TULSA METROPOLITAN AREA PLANNING COMMISSION
Meeting No. 2731
October 5, 2016, 1:30 PM
175 East 2nd Street, 2nd 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:
TMAPC Receipts for August 2016

1. Minutes of September 21, 2016, Meeting No. 2730

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. LS-20910 (Lot-Split) (CD 6) – Location: West of the northwest corner of East Admiral Place and North 193rd East Avenue

3. LC-813 (Lot-Combination) (CD 4) – Location: Northwest corner of East 13th Place South and South Urbana Avenue

4. LS-20915 (Lot-Split) (County) – Location: West of the northwest corner of West 51st Street South (West Coyote Trail) and South 165th West Avenue

5. LC-814 (Lot-Combination) (CD 1) – Location: East of the northeast corner of East 36th Street North and North Iroquois Avenue

6. LC-815 (Lot-Combination) (CD 1) – Location: Northwest corner of East 3rd Street South and South Greenwood Avenue

7. PUD-707-2 JR Donelson (CD 8) Location: Southeast corner of East 109th Street South and South 74th East Avenue, PUD Minor Amendment to allow single-family dwelling use and accessory uses by right in R districts
CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA:

PUBLIC HEARINGS:

8. **LS-20916** (Lot-Split) (CD 2) – Location: North of the northeast corner of West 81st Street South and South Elwood Avenue

9. **Parkhill** Minor Subdivision Plat, Location: East of the southeast corner of East 51st Street South and South Lewis Avenue, (CD 9) (Continued from September 21, 2016)

10. **Parkhill** Authorization of an Accelerated Release of Building Permit, Location: East of the southeast corner of East 51st Street South and South Lewis Avenue, (CD 9) (Continued from September 21, 2016) (related to above item)

11. **Z-7355 Andrea Chase** (CD 2) Location: West of the southwest corner of West 81st Street and South Yukon Avenue requesting rezoning from **RS-3 to RS-5** (Continued from August 17, 2016) *(Applicant has withdrawn this application)*

12. **Z-7361 Lou Reynolds** (CD 9) Location: West of the southwest corner of South Peoria Avenue and East 37th Place requesting rezoning from **RS-3 to PK**

13. **Z-7362 JR Donelson** (CD 8) Location: North of the Northwest corner of East 101st Street and South 74th East Avenue requesting rezoning from **RS-1 to RS-3** (Applicant requests continuance to November 2, 2016)

14. **Z-7363 ES Development, LLC** (CD 3) Location: Southeast corner of North Mingo Road and East Pine Street requesting rezoning from **AG to CG** (related to FD Development 1st Addition Preliminary Plat)

15. **FD Development 1st Addition** Preliminary Plat, Location: Southeast corner of North Mingo Road and East Pine Street, (CD 3) (related to Z-7363)

OTHER BUSINESS

16. Proposed 2017 TMAPC Meeting Dates

17. Commissioners' Comments

ADJOURN
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 pagers must be turned off during the Planning Commission.

Visit our website at www.tmapc.org email address: esubmit@incog.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.
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* Advertising, Signs & Postage Expenses for City of Tulsa Applications with Fee Waivers.
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9/27/2016
**Case Number:** PUD-707-2  
**Minor Amendment**

**Hearing Date:** October 5, 2016

**Case Report Prepared by:**  
Jay Hoyt

**Owner and Applicant Information:**  
**Applicant:** JR Donelson  
**Property Owner:** Home Ventures Inc.

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

**Applicant Proposal:**  
Concept summary: PUD minor amendment to allow single-family dwelling use and accessory uses by right in R districts.  
**Gross Land Area:** .61 acres  
**Location:** Southeast corner of East 109th Street South and South 74th East Avenue  
**Reserve Area D, Ravens Crossing**

**Zoning:**  
**Existing Zoning:** RS-3/PUD-707  
**Proposed Zoning:** No Change

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

**Staff Data:**  
TRC: 8326  
CZM: 56  
Atlas: NA

**Staff Recommendation:**  
Staff recommends approval.

**City Council District:** 8  
**Councilor Name:** Phil Lakin

**County Commission District:** 3  
**Commissioner Name:** Ron Peters
SECTION I: PUD-707-2 Minor Amendment

STAFF RECOMMENDATION

Amendment Request: Modify the PUD Development Standards to allow single-family dwelling use and accessory uses by right in R districts in Reserve Area D.

The applicant is requesting proposed amendment to the reserve area in order to permit a possible tennis court to be shared by the home owners in Blocks 9 and 10 as well as a possible additional single-family home.

Staff Comment: This request can be considered a Minor Amendment as outlined by Section 30.010.1.2.c(15) of the City of Tulsa Zoning Code.

"Changes in an approved use to another use may be permitted provided the underlying zoning on the particular site within the PUD would otherwise permit such use as of right and the proposed use will not result in any increase of incompatibility with the present and future use of nearby properties."

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-707 and subsequent minor amendments shall remain in effect.

Exhibits included with staff recommendation:

INCOG zoning case map
INCOG aerial photo
INCOG aerial photo enlarged
Applicant Minor Amendment Text
Applicant Plat

With considerations listed above, staff recommends approval of the minor amendment request to allow single-family dwelling use and accessory uses by right in R districts in Reserve Area D.
RAVENS CROSSING
Planned Unit Development Number 707
City of Tulsa, Tulsa County, Oklahoma

MINOR AMENDMENT NO. 2

(Area D – Single Family Use)

JR Donelson, Inc.
12820 So. Memorial Dr., Office 100
Bixby, Oklahoma 74008
918-394-3030
Email: jrdon@tulsacoxmail.com

September 9, 2016

1.
Ravens Crossing
Planned Unit Development Number 707 – Minor Amendment No. 2

Introduction

Planned Unit Development (PUD) Number 707 was approved by the Tulsa Metropolitan Area Planning Commission (TMAPC) on September 1, 2004, and by the Tulsa City Council on October 7, 2004. PUD 707 covers 37.25 acres, more or less, located north and east of the intersection of East 111th Street and South Memorial Drive, in Tulsa. PUD 707 is divided into four development areas, including Development Area A (Light Office Use), Development Area B (Duplex Use and Stormwater Detention), Development Area C (Single Family Use and public streets), and Development Area D (Single Family Use with private streets).

Summary of the Minor Amendment

This Minor Amendment to PUD 707 contains changes that only affect Development Area D. All of the changes are authorized by City of Tulsa Zoning Code. The changes are summarized as follows:

A. Amended Standards:
   The Development Standards for Reserve Areas shall be amended to read as follows:

   IV. DEVELOPMENT STANDARDS FOR RESERVE AREAS.

   A. Identification of Reserve Areas
   2. The reserve areas identified on the Plat shall be used for the following respective purposes:
      c. Reserve Area D: Tennis court and related facilities for use by owners in Blocks 9 and 10 and their respective guests, and Single – family residential dwellings and all accessory uses permitted by right for all R Districts of the City of Tulsa Zoning Code.

   B. Development, Ownership and Maintenance of Reserve Areas.
   2. The Owner shall convey ownership of each of the reserve areas to the following respective Owner’s Associations:

      b. Reserve Area D shall be conveyed to the Owners’ Association for Blocks 9 and 10 (the Single Family Development Area with private streets). In the event of a lot split of Reserve D, the area containing the existing parking lot in Reserve Area D shall be conveyed to the Owner’s Association for Blocks 9 and 10.

Exhibits

Attached to this Minor Amendment to PUD 707 are the following exhibits:

The filed plat of Ravens Crossing with the Restrictive Covenants and Deed of Dedication.

Scope of Amendment

Except as amended herein along with the Minor Amendment No. 1, PUD 707 shall remain in full force and effect.
Lot-Split and Waiver of Subdivision Regulations

October 5, 2016

LS-20916
Frank Ross Hunt III, (8212) (AG) (CD 2)
North of the northeast corner of West 81st Street South and South Elwood Avenue

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 City of Tulsa Zoning Code.

The Technical Advisory Committee met on September 15, 2016 and had the following comment. A sanitary sewer extension will need to be constructed by an IDP approved contractor. This can be done either by obtaining an easement from an adjoining land owner or by crossing Elwood Avenue.

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.
**Case:** Parkhill
Minor Subdivision Plat

**Hearing Date:** October 5, 2016

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<td>Diane Fernandez</td>
<td><strong>Applicant:</strong> Carolyn Back, Wallace Engineering</td>
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<td><strong>Owner:</strong> Parkhill &amp; Parkhill LLC</td>
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**Location Map:**
(shown with City Council Districts)

**Applicant Proposal:** Minor Subdivision Plat

**Location:** East of the southeast corner of East 51st Street South and South Lewis Avenue

**Zoning:** CS (commercial shopping)

**Staff Recommendation:** Staff recommends Approval.

**City Council District:** 9
**Councilor Name:** G.T. Bynum

**County Commission District:** 3
**Commissioner Name:** Ron Peters

**EXHIBITS:**
Subdivision Plat, INCOG Aerials, Case Map, Growth and Stability Map, Land Use Map
MINOR SUBDIVISION PLAT

Parkhill - (CD 9)
East of the southeast corner of East 51st Street South and South Lewis Avenue

The plat consists of 1 Lot, 1 Block, on 1.25 acres.

The following issues were discussed September 1, 2016, at the Technical Advisory Committee (TAC) meeting:

1. Zoning: The property is zoned CS.

2. Streets: Provide limits of No Access along 51st Street. Include Limits of No Access section in covenants. Show utility easements at sides of property. Please correct exhibit 5.

3. Sewer: On conceptual plans there cannot be a 6 inch service line tying directly into a manhole.

4. Water: Use standard deed of dedication language for public street and utility easement section in the covenants. Denote the 15 foot waterline easement is dedicated by this plat. Conceptual plan: The 6 inch water line stub off of the 16 inch water main line is the approved point for water service connections. If the 6 inch water main line does not abut this site development than an extension of a looped public water main line could be required.

5. Storm Drainage: The roof drain section of the covenants may need to be reworded. It is unclear what is being stated versus actual on the ground features referenced.

6. Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others: AT&T can remain/operate in existing 16 foot easement Please show all existing easements on plat. PSO needs some additional wording in covenants.

7. Other: Fire: Building features shall be installed as agreed upon between Parkhill and the Tulsa Fire Marshal in order to be considered an equivalent for the required turn around.

8. Other: GIS: Provide individual lot addresses. Submit a control data sheet. Provide owners’ address under the owner information. Provide a metes and bounds legal. Provide and graphically label the point of commencement and point of beginning. Include the bearing angles and distances with each. Correct and finish location map. Provide the coordinate system associated with the basis of bearing. City Legal comments and concerns must be taken care of to their approval.

Staff recommends a Approval of the minor subdivision plat with the TAC recommendations and the special and standard conditions listed below.
Waivers of Subdivision Regulations:

1. None requested.

Special Conditions:

1. The concerns of the Development Services and Engineering Services staffs must be taken care of to their satisfaction.

Standard Conditions:

1. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.

2. Water and sanitary sewer plans shall be approved by the Public Works Department prior to release of final plat. (Include language for W/S facilities in covenants.)

3. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures shall be borne by the owner(s) of the lot(s).

4. Any request for creation of a Sewer Improvement District shall be submitted to the Public Works Department Engineer prior to release of final plat.

5. Paving and/or drainage plans (as required) shall be approved by the Public Works Department.

6. Any request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Public Works Department.

7. A topography map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)

8. Street names shall be approved by the Public Works Department and shown on plat.

9. All curve data, including corner radii, shall be shown on final plat as applicable.

10. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.

11. All adjacent streets, intersections and/or widths thereof shall be shown on plat.

12. It is recommended that the developer coordinate with the Public Works Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
13. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City/County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.

14. The method of sewage disposal and plans therefor shall be approved by the City/County Health Department. [Percolation tests (if applicable) are required prior to preliminary approval of plat.]

15. The owner(s) shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type, size and general location. (This information to be included in restrictive covenants on plat.)

16. The method of water supply and plans therefor shall be approved by the City/County Health Department.

17. All lots, streets, building lines, easements, etc., shall be completely dimensioned.

18. The key or location map shall be complete.

19. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.)

20. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)

21. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.

22. All other Subdivision Regulations shall be met prior to release of final plat.

23. All PUD standards and conditions shall be included in the covenants of the plat and adequate mechanisms established to assure initial and continued compliance with the standards and conditions.

24. Private streets shall be built to City or County standards (depending upon the jurisdiction in which the plat is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.
<table>
<thead>
<tr>
<th><strong>Case Report Prepared by:</strong></th>
<th><strong>Owner and Applicant Information:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Diane Fernandez</td>
<td><strong>Applicant:</strong> Carolyn Back, Wallace Engineering</td>
</tr>
<tr>
<td></td>
<td><strong>Owner:</strong> Parkhill &amp; Parkhill LLC</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Location Map:</strong> (shown with City Council Districts)</th>
<th><strong>Applicant Proposal:</strong> Authorization for an Accelerated Building Permit</th>
</tr>
</thead>
<tbody>
<tr>
<td><img src="image" alt="Location Map" /></td>
<td><strong>Location:</strong> East of the southeast corner of East 51st Street South and South Lewis Avenue</td>
</tr>
</tbody>
</table>

| **Zoning:** CS (commercial shopping) | **Staff Recommendation:** Staff recommends Denial |

<table>
<thead>
<tr>
<th><strong>City Council District:</strong> 9</th>
<th><strong>Councilor Name:</strong> G.T. Bynum</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>County Commission District:</strong> 3</td>
</tr>
<tr>
<td></td>
<td><strong>Commissioner Name:</strong> Ron Peters</td>
</tr>
</tbody>
</table>

**EXHIBITS:** Site Map, Aerial, Applicant Justification
AUTHORIZATION FOR ACCELERATED RELEASE OF A BUILDING PERMIT

Parkhill Addition – (CD 9)
East of the southeast corner of East 51st Street South and South Lewis Avenue

The property is zoned CS (commercial shopping). A Minor Subdivision plat is being processed on the same agenda as this request. Full permits are requested.

Review of this application must focus on the extraordinary or exceptional circumstances that extend the normal processing schedule and on the benefits and protections to the City that may be forfeited by releasing the Building Permit prior to filing of the final plat and must comply in all respects with the requirements of the approved preliminary plats per Section 2.5 of the Subdivision Regulations.

The applicant offers the following explanation of the extraordinary and exceptional circumstances that serve as the basis for this request: See attached letter.

The following information was provided by the Technical Advisory Committee on September 1, 2016:

TRANSPORTATION:

SEWER:
- Public Works, Waste Water: No comment.

WATER:
- Public Works, Water: If the 6 inch stub off of the 16 inch water main line does not abut this site development then an extension of a looped public water main line could be required.

STORM DRAIN:
- Public Works, Storm Water: The “Detention Easement” must be maintained in its size and function. Any alteration will require new hydrologic analysis approval prior to construction.

FIRE:
- Public Works, Fire: Building features shall be installed as agreed upon between Parkhill and the Tulsa Fire Marshal in order to be considered an equivalent for the required turn-around.

UTILITIES:
- Franchise Utilities: No comment.

The accelerated building permits were originally designed to accommodate large campus style type of developments and should concentrate upon “the benefits and
protections to the City that may be forfeited by releasing the building permit prior to the filing of the plat.”

The TAC (Technical Advisory Committee) did not object to the accelerated building permit.

Staff recommends Denial of the authorization to release the accelerated building permit per guidelines in the existing subdivision regulations. However, the Commission should be aware that the subdivision regulations update will likely consider changes to the current process. The Minor Plat should be finished soon for the site. The Commission should be aware that these types of authorizations have not been granted historically for smaller scale projects.
August 30, 2016

Tulsa Metropolitan Area Planning Commission
c/o Diane Fernandez - INCOG
2 West 2nd Street; Suite 800
Tulsa, OK 74103

RE: Letter of Extraordinary and Exceptional Circumstances to accompany the Accelerated Release of Building Permit for Parkhill’s Warehouse Liquors and Wine
Wallace Project No. 1640069

Tulsa Metropolitan Area Planning Commission:

This letter accompanies our request for an Accelerated Release of Building Permit for the Parkhill’s Warehouse Liquors and Wine project. The extraordinary and exceptional circumstances that serve as a basis for the request are explained below.

Circumstances:
We would normally be asking for a Plat Waiver for this type and size of infill project, but unbeknownst to us and the City, Oklahoma Department of Transportation (ODOT) seemingly didn’t acquire additional right-of-way (ROW) at time of construction. Therefore, ODOT built their infrastructure outside the right-of-way.

The investigation into the legal status of the right-of-way consumed valuable time needed to go through the standard building permit process.

In working with ODOT, the drawings we located showed the 50 ft. ROW (Re: Sheet 359, Job Piece No. 06374(47)). However, the legal documents from the Title Company did not show the dedication of the ROW having taken place.

Our client had to hire someone to locate the existing utilities, including a City water main, once it was discovered that the 50 ft. ROW did not exist. Additionally, there is a City water main outside of an easement that was assumed to have been dedicated. This existing 16” water line is not currently within an existing utility easement.

Project Impact:
Our client is being required to dedicate 50 ft. of right-of-way and a 15 ft. restricted waterline easement that should have already been handled.

These requirements necessitated a redesign of the building and site layout.
Tulsa Metropolitan Area Planning Commission
c/o Diane Fernandez - INCOG
Letter of Extraordinary and Exceptional Circumstances for Accelerated Release of Building Permit
August 30, 2016
Page 2

History:
Parkhill has been operating at their current location for 53 years, currently employing 30+ Tulsa area residents. They are a long standing business and community member, and they will continue to serve the community as an employer and business owner in the same community at their new location.

In the Spring of 2015, Parkhill closed on the purchase of the vacated Girl Scout Headquarters building directly East of their current location. Time is of the essence as Parkhill’s Warehouse Liquors and Wine must relocate to their new facility by Fall 2017 per their current lease agreement.

Parkhill hired land use attorney Stephen Schuller to perform a rezone for the property (Z-7330) from OM to CS, effective 30-days after Ordinance date of 04.25.16, to allow for their continued liquor store use. As a part of their entitlement process for their new location, Mr. Schuller also submitted a spacing verification to the Board of Adjustment (BOA-22106) and received BOA acceptance of the spacing verification on 07.26.16. (Please see attached accepted Spacing Verification from the BOA)

The parcel is small in size and the site is constrained by topography and the existing stormwater detention area. The 1-story building with partial mezzanine square footage requires 70 motor vehicle parking spaces and four (4) bicycle parking spaces, rounded up from 3.5. (Please see the attached conceptual site plan.)

1. City of Tulsa Zoning Clearance Permit Number: LOD 8641 (attached)
2. City of Tulsa BOA Spacing Verification: Accepted 07.26.16 (attached)
3. City of Tulsa Platting – Minor Subdivision Plat: Submitted 08.18.16, TAC 09.01.16, PC 09.21.16
4. City of Tulsa Building Permit Application: Anticipated permit submittal is 09.15.16
5. City of Tulsa BOA Parking Variance Case Number: BOA-22133 scheduled to be heard on 09.27.16

One of the main benefits to the City for releasing the building permit, prior to filing the minor subdivision plat, would be taxes received from the business’ sales during the holiday season. As stated previously, the business has to be out of their current location by Fall 2017, per their lease agreement. If the business is not allowed to pull their building permit before the filing of their plat, they will be required to close their doors during the holiday season which generates a sizable tax income for the City of Tulsa.

The protection the City has in releasing the building permit early is that the Certificate of Occupancy would still have to be issued before the building could be occupied.

We appreciate the opportunity to provide you this information. If you have any questions or need additional information, please do not hesitate to contact us.

Sincerely,

WALLACE ENGINEERING • STRUCTURAL CONSULTANTS, INC.

[Signature]

Carolyn M Back
Senior Land Use Planner
cc: File
Kim,

The applicant has withdrawn the application for Z-7355.

INCOG
C. Dwayne Wilkerson
Assistant Director Land Development Services

2 West Second Street
Suite 800
Tulsa, OK 74103

918-579-9475
dwilkerson@incog.org

From: Merrell Homesteads [mailto:merrell.homesteads@gmail.com]
Sent: Thursday, September 29, 2016 4:50 AM
To: Wilkerson, Dwayne
Subject: Walden in South Tulsa

Thank you for your response, Dwayne. I am wondering why I was encouraged to pursue the Cottage House Development option by your office in the first place? I gather none of the fees I have paid are refundable?

Yes, withdraw my application.

Andrea Chase
**Tulsa Metropolitan Area Planning Commission**

<table>
<thead>
<tr>
<th>Case Report Prepared by:</th>
<th>Owner and Applicant Information:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dwayne Wilkerson</td>
<td>Applicant: Lou Reynolds</td>
</tr>
<tr>
<td></td>
<td>Property Owner: ALLEN H W CO</td>
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<tr>
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<tr>
<td>![Map Image]</td>
<td>Present Use: Vacant</td>
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<tr>
<td></td>
<td>Proposed Use: Parking lot</td>
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<tr>
<td></td>
<td>Concept summary: Construct a surface parking lot that is consistent with the Comprehensive plan and meet or exceed minimum design standards identified on PK zoned property.</td>
</tr>
<tr>
<td></td>
<td>Tract Size: 0.2 ± acres</td>
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<td></td>
<td>Location: West of southwest corner of S. Peoria Ave. and E. 37th Pl.</td>
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<tr>
<th>Zoning:</th>
<th>Staff Recommendation:</th>
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<td>Staff recommends approval of PK zoning.</td>
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<td>Proposed Zoning: PK</td>
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| Comprehensive Plan: | |
|---------------------||
| Land Use Map: Main Street | |
| Stability and Growth Map: Area of Growth | |

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<th>Staff Data:</th>
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<td>CZM: 46</td>
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<tr>
<td>Atlas: 249</td>
<td>Commissioner Name: Karen Keith</td>
</tr>
</tbody>
</table>
SECTION I: Z-7361

DEVELOPMENT CONCEPT:

Parking district zoning is primarily intended to accommodate off-street parking areas bordering on residential zoning districts, while protecting nearby residential areas from adverse impacts associated with spillover parking into residential neighborhoods. This zoning request is supported by the Tulsa Comprehensive Plan.

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 Provided

DETAILED STAFF RECOMMENDATION:

Z-7361 is currently a single family residential lot however the Comprehensive Plan recognized this area as part of the Main Street Land Use Designation and the Brookside Infill Development Design Recommendations recognize that this lot could be used for parking. Additional encroachment into the neighborhood west of this request is not supported by either of those plans and;

PK zoning as requested by Z-7361 provides setback standards for fencing and parking that protect the street character where parking is adjacent to single family residential areas. Screening and landscape concepts required by the code are similar to recommendations recognized in the Brookside Infill Development Design Recommendations and;

PK zoning at this location is harmonious with the expected future development pattern at this location therefore;

Staff recommends Approval of Z-7361 to rezone property from RS-3 to PK.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The design standards for PK zoning require the basic concepts for screening that were recommended in the Brookside Plan. The Brookside Plan suggested a higher quality fence design standard and significant landscaping beyond what is required in the PK zoned district.

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
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 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:

Trail System Master Plan Considerations: None

Small Area Plan: Brookside Infill Development Design Recommendations (effective beginning 2002)

The plan recommends several design considerations including:
1) The boundary between the commercial areas and residential areas should be appropriately screened with fencing, landscaping and buffering materials which include wooden fences with cap-rails and base-rails, trees, plants, or any combination of the above which provides appropriate visual separation, high durability, and long term easy and low maintenance.
2) The screening fence should be provided with a wooden fence with Brick, stone or masonry pilasters to be used as the fence support; or
3) A brick, stone or masonry wall fence is also a recommended option for screening.

Special District Considerations: None except the provisions identified in the Brookside Infill plan.

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is currently a single family residential residence with surface parking on the south and east. If the house is removed and the parking lot is constructed it is important to remove the drive approach to the lot from East 37th and install a sidewalk.

(See street view image on next page. Viewed looking southeast from the northwest corner of the lot):
Environmental Considerations: None that would affect site development as a parking lot.

Streets:

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<tr>
<th>Exist. Access</th>
<th>MSHP Design</th>
<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
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<tbody>
<tr>
<td>East 37th Place S</td>
<td>None</td>
<td>50 feet</td>
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Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

<table>
<thead>
<tr>
<th>Location</th>
<th>Existing Zoning</th>
<th>Existing Land Use Designation</th>
<th>Area of Stability or Growth</th>
<th>Existing Use</th>
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<tbody>
<tr>
<td>North</td>
<td>RS-3</td>
<td>Main Street</td>
<td>Growth</td>
<td>Single Family Residential</td>
</tr>
<tr>
<td>East</td>
<td>PK</td>
<td>Main Street</td>
<td>Growth</td>
<td>Surface Parking Lot</td>
</tr>
<tr>
<td>South</td>
<td>RS-3</td>
<td>Main Street</td>
<td>Growth</td>
<td>Surface Parking Lot (re: BOA# 4153 in 1963)</td>
</tr>
<tr>
<td>West</td>
<td>RS-3</td>
<td>Existing Neighborhood</td>
<td>Stability</td>
<td>Single Family Residential</td>
</tr>
</tbody>
</table>

SECTION III: Relevant Zoning History

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

Subject Property:

No relevant history.

Surrounding Property:
Z-7298 June 2015: All concurred in approval of a request for rezoning a .19± acre tract of land from RS-3 to PK for a parking lot, on property located west of the northwest corner of S. Peoria Ave. and E. 37th Pl. and northeast of subject 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. 37th St. and S. Peoria Ave.

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. 38th St. S.

BOA-17826 September 23, 1997: The Board of Adjustment approved a Variance of the required 5 ft. landscaping strip between parking lot and an R district; and a Variance of required 50 ft. setback from abutting street; and a Variance of screening required along property lines abutting an R district; per plan submitted; subject to execution of a tie agreement between the subject lot and the parking lot and use to the east, on property located at 1128A & 1128B E. 37th Pl. S. and abutting subject property to the east.

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. 37th Pl. and S. Peoria Ave. and abutting east of subject property.

BOA-4153 September 1963: The Board of Adjustment approved off-street parking use in a U-1-C district (RS-3) in conjunction with business property on the east, subject to the applicant hard surfacing the lot and fencing the lot, on property located at 1135 E. 38th St. and abutting south of subject property.

BOA-2062 August 10, 1949: The Board of Adjustment approved a church use, on property located at 1132 E. 38th St.
Thanks Lou,

Staff supports your request for a continuance to November 2, 2016 for Z-7362.

Regarding the Ridge Park Preliminary Plat, you may already know that the Board of Adjustment denied the request for a variance of the requirement for a lot to have frontage on a public street. Staff supports a request for a continuance for the Preliminary Plat of Ridge Park until November 16th, 2016.

**Please refer to BOA-22127 September 13, 2016:** The Board of Adjustment denied a Variance of the required 30' of frontage on a public street in the RS-1 district to permit a subdivision with private streets, on property located at 9828 S. 74th Ave. E., and also known as the subject property.

We will forward your request to the Planning Commission for consideration.

Respectfully,

INCOG
C. Dwayne Wilkerson
Assistant Director Land Development Services

2 West Second Street
Suite 800
Tulsa, OK 74103

918-579-9475
dwilkerson@incog.org

---

Dear Dwayne: We have just been hired to represent the Applicant in this matter. I am writing to request a continuance to November 2, 2016, in order to give us time to prepare and meet with the neighbors to discuss their concerns. Also, the preliminary plat for Ridge Park should also be continued to November 2, 2016 or November 16, 2016, whichever date is most appropriate. Let me know if you have any questions. Best regards, Lou Reynolds

R. Louis Reynolds
CONFIDENTIALITY STATEMENT. This e-mail and any attachments hereto are subject to the Electronic Communications Privacy Act, Tit. 18 U.S.C. Sec. 2510. The information contained in this transmission is or may be protected by the attorney-client and/or the attorney work product privilege and is confidential. It is intended only for the use of the individual or entity identified above. If the recipient or reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. No applicable privilege or confidentiality is waived by the party sending this communication and/or any attachments. If you received this email communication in error, please notify the sender immediately by reply e-mail or by telephone and delete the message and any attachments from your server/system. Thank you and we apologize for any inconvenience you may have encountered.

Please consider the environment before printing this e-mail! ~ Thank you!
Case Number: Z-7363

Hearing Date: October 5, 2016

Case Report Prepared by:
Dwayne Wilkerson

Owner and Applicant Information:
Applicant: ES Development LLC
Property Owner: GIBBS, EDWARD L TRUSTEE

Location Map:
(shown with City Council Districts)

Applicant Proposal:
Present Use: Vacant

Proposed Use: Family Dollar

Concept summary: Rezoning request from AG to CG for construction of a Commercial Use Category, Retail Sales sub-category

Tract Size: 2.08 ± acres

Location: Southeast corner of North Mingo Rd. and East Pine St.

Zoning:
Existing Zoning: AG

Proposed Zoning: CG

Comprehensive Plan:
Land Use Map: Neighborhood Center

Stability and Growth Map: Area of Growth

Staff Recommendation:
Staff recommends approval for CG.

Staff Data:
TRS: 0431
CZM: 31 Atlas: 633

City Council District: 3
Councilor Name: David Patrick

County Commission District: 2
Commissioner Name: Karen Keith
SECTION I: Z-7363

DEVELOPMENT CONCEPT:

The property is currently zoned AG. Rezoning is requested to allow construction of a retail sales establishment which is consistent with the Land Use designation of the Comprehensive Plan.

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:
  - Preliminary Plat (FD Development 1st Addition) showing two lots one block.

DETAILED STAFF RECOMMENDATION:

The allowed use categories permitted by CG zoning are consistent with the anticipated development surrounding the property and;

Z-7363 requesting CG zoning is not injurious to the existing surrounding property and;

CG zoning is consistent with the Comprehensive Plans Land Use Designation for a Neighborhood Center therefore;

Staff recommends Approval of Z-7363 to rezone property from AG to CG.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: CG zoning is consistent with the Neighborhood Center vision of the Comprehensive Plan.

Land Use Vision:

Land Use Plan map designation: Neighborhood Center

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

Areas of Stability and Growth designation: Area of Growth

"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."

REVISED 9/29/2016
Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.

**Transportation Vision:**

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

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

**Trail System Master Plan Considerations:**
Z-7363 is within ½ mile of a planned trail along the West side of Mingo Creek. The arterial intersection does not have sidewalks however the subdivision plat will require sidewalk construction along Pine and along Mingo. Ultimately the sidewalk on Pine will connect to the planned trail.

**Small Area Plan:** None

**Special District Considerations:** None

**Historic Preservation Overlay:** None

**DESCRIPTION OF EXISTING CONDITIONS:**

*Staff Summary:* The site is unimproved with very little slope. Currently the site is covered with grass and a few trees.

**Environmental Considerations:** The site is bisected by a floodplain that will affect building locations and future development opportunities however the engineering solutions should be able to accommodate future uses allowed in a CG district.
Streets:

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<tr>
<th>Exist. Access</th>
<th>MSHP Design</th>
<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
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<td>East Pine Street</td>
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<tr>
<td></td>
<td>With Multi Modal Corridor</td>
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Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

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<th>Location</th>
<th>Existing Zoning</th>
<th>Existing Land Use Designation</th>
<th>Area of Stability or Growth</th>
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<td>CS</td>
<td>Neighborhood Center</td>
<td>Growth</td>
<td>Automotive repair and convenience store</td>
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SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11811 dated June 26, 1970, established zoning for the subject property.

Subject Property:

No relevant history.

Surrounding Property:

**Z-7223 June 2013:** All concurred in approval of a request for rezoning a 1.02+ acre tract of land from CS to IL, for future industrial use, on property located east of northeast corner of North Mingo Road and East Pine Street North.

**Z-7199 May 2012:** All concurred in approval of a request for rezoning a 3+ acre tract of land from CS to IL, for future industrial use, on property located east of northeast corner of North Mingo Road and East Pine Street.

**Z-7127 May 2009:** All concurred in approval of a request for rezoning a 5.89+ acre tract of land from AG to IL for light manufacturing on property located, south of southeast corner East Pine Street and North Mingo Road and abutting south of subject property.

**Z-6998 September 2005:** All concurred in approval of a request for rezoning a 38.03+ acre tract of land from RM-2 to IL for light industrial park use, on property located south and west of southwest corner of East Pine Street North and Highway 169 North.
**Z-6946 July 2004:** All concurred in approval of a request for rezoning a 5+ acre tract of land from OL to IL for light manufacturing and warehouse use, on property located east of northeast corner of East Pine Street and North Mingo Road.

**BOA-18238 November 24, 1998:** The Board of Adjustment approved a Special Exception to permit a convenience store (QuikTrip) in an IL district, on property located at the northwest corner of E. Pine St. and N. Mingo Rd.
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<tr>
<th>Case Report Prepared by:</th>
<th>Location Map: (shown with City Council Districts)</th>
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<tbody>
<tr>
<td>Diane Fernandez</td>
<td>Location: Southeast corner of North Mingo Road and East Pine Street</td>
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<th>Owner and Applicant Information:</th>
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<tr>
<td>Applicant: KAW Valley Engineering, INC.</td>
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<td>Owner: Edward L. Gibbs Trust</td>
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<th>Applicant Proposal:</th>
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<td>Preliminary Plat</td>
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<th>Zoning:</th>
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<td>AG, CG Pending</td>
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<th>Staff Recommendation:</th>
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<td>Staff recommends Approval</td>
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<th>Councilor Name:</th>
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<td>David Patrick</td>
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<th>Commissioner Name:</th>
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<td>Karen Keith</td>
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EXHIBITS:
- Subdivision Map
- Aerial
- Case Map
- Growth and Stability Map
- Land Use Map
PRELIMINARY SUBDIVISION PLAT

FD Development 1st Addition - (CD 3)
Southeast corner of North Mingo Road and East Pine Street

The plat consists of 2 Lots, 1 Block, on 2.1 acres.

The following issues were discussed September 15, 2016, at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned AG (agricultural) with pending CG (commercial general).

2. **Streets:** Provide full right of way on North Mingo Road on both sides of section line and identify section for verification. Section line as currently shown may be incorrect. Provide limits of no access for both streets. Provide 30 foot corner radius or equivalent clip at northwest corner of lot. Preliminary plat says that the 10 foot right of way is being vacated. Confirm that it is to be dedicated. Provide 5 foot wide sidewalks and access ramps. Must be shown on site plan along East Pine Street and North Mingo Road. Sidewalks must be located a minimum 18 inches from property line and 2 feet behind curb. Please verify/correct street names.

3. **Sewer:** Provide additional easement for sanitary sewer, 5 feet from centerline of manhole on all three sides.

4. **Water:** Conceptual: show proposed water service connection points to the existing water system for each proposed lot.

5. **Storm Drainage:** All platted area contained within the 100 year floodplain shall be placed in an Overland Drainage Easement. Further explanation required for the proposed storm water blanket easement. This may not be the preferred approach, legal will need to review. Floodplain: Remove the 500 year floodplain boundary line shown on the plans. Plot the 100 year floodplain per surveyed elevation.

6. **Utilities:** Telephone, Electric, Gas, Cable, Pipeline, Others: No comment.

7. **Other:** Fire: No comment.

8. **Other:** GIS: Provide individual lot addresses. Provide/state address caveat/disclaimer. Submit a subdivision control data sheet with final plat. Remove contours on final plat submittal. Under the Basis of Bearings heading include/state the coordinate system used and provide/state a bearing and angle between two known points to be the basis of bearing. Have an “Owner” heading and include the owners’ name and address. Have an “Engineer/Surveyor” heading and provide the name, address phone number, CA number with expiration date. Show a Location Map heading the top right hand corner showing only T20N R14E S31. Show all the platted subdivisions and existing expressways in the section. Label all other land as unplatted. Highlight area of plat to be filed inside the section and label

15.2
project location. Provide/state the size of the project and the number of lots and blocks. Add “State Of “ to the plat sub-title after TULSA COUNTY. Change point of Commencing to Point of Commencement on face of plat. Provide only the footage described in the legal description on the face of plat. Do not have described and measured footage. Match legal description to plat. Correct bearing angle and distance. A 40 foot easement (book 4250, Page 781) must be vacated by a separate process excluding platting. Identify North Mingo Road (currently identified incorrectly as North Mingo Street).

Staff recommends APPROVAL of the preliminary subdivision plat with the TAC recommendations and the special and standard conditions listed below.

Waivers of Subdivision Regulations:

1. None requested.

Special Conditions:

1. The concerns of the Development Services and Engineering Services staffs must be taken care of to their satisfaction.

Standard Conditions:

1. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.

2. Water and sanitary sewer plans shall be approved by the Public Works Department prior to release of final plat. (Include language for W/S facilities in covenants.)

3. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures shall be borne by the owner(s) of the lot(s).

4. Any request for creation of a Sewer Improvement District shall be submitted to the Public Works Department Engineer prior to release of final plat.

5. Paving and/or drainage plans (as required) shall be approved by the Public Works Department.

6. Any request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Public Works Department.

7. A topography map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)

8. Street names shall be approved by the Public Works Department and shown on plat.
9. All curve data, including corner radii, shall be shown on final plat as applicable.

10. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.

11. All adjacent streets, intersections and/or widths thereof shall be shown on plat.

12. It is recommended that the developer coordinate with the Public Works Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)

13. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City/County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.

14. The method of sewage disposal and plans therefor shall be approved by the City/County Health Department. [Percolation tests (if applicable) are required prior to preliminary approval of plat.]

15. The owner(s) shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type, size and general location. (This information to be included in restrictive covenants on plat.)

16. The method of water supply and plans therefor shall be approved by the City/County Health Department.

17. All lots, streets, building lines, easements, etc., shall be completely dimensioned.

18. The key or location map shall be complete.

19. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.)

20. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)

21. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.

22. All other Subdivision Regulations shall be met prior to release of final plat.

23. All PUD standards and conditions shall be included in the covenants of the plat and adequate mechanisms established to assure initial and continued compliance with the standards and conditions.
24. Private streets shall be built to City or County standards (depending upon the jurisdiction in which the plat is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.
Proposed
2017 SCHEDULE

Tulsa Metropolitan Area Planning Commission
(TMAPC)

Regular meetings of the TMAPC are held on the first and third Wednesday of each month at 1:30 p.m. in the One Technology Center, 175 E. 2nd Street, City Council Chambers, 2nd Level, Tulsa, Oklahoma.

**Work sessions of the TMAPC are held, as necessary, either prior to or following regular TMAPC business in the One Technology Center, 175 E. 2nd Street, in a room location to be announced at the time the agenda is posted.

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