



Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7699 w/odp

Hearing Date: April 19th, 2023

Continued from April 5th for optional development
plan preparation

Case Report Prepared by:

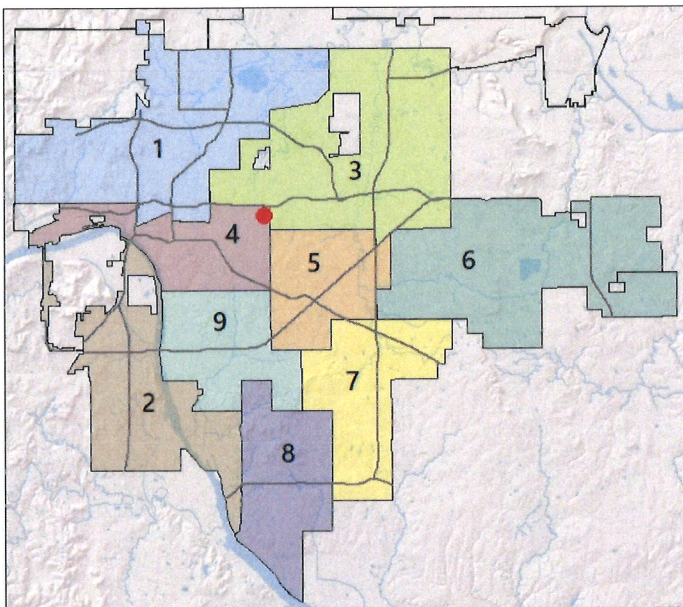
Kendal Davis

Owner and Applicant Information:

Applicant: Jamesha Ross

Property Owner: Jamesha Ross

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Vacant gas station/convenience
store

Proposed Use: All uses allowed in CS zoning.

Concept summary: Change zoning to allow uses
that may be more consistent with a neighborhood
center land use designation and to support
redevelopment of the existing property that is
zoned OL with a non-conforming use.

Tract Size: 0.28 ± acres

Location: Southwest corner of East 4th Place
South & South Yale Avenue

Zoning:

Existing Zoning: OL

Proposed Zoning: CS

Comprehensive Plan:

Land Use Map: Neighborhood Center

Stability and Growth Map: Area of Growth

Staff Recommendation:

**Staff recommends approval with or without the
Optional Development Plan**

Staff Data:

TRS: 9304

CZM: 37

City Council District: 4

Councilor Name: Laura Bellis

County Commission District: 2

Commissioner Name: Karen Keith

SECTION I: Z-7699

DEVELOPMENT CONCEPT:

Change zoning to allow uses that may be more consistent with a Neighborhood Center land use designation and to support redevelopment of the existing property that is zoned OL. In summary the optional development plan outlined in Section II provides a comprehensive list of allowed uses and generally prohibits the following:

- All of the specific uses included in Vehicle Sales and Services subcategory
- All of the specific uses included in the Assembly and Entertainment subcategory
- All of the subcategories in the Recycling use category are prohibited
- The subcategory that includes Sexually Oriented Business Establishment is prohibited

Specific uses allowed in the Convenience goods and services subcategory are allowed except package stores are prohibited.

EXHIBITS:

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

DETAILED STAFF RECOMMENDATION:

Uses allowed in a CS zoning district and supplemental regulations are consistent with a Neighborhood Center land use designation in the Tulsa Comprehensive Plan and,

The applicant has worked with staff to outline allowed uses in an optional development plan as requested by the planning commission during the April 5th planning commission meeting. Development design standards beyond what is required in a CS zoned district are not included in the development plan. Staff supports use limitations without additional development standards for site and building development at this location and,

Staff supports the rezoning of the site from OL to CS knowing that additional street right of way requirements for development may result in site conditions that are not developable as planned by the applicant and,

The uses allowed in the optional development plan illustrated in Section II are consistent with the Neighborhood Center land use designation therefore,

Staff recommends Approval of Z-7699 with or without the Optional Development Plan to rezone property from OL to CS as requested by the applicant.

SECTION II: Z-7699 OPTIONAL DEVELOPMENT STANDARDS:

The optional development plan standards will conform to the provisions of the Tulsa Zoning Code for development in a Commercial Shopping (CS) district with its supplemental regulations except as further refined below. All use categories, subcategories or specific uses and building types that are not listed in the following permitted list are prohibited.

5.2

PERMITTED USE CATEGORIES SUBCATEGORIES AND SPECIFIC USES:

RESIDENTIAL

- Household Living (if in allowed building type identified below)
 - Single household
 - Two households on a single lot
 - 3 or more households on a single lot

Group living

- Assisted living facilities.
- Community group home
- Convent/monastery/novitiate
- Elderly/retirement center
- Fraternity/Sorority
- Life care retirement center
- Rooming/boarding house

PUBLIC, CIVIC, AND INSTITUTIONAL

- Day Care
- Library or Cultural Exhibit
- Parks and Recreation
- Religious Assembly

COMMERCIAL

- Animal Service
 - Grooming
 - Veterinary
- Commercial Service
 - Business support services
 - Consumer maintenance repair service
 - Personal Improvement service
- Financial Services
- Lodging
 - Bed and breakfast
 - Short term rental
- Office
 - Business or professional office
 - Medical, dental or health practitioner office
- Restaurant
- Retail Sales (includes all specific uses except package stores)
 - Building supplies and equipment
 - Consumer shopping goods
 - Convenience goods
 - Small box discount store
 - Medical Marijuana dispensary
- Studio, Artist, or Instructional Service

AGRICULTURAL

- Community Garden
- Farm, Market-or Community-supported

OTHER

- Drive-in or Drive-through Facility** (as a component of an allowed principal use)

RESIDENTIAL BUILDING TYPES:

Household Living

- Detached House
- Mixed-Use Building

Vertical Mixed-Use Building

Lot and Building Regulations

Minimum lot area	none
Minimum street frontage	50 feet
Maximum floor area ratio	0.50
Minimum lot area per dwelling unit shall conform to RM-2 district standards.	
Minimum open space per dwelling unit shall conform to RM-2 district standards.	
Minimum Building Setbacks	
From Street	10 feet
From R districts	10 feet
Maximum Building Height	35 feet

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The site is very small and has been a nonconforming use for decades with OL zoning. The requested CS zoning on this site can provide a small-scale version of a Neighborhood Center.

Land Use Vision:

Land Use Plan map designation:

Neighborhood Centers: This land use designation should include 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.

Areas of Stability and Growth designation:

Area of Growth: An area of growth is a designation to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.”

Transportation Vision:

Major Street and Highway Plan:

Multi Modal Corridor: South Yale Avenue is considered a multimodal corridor. Future development should emphasize plenty of travel choices such as pedestrian, bicycle and transit use. Multimodal streets are located in high intensity mixed-use commercial, retail, and residential areas with substantial pedestrian activity. These streets are attractive for pedestrians and bicyclists because of landscaped medians and tree lawns. Multi-modal streets can have on-street parking and wide sidewalks depending on the type and intensity of adjacent commercial land uses. Transit dedicated lanes, bicycle lanes, landscaping and sidewalk width are higher priorities than the number of travel lanes on this type of street. To complete the street, frontages are required that address the street and provide comfortable and safe refuge for pedestrians while accommodating vehicles with efficient circulation and consolidated-shared parking.

Streets on the Transportation Vision that indicate a transit improvement should use the multi-modal street cross sections and priority elements during roadway planning and design.

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary:

The site is vacant and has previously been used as a single-story convenience store and a fueling station. OL zoning prohibits both uses. In 1969 a gas station was recognized as a non-conforming use during a board of adjustment case. Neither the Planning Commission Staff or the applicant has determined if this is still a nonconforming use. The site may have lost its non-conforming status as outlined in Section 80.040-E.3 of the Tulsa Zoning Code. That section of the code clarifies that if the non-conforming use of a building is discontinued for 36 consecutive months or for 36 months during any 4-year period, the nonconforming use may not be re-established.

The site has multiple Board of Adjustment cases that have been heard with setback variances approved and canopy variances denied. Planned right-of-way for 50 feet width on Yale Ave. would not allow new gas canopy or building expansion on this site.

The Subdivision and Development Regulations will require subdivision compliance and approximately 25 feet of additional right-of-way will be required along South Yale Avenue during that process. The acquisition of planned right-of-way will take away most of the parking on the lot and the existing canopy will need to be removed. Those requirements make redevelopment on this site more challenging.

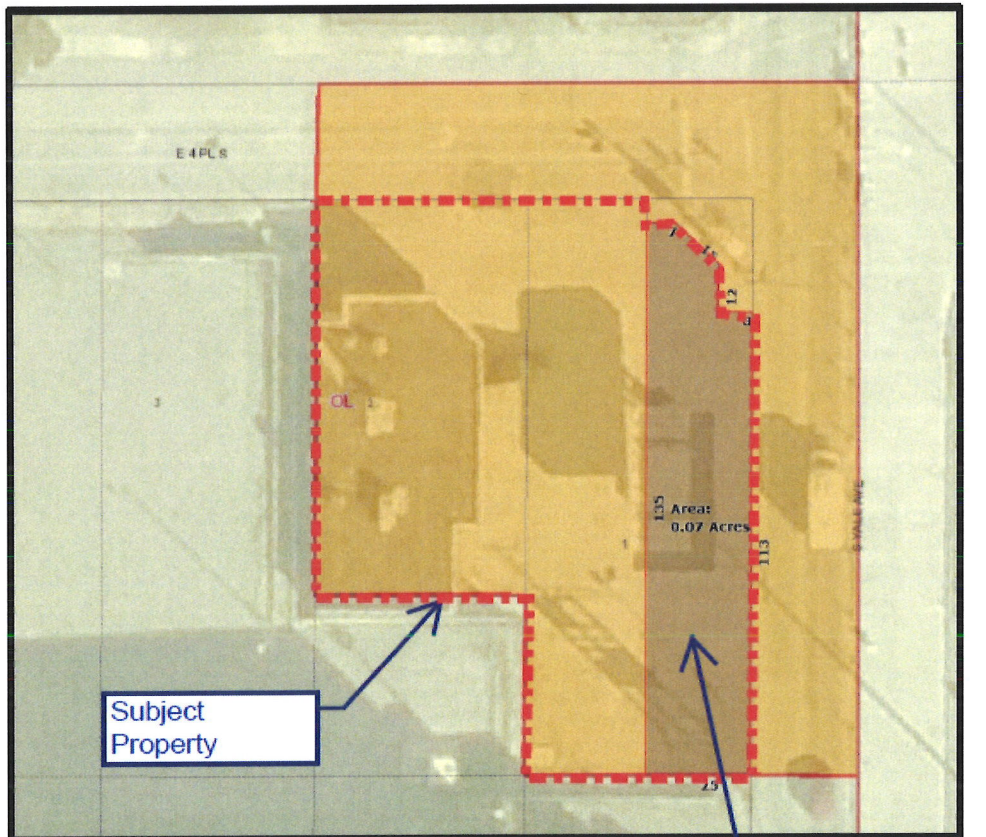
Current OL zoning would allow many uses including all office uses identified in our code, single family residential, short-term rental in the lodging category, artist and instructional services and three or more households on a single lot with a mixed-use building.

Street view looking southwest from the northeast corner of the site:

5.5



Illustration showing additional right of way requirement during the subdivision compliance review process



Planned right of way dedication area (25 feet +/- width)

Environmental Considerations: None that would affect site redevelopment.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 4 th Place South	Residential Collector	60 feet minimum required as a minimum and the existing right of way is 60 feet.	3 lanes One lane each direction with east bound left turn lane
South Yale Avenue	Secondary arterial with Multi modal corridor designation	100 feet minimum. Existing right of way measures approximately 60 feet with approximately 25 feet west of the section line in S. Yale.	4 lanes From the center of the street

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-3	Existing Neighborhood	Stability	Single Family Homes
East	RS-2	Existing Neighborhood	Stability	Single Family Homes
South	RS-3	Existing Neighborhood	Growth	Church / food pantry
West	RS-4	Existing Neighborhood	Growth	Church

SECTION IV: Relevant Zoning History

History: Z-7699

ZONING ORDINANCE: Ordinance number 11815 dated June 26, 1970 & Ordinance number 14402 dated March 23, 1979, established zoning for the subject property.

Subject Property:

Z-7615 January 2022: All concurred in **denied** of a request for *rezoning* a 0.28+ acre tract of land from OL to CG on property located Southwest corner of East 4th Place south & South Yale Avenue.

BOA-14804 April 1988: The Board of Adjustment **approved** a *Variance* to permit setback from the centerline of south Yale from 60' to 30' to allow for a business sign, on property located at SW/c 4th Place and Yale Avenue.

5.7

BOA-12940 January 1984: The Board of Adjustment **denied** a *Variance* to permit the setback requirement from 60' to 27' for a gasoline canopy in an OL District under the provisions of Section 1670, on property located at the SW corner of 4th Place and Yale Avenue.

BOA-11585 August 1981: The Board of Adjustment **denied** a *Variance* to permit the setback requirements from 60' to 27' from the centerline of Yale Avenue to permit the erection of service station canopies in an OL District, on property located at 4752 East 4th Place.

BOA-10432 November 1980: The Board of Adjustment **approved** a *Variance* to permit the setback requirements from 55' to 44.33' from the centerline of 4th Place, on property located at Lot 1, & the North 95.7' of Lot 2, Block 1, Kendall View Addn.

Z-5224 March 1979: All concurred in **approval** of a request for *rezoning* a tract of land from RS-3 to OL on property located Lot 1 & the North 95.7 feet of Lot 2 Block 1 Kendall View Addn.

BOA-6236 August 1974: The Board of Adjustment **approved** a *Variance* to permit replacing a sign for a nonconforming service station (Not less than 60' from the centerline of Yale Avenue), on property located at 4752 East 4th Place.

Surrounding Property:

BOA-23497 February 2023: The Board of Adjustment **approved** a *Special Exception* to permit a Day Care Use in the RS-2 District & a *Variance* to reduce the 12,000 square-foot minimum lot width for *Special Exception* uses in the RS-2 District & a *Variance* to reduce the 25-foot setback for non-residential *Special Exception* uses from R-zoned lots, on property located at 4905 East 4th Place.

BOA-23158 July 2021: The Board of Adjustment **approved** a *Variance* to permit a dynamic display sign within 20 feet of the driving surface of East 4th Place & a *Special Exception* to allow a dynamic display sign in an RS-3 District for a Religious Assembly Use and to be located within 200 feet of a Residential District, on property located at 4739 East 5th Street South.

BOA-14656 November 1987: The Board of Adjustment **approved** a *Variance* to permit the setback from the centerline of Yale Avenue from 60' to 30' to allow a gasoline island canopy, on property located at SW/c of 4th Place and Yale Avenue.

BOA-6746 September 1970: The Board of Adjustment **denied** a *Special Exception* to permit operating a children's day nursery in an RS-2 District, on property located at 4th street and Yale Avenue.

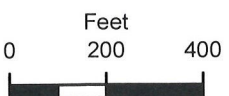
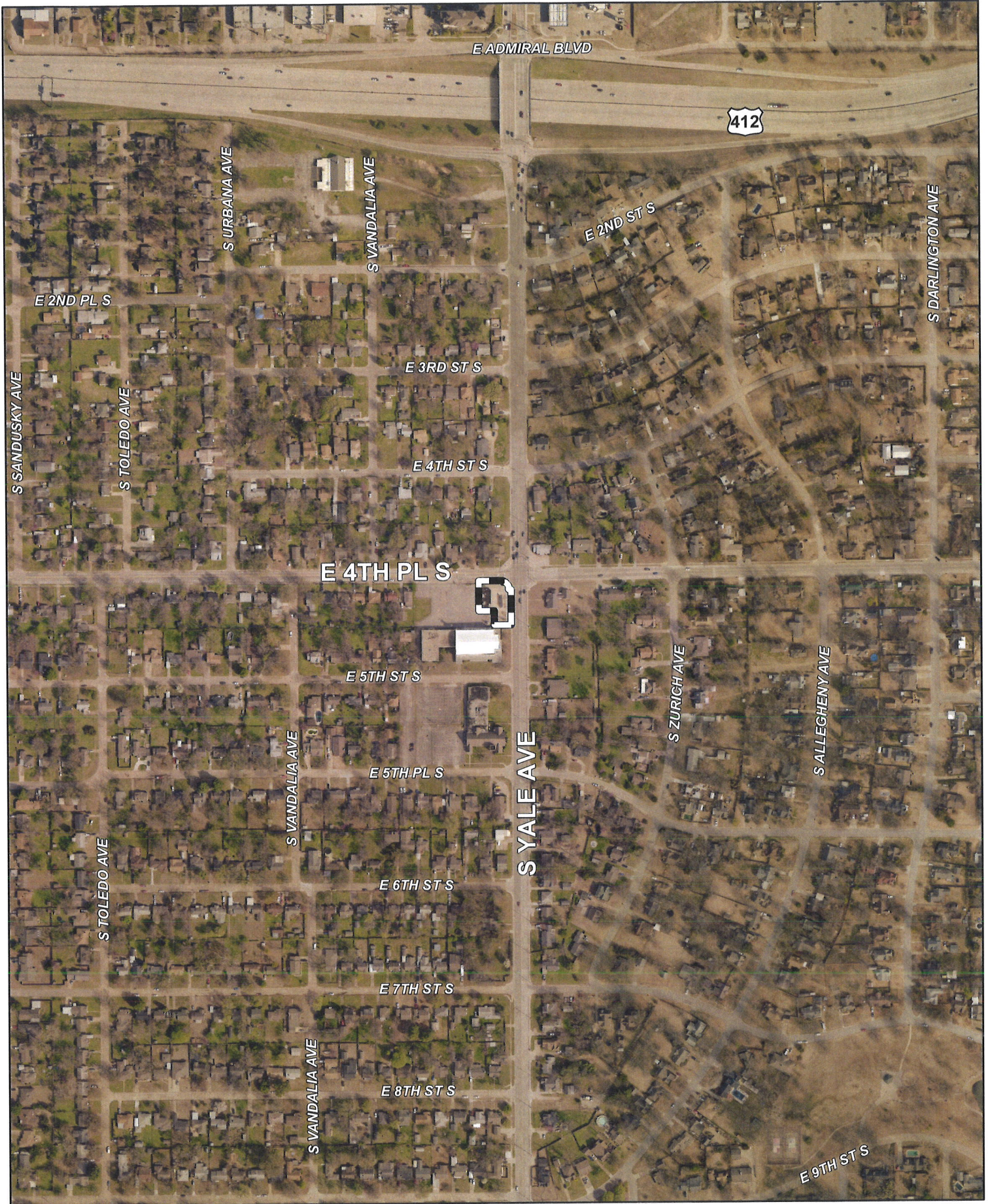


Z-7699

19-13 04

5.9





 Subject Tract

Z-7699

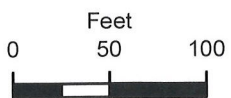
19-13 04

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

Aerial Photo Date: 2020/2021

5.10





 Subject Tract

Z-7699

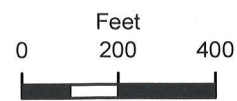
19-13 04

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

Aerial Photo Date: 2020/2021



5.11

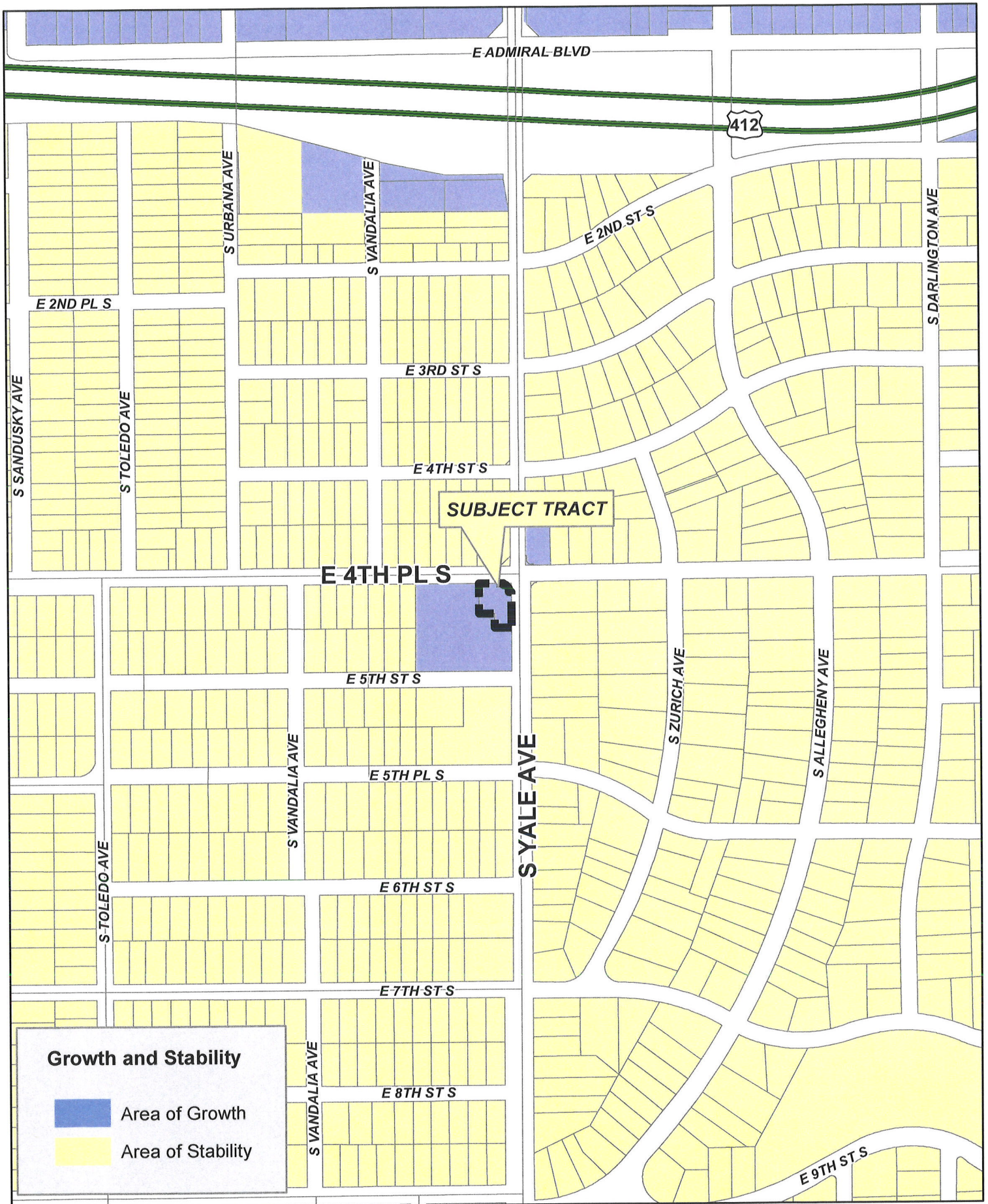


Z-7699

19-13 04

5.12





E ADMIRAL BLVD

412

E 2ND ST S

S DARLINGTON AVE

E 2ND PL S

S URBANA AVE

S VANDALIA AVE

E 3RD ST S

S SANDUSKY AVE

S TOLEDO AVE

E 4TH ST S

SUBJECT TRACT

E 4TH PL S

E 5TH ST S

S ZURICH AVE

S ALLEGHENY AVE

E 5TH PL S

S YALE AVE

E 6TH ST S

E 7TH ST S

E 8TH ST S

S TOLEDO AVE

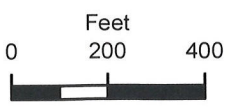
S VANDALIA AVE

S VANDALIA AVE

E 9TH ST S

Growth and Stability

- Area of Growth
- Area of Stability



Z-7699

19-13 04

5.13



Sawyer, Kim

From: Kelvin Matobula <kelvinmatobula@gmail.com>
Sent: Monday, April 10, 2023 6:24 PM
To: esubmit
Subject: In support of commercial zoning

My name is Kelvin Matobela. i live at 1415 west 78th street. # 1110, Tulsa Ok 74132. I support full commercial shopping zoning and do not care if it is a dispensary

FILE COPY

Sawyer, Kim

From: Karla Ellis <kellis89@yahoo.com>
Sent: Monday, April 10, 2023 4:07 PM
To: esubmit
Subject: Zoning Case Z-7699

Hello, My name is Karla Ellis. I live at 3303 E. 143rd Pl. S, Bixby, OK 74008. I fully support Commercial Zoning for the property at 430 S Yale Ave. I support full commercial shopping zoning and do not care if it is a dispensary.

Thank you,

Karla Ellis

[Sent from Yahoo Mail on Android](#)

FILE COPY

Sawyer, Kim

From: K Lee <kdlee112678@gmail.com>
Sent: Monday, April 10, 2023 3:52 PM
To: esubmit
Subject: Commercial zoning case Z-7699

Hello my name is Keisha Lee. I am a residence of Tulsa, ok. 74126. I totally support commercial zoning at property 430 S Yale Ave. I support full commercial shopping and zoning and do not care if it is a dispensary

FILE COPY

Sawyer, Kim

From: G Palace <palacgw@gmail.com>
Sent: Thursday, April 6, 2023 1:26 PM
To: Wilkerson, Dwayne; esubmit
Subject: 4th and Yale property case z-7699

FILE COPY

Mr. Wilkerson ,

I am writing in concern of the rezoning of the property at the SW corner of 4th and Yale. Case Z-7699, item #6 from the April 5th Agenda, continued to the April 19th TMAPC meeting.

Who is the owner of the property? What are their intentions behind the rezoning from OL to CS? These questions deserve a firm answer before any rezoning is considered.

According to the Tulsa County Tax Assessor the property listed at 430 S.Yale is owned by Masood Kasim and valued at \$90,500. It was sold on 11 February 2023 to JKR Properties LLC. See the attached Quit Claim deed.

I have some serious concerns about JKR properties; the representative (applicant) spoke at the meeting on the 5th saying that he was interested in a long term 5 or 10 year tenet on his newly purchased property. However the business record of JKR shows they have a poor record of business stability themselves. There is no Better Business Bureau record. The information from the Oklahoma Secretary of State (see attached documentation) shows this company first established in 2016 and terminated in 2018, only to be reinstated the following year. Also note that JKR received a forgivable Payroll Protection Loan in 2020 just after being reinstated as a business entity. Only to be terminated again shortly after receiving those funds in excess of \$20,000.

Fed Payroll Loan documentation here: https://www.federalpay.org/paycheck-protection-program/jkr-properties-llc-tulsa-ok?fbclid=IwAR05urIM07zW4LGR7JpCwujKfzozKvAFP-qs7ulfvVK0lf_D_aM3uX-LDNY

This is a business pattern that has been repeated several times. JKR was yet again terminated and only re-established on 1 March 2023. This does not look to be something that would bring stability (as was indicated by the applicant speaker) of the property nor keeping within the characteristics of the residential nature of the neighborhood.

I believe this is some elaborate shell operation designed to hide the true owner and true intentions for this undefined development and insistence in obtaining rezoning.

Masood Kasim is a known owner of other properties including a marijuana grow operation, I believe this artificially low sale of this property is just a ruse to hide his ownership and a smokescreen to hide his intentions. There has been NO CLEAR defined plan put forth to justify any rezoning of the property from OL to CS.

CS zoning allows for marijuana dispensaries, sexually orientated business enterprises, bars and restaurants that sell alcohol as well as drive through operations to support those businesses. None of these things is acceptable in residential neighborhoods. The property in question is very small and is located in an already hazardous traffic intersection. This property is surrounded by homes, families, children and churches (not to mention the recently allowed daycare facility on the Opposite corner). We do not need or want this type of zoning allowed in our neighborhood. It is not the proper location for this type of commercial development.

There has been no concrete plan for development put forth to justify the rezoning of this property. In all other rezoning cases I have observed, they are submitted with detailed plans outlining the property use justifying the rezoning. There has been no such plan put forth in the rezoning attempts of this property over the last two years. I believe the absence of a plan is just a

masquerade to hide the true intentions behind the rezoning proposals of the "owners". I also believe there is a deliberate effort on the part of JKR Properties LLC and Masood Kasim to hide true ownership and intentions.

Further public records searches indicates that JKR owns additional small residential properties that have been sold for minimal value repeatedly only to be repurchased by JKR for the same price on which the Tax Assessor's office shows no increase in assessed value on the property This does not inspire any confidence in developing this property in a manner in keeping with the residential nature of the area, nor does it speak of any long term stability of which the applicant spoke at the meeting on 5 April.

Furthermore I believe this is an attempt to place something that is grossly out of character with the residential nature of the Turner Park Neighborhood and the adjoining White City Neighborhood.

The property in question for rezoning is too small for any high traffic business and would create undue increased hazards in the residential area. The proposed CS zoning is out of character with the Master Plan for the Turner Park and White City Neighborhoods.

I plead that the zoning on Case z-7699 (430 s. Yale) remains OL for the sake of our families, our children and our churches in the neighborhood.

Thank you.

Gwen Palace
4703 E. 8th St.
Tulsa, OK

918-834-2429

Entity

https://www.ok.gov/corp/under_orderDetail.asp?doc=4931400002

Details

Filing Number
3512601260

Entity Name
JKR PROPERTIES, LLC

Status
In Existence

Entity Type
Domestic Limited Liability Company

Jurisdiction
Oklahoma

Original Filing Date
Feb-21-2017

Duration
Perpetual

Entity Address
4905 VALL AVE TULSA, OK, 74112, USA

Registered Agent Information

Name
JAMESIA R WILLIAMS

Effective
Feb-21-2017

Address
1423 N DENVER AVE

City/State/Zip code
TULSA, OK, 74106

FILING HISTORY

Document Number	Filing Type	Filing Date
32807500002	Articles of Organization	February 21, 2017
36842300006	Terminated	April 23, 2019
40357500002	Restatement	March 27, 2019
44325600002	Annual Certificates	April 2, 2020
48394900002	Annual Certificates	March 3, 2021
54267000006	Terminated	April 23, 2022
55760160002	Restatement	March 1, 2023

NAMES INFORMATION

Name	Name Type	Status	Creation Date
JKR PROPERTIES, LLC	Legal	In use	April 23, 2022

PRINCIPALS

No entries found

TRADE NAMES

No entries found

1 of 2

4/6/2023, 9:21 AM

Entity

https://www.ok.gov/corp/under_orderDetail.asp?doc=4931400002

STOCKS INFORMATION

No entries found

FOC

\$0

IAC

\$0

Total Investment in OK

\$0

Qualified

NO



Sawyer, Kim

From: Anthony Acosta <usecom@gmail.com>
Sent: Monday, April 10, 2023 2:05 PM
To: esubmit
Subject: Zoning case #Z7699

Subject: Zoning Case Z-7699

Hello, My name is Anthony Acosta . I live at 1410 S.117th E. Ave ,Tulsa, OK, 74128. I fully support Commercial Zoning for the property at 430 S Yale Ave.

I support full commercial shopping zoning and do not care if it is a dispensary. I have lived in and around Rogers since the mid 80's and anything to clean up the blight that this corner gives the neighborhood would help.

FILE COPY

Sawyer, Kim

From: Taylor Acosta <organickultureok@gmail.com>
Sent: Monday, April 10, 2023 2:06 PM
To: esubmit
Subject: Zoning Case Z-7699

Hello, My name is Gloria Nyan, Owner of Organic Kulture in 74112, Tulsa Oklahoma. I am writing in regards to the zoning change for the property on E. 4th Pl and South Yale Ave. I support full commercial zoning with no stipulations. I have spoke with the new property owners. I think it is great that they want to revamp that building so it is not sitting abandoned anymore. It is such an eye sore to the community how it currently is and I am so excited that someone wants to take on the task to fix it. As an owner of building I think it's only right to let them be full commercial zoning so they may do as they please with it. It is not right to try an put stipulations on it. I fully support wether it be a convenience store, store, dispensary, or etc.

Sent from my iPhone

FILE COPY

Sawyer, Kim

From: Kamari Ross <kamariross952@yahoo.com>
Sent: Wednesday, April 12, 2023 9:29 AM
To: esubmit
Subject: zoning case Z-7699

FILE COPY

Hello, My name is Kamari Ross. I live at address 312 e 27th plc,Tulsa, OK, 74106. I fully support Commercial Zoning for the property at 430 S Yale Ave. I support full commercial shopping zoning and do not care if it is a dispensary.

Sent from my iPhone

Sawyer, Kim

From: Jaylin Hill <monique8602@icloud.com>
Sent: Wednesday, April 12, 2023 9:34 AM
To: esubmit
Subject: Zoning case Z-7699

FILE COPY

Hello, My name is Jaylin Monique . I live at 4827 S 74th E Ave, Unit #8-102, Tulsa OK 74145. I fully support Commercial Zoning for the property at 430 S Yale Ave. I support full commercial shopping zoning and do not care if it is a dispensary.

Sawyer, Kim

From: missfaye84@gmail.com
Sent: Saturday, April 8, 2023 1:25 PM
To: esubmit
Subject: Zoning Changes

This zoning area requirements should not include marijuana dispensaries. Especially when it's legal.

♥ Faye ♥

2-7699

FILE COPY

Sawyer, Kim

From: K Salazar <kelli.salazar@gmail.com>
Sent: Sunday, April 9, 2023 7:36 PM
To: esubmit
Subject: Zoning Case Z-7699

Hello,

My name is Kelli Salazar. I live at 7415 E 20th St. ,Tulsa, OK, 74112. I fully support Commercial Zoning for the property at 430 S Yale Ave. I support full commercial shopping zoning and do not care if it is a dispensary.

Thank you

FILE COPY

Sawyer, Kim

From: Joan Adams <joanadams1301@gmail.com>
Sent: Wednesday, April 12, 2023 2:14 PM
To: esubmit
Subject: Commercial zoning

FILE COPY

Hello I'm J. Adams I live at 312 E 27th PI North, Tulsa 74106. I fully support commercial zoning for property 430 South Yale. I support full commercial shopping zoning & do not care if it is a dispensary. Thank you

Sawyer, Kim

From: Belinda Plummer <belinda.plummer@icloud.com>
Sent: Thursday, April 13, 2023 12:23 PM
To: esubmit
Subject: Zoning case # Z-7699

FILE COPY

Hi, my name is Belinda plumber,I live at 720 E 53rd St. North Tulsa Oklahoma I fully support commercial zoning for the property at 430 S. Yale Ave.
Sent from my iPhone

Sawyer, Kim

From: Lyle Corner <lylec0404@gmail.com>
Sent: Wednesday, April 12, 2023 12:56 PM
To: esubmit
Subject: Zoning Case Z-7699

FILE COPY

Hello, My name is Lyle Corner. I live at 5516 S 41st W Ave, Tulsa OK 74107. I fully support Commercial Zoning for the property at 430 S Yale Ave. I support full commercial shopping zoning and do not care if it is a dispensary.

Sawyer, Kim

From: Marvin Bizzell <bizzellmarvin8@gmail.com>
Sent: Monday, April 17, 2023 4:41 PM
To: Sawyer, Kim
Subject: RE: For Zoning of: Z7699

Marvin Bizzell

FILE COPY

Web Designer/Graphic Designer/Marketing & Advertisement

Hilton Garden Inn - OKC. Oklahoma Midtown | 2809 NW Expressway 73112

Mobile: 405-300-2167 | Website: www.marvinbizzell.com <<http://www.marvinbizzell.com>>

bizzellmarvin8@gmail.com <<mailto:bizzellmarvin8@gmail.com>>

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Marvin Bizzell

Web Designer/Graphic Designer/Marketing & Advertisement

Hilton Garden Inn - OKC. Oklahoma Midtown | 2809 NW Expressway 73112

Mobile: 405-300-2167 | Website: www.marvinbizzell.com <<http://www.marvinbizzell.com/>>

bizzellmarvin8@gmail.com <<mailto:bizzellmarvin8@gmail.com>>

Sawyer, Kim

From: Susan Socha <sscsocha@aol.com>
Sent: Monday, April 17, 2023 10:36 AM
To: esubmit
Subject: Re-zoning of property at 4th and Yale, Tulsa

I live at 543 S. Pittsburg Ave., Tulsa, OK 74112. I am NOT in favor of re-zoning the vacant gas station/ convenience store on the southwest corner of 4th St. and S. Yale Avenue from OL to CS status. I also do not support the use of that property for any purpose involving medical or recreational marijuana.

Respectfully,

Susan C. Socha
Sent from my iPhone

FILE COPY

Sawyer, Kim

From: Route Sixty-Six <route66ttown@gmail.com>
Sent: Sunday, April 16, 2023 1:07 PM
To: esubmit; Wilkerson, Dwayne
Subject: Case # Z-7699

FILE COPY

To whom it may concern:

Re: Case # Z-7699
430 S. Yale Avenue

We are residents and homeowners in the Turner Park Neighborhood Association.

Unlike the emails you have received in favor of re-zoning this property which come from people with addresses all over the Tulsa area and also Bixby, we actually live in the neighborhood just off Yale! We live just a few short blocks from the intersection of 4th Place and Yale Avenue.

Do you find it odd that these people from outside the neighborhood don't care about the zoning and don't care if a dispensary goes in? Why would they care if they don't even live nearby? Speaking of not living nearby, if they don't even live in the neighborhood and one is not even in the city of Tulsa, why would they ever consider submitting emails to you regarding this issue? Is it because they are friends of the property owners? Is it because they are potential tenants? Of course they don't care if a dispensary goes because it's not in their own residential area! It's not in their own front yard!

I watched the meeting on TV a couple of weeks ago when the applicant stated he had no particular plan for the property. If that is the case, why are all the emails in the packet in favor of a zoning change also okay with a dispensary? Coincidence? He also stated he wants a business that can support the cost of his purchase. We'll, maybe as an investor that should have been considered before obtaining the property. It sounds like what he is saying is that he purchased too expensive of a property for the current zoning. But did he even purchase this property? I'm asking that question because a quit-claim deed was filed with a purchase price of only something like \$10, I believe.

Like many of our neighbors either in Turner Park or White City, we are against the requested zoning change to CS. This location is not in a "commercial area" or at a major intersection, but has neighborhoods in all immediate directions and we feel this is just far too extreme of a zone change for our "neighborhood". If you are unfamiliar with the area, Admiral and 11th Street are both commercial areas lined with businesses. Yale Avenue (with the exceptions at the "major intersections" of Admiral and 11th Street) however, is not. Yale Avenue is lined with residential homes, homes that face Yale on both sides of the street.

We hope that you will disregard the requests/suggestions of people who have stated their addresses as not being in the immediate neighborhoods.

It is our hope that you will take into consideration the requests of residents submitting emails and speaking at your meetings, residents who actually reside and are homeowners in the area who oppose a zoning change, and keep this property at 430 S. Yale Avenue zoned at the current OL. Please keep in mind, when making your decisions, this is a neighborhood and not a commercial area.

Sincerely,

RB

Sawyer, Kim

From: Aysegul Gedizmen <agedizmen@yahoo.com>
Sent: Sunday, April 16, 2023 10:25 AM
To: Wilkerson, Dwayne
Cc: esubmit; (DIST4) McKee, Kara Joy
Subject: Case Number: Z-7699 - 4th Place & Yale Zoning Change Request
Attachments: OK Secretary of State Business Entity - JKR Properties.pdf

FILE COPY

Mr. Wilkerson,

My name is Aysegul Gedizmen, I live at 4710 east 4th place, just 5 houses west of this property.

I do not live in a 74132 zip code, or in Bixby, or in 74126 zip code, or 74128 zip code, or 74106 zip code, or 74145 zip code - you get the picture - nor do I own a dispensary at 15th & Yale.

I live here, this has been my home since 2003 and I am not moving.

I watched JKR Properties not make their case on line on April 5 meeting. They have no idea what will happen on that corner. After some digging in OK Secretary of State Business Entity database I found out that JKR Properties was terminated in 2022 and was reinstated conveniently just before this application (attached). It looks like they are acting as a front on behalf of another company. Please re-read Gwen Palace's very comprehensive e-mail from April 6, 2023 at 1:26 pm which discusses concerns regarding this.

There are a lot of concerns about the size of the property and how it will affect the corner traffic. I am sure Braden Park Baptist Church will not be happy when their parking lot will be used due to lack of parking space on the actual property after the Yale Avenue side ROW is fulfilled.

I am absolutely against this zoning change because this kind of heavy traffic is too close to my home.

I am absolutely against this zoning change because all the dealings I am seeing look very shady.

Please do not approve the zoning change without a proper and suitable proposal.

Due to my work schedule I may not be able to attend the meeting, but I will be watching online.

Respectfully,

Aysegul Gedizmen
4710 East 4th Place

Sawyer, Kim

From: Marvin Bizzell <bizzellmarvin8@gmail.com>
Sent: Sunday, April 16, 2023 5:08 AM
To: esubmit
Subject: For Zoning of: Z7699

For Zoning of: Z7699

Hi,

I'm **Glory Nyan**,

I fully support the commercial zoning for the property at 430 S. Yale Avenue Tulsa, Oklahoma 73112. I do not care if it is a dispensary. I support the zoning for this address.

If you have any questions for me please call or email me at gnyan62@gmail.com

Thank you for your time,

Respectfully submitted,

Gloria Nyan
424-653-7153-mobile
gnyan62@gmail.com

My Home Address Is:
6314 East Reading Street. Tulsa, Oklahoma 74115

--

Marvin Bizzell

Web Designer/Graphic Designer/Marketing & Advertisement

Hilton Garden Inn - OKC. Oklahoma Midtown | 2809 NW Expressway 73112

Mobile: 405-300-2167 | Website: www.marvinbizzell.com

bizzellmarvin8@gmail.com

FILE COPY

Sawyer, Kim

From: Carolyn Ekenstam <cekenstam@sbcglobal.net>
Sent: Friday, April 14, 2023 2:15 PM
To: esubmit
Subject: Rezoning of 4th Pl. and Yale Ave.

FILE COPY

To Whom It May Concern:

I am writing to you about a requested change in zoning for a former convenience store location at 4th Place and Yale Ave. Perhaps you will recall that the owner requested a change within the last year or two. It is currently zoned light office and he would like it to be zoned commercial. It is a small location on the corner with limited ingress and egress. The intersection is dangerous already and, I believe, ranks as the 4th most dangerous intersection in Tulsa. It is very close to the entrance ramp onto I244 and has a lot of traffic and they are moving at a great speed. The zoning hearing is on April 5 at 1 pm. As a resident of Turner Park, I would like for the zoning to remain as it is. The current building sits on the corner almost in front of Braden Park Baptist Church. I believe a higher level of traffic would make the intersection more dangerous and do not see a need for commercial designation for this property. I know this is not in your district, but adjacent to it and last time you were very much in favor of this property staying with its current zoning. You and Councilor McKee agreed on this. I will also reach out to Councilor Bellis, but would appreciate if you could also help pass this message and its meaning on to her.

Thank you for your consideration of this matter.

Sincerely,

Carolyn Ekenstam, Ph.D.
918-557-0468

TMAPC Meeting-Agenda Item-Z-7699

Mr. Wilkerson and Commission members,

When I first reviewed the Agenda, I noticed this Agenda item, as White City was an original neighborhood listed with the Coalition of Historic Neighborhoods (COHN), I was immediately concerned, there were so many 'red flags', in my humble opinion. My comments are my own, I have not had time to reach out to COHN members, yet.

First and foremost, this is a significant change in zoning classification, this parcel is not large enough to hold any high traffic retail type business. Additionally, the entire area is a stable, high density residential area, so a detailed 'Plan' should be required before any decision is made to change the zoning, perhaps another 'Exemption' is a better fit for future redevelopment.

Then, while reading thru the letters, it became glaringly obvious, the only credible letter was from Gwen Palace, who obviously took time to do some research and made some valid points of concern and after speaking with him, it made me feel better, that my own instincts might be right.

The other letters seem bogus to me, many of them do not live in the area or even in Tulsa and it seemed odd a dispensary was even mentioned, because it was not noted in the Staff review or comments.

Though, it is not against the current law, if a dispensary is planned, it is very close to a Church, and hopefully, while the laws are being reviewed, this should change. It is not a good fit for either the Church, or its members, many of whom, probably live in the surrounding neighborhoods.

Thank you for your time in reviewing my thoughts, I truly hope, this Agenda item is rejected in its current application.

Cherie R. Cook
PO Box 521144
Tulsa, OK 74152

FILE COPY

Sawyer, Kim

From: Owlorganizers <owlorganizers@gmail.com>
Sent: Friday, April 14, 2023 11:44 AM
To: Wilkerson, Dwayne
Cc: esubmit
Subject: Zoning Case Z-7699 w/odp

FILE COPY

Dwayne / To whom it may concern,

My name is Ashley Barrar-Rechter, residing in the Turnerpark neighborhood directly affected by this case. My address is 914 S Pittsburg Ave, 74112 and I drive by this property daily.

I am **not** in agreement with the proposed zoning changes at the corner of 4th and Yale at the old convenience store/gas station location.

I would, however, be open to a variance/exception allowed to the current OL listing if there is a development plan presented by the current owners with a specific use case being requested. Rezoning for the sake of rezoning in hopes of attracting a new tenant is a short-sighted solution. There have been no honest attempts at leasing this property at its current zoning since 2019 (Source: [Loopnet](#)).

Over the years, the building owners have acted with questionable business practices, involving new partners in order to submit this zoning change request, and have made little attempt clean up the eyesore their building currently is, beyond removing the hazardous canopy remaining from it's gas station days. The property owner listed on the rezoning request is not the owner listed with the City of Tulsa Property Assessor Office which adds to the confusion on what is really going on here. While I would love to see the building finally be in use, rezoning is not the appropriate way to go about it.

I appreciate you reading this note and taking a neighbor's perspective into consideration.

While I cannot attend the meeting in person, I can be reached for any clarifications or questions about my note.

Thank you,

Ashley Barrar-Rechter
918.928.9448

Sawyer, Kim

From: Christine Lyman <christinejfl@icloud.com>
Sent: Friday, April 14, 2023 10:05 AM
To: Wilkerson, Dwayne; esubmit
Subject: Rezoning of 4th place and Yale Ave Tulsa

FILE COPY

This message is in regards to the rezoning of 430 S. Yale.

I live at 4707 E. 4th Place...5 houses west of this property, and I can strongly say rezoning this property is not a good idea for our neighborhood.

Turner Park is a neighborhood full of families, elderly, students, musicians, business owners, churches and a big school. I have owned 4707 e. 4th place since 2017 and in that time I have seen the graffiti and disrepair of the building in question get worse and worse. It is somewhat correct in saying, "anything is better than what is there now" but the questionable word being ANYTHING.

We do not need a convenience store, there is a Quiktrip a quarter mile from here. We do not need another dispensary as there are PLENTY up and down 11th street. We do not need a 24 hour laundromat as we have several laundromats close by as well. What we need is a property owner that wants to invest in the neighborhood because they believe in it, not just to make a quick buck.

I strongly ask to consider the neighborhood and the people that live here before making this zoning change.

Thank you for your consideration in this matter,

Christine J. Lyman
4707 E. 4th Place
Tulsa OK 74112

Sawyer, Kim

From: chloe Acosta <browncow7272@gmail.com>
Sent: Thursday, April 13, 2023 4:57 PM
To: esubmit
Subject: Zoning Case Z-7699

Hello, My name is Barbara Chapman. I live at 7415 East 20th Street, Tulsa, OK, 74112. I fully support Commercial Zoning for the property on East 4th PL and South Yale Ave. I support full commercial shopping zoning and do not care if it is a dispensary.

FILE COPY

Sawyer, Kim

From: Carolyn Ekenstam <cekenstam@sbcglobal.net>
Sent: Friday, April 14, 2023 2:15 PM
To: esubmit
Subject: Rezoning of 4th Pl. and Yale Ave.

FILE COPY

To Whom It May Concern:

I am writing to you about a requested change in zoning for a former convenience store location at 4th Place and Yale Ave. Perhaps you will recall that the owner requested a change within the last year or two. It is currently zoned light office and he would like it to be zoned commercial. It is a small location on the corner with limited ingress and egress. The intersection is dangerous already and, I believe, ranks as the 4th most dangerous intersection in Tulsa. It is very close to the entrance ramp onto I244 and has a lot of traffic and they are moving at a great speed. The zoning hearing is on April 5 at 1 pm. As a resident of Turner Park, I would like for the zoning to remain as it is. The current building sits on the corner almost in front of Braden Park Baptist Church. I believe a higher level of traffic would make the intersection more dangerous and do not see a need for commercial designation for this property. I know this is not in your district, but adjacent to it and last time you were very much in favor of this property staying with its current zoning. You and Councilor McKee agreed on this. I will also reach out to Councilor Bellis, but would appreciate if you could also help pass this message and its meaning on to her.

Thank you for your consideration of this matter.

Sincerely,

Carolyn Ekenstam, Ph.D.
918-557-0468

Sawyer, Kim

From: Danayjha Johnson <danayjhajohnson15@gmail.com>
Sent: Monday, April 17, 2023 12:23 PM
To: esubmit
Subject: Zoning Case Z-7699

Hello, My name is Danayjha Johnson. I live at 1816 S Lakewood Avenue Tulsa, OK 74112. I think it is amazing that someone wants to do something with the building. It has been sitting there for years so why not let some money come in for the surrounding area. I am a christian woman myself and I do not think that having a dispensary at 430 S Yale Avenue is an ungodly thing. I support full commercial shopping zoning. If we are really people of God then we would not be judging our neighbor and looking down on them, we should pray for them and give them a helping hand. It does not cost to be nice or pray for someone. It takes a lot of energy and unnecessary hate to do some of the work I am seeing and hearing people do.

HAVE A BLESSED DAY AND GOD BLESS EVERYONE!

Let us try to be nicer to each other and just maybe we can start to get more stuff done in this community as a whole instead of being "divided" for such a silly reason.


FILE COPY

Sawyer, Kim

From: Jamesha Ross <jamrross1@gmail.com>
Sent: Monday, April 17, 2023 10:38 AM
To: Davis, Kendal <kdavis@incog.org>
Subject: Re: Z-7699

Hey, just keeping you in the loop. They are doing more calls. The underlying motivation is questionable.

< Turner Park Neighborhood Admin Jessi McEver · 5d · 🌐
to Eric reply

 **Jeremy Ferguson**
So I called the Tulsa Permit Center. Over the last 2 years they have not gotten any permits for that property. They have had some WIN violations (working in neighborhood), Nuisance investigations (due to noise), also several violations of tall grass and junk and debris.

FILE COPY

I called Curtis Blevins with the Permit Center to let them know they were doing unpermitted work there. But his voice mail box was full. (figures) He can be emailed at cblevins@cityoftulsa.org if anyone wants to submit a complaint.

Also, just to let you all know, I will not be able to make it to the meeting. If I reschedule my appointment, it will push me out to August. I just can't do that at this time. So I will not be able to attend. 😞

FILE COPY

29m Like Reply

 A Kind Spirit 25m

Rules

 Write a public commen...   

 Home  Friends  Watch  Marketplace  Notifications  Menu

Best of Health,

Jamesha Ross, MBA, BSN, RN

Nursepreneur, Author, and Coach

[Jamesharossrn](https://www.instagram.com/jamesharossrn)

<http://smashwords.com/books/view/1008137>

On Apr 17, 2023, at 9:32 AM, Davis, Kendal <kdavis@incog.org> wrote:

Jamesha,

It working great, I'm going to forward it over to Dylan so he can have it ready for the meeting.

From: Jamesha Ross <jamrross1@gmail.com>

Sent: Monday, April 17, 2023 9:24 AM

To: Davis, Kendal <kdavis@incog.org>

Subject: Z-7699

https://www.canva.com/design/DAFfS7KmW E/-5iwgHRshY6PB 2OZmRRlg/edit?utm_content=DAFfS7KmW E&utm_campaign=designshare&utm_medium=link2&utm_source=sharebutton

Please let me know if this link is working properly for you.

Best of Health,

Jamesha Ross, MBA, BSN, RN

Nursepreneur, Author, and Coach

[Jamesharossrn](http://jamesharossrn)

<http://smashwords.com/books/view/1008137>

Sawyer, Kim

From: Travis Eslick <traviseslickdesign@gmail.com>
Sent: Tuesday, April 18, 2023 1:29 PM
To: esubmit
Subject: Re: Case Z-7699

FILE COPY

TMAPC Staff and Planning Commission,

I live and own two houses that are less than a half mile from the proposed rezoning. After attending the last meeting, I would like to have my objection to the rezoning entered again into public record.

My objection comes from a blanket CS proposed rezoning. The "owner/tenant" stated they do not know either or at least stated so in the meeting. The new "owner/tenant" was a part of the rezoning process that was denied a year ago and is not forthcoming with their current plans. I would like to see development/improvements with the gas station and think we should know what is going into the building before a blanket approval of CS zoning is given. The intention of the code is to protect property owner/rights. To protect from unwanted intense uses that can create further blight/urban decay.

I personally would like it to be a RS-3 zoning where special exceptions are allowed in that section of the zoning/code. I also understand that may not be financially viable, so its current OL zoning allows for more intense uses. The OL zoning is less desirable but allows more appropriate uses considering the existing conditions. I would prefer that the existing zoning remain OL and if the "owner/tenant" has a plan that they should bring that plan before the board and community. It appears to me from the first meeting that the majority of the surrounding community would like to see a use in line with the lower intensity nature of OL and prefer a business with limited hours of operation.

In summary, please consider keeping the OL zoning and have the "owner/tenant" bring an actual proposal of the intended use for the rezoning. And only allow that use if it compliments the neighborhood.

Hopefully, some sort of office use, i.e. insurance, designer, pediatricians, dentist, etc... low intensity use.

Thank you for your time,
Respectfully,
Brian Travis Eslick
5727 E. 7th St. & 524 S. Marion Ave.
918-852-0572

On Wed, Apr 5, 2023 at 12:33 AM Travis Eslick <traviseslickdesign@gmail.com> wrote:

TMAPC staff,

I live and own two houses that are less than a half mile from the proposed rezoning. I was planning on attending the meeting tomorrow and now may not be able to attend due to family health priorities. I would like to have my objection to the rezoning entered into public record. I have researched and looked at the proposal to rezone the property on the Southwest corner of 4th and Yale from OL to CS and believe this to be too intense a zoning for the area and neighborhood. There was a previous application that attempted to rezone 430 S. Yale Ave. I along with numerous residents and church leaders objected to the rezoning then and all of those that I have spoken with have not changed our position to deny the rezoning. We would like it to be a single family use or at most some sort of office, i.e. insurance, designer, pediatricians, dentist, etc... low intensity use.

I have also provided TMAPC with a neighborhood plan that consisted of over a year's worth of community outreach and coordination. I have attached the relevant pages here to this email. In these exhibits you will find that the standing opinion since 2007 has been that the subject property not be allowed to operate with Commercial Zoning and that Office Light OL zoning be the most intensive allowed. Furthermore, the community has expressed that they would actually like for the subject property to be zoned RS-3 to fit the neighborhood district more appropriately.

Thank you for your time,
Respectfully,
Brian Travis Eslick
918-852-0572

Sawyer, Kim

From: G Palace <palacgw@gmail.com>
Sent: Thursday, March 30, 2023 7:42 PM
To: esubmit
Subject: Case Z-7699 April 5th Agenda

FILE COPY

Dear Tulsa Planning Commission,

I am concerned about project Z-7699, item 6 on the Agenda for the upcoming meeting on 5 April. I am utterly opposed to the rezoning for the property on the SW corner of 4th and Yale.

This property is currently zoned OL, the request for CS is not appropriate as was last year's proposed Zoning change to SG which was denied.

This property of concern is very small; the intersection is dangerous and congested enough as it is. The street access to this particular property is so close to the corner that it creates traffic hazards. Any change to zoning that would result in a high traffic business would endanger the safety of the community and the residential characteristics of the family residential/church nature of the neighborhood.

When this location was operating as a gestation/ convenience store it was always hazardous and very difficult to enter or exit. I tried my best to avoid going there due to the difficulties of accessing the property. It was bad enough just navigating through the intersection without even attempting to patronize the business. I can not believe the city allowed such a high traffic business to operate there as long as it did. When the convenience store closed it was much relief in the neighborhood as it was much less hazardous to both walk and drive through the intersection.

I fear that with the rezoning of the State Farm Insurance Office property (which was a residential HOUSE on the North East Corner of the 4th and Yale intersection) will likewise increase hazards..at least that property is a larger parcel. Day Care centers also create additional hazards that would greatly compound the issues if the property on the SW corner is also zoned for a high traffic business.

This is a residential area with single family homes and churches. There are many elderly people and young families with small children in this neighborhood. This is the character and nature of this area and it should remain so,

Please deny this proposal for rezoning of the 4th and Yale Property Case Z-7699.

Please contact me to discuss this matter. Thank you.

Gwen Palace
4703 E. 8th St
Tulsa, OK 74113

918-693-5135

Sawyer, Kim

From: Elizabeth Martin <wizkey63@hotmail.com>
Sent: Sunday, April 2, 2023 4:59 PM
To: Miller, Susan; esubmit; Wilkerson, Dwayne; Wilkerson, Dwayne; (DIST4) McKee, Kara Joy; Dist5@tulsacouncil.org; Patrick Crista; Gomez, Marissa; kkeith@tulsacounty.org
Cc: 'tmmartin10@cs.com'; Patrick Crista
Subject: FW: Z-7615 and objection to plans now re-applied as Z-7699
Attachments: Z-7615.pdf; Z-7699.pdf

Importance: High

Ms. Miller, the planning commission, District Councilors, and County Commissioner Keith,

Last year our neighborhood was unaware of the request for a zoning change until after it has already passed through the planning commission due to lack of proper posted signs. This year, it appears that another applicant, Jamesha Ross, is attempting to again get this property re-zoned from OL to CS and I have actually seen the signs this time around. For that I thank you for making sure they were more prominently posted. However, I would still request that you deny this zoning change.

In the past 8 months or so since the Tulsa City Council's denial of the request, nothing has done little to improve the property and its appearance. Per the application it appears Ms. Ross, is requesting the change though I have yet to confirm the sale and do not see it in the county assessor records to date. It is my belief that she is attempting to re-zone before purchasing from the Masood's, but in any case I would still request that this application be denied.

Will Rogers high school is located in the heart of our neighborhood, which includes several churches and Turner Park. We already have high traffic patterns at the intersection of 4th and Yale, and my understanding is that we will now also have a day care at the opposite corner in the old State Farm Office. The stoplight at 4th & Yale has always had numerous issues with accidents, red light runners, and speeders coming off the highway just two blocks away, and I feel that allowing this property to be changed from its current and more appropriate zoning of OL to CS will only increase the accidents and near misses at that corner. Office zoning with light traffic is the correct zoning for this property.

Our neighborhood is a true neighborhood. There are no CS sites in our area, and for good reason. The businesses located between 15th and 21st St. on Yale constitutes the business district of our area along with all of those up and down 11th street. There is absolutely no way a commercial business should be in the heart of our homes, let alone one that has been run down and dilapidated since I moved here in 2005. The Masood's have never cleaned up or put any effort in to the property and it has become quite an eyesore. As of yet Ms. Ross also has not improved the conditions.

Last year Mr. Masood claimed that he wanted it re-zoned so he could restart a convenience store or a gas station, but due to his own lack of keeping up the property and its restrictions, he lost the right to the variance of non-conforming use. Our neighborhood should not have to bear the brunt of his failure to be a good property/business owner. Further, the prior gas station/convenience store was leased and run by a lovely family who could no longer make a living at that location since the city allowed QT to increase its services at Admiral and Yale and there was already a competing convenience/gas station located at 11th and Yale. The property owner required that the lessee take care of the property and did little to help, further running the business into the ground.

The property has now been vacant for years, and due to the owners lack of taking care to keep up the non-conforming use, lost them. That alone should show that he does not adequately care for the property. Because of the loss of the non-conforming use he was forced to remove the gas storage tanks, and now it has no ability to become a gas station again without major investment and renovation, neither of which he will do, as he has not done so in the 18 years I have lived here. We also have gas stations and convenience stores less than a mile away on either side of this location on Yale and the competition is what put

it out of business in the first place. There are much better locations for CS zoning than our neighborhood, including the corner of 15th and Yale where the old tire shop was.

Because of the history and general lack of care of the property by the owner, because our area is a true neighborhood with no commercial use in its interior, because office light is a an appropriate zone for the property, and because the Tulsa City Council denied the request for the zoning change last year, I would respectfully request that you deny the CS zoning change and keep it OL which is more appropriate for the area.

By having a day care come in on the exact opposite corner of this property just proves that OL can be done and would be feasible in this location. It will already increase the traffic at peak traffic times, and the intersection really cannot support more traffic.

Unfortunately I will be unable to come to the meeting on 4/5/23 at 1:00 pm because I work a full time job and cannot take off more time from work for this issue at this time. Due to that I respectfully request that this email be put into the record of objections to the zoning change at the meeting.

Thank you very much for you time and consideration.

Sincerely,

Elizabeth martin
4524 E. 5th Place.
Tulsa, OK 74112

From: Elizabeth Martin
Sent: Wednesday, August 25, 2021 6:19 PM
To: Dist4@tulsacouncil.org; Dist5@tulsacouncil.org; marissagonez@tulsacouncil.org
Cc: smiller@incog.org; 'tmmartin10@cs.com' <tmmartin10@cs.com>; ptmartin10@hotmail.com
Subject: FW: Z-7615 and objection to plans
Importance: High

Dear Councilors,

I have spoken to Susan Miller at the planning commission and she indicated that this proposal would be coming before the council tomorrow and that a vote on this might happen on 9/21/21. Ms. Miller informed me that while it could not become a homeless shelter, rescue, or feeding location that it could under the CG zoning request become a medical marijuana dispensary.

I have spoken to 4 of my neighbors, all whom did not know about this zoning change request and all are opposed to the possibility that it could become a medical marijuana dispensary. It is also located right next to a Baptist Church which does run a food pantry. I am concerned because there are several dispensaries on 11th and Yale and one at the corner of Admiral and Yale. We have a high school in our neighborhood and I feel this is not a good change our neighborhood or our property values.

Ms. McKee, as you are my district representative I would appreciate it if you would contact me to discuss this in more detail.

Thank you very much,
Elizabeth Martin

918-808-5208

From: Elizabeth Martin
Sent: Monday, August 23, 2021 7:14 PM
To: esubmit@incog.org
Cc: 'tmmartin10@cs.com' <tmmartin10@cs.com>; ptmartin10@hotmail.com; Dist3@tulsacouncil.org; Dist4@tulsacouncil.org; Dist5@tulsacouncil.org
Subject: Z-7615 and objection to plans
Importance: High

To whom it may concern at the Planning Commission,

I am a resident of District 4 and my parents are residents of District 5. I live just a few blocks from the attached plan Z-7615 which I located on Friday 8/20/21 by looking at the planning commission map and found the hearing had already lapsed. First the notice that was 'posted' for the NC blew over on its back, I never received a flyer, and no one knocked on my door, so I do not feel that notice was properly given regarding this zoning change.

I am very concerned about the purported Neighborhood Center (NC) proposal by The Timothy Group found at <https://www.timothygroup.com/> as none of have any information. We are hearing rumors that it will be a homeless shelter/feeding/rescue location and or a medical marijuana store and none of those options are ones we would like to see in this neighborhood that hosts Will Rogers High School.

If you could please reach out to me regarding this zoning change I would appreciate it.

Sincerely,

Elizabeth Martin
918-808-5208
wizkey63@hotmail.com

TULSA METROPOLITAN AREA PLANNING COMMISSION

INCOG - 2 West 2nd Street, Suite 800 - Tulsa, Oklahoma 74103 - (918) 584-7526 - FAX (918) 583-1024

<http://tulsaplanning.org/>

City Rezoning

[] Optional Development Plan

APPLICATION INFORMATION

RECEIVED BY: KD DATE FILED: 06/30/2021 PRC DATE: - HEARING DATE: **08/18/2021** CASE NUMBER: **Z-7615**

[X] CITY [] COUNTY REFERRAL CITIES (ZONING ONLY): _____ RELATED CASE # _____

NEIGHBORHOOD ASSOCIATIONS: **Turner Park NA, White City Neighborhood Association**

SUBJECT PROPERTY INFORMATION

ADDRESS OR DESCRIPTIVE LOCATION: **SW/c of E. 4th Pl. S. & S. Yale Ave.** TRACT SIZE: 0.28 acres/ 12109.73 sq. ft.

LEGAL DESCRIPTION: (email to esubmit@incog.org): **LT 1 & N95.7 LT 2 LESS BEG NEC LT 1 TH S28 W8 N12 NW14.14 W7 N6 E25 POB BLK 1, KENDALL VIEW ADDN**

PRESENT ZONING: **OL** PRESENT USE: **Vacant** T-R-S: **9304** CZM: **37** ATLAS: _____ CD: **4**

INFORMATION ABOUT YOUR PROPOSAL

PROPOSED ZONING: **CG** PROPOSED USE: **Commerical** DEV. AREAS AFFECTED IN PLAN: _____

LAND USE DESIGNATION: **Neighborhood Center** GROWTH OR STABILITY DESIGNATION: **Area of Growth**

IS PROPOSAL A SIGNIFICANT DEVIATION FROM COMPREHENSIVE PLAN?: [] Y [] N COMP PLAN AMEND CASE # _____

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION
NAME Timothy Janak	KASIM, MASOOD AND SONIA
ADDRESS 430 S Yale	9423 S WINSTON AVE
CITY, ST, ZIP Tulsa, OK	TULSA OK
DAYTIME PHONE 918-814-5642	
EMAIL tim@timothygroup.net	
I, THE UNDERSIGNED APPLICANT, CERTIFY THAT THE INFORMATION ON THIS APPLICATION IS TRUE AND CORRECT.	
SIGNATURE & DATE: _____	

DOES OWNER CONSENT TO THIS APPLICATION [] Y [] N. WHAT IS APPLICANT'S RELATIONSHIP TO OWNER? _____

APPLICATION FEES (Make checks payable to INCOG)			
BASE APPLICATION FEE	\$ 1000		
ADDITIONAL FEE	\$ 0	APPLICATION SUBTOTAL	\$ 1000
NEWSPAPER PUBLICATION	\$ 225		
SIGNS \$130 X 2 =	\$ 260		
300' PROPERTY OWNERS MAILING & POSTAGE (Minimum Mailing will be to 15 Property Owners)	\$ 76	NOTICE SUBTOTAL	\$ 561
RECEIPT NUMBER: 233665		TOTAL AMOUNT DUE	\$ 1561

APPLICATION FEES IN WHOLE OR PART WILL NOT BE REFUNDED AFTER NOTIFICATION HAS BEEN GIVEN.

DISPOSITION

TMAPC REC.:	COUNCIL/COMMISSION ACTION:
	DATE/VOTE
DATE/VOTE	ORDINANCE/RESOLUTION NO.:
PLAT NAME	PLAT WAIVER [] Y [] N DATE:

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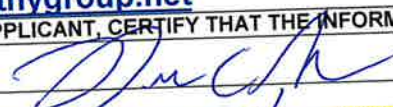
NEIGHBORHOOD ASSOCIATIONS: **Turner Park NA, White City Neighborhood Association**

SUBJECT PROPERTY INFORMATION

ADDRESS OR DESCRIPTIVE LOCATION: **430 S YALE AV E** TRACT SIZE: **0.28+acres/ 12109.73+sq. ft.**
 LEGAL DESCRIPTION: (email to esubmit@inco.org): **LT 1 & N95.7 LT 2 LESS BEG NEC LT 1 TH S28 W8 N12 NW14.14 W7 N6 E25 POB BLK 1, KENDALL VIEW ADDN**
 PRESENT ZONING: **OL/** PRESENT USE: **Vacant** T-R-S: **9304** CZM: **37** ATLAS: _____ CD: **4**

INFORMATION ABOUT YOUR PROPOSAL

PROPOSED ZONING: **CG** PROPOSED USE: **Commerical CG** DEV. AREAS AFFECTED IN PLAN: _____
 NATURE OF AMENDMENT: _____
 LAND USE DESIGNATION: **Neighborhood Center, Existing** GROWTH OR STABILITY DESIGNATION: **Area of Growth**
Neighborhood
 IS PROPOSAL A SIGNIFICANT DEVIATION FROM COMPREHENSIVE PLAN?: [] Y [] N COMP PLAN AMEND CASE # _____

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION
NAME Timothy Janak	KASIM, MASOOD AND SONIA
ADDRESS 430 S Yale	
CITY, ST, ZIP Tulsa, OK	9423 S WINSTON AVE
DAYTIME PHONE 918-814-5642	
EMAIL tim@timothygroup.net	TULSA OK
I, THE UNDERSIGNED APPLICANT, CERTIFY THAT THE INFORMATION ON THIS APPLICATION IS TRUE AND CORRECT.	
SIGNATURE & DATE:  6/30/21	
DOES OWNER CONSENT TO THIS APPLICATION [X] Y [] N. WHAT IS APPLICANT'S RELATIONSHIP TO OWNER? ATTORNEY	

APPLICATION FEES (Make checks payable to INCOG)			
BASE APPLICATION FEE	\$ 1000	APPLICATION SUBTOTAL	\$ 1000
ADDITIONAL FEE	\$ 0		
NEWSPAPER PUBLICATION	\$ 225		
SIGNS	\$ 260		
300' PROPERTY OWNERS MAILING & POSTAGE (Minimum Mailing will be to 15 Property Owners)	\$ 76	NOTICE SUBTOTAL	\$ 561
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DISPOSITION

TMAPC REC.:	COUNCIL/COMMISSION ACTION:
	DATE/VOTE
DATE/VOTE	ORDINANCE/RESOLUTION NO.:
PLAT NAME	PLAT WAIVER [] Y [] N DATE:

PLATTING REQUIREMENT

PLATTING/ SUBDIVISION CONFORMANCE REVIEW REQUIREMENT

For the purposes of providing a proper arrangement of streets and assuring the adequacy of open spaces for traffic, utilities, and access of emergency vehicles, commensurate with the intensification of land use customarily incident to a change of zoning, a platting requirement or subdivision conformance review is established as follows:

For any land which has been rezoned to a zoning classification other than AG upon application of a private party or for any land which has been granted a special exception by the Board of Adjustment to permit those uses expressly stated in Section 70.080-B.1.b of the City of Tulsa Zoning Code and Section 260 of the Tulsa County Zoning Code, no building permit or zoning clearance permit shall be issued until that portion of the tract on which the permit is sought has been included within a subdivision plat or replat, or a subdivision conformance review as the case may be, submitted to and approved by the Planning Commission, and filed of record in the office of the County Clerk where the property is situated.

I hereby certify that I have read and understand the above requirements and that I will plat, replat or comply with standards set by the subdivision conformance review for the subject property.

Z-7615.

6-30-21

Applicant's Signature

Date

AUTHORIZATION FOR INCOG TO OBTAIN NAMES AND MAILING ADDRESSES OF OWNERS OF PROPERTY WITHIN 300 FEET (or more until a minimum of 15 property owners are notified) LOCATED IN TULSA AND OSAGE COUNTY ONLY*

AUTHORIZATION AND RELEASE

I authorize the INCOG Staff to obtain property owner's names and addresses as required for application number **Z-7615**. I understand that INCOG Staff will use the Tulsa and Osage County Assessor's computer database to ascertain the names and addresses of the property owners. That database may not reflect recent ownership changes. I understand that I remain responsible for providing INCOG with the names and addresses of property owners within 300 feet (**or more until a minimum of 15 property owners are notified**) of the property that is the subject of this application. I agree to provide any updates or corrections to INCOG at least 25 days prior to the public hearing on this application.

For valuable consideration duly received and acknowledged, I hereby release and forever discharge INCOG, its agents and successors from any actual or potential cause of action, suit or proceeding brought by me, my agents or assigns, based on the names and addresses obtained by INCOG as required in this application.

* I understand and accept that the applicant is responsible for providing INCOG the names and mailing addresses of the owners of those properties that are within the required notice area but are not in Tulsa or Osage Counties.

6-30-21

Applicant's Signature

Date

NEIGHBOR COMMUNICATIONS

1. Neighbor communications are encouraged by the board of adjustment, planning commission and city council to help:

- a. Educate applicants and neighbors about one another's interests;
- b. Resolve issues in a manner that respects those interests; and
- c. identify unresolved issues before initiation of formal public hearings.

2. Applicants are encouraged to submit a summary of their neighbor communication activities at or before the first required public hearing. The recommended content of such summaries is as follows:

- a. Efforts to notify neighbors about the proposal (how and when notification occurred, and who was notified);
- b. How information about the proposal was shared with neighbors (mailings, work-shops, meetings, open houses, flyers, door-to-door handouts, etc.);
- c. Who was involved in the discussions;
- d. Suggestions and concerns raised by neighbors; and
- e. What specific changes (if any) were considered and/or made as a result of the neighbor communications.



Applicant's Signature

6-30-21

Date

MPD, CO, PUD APPLICATIONS:

For any project where a development plan is provided; whether required or optional, the applicant must provide a complete statement of intent.

The statement shall be included in the submittal packet and must provide specific answers to the following concepts.

- 1) *Identify why the proposed development cannot be implemented with any of the other applicable zoning regulations.*
- 2) *Provide specific information outlining how the development plan will result in a project that is consistent with the City's adopted comprehensive plans that affect the site. This may include the Tulsa Comprehensive Plan, small area plans, sector plans, special studies or other documents that help guide future development in the City of Tulsa.*
- 3) *Include details identifying how the development plan will provide a greater public benefit than could be achieved using conventional zoning regulations.*

Please attach your statement of intent separately and include any illustrations or text to support your request. Please sign below that you understand, have read, this.

Applicant Signature: _____

SA OVERLAY APPLICATIONS:

For applications requesting a Special Area (SA) Overlay, the applicant must provide a statement of intent as part of the submittal packet.

The statement must provide responses to the following items:

- 1) *Identify the desired outcomes of the proposed Overlay that cannot be achieved through other zoning tools.*
- 2) *Describe how the proposed overlay meets at least one of the purposes, as stated in Section 20.030-B.1.*
 - a. *Protects 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.*

Staff may require additional information to support your request prior to final draft of the Overlay.

Please attach your statement of intent separately and include any illustrations or text to support your request.

Applicant Signature: _____

Tulsa Metropolitan Area Planning Commission (TMAPC) Case Number: Z-7615

Date: Wednesday, 8/18/2021 1:00 PM

City Council Chamber, 2nd Level, One Technology Center, 175 East 2nd Street

Planning Review Committee (PRC) Meeting

Date: Thursday, - Immediately following the 1:30 p.m. TAC meeting

-, Large Conference Room, 8th Floor, INCOG, 2 West 2nd Street

A person knowledgeable of the application and the property must attend the meeting to represent the application. Site Plans and development proposals should be submitted at the time of application. Photos or renderings may be presented at the hearing.

PLATTING REQUIREMENTS:

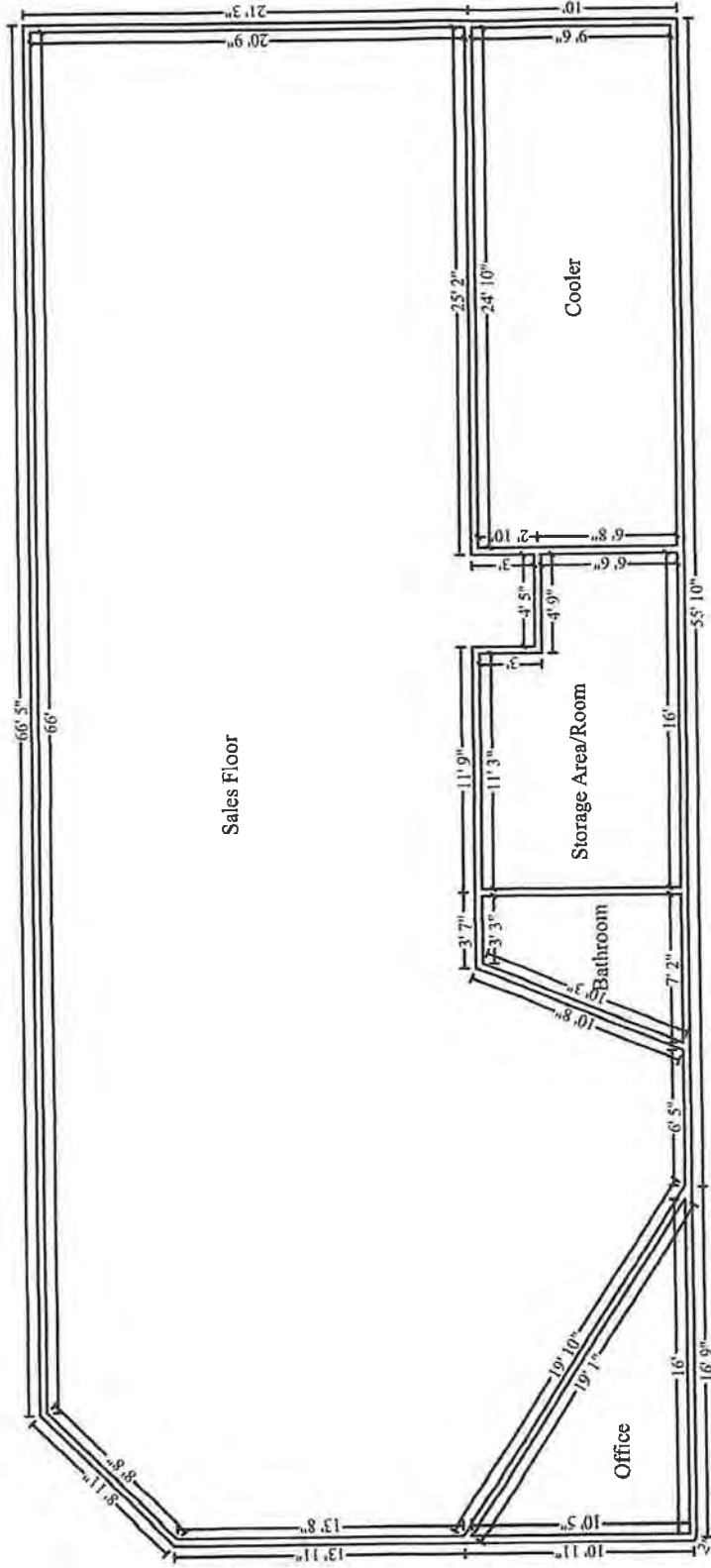
For any land which has been rezoned upon application of a private party, no building permit or zoning clearance permit may be issued until that portion of the tract on which the permit is sought has been included within a subdivision plat or replat, as the case may be, submitted to and approved by the Planning Commission, and filed of record in the office of the County Clerk where the property is situated. Provided that the Planning Commission, pursuant to their exclusive jurisdiction over subdivision plats, may waive the platting requirement upon a determination that the above stated purposes have been achieved by previous platting or could not be achieved by a plat or replat.

If your application is approved, you will need additional permits.

Contact the Permit Center at 918-596-9456 if your tract is in the City of Tulsa *or*

Tulsa County Building Inspector's Office at (918) 596-5293 if in unincorporated Tulsa County.

Tulsa Metropolitan Area Planning Commission
2 West 2nd Street, Suite 800
Tulsa, Oklahoma 74103
(918) 584-7526



Main Level