Tulsa Metropolitan Area Planning Commission

Agenda of Meeting No. 2911
Wednesday, April 3, 2024, 1:00 p.m.
Tulsa City Council Chambers, 175 E. 2nd St., Tulsa, OK 74103

Introduction and Notice to the Public
The Tulsa Metropolitan Area Planning Commission (TMAPC) provides unbiased advice to the City Council and the County Commissioners on planning, development, and zoning matters. At this meeting, TMAPC, in accordance with and pursuant to applicable 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.

How to Participate
You may attend the hearing to express your opinions or have someone appear on your behalf. If you wish to present documents or exhibits during the hearing, please submit them by 9:00 a.m. the day of the hearing. Please reference the case number and include your name and address. Any exhibits presented will become part of the public record of the case.

• To comment on cases within the City of Tulsa, email planning@cityoftulsa.org.
  Mail: Tulsa Planning Office, 175 E. 2nd St., Suite 480, Tulsa, OK 74103

• To comment on cases outside city limits in Tulsa County, email esubmit@incog.org.
  Mail: INCOG Planning Services, 2 W. 2nd St., Suite 800, Tulsa, OK 74103

All electronic devices must be silenced during the hearing. Note: If you require special accommodations pursuant to the Americans with Disabilities Act, please notify the Tulsa Planning Office at 918-596-7526.

Call to Order

Reports
Chairperson’s Report
Director’s Report

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

1. Minutes from Meeting 2910, March 20, 2024

Consent Agenda
All matters under “Consent” are considered by the Planning Commission to be routine and will be enacted by one motion. Any Planning Commission member may, however, remove an item by request.
2. **Saint Francis Hospital South**  
   **Location:** Northeast corner of East 91st Street South and Highway 169  
   **City Council District:** 7  
   **Applicant:** Nathalie Cornett  
   **Action(s) Requested:** Request to extend preliminary Plat approval by 1 year. Preliminary plat was approved by TMAPC on April 6th, 2022.

---

**Public Hearing – Rezoning**

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

3. **CZ-551** (County)  
   **Location:** Northwest corner of South 48th West Avenue and West 41st Street South  
   **County Commission District:** 2  
   **Applicant:** Cody/Morgan LLC  
   **Action(s) Requested:** Rezoning from RS to CS (Continued from March 20, 2024)

4. **CZ-552** (County)  
   **Location:** Southwest corner of East 86th Street North and North Yale Avenue  
   **County Commission District:** 1  
   **Applicant:** AAB Engineering, LLC  
   **Action(s) Requested:** Rezoning from CS to RS (Related to West Estates Preliminary Plat) (Continued from March 20, 2024)

5. **Z-7763**  
   **Location:** Multiple lots at the southeast corner of East 14th Street South and South 119th East Avenue  
   **City Council District:** 6  
   **Applicant:** Raul Saldivar  
   **Action(s) Requested:** Rezoning from RS-2 to AG-R

6. **Z-7764**  
   **Location:** West of the northwest corner of East 31st Street South and South 87th East Avenue  
   **City Council District:** 5  
   **Applicant:** Ana de la Torre  
   **Action(s) Requested:** Rezoning from OL to CS

7. **Z-7765**  
   **Location:** Northeast corner of North Main Street and East Latimer Street  
   **City Council District:** 1  
   **Applicant:** Capital Homes Residential Group  
   **Action(s) Requested:** Rezoning from MX1-U-45, MX2-U-45, HNO, NIO to RS-5, HNO, NIO

---

**Public Hearing - Plats**

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

8. **West Estates** (County)  
   **Location:** Southwest Corner of East 86th Street North and North Yale Avenue  
   **County Commission District:** 1
Applicant: AAB Engineering  
Action Requested: Preliminary Plat for Single-Family Subdivision (Related to CZ-552 rezoning) (Continued from March 20, 2024)

Public Hearing – Modification of the Subdivision and Development Regulations

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

9. **LLA-550**  
   Location: Southeast corner of East 27th Street South & South Florence Avenue  
   City Council District: 4  
   Applicant: John Libby  
   Action(s) Requested: Modification of the Subdivision and Development Regulations Section 10-060.6-C

Other Business

10. **ZCA-29** Informational item to present and discuss proposed zoning code amendments to add provisions for roadside attractions in the Route 66 overlay district

11. **Commissioners’ Comments**

Adjournment
### Preliminary Plat Extension Staff Report

**Hearing Date:** April 3, 2024  
**Prepared by:** Austin Chapman  
achapman@cityoftulsa.org  
918-596-7597

<table>
<thead>
<tr>
<th>Owner and Applicant Information</th>
<th>Request Summary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant: Nathalie Cornett</td>
<td>Applicant is requesting an extension of the preliminary plat approval for a new subdivision named Saint Francis Hospital South. Applicant has made substantial progress completing the IDP work needed for final approval of the plat. All infrastructure work is expected to be complete by early fall of 2024. Preliminary plat was approved by TMAPC on April 6th, 2022.</td>
</tr>
<tr>
<td>Property Owner: Saint Francis Health system</td>
<td>Tract Size: ±40.93 acres</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Property Location</th>
<th>Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>Northeast corner of East 91st Street South and Highway 169</td>
<td>Existing Zoning: CO\PUD-586-A</td>
</tr>
<tr>
<td></td>
<td>Existing Overlays: None</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Location within the City of Tulsa</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>(shown with City Council districts)</td>
<td>Current Use: Hospital</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Elected Representatives</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>City Council: District 7, Lori Decter-Wright</td>
<td></td>
</tr>
<tr>
<td>County Commission: District 3, Kelley Dunkerley</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Public Notice Required</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Must appear on properly posted TMAPC agenda.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Staff Recommendation</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff recommends approval of the extension for an additional 1-year period.</td>
<td></td>
</tr>
</tbody>
</table>
March 7, 2024

Nathan Foster, Principal Planner
Tulsa Planning Office
175 E. 2nd St., 4th Floor
Tulsa, OK 74103

Re: Request for Extension of Preliminary Plat Approval for Saint Francis Hospital

Dear Nathan:

This letter serves as the Applicant’s request for an extension of the Preliminary Plat of Saint Francis Hospital South pursuant to Section 10-040.4(G) of the Subdivision and Development Regulations. The Preliminary Plat was approved by the TMAPC on April 6, 2022. The most recent version of the Plat is attached.

The Project is a major expansion of the Saint Francis South campus. Infrastructure work for IDP # 112350-2022 commenced in May of 2022. As of the date of this request, approximately 85% of the IDP work is completed. The developer of the project anticipates that the remaining infrastructure will be finished early fall of this year, 2024. Enclosed are development plans showing the remaining utilities to be demolished as well as the remaining public and private utilities to be installed on the site.

In addition to the IDP construction, the original Saint Francis South Plat must be vacated. This process includes the added complexity of the fact that a majority of the easements on the original plat were dedicated by separate instrument. There are currently eighteen (18) pending easement closures associated with the Project. The easements cannot be closed and vacated until the completion of the IDP process this fall.
Due to the scale and complexity of the Project, the Applicant requests a one (1) year extension of the Preliminary Plat approval to allow time to complete the necessary IDP work and vacate the current Saint Francis South Plat and associated utility easements.

Sincerely,

ELLER & DETRICH
A Professional Corporation

[Signature]
Nathalie M. Cornett

Enclosures
I:\10270074\Plat and Deed of Dedication\Plat Extension\Request for Extension (2024 0307).docx
SAINT FRANCIS HOSPITAL SOUTH
DEED OF DEDICATION AND RESTRICTIVE COVENANTS

SECTION 1. GRANT AND CONVEYANCE. The Grantor, hereby conveys to the Grantee, all of the Grantor's right, title, and interest in and to the Real Property described in Paragraph 2 hereof, subject to the terms and conditions herein contained.

SECTION 2. DESCRIPTION OF REAL PROPERTY. The Real Property conveyed by the Grantor to the Grantee is more particularly described as follows:

2.1 All of that certain land located in the City of Saint Francis, County of Milwaukee, State of Wisconsin, known as "Saint Francis Hospital South," and being more particularly described as follows:

2.1.1 All of that certain land lying and being situated in the City of Saint Francis, County of Milwaukee, State of Wisconsin, and being more particularly described as follows:

2.1.2 The said land being bounded and described as follows:

2.1.3 The said land containing approximately 20 acres, more or less.

SECTION 3. DEDICATION. The Grantee hereby dedicating the Real Property conveyed by the Grantor to the use of the public as a hospital and related facilities, subject to the terms and conditions herein contained.

SECTION 4. RESTRICTIVE COVENANTS. The Grantee hereby agrees to comply with the following restrictive covenants:

4.1 The Grantee shall use the Real Property for the purposes of a hospital and related facilities, subject to the terms and conditions herein contained.

4.2 The Grantee shall not use the Real Property for any purpose inconsistent with the purposes of a hospital and related facilities, subject to the terms and conditions herein contained.

4.3 The Grantee shall maintain the Real Property in good repair, subject to the terms and conditions herein contained.

4.4 The Grantee shall not transfer the Real Property without the written consent of the Grantor, subject to the terms and conditions herein contained.

SECTION 5. INDEMNIFICATION. The Grantee agrees to indemnify and hold the Grantor harmless from any and all claims, damages, and expenses arising out of or in connection with the violation of any of the terms and conditions of this Deed of Dedication and RestRICTIVE COVENANTS.

SECTION 6. RECORDING. This Deed of Dedication and RestRICTIVE COVENANTS shall be recorded in the office of the Register of Deeds of the County in which the Real Property is located.

SECTION 7. DEFINITIONS. All terms used herein which are not defined shall have the meanings assigned to them in the construction of this Deed of Dedication and RestRICTIVE COVENANTS.

SECTION 8. MISCELLANEOUS. This Deed of Dedication and RestRICTIVE COVENANTS shall be binding upon the heirs, executors, administrators, and assigns of the Grantor and Grantee.

IN WITNESS WHEREOF, the Grantor and Grantee have executed this Deed of Dedication and RestRICTIVE COVENANTS this day of January, 20XX.

[Grantor's Signature]

[Grantee's Signature]
Owner and Applicant Information
Applicant: Cody/Morgan LLC
Property Owner: Cody Morgan LLC

Property Location
Northwest Corner of South 48th West Avenue and West 41st Street South
Tract Size: ±1.23 acres

Location within Tulsa County
(shown with County Commission districts)

Request Summary
Rezone subject properties from RS to CS to permit commercial development.

Zoning
Existing Zoning: Residential Single-Family (RS)
Proposed Zoning: Commercial Shopping (CS)

Use
Current Use: Residence
Proposed Use: Commercial

Comprehensive Plan Considerations
Land Use
Land Use Plan: Neighborhood Center (Berryhill)

Transportation
Major Street & Highway Plan: W 41st St S: Secondary Arterial
Transit: None
Existing Bike/Ped Facilities: None
Planned Bike/Ped Facilities: A sidewalk gap is shown on the GO Plan along W 41st St S. A signed on-street bike route is recommended.

Environment
Flood Area: None
Parks & Open Space: None

Elected Representatives
County Commission: District 2, Karen Keith

Staff Recommendation
Staff recommends approval.
**Detailed Staff Recommendation**

The applicant is proposing to rezone from RS to CS to permit Commercial Development on the subject tracts.

The applicant intends to develop the subject tracts into a commercial development that will be leased to various businesses. The site is located within the Neighborhood Center designation of the Tulsa County Comprehensive Plan. Neighborhood Center designated tracts exist to the West, East and South of the subject tracts. The proposed commercial development would be compatible with the Neighborhood Center Land Use designation.

Staff has reviewed the request and finds that it is non-injurious to the surrounding proximate properties and consistent with the Tulsa County Comprehensive Plan and the anticipated future development pattern of the surrounding area, therefore;

With consideration given to the factors listed herein, staff recommends approval of the application.

**Comprehensive Plan Considerations**

**Land Use Plan**

The subject property is designated as Neighborhood Center. Defined as “Small-scale, one to three story mixed-use areas intended to serve nearby neighborhoods with retail, dining, and services. They can include apartments, condominiums, and townhouses, with small lot single family homes at the edges. These are pedestrian-oriented places served by transit, and visitors who drive can park once and walk to number of destinations.”

**Surrounding Properties:**

<table>
<thead>
<tr>
<th>Location</th>
<th>Existing Zoning/Overlay</th>
<th>Existing Land Use Designation</th>
<th>Existing Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>RS</td>
<td>Existing Neighborhood</td>
<td>Single-Family</td>
</tr>
<tr>
<td>East</td>
<td>RS</td>
<td>Neighborhood Center</td>
<td>Single-Family</td>
</tr>
<tr>
<td>South</td>
<td>CS</td>
<td>Neighborhood Center</td>
<td>Single-Family</td>
</tr>
<tr>
<td>West</td>
<td>CS</td>
<td>Neighborhood Center</td>
<td>Commercial</td>
</tr>
</tbody>
</table>

**Small Area Plans**

None

**Transportation**

**Major Street & Highway Plan:** W 41st St S is designated as a Secondary Arterial, which includes a proposed 100 ft Right-Of-Way.

**Transit:** None

**Existing Bike/Ped Facilities:** None

**Planned Bike/Ped Facilities:** A sidewalk gap is shown on the GO Plan along W 41st St S. A signed on-street bike route is recommended.
Environmental Considerations
Flood Area: None
Parks & Open Space: None

Zoning History
Resolution 98254, dated September 15 1980, established zoning for the subject property.

Exhibits
Case map
Aerial
Tulsa County Comprehensive Plan Land Use Map
Tulsa Metropolitan Area Planning Commission

Case CZ-552 Staff Report
Hearing Date: April 3, 2024
Prepared by: Jay Hoyt jhoyt@incog.org 918-579-9476

Owner and Applicant Information
Applicant: Alan Betchan
Property Owner: Owasso 86th Development LLC

Property Location
Southwest Corner of East 86th Street North and North Yale Ave
Tract Size: ±20.06 acres

Location within Tulsa County
(Shown with County Commission districts)

Request Summary
Rezone subject properties from CS to RS to permit a single-family subdivision.

Zoning
Existing Zoning: Commercial Shopping (CS)
Proposed Zoning: Residential Single-Family (RS)

Use
Current Use: Vacant
Proposed Use: Single-Family Residential

Comprehensive Plan Considerations
Land Use
Land Use Plan: Rural Commercial (North Tulsa County)

Transportation
Major Street & Highway Plan: N Yale Ave: Secondary Arterial
Transit: None
Existing Bike/Ped Facilities: None
Planned Bike/Ped Facilities: A sidewalk gap is shown on the GO Plan along N Yale Ave.

Environment
Flood Area: None
Parks & Open Space: None

Elected Representatives
County Commission: District 1, Stan Sallee

Staff Recommendation
Staff recommends approval.
**Detailed Staff Recommendation**
The applicant is proposing to rezone from CS to RS to permit a residential subdivision.

The applicant intends to develop the subject tracts into a residential subdivision. A concurrent preliminary plat has also been submitted for this location, West Estates, which will establish the lots of the subdivision. The site is located within the Rural Commercial Land Use designation of the Tulsa County Comprehensive Plan. This proposal would be compatible with that designation as it is a less intense use than commercial development would be.

Staff has reviewed the request and finds that it is non-injurious to the surrounding proximate properties and consistent with the Tulsa County Comprehensive Plan and the anticipated future development pattern of the surrounding area, therefore;

With consideration given to the factors listed herein, staff recommends **approval** of the application.

**Comprehensive Plan Considerations**

**Land Use Plan**
The subject property is designated as Rural Commercial. Defined as “This designation provides for a mix of retail and service uses that are typically needed by residents in rural areas and surrounding agricultural operations. Developments in Rural Commercial designated areas may include a mix of uses, recognizing that separation of uses is not practical in a rural setting.”

<table>
<thead>
<tr>
<th>Location</th>
<th>Existing Zoning/Overlay</th>
<th>Existing Land Use Designation</th>
<th>Existing Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>CS</td>
<td>Rural Commercial</td>
<td>Vacant/Commercial</td>
</tr>
<tr>
<td>East</td>
<td>RE/AG</td>
<td>Rural Residential/Agricultural/Rural Commercial</td>
<td>Single-Family/Church</td>
</tr>
<tr>
<td>South</td>
<td>RE</td>
<td>Rural Residential/Agricultural</td>
<td>Single-Family</td>
</tr>
<tr>
<td>West</td>
<td>RE</td>
<td>Rural Residential/Agricultural</td>
<td>Single-Family</td>
</tr>
</tbody>
</table>

**Small Area Plans**
None

**Transportation**

**Major Street & Highway Plan:** N Yale Ave is designated as a Secondary Arterial, which includes a proposed 100 ft Right-Of-Way.

**Transit:** None

**Existing Bike/Ped Facilities:** None

**Planned Bike/Ped Facilities:** A sidewalk gap is shown on the GO Plan along N Yale Ave.
Environmental Considerations
Flood Area: None
Parks & Open Space: None

Zoning History
Resolution 183561, dated February 4, 2002, established zoning for the subject property.

Exhibits
Case map
Aerial
Tulsa County Comprehensive Plan Land Use Map
**Owner and Applicant Information**  
Applicant: Raul Saldivar  
Property Owner: Raul Saldivar

**Property Location**  
Multiple lots at the southeast corner of East 14th Street  
South and South 119th East Avenue  
Tract Size: ±4.2 acres

**Location within the City of Tulsa**  
(shown with City Council districts)

![Map of Tulsa City Council districts]

**Elected Representatives**  
City Council: District 6, Christian Bengel  
County Commission: District 1, Stan Sallee

**Public Notice Required**  
Newspaper Notice – min. 20 days in advance  
Mailed Notice to 300’ radius – min. 20 days in advance  
Posted Sign – min. 20 days in advance

**Request Summary**  
Rezone subject properties from RS-2 to AG-R to permit residential and agriculture uses.

**Zoning**  
Existing Zoning: Residential Single-Family 2 (RS-2)  
Existing Overlays: None  
Proposed Zoning: Agriculture -Residential (AG-R)

**Use**  
Current Use: Residential/Agriculture  
Proposed Use: Residential/Agriculture

**Comprehensive Plan Considerations**

**Land Use**  
Land Use Plan: Neighborhood  
Small Area Plans: East Tulsa  
Development Era: Late Automobile

**Transportation**  
Major Street & Highway Plan: N/A  
planitulsa Street Type: N/A  
Transit: N/A  
Existing Bike/Ped Facilities: N/A  
Planned Bike/Ped Facilities: N/A

**Environment**  
Flood Area: N/A  
Tree Canopy Coverage: 20-30%  
Parks & Open Space: N/A

**Staff Recommendation**  
Staff recommends approval.
**Detailed Staff Recommendation**

The applicant is proposing to rezone the subject properties from RS-2 to AG-R to permit existing residential and agricultural uses.

The property under application would comply with the requirements of the AG-R district. The applicant has had one horse on the subject property since at least 2019. The City of Tulsa only permits agricultural animals in AG or AG-R districts. AG-R is intended to allow agricultural animals accessory to residential uses but does not permit principal agriculture uses that would be allowed in the AG district, such as horticulture nurseries and animal husbandry.

Horses kept on the subject property will be subject to the requirements outlined in Title 2 of the City of Tulsa ordinances. This includes requirements for spacing between horse enclosures and neighboring residences of a minimum of 100’. It also restricts the number of horses and other agricultural animals that can be kept on a single property. Horses are required to be registered with the City of Tulsa Animal Welfare department.

The AG-R zoning is consistent with the neighborhood land use designation by only permitting residential uses and accessory agricultural uses.

With consideration given to the factors listed herein, staff recommends approval of the application.

**Comprehensive Plan Considerations**

**Land Use Plan**

The subject property is designated as neighborhood. Neighborhoods are mostly residential uses, which includes detached, missing middle, and multi-dwelling unit housing types. Churches, schools, and other low intensity uses that support residents’ daily needs are often acceptable, particularly for properties abutting Multiple Use, Local Center, or Regional Center land use areas. Multi-dwelling unit housing that takes access off an arterial is considered Multiple Use, Local Center, or Regional Center. If a multi-dwelling unit housing property takes access from a lower-order street separated from the arterial, then it would be considered Neighborhood.

**Surrounding Properties:**

<table>
<thead>
<tr>
<th>Location</th>
<th>Existing Zoning/Overlay</th>
<th>Existing Land Use Designation</th>
<th>Existing Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>RS-2</td>
<td>Neighborhood</td>
<td>Single-Family Residential</td>
</tr>
<tr>
<td>East</td>
<td>RS-2</td>
<td>Neighborhood</td>
<td>Single-Family Residential</td>
</tr>
<tr>
<td>South</td>
<td>RS-3</td>
<td>Neighborhood</td>
<td>Single-Family Residential</td>
</tr>
<tr>
<td>West</td>
<td>RS-2/RS-3</td>
<td>Neighborhood</td>
<td>Single-Family Residential</td>
</tr>
</tbody>
</table>

**Small Area Plans**

The subject properties are located within the East Tulsa Phase I Small Area Plan (2005). There are no specific recommendations related to the subject properties; however, the plan did recommend the area as neighborhood as reflected in the Comprehensive Plan.

**Development Era**

The subject property is in an area developed during the Late Automobile Era (1950s-present), which has grown since the mainstreaming of automobile-centric lifestyles, with a high degree of separation between residential and nonresidential uses, and low levels of street connectivity. In these areas, transportation is nearly exclusively concentrated on the mile-by-mile arterial grid, and major streets are often both transportation corridors and destination corridors, which can lead to traffic congestion. Nonresidential uses are predominantly located at the intersections of major arterial streets. Priorities in these areas include commercial revitalization, placemaking,
community gathering opportunities, conservation of natural areas, a high degree of privacy, one-stop shopping, and commuting routes.

**Transportation**

Major Street & Highway Plan: N/A

Comprehensive Plan Street Designation: N/A

Transit: N/A

Existing Bike/Ped Facilities: N/A

Planned Bike/Ped Facilities: N/A

**Environmental Considerations**

Flood Area: The subject properties are not located in any designated flood areas.

Tree Canopy Coverage: Tree canopy in the area is 21%. Significant effort should be given to the preservation of mature stands of trees. Tree canopy removal should be minimized, and replacement of trees that need removing should be encouraged.

Parks & Open Space: N/A

**Zoning History**

Ordinance 11812, dated June 26, 1970, established zoning for the subject property.

**Exhibits**

Case map
Aerial (small scale)
Aerial (large scale)
Tulsa Comprehensive Plan Land Use Map
MORTGAGE INSPECTION REPORT
PROPERTY ADDRESS: 1411 SOUTH 119TH EAST AV ENIE, TULSA, OK 74128
SELLER: GARNETT CHURCH OF CHRIST, INC.
BORROWER: RAUL SALDIVAR
LENDER: EVERETT FINANCIAL INC DBA SUPREME LENDING
SURVEYOR'S CLIENT: COLONIAL TITLE, INC. RE: 15-1304
AND DESCRIPTION AS PROVIDED: THE WEST HALF (W/2) OF LOT TWO (2), AND ALL OF LOTS THREE (3) AND FOUR (4), AND THE WEST HALF (W/2) OF LOT FIVE (5), BLOCK TEN (10), ELM HURST, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO. 1073.
Colonial Title, Inc. will take an exception to the Owners Policy. Will issue the order only against Encumbrances.


1" = 100'

THE FOLLOWING RECORDED DOCUMENTS THAT HAVE BEEN PROVIDED IN SCHEDULE B, SECTION 2 OF TITLE COMMITMENT NO. 15-1304 AFFECT THE SUBJECT PROPERTY AS NOTED:
- (f) RIGHT OF WAY EASEMENT IN FAVOR OF PUBLIC SERVICE COMPANY, BOOK 3921, PAGE 1644, IS A 10' WIDE EASEMENT FOR OVERHEAD POWER LINES, IN A NON-SPECIFIC LOCATION WITHIN THE AREA SHOWN. NO POWER POLES OR POWER LINES WERE OBSERVED IN THE AREA.
- (g) SEWER EASEMENT IN FAVOR OF CITY OF TULSA BOOK 3622, PAGE 1717, IS A PERPETUAL EASEMENT THAT AFFECTS THE NORTH 10' OF THE SOUTH 125' OF PART OF LOT 3 AS SHOWN.

SURVEYOR'S STATEMENT

FRITZ LAND SURVEYING, LLC AND THE UNDERSIGNED PROFESSIONAL LAND SURVEYOR, UNDER CERTIFICATE OF AUTHORIZATION CA 5848, DO HEREBY STATE THAT IN OUR PROFESSIONAL OPINION THIS DRAWING IS AN ACCURATE REPRESENTATION OF THE CONDITIONS THAT EXISTED ON APRIL 9, 2013; THAT THE DWELLING AS LOCATED IS ENTIRELY WITHIN THE DESCRIBED TRACT BOUNDARIES AND THAT THERE ARE NO ENCROACHMENTS THEREON BY VISIBLE PERMANENT IMPROVEMENTS, EXCEPT AS NOTED, THAT ALL EASEMENTS DEPICTED ON THIS RECORDED PLAT ARE SHOWN AND OTHER RECORDED DOCUMENTS THAT HAVE BEEN PROVIDED ARE SHOWN OR NOTED; THAT FENCES AND UTILITIES HAVE NOT BEEN FIELD LOCATED AND ARE NOT SHOWN; THAT THIS IS NOT A LAND OR BOUNDARY SURVEY AND IS NOT TO BE RELIED UPON FOR FENCE, BUILDING OR OTHER FUTURE IMPROVEMENTS AND THAT NO LIABILITY OR RESPONSIBILITY IS ASSUMED HEREIN OR HERETO TO THE CURRENT OR FUTURE LAND OWNER. THE DIMENSIONS SHOWN FOR THE BOUNDARY ARE FROM RECORD INFORMATION AND HAVE NOT BEEN VERIFIED.

PREPARED BY:
FRITZ LAND SURVEYING, LLC
207 W. 91st STREET
TULSA, OK 74132
PH: 918.231.6575
FRITZPLS@YAHOO.COM
FLS# 15168 SALDIVAR

WITNESS MY HAND AND SEAL THIS 15TH DAY OF APRIL, 2013.

ANDY FRITZ, PLS
OK LIC. 1694

5.8
### Owner and Applicant Information
Applicant: Ana de la Torre  
Property Owner: Erasmo Moreno

### Property Location
West of the northwest corner of East 31st Street South and South 87th East Avenue  
Tract Size: ±0.82 acres

### Location within the City of Tulsa
(Shown with City Council districts)

### Request Summary
Rezone subject properties from OL to CS to permit commercial uses.

### Zoning
**Existing Zoning:** Office – Low (OL)  
**Existing Overlays:** None  
**Proposed Zoning:** Commercial Shopping (CS)

### Use
**Current Use:** Office  
**Proposed Use:** Commercial

### Comprehensive Plan Considerations
#### Land Use
**Land Use Plan:** Multiple Use  
**Small Area Plans:** None  
**Development Era:** Late Automobile

#### Transportation
**Major Street & Highway Plan:**  
East 31st Street South – Secondary Arterial  
**planitulsa Street Type:** Multi-Modal Corridor  
**Transit:** Regular Route  
**Existing Bike/Ped Facilities:** N/A  
**Planned Bike/Ped Facilities:** On-street Bike Corridor

#### Environment
**Flood Area:** N/A  
**Tree Canopy Coverage:** 10-20%  
**Parks & Open Space:** N/A

### Elected Representatives
City Council: District 5, Grant Miller  
County Commission: District 2, Karen Keith

### Public Notice Required
Newspaper Notice – min. 20 days in advance  
Mailed Notice to 300’ radius – min. 20 days in advance  
Posted Sign – min. 20 days in advance

### Staff Recommendation
Staff recommends denial.
Detailed Staff Recommendation
The applicant is proposing to rezone the subject property from OL to CS to permit commercial uses at this location. The subject property is surrounded by single-family residences on all sides. The only access to the subject property is from East 31st Street South.

CS zoning would permit commercial uses currently prohibited by the OL district including animal services, small assembly and entertainment uses, commercial services, restaurants and bars, retail sales, and vehicle repair and maintenance.

Additional commercial uses at this location would be incompatible with the existing neighborhood areas that surround the subject properties. Staff has determined that the OL district is an appropriate intensity level given the context of the property and the proximity to surrounding homes.

With consideration given to the factors listed herein, staff recommends denial of the application.

Comprehensive Plan Considerations

Land Use Plan
The subject property is designated as multiple use. Multiple Use areas are mostly commercial or retail uses, which include restaurants, shops, services, and smaller format employment uses. This land use designation is most common in areas of the city from earlier development patterns, with Local Centers being more commonplace in newer parts of the city. For single properties that are commercial but surrounded by Neighborhood, Multiple Use is the preferred designation.

### Surrounding Properties:

<table>
<thead>
<tr>
<th>Location</th>
<th>Existing Zoning/Overlay</th>
<th>Existing Land Use Designation</th>
<th>Existing Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>RS-2</td>
<td>Neighborhood</td>
<td>Single-Family Residential</td>
</tr>
<tr>
<td>East</td>
<td>RS-2</td>
<td>Neighborhood</td>
<td>Single-Family Residential</td>
</tr>
<tr>
<td>South</td>
<td>RS-3</td>
<td>Neighborhood</td>
<td>Single-Family Residential</td>
</tr>
<tr>
<td>West</td>
<td>RS-2</td>
<td>Neighborhood</td>
<td>Single-Family Residential</td>
</tr>
</tbody>
</table>

Small Area Plans
The subject properties are not located within any adopted small area plan boundaries.

Development Era
The subject property is in an area developed during the Late Automobile Era (1950s-present), which has grown since the mainstreaming of automobile-centric lifestyles, with a high degree of separation between residential and nonresidential uses, and low levels of street connectivity. In these areas, transportation is nearly exclusively concentrated on the mile-by-mile arterial grid, and major streets are often both transportation corridors and destination corridors, which can lead to traffic congestion. Nonresidential uses are predominantly located at the intersections of major arterial streets. Priorities in these areas include commercial revitalization, placemaking, community gathering opportunities, conservation of natural areas, a high degree of privacy, one-stop shopping, and commuting routes.

Transportation
**Major Street & Highway Plan:** East 31st Street South is designated as a secondary arterial. Secondary arterials require an ultimate right-of-way dedication of 100 feet.

**Comprehensive Plan Street Designation:** Multi-modal streets support commercial and residential development along major arterial streets. These streets align with the recommendations for on-street bicycle infrastructure establish in the
2015 GO Plan, and they should be evaluated for feasibility with regard to the reallocation of street space for bicycle facilities.

**Transit:** Tulsa Transit Route 300 runs east/west along East 31st Street adjacent to the subject property.

**Existing Bike/Ped Facilities:** Sidewalks are in place along East 31st Street South.

**Planned Bike/Ped Facilities:** The GO Plan calls for an on-street bike corridor along 31st Street in the area.

**Environmental Considerations**

**Flood Area:** The subject properties are not located in any designated flood areas.

**Tree Canopy Coverage:** Tree canopy in the area is 11%. Preserving the limited existing canopy should be encouraged, as well as measures to increase the canopy through landscaping. Street-lining trees in particular should be encouraged to spread the benefit of the tree canopy to the pedestrian realm.

**Parks & Open Space:** N/A

**Zoning History**

Ordinance 11816, dated June 26, 1970, established zoning for the subject property.

Z-7589 – Ordinance 24601, dated May 2, 2021, rezoned the subject property from RS-2 to OL.

**Exhibits**

- Case map
- Aerial (small scale)
- Aerial (large scale)
- Tulsa Comprehensive Plan Land Use Map
MORTGAGE INSPECTION REPORT
NOT A LAND OR BOUNDARY SURVEY

FLOOD PLAIN STATEMENT:
THIS PROPERTY IS LOCATED IN ZONE X (UNSHAD ED AREAS) PER FLOOD INSURANCE RATE MAP 40143C0037L, EFFECTIVE OCTOBER 16, 2012. ZONE X (UNSHAD ED) DEFINED AS AREA OF MINIMAL CHANCE OF FLOOD HAZARD.

SURVEYOR'S NOTE:
The following found in title commitment #623544, dated 04/25/18:
DOES AFFECT THE PROPERTY:
• #11 BK 3379 PG 66
DOES NOT AFFECT THE PROPERTY:
• #10 BK 1458 PG 314

LEGEND
• C - CENTERLINE
• BSL - BUILDING LINE
• UE - UTILITY EASEMENT
• SEIE - SERVICE ENTRANCE EASEMENT
• NIE - MUTUAL ACCESS EASEMENT
• BIE - BURIED ELEC EASEMENT
• UE - LANDSCAPE EASEMENT
• DE - DRAINAGE EASEMENT

SELLER: Corey Dumas
BUYER: Eneas Moreno
CLIENT: FirstTitle

DATE OF FIELD INSPECTION:
APRIL 24TH, 2019

LEGAL DESCRIPTION:
The South 205 Feet of the East 230 Feet of the West Half of the Southeast Quarter of the Southwest Quarter (W1/2 S19/4 SW1/4) of Section Thirteen (13), Township Nineteen (19) North, Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, According to the United States Government Survey Thereof, Less and Except the South 80 Feet Thereof.

ALSO KNOWN AS:
6605 EAST 31ST STREET SOUTH, TULSA, OK 74145

CERTIFICATION:
This Mortgage Inspection Report was prepared for FirstTitle/First American Title Insurance Company, it is not a land or boundary survey plat, and it is not to be relied upon for the establishment of fence, building, or other future improvement lines. The accompanying sketch is a true representation of the conditions that were found at the time of the inspection, and the linear and angular values shown on the sketch, if any, are based on record or deed information and have not been verified unless noted. The dwelling lies wholly within the boundaries of the described lot unless otherwise noted. No property corners were set by Baker Surveying.

SIGNED MAY 9TH, 2019

BAKER SURVEYING, LLC
4577 SOUTH 83RD EAST AVENUE
TULSA, OKLAHOMA 74145
OKLAHOMA CA #8916 EXPIRES 03/02/2020
(918) 271-5793

Robert T. Horton
9TH MAY 2019
Comments: Wood rot and other water damage was noted to the soffet's on the home. In the patio room on the north side of the home the paneling on the inside is rotted along the bottom edge, siding was added to the outside area to cover damage due to wood rot.

Property Address: 8605 E. 31st St.

City: Tulsa  State: OK.  Zip Code: 74145

Inspector: Don Agosto  Date: 4-22-19
Owner and Applicant Information
Applicant: Capital Homes Residential Group
Property Owner: Capital Homes Residential Group

Property Location
Northeast corner of North Main Street and East Latimer Street
Tract Size: ±0.71 acres

Location within the City of Tulsa
(shown with City Council districts)

Request Summary
Rezone subject properties from MX1-U-45 and MX2-U-45 to RS-5 to permit single-family residential construction.

Zoning
Existing Zoning: MX1-U-45, MX2-U-45 (Mixed-Use, Urban)
Existing Overlays: HNO (Healthy Neighborhood Overlay), NIO (Neighborhood Infill Overlay)
Proposed Zoning: RS-5 (Residential Single-Family 5)

Use
Current Use: Vacant
Proposed Use: Single-Family Residential

Comprehensive Plan Considerations
Land Use
Land Use Plan: Neighborhood
Small Area Plans: Unity Heritage
Development Era: Streetcar

Transportation
Major Street & Highway Plan: N/A
planitulsa Street Type: N/A
Transit: N/A
Existing Bike/Ped Facilities: Main Street Bicycle Route
Planned Bike/Ped Facilities: Main Street Bike Lanes

Environment
Flood Area: N/A
Tree Canopy Coverage: 10-20%
Parks & Open Space: N/A

Staff Recommendation
Staff recommends approval.
Detailed Staff Recommendation

The applicant is proposing to rezone the subject properties from MX1-U-45 and MX2-U-45 to RS-5 to permit a continuation of single-family residential development in the area. The western portion of the property was rezoned to MX2-U-45 in January of 2022. The eastern portion was rezoned to MX1-U-45 in February of 2018. At the time, a mixed-use development was proposed for the property that was never developed. Detached single-family homes are not permitted in the MX districts that were previously adopted and a rezoning is required to permit new homes on the subject properties.

The land use plan designates these properties as neighborhood. The proposed RS-5 zoning aligns with the goals and recommendations of the neighborhood land use. It is also consistent with the zoning in the immediate area.

The RS-5 zoning is consistent with the goals of the Unity Heritage Neighborhood Plan.

With consideration given to the factors listed herein, staff recommends approval of the application.

Comprehensive Plan Considerations

Land Use Plan

The properties are designated as Neighborhood. Neighborhoods are mostly residential uses, which includes detached, missing middle, and multi-dwelling unit housing types. Churches, schools, and other low intensity uses that support residents’ daily needs are often acceptable, particularly for properties abutting Multiple Use, Local Center, or Regional Center land use areas. Multi-dwelling unit housing that takes access off an arterial is considered Multiple Use, Local Center, or Regional Center. If a multi-dwelling unit housing property takes access from a lower-order street separated from the arterial, then it would be considered Neighborhood.

Surrounding Properties:

<table>
<thead>
<tr>
<th>Location</th>
<th>Existing Zoning/Overlay</th>
<th>Existing Land Use Designation</th>
<th>Existing Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>RS-5/MX1-U-45</td>
<td>Neighborhood</td>
<td>Single-Family Residential</td>
</tr>
<tr>
<td>East</td>
<td>RS-4</td>
<td>Neighborhood</td>
<td>Single-Family Residential</td>
</tr>
<tr>
<td>South</td>
<td>RS-4</td>
<td>Neighborhood</td>
<td>Elementary School</td>
</tr>
<tr>
<td>West</td>
<td>CS/RS-4</td>
<td>Neighborhood</td>
<td>Single-Family Residential</td>
</tr>
</tbody>
</table>

Small Area Plans

The subject properties are located within the Unity Heritage Neighborhoods Plan (November 2016). The requested rezoning aligns with the goals of the small area plan to provide quality neighborhood development and revitalize existing neighborhoods.

Development Era

The subject property is in an area developed during the Streetcar Era (1910s-30s), prior to the proliferation of automobiles, when streetcars facilitated growth beyond downtown. Land uses range from fully integrated to somewhat separated, on a half-mile grid, with a mix of housing options. Priorities in these areas include walkability, bikeability, access to public transit, historic preservation, housing type variety, mixed-use development, transit-oriented development, commercial districts, and well-designed streetscapes.

Transportation

Major Street & Highway Plan: N/A

Comprehensive Plan Street Designation: N/A
Transit: N/A

Existing Bike/Ped Facilities: On-Street Bicycle Corridor along North Main Street.

Planned Bike/Ped Facilities: On-street bike lanes are planned for North Main Street and currently extend as far north as West King Street, one block south of the subject property.

Environmental Considerations
Flood Area: The subject properties are not located within any designated flood area.

Tree Canopy Coverage: Tree canopy in the area 13%. Preserving the limited existing canopy should be encouraged, as well as measures to increase the canopy through landscaping. Street-lining trees in particular should be encouraged to spread the benefit of the tree canopy to the pedestrian realm.

Parks & Open Space: N/A

Zoning History
Ordinance 11918, dated September 1, 1970, established zoning for the subject property.

Z-6373 – Ordinance 17817, dated November 12, 1992, rezoned portions of the property from RM-1 to RS-4.

Z-7179 – Ordinance 22557, dated November 11, 2011, rezoned portions of the property from RS-3 to RM-3 and CS.

PUD-786 – Ordinance 22556, dated November 11, 2011, adopted PUD-786 for the subject properties.

Z-7426 – Ordinance 23854, dated February 10, 2018 rezoned the eastern portion of the property to RS-5.

Z-7427 – Ordinance 23855, dated February 10, 2018, rezoned the western portion of the property from RM-3 and CS to MX1-U-45

PUD-786-A – Ordinance 23853, dated February 10, 2018, abandoned PUD-786 on the subject properties.

Z-7634 – Ordinance 24757, dated January 23, 2022, rezoned the eastern portion of the property to MX2-U-45

Exhibits
Case map
Aerial (small scale)
Aerial (large scale)
Tulsa Comprehensive Plan Land Use Map
**Owner and Applicant Information**
Applicant: Alan Betchan
Property Owner: Owasso 86th Development LLC

**Property Location**
Southwest Corner of East 86th Street North and North Yale Ave
Tract Size: ±20.06 acres

**Location within Tulsa County**
(shown with County Commission districts)

**Elected Representatives**
County Commission: District 1, Stan Sallee

**Staff Recommendation**
Staff recommends approval.

**Request Summary**
Preliminary Plat for a single-family subdivision.

**Zoning**
Existing Zoning: Commercial Shopping (CS)
Proposed Zoning: Residential Single-Family (RS) (CZ-552)

**Use**
Current Use: Vacant
Proposed Use: Single-Family Residential

**Comprehensive Plan Considerations**

**Land Use**
Land Use Plan: Rural Commercial (North Tulsa County)

**Transportation**
Major Street & Highway Plan: N Yale Ave: Secondary Arterial
Transit: None
Existing Bike/Ped Facilities: None
Planned Bike/Ped Facilities: A sidewalk gap is shown on the GO Plan along N Yale Ave.

**Environment**
Flood Area: None
Parks & Open Space: None
Detailed Staff Recommendation

PRELIMINARY PLAT

West Estates - (County)
Southwest Corner of East 86th Street North and North Yale Ave

This plat consists of 28 lots, 2 blocks on 20.06 ± acres.

The Technical Advisory Committee (TAC) met on March 7, 2024 and provided the following comments:

1. **Zoning:** Proposed lots conforms to the requirements of the RS district. Planning Services will provide comments prior to final plat release.

2. **Addressing:** INCOG will assign addresses. Include assigned addresses on face of the final plat and provide address disclaimer.

3. **Transportation & Traffic:** Final street construction plans must be approved by the County Engineer and installed prior to final plat release.

4. **Sewer/Water:** On-site sewage disposal via ODEQ approved system. Water line plans must be submitted to Rural Water District No. 3, Washington County. All requirements of the district must be met for final plat approval.

5. **Stormwater, Drainage, & Floodplain:** Plans for stormwater and drainage must be approved by the Tulsa County Engineer and improvements must be in place prior to final plat approval. Provide access to reserve area for maintenance.

6. **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. Tulsa County release is required prior to final plat approval.
PUBLIC STREETS AND GENERAL UTILITY SERVICES

UTILITIES, MAY BE AMENDMENT EASEMENTS UTILITIES, ARE SET FORTH CERTAIN COVENANTS AND THE CERTIFICATE OF OCCUPANCY RESTRICTIONS SEVERABILITY

PAVING AND LANDSCAPING WITHIN EASEMENTS

AAB ENGINEERING LLC
PO BOX 2136
TULSA, OK 74137

85TH DEVELOPMENT, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, HEREINAFTER REFERRED TO EXECUTED THIS INSTRUMENT THIS ____ DAY OF _______, 2024.

SANITARY SEWER AND STORM SEWER SYSTEMS) SERVING THE ENTIRE SUBDIVISION HAS BEEN INFRASTRUCTURE WITHIN THE SUBDIVISION, AND IF PHASING IS AUTHORIZED, A CERTIFICATE OF ACCEPTANCE OF THE INFRASTRUCTURE SERVING THE PARTICULAR PHASE. BUILDING CONSTRUCTION WHICH, IN THE JUDGMENT OF WASHINGTON COUNTY RURAL WATER DISTRICT #3, WOULD THE OWNER OF THE LOT, NOTWITHSTAND THE ISSUANCE OF A BUILDING PERMIT.

THE PUBLIC WATER MAINS LOCATED ON SUCH OWNER'S LOT AND SHALL PREVENT THE ALTERATION OF GRADE RESTRICTIONS SHALL ANY PORTION OF THE PROPERTY ADJACENT TO SOUTH YALE AVENUE WITHIN THE BOUNDS DESIGNATED "LNA" OR "LIMITS OF NO ACCESS" ON THE ACCOMPANYING PLAT.

Revised 06/30/20

-----------------------------------------------------------------------------------

C.

1. Water Supply System. The area described in paragraphs 4, 5, and 6 of the Recodification of Title 15, Water Supply System, of the Oklahoma Revised Statutes of 1961, is hereby dedicated to the public use. The water supply system shall be constructed and maintained by the Oklahoma Municipal Water Authority (OMWA) or its successor. The water supply system shall be the sole means of supplying water to the properties located within the subdivider. The water shall be supplied at a pressure sufficient to supply all water demands. The water supply system shall be designed, constructed, and maintained in accordance with the provisions of Title 66, Water, of the Oklahoma Revised Statutes of 1961, and the rules and regulations of the OMWA.

2. Individual Water Meters. Each lot shall have an individual water meter installed by the property owner or a qualified member of the OMWA. The water meter shall be of the type approved by the OMWA and shall be installed in a prominent location on the property. The water meter shall be read at the time of each property owner's annual assessment. The property owner shall be responsible for the maintenance and repair of the water meter.

3. Water System Access. Access to the water system shall be provided to each lot through the installation of water lines and valves as required by the OMWA. The property owner shall be responsible for the installation and maintenance of the water lines and valves.

4. Water System Maintenance. The OMWA shall be responsible for the maintenance and repair of the water system. The property owner shall be responsible for the maintenance and repair of the water lines and valves located on their property.

5. Water System Regulations. The OMWA shall have the right to regulate the use of the water system. The property owner shall be responsible for the proper use of the water system and shall comply with the regulations established by the OMWA.

6. Water System Insurance. The OMWA shall be responsible for the insurance of the water system. The property owner shall be responsible for the insurance of the water lines and valves located on their property.

7. Water System Rates. The OMWA shall establish and collect rates for the use of the water system. The property owner shall be responsible for the payment of the rates established by the OMWA.

8. Water System Amendments. The OMWA shall have the right to amend the water system in accordance with the provisions of Title 66, Water, of the Oklahoma Revised Statutes of 1961.

9. Water System Termination or Sale. The OMWA shall have the right to terminate or sell the water system in accordance with the provisions of Title 66, Water, of the Oklahoma Revised Statutes of 1961.

10. Water System Enforcement. The OMWA shall have the right to enforce the provisions of this section. The property owner shall be responsible for the enforcement of the provisions of this section.

B.

1. Sewer System. The area described in paragraphs 4, 5, and 6 of the Recodification of Title 15, Sewer System, of the Oklahoma Revised Statutes of 1961, is hereby dedicated to the public use. The sewer system shall be constructed and maintained by the OMWA or its successor. The sewer system shall be the sole means of providing sewer service to the properties located within the subdivider. The sewer system shall be designed, constructed, and maintained in accordance with the provisions of Title 66, Sewers, of the Oklahoma Revised Statutes of 1961, and the rules and regulations of the OMWA.

2. Individual Sewer Meters. Each lot shall have an individual sewer meter installed by the property owner or a qualified member of the OMWA. The sewer meter shall be of the type approved by the OMWA and shall be installed in a prominent location on the property. The sewer meter shall be read at the time of each property owner's annual assessment. The property owner shall be responsible for the maintenance and repair of the sewer meter.

3. Sewer System Access. Access to the sewer system shall be provided to each lot through the installation of sewer lines and valves as required by the OMWA. The property owner shall be responsible for the installation and maintenance of the sewer lines and valves.

4. Sewer System Maintenance. The OMWA shall be responsible for the maintenance and repair of the sewer system. The property owner shall be responsible for the maintenance and repair of the sewer lines and valves located on their property.

5. Sewer System Regulations. The OMWA shall have the right to regulate the use of the sewer system. The property owner shall be responsible for the proper use of the sewer system and shall comply with the regulations established by the OMWA.

6. Sewer System Insurance. The OMWA shall be responsible for the insurance of the sewer system. The property owner shall be responsible for the insurance of the sewer lines and valves located on their property.

7. Sewer System Rates. The OMWA shall establish and collect rates for the use of the sewer system. The property owner shall be responsible for the payment of the rates established by the OMWA.

8. Sewer System Amendments. The OMWA shall have the right to amend the sewer system in accordance with the provisions of Title 66, Sewers, of the Oklahoma Revised Statutes of 1961.

9. Sewer System Termination or Sale. The OMWA shall have the right to terminate or sell the sewer system in accordance with the provisions of Title 66, Sewers, of the Oklahoma Revised Statutes of 1961.

10. Sewer System Enforcement. The OMWA shall have the right to enforce the provisions of this section. The property owner shall be responsible for the enforcement of the provisions of this section.

A.

1. Street System. The area described in paragraphs 4, 5, and 6 of the Recodification of Title 15, Street System, of the Oklahoma Revised Statutes of 1961, is hereby dedicated to the public use. The street system shall be constructed and maintained by the OMWA or its successor. The street system shall be the sole means of providing street service to the properties located within the subdivider. The street system shall be designed, constructed, and maintained in accordance with the provisions of Title 66, Streets, of the Oklahoma Revised Statutes of 1961, and the rules and regulations of the OMWA.

2. Street Meters. Each lot shall have an individual street meter installed by the property owner or a qualified member of the OMWA. The street meter shall be of the type approved by the OMWA and shall be installed in a prominent location on the property. The street meter shall be read at the time of each property owner's annual assessment. The property owner shall be responsible for the maintenance and repair of the street meter.

3. Street System Access. Access to the street system shall be provided to each lot through the installation of street lines and valves as required by the OMWA. The property owner shall be responsible for the installation and maintenance of the street lines and valves.

4. Street System Maintenance. The OMWA shall be responsible for the maintenance and repair of the street system. The property owner shall be responsible for the maintenance and repair of the street lines and valves located on their property.

5. Street System Regulations. The OMWA shall have the right to regulate the use of the street system. The property owner shall be responsible for the proper use of the street system and shall comply with the regulations established by the OMWA.

6. Street System Insurance. The OMWA shall be responsible for the insurance of the street system. The property owner shall be responsible for the insurance of the street lines and valves located on their property.

7. Street System Rates. The OMWA shall establish and collect rates for the use of the street system. The property owner shall be responsible for the payment of the rates established by the OMWA.

8. Street System Amendments. The OMWA shall have the right to amend the street system in accordance with the provisions of Title 66, Streets, of the Oklahoma Revised Statutes of 1961.

9. Street System Termination or Sale. The OMWA shall have the right to terminate or sell the street system in accordance with the provisions of Title 66, Streets, of the Oklahoma Revised Statutes of 1961.

10. Street System Enforcement. The OMWA shall have the right to enforce the provisions of this section. The property owner shall be responsible for the enforcement of the provisions of this section.
### Owner and Applicant Information
**Applicant:** John Libby  
**Property Owner:** Gregg Carlson

### Property Location
Southeast corner of East 27th Street South & South Florence Avenue

### Location within the City of Tulsa
*Shown with City Council districts*

![Map of Tulsa City Council districts]

### Elected Representatives
- **City Council:** District 4, Laura Bellis  
- **County Commission:** District 2, Karen Keith

### Request Summary
**Modifications of Subdivision and Development Regulations**

### Zoning
- **Existing Zoning:** RS-2  
- **Existing Overlays:** None

### Comprehensive Plan Considerations

#### Land Use
- **Land Use Plan:** Neighborhood  
- **Small Area Plans:** None  
- **Development Era:** Early Automobile

#### Transportation
- **Major Street & Highway Plan:** N/A  
- **planitulsa Street Type:** N/A  
- **Transit:** N/A  
- **Existing Bike/Ped Facilities:** None  
- **Planned Bike/Ped Facilities:** None

#### Environment
- **Flood Area:** N/A  
- **Tree Canopy Coverage:** 20-30%  
- **Parks & Open Space:** None

### Public Notice Required
Mailed Notice to 300’ radius – min. 10 days in advance

### Staff Recommendation
Staff recommends approval.
Detailed Staff Recommendation

The application LLA-550 is a lot line adjustment where the lot line between lot 4 and lot 5 is being moved 7 feet to east. During the review process the applicant received comments regarding the sanitary sewer extension. Tract 1 as it sits does not have access to sanitary sewer. The proposed lot adjustment moves the lot lines farther from the sanitary sewer main. The lot has sewer access through an easement.

The proposed lots comply with our zoning code bulk and area requirements.

The applicant has requested a modification to Section 10-060.6-C of the Subdivision and Development Regulations which would require the applicant extend sanitary sewer service to the lots. The home on the property does have access to the sanitary sewer.

Staff recommends APPROVAL of the modification to Section 10-060.6-C of the Subdivision and Development Regulations.

Comprehensive Plan Considerations

Land Use Plan
The subject property is designated as Neighborhood.

**Neighborhoods** are mostly residential uses, which includes detached, missing middle, and multi-dwelling unit housing types. Churches, schools, and other low intensity uses that support residents’ daily needs are often acceptable, particularly for properties abutting Multiple Use, Local Center, or Regional Center land use areas. Multi-dwelling unit housing that takes access off an arterial is considered Multiple Use, Local Center, or Regional Center. If a multi-dwelling unit housing property takes access from a lower-order street separated from the arterial, then it would be considered Neighborhood.

<table>
<thead>
<tr>
<th>Location</th>
<th>Existing Zoning/Overlay</th>
<th>Existing Land Use Designation</th>
<th>Existing Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>RS-2</td>
<td>Neighborhoods</td>
<td>Residential</td>
</tr>
<tr>
<td>East</td>
<td>RS-2</td>
<td>Neighborhoods</td>
<td>Residential</td>
</tr>
<tr>
<td>South</td>
<td>RS-2</td>
<td>Neighborhoods</td>
<td>Residential</td>
</tr>
<tr>
<td>West</td>
<td>RS-2</td>
<td>Neighborhoods</td>
<td>Residential</td>
</tr>
</tbody>
</table>

Small Area Plans
The subject properties are not within a small area plan.

Development Era
The subject property is in an area developed during the Early Automobile Era (1930s-50s), which retained a high degree of the connectivity from neighborhood streets to the arterial network, with mostly commercial, office, industrial, and other active uses along major streets and a mix of housing options and neighborhood-based uses like schools, churches, and libraries in the interior sections. Priorities in these areas include walkability, bikeability, access to public transit, historic preservation, housing type variety, mixed-use development, commercial revitalization, compatibility of scale for neighborhood development, and transitions between commercial corridors and residential areas.
Transportation
Major Street & Highway Plan: N/A

Comprehensive Plan Street Designation: N/A

Transit: N/A

Existing Bike/Ped Facilities: N/A

Planned Bike/Ped Facilities: N/A

Arterial Traffic per Lane: N/A

Environmental Considerations
Flood Area: The subject properties not within a flood area.

Tree Canopy Coverage: Tree canopy in the area is 20%-30% Significant effort should be given to the preservation of mature stands of trees. Tree canopy removal should be minimized, and replacement of trees that need removing should be encouraged.

Parks & Open Space: N/A

Exhibits
Case map
Aerial (small scale)
Tulsa Comprehensive Plan Land Use Map
Applicant Exhibits
LOT LINE ADJUSTMENT

THE BEARINGS SHOWN HEREDON ARE BASED ON: THE
OKLAHOMA STATE PLANE COORDINATE SYSTEM NAD 83 (2011)
AND THE WEST LINE OF LOT 5, BLOCK 6, SHEILA TERRACE
BEING N 01°25'25" W.

FIELD DATE: 7/9/2021
ZCA-29, proposed zoning code amendments to add provisions for roadside attractions in the Route 66 overlay district

The City Council initiated amendments to the Route 66 Overlay to include provisions for roadside attractions on January 31, 2024 (see attached draft). Route 66 Overlay was adopted by City Council in 2018 and applied to all portions of Route 66 with the exception of downtown (see attached maps). The zoning code states: *The Route 66 overlay establishes zoning regulations and incentives intended to ensure the enhancement, development, and revitalization of the authentic Route 66 through the promotion of historic and historically inspired signage, especially neon, along and adjacent to the two alignments of Route 66 in Tulsa. The regulations are generally intended to guide the character of both public and private development as it occurs along Route 66.*

The initial purpose of the overlay was focused signage and allows greater sign allowances for neon signs. To assist in implementation of the overlay, the neon sign grant program began in 2019 and has resulted in approximately 60 grants totaling $396,719 in grants, with a total investment of $1,133,000 in neon signs along the route.

Significant private investment has occurred along Route 66 over the past 5 years and property owners are enhancing the route through more than just neon signage, including new businesses and roadside attractions. Currently, the zoning code does not address roadside attractions and typically sign standards are applied to these structures. As the sign budget for the site is fully utilized, a variance is required to increase the amount of signage on the site, even though roadside attractions do differ from traditional signage. As a result, there is a need to consider amendments to the zoning code to establish criteria and a process for roadside attractions within the Route 66 overlay.

At this meeting, the Planning Commission is asked to review and comment on the proposed zoning code amendments. The public hearing to consider the amendments will be held on May 1, 2024.
Chapter 20 | Overlay Districts

Section 20.010 | General ................................................................. 20-1
Section 20.020 | HP, Historic Preservation Overlays ...................................... 20-3
Section 20.030 | SA, Special Area Overlays .............................................. 20-3
Section 20.040 | PI, Parking Impact Overlay ............................................ 20-5
Section 20.050 | RDO, River Design Overlays ........................................... 20-5
Section 20.060 | HNO, Healthy Neighborhoods Overlay .............................. 20-20
Section 20.070 | RT66, Route 66 Overlay .................................................. 20-22
Section 20.080 | NIO, Neighborhood Infill Overlay ................................... 20-24
Section 20.090 | NCO, Neighborhood Character Overlay ............................ 20-28
Section 20.100 | NIO-2, Neighborhood Infill Overlay – 2 ............................ 20-31

20.030-B  Purpose and Intended Use

1. SA overlays are intended to address neighborhood planning and design issues when other available zoning tools or other techniques cannot achieve the desired results. SA overlays may be used to relax or eliminate requirements that apply under base zoning or to impose requirements in addition to those of base zoning. SA overlays are not intended to be used as a de facto downzoning tool. SA overlays may be appropriate for one or more of the following purposes:
   a. Protect unique development, building or land use patterns in residential, commercial or mixed-use areas when such patterns are not adequately addressed by applicable zoning regulations;
   b. Promote reinvestment and redevelopment in residential, commercial, or mixed-use areas where change is desired and when existing zoning regulations hinder achievement of the desired change; or
   c. Help implement neighborhood plans or planning studies.

2. Without limiting the general purpose and intent of 20.030-B1, SA overlays may be used for the following express purposes:
   a. Allow principal or accessory uses and building types that are not allowed under base zoning;
   b. Allow densities and intensities of development that are not allowed under base zoning; or
   c. Establish reasonable, clear, and objective site, building, and design standards that promote the general purpose established in 20.030-B1.

3. SA overlays may not be used for any of the following express purposes: to
   a. Impose requirements that conflict with the comprehensive plan or any other officially adopted plan;
   b. Impose subjective design requirements or guidelines that require discretionary review and approval.
Section 20.070  Route 66 Overlay

20.070-A  General

1. Purpose and Intent
The Route 66 overlay district establishes zoning regulations and incentives intended to ensure the enhancement, development, and revitalization of the authentic Route 66 through the promotion of historic and historically inspired signage, especially neon, and roadside attractions along and adjacent to the two alignments of Route 66 in Tulsa. The regulations are generally intended to guide the character of both public and private development as it occurs along Route 66.

2. Applicability
Except as otherwise expressly stated, the Route 66 overlay district regulations of this section shall apply within the boundaries of the Route 66 overlay district to the following:

a. All new signage that requires a sign permit and includes at least 25% exposed neon as measured by total sign face area. Dynamic Displays as defined in Section 60.100 are not permitted to utilize the provisions of the overlay.

b. Roadside attractions as defined in Section 20.070-C.

3. Conflicting Regulations
All applicable regulations of the underlying base zoning district apply to property in the Route 66 overlay district unless otherwise expressly stated in the Route 66 overlay district regulations. For properties with approved development plans (PUD, CO, MPD, Optional Development Plan), the approved development plan and development standards apply unless otherwise expressly stated in the Route 66 overlay district regulations.

***

20.070-C  Roadside Attractions
Roadside attractions are permitted in the Route 66 overlay district. Roadside attractions are features or structures intended to promote tourism and enhance the Route 66 experience.

1. General Regulations
   a. Roadside attractions are subject to review and approval by the Tulsa Route 66 Commission.
   b. Business name and/or logos will be considered signage and are required to comply with sign regulations.
c. Roadside attractions are required to obtain all necessary permits prior to construction.

2. In reviewing roadside attractions, the Route 66 Commission must determine that the proposal:
   a. Reflects the historic significance of Route 66 in Tulsa by identifying elements that contribute to its legacy and character; and
   b. Promotes tourism along Route 66; and
   c. Implements recommendations adopted in Plan 66.

***

Chapter 95 | Definitions

***

Section 95.210 Terms Beginning With “R”

Route 66 Commission
The Route 66 Commission of the City of Tulsa.