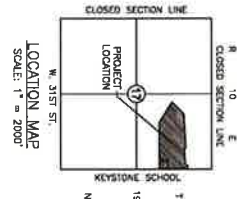
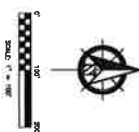
Bearings are based on a previous survey, provided by our client (Richard Peek) and the Department of Transportation Highway Plans, contract 60-1857.

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

9.7



- LEGEND**
- (1) PROPOSED 20' WIDE ROAD
 - (2) PROPOSED 10' WIDE ROAD
 - (3) PROPOSED 5' WIDE ROAD
 - (4) PROPOSED 2' WIDE ROAD
 - (5) PROPOSED 1' WIDE ROAD
 - (6) PROPOSED 0.5' WIDE ROAD
 - (7) PROPOSED 0.25' WIDE ROAD
 - (8) PROPOSED 0.125' WIDE ROAD
 - (9) PROPOSED 0.0625' WIDE ROAD
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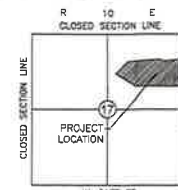
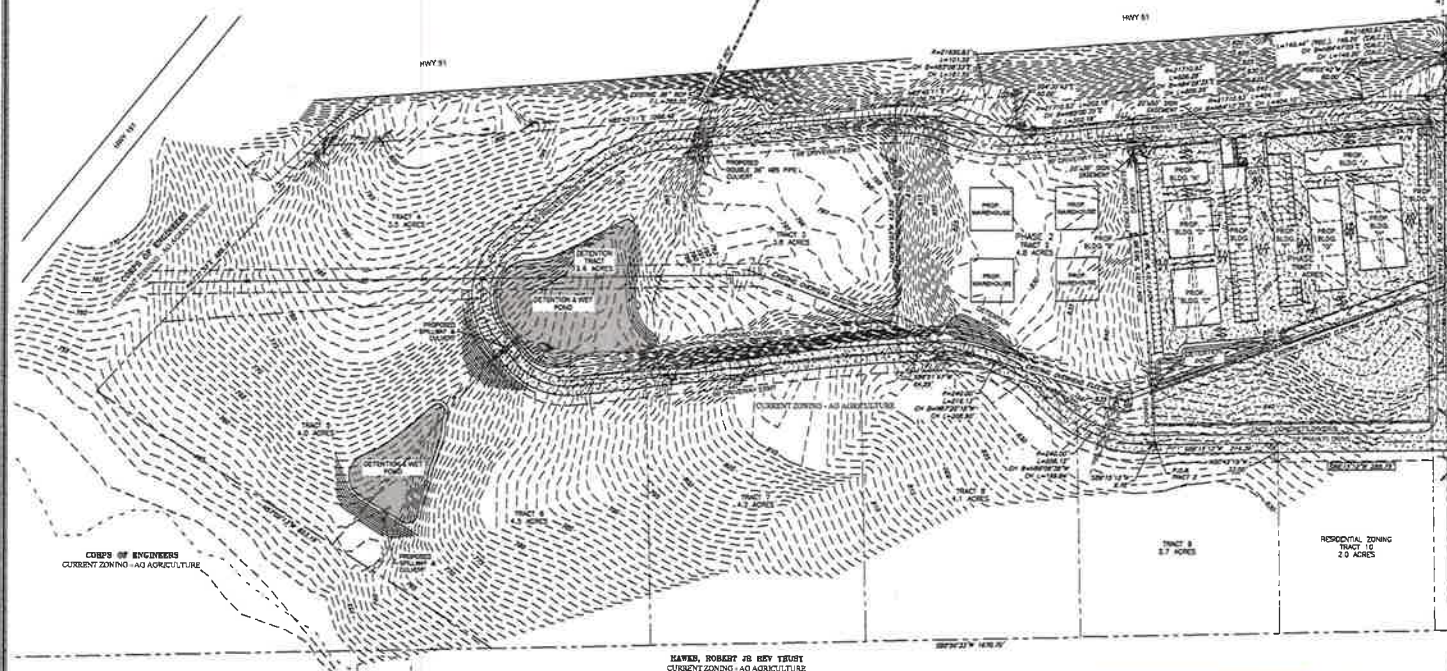


Revisions		
No.	Date	Rev.

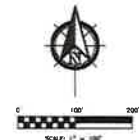
LANDES ENGINEERING L.L.C.		Billy Frazier	
www.landesengineering.net		Peck	
903 E. 35th Street • P.O. BOX 1032		Preliminary Site	
Shawnee, OK 74802-1032		Sheet 01	
(405) 275-5388 • Fax (405) 275-9047		Date 07/23/2018	
CA # 2260 EXP. 6-30-19		Sheet 02	
		C1	

9.8

ZONING PLAN INDUSTRIAL PARK AT HIGHWAY 51 KEYSTONE LAKE ADDRESS: HWY 51 Tulsa County, Oklahoma



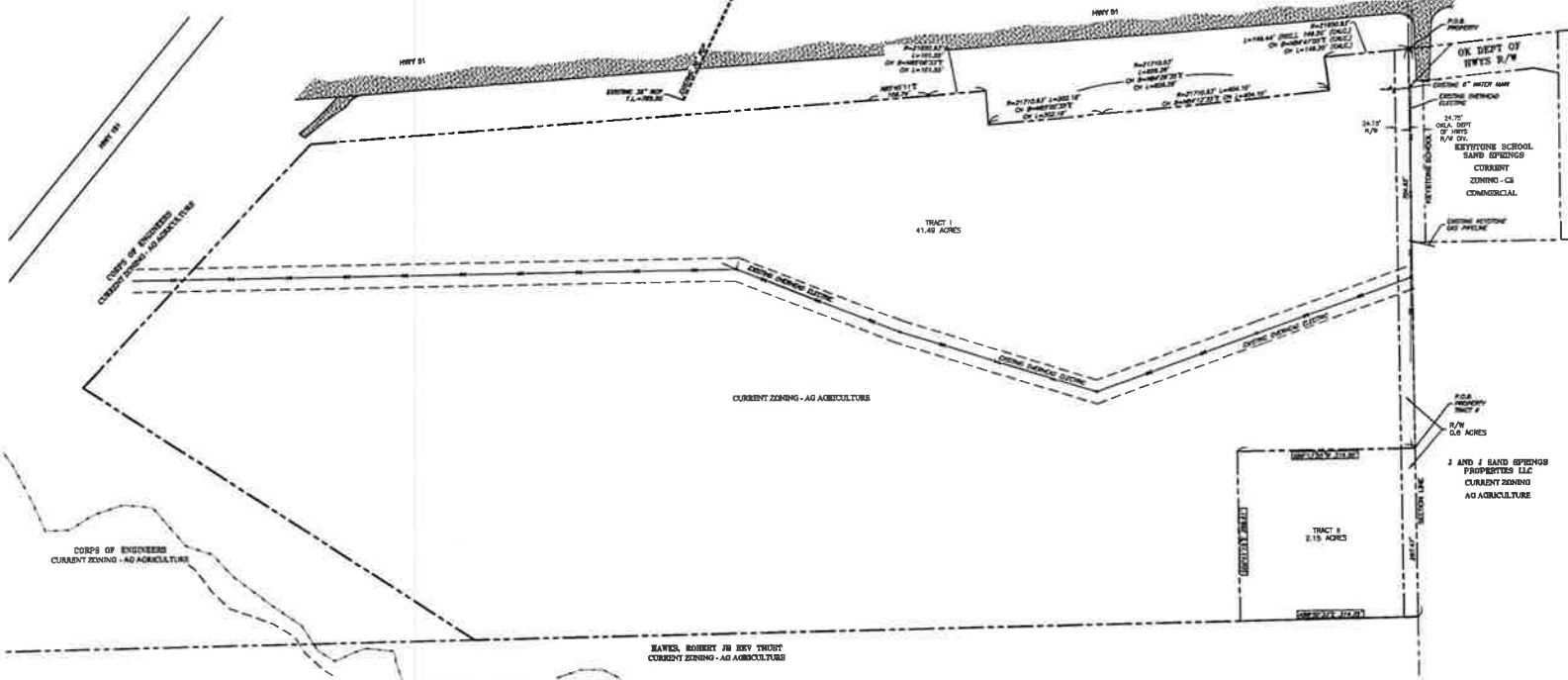
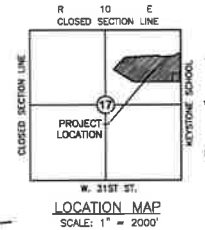
LOCATION MAP
SCALE: 1" = 2000'



- LEGEND**
- (1) INDICATES 1" = 100'
 - (2) INDICATES 1" = 200'
 - (3) INDICATES 1" = 400'
 - (4) INDICATES 1" = 800'
 - (5) INDICATES 1" = 1600'
 - (6) INDICATES 1" = 3200'
 - (7) INDICATES 1" = 6400'
 - (8) INDICATES 1" = 12800'
 - (9) INDICATES 1" = 25600'
 - (10) INDICATES 1" = 51200'
 - (11) INDICATES 1" = 102400'
 - (12) INDICATES 1" = 204800'
 - (13) INDICATES 1" = 409600'
 - (14) INDICATES 1" = 819200'
 - (15) INDICATES 1" = 1638400'
 - (16) INDICATES 1" = 3276800'
 - (17) INDICATES 1" = 6553600'
 - (18) INDICATES 1" = 13107200'
 - (19) INDICATES 1" = 26214400'
 - (20) INDICATES 1" = 52428800'
 - (21) INDICATES 1" = 104857600'
 - (22) INDICATES 1" = 209715200'
 - (23) INDICATES 1" = 419430400'
 - (24) INDICATES 1" = 838860800'
 - (25) INDICATES 1" = 1677721600'
 - (26) INDICATES 1" = 3355443200'
 - (27) INDICATES 1" = 6710886400'
 - (28) INDICATES 1" = 13421772800'
 - (29) INDICATES 1" = 26843545600'
 - (30) INDICATES 1" = 53687091200'
 - (31) INDICATES 1" = 107374182400'
 - (32) INDICATES 1" = 214748364800'
 - (33) INDICATES 1" = 429496729600'
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 - (198) INDICATES 1" = 20086725553237378444274526154264532531527537422284910441267200'
 - (199) INDICATES 1" = 40173451106474756888549052308529065063055074844569820882534400'
 - (200) INDICATES 1" = 80346902212949513777098104617058130126110149689139641765068800'
 - (201) INDICATES 1" = 160693804425899027554196209234116260252220299378279283530137600'
 - (202) INDICATES 1" = 321387608851798055108392418468232520504440598756558567060275200'
 - (203) INDICATES 1" = 642775217703596110216784836936465041008881197513117134120550400'
 - (204) INDICATES 1" = 1285550435407192220433569673872930082017762395026234268241100800'
 - (205) INDICATES 1" = 2571100870814384440867139347745860164035524790052468536482201600'
 - (206) INDICATES 1" = 5142201741628768881734278695491720328071049580104937072964403200'
 - (207) INDICATES 1" = 10284403483257537763468557390983440656142099160209874145928806400'
 - (208) INDICATES 1" = 20568806966515075526937114781966881312284198320419748291857612800'
 - (209) INDICATES 1" = 41137613933030151053874229563933762624568396640839496583715225600'
 - (210) INDICATES 1" = 82275227866060302107748459127867525249136793281678993167430451200'
 - (211) INDICATES 1" = 164550455732120604215496918255735050498273586563357986334860902400'
 - (212) INDICATES 1" = 329100911464241208430993836511470100996547173126715972669721804800'
 - (213) INDICATES 1" = 658201822928482416861987673022940201993094346253431945339443609600'
 - (214) INDICATES 1" = 1316403645856964833723975346045880403986188692506863890678887219200'
 - (215) INDICATES 1" = 2632807291713929667447950692091760807972377385013727781357774438400'
 - (216) INDICATES 1" = 5265614583427859334895901384183521615944754770027455562715548876800'
 - (217) INDICATES 1" = 10531229166855718669791802768367043231889509540054911125431097753600'
 - (218) INDICATES 1" = 21062458333711437339583605536734086463779019080109822250862195507200'
 - (219) INDICATES 1" = 42124916667422874679167211073468172927558038160219644501724391014400'
 - (220) INDICATES 1" = 84249833334845749358334422146936345855116076320439289003448782028800'
 - (221) INDICATES 1" = 168499666689691498716668844293872691710232152640878578006897564057600'
 - (222) INDICATES 1" = 336999333379382997433337688587745383420464305281757156013795128115200'
 - (223) INDICATES 1" = 673998666758765994866675377175490766840928610563514312027590256230400'
 - (224) INDIC

9.10

ZONING PLAN INDUSTRIAL PARK AT HIGHWAY 51 KEYSTONE LAKE ADDRESS: HWY 51 Tulsa County, Oklahoma



LEGAL DESCRIPTION
ENTIRE PROPERTY
JAMES B. MARSHALL, P.L.L.C. SURVEY DATED 11-9-2003
1/4 TRACT OF LAND LING IN THE NORTHWEST QUARTER (NW 1/4) OF SECTION 12, TOWNSHIP 10 NORTH, RANGE 10 EAST OF THE 10TH MERIDIAN, 10TH PRINCIPAL MERIDIAN, TULSA COUNTY, OKLAHOMA, BEING 40.00 ACRES, MORE OR LESS, THE SOUTHWEST CORNER OF SAID NW 1/4, THENCE SOUTHWEST ALONG THE EAST LINE OF SAID NW 1/4 FOR A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING, THENCE SOUTHWEST ALONG SAID EAST LINE OF SAID NW 1/4 FOR A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING, THENCE SOUTHWEST ALONG SAID EAST LINE OF SAID NW 1/4 FOR A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING, CONTAINING 40.00 ACRES, MORE OR LESS.

LEGAL DESCRIPTION
TRACT I
JAMES B. MARSHALL, P.L.L.C. SURVEY DATED 11-9-2003
1/4 TRACT OF LAND LING IN THE NORTHWEST QUARTER (NW 1/4) OF SECTION 12, TOWNSHIP 10 NORTH, RANGE 10 EAST OF THE 10TH MERIDIAN, 10TH PRINCIPAL MERIDIAN, TULSA COUNTY, OKLAHOMA, BEING 40.00 ACRES, MORE OR LESS, THE SOUTHWEST CORNER OF SAID NW 1/4, THENCE SOUTHWEST ALONG THE EAST LINE OF SAID NW 1/4 FOR A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING, THENCE SOUTHWEST ALONG SAID EAST LINE OF SAID NW 1/4 FOR A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING, CONTAINING 40.00 ACRES, MORE OR LESS.

LEGAL DESCRIPTION
TRACT II
JAMES B. MARSHALL, P.L.L.C. SURVEY DATED 11-9-2003
1/4 TRACT OF LAND LING IN THE NORTHWEST QUARTER (NW 1/4) OF SECTION 12, TOWNSHIP 10 NORTH, RANGE 10 EAST OF THE 10TH MERIDIAN, 10TH PRINCIPAL MERIDIAN, TULSA COUNTY, OKLAHOMA, BEING 40.00 ACRES, MORE OR LESS, THE SOUTHWEST CORNER OF SAID NW 1/4, THENCE SOUTHWEST ALONG THE EAST LINE OF SAID NW 1/4 FOR A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING, THENCE SOUTHWEST ALONG SAID EAST LINE OF SAID NW 1/4 FOR A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING, CONTAINING 40.00 ACRES, MORE OR LESS.

Info To Contractors
Call 661a 1-800-522-6543
LOCATION OF UNDERGROUND UTILITY SERVICES. CONTRACTORS MUST CONTACT THE OWNER PRIOR TO ANY CONSTRUCTION OR CONSTRUCTION.
UTILITY ARE NOT NECESSARILY AS SHOWN. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO LOCATE AND PRESERVE ALL SERVICES. CONTRACTOR MUST CONDUCT ALL UTILITIES PRIOR TO ANY CONSTRUCTION.



Richard Peck
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. 6-30-21

Industrial Park at Highway 51 Keystone Lake
Zoning Layout - Overall
C-1



Tulsa Metropolitan Area
Planning Commission

Case Number: CZ-494

Hearing Date: October 16, 2019

Case Report Prepared by:

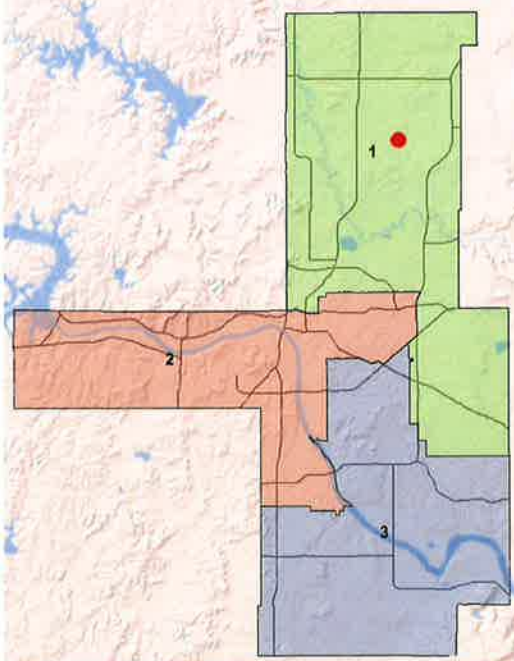
Robi Jones

Owner and Applicant Information:

Applicant: Alan Betchan

Property Owner: SOKOLOSKY, NOBLE AND MARY

Location Map:
(shown with County Commission Districts)



Applicant Proposal:

Present Use: Vacant

Proposed Use: Single-Family Subdivision

Concept summary: Rezone from RE to RS to permit a single-family subdivision that will be completed in several phases. Lots will need to be large enough to provide sewer systems on site and meet Oklahoma Department of Environmental Quality regulations, but some are slightly smaller than RE Districts require for lot size/lot width.

Tract Size: 148.8 ± acres

Location: Northeast corner of East 106th Street North & North Memorial Drive

Zoning:

Existing Zoning: RE

Proposed Zoning: RS

Comprehensive Plan:

Land Use Map: N/A

Stability and Growth Map: N/A

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 1312
CZM: 11

County Commission District: 1

Commissioner Name: Stan Sallee

10.1

SECTION I: CZ-494

DEVELOPMENT CONCEPT: The applicant is requesting to rezone from RE to RS to permit a single-family subdivision that will be completed in several phases. Lots will need to be large enough to provide sewer systems on each lot and meet Oklahoma Department of Environmental Quality regulations but are smaller than RE Districts require for lot size.

Section 430, Table 3	RE	RS
Lot Width (Min. Ft.)	150	60
Lot Area (Min. SF)	22,500	6,900
Land area per dwelling unit (Min. SF)	26,250	8,400

Subdivision Statistics

Phase 1 Subdivision contains 45 Lots in 6 Blocks
Three Reserve Areas contain a total of 48.54 acres

Block / Reserve	Size	Number of Lots	Average Size of Lots
Block 1	5.82 acres	10 Lots	25,352 sq. ft.
Block 2	13.20 acres	15 Lots	38,333 sq. ft.
Block 3	7.12 acres	12 Lots	25,846 sq. ft.
Block 4	1.32 acres	2 Lots	28,750 sq. ft.
Block 5	1.41 acres	2 Lots	30,710 sq. ft.
Block 6	2.45 acres	4 Lots	26,681 sq. ft.
Reserve Area "A"	0.59 acres		
Reserve Area "B"	1.27 acres		
Reserve Area "C"	5.03 acres		

EXHIBITS:

- INCOG Case map
- INCOG Aerial (small scale)
- Tulsa County Comprehensive Plan Land Use Map
- Applicant Exhibits: Preliminary Plat

DETAILED STAFF RECOMMENDATION:

CZ-474 is non injurious to the existing proximate properties and;

CZ-474 is consistent with the Tulsa County Land Use Plan in much of the proposed subdivision;

CZ-474 has lot sizes in Phase 1 that are only slightly smaller that those in RE zoning districts;

CZ-474 is consistent with the anticipated future development pattern of the surrounding property therefore;

Staff recommends Approval of CZ-494 to rezone property from RE to RS.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: This area is outside the City of Tulsa Comprehensive Plan area. It is located in the recently adopted Tulsa County Land Use Plan which is consistent with the Owasso Land Use Plan. As shown on the attached Future Land Use Map, Residential is recommended for the majority of the area. Commercial and Transitional land uses are recommended on the northeast corner of North Memorial Drive and East 106th Street North.

Land Use Vision:

Land Use Plan map designation:

Residential: The Residential category represents the most predominant character of development in Owasso. This category typically is comprised of single-family neighborhoods of varying lot sizes and represents the lowest intensity of all the use categories. Dwelling unit densities within the Residential category generally range from 2 to 5 units per acre. In some locations, particularly the eastern portions of the fence line in Rogers County, density can be as little as 1 or fewer units per acre. Planned Unit Developments may also be found in the Residential land use category and may contain various intensities of residential housing. In most cases, the Residential use category is buffered from higher intensity uses such as Commercial with the Transitional use district.

Areas of Stability and Growth designation: N/A

Transportation Vision:

Major Street and Highway Plan: North Memorial Drive and East 106th Street North are both designated as Secondary Arterials

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: Vacant land with agricultural landcover containing vegetation, ponds, and cleared spaces

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
North Memorial Drive	Secondary Arterial	100 Feet	2
East 106 th Street North	Secondary Arterial	100 Feet	2

10.3

Utilities:

The subject tract has municipal water and sanitary sewer will be provided on each lot by homeowners.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	AG-R	Residential	N/A	Residential Single-family
East	AG	Residential	N/A	Large Lot Residential
South	RE/AG	Residential	N/A	Residential Single Family / Large Lot Residential
West	Agriculture	Agriculture	N/A	Agriculture

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Resolution number 182368 dated October 17, 2001 established zoning for the subject property.

Subject Property:

CZ- 286 August 2001: In a vote of 5-2-0, the board recommended the **denial** of a request for *rezoning* a 175± acre tract of land from AG to RS, recommending **approval** of RE *zoning*, on property located northeast corner and east of southeast corner of East 106th Street North and North Memorial. When those who voted nay were asked if they were indicating their approval for RS zoning, they stated that they did not approve of RS or RE zoning for CZ-286.

Surrounding Property:

CZ- 441 July 2015: All concurred in **approval** of a request for *rezoning* a 17.59± acre tract of land from AG to RE, on property located east of the southeast corner of East 106th Street North and North Memorial Drive.

CZ- 262 March 2000: All concurred in **denial** of a request for *rezoning* a 36± acre tract of land from AG to RS and approval of RE, on property located east of the southeast corner of East 106th Street North and North Memorial Drive.

10/16/2019 1:30 PM



Tulsa Metropolitan Area
Planning Commission

Case : 106th ~ Memorial

Hearing Date: October 16, 2019

Case Report Prepared by:

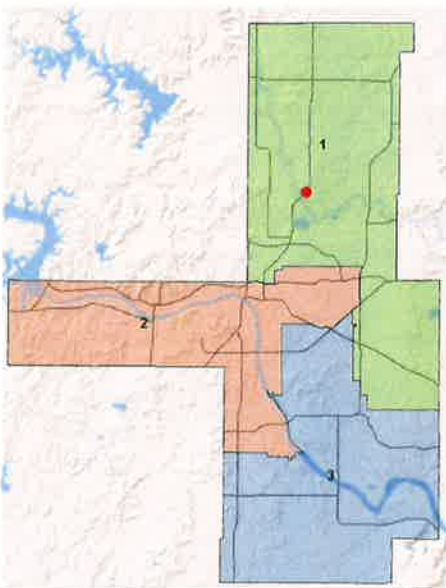
Nathan Foster

Owner and Applicant Information:

Applicant: AAB Engineering

Owner: Noble & Mary Sokolosky

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Preliminary Plat

45 lots, 5 blocks, 48.54 ± acres

Location: Northeast corner of East 106th
Street North and North Memorial Drive

Zoning:

Current: RE

Proposed: RS

Staff Recommendation:

Staff recommends **approval** of the
preliminary plat

County Commission District: 1

Commissioner Name: Stan Sallee

EXHIBITS: Site Map, Aerial, Preliminary Plat, Conceptual Improvements Plan

11-1

PRELIMINARY SUBDIVISION PLAT

106th ~ Memorial - (County)

Northeast corner of East 106th Street North and North Memorial Drive

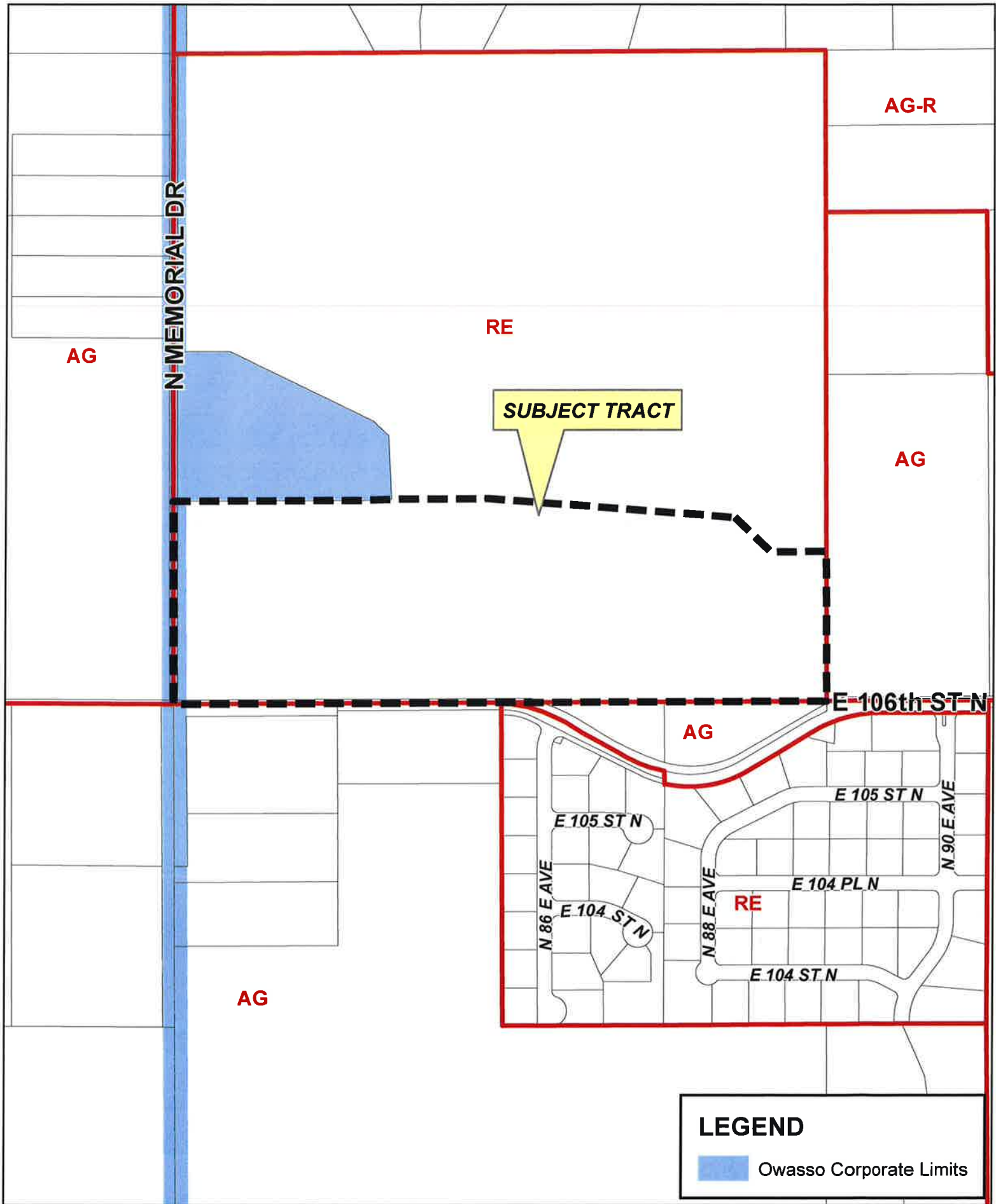
This plat consists of 45 lots, 5 blocks on 48.54 ± acres.

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

1. **Zoning:** Property included in the subdivision is currently under application to be rezoned to RS from the current RE designation. Proposed lots will require RS zoning prior to final plat approval.
2. **Addressing:** Label all lots with assigned addresses on final plat submittal. Addresses will be assigned by INCOG.
3. **Transportation & Traffic:** Provide clear boundary for right-of-way area being dedicated by plat and provide recording information for any previous dedications. Provide street names on final plat.
4. **Sewer/Water:** Rural water district will be required to provide a release prior to approval of the final plat. Department of Environmental Quality will be required to approve on-site sewage disposal systems.
6. **Engineering Graphics:** Submit subdivision data control sheet with final plat submittal. Update location map with all platted subdivision boundaries and label all other property "unplatted". Graphically show all pins found or set associated with this plat. Graphically label the point of beginning. Remove contours from final plat. Provide bearing angle from face of the plat under Basis of Bearing heading.
7. **Stormwater, Drainage, & Floodplain:** All drainage plans must comply with Tulsa County drainage standards and must be approved prior to the approval of the final plat. Any easements required for drainage must be shown on the final plat.
8. **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.

11.2



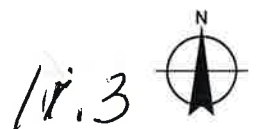
LEGEND

 Owasso Corporate Limits



106th N. ~ MEMORIAL

21-13 12





N MEMORIAL DR

E 106th ST N

E 105 ST N

E 105 ST N

E 104 PL N

N 86 EAVE

E 104 ST N

N 88 EAVE

E 104 ST N

N 90 EAVE

0 Feet 250 500



Subject Tract

106th N. ~ MEMORIAL

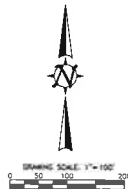
Note: Graphic overlays may not precisely align with physical features on the ground.

21-13 12

Aerial Photo Date: February 2018

11.4





PRELIMINARY PLAT

106th N. - Memorial

A TRACT OF LAND LOCATED IN THE SOUTH HALF OF THE SOUTHWEST QUARTER (S/2 SW/4) OF SECTION TWELVE (12) OF TOWNSHIP TWENTY-ONE (21) NORTH AND RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN (1.B.&M.), ACCORDING TO THE U.S. GOVERNMENT SURVEY, THEREOF, TULSA COUNTY, STATE OF OKLAHOMA.

OWNER/DEVELOPER
BLUE CHIP LAND COMPANY, LLC
PO BOX 521208
TULSA, OK 74152
ALEX TRIVACIO

ENGINEER/SURVEYOR
AAB ENGINEERING LLC
CERTIFICATE OF AUTHORIZATION NO. 6318, EXP. JUNE 30, 2020
PO BOX 2138
SAND SPRINGS, OK 74063
PHONE 918.514.4263
FAX 918.514.4268
EMAIL: ALAN@AABENG.COM



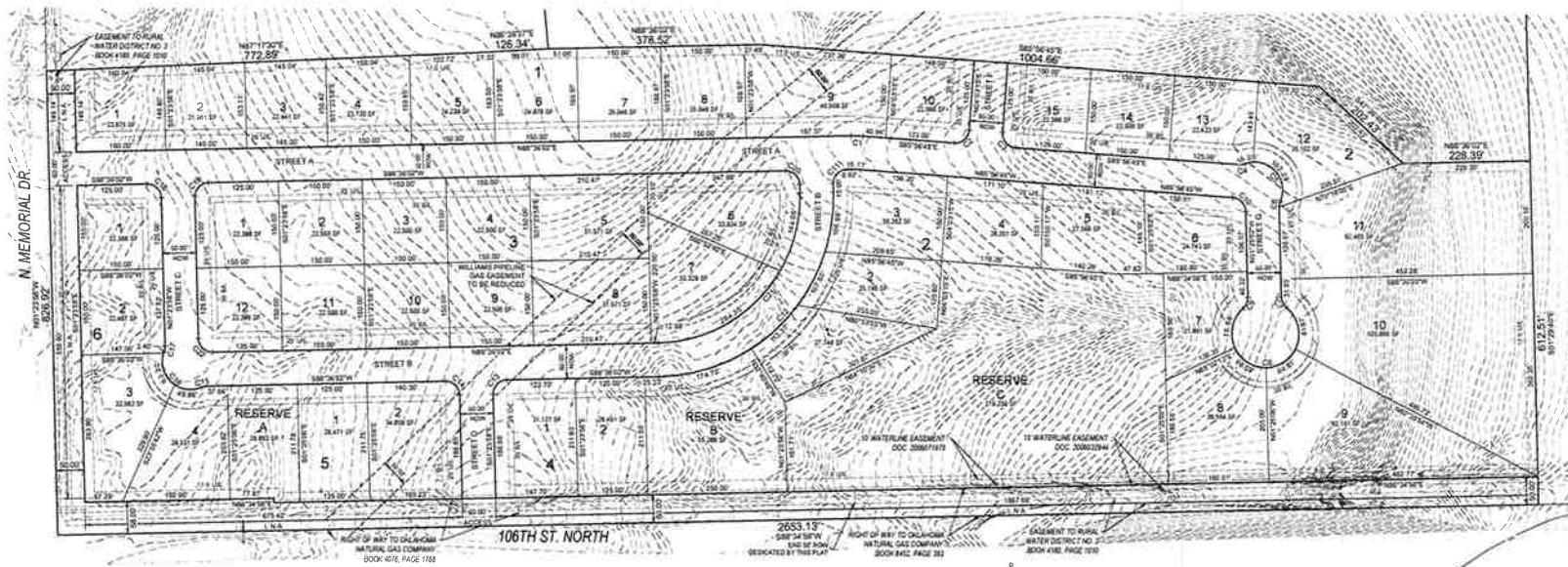
LEGEND

BA	BUILDING LINE
LNA	LIMITS OF NO ACCESS
POB	POINT OF BEGINNING
ROW	RIGHT OF WAY
UE	UTILITY EASEMENT
ODE	OVERLAND DRAINAGE EASEMENT
DE	DRAINAGE EASEMENT
RYE	RESTRICTED WATER EASEMENT
PP	IRON PIN FOUND
IPS	IRON PIN SET W/ CAP MARKED AAB C6318
XXXX	STREET ADDRESS

FLOODPLAIN
ALL OF THE PROPERTY IS CONTAINED IN FEMA ZONE X (UNSHADED) (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS SHOWN ON FIRM PANEL 16042021202, DATED OCTOBER 19, 2012.

CURVE TABLE

CURVE #	LENGTH	RADIUS	CHORD LENGTH	CHORD BEARING
C1	21.42	225.00	21.41	S88°42'21"E
C2	39.27	25.00	36.36	S66°02'18"E
C3	39.27	25.00	36.36	N42°56'45"W
C4	10.99	25.00	10.81	S81°42'21"W
C5	117.36	50.00	92.21	N43°42'37"W
C6	10.99	25.00	10.81	N11°04'09"E
C7	21.46	25.00	19.86	N26°11'30"W
C8	293.64	80.00	177.59	N08°34'36"E
C9	21.46	25.00	21.00	S23°25'27"W
C10	36.88	25.00	33.81	S47°40'18"E
C11	15.71	155.00	15.10	S88°42'21"E
C12	36.27	25.00	33.39	N43°26'02"E
C13	502.69	300.00	453.88	N43°26'02"E
C14	36.27	25.00	33.39	N43°26'02"E
C15	36.27	25.00	33.39	S46°22'54"E
C16	9.62	25.00	9.45	S17°42'23"E
C17	118.56	50.00	91.60	S49°22'56"E
C18	9.62	25.00	9.45	S09°29'32"W
C19	36.27	25.00	33.39	S46°22'54"E
C20	36.27	25.00	33.39	S43°30'02"W
C21	26.27	25.00	25.36	N49°23'18"W
C22	409.41	250.00	367.70	N42°36'02"E
C23	36.27	25.00	33.39	S46°22'56"E



SUBDIVISION DATA

BENCHMARK
T.C.O.E. BRASS CAP SET IN A CONCRETE POST,
STAMPED 119 SET N.E. OF 106TH ST. N. AND MEMORIAL
DRIVE.
ELEV 676.529 (NAVD 83)

BASIS OF BEARINGS
ASSUMED BEARING BASED ON THE OKLAHOMA STATE
PLANE COORDINATE SYSTEM ZONE 3501 NORTH

LAND AREA
2.116411 S.F. 1.4654 ACRES

INCORPORATION
ALL CORNERS WERE SET USING 3/8" X 18" REBAR WITH
A YELLOW PLASTIC CAP STAMPED "AAB C6318".
UNLESS OTHERWISE NOTED.

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

SUBDIVISION STATISTICS

SUBDIVISION CONTAINS FORTY FIVE (45)
LOTS IN SIX (6) BLOCKS AND THREE (3)
RESERVES AREA (48.54 TOTAL ACRES)

BLOCK 1	5.42 ACRES - 10 LOTS
BLOCK 2	13.32 ACRES - 15 LOTS
BLOCK 3	7.12 ACRES - 12 LOTS
BLOCK 4	1.32 ACRES - 2 LOTS
BLOCK 5	1.41 ACRES - 2 LOTS
BLOCK 6	2.49 ACRES - 4 LOTS
RESERVE AREA "A"	2.94 ACRES
RESERVE AREA "B"	1.27 ACRES
RESERVE AREA "C"	9.03 ACRES

UTILITY CONTACTS

MUNICIPAL AUTHORITY
TULSA COUNTY
500 S. DENVER, 3RD FLOOR
TULSA, OK 74103

UTILITY

OKLAHOMA NATURAL GAS COMPANY
2219 W. EDISON ST.
TULSA, OK 74117
918-534-5000

RURAL WATER DISTRICT #3
WASHINGTON COUNTY
1102 N. 10TH E. AVE.
COLLINSVILLE, OK 74021
918-371-2055

PUBLIC SERVICE COMPANY
OF OKLAHOMA
212 E. 6TH ST.
TULSA, OK 74119
1-866-216-3523

COX COMMUNICATIONS
11611 EAST 51ST STREET
TULSA, OK 74143
918-286-4658

AT&T
5302 E. 71ST STREET
TULSA, OK 74138
918-586-6122

**FINAL PLAT
CERTIFICATE OF APPROVAL**

I hereby certify that this plat was approved by the
Tulsa Metropolitan Area Planning Commission on _____

TMAPC/NCOG OFFICIAL

This approval is void if this plat is not filed in the
office of the County Clerk on or before _____

COUNTY OR CITY ENGINEER

PRELIMINARY PLAT

16th N. ~ Memorial

A TRACT OF LAND LOCATED IN THE SOUTH HALF OF THE SOUTHWEST QUARTER (S/2 SW/4) OF SECTION TWELVE (12) OF TOWNSHIP TWENTY-ONE (21) NORTH AND RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN (1 B.M.), ACCORDING TO THE U.S. GOVERNMENT SURVEY, THEREOF, TULSA COUNTY, STATE OF OKLAHOMA.

OWNER/DEVELOPER
BLUE CHIP LAND COMPANY, LLC
PO BOX 621208
TULSA, OK 74162
ALEX TRINDAD

ENGINEER/SURVEYOR
AAB ENGINEERING LLC
CERTIFICATE OF AUTHORIZATION NO. 6518, EXP. JUNE 30, 2020
PO BOX 2138
SAND SPRING, OK 74063
PHONE: 918.514.4283
FAX: 918.514.4288
EMAIL: ALAN@AABENGINEERING.COM

KNOW ALL MEN BY THESE PRESENTS, BLUE CHIP LAND COMPANY, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, HEREINAFTER REFERRED TO AS THE "OWNER," IS THE OWNER OF THE FOLLOWING DESCRIBED LAND IN TULSA COUNTY, STATE OF OKLAHOMA, TO-WIT:

A TRACT OF LAND LOCATED IN THE SOUTH HALF OF THE SOUTHWEST QUARTER (S/2 SW/4) OF SECTION TWELVE (12), TOWNSHIP TWENTY-ONE (21) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER (SW/4) OF SAID SECTION 12, THENCE NORTH 01°25'58" WEST, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER (SW/4), A DISTANCE OF 626.82 FEET, THENCE NORTH 01°17'30" EAST, A DISTANCE OF 772.80 FEET, THENCE NORTH 88°30'27" EAST, A DISTANCE OF 106.46 FEET, THENCE NORTH 88°30'27" EAST, A DISTANCE OF 378.50 FEET, THENCE SOUTH 88°56'49" EAST, A DISTANCE OF 1004.68 FEET, THENCE SOUTH 47°39'49" EAST, A DISTANCE OF 302.40 FEET, THENCE NORTH 47°39'49" EAST, A DISTANCE OF 228.18 FEET, THENCE SOUTH 01°29'49" EAST, A DISTANCE OF 67.93 FEET TO THE SOUTH LINE OF SAID SOUTHWEST (SW/4); THENCE SOUTH 88°54'58" WEST, ALONG SAID SOUTH LINE OF THE SOUTHWEST (SW/4), A DISTANCE OF 2853.13 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINING 2,114.411 SQUARE FEET OR 48.54 ACRES.

AND HAS CAUSED THE ABOVE DESCRIBED TRACT OF LAND TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO 48 LOTS IN 6 BLOCKS AND 3 RESERVE AREAS, IN CONFORMITY WITH THE ACCOMPANYING PLAT, AND HAS DESIGNATED THE SUBDIVISION AS "10TH N. ~ MEMORIAL," A SUBDIVISION IN TULSA COUNTY, OKLAHOMA (HEREINAFTER REFERRED TO AS "10TH N. ~ MEMORIAL" OR THE "SUBDIVISION").

THE OWNER DOES HEREBY MAKE THE FOLLOWING DEDICATIONS AND GRANTS AND AGREES TO BE BOUND BY THE FOLLOWING PROTECTIVE COVENANTS AND RESTRICTIONS FOR THE SUBDIVISION OF THE ABOVE DESCRIBED LAND WHICH SHALL BE DESIGNATED AND REFERRED TO HEREIN AS "10TH N. ~ MEMORIAL."

SECTION I - PUBLIC STREETS, EASEMENTS AND UTILITIES

A. PUBLIC STREETS AND GENERAL UTILITY EASEMENTS
THE OWNER DOES HEREBY DEDICATE FOR PUBLIC USE THE STREET RIGHTS-OF-WAY DEPICTED ON THE ACCOMPANYING PLAT, AND DOES FURTHER DEDICATE FOR PUBLIC USE THE UTILITY EASEMENTS AS DEPICTED ON THE ACCOMPANYING PLAT AS "USE OF 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 THEREWITH, 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, LAY AND REPAIR OR REPLACE WATER LINES AND SEWER LINES TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING, REPAIRING AND RELAYING OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER AND/OR 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 TULSA COUNTY, OKLAHOMA, AND BY THE SUPPLIER OF ANY AFFECTED UTILITY SERVICE, 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, ERRECTED, INSTALLED OR MAINTAINED, PROVIDED NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT DRIVES, PARKING AREAS, CURBING, LANDSCAPING AND CUSTOMARY SCREENING FENCES WHICH DO NOT CONSTITUTE AN OBSTRUCTION.

B. UTILITY SERVICE
1. OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICES MAY BE LOCATED WITHIN THE PERMITTER EASEMENTS OF THE SUBDIVISION STREET LIGHT POLES OR STANDARDS MAY BE SERVED BY OVERHEAD LINE OR UNDERGROUND CABLE, AND ELSEWHERE THROUGHOUT THE SUBDIVISION. ALL SUPPLY LINES INCLUDING ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS LINES SHALL BE LOCATED UNDERGROUND IN EASEMENTS DEDICATED FOR GENERAL UTILITY SERVICES AND IN THE RIGHT-OF-WAY OF THE PUBLIC STREETS AS DEPICTED ON THE ACCOMPANYING PLAT. SERVICE PREDELS 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 PREDELTA, OR TRANSDUCER TO THE POINT OF USE OR DESTINATION FACILITY. THE LOCATION AND CONSTRUCTION OF SUCH STRUCTURE UPON THE LOT, PROVIDED 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 DEFINITIVE, PERMANENT EFFECTIVE AND NON-EXCLUSIVE EASEMENT ON THE LOT COVERING A 5 FOOT STRIP EXTENDING 25 FEET ON EACH SIDE OF THE SERVICE CABLE OR LINE EXTENDING FROM THE GAS MAIN, SERVICE PREDELTA OR TRANSDUCER TO THE SERVICE ENTRANCE ON THE STRUCTURE.
3. THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION 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 LAYING, INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF THE UNDERGROUND ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES INSTALLED BY THE SUPPLIER OF THE UTILITY SERVICE.
4. THE OWNER OF ANY LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND SERVICE FACILITIES LOCATED ON THE OWNERS LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES. EACH BURER OF THESE SERVICES SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR THE OWNERS AGENTS OR CONTRACTORS.
5. THE COVENANT SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY EACH SUPPLIER OF THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS SERVICE AND THE OWNER OF ANY LOT AGREES TO BE BOUND BY THESE COVENANTS.

C. WATER, SANITARY SEWER, AND STORM SEWER SERVICE
1. THE OWNER OF ANY LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS, AND STORM SEWERS LOCATED ON THE OWNERS LOT.
2. WITHIN UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GRADE FROM THE CONTIGUOUS EXISTING OR FROM ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH SUCH FACILITIES, SAID ALTERATION OF GRADE RESTRICTIONS SHALL BE LIMITED TO THE EASEMENT AREAS.
3. WASHINGTON COUNTY WASHINGTON DISTRICT (RWD) NO. 3 SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF ITS FACILITIES, BUT THE OWNER OF EACH LOT WILL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER, OR HIS AGENTS OR CONTRACTORS, RWD NO. 3 SHALL HAVE THE RIGHT TO ACCESS WITH ITS EQUIPMENT ALL EASEMENT WAYS SHOWN ON THE PLAT FOR INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF ITS UNDERGROUND WATER FACILITIES. FOR FOREGOING COVENANTS CONCERNING WATER FACILITIES SHALL BE ENFORCEABLE BY WASHINGTON COUNTY RWD NO. 3 AND THE OWNER OF EACH LOT AGREES TO BE BOUND HEREBY.
4. LANDSCAPE AND PAVING REPAIR, THE OWNER OF EACH LOT SHALL BE RESPONSIBLE FOR THE REPAIR AND REPLACEMENT OF ANY LANDSCAPING AND PAVING LOCATED WITHIN THE UTILITY EASEMENTS IN THE EVENT IT IS NECESSARY TO REPAIR ANY UNDERGROUND WATER MAINS NO LOT OWNER SHALL PLANT ANY TREES OR SHRUBBERY IN DEDICATED UTILITY EASEMENTS OR RIGHT-OF-WAY WHICH WOULD POTENTIALLY ENDANGER, THREATEN OR HARM ANY WATER UTILITIES LOCATED WITHIN SAID EASEMENTS OR RIGHT-OF-WAY IF IT IS DETERMINED THAT ANY TREES OR SHRUBBERY LOCATED WITHIN SAID EASEMENTS OR RIGHT-OF-WAY ARE DAMAGING OR ENDANGERING UTILITIES IN SAID EASEMENTS OR RIGHT-OF-WAY, THE DISTRICT SHALL HAVE THE RIGHT TO REMOVE SAID TREES OR SHRUBBERY UPON FIVE (5) DAYS NOTICE THEREOF AT THE LOT OWNERS EXPENSE OR WITHIN SUCH TIME THE LOT OWNER MAY REMOVE THE SAME.

D. GAS SERVICE
1. THE SUPPLIER OF GAS SERVICE THROUGH ITS AGENTS AND EMPLOYEES SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL SUCH UTILITY EASEMENTS SHOWN ON THE PLAT OR AS OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, REMOVING, REPAIRING, OR REPLACING ANY PORTION OF THE FACILITIES INSTALLED BY THE SUPPLIER OF GAS SERVICE.
2. THE OWNER OF ANY LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND GAS FACILITIES LOCATED WITHIN THE LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY OTHER CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH GAS SERVICE. THE SUPPLIER OF GAS SERVICE SHALL BE RESPONSIBLE FOR THE ORDINARY MAINTENANCE OF ITS FACILITIES, BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER, OR THE OWNERS AGENTS OR CONTRACTORS.
3. THE COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE GAS SERVICE AND THE OWNER OF THE LOT AGREES TO BE BOUND BY THESE COVENANTS.

E. SURFACE DRAINAGE
EACH LOT WITHIN 10TH N. ~ MEMORIAL SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION AND FROM PUBLIC STREETS AND EASEMENTS NO LOT OWNER SHALL CONSTRUCT OR PERMIT TO BE CONSTRUCTED ANY FENCING OR OTHER OBSTRUCTIONS WHICH WOULD IMPAIR THE DRAINAGE OF STORM AND SURFACE WATERS OVER AND ACROSS THE OWNERS LOT. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER AND BY TULSA COUNTY.

F. RESERVES A & B - FUTURE DEVELOPMENT
1. THE OWNER HAS CONSTRUCTED DETENTION FACILITIES, OPEN SPACE PARK AND UTILITY EASEMENTS UPON RESERVES A & B TO ACCOMMODATE STORMWATER DETENTION FOR 10TH N. ~ MEMORIAL. SAID PARK SHALL BE FOR THE SOLE USE AND ENJOYMENT OF THE LOT OWNERS WITHIN THE 10TH N. ~ MEMORIAL AND THEIR INVITEES.
2. THE USE OF RESERVES A & B SHALL BE LIMITED TO USE AS OPEN SPACE, LANDSCAPING AND OVERLAND DRAINAGE AS NECESSARY TO ACCOMMODATE STORMWATER DETENTION FACILITIES.
3. TULSA COUNTY, OKLAHOMA HAS THE RIGHT TO ENFORCE THE COVENANTS IN THIS PARAGRAPH 1, AND ASSURE COMPLIANCE WITH ALL TULSA COUNTY, OKLAHOMA ORDINANCES, STANDARDS AND SPECIFICATIONS REGARDING STORMWATER DETENTION FACILITIES AND OPEN SPACE FACILITIES. ANY PROPOSED CONSTRUCTION WITHIN THE DETENTION FACILITY/PARK SHALL BE IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS APPROVED BY TULSA COUNTY, OKLAHOMA.
4. THE ASSOCIATION OF 10TH N. ~ MEMORIAL SHALL MAINTAIN RESERVES A & B IN ACCORDANCE WITH AND AS REQUIRED BY, BUT NOT LIMITED TO, THE MAINTENANCE CRITERIA DEVELOPED FOR THIS DRAINAGE EASEMENT BY TULSA COUNTY, OKLAHOMA TO PREVENT EROSION, DEBRIS ACCUMULATION, SILTATION, AND TO INSURE ITS PROPER OPERATION FOR ITS INTENDED PURPOSE.
5. THE EVENT SHALL BE CONSIDERED AN EASEMENT AREAS SHOULD FAIL TO BE PROPERLY MAINTAINED AS ABOVE PROVIDED, TULSA COUNTY, OKLAHOMA OR ITS DESIGNATED CONTRACTOR MAY ENTER THE DRAINAGE/DETENTION ON EASEMENT AREA AND PERFORM SUCH MAINTENANCE, AND THE COST THEREOF SHALL BE PAID ON A PRO-RATA BASIS BY THE LOT OWNERS.

G. RESERVE C
THE USE OF RESERVE C SHALL BE LIMITED TO USE AS OPEN SPACE AND LANDSCAPING AS WELL AS UTILITY EASEMENTS AND IS RESERVED FOR FUTURE CONVEYANCE TO THE HOMEOWNERS ASSOCIATION. MAINTENANCE OF RESERVE C WILL BE THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION.
H. PAVING AND LANDSCAPING WITHIN EASEMENTS
THE OWNER OF ANY LOT 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, COMMUNICATION, CABLE TELEVISION OR ELECTRIC FACILITIES WITHIN THE EASEMENT AREA DEPICTED UPON THE ACCOMPANYING PLAT, PROVIDED TULSA COUNTY, OKLAHOMA, OR ITS SUCCESSORS, OR THE SUPPLIER OF THE UTILITY SERVICE SHALL USE REASONABLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES.

I. CERTIFICATE OF OCCUPANCY RESTRICTIONS
NO CERTIFICATE OF OCCUPANCY FOR A BUILDING WITHIN THE SUBDIVISION SHALL BE ISSUED BY TULSA COUNTY, OKLAHOMA UNTIL CONSTRUCTION OF THE REQUIRED INFRASTRUCTURE (STREETS, WATER, SANITARY SEWER AND STORM SEWER SYSTEMS, SERVING THE ENTIRE SUBDIVISION HAS BEEN COMPLETED AND ACCEPTED BY TULSA COUNTY, OKLAHOMA. NOTWITHSTANDING THE FOREGOING, INFRASTRUCTURE WITHIN THE SUBDIVISION, AND IF PHASING IS AUTHORIZED, A CERTIFICATE OF OCCUPANCY FOR A BUILDING OR PHASE MAY ISSUE UPON THE COMPLETION AND ACCEPTANCE OF THE INFRASTRUCTURE SERVING THE PARTICULAR PHASE BUILDING CONSTRUCTION OCCURRING PRIOR TO THE COUNTY'S ACCEPTANCE OF THE INFRASTRUCTURE SHALL BE AT RISK OF THE OWNER OF THE LOT, NOTWITHSTANDING THE ISSUANCE OF A BUILDING PERMIT.

J. LIMIT OF NO ACCESS
THE UNDERSIGNED OWNER HEREBY RELINQUISHES RIGHTS OF VEHICULAR INGRESS OR EGRESS FROM ANY PORTION OF THE PROPERTY ADJACENT TO EAST 10TH STREET NORTH AND NORTH MEMORIAL DRIVE WITHIN THE BOUNDS DESIGNATED "LNA" OR "LIMITS OF NO ACCESS" ON THE ACCOMPANYING PLAT.

SECTION III - HOMEOWNERS ASSOCIATION

A. FORMATION OF HOMEOWNERS ASSOCIATION
THE OWNER HAS FORMED OR SHALL CAUSE TO BE FORMED THE ASSOCIATION OF THE OWNERS OF THE RESIDENTIAL LOTS WITHIN 10TH N. ~ MEMORIAL TO BE FORMED IN ACCORDANCE WITH THE STATUTES OF THE STATE OF OKLAHOMA, AND TO BE FORMED FOR THE GENERAL PURPOSE OF MAINTAINING THE COMMON AREAS OF THE SUBDIVISION, INCLUDING BUT WITHOUT LIMITATION RESERVE A & B AND THE FOREGOING EASEMENTS. THE FOLLOWING RULES SHALL GOVERN THE ASSOCIATION, ITS PURPOSES AND ATTRACTIVENESS OF 10TH N. ~ MEMORIAL. THE DETAILS OF ASSOCIATION MEMBERSHIP, INCLUDING ASSESSMENTS SHALL BE ESTABLISHED BY A DECLARATION RECORDED OR TO BE RECORDED IN THE OFFICE OF THE COUNTY CLERK, TULSA COUNTY, OKLAHOMA.
B. MANDATORY MEMBERSHIP
EACH RECORD OWNER OF A RESIDENTIAL LOT WITHIN 10TH N. ~ MEMORIAL SHALL BE A MEMBER OF THE ASSOCIATION. MEMBERSHIP IN THE ASSOCIATION SHALL BE APPURTENANT TO AND MAY NOT BE SEPARATED FROM THE OWNERSHIP OF THE RESIDENTIAL LOT.
C. ASSESSMENT
EACH RECORD OWNER OF A RESIDENTIAL LOT WITHIN 10TH N. ~ MEMORIAL SHALL BE SUBJECT TO ASSESSMENT BY THE ASSOCIATION FOR THE PURPOSES OF IMPROVEMENT AND MAINTENANCE OF THE STORMWATER DETENTION FACILITIES, FENCE EASEMENT AND OTHER COMMON AREAS OF THE SUBDIVISION.

SECTION IV - ENFORCEMENT, DURATION, AMENDMENT, AND SEVERABILITY

A. ENFORCEMENT
THE RESTRICTIONS HEREIN SET FORTH ARE COVENANTS TO RUN WITH THE LAND AND SHALL BE BINDING UPON THE OWNER, ITS SUCCESSORS AND ASSIGNS. WITHIN THE PROVISIONS OF SECTION I, PUBLIC STREETS, EASEMENTS, AND UTILITIES, ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THEREIN TO THE BENEFIT OF, AND BE ENFORCEABLE BY TULSA COUNTY, OKLAHOMA. IF THE UNDERSIGNED OWNER/DEVELOPER OR ITS SUCCESSORS SHOULD SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTION I, IT SHALL BE LAWFUL FOR ANY PERSON OR PERSONS OWNING ANY LOT SITUATED WITHIN THE SUBDIVISION, OR TULSA COUNTY TO MAINTAIN ANY ACTION AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT, TO PREVENT HIM OR THEM FROM SO DOING OR TO COMPEL COMPLIANCE WITH THE COVENANTS. NO DAMAGES OR ATTORNEY'S FEES SHALL BE AWARDED TO ENFORCE THE COVENANTS ESTABLISHED IN THIS DEED OF DEDICATION OF THE DEFENSE THAT THE PARTY INITIATING THE EQUITABLE PROCEEDING HAS AN ADEQUATE REMEDY AT LAW IS HEREBY WAIVED.
B. DURATION
THESE RESTRICTIONS SHALL REMAIN IN FULL FORCE AND EFFECT FOR 25 YEARS AND SHALL AUTOMATICALLY BE CONTINUED THEREAFTER FOR SUCCESSIVE PERIODS OF 10 YEARS, UNLESS TERMINATED OR AMENDED AS HEREINAFTER PROVIDED.
C. AMENDMENT
THE COVENANTS CONTAINED WITHIN SECTION I, PUBLIC STREETS, EASEMENTS AND UTILITIES, MAY BE AMENDED OR TERMINATED AT ANY TIME BY WRITTEN INSTRUMENTS SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LOT TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY TULSA METROPOLITAN AREA PLANNING COMMISSION, OR ITS SUCCESSORS AND TULSA COUNTY, OKLAHOMA.
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 OF ANY PART THEREOF AS SET FORTH HEREIN, WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

IN WITNESS WHEREOF, BLUE CHIP LAND COMPANY, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, HAS EXECUTED THIS INSTRUMENT THIS ____ DAY OF _____, 2019.

BLUE CHIP LAND COMPANY, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY

BY _____
ALEX TRINDAD, MANAGER

STATE OF OKLAHOMA)

COUNTY OF TULSA) SS

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 2019, BY ALEX TRINDAD, MANAGER OF BLUE CHIP LAND COMPANY, LLC.

NOTARY PUBLIC
MY COMMISSION EXPIRES _____
COMMISSION NUMBER _____

CERTIFICATE OF SURVEY

I, JAY P. BISSELL, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA, HEREBY CERTIFY THAT I HAVE SURVEYED, SUBDIVIDED AND PLATTED THE ABOVE TRACT DESIGNATED AS "10TH N. ~ MEMORIAL," AN ADDITION TO TULSA COUNTY, STATE OF OKLAHOMA. THE ABOVE PLAT IS AN ACCURATE REPRESENTATION OF SAID SURVEY AND MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

JAY P. BISSELL
LICENSED PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 1318



STATE OF OKLAHOMA)

COUNTY OF TULSA) SS

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, ON THIS ____ DAY OF _____, 2019, PERSONALLY APPEARED JAY P. BISSELL, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SIGNED HIS NAME TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED, FOR THE USES AND PURPOSES THEREIN SET FORTH.

NOTARY PUBLIC
MY COMMISSION EXPIRES NOVEMBER 20, 2019
COMMISSION NUMBER 11610022





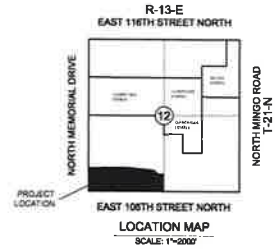
CONCEPTUAL IMPROVEMENTS

106th N. - Memorial

A TRACT OF LAND LOCATED IN THE SOUTH HALF OF THE SOUTHWEST QUARTER (S/2 SW/4) OF SECTION TWELVE (12) OF TOWNSHIP TWENTY-ONE (21) NORTH AND RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN (1 B & M.), ACCORDING TO THE U.S. GOVERNMENT SURVEY, THEREOF, TULSA COUNTY, STATE OF OKLAHOMA.

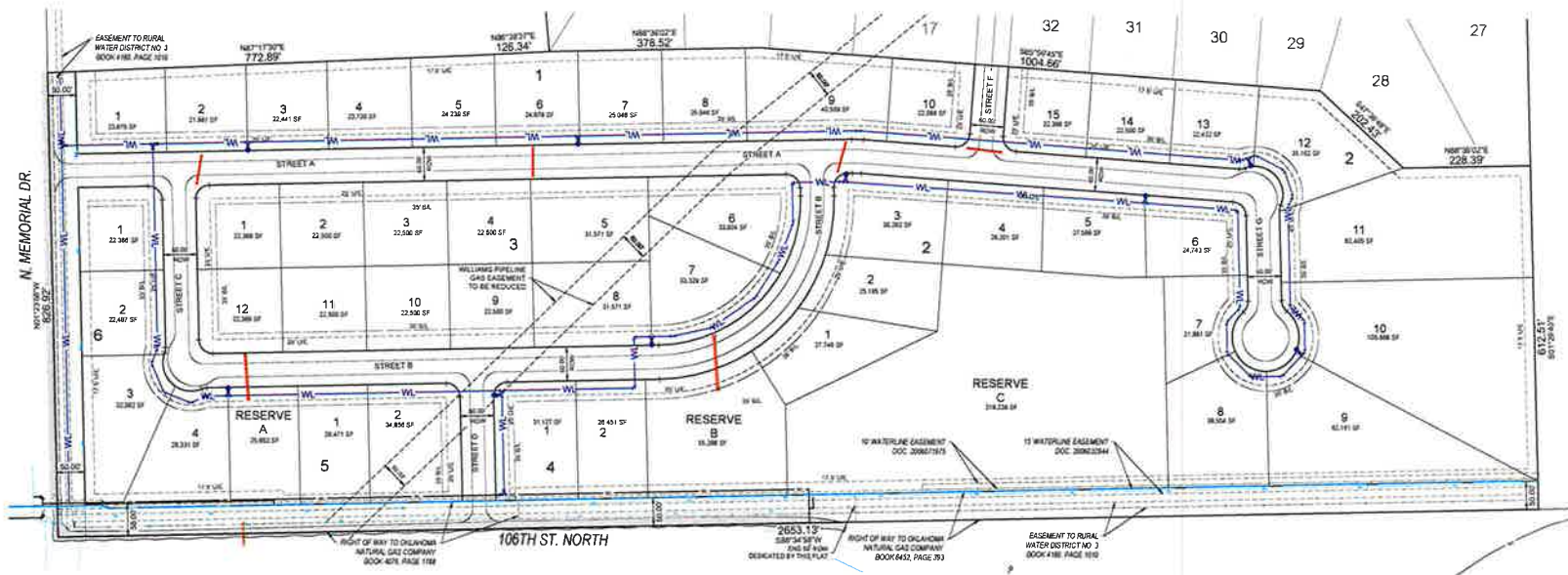
OWNER/DEVELOPER
BLUE CHIP LAND COMPANY, LLC
PO BOX 55259
TULSA, OK 74152
ALEX TRINIDAD

ENGINEER/SURVEYOR
AAB ENGINEERING LLC
CERTIFICATE OF AUTHORIZATION NO. 8516, EXP. JUNE 30, 2020
PO BOX 37138
SAFID SPRINGS, OK 74083
PHONE 918.514.4283
FAX 918.514.4288
EMAIL ALAN@AABENG.COM



FLOODPLAIN

ALL OF THE PROPERTY IS CONTAINED IN FEMA ZONE X (UNSHADED) (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS SHOWN ON FIRM PANEL "10-430P(2)X" DATED OCTOBER 14, 2012.



LEGEND	
BL	BUILDING LINE
UL	UTILITY EASEMENT
---	EXISTING WATER LINE
---	EXISTING STORM SEWER LINE
WL	PROPOSED WATER LINE
---	PROPOSED STORM SEWER

UTILITY CONTACTS	
MUNICIPAL AUTHORITY TULSA COUNTY 500 S. DENVER, 3RD FLOOR TULSA, OK 74103	
UTILITY	
OKLAHOMA NATURAL GAS COMPANY 2319 W. EDISON ST. TULSA, OK 74117 918-334-6000	PUBLIC SERVICE COMPANY OF OKLAHOMA 212 E. 4TH ST. TULSA, OK 74119 1-888-215-5222
RURAL WATER DISTRICT #3 WASHINGTON COUNTY 17227 N. 128TH E. AVE. COLLINSVILLE, OK 74021 918-371-2055	COX COMMUNICATIONS 11811 EAST 51ST STREET TULSA, OK 74145 918-289-4655
AT&T 5303 E. 71ST STREET TULSA, OK 74138 918-395-6422	



Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7498

Hearing Date: October 16, 2019
(Continued from September 18, 2019)

Case Report Prepared by:

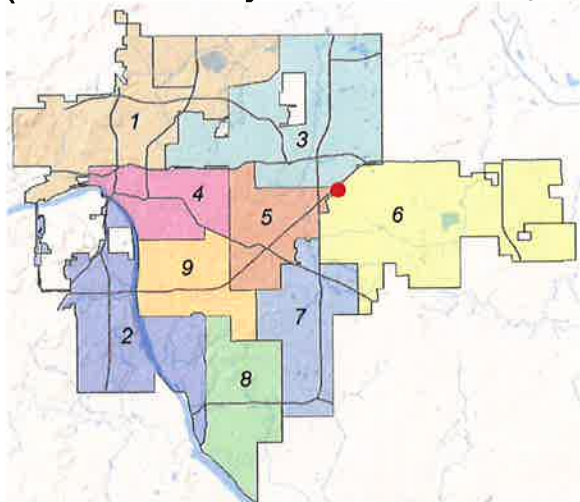
Jay Hoyt

Owner and Applicant Information:

Applicant: Malcolm Rosser

Property Owner: Tulsa Realty Development Auth
LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Commercial/Hotel

Proposed Use: Mixed-Use

Concept summary: Rezone with optional
development plan to permit a mixed-use facility

Tract Size: 4.83 ± acres

Location: S. of SE/c of E. 11th St. S. & E. Skelly Dr.

Zoning:

Existing Zoning: CS

Proposed Zoning: IL with optional
development plan

Comprehensive Plan:

Land Use Map: Employment

Stability and Growth Map: Area of Growth

Staff Recommendation:

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

Staff Data:

TRS: 9408
CZM: 39

City Council District: 6

Councilor Name: Connie Dodson

County Commission District: 1

Commissioner Name: Stan Saltee

SECTION I: Z-7498

DEVELOPMENT CONCEPT: The applicant is proposing to rezone from CS to IL with an optional development plan in order to permit a mixed-use facility within the designated area of the subject lot. The proposed uses would include office, retail shopping outlets and storefronts, a medical marijuana grow facility and a higher end hotel, with the intention of making the property a destination for medical marijuana conventions and classes.

The subject lot is contained within an area designated by the City of Tulsa Comprehensive Plan as an area of Employment, which would support the proposed IL zoning, particularly with the proposed optional development plan incorporated.

The requested IL zoning will be limited to the portions of the lot illustrated on the attached redlined aerial and defined by the legal descriptions provided by the applicant.

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:
 - Aerial Illustrating Proposed IL Areas
 - Aerial Illustrating Overall Proposed Uses
 - Site Survey

SECTION II: OPTIONAL DEVELOPMENT PLAN STANDARDS

The optional development plan standards will conform to the provisions of the Tulsa Zoning Code for development in an IL district with its supplemental regulations except as further refined below. All uses categories, subcategories or specific uses and residential building types that are not listed in the following permitted uses categories are prohibited:

PERMITTED USE CATEGORY

- A) RESIDENTIAL (see allowed residential building types below)
 - Household Living
 - Single household
 - Two households on a single lot
 - Three or more households on single lot
- B) PUBLIC, CIVIC, AND INSTITUTIONAL
 - Safety Service
 - Utilities and Public Service Facility (minor)
 - Wireless Communication Facility (includes all specific uses)
- C) COMMERCIAL
 - Animal Service (includes all permitted specific uses)
 - Broadcast or Recording Studio
 - Commercial Service (includes all permitted specific uses)
 - Financial Services (includes all permitted specific uses)
 - Funeral or Mortuary Service

Lodging (includes all permitted specific uses except Bed & Breakfast)
Office (includes all specific uses)
Parking, Non-accessory
Restaurant
Retail Sales (includes all permitted specific uses)
Studio, Artist, or Instructional Service
Trade School
Vehicle Sales and Service
 Fueling Station
 Personal vehicle repair and maintenance
 Vehicle part and supply sales

- D) WHOLESALE, DISTRIBUTION AND STORAGE
 Warehouse
 Wholesale Sales and Distribution
- E) AGRICULTURAL
 Community Garden
 Farm, Market or Community-supported
 Horticulture Nursery
- F) OTHER
 Off-Premise Outdoor Advertising Signs

DETAILED STAFF RECOMMENDATION:

IL zoning with an optional development plan is compatible with the Comprehensive Plan;

IL zoning with an optional development plan would be non-injurious to the surrounding proximate properties;

IL zoning with an optional development plan would be consistent with the expected development in the area;

IL zoning will be limited to the portions of the lot illustrated on the attached redlined aerial and defined by the legal descriptions provided by the applicant.

Staff recommends approval of Z-7498 to rezone the defined portions of the property from CS to IL with an optional development plan.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: *The subject lot is located within an Area of Employment and an Area of Growth.*

Land Use Vision:

Land Use Plan map designation: Employment

Employment areas contain office, warehousing, light manufacturing and high tech uses such as clean manufacturing or information technology. Sometimes big-box retail or warehouse retail

clubs are found in these areas. These areas are distinguished from mixed-use centers in that they have few residences and typically have more extensive commercial activity.

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

Areas of Stability and Growth designation: Area of Growth

The purpose of Areas of Growth is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

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

Transportation Vision:

Major Street and Highway Plan: E Skelly Drive is designated as a Residential Collector

Trail System Master Plan Considerations: None

Small Area Plan: East Tulsa Phase I

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *The site is currently occupied by a former hotel structure.*

Environmental Considerations: A small portion of the SW corner of the site is located within FEMA Zone AE Floodplain. It appears the existing building, which is to be utilized for this proposal is outside of that floodplain.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
E Skelly Drive	Residential Collector	60 Feet	3

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	CS	Employment	Growth	Restaurants
South	CS/RM-1	Employment/Park and Open Space	Growth/Stability	Vacant/Drainage
East	CS/RS-2	Employment	Growth	Warehouse/Church
West	RS-3	N/A	N/A	I-44

SECTION III: Relevant Zoning History

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

Subject Property:

BOA- 17399 June 1996: The Board of Adjustment **approved** a *variance* of the maximum allowed surface area for a sign from 468 SF to 519.88 SF permit a medical marijuana dispensary, on property located at 11620 East Skelly Drive.

BOA- 16294 April 1993: The Board of Adjustment **approved** a *variance* of the maximum sign height from 50' to 60' to permit the alteration of an existing ground sign, on property located at 11620 East Skelly Drive.

BOA- 16274 February 1993: The Board of Adjustment **approved** a *variance* of the 10' setback from the freeway to permit the alteration of the existing ground sign, finding that the sign structure has been at the same location for 15 years, and that only the sign face will be changed, with the size and height remaining the same, on property located at 11620 East Skelly Drive.

BOA- 7393 April 1972: The Board of Adjustment **approved** a *variance* to permit erecting a pole sign 60' high in a CS District, subject to a plot plan, on property located at 11720 East 11th Street.

Surrounding Property:

BOA- 22703 August 2019: The Board of Adjustment **accepted** the applicant's *verification of spacing* to permit a medical marijuana dispensary, on property located at 11730 East 11th Street South.

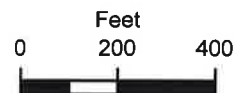
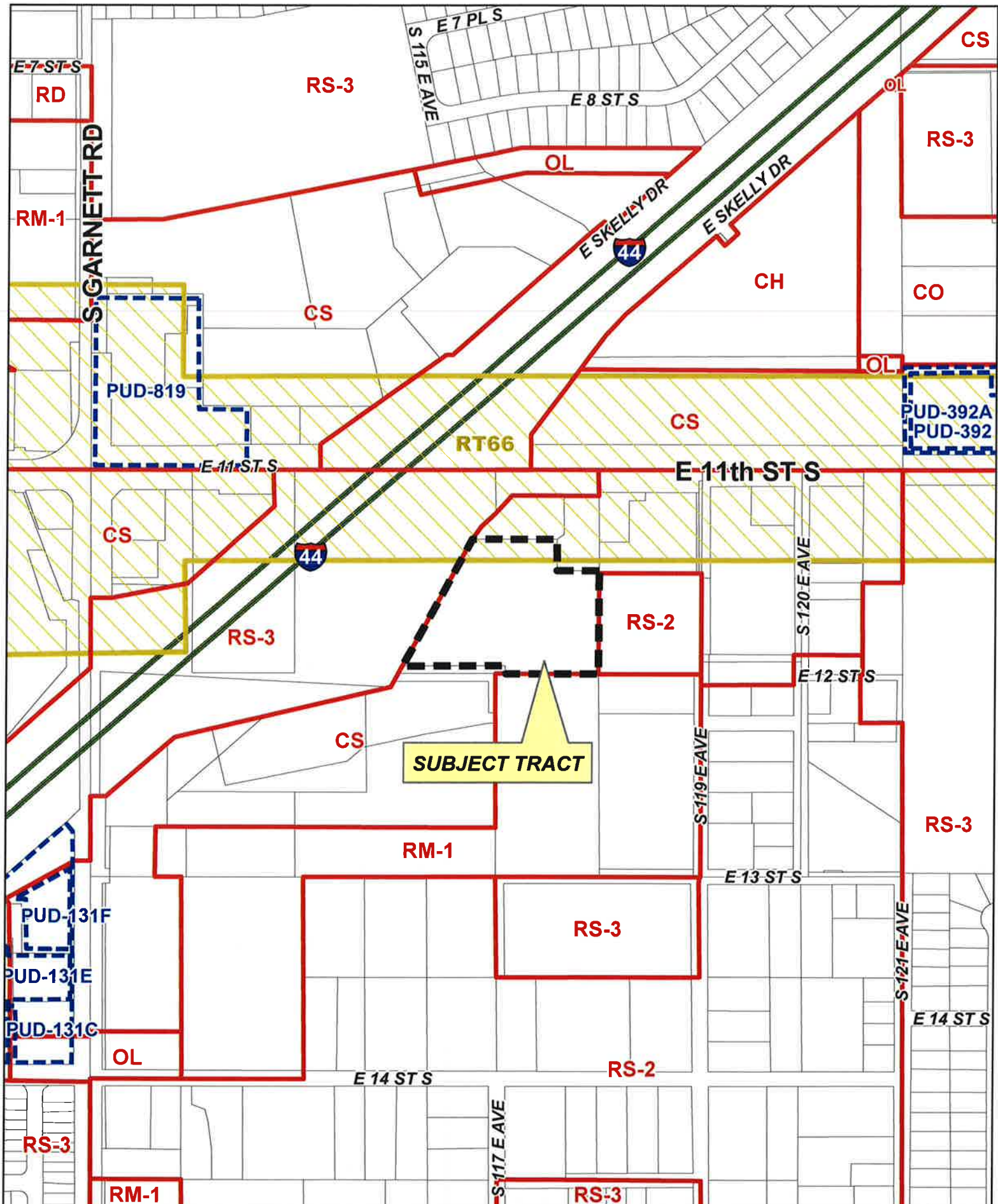
BOA- 21620 September 2013: The Board of Adjustment **approved** the request for *Special Exception* to allow an auto auction use in a CS District, per conceptual site plan, on property located 11910 East 11th Street South.

BOA- 20852 February 2009: The Board of Adjustment **approved** the applicant's *verification of spacing* between outdoor advertising signs, on property located at 11320 East Skelly Drive.

BOA- 20280 June 2006: The Board of Adjustment **approved** the applicant's *verification of spacing* requirement of 1200 feet from another outdoor advertising sign, on property located at 11520 East Skelly Drive South.

BOA- 19181 August 2001: The Board of Adjustment **approved** the request for *Special Exception* to allow an auto repair use in a CS District, with the conditions for days and hours of operation to be Monday through Friday, 8:00 a.m. to 6 p.m., that no cars for repair be stored for more than 48 hours, and meet all screening and landscaping requirements, finding that it will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare, on property located 3165 South Mingo Road.

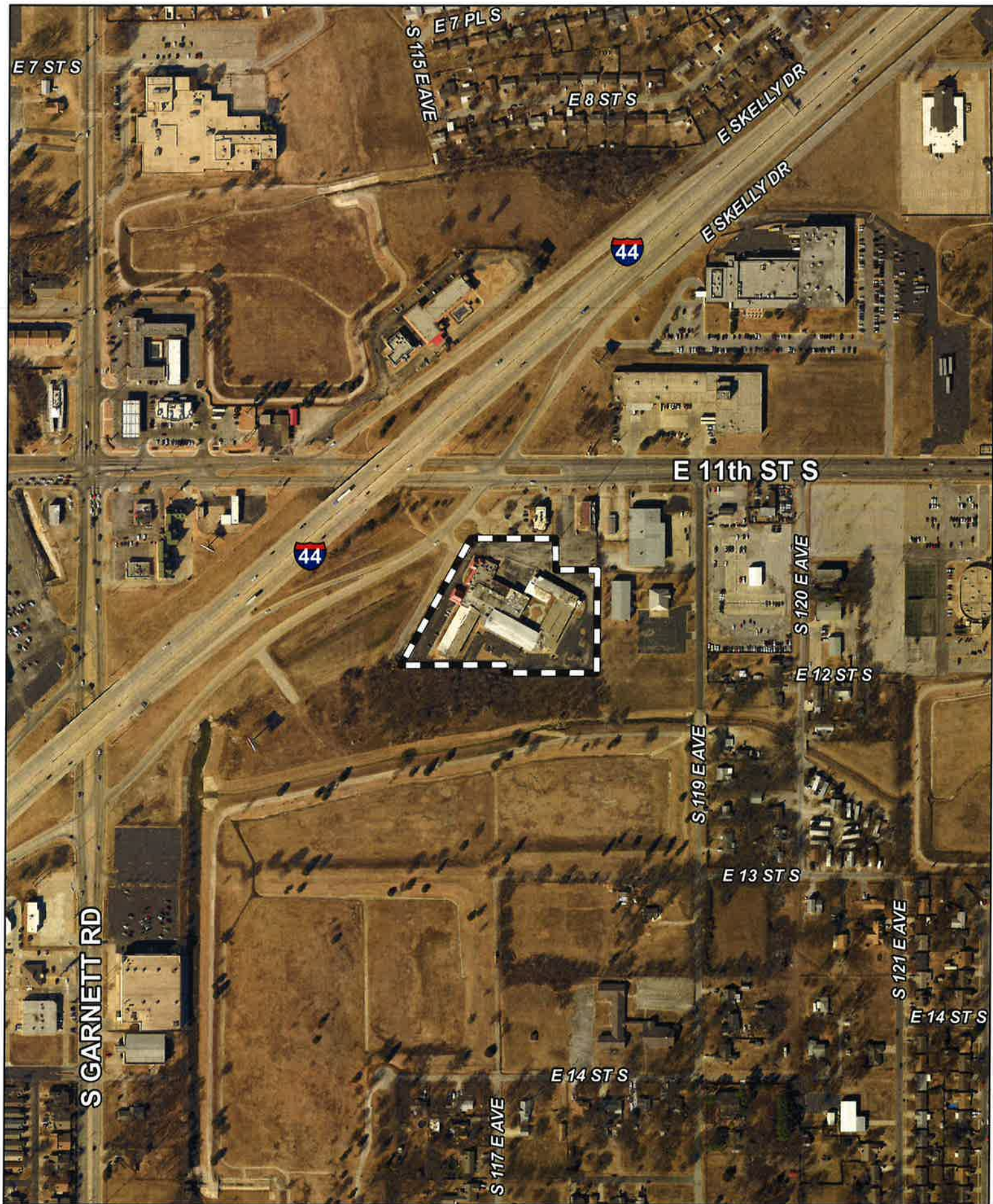
9/18/2019 1:30 PM



19-14 08

Z-7498
with Optional
Development Plan





0 200 400
Feet



Subject
Tract

19-14 08

Z-7498
with Optional
Development Plan

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

Aerial Photo Date: February 2018



44

E 11th ST S

ESKELLY DR

0 Feet 50 100



Subject Tract

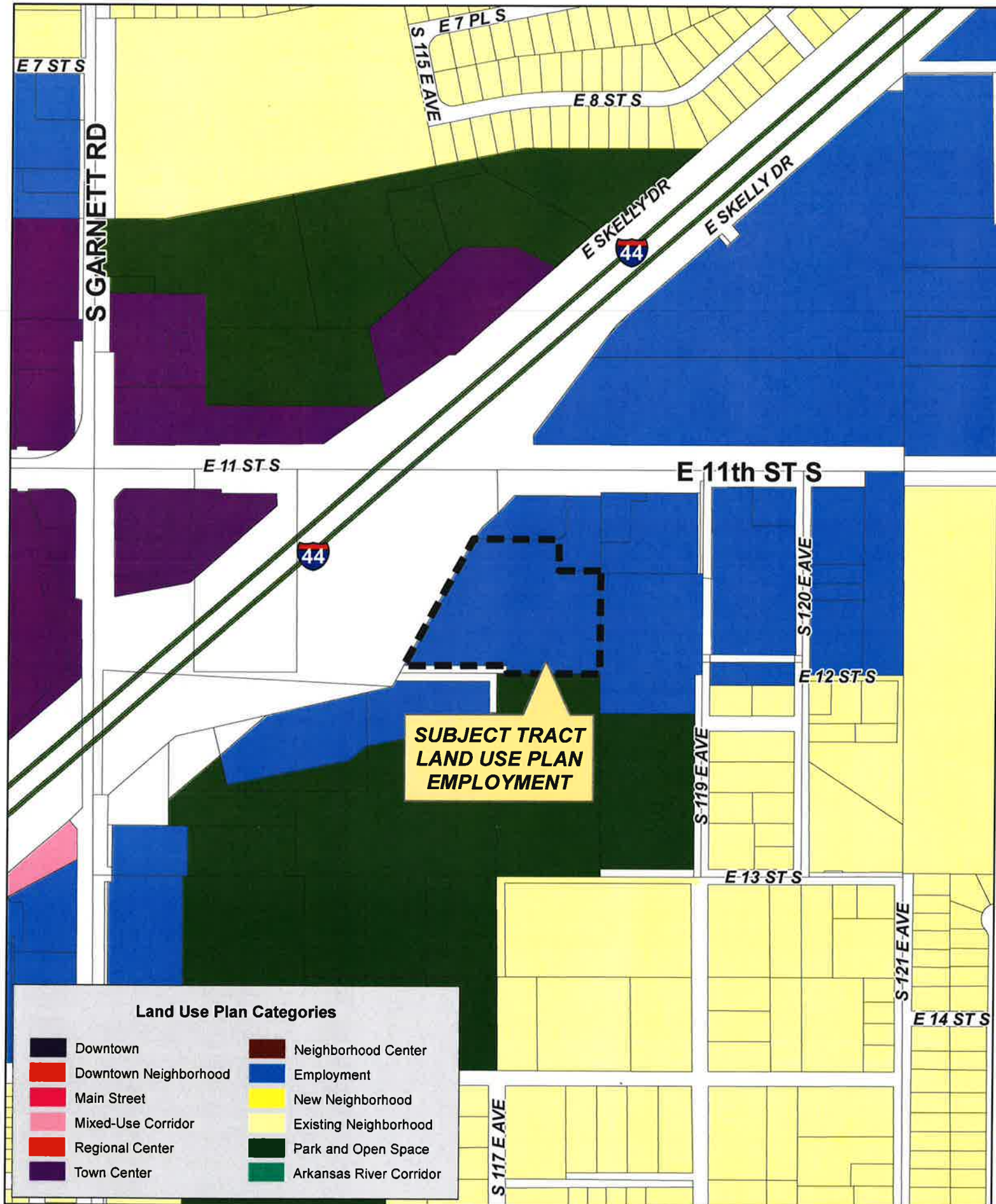
19-14 08

Z-7498
with Optional
Development Plan

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

Aerial Photo Date: February 2018



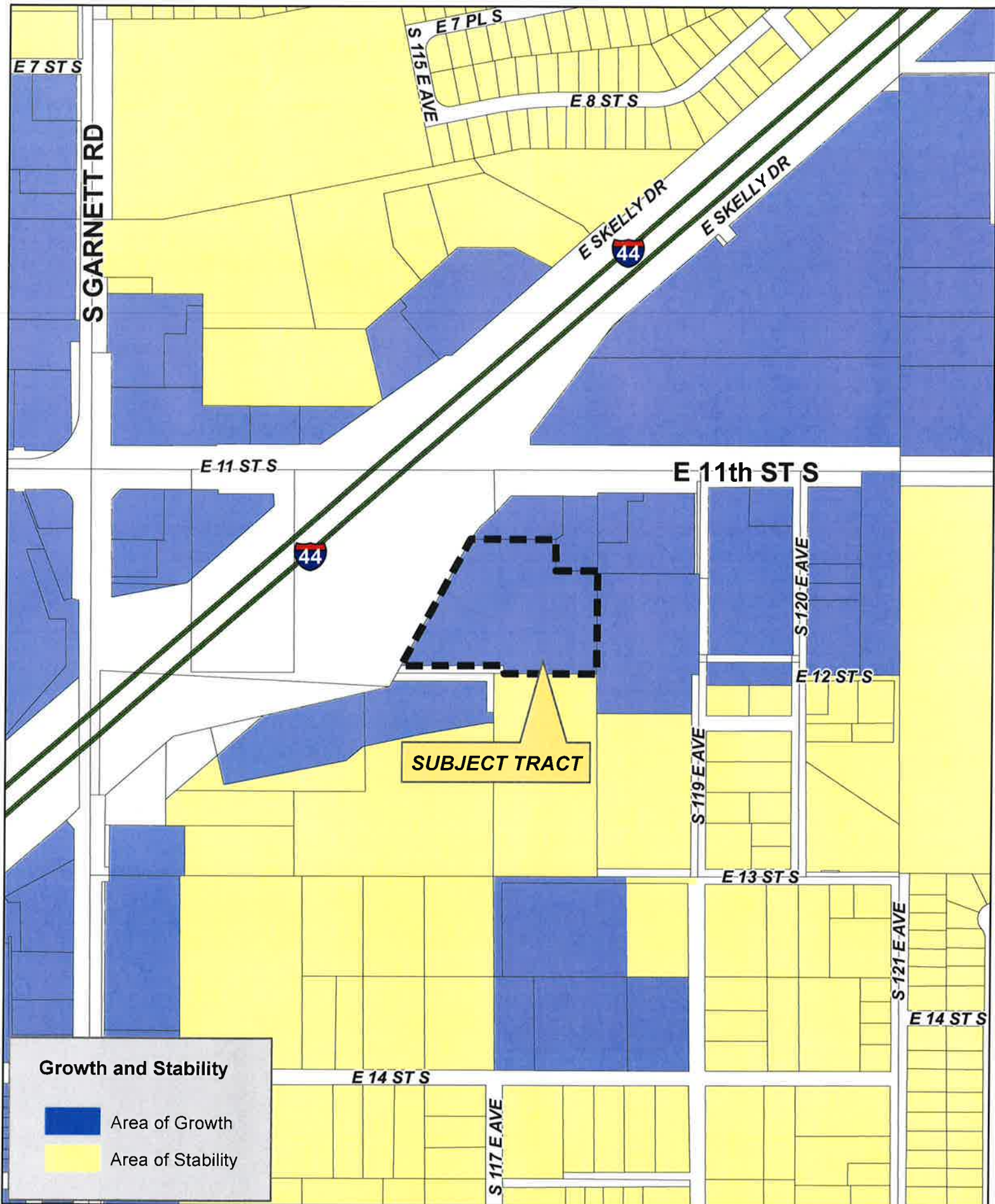


Feet
0 200 400

19-14 08

Z-7498
with Optional
Development Plan





Growth and Stability



Area of Growth



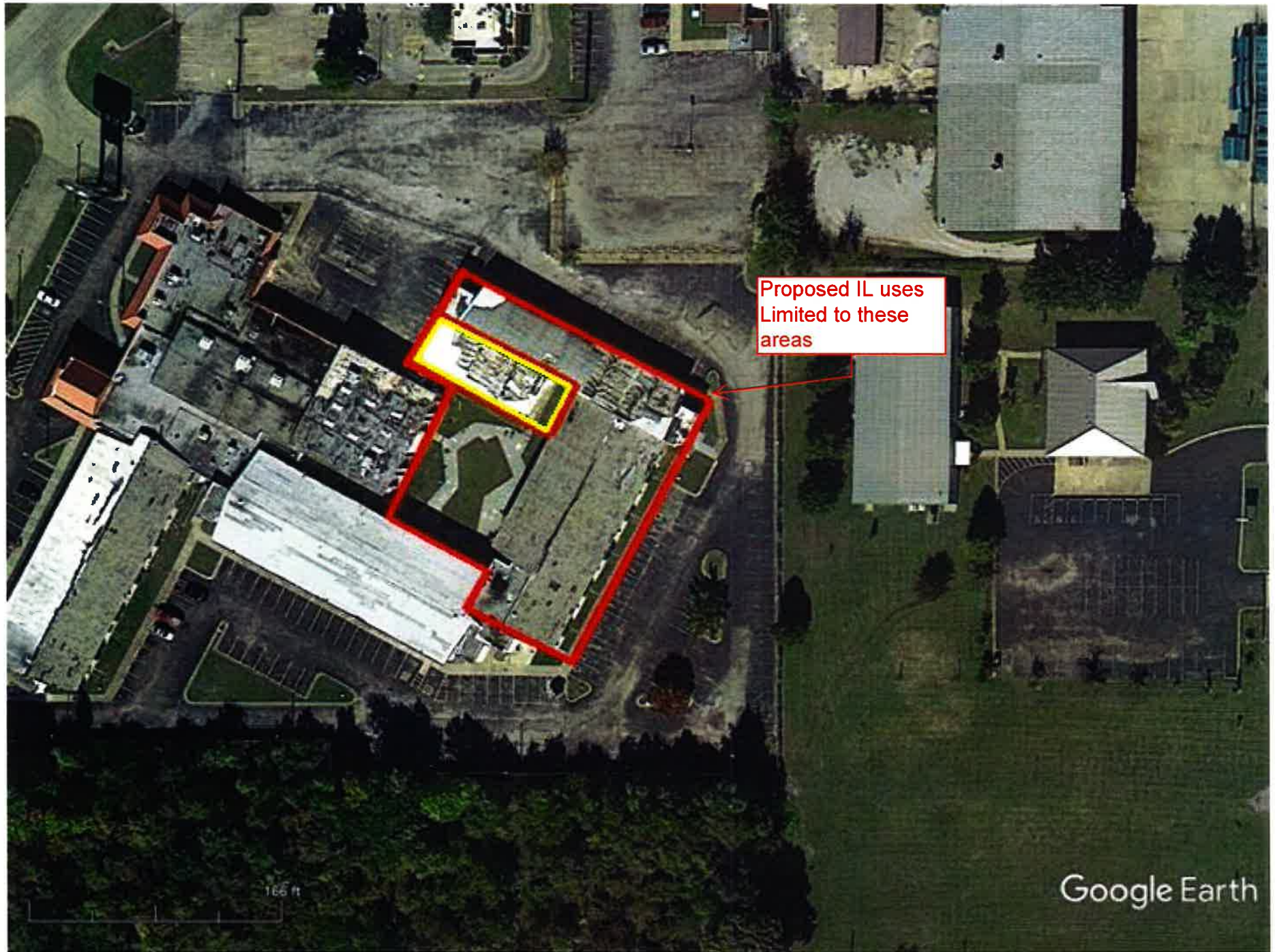
Area of Stability



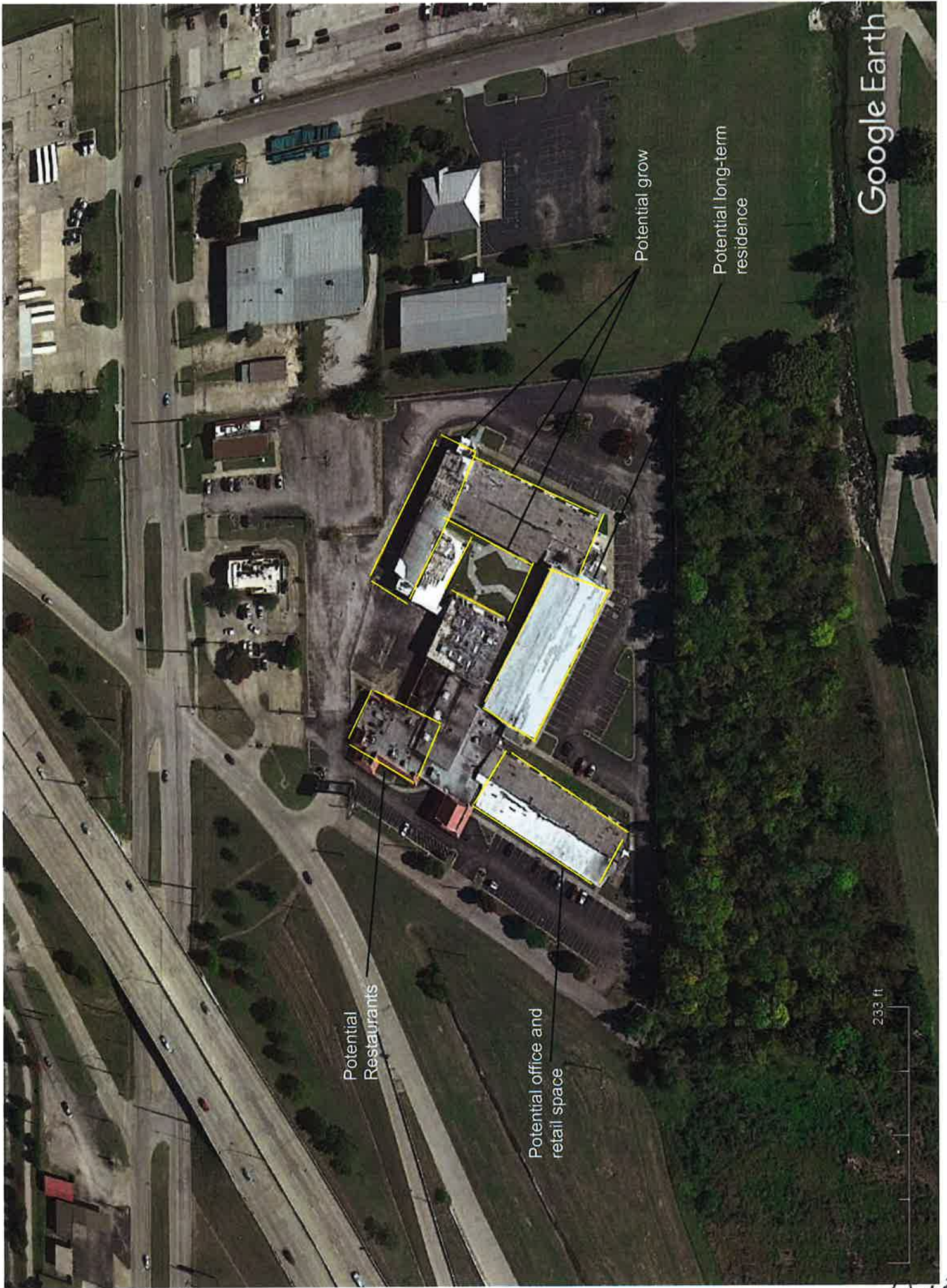
19-14 08

Z-7498
with Optional
Development Plan





12.12



Potential
Restaurants

Potential office and
retail space

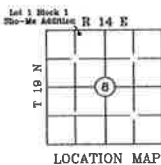
Potential grow

Potential long-term
residence

Google Earth

233 ft

12.13



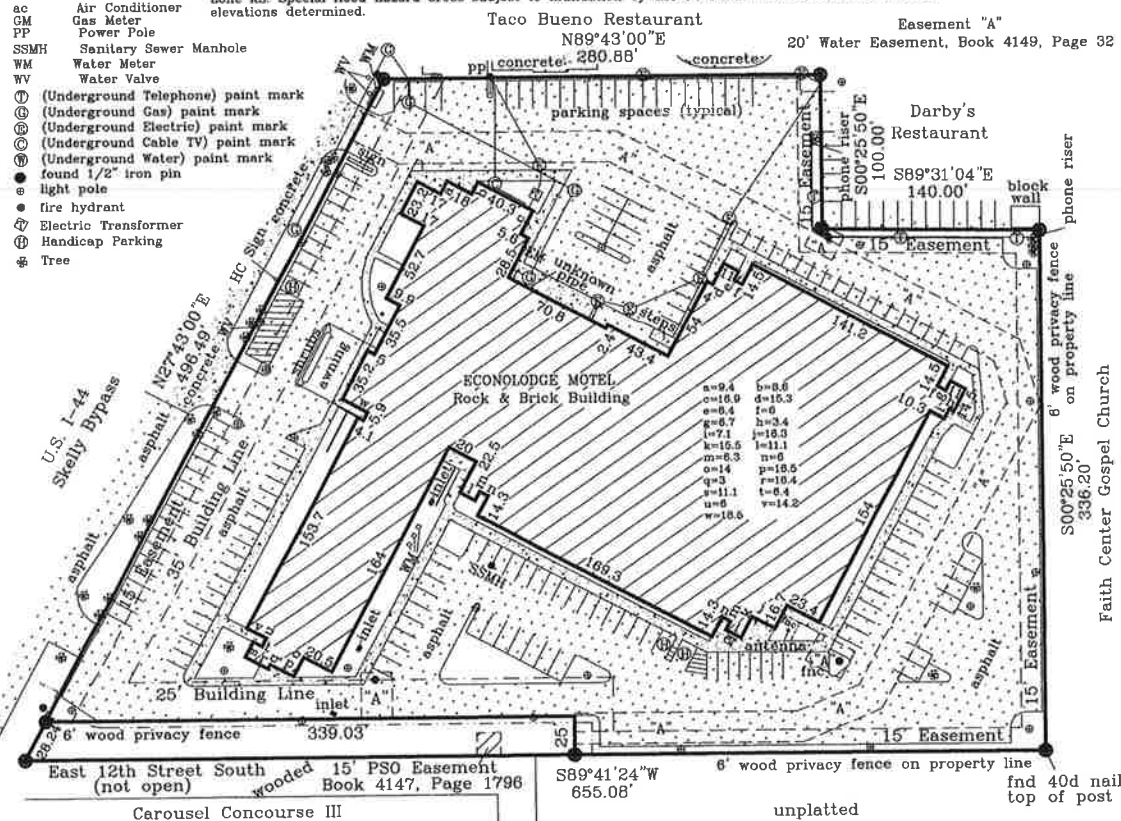
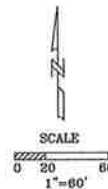
- LEGEND**
- EM Electric Meter
 - ac Air Conditioner
 - GM Gas Meter
 - PP Power Pole
 - SSMH Sanitary Sewer Manhole
 - WM Water Meter
 - WV Water Valve
 - ① (Underground Telephone) paint mark
 - ② (Underground Gas) paint mark
 - ③ (Underground Electric) paint mark
 - ④ (Underground Cable TV) paint mark
 - ⑤ (Underground Water) paint mark
 - ⑥ found 1/2" iron pin
 - ⑦ light pole
 - ⑧ fire hydrant
 - ⑨ Electric Transformer
 - ⑩ Handicap Parking
 - ⑪ Tree

PREPARED FOR
True Title & Escrow, Inc.
BORROWER
Kalidas LLC and/or Assigns
LENDER
High Plains Bank, ISACA

ALTA/ACSM LAND TITLE SURVEY LOT 1, BLOCK 1, SHO-ME ADDITION TULSA COUNTY, OKLAHOMA

THIS PROPERTY IS LOCATED IN ZONE X (UNSHADED), ZONE X (SHADED) AND ZONE AE PER FLOOD INSURANCE RATE MAP # 405381 0283 L, EFFECTIVE OCTOBER 18, 2012.

Zone X (unshaded): areas determined to be outside the 0.2% annual chance floodplain.
Zone X (shaded): Areas of 0.2% annual chance flood: areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.
Zone AE: Special flood hazard areas subject to inundation by the 1% annual chance flood. Base flood elevations determined.



LEGAL DESCRIPTION

Lot One (1), Block One (1), SHO-ME ADDITION, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat thereof.

11620 East Skelly Drive, Tulsa, OK 74125

Miscellaneous Notes

Underground utilities located as marked by "Okie" (1-800-522-0543), no additional plans or markings made available by client, utility companies, etc. to surveyor.
All Underground Utilities may not be shown. Call "OKIE" (1-800-522-0543) before digging.
The Bearing Base for this Survey is the Platted Bearings of Sho-Me Addition.
This tract contains 161 parking Spaces with 3 marked as Handicapped.

Flood Zone Note:

All building appear to be within zones X and X-shaded only. Only the parking and abandoned street appear to be within zone AE.

EASEMENTS

Easements shown per recorded Plat.
Easement in favor of County of Tulsa, State of Oklahoma, dated November 24, 1953, filed November 28, 1953 in Book 2420 at Page 886. (does not affect)
Underground Right of Way Easement in favor of Public Service Company of Oklahoma, dated April 3, 1970, filed May 14, 1970 in Book 395 at Page 506. (does not affect)
Easement in favor of James Jackson, dated January 31, 1972, filed February 15, 1972 in Book 4003 at Page 1823. (does not affect)
Underground Right of Way Easement in favor of Public Service Company of Oklahoma, dated September 9, 1972, filed September 26, 1972 in Book 4030 at Page 189. (does not affect)
Underground Right of Way Easement in favor of Public Service Company of Oklahoma, dated June 21, 1974, filed July 2, 1974 in Book 4126 at Page 1220. (10' Easement - centerline not defined by instrument)
Sewer Easement in favor of the City of Tulsa, Oklahoma, dated November 14, 1974, filed December 13, 1974 in Book 4147 at Page 1798. (shown above)
Water Easement in favor of the City of Tulsa, Oklahoma, dated November 27, 1974, filed December 27, 1974 in Book 4149 at Page 32. (shown above)
Properties and Right of Ways granted to state or county contained in the Report of Commissioners, dated April 5, 1957, filed under Case No. 92280 on April 17, 1957, and filed in Land Records in and for Tulsa County July 26, 1957 in Book 2799 at Page 552. (does not affect)
No additional Easements per Title Commitment No. TTG-2013-8526, Effective Date: September 3, 2013, as provided to Surveyor.

CERTIFICATION

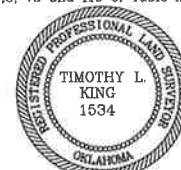
To True Title & Escrow, Inc., Kalidas LLC and/or Assigns, and High Plains Bank, ISACA:
This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1.3, 7a and 11b of Table A thereof.
The field work was completed on October 8, 2013.

Date of Plat or Map: October 8, 2013

TIMOTHY L. KING, RPLS
35925 S. CASE ROAD
INOLA, OKLAHOMA 74038
TEL: 918-543-1899

2013-0997

Timothy L. King
TIMOTHY L. KING, RPLS# 1534



12.14



Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7500

Hearing Date: October 16, 2019
(Originally scheduled for October 2, 2019)

Case Report Prepared by:

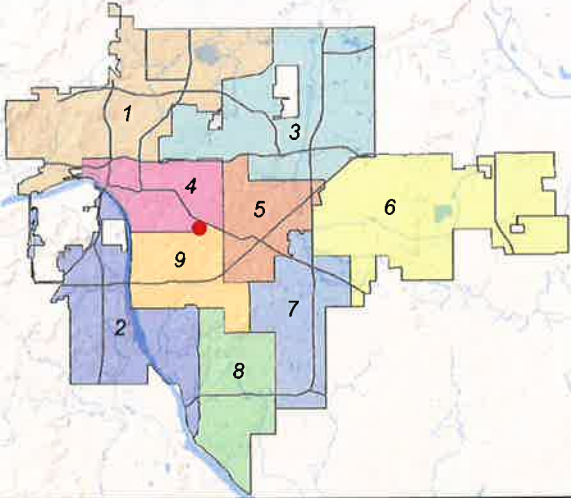
Dwayne Wilkerson

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 ± 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

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

13.2

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.

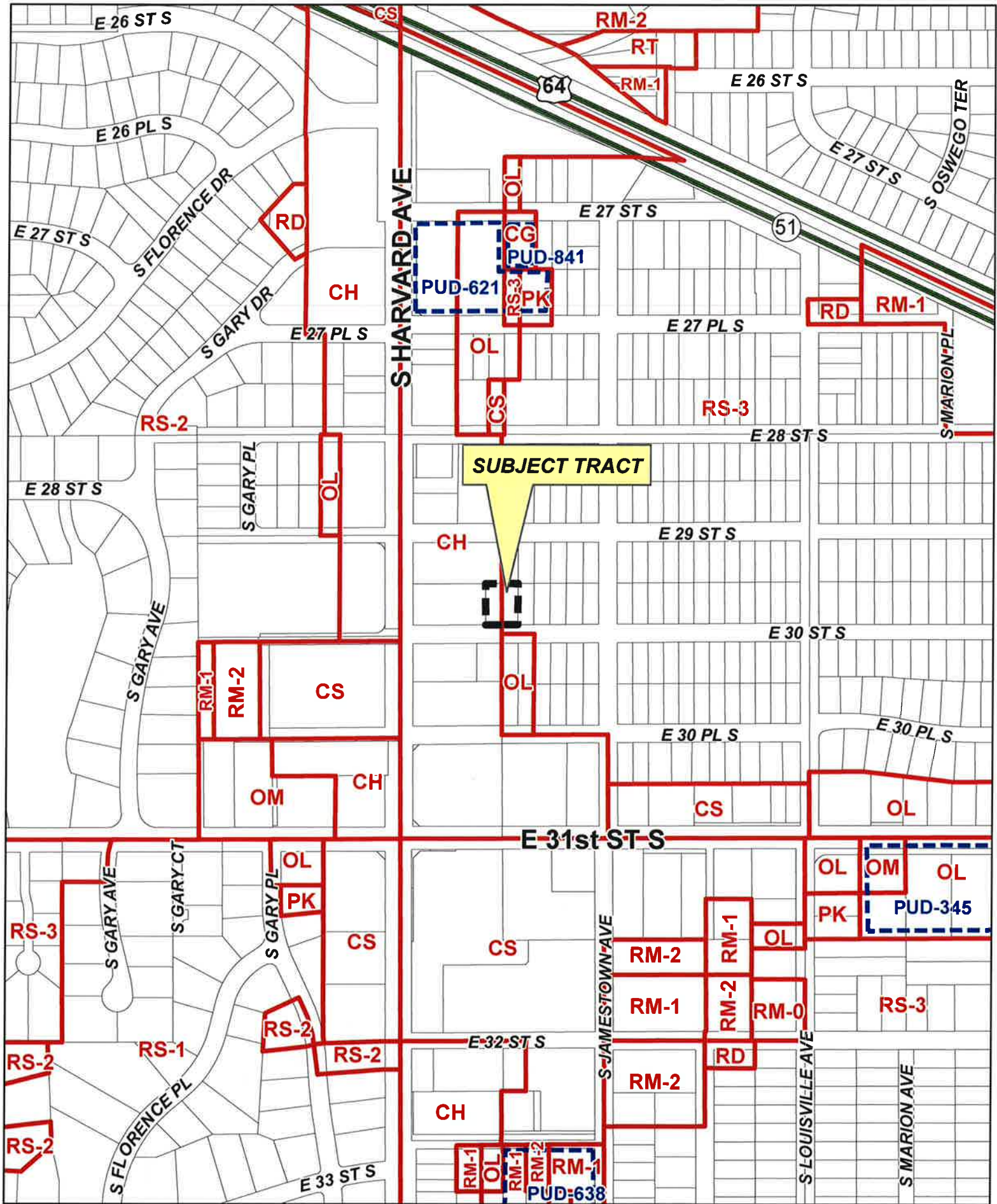
Subject Property:

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.

13.6

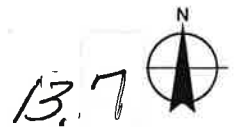


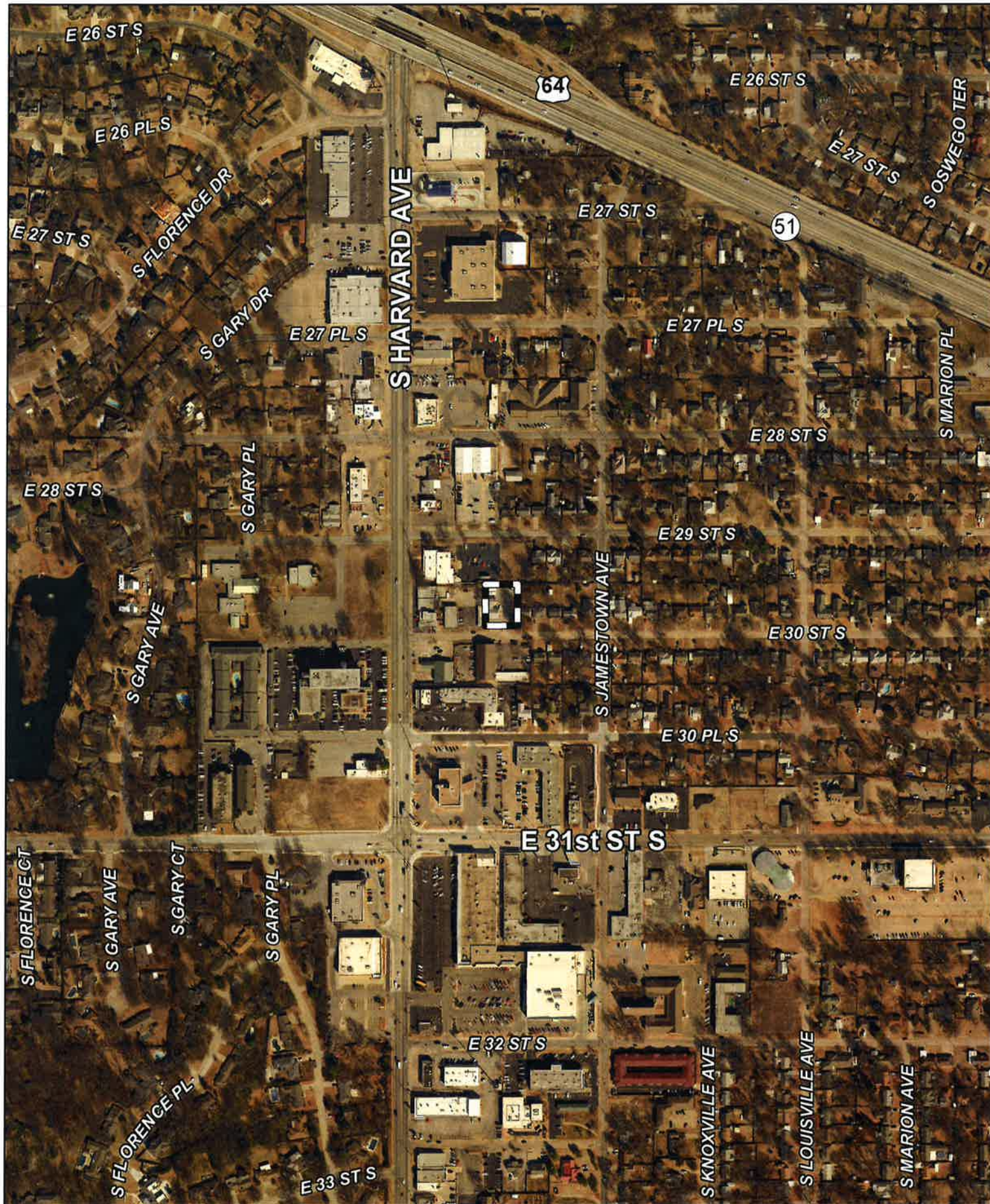
Z-7500

**with Optional
Development Plan**



19-13 16





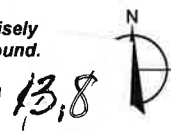
Subject
Tract

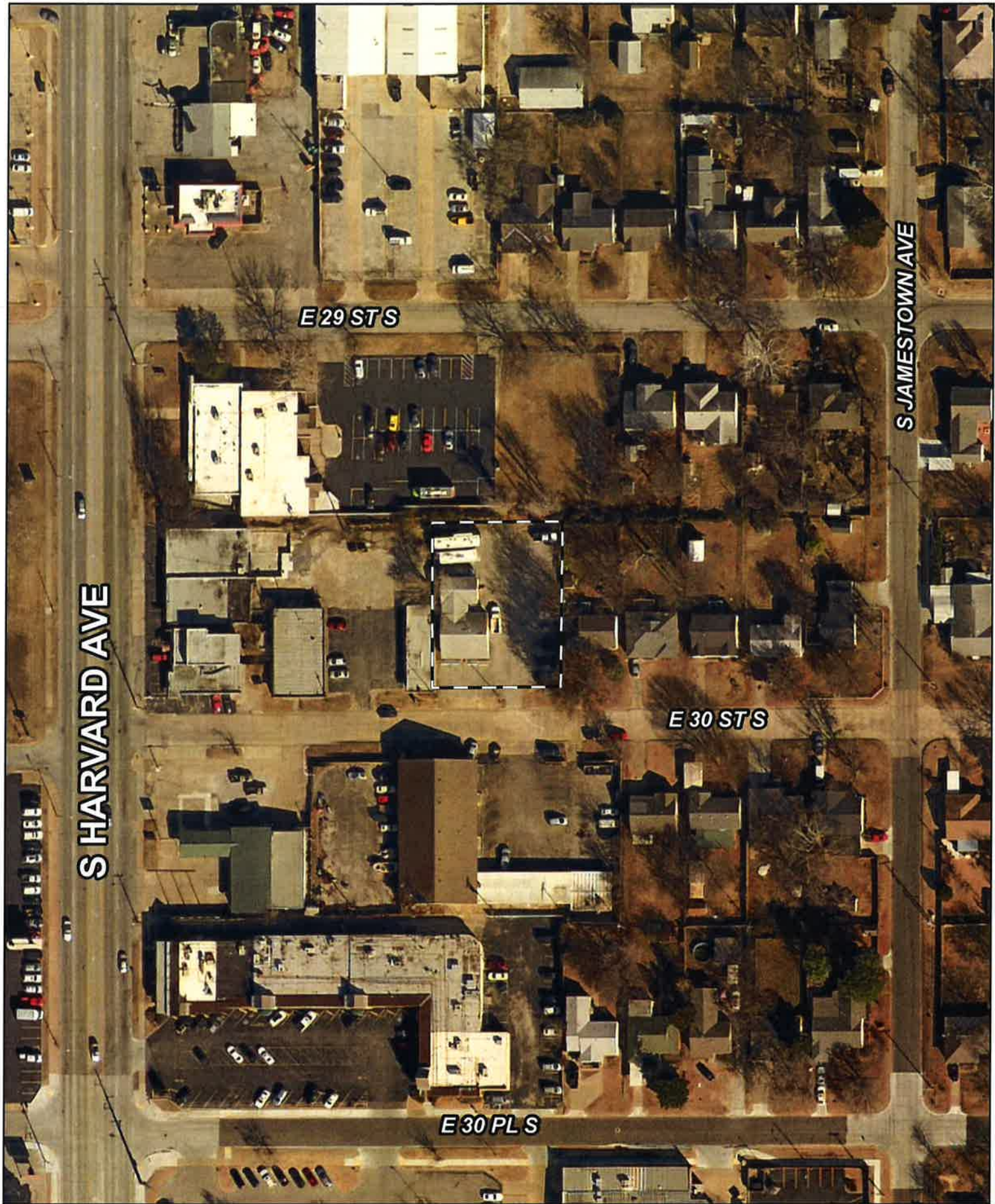
19-13 16

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

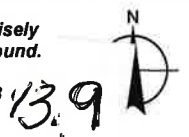


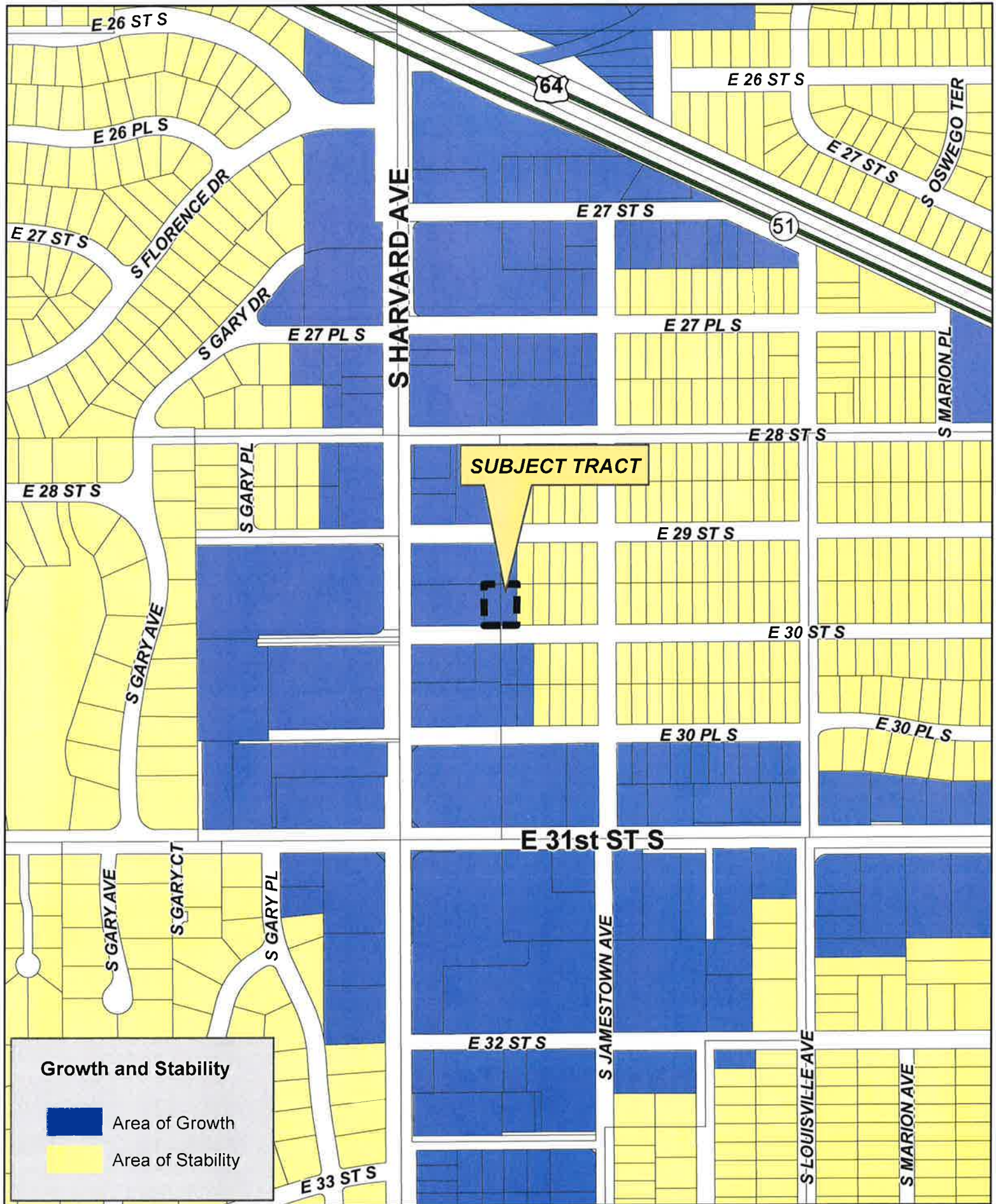
Subject
Tract
19-13 16

Z-7500
with Optional
Development Plan

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

Aerial Photo Date: February 2018





Growth and Stability



Area of Growth



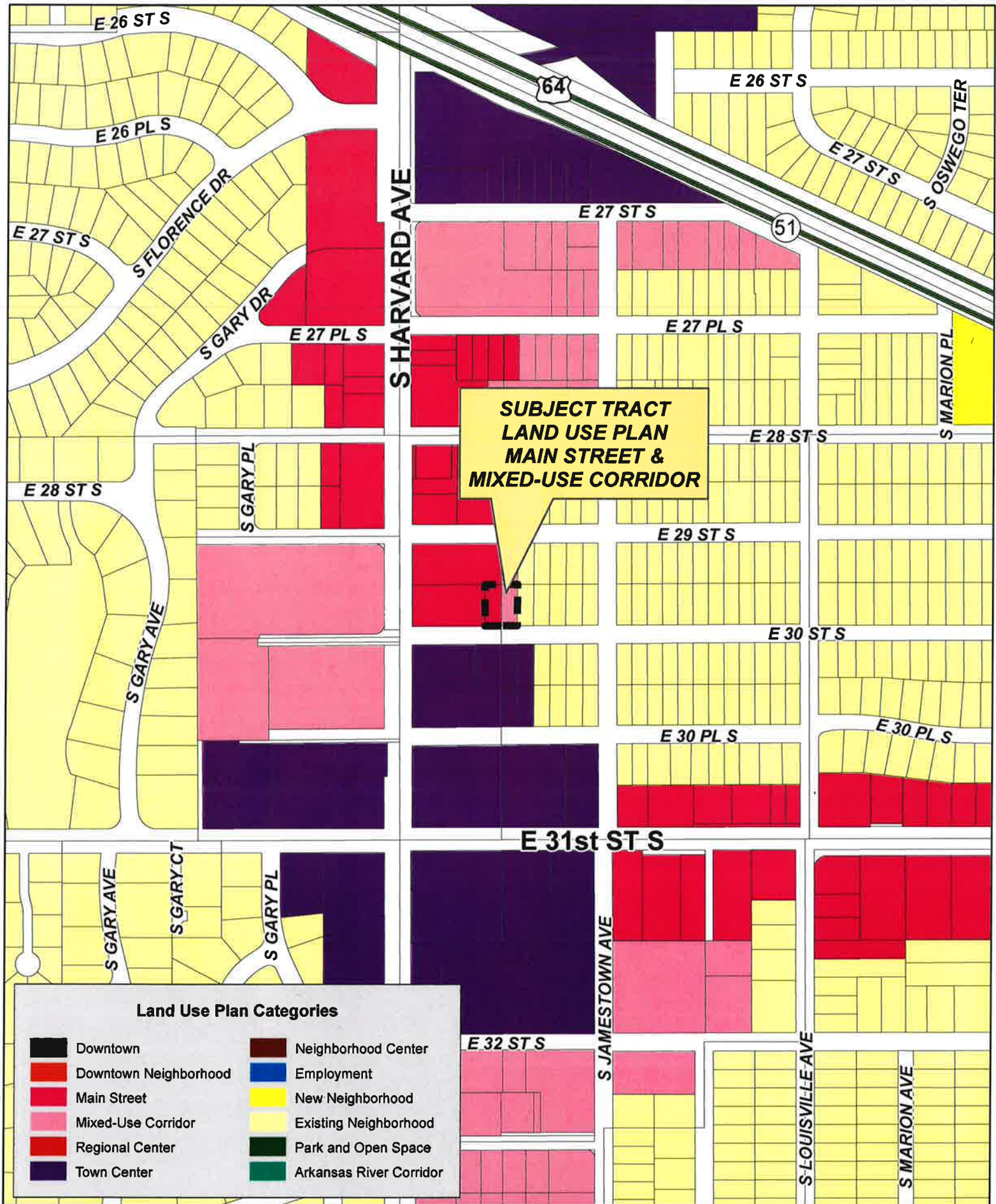
Area of Stability



19-13 16

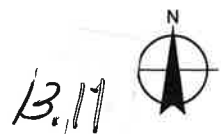
Z-7500
with Optional
Development Plan





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,

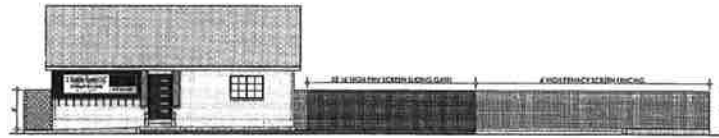
A handwritten signature in black ink, appearing to read "J. Madden", with a large, sweeping loop at the end.

John Madden

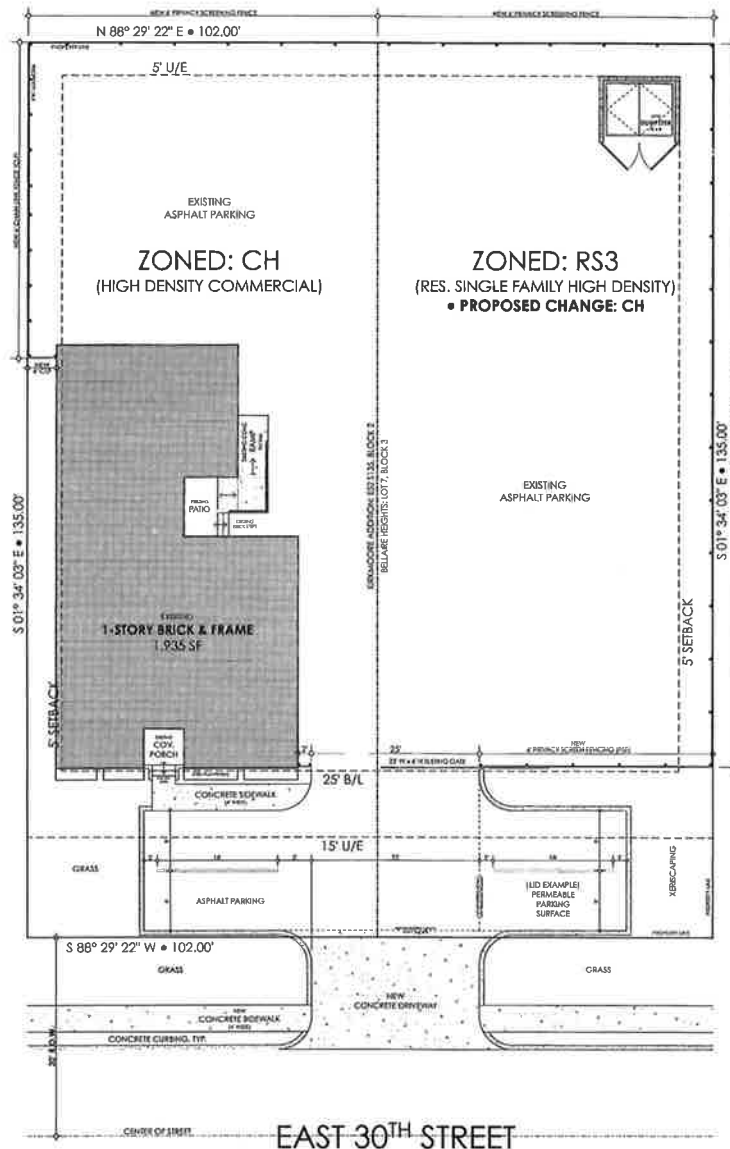
John@JMaddenHomes.com

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

13.12.1



FRONT (SOUTH) ELEVATION



SITE PLAN

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

PLAN DESIGNER



BUILDER/GC/OWNER

J. Madden Homes LLC
Building & Remodeling

PROJECT/ADDRESS

PROPOSED ZONING CHANGE

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

SQUARE FOOTAGE

DATE

7/8/19

SCALE

1/8" = 1'-0"

SHEET

A1

13.13

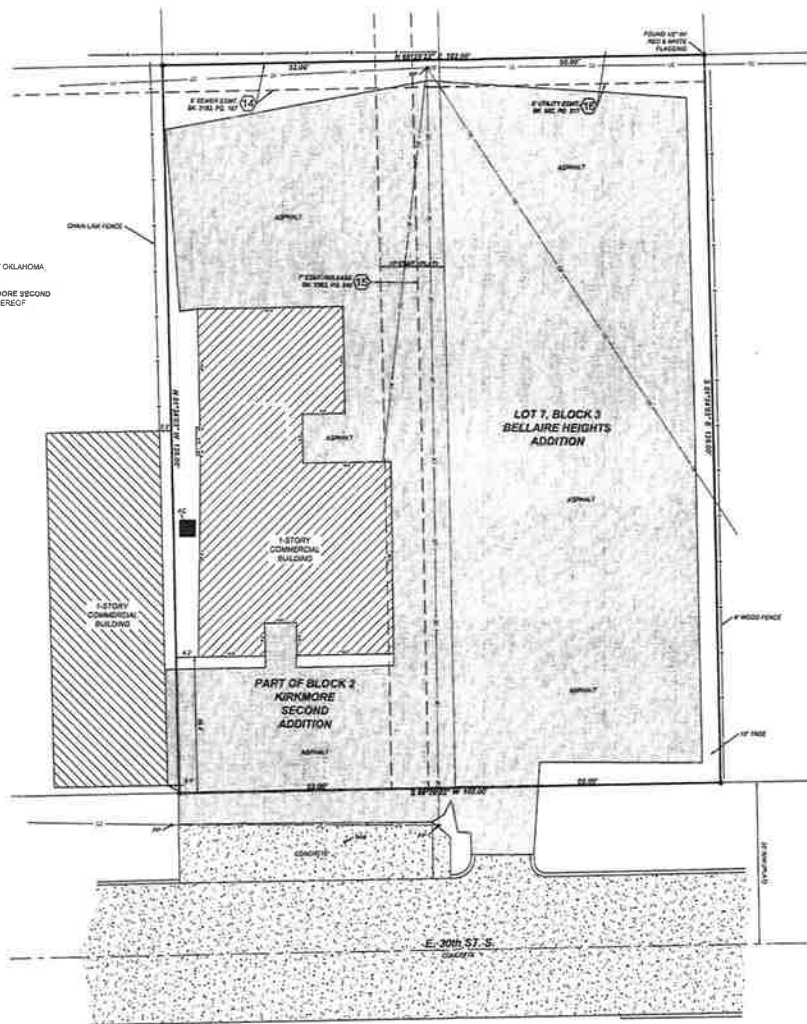
LOT SEVEN (7), BLOCK THREE (3), BELLAIRE HEIGHTS ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.

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.

AMERICAN EAGLE TITLE INSURANCE COMPANY
FRISCO TITLE COMPANY
(FILE NO.: 1904-0154-80 - COMMITMENT DATE MAY 13, 2019 AT 07:56 AM)

- 11 BUILDING SETBACK LINES AS SHOWN ON PLATS KIRKMOORE AND BELLARE HEIGHTS.
12 NO SETBACK LINES SHOWN ON PAGE OF EITHER PLAT.
- 13 DEEP OF DEEDING RECORDED FOR KIRKMOORE SECOND ADDITION AS PLAT #778.
14 FOR BELLARE HEIGHTS AS SHOWN ON PLAT #779. THE SUBJECT PROPERTY IN A BLANKET MANNER,
15 NOT A SURVEY MATTER, NO GRAPHS SHOWN.
- 16 NORTH OF WAY IN FAVOR OF MISSOURI, KANSAS AND OKLAHOMA RAILROAD COMPANY FILED IN BOOK
17 4156, PLAT 403, DEED 283, PAGE 246.
- 18 SEWER EASEMENT IN FAVOR OF THE CITY OF TULSA FILED IN BOOK #283, PAGE 187.
19 AFFECTS THE NORTH 1/4 OF THE SOUTH HALF OF BLOCK 3 A23 SHOWN HEREON.
- 20 ORDINANCE NO. 6571 IN BOOK 283, PAGE 246. AFFECTS THE WEST 7/8 OF THE EAST 1/2 OF BLOCK 3 A23
21 SHOWN HEREON.
- 22 RESTRICTIONS AGREEMENT FOR BELLARE HEIGHTS IN BOOK 682, PAGE 317
23 AFFECTS THE NORTH 1/4 OF LOT SHOWN HEREON.

AC	■	AIR CONDITIONER	— OM —	■	OVERHEAD ELECTRIC
PP	■	POWER POLE		■	SANITARY SEWER
RW	■	RIGHT-OF-WAY	— S —	■	FENCE LINE
WM	■	WATER METER			



ITEM 1:	SET 30" IRON PIN W/ GREEN "FRTZ CASAB" CAP OR MAG NAIL W/ "FRTZ CASAB" W/ASHER AT ALL CORNERS UNLESS NOTED AND SHOWS OTHERS HEREON
ITEM 2:	SUBJECT PROPERTY ADDRESS: 321 E 30th St, 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, UNPAID NO. 40143C0320 - MAY 7, 2019. WHICH INDICATES THE SUBJECT PROPERTY TO BE WITHIN UNPAID ZONE "X" AREAS DETERMINED TO ROUTINE THE 5.0% ANNUAL CHANCE FLOODPLAIN.
ITEM 4:	GROSS LAND AREA: 13,770.27 ± 16.33 ACRES
ITEM 5:	FEATURES OBSERVED AT THE TIME OF THE SURVEY ARE SHOWN HEREON
ITEM 6:	NO EARTH MOVING WORK OR BUILDING CONSTRUCTION WAS OBSERVED AT THE TIME OF SURVEY

TO: AMERICAN EAGLE TITLE INSURANCE COMPANY
FRISCO TITLE COMPANY
BLAKMAR, LLC
BOBBY JO CMSTEAD AND KAREN L. CMSTEAD, CO-TRUSTEES OF THE BOBBY JO CMSTEAD REVOCABLE LIVING TRUST, DATED
THE 18TH OF JANUARY, 2003 (J. 7, 8 3, BELLARE HEIGHTS)
BOBBY JO CMSTEAD AND KAREN L. CMSTEAD, CO-TRUSTEES OF THE BOBBY JO CMSTEAD REVOCABLE LIVING TRUST, DATED
THE 18TH OF JANUARY, 2003 (J. 7, 8 3, BELLARE HEIGHTS)

THIS IS TO CERTIFY THAT THIS MAP OR PLAN AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DESIGN REQUIREMENTS FOR ALTHAMPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND KSPLE, AND INCLUDES ITEMS 1, 2, 3, 4, & 6 OF TABLE THEREOF. DATE OF LAST SITE VISIT WAS MAY 6, 2019. BEARINGS ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, (3500' ON N, NAD 83) NORTH AMERICAN DATUM 1983 (NAD83) USING THE SOUTH LINE OF BLOCK 3 KIRKWOOD SECOND ADDITION AS SOUTH 89°22'22" WEST.

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

ANDY FRITZ, PL
OK INC 1694
CA 95041



ALTA/NSPS LAND TITLE SURVEY 1904-0164-80

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

ISSUED FILE	DATE 08/29/18	PREPARED BY: FRITZ LAND SURVEYING, LLC 3016 W 1ST STREET, TULSA, OK 74106 PH 918.551.5575 FRITZLANDSURVEYING@GMAIL.COM C.N. #5888 EXPIRES 6/30/2020
APPROVED FILE	DATE 08/24/18	
SCALE 1"=10'	REV.	
PROJECT NO. 18120		



13.14





Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7501

Hearing Date: October 16, 2019
(Originally scheduled for October 2, 2019)

Case Report Prepared by:

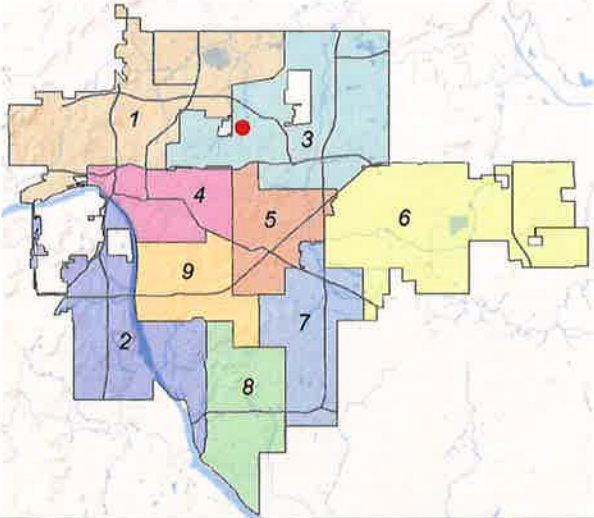
Jay Hoyt

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 Saltee

141

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.

14.3

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.

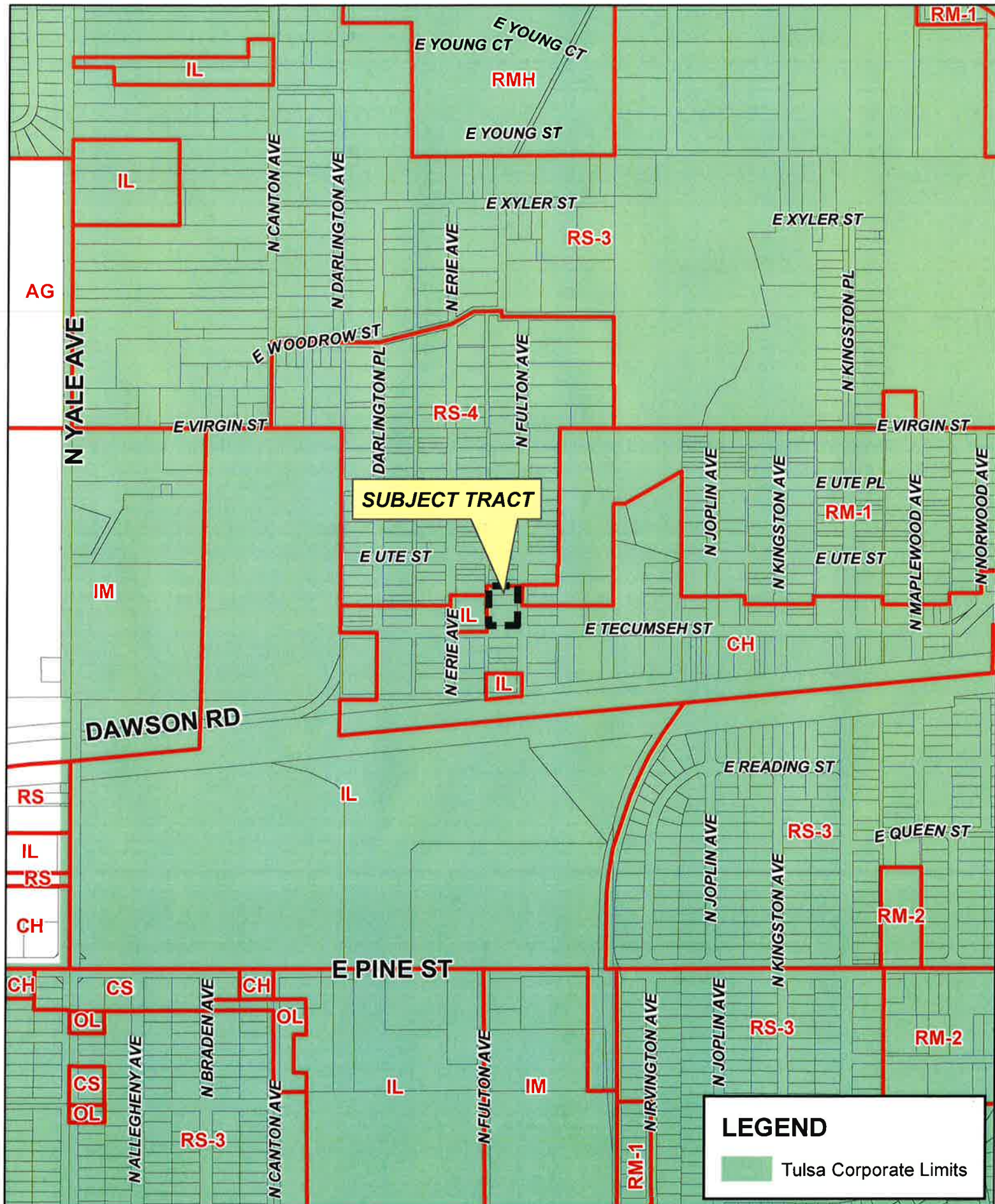
Surrounding Property:

No Relevant History.

10/2/2019 1:30 PM

14.4

REVISED 10/8/2019



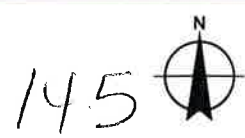
LEGEND

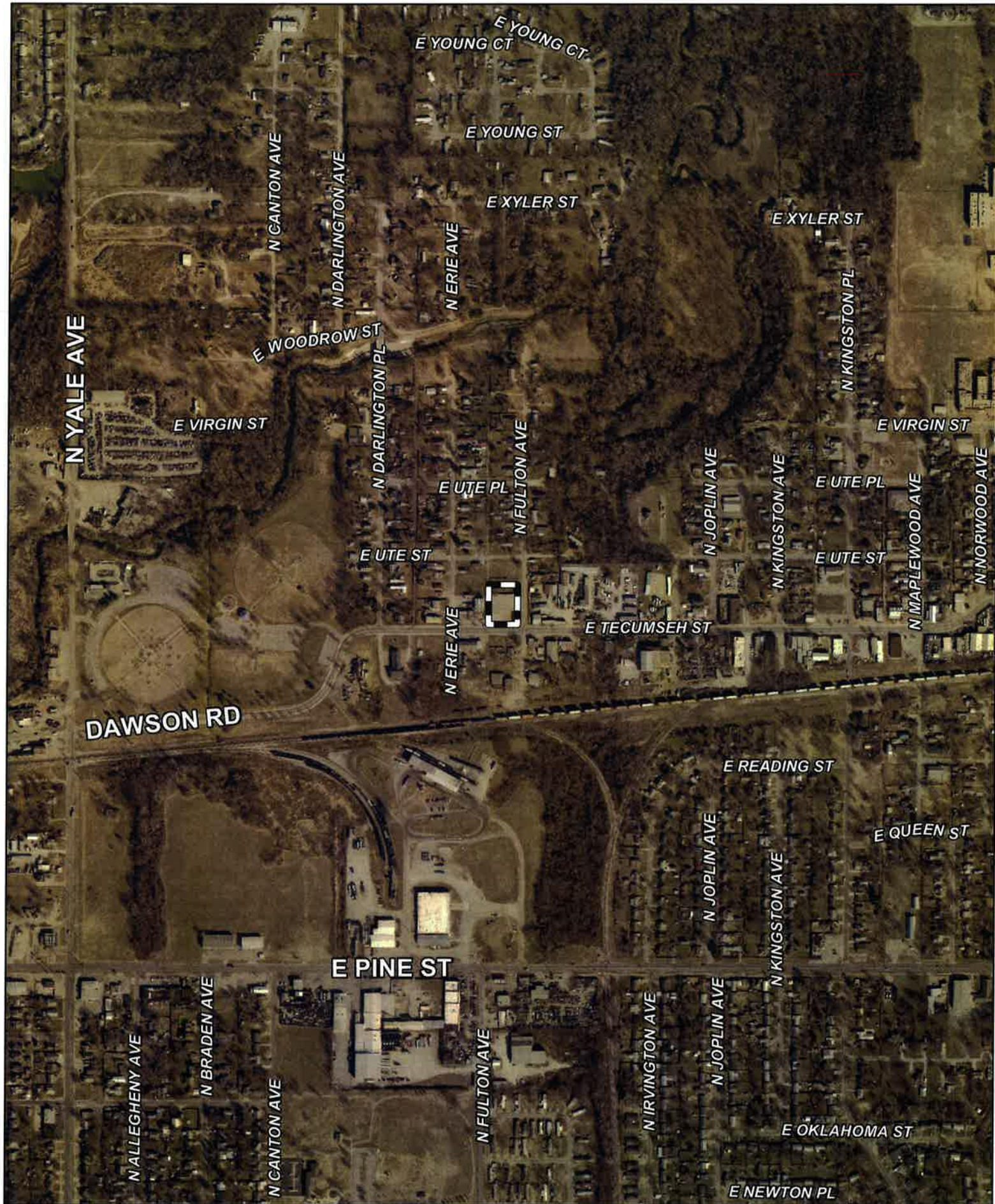
 Tulsa Corporate Limits



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



14.6



EUTE ST

N FULTON AVE

E TECUMSEH ST

N ERIE AVE



Subject
Tract

Z-7501

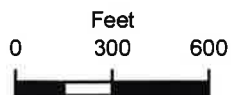
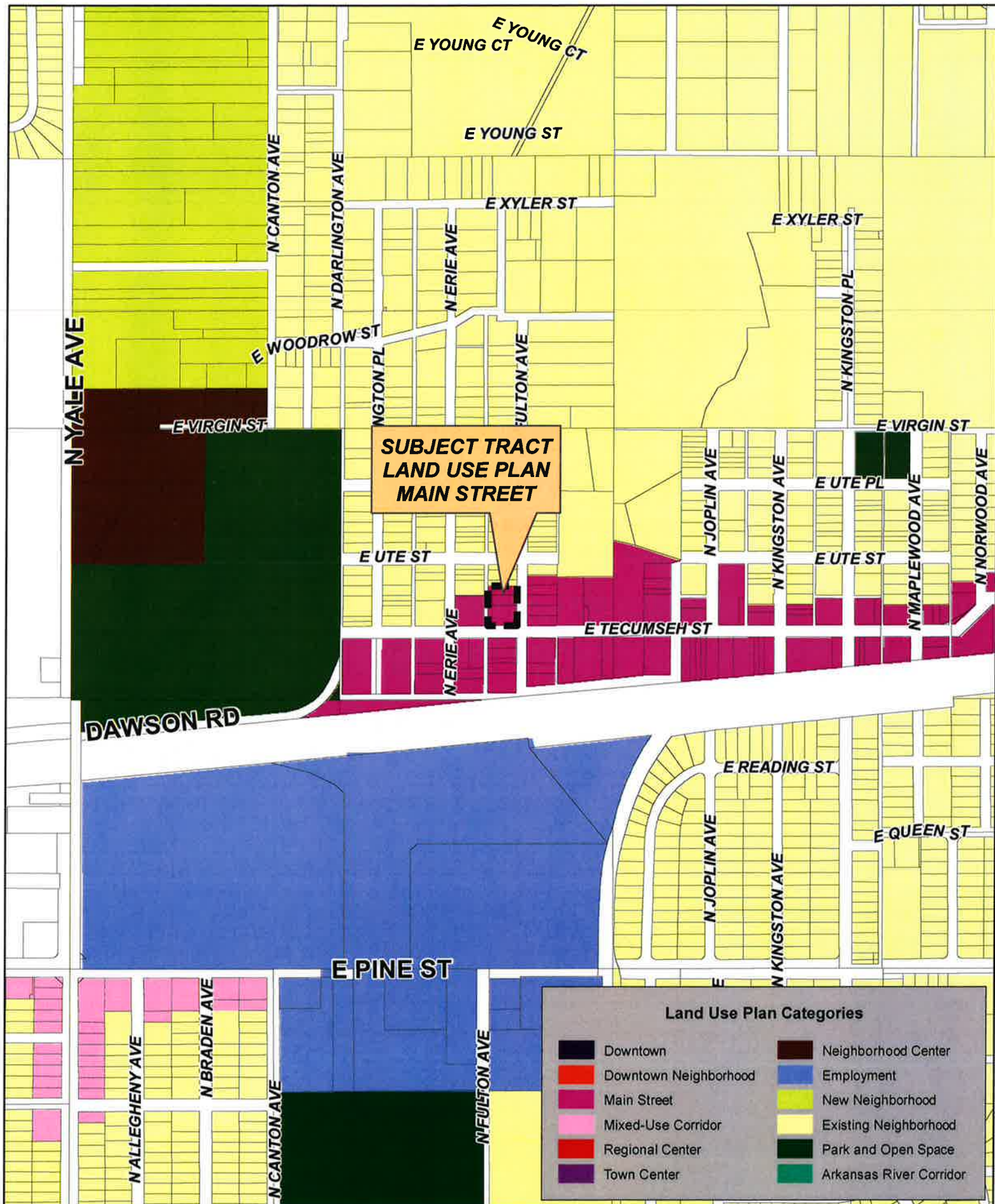
20-13 27

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

Aerial Photo Date: February 2018

14.7

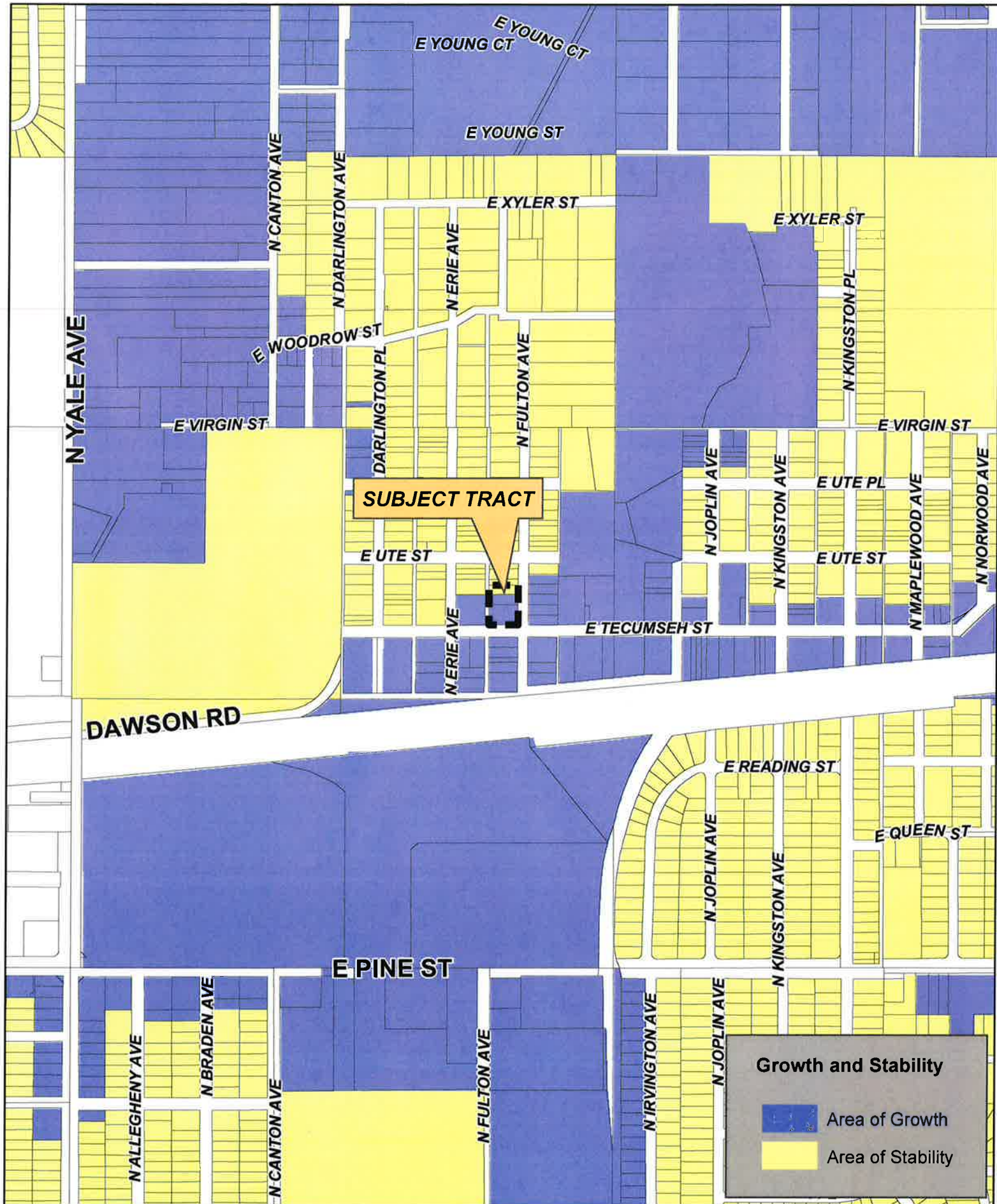






Z-7501

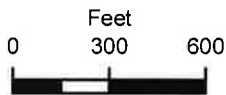
20-13 27





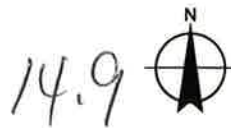
Growth and Stability

-  Area of Growth
-  Area of Stability



Z-7501

20-13 27





Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7502

Hearing Date: October 16, 2019

Case Report Prepared by:

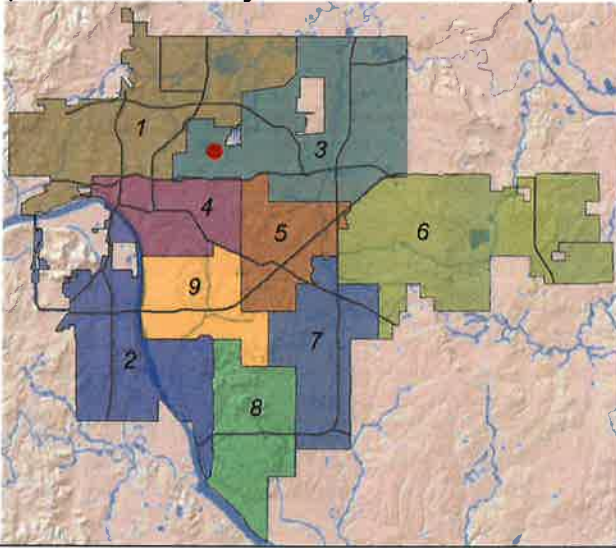
Jay Hoyt

Owner and Applicant Information:

Applicant: Brian Carbajal Carranza

Property Owner: CARRANZA, JAVIER HERNAN
CARBAJAL

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Vacant/Car Lot

Proposed Use: Cultivation Facility

Concept summary: Rezone from RM-2/CS to IL to permit a medical marijuana cultivation facility.

Tract Size: 1.57 ± acres

Location: South of the Southeast corner of Dawson Road & North Harvard Avenue

Zoning:

Existing Zoning: RM-2, CS

Proposed Zoning: IL

Comprehensive Plan:

Land Use Map: Employment

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 0333
CZM: 29

City Council District: 3

Councilor Name: Crista Patrick

County Commission District: 2

Commissioner Name: Karen Keith

15.1

SECTION I: Z-7502

DEVELOPMENT CONCEPT: The applicant is proposing to rezone from RM-2/CS to IL in order to permit a medical marijuana cultivation facility on the subject lots.

The proposed facility will be required to follow all city and state requirements for a medical marijuana cultivation facility. The City of Tulsa zoning code requires the facility to be indoors with an air filtration / ventilation system installed that prevents odors from being detected from outside the boundaries of the lot. An electronic security system and surveillance camera are also required to be installed.

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-7502 allows uses that are non-injurious to surrounding proximate properties;

Z-7502 is consistent with the anticipated future development pattern of the surrounding property;

Z-7502 is consistent with the Employment land use designation of the Comprehensive Plan, therefore;

Staff recommends **Approval** of Z-7502 to rezone property from RM-2/CS to IL.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The site is located within the Employment Land Use and Growth designation of the City of Tulsa Comprehensive Plan.

Land Use Vision:

Land Use Plan map designation: Employment

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

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

Areas of Stability and Growth designation: Area of Growth

15.2

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: N Harvard Ave is designated as a Secondary Arterial and Multi-Modal Corridor.

Trail System Master Plan Considerations: None

Small Area Plan: Sequoyah Neighborhood Implementation Plan

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site contains an auto body shop and small car lot.

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
N Harvard Ave	Secondary Arterial	100 Feet	4

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	RM-2/CS	N/A	N/A	Railroad ROW
South	RM-2	Employment	Growth	Community Center
East	RM-2	Employment	Growth	Single Family

West	IM	Employment	Growth	Industrial
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SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11809 dated June 26, 1970 established zoning for the subject property.

Subject Property:

BOA-22093 June 2016: The Board of Adjustment **approved** a *Special Exception* to permit used car sales in the CS District; a *Variance* to allow outdoor storage and display of merchandise within 300 feet of the abutting R District, subject to conceptual plan, on property located 1307 North Harvard Avenue East. Additionally:

1. Although the conceptual plan designates an auto paint area there is no approval for the painting of vehicles on the subject property.
2. The Board approved a maximum of 20 cars for sale on the subject property excluding the customer parking.
3. There are no inoperable vehicles.
4. There is to be no auto repair work performed on the vehicles outside.
5. There is to be no tires stored outside.
6. The applicant must meet the Section 55.090 for the parking standards required.
7. The approval for the Special Exception and Variance is for a period of 10 years from today's date, expiring on June 28, 2026.

BOA-21040- A March 2011: The Board of Adjustment **approved** a *Special Exception* to permit automotive repair and mechanical repair in a CS district; and a *Modification of Conditions* to a previous approval to #1 and #2 permit mechanical repair, #7 permit limited outside storage of tires, #8 eliminate or amend the condition to asphalt or concrete the gravel on the most southernly building 1307, #10 to modify the time limitation; and amend the site plan, on property located 1307 and 1315 North Harvard Avenue. Specifically, the board is modifying the earlier decision of March 23, 2020 as follows:

1. Permitting by Special Exception auto body repair and painting under Use Unit 17, no other Use Unit 17 activities are authorized. The Special Exception does not include the sale of automobiles. It is to permit auto body painting within 150'-0" of R zoned land, it is noted that approximately 94 feet of the R zoned land is under common ownership.

15.4

2. The Special Exception to modify the screening requirement on all the east and south property lines is modified as follows: the Board understands that an eight foot board fence has been constructed. That any storage of tires shall not exceed a height of eight feet, and that any such tires on racks shall be screened from the R zoned property to the south.
3. All driving and parking surfaces around the building to the south, north, and back will be asphalt or concrete.
4. There shall be no outside storage of batteries or other implements.
5. The gravel around the most southerly building, 1307 North Harvard, shall be covered with concrete or asphalt if it is intended for use as a driving or parking surface.
6. The Board reiterates that no damaged vehicles shall be parked on the lot for more than 30 days.
7. The Board is modifying the approval on all Special Exceptions and the Variance and specifying it shall remain in effect for a six-year period, from March 23, 2010 to March 22, 2016.
8. The hours of operation for either body work, tire shop, or mechanical work shall be 7:00 a.m. to 7:00 p.m.

BOA-21040 March 2010: The Board of Adjustment **approved** a *Special Exception* to permit auto body repair and painting in a CS district; a *Special Exception* to permit auto body painting on a lot within 150 feet of an R zoned land; a *Special Exception* to modify the screening requirement along the east and south property lines, and a *Variance* to permit open-air storage within 300 ft. of an adjoining R district to the east, on property located 1307 and 1315 North Harvard Avenue with the following conditions:

1. The special exception is permitting auto body repair and painting only under Use Unit 17.
2. This special exception does not include mechanical repair or the sale of automobiles.
3. This special exception is to permit auto body painting within 150ft. of R zoned land, it is noted that approximately 94 feet of the R zoned land is under common ownership.
4. The special exception to modify the screening requirement along the east and south property lines; the Board is modifying this and providing for an 8ft. board fence along the R zoned property from the southeast corner of the combined properties along the east boundary approximately 180 ft. or at least beyond the existing gate in the chain link fence.

5. The R zoned land and the garage /storage building in the southeast corner cannot be used for commercial purposes (i.e. the body shop and painting business).
6. All driving and parking surfaces around the building the south, north, and back particularly will be asphalted or concrete.
7. There should be no outside storage of batteries, tires, or other such implements on the lot.
8. The gravel on the most southerly building 1307 specifically shall be asphalt or concrete.
9. No damaged vehicles shall be parked on the lot for more than thirty days.
10. This approval on all the special exceptions and the variance shall remain in effect for a three-year period from March 23, 2010.

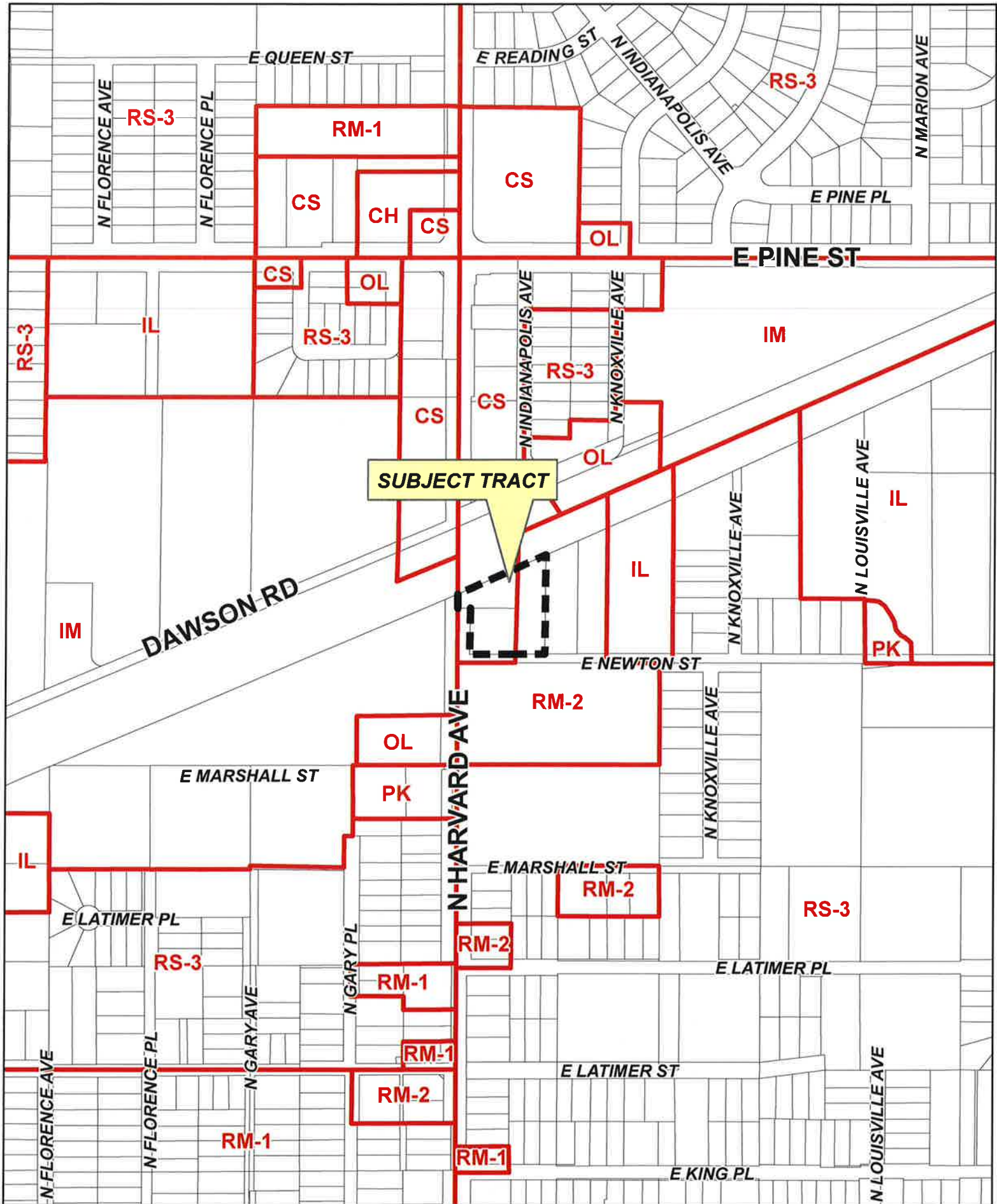
BOA-7237 December 1971: The Board of Adjustment **determined** that the use as presented is found in Use Unit 17, Automotive and Allied Activities, and approved an Exception to permit operating a trailer hitch and part sales and installation in a CS District, on property located 1315 North Harvard Avenue.

Surrounding Property:

Z-4913 December 1976: All concurred in **approval** of a request for *rezoning* a 2.2+ acre tract of land from RM-2 to IL on property located west of the NW corner of Newton Street and Knoxville Avenue.

10/16/2019 1:30 PM

15.6

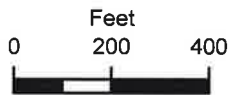


SUBJECT TRACT

Z-7502

20-13 33

15.7





0 Feet 200 400



Subject Tract

Z-7502

20-13 33

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

Aerial Photo Date: February 2018





0 50 100
Feet



Subject
Tract

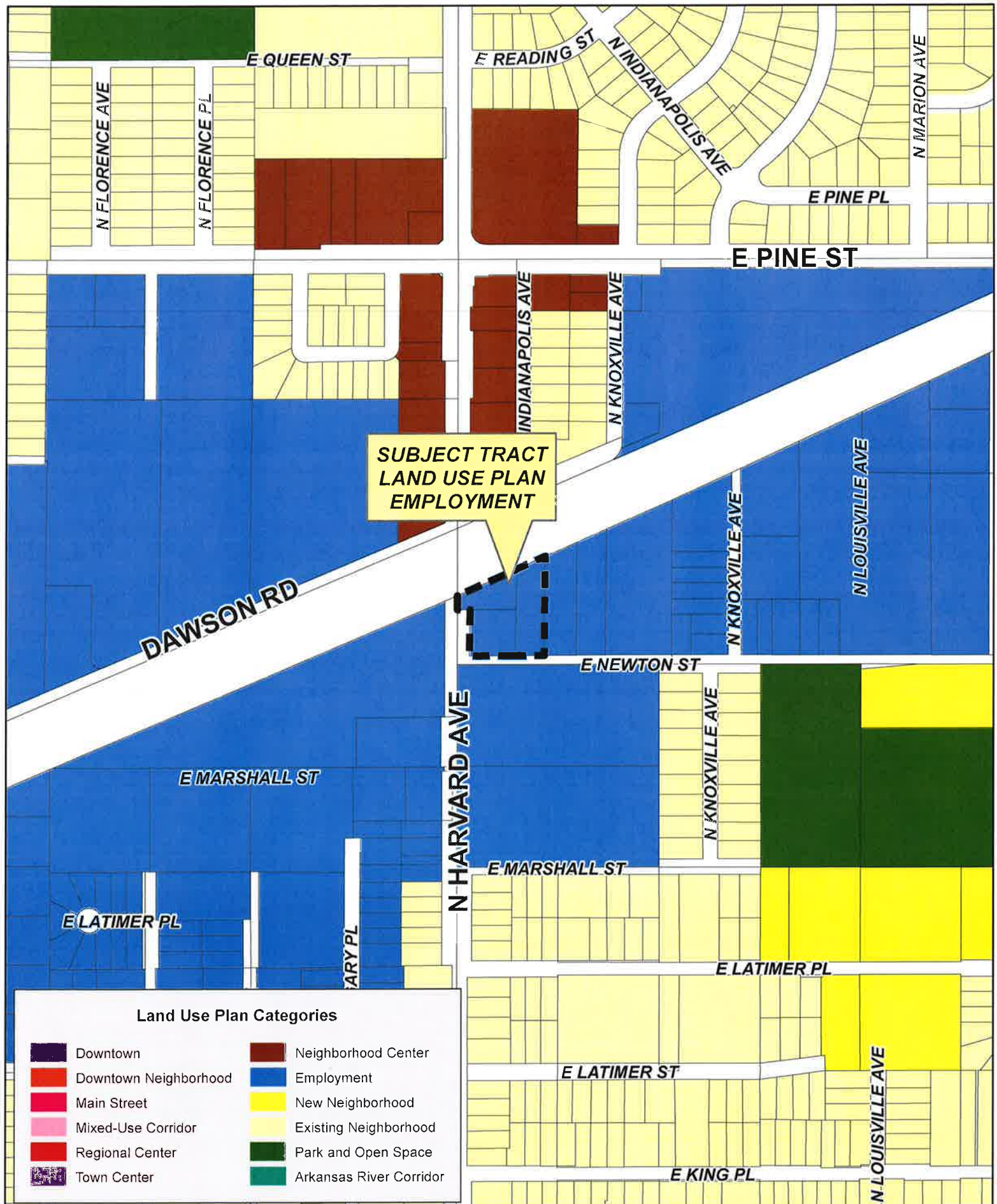
Z-7502

20-13 33

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

Aerial Photo Date: February 2018

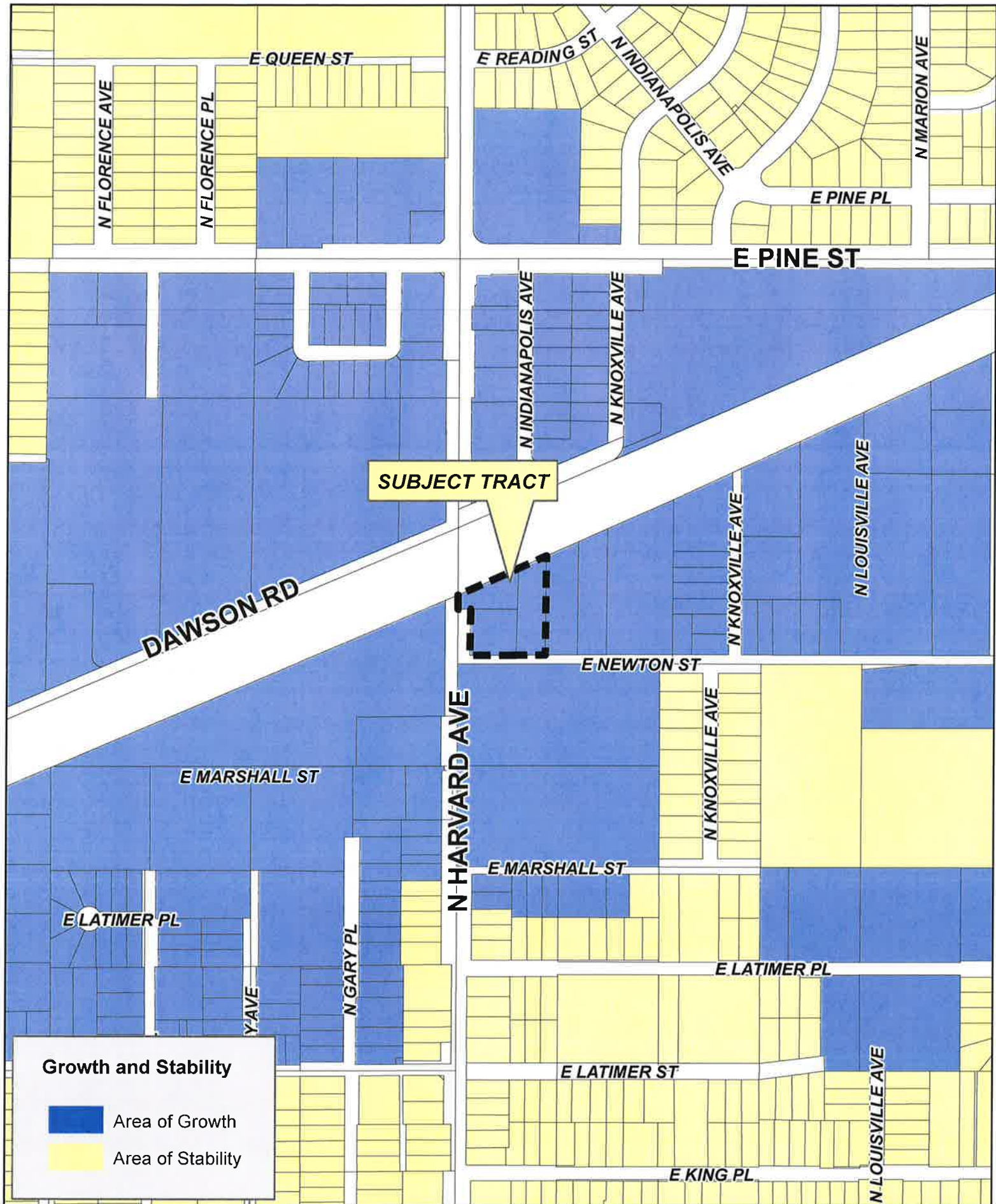






Z-7502

20-13 33





Growth and Stability

-  Area of Growth
-  Area of Stability



Z-7502

20-13 33





Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7503

Hearing Date: October 16, 2019

Case Report Prepared by:

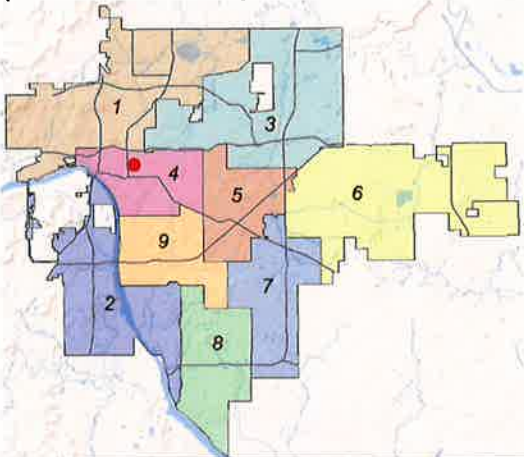
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: David Henke

Property Owner: NORIA PROPERTIES LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Vacant

Proposed Use: Office and Retail

Concept summary: Rezoning request as part of the mixed-use zoning initiative associated with the bus rapid transit system along Peoria Avenue

Tract Size: 1.89 ± acres

Location: North of the Northeast corner of East 11th Street South & South Peoria Avenue

Zoning:

Existing Zoning: RS-4,CH

Proposed Zoning: MX1-U-U

Comprehensive Plan:

Land Use Map: Downtown Neighborhood,
Mixed-Use Corridor

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 9306
CZM: 37

City Council District: 4

Councilor Name: Kara Joy McKee

County Commission District: 2

Commissioner Name: Karen Keith

Re. 1

SECTION I: Z-7503

DEVELOPMENT CONCEPT: This request for rezoning is responsive to a City Council initiative to encourage mixed use development along the proposed bus rapid transit system route. The west half of the block is currently zoned CH and does not have a building height restriction. The Mixed-Use rezoning request is also for unlimited height.

The City initiated a land use study that resulted in zoning recommendations on property within ½ a mile of proposed enhanced stations along the bus rapid transit route. The subject property was included in that recommendation and the owner of that property has opted-in to a voluntary rezoning program initiated by the Tulsa City Council.

The site has been acquired anticipating a multi-story mixed use building.

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
- City Council MX initiative map (South Peoria at 11th Street)
- Applicant Exhibits:
 - Concept Site plan

DETAILED STAFF RECOMMENDATION:

Case Z-7503 request MX1-U-U is consistent with the expected development pattern in the area and,

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

The bus rapid transit study recommended MX1-U without a height recommendation on this site. The rezoning request is consistent with the Bus Rapid Transit System study and its land use recommendations and,

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

Staff recommends **APPROVAL** of Z-7503 to rezone property from CH and RS-3 to MX1-U-U.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: MX1-U-U is consistent with the land use vision in the Tulsa Comprehensive Plan and is also consistent with the goals, objectives and strategies of the Executive Summary of the Pearl District Small area plan as adopted in July, 2019.

Land Use Vision:

Land Use Plan map designation: Downtown Neighborhood, Mixed-Use Corridor

Downtown Neighborhoods are located outside but are tightly integrated with the Downtown Core. These areas are comprised of university and higher educational campuses and their

16.2

attendant housing and retail districts, former warehousing and manufacturing areas that are evolving into areas where people both live and work, and medium to high-rise mixed-use residential areas. Downtown Neighborhoods are primarily pedestrian-oriented and are well connected to the Downtown Core via local transit. They feature parks and open space, typically at the neighborhood scale.

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

Areas of Stability and Growth designation: Area of Growth

The purpose of Areas of Growth is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

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

Transportation Vision:

Major Street and Highway Plan: South Peoria Avenue is classified as Multi Modal Corridor.

Multi-modal streets emphasize plenty of travel choices such as pedestrian, bicycle and transit use. Multimodal streets are located in high intensity mixed-use commercial, retail and residential areas with substantial pedestrian activity. These streets are attractive for pedestrians and bicyclists because of landscaped medians and tree lawns. Multi-modal streets can have on-street parking and wide sidewalks depending on the type and intensity of adjacent commercial land uses. Transit dedicated lanes, bicycle lanes, landscaping and sidewalk width are higher priorities than the number of travel lanes on this type of street. To complete the street, frontages are required that address the street and provide comfortable and safe refuge for pedestrians while accommodating vehicles with efficient circulation and consolidated-shared parking.

Streets on the Transportation Vision that indicate a transit improvement should use the multi-modal street cross sections and priority elements during roadway planning and design.

Trail System Master Plan Considerations: None

Small Area Plan: 6th Street Infill Plan

The small area plan was updated July 3rd, 2019. The land use designations are Mixed Use Corridor and Downtown neighborhood. The priorities of the small area plan and some of the redevelopment goals of that plan include:

Priority 1: Stabilize and revitalize existing residential areas, promote homeownership and housing affordability and increase housing choice.

Priority 2: Promote development that retains existing businesses and increases employment, mixed-use, commercial and retail opportunities

Goal 6: Revitalize and redevelop vacant properties

Goal 7: Provide more retail, dining, and entertainment options

Goal 8: Encourage higher density development in transit rich areas

Goal 9: Improve commercial transportation access

Goal 10: Ensure adequate parking supply using shared parking approach in the Pearl District.

Priority 3: Increase safety and security throughout the district.

Priority 4: Improve targeted infrastructure to support health and wellness and catalyze development

Special District Considerations:

This site is included in the Bus Rapid Transit Corridor Study area along Peoria. MX1-U zoning was recommended along the west half of this block.

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site west of the alley is empty. East of the alley only two homes on the northeast corner of the block remain. The alley is not maintained by the city but is paved and utilities are in the alley. The northwest corner of the block is not included in this development and it is unlikely that the alley could be vacated unless the remaining property owners agree to removal of the alley.

Remaining driveways from South Quaker will need to be removed and curb lines repaired during development. Sidewalks are also in poor condition and will require reconstruction.

*View from southeast corner of site looking northwest:
(See next page)*



View from Northeast Corner of site looking southwest:



Environmental Considerations: None that affect site development

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Peoria Avenue	Secondary arterial with multi modal corridor	100 feet	4
East 8 th Street South	None	50 feet	2
East 10 th Street South	None	50 feet	2
South Quaker Avenue	None	50 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	RS4 and CS	Mixed use corridor / downtown neighborhood	Growth	Single story office buildings
East	RS-4	Downtown neighborhood	Growth	Single family residential
South	CH and RM-2	Mixed use corridor / downtown neighborhood	Growth	Office and surface parking
West	MPD-FBC1	Park and open space/ mixed use corridor	Growth	Cemetery across Peoria Avenue

SECTION III: Relevant Zoning History

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

Subject Property:

CPA-81 July 2019: All concurred in **approval** to *adopt* CPA-81, The Pearl District Small Area Plan as an amendment to the Tulsa Comprehensive Plan. The plan area boundary is located east of Downtown Tulsa, bordered by Interstate 244 to the north, Utica Avenue to the east, 11th Street to the south, and Highway 75 to the west.

Surrounding Property:

SA-4 (Route 66 Overlay) June 2018: All concurred in approval to apply supplemental RT66 (Route 66 Overlay) zoning to multiple properties along South 193rd East Avenue, East 11th

Street, South Mingo Road, East Admiral Boulevard, East Admiral Place, West 11th Street South, and Southwest Boulevard.

BOA-22410 March 2018: The Board of Adjustment **approved** a request for a *variance* to allow required accessible parking spaces to be located off site from the principal use, on property located at 1007 South Peoria Avenue East.

10/16/2019 1:30 PM

16.7

REVISED 10/8/2019



0 200 400
Feet



Subject
Tract

Z-7503

19-13 06

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

Aerial Photo Date: February 2018





0 50 100
Feet



Subject
Tract

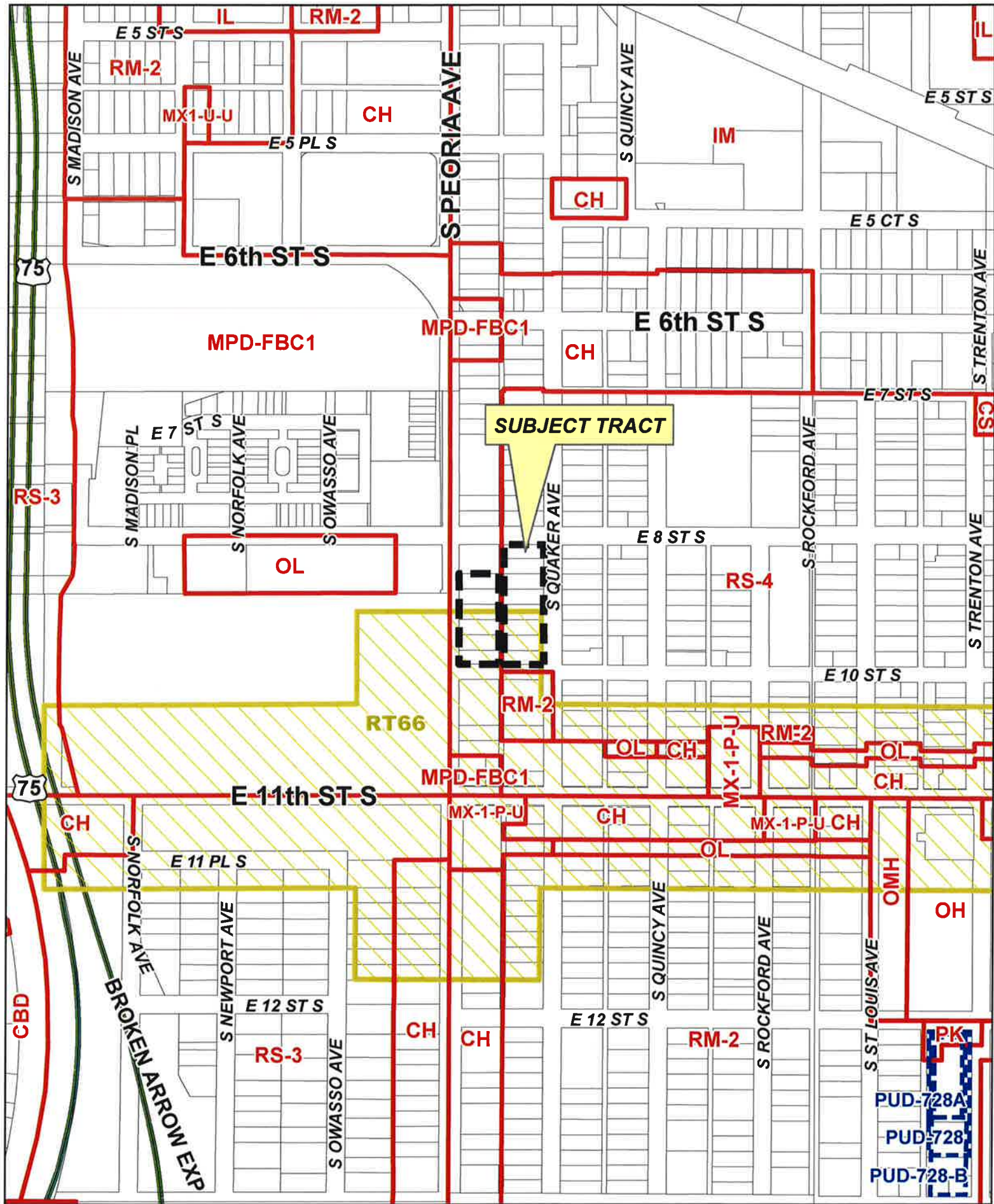
Z-7503

19-13 06

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

Aerial Photo Date: February 2018

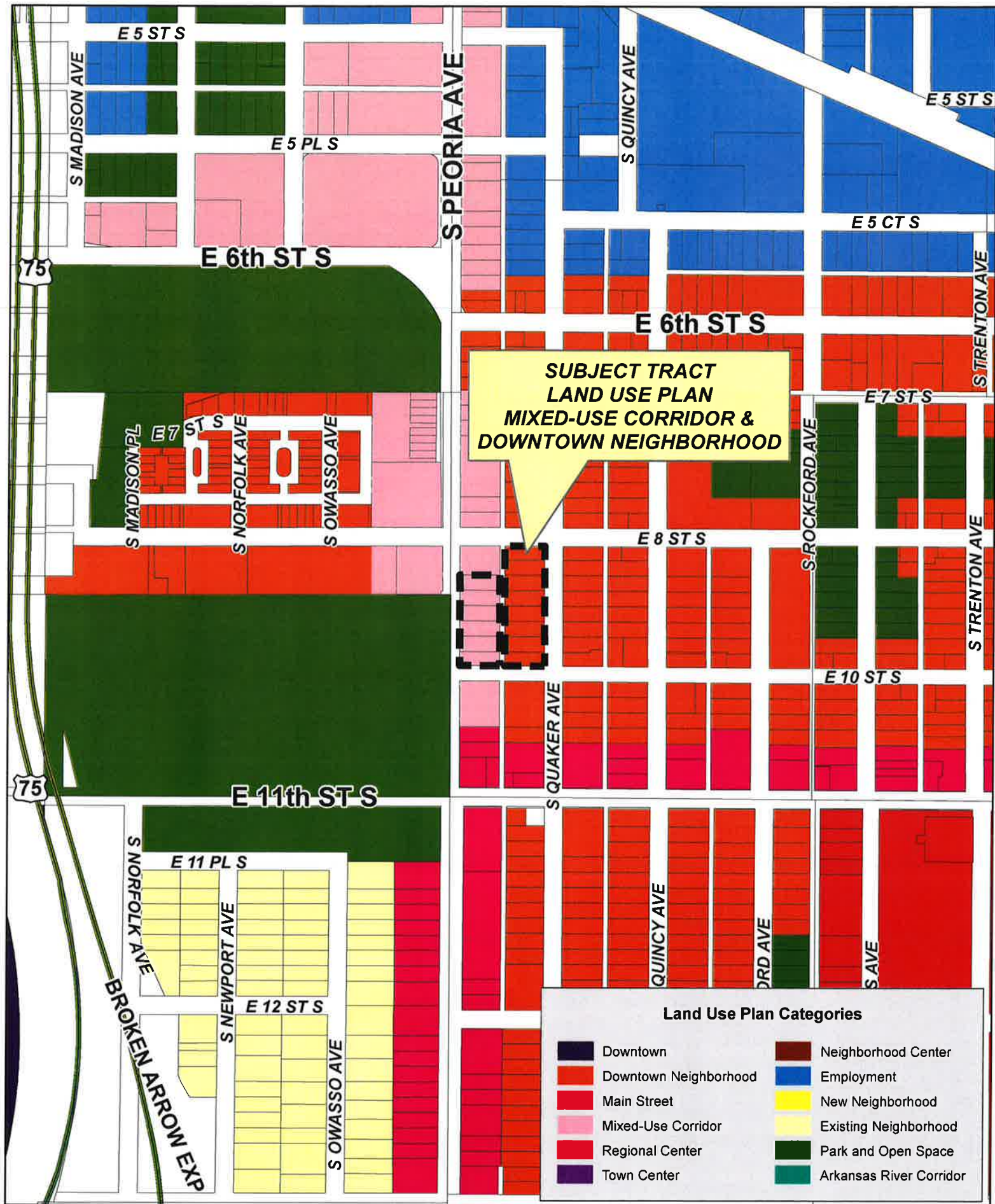




Z-7503

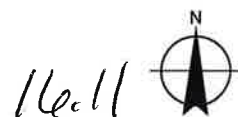
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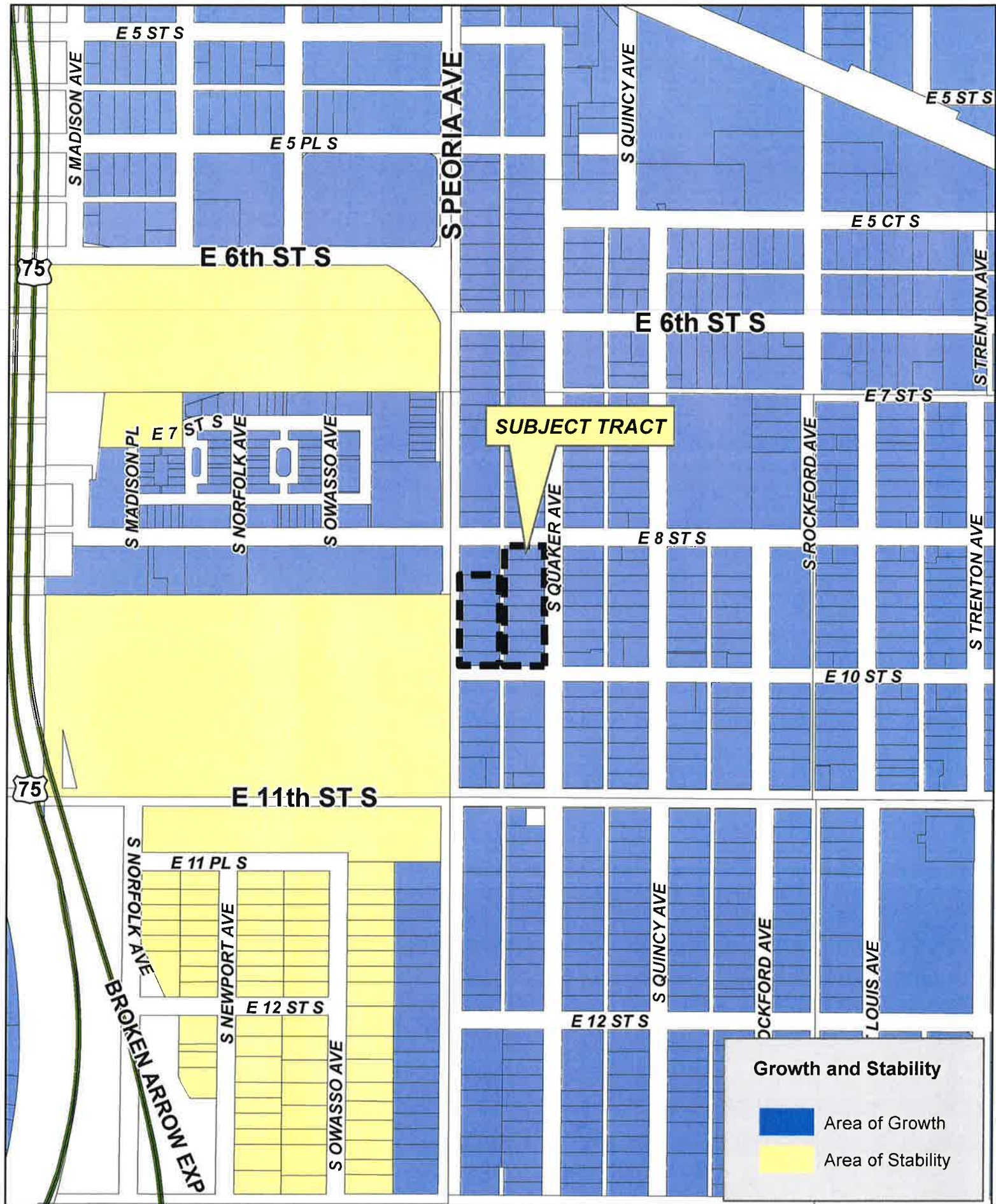




Z-7503

19-13 06





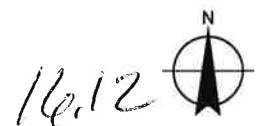
Growth and Stability

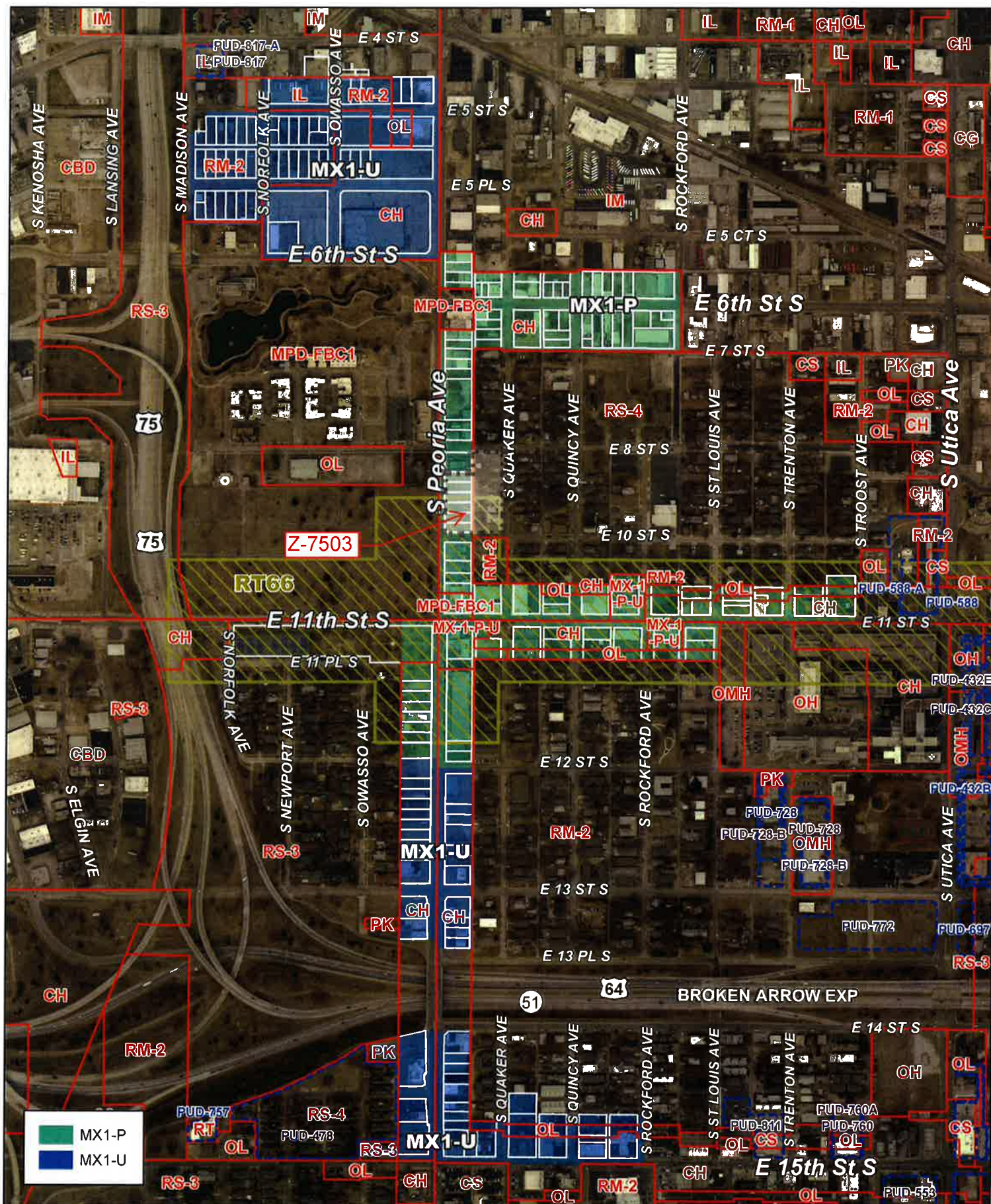
- Area of Growth
- Area of Stability



Z-7503

19-13 06





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

Aerial Photo Date: February 2018

11th Street

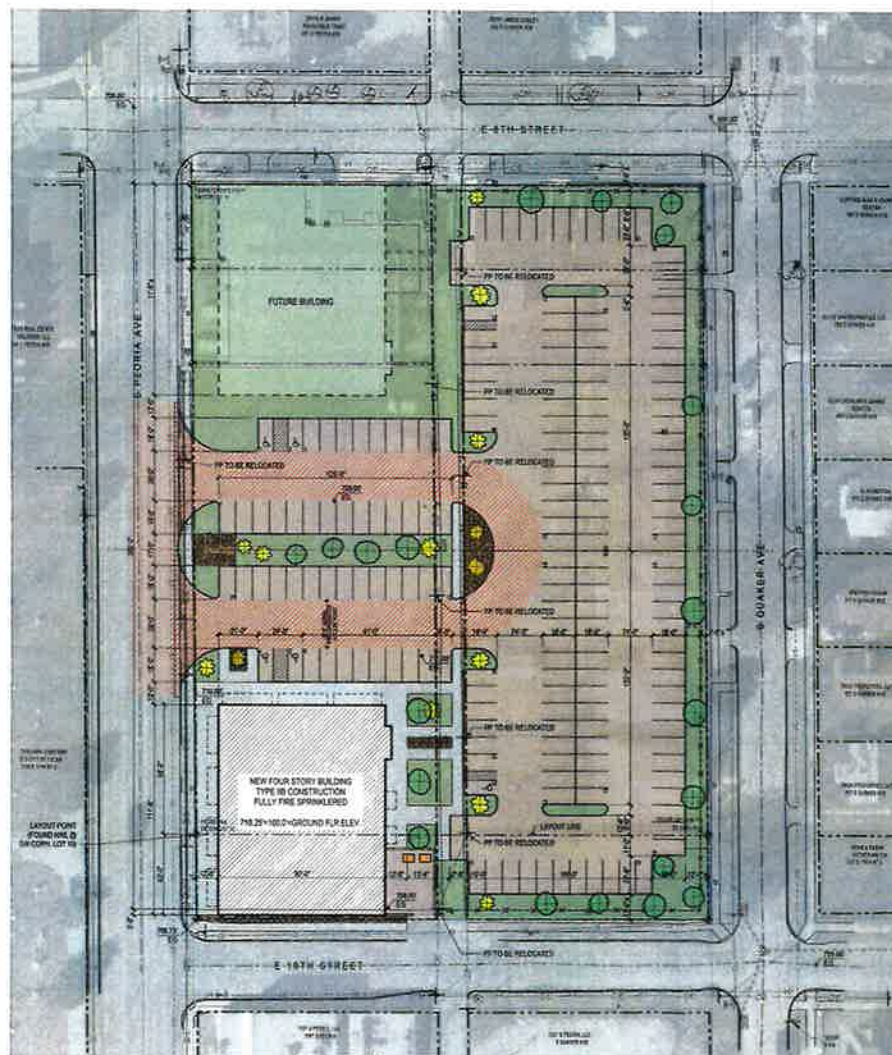
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1613



CJC Architects, Inc.
 1401 S Denver Ave, Suite B, Tulsa OK 74119-3445
 918-562-7129
 cjcarchitects.com



Revised Date	Revised

SITE PLAN LEGEND

[Symbol]	01 5000 - AREA OF WORK BOUNDARY
[Symbol]	EXISTING ASPHALT PAVING
[Symbol]	EXISTING CONCRETE PAVING
[Symbol]	EXISTING GRASS
[Symbol]	12 1216 - AREAS OF ASPHALT PAVING
[Symbol]	12 1210 - AREAS OF CONCRETE PAVING
[Symbol]	12 5219 - AREAS OF SEEDING
[Symbol]	12 5223 - AREAS OF SOILING
[Symbol]	12 1300 - PLANTING BEDS

SITE PLAN NOTES

1. COORDINATE LOCATION OF CONSTRUCTION FENCE AND GATES WITH OWNER TO ACCOMMODATE CONTINUED OPERATION OF THIS FACILITY DURING CONSTRUCTION.
2. PAVING DIMENSIONS ARE TO BACK OF CURB UNLESS NOTED OTHERWISE.
3. REFER TO CIVIL ENGINEERING DRAWINGS FOR STORMWATER MANAGEMENT SYSTEM AND STRUCTURES, SITE GRADING PAVING AND SITE UTILITY CONFIGURATION.
4. CONTRACTOR SHALL BE RESPONSIBLE FOR COMPLYING WITH ALL CITY AND STATE ENVIRONMENTAL IMPACT AND TEMPORARY STORMWATER MANAGEMENT REQUIREMENTS.

Project Name
**PEARL RIDGE
 PH1 OFFICE BUILDING**
 825 S PEORIA AVE, TULSA, OK 74106

Owner
NORIA LLC
 1328 E 43RD CT, TULSA, OK 74105

Drawn For
**ARCHITECTURAL SITE
 PLAN**

Sheet Number	1921
Revision	
Author	
Checker	
Design	
Drawn	

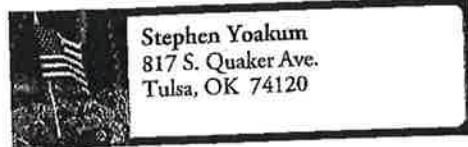
Design
 REVIEW
 DOCUMENT
 NOT FOR
 CONSTRUCTION

21 August 2019

A002

16.14

FILE COPY



Metropolitan Planning Commission
City of Tulsa, OK. 74103

Ref. case number ~~Z-4499~~ 7-7503

Received letter regarding rezoning of 10th & Peoria.
I live on Quaker St, and have been here about sixty years.
At age of Ninety Two I don't feel capable of attending
this coming hearing. But do seriously object.

The reuse of Quaker would make living here most difficult,
to say the least. My home is paid and have new
roof. A bit of paint and I will be comfortable for rest of
my days. Hopefully years.

Please, please, consider my request to cancel request
for rezoning. Or put on hold for couple of years, if you do
that? Tulsa is my hometown. Born 1-3-27. Love it!

Thank You for hearing me,
Stephen Yoakum.

P.S. read Psalm 41:1

16.15

Wilkerson, Dwayne

From: Miller, Susan
Sent: Wednesday, October 9, 2019 12:34 PM
To: Wilkerson, Dwayne
Cc: Foster, Nathan
Subject: Z-7503

For the staff report...

FILE COPY

Susan Miller, AICP
Director
Tulsa Planning Office
2 W. 2nd St., 8th Floor | Tulsa, OK 74103
918.579.9470
smiller@incog.org



From: Baugher, Mayo <MayoBaugher@tulsacouncil.org>
Sent: Wednesday, October 9, 2019 11:52 AM
To: Miller, Susan <SMiller@incog.org>
Subject: FW: Rezoning my neighborhood

Would you be sure TMAPC sees this? Thanks!

Mayo Baugher | Council Aide III
Tulsa City Council
175 E. 2nd St, 4th Floor
Tulsa, OK 74103
918-596-1961
E: mayobaugher@tulsacouncil.org
www.tulsacouncil.org
Visit/Like/Follow/Watch:



From: Sarah Hetherington <sarahkhetherington@gmail.com>
Sent: Tuesday, October 8, 2019 9:01 PM
To: (DIST4) McKee, Kara Joy <dist4@tulsacouncil.org>
Subject: Fwd: Rezoning my neighborhood

Heya KJ! I sent you a note on Instagram but I know lots of folks don't use that often, so thought I'd hit you up here. I'm forwarding what I sent Dwain a moment ago - it explains the situation. Any advice or guidance would be EXTREMELY appreciated!

Best wishes,
Sarah

----- Forwarded message -----

From: **Sarah Hetherington** <sarahkhetherington@gmail.com>

Date: Tue, Oct 8, 2019 at 8:27 PM

Subject: Rezoning my neighborhood

To: Midget, Dwain <dmidget@cityoftulsa.org>

Hello Dwain,

You gave me great advice in the past about an abandoned house next door that had a lot of squatters, and I'm hoping you may be able to help me again.

After searching for the right home in the right location, my husband and I bought and moved into a cute little cottage at the corner of 10th and Quaker in the Pearl district. We quickly fixed up our house and made it into our cozy home.

Right when we closed on our place in December 2018, the row of homes from 8th to 10th along Quaker were bulldozed. Turns out that a company wants to put a 4 story building along Peoria, and have that row of residential lots become their parking lot. Not only does this mean my gorgeous view of the skyline will be totally blotted out, but I just went from being in a home nestled in a neighborhood to (potentially) living next to a huge parking lot.

The board of adjustment hearing is next Wednesday the 16th, and I'm hoping you can guide me in some way. I'm really excited about the new bus line down Peoria, and was looking forward to the development that I knew would accompany it. Living next to a 4 story office building and parking lot are the opposite of my dream when I bought this home less than a year ago and now I'm wondering if I have any footing to fight this.

Thanks for any advice or direction you can point me in,
Sarah Hetherington

I'm attaching the request for rezoning and have marked my spot (1335 E 10th St) in yellow.

Sawyer, Kim

Z-7504

From: Hoyt, Jay
Sent: Thursday, October 10, 2019 11:00 AM
To: Sawyer, Kim
Subject: FW: Z-7504 & Optional Development Plan

FILE COPY

Kim,

Below is a continuance to 11/6 request from the applicant for Z-7504.

Thank you,

Jay Hoyt

From: Ricky Jones [mailto:ricky@tannerbaitshop.com]
Sent: Thursday, October 10, 2019 10:54 AM
To: Wilkerson, Dwayne <DWilkerson@incog.org>; Hoyt, Jay <JHoyt@incog.org>
Cc: Erik Enyart <eenyart@tannerbaitshop.com>
Subject: Z-7504 & Optional Development Plan

Dwayne/Jay,

Please continue the above referenced rezoning and ODP applications located on South Union Avenue to the next available TMAPC meeting, November 6, 2019. If you have any questions, please feel free to contact me.

Thanks,

Ricky L. Jones, Principal, AICP

918.745.9929 Office

www.tannerbaitshop.com



Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7505

Hearing Date: October 16, 2019

Case Report Prepared by:

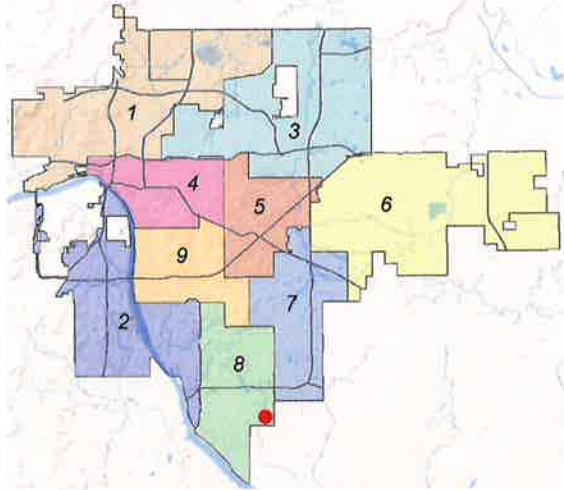
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Wallace Engineering c/o Mark Capron

Property Owner: CARLTON, ALAN W REV TRUST

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Vacant

Proposed Use: Residential

Concept summary: The west portion of the site is proposed to be single family detached homes. The east portion of the site is proposed to be single family attached townhomes.

Tract Size: 45.77 \pm acres

Location: Northwest of the Northwest corner of East 111th Street South & South Memorial Drive

Zoning:

Existing Zoning: AG

Proposed Zoning: RS-3 west part
RT east part

Comprehensive Plan:

Land Use Map: Existing Neighborhood, New Neighborhood

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

Staff Recommendation:

Staff recommends approval of RS-3 and RT as illustrated.

Staff Data:

TRS: 8326
CZM: 57

City Council District: 8

Councilor Name: Phil Lakin Jr.

County Commission District: 3

Commissioner Name: Ron Peters

18.1

SECTION I: Z-7505

DEVELOPMENT CONCEPT:

The applicant has submitted a concept plan that leaves the 9.4 acres of AG zoning on the west side of the property where the site is generally in a flood plain. 16.36 acres of RS-3 Zoning request in the middle of the site and 20 acres of RT zoning on the east side abutting a large commercial district. During the plat process staff will require a street connection to South 77th East Avenue to stub streets that were provided on the north and south sides of this tract.

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:
 - Property exhibit with three zoning boundaries

DETAILED STAFF RECOMMENDATION:

Z-7505 requesting RS-3 and RT zoning is consistent with the New Neighborhood land use designation in the Tulsa Comprehensive Plan and,

The rezoning request respects the environmental constraints of the floodplain in the west side of the property and,

The uses and building types allowed in RS-3 and RT zoning are consistent with the expected development pattern in the area and,

Single family housing is non injurious to the surrounding properties therefore,

Staff recommends Approval of Z-7505 to rezone property from AG to RS-3 and RT.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: This site is not part of a small area plan. The new neighborhood land use designation in Planitulsa provides guidance that supports the RS-3 and RT zoning use and density.

Land Use Vision:

Land Use Plan map designation: New Neighborhood

The New Neighborhood residential building block is comprised of a plan category by the same name. It is intended for new communities developed on vacant land. These neighborhoods are comprised primarily of single-family homes on a range of lot sizes but can include townhouses and low-rise apartments or condominiums. These areas should be designed to meet high standards of internal and external connectivity and shall be paired with an existing or New Neighborhood or Town Center.

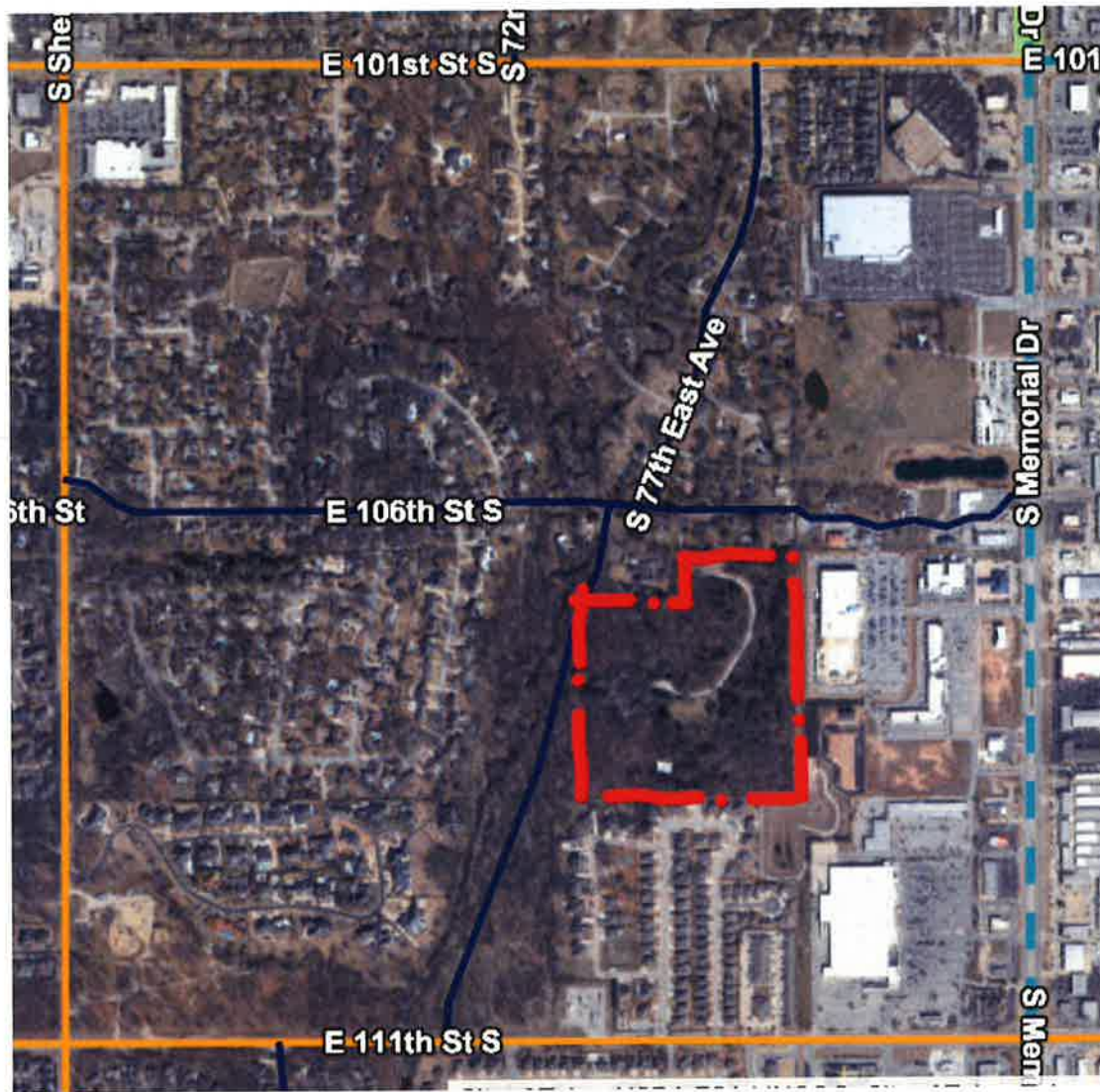
Areas of Stability and Growth designation: Area of Growth

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: The major street and highway plan illustrates a residential collector in this location. The floodplain conflicts with the exact street placement and would make construction of that street alignment unpractical. The connectivity concept illustrated will be provided through this site.



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 heavily wooded with a single residence. The site slopes from east to west into the Fry Ditch No.2 flood plain area.

Environmental Considerations: The only environmental consideration that affects zoning and development considerations is the floodplain along the west side of the property. This zoning application seems to be outside the boundary of the floodplain.

FLOODPLAIN AND FLOODWAY ILLUSTRATION:



Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP RW</u>	<u>Exist. # Lanes</u>
South 77 th East Avenue	Residential Collector	60 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	AG and RS-1	Existing Neighborhood	Stability	Single family detached homes
East	PUD 619 / RS-3/CS and AG	Regional Center	Growth	Commercial and office
South	PUD 707 / RS-3 / RD	New Neighborhood	Stability	Single family detached homes
West	AG with RS-2 west of the creek	Existing Neighborhood	Stability	Single family detached homes

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11833 dated June 26, 1970 established zoning for the subject property.

Subject Property:

No Relevant History.

Surrounding Property:

PUD-578-B May 2019: All concurred in **approval** of a *Major Amendment* to PUD-578 on a 4.97± acre tract of land to add Commercial/Vehicle Sales and Service/Personal Vehicle Repair uses to permit a Meineke Service Center, on property located north of the northwest corner of East 111th Street South & South Memorial Dr.

Z-6922/PUD-370-B February 2004: All concurred in **approval** of a proposed *Planned Unit Development* on a 9.87± acre tract of land and **approval** of a request for *Rezoning* from RM-1/RS-2 to RM-1/RS-2/OL/CS/PUD-370-B for an Retail/Commercial/Office, per staff recommendation and as modified: an eight-foot privacy fence on the western boundary, restrict windows on the second story of the west-facing walls of the westernmost lots and the office buildings shall be residential in character, on property located south of the southwest corner of East 101st Street and South Memorial Drive.

PUD-619-C February 2008: All concurred in **approval** of a *Major Amendment* to PUD-619 on a 34.3± acre tract of land to allow Use Unit 19- Hotel, Motel, and Recreation for a Health Club/ Spa with an enclosed pool and Use Unit 20- Commercial Recreation: Intensive, to allow for an outdoor swimming pool only to allow a health club/fitness center, on property located north of the northwest corner of South Memorial Drive and East 111th Street South.

Z-6952/PUD-707 October 2004: All concurred in **approval** of a proposed *Planned Unit Development* on a 37.25± acre tract of land and **approval** of a request for *Rezoning* from AG to RM-3/RD/OL/PUD-707 for a mixed-use development, on property located west of the northwest corner of East 111th Street South and South Memorial Drive- Raven's Crossing.



**Subject
Tract**

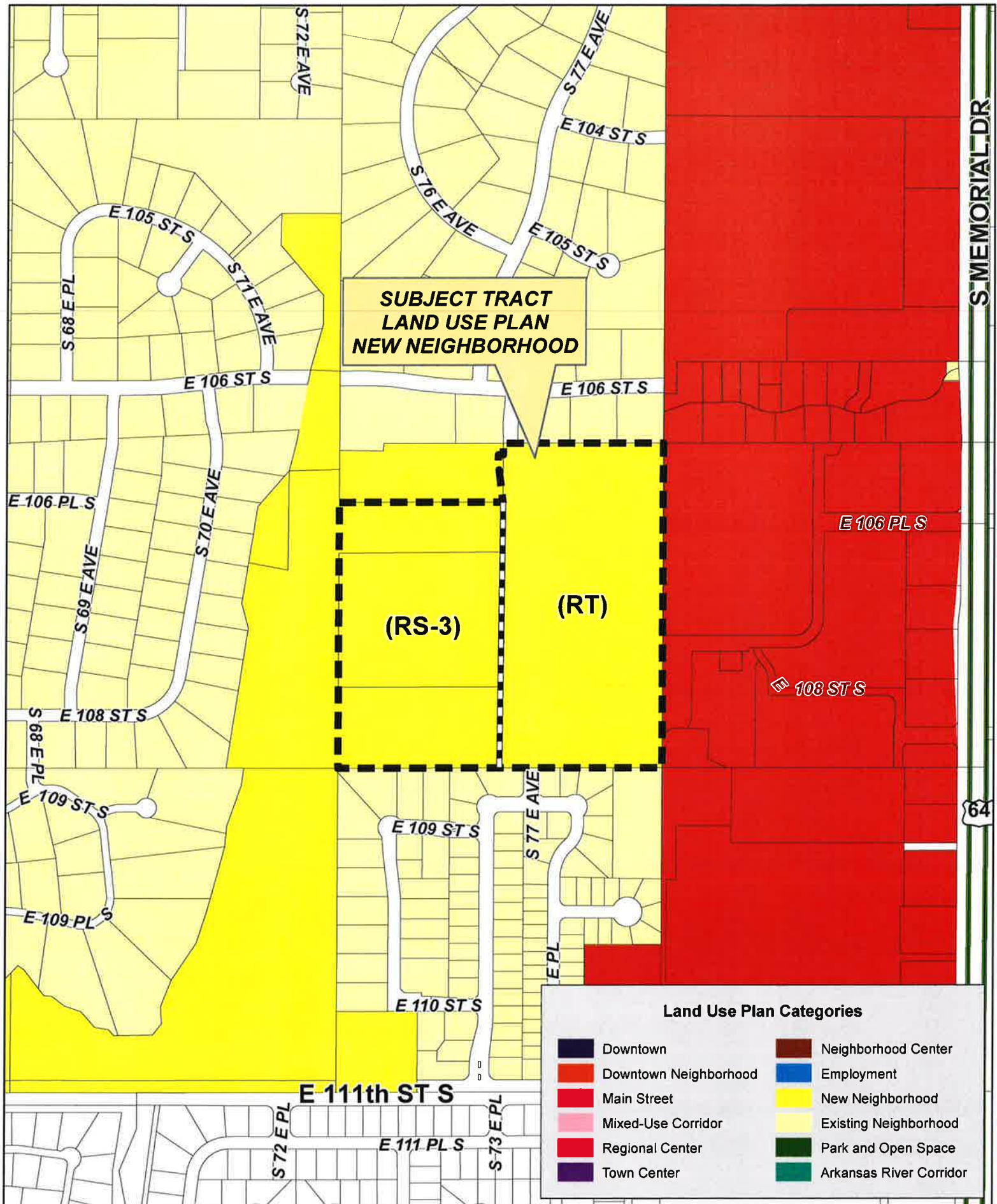
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Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2018

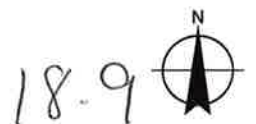


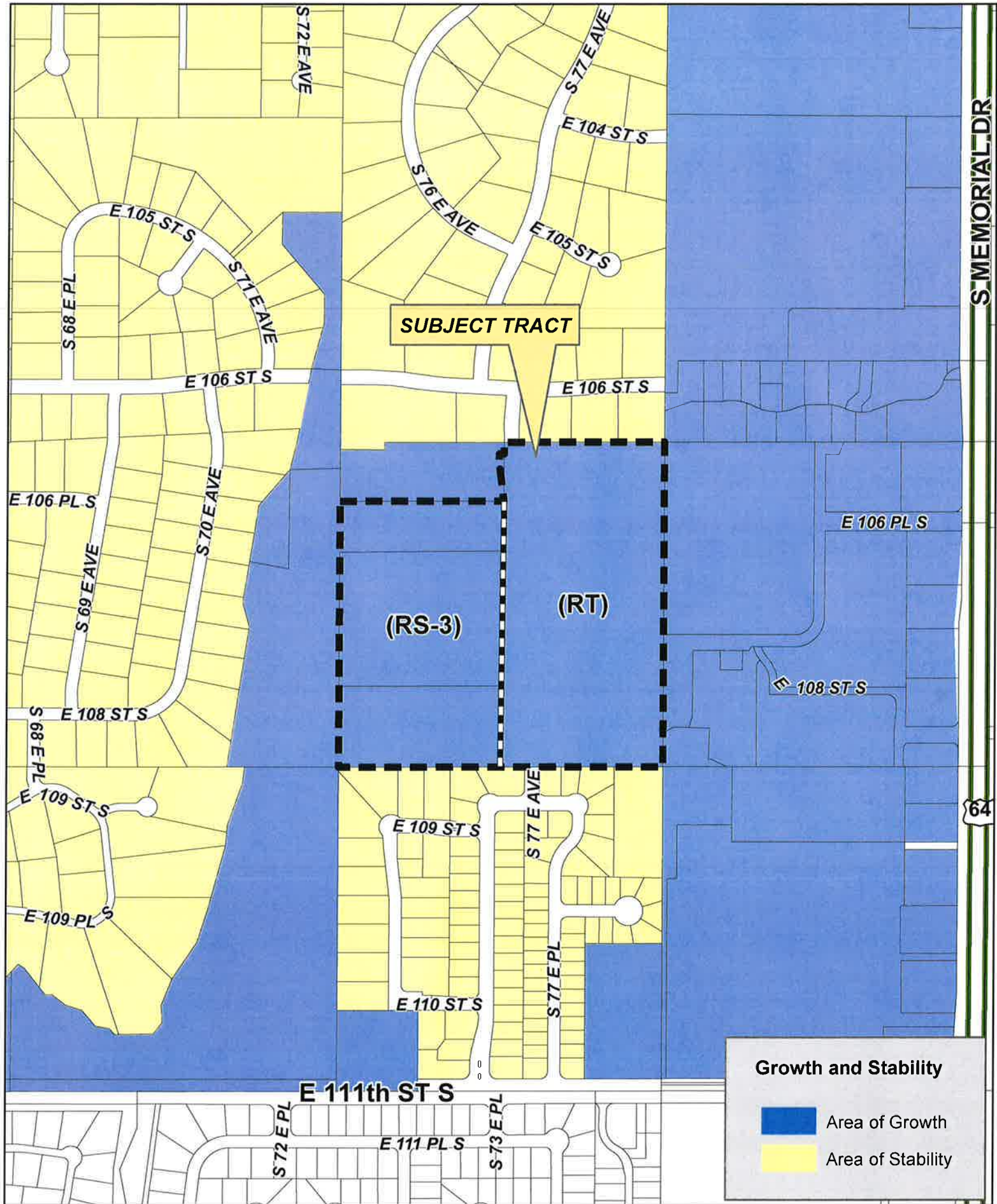
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Z-7505

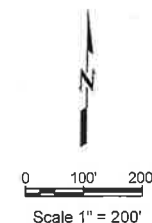
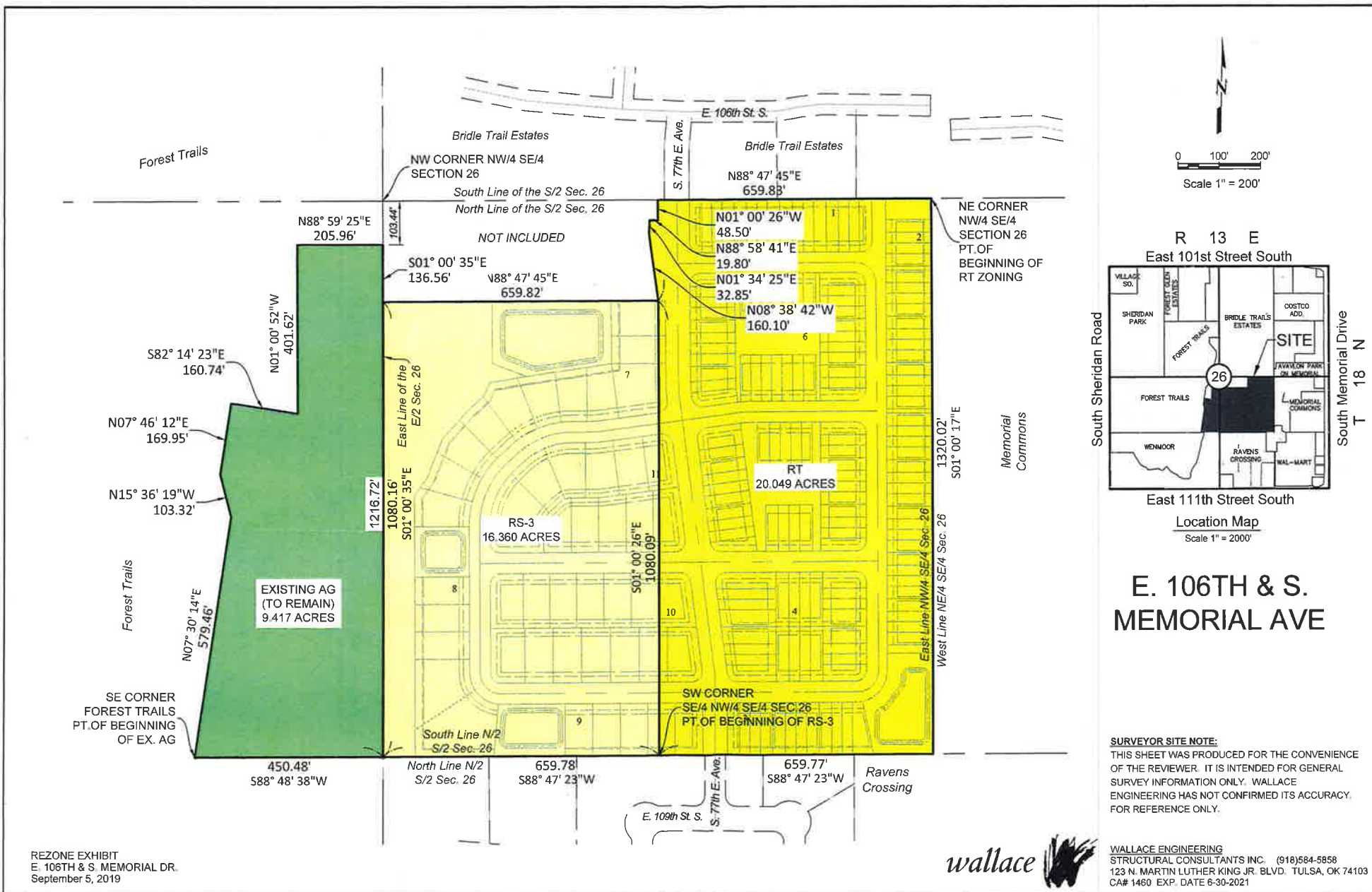
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S MEMORIAL DR

64



E. 106TH & S. MEMORIAL AVE

SURVEYOR SITE NOTE:
THIS SHEET WAS PRODUCED FOR THE CONVENIENCE OF THE REVIEWER. IT IS INTENDED FOR GENERAL SURVEY INFORMATION ONLY. WALLACE ENGINEERING HAS NOT CONFIRMED ITS ACCURACY FOR REFERENCE ONLY.

Wilkerson, Dwayne

From: Pat Sullivan <psullivan12@gmail.com>
Sent: Wednesday, October 9, 2019 1:54 PM
To: Wilkerson, Dwayne
Subject: Z-7505 Proposal



I strongly object to the proposed re-zoning in Z-7505.

There was a meeting with Wallace Engineering regarding the proposal last night. My impression was that they were conducting the meeting as a PR stunt. By the end of the meeting they basically said they were going ahead with the plan for rezoning despite the residents objections about resulting traffic and problems in the neighborhoods and major roads, multifamily housing in the middle of established housing, impact on the flood-plan, etc. They stated all these areas would be looked at after their plan was approved. That's just backwards! Why plan and rezone for something that may never happen? They might take into account our points about a buffer against existing neighborhoods and saving some of the rare trees, but that's it. It was evident the meeting was to try to placate us and say they consulted with the neighbors.

The developer, Chris Key, insisted that the City "Overlay" authorized apartments for the area, and he was being nice by planning RS-3 homes and RT Townhouses. I'm not familiar with the city "Overlays," but putting any type of multifamily housing in an area inaccessible from the east or the west, with the only access through established neighborhoods (Bridle Trail's streets have already been deemed by the city insufficient) is crazy! Multifamily homes are appropriate along major streets like Memorial, Sheridan, 111th, 101st, etc., not sandwiched in between two high-end neighborhoods!

I can't see how the city of Tulsa could authorize any building project which would increase the already overcrowded Memorial corridor until there is some relief (like an additional way to get into Bixby)! Last night it took me 25 minutes to go from 111th to 94th on Memorial for the meeting at Hardesty!

See my letter below with my objections to this zoning proposal. If we can't stop this as proposed, Ravens Crossing will be proceeding with the plan to privatize 77th E. Ave and 77th E. Pl.

Thanks,
Patrick G. Sullivan

7713 E. 109th St, Tulsa, OK 74133

Subject: Case #: Z-7505 Re-Zoning

Dear Mr. Wilkerson

Principal Planner of Current Planning

Access to/from the subject development area MUST be via Memorial Dr. and not via the existing neighborhoods to the north and south. Any development on that site must be single family housing (R-1 or R-2) and NOT multifamily housing.

There are 41 homes in Ravens Crossing and approximately 30 homes in Bridle Trails. Subject development calls for 47 homes and 159 townhomes. With an average of 2 vehicles per home, traffic on 77th E. Ave will quadruple. Construction of Townhouses is not appropriate to the area.

I object to the proposed re-zoning plan based on 5 issues:

1. **Traffic**

- **Historical.** People bought homes in Ravens Crossing and Bridle Trail, the neighborhoods north and south of Subject Property, because they are small, closed neighborhoods and there were no roads transiting to another location. As the area developed over the past 10 years the city and the current owner of subject property, Alan Carlton, neglected to retain a tract of property to the east for ingress/egress linking Memorial to Subject Property. Based on the number of planned residences in the Proposal, traffic through the joining neighborhoods will quadruple.
- **Bypass Memorial.** Besides the additional hazardous traffic from construction and residents entering and exiting Subject Property, extending 77th E. Ave through it will create a route for traffic to bypass Memorial between 101st and 111th. Drivers will be cutting through the neighborhoods of Bridle Trail and, Raven's Crossing to avoid traffic and delays on Memorial.
- **Neighborhood accessed only via other neighborhoods.** The proposal would place an additional 206 residences in the middle of two neighborhoods. What other subdivision has been built in Tulsa with multifamily units and access is only via other established neighborhoods? Ravens Crossing and The Village at Ravens Crossing are investigating installation of gates at 77th E Ave and 77th E Pl north of 111th making them private streets.
- **Pressure on Memorial.** Building a high density development near Memorial Avenue will create increased pressure on already overloaded Memorial traffic. There are already a record number of stoplights on Memorial between 111th and 91. In response to the volume of accidents at 109th and Memorial, ODOT and the cities of Bixby and Tulsa agreed to modifications which were presented to the area residents in January, 2019. The cities have approved and funded a project to extend the islands along Memorial through all intersections with no stoplights in order to prevent left turns onto Memorial which cross traffic lanes without traffic signals. Thus far, nothing has been done.
- **Child Safety.** The Ravens Crossing and Bridle Trail are family neighborhoods with multiple children. The heavy traffic resulting from this proposal will decrease the safety of our children from more traffic and speeding down our narrow streets.
- **Pressure on 111th and 101st.** There have been a number of accidents at 77th E. Ave and 111th St. Currently wait times to turn left is excessive. In the evenings traffic is backed up from the stop light at Sheridan to Ravens Crossing. The volume of traffic this proposal will generate will necessitate stoplights at 77th E Ave and 111th St. and 101th St.

2) **Density**

There is already a plethora of apartments along south Memorial Ave in Tulsa and Bixby. Recent growth has been so heavy that City of Bixby council members have called for a moratorium on future apartment and townhouse developments. Tulsa needs to respond in a similar manner. Multifamily housing of any type is not appropriate in the middle of two established neighborhoods. Nowhere else in Tulsa has a large housing development been built in-between, and requiring access through, two established neighborhoods. The plan contains 3 four unit townhomes built backing up to the property line with Ravens Crossing. Three single family homes in Ravens Crossing will have their back yards directly facing the back of multi family multi story "townhomes" positioned so that residents of the townhomes will look down into the yards, patios, and windows of the homes in Ravens Crossing.

Any development at Subject site must have a 75-100 foot greenbelt and 8 foot cement wall setback from any existing neighborhoods. (Same as the owner, Alan Carleton, required of Lifetime Fitness when it was built.)

3) Safety

It's been proven that crime rates have a marked increase around multifamily housing units. Multifamily housing in the middle of established neighborhoods is an invitation for significant crime rates.

4) Home Values

Constructing multifamily units next to neighborhoods with existing exclusive homes and increasing traffic 4 times the existing volume by extending 77th E. Ave from 109th to 106th will cause significant devaluation of property values in the neighboring subdivisions, especially Bridle Trail, Ravens Crossing, The Village at Ravens Crossing, and RavenWood.

5) Validity of the Re-Zoning Process

- **What is included?** The east end of 106th St. S in Bridle Trail dead ends at a wooded area with signage describing the re-zoning proposal. Its placement indicates the land beyond the end of the road is included in the re-zoning. However the TMAPC map indicates an extension of 106th St is NOT included; rather it has been zoned RS-2, RM-1, and OL.
- **HOAs** The City Rezoning application listed only Forest Trails HOA and Bridle Trail Estates HOA. Ravens Crossing and Ravenwood HOAs were not included.
- **Notification** By law the notice of re-zoning was only sent to property owners within 300 feet of the proposed change. The planned modifications will affect property owners of all subdivisions from Memorial to Sheridan on 101st and 111th.

Sincerely,
(signed by)
Patrick G. Sullivan

<Picture2.png>

Sawyer, Kim

From: Gene West <silverdaddybear@gmail.com>
Sent: Wednesday, October 9, 2019 2:56 PM
To: Wilkerson, Dwayne; esubmit; dist8@tulsacouncil.org
Subject: Z-7505 Ojection

I object to the proposed rezoning in Z-7505.

- How can you put a housing addition of over 200 residences containing multifamily buildings in-between 2 existing housing additions containing 50 residences to the north and 40 residences to the south?
- How can you do this using streets in those existing housing additions, not major streets (Memorial, 111th, Sheridan, etc.) for access to this high density development? At 2 cars per household, that's adding over 400 more vehicles to the traffic patterns in existing neighborhoods.
- The Developer, Chris Key claims the "overlay" allows him to build apartment houses in this area. How can "the Overlay" authorize apartment buildings which has no access from the east or west? and no access to a major street such as Memorial, 101st, etc.?
- How can that volume of building be zoned in an area subject to flooding without a major flood plain study?
- How can Mark Capron claim in the Oct. 8 Wallace Engineering meeting with neighboring residents state they "are required by the Planning Commission to connect 77th E. Ave from 109th to 106th?" Really?

How can Tulsa Planning authorize something like this? I thought the Planning Commission was supposed to ensure our city and neighborhoods grew and increased in value. This plan will only decrease the value of homes in neighboring subdivisions, further overtax our streets and major corridors, and increase the accident and crime rates.

Please do not approve Z-7505.

Sincerely,
Harvey E. West
7713 E. 109th St, Tulsa
918-970-6880

18.15

Miller, Susan

From: Ron Reed <ronreed52@gmail.com>
Sent: Thursday, October 10, 2019 9:57 AM
To: Hoyt, Jay; Miller, Susan
Subject: Fwd: Rezoning proposal Z-7505

----- Forwarded message -----

From: **Ron Reed** <ronreed52@gmail.com>
Date: Thu, Oct 10, 2019 at 10:53 AM
Subject: Rezoning proposal Z-7505
To: dwilkerson@incog.org <dwilkerson@incog.org>

My wife and I own a home in Ravens Crossing and we are very concerned about the proposal to rezone the land north of us to high density residential. The increased car traffic through our neighborhood would not only be dangerous but egress to 111th Street would be much more difficult than it already is. The logical solution to this would be for the primary access to that area to be from Memorial.

We are a small neighborhood and traffic through our neighborhood to a high density development would negatively impact our neighborhood and property values.

We would like your help in learning more about the proposed rezoning and we are opposed to development that increases traffic in our neighborhood.

Ron Reed



Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7506

Hearing Date: October 16, 2019

Case Report Prepared by:

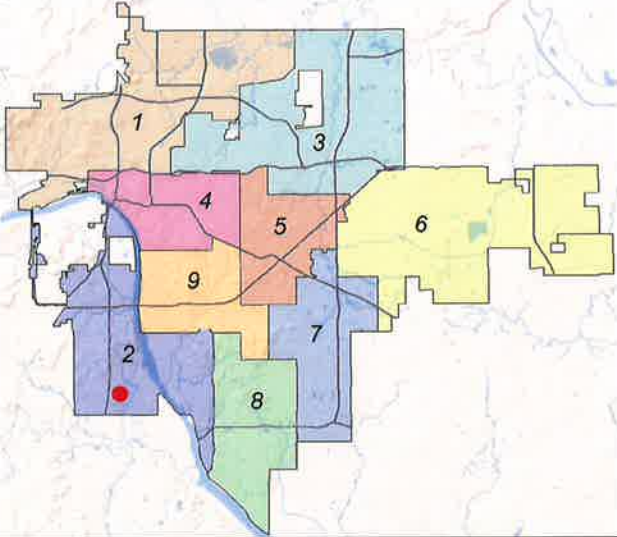
Jay Hoyt

Owner and Applicant Information:

Applicant: Mike Thedford

Property Owner: CAMPBELL, GERALD D AND
SHEILA

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Pasture

Proposed Use: Residential

Concept summary: Single-family Residential

Tract Size: 16 ± acres

Location: South of the southeast corner of West
81st Street South & South Maybelle Avenue

Zoning:

Existing Zoning: AG

Proposed Zoning: RS-5

Comprehensive Plan:

Land Use Map: New Neighborhood

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 8214
CZM: 51

City Council District: 2

Councilor Name: Jeannie Cue

County Commission District: 2

Commissioner Name: Karen Keith

19.1

SECTION I: Z-7506

DEVELOPMENT CONCEPT: The applicant is proposing to rezone the subject lots from AG to RS-5 for Single-family residential lots.

RS-5 provides the smallest allowable lots for a Residential Single-Family zoning category with a minimum lot area of 3,300 sf and a minimum lot width of 30 feet for a detached single-family home. Currently, in the immediate area of the subject lots, there exists RS-2, RS-3 and RS-4 single-family developments. If approved, RS-5 could provide a more dense development, than those existing developments, which would help provide a variety of home types for the surrounding area.

EXHIBITS:

- INCOG Case map
- INCOG Aerial
- Tulsa Comprehensive Plan Land Use Map
- Tulsa Comprehensive Plan Areas of Stability and Growth Map
- Applicant Exhibits:
 - Proposed Area Illustration
 - ALTA Survey

DETAILED STAFF RECOMMENDATION:

Z-7506 is non-injurious to surrounding proximate properties;

Z-7506 is consistent with the anticipated future development pattern of the surrounding property;

Z-7506 is consistent with the New Neighborhood land use designation of the Comprehensive Plan, therefore;

Staff recommends **Approval** of Z-7506 to rezone property from AG to RS-5.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The subject lots are designated as a New Neighborhood Land Use and an Area of Growth

Land Use Vision:

Land Use Plan map designation: New Neighborhood

The New Neighborhood is intended for new communities developed on vacant land. These neighborhoods are comprised primarily of single-family homes on a range of lot sizes, but can include townhouses and low-rise apartments or condominiums. These areas should be designed to meet high standards of internal and external connectivity, and shall be paired with an existing or new Neighborhood or Town Center.

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: West Highlands Small area plan as approved July 10th, 2019

Priorities are listed below and the goals in Priority #'s 1 and 2 that may be specific to this redevelopment area.

Priority 1: Proposed land uses balance West Highlands/ Tulsa Hills stakeholder vision with Planitulsa vision.

3.1 Encourage substantial buffering in C0-zoned lands between U5-75 and Union Avenue, including, but not limited to, dense tree or native plantings along Union Avenue, commensurate with degree of land use intensity.

Priority 2: Prioritize the preservation of open space and the natural environment in future development.

4.1 For new construction in New and Existing Neighborhood land-use areas, and Town and Neighborhood Center each 1,500 square feet of street yard should have three trees. The Zoning Code (Section 1002.C.1) currently requires only one (1) tree.

4.2 Facilitate partnerships between neighborhood stakeholders, developers and regional land trusts such as Land Legacy.

4.3 Develop easily understood, coherent standards for conservation subdivisions which will allow developers to apply conservation subdivision design for new home construction, while minimizing the need to apply for new zoning.

4.4 Develop and implement code updates to more easily allow low-impact development (LID) practices, by identifying current elements of zoning, building and other regulatory codes that do not allow LID practices. Ensure developer incentives, such as a streamlined development review process.

4.5 Develop a matrix (or checklist), to be used by City of Tulsa Planning staff, of rural design elements which can be used to easily measure how well new construction integrates with bucolic aesthetic. These design elements should pertain less to actual design of homes, and more to the units' siting, green space preservation, screening and the use of other nonstructural design material, such as fencing materials.

19.3

4.6 Revise zoning code to include a "rural residential" district which allows a limited number of livestock and horses as a use by right and has larger minimum lot sizes. This can be done by either amending an existing district, or creating a new one.

4.7 Support planting of shade trees in public right-of-way during road construction.

Priority 3: Sustain area's economic Growth through the future.

Priority 4: Improve local connections to the metropolitan transportation system.

Priority 5: Protect public welfare and safety.

Priority 6: Ensure implementation of recommendations of West Highlands/Tulsa Hills Small Area Plan.

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site currently contains single-family residences on large lots.

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
S Maybelle Ave	N/A	N/A	2

Utilities:

The subject tract has municipal water and 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	New Neighborhood	Growth	Single-Family
South	AG	New Neighborhood	Growth	Single-Family/AG
East	AG	New Neighborhood	Growth	Single-Family
West	CO	Regional Center	Growth	Retail/Commercial

SECTION III: Relevant Zoning History

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

Subject Property:

BOA- 13131 June 1984: The Board of Adjustment **approved** a *Variance* of the required 30' of frontage to 0' in an AG district under the provisions of Section 1670, subject to the execution of

a mutual access easement, on property located south and west of 81st Street and Elwood Avenue.

BOA- 8418 December 1974: The Board of Adjustment **denied** an application of *Exception* to permit a mobile home in an AG district, on property located south and west of 81st Street and Elwood Avenue.

Surrounding Property:

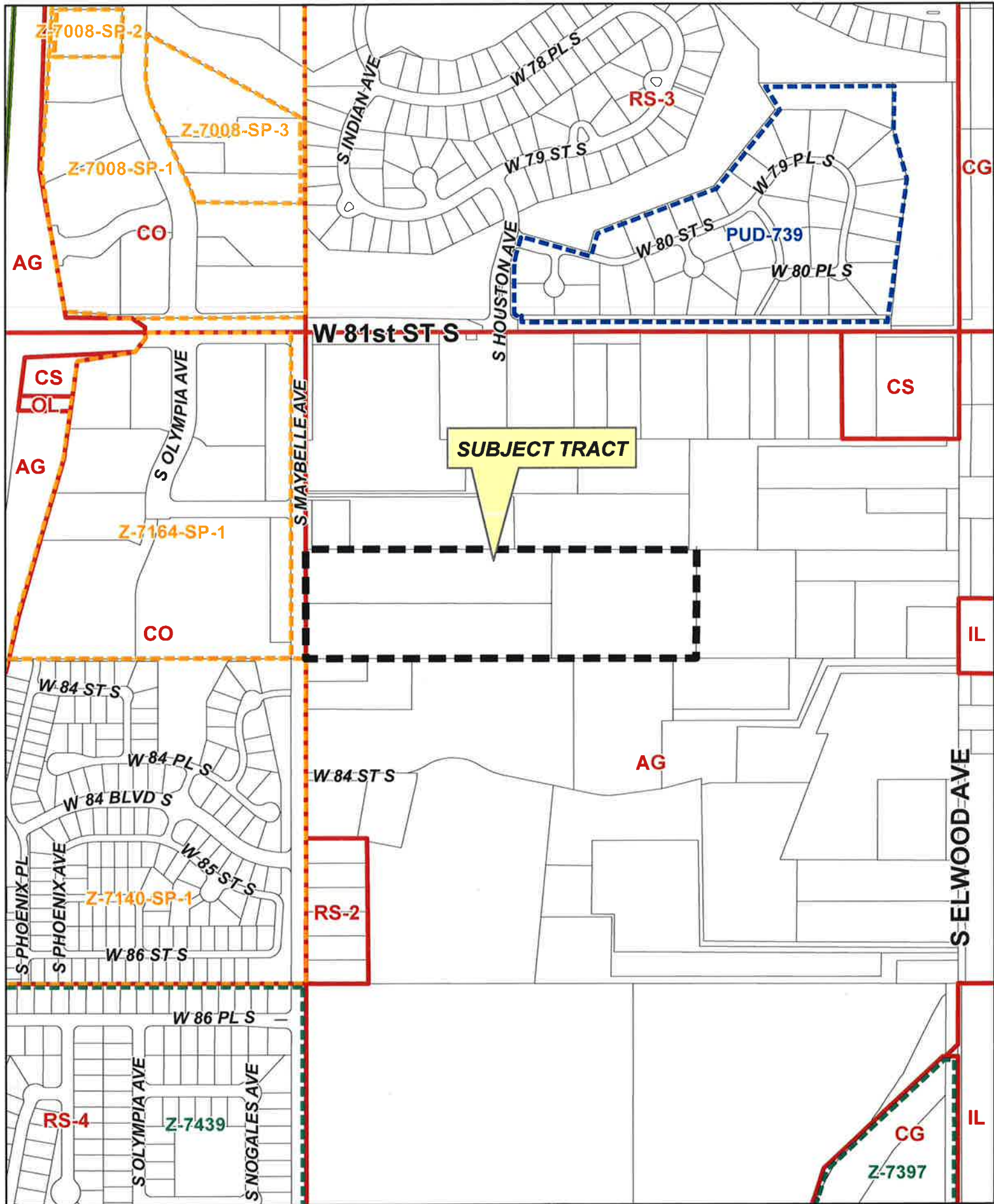
Z-7164 SP-1 March 2011: All concurred in **approval** of a request for *rezoning* a 30± acre tract of land from AG/OL/CS to CO and a *Corridor Site Plan* for neighborhood and pedestrian oriented office and commercial mixed-use development, on property located on southeast corner of Highway 75 South and West 81st Street. The TMAPC recommended approval with the amendments that include the six-foot masonry wall and the lighting requirements as provided by staff.

Z-7140 SP-1 December 2009: All concurred in **approval** of a request for *rezoning* a 41± acre tract of land from AG to CO and a *Corridor Site Plan* for residential use, garden and patio homes, on property located south of southwest corner of South Maybelle Avenue and West 81st Street and abutting south of subject property. The TMAPC recommended approval per staff recommendation and subject to adding Use Unit 1, to impose the additional buffer along the north end across to the detention pond. City Council approved the applications per TMAPC recommendation with condition of Maybelle getting upgraded in accordance with the Major Street and Highway Plan and per City of Tulsa design standards within the project limits, and resurfaced to 22' wide with improved borrow ditch from the northern boundary of the subdivision to West 81st Street.

BOA- 16312 April 1993: The Board of Adjustment **approved** a *Variance* of the required 30' of frontage on a dedicated right-of-way to 13' to permit a lot-split, subject to a maximum of three residences on the tract, with each having 13' of frontage on Maybelle, finding that the request is consistent with the area, on property located east of Maybelle and south of 81st Street.

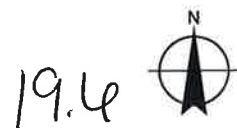
BOA- 20039 June 2005: The Board of Adjustment **approved** a *Variance* of the minimum required frontage on a public street from 30' to 0', finding that the circumstances surrounding this land is peculiar to these tracts and the enforcement code would result in an unnecessary hardship to the property owner, on property located 8511 South Maybelle Avenue.

10/16/2019 1:30 PM



Z-7506

18-12 14





0 250 500
Feet



Subject
Tract

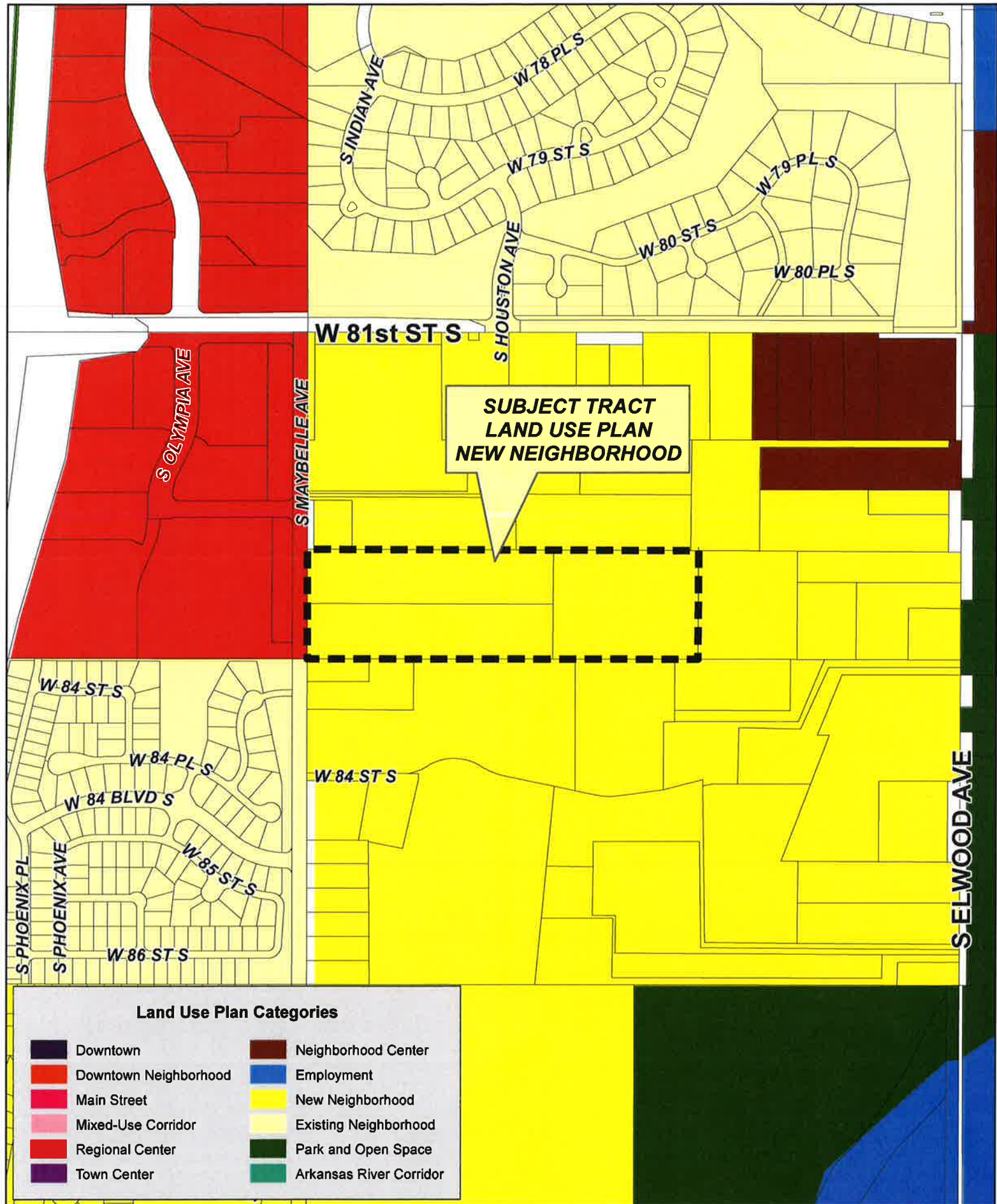
Z-7506

18-12 14

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

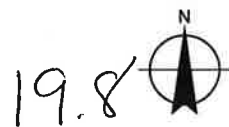
Aerial Photo Date: February 2018

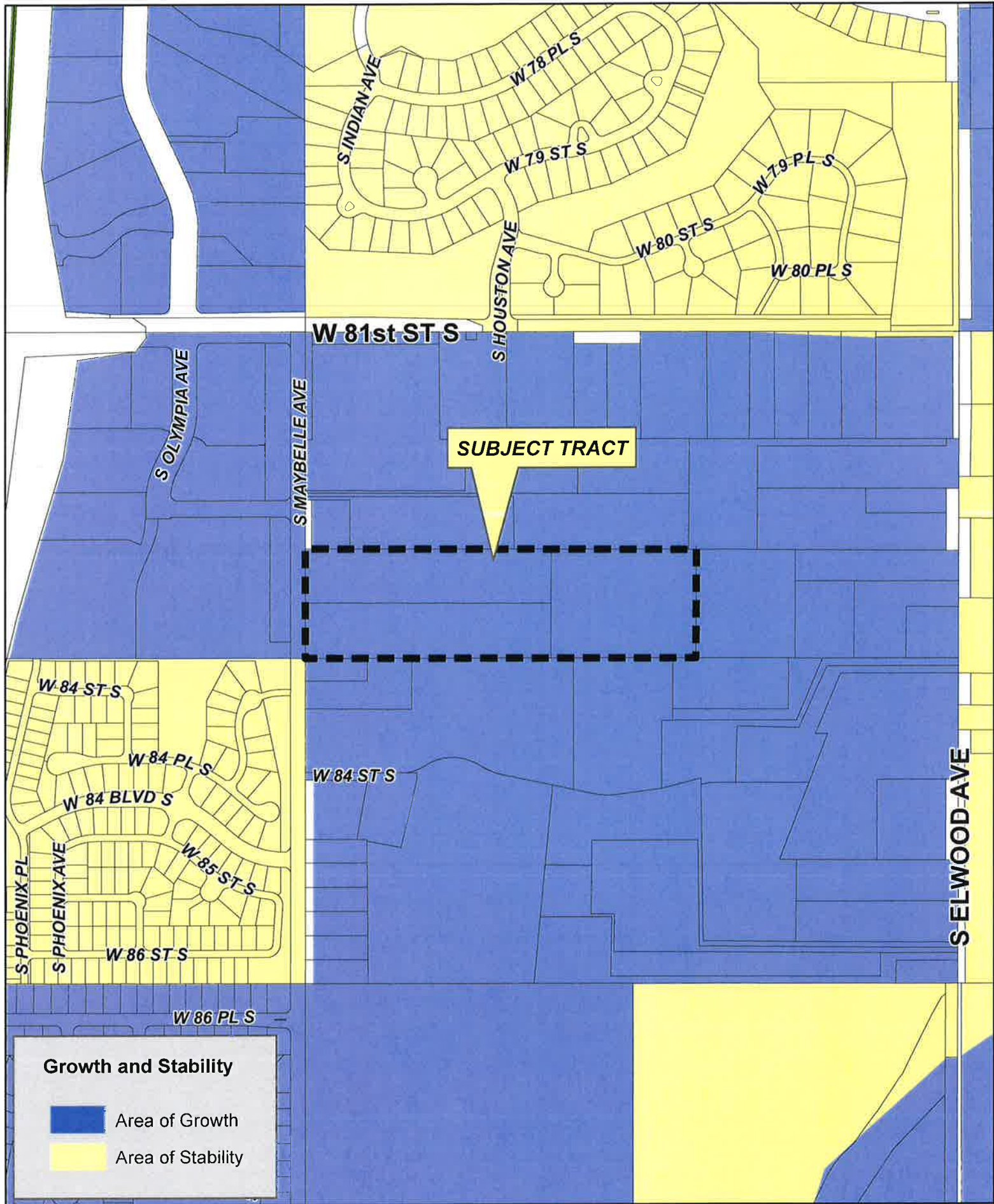




Z-7506

18-12 14





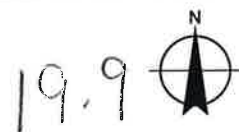
Growth and Stability

- Area of Growth
- Area of Stability



Z-7506

18-12 14





PROPOSED AG TO RS-5 REZONING

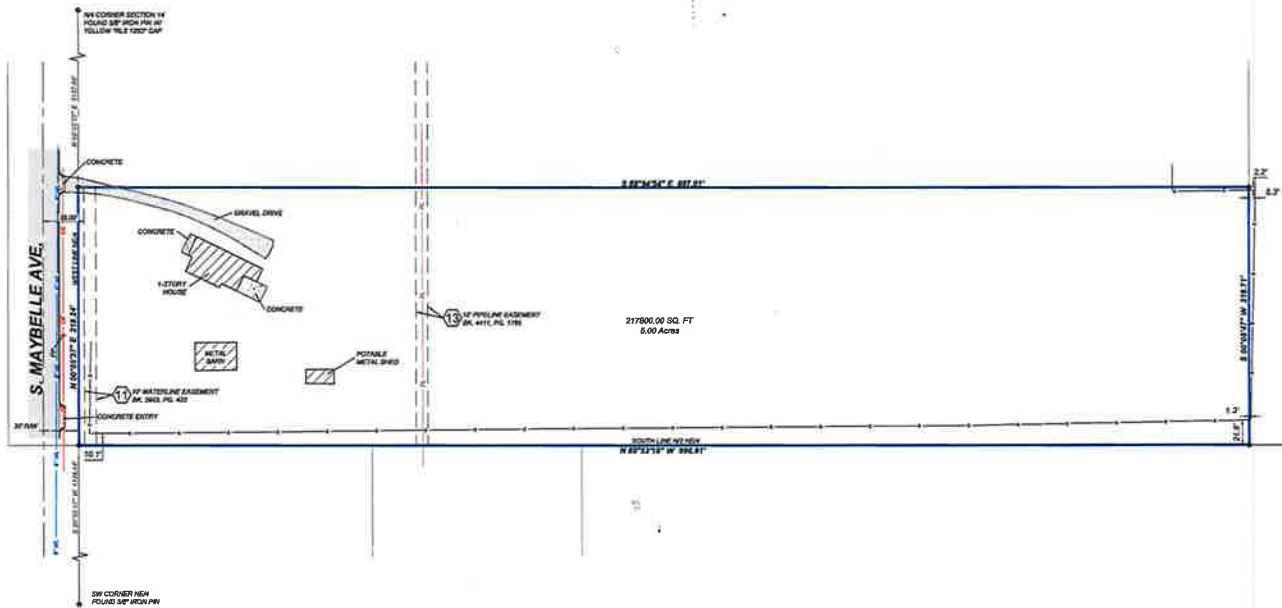
8349 South Maybelle Avenue

wallace

Wallace Engineering
Structural and Civil Consultants



19.10



LEGAL DESCRIPTION - PER TITLE COMMITMENT FILE NO. MT0001923

THE SOUTH FIVE (5) ACRES OF THE WEST TEN (10) ACRES OF THE SOUTH TWENTY-SIX AND 2/3 (26 2/3) ACRES OF THE NORTH HALF OF THE NORTHEAST QUARTER (N2 NE1/4) OF SECTION 14, TOWNSHIP 18 NORTH, RANGE 12 EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

SCHEDULE B - SECTION II NOTES

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
MAIN STREET TITLE, LLC
FILE NO. MT0001923 - COMMITMENT DATE: OCTOBER 26, 2018 AT 7:59 AM

8. EASEMENT IN FAVOR OF CREEK COUNTY RURAL WATER DISTRICT #2 RECORDED IN BOOK 3685, PAGE 839 AND 841. AFFECTS THE SUBJECT PROPERTY IN A BLANKET MANNER. NO SPECIFIC LOCATION DESCRIBED. NOTHING SHOWN.
9. RIGHT OF WAY IN FAVOR OF CREEK COUNTY RURAL WATER DISTRICT #2 RECORDED IN BOOK 3685, PAGE 839 AND 841. 15' EASEMENT AFFECTING SUBJECT PROPERTY, HOWEVER, NO SPECIFIC LOCATION DESCRIBED. NOTHING SHOWN.
10. RIGHT OF WAY IN FAVOR OF CREEK COUNTY RURAL WATER DISTRICT #2 RECORDED IN BOOK 3685, PAGE 841. 15' EASEMENT AFFECTING SUBJECT PROPERTY, HOWEVER, NO SPECIFIC LOCATION DESCRIBED. NOTHING SHOWN.
11. RIGHT OF WAY IN FAVOR OF CREEK COUNTY RURAL WATER DISTRICT #2 RECORDED IN BOOK 3685, PAGE 841. 15' EASEMENT AFFECTS THE SUBJECT PROPERTY AS SHOWN HEREON.
12. RIGHT OF WAY IN FAVOR OF CHEROKEE PIPE LINE CO. RECORDED IN BOOK 2811, PAGE 394 AND 395. AFFECTS THE SUBJECT PROPERTY IN A BLANKET MANNER. NO GRAPHICS SHOWN.
13. RIGHT OF WAY IN FAVOR OF AKER OIL & GAS CO. RECORDED IN BOOK 4411, PAGE 1765. AFFECTS THE SUBJECT PROPERTY AS SHOWN HEREON.

ALTA TABLE 'A' NOTES

- ITEM 1: SET 3/4" IRON PIN W/ GREEN "FRITZ CASMAP" CAP OR MAG NAIL W/ "FRITZ CASMAP" WASHER AT ALL CORNERS UNLESS NOTED AND SHOWN OTHERWISE HEREON.
- ITEM 2: SUBJECT PROPERTY ADDRESS - 8349 S. MAYBELLE AVE., TULSA, OK 74132
- 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. 45140C0342L - OCTOBER 16, 2012, WHICH INDICATES THE SUBJECT PROPERTY TO BE WITHIN UNSHADDED ZONE "X" AREAS DETERMINED TO BE OUTSIDE THE 1% ANNUAL CHANCE FLOODPLAIN.
- ITEM 4: GROSS LAND AREA 217,000.00 SF / 5.00 ACRES.
- ITEM 5: FEATURES OBSERVED AT THE TIME OF THE SURVEY ARE SHOWN HEREON.
- ITEM 16: NO EARTH MOVING WORK OR BUILDING CONSTRUCTION WAS OBSERVED AT THE TIME OF SURVEY.

LEGEND

- RP - POWER POLE
PW - RIGHT-OF-WAY
LINE TYPE
- CE - OVERHEAD ELECTRIC
- PL - WATERLINE
- F - FENCELINE

SURVEYOR'S CERTIFICATION

TO: OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
MAIN STREET TITLE, LLC
MAYBELLE VILLAS, LLC
SPIRIT BANK
WALLACE T. AND JOLLIE T. WORKMAN REVOCABLE TRUST DATED NOVEMBER 16, 2012

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, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, AND 16 OF TABLE A THEREOF. DATE OF LAST SITE VISIT WAS MARCH 8, 2019. BEARINGS ARE BASED UPON THE WEST LINE OF THE NE1/4 OF SECTION 14 AS NORTH 00°03'57" EAST.

WITNESS MY HAND AND SEAL THIS 7th DAY OF MARCH, 2019.

ANDY FRITZ, PLS
OK LIC. 1694
CA #5545

ALTA/NSPS LAND TITLE SURVEY MT0001923

PART OF N2 NE1/4, S14, T18N, R12E
TULSA COUNTY, OKLAHOMA

SURVEYOR	DATE	PREPARED BY
ANDY FRITZ, PLS	03/07/19	FRITZ LAND SURVEYING, LLC
DATE	03/07/19	2019 W. 1ST STREET, TULSA, OK 74103
APPROVED PLS	DATE	PR #19.231 8776
ANDY FRITZ, PLS	03/07/19	FRITZ.LAND.SURVEYING@GMAIL.COM
PROJECT NO.	19009	CA # 6948 EXPIRES 6-30-2025



