TULSA METROPOLITAN AREA PLANNING COMMISSION
Meeting No. 2828

October 21, 2020, 1:00 PM
175 East 2nd Street, 2nd Level, One Technology Center
Tulsa City Council Chamber

The meeting will be held in the Tulsa City Council Chamber and by videoconferencing and teleconferencing via GoToMeeting, an online meeting and web conferencing tool.

Commissioners and members of the public may attend the meeting in the Tulsa City Council Chamber, but are encouraged to attend and participate in the TMAPC meeting via videoconferencing and teleconferencing by joining from a computer, tablet or smartphone using the following link:


Commissioners and members of the public can also dial in using their phone by dialing:

United States: +1 (571) 317-3112

Participants must then enter the following Access Code: 653-237-189

The following Commissioners plan to attend remotely via GoToMeeting, provided that they may still be permitted to appear and attend at the meeting site, the Tulsa City Council Chambers, Second Floor of City Hall, at One Technology Center, 175 East Second Street, Tulsa Oklahoma: Chair Covey, Commissioner Blair, Commissioner Craddock, Commissioner Kimbrel, Commissioner McArtor, Commissioner Reeds, Commissioner Ritchey, Commissioner Shivel, Commissioner Van Cleave, Commissioner Walker

CONSIDER, DISCUSS AND/OR TAKE ACTION ON:
Call to Order:

REPORTS:

Chairman's Report:
Work session Report:
Director's Report:
1. Minutes of October 7, 2020 Meeting No. 2827

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. The Land – Phase One (County) Amendment to Deed of Dedication, Location: Southeast corner of West 41st Street South and the Gilcrease Expressway

PUBLIC HEARINGS

3. Z-7140-SP-1g Bart James (CD 2) Location: South of the southwest corner of West 81st Street South and South Maybelle Avenue requesting a Corridor Minor Amendment to allow duplexes and townhouses in development area C (Continued from August 19, 2020 and September 16, 2020) (Withdrawn by applicant October 6, 2020)

4. Kahn Addition (CD 1) Preliminary Plat, Location: East of the southeast corner of East 36th Street North and North MLK Jr. Boulevard (Staff requests a continuance to November 4, 2020)

5. Z-7576 Ricky Powell (CD 4) Location: North of the Northwest corner of East 15th Street South and South Evanston Avenue requesting rezoning from RS-3 to OL (Staff requests a continuance to December 2, 2020)

6. CPA-89 CBC Builds c/o AAB Engineering LLC (CD 9) Location: East of the Northeast corner of East 36th Street South and South Peoria Avenue requesting to amend the Land Use Map designation from Existing Neighborhood to Main Street. (Related to Z-7571) (Continued from September 2, 2020 and September 16, 2020)

7. Z-7571 CBC Builds c/o AAB Engineering LLC (CD 9) Location: East of the Northeast corner of East 36th Street South and South Peoria Avenue requesting rezoning from RS-3 to MX1-U-45 (related to CPA-89) (Continued from September 2, 2020 and September 16, 2020 to re-notice a modified request to 45' in height)

8. Z-7577 Mike Thedford (CD 6) Location: East of the northeast corner of 41st Street South and South 145th East Avenue requesting rezoning from RS-3 to RS-4

9. Z-7578 August Wakat (CD 6) Location: East of the southeast corner of East Admiral Place and South 225th East Avenue on the south side of Highway 412 requesting rezoning from AG to IH
10. **Battle Creek Park Duplexes** (CD 6) Preliminary Plat, Location: North of the northeast of East 41st Street South and South 145th East Avenue

11. **Heartwood Commons** (CD 2) Preliminary Plat, Location: South of the southeast corner of East 71st Street South and South Quincy Avenue

**OTHER BUSINESS**

12. Adopt a resolution of the Tulsa Metropolitan Area Planning Commission determining that the **Peoria-Mohawk Project Plan** is in conformance with the Tulsa Comprehensive Plan and recommending to the City of Tulsa the approval and adoption of the Peoria-Mohawk Project Plan.

13. **Commissioners' Comments**

**ADJOURN**

CD = Council District

**NOTE:** If you require special accommodation pursuant to the Americans with Disabilities Act, please notify the Tulsa Planning Office at 918-584-7526. Exhibits, petitions, pictures, etc., presented to the Planning Commission may be received and deposited in case files to be maintained Tulsa Planning Office at INCOG. All electronic devices must be silenced during the Planning Commission meeting.

Visit our website at [tulsaplanning.org](http://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.
<table>
<thead>
<tr>
<th>Case Report Prepared by:</th>
<th>Location Map: (shown with County Commission districts)</th>
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<tbody>
<tr>
<td>Nathan Foster</td>
<td>[Map Image]</td>
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<tr>
<th>Owner and Applicant Information:</th>
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<tr>
<td>Applicant: Ted Sack</td>
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<td>Owner: Presley Family Ministries</td>
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<tr>
<th>Applicant Proposal:</th>
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<tbody>
<tr>
<td>Amendment to Deed of Dedication</td>
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<table>
<thead>
<tr>
<th>Location:</th>
<th>Summary: Amending previously filed deed of dedication to adjust easement standards and clarify language.</th>
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<tr>
<td>Southeast corner of West 41st Street South and Gilcrease Expressway</td>
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<tr>
<th>Zoning:</th>
<th>Staff Recommendation:</th>
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<tr>
<td>CG, RM-2, PUD-824</td>
<td>Staff recommends approval of the amendment</td>
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<th>County Commission District: 2</th>
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<td>Commissioner Name: Karen Keith</td>
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EXHIBITS: Amendment to Deed of Dedication
Amendment of Deed of Dedication and Restrictive Covenants for The Land – Phase One

KNOW ALL BY THESE PRESENTS:

That Presley Family Ministries Inc., an Oklahoma Not For Profit Corporation, is the owner of the following described parcel of land situated in THE LAND – PHASE ONE, a subdivision in the County of Tulsa, State of Oklahoma, according to the recorded Plat [No. 6812] thereof:

The Land – Phase One, a Subdivision of Land in Tulsa County, State of Oklahoma, according to the recorded Plat [No. 6812] thereof.

Less And Except a Parcel Conveyed unto The Oklahoma Turnpike Authority, (Document #2019069223) and more particularly described as follows: Beginning at a Point on the North line of the NE/4 of Section Twenty-Nine (29), Township Nineteen (19) North, Range Twelve (12) East of the Indian Meridian, Tulsa County, Oklahoma and the Northeast corner of said "The Land - Phase One"; thence Southerly along the East line of said "The Land - Phase One" for a distance of 70.00 Feet; thence Westerly for a distance of 667.47 feet to a point on the West line of said "The Land - Phase One"; thence Northerly along said West line for a distance of 69.93 feet to a point on the North line of said NE/4; thence Easterly along said North line for 666.94 feet to the Point Of Beginning of said Parcel.

Pursuant to the terms and provisions of Section IV of the Deed of Dedication and Restrictive Covenants for The Land – Phase One filed for record on September 10, 2018 in the Office of the County Clerk of Tulsa County, Oklahoma as a component part of the Plat of The Land – Phase One, the above named owner of the specified land situated in The Land – Phase One hereby amends the Section II “Planned Unit Development Restrictions” set forth in the Deed of Dedication and Restrictive Covenants for The Land – Phase One in the following particulars:

D. PRIVATE STREETS – RESERVE "A"

VEHICULAR AND PEDESTRIAN ACCESS TO AND FROM THOSE LOTS, AND ARE RESERVED FOR SUBSEQUENT ASSIGNMENT AND CONVEYANCE TO THE PROPERTY OWNERS' ASSOCIATION. THE USE OF RESERVE 'A' IS LIMITED TO USE FOR PRIVATE STREETS, ALLEYWAYS AND PARKING, UTILITIES, DRAINAGE, OPEN SPACE, RECREATION, SIDEWALKS AND LANDSCAPING.

THE DEVELOPER HEREIN GRANTS TO THE CITY OF TULSA AND TULSA COUNTY, OKLAHOMA, THE UNITED STATES POSTAL SERVICE, ANY PUBLIC UTILITY PROVIDING UTILITY SERVICE TO THE SUBDIVISION, AND TO ANY REFUSE COLLECTION SERVICE WHICH PROVIDES SERVICE WITHIN THE SUBDIVISION, THE RIGHT TO ENTER AND TRAVERSE THE PRIVATE STREETS AND TO OPERATE THEREON ALL SERVICE, EMERGENCY AND GOVERNMENT VEHICLES INCLUDING, BUT NOT LIMITED TO, POLICE AND FIRE VEHICLES AND EQUIPMENT.

THE DEVELOPER ACKNOWLEDGES FOR ITSELF AND ITS SUCCESSORS IN TITLE THAT THE PRIVATE STREETS, AS DEPICTED ON THE ACCOMPANYING PLAT DO NOT MEET TULSA COUNTY STANDARD AS TO WIDTH OF RIGHT-OF-WAY AND WIDTH OF PAVING, AND FURTHER ACKNOWLEDGES THAT THE PRIVATE STREETS SHALL BE MAINTAINED BY THE PROPERTY OWNERS' ASSOCIATION, AND THAT TULSA COUNTY SHALL HAVE NO DUTY TO MAINTAIN ANY PRIVATE STREET WITHIN THE SUBDIVISION, NOR HAVE ANY IMPLIED OBLIGATION TO ACCEPT ANY SUBSEQUENT TENDER OF DEDICATION OF ANY PRIVATE STREET WITHIN THE SUBDIVISION.

THE DEVELOPER FURTHER DEDICATES THE AREA AS A UTILITY EASEMENT AS PREVIOUSLY DEFINED IN SECTION I. PUBLIC STREETS, EASEMENTS AND UTILITIES.

FOLLOWING THE CONSTRUCTION, MAINTENANCE, OR REPAIR OF A UTILITY LINE OR APPURTENANCE THERETO, THE SURFACE COURSE DISTURBED DURING SAID ACTIVITY, IF NOT A TYPICAL MATERIAL IN THE JUDGMENT OF THE UTILITY PROVIDER, SHALL BE REPAIRED OR REPLACED BY THE PROPERTY OWNERS' ASSOCIATION AND SHALL NOT BE THE RESPONSIBILITY OF THE UTILITY PROVIDER OR THEIR CONTRACTOR, HOWEVER, THE UTILITY PROVIDER AND THEIR CONTRACTOR SHALL USE REASONABLE CARE IN PERFORMING THE CONSTRUCTION, MAINTENANCE, OR REPAIR ACTIVITY TO MINIMIZE DISTURBANCE OF THE SURFACE COURSE.
All Development Standards prescribed in the original PUD 824, except as specifically provided above, remain unchanged and are not amended or modified hereby.

Presley Family Ministries Inc., an Oklahoma Not For Profit Corporation, as the original "Developer" of The Land – Phase One subdivision and an owner of at least one lot in such subdivision hereby joins in this Amendment of the Deed of Dedication and Restrictive Covenants for The Land – Phase One as required by the provisions of Section IV thereof.

EXECUTED at Tulsa, Oklahoma, to be effective for all purposes as of ______ day of ____________, 2020.

Presley Family Ministries Inc.
An Oklahoma Not For Profit Corporation

By: ____________________________________
    Dr. Richard Presley, President

APPROVED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION on ________________, 2020.

Date: _______________________________  Chair

Secretary

STATE OF OKLAHOMA   )
COUNTY OF TULSA     ) ss.

This instrument was acknowledged before me this ___ day of ____________, 2020, by Dr. Richard Presley as President of Presley Family Ministries Inc., an Oklahoma Not For Profit Corporation.

(SEAL)

Notary Public

Commission No./Expiration:
Get Outlook for Android

From: Hillary Christiansen <hillary@jkjco.com>
Sent: Tuesday, October 6, 2020 11:35:56 AM
To: Hoyt, Jay <JHoyt@incog.org>; Wilkerson, Dwayne <DWilkerson@incog.org>
Cc: JKJ Tulsa <jkjtulsa@jkjco.com>
Subject: Hyde Park of Tulsa Hills - Case Z-7140-SP-1g - Minor Amendment Application

Hello,

Please see the attached letter requesting the withdrawal of the above-referenced item from the TMAPC October 21, 2020 Meeting Agenda.

Please confirm back the item is removed from the meeting agenda.

Please call Bart with any questions, 918-392-4949.

Thank you,

Hillary Christiansen
Legal Assistant to Bart C. James Attorney at Law
7910 South 101st East Avenue
Tulsa, Oklahoma 74133
Phone: (918) 392-4949
Fax: (918) 495-1624
E-mail: hillary@jkjco.com

When replying to this email please include JKJ Tulsa@jkjco.com and any other e-mail addresses that appear to be from jkjco.com. Thank you.

- BART C. JAMES E-MAIL CONFIDENTIALITY NOTICE-
This transmission may be (1) subject to the Attorney-Client Privilege, (2) an attorney work product, or (3) strictly confidential. If you are not the intended recipient of this message, you may not disclose, print, copy or disseminate this information. If you have received this in error, please reply and notify the sender (only) and delete this message. Unauthorized interception of this e-mail is a violation of federal criminal law.
Tulsa Metropolitan Area Planning Commission c/o INCOG
2 West 2nd Street, Suite 800
Tulsa, OK 74103

Re: Minor Amendment - CO - Hyde Park of Tulsa Hills
Case Number Z-7140-SP-lg
Wednesday, October 21, 2020 at 1:00 pm

Ladies and Gentlemen:

Please withdraw the above-referenced Application from the October 21, 2020 meeting agenda, and withdraw the Application from further consideration, at this time.

If I may answer any questions or provide any additional information, please e-mail or call me.

Respectfully submitted,

Bart C. James
Susan,

Your comments will be forwarded to the Planning Commission for their consideration.

Thank you,

Jay Hoyt

---

Mr. Hoyt,

Please see the attached letter regarding the so-called "Minor Amendment", that does not seem at all minor to us as it affects the lots that are adjacent to ours. Please take into consideration the Declarations of Covenants, dated June 1, 2013 under which we originally purchased our lot and adhered to upon making determinations regarding construction. We ask that you not allow for this change for the PUD Minor Amendment to add Development Area C as a non-exclusive alternative to Development Areas A & B.

Regards,

Steve and Susan Murphy

M: 972-467-5215
E: susanmurphy52@gmail.com
Kim,

I attached my TMAPC items.

Staff is requesting a continuance on Khan Addition until November 4th.

Thanks!

Nathan Foster
Senior Planner

Tulsa Planning Office
918.579.9481
nfoster@incog.org
Sawyer, Kim

From: Wilkerson, Dwayne
Sent: Thursday, October 15, 2020 12:45 PM
To: Sawyer, Kim
Cc: Miller, Susan; ricky@skylinerealtyok.com; Werti, Jani
Subject: Z-7576

Kim,

Regarding zoning case# Z-7576, please accept this staff request for a continuance to the December 2nd Planning Commission hearing.

Thanks.

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
Tulsa Planning Office

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Census 2020
START HERE >
### Case Report Prepared by:

Jani Wertin

### Location Map:

(Shown with City Council Districts)

![Location Map](image)

### Comprehensive Plan:

#### Land Use Map
- **Existing:** Existing Neighborhood
- **Proposed:** Main Street

#### Stability and Growth Map
- **Existing:** Area of Stability
- **Proposed:** Area of Growth

#### Zoning
- **Existing Zoning:** RS-3
- **Proposed Zoning:** MX1-U-40 45

### Case Number: CPA-89

Comprehensive Plan Amendment (related to Z-7571)

### Hearing Date: October 21, 2020

(Continued from September 2, 2020 & September 16, 2020)

### Owner and Applicant Information:

Applicant: CBC Builds c/o AAB Engineering, LLC

Property Owner: John E. and Harriet L. Vaughn

### Applicant Proposal:

Land Use Map change from **Existing Neighborhood** to **Main Street**

- **Tract Size:** 0.48 + acres
- **Location:** East of the Northeast corner of East 36th Street South & South Peoria Avenue

### Staff Recommendation:

Staff recommends **approval** of **Main Street** and **Area of Growth** designations

### City Council District: 9

**Councilor Name:** Ben Kimbro

### County Commission District: 2

**Commissioner Name:** Karen Keith
Property Information and Land use Request

The applicant has submitted this proposed Comprehensive Plan amendment (CPA-89) with a concurrent rezoning request (Z-7571) to request a change in both the Land Use and the Growth and Stability designation of the subject property from *Existing Neighborhood* to *Main Street* and *Area of Stability* to *Area of Growth*. The concurrent zoning request proposes MX1-U-45 from RS-3 for a mixed-use development.

Background

The Land Use and Area of Stability or Growth designations for the subject property were made in 2010 with the adoption of the 2010 Tulsa Comprehensive Plan. At this time, the subject property was assigned a Land Use designation of *Existing Neighborhood* and an Area of Stability or Growth designation of *Area of Growth*. As there are no other plans that cover this area that offer land use recommendations, the 2010 Tulsa Comprehensive Plan solely provides guidance regarding land use for this area.

The site is currently made up of three separate parcels, each with a single-family detached home. The proposed development will remove those homes and construct a mixed-use building that includes commercial on the ground floor and residential units above. The parcels abutting the subject property to the north and west are currently zoned OL/PUD-718 and PK/CH, respectively, both carrying a Land Use Map designation of *Main Street*, as well as an Area of Growth and Stability Map designation of *Area of Growth*. These parcels contain office space and townhomes to the north and a commercial strip mall to the west. The parcel abutting the subject property to the south is zoned MX1-P-U and RS-3 and carries both a *Main Street* and *Existing Neighborhood* Land Use designation, as well as both *Area of Growth* and *Area of Stability* designations due to the location of both single-family detached homes and the Brookside Church. The Brookside Church is zoned MX1-P-U and was rezoned as part of the City Council initiated rezoning opportunities along the Bus Rapid Transit Corridor. As part of that request, the land use designation was amended from *Existing Neighborhood* to *Main Street* on the residential lot immediately east of the church. Abutting to the east are more RS-3 zoned parcels with single-family detached homes that carry a land use designation of *Existing Neighborhood* and a growth designation of *Area of Stability*.

The Brookside Infill Development Design Recommendations was a plan adopted in 2002 that generally provide design guidance for development along and on either side of South Peoria Avenue immediately west of the subject property. The plan did not make any specific recommendations to this site.
Existing Land Use and Growth Designations

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

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

When the Tulsa Comprehensive Plan was developed and adopted in 2010, the subject tract was designated as an Area of Stability:

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

Proposed Land Use and Growth Designations (Tulsa Comprehensive Plan)

The applicant is proposing the Main Street land use designation for the subject property:

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

The applicant is also proposing the Area of Growth, growth designation for the subject property:

“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.

### Zoning and Surrounding Uses

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<thead>
<tr>
<th>Location</th>
<th>Existing Zoning</th>
<th>Existing Land Use Designation</th>
<th>Area of Stability or Growth</th>
<th>Existing Use</th>
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<tr>
<td>North</td>
<td>OL/PUD-718</td>
<td>Main Street</td>
<td>Area of Growth</td>
<td>Offices and Townhomes</td>
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<td>South</td>
<td>MX1-P-U / RS-3</td>
<td>Main Street/ Existing Neighborhood</td>
<td>Area of Growth</td>
<td>Brookside Church and Single-family Residential</td>
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<tr>
<td>East</td>
<td>RS-3</td>
<td>Existing Neighborhood</td>
<td>Area of Stability</td>
<td>Single-family Residential</td>
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<td>West</td>
<td>PK/CH</td>
<td>Main Street</td>
<td>Area of Growth</td>
<td>Commercial Strip Center</td>
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### Applicant's Justification

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

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

"To Whom It May Concern,

**HOW CONDITIONS OF THE SUBJECT AREA AND ITS SURROUNDING PROPERTIES HAVE CHANGED.**

Brookside is one of Tulsa's unique assets – an "urban village" with its own distinctive character, community, and development pattern. Since the adoption of PLANiTulsa (the "Plan") in 2010 (and even before the Plan, during the community efforts to establish the Brookside Infill Plan in 2001), Brookside has been adopting the Plan's vision and adapting to the design considerations contemplated therein.

The guiding principles of the Plan call for "pockets of density to provide more livable, pedestrian-friendly and cost efficient communities," "future development creating new mixed-use centers," and "opportunities for a full range of housing types to fit every income, household, and preference."

These principles are on full display on Brookside. Since the adoption of the Plan, Brookside has become revitalized, with new local businesses along Peoria, the arrival of Trader Joe's in 2016, and most recently, the new Aero Bus Rapid Transit (BRT). The residential neighborhoods to the east and west of Peoria have also undergone significant transformation, with many older, declining homes torn down and a wider variety and style of housing returning in their place. For example, townhomes were built directly north of the..."

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subject Property about 12 years ago and a couple of blocks north at 34th Street, an office/townhouse duo was erected in 2018.

In 2019, the Brookside Church and the house to the east of the Church at 1326 E. 36th Street, located directly south of the subject Property across 36th Street, rezoned its property from RS-3/CH to MX1-P-U. That rezoning also included an amendment to the Plan for the house from Existing Neighborhood to Main Street. The zoning was part of the ongoing City-led initiative for property owners on and near the new BRT route to voluntarily rezone their properties to MX. There have been multiple, similar re-zonings along Brookside under the incentive program. There is currently a pending request for the Park Church of Christ site and adjacent residence, just two blocks south of the subject Property on the west side of Peoria, to be redeveloped as a mixed-use development (the application will considered by the Planning Commission on October 7, 2020). The purpose of the program is to encourage higher density development in and around the BRT route, using MX zoning which allows for finely tuned, context sensitive development.

**HOW THOSE CHANGES HAVE IMPACTED THE SUBJECT AREA TO WARRANT THE PROPOSED AMENDMENT.**

The subject Property is currently designated as an Area of Stability/Existing Neighborhood. The Plan did little to plan the area and instead followed the then-existing development pattern and "planned" the residential areas as an Existing Neighborhood and the commercial-zoned areas as Main Street. This lack of planning has resulted in a piecemeal and checkered land use map. The Main Street designation along the east side of Peoria is deeper at every other block except the subject Property and the Areas of Growth to the south of 36th Street extend the entire block from Peoria to Quincy. The proposed change will help create a more uniform boundary between the Brookside corridor Area of Growth and the Existing Neighborhood to the east.

The Plan provides various factors to consider in designating new Areas of Growth: areas undergoing positive changes expected to continue, areas adjacent to transit and transit stations, areas with frequent bus service, and where appropriate infill will promote shorter and less frequent auto trips (LU 57) are all recommended for the growth designation. With ever-improving pedestrian amenities and new rapid transit, development along Brookside and the adjacent neighborhoods is expected to continue and likely increase, particularly due to their proximity to the Gathering Place. The BRT's frequent service increases foot traffic to Brookside and provides commute alternatives to both current and future residents. In short, the proposed amendment is warranted by the actual growth and development pattern occurring in the area.

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

The proposed change is in line with City’s own ongoing effort to adopt zoning categories that support infill development strategies that will encourage design and building placement to create an urban fabric on Brookside. The MX zoning will provide the necessary, built-in protections to the single-family residential areas to the east and act as a buffer from the more intense commercial activity on Peoria. The mixed-use development will provide complementary uses to its residents and the neighborhood. The high quality, mixed-use residential will replace existing, lower value single family homes and attract residents that prefer a walkable lifestyle in lieu of automobile reliance.

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36th Street is a residential collector street which the Major Street and Highway Plan places a high priority on pedestrian and bicycle friendliness over auto mobility. The proposed amendment will encourage the goals of all of the applicable plans that have been implemented and considered in the past two decades — allowing for a mixed-use development that provides pedestrian scale features, added urban amenities, small scale retail and dining to serve the neighborhood, housing choices, and excellent access to efficient transportation.”

Staff Summary & Recommendation

The applicant is currently requesting a Main Street land use designation and growth or stability designation of Area of Growth, which are the current land use and growth designations held by the parcels abutting this property to the north, south, and west.

The attorney representing the applicant and property owner submitted a revised justification addressing how conditions on the subject site and adjacent properties or properties in the immediate area have changed, how these changes have impacted the subject site to warrant the proposed amendment, as well as enhance the surrounding area and the City of Tulsa. He states that over the last few years, especially around Peoria, Brookside has been revitalizing and experiencing some major changes due to the public and private investment to the area, these changes largely consisting of “pockets of density to provide more livable, pedestrian-friendly and cost efficient communities,” “future development creating new mixed-use centers,” and “opportunities for a full range of housing types to fit every income, household, and preference.” They state their proposed changes would not only be “in line with City’s own ongoing effort to adopt zoning categories that support infill development strategies that will encourage design and building placement to create an urban fabric on Brookside,” but would also “provide the necessary, built-in protections to the single-family residential areas to the east and act as a buffer from the more intense commercial activity on Peoria,” “provide complementary uses to its residents and the neighborhood” “attract residents that prefer a walkable lifestyle in lieu of automobile reliance.”

It is undeniable the Brookside and the surrounding area have been experiencing change as a result of major public and private investments in the area, from the introduction of the Bus Rapid Transit route along Peoria Avenue and the Gathering Place at 34th Street, to the introduction of mixed-use developments through the City Council initiated Mixed-use Rezoning Incentive Program. These efforts to revitalize the area have not only resulted in new businesses springing up and increased access to transit and amenities, but has also led to gradual increases to overall walkability as well. While it is not appropriate to encourage immense change in a stable, existing neighborhood, there have also been similar requests that have been approved in the immediate area. More specifically, the Brookside Church and the abutting house to the east of the Church (located south of the subject property), requested to rezone their property from RS-3/CH to MX1-P-U, as well as amendment the land use designation on the east side of their property from Existing Neighborhood to Main Street. When examining the maps for the Mixed-use Rezoning Incentive Program which offers suggestions of properties to include in the program, as well as the mixed-use zoning category suggestions that would be most fitting, the Brookside Church and other properties to the immediate south and south west of the subject property were recommended to the mixed-use zoning category of MX1-P.
Given the changes occurring in the area, the character of the abutting developments and their zoning history, as well as the subject property’s proximity to Peoria Avenue and the Bus Rapid Transit system/stop, the Main Street land use designation and area of stability or growth designation of Area of Growth, would appear to be an appropriate fit for this property and the neighborhood.

Staff recommends approval of the Main Street and Area of Growth designations.
Subject Tract

CPA-89

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

Aerial Photo Date: February 2018
**Case Number:** Z-7571  
(Related to CPA-89)

**Hearing Date:** October 21, 2020  
(Continued from September 2, 2020 & September 16, 2020 to re-notice a modified request to 45’ in height)

<table>
<thead>
<tr>
<th><strong>Case Report Prepared by:</strong></th>
<th><strong>Owner and Applicant Information:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Dwayne Wilkerson</td>
<td>Applicant: CBC Builds c/o AAB Engineering, LLC</td>
</tr>
<tr>
<td></td>
<td>Property Owner: John E. and Harriet L. Vaughn</td>
</tr>
</tbody>
</table>

**Location Map:**  
(shown with City Council Districts)

![Location Map Image]

**Applicant Proposal:**

**Present Use:** Residential

**Proposed Use:** All uses and building types that are allowed in the MX1-U zoning classification with a maximum building height of 45 feet.

**Concept summary:** Redevelop property from existing single-family homes to a mixed-use building.

**Tract Size:** 0.48 ± acres

**Location:** East of the Northeast corner of East 36th Street South & South Peoria Avenue

<table>
<thead>
<tr>
<th><strong>Zoning:</strong></th>
<th><strong>Staff Recommendation:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Existing Zoning:</strong></td>
<td>Staff recommends approval.</td>
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<td>RS-3</td>
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<td><strong>Proposed Zoning:</strong></td>
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<tr>
<td>MX1-U-45</td>
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</table>

**Comprehensive Plan:**

**Land Use Map:** Existing Neighborhood  
**Proposed in CPA-89:** Main Street

**Stability and Growth Map:** Area of Stability  
**Proposed in CPA-89:** Area of Growth

<table>
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<th><strong>Staff Data:</strong></th>
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<tr>
<td>TRS: 9319</td>
<td>9</td>
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<tr>
<td>CZM: 47</td>
<td>Councilor Name: Ben Kimbro</td>
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<tr>
<td></td>
<td>County Commission District: 2</td>
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<tr>
<td></td>
<td>Commissioner Name: Karen Keith</td>
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REVISED 10/15/2020
SECTION I: Z-7571

DEVELOPMENT CONCEPT: The applicant is requesting to rezone the subject property from RS-3 to MX1-U-45 to allow a mixed-use development. The applicant has also submitted a subsequent Comprehensive Plan Amendment request to change the Land-use designation and the Growth and Stability Designation from “Existing Neighborhood” to “Main Street” and “Area of Stability” to “Area of Growth”, respectively.

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

Applicant Exhibits: None included

DETAILED STAFF RECOMMENDATION:

The requested zoning is compatible with the properties north and west of the subject property however it is not consistent with the existing neighborhood land use designation. The applicant has also submitted an amendment to the land use map and growth and stability map in Tulsa's Comprehensive Plan. Staff supports those changes and,

Establishing MX1-U (neighborhood mixed-use) zoning designation with a 45-foot maximum height provides use limitations and design standards that are consistent with the abutting Main Street designation and,

MX1-U building placement requirements will enhance the pedestrian nature of East 36th Street South and establish a consistent corridor edge on the east side of the main street corridor and,

MX1-U is the least intensive mixed-use zoning district defined in the code and provides appropriate design considerations for abutting adjacent residential uses and,

This designation, combined with the Urban character designation and the height limit of 45 feet, would allow this property a greater variety of neighborhood compatible building types to choose from, while increasing the walkability and access of the neighborhood to goods and services, and protecting neighborhoods from objectionable uses therefore,

Staff recommends Approval of Z-7571 to rezone property from RS-3 to MX1-U-45.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary:

The applicant is currently requesting a Main Street land use designation and growth designation of Area of Growth, which are the current land use and growth designations held by the parcels abutting this property to the north, south, and west. Main Streets are typically comprised of residential, commercial, and entertainment uses along a transit-rich street usually two to four lanes wide and includes much lower intensity residential neighborhoods situated behind. They are also pedestrian-oriented places with generous sidewalks, storefronts on the ground floor of

REvised 10/15/2020
buildings, and street trees and other amenities. The MX1, Neighborhood Mixed-use district is intended to accommodate small scale retail, service and dining uses that serve nearby residential neighborhoods. The district also allows a variety of residential uses and building types. MX1 zoning is generally intended for application in areas designated by the comprehensive plan as neighborhood centers, main streets and mixed-use corridors.

**Current Land Use Vision:**

*Land Use Plan map designation: Existing Neighborhood*

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

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

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

**Proposed Land Use Vision as supported by staff in CPA-89**

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

Staff also supports the applicants request to consider a change to the existing Area of Stability to an 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: This site is not included in the City Council initiated MX zoning initiative.

Z-7571 is directly affected by the Go Plan’s designation of this stretch of 36th Street as a suggested shared bike route and the subject property’s proximity to Peoria, which offers access to public transit, the Main Street would appear to be an appropriate fit for this property. In addition to fitting the description and meshing with the existing developments, especially the office space and townhomes to the north, the proposed land use designation will also help create a more uniform boundary between the existing single-family neighborhood and the Peoria commercial corridor, while also offering commercial or office services that are accessible to the community.

While the subject property may not necessarily be underutilized or require infill as there are currently houses on them, the property is close to the transit stops that dot Peoria Avenue and the surrounding area itself has been undergoing positive change, offering special opportunities such as where major public or private investments.

Major Street and Highway Plan: None that affect site redevelopment.

Trail System Master Plan Considerations: The Go Plan recommends East 36th Street South from Riverside Drive to South Hudson Avenue as bike path with shared lane markings, which runs along the southern portion of the subject property.

Small Area Plan:
Much of the area immediately west of this site is included in the Brookside Infill Development Design Recommendation plan and was adopted in 2002. The plan and has not been amended. This site is not directly affected by the concepts illustrated in that plan.

Special District Considerations: There are no special districts that require consideration in this area.

Historic Preservation Overlay: There are no historic preservation overlays that require consideration in this area.

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary:

The site is currently made up of three separate parcels, each with a single-family detached home to be demolished and replaced a mixed-use building that includes commercial on the ground floor and apartments up above. Across the street from the subject property to the south are single-family detached homes and the Brookside Church, which was recently rezoned to MX-1-P-U. As part of that request, the land use designation was amended from Existing Neighborhood to Main Street on the residential lot immediately east of the church. To the north of the subject property, there is an office space and townhomes, to the west there is a popular commercial strip center which offers a variety of services to the neighborhood, and to the east there are more single-family detached homes.
Figure 1. Street view from directly south of the property facing north.

Figure 2. Street view from the front of the property, facing south.

Figure 3. Street view from directly south of the property facing east.
Environmental Considerations: There are no environmental considerations that would affect site redevelopment.

Streets:

<table>
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<th>MSHP Design</th>
<th>MSHP R/W</th>
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Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

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<th>Location</th>
<th>Existing Zoning</th>
<th>Existing Land Use Designation</th>
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<td>Mainstreet</td>
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<td>Offices and Townhomes</td>
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<td>MX-1-P-U/RS-3</td>
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<td>Area of Growth</td>
<td>Brookside Church and Single-family Residential</td>
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<td>RS-3</td>
<td>Existing Neighborhood</td>
<td>Area of Stability</td>
<td>Single-family Residential</td>
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<td>West</td>
<td>PK/CH</td>
<td>Mainstreet</td>
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<td>Commercial Strip Center</td>
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SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11838 dated June 26, 1970 established zoning for the subject property.

Subject Property:

BOA-12466 February 1983: The Board of Adjustment denied a Special Exception to permit a duplex in an RS-3 District, a Variance of the lot area from 9,000 square feet to 7,000 square feet and a Variance of the frontage from 75' to 50', on property located at 1333 East 36th Street.
**BOA-12422 January 1983:** The Board of Adjustment approved a Variance of the frontage requirement in an RS-3 district from 60' to 50' to permit a lot split, on property located at 1333 East 36th Street.

**Surrounding Property:**

**Z-7478/CPA-83 June 2019:** All concurred in approval of a request for rezoning a 2.14+ acre tract of land from RS-3/CH to MX-1-P-U for a church and a Comprehensive Plan Amendment to change the Land Use designation from Existing Neighborhood to Main Street, on property located at the southeast corner of East 36th Street South and South Peoria Avenue.

**Z-7345 July 2016:** All concurred in approval of a request for rezoning a .51+ acre tract of land from OL to CH for a restaurant with an accessory bar, on property located east of the southeast corner of East 5th Street South and South Peoria Avenue.

**PUD-718 September 2005:** All concurred in approval of a proposed Planned Unit Development on a .64+ acre tract of land for offices and townhomes, on property located east of the southeast corner of East 35th Place South and South Peoria Avenue.

**Z-6960 November 2004:** All concurred in approval of a request for rezoning a .32+ acre tract of land from RS-3 to OL for an Office, on property located east of the southeast corner of East 35th Place and South Peoria Avenue.

**Z-6944 July 2004:** All concurred in approval of a request for rezoning a .32+ acre tract of land from RS-3 to OL for an Office, on property located east of the southeast corner of 35th Place and South Peoria Avenue.

**BOA-17728 June 1997:** The Board of Adjustment approved a Special Exception to permit school use on the subject tract, finding that the school has existed for 50 years, on property located at the northwest corner of 36th Place and Rockford.

**Z-6334 November 1991:** All concurred in approval of a request for rezoning a .16+ acre tract of land from RS-3 to CH for a commercial building, on property located east of the northeast corner of East 36th Street and South Peoria Avenue.

**Z-6324 October 1991:** All concurred in approval of a request for rezoning a .32+ acre tract of land from RS-3 to OL for an office, on property located 1325 East 25th Place.

**Z-6326/PUD-474 October 1991:** All concurred in approval of a request to rezone a 1+ acre tract of land from OL to CS and approval of a proposed Planned Unit Development for mini-storage, on property located east of the southeast corner of South Peoria Avenue and East 58th Street.

**Z-6003 December 1984:** All concurred in approval of a request for rezoning a .2+ acre tract of land from RS-3 to CH for commercial/office, on property located west of the southwest corner of 35th Place and Peoria Avenue.

**BOA-07436 May 1972:** The Board of Adjustment approved a Special Exception to permit parking use for employees and customers, with the restrictions that the lot not be used for retail operations, on property located at 1315 East 36th Street.
Boa-06400 August 1967: The Board of Adjustment approved a Special Exception to permit establishing off-street parking for church use in a U-1C district, subject to the parking requirements of the Board, on property located at 1331 East 36th Place.

Boa-03878 August 1962: The Board of Adjustment granted permission to allow church uses, on property located at Lot 7, Peorian Addition and Lots 4,6-8, Block 1, Peorian Second Addition.

Boa-02164 October 1950: The Board of Adjustment granted permission to allow a church, on property located at Lots 8 and 9, Peorian Addition.

Boa-01902 April 1947: The Board of Adjustment approved a request for permission to erect an outdoor type electric substation, on property located at E-58' of W-65' of Lot 5, and N-40.87' of E-58' of W-65' of Lot 6, Block 3, Peoria Gardens Addition.

Boa-01606 July 1943: The Board of Adjustment granted permission to allow a church, on property located at Lots 10 and 11, Peorian Addition.
Dear Mom and Dad,

Eve and I met with the three judges yesterday. We discussed our project and joined the final three presentations. The judges were impressed with our idea and the way we presented it. We will hear back about our scores soon. I will keep you updated.

Best,

Eve

---

Case No. 2-571

Meeting 2020
My name is Cindy Woodward. I live at 1334 E 36th St. That is across the street and one house east of the property in the Z-7517 application. I have owned my home since January 1996. My entire career has been in healthcare in Tulsa. I am the President of the Brookside Neighborhood Association.

I was opposed to the original version of the zoning change request and even more opposed to the amended request.

My reasons for being opposed are as follows:

1. The amended application now requests a height allowance of 45 feet. This property is located on a street of single family homes with no more than 2 stories. Even the commercial property next door, that faces Peoria isn’t 45 feet tall.

2. The developer has indicated they intend to build two upper stories of apartments with office/retail on the first floor. Where will customers and residents park? On the street of course. Please note that some of us on 36th Street live in original 1920s and 1930s houses. We have single car driveways. When necessary our guests and even residents park in front of our homes. We bought these homes with the understanding the neighborhood was single family knowing we would occasionally need to park in the street.

3. Having recently consulted with real estate professionals, I can expect this encroachment into my neighborhood to adversely effect the value of my home. Why would you approve a change that devalues the investments of so many homeowners?

4. Apartment dwellers are transient and rarely invested in the neighborhood. Believe me, all of us living on 35th Place and 36th between Peoria and Quincy are invested in our neighborhood and community. We are business owners, healthcare providers, community organizers and even retirees who thought this would be their retirement home. Many of us bought decades ago and have invested significantly to improve our property. Some have recently moved here, investing in the mid $600,000s. We all bought here with the understanding that we were buying in single family, residential zones. This zoning has been affirmed many times over the years in community-wide planning processes.

5. In the original hearing Mr. Betchan repeatedly pointed to the property to the immediate north of these three lots. I would like to point out that the property line they share is the only similarity. The property to the north contains approximately 8 townhomes that sell in the mid $500,000s with one commercial business that has few employees and a very low volume of customers. The proposed project intends apartments and would allow for high volume retail. The two properties are not comparable. Our neighborhood would welcome a project similar to that on 35th Place.

One final thought. During the first hearing when talking about encroachment into an existing neighborhood and where it should stop, Mr. Betchan said he thought it was the neighborhood that was encroaching on the business area. This is appalling statement made to support a project that would make one person a great deal of profit and devastate an existing neighborhood. The neighborhood has been here so much longer than any of the businesses located nearby.

Thank you for your consideration. I am asking you to deny this zoning change request.

Cindy Woodward
SUBJECT TRACT
LAND USE PLAN
EXISTING NEIGHBORHOOD

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

Z-7571
19-13 19
7.14
10-5-20

To whom it may concern with the TMAPC and relevant staff:

In writing my 2nd email letter of concern, I would like the following concerns to be submitted in protest of the current 7-7571 application to be heard on 10/21/10 at TMAPC’s next meeting, regarding the Z-7571 application from CBC Builds c/o AAB Engineering proposing to change residential zoning for three lots located two homes west of our home at 36th and Quincy (1341 E. 36th) to a multi-use zoning code.

Our concerns mirror many living in our neighborhood and include the following regarding the Z-7571 mixed-use application proposing to build a 45 foot building with retail below and apartments above, a distinct and out of character change from neighborhood homes nearby:

* A multi-use building risks harming an appreciated and desired residential quality of life in a walkable neighborhood by significantly increasing traffic and blocking our’s and our neighbor’s view to leave driveways, turn off Quincy onto 36th street and increase the number of cars parked in our neighborhood;

* A multi-use building also increases undesired noise patterns, especially if places like a restaurant are allowed to move in to the retail section of the building to include outdoor seating, allowing increased parking and a bar with the restaurant;

* A multi-use building this close to neighborhood homes on a quiet residential street will hurt our property values by lowering them—no one in the neighborhood bought their homes in anticipation of a commercial or retail building next door to their home—i.e., no one in surrounding homes want to live right next to a commercial enterprise;

* A multi-use building placing apartments above retail stores near single family homes brings a more transient population to the neighborhood in an area where this is not the norm, i.e., plenty of areas on Peoria’s main street would serve as a better location for this type of structure; and,

* A multi-use building in this Brookside neighborhood will encroach on our property worth for the future, setting an unwanted precedent on this small cross street to main street Peoria, a street that only serves single family homes along with Elliot elementary school, thus endangering children and families walking to school who will then encounter more traffic, particularly on the northwest side of the school which typically does not have a cross guard.

Thank you for dismissing the Z-7511 application and inviting an application to simply build residential homes—this type of application would be welcomed by all. We also note that the developers have refused to meet with neighbors thus far.

Sincerely,

Laura Dempsey
From: Laura Dempsey-Polan <ldpolan@gmail.com>
Sent: Tuesday, September 15, 2020 11:47 PM
To: esubmit <esubmit@incog.org>
Cc: Cindy Woodward <cindy.woodward@outlook.com>
Subject: Z-7572

9-15-20
To whom it may concern, note: this email has already been submitted to relevant INCOG/TMAPC staff.

My name is Dr. Laura Dempsey, my address and contact information are below—we live 2 houses east of the current Z-7572 application request and Cindy Woodward has generously included us in the current neighborhood discussion about the requested change in zoning to mixed use for the 3 lots east of 36th and Peoria and quite near to our home. Cindy is cc’d on this email as a FYI—

My understanding is that the developer(s) should follow a protocol which includes meeting with neighbors like me and my partner, Dr. Joe Bessler, directly impacted by this type of zoning change application.
A discussion about a possible meeting with INCOG staff who apparently support this development and the developers on 9/16/20 has not manifested.

Does TMAPC or INCOG have any impact on this reasonable request to meet with the neighborhood to have such a meeting (safely)?

And, with the new request now on the next TMAPC agenda, what will the agenda include for this application?—E.g. another continuance prohibiting testimony on relevant issues, a chance for folks affected to talk to council members about their concerns?

Thank you to INCOG and TMAPC for advising: our concerns are obvious and have been reviewed in other correspondence to TMAPC/INCOG staff, i.e., —Peoria has plenty of zoned room for this type of development—why place it in a location currently zoned for residential homes?; —traffic with an elementary school nearby is a distinct concern, as is the type of businesses in the lower part of the proposed structure (e.g., could an adult book store open in this building, etc.); —lots of walkers across the lifespan enjoy less traffic for safe exercise, clearly increased traffic is not desired or a good idea; —how will parking and related problems increase In our neighborhood?; —rental property can also reduce area home values and increase crime and noise with more transient apartment populations moving in and out, etc.; and,

-If a something like a bar opens with outdoor seating, noise In the neighborhood is yet another concern. 
-More issues like this simply need to be discussed with those wishing to change current zoning for these properties—all, impacting our residential neighborhood.

In short, why make this type of zoning change endangering a very stable and beautiful Tulsa neighborhood when new residential homes in the area would be very welcomed?

Thank you for your answers to these questions and please include these concerns with the relevant application—Our neighbored looks forward to meeting with TMAPC/INCOG staff and the developer(s) in the near future—we hope you will help make such a meeting possible—

Laura
Laura Dempsey, PhD
Dempsey Associates
1341 E 36th
Tulsa, Ok 74105
918-284-2131
Ldpolan@gmail.com

Laura Dempsey, PhD
Dempsey Associates
1341 E 36th
Tulsa, Ok 74105
918-284-2131
Ldpolan@gmail.com
Thanks Alan,

Staff supports your request and I will forward your continuance request for both items to the October 21st 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: Alan Betchan <alan@aabeng.com>  
Sent: Thursday, September 10, 2020 12:00 PM  
To: Wilkerson, Dwayne <DWilkerson@incog.org>  
Subject: RE: Z-7571 and CPA-89

Dwayne we would like to continue both items to the October 21st planning commission meeting. This will allow time to advertise for the 45’ building height instead of the previously proposed 40’.

Please let me know if you need anything else.  
Thanks,  
Alan

From: Wilkerson, Dwayne <DWilkerson@incog.org>  
Sent: Wednesday, September 09, 2020 3:55 PM  
To: Alan Betchan <alan@aabeng.com>  
Subject: Z-7571 and CPA-89

Hey Alan,  
Are you going to withdraw Z-7571?
I am ok if you ask for a continuance to the 10-21 agenda for CPA-89. That would let a new zoning application catch up. That will need to be submitted tomorrow if you want to meet that 10-21 schedule.

Thanks

Dwayne Wilkerson, ASLA, PLA  
Principal Planner | Current Planning  
Tulsa Planning Office  
2 W. 2nd St., 8th Floor | Tulsa, OK 74103  
918.579.9475  
dwilkerson@incoa.org
I'm writing in regards to the new building planned for 36th & Peoria, behind the Bank of the West and Jimmy Johns sandwich shop. Not knowing the design, it's a difficult to say how it would fit into the overall design of Brookside. Plus, privacy for the home owners is a big concern, along with parking for this new building. I live a block west of the QT at 36th & Peoria so I will be impacted by this building, especially if parking is an issue. I would not want a 2-3 story building right next to my house.

I hope this zoning change is denied.

Thanks,
Tracy Nyquist

PSALM 73:23–24 "Yet I am always with you; you hold me by my right hand. You guide me with your counsel, and afterward you will take me into glory."
Hello, I have reviewed the information I was able to find on this proposal.

Mid town needs more homes not more retail. There are several new homes being built on 36th street. These are more affordable homes for the area - something that is needed.

There is an elementary school just down the block. Cars race through the school zone now despite flashing lights and school crossing guards.

Bicyclists uses 36th street regularly and have issues at the intersection where they have the benefit of traffic lights.

I cannot image cars turning into 36th street from retail parking lots half way down the block. Adding more traffic to this already congested area is a problem for current homeowners, school children and bicyclists.

Please do not allow this change.

Thank you for your consideration,

Gretchen Heinberg
Gheinberg@aol.com

Sent from my iPad
To: Tulsa Metropolitan Area Planning Commission  
City of Tulsa

As a long time resident who lives on 36th street, I am opposed to the proposed rezoning or the northeast corner of 36th Street South & South Peoria from RS-3 to MX-1-U-40. The change would not be in the interest of any neighbors for a variety of reasons—

1. All homes in the area are single family type as the current zoning is RS-3 so to have mixed-use-urban 40 ft. height limit structure(s) in place would destroy the present neighborhoods.

2. Eliot school is across the street and would be impacted.

3. Traffic would greatly increase yet is not wanted or needed, especially where there are many children (Eliot school).

4. 36th street was never intended to be transformed into a “Main Street”...was not built for such and is not.

5. Residents live in the area for a variety of reasons whether location, the fact that the entire area is RS-3, an elementary school is nearby, a shopping and dining area is not far away, etc. but no one lives in the area wanting a zoning change or mixed use structure (40 ft. height limit) near or next to them.

6. Property values will be negatively affected as the stability of the neighborhoods would be destroyed.

7. There are also unknowns to consider such as possible increase in crime or more parking problems or a permanent change in neighborhood character.

Overall, the dramatic change in zoning would not enhance any nearby neighborhoods. All residents bought their homes in well-established neighborhoods knowing the area was zoned RS-3.

Creda Moran  
3607 South Yorktown Place  
Tulsa, OK 74105-3451  
email: creda2000@cox.net
Tulsa Metropolitan Area Planning Commission, City of Tulsa

As new residents to Tulsa, transplants from Fort Smith, Arkansas, we bought our dream home for retirement in Brookside on the same block as property requesting rezoning. An absolutely charming, quaint, friendly neighborhood.

We seldom get involved in controversial matters, but feel compelled to state our strong opposition to the proposed rezoning from current single family residence to mix/purpose with 36th St. designated to Main St. status.

Property values have drastically increased during the past 3 years since we moved here. Traffic has also increased & parking has become a problem. If the door is opened for multi-family residents and more commercial development, when our locally owned shops & restaurants are struggling to stay open, it appears in our opinion the entire demographics of the intimate neighborhood could change significantly.

Thank you for your attention to our concerns and registering our opposition to rezoning at this time.

Respectfully, August & Jacquelyn Khilling
1340 E. 35th Place
Sent from my iPhone
Good Monday Morning Kim,

Yesterday, I received several pages regarding Z-7571, stamped FILE COPY. Among the pages were some of the emails that had been submitted by Brookside neighbors opposing the action of Z-7571. A neighbor, Creda’s email was not included in this FILE COPY packet. I have a copy of what she had submitted initially. So, she resubmitted another one on Sunday (below). Now, my concern: If Creda’s email was not made part of the FILE COPY record initially, where did it go and how many others did not make it to the official record? We are simply concerned the transparency to the public regarding the procedures, handling of Case Z-7571 seems suspect. Can you or someone else tell us the process when written emails are submitted to the esubmit@incog.org address? Does it go to a specific person? And, from there———how do the emails become part of the official record? What might have happened to Creda’s first email?

One of the first measures public servants, {TMAPC in this case}, must promise the taxpayers/citizens: Will the decision I make today, serve the wishes and best interests of the citizens and this neighborhood? If not, who are the benefactors? Who stands to reap the most from allowing Z-7571 to move forward? When the Commissioners vote on October 21st, we are anticipating they vote on the side of the Citizens and Our Neighborhood. Obviously, the developer, engineer, et. al. expect to make money in our neighborhood against our will. The WILL of the people. Those who vote. Those who cherish our neighborhood the way it is.

Kim, you have been very helpful and that is much appreciated. Each of you represent “the citizens of Tulsa”........You have your job to be the watchdog for us. Public Servants are not to be advocates for a few who wish to make money by dismembering our Neighborhoods.    

Thank you again,

Judy Trickey
3488 South Zunis Avenue
Tulsa 74105
918-770-1790
Jwt64@cox.net
I want to register my disfavor of the proposed change in Land Use Designation from “Existing Neighborhood” to “Main Street” in regard to Case Number Z-7571. My residential property is bordered on the south by 36th Street and I will be affected by the proposed change. We already have an abundance of traffic on 36th Street, accompanied by a lack of adequate parking spaces. While I understand the current growth occurring in Brookside, I do not see the need to bring 40 foot tall structures onto 36th Street and into well established, existing neighborhoods. Increased traffic on 36th Street will negatively affect the property value of my midtown residence. I urge you to NOT APPROVE the requested rezoning of Case Number Z-7571.

Pam Schloeder
3481 S Zunis Ave
Tulsa, OK 74105
Ppschloeder@gmail.com
Councilman Ben Kimbro,

I am writing as a concerned home owner on 36- Street, just east of Peoria and across the street from the new zoning case number Z-7571. I have learned more about the zoning change request for the three properties located east of the intersection of 36- and Peoria on the north side of 36- street. The change request changes the zoning from “single-family” to “mixed-use space”, allowing retail and multi-family living. After talking with the new owners of the property, the intended use is apartments on the upper stories with office/retail on the lower floor.

I have concerns with this project and I would like you to support the Brookside neighborhood in not allowing the re-zoning to take place. Please see a list of concerns below:

- Parking – I am concerned that 36- street will become a parking lot for tenants/customers of the apartments/retail/offices. Despite having “designated” parking on the facility, people inevitably choose to park in the most convenient area, which would be 36- street. Take the Enclave apartments at 41- and South Rockford Avenueas an example. The entire street in front of the apartment complex has become a parking lot.

- Proximity to Elliot Elementary – Kids walk to and from school in the neighborhood. Increasing traffic in this area beyond single-family residences will increase the traffic and will make the area more dangerous for kids walking to and from school. Lots of residential development is happening down 36- street between Peoria and Lewis, but all are single-family residential.

- Interrupting the bike lane designation of 36- street. Biker’s bike up and down 36- street daily as it is a designated bike path. Placing “mixed-use” zoning facing 36- Street will increase traffic for bikers and make the bike path more dangerous.

- Encroaching on the residential neighborhood – Where does the commercial development stop traveling east down 36th? This new rezoning request encroaches on the residential Brookside neighborhood.

I am all in favor of new development in Tulsa and Brookside specifically, but I am concerned about this specific request. Re-zoning request # Z-7571 needs to be denied and the area needs to remain a single-family residential area. Please represent our district and keep these lots zoned for single family residential use.

Thank you for reading my concern.

Clark J. Plost
1330 East 36- Street, Tulsa, OK. 74105
Clark Jared Plost, DDS  
Owner/General Dentist  

PLOSTDENTAL  
Office: 2738 E. 51st Street Suite #120 Tulsa, OK. 74105 | 918-749-1747  
Cell: 918-808-8548  
clark@plostdental.com  
www.plostdental.com
Re: Zoning case Z-7571

I am writing to protest the request to change the 3 lots just east of the Peoria/36th intersection from RE to MX-U-40.

According to the filing, it will be a 3-story building with retail on the ground floor and apartments on the upper 2 floors.

Protest #1: Primarily against the retail aspect and the potential for significant increase in traffic on 36th Street - an area which is a short distance from Eliot Elementary School. I believe it's inappropriate and unsafe to add traffic flow into a school zone. The north and west sides of Eliot are very busy with dropoffs and pickups in the mornings and afternoons. Frankly, I'm surprised there aren't zoning codes which would automatically block this.

Protest #2: Any residential - condos/apartments/townhomes - should be limited to 2 stories in keeping with the surrounding homes/neighborhoods.

Summary: This block of 3 lots should remain residential, but with the option for other than single family homes.

Respectfully submitted,
Myrna Seale
2624 E 33rd St
918/743-5784
August 22, 2020

TMAPC, c/o INCOG
2 West 2nd Street, Suite 800
Tulsa, OK 74103

Re: Case Number Z-7571

Dear Representatives,

Soon you will receive a Petition resisting the proposed zoning change described above. All persons who signed the Petition moved into this part of Tulsa relied upon the ability to live in a neighborhood with the existing zoning. Within the last few months there has been a proposed change for the land use of the approximately 7 acres at 31st and Peoria allowing for a retail/commercial usage. Additionally, there is a land use change for the Church on the SE corner of 36th and Peoria allowing retail business on the 1st floor, and now a builder wants to change the land use for the above concerned real estate from Residential Single Family to Mixed Use Urban, building with a 40 foot tall building limit. WE ARE TIRED OF THIS ENCROCHMENT AND WANT OUR SINGLE FAMILY NEIGHBORHOOD TO REMAIN AS IT IS, OR WHAT IS LEFT OF IT.

Personally, I own the home directly to the East of this proposed zoning change. My address is 1335 East 36th St., Tulsa. It is a 4 bedroom 5 car garage home with a detached garage (a 2 car attached to the home and a 3 car plus garage free standing). I BOUGHT THIS HOME EXPECTING ONLY SINGLE FAMILY HOMES TO SURROUND MY PROPERTY AND EXPECT ZONING REMAIN AS IT IS. It is totally unreasonable for the City to allow a “Multi Use” zoned property, allowing a commercial/retail use to be built abutting this $500,000 plus valued property. ZONING RESTRICTIONS ARE IN PLACE FOR THE EXACT REASON, TO PREVENT THIS TYPE OF BUILDING TO OCCUR ABUTTING RELATIVELY EXPENSIVE SINGLE FAMILY HOMES!

Sincerely,

Randy Francis
We are residents in midtown and are wanting you to know our concerns about the proposed zoning change.

Our main concern is how close the apartment building/retail site will be to Elliot Elementary. There is too much traffic as it is and pedestrian and bicycle use in this area will be so dangerous. There are so many of us who use this area for neighborhood walking and we think 36th street should remain residential.

Thank you for your consideration.

Bette and Michael Graves
2931 South Quaker Avenue

Sent from my iPad
Hi,

I am the homeowner of 1437 E. 35th Street located in Brookside, Tulsa and I am writing to voice concerns over the proposed zoning changes for 36th street/Peoria.

Brookside, Tulsa - specifically 41st to 31st from Peoria to Utica - is a historic, residential neighborhood comprised of single family homes. Adding apartments and retail stores alters the foot traffic pattern and the caliber of the neighborhood. The Enclave Apartments are several streets away and they always have routine, available occupancy. There is not need for additional apartment housing. Additionally, those who live closer to the commercial portion of Brookside will tell you that car break-ins and package stealing is quite a normal behavior. We do not wish to have commercial retail traffic extend further East into the neighborhood as such. I also fear that allowing retail along the side of 36th street would set a presence for future developers to try and extend retail/offices etc into the neighborhood. It is a slippery slope.

With the proposed development at 31st/Peoria and now this tandem proposed development at 36th/Peoria, I believe we are downgrading Brookside’s appeal to its current and future families for long-term occupancy. For, Brookside Tulsa is not akin to “Uptown, Dallas”, whose transitional community mixes city living with residential burrows. Rather, the composition and community of Brookside Tulsa prides itself on being established, safe and and a legacy-lasting community. I hope we do not deviate from this historical purpose.

Thank you for hearing my thoughts. I would appreciate being informed of any opportunity to further become involved in this zoning process request.

Warmly,
Richelle Voth
To Whom It May Concern,

After receiving information from Alan Betchan regard the intended use as apartments in the upper stories, I am writing my opposition to this zoning change request. This is a single family neighborhood. Building apartments will adversely impact the property values of existing homes.

Cindy Woodward  
1334 E 36 st  

Sent from my iPhone
As a resident homeowner on 36th street between Utica and Peoria, I would like to submit my opinion on this zoning matter. In short, I do not support the change.

I feel retail space should not be expanded any further east or west from Peoria. It is not fair to homeowners to have their neighborhood turned into retail space. I also feel that apartments are not in keeping with the trend of residential development in the area and would be more appropriate along the river or on the edges of Brookside.

Thank you,
Chrystal Dollarhide
**Case Report Prepared by:**
Dwayne Wilkerson

**Owner and Applicant Information:**

**Applicant:** Mike Thedford  
**Property Owner:** Glenwood Homes

**Location Map:**  
*shown with City Council Districts*

**Applicant Proposal:**

**Present Use:** Vacant  
**Proposed Use:** Single-family Residential

**Concept summary:** Rezoning for single family residential development. Rezone from RS-3 (minimum 60 feet wide and 6900 sq. ft.) to RS-4 (minimum 50 feet wide and 5500 sq. ft.).

**Tract Size:** 27.62 + acres  
**Location:** East of the Northeast corner of 41st Street South and South 145th East Avenue

**Zoning:**

**Existing Zoning:** RS-3  
**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:** 9422  
**CZM:** 50

**City Council District:** 6  
**Councilor Name:** Connie Dodson  
**County Commission District:** 1  
**Commissioner Name:** Stan Sallee
SECTION I: Z-7577

DEVELOPMENT CONCEPT:

This request is to rezone approximately 27.62 acres from RS-3 to RS-4. This request is being made to provide some lot variety within the development area and respond to consumer demand.

EXHIBITS:

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

DETAILED STAFF RECOMMENDATION:

Z-7577 requesting RS-4 zoning allows single family residential uses that are compatible with the surrounding properties and,

Lot and building regulations in a RS-4 district allow a greater density than the abutting RS-3 zoned properties however RS-4 zoning is consistent with the anticipated future development pattern of the surrounding property and,

RS-4 zoning is consistent with the New Neighborhood land use designation of the Comprehensive Plan therefore,

Staff recommends Approval of Z-7577 to rezone property from RS-3 to RS-4.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: RS-4 zoning is primarily used for a smaller lot single family residential use and is consistent with the New Neighborhood land use designation.

Land Use Vision:

Land Use Plan map designation: New Neighborhood

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

Areas of Stability and Growth designation: Area of Growth

The purpose of Areas of Growth is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that 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 proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.

Transportation Vision:

Major Street and Highway Plan: The subject property is part of a preliminary plat that is in the construction phase. No additional streets or considerations for access is contemplated in the major street and highway plan.

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is being developed and currently in the construction phase and Infrastructure Development Plan process. Another development immediately south of this site is being developed for duplex construction and an anticipated stub street will be constructed to provide connectivity to that development.

Environmental Considerations: None that affect site development.

Streets:

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<tr>
<th>Exist. Access</th>
<th>MSHP Design</th>
<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
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<tr>
<td>East 41st Street South</td>
<td>Secondary Arterial with Multi modal corridor</td>
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Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

<table>
<thead>
<tr>
<th>Location</th>
<th>Existing Zoning</th>
<th>Existing Land Use Designation</th>
<th>Area of Stability or Growth</th>
<th>Existing Use</th>
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<td>RS-3 and RS-4</td>
<td>New Neighborhood</td>
<td>·Growth</td>
<td>Single Family residential (new</td>
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</table>
SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11826 dated June 26, 1970 established zoning for the subject property.

Subject Property:

No Relevant History.

Surrounding Property:

**Z-7575 October 7th, 2020 (Pending):** Planning Commission voted on October 7th, 2020 to recommend approval of a request to rezone a 5.61± acre tract of land from RS-3 to RS-4 for Single-family Residential, on property located north of the northeast corner of East 41st Street South and South 145th East Avenue.

**Z-7553 July 2020:** All concurred in approval of a request for rezoning a 68.28± acre tract of land from RS-3 to RS-4 for Single-family Residential, on property located east of the southeast corner of East 36th Street South and South 145th East Avenue.

**Z-7521 ODP February 2020:** All concurred in approval of a request for rezoning a 18.21± acre tract of land from RS-3 to RM-0 for duplexes, on property located north of the northeast corner of East 41st Street South and South 145th East Avenue.

**Z-7392 September 2017:** All concurred in approval of a request for rezoning a 5.5± acre tract of land from AG/RM-0 to RS-3 for a Single-family Residential subdivision, on property located west of the northwest corner of East 41st Street and South 161st East Avenue.

10/21/2020 1:00 PM
Note: Graphic overlays may not precisely align with physical features on the ground.
SUBJECT TRACT
LAND USE PLAN
NEW NEIGHBORHOOD

Land Use Plan Categories

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

Z-7577
19-14 22
Growth and Stability

Area of Growth

Area of Stability

SUBJECT TRACT

E 41st ST S

NASPEN AVE

GROWTH AND STABILITY

Area of Growth

Area of Stability

Z-7577

19-14 22
**Tulsa Metropolitan Area Planning Commission**

**Case Number:** Z-7578  
**Hearing Date:** October 21, 2020

**Case Report Prepared by:**  
Dwayne Wilkerson

**Owner and Applicant Information:**  
**Applicant:** August Wakat  
**Property Owner:** August Wakat

**Applicant Proposal:**  
**Present Use:** Salvage Yard  
**Proposed Use:** Salvage Yard and all other uses allowed by right in an Industrial district.  
**Concept summary:** The site was annexed into the City Limits of Tulsa with AG designation and has never been changed. The site appears to be used as a light industrial area.  
**Tract Size:** 5.86 ± acres  
**Location:** This site is in Wagoner County but in the City Limits of Tulsa and located East of the Southeast corner of East Admiral Place & South 225th East Avenue on the south side of Highway 412.

**Zoning:**  
**Existing Zoning:** AG  
**Proposed Zoning:** IH

**Comprehensive Plan:**  
**Land Use Map:** Employment  
**Stability and Growth Map:** Area of Growth

**Staff Recommendation:**  
Staff recommends approval of IH zoning but denial of IL zoning.

**Staff Data:**  
**TRS:** 9504

**City Council District:** 6  
**Councilor Name:** Connie Dodson  
**Wagoner County Commission District:**  
**Commissioner Name:** James Hanning

**Location Map:** (shown with City Council Districts)

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*REVISED 10/15/2020*
SECTION I: Z-7578

DEVELOPMENT CONCEPT:
The applicant submitted a request for IH zoning to bring the salvage operations into conformance with the Tulsa Zoning Code. Establish AG zoning for the site during the 2001 annexation process.

EXHIBITS:

- INCOG Case map
- INCOG Aerial (small scale)
- INCOG Aerial (large scale)
- Historical Aerial maps
  - 1990
  - 2001
  - 2018 close view
  - 2018 distant view
- Tulsa Comprehensive Plan Land Use Map
- Tulsa Comprehensive Plan Areas of Stability and Growth Map
- Applicant Exhibits:
  - None included

DETAILED STAFF RECOMMENDATION:

The subject tract and surrounding properties are located within an Employment Land Use designation in the City of Tulsa Comprehensive plan. The site was annexed into the city with AG zoning and is not part of a small area plan that might provide additional guidance and,

The uses allowed in the requested IH zoning along with normal supplemental regulations is not consistent with the anticipated land use in the area and,

Uses allowed in IL zoning district along with normal supplemental regulations are compatible with the surrounding proximate properties and,

Staff recommends approval of Z-7578 to rezone property from AG to IL to allow a long list of permitted uses that are not available to the property owner today but recommends denial of IH zoning as requested by the applicant. The salvage business will remain a non-conforming use.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

**Staff Summary:** Industrial zoning categories are generally consistent with employment land use designation. The Tulsa Comprehensive plan does not provide clear guidance for locating heavy industrial uses.

**Land Use Vision:**

**Land Use Plan map designation:** Employment

Employment areas contain office, warehousing, light manufacturing, and high tech uses such as clean manufacturing or information technology. Sometimes big-box retail or warehouse retail clubs are found in these areas. These areas are distinguished from mixed-use centers in that they have few residences and typically have more extensive commercial activity.
Employment areas require access to major arterials or interstates. Those areas, with manufacturing and warehousing uses must be able to accommodate extensive truck traffic, and rail in some instances. Due to the special transportation requirements of these districts, attention to design, screening and open space buffering is necessary when employment districts are near other districts that include moderate residential use.

Areas of Stability and Growth designation: Area of Growth

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

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

Transportation Vision:

Major Street and Highway Plan: None

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: Prior to the adoption of the Tulsa Comprehensive Plan a resolution adopting a comprehensive plan for the Town of Fair Oaks was adopted in 1998. This area was included in that comprehensive plan and the current land use designations are generally reflected in the current land use maps.

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is an existing salvage operation. Much of the surrounding property was a coal strip mine. Redevelopment will require salvage and strip mine mitigation.

Environmental Considerations: Redevelopment and expanded uses of this site will require some environmental mitigation.
Streets:

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<th>Exist. Access</th>
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<td>Secondary Arterial</td>
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Utilities:

The subject tract has municipal water service available.

Surrounding Properties:

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<tr>
<th>Location</th>
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SECTION III: Relevant Zoning History

**ZONING ORDINANCE:** Ordinance number 20244 dated November 20, 2001 established zoning for the subject property.

No records could be found for the subject property or properties within 300 ft of the subject property other than the ordinance above which annexed this property (as well as many others into the City of Tulsa’s corporate limits from Wagoner County).

Wagoner County was subsequently contacted to see if they had any records for this property prior to its annexation into the City of Tulsa or if they could point staff in the direction of who to else to contact, but staff never received a response.

The applicant has provided a letter from the Wagoner Metro Area Planning Commission dated May 17th, 2010 regarding the non-conforming status of his business/use.

It should be noted all properties included in this ordinance were zoned AG prior to their annexation into the City of Tulsa’s corporate limits and remained AG upon their annexation.

10/21/2020 1:00 PM
Aerial Photo Date: 1990

23610 E Admiral PI

Note: Graphic overlays may not precisely align with physical features on the ground
WADDER METRO AREA PLANNING COMMISSION
309 EAST CHEROKEE
WADDER, OK 74087
919-425-5123
E-MAIL: planningcomew@ya926.com

MAY 17, 2016

TO WHOM IT MAY CONCERN:

THE PROPERTY PHYSICALLY LOCATED AT 23010 E. ADMIRAL PLACE,
CATOOSA, OK 74015, AKA PLAINVIEW SALVAGE HAS OPERATED IN THIS
LOCATION FOR MORE THAN THIRTY YEARS. PLANNING AND ZONING IN
THIS PART OF WADDER COUNTY DID NOT BEGIN UNTIL JUNE 1981 AND
THIS BUSINESS WAS TAKEN IN AS TO ITS USE AT THE TIME OF ADOPTION
OF ZONING CODES. PLAINVIEW SALVAGE HAS BEEN GRANDFATHERED IN
AS A LEGAL NON CONFORMING USE.

THE OWNER OF THE ABOVE STATED PROPERTY IS AUGUST TAKAT.

______________________________
BRENDAN ROBERTSON, DIRECTOR
Note: Graphic overlays may not precisely align with physical features on the ground.
Note: Graphic overlays may not precisely align with physical features on the ground.
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<thead>
<tr>
<th>Case Report Prepared by:</th>
<th>Owner and Applicant Information:</th>
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<tbody>
<tr>
<td>Nathan Foster</td>
<td>Applicant: Wallace Engineering, Nicole Watts</td>
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<tr>
<td></td>
<td>Owner: Glenwood Homes, LLP</td>
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</tbody>
</table>

**Location Map:**
(Shown with City Council Districts)

**Applicant Proposal:**
- Preliminary Plat
- 20 lots, 2 blocks, 6.25 ± acres
- Residential
- **Location:** North of the northeast corner of East 41st Street South and South 145th West Avenue

**Zoning:** RM-0, Z-7521 Optional Development Plan

**Staff Recommendation:**
Staff recommends approval of the preliminary plat

**City Council District:** 6
- **Councilor Name:** Connie Dodson

**County Commission District:** 1
- **Commissioner Name:** Stan Sallee

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

Battle Creek Park Duplexes - (CD 6)
North of the northeast corner of East 41st Street South and South 145th East Avenue
This plat consists of 20 lots, 2 blocks on 6.25 ± acres.

The Technical Advisory Committee (TAC) met on September 17, 2020 and provided the following conditions:

1. **Zoning:** The property is zoned RM-0 with an optional development plan on the northern half of the property. Optional development plan should be noted on the face of the plat and standards must be included in restrictive covenants. Proposed lots conform to the zoning requirements.

2. **Addressing:** City of Tulsa addresses and street names must be assigned and affixed to the face of the final plat along with an address disclaimer.

3. **Transportation & Traffic:** Preliminary approval of the stub street to the north is dependent on coordination with The Crossing at Battle Creek and receipt of an amended plat reflecting acceptance of the stub street. Sidewalks will be required along South 145th East Avenue and all internal streets. Developer is required to install sidewalks along any reserve area or arterial street as part of final plat approval.

4. **Sewer/Water:** Easements must be provided as required to cover existing/proposed public infrastructure. All easements are required to be labeled and dimensioned on the face of the final plat. Any required IDP must obtain approval prior to final plat approval. Staff recommends coordinating with The Crossing at Battle Creek to ensure redundant infrastructure can be eliminated as part of the project coordination.

6. **Engineering Graphics:** Submit subdivision data control sheet with final plat submittal. Update location map to reflect only platted property boundaries; label all other property as “Unplatted”. Provide a basis of bearing heading with information providing a bearing angle shown on the face of the plat. Ensure accuracy of written legal description with platted boundary.

7. **Stormwater, Drainage, & Floodplain:** There is no floodplain on the site. Necessary drainage improvements must be submitted and approved through the IDP process prior to final plat approval. Appropriate easements must be reflected and properly dimensioned on the face of the 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. City of Tulsa release letter including Development Services, City Legal, and Engineering Services is required prior to final plat approval.
SUBJECT TRACT LAND USE PLAN NEW NEIGHBORHOOD

Land Use Plan Categories:
- Downtown
- Downtown Neighborhood
- Main Street
- Mixed-Use Corridor
- Regional Center
- Neighborhood Center
- Employment
- New Neighborhood
- Existing Neighborhood
- Park and Open Space
- Arkansas River Corridor

BATTLE CREEK PARK DUPLEXES
19-14 22
PRELIMINARY PLAT

Battle Creek Park Duplexes
Preliminary Plat

Battle Creek Park Duplexes

A Subdivision in Tulsa County, Oklahoma, Being Part of the Southwest Quarter (SW/4) of Section Twenty-Two (22), Township Nineteen (19) North, Range Forty-One (41) East of the Gregg Base and Meridian City of Tulsa, Tulsa County, State of Oklahoma.

Section 1. Description: The Subdivision shall be subject to the approval of the Board of County Commissioners of Tulsa County, Oklahoma, and shall be subject to the provisions of the Subdivision Regulations of the City of Tulsa, Oklahoma.

Section 2. Development: The Subdivision shall be developed in accordance with the approved plat and shall include the following:

A. Street Improvements:
   1. A Minimum of 10 Feet Cul-de-sac at the West End of the Subdivision shall be provided.
   2. The Street Improvements shall be constructed in accordance with the approved plat.

B. Drainage:
   1. The Subdivision shall be provided with adequate drainage facilities to prevent flooding and waterlogging.
   2. All drainage facilities shall be constructed in accordance with the approved plat.

C. Utilities:
   1. The Subdivision shall be provided with adequate utilities to meet the needs of the residents.
   2. All utility facilities shall be constructed in accordance with the approved plat.

D. Landscaping:
   1. The Subdivision shall be landscaped in accordance with the approved plat.
   2. All landscaping shall be constructed in accordance with the approved plat.

Section 3. Restrictions:

A. The Subdivision shall be subject to the following restrictions:
   1. The Subdivision shall be subject to the provisions of the Subdivision Regulations of the City of Tulsa, Oklahoma.
   2. No structure or improvement shall be erected or constructed on the land prior to the approval of the plat by the Board of County Commissioners of Tulsa County, Oklahoma.

B. The Subdivision shall be subject to the following covenants:
   1. The Subdivision shall be subject to the provisions of the Subdivision Regulations of the City of Tulsa, Oklahoma.
   2. No structure or improvement shall be erected or constructed on the land prior to the approval of the plat by the Board of County Commissioners of Tulsa County, Oklahoma.

Section 4. Easements:

A. The Subdivision shall be subject to the following easements:
   1. The Subdivision shall be subject to the provisions of the Subdivision Regulations of the City of Tulsa, Oklahoma.
   2. No structure or improvement shall be erected or constructed on the land prior to the approval of the plat by the Board of County Commissioners of Tulsa County, Oklahoma.

Section 5. Final Plat:

A. The Subdivision shall be subject to the following final plat:
   1. The Subdivision shall be subject to the provisions of the Subdivision Regulations of the City of Tulsa, Oklahoma.
   2. No structure or improvement shall be erected or constructed on the land prior to the approval of the plat by the Board of County Commissioners of Tulsa County, Oklahoma.

Section 6. Access:

A. The Subdivision shall be subject to the following access:
   1. The Subdivision shall be subject to the provisions of the Subdivision Regulations of the City of Tulsa, Oklahoma.
   2. No structure or improvement shall be erected or constructed on the land prior to the approval of the plat by the Board of County Commissioners of Tulsa County, Oklahoma.

Section 7. Survey:

A. The Subdivision shall be subject to the following survey:
   1. The Subdivision shall be subject to the provisions of the Subdivision Regulations of the City of Tulsa, Oklahoma.
   2. No structure or improvement shall be erected or constructed on the land prior to the approval of the plat by the Board of County Commissioners of Tulsa County, Oklahoma.
**Tulsa Metropolitan Area Planning Commission**

<table>
<thead>
<tr>
<th>Case Report Prepared by:</th>
<th>Owner and Applicant Information:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nathan Foster</td>
<td>Applicant: Olsson, Inc – Kevin Vanover</td>
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<tr>
<td></td>
<td>Owner: Green Country Cohousing, LLC</td>
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<table>
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<tr>
<th>Location Map: (shown with City Council Districts)</th>
<th>Applicant Proposal:</th>
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<tbody>
<tr>
<td><img src="image" alt="Location Map" /></td>
<td>Preliminary Plat</td>
</tr>
<tr>
<td></td>
<td>1 lot, 1 block, 4.78 ± acres</td>
</tr>
<tr>
<td></td>
<td>Residential Multifamily</td>
</tr>
<tr>
<td></td>
<td>Location: South of the southeast corner of East 71st Street South and South Quincy Avenue</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Zoning: RM-2 (Residential Multifamily)</th>
<th>Staff Recommendation:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Staff recommends approval of the preliminary plat</td>
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<thead>
<tr>
<th>City Council District: 2</th>
<th>County Commission District: 2</th>
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<tbody>
<tr>
<td>Councilor Name: Jeannie Cue</td>
<td>Commissioner Name: Karen Keith</td>
</tr>
</tbody>
</table>

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

Heartwood Commons - (CD 2)
South of the southeast corner of East 71st Street South and South Quincy Avenue
This plat consists of 1 lot, 1 block on 4.78 ± acres.

The Technical Advisory Committee (TAC) met on October 1, 2020 and provided the following conditions:

1. **Zoning:** The property has been rezoned to RM-2 (Residential Multifamily). The proposed lot conforms to the requirements of the RM-2 district.

2. **Addressing:** City of Tulsa addresses and street names must be assigned and affixed to the face of the final plat along with an address disclaimer.

3. **Transportation & Traffic:** Sidewalks will be required along South Quincy Avenue. Limits of access approved as shown on the preliminary plat.

4. **Sewer/Water:** Easements must be provided as required to cover existing/proposed public infrastructure. All easements are required to be labeled and dimensioned on the face of the final plat. Any required IDP must obtain approval prior to final plat approval. Offsite easements associated with this project must be filed and reflected prior to final plat approval.

5. **Engineering Graphics:** Submit subdivision data control sheet with final plat submittal. Remove contours from final plat. Add the name of the design engineer along with CA number, renewal date, and email address. Update location map to reflect only platted property boundaries; label all other property as "Unplatted". Provide a basis of bearing heading with information providing a bearing angle shown on the face of the plat. Label the Point of Commencement. Correct scale bar issues for accuracy.

6. **Stormwater, Drainage, & Floodplain:** There is no floodplain on the site. Necessary drainage improvements must be submitted and approved through the IDP process prior to final plat approval. Appropriate easements must be reflected and property dimensioned on the face of the plat.

7. **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. City of Tulsa release letter including Development Services, City Legal, and Engineering Services is required prior to final plat approval.
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2018
HEARTWOOD COMMONS

Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: February 2018
SUBJECT TRACT
LAND USE PLAN
TOWN CENTER

Land Use Plan Categories

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

HEARTWOOD COMMONS
18-13 07
Preliminary Plat for Heartwood Commons
Being a Re-Plat of Lots 2 & 3, Block 1
of River Grove Subdivision
Part of the Naval Section, T-18,N, R-13,E,
In City of Tulsa, Tulsa County, Oklahoma

1.0 Utility Rights
1.1 Varies throughout the area of utility rights as shown on the Plat.

2.0 Preliminary Plat
2.1 The Plat is made on the basis of the following assumptions:

3.0 Section
3.1 Public Streets and Utility Easements
3.1.1 Street Rights of Way
3.1.2 Easements

4.0 Section
4.1 Public Streets
4.1.1 Street Rights of Way
4.1.2 Easements

5.0 Section
5.1 Survey Certificate

6.0 Section
6.1 Enforcement, Duration, Amendment and Severability
6.1.1 Enforcement

7.0 Section
7.1 Amendments and Severability
7.1.1 Amendments

8.0 Section
8.1 Right of Way

9.0 Section
9.1 Access to Subdivision

10.0 Section
10.1 Owner and Developer

11.0 Section
11.1 Owner and Developer

12.0 Section
12.1 Owner and Developer

13.0 Section
13.1 Owner and Developer

14.0 Section
14.1 Owner and Developer

15.0 Section
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18.0 Section
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22.1 Owner and Developer

23.0 Section
23.1 Owner and Developer

24.0 Section
24.1 Owner and Developer

25.0 Section
25.1 Owner and Developer

26.0 Section
26.1 Owner and Developer

27.0 Section
27.1 Owner and Developer

28.0 Section
28.1 Owner and Developer
Item:
Adopt a resolution of the Tulsa Metropolitan Area Planning Commission determining that the Peoria-Mohawk Project Plan is in conformance with the Tulsa Comprehensive Plan and recommending to the City of Tulsa the approval and adoption of the Peoria-Mohawk Project Plan.

Background:
As defined by the Tulsa Comprehensive Plan, a Tax increment Financing District (TIF) is "a redevelopment tool used to provide dedicated funding within well-defined districts for public investments such as infrastructure improvements, by capturing the future increase in tax revenue generated by appreciation in property values as a result of those improvements."

The Oklahoma Constitution authorizes special financing tools to assist with the development or redevelopment of areas determined by a city, town, or county to be unproductive, undeveloped, underdeveloped, or blighted. The Local Development Act provides those tools and guidelines limiting their use to areas where investment, development, and economic growth are difficult but possible if the Act is used.

One of the Act's tools is tax increment financing, which allows a city, town or county to direct the apportionment of an increment of certain local taxes and fees to finance public project costs in order to stimulate development in the defined area. The sales tax increment is the portion of sales taxes collected each year that are generated by the project(s) in the increment district, as determined by a formula approved by the governing body. The increment district is established by the development and approval of a project plan, which specifies the project area, the boundaries of the increment district, the objectives for the project area, the activities to be carried out in furtherance of those objectives, and the costs.

The Peoria-Mohawk Project Plan area is the area in which project activities will take place and project expenditures may be made. The Project Area is centered along East 36th Street North and Peoria Avenue, generally from Yale Avenue and Highway 75 on the east and stretching past Martin Luther King, Jr. Boulevard to the Osage-Tulsa County line on the west, between East Apache Street on the south to East 46th Street on the north.

The project plan consists of four increment districts from which increment is generated:

- INCREMENT DISTRICT A
- INCREMENT DISTRICT B
- INCREMENT DISTRICT C
- INCREMENT DISTRICT D

Full-size maps of both the project area and increment districts are included in the attached Project Plan.
Review of the Peoria-Mohawk Project Plan for Conformance with the Tulsa Comprehensive Plan: Prior to submittal to City Council, the TMAPC is asked to review the Project Plan and adopt a resolution stating that the plan is in conformance with the adopted Tulsa Comprehensive Plan. Staff analysis will focus on four aspects of the Tulsa Comprehensive Plan:

- Major Street and Highway Plan
- Land Use Map
- Comprehensive Plan Priorities
- 36th Street North Corridor Small Area Plan

A. Major Street and Highway Plan
The Major Street and Highway Plan (MSHP) classifies the street segments in the Project Plan Area primarily as Secondary Arterial. North Peoria is designated as a multi-modal corridor between E. 46th St. N. and East Apache St. North Lewis Avenue, North Harvard Avenue, and North Yale Avenue are all designated as a Multi-modal Corridor beginning at the intersections of E. 36th St. N and extending south to East Apache St. Mohawk Blvd. is designated as a Residential Collector. Highway 75 is classified as a Freeway.

B. Comprehensive Plan- Land Use Designations
The land use designations in the Project Plan Area are Employment, Town Center, Park and Open Space, Regional Center, Mixed-use Corridor, Main Street, New Neighborhood and Existing Neighborhood. A land use map of the applicable area is included as an attachment.
The primary land use designations of Employment, Mixed-Use Corridor, Town Center, Park and Open Space and New Neighborhood are found in the Project Plan Area. They are described in the Tulsa Comprehensive Plan as:

"Employment" areas contain office, warehousing, light manufacturing and high tech uses such as clean manufacturing or information technology. Sometimes big-box retail or warehouse retail clubs are found in these areas. These areas are distinguished from mixed-use centers in that they have few residences and typically have more extensive commercial activity. Employment areas require access to major arterials or interstates. Those areas, with manufacturing and warehousing uses must be able to accommodate extensive truck traffic, and rail in some instances. Due to the special transportation requirements of these districts, attention to design, screening and open space buffering is necessary when employment districts are near other districts that include moderate residential use.

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

"Town Centers" 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.

"Parks and Open Space are areas to be protected and promoted through the targeted investments, public-private partnerships, and policy changes identified in the Parks, Trails, and Open Space chapter. Zoning and other enforcement mechanisms will assure that recommendations are implemented. No park and/or open space exists alone; they should be understood as forming a network, connected by green infrastructure, a transportation system, and a trail system. Parks and open space should be connected with nearby institutions, such as schools or hospitals, if possible."

"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.

The “Objectives” and “Statement of Principal Actions” in the Peoria-Mohawk Project Plan and supporting Increment Districts, City of Tulsa are fully consistent with the land use designations. The Project Plan and resulting revenues generated by the TIF will benefit the public realm, likely contributing to the pedestrian environment and public amenities in the surrounding area. Further, the development in the Business Park could enhance neighborhood revitalization efforts by increasing the availability and improve the quality of housing, including affordable and workforce housing.

C. Comprehensive Plan Priorities
The Tulsa Comprehensive Plan contains multiple priorities, goals and policies to promote economic development in order to attract investment, enhance the tax base, stimulate economic growth, and improve the quality of life in and around the City. Below are portions of the Comprehensive Plan (not all encompassing) that align with the objectives of the Peoria-Mohawk Project Plan and can be implemented through the benefits of the Project Plan.

Housing Goal 4 of the Comprehensive Plan states: “A healthy city-wide balance between jobs and housing is maintained”. Policies to support this goal include:
- 4.1- Work to coordinate its business retention, recruitment, and other economic development activities with housing development programs.
- 4.2- Coordinate with Tulsa businesses to create Employer Assisted Housing programs, including down payment assistance, low-interest loans or rent assistance.

Housing Goal 7 states: “Low-income and workforce housing is available in neighborhoods across the city”. Policies to support this goal include:
- 7.1- Work with for-profit and non-profit developers to encourage new mixed-income developments across the city.

Land Use Goal 8 states: “Underutilized land in areas of growth is revitalized through targeted infill and reinvestment”. Policies to support this goal include:
- 8.1- Create a toolkit to promote desired infill and redevelopment. The toolkit should include the following items:
  o Identify viable financial packages to develop funding strategies
  o Build public/private/nonprofit partnerships to create effective resources

Economic Development Goal 4 states: “Investment Strategies support existing and emerging industry clusters”. Policies to support this goal include:
- 4.2- Prioritize infrastructure projects that support retention and expansion of businesses in target clusters.
**Parks, Trails, and Open Space** Goal 11 states: “Open Space is protected”. Policies to support this goal include:

- 11.2- Evaluate the potential effectiveness of methods to regulate development in environmentally sensitive areas to protect ecology and to prevent incompatible development.

**Parks, Trails, and Open Space** Goal 12 states: “Neighborhoods have adequate access to parks and open space areas”. Policies to support this goal include:

- 12.1- Work with other government agencies and community partners to improve walkable access to parks and recreation opportunities throughout Tulsa.

**D. 36th Street North Corridor Small Area Plan**

The stated goals and priorities of the Comprehensive Plan are echoed by the adopted 36th Street North Corridor Small Area Plan which is applicable to portions of the project area. Specifically, the project plan focuses on housing and economic development, which align with the goals in the small area plan.

**Economic Development Goals:**

Goal 20 - Promote the plan area as a destination for retail and entertainment services.

Goal 21- Encourage growth of local health-care industry.

Goal 22- Leverage Osage Trail to create supportive retail and service opportunities around its 36th Street North crossing.

**Housing Goals:**

Goal 23- Encourage a range of housing types, including multi-family, townhomes and traditional single family.

Goal 24- Work with the Tulsa Housing Authority on efforts to improve Comanche park and the surrounding areas.

Goal 25- RemEDIATE dilapidated and abandoned properties.

The objectives of the Peoria-Mohawk Project Plan align with the goals of the small area plan and the TIF will provide a mechanism to implement these strategies.
Staff Recommendation
Approval of the Peoria-Mohawk Project Plan finding it to be in conformance with the Tulsa Comprehensive Plan and recommending to the City of Tulsa the approval and adoption of the Peoria-Mohawk Project Plan.

Attachments:
- Peoria-Mohawk Land Use Plan Map
- Peoria-Mohawk Zoning Map
- Peoria-Mohawk Project Plan and supporting Increment Districts, City of Tulsa
- Findings and Recommendation of the Peoria-Mohawk Project Plan Review Committee
PEORIA-MOHAWK PROJECT PLAN
AND SUPPORTING INCREMENT DISTRICTS,
CITY OF TULSA

PREPARED BY:
THE CITY OF TULSA, OKLAHOMA

WITH THE ASSISTANCE OF:
CENTER FOR ECONOMIC DEVELOPMENT LAW
301 North Harvey, Suite 100
Oklahoma City, Oklahoma 73102
(405) 232-4606
econlaw@econlaw.com

RECOMMENDED BY THE LOCAL DEVELOPMENT ACT REVIEW COMMITTEE
PEORIA-MOHAWK PROJECT PLAN

I. INTRODUCTION

This Project Plan, adopted under the Oklahoma Local Development Act, 62 O.S. §850, et seq., is designed to make a meaningful impact on a key driver of economic development, health, and educational achievement in a large area of North Tulsa: housing.

This project is being undertaken by the City of Tulsa ("City") in order to complement, support, and realize the full benefits of the Peoria-Mohawk Business Park, a joint effort of the City and the George Kaiser Family Foundation ("GKFF") to bring manufacturers to North Tulsa and thus provide economic opportunity by creating skilled, sustainable living-wage jobs. GKFF is working with Tulsa WorkAdvance and the Tulsa Technology Center to provide the training and educational access to ensure those jobs are attainable. Companies locating at the Business Park will be a central force in rejuvenating economic vibrancy for the surrounding community. However, to maximize the Business Park's potential, it is necessary to improve the quality and increase the supply of suitable housing for workers in the area. The purpose of this Project Plan is to fund the public project costs associated with those housing needs and thus achieve the City's development objectives, improve the quality of life for residents in the area, stimulate additional private investment, and enhance the tax base.

Key to the success of this project will be additional partnerships with other public entities, community organizations, nonprofits, and neighborhood leaders that contribute to a holistic neighborhood revitalization and resident wealth-building strategy. This Project Plan is a critical element in fostering the public-private partnerships necessary to create the type of development that the City seeks but can achieve only by means of the financing tools available under the Oklahoma Local Development Act.

Past planning supporting this Project Plan include the 36th Street North Corridor Small Area Plan, which was adopted in 2013 and amended in 2016. It identified major capital improvements and public/private investments that will spur positive change and help draw attention to the area’s many attractions. The goal of the small area plan was such that 36th Street North would be known as a bustling commercial center, minutes from downtown, and a diverse, attractive place to live and invest. The 36th Street North Corridor Small Area Plan priority recommendations are best described by their alignment to the City of Tulsa’s Action and Implementation (AIM) Plan:

1. Build a stable economy that provides for growth, an educated workforce, jobs, and upward mobility.

2. Create neighborhoods and the built environment which promote health, quality education, and safety.

3. Provide opportunities for social connections and engagement that help people thrive.

As envisioned in the 36th Street North Corridor Small Area Plan, the area owned by the City immediately north of the Business Park surrounding Flat Rock Creek provides an opportunity to meet these priorities. Currently, the area is open green space. Enhancements and improvements to the area aim to establish the Flat Rock Creek Urban Wilderness, further beautifying the area and increasing the

October 6, 2020
connectivity and desirability of nearby housing for workers and their families by providing a natural and interactive place to gather, exercise, and explore. Such improvements further improve the quality of life for residents in the area, helping to meet the development objectives of the City.

The proposed increment districts will provide funding for public sector costs to stabilize and improve the area in order to achieve these positive outcomes. The project will be financed from a combination of public and private sources, including apportionment of ad valorem tax revenues from Increment Districts A, B, C, and D, defined below.

II. BOUNDARIES OF PROJECT AREA AND INCREMENT DISTRICTS

The Project Area is the area in which project activities will take place and project expenditures may be made. The Project Area is centered along East 36th Street North and Peoria Avenue, generally from Yale Avenue and Highway 75 on the east and stretching past Martin Luther King, Jr. Boulevard to the Osage-Tulsa County line on the west, between East Apache Street on the south to East 46th Street on the north, as depicted on Exhibit A and specifically described on Exhibit B.

The Increment Districts are the areas from which the increment is generated. The Project Plan establishes boundaries for four Increment Districts in the Business Park, which are depicted on Exhibit C and specifically described on Exhibit D. The four Increment Districts are labeled A through D on Exhibit C and Exhibit D, and they will be assigned a number (e.g., Increment District No. 17) as they become effective by action of the Tulsa City Council as described in Section VI below and as required by §856(B)(3) of the Act.

III. ELIGIBILITY OF PROJECT AREA

The four Increment Districts and the Project Area are an enterprise area. These areas lie entirely within an enterprise zone, designated by the Oklahoma Department of Commerce to be in a disadvantaged portion of the City of Tulsa. Additionally, the Project Area and the Increment Districts constitute reinvestment areas, as defined by the Act. Public improvements are required to serve as a catalyst to expand employment, to attract investment, and to preserve and enhance the tax base. Exhibit E shows the boundaries of the Project Area and Increment Districts within the State-designated enterprise zone.

Investment, development, and economic growth in the area are difficult, but possible if the provisions of the Act are used. The Project Area and Increment Districts are unproductive, undeveloped, underdeveloped, or blighted within the meaning of Article 10, §6C of the Oklahoma Constitution, and suffers from conditions inhibiting development.

IV. OBJECTIVES

A growing body of evidence points to the role housing plays as an essential platform for human and community development. Scholars have found that housing stability is an important ingredient for children’s success in school, and research shows that access to safe, affordable housing supports people’s

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1 See, for example, Office of Disease Prevention and Health Promotion’s Social Determinants of Health (SDOH); U.S. Department of Housing and Urban Development, “Utilizing Housing as a Platform for Improving Quality of Life” (2011); Center on Budget and Policy Priorities: https://www.cbpp.org/research/housing/housing-and-health-partners-can-work-together-to-close-the-housing-affordability; and other sources.
physical and mental health. Housing investment is a major driver of economic growth, and housing helps advance a broader development agenda.

The purpose of the Project Plan and the supporting Increment Districts is to leverage the development in the Business Park to effect broader goals and objectives through strategies to increase the availability and improve the quality of housing, including affordable and workforce housing, in the area. Better housing and open green space in the area support the Business Park by making it more attractive for potential employers, who need desirable places nearby for employees to live and play. This Project Plan seeks to leverage area development to enhance opportunities and outcomes for the area.

V. STATEMENT OF PRINCIPAL ACTIONS

Implementation actions for the project, including all necessary, appropriate and supportive steps, will consist principally of the following:

A. Project planning, design and approval.

B. Enhancing and supporting existing housing programs of the City of Tulsa, and, where determined by the City to be necessary or appropriate, expanding or creating new housing programs. Such programs are anticipated to include: single-family rehabilitation grants, demolition of unsound properties, title assistance, home buyer assistance, and developer assistance for residential land.

C. Improving and enhancing the existing City-owned open green space to establish the Flat Rock Creek Urban Wilderness Project in order to pursue a comprehensive neighborhood revitalization of the area and support the housing programs of the City of Tulsa.

D. Assisting the financing of other public development costs and facilities, including without limitation planning, financing, acquisition, construction, and long-term leasing or disposition of property and public facilities, particularly housing facilities, pursuant to development or redevelopment agreements with designated public entities, and providing for development of public or private facilities, especially housing, to be financed in whole or in part by apportioned tax increments from the Increment Districts created pursuant to this Project Plan.

E. Financing authorized Project Costs in support of economic development activities and investment to retain, attract, and expand quality employment within the Project Area.

F. Providing support to Tulsa Public Schools for enhancement of public school facilities, programs, and/or activities in the Project Area. Such support will be provided annually in the amount of 10% of the ad valorem increment for that year and will be spent in accordance with a Memorandum of Understanding between the City of Tulsa and Tulsa Public Schools.

VI. ESTABLISHMENT OF INCREMENT DISTRICTS

A. This Project Plan establishes four Increment Districts, identified herein as Increment Districts A, B, C and D, all of which are ad valorem increment districts.

INCREMENT DISTRICT A

The ad valorem increment shall be those ad valorem taxes from Increment District A in excess of the taxes produced by the base assessed value of Increment District A, as determined by the Tulsa County Assessor in accordance with Section 862 of the Act.

October 6, 2020
The increment of ad valorem taxes from Increment District A shall be apportioned to pay Project Costs authorized by Section VIII of this Project Plan for a period not to exceed 25 fiscal years from the effective date of Increment District A, as provided by law, or the period required for the payment of such authorized Project Costs, whichever is less.

Increment District A shall commence as of the date determined by the Tulsa City Council in accordance with Section 856(B)(2) of the Act.

INCREMENT DISTRICT B

The ad valorem increment shall be those ad valorem taxes from Increment District B in excess of the taxes produced by the base assessed value of Increment District B, as determined by the Tulsa County Assessor in accordance with Section 862 of Act.

The increment of ad valorem taxes from Increment District B shall be apportioned to pay Project Costs authorized by Section VIII of this Project Plan for a period not to exceed 25 fiscal years after the creation of Increment District B by the City or the period required for the payment of such authorized Project Costs, whichever is less.

Increment District B shall commence as of the date determined by the Tulsa City Council in accordance with Section 856(B)(2) of the Act.

INCREMENT DISTRICT C

The ad valorem increment shall be those ad valorem taxes from Increment District C in excess of the taxes produced by the base assessed value of Increment District C, as determined by the Tulsa County Assessor in accordance with Section 862 of Act.

The increment of ad valorem taxes from Increment District C shall be apportioned to pay Project Costs authorized by Section VIII of this Project Plan for a period not to exceed 25 fiscal years after the creation of Increment District C by the City or the period required for the payment of such authorized Project Costs, whichever is less.

Increment District C shall commence as of the date determined by the Tulsa City Council in accordance with Section 856(B)(2) of the Act.

INCREMENT DISTRICT D

The ad valorem increment shall be those ad valorem taxes from Increment District D in excess of the taxes produced by the base assessed value of Increment District D, as determined by the Tulsa County Assessor in accordance with Section 862 of Act.

The increment of ad valorem taxes from Increment District D shall be apportioned to pay Project Costs authorized by Section VIII of this Project Plan for a period not to exceed 25 fiscal years after the creation of Increment District D by the City or the period required for the payment of such authorized Project Costs, whichever is less.

Increment District D shall commence as of the date determined by the Tulsa City Council in accordance with Section 856(B)(2) of the Act.
B. During each respective period of apportionment, the apportionment fund shall constitute funds of the Tulsa Industrial Authority ("Authority") or an alternative entity authorized by the City and shall not constitute a part of the general fund to be appropriated annually by the City Council.

VII. PROJECT AND INCREMENT DISTRICTS AUTHORIZATIONS

A. The City is designated and authorized as the principal public entity to carry out and administer the provisions of this Project Plan and to exercise all powers necessary or appropriate thereto as provided in Section 854 of the Act.

B. The Authority, or another public entity designated by the City, is authorized and designated to carry out implementation actions for the project, including all necessary, appropriate, and supportive steps pursuant to one or more agreements with one or more developers or designated public entities and to provide assistance in development financing consistent with the provisions of such agreements. Such public entity is also authorized and designated to carry out those provisions of the project related to issuance of bonds or notes as provided in Sections 854(B) and 863 of the Act, subject to approval of the governing body of the City of any specific notes or bonds. The Authority is authorized to assist in carrying out this Project Plan and to exercise all powers necessary or appropriate thereto pursuant to Section 854 of the Act, except for approval of this Project Plan and those powers enumerated in paragraphs 1, 2, 3, 4, 7, 13 and 16 of Section 854. As a public entity designated by the City, the Authority, or another public entity designated by the City, is authorized to: (1) issue tax apportionment bonds or notes, or both; (2) pledge revenues from current and future fiscal years to repayment; (3) incur Project Costs pursuant to Section VIII of this Project Plan; (4) provide funds to or reimburse the City for the payment of Project Costs and other costs incurred in support of the implementation of the project; and (5) incur the cost of issuance of bonds for payment of such costs and to accumulate appropriate reserves, if any, in connection with them. As authorized in Section VI(B) above, during each respective period of apportionment, the apportionment fund shall constitute funds of the Authority or an alternative entity authorized by the City for that Increment District and shall not constitute a part of the general fund to be appropriated annually by the City Council.

C. The Chief of Economic Development, Kian Kamas, her successor in office, or another Mayoral designee shall be the person in charge of implementation of the Project Plan in accordance with the provisions, authorizations, and respective delegations of responsibilities contained in this Project Plan.

D. Initiation of the consideration and approval process for assistance proposals seeking assistance in development financing within the Project Area shall be undertaken by City staff and Authority staff, acting under such procedures as each may prescribe from time to time. Prior to expenditure of funds from the Increment Districts established under this Project Plan, the proposed project(s) and budgetary allocation of increment shall be considered by City and Authority staff. Any allocation or expenditure of increment shall be pursuant to agreements with designated public entities, private developers or contractors.

VIII. BUDGET OF ESTIMATED PROJECT COSTS TO BE FINANCED BY TAXES APPORTIONED FROM INCREMENT DISTRICTS IN THE PROJECT AREA

A. The Project Costs will be financed by the apportionment of ad valorem increments from the Increment Districts. The Project Costs categories are:
Assistance in Housing Development Financing

Inclining but not limited to:
- Rehabilitation
- Demolition of Structural Unsound Buildings
- Title Assistance
- Developer Assistance for Vacant Residential Land
- Home Buyer Assistance

Flat Rock Creek Urban Wilderness Project

Implementation and Administration (4%) not to exceed

TOTAL Project Costs

Plus financing costs, costs of issuance, necessary or appropriate reserves, and interest on repayment of Project Costs, including, where authorized, interest on assistance in development financing. The Implementation and Administration Project Cost category includes general administrative and implementation costs of the City and other public entities charged with implementation of the Project Plan, and shall be funded by four percent (4%) of the annual ad valorem tax increments. Project Costs do not include the specific revenue source for Tulsa Public Schools described in Section VIII(C) below.

B. The tax increment revenues expected to be generated from the Increment Districts and authorized for payment of Project Costs within the Project Area or as a specific revenue source for Tulsa Public Schools are as follows:

<table>
<thead>
<tr>
<th>Increment District</th>
<th>Revenue</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>$12,628,857</td>
</tr>
<tr>
<td>B</td>
<td>$4,470,159</td>
</tr>
<tr>
<td>C</td>
<td>$1,233,196</td>
</tr>
<tr>
<td>D</td>
<td>$24,278,947</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$42,611,159</strong></td>
</tr>
</tbody>
</table>

Plus financing costs, costs of issuance, necessary or appropriate reserves, and interest on repayment of Project Costs, including, where authorized, interest on assistance in development financing.

C. Ten percent (10%) of the ad valorem increment from Increment Districts A, B, C, and D shall be apportioned to Tulsa Public Schools (Independent School District I-1) on an ongoing basis as a specific revenue source for a public entity in the area in accordance with Section 853(9) of the Act to be utilized to enhance its programs, mission, and services. The educational objectives to be funded from such apportioned revenues constitute the Public Schools Enhancement Program. The Public Schools Enhancement Program includes the development of public school facilities and assistance for public school programs. During the effective lives of the Increment Districts, the ten percent (10%) ad valorem specific revenue source should provide Tulsa Public Schools with revenues ranging from $58,000 annually up to $230,000 annually over the medium term, and then (due to depreciation) decreasing to around $88,000 annually toward the end of the effective lives of all of the Increment Districts.

D. Additional costs necessary or appropriate to implement this Project Plan that are to be financed by other than apportioned tax increments may be approved by the City at any time. The
provisions of this Section VIII are not a limitation on project related costs to be financed by sources other than apportioned tax increments.

IX. FINANCING PLAN AND REVENUE SOURCES

A. Financing Plan. Some Project Costs, in anticipation of private investment, may be financed and funded by the City from apportioned tax increments or from sources other than apportioned tax increments, which may be reimbursed once increment is generated by the development within an Increment District. Public developers within the Project Area may be required to construct the necessary improvements for specific projects at their initial expense, and the financing of such developments will be provided by other sources. Most Project Costs incurred in connection with the implementation of this Project Plan will be financed on a pay-as-you-go basis.

B. Financing Authorizations. The implementation of the Project Plan shall be financed in accordance with financial authorizations, including both fund and asset transfers, authorized from time to time by the City and/or the Authority, as appropriate.

C. Financing Revenue Sources. The revenue sources expected to finance Project Costs authorized by Section VIII are the portion of the increments attributable to investment and development within the Increment Districts. Project Costs will be paid by the City and/or the Authority. Increment generated from within the Increment Districts will provide the funding of Project Costs to be paid by the City and/or Authority.

D. Financial Reports and Audits. The development activities undertaken by the City, pursuant to this Project Plan, shall be accounted for and reported by the appropriate and necessary annual fiscal year audits and reports.

E. Other Necessary and Supporting Costs. The Authority, or another public entity designated by the City, is authorized to issue bonds and notes and to apply for and obtain grants from other sources for costs incurred or to be incurred in connection with the project and the construction of improvements therein in addition to Project Costs to be financed pursuant to Section VIII.

X. PRIVATE AND PUBLIC INVESTMENTS EXPECTED FOR THE PROJECT, AND ASSOCIATED FINANCIAL IMPACTS

A. Private and Public Investments Expected from the Project and Increment Districts. Given the scope of the project objectives, the density of the desired development, and the timeframe for implementation of the project, the total private investment of developments is anticipated to exceed $107,000,000 over the life of the Project Plan. Additional private investment is anticipated as growth in the area continues. These private investments are in addition to an estimated $10,000,000 in aggregate public investment previously made by the City of Tulsa in the Business Park and the estimated $36,750,000 public investment funded by tax increment revenues under this Project Plan.

B. Public Revenue Estimated to Accrue from the Project and Increment Districts. The estimated incremental increases in ad valorem tax revenue, which will serve as the revenue source for financing the Project Costs authorized by Section VIII, is the public revenue directly attributable to the Project generated within the Increment Districts. Both the City and the State will experience increases in tax revenues that are not a part of the Increment Districts. Ad valorem taxing entities will experience additional revenues from increasing values of the Project Area and other property near the project.
This increased development is estimated to increase market and assessed values for property within the Increment Districts which, in turn, will result in increases in annual ad valorem tax revenues ("ad valorem increments") of approximately $500,000 to $2.3 million over the term of the Project Plan. Total incremental revenues estimated to be generated over the 25-year lifespan of the Increment Districts range near $42.6 million. These annual increments will contribute to the development of the necessary public costs and improvements required to permit the contemplated private investment to occur.

The development anticipated by the project will not result in a measurable increase in demand for services by or in costs to the affected taxing entities. If successful, the implementation of this Project Plan should even reduce costs to the affected taxing entities, by improving housing and neighborhoods and thus producing better health and educational outcomes. The impacts on business activities within the Increment Districts are positive. The economic benefits of the project for the City, the affected taxing jurisdictions, and business activities indicate positive financial impacts for the community as a whole. The aggregate impacts on the City from implementation of the Project Plan are positive and include the achievement of the objectives set forth in Section IV.

C. Economic Impacts and Impacts on Business Activities. There will be small construction and development economic impacts stimulated by the private and public development within the Increment Districts. Approximately 698 temporary construction jobs are anticipated. There will also be annual impacts from the proposed development including increased residential development, redevelopment, and new commercial businesses (approximately five (5) acres of commercially developable land will be included on hard corners in the Increment Districts). Approximately 1,111 new full-time equivalent jobs in the Business Park are anticipated by the project. Residential and commercial portions of the project reflect corresponding growth in economic demands for business activities in the area.

The impact of the proposed housing programs and enhancements to public open green space will be of potentially greater significance. A key component is the addition and rehabilitation of improved housing stock throughout the Project Area, which will positively impact business activities in the area by drawing attention and increased investment opportunity to the section of the City. Such public investment helps spur positive change and make the area more attractive place to live, work, or invest.

D. Financial Impacts on Taxing Jurisdictions.

1. Tulsa Public Schools.

The type of development and redevelopment that is a primary goal of this project is likely not to create significant increased demand upon services for Tulsa Public Schools ("TPS"). The contemplated residential development consists of single and multi-family residential properties that may draw workers with families in addition to single people and couples without children. However, if the anticipated residential redevelopment does eventually increase the demand for services upon the public schools, the 10% specific revenue stream outlined in Section VIII.C. above will more than account for the financial impact of such an increase because those revenues are not offset in TPS's state school aid calculations.

To illustrate fully the positive net impacts of the 10% specific revenue source that will be allocated to TPS, consider that, without an increment district and without taking into account offsets in the state school aid formula, TPS currently receives approximately $0.52 out of every ad valorem tax dollar
collected within its jurisdiction.\textsuperscript{2} However, sinking fund levies are not available for operating purposes (and levies are always calculated to be sufficient to amortize debt), so only $0.33 of every ad valorem tax dollar collected is available for TPS operating purposes.\textsuperscript{3} When taking into account offsets in state school funding, the net benefit TPS receives from every ad valorem tax dollar collected decreases further to $0.05.\textsuperscript{4} With the proposed project and Increment Districts, TPS will continue to receive $0.33 ($0.05 net of school aid offsets) out of every tax dollar for operating purposes from values up to each Increment District’s base assessed value, but will receive an apportioned revenue stream from taxes generated above that amount—$0.10 of every tax increment dollar from the proposed Increment Districts. Each tax increment dollar apportioned to TPS, specifically, is worth two times the value of a non-increment dollar derived through ordinary ad valorem processes when accounting for state school aid offsets. Specific revenue sources under a Project Plan consist of project funds to be used for purposes of the Project Plan and are appropriately classified as gifts, grants, or donations, depending on whether those funds are given for purposes of capital or noncapital expenditures, and are not subject to offset in the state school aid formula.\textsuperscript{5}

\begin{tabular}{|c|c|c|}
\hline
\textbf{Amount Collected} & \textbf{TPS Operational Share} & \textbf{TPS Operational Share Net of School Aid Offsets} \\
\hline
\textit{Ad Valorem} & $100 & $34 & $5 \\
\textit{Increment Revenue} & $100 & $10 & $10 \\
\hline
\end{tabular}

TPS, therefore, should experience a net positive fiscal impact from the project. During the effective lives of the Increment Districts, the 10% specific revenue stream should provide TPS with non-offset revenue averaging $50,000 annually in the near term and up to $230,000 annually over the long term before depreciation drops the annual amounts back toward an annual figure of approximately $80,000 toward the end of the project. Upon conclusion of the project, TPS should anticipate annual net revenues (after accounting for state aid offsets) of approximately $5,000 per year.

2. Tulsa County.

No specific measurable demand for increased services upon Tulsa County is anticipated to result from this project.

\textsuperscript{2} 75.70 = total TPS mill levy, including sinking fund and allocated countywide 4-mill; 137.02 = total mill levy; 75.70/137.02 = 52.33% = TPS’s overall percentage share of tax dollars for all purposes.

\textsuperscript{3} 45.20 = TPS operating levies (does not include sinking fund but includes countywide 4-mill); 137.02 = total mill levy; 45.20/137.02 = 32.99% = TPS’s percentage share of tax dollars for operating purposes.

\textsuperscript{4} By offsetting TPS’s 15.45-mill certification of need levy and 75% of the countywide 4-mill levy in its Foundation Aid calculation, and a theoretical 20-mill levy in its Salary Incentive Aid calculation, the state school aid formula effectively offsets 85% of TPS’s operating levies, with the end result that TPS’s net effective operating mill levy is only 6.75 mills, which is only 5% of the total 2019 mill levy of 137.02 mills.

\textsuperscript{5} See 62 O.S. § 864; 70 O.S. § 1-117(G), (H).
3. Tulsa Health Department.

No specific measurable demand for increased services upon Tulsa County Health Department is anticipated to result from this project. The Flat Rock Creek Urban Wilderness Project should have a positive impact on health outcomes for residents.

4. Tulsa City-County Library.

The Central Library facility serves the entire metropolitan area. Additionally, the Kendall Whittier, Maxwell Park, and Rudisill Regional branches are in close proximity to the Project Area. The residential portion of the project may contribute to the immediate, day-to-day clientele of the Library system, but the proposed commercial portion of the project will likely not contribute directly.

5. Tulsa Technology Center.

The nature of the project makes it likely to create some increased demand for educational services and training by Tulsa Technology Center. Any increased demand for services and job training occasioned by the project is likely to be complementary in its impact.

6. Tulsa Community College.

The residential portion of the project may generate increased demand for educational services from Tulsa Community College, but the commercial portion will be unlikely to generate any increased demand upon services for Tulsa Community College.

7. Summary / Conclusion.

A majority of increment generated from the Increment Districts will be apportioned to pay authorized Project Costs. However, ten percent (10%) of the ad valorem increment generated from the Increment Districts will be apportioned directly to TPS on an ongoing basis as a specific revenue source for that entity. The benefits of the proposed development under the project will be significant for the taxing jurisdictions located in the Project Area and Increment Districts, and for the community as a whole. The actual increase in demand for services upon those taxing jurisdictions is expected to be limited.

Significant redevelopment of the area is unlikely to occur without public assistance. Concentrated stimulation of the redevelopment of the area, as contemplated by this Project Plan, will result in an enhanced ad valorem tax base, from which all of the affected taxing jurisdictions will benefit.

XI. LAND USE

Existing uses and conditions of real property in the Increment Districts are shown on the attached Exhibit F. A map showing the proposed improvements to and proposed uses of the real property in the Increment Districts are shown on the attached Exhibit G. No changes in the Comprehensive Plan are necessary to accommodate the project.
Peoria-Mohawk - Exhibit A
Peoria-Mohawk - Exhibit A
Exhibit B – Project Area Legal Description

Beginning at a point on the intersection of E 46th St N and N Rockford Ave E, located in Section 7
Township 20 North Range 13 East, and 152.77 feet East and .73 feet South of the Southwest corner of
Northridge Addition, plat number 1998. Thence N 87°20′13″ E for 298.90 feet, thence N 87°45′44″ E for
240.73 feet, thence S 86°57′49″ E for 44.36 feet. Thence N 87°18′49″ E for 294.48 feet, thence S
89°36′52″ E for 329.01 feet, thence N 87°20′04″ E for 298.90 feet, thence N 89°19′30″ E for 396.75 feet, thence
N 87°13′38″ E for 584.26 feet, thence N 88°10′43″ E for 1,316.82 feet. Thence S 84°37′49″ E for
260.69 feet. Thence N 88°31′25″ E for 1,393.45 feet, thence S 51°45′45″ E for 229.18 feet, thence S
12°39′37″ E for 445.71 feet, thence N 78°47′33″ E for 209.66 feet. Thence N 23°38′10″ E for 280.81 feet,
thence N 57°06′48″ E for 138.64 feet, thence N 32°49′09″ E for 263.55 feet. Thence N 34°07′35″ E for
356.99 feet, thence N 06°21′17″ W for 657.90 feet, thence N 62°31′54″ E for 229.57 feet. Thence N
62°28′39″ E for 99.37 feet, thence S 63°20′07″ E for 233.57 feet. Thence N 41°35′18″ E for 347.29 feet,
thence N 31°44′21″ E for 433.81 feet, thence N 81°49′54″ E for 207.40 feet. Thence S 02°14′28″ E for
887.28 feet, thence S 09°14′20″ E for 724.60 feet, thence S 08°34′06″ E for 723.46 feet, thence S
03°47′31″ E for 655.55 feet. Thence S 02°30′09″ W for 532.60 feet, thence S 09°14′28″ E for 721.84 feet, thence
S 09°39′21″ W for 226.85 feet. Thence N 11°52′28″ W for 932.85 feet, thence S 07°53′34″ W for
296.41 feet, thence S 10°44′40″ W for 749.04 feet. Thence S 09°21′48″ W for 141.46 feet, thence S
13°10′06″ W for 383.69 feet to a point on the intersection of E 36th St N and Southbound Highway 75
Expressway. Thence N 89°58′35″ E for 105.34 feet, thence N 88°54′32″ E for 172.59 feet. Thence S
89°12′32″ E for 114.53 feet, thence S 89°57′17″ E for 165.84 feet. Thence S 79°47′39″ E for 101.13 feet,
thence S 87°19′22″ E for 156.70 feet. Thence S 87°17′31″ E for 809.82 feet, thence S 89°33′16″ E for
339.12 feet. Thence N 88°12′23″ E for 867.41 feet, thence N 89°25′11″ E for 458.20 feet. Thence N
88°13′57″ E for 646.13 feet, thence N 88°12′51″ E for 700.71 feet. Thence N 89°49′58″ E for 1,166.72
feet, thence N 87°39′18″ E for 520.81 feet. Thence N 88°5′35″ E for 213.90 feet, thence N 89°57′36″ E for
105.64 feet. Thence N 89°40′34″ E for 578.31 feet, thence S 6°29′24″ E for 189.73 feet. Thence S
1°20′30″ E for 146.34 feet, thence S 1°16′43″ E for 320.71 feet. Thence S 1°48′27″ E for 727.00 feet,
thence S 1°48′13″ E for 292.69 feet. Thence S 0°58′14″ E for 198.39 feet, thence S 0°49′16″ E for 542.78
feet. Thence S 1°13′34″ E for 362.93 feet, thence S 8°48′39″ E for 51.41 feet. Thence S 9°31′49″ E for
47.42 feet, thence S 0°37′16″ E for 363.32 feet. Thence S 0°40′19″ E for 355.65 feet, thence S 1°22′48″ E for
1,538.76 feet. Thence S 1°19′31″ E for 170.36 feet, thence S 88°43′23″ W for 809.10 feet. Thence N
89°59′17″ W for 641.35 feet, thence S 88°5′41″ W for 427.89 feet. Thence S 89°43′29″ W for 528.85 feet,
thence S 89°39′49″ W for 212.18 feet. Thence S 84°55′20″ W for 200.22 feet, thence S 88°55′4″ W for
454.12 feet. Thence S 86°24′43″ W for 149.73 feet, thence S 88°28′50″ W for 554.75 feet, thence S
89°47′29″ W for 641.01 feet. Thence S 87°49′28″ W for 652.21 feet, thence S 88°5′46″ W for 890.25
feet. Thence S 88°2′11″ W for 222.50 feet, thence S 88°47′13″ W for 175.57 feet. Thence S 88°49′4″ W for
696.68 feet, thence S 89°1′9″ W for 452.65 feet. Thence N 89°43′36″ W for 548.44 feet, thence S
87°28′43″ W for 238.48 feet. Thence S 85°15′39″ W for 29.56 feet, thence S 84°56′30″ W for 32.53 feet.
Thence N 89°57′35″ W for 367.46 feet, thence S 88°2′6″ W for 303.07 feet. Thence S 86°46′25″ W for
93.00 feet, thence N 89°59′0″ W for 204.53 feet. Thence S 86°56′1″ W for 100.97 feet, thence S 85°2′27″
W for 116.80 feet. Thence N 81°21′44″ W for 136.26 feet, thence S 87°40′26″ W for 186.23 feet. Thence
S 88°29′21″ W for 478.32 feet, thence S 87°53′36″ W for 993.65 feet. Thence S 89°52′23″ W for 329.66
feet, thence S 83°13′29″ W for 157.43 feet. Thence S 89°45′53″ W for 323.74 feet, thence S 86°47′14″ W
for 165.93 feet. Thence S 88°34′46″ W for 663.04 feet, thence S 88°22′45″ W for 198.00 feet. Thence S
86°28'37" W for 89.778 feet, thence S 88°6'22" W for 540.03 feet. Thence S 88°40'37" W for 332.85 feet, thence S 88°10'23" W for 331.09 feet. Thence S 86°46'59" W for 330.39 feet, thence S 88°6'36" W for 330.51 feet. Thence S 86°41'56" W for 455.61 feet, thence S 84°55'25" W for 209.69 feet. Thence S 89°38'16" W for 326.09 feet, thence S 88°35'48" W for 495.73 feet. Thence S 89°31'9" W for 175.88 feet, thence N 89°8'38" W for 162.98 feet. Thence S 88°5'46" W for 263.52 feet, thence N 86°19'4" W for 209.97 feet. Thence S 89°53'49" W for 364.48 feet, thence S 89°30'30" W for 149.32 feet. Thence S 87°22'34" W for 159.98 feet, thence S 88°15'10" W for 224.27 feet. Thence S 89°59'44" W for 440.35 feet, thence S 88°22'25" W for 380.36 feet. Thence N 88°47'23" W for 113.11 feet, thence S 83°57'27" W for 189.23 feet. Thence S 89°2'55" W for 1,336.72 feet, thence S 87°57'18" W for 314.88 feet. Thence N 78°23'25" W for 356.75 feet, thence N 89°16'47" W for 405.66 feet. Thence S 88°49'6" W for 251.40 feet, thence S 88°49'4" W for 21.24 feet. Thence S 88°21'27" W for 180.88 feet, thence S 89°33'25" W for 707.36 feet. Thence N 2°5'25" W for 742.15 feet, thence N 2°4'1" W for 743.07 feet. Thence N 2°8'41" W for 140.17 feet, thence N 2°8'31" W for 140.53 feet. Thence N 1°58'25" W for 42.59 feet, thence N 1°55'42" W for 22.57 feet. Thence N 2°24'35" W for 54.98 feet, thence N 2°5'45" W for 55.33 feet. Thence N 2°32'44" W for 24.76 feet, thence N 1°51'9" W for 25.12 feet. Thence N 2°8'38" W for 1,560.45 feet, thence N 2°0'5" W for 41.14 feet. Thence N 2°9'19" W for 1,299.41 feet, thence N 2°12'40" W for 49.15 feet. Thence N 0°24'22" W for 21.84 feet, thence N 0°42'2" W for 35.31 feet. Thence N 0°45'49" W for 121.95 feet, thence N 0°29'31" W for 49.14 feet. Thence N 0°33'48" W for 1,234.5 feet, thence N 0°33'47" W for 656.07 feet. Thence N 0°33'48" W for 576.06 feet, thence N 0°33'34" W for 69.217 feet. Thence N 0°35'4" W for 28.39 feet, thence N 2°32'11" W for 87.02 feet. Thence N 2°32'0" W for 87.39 feet, thence N 2°50'14" W for 40.78 feet. Thence N 3°13'59" W for 41.16 feet, thence N 2°40'28" W for 2,001.39 feet. Thence N 2°59'45" E for 40.51 feet, thence N 0°22'8" E for 447.55 feet. Thence N 1°53'0" E for 38.64 feet, thence S 29°59'0" E for 23.26 feet. Thence S 40°11'54" E for 8.43 feet, thence S 42°53'23" E for 4.87 feet. Thence S 86°6'0" E for 176.79 feet, thence S 89°58'36" E for 519.85 feet. Thence N 82°40'2" E for 67.94 feet, thence S 89°56'39" E for 219.21 feet. Thence N 88°18'51" E for 289.67 feet, thence S 86°11'31" E for 87.40 feet. Thence S 89°51'13" E for 156.97 feet, thence S 87°41'49" E for 137.71 feet. Thence N 88°17'19" E for 197.34 feet, thence N 88°31'10" E for 210.61 feet. Thence S 89°25'43" E for 261.46 feet, thence N 86°47'58" E for 351.82 feet. Thence N 88°22'20" E for 188.49 feet, thence N 88°48'53" E for 140.40 feet. Thence N 84°22'51" E for 56.50 feet, thence S 88°14'5" E for 244.60 feet. Thence S 88°41'11" E for 47.79 feet, thence N 88°57'17" E for 295.26 feet. Thence N 87°32'41" E for 328.97 feet, thence N 89°58'38" E for 340.17 feet. Thence N 89°3'10" E for 345.70 feet, thence S 88°23'40" E for 300.58 feet. Thence N 89°14'39" E for 336.57 feet, thence N 88°48'35" E for 109.72 feet. Thence N 89°5'4" E for 227.42 feet, thence N 89°28'35" E for 343.66 feet. Thence S 85°23'43" E for 136.97 feet, thence S 86°16'35" E for 288.46 feet. Thence N 88°16'18" E for 389.37 feet, thence N 87°21'26" E for 820.57 feet. Thence N 88°20'5" E for 1,288.76 feet to the point of beginning.
LEGAL DESCRIPTION OF THE REAL PROPERTY

A part of Government Lots 2 and 3 and a part of Lot 2, Block 1, NP36, a Subdivision in the City of Tulsa, Tulsa County, State of Oklahoma.

COMPONENTS:

- 70th Avenue West
- 80th Avenue West
- 90th Avenue West
- 100th Avenue West
- 110th Avenue West
- 120th Avenue West
- 130th Avenue West
- 140th Avenue West
- 150th Avenue West
- 160th Avenue West
- 170th Avenue West
- 180th Avenue West
- 190th Avenue West
- 200th Avenue West
- 210th Avenue West
- 220th Avenue West
- 230th Avenue West
- 240th Avenue West
- 250th Avenue West
- 260th Avenue West
- 270th Avenue West
- 280th Avenue West
- 290th Avenue West
- 300th Avenue West
- 310th Avenue West
- 320th Avenue West
- 330th Avenue West
- 340th Avenue West
- 350th Avenue West
- 360th Avenue West
- 370th Avenue West
- 380th Avenue West
- 390th Avenue West
- 400th Avenue West
- 410th Avenue West
- 420th Avenue West
- 430th Avenue West
- 440th Avenue West
- 450th Avenue West
- 460th Avenue West
- 470th Avenue West
- 480th Avenue West
- 490th Avenue West
- 500th Avenue West

SURVEYORS CERTIFICATE

I, Nathan L. Reed, certify that the attached legal description shown hereon is correct and of adequate description, in a true representation of the real property as required by law, and that the minimum technical standards for land surveying of the State of Oklahoma have been met.

WITNESS my hand and seal this 10th day of November, 2005.

Nathan L. Reed
Surveyor

Certificate of Subdivision No. 9311
Certificate No. 2005011

EXHIBIT TIF B
Peoria-Mohawk - Exhibit C

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community; Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community
LEGAL DESCRIPTION OF THE REAL PROPERTY

A part of GOVT Lot 1, Tulsa County, State of Oklahoma

EXHIBIT TIF C

OP: A part of GOVT Lot 1, Tulsa County, State of Oklahoma

GENERAL NOTES

A. The grid bearings shown herein are based on the Oklahoma State Plane Coordinate System, North Zone 3501, NAD 1988 (1993).

COMMENTS:

1. The grid bearings shown herein are based on the Oklahoma State Plane Coordinate System, North Zone 3501, NAD 1988.

EXHIBIT TIF C

1,397,461.94 SQ.FT.
32.08 ACRES

NOT A PART

SURVEYORS CERTIFICATE

I, Nathaniel J. Reed, certify that the attached legal description shown is correct and is based on records, as true representation of the real property as required by law. I have examined the minimum technical standards for land surveying of the State of Oklahoma.

NATHANIEL J. REED

Surveyor

Signature

Certificate of Authorization No. 002

EXHIBIT TIF C

Sheet 4 of 4
Peoria-Mohawk - Exhibit C

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS user community.
EXHIBIT TIF D

A part of Lot One (1), Block One (1), NP36, a subdivision in the City of Tulsa, Tulsa County, State of Oklahoma and part Lot One (1), Block Two (2), BUTTER CREEK MAP, a subdivision in the City of Tulsa, Tulsa County, State of Oklahoma and part of the Northeast Quarter of the Northeast Quarter of the Northwest Quarter (NG/NE/4 NW/4) of Section Nineteen (19), Township Twenty (20) North, Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma

LEGAL DESCRIPTION OF THE REAL PROPERTY

A part of Lot One (1), Block One (1), NP36, a subdivision in the City of Tulsa, Tulsa County, State of Oklahoma and part Lot One (1), Block Two (2), BUTTER CREEK MAP, a subdivision in the City of Tulsa, Tulsa County, State of Oklahoma and part of the Northeast Quarter of the Northeast Quarter of the Northwest Quarter (NG/NE/4 NW/4) of Section Nineteen (19), Township Twenty (20) North, Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma

SURVEYORS CERTIFICATE

I, Nathan J. Smith, certifying that the attached map and description shown in Exhibit TIF D, is true representation of the real property and meets the minimum technical standards for land surveying of the State of Oklahoma.

Witness: John Smith

N. J. Smith
Surveyor & Surveying Engineer

Tulsa, Oklahoma

[Signature]

[Date]

EXHIBIT TIF D

[Diagram]
Exhibit D – Increment Districts Legal Descriptions

TIF A:

A part of Lot One (1), Block One (1), NP36, a Resubdivision of Lots One (1), Two (2) and Three (3), Block Four (4), MURRAY 2ND ADDITION and also part of Lot One (1), Block Two (2), of the vacated portion of BUTTER CREEK PARK and also part of vacated North Wheeling Avenue and also part of Section Nineteen (19), Township Twenty (20) North, Range Thirteen (13) East of the Indian Base and Meridian, City of Tulsa, 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 said Lot 1, NP36; thence along the Westerly line of said Lot 1 for the following 16 calls; thence North 45°28'05" West, for a distance of 124.91 feet; thence North 80°10'32" West, for a distance of 171.86 feet; thence North 65°11'16" West, for a distance of 162.34 feet; thence North 07°22'14" West, for a distance of 326.83 feet; thence North 81°26'21" West, for a distance of 183.81 feet; thence North 56°34'06" West, for a distance of 117.41 feet; thence North 01°11'36" West, for a distance of 81.29 feet; thence North 08°25'54" East, for a distance of 23.01 feet to a point of curve; thence along a curve to the right with a radius of 136.87 feet, a chord bearing of North 31°19'11" East, for a chord distance of 106.47 feet, and an arc distance of 109.36 feet; thence North 54°12'28" East, for a distance of 107.46 feet; thence North 35°47'32" West, for a distance of 203.19 feet to a point on the South line of Government Lot 1; thence North 88°09'14" East and along said South line, for a distance of 147.45 feet; thence North 52°07'56" East, for a distance of 275.09 feet; thence North 13°13'30" East, for a distance of 255.86 feet; thence North 32°38'59" East, for a distance of 139.23 feet; thence North 01°13'28" West, for a distance of 136.22 feet to the Northwest Corner of said Lot 1, same being the Southwest Corner of Lot 1, Block 2 BUTTER CREEK PARK; thence North 88°09'14" East and along said South line, same being the North line of said Lot 1, Block 1, NP36, for a distance of 1099.11 feet; thence South 46°32'07" East, for a distance of 24.62 feet to a point of curve; thence along a curve to the left, with a radius of 60.00 feet, a chord bearing of South 11°48'48" West, for a chord distance of 78.52 feet and an arc distance of 85.60 feet; thence South 60°55'09" West, for a distance of 217.42 feet; thence South 29°04'51" East, for a distance of 1019.74 feet to a point on the South line of said Lot 1; thence South 60°55'09" West, for a distance of 818.93 feet; thence South 62°58'10" West and continuing along said South line, for a distance of 542.79 feet to the POINT OF BEGINNING.

TIF B:

A part of Government Lots 2 and 3 and a part of Lot Two (2), Block One (1), NP36, a Resubdivision of Lots One (1), Two (2) and Three (3), Block Four (4), MURRAY 2ND ADDITION and also part of Lot One (1), Block Two (2), of the vacated portion of BUTTER CREEK PARK and also part of vacated North Wheeling Avenue and also part of Section Nineteen (19), Township Twenty (20) North, Range Thirteen (13) East of the Indian Base and Meridian, City of Tulsa, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, being more particularly described as follows:
COMMENCING at the Southwest Corner of said Government Lot 2; thence North 88°09'22" East and along the South line of said Lot 2, for a distance of 50.00 feet to the POINT OF BEGINNING; thence North 89°09'22" East and continuing along said South line, for a distance of 118.08 feet; thence North 61°50'14" East, for a distance of 69.78 feet; thence North 40°50'50" East, for a distance of 69.78 feet; thence North 19°23'37" East, for a distance of 72.83 feet; thence North 06°45'05" East, for a distance of 191.59 feet; thence South 88°09'27" West, for a distance of 19.59 feet; thence North 08°26'51" East, for a distance of 709.09 feet to a point of curve; thence along a curve to the right, with a radius of 353.07 feet, a chord bearing of North 24°06'11" East, for a chord distance of 190.55 feet, for an arc distance of 192.95 feet; thence North 01°10'34" West, for a distance of 110.91 feet to a point on the North line of said Government Lot 2, being 509.00 feet East of the Northwest Corner of Government Lot 2; thence North 88°09'14" East and along said North line, for a distance of 146.72 feet to a point on the Westerly line of Lot 1, Block 1, NP36; thence along said Westerly line for the following 11 calls; thence South 35°47'32" East, for a distance of 203.19 feet; thence South 54°12'28" West, for a distance of 107.46 feet to a point of curve; thence along said curve to the left, with a radius of 136.87 feet, a chord bearing of South 31°19'11" West, for a chord distance of 106.47 feet, for an arc distance of 109.36 feet; thence South 08°25'54" West, for a distance of 23.01 feet; thence South 01°11'36" East, for a distance of 81.29 feet; thence South 56°34'06" East, for a distance of 117.41 feet; thence South 81°26'21" East, for a distance of 183.81 feet; thence South 07°22'14" East, for a distance of 326.83 feet; thence South 65°11'16" East, for a distance of 162.34 feet; thence South 80°10'32" East, for a distance of 171.86 feet; thence South 45°28'05" East, for a distance of 124.91 feet to the Southeast Corner of said Lot 2 NP36, same being the Northerly Right of Way of Mohawk Boulevard; thence South 62°58'02" West and along said Right of Way, for a distance of 642.73 feet; thence South 58°13'03" West and continuing along said Right of Way, for a distance of 688.17 feet; thence South 42°50'34" West and continuing along said Right of Way, for a distance of 137.05 feet to a non-tangent curve; thence continuing along said Right of Way, being along a curve to the right with a radius of 30.00 feet, a chord bearing of North 37°33'11" West, a chord distance of 35.58 feet, for an arc distance of 38.08 feet; thence North 01°09'38" West and parallel with the West line of the SW4 of Section 19, for a distance of 412.03 feet to the POINT OF BEGINNING.

TIF C:

A part of Government Lot One (1), Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, being more particularly described as follows:

COMMENCING at the Northwest Corner of the Northwest Quarter, Section Nineteen (19), Township Twenty (20) North, Range Thirteen (13) East; thence North 88°09'14" East and along the North line of said NW/4, for a distance of 80.00 feet to the POINT OF BEGINNING; thence North 88°09'14" East and continuing along said North line, for a distance of 1083.90 feet to the Northeast Corner of said Government Lot 1; thence South 01°13'28" East and along the East line of said Lot 1, for a distance of 659.86 feet to the Northwest Corner of Lot 1, Block 1, NP36; thence South 01°13'28" East and along the Westerly line of said Lot 1, for a distance of 136.22 feet; thence South 32°38'59" West and continuing along said Westerly line, for a distance of 139.23 feet; thence South 13°13'30" West and continuing along said Westerly line, for a distance of 255.85 feet; thence South 52°07'56" West and continuing along said Westerly line, for a distance of 275.09 feet to a point on the South line of said Government
Lot 1; thence South 88°09'14" West and along said South line, for a distance of 753.17 feet; thence North 01°09'41" West and parallel with the West line of said NW/4, for a distance of 1280.71 feet; thence North 88°09'14" East and parallel with the North line of said NW/4, for a distance of 30.00 feet; thence North 01°09'41" West and parallel with said West line, for a distance of 39.00 feet to the POINT OF BEGINNING.

TIF D:

A part of Lot One (1), Block One (1), NP36, a subdivision in the City of Tulsa, Tulsa County, State of Oklahoma and part Lot One (1), Block Two (2), BUTTER CREEK PARK, a subdivision in the City of Tulsa County, State of Oklahoma and part of the Northeast Quarter of the Northeast Quarter of the Northwest Quarter (NE/4 NE/4 NW/4) of Section Nineteen (19), Township Twenty (20) 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 Southeast corner of said Lot 1, NP36; thence South 60°48'41" West and along the South line of said Lot 1, for a distance of 2183.09 feet; thence South 60°55'09" West and continuing along said South line, for a distance of 672.02 feet; thence North 29°04'51" West, for a distance of 1019.74 feet; thence North 60°55'09" East, for a distance of 217.42 feet to a point of a non-tangent curve; thence along said curve to the right, with a radius of 60.00 feet, with a chord bearing of North 11°48'48" East, a chord distance of 78.52, for an arc distance of 85.60 feet; thence North 46°32'07" West, for a distance of 24.62 feet to a point on the North line of said Lot 1; thence South 88°09'14" West and along said North line, for a distance of 1099.11 feet to the Southwest corner of Lot 1, Block 2, BUTTER CREEK PARK, same being the East line of Government Lot 1; thence North 01°13'28" West and along said East line, for a distance of 609.85 feet to the Northwest corner of said Lot 1, BUTTER CREEK PARK; thence North 88°09'14" East and along said North line, being parallel with the North line of said NW/4, for a distance of 659.09 feet; thence North 01°13'28" West, for a distance of 50.00 feet to a point on the North line of said NW/4; thence North 88°09'14" East and along said North line, for a distance of 550.10 feet; thence South 01°13'28" East, for a distance of 50.00 feet to a point on the North line of said Lot 1, Block 1, NP36; thence North 88°09'14" East and along said North line, being parallel with the North line said NW/4, for a distance of 2358.97 feet; thence South 01°50'46" East and perpendicular to said North line, for a distance of 8.00 feet; thence North 88°09'14" East and along the North line of said Lot 1, Block 1, NP36, being parallel with the North line of said NW/4, for a distance of 306.97 feet to a point of curve; thence along curve to the right with a radius of 30.00 feet, a chord bearing of South 46°32'39" East, a chord distance of 42.65 feet, for an arc distance of 47.44 feet to a point on the East line of said Lot 1, Block 1 NP36; thence South 01°14'37" East and along said East line, for a distance of 361.26 feet to the POINT OF BEGINNING.
Peoria-Mohawk - Exhibit E
Peoria-Mohawk - Exhibit F.
Peoria-Mohawk - Exhibit G

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community. Esri, HERE, Garmin; (c) OpenStreetMap contributors, and the GIS user community.
Peoria-Mohawk - Exhibit G
FINDINGS AND RECOMMENDATION OF
THE PEORIA-MOHAWK PROJECT PLAN
REVIEW COMMITTEE

After review of the proposed Peoria-Mohawk Project Plan ("Project Plan"), the proposed creation of four increment districts, and other relevant information, the Peoria-Mohawk Project Plan Review Committee ("Review Committee") makes the following findings and recommendation:

A. Findings Regarding Eligibility of the Proposed Project Area and Increment Districts

1. The proposed Project Area and all of the proposed Increment Districts are within a state designated enterprise zone and therefore meet the definition of an "enterprise area" under the Oklahoma Local Development Act ("Act") (62 O.S. § 853(5)).

2. The proposed Project Area and the proposed Increment Districts meet the definition of "reinvestment area" under the Act (62 O.S. § 853(17)).

3. The level of investment, development, and economic growth desired by the City of Tulsa is difficult, but possible, within the proposed Project Area and Increment Districts if the provisions of the Act are utilized.

4. Tax increment financing is a necessary component in stimulating reinvestment in the proposed Project Area and Increment Districts.

5. Tax increment financing will be used to supplement and not supplant or replace normal public functions and services in the proposed Project Area and Increment Districts.

6. Tax increment financing will be used in conjunction with existing programs and efforts and other locally implemented economic development efforts.

7. The Project Plan emphasizes rehabilitation.

B. Findings Regarding Financial Impact on the Affected Taxing Jurisdictions and Business Activities Within the Proposed Project Area and Increment Districts

1. As described in Section X of the Project Plan, the anticipated private development will generate tax increments sufficient to pay the authorized project costs of the project proposed by the Project Plan. Without the Project Plan and Increment Districts, the development described in the Project Plan and the resulting increases in tax revenues would not occur.

2. The development anticipated by the project will not result in a measurable
increase in demand for services by or in costs to the affected taxing jurisdictions. Due to the 10% specific revenue stream from the proposed Increment Districts to the Tulsa Public Schools, Tulsa Public Schools should experience a positive fiscal impact from the project.

3. The public revenue anticipated to result from the development described in the Project Plan includes increased tax revenue beyond the revenues being apportioned to pay Project Costs, as defined in the Project Plan, and includes economic growth and benefits outside the Increment Districts.

4. The economic benefits of the Project Plan for the City, the affected taxing jurisdictions, and business activities indicate positive financial impacts for the community as a whole.

5. The aggregate impacts on the affected taxing jurisdictions and on business activities from implementation of the Project Plan are positive and include the achievement of the objectives set forth in Section IV of the Project Plan.

Resolution Recommending Approval

NOW, WHEREAS, the Review Committee has reviewed the proposed Project Plan and Increment Districts; and

WHEREAS, the findings of the Review Committee demonstrate that the proposed Project Area and Increment Districts meet the conditions for eligibility; and

WHEREAS, the findings of the Review Committee demonstrate that the financial impacts on the affected taxing jurisdictions and business activities from implementation of the Project Plan are positive; and

WHEREAS, the findings of the Review Committee demonstrate that approval of the Project Plan is appropriate.

NOW, THEREFORE, BE IT RESOLVED by the Peoria-Mohawk Project Plan Review Committee that approval of the proposed Peoria-Mohawk Project Plan, including creation of the proposed Increment Districts, is hereby recommended.

ADOPTED by the Peoria-Mohawk Project Plan Review Committee this 29th day of September, 2020, and SIGNED by its Chairperson.
I, Michael Dickerson, Acting Secretary of the Peoria-Mohawk Project Plan Review Committee, certify that the foregoing resolution was duly adopted at a special meeting of the Peoria-Mohawk Project Plan Review Committee, held by teleconference accessible by phone at 1-224-501-3412, Access Code: 384-129-437, or by joining online at (link given below), on the 29th day of September, 2020; that said meeting was held in accordance with the Open Meeting Act of the State of Oklahoma; that any notice required to be given of such meeting was properly given; that a quorum was present at all times during such meeting; and that said resolution was adopted by a majority of those present.

https://www.gotomeet.me/CityOfTulsa2/local-development-act-review-company-september-29t