



**Tulsa Metropolitan Area
Planning Commission**

LS-21585 Staff Report

Hearing Date: July 17, 2024
Prepared by: Dylan Siers
dsiers@cityoftulsa.org
918-596-7584

Owner and Applicant Information

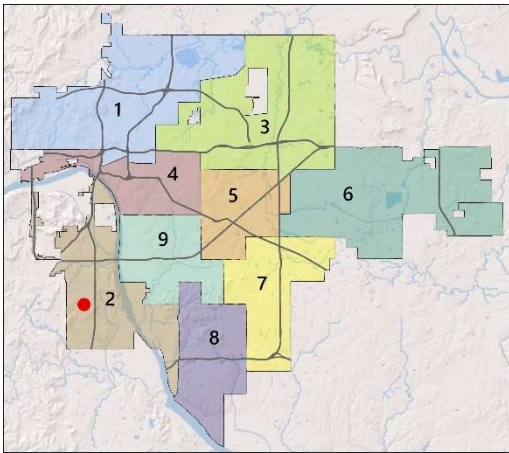
Applicant: Ariel Pearce
Property Owner: Karen Gold

Property Location

1910 W 89th St

Location within the City of Tulsa

(shown with City Council districts)



Elected Representatives

City Council: District 2, Jeanie Cue
County Commission: District 2, Karen Keith

Public Notice Required

Mailed Notice to 300' radius – min. 10 days in advance

Staff Recommendation

Staff recommends approval.

Request Summary

Modifications of Subdivision and Development Regulations to remove the requirement to extend sanitary sewer

Zoning

Existing Zoning: AG
Existing Overlays: None

Comprehensive Plan Considerations

Land Use

Land Use Plan: Neighborhood
Small Area Plans: None
Development Era: Late 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: Regulatory Flood Plain
Tree Canopy Coverage: 30-50%
Parks & Open Space: None

Detailed Staff Recommendation

The application LS-21585 is a lot split where the property owner is splitting 2.20 acres from the original 11.64 acre tract. During the review process the applicant received comments regarding the sanitary sewer. Currently, the existing configuration does not have access to sanitary sewer, and neither would the proposed split lot. The modification request would allow the lot split application to be approved without an extension of the sanitary sewer line; however, it would not waive any future development requirements prior to a building permit.

The applicant is proposing the use of a septic system on the newly created lot that would be required to be approved by the City of Tulsa and the Oklahoma Department of Environmental Quality before any new building permits could be issued.

The proposed lot obtained a variance from the Board of Adjustment for the minimum street frontage requirement on July 9, 2024.

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 applicant is continuing to work with Development Services on a sewage disposal solution. Development Services would still be required to permit alternative sewage solutions prior to the issuance of a building permit, but the modification would allow the lot split to move forward.

No objections were raised to allowing the lot split to move forward without the extension given the assurances provided through the building permit process to ensure appropriate disposal systems will be installed.

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.

Surrounding Properties:

<u>Location</u>	<u>Existing Zoning/Overlay</u>	<u>Existing Land Use Designation</u>	<u>Existing Use</u>
North	AG	Neighborhoods	Residential
East	AG	Neighborhoods	Residential
South	AG	Neighborhoods	Residential
West	AG	Neighborhoods	Residential

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 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

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 30-50% 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.

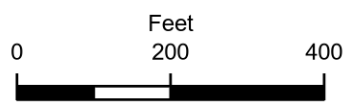
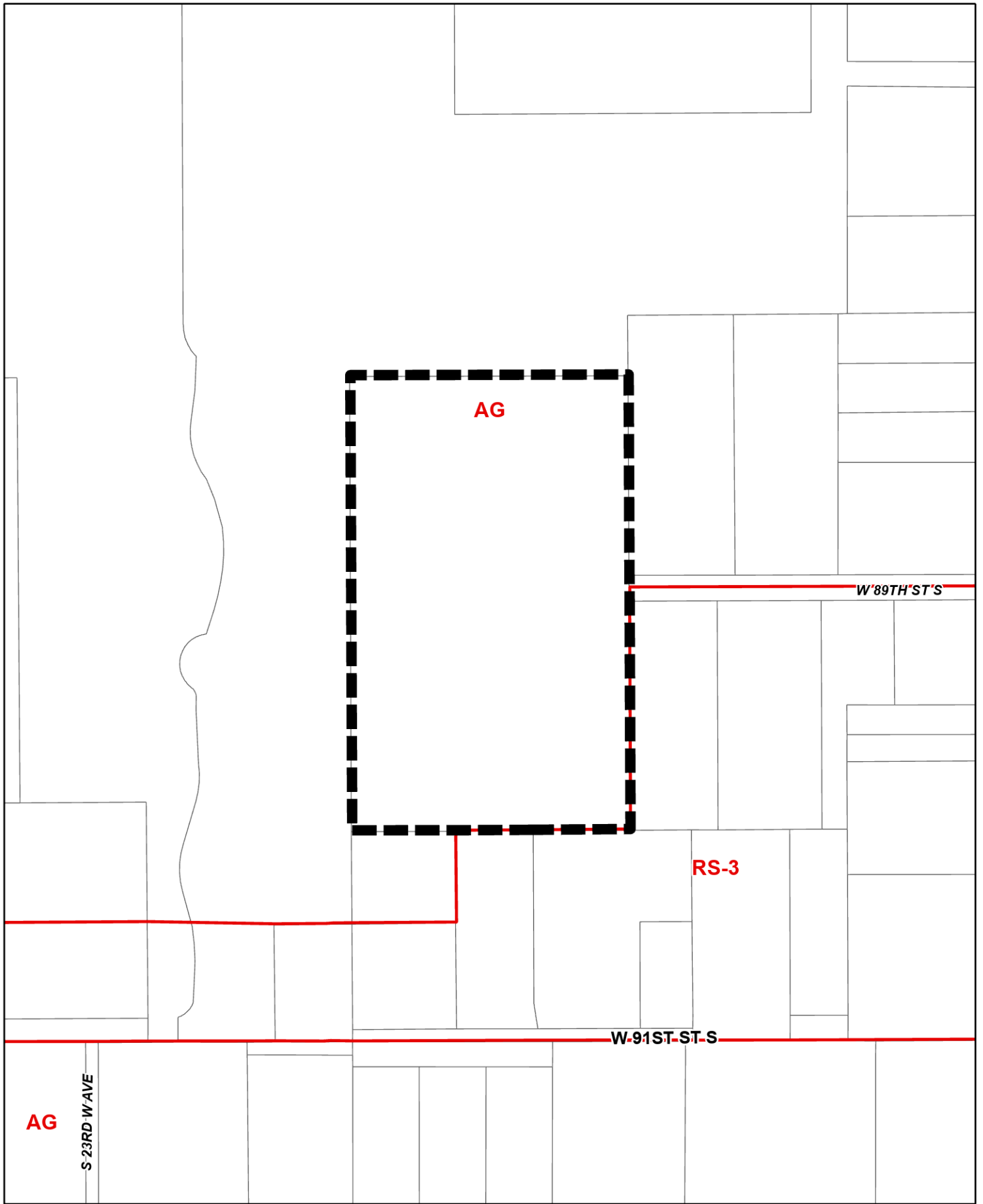
Parks & Open Space: N/A

Exhibits

Case map

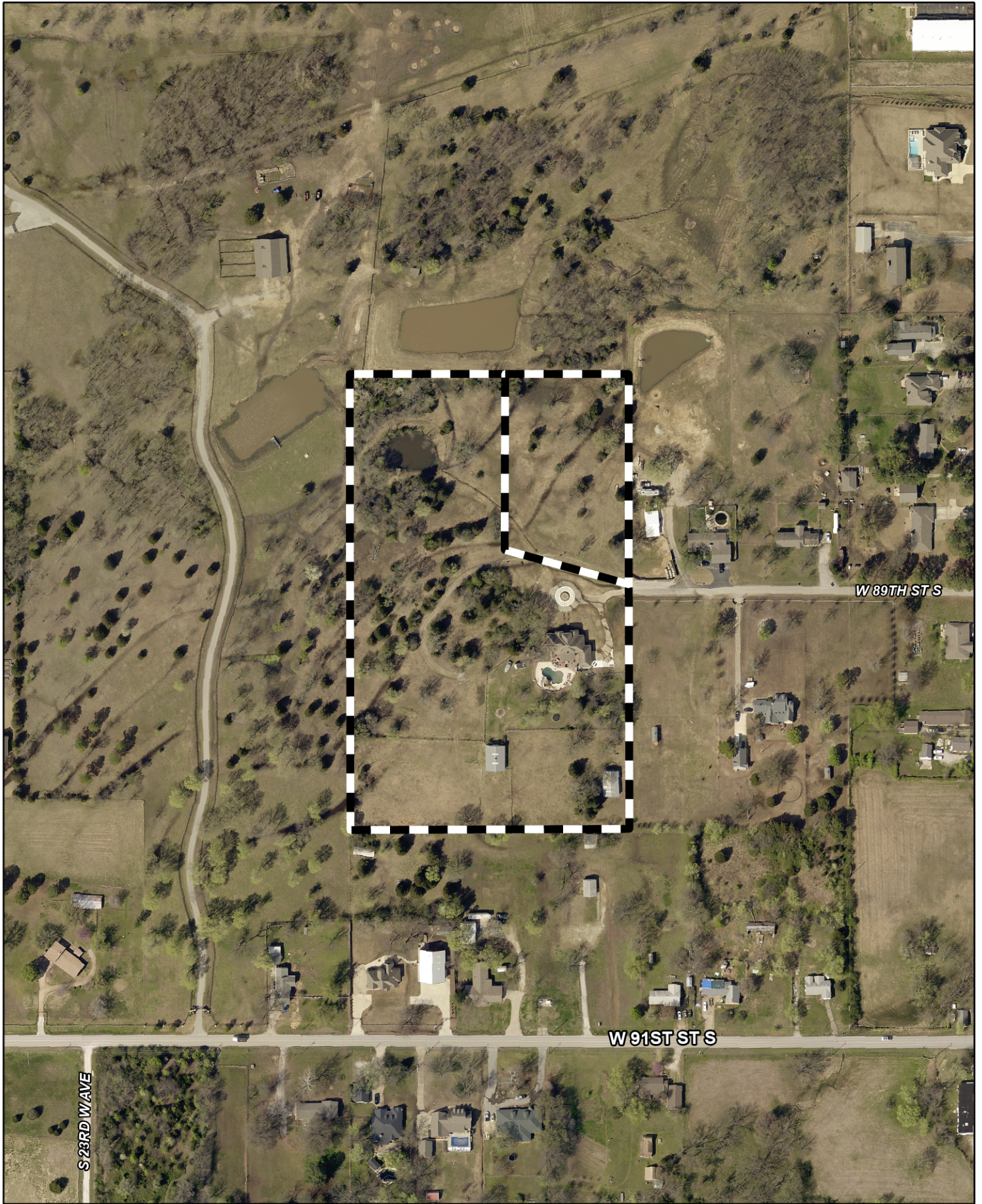
Aerial (small scale)

Tulsa Comprehensive Plan Land Use Map



LS-21585 original





S 23RD WAVE

W 89TH ST S

W 91ST ST S



Subject Tract

Feet

0

200

400

LS-21585
Original

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

13.5

Aerial Photo Date: 2021



LEGEND

- FENCE
- U/E UTILITY EASEMENT
- D/E DRAINAGE EASEMENT
- M/P METERING POINT
- R/W RIGHT-OF-WAY
- B/E BURIED ELECTRIC & TELEPHONE CABLE EASEMENT (APPROXIMATE LOCATION)
- B/L BUILDING LINE
- O.B.L. OUTBUILDING LINE



BEFORE YOU DIG,
 CALL OKE
 1-800-922-6543

MORTGAGE INSPECTION REPORT

NOT A LAND OR BOUNDARY SURVEY

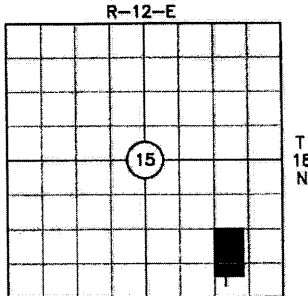
1"=200'
 INVOICE NO.: TRUE 22-109027
 MORTGAGOR: GOLD, KAREN P.

CLIENT: TRUE TITLE & ESCROW
 PROSPERITY BANK ISAOA/ATIMA
 STEWART TITLE GUARANTY COMPANY
 TT6-21-9990

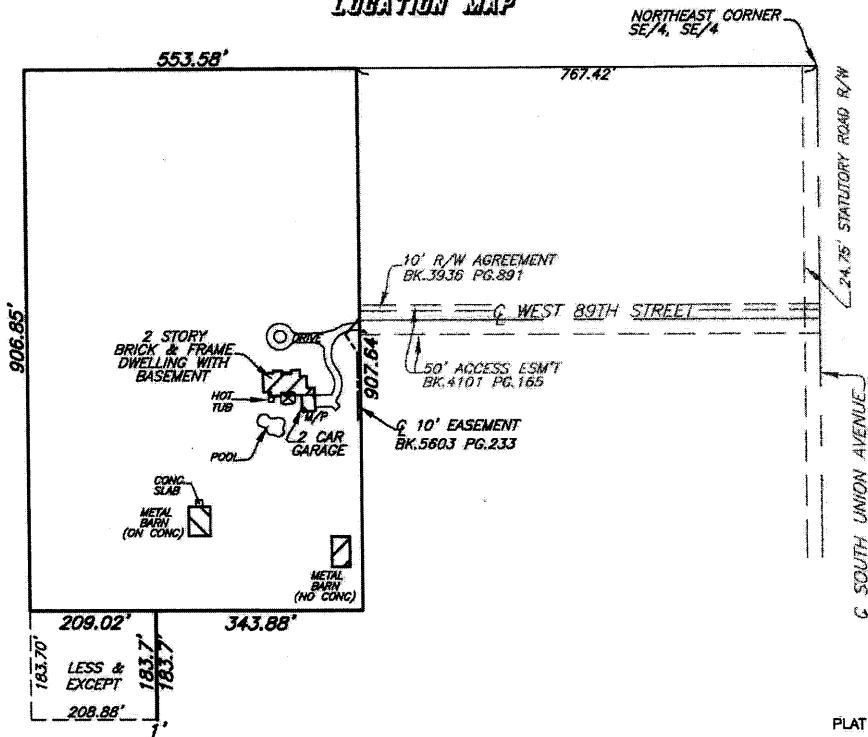
BY GRAPHIC PLOTTING ONLY THIS PROPERTY LIES IN ZONE
 "X-UNSHADED" FLOOD HAZARD AREA PER F.I.R.M. MAP NUMBER
 40143C0342L, AS LAST REVISED 10/16/12.

- THE FOLLOWING RECORDED DOCUMENTS INCLUDE THIS PROPERTY:
10. A MORTGAGE RECORDED AS DOCUMENT NO. 2019120240.
 11. AN ASSIGNMENTS OF RENTS RECORDED AS DOCUMENT NO. 2019120241.
 12. A RIGHT OF WAY AGREEMENT RECORDED IN BOOK 90 PAGE 587.
 14. AN OVERHEAD AND UNDERGROUND EASEMENT RECORDED IN BOOK 5803 PAGE 233.

- THE FOLLOWING RECORDED DOCUMENT AFFECTS THIS ENTIRE PROPERTY:
13. A RIGHT OF WAY AGREEMENT RECORDED IN BOOK 3936 PAGE 891.



TULSA COUNTY
 LOCATION MAP



PLAT NO. N/A

LEGAL DESCRIPTION AS PROVIDED:

A tract of land BEGINNING at a point South 89° 56' 30" West a distance of 787.42 feet from the Northeast corner of the Southeast Quarter of the Southeast Quarter (SE/4 SE/4) of Section Fifteen (15), Township Eighteen (18) North, Range Twelve (12) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof; Thence South 89° 56' 30" West a distance of 553.58 feet; Thence South 00° 3' 34.76" East a distance of 1090.55 feet; Thence South 89° 58' 30" East a distance of 209.88 feet; Thence North 00° 1' West a distance of 183.7 feet; Thence South 89° 58' 30" East a distance of 343.88 feet; Thence North 00° 1' West a distance of 907.64 feet to the POINT OF BEGINNING.

LESS AND EXCEPT the following property:

A tract of land in the Southeast Quarter of the Southeast Quarter (SE/4 SE/4) of Section Fifteen (15), Township Eighteen (18) North, Range Twelve (12) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, being more particularly described as follows, to-wit:

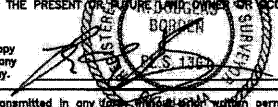
COMMENCING at the Southeast corner of Section 15; Thence North 0° 01' West a distance of 1326.04 feet to the Northeast corner of said SE/4 of the SE/4; Thence South 89° 56' 30" West a distance of 1321.00 feet; Thence South 0° 03' 34.76" East a distance of 906.85 feet to the Point of Beginning; Thence South 0° 03' 34.76" East a distance of 183.70 feet; Thence South 89° 58' 30" East a distance of 208.88 feet; Thence North 0° 01' West a distance of 183.70 feet; Thence North 89° 58' 30" West a distance of 209.02 feet to the POINT OF BEGINNING, and known as 1910 West 89th Street.

SURVEYOR'S STATEMENT

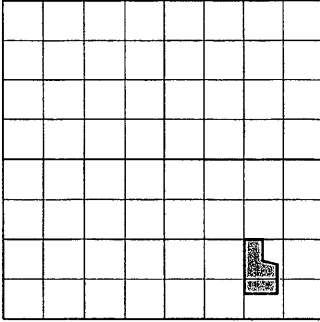
WHITE SURVEYING COMPANY, AN OKLAHOMA CORPORATION, AND THE UNDERSIGNED LICENSED PROFESSIONAL LAND SURVEYOR, UNDER CERTIFICATE OF AUTHORIZATION #CA1098, DO HEREBY STATE THAT IN OUR PROFESSIONAL OPINION THE ABOVE INSPECTION REPORT SHOWS THE DWELLING AS LOCATED ON THE PREMISES DESCRIBED, THAT IT IS ENTIRELY WITHIN THE DESCRIBED TRACT BOUNDARIES, AND THERE ARE NO ENCROACHMENTS THEREON BY VISIBLE PERMANENT IMPROVEMENTS, EXCEPT AS INDICATED; THAT THE ABOVE INSPECTION REPORT SHOWS ALL RECORDED PLAT EASEMENTS AND OTHER SUCH EASEMENTS WHICH HAVE BEEN DISCLOSED BY A CURRENT TITLE OPINION OR BY COMMITMENT FOR TITLE INSURANCE AND COPIES THEREOF PROVIDED TO US; THAT THE INSPECTION REPORT WAS PREPARED FOR IDENTIFICATION PURPOSES ONLY FOR THE MORTGAGEE AND IS NOT A LAND OR BOUNDARY LINE SURVEY; THAT NO PROPERTY CORNERS WERE SET, AND AS SET HEREON, THEY OR RELIED UPON FOR THE ESTABLISHMENT OF FENCE, BUILDING OR OTHER IMPROVEMENTS; THAT UNDERGROUND OR ABOVE GROUND UTILITIES WERE NOT FIELD LOCATED AND THEREFORE ARE NOT SHOWN ON THIS INSPECTION REPORT UNLESS SPECIFICALLY REQUESTED BY THE CLIENT; THAT THIS INSPECTION REPORT IS PREPARED SOLELY FOR THE CLIENT LISTED HEREON AS OF THE DATE AND MAY NOT BE USED FOR ANY SUBSEQUENT LOAN CLOSING, REFINANCE, OR OTHER TRANSACTION; AND THAT NO RESPONSIBILITY OR LIABILITY IS ASSUMED HEREIN OR HEREBY TO THE PRESENT OR FUTURE OWNER, BORROWER, OR OCCUPANT.

WITNESS MY HAND AND SEAL THIS DATE: 5/12/22

WARNING! If the seal on this document is not RED, it is an unauthorized copy which may have been altered or modified, and cannot be used for any purpose without the written permission of White Surveying Company.



LEGAL DESCRIPTION



LOCATION MAP

SEC. 15 T 18 N, R 12 E

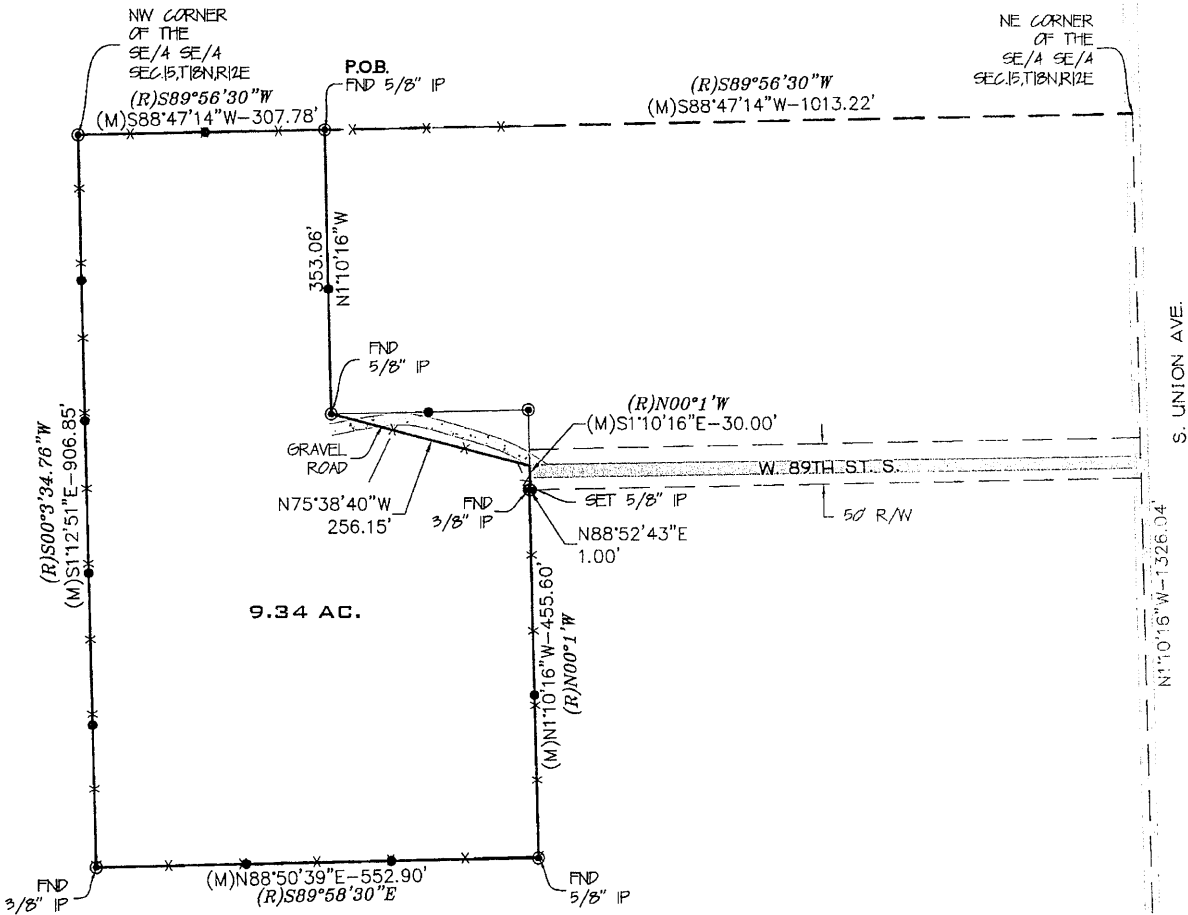
SCALE: 1" = 150'



- = IRON PIN
- x- = FENCE
- = SET LATH (POINT ON LINE)
- (M) = MEASURED
- (R) = RECORD

LEGAL DESCRIPTION

A TRACT OF LAND SITUATED IN THE SE/4 SE/4 OF SECTION 15, T18N, R12E OF THE I.B.&M., TULSA COUNTY, STATE OF OKLAHOMA: WITH THE BASIS OF BEARING OF THIS DESCRIPTION BEING NAD83 OKLAHOMA STATE PLANE, AND PREPARED ON 12/8/2023 BY TONY ROBISON, LS #1686: SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: COMMENCING AT THE SE CORNER OF THE SE/4 OF SECTION 15, THENCE N1°10'16"W ALONG THE EAST LINE THEREOF A DISTANCE OF 1326.04 FEET; THENCE S88°47'14"W ALONG THE NORTH LINE OF THE SE/4 SE/4 A DISTANCE OF 1013.22 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S88°47'14"W A DISTANCE OF 307.78 FEET TO THE NW CORNER OF THE SE/4 SE/4 OF SECTION 15; THENCE S1°12'51"E ALONG THE WEST LINE THEREOF A DISTANCE OF 906.85 FEET; THENCE N88°50'39"E A DISTANCE OF 552.90 FEET; THENCE N1°10'16"W A DISTANCE OF 455.60 FEET; THENCE N88°52'43"E A DISTANCE OF 1.00 FEET; THENCE N1°10'16"W A DISTANCE OF 30.00 FEET; THENCE N75°38'40"W A DISTANCE OF 256.15 FEET; THENCE N1°10'16"W A DISTANCE OF 353.06 FEET TO THE POINT OF BEGINNING. CONTAINING 9.34 ACRES, MORE OR LESS.



12/12/2023

Tony Robison
 TONY ROBISON, LAND SURVEYOR NO. 1686

Heartland Surveying & Mapping, PLLC

CA #4849
 600 Emporia St., Ste. "c"
 Muskogee, Oklahoma 74401
 (918) 682-7798



BEARINGS ARE BASED ON
 NAD83 OKLAHOMA STATE
 PLANE COORDINATE SYSTEM.

P.O.C.
 SE CORNER
 SEC. 15, T18N, R12E
 FND 5/8" IP

FOR: Michael & Ariel Gold

REV. DATE: 12/8/2023
 DATE: 8/22/2023

W.O.# 11520-2

SURVEYED BY: RT/TT

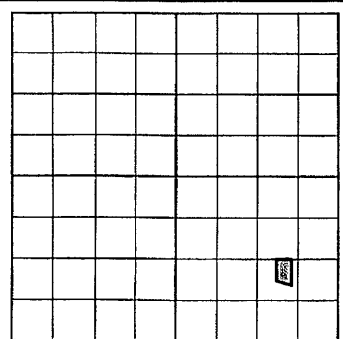
DRAWN BY: AM

Last Site Visit: 8/17/23

THIS SURVEY MEETS MINIMUM TECHNICAL SURVEY STANDARDS.

FILE NAME: 11520-2.dwg
 DATE: 8/22/23
 SURV: HEARTLAND-PLLS
 137

LEGAL DESCRIPTION

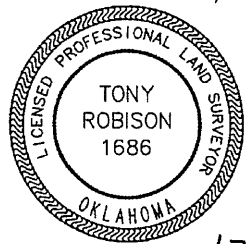
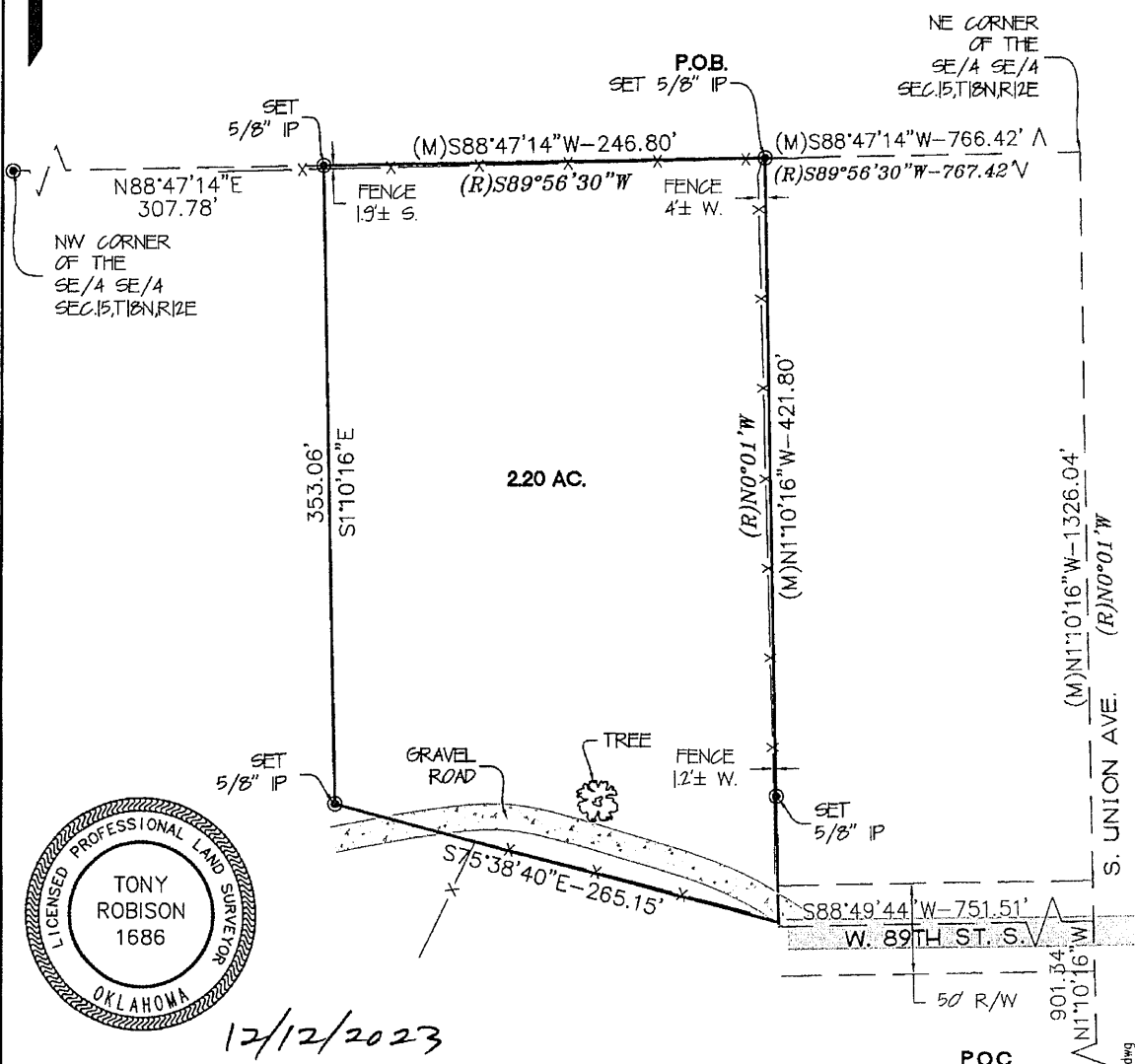


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SEC. 15 T 18 N, R 12 E

- SCALE: 1" = 80'
- ⊙ = IRON PIN
 - x- = FENCE
 - (M) = MEASURED
 - (R) = RECORD



12/12/2023

Tony Robison

TONY ROBISON, LAND SURVEYOR NO. 1686

Heartland Surveying & Mapping, PLLC

CA #4849
800 Emporia St., Ste. "C"
Muskogee, Oklahoma 74401
(918) 682-7796

FOR: Michael Gold
1910 W. 89th St., Tulsa
REV. DATE: 12/8/2023
DATE: 12/13/2022

BEARINGS ARE BASED ON NAD83 OKLAHOMA STATE PLANE COORDINATE SYSTEM.

P.O.C. SE CORNER SEC. 15, T18N, R12E FND 5/8" IP

W.O.# 10938-2

SURVEYED BY: RT/TT

DRAWN BY: AM

Last Site Visit: 12/12/22

FILE NAME
Dec 08, 2023 - 10:21am
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