

# **TULSA METROPOLITAN AREA PLANNING COMMISSION**

**Meeting No. 2695**

**April 1, 2015, 1:30 PM**

**175 East 2<sup>nd</sup> Street, 2<sup>nd</sup> Level, One Technology Center  
Tulsa City Council Chamber**

## **CONSIDER, DISCUSS AND/OR TAKE ACTION ON:**

Call to Order:

## **REPORTS:**

**Chairman's Report:**

**Worksession Report:**

**Director's Report:**

1. Minutes of March 18, 2015, Meeting No. 2964

## **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. **LC-649** (Lot-Combination) (CD-4) – Location: Northwest corner of East 15<sup>th</sup> Street South and South Trenton Avenue
3. **LS-20769** (Lot-Split) (CD-3) – Location: North and west of the northwest corner of East Woodrow Place and North Birmingham Place (Related to: LC-650)
4. **LC-650** (Lot-Combination) (CD-3) – Location: North and west of the northwest corner of East Woodrow Place and North Birmingham Place (Related to: LS-20769)
5. **LS-20771** (Lot-Split) (County) - Location: Southeast of the intersection of West Coyote Trail and South 209<sup>th</sup> West Avenue
6. **Change of Access** – Lot 1, Block 1, Triple's Addition, Location: South of southeast corner of North Lewis Avenue and East Pine Street, (CD-3)
7. **PUD-659-6 – Roy Johnsen**, Location: West of the southwest corner of South Utica Avenue and East 31<sup>st</sup> Street South, requesting a PUD Minor Amendment to eliminate the condition to provide turnarounds, **RS-3/PUD-659**, (CD-9)

8. **LS-20309** – Rescission of Approval – Riddle & Wimbish, P.C.
9. **The Little Lighthouse Extended** – Final Plat, Location: Southeast corner of East 36<sup>th</sup> Street South and South Yale Avenue, (CD 5)

**CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA:**

**COMPREHENSIVE PLAN PUBLIC HEARINGS:**

10. **CPA-32 – Eller & Detrich/Lou Reynolds**, Location: North of the northeast corner of South Delaware Avenue and East 15<sup>th</sup> Street South, requesting Amendment to The Comprehensive Plan for Main Street Land Use and Area of Growth designations, **RS-3 to OL**, (CD-4) (Related to Z-7293)

**PUBLIC HEARINGS:**

11. **Z-7293 – Eller & Detrich/Lou Reynolds**, Location: North of the northeast corner of South Delaware Avenue and East 15<sup>th</sup> Street South, requesting a rezoning from **RS-3 to OL**, (CD-4) (Continuance from March 18, 2015)
12. **PUD-151-1 – Four Season’s Sunrooms/Jana McBride**, Location: 3305 East 68<sup>th</sup> Place South, requesting a PUD Minor Amendment, (CD-8) (**Request for a continuance to April 15, 2015**)
13. **CZ-440 – Roy Johnsen**, Location: South of southeast corner of East 133<sup>rd</sup> Street and South Garnett Road, requesting rezoning from **AG to RE**, (County) (Continued from March 4, 2015 and March 18, 2015) (Related to PUD-827/Oak Estates Preliminary Plat) (**Withdrawn by applicant**)
14. **PUD-827 – Roy Johnsen**, Location: South of southeast corner of East 133<sup>rd</sup> Street and South Garnett Road, requesting PUD, **AG to RE/PUD**, (County) (Continued from March 4, 2015 & March 18, 2015.) (Related to CZ-440/Oak Estates Preliminary Plat) (**Withdrawn by applicant**)
15. **Oak Estates – Preliminary Plat**, Location: South of southeast corner of East 133<sup>rd</sup> Street and South Garnett Road, (County) (Continued from March 4, 2015 and March 18, 2015), (Related to PUD 827/CZ440) (**Withdrawn by applicant**)
16. **LS-20770** (Lot-Split) (County) – Location: Southeast corner of East 209<sup>th</sup> Street South and South Mingo Road
17. **Z-7297 – John Shafer**, Location: East of southeast corner of West Archer Street South and North Denver Avenue, requesting a rezoning from **IL to CBD**, (CD-4)

18. **PUD-830 – Roy Johnsen**, Location: South and west of southwest corner of East 41<sup>st</sup> Street and South 193<sup>rd</sup> East Avenue, requesting a PUD for increased front yard coverage for three car driveway, building height, and livability space distribution from lot to common open space, **RS-4/PUD-830**, (CD-6)
19. **Z-7298 – Eller & Detrich/Lou Reynolds**, Location: West of northwest corner of South Peoria Avenue and East 37<sup>th</sup> Place, requesting a rezoning from **RS-3 to PK**, (CD-9)
20. **PUD-826 – AAB Engineering/CBC Builds**, Location: Northeast corner of East 23<sup>rd</sup> Street and South Delaware Place, requesting a PUD to split two large lots into four lots for single-family residential use, **RS-2/PUD-826**, (CD-4) (Continued from March 4, 2015 and March 18, 2015)

## **OTHER BUSINESS**

### **21. Commissioners' Comments**

## **ADJOURN**

CD = Council District

**NOTE: If you require special accommodation pursuant to the Americans with Disabilities Act, please notify INCOG (918) 584-7526. Exhibits, Petitions, Pictures, etc., presented to the Planning Commission may be received and deposited in case files to be maintained at Land Development Services, INCOG. Ringing/sound on all cell phones and paggers must be turned off during the Planning Commission.**

Visit our website at [www.tmapc.org](http://www.tmapc.org)

**TMAPC Mission Statement:** The Mission of the Tulsa Metropolitan Area Planning Commission (TMAPC) is to provide unbiased advice to the City Council and the County Commissioners on development and zoning matters, to provide a public forum that fosters public participation and transparency in land development and planning, to adopt and maintain a comprehensive plan for the metropolitan area, and to provide other planning, zoning and land division services that promote the harmonious development of the Tulsa Metropolitan Area and enhance and preserve the quality of life for the region's current and future residents.





## **Change of Access on Recorded Plat TMAPC April 15, 2013**

### **Lot 1, Block 1, Triple's Addition**

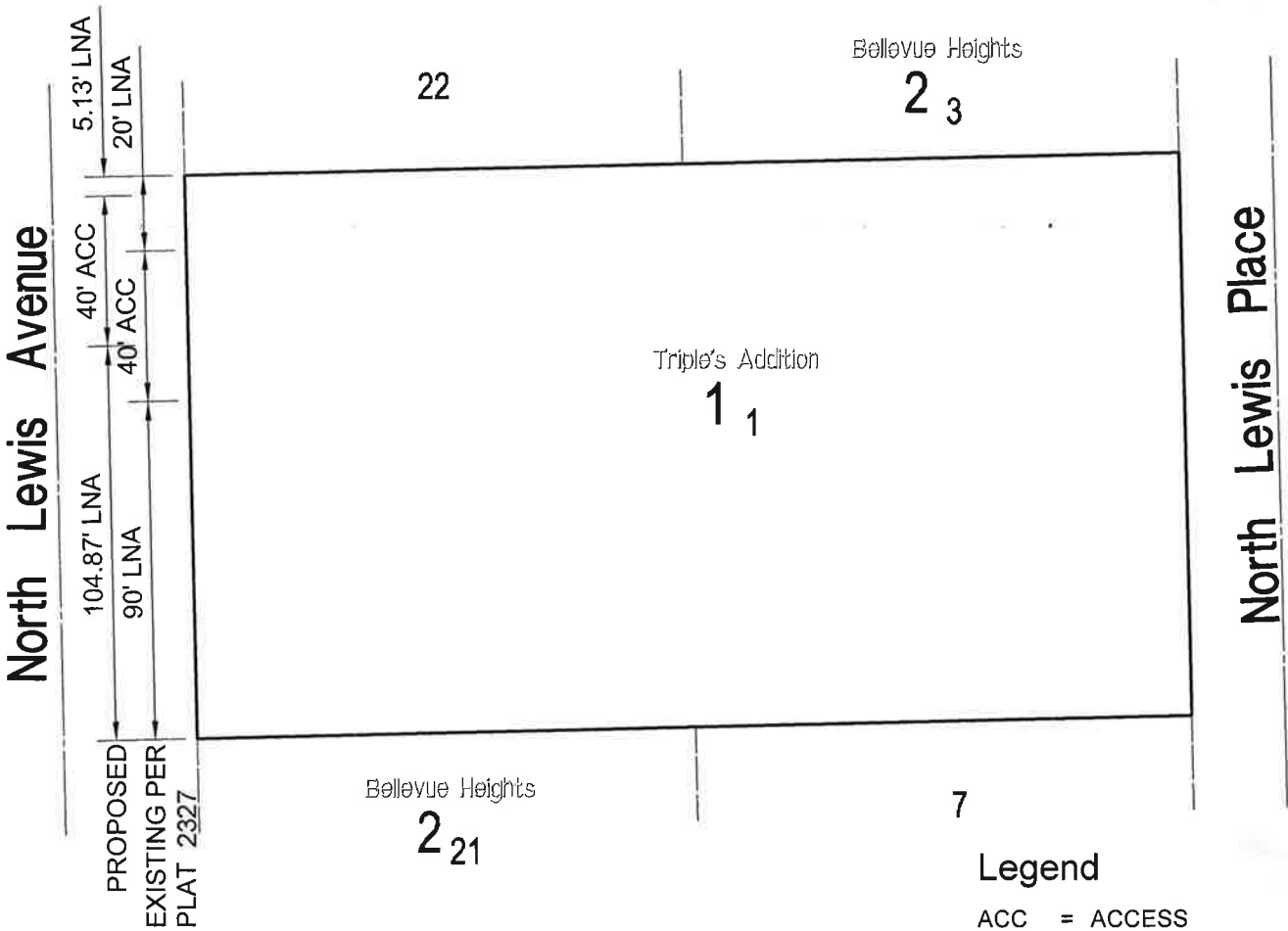
This application is made to allow a change of access to shift one access along North Lewis Avenue. The property is zoned CS (commercial shopping).

Staff recommends approval of the change of access. The Traffic Engineer has reviewed and approved the request. Staff recommends **APPROVAL** of the change of access as submitted.



0 25 50

SCALE: 1"=50'



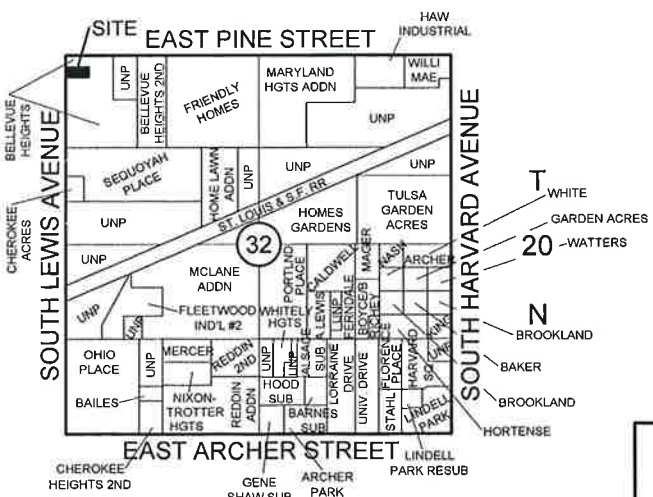
Legend

- ACC = ACCESS
- LNA = LIMITS OF NO ACCESS

*Kurt V. B.*  
3-10-15

**Exhibit "A"**  
**Change of Access Exhibit**  
for  
**Lot 1, Block 1,**  
**Triple's Addition**

SECTION 32, TOWNSHIP 20 NORTH, RANGE 13 EAST,  
CITY OF TULSA, TULSA COUNTY, OKLAHOMA



Location Map



Sisemore Weisz & Associates, Inc.

6111 EAST 32nd PLACE  
TULSA, OKLAHOMA 74135  
C.A. NO. 2421  
PHONE (918) 665-3600  
FAX: (918) 665-8668  
EXP. DATE 6/30/15

6.2

**Case Number:** PUD-659-6  
**Minor Amendment**

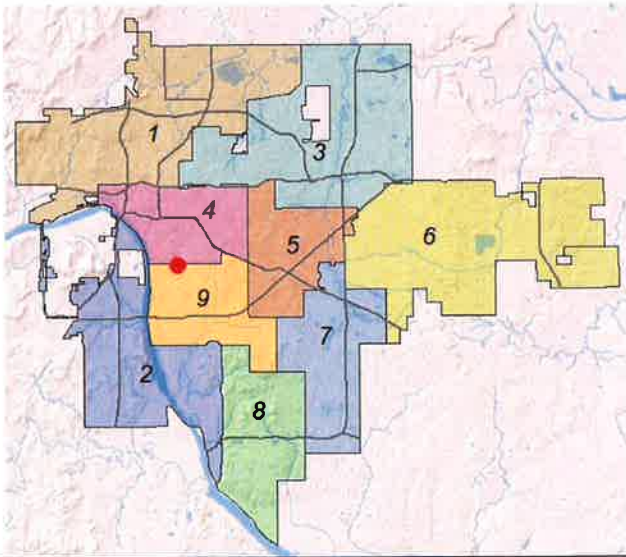
**Hearing Date:** April 1, 2015

**Case Report Prepared by:**  
Jay Hoyt

**Owner and Applicant Information:**  
Applicant: Roy Johnsen

Property Owner: Yorktown Builders, LLC

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



**Applicant Proposal:**

Concept summary: PUD minor amendment to eliminate the condition to provide turnarounds.

Gross Land Area: 1.8 Acres

Location: West of the Southwest Corner of South Utica Avenue and East 31<sup>st</sup> Street South

The Village on Utica

**Zoning:**  
Existing Zoning: RS-3/PUD-659  
Proposed Zoning: No Change

**Comprehensive Plan:**  
Land Use Map: Existing Neighborhood  
Growth and Stability Map: Stability

**Staff Recommendation:**  
Staff recommends **Approval**

**Staff Data:**  
TRS: 8319  
CZM: 47  
Atlas: 138

**City Council District:** 9  
*Councilor Name:* G.T. Bynum  
**County Commission District:** 2  
*Commissioner Name:* Karen Keith

**SECTION I:** PUD-659-6 Minor Amendment

**STAFF RECOMMENDATION**

Amendment Request: Modify the PUD Development Standards to eliminate the condition to provide turnarounds.

The original PUD-659 approval required turnarounds at the ends of the two access drives for the use of emergency vehicles, guest and deliveries. These turnarounds would be located in Lot 7.

The applicant is requesting that the requirement for the turnarounds be eliminated.

The Fire Marshall has stated that the elimination of the turnarounds would be acceptable if each structure is equipped with required sprinklers.

*Staff Comment: This request can be considered a Minor Amendment as outlined by Section 1107.H.5 PUD Section of the City of Tulsa Zoning Code.*

*"Modification of the internal circulation system, provided the system is not substantially altered in design, configuration or location."*

Staff has reviewed the request and determined:

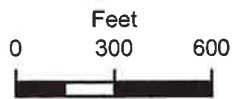
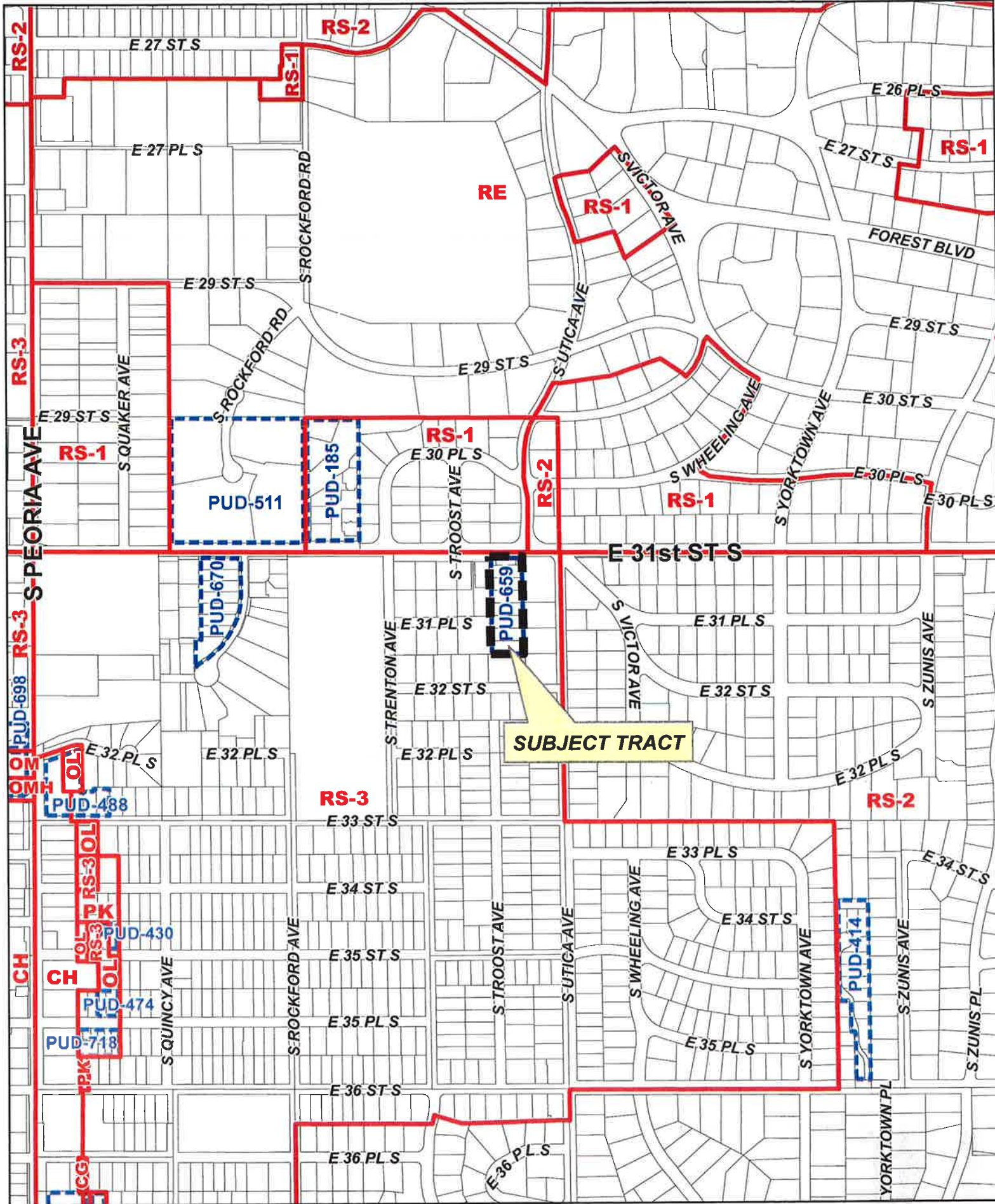
- 1) The requested amendment does not represent a significant departure from the approved development standards in the PUD.
- 2) All remaining development standards defined in PUD-659 and prior minor amendments shall remain in effect.

Exhibits included with staff recommendation:

INCOG zoning case map  
INCOG aerial photo  
INCOG aerial photo enlarged  
Applicant Letter  
Email from Fire Marshall  
Applicant Draft Partial Vacation of Plat  
Applicant Site Plan

With considerations listed above, staff recommends **Approval** of the minor amendment request to eliminate the condition to have turnarounds.



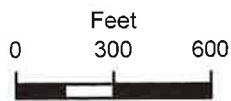


**PUD-659-6**

19-13 19







Subject  
Tract

**PUD-659-6**

19-13 19

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

Aerial Photo Date: March 2014







Feet  
0 50 100



Subject  
Tract

**PUD-659-6**

19-13 19

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

Aerial Photo Date: March 2014





**ROY D. JOHNSEN, P.L.L.C.**  
**ATTORNEYS AT LAW**  
Williams Center Tower One, Suite 1010  
1 West Third Street  
Tulsa, Oklahoma 74103  
(918) 585-5641 - fax (918) 585-2758  
email: [rdj@rjohnsenlaw.com](mailto:rdj@rjohnsenlaw.com)

March 12, 2015

Mr. C. Dwayne Wilkerson  
INCOG Assistant Director  
Land Development Services  
2 West Second Street  
Williams Center Tower Two, Suite 800  
Tulsa, Oklahoma 74103

Via Delivery

Re: The Village On Utica  
PUD Minor Amendment 659-6

Minor Amendment 659-4 was previously approved to reduce the minimum building setback from the east boundary from 45 ft. to 35 ft. in response to demand for larger upscale single family dwellings.

As a result of the 35 ft. setback, it was subsequently determined that the guest parking areas needed to be redesigned to permit reasonable entry and exit by the guests.

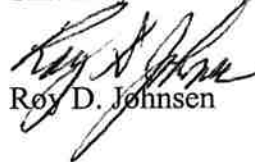
The developer ("Yorktown Builders, LLC") has currently prepared a site plan to achieve a reasonable entry and exit drive for guests. An exhibit of the site plan is attached and identified as "Conceptual Road and Guest Parking Layout".

It should be noted that:

1. The initial landscaped area of three feet along the east boundary has been reduced to two feet.
2. The extension of the guest access easement into the permitted building areas of the various lots is removed as the Fire Marshall had previously determined that the easement was unnecessary as sprinkler systems were required.

It is requested that the hearing be set for 4/1/15, and that the Tulsa Metropolitan Area Planning Commission consider approval of the attached site plan.

Sincerely

  
Roy D. Johnsen

7.4





**Hoyt, Jay**

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**From:** Wilkerson, Dwayne  
**Sent:** Wednesday, March 25, 2015 11:47 AM  
**To:** Hoyt, Jay  
**Subject:** FW: Partial Vacation of Plat of Village on Utica

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**From:** Bruder, Rick [mailto:rbruder@cityoftulsa.org]  
**Sent:** Wednesday, October 22, 2014 12:47 PM  
**To:** 'Jeff Lower'  
**Cc:** Duke, Doug; Sipe, Mark; Wilkerson, Dwayne  
**Subject:** RE: Partial Vacation of Plat of Village on Utica

Jeff

As I stated before these turnaround's do not meet the requirements for Fire Access. The Fire Department has agreed not to require these turnarounds if all the structures in this development were fully sprinkled. At this time all the addresses in this development are flagged to require sprinklers and as long as all the structures that are built and all the future structures get sprinkled we will not require these turnarounds. Please feel free to contact me if you have any other questions.

Thank You  
Rick Bruder  
Assistant Fire Marshal/ Plans Examiner  
175 E. 2nd St. Suite 455  
Tulsa Ok, 74103  
Office: 918-576-5584  
Cell: 918-527-0300  
Fax: 918-669-2842  
Email: [rbruder@cityoftulsa.org](mailto:rbruder@cityoftulsa.org)

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**From:** Jeff Lower [mailto:jlower@kivell.com]  
**Sent:** Tuesday, October 21, 2014 10:25 AM  
**To:** Bruder, Rick  
**Subject:** Partial Vacation of Plat of Village on Utica

Rick: As we discussed, on behalf of my client, I prepared a Partial Vacation of the plat for VILLAGE ON UTICA to restrict the Guest Access Easements and Resident Access Easements by removing the extraneous easements on the north and south ends that were shown on the Plat. I later discovered from the City of Tulsa that those extra lines were "turnarounds". The City of Tulsa is requiring my client to obtain an amendment to the PUD with approval from the Tulsa Fire Department to eliminate the turnarounds. As we discussed, the buildings in VILLAGE ON UTICA are all equipped with sprinkler systems which was an agreed substitution for the turnarounds because there was not sufficient space for the turnarounds. Please confirm the Tulsa Fire Departments position regarding the turnarounds shown on the plat of VILLAGE ON UTICA. Thank you for your professional assistance in this matter. Jeff

**Jeffrey D. Lower**

**PARTIAL VACATION OF PLAT FOR THE VILLAGE ON UTICA****KNOW ALL MEN BY THESE PRESENTS:**

**THAT WHEREAS**, the undersigned are the owners of lots in THE VILLAGE ON UTICA, a Subdivision in the City of Tulsa, Tulsa County, State of Oklahoma, as set forth with their respective names;

**WHEREAS**, according to Plat PUD No. 659, THE VILLAGE ON UTICA, a Subdivision in the City of Tulsa, County of Tulsa, State of Oklahoma, recorded on March 3, 2004 in the Office of the Tulsa County Clerk (the "Plat") made in connection therewith, certain easements were established;

**WHEREAS**, it is the desire of all the parties hereto being all of the lot owners in THE VILLAGE ON UTICA to partially vacate the Plat of THE VILLAGE ON UTICA, only insofar as the Plat pertains to:

1. Vacating, terminating and eliminating the "Turnaround Easement" situated on the East side of Lot Seven (7);
2. Reducing the "Guest Access Easement" in Lot Seven (7) to the North twenty-five (25) feet of the East thirty (30) feet of Lot Seven (7);
3. Vacating, terminating and eliminating the "Turnaround Easement" situated on the West side of all Lot Seven (7);
4. Reducing the landscape easement along the East boundary of THE VILLAGE ON UTICA (the "Landscape Easement") from three feet (3') to two feet (2'),

subject to the approval of the City of Tulsa.

**NOW, THEREFORE**, in accordance with the provisions of Oklahoma Statutes Title II, Section 42-106 (Vacation of Plat by Written Agreement of Owners), the undersigned, being the owners of all of the lots in THE VILLAGE ON UTICA, do hereby declare that the Turnaround

Easements shown on the Plat on the East and West sides of Lot Seven (7) are hereby vacated, terminated and eliminated.

**FURTHER**, the undersigned, being the owners of all of the lots in THE VILLAGE ON UTICA, do hereby declare that the Guest Access Easement shown on the Plat in Lot Seven (7) is reduced to the North twenty-five (25) feet of the East thirty (30) feet of Lot Seven (7) (the "Vacated Guest Access Easement"). The "Guest Access Easement" is hereby confined and restricted to the East thirty (30) feet of Lots One (1) through Six (6), inclusive and to the North twenty-five (25) feet of the East thirty (30) feet of Lot Seven (7).

**FURTHER**, the undersigned, being the owners of all of the lots in THE VILLAGE ON UTICA, do hereby declare that any and all portions of the Resident Access Easement shown on the Plat as being situated outside the West thirty-two and one-half (32.5) feet of Lots One (1) through Seven (7), inclusive are hereby vacated, terminated and eliminated (the "Vacated Resident Access Easements"). The Resident Access Easement is hereby confined and restricted to the West thirty-two and one-half (32.5) feet of Lots One (1) through Seven (7), inclusive.

**FURTHER**, the undersigned, being the owners of all of the lots in THE VILLAGE ON UTICA, do hereby declare that the Landscape Easement along the East boundary of the Subdivision "the "Landscape Easement") is reduced from three feet (3') to two feet (2').

This instrument shall operate to destroy and nullify the force and effect of the Plat of THE VILLAGE ON UTICA **only insofar** as it applies to:

1. Vacating, terminating and eliminating the "Turnaround Easement" situated on the East side of Lot Seven (7);
2. Reducing the "Guest Access Easement" in Lot Seven (7) to the North twenty-five (25) feet of the East thirty (30) feet of Lot Seven (7);

**DRAFT**

3. Vacating, terminating and eliminating the "Turnaround Easement" situated on the West side of all Lot Seven (7);
4. Reducing the Landscape Easement along the East boundary of THE VILLAGE ON UTICA from three feet (3') to two feet (2'),

and to divest all public rights in the public ways and public grounds laid out and described in said Vacated Guest Access Easement and said Vacated Resident Access Easement and said Landscape Easement.

**PROVIDED, HOWEVER,** that the Plat of THE VILLAGE ON UTICA, shall in all other respects remain unchanged and this partial vacation shall not affect any other portion of the Plat of THE VILLAGE ON UTICA which shall remain in full force and effect as to the remainder of THE VILLAGE ON UTICA.

**WITNESS** our execution of this Partial Vacation of Plat on the \_\_\_\_ day of \_\_\_\_\_, 2015.

YORKTOWN BUILDERS, L.L.C.  
An Oklahoma Limited Liability Company

By: \_\_\_\_\_  
Steve Murphy, Manager

Owner of Lot(s) \_\_\_\_\_

STATE OF OKLAHOMA    )  
  ) ss  
COUNTY OF TULSA     )

This instrument was acknowledged before me on the day and year last above written by Steve Murphy, Manager of YORKTOWN BUILDERS, LLC.

\_\_\_\_\_  
Notary Public

My Commission Expires:

7.11

**DRAFT**

**PARTIAL VACATION OF PLAT FOR THE VILLAGE ON UTICA**

**WITNESS** our execution of this Partial Vacation of Plat on the \_\_\_\_ day of \_\_\_\_\_, 2015.

ANDALUSIA DEVELOPMENT, L.L.C.  
An Oklahoma Limited Liability Company

By: \_\_\_\_\_  
Randall G. Clyma, Manager

Owner of Lot(s) \_\_\_\_\_

STATE OF OKLAHOMA    )  
                                      ) ss  
COUNTY OF TULSA     )

This instrument was acknowledged before me on the day and year last above written by  
Randall G. Clyma, Manager of ANDALUSIA DEVELOPMENT, LLC.

\_\_\_\_\_  
Notary Public

My Commission Expires

7.12

**DRAFT**

**PARTIAL VACATION OF PLAT FOR THE VILLAGE ON UTICA**

**WITNESS** our execution of this Partial Vacation of Plat on the \_\_\_\_ day of \_\_\_\_\_, 2014.

By: \_\_\_\_\_

Owner of Lot(s) \_\_\_\_\_

STATE OF OKLAHOMA    )  
  ) ss  
COUNTY OF TULSA        )

This instrument was acknowledged before me on the day and year last above written by  
\_\_\_\_\_.

\_\_\_\_\_  
Notary Public

7.13

**DRAFT**

**PARTIAL VACATION OF PLAT FOR THE VILLAGE ON UTICA**

I hereby certify that this Partial Vacation of Plat for THE VILLAGE ON UTICA was approved by the City of Tulsa on the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

CITY OF TULSA, OKLAHOMA

By: \_\_\_\_\_

Mayor/Vice Mayor

STATE OF OKLAHOMA    )  
                                  ) ss  
COUNTY OF TULSA     )

This instrument was acknowledged before me on the day and year last above written by

\_\_\_\_\_

\_\_\_\_\_  
Notary Public

My Commission Expires:

This approval is void if the above signature is not endorsed by the city manager or city clerk.

By: \_\_\_\_\_  
City Manager/City Clerk

STATE OF OKLAHOMA    )  
                                  ) ss  
COUNTY OF TULSA     )

This instrument was acknowledged before me on the day and year last above written by

\_\_\_\_\_

\_\_\_\_\_  
Notary Public

My Commission Expires:



RIDDLE & WIMBISH, P.C.

ATTORNEYS AT LAW  
5314 South Yale, Suite 200  
Tulsa, Oklahoma 74135-6247

Richard W. Riddle  
John B. Wimbish

(918) 494-3770  
FAX (918) 492-5264

December 9, 2014

Tulsa Metropolitan Area Planning Commission  
c/o INCOG  
2 West Second Street, Suite 800  
Tulsa, Oklahoma 74103

Re: Lot Split No. LS-20309  
Lot Combination No. LC-217  
Our File: 3402-002

Gentlemen:

In December of 2009, the Tulsa Metropolitan Area Planning Commission approved a Lot Split in Case No. LS-20309 and Lot Combination in Case No. LC-217. To evidence the approval of the Lot Combination, the Applicant, ACHTBP, L.P., executed a Declaration dated March 1, 2010, filed March 9, 2010, and recorded in the land records of the Tulsa County Clerk as Document No. 2010019004. A copy of that filed Declaration is attached hereto.

Subsequent to the filing of the Declaration, the following has been discovered:

1. That the actual legal name of the Applicant was and should have been referred to at all times as ACHT BP I 85 Limited Partnership;
2. That the Applicant, whatever its correct legal name, was not the owner of both tracts that were involved in the Lot Split and the Lot Combination;
3. That Rainbow I was the actual owner of one of tracts involved in the Lot Split and the Lot Combination; and,
4. That one of tracts described in the Lot Split and the Lot Combination was not the tract of land which the parties intended to be involved in either the Lot Split or the Lot Combination.

This office represents both ACHT BP I 85 Limited Partnership and Rainbow I. In view of the facts outlined above, we are requesting that the Tulsa Metropolitan Area Planning Commission

8.1

vacate and hold for naught the Lot Split and the Combination previously approved in Case No. LS-20309 and LC-217, respectively. If this request is approved we are asking that a Termination of Declaration be executed by all parties involved and filed of record. A copy of the proposed Termination of Declaration is attached hereto.

ACHT BP 85 I Limited Partnership and Rainbow I are applying for a new lot split and lot combination that accurately reflects the ownership of the property involved and the intent of the parties.

Sincerely,

RIDDLE & WIMBISH, P.C.



John B. Wimbish

cc: Janine Van Valkenburgh  
Assistant City Attorney  
175 East 2nd Street, Suite 685  
Tulsa, OK 74103

## DECLARATION

STATE OF OKLAHOMA )  
COUNTY OF TULSA ) SS

Cathy Grant, General Partner ACHTBP, L.P., the undersigned, being the sole owner(s) of all interests, both legal and equitable, in the following described property, to-wit:

Part of Lot 13 Block 1, Metro Park addition to the city of Tulsa, Tulsa County, Oklahoma according to the recorded plat thereof, more particularly described as follows: BEGINNING at the Southwest corner of said lot 13; thence N37°18'45"W along the west line of said lot 13 460.00 feet to the Northwest corner of said lot 13; thence along the north line of said lot 13 the following: S52°41'15"E 45.95 feet; 206.52 feet southeasterly along the a curve to the left with a radius of 770.00 feet, a central angle of 15°22'02" and a chord of 560°22'16"E 205.90 feet; thence S37°18'45"W 105.46 feet; thence S07°41'15"E 80.51 feet; thence S37°18'45"W 325.07 feet to a point on the south line of Lot 13; thence N52°41'15"W along said south line 339.00 feet to POINT OF BEGINNING.

And

Part of Lot 13 Block 1, Metro Park addition to the city of Tulsa, Tulsa County, Oklahoma according to the recorded plat thereof, more particularly described as follows: BEGINNING at the southeast corner of said lot 13; thence N52°41'15"W along the south line of said lot 13 277.98 feet; thence N37°18'45"E 325.07 feet; thence N07°41'15"W 80.61 feet; thence N37°18'45"E 105.46 feet to a point on the north line of said lot 13; thence 128.16 feet southeasterly along a curve to the left with a radius of 770.00 feet, a central angle of 09°32'10" and a chord of 572°49'21"E 128.01 feet to the northeast corner of said lot 13; thence S12°24'34"W along the east line of said lot 13 586.09 feet to the POINT OF BEGINNING.

hereinafter the "Combined Parcel", declare and covenant as follows:

1. The properties in the Combined Parcel shall not be sold, conveyed or mortgaged separate and apart from any of the other properties within the Combined Parcel; and
2. Any attempted sale, conveyance or mortgage of the properties within the Combined Parcel, separate and apart from any of the other properties within the Combined Parcel shall be void.

The covenants of this Declaration shall run with the land within the Combined Parcel and shall be binding on all parties or successors in interest having or acquiring any right, title or interest in any part thereof.

This Declaration is for the benefit of the City of Tulsa, Oklahoma which has standing to enforce its terms and may not be amended or terminated without approval from the Tulsa Metropolitan Area Planning Commission, or its successor agency, which shall include a finding that post-amendment/termination, then existing structures on the property meet all application Building Code requirements or satisfy Code Equivalencies.

It is further declared that the above described properties, for regulation purposes, shall be governed by the Building and Zoning Codes of the City of Tulsa or Tulsa County, Oklahoma, as applicable, and the Subdivision Regulations adopted by the Tulsa Metropolitan Area Planning Commission.

Signed and delivered this 1st day of March, 2009, 1009

Cathy Grant  
Cathy Grant, General Partner ACHTBP, L.P.

STATE OF OKLAHOMA )  
COUNTY OF TULSA ) SS

## INDIVIDUAL ACKNOWLEDGEMENT

Before me, the undersigned, a Notary Public in and for said County and State, on this 2 day of March, 2009, personally appeared Cathy Grant and                     , to me known to be the identical person(s) who executed the foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed for the purposes therein set forth.

IN WITNESS WHEREOF, I hereunto set my official signature and affixed my notarial seal the day and year last above written.

My Commission Expires:                     



Debra Lamanque  
Notary Public

LC-217

26 GUARANTY ABSTRACT COMPANY  
320 SOUTH BOULDER  
P. O. BOX 1043  
73102

FILED By GUARANTY ABSTRACT COMPANY  
and returned to                     

8.3

## TERMINATION OF DECLARATION

WHEREAS, December 2, 2009, **ACHTBP, L.P.** applied for and obtained approval from the Tulsa Metropolitan Area Planning Commission (the "**Planning Commission**") of a lot split in Case No. LS-20309 and a lot combination in Case No. LC-217; and

WHEREAS, ACHTBP, L.P. in order to implement the lot combination approved in Case No. LC-217, executed a Declaration dated March 1, 2010, filed March 9, 2010, and recorded in the land records of the Tulsa County Clerk as Document No. 2010019004 (the "**2010 Declaration**"); and

WHEREAS, the 2010 Declaration states that ACHTBP, L.P. owned two tracts of land located in Tulsa County, Oklahoma, being more particularly described as:

Part of Lot 13, Block 1, METRO PARK, addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof, more particularly described as follows: Beginning at the Southwest Corner of said Lot 13; thence N37°18'45"W along the West line of said Lot 13, 460.00 feet to the Northwest Corner of said Lot 13; thence along the North line of said Lot 13 the following: S52°41'15"E, 45.95 feet; 206.52 feet Southeasterly along a curve to the left with a radius of 770.00 feet, a central angle of 15°22'02" and a chord of S60°22'16"E, 205.90 feet; thence S37°18'45"W, 105.46 feet; thence S07°41'15"E, 80.51 feet; thence S37°18'45"W, 325.07 feet to a point on the South line of said Lot 13; thence N52°41'15"W along said South line 339.00 feet to the point of beginning ("**First Tract**").

and

Part of Lot 13, Block 1, METRO PARK, addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof, more particularly described as follows: Beginning at the Southeast Corner of said Lot 13; thence N52°41'15"W along the south line of said Lot 13, 277.98 feet; thence N37°18'45"E, 325.07 feet; thence N07°41'15"W, 80.61 feet; thence N37°18'45"E, 105.46 feet to a point on the North line of said Lot 13; thence 128.16 feet Southeasterly along a curve to the left with a radius of 770.00 feet, a central angle of 09°32'10" and a chord of S72°49'21"E, 128.01 feet to the Northeast Corner of said Lot 13; thence S12°24'34"W along the East line of said Lot 13, 586.09 feet to the point of beginning ("**Second Tract**"); and

WHEREAS, the 2010 Declaration refers to the First Tract and Second Tract as the "**Combined Parcel**" and states that any attempted sale, conveyance, or mortgage of any property within the Combined Parcel separate and apart from any of the rest of the Combined Parcel would be void; and

WHEREAS, the 2010 Declaration states that it is for the benefit of the City of Tulsa and may not be terminated without the approval of the Planning Commission and shall include a finding that post-termination, existing structures on the property meet all applicable Building Code requirements or satisfy Code Equivalencies; and

8.4

WHEREAS, it was later discovered that ACHTBP, L.P. did not own legal title to the First Tract and that Rainbow I, an Oklahoma general partnership ("**Rainbow**"), was the record title holder of the First Tract at the time the 2010 Declaration was executed and filed of record and remains the record title owner of the First Tract as of the date hereof; and

WHEREAS, it was further discovered that the Second Tract was not the tract of land that the parties intended to have tied or combined to the First Tract and that the legal description for the First Tract was not accurate; and

WHEREAS, ACHT BP I 85 Limited Partnership, is the actual legal name of the entity which owns the Second Tract and which made the application which resulted in the execution of the 2010 Declaration. Through inadvertence and mistake ACHT BP I 85 Limited Partnership was referred to in the 2010 Declaration as ACHTBP, L.P. There is no separate entity known as ACHTBP, L.P. and, in fact, ACHT BP I 85 Limited Partnership and ACHTBP, L.P. refer to and are in actuality the same entity.

WHEREAS, Rainbow and ACHT BP I 85 Limited Partnership, as owners of the Properties, intended to be combined in Case No LC-217, applied to the Planning Commission for rescission of Case No. LS-20309 and LC-217 and termination of the 2010 Declaration, and applied for a new lot split and lot combination; and

WHEREAS, the Planning Commission did on \_\_\_\_\_, 2015, rescind its approval of the lot split approved in Case No. 20309 and the lot combination approved in Case No. LC-217 and approved a lot split in Case No. LS \_\_\_\_\_ and a lot combination in Case No. LC \_\_\_\_\_ and a Declaration will be recorded to implement the lot combination approved in LC \_\_\_\_\_; and

WHEREAS, the undersigned desires to terminate the 2010 Declaration; and

WHEREAS, upon the representations of the undersigned, the Planning Commission finds that there are no existing structures on the Combined Parcels described in the 2010 Declaration.

NOW THEREFORE, the 2010 Declaration is hereby terminated.

Agreed and delivered this \_\_\_\_ day of \_\_\_\_\_, 2015.

ACHT BP I 85 Limited Partnership  
a/k/a ACHTBP, L.P.

By: \_\_\_\_\_  
Cathy Grant, its General Partner

8.5

By: \_\_\_\_\_  
Thomas G. Grant III, its General Partner

"Rainbow"  
Rainbow I, an Oklahoma general partnership,  
By: ACHT BP I 85 Limited Partnership,  
its General Partner

By: \_\_\_\_\_  
Cathy Grant, its General Partner

By: \_\_\_\_\_  
Thomas G. Grant III, its General Partner

ACKNOWLEDGMENTS

STATE OF OKLAHOMA    )  
                                  ) ss.  
COUNTY OF TULSA        )

This instrument was acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_, 2014,  
Cathy Grant and Tom G. Grant III, as General Partners of ACHT BP I 85 Limited Partnership.

My Commission Expires:

\_\_\_\_\_

\_\_\_\_\_  
Notary Public

STATE OF OKLAHOMA    )  
                                  ) ss.  
COUNTY OF TULSA        )

This instrument was acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_, 2014,  
Cathy Grant and Tom G. Grant III, as General Partners of ACHT BP I 85 Limited Partnership, as  
General Partner of Rainbow I.

My Commission Expires:

\_\_\_\_\_

\_\_\_\_\_  
Notary Public

Approved this \_\_\_\_ day of \_\_\_\_\_, 2015

Tulsa Metropolitan Area Planning Commission

By: \_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary  
(Seal)

Approved this \_\_\_\_ day of \_\_\_\_\_, 2015

City of Tulsa

By: \_\_\_\_\_  
Mayor

Seal

Attest:

\_\_\_\_\_  
City Clerk

APPROVED:

\_\_\_\_\_  
Assistant City Attorney



## Final Subdivision Plat

**The Little Lighthouse Extended** - (CD 5)

Southeast corner of East 36<sup>th</sup> Street South and South Yale Avenue

This plat consists of 1 Lot, 1 Block, on 6.1 acres.

Staff has received release letters for this plat and can recommend **APPROVAL** of the Final Plat.

9.1

3/25/15





Tulsa Metropolitan Area  
Planning Commission

**Case Number:** CPA-32  
**Comprehensive Plan Amendment**  
**(related to Z-7293)**

**Hearing Date:** April 1, 2015

**Case Report Prepared by:**

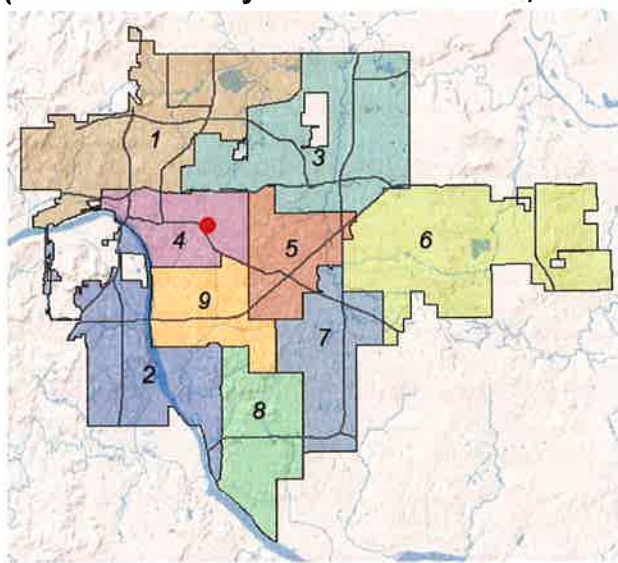
Susan Miller, AICP

**Owner and Applicant Information:**

Applicant: Lou Reynolds

Property Owner: Kavi Holdings, LLC

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



**Applicant Proposal:**

Existing Use: Duplex

Proposed Use: Parking to support medical  
office use to the south

Tract Size: .24 acre

Location: North of northeast corner of S.  
Delaware Ave. and E. 15th St. S.

**Staff Recommendation:**

Staff recommends **approval** of the *Main  
Street* and *Area of Growth* designations.

**Comprehensive Plan:**

Land Use Map:

Existing: *Existing Neighborhood*

Proposed: *Main Street*

Stability and Growth Map:

Existing: *Area of Stability*

Proposed: *Area of Growth*

**Zoning:**

Existing Zoning: RS-3

Proposed Zoning: OL

**City Council District: 4**

*Councilor Name:* Blake Ewing

**County Commission District: 2**

*Commissioner Name:* Karen Keith

## COMPREHENSIVE PLAN LAND USE MAP AMENDMENT REQUEST

N of NE/c of S. Delaware Ave. and E. 15th St. S (CPA-32)

### I. PROPERTY INFORMATION AND LAND USE REQUEST

<b>Existing Land Use:</b> <i>Existing Neighborhood</i> <b>Existing Stability and Growth designation:</b> <i>Area of Stability</i>
<b>Proposed Land Use:</b> <i>Main Street</i> <b>Proposed Stability and Growth designation:</b> <i>Area of Growth</i>
<b>Location:</b> N of NE/c of S. Delaware Ave. and E. 15th St. S
<b>Size:</b> .24 acre

#### A. Background

The area that is subject to this Comprehensive Plan amendment application is located along E. 15<sup>th</sup> Street South, an area characterized by a fairly narrow strip of commercially designated property surrounded by single family residential neighborhoods. Currently the subject site contains a duplex and is surrounded by established residential neighborhoods to the north and west and commercially designated property to the south. This site and area immediately north and west were designated as a *New Neighborhood* and an *Area of Stability* when the Comprehensive Plan was adopted in 2010. The commercially designated area immediately south was designated as a *Main Street* and an *Area of Growth*.

#### B. Existing Land Use/Area of Stability and Growth Designations (Tulsa Comprehensive Plan)

When the new Tulsa Comprehensive Plan was developed and adopted in 2010, this area was designated as an *Area of Stability*:

“The **Areas of Stability** includes approximately 75% of the city’s total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal for the Areas of

Stability is to identify and maintain the valued character of an area while accommodating the rehabilitation, improvement or replacement of existing homes, and small scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.”

An *Existing Neighborhood* land use designation was assigned to the area subject to the amendment request at the time of the adoption of the Tulsa Comprehensive Plan in 2010:

“The Existing Residential Neighborhood category is intended to preserve and enhance Tulsa’s existing single family neighborhoods. Development activities in these areas should be limited to the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code. In cooperation with the existing community, the city should make improvements to sidewalks, bicycle routes, and transit so residents can better access parks, schools, churches, and other civic amenities.

**C. Proposed Land Use/Area of Stability and Growth Designations (Tulsa Comprehensive Plan)**

The applicant is proposing an *Area of Growth* and *Main Street* land use designation on the subject site.

“The purpose of **Areas of Growth** is 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.”

“**Main Streets** are Tulsa’s classic linear centers. They are comprised of residential, commercial, and entertainment uses along a transit-rich street usually two to four lanes wide, and includes much lower intensity residential neighborhoods situated behind. Main Streets are pedestrian-oriented places with generous sidewalks, storefronts on the ground floor of buildings, and street trees and other amenities. Visitors from outside the surrounding neighborhoods can travel to Main Streets by bike, transit, or car. Parking is provided on street, small private off street lots, or in shared lots or structures.”

“**Main streets** represent some of Tulsa’s most interesting and lively streetscapes today, and will continue in the future. They will serve surrounding neighborhoods, and also will attract visitors to cafes, shops and eateries — lending each main street its own unique flavor and vibe. Traffic travels slower on main streets than on arterials, and they will have fewer lanes. It will be easy to park once on the street or in a shared parking lot, then walk to destinations. The walking environment will be pleasant, with wide sidewalks, street trees, benches, and other pedestrian amenities. In older parts of the city, main streets will serve as linear neighborhood centers, where grocery stores, restaurants, and other local-serving businesses are located. Because they also tend to specialize in different types of businesses, such as dining, galleries, or apparel, they will continue to attract visitors from around the region. Buildings along main streets will typically be built up to the sidewalk, and generally range from one- to three-stories in height, but can be taller, depending on the urban design plans for an area.”

“**Main streets** serve the highest intensity retail and mixed land uses in Tulsa’s areas such as downtown and in regional and neighborhood centers. Like multimodal streets, main streets are designed to promote walking, bicycling, and transit within an attractive landscaped corridor. Generally, main street activities are concentrated along a two to eight block area, but may extend further depending on the type of adjacent land uses and the area served. “

“**Main streets** can be designed with two to four travel lanes, although typically have only two lanes. On street parking usually is provided to serve adjacent land uses. Unlike typical strip commercial developments, main streets offer the ability

to park-once and walk amongst various destinations, thus reducing arterial trip making. The key is to create convenient parking that is on-street or provided in a shared public parking lot. In order to ensure the walkability of a main street, careful consideration must be made to the design elements and amount of parking lots. To further create a pedestrian friendly atmosphere, main streets have wide sidewalks, street furniture, outdoor cafes, plazas, and other public spaces.”

**D. Zoning and Surrounding Uses:**

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	RS-3	<i>Existing Neighborhood</i>	Stability	single family residential
South	CH	<i>Main Street</i>	Growth	medical office & associated parking
East	RS-3	<i>Existing Neighborhood</i>	Stability	single family residential
West	RS-3	<i>Existing Neighborhood</i>	Stability	S. Delaware Ave., then single family residential

**E. Applicant’s Justification:**

As part of the amendment application, the applicant is asked to justify their amendment request. Specifically, they are asked to provide a written justification to address:

1. how conditions on the subject site have changed, as well as those on adjacent properties and immediate area;
2. how changes have impacted the subject site to warrant the proposed amendment; and
3. how the proposed change will enhance the surrounding area and the City of Tulsa.

The applicant provided the following justification addressing the above as part of their application:

1. *“The subject property is subject to a pending rezoning to the OL District in TMAPC Case No. 7293. The purpose of the OL zoning is to provide for the expansion of a recently repurposed medical facility owned by Drs. Jayen and Nicole Patel. The Patels recently acquired the former Carpet City property on the northeast corner of East 15th Street and South Delaware Avenue and repurposed the carpet showroom into a state of the art medical facility. The Patels desire to continue to expand their medical facility and redevelop the remainder of the former Carpet City property which consists of a two (2) story warehouse that was used to manufacture and*

10.5

store carpet dating back to the 1940's. To expand their medical facility, the Patels intend to raze the two (2) story warehouse and the existing duplex to the north thereof (which property is the subject of the rezoning) in order to expand their medical building to the north along Delaware and to provide for the necessary parking. The Patels' redevelopment of the Carpet City showroom has been the catalyst for new development in this area as evidenced by the recent razing of several "far gone" buildings on the west side of Delaware Avenue, all of which has enhanced the redevelopment prospects for this area.

2. The subject area is designated as "Existing Neighborhood" when most of the post Comprehensive Plan growth in the immediate area has been more supportive of a land use designation of "Main Street" based upon the continued redevelopment of the commercial zoned property around the subject property.
3. The Comprehensive Plan did little if anything to, in fact, plan this area for either growth or stability. Instead, the Comprehensive Plan merely followed the then existing development pattern in this area and "planned" the residentially zoned area as an "Existing Neighborhood" and the commercially zoned area as a "Main Street".

At the time of the Comprehensive Plan, 15th and Delaware was the location of mostly dated and decaying commercial structures and facilities along with the usual occupants. Despite this area's proximity to the economic vibrance of TU and Cherry Street, such economic vibrance has, until recently, like the Comprehensive Plan, overlooked 15th and Delaware.

The vitality of the Existing Neighborhood is directly related to the vitality of the Main Street. Likewise, the vitality of the Main Street is directly related to the vitality of the Existing Neighborhood.

The Comprehensive Plan failed to recognize this relationship in this area and thus failed to designate any additional area of growth necessary to rejuvenate and permit redevelopment of the Main Street area.

The change in land use designation to Main Street from Existing Neighborhood to permit the expansion of the Patels' medical facility will replace dilapidated structures with modern facilities and will enhance the relationship between the existing neighborhood and the adjacent office and commercial uses as well as enhance the employment and development opportunities within the surrounding area and provide growth and economic development for the City of Tulsa."



## F. Staff Response:

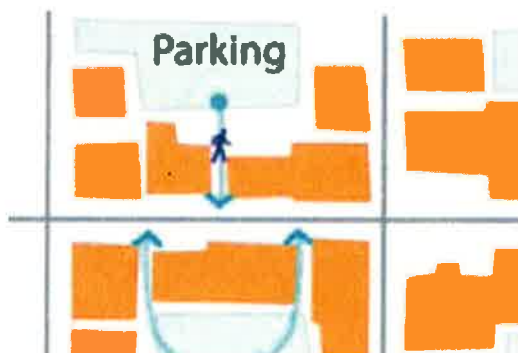
Requests to the amend land use in an *Existing Neighborhood* for expansion of an adjacent commercial use are challenging, however, the Comprehensive Plan provides some guidance in considering such applications.

First, a Guiding Principle of the Comprehensive Plan (p. 6) states: "*Business owners are able to easily find adequate and attractive space for expanding businesses into downtown, along main streets, or in employment centers.*"

This particular lot currently contains a duplex and is directly adjacent to an existing commercial use and *Main Street* land use designation to the south. It appears that the *Main Street* land use designation was assigned to this segment of E. 15<sup>th</sup> Street South to reflect existing conditions. When examining the depth of other *Main Street* land use designations in other locations around the City, several others appear to be of slightly greater depth, therefore better accommodating future development potential.

In evaluating if an increase depth of the *Main Street* land use designation at this location would be appropriate, consideration is given to the immediately surrounding area. There are unique physical circumstances that help to support a land use change on this parcel. The subject site faces west, and across S. Delaware Ave. (a 4 lane Residential Collector) is a residence that faces north. Therefore, there is not a direct relationship with the existing duplex to the residential area to the west and expansion of the *Main Street* designation could be appropriate here. Screening would be required between a future non-residential use on the subject site and the residential use to the north.

Parking is proposed on the subject site to support the expansion of the medical office use to the south. The Comprehensive Plan (p. 30) supports the concept of shared parking located behind buildings in *Main Street* land use designations.



In addition to on-street parking, shared lots in centers and main streets can be located behind buildings.

This request also includes a change to the Areas of Stability and Growth Map. The Plan provides criteria for areas of growth and for selecting additional areas of growth in the future: (p LU 57)

*“The following criteria were used to select the Areas of Growth in the plan.*

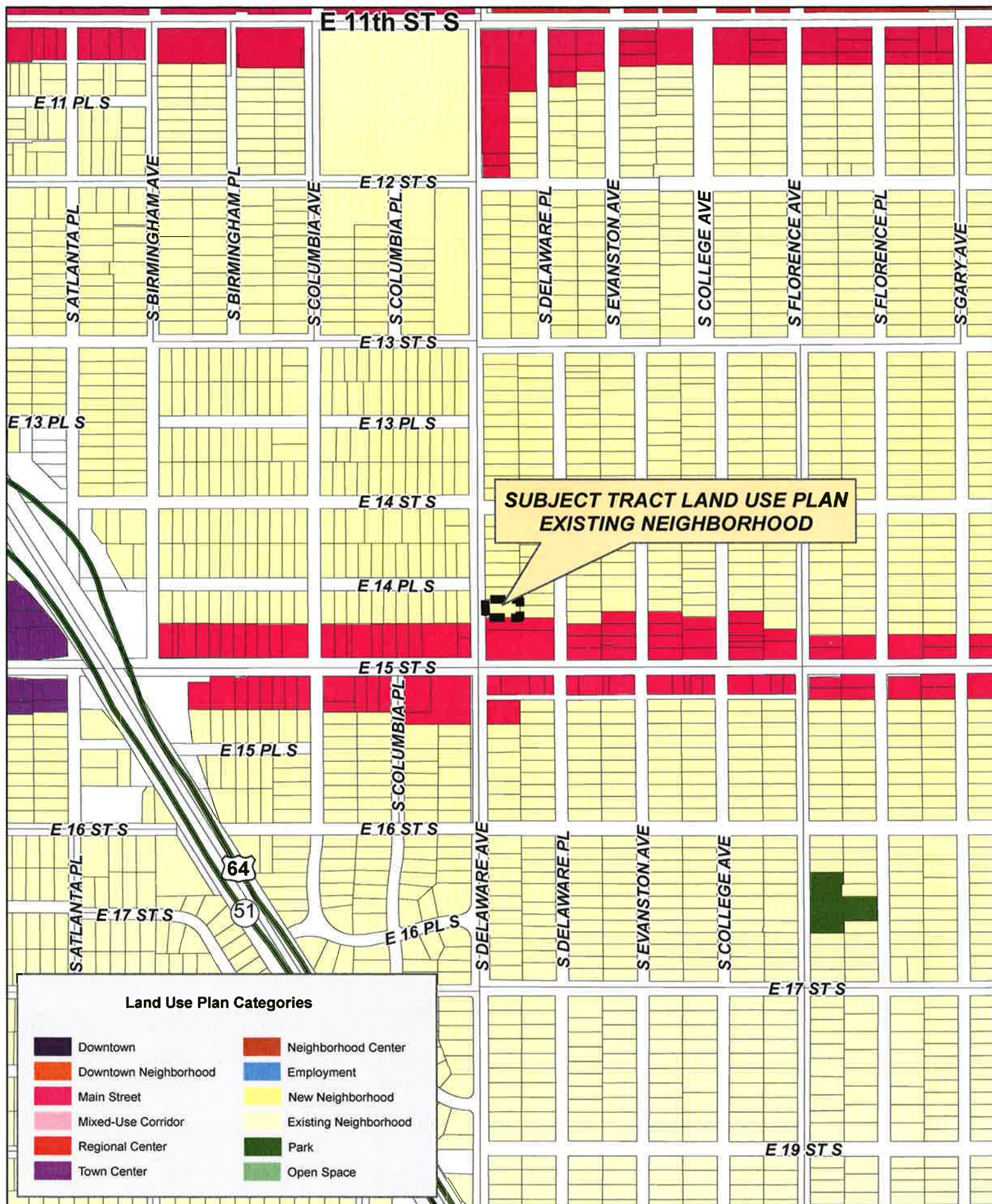
*After the plan is adopted, new or revised Areas of Growth can be proposed based on these same criteria.*

- *Underutilized land, especially surface parking lots or vacant buildings downtown or along corridors*
- *Areas already undergoing positive change which is expected to continue*
- *Areas adjacent to transit and around transit stations, existing and planned*
- *Areas along corridors with frequent bus service that can accommodate development on underutilized land*
- *Locations where appropriate infill development will promote shorter and less frequent trips*
- *Areas with special opportunities such as where major public or private investments are planned”*

This proposal meets several of the criteria. For instance, E. 15<sup>th</sup> Street S. in this area is experiencing positive change that is expected to continue. There are other revitalization efforts in this area, most significantly on the site to the west - on the northwest corner of Delaware Ave. and E. 15<sup>th</sup> Street S. Parking has been an ongoing constraint in the redevelopment of this corridor and there have been some discussions between business/homeowners and the City to allow for on-street parking along E. 15<sup>th</sup> Street S. In response to transit provision, a bus route that runs every 45 minutes on E. 15<sup>th</sup> Street S. serves this site.

## II. STAFF RECOMMENDATION

- Staff recommends **Approval** of the *Main Street and Area of Growth* designations as submitted by the applicant.







**CPA-32**

19-13 08

10.10







0 Feet 250 500



Subject Tract

**CPA-32**

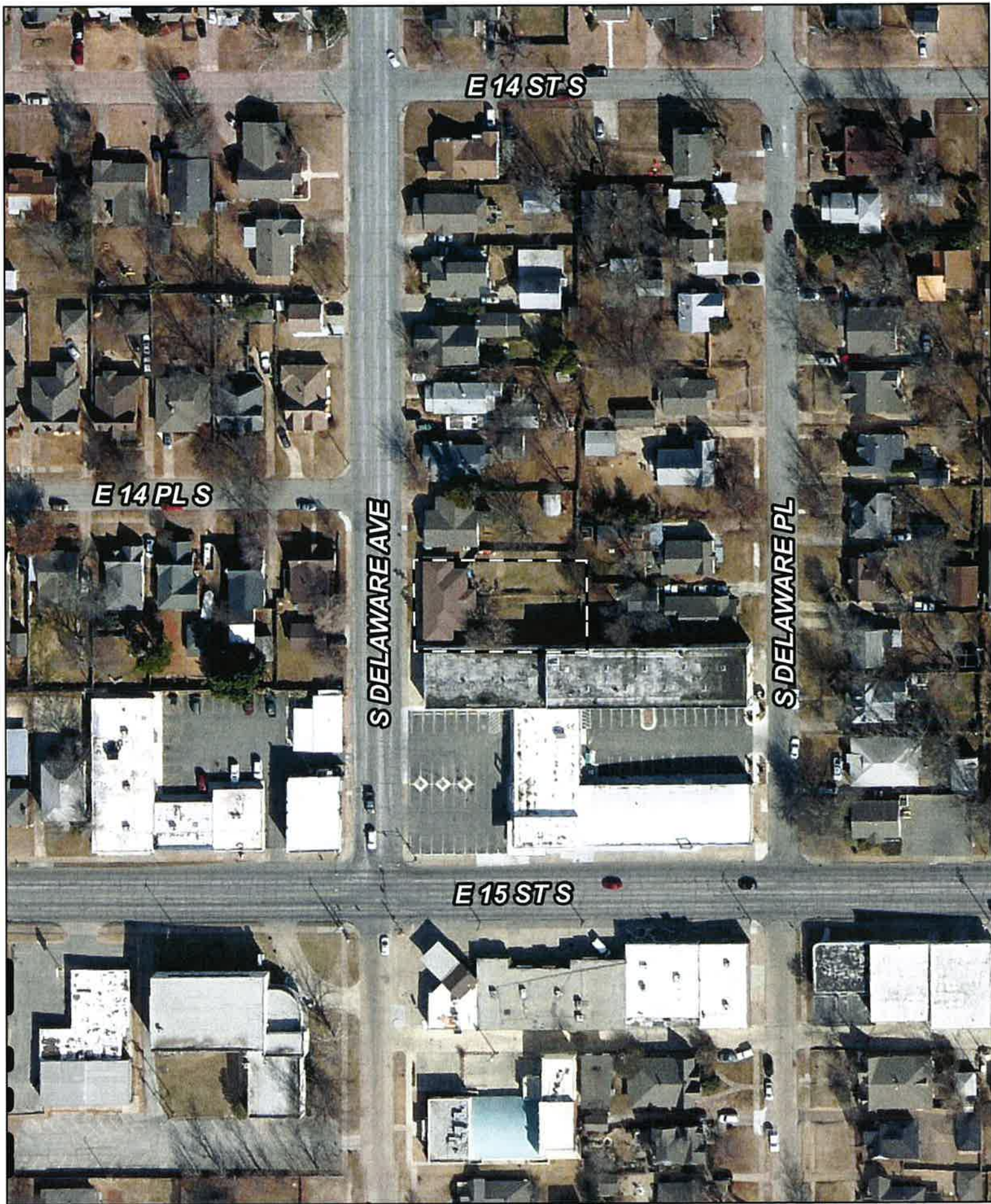
19-13 08

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

Aerial Photo Date: March 2014







E 14 PLS

E 14 ST S

S DELAWARE AVE

S DELAWARE PL

E 15 ST S

0 Feet 50 100



Subject  
Tract

**CPA-32**

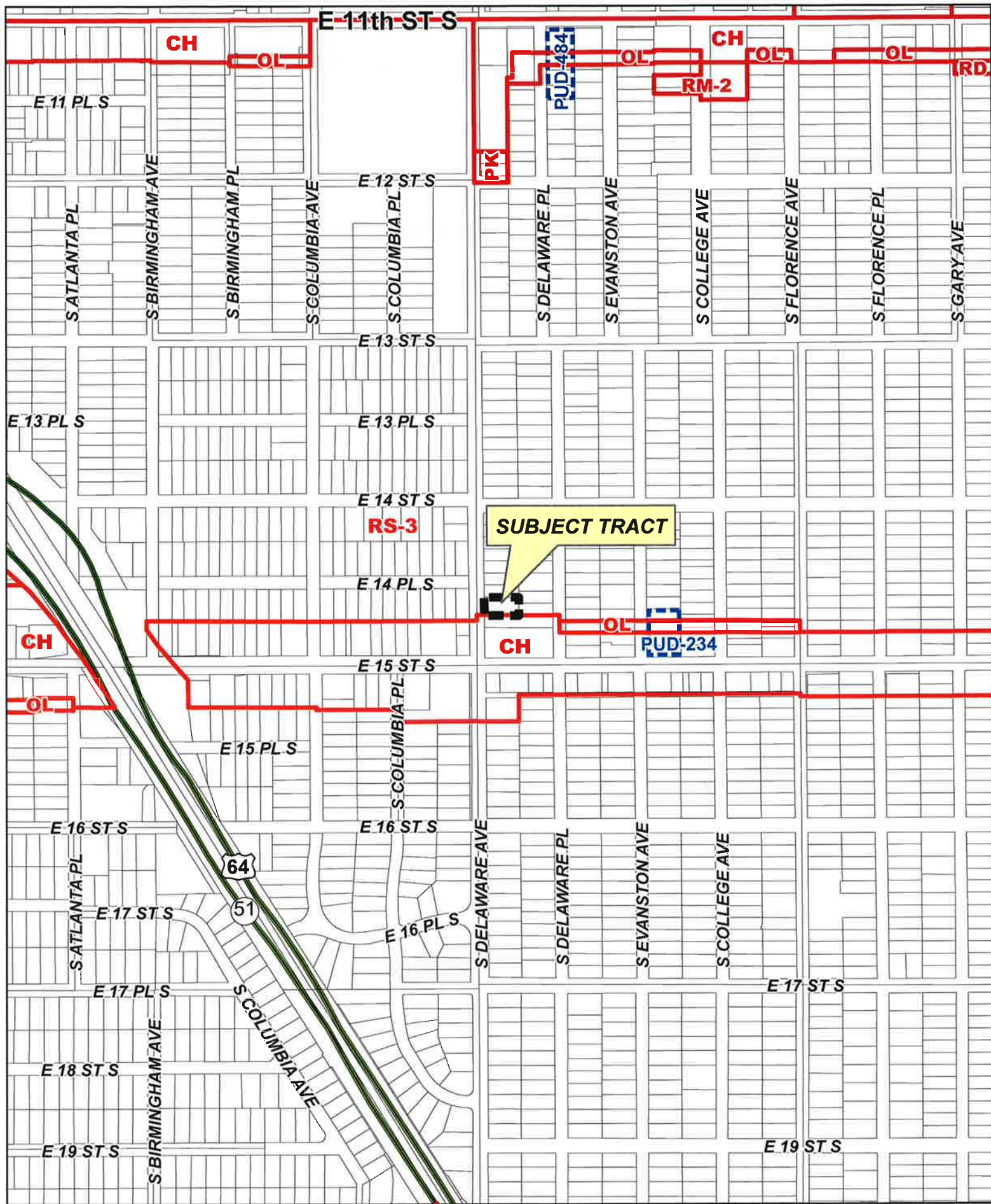
19-13 08

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

Aerial Photo Date: March 2014 10.12

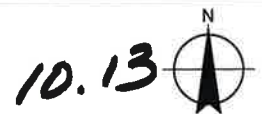






**CPA-32**

19-13 08









Tulsa Metropolitan Area  
Planning Commission

**Case Number: Z-7293**  
(related to Comprehensive Plan Amendment  
CPA-32)

**Hearing Date: April 1, 2015**  
(continued from March 18, 2015)

**Case Report Prepared by:**

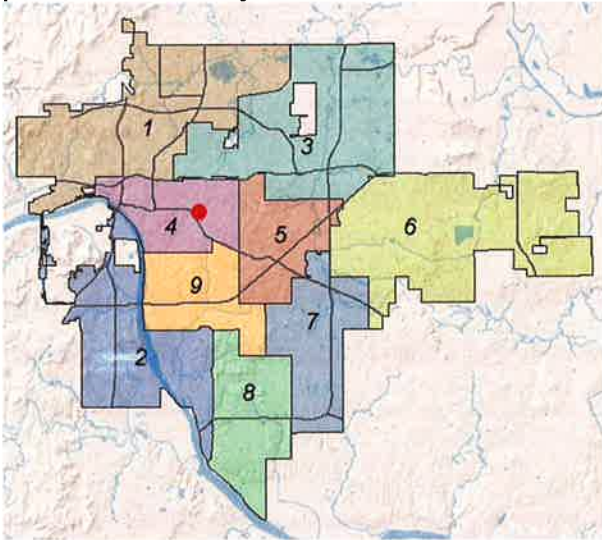
Dwayne Wilkerson

**Owner and Applicant Information:**

*Applicant:* Lou Reynolds

*Property Owner:* Kavi Holdings, LLC

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



**Applicant Proposal:**

*Present Use:* Duplex

*Proposed Use:* Parking to support medical office  
use to the south

*Concept summary:* Applicant is requesting OL  
zoning to support expansion of a medical office  
clinic and its associated parking.

*Tract Size:* 0.24 ± acres  
10498 ± sq. ft

*Location:* North of northeast corner of S. Delaware  
Ave. and E. 15<sup>th</sup> St. S.

**Zoning:**

*Existing Zoning:* RS-3

*Proposed Zoning:* OL

**Comprehensive Plan:**

*Land Use Map:* Existing Neighborhood with  
concurrent request to change to Main Street

*Stability and Growth Map:* Area of Stability  
(applicant is requesting Main Street and Area  
of Growth to support request)

**Staff Recommendation:**

**Staff recommends Approval.**

**Staff Data:**

TRS: 9308

CZM: 37

Atlas: 55

**City Council District: 4**

*Councilor Name:* Blake Ewing

**County Commission District: 2**

*Commissioner Name:* Karen Keith

11.1

## SECTION I: Z-7293

### DEVELOPMENT CONCEPT:

The applicant is requesting a rezoning from RS-3 to OL. The OL zoning will support an expansion of the existing medical clinic immediately south of Z-7293. In conjunction with this zoning request the applicant has requested a Comprehensive Plan amendment to change the site from Existing Neighborhood to Main Street designation. The site is north of East 15<sup>th</sup> Street on the east side of South Delaware Ave.

### 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
- Applicant Exhibits:
  - Neighborhood letters of support

### DETAILED STAFF RECOMMENDATION:

The rezoning request from RS-3 to OL is consistent with the historic character of zoning buffers between high intensity development and residential areas and;

OL is consistent with the expected development plan for this particular user. Future development in an OL district would still be compatible with the expected development pattern for this area and;

OL is consistent with the anticipated Comprehensive Plan revision that is being presented in conjunction with this application and:

OL is consistent with the existing proximate properties, therefore;

**Staff recommends Approval of Z-7293 to rezone property from RS-3 to OL.**

## SECTION II: Supporting Documentation

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary:* The proposed zoning has been prepared in conjunction with the anticipated Comprehensive Plan Land Use and Growth and Stability modifications outlined in CPA-32. The proposed OL zoning pattern has been used in other locations along 15<sup>th</sup> street as a transition between CH and residential uses. The Comprehensive Plan at this location did not recognize the potential growth pattern that would be associated with a vibrant Main Street land use. Staff has recommended approval for the Comprehensive Plan amendment and this report has been prepared with the assumption that the plan will be amended as outlined below.

## Land Use Vision:

### *Land Use Plan map designation: Main Street*

**“Main streets** represent some of Tulsa’s most interesting and lively streetscapes today, and will continue in the future. They will serve surrounding neighborhoods, and also will attract visitors to cafes, shops and eateries — lending each main street its own unique flavor and vibe. Traffic travels slower on main streets than on arterials, and they will have fewer lanes. It will be easy to park once on the street or in a shared parking lot, then walk to destinations. The walking environment will be pleasant, with wide sidewalks, street trees, benches, and other pedestrian amenities. In older parts of the city, main streets will serve as linear neighborhood centers, where grocery stores, restaurants, and other local-serving businesses are located. Because they also tend to specialize in different types of businesses, such as dining, galleries, or apparel, they will continue to attract visitors from around the region. Buildings along main streets will typically be built up to the sidewalk, and generally range from one- to three-stories in height, but can be taller, depending on the urban design plans for an area.”

**“Main streets** serve the highest intensity retail and mixed land uses in Tulsa’s areas such as downtown and in regional and neighborhood centers. Like multimodal streets, main streets are designed to promote walking, bicycling, and transit within an attractive landscaped corridor. Generally, main street activities are concentrated along a two to eight block area, but may extend further depending on the type of adjacent land uses and the area served. “

**“Main streets** can be designed with two to four travel lanes, although typically have only two lanes. On street parking usually is provided to serve adjacent land uses. Unlike typical strip commercial developments, main streets offer the ability to park-once and walk amongst various destinations, thus reducing arterial trip making. The key is to create convenient parking that is on-street or provided in a shared public parking lot. In order to ensure the walkability of a main street, careful consideration must be made to the design elements and amount of parking lots. To further create a pedestrian friendly atmosphere, main streets have wide sidewalks, street furniture, outdoor cafes, plazas, and other public spaces.”

### *Areas of Stability and Growth designation: Area of Growth*

“The purpose of **Areas of Growth** is 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:*

15<sup>th</sup> Street is considered an Urban Arterial with a Main Street designation. Delaware is considered a Residential Collector at this location but not considered a Main Street. Ultimately both streets anticipate the following:

**15<sup>th</sup> Street** anticipates 2 lanes of through traffic with on-street parking on both sides with sidewalks and buildings close to the ultimate right of way line.

**Delaware** anticipates 2 lanes of through traffic and sidewalks without on-street parking.

*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 existing site is a duplex that will be removed to accommodate growth potential for the existing business on 15<sup>th</sup> Street. There are no existing conditions that would complicate development of this site. The north line of the rezoning request would require screening fencing between OL and residential.*

Environmental Considerations: Immediately south of this site an existing abandoned building will be demolished to allow expansion of the medical facility at the corner of 15<sup>th</sup> and Delaware. There are no obvious or known environmental considerations that affect the redevelopment of this site. Reconstruction adjacent to an existing neighborhood is always sensitive and the developer will be encouraged to work with the neighbors and minimize the impact on the neighborhood during that process. Standard screening fencing as required by the Zoning Code will be required between the OL and Residential areas north and east of the Z-7293 boundary.

11.4

### Streets:

South Delaware Ave. is fully developed meeting the ultimate build potential recognized in the major street and highway plan.

East 15<sup>th</sup> Street is one lot south. The East 15<sup>th</sup> Street vision includes on street parking and two lanes of vehicular travel. This project will not adversely affect that plan.

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Delaware Ave.	Residential Collector	60 feet	4
East 15 <sup>th</sup> Street South	Urban Arterial with Main Street Overlay	70 feet	4

### Utilities:

The subject tract has municipal water and sewer available.

### Zoning and Surrounding Uses:

The surrounding property has previously been platted and developed as outlined in the following summary.

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	RS-3	<i>Existing Neighborhood</i>	Stability	single family residential
South	CH	<i>Main Street</i>	Growth	medical office & associated parking
East	RS-3	<i>Existing Neighborhood</i>	Stability	single family residential
West	RS-3	<i>Existing Neighborhood</i>	Stability	S. Delaware Ave., then single family residential

### **SECTION III: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 11815 dated June 26, 1970, established zoning for the subject property.

11.5

***Subject Property:***

**BOA-2392 December 10, 1952:** The Board of Adjustment approved a Special Exception to permit a duplex on Lots 32, 33 and 34 Block 5, Rosemont Heights, on property located at 1431 S. Delaware Ave.

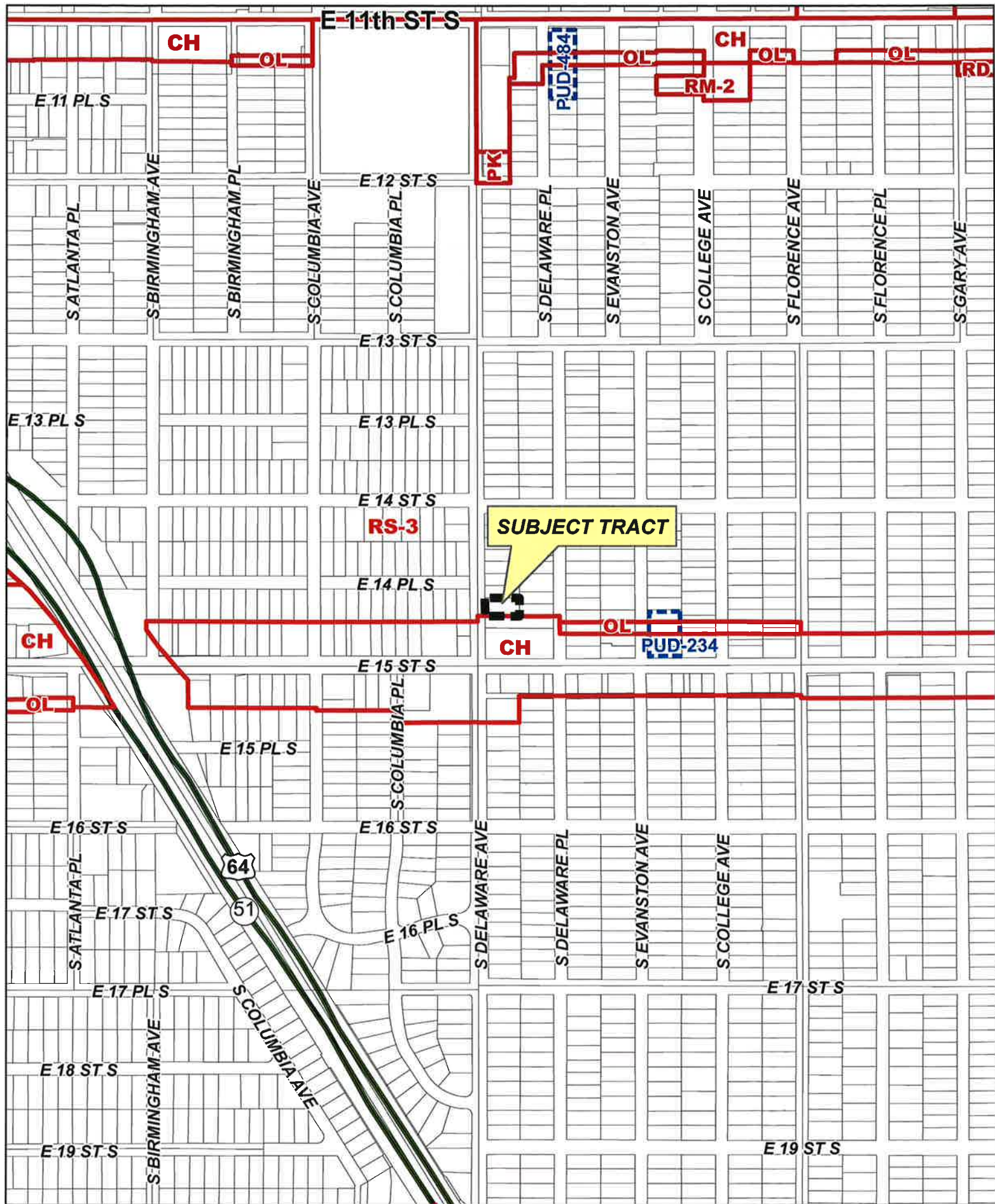
***Surrounding Property:***

**PUD-234 July 1980:** All concurred in approval of a proposed Planned Unit Development on a 28,000± square foot tract of land for an auto body repair shop and permitting uses as a matter of right in the CH district and off-street parking, on property located on the northeast corner of E. 15<sup>th</sup> St. and S. Evanston Ave.

3/18/2015 1:30 PM

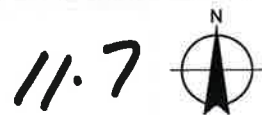
11.6





**Z-7293**

19-13 08





Feet  
0 250 500



Subject  
Tract

**Z-7293**

19-13 08

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

Aerial Photo Date: March 2014

11.8







Feet  
0 50 100



Subject  
Tract

**Z-7293**

19-13 08

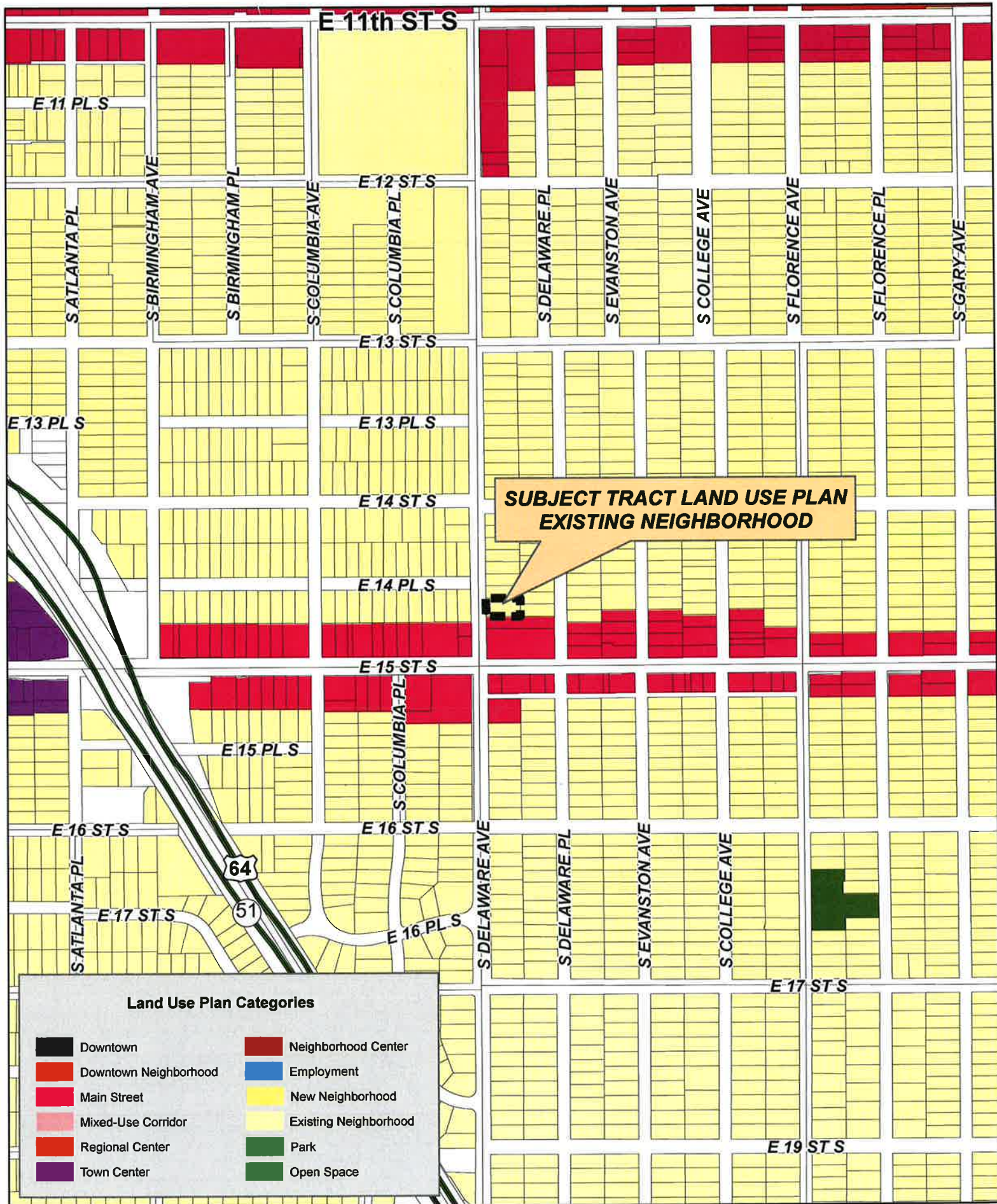
Note: Graphic overlays may not precisely  
align with physical features on the ground.

Aerial Photo Date: March 2014

11.9

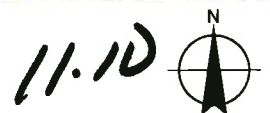




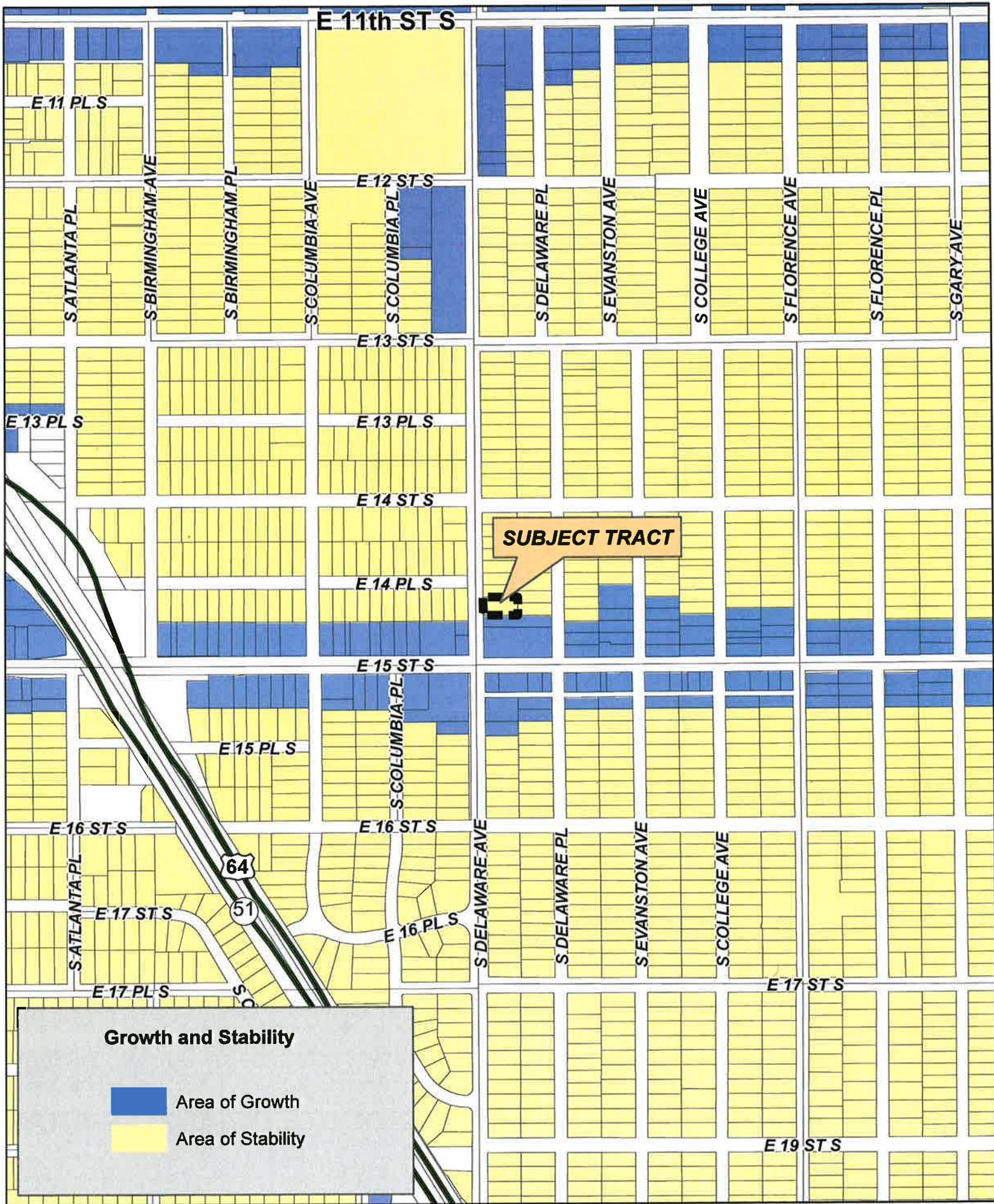


**Z-7293**

19-13 08







**Z-7293**

19-13 08

11.11



## Renaissance Neighborhood Association

February 20, 2015

Tulsa Metropolitan Area Planning Commission  
c/o Indian Nations Council of Governments  
2 West Second Street, Suite 800  
Tulsa, Oklahoma 74103

Attention: Mr. Dwayne Wilkerson

Re: TMAPC Case No. Z-7293  
1431 South Delaware Avenue

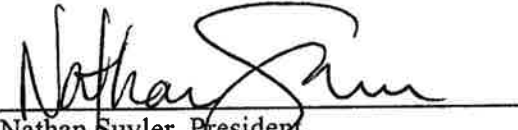
Dear Members of the Commission:

I am writing to you on behalf of the Renaissance Neighborhood Association. I have met with the owner of the property, Dr. Patel, and discussed his plans for the property. Based on these discussions and Dr. Patel's previous improvements to the old Carpet City showroom, I am pleased to let you know that the Association supports the rezoning of this property to Office Light.

Sincerely,

Renaissance Neighborhood Association

By:

  
Nathan Suyler, President

11.12

**ELIZABETH LETCHER**  
**1434 S. Delaware Place**  
**Tulsa, OK 74104**

February 20, 2015


Tulsa Metropolitan Area Planning Commission  
2 West Second Street, Suite 800  
Tulsa, Oklahoma 74103

Re: TMAPC Case No. Z-7293  
1431 South Delaware Avenue

Dear Members of the Commission:

I am writing to let you know that I own the property immediately to the east of the subject property. I am familiar with Dr. Patel's plans for this area and am supportive of the request to rezone the subject property to Office Light.

Sincerely,

  
Elizabeth Letcher

11.13

**SUZANNE BESSETTE  
1430 S. DELAWARE PL.  
TULSA, OK 74104**

February 20, 2015

Tulsa Metropolitan Area Planning Commission  
2 West Second Street, Suite 800  
Tulsa, Oklahoma 74103

Re: TMAPC Case No. Z-7293  
1431 South Delaware Avenue

Dear Members of the Commission:

I am writing to let you know that I live in the property immediately to the east of the subject property. I am very familiar with Dr. Patel's plans for this area. I support his plans of the request to rezone the subject property to Office Light. I believe that this will help our neighborhood.

Sincerely,



---

Suzanne Bessette

11.14

**RAVEN ARNOLD  
2736 E. 13<sup>TH</sup> PL.  
TULSA, OK 74104**

February 20, 2015

Tulsa Metropolitan Area Planning Commission  
2 West Second Street, Suite 800  
Tulsa, Oklahoma 74103

Re: TMAPC Case No. Z-7293  
1431 South Delaware Avenue

Dear Members of the Commission:

I am writing to let you know that I own a property in the subject's neighborhood. We completely understand Dr. Patel's plans for our neighborhood and support his plans to rezone the subject property to Office Light.

Sincerely,

  
\_\_\_\_\_  
Raven Arnold

11.15

**CALLIE EMBRY  
1433 S. DELAWARE AVE.  
TULSA, OK 74104**

February 20, 2015

Tulsa Metropolitan Area Planning Commission  
2 West Second Street, Suite 800  
Tulsa, Oklahoma 74103

CC:  
Dr. Jayen Patel and Dr. Nicole Patel  
2811 E. 15<sup>th</sup> St. Ste 102  
Tulsa, OK 74104

Re: TMAPC Case No. Z-7293  
1431 South Delaware Avenue

Dear Members of the Commission:

I am writing to let you know that I manage a property directly north of the subject's property. I am very aware of Dr. Patel's plans for the neighborhood and fully support the request to rezone the subject property to Office Light. His clinic on the corner of 15<sup>th</sup> and Delaware has already made a very positive impact on our neighborhood.

Sincerely,

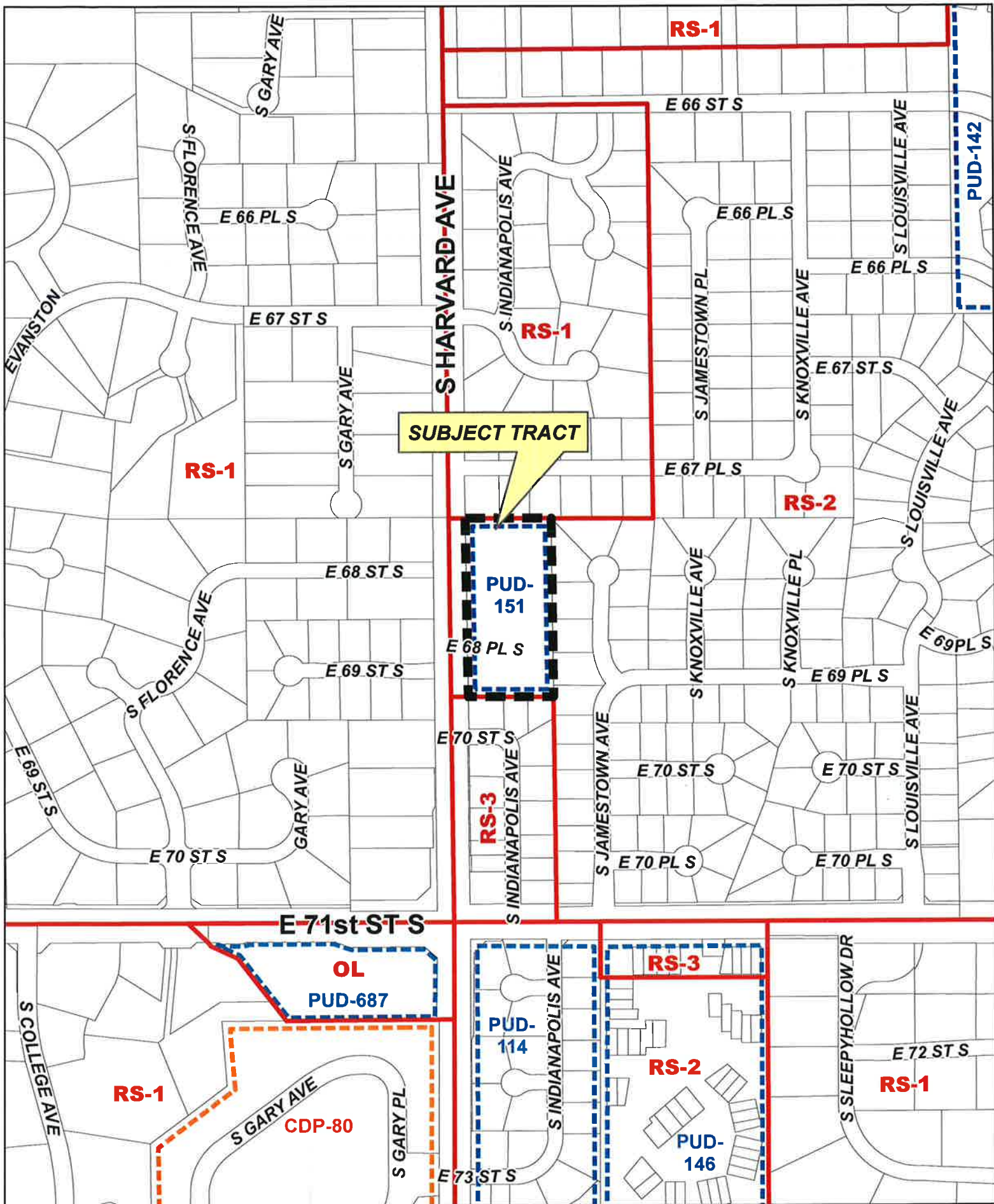


---

Callie Embry

11.14





**PUD-151-1**

18-13 04

12.1



## Huntsinger, Barbara

---

**From:** Hoyt, Jay  
**Sent:** Tuesday, March 24, 2015 3:31 PM  
**To:** Huntsinger, Barbara  
**Subject:** FW: PUD-151-1 - Minor Amendment Request - The Drawbridge Condominiums

Barbara,

Minor Amendment PUD-151-1 is being continued to the 4/15 TMAPC meeting.

Thank you,

Jay Hoyt

---

**From:** Tulsa Four Seasons [<mailto:sales@tulsafourseasons.com>]  
**Sent:** Tuesday, March 24, 2015 3:13 PM  
**To:** Hoyt, Jay  
**Subject:** RE: PUD-151-1 - Minor Amendment Request - The Drawbridge Condominiums

Jay--April 15 is fine. I called Mrs.Lusk and left a voice mail as to the date change and asked if she could get something from her H.O.A on letterhead.

Many thanks to you and Mindy for your kind help.

Jana McBride

---

**From:** Hoyt, Jay [<mailto:JHoyt@incog.org>]  
**Sent:** Tuesday, March 24, 2015 2:33 PM  
**To:** [sales@tulsafourseasons.com](mailto:sales@tulsafourseasons.com)  
**Subject:** PUD-151-1 - Minor Amendment Request - The Drawbridge Condominiums

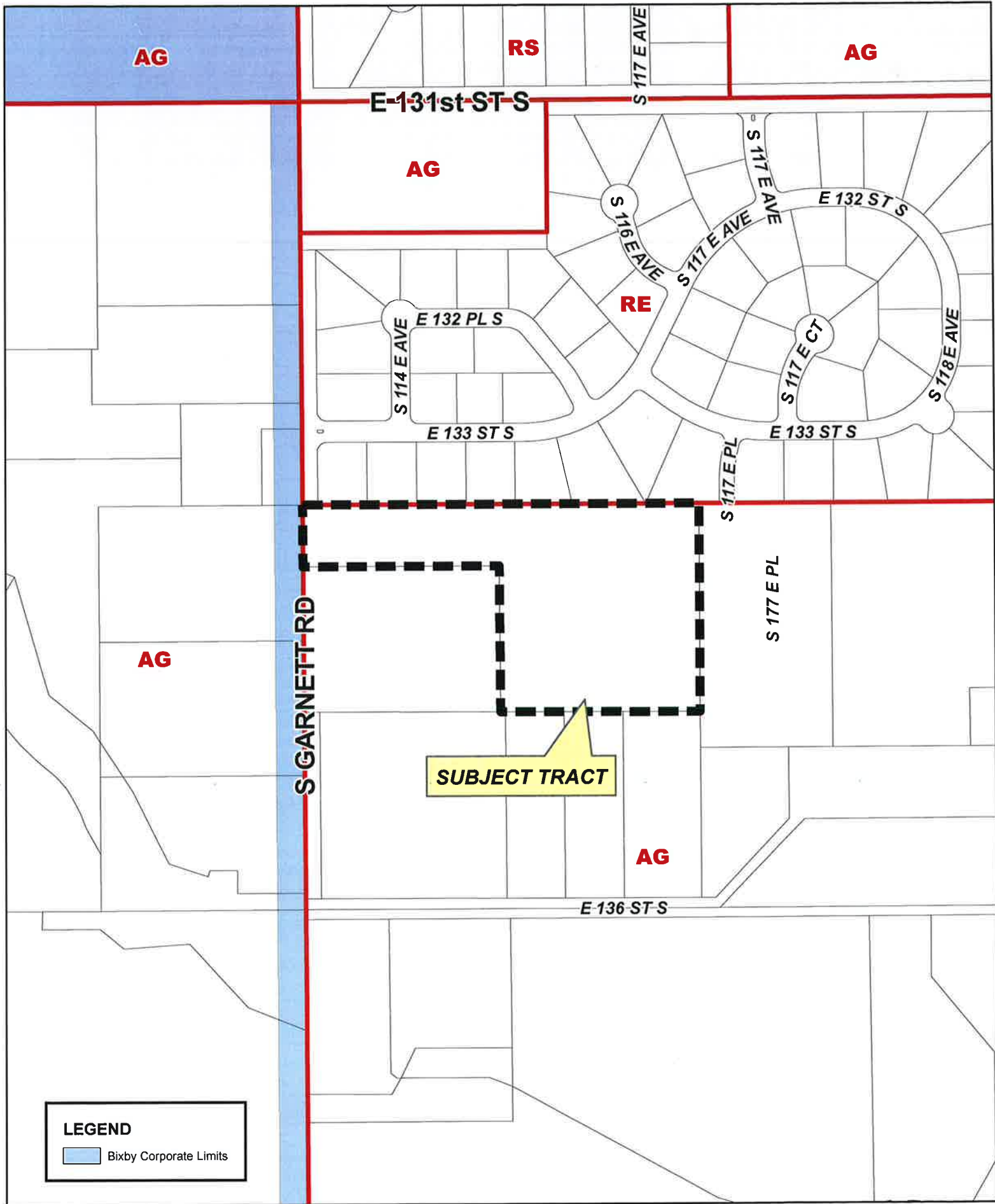
Jana,

I just wanted to confirm with you that this case will be continued to the 4/15 Planning Commission meeting. Please let me know if you are ok with this and we'll place you on the 4/15 agenda.

Thank you,

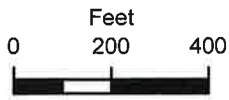
Jay Hoyt  
Land Development Planner  
**INCOG**  
2 West 2nd Street  
Suite 800  
Tulsa, OK 74103

918.579.9476 phone  
918.579.9576 fax  
[jhoyt@incog.org](mailto:jhoyt@incog.org)



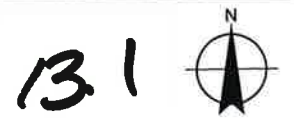
**LEGEND**

 Bixby Corporate Limits



**CZ-440**

17-14 08



**Huntsinger, Barbara**

---

**Subject:** FW: PUD 827 and CZ-440

---

**From:** Wilkerson, Dwayne  
**Sent:** Wednesday, March 25, 2015 11:13 AM  
**To:** Huntsinger, Barbara  
**Subject:** FW: PUD 827 and CZ-440

---

**From:** Roy Johnsen [<mailto:rdj@rjohnsenlaw.com>]  
**Sent:** Wednesday, March 25, 2015 11:09 AM  
**To:** Wilkerson, Dwayne  
**Cc:** Craig Thurmond  
**Subject:** PUD 827 and Z-440

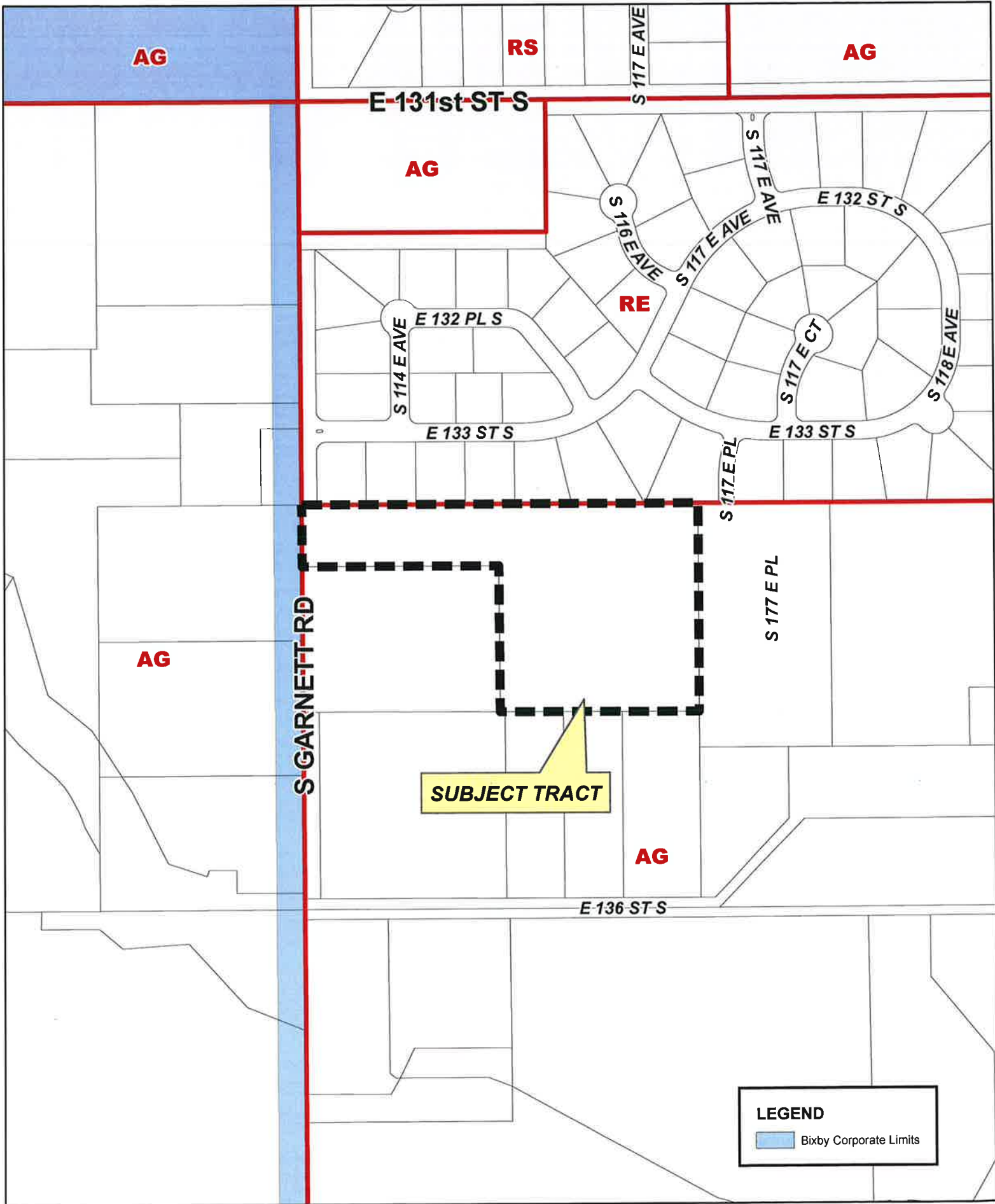
**To:** The Tulsa Metropolitan Area Planning Commission  
C/O C. Dwayne Wilkerson  
Assistant Director Land Development Services

F&C Partners LLC, the owner of the property pertaining to PUD 829 and CZ-440, herein confirms the request of the withdrawal of PUD 829 and CZ-440.

Respectfully,

Roy D. Johnsen  
Attorney for F&C

Partners LLC



**PUD-827**

17-14 08

14.1



**Huntsinger, Barbara**

---

**Subject:** FW: PUD 827 and CZ-440

---

**From:** Wilkerson, Dwayne  
**Sent:** Wednesday, March 25, 2015 11:13 AM  
**To:** Huntsinger, Barbara  
**Subject:** FW: PUD 827 and CZ-440

---

**From:** Roy Johnsen [<mailto:rdj@rjohnsenlaw.com>]  
**Sent:** Wednesday, March 25, 2015 11:09 AM  
**To:** Wilkerson, Dwayne  
**Cc:** Craig Thurmond  
**Subject:** PUD 827 and Z-440

**To:** The Tulsa Metropolitan Area Planning Commission  
C/O C. Dwayne Wilkerson  
Assistant Director Land Development Services

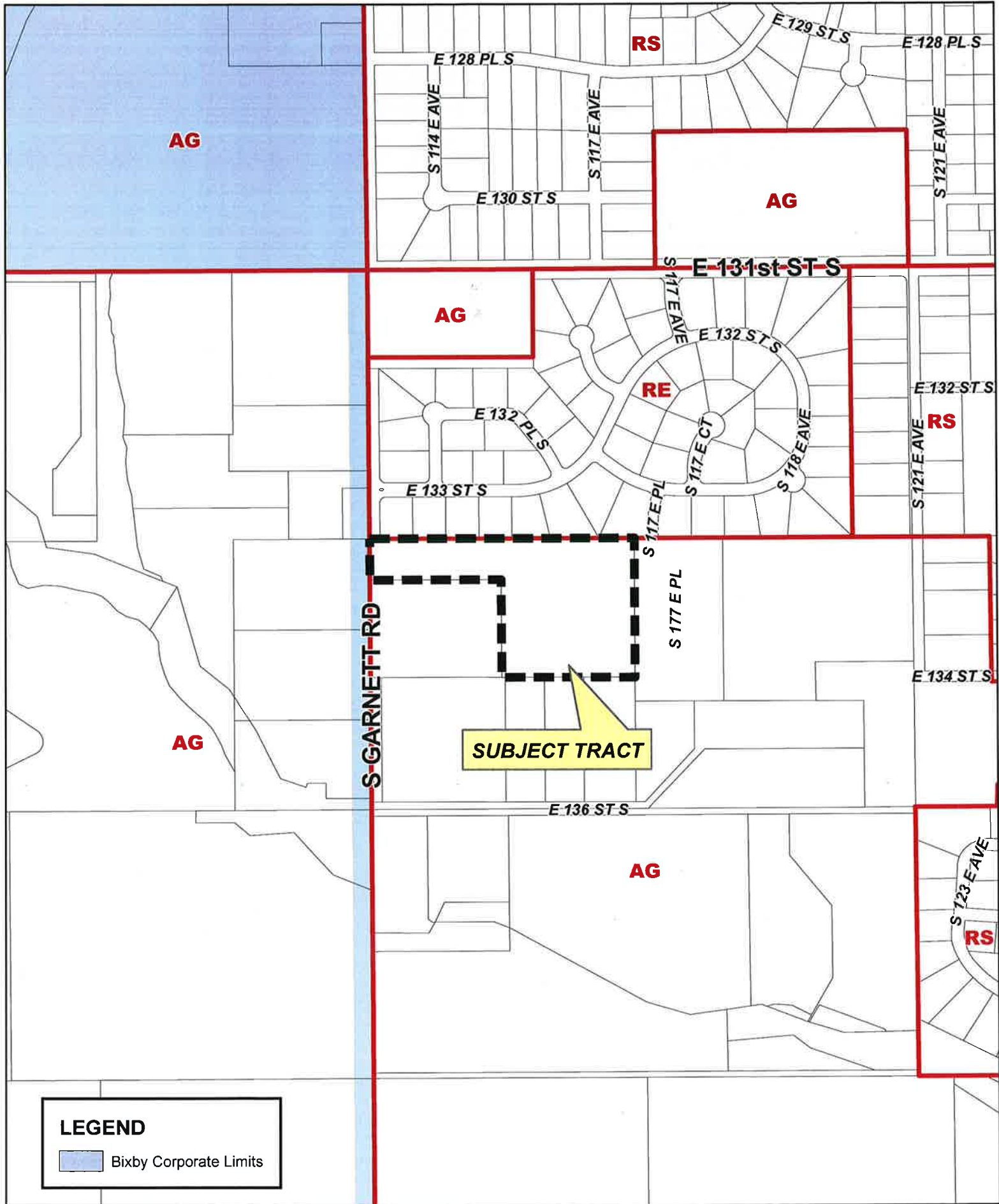
F&C Partners LLC, the owner of the property pertaining to PUD 829 and CZ-440, herein confirms the request of the withdrawal of PUD 829 and CZ-440.

Respectfully,

Roy D. Johnsen  
Attorney for F&C

Partners LLC





# OAK ESTATES

17-14 08

15.1





## **LOT-SPLIT**

**April 1, 2015**

**LS-20770**

**Cory Reed, (6418) (AG) (County)**

**Southeast corner of East 209<sup>th</sup> Street South and South Mingo Road**

The Lot-Split proposal is to split an existing AG (Agriculture) tract into two tracts. Both of the resulting tracts will meet the Bulk and Area Requirements of the Tulsa County Zoning Code.

Technical Advisory Committee met on March 19, 2015. The County Engineer is requesting a 50' right of way Easement along South Mingo Road.

The proposed lot-split would not have an adverse affect on the surrounding properties and staff recommends **APPROVAL** of the lot-split and the waiver of the Subdivision Regulations that no lot have more than three side lot lines.

S MINGO RD

AG

AG

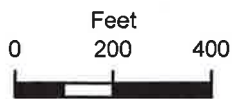
E 209 ST S

1

2

SUBJECT TRACT

ZONING DATA IS NOT AVAILABLE  
FOR OKMULGEE COUNTY



LS-20770

16-14 18

16.2





S MINGO RD

E 209 ST S

1

2

0 Feet 200 400



Subject Tract

LS-20770

16-14 18

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

Aerial Photo Date: March 2014



16.3







Tulsa Metropolitan Area  
Planning Commission

**Case Number:** Z-7297

**Hearing Date:** April 1, 2015

**Case Report Prepared by:**

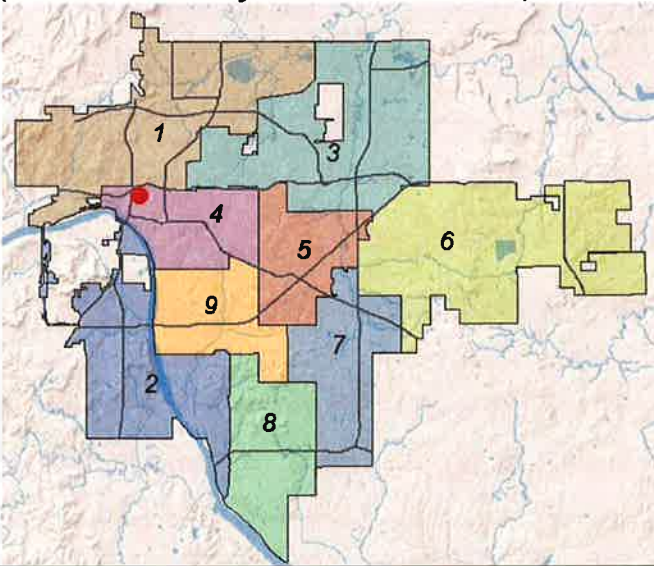
Dwayne Wilkerson

**Owner and Applicant Information:**

*Applicant:* John Shafer

*Property Owner:* JALEX INDUSTRIES INC

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



**Applicant Proposal:**

*Present Use:* Manufacturing

*Proposed Use:* Commercial use

*Concept summary:*

*Tract Size:* 0.15 ± acres

6499.18 ± sq. ft

*Location:* East of southeast corner of W. Archer  
Street S. and N. Denver Ave.

**Zoning:**

*Existing Zoning:* IL

*Proposed Zoning:* CBD

**Comprehensive Plan:**

*Land Use Map:* Downtown Neighborhood

*Stability and Growth Map:* Area of Growth

**Staff Recommendation:**

Staff recommends **APPROVAL**.

**Staff Data:**

TRS: 9202

CZM: 36

Atlas: 20

**City Council District:** 4

*Councilor Name:* Blake Ewing

**County Commission District:** 2

*Commissioner Name:* Karen Keith

17.1

## SECTION I: Z-7297

### DEVELOPMENT CONCEPT:

The applicant is proposing to rezone the site from IL to CBD to reflect the redevelopment character of the area. CBD also removes the parking requirement that is imposed by IL zoning.

### 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
- Applicant Exhibits:
  - None submitted

### DETAILED STAFF RECOMMENDATION:

Z-7297 requesting CBD zoning is consistent with the vision defined for a Downtown Neighborhood in the Tulsa Comprehensive Plan and;

The rezoning request is consistent with the goals and concepts expressed in the Downtown Master Plan and;

CBD zoning is consistent with the expected re-development pattern in this site and;

The CBD rezoning request is consistent with the existing development pattern in this site therefore;

Staff recommends **APPROVAL** of Z-7297 to rezone property from IL to CBD.

## SECTION II: Supporting Documentation

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: This rezoning request is a continuation of the trend to remove industrial uses from the Urban Core of the City and is consistent with the Comprehensive Plan vision in a Downtown Neighborhood. The rezoning request will allow all uses by right except mining, industrial uses and salvage operations.*

### Land Use Vision:

*Land Use Plan map designation:* Downtown Neighborhood

Downtown Neighborhoods are located outside but are tightly integrated with the Downtown Core. These areas are comprised of university and higher educational campuses and their attendant housing and retail districts, former warehousing and manufacturing areas that are evolving into areas where people both live and work, and medium- to high-rise mixed use residential areas. Downtown Neighborhoods are primarily pedestrian-oriented and are well connected to the Downtown Core via local transit. They feature parks and open space, typically at the neighborhood scale.

17.2

### *Areas of Stability and Growth designation: Area of Growth*

The purpose of an Area of Growth is 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 in 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:*

The Major Street and Highway Plan illustrates an ultimate 80 foot right-of-way along Archer Street which was dedicated in the plat for the Original Town site of Tulsa. No additional street right of way is required at this location.

#### *Trail System Master Plan Considerations: None*

### Small Area Plan: Downtown Master Plan completed in July 2010

This area is at the western end of the Brady Village designated in this plan and was considered a mixed use area. There are no gateways or street improvements suggested by the plan that would affect this site.

### Special District Considerations: None

### Historic Preservation Overlay: None

### DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *The site is a small existing building that covers almost the entire lot. The existing building has high potential for redevelopment into a CBD use.*

Existing Building:



Environmental Considerations: No known environmental considerations that would affect the redevelopment opportunity for this site.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
West Archer Street	Downtown Collector	Existing 80'	2 plus on street parking on both sides of the street.

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties: The subject tract is abutted on the east by small industrial buildings that are still zoned IL; on the north south and west by a mix of empty lots and buildings that are available for redevelopment opportunities. Many of those lots and buildings have recently been rezoned from IL to CBD.

**SECTION III: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 11814 dated June 26, 1970, established zoning for the subject property.

***Surrounding Property:***

**Z-7290 January 2015:** All concurred in approval of a request for rezoning a .14± acre tract of land from IL to CBD for mini-storage or office, on property located east of northeast corner of W. Archer St.

17.4

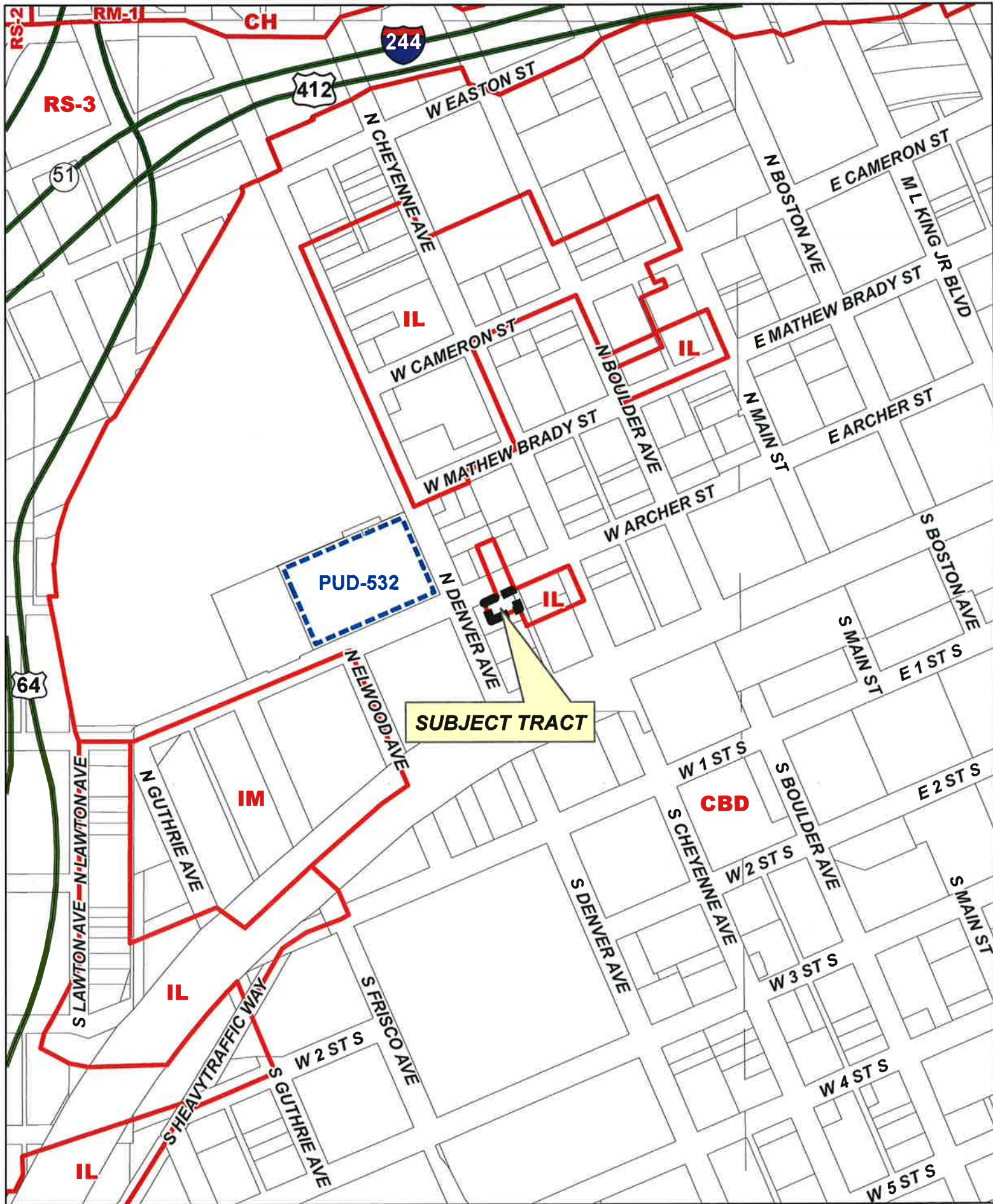


and N. Denver Ave. and abutting north across W. Archer St. from subject property. Staff has not received the Affidavit of the published Ordinance.

*There have been many rezoning actions in the downtown area since 1980 that involved rezoning to CBD designation. The patterns of redevelopment for all of the rezoning requests have been consistent with the Tulsa Comprehensive Plan.*

4/1/2015 1:30 PM

17.5



0 200 400  
Feet

Z-7297

19-12 02

17.4







Feet  
0 50 100



Subject  
Tract

**Z-7297**

19-12 02

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

Aerial Photo Date: March 2014







0 200 400  
Feet



Subject  
Tract

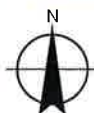
Z-7297

19-12 02

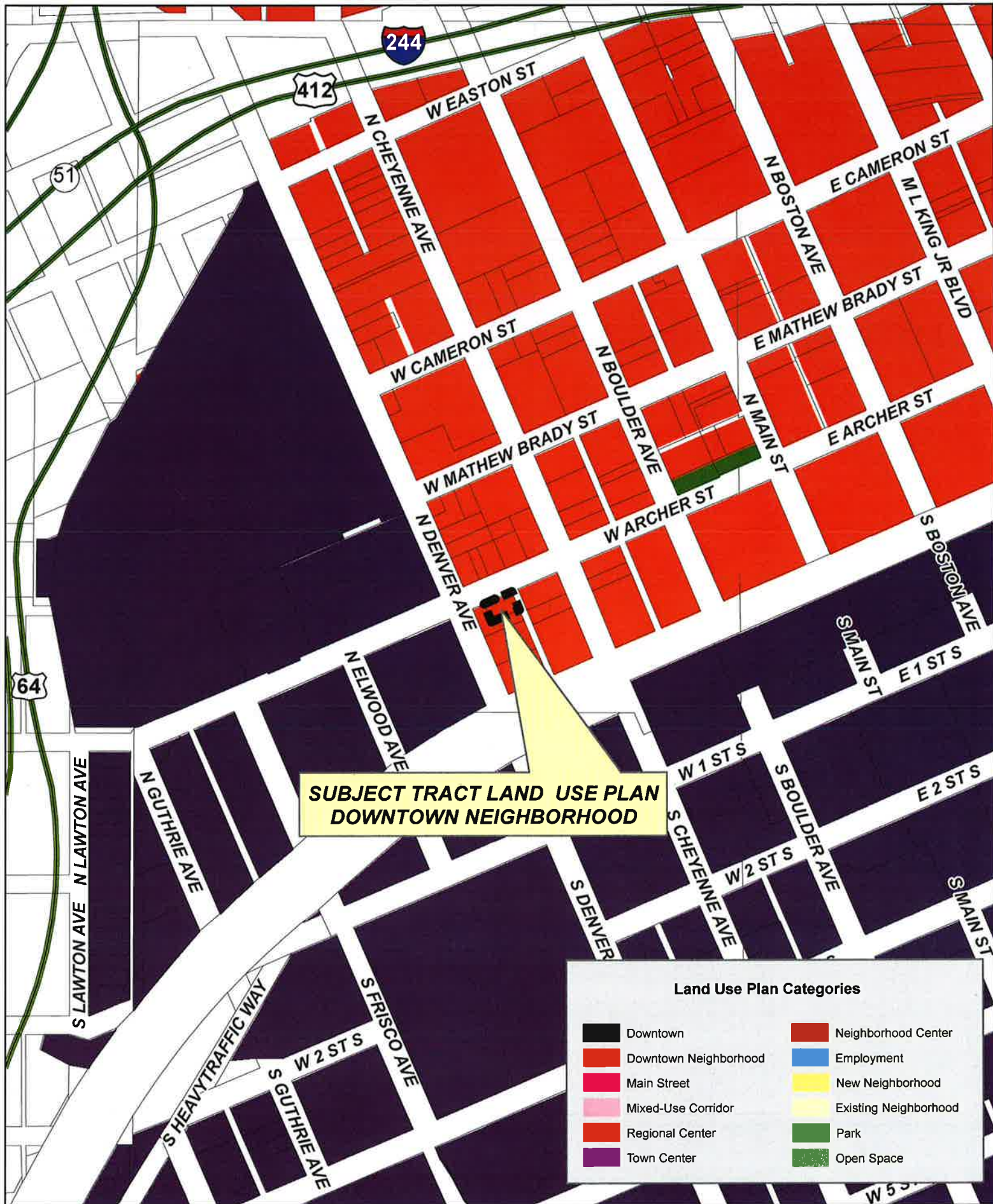
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: March 2014

178







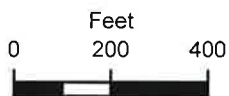
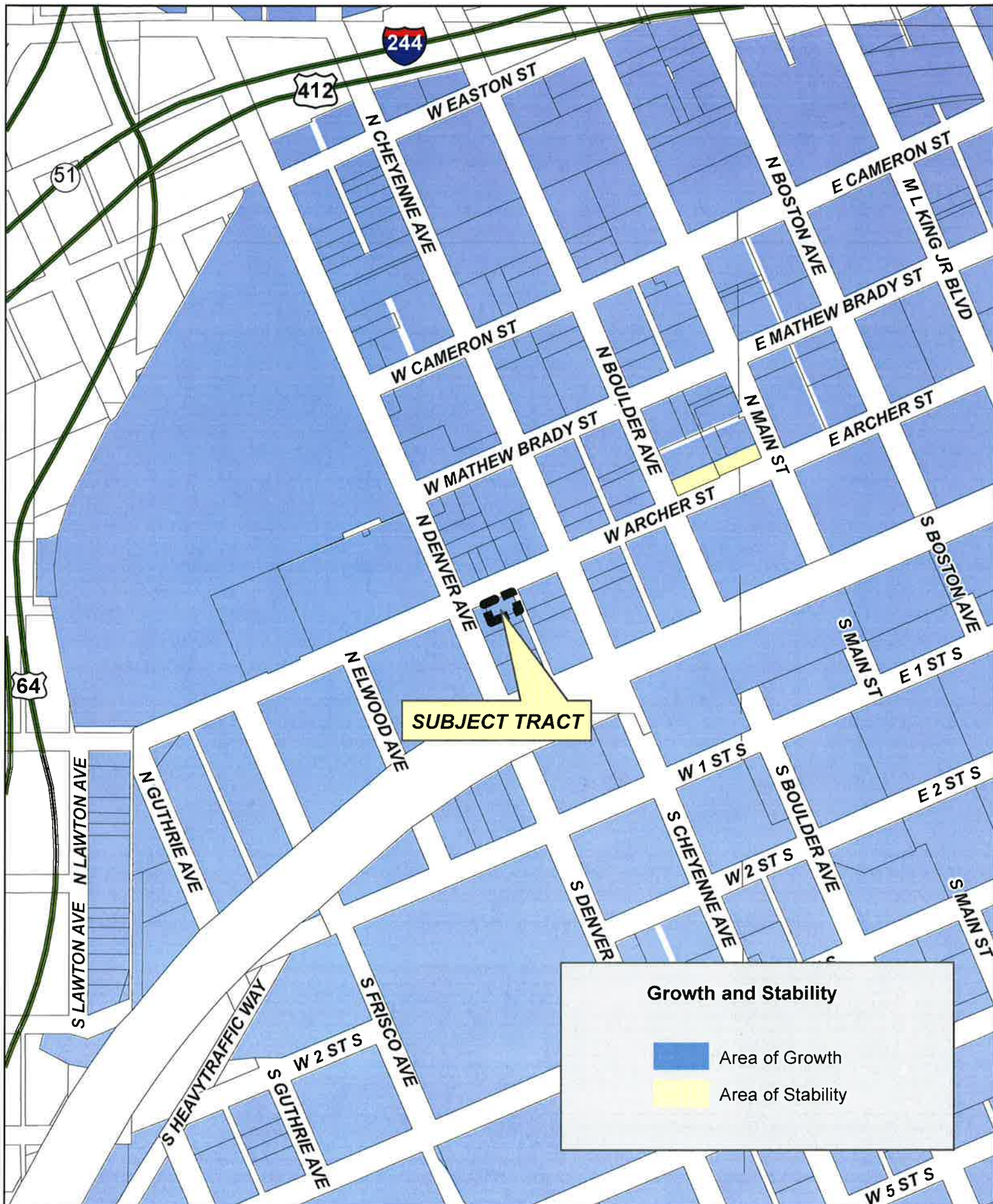
Feet  
0 200 400

**Z-7297**

19-12 02







**Z-7297**

19-12 02

**17.10**





Tulsa Metropolitan Area  
Planning Commission

**Case Number:** PUD-830

**Hearing Date:** April 1, 2015

**Case Report Prepared by:**

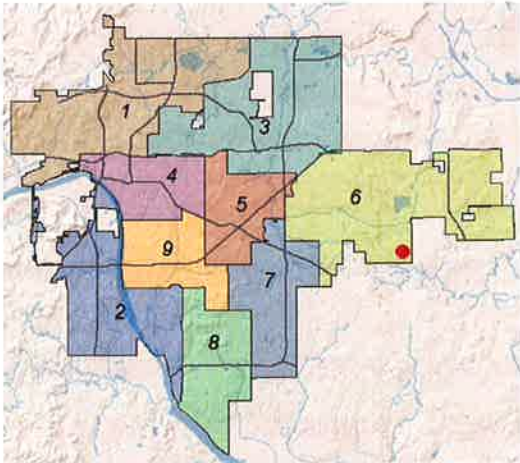
Dwayne Wilkerson

**Owner and Applicant Information:**

*Applicant:* Roy Johnsen

*Property Owner:* Cypress Creek, LLC

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



**Applicant Proposal:**

*Present Use:* Vacant

*Proposed Use:* Single-Family Residential

*Concept summary:* Prepare PUD for increased front yard coverage for three-car driveway, building height, and livability space distribution from lot to common open space.

*Tract Size:* 40.84  $\pm$  acres

1,778,997.69  $\pm$  sq. ft

*Location:* South and west of southwest corner of E. 41<sup>st</sup> St. and S. 193<sup>rd</sup> E. Ave.

**Zoning:**

*Existing Zoning:* RS-4

*Proposed Zoning:* RS-4/ PUD-830

**Comprehensive Plan:**

*Land Use Map:* New Neighborhood

*Stability and Growth Map:* Area of Growth

**Staff Recommendation:**

**Staff recommends approval.**

**Staff Data:**

TRS: 9425

CZM: 50

Atlas: 0

**City Council District:** 6

*Councilor Name:* Connie Dodson

**County Commission District:** 1

*Commissioner Name:* John Smaligo

## **SECTION I: PUD-830**

### **DEVELOPMENT CONCEPT:**

The subject property (the "Property") comprises 40.3 acres located approximately one fourth of a mile west of South 193<sup>rd</sup> East Avenue and approximately located one half of a mile south of East 41<sup>st</sup> South and the north boundary adjoins Cypress Creek which is a subdivision of upscale single-family residences. The pending Cypress Creek Estates is planned for 119 upscale single-family residences. A copy of the preliminary plat of Cypress Creek Estates is attached and is being developed by Cypress Creek Residential Development, LLC (Steve Brown, Manager).

This is part of a previously planned and partially constructed subdivision. Three car driveways to support three car garages is the recent trend at this price point for single-family residential construction. The existing zoning code does not allow that much pavement in the front yard and a PUD provides an alternative solution for that style of construction in new subdivisions.

### **EXHIBITS:**

- INCOG Case map
- INCOG Aerial (large scale)
- Tulsa Comprehensive Plan Land Use Map
- Tulsa Comprehensive Plan Areas of Stability and Growth Map
- Applicant Exhibits:
  - Preliminary Plat (Conceptual Plan)

### **PUD-830 DEVELOPMENT STANDARDS:**

The Property is zoned RS-4 and a permitted use of a Lot shall be limited to a single-family residence and customary accessory use. All single-family and RS-4 requirements remain applicable with the following exceptions:

- |   |                  |
|---|------------------|
| (a) Maximum Area of Off-Street Parking<br>allowed in a required Front Yard: | 700 square feet  |
| (b) Maximum Height of Dwelling  | 40 feet          |
| (c) Minimum Livability Space  | 2000 square feet |

### **VEHICULAR AND PEDESTRIAN ACCESS AND CIRCULATION:**

Access will be derived from existing residential subdivisions which adjoin the subject property and interior streets and sidewalks shall be constructed in accordance with the standards of the City of Tulsa.

Additional pedestrian and open space opportunities are provided through the green space reserved for storm water detention on the south and northeast corners of the site. Pedestrian access is provided from street right of way and from reserve areas as shown on the plat. Additional pedestrian opportunities may be provided by the homeowners association.

Sidewalk construction will be constructed across the reserve area frontages as part of the Infrastructure Development Plan requirements.

18.2



## **SITE PLAN REVIEW:**

For the purposes of site plan review requirements, the approved final plat shall constitute the required detailed site plan.

## **PLATTING REQUIREMENT:**

No building permit shall be issued until the area comprising the planned unit development has been included within a subdivision plat submitted to and approved by the Tulsa Metropolitan Planning Commission and the Tulsa City Council, and duly filed of record. The required subdivision plat shall include covenants of record implementing the development standards of the approved planned unit development and the City of Tulsa shall be a beneficiary thereof.

## **EXPECTED SCHEDULE OF DEVELOPMENT:**

The project is partially constructed and it is anticipated that the infrastructure will be completed in 2015.

**NEIGHBORHOOD IDENTIFICATION SIGN AND LIGHTING:** None except where allowed in the Tulsa Zoning Code for residential development.

## **DETAILED STAFF RECOMMENDATION:**

**Staff recommends Approval of PUD-830 as outlined in Section I above.**

## **SECTION II: Supporting Documentation**

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: This New Neighborhood is consistent with the land use designation and is also consistent with the Area of Growth designations.*

### Land Use Vision:

*Land Use Plan map designation:* New Neighborhood

The New Neighborhood is intended for new communities developed on vacant land. These neighborhoods are comprised primarily of single-family homes on a range of lot sizes, but can include townhouses and low-rise apartments or condominiums. These areas should be designed to meet high standards of internal and external connectivity, and shall be paired with an existing or new Neighborhood or Town Center.

*Areas of Stability and Growth designation:* Area of Growth, Area of Stability

The purpose of an Area of Growth is 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.

18.3

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are in 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:* None

*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 surrounded by existing storm water detention facilities and there is very little slope except what has been created. Other than the storm water management there is very little concern or restrictions for redevelopment of this site as a single-family residential development.*

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South 187 <sup>th</sup> East Place	Residential	50 feet	2
South 186 <sup>th</sup> East Avenue	Residential	50 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties: The subject tract is abutted on all sides with single-family residential development. The north side is zoned RS-4, the west and South are zoned RS-3. East of the site there are several large lot residences still zoned AG.

**SECTION III: Relevant Zoning History**

*Staff Comment: Within the last seven years the Planning Commission and the Board of Adjustment have provided solutions to the zoning restriction which prohibits three car drives and surface parking in the front yard. The solutions have been provided by Planned Unit Developments for an entire subdivision and Special Exceptions for individual lots. The PUD is*

**18.4**

*encouraged for entire subdivision development and has been considered appropriate where the surrounding area has seen new development.*

*Appropriate Infill development is encouraged in the Tulsa Comprehensive Plan. Infill projects with excessive front yard parking, when surrounded by existing neighborhoods with small drives and large front yard green space, can disrupt the character of the existing neighborhood. These solutions to current market considerations should be reviewed carefully for infill projects where the character of the homes is smaller drives and smaller garages spaces..*

**ZONING ORDINANCE:** Ordinance number 21135 dated September 23, 2005, and number 18555 dated September 21, 1995, established zoning for the subject property.

**Subject Property:**

**Z-6999 September 2005:** All concurred in approval of a request to rezone a 90± acre tract from RS-3, AG, OL and CS to RS-4 for single-family development, on property located west of the southwest corner East 41<sup>st</sup> Street South and South 193<sup>rd</sup> East Avenue and also a part of the subject property

**Z-6500 September 1995:** All concurred in approval of a request for rezoning a 107± acre tract of land from AG to RS-4, for single-family development, on a property north of East 51<sup>st</sup> Street between South 177<sup>th</sup> East Avenue and South 193<sup>rd</sup> East Avenue and also a part of the subject property

**Surrounding Property:**

**PUD-816 October 2014:** All concurred in approval of a proposed Planned Unit Development on a 82± acre tract of land for new neighborhood and the purpose primarily to increase the maximum front yard coverage for surface parking from 36% in RS-4 zoned property to 45%, on property located south of southeast corner S. 177<sup>th</sup> E. Ave. and E. 41<sup>st</sup> St.

**PUD-784 June 2011:** All concurred in approval of a proposed Planned Unit Development on a 39± acre tract of land for new neighborhood and the purpose primarily to increase the maximum front yard coverage for surface parking from 36% in RS-4 zoned property to 45%, on property located east of northeast corner of East 51<sup>st</sup> Street and South 177<sup>th</sup> East Avenue

**Z-7247 February 2014:** All concurred in approval of a request for rezoning a 10± acre tract of land from RS-3 to RS-4 for single-family residential, on property located North of northwest corner of South 193<sup>rd</sup> East Avenue and East. 51<sup>st</sup> Street

**Z-7006 January 2006:** All concurred in approval of a request to rezone an 80± acre tract from RS-3 to RS-4 for residential purposes located south of the southeast corner of East 41<sup>st</sup> Street South and South 177<sup>th</sup> East Avenue and also known as the subject property.

**Z-6945 August 2004:** All concurred in approval of a request for rezoning a 126.5± acre tract from AG to RS-3 located north and east of the northeast corner of East 51<sup>st</sup> Street and South 177<sup>th</sup> East Avenue.

4/1/2015 1:30 PM

18.5







0 Feet 300 600



Subject  
Tract

**PUD-830**

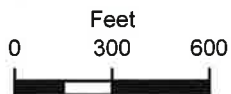
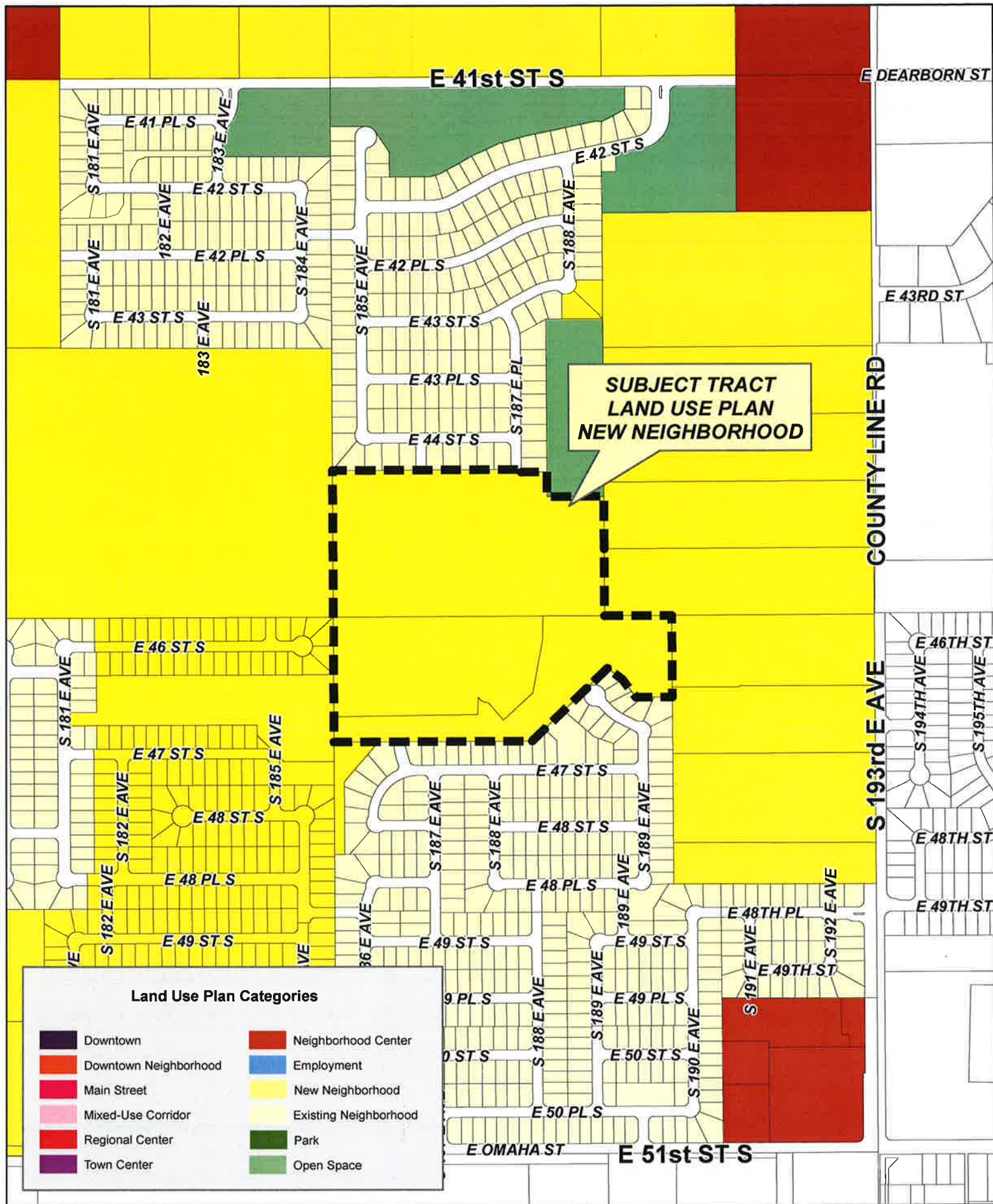
19-14 25

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

Aerial Photo Date: March 2014







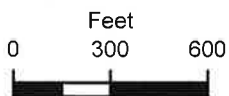
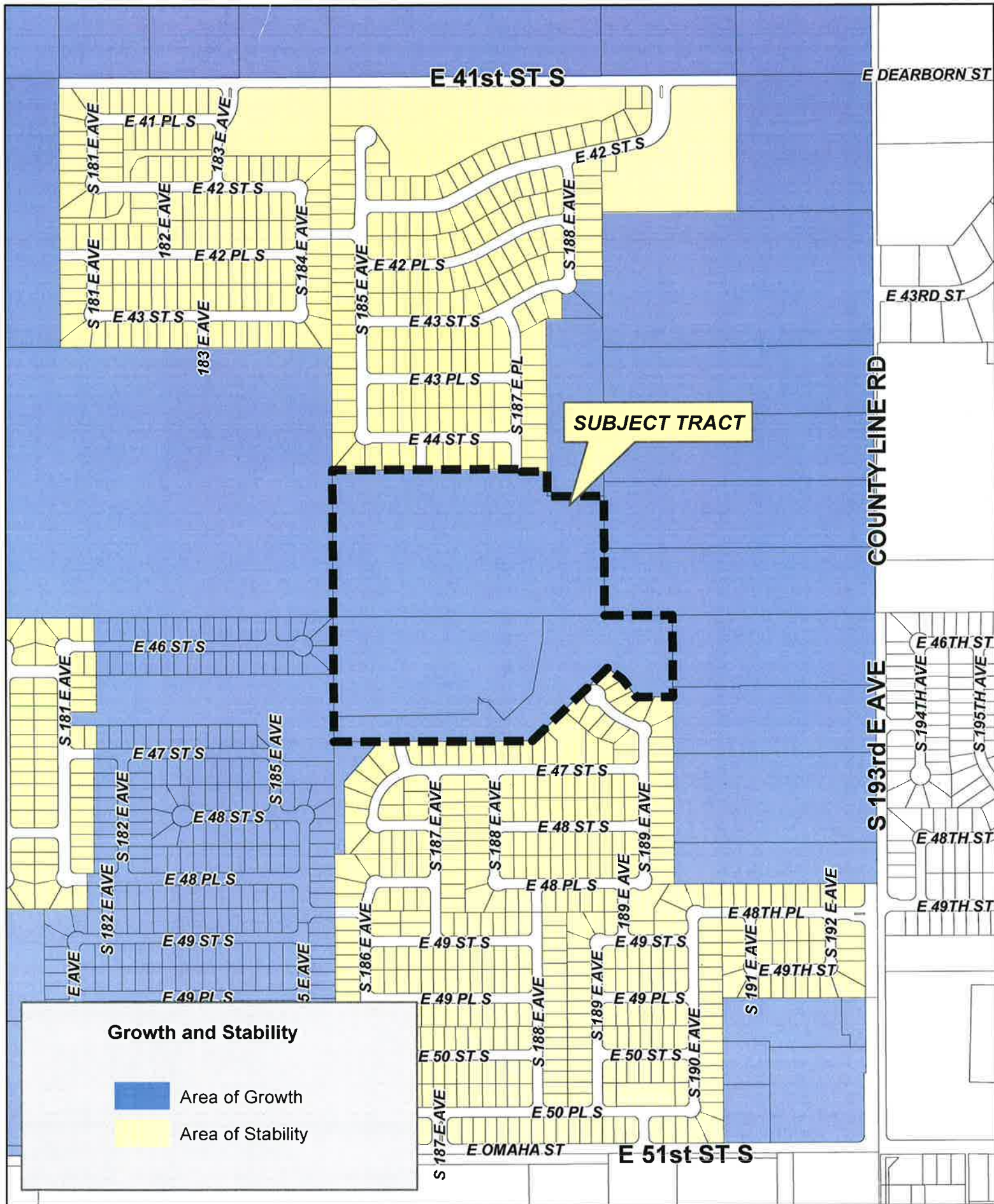
**PUD-830**

19-14 25

**18.8**







**PUD-830**

19-14 25

**18.9**



**S CREEK RESIDENTIAL DEVELOPMENT**  
2008 WEST KENOJHA, #235  
BROKEN ARROW, OKLAHOMA 74012  
PHONE: (918) 451-8144  
FAX: (918) 335-4447  
EMAIL: STEVE@BROWNHOMESHOTMAIL.COM  
CONTACT: MR. STEVE BROWN

## Engineer / Supervisor

**HRAOK, INC.**  
1915 WEST TACOMA, SUITE A  
BROKEN ARROW, OKLAHOMA 74001  
PHONE: (918) 258-3737  
FAX: (918) 258-3544  
EMAIL: AHALL@HRAOK.COM

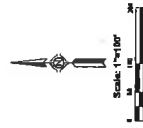
## Preliminary Plat

# Cypress Creek Estates

A SUBDIVISION IN THE NORTHEAST QUARTER (NE¼) AND THE SOUTHEAST QUARTER OF (SE¼) OF SECTION TWENTY-FIVE (25), TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

CYPRESS CREEK

Plot No. 60097



LOT AREA TABLE			
LOT AREA		LOT AREA	
LOT NO.	ACRES	LOT NO.	ACRES
BLOCK 4			
1	0.005348	1	0.005348
2	0.005348	2	0.005348
3	0.005348	3	0.005348
4	0.005348	4	0.005348
5	0.005348	5	0.005348
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[illegible]

## Land Summary

SUBDIVISION CONTAINS ONE HUNDRED AND FORTY-THREE (143) LOTS IN BLOCKS AND THREE (3) RESERVES

	# LOTS
BLOCK 1	9 LOTS
BLOCK 2	10 LOTS
BLOCK 3	18 LOTS
BLOCK 4	23 LOTS
BLOCK 5	6 LOTS
BLOCK 6	17 LOTS
BLOCK 7	20 LOTS
BLOCK 8	19 LOTS
BLOCK 9	10 LOTS

**Legend**

### Notes

ADDRESSES SHOWN ON THIS PLAT WERE ACCURATE AT THE TIME THIS PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF LEGAL DESCRIPTION.

ALL WATER AND SANITARY SEWER SERVICES WILL BE SUPPLIED AND MAINTAINED BY THE CITY OF TULSA.

WHERE SIDEWALKS ARE NOT CONSTRUCTED BY DEVELOPER, THE BUILDER OF EACH LOT SHALL CONSTRUCT THE REQUIRED SIDEWALK.

### Documentation

---

Unplanned

CAPABILITY OF ENVIRONMENTAL

COUNTY TREASURER STAMP

STONE CRICK FARMS III  
 Plate No. 6037CYPRESS CREEK ESTATES  
Sheet 1 of 2

Costs (Prepayment Only) = 2016

18.10









Tulsa Metropolitan Area  
Planning Commission

**Case Number: Z-7298**

**Hearing Date: April 1, 2015**

**Case Report Prepared by:**

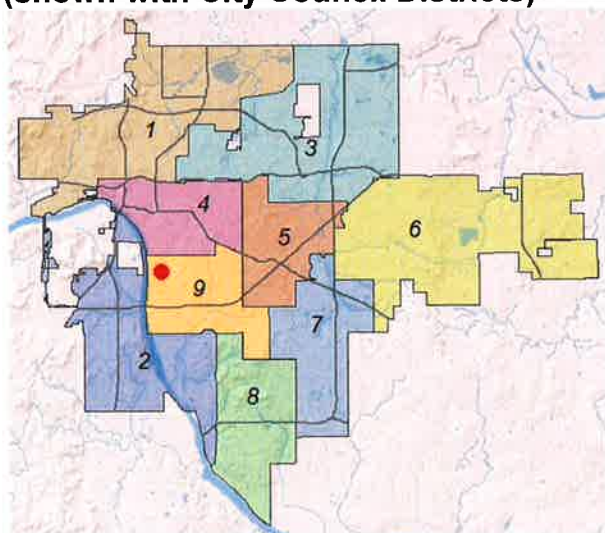
Dwayne Wilkerson

**Owner and Applicant Information:**

*Applicant:* Lou Reynolds

*Property Owner:* Brookland North, LLC

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



**Applicant Proposal:**

*Present Use:* Vacant

*Proposed Use:* Parking to support commercial property expansion east of the site.

*Concept summary:* The entire block adjacent to Peoria from East 37<sup>th</sup> Street to East 37<sup>th</sup> Place South is being redeveloped. The parking expansion into the neighborhood west of Peoria is necessary to support the anticipated uses.

*Tract Size:* 0.19 ± acres

*Location:* West of the northwest corner of S. Peoria Ave. and E. 37<sup>th</sup> Pl.

**Zoning:**

*Existing Zoning:* RS-3

*Proposed Zoning:* PK

**Comprehensive Plan:**

*Land Use Map:* Main Street

*Stability and Growth Map:* Area of Growth

**Staff Recommendation:**

**Staff recommends approval**

**Staff Data:**

TRS: 9224

CZM: 46

Atlas: 249

**City Council District: 9**

*Councilor Name:* G.T. Bynum

**County Commission District: 2**

*Commissioner Name:* Karen Keith

19.1



## SECTION I: Z-7298

### DEVELOPMENT CONCEPT:

Redevelopment plans for property abutting South Peoria require additional parking. The buildings abutting South Peoria between East 37<sup>th</sup> Street South and East 37<sup>th</sup> Place will all be demolished for new commercial development and reconstructed with a larger parking area west of the new buildings. Property immediately north and south of this proposal are already zoned PK establishing a similar zoning pattern in this block.

### 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
- Applicant Exhibits:
  - None

### DETAILED STAFF RECOMMENDATION:

PK zoning is consistent with the Main Street designation of the Tulsa Comprehensive Plan at this location and;

PK zoning is consistent with the existing zoning pattern north and south of the site and necessary for the continued re-development of the Main Street vision along South Peoria and;

The protection of the adjacent single family residential areas for significant screening fences, landscaping and lighting details mentioned in the Brookside Infill Plan cannot be required without a PUD however, the general concept of parking behind the main street area is consistent with that therefore;

Staff recommends Approval of Z-7298 to rezone property from RS-3 to PK.

## SECTION II: Supporting Documentation

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: This zoning request supports the vision of the Tulsa Comprehensive Plan and the Brookside Infill Development Plan. The details of the Brookside plan cannot be required without a Planned Unit Development through our current Zoning Code. In this instance a PUD was not requested and the adjacent PK zoning was previously established in anticipation of parking expansion at this location.*

### Land Use Vision:

*Land Use Plan map designation:* Main Street

Main Streets are Tulsa's classic linear centers. They are comprised of residential, commercial, and entertainment uses along a transit-rich street usually two to four lanes wide, and includes much lower intensity residential neighborhoods situated behind. Main Streets are pedestrian-oriented places with generous sidewalks, storefronts on the ground floor of buildings, and street

19.2

trees and other amenities. Visitors from outside the surrounding neighborhoods can travel to Main Streets by bike, transit, or car. Parking is provided on street, small private off street lots, or in shared lots or structures.

*Areas of Stability and Growth designation: Area of Growth*

The purpose of an Area of Growth is 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 in 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.

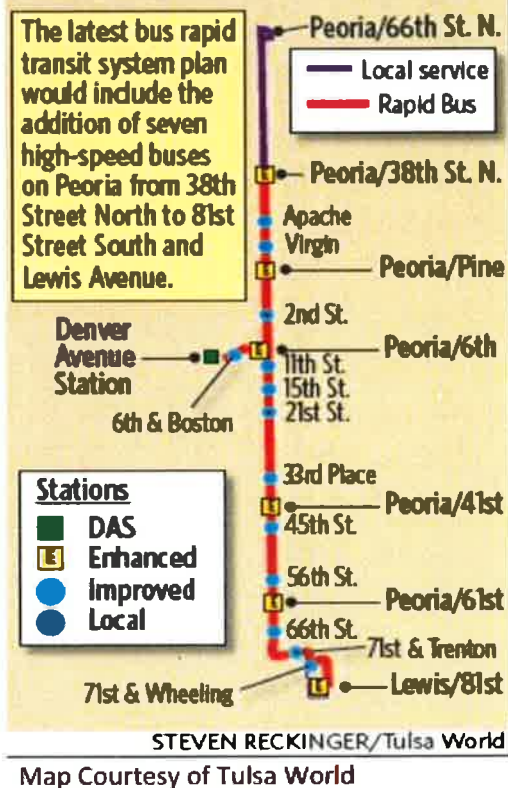
Transportation Vision:

*Major Street and Highway Plan:* South Peoria is classified as an Urban Arterial with a Main Street Overlay and a planned Bus Rapid Transit System.

Bus Rapid Summary Exhibit: (See Next Page)

The Peoria BRT Project is an effort to begin the modernization of public transportation in Tulsa. It would replace buses on Peoria with a new, fresh, branded service that would transform the perception and reliability of the service. The Peoria BRT would include 36 substantially updated stations designed to operate more like rail stations. Service frequency would be doubled to every 15 minutes to provide reliable, efficient service. Economic development around station areas would be encouraged through revised land use policy to encourage transit-oriented development.

### Bus rapid transit system



### Major destinations connected

- Downtown
- Cherry Street
- Brookside
- Pearl District
- BOK Center
- Tulsa Tech Peoria Campus
- Gateway Market
- Shoppes on Peoria
- Oral Roberts Univ.
- Cityplex Towers
- Woodward Park
- Centennial Park
- Denver Ave. Station

### Trail System Master Plan Considerations:

None however this area is one of the significant pedestrian destinations in Tulsa. Sidewalk reconstruction and sidewalk extensions into the neighborhood are anticipated.

### Small Area Plan: Brookside Infill Development Plan (Effective November 2002)

Z-7298 is on the west side of South Peoria and included in the Sub Area from Crow Creek to 38<sup>th</sup> Street illustrated on the following page:



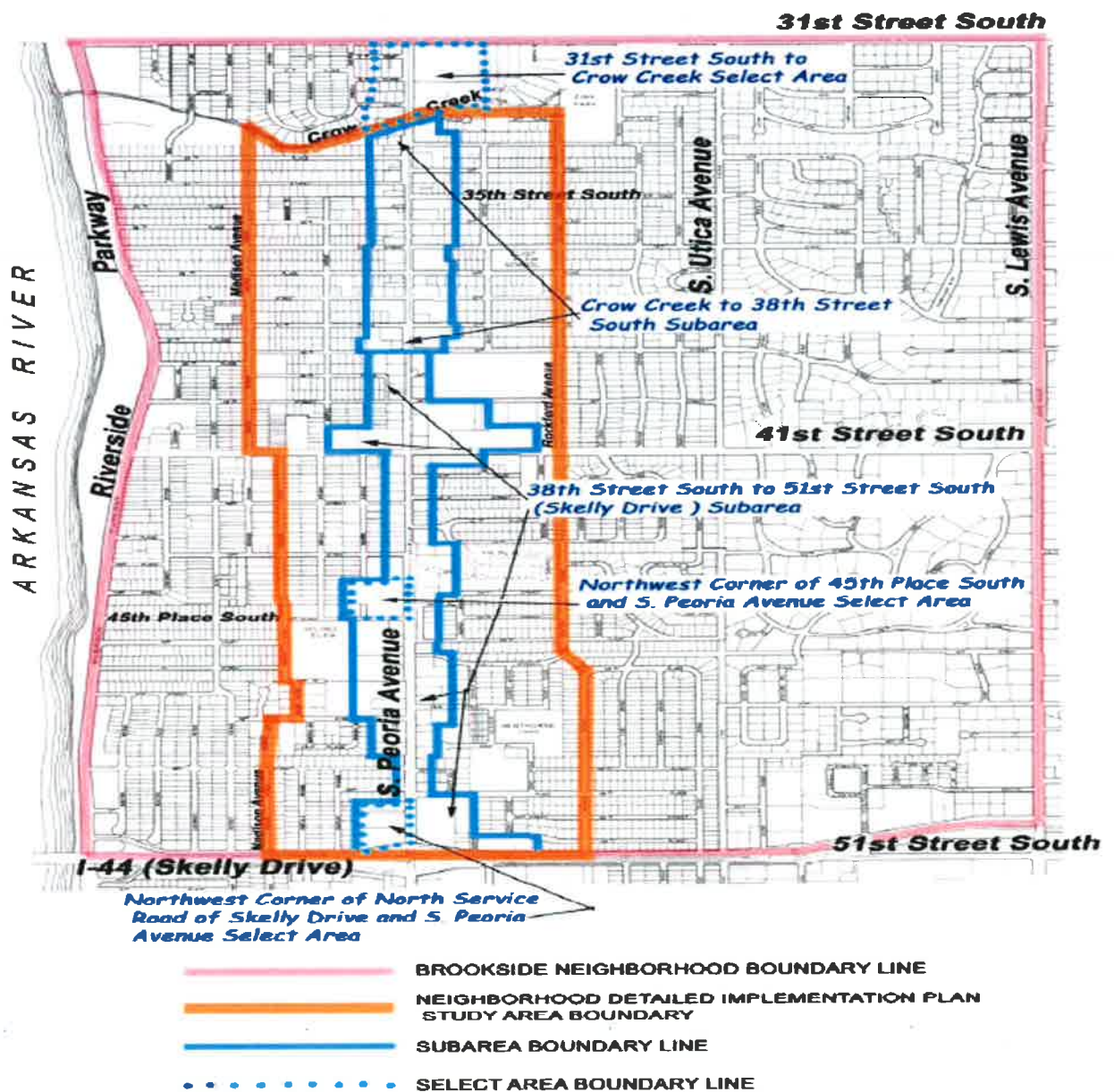
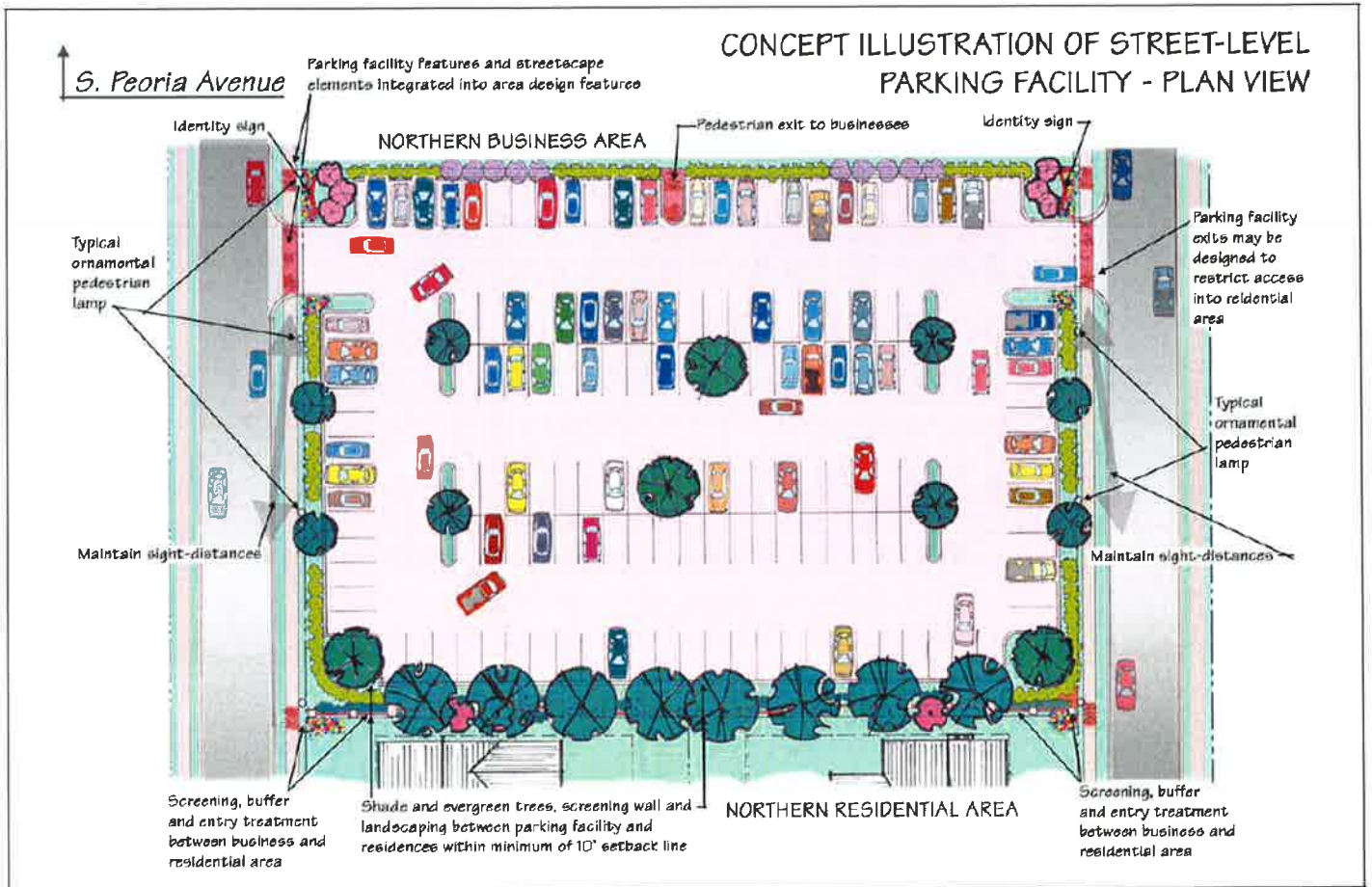


EXHIBIT 28 - CONCEPT ILLUSTRATION OF STREET-LEVEL PARKING FACILITY - PLAN VIEW



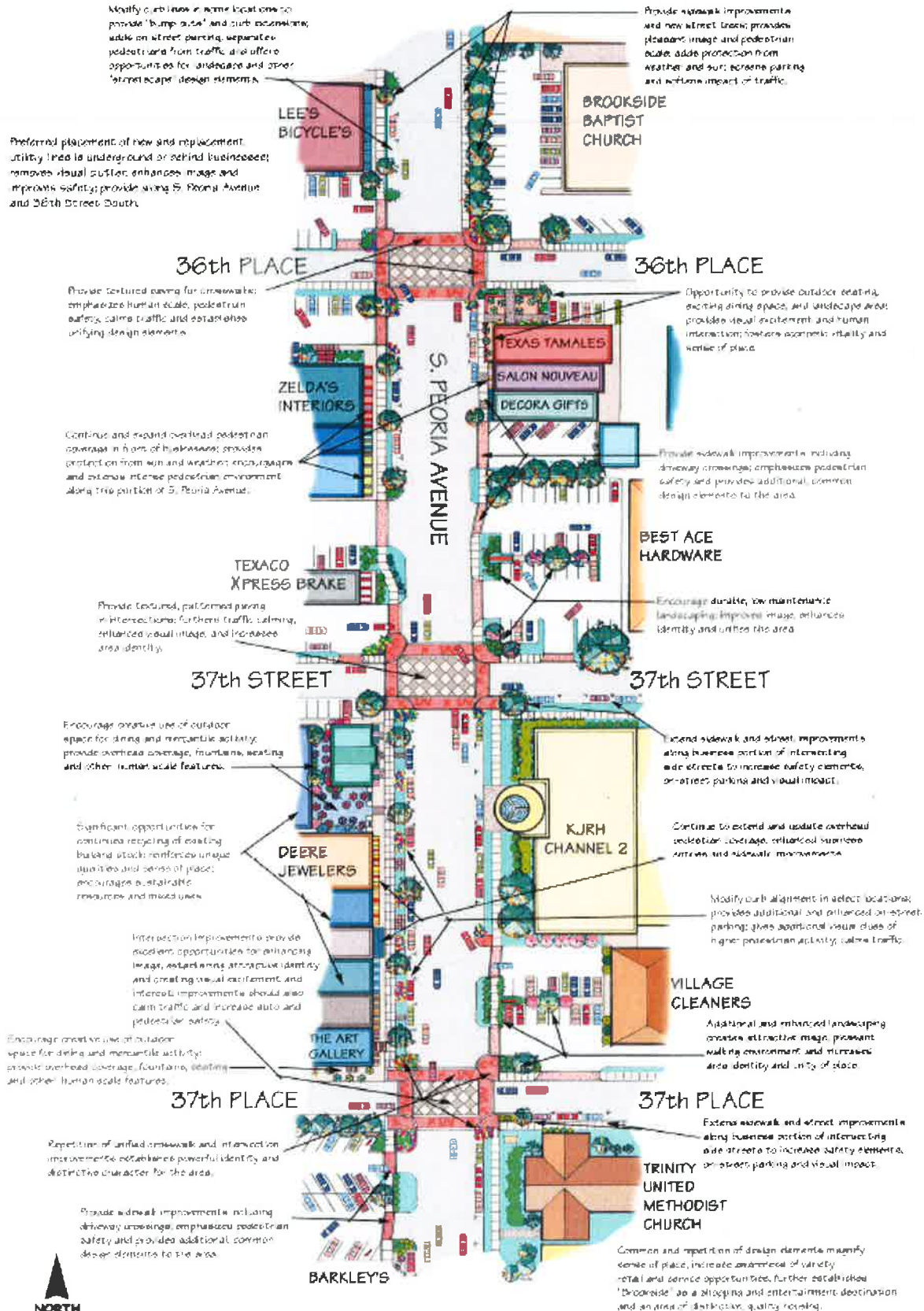
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# CONCEPT DEVELOPMENT PLAN VENUE

## 36TH PLACE SOUTH TO 37TH PLACE SOUTH

### BROOKSIDE INFILL NEIGHBORHOOD DETAILED IMPLEMENTATION PLAN





### Special District Considerations:

The existing buildings east of this request were considered significant opportunities for establishing unique qualities and providing a sense of place during the analysis for the infill plan. Those buildings have been recently demolished. The PK zoning requires screening adjacent to the residential areas however there are no special provisions than can be applied without a Planned Unit Development were developed for this site.

Historic Preservation Overlay: None

### DESCRIPTION OF EXISTING CONDITIONS:

*Staff Summary: The existing site is a single family residential lot. The removal of that residence will be required for parking lot construction. PK zoning will require a minimum 6 foot screening fence adjacent to the residential development.*

Environmental Considerations: None that would affect the redevelopment of this site.

### Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 37 <sup>th</sup> Place South	Residential	50 feet	2

### Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties: The subject tract is abutted on the east by a mix of small business that are scheduled to be demolished prior to approval of this project, zoned CH; on the north by vacant land, zoned PK; on the south by a parking lot, zoned PK; and on the west by single family residential properties, zoned RS-3.

## **SECTION III: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 11822 dated June 26, 1970, established zoning for the subject property.

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

**Z-7107 October 2008:** All concurred in approval of a request for rezoning a .5+ acre tract of land from RS-3 to PK for parking lot, on property located west of southwest corner of E. 37<sup>th</sup> St. and S. Peoria Ave.

**Z-6992 July 2005:** All concurred in approval of a request for rezoning a 50' x 138' tract of land from RS-3 to PK for parking, on property located south of the southeast corner of S. Owasso Ave. and E. 39<sup>th</sup> St., also known as 3921 S. Owasso Ave.

**Z-6886 April 2003:** All concurred in approval of a request to rezone a 50' x 144' lot, from RS-3 to OL, for office use, on property located west of the northwest corner of East 39<sup>th</sup> Street and South Peoria Avenue and north of the subject property.

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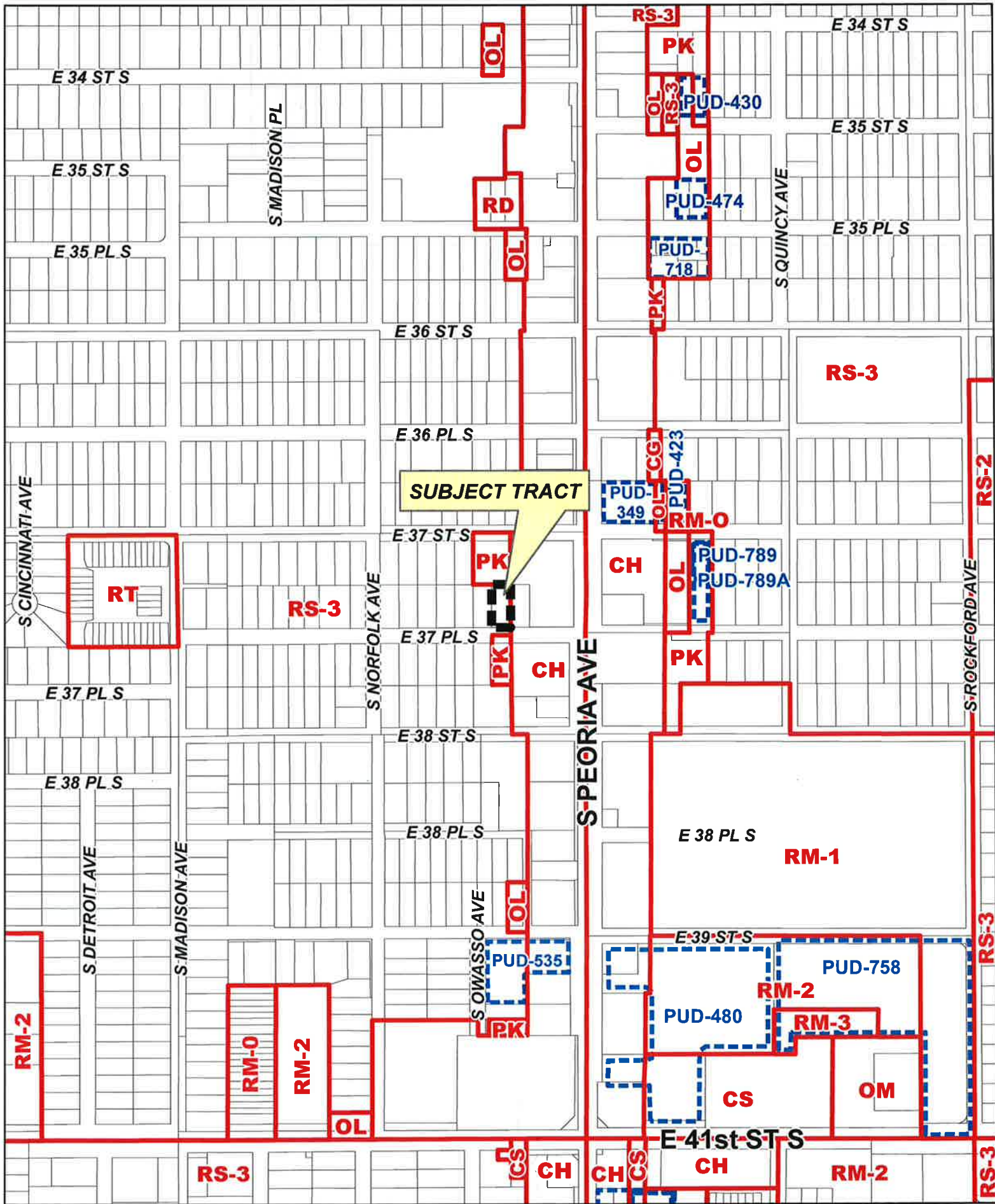
**Z-6749 March 2000:** All concurred in approval of a request for rezoning a .457+ acre tract of land from RS-3/RM-1 to PK for parking on property located east of northeast corner of S. Peoria Ave. and E. 38<sup>th</sup> St. S.

**Z-6597 August 1997:** All concurred in approval of a request to rezone a .19+ acre tract of land from RS-3 to PK for a parking lot, located west of the southwest corner of E. 37<sup>th</sup> Pl. and S. Peoria Ave. and south of subject property.

**PUD-535 June 1995:** All concurred in approval of a request for a Planned Unit Development, on 1+ acre tract from CH and RS-3 to PUD-535 and to abandon the existing PUD-491, subject to no parking on the north side of the buildings, no access to South Owasso or East 39<sup>th</sup> Street from the PUD within 175 feet east of the centerline of South Owasso Avenue, on property located on the southwest corner of E. 39<sup>th</sup> St. and S. Peoria Ave. between S. Owasso and S. Peoria.

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SUBJECT TRACT

Z-7298



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0 50 100



Subject  
Tract

**Z-7298**

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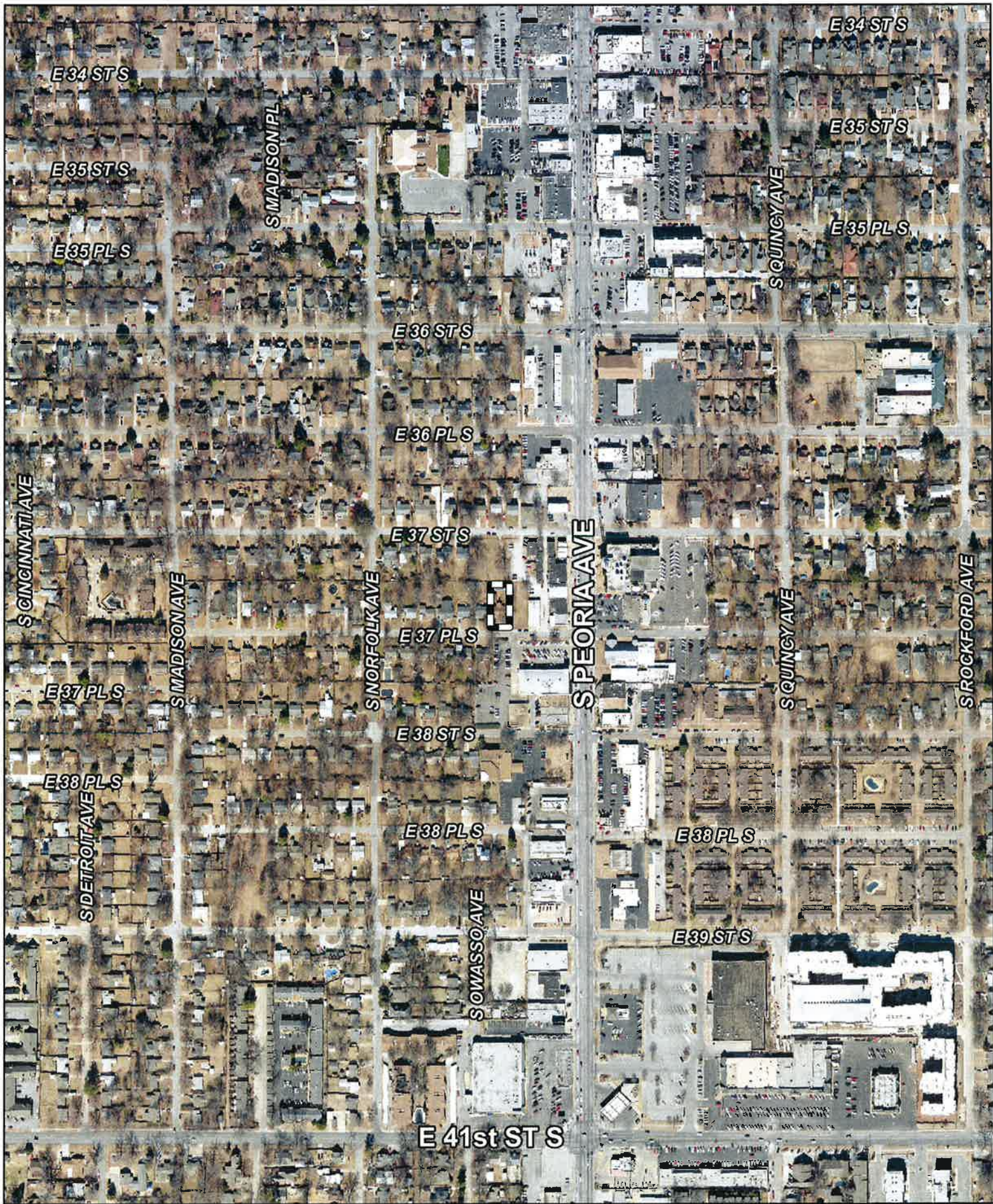
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Aerial Photo Date: March 2014

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Feet  
0 200 400



Subject  
Tract

**Z-7298**

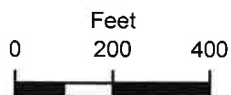
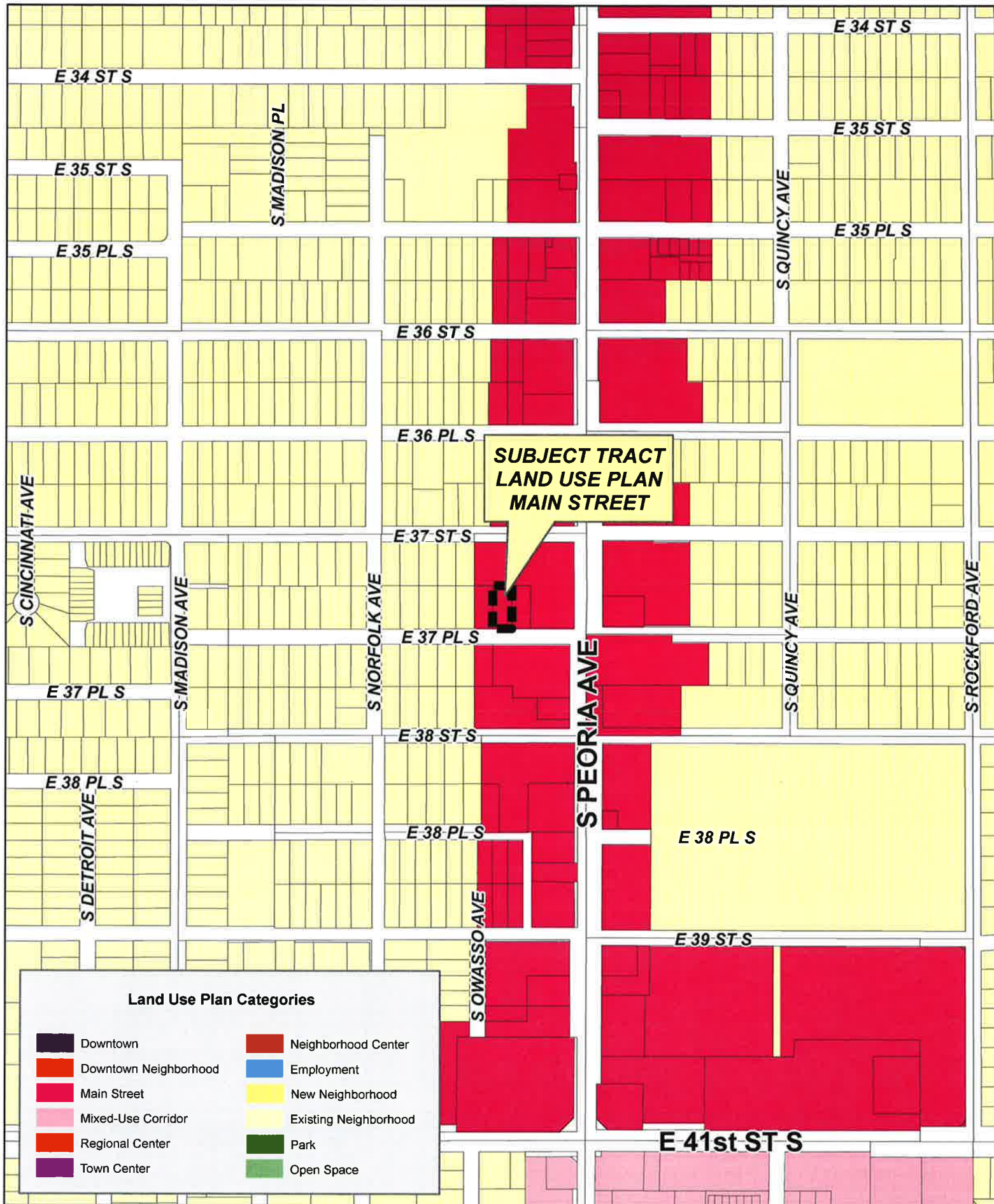
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Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: March 2014





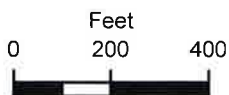


**Z-7298**

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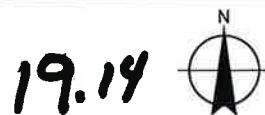






**Z-7298**

19-12 24





Tulsa Metropolitan Area  
Planning Commission

**Case Number:** PUD-826

**Hearing Date:** May 1, 2015

(Continued from March 4 and March 18, 2015)

**Case Report Prepared by:**

Dwayne Wilkerson

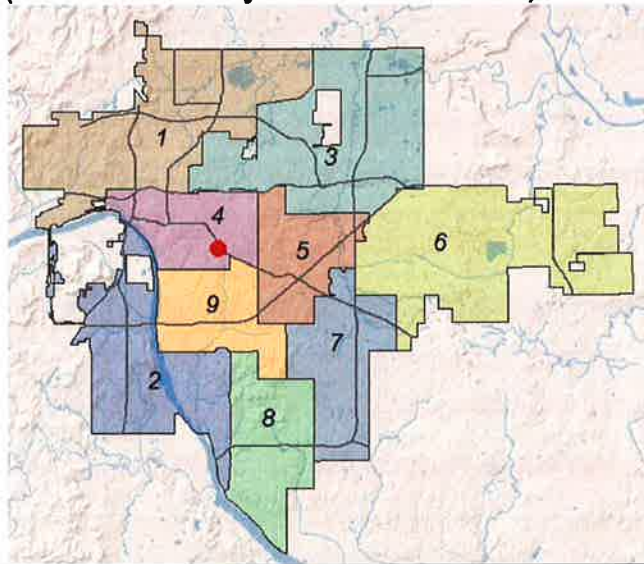
**Owner and Applicant Information:**

*Applicant:* AAB Engineering/ CBC Builds

*Property Owner:* BOUDREAU, STEVEN R TRUST

**Location Map:**

(shown with City Council Districts)



**Applicant Proposal:**

*Present Use:* Single-family

*Proposed Use:* Single-family residential

*Concept summary:* Split two large lots into 4 lots through a PUD process. The underlying zoning will not change.

*Tract Size:* 0.76 ± acres

33001.19 ± sq. ft.

*Location:* Northeast corner of East 23<sup>rd</sup> Street and South Delaware Place

**Zoning:**

*Existing Zoning:* RS-2

*Proposed Zoning:* RS-2/ PUD-826

**Comprehensive Plan:**

*Land Use Map:* Existing Neighborhood

*Stability and Growth Map:* Area of Stability

**Staff Recommendation:**

**Staff recommends Approval.**

Quality infill that respects the neighborhood character is supported by the Comprehensive Plan. Straight zoning will not provide adequate standards for site redevelopment supporting the anticipated neighborhood character.

**Staff Data:**

TRS: 9317

CZM: 37

Atlas: 57

**City Council District:** 4

*Councilor Name:* Blake Ewing

**County Commission District:** 2

*Commissioner Name:* Karen Keith

20.1

## SECTION I: PUD-826

### DEVELOPMENT CONCEPT:

PUD 826 is a Planned Unit Development overlay of an existing RS-2 zoned parcel (see Exhibit A for existing zoning map) located on north of E 23<sup>rd</sup> Street South between Delaware Place and Evanston Avenue. The developers plan to subdivide the two existing lots into 4 lots all facing 23<sup>rd</sup> Street South. With this configuration, the lots fall short of the bulk and area requirements strictly set out in the RS-2 zoning district. The developers considered splitting the tract into 3 lots but were unable to create a buildable pad due to the existing overhead utilities running north-south between the current lots. This PUD sets out the modified bulk and area requirements that will apply to this development. The conceptual site plan for the project can be seen in the attached Exhibit B.

### 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

Applicant Exhibits:

Exhibit A: Existing Zoning Map

Exhibit B: Conceptual Site Plan (illustrating concept with all lots facing East 23<sup>rd</sup>)

Exhibit C: Existing Topography

Exhibit D: Surrounding Area

Neighborhood Exhibits:

Protest Petition

INCOG mapping verification with 89% land area opposition within 300 feet

March 9, 2015 Neighborhood Formal Protest Letter

March 9, 2015 Minutes of Meeting from neighborhood

March 7, 2015 CBC Builds letter to neighborhood notifying TMAPC meeting date change

March 2, 2015 CBC Builds letter to neighborhood.

## SECTION II: PUD-826 DEVELOPMENT STANDARDS:

This PUD will consist of one development area subject to the development restrictions of the RS-2 zoning classification with the following exceptions:

Permitted uses: Single-Family Detached Dwellings

Land Area:

Net	0.76 acres
Gross	1.09 acres

Maximum number of dwelling units 4

Minimum Lot Width 70 feet

Minimum lot size 7000 square feet

20.2



## Minimum Building Setbacks\*

*\*The owner of a corner lot may select the front yard. The other yard abutting the public street shall not be less than 15 feet; provided that the garages which access this street shall be setback a minimum of 20 feet.*

Front Yard	25 feet from the lot line.
Interior Side Yards	5 feet one side 10 feet the other side
Rear Yard: **	20 feet.

*\*\* In this PUD the rear yard will always be on the north side of the PUD even in the instance when the owner chooses to use the east and west facing lots as the front yard.*

## Building Architecture

Due to the eclectic nature of the existing neighborhood and nature of the developer's custom home construction business few architectural restrictions are proposed for the property. In keeping with the existing building patterns in the neighborhood all garage entrances shall be a minimum 5 feet further from the street than the front door of the home.

## Topography and Drainage

The site slopes approximately 16 feet from the highpoint near the southwest corner of the site toward a low point at the northeast corner of the site. An existing City of Tulsa storm sewer system collects water from the intersection of East 23<sup>rd</sup> Street at Evanston and drains north under Evanston. It is anticipated that this project will connect to that storm sewer system.

All roof drain downspouts will be piped to the curb line.

The attached Exhibit C depicts an aerial of the existing site as well as topography.

## Utilities

Water service is provided to the site by an existing 6" waterline along the south side of E 23<sup>rd</sup> Street. An 8" sanitary sewer line extends north to south within the ROW of Evanston Ave and will be extended to serve the PUD. These lines will be tapped to provide service for the property.

Other utility services are currently provided to the site and will continue to be provided via underground services.

## Schedule of Development

Development of the project is expected to begin in the summer of 2015.

## VEHICULAR ACCESS AND CIRCULATION:

**ad.3**

Additional street construction is not required for this project. Driveway connections to East 23<sup>rd</sup> Street South are not permitted on the west and east lots. Those lots must be accessed from South Delaware Place or South Evanston Ave.

The center two lots may provide driveways to East 23<sup>rd</sup> Street.

The maximum width of all driveways, regardless of the garage configuration, shall not exceed 26 feet between the curb and the lot line. The maximum driveway width at the garage door will not exceed 30 feet.

#### **PEDESTRIAN ACCESS:**

The existing pedestrian access through this neighborhood is nonexistent except when walking in the street. Subdivision regulations require sidewalks and they will be required as part of the approval of this PUD and the subsequent plat process. Sidewalks will be constructed as part of the Infrastructure Development Plan (IDP) process.

#### **PLATTING REQUIREMENT:**

A Subdivision Plat that has been approved through City Council and filed and the Tulsa County Courthouse will be required prior to release of any building permit.

#### **NEIGHBORHOOD IDENTIFICATION SIGN AND LIGHTING:**

Neighborhood identification signage will not be allowed.

Lighting mounted on a residential structure or landscape lighting is the only lighting allowed. All lighting shall be directed down and away from adjacent lots or adjacent street right of way.

#### **DETAILED STAFF RECOMMENDATION:**

The Comprehensive Plan supports redevelopment and small infill opportunities in existing neighborhoods. This project is a small infill opportunity that can only be in context with the existing neighborhood through requirements in a PUD process and;

PUD 826 is consistent with the provisions of the PUD chapter of the Tulsa Zoning Code and;

The original character of the neighborhood included large lots with homes that are large and small by today's standards. Infill development has already happened along the East 23<sup>rd</sup> Street corridor west of this site without a PUD. That corridor has re-developed with lot splits and lot combinations that essentially have reduced the lot sizes to meet the standards of the RS-2 zoning district. The existing re-development trend along East 23<sup>rd</sup> Street provides large homes on RS-2 minimum lots. Generally the configuration of this project is similar to the redevelopment pattern along East 23<sup>rd</sup> Street although it is not consistent with the existing home construction on this individual block and;

The PUD standards provide adequate detail to ensure that this infill project represents a contextual solution that is anticipated by the Comprehensive Plan therefore;

**Staff recommends Approval of PUD-826 as outlined in Section II above.**

#### **SECTION III: Supporting Documentation**

20.4

## NEIGHBORHOOD PARTICIPATION:

*Staff Summary: The neighborhood has been in contact with TMAPC staff and directly involved with this project from the beginning of the mailing and sign posting. The developer has met with the neighbors and continued to modify his request after the initial submittal.*

The neighborhood has met with the developer, home builder, engineer and TMAPC staff. The neighborhood opposes the infill with 4 lots. One of the neighborhood spokesmen has organized a petition for the land owners within the 300 foot radius and has already received 89% of the land owners in opposition. INCOG staff has checked and confirmed his work. The opposition meets the threshold that exceeds the supermajority vote requirement at the City Council.

Section 1703.E of the Tulsa code states that "50% or more of the area of the lots within a 300 foot radius of the exterior boundary of the territory included in a proposed change, such amendment shall not become effective except by the favorable vote of 3/4<sup>th</sup> of all the members of the City Council."

## RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: Throughout the Comprehensive Plan the existing residential neighborhood is referenced as one of Tulsa's greatest assets. The plan mentions a commitment to provide development opportunities that should be limited to rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code. The PUD is the only method available in our code to provide development standards that protect the character of the existing neighborhood with appropriate infill development. New infill projects should create a sense of place by encouraging development of buildings structures and landscapes that are in harmony with the character of the neighborhoods and are appropriate to the context of the location in form, rhythm, scale and proportion. Facing East 23<sup>rd</sup> Street, this project will accomplish those broad goals and concepts.*

## Land Use Vision:

*Land Use Plan map designation:* Existing Neighborhood

The Existing Residential Neighborhood category is intended to preserve and enhance Tulsa's existing single-family neighborhoods. Development activities in these areas should be limited to the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code. In cooperation with the existing community, the city should make improvements to sidewalks, bicycle routes, and transit so residents can better access parks, schools, churches, and other civic amenities.

*Areas of Stability and Growth designation:* Area of Stability

The Areas of Stability includes approximately 75% of the city's total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal for the Areas of Stability is to identify and maintain the valued

20.5



character of an area while accommodating the rehabilitation, improvement or replacement of existing homes, and small scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.

Transportation Vision:

*Major Street and Highway Plan:*

The streets surrounding this site are residential streets. There are no Major Street and Highway Plan concepts that would be affected by this project.

*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 slopes from west to east which will affect the construction style of the proposed homes. The existing home left on the site was built with a crawl space or stem wall construction that did not affect the natural ground surface. The surrounding properties are much larger than the minimum lot sizes required by the existing RS-2 zoning on the site.

Environmental Considerations:

The significant environmental consideration for this site is the existing ground surface and slopes that will be needed to be considered as part of the design.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
E. 23 <sup>rd</sup> St.	Residential	50 feet	2
S. Delaware Pl.	Residential	50 feet	2
S. Evanston Ave.	Residential	50 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties: The subject tract is abutted by single-family residential development on all sides. All of the surrounding property is zoned RS-2 with the following dimensional requirements.

- The minimum lot size required in RS-2 zoning is 9,000 square feet.
- Required livability per lot is livability area of 4,000 square feet.

- Front yard building setback lines are 55 feet from the center of the abutting street right-of-way
- Side yard setbacks are 5 and 10 feet.
- Rear Yard setbacks are 20 feet.

### **SECTION III: Relevant Zoning History**

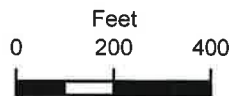
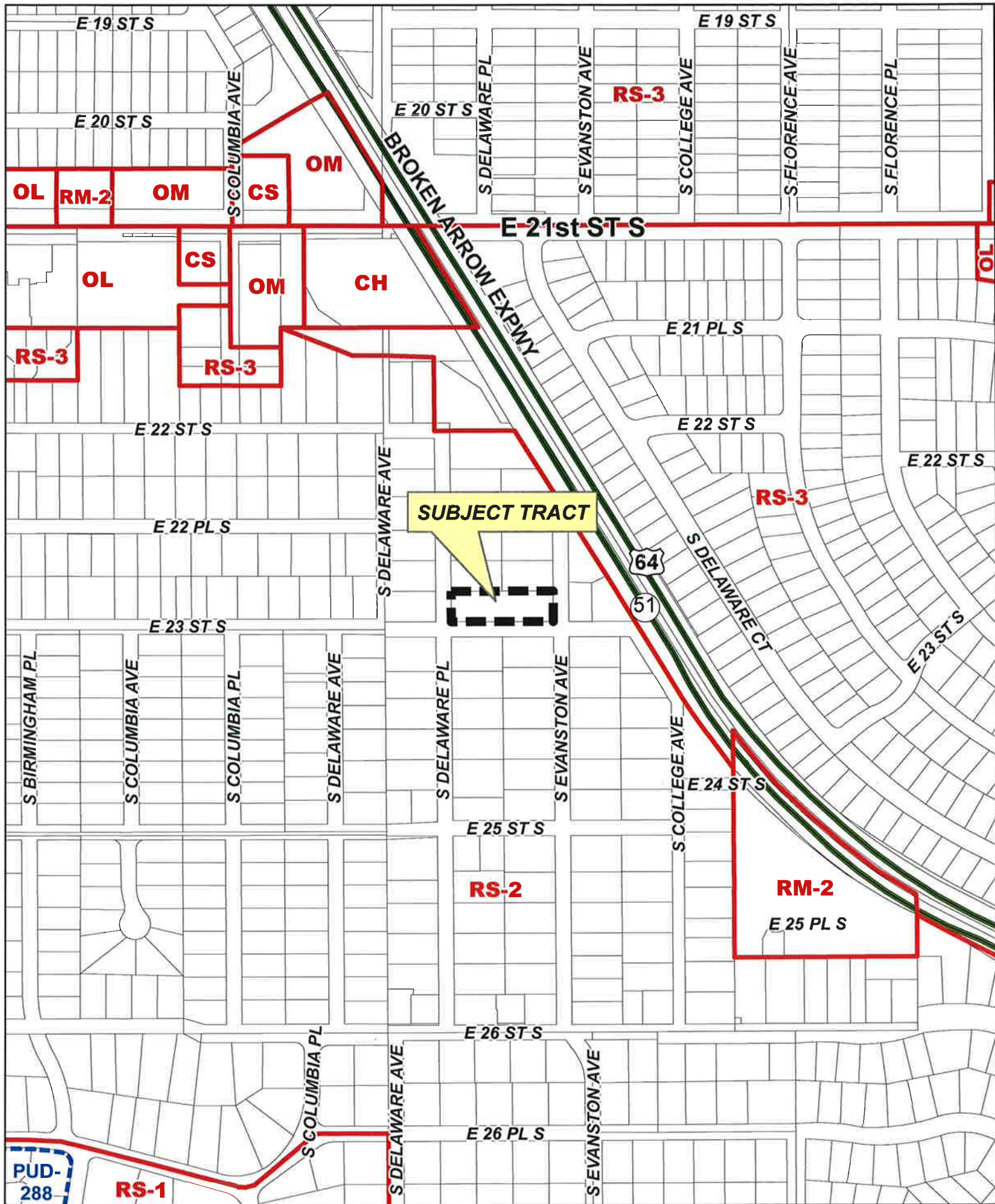
#### **ZONING ORDINANCE:**

Ordinance number 11815 dated June 26, 1970, established zoning for the subject property.

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

*No relevant history.*

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**PUD-826**

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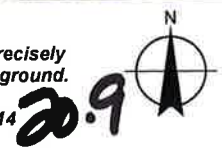
Subject  
Tract

**PUD-826**

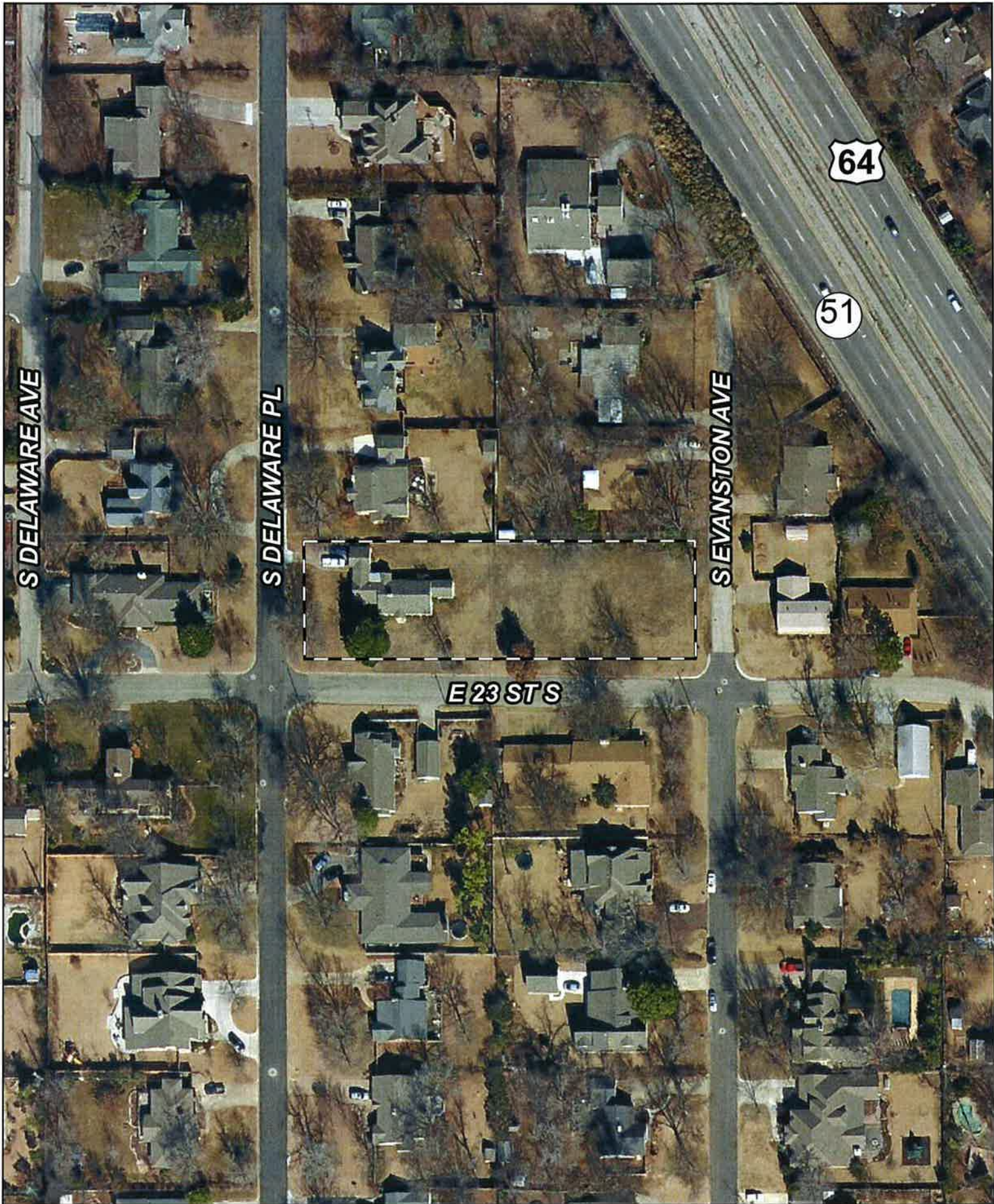
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Note: Graphic overlays may not precisely  
align with physical features on the ground.

Aerial Photo Date: March 2014







Subject  
Tract

**PUD-826**

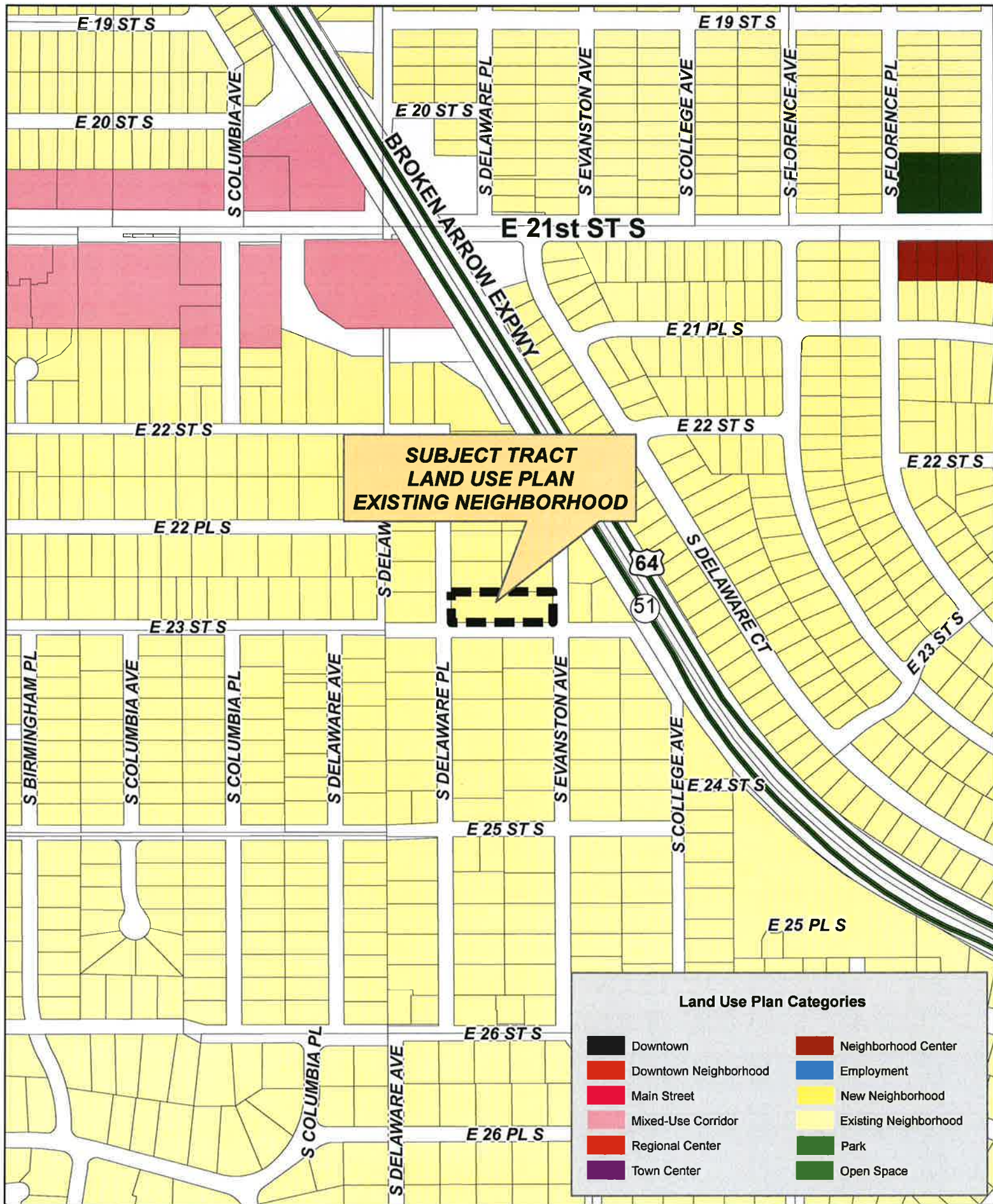
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Note: Graphic overlays may not precisely  
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Aerial Photo Date: March 2014





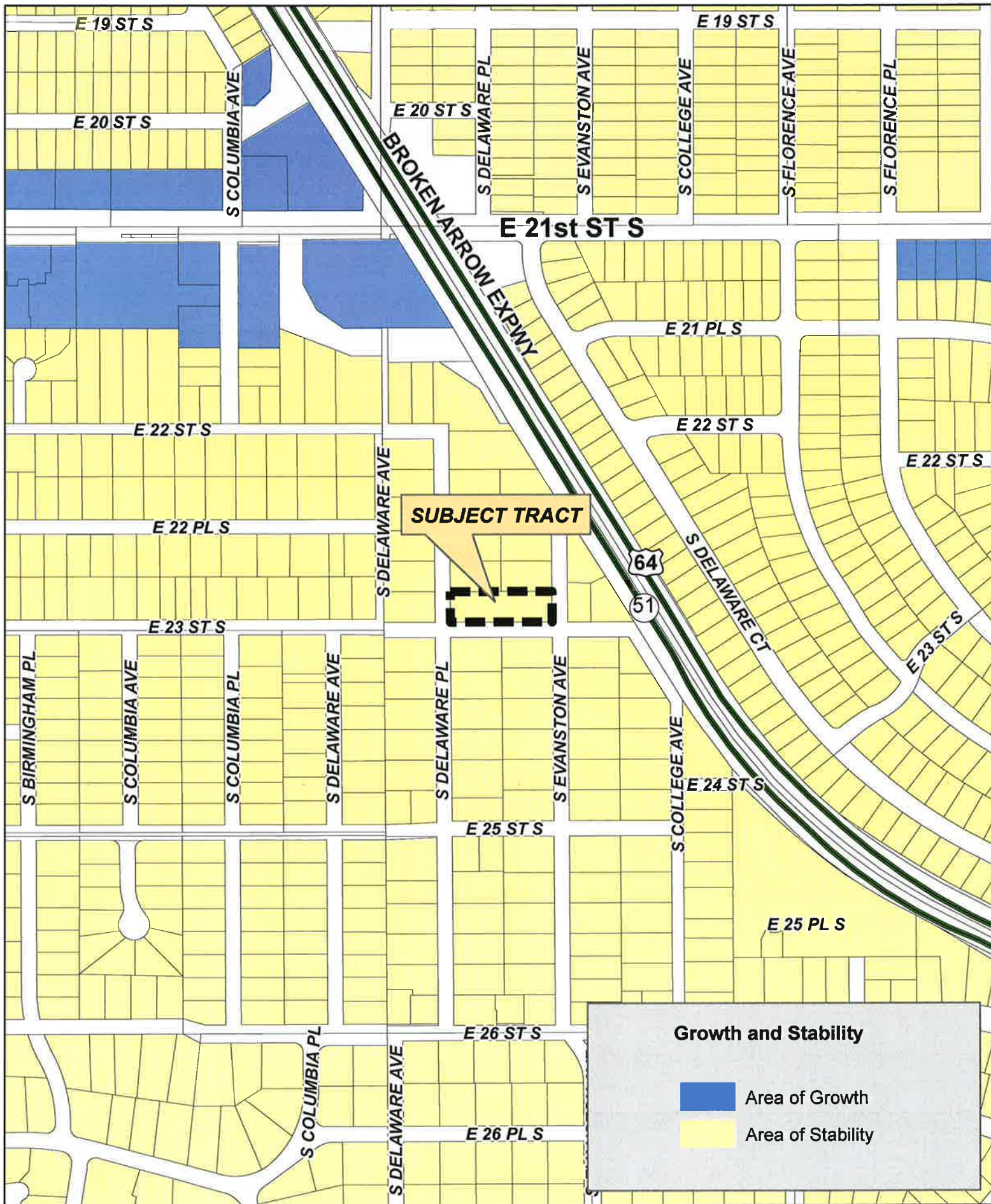


**PUD-826**

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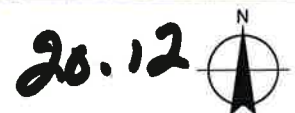






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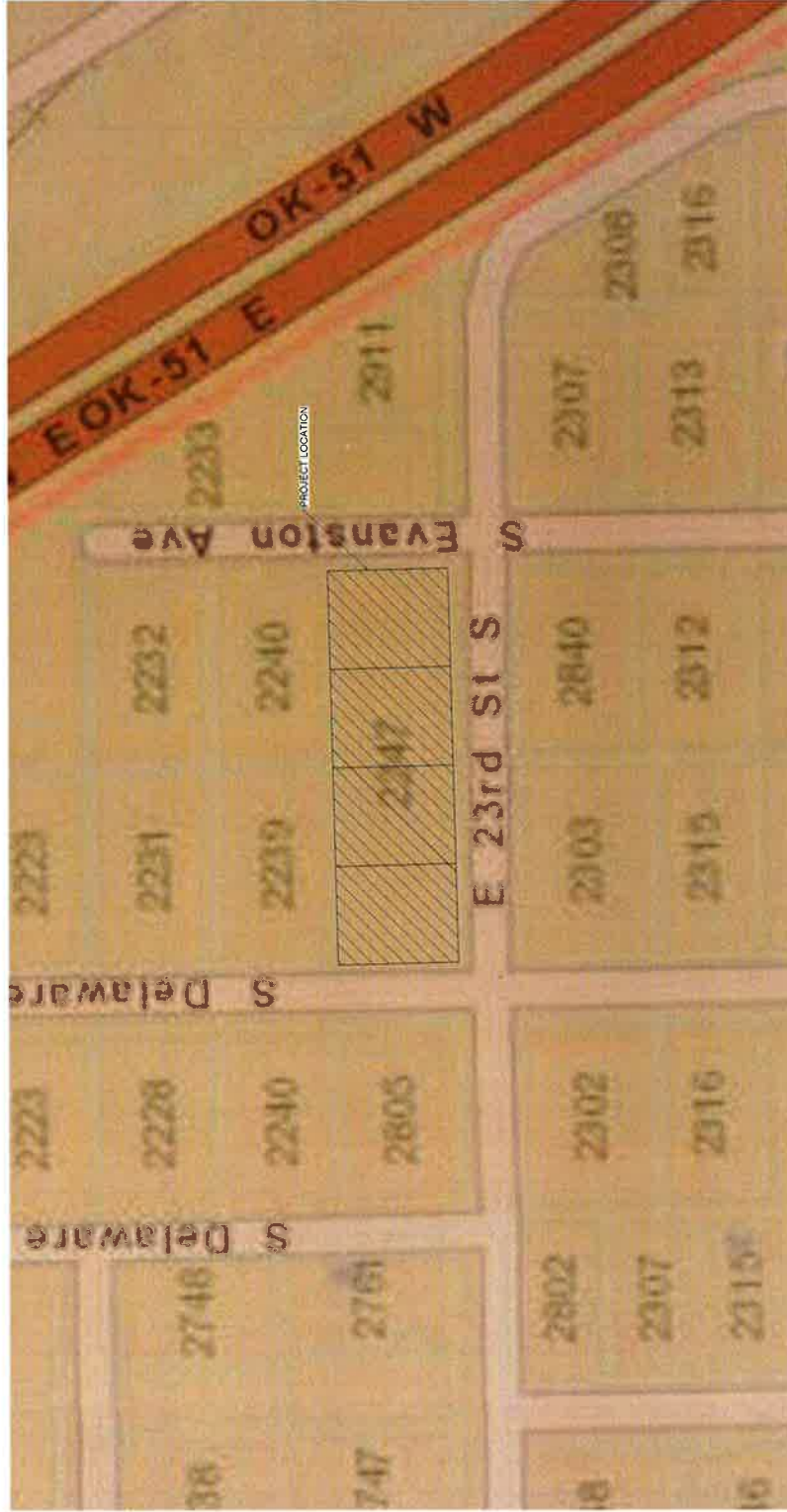
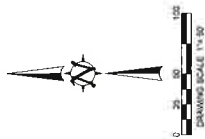
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# Exhibit A

Existing Zoning Map  
for

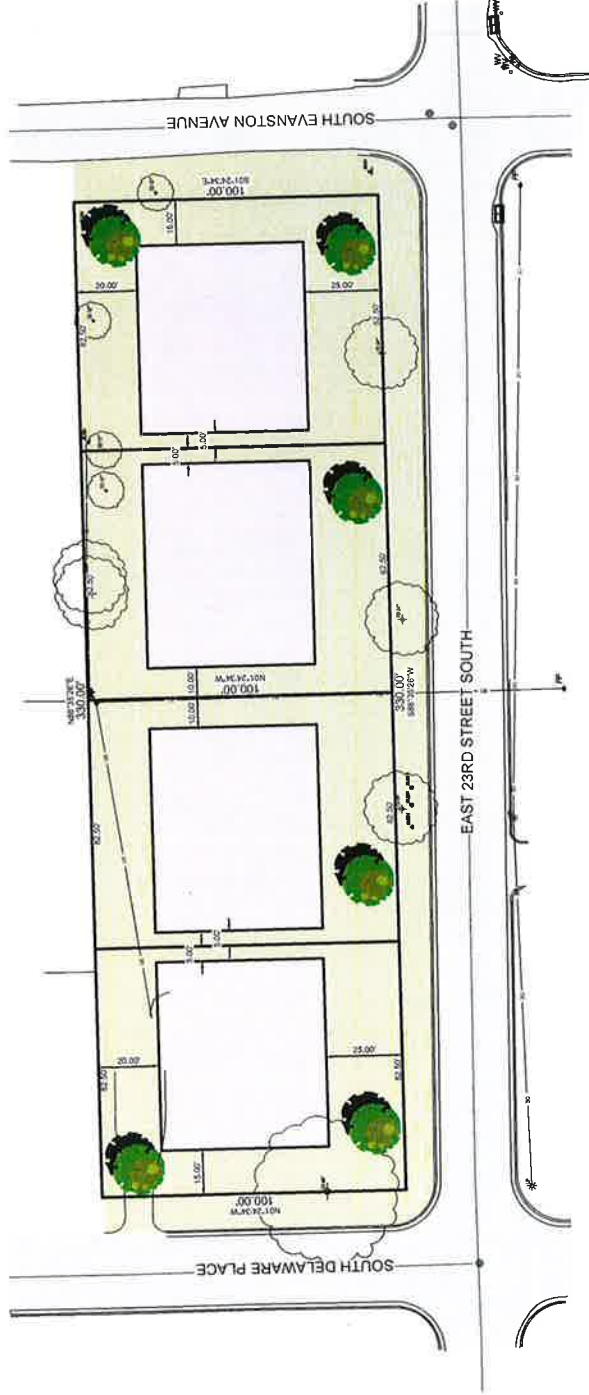
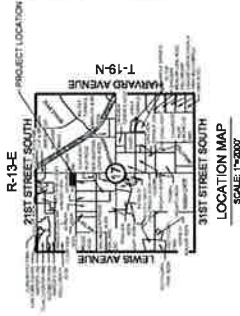
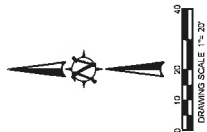
## 23rd St. & Delaware Pl.





# Exhibit B

## Conceptual Site Plan for 23rd St. & Delaware Pl.

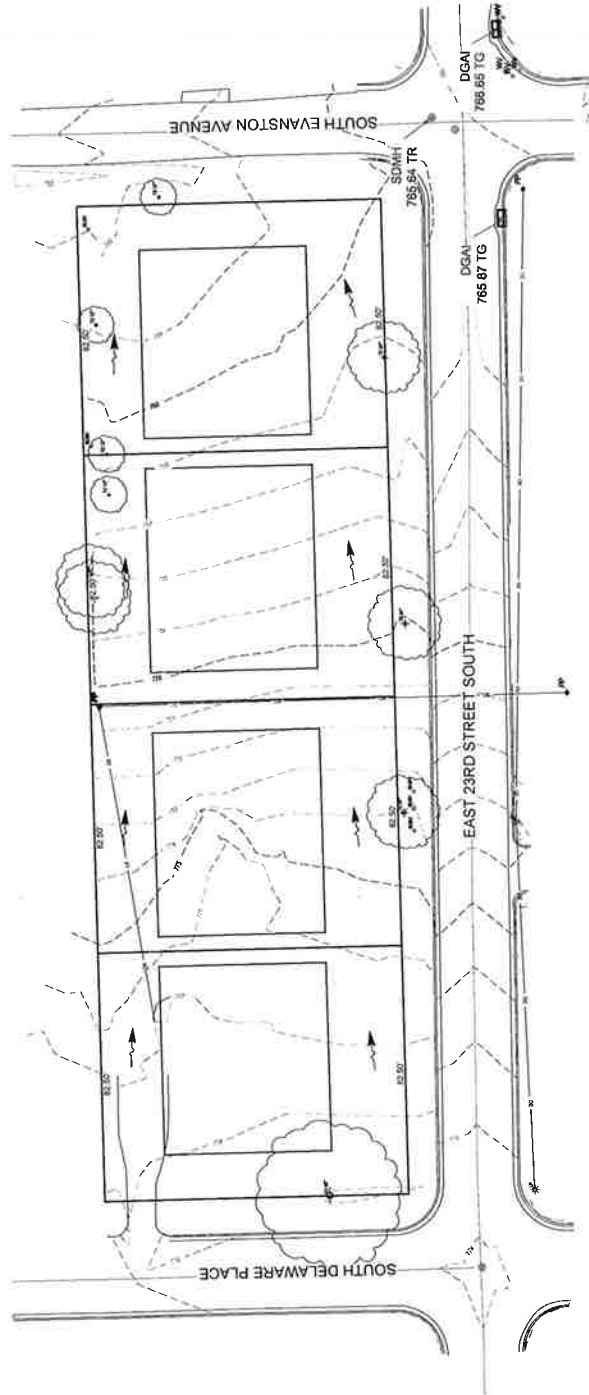


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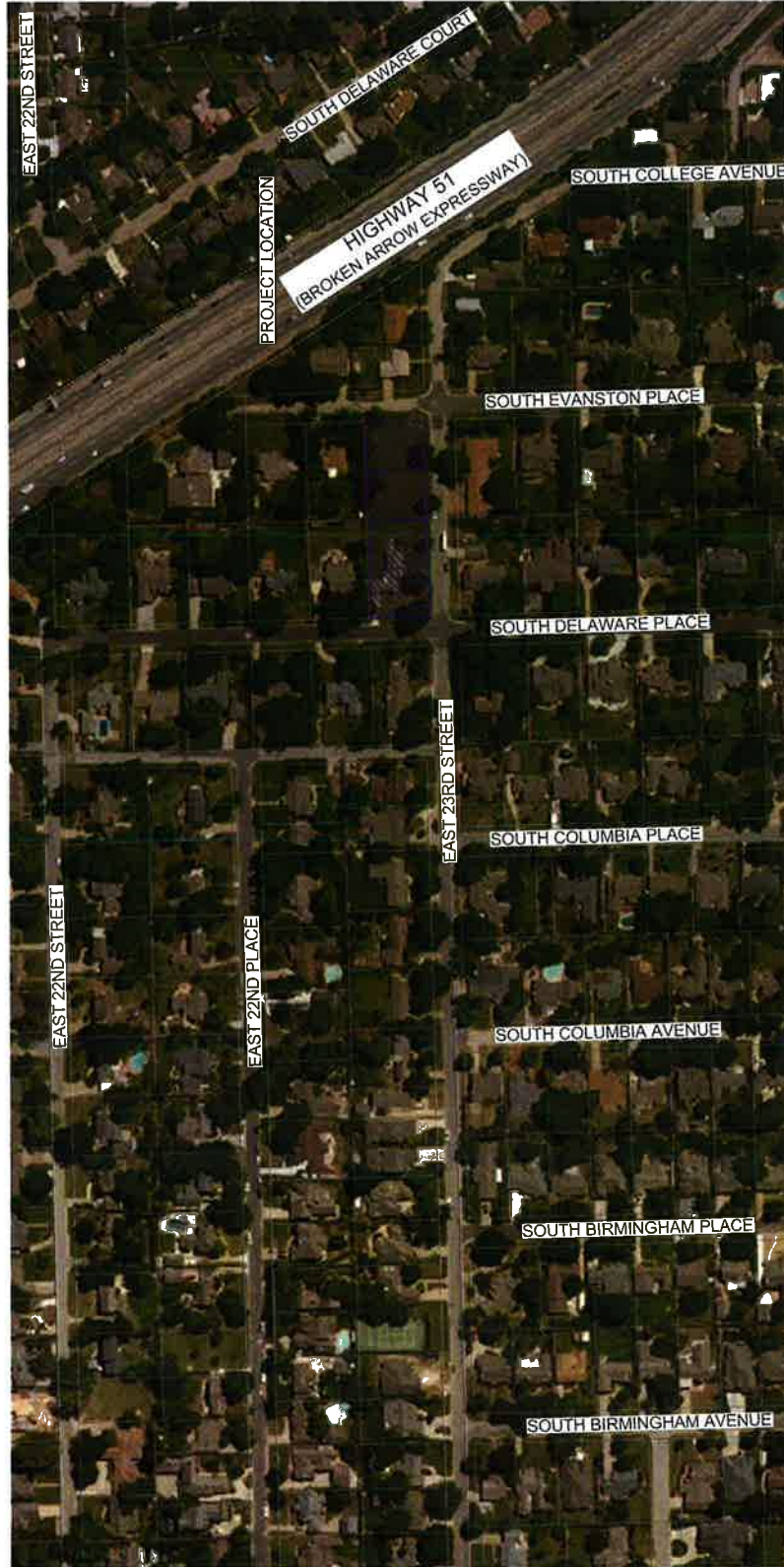
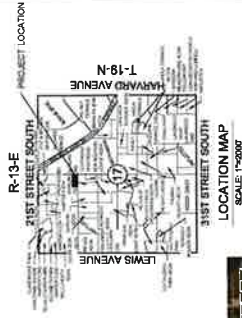


### Existing Topography for



# Exhibit D

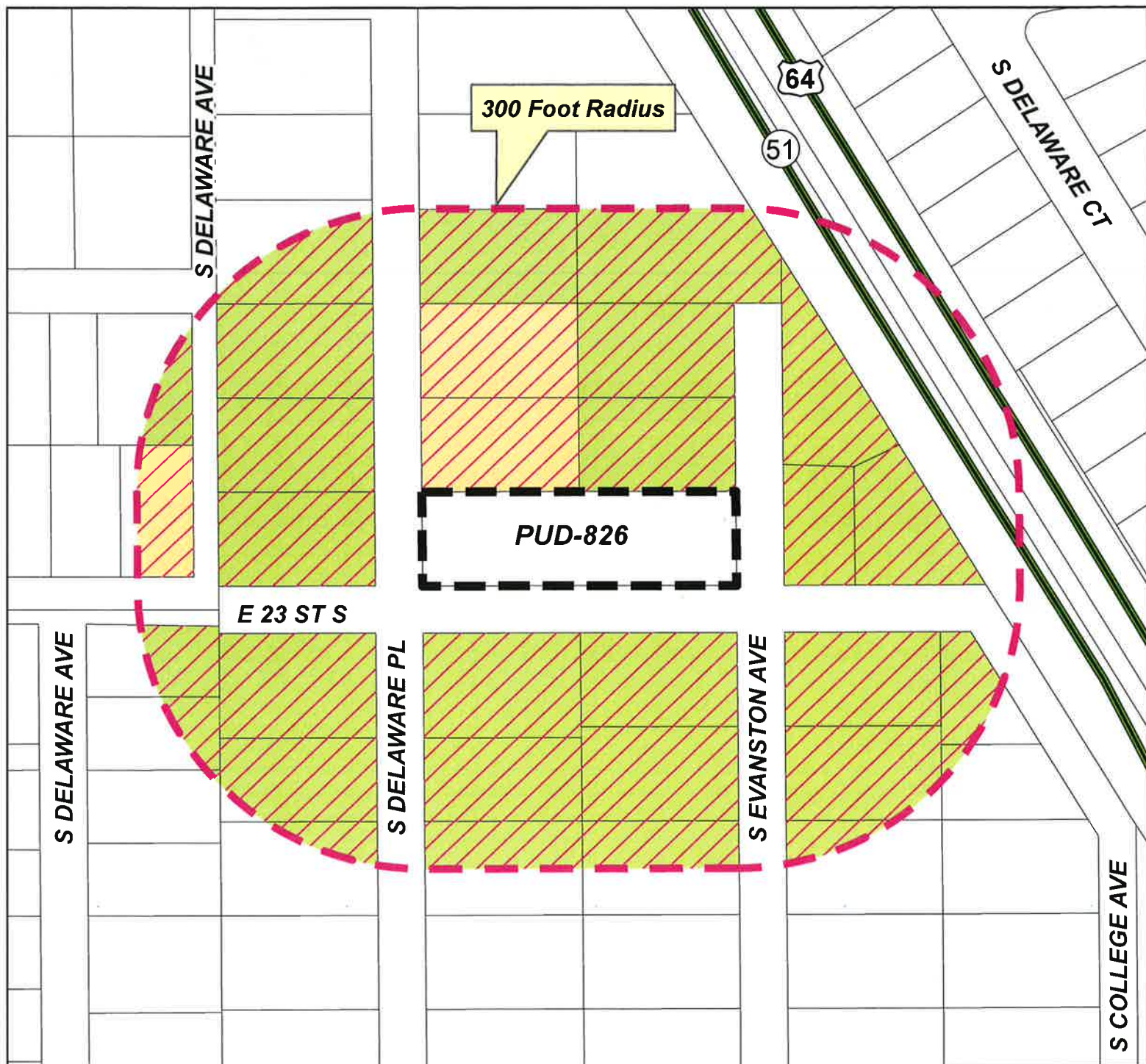
## Surrounding Area for 23rd St. & Delaware Pl.






20.16







	Area (Square Feet)	Percent
 Signed Petition	340,519	89%
 Did Not Sign Petition	41,126	11%
<hr/>		
 Lots Within 300 Foot Radius	381,645	100%



**PUD-826**

19-13 17

Map and calculations prepared by INCOG  
March 20th, 2015

20.17





81.02

GE AVE

SIGNERS  
R 9 MAR. 15

VANSTON AVE

PETITION

DELAWARE PL

PVD-826

DELAWARE AVE

2802 Jackie Westfield (72)  
Eric + Lauren (12)  
2307  
Lagon + Delora (3)  
2315  
Graham + Bronston

2302 Bailey L. Webb (34)  
2316 Jeremy + Jill Garcia (10)  
2322 Tracy + Dawn Lee (20)

2303 PAUL & SHAYL LANDIS (18)  
2315 Charles Foster II (9)  
2323 Brewster Gary (11)

2840 Tom + Lois Olazowski (24)  
2312 Mark + Karen Forbes (30)  
2322 Jonathan + Mysha Hillman (14)

2307 Judy Rayner (26)  
2313 Michael E. Ryan (27)  
2323 Blake + Morgan Meister (23)

2306 Ruth Lee (19)  
2316 Patrick + Grayla Ryan (28)

51

64

2218 2224  
Michael R. Ryan  
Gabriel + Nicole  
2224

2903 Topi Teliver (5)  
2911 Michael + Kaiti + Roseanne Wimbush (33)

2233 Patricia Gatti (12)

2247

2239 Steven Proudeau (16)  
2240 Michael + Anne Johnson (21)

2232 Michael + Christy Mason (4)

2223 Travis + Stephanie Horton (15)

2215 Crabtree (7)

2212 Danielle & Wilson Cap-Lema (4)

2753 Margaret Raybold Miller (22)  
2761 Mervell + David (25)

2748 Don + Megan Zetik (35)

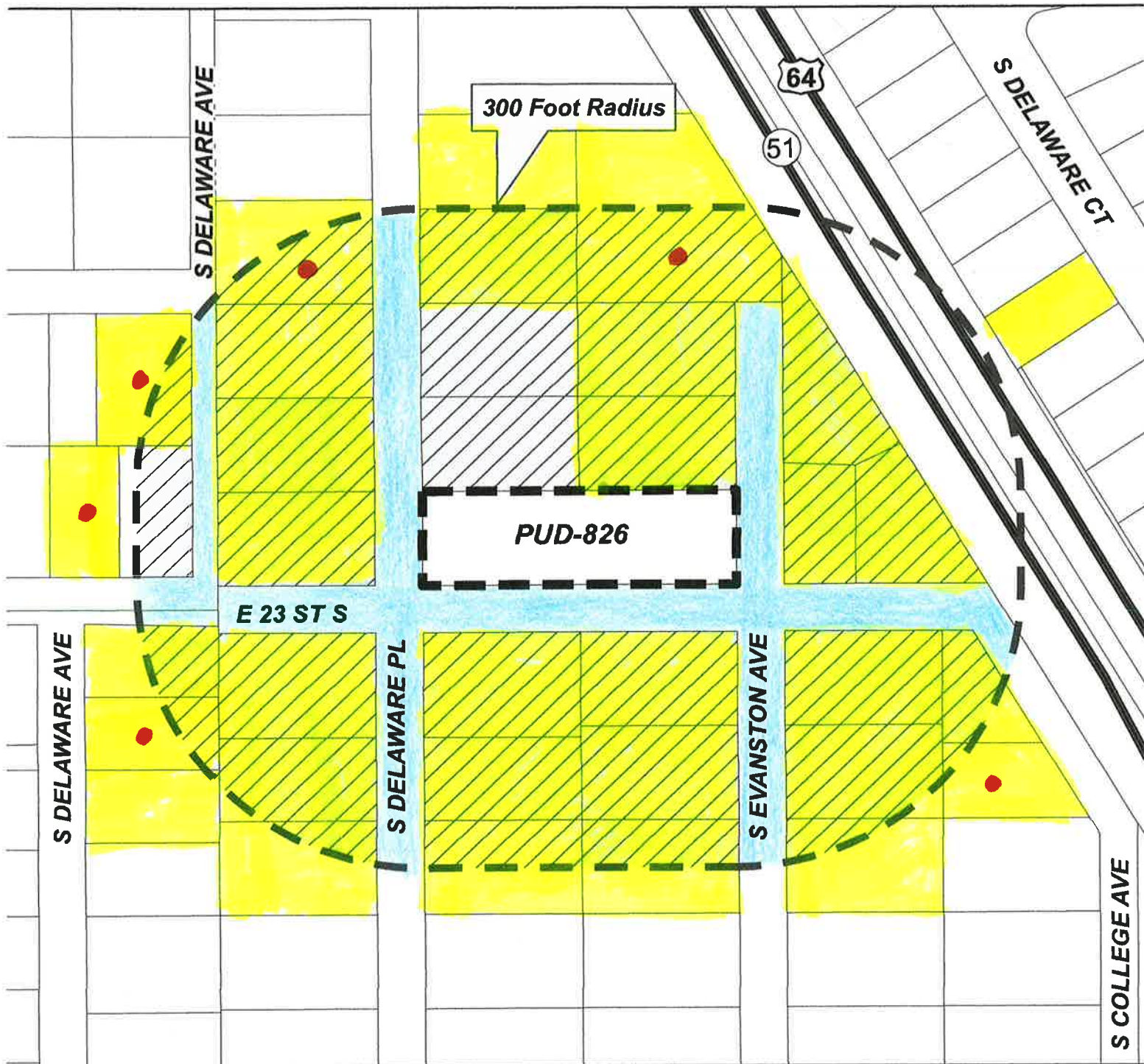
22ND PLACE

Signed

S DELAWARE AVE

2214 Michael Cooper (6)  
2222 Gabrielle Plunkett (2)  
2226 Stephen Ward (31)  
2240 Patricia Engler (8)  
2805 Al Smith (10)



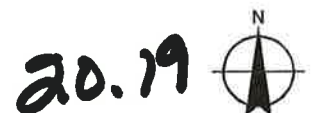


Streets		Area (Square Feet)		Percent	NEW REVISED Percent
SIGNED PETITION	Originally Submitted Feb. 18	276,402	REVISED 340,281	72%	89%
	Did Not Sign Petition	105,243	41,364	28%	11%
Lots Within 300 Foot Radius		381,645		100%	
Signed after Feb. 18					



**PUD-826**

19-13 17



SAT. 1/7

**PROTEST PETITION**  
**CASE NUMBER: PUD-826**

We, the neighbors and land owners effected by the proposed 23<sup>rd</sup> and Delaware Place Planned Unit Development (PUD-826) request TMAPC and Tulsa City Council to not permit the lot size area encroachments as proposed which would quadruple the population density. The issues of concern are property values, increased traffic, safety, esthetics as well as encroachments to the green space and increased demands on utilities.

We want the developer to respect the existing lot sizes of the Delaware Place to Evanston Avenue corridor.

We respectfully request TMAPC and Tulsa City Council deny PUD-826 as written with four separate lots.

**OWNERS OF RECORD within 300' of Subject Tract per TMAPC**

Printed Name	Address	Signature
22 X Margaret A Miller X Merrell A Miller Ruth	2753 E 23 <sup>rd</sup> St.	Margaret A Miller Merrell Miller Ruth
Ramona Gerkin	2911 E 23 <sup>rd</sup> Street	Ramona Gerkin
Ruth Wimberly	2911 E 23 <sup>rd</sup> Street	Ruth Wimberly
X Lois FOLZAWSKI	2840 E. 23 <sup>rd</sup> St.	Lois Folzawski
X Thomas A. Olzawski	2840 E. 23 <sup>rd</sup> St	Thomas A. Olzawski
X Greg Baehler	2224 S. Delaware Ct.	Greg Baehler
X Janice K. Baehler	2224 S. Delaware Ct.	Janice K. Baehler
X MICHAEL E RYAN	2313 S. EVANSTON AVE	Michael E. Ryan
X Mark FORBES	2312 S. Evanston Ave	Mark Forbes
X Karen Forbes	2312 S. Evanston Ave	Karen Forbes
Judith Rogers	2307 S. Evanston Ave	Judith Rogers

20.20

7.1



**PROTEST PETITION**  
**CASE NUMBER: PUD-826**

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**OWNERS OF RECORD within 300' of Subject Tract per TMAPC**

Printed Name	Address	Signature
X Lauren Gebhard	2307 S. Delaware Ave.	Lauren Gebhard
X Eric F. Gebhard	Tulsa, OK 74114	Eric F. Gebhard
Donald F Zetik	2748 E. 22nd Pl Tulsa 74114	[Signature]
Megan E. Zetik	2748 E. 22nd Pl 74114	Megan E Zetik




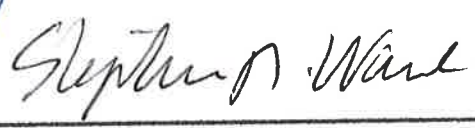


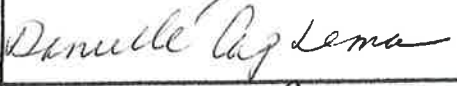



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**OWNERS OF RECORD within 300' of Subject Tract per TMAPC**

	Printed Name	Address	Signature
X	<del>Jerome</del> Jill S. Garcia	2316 S. Delaware Place Tulsa, OK 74114	
X	 Jeromy Garcia	2316 S. Delaware Pl. Tulsa, OK 74114	
	Stephyn R. Ward	2228 S. Delaware Ave, Tulsa, OK 74114	
	WALTER GARY	2323 S. Delaware Pl Tulsa, OK 74114	
X	WILSON LEMA	2212 S. EVANSTON AVE TULSA OK 74114	
X	Danielle CapLema		
X	PATRICK J RYAN	2316 S. COLLEGE AVE TULSA, OK 74114	
X	Gala J Ryan		
X	Gabrielle S. Blankenship	2223 S. Delaware Ave Tulsa 74114	



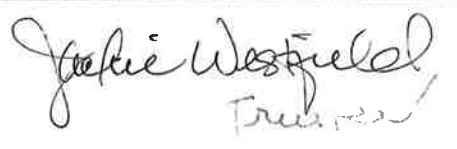
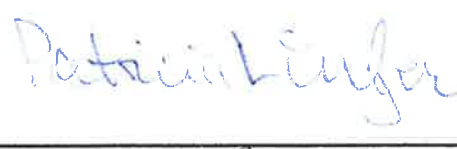
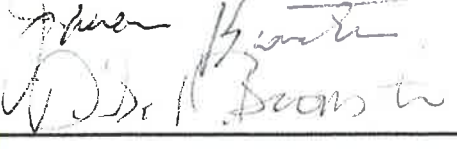
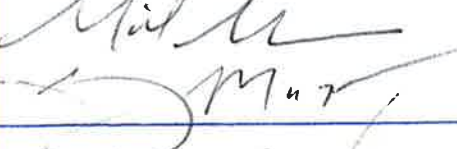
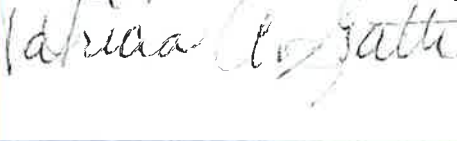
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**OWNERS OF RECORD within 300' of Subject Tract per TMAPC**

Printed Name	Address	Signature
Mike Clemens	2903 E 23 RD. ST. TULSA, OK. 74114	
Terri Rhodes Toliver	2903 E. 23 RD ST TULSA, OK. 74114	
JACKIE WESTFIELD	2802 EAST 23 <sup>RD</sup> ST. TULSA, OK 74114	
Patricia L. Engler	2240 S. Delaware Pl Tulsa, OK	
Jason B. Brown Debi K Brown	2315 S. DE LAWARE 918-607-8644	
Michael P. Mason Christa Mason	2232 S. EVANSTON AVE Tulsa, OK 74114	
Patricia A. Gatti Patricia A. Gatti	2233 S. EVANSTON Tulsa, OK 74114	



**PROTEST PETITION**  
**CASE NUMBER: PUD-826**

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**OWNERS OF RECORD within 300' of Subject Tract per TMAPC**

Printed Name	Address	Signature
Paul G. Landis Trustee Sharyl M. Landis Trustee	2303 S. Delaware Place Tulsa, OK. 74114	Paul G. Landis Sharyl M. Landis
Allen N Smith Trustee	2805 E 23 <sup>rd</sup> Tulsa OK 74114	Allen N Smith
L. BAILEY WORD, TRUSTEE	2302 S. DELAWARE PL. TULSA, OK 74114	Bailey Word
Tracy Lynne Lee	2322 S. Delaware Pl. Tulsa, OK 74114	Tracy Lee
Damon Sidre Lee	2322 S. Delaware Pl. Tulsa OK 74114	Damon Lee
Jennifer Foster	2315 S. Delaware Pl. Tulsa OK 74114	Jennifer Foster
Charles Foster Charles F. Foster III	2315 S. Delaware Pl. Tulsa, OK 74114	Charles Foster

**PROTEST PETITION**  
**CASE NUMBER: PUD-826**

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**OWNERS OF RECORD within 300' of Subject Tract per TMAPC**

Printed Name	Address	Signature
Mysha Hillman	2322 S. Evanston Ave Tulsa, OK 74114	Mysha Hillman PT
Jonathan Hillman	2322 S. Evanston Ave Tulsa, OK 74114	Jonathan Hillman
Blake Murry	2323 S. Evanston Ave Tulsa, 74114	Blake Murry
Morgan Meister Murry	2323 S. Evanston Ave Tulsa, 74114	Morgan Meister
Ruth Ellen Lee	2566 S Gay P. Tulsa, OK 74114	Ruth Ellen Lee
Anne M. Johnson Michael A. Johnson	2240 S. Evanston Ave Tulsa, OK 74114	Anne M. Johnson Michael A. Johnson
Stephanie Ann Horton Travis D. Horton	2223 S. Delaware Pl. Tulsa, OK 74114	Stephanie Ann Horton Travis D. Horton


**PROTEST PETITION**  
**CASE NUMBER: PUD-826**

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We respectfully request TMAPC and Tulsa City Council deny PUD-826 as written with four separate lots.

**OWNERS OF RECORD within 300' of Subject Tract per TMAPC**

Printed Name	Address	Signature
Estate of Kimberly Crabtree By: Greta E. Solomon, Executor	2215 S. Delaware Place Tulsa, OK (address of property)	
	40 Atty Erin Donovan 1921 S Boston Ave Tulsa, OK 74119 (mailing address of estate)	



Paul Landis  
2303 South Delaware Place  
Tulsa, Oklahoma 74114

March 9, 2015

TMAPC Recording Secretary  
2 West Second Street, Suite 800  
Tulsa, OK 74103

Reference: **CASE NUMBER PUD-826**

To: TMAPC Recording Secretary:

This is written notice of our neighborhood's formal protest concerning Case Number PUD-826.

The attached Protest Petition (with highlighted map) was circulated and signed by the land owners of record as identified by TMAPC to be within 300' of the subject tract. 96% of all land owners that were contacted signed the Protest Petition. The only land owner that refused to sign the Petition did so based on a dispute he had with neighbors at another location. His neighbors hired an attorney to try and force him to stop building his home in the manner he was constructing. Based on this experience only, he refused to sign the Petition. The only other non-signee was never at home. The Protest Petition reads as follows:

We, the neighbors and land owners affected by the proposed 23<sup>rd</sup> and Delaware Place Planned Unit Development (PUD-826) request TMAPC and Tulsa City Council to not permit the lot size area encroachments as proposed which would quadruple the population density. The issues of concern are property values, increased traffic, safety, esthetics as well as encroachments to the green space and increased demands on utilities.

We want the developer to respect the existing lot sizes of the Delaware Place to Evanston Avenue corridor.

We respectfully request TMAPC deny PUD-826 as written with four separate lots.

It is our understanding that verification of this formal protest (based on 50% of the land owned within 300' of the proposed development) will invoke a three-fourth (3/4) super majority requirement for approval of a Zoning Map Amendment as detailed in Title 42 Tulsa Revised Ordinances, Section 1703.E.

See attached signed Protest Petitions.

Sincerely,



Paul Landis

Attached: PUD-826 Revised Calculation sheet & PUD-826 Petition Signers Map *& 17 Petition Sigs.  
(32) Land Owners*  
**20.27**

## MOM – Minutes of Meeting & Comments - CBC & Neighborhood

Place: (late change) Polo Grill – Wine Cellar

Date: 9 March 2015

Time: 6 to 7:30 pm

Subject: PUD-826

- 1) CBC Builds – Bob David, Marketing Specialist and Clark Neely, Builder led the meeting. Mr. David started by apologizing for setting up the meeting at Einstein Bros. Bagels since the Bagel shop closed at 4 pm. **(Post Meeting Neighborhood comment – CBC failed to check with Einstein Bros. Bagels to make sure they were open or if they would host a meeting.)**
- 2) CBC plans to purchase the (2) lots by 3/31 for over \$400,000 (no contingency).
- 3) CBC stated three equal lots are not possible due to high expense of moving PSO feeder line – it would cost hundreds of thousands of dollars to move the lines (upon neighborhood questioning, CBC had not discussed this with PSO),
- 4) CBC stated house building cost = \$175 / ft<sup>2</sup> – they repeated story from CBC letter dated March 2, 2015. This letter states it is not possible to build two large homes that fit into the neighborhood from an architectural perspective. This letter also states that they want to build four smaller homes (3000 to 3500 sq. ft) - all facing 23<sup>rd</sup> St. as per the PUD. **(Post Meeting Neighborhood comment – the four homes will not fit into the neighborhood because they do not meet RS-2 requirements or the neighborhood setbacks. The four homes will all face 23rd Street which does not match Delaware Place or Evanston Avenue home orientations. Per CBC letter's second paragraph, CBC is not able to build homes that fit the neighborhood's architectural style and meet RS-2 requirements. CBC is relying on TMAPC, INCOG, City Council and the neighborhood to re-zone this property from RS-2 to RS-4 in order to maximize their revenues and profits.)**
- 5) CBC stated only deviation from RS-2 zoning was lot area (8250 sq. ft. versus 9000 sq. ft.). The neighborhood informed CBC there were numerous other deviations being requested in PUD-826 (such as livability area - 3000 vs. 5000, front setback - 25 vs. 30 and rear setback - 20 vs. 25).
- 6) CBC indicated they would only do what INCOG forced them to do
- 7) Bailey Word stated the neighborhood would not accept 4 lots. CBC stated they would move forward regardless with their plan for 4 lots and 4 houses.
- 8) 300' Neighborhood Attendees: Gabrielle Blankenship, Karen Forbes, Brewster Gary, Paul & Sharyl Landis, Tom & Lois Olzawski, Judith Royster, Al and Judy Smith, Jackie Westfield, Bailey and Janet Word, Michael Ryan and Ruth Lee.
- 9) Other Attendees: Kathryn Lyons, Vince Chapman, George Pierson, John Voegele, Gail VanGlabeeck and Bob Sober.

20.28

CBC Builds, LLC  
4605 East 91<sup>st</sup>  
Tulsa, Oklahoma 74137

## Meeting Time Changed to 6:00pm

Dear Bryn-Mawr Neighbors,

This letter is sent to provide our perspective on the request for a PUD on the property along 23<sup>rd</sup> Street between Delaware and Evanston. We regret not making contact with you sooner but we have not been able to fully complete our PUD document due to not reaching agreement with INCOG staff. We are continuing our request for approval of our PUD to allow for more time to fully inform the neighbors of our plans for the property. We now anticipate that our presentation to the planning commission will occur on March 18<sup>th</sup>.

Our request for approval of our PUD centers on the desire to not build large homes on these lots. Due to the market demand to live in midtown, prices on lots have escalated substantially the past 2 to 3 years. As prices increase on larger lots it follows that larger homes need to be constructed to justify the cost of the lot. We do not want to construct large 5,000 square foot, \$750,000 homes on these lots and affect the neighborhood from an architectural perspective. We prefer to have smaller 3000 to 3300 square foot houses that are more in keeping with the integrity of the neighborhood. This is the strategy for requesting 4 lots instead of the original 2 lots.

By zoning 4 smaller lots we can build 4 of the smaller sized homes and still make sense of the cost of the original 2 lots. Our intention is to be able to build homes and sell them for as close to \$500,000 as possible which makes it possible for younger families to move into the neighborhood. If our PUD request is turned down we will be faced with building larger more expensive houses that don't fit the neighborhood as well.

We would like to schedule a meeting to discuss this situation with the neighbors and show you what other homes we have built in your neighborhood. We will be available Monday evening March 9<sup>th</sup> at 5:30 at Einstein Bagels if any of the homeowners would like to meet and discuss our PUD request. We are trying to be respectful of the neighborhood and are asking for your support in our zoning request. If anyone has any questions you can call me at your convenience.

Bob David  
McGraw Realtors, Leadership Team  
Marketing Specialist for CBC Builds, LLC  
918-808-6792

- Read March 7  
- Called Bob David @ 1:15 PM on  
March 9 to ask if he got  
permission from Einstein Bros.  
Bagel to stay open past 4pm  
closing time. Answer No.  
20.29



CBC Builds, LLC  
4605 East 91<sup>st</sup>  
Tulsa, Oklahoma 74137

Rec'd  
March 3

March 2, 2015

Dear Bryn-Mawr Neighbors,

This letter is sent to provide to the neighbors our perspective on the request for a PUD on the property along 23<sup>rd</sup> Street between Delaware and Evanston. We regret not making contact with you sooner but we have not been able to fully complete our PUD document due to lingering questions with INCOG staff. We are continuing our request for approval of our PUD to allow for more time to fully inform the neighbors of our plans for the property. We now anticipate that our presentation to the planning commission will occur on March 18<sup>th</sup>.

Our PUD centers on the desire to not build very large homes on these lots. Due to the market demand to live in midtown, prices on lots have escalated substantially the past 2 to 3 years. As prices increase on larger lots it follows that larger homes need to be constructed to justify the cost of the lot. We do not want to construct large 5,000 square foot, \$750,000 homes on these lots and affect the neighborhood from an architectural perspective. We prefer to have smaller 3000 to 3500 square foot houses that are more in keeping with the integrity of the neighborhood. This is the strategy for requesting 4 lots instead of the original 2 lots.

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Bob David  
McGraw Realtors, Leadership Team  
Marketing Specialist for CBC Builds, LLC  
918-808-6792

6 pm

20.30