

# **TULSA METROPOLITAN AREA PLANNING COMMISSION**

## **Meeting No. 2748**

**June 21, 2017, 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:**

#### **Work Session Report:**

#### **Director's Report:**

Review TMAPC Receipts for the month of May 2017

1. Minutes of June 7, 2017, Meeting No. 2747

### **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-21001** (Lot-Split) (CD 4) Location: Northeast corner of East 3<sup>rd</sup> Street and South Greenwood Avenue (Related to LC-902, LS-21002, LS-21003, LS-21004, LS-21005, LS-21006 and LS-21007) (Continued from May 17, 2017 and June 7, 2017)
3. **LS-21007** (Lot-Split) (CD 4) Location: Northeast corner of East 3<sup>rd</sup> Street and South Greenwood Avenue (Related to LC-902, LS-21001, LS-21002, LS-21003, LS-21004, LS-21005 and LS-21006) (Continued from May 17, 2017 and June 7, 2017)
4. **LS-21011** (Lot-Split) (CD 3) – Location: Northeast of the northeast corner of East King Street and North Sheridan Road (Related to LC-905) (Continued from June 7, 2017)
5. **LC-905** (Lot-Combination) (CD 3) – Location: Northeast of the northeast corner of East King Street and North Sheridan Road (Related to LS-21011) (Continued from June 7, 2017)

6. **LS-21013** (Lot-Split) (CD 8) – Location: Northeast corner of South Canton Avenue and East 84<sup>th</sup> Street South (Related to LC-906, LC-907 and LC-908)
7. **LC-906** (Lot-Combination) (CD 8) – Location: Northeast corner of South Canton Avenue and East 84<sup>th</sup> Street South (Related to LS-21013, LC-907 and LC-908)
8. **LC-907** (Lot-Combination) (CD 8) – Location: Northeast corner of South Canton Avenue and East 84<sup>th</sup> Street South (Related to LS-21013, LC-906 and LC-908)
9. **LC-908** (Lot-Combination) (CD 8) – Location: Northeast corner of South Canton Avenue and East 84<sup>th</sup> Street South (Related to LS-21013, LC-906 and LC-907)
10. **LS-21014** (Lot-Split) (CD 1) – Location: West of the Northwest corner of North Union Avenue and West Pine Place
11. **LC-909** (Lot-Combination) (County) – Location: South of the southwest corner of South Harvard Avenue and East 181<sup>st</sup> Street South (Related to LS-21015)
12. **LS-21015** (Lot-Split) (County) – Location: South of the southwest corner of South Harvard Avenue and East 181<sup>st</sup> Street South (Related to LC-909)
13. **LS-21016** (Lot-Split) (County) – Location: East of the northeast corner of East 111<sup>th</sup> Street North and North Cincinnati Avenue
14. **LC-910** (Lot-Combination) (CD 4) – Location: South of the southwest corner of South Harvard Avenue and East 16<sup>th</sup> Street South
15. **LC-911** (Lot-Combination) (CD 2) – Location: West of the Northwest corner of East 61<sup>st</sup> Place South and South Harvard Avenue
16. **LC-912** (Lot-Combination) (CD 3) – Location: South of the southeast corner of South 66<sup>th</sup> East Avenue and East Admiral Place
17. **LS-21017** (Lot-Split) (County) – Location: Northeast corner of South Elwood Avenue and West 171<sup>st</sup> Street South
18. **LC-913** (Lot-Combination) (CD 8) – Location: East of the southeast corner of South 70<sup>th</sup> East Avenue and East 106<sup>th</sup> Street South (Related to LC-914 and LS-21018 on Public Hearing)
19. **LC-914** (Lot-Combination) (CD 8) – Location: East of the southeast corner of South 70<sup>th</sup> East Avenue and East 106<sup>th</sup> Street South (Related to LC-913 and LS-21018 on Public Hearing)
20. **LC-915** (Lot-Combination) (County) – Location: North of the northwest corner of East 171<sup>st</sup> Street South and South Peoria Avenue (Related to LS-21019)

21. **LS-21019** (Lot-Split) (County) – Location: North of the northwest corner of East 171<sup>st</sup> Street South and South Peoria Avenue (Related to LC-915)
22. **LS-21021** (Lot-Split) (CD 7) – Location: West of the northwest corner of East 51<sup>st</sup> Street South and South 129<sup>th</sup> East Avenue
23. **Z-6010-SP-3b Eric Sack** (CD 7) Location: West of the northwest corner of State Farm Boulevard and South 129<sup>th</sup> East Avenue requesting a **Corridor Minor Amendment** reallocate floor area for a lot split.
24. **PUD-684-3 Jonathan Cowan** (CD 2) Location: South of the southwest corner of East 81<sup>st</sup> Street South and South Lewis Avenue requesting a **PUD Minor Amendment** to allow up to 65 square foot wall sign on tower element of apartment clubhouse

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

#### **PUBLIC HEARINGS:**

25. **LS-21002** (Lot-Split) (CD 4) Location: Northeast corner of East 3<sup>rd</sup> Street and South Greenwood Avenue (Related to LC-902, LS-21001, LS-21003, LS-21004, LS-21005, LS-21006 and LS-21007) (Continued from May 17, 2017 and June 7, 2017) **(Withdrawn by Applicant)**
26. **LS-21003** (Lot-Split) (CD 4) Location: Northeast corner of East 3<sup>rd</sup> Street and South Greenwood Avenue (Related to LC-902, LS-21001, LS-21002, LS-21004, LS-21005, LS-21006 and LS-21007) (Continued from May 17, 2017 and June 7, 2017) **(Withdrawn by Applicant)**
27. **LS-21004** (Lot-Split) (CD 4) Location: Northeast corner of East 3<sup>rd</sup> Street and South Greenwood Avenue (Related to LC-902, LS-21001, LS-21002, LS-21003, LS-21005, LS-21006 and LS-21007) (Continued from May 17, 2017 and June 7, 2017) **(Withdrawn by Applicant)**
28. **LS-21005** (Lot-Split) (CD 4) Location: Northeast corner of East 3<sup>rd</sup> Street and South Greenwood Avenue (Related to LC-902, LS-21001, LS-21002, LS-21003, LS-21004, LS-21006 and LS-21007) (Continued from May 17, 2017 and June 7, 2017) **(Withdrawn by Applicant)**
29. **LS-21006** (Lot-Split) (CD 4) Location: Northeast corner of East 3<sup>rd</sup> Street and South Greenwood Avenue (Related to LC-902, LS-21001, LS-21002, LS-21003, LS-21004, LS-21005 and LS-21007) (Continued from May 17, 2017 and June 7, 2017) **(Withdrawn by Applicant)**

30. **LC-902** (Lot-Combination) (CD 4) Location: Northeast corner of East 3<sup>rd</sup> Street and South Greenwood Avenue (Related to LS-21001, LS-21002, LS-21003, LS-21004, LS-21005, LS-21006, and LS-21007) (Continued from May 17, 2017 and June 7, 2017) **(Withdrawn by Applicant)**
31. **LS-21018** (Lot-Split) (CD 8) Location: East of the southeast corner of South 70<sup>th</sup> East Avenue and East 106<sup>th</sup> Street South (Related to LC-913 and LC-914 on Consent Agenda)
32. **Cottages at Addison Creek** (CD 8) Preliminary Plat, Location: North of the northwest corner of East 131<sup>st</sup> Street South and South Sheridan Road
33. **Addison Creek** (CD 8) Preliminary Plat, Location: North of the northwest corner of East 131<sup>st</sup> Street South and South Sheridan Road (*North and west of proposed Cottages at Addison Creek Preliminary Plat*)
34. **CPA-62 Pam Chandler** (CD 3) Location: West of the southwest corner of East 36<sup>th</sup> Street North and North Sheridan Road requesting to amend the Comprehensive Plan Land Use Map from **Existing Neighborhood** to **Employment** (Related to Z-7396) (Continued from June 7, 2017)
35. **Z-7396 Pam Chandler** (CD 3) Location: West of the southwest corner of East 36<sup>th</sup> Street North and North Sheridan Road requesting rezoning from **RMH** to **IM** with **optional development plan** (Related to CPA-62) (Continued from June 7, 2017)
36. **Z-7394 Lou Reynolds** (CD 2) Location: North of the northwest corner of South 57<sup>th</sup> West Avenue and West 23<sup>rd</sup> Street requesting rezoning from **RS-3** to **IL** (Continued from June 7, 2017) (Related to Z-7394 Plat Waiver)
37. **Z-7394 Plat Waiver** (CD 2) Location: North of the northwest corner of South 57<sup>th</sup> West Avenue and West 23<sup>rd</sup> Street (Related to Z-7394)
38. **Z-7393 Nathan Cross** (CD 7) Location: requesting rezoning from **RS-3/CS** to **CG** with **optional development plan**. **(Applicant requests a continuance to July 5, 2017)**
39. **CPA-63 Wallace Engineering/Carolyn Back** (CD 2) Location: Northwest corner of West 91<sup>st</sup> Street and South Elwood Avenue requesting to amend the Comprehensive Plan Land Use Map from **Park and Open Space** to **Employment** and the Stability and Growth Map from **Area of Stability** to an **Area of Growth** (Related to Z-7397)



**40. Z-7397 Wallace Engineering/Carolyn Back** (CD 2) Location: Northwest corner of West 91<sup>st</sup> Street and South Elwood Avenue requesting rezoning from **AG/IL** to **AG/CG with optional development plan**. (Related to CPA-63)

## **OTHER BUSINESS**

### **41. 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)

email address: [esubmit@incog.org](mailto: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.

**TMAPC RECEIPTS**  
**Month of May 2017**

----- Current Period -----				----- Year To Date -----				
	ITEM	CITY	COUNTY	TOTAL RECEIVED	ITEM	CITY	COUNTY	TOTAL RECEIVED
ZONING								
Zoning Letters	16	\$750.00	\$750.00	\$1,500.00	92	4,287.50	4,287.50	\$8,575.00
Zoning	16	6,750.00	6,750.00	13,500.00	87	35,770.00	35,770.00	71,540.00
Plan Reviews	27	3,550.00	3,550.00	7,100.00	265	27,722.50	27,722.50	55,445.00
Refunds		0.00	0.00	0.00		(575.00)	(575.00)	(1,150.00)
NSF		0.00	0.00	0.00		0.00	0.00	0.00
		<u>\$11,050.00</u>	<u>\$11,050.00</u>	<u>\$22,100.00</u>		<u>\$67,205.00</u>	<u>\$67,205.00</u>	<u>\$134,410.00</u>
LAND DIVISION								
Minor Subdivision	0	\$0.00	\$0.00	\$0.00	3	\$975.00	\$975.00	1,950.00
Preliminary Plats	2	1,195.00	1,195.00	2,390.00	25	\$11,451.25	\$11,451.25	22,902.50
Final Plats	2	1,020.00	1,020.00	2,040.00	16	\$6,634.97	\$6,634.97	13,269.94
Plat Waviers	8	1,000.00	1,000.00	2,000.00	22	\$2,750.00	\$2,750.00	5,500.00
Lot Splits	15	750.00	750.00	1,500.00	125	\$6,645.00	\$6,645.00	13,290.00
Lot Combinations	13	650.00	650.00	1,300.00	119	\$6,250.00	\$6,250.00	12,500.00
Other	1	25.00	25.00	50.00	12	\$1,250.00	\$1,250.00	2,500.00
NSF		0.00	0.00	0.00		(\$50.00)	(\$50.00)	(100.00)
Refinds		0.00	0.00	0.00		\$0.00	\$0.00	0.00
		<u>\$4,640.00</u>	<u>\$4,640.00</u>	<u>\$9,280.00</u>		<u>\$35,906.22</u>	<u>\$35,906.22</u>	<u>\$71,812.44</u>
TMAPC COMP								
Comp Plan Adinendment	3	\$750.00	\$0.00	\$750.00	8	\$2,000.00	\$0.00	\$2,000.00
Refund		<u>\$0.00</u>		<u>\$0.00</u>		\$0.00	\$0.00	\$0.00
		<u>\$750.00</u>	<u>\$0.00</u>	<u>\$750.00</u>		<u>\$2,000.00</u>	<u>\$0.00</u>	<u>\$2,000.00</u>
BOARDS OF ADJUSTMENT								
Fees	28	\$9,950.00	\$1,600.00	\$11,550.00	216	\$61,450.00	\$20,650.00	\$82,100.00
Refunds		(250.00)	0.00	(\$250.00)		(\$1,300.00)	\$0.00	(1,300.00)
NSF Check		0.00	0.00	\$0.00		\$0.00	\$0.00	0.00
		<u>\$9,700.00</u>	<u>\$1,600.00</u>	<u>\$11,300.00</u>		<u>\$60,150.00</u>	<u>\$20,650.00</u>	<u>\$80,800.00</u>
TOTAL		\$26,140.00	\$17,290.00	\$43,430.00		\$165,261.22	\$123,761.22	\$289,022.44
LESS WAIVED FEES *		\$0.00		\$0.00		(\$3,312.31)		(\$3,312.31)
GRAND TOTALS		<u>\$26,140.00</u>	<u>\$17,290.00</u>	<u>\$43,430.00</u>		<u>\$161,948.91</u>	<u>\$123,761.22</u>	<u>\$285,710.13</u>

\* Advertising, Signs & Postage Expenses for City of Tulsa Applications with Fee Waivers.

**May, 2017**

**TMAPC Receipt Comparison**

	<b>May 2017</b>	<b>April 2017</b>	<b>May 2016</b>
<b>Zoning Letters</b>	16	6	8
<b>Zoning</b>	16	8	7
<b>Plan Reviews</b>	27	18	25
<b>Minor Subdivisions</b>	0	0	0
<b>Preliminary Plats</b>	2	3	2
<b>Final Plats</b>	2	1	1
<b>Plat Waivers</b>	8	4	3
<b>Lots Splits</b>	15	23	9
<b>Lot Combinations</b>	13	16	6
<b>Other</b>	1	0	3
<b>Comp Plan Amendments</b>	3	1	1

6/14/2017





**Case Number:** Z-6010-SP-3b  
**Minor Amendment**

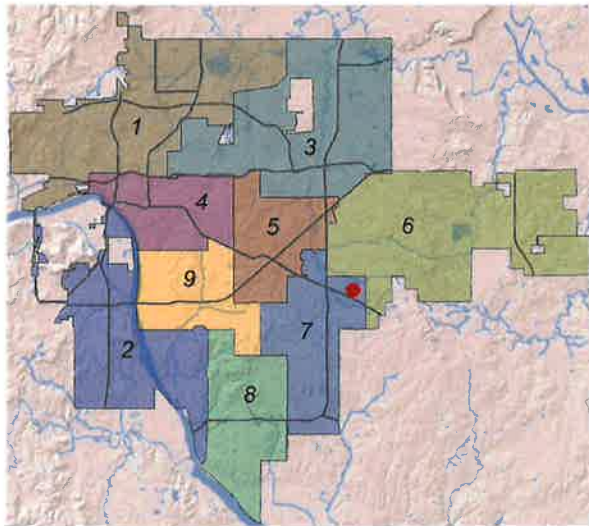
**Hearing Date:** June 21, 2017

**Case Report Prepared by:**  
 Jay Hoyt

**Owner and Applicant Information:**  
 Applicant: Sack and Associates, Inc.

Property Owner: American Southwest Properties

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



**Applicant Proposal:**

Concept summary: Corridor Minor amendment to reallocate floor area for a lot split.

Gross Land Area: 10.83 acres

Location: West of the NW/c State Farm Blvd. and South 129<sup>th</sup> East Ave.

12151 East State Farm Blvd.

**Zoning:**  
 Existing Zoning: CO  
 Proposed Zoning: No Change

**Comprehensive Plan:**  
 Land Use Map: Employment  
 Growth and Stability Map: Growth

**Staff Recommendation:**  
 Staff recommends **approval**

**Staff Data:**  
 TRS: 9429  
 CZM: 49  
 Atlas: 987

**City Council District:** 7  
*Councilor Name:* Anna America  
**County Commission District:** 1  
*Commissioner Name:* John Smaligo

**SECTION I:**        Z-6010-SP-3b Minor Amendment

**STAFF RECOMMENDATION**

Amendment Request: Modify the Corridor Plan to reallocate floor area for a lot split.

Currently, Tract 1A is allocated 141,571 sf of floor area. The applicant is proposing to split Tract 1A into two tracts of equal lot area, Tracts 1A-W (West Tract) and 1A-E (East Tract). Tract 1A-W would be allocated 100,661 sf of floor area from the original allowable. Tract 1A-E would be allocated the remaining 40,910 sf of floor area.

Staff Comment: *This request can be considered a Minor Amendment as outlined by Section 25.040D.3.b(5) of the Corridor District Provisions of the City of Tulsa Zoning Code.*

“Minor amendments to an approved corridor development plan may be authorized by the Planning Commission, which may direct the processing of an amended development plan and subdivision plat, incorporating such changes, so long as substantial compliance is maintained with the approved development plan. “

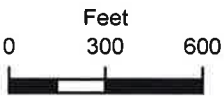
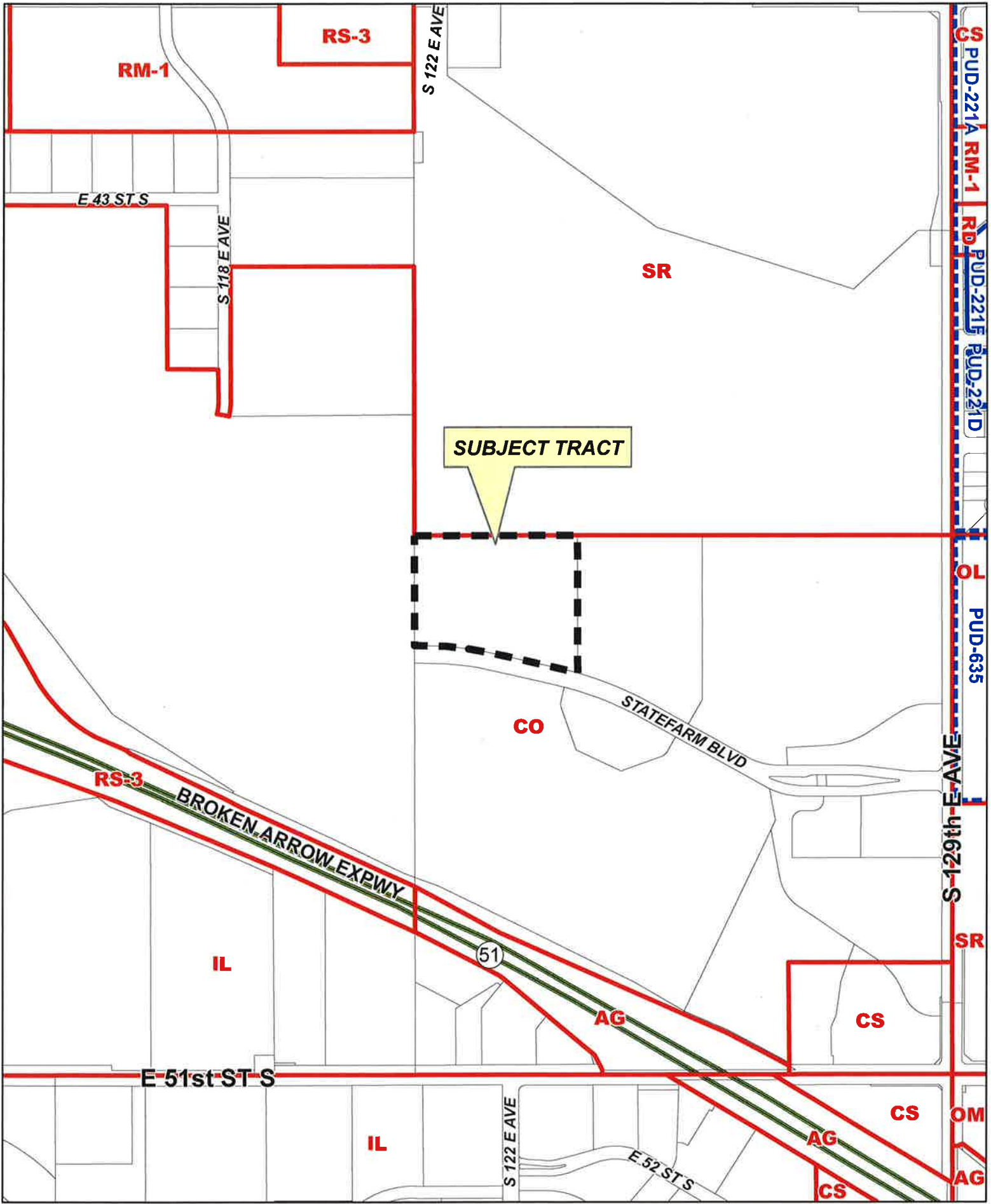
Staff has reviewed the request and determined:

- 1) The requested amendment does not represent a significant departure from the approved development standards in the Corridor Development Plan.
- 2) All remaining development standards defined in Z-6010-SP-3 and subsequent minor amendments shall remain in effect.

Exhibits included with staff recommendation:

INCOG zoning case map  
INCOG aerial photo  
Applicant Minor Amendment Text  
Applicant Lot Split Plan

With considerations listed above, staff recommends **approval** of the minor amendment request to reallocate floor area for a lot split.



**Z-6010-SP-3b**

19-14 29







0 300 600  
Feet



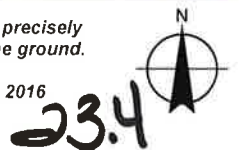
Subject  
Tract

**Z-6010-SP-3b**

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

Aerial Photo Date: February 2016

19-14 29





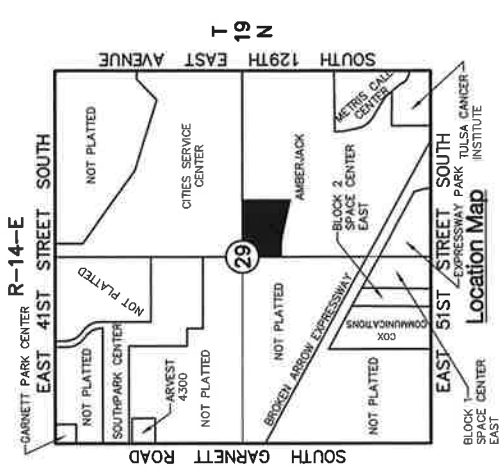
**Current Floor Area Allocation**

	<u>Gross Area</u>	<u>Floor Area Allocation</u>
Tract 1A, Undivided Tract	10.8334 AC	141,571 SF

**Proposed Floor Area Allocation**

	<u>Gross Area</u>	<u>Floor Area Allocation</u>
Tract 1A-W, West Tract	5.4167 AC	100,661 SF
Tract 1A-E, East Tract	5.4167 AC	40,910 SF

All other development standards and requirements remain in full force and affect and are unchanged by this amendment to allocate floor area.



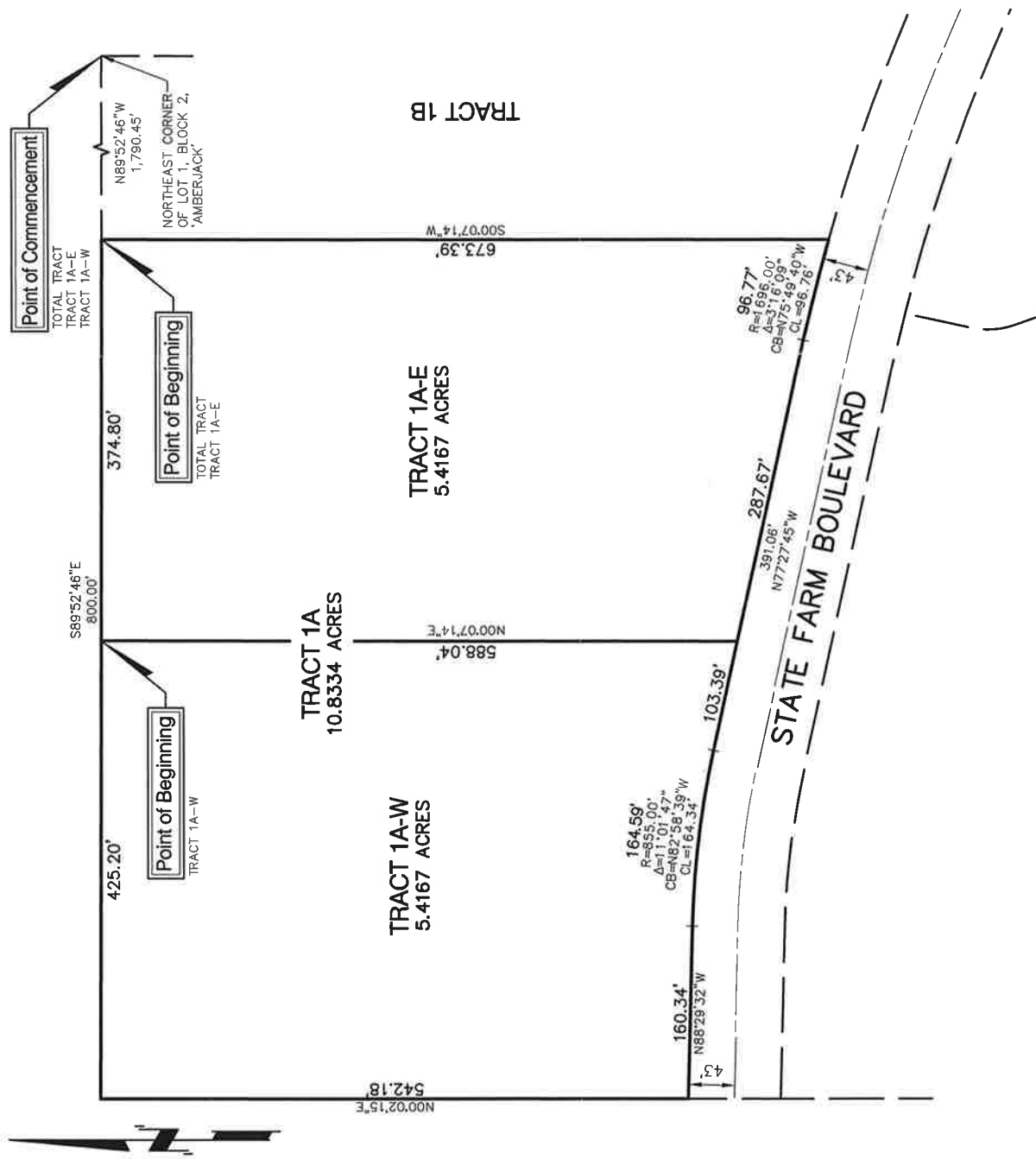
# LOT SPLIT OF PART OF LOT 1 IN BLOCK 2 OF

'AMBERJACK'

SECTION 29, T-19-N, R-14-E  
CITY OF TULSA, TULSA COUNTY, OKLAHOMA



**SACK AND ASSOCIATES, INC.**  
2000 East 31st Street, Suite A, Tulsa, Oklahoma 74133-1018  
PH: 918.592.4111 FAX: 918.592.4112  
www.sackandassociates.com  
CA Number: 1703 (PA 2.0)  
Project: AMBERJACK 82-11-8 Drawing: CDS101A XREF: COPYRTE 5-1177  
Drawn: BAILEY Green: C301L File: 191428 Owner: Potted: 03 MAR 2017



23.6

**Case Number:** PUD-684-3  
**Minor Amendment**

**Hearing Date:** June 21, 2017

**Case Report Prepared by:**

Jay Hoyt

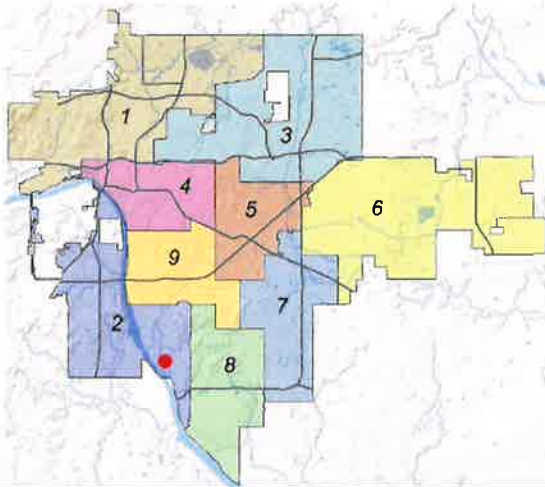
**Owner and Applicant Information:**

Applicant: Jonathan Cowen

Property Owner: Crown Wind River, LLC

**Location Map:**

(shown with City Council Districts)



**Applicant Proposal:**

Concept summary: PUD minor amendment to allow up to 65 sf wall sign on tower element of apartment clubhouse

Gross Land Area: 9.74 acres

Location: South of the SW/c East 81<sup>st</sup> St  
South and South Lewis Ave.

8836 South Lewis Ave  
Development Area G-1

**Zoning:**

Existing Zoning: OM/RM-1/PUD-684

Proposed Zoning: No Change

**Comprehensive Plan:**

Land Use Map: Regional Center

Growth and Stability Map: Growth

**Staff Recommendation:**

Staff recommends **approval**.

**Staff Data:**

TRS: 8318

CZM: 52

Atlas: 1424

**City Council District: 2**

*Councilor Name:* Jeannie Cue

**County Commission District: 3**

*Commissioner Name:* Ron Peters

**SECTION I:** PUD-684-3 Minor Amendment

**STAFF RECOMMENDATION**

Amendment Request: Modify the PUD Development Standards to allow up to 65 sf wall sign on tower element of the clubhouse for Win River.

Currently, one wall sign per building wall, not to exceed 32 sf are allowed. Freestanding signs are allowed 0.2 sf per liner foot of frontage. At 449 feet of frontage, 90 sf of freestanding signage would be allowed.

The applicant has stated that the intent for the tower sign is to be used in lieu of a freestanding sign. The sign will be located on the face of the tower that faces S. Lewis Ave.

Staff Comment: *This request can be considered a Minor Amendment as outlined by Section 30.010.1.2.c(1) of the City of Tulsa Zoning Code.*

*"Modification to approved signage, provided the size, location, number and character (type) of signs is not substantially altered."*

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-684 and subsequent amendment shall remain in effect.

Exhibits included with staff recommendation:

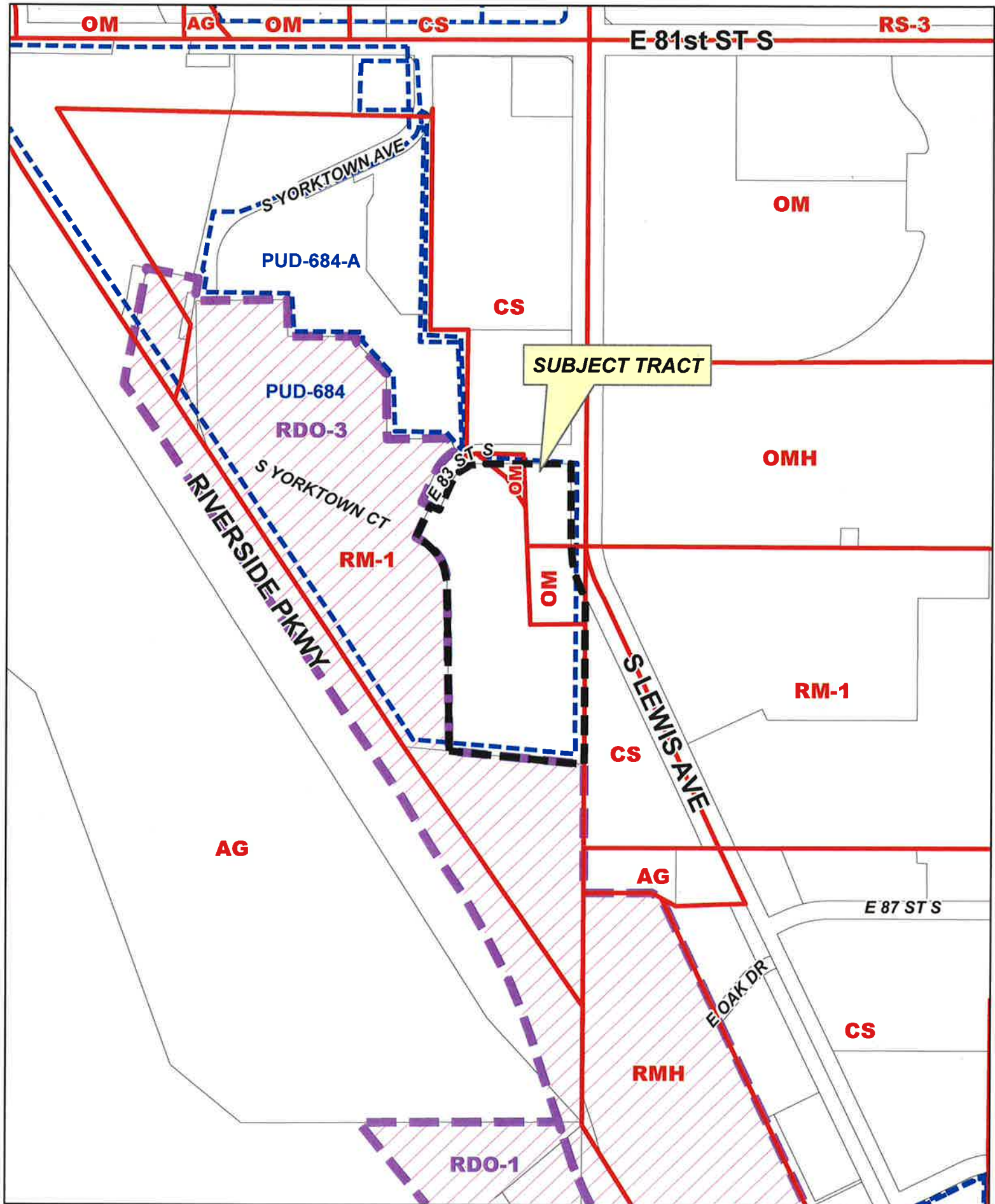
INCOG zoning case map

INCOG aerial photo

Applicant Exhibits:

Proposed Signage Exhibit

With considerations listed above, staff recommends **approval** of the minor amendment request to allow up to 65 sf wall sign on tower element of the clubhouse.



**PUD-684-3**

18-13 18

24.3







0 200 400  
Feet



Subject  
Tract

**PUD-684-3**

18-13 18

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

Aerial Photo Date: February 2016



2451





www.usigninc.com  
4111 S 70th E Ave  
Tulsa, Oklahoma 74145  
918-250-4533 fax:918-250-4534

# QUALITY VALUE ASSURANCE

SCALE:

DATE: 5-22-2017

FILE NAME:

SALES REP:

DRAWN BY: Pearson

PROJECT:

LOCATION: TULSA

ADDRESS:

 Signs will be built to meet UL specifications if required

CLIENT APPROVAL / DATE:

LANDLORD APPROVAL / DATE:

These drawings are the property of U-S Sign Company, and should not be copied, reproduced, or displayed in any fashion other than for the purposes of the project illustrated.

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REVISIONS:

1.	
2.	
3.	
4.	
5.	
6.	

SHEET NUMBER  
1 of 1

DWG

24.5



72.18" x 41.37" Area • 20.7 Sq. Ft.



8.38" x 7.83" Area • .45 Sq. Ft.



31.63" x 21.07" Area • 4.6 Sq. Ft.



67.31" x 41.12" Area • 19.22 Sq. Ft.



8.38" x 7.83" Area • .45 Sq. Ft.



71.56" x 23.08" Area • 11.46 Sq. Ft.



**Sawyer, Kim**

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**From:** Ulmer, Amy  
**Sent:** Wednesday, June 14, 2017 9:21 AM  
**To:** Sawyer, Kim  
**Cc:** Yvonne Hovell  
**Subject:** FW: Third & Greenwood property

Kim,

I spoke with the applicant yesterday and they would like to withdraw the agenda items listed below;

- LS-21002
- LS-21003
- LS-21004
- LS-21005
- LS-21006
- LC-902

Thank you.

**Amy Ulmer | Assistant Planner, Land Development Services**  
2 West Second Street, Suite 800  
Tulsa, OK 74130  
918.579.9471  
918.579.9571 fax  
[aulmer@incog.org](mailto:aulmer@incog.org)



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**From:** Yvonne Hovell [<mailto:yhovell@holstongroup.com>]  
**Sent:** Tuesday, June 13, 2017 4:20 PM  
**To:** Ulmer, Amy  
**Subject:** Re: Third & Greenwood property

Amy

Thank you for the clarity

**Yvonne Hovell**

*Tulsa Urban Development Group, LLC dba URBAN8*

[www.urban8tulsa.com/](http://www.urban8tulsa.com/)

On Tue, Jun 13, 2017 at 3:44 PM, Ulmer, Amy <[aulmer@incog.org](mailto:aulmer@incog.org)> wrote:

Yvonne,

Items 25-30

You will need to contact the title company to create the deeds. As I mentioned below, your lot-splits will result in four newly created parcels, with four new legal descriptions. There will need to be deeds for each of those new tracts. According to my files you are missing one legal description, you have the legal description for Reserve "B" but not the remainder tract. Once you've obtained that new legal description/exhibit from the surveyor please send me a copy so I can add it to your application.

Also, please confirm that you would like to withdraw the following agenda items:

- LS-21002
- LS-21003
- LS-21004
- LS-21005
- LS-21006
- LC-902

This leaves LS-21001 and LS-21007, which reflect the revised legal descriptions/exhibits for Reserve Area "A" and Reserve Area "B".

Let me know if you have any other questions.

**Amy Ulmer | Assistant Planner, Land Development Services**

2 West Second Street, Suite 800

Tulsa, OK 74130

[918.579.9471](tel:918.579.9471)

[918.579.9571](tel:918.579.9571) fax

[aulmer@incog.org](mailto:aulmer@incog.org)



---

**From:** Yvonne Hovell [mailto:[yhovell@holstongroup.com](mailto:yhovell@holstongroup.com)]

**Sent:** Tuesday, June 13, 2017 1:14 PM

**To:** Ulmer, Amy

**Subject:** Re: Third & Greenwood property

Uem 25-30

Amy

Thank you for your time and your recommendations during our meeting this morning.

I am trying to remember what was suggested that I contact the title company to amend or correct. Can you help direct me?

Yvonne Hovell

*Tulsa Urban Development Group, LLC dba URBAN8*

[www.urban8tulsa.com/](http://www.urban8tulsa.com/)

On Tue, Jun 13, 2017 at 12:20 PM, Ulmer, Amy <[aulmer@incog.org](mailto:aulmer@incog.org)> wrote:

Yvonne,

Great to meet you this afternoon. This email is to confirm that you would like to withdraw the following agenda items:

- LS-21002
- LS-21003
- LS-21004
- LS-21005
- LS-21006
- LC-902

This leaves LS-21001 and LS-21007, which reflect the revised legal descriptions/exhibits for Reserve Area "A" and Reserve Area "B".

As for the deeds, a title company usually prepares those. Your lot-splits will result in four newly created parcels, with four new legal descriptions. There will need to be deeds for each of those new tracts. According to my files you are missing one legal description, you have the legal description for Reserve "B" but not the remainder tract.

25-30

Once you've obtained that new legal description/exhibit from the surveyor please send me a copy so I can add it to your application. Let me know if you have any other questions.

**Amy Ulmer | Assistant Planner, Land Development Services**

2 West Second Street, Suite 800

Tulsa, OK 74130

[918.579.9471](tel:918.579.9471)

[918.579.9571](tel:918.579.9571) fax

[aulmer@incog.org](mailto:aulmer@incog.org)



--

Yvonne Hovell

*Tulsa Urban Development Group, LLC dba URBAN8*

[www.urban8tulsa.com/](http://www.urban8tulsa.com/)

25-30



Tulsa Metropolitan Area  
Planning Commission

**Case Number:** LS-21018

**Lot-Split**

**( Related to LC-913 and LC-914 on  
Consent Agenda)**

**Hearing Date:** June 21, 2017

**Case Report Prepared by:**

Amy Ulmer

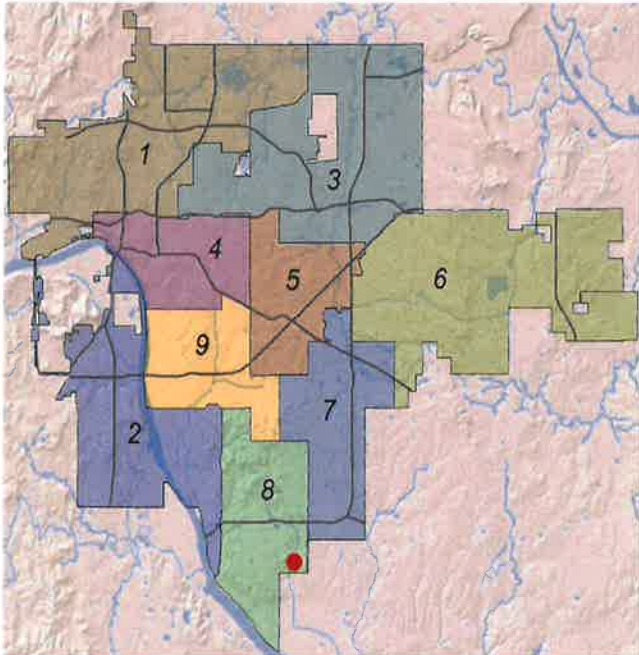
**Owner and Applicant Information:**

Applicant: Mark B. Capron

Property Owners: Alan W. Carlton Revocable  
Trust

**Location Map:**

**(shown with County Commission Districts)**



**Applicant Proposal:**

Proposal to split an existing AG tract into  
three tracts.

The lot-split requires a waiver of the  
Subdivision Regulations that no lot have more  
than three side lot lines.

Existing Use: Vacant

Tract A-1 Size: 17.44 ± acres

Tract A-2 Size: 1.4 ± acres

Location: East of the Southeast corner of  
South 70<sup>th</sup> East Avenue and East 106<sup>th</sup> Street  
South

**Comprehensive Plan:**

Land Use Map:

*New Neighborhood*

Stability and Growth Map:

*Area of Growth*

**Zoning:**

Existing Zoning: AG

**Staff Recommendation:**

Staff recommends **approval** of the lot-split  
and the waiver of the Subdivision Regulations  
that no lot have more than three side lot lines.

**City Council District: 8**

*Councilor Name:* Phil Lakin, Jr.

**County Commission District: 3**

*Commissioner Name:* Ron Peters

## **Lot-Split and Waiver of Subdivision Regulations**

**June 21, 2017**

**LS-21018**

**Alan W. Carlton Revocable Trust, (8326) (AG) (Council District 8)**

**Location: East of the Southeast corner of South 70<sup>th</sup> East Avenue and East 106<sup>th</sup> Street South**

The Lot-Split proposal is to split an existing AG (Agriculture) tract into two tracts. Tract A-1 and Tract A-2 will meet the Bulk and Area requirements of the City of Tulsa Zoning Code with the concurrent lot-combination applications (LC-913 and LC-914).

The Technical Advisory Committee met on June 21, 2017 and had the following comment. Development Services requests a mutual access easement across Tract B to the east that is subject to LC-913.

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.





0 300 600  
Feet



Subject  
Tract

**LS-21018**

18-13 26

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

Aerial Photo Date: February 2016











Tulsa Metropolitan Area  
Planning Commission

**Case :** Cottages at Addison Creek

**Hearing Date:** June 21, 2017

**Case Report Prepared by:**

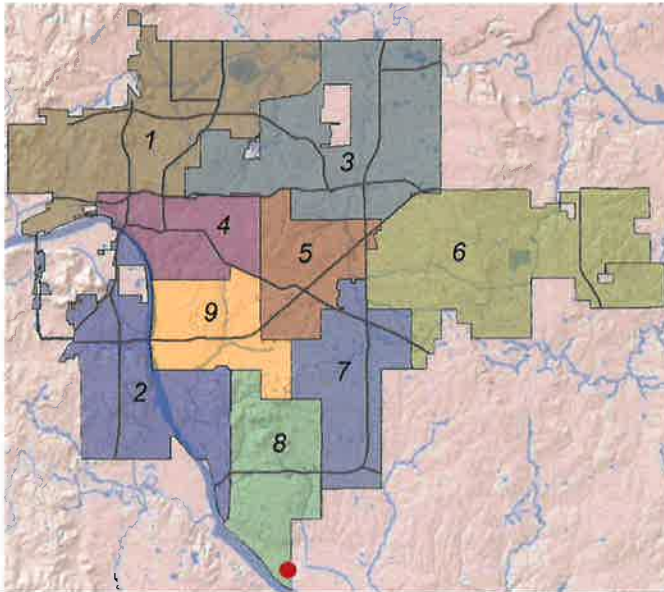
Nathan Foster

**Owner and Applicant Information:**

*Applicant:* Tanner Consulting, LLC

*Owner:* Stone Horse Development, LLC

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



**Applicant Proposal:**

Preliminary Subdivision Plat

47 lots, 8 blocks, 10.25± acres

*Location:* North of the northwest corner of  
East 131<sup>st</sup> Street South and South  
Sheridan Road

**Zoning:** RS-3/PUD-812

**Staff Recommendation:**

Staff recommends **approval** of the  
Preliminary Plat

**City Council District:** 8

*Councilor Name:* Phil Lakin

**County Commission District:** 3

*Commissioner Name:* Ron Peters

**EXHIBITS:** Site Map, Aerial, Land Use, Growth & Stability, Preliminary Plat Submittal

## PRELIMINARY SUBDIVISION PLAT

### Cottages at Addison Creek - (CD 8)

North of the northwest corner of East 131<sup>st</sup> Street South and South Sheridan Road

This plat consists of 47 lots, 5 blocks, 2 reserve areas on 10.258± acres for use as a single-family residential subdivision.

The Technical Advisory Committee (TAC) met on June 1, 2017 and provided the following conditions:

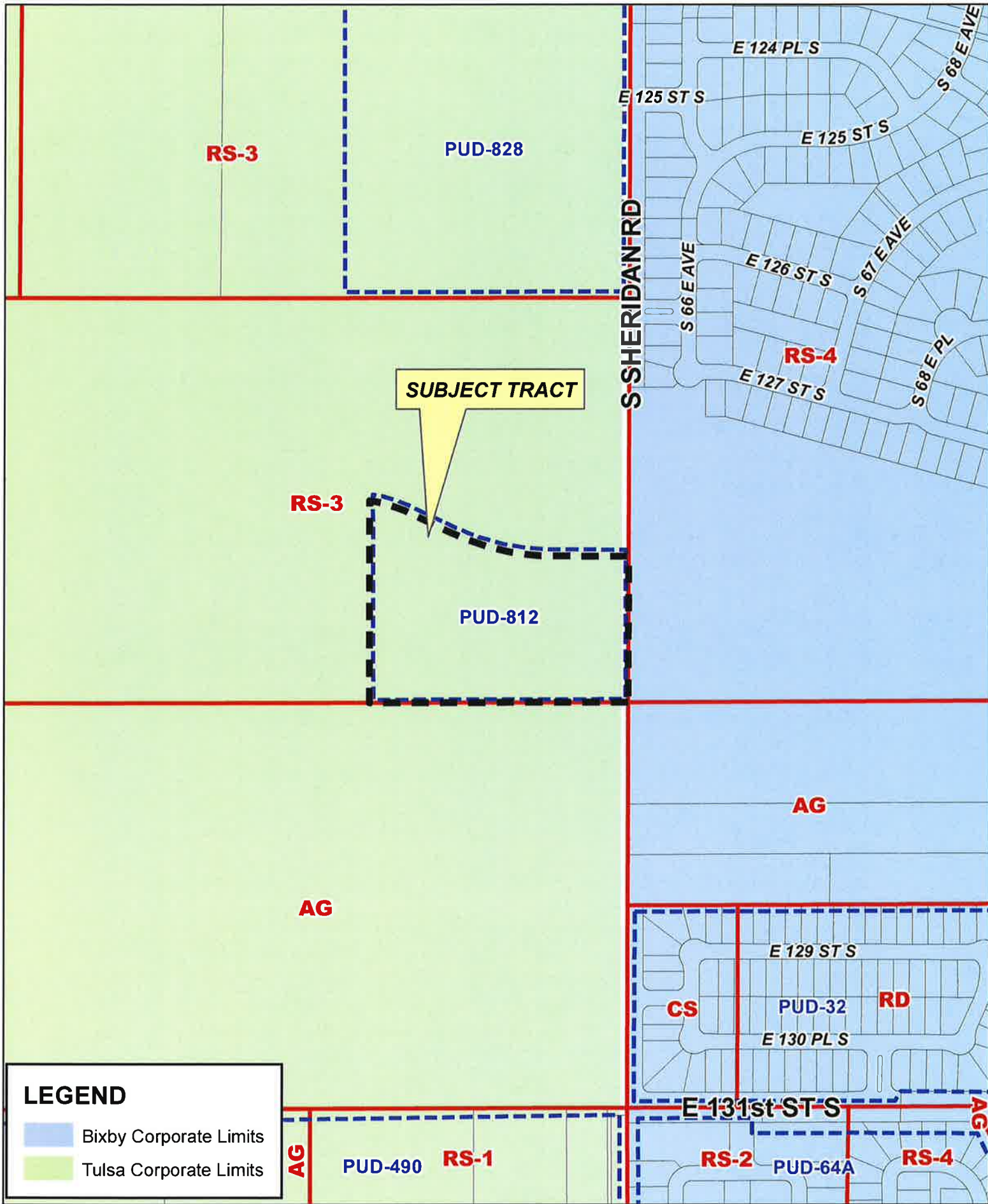
1. **Zoning:** The property is currently zoned RS-3 with Planned Unit Development 812. All lots shown on the preliminary plat conform to the lot and building regulations of RS-3 in the City of Tulsa Zoning Code.
2. **Transportation & Traffic:** Ensure access and limits of no access measurements equal the total boundary distance. Include sidewalk language in deed of dedication.
3. **Sewer:** Utility easements along streets are shown as 15'. Utility easements for lots adjacent to reserve areas are shown as 11'. Provide 17.5' utility easements or a release from the City of Tulsa for easements as shown.
4. **Water:** The proposed 20' restricted waterline easement shall be exclusive without other easements overlapping. Alternatively, provide a 17.5' utility easement along both sides of streets and establish the 30' roadway as a reserve and utility easement.
5. **Engineering Graphics:** Submit a subdivision control data sheet with final plat. Provide addresses for individual lots. Label the property being platted as "site" or "project location" in the location map. Correct subdivision statistics to reflect 5 blocks. Show only filed plats in the location map and label all other property as unplatted. Under the "Basis of Bearing" heading provide a bearing angle between two known points associated with this plat. Graphically label the Point of Beginning. Correct subdivision statistics to reflect accurate number of blocks. Show property pins set/found graphically.
6. **Fire:** No comments.
7. **Stormwater, Drainage, & Floodplain:** The majority of the subject property is located within the FEMA 100-year Floodplain as well as the City of Tulsa Regulatory Floodplain. All delineated floodplain boundaries, including City of Tulsa Regulatory Floodplain, must be clearly and accurately shown on the plat with base flood elevations labeled. It is recommended that the current effective map panels with map effective dates also be placed on the plat. Any proposed development within the floodplain must meet the floodplain development requirements of the City of Tulsa Revised Ordinances, Title 11-A and Title 51 as well as all City drainage standards. Proposed changes to the floodplain boundaries or flood elevations will be subject to floodplain map revisions.

8. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** All utilities indicated to serve the site must provide a release prior to final plat approval. Provide a Certificate of Records Search from the Oklahoma Corporation Commission to verify no oil & gas activity on the site.

**Waivers of Subdivision Regulations:**

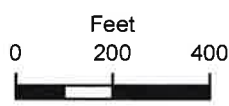
1. None Requested

Staff recommends **APPROVAL** of the preliminary subdivision plat subject to the conditions provided by TAC and the requirements of the Subdivisions Regulations.



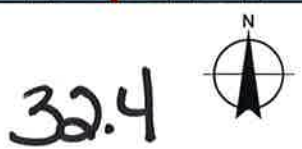
**LEGEND**

-  Bixby Corporate Limits
-  Tulsa Corporate Limits



**COTTAGES AT  
ADDISON CREEK**

17-13 03







0 200 400  
Feet

 Subject Tract

# COTTAGES AT ADDISON CREEK

17-13 03

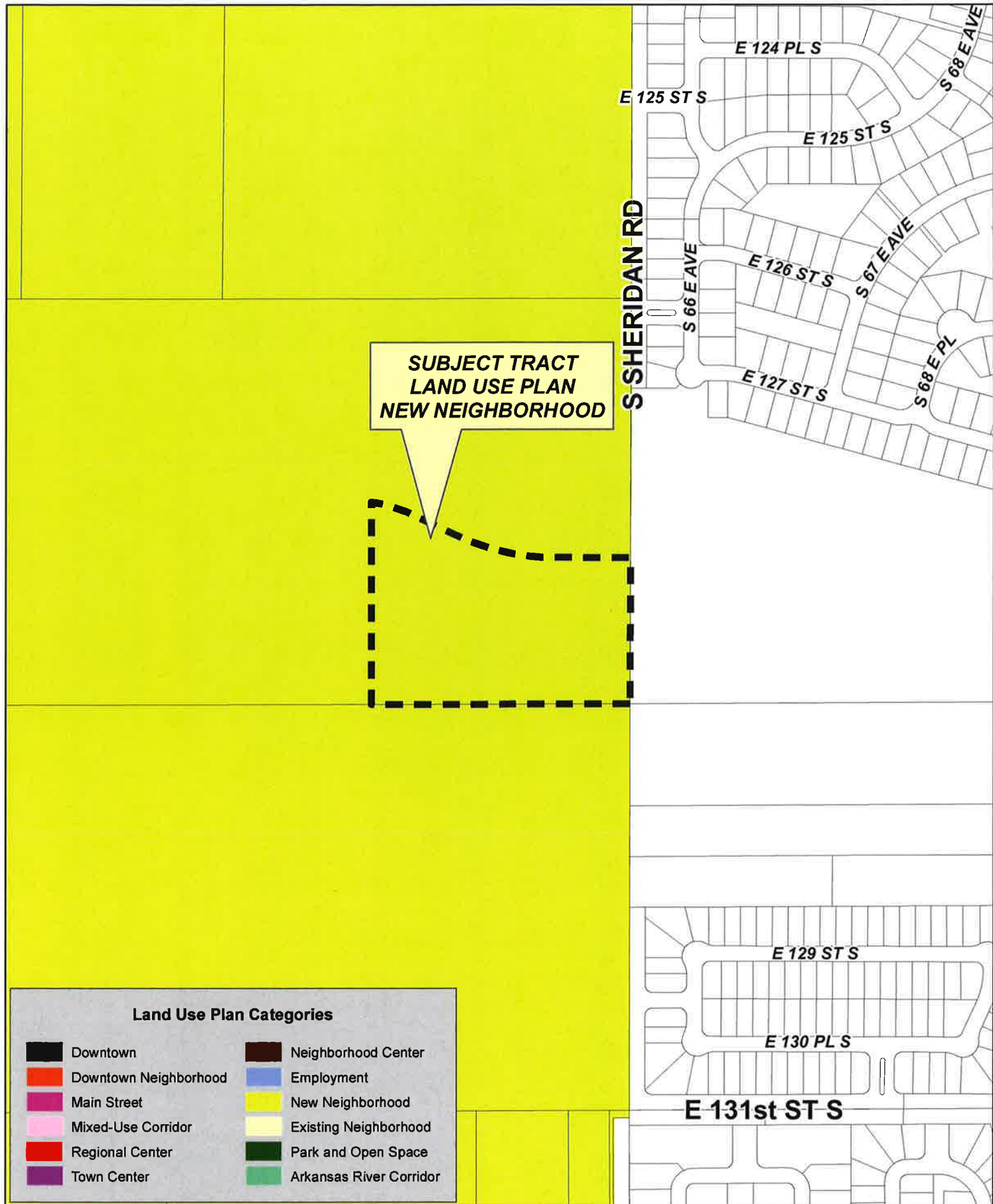
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016



32.5

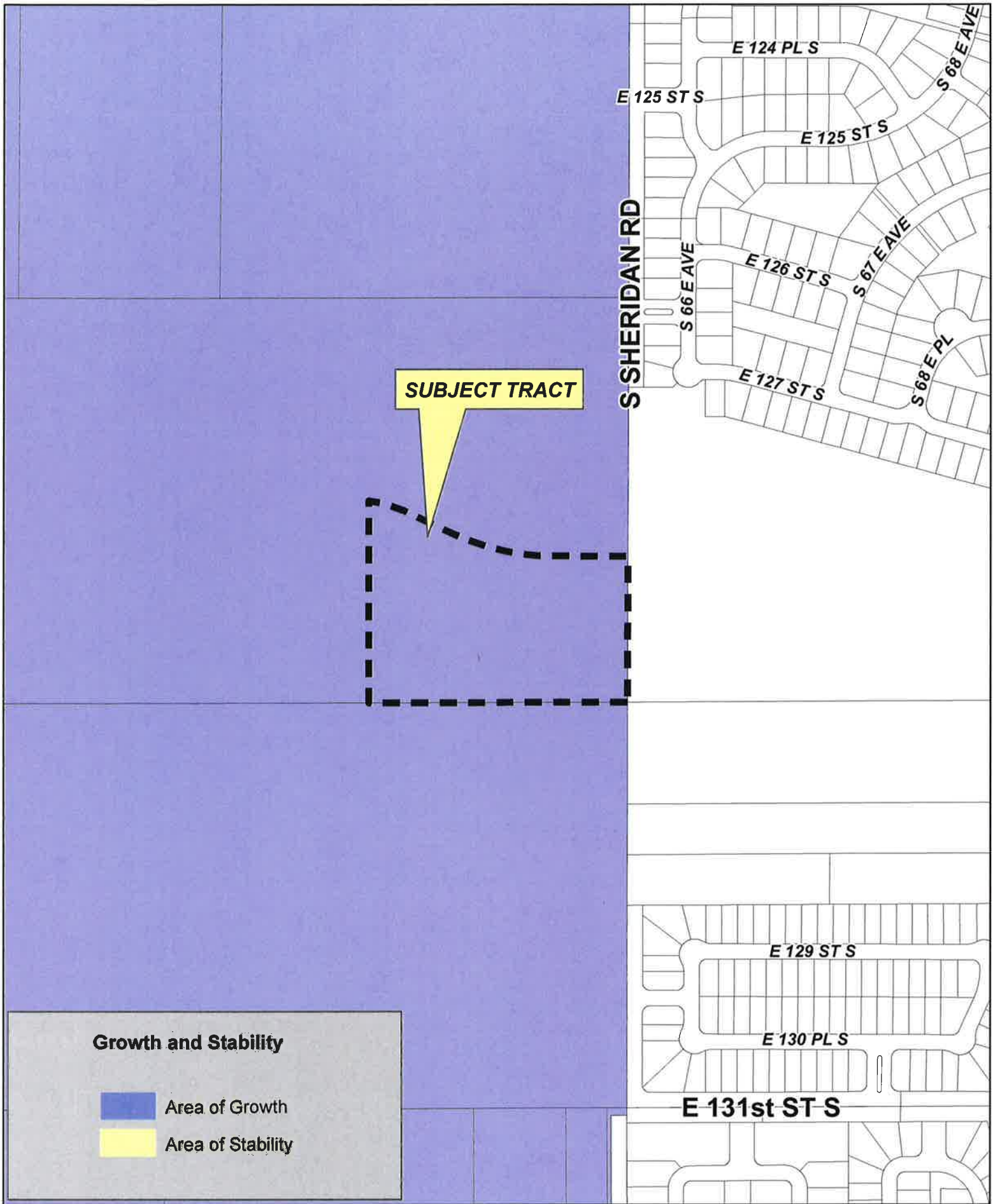






## COTTAGES AT ADDISON CREEK

17-13 03





**Growth and Stability**

-  Area of Growth
-  Area of Stability

**COTTAGES AT  
ADDISON CREEK**

17-13 03

32.7











# ADDISON CREEK



FINAL PLAN ENDORSEMENT OF APPROVAL	
Tulsa Metropolitan Area Planning Commission	
Approval Date: _____	
	TWAC/INCOG
	CITY ENGINEER
	Council of the City of Tulsa, Oklahoma
Approval Date: _____	
	CHAIRMAN
	MAYOR
	ATTNEY: CITY CLERK
	CITY ATTORNEY

The approval of this final plan will expire one year from the date of City Council approval if not renewed in the Office of the County Clerk before that date.

**SURVEYOR/ENGINEER:**  
**Tanner Consulting, LLC**  
DAN E. TANNER, P.L.S. NO. 1435  
OK CA NO. 2663, EXPIRES 6/30/2019  
EMAIL: DAN@TANNERBAITS-HOP.COM  
5323 South Lewis Avenue  
Tulsa, Oklahoma 74105  
Phone: (918) 745-9929

**Location Map**  
 See map 17-20000  
 SUBDIVISION CONTAINS:  
 ONE HUNDRED FOURTEEN (14) LOTS  
 IN NINE (9) BLOCKS WITH SEVEN (7) RESERVES  
 CROSS SUBDIVISION AREA: M-4317-2815

[illegible][illegible]

DATE OF PREPARATION: May 14, 2017







Tulsa Metropolitan Area  
Planning Commission

**Case :** Addison Creek

**Hearing Date:** June 21, 2017

**Case Report Prepared by:**

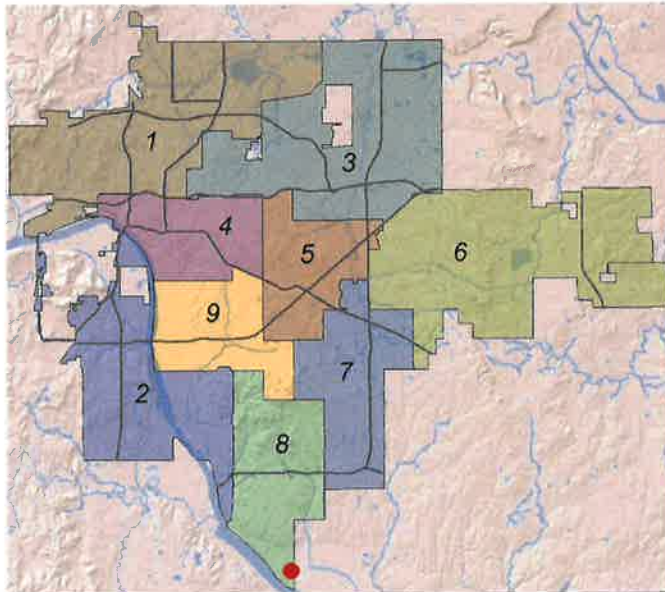
Nathan Foster

**Owner and Applicant Information:**

*Applicant:* Tanner Consulting, LLC

*Owner:* Stone Horse Development, LLC

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



**Applicant Proposal:**

Preliminary Subdivision Plat

114 lots, 9 blocks, 56.41± acres

*Location:* North of the northwest corner of  
East 131<sup>st</sup> Street South and South  
Sheridan Road

*(North and west of proposed Cottages at  
Addison Creek preliminary plat)*

**Zoning:** RS-3

**Staff Recommendation:**

Staff recommends **approval** of the  
Preliminary Plat

**City Council District:** 8

*Councilor Name:* Phil Lakin

**County Commission District:** 3

*Commissioner Name:* Ron Peters

**EXHIBITS:** Site Map, Aerial, Land Use, Growth & Stability, Preliminary Plat Submittal

## PRELIMINARY SUBDIVISION PLAT

### Addison Creek - (CD 8)

North of the northwest corner of East 131<sup>st</sup> Street South and South Sheridan Road (*North and west of proposed Cottages at Addison Creek Preliminary Plat*)

This plat consists of 114 lots, 9 blocks, 7 reserve areas on 56.41± acres for use as a single-family residential subdivision.

The Technical Advisory Committee (TAC) met on June 1, 2017 and provided the following conditions:

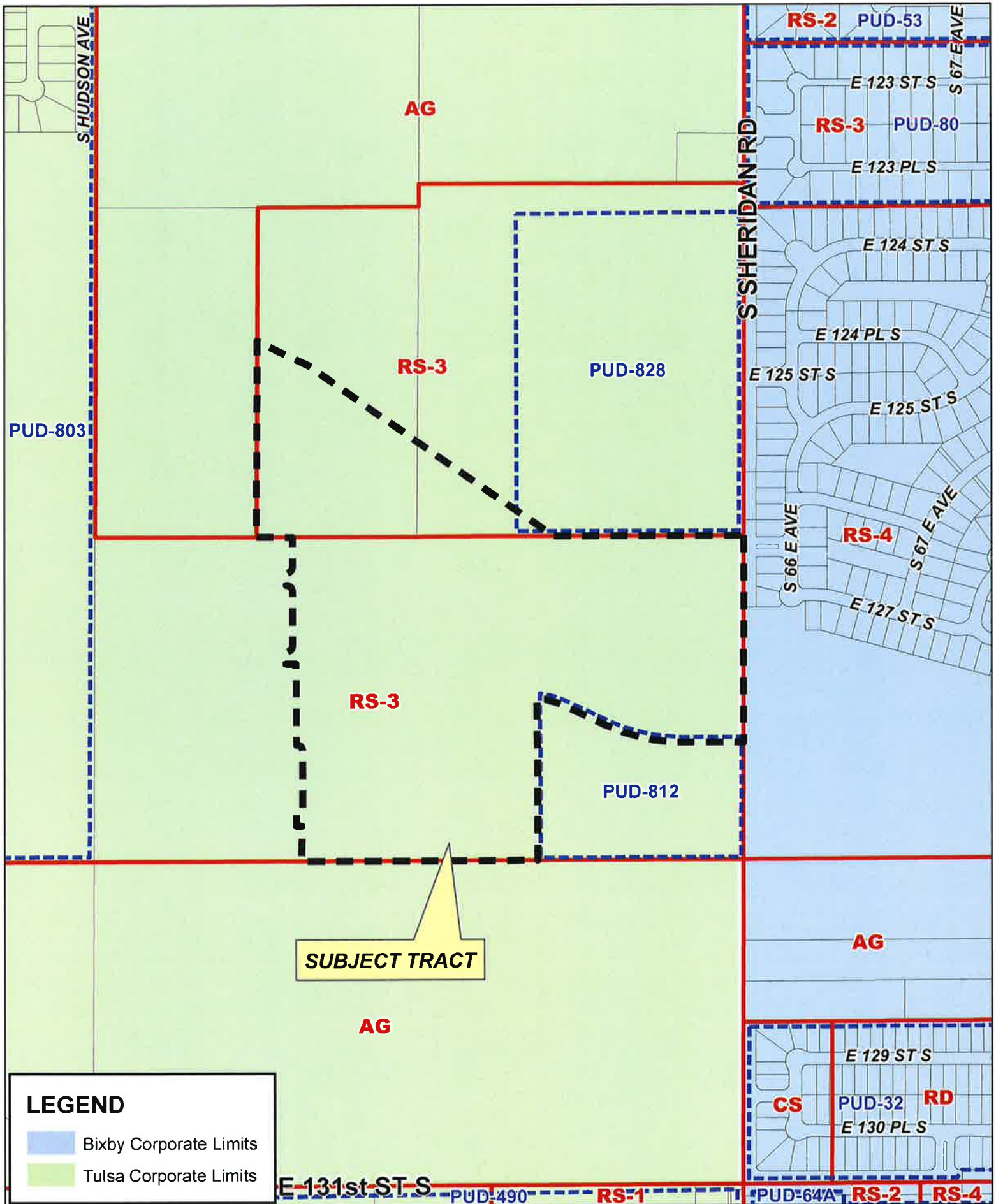
1. **Zoning:** The property is currently zoned RS-3. All lots shown on the preliminary plat conform to the lot and building regulations of RS-3 in the City of Tulsa Zoning Code.
2. **Transportation & Traffic:** Ensure access and limits of no access measurements equal the total boundary distance. Include sidewalk language in deed of dedication. Ensure maintenance and access through Reserve E is included in deed of dedication.
3. **Sewer:** Proposed easements along streets and subdivision perimeter are less than 17.5' recommended by subdivision regulations. City of Tulsa must approve and release easements for final plat.
4. **Water:** Waterlines must be installed 8' off of property lines within a dedicated utility easement. Recommended that 17.5' utility easements are provided on each side of all roadways.
5. **Engineering Graphics:** Submit a subdivision control data sheet with final plat. Provide addresses for individual lots. Label the property being platted as "site" or "project location" in the location map. Show only filed plats in the location map and label all other property as unplatted. Under the "Basis of Bearing" heading provide a bearing angle between two known points associated with this plat. Graphically label the Point of Beginning. Correct subdivision statistics to reflect accurate number of blocks. Show property pins set/found graphically.
6. **Fire:** No comments.
7. **Stormwater, Drainage, & Floodplain:** The majority of the subject property is located within the FEMA 100-year Floodplain as well as the City of Tulsa Regulatory Floodplain. All delineated floodplain boundaries, including City of Tulsa Regulatory Floodplain, must be clearly and accurately shown on the plat with base flood elevations labeled. It is recommended that the current effective map panels with map effective dates also be placed on the plat. Any proposed development within the floodplain must meet the floodplain development requirements of the City of Tulsa Revised Ordinances, Title 11-A and Title 51 as well as all City drainage standards. Proposed changes to the floodplain boundaries or flood elevations will be subject to floodplain map revisions.

8. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** All utilities indicated to serve the site must provide a release prior to final plat approval. Provide a Certificate of Records Search from the Oklahoma Corporation Commission to verify no oil & gas activity on the site.

**Waivers of Subdivision Regulations:**

1. None Requested

Staff recommends **APPROVAL** of the preliminary subdivision plat subject to the conditions provided by TAC and the requirements of the Subdivisions Regulations.



**ADDISON CREEK**

17-13 03







S HUDSON AVE

S SHERIDAN RD

E 123 ST S

E 123 PL S

E 124 ST S

E 124 PL S

E 125 ST S

E 125 ST S

S 66 EAVE

S 67 EAVE

E 127 ST S

E 129 ST S

E 130 PL S

E 131st ST S



Subject Tract

**ADDISON CREEK**

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

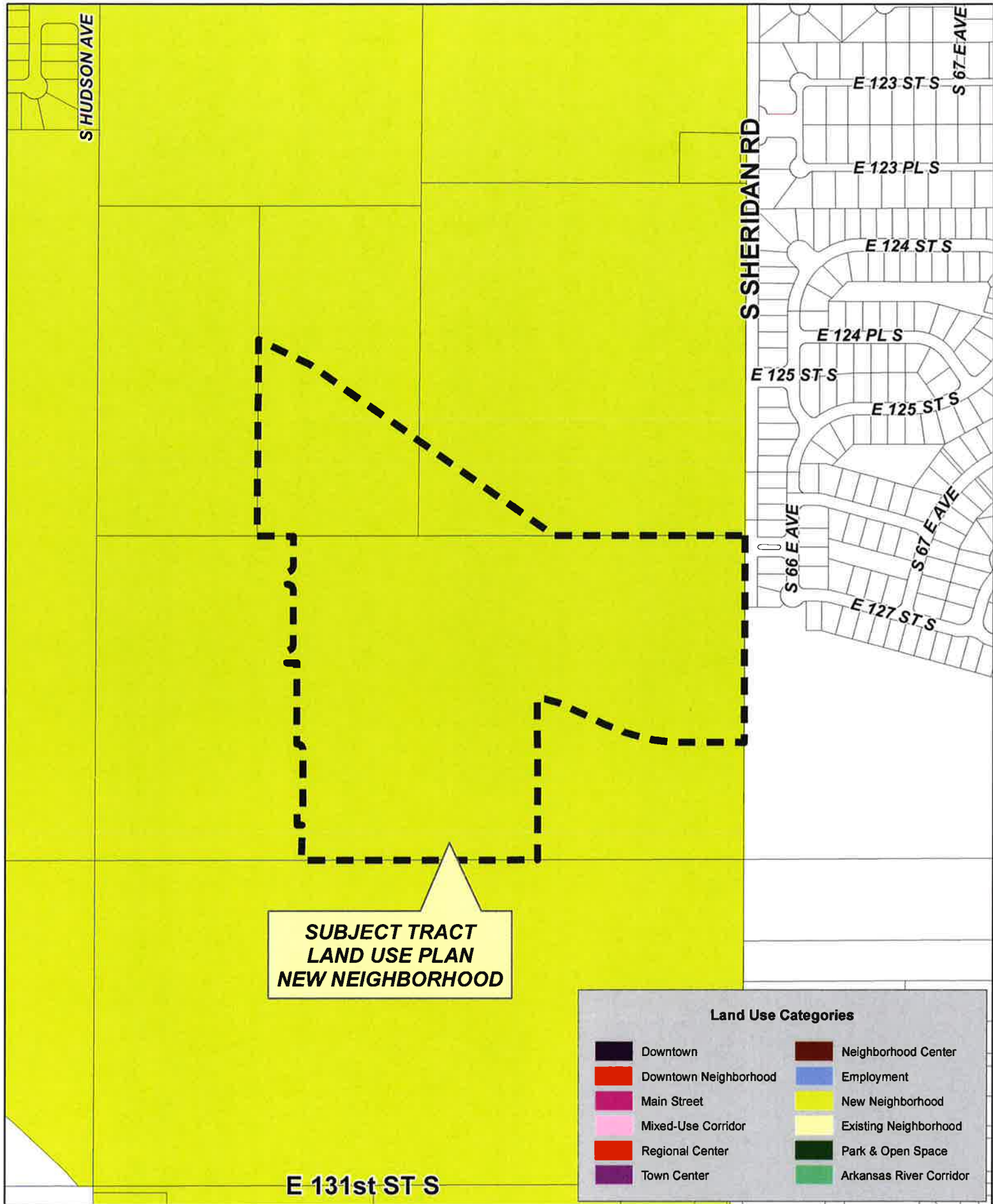
17-13 03

Aerial Photo Date: February 2016



33.5





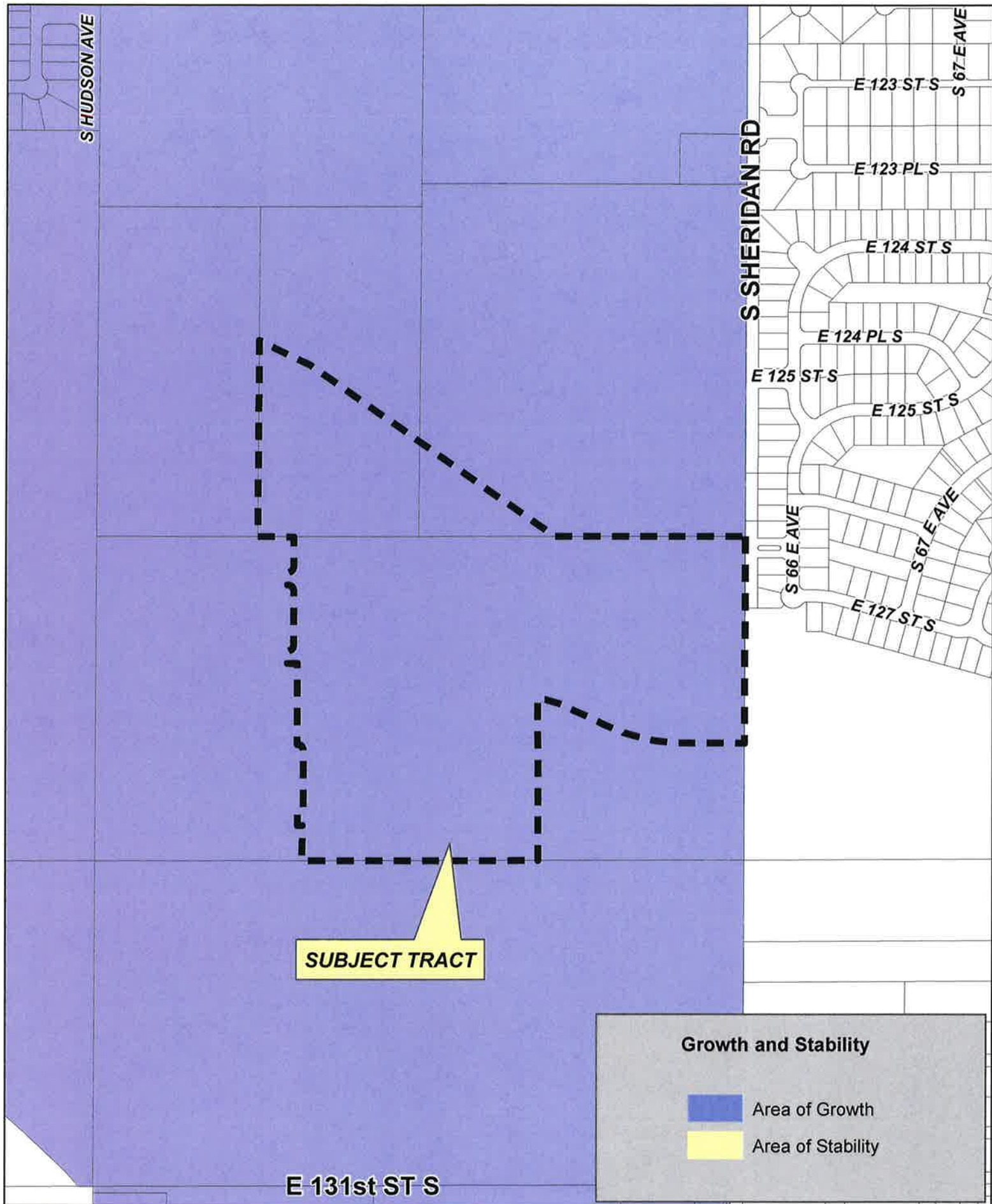
Feet  
0 250 500

**ADDISON CREEK**

17-13 03

33.6











Preliminary Plat

ADDISON CREEK

PART OF THE NORTH HALF OF THE SOUTHEAST QUARTER (N2 SE/4)  
AND PART OF THE SOUTH HALF OF THE NORTHEAST QUARTER (S2 NE/4)  
SECTION THREE (3), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE 10TH MERIDIAN  
A SUBDIVISION WITHIN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

DEED OF DEDICATION CONTINUED

SECTION I - LAND USE RESTRICTIONS

- A. USE OF LAND
- ALL LOTS WITHIN THE SUBDIVISION SHALL BE KNOWN, AND DESCRIBED AS RESIDENTIAL LOTS AND SHALL BE USED FOR RESIDENTIAL PURPOSES. THE SUBDIVISION SHALL BE USED FOR RESIDENTIAL PURPOSES AND NOT FOR ANY OTHER PURPOSES. THE SUBDIVISION SHALL BE USED FOR RESIDENTIAL PURPOSES AND NOT FOR ANY OTHER PURPOSES. THE SUBDIVISION SHALL BE USED FOR RESIDENTIAL PURPOSES AND NOT FOR ANY OTHER PURPOSES.
- B. SETBACKS
1. STREET INTO EASEMENT SETBACKS: WHEREBY, WHETHER PRINCIPAL OR ACCESSORY, SHALL BE ERECTED NEARER TO A PUBLIC STREET THAN THE BUILDING SETBACK LINES SPECIFIED ON THE PLAT. THE BUILDING SETBACK LINES SHALL BE ERECTED NEARER TO A PUBLIC STREET THAN THE BUILDING SETBACK LINES SPECIFIED ON THE PLAT.
2. SIDE YARD SETBACKS: THE MINIMUM SIDE YARD SETBACK SHALL BE 10 FEET. THE MINIMUM SIDE YARD SETBACK SHALL BE 10 FEET. THE MINIMUM SIDE YARD SETBACK SHALL BE 10 FEET.
3. REAR YARD SETBACKS: THE MINIMUM REAR YARD SETBACK SHALL BE 20 FEET. THE MINIMUM REAR YARD SETBACK SHALL BE 20 FEET. THE MINIMUM REAR YARD SETBACK SHALL BE 20 FEET.
- C. ADDITIONAL PRIVATE RESTRICTIONS AND COVENANTS
- COVENANTS, RESTRICTIONS AND COVENANTS SHALL BE PRIVATE AND SHALL BE CONTAINED IN A SEPARATE INSTRUMENT. COVENANTS, RESTRICTIONS AND COVENANTS SHALL BE PRIVATE AND SHALL BE CONTAINED IN A SEPARATE INSTRUMENT. COVENANTS, RESTRICTIONS AND COVENANTS SHALL BE PRIVATE AND SHALL BE CONTAINED IN A SEPARATE INSTRUMENT.

SECTION III - HOMEOWNERS' ASSOCIATION

- A. FORMATION OF HOMEOWNERS' ASSOCIATION
- THE OWNERS/DEVELOPER HAS FORMED OR SHALL CAUSE TO BE FORMED AN ASSOCIATION OF THE OWNERS/DEVELOPER AND HOMEOWNERS OF THE SUBDIVISION. THE ASSOCIATION SHALL BE FORMED OR SHALL CAUSE TO BE FORMED AN ASSOCIATION OF THE OWNERS/DEVELOPER AND HOMEOWNERS OF THE SUBDIVISION. THE ASSOCIATION SHALL BE FORMED OR SHALL CAUSE TO BE FORMED AN ASSOCIATION OF THE OWNERS/DEVELOPER AND HOMEOWNERS OF THE SUBDIVISION.
- B. MEMBERSHIP
- EVERY PERSON OR ENTITY WHO IS A RECORD OWNER OF THE LOT INTEREST IN A LOT IN THE SUBDIVISION SHALL BE A CLASS MEMBER OF THE ASSOCIATION. EVERY PERSON OR ENTITY WHO IS A RECORD OWNER OF THE LOT INTEREST IN A LOT IN THE SUBDIVISION SHALL BE A CLASS MEMBER OF THE ASSOCIATION. EVERY PERSON OR ENTITY WHO IS A RECORD OWNER OF THE LOT INTEREST IN A LOT IN THE SUBDIVISION SHALL BE A CLASS MEMBER OF THE ASSOCIATION.
- C. COVENANTS FOR ASSOCIATION
- THE OWNER OF A LOT BY ACCEPTANCE OF A DEED HEREON COVENANTS AND AGREES TO PAY TO THE ASSOCIATION THE ANNUAL DUES AND FEES AS SET FORTH IN THE BYLAWS OF THE ASSOCIATION. THE OWNER OF A LOT BY ACCEPTANCE OF A DEED HEREON COVENANTS AND AGREES TO PAY TO THE ASSOCIATION THE ANNUAL DUES AND FEES AS SET FORTH IN THE BYLAWS OF THE ASSOCIATION.
- D. ENFORCEMENT RIGHTS OF THE ASSOCIATION
- WITHOUT LIMITATION OF SUCH OTHER POWERS AND RIGHTS AS THE ASSOCIATION MAY HAVE, THE ASSOCIATION SHALL HAVE THE RIGHT TO ENFORCE THE COVENANTS, RESTRICTIONS AND COVENANTS SET FORTH WITHIN THE DEED OF DEDICATION AND SHALL HAVE THE RIGHT TO ENFORCE THE COVENANTS TO THE SAME EXTENT AS A LOT OWNER.

SECTION IV - ENFORCEMENT, DURATION, AMENDMENT & SEVERABILITY

A. ENFORCEMENT AND DURATION

THE RESTRICTIONS HEREIN SET FORTH SHALL BE COVENANTS RUNNING WITH THE LAND AND SHALL BE BINDING UPON THE OWNERS/DEVELOPER, ITS GRANTEES, TRANSFEREES, SUCCESSORS AND ASSIGNEES. THE RESTRICTIONS HEREIN SET FORTH SHALL BE COVENANTS RUNNING WITH THE LAND AND SHALL BE BINDING UPON THE OWNERS/DEVELOPER, ITS GRANTEES, TRANSFEREES, SUCCESSORS AND ASSIGNEES.

B. AMENDMENT

THE COVENANTS CONTAINED WITHIN SECTION I, PUBLIC STREETS, EASEMENTS AND UTILITIES AND SECTION II, LAND USE RESTRICTIONS, SHALL BE AMENDABLE BY THE OWNERS/DEVELOPER AND THE HOMEOWNERS' ASSOCIATION. THE COVENANTS CONTAINED WITHIN SECTION I, PUBLIC STREETS, EASEMENTS AND UTILITIES AND SECTION II, LAND USE RESTRICTIONS, SHALL BE AMENDABLE BY THE OWNERS/DEVELOPER AND THE HOMEOWNERS' ASSOCIATION.

SECTION V - HOMEOWNERS' ASSOCIATION

A. FORMATION OF HOMEOWNERS' ASSOCIATION

THE OWNERS/DEVELOPER HAS FORMED OR SHALL CAUSE TO BE FORMED AN ASSOCIATION OF THE OWNERS/DEVELOPER AND HOMEOWNERS OF THE SUBDIVISION. THE ASSOCIATION SHALL BE FORMED OR SHALL CAUSE TO BE FORMED AN ASSOCIATION OF THE OWNERS/DEVELOPER AND HOMEOWNERS OF THE SUBDIVISION. THE ASSOCIATION SHALL BE FORMED OR SHALL CAUSE TO BE FORMED AN ASSOCIATION OF THE OWNERS/DEVELOPER AND HOMEOWNERS OF THE SUBDIVISION.

B. MEMBERSHIP

EVERY PERSON OR ENTITY WHO IS A RECORD OWNER OF THE LOT INTEREST IN A LOT IN THE SUBDIVISION SHALL BE A CLASS MEMBER OF THE ASSOCIATION. EVERY PERSON OR ENTITY WHO IS A RECORD OWNER OF THE LOT INTEREST IN A LOT IN THE SUBDIVISION SHALL BE A CLASS MEMBER OF THE ASSOCIATION. EVERY PERSON OR ENTITY WHO IS A RECORD OWNER OF THE LOT INTEREST IN A LOT IN THE SUBDIVISION SHALL BE A CLASS MEMBER OF THE ASSOCIATION.

C. COVENANTS FOR ASSOCIATION

THE OWNER OF A LOT BY ACCEPTANCE OF A DEED HEREON COVENANTS AND AGREES TO PAY TO THE ASSOCIATION THE ANNUAL DUES AND FEES AS SET FORTH IN THE BYLAWS OF THE ASSOCIATION. THE OWNER OF A LOT BY ACCEPTANCE OF A DEED HEREON COVENANTS AND AGREES TO PAY TO THE ASSOCIATION THE ANNUAL DUES AND FEES AS SET FORTH IN THE BYLAWS OF THE ASSOCIATION.

D. ENFORCEMENT RIGHTS OF THE ASSOCIATION

WITHOUT LIMITATION OF SUCH OTHER POWERS AND RIGHTS AS THE ASSOCIATION MAY HAVE, THE ASSOCIATION SHALL HAVE THE RIGHT TO ENFORCE THE COVENANTS, RESTRICTIONS AND COVENANTS SET FORTH WITHIN THE DEED OF DEDICATION AND SHALL HAVE THE RIGHT TO ENFORCE THE COVENANTS TO THE SAME EXTENT AS A LOT OWNER.

SECTION VI - CERTIFICATE OF PLAT

I, DAN E. JANNER, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA, DO HEREBY CERTIFY THAT I HAVE CAREFULLY AND ACCURATELY SURVEYED, SUBDIVIDED AND PLATTED THE ABOVE DESCRIBED LAND AND THAT THE SAME COMES INTO ACCORDANCE WITH THE STANDARDS AND PRACTICES OF THE PROFESSION OF LAND SURVEYING. I, DAN E. JANNER, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA, DO HEREBY CERTIFY THAT I HAVE CAREFULLY AND ACCURATELY SURVEYED, SUBDIVIDED AND PLATTED THE ABOVE DESCRIBED LAND AND THAT THE SAME COMES INTO ACCORDANCE WITH THE STANDARDS AND PRACTICES OF THE PROFESSION OF LAND SURVEYING.

DAN E. JANNER  
LICENSED PROFESSIONAL LAND SURVEYOR  
OKLAHOMA REG. 1435

SECTION VII - NOTARY PUBLIC

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF OKLAHOMA, DAN E. JANNER, A LICENSED PROFESSIONAL LAND SURVEYOR, HAS APPEARED TO ME DAN E. JANNER, A LICENSED PROFESSIONAL LAND SURVEYOR, AND HAS REQUESTED THAT I EXECUTE A CERTIFICATE AS A LICENSED PROFESSIONAL LAND SURVEYOR, AS HIS FREE AND VOLUNTARY ACT AND DEED FOR THE USE AND PURPOSES THEREIN SET FORTH.

DAN E. JANNER  
LICENSED PROFESSIONAL LAND SURVEYOR  
OKLAHOMA REG. 1435

# ADDISON CREEK

	FINAL PLAN ENCLOSURE OF APPROVAL
Tulsa Metropolitan Area Planning Commission	
Approved Date:	
TIMARCONGO	CITY ENGINEER
Council of the City of Tulsa, Oklahoma	
Approved Date:	
CHURMAN	MAYOR
ATTEST: CITY CLERK	
The approval of this Plan shall expire one year from the date of this Council Order. If not renewed by the City Council prior to expiration, it shall remain in effect until the next meeting of the Council or the Council Order is nullified due to non-renewal.	



**OWNER:**  
**Stone Horse Development, L.L.C.**  
AN OKLAHOMA LIMITED LIABILITY COMPANY  
CONTACT: DANIEL RUHL  
EMAIL: ASHERHOMES DR@GMAIL.COM  
11029 South Memorial Drive  
Tulsa, Oklahoma 74133  
Phone: (918) 814-0881

**SURVEYOR/ENGINEER:**  
**Tanner Consulting, LLC**  
DAN E. TANNER, P.L.S. NO. 1435  
OK CA NO. 2661, EXPIRES 6/30/2019  
EMAIL: DAN@TANNERBATTSHOP.COM  
5323 South Lewis Avenue  
Tulsa, Oklahoma 74105  
Phone: (918) 745-9929


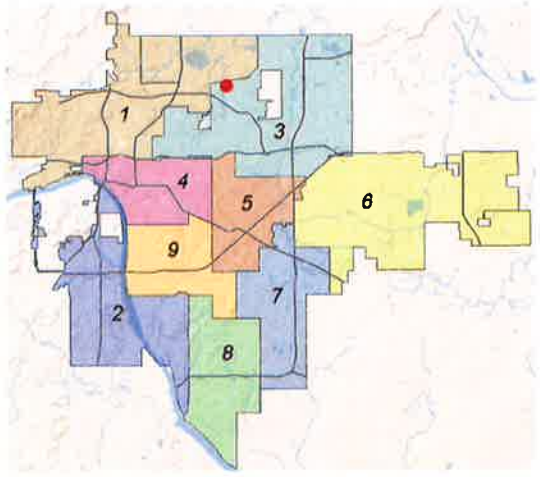
**Addison Creek**  
SHEET 1 OF 1

[illegible]

DATE OF PREPARATION: May 18, 2017





 <p>Tulsa Metropolitan Area Planning Commission</p>	<p><b><u>Case Number:</u></b> CPA-62  <b>Comprehensive Plan Amendment</b>  <b>(related to Z-7396)</b></p> <p><b><u>Hearing Date:</u></b> June 21, 2017</p>
<p><b><u>Case Report Prepared by:</u></b></p> <p>Amy Ulmer</p>	<p><b><u>Owner and Applicant Information:</u></b></p> <p>Applicant: Pam Chandler</p> <p>Property Owners: Gary &amp; Janet Orton</p>
<p><b><u>Location Map:</u></b>  <b>(shown with City Council Districts)</b></p> 	<p><b><u>Applicant Proposal:</u></b>  Land Use Map change from <b><i>Existing Neighborhood</i></b> to <b><i>Employment</i></b></p> <p>Existing Use: Vacant</p> <p>Proposed Use: Truck Dispatch Location &amp; Office Space</p> <p>Tract Size: 14.19 ± acres</p> <p>Location: West of the Southwest corner of East 36<sup>th</sup> Street North &amp; North Sheridan Road</p>
<p><b><u>Comprehensive Plan:</u></b>  Land Use Map:  Existing: <i>Existing Neighborhood</i>  Proposed: <i>Employment</i></p> <p>Stability and Growth Map:  Existing: <i>Area of Growth</i></p> <p><b><u>Zoning:</u></b>  Existing Zoning: RMH/RS-3  Proposed Zoning: IM with optional development plan</p>	<p><b><u>Staff Recommendation:</u></b></p> <p>Staff recommends <b>approval</b> of the <i>Employment</i> designation.</p> <p><b><u>City Council District: 3</u></b>  <i>Councilor Name:</i> David Patrick</p> <p><b><u>County Commission District: 1</u></b>  <i>Commissioner Name:</i> John Smaligo</p>

## COMPREHENSIVE PLAN LAND USE MAP AMENDMENT REQUEST

W of SW/c e 36<sup>th</sup> St N & N Sheridan Rd (CPA-62)

### 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 Growth</i>
<b>Proposed Land Use:</b> <i>Employment</i>
<b>Location:</b> W of SW/c e 36 <sup>th</sup> St N & N Sheridan Rd
<b>Size:</b> 14.19 $\pm$ acres

#### A. Background

The land use assigned for this area at the time of adoption of the 2010 Tulsa Comprehensive Plan is *Existing Neighborhood*, with a Stability and Growth Map designation of *Area of Growth*. The undeveloped parcel is located south of the entrance to both the Tulsa Zoo and Mohawk Park. The surrounding area contains a mixture of uses including a mobile home park to the west; single-family residences to the east; a CS zoned cell tower and a designated park and open space to the north; and vacant AG zoned land to the south.

There are two separate parcels that the abut the property to the north; a vacant parcel with a land use designation of *Park and Open Space* and *Area of Stability* and a CS zoned parcel with an *Existing Neighborhood* land designation and *Area of Growth*. The areas immediately south of the site are designated as an *Existing Neighborhood* and as an *Area of Growth* and an *Area of Stability*. The applicant has submitted this proposed Comprehensive Plan amendment and a concurrent rezoning application (Z-7396) with an optional development plan to allow for offices and storage of commercial vehicles.

## B. Existing Land Use and Growth Designations (Tulsa Comprehensive Plan)

An *Existing Neighborhood* land use designation was assigned for the subject area 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.”

When the new Tulsa Comprehensive Plan was developed and adopted in 2010, the subject tract was designated as an *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.”

### C. Proposed Land Use and Growth Designations (Tulsa Comprehensive Plan)

The applicant is proposing an *Employment* land use designation on the subject site.

*“Employment areas contain office, warehousing, light manufacturing and high tech uses such as clean manufacturing or information technology. Sometimes big-box retail or warehouse retail clubs are found in these areas. These areas are distinguished from mixed-use centers in that they have few residences and typically have more extensive commercial activity.”*

*“Employment areas require access to major arterials or interstates. Those areas, with manufacturing and warehousing uses must be able to accommodate extensive truck traffic, and rail in some instances. Due to the special transportation requirements of these districts, attention to design, screening and open space buffering is necessary when employment districts are near other districts that include moderate residential use.”*

### D. Zoning and Surrounding Uses:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Area of Growth	Existing Use
North	Two Tracts: CS & RS-3	CS Tract: <i>Existing Neighborhood</i> RS-3 Tract: <i>Park and Open Space</i>	CS Tract: <i>Area of Growth</i> RS-3 Tract: <i>Area of Stability</i>	CS Tract: Freestanding Cell Tower & Equipment Building RS-3 Tract: vacant City of Tulsa owned property
South	AG	<i>Existing Neighborhood</i>	<i>Area of Growth</i>	Vacant
East	RS-3/AG	<i>Existing Neighborhood</i>	<i>Area of Growth</i>	Residential
West	RMH	<i>Existing Neighborhood</i>	<i>Area of Growth</i>	Residential/ Mobile Home Park



#### **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 as part of their application:

*"Band B Leasing believes approval of the request for zoning from RMH (Rural Mobile Home) to IM(Industrial Medium) will enhance property values around it.*

*The businesses will provide jobs and diversity of mixed use zoning in the area.*

*There are no comparables in the area. The growth of residential properties in the area have not increased in several years.*

*The City of Tulsa owns several properties in close proximity that are already zoned Commercial. A property close to the east is zoned IM and has an established business.*

*Neighborhoods where values are relatively lower and already experiencing a downward trend in advance of the project completion.*

*It is not surprising to observe industrial development rights allocated in localities where house values are on the decline."*

#### **F. Staff Summary & Recommendation:**

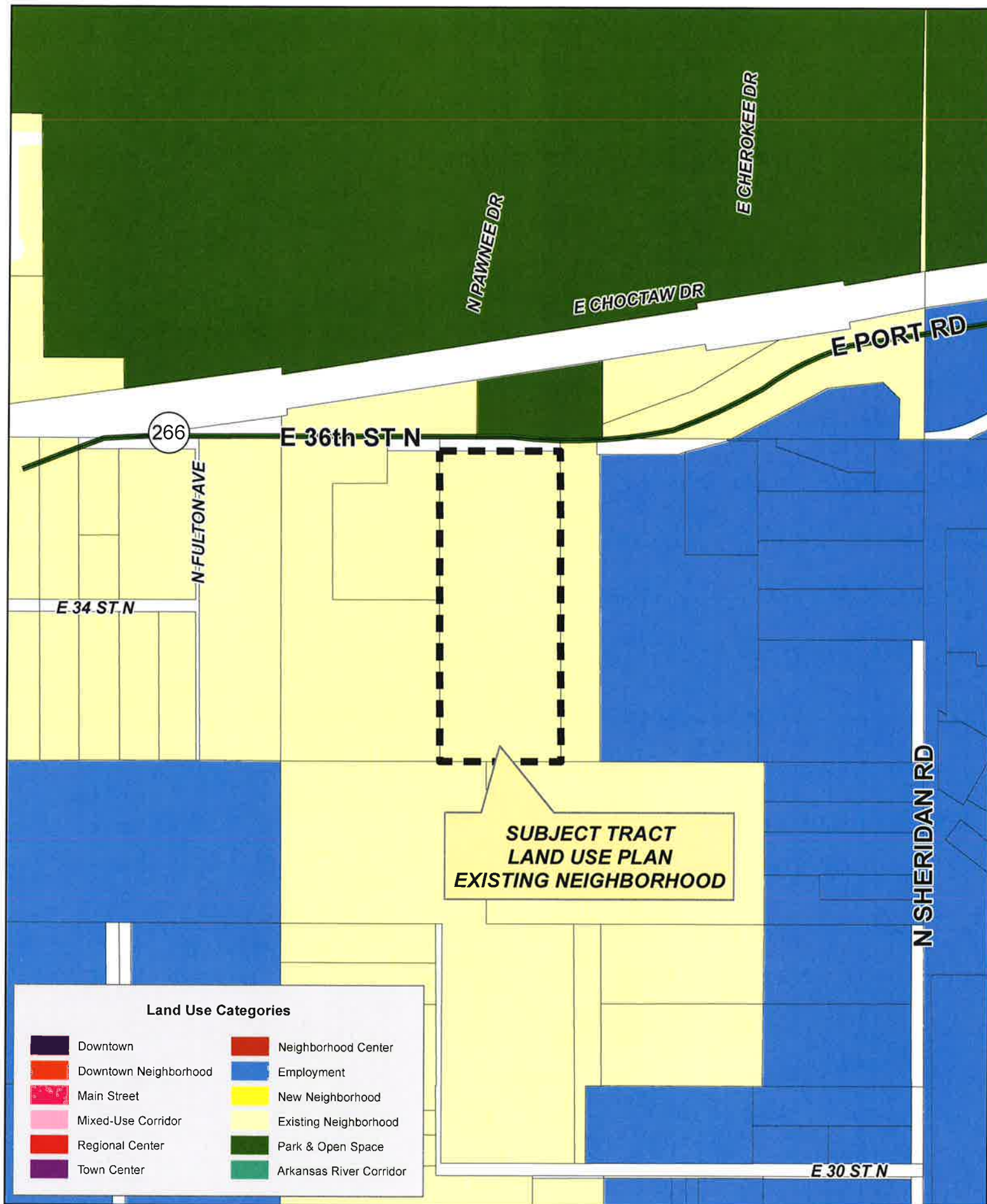
The applicant is proposing to change the current *Existing Neighborhood* land use designation into an *Employment* designation to accommodate office space and commercial vehicle storage. This is a unique situation in which the subject lot and the tracts directly to the east and west were designated *Existing Neighborhood* and *Area of Growth* when the Comprehensive Plan was adopted in 2010. *Existing Neighborhood* designations are typically coupled with *Areas of Stability*.

The applicant has stated that "the growth of residential properties in the area have not increased in several years". However, there is a concern that changes in land use designations will destabilize existing residential uses on adjacent properties. To ensure

appropriate setbacks between the existing residences immediately to the east and west, the requested rezone will be accompanied by an optional development plan.

The subject lot is in close proximity to industrial and commercial uses. The majority of the properties to the east are large IL zoned lots with *Employment* and *Area of Growth* designations. As stated by the Comprehensive Plan, common traits of an *Area of Growth* 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”. Providing infill development aligns with the Comprehensive Plan’s goals for *Areas of Growth*. An expansion of the *Employment* land use designation onto these lots would eliminate inconsistencies with the *Area of Growth* map designation.

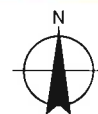
Staff recommends approval of the *Employment* land use designation as submitted by the applicant.



CPA-62

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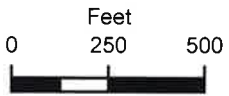




**Growth and Stability**

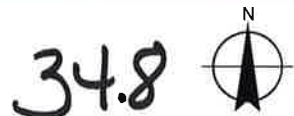
- Area of Growth
- Area of Stability

**SUBJECT TRACT**



**CPA-62**

20-13 22







0 Feet  
250  
500



Subject  
Tract

**CPA-62**

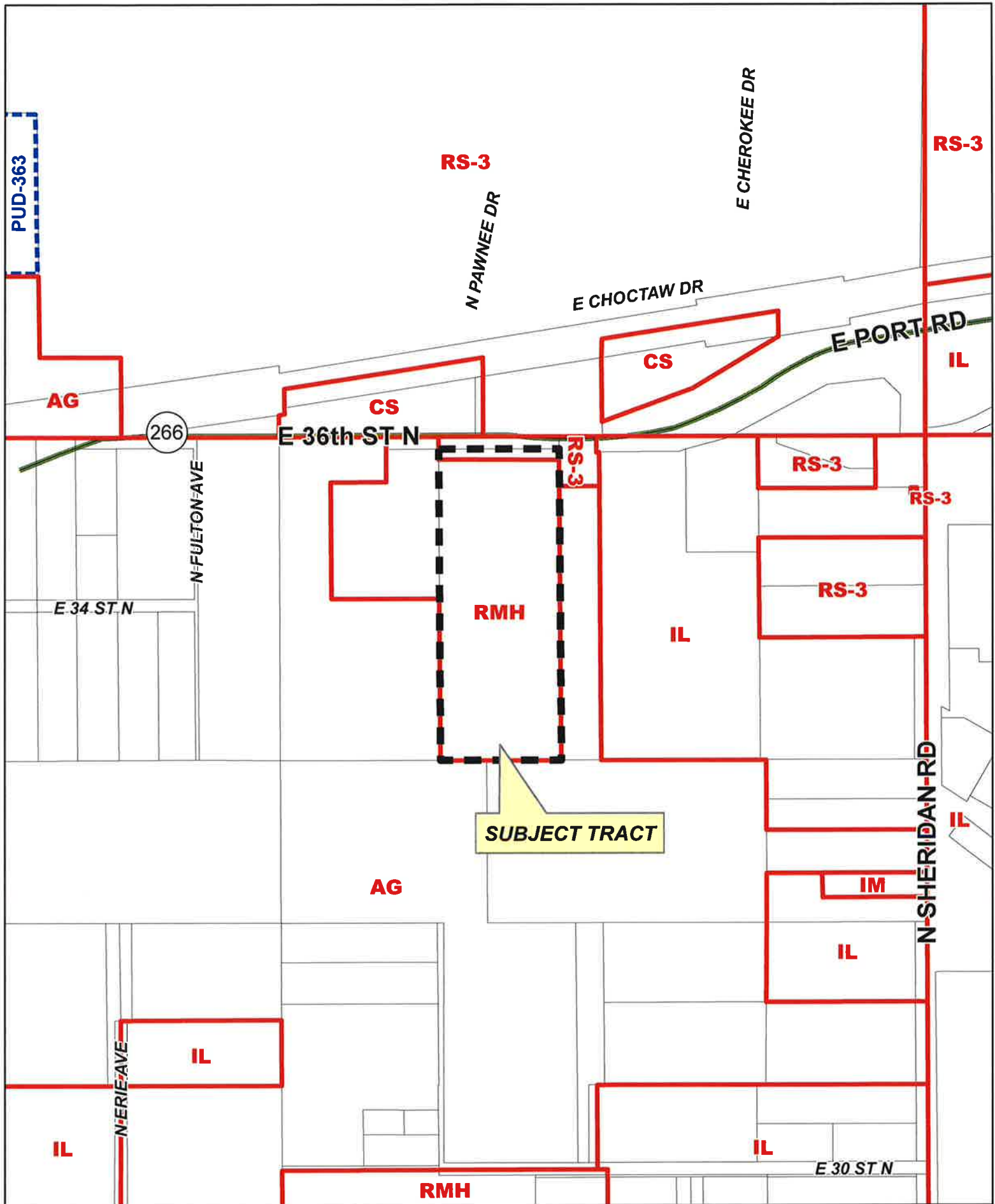
20-13 22

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align with physical features on the ground.

Aerial Photo Date: February 2016

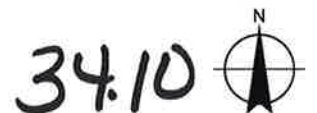






CPA-62

20-13 22





Tulsa Metropolitan Area  
Planning Commission

**Case Number:** Z-7396 with optional  
development plan  
(Related to CPA-62)

**Hearing Date:** June 21, 2017

**Case Report Prepared by:**

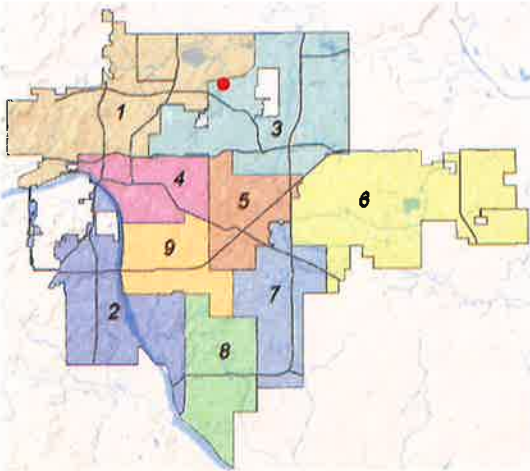
Dwayne Wilkerson

**Owner and Applicant Information:**

*Applicant:* Pam Chandler

*Property Owner:* ORTON, GARY HOWARD AND  
JANET JO

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



**Applicant Proposal:**

*Present Use:* Undeveloped wooded site

*Proposed Use:* Fleet vehicle repair and  
maintenance, business offices

*Concept summary:* Rezoning and comprehensive  
plan amendment to support light industrial uses  
along 36<sup>th</sup> Street North west of Sheridan and the  
Airport.

*Tract Size:* 14.19 ± acres

*Location:* West of southwest corner of E. 36 St. N.  
and N. Sheridan Rd.

**Zoning:**

*Existing Zoning:* RMH/RS-3

*Proposed Zoning:* IM with optional  
development plan

**Comprehensive Plan:**

*Land Use Map:* Existing Neighborhood

*Proposed Land Use Designation:* Employment

*Stability and Growth Map:* Area of Growth

**Staff Recommendation:**

Staff recommends denial of IM zoning.

In conjunction with the comprehensive plan  
amendment, staff recommends approval for IL  
zoning with the optional development plan  
standards included in Section II of the staff report.

**Staff Data:**

TRS: 0322

CZM: 30

Atlas: 439

**City Council District:** 3

*Councilor Name:* David Patrick

**County Commission District:** 1

*Commissioner Name:* John Smaligo

35.1



## **SECTION I: Z-7396**

### **DEVELOPMENT CONCEPT:**

The first phase of the anticipated project is for a tree maintenance company and include outdoor storage of equipment, a business office and possibly maintenance building. It is possible that multiple buildings could be constructed on the site.

### **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

## **SECTION II: OPTIONAL DEVELOPMENT PLAN STANDARDS**

Z-7396 with the optional development plan standards will conform to the provisions of the Tulsa Zoning Code for development in a IL zoning district and its supplemental regulations except as further refined below:

### **A. Permitted Uses:**

Use Categories limited to the subcategories and specific uses defined below and uses that are customarily accessory to the permitted uses.

- i. Public, Civic and Institutional
  - Safety Services
  - Utilities and Public Service Facility
  - Minor
- ii Commercial
  - Animal Service
    - Boarding or shelter
    - Grooming
    - Veterinary
  - Commercial Service (All specific uses)
  - Financial Services (All specific uses)
    - Funeral or Mortuary Service
    - Office (All Specific uses)
  - Studio Artist or Instructional Service
  - Trade School
- iii. Wholesale, Distribution and Storage
  - Equipment and Materials Storage, Outdoor
  - Trucking and Transportation Terminal
  - Warehouse
  - Wholesale sales and distribution

### **B. MINIMUM PARKING AND BUILDING SETBACKS\*:**

Minimum Building Setback from North boundary	25 FT
Minimum Parking Setbacks from North Boundary	25 FT

\*Only landscaped open space, including fencing lighting signage and other landscape features is allowed except for driveway access. Driveway with shall not exceed 30 feet in the setback area.

C. VEHICULAR ACCESS:

A maximum of 2 vehicular access points are allowed to East 36<sup>th</sup> street north

D. LANDSCAPE STANDARDS IN PARKING AND BUILDING SETBACK:

A minimum of 30 trees will be installed or saved and maintained within north setback area described in paragraph B above. Trees shall meet or exceed the sizes identified in the Zoning Code.

E. ON-PREMISE FREESTANDING SIGNS:

Two double-faced signs, with a maximum display surface area of sixty four square feet (64 SF) per side and a maximum height of five feet (15 FT) will be permitted along East 36<sup>th</sup> Street North.

Signage shall be monument style signs. Pole signs are prohibited.

All signs shall be lit by either a constant external light source or a constant internal light source.

F. FENCING:

Fencing including gate assembly along the north lot line shall be limited to ornamental iron style fencing. Chain link or other fencing with theft deterrent addition shall not be placed within 50 feet of the north lot line.

G. DUMPSTER OR TRASH STORAGE:

Dumpster or trash storage of any kind is prohibited within 100 feet of the north lot line.

H. BUILDING DESIGN:

Garage style overhead doors shall not face north unless that door is a minimum of 150 feet from the south right of way line of East 36<sup>th</sup> Street North.

**DETAILED STAFF RECOMMENDATION:**

Z-7396 requesting IM zoning is not consistent with the Existing Neighborhood land use designation of the Comprehensive Plan; however, staff supports the Employment land use designation contemplated with CPA-62. IL zoning with an optional development plan as defined in Section II would be consistent with that land use category and,

IL zoning with the optional development plan is consistent with the expected development pattern in the area. The optional development plan provides appropriate design and use limitations that would be expected along the 36<sup>th</sup> Street North Corridor at this location and,

Contemplated uses in an IL zoning district with the optional development plan standards is considered non-injurious to the surrounding property including the Mohawk Park are north of 36<sup>th</sup> Street North therefore,

Staff recommends denial of Z-7396 to rezone property from RMH to IM however, **staff recommends approval of IL zoning with the optional development plan outlined in Section II above.**

## SECTION III: Supporting Documentation

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: This parcel is west of the Tulsa International Airport and on the west edge of a large Employment Area surrounding the airport. The Comprehensive Plan recognized this area as an Area of Growth however the Land Use designation was determined to be an Existing Neighborhood. From a much broader view much of the land area that is classified as Existing Neighborhood is surrounded by an employment area and includes parcels owned by the City of Tulsa. The Existing Neighborhood designation is generally large parcels of undeveloped land with unoccupied homes or no one living on the land. The only existing residential neighborhood is immediately west of the project site. That neighborhood is a small mobile home community with less than 30 homes that all appear to be a single width style.*

### Land Use Vision:

#### *Existing 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.

#### Proposed Land Use designation: Employment

Employment areas contain office, warehousing, light manufacturing and high tech uses such as clean manufacturing or information technology. Sometimes big-box retail or warehouse retail clubs are found in these areas. These areas are distinguished from mixed-use centers in that they have few residences and typically have more extensive commercial activity.

Employment areas require access to major arterials or interstates. Those areas, with manufacturing and warehousing uses must be able to accommodate extensive truck traffic, and rail in some instances. Due to the special transportation requirements of these districts, attention to design, screening and open space buffering is necessary when employment districts are near other districts that include moderate residential use.

#### *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:* Port Road / 36<sup>th</sup> Street north is considered a primary arterial

*Trail System Master Plan Considerations:* None

Small Area Plan: None

Special District Considerations: This site is south of the Tulsa Zoo maintenance and service area and immediately west of the Tulsa International Airport master plan area. Any industrial zoned property could include an optional development plan that respects the public investments by the Airport Authority and the Zoo. Appropriate development standards are an important consideration in this area.

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *The site is vegetated and slopes to the south with floodplain areas on the south side of the property.*

Environmental Considerations: The southwest corner of the site is affected by the FEMA floodplain. No other environmental constraints are known that would affect site development for industrial or residential development. Mohawk Park and the Tulsa Zoo is north of the site north of 36<sup>th</sup> Street North.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 36 <sup>th</sup> Street North	Primary Arterial	120 feet	4

Utilities:

The subject tract has municipal water service available. A sanitary sewer extension would be required to serve the site with City of Tulsa sewer service.



Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	CS West ½ RS-3 East 2/3rd	Existing neighborhood west 1/3	Growth West 1/3	Unoccupied detached house and Cell tower west 1/3rd
		Park and Open Space East 2/3	Stability East 2/3	Vacant East 2/3rd
East	AG	Existing Neighborhood	Stability	Detached House
South	AG	Existing Neighborhood	Growth	Undeveloped
West	RMH	Existing Neighborhood	Stability	Mobile home park North ½
				Vacant South ½

**SECTION IV: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 16208 dated December 5, 1984, established zoning for the subject property.

***Subject Property:***

**BOA-13428 January 10, 1985:** The Board of Adjustment approved a Use Variance to permit an RV park in an RMH district; and a Special Exception to permit 5 to 8 mobile homes in an RS-3 district; a Variance of one-year time limit; and a Variance to allow 5 to 8 mobile home per lot of record, on property located at the 5600 block of E. 36<sup>th</sup> St. N. and also known as a part of the subject property.

**Z-5991 December 1984:** All concurred in approval of a request for rezoning a tract of land from AG/RS-3 to RMH, for a mobile home park, on property located west of the southwest corner of E. 36<sup>th</sup> St. N. and N. Sheridan Rd. and also known as a part of the subject property.

***Surrounding Property:***

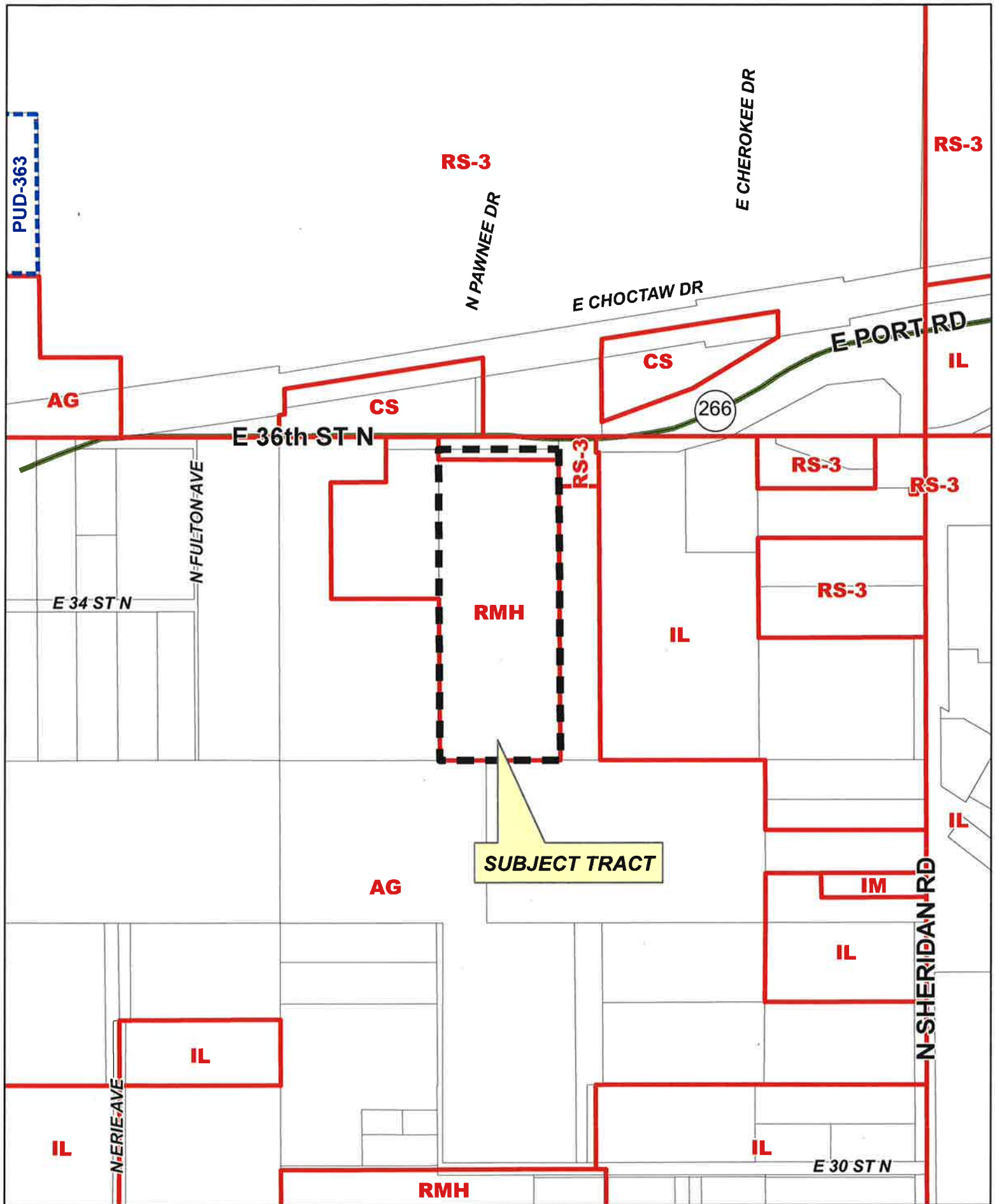
**Z-7056 May 2007:** All concurred in approval of a request for rezoning a 4+ acre tract of land from RS-3 to IL, for storage of antique semi-truck, on property located on the southwest corner of E. 36<sup>th</sup> St. N. and N. Sheridan Rd.

**Z-6283 May 1990:** All concurred in approval of a request for rezoning a 7.3+ acre tract of land from AG to IL, for light industrial use, on property located south of southwest corner of N. Sheridan Rd. and E. 36<sup>th</sup> St. N.

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REVISED 6/15/2017



**Z-7396**

20-13 22

**35.7**







0 Feet 250 500



Subject Tract

**Z-7396**

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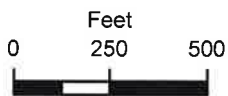
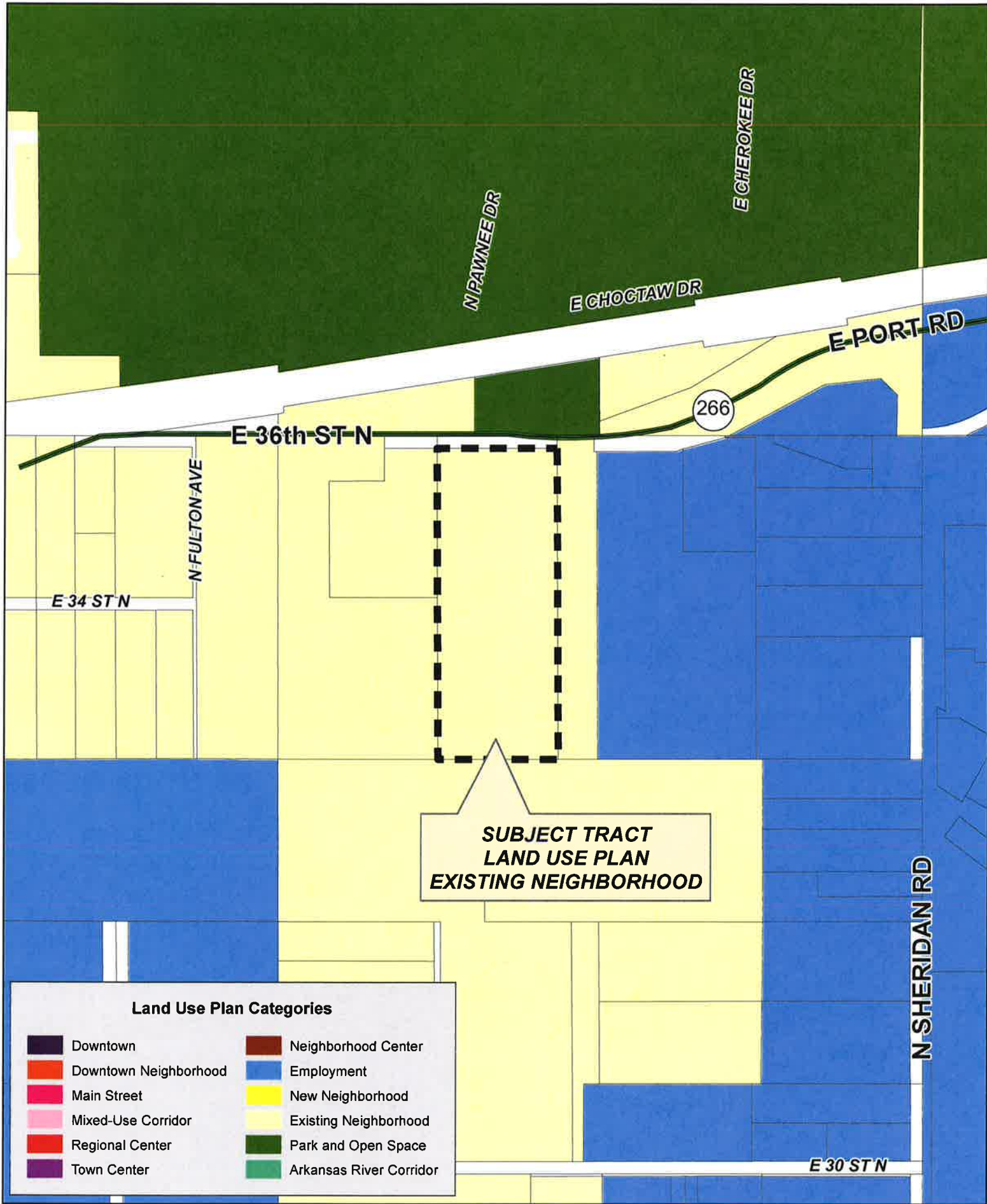
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Aerial Photo Date: February 2016

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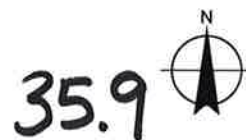




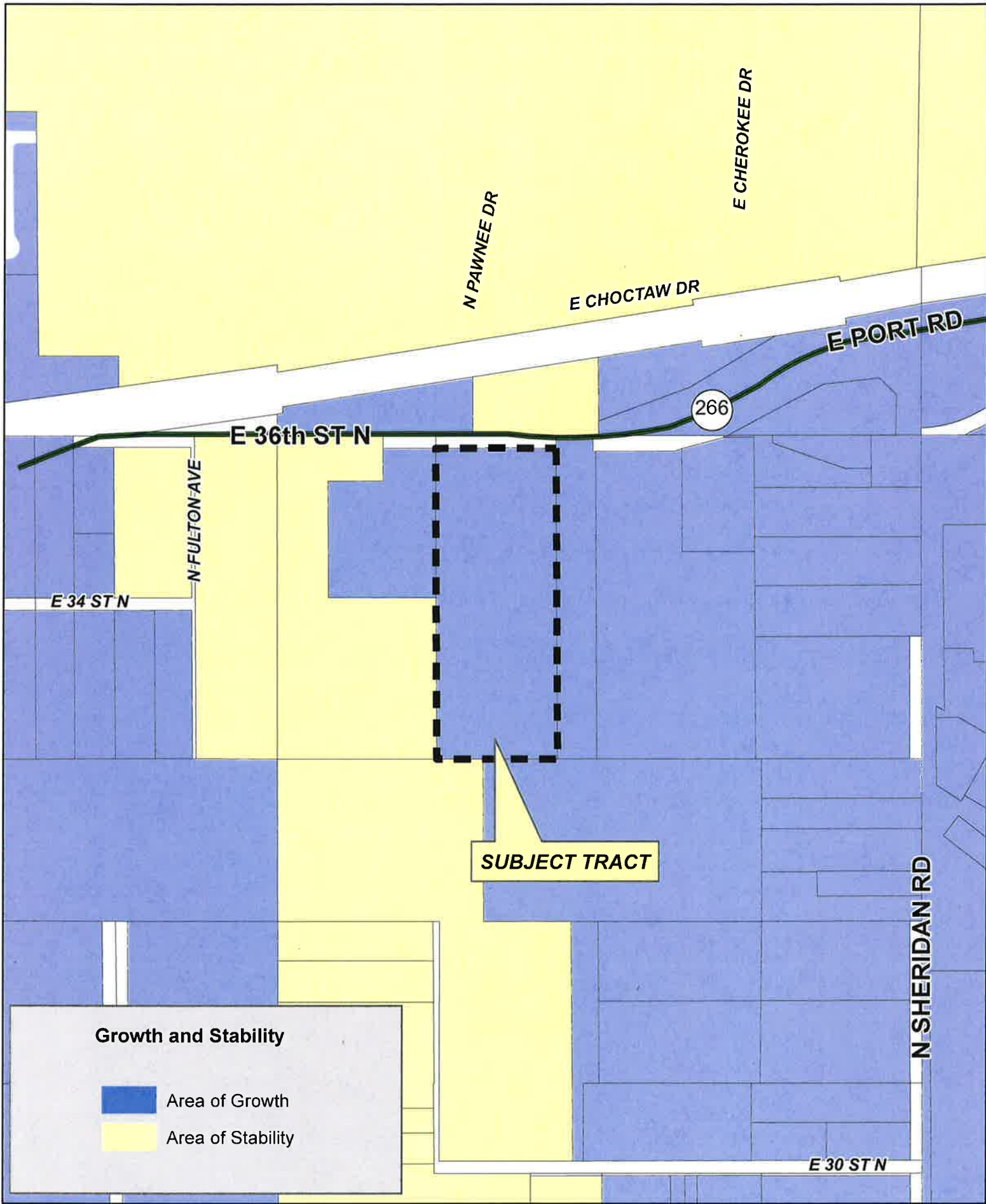


**Z-7396**

20-13 22







**Growth and Stability**



Area of Growth



Area of Stability



**Z-7396**

20-13 22





Tulsa Metropolitan Area  
Planning Commission

**Case Number: Z-7394**

Zoning request previously heard as Z-7340 July 2016.  
(Related to Z-7394 Plat Waiver)

**Hearing Date: June 21, 2017**

**Case Report Prepared by:**

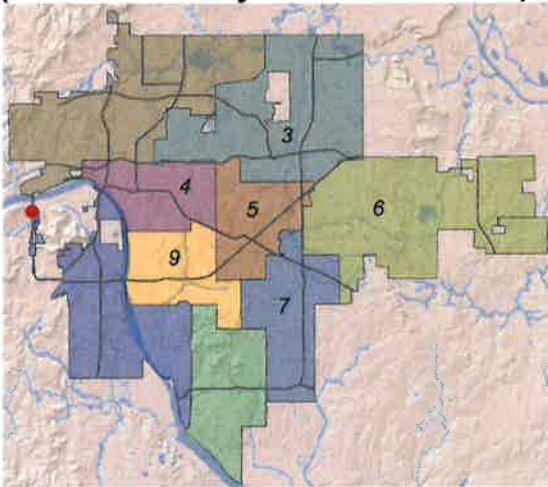
Dwayne Wilkerson

**Owner and Applicant Information:**

*Applicant:* Lou Reynolds

*Property Owner:* FRANCISCO, F DARREN &  
LANA JO

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



**Applicant Proposal:**

*Present Use:* Trucking & transportation terminal

*Proposed Use:* Trucking & transportation terminal

*Concept summary:* Rezone existing lot from RS-3  
to IL for the existing non-conforming business and  
storage lot.

*Tract Size:* 2.07 ± acres

*Location:* North of northwest corner of S. 57th W.  
Ave. and W. 23rd St.

**Zoning:**

*Existing Zoning:* RS-3

*Proposed Zoning:* IL

**Comprehensive Plan:**

This site is not included in the current Tulsa  
Comprehensive plan however, the previous  
comprehensive plan(Vision 2000) illustrates  
this area as a low intensity development area.

**Staff Recommendation:**

**Staff recommends denial.**

Uses allowed in the IL zoning category are not  
harmonious with the surrounding property west of  
S. 57<sup>th</sup> West Ave. and are not consistent with the  
Vision 2000 comprehensive plan for low intensity  
development and not consistent with the anticipated  
future development pattern in this area.

**Staff Data:**

TRS: 9217

CZM: 35

Atlas:261/ 330

**City Council District: 2**

*Councilor Name:* Jeannie Cue

**County Commission District: 2**

*Commissioner Name:* Karen Keith

36.1

## SECTION I: Z-7394

### DEVELOPMENT CONCEPT:

The rezoning request will support a trucking and delivery company that is currently operating on the site. An optional development plan has not been included in the request.

### 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
- Neighborhood Correspondence:
- Applicant Correspondence:

### DETAILED STAFF RECOMMENDATION:

The proposed zoning map amendment is not consistent with the policy of the previously approved comprehensive plan and;

Z-7394 requesting light industrial zoning is not compatible with the existing surrounding property on the north, west and south and;

Construction of Gilcrease Expressway will remove the South 57<sup>th</sup> West Avenue connection to West 21<sup>st</sup> Street South. Elimination of that connection will force industrial traffic west into the single family residential neighborhood for access to 21<sup>st</sup> and;

The proposed Gilcrease Expressway will remove the industrial uses east of South 57<sup>th</sup> West Avenue and help stabilize the area as a residential neighborhood and;

The existing facility was constructed without appropriate approvals when it was in the unincorporated Tulsa County jurisdiction. At that time the use was not consistent with the provisions of the land use designations identified in Vision 2000 Comprehensive Plan therefore;

**Staff recommends Denial of Z-7394 to rezone property from RS-3 to IL.**

## SECTION II: Supporting Documentation

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: This area of Tulsa was annexed in 2012 after adoption of the Tulsa Comprehensive Plan. The Tulsa Comprehensive Plan has not been updated to include this area. The only Comprehensive plan reference is the Vision 2000 plan. Part of the staff analysis includes references to that plan.*

*The area was assigned RS-3 zoning in 2014 after the property was annexed by the City of Tulsa. RS-3 zoning is consistent with the previously approved county zoning on the parcel. Aerial photo imagery illustrates that in 2013 the trees and vegetation were cleared from the site and gravel was placed on this property which had been previously zoned residential in the County. The property included in the request has never been zoned or included in a comprehensive plan that would support the requested zoning change.*

36.2

## Land Use Vision:

District 9: The vision 2000 plan illustrates this area as a Low Intensity Development area which does not include any non residential uses and a maximum of 6 dwelling units per acre.

The detailed goals and objectives of the residential areas are defined in the following snippet from the Vision Plan.

### **4.3 Residential Areas**

#### **4.3.1 GOALS**

4.3.1.1 The stabilizing of residential neighborhoods.

4.3.1.2 The provision of a variety of residential styles and intensities from farms to multifamily.

4.3.1.3 The provision of quality neighborhoods with all of the needed services and facilities.

#### **4.3.2 OBJECTIVES**

4.3.2.1 The public streets and facilities in the residential areas of District 9 should be given a high level of maintenance attention for the stabilizing influence that would result.

4.3.2.2 Existing residential neighborhoods should be given every possible public sector assistance toward stability of quality and property values on an individual, volunteer basis.

4.3.2.3 The enforcement of existing regulations and the correction of zoning discrepancies for the improvement of existing neighborhoods.

## Transportation Vision:

*Major Street and Highway Plan:* This area was annexed in anticipation of the Gilcrease Parkway expansion. The Oklahoma Turnpike Authority has recently announced that the Parkway will be part of the Turnpike system and will be constructed sooner than previously anticipated.

*Trail System Master Plan Considerations:* None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

## TIMELINE OF CURRENT OWNERSHIP ANNEXATION AND ZONING HISTORY:

September, 1980: Tulsa Board of County Commissioners approved a resolution that established zoning in Tulsa County. At that time this property was residential and zoned RS.



October 1, 2011: County records indicate that a Quit-Claim deed was filed transferring fee simple title to the current property owner.

August 16, 2012: Tulsa City Council annexation included this property along the proposed Gilcrease Expressway. When the annexed properties were brought into the City Limits all properties were assigned a zoning classification of AG as required by ordinance.

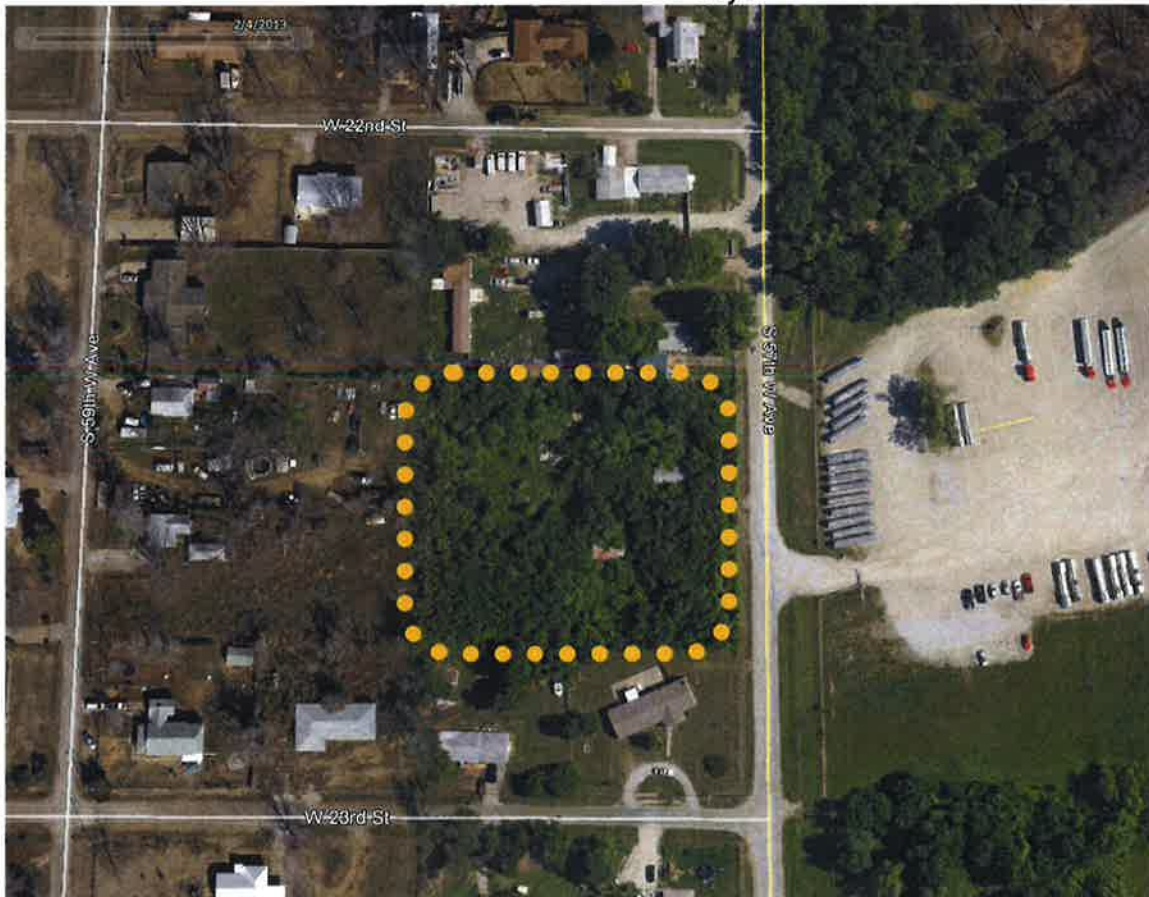
March 20, 2012 (CBOA-2420): Tulsa County Board of Adjustment  
Applicant requested a use variance to allow Use Unit 15, business use in an RS zoned district: County Board of Adjustment does not have jurisdiction. Staff requested a refund for the application fees.

April 23, 2014: (Z-7253): Tulsa City Council established zoning in annexed area. Zoning on this site was changed from AG to RS-3. Z-7253 rezoned land that was annexed into the City of Tulsa. When the annexation occurred all zoning was changed to AG. Z-7253 changed zoning to closely match the county zoning that was in place prior to annexation. The delivery company was established and the property owner notified at that time.

#### DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: See following images.

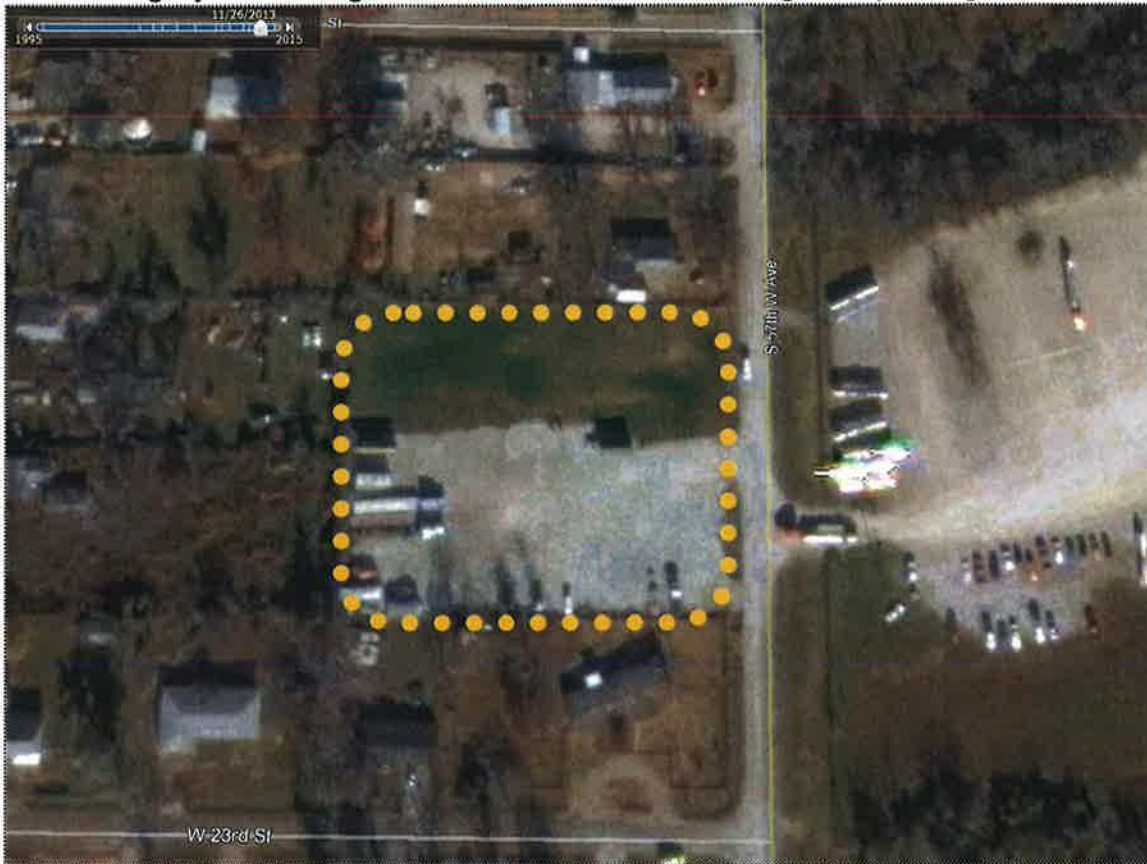
Aerial Imagery shown below is dated June, 2012 and shows the site as a heavily wooded site. At that time the site was zoned RS and still in Tulsa County.



34.4

REVISED 6/15/2017

Aerial Imagery dated August 2012 shows the site as a gravel parking lot:



Environmental Considerations: The existing site is surrounded on three sides with residential uses. The existing gravel lot creates a dust nuisance to the surrounding residential properties on the north, west and south. At this time there are no other known environmental considerations.

Environmental Considerations:

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South 57 <sup>th</sup> West Avenue	Residential Collector	60	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

<b>Location</b>	<b>Existing Zoning</b>	<b>Existing Land Use Designation</b>	<b>Area of Stability or Growth</b>	<b>Existing Use</b>
North	RS-3	NA	NA	Single-Family Residential
West	RS (County)	NA	NA	Residential
South	RS-3	NA	NA	Residential
East	IL	NA	NA	Gravel Storage Lot

**36.5**  
REVISED 6/15/2017

### SECTION III: Relevant Zoning History

**ZONING ORDINANCE:** Ordinance number 23084 dated April 23, 2014, established zoning for the subject property.

#### ***Subject Property:***

**Z-7340 July 2016:** All concurred in **denial** of a request for *rezoning* a 2.07± acre tract of land from RS-3 to IL, for a truck yard, on property located north of the northwest corner of S. 57<sup>th</sup> W. Ave. and W. 22<sup>nd</sup> St. S. and also known as the subject property. The request was originally submitted without an optional development plan but later amended to include consideration with an optional development plan. The planning commission recommended denial with an 11-0-0 vote including with the optional development plan. The applicant did not appeal the decision to the City Council.

**Z-7253 April 2014:** All concurred in **approval** of a request for *rezoning* 77± acres of land from AG to RS-3/ IL/ IM to establish the previous zoning for property that was recently annexed into the City of Tulsa as AG, on property located in the Berryhill Annexation area and includes the subject property. As a result of this larger application the subject property was zoned RS-3.

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

**CBOA-323 January 21, 1983:** The Board of Adjustment **upheld** the decision of the Building Inspector which **denied** the appeal of the Building Inspectors decision, to permit a dog kennel in an RS district, and to allow the applicant 120 days in which to dispense with the present operation, on property located at 5729 W. 22<sup>nd</sup> St. and located northwest of subject property.

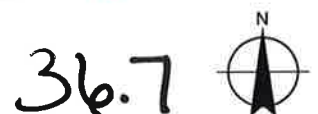
**CBOA-308 December 17, 1982:** The Board of Adjustment **denied** a *Variance* to operate a dog training and boarding kennel, on property located at 5729 W. 22<sup>nd</sup> St. and located northwest of subject property.

6/7/2017 1:30 PM

34.6

REVISED 6/15/2017









Feet  
0 300 600



Subject  
Tract

**Z-7394**

19-12 17

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

Aerial Photo Date: February 2016



36.8





## LEGEND

— Planned Gilcrease Parkway Alignment

0 50 100  
Feet



Subject  
Tract

**Z-7394**

19-12 17

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

Aerial Photo Date: February 2016



## APPLICANT CORRESPONDENCE:

36.10



Lewis Long  
Oklahoma State Senate, District 37 – Retired  
Distract 2 Superintendent, Tulsa County – Retired

May 25, 2017

Mr. Dwayne Wilkerson  
INCOG  
2 West 2<sup>nd</sup> Street, #800  
Tulsa, Oklahoma 74103

RE: TMAPC Case No. Z-7394  
2240 S. 57<sup>th</sup> West Avenue, Tulsa, OK 74107

Dear Mr. Wilkerson:

Darren Francisco met with Mike Parker and me after he purchased the afore mentioned Property. Darren bought the Property for his trucking company. At that time, the house had been vacant and dilapidated for years.

The Property was zoned RS. We did not see any difficulty in getting a use variance for a trucking use on the Property. This is an area in transition from residential to commercial.

Then, as today, many of the properties are more commercial than residential. Also, the Property is right across the street from the Groendyke yard. None of the properties have sanitary sewer. There is no expectation of this becoming a residential neighborhood.

So, the County fully supported Darren's proposed use of the Property.


Darren recently told me about his problems getting the use variance approved by the City of Tulsa.

I am retired from the County now, but see no reason the Property should not be rezoned.

I support Darren's rezoning.

Let me know how I can help.

Sincerely,

  
Lewis Long

36.11



Aerostar Delivery, LLC  
2127 South 59<sup>th</sup> West Avenue  
Tulsa, OK 74107  
918-629-2619

May 25, 2017

Mr. Dwayne Wilkerson  
INCOG  
2 West 2<sup>nd</sup> Street, #800  
Tulsa, Oklahoma 74103

RE: TMAPC Case No. Z-7394  
2240 S. 57<sup>th</sup> West Avenue, Tulsa, Oklahoma 74107

Dear Mr. Wilkerson:

I am writing to help you better understand my requested zoning change.

I own Aerostar Delivery, LLC. Aerostar is a trucking company. I also live and run my business from my home a block away at 2127 S. 59<sup>th</sup> West Avenue, Tulsa, OK 74107.

On October 1, 2011, I purchased the Property to use in my business. At that time, there was a run-down house and shed on the Property which I removed when I improved the Property for my trucking yard.

Before, I started work, I met with Lewis Long, Tulsa County District No. 2 Superintendent and Mike Parker, Tulsa County Building Inspector, to discuss my plans. Together we planned my project and the location of my driveway and drainage. Lewis told me when I was finished all I needed to do was to file an application for a use variance with the County Board of Adjustment. I would not have to rezone the Property and they told me the County would support my requested variance.

Shortly before the end of 2011, I learned that the property was going to be annexed into the City of Tulsa as a part of the proposed extension of the Gilcrease Expressway.

I had no idea that the annexation would moot my requested use variance.

There is a rather unique feature to this area, which was welcome in the County but, sadly, not in the City. Many of the people who live here, like my wife, Lana and I, operate businesses out of our homes. Most of us, myself included, can't afford to move out of our homes because there are no other parts of town where we can move and take our businesses with us. We just simply can't afford to be separated from our businesses. This way of life was fine until the annexation occurred.

34.12

I hope you can appreciate how difficult it is for me.

My Property is right across the street from Groendyke's yard. Unlike most of the City, this is an area where people work and live in harmony. How can a line on a map change so much?

Thank you for your time.

A handwritten signature in cursive script, appearing to read "F. Darren Francisco".

F. Darren Francisco

Name Wayne Binger  
Street Address 5719 W 22nd  
Tulsa OK 74109

City of Tulsa Planning Commission  
c/o INCOG  
Attn: Dwayne Wilkerson  
2 West 2<sup>nd</sup> Street, Suite 800  
Tulsa, Oklahoma 74103  
[dwilkerson@incog.org](mailto:dwilkerson@incog.org)

Re: Z-7394  
Darren Francisco Property  
2240 S. 57<sup>th</sup> Ave. W.

Dear Commissioners,

I live at 5719 W 22nd nearby Darren Francisco. Mr. Francisco shared his plans to rezone his property to make sure he complies with the Zoning Code. I am familiar with his operations and support the rezoning needed for Darren to continue to operate his business. I request that the Commission approve it. Thank you for your time.

Sincerely,





Name  
Street Address

Robert M. Reddy  
2204 So. 57th Ave  
Tulsa OK 74107

City of Tulsa Planning Commission  
c/o INCOG  
Attn: Dwayne Wilkerson  
2 West 2<sup>nd</sup> Street, Suite 800  
Tulsa, Oklahoma 74103  
[dwilkerson@incog.org](mailto:dwilkerson@incog.org)

Re: Z-7394  
Darren Francisco Property  
2240 S. 57<sup>th</sup> Ave. W.

Dear Commissioners,

My wife and I have lived in this neighborhood for 15 years and are familiar with Darren's plans to rezone his property. He explained to us that he is simply rezoning to ensure his existing use complies with the Tulsa Zoning Code. We support the rezoning needed for Darren to continue to operate his business and would request that the Commission approve it. Thank you.

Sincerely,

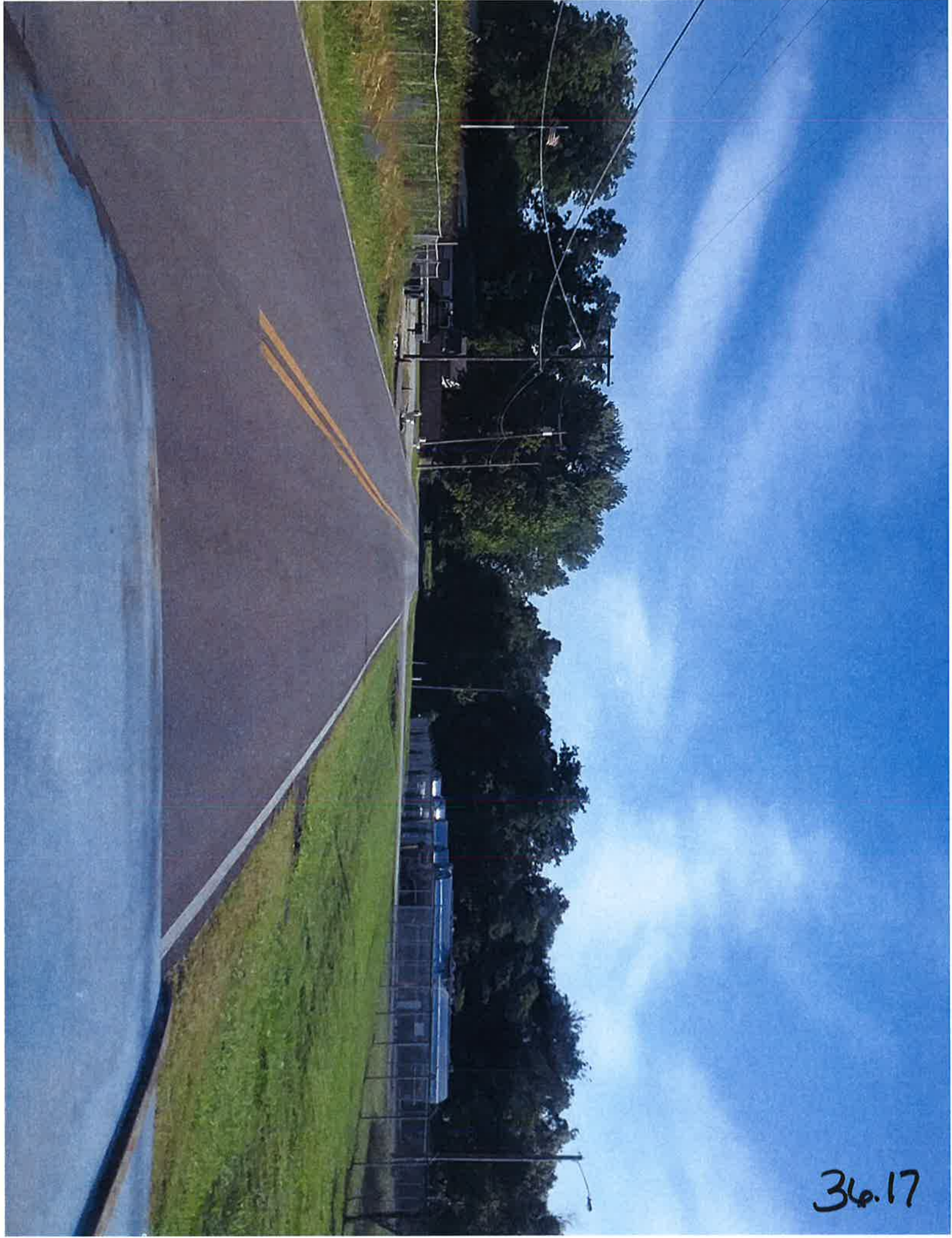
R.M. Reddy  
C.E. Reddy

36.15

## NEIGHBORHOOD CORRESPONDENCE:

36.14

REVISED 6/13/2017



36.17





36.18





36.19





36.20





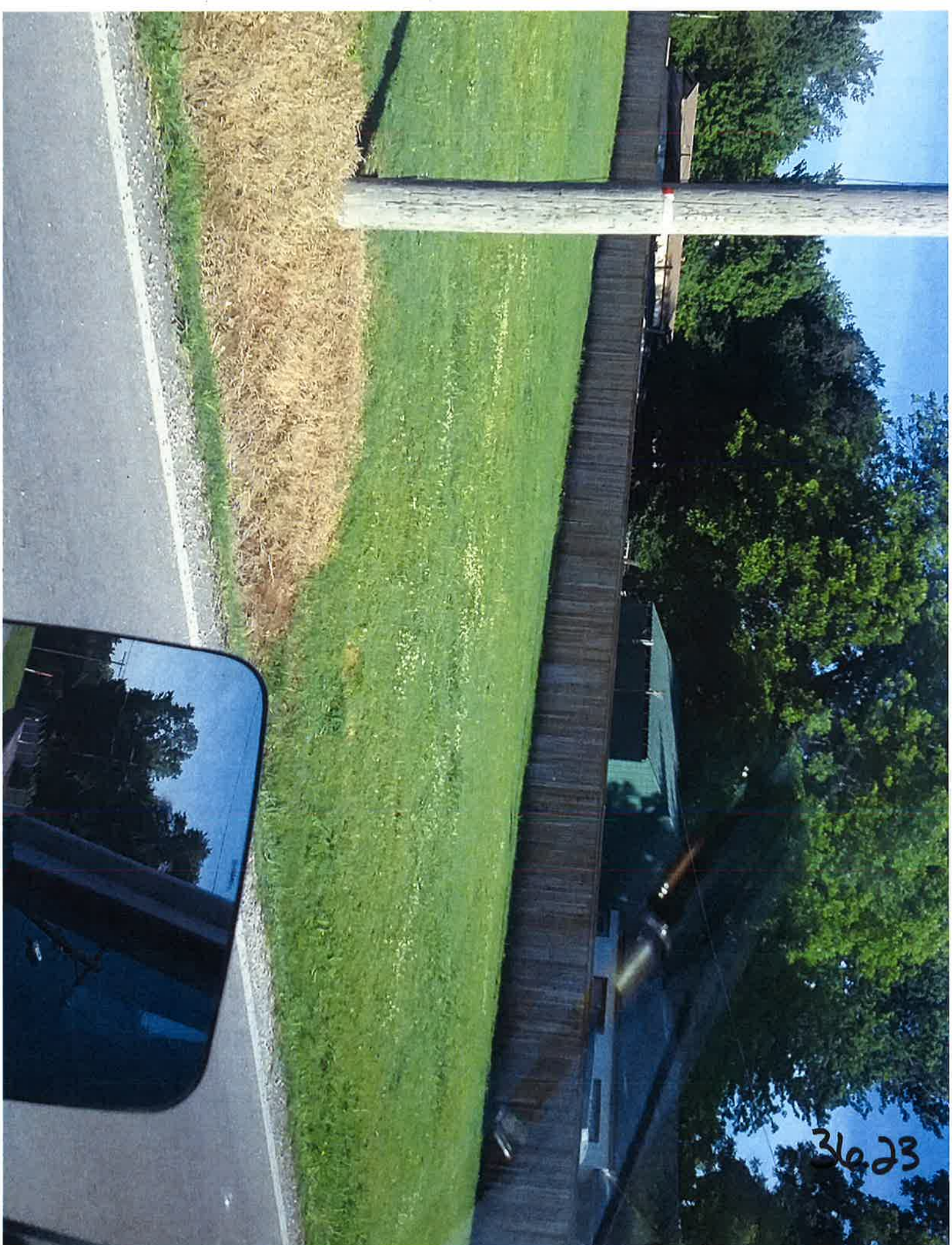
36.21





3622





31623





36.24



Tulsa Metropolitan Area  
Planning Commission

**Case :** Z-7394 Plat Waiver  
(Related to Z-7394)

**Hearing Date:** June 21, 2017

**Case Report Prepared by:**

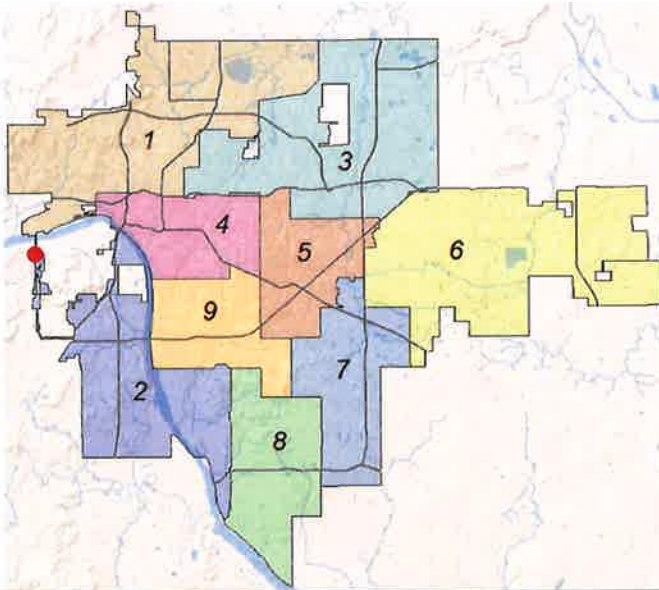
Nathan Foster

**Owner and Applicant Information:**

*Applicant:* Lou Reynolds

*Owner:* Darren Francisco

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



**Applicant Proposal:**

Plat Waiver

*Location:* North of the northwest corner of  
South 57<sup>th</sup> West Avenue and West 23<sup>rd</sup>  
Street South

**Zoning:**

*Current:* RS-3

*Proposed:* IL

**Staff Recommendation:**

If zoning approval is granted, staff  
recommends **approval** of the plat waiver

**City Council District: 2**

*Councilor Name:* Jeannie Cue

**County Commission District: 2**

*Commissioner Name:* Karen Keith

**EXHIBITS:** Site Map, Aerial, Applicant Submittal

## PLAT WAIVER

### Z-7394 – (CD 2)

North of the northwest corner of South 57<sup>th</sup> West Avenue and West 23<sup>rd</sup> Street South

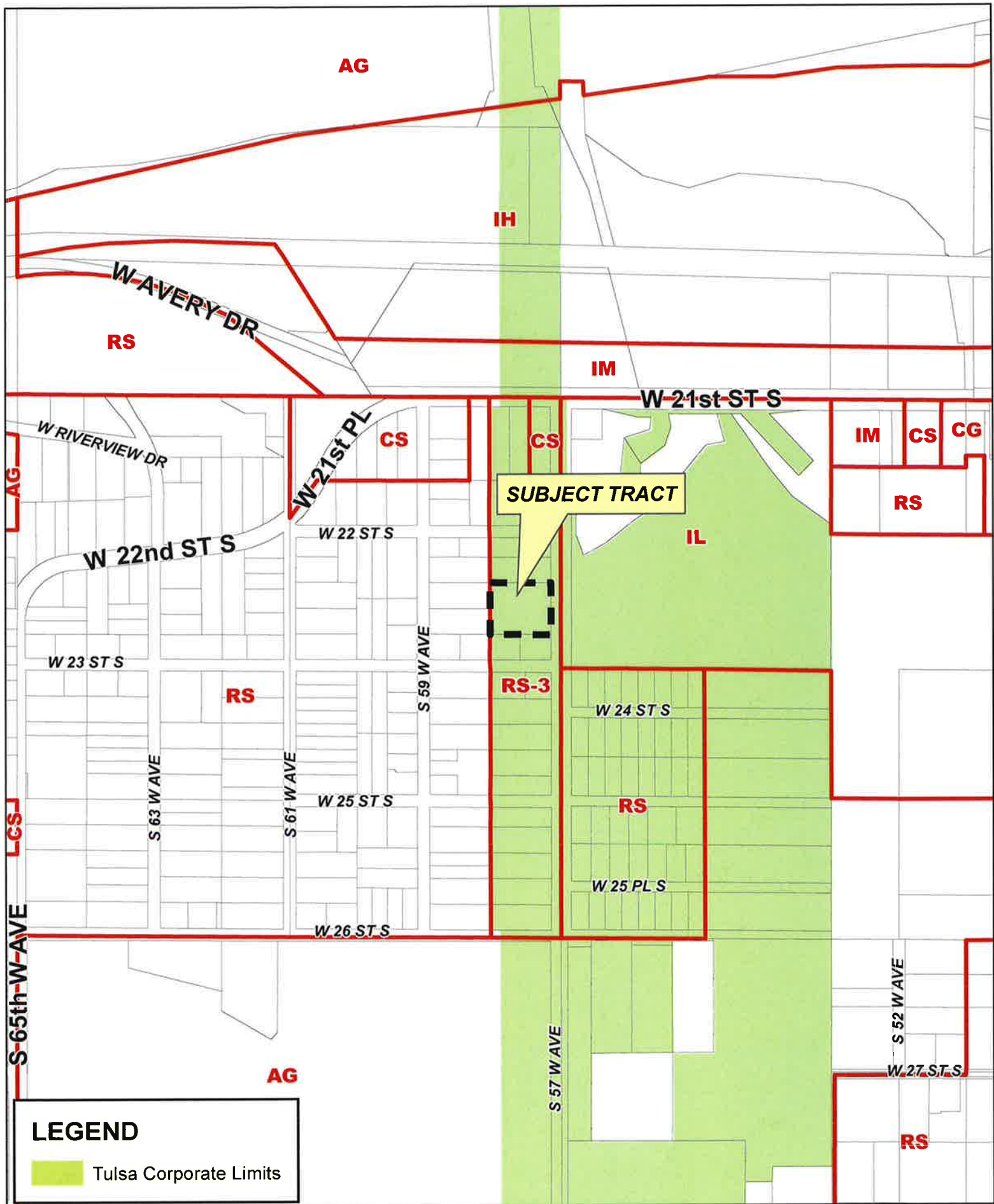
The platting requirement for this property is being triggered by a rezoning request (Z-7394). The property owner is proposing a rezoning from RS-3 to IL to bring the current use of the property into compliance with the City of Tulsa Zoning Code.

The Technical Advisory Committee met on May 18, 2017 and the following items were determined:

1. The property consists of two separately platted lots that will need to be combined with an official lot combination.
2. All required right-of-way has been dedicated and is in place.
3. Necessary easements are all in place and no additional easements will be needed at this time.
4. The property was previously platted under the Second West Tulsa View Acres Addition plat.

If zoning approval is given, staff recommends **approval** of the plat waiver.





**Z-7394**

19-12 17

**37.3**







0 300 600  
Feet



Subject  
Tract

**Z-7394**

19-12 17

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

Aerial Photo Date: February 2016



37.4




**TULSA METROPOLITAN AREA PLANNING COMMISSION**INCOG - 2 West 2<sup>nd</sup> Street, Suite 800 - Tulsa, Oklahoma 74103 - (918) 584-7526 - FAX (918) 583-1024[www.tmapc.org](http://www.tmapc.org)**[x] PLAT WAIVER [ ] \*ACCELERATED RELEASE OF BUILDING PERMIT\*****APPLICATION INFORMATION**RECEIVED BY: PH DATE FILED: 5/5/17 TAC DATE: 5/18/17 TMAPC DATE: 6/7/17ZONING REFERENCE CASE: Z-7394 BOA REFERENCE CASE: \_\_\_\_\_TMAPC DATE (IF PENDING): 6/7/17 PROPOSED ZONING: IL BOA DATE (IF PENDING): \_\_\_\_\_**\*A PRELIMINARY PLAT MUST BE IN PROCESS BEFORE A REQUEST FOR ACCELERATED RELEASE WILL BE CONSIDERED.**

\*PLAT NAME: \_\_\_\_\_ \*APPROVAL DATE: \_\_\_\_\_ \*ANTICIPATED APPROVAL DATE: \_\_\_\_\_

**SUBJECT PROPERTY INFORMATION**ADDRESS OR DESCRIPTIVE LOCATION: 2240 S. 57th Ave. W.LEGAL DESCRIPTION: Lots 3 & 4, Block 2, Second West Tulsa View Acres SubdivisionPRESENT ZONING RS-3 T-R-S 9217 CZM 35 ATLAS \_\_\_\_\_ CD 2**INFORMATION ABOUT YOUR PROPOSAL**REASON FOR PLAT WAIVER APPLICATION: Applicant requests a Plat Waiver for the Property, which has also been requested for rezoning from RS-3 to IL, to conform to the existing use, following its annexation into the City of Tulsa. The infrastructure and utilities needed are already available and no purposes will be served by replatting and/or have already been served by previous platting.

\*EXTRAORDINARY OR EXCEPTIONAL CIRCUMSTANCES THAT JUSTIFY ACCELERATED RELEASE OF A BUILDING PERMIT: \_\_\_\_\_

\*BENEFITS AND PROTECTIONS TO THE CITY IF THE BUILDING PERMIT IS RELEASED PRIOR TO FILING THE FINAL PLAT: \_\_\_\_\_

APPLICANT INFORMATION		PROPERTY OWNER INFORMATION	
NAME	Lou Reynolds	NAME	Darren Francisco c/o Eller & Detrich
ADDRESS	2727 E. 21st St., Ste. 200	ADDRESS	2727 E. 21st St., Ste. 200
CITY, ST, ZIP	Tulsa, OK 74114	CITY, ST, ZIP	Tulsa, OK 74114
DAYTIME PHONE	(918) 747-8900	DAYTIME PHONE	(918) 747-8900
EMAIL	rlreynolds@ellerdetrich.com	EMAIL	rlreynolds@ellerdetrich.com
I, THE UNDERSIGNED APPLICANT, CERTIFY THAT THE INFORMATION ON THIS APPLICATION IS TRUE AND CORRECT.			
SIGNATURE & DATE: 			

DOES OWNER CONSENT TO THIS APPLICATION ☒ YES ☐ NO. WHAT IS APPLICANT'S RELATIONSHIP TO OWNER? Attorney**APPLICATION FEES**TOTAL DUE: \$ 240 RECEIPT NUMBER: 229277

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

**DISPOSITION**TMAPC ACTION: ☐ APPROVED ☐ DENIED DATE: \_\_\_\_\_ CONDITIONS: \_\_\_\_\_



**NOTE: THIS FORM ACCOMPANIES PLAT WAIVER APPLICATIONS ONLY, NOT USED FOR ACCELERATED RELEASE REQUESTS.**

**TMAPC POLICY ON PLAT WAIVERS:**  
(This form is to be completed by applicant.)

It shall be the policy of the Tulsa Metropolitan Area Planning Commission that all requests for plat waivers shall be evaluated by the staff and by the Technical Advisory Committee based on the following list. After such evaluation, TMAPC Staff shall make a recommendation to the TMAPC as to the merits of the plat waiver request accompanied by the answers to these questions:

**A YES answer to the following 3 questions would generally be FAVORABLE to a plat waiver:**

- |  | YES                                 | NO                                  |
|--|-------------------------------------|-------------------------------------|
| 1) Has property previously been platted?   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 2) Are there restrictive covenants contained in a previously filed plat?             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 3) Is property adequately described by surrounding platted properties or street R/W? | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

**A YES answer to the remaining questions would generally NOT be favorable to a plat waiver:**

- |  |                          |                                     |
|--|--------------------------|-------------------------------------|
| 4) Is right-of-way dedication required to comply with Major Street and Highway Plan?           | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5) Will any restrictive covenants be filed by separate instrument?                             | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6) Infrastructure requirements   |                          |                                     |
| a) Water   |                          |                                     |
| i) Is a main line water extension required?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii) Is an internal system or fire line required?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iii) Are additional easements required?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Sanitary Sewer  |                          |                                     |
| i) Is a main line extension required?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii) Is an internal system required?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iii) Are additional easements required?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Storm Sewer   |                          |                                     |
| i) Is a P.F.P.I. required?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii) Is an Overland Drainage Easement required?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iii) Is on-site detention required?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iv) Are additional easements required?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 7) Floodplain  |                          |                                     |
| a) Does the property contain a City of Tulsa (Regulatory) Floodplain?                          | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Does the property contain a F.E.M.A. (Federal) Floodplain?                                  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 8) Change of Access  |                          |                                     |
| a) Are revisions to existing access locations necessary?                                       | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 9) Is the property in a P.U.D.?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| a) If yes, was plat recorded for the original P.U.D.?  | <input type="checkbox"/> | <input type="checkbox"/>            |
| 10) Is this a Major Amendment to a P.U.D.?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| a) If yes, does the amendment make changes to the proposed physical development of the P.U.D.? | <input type="checkbox"/> | <input type="checkbox"/>            |

**NOTE:**

If, after consideration of the above criteria, a plat waiver is granted on *unplatted* properties, a current ALTA/ACSM/NSPS Land Title Survey (and as subsequently revised) shall be required. Said survey shall be prepared in a recordable format and filed at the County Clerk's office by the applicant.

Technical Advisory Committee (TAC) Meeting Date: Thursday, 5/18/17 1:30 p.m.  
Large Conference Room, 8<sup>th</sup> Floor, INCOG, 2 West 2<sup>nd</sup> Street

Tulsa Metropolitan Area Planning Commission (TMAPC) Case Number: 6/7/17 6/7/17 BW  
TMAPC Date: Wednesday, 6/7/17 1:30 p.m.  
Tulsa City Council Room, 2<sup>nd</sup> Level, One Technology Center, 175 East 2<sup>nd</sup> Street

A person knowledgeable of the application and the property must attend the meetings to represent the application.

**PLATTING REQUIREMENTS:**

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

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

Contact the Permit Center at 596-9601 if your tract is in the City of Tulsa or

Tulsa County Building Inspector's Office at 596-5296 if in unincorporated Tulsa County.

**Tulsa Metropolitan Area Planning Commission**  
2 West 2<sup>nd</sup> Street, Suite 800  
Tulsa, Oklahoma 74103  
(918) 584-7526  
Email: [dfernandez@incog.org](mailto:dfernandez@incog.org)





**Sawyer, Kim**

**From:** Hoyt, Jay  
**Sent:** Friday, June 02, 2017 10:54 AM  
**To:** Sawyer, Kim  
**Subject:** FW: Shadow Mountain HOA - Z-7393

Z-7393  
continuance to  
7/5/17

Kim,

The applicant is requesting a continuance for this case. It was scheduled to be on the 6/21 agenda.

Thank you,

Jay Hoyt

**From:** Nathan Cross [<mailto:ncross@riggsabney.com>]  
**Sent:** Friday, June 02, 2017 10:39 AM  
**To:** Wilkerson, Dwayne <[DWilkerson@incog.org](mailto:DWilkerson@incog.org)>; Hoyt, Jay <[JHoyt@incog.org](mailto:JHoyt@incog.org)>  
**Cc:** Johnnie Morland <[jmorland@riggsabney.com](mailto:jmorland@riggsabney.com)>; Paul Brown <[paul@shadowmountaintulsa.com](mailto:paul@shadowmountaintulsa.com)>;  
[annaamerica@tulsacouncil.org](mailto:annaamerica@tulsacouncil.org)  
**Subject:** FW: Shadow Mountain HOA

Dwayne/Jay –

See below. The neighborhood has requested a continuance to July and we are in agreement. To that end, we are requesting a continuance to the 7/5/17 agenda for case number Z-7393. Please let me know if you have questions or concerns.

Nathan

**Nathan Cross** | [ncross@riggsabney.com](mailto:ncross@riggsabney.com)

Attorney

**R I G G S**  **A B N E Y**  
NEAL TURPEN ORBISON LEWIS

502 West 6th St. | Tulsa, OK 74119  
Office: 918-587-3161 | Fax: 918-587-9708



This message is sent by Riggs Abney, a law firm, and may contain information that is privileged or confidential. If you received this transmission in error, please notify the sender by reply e-mail and delete the message along with any attachments.

**From:** Nathan Cross  
**Sent:** Friday, June 02, 2017 10:36 AM  
**To:** Paul Brown <[paul@shadowmountaintulsa.com](mailto:paul@shadowmountaintulsa.com)>  
**Cc:** [annaamerica@tulsacouncil.org](mailto:annaamerica@tulsacouncil.org); Johnnie Morland <[jmorland@riggsabney.com](mailto:jmorland@riggsabney.com)>  
**Subject:** RE: Shadow Mountain HOA

Paul –

38.1

My client is still working on getting drawings completed reflecting the changes we are making to address the concerns that we have heard and I will circulate them as soon as I have them. We are amenable to continuing the hearing until 7/5/17 to give you more time and to give us more time to meet with you all and discuss. Unfortunately, we are running up against

hard deadlines in our contract to purchase the land so I am not sure that we can agree to extend this any further. I will forward the information on the changes as soon as I receive it from my client.

As an FYI regarding meeting timelines – I will be out of town 6/12-6/19 so I will not be able to meet with you and your neighbors during that week. This is a secondary reason that we are postponing the meeting. We did not want to run into an issue where I was out of town and unable to meet with you all prior to the 6/21 date.

I will email INCOG and notifying them of our request for a continuance and copy you and Councilor America.

Please do not hesitate to contact me if you have questions or concerns.

Nathan

**From:** Paul Brown [<mailto:paul@shadowmountaintulsa.com>]  
**Sent:** Friday, May 26, 2017 2:10 PM  
**To:** Nathan Cross <[ncross@riggsabney.com](mailto:ncross@riggsabney.com)>  
**Subject:** Shadow Mountain HOA

Nathan

We were wondering if you could postpone the TMAPC meeting from 6/21 until sometime in July. That would give us more time. Also, have you talked to your investors about some of the changes that were brought out in our last meeting?

Thanks  
Paul Brown  
President, SMHA

38.2



Tulsa Metropolitan Area  
Planning Commission

**Case Number:** CPA-63  
**Comprehensive Plan Amendment**  
**(related to Z-7397)**

**Hearing Date:** June 21, 2017

**Case Report Prepared by:**

Susan Miller, AICP

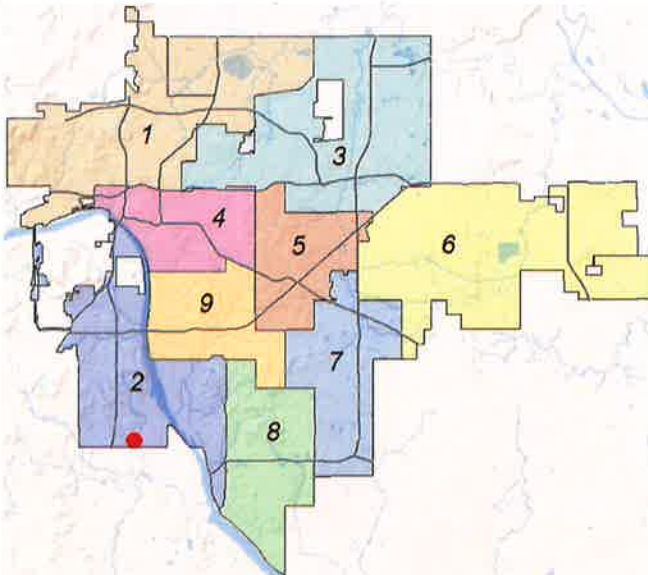
**Owner and Applicant Information:**

Applicant: Wallace Engineering, Carolyn Back

Property Owner: Boggs-Brown-Corbin Properties

**Location Map:**

**(shown with City Council Districts)**



**Applicant Proposal:**

Land Use Map change from ***Park and Open Space*** to ***Employment***

Stability and Growth Map change from ***Area of Stability*** to an ***Area of Growth***

Existing Use: Open space and misc. storage buildings

Proposed Use: Office/Commercial

Tract Size: 43.8 acres

Location: NW/c corner of West 91<sup>st</sup> Avenue and S. Elwood Avenue

**Comprehensive Plan:**

Land Use Map:

Existing: *Park and Open Space*

Proposed: *Employment*

Stability and Growth Map:

Existing: *Area of Stability*

Proposed: *Area of Growth*

**Zoning:**

Existing Zoning: AG/IL

Proposed Zoning: CG with optional development plan

**Staff Recommendation:**

Staff recommends **approval** of the *Employment* land use and *Area of Growth* designations.

**City Council District: 2**

*Councilor Name:* Jeannie Cue

**County Commission District: 2**

*Commissioner Name:* Karen Keith



**COMPREHENSIVE PLAN LAND USE MAP AMENDMENT REQUEST**

NW/c corner of West 91st Ave. and S. Elwood Ave. (CPA-63)

**1. PROPERTY INFORMATION AND LAND USE REQUEST**

<b>Existing Land Use:</b> <i>Park and Open Space</i> <b>Existing Stability and Growth designation:</b> <i>Area of Stability</i>
<b>Proposed Land Use:</b> <i>Employment</i> <b>Proposed Stability and Growth designation:</b> <i>Area of Growth</i>
<b>Location:</b> NW/c corner of West 91st Ave. and S. Elwood Ave.
<b>Size:</b> 43.80 acres

**A. Background**

The subject area is in west Tulsa, on the southern edge of the boundary of the West Highlands/Tulsa Hills Small Area Plan, which was adopted in 2014. This small area plan was initiated in response to development pressures in a previously agricultural area. The small area plan attempts to balance future development with existing aesthetics and open space while ensuring that transportation and related systems are enhanced. The map designations of *Parks and Open Space* and *Area of Stability* on this parcel were not changed through the small area planning process.

The land use assigned for this parcel in the Tulsa Comprehensive Plan is *Parks and Open Space* and *Area of Stability* is due to the levee and Tulsa County floodway on the western portion of the parcel. The levee provides a dividing line through the parcel that separates the floodway on the western portion of the parcel from the portion that is subject to both the Comprehensive Plan amendment request to *Employment* and an *Area of Growth* and rezoning application (Z-7397) with an optional development plan.

A portion of the area subject to both applications is currently zoned IL and the remainder zoned AG. The area to the south lies within the City of Jenks; the area to the east is Jones Airport with an *Employment* land use designation and IL zoning; and the area north and west of the subject area is the remainder of the lot containing the levee and floodway.

- B. Existing Land Use and Growth Designations (Tulsa Comprehensive Plan/ West Highlands/Tulsa Hills Small Area Plan)** *Parks and Open Space* land use and *Area of Stability* designations were assigned to the area subject to the amendment request at the time of the adoption of the Tulsa Comprehensive Plan in 2010:

"These (*Parks and Open Space*) are areas to be protected and promoted through the targeted investments, public-private partnerships, and policy changes identified in the Parks, Trails, and Open Space chapter. Zoning and other enforcement mechanisms will assure that recommendations are implemented. No park and/or open space exists alone: they should be understood as forming a network, connected by green infrastructure, a transportation system, and a trail system. Parks and open space should be connected with nearby institutions, such as schools or hospitals, if possible."

"Open spaces are the protected areas where development is inappropriate, and where the natural character of the environment improves the quality of life for city residents. These include environmentally sensitive areas (e.g., floodplains or steep contours) where construction and utility service would have negative effect on the city's natural systems. Open space tends to have limited access points, and is not used for recreation purposes. Development in environmentally sensitive areas is uncharacteristic and rare, and should only occur following extensive study which shows that development will have no demonstrably negative effect. Open space also includes cemeteries, hazardous waste sites, and other similar areas without development and where future land development and utility service is inappropriate. Parcels in the city meeting this description of open space are designated as areas 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."

- C. Proposed Land Use and Growth Designations (Tulsa Comprehensive Plan/ West Highlands/Tulsa Hills Small Area Plan)** The applicant is proposing *Employment* and *Area of Growth* designations on the subject site.

"*Employment* areas contain office, warehousing, light manufacturing and high tech uses such as clean manufacturing or information technology. Sometimes big-box retail or warehouse retail clubs are found in these areas. These areas are distinguished from mixed-use centers in that they have few residences and typically have more extensive

commercial activity. Employment areas require access to major arterials or interstates. Those areas, with manufacturing and warehousing uses must be able to accommodate extensive truck traffic, and rail in some instances. Due to the special transportation requirements of these districts, attention to design, screening and open space buffering is necessary when employment districts are near other districts that include moderate residential use.”

“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.”



#### D. Zoning and Surrounding Uses

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Area of Growth	Existing Use
North	AG	<i>Parks and Open Space</i>	<i>Area of Stability</i>	Levee, Tulsa County floodway (remaining portion of the same parcel)
South	RS-2 (City of Jenks)	N/A	N/A	Single-Family Residential
East	RS-1	<i>Employment</i>	<i>Area of Growth</i>	Jones Airport
West	RS-1	<i>Parks and Open Space</i>	<i>Area of Stability</i>	Levee, Tulsa County floodway (remaining portion of the same parcel)

#### 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 answers to the above questions below:

1. *"The conditions of the subject area and its surrounding properties have greatly changed with an influx of new development. (Please see attached aerial exhibit depicting recent development in the two (2) square mile area.)"*

*The subject area has a large part of the property that lies within a designated flood plain area running along the levee that dissects the approximate 80-acre parcel from the northeast corner down to the southwest corner of the property.*

*Historically, flood plain areas were listed on the City of Tulsa Land Use Plan Map as Open Space. When the Map was updated, the Park and Open Space designations were combined into one designation which arbitrarily united both categories into one, making it more difficult to utilize undeveloped land lying*

*within flood plain areas not necessarily intended to be designated and utilized as park land.*

*This Amendment will run concurrently with our request to rezone a portion of this parcel. The western portion of the parcel, lying east of the levee, is split-zoned Agricultural and Industrial Light.*

*The Agricultural zoning designation is most likely due to the flood plain designated area around the levee. The requested rezoning of the property from Agricultural and Industrial Light, to Agricultural and Commercial General, will allow for a mix of uses that will be complementary to the hard corner of 91<sup>st</sup> Street and Elwood Avenue. The land to the west of the levee will remain in Agricultural zoning and as Park and Open Space on the Land Use Plan Map, providing a nice transition buffer between the new subdivision and large lot single-family properties to the west.*

*The Industrial Light zoning is a more intense zoning designation compared to the more restrictive Commercial General zoning designation which we believe will make for a better transition between abutting existing and proposed uses."*

***"Surrounding properties changed in recent years, currently under construction, or proposed for change:***

- *New Commercial and Multi-Family Mixed-Use development - 71<sup>st</sup> and Elwood*
- *New Elementary School - 77<sup>th</sup> and Elwood*
- *New Indoor/Outdoor Sports Complex – 81<sup>st</sup>, E of Elwood, N of the R.L. Jones, Jr. Airport*
- *New 3<sup>rd</sup> and 4<sup>th</sup> Grade School - 91<sup>st</sup> and Hwy-75*
- *Hyde Park Subdivision - 87<sup>th</sup> and Hwy-75*
- *The Walk at Tulsa Hills - 81<sup>st</sup> and Hwy-75*
- *Estates of Tulsa Hills Subdivision– 86<sup>th</sup> and Maybelle Ave (Eastside)*
- *Winchester Park Subdivision – 86<sup>th</sup> and Maybelle Ave (Westside)*
- *Maybelle Road Extension from 81<sup>st</sup> to 91<sup>st</sup>*
- *New Life-Church - 81<sup>st</sup> and Maybelle*
- *Phase 2 - Tulsa Hills Shopping Center – 81<sup>st</sup> and Hwy-75*
- *New QuikTrip, Micro-Hospital, and Retirement Facility - 71<sup>st</sup> between Hwy-75 and Elwood"*

2. *"These various development changes have greatly impacted the subject area and warrant the proposed amendment. This hard corner has developable land that is currently zoned Agricultural and Light Manufacturing, and is designated on the Land Use Plan Map as Parks and Open Space. The developable land on this corner will help serve retail, commercial, and indoor recreational needs for the growing community.*

*The exponential growth in this area has triggered a supply and demand requirement for a mix of consumer services needed for everything from after-school fitness programs to convenience goods and restaurant to retail uses, warranting the requested amendment."*

3. *"The proposed change will enhance the surrounding area and the City of Tulsa by allowing the land to be developed commercially, not industrially, and will enhance the life experience of the community members who desire to live, work, play, eat, and shop in their own neighborhood community."*

*The proposed change will enhance the area and the City of Tulsa by providing new jobs and expanding the tax base from the new revenue streams generated. The mix of uses will provide community members with a place for socializing over a cup of coffee or an opportunity to enjoy a good meal with neighbors after a child's sporting event. Remaining within ones community has become very appealing and with the development of the GoPlan bike and walk trail system, the opportunity to walk or bike to this area could become a reality.*

*When metropolitan areas began, they were centered around an urban core based on an activity such as commerce. This would be defined in Tulsa by the oil boom and the development of downtown Tulsa in the teens and 20's. In a pursuit for a presumably better quality of life or in chasing employment that moved to the suburbs, we created an undesirable condition called "urban sprawl". This defines where South Tulsa finds itself in dealing with their current growing pains. The influx of Millennials and empty-nesters moving back downtown or to suburban "town centers" defines the need for community members to have a place to live, work, play, eat and shop within their own neighborhood. The proposed change will enhance the surrounding area and the City of Tulsa by providing a sense of place for the community members in that area."*

#### **F. Staff Summary & Recommendation**

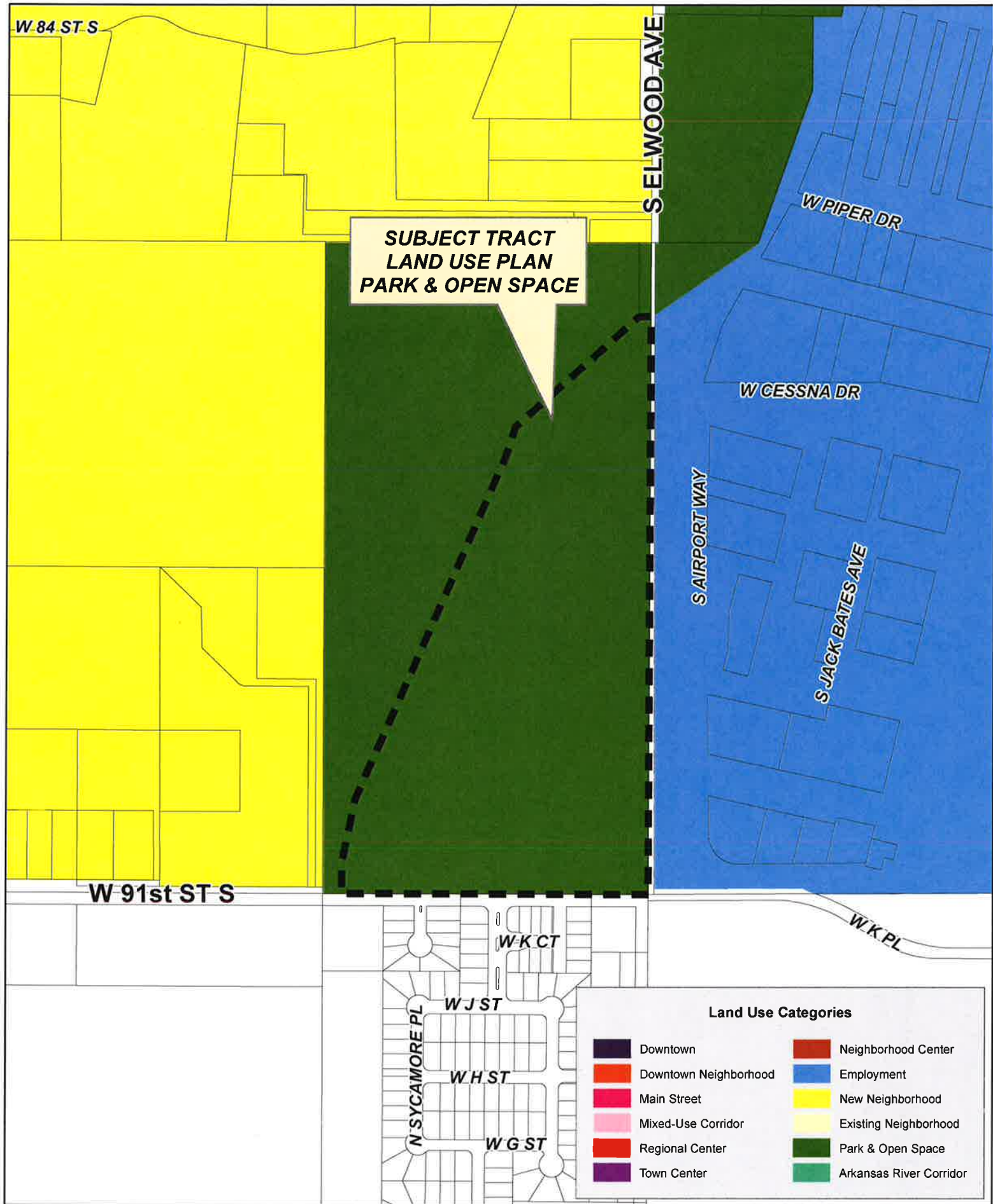
As previously stated, the Tulsa Comprehensive Plan designated this parcel as *Parks and Open Space* and an *Area of Stability* due to the levee and Tulsa County floodway on the western portion of the parcel. During development of the Comprehensive Plan, land use and Areas of Stability and Growth designations were not split across parcels. Rather, they were assigned to the entirety of the parcel regarding of the environmental characteristics.

In this situation, the levee provides a dividing line through the parcel that separates the floodway on the western portion of the parcel. The portion of the parcel east of the levee that is not located in the floodway (subject to applications CPA-63 and Z-7397) is partially zoned IL and has development potential. An *Employment* land use designation would be consistent with the existing and proposed zoning and with the *Employment* designation to the east. The levee and floodway to the west of the subject area will provide a significant barrier between future development on this site and residential uses further west.

Staff recommends **Approval** of the *Employment* and *Area of Growth* designations as submitted by the applicant.







W 84 ST S

S ELWOOD AVE

SUBJECT TRACT  
LAND USE PLAN  
PARK & OPEN SPACE

W PIPER DR

W CESSNA DR

S AIRPORT WAY

S JACK BATES AVE

W 91st ST S

W K CT

W J ST

W H ST

W G ST

N SYCAMORE PL

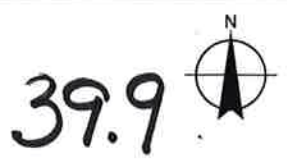
W K PL

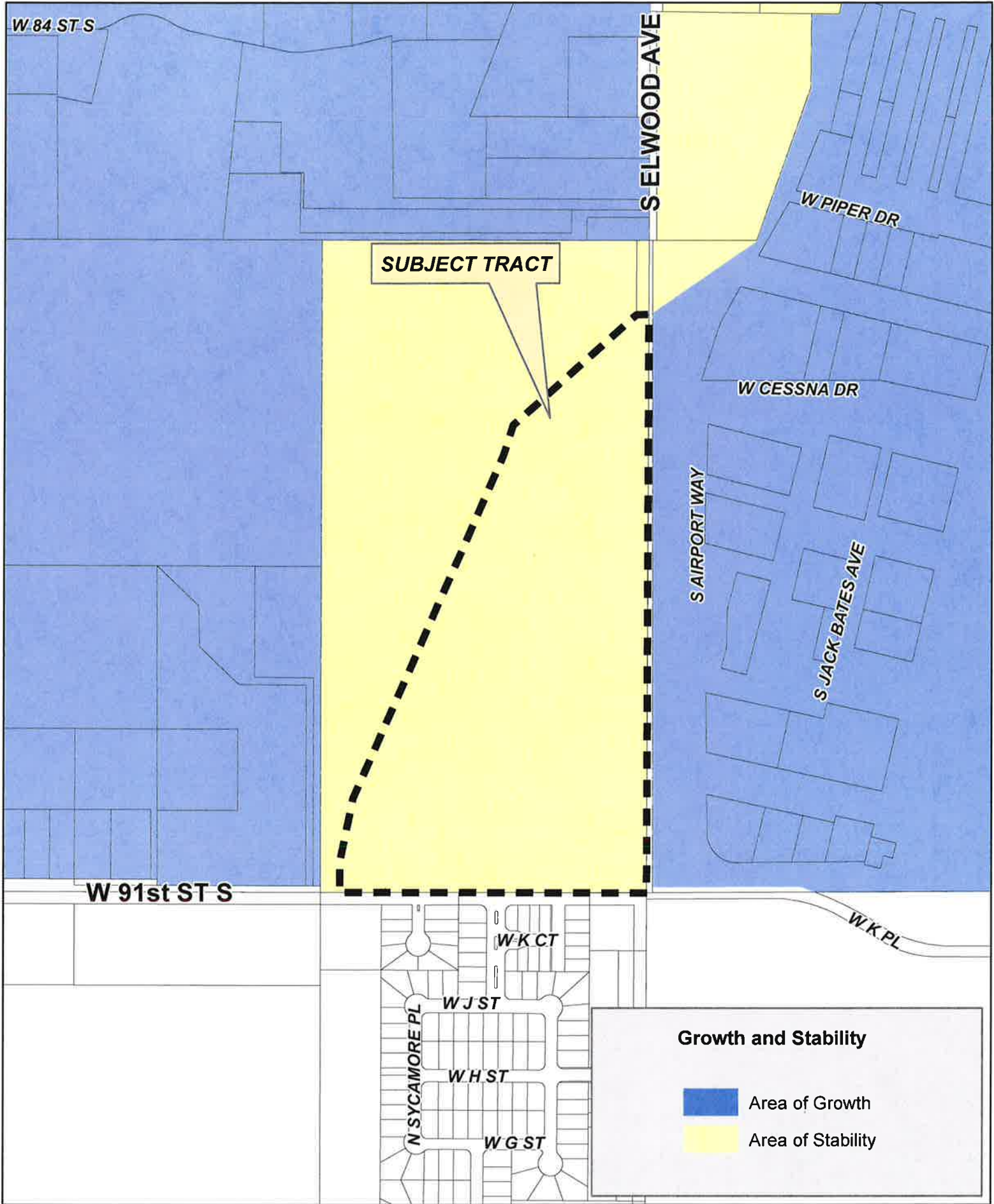
Land Use Categories

- |                       |                         |
|-----------------------|-------------------------|
| Downtown              | Neighborhood Center     |
| Downtown Neighborhood | Employment              |
| Main Street           | New Neighborhood        |
| Mixed-Use Corridor    | Existing Neighborhood   |
| Regional Center       | Park & Open Space       |
| Town Center           | Arkansas River Corridor |

CPA-63

18-12 14





**CPA-63**

18-12 14







0 Feet 250 500



Subject  
Tract

**CPA-63**

18-12 14

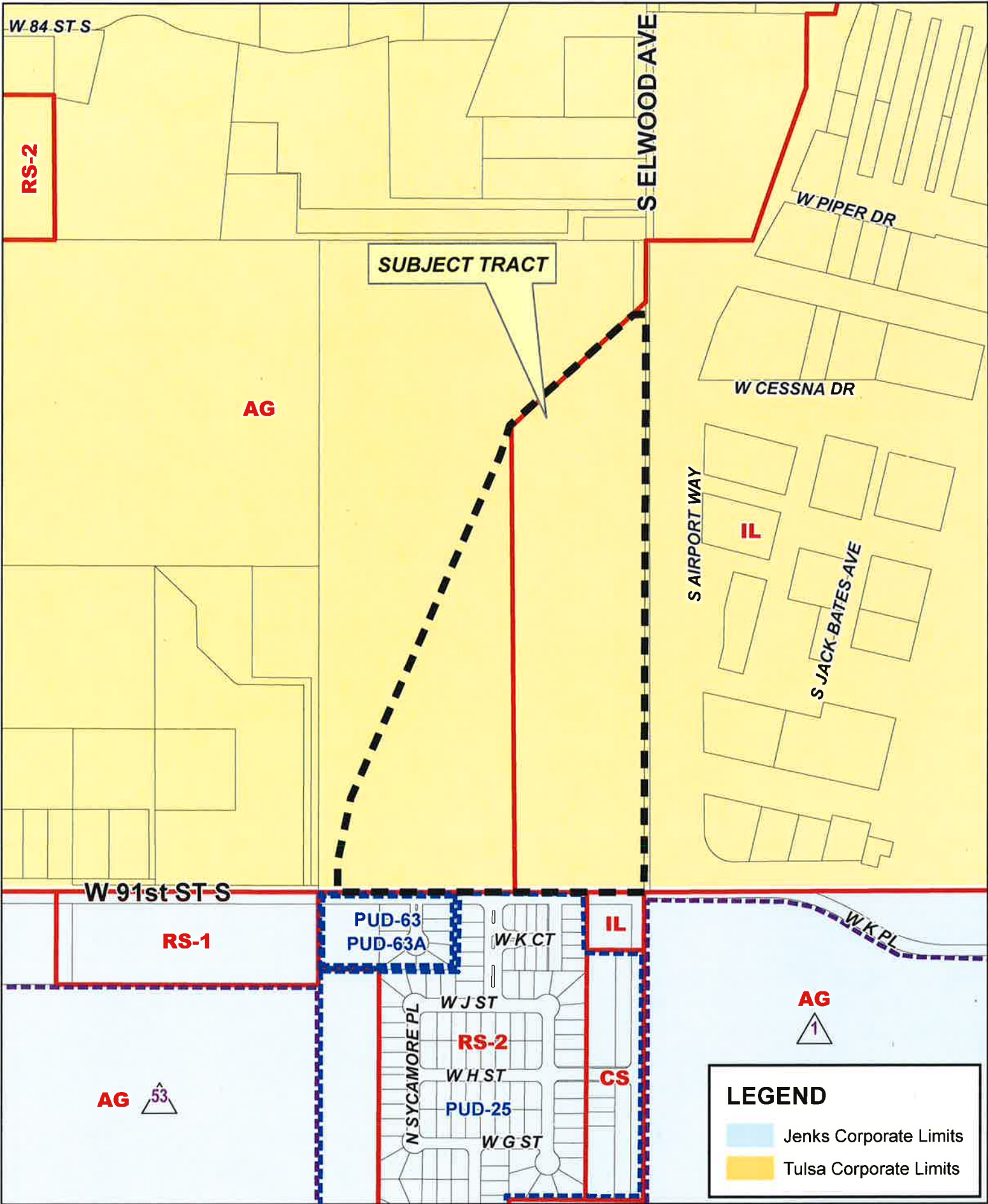
Note: Graphic overlays may not precisely  
align with physical features on the ground.

Aerial Photo Date: February 2016

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CPA-63

18-12 14

\$39.12



Tulsa Metropolitan Area  
Planning Commission

**Case Number:** Z-7397  
***with an optional development plan***  
(Related to CPA-62)

**Hearing Date:** June 21, 2017

**Case Report Prepared by:**

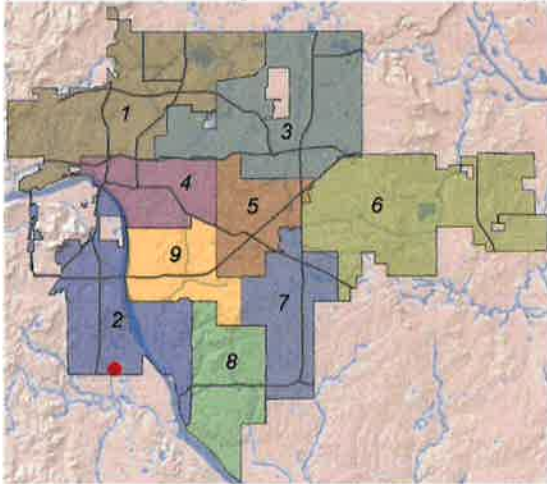
Dwayne Wilkerson

**Owner and Applicant Information:**

*Applicant:* Carolyn Back

*Property Owner:* BOGGS-BROWN-CORBIN  
PROPERTIES

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



**Applicant Proposal:**

*Present Use:* Open space and misc. storage  
buildings

*Proposed Use:* Office/commercial

*Concept summary:*  
Rezone property to support anticipated mix of office  
and commercial uses to include retail east of the  
levee.

*Tract Size:* 43.8± acres

*Location:* Northwest corner of W. 91st St. S. and S.  
Elwood Ave.

**Zoning:**

*Existing Zoning:* AG/ IL

*Proposed Zoning:* CG with an optional  
development plan

**Comprehensive Plan:**

*Land Use Map:* Existing - Park and Open  
Space; Proposed - Employment

*Stability and Growth Map:* Existing - Area of  
Stability; Proposed – Area of Growth

**Staff Recommendation:**

**Staff recommends approval of CG zoning with  
an optional development plan.**

**Staff Data:**

TRS: 8214

CZM: 51

Atlas: 0/ 1745

**City Council District:** 2

*Councilor Name:* Jeannie Cue

**County Commission District:** 2

*Commissioner Name:* Karen Keith

40.1



## **SECTION I: Z-7397**

### **DEVELOPMENT CONCEPT:**

The anticipated zoning with allowed uses to the west of the levee does not change at this time. Leaving this portion of the parcel in its currently zoned state will work as an excellent buffer between the residential uses to the north and west of the site.

The anticipated uses to the east of the levee would be a mix of office and commercial uses to include retail. It is the intention of the applicant to down zone the SE/c of the property, east of the levee, from IL to CG to help reduce the possible impacts allowed within Industrial Light zoning while bringing the split-zoned portion of the parcel, east of the levee, into a more clearly defined zoning line designation to follow the levee.

A mix of Office and Commercial uses are proposed for a "New-to-Tulsa" garage condo concept of premium garage storage units, individually owned, just like condos, but not residential in nature. The individually owned units will provide an innovative space solution for owners needing a secure premium place to store toys including cars, boats, jet skis, motorcycles and recreational vehicles. Each owner has a titled condo unit, plus access to common areas including a possible office/clubhouse. Equity can build in these proposed units just like an office condo.

Other uses proposed to meet community needs are a neighborhood convenience store with fueling canopies and a car wash, fitness focused tenants, and service oriented merchants. These uses would provide a variety of uses from fitness focused classes for children and adults to a dry cleaner and a favorite coffee shop and/or restaurant.

### **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 delineating the CG tract
  - Legal description for the CG tract
  - ALTA survey
  - Topographic Survey

## **SECTION II: OPTIONAL DEVELOPMENT PLAN STANDARDS**

Z-7397 with the optional development plan standards will conform to the provisions of the Tulsa Zoning Code for development in a CG zoning district and its supplemental regulations except as further refined below. All uses categories, subcategories or specific uses outside of the permitted uses defined below are prohibited.

### **PERMITTED USE CATEGORIES**

- i. PUBLIC, CIVIC, AND INSTITUTIONAL
  - College or University
  - Library or Cultural Exhibit
  - Parks and recreation
  - Religious Assembly
  - Safety Service
- ii. COMMERCIAL
  - Animal Service (includes all specific uses)
  - Assembly and entertainment

- Other indoor
  - (small up to 250 person capacity)
- Broadcast or Recording Studio
- Commercial Service (includes all permitted specific uses)
- Financial Services (includes all specific uses)
- Funeral or Mortuary Service
- Office (includes all specific uses)
- Parking, Non-accessory
- Restaurants and Bars (includes all permitted specific uses)
- Retail Sales (includes all specific uses)
- Self-service Storage Facility
- Studio, Artist, or Instructional Service
- Trade School
- Vehicle Sales and Service
  - Fueling Station
  - Personal vehicle repair and maintenance
  - Personal vehicle rentals
  - Vehicle parts and supply sales
  - Vehicle body and paint finishing shop

- iii. WHOLESALE, DISTRIBUTION AND STORAGE
  - Equipment and Materials Storage, Outdoor
    - Note: Outdoor storage is prohibited unless shielded by a solid natural landscape buffer lot less than 15 feet in width or enclosed masonry walls shield view from outside observation. The minimum height of the buffer or wall shall not be less than 6 feet.
  - Warehouse
  - Wholesale Sales and Distribution
- iv. INDUSTRIAL
  - Low-Impact Manufacturing and Industry
- v. RECYCLING
  - Consumer Material Drop-off Station
- vi. AGRICULTURAL
  - Community Garden
  - Farm, Market- or Community-supported
  - Greenhouse
- vii. OTHER
  - Drive-in or Drive-through Facility (as a component of an allowed principal use)
  - Oil or Gas Well
- viii. INDUSTRIAL
  - Low-impact manufacturing and Industry

SIGNAGE: (Modifications to these sign standards will automatically be considered a major amendment to the optional development plan)

On-premise freestanding signs:

Two double-faced signs, with a maximum display surface area of sixty four square feet (64 SF) per side and a maximum height of five feet (15 FT) will be permitted along South 91<sup>st</sup> West Avenue.

Signage shall be monument style signs. Pole signs are prohibited.

All signs shall be lit by either a constant external light source or a constant internal light source.

**Wall Signage:**

Wall signage within 250 feet of the north right of way line of South 91<sup>st</sup> West Avenue must be externally lit with constant light.

**Dynamic Display:**

No Dynamic Display sign is permitted within 300 feet of the north right of way line of South 91<sup>st</sup> West Avenue.

**DETAILED STAFF RECOMMENDATION:**

Z-7397 requesting CG zoning is not consistent with the current Park and Open Space land use designation of the Comprehensive Plan however staff supports the Employment land use designation contemplated with CPA-63. CG zoning with an the optional development plan as defined in Section II is consistent with that land use classification and,

CG zoning with the optional development plan is consistent with the expected development pattern in the area. The optional development plan provides appropriate design and use limitations that would be expected west of Jones/Riverside Airport at this location and,

Contemplated uses in an CG zoning district with the optional development plan standards is considered non-injurious to the surrounding property therefore,

Staff recommends approval of Z-7397 to rezone property from AG/IL to CG with the optional development plan standards identified in Section II and with the concurrent approval of CPA-63.

**Staff recommends Approval of Z-7397 to rezone property from AG/IL to CG with an optional development plan.**

**SECTION III: Supporting Documentation**

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

*Staff Summary: The concurrent comprehensive plan request (CPA-63) proposes a land use classification change from Parks and Open Space to Employment. Staff supports the requested change. CG zoning with the optional development plan is consistent with the vision and concepts outlined in the Employment land use designation.*

**Land Use Vision:**

*Existing Land Use Plan map designation:* Park and Open Space

This building block designates Tulsa's park and open space assets. These are areas to be protected and promoted through the targeted investments, public-private partnerships, and policy changes identified in the Parks, Trails, and Open Space chapter. Zoning and other enforcement mechanisms will assure that recommendations are implemented. No park and/or open space exists alone: they should be understood as forming a network, connected by green infrastructure, a transportation system, and a trail system. Parks and open space should be connected with nearby institutions, such as schools or hospitals, if possible.



Open spaces are the protected areas where development is inappropriate, and where the natural character of the environment improves the quality of life for city residents. These include environmentally sensitive areas (e.g., floodplains or steep contours) where construction and utility service would have negative effect on the city's natural systems. Open space tends to have limited access points, and is not used for recreation purposes. Development in environmentally sensitive areas is uncharacteristic and rare, and should only occur following extensive study which shows that development will have no demonstrably negative effect. Open space also includes cemeteries, hazardous waste sites, and other similar areas without development and where future land development and utility service is inappropriate. Parcels in the city meeting this description of open space are designated as areas of stability.

*Proposed land use designation:*

Employment areas contain office, warehousing, light manufacturing and high tech uses such as clean manufacturing or information technology. Sometimes big-box retail or warehouse retail clubs are found in these areas. These areas are distinguished from mixed-use centers in that they have few residences and typically have more extensive commercial activity.

Employment areas require access to major arterials or interstates. Those areas, with manufacturing and warehousing uses must be able to accommodate extensive truck traffic, and rail in some instances. Due to the special transportation requirements of these districts, attention to design, screening and open space buffering is necessary when employment districts are near other districts that include moderate residential use.

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

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:* None that affect this site.

*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 east of a levee system that protects this property from Hagar Creek flood events. Several engineering challenges may affect the development of this site. The Jenks Planning Department has noted that sanitary sewer is not available from Jenks without downstream improvements; storm water discharge should be drained away from Jenks toward the Arkansas River or to the Jenks.*

Environmental Considerations: None that would affect site development.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
West 91 <sup>st</sup> Street	Secondary Arterial	100 feet	3
South Elwood Avenue	Secondary Arterial	100 feet	3

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

<b>Location</b>	<b>Existing Zoning</b>	<b>Existing Land Use Designation</b>	<b>Area of Stability or Growth</b>	<b>Existing Use</b>
North	AG	Park and Open Space	Stability	Levee, Tulsa County floodway
East	IL	Employment	Growth	Jones Airport
South	Jenks (RS-2 and IL)	Medium intensity Residential and medium commercial use where PSO substation located	NA	Single family residential and PSO Substation
West	AG	Park and Open Space	Stability	Levee, Tulsa County floodway

## **SECTION IV: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 15871 dated November 18, 1983 (IL), and 11817 dated June 26, 1970 (AG), established zoning for the subject property.

### ***Subject Property:***

**Z-5873 November 1983:** All concurred in approval of a request for rezoning a 23± acre tract of land from AG to IL, for industrial use, on property located on the northwest corner of W. 91<sup>st</sup> St. and S. Elwood Ave. and also known as a part of the subject property.

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

**BOA-21872 April 14, 2015:** The Board of Adjustment approved a Special Exception to allow an aviation college/school (Use Unit 5) in an IL district, on property located at 112 W. Beechcraft Dr. and east of subject property across S. Elwood Ave.

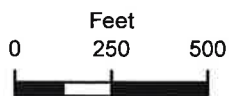
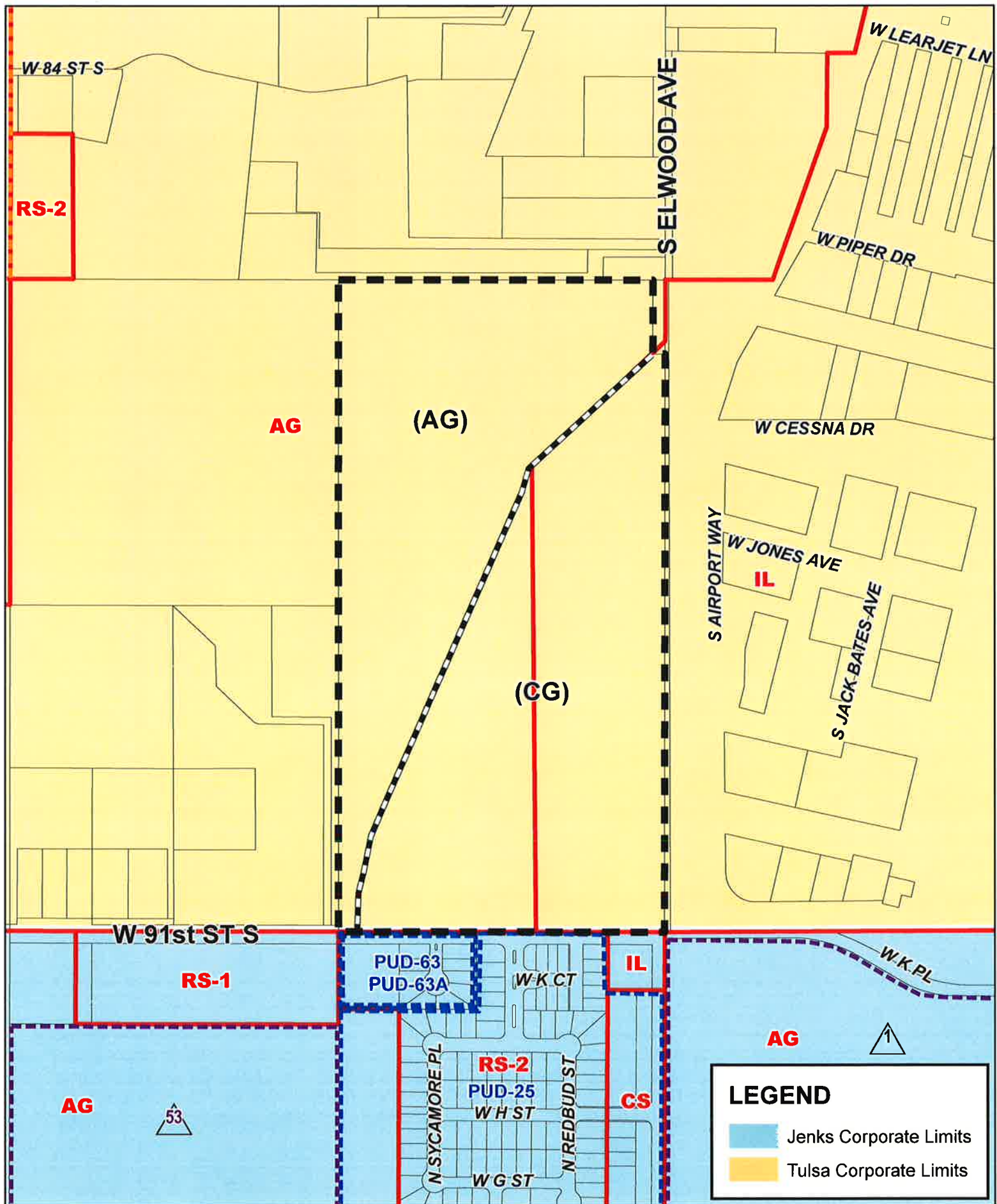
**BOA-7490 June 1, 1972:** The Board of Adjustment approved a Special Exception to permit operating an airport in an IL district, limiting approval to that portion of the request located north of 91<sup>st</sup> St. as per plot plan, on property located at the northeast corner of W. 91<sup>st</sup> St. and S. Elwood Ave. across S. Elwood from subject property.

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REVISED 6/15/2017

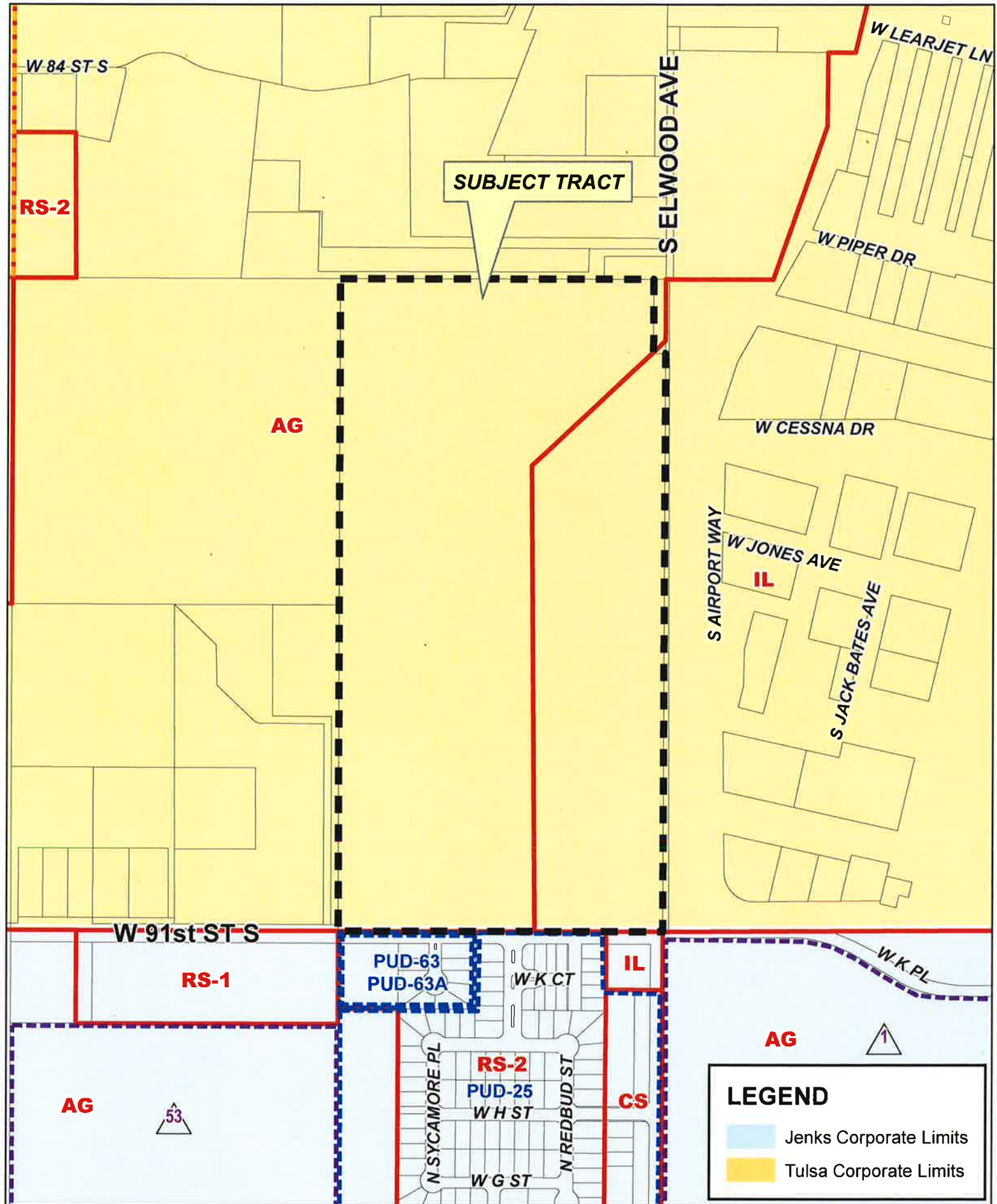




18-12 14

**Z-7397**  
**with Optional**  
**Development Plan**





Feet  
0 250 500

18-12-14

**Z-7397**  
**with Optional**  
**Development Plan**

40.9

N





0 250 500  
Feet



Subject  
Tract

18-12 14

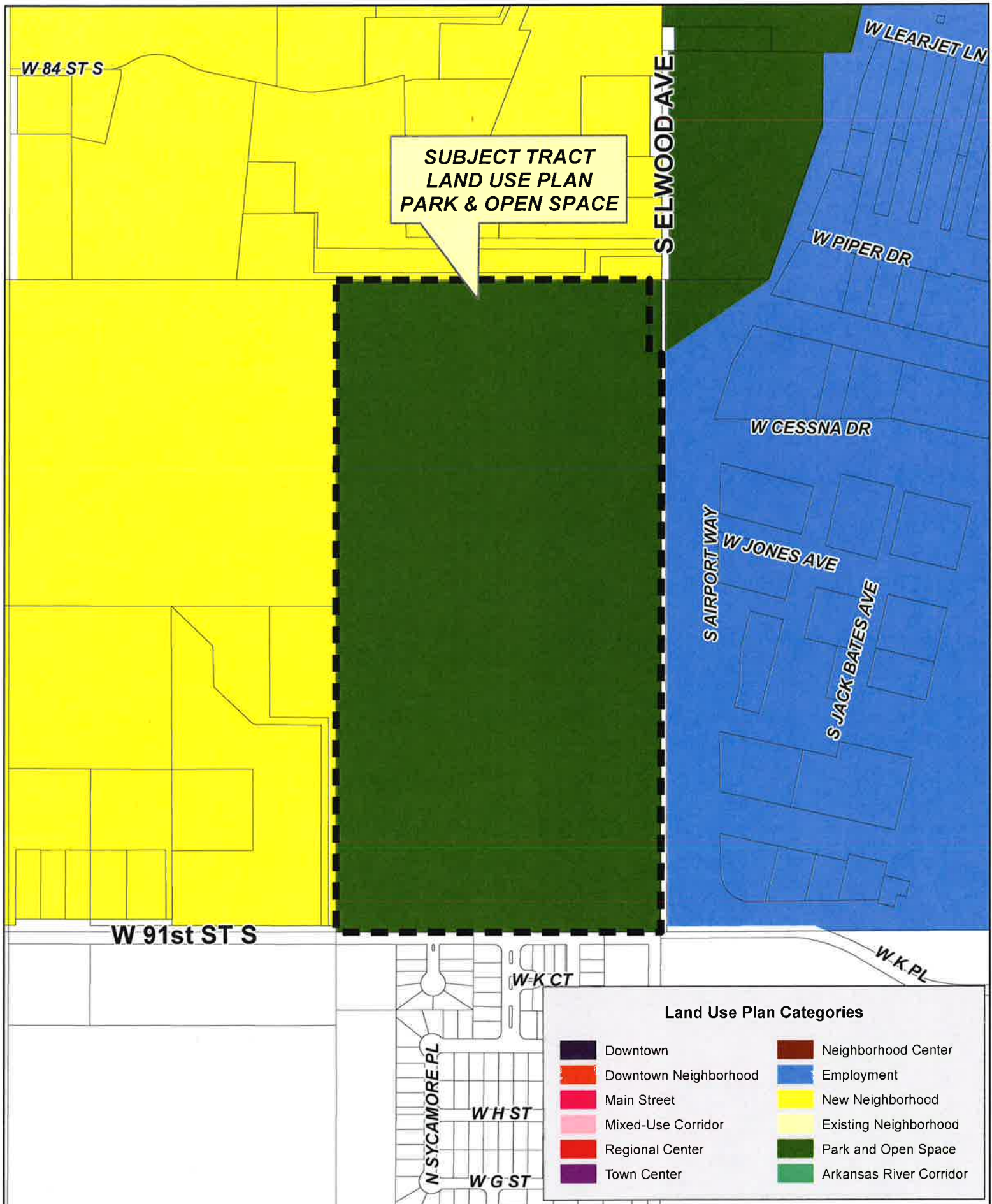
**Z-7397**  
**with Optional**  
**Development Plan**

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

Aerial Photo Date: February 2016





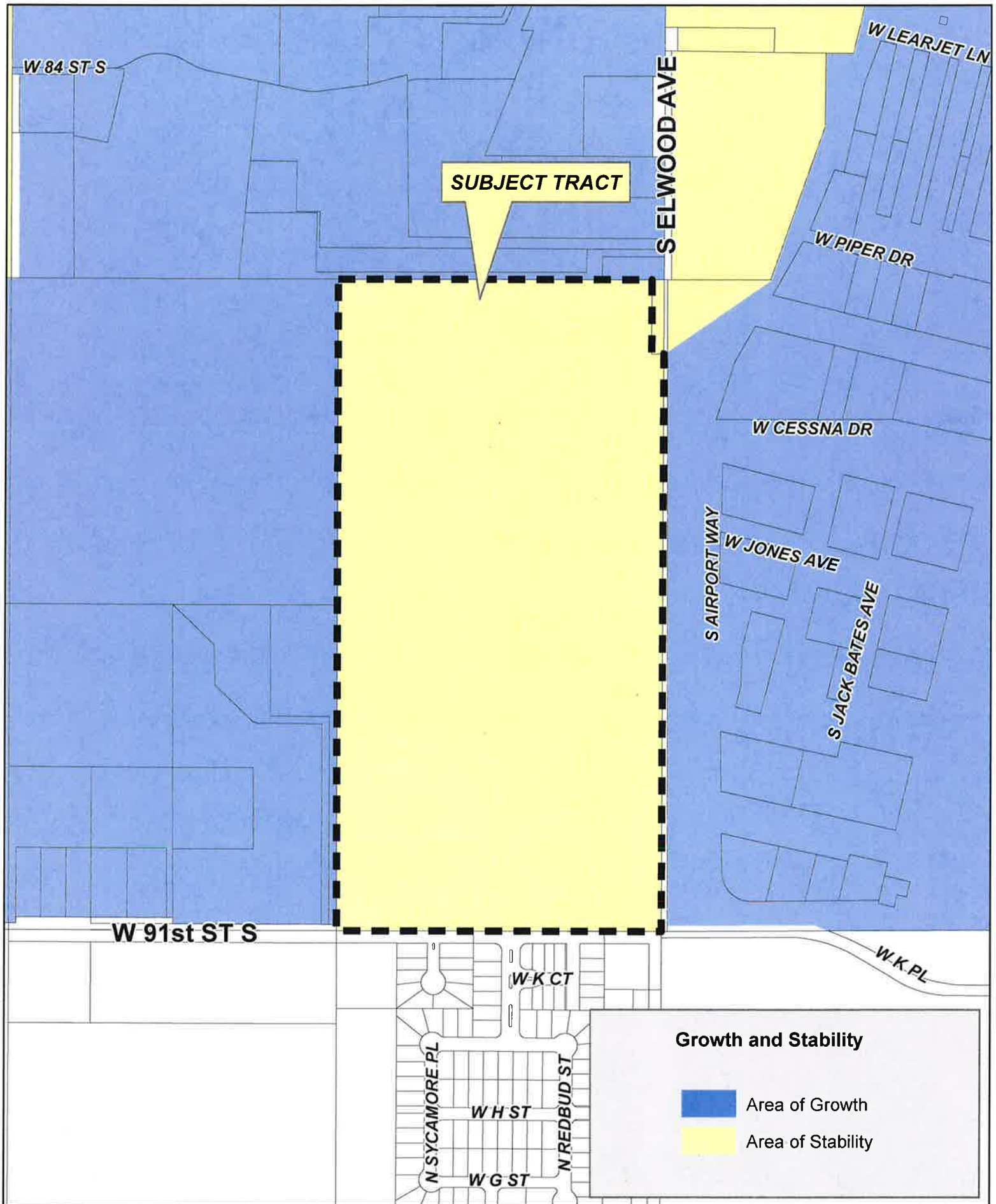


Feet  
0 250 500

18-12 14

**Z-7397**  
**with Optional**  
**Development Plan**

40.11



**Z-7397**  
**with Optional**  
**Development Plan**

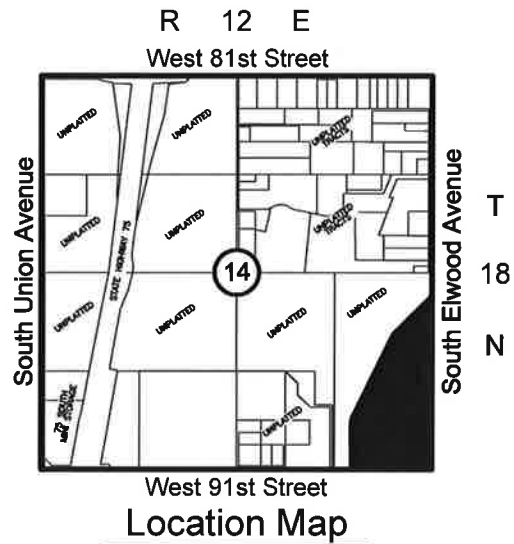
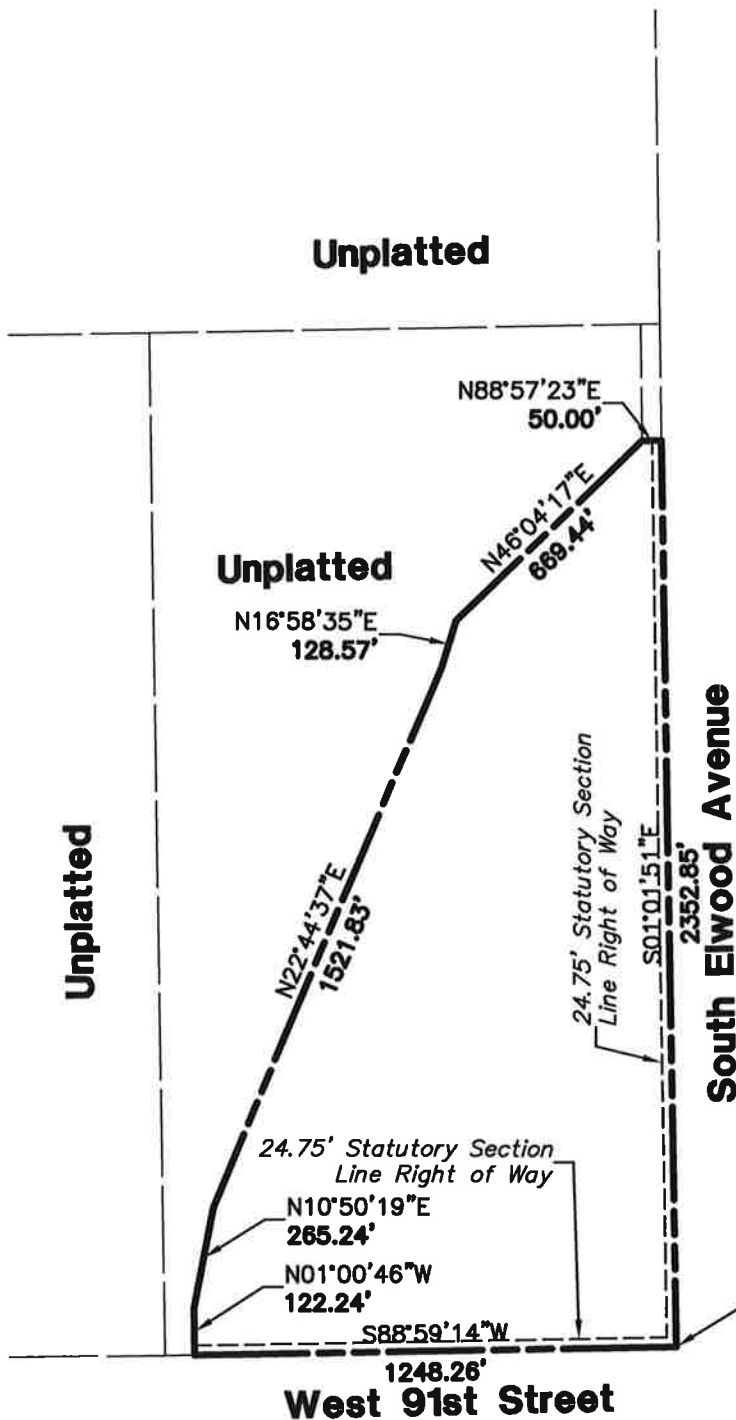
0 250 500  
Feet

18-12 14



## Page 2 of 2

Page 2 of 2



### West 81st Street

T  
18  
N

## West 91st Street Location Map

## Location Map



**Scale: 1"=500'**



S.E. CORNER,  
EAST HALF, S.E. QUARTER,  
SECTION 14, T. 18 N., R. 12 E., I.M.  
(POINT OF BEGINNING)

FILE: 171790LG-A

## Notes

1. THE BEARING BASE FOR THIS EXHIBIT IS BASED ON THE SOUTH LINE OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 14, T-18-N, R-12-E AS S88°59'14"W.



P.O. BOX 848, CHOUTEAU, OK 74337  
PHONE: (918) 476-7484 FAX: (918) 476-7485  
C.A. NO.: 4502 EXP. DATE: 6/30/18

40.13





## LEGAL DESCRIPTION EXHIBIT "A" – CG ZONING

A TRACT OF LAND LYING IN THE EAST HALF (E/2) OF THE SOUTHEAST QUARTER (SE/4) OF SECTION FOURTEEN (14), TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS TO-WIT: BEGINNING AT THE SOUTHEAST CORNER OF THE EAST HALF (E/2) OF THE SOUTHEAST QUARTER (SE/4) OF SAID SECTION FOURTEEN (14); THENCE S88°59'14"W AND ALONG THE SOUTH LINE OF THE EAST HALF OF SAID SECTION FOURTEEN (14) FOR A DISTANCE OF 1248.26 FEET; THENCE N01°00'46"W FOR A DISTANCE OF 122.24 FEET; THENCE N10°50'19"E FOR A DISTANCE OF 265.24 FEET; THENCE N22°44'37"E FOR A DISTANCE OF 1521.83 FEET; THENCE N16°58'35"E FOR A DISTANCE OF 128.57 FEET; THENCE N46°04'17"E FOR A DISTANCE OF 669.44 FEET; THENCE N88°57'23"E FOR A DISTANCE OF 50.00 FEET TO A POINT ON THE EAST LINE OF THE SOUTHEAST QUARTER (SE/4) OF SAID SECTION FOURTEEN (14); THENCE S01°01'51"E AND ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER (SE/4) OF SAID SECTION FOURTEEN (14) A DISTANCE OF 2352.85 FEET TO THE POINT OF BEGINNING; SAID TRACT CONTAINING 1,907,961 SQUARE FEET OR 43.80 ACRES MORE OR LESS.

LEGAL DESCRIPTION WAS PREPARED ON MAY 4, 2017 BY CLIFF BENNETT, PLS #1815 WITH THE BEARINGS BASED ON THE SOUTH LINE OF THE EAST HALF (E/2) OF THE SOUTHEAST QUARTER (SE/4) OF SAID SECTION FOURTEEN (14) AS S88°59'14"W.

### SURVEYOR'S CERTIFICATE

I, CLIFF BENNETT OF BENNETT SURVEYING, INC., CERTIFY THAT THE LEGAL DESCRIPTION HEREON CLOSES IN ACCORDANCE WITH CURRENT TOLERANCES AND IS A TRUE REPRESENTATION OF THE REAL PROPERTY DESCRIBED, AND THAT THE SURVEY OF THE REAL PROPERTY MEETS THE MINIMUM TECHNICAL STANDARDS AS ADOPTED BY THE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR THE STATE OF OKLAHOMA.

WITNESS MY HAND AND SEAL THIS 4<sup>TH</sup> DAY OF MAY, 2017.

FILE: 171790LG-A



CLIFF BENNETT, PLS  
OKLAHOMA NO. 1815  
CERT. OF AUTH. NO. 4502  
EXP. DATE JUNE 30, 2018

PAGE 1 OF 2

### CLOSURE REPORT

North: 381761.4298' East: 2561666.9733'

Course: S88°59'14"W Length: 1248.26'  
North: 381739.3664' East: 2560418.9083'

Course: N01°00'46"W Length: 122.24'  
North: 381861.5873' East: 2560416.7477'

Course: N10°50'19"E Length: 265.24'  
North: 382122.0956' East: 2560466.6243'

Course: N22°44'37"E Length: 1521.83'  
North: 383525.5943' East: 2561054.9761'

Course: N16°58'35"E Length: 128.57'  
North: 383648.5619' East: 2561092.5157'

Course: N46°04'17"E Length: 669.44'  
North: 384112.9936' East: 2561574.6495'

Course: N88°57'23"E Length: 50.00'  
North: 384113.9043' East: 2561624.6412'

Course: S01°01'51"E Length: 2352.85'  
North: 381761.4351' East: 2561666.9701'

Perimeter: 6358.43' Area: 43.80acres  
Error Closure: 0.0061 Course: N31°20'32"W  
Error North: 0.00524 East: -0.00319

Precision 1: 1042365.57

40.14

GROUND ZERO INTERNATIONAL, INC., an Delaware corporation  
SOCIETY-SOURCE-CORPUS PERICUTAL, a General Partnership of Elise Buggs, Elise  
Jane Brown and Norma Jane Carter, General Partners  
PERILITY NATIONAL, TITLE INSURANCE COMPANY  
COMMERCIAL TITLE & EVIDENCE SERVICES, INC.

is to clearly state the map of use and the survey in which it is based were made in accordance with the 2011 American Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS, and including Items 1, 2, 4, 14(a)(i)-(d), 8, 13(a), 13, 16, 17 and 18 of Table A thereof.



Journal of Plant Ecology, January 27, 2016

After the 1990s, the number of people who have been killed in the conflict has increased significantly.

- [illegible]

[illegible]

0.01 - 0.05 mm Fine Grains      

Coarse Grained Lys      

- The Property has direct access to Wang Shi Road. East and South of the Property are some buildings which are owned by the Government. The Property is surrounded by a fence and has a gate to the East. The Property is surrounded by a fence and has a gate to the East. The Property is surrounded by a fence and has a gate to the East.

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[illegible][illegible]

- [illegible]

The underground utilities shown have been located from field survey information and existing drawings. The surveyors make no warranty that the underground utilities shown comprise all the utilities in the area. If in service or abandoned. The surveyor further does not warrant that the underground utilities shown in the exact location indicated although he does certify that they are located as accurately as possible from information available. The surveyor has not physically located the

Page 1 of 2

10

ALTA/ACSM LAND TITLE SURVEY  
GROUND ZERO INTERNATIONAL, INC.  
WEST 91ST STREET SOUTH and SOUTH ELWOOD STREET  
TULSA, TULSA COUNTY  
STATE OF OKLAHOMA

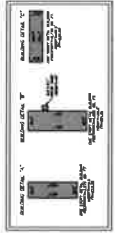
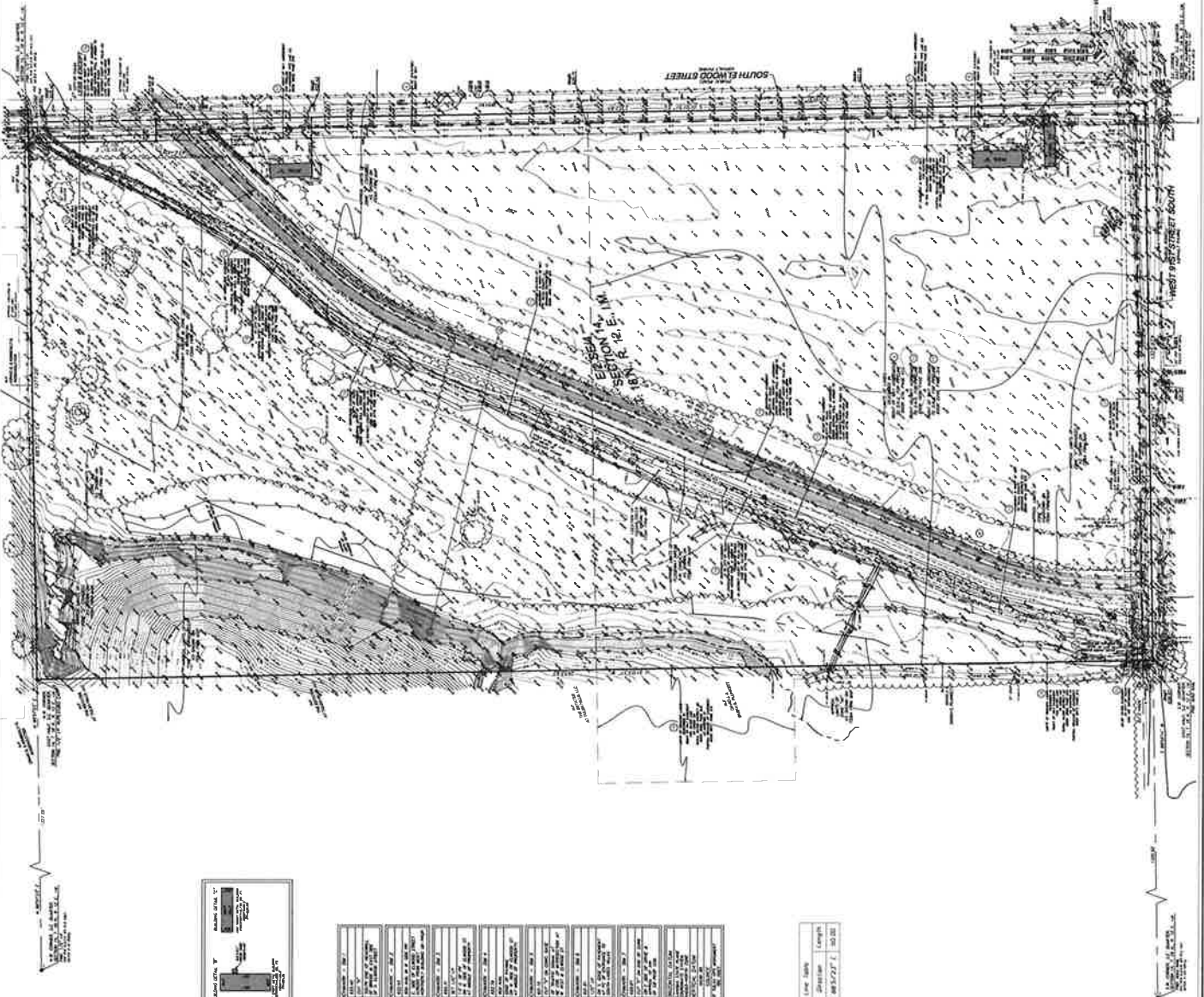
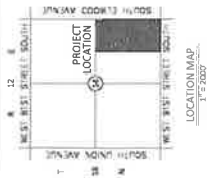


DOOSAN INFRACORE - MANISFIELD, PLLC

**Biology • Botany • Chemistry • Earth Science • Engineering • Health Sciences • History • Life Science • Mathematics • Medicine • Physics • Social Science • Technology**

Sheet 1 of 2

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100	101	102	103	104	105	106	107	108	109	110	111	112	113	114	115	116	117	118	119	120	121	122	123	124	125	126	127	128	129	130	131	132	133	134	135	136	137	138	139	140	141	142	143	144	145	146	147	148	149	150	151	152	153	154	155	156	157	158	159	160	161	162	163	164	165	166	167	168	169	170	171	172	173	174	175	176	177	178	179	180	181	182	183	184	185	186	187	188	189	190	191	192	193	194	195	196	197	198	199	200	201	202	203	204	205	206	207	208	209	210	211	212	213	214	215	216	217	218	219	220	221	222	223	224	225	226	227	228	229	230	231	232	233	234	235	236	237	238	239	240	241	242	243	244	245	246	247	248	249	250	251	252	253	254	255	256	257	258	259	260	261	262	263	264	265	266	267	268	269	270	271	272	273	274	275	276	277	278	279	280	281	282	283	284	285	286	287	288	289	290	291	292	293	294	295	296	297	298	299	300	301	302	303	304	305	306	307	308	309	310	311	312	313	314	315	316	317	318	319	320	321	322	323	324	325	326	327	328	329	330	331	332	333	334	335	336	337	338	339	340	341	342	343	344	345	346	347	348	349	350	351	352	353	354	355	356	357	358	359	360	361	362	363	364	365	366	367	368	369	370	371	372	373	374	375	376	377	378	379	380	381	382	383	384	385	386	387	388	389	390	391	392	393	394	395	396	397	398	399	400	401	402	403	404	405	406	407	408	409	410	411	412	413	414	415	416	417	418	419	420	421	422	423	424	425	426	427	428	429	430	431	432	433	434	435	436	437	438	439	440	441	442	443	444	445	446	447	448	449	450	451	452	453	454	455	456	457	458	459	460	461	462	463	464	465	466
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Line / Station	Length
11 N 88 52 27 E	11.00

Line / Station	Length
11 N 88 52 27 E	11.00

MONUMENTATION FOR  
ATLAS LAND TITLE SURVEY  
WEST 91ST STREET ELMWOOD STREET  
TULSA, TULSA COUNTY  
STATE OF OKLAHOMA

Line / Station	Length
11 N 88 52 27 E	11.00

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ALTAACSM LAND TITLE SURVEY  
GROUND ZERO INTERNATIONAL, INC.  
WEST 91ST STREET ELMWOOD STREET  
TULSA, TULSA COUNTY  
STATE OF OKLAHOMA

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40.16