TULSA METROPOLITAN AREA PLANNING COMMISSION
Meeting No. 2848

August 18, 2021, 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 at the above address.

Applicants and members of the public may attend the meeting in the Tulsa City Council
Chamber or by videoconferencing and teleconferencing via Zoom Meeting by joining
from a computer, tablet or smartphone using the following link:

https://us02web.zoom.us/j/85661957447

Meeting ID: 85661957447

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

United States: +1(312)626-6799

INTRODUCTION AND NOTICE TO THE PUBLIC

At this meeting the TMAPC, in accordance with and pursuant to applicable TMAPC
Policies and Procedures, will review, consider, discuss, and may take action on, approve,
recommend for approval, amend or modify, recommend for approval with
modifications, deny, reject, recommend for denial, or defer action on any item listed on
the agenda.
Call to Order:

REPORTS:

Chairman's Report:
Work session Report:
Director's Report:

Review and possible approval, approval with modifications, denial, or deferral of the following:

1. Minutes of August 4, 2021 Meeting No. 2847

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.

Review and possible approval, approval with modifications, denial, or deferral of the following:

None

PUBLIC HEARING-NEW CAPITAL IMPROVEMENT PROJECT

Review and possible adoption, adoption with modifications, denial, or deferral of the following:

2. Public hearing approving new capital improvement project, Route 66 Village Improvements, specifically acquisition of 2215 W. 38th Pl. S., and finding it in conformance with the Tulsa Comprehensive Plan.

PUBLIC HEARING-REZONING

Review and possible recommendation of approval, approval with modifications, denial, or deferral of the following:

3. Z-7615 Timothy Janak (CD 4) Location: Southwest corner of East 4th Place and South Yale Avenue requesting rezoning from OL to CG
PUBLIC HEARING-PLATS

Review and possible approval, approval with modifications, denial, or deferral of the following:

4. Dylan Gateway (CD 3) Minor Subdivision Plat, Location: East of the southeast corner of East 43rd Street North and North Garnett Road

OTHER BUSINESS

5. 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 tulsaplaning.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.
Item
Public hearing approving new capital improvement project for Route 66 Village Improvements, specifically acquisition of 2215 W. 38th Pl. S.

Background
The Capital Improvement Plan (CIP), containing recommended capital projects for the next five years, is a tool to implement the Comprehensive Plan. State Statutes provide that once a comprehensive plan has been adopted, no capital project shall be constructed or authorized without approval of its location, character and extent by the Planning Commission. Voters approved Vision 2025 sales tax resources in 2003 for the preservation and economic development of historic Route 66. A Design Recommendation Committee and public meetings allocated those funds in the Vision 2025 Master Plan (2005), including the acquisition and site preparation of property located at 3766, 3770, and 3816 Southwest Boulevard for a thematic display of oil, rail, and Route 66 history. The 2020 Plan 66 lists the acquisition and improvements as accomplishments directed by the Vision 2025 Master Plan and in support of current and ongoing economic developed initiatives of the Route 66 Main Street.

The Southwest Tulsa Small Area Plan Phase I adopted May 14, 2009 recognized future community goals to expand and develop the site and the amenities to support heritage tourism and economic development. Subsequent Vision Tulsa funds and Improve Our Tulsa funds were allocated for the Route 66 Train Depot and the Route 66 Visitor Center respectively. Other amenities were funded privately or with Oklahoma Centennial funds. The operation and maintenance of the site and amenities are under lease to the Route 66 Village, Inc.

The purpose of both Plans was to provide guidance for funding decisions for catalytic actions necessary to address the overall site’s future vitality as an asset Route 66 revitalization efforts overall and to the Southwest Boulevard Area in particular. Plans were guided by feedback from the community based advisory teams and other public engagement.

This new CIP project is proposed by City Councilor for District 2, utilizing Improve Our Tulsa 2 (IOT2) Community Development Project funds.

Staff Analysis
Planning Office staff reviewed the new proposed Capital Improvement Plan project for consistency with the City of Tulsa’s Comprehensive Plan. In general, the acquisition and its intended purpose listed is consistent with the Comprehensive Plan.

A new CIP project summary is attached. Below is a summary of goals, including the name of the requesting Department, the project name, the goals, staff comments regarding relationship and consistency with other Plans and the Comprehensive Plan.

- Requesting Department: Engineering Services
  o Project Name: Route 66 Village Improvements
  o Description: Acquisition of 2215 W. 38th Pl. S.
  o Goals: Expand the Route 66 Village square area; provide a building to convert to the Main Street Program office and public meeting space.
Other Plans
  - Vision 2025 Route 66 Enhancement and Promotion Master Plan of Development (2005): The Plan’s funded project list includes land acquisition and site improvements. Site preparation to date includes circular drive, parking, electrical conduit and other building facilities.
  - The Southwest Tulsa Small Area Plan Phase I, adopted May 14, 2009 as an amendment to the Tulsa Comprehensive Plan, supports on-site facilities to further economic development.
- Comprehensive Plan maps: The area is designated with a Main Street land use designation and an Area of Growth.

Staff Recommendation
Approve based on the finding that the new capital improvement project, Route 66 Village Improvements, specifically acquisition of 2215 W. 38th Pl. S., is in conformance with the Tulsa Comprehensive Plan.

Attachment(s):
- Capital Project Request Form
- Assessor Property Search Record
- Sites Maps: Aerials, Land use Map & Areas of Stability and Growth Map
City of Tulsa
CAPITAL PROJECT REQUEST

Request Year: FY2022

PROJECT TITLE (Be specific - i.e. "Replace Convention Center Air Handler Unit")
Route 66 Village Improvements

REQUESTING DEPT. CONTACT PERSON(S)
Engineering Services Brent Stout / Paul Zachary

PURPOSE OF PROJECT
Provide a permanent location to house the Tulsa Route 66 Main Street program and staff. This permanent office space will further the mission of the Tulsa Route 66 Main Street program by providing public meeting space, training/education space, outdoor event space, and eventually a coworking space for new business. This project will restore an historic property on the Route 66 Corridor and adapt it to re-use, and make miscellaneous improvements to the site.

REASON FOR CLASSIFICATION
The Tulsa Route 66 Main Street Board of Directors will apply for a grant requesting matching funds for façade renovations and an application for a matching neon sign grant. They will also provide liability insurance, update the property using matching grants (including HVAC upgrades and ADA compliance), and be responsible for utilities and maintenance of the property.

LOCATION OF PROJECT (Address or general area)
The property consists of a single-family residence and related improvements at 2212 West 38th Place South, Tulsa, OK 74107 (aka West Sycamore ST)

CLASSIFICATION OF PROJECT
□ NEW □ REPLACEMENT □ REHAB

ESTIMATED USEFUL LIFE (IN YEARS) 30 years

<table>
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<th>ESTIMATED PROJECT COST</th>
<th>ANNUAL OPERATING COSTS (ABOVE CURRENT)</th>
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<tr>
<td>(A) DESIGN</td>
<td>$ 120,000</td>
<td>(A) PERSONNEL COSTS $</td>
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<td>(B) LAND</td>
<td>$ 150,000</td>
<td>(B) MAINTENANCE &amp; OPERATING COSTS $ 10,000</td>
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<td>(C) CONSTRUCTION</td>
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<td>(C) CAPITAL EQUIPMENT REPLACEMENT $</td>
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<td>(D) EQUIPPING</td>
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<td>TOTAL EST COST</td>
<td>$ 1,000,000</td>
<td>TOTAL ANNUAL O &amp; M $ 10,000</td>
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TIME NEEDED TO DESIGN & CONSTRUCT PROJECT (IN YEARS) 2

RELATIONSHIP TO OTHER CAPITAL PROJECTS
Route 66 Historical Village (Existing facilities)
Southwest Boulevard - 31st St. S. to 40th St. S. Street Rehabilitation
Southwest Boulevard - 23rd St. S. to 31st St. S. Street Rehabilitation

AGENCIES TO BE COORDINATED WITH
Tulsa Route 66 Main Street Council District 2 IOT2 Community Development Project
State Historic Preservation Office (Title 43-L-2021 Capital Improvements Sales Tax)

SIGNATURE OF REQUESTING DEPARTMENT HEAD OR DESIGNEE

Instructions for completing form on page 2
Property Search

Disclaimer

The Tulsa County Assessor's Office has made every effort to ensure the accuracy of the data contained on this web site; however, this material may be slightly dated which could have an impact on its accuracy.

The information must be accepted and used by the recipient with the understanding that the data was developed and collected only for the purpose of establishing fair cash (market) value for ad valorem taxation. Although changes may be made periodically to the tax laws, administrative rules and similar directives, these changes may not always be incorporated in the material on this web site.

The Tulsa County Assessor's Office assumes no liability for any damages incurred, whether directly or indirectly, incidental, punitive or consequential, as a result of any errors, omissions or discrepancies in any information published on this web site or by any use of this web site.

Quick Facts

Account # R08975922200080
Parcel # 08975-92-22-00080
Situs address 2215 W 38 PL S TULSA 74107
Owner name REDBERRY FARM LLC
Fair cash (market) value $59,548
Last year's taxes $853
Legal description Legal: LTS 2 THRU 5 LESS BEG LT 2 TH SE30 SW100 SWLY103.58 NW57.27 NE200 POB BLK 3
Subdivision: CLINTON HGTS
Section: 22 Township: 19 Range: 12

General Information

Situs address 2215 W 38 PL S TULSA 74107
Owner name REDBERRY FARM LLC
Owner mailing address TULSA, OK 741076207
Land area 0.52 acres / 22,637 sq ft
Tax rate T-1A [TULSA]
Subdivision: CLINTON HGTS
Legal description Legal: LTS 2 THRU 5 LESS BEG LT 2 TH SE30 SW100 SWLY103.58 NW57.27 NE200 POB BLK 3
Section: 22 Township: 19 Range: 12
Zoning RES SINGLE-FAMILY HIGH DENSITY DISTRICT [RS3]

Values 2019 2020 2021
Land value $18,000 $18,000 $18,000
Improvements value $41,548 $41,548 $41,548
Fair cash (market) value $59,548 $59,548 $59,548

Exemptions claimed

Homestead -- -- --
Additional homestead -- -- --
Senior Valuation Limitation -- -- --
Veteran -- -- --

Fair cash (market) value

2019 2020 2021

Total taxable value (capped)

Assessment ratio 11% 11% 11%
Gross assessed value $6,382 $6,550 $6,550
Exemptions $0 $0 $0
Net assessed value $6,382 $6,550 $6,550

Tax rate T-1A [TULSA]

Tax rate mills 137.02 130.27 130.27*
Estimated taxes $874 $853 $853*
Most recent NOV February 4, 2020

City-County Health 2.0 2.58 $16.90
City-County Library 4.1 5.32 $34.85
Tulsa Technology Center 10.2 13.33 $87.31
Emergency Medical Service 0.0 0.00 $0.00
Tulsa Community College 5.5 7.21 $47.23
School Locally Voted 21.1 27.50 $180.13
City Sinking 13.6 17.78 $116.46
School County Wide Bldg 4.0 5.15 $33.73
School County Wide ADA 3.1 4.00 $26.20
School County Wide General 27.7 36.05 $236.13
County Government 8.7 11.35 $74.34
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<td>HALFORD, LEE &amp; CAROLYN</td>
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<td>May 3, 2011</td>
<td>WILLIAMS, STELLA R AND ALICE DIANA KRUG</td>
<td>HALFORD, LEE &amp; CAROLYN</td>
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Square footage and acreage values included in this record are approximations. They may not reflect what a licensed surveyor would determine by performing a formal survey. They are for tax purposes only and are not intended for use in making conveyances or for preparing legal descriptions of properties.

Click to view this area on the Google Maps web page in a new window
Aerial Photo Date: 2020/2021

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

Aerial Photo Date: 2020/2021
Land Use Plan Categories

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

Subject Tract
Growth and Stability

- Area of Growth
- Area of Stability

Subject Tract
Case Report Prepared by:
Dwayne Wilkerson

Location Map:
(shown with City Council Districts)

Case Number: Z-7615
Hearing Date: August 18, 2021

Owner and Applicant Information:
Applicant: Timothy Janak
Property Owner: Masood & Sonia Kasim

Applicant Proposal:
Present Use: Vacant
Proposed Use: Commercial CG

Concept summary: Change zoning to allow uses that may be more consistent with a neighborhood center land use designation and to support redevelopment of the existing property that is zoned OL with a non-conforming use.

Tract Size: 0.28 ± acres
Location: Southwest corner of East 4th Place South & South Yale Avenue

Zoning:
Existing Zoning: OL
Proposed Zoning: CG

Comprehensive Plan:
Land Use Map: Neighborhood Center
Stability and Growth Map: Area of Growth

Staff Recommendation:
Staff recommends denial of CG zoning however staff recommends approval of CS.

City Council District: 4
Councilor Name: Kara Joy McKee

County Commission District: 2
Commissioner Name: Karen Keith
SECTION I: Z-7615

DEVELOPMENT CONCEPT:

Change zoning to allow uses that may be more consistent with a Neighborhood Center land use designation and to support redevelopment of the existing property that is zoned OL. The fueling station and convenience store has been considered a nonconforming use since before 1969.

EXHIBITS:

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

DETAILED STAFF RECOMMENDATION:

The CG district is primarily intended to accommodate established commercial uses, while providing protection to adjacent residential areas accommodating the grouping of compatible commercial and light industrial uses. The applicant requested CG zoning with the application packet submitted for Z-7615 but setback limitations in an that district may create an unusable site. Future building permit applications will require Board of Adjustment variances to allow signs, parking, and canopies to build in the planned right-of-way. Additional approvals will be required from the Engineering Services department in the City of Tulsa for removal agreements for all of those site features. It is unlikely that those agreements will be approved and,

The zoning code does not allow a development plan to reduce setback standards, so an optional development plan was not considered to be appropriate on this site. If the site is rezoned the subdivision compliance provisions of the Tulsa Subdivision and Development Regulations will continue to add restrictions for any redevelopment opportunities and will require Board of Adjustment approval and,

Many uses allowed in a CG district are not compatible with the expected land use development in the area however staff supports CS zoning and recognizes that its uses and supplemental regulations are consistent with a Neighborhood Center land use designation in the Tulsa Comprehensive Plan and,

Staff recommends Denial of Z-7615 to rezone property from OL to CG as requested by the applicant however, staff supports the possible rezoning of the site from OL to CS knowing that additional requirements for development in Tulsa may end up with a site that is still not developable as planned by the applicant.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The site is very small and has been a nonconforming use for decades with OL zoning. This site can provide some small-scale version of a Neighborhood Center but the subdivision regulations will require subdivision compliance and approximately 25 feet of additional right-of-way will be required along South Yale Avenue during that process. The acquisition of planned right-of-way will take away most of the parking on the lot and the existing
canopy will need to be removed. Those requirements will only complicate redevelopment opportunities.

Land Use Vision:

Land Use Plan map designation:

**Neighborhood Centers:** This land use designation should include small-scale, one to three story mixed-use areas intended to serve nearby neighborhoods with retail, dining, and services. They can include apartments, condominiums, and townhouses, with small lot single family homes at the edges. These are pedestrian-oriented places served by transit, and visitors who drive can park once and walk to number of destinations.

Areas of Stability and Growth designation:

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

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

Transportation Vision:

**Major Street and Highway Plan:**

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

Streets on the Transportation Vision that indicate a transit improvement should use the multi-modal street cross sections and priority elements during roadway planning and design.
Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary:

The site is vacant and has previously been used as a single-story convenience store and a fueling station. OL zoning prohibits both uses. In 1969 a gas station was recognized as a non-conforming use during a board of adjustment case. Neither the Planning Commission Staff or applicant has determined if this is still a nonconforming use. The site may have lost its non-conforming status as outlined in Section 80.040-E.3 of the Tulsa Zoning Code. That section of the code clarifies that if the non-conforming use of a building is discontinued for 36 consecutive months or for 36 months during any 4-year period, the nonconforming use may not be re-established.

The site has multiple board of adjustment cases that have been heard with setback variances approved and canopy variances denied. Planned right of way for 50 feet width on Yale would not allow new gas canopy or building expansion on this site.

Current OL zoning would allow many uses including all office uses identified in our code, single family residential, short-term rental in the lodging category, artist and instructional services and three or more households on a single lot with a mixed-use building.

Street view looking southwest from the northeast corner of the site:
Environmental Considerations: None that would affect site redevelopment.

Streets:

<table>
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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 4th Place South</td>
<td>Residential Collector</td>
<td>60 feet minimum required as a minimum and the existing right of way is 60 feet.</td>
<td>3 lanes One lane each direction with east bound left turn lane</td>
</tr>
<tr>
<td>South Yale Avenue</td>
<td>Secondary arterial</td>
<td>100 feet minimum. Existing right of way measures approximately 60 feet with approximately 25 feet west of the section line in S. Yale.</td>
<td>4 lanes From the center of the street</td>
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Utilities:
The subject tract has municipal water and sewer available.

Surrounding Properties:

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<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</td>
<td>Existing Neighborhood</td>
<td>Stability</td>
<td>Single Family Homes</td>
</tr>
<tr>
<td>East</td>
<td>RS-2</td>
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<td>South</td>
<td>RS-3</td>
<td>Existing Neighborhood</td>
<td>Growth</td>
<td>Church / food pantry</td>
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<td>Existing Neighborhood</td>
<td>Growth</td>
<td>Church</td>
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SECTION III: Relevant Zoning History

History:

ZONING ORDINANCE: Ordinance number 14402 dated March 23rd, 1979, established zoning for the subject property.

Subject Property:

BOA-14804 April 1988: The Board of Adjustment approved a Variance of setback from the centerline of South Yale from 60' to 30' to allow for a business sign; per plan submitted; subject to the execution of the existing pole and will not extend further into the setback than the existing canopy.

BOA-12940 January 1984: The Board of Adjustment denied a Variance of the setback requirement from 60' to 27' for a gasoline canopy in an OL District under the provisions of Section 1670.

BOA-11585 August 1981: The Board of Adjustment denied a Variance of the setback requirement from 60' to 27' from the centerline of Yale Avenue to permit the erection of service station canopies in an OL District.

BOA-10432 November 1980: The Board of Adjustment approved a Variance (Section 630 - Bulk and Area Requirements in the office District – Under the Provisions of Section 1670 - variances) request for a variance of the setback requirements from 55' to 44.33' from the centerline of Fourth Place.

Z-5224 March 1979: All concurred in approval of a request for rezoning a 0.28+ acre tract of land from RS-3 to OL on subject Property. Ordinance number 14402 dated March 23rd, 1979 amended Ordinance No. 11815 dated June 26, 1970 for the subject property.

BOA-6236 March 1969: The Board of Adjustment approved a Variance (Section 23) of the permitted use provisions of U-1C (Section 5 (d)) to permit replacing a sign for nonconforming service station, not less than 60' from the centerline of Yale Avenue, and not greater than 30' in height.

Surrounding Property:
The Board of Adjustment approved a Special Exception to allow a dynamic display sign in an RS-3 District for a Religious Assembly Use & a Variance to allow a dynamic display sign within 20 feet of the driving surface of E. 4th Street.

The Board of Adjustment approves a Variance of the setback from the centerline of S. Yale Ave. from 50' to 30' to allow for a sign per plan, there is a removal contract in case Yale Ave is widened.

The Board of Adjustment approved a Variance to permit of front setback from the centerline of 4th Place from 52' to 51' to allow for an addition to the existing dwelling; per plot plan; finding that the variance request is in conformance with existing conditions in the immediate vicinity of the subject tract; Lot 386, block 2, Rodgers Heights Addition.

The Board of Adjustment approves a Variance of setback from the centerline of Yale Avenue from 60' to 30' to allow a gasoline island canopy; per plot plan submitted; subject to gasoline pumps being removed on 4th Place; finding that the property was platted in 1920's and numerous structures along South Yale Avenue encroach on the required setback; and finding that the granting of the variance request will not cause substantial detriment to the public good or impair the spirit, purposes and intent of the Code, or Comprehensive Plan; Lot 1 and the north 95.1' of Lot 2, block 1, Kendall View Addition.

The Board of Adjustment approves Special Exception to permit using property for church use and parking in an RS-3 District; and approves a Special Exception to permit a chain link fence in place of a solid fence, on a tract located at 510 South Yale Avenue.

The Board of Adjustment denied Special Exception to permit home beauty shop in an RS-2 district, on a tract located at 4904 East 4th Street.

The Board of Adjustment denied Special Exception to permit operating a children's day nursery in an RS-2 District, on a tract located at 4th street and Yale Avenue.

The Board of Adjustment approves a Special exception to permit erection of a sign for a church (sign will be 10 feet high and 8' x 10' in size) in a U-1C district.

The Board of Adjustment approves request for a modification of front yard requirements on 5th Street to permit addition to the present church (4 feet 4 inches from property line on 5th Street) and; request for approval of Lots 22 & 23 for Church purposes.

The Board of Adjustment grants approval to use Lot 6, Block 1, Kendall View Addition for church purposes.

The Board of Adjustment approves to waive the major street plan building set-back line of 25 feet along Yale Avenue and to waive the depth of lot requirement, land approval of lot 24 as from church purposes all on Lots 24, 25, 26, Block 4, Kendall View Addition.

The Board of Adjustment grants approval to use dwelling for nursery in connection with church on adjoining property on Lot 5, Block 1, Kendall View Addition at 4736 East 4th Place.

The Board of Adjustment approves Lots 4 and 5, Block 1, Kendall View Addition as parking lot for church.

The Board of Adjustment approves request waiver of building line requirements along Fifth Street to permit erection of a frame church building approximately 15 feet beyond the established building line on Lots 1, 2 and 3.

The Board of Adjustment grants approval of Lots 24, 25 and 26, Block 1, Kendall View Addition for church purposes.
BOA-1749 November 1945: The Board of Adjustment approves Lots 25 and 26, Block 4, Kendall View Addition as site for permanent church auditorium, being an extension of church use on Lots 1, 2 and 3, Block 4, Kendall View Addition.

BOA-1631 November 1943: The Board of Adjustment grants approval to move building Lot 2, Block 4, Kendall View Addition to Lot 3, Block 4, and erection of addition to church building located on Lots 1 and 2, all building to be attached. Lot 3 not a part of original church property.

BOA-1303 December 1939: The Board of Adjustment grants approval of Lots 22 and 23, Blk. 1, Kendall View Addition.

BOA-1191 August 1935: The Board of Adjustment approved permit to erect a church building on Lot 21, Block 1, Kendall View Addition, which property has been used for church purposes for some time and submits a petition of neighboring property owners agreeing to same.

BOA-674 July 1929: The Board of Adjustment grants approval to permit to build a Church on Lots 1-2, Block 4, Kendall View Addition.

BOA-150 August 1925: The Board of Adjustment approves an appeal from the decision of the Building Inspector in refusing permit for the construction of an addition to an existing laundry building, account same nonconforming to the requirement of the district.
Subject Tract

Z-7615
19-13 04

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

Aerial Photo Date: 2020/2021
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<th><strong>Case Report Prepared by:</strong></th>
<th><strong>Owner and Applicant Information:</strong></th>
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<td>Nathan Foster</td>
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</tr>
<tr>
<td></td>
<td><strong>Owner:</strong> Net Lease Capital Advisors, LLC</td>
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**Location Map:**
(Shown with City Council districts)

**Zoning:** IH (Industrial – High)

**Applicant Proposal:**
Minor Subdivision Plat
1 lot, 1 block, 81.79 ± acres

**Location:** East of the southeast corner of East 43rd Street North and North Garnett Road

**Staff Recommendation:**
Staff recommends approval of the minor subdivision plat

**City Council District:** 3
**Councilor Name:** Crista Patrick

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

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

Dylan Gateway - (CD 3)
East of the southeast corner of East 43rd Street North and North Garnett Road

This plat consists of 1 lot, 1 block on 81.79 ± acres.

The Technical Advisory Committee (TAC) met on August 4, 2021, and provided the following conditions:

1. **Zoning:** All property contained within the subdivision is zoned IH (Industrial-High). The proposed lot conforms to the requirements of the IH district.

2. **Addressing:** Label lot with assigned address prior to submittal of final plat.

3. **Transportation & Traffic:** New public street construction approved and accepted through IDP process.

4. **Sewer:** Sewer main extensions approved through IDP.

5. **Water:** Water main extensions approved through IDP.

6. **Engineering Graphics:** No comments.

7. **Fire:** No comments.

8. **Stormwater, Drainage, & Floodplain:** Storm sewer improvements approved through IDP.

9. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** All utilities release letters have been received.

Staff recommends APPROVAL of the minor subdivision plat subject to a final release from the City of Tulsa including City Legal, City Engineering, and Development Services being received prior to signature and recording.
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

SUBJECT TRACT LAND USE PLAN EMPLOYMENT

DYLAN GATEWAY
20-14 17
Growth and Stability

Area of Growth

Area of Stability

SUBJECT TRACT

DYLAN GATEWAY

4.5

20-14 17
KNOW ALL PERSONS BY THESE PRESENTS:

York, Territory of Oklahoma (herein referred to as "DYLAN GATEWAY") and the Owner, hereby reserve the right to construct, maintain, operate, alter, repair or replace any portion of underground water and surface water mains, poles, communications, electric, gas, and other utilities in the general utility easements for the aforesaid purpose or purposes for which said easements are established, provided however, such obstruction, no building, structure or other above or below ground obstruction that may damage or interfere with such facilities located or passing over, around, and along all or any portion of underground water and surface water mains, poles, communications, electric, gas, and other utilities located in the general utility easements and all other easements for public, electric, telephone, cable, television, or other utilities, and the Owner shall be responsible for the protection of the public water mains, streets and alleys shown on the plat, and Dyland Gateway hereby reserves the right to construct, maintain, operate, alter, repair or replace any portion of underground water and surface water mains, poles, communications, electric, gas, and other utilities in the general utility easements for the aforesaid purpose or purposes for which said easements are established, provided however, such obstruction, no building, structure or other above or below ground obstruction that may damage or interfere with such facilities located or passing over, around, and along all or any portion of underground water and surface water mains, poles, communications, electric, gas, and other utilities located in the general utility easements and all other easements for public, electric, telephone, cable, television, or other utilities.

The Owner shall be responsible for the protection of the public water mains, streets and alleys shown on the plat, and Dyland Gateway hereby reserves the right to construct, maintain, operate, alter, repair or replace any portion of underground water and surface water mains, poles, communications, electric, gas, and other utilities in the general utility easements for the aforesaid purpose or purposes for which said easements are established, provided however, such obstruction, no building, structure or other above or below ground obstruction that may damage or interfere with such facilities located or passing over, around, and along all or any portion of underground water and surface water mains, poles, communications, electric, gas, and other utilities located in the general utility easements and all other easements for public, electric, telephone, cable, television, or other utilities.

A PART OF SECTION 17, TOWNSHIP 20 NORTH, RANGE 14 EAST, INDIAN BASE AND MERIDIAN

A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

SECTION 1. ENFORCEMENT, OVERTURES, APPEAL, AND INTERPRETATION.

A. Enforcement. The Owner shall be in charge of all necessary work to be done in connection with the installation, maintenance, alteration, replacement, repair, or removal of any utility or public service facility, in accordance with and in accordance with the provisions of this act. The Owner shall cause the installation, maintenance, alteration, replacement, repair, or removal of any utility or public service facility to be done in compliance with all applicable laws, rules, regulations, and ordinances. The Owner shall be responsible for compliance with all applicable laws, rules, regulations, and ordinances. The Owner shall cause the installation, maintenance, alteration, replacement, repair, or removal of any utility or public service facility to be done in compliance with all applicable laws, rules, regulations, and ordinances.

B. Overtures. Any dispute arising between the Owner and any party, relating to the installation, maintenance, alteration, replacement, repair, or removal of any utility or public service facility, shall be submitted to the appropriate authority for resolution, and the decision of such authority shall be final and binding upon the parties thereto. Any dispute arising between the Owner and any party, relating to the installation, maintenance, alteration, replacement, repair, or removal of any utility or public service facility, shall be submitted to the appropriate authority for resolution, and the decision of such authority shall be final and binding upon the parties thereto.

C. Interpretation. The terms and provisions of this act shall be interpreted in accordance with the provisions of this act. The terms and provisions of this act shall be interpreted in accordance with the provisions of this act.

SECTION 2. CONSTRUCTION OF UTILITIES.

A. Purpose. The purposes of this act shall be to provide for the construction, maintenance, alteration, replacement, repair, and removal of any utility or public service facility, and to provide for the enforcement of the provisions of this act. The purposes of this act shall be to provide for the construction, maintenance, alteration, replacement, repair, and removal of any utility or public service facility, and to provide for the enforcement of the provisions of this act.

B. Provisions. This act shall be construed to be in all respects consistent with the provisions of this act. This act shall be construed to be in all respects consistent with the provisions of this act.

C. Construction. This act shall be construed to be in all respects consistent with the provisions of this act. This act shall be construed to be in all respects consistent with the provisions of this act.