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 December 7, 2022 Meeting No. 2879
2. Minutes of December 21, 2022 Meeting No. 2880

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:

3. **PUD-468-10 PB2 Architecture and Engineering** (CD 7) Location: West of the northwest corner of East 71st Street South and South Mingo Road requesting a **PUD Minor Amendment** to reduce the required minimum setback along the west boundary from 60 feet to 45 feet

4. **PUD-345-4 Mark Capron** (CD 9) Location: East of the southeast corner of East 31st Street South and South Harvard Avenue requesting a **PUD Minor**
Amendment to add an accessory use drive through facility as an allowable use and amend the setbacks to accommodate drive through canopy.

PUBLIC HEARING-PLATS
Review and possible approval, approval with modifications, denial, or deferral of the following:

5. **Woodland Valley** (CD 7) Preliminary Plat, Location: South of the southeast corner of East 61st Street South and South 90th East Avenue

6. **Tulsa Classical Academy** (CD 8) Request for Accelerated Release of Building Permits, Location: North of the northeast corner of South Sheridan Road and East 101st Street South

PUBLIC HEARING-COMPREHENSIVE PLAN AMENDMENTS
Review and possible adoption, adoption with modifications, denial, or deferral of the following:

7. **TCCP-11 John Parks** (County) Location: Northwest of intersection of Highway 75 and East 66th Street North requesting a land use amendment from Rural Residential/Agriculture to Industrial *(related to CZ-535 and PUD-865)*
   (Continued from September 7, 2022, September 21, 2022, October 5, 2022, November 2, 2022 and December 21, 2022)

PUBLIC HEARING-REZONING
Review and possible recommendation of approval, approval with modifications, denial, or deferral of the following:

8. **CZ-535 John Parks** (County) Location: Northwest of intersection of Highway 75 and East 66th Street North requesting rezoning from AG to IL *(related to TCCP-11 & PUD-865)*
   (Continued from September 7, 2022, September 21, 2022, October 5, 2022, November 2, 2022 and December 21, 2022)

9. **PUD-865 Lou Reynolds** (County) Location: Northwest of intersection of Highway 75 and East 66th Street North requesting rezoning from AG to PUD-865 *(Related to CZ-537 and TCCP-11)*

10. **Z-7460a Randy Branstetter** (CD 2) Location: North of the northeast corner of West 91st Street South and South Maybelle Avenue requesting a ODP Minor Amendment to allow 7 building permits before the required street extension is complete *(Continued from November 2, 2022, November 16, 2022 and December 7, 2022)*
11. **MPD-4 Stephen Schuller** (CD 2) Location: Northeast corner of East 81st Street South and South Lewis Avenue requesting rezoning to a Master Plan Development that anticipates future development opportunities (Continued from November 2, 2022 and December 7, 2022)

12. **Z-7689 Lou Reynolds** (CD 4) Location: East of the northeast corner of South Harvard Avenue and East 27th Street South requesting rezoning from RS-3 to CG

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**OTHER BUSINESS**

13. **2023 Election of Officers- Current Officers:**
   
   Michael Covey, Chairman
   Joshua Walker, 1st Vice Chairman
   Ted Reeds, 2nd Vice Chairman
   John Shivel, Secretary

14. **Commissioners' Comments**

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**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 tulaplaning.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><strong>Case Report Prepared by:</strong></th>
<th><strong>Owner and Applicant Information:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Dylan Siers</td>
<td>Applicant: PB2 Architecture &amp; Engineering</td>
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<tr>
<td></td>
<td>Property Owner: Sam's Real Estate Business Trust</td>
</tr>
</tbody>
</table>

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

**Applicant Proposal:**
Concept summary: PUD minor amendment to reduce the required minimum setback along the west boundary from 60 ft to 45 ft.

Gross Land Area: 17.94 Acres
Location: West of the Northwest corner of 71st Street South and South Mingo Road.
6922 S Mingo Road

**Zoning:**
Existing Zoning: CS/RM-1/PUD-468
Proposed Zoning: No Change

**Comprehensive Plan:**
Land Use Map: Regional Center
Growth and Stability Map: Growth

**Staff Data:**
TRS: 8302

**Staff Recommendation:**
Staff recommends approval.

**City Council District:** 7
Councilor Name: Lori Decter Wright

**County Commission District:** 3
Commissioner Name: Kelly Dunkerley
SECTION I: PUD-468-10 Minor Amendment

Amendment Request: PUD minor amendment to reduce the required minimum setback along the west boundary from 60 ft to 45 ft.

Currently, the development standards require a minimum 60 ft setback along the west boundary line. The applicant is requesting a minor amendment to reduce the west boundary line setback from 60 ft to 45 ft to allow for a new cooler box.

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

"Changes in structure heights, building setbacks, yards, driveway coverage measured by width, square footage or percentage of the yard, open spaces, building coverage and lot widths or frontages, provided the approved PUD development plan, the approved PUD standards and the character of the development are not substantially altered."

Staff has reviewed the request and determined:

1) PUD-468-10 is consistent with the provisions for administration and procedures of a PUD in section 30.010-H.

2) PUD-468-10 does not represent a significant departure from the approved development standards in the PUD and is considered a minor amendment to PUD-468.

3) All remaining development standards defined in PUD-468 and previous amendments shall remain in effect.

Exhibits included with staff report:
INCOG zoning case map
INCOG aerial photo
INCOG land use plan map
INCOG growth and stability map
Site improvement plan
Site plan
Stop signs and markings plan

With considerations listed above, staff recommends approval of the minor amendment to reduce the required minimum setback along the west boundary from 60 ft to 45 ft.
Note: Graphic overlays may not precisely align with physical features on the ground.
**Case Report Prepared by:**
Dylan Siers

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

**Zoning:**
Existing Zoning: OM/OL/PUD-345
Proposed Zoning: No Change

**Comprehensive Plan:**
Land Use Map: Main Street
Growth and Stability Map: Growth

**Staff Data:**
TRS: 9321

**Owner and Applicant Information:**
Applicant: Mark B. Capron, Wallace Design Collective
Property Owner: Tulsa Teachers Credit Union

**Applicant Proposal:**
Concept summary: PUD minor amendment to add an accessory use drive through facility as an allowable use and amend the setbacks accommodate drive through canopy.
Gross Land Area: 2.89 Acres
Location: E of the SE/c of E 31st St & S Harvard Ave
3720 E 31st St

**Staff Recommendation:**
Staff recommends approval.

**City Council District:** 9
Councilor Name: Jayme Fowler

**County Commission District:** 3
Commissioner Name: Kelly Dunkerley
SECTION I: PUD-345-4 Minor Amendment

Amendment Request: Modify the PUD Development Standards to add an accessory use drive through facility as an allowable use and amend the setbacks accommodate drive through canopy.

Currently, the development standards allow for uses permitted in an OL district per the 1980 city of Tulsa zoning code. The applicant is requesting that accessory-use drive-through bank facilities be added to the permitted uses. There is also a proposal to amend the setbacks. The current setback is 4 ft from the property line for the portion located within 212 ft from the Centerline of S New Haven Ave and 60 ft for the remainder to the West. The applicant is proposing to amend the setbacks to 4 feet from the property line for the portion located within 350 ft from the Centerline of S New Haven Ave. This change would only increase the distance from the centerline of S New Haven Avenue that the 4ft setback is in place.

Staff Comment: This request is considered a Minor Amendment as outlined by Section 30.010.I.2.c(9) and Section 30.010.I.2.c(15) of the City of Tulsa Zoning Code.

"Changes in structure heights, building setbacks, yards, driveway coverage measured by width, square footage or percentage of the yard, open spaces, building coverage and lot widths or frontages, provided the approved PUD development plan, the approved PUD standards and the character of the development are not substantially altered."

"Changes in an approved use to another use may be permitted, provided the underlying zoning on the particular site within the PUD would otherwise permit such use as of right and the proposed use will not result in any increase of incompatibility with the present and future use of nearby properties."

Staff has reviewed the request and determined:

1) PUD-345-4 is consistent with the provisions for administration and procedures of a PUD in section 30.010-H.

2) PUD-345-4 does not represent a significant departure from the approved development standards in the PUD and is considered a minor amendment to PUD-345.

3) All remaining development standards defined in PUD-345 shall remain in effect.

Exhibits included with staff report:
INCOG zoning case map
INCOG aerial photo
INCOG aerial photo (enlarged)
Exhibit A previous minor amendment site plan showcasing proposed setbacks.

With considerations listed above, staff recommends approval of the minor amendment to add an accessory use drive through facility as an allowable use and amend the setbacks accommodate drive through canopy.

4.2
Subject Tract

PUD-345-4

19-13 21

Aerial Photo Date: 2020/2021

Note: Graphic overlays may not precisely align with physical features on the ground.
<table>
<thead>
<tr>
<th><strong>Case Report Prepared by:</strong></th>
<th><strong>Owner and Applicant Information:</strong></th>
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<tbody>
<tr>
<td>Nathan Foster</td>
<td>Applicant: AAB Engineering, LLC</td>
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<td>Owner: Woodland Valley Development, LLC</td>
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<th><strong>Location Map:</strong> (shown with City Council districts)</th>
<th><strong>Applicant Proposal:</strong></th>
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<tr>
<td><img src="image" alt="Map Image" /></td>
<td>Preliminary Plat</td>
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<td>40 lots, 3 blocks, 7.28 ± acres</td>
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<td>Location: South of the southeast corner of East 61st Street South and South 90th East Avenue</td>
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<table>
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<tr>
<th><strong>Zoning:</strong> RM-1/PUD-397-B</th>
<th><strong>Staff Recommendation:</strong></th>
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<tbody>
<tr>
<td></td>
<td>Staff recommends approval of the preliminary plat</td>
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<tr>
<th><strong>City Council District:</strong> 7</th>
<th><strong>County Commission District:</strong> 3</th>
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<tbody>
<tr>
<td>Councilor Name: Lori Decter-Wright</td>
<td>Commissioner Name: Kelly Dunkerley</td>
</tr>
</tbody>
</table>

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

**Woodland Valley** - (CD 7)
South of the southeast corner of East 61st Street South and South 90th East Avenue

This plat consists of 40 lots, 3 blocks on 7.28 ± acres.

The Technical Advisory Committee (TAC) met on December 22, 2022, and provided the following conditions:

1. **Zoning:** The property is currently zoned RM-1 with an approved Planned Unit Development (PUD-397-B). A minor amendment to the PUD was approved in June of 2017 (PUD-397-B-2) to permit single-family residential on the project site.

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

3. **Transportation & Traffic:** IDP for construction of private streets has been approved and inspections have been completed.

4. **Sewer:** IDP for sewer extensions has been approved and inspections have been completed.

5. **Water:** IDP for water extensions has been approved and inspections have been completed.

6. **Engineering Graphics:** Approved as submitted.

7. **Fire:** Approved as submitted.

8. **Stormwater, Drainage, & Floodplain:** IDP for storm sewer has been approved and inspections have been completed. No floodplain comments.

9. **Utilities:** Telephone, Electric, Gas, Cable, Pipeline, Others: All utilities indicated to serve the site must provide a release prior to final plat approval. Provide a Certificate of Records Search from the Oklahoma Corporation Commission to verify no oil & gas activity on the site.

Staff recommends APPROVAL of the preliminary subdivision plat subject to the conditions provided by TAC and all other requirements of the Subdivision and Development Regulations. City of Tulsa release letter has been received.
Subject Tract

WOODLAND VALLEY
18-13 01

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

Aerial Photo Date: February 2018

5.4
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2018
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

WOODLAND VALLEY
18-13 01
Woodland Valley

OWNER/DEVELOPER
WOODLAND VALLEY DEVELOPMENT, LLC
300 SOUTH PARKWAY DRIVE
BROOKLYN PARK, MN 55443
SACHS, MILLER & COPE
ATTN: BILL BROWN

ENGINEER/SURVEYOR
ARK ENGINEERING LLC
CERTIFIED OF PLAT RECORDING 6-29-19
500 W 4TH STREET
TULSA, OK 74120
BENJAMIN G. WOOD
SACHS, MILLER & COPE
ATTN: BILL BROWN

LEGEND
BLK: BUILDING LOCATION
LOT: Lot of Record
SUB: SUBDIVISION
PT: POINT OF COMPARISON
FLM: FRONT OF LANDMARK
LIL: UTILITY LATERAL
PE: POND ELEVATION
CR: CORNER
PL: PLAT
SP: SPECIAL
TH: STREET ADDRESS

CURVE TABLE

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<td>180 FT</td>
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<td>180 FT</td>
<td>E 8° 17' 35.5&quot;</td>
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</tbody>
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CONTACTS

MUNICIPAL AUTHORITY
Tulsa Metropolitan Area Planning Commission
175 South 2nd Street, Suite 260
Tulsa, Oklahoma 74104

OKLAHOMA NATURE, ETC., ETC.
PARKS DEPARTMENT
175 South 2nd Street, Suite 260
Tulsa, Oklahoma 74104

PUBLIC SERVICE COMPANY
175 South 2nd Street, Suite 260
Tulsa, Oklahoma 74104

WATER AND SEWER DEPARTMENT
175 South 2nd Street, Suite 260
Tulsa, Oklahoma 74104

ESRI
1200 Software Drive
Redlands, CA 92373

FLOODPLAIN

SUBDIVISION DATA

FLOODPLAIN ZONE X: 100-YEAR FLOODPLAIN

FLOODPLAIN ZONE A: 100-YEAR FLOODPLAIN

FLOODPLAIN ZONE AE: 100-YEAR FLOODPLAIN

FLOODPLAIN ZONE AO: 100-YEAR FLOODPLAIN

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A TRACT OF LAND THAT IS PART OF THE NAME OF SECTION 1, T-18-N, R-13-E, OF THE INDIAN BASE AND MERIDIAN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA.

1. THE OWNER/DEVELOPER FOR THE PURPOSE OF DEEDING THE ABOVE TRACT OF LAND TO THE CORPORATION, DURING THE PERIOD OF TIME FROM THE ISSUANCE OF THE GRANT TO THE CORPORATION, IS NOT TO ENTER INTO OR CONSUMMATE ANY AGREEMENT OR CONTRACT WITH ANY PERSON OR CORPORATION WITH RESPECT TO THE ABOVE TRACT OF LAND, EXCEPT AS PROVIDED IN THE FOREGOING.

2. THE OWNER/DEVELOPER MAKES NO REPRESENTATIONS OR WARRANTIES WHATSOEVER, EXPRESS OR IMPLIED, WITH RESPECT TO THE ABOVE TRACT OF LAND, AND DISCLAIMS ANY AND ALL LIABILITY FOR ANY DAMAGES, LOSSES, OR COSTS INCURRED BY ANY PERSON OR CORPORATION IN RELATION TO THE ABOVE TRACT OF LAND.

3. THE OWNER/DEVELOPER RESERVES THE RIGHT TO ENTER INTO OR CONSUMMATE ANY AGREEMENT OR CONTRACT WITH ANY PERSON OR CORPORATION WITH RESPECT TO THE ABOVE TRACT OF LAND, EXCEPT AS PROVIDED IN THE FOREGOING.

4. THE OWNER/DEVELOPER MAKES NO REPRESENTATIONS OR WARRANTIES WHATSOEVER, EXPRESS OR IMPLIED, WITH RESPECT TO THE ABOVE TRACT OF LAND, AND DISCLAIMS ANY AND ALL LIABILITY FOR ANY DAMAGES, LOSSES, OR COSTS INCURRED BY ANY PERSON OR CORPORATION IN RELATION TO THE ABOVE TRACT OF LAND.
Woodland Valley
PUD 397-B

A TRACT OF LAND THAT IS PART OF THE MAN OF SECTION 1, T-15-N, R-13-E, OF THE INDIAN BASE AND MERIDIAN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

OWNER/DEVELOPER
WOODLAND VALLEY DEVELOPMENT, LLC
302 BRIARWOOD AVENUE, TULSA, OK 74106
316-234-1500

ENGINEERS/SURVEYOR
AMT ENGINEERING, LLC
7400 South Memorial Drive, Tulsa, Oklahoma 74133
256-644-6000
316-231-0660

SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS

SECTION III. ENFORCEMENT, DURATION, AMENDMENT, AND SEVERABILITY

A. ENFORCEMENT

This requirement is for the enforcement of the PUD restrictions by the Owners' Association and/or the Owners association's agents and/or contractors and/or the Owners association's contractors. The Owners' Association and/or its agents and/or contractors and/or its contractors shall have the right to enforce this requirement by any legal means available to it, including, but not limited to, the appointment of a receiver, foreclosure, and/or other equitable remedies. The Owners' Association and/or its agents and/or contractors and/or its contractors shall have the right to seek injunctive relief, to compel specific performance, or to recover damages for any violation of these requirements. The Owners' Association and/or its agents and/or contractors and/or its contractors shall have the right to seek any other relief that may be available to it, including, but not limited to, the appointment of a receiver, foreclosure, and/or other equitable remedies.

IN WITNESS WHEREOF, WOODLAND VALLEY DEVELOPMENT, LLC, HAS EXECUTED THIS INSTRUMENT

WITNESS

BY: REBECCA M. SHIRLEY

SECTION IV. AMENDMENT, AND SEVERABILITY

A. AMENDMENT

This requirement may be amended by the Owners' Association and/or its agents and/or contractors and/or its contractors at any time and for any reason, upon giving notice to all Owners and/or their agents and/or contractors and/or their contractors. The amendment shall be effective upon receipt of notice by all Owners and/or their agents and/or contractors and/or their contractors.

IN WITNESS WHEREOF, WOODLAND VALLEY DEVELOPMENT, LLC, HAS EXECUTED THIS INSTRUMENT

WITNESS

BY: REBECCA M. SHIRLEY

B. SEVERABILITY

In the event that any provision of these requirements is held to be invalid or unenforceable, the remainder of these requirements shall remain in full force and effect. No term or provision of these requirements shall be held invalid or unenforceable solely because it is part of a general term or provision.

IN WITNESS WHEREOF, WOODLAND VALLEY DEVELOPMENT, LLC, HAS EXECUTED THIS INSTRUMENT

WITNESS

BY: REBECCA M. SHIRLEY

STATE OF OKLAHOMA

COUNTY OF TULSA

ON THIS DAY OF , 2013, BEFORE ME, THE COMMISSIONER, APPEARING BY AND THROUGH THE ATTORNEYS FOR THE ________________________________________________________________ COUNTY COMMISSIONER'S OFFICE, COUNTY COMMISSIONER'S OFFICE, COUNTY COMMISSIONER'S OFFICE, THERE APPEAR THE ________________________________________________________________ COUNTY COMMISSIONER'S OFFICE, COUNTY COMMISSIONER'S OFFICE, COUNTY COMMISSIONER'S OFFICE, WHO BEING FIRST SWORN, DEPOSED AND SWORE AS FOLLOWS:

SECTION V. HOMEWONERS' ASSOCIATION

A. CORRECT

This requirement is for the benefit of the Owners' Association and/or its agents and/or contractors and/or its contractors. The Owners' Association and/or its agents and/or contractors and/or its contractors shall have the right to enforce this requirement by any legal means available to it, including, but not limited to, the appointment of a receiver, foreclosure, and/or other equitable remedies. The Owners' Association and/or its agents and/or contractors and/or its contractors shall have the right to seek injunctive relief, to compel specific performance, or to recover damages for any violation of these requirements. The Owners' Association and/or its agents and/or contractors and/or its contractors shall have the right to seek any other relief that may be available to it, including, but not limited to, the appointment of a receiver, foreclosure, and/or other equitable remedies.

IN WITNESS WHEREOF, WOODLAND VALLEY DEVELOPMENT, LLC, HAS EXECUTED THIS INSTRUMENT

WITNESS

BY: REBECCA M. SHIRLEY

B. SEVERABILITY

In the event that any provision of these requirements is held to be invalid or unenforceable, the remainder of these requirements shall remain in full force and effect. No term or provision of these requirements shall be held invalid or unenforceable solely because it is part of a general term or provision.

IN WITNESS WHEREOF, WOODLAND VALLEY DEVELOPMENT, LLC, HAS EXECUTED THIS INSTRUMENT

WITNESS

BY: REBECCA M. SHIRLEY

STATE OF OKLAHOMA

COUNTY OF TULSA

ON THIS DAY OF , 2013, BEFORE ME, THE COMMISSIONER, APPEARING BY AND THROUGH THE ATTORNEYS FOR THE ________________________________________________________________ COUNTY COMMISSIONER'S OFFICE, COUNTY COMMISSIONER'S OFFICE, COUNTY COMMISSIONER'S OFFICE, THERE APPEAR THE ________________________________________________________________ COUNTY COMMISSIONER'S OFFICE, COUNTY COMMISSIONER'S OFFICE, COUNTY COMMISSIONER'S OFFICE, WHO BEING FIRST SWORN, DEPOSED AND SWORE AS FOLLOWS:

SECTION VI. HOMEWONERS' ASSOCIATION

A. CORRECT

This requirement is for the benefit of the Owners' Association and/or its agents and/or contractors and/or its contractors. The Owners' Association and/or its agents and/or contractors and/or its contractors shall have the right to enforce this requirement by any legal means available to it, including, but not limited to, the appointment of a receiver, foreclosure, and/or other equitable remedies. The Owners' Association and/or its agents and/or contractors and/or its contractors shall have the right to seek injunctive relief, to compel specific performance, or to recover damages for any violation of these requirements. The Owners' Association and/or its agents and/or contractors and/or its contractors shall have the right to seek any other relief that may be available to it, including, but not limited to, the appointment of a receiver, foreclosure, and/or other equitable remedies.

IN WITNESS WHEREOF, WOODLAND VALLEY DEVELOPMENT, LLC, HAS EXECUTED THIS INSTRUMENT

WITNESS

BY: REBECCA M. SHIRLEY

B. SEVERABILITY

In the event that any provision of these requirements is held to be invalid or unenforceable, the remainder of these requirements shall remain in full force and effect. No term or provision of these requirements shall be held invalid or unenforceable solely because it is part of a general term or provision.

IN WITNESS WHEREOF, WOODLAND VALLEY DEVELOPMENT, LLC, HAS EXECUTED THIS INSTRUMENT

WITNESS

BY: REBECCA M. SHIRLEY

STATE OF OKLAHOMA

COUNTY OF TULSA

ON THIS DAY OF , 2013, BEFORE ME, THE COMMISSIONER, APPEARING BY AND THROUGH THE ATTORNEYS FOR THE ________________________________________________________________ COUNTY COMMISSIONER'S OFFICE, COUNTY COMMISSIONER'S OFFICE, COUNTY COMMISSIONER'S OFFICE, THERE APPEAR THE ________________________________________________________________ COUNTY COMMISSIONER'S OFFICE, COUNTY COMMISSIONER'S OFFICE, COUNTY COMMISSIONER'S OFFICE, WHO BEING FIRST SWORN, DEPOSED AND SWORE AS FOLLOWS:
**Case:** Tulsa Classical Academy  
**Hearing Date:** January 4, 2023

**Case Report Prepared by:** Nathan Foster

**Owner and Applicant Information:**  
**Applicant:** Route 66 Engineering, John Droz  
**Owner:** Classically Formed Foundation, INC

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

![Location Map](image)

**Applicant Proposal:**  
Request for authorization to receive accelerated release of building permits  
1 lot, 1 block, 14.8 ± acres  
**Location:** North of the northeast corner of South Sheridan Road and East 101st Street South

**Zoning:**  
AG (Agriculture)

**Staff Recommendation:**  
Staff recommends approval of the authorization to receive an accelerated release of a building permit

**City Council District:** 8  
**Councilor Name:** Phil Lakin  
**County Commission District:** 3  
**Commissioner Name:** Kelly Dunkerley
ACCELERATED RELEASE OF BUILDING PERMIT

**Tulsa Classical Academy** - (CD 8)
North of the northeast corner of South Sheridan Road and East 101st Street South

The subject property is required to obtain full compliance with the Subdivision & Development Regulations due to a special exception approval for a school on the site, BOA-23305.

The applicant has requested that the Planning Commission authorize the City of Tulsa to issue building permits prior to the filing of a final plat. The Subdivision & Development Regulations require the approval of a preliminary plat prior to authorization for an accelerated release of building permits. The preliminary plat for this project was approved on August 17, 2022. The project requires the extension of a water main, improvements to the arterial roadway and traffic signalization, detention ponds, sidewalks, ADA ramps, and driveways in the public right-of-way. The IDP for the infrastructure work was approved on December 9, 2022 and construction is underway.

The subject property consists of 1 lot on 1 block with a proposal for the construction of a new school. The applicant has requested the ability to begin construction on the school while the infrastructure work is being completed. The final plat will be filed once the infrastructure receives final approval and acceptance by the City of Tulsa.

The Technical Advisory Committee met on December 22, 2022 and had no objections to the authorization for accelerated release of building permits.

If approved, this authorization only removes the requirement that the final plat be filed prior to building permits being issued. All other codes and requirements of the City of Tulsa remain in place.

**Staff recommends approval** of the accelerated release of a building permit and the requested modification with the following conditions:

1. If an accelerated release is approved, no final inspection of buildings or structures may occur, and no certificate of occupancy may be issued until a final plat for the subject property has been approved and recorded.
2. Performance guarantees for outstanding public infrastructure must be submitted prior to issuance of any building permits per the Subdivision & Development Regulations, Section 10-110.6.B.

Staff has determined that circumstances related to the subject property reasonably preclude the future use or improvement of the area for which dedication of right-of-way and easements would be required and recommend TMAPC include these findings to defer those dedications to the final plat.
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

TULSA CLASSICAL ACADEMY
18-13 23
LEGAL DESCRIPTION

THE SOUTH 88 FEET OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, EIGHTH OF THE SOUTH BOUNDARY OF SECTION TWENTY-THREE (23), TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA.

OWNERS / DEVELOPERS

CLASSICALLY FORMED FOUNDATION, INC.

SURVEYOR

BENNETT SURVEYING, INC.

ENGINEER

ROUTE 66 ENGINEERING, LLC

9815 S Sheridan Rd.

LOT 1, BLOCK 1

TULSA CLASSICAL ACADEMY

14.833 ACRES OR 646,139 SF

FINAL PLAT

TULSA CLASSICAL ACADEMY

THE SOUTH 88 FEET OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, EIGHTH OF THE SOUTH BOUNDARY OF SECTION TWENTY-THREE (23), TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA.

BASIS OF BEARING

THE BEARING BASE FOR THIS SURVEY IS BASED ON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM (NORTH ZONE, 1983)

OWNER / DEVELOPER

CLASSICALLY FORMED FOUNDATION, INC.

SURVEYOR

BENNETT SURVEYING, INC.

ENGINEER

ROUTE 66 ENGINEERING, LLC

9815 S Sheridan Rd.

LOT 1, BLOCK 1

TULSA CLASSICAL ACADEMY

14.833 ACRES OR 646,139 SF

FINAL PLAT

TULSA CLASSICAL ACADEMY

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DECLARATION OF RESTRICITVE COVENANTS

1. The Owner of said property, hereby desires to maintain the property in substantially the same condition in which he acquired the same and the latter, and to this end, to maintain the same and all other properties which may be bounded or abutted upon the NE, SE, SW and NW Corners of Section Three (3), Township Eighteen (18) North, Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, hereby agrees to comply with the terms of said Deed of Dedication and the Declaration of Restrictive Covenants set forth in the same.

2. The said property is located in the Northeast Quarter of the Southeast Quarter of Section Twenty-Two (22), Township Eighteen (18), Range Thirteen (13), N.W. Missouri, and is bounded on the north by said Public Street, on the south by said Public Street, on the east by said Public Street, and on the west by said Public Street.

3. The Owner of said property, hereby desires to maintain the property in substantially the same condition in which he acquired the same and the latter, and to this end, to maintain the same and all other properties which may be bounded or abutted upon the NE, SE, SW and NW Corners of Section Three (3), Township Eighteen (18) North, Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, hereby agrees to comply with the terms of said Deed of Dedication and the Declaration of Restrictive Covenants set forth in the same.

4. The said property is located in the Northeast Quarter of the Southeast Quarter of Section Twenty-Two (22), Township Eighteen (18), Range Thirteen (13), N.W. Missouri, and is bounded on the north by said Public Street, on the south by said Public Street, on the east by said Public Street, and on the west by said Public Street.

5. The Owner of said property, hereby desires to maintain the property in substantially the same condition in which he acquired the same and the latter, and to this end, to maintain the same and all other properties which may be bounded or abutted upon the NE, SE, SW and NW Corners of Section Three (3), Township Eighteen (18) North, Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, hereby agrees to comply with the terms of said Deed of Dedication and the Declaration of Restrictive Covenants set forth in the same.

6. The said property is located in the Northeast Quarter of the Southeast Quarter of Section Twenty-Two (22), Township Eighteen (18), Range Thirteen (13), N.W. Missouri, and is bounded on the north by said Public Street, on the south by said Public Street, on the east by said Public Street, and on the west by said Public Street.

7. The Owner of said property, hereby desires to maintain the property in substantially the same condition in which he acquired the same and the latter, and to this end, to maintain the same and all other properties which may be bounded or abutted upon the NE, SE, SW and NW Corners of Section Three (3), Township Eighteen (18) North, Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, hereby agrees to comply with the terms of said Deed of Dedication and the Declaration of Restrictive Covenants set forth in the same.

8. The said property is located in the Northeast Quarter of the Southeast Quarter of Section Twenty-Two (22), Township Eighteen (18), Range Thirteen (13), N.W. Missouri, and is bounded on the north by said Public Street, on the south by said Public Street, on the east by said Public Street, and on the west by said Public Street.

9. The Owner of said property, hereby desires to maintain the property in substantially the same condition in which he acquired the same and the latter, and to this end, to maintain the same and all other properties which may be bounded or abutted upon the NE, SE, SW and NW Corners of Section Three (3), Township Eighteen (18) North, Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, hereby agrees to comply with the terms of said Deed of Dedication and the Declaration of Restrictive Covenants set forth in the same.

10. The said property is located in the Northeast Quarter of the Southeast Quarter of Section Twenty-Two (22), Township Eighteen (18), Range Thirteen (13), N.W. Missouri, and is bounded on the north by said Public Street, on the south by said Public Street, on the east by said Public Street, and on the west by said Public Street.
**Case Report Prepared by:**
Jeremy Banes

**Case Number:** TCCP-11
(Related to CZ-535 and PUD 865)

**Hearing Date:** January 4th, 2023
(Continued from September 7th, September 21st, October 5th, November 2nd, and December 21st 2022)

**Owner and Applicant Information:**

- **Applicant:** John Parks
- **Property Owner:** Wisdom Ministries Inc.

**Location Map:**
(Shown with County Commissioner Districts)

**Applicant Proposal:**

- **Present Use:** Rural Residential/ Agricultural
- **Proposed Use:** Industrial
- **Present Land Use Designation:** Rural Residential/Agricultural
- **Proposed Land Use Designation:** Industrial
- **Tract Size:** 187.43 ± acres
- **Location:** Northwest of intersection of Highway 75 and East 66th Street North

**Zoning:**

- **Existing Zoning:** AG
- **Proposed Zoning:** IL (CZ-535)

**Tulsa County Comprehensive Land Use Plan:**

- **Area:** Turley

**Staff Recommendation:**

Staff recommends approval as requested except the west 200 feet of the north 2640 feet +/- of the subject tract should remain Rural Residential/Agricultural

**Staff Data:**

- **TRS:** 1333
- **CZM:** 16

**County Commission District:** 1

**Commissioner Name:** Stan Sallee

REVISED 12/27/2022
Property Information and Land Use Request

The subject property is approximately 187-acre, unplatted tract of land located northwest of the intersection of Highway 75 and East 66th Street North. The applicant has submitted the following Comprehensive Plan amendment request to amend the land use designation of the subject property from Rural Residential/Agricultural to Industrial. This request is accompanied by a concurrent rezoning request (CZ-535), which proposes a zoning change on the subject tract from AG to IL in order to allow an industrial use for an industrial park.

Background

The parcel subject to this Comprehensive Plan amendment request is located within the area of Turley and abuts AG (Agricultural) zoning and to the north, south, east, and west. The Turley area extends to the east beyond the subject parcel to Highway 75 and to the north beyond the subject parcel to 76th Street North. The Major Street and Highway Plan designates East 66th Street North as a Secondary Arterial and North Pittsburg Avenue as a Residential Collector.

The land use of the subject property was designated as Rural Residential/Agricultural in the Tulsa County Comprehensive Land Use Plan, which was adopted November 18, 2020, (Resolution 2830:1020) by Tulsa Metropolitan Area Planning Commission and approved by the Board of County Commissioners on December 7, 2020.

Existing Land Use Designation (Tulsa County Comprehensive Land Use Plan)

The Rural Residential/Agricultural designation is defined in the Tulsa County Comprehensive Land Use Plan as follows: land that is sparsely occupied and used primarily for farmland, agricultural uses, and single-family homes on large lots. Residential lots generally range from one-half acre or greater and may use on-site services where public utilities are not available.

Proposed Land Use Designation (Tulsa County Comprehensive Land Use Plan)

The applicant is proposing the Industrial land use designation for the entirety of the subject property:

The Industrial designation is defined in the Tulsa County Land Use Plan as follows: The Industrial land use category is designed to accommodate industrial uses as well as wholesaling, warehousing, and distribution facilities, which tend to require large buildings and generate more large-truck traffic than other types of land uses.

The area surrounding the subject property west of Highway 75, within the area of Turley, has only agricultural zoning with a Rural Residential/Agricultural land use designation. However, there are several parcels zoned as Industrial in an area immediately east of Highway 75. This area extends from East 76th Street North to south of East 66th Street North and from Highway 75 on the west nearly to North Memorial Drive in the northeast. There are already several existing industrial businesses operating in this area just across Highway 75 from the subject area. Rezoning the subject area to Industrial would not be inconsistent with development already occurring in the vicinity.

7.2
Zoning and Surrounding Uses (no changes to surrounding properties)

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<th>Existing Land Use Designation</th>
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<td>Vacant/Agricultural</td>
</tr>
</tbody>
</table>

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.
3. How the proposed change will enhance the surrounding area and Tulsa County.

The applicant submitted the following responses:

Justification of Request

"The subject property has been idle for its entire existence as far back as I personally can remember, aside from a small oil and gas production facility that no longer exist. The subject property is a well-known and highly desirable highway frontage that sits adjacent to Highway 75 and west of the highly popular and well known existing Cherokee Industrial Park. The surrounding properties in this particular area, as of late has adjusted to accommodate the vast growing needs that continue to fill the industrial footprint that is within the boundaries of Cherokee Industrial Park. While the subject property lies on the west edge of the Cherokee Industrial Park, there is no doubt that the expansion of the requested entitlements for the subject property as well as the surrounding properties on the west side of highway 75 will be needed to maintain the areas potential growth and viability as being an attractive area for future large-scale job creating industrial and Commercial tenants. The area wide conditions are more favorable to the westward expansion of the industrial market and will be less intrusive to the neighboring residents and accommodating to developing industries on the vast amounts of unused agriculture land that is sitting idle at this time.

The ever-expanding need for commercial and industrial in the area is outpacing available property, so the need to expand the industrial footprint is needed for Tulsa County to keep expanding its horizons in these areas and express its availability to attract high profile tenants. The current rate of development and the need for commercial and industrial property in Tulsa County remains at a critically low level at this current time, so making the requested amendments to a property such as the subject area property will only help Tulsa County alleviate the vacancy pressures and strengthen the tax revenue, as well as increased and higher wage paying jobs. By granting the requested changes these amenities can be brought to the area to help it continue to flourish in the commercial and industrial markets."
The subject area lies in a highly beneficial corridor that will attract high end tenants due to the proximity to Tulsa proper as well as its alignment to Highway 75 frontage. Being able to attract high profile corporations to the area will not only bring hundreds if not over a thousand top wage job positions to the area it will increase the quality of life to an area which is still in need of overall social and economic benefits. The subject area property would help contribute to a long-standing use of increased taxes purposed for the county as well as creating an even more attractive landscape for the other available properties in the area to supply buildable acreage to developers so that Tulsa can become a premier attraction for large scale commercial and industrial tenants."

Additional Information provided by the applicant:

"Tetra OK Holdings LLC, a local development and consulting firm and its Development Partners have assembled a design concept in an attempt to orchestrate a newly revised rezoning and redevelopment plan for the Bird Creek Industrial Park Site. Tetra OK Holding LLC and its Development partners has collaborated with a host of business professionals, community stake holders, community outreach organizations to assist in addressing the needs and concerns of the community. Together with community input, and our team of professionals we will be transforming Bird Creek Industrial Park (approximately 185.7 acres of space) into a revenue producing asset to the area.

Over the past six months there has been several design concepts to redevelop the Bird Creek Industrial Park into a different economic engine that could increase tax base to the City of Tulsa or Unincorporated areas of Tulsa County. After the first concepts considering a full residential development, we quickly found that this was not in the best interest of the community or its surrounding neighbors. The new plan for redevelopment includes a gorgeous water feature dedicated sanctuary where local residents and local workers can enjoy its green space amenities. Amenities which include reflection ponds with shaded walking paths spanning the development.

Spanning the frontage road along the Pittsburgh Avenue exposure of the development, will include a beautifully landscaped frontage, boarding proposed restaurant and retail buildings. The expected tenant mix includes restaurants, banks, Coffee shops, and other Miscellaneous facilities. Boarding he Northern portion of the site parallel to interstate 75 will be a proposed Two large 750 sf warehouse facilities sitting on 100 acres with roads and landscaping throughout. These warehouse facilities will be a welcome complement to the existing commercial and industrial park east of our location.

On the remaining 58 Acres surrounded by all of the above listed facilities and green space development will be other smaller Commercial and industrial warehousing district. This district will be constructed to house Multiple vendors and vendor products as well as space for possible manufacturing facilities.

Tetra and Its Partners are dedicated and understand that a development of this magnitude requires a well-planned and designed infrastructure system. This system will include an elaborate traffic lighting system with up-to-date technology. The site itself will include a energy saving platform and design that will allow its tenants to enjoy large savings on their operating cost. The external and internal digital revolution in motion and technology will include multi-functional designs, renewable energies from solar and water.

This dynamic development plan is prepared and poised to bring hundreds if not thousands of short- and long-term sustainable employment opportunities and benefits, including tax relief to governing bodies and community residents. Tetra and its Development partners are totally committed to working with Local contractors and local workforces. Tetra will be actively seeking a welcomed partnership within the commercial environment. Tetra understands that keeping community assets (through deposits) within the community makes the partnership a very important tool for a development of this magnitude.
Tetra and its Partners, considers it paramount in developing a comprehensive project plan that will attract and retain both growing and established environmentally friendly businesses. Tetra and its Partners conceptualizes plans that includes companies that are property owners or leasers operating in an eco-industrial park, mixed use, sustainable, environmentally friendly Plan Unit Development.

**Staff Summary & Recommendation**

The applicant is requesting an amendment to the land use designation from Rural Residential Agricultural to Industrial for the entire site. It is staff’s recommendation to respect the current land use designation around the perimeter of the subject tract with a generous buffer separating proposed industrial uses from abutting property owners west and north of the subject property.

The zoning code allows two options to provide transition guidelines between the applicants request and abutting property owners. 1) Rezoning request could include a Planned Unit Development that provides use and design limitations between new industrial development and the existing agricultural properties. 2) The zoning boundary could be significantly set back in an effort to allow some level of confidence that industrial development would not significantly adversely affect abutting properties that are currently considered agricultural and residential uses. The applicant has submitted a concurrent request to rezone the property from Agricultural to Industrial (CZ-535).

This site was included in the Tulsa County Land use map study that was adopted in 2020. The conditions east of the subject site across Highway 75 have changed with recent industrial growth beyond what was anticipated at that time. The proposed rezoning associated with this comprehensive plan amendment will increase an opportunity for industrial development to extend west of Highway 75. The existing industrial park located east of Highway 75 has provided employment and manufacturing jobs for Tulsa County and this land use change opens an opportunity to use the existing highway and utility infrastructure in the area for further industrial development. Private residential properties exist abutting the subject property to the North, West, and Southwest.

Staff recommends approval of the Industrial land use designation as requested except the west 200 feet of the north 2640 feet +/- of the subject tract should remain Rural Residential/Agricultural to serve as a natural buffer-zone between this site and adjacent residential properties west and north of the northwest corner of the subject tract.
Tulsa County Land Use Plan

Area - Turley

- Rural Residential/Agricultural
- Rural Commercial
- Parks and Open Space
- Public/Semi-Public
- Industrial
- 100 Year Floodplain

SUBJECT TRACT

TCCP-11
21-13 33
Thanks Thomas,

Staff supports your request for a continuance to the October 5th planning commission meeting for both items.

John Parks (sundanceinvestgroup@gmail.com). Please be advised that staff supports the neighborhood request for a continuance.

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: Thomas McCoy <tfmccoy@gmail.com>
Sent: Wednesday, September 14, 2022 9:56 PM
To: Wilkerson, Dwayne <DWilkerson@incog.org>
Subject: CZ-535 (TCCP-11) Continuance Request for September 21,2022 Planning Commission Public Hearing

Dwayne,
A group of very concerned neighbors is opposed to proposed changes to the comprehensive land use map and the proposed zoning change.
1) In their proposal, the applicant claims to have, “collaborated with a host of business professionals, community stakeholders, community outreach organizations to assist in addressing the needs and concerns of the community”.
   a. We see no evidence of collaboration. None of the neighbors in the area of the proposed zoning change have been contacted and there have not been any group meetings with the neighbors to solicit their input or address any concerns.

   b. The County updated the land use plan approximately 2 years ago, the stakeholders involved deemed the long term plan as agricultural.
      i. There is no evidence the decisions made during the crafting of the long term plan are out of date.
      ii. In fact, a quick survey of the industrial zoning to the east of highway 75 indicated ample vacant land zoned for industrial development with all of the necessary utilities in place.
iii. Additionally, the nearest property zoned industrial is a speculative development with 14 parcels. The gas station is the only developed parcel.

2) We do not see a demonstrated need for additional lands zoned industrial in this area. We fear the proposed zoning change is simply speculative in nature from an out of state developer with no evidence of a real user.

3) My family is very concerned that the zoning change will adversely affect the value of our property. We have a very beautiful 175-acre ranch located here in Tulsa County with a focus on family, wildlife preservation and cattle ranching. We have the following concerns with the proposed zoning change that would be very detrimental to the aesthetics and value of the ranch:
   a. Giant ugly warehouses on the border of the property.
   b. Increased traffic
   c. Increased crime
   d. Increased noise
   e. Lighting pollution
   f. Uninvited odors
   g. Unaddressed water runoff plan
   h. Detrimental impact on the local wildlife

We are requesting a continuance of the TCCP-11 and the related CZ-535 hearing scheduled for September 21, 2022 for the following reasons:
1) My wife and I are the single largest neighbor with over ½ mile of frontage on the CZ-535 zoning proposal and we have had zero engagement from the applicant. If the proposed zoning change were to go through, our property would be adversely impacted in a significant way.
2) We are planning to present a Formal Protest Petition against the proposed zoning map amendment for zoning case number CZ-535. We need more time to assemble the petition.
3) Should the planning commission insist that a change to the zoning and the long-term plan is warranted and needed, we would request the applicant a) engage with the neighborhood and b) amend the application to include a PUD that would address and mitigate neighborhood concerns.

Sincerely,
Thomas F McCoy
(918) 671-6429
tfrmccoy@gmail.com
Case Report Prepared by:
Dwayne Wilkerson

Owner and Applicant Information:
Applicant: John Parks
Property Owner: Wisdom Ministries INC

Applicant Proposal:
Present Use: AG
Proposed Use: IL
Concept summary: Rezone from AG to IL to permit industrial uses.
Tract Size: 187.43 ± acres
Location: Northwest of intersection of Highway 75 and 66th Street North

Zoning:
Existing Zoning: AG
Proposed Zoning: IL

Comprehensive Plan:
Land Use Map: Rural Residential/Agricultural
(Proposed to be revised to Industrial by TCCP-11)

Staff Recommendation:
Staff recommends approval with or without the related PUD 865 except the west 200 feet of the north 2640 feet +/- of the subject tract shall remain AG.

Staff Data:
TRS: 1333
CZM: 16

County Commission District: 1
Commissioner Name: Stan Sallee

REVISED 12/27/2022
SECTION I: CZ-535

DEVELOPMENT CONCEPT: The applicant is proposing to rezone the subject lot from AG to IL to permit an Industrial Park. The site is located within the Rural Residential/Agricultural land use designation of the Tulsa County Comprehensive Plan, which this proposal would not be compatible with, however a concurrent application has been submitted (TCCP-11) to amend the land use designation from Rural Residential/Agricultural to Industrial which this proposal would be compatible with. The comprehensive plan designates the property immediately to the east and south, across Highway 75, as Industrial, so the proposed use and land use designation would be compatible with the future land use of the area.

EXHIBITS:
- INCOG Case map
- INCOG Aerial
- INCOG Staff recommendation plan graphic
  - Existing Tulsa County Comprehensive Plan Land Use Map [Turley Area / Rural Residential]
  - Proposed Tulsa County Comprehensive Plan land use map [Turley Area / Industrial]

DETAILED STAFF RECOMMENDATION:

CZ-535 request IL zoning for a 187-acre tract. The uses allowed in the IL district may be appropriate however the request does not provide adequate supplemental standards for IL uses that abut residential and agricultural areas north and west of the site. Staff recommends approval of IL zoning on the majority of the site except for a buffer area along the west boundary, and

The uses typically allowed in an IL district will have little environmental impact on surrounding properties, and

Existing highway infrastructure and the Major Street and Highway Plan supports the idea of industrial development in this area however,

The Tulsa fence line and the statutory right of way on east side of the west boundary of the subject tract will prohibit development 86.5 feet east of the west boundary of the subject tract. In an effort to provide a reasonable buffer from abutting property owners west of Harvard Avenue, staff concludes that east of Harvard Avenue right-of-way should remain Agricultural and Rural Residential with a width that allows rural residential development east of the future location of North Harvard Avenue and,

CZ-535 is not consistent with the current land use designation however the applicant has submitted an amendment to the Tulsa County Comprehensive Plan Amendment, TCCP-11. The applicant has requested revising the land use designation from Rural Residential/Agricultural to Industrial. Staff supports that request except along the west boundary therefore,

Staff recommends Approval of CZ-535 to rezone property from AG to IL except the west 200 feet of the north 2640 feet +/- shall remain AG.

SECTION II: Supporting Documentation

REGIONAL ENGAGEMENT: The applicant has provided a list of the Regional Outreach Contacts that he has been working with to confirm the need for this type of development in the Tulsa Metropolitan Area.

- Stacy Smith- Tulsa Regional Chamber of Commerce
Staff has received correspondence from surrounding property ownership and the applicant has organized a neighborhood meeting to discuss this rezoning and comprehensive plan change effort.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The site is currently located within the Rural Residential / Agricultural designation of the Tulsa County Comprehensive Plan. The proposed use would not be compatible with this designation however, Comprehensive Plan Amendment (TCCP-11) is concurrently proposed for this site, which would change the designation to Industrial. The proposed rezoning would be compatible with this designation.

Land Use Vision:

Land Use Plan map designation: This site is included in the Turley section of the Tulsa County Comprehensive Land Use Plan and was adopted by the Board of County Commissioners in December 2022 and is currently designated as a Rural Residential / Agricultural area.

Land that is sparsely occupied and used primarily for farmland, agricultural uses, and single-family homes on large lots. Residential lots generally range from one-half acre or greater and may use on-site services where public utilities are not available.

Industrial (proposed designation in TCCP-11)

This land use category is designed to accommodate industrial uses as well as wholesaling, warehousing, and distribution facilities, which tend to require large buildings and generate more large-truck traffic than other types of land uses.

Areas of Stability and Growth designation: N/A

Transportation Vision:

The snippet on the following page illustrates the existing and planned transportation system surrounding this site. The east side of Highway 75 is the Cherokee Industrial Park that is served by the same transportation network.
Major Street and Highway Plan:

North Pittsburgh Ave is designated as a Residential Collector.

East 66th St North is designated as a Secondary Arterial.

North Harvard Avenue is undeveloped; however, it is considered a secondary arterial street in the Tulsa Major Street and Highway plan. The planned location of this arterial street is along the west boundary of the subject tract and is partially inside the Tulsa fence line. The fence line is 70 feet wide and is the east 70 feet of the west 86.5 feet of the subject tract.

When Harvard is fully developed, and the right of way is dedicated the building setback will be 35 feet as defined in current zoning code standards. 200 feet of AG zoned land as measured from the section line will provide approximately 78.5 feet of area for home or building construction between the future North Harvard street setback and the rear zoning line.

Trail System Master Plan Considerations: The Go Plan calls for a side path to be constructed along E 66th St N as well as indicating a sidewalk gap along E 66th St N.

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is currently vacant, forested land with evidence that a portion of the property has been excavated or mined.
Environmental Considerations: None

Streets:

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Utilities:
The subject tract has municipal water and sewer available.

Surrounding Properties:

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<th>Existing Zoning</th>
<th>Existing Land Use Designation</th>
<th>TCCP-11 Proposed Land Use Designation</th>
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<td>North</td>
<td>AG</td>
<td>Rural Residential/Agricultural</td>
<td>No Change</td>
<td>Vacant</td>
</tr>
<tr>
<td>South</td>
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<td>No Change</td>
<td>Vacant/Hwy 75</td>
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<td>AG</td>
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<td>No Change</td>
<td>Vacant/Single-Family/Hwy 75</td>
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<td>No Change</td>
<td>Vacant/Single-Family</td>
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</tbody>
</table>

SECTION III: Relevant Zoning History

History: CZ-535

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

Surrounding Property:

CBOA-351 April 1983: The Board of Adjustment approved a Variance to permit two dwelling units (2 mobile homes) per lot of record, on property located at South of the SE corner of 76th Street North and Pittsburg Avenue.
Bird Creek Industrial Park Redevelopment Plans

Tetra OK Holdings LLC, a local development and consulting firm and its Development Partners have assembled a design concept in an attempt to orchestrate a newly revised rezoning and redevelopment plan for the Bird Creek Industrial Park Site. Tetra OK Holding LLC and its Development partners has collaborated with a host of business professionals, community stakeholders, community outreach organizations to assist in addressing the needs and concerns of the community.

Together with community input, and our team of professionals we will be transforming Bird Creek Industrial Park (approximately 185.7 acres of space) into a revenue producing asset to the area.

Over the past six months there has been several design concepts to redevelop the Bird Creek Industrial park into a different economic engine that could possibly bring a strong increased tax base to the City of Tulsa or Unincorporated Tulsa OK. After the first concepts of introducing a full residential development, we quickly found that this was not in the best interest of the community or its surrounding neighbors. The new plan for redevelopment includes a gorgeous water feature dedicated sanctuary where local residents and local workers can enjoy its green space amenities. Amenities which include reflection ponds with shaded walking paths spanning the development.

Spanning the frontage road along the Pittsburgh ave exposure of the development, will include a beautifully landscaped frontage, boarding proposed restaurant and retail buildings. The expected tenant mix includes restaurants, banks, Coffee shops, and other Miscellaneous facilities. Boarding he Northern portion of the site parallel to interstate 75 will be a proposed Two large 750 of warehouse facilities sitting on 100 acres with roads and landscaping throughout. These warehouse facilities will be a welcome complement to the existing commercial and industrial park east of our location.

On the remaining 58 Acres surrounded by all of the above listed facilities and green space development will be other smaller Commercial and industrial warehousing district. This district will be constructed to house Multiple vendors and vendor products as well as space for possible manufacturing facilities.

Tetra and its partners are dedicated and understand that a development of this magnitude requires a well planned and designed infrastructure system. This system will included an elaborate traffic lighting system with up to date technology. The site itself will include a energy saving platform and design that will allow its tenants to enjoy large savings on their operating cost. The external and internal digital revolution in motion and technology will include multi-functional designs, renewable energies from solar and water.

This dynamic development plan is prepared and poised to bring hundreds if not thousands of short and long term sustainable employment opportunities and benefits, including tax relief to governing bodies and community residents. Tetra and its Development partners are totally committed to working with Local contractors and local workforces. Tetra will be actively seeking a welcomed partnership within the commercial environment. Tetra understands that keeping community assets (through deposits) within the community makes the partnership a very important tool for a development of this magnitude.

Tetra and its Partners, considers it paramount in developing a comprehensive project plan that will attract and retain both growing and established environmentally friendly businesses. Tetra and its Partners conceptualizes plans that includes companies that are property owners or leasers operating in an eco-industrial park, mixed use, sustainable, environmentally friendly Development.
Staff recommends excluding the west 200 feet of the subject tract from the IL zoning request.

70' wide Tulsa fence line. West boundary is 16.5 feet from the section line.
Tulsa County Land Use Plan

Area - Turley

- Rural Residential/Agricultural
- Rural Commercial
- Parks and Open Space
- Public/Semi-Public
- Industrial
- 100 Year Floodplain

SUBJECT TRACT

CZ-535
21-13 33

8.11
PROPERTY DESCRIPTION:

THE S/2 NW/4 AND A PART OF THE SW/4 OF SECTION 33, TOWNSHIP 21 NORTHEAST, RANGE 12 EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, OKLAHOMA

(SEE ATTACHED DESCRIPTIONS)

I. KALEB J. MCKINNON, LICENSED PROFESSIONAL LAND SURVEYOR NO. 1798, IN THE STATE OF OKLAHOMA, DO HEREBY CERTIFY:

1. THAT THIS ABOVE PLAT IS A ACCURATE REPRESENTATION OF SURVEY DONE UNDER MY DIRECTION, AND IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF;
2. THAT AN INDEPENDENT SEARCH OF THE ABSTRACT OR RECORDED DOCUMENTS TO DETERMINE EASEMENTS, ENCUMBERANCES OR RESTRICTIONS, WAS NOT MADE, AND THIS PLAT OF SURVEY MEETS OR EXCEEDS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING.

DATED THIS 20TH DAY OF JULY, 2022

MCKINNON LAND SURVEYING, LLC.

1902 US HIGHWAY 69, NOWATA, OK 74048
(918) 230-4327
EMAIL: MCKINNONLANDSURVEYING@GMAIL.COM
C.A. NO. 8511  EXP. 6/30/2023

PAGE 1 OF 2
PROPERTY DESCRIPTION:
(RECORDED IN DOCUMENT #2006010613 AT TULSA COUNTY CLERKS OFFICE)
The northwest quarter of the southwest quarter (NW/4 SW/4) and the east half of the southwest quarter (E/2 SW/4) and the east half of the southwest quarter of the southwest quarter (E/2 SW/4 SW/4) of section thirty-three (33), township twenty-one (21) north, range thirteen (13) east of the Indian base and meridian, Tulsa county, state of Oklahoma, according to the U.S. Government survey thereof, less 31.21 acres taken by the State of Oklahoma in condemnation case No. 69-1628 and less that portion of the southeast quarter of the southeast quarter of the southwest quarter (SE/4 SE/4 SW/4) lying between the Cherokee expressway and north pittsburgh street for a total of 3.53 acres, more or less, previously sold to industries for Tulsa, Inc., Tulsa county, State of Oklahoma.

(RECORDED IN DOCUMENT #2006066401 AT TULSA COUNTY CLERKS OFFICE)
The south half of the northwest quarter (S/2 NW/4) of section thirty-three (33), township twenty-one (21) north, range thirteen (13) east of the Indian base and meridian, Tulsa county, state of Oklahoma, according to the U.S. Government survey thereof.

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<th>LINE</th>
<th>BEARING</th>
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<td>N 8848'00&quot; E 121.30'(M&amp;D)</td>
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<tr>
<td>L2</td>
<td>N 14'14.47&quot; E 148.73'(M) 148.60'(O)</td>
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<tr>
<td>L3</td>
<td>N 69'43.08&quot; E 89.84'(M) 90.60'(O)</td>
<td></td>
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<tr>
<td>L4</td>
<td>N 59'57.28&quot; E 153.13'(M) 153.00'(O)</td>
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<td>L5</td>
<td>N 70'54.26&quot; E 463.53'(M) 462.90'(O)</td>
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<tr>
<td>L6</td>
<td>N 80'52.26&quot; E 139.48'(M) 139.20'(O)</td>
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<tr>
<td>L7</td>
<td>N 40'29.08&quot; E 285.00'(M) 285.50'(O)</td>
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<td>L8</td>
<td>N 8848'00&quot; E 80.00'(M&amp;D)</td>
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<th>CHORD LENGTH</th>
<th>CHORD BEARING</th>
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<tr>
<td>C1</td>
<td>430.00'(M&amp;D)</td>
<td>428.50'(M)</td>
<td>429.20'(O)</td>
<td>410.99'(M)</td>
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<td>350.18'(M)</td>
<td>N 19'07.05' E 41'37.25&quot;</td>
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</tbody>
</table>
Thanks Thomas,

Staff supports your request for a continuance to the October 5th planning commission meeting for both items.

John Parks (sundanceinvestgroup@gmail.com). Please be advised that staff supports the neighborhood request for a continuance.

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: Thomas McCoy <tfrmccoy@gmail.com>
Sent: Wednesday, September 14, 2022 9:56 PM
To: Wilkerson, Dwayne <DWilkerson@incog.org>
Subject: CZ-535 (TCCP-11) Continuance Request for September 21,2022 Planning Commission Public Hearing

Dwayne,
A group of very concerned neighbors is opposed to proposed changes to the comprehensive land use map and the proposed zoning change.  
1) In their proposal, the applicant claims to have, “collaborated with a host of business professionals, community stakeholders, community outreach organizations to assist in addressing the needs and concerns of the community”.
   a. We see no evidence of collaboration. None of the neighbors in the area of the proposed zoning change have been contacted and there have not been any group meetings with the neighbors to solicit their input or address any concerns.
   b. The County updated the land use plan approximately 2 years ago, the stakeholders involved deemed the long term plan as agricultural.
      i. There is no evidence the decisions made during the crafting of the long term plan are out of date.
      ii. In fact, a quick survey of the industrial zoning to the east of highway 75 indicated ample vacant land zoned for industrial development with all of the necessary utilities in place.
Additionally, the nearest property zoned industrial is a speculative development with 14 parcels. The gas station is the only developed parcel.

2) We do not see a demonstrated need for additional lands zoned industrial in this area. We fear the proposed zoning change is simply speculative in nature from an out of state developer with no evidence of a real user.

3) My family is very concerned that the zoning change will adversely affect the value of our property. We have a very beautiful 175-acre ranch located here in Tulsa County with a focus on family, wildlife preservation and cattle ranching. We have the following concerns with the proposed zoning change that would be very detrimental to the aesthetics and value of the ranch:
   a. Giant ugly warehouses on the border of the property.
   b. Increased traffic
   c. Increased crime
   d. Increased noise
   e. Lighting pollution
   f. Uninvited odors
   g. Unaddressed water runoff plan
   h. Detrimental impact on the local wildlife

We are requesting a continuance of the TCCP-11 and the related CZ-535 hearing scheduled for September 21, 2022 for the following reasons:
1) My wife and I are the single largest neighbor with over ½ mile of frontage on the CZ-535 zoning proposal and we have had zero engagement from the applicant. If the proposed zoning change were to go through, our property would be adversely impacted in a significant way.
2) We are planning to present a Formal Protest Petition against the proposed zoning map amendment for zoning case number CZ-535. We need more time to assemble the petition.
3) Should the planning commission insist that a change to the zoning and the long-term plan is warranted and needed, we would request the applicant a) engage with the neighborhood and b) amend the application to include a PUD that would address and mitigate neighborhood concerns.

Sincerely,
Thomas F McCoy
(918) 671-6429
tfrmccoy@gmail.com
Good morning sir I have attached info from our neighborhood meeting we held last Friday evening for the zoning proposal change. It was a very good meeting with everybody that showed up and we were able to give everyone clarity to what we are looking to accomplish. One thing to note is Mr. McCoy did not show up for the meeting to address any further concerns. I look forward to seeing you at the meeting tomorrow sir. Thanks.

John Parks
Neighborhood Meeting For Zoning of CZ-535

Host: Tetra Development, Inc. and Tetra Ok Holdings, LLC.
918-729-2402
johnparks@tetratevelopment.com

Meeting Site: Office at 219
219 East Rogers
Skiatook, Ok

Meeting Time: September 30th, 2022
6 P.M. – 7 P.M.

Invitees: All neighbors in area of proposed development for the property lying on 66th street and Highway 75 corridor. Anybody not able to attend may contact us to discuss any questions or concerns by phone or email.

Meeting Discussion: To address any and all concerns of the surrounding community with regards to the proposed development of the subject property that lies on 66th street and Highway 75 corridor intersection.

Meeting Notes: There were a total of seven attendees for the meeting on the 30th to discuss the rezoning proposal. We had a very substantive conversation with all attendees and addressed all their concerns with the proposed development. This meeting created a very helpful dialogue for all parties on how we can move forward and work together.
Sign In Sheet
9-30-22

Print

Sign

Bud Fritts
Betty Greenwald
Jackie & Jeannie Vent
Betsy McElfresh
Nina Fritts
Tasha Bates

Bud Fritts
Betty Greenwald
9/7/97
Betty McElfresh
Nina Fritts
Lindsey
Economic Impact of Project Parks

<table>
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<th>Impact Type</th>
<th>Employment</th>
<th>Labor Income</th>
<th>Total Value Added</th>
<th>Total Output</th>
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<td>39,529,773</td>
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*The amount of total tax generated from the constructions is $7,045,388.
*The amount of tax (city and county) generated from the constructions is $440,457.

<table>
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<th>Impact Type</th>
<th>Employment</th>
<th>Labor Income</th>
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<td>295,010,706</td>
<td>353,873,834</td>
<td>686,572,876</td>
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</tbody>
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*The amount of total tax generated from the capital investment is $66,572,876.
*The amount of tax (city and county) generated from the capital investment is $3,626,100.

The project will generate a total output impact of over $764.7 million with $430 million in direct impact and $334 million in indirect & induced impacts.

Every $1 in direct output produced through the project’s related spending will generate an additional $0.78 in indirect and induced output (an output multiplier of about 1.78).

This project is responsible for a total of 3,981 paid jobs. It will directly employ 2,250 workers and is responsible for an additional 1,731 indirect and induced jobs.

An additional spillover output impact of over $611 million will be generated throughout the Tulsa Metro Area as a result of this project.
Formal Protest Petition against a proposed Zoning Map Amendment  
Zoning Case number CZ-535  

Persons signing the protest petition must be at least eighteen (18) years of age and must hold record title to their properties, as shown in the land records of the Tulsa County Clerk.

If a lot is owned jointly by more than one owner, all owners must sign the protest petition.

If a lot is owned by a trust, the trustee must sign, noting that he or she signs "as trustee". If there is more than one trustee, and no single trustee is authorized to sign, then all the trustees must sign.

If a lot is owned by a corporation, the president or a vice-president or the chair or vice chair of the board of directors, must sign.

If a lot is owned by a limited liability company, a manager must sign.

If a lot is owned by any other legal entity, the person signing the protest petition must be someone authorized by that entity to convey title to land.

We are against the request outlined zoning case # CZ-535. We do not support rezoning property from AG to IL.

Full Address or Legal Description: N/2 SW NE LESS 4.80ACS FOR HWY & LESS N152 S304 E764.7 W789.7 N/2
SW NE SEC 33 21 13 12.533ACS Section: 33 Township: 21 Range: 13

Owner name on Assessor’s records: CHAPMAN, BETTY

Name: Betty Chapman Signature Betty Chapman

Name: Signature

Contact # and/or email: (918) 376 4105

Signature Date: 9/29/2022

Full Address or Legal Description: __________________________

Owner name on Assessor’s records: __________________________

Name: __________________________ Signature __________________________

Name: __________________________ Signature __________________________

Contact # and/or email: __________________________

Signature Date: __________________________
Formal Protest Petition against a proposed Zoning Map Amendment
Zoning Case number CZ-535

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We are against the request outlined zoning case# CZ-535.
We do not support rezoning property from AG to IL.

Full Address or Legal Description: ALL THAT PRT NE LYING E CL BIRD CREEK LESS BEG 2554.54S NEC NE TH S77.39 TO PT ON SL NE W TO PT IN CL BIRD CREEK NWLY ALG CL TO PT E APPROX 1016 POB SEC 32 21 13
150.114ACS Section: 32 Township: 21 Range: 13

Owner name on Assessor’s records: MCCOY LIVING TRUST C/O THOMAS F & SARAH J MCCOY TTEES
Name: Thomas F. McCoy
Signature: 
Name: Sarah J. McCoy
Signature: 

Contact # and/or email: (918) 671 6429 mccoye@gmail.com
Signature Date: 9/29/22

---

Full Address or Legal Description: PRT NE & PRT NE SE BEG 2554.54S NEC NE TH S77.39 TO PT ON NEC NE SE S1320.73 TO SECR NE SE W APPROX563 TO CL BIRD CREEK N & NWLY ALG CL APPROX1492 E APPROX 1016 POB SEC 32 21 13 23.886ACS Section: 32 Township: 21 Range: 13

Owner name on Assessor’s records: MCCOY LIVING TRUST C/O THOMAS F & SARAH J MCCOY TTEES
Name: Thomas F. McCoy
Signature: 
Name: Sarah J. McCoy
Signature: 

Contact # and/or email: 
Signature Date: 9/29/22

---

8-21
Formal Protest Petition against a proposed Zoning Map Amendment  
Zoning Case number CZ-535

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We are against the request outlined zoning case# CZ-535.  
We do not support rezoning property from AG to IL.

Full Address or Legal Description: NE NW LESS NE NE NW SEC 33 21 13 30ACS  Section: 33 Township: 21 Range: 13

Owner name on Assessor’s records: GRUENWALD PROPERTIES LLC
Name: Betty Gruenwald  Signature: BETTY GRUENWALD
Name: ___________________________ Signature: ___________________________
Contact # and/or email: 918-425-4257
Signature Date: 9-16-28

Full Address or Legal Description: N152 S304 E764.7 W789.7 N/2 SW NE SEC 33 21 13 2.668ACS
Section: 33 Township: 21 Range: 13

Owner name on Assessor’s records: LOPEZ, ANTONIO
Name: Antonio Lopez  Signature: ___________________________
Name: ___________________________ Signature: ___________________________
Contact # and/or email: ___________________________
Signature Date: ___________________________
Formal Protest Petition against a proposed Zoning Map Amendment  
Zoning Case number CZ-535

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We are against the request outlined zoning case# CZ-535.  
We do not support rezoning property from AG to IL.

Full Address or Legal Description: W/2 NE NE NW SEC 33 21 13 5ACS Section: 33 Township: 21 Range: 13

Owner name on Assessor’s records: VENT, JACKIE LYNN AND JEANNE MAY
Name: Jackie Lynn Vent Signature [Signature]
Name: Jeannie May Vent Signature [Signature]
Contact # and/or email: 918-372-2994
Signature Date: 9-27-22

Full Address or Legal Description: N/2 E/2 E/2 NE NW SEC 33 21 13 5ACS Section: 33 Township: 21 Range: 13

Owner name on Assessor’s records: FRITTS, BRAD & NINA
Name: Brad Fritts Signature [Signature]
Name: Nina Fritts Signature [Signature]
Contact # and/or email: 918-579-5156
Signature Date: 08-27-22
Formal Protest Petition against a proposed Zoning Map Amendment
Zoning Case number CZ-535

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If a lot is owned by any other legal entity, the person signing the protest petition must be someone authorized by that entity to convey title to land.

We are against the request outlined zoning case# CZ-535.
We do not support rezoning property from AG to IL.

Full Address or Legal Description: PRT 5E SW BEG 565.57W SEC SW TH N330.21 W235.25 S330.2 E235.25 POB
LESS S50 FOR RD SEC 28 21 13 1.51AC Section: 28 Township: 21 Range: 13

Owner name on Assessor’s records: HUCKANS, RICHARD HASKELL

Name: Richard Huckans Signature: Richard Huckans

Name: Signature

Contact # and/or email: (918) 425-5508

Signature Date: 9-21-22

Full Address or Legal Description: BEG 800.82W SECR SW TH N330.2 W165.16 S330.2 E165.16 POB LESS S50 THEREOF FOR RD SEC 28 21 13 1.062ACS Section: 28 Township: 21 Range: 13

Owner name on Assessor’s records: JOBE, TONY GALE AND LINDA ANNETTE

Name: Tony G Jobe Signature: Tony Jobe

Name: Linda A Jobe Signature: Linda A Jobe

Contact # and/or email: LT 7625 @ ATLAS OK. Com

Signature Date: 9/23/2022 Cell 918 704-3347 Tony

Cell 918-519-8557 Linda

8-24
Formal Protest Petition against a proposed Zoning Map Amendment
Zoning Case number CZ-535

Persons signing the protest petition must be at least eighteen (18) years of age and must hold record title to their properties, as shown in the land records of the Tulsa County Clerk.

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We are against the request outlined zoning case# CZ-535.
We do not support rezoning property from AG to IL.

Full Address or Legal Description: W/2 SW SW SE SW LESS 550 THEREOF FOR RD SEC 28 21 13 1.06AC
Section: 28 Township: 21 Range: 13
Owner name on Assessor’s records: GOINS, TONY D & APRIL MCINTOSH
Name: TONY D. GOINS Signature
Name: APRIL MCINTOSH Signature
Contact # and/or email: 918-855-8229
Signature Date: 9-15-22

Full Address or Legal Description: TR IN NW NW BEG NEC NW NW TH W135 S322.66 E135 N322.66 POB SEC 33 21 13 1AC Section: 33 Township: 21 Range: 13
Owner name on Assessor’s records: PARSONS, CASSIE L REV TRUST
Name: CASSIE L. PARSONS Signature
Name: CASSIE L. PARSONS Signature
Contact # and/or email: CASSIE-PARSONS@ATT.NET
Signature Date: 9-23-22 918-580-3363

8.25
Formal Protest Petition against a proposed Zoning Map Amendment
Zoning Case number CZ-535

Persons signing the protest petition must be at least eighteen (18) years of age and must hold record title to their properties, as shown in the land records of the Tulsa County Clerk.

If a lot is owned jointly by more than one owner, all owners must sign the protest petition.

If a lot is owned by a trust, the trustee must sign, noting that he or she signs "as trustee". If there is more than one trustee, and no single trustee is authorized to sign, then all the trustees must sign.

If a lot is owned by a corporation, the president or a vice-president or the chair or vice chair of the board of directors, must sign.

If a lot is owned by a limited liability company, a manager must sign.

If a lot is owned by any other legal entity, the person signing the protest petition must be someone authorized by that entity to convey title to land.

We are against the request outlined zoning case# CZ-535.
We do not support rezoning property from AG to IL.

Full Address or Legal Description: BEG 330.19N SWC SE SW TH N671.57 E328.83 S671.60 W328.81 POB SEC 28 21 13 5.071ACS Section: 28 Township: 21 Range: 13

Owner name on Assessor’s records: DUGAN, CHAD
Name: CHAD DUGAN Signature: Chad Dugan
Name: __________________________ Signature
Contact # and/or email: 918-724-2221
Signature Date: 9-19-22

Full Address or Legal Description: E/2 SW LESS BEG SECR SW TH N495.22 W680.62 S165.1 W639.38 S330.22 E1320 & LESS BEG 330.19N SWC SE SW TH N671.57 E328.83 S671.60 W328.81 POB SEC 28 21 13 62.430ACS
Section: 28 Township: 21 Range: 13

Owner name on Assessor’s records: KEITH, PAYNE
Name: PAYNE KEITH Signature: Payne Keith
Name: __________________________ Signature
Contact # and/or email: 918 798 9848
Signature Date: 7-18-22

8.26
Formal Protest Petition against a proposed Zoning Map Amendment
Zoning Case number CZ-535

Persons signing the protest petition must be at least eighteen (18) years of age and must hold record title to their properties, as shown in the land records of the Tulsa County Clerk.

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We are against the request outlined zoning case# CZ-535.
We do not support rezoning property from AG to IL.

Full Address or Legal Description: W1/W1/2SW SEC. 28-21-13 Section: 28 Township: 21 Range: 13

Owner name on Assessor's records: PILAND, JAMES R AND ANN

Name: James Piland Signature: /s/ James Piland
Name: Ann Piland Signature: /s/ Ann M Piland
Contact # and/or email: 918.760.4064 jipiland@jipiland.com
Signature Date: 9/18/22
Formal Protest Petition against a proposed Zoning Map Amendment
Zoning Case number CZ-535

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If a lot is owned by any other legal entity, the person signing the protest petition must be someone authorized by that entity to convey title to land.

We are against the request outlined zoning case# CZ-535. We do not support rezoning property from AG to IL.

Full Address or Legal Description: W1/2 SW NW NE SEC 33-21-13 Section: 33 Township: 21 Range: 13

Owner name on Assessor's records: COLE, ALLEN & DANA

Name: Allen Cole Signature Allen Cole

Name: Dana Cole Signature Dana Cole

Contact # and/or email: 9189067710 9189068717

Signature Date: ________________________________

Full Address or Legal Description: ____________________________________________________________________________

Owner name on Assessor's records: __________________________________________________________________________

Name: ______________________________________________ Signature_____________________________

Name: ______________________________________________ Signature_____________________________

Contact # and/or email: ______________________________________________________________________________________

Signature Date: ________________________________
Formal Protest Petition against a proposed Zoning Map Amendment  
Zoning Case number CZ-535

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We are against the request outlined zoning case# CZ-535. 
We do not support rezoning property from AG to IL.

Full Address or Legal Description: BEG SECR SW TH W330.32 N330.22 E35 N165 E295.32 S POB SEC 28 21 13
3.62ACS Section: 28 Township: 21 Range: 13

Owner name on Assessor’s records: KEITH, PAYNE L
Name: PAYNE L KEITH Signature
Name: __________________________ Signature
Contact # and/or email: 918 798 9848
Signature Date: 9-20-22


Owner name on Assessor’s records: BURGER, LISA ROBIN
Name: LISA Robin Risinger Signature
Name: __________________________ Signature
Contact # and/or email: LISA Robin Burger @yahoo.com
Signature Date: 9-29-22
Formal Protest Petition against a proposed Zoning Map Amendment
Zoning Case number CZ-535

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We are against the request outlined zoning case# CZ-535.
We do not support rezoning property from AG to IL.

Full Address or Legal Description: SENWSW &E1/2SWSW SEC. 28-21-13 Section: 28 Township: 21 Range: 13

Owner name on Assessor’s records: KEITH, PAYNE & JAMIE L

Name: PAYNE L KEITH Signature

Name: JAMIE L KEITH Signature

Contact # and/or email: 918 798 9848

Signature Date: 9-27-22
Formal Protest Petition against a proposed Zoning Map Amendment
Zoning Case number CZ-535

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We are against the request outlined zoning case# CZ-535.
We do not support rezoning property from AG to IL.

Full Address or Legal Description:  W/2 NW NW NE LESS .408ACS TO STATE & LESS S165 N392 THEREOF & LESS S268 W/2 NW NW NE SEC 33 21 13 1.309ACS Section: 33 Township: 21 Range: 13

Owner name on Assessor’s records: ZUNIGA, REGINALDO & MARIA HERNANDEZ

Name: MANIA HERNANDEZ Signature: MANIA HERNANDEZ
Name: REGINALDO ZUNIGA Signature: REGINALDO ZUNIGA
Contact # and/or email: 918-230-9104
Signature Date: 9-29-22

Full Address or Legal Description: S.165'O N.392'W1/2NWNWNE SEC. 33- 21-13 1.25 AC. Section: 33 Township: 21 Range: 13
Owner name on Assessor’s records: KILGORE, DEBRA & DANA COLE
Name: Dana Cole Signature: Dana Cole
Name: __________________________ Signature: __________________________
Contact # and/or email: 9189068717 dcole2710@gmail.com
Signature Date: 9-27-2022

DECEASED
**Case Report Prepared by:**
Dwayne Wilkerson

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

![Location Map](image)

**Zoning:**
*Existing Zoning:* AG  
*Proposed Zoning:* IL with PUD-865

**Comprehensive Plan:** (Tulsa County Turley area)  
*Existing Land Use Map:* Rural Residential Agricultural  
*Proposed Land Use Map:* Industrial

**Staff Data:**  
TRS: 1333  
CZM: 16

**Case Number:** PUD-865  
(Related to CZ-535 and TCCP-11)

**Hearing Date:** January 4th, 2023  
*Note:* This item has not been continued

**Owner and Applicant Information:**  
*Applicant:* Lou Reynolds  
*Property Owner:* WISDOM MINISTRIES INC

**Applicant Proposal:**  
*Present Use:* vacant  
*Proposed Use:* Light industrial uses and offices as outlined in the PUD.

*Concept summary:* PUD has been provided to define the development standards at a higher level than county zoning.  
*Tract Size:* 178 ± acres  
*Location:* Northwest of intersection of Highway 75 and 66th Street North

**Staff Recommendation:**  
Staff recommends approval as outlined in Section II of the following staff report.

The PUD provisions are consistent with the staff recommendation to leave the west 200 feet of the subject tract out of the PUD, leave that portion of the subject tract in the rural residential/agriculture land use designation and leave that strip zoned AG.

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

REVISED 12/29/2022
SECTION I: DEVELOPMENT STATEMENT:

The Planned Unit Development ("PUD") is a supplemental Zoning District authorized by Chapter 11, Section 1100 of the Tulsa County Zoning Code. A PUD establishes the regulatory framework, including permitted uses, development standards and design guidelines, for a particular project ("the Development Standards"). A PUD may only modify the provisions of the Tulsa County Zoning Code and does not modify any other Tulsa County laws, regulations, or requirements.

A PUD may include background information and narrative discussion, including purpose and intent statements that are intended to illustrate the overall character and vision for the Project. Such statements, unless expressly part of the Development Standards are not regulatory and are not requirements to be enforced by Tulsa County.

The Development Standards apply to all property within the PUD project boundaries. The Development Standards supersede and replace all applicable Tulsa County Zoning Code requirements. If there is a conflict between the Development Standards and the Tulsa County Zoning Code, the Development Standards shall apply. If a provision is not addressed by the PUD, then the Tulsa County Zoning Code controls.

EXHIBITS:

INCOG Case map
INCOG Aerial
INCOG Staff recommendation plan graphic
Existing Tulsa County Comprehensive Plan Land Use Map [Turley Area / Rural Residential]
Proposed Tulsa County Comprehensive Plan land use map [Turley Area / Industrial]

Applicants exhibits:

PUD Legal Description
Exhibit A: Aerial Photograph
Exhibit B: Existing Zoning
Exhibit C: Proposed Zoning
Exhibit D: Conceptual Site Plan
Exhibit E: Landscape Buffer and Screening
Exhibit F: Conceptual Landscape Plan
Exhibit G: Access and Circulation Plan
Exhibit H: Existing Soils Map
Exhibit I: Existing and Proposed Utility

DETAILED STAFF RECOMMENDATION:

PUD 865 has been prepared in conjunction with CZ-535 which request IL zoning for a 187-acre tract. The uses allowed in the IL district may be appropriate however the request does not provide adequate supplemental standards for IL uses that abut residential and agricultural west of the site and,

The neighborhood engagement process has been significant and many property owners in the area have objected to the change from the beginning of the process. The applicant has prepared PUD 865 to help provide long term assurances that proposed zoning district will support a higher quality development than traditional county zoning requirements. We have not seen evidence of neighborhood support for this request and,

PUD 865 is consistent with the provisions of the PUD chapter in the Tulsa Zoning Code and,
The uses typically allowed in an IL district will have little environmental impact on surrounding properties, and

Existing highway infrastructure and the Major Street and Highway Plan supports the idea of industrial development in this area however,

The Tulsa fence line and the statutory right of way on east side of the west boundary of the subject tract will prohibit development 86.5 feet east of the west boundary of the subject tract. In an effort to provide a reasonable buffer from abutting property owners west of Harvard Avenue, staff concludes that east of Harvard Avenue right-of-way should remain Agricultural and Rural Residential with a width that allows rural residential development east of the future location of North Harvard Avenue and,

PUD 865 in conjunction with CZ-535 is not consistent with the current land use designation however the applicant has submitted an amendment to the Tulsa County Comprehensive Plan Amendment, T CCP-11. The applicant has requested revising the land use designation from Rural Residential/Agricultural to Industrial. Staff supports that request except along the west boundary therefore,

Staff recommends Approval of PUD 865 but only if CZ-535 is also approved and the west 200 feet of the subject tract will remain AG and the west boundary of the PUD will be 200 feet from the Harvard Section line.

SECTION II PUD-865

DEVELOPMENT CONCEPT:

The proposed Bird Creek Business and Tech Park is located on approximately 173 acres bounded on the east by North Pittsburg Avenue, on the south by East 66th Street North, on the west by a 200 FT buffer strip within the site parcel and on the balance of the westerly line by an unplatted tract fronting East 66th Street North, containing approximately 19 acres, and on the north by large tracts of agricultural land and rural residentially developed land. No single-family zoning or platted residential subdivisions abut the Project. To buffer the rural residential tracts to the west and north, the west 200 FT of the site parcel is excluded from PUD-865 and will remain zoned AG – Agriculture District, and deep setbacks and landscape buffer strips will be provided along the north line of the Project. A 35-foot-wide pipeline easement bisects the northwestern site corner from the balance of the site. To further enhance buffering of the rural residential tracts, PUD-865 will restrict any building from being constructed within the area west of the easement. Altogether, the areas restricted from building development total 23.425 acres (12.6% of net site parcel area). The Project is out of the Bird Creek Flood Plain.

Exhibit “A” is an Aerial Photograph that shows the location of the Bird Creek Business and Tech Park.

PUD-865 proposes a major employment district consisting of light industrial, office, technology, manufacturing, and other employment and related uses.

The purpose of PUD-865 is to create a regulatory framework for the development of the business park that will attract high wage jobs in technology, office, warehousing and distribution, light manufacturing and industrial, and related uses. Specific users, building locations, building design and overall layout will be refined as future uses materialize. The Development Standards establish land use entitlements flexibility and design expectations to encourage and attract future users and ensure compatibility with the area.
This PUD-865 provides a framework for a well-planned, cohesive project that integrates and permits employment in technology, office, warehousing and distribution, light manufacturing and industrial, and related uses into a connected and aesthetically pleasing and unified development. As shown on Exhibit “B”, Existing Zoning, the site is currently zoned AG – Agriculture District, Tulsa County’s least intensive zoning designation. The purpose of this request, along with companion application CZ-535, is to rezone the site to IL – Industrial Light District overlaid with the supplemental zoning district PUD-865 to establish a flexible supplemental Zoning District with a variety of compatible land uses and facilitate the site’s development as an industrial and employment hub. See Exhibit “C”, Proposed Zoning.

The Tulsa County Comprehensive Land Use Plan designates the site as Rural Residential/Agricultural. A companion application, TCCP-11, is pending to redesignate the site to Industrial. Upon approval of TCCP-11, both the requested IL underlying zoning and PUD-865 will be fully consistent with the Comprehensive Plan. Additionally, PUD-865 will be consistent with the existing surrounding development and future uses contemplated for the undeveloped and underdeveloped remainder of the surrounding area.

PUD-865 provides for a variety of complementary Permitted Uses. The flexibility and design established by the PUD offers a desirable environment over conventional zoning standards and directly promotes the appropriate and efficient use of land and infrastructure. PUD-865 establishes the foundation for a superior development that is both respectful of and protective of the existing development in the area and will provide future users with a cohesive environment comprised of a variety of related, compatible uses.

PUD-865 uses substantial buffering, landscaping and design details to ensure the integration of the Project into the surrounding area. Special emphasis has been applied to buffering the west (section line) and north boundaries, which are shared with rural residential land use. The west 200 FT of the site parcel is excluded from PUD-865 and will remain zoned AG – Agriculture District, and buildings are restricted within or west of the pipeline easement. On the north, buffering includes, but is not limited to: 90-foot building setbacks, building height restrictions with additional height limitations, 50-foot minimum landscape screening buffer, a restriction on any buildings within or west of the pipeline easement, a screening fence requirement, lighting restrictions, and signage restrictions. Also, PUD-865 enhances the natural features of the Property and incorporates many of them into amenities for the Project.

Bird Creek Business and Tech Park will have multiple Reserve Areas for stormwater drainage and detention that will also be developed as Project amenities, including outdoor recreation, walking paths, landscaping, and natural areas. A property owners’ association will be established to provide for the maintenance and repair of the Reserve Areas and the improvements and landscaping of such Areas.

The Conceptual Site Plan for the Project is shown on Exhibit “D”.

The Project will have access to North Pittsburg Avenue and will provide stub streets to facilitate access to and development of adjoining properties as required by the TMAPC Subdivision and Development Regulations.

Sidewalks will be extended along North Pittsburg Avenue as well as along all of the interior streets in accordance with the TMAPC Subdivision and Development Regulations.

Right-of-way for North Pittsburg Avenue will be dedicated, as necessary, during platting to comply with the Tulsa City-County Major Street and Highway Plan.

The Project is out of the REMA 500-year Floodplain except approximately 1/10th of 1 acre along the westerly line located within REMA Zone AE, the 100-year Floodplain.
The Project will have up to two (2) project ground signs along North Pittsburg Avenue that will be available to businesses located within the Project in accordance with a private sign easement agreement.

Detailed Landscape Plans will be submitted to the County for approval at the time of the Site Plan Review.

DEVELOPMENT STANDARDS:

LAND AREA:

<table>
<thead>
<tr>
<th></th>
<th>Gross: 7,780,976 Square Feet</th>
<th>178.627 Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Net:</td>
<td>7,547,347 Square Feet</td>
<td>173.263 Acres</td>
</tr>
</tbody>
</table>

PERMITTED USES:

- **Use Unit 1:** Area-Wide Uses by Right; limited to Public Uses, including but not limited to Open Space, Trails, and Landscaping Buffer.
- **Use Unit 2:** Area-Wide Special Exception Uses; limited to Post Office.
- **Use Unit 4:** Community Services and Similar Uses; Excluding Day Camp, Emergency and Protective Shelter, Residential Treatment Center, Sanitarium, and Transitional Living Center.
- **Use Unit 5:** Public Protection and Utilities Facilities.
- **Use Unit 10:** Off-Street Parking Areas.
- **Use Unit 11:** Offices and Studios.
- **Use Unit 12:** Eating Places Other Than Drive-Ins.
- **Use Unit 13:** Convenience Goods and Services; excluding liquor stores.
- **Use Unit 14:** Shopping Goods and Services.
- **Use Unit 15:** Other Trades and Services.
- **Use Unit 16:** Mini-Storage.
- **Use Unit 17:** Automotive and Allied Activities; to include Electric Vehicle Charging Station.
- **Use Unit 19:** Hotel, Motel, and Recreational Facilities.
- **Use Unit 21:** Business Signs and Outdoor Advertising.
- **Use Unit 22:** Research and Development.
- **Use Unit 23:** Warehousing and Wholesaling.
- **Use Unit 24(a):** Oil and Gas Extraction.
- **Use Unit 25:** Light Manufacturing Industry; and Uses Customarily Accessory to the Permitted Principal Uses, provided no exterior storage shall be permitted.

MAXIMUM BUILDING FLOOR AREA RATIO (PROJECT): 0.40

MAXIMUM BUILDING FLOOR AREA RATIO (PER LOT): 0.75

MAXIMUM BUILDING HEIGHT: 9' 5"
Within 200 FT of the West or North PUD Boundaries 48 Feet*

All other buildings 55 Feet*

* Architectural elements (elements extending above the building roofline):
  (i) Within 200 feet from the West (section line) or North boundary lines of the Project shall be permitted 10 additional feet for unoccupied architectural features, subject to Detail Site Plan approval; and (ii) greater than 200 feet from the West or North boundary lines of the Project, shall be permitted up to 20 additional feet for unoccupied architectural features, subject to Detail Site Plan approval.

OFF-STREET PARKING:
As required by the applicable Use Unit of the Tulsa County Zoning Code.

MINIMUM BUILDING SETBACKS:
  From the north boundary 90 Feet
  From North Pittsburg Avenue** 50 Feet
  From East 66th Street North** 50 Feet
  From the west (section line) boundary 90 Feet
  From the westerly, non-section line boundaries Per IL Zoning
  Internal streets 25 feet
  Internal non-street boundaries 0 feet
  From northwest corner of Project, No Buildings West of Pipeline Easement

** Setback shall be measured from the greater of (a) the existing street right-of-way and (b) 1/2 of the ultimate right-of-way per the Major Street and Highway Plan adopted by Tulsa County.

LANDSCAPING REQUIREMENTS:

A minimum often percent (10%) of the total net area of each Lot shall be improved and maintained as internal landscape open space, consisting of sod or planting beds.

Along all streets, each lot shall install and maintain shade trees with an average of one (1) tree per 40 linear feet of street frontage. Parking lots shall install and maintain one (1) shade tree per 10 parking spaces. One (1) additional shade tree shall be installed and maintained per each 10,000 square feet, or fraction thereof, of building floor area. Tree counts shall be rounded to the nearest whole number. A majority of the required trees shall be focused toward the street frontage of the lot.

Ornamental trees may be substituted for shade trees at a 2:1 ratio.

Irrigation shall be provided to all required landscaping.
LANDSCAPE SECURITY

BUILDING COLORS, SIGNS:

Along the west (section line) and north boundaries fence as the steel, or similar materials. Provided, however. no ground sign shall be located within 150 FT of the west (section line) or north PUD boundaries.

WALL SIGNS:

Wall signs shall not be permitted to exceed two (2) SF of display surface area per linear foot of building wall to which attached.

PROJECT GROUND SIGNS:

Two (2) Project ground signs along North Pittsburg Avenue may be used to advertise businesses in the Project, each with a maximum of 300 SF of surface display area and 50 FT in height. The Project ground signs shall be permitted in addition to the ground sign permitted within each lot as specified above, provided a minimum of 100 FT of separation shall be met between all ground signs. Project ground signs shall include landscape features.

BUILDING COLORS, MATERIALS AND DESIGN:

The color palette for the overall development shall consist of natural and subdued earth colors and tones. All structural elements such as buildings, walls, fences, accessory structures and signs shall exhibit a cohesive architectural theme and style throughout the Project. The overall development shall incorporate a minimum of two (2) of the following building materials: Brick, stone, concrete, stucco, corrugated, galvanized panels, painted steel or heavy lumber. Primary entrances along major facades shall be clearly defined with facade variances, porticos, roof variation, recesses or other projections or other integral building forms. Building facades facing public streets shall have enhanced architecture by incorporating a minimum of three (3) different building materials, with no more than sixty-five percent (65%) of the total facade being covered with any one (1) single material. Except for windows, doors, other openings, awnings, and covered porches, all buildings shall have a minimum of eight feet (8 FT) of masonry skirting consisting of brick, stone, concrete or stucco applications, including any exterior columns.

SECURITY FENCING:

When security fencing is required adjacent to streets, it will consist of wrought iron, tubular steel, or similar materials.

LANDSCAPE BUFFER AND SCREENING:

Along the west (section line) and north boundaries of the PUD, a minimum 50 FT-wide landscape screening buffer shall be preserved or installed, and a screening wall or fence meeting or exceeding Tulsa County Zoning Code Section 250 shall be installed, provided, however, the screening wall or fence may be installed along the south or east line, as the case may be, of the required landscape screening buffer. Within this required
landscape screening buffer, landscaping trees shall be preserved or installed with a minimum of 50 FT on center within each lot; preserved trees must measure at 4 IN in caliper and of suitable species and new trees must measure at least 2.5 IN in caliper or 10 FT in height at the time of installation. The details of such landscaping and screening are shown on Exhibit "E".

Exhibit "F" is the Conceptual Landscape Plan.

Required landscaping and screening shall be installed on each lot prior to the issuance of a Certificate of Occupancy for any structure upon the lot. Required landscaping and screening may be further phased if approved as a part of the required PUD Detail Landscape Plan.

LIGHTING:

Within the north 90 FT and the west 90 FT (measured from the section line) of the Project, only building-mounted and bollard style light standards shall be permitted. Light standards shall not exceed 30 FT in height within the remainder of the Project.

All light standards, including building mounted, shall be hooded and directed downward and away from the boundaries of the Project. Shielding of outdoor lighting shall be designed so as to prevent the light producing element or reflector of the light fixture from being visible to a person standing at ground level in the adjacent north or west property. Topography must be considered in such calculations.

Additionally, as part of the Detail Site Plan Review, an accurate Lighting Plan shall be submitted, illustrating locations of light poles and fixtures. For all lots abutting the west (section line) or north PUD boundaries, the required Lighting Plan shall include a photometric plan illustrating that the lighting for the Project does not exceed -0- footcandles at the west (section line) or north boundaries of the Project. All Project lighting shall otherwise comply with Tulsa County Zoning Code provisions pertaining to lighting.

TRASH AND MECHANICAL AREAS:

All trash, mechanical and equipment areas (excluding utility service transformers, pedestals or other equipment provided by franchisee utility holders, including building mounted) shall be screened from public view in such a manner that the areas cannot be seen by persons standing at ground level.

Trash dumpster areas shall be screened by masonry construction and steel framed doors. The doors shall be covered with an appropriate covering containing a minimum of 90% opacity of the gate frame.

NO OUTSIDE STORAGE:

There shall be no outside storage of recycling material, trash or similar materials outside of a screened receptacle. Truck trailers and shipping containers shall not be used for storage.

ACCESS AND CIRCULATION:

RIGHTS-OF-WAY:

Rights-of-way for North Pittsburg Avenue and East 66th Street North will be dedicated, as necessary, during platting to comply with the Major Street and Highway Plan. All
traffic into the Project will be directed by appropriate signage to use the East 66th Street North corridor. Limits of No Access and access openings will be determined during civil engineering design, permitting, and platting.

PROJECT STREETS:

Interior streets will be public and designed and constructed in accordance with the design requirements of Tulsa County and the TMAPC Subdivision and Development Regulations. Stub streets will be determined during civil engineering design, permitting, and platting.

SIDEWALKS:

Sidewalks will be extended along North Pittsburg Avenue and East 66th Street North as well as along the sides of all interior streets in accordance with TMAPC Subdivision and Development Regulations.

A map of the Access and Circulation for the Project is attached hereto as Exhibit "G", Access and Circulation Plan.

SITE PLAN REVIEW:

No Building Permit will be issued for any building within Bird Creek Business and Tech Park until a Detail Site Plan and Detail Landscape Plan for the lot or parcel have been submitted to the Land Use Administrator for Tulsa County and approved as being in compliance with the approved PUD Development Standards.

SECTION III: Supporting Documentation

REGIONAL ENGAGEMENT: The applicant has provided a list of the Regional Outreach Contacts that he has been working with to confirm the need for this type of development in the Tulsa Metropolitan Area.

- Stacy Smith- Tulsa Regional Chamber of Commerce
- Stan Sallee- District 1 County Commissioner
- Mike Craddock- Chief Deputy County Commissioner of District 1
- Michelle Barnett- Partner Tulsa Senior VP of Economic Development
- Ashley Chaney- Partner Tulsa Business Liaison Services Manager
- Austin Britt- Partner Tulsa Economic Development Specialist
- Leisha Pearson- Oklahoma Commerce Dept./Aerospace and Defense/ACES Program Manager
- Dan Luton- Programs Director for Oklahoma Center for the Advancement of Science and Technology
- Heather McDowell- Northeast Ok Rep. for Oklahoma Center for the Advancement of Science and Technology
- Kristina Wadley- Oklahoma Manufacturing Alliance

NEIGHBORHOOD ENGAGEMENT:

Staff has received correspondence from surrounding property ownership and the applicant has organized a neighborhood meeting to discuss this rezoning and comprehensive plan change effort.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:
**Staff Summary:** The site is currently located within the Rural Residential / Agricultural designation of the Tulsa County Comprehensive Plan. The proposed use would not be compatible with this designation however, Comprehensive Plan Amendment (TCCP-11) is concurrently proposed for this site, which would change the designation to Industrial. The proposed rezoning would be compatible with this designation.

**Land Use Vision:**

**Land Use Plan map designation:** This site is included in the Turley section of the Tulsa County Comprehensive Land Use Plan and was adopted by the Board of County Commissioners in December 2022 and is currently designated as a Rural Residential / Agricultural area.

Land that is sparsely occupied and used primarily for farmland, agricultural uses, and single-family homes on large lots. Residential lots generally range from one-half acre or greater and may use on-site services where public utilities are not available.

**Industrial (proposed designation in TCCP-11)**

This land use category is designed to accommodate industrial uses as well as wholesaling, warehousing, and distribution facilities, which tend to require large buildings and generate more large-truck traffic than other types of land uses.

**Areas of Stability and Growth designation:** N/A

**Transportation Vision:**

The snippet on the following page illustrates the existing and planned transportation system surrounding this site. The east side of Highway 75 is the Cherokee Industrial Park that is served by the same transportation network.
Major Street and Highway Plan:

North Pittsburg Ave is designated as a Residential Collector.

East 66th St North is designated as a Secondary Arterial.

North Harvard Avenue is undeveloped; however, it is considered a secondary arterial street in the Tulsa Major Street and Highway plan. The planned location of this arterial street is along the west boundary of the subject tract and is partially inside the Tulsa fence line. The fence line is 70 feet wide and is the east 70 feet of the west 86.5 feet of the subject tract.

When Harvard is fully developed, and the right of way is dedicated the building setback will be 35 feet as defined in current zoning code standards. 200 feet of AG zoned land as measured from the section line will provide approximately 78.5 feet of area for home or building construction between the future North Harvard Avenue street setback and the rear zoning line.

Trail System Master Plan Considerations: The Go Plan calls for a side path to be constructed along E 66th St N as well as indicating a sidewalk gap along E 66th St N.

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is currently vacant, forested land with evidence that a portion of the property has been excavated or mined.

Environmental Considerations: None

Topography and soils:

The Custom Soil Resource Report for Tulsa County, Oklahoma, published by the United States Department of Agriculture/Natural Resources Conservation Services provides that the Property contains Niota-Rock outcrop complex, 3% - 15% slopes (approximately 55% of Project), Dennis Silt Loam, 1% - 3% slopes (approximately 25% of Project), Dennis Silt Loam, 3% - 5% slopes, eroded (approximately 10% of Project), and Coweta-Bates Complex, 3% - 5% slopes, Dennis-Radley Complex, 0% - 12% slopes, and Okemah-Parsons-Pharoah complex, 0% - 1% slopes, very stony (balance of site). Any development constraints associated with these soils will be addressed during the engineering design, permitting, and platting of the Project.

Existing topography and soils are represented on Exhibit "H", Existing Topography and Soils attached hereto.
Streets:

<table>
<thead>
<tr>
<th>Existing Access</th>
<th>MSHP Design</th>
<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
</tr>
</thead>
<tbody>
<tr>
<td>E 66th St N</td>
<td>Secondary Arterial</td>
<td>100 Feet</td>
<td>4</td>
</tr>
<tr>
<td>N Pittsburg Ave</td>
<td>Residential Collector</td>
<td>60 Feet</td>
<td>2</td>
</tr>
</tbody>
</table>

Utilities:
The subject tract has municipal water and sewer available. **Exhibit "I"** illustrates existing and Proposed Utility infrastructure improvements anticipated.

There is a 24-inch (24 IN) waterline along the west side of North Pittsburg Avenue and north side of East 66th Street North, which has sufficient capacity to serve the Project. Part or all of the site may be located within the Washington County Rural Water District# 3 water service area. Ultimate water service is to be determined during civil engineering design, permitting, and platting.

Sanitary sewer lines are located east of U.S. Highway 75 and to the southwest in O'Brien Park and will have to be extended to serve the site. Internal storm sewers and onsite stormwater drainage and detention facilities will be constructed to serve the development. Maintenance of the stormwater drainage and detention facilities will be the responsibility of the mandatory property owners' association. Ultimate sanitary sewer and storm sewer design will be determined upon civil engineering design, permitting, and platting.

**SCHEDULE OF DEVELOPMENT:**

The development within Bird Creek Business and Tech Park is planned to begin within the Summer of 2023, after approval of the planning and development, platting and Detail Site Plan approval.

**Surrounding Properties:**

<table>
<thead>
<tr>
<th>Location</th>
<th>Existing Zoning</th>
<th>Existing Land Use Designation</th>
<th>TCCP-11 Proposed Land Use Designation</th>
<th>Existing Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>AG</td>
<td>Rural Residential/Agricultural</td>
<td>No Change</td>
<td>Vacant</td>
</tr>
<tr>
<td>South</td>
<td>AG</td>
<td>Rural Residential/Agricultural</td>
<td>No Change</td>
<td>Vacant/Hwy 75</td>
</tr>
<tr>
<td>East</td>
<td>AG</td>
<td>Rural Residential/Agricultural</td>
<td>No Change</td>
<td>Vacant/Single-Family/Hwy 75</td>
</tr>
<tr>
<td>West</td>
<td>AG</td>
<td>Rural Residential/Agricultural</td>
<td>No Change</td>
<td>Vacant/Single-Family</td>
</tr>
</tbody>
</table>

**SECTION III: Relevant Zoning History**

History: CZ-535

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

**CBOA-351 April 1983:** The Board of Adjustment **approved** a *Variance* to permit two dwelling units (2 mobile homes) per lot of record, on property located at South of the SE corner of 76th Street North and Pittsburg Avenue.
VII. LEGAL DESCRIPTION:

The Legal Description for the Project is as follows:

THE FOLLOWING DESCRIPTION IS TAKEN FROM THE GENERAL WARRANTY DEED, RECORDED JUNE 12, 2006 AS DOCUMENT # 2006066401 (NORTH TRACT) AT THE TULSA COUNTY CLERK'S OFFICE, AND THE GENERAL WARRANTY DEED, RECORDED JANUARY 27, 2006 AS DOCUMENT # 2006010613 (SOUTH TRACT) AT THE TULSA COUNTY CLERK'S OFFICE:

NORTH TRACT:

THE SOUTH HALF OF THE NORTHWEST QUARTER (S/2 NW/4) OF SECTION THIRTY-THREE (33), TOWNSHIP TWENTY-ONE (21) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

AND:

SOUTH TRACT:

The staff recommends excluding the west 200 feet of the subject tract from the IL and PUD zoning request.

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

Aerial Photo Date: 2020/2021

70' wide Tulsa fence line. West boundary is 16.5 feet from the section line.
Bird Creek Business and Tech Park

APPROXIMATELY 173 ACRES
NORTH AND WEST OF THE NORTHWEST CORNER OF
EAST 66TH STREET AND NORTH PITTSBURG AVENUE

TULSA COUNTY, OKLAHOMA

SITE

E. 66TH ST. N.

HIGHWAY 75

N. PITTSBURG AVE.

APPLICANT:
ELLER & DETRICH, P.C.
2727 EAST 21ST STREET, SUITE 200
TULSA, OKLAHOMA 74114
(918) 747-8900

CONSULTANT:
TANNER CONSULTING
5323 S LEWIS AVE
TULSA, OKLAHOMA 74105

DECEMBER 2022

OWNER:
JOHN PARKS

TULSA COUNTY
Bird Creek Business and Tech Park

EXHIBIT "B"

EXISTING ZONING
DATA OBTAINED FROM INCOG ZONING GIS MAP(ONLINE), ACCESSED DECEMBER 13, 2022
PUD-865

Bird Creek Business and Tech Park

EXHIBIT “D”
CONCEPTUAL SITE PLAN
SITE PLAN CONCEPT AS OF DECEMBER 13, 2022
Bird Creek Business and Tech Park

EXHIBIT "E"
LANDSCAPE BUFFER AND SCREENING

50' LANDSCAPE SCREENING BUFFER
Trees shall be installed or preserved at a rate of 1 per 50'.
New trees to be 2.5" caliper or 10' minimum.
Preserved trees to be 4" caliper minimum.

BUILDING SETBACK
No buildings west of pipeline easement.
200' building setback from west section line and 90' from north property line.
Existing vegetation

PUD-865
TANNER CONSULTING LLC, CERTIFICATE OF AUTHORIZATION NO. CA 2661
5323 S LEWIS AVE, TULSA, OK 74105 | 918.745.9929
NOT TO SCALE
NORTH
Bird Creek Business and Tech Park

EXHIBIT "F"
CONCEPTUAL LANDSCAPE PLAN

10% of each lot area shall be landscaped open space.

Trees shall be planted along street frontages at a rate of 1 per 40'.

One shade tree shall be planted for each 10,000sf of building.

Developer to install landscape features at the development entries along N. Pittsburg Ave.
Bird Creek Business and Tech Park

EXHIBIT "G"
ACCESS AND CIRCULATION PLAN
Bird Creek Business and Tech Park

EXHIBIT "H"

EXISTING TOPOGRAPHY AND SOILS

SOIL DATA FROM USDA WEB SOIL SURVEY, ACCESSED DECEMBER 6, 2022

---

<table>
<thead>
<tr>
<th>Soil Type</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td>Coweta-Bates complex, 3 to 5 percent slopes</td>
</tr>
<tr>
<td>12</td>
<td>Dennis silt loam, 1 to 3 percent slopes</td>
</tr>
<tr>
<td>14</td>
<td>Dennis silt loam, 3 to 5 percent slopes, eroded</td>
</tr>
<tr>
<td>16</td>
<td>Dennis-Radley complex, 0 to 12 percent slopes</td>
</tr>
<tr>
<td>44</td>
<td>Okemah-Parsons-Pharaoh complex, 0 to 1 percent slopes</td>
</tr>
<tr>
<td>NBRE</td>
<td>Niotaze-Bigheart-Rock outcrop complex, 3 to 15 percent slopes, very stony</td>
</tr>
</tbody>
</table>
Bird Creek Business and Tech Park

EXHIBIT "I"
EXISTING AND PROPOSED UTILITIES
EXISTING UTILITIES PER FIELD SURVEY DATA/ GIS

NOTE: DRAINAGE AND STORM SEWER DESIGN TO BE DETERMINED DURING PLATTING AND CIVIL REVIEWS

LEGEND

- EXISTING WATER LINES
- PROPOSED WATER LINES
- EXISTING SANITARY SEWER
- PROPOSED SANITARY SEWER

- EXISTING OVERHEAD ELECTRIC
- EXISTING GAS
- HYDRANT

PUD-865
DECEMBER, 2022

TANNER CONSULTING LLC, CERTIFICATE OF AUTHORIZATION NO. CA 2661
5323 S LEWIS AVE, TULSA, OK 74105 | 918.745.9929

NOT TO SCALE
Dear Dwayne: Attached are letters supporting the Project from various neighbors. Mr. Lopez had originally signed a letter stating he was against the Project. But after meeting with the Seller and the Buyer, he learned more about the Project and changed his mind. Let me know if you have any questions. Best regards, Lou Reynolds

R. Louis Reynolds

2727 E. 21st Street, Ste 200
Tulsa, Oklahoma 74114-3533

☎ (918) 747-8900 phone
☎ (866) 547-8900 toll free
☎ (918) 392-9407 e-fax
✉ LReynolds@EllerDetrich.com

http://www.EllerDetrich.com/

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Please consider the environment before printing this e-mail! ~ Thank you!
I, Lyndon Groff, do not oppose the zoning change for the property owned by Wisdom Ministries at the corner of 66th Street North and Pittsburg Ave with the Planning Commission Case # C2-535.

Lyndon Groff
Print

Lyndon Groff
Sign

10/33/52
Date

R4 & Bd 325 A
Address Pittsburg Ave

(913) 467-2153
Phone

9.31
C2-53S

with the Planning Commission Case # Sherrill and Pittsburgh Ave.

Mins. at the corner of Galgher the property owned by Bsalom

I would address, do not
Dear Dwayne:  Attached is a letter supporting this matter.  Best, Lou Reynolds

R. Louis Reynolds

2727 E. 21st Street, Ste 200
Tulsa, Oklahoma 74114-3533

☎ (918) 747-8900 phone
☎ (866) 547-8900 toll free
☎ (918) 392-9407 e-fax
✉ LReynolds@EllerDetrich.com

http://www.EllerDetrich.com/

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Please consider the environment before printing this e-mail! ~ Thank you!
Tulsa Metropolitan Area Planning Commission
c/o INCOG
Attn: Dwayne Wilkerson
2 West 2nd Street
Tulsa, OK 74103

Re: TMAPC Cases CZ-535, TCCP-11, and PUD-865 (the “Project”)

Dear Mr. Chairman:

We at the Tulsa Regional Chamber have been made aware of the Project filed by Tetra Ok Holdings, LLC and have discussed with John Parks the plans for the Bird Creek Business and Tech Park.

The Tulsa Metropolitan Area has a need for new construction of light industrial spaces like the proposed Bird Creek Business and Tech Park. The overall vacancy rate of existing spaces for the area is 3.7% with a vast majority of that space consisting of properties that are not suitable or desired by many large end user tenants. Expanding existing industrial and commercial areas will create much needed opportunities for Tulsa to attract these types of tenants, giving upward mobility to our wage scale and allowing the area labor force to continue to trend in a positive direction.

The Chamber has reviewed the development plans in the Applicant’s proposed Planned Unit Development and is highly confident in committing the Chamber’s full support to the Project. The Project furthers the vision of growth and prosperity we all share for the Tulsa area and we respectfully request that the TMAPC approve the applications for the Bird Creek Business and Tech Park.

Sincerely,

Arthur L. Jackson
SVP, Economic Development
Tulsa Regional Chamber - Tulsa’s Future
I, Beverly B. Meachem do not oppose the zoning change for the property owned by Wisdom Ministries at the corner of 66th Street North and Pittsburg Ave., with the planning Commission Case # C2-535.

Beverly B. Meachem  
Signature

11-8-2022  
Date

6917 N. Pittsburg Ave  
Address

918 361-8687  
Phone
**Case Number:** Z-7460a  
**Minor Amendment**

**Hearing Date:** January 4th, 2023  
(Continued from November 2, 2022, November 16, 2022 and December 7, 2022.)

---

**Case Report Prepared by:**  
Dwayne Wilkerson

**Owner and Applicant Information:**  
Applicant: Randy Branstetter  
Property Owner: The Estates at Tulsa Hills, LLC

---

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

![Location Map](image_url)

---

**Applicant Proposal:**  
Concept summary: ODP minor amendment to allow 7 building permits before the required street extension is complete.  
Gross Land Area: 40 ± Acres  
Location: North of the NEC W 91st St S and S Maybelle Ave

---

**Zoning:**  
Existing Zoning: RS-1 / Z-7460  
Proposed Zoning: No Change

**Comprehensive Plan:**  
Land Use Map: New Neighborhood  
Growth and Stability Map: Growth

---

**Staff Data:**  
TRS: 8214

---

**Staff Recommendation:**  
Staff recommends denial

---

**City Council District:** 2  
**Councilor Name:** Jeannie Cue

**County Commission District:** 2  
**Commissioner Name:** Karen Keith
SECTION I: Z-7460a Minor Amendment

Amendment Request:

The applicant requests an amendment to Optional Development Plan Standards to allow a maximum of 7 building permits for residential construction before the required street extension is complete.

The Optional Development Plan Standards require completion of South Maybelle Avenue meeting or exceeding the minimum standards of a residential collector street including required sidewalks. South Maybelle shall be completed from the current end of pavement on South Maybelle Avenue near the southwest corner of the subject tract to 91st Street prior to issuing residential building permits.

Staff Comment: This request is considered a Minor Amendment as outlined by Section 70.040.1.1.a(1) of the City of Tulsa Zoning Code.

Staff has reviewed the request and determined:

1) Z-7460a does not represent a significant departure from the approved development standards in the Optional Development Plan and may be considered a minor amendment however,

2) Planning department staff has included the requirement for an extension of South Maybelle to West 91st Street South since the subject property was originally considered as a private street subdivision November 19th 2018, and

3) Development services department in the City of Tulsa has reviewed plans for construction however the contractor has not started, and the timeline is unknown. At this point it is unknown when the developer will satisfy that requirement and several departments in the City of Tulsa do not believe it is in the city's best interest to proceed without Maybelle as a second point of access to the development therefore,

4) Staff does not support the request for the minor amendment and recommends denial of the request.

5) If approved, all remaining development standards defined in Z-7460 shall remain in effect.

Exhibits included with staff report:
INCOG zoning case map
INCOG aerial photo
Z-7460a

Subject Tract

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

Aerial Photo Date: 2020/2021

10.5
Case Number: MPD-4

Hearing Date: January 4th, 2023

(Continued from November 2nd, 2022 and December 7th, 2022)

Owner and Applicant Information:
Applicants: Stephen A. Schuller
           Robert J. Getchell
           GABLE GOWLS

Property Owner: ORAL ROBERTS UNIVERSITY

Applicant Proposal:
Present Use: University
Proposed Use: University

Concept summary: Rezone property with a Master Planned Development that anticipates future development opportunities.

Tract Size: 222.68 + acres
Location: Northeast corner of East 81st Street South and South Lewis Avenue

Staff Recommendation:
Staff recommends approval.

Case Report Prepared by:
Dwayne Wilkerson

Location Map:
(shown with City Council Districts)

Zoning:
Existing Zoning: RS-1 and RS-3
Proposed Zoning: MPD-4

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

Staff Data:
TRS: 8308
CZM: 52

City Council District: 2
Councilor Name: Jeannie Cue

County Commission District: 3
Commissioner Name: Kelly Dunkerley
SECTION I: APPLICANTS MPD DEVELOPMENT CONCEPT MPD-4

The subject property consists of approximately 240 Acres of land and is located on the North side East 81st Street and the East side of South Lewis Avenue, in the City of Tulsa. The property has served as the campus for Oral Roberts University since the 1960s.

The ORU campus is situated principally in an “RS-3” Residential Single Family Zoning District, with areas along the North and East perimeters situated in an “RS-1” Residential Single Family Zoning District. Approval for the use of the property as the Oral Roberts University campus was granted by the Board of Adjustment case # 3760-A in 1962. The continued development of the ORU campus has evolved well beyond the original approval, and any original site plan is no longer even available. The current development of the campus is shown in the satellite image appended hereto as “Attachment 1.”

The Legal Description of the property in the aggregate is appended hereto as “Attachment 2.”

The MPD zoning district designation for the entire ORU campus is proposed to provide guidance for the long-term development of the campus and remove any uncertainty with regard to future development opportunities as they might pertain to the original Board of Adjustment approval and subsequent approvals and amendments, all of which shall be incorporated into and superseded by this MPD zoning district designation. One intention of adopting this zoning designation is to avoid the multiple, repetitive Board of Adjustment cases for amendments or modifications of a long-lost original site plan upon which variances or special exceptions have been sought and granted. Moreover (and more importantly), an MPD zoning district designation will provide for a more comprehensive, unified zoning treatment of the university campus than a basic zoning designation such as “Office” or “Commercial” (with repetitive Board of Adjustment approvals of variances or special exceptions), and it would be consistent with the City of Tulsa’s Comprehensive Plan.

In the near-term, some campus development plans have already been approved and are under way. For example, a “Welcome Center” has been previously approved and is currently under construction in an area near the main entrance to the ORU campus. A new Media Arts Center and a Library & Holy Spirit Research Center have also been previously approved and are under construction nearby the campus entrance, and the previously approved Mike Carter Athletic Center is under construction near the Mabee Center.

Long-term plans for the campus are still under consideration but have not been developed. For example, new science building is planned for an area near the main entrance to the ORU campus, and a new campus cafeteria and men’s and women’s dormitories are planned for areas nearer to the center of the campus. All such further development of the ORU campus will be subject to the terms, conditions and provisions of this MPD zoning district designation.

All the public infrastructure is located on-site and included in easements for maintenance and public access.

The campus contains a significant drainage channel that has been developed and serves as an amenity for the University through the eastern and southern portions of the property. The drainage channel and the affected flood plain, trails bridge crossings etcetera is not affected by this development plan.
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:
Attachment 1: Satellite image of ORU campus
Attachment 2: Legal description
Attachment 3: Existing free-standing signs (excluding identification signs, pedestrian- or traffic-directional signs, and campus informational signs), some or all of which have been previously approved in Board of Adjustment Actions, where applicable:
   Monument signs on either side of main entry driveway [Billy Joe Daugherty Circle and Drive]
   Mabee Center
   Small monument sign at Lewis Avenue/81st street intersection
   Ground sign mounted on berm along 81st street frontage, near University Avenue
   Case Soccer Complex monument sign along 81st Street frontage

DETAILED STAFF RECOMMENDATION:
The proposed development of the site under MPD-4 is consistent with the Regional Center designation of the Comprehensive Plan and meets the standards for a master planned development of Section 25.070-A and,

MPD-4 will promote:
1. Compact, mixed-use development patterns anticipated for university expansion and development.
2. Creative and flexible uses and building density that responds to changing social, economic, and market conditions and,

MPD-4 will accommodate the expected improvement or growth of a University Campus including large-scale assembly & entertainment uses proposed and existing on the site, uses and building types that are limited by existing residential zoning and previous board of adjustment decisions however MPD-4 is consistent with the Regional Center land use designation therefore,

Staff recommends approval of MPD-4 to rezone property from RS-1 and RS-3 to MPD-4 with the development standards outlined in Section II,

SECTION II: MPD-4 DEVELOPMENT STANDARDS
The MPD shall allow only those principal uses, subcategories and specific uses as identified below, along with customary accessory uses including but not limited to the accessory uses included in section II. The Tulsa Planning Office, or its successor, will review and approve submitted site plans for compliance with the MPD prior to the release of any building permit.

Applications for minor or major amendments to this MPD must be submitted to the Tulsa Planning Office, or its successor by an authorized representative of the property owner. The property owner will provide to the Tulsa Planning Office or its successor, and keep an updated, a list of authorized representatives.

The following modifications may be considered minor amendments to the MPD:

1. Limitation or elimination of previously approved specific functions and uses provided the character of the development is not substantially altered.

2. Addition of other specific functions and uses not contemplated but may be deemed appropriate uses requested by authorized representative of the University.


A change of the permitted principal use will require major amendment.

General Provisions:

Vehicular Access and Circulation from public streets shall be limited as follows:

A. The campus will have vehicular access from adjacent public streets:
   - Billy Joe Daugherty Circle and Drive along the Lewis Avenue frontage
   - Mabee Center parking lot driveways along Lewis Avenue and 81st Street frontages, including University Avenue
   - Private gated access driveway along the Evanston Avenue frontage forming a portion of the eastern boundary of the university campus
   - Private gated access driveways along the 75th Street frontage forming the northern boundary of the university campus

B. Site, Landscape and Signage Plan Review:

   No building permit shall be issued for any building within the MPD until a Detail Site Plan has been submitted and approved administratively by the Tulsa Planning Office as consistent with the Development Standards included herein.

C. Fencing or screening around the perimeter of the campus is not required.

D. Pedestrian access or provisions for micro mobility devices are encouraged at all public streets abutting the subject property.

   a. Note: Micromobility refers to a range of small lightweight vehicles operating at a speed typically below 25 mph and includes but not limited to bicycles, e-bikes, electric scooters, and shared bicycle fleets or other mobility devices as may be approved by university staff.

Permitted Principal Use: College or University
Permitted Accessory Uses: All customary accessory uses, which shall include but are not limited to all Use Categories, Subcategories and Specific Uses listed below. The accessory uses listed below are subject to the supplemental use regulations of the Tulsa Zoning Code as if they were principal uses.

RESIDENTIAL:
   Household Living: (if in allowed building types listed below)
      Single household
      Two households on a single lot
      Three or more households on a single lot
   Group Living:
      Rooming and Boarding Houses for University Student Housing (commonly known as dormitories)
      Fraternity / Sorority Houses

PUBLIC, CIVIC, and INSTITUTIONAL
   College or University
   Day Care
   Hospital
   Library or Cultural Exhibit
   Religious Assembly
   Safety Service
   School
   Utilities and Public Service Facilities
      Minor
   Wireless Communication Facility
      Freestanding Tower
         (Freestanding wireless communication towers must be set back at least 150 feet from the north or east boundaries)
      Building mounted antenna

COMMERCIAL Use Category
   Animal Service
      Boarding or shelter
      Grooming
      Veterinary
   Assembly and Entertainment
      Indoor: Large and small
      Outdoor: Large and small
   Broadcast or Recording Studio
   Commercial Service
      Building Service
      Research Service
   Lodging
      Short Term Rental
      Hotel/Motel
   Office
      Business or professional offices
Medical, dental or health practitioner office
Restaurant (restaurant only)
Retail Sales
Consumer shopping goods
Convenience goods
Grocery store
Studio, Artist or Instructional Service
Trade School
AGRICULTURAL Use Category
Community Garden
Farm, Market or Community Supported Horticulture greenhouse

DEVELOPMENT AREA REGULATIONS AND LIMITATIONS

Maximum Building Coverage: None

Maximum Building Height: 35 feet for buildings and portions of buildings if closer than 150 feet to the North and East boundaries of the MPD

Minimum Building Setbacks from Perimeter Boundaries of the MPD:
- From the East boundaries: 20 feet
- From the North boundaries: 20 feet
- From the South boundary: 20 feet
- From the West boundary: 20 feet

Parking:

Parking is not required

New parking areas installed or constructed within 125 feet of the South Lewis Avenue and East 81st Street rights of way shall conform to the design standards outlined in section 55.090 of the Tulsa Zoning Code.

New parking areas installed or constructed within 125 feet of the South Lewis Avenue and East 81st Street rights of way shall exceed or at a minimum conform to the interior Parking Lot Landscape standards provided in Section 65.050 of the Tulsa Zoning Code.

New parking shall be prohibited within 30 feet of the north and east boundaries.

Minimum Bicycle Parking Spaces:

Short-term bicycle parking is not required.

Other Lot and Building Regulations:

Minimum Lot Area: None
Minimum Street Frontage: None
Maximum Floor Area Ratio: None
Minimum Lot Area Per Dwelling Unit: None
Minimum Open Space per Dwelling Unit: None

Landscape requirements:

Except as set forth herein, landscaping is not required.

1) Landscaping for all new parking and building construction within 125 feet of the South Lewis Avenue and East 81st Street rights of way shall conform to Chapter 65 of the Tulsa Zoning Code.

Signs:

Signage shall conform to the following requirements:

- Signage erected or installed within 50 feet of and visible from the perimeter boundaries of the campus shall conform to the provisions of Chapter 60 of the Tulsa Zoning Code.

- One ground sign identifying the campus shall be permitted at each vehicular entrance from a public or private street with a maximum display of 100 square feet of surface area and a maximum height of 25 feet. (except for the signs on either side of the Billy Joe Daugherty Circle main entrance drive shall not exceed 200 square feet).

- Other signs throughout the campus, such as building identification signs, pedestrian- or traffic-directional signs, and campus informational signs shall be subject to approval of the property owner represented by a written statement of such approval accompanying an application for a building or construction permit.

- In addition, all signage illustrated on attachment 3 and all other signage approved on or before the date the ordinance is adopted rezoning the property MPD-4 and all previous approvals of the signage for the Mabee Center, as well as the nearby Global Learning Center and the Mike Carter Athletic Center in the southwestern quadrant of the university campus, are authorized by the MPD.

- Illuminated signage is prohibited on all North- and East-facing building walls within 50 feet of the North and East property boundaries, respectively.

- Off-premises Outdoor Advertising Signage is prohibited.

All applications for modification of such signage requirements must be submitted by an authorized representative of the property owner, and the property owner will provide to the Tulsa Planning Office or its successor, and keep updated, a list of authorized representatives as defined herein.

Lighting:

Lighting shall conform to the provisions of Chapter 67 of the Tulsa Zoning Code except as follows:
Pole lighting above 16 feet in height is prohibited within 50 feet of the north and east boundaries of the MPD.

Trash, Mechanical, and Equipment Areas:

Within 150 feet of the perimeter of the MPD Screening of trash, mechanical and equipment areas or uses shall conform to the provisions of Section 65.070 of the Tulsa Zoning Code except as follows:

Trash enclosures, storage, or processing of trash of any kind shall be prohibited within 150 feet of the perimeter of the subject site.

Elsewhere on the site screening of trash or mechanical equipment is not required.

RESIDENTIAL BUILDING TYPES
Building types for household living are limited to the following:
- Single Household
  - Detached House
  - Townhouse
  - Mixed-Use Building
  - Vertical Mixed-Use Building
- Two Households on Single Lot
  - Mixed-Use Building
  - Vertical Mixed-Use Building
- Three Households on Single Lot
  - Apartment/Condo
  - Mixed-Use Building

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The University campus has been established since the 1960s and has been classified as a Regional Center. The expected growth that is allowed in MPD-4 is consistent with the concept of the Regional Center land use designation. The major street and highway plan street concept has anticipated high density development.

Land Use Vision:

Land Use Plan map designation: Regional Center

Regional Centers are mid-rise mixed-use areas for large-scale employment, retail, and civic or educational uses. These areas attract workers and visitors from around the region and are key transit hubs; station areas can include housing, retail, entertainment, and other amenities. Automobile parking is provided on-street and in shared lots. Most Regional Centers include a parking management district.

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:** None except the Multi Modal Corridor designation along South Lewis Avenue.

South Lewis Avenue is considered a multi-modal 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. Multimodal 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:**

A trail is planned on the University Campus that is roughly shown in the Fred Creek alignment. Site plan redevelopment should always consider pedestrian and alternative transportation mode options to connection points outside the campus.

**Small Area Plan:** None

**Special District Considerations:** None

**Historic Preservation Overlay:** None

**DESCRIPTION OF EXISTING CONDITIONS:**

**Staff Summary:** The site is an existing college campus bisected by Fred Creek which is a significant green space opportunity with trails and landscaping.

**Environmental Considerations:** None except the Fred Creek flood area that would affect site redevelopment plans during the building permit process.
### Streets:

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<th>MSHP Design</th>
<th>MSHP R/W</th>
<th>Exsit. # Lanes</th>
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<tr>
<td>South Lewis Avenue</td>
<td>Secondary Arterial with Multi Modal Corridor designation</td>
<td>100 feet</td>
<td>Divided with median 6 lanes north side of intersection 5 lanes south of intersection</td>
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<tr>
<td>East 81st Street South</td>
<td>Secondary Arterial</td>
<td>100 feet</td>
<td>6 lanes near intersection with Lewis transitioning to 5 lanes near east end of subject tract</td>
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<tr>
<td>South Evanston Avenue</td>
<td>Residential Collector</td>
<td>60 feet</td>
<td>2</td>
</tr>
<tr>
<td>East 75th Street South</td>
<td>Residential Collector</td>
<td>60 feet</td>
<td>2</td>
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<tr>
<td>Private Drive (Billy Joe Daugherty Circle)</td>
<td>None</td>
<td>None</td>
<td>4 lanes 2 each direction with median</td>
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</table>

### 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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<tbody>
<tr>
<td>East</td>
<td>RS-2</td>
<td>Existing Neighborhood</td>
<td>Area of Stability</td>
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<tr>
<td>South</td>
<td>RS-3, OM</td>
<td>Existing Neighborhood and Regional Center</td>
<td>Area of Growth</td>
<td>detached single family, duplex and City Plex towers (approximately 60 floors / 650 feet tall)</td>
</tr>
<tr>
<td>West</td>
<td>CS/PUD-495&amp;495-A/CO for hotel use only</td>
<td>Regional Center</td>
<td>Area of Growth</td>
<td>Mixed use property with 10 +/- floor hotel, big box discount store, drive in restaurant and fueling station, private school, and medical office building</td>
</tr>
</tbody>
</table>

### SECTION III: Relevant Zoning History

**History:** MPD-4

**ZONING ORDINANCE:** Ordinance number 11828 dated June 26, 1970, established zoning for the subject property.
Subject Property:

**BOA-23369 May 2022:** The Board of Adjustment approved a Special Exception to permit a previously approved site plan for a university in a residential district; & a Variance to increase the maximum permitted height of 35-feet in an RS-3 District, on property located at 7777 S. Lewis Avenue.

**BOA-23193 October 2021:** The Board of Adjustment approved a Special Exception to permit a previously approved site plan for a university in a residential district; & a Variance to increase the maximum permitted height of 35 feet in an RS-3 District, on property located at 7777 South Lewis Avenue East.

**BOA-23170 August 2021:** The Board of Adjustment approved a Special Exception to permit previously approved site plan for a university in a residential district; & a Variance to increase the maximum permitted height of 35-feet in an RS-3 District, on property located at 7777 S. Lewis Avenue East.

**BOA-21443-A July 2012:** The Board of Adjustment approved a Variance to permit the requirement that a sign be lit by constant light in the OM, OMH district; & a Variance to allow more than one sign in an OM, OMH district; & a Variance to exceed total square feet of display surface area from 880 square feet to 985 square feet, on property located at 2440 East 81st Street, 8101 South Lewis Avenue, 8100 South Lewis Avenue.

**BOA-21495 November 2012:** The Board of Adjustment approved a Variance to permit two (2) wall signs in an RS district, on property located at 7777 South Lewis Avenue.

**BOA-21488 October 2012:** The Board of Adjustment approved a Variance to permit a wall sign in a Residential District, on property located at 2601 East 81st Street.

**BOA-17831-A December 2015:** The Board of Adjustment approved a modification of a previously approved site plan, on property located at 7777 South Lewis Avenue.

**BOA-21443 June 2012:** The Board of Adjustment approved a Variance to permit more than one sign in an OM district; & a Variance to exceed total square feet of display surface area from approximately 100 square feet to 880 square feet; & a Variance of maximum sign height in the OM district from 20 feet to 30 feet, on property located at 2440 East 81st Street, 8101 South Lewis Avenue, 8100 South Lewis Avenue.

**BOA-17831 September 1997:** The Board of Adjustment approved a Special Exception to permit a previously approved special exception; & a Variance of the maximum 15 SF of sponsor sign, on property located at East side of South Lewis Avenue, North of East 81st Street.

**BOA-17403 June 1996:** The Board of Adjustment approved a Special Exception to permit a dry-cleaning pick-up facility in an OMH and OM zoned district, on property located at 2448 East 81st Street.

**BOA-16741 July 1994:** The Board of Adjustment approved a Special Exception to permit convenience goods and services/shopping goods and services in an OM zoned district, on property located at SE/c of East 81st street and South Lewis Avenue.

// //
The Board of Adjustment approved a Special Exception to permit a heliport in an IR District, on property located at SE of 81st Street and Lewis Avenue.

The Board of Adjustment upheld the appeal to the building inspector from decision of the building inspector for refusing to issue a zoning clearance permit to construct quarters on the University Campus to be operated in conjunction with the University Medical Campus, on property located at Northwest of 81st Street and Delaware Avenue.

The Board of Adjustment approved a Variance to permit in an IR District a reaching hospital as a part of the City of Faith Medical Complex to be constructed as a part of the campus of Oral Roberts University; and an Interpretation of the zoning text, on property located at SE of 81st Street and Lewis.

The Board of Adjustment approved a Variance to permit 40 units on one lot in an RM-1 district, on property located at South and east of 81st Street and Lewis Avenue.

The Board of Adjustment approved a Special Exception to permit a community service, cultural and recreation facility in a residential district; & Variance to vary the requirements of the constant light requirements to permit a sign for the John Mabee Center in accord with plans and specifications submitted, in a RS-3 District, on property located at 81st St. and Lewis Avenue.

The Board of Adjustment approved a Minor Variance to permit modification of height and size of a sign (48' high and size 28' 6" x 48') in an RS-3 District, on property located at 7777 South Lewis Avenue.

The Board of Adjustment approved the subject property for school purposes, on property located at 7777 South Lewis Avenue.

Surrounding Property:

The Board of Adjustment approved a Special Exception to permit a fence to exceed 4-feet in height inside the required street setback; & a Special Exception to allow a barbed-wire fence in an OM district, on property located at W of the intersection of E. 75th St. South & South Lewis Ave.

Applicant withdrew a request for a Corridor Development Plan on a 5.16+ acre tract of land for on property located North of the NW/lc of East 81st Street South & South Lewis Avenue.

The Board of Adjustment approved a Variance to permit increased allowable number of signs in an OM District to permit two signs per street frontage, on property located at 7700 South Lewis Avenue East.

All concurred in approval of a request for rezoning a 2.43+ acre tract of land from RS-1 to OL on property located Northeast corner of East 75th Street South and South Lewis Avenue.

The Board of Adjustment approved a Variance to permit exceeded display area of a sign to allow a 72 square foot dynamic display sign in the O District, on property located at 7700 South Lewis Avenue.
BOA-21255 April 2011: The Board of Adjustment approved a Variance to permit the maximum display surface area for a sign in the OM district to 240 sq. ft.; & a Variance of the maximum permitted height for a sign in the OM district from 20 ft. to 30 ft.; & a Variance of the requirement that illumination of a sign in the OM district shall be by constant light to permit a digital changeable copy sign; & all to permit a ground sign on East 81st Street, on property located at 2702 East 81st Street.

BOA-20163 December 2005: The Board of Adjustment approved a Special Exception to permit reduced combined required parking for a commercial mixed-use development by 10%; & a Variance of required parking of 7 spaces, on property located at 8102-8222 South Lewis Avenue.

BOA-18996 February 2001: The Board of Adjustment approved a Special Exception to permit parking on a lot other than principle use lot for a special event (U.S. Open) from June 11 to June 18, 2001, on property located at NE/c & SE/c East 81st & Lewis Avenue.

BOA-18509 September 1999: The Board of Adjustment approved a Variance to permit maximum display surface area of a sign from 150 square feet to 307 square feet; & a Variance of the requirement of constant light to allow an electronic message center, on property located at 7800 South Lewis.

BOA-18058 May 1998: The Board of Adjustment approved a Special Exception to permit the lighting of an existing outdoor soccer and athletic field according to a lighting plan, lighting specifications and use restrictions approved by the Board, on property located at North side of East of Delaware Ave.

BOA-17935 February 1998: The Board of Adjustment approved a Special Exception to permit the construction of 376 dwelling units for elderly housing; & a Variance of the maximum floor area ratio of .50 subject to livability space being required for each dwelling unit as required in the RM-2 district, on property located at West Side South Lewis Avenue & East 75th Street.

BOA-17862 October 1997: The Board of Adjustment approved a Special Exception in an OM and OL district to permit amended previously approved site plan to add an addition to the existing church and school buildings containing 22,000 SF, on property located at 7700 South Lewis Avenue.

BOA-22604 March 2019: The Board of Adjustment approved a Variance to permit increased allowable number of signs in an OM District to permit two signs per street frontage, on property located at 7700 South Lewis Avenue East.

BOA-16749 July 1994: The Board of Adjustment approved a Special Exception to permit an open-air activity (tent) for a temporary period, on property located at 7502 South Lewis.

PUD-495-A August 1994: All concurred in approval of a proposed Major Amendment to PUD on a 17.065+ acre tract of land for on property located 2019 East 81st Street South.

Z-6376/PUD-495: All concurred in approval of a request to rezone a 28+ acre tract of land from CO & AG to CS & OM and approval of a proposed Planned Unit Development for vehicle repair and service and customary accessory uses, on property located 2019 East 81st Street South.

BOA-15979 March 1992: The Board of Adjustment approved a Minor Special Exception to permit amended previously approved plot plan by less than 15%, on property located at 7700 South Lewis.
Z-6152 April 1987: All concurred in approval of a request for rezoning a 38.21± acre tract of land from AG & RM-1 to OL on property located 7700 South Lewis Avenue East.

BOA-14394 March 1987: The Board of Adjustment approved a Special Exception to permit a church and related uses in an RM-1 zoned district, on property located at West side of Lewis Avenue at 75th Street.

PUD-217-A March 1987: All concurred in approval of a proposed Planned Unit Development Abandonment on an 8.96± acre tract of land for on property located West of South Lewis at 75th Street.

BOA-14244 October 1986: The Board of Adjustment approved a Minor Variance to permit front yard setback from 55’ to 54’ to allow for existing dwelling unit in order to clear the title, on property located at 8312 East 80th Place.

Z-6075 December 1985: All concurred in approval of a request for rezoning a --± acre tract of land from RS-1 to RS-2 on property located 2608 E. 74th Street South & 2614 E. 74th Place South.

BOA-12808 October 1983: The Board of Adjustment approved a Variance to permit lot width from 60' to 47.2', 50.2', 44.7' & 47.8 respectively; & a Variance of lot area from 6,900 to 5459, 5757, 5175 and 5487 square feet; & a Variance of livability space per dwelling unit from 4000 to 2783, 2982, 2770 and 2811 square feet; & a Variance of the side yard requirement from 5 to 0, 4.9 and 4.8 feet to permit splitting 2 existing duplexes in an RS-3 zoned district, on property located at South and East of the SE corner of East 81st Street South and Delaware Avenue.

BOA-11792 February 1982: The Board of Adjustment approved a Variance to permit the area requirements from 9,000 square feet to approximately 5,625 square feet; & a Variance of the frontage requirement from 75’ to 18’ on Tract I; & a Variance of the frontage requirements on Tract II from 75’ to 20’ to permit a lot-split in an RS-3 District, on property located at West of the Northwest corner of 74th Court and Birmingham Avenue.

BOA-11608 September 1981: The Board of Adjustment approved a Variance to permit frontage requirements to permit a lot split, on property located at Northwest corner of East 74th Court and south Birmingham Avenue.

BOA-10823 December 1979: The Board of Adjustment approved a Special Exception to permit duplexes in an RS-3 District; & a Variance of the front setback requirements from 25’ to 20’; the rear setback from 81st Street from 35’ to 20; and on corner lots from 25’ to 15’, on property located at Southeast of 81st Street and Delaware Avenue.

BOA-9810 January 1978: The Board of Adjustment approved a Variance to permit an IR District a teaching hospital as a part of the City of Faith Medical Complex to be constructed as a part of the campus of Oral Roberts University; and an Interpretation of the zoning text, on property located at Southeast of 81st Street and Lewis Avenue.
Satellite image of ORU Campus - boundary (to center lines of abutting/adjoining streets) outlined in yellow

11/19
Attachment 2
ORU Campus Legal Description

Lot 1, Block 1, ORAL ROBERTS UNIVERSITY HEIGHTS, a Subdivision in the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat thereof, including all lands extending to the center lines of the streets and rights of way adjoining and abutting the foregoing described parcel of land, subject to the dedications or grants thereof for public uses (Tulsa County Parcel No. 71520-83-08-01430);

AND

Lots 1, 2, 3 and 4, Block 3, AND Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16, Block 4, LA-VELL HEIGHTS (sometimes referred to as “LaVelle Heights”), a Subdivision in the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat thereof, including all lands extending to the center lines of the streets and rights of way adjoining and abutting the foregoing described parcels of land, subject to the dedications or grants thereof for public uses (Tulsa County Parcel Nos. 71225-83-08-00060, -00070, -00080, -00090, -00100, -00110, -00120, -00130, -00140, -00160, -00170, -00200, -00230, -00260);

AND

Lot 1, Block 3, and Lot 16, Block 4, AMENDED PLAT OF LOT 6, BLOCK 1, AND LOT 1, BLOCK 2, AND LOT 1, BLOCK 3 ALL IN SOUTHERN HILLS ESTATES ADDITION, AND LOT 16, BLOCK 4, LA VELLE HEIGHTS ADDITION, a Subdivision in the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat thereof, including all lands extending to the center lines of the streets and rights of way adjoining and abutting the foregoing described parcels of land, subject to the dedications or grants thereof for public uses (Tulsa County Parcel Nos. 73150-83-08-03670, -03700);

AND

Lots 2, 3, 4, 5, 6, 7 and 8, Block 3, SOUTHERN HILLS ESTATES, a Subdivision in the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat thereof, including all lands extending to the center lines of the streets and rights of way adjoining and abutting the foregoing described parcels of land, subject to the dedications or grants thereof for public uses (Tulsa County Parcel Nos. 73160-83-08-03530, -03548, -03550, -03560, -03570, -03575);

AND

The West Half of the West Half of the Southeast Quarter (W/2 W/2 SE/4) of Section 8, Township 18 North, Range 13 East, Tulsa County State of Oklahoma, including all lands extending to the center lines of the streets and rights of way adjoining and abutting the foregoing described parcels of land, subject to the dedications or grants thereof for public uses (Tulsa County Parcel Nos. 98308-83-08-25090, -27390)
Oral Roberts University campus - signage

North side of main entrance drive along Lewis Avenue

South side of main entrance drive along Lewis Avenue
Mabee Center sign along Lewis Avenue

small ground sign at Lewis Avenue/81st Street intersection
ground sign along 81st Street frontage near University Avenue intersection

Case Soccer Complex sign along 81st Street (near Southeast corner of campus)
City of Tulsa
PALS Permit Document - SIGN

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**Permit Notes:**
Electric: Approved per BOA, case 17831 (9/23/97) of which all applicable conditions and requirements are incorporated herein and are controlling. This approval is for the modification of one existing ground sign, with no excavation and no increase in display surface area along Lewis Avenue frontage only, at the address stated herein. No other approval is granted for any construction/use violating any provision of Title 42. NO OTHER SIGNS ARE INCLUDED IN THIS PERMIT. Approval DOES NOT include permission for construction or encroachment of any kind upon any city owned property, ROWs, and public or private utility easements, whether actual or planned.

753SignPermitDetail.png
OPTION #1

SPECIFICATIONS:

"STARBURST®" DISPLAY:
- 96x128 LAMP MATRIX
- 10 CHARACTERS ON 1.5" CENTERS
- LAMPS ARE COVERED BY RAISED LENS PRISMS SHOWING RED, BLUE, GREEN, AND WHITE
- 9 LINES OF TEXT USING A 9x6 DOUBLE STROKE FONT (RECOMMENDED FOR COLOR DISPLAYS) 12 LINES OF TEXT USING A 7x6 DOUBLE STROKE FONT IS POSSIBLE)
- "VENUS® 600" CONTROLLER

SPONSOR PANELS(SIDES):
- COPY AREAS ARE APPROX. 6"-6" HIGH x 7'-5" WIDE
- DISPLAYS ARE INTERNALLY ILLUMINATED FLEX

SPONSOR DISPLAY(CENTER):
- COPY AREA IS APPROX. 2'-8" HIGH x 20'-7" WIDE
- DISPLAY FACE IS INTERNALLY ILLUMINATED POLYCARBONATE

3-SIDED DISPLAYS:
- COPY AREAS ARE APPROX. 5'-9" HIGH x 7'-6" WIDE
- COPY TO BE SPECIFIED
- DISPLAY FACE IS INTERNALLY ILLUMINATED POLYCARBONATE

TIME & TEMP DISPLAYS:
- DIGITS ARE 24" HIGH, 4x7 LAMP MATRICES
- 25 WATT LAMPS

GENERAL DISPLAY:
- 2-V DISPLAY
- ALUMINUM CONSTRUCTION
- DISPLAY IS FINISH TO BE SPECIFIED
- DIMENSIONS ARE SUBJECT TO CHANGE DUE TO DETAILED DESIGN CONSIDERATIONS
- MUST BE EARTH GROUNDED

ESTIMATED POWER DEMAND:
- "STARBURST®" DISPLAY: 127.795 WATTS
- IDENTIFICATION DISPLAY: 27.20 WATTS
- TIME & TEMP DISPLAY: 8,000 WATTS
- SPONSOR DISPLAY: 6,866 WATTS
- TOTAL SYSTEM: 142,313 WATTS

EXCLUDING 3-SIDED ROTATING POWER
"STARBURST®" POWER IS CALCULATED AT 5.2 WATTS PER POINT
**Case Report Prepared by:**
Dwayne Wilkerson

**Owner and Applicant Information:**
Applicant: Lou Reynolds
Property Owner: Chad Stites Trust

**Applicant Proposal:**
Present Use: Vacant
Proposed Use: Mancave

**Concept summary:** The CG zoning allows a wide range of uses beyond the mancave experience mentioned as the proposed use.

**Tract Size:** 0.34 ± acres

**Location:** East of the Northeast corner of South Harvard Avenue and East 27th Street South

**Zoning:**
*Existing Zoning:* RS-3
*Proposed Zoning:* CG

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

**Staff Recommendation:**
Staff recommends approval.

Uses allowed in the CG zoning district are appropriate at this location and can be supported with the Town Center land use vision.

**Staff Data:**
TRS: 9316
CZM: 37

**City Council District:** 4
Councilor Name: Laura Bellis

**County Commission District:** 2
Commissioner Name: Karen Keith
SECTION I: Z-7689

DEVELOPMENT CONCEPT:

The applicant has proposed rezoning the site to allow all uses allowed in the CG zoning district.

EXHIBITS:

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

Applicant Exhibits:

None Provided

DETAILED STAFF RECOMMENDATION:

The CG district is primarily intended to accommodate the establishment of commercial uses, while providing protection to adjacent residential areas and accommodate a grouping of compatible commercial and light industrial uses while limiting the more impactful uses found in higher intensity commercial and industrial districts.

Supplemental standards for buildings constructed in the CG district in this neighborhood are adequate for appropriate commercial integration into this location and,

Uses allowed in a CG district are consistent with the Town Center Land use designation and,

The properties near the subject tract include a wide range of commercial properties and residential uses. East 27th Street south is the main on-ramp for access to east bound traffic on the Broken Arrow Expressway and,

CG zoning is consistent with the goals and recommendations of the Comprehensive Plan therefore,

Staff recommends Approval of Z-7689 to rezone property from RS-3 to CG.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

**Staff Summary:** Development standards and uses allowed in a CG zoning district are consistent with the Town Center land use designation.

**Land Use Vision:**

**Land Use Plan map designation:** Town Center

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

**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:** None

**Trail System Master Plan Considerations:** None

**Small Area Plan:** None

**Special District Considerations:** None

**Historic Preservation Overlay:** None

**DESCRIPTION OF EXISTING CONDITIONS:**

**Staff Summary:** The subject property is undeveloped but appears to have been two lots with single family dwellings with remnants of driveway construction and fence line vegetation between lots.

**Environmental Considerations:** None that would affect site redevelopment for commercial uses. The Broken Arrow Expressway immediately north of the subject property is a significant challenge for future residential development allowed in an RS-3 district.

**Streets:**

<table>
<thead>
<tr>
<th>Existing Access</th>
<th>MSHP Design</th>
<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
</tr>
</thead>
<tbody>
<tr>
<td>East 27th Street South</td>
<td>none</td>
<td>none</td>
<td>One way east bound traffic for access to Broken Arrow Expressway.</td>
</tr>
</tbody>
</table>
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>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>CH</td>
<td>Town Center</td>
<td>Growth</td>
<td>Surface Parking Lot for auto repair business</td>
</tr>
<tr>
<td>East</td>
<td>RS-3</td>
<td>Town Center</td>
<td>Growth</td>
<td>Undeveloped</td>
</tr>
<tr>
<td>South</td>
<td>RS-3</td>
<td>Mixed Use Corridor</td>
<td>Growth</td>
<td>Single Family</td>
</tr>
<tr>
<td>West</td>
<td>RS-3</td>
<td>Mixed Use Corridor</td>
<td>Growth</td>
<td>Single family / office</td>
</tr>
</tbody>
</table>

SECTION III: Relevant Zoning History

History: Z-7689

Subject Property:

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

BOA-7777 February 1973: The Board of Adjustment denied a Special Exception to permit off-street parking for Spraker Volkswagen in an RS-3 District, on property located at 3327 and 3329 East 27th Street.

Surrounding Property:

Z-7341 August 2016: All concurred in approval of a request for rezoning a 0.8+ acre tract of land from OL to CH to construct a car wash on property located East of northeast corner E. 27th Street & South Harvard Ave.

Z-7313 October 2015: All concurred in approval of a request for rezoning a 0.34+ acre tract of land from OL to CG concurrent with PUD-841 to permit a private automobile collection to be stored indoors on property located East of the southeast corner of South Harvard Avenue and East 27th Street South.

PUD-841 October 2015: All concurred in approval of a proposed Planned Unit Development on a 0.34+ acre tract of land for a private automobile collection to be stored indoors on property located East of the southeast corner of South Harvard Avenue and East 27th Street South.

BOA-21535 February 2013: The Board of Adjustment approved a Variance to permit reduced parking requirement from 7 spaces to 6 spaces, on property located at 3321 East 27th Street South.

BOA-18904 November 2000: The Board of Adjustment approved a Special Exception to permit an auto painting shop within 150’ of an R district, on property located at 2615 South Harvard.

BOA-15253 October 1989: The Board of Adjustment approved a Variance to permit an existing on-premises sign within the 10’ setback within an “R” zoned district which is on expressway, on property located at 2615 South Harvard.
BOA-15221 August 1989: The Board of Adjustment denied a Variance to permit setback from an R district (highway) to allow for an outdoor advertising sign, on property located at 2615 South Harvard Avenue.

BOA-15130 May 1989: The Board of Adjustment approved a Variance to permit spacing between outdoor advertising signs from 1200' to 685', on property located at 2615 South Harvard Avenue.

BOA-15023 January 1989: The Board of Adjustment approved a Variance to permit spacing between outdoor advertising signs from 1200' to 900' and a Variance of setback from an R district from 150' to 13' to allow for said sign, on property located at 2615 South Harvard Avenue.

BOA-7886 January 1973: The Board of Adjustment approved a Special Exception to permit a home beauty shop in an RS-3 District, on property located at 3338 east 27th Street.
Note: Graphic overlays may not precisely align with physical features on the ground.
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Aerial Photo Date: 2020/2021