



Tulsa Metropolitan Area  
Planning Commission

**Case Number:** CZ-505

**Hearing Date:** August 5<sup>th</sup>, 2020

**Case Report Prepared by:**

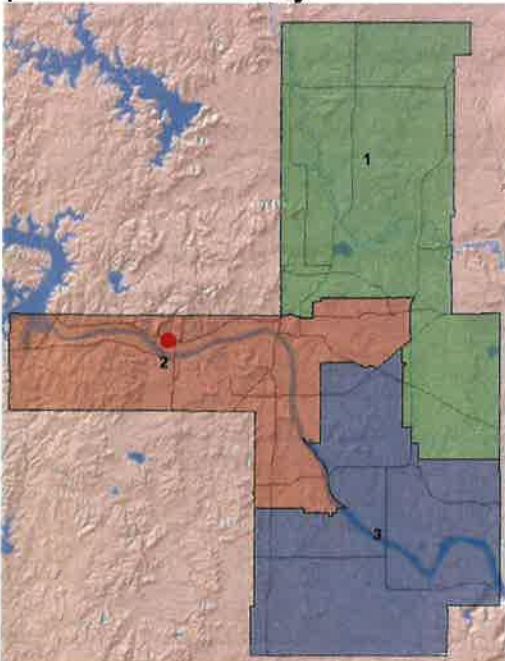
Jay Hoyt

**Owner and Applicant Information:**

*Applicant:* Ashley Hacker

*Property Owner:* HACKER INVESTMENTS LLC

**Location Map:**  
**(shown with County Commission Districts)**



**Applicant Proposal:**

*Present Use:* Abandoned/Storage

*Proposed Use:* Office Warehouse

*Concept summary:* Rezone from RS to CG to permit a new office/warehouse building

*Tract Size:* 0.44 ± acres

*Location:* East of the Southeast corner of West Wekiwa Road & South River City Park Road

**Zoning:**

*Existing Zoning:* RS

*Proposed Zoning:* CG

**Comprehensive Plan:**

*Land Use Map:* Commercial

*Stability and Growth Map:* N/A

**Staff Recommendation:**

**Staff recommends approval.**

**Staff Data:**

TRS: 9110

CZM: 76

**County Commission District:** 2

*Commissioner Name:* Karen Keith

9.1

## SECTION I: CZ-505

**DEVELOPMENT CONCEPT:** The applicant is proposing to rezone from RS to CG to permit the construction of a new office/warehouse building as illustrated on the plans provided by the applicant. They intend to construct an office/warehouse duplex approximately 4,000 sf in area.

The site is located within the Commercial Land Use designation of the City of Sand Springs Comprehensive Plan. Based on this designation, the proposed office/warehouse would be compatible with the long term land use plans for the immediate area.

### EXHIBITS:

- INCOG Case map
- INCOG Aerial (small scale)
- INCOG Aerial (large scale)
- Land Use Map
- Applicant Exhibits:
  - Building Plans
  - Site Plan

### **DETAILED STAFF RECOMMENDATION:**

CZ-505 is non-injurious to surrounding proximate properties;

CZ-505 is compatible with the Commercial Land Use designation of the City of Sand Springs Comprehensive Plan;

CZ-505 is consistent with the anticipated future development pattern of the surrounding property therefore;

Staff recommends **Approval** of CZ-505 to rezone property from RS to CG.

## **SECTION II: Supporting Documentation**

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

#### Staff Summary:

The subject property is located within the fenceline of Sand Springs. The 2030 Sand Springs Land Use Master Plan was adopted June 26, 2017. The City of Sand Springs Planning Department engaged citizens in the Comprehensive Planning process. They initiated a community survey that was available in electronic format via social media and the City's website. The survey was also available in a hard copy that citizens could acquire at several locations. In addition, a web based Interactive Map was launched to obtain citizen participation.

The Land Use Master Plan designates this area as Commercial. See the attached Land Use Map. The Commercial Land Use District represents areas of retail trade and services. Typically, these areas are located around nodes of arterial street intersections or in some cases, at intersections of collectors and arterials. Commercial Districts can also be found in corridors that have an established commercial use pattern. The Commercial District includes uses that range from small neighborhood convenience shopping areas, single free-standing buildings, big box

retailers, restaurants, automotive services centers, and other similar retail uses. Residential Multi-Family uses may be allowed where deemed appropriate as increased density provides support for commercial areas.

Land Use Vision:

*Land Use Plan map designation:* Commercial

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

Transportation Vision:

*Major Street and Highway Plan:* Katy Street does not have a designation

*Trail System Master Plan Considerations:* The site is located within 100 ft of the Katy Trail Wekiwa Linkage located along Wekiwa Road. The GO Plan recommends shared Automotive/Bicycle lanes to the east of the subject property, along Katy Street, ending about 110 ft from the subject property.

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

*Staff Summary: The site currently contains a single family residence.*

Environmental Considerations: None

Streets:

Exist. Access	MSHP Design	MSHP R/W	Exist. # Lanes
Katy Street	None	N/A	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	RS	N/A (Wekiwa Rd/Keystone Expressway)	N/A	Expressway
South	RS	Commercial	N/A	Single Family
East	RS	Commercial	N/A	Single Family
West	RS	Commercial	N/A	Single Family

9.3

### SECTION III: Relevant Zoning History

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

#### ***Subject Property:***

No Relevant History.

#### ***Surrounding Property:***

**CZ-488 September 2019:** All concurred in **approval** of a request for *rezoning* a .3± acre tract of land from RS to CS for a law office, on property located on the southeast corner of West Wekiwa Road and West Long street.

**CBOA-02547 September 2015:** The Board of Adjustment **approved** a *Special Exception* to permit a mobile home in an RS District and a *Variance* to allow two dwellings on one RS zoned lot record, subject the trailer house being skirted and tied down, and there be an 8'0" x 10'0" asphalt or concrete pad for parking, on property located 825 West Katy Street South.

**CBOA-02142 November 2004:** The Board of Adjustment **approved** a *Special Exception* to permit a firework stand in an RS District from December 15<sup>th</sup>, 2004 through January 2<sup>nd</sup>, 2005 and June 15<sup>th</sup>, 2005 through July 5<sup>th</sup>, 2005, as requested, on property located 810 West Katy Street South.

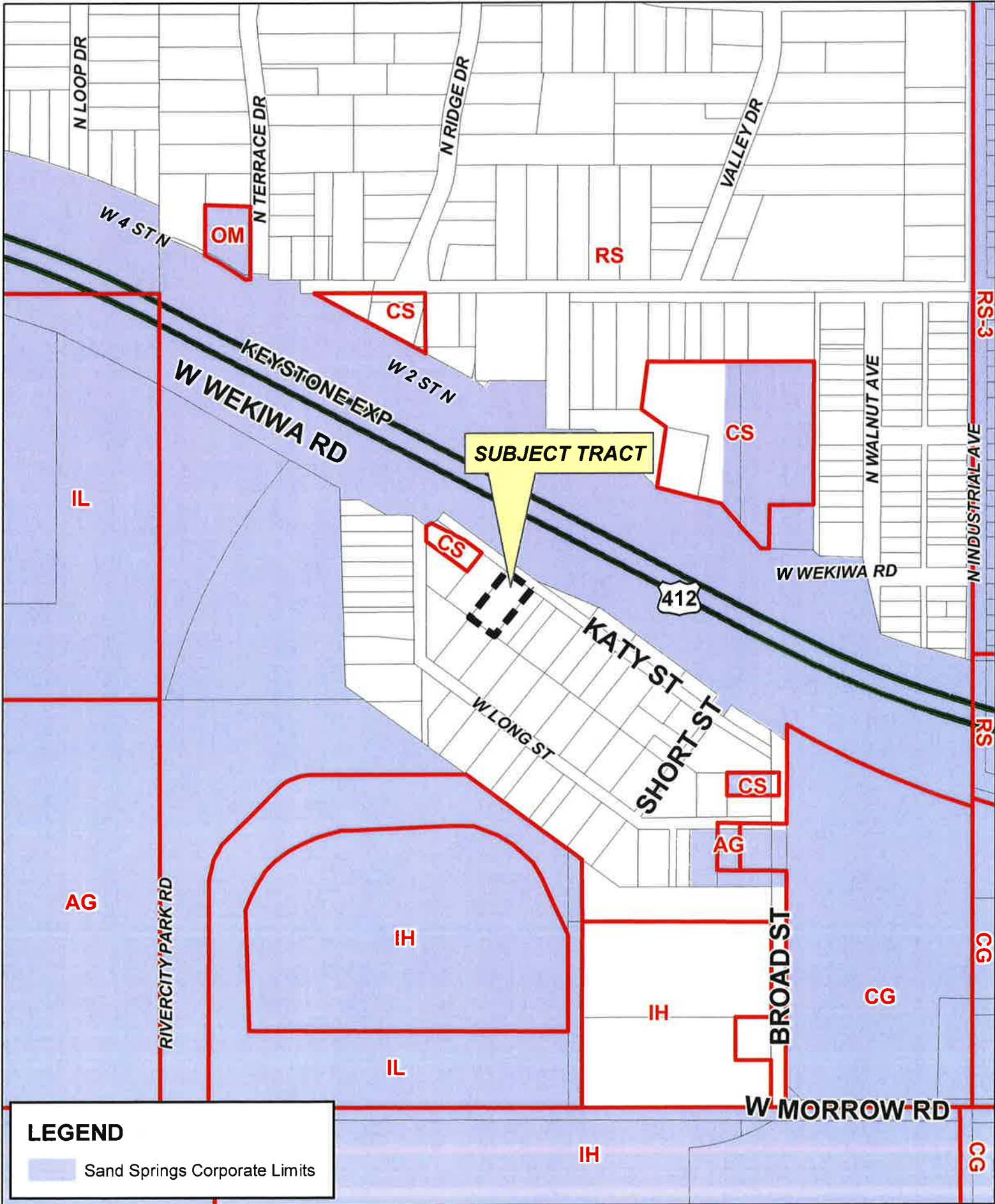
**CBOA-01188 September 1993:** The Board of Adjustment **approved** a *Special Exception* to permit a mobile home in an RS zoned district, subject to a building permit and Health Department approval, and subject to the mobile home being skirted and tied down, on property located at 849 Long Street.

**CBOA-01006 January 1991:** The Board of Adjustment **approved** a *Special Exception* to permit a mobile home in an RS zoned district, subject to Health Department approval and Building Permit, finding that the subject property abuts agricultural land to the west and that there are other mobile homes in the area, on property located at 865 Long Street.

**CBOA-00734 April 1984:** The Board of Adjustment **approved** a *Special Exception* to allow for a mobile home and a *Variance* to allow 2 dwelling units on one lot of record, subject to the Building Permit and Health Department approval of the septic system, finding that there are numerous mobile homes in the area, as well as lots with more than one dwelling unit, on property located south of Keystone Expressway, West of Highway 97.

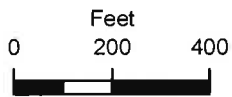
**CBOA-00551 April 1985:** The Board of Adjustment **approved** a *Special Exception* to allow a home occupation for a mechanic shop in a RS zoned district, a *Variance* of the 50' setback from the centerline of Katy to 25' and of the rear yard setback from 20' to 10' to permit construction of an accessory building, and a *Variance* to permit a 1200 sq. ft. accessory building to be located in the side yard, finding that a hardship imposed on the applicant by the narrow shape of the lot and the fact that the lot is also adjacent to the expressway, subject to no placement of a sign on the property, no outside storage of materials, and the garage closing by 10pm, on property located at 816 Katy Street.

9.4



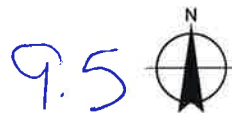
**LEGEND**

 Sand Springs Corporate Limits



**CZ-505**

19-11 10







N LOOP DR

N TERRACE DR

N RIDGE DR

VALLEY DR

N INDUSTRIAL AVE

W 4 ST N

W WEKIWA RD

KEYSTONE EXP

W 2 ST N

N WALNUT AVE

W WEKIWA RD

412

KATY ST

W LONG ST

SHORT ST

RMERCY PARK RD

BROAD ST

W MORROW RD



Subject Tract

**CZ-505**

19-11 10

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

Aerial Photo Date: February 2018

9.6







W WEKIWA RD

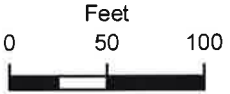
KEYSTONE EXP

W 2 ST N



KATY ST

W LONG ST



Subject Tract

**CZ-505**

19-11 10

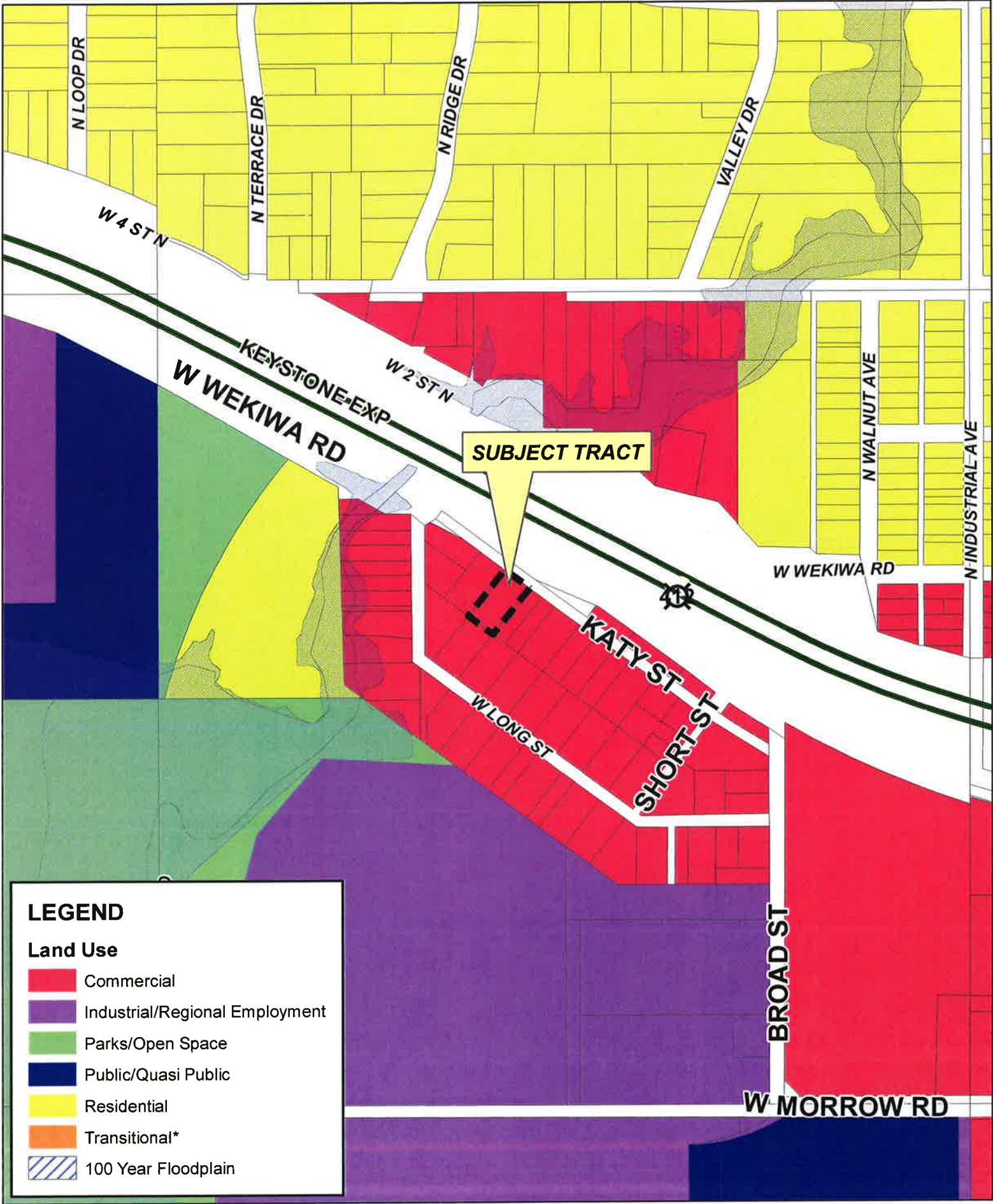
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2018

9.7





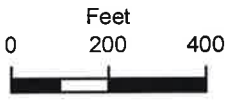


**SUBJECT TRACT**

**LEGEND**

**Land Use**

- Commercial
- Industrial/Regional Employment
- Parks/Open Space
- Public/Quasi Public
- Residential
- Transitional\*
- 100 Year Floodplain



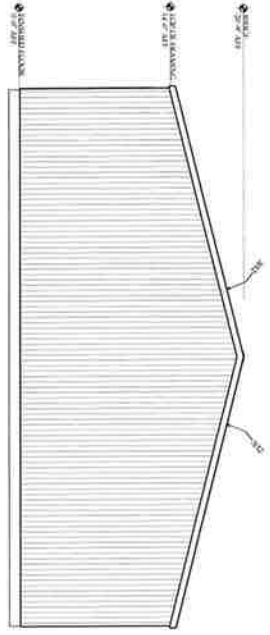
**CZ-505**

19-11 10

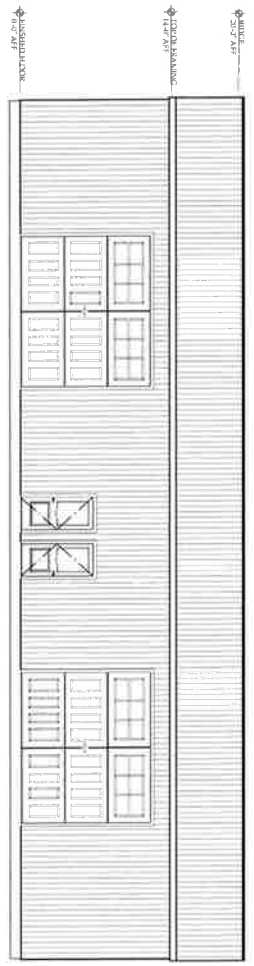
9.8 **O**



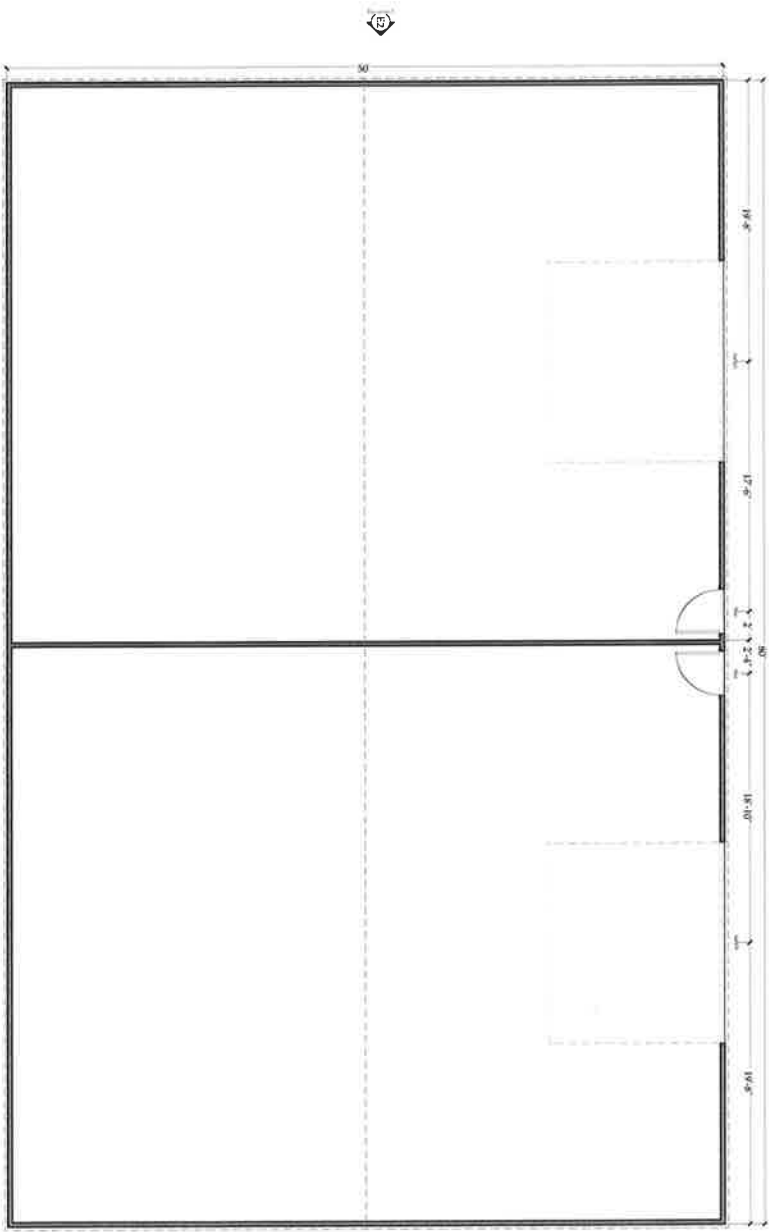
b.b



Elevation 2



Elevation 1



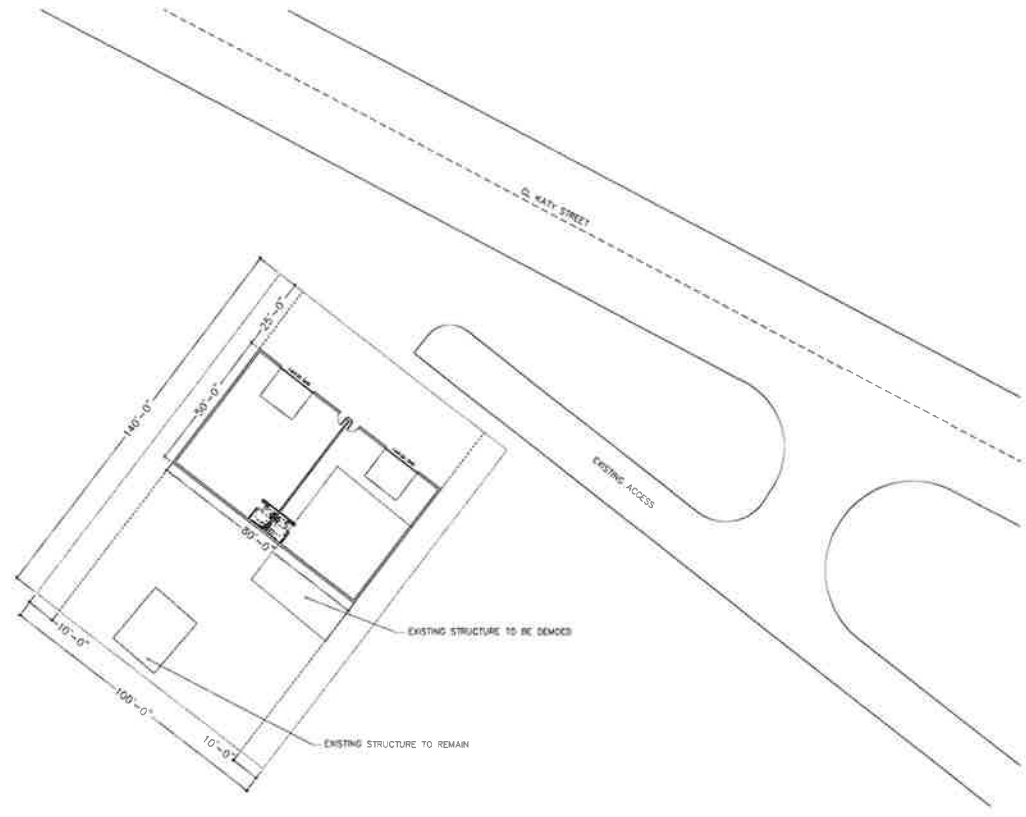
1st Floor

NOT FOR CONSTRUCTION  
 DRAWING SCALE: 1/4" = 1'-0"  
 PROPOSED FLOOR PLAN  
 PROJECT NUMBER: 1406  
 SHEET TITLE: 1000

PROPOSED GARAGE  
 833 KATY STREET  
 SAND SPRINGS, OK 74063

**ARIS** Architectural Renderings and INVESTMENT STUDIES  
 DESIGN GROUP 918.938.8612 P.O. Box 2144 Southau, OK 74137

016



833 Katy Street Sand Springs, OK 74063

Subdivision: HALL'S GARDEN ADDN Legal: LT 12 BLK 1 Section: 10 Township: 19 Range: 11

1 SITE PLAN  
1"=20'-0"



**Sawyer, Kim**

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**From:** ashley@hackerinvestments.com  
**Sent:** Monday, July 27, 2020 12:15 PM  
**To:** esubmit  
**Subject:** CZ-505,CZ-506 applicant presentation materials.  
**Attachments:** Hacker TMAPC.docx

I am the applicant for CZ-505 and CZ-506

attached is what I will be using to make my presentation to the commission and would like it available for all commissioners who are attended remotely. I have been watching the GoToMeeting when they are on and see that only 2 are normally present in the council chambers. I will be attending in person as there could be a large group there and I only feel like I should be there in person.

Thank You

Ashley Hacker

918-260-9526

CZ-505 and CZ-506

HISTORICAL AERIALS

2003,2008,2015,2020







Keystone Corridor Redevelopment Plan 2025  
Adopted and approved SS Council October 11 2004

9.13



Drone February 14 2020

9.14

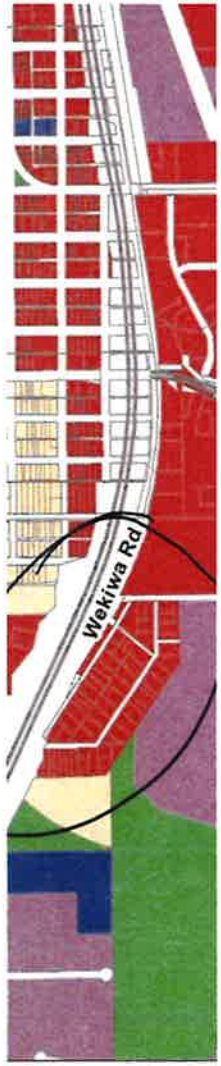


## 2030 Future Land Use Master Plan

The below Figure shows the 2030 Future Land Use Master Plan for the entire Sand Springs fence-line. The City Limits are not shown because State Statute allows communities to plan within their fence-line since they may annex lands within this boundary area. The map document will be used in conjunction with the individual use category descriptions when evaluating development proposals within the City Limits or when commenting on referral cases from both Osage and Tulsa County.

The map shows two newer commercial corridors, one emerging along the south side of HWY 412, west of 209<sup>th</sup> W. Ave. extending to 177<sup>th</sup> W. Ave., and along the north side of W. 41<sup>st</sup> St. from Hwy 97 to 73<sup>rd</sup> W. Ave. These areas are along highly used transportation corridors making them more attractive for future commercial and transitional types of development. Another area of change is the 113<sup>th</sup> Corridor from HWY 97 to 41<sup>st</sup> St. This area has been primarily been identify for transitional uses along the west of the 113<sup>th</sup> W. Ave. There has been an influx over the years of development along the west side of 113<sup>th</sup> abutting the existing residential area adjacent to it. By classifying this area as transitional it will allow for the continuation of development, while suggesting what zoning categories would serve as transitional from residential to commercial located on the east side of 113<sup>th</sup> W. Ave. Additionally, you will see land use designations changes that display the change in how the Keystone Corridor area might develop out. The Charles Page Blvd. corridor is an area of focus that is designated for commercial development. In recent years this area has lost some of its retail development that once made it busy commercial corridor. The revitalization of this area is important to the overall development of the community. Furthermore, changes can be seen along Morrow Rd. where traditional industrial uses have been located but are now designated for commercial development. Two of most notable changes is the designation of the old steel mill plant and the frontage of that property being designated for commercial. The other is the east side of HWY 97 all the way to Main St. between the Arkansas River and Morrow Rd. This area has been changed to show a designation of a commercial area where historically industrial development has existed. Many other areas have been reclassified to accurately reflect the development that occurred since the last major update of the Sand Springs Comprehensive Plan.

9.15



9/14



Search ...  
Go Adv. Search

- Folders Saved Search  
Unlimited Usage: 576MB  
New Folder  
Inbox (1726)  
Bulk Mail [purge] (3)  
Drafts (3)  
Templates  
Send Later  
Sent Items  
Trash [purge] (36)

Save Search As: Add  
Reply Reply to All Forward Delete Purge Mark as Spam Move to Folder Move More Actions Apply

Search Results > Message Detail Entire Thread Print Previous Next  
Subject: FW: Vehicle count broad St. Sand Springs  
From: "Kramer, Wendy" <wkramer@incog.org> (Add as Preferred Sender)  
Date: Mon, Jun 22, 2020 10:43 am  
To: "ashley@hackerinvestments.com" <ashley@hackerinvestments.com>

Ashley,  
Our GIS Analyst ran a vehicle count for you on that street using a program we have called Streetlight, highlighted below is what the results were on S Broad ST.

Thanks,  
Wendy Kramer  
GIS Specialist! INCOG  
2 West 2nd Street, Suite 800 | Tulsa, OK 74103  
Phone: 918.579.9463 | Fax: 918.583.1024  
[www.incog.org](http://www.incog.org) | [wkramer@incog.org](mailto:wkramer@incog.org)



From: Simmons, Ty <tsimmons@incog.org>  
Sent: Monday, June 22, 2020 9:33 AM  
To: Kramer, Wendy <wkramer@incog.org>; Gibson, Barbara <bgibson@incog.org>  
Cc: Dharmadhikari, Nimish <ndharmadhikari@incog.org>  
Subject: RE: Vehicle count broad St. Sand Springs

Wendy,  
I ran an AADT analysis and a Zone Activity Analysis on Broad Street using StreetLight and I estimate that there is roughly 2,100 vehicles per day that traverse that street.

From: Kramer, Wendy <wkramer@incog.org>  
Sent: Monday, June 22, 2020 8:54 AM  
To: Simmons, Ty <tsimmons@incog.org>; Gibson, Barbara <bgibson@incog.org>  
Cc: Dharmadhikari, Nimish <ndharmadhikari@incog.org>  
Subject: RE: Vehicle count broad St. Sand Springs

Yes it is  
Wendy Kramer  
GIS Specialist! INCOG  
2 West 2nd Street, Suite 800 | Tulsa, OK 74103  
Phone: 918.579.9463 | Fax: 918.583.1024  
[www.incog.org](http://www.incog.org) | [wkramer@incog.org](mailto:wkramer@incog.org)



From: Simmons, Ty <tsimmons@incog.org>  
Sent: Monday, June 22, 2020 8:52 AM  
To: Gibson, Barbara <bgibson@incog.org>; Kramer, Wendy <wkramer@incog.org>  
Cc: Dharmadhikari, Nimish <ndharmadhikari@incog.org>  
Subject: RE: Vehicle count broad St. Sand Springs

Is this the Broad Street that is behind the Walmart?

9.17



**Inbox** > **Message Detail**  Entire thread **Print** **Next**

**Subject:** RE: 200 Broad St.  
**From:** Cynthia A Webster <cawebst@sandspringsok.org> (Add as Preferred Sender)  
**Date:** Mon, Jul 27, 2020 8:14 am  
**To:** "ashley@hackerinvestments.com"  
<ashley@hackerinvestments.com>  
**Cc:** "Brad T. Bates" <btbates@sandspringsok.org>

The property was annexed and rezoned and approved by City Council on 2/13/2012. Attached is Ord. 1220.

**From:** Brad T. Bates  
**Sent:** Saturday, July 25, 2020 8:29 PM  
**To:** Cynthia A Webster <cawebst@sandspringsok.org>  
**Subject:** Fw: 200 Broad St.

Please supply Mr. Hacker with the appropriate information.

**From:** [ashley@hackerinvestments.com](mailto:ashley@hackerinvestments.com)  
<[ashley@hackerinvestments.com](mailto:ashley@hackerinvestments.com)>  
**Sent:** Monday, July 20, 2020 9:54:06 PM  
**To:** Brad T. Bates  
**Subject:** 200 Broad St.

Brad. You wouldn't happen to be able to furnish me with the annexation and rezoning request/agenda for 200 Broad St.? If not the actual request, then dates that it was rezoned and annexed into the city? I believe it was done around 2005 or 6?

Also on that request for a 2" water line on Valley Rd. I will be able to restore the existing well and only require a 1" water tap for my building. Thank you and the rest of the department for the chance to set down and discuss my actual water needs and plans.

Thank You for your time

Ashley Hacker  
918-260-9526

9.18





Tulsa County Clerk - EARLENE WILSON  
 Doc # 2012011807 Page(s): 3  
 Recorded 02/24/2012 at 01:53 PM  
 Receipt # 321487 Fee \$17.00

ORDINANCE NO. 1220

1 of 4

**SECTION 3 SERVICE PLAN** Services provided upon annexation will consist of Police, Fire, Animal Control, Inspections and Planning. Upon annexation the properties will be within City of Sand Springs storm water jurisdiction. The City makes no representation concerning the sufficiency of storm water detention for the annexed property, and any future storm water repair or upgrades will remain the responsibility of the homeowners. Water service will continue as is in a rural water district. Sewer services are not available at this time and are not planned. Solid Waste is provided by private contractor. No streets are included in this annexation, and street repair and maintenance will remain the responsibility of Tulsa County.

**SECTION 4** This Ordinance shall become effective April 4, 2012.

PASSED AND APPROVED at a regular meeting of the Council of the City of Sand Springs Oklahoma, held on the 13<sup>th</sup> day of February, 2012.

*[Handwritten signatures and notes]*

*Mike Burdge*  
 Mike Burdge, Mayor

*E. Bruce Ford*  
 E. Bruce Ford, City Clerk

APPROVED AS TO FORM

*David L. Weatherford*  
 David L. Weatherford, City Attorney

AN ORDINANCE EXTENDING THE CORPORATE LIMITS BY ANNEXING CE1 LOCATED IN SECTION 10, TOWNSHIP 19 NORTH, RANGE 11 EAST, TULSA OKLAHOMA, IN SAND SPRINGS WARD BOUNDARY DISTRICT 2, PARTICULARLY DESCRIBED HEREINAFTER, WITHIN THE MUNICIPAL LIMITS OF THE CITY OF SAND SPRINGS, PROVIDING FOR COMMERCIAL SHOPPING DISTRICT ZONING OF THE ANNEXED AREA, REPEALING ALL ORDINANCES OR PARTS IN CONFLICT HEREWITH, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Mark Matson & Donna Matson and Bob Clark and Jacqueline Clark are the owners of real property described herein and have consented to annexation of the described property into the city limits of the City of Sand Springs, Oklahoma, and requested zoning from Residential District (RS) to Commercial Shopping District (CS); and

WHEREAS, after due consideration of the facts and being sufficiently advised, the City Council hereby finds that all requirements necessary for annexation have been met, including proper notice, and specifically finds that the tract to be annexed is adjacent and contiguous to the existing city limits and serves a municipal purpose by providing a more uniform boundary for the city and serves to connect previously unconnected portions of existing city limits;

WHEREAS, it is deemed desirable and beneficial for the citizens of the City of Sand Springs, Oklahoma, that the properties hereinafter described be annexed into the Municipal Limits with a CS zoning classification and in Sand Springs Ward Boundary District 2.

THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAND SPRINGS OKLAHOMA,

**SECTION 1** That the following described tracts of land and real estate to-wit:

The East 141.9 feet of Lot 2, Block 1, Halle Garden Addition, and beginning at the NE corner of Lot 2, thence east 80' across the right-of-way of Broad Street to the municipal limits of the City of Sand Springs, thence south one foot along the east right-of-way end of Broad Street, thence west parallel with that same 90' extension to a point on the west right-of-way of Broad Street, thence north one foot to the NE corner of Lot 2, in Section 10, Township 19N, Range 11E, Tulsa County, Oklahoma,

totaling approximately 0.29 acres, also known as 100 S. Broad Street, generally located north of the northwest corner of Broad Street and Long Street in Tulsa County

be here and the same annexed to and declared to be hereafter included within the Corporate Limits of the City of Sand Springs, Oklahoma, under the Commercial Shopping District (CS), and in Sand Springs Ward Boundary District 2.

**SECTION 2** That from and after the effective date of this Ordinance the property hereinabove described shall be a part of the City of Sand Springs, Oklahoma, and all persons therein and all property situated therein shall be, and are hereby declared to be, subject to the jurisdiction, control, laws and Ordinances of the City of Sand Springs, Oklahoma, in all respects and particulars.

9.19

**Sawyer, Kim**

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**From:** Payten Cochrane <ph850r@icloud.com>  
**Sent:** Monday, July 27, 2020 3:14 PM  
**To:** esubmit  
**Subject:** In support of rezoning CZ-505 and CZ-506

I am writing in support of rezoning CZ-505 and CZ-506 from RS to CG.

My name is Payten Cochrane, and I reside at 819 Katy St, Sand Springs OK.

I feel that it would be in the best interest of our town and community to rezone CZ-505 833 Katy St, Sand Springs OK and CZ-506 804 Long St, Sand Springs OK. I believe the rezoning to commercial general (CG) would allow for a more efficient use of these properties and buildings to better serve the community that my family lives in. We believe that leaving these properties as residentially zoned would hinder economic efficiency and development in this area.

CZ-506 & CZ-505

**Sawyer, Kim**

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**From:** Hoyt, Jay  
**Sent:** Monday, July 27, 2020 8:09 AM  
**To:** Josie Pearson; esubmit  
**Cc:** Sawyer, Kim  
**Subject:** RE: Case #cz506 and CZ505

Mr. Pearson,

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

Thank you,

Jay Hoyt

-----Original Message-----

**From:** Josie Pearson [mailto:josiempearson1@gmail.com]  
**Sent:** Sunday, July 26, 2020 7:45 AM  
**To:** esubmit <esubmit@incog.org>  
**Subject:** Case #cz506 and CZ505

Writing on behalf of my wife and I that own 820 long st and 208 short st in sand springs ok. WE DO NOT want the properties around us to be commercial properties. Us and majority of the home owners in our neighborhood agree that we have finally gotten rid of the thugs and lowlifes that we're causing problems and want to raise our children in our homes without having to worry about what money driven, rude, self centered people want to put in to bring a bigger profit. Our neighborhood is finally quiet and we have no issues and we want to keep it that way. The properties in question are directly across from me and the buildings on those properties have not been taken care of in years, why does it need to be commercial if they can't even take care of residential? We want our voices heard and again we say NO to zoning it commercial.

Thank you,  
Morgan Miller-Pearson and Josie Pearson



Sawyer, Kim

CZ-506 & CZ-505

**From:** Barbara Shockley <barbshock22@gmail.com>  
**Sent:** Tuesday, July 21, 2020 1:10 PM  
**To:** Wilkerson, Dwayne  
**Cc:** esubmit  
**Subject:** Fwd: Case Number CZ-506 and CZ-505

> Dear Mr. Wilkerson and planning comissioners,

> Hello, I am a resident of Tulsa County living just out of the Sand Springs city limits in a neighborhood called Hall's Garden. It is located just off of Highway 412 . There are about 25 or so homes in this neighborhood.

> We received notice that Ashley Hacker has applied to have both of these homes (CZ 505 and CZ 506) rezoned from residential to commercial. We are opposed to rezoning of both of these properties as it would be detrimental to our neighborhood.

> I would like to give you some background on this application. Ashley Hacker owns another property right across from my house. His family had this property annexed into the City of Sand Springs many years ago. They ran a day care there for over thirty years. Just a few weeks ago he appeared before the Sand Springs City Council to acquire a special use permit in order to put a marijuana growing and processing facility in that property. I rallied the neighborhood and we expressed our concerns to the city councilmen. We were successful and the Sand Springs City Council denied the special use permit. In their presentation to the council, the lawyer for Mr. Hacker told the members if this property wasn't annexed into the city, he wouldn't even have to ask permission to put in the marijuana processing and growing facility. He said in the county, he only needed to be zoned commercial, which it has been since the early 80's. About a week after that city council meeting, Mr. Hacker told the couple renting the house next door to me (CZ-506) that he was going to demo that house and build a metal building. We have no doubt that Mr. Hacker intends to put a marijuana processing and growing facility in the property identified as case number CZ-506 if he is successful in his attempt to get it rezoned to commercial. I also believe he chose to rezone the property next door to me out of retaliation because I have been very vocal in my opposition to his plans. Today he offered to buy my house and said I could find a house in West Tulsa with the \$95,000 he offered me.

> Rezoning CZ-506 and CZ-505 to commercial properties will be detrimental to the neighbors who live in Hall's Garden. Many of these families have been here for generations. We have been working with the county and Commissioner Karen Keith to get a junkyard in the neighborhood cleaned up. Some of the residents have been fixing up their homes. This neighborhood is full of families with children and seniors who want to be able to enjoy their homes. We do not want a marijuana processing and growing facility or any other commercial entity in the middle of our neighborhood. Please do not allow these residential properties, both located in our neighborhood, to be rezoned commercial.

> It is my understanding that John Fothergill was on the planning commission for Tulsa County and now is in the treasurer's office. Mr. Fothergill came to the city council meeting to speak on behalf of Ashley Hacker. He wanted the council to grant the special use permit. We have some concerns that he may try to influence the decision to rezone these properties. We sincerely hope that the planning commission will look at what's best for the residents in this neighborhood. No one wants a marijuana facility in his or her backyard. Please protect our neighborhood!

> Thank you for time and attention to this matter.

> Sincerely,  
> Barbara Shockley  
202 Broad Street  
Sand Springs, OK 74063

9.22

Petition AGAINST rezoning the properties  
 CZ-505 and CZ-506 in Tulsa County as  
 Commercial General, as it would be detrimental  
 to the residential neighborhood in which they  
 are both located.

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE #</u>
Megan LaRose	834 Long St	918-240-9162
Jalynn Mayes	803 Katy St	918-581-447
Russella Webster	863 Long St	918-277-5079
Darren Massey	863 Long St	918-245-3338
Denise Christy	863 Long St	918-743-7819
Deborah O'Neill	863 Long St	918-4319
John R.	855 Long St.	918-313-2180
Shirley Holt	207 Long St. - daughter's home	Marshall
Brenda Davis	840 Long St	918-245-8204
Cliff Hewitt	803 Katy St	918-724-1876 - Sand Springs free Hotline
Paul Silbert	803 Katy St	918-857-5936
Marilyn Burt	803 Katy St	918-857-5937
Stephen J. McVicker	855 Katy St	245-3000
KATHA L. For <sup>buying from Bruce Jewels</sup>	821 Long St	918-948-4879
Blake Babcock	805 Katy St	918-807-4964
KATHRYN SPENDER	819 Long St	918-510-1129



**Petition AGAINST rezoning the properties  
CZ-505 and CZ-506 in Tulsa County as  
Commercial General, as it would be detrimental  
to the residential neighborhood in which they  
are both located.**

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE #</u>
Barbara Shockley	202 Broad St	918 704-1808
Wendy Pearson	208 Short St	918-740-0911
Morgan Pearson	820 Long St	918-720-2957
Karen Griggsby	851 Long St	918-557-8766
Shirley Massey	848 Long St	
Cathy Krause	835 Katy St	<del>918 888 0038</del> <del>918 245 2818</del>
Walter Blomons	831 Katy St	918 245-2818
Kathleen Hayes	815 Katy St	918-246-0704
Doreen Dingle	312 Broad St	918-245-1586
Doreen Dingle	312 Broad	918 245-1586
Sarah Mandy	832 Long St	918 955-6701
Rafael Cortello	841 KATY ST	918 245 4105
Jerry Mandy <small>Pastor</small>	314 Broadstreet	918 951 5873
Paloma Moody	314 Broadstreet	918 951 8042
Brian & Myriam	836 Long St	918 551 4082
Ron Jones	823 Long St	918 584 9382
Walter	835 1/2 Long Street	918-978-0558
Leslie Thompson	835 1/2 LONG ST	918-902-3773
Yvonne Vautt	841 Long St	918-671-3870
Dorinda Smith	844 Long St	539-292-5801
Bob Smith	844 Long St	539 292-5801

Freedom Ministers

9.24

6. **Resolution No. 20-36 – Sand Springs Municipal Authority Utility System Revenue Bonds, Refunding Series 2020**

John Weidman, Bond Counsel, requested Council's consideration and adoption of Resolution No. 20-36, a resolution relating to the incurring of indebtedness by the Trustees of the Sand Springs Municipal Authority, waiving competitive bidding and approving a purchase contract, sales tax agreement, and other related documents.

Following a brief discussion, a motion was made by Councilor Burdge and seconded by Councilor Wilson that the requested approval of Resolution No. 20-36, a resolution relating to the incurring of indebtedness by the Trustees of the Sand Springs Municipal Authority, waiving competitive bidding and approving a purchase contract, sales tax agreement, and other related documents, as presented, be approved.

Mayor Spoon called for the vote recorded as follows:

Councilor Burdge, aye; Councilor Jackson, aye; Vice Mayor Dixon, aye; Mayor Spoon, aye; Councilor Riley, aye; Councilor Wilson, aye; Councilor Nollan, aye.

The motion carried 7-0-0.

7. **SUP-59 Specific Use Permit for Medical Marijuana Growing and Processing Facility (A-F)**

City Attorney David Weatherford requested Council's consideration of SUP-59 concerning the application of Ashley Hacker, on behalf of Hacker Corporation, for a Specific Use Permit to allow a medical marijuana growing facility (Use Unit 2) and a medical marijuana processing facility (Use Unit 25) at property legally known as The East 100' of the North 140' of Lot 1, Block 2, Halls Garden Addition and the West 3' of the North 140' of Lot 1, and the East 72' of the North 140' of Lot 1, Block 2, Halls Garden Addition, Tulsa County, Oklahoma, and commonly known as 801 Long St., zoned CG (Commercial General). Council should complete the Findings of Fact and Conclusions of Law.

A) Public Hearing

Mayor Spoon declared a Public Hearing for the purpose of a brief presentation by Applicant, Ashley Hacker, on behalf of Hacker Corporation; and for the purpose of public comments in regard to the applicant.

This item was for informational purposes only.

Attorneys Stefanie Sinclair and Johnathan P. Nation presented a brief presentation of SUP-59 on behalf of the Applicant.

Attorneys for the Applicant commented on the following: traffic, signage, carbon scrubber filters, electricity, property values, and Comprehensive Plan 2030. A photo concept of the proposed Medical Marijuana Growing and Processing Facility was presented, and it was noted that the citizens of Oklahoma voted for the legalization of medical marijuana.

The following citizens spoke in opposition of SUP-59:

Barbara Shockley, 202 Broad Street, Sand Springs, OK, commented on property value, traffic/crime, wear and tear on roads, children and churches in neighborhood, and a family neighborhood since 1949. Ms. Shockley lives across the street from the proposed facility.

Patricia Goins, 16610 Buford, Sapulpa, OK, commented on need to have a transport license, no shopping at proposed location, and property value.

Mark Massey, 200 Broad Street, Sand Springs, OK, commented on decreased property value and community improvements such as the Case Community Center and the Billie A. Hall Public Safety Center. Mr. Massey owns an annexed commercial property.

Cliff Hewitt, 803 Katy Street, Sand Springs, OK, commented on concern for increased crime and showing respect for churches in the community. Mr. Hewitt is the pastor of a church in Sand Springs.

Earl Shockley, 9441 W. Country Road, Sand Springs, OK, commented on current property values and proposed facility belongs in a Light Industrial site. Mr. Shockley's mother lives across the street from the proposed facility.

Kathryn Spencer, 819 Long Street, Sand Springs, OK, commented on filters and a personal medical allergy to marijuana. Ms. Spencer lives three (3) lots from the proposed facility.

The following citizens spoke in favor of SUP-59:

John Fothergill, 3410 S. 73<sup>rd</sup> W. Ave., Tulsa, OK, commented that the Hacker Corporation is invested in the community; the building will be monitored and occupied rather than vacant; the building will be maintained; and the building is inside the city limits of Sand Springs.

Deputy County Commissioner Keri Fothergill, 310 W. 32<sup>nd</sup> Pl, Sand Springs, OK, provided a brief update on the clean-up of the "green barn" property adjacent to the subject property.

Following a brief discussion and there being no further comments, Mayor Spoon closed the public hearing.



B) Probable Effect of the Project on the Adjacent Property

Mayor Spoon requested Council's consideration of the PROBABLE EFFECT OF THE PROJECT ON THE ADJACENT PROPERTY, and requested a motion finding that the proposed use will have either minimal or substantial effect on the adjacent property.

A motion was made by Vice Mayor Dixon and seconded by Councilor Burdge that the proposed use of the property will have a substantial effect on the adjacent property.

Mayor Spoon called for the vote recorded as follows:

Councilor Nollan, aye; Councilor Wilson, aye; Councilor Riley, aye, Mayor Spoon, aye; Vice Mayor Dixon, aye; Councilor Jackson, nay; Councilor Burdge, aye.

The motion passed 6-1-0.

C) Community Welfare as Affected by the Project

Mayor Spoon requested Council's consideration of the COMMUNITY WELFARE AS AFFECTED BY THE PROJECT, and requested a motion finding that the proposed use either will or will not have an adverse effect on the community welfare as a whole.

A motion was made by Vice Mayor Dixon and seconded by Councilor Nollan that the proposed use will have an adverse effect on the community welfare as a whole.

Mayor Spoon called for the vote recorded as follows:

Councilor Burdge, aye; Councilor Jackson, nay; Vice Mayor Dixon, aye; Mayor Spoon, aye; Councilor Riley, aye; Councilor Wilson, aye; Councilor Nollan, aye.

The motion carried 6-1-0.

D) Impact of the Development on Public Facilities, Including but not Limited to Parks, Roads, and Utilities

Mayor Spoon requested Council's consideration of the IMPACT OF THE DEVELOPMENT ON PUBLIC FACILITIES, INCLUDING BUT NOT LIMITED TO PARKS, ROADS, AND UTILITIES, and requested a motion finding that the proposed use either will or will not have an adverse effect on public facilities.

A motion was made by Councilor Nollan and seconded by Vice Mayor Dixon that the proposed use will not have an adverse effect on public facilities.

Mayor Spoon called for the vote recorded as follows:

Councilor Nollan, aye; Councilor Wilson, aye; Councilor Riley, aye, Mayor Spoon, aye; Vice Mayor Dixon, aye; Councilor Jackson, aye; Councilor Burdge, aye.

The motion passed 7-0-0.

E) Approval or Denial of SUP-59 - Specific Use Permit for Medical Marijuana Growing and Processing Facility

Mayor Spoon requested Council's overall approval or denial of the SUP, based on the above findings.

A motion was made by Vice Mayor Dixon and seconded by Councilor Burdge that SUP-59, a Specific Use Permit for Medical Marijuana Growing and Processing Facility, be denied based on the above findings.

Mayor Spoon called for the vote recorded as follows:

Councilor Burdge, aye; Councilor Jackson, nay; Vice Mayor Dixon, aye; Mayor Spoon, aye; Councilor Riley, aye; Councilor Wilson, aye; Councilor Nollan, aye.

The motion carried 6-1-0.

F) Safeguards to Diminish the Effect on the Adjacent Property, Community Welfare, or Public Facilities/Services (If Item 7E is denied, no vote is necessary.)

SAFEGUARDS TO DIMINISH THE EFFECT ON THE ADJACENT PROPERTY, COMMUNITY WELFARE, OR PUBLIC FACILITIES/SERVICES, as recommended by the Planning Commission, should be adopted, or will modify those safeguards as council deems appropriate.

Mayor Spoon state no action to be taken on Item 7F as it relates to SAFEGUARDS TO DIMINISH THE EFFECT ON THE ADJACENT PROPERTY, COMMUNITY WELFARE, OR PUBLIC FACILITIES/SERVICES, as recommended by the Planning Commission.

8. Public Hearing – 2020 Policing Plan

Mayor Spoon declared a Public Hearing for the purpose of receiving City Council and citizen input concerning the 2020 Sand Springs Police Department Policing Plan.

Police Chief Michael S. Carter provided a brief overview of the 2020 Policing Plan.

9.28