



**Case:** 9100 Delaware (Related to 9100 Delaware Preliminary Plat)

**Hearing Date:** November 18, 2020

**Case Report Prepared by:**

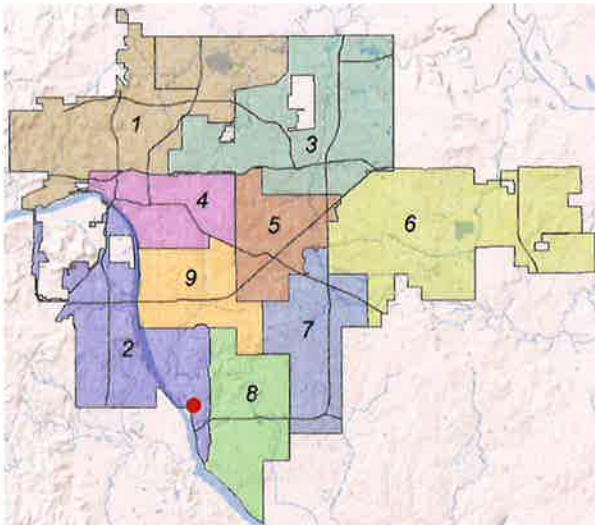
Nathan Foster

**Owner and Applicant Information:**

*Applicant:* Wallace Engineering

*Owner:* Oak Properties, LLC

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



**Applicant Proposal:**

Request for authorization to receive accelerated release of building permits & modification of Subdivision & Development Regulations to defer required performance guarantee and dedications to final plat

1 lot, 1 block, 8.17 ± acres

*Location:* West of the northwest corner of East 91<sup>st</sup> Street South and South Delaware Avenue

**Zoning:** MX2-V-U

**Staff Recommendation:**

Staff recommends **approval** of the authorization to receive an accelerated release of a building permit and the modification to the Subdivision & Development Regulations

**City Council District: 2**

*Councilor Name:* Jeannie Cue

**County Commission District: 2**

*Commissioner Name:* Karen Keith

## ACCELERATED RELEASE OF BUILDING PERMIT

### 9100 Delaware- (CD 2)

West of the northwest corner of East 91<sup>st</sup> Street South and South Delaware Avenue

The subject property is required to obtain full compliance with the Subdivision & Development Regulations due to a recently approved rezoning. 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 has been submitted and reviewed by the Technical Advisory Committee and is being presented concurrently with this request.

The plat includes the dedication of utility easements, access limitations, and additional right-of-way dedications at the corner of East 91<sup>st</sup> Street South and South Lewis Place. Improvements to infrastructure on the site, primarily sanitary sewer, will be required prior to the filing of the final plat in order to accommodate future development goals; Existing buildings on site are already served by the required infrastructure and the improvement of those buildings would not negatively impact the progress of the plat and infrastructure as required.

The Technical Advisory Committee met on November 5th and had no objections to the authorization for accelerated release of building permits on the existing buildings.

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.

### **Modification to the Subdivision & Development Regulations:**

The applicant has requested a modification to Section 10-110.6-B and C that require the dedication of all required ROW and easements and the submittal of a performance guarantee for outstanding infrastructure. Due to the fact that the ROW dedications are not being made for the purpose of any immediate infrastructure, staff supports a deferral of this requirement so that the ROW can be dedicated by plat. Given that sidewalks are the only required infrastructure and no main extensions or other improvements are required for the existing buildings, staff also supports the deferral of performance guarantee requirements to the final plat.

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. Accelerated permits shall only be allowed for the existing structures shown on the conceptual site plan to include interior remodeling, exterior improvements, and accessory improvements.