

TULSA METROPOLITAN AREA PLANNING COMMISSION

Meeting No. 2806

November 20, 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:

1. Minutes of October 16, 2019, Meeting No. 2804

CONSENT AGENDA:

All matters under "Consent" are considered by the Planning Commission to be routine and will be enacted by one motion. Any Planning Commission member may, however, remove an item by request.

2. **75 South Mini Storage** (CD 2) Change of Access, Location: Northeast corner of West 91st Street South and South Union Avenue

PUBLIC HEARINGS:

3. **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 Preliminary Plat and PUD-855) (Continued from October 16, 2019)
4. **PUD-855 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 Preliminary Plat and CZ-494)

5. **106th ~ Memorial** (County) Preliminary Plat, Location: Northeast corner of East 106th Street North and North Memorial Drive (Related to CZ-494 and PUD-855) (Continued from October 16, 2019)
6. **Z-7506 Mike Thedford** (CD 2) Location: South of the southeast corner of West 81st Street South and South Maybelle Avenue requesting rezoning from **AG to RS-4** to permit single-family homes (Continued from October 16, 2019 – original application requested RS-5)
7. **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-F-U** (Continued from October 16, 2019 and November 6, 2019 – original application requested MX1-U-U)
8. **Z-7508 AC Hutton** (CD 1) Location: Northwest corner of East 46th Street North and North Elgin Avenue requesting rezoning from **RS-3 to IL with optional development plan** (Continued from November 6, 2019)
9. **Z-7512 Timothy Johnson** (CD 1) Location: East of the southeast corner of East 56th Street North and North Lewis Avenue requesting rezoning from **RS-3 to AG**
10. **CZ-497 John Denham** (County) Location: West of the southwest corner of West 51st Street South and South 85th West Avenue requesting rezoning from **RS to AG**
11. **MR-22** (CD 9) Modification to the Subdivision & Development Regulations to remove the sidewalk requirement for a new single-family residence, Location: Southeast corner of East 37th Place South and South Rockford Avenue

OTHER BUSINESS

12. Discuss proposed **Subdivision and Development Regulations** amendments to align with the proposed Sidewalk Ordinance
13. **Commissioners' Comments**

ADJOURN

CD = Council District

NOTE: If you require special accommodation pursuant to the Americans with Disabilities Act, please notify Tulsa Planning Office (918) 584-7526. Exhibits, Petitions, Pictures, etc., presented to the Planning Commission may be received and deposited in case files to be maintained at Tulsa Planning Office at INCOG.

Ringling/sound on all cell phones and pagere must be turned off during the Planning Commission.

Visit our website at www.tulsaplanning.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.



Tulsa Metropolitan Area
Planning Commission

Case : 75 South Mini Storage

Hearing Date: November 20, 2019

Case Report Prepared by:

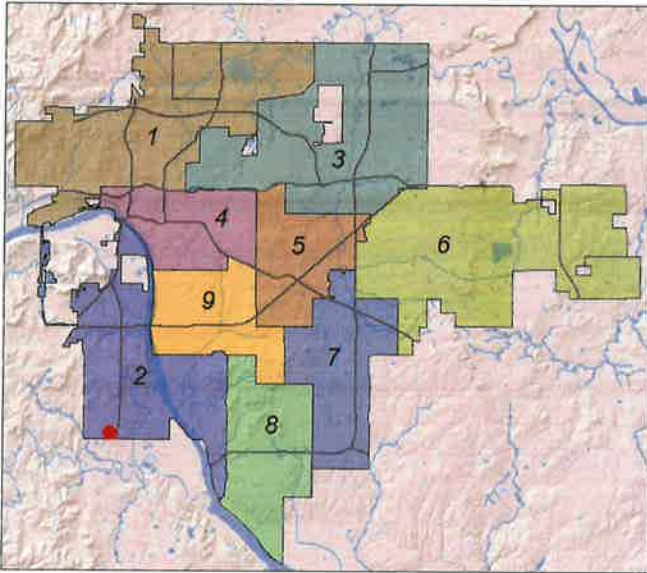
Nathan Foster

Owner and Applicant Information:

Applicant: William E. Lewis

Owner: Arkansas Valley Petroleum, LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Change of Access

Location: Northeast corner of West 91st
Street South and South Union Avenue

Summary: Adjust access points to South
Union Avenue

Zoning: CS, CO, PUD-694-C

Staff Recommendation:

Staff recommends **approval** of the
change of access

City Council District: 2

Councilor Name: Jeannie Cue

County Commission District: 2

Commissioner Name: Karen Keith

EXHIBITS: Change of Access Exhibits

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

WHEREAS, ARKANSAS VALLEY PETROLEUM, LLC
are the owners of LOT 1 BLOCK 1 75 SOUTH MINI STORAGE,
in the city and/or county of Tulsa, Oklahoma, according to the recorded plat thereof;
and

WHEREAS, said owners desire to change the access points from that shown
on the filed plat to that shown on Exhibit A to the above described property and,

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

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

NOW THEREFORE, the undersigned owners of the above named property in
the City (and/or) County of Tulsa, Oklahoma according to the recorded plat thereof,
does hereby change the access point(s) from its (their) present location as shown on
the above named plat as recorded in the office of the County Clerk of Tulsa County,
Oklahoma, as plat number 6016 to the location(s) as shown on the attached Exhibit
A, which is incorporated herein by reference and made a part hereof for all purposes.

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

IN WITNESS WHEREOF, the parties have hereunto set their hands and
affixed their seals this 22 day of October, 2019.



Owner

Owner

APPROVED:



City/County Engineer

TMAPC

STATE OF _____)

) SS

INDIVIDUAL ACKNOWLEDGEMENT

COUNTY OF _____)

Before me, the undersigned, a Notary Public in and for said County and State, on this _____ day of _____, 20_____, personally appeared _____, to me known to be the identical person(s) who executed the foregoing instrument and acknowledged to me that _____ executed the same as _____ free and voluntary act and deed for the purposes therein set forth.

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

My Commission Expires: _____

Notary Public

STATE OF OKLAHOMA)

) SS

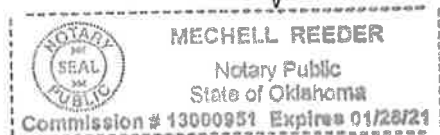
CORPORATE ACKNOWLEDGEMENT

COUNTY OF TULSA)

22 Before me, the undersigned, a Notary Public in and for said County and State, on this _____ day of October, 2019, personally appeared Weister Smith, to me known to be the identical person(s) who subscribed the name of the maker thereof to the foregoing instrument as its President and acknowledged to me that he executed the same as his free and voluntary act and deed of such corporation, for the purposes therein set forth.

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

My Commission Expires: Jan 28, 2021



Mechell Reeder
Notary Public

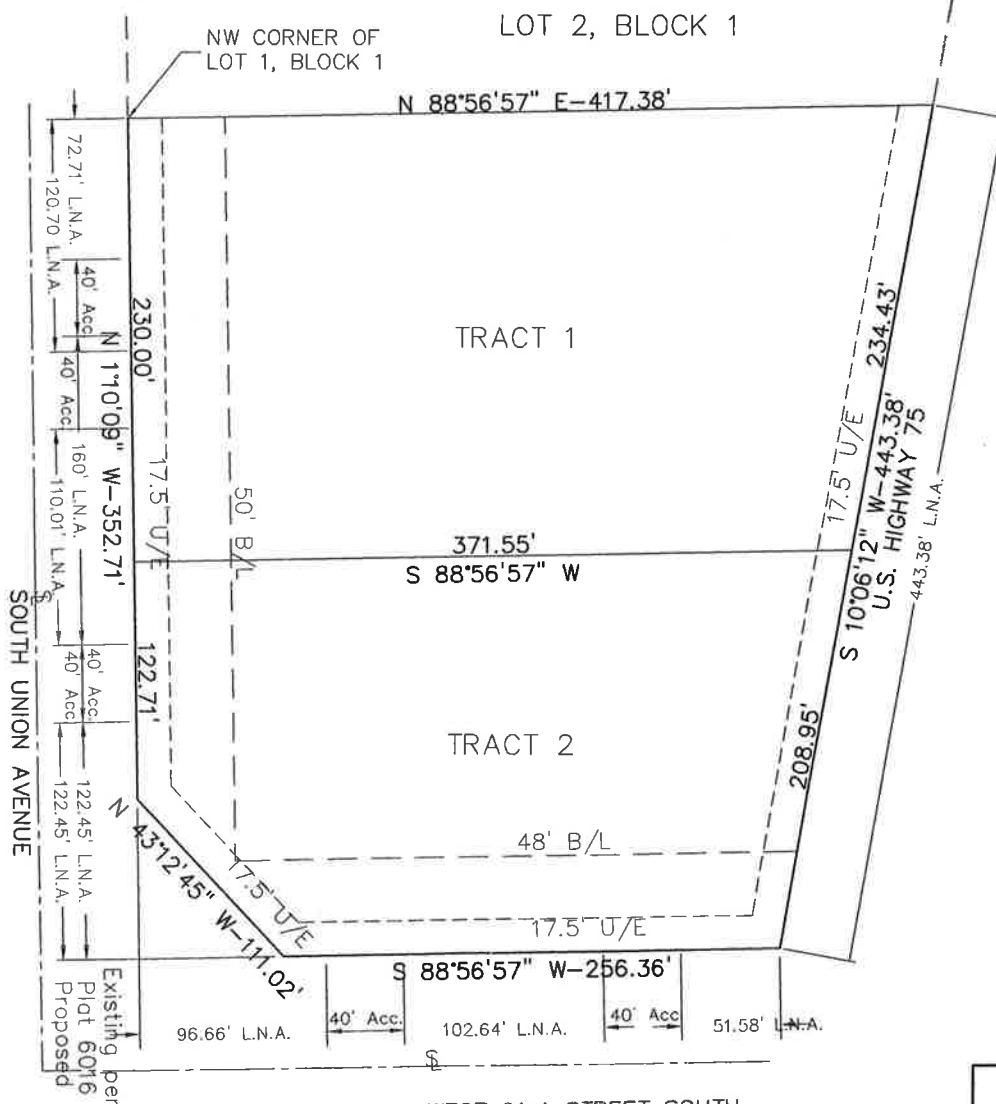
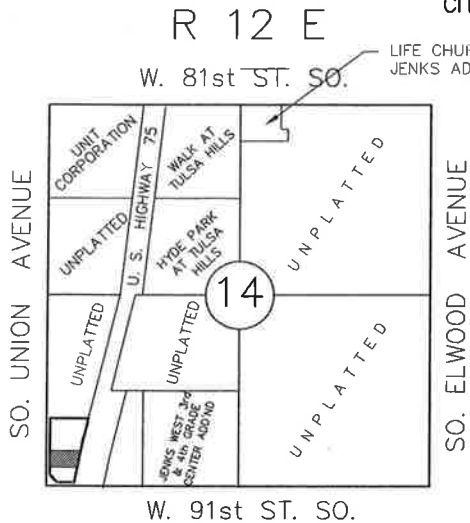
EXHIBIT A
CHANGE OF ACCESS EXHIBIT

FOR
LOT 1 BLOCK 1

OF
75 SOUTH MINI STORAGE

SECTION 14, T18N, R12E

CITY OF TULSA, TULSA COUNTY, OKLAHOMA



APPROVED: *Kent W. Rupp*
TRAFFIC ENGINEER
10-25-19
DATE

2.4

LEWIS ENGINEERING, P.L.L.C.
6420 S. 221st E. AVE
BROKEN ARROW, OK 74015
918-254-4689
CA 3460 EXP. 6-30-21



Tulsa Metropolitan Area
Planning Commission

Case Number: CZ-494
(related to PUD-855)

Hearing Date: November 20, 2019
(Continued from October 16, 2019)

Case Report Prepared by:

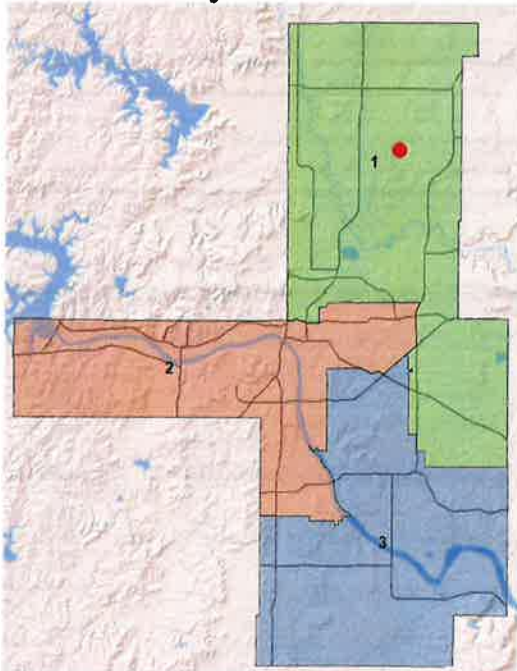
Jay Hoyt

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 Residential

Concept summary: Rezone from RE to RS with a PUD overlay 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 \pm acres

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

Zoning:

Existing Zoning: RE

Proposed Zoning: RS

Comprehensive Plan:
Land Use Map:

Tulsa County Comprehensive Land Use Plan
2035 : Residential, Commercial and
Transitional

Staff Recommendation:

Staff recommends approval of RS zoning with or without PUD 855 however, the PUD does require larger lots that may be more consistent with the expected surrounding development.

Staff Data:

TRS: 1312
CZM: 11

County Commission District: 1

Commissioner Name: Stan Sallee

3.1

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. A PUD (PUD-855) is being concurrently proposed with this rezoning to establish the allowable use as well as bulk and area requirements. 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.

EXHIBITS:

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

DETAILED STAFF RECOMMENDATION:

CZ-474 requesting RS zoning is consistent with the residential land use designation identified in the Tulsa County Comprehensive Lands Use plan with or without a Planned Unit Development. Near the intersection of 106th street and North Memorial Avenue the plan supports a greater intensity and illustrates Commercial and Transitional uses and;

CZ-474 is consistent with the Tulsa County Land Use Plan in much of the subject tract except where it will limit potential commercial and transitional land use designations identified in the comprehensive land use plan and;

CZ-474 allows lots sizes and uses that are consistent with the anticipated future development pattern of the surrounding property has lot sizes that are only slightly smaller than those in the existing RE zoning districts however, terrain and stormwater detention considerations support the idea of a Planned Unit Development to allow greater flexibility and creativity within the development to best utilize the unique physical features of the particular site;

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 in conjunction with PUD -855.

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:

Tulsa County Land Use Plan map designation: Residential, Commercial and Transitional

The Owasso land use master plan contemplates the maximum density that might be considered within the Owasso Fence Line.

This site is primarily defined as a residential development area but near the intersection of 106th Street North at North Memorial the land use map includes potential uses for Commercial and Transitional uses that could include small neighborhood convenience shopping areas restaurants, automotive service centers and transitional land use districts that could include duplexes, apartments, offices and other uses that act as a buffer between higher intensity uses and residential districts.

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.

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. The site includes some steep terrain on the east and south portions of the site that will impact future development and connectivity.

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

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	AG	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:

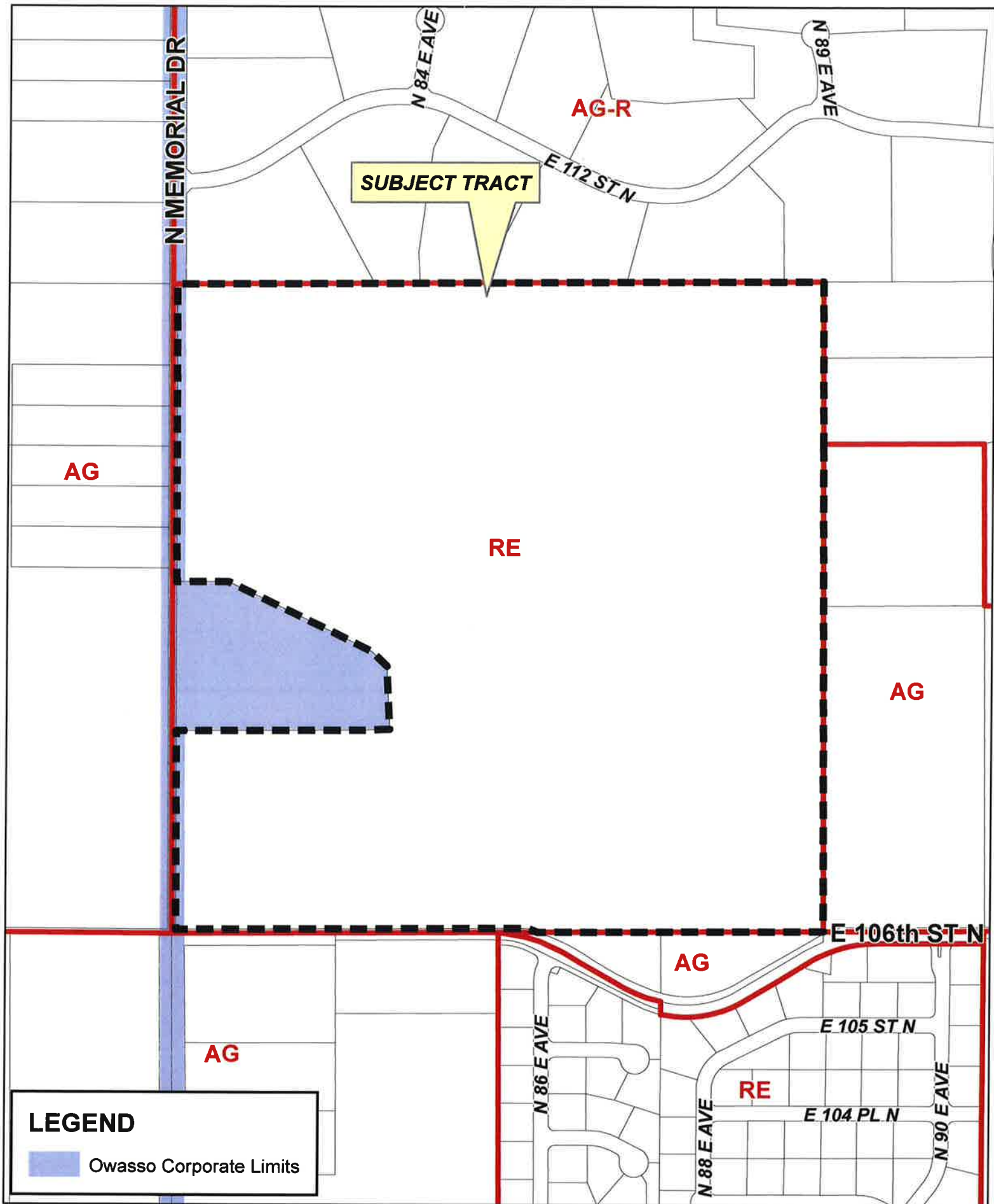
CZ- 286 August 2001: In a vote of 5-2-0, the board recommended the **denial** of a request for *rezoning* a 175± acre tract of land from AG to RS, recommending **approval** of RE *zoning*, on property located northeast corner and east of southeast corner of East 106th Street North and North Memorial. 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.

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LEGEND

 Owasso Corporate Limits

CZ-494

21-13 12

3.5 



Subject
Tract

CZ-494

21-13 12

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

Aerial Photo Date: February 2018

36





Tulsa Metropolitan Area
Planning Commission

Case Number: PUD-855
(associated with case CZ-494)

Hearing Date: November 20, 2019

Case Report Prepared by:

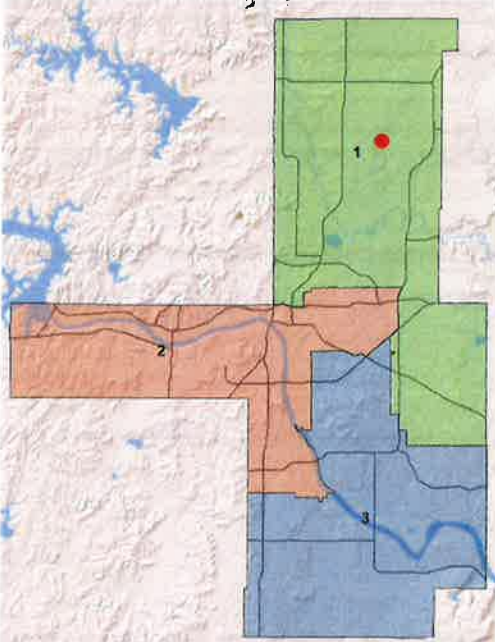
Jay Hoyt

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 Residential

Concept summary: Rezone from RE to RS with a PUD overlay 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/PUD-855

Comprehensive Plan:

Tulsa County Comprehensive Land Use Plan
2035 : Residential, Commercial and
Transitional

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 1312
CZM: 11

County Commission District: 1

Commissioner Name: Stan Sallee

4.1

SECTION I: PUD-855

DEVELOPMENT CONCEPT: The applicant is requesting to rezone from RE to RS with a PUD overlay to permit a single-family subdivision. A rezoning is being concurrently proposed with this PUD (CZ-494). The proposed PUD will establish the allowable use as well as bulk and area requirements. 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.

EXHIBITS:

INCOG Case map

INCOG Aerial

Applicant Exhibits:

PUD Information:

Development Concept and Standards

Exhibit A – Legal Description

Exhibit B – Surrounding Areas

Exhibit C – Existing Zoning

Exhibit D – Conceptual Development Plan

Exhibit E – Existing Top & Aerial

Exhibit E(2) – Conceptual Improvement Plan

DETAILED STAFF RECOMMENDATION:

Uses allowed in PUD-855 are consistent with the residential land use designation identified in the Tulsa County Comprehensive Lands Use plan. Near the intersection of 106th street and North Memorial Avenue the plan supports a greater intensity and anticipated Commercial and Transitional uses and;

PUD-855 allows lots sizes and uses that are consistent with the anticipated future development pattern of the surrounding property;

PUD-855 allows lots sizes and uses that are consistent with the anticipated future development pattern of the surrounding property has lot sizes that are only slightly smaller than those in the existing RE zoning districts however, terrain and stormwater detention considerations support the idea of a Planned Unit Development to allow greater flexibility and creativity within the development to best utilize the unique physical features of the particular site

PUD-855 is consistent with the provisions of the PUD chapter of the Tulsa County Zoning Code, therefore;

Staff recommends Approval of PUD-855 to rezone property from RE to RS/PUD-855.

Development Standards

The project shall be governed by the Tulsa County Zoning Ordinance use and dimensional standards as established by the RE district except as hereinafter modified:

Minimum Lot Width	115 feet
Minimum Lot Size	21,780 square feet
Minimum Side Yard	10 feet

4.2

Street Design and Access Limitations

All streets shall be constructed to meet or exceed the minimum standards for Tulsa County residential street .

Platting

Prior to issuance of a building permit for any habitable structure, the area within the PUD shall have a subdivision plat approved by the Planning Commission and County Commission and filed of record at the Tulsa County Courthouse. The deed of dedication of the required subdivision plat shall include covenants of record, enforceable by Tulsa County, setting forth the development standards of the approved Planned Unit Development.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

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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. The site includes some steep terrain on the east and south portions of the site that will impact future development and connectivity.

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
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Utilities:

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4.4

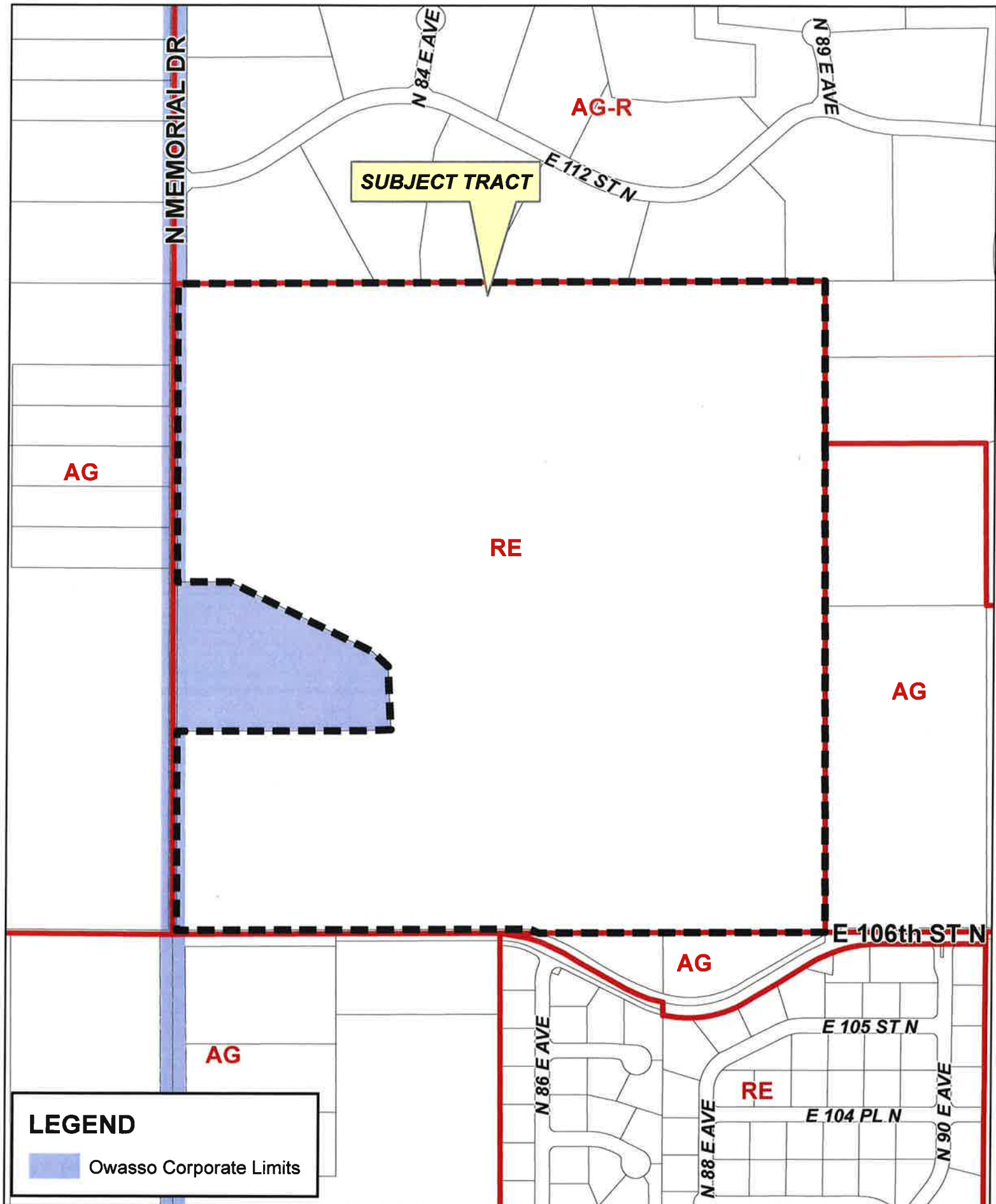
North Memorial. When those who voted nay were asked if they were indicating their approval for RS zoning, they stated that they did not approve of RS or RE zoning for CZ-286.

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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.

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LEGEND

 Owasso Corporate Limits

PUD-855

21-13 12

4.6





0 Feet
250 500



Subject
Tract

PUD-855

21-13 12

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

Aerial Photo Date: February 2018

4.7



106th & Memorial

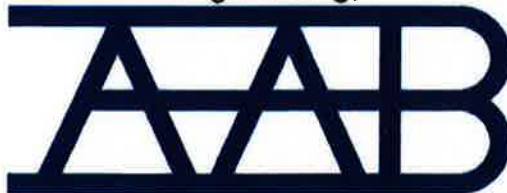
Planned Unit Development #XX

Prepared
October 23, 2019

Location
A Tract of land located in the Southwest Quarter (SW/4) of Section One (12), Township Seventeen (21) North, Range Fourteen(14) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma. This PUD contains 151.3 +/- Acres.

Owner
Noble & Mary Sokolosky
4444 S. Lewis Ave.
Tulsa, OK 74105

Prepared By:
AAB Engineering, LLC



Engineering • Surveying • Land Planning

PO Box 2136 Sand Springs, OK 74063
Office: (918) 514-4283 Fax: (918) 514-4288

Development Concept

PUD #XXX, 106th & Memorial, is a 151 acre development on the northeast corner of Memorial Drive and 106th Street north in Tulsa County. The property is surround on all sides by rural large lot tracts zoned AG or A-R zoned property. A high pressure gas line bisects the property as do number creeks. See Exhibits B & C for the surrounding areas and zoning maps affecting the property.

The project proposes half acre sized lots largely conforming to the RE zoning standards. This PUD is proposed to allow a slightly smaller gross lot area of 21,780 square feet (a true half acre) and a reduction in the minimum lot width from 150 feet to 115 feet. The existing site has large grade changes as well as numerous existing streams that will be preserved. This combined with the existing gas line that diagonals across the property creates layout difficulties that necessitate the slightly smaller lot width. Maintaining the minimum lot size proposed ensures that rural large lot character of the area will be maintained. See Exhibit D for the conceptual development plan of the property.

Development Standards

The project shall governed by the Tulsa County Zoning Ordinance use and dimensional standards as established by the RE district except as hereinafter modified:

Permitted uses:	Single Family Detached Dwellings
Gross Residential area	151.3 acres
Minimum Lot Width	115 feet
Minimum Lot Size	21,780 square feet
Minimum Side Yard	10 feet

Street Design and Access Limitations

All streets shall be constructed to meet Tulsa County public street standards. Streets shall have a paved width of 24 feet with a 5 foot shoulder on either side. Road side ditches will be used to facilitate drainage and shall have a minimum depth of two feet with a four to one fore slope.

Utilities

Water will be provided by the Washington County Rural Water District #3 via an onsite distributions system designed to rural water district standards and installed by the developer. Public sewer service will not be provided to the development. Instead, sewage treatment and disposal will be achieved using on lot conventional or aerobic septic systems. Onsite stormwater detention will be designed and constructed in accordance with Tulsa County standards. The detention facility will be maintained by the Homeowner's Association. The attached exhibits E & F depict the existing topography of the site and the conceptual improvements plan, respectively.

Franchise utilities will also serve the project with communications, natural gas, and electricity. We anticipate underground services throughout the development.

Platting

Prior to issuance of a building permit for any habitable structure, the area within the PUD shall have a subdivision plat approved by the Planning Commission and County Commission and filed of record at the Tulsa County Courthouse. The deed of dedication of the required subdivision plat shall include covenants of record, enforceable by Tulsa County, setting forth the development standards of the approved Planned Unit Development.

Exhibit A

Legal Description
for

106th N. ~ Memorial

THE SOUTHWEST QUARTER (SW4) 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.

LESS AND EXCEPT

A TRACT OF LAND THAT IS IN THE SOUTHWEST QUARTER (SW/4) OF SECTION 12, TOWNSHIP 21 NORTH, RANGE 13 EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT THAT IS 826.92 FEET NORTH OF THE SOUTHWEST SECTION CORNER OF SAID SECTION 12, THENCE NORTH ALONG THE WEST LINE OF SECTION 12 A DISTANCE OF 608.13 FEET, THENCE N 89°37'17" E A DISTANCE OF 227.64 FEET, THENCE S 65°14'52" E A DISTANCE OF 651.28 FEET, THENCE S 47°04'18" E A DISTANCE OF 84.93 FEET, THENCE S 3°56'14" E A DISTANCE OF 257.74 FEET, THENCE S 88°02'35" W A DISTANCE OF 126.34 FEET, THENCE S 88°41'28" W A DISTANCE OF 772.89 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 9.895 ACRES, MORE OR LESS.

PLOT DATE: Thu, 24 Oct 2019 FILE: P:\2113\12-106TH N & MEMORIAL (SOKOLOSKY)\106TH AND MEMORIAL BASE - PUD

AAB Engineering, LLC
AAB
Engineering • Surveying • Land Planning
PO Box 2136 Sand Springs, OK 74053
OK CAPS118 Exp: June 30, 2020
KS CAP2202 Exp: Dec 31, 2020
Office: (918) 914-4203 Fax: (918) 514-4288

4.11

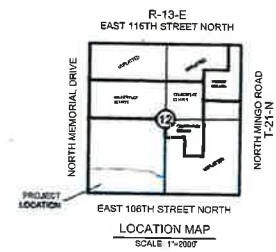
4.12

Exhibit B
Surrounding Areas
for
106th N. ~ Memorial



AAB Engineering, LLC
AAB
Engineering • Surveying • Land Planning
PO Box 2136 Sand Springs, OK 74053
OK CA#8518 Exp: June 30, 2020
KS CA#2295 Exp: Dec. 31, 2020
Office: (918) 514-4288 Fax: (918) 514-4288

Exhibit C Existing Zoning for 106th N. ~ Memorial



LEGEND

- ZONED AG (AGRICULTURE)
- ZONED AG-R (AGRICULTURE/RESIDENTIAL SINGLE FAMILY, RURAL DEVELOPMENT)
- ZONED RS-3 (RESIDENTIAL)
- ZONED RE (RESIDENTIAL SINGLE-FAMILY, ESTATE DISTRICT)
- PROJECT LOCATION - PROPOSED PLD

NOT TO SCALE. THIS IS A PRELIMINARY MAP. THE ACTUAL ZONING MAY VARY FROM THE INFORMATION SHOWN ON THIS MAP. THE USER OF THIS MAP ASSUMES ALL LIABILITY FOR ANY ERRORS OR OMISSIONS.



AAB Engineering, LLC

AAB

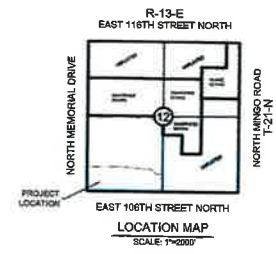
Engineering • Surveying • Land Planning

PO Box 2106 Sand Springs, OK 74002
OK CARS319 Exp: June 30, 2020
KS CARS200 Exp: Dec. 31, 2020
Office: (918) 514-4293 Fax: (918) 514-4299

ナニナ

Exhibit D

Conceptual Development Plan
for
106th N. - Memorial



AAB Engineering, LLC

AAB

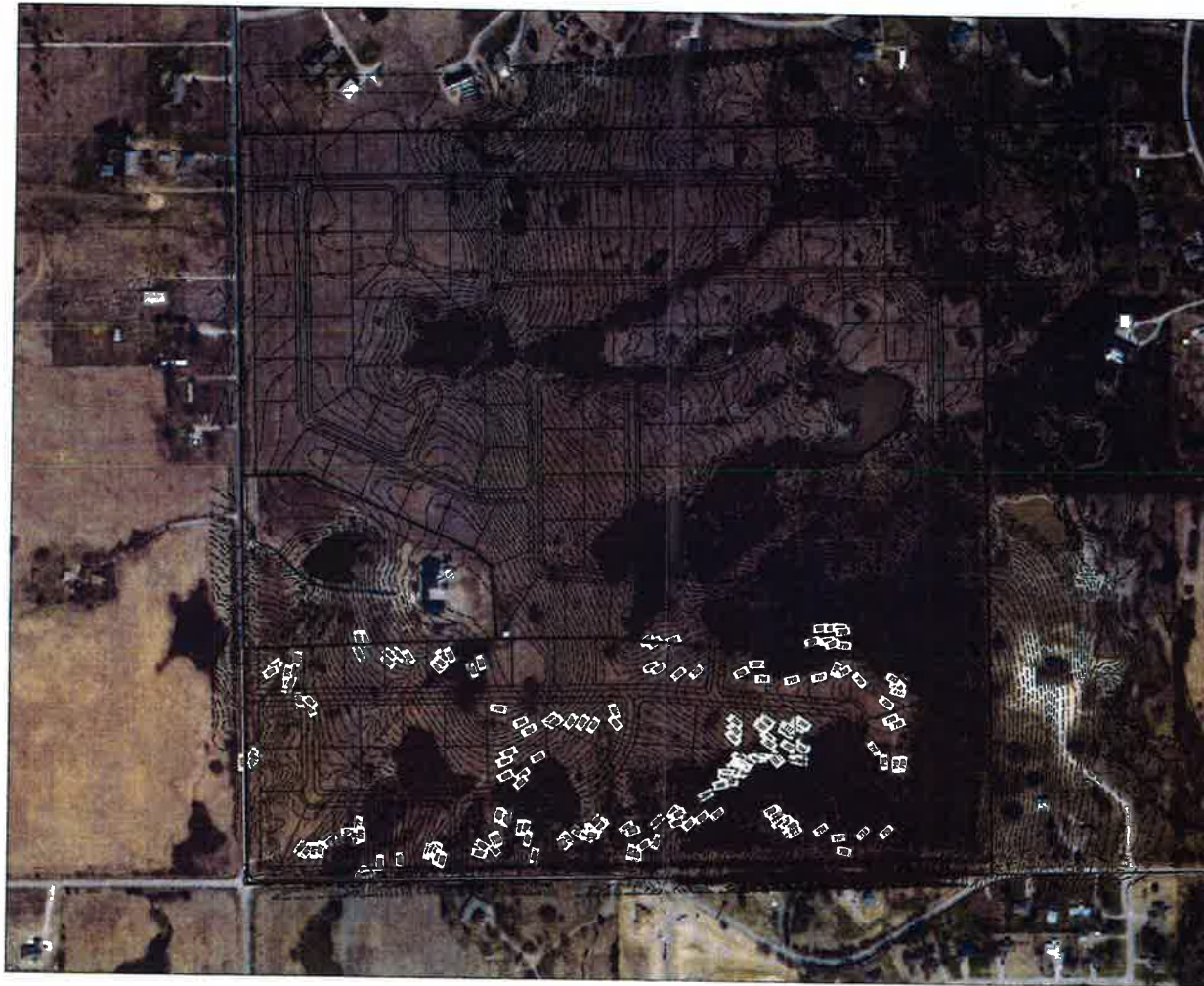
Engineering • Surveying • Land Planning

PO Box 2136 Sand Springs, OK 74053
OK CA#0318 Exp: June 30, 2020
KS CA#2292 Exp: Dec 31, 2020
Office: (918) 514-4283 Fax: (918) 514-4286

AAB Engineering, LLC is an Equal Opportunity Employer. Minorities and women are encouraged to apply.

4.15

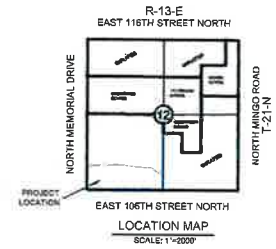
Exhibit E
Existing Topo & Aerial
for
106th N. ~ Memorial



AAB Engineering, LLC
AAB
Engineering • Surveying • Land Planning
PO Box 2136 Sand Springs, OK 74063
OK CA#6316 Exp: June 30, 2020
KS CA#2292 Exp: Dec. 31, 2020
Offices: (918) 514-4280 Fax: (918) 514-4288

4.14

Exhibit E
Conceptual Improvement Plan
for
106th N. ~ Memorial



LEGEND

	EXISTING WATERLINE
	PROPOSED WATERLINE
	EXISTING STORM SEWER
	PROPOSED STORM SEWER

AAB Engineering, LLC
AAB
Engineering • Surveying • Land Planning
PO Box 2130 Sand Springs, OK 74063
OK CA#0318 Exp: June 30, 2020
KS CA#2282 Exp: Dec. 31, 2020
Office: (918) 514-4263 Fax: (918) 514-4288





Tulsa Metropolitan Area
Planning Commission

Case : 106th ~ Memorial

Hearing Date: November 20, 2019
(Continued from October 16, 2019)
(Related to CZ-494)

Case Report Prepared by:

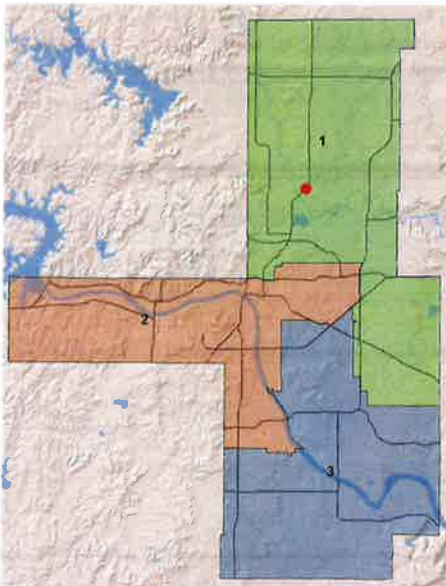
Nathan Foster

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

PRELIMINARY SUBDIVISION PLAT

106th ~ Memorial - (County)

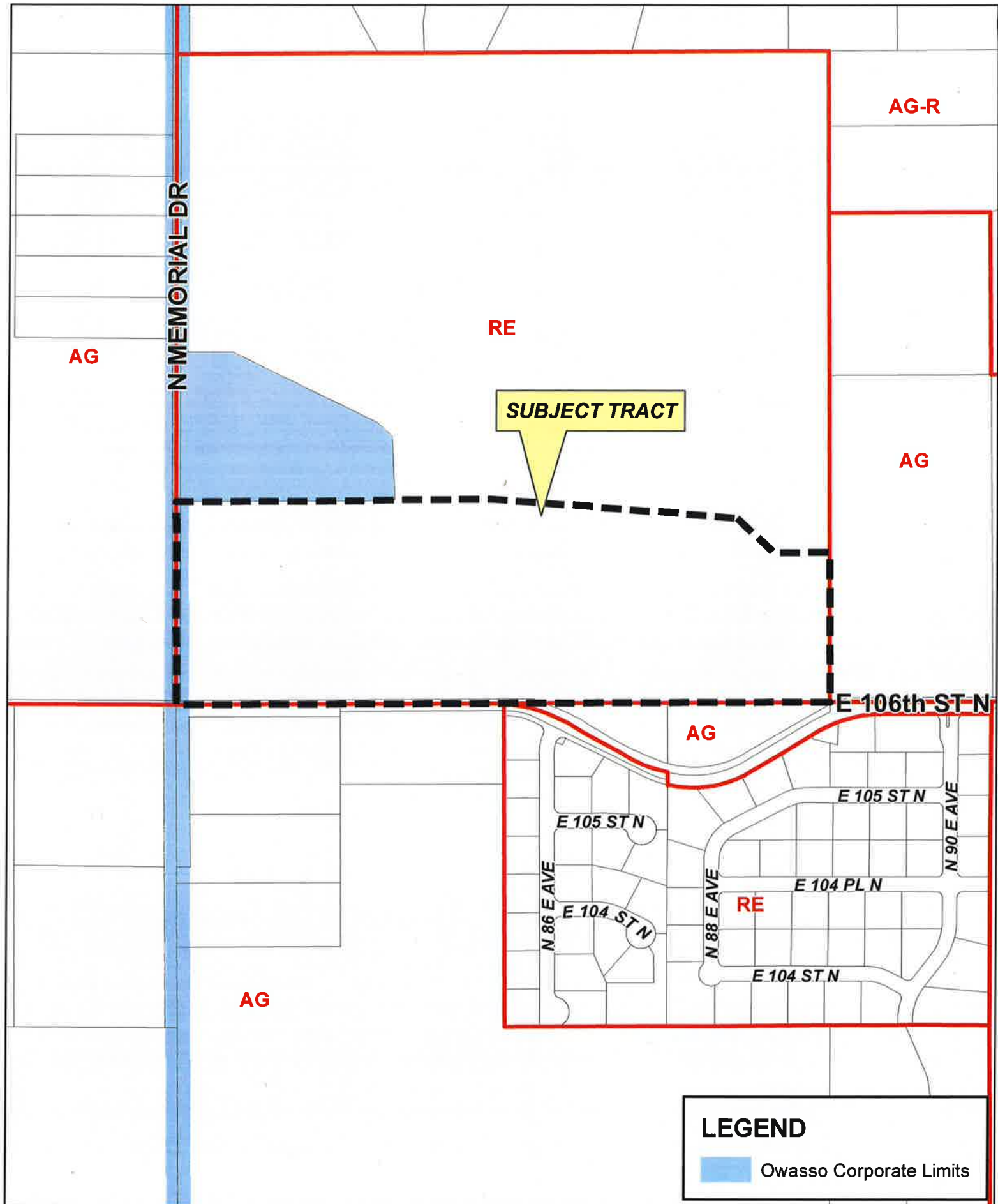
Northeast corner of East 106th Street North and North Memorial Drive

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:

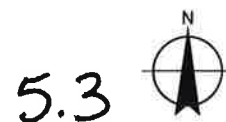
1. **Zoning:** Property included in the subdivision is currently under application to be rezoned to RS from the current RE designation with an associated Planned Unit Development to restrict overall lot area and lot width. All lots within the subdivision will be required to conform to the PUD restrictions and those restrictions will be required to be included in the restrictive covenants of the subdivision plat.
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.

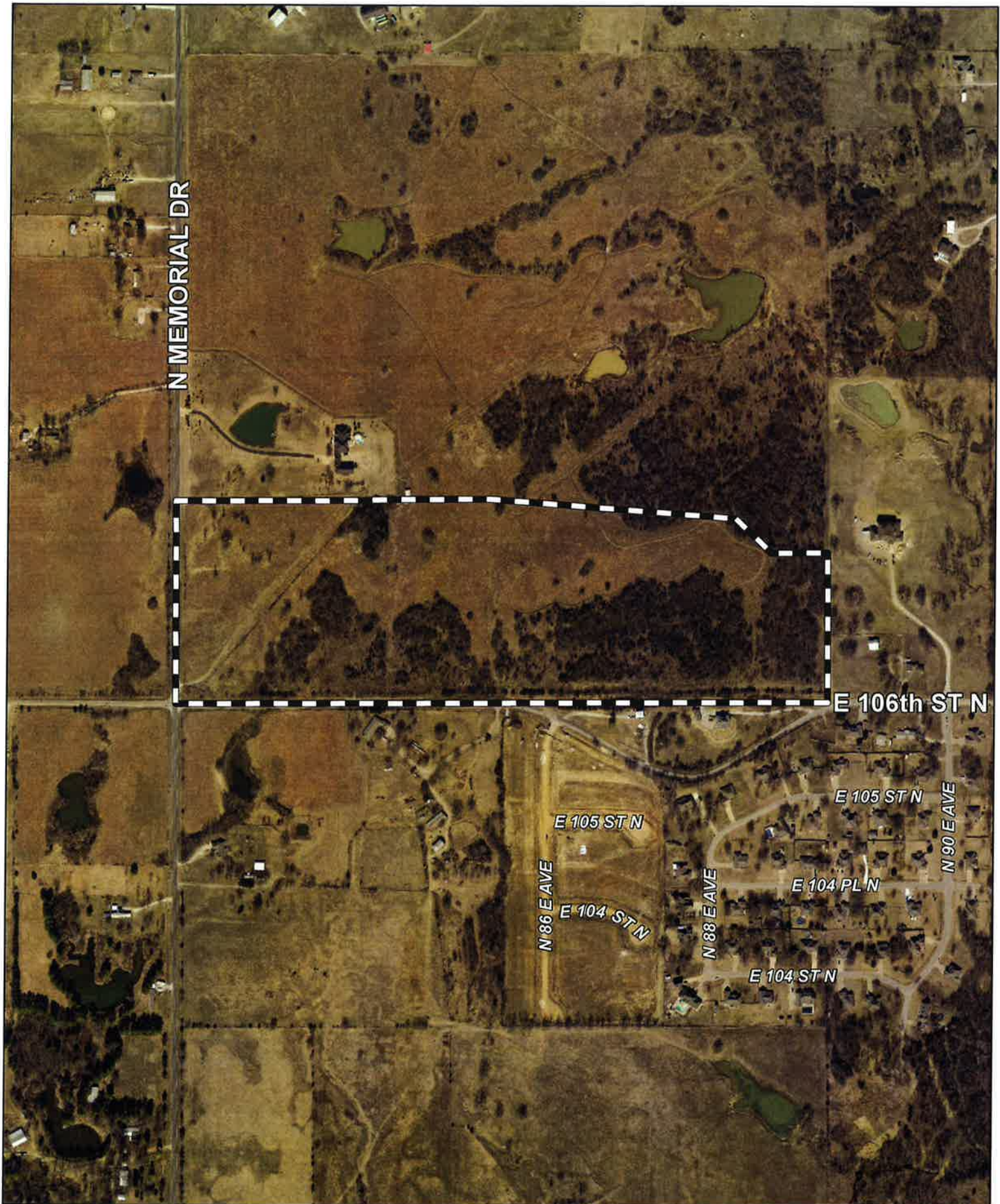
Staff recommends **APPROVAL** of the preliminary subdivision plat subject to the conditions provided by TAC and all other requirements of the Subdivision and Development Regulations.



106th N. ~ MEMORIAL

21-13 12





0 Feet
250 500



Subject
Tract

106th N. ~ MEMORIAL

21-13 12

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

Aerial Photo Date: February 2018



5.4

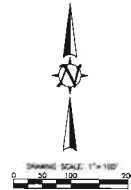
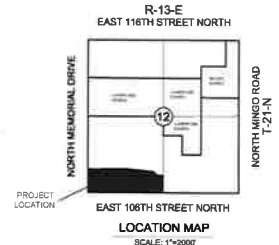
PRELIMINARY PLAT

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 (I.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
ALISA THOMPSON

ENGINEER/SURVEYOR
AAB ENGINEERING LLC
CERTIFICATE OF AUTHORIZATION NO. 6518, EXPI. JUNE 30, 2020
PO BOX 2138
SAND SPRINGS, OK 74063
PHONE: 918 514 4283
FAX: 918 514 4283
EMAIL: ALAN@AABENG.COM



LEGEND

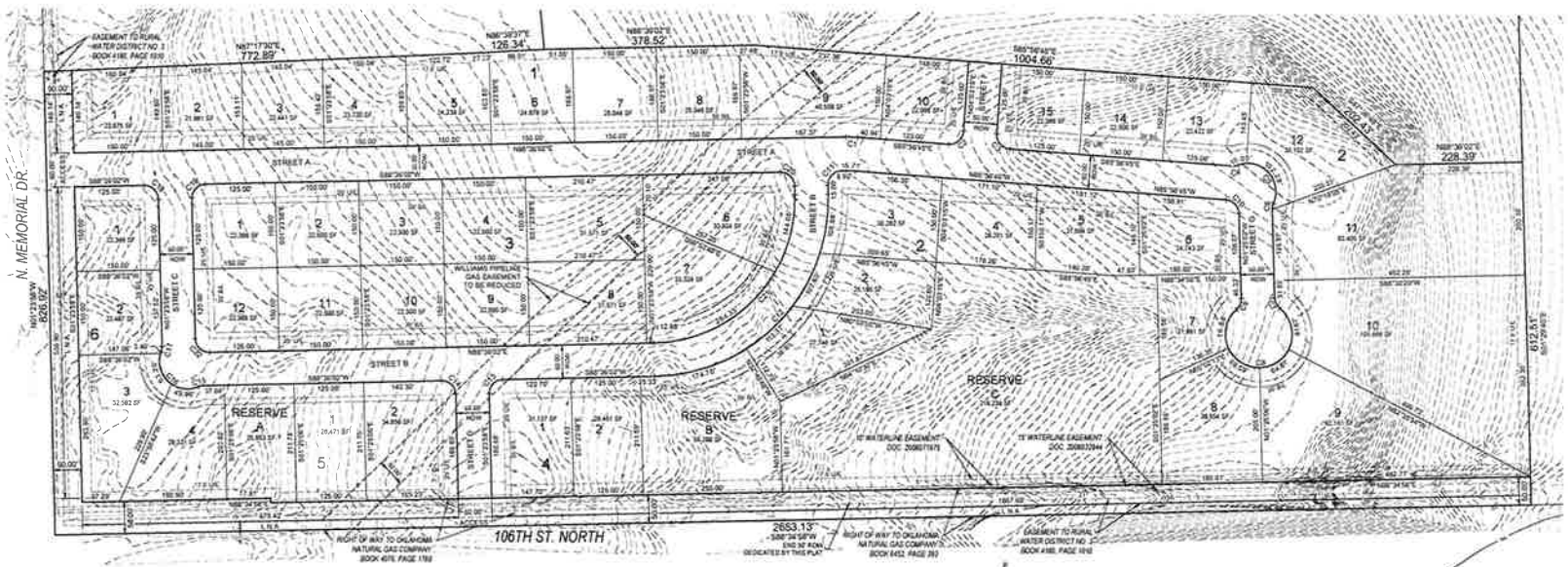
BL.	BUILDING LINE
LVA.	LIMIT OF NO ACCESS
POB.	POINT OF BEGINNING
ROW.	RIGHT OF WAY
ULS.	UTILITY EASEMENT
ODE.	OVERLAND DRAINAGE EASEMENT
DLE.	DRAINAGE EASEMENT
RWE.	RESTRICTED WATER EASEMENT
IPF.	IRON PIN FOUND
IPS.	IRON PIN SET (W/ CAP MARKED AAB C48318)
XXXX	STREET ADDRESS

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 "0143C0120," DATED OCTOBER 16, 2010.

CURVE TABLE

CURVE #	LENGTH	RADIUS	CHORD LENGTH	CHORD BEARING
C1	21.42	222.50	21.41	S88°40'21"E
C2	38.27	25.00	20.36	N89°02'15"E
C3	30.27	25.00	36.36	N89°59'45"W
C4	10.89	25.00	10.81	S81°34'21"W
C5	117.26	30.00	82.21	S49°43'37"W
C6	10.92	25.00	10.81	N11°16'00"E
C7	21.00	25.00	21.00	N29°15'23"W
C8	282.34	80.00	77.85	N88°34'58"E
C9	21.89	25.00	21.00	S22°22'21"E
C10	38.88	25.00	33.83	S43°40'53"E
C11	15.71	185.00	15.72	S88°40'21"E
C12	39.27	25.00	36.36	N89°59'45"E
C13	302.60	300.00	452.50	N42°30'00"E
C14	39.27	25.00	36.36	N89°59'45"E
C15	39.27	25.00	36.36	S43°40'53"E
C16	8.92	25.00	8.92	N77°42'23"E
C17	118.58	30.00	91.80	S48°23'59"E
C18	8.92	25.00	8.92	S29°23'23"E
C19	39.27	25.00	36.36	S43°40'53"E
C20	39.27	25.00	36.36	S43°40'53"E
C21	39.27	25.00	36.36	N48°23'59"W
C22	439.41	250.00	187.72	N42°30'00"E
C23	39.27	25.00	36.36	S48°23'59"E



SUBDIVISION DATA

BENCHMARKS
3" C.O.E. BRASS CAP SET IN A CONCRETE POST
STAMPED 119 SET N.E. OF 106TH ST. N. AND MEMORIAL
DRIVE
ELEV 875.528 (NAVD 88)

BASIS OF BEARINGS
ASSUMED BEARING BASED ON THE OKLAHOMA STATE
PLANE COORDINATE SYSTEM ZONE 3001 NORTH

LAND AREA
2,114.411 SF / 48.54 ACRES

MONUMENTATION
ALL CORNERS WERE SET USING 3/8" X 1/4" REBAR WITH
A YELLOW PLASTIC CAP STAMPED "AAB C48318",
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 RE-
LIED ON IN PLACE OF LEGAL DESCRIPTION.

SUBDIVISION STATISTICS

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

BLOCK 1	5.82 ACRES - 12 LOTS
BLOCK 2	13.30 ACRES - 15 LOTS
BLOCK 3	7.12 ACRES - 12 LOTS
BLOCK 4	1.50 ACRES - 2 LOTS
BLOCK 5	1.41 ACRES - 2 LOTS
BLOCK 6	2.45 ACRES - 4 LOTS
RESERVE AREA "A"	0.39 ACRES
RESERVE AREA "B"	1.27 ACRES
RESERVE AREA "C"	3.03 ACRES

UTILITY CONTACTS

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

UTILITY

OKLAHOMA NATURAL GAS COMPANY 2319 W. SEDEN ST. TULSA, OK 74127 918-534-8000	PUBLIC SERVICE COMPANY OF OKLAHOMA 212 E. 6TH ST. TULSA, OK 74118 918-535-3231
RURAL WATER DISTRICT #3 WASHINGTON COUNTY 17221 N. 129TH E. AVE. COLLINGSVILLE, OK 74021 918-371-2065	COX COMMUNICATIONS 11881 EAST 81ST STREET TULSA, OK 74145 918-266-4606
AT&T 5303 E. 71ST STREET TULSA, OK 74135 918-596-6122	

FINAL PLAT CERTIFICATE OF APPROVAL

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

TMAP/COG OFFICIAL

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

COUNTY OR CITY ENGINEER

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 (I.B.&M.), ACCORDING TO THE U.S. GOVERNMENT SURVEY, THEREOF, TULSA COUNTY, STATE OF OKLAHOMA.

OWNER/DEVELOPER
BLUE CHIP LAND COMPANY, LLC
PO BOX 52108
TULSA, OK 74152
ALEX TRINIDAD

ENGINEER/SURVEYOR

AAB ENGINEERING LLC
CERTIFICATE OF AUTHORIZATION NO. 8818 EXP. JUNE 30, 2020
PO BOX 2138
SAND SPRINGS, OK 74083
PHONE: 918.914.4283
FAX: 918.914.4288
EMAIL: A.AB@AABENG.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 828.82 FEET; THENCE NORTH 87°17'30" EAST, A DISTANCE OF 772.88 FEET; THENCE NORTH 88°38'37" EAST, A DISTANCE OF 128.34 FEET; THENCE NORTH 88°08'02" EAST, A DISTANCE OF 378.32 FEET; THENCE SOUTH 88°36'45" EAST, A DISTANCE OF 100.68 FEET; THENCE SOUTH 47°08'48" EAST, A DISTANCE OF 200.43 FEET; THENCE NORTH 88°03'02" EAST, A DISTANCE OF 328.38 FEET; THENCE SOUTH 01°09'40" EAST, A DISTANCE OF 812.13 FEET TO THE SOUTH LINE OF SAID SOUTHWEST (SW/4); THENCE SOUTH 88°34'58" WEST, ALONG SAID SOUTH LINE OF THE SOUTHWEST (SW/4), A DISTANCE OF 2833.13 FEET TO THE POINT OF BEGINNING
SAID TRACT CONTAINING 2,114.11 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 "106TH N. ~ MEMORIAL," A SUBDIVISION IN TULSA COUNTY, OKLAHOMA (HEREINAFTER REFERRED TO AS "106TH 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 "106TH 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 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 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, ERECTED, INSTALLED OR MAINTAINED, PROVIDED NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT DRIVES, PARKING AREAS, CURBING, LANDSCAPING AND CUSTOMARY CONCERNING FEENCES 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 RIGHTS-OF-WAY OF THE PUBLIC STREETS AS DEPICTED ON THE ACCOMPANYING PLAT. SERVICE PEDESTALS 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 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 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE OR LINE EXTENDING FROM THE EXISTING SERVICE PEDESTAL OR TRANSFORMER 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 INSTALLING, MAINTAINING, OPERATING 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 SUPPLIER OF THEIR SERVICES SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE OWNER SHALL PAY FOR DAMAGES OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR THE OWNERS AGENTS OR CONTRACTORS.
5. THE COVENANTS 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 CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, SANITARY SEWER MAIN, OR STORM SEWER OR ANY CONSTRUCTION ACTIVITY WHICH, IN THE JUDGMENT OF WASHINGTON COUNTY RURAL WATER DISTRICT #6, WOULD INTERFERE WITH PUBLIC WATER MAINS, SANITARY SEWER MAINS, AND STORM SEWERS SHALL BE PROHIBITED.
3. WATER FACILITIES, THE OWNER OF EACH LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS LOCATED ON SUCH OWNERS LOT AND SHALL PREVENT THE ALTERATION OF GRADE FROM THE ORIGINAL CONTOURS OR FROM ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH SAID FACILITIES. SAID ALTERATION OF GRADE RESTRICTIONS SHALL BE LIMITED TO THE EASEMENT AREAS.
4. WASHINGTON COUNTY RURAL WATER DISTRICT (RWQ) 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. RWQ 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. THE FOLLOWING COVENANTS CONCERNING WATER FACILITIES SHALL BE ENFORCEABLE BY WASHINGTON COUNTY RWQ NO. 3 AND THE OWNER OF EACH LOT AGREES TO BE BOUND HEREBY.
5. LANDSCAPE AND PLANNING 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 OR UTILITIES LOCATED WITHIN SAID EASEMENTS OR RIGHTS-OF-WAY IF IT IS DETERMINED THAT TREES OR SHRUBBERY LOCATED WITHIN SAID EASEMENTS OR RIGHTS-OF-WAY ARE DAMAGING OR ENDANGERING UTILITIES IN SAID EASEMENTS OR RIGHTS-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 106TH N. ~ MEMORIAL SHALL RECEIVE AND DRAIN, IN AN UNOBTSTRUCTED 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 - STORMWATER DETENTION**
1. THE OWNER HAS CONSTRUCTED DETENTION FACILITIES, OPEN SPACE PARK AND UTILITY EASEMENTS UPON RESERVE A & B TO ACCOMMODATE STORMWATER DETENTION FOR 106TH N. ~ MEMORIAL. SAID PARK SHALL BE FOR THE SOLE USE AND ENJOYMENT OF THE LOT OWNERS WITHIN THE 106TH N. ~ MEMORIAL AND THEIR INVITEES.
2. THE USE OF RESERVES A & B SHALL BE LIMITED TO USE AS OPEN SPACE, LANDSCAPING AND OVERLAND DRAINAGE AREAS WITHIN THE EASEMENT AREAS AND 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 DETENTION 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 106TH N. ~ MEMORIAL SHALL MAINTAIN RESERVES A & B IN ACCORDANCE WITH, AND AS REQUIRED BY, THE TULSA COUNTY, OKLAHOMA, DETENTION FACILITY DESIGN 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 ASSOCIATION OF 106TH N. ~ MEMORIAL SHALL MAINTAIN RESERVE A & B IN THE MANNER MAINTAINED AS ABOVE PROVIDED, TULSA COUNTY, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR MAY ENTER THE DRAINAGE/DETENTION 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 RESERVE C SHALL BE RESERVED FOR SUBSEQUENT CONVEYANCE TO THE HOMEOWNERS ASSOCIATION. MAINTENANCE OF RESERVE AREA C WILL BE THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION.

H. **PAVING AND LANDSCAPING WITHIN EASEMENTS**
THE OWNER OF ANY LOT UPON 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 AREAS 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**
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 WITHIN A PHASING MAY BE ISSUED UPON THE COMPLETION AND ACCEPTANCE OF THE INFRASTRUCTURE SERVING THE PARTICULAR PHASE BUILDING CONSTRUCTION OCCURRING PRIOR TO THE COUNTRIES 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 109TH STREET NORTH AND NORTH MEMORIAL DRIVE WITHIN THE BOUNDS DESIGNATED "LIMIT OF NO ACCESS" TO 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 106TH 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 FENCE EASEMENT FOR THE FURTHER PURPOSES OF ENHANCING THE VALUE, DESIRABILITY AND ATTRACTIVENESS OF 106TH N. ~ MEMORIAL. THE DETAILS OF ASSOCIATION MEMBERSHIP, INCLUDING ASSIGNMENTS 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 106TH 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 106TH 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 THEREOF PERTAINING THERETO AND WHETHER OR NOT THEREIN SO STATED, THE COVENANTS WITHIN SECTION I SHALL INURE TO THE BENEFIT OF, AND BE ENFORCEABLE BY TULSA COUNTY, OKLAHOMA. IF THE UNDERSIGNED OWNER/DEVELOPER OR ITS SUCCESSORS OR ASSIGNS SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTION I, IT SHALL BE UNLAWFUL FOR ANY PERSON OR PERSONS OWNING ANY LOT SITUATED WITHIN THE SUBDIVISION, OR TULSA COUNTY TO MAINTAIN ANY ACT, OR TO OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT, TO PREVENT THEM OR THEM FROM SO DOING OR TO COMPEL COMPLIANCE WITH THE COVENANTS. ANY SUCH VIOLATION SHALL BE SUBJECT TO A JUDICIAL ACTION TO ENFORCE THE COVENANTS ESTABLISHED IN THIS DEED OF DEEDITION. THE DEFENSE THAT THE PARTY INITIATING THE ENFORCEABLE PROCEEDINGS 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 THE 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 OR 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 TRINIDAD, MANAGER

(STATE OF OKLAHOMA)

(COUNTY OF TULSA)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 2019, BY ALEX TRINIDAD, 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 "106TH 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)

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 SUBSCRIBED 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 25, 2019
COMMISSION NUMBER 1101022



5.16



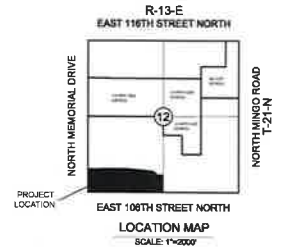
CONCEPTUAL IMPROVEMENTS

106th N. - Memorial

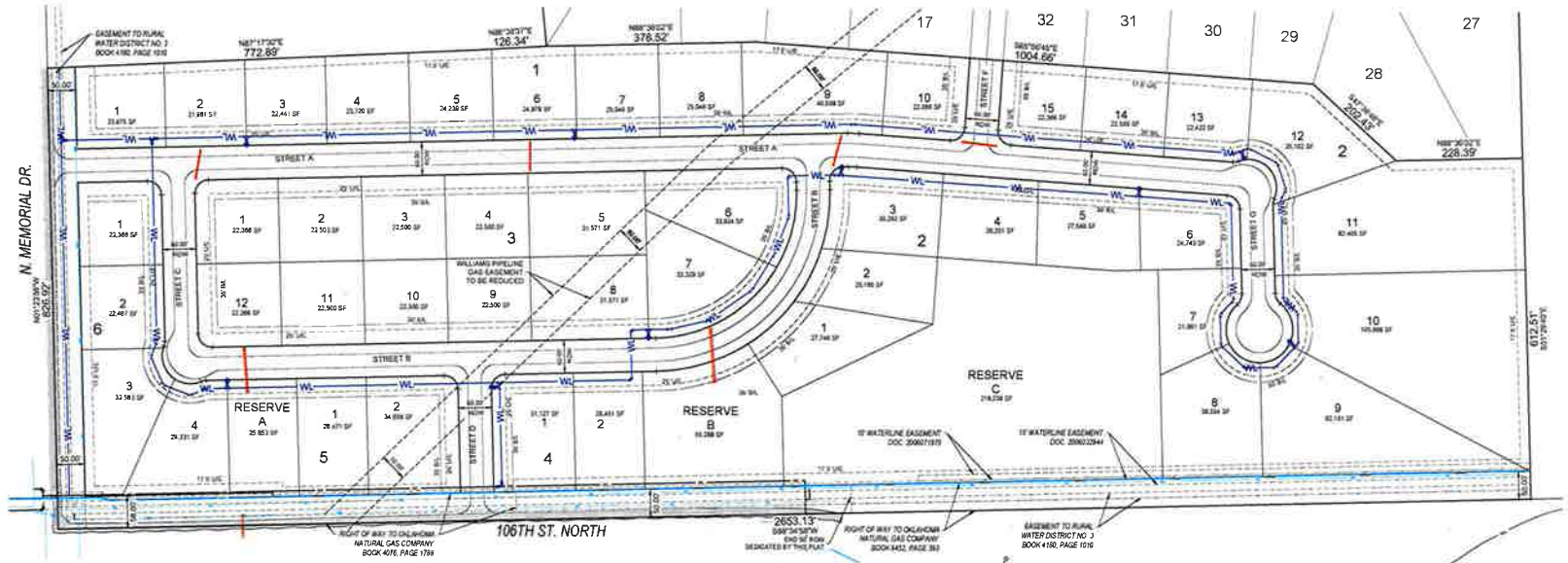
A TRACT OF LAND LOCATED IN THE SOUTH HALF OF THE SOUTHWEST QUARTER (S/2 SW/4) OF SECTION TWELVE (12) OF TOWNSHIP TWENTY-ONE (21) NORTH AND RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN (1 B & M), ACCORDING TO THE U.S. GOVERNMENT SURVEY, THEREOF, TULSA COUNTY, STATE OF OKLAHOMA.

OWNER/DEVELOPER
BLUE CHIP LAND COMPANY, LLC
 PO BOX 521209
 TULSA, OK 74152
 ALEX TRIMMAD

ENGINEER/SURVEYOR
AAB ENGINEERING LLC
 CERTIFICATE OF AUTHORIZATION NO. 6516, EXP. JUNE, 30, 2020
 PO BOX 2130
 SAND SPRINGS, OK 74063
 PHONE: 918.514.4283
 FAX: 918.514.4286
 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 "401432012B" DATED OCTOBER 19, 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 74108	
UTILITY	
OKLAHOMA NATURAL GAS COMPANY 2019 W. EDISON ST. TULSA, OK 74127 918-454-6000	PUBLIC SERVICE COMPANY OF OKLAHOMA 212 E. 6TH ST. TULSA, OK 74119 1-800-218-3523
RURAL WATER DISTRICT #3 WASHINGTON COUNTY 17227 N. 120TH E. AVE. COLLINSVILLE, OK 74021 918-271-2255	COX COMMUNICATIONS 11011 EAST 51ST STREET TULSA, OK 74145 918-266-4555
AT&T 5303 E. 71ST STREET TULSA, OK 74138 918-586-4422	



Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7506

Hearing Date: November 20, 2019
(Continued from October 16, 2019)

Case Report Prepared by:

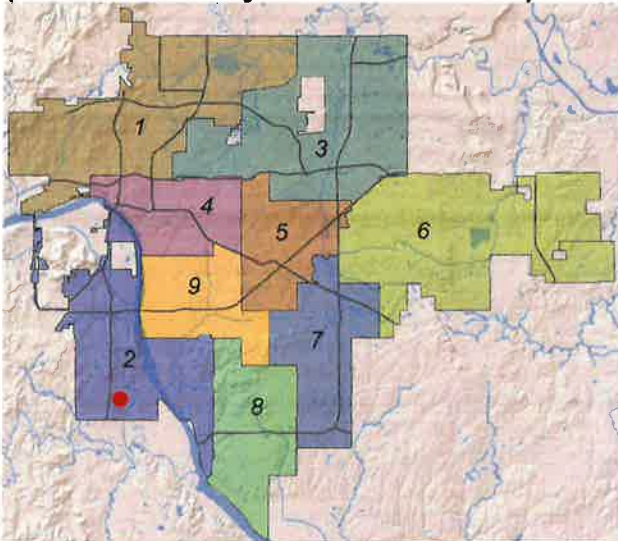
Jay Hoyt

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

Original Proposed Zoning: RS-5
Amended Proposed Zoning: RS-4

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

6.1

SECTION I: Z-7506

DEVELOPMENT CONCEPT: The applicant is proposing to rezone the subject lots from AG to RS-4 for Single-family residential lots.

Per the City of Tulsa Zoning Code, RS-4 has a minimum lot area of 5,500 sf and a minimum lot width of 50 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-4 would provide a development in line with those of the immediate surrounding area and would help provide housing compatible with the currently existing homes in the area. This proposal is also compatible with the recommendations of the West Highlands / Tulsa Hills Small Area plan for providing a variety of zoning/use options east of Union Avenue.

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-4.

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 and is located within the West Highlands / Tulsa Hills Small Area Plan area. The plan encourages zoning changes, east of Union Ave, from Agricultural zoning to corridor, commercial, office, mixed-use and/or residential zoning. This request is located east of Union and is compatible with this stated vision of the small area plan for having a mix of uses and densities on the east side of Union Ave.*

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

One stated goal of the West Highlands Small Area Plan is to support zoning changes east of Union Avenue, from Agricultural zoning to corridor, commercial, office, mixed-use and/or residential zoning (should a private request be filed, Goal 2.4 of Plan).

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 CO-zoned lands between U~~S~~-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.

6.3

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.

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:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
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

6.4

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.

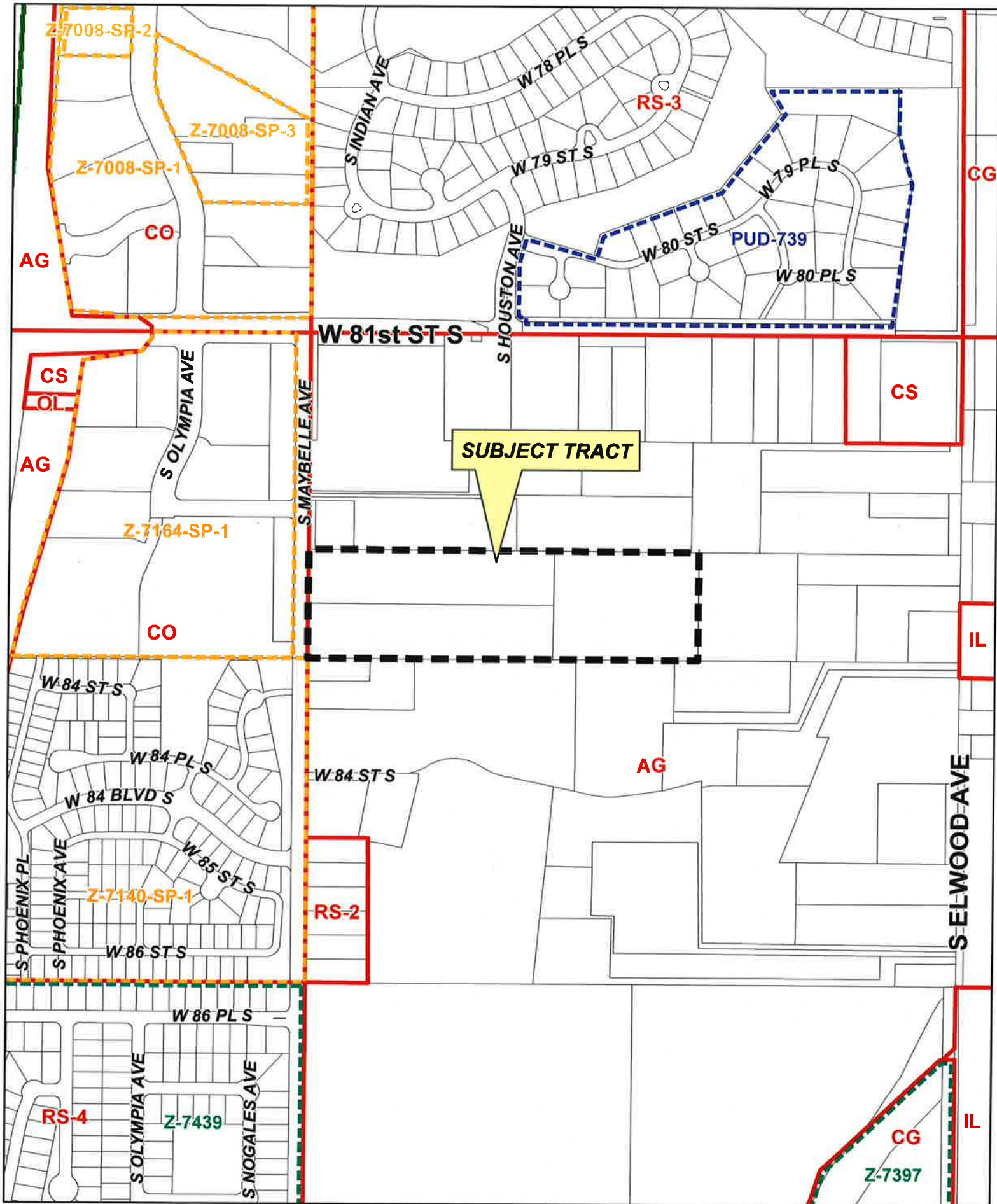
Surrounding Property:

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.

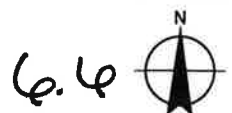
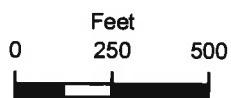
BOA- 16312 April 1993: The Board of Adjustment **approved** a *Variance* of the required 30' of frontage on a dedicated right-of-way to 13' to permit a lot-split, subject to a maximum of three residences on the tract, with each having 13' of frontage on Maybelle, finding that the request is consistent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



Z-7506

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0 250 500
Feet



Subject
Tract

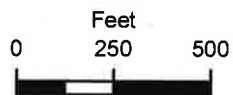
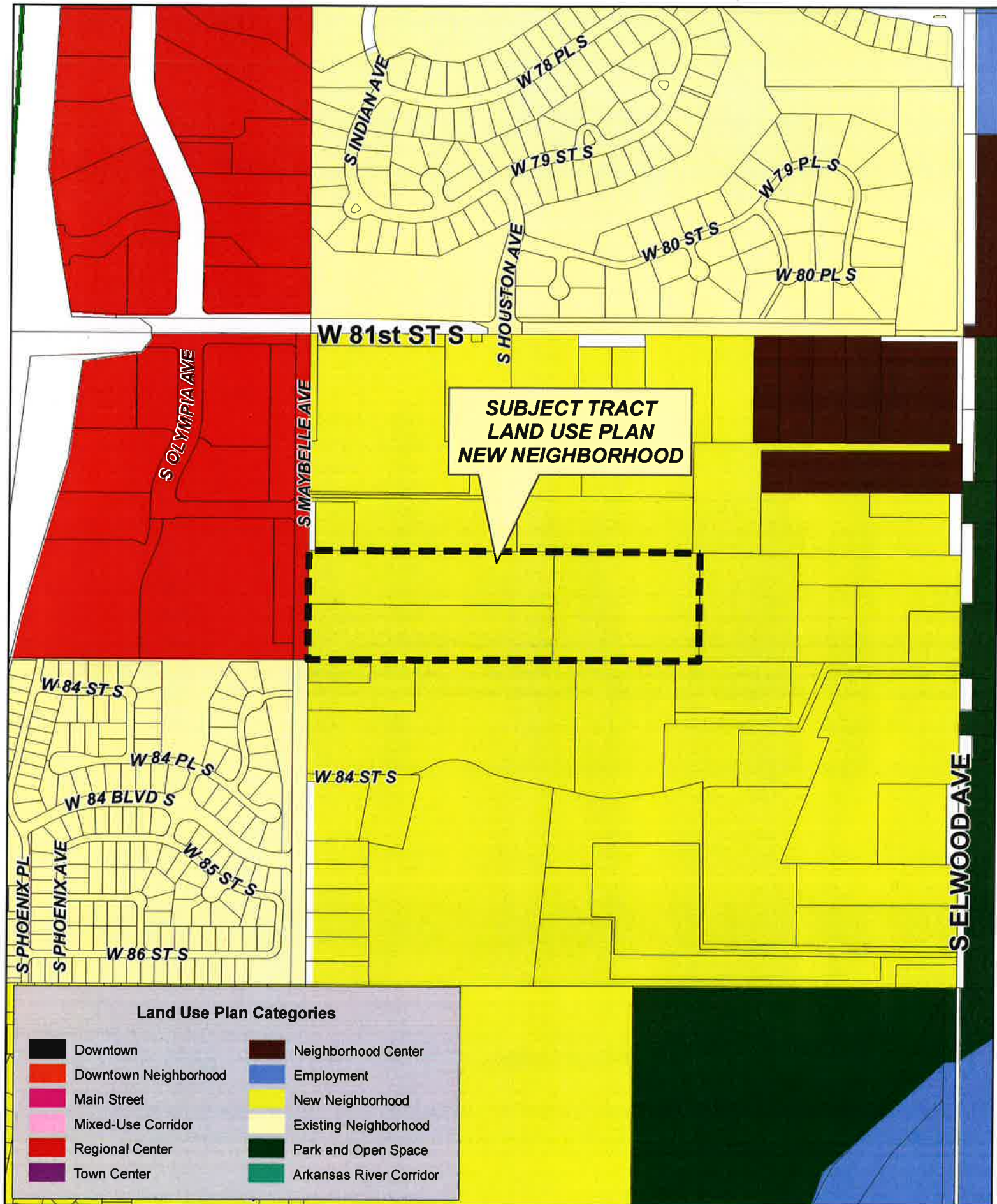
Z-7506

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

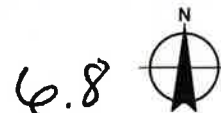
Aerial Photo Date: February 2018

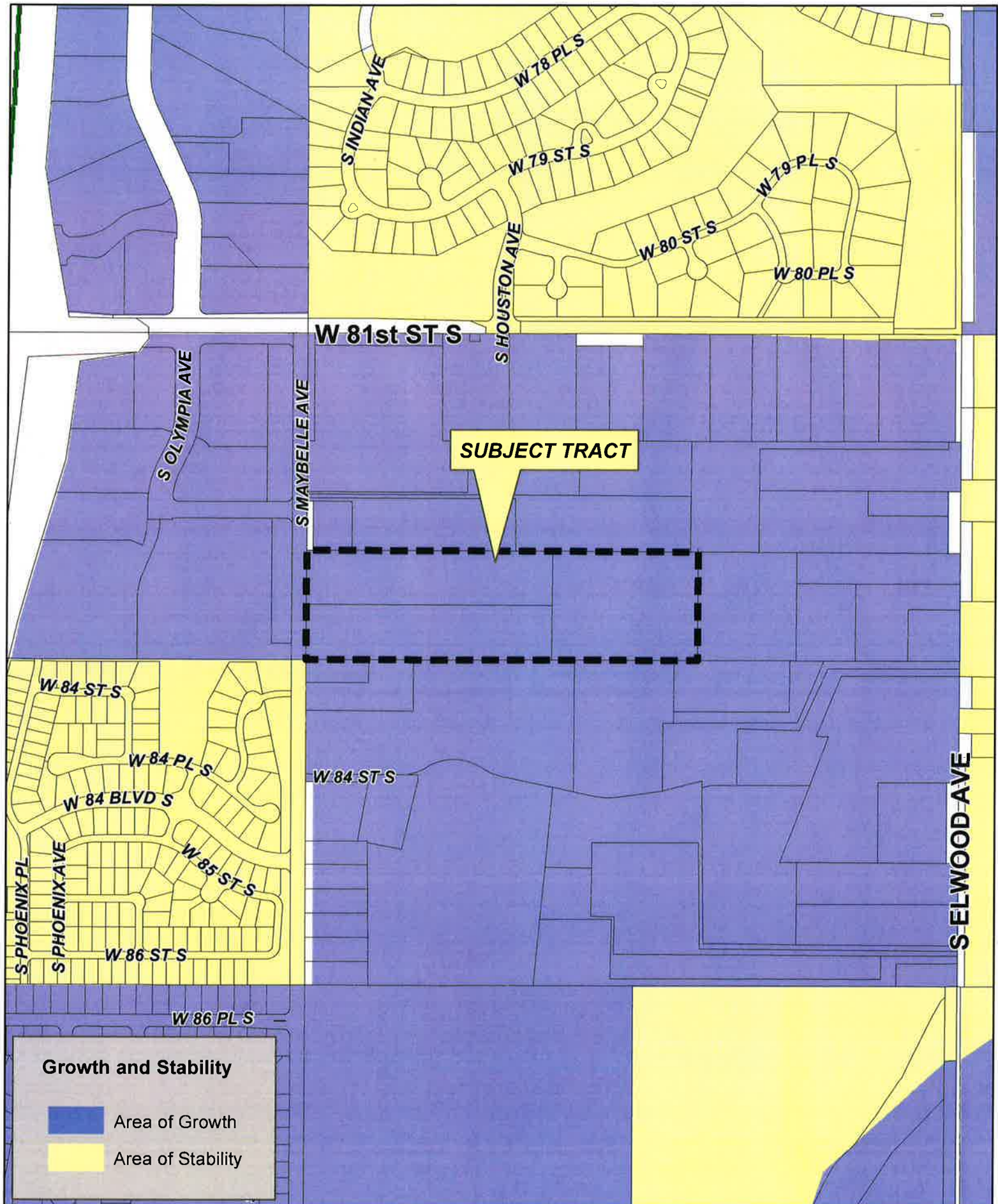




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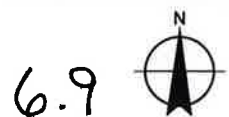
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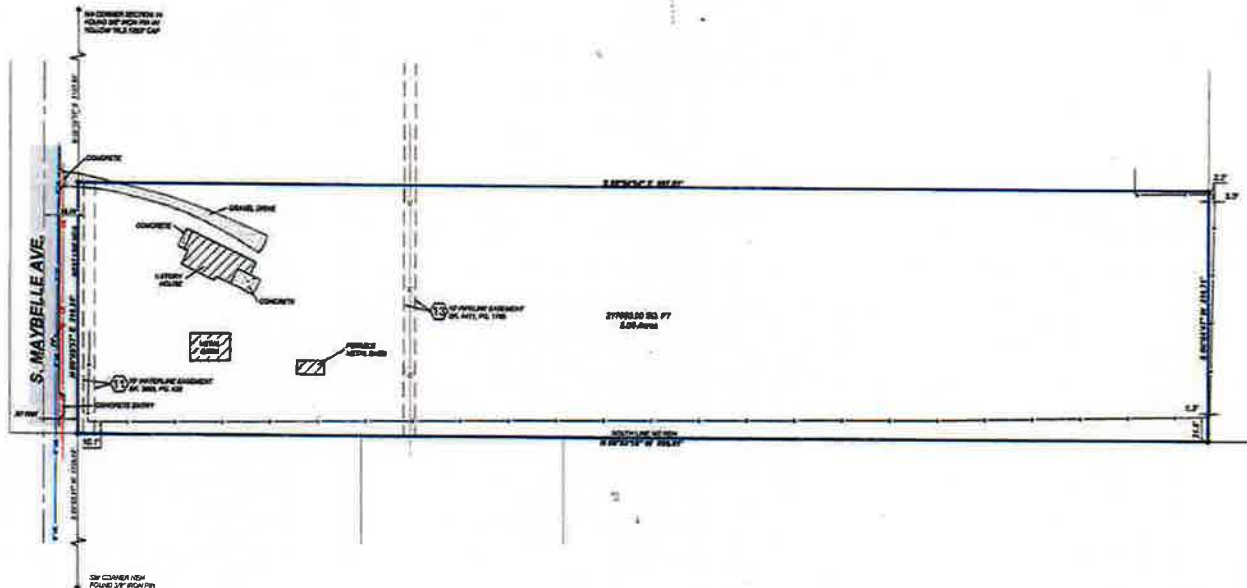
PROPOSED AG TO RS-5 REZONING

8349 South Maybelle Avenue

wallace

Wallace Engineering
Structural and Civil Consultants





LEGAL DESCRIPTION - FOR TITLE COMMITMENT FILE NO. MT0001923

THE SOUTH FIVE (5) ACRES OF THE WEST TEN (10) ACRES OF THE SOUTH TWENTY (20) AND 25 (25) ACRES OF THE NORTH HALF OF THE NORTHWEST QUARTER (NE 1/4) 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.

RECORD & RETURN NOTES

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
MAIN STREET TITLE, LLC
(FILE NO. MT0001923 - COMMITMENT DATE: OCTOBER 28, 2011 AT 7:50 AM)

8. EASEMENT IN FAVOR OF OKLAHOMA POWER CO. RECORDED IN BOOK 3086, PAGE 439 AND 441. AFFECTS THE SUBJECT PROPERTY AS SHOWN HEREON.
9. RIGHT OF WAY IN FAVOR OF CREEK COUNTY RURAL WATER DISTRICT #2 RECORDED IN BOOK 3086, PAGE 439 AND 441. 1/2 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 3086, PAGE 441. 1/2 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 3083, PAGE 439. 1/2 EASEMENT AFFECTS THE SUBJECT PROPERTY AS SHOWN HEREON.
12. RIGHT OF WAY IN FAVOR OF CREEK COUNTY RURAL WATER DISTRICT #2 RECORDED IN BOOK 3011, PAGE 354 AND 356. AFFECTS THE SUBJECT PROPERTY AS A BLANKET MANNER, NO SPECIFIC LOCATION DESCRIBED. NOTHING SHOWN.
13. RIGHT OF WAY IN FAVOR OF AMER OIL & GAS CO. RECORDED IN BOOK 4111, PAGE 1708. AFFECTS THE SUBJECT PROPERTY AS SHOWN HEREON.

ALTA TABLE 'A' NOTES

- ITEM 1: SET 3/4" IRON PIN IN GREEN 'SPITE CASH' CAP OR MAG NAIL IN 'SPITE CASH' W/ASHER AT ALL CORNERS UNLESS NOTED AND SHOWN OTHERWISE HEREON.
- ITEM 2: SUBJECT PROPERTY ADDRESS - 5343 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. 48463-02A, - OCTOBER 18, 2012, WHICH INDICATES THE SUBJECT PROPERTY TO BE WITHIN UNSHADDED ZONE 'X' (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN)
- ITEM 4: GROSS LAND AREA: 27,000.00 SQ. FT. / 0.62 ACRES.
- ITEM 5: FEATURES OBSERVED AT THE TIME OF THE SURVEY ARE SHOWN HEREON.
- ITEM 10: NO EARTH MOVERS WORK OR BUILDING CONSTRUCTION WAS OBSERVED AT THE TIME OF SURVEY.

LEGEND:
PP - POWER POLE
RW - RIGHT-OF-WAY
LINE TYPE
- - - OVERHEAD ELECTRIC
- - - WATERLINE
- - - FENCELINE

SURVEYOR'S CERTIFICATION

TO: OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
MAIN STREET TITLE, LLC
MAYBELLE VILLAS, LLC
SPRINT BANK
BALLAGE T. AND JOLIE T. WOODMAN REVOCABLE TRUST DATED NOVEMBER 16, 2012

THIS IS TO CERTIFY THAT THIS MAP OR PLAN AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2010 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 8, AND 10 OF TABLE A THEREOF, DATE OF LAST SITE VISIT WAS MARCH 8, 2012. MEASUREMENTS WERE BASED UPON THE WEST LINE OF THE NE 1/4 OF SECTION 14 AS NORTH BEARING EAST.

INTERVIEW MY HAND AND SEAL, THIS 28 DAY OF MARCH, 2012.

ANDY PRITZ, P.E.
OK L.S. 1994
CA #0004



ALTA/NSPS LAND TITLE SURVEY MT0001923

PART OF RD 16N, S34, T18N, R12E
TULSA COUNTY, OKLAHOMA

SURVEY NO.	DATE SURVEYED	PREPARED BY
0001	03/28/12	78722 LAND SURVEYING, LLC
CHECKED BY	DATE CHECKED	BY
APPROVED BY	DATE APPROVED	BY
DATE	SUBJECT NO. 1998	

78722 LAND SURVEYING, LLC
300 N. EAST STREET, TULSA, OK 74103
PH 918.231.8079
APR 5, 2012
CA #0004 EXP. 03/31/2015



4.11



Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7503

Hearing Date: November 20, 2019
(Applicant continuance from October 16, 2019 and
November 6, 2019)

Case Report Prepared by:

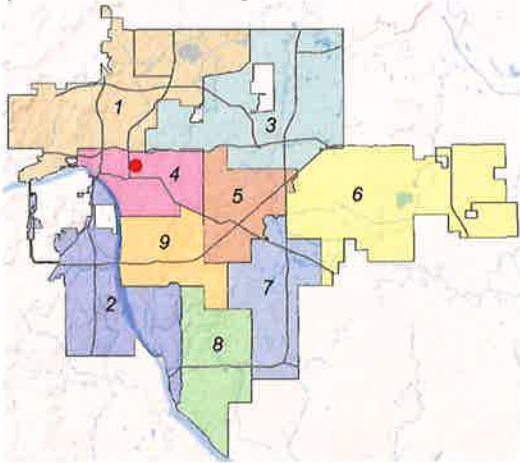
Dwayne Wilkerson

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: Mixed Use Building

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:
Amended applicant request: MX1-F-U
Original application: 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

7.1

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 east half of the block is zoned RS-4. The Mixed-Use rezoning request as originally submitted and as currently requested is for unlimited height.

The City of Tulsa 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 (BRT) 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 BRT study recommended MX1-U zoning on this site without height limitations. This request for MX1-F is not consistent with that land use recommendation.

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-F-U which is not consistent with the expected building placement pattern in the area and,

MX1-F-U allows uses as anticipated in the Pearl District Small Area Plan however the requirement for buildings to be placed adjacent to street right of way is not part of this character designation and,

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

MX1-F-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-F-U.

7.2

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary:

MX1-U-U as originally submitted 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 and requires the building placement within 10 feet of the planned right of way on all sides of the block.

MX1-F-U as currently requested supports the uses anticipated by the BRT study and by the applicant however the flexible character designation removes the build-to-zone requirements that were part of the City Council initiated MX zoning. Building placement is crucial to the density of development anticipated along South Peoria BRT route.

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 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: Pearl District Small Area 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:



View from Northeast Corner of site looking southwest:
(See next page)



Environmental Considerations: None that affect site redevelopment

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.

7.6

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	RS-4 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:

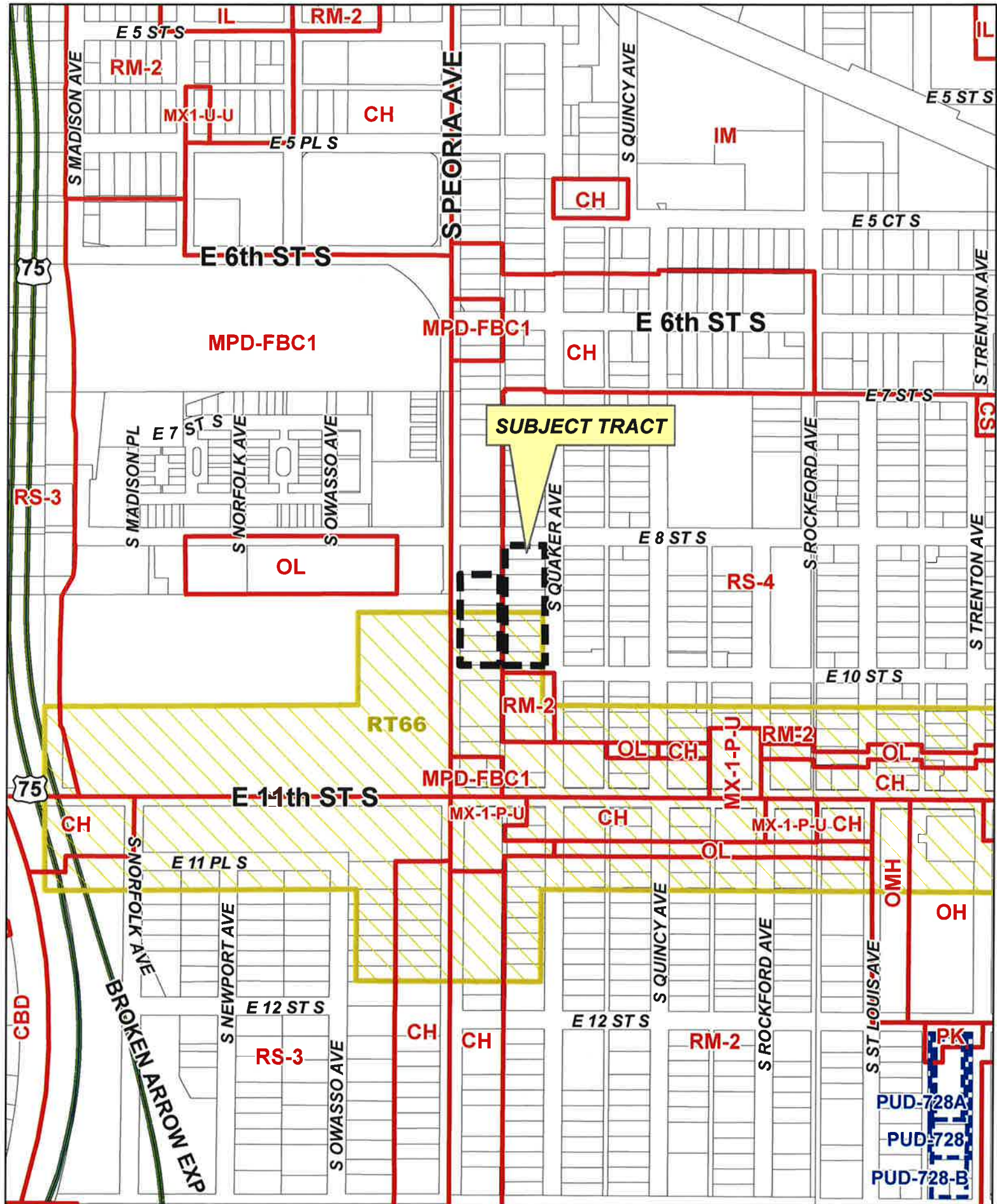
CPA-81 July 2019: All concurred in **approval** to *adopt* CPA-81, The Pearl District Small Area Plan as an amendment to the Tulsa Comprehensive Plan. The plan area boundary is located east of Downtown Tulsa, bordered by Interstate 244 to the north, Utica Avenue to the east, 11th Street to the south,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

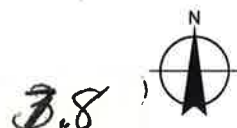
BOA-22410 March 2018: The Board of Adjustment **approved** a request for a *variance* to allow required accessible parking spaces to be located off site from the principal use, on property located at 1007 South Peoria Avenue East.

10/16/2019 1:30 PM



Z-7503

19-13 06





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

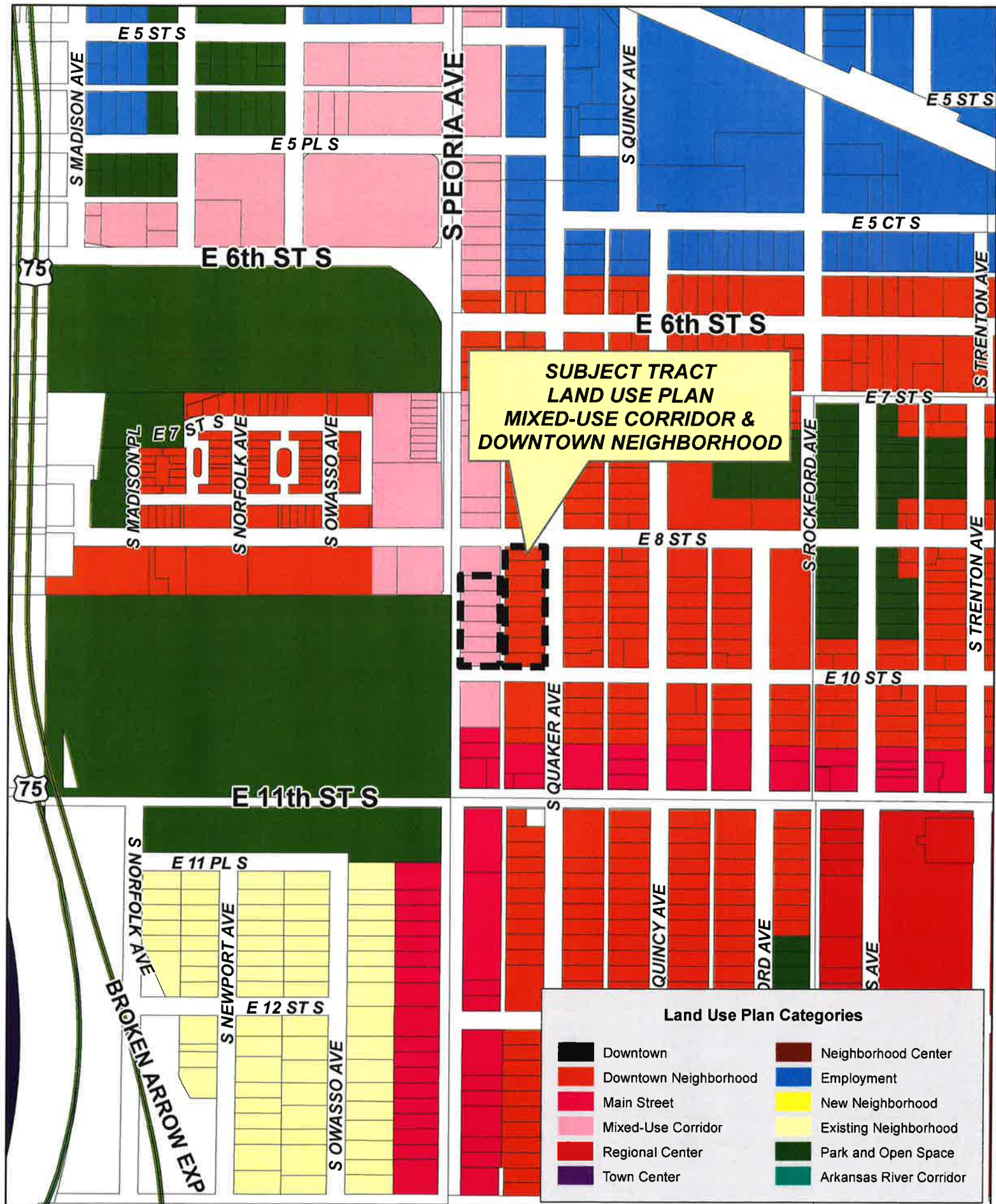
19-13 06

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

Aerial Photo Date: February 2018

7.10

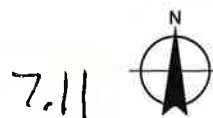


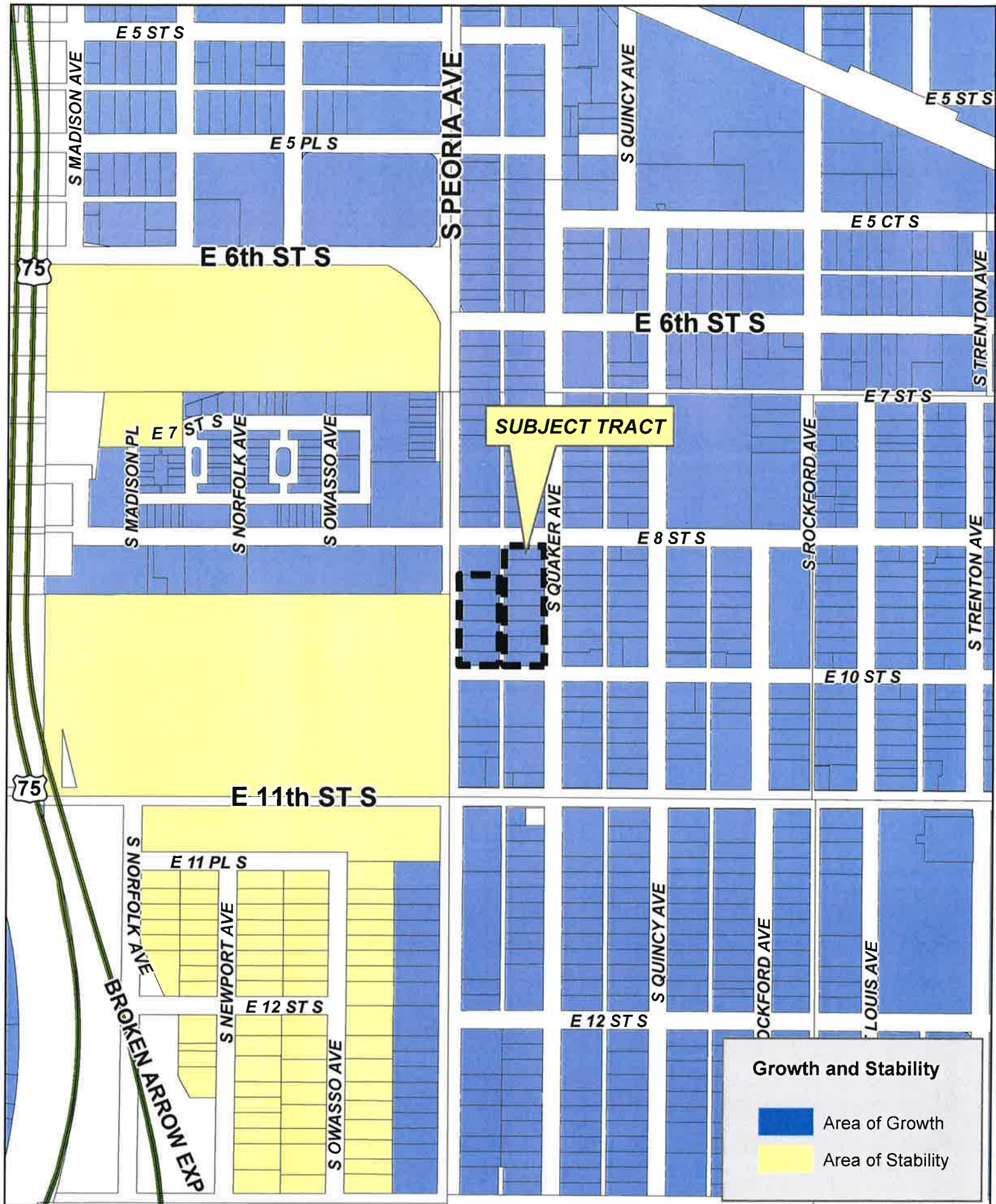


Feet
0 200 400

Z-7503

19-13 06

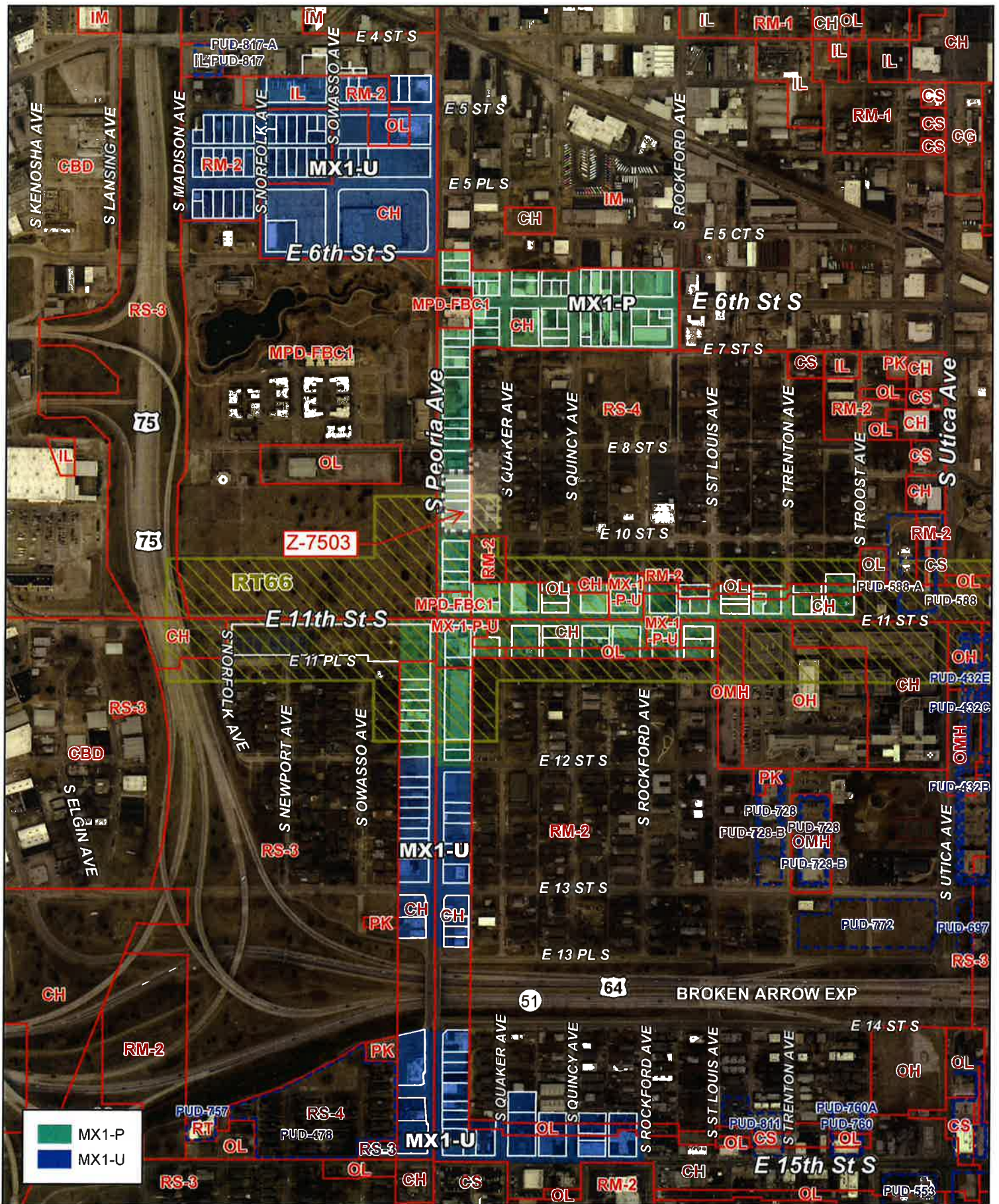




Z-7503

19-13 06

7.122



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

Aerial Photo Date: February 2018

11th Street

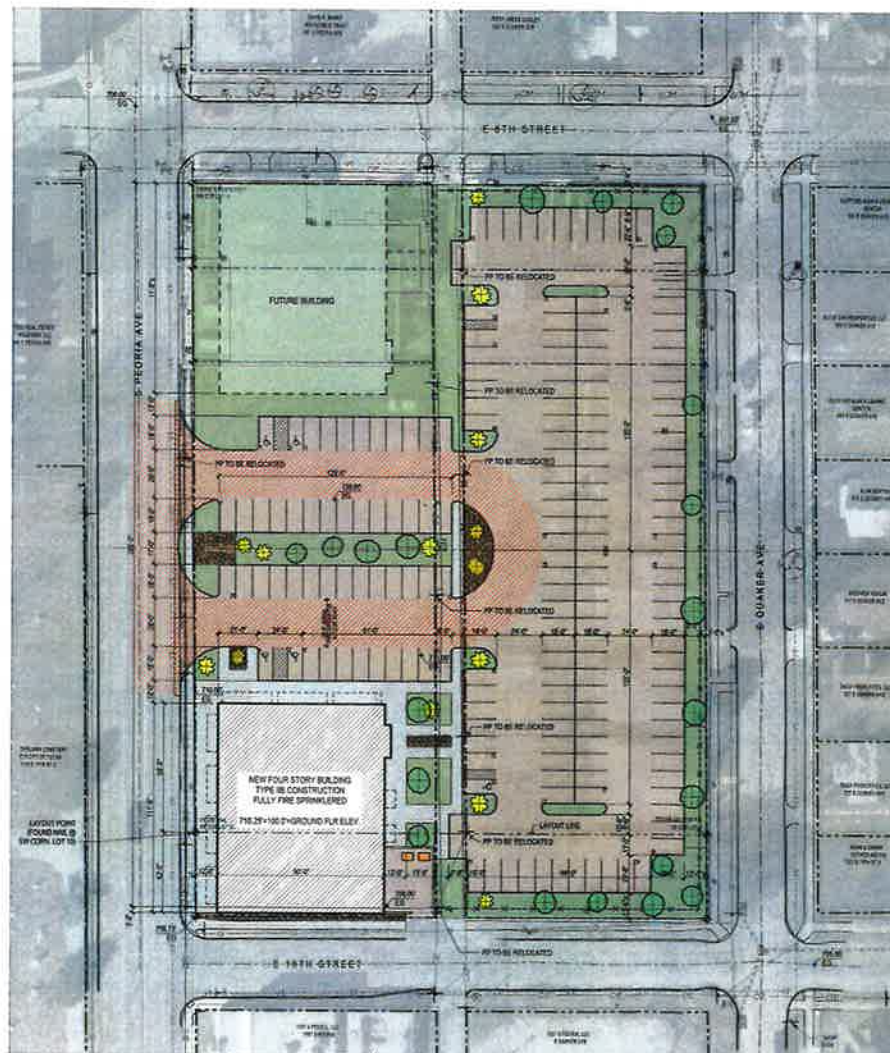
0 300 600 Feet



7.13



CJC Architects, Inc.
 1401 S Denver Ave., Suite B, Tulsa, OK 74119-3445
 918-562-7120
 cjac@redog.com



Revised Date	Revised

SITE PLAN LEGEND

- 01 9000 - AREA OF WORK BOUNDARY
- EXISTING ASPHALT PAVING
- EXISTING CONCRETE PAVING
- EXISTING GRASS
- 20.1215 - AREAS OF ASPHALT PAVING
- 20.1211 - AREAS OF CONCRETE PAVING
- 20.2019 - AREAS OF SEEDING
- 20.2020 - AREAS OF SOILING
- 20.2020 - PLANTING BEDS

SITE PLAN NOTES

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

**PEARL RIDGE
 PH1 OFFICE BUILDING**
 833 S PEORIA AVE TULSA, OK 74122

NORIA LLC
 1328 E 43RD CT TULSA, OK 74105

ARCHITECTURAL SITE PLAN

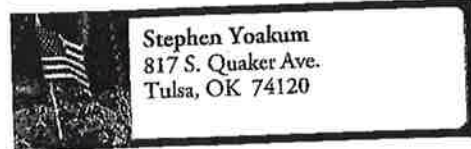
Sheet Number	1921
Scale	1" = 20'
Date	21 August 2019

**DESIGN
 REVIEW
 DOCUMENT**
 NOT FOR
 CONSTRUCTION

A002

14

FILE COPY



Metropolitan Planning Commission
City of Tulsa, OK. 74103

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

Received letter regarding rezoning of 1079 1/2 Perdue.
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 rezoning 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

7.15

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.



Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7508 with optional development plan

Hearing Date: November 20, 2019
(Staff requested continuance from November 20, 2019)

Case Report Prepared by:

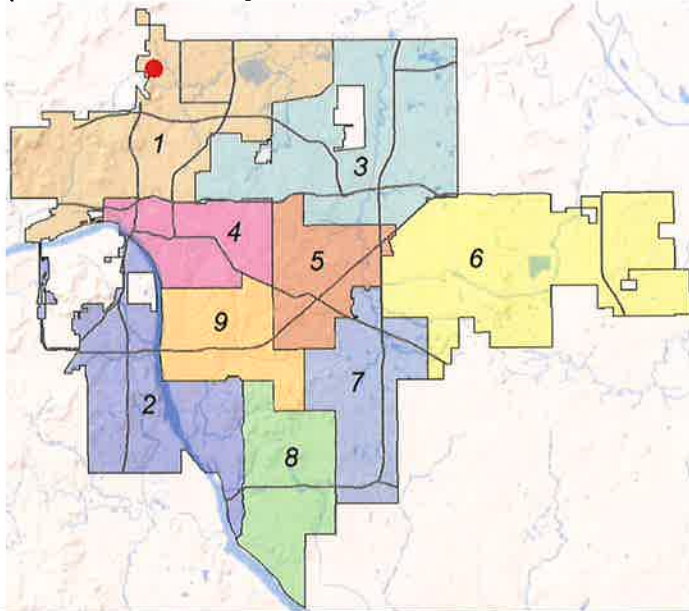
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: AC Hutton

Property Owner: HUTTON, ALBERT C

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Various Uses

Proposed Use: Horticultural Nursery & Light Industrial Uses

Concept summary:

Tract Size: 3.14 ± acres

Location: Northwest corner of East 46th Street
North & North Elgin Avenue

Zoning:

Existing Zoning: RS-3

Proposed Zoning: IL with optional development plan

Comprehensive Plan:

Land Use Map: Town Center

Stability and Growth Map: Area of Growth

Staff Data:

TRS: 138

CZM: 21

Staff Recommendation:

Staff recommends denial.

City Council District: 1

Councilor Name: Vanessa Hall-Harper

County Commission District: 1

Commissioner Name: Stan Sallee

8.1

SECTION I: Z-7508

DEVELOPMENT CONCEPT:

The applicant has submitted a zoning request to allow a horticulture nursery and medical marijuana processing facility in an existing underutilized building.

The zoning code only allows processing facilities in industrial uses and only allows a horticulture nursery in AG, IL, IM and IH zoning districts.

The only option for the applicant at this location is to request IL zoning with an optional development plan that prohibits all industrial uses except a horticulture nursery and medical marijuana processing facilities as may be permitted in an IL district.

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:
 - Building Plan
 - Applicant submittal for the optional development plan

DETAILED STAFF RECOMMENDATION:

IL zoning without a development plan is not consistent with the Town Center Land Use designation in the comprehensive plan and,

This site is not included within the boundaries of a small area plan, so the Town Center land use designation is all the guidance we have in the comprehensive plan and,

IL zoning without an optional development plan allows low-impact manufacturing and industry uses that may be considered injurious to the proximate properties and,

IL zoning without an optional development plan allows low-impact manufacturing and industry uses that are not consistent with the expected development of the surrounding properties however,

The optional development plan outlined in Section II prohibits uses in the Industrial Use Category uses except medical marijuana processing as may be allowed in an IL district and,

All other uses and residential building types allowed in Section II are consistent with the expected Town Center land use designation of the comprehensive plan however,

The uses allowed in the optional development plan are considered non-injurious to the proximate properties however integration of IL zoning into this site could provide a sense of instability to surrounding property owners therefore,

Staff recommends denial of Z-7508 to rezone property from RS-3 to IL and recommends denial of the optional development plans standards outlined below.

SECTION II: OPTIONAL DEVELOPMENT PLAN STANDARDS

Z-7508 with the optional development plan standards will conform to the provisions of the Tulsa Zoning Code for development in an IL district and 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

 - Three or more households on single lot

- Group Living

 - Assisted living facility

 - Community group home

 - Elderly/retirement center

 - Room/boardings house

B) PUBLIC, CIVIC, AND INSTITUTIONAL

- College or University

- Library or Cultural Exhibit

- Parks and recreation

- Religious Assembly

- Safety Service

C) COMMERCIAL

- Animal Service

 - Grooming

 - Veterinary Clinic

- Assembly and entertainment

 - Other indoor

 - (small up to 250-person capacity)

- Broadcast or Recording Studio

- Office (includes all specific uses)

- Retail Sales (includes all permitted specific uses)

- Studio, Artist, or Instructional Service

- Trade School

D) WHOLESALE, DISTRIBUTION AND STORAGE

- Warehouse

E) INDUSTRIAL

- Low-impact Manufacturing and Industry but limited to production of medical-marijuana edibles using medical marijuana.

F) AGRICULTURAL

- Community Garden

- Farm, Market or Community-supported

- Horticulture Nursery but limited to indoor growing facilities.

RESIDENTIAL BUILDING TYPES

A) Household Living

- Three or more households on single lot

- Multi-unit House

- Apartment / Condo

- Mixed-use building

Vertical Mixed-use building

SIGNAGE STANDARDS:

- A) Illuminated signage or any digital display is prohibited
- B) Wall Signage is prohibited on north, west and east facing building walls
- C) Wall signage on the south face of a building wall is allowed but shall not exceed 128 square feet of display area.
- D) One ground sign is allowed but only within 50 feet of the south boundary of the subject property and is limited to 12 feet in height with a display area of not greater than 128 square feet.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

***Staff Summary:** The existing building and site has been approved for several non residential uses since 1955. The current request for rezoning this site would allow commercial, office and some residential uses that are consistent with the previously approved decisions supported by the Board of Adjustment. The previously approved uses and the uses outlined in the optional development plan are consistent with the Town Center Land Use designation. Industrial uses are not part of the history of this site and are not consistent with the Town Center Land Use Designation.*

Land Use Vision:

Land Use Plan map designation:

Town Center:

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

Existing Neighborhood:

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

Areas of Stability and Growth designation:

Area of Growth:

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

priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

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

Area of Stability

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

Transportation Vision:

Major Street and Highway Plan: No special street designations have been contemplated along any of the abutting streets.

Trail System Master Plan Considerations: None

Small Area Plan: This site is not included in a small area plan.

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is generally flat with a single-story brick building and surface parking. The surrounding property is all single family residential except areas abutting the north side of East 46th street North. Vehicular access to the building is granted from North Detroit and From North Elgin. No vehicular access has been constructed along East 46th Street North.

Street view from southeast looking northwest:

(See next page)



Environmental Considerations: None that would affect site re-development

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP RW</u>	<u>Exist. # Lanes</u>
North Detroit	None	50 feet	2
East 46 th Street North	Primary Arterial	100 feet	4
North Elgin 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	RS-3	Existing Neighborhood	Stability	Single Family residential
East	RS-3 and CS	Existing Neighborhood and Town Center	Stability and Growth	Single Family residential and restaurant
South	RS-3	Existing Neighborhood	Stability	Single Family residential
West	RS-3 and CS	Existing Neighborhood and Town Center	Stability and Growth	Single Family residential and commercial / personal improvement services

SECTION IV: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11914 dated September 1, 1970 established zoning for the subject property.

Subject Property:

BOA-17205 October 1995: The Board of Adjustment **approved** a *Special Exception* to permit a group home for the elderly (50 years or older, with no mentally handicapped) in an RS-3 District, on property located at 4610 North Elgin.

BOA-13869 January 1986: The Board of Adjustment **approved** a *Special Exception* to allow for a Drivers Examination Station affiliated with the Oklahoma Department of Public safety, on property located at 4600 North Elgin.

BOA-07651 October 1972: The Board of Adjustment **approved** an *Exception* for permission to use church property as a day nursery in an RS-3 District, on property located at 4610 North Elgin Avenue.

BOA-05392 April 1967: The Board of Adjustment **granted** an *Exception* to permit off-street parking on Lots 1,2,3 and expansion of present church building on Lots 8,9,10, subject to hard surfacing of the parking area and construction of a low masonry fence, on property located at 4610 North Elgin.

BOA-02691 June 1955: The Board of Adjustment **granted** permission to erect a church, on Lots 4-7 & 11, Block 12 permit, Fairhill Second Addition.

Surrounding Property:

Z-6796 November 2000: All concurred in **approval** of a request for *rezoning* a .43± acre tract of land from OL & RS-3 to CS for a restaurant on property located northwest corner of East 46th Street North and North Cincinnati Place.

BOA-13080 April 1984: The Board of Adjustment **approved** a *Special Exception* to permit auto repair with a service station in a CS District under the provisions of Section 1680, subject to the following conditions: (1) that all work be done inside; (2) that there be no outside storage parts; (3) that there be a maximum of five cars waiting to be repaired; and (4) that the operation be limited to Monday through Saturday from 6:30 a.m. to 7:30 p.m., on property located at northeast corner of Cincinnati Place & 46th Street North.

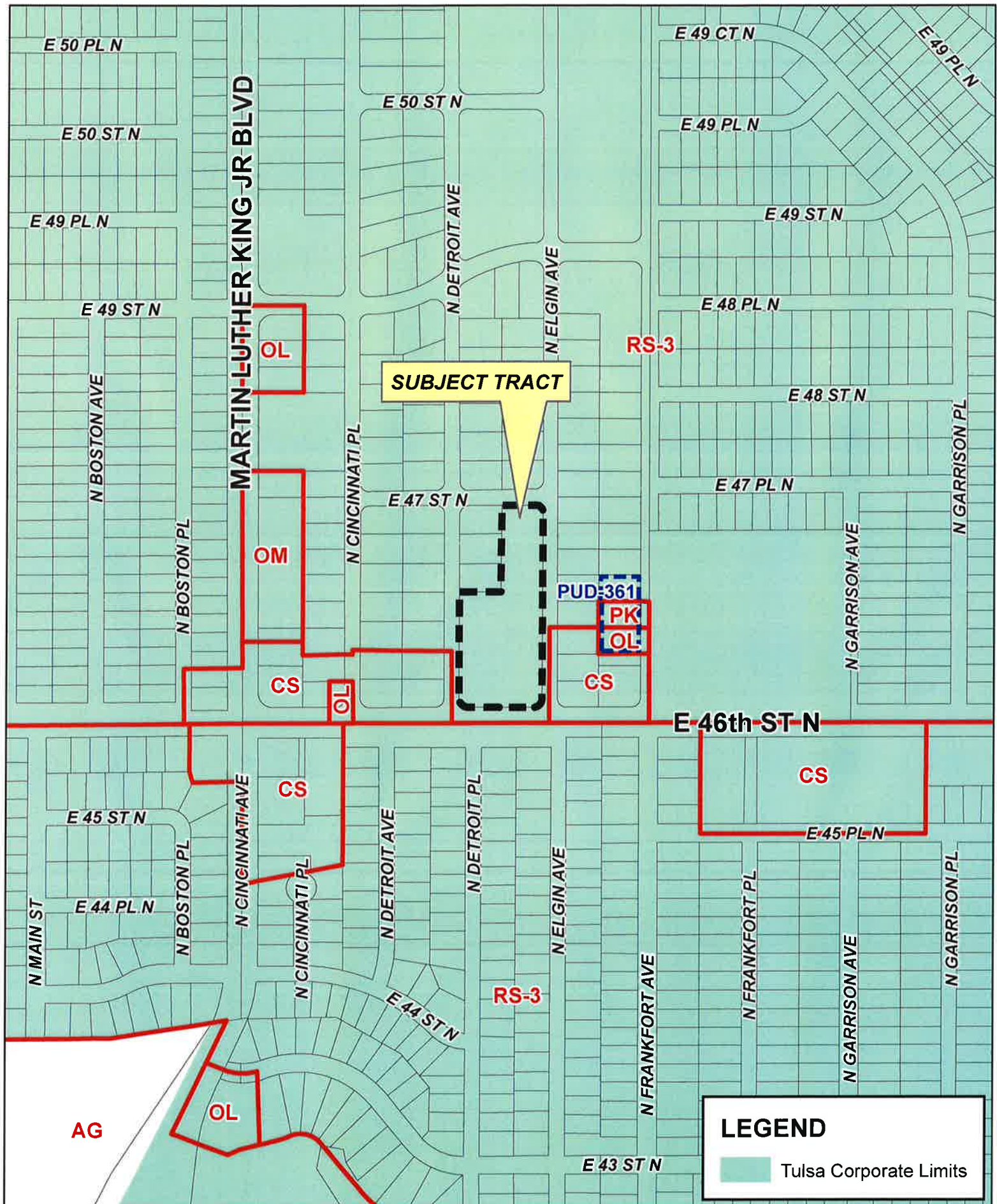
PUD-361 July 1984: All concurred in **approval** of a proposed *Planned Unit Development* on a .97± acre tract of land for a comprehensive Dentistry/Medical Office Complex on property located at northwest corner of Frankfort Avenue and 46th Street North.

Z-5925 March 1984: All concurred in **approval** for parking on the center lot and **denial** of a request for *rezoning* a .5± acre tract of land from RS-3 to OL for Dr. & Dentist Offices, which would allow for PUD application, on property located north of the northwest corner of 46th Street North & Frankfort Avenue.

Z-5890 October 1983 : All concurred in **approval** of a request for *rezoning* a 5± acre tract of land from RS-3 to CS for a service station on property located northeast corner of 46th Street North and Cincinnati Place.

11/6/2019 1:30 PM

88



Z-7508
with Optional
Development Plan



0 200 400
Feet



Subject
Tract

20-12 12

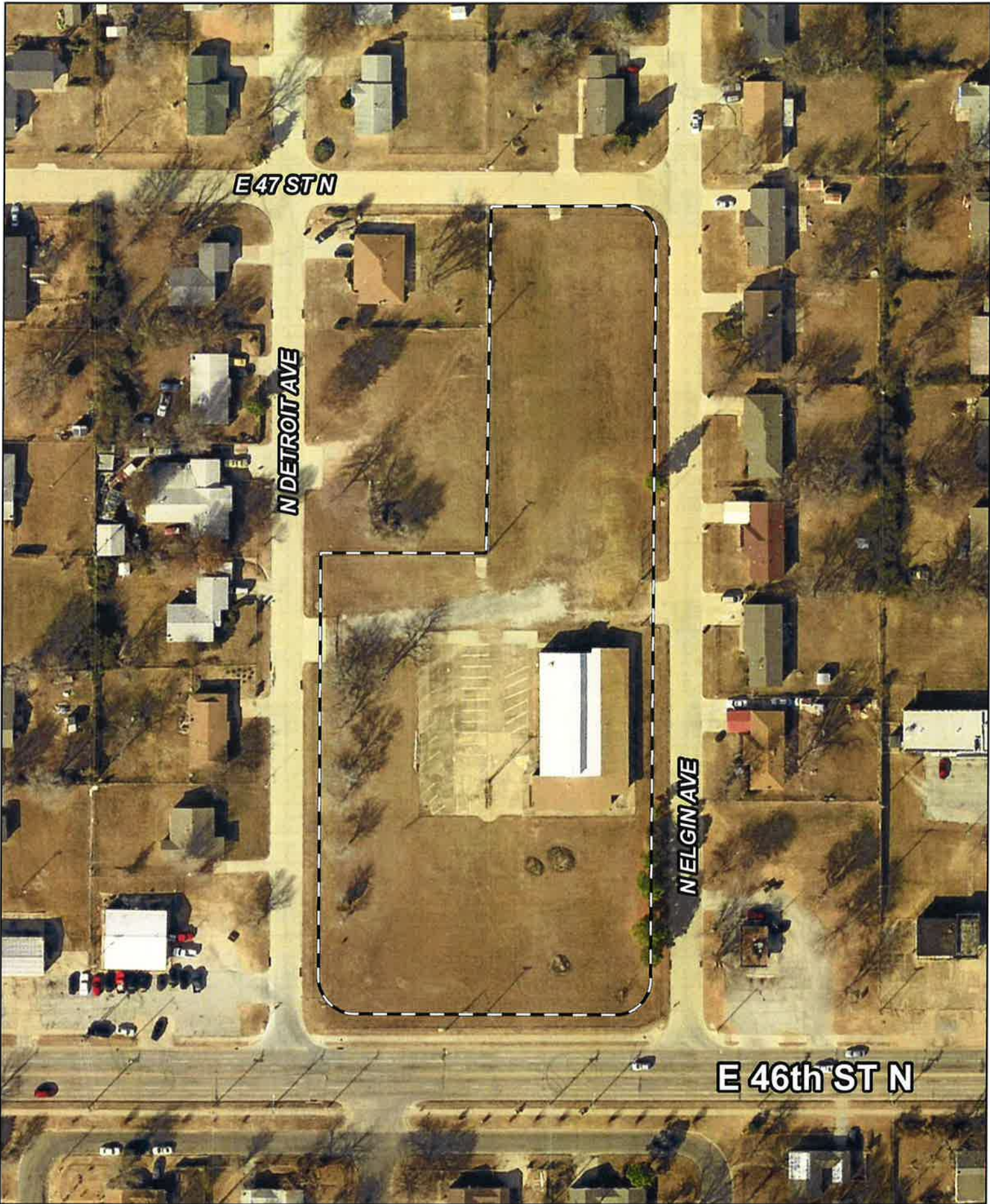
Z-7508
with Optional
Development Plan

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

Aerial Photo Date: February 2018

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E 47th ST N

N DETROIT AVE

N ELGIN AVE

E 46th ST N



**Subject
Tract**

20-12 12

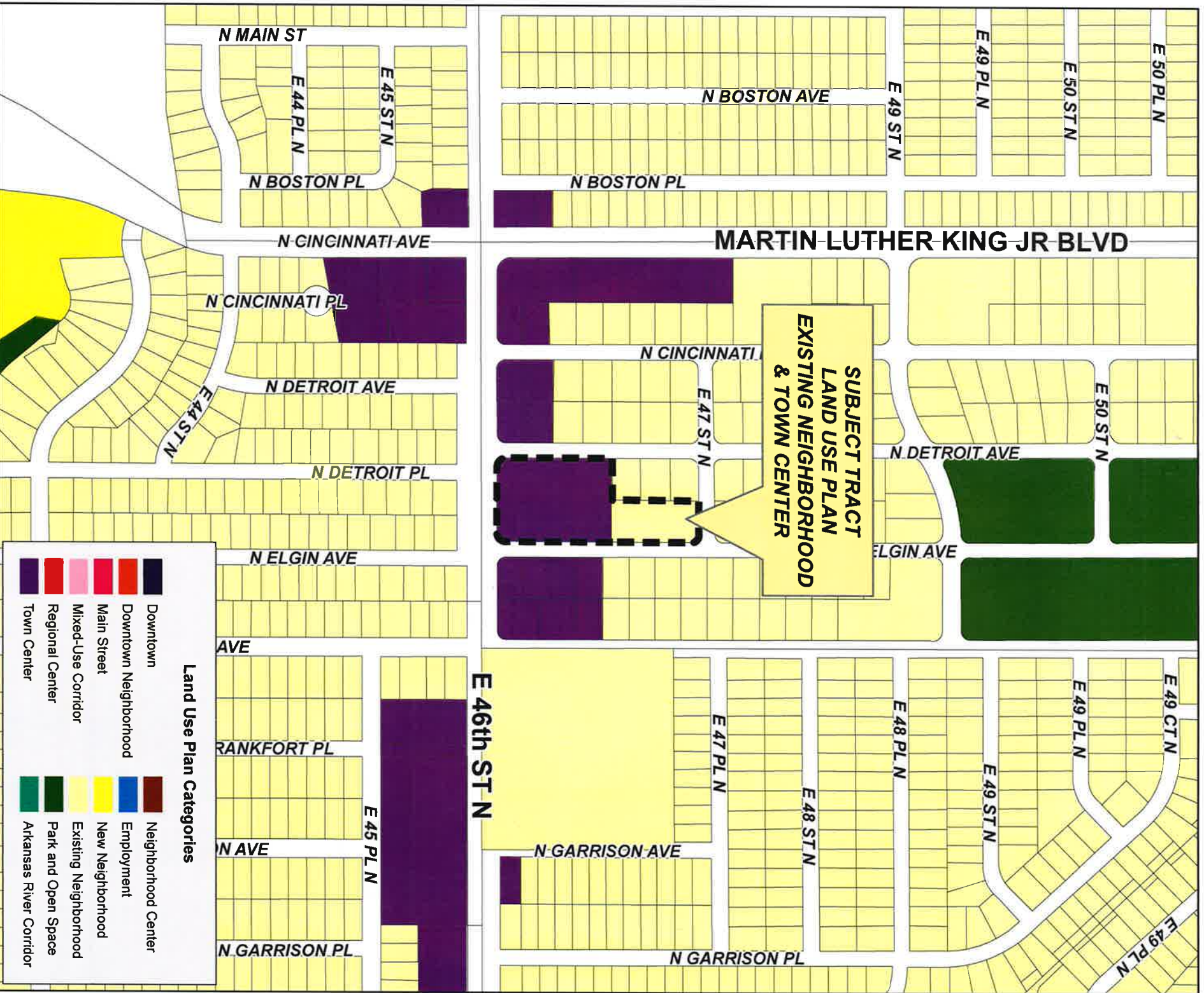
**Z-7508
with Optional
Development Plan**

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

Aerial Photo Date: February 2018

8.11





Land Use Plan Categories

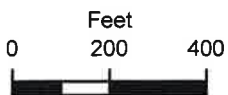
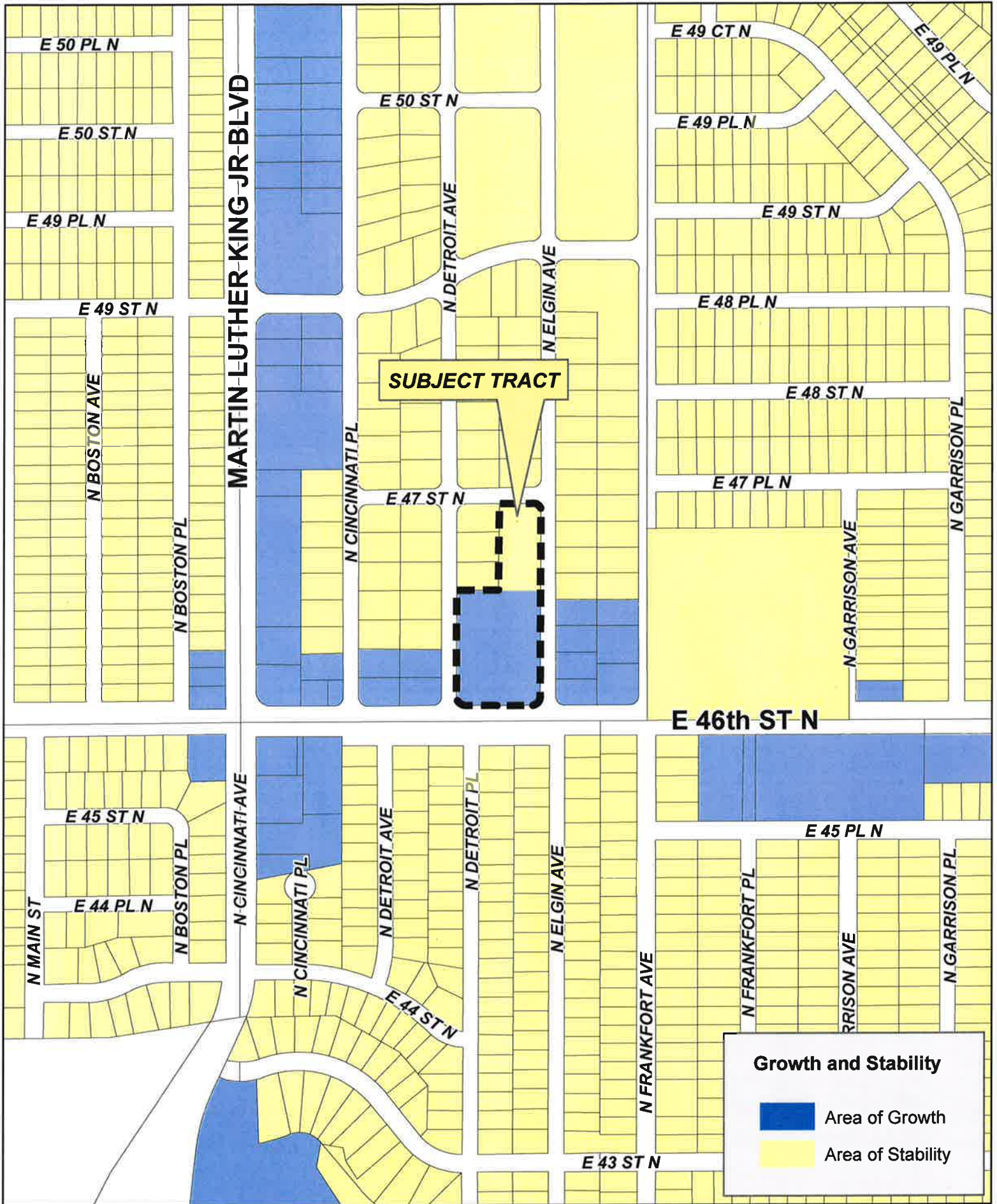
	Downtown		Neighborhood Center
	Downtown Neighborhood		Employment
	Main Street		New Neighborhood
	Mixed-Use Corridor		Existing Neighborhood
	Regional Center		Park and Open Space
	Town Center		Arkansas River Corridor



20-12-12

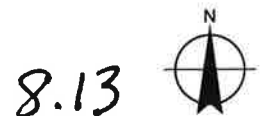
Z-7508
with Optional
Development Plan





20-12 12

Z-7508
with Optional
Development Plan



Z - 7508

Optional Development Plan

This application for rezoning is pursuant to August 29, 2019 change in law by OMMA. We will eventually put metal (when we can afford it) on the roof on the eastside and southside of this building (partial now). The adjacent gates on the east and west side of property will be fenced in with chain link like entire location. These are only changes to the outside of the building and property we will EVER do.

We currently have 40 CMH lights and 2 LED lights inside of the building for growing. Our OMMA approval dates back to September 2018. The plan is to as affordability allows, continue to purchase and hang lights throughout. We decided long ago to use the bi-product of manufacturing medical marijuana thus our process license. We need to use this OMMA approved process license in the near future to make and bake infused edibles. All oils needed will be brought in too add to (infuse) any foods.

That is what our focus is and will always be until we are purchased for our targeted price. FYI. This process has been legally and lawfully underway since June 25, 2013. We aren't what many think. We have an ISSA Space Station manufacturing engineer (1 of 5, they were all American), a Charles Taylor award winner (requires minimum of 50 years in the industry) and a retired 37 year CEO (50 plus years in the medical industry). Worldwide there is only 1 company with this leadership and it is in Tulsa, Ok.

Sawyer, Kim

11-20-19

7-7508

FILE COPY

From: Wilkerson, Dwayne
Sent: Thursday, October 31, 2019 4:07 PM
To: Sawyer, Kim
Subject: FW: Chamberlain Area Neighbors - Oppose Request to Rezone - Z-7508

Kim,

Staff request a continuance to the November 20th, 2019 Planning Commission meeting to refine the details of the optional development plan.

Respectfully,

Dwayne Wilkerson, ASLA, PLA
Principal Planner | Current Planning
Tulsa Planning Office
2 W. 2nd St., 8th Floor | Tulsa, OK 74103
918.579.9475
dwilkerson@incog.org



Shape Our Future
START HERE >



From: Wilkerson, Dwayne
Sent: Thursday, October 31, 2019 3:50 PM
To: Jane Malone <jane@tulsadevelopmentauthority.org>
Subject: RE: Chamberlain Area Neighbors - Oppose Request to Rezone -

Ms. Malone,

Thank you so much for sending your letter. Please be aware that we have been in further discussion with the applicant about this request and the public hearing will be moved to November 20th Planning Commission.

Please spread the word and I look forward to hearing from you at the November 20th meeting.

Respectfully,

Dwayne Wilkerson, ASLA, PLA
Principal Planner | Current Planning
Tulsa Planning Office
2 W. 2nd St., 8th Floor | Tulsa, OK 74103
918.579.9475
dwilkerson@incog.org



From: Jane Malone <jane@tulsadevelopmentauthority.org>
Sent: Monday, October 21, 2019 10:09 AM
To: Wilkerson, Dwayne <DWilkerson@incog.org>; esubmit <esubmit@incog.org>; Foster, Nathan <NFoster@incog.org>
Cc: Bynum, GT <GT@cityoftulsa.org>; Cue, Jeannie <Jeannie.Cue@tulsacouncil.org>; Dodson, Connie <ConnieDodson@tulsacouncil.org>; Fahler, Cass <dist5@tulsacouncil.org>; Hall-Harper, Vanessa <vhall-harper@tulsacouncil.org>; Kimbro, Ben <bkimbro@tulsacouncil.org>; Lakin, Phil <PLakin@tulsacouncil.org>; McKee, Kara Joy <dist4@tulsacouncil.org>; Patrick, Crista <dist3@tulsacouncil.org>; Wright, Lori Decter <dist7@tulsacouncil.org>
Subject: Chamberlain Area Neighbors - Oppose Request to Rezone -

Good Morning,

Attached is our letter asking that Case No. Z-7508 be denied.

Thank you for your support.

Jane

Jane Malone
Office: 918-592-4944
Fax: 918-592-4948
Home: 918-425-4756

4649 N. Detroit Ave.
Tulsa, Ok 74126

FILE COPY

October 29, 2019

Dwayne Wilkerson
Nathan Foster
TMAPC
Tulsa, Ok 74103

Re: Case # Z-7508

Gentlemen:

I own the only home located on the block with this building. It would be appreciated if this note could be placed on record for support for the owner(s) to do something. I have owned nearly 30 years and this place has never been open to my knowledge. Many residents of this community need an employer and maybe this place could hire a few. Thanks

Sincerely,

Trudie Smith



4735 N. Detroit Ave.
Tulsa, OK 74126

FILE COPY

October 18, 2019

Dwayne Wilkerson
Nathan Foster
TMAPC
Tulsa, OK 74103

Re: Case No. Z-7508 with Optional Development Plan

Gentlemen:

It would be appreciated if this letter could be placed on record as **NOT** approving a City Rezoning, allowing the Present Zoning of RS-3 (Residential Single-family) to be changed to IL (Industrial Light), for a so-called Horticultural Nursery & Light Industrial Uses. The intent is for the growing and processing of medical marijuana to be located at the Northwest corner of E. 47th St. No. and N. Elgin Ave. This location is across from The Burger, and west of the new Parent Resource Center for Tulsa Public Schools, located at the former Alcott Elementary School Building.

It is realized the current property owner wants the property, that has been vacant for many years, to generate income, but we oppose this particular business. Our concerns are there would possibly be an increase in crime and traffic into the area. We have a quiet neighborhood, and the Parks Department is currently repairing and remodeling Chamberlain Recreation Center, for "positive" images, not "drug" images.

We purchased our homes to remain as single-family, not to grow and process marijuana. Approving this rezoning will have a negative impact, destroying years of working to uplift this community and bringing wealth, prosperity, higher income residents, upscale commercial and retail, including restaurants to this area to spur continued growth patterns further north, east and westward to the Osage County boundary line.

We want our neighborhood to become known as a competitive, beautiful and wealthy place to live for moderate to upper income level families, and we cannot exactly make this claim to fame when we allow the growing and processing of marijuana in a single-family residential area.

8.18

We have a quiet neighborhood, and the Parks Department is currently repairing and remodeling Chamberlain Recreation Center to portray a "positive" image, not "drug" image. Our neighborhood organization (Chamberlain Area Neighbors) has worked tremendously hard and we feel that the approval of the rezoning in the proposed area will lessen the opportunities for development to occur in an area that is making a renowned come-back.

Members of our Neighborhood Association will be unable to attend the hearing on Wednesday, November 6, 2019, at 1:30 p.m.

If you have questions or need additional information, please call me at work between 8:30 a.m. and 4:30 p.m. (918/592-4944), or at home after 6:00 p.m. (918/425-4756).

Thank you very much for your assistance in this matter and **NOT** approve the City Rezoning request. **NIMBY – Not In My Back Yard!**

Very truly yours,

Jane Malone
President

/jm

Cc: Mayor G.T. Bynum
Tulsa City Councilors

Officers:

*Jane Malone, President
Ira Bryant, Vice President
Barbara Randolph, Secretary
Frankie McCrary, Treasurer*

Chamberlain Area Neighbors (C.A.N.) Association
Meet Monthly at Chamberlain Community Center
4940 North Frankfort Avenue
Tulsa, Oklahoma 74126



Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7512

Hearing Date: November 20, 2019

Case Report Prepared by:

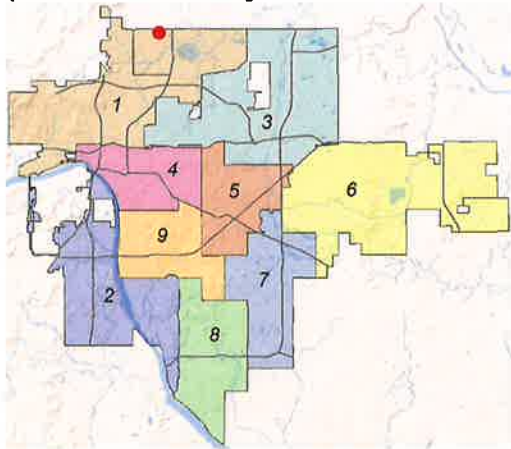
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Timothy Johnson

Property Owner: JOHNSON, JESSICA ERIN &
TIMOTHY ROBERT

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Single-family residence

Proposed Use: AG

Concept summary: Rezone for agricultural uses that are not considered a Farm, Market or Community Supported Garden or a Community Garden

Tract Size: 5 \pm acres

Location: East of the Southeast corner of East 56th Street North & North Lewis Avenue

Zoning:

Existing Zoning: RS-3

Proposed Zoning: AG

Comprehensive Plan:

Land Use Map: New Neighborhood

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 0308
CZM: 22

City Council District: 1

Councilor Name: Vanessa Hall-Harper

County Commission District: 1

Commissioner Name: Stan Sallee

9.1

SECTION I: Z-7512

DEVELOPMENT CONCEPT: Rezone the property to allow agricultural uses that may be permitted by ordinance in an AG district.

EXHIBITS:

- INCOG Case map
- INCOG Aerial
- INCOG Aerial
- Tulsa Comprehensive Plan Land Use Map
- Tulsa Comprehensive Plan Areas of Stability and Growth Map
- Applicant Exhibits:
 - Plot Plan
 - Agricultural Land Use Affidavit

DETAILED STAFF RECOMMENDATION:

AG zoning is not consistent with the new neighborhood land use vision in the Tulsa Comprehensive Plan however the subject property and proximate properties are consistent with the AG lot and building regulations and has not seen development since the property was originally zoned in 1970 and,

The property is surrounded by large lot residential properties on the east; south and west however the zoning has been established as RS-3 for decades. The AG uses that might be permitted by city ordinances are not normally considered objectionable in an area that been developed on low density on the edge of the City limits and,

The general purpose of AG districts is primarily intended to accommodate agricultural uses in rural areas. The district allows very low density residential and other uses that serves as a holding zone pending an orderly transition to more urban development that can be efficiently served by public facilities and services therefore,

Staff recommends Approval of Z-7512 to rezone property from RS-3 to AG.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: AG zoning is not normally consistent with the New Neighborhood land use designation however large lot residential uses may be consistent with that land use designation. Some uses that could be permitted by special exception at the Tulsa Board of Adjustment include mining and mineral processing among are not consistent with the new neighborhood land use designation and would not be supported by staff.

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

9.2

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: 56th street north is a secondary arterial and is the northern edge of Tulsa City limits.

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *Single family home with barn.*

Street view from northwest corner looking south:



Environmental Considerations: None that affect agricultural uses.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 56 th Street North	Secondary Arterial	100 feet	2

Utilities:

The subject tract has municipal water but municipal sewer service is not available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	AG	Tulsa County / no designation	NA	Radio towers
East	RS-3	New Neighborhood	Growth	Large lot residential
South	RS-3	New Neighborhood	Growth	Large lot residential
West	RS-3	New Neighborhood	Growth	Large lot residential

9.4

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11802 dated June 26, 1970 established zoning for the subject property.

Subject Property:

BOA-21821 January 2015: The Board of Adjustment **approved** the request for *Variance* of the all-weather material requirement for parking, subject to conceptual plan 13.7, finding that the applicant is using the existing gravel driveway that has been in existence since the 1960s, and is not constructing a new driveway, on property located at 2452 East 56th Street North.

BOA-12437 February 1983: The Board of Adjustment **approved** a *Variance* to allow more than 750 square feet of detached accessory building on a lot, subject to the execution of a restrictive covenant being filed with the County Clerk to appear in the abstract that there is no business permitted in the garage, on property located at 2452 East 56th Street North.

Surrounding Property:

BOA-12153 September 1982: The Board of Adjustment **approved** a *Variance* to raise and/or keep horses in an RS-3 District and a *Variance* to erect a utility building on a lot of its own, limiting the size of the pole barn to 650 square feet, subject to approval by the City Commission, on property located at 5504 North Birmingham Avenue.

11/20/2019 1:30 PM



0 Feet 200 400



Subject Tract

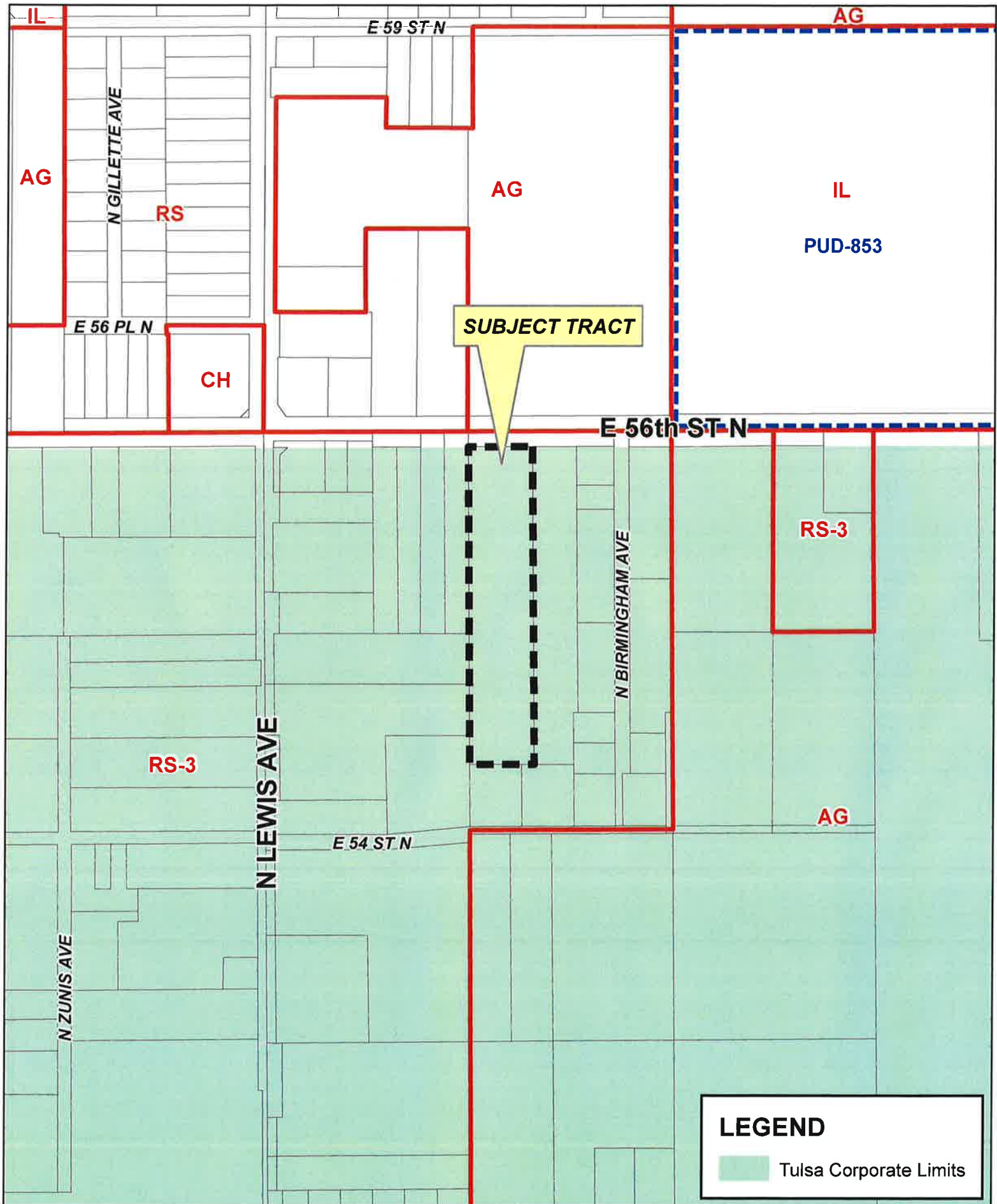
Z-7512

20-13 08

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

Aerial Photo Date: February 2018



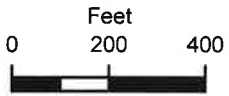
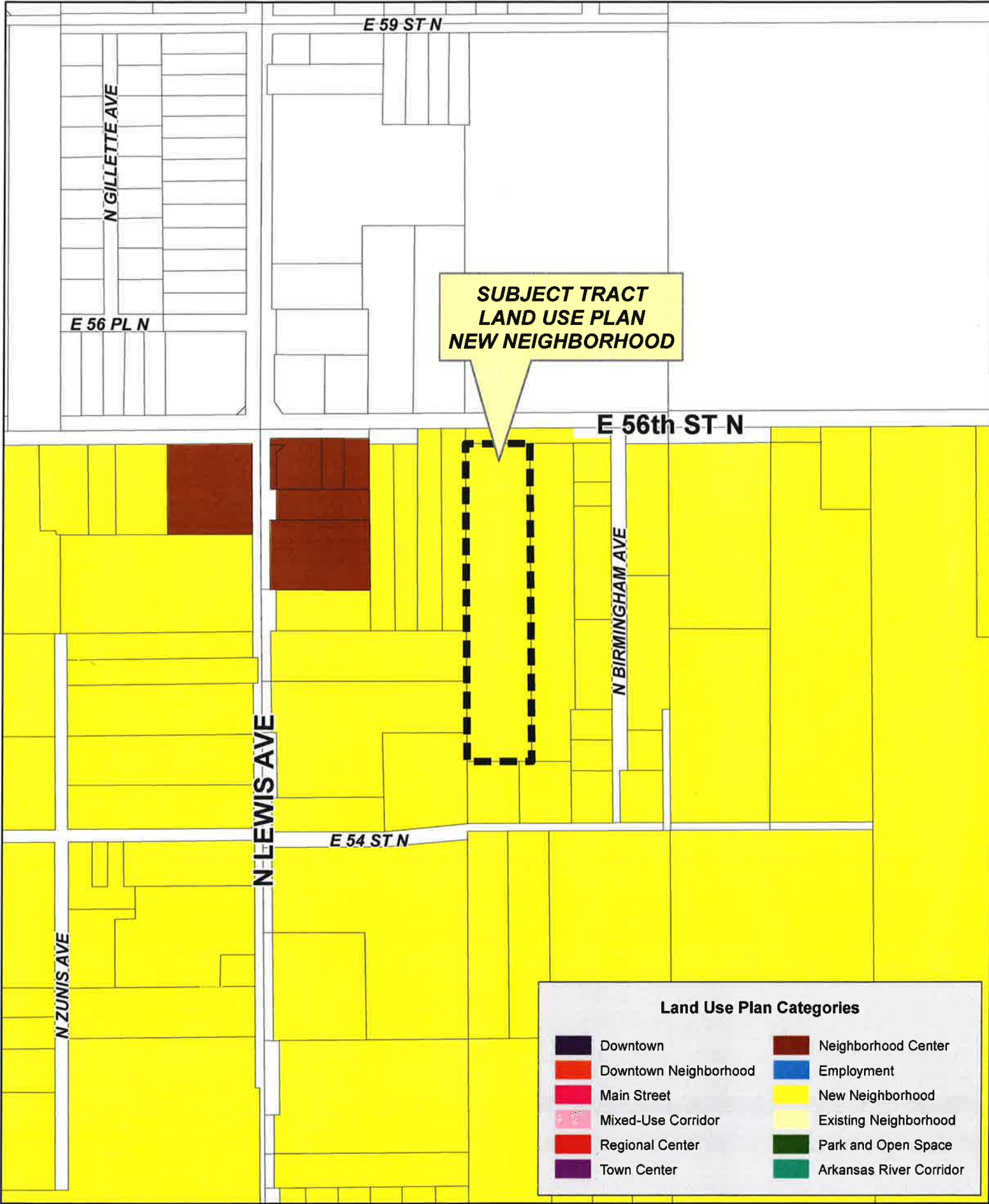


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20-13 08

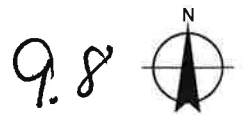
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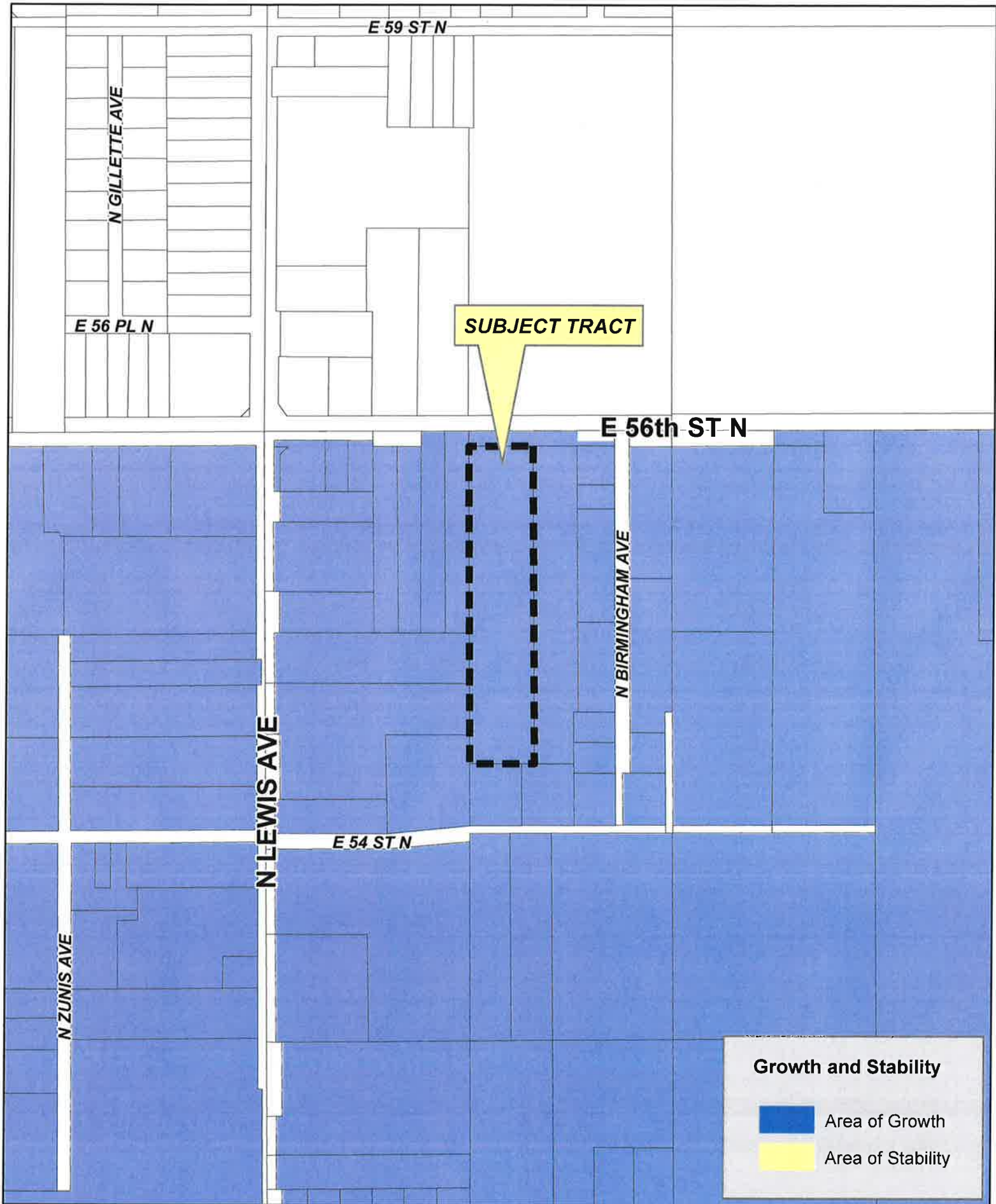




Z-7512

20-13 08





Z-7512

20-13 08

9.9





WHITE SURVEYING COMPANY

• 9939 EAST 55TH PLACE TULSA, OKLAHOMA 74146 • (918) 663-6924



1"=100'

INVOICE NO.: BURRESJ 14-72072
MORTGAGOR:

CLIENT: JESSICA BURRES

PLOT PLAN

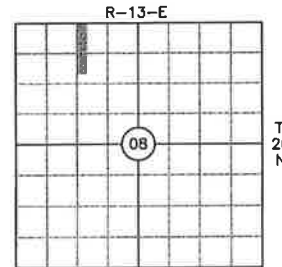
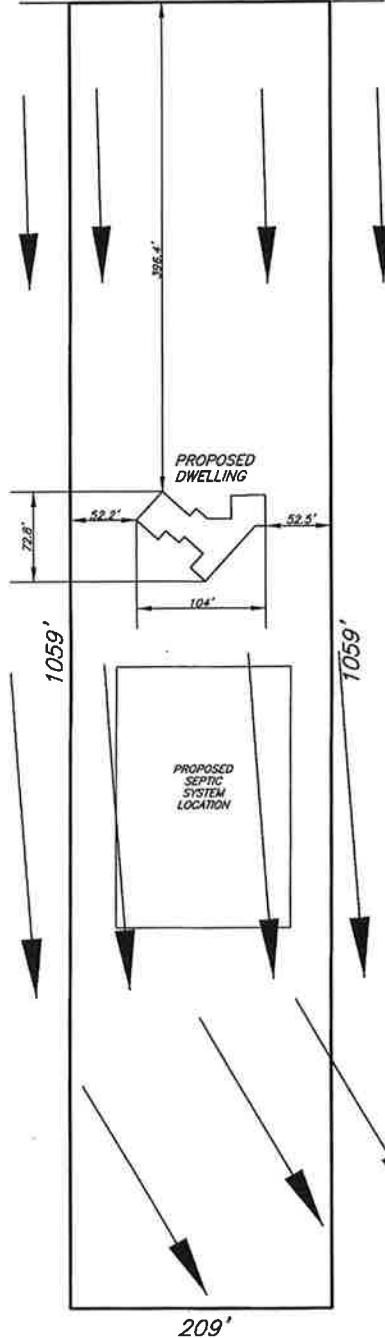
LEGEND

—X— FENCE
U/E UTILITY EASEMENT
D/E DRAINAGE EASEMENT
M/P METERING POINT
B/E BURIED ELECTRIC &
TELEPHONE CABLE
EASEMENT
(APPROXIMATE
LOCATION)
B.L. BUILDING LINE
O.B.L. OUTBUILDING LINE



BEFORE YOU DIG,
CALL OKIE
1-800-522-6543

EAST 56TH STREET NORTH
209'



TULSA COUNTY
LOCATION MAP

LEGAL DESCRIPTION AS PROVIDED:

BEGINNING 660E AND 30S NORTH WEST CORNER SECTION THENCE S1059 E209 N1059 W209 POB
SECTION 8, TOWNSHIP 20 RANGE 13 AND KNOWN AS 2452 EAST 56TH STREET NORTH.

WITNESS MY HAND AND SEAL THIS DATE: 6/3/14

WARNING! If the seal on this document is not RED, it is an unauthorized copy
which may have been altered or modified, and cannot be used for any
purpose without the written permission of White Surveying Company.

Copyright 2013 by White Surveying Company. All Rights reserved. No part of this plat may be reproduced, stored in a retrieval system, or transmitted in any form without prior written permission
of White Surveying Company, P.O. Box 471675, Tulsa, Oklahoma.

9.10



Tulsa Metropolitan Area
Planning Commission

Case Number: CZ-497

Hearing Date: November 20, 2019

Case Report Prepared by:

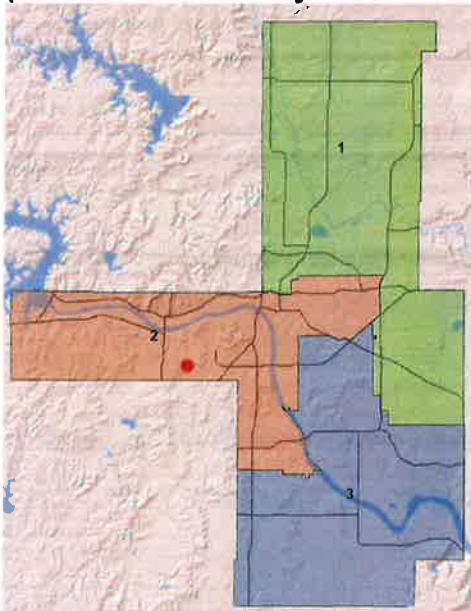
Jay Hoyt

Owner and Applicant Information:

Applicant: John Denham

Property Owner: DENHAM, JOHN M

Location Map:
(shown with County Commission Districts)



Applicant Proposal:

Present Use: Residential

Proposed Use: Residential / AG

Concept summary: Rezone from RS to AG to permit Agricultural uses on the subject lot.

Tract Size: 5 ± acres

Location: West of the southwest corner of West 51st Street South & South 85th West Avenue

Zoning:

Existing Zoning: RS

Proposed Zoning: AG

Comprehensive Plan:

Land Use Map: N/A

Stability and Growth Map: N/A

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 9136

CZM: 44

City Council District: N/A

Councilor Name: N/A

County Commission District: 2

Commissioner Name: Karen Keith

SECTION I: CZ-497

DEVELOPMENT CONCEPT: The applicant is proposing to rezone from RS to AG in order to permit agricultural uses on the subject lot. The applicant is currently proposing to install storage containers on his property for the future use of his children. He has also stated that a medical marijuana growing facility may be a possible use of the site. If a growing facility is intended, the facility will be required to comply with all state and county requirements for such an establishment.

EXHIBITS:

- INCOG Case map
- INCOG Aerial (small scale)
- INCOG Aerial (large scale)
- Applicant Exhibits:
 - Site Plan Sketch

DETAILED STAFF RECOMMENDATION:

CZ-497 is non-injurious to surrounding proximate properties;

CZ-497 is consistent with the anticipated future development pattern of the surrounding property therefore;

Staff recommends Approval of CZ-497 to rezone property from RS to AG.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The subject property is not a part of any Comprehensive Plan. It is considered a 'gap area' that is not currently a part of the Tulsa County Comprehensive Plan. The Planning Department's goal for 2020 is to complete an analysis of the area and develop a Land Use Plan which will include public participation.

Land Use Vision:

Land Use Plan map designation: None

Areas of Stability and Growth designation: None

Transportation Vision:

Major Street and Highway Plan: W 51st St S is designated 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 currently contains a single-family residence.*

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP RW</u>	<u>Exist. # Lanes</u>
W 51 st St S	Secondary Arterial	100 Feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	AG	Residential (Sand Springs)	N/A	Vacant/AG
South	RS	N/A	N/A	Vacant
East	RS	N/A	N/A	Single-Family
West	AG	N/A	N/A	Single-Family/AG

SECTION III: Relevant Zoning History

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

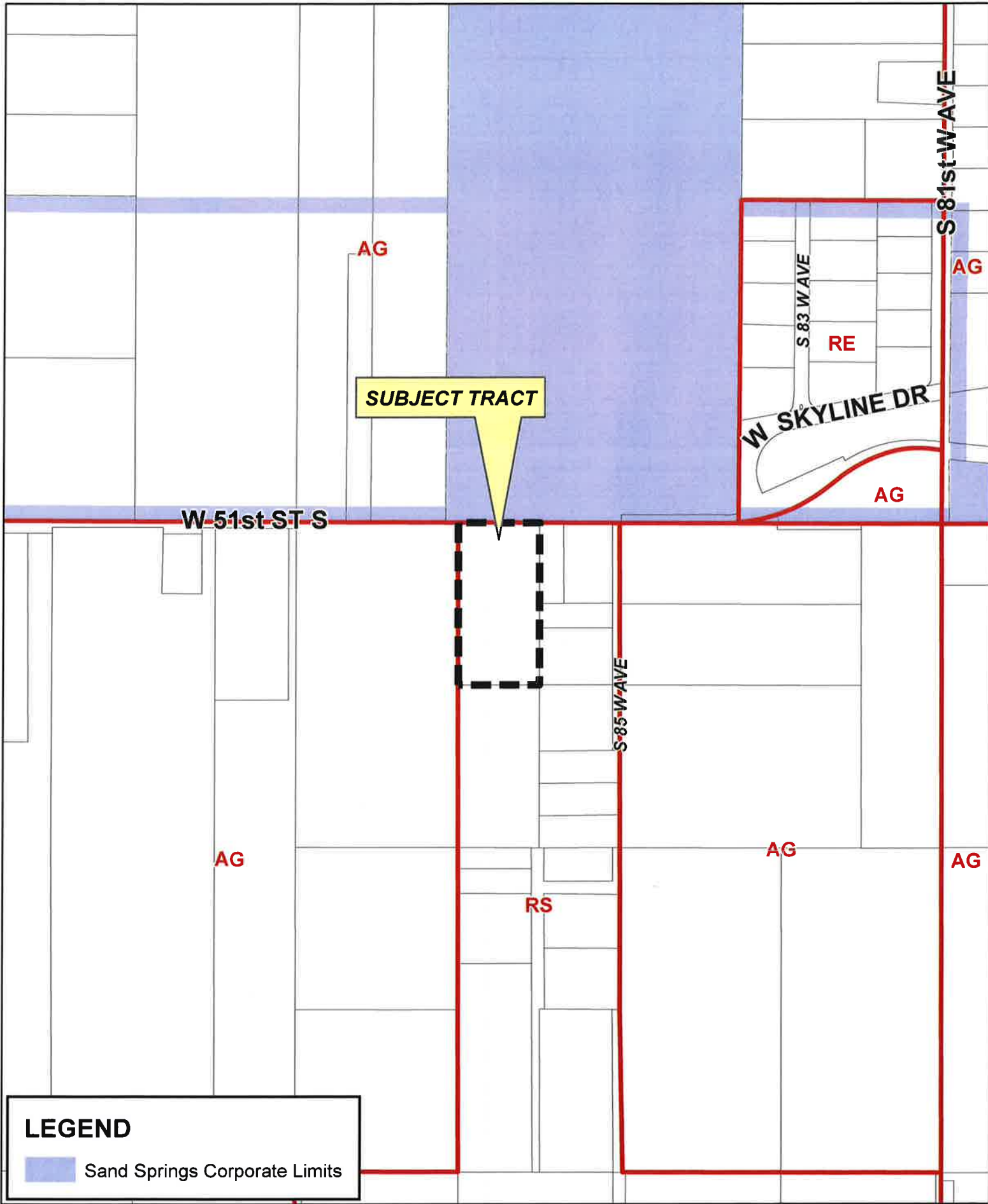
Subject Property:

No Relevant History.

Surrounding Property:

No Relevant History.

11/20/2019 1:30 PM



CZ-497

19-11 36





W 51st ST S

W SKYLINE DR

S 83 WAVE

S 81st WAVE

S 85 WAVE

0 250 500
Feet



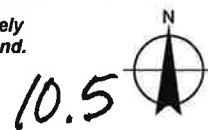
Subject
Tract

CZ-497

19-11 36

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

Aerial Photo Date: February 2018



W 51st ST S



0 50 100
Feet



Subject
Tract

CZ-497

19-11 36

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

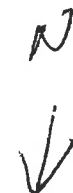
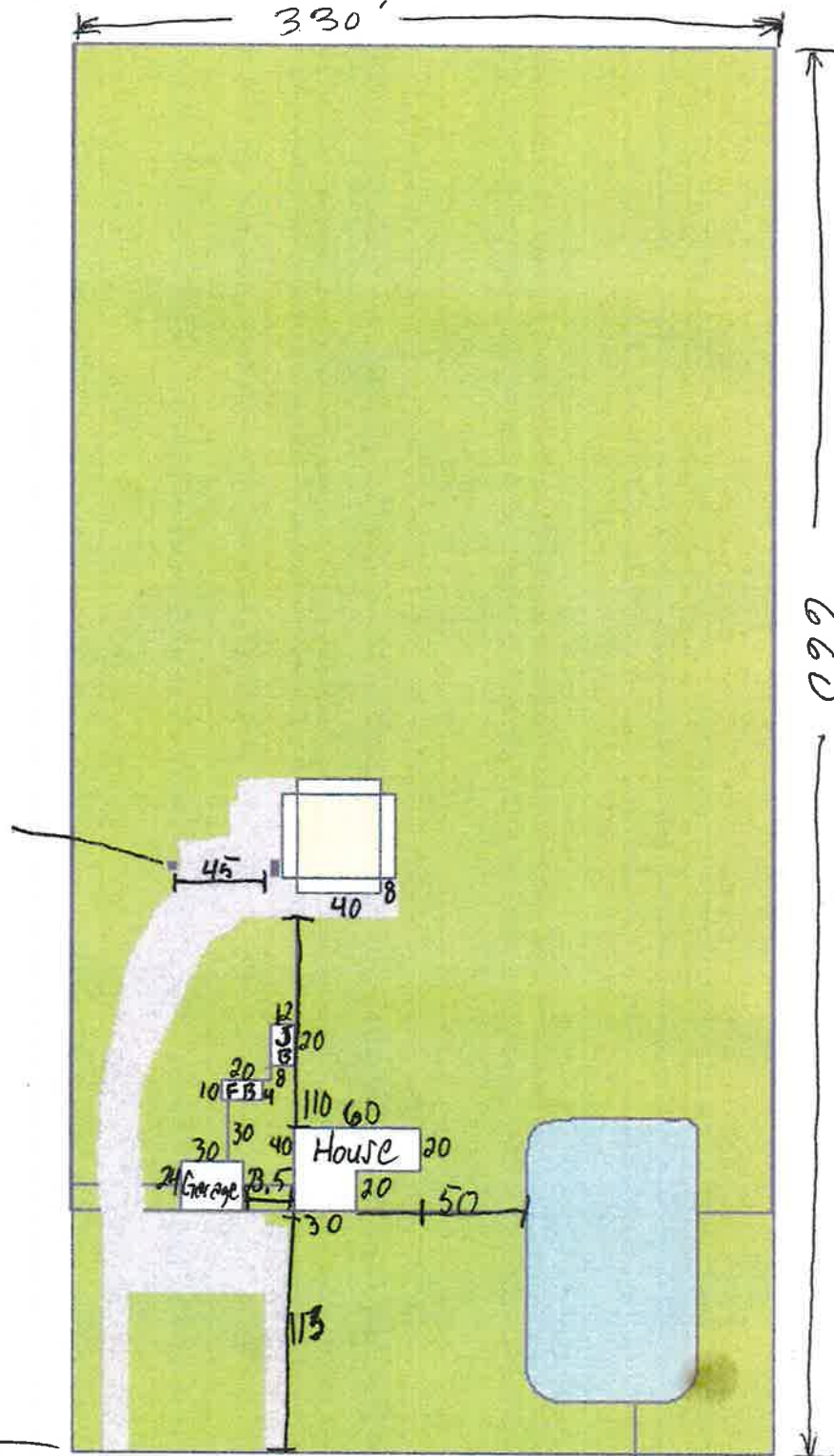
Aerial Photo Date: February 2018



10.6

10.7

W 51ST STREET





Tulsa Metropolitan Area
Planning Commission

Case : MR-22 – 1504 E. 37th PI S.

Hearing Date: November 20, 2019

Case Report Prepared by:

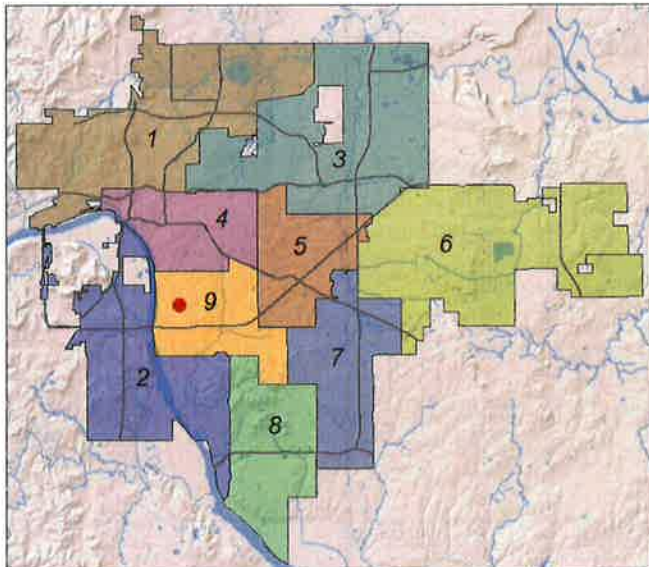
Nathan Foster

Owner and Applicant Information:

Applicant: Jason Mills

Owner: Turner Hudson Enterprises

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Modification to the Subdivision and
Development Regulations

Purpose: Requesting a modification to the
sidewalk requirements of Section 5.070 to
remove the requirement for construction of
sidewalks.

Location: Southeast corner of East 37th
Place South and South Rockford Avenue

Lot 1-A – Woodland Heights

Zoning: RS-2

Staff Recommendation:

Staff recommends **denial** of the
modification

City Council District: 9

Councilor Name: Ben Kimbro

County Commission District: 2

Commissioner Name: Karen Keith

EXHIBITS: Site Map, Aerial, Existing Sidewalk Exhibit

MODIFICATION OF THE SUBDIVISION AND DEVELOPMENT REGULATIONS

MR-22 – 1504 E. 37th Pl. S. - (CD 4)

Southeast corner of East 37th Place and South Rockford Avenue

Lot 1-A Block 4 – Woodland Heights

The applicant has requested that the Planning Commission remove the requirement that the property owner construct a sidewalk as part of the construction of a new home. The newly adopted Subdivision and Development Regulations require sidewalks to be constructed on any new development requiring both new construction building permits and a certificate of occupancy.

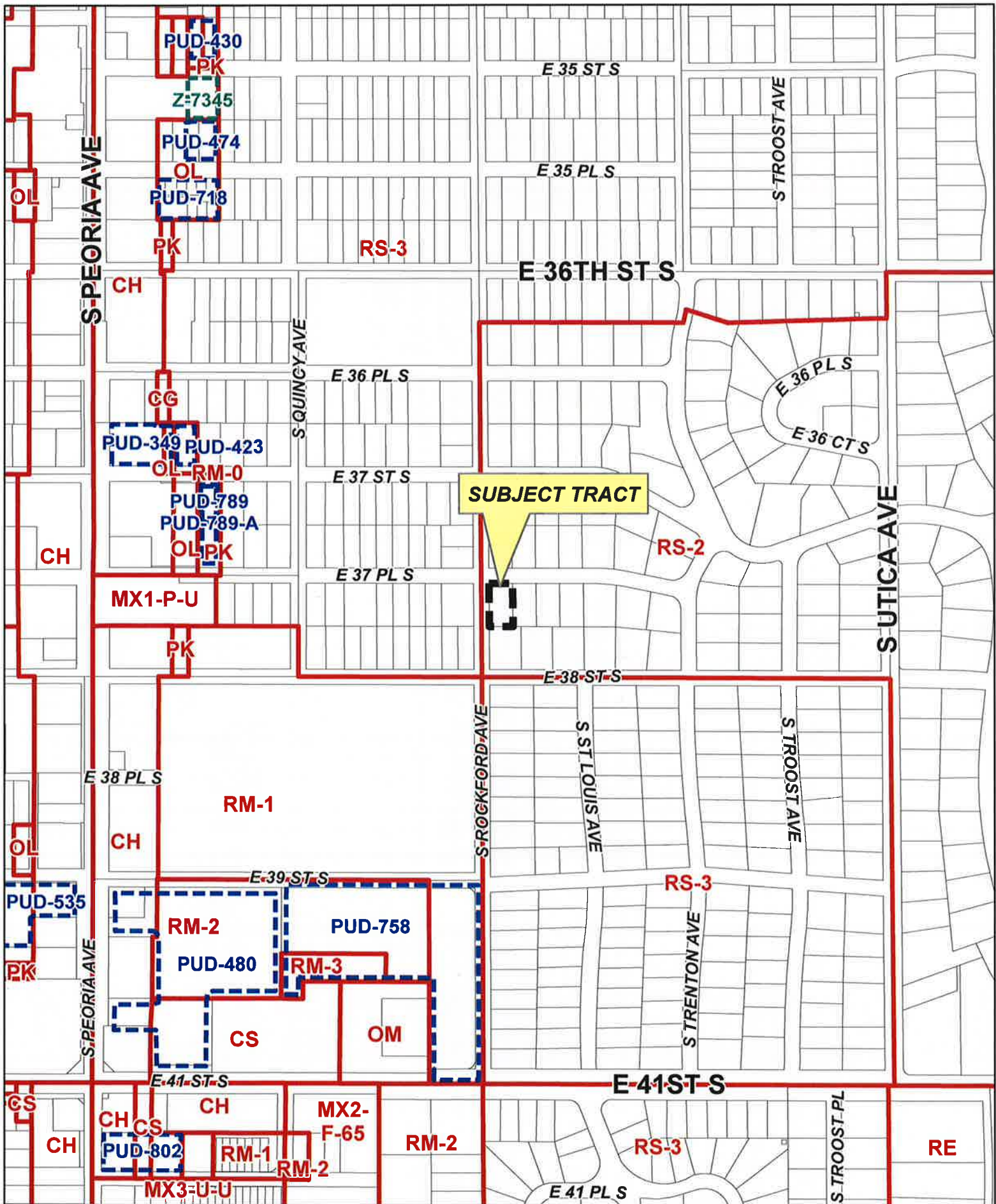
In reviewing requests for modifications of the sidewalk requirements, staff evaluates whether the property falls within areas where pedestrian demands are high or where sidewalks connections are likely to be made in the future. The following areas have been deemed critical sidewalk areas:

1. Properties abutting streets designated as arterial streets, parkways, scenic drives, commercial/industrial streets, or collector streets in the Tulsa Metropolitan Area Major Street and Highway Plan.
2. Properties within 528 feet (1/10 of a mile) of the following pedestrian generators:
 - a. Schools, whether public or private, providing compulsory education;
 - b. Public parks;
 - c. Public transit stops;
 - d. Public libraries;
 - e. Religious assemblies;
3. Properties within 528 feet (1/10 of a mile) of existing sidewalks.
4. New subdivisions or replats of existing subdivisions.

The subject property is located approximately 200 feet away from existing sidewalks at the corner of East 38th Street and South Rockford Avenue placing it in the defined critical areas. Additionally, corner lots provide additional benefits to the public including:

1. Initiation of a new sidewalk network on the block face
2. Handicap ramps for wheelchair-bound individuals
3. Refuge for pedestrians while waiting for safe crossing at the intersection

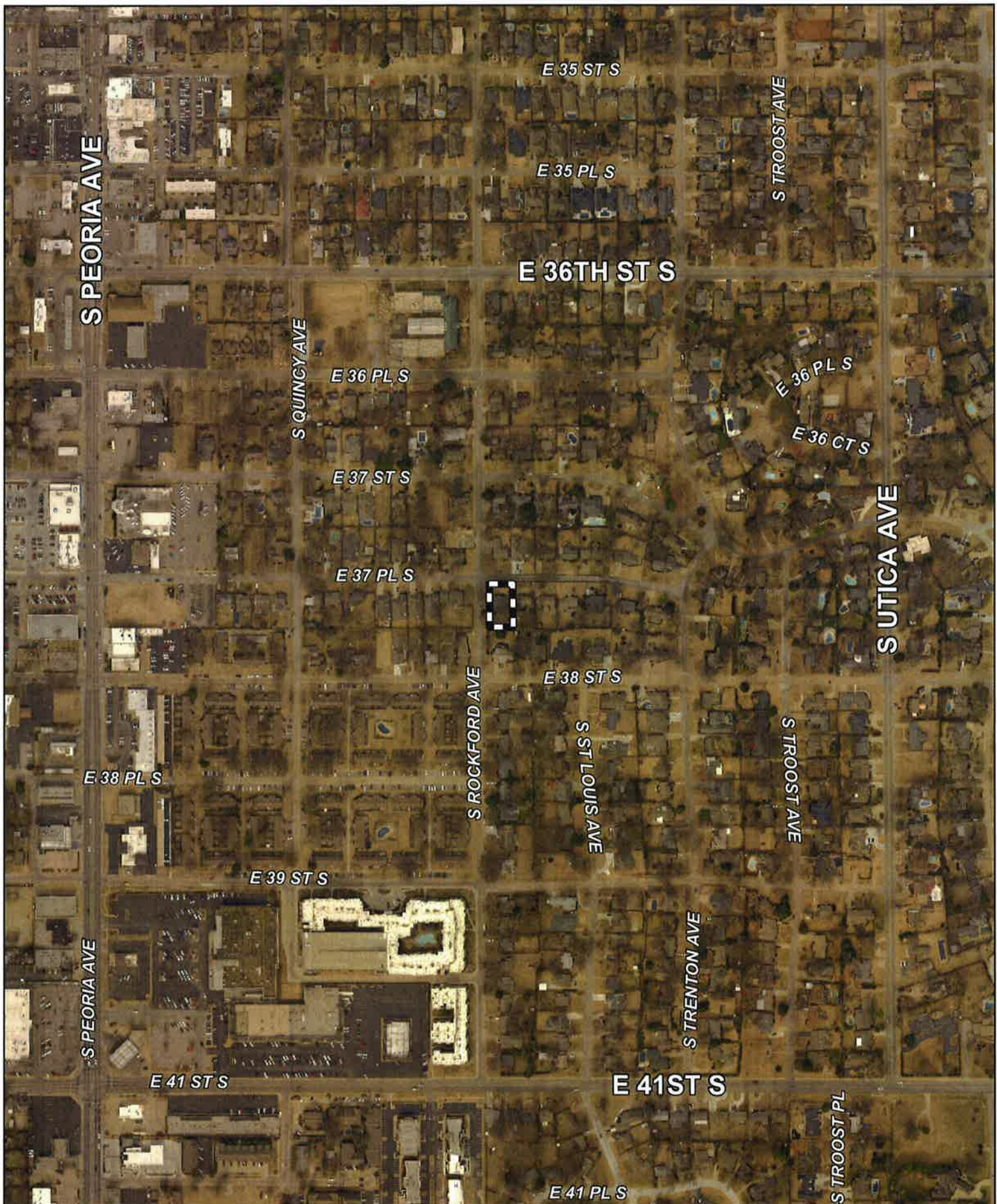
Staff recommends **denial** of the modification of the Subdivision and Development Regulations to remove the requirement for sidewalk construction on this property.



MR-22

19-13 19





0 200 400
Feet



Subject
Tract

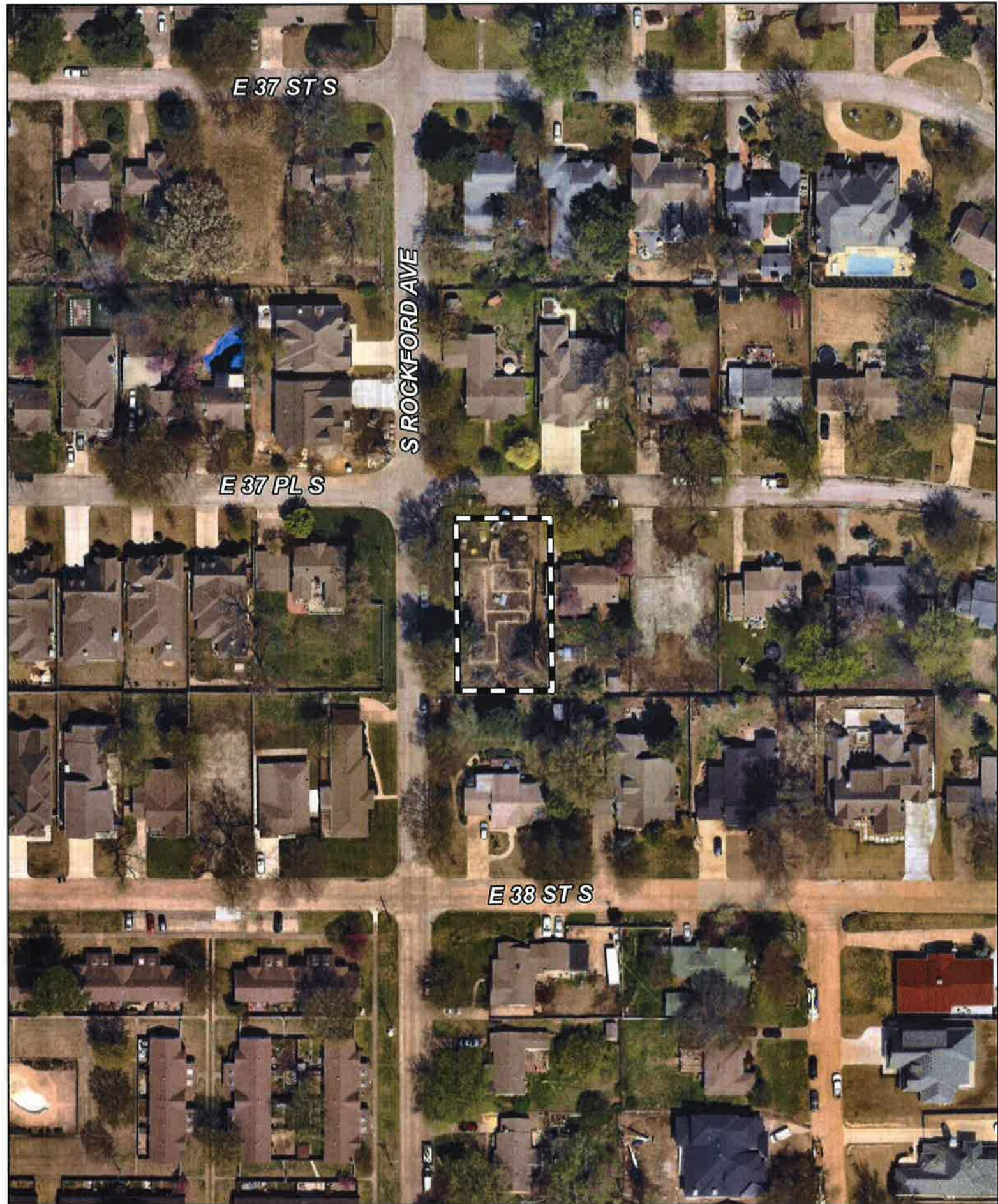
MR-22

19-13 19

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

Aerial Photo Date: February 2018





E 37 ST S

S ROCKFORD AVE

E 37 PL S

E 38 ST S

0 50 100
Feet



Subject
Tract

MR-22

19-13 19

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

Aerial Photo Date: April 2019





Legend

 Sidewalks

Feet
0 200 400



Subject
Tract

MR-22

19-13 19

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

Aerial Photo Date: February 2018

11.6



Item

Discuss proposed Subdivision and Development Regulations amendments to align with the proposed Sidewalk Ordinance

Background

The City of Tulsa adopted new regulations on subdivisions and development regulations in May of 2018. The intent of this update was to align the City's regulatory policy with the goals and objectives of the Tulsa Comprehensive Plan.

Historically, sidewalks were only required to be installed by a developer if the project was going through a subdivision plat process. As a part of the updated regulations, the sidewalk requirements of the Subdivision & Development Regulations were applied to all properties seeking permits for new construction through an associated zoning code amendment. The result is a requirement for sidewalk installation on the following street classifications:

1. Arterials designated by the Major Street & Highway Plan
2. Collectors designated by the Major Street & Highway Plan
3. Residential streets with curb & gutter

By applying this standard, all residential infill construction is required to install sidewalks if the neighborhood has curb and gutter. This creates a situation where individual lots within existing subdivisions are required to install a sidewalk when no other sidewalks exist within the area. If property owners wish to seek relief of the sidewalk requirement, they are subjected to the modification procedures of the Subdivision & Development Regulations. Over the past year, 19 requests for modification have been approved and have fully removed the requirement for sidewalks from properties being developed.

In order to capture the resources for sidewalks without requiring sidewalks in areas where they are considered impractical, City staff has prepared a new ordinance for sidewalks that would allow property owners in non-critical areas to pay a fee-in-lieu of the sidewalk requirement. Those funds would be collected by the City and then allocated within specified areas to priority sidewalk projects. Additionally, the newly proposed ordinance would relocate the existing sidewalk requirements currently found in the Subdivision & Development Regulations and Tulsa Zoning Code to a stand-alone ordinance that defines both requirements and relief for sidewalks within the City of Tulsa. Sidewalk requirements for Tulsa County would remain in the Subdivision & Development Regulations.

The proposed amendment removes the currently listed requirements for the City of Tulsa and provides a reference to the newly proposed ordinance under consideration by the City Council.

Staff Recommendation

Discuss proposed amendments to the Subdivision & Development Regulations as shown on Attachment I in advance of a December 18, 2019 TMAPC Public Hearing.

Attachment(s)

Attachment I – Proposed amendments to Subdivision & Development Regulations

AMENDMENT TO SUBDIVISION AND DEVELOPMENT REGULATIONS
ATTACHMENT I

5-070 SIDEWALKS

5-070.1 City of Tulsa

- A. Sidewalk requirements for properties located in the City of Tulsa are set forth in Title 35 (Section 602), Tulsa Revised Ordinances

5-070.2 Unincorporated Tulsa County

- A. Sidewalks must be installed on both sides of all arterial streets and on both sides of all collector streets and residential (local) streets with curb and gutter. Decision-making bodies are authorized to require the installation of sidewalks in other locations, such as at the end of permanent dead-end streets when they determine that such sidewalks will create a logical and well-connected pedestrian circulation system.
- B. Sidewalks must be installed prior to issuance of a certificate of occupancy.
- C. Sidewalks must be located inside the right-of-way line or in an alternative location approved by the county engineer.
- D. All sidewalks must be constructed in accordance with the standards and specifications of Tulsa County, including sidewalk width requirements. When a sidewalk will provide a connection between existing sidewalks that are less than current required widths, the new sidewalk connection may be tapered to match the width of the sidewalk to which the connection is being made. This reduced width taper may not extend more than 7 feet from the point of connection and must comply with ADA requirements

~~5-070.3 Sidewalks must be installed on both sides of all arterial streets and on both sides of all collector streets and residential (local) streets with curb and gutter. Decision-making bodies are authorized to require the installation of sidewalks in other locations, such as at the end of permanent dead-end streets when they determine that such sidewalks will create a logical and well-connected pedestrian circulation system.~~

~~5-070.4 Decision-making bodies are authorized to waive the requirement for sidewalk installation, in accordance with the modification procedures of 10-070, when they determine that the general modification approval criteria are met and that topography, natural resource constraints or other factors that are unique to the subject property make sidewalk installation impractical.~~

~~5-070.5 Except as provided in 5-070.6, sidewalks must be installed prior to issuance of a certificate of occupancy.~~

~~5-070.6 Sidewalk deferrals may be approved pursuant to any applicable fee-in-lieu options available in the city or county (see also Title 35, Section 602, Tulsa Revised Ordinances).~~

~~5-070.7 Sidewalks must be located inside the right-of-way line or in an alternative location approved by the city or county engineer.~~

~~5-070.8 All sidewalks must be constructed in accordance with the standards and specifications of the city or county, including sidewalk width requirements. When a~~

AMENDMENT TO SUBDIVISION AND DEVELOPMENT REGULATIONS
ATTACHMENT I

~~sidewalk will provide a connection between existing sidewalks that are less than current required widths, the new sidewalk connection may be tapered to match the width of the sidewalk to which the connection is being made. This reduced width taper may not extend more than 7 feet from the point of connection and must comply with ADA requirements.~~