

TULSA METROPOLITAN AREA PLANNING COMMISSION

Meeting No. 2799

August 7, 2019, 1:30 PM

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

CONSIDER, DISCUSS AND/OR TAKE ACTION ON:

Call to Order:

REPORTS:

Chairman's Report:

Work session Report:

Director's Report:

Review TMAPC Receipts for the month of June 2019

1. Minutes of July 17, 2019, Meeting No. 2798

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. **PUD-355-A-1/PUD-355-B-5 Justin Ridener** (CD 8) Location: West of the northwest corner of East 91st Street South and South Yale Avenue requesting a **PUD Minor Amendment** to allow CS uses by right
3. **Change of Access – Ryan McCarty** (CD 3) Location: West of the southwest corner of East 36th Street North and North Sheridan Road

PUBLIC HEARINGS:

4. **MR-13** (CD 4) Modification to the Subdivision & Development Regulations to remove the sidewalk requirement for a new single-family residence, Location: West of the northwest corner of East 29th Street South and South Evanston Avenue (Continued from July 17, 2019)

5. **MR-16** (CD 8) Modification to the Subdivision & Development Regulations to remove the sidewalk requirement for a new single-family residence, Location: North of the northeast corner of East 77th Street South and South Joplin Avenue
6. **66th Street North Truck Stop – Phase II** (County) Preliminary Plat & Modification to the Subdivision & Development Regulations to extend the allowable length for new cul-de-sacs, Location: North of the northeast corner of East 66th Street North and North Quebec Avenue
7. **CZ-488 Ashley Hacker** (County) Location: Southeast corner of West Wekiwa Road and West Long Street requesting rezoning from **RS to CS** to permit a law office
8. **Z-7491 Michael Carr** (CD 4) Location: Northwest corner of East 12th Place South and South Lewis Avenue requesting rezoning from **RS-3 and OM to MX1-U-U**
9. **Z-7492 Mohamad Soukieh** (CD 5) Location: North of the northeast corner of South Hudson Avenue and East 11th Street South requesting rezoning from **CH to IM**
10. **Z-7493 Richard Barnard** (CD 3) Location: South of the southwest corner of East 4th Place South and South Memorial Drive requesting rezoning from **OL to CG**
11. **PUD-796-A Mark Capron** (CD 2) Location: Southeast corner of Southwest Boulevard and West 21st Street South requesting a **PUD Major Amendment** to abandon PUD-796-A (**Related to Z-7494**) (**Applicant requests continuance to August 21, 2019**)
12. **Z-7494 Mark Capron** (CD 2) Location: Southeast corner of Southwest Boulevard and West 21st Street South requesting rezoning from **RM-1, RM-2, CS and CH to MX1-U-45** (**Related to PUD-796-A**)(**Applicant requests continuance to August 21, 2019**)

OTHER BUSINESS

13. 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 Tulsa Planning Office, INCOG. Ringing/sound on all cell phones must be turned off during the Planning Commission.

Visit our website at www.tmapc.org

email address: esubmit@incog.org

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

TMAPC RECEIPTS
Month of June 2019

	----- Current Period -----				----- Year To Date -----			
	ITEM	CITY	COUNTY	TOTAL RECEIVED	ITEM	CITY	COUNTY	TOTAL RECEIVED
ZONING								
Zoning Letters	8	\$337.50	\$337.50	\$675.00	123	6,150.00	6,150.00	\$12,300.00
Zoning	11	3,925.00	3,925.00	7,850.00	87	37,250.00	37,250.00	74,500.00
Plan Reviews	13	1,425.00	1,425.00	2,850.00	226	27,325.00	27,325.00	54,650.00
Refunds		0.00	0.00	0.00		(450.00)	(450.00)	(900.00)
NSF		0.00	0.00	0.00		0.00	0.00	0.00
		<u>\$5,687.50</u>	<u>\$5,687.50</u>	<u>\$11,375.00</u>		<u>\$70,275.00</u>	<u>\$70,275.00</u>	<u>\$140,550.00</u>
LAND DIVISION								
Minor Subdivision	0	\$0.00	\$0.00	\$0.00	1	\$450.00	\$450.00	900.00
Preliminary Plats	0	0.00	0.00	0.00	20	\$12,000.00	\$12,000.00	24,000.00
Final Plats	1	450.00	450.00	900.00	15	\$6,750.00	\$6,750.00	13,500.00
Development Reg. Compliance	1	250.00	250.00	500.00	4	\$825.00	\$825.00	1,650.00
Lot Splits	3	225.00	225.00	450.00	73	\$5,950.00	\$5,950.00	11,900.00
Lot Line Adjustment	8	600.00	600.00	1,200.00	100	\$7,400.00	\$7,400.00	14,800.00
Other	1	50.00	50.00	100.00	15	\$1,525.00	\$1,525.00	3,050.00
NSF		0.00	0.00	0.00		\$0.00	\$0.00	0.00
Refunds		0.00	0.00	0.00		\$0.00	\$0.00	0.00
		<u>\$1,575.00</u>	<u>\$1,575.00</u>	<u>\$3,150.00</u>		<u>\$34,900.00</u>	<u>\$34,900.00</u>	<u>\$69,800.00</u>
TMAPC COMP								
Comp Plan Admendment	0	\$0.00	\$0.00	\$0.00	3	\$875.00	\$0.00	\$875.00
Refund		<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>		<u>(\$300.00)</u>	<u>\$0.00</u>	<u>(\$300.00)</u>
		<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>		<u>\$575.00</u>	<u>\$0.00</u>	<u>\$575.00</u>
BOARDS OF ADJUSTMENT								
Fees	30	\$8,700.00	\$500.00	\$9,200.00	268	\$75,150.00	\$21,300.00	\$96,450.00
Refunds		(150.00)	0.00	(\$150.00)		(\$2,700.00)	(\$1,350.00)	(4,050.00)
NSF Check		0.00	0.00	\$0.00		\$0.00	(\$500.00)	(500.00)
		<u>\$8,550.00</u>	<u>\$500.00</u>	<u>\$9,050.00</u>		<u>\$72,450.00</u>	<u>\$19,450.00</u>	<u>\$91,900.00</u>
TOTAL		\$15,812.50	\$7,762.50	\$23,575.00		\$178,200.00	\$124,625.00	\$302,825.00
LESS WAIVED FEES *		(\$433.50)	\$0.00	(\$433.50)		(\$3,496.39)	\$0.00	(\$3,496.39)
GRAND TOTALS		<u>\$15,379.00</u>	<u>\$7,762.50</u>	<u>\$23,141.50</u>		<u>\$174,703.61</u>	<u>\$124,625.00</u>	<u>\$299,328.61</u>

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

JUNE 2019 receipt comparison

	JUNE 2019	MAY 2019	JUNE 2018
Zoning Letters	8	20	12
Zoning	11	10	8
Plan Reviews	13	34	15
Minor Subdivisions	0	0	1
Preliminary Plats	0	2	0
Final Plats	1	2	1
Development Regulations Compliance (includes plat waivers prior to 5/10/2018)	1	1	0
Lots Splits	3	9	9
Lot Line Adjustments (includes lot combinations prior to 5/10/2018)	8	7	13
Other	1	0	0
Comp Plan Amendments	0	0	0



Case Number: PUD-355-A-1/PUD-355-B-5
Minor Amendment

Hearing Date: August 7, 2019

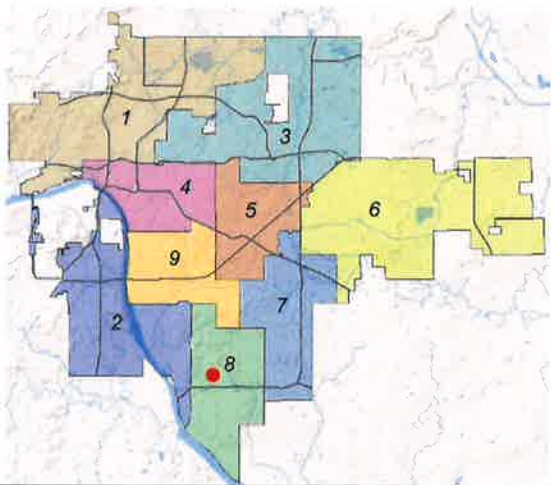
Case Report Prepared by:
 Jay Hoyt

Owner and Applicant Information:

Applicant: Justin Ridener

Property Owner: Yorkshire Properties, LLC.

Location Map:
 (shown with City Council Districts)



Applicant Proposal:

Concept summary: PUD minor amendment to allow CS uses by right.

Gross Land Area: 1.03 acres

Location: W of NW/c E 91st St S and S Yale Ave

Lot 2, Block 1 Southern Woods Park

4785 E 91st St S

Zoning:

Existing Zoning: CS/PUD-355-A/PUD-355-B
 Proposed Zoning: No Change

Comprehensive Plan:

Land Use Map: Neighborhood Center
 Growth and Stability Map: Growth

Staff Recommendation:

Staff recommends **approval**.

Staff Data:

TRS: 8316

City Council District: 8

Councilor Name: Phil Lakin, Jr.

County Commission District: 3

Commissioner Name: Ron Peters

SECTION I: PUD-355-A-1/PUD-355-B-5 Minor Amendment

STAFF RECOMMENDATION

Amendment Request: Revise the development standards to allow CS uses by right.

This site lies on the boundary between PUD-355-A and B. Currently, the development standards limit the uses for the subject lot to those allowed by right in the OM district, within PUD-355-A and OL in PUD-355-B. The underlying zoning for the lot is CS. The applicant proposes to add those uses allowed by right in the underlying, CS, district so that they may have more options for the uses of their property and future development of the lot. No other development standards are proposed to be changed, at this time.

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

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

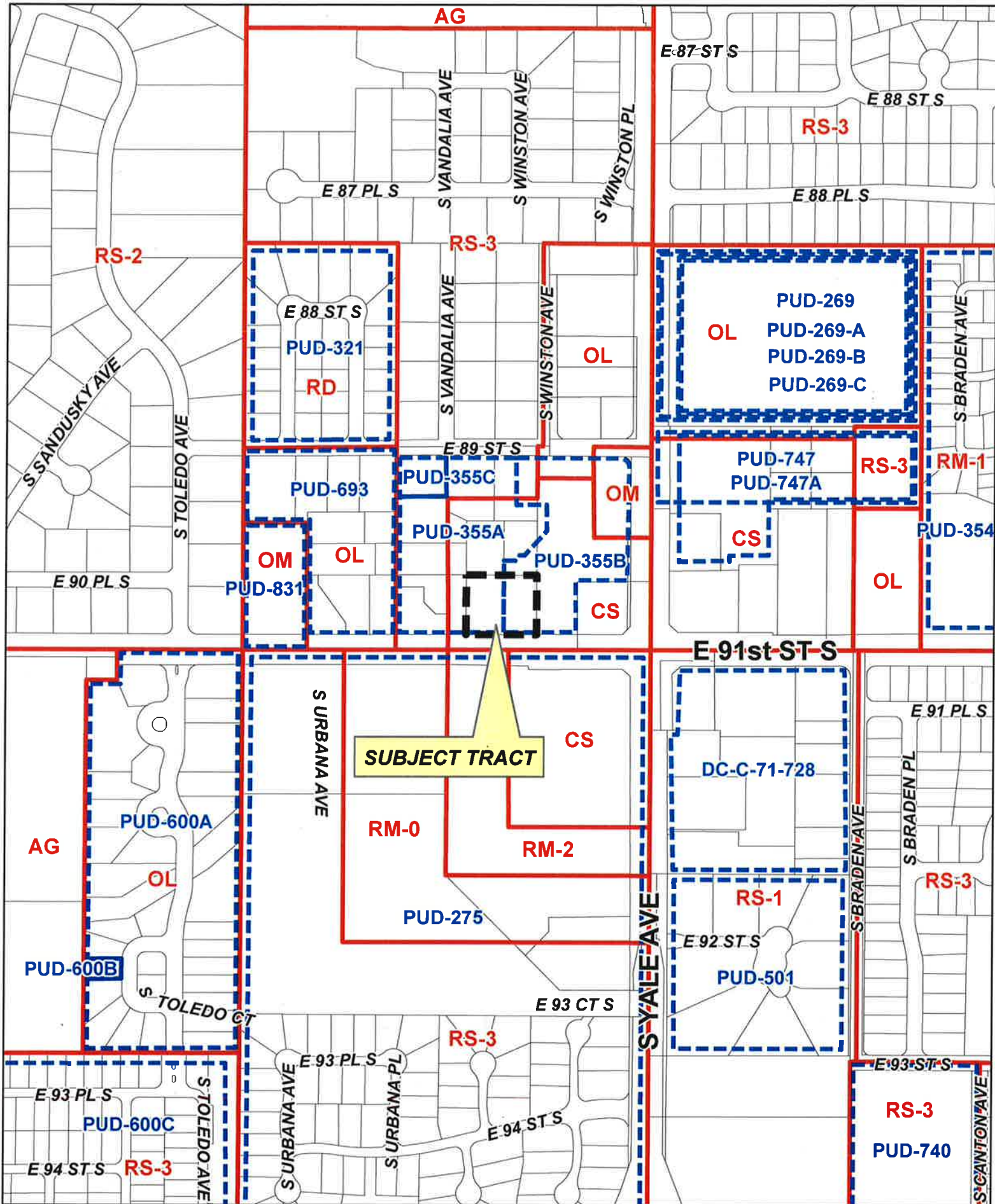
Staff has reviewed the request and determined:

- 1) The requested amendment does not represent a significant departure from the approved development standards in the PUD.
- 2) All remaining development standards defined in PUD-355-A and PUD-355-B and subsequent amendments shall remain in effect.

Exhibits included with staff recommendation:

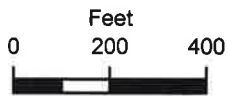
INCOG zoning case map
INCOG aerial photo
INCOG aerial photo (enlarged)

With considerations listed above, staff recommends **approval** of the minor amendment request to allow CS uses by right on the subject lot.



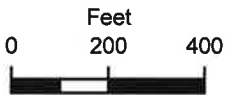
SUBJECT TRACT

PUD-355-A-1



18-13 16





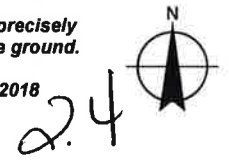
Subject Tract

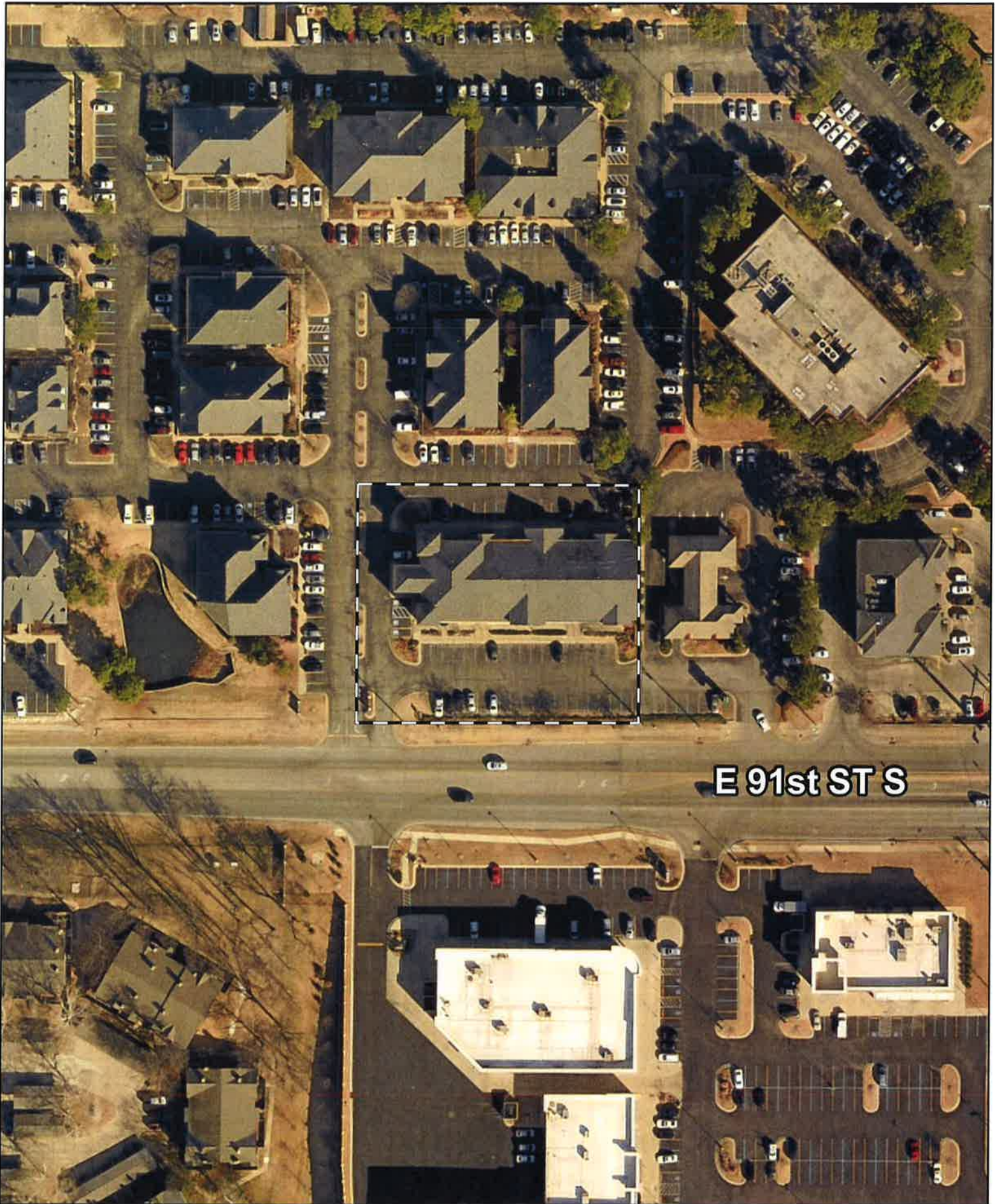
PUD-355-A-1

18-13 16

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

Aerial Photo Date: February 2018





E 91st ST S



Subject Tract

PUD-355-A-1

18-13 16

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

Aerial Photo Date: February 2018



2.5



Tulsa Metropolitan Area
Planning Commission

Case : Change of Access – 5930 E. 36th
St. N.

Hearing Date: August 7, 2019

Case Report Prepared by:

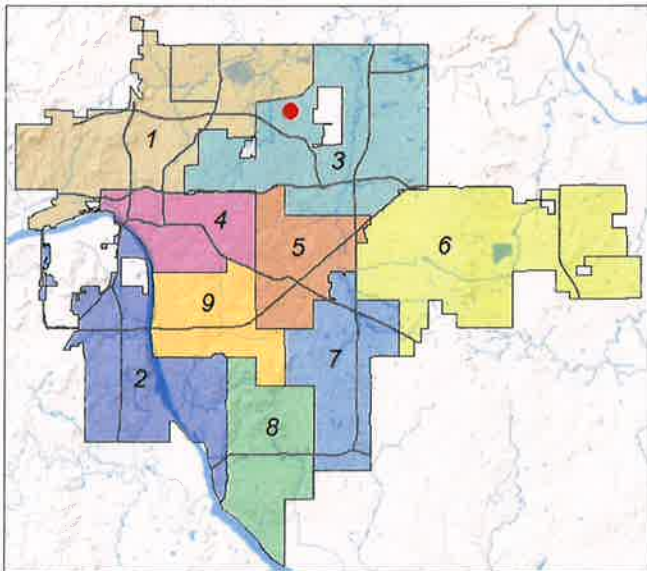
Nathan Foster

Owner and Applicant Information:

Applicant: Ryan McCarty

Owner: D& A Properties, LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Change of Access

Location: West of the southwest corner of
East 36th Street North and North Sheridan
Road

Zoning: IL (Z-7396 ODP)

Staff Recommendation:

Staff recommends **approval** of the
change of access

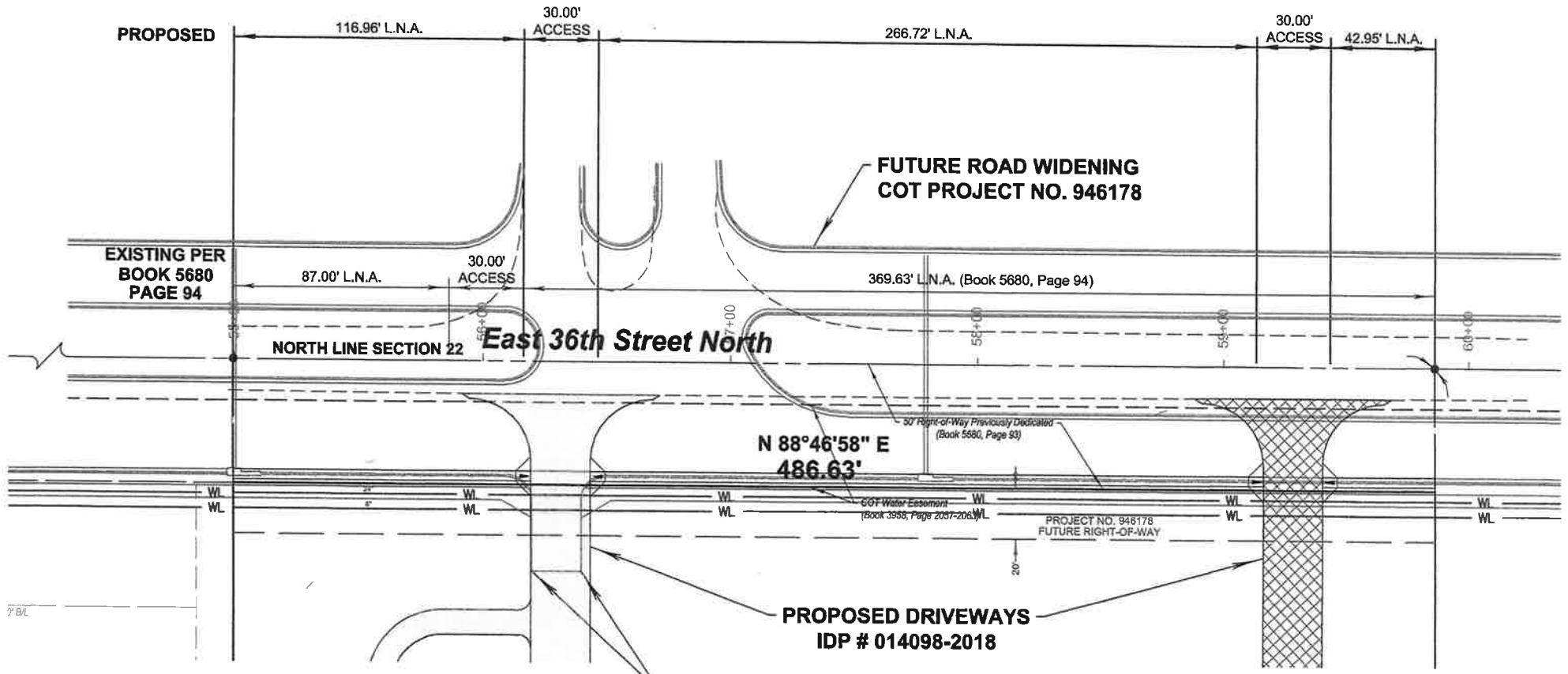
City Council District: 3

Councilor Name: Crista Patrick

County Commission District: 1

Commissioner Name: Stan Sallee

EXHIBITS: Applicant Submittal



APPROVED: *Keith W. Toff*
 TRAFFIC ENGINEER

FUTURE DRIVEWAY LOCATION
 COT PROJECT NO. 946178

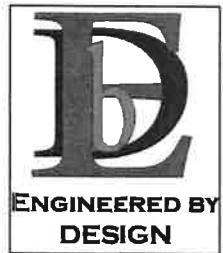
EXHIBIT 'A'

DATE PREPARED: 2/20/2019

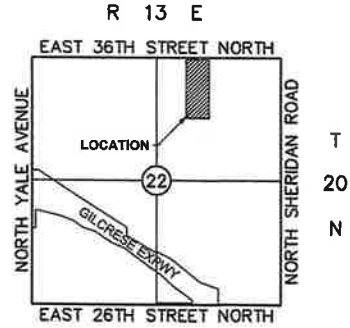
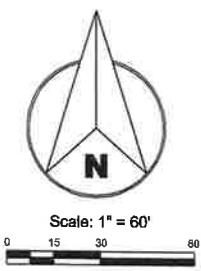
REVISED CHANGE OF ACCESS FOR

A TRACT OF LAND IN THE NORTH HALF OF THE NORTHEAST QUARTER (N/2 NE/4) OF SECTION TWENTY-TWO (22), TOWNSHIP TWENTY (20) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT A POINT 651.63 FEET EAST OF THE NORTHWEST CORNER OF SAID NORTH HALF OF THE NORTHEAST QUARTER (N/2 NE/4); THENCE EAST 486.63 FEET; THENCE SOUTH 1320 FEET; THENCE WEST 486.63 FEET; THENCE NORTH 1320 FEET TO THE POINT OF BEGINNING, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF. LESS AND EXCEPT: THE NORTH 50 FEET THEREOF.



Engineered by Design, PLLC
 P.O. Box 15567 Del City, OK 73155
 Ph: 405-234-0980
 CA# 7655 - Expires 6/30/2020



Location Map
 SCALE: 1"=4000'

3.2

**CHANGE OF AND CONSENT TO
AREAS OF ACCESS AS SHOWN ON RECORDED INSTRUMENT**

WHEREAS, D & A Properties, LLC, an Oklahoma limited liability company, is the owner of the legal and equitable title of the following described real estate located in the City of Tulsa, Oklahoma:

A TRACT OF LAND IN THE NORTH HALF OF THE NORTHEAST QUARTER (N/2 NE/4) OF SECTION TWENTY-TWO (22), TOWNSHIP TWENTY (20) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT A POINT 651.63 FEET EAST OF THE NORTHWEST CORNER OF SAID NORTH HALF OF THE NORTHEAST QUARTER (N/2 NE/4); THENCE EAST 486.63 FEET; THENCE SOUTH 1320 FEET; THENCE WEST 486.63 FEET; THENCE NORTH 1320 FEET TO THE POINT OF BEGINNING, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF. LESS AND EXCEPT: THE NORTH 50 FEET THEREOF.

WHEREAS, said owner desires to change the access points recorded in Book 5680, Page 94 of the County Clerk of Tulsa County to the proposed locations identified on the attached Exhibit; and

WHEREAS, such change requires approval of the Tulsa Metropolitan Area Planning Commission; and

WHEREAS, the Tulsa Metropolitan Area Planning Commission may approve such change of access with a favorable recommendation by the City Engineer of the City of Tulsa, Oklahoma.

NOW THEREFORE, the undersigned owner of the above-described property does hereby change the access points from their present location as recorded in Book 5680, Page 94 of the County Clerk of Tulsa County, Oklahoma, to the locations as shown on the attached Exhibit A, which is incorporated herein by reference and made a part hereof for all purposes.

The Tulsa Metropolitan Area Planning Commission by the affixing of its approval to this instrument does hereby stipulate and agree to such change and, that from and after the date of this consent, ingress and egress shall be permitted over, through and across the areas of access as shown on attached Exhibit A, which is incorporated herein by reference. The area of "access" as previously shown are hereby revoked and access to the property prohibited across said area. The area of limits of

no access previously existing along the area of access now permitted by this change and consent is hereby expressly vacated, annulled and held for naught.

IN WITNESS WHEREOF, the property owner has executed this instrument on 6-16, 2019.

D & A PROPERTIES, LLC,
an Oklahoma limited liability company

By Sandy A. B. B.
Its Manager

APPROVED:


City Engineer

Chair, TMAPC

Attest:

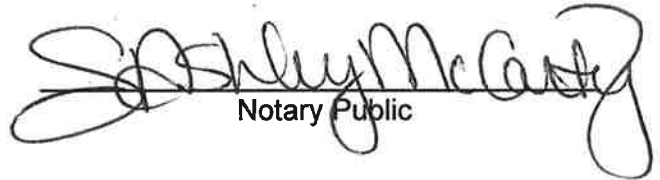
Secretary, TMAPC

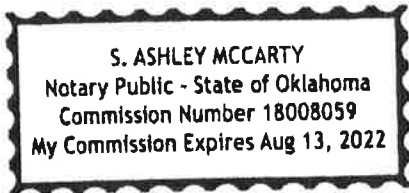
STATE OF Oklahoma)
) SS
COUNTY OF Tulsa)

Before me, the undersigned, a Notary Public in and for said County and State, on this 16th day of June, 2019, personally appeared Santiago Abad, to me known to be the identical person who subscribed the name of D & A Properties, LLC, an Oklahoma limited liability company, to the foregoing instrument as its Manager and acknowledged to me that he executed the same as his free and voluntary act and deed of such limited liability company, for the purposes therein set forth.

GIVEN under my hand and seal the day and year last above written.

My Commission Expires: Aug 13, 2022


Notary Public



LIMITATION OF ACCESS

WHEREAS, D & A PROPERTIES, LLC, an Oklahoma limited liability company, is the owner of the real property described and graphically depicted within the attached Exhibit "A", hereinafter referred to as the "Property"; and

WHEREAS, the Tulsa Metropolitan Area Planning Commission (the Planning Commission), on the 5th day of October 1994, approved a waiver platting requirement for the Property, but imposed a condition that ingress and egress to the Property be limited; and

WHEREAS, in accordance with the condition of the waiver, the owners of the Property executed an instrument titled Limitation of Access Pursuant to Waiver of Plat, recorded in Book 5680 at page 94, in the records of the Tulsa County Clerk; and

WHEREAS, said instrument provides that the limitation on access thereby imposed can only be released, changed or altered by the Planning Commission with approval of the Tulsa City Engineer; and

WHEREAS, the Planning Commission did on _____, 2019, approve a Change of and Consent to Areas of Access as Shown on Recorded Instrument, thus changing the access previously approved by the Planning Commission; and

WHEREAS, the undersigned desires to establish of record the new limits of access as approved by the Planning Commission.

THEREFORE, the undersigned owner does hereby relinquish rights of ingress and egress to the Property within the bounds designated as "Limits of No Access" (LNA) on the attached Exhibit "A". The limitation of access herein established shall run with the Property, but may be amended or released by the Tulsa Metropolitan Area Planning Commission or its successors, with concurring approval of the City Engineer, or as otherwise provided by the statutes and laws of the State of Oklahoma.

IN WITNESS WHEREOF, the Property owner has executed this instrument on 6-16, 2019.

D & A PROPERTIES, LLC,
an Oklahoma limited liability company

By Seunhyo ARNO
Its Manager

APPROVED:

Kurt W. Koff
City Engineer

Chair, TMAPC

Attest:

Secretary, TMAPC

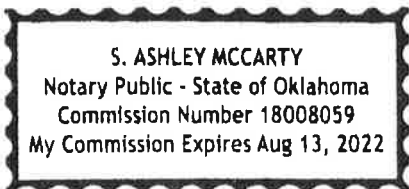
STATE OF Oklahoma)
) SS
COUNTY OF Tulsa)

Before me, the undersigned, a Notary Public in and for said County and State, on this 11th day of June, 2019, personally appeared Santiago Abad, to me known to be the identical person who subscribed the name of D & A Properties, LLC, an Oklahoma limited liability company, to the foregoing instrument as its Manager and acknowledged to me that he executed the same as his free and voluntary act and deed of such limited liability company, for the purposes therein set forth.

GIVEN under my hand and seal the day and year last above written.

My Commission Expires: Aug 13, 2022

Ashley McCarty
Notary Public





Tulsa Metropolitan Area Planning Commission

Case : MR-13 – 2819 E. 29th St. S

Hearing Date: August 7, 2019
(Continued from July 17, 2019)

Case Report Prepared by:

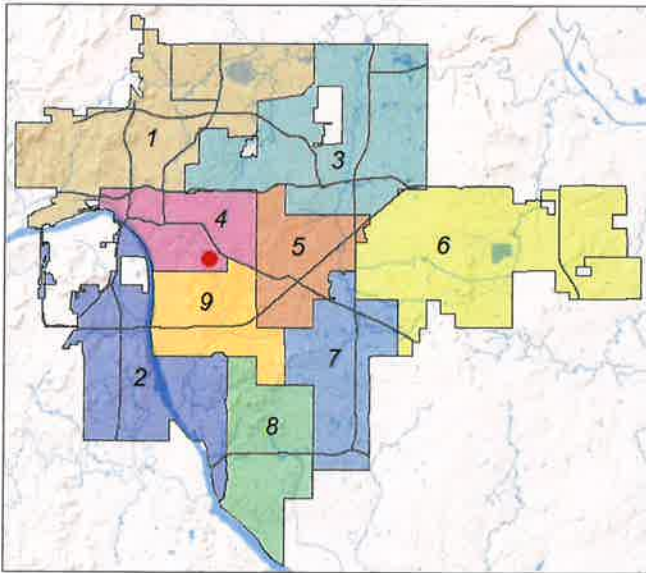
Nathan Foster

Owner and Applicant Information:

Applicant: Michael Friloux

Owner: Michael Friloux

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Modification to the Subdivision and Development Regulations

Purpose: Requesting a modification to the sidewalk requirements of Section 5.070 to remove the requirement for construction of sidewalks.

Location: West of the northwest corner of East 29th Street South and South Evanston Avenue

Zoning: RS-2

Staff Recommendation:

Staff recommends **approval** of the modification

City Council District: 4

Councilor Name: Kara Joy McKee

County Commission District: 2

Commissioner Name: Karen Keith

EXHIBITS: Site Map, Aerial, Sidewalk Exhibit, Applicant Exhibits

4.1

MODIFICATION OF THE SUBDIVISION AND DEVELOPMENT REGULATIONS

MR-13 – 2819 E. 29th St. S - (CD 4)

West of the northwest corner of East 29th Street South and South Evanston Avenue

The applicant has requested that the Planning Commission remove the requirement that the property owner construct a sidewalk as part of the construction of a new home. The newly adopted Subdivision and Development Regulations require sidewalks to be constructed on any new development requiring both new construction building permits and a certificate of occupancy.

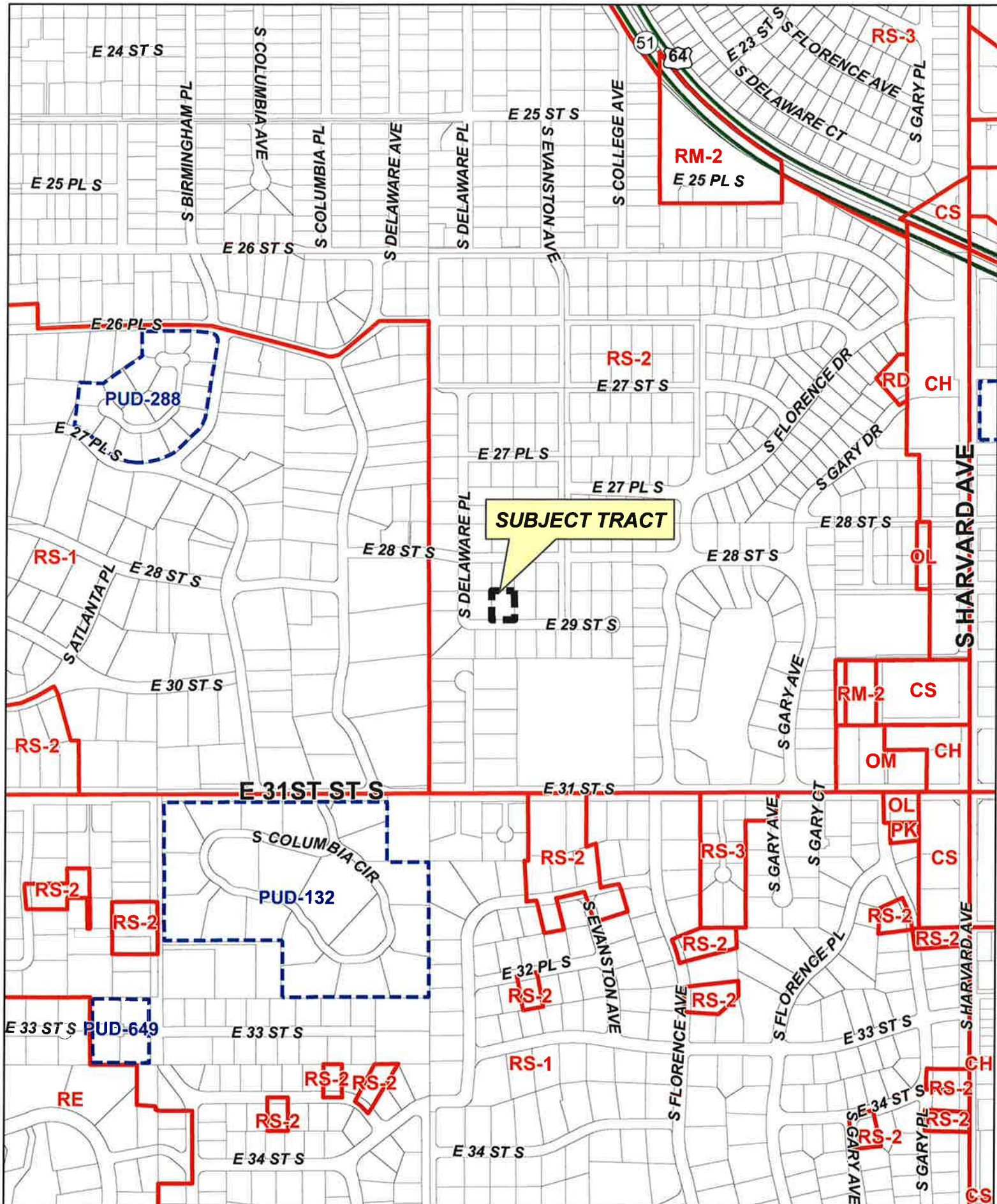
As alternative solutions for sidewalks are explored, staff will begin evaluating each request for modification based on a set of criteria. Any future program would utilize similar criteria when making eligibility determinations for alternatives. Examples of criteria include the following:

1. Proximity to major pedestrian destinations such as parks, schools, public amenities, and retail areas.
2. Presence of existing pedestrian infrastructure within a walkable area of the subject property
3. Funded capital improvement projects that will impact property under application
4. Proximity and ability to connect to collector or arterial streets
5. Topographical or environmental challenges that make sidewalk installation impossible or impractical

Based on the selected criteria, staff finds the following facts to be **favorable** to the modification request:

1. The subject property is located in the middle of an established neighborhood with no existing sidewalks.
2. Subject property is located in the middle of a block.
3. East 29th Street does not provide connections to vital destinations within the neighborhood.
4. Planning Commission has approved requests for modification on three other properties within the same neighborhood with similar circumstances.

Staff recommends **approval** of the modification of the Subdivision and Development Regulations to remove the requirement for sidewalk construction on this property.



SUBJECT TRACT

MR-13

19-13 17





E 24 ST S

S COLUMBIA AVE

S BIRMINGHAM PL

E 25 PL S

E 25 ST S

S EVANSTON AVE

S COLLEGE AVE

E 25 PL S

S FLORENCE AVE
S DELAWARE CT

S GARY PL

E 26 ST S

S COLUMBIA PL

S DELAWARE AVE

S DELAWARE PL

E 26 PL S

E 27 ST S

S FLORENCE DR

E 27 PL S

E 27 PL S

E 27 PL S

S GARY DR

S ATLANTA PL

E 28 ST S

E 28 ST S

S DELAWARE PL

E 29 ST S

E 28 ST S

E 30 ST S

E 31ST ST S

E 31 ST S

S GARY AVE

S HARVARD AVE

S COLUMBIA CIR

S EVANSTON AVE

S GARY AVE

S GARY CT

E 33 ST S

E 33 ST S

E 32 PL S

S FLORENCE AVE

S FLORENCE PL

E 33 ST S

S HARVARD AVE

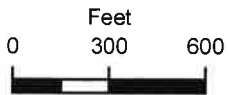
E 34 ST S

E 34 ST S

S GARY AVE

E 34 ST S

S GARY PL S



Subject Tract

MR-13

19-13 17

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

Aerial Photo Date: February 2018



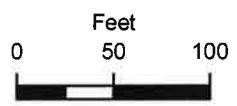


E 28 ST S

S DELAWARE PL

S EVANSTON AVE

E 29 ST S



 Subject Tract

MR-13

19-13 17

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

Aerial Photo Date: 2019



Case Number: MR-13

Applicant / Owner: Michael Friloux

Application to Waive Sidewalk Requirement

Property Address: 2819 E 29th Street

- Beautiful Thomas Heights Addition – Developed in 1940's
- Natural Setting Blanketed with Mature Trees
- Primary Reason We Selected This Location and Street



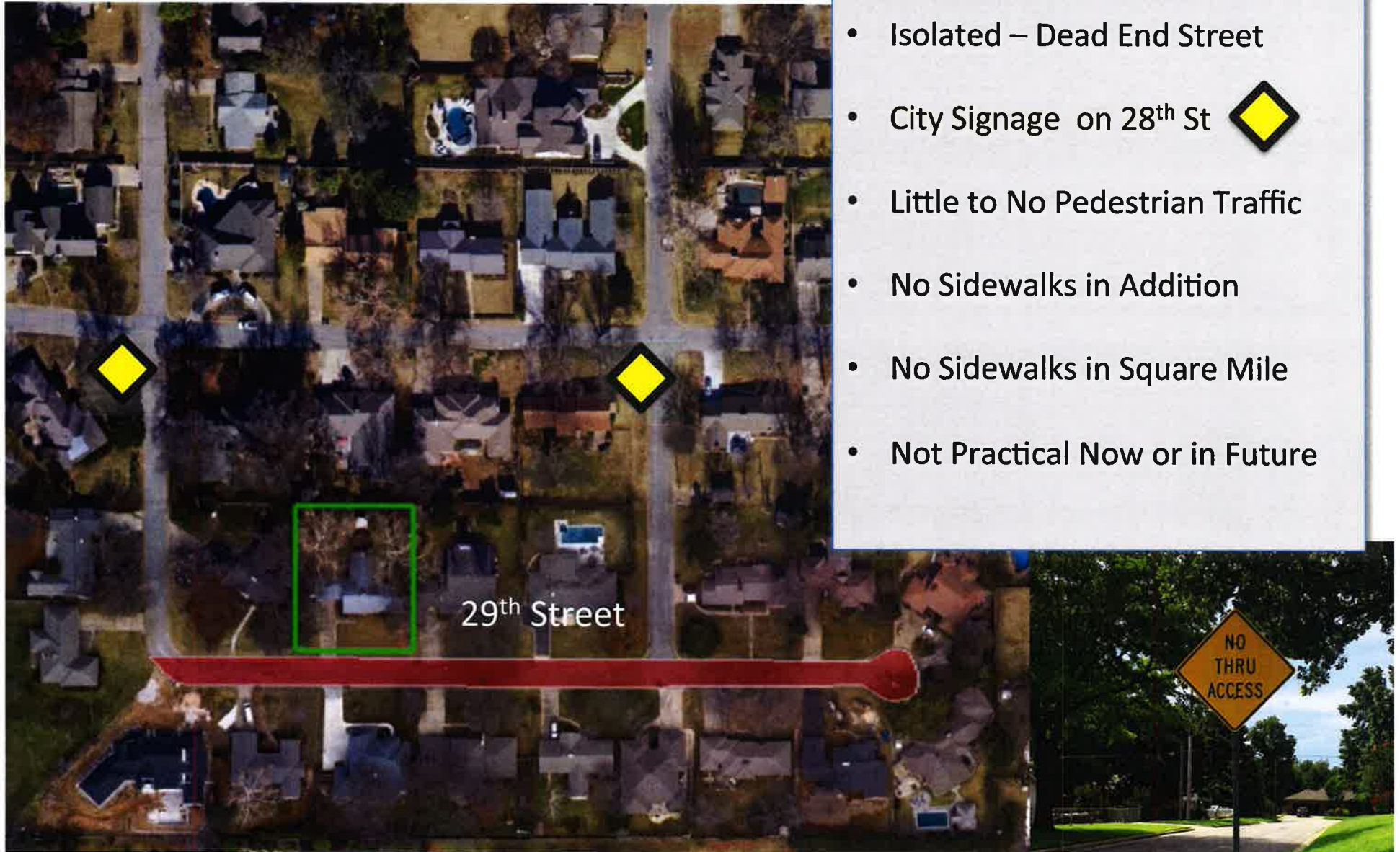
4.6

Case Number: MR-13

Application to Waive Sidewalk Requirement

Property Address: 2819 E 29th Street

Map of 29th Street and Property Location



4.7

Case Number: MR-13

Application to Waive Sidewalk Requirement

Property Address: 2819 E 29th Street

Neighbors Support This Waiver - Don't Support The Requirement

Key Reasons: Not Practical, Detracts From Street, Oddity and Out of Place

Owner Letter Reference Map – (See Attached Letters)



4.8

TMAPC Mission

“to promote harmonious development the Tulsa Metro Area, and to Enhance & Protect The Quality of Life”

Circumstances are Relevant

Neighbor Input is Important

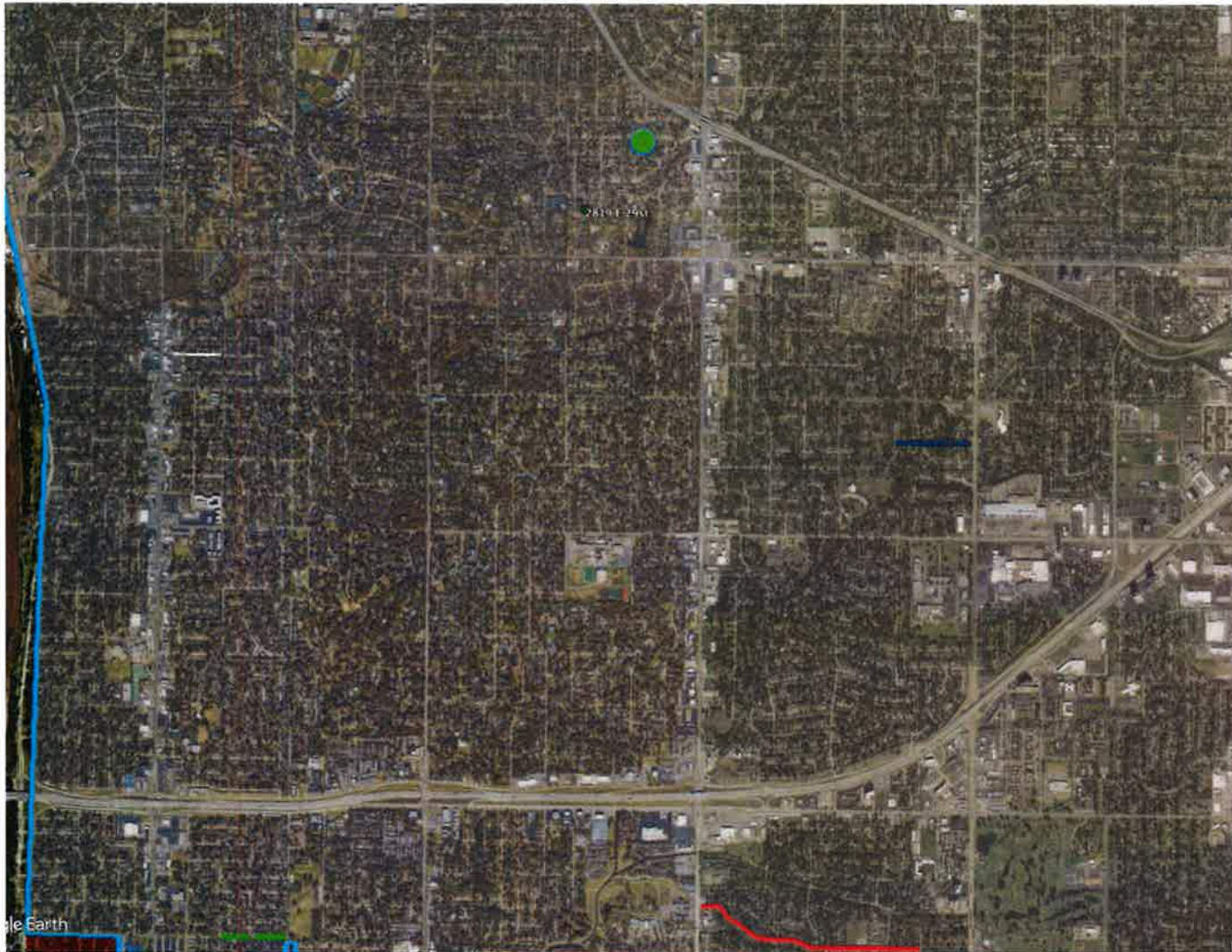
Isolated Sidewalks = Harmonious?

Case Number: MR-13

Application to Waive Sidewalk Requirement

Property Address: 2819 E 29th Street

- **Google Earth Survey** of Residential Sidewalks
- There are no residential sidewalks in the area depicted until 56th Street South.
- No Residential Sidewalks in Mid-Town, Area Covering ~ 16 Square Miles



● 2819 E 29th St.

49

Summary Points

(As Documented in Neighbor Support Letters)

- 1) There are no pre-existing residential sidewalks of any type in the immediate area nor in the greater vicinity (1.3 mile radius).
- 2) 29th Street is not a through street, it gets little to no pedestrian traffic, and requiring a sidewalk here isn't beneficial to the community, not now or in the future.
- 3) This regulation isn't practical for the well established mid-town area. The City needs well designed plans vetted by the neighborhoods to be impacted.
- 4) It places an undue financial burden on myself, with no coherent plan and no perceptable benefit for the foreseeable future. It is poor policy for In-Fill Situations.
- 5) I believe it would detract from the natural look, feel, and charm of this beautiful long established neighborhood, a key reason I chose the location.
- 6) Every neighbor I've contacted agrees that this requirement is odd, out of place, and not practical for our street or neighborhood.

Daily Reminder – Collateral Damage – Poor Policy (We need Planning not Random Allocation)

On behalf of myself & my neighbors – I respectfully ask the Council to Approve my Waiver

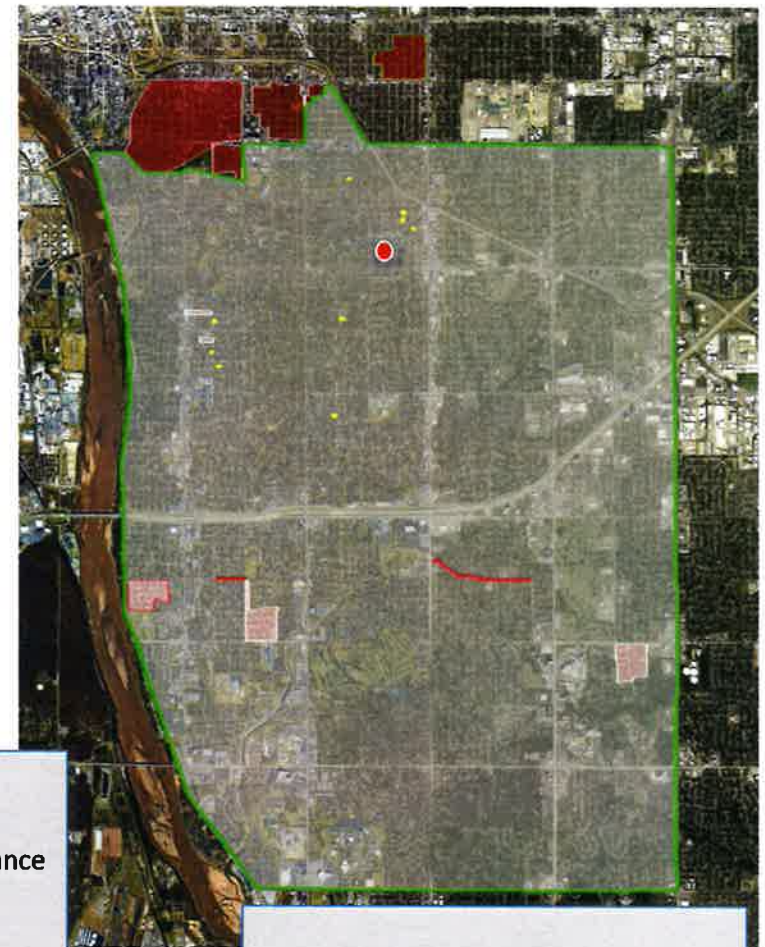
417

Case Number: MR-13

Application to Waive Sidewalk Requirement

Property Address: 2819 E 29th Street

Implications of Time & Added Perspective



Time Period of Fill Rate

- Estimated 900 Homes
- 10 New Builds a Year = **90 Years**
- Halfway There @ 45 year mark:
 - **40% Need Replaced**
 - 20% Approach EOL
 - 30% Mid-Life or Younger

Limited to no Continuity – Cost \$\$\$?

2019 Tulsa CIP Budget

Annual Budget for Repair Maintenance and Expansion
=
\$100,000

Current Budget Backlog = \$20.1M

Time Period of Fill Rate

- Estimated 23,000 Homes
- 24 New Builds a Year = **958 Years**
- 200 New Builds a Year = **120 Years**

- **Red Areas Have Sidewalks**
- **White Areas No Sidewalks ~ 24 S/M**

4.11

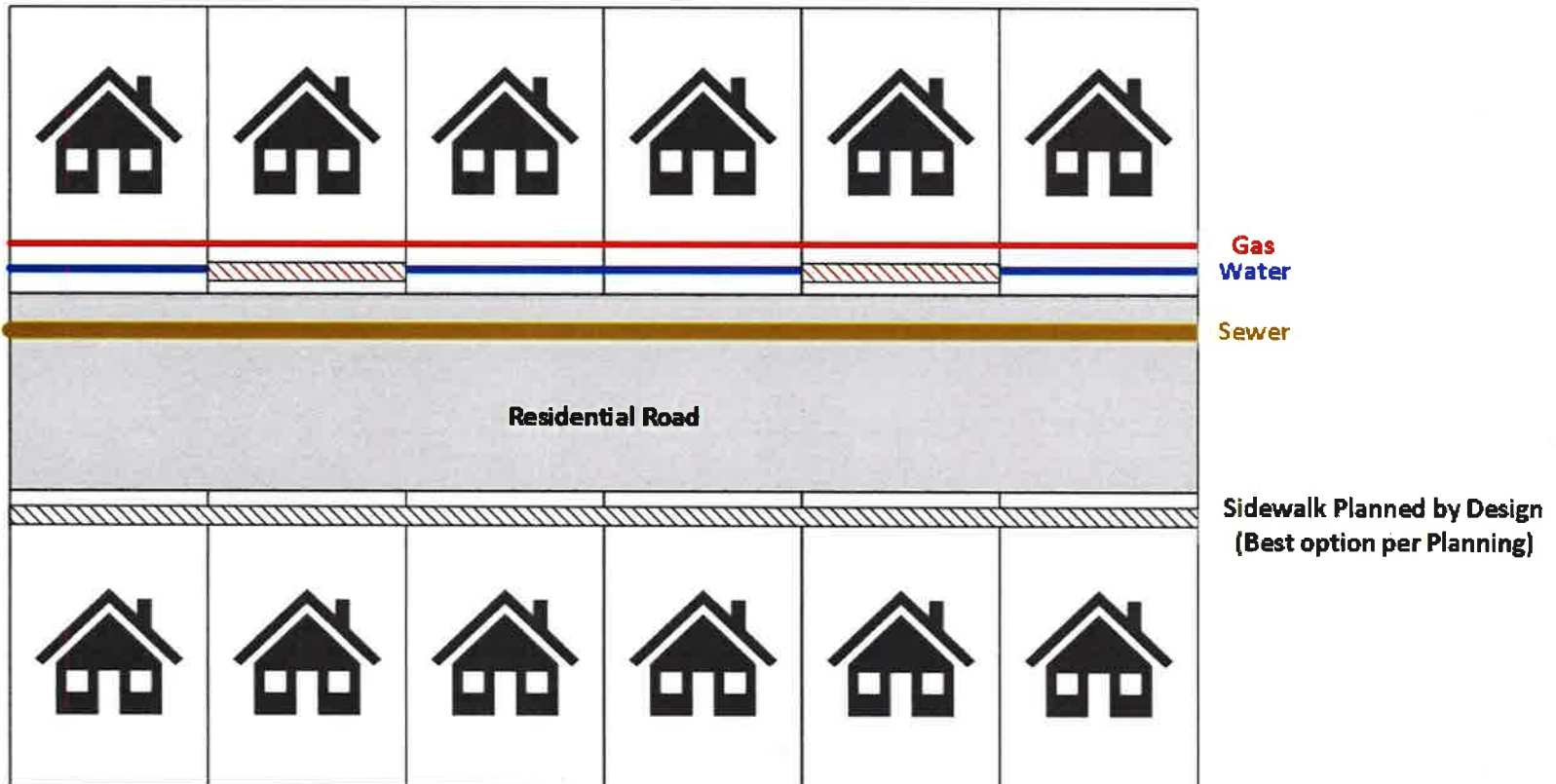
Sidewalks in Existing Neighborhoods Require Planning:

- Utilities (Secondary Cost to City & Residents)
- Terrain / Topography
- Traffic Patterns – Preferred Paths / Pedestrian Safety
- Trees / Alignment to Neighbors and entire Block view
- Specific Location: On Curb? 1' off? 2' off? Free Choice?

ALL of these are import to planning an effective Sidewalk Plan

Who Decides Location?

- Owners Pick? Based on Their Circumstances?
- Planning to Determine and Modify Site Plan?
- What about collateral damage? Live with it?



4.12

Summary re In-Fill Situations:

- Subdivision Policy is working well – 99.2% of Builds (no issue), Why? Because of Planning
- Demanding Sidewalk on In-Fills if Fundamentally Flawed – Without Proper Planning
- Hardships to Owners are Very Real (\$3K install = \$4.5K of wages) - State Council Fee?
- Random Approach is not Harmonious Development, Not in Any Way, Ask my Neighbors
- Providing In-Fill Sidewalk Waivers should be the Default, not the Exception
- The burden of Planning should be on the City, not the Citizen, certainly not the Applicant

Suggested In-Fill Criteria:

- (A) If Property has contiguous sidewalks in either direction, they should be required.
- (B) If City has a definitive plan, committed to build in an area they should be required(*)
- (C) If either (A) or (B) is not true, the waiver should be approved without questions.

(*) Provided that Plan and Design Requirements are Completed.

- Design and location of path, which side of the street is most effective for traffic design
- Location of utilities, easements, topology, trees, locations: by the curb, off the curb? 1', 2', 3' off?
- Specification to design, will it be a 4' path, 5' path, etc. And construction materials?
- Design is important to City costs: Street Repairs / Utility Repairs / Maintenance Requirements
- Design is important to Aesthetics and Consistency is important.
- Neighborhood Input Will Be Required, should be welcomed, not ignored.

I very much appreciate your time and patience....

Neighbor A Letter

From: Charles Meyers chasmeyerstulsa@att.net
Subject: RE: New Neighbor: Michael Friloux Sidewalk Waiver
Date: July 2, 2019 at 6:58 AM
To: MICHAEL FRILOUX mpfriloux@cox.net



Hello Mike:

I agree 100% with all of the points you make. The sidewalk is completely unnecessary, and would be a waste of resources.

Best regards,

Charles O. Meyers, Jr.
2809 East 29th Street
Tulsa, Oklahoma 74114

Sent from Mail for Windows 10

From: MICHAEL FRILOUX
Sent: Monday, July 1, 2019 10:41 PM
To: Charles Meyers
Subject: New Neighbor: Michael Friloux Sidewalk Waiver

Dear Charles,

Thanks again for your help on this sidewalk requirement. I will be attending the Tulsa Metropolitan Area Planning Commission meeting to request the City waive a new established requirement to install a sidewalk on my lot located at 2819 E 29th Street. Here's a brief summary of my key points:

- 1) There are no pre-existing residential sidewalks of any type in the immediate area nor in the greater vicinity of our neighborhood (1.3 mile radius).
- 2) 29th Street is not a through street, it gets little to no pedestrian traffic, and requiring a sidewalk here isn't beneficial to the community, not now or in the future.
- 3) This regulation isn't practical for the well established mid-town area, the City needs well designed plans vetted by the neighborhoods to be impacted.
- 4) It places an undue burden financial burden on myself, with no coherent plan and no perceptible benefit for the foreseeable future. It is poor policy.
- 5) I believe it would detract from the natural look, feel, and charm of this beautiful long established neighborhood, a key reason I chose the location.
- 6) Every neighbor I've contacted agrees that this requirement is odd, out of place, and not practical for our street or neighborhood.

4/14

Neighbor B Letter

From: cgironking@aol.com
Subject: Re: No existing residential sidewalks in our block or neighborhood - "KEEP TULSA BEAUTIFUL"
Date: July 2, 2019 at 5:02 PM
To: mpfriloux@cox.net



Michael Friloux
mpfriloux@cox.net
918.760.6735

Re: No existing residential sidewalks in our block or neighborhood - none wanted!

Mike,

We have thoroughly read and understand the dilemma you/we (your neighbors) are dealing with as part of the City wanting to require new construction by build a sidewalk, even when it defies all logic and common sense where none exist. This type of planning would have an undesirable effect on the beauty of our neighborhood, and would look out of place in an area that has no sidewalks, but does have attractive landscaping that is very desirable. Our family has lived in this location for forty five years ..."KEEP TULSA BEAUTIFUL"

Also, we have talked with some of the other neighbors on our block, they agree one side walk would be ridiculously out of place and definitely not wanted.

Mike, I totally agree with your/our need for the City to allow an exemption concerning the sidewalk.

Sincerely,

Your next door neighbor,

Ron & Donna King
2827 E. 29th
Tulsa, OK 74114

918-284-0010

cgironking@aol.com

Dear Neighbor,

Re: Requesting Waiver To Require a New Sidewalk upon Construction

My name is Mike Friloux and my wife Janie and I are looking forward to being your new neighbors. We are in the process of building our home at the vacant lot located at 2819 E 29th Street and are having a permit issue on a newly established sidewalk rule whereby the City is requiring us to build a sidewalk as part of our new construction even though a sidewalk isn't practical and we believe would disturb (as an oddity) the look and feel of the street. I will be attending the Tulsa Metropolitan Area Planning Commission meeting to request the City waive this new requirement to install a sidewalk on my lot located at 2819 E 29th Street. Here's a brief summary of my key points:

- 1) There are no pre-existing residential sidewalks of any type in the immediate area nor in the greater vicinity of our neighborhood (1.3 mile radius).
- 2) 29th Street is not a through street, it gets little to no pedestrian traffic, and requiring a sidewalk here isn't beneficial to the community, not now or in the future.

Case Number: MR-13

Application to Waive Sidewalk Requirement

Property Address: 2819 E 29th Street

Neighbor C Letter

From: wjane@att.net
Subject: Re: New Neighbor: Michael Friloux Sidewalk Waiver
Date: July 3, 2019 at 10:56 AM
To: MICHAEL FRILOUX mpfriloux@cox.net

Michael,

We have discussed the issue and I am in full support of your request to waive the sidewalk requirement.

W.G. Klein, 2838 E. 29th St., Tulsa, Ok. 74114-5802

On Monday, July 1, 2019, 11:18:05 PM CDT, MICHAEL FRILOUX <mpfriloux@cox.net> wrote:

Dear Mr. Kein,

I enjoyed meeting you today and I appreciate your support on my sidewalk request. My wife Janie and I are really looking forward to joining the neighborhood.

I will be attending the Tulsa Metropolitan Area Planning Commission meeting to request the City waive a new established requirement to install a sidewalk on my lot located at 2819 E 29th Street. Here's a brief summary of my key points:

- 1) There are no pre-existing residential sidewalks of any type in the immediate area nor in the greater vicinity of our neighborhood (1.3 mile radius).
- 2) 29th Street is not a through street, it gets little to no pedestrian traffic, and requiring a sidewalk here isn't beneficial to the community, not now or in the future.
- 3) This regulation isn't practical for the well established mid-town area, the City needs well designed plans vetted by the neighborhoods to be impacted.
- 4) It places an undue burden financial burden on myself, with no coherent plan and no perceptible benefit for the foreseeable future. It is poor policy.
- 5) I believe it would detract from the natural look, feel, and charm of this beautiful long established neighborhood, a key reason I chose the location.
- 6) Every neighbor I've contacted agrees that this requirement is odd, out of place, and not practical for our street or neighborhood.

Would you be kind enough to respond this email stating that we have discussed the issue and you are in full support of my request to waive the sidewalk requirement? Feel Free to add any commentary about the odd fit along our street.

Please include your name and address in the response.

Thanks again for your support.
Mike

Michael Friloux
mpfriloux@cox.net

Neighbor D Letter

From: McClanahan, Cathy (USAOKN) Cathy.McClanahan@usdoj.gov
Subject: RE: New Neighbor: Michael Friloux Sidewalk Waiver
Date: July 2, 2019 at 8:37 AM
To: MICHAEL FRILOUX mpfriloux@cox.net

Very nice to meet you, as well. I was surprised that there was any requirement for your home to have a sidewalk and a sidewalk on your property would make little sense. Best of luck with your meeting with the Commission and welcome to the neighborhood.

2828 East 29th Street; Tulsa Oklahoma 74114

Cathy D. McClanahan
Chief, Civil Division
United States Attorney's Office
Northern District of Oklahoma

From: MICHAEL FRILOUX <mpfriloux@cox.net>
Sent: Monday, July 1, 2019 11:22 PM
To: McClanahan, Cathy (USAOKN) <CMcClanahan@usa.doj.gov>
Subject: New Neighbor: Michael Friloux Sidewalk Waiver

Dear Cathy,

I enjoyed meeting you today and I appreciate your support on my sidewalk request. My wife Janie and I are really looking forward to joining the neighborhood.

I will be attending the Tulsa Metropolitan Area Planning Commission meeting to request the City waive a new established requirement to install a sidewalk on my lot located at 2819 E 29th Street. Here's a brief summary of my key points:

- 1) There are no pre-existing residential sidewalks of any type in the immediate area nor in the greater vicinity of our neighborhood (1.3 mile radius).
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- 4) It places an undue burden financial burden on myself, with no coherent plan and no perceptible benefit for the foreseeable future. It is poor policy.
- 5) I believe it would detract from the natural look, feel, and charm of this beautiful long established neighborhood, a key reason I chose the location.

4.15

Case Number: MR-13

Application to Waive Sidewalk Requirement

Property Address: 2819 E 29th Street

Neighbor E Letter

From: Ralph Phillips soonerbud@gmail.com
Subject: Re: New Neighbor: Michael Friloux Sidewalk Waiver
Date: July 2, 2019 at 9:19 AM
To: MICHAEL FRILOUX mpfriloux@cox.net



Mike, regarding our discussion yesterday evening, I am in complete agreement with your request for the city to waive the requirement for the sidewalk on the property located at 2819 E 29th St.

While I understand the reasoning the city has for requiring sidewalks for any new houses built in Tulsa. To do so in an established neighborhood such as ours with no other sidewalks would in my opinion only negatively affect the aesthetic integrity of the neighborhood. And in this case for all practical reasons a sidewalk on one residential lot would be completely useless.

I also see a potential safety issue with children riding bikes, skateboards etc. only for the novelty of the short sidewalk and then falling while attempting to turn or darting out in traffic from the only driveway that provides access.

Thank you for the input, please advise if you have any questions.

Ralph Phillips
2812 E. 29th St.
Tulsa, OK

On Mon, Jul 1, 2019 at 11:23 PM MICHAEL FRILOUX <mpfriloux@cox.net> wrote:

Dear Ralph,

I enjoyed meeting you today and I appreciate your support on my sidewalk request. My wife Janie and I are really looking forward to joining the neighborhood.

I will be attending the Tulsa Metropolitan Area Planning Commission meeting to request the City waive a new established requirement to install a sidewalk on my lot located at 2819 E 29th Street. Here's a brief summary of my key points:

- 1) There are no pre-existing residential sidewalks of any type in the immediate area nor in the greater vicinity of our neighborhood (1.3 mile radius).
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- 4) It places an undue burden financial burden on myself, with no coherent plan and no perceptible benefit for the foreseeable future. It is poor policy.
- 5) I believe it would detract from the natural look, feel, and charm of this beautiful long established

4/1/19

Tulsa Zoning Code

Major References to 70.080 all related to new developments, recorded covenants, plats, etc.

5.01 Residential

General residential zoning (NO call out to 7080 or Sidewalks)



25.040 CO - Corridor District Zoning >

new developments, recorded covenants in accordance with development plan

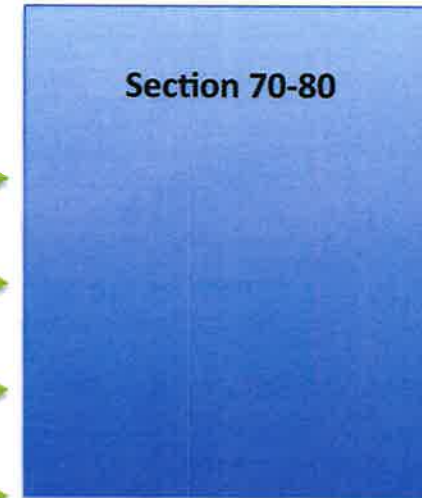
25.070 MPD – Master Planned Developments

new developments, recorded covenants in accordance with development plan

30.010 PUD – Planned Unit Developments

new developments, recorded covenants in accordance with development plan

Section 70.080 Zoning Clearance and Platting Requirements



- **If Residential Zoning required sidewalks – it should be defined in the Residential Zoning Code**
Although this would be impractical without the diligent planning found in new developments.
- **Section 70.080 referenced in CO, MPD, PUD districts due to development, design, covenants, & platting**
- **Section 70.080-B's clearly states** The requirements of this section are intended to help ensure that rights-of-way, streets, sidewalks and other public improvements are in place for proposed developments in accordance with applicable regulations.
- The Sidewalk requirement in 70.080-B is within the purpose (for proposed developments) and within the context of new builds in new developments whereby occupancy of the residence will be withheld until the sidewalks in the “development” are in compliance with the Subdivision and Development Plan section 5.070. I believe the purpose of this clause is to make sure developers install the sidewalks as they develop the new development – I do not believe this clause is intended to require Building permits in established neighborhoods to comply with 5.070, nor is there any practical way it could comply per the code.

417

Tulsa Zoning Code

70.080-B Compliance with Development Regulations

1: **Purpose:** The requirements of this section are intended to help ensure that rights-of-way, streets, sidewalks and other public improvements are in place for proposed developments in accordance with applicable regulations.

2: No permit until in compliance with TMAPC Subdivision and Development regulations as evidenced by a recorded plat. Which applies to all *Major zoning changes / exceptions*

3: Early release permits (x,y,z) may be issued prior to final subdivision plat, or division of land

4: Sidewalks: For properties not subject to (2), no certificate of occupancy may be issued until the subject lot or parcel is in compliance with the sidewalk regulations of section 5-070 of the Tulsa Metropolitan Area Subdivision and Development Plan.

Section 70.080 is **CLEARLY** for proposed new developments as stated in its Purpose.

All of the situations in this section involve new designed developments, division, plats, covenants, etc.

The use of "properties" is clearly referencing land to be developed, *ie. the proposed new developments*

the occupancy certificate reference is meant to ensure the sidewalks in the new development are actually being installed by the developer per 5-070.

4.18

TMAPC Subdivision and Development Regulations

These are Clearly Developer oriented regulations.

- Blocks
- Lots,
- Streets,
- Sidewalks
- Utilities,
- Stormwater
- Lighting
- Traffic
- Etc.

A Building Permit in an established neighborhood that does not require a land division is not intended to comply with these regulations.

5-010 APPLICABILITY

Except as otherwise expressly stated, the design and improvement regulations of this article apply to all:

5-010.1 Land divisions;

Not Applicable – Not Required by my building permit.

5-010.2 Activities expressly identified in Section 70.080-B of the Tulsa zoning code; and

5-010.3 Activities expressly identified in Section 260 of the Tulsa County zoning code.

Section 70.080-B's purpose is for compliance with proposed new developments – I'm not proposing a new development.

Section 260 purpose is for compliance with proposed new developments and land division – I'm not proposing a new development.

TMAPC Subdivision and Development Regulations

These are Clearly Regulations for New Developments not issuance of a building permit in an established neighborhood

5-070 SIDEWALKS

- 5-070.1 Sidewalks must be installed on both sides of all arterial streets and on both sides of all collector streets and residential (local) streets with curb and gutter. Decision-making bodies are authorized to require the installation of sidewalks in other locations, such as at the end of permanent dead-end streets when they determine that such sidewalks will create a logical and well-connected pedestrian circulation system.
- 5-070.2 Decision-making bodies are authorized to waive the requirement for sidewalk installation, in accordance with the modification procedures of 10-070, when they determine that the general modification approval criteria are met and that topography, natural resource constraints or other factors that are unique to the subject property make sidewalk installation impractical.
- 5-070.3 Except as provided in 5-070.4, sidewalks must be installed prior to issuance of a certificate of occupancy.
- 5-070.4 Sidewalk deferrals may be approved pursuant to any applicable fee-in-lieu options available in the city or county (see also Title 35, Section 602, Tulsa Revised Ordinances).
- 5-070.5 Sidewalks must be located inside the right-of-way line or in an alternative location approved by the city or county engineer.
- 5-070.6 All sidewalks must be constructed in accordance with the standards and specifications of the city or county, including sidewalk width requirements. When a sidewalk will provide a connection between existing sidewalks that are less than current required widths, the new sidewalk connection may be tapered to match the width of the sidewalk to which the connection is being made. This reduced width taper may not extend more than 7 feet from the point of connection and must comply with ADA requirements.

I would be required to install sidewalks on both sides of all residential streets?
Clearly a Developer Requirement

Interesting Reference
Could require IF such sidewalks would create a logical well-connected system.
Requiring Random Sidewalks to no where doesn't seem to qualify with statement even if it where applicable..

Decision making bodies should consider other factors as to how practical the requirements should be....
personal preferences or political views should never require the impractical application of sidewalks.

4.20



Tulsa Metropolitan Area Planning Commission

Case : MR-16 – 7647 S. Joplin Ave

Hearing Date: August 7, 2019

Case Report Prepared by:

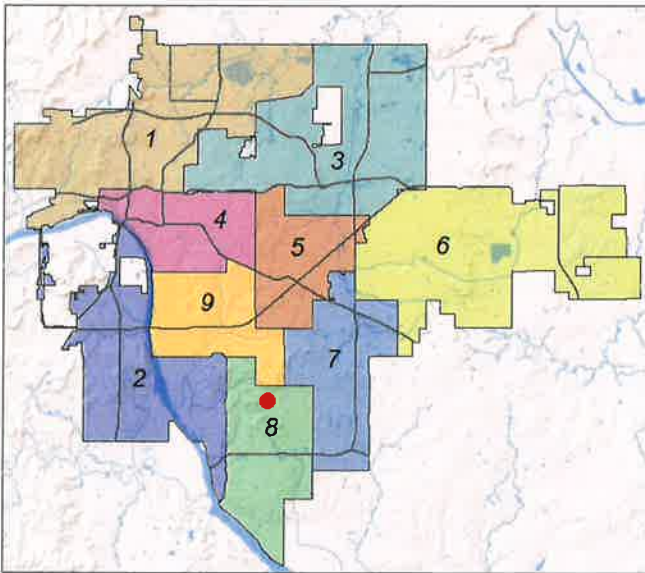
Nathan Foster

Owner and Applicant Information:

Applicant: Christy Chambers

Owner: Christy Chambers

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Modification to the Subdivision and Development Regulations

Purpose: Requesting a modification to the sidewalk requirements of Section 5.070 to remove the requirement for construction of sidewalks.

Location: North of the northeast corner of East 77th Street South and South Joplin Avenue

Zoning: RS-3 / PUD-190-A / PUD-190

Staff Recommendation:

Staff recommends **approval** of the modification

City Council District: 8

Councilor Name: Phil Lakin

County Commission District: 3

Commissioner Name: Ron Peters

EXHIBITS: Site Map, Aerial, Site Plan, Applicant's Photos

MODIFICATION OF THE SUBDIVISION AND DEVELOPMENT REGULATIONS

MR-16 – 7647 S. Joplin Ave. - (CD 8)

North of the northeast corner of East 77th Street South and South Joplin Avenue

The applicant has requested that the Planning Commission remove the requirement that the property owner construct a sidewalk as part of the construction of a new home. The newly adopted Subdivision and Development Regulations require sidewalks to be constructed on any new development requiring both new construction building permits and a certificate of occupancy.

As alternative solutions for sidewalks are explored, staff will begin evaluating each request for modification based on a set of criteria. Any future program would utilize similar criteria when making eligibility determinations for alternatives. Examples of criteria include the following:

1. Proximity to major pedestrian destinations such as parks, schools, public amenities, and retail areas.
2. Presence of existing pedestrian infrastructure within a walkable area of the subject property
3. Funded capital improvement projects that will impact property under application
4. Proximity and ability to connect to collector or arterial streets
5. Topographical or environmental challenges that make sidewalk installation impossible or impractical

Based on the selected criteria, staff finds the following facts to be **favorable** to the modification request:

1. The subject property is located in the middle of an established neighborhood with no existing sidewalks.
2. Subject property is located in the middle of a block.
3. There are no planned capital improvements to South Joplin Avenue to provide connecting sidewalks
4. Most lots in the neighborhood were developed in the early 1980's with no sidewalk requirement.

Staff recommends **approval** of the modification of the Subdivision and Development Regulations to remove the requirement for sidewalk construction on this property.



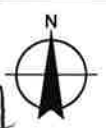
Subject Tract

MR-16

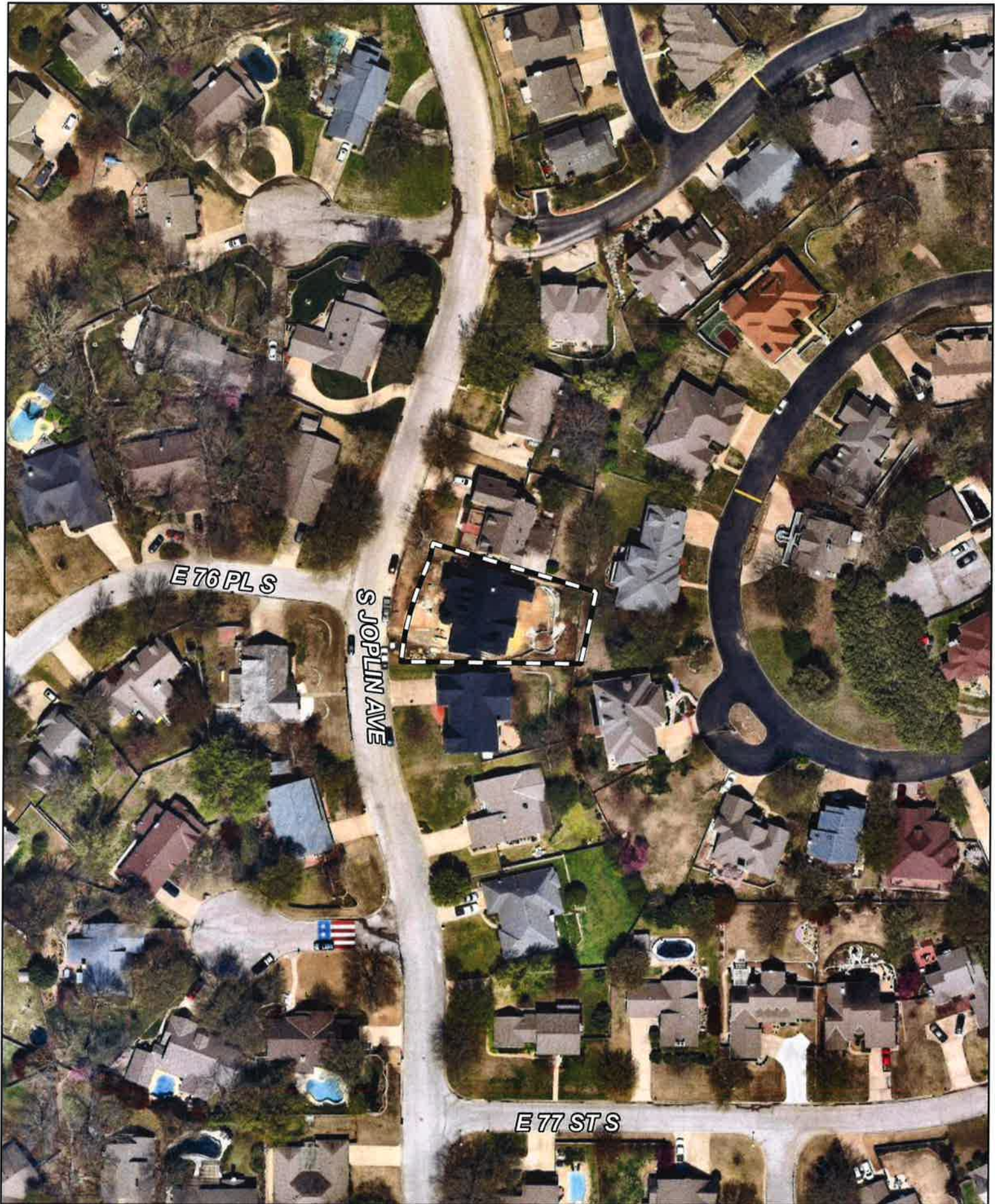
18-13 10

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

Aerial Photo Date: February 2018



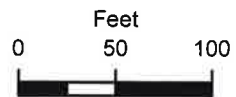
5.4



E 76 PLS

S JOPLIN AVE

E 77 ST S



Subject Tract

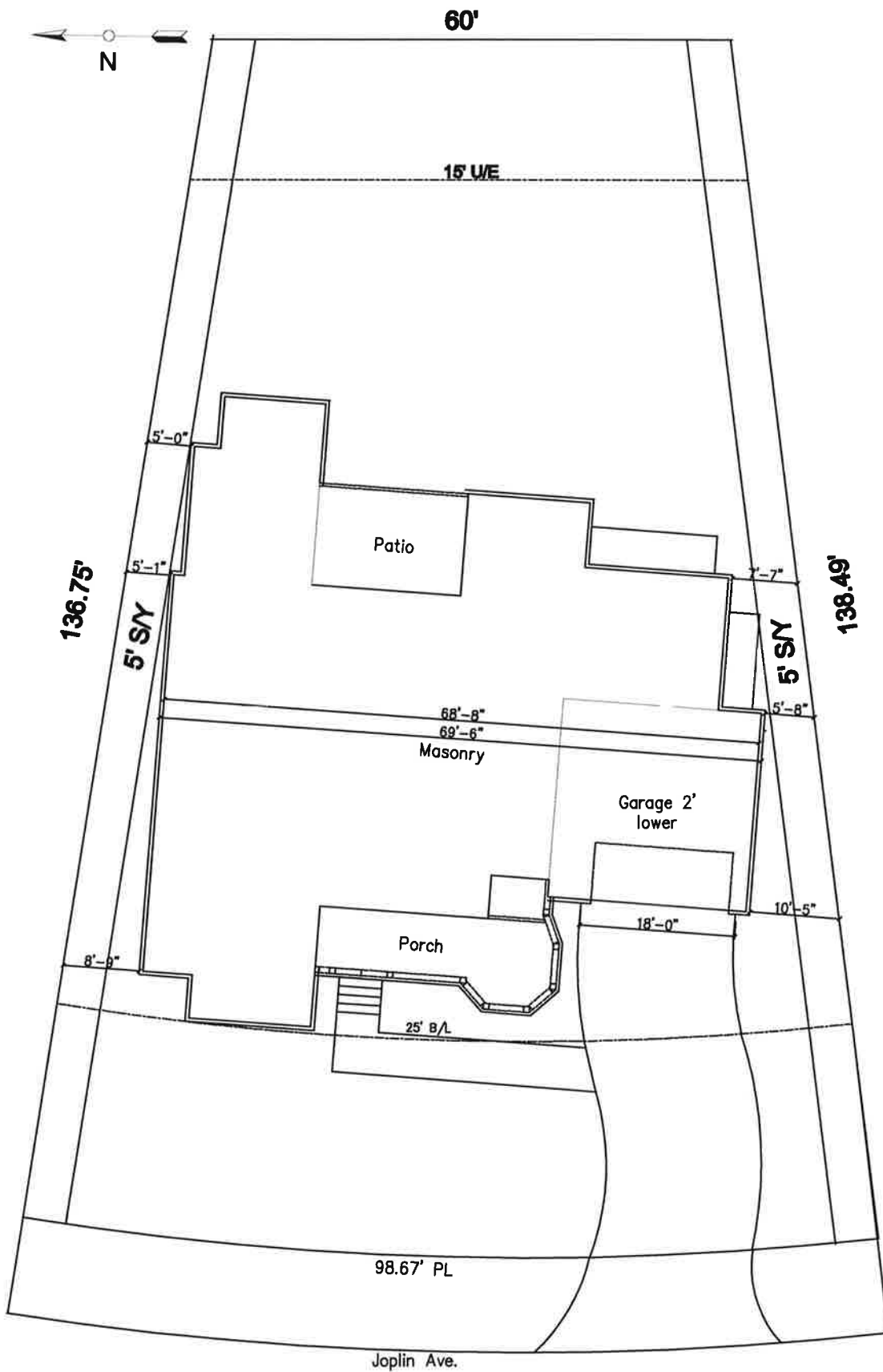
MR-16

18-13 10

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

Aerial Photo Date: April 2019





7647 S. Joplin Ave./Lot 21, Block 11 Minshall Park I

5.6





Tulsa Metropolitan Area Planning Commission

Case : 66th Street North Truck Stop – Phase II

Hearing Date: August 7, 2019

Case Report Prepared by:

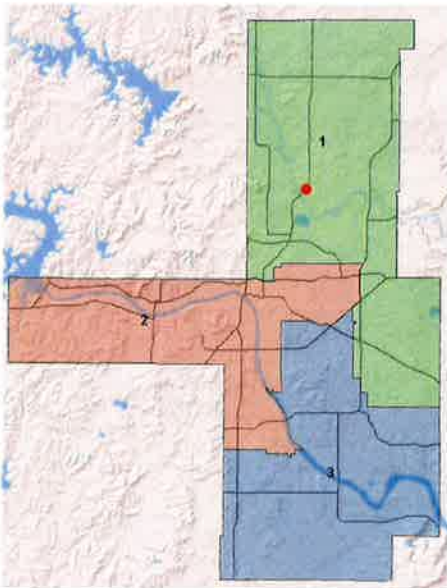
Nathan Foster

Owner and Applicant Information:

Applicant: Nicole Watts, KKT Architects

Owner: The W.O. Smith Trust

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Preliminary Plat & Modification of the Subdivision and Development Regulations

9 lots, 2 blocks, 8.45 ± acres

Location: North of the northeast corner of East 66th Street North and North Quebec Avenue

Zoning:

IM (Industrial – Moderate)

Staff Recommendation:

Staff recommends **approval** of the preliminary plat and the modification of the subdivision and development regulations

County Commission District: 1

Commissioner Name: Stan Sallee

EXHIBITS: Site Map, Aerial, Preliminary Plat, Conceptual Improvements Plan

6.1

PRELIMINARY SUBDIVISION PLAT

66th Street North Truck Stop – Phase II - (County)

North of the northeast corner of East 66th Street North and North Quebec Avenue

This plat consists of 9 lots, 2 blocks on 8.45 ± acres.

The Technical Advisory Committee (TAC) met on July 18, 2019 and provided the following conditions:

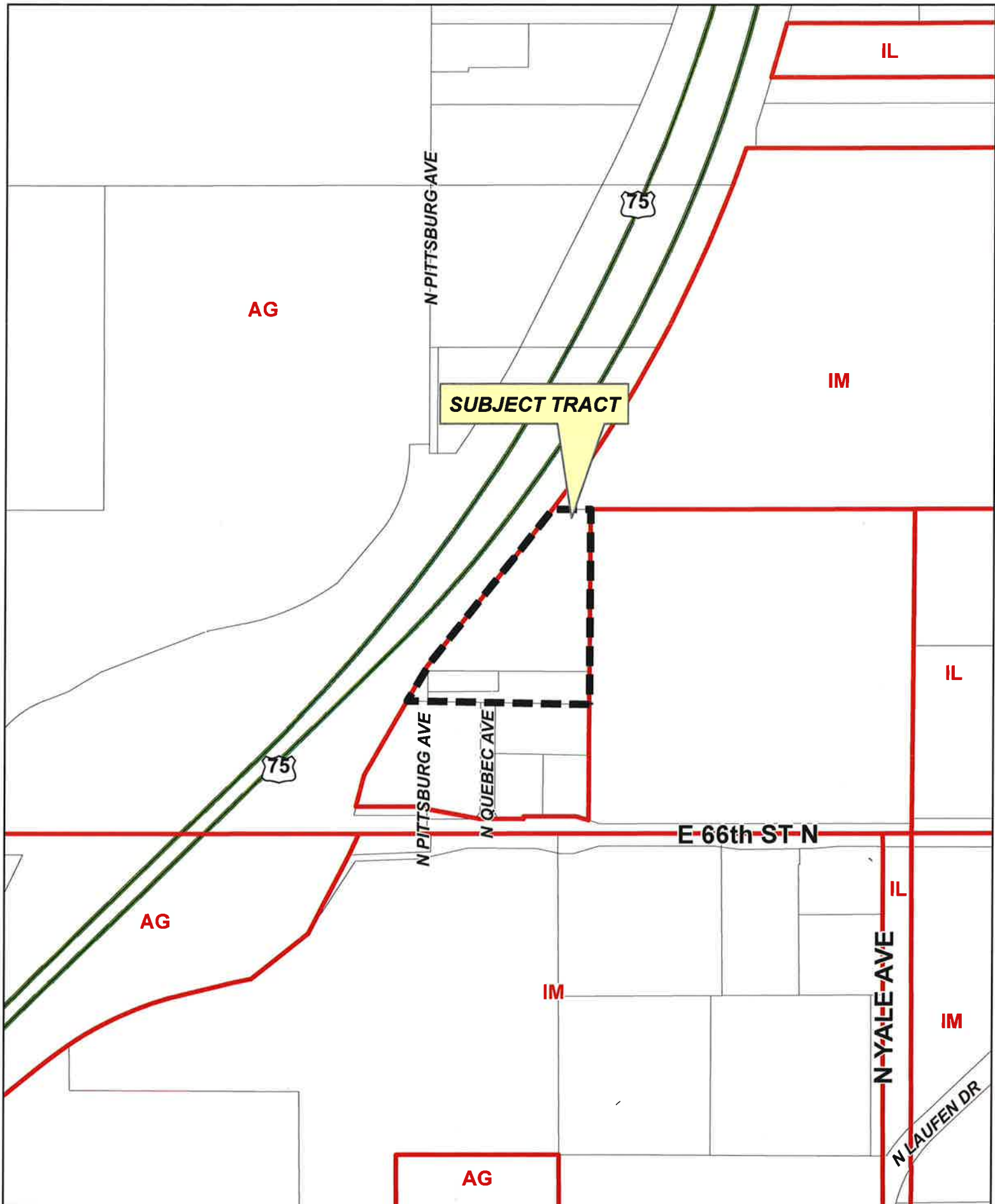
1. **Zoning:** All property included within the subdivision is zoned IM (Industrial – Moderate). All proposed lots must conform to the requirements of the IM district in the Tulsa County Zoning Code.
2. **Addressing:** Label all lots with assigned addresses on final plat submittal. Addresses will be assigned by INCOG.
3. **Transportation & Traffic:** As shown, cul-de-sac length exceeds allowable 750 feet and will require a modification of the Subdivision & Development Regulations. Cul-de-sac radius and ROW dedication must meet all requirements of the County Engineer and City of Tulsa Development Services.
4. **Sewer/Water:** Water and sewer to be provided by the City of Tulsa. IDP approval for main line extensions will be required prior to final plat approval. Easements and right-of-way dedications must be approved by City of Tulsa and Tulsa County.
6. **Engineering Graphics:** Submit subdivision data control sheet with final plat submittal. Update location map with all platted subdivision boundaries and label all other property “unplatted”. Graphically show all pins found or set associated with this plat. Ensure accuracy and consistency of the legal description with the face of the plat. Graphically label the point of beginning. Provide a date of preparation.
7. **Stormwater, Drainage, & Floodplain:** All drainage plans must comply with Tulsa County drainage standards and must be approved prior to the approval of the final plat. Any easements required for drainage must be shown on the final plat.
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.

Modification of Subdivision and Development Regulations:

1. Section 5.060.5.B.2 – Permanent dead-end streets may not exceed 750 feet in length measured from the centerline of the intersecting street to the center of the turnaround.

Staff recommends **APPROVAL** of the modification to the Subdivision & Development Regulations finding the property to be uniquely isolated with several challenges to external connectivity due to highway right-of-way and an existing cemetery. The proposed dead end street aligns with the prescribed collector street on the Major Street and Highway Plan and could be connected in the future to new development. County Engineering had no objections to the length of the dead-end given the location of the property.

Staff recommends **APPROVAL** of the preliminary subdivision plat subject to the conditions provided by TAC and all other requirements of the Subdivision and Development Regulations.



SUBJECT TRACT

AG

IM

IL

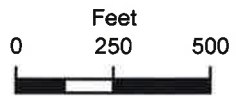
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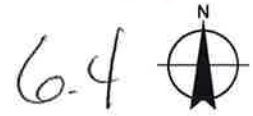
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**66TH STREET
NORTH TRUCK
STOP PHASE II**



21-13 33





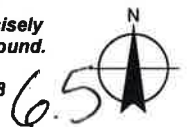
Subject
Tract

21-13 33

66TH STREET NORTH TRUCK STOP PHASE II

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

Aerial Photo Date: February 2018



Preliminary Plat

66th Street North Truck Stop Phase II

PART OF THE W/2 OF THE SW/4 OF THE SE/4 AND THE SE/4 OF THE SW/4 OF SECTION 33, TOWNSHIP 21 NORTH, RANGE 13 EAST, OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA

OWNER:
W.O. SMITH TRUST
 8316 E. 73rd Street
 Tulsa, Oklahoma, 74133
 Wesley Smith

ENGINEER:
KKT ARCHITECTS, Inc.
 2200 South Ulca Place
 Tulsa, Oklahoma, 74114
 Phone: (918) 744-4270
 A NICOLE WATTS P.E. NO. 21811
 OK CA NO. 5305, EXPIRES 6/30/2021
 email: nicole.watts@kktarchitect.com

SURVEYOR:
Bennett Surveying Company
 P.O. BOX 848
 Chouteau, Oklahoma, 74337
 Phone: (918) 478-7484
 GUYF BERNETT
 OK CA NO. 4502, EXPIRES 6/30/2020
 email: gbf@bennettsurveying.com

NOTES

- THIS PLAT MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.
- ADDRESSES SHOWN ON THIS PLAT ARE ACCURATE AT THE TIME THE PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF THE LEGAL DESCRIPTION.

BASIS OF BEARINGS

THE BEARINGS SHOWN HEREON ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (SSC1), NORTH AMERICAN DATUM (NAD83), WITH THE NORTH LINE OF BLOCK 1, 66TH STREET NORTH TRUCK STOP AS HAVING A BEARING OF N80°00'00"W.

FLOOD ZONE NOTE

THE PROPERTY DESCRIBED HAS BEEN EXAMINED BY A MAP OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP, TULSA COUNTY, OKLAHOMA, MAP NO. 40544C0025, MAP EFFECTIVE, OCTOBER 18, 2012, WHICH SHOWS THE ENTIRE PORTION OF THE PROPERTY DESCRIBED HEREON AS LOCATED OUTSIDE FLOODPLAIN LIMITS.

MONUMENTATION

ALL CORNERS TO BE SET WITH A 3/8" IRON PIN WITH YELLOW CAP UNLESS OTHERWISE NOTED.

SITE DATA

EXISTING ZONING: IM - INDUSTRIAL
 TOTAL ACREAGE: 8.45 ACRES (368,230.67 SQUARE FEET)
 NUMBER OF BLOCKS: 2
 NUMBER OF LOTS: 9
 RESERVE AREAS: 1

LINE LEGEND

- PROPOSED BOUNDARY
- PROPOSED RIGHT-OF-WAY
- PROPOSED LOT LINE
- PROPOSED BUILDING LINE
- PROPOSED EASEMENT LINE
- PROPOSED CENTER LINE
- EXISTING EASEMENT

ABBREVIATIONS

- ACC ACCESS
- B/L BUILDING LINE
- BK/PG BOOK & PAGE
- D/E DETENTION EASEMENT
- F/E FENCE & UTILITY EASEMENT
- LNA LIMITS OF NO ACCESS
- POS POINT OF BEGINNING
- ROW RIGHT-OF-WAY
- U/E UTILITY EASEMENT

LEGAL DESCRIPTION

A PART OF THE SOUTH HALF OF (20) OF SECTION THIRTY-THREE (33), TOWNSHIP TWENTY-ONE (21) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEARINGS AT THE NORTHEAST CORNER OF LOT 1, BLOCK 2 OF 66TH STREET NORTH TRUCK STOP PLAT NO. 8841, ACCORDING TO THE PLAT THEREOF, THENCE N 27° 14' 30" W TO A POINT THAT IS 78.24 FEET FROM THE NORTHEAST CORNER, LOT 1, BLOCK 2 OF 66TH STREET NORTH TRUCK STOP PLAT NO. 8841, THENCE S 86° 40' 30" W A DISTANCE OF 161.75 FEET TO A POINT, THENCE S 89° 39' 00" W A DISTANCE OF 23.44 FEET TO A POINT, THENCE S 30° 30' 00" W A DISTANCE OF 328.81 FEET TO A POINT, THENCE S 27° 22' 30" W A DISTANCE OF 181.88 FEET TO THE NORTHEAST CORNER OF LOT 1, BLOCK 1 OF 66TH STREET NORTH TRUCK STOP PLAT NO. 8840, THENCE N 80° 00' 00" E ALONG THE NORTH LINE OF SAID PLAT, A DISTANCE OF 143.74 FEET TO THE POINT OF BEGINNING.
 SAID TRACT OF LAND CONTAINING 8.45 ACRES ± 368,230.67 SQUARE FEET.

Lot Sizes

BLOCK	LOT	LOT AREA
1	1	3,138,304.49
1	2	2,126,942.88
1	3	2,122,514.90
1	4	2,122,500.00
1	5	2,122,765.01
1	6	2,122,773.86
1	7	2,444,411.11
1	8	2,122,763.41
1	9	2,124,254.94

Curve Data

SURVEY NO.	DISTANCE	RADIUS	DELTA ANGLE	CHORD	CHORD BEARING
C1	19.27	230	4°32'04"	18.24	N62°18'21"E
C2	194.42	230	38°30'30"	193.97	N17°10'00"E
C3	39.23	230	8°17'04"	36.38	N84°00'00"E
C4	122.78	92	N4°00'00"	84.17	S21°34'00"E
C5	182.79	92	11°47'11"	88.82	N59°30'00"E
C6	78.88	170	26°04'04"	78.82	N24°40'32"E
C7	75.18	170	5°08'00"	75.18	N89°42'47"E
C8	16.28	170	08°50'00"	16.28	N82°50'00"E

ADS Benchmark Location

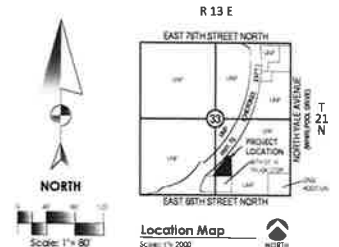
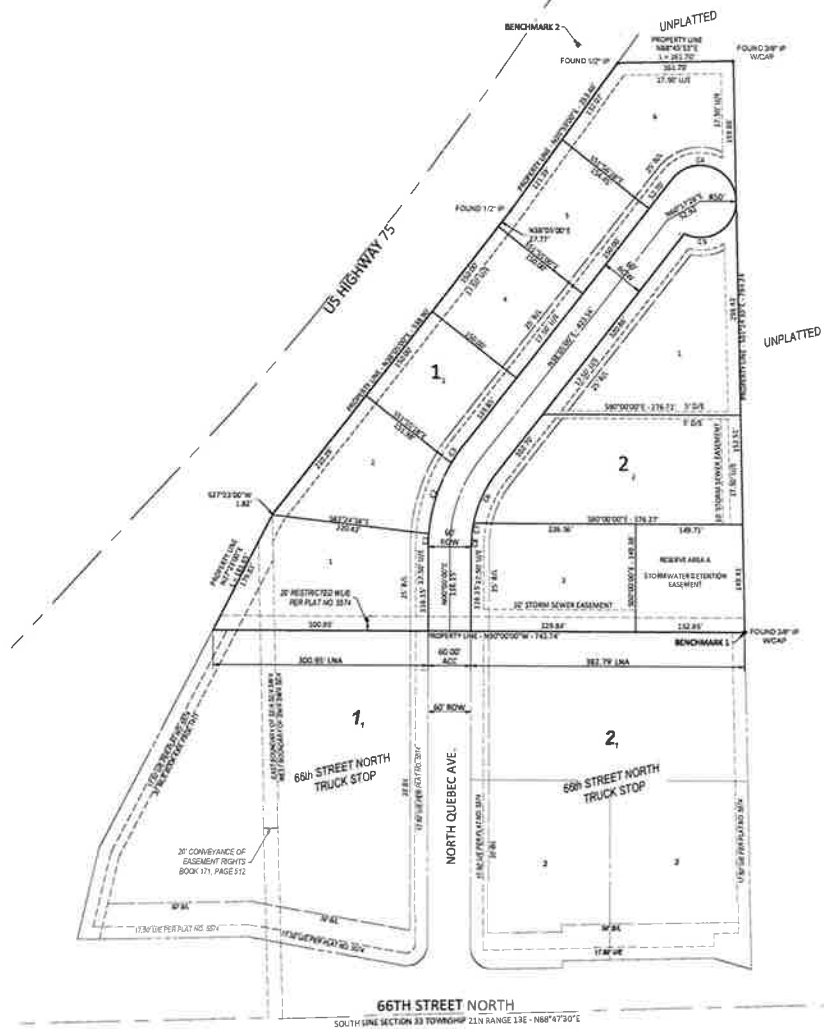
STATION	COORDINATES	DESCRIPTION OF POINTS
174	N: 481264.113 E: 254096.626	1" REBAR 1" ALUMINUM CAP - FLUSH WITH THE GROUND - STAMPED 3" N. SET SW OF THE INTERSECTION OF E. 66TH ST. N. AND YALE AVE (SOUTHBOUND). ELEVATION = 845.53

Benchmark 1

157' 30.00 IN
 (N 481811.806, E 253788.218)
 ELEVATION = 838.20 (NAVD83)

Benchmark 2

157' 30.00 IN
 (N 482728.068, E 253568.62)
 ELEVATION = 838.20 (NAVD83)



FINAL PLAT ENDORSEMENT OF APPROVAL

Tulsa Metropolitan Area Planning Commission

Approval Date _____

 TMAP/INDOG

CITY ENGINEER
 Council of the City of Tulsa, Oklahoma

Approval Date _____

 CHAIRMAN

 MAYOR

 ATTEST CITY CLERK

 CITY ATTORNEY

The approval of this Final Plat will expire one year from the date of City Council. If not filed in the Office of the County Clerk before that date.

CERTIFICATE

I hereby certify that all real estate taxes involved in this plat have been paid as reflected by the current tax rolls. Security as required has been provided in the amount of \$_____ per trust receipt no. _____ to be applied to 20____ taxes. This certificate is NOT to be construed as payment of 20____ taxes in full but is given in order that this plat may be filed on record. 20____ taxes may exceed the amount of the security deposit.

Dated: _____
 DENNIS SEMLER
 Tulsa County Treasurer

By _____
 Deputy

6-4

66th Street North Truck Stop Phase II

PART OF THE W/2 OF THE SW/4 OF THE SE/4 AND THE SE/4 OF THE SW/4 OF SECTION 33, TOWNSHIP 21 NORTH, RANGE 13 EAST, OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA

DEED OF DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

THE W.O. SMITH TRUST, HERENAFTER REFERRED TO AS THE "OWNER" IS THE OWNER OF THE FOLLOWING DESCRIBED LAND IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, TO WIT:

A PART OF THE SOUTH HALF OF (5/2) OF SECTION THIRTY-THREE (33), TOWNSHIP TWENTY-ONE (21) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 1, BLOCK 2 OF 66TH STREET NORTH TRUCK STOP (PLAT NO. 5574) ACCORDING TO THE PLAT THEREOF; THENCE N 01° 24' 30" W TO A POINT THAT IS 794.24 FEET FROM THE NORTHEAST CORNER LOT 1, BLOCK 2 OF 66TH STREET NORTH TRUCK STOP (PLAT NO. 5574); THENCE S 88° 45' 53" W A DISTANCE OF 161.70 FEET TO A POINT; THENCE S 39° 59' 00" W A DISTANCE OF 253.46 FEET TO A POINT; THENCE S 38° 05' 00" W A DISTANCE OF 538.90 FEET TO A POINT; THENCE S 27° 13' 00" W A DISTANCE OF 101.65 FEET TO THE NORTHWEST CORNER OF LOT 1, BLOCK 1 OF 66TH STREET NORTH TRUCK STOP (PLAT NO. 5574); THENCE N 90° 00' 00" E, ALONG THE NORTH LINE OF SAID PLAT, A DISTANCE OF 743.74 FEET TO THE POINT OF BEGINNING;

SAID TRACT OF LAND CONTAINING 8.5 ACRES / 368,230.67 SQUARE FEET.

THE OWNER HAS CAUSED THE ABOVE DESCRIBED LAND TO BE SURVEYED, STAKED, PLATTED AND SUBMITTED TO LOTS, BLOCKS AND SUBDIVISIONS, IN CONFORMITY WITH THE ACCOMPANYING PLAT AND THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING, AND/OR REMOVING ANY AND ALL UTILITIES, INCLUDING STORM SEWERS, SANITARY SEWERS, TELEPHONE AND COMMUNICATION LINES, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES, WATER LINES AND CABLE TELEVISION LINES, TOGETHER WITH ALL THINGS INCLUDING THE POLES, WIRES, CONDUITS, RIGS, VALVES, METERS, MANHOLES AND EQUIPMENT FOR EACH OF SUCH FACILITIES AND ANY OTHER APPURTENANCES AND ACCESSORIES TO SAID UTILITIES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS TO AND UPON THE UTILITY EASEMENTS FOR THE USES AND PURPOSES STATED, PROVIDED THE OWNER INTENDS THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND REPAIR OR REPLACE WATER LINES AND SEWER LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING, REPAIRING AND REPLACING OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER AND/OR SEWER SERVICES TO AREAS DEPICTED ON THE PLAT

SECTION I. UTILITY EASEMENTS

A. PUBLIC STREETS AND UTILITY EASEMENTS

THE OWNER HEREBY DEDICATES TO THE PUBLIC THE STREET RIGHTS-OF-WAY DEPICTED ON THE ACCOMPANYING PLAT AND INTENDS TO DEDICATE TO THE PUBLIC THE UTILITY EASEMENTS DESIGNATED AS "USE" OR "UTILITY EASEMENT" FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING, AND/OR REMOVING ANY AND ALL UTILITIES, INCLUDING STORM SEWERS, SANITARY SEWERS, TELEPHONE AND COMMUNICATION LINES, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES, WATER LINES AND CABLE TELEVISION LINES, TOGETHER WITH ALL THINGS INCLUDING THE POLES, WIRES, CONDUITS, RIGS, VALVES, METERS, MANHOLES AND EQUIPMENT FOR EACH OF SUCH FACILITIES AND ANY OTHER APPURTENANCES AND ACCESSORIES TO SAID UTILITIES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS TO AND UPON THE UTILITY EASEMENTS FOR THE USES AND PURPOSES STATED, PROVIDED THE OWNER INTENDS THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND REPAIR OR REPLACE WATER LINES AND SEWER LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING, REPAIRING AND REPLACING OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER AND/OR SEWER SERVICES TO AREAS DEPICTED ON THE PLAT

B. ELECTRIC, TELEPHONE, AND CABLE TELEVISION SERVICES

1. OVERHEAD POLE LINE FOR THE SUPPLY OF ELECTRICITY, TELEPHONE AND CABLE TELEVISION SERVICES MAY BE LOCATED WITHIN THE EASEMENTS ALONG THE NORTH SIDE OF THE ADDITION, ELSEWHERE THROUGHOUT THE ADDITION ALL SUPPLY LINES SHALL BE LOCATED EITHER OVERHEAD OR UNDERGROUND IN THE EASEMENT WAYS RESERVED FOR GENERAL UTILITY SERVICES. SERVICE POSTS AND TRANSFORMERS, AS SOURCES OF SUPPLY OF SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN THE EASEMENT WAYS.

OWNER SHALL PAY FOR DAMAGES OR RELOCATION OF FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE LOT OWNER OR HIS AGENTS OR CONTRACTORS

2. THE OWNER OF EACH LOT SHALL PAY AND BE RESPONSIBLE FOR REPAIR AND REPLACEMENT OF LANDSCAPE AND PAVING OCCASIONED BY INSTALLATION OR NECESSARY MAINTENANCE OR REPAIR OF ELECTRIC TELEPHONE OR CABLE TELEVISION FACILITIES LOCATED ON HIS PROPERTY, PROVIDED, HOWEVER, THAT THE SUPPLIERS OF THE SERVICES SHALL USE REASONABLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES

7. THE OWNER DOES HEREBY RESTRICT THE UTILITY EASEMENTS SHOWN AND DESIGNATED ON THE ACCOMPANYING PLAT TO A SINGLE SUPPLIER OF ELECTRICAL SERVICE.

8. THE FOREGOING COVENANTS CONCERNING UNDERGROUND ELECTRIC, TELEPHONE AND CABLE SERVICES SHALL BE ENFORCEABLE BY THE RESPECTIVE SUPPLIERS OF SAID SERVICES, AND THE OWNER OF EACH LOT AGREES TO BE BOUND HEREBY.

C. WATER, SANITARY SEWER AND STORM SEWER SERVICE

1. THE OWNER OF ANY LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS, AND STORM SEWERS LOCATED ON THE OWNER'S LOT

2. WITHIN UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OR GRADE FROM THE CONTIGUOUS EXISTING OR THE COMPLETION OF THE INTENDED DRAINAGE FUNCTIONS OR SANITARY SEWER MAIN, OR STORM SEWER OR ANY CONSTRUCTION ACTIVITY WHICH IN THE JUDGMENT OF THE CITY OF TULSA OR TULSA COUNTY, WOULD INTERFERE WITH SAID PUBLIC WATER MAINS, SANITARY SEWER MAINS, AND STORM SEWERS SHALL BE PROHIBITED.

3. THE CITY OF TULSA OR TULSA COUNTY, OKLAHOMA, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER SYSTEMS, SANITARY SEWER MAINS, AND STORM SEWERS BUT THE LOT OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE LOT OWNER, OR THE LOT OWNER'S AGENTS AND/OR CONTRACTORS

4. THE CITY OF TULSA OR TULSA COUNTY, OKLAHOMA, OR ITS SUCCESSORS, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT OR PROVIDED FOR IN THIS DEED OF DEDICATION, FOR THE PURPOSE OF INSTALLING, MAINTAINING, OR REPLACING ANY PORTION OF UNDERGROUND WATER, SANITARY SEWER, OR STORM SEWER FACILITIES.

5. THE COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY THE CITY OF TULSA OR TULSA COUNTY, OKLAHOMA, OR ITS SUCCESSORS AND THE OWNER OF EACH LOT AGREES TO BE BOUND BY THESE COVENANTS

D. LIMITS OF NO ACCESS

1. THE OWNER HEREBY RELINQUISHES RIGHT OF INGRESS AND EGRESS TO THE ABOVE DESCRIBED PROPERTY WITHIN THE BOUNDS DESCRIBED AS "LIMITS OF NO ACCESS" EXCEPT AS MAY BE HEREAFTER BE PROVIDED BY THE CITY OF TULSA OR TULSA COUNTY, OKLAHOMA, OR ITS SUCCESSORS, OR THE STATUTES AND LAW OF THE STATE OF OKLAHOMA, PERTAINING THERETO.

2. THE FOREGOING COVENANTS CONCERNING "LIMITS OF NO ACCESS" (NO ACCESS) SHALL BE ENFORCEABLE BY TULSA COUNTY OR ITS SUCCESSORS, AND THE OWNER OF EACH LOT AGREES TO BE BOUND HEREBY.

E. GAS SERVICE

1. THE SUPPLIERS OF GAS SERVICE, THROUGH THEIR PROPER AGENTS AND EMPLOYEES SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL SUCH CONSTRUCTION WAYS SHOWN ON PLAT, OR PROVIDED FOR IN THIS DEED OF DEDICATION, FOR THE PURPOSE OF INSTALLING, MAINTAINING, REPAIRING OR REPLACING ANY PORTION OF SAID UNDERGROUND FACILITIES SO INSTALLED BY THEM.

2. THE OWNER OF EACH LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND GAS FACILITIES LOCATED ON THE PROPERTY, AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH SAID FACILITIES. THE PROVIDERS OF SAID SERVICES WILL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF THE UNDERGROUND FACILITIES, BUT THE OWNER OF EACH LOT SHALL PAY FOR DAMAGES OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OF EACH LOT, ITS AGENTS OR CONTRACTORS

3. THE FOREGOING COVENANTS CONCERNING GAS FACILITIES SHALL BE ENFORCEABLE BY TULSA COUNTY OR ITS SUCCESSORS, AND THE OWNER OF EACH LOT AGREES TO BE BOUND HEREBY.

F. RESERVE AREAS

1. RESERVE AREA A - USE OF RESERVE AREA A SHALL BE LIMITED TO STORMWATER DETENTION, OPEN SPACE, LANDSCAPING AND LOCATION OF UTILITIES

G. DRAINAGE EASEMENT

1. THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC PERPETUAL EASEMENTS ON OVER AND ACROSS THOSE AREAS DEPICTED ON THE ACCOMPANYING PLAT AS "DRAINAGE EASEMENT" FOR THE PURPOSES OF PERMITTING, THE INSTALLATION, MAINTENANCE, AND DISCHARGE OF STORMWATER RUNOFF FROM THE VARIOUS LOTS WITHIN THE SUBDIVISION AND FROM PROPERTIES OUTSIDE THE SUBDIVISION AND FOR THE PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING AND REPLACING STORM SEWERS, AND ANY APPURTENANCES THERETO, WITH THE RIGHT OF INGRESS AND EGRESS TO AND UPON THE DRAINAGE EASEMENTS FOR THE USES AND PURPOSES STATED

2. DRAINAGE FACILITIES LOCATED WITHIN DRAINAGE EASEMENTS SHALL BE CONSTRUCTED IN ACCORDANCE WITH STANDARDS AND SPECIFICATIONS APPROVED BY TULSA COUNTY, OKLAHOMA, OR ITS SUCCESSORS.

3. NO FENCE, WALL, BUILDING OR OTHER OBSTRUCTION SHALL BE PLACED OR MAINTAINED IN DRAINAGE EASEMENTS NOR SHALL THERE BE ANY ALTERATION OF GRADE IN THE EASEMENT UNLESS APPROVED BY TULSA COUNTY, OKLAHOMA, PROVIDED THE PLANTING OF TURF SHALL NOT REQUIRE APPROVAL OF TULSA COUNTY

4. THE ABOVE GROUND AREA OF ANY DRAINAGE EASEMENT SHALL BE MAINTAINED BY THE OWNER OF THE LOT WITHIN WHICH THE EASEMENT IS LOCATED, AND MAINTENANCE SHALL BE IN ACCORDANCE WITH STANDARDS PRESCRIBED BY TULSA COUNTY, OKLAHOMA, IN THE EVENT THE LOT OWNER FAILS TO PROPERLY MAINTAIN THE DRAINAGE EASEMENT OR, IN THE EVENT OF THE PLACEMENT OF AN OBSTRUCTION WITHIN A DRAINAGE EASEMENT, OR THE ALTERATION OF THE GRADE THEREIN, TULSA COUNTY, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR MAY ENTER THE EASEMENT AND PERFORM MAINTENANCE NECESSARY TO ACHIEVE THE INTENDED DRAINAGE FUNCTIONS AND MAY REMOVE ANY OBSTRUCTION OR CORRECT ANY ALTERATION OF GRADE, AND THE COSTS THEREOF SHALL BE PAID BY THE LOT OWNER IN THE EVENT THE OWNER FAILS TO PAY THE COST OF MAINTENANCE AFTER COMPLETION OF THE MAINTENANCE AND RECEIPT OF A STATEMENT OF COSTS, TULSA COUNTY, OKLAHOMA, MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS, AND THEREAFTER THE COST SHALL BE A LIEN AGAINST THE LOT A LIEN ESTABLISHED AS ABOVE PROVIDED MAY BE FORECLOSED BY TULSA COUNTY, OKLAHOMA

H. STORMWATER DETENTION EASEMENTS

1. THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC PERPETUAL EASEMENTS ON OVER, AND ACROSS THE PROPERTY DESIGNATED AND SHOWN ON THE ACCOMPANYING PLAT AS "STORMWATER DETENTION EASEMENT" FOR THE PURPOSES OF PERMITTING THE FLOW, CONVEYANCE, RETENTION, DETENTION AND DISCHARGE OF STORMWATER RUNOFF FROM THE VARIOUS LOTS WITHIN THE SUBDIVISION AND FROM PROPERTIES NOT INCLUDED IN THE SUBDIVISION.

2. DETENTION, RETENTION AND OTHER DRAINAGE FACILITIES LOCATED WITHIN THE STORMWATER DETENTION EASEMENTS SHALL BE CONSTRUCTED IN ACCORDANCE WITH STANDARDS AND SPECIFICATIONS APPROVED BY TULSA COUNTY, OKLAHOMA.

3. NO FENCE, WALL, BUILDING OR OTHER OBSTRUCTION SHALL BE PLACED OR MAINTAINED IN THE STORMWATER DETENTION EASEMENTS NOR SHALL THERE BE ANY ALTERATION OF GRADE IN SAID STORMWATER DETENTION EASEMENTS UNLESS APPROVED BY TULSA COUNTY, OKLAHOMA

4. DETENTION, RETENTION AND OTHER DRAINAGE FACILITIES SHALL BE MAINTAINED BY THE "HOMEOWNERS' ASSOCIATION" TO BE FORMED PURSUANT TO SECTION II (THE "HOMEOWNERS' ASSOCIATION") TO THE EXTENT NECESSARY TO ACHIEVE THE INTENDED DRAINAGE, RETENTION AND DETENTION FUNCTIONS INCLUDING REPAIR OR APPURTENANCES AND REMOVAL OF OBSTRUCTIONS AND SILTATION. THE ASSOCIATION SHALL MAINTAIN THE STORMWATER DETENTION EASEMENT AREA IN ACCORDANCE WITH THE FOLLOWING MINIMUM STANDARDS:

- a. GRASS AREAS SHALL BE MAINTAINED IN SEASON AT REGULAR INTERVALS OF FOUR WEEKS OR LESS
- b. CONCRETE APPURTENANCES SHALL BE MAINTAINED IN GOOD CONDITION AND REPLACED IF DAMAGED
- c. THE STORM WATER DETENTION EASEMENT AREA SHALL BE KEPT FREE OF DEBRIS
- d. CLEANING OF SILTATION AND VEGETATION FROM CONCRETE CHANNELS SHALL BE PERFORMED TWICE YEARLY

5. LANDSCAPING, APPROVED BY TULSA COUNTY, OKLAHOMA, SHALL BE ALLOWED WITHIN THE STORM WATER DETENTION EASEMENTS

6. IN THE EVENT THE HOMEOWNERS' ASSOCIATION SHOULD FAIL TO PROPERLY MAINTAIN THE DETENTION, RETENTION, AND OTHER DRAINAGE FACILITIES OR, IN THE EVENT OF THE PLACEMENT OF AN OBSTRUCTION WITHIN, OR THE ALTERATION OF GRADE WITHIN A STORMWATER DETENTION EASEMENT, TULSA COUNTY, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR MAY ENTER AND PERFORM MAINTENANCE NECESSARY TO ACHIEVE THE INTENDED DRAINAGE FUNCTIONS AND MAY REMOVE ANY OBSTRUCTION OR CORRECT ANY ALTERATION OF GRADE, AND THE COSTS THEREOF SHALL BE PAID BY THE HOMEOWNERS' ASSOCIATION. IN THE EVENT THE ASSOCIATION FAILS TO PAY THE COSTS OF MAINTENANCE AFTER COMPLETION OF THE MAINTENANCE AND RECEIPT OF A STATEMENT OF COSTS, TULSA COUNTY, OKLAHOMA, MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS IN THE LAND RECORDS OF THE TULSA COUNTY CLERK, AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST EACH LOT WITHIN THE SUBDIVISION, PROVIDED, THE LIEN AGAINST EACH LOT SHALL NOT EXCEED 1/6TH OF THE COSTS A LIEN ESTABLISHED AS ABOVE PROVIDED MAY BE FORECLOSED BY TULSA COUNTY, OKLAHOMA

SECTION II. HOMEOWNERS' ASSOCIATION

A. FORMATION OF HOMEOWNERS' ASSOCIATION

THE OWNER HAS FORMED OR SHALL CAUSE TO BE FORMED AND ASSOCIATED OF THE OWNERS OF THE LOTS WITHIN 66TH STREET NORTH TRUCK STOP PHASE II (THE "HOMEOWNERS' ASSOCIATION") TO BE ESTABLISHED IN ACCORDANCE WITH THE STATUTES OF THE STATE OF OKLAHOMA, AND TO BE FORMED FOR THE GENERAL PURPOSES OF MAINTAINING THE COMMON AREA OF THE SUBDIVISION INCLUDING BUT NOT LIMITED TO: THE LANDSCAPING, STORM WATER DETENTION FACILITIES, FENCING, AS MAY BE NECESSARY TO MAINTAIN THE VISUAL APPEARANCE AND DESIRABILITY AND ATTRACTIVENESS OF 66TH STREET NORTH TRUCK STOP PHASE II

B. MEMBERSHIP
EVERY PERSON OR ENTITY WHO IS A RECORD OWNER OF THE FEE INTEREST OF A LOT

IN THE SUBDIVISION SHALL BE A MEMBER OF THE HOMEOWNERS' ASSOCIATION MEMBERSHIP SHALL BE APPURTENANT TO AND MAY NOT BE SEPARATED FROM THE OWNERSHIP OF A LOT

C. ASSESSMENT

EACH RECORD OWNER OF A LOT IN THE SUBDIVISION SHALL BE SUBJECT TO ASSESSMENT BY THE HOMEOWNERS' ASSOCIATION FOR THE PURPOSES OF IMPROVEMENT AND MAINTENANCE OF THE COMMON AREAS OF THE SUBDIVISION

SECTION III. ENFORCEMENT, DURATION, AMENDMENT AND SEVERABILITY

A. ENFORCEMENT

THE RESTRICTIONS HEREIN SET FORTH ARE COVENANTS TO RUN WITH THE LAND AND SHALL BE BINDING UPON THE OWNER, ITS SUCCESSORS AND ASSIGNS, WITHIN THE PROVISIONS OF SECTION I, PUBLIC STREETS, EASEMENTS AND UTILITIES ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERETO, AND ADDITIONALLY THE COVENANTS WITHIN SECTION I, WHETHER OR NOT SPECIFICALLY THEREIN SO STATED SHALL INURE TO THE BENEFIT OF AND SHALL BE ENFORCEABLE BY TULSA COUNTY, OKLAHOMA. THE COVENANTS CONTAINED IN SECTION II, HOMEOWNERS' ASSOCIATION SHALL INURE TO THE BENEFIT OF ANY OWNER OF A LOT AND THE HOMEOWNERS' ASSOCIATION. IF THE UNDERSIGNED OWNER, OR ITS SUCCESSORS OR ASSIGNS, SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTION I, IT SHALL BE LAWFUL FOR ANY OWNER OF A LOT OR THE HOMEOWNERS' ASSOCIATION TO MAINTAIN ANY ACTION AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT, TO PREVENT HIM OR THEM FROM SO DOING OR TO COMPEL COMPLIANCE WITH THE COVENANTS. IN AN ADDITIONAL BENEFIT TO ENFORCE THE COVENANTS ESTABLISHED WITHIN THIS DEED OF DEDICATION, THE DEFENSE THAT THE PARTY INITIATING THE EQUITABLE PROCEEDING HAS AN ADEQUATE REMEDY AT LAW IS HEREBY WAIVED. IN ANY JUDICIAL ACTION BROUGHT BY ANY OWNER OF A LOT OR THE ASSOCIATION, WHICH ACTION SEEKS TO ENFORCE THE COVENANTS CONTAINED IN SECTIONS I OR II AND/OR TO RECOVER DAMAGES FOR THE BREACH THEREOF, THE PREVAILING PARTY SHALL BE ENTITLED TO RECEIVE REASONABLE ATTORNEY FEES AND COSTS AND EXPENSES INCURRED IN SUCH ACTION.

B. DURATION

THESE RESTRICTIONS, TO THE EXTENT PERMITTED BY APPLICABLE LAW, SHALL BE PERPETUAL BUT IN ANY EVENT SHALL BE IN FORCE AND EFFECT FOR A TERM OF NOT LESS THAN THIRTY (30) YEARS FROM THE DATE OF THE RECORDING OF THIS DEED OF DEDICATION UNLESS TERMINATED OR AMENDED AS HERINAFTER PROVIDED.

C. AMENDMENT

THE COVENANTS CONTAINED WITHIN SECTION I (PUBLIC STREET, EASEMENTS AND UTILITIES) MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LAND TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, OR ITS SUCCESSORS, AND THE TULSA COUNTY, OKLAHOMA. THE COVENANTS CONTAINED WITHIN SECTION II HOMEOWNERS' ASSOCIATION MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER DURING SUCH PERIOD THAT THE OWNER IS THE RECORD OWNER OF AT LEAST 1 LOT OR, ALTERNATIVELY, THE COVENANTS AND RESTRICTIONS MAY BE AMENDED OR TERMINATED BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNERS OF NOT LESS THAN 60% OF THE LOTS. IN THE EVENT OF ANY CONFLICT BETWEEN AN AMENDMENT OR TERMINATION PROPERLY EXECUTED BY THE OWNER (DURING ITS OWNERSHIP OF AT LEAST 1 LOT) AND ANY AMENDMENT PROPERLY EXECUTED BY THE OWNERS OF 60% OF THE LOTS, THE INSTRUMENT EXECUTED BY THE OWNER SHALL PREVAIL. THE PROVISIONS OF ANY INSTRUMENT AMENDING OR TERMINATING COVENANTS AND RESTRICTIONS SHALL BE EFFECTIVE FROM AND AFTER THE DATE IT IS PROPERLY RECORDED.

D. SEVERABILITY

INVALIDATION OF ANY RESTRICTION SET FORTH HEREIN, OR ANY PART THEREOF, BY AN ORDER, JUDGMENT, OR DECREE OF ANY COURT, OR OTHERWISE, SHALL NOT INVALIDATE OR AFFECT ANY OF THE OTHER RESTRICTIONS OR ANY PART THEREOF AS SET FORTH HEREIN, WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

IN WITNESS WHEREOF, OWNER HAS EXECUTED THIS INSTRUMENT THIS ____ DAY OF _____, 2019.

THE W.O. SMITH TRUST

BY _____

W.O. SMITH, OWNER

STATE OF OKLAHOMA)

COUNTY OF TULSA) SS

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 2019, BY W.O. SMITH AS OWNER OF THE W.O. SMITH TRUST.

NOTARY PUBLIC

MY COMMISSION NUMBER

MY COMMISSION EXPIRES

CERTIFICATE OF SURVEY

I, R. WADE BENNETT, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA, DO HEREBY CERTIFY THAT I HAVE CAREFULLY AND ACCURATELY SURVEYED, SUBDIVIDED, AND PLATTED THE TRACT OF LAND HEREBY DESCRIBED ABOVE, AND THAT THE ACCOMPANYING PLAT IS A TRUE REPRESENTATION OF A SURVEY MADE ON THE GROUND USING GENERALLY ACCEPTED PRACTICES, AND MEETS OR EXCEEDS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING.



R. WADE BENNETT
LICENSED PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 1556

STATE OF OKLAHOMA)

COUNTY OF TULSA) SS

BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS ____ DAY OF _____, 2019, PERSONALLY APPEARED ALBERT JONES JR., TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HIS NAME AS A LICENSED LAND SURVEYOR TO THE FOREGOING CERTIFICATE OF SURVEY AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES THEREIN SET FORTH.

NOTARY PUBLIC

MY COMMISSION NUMBER

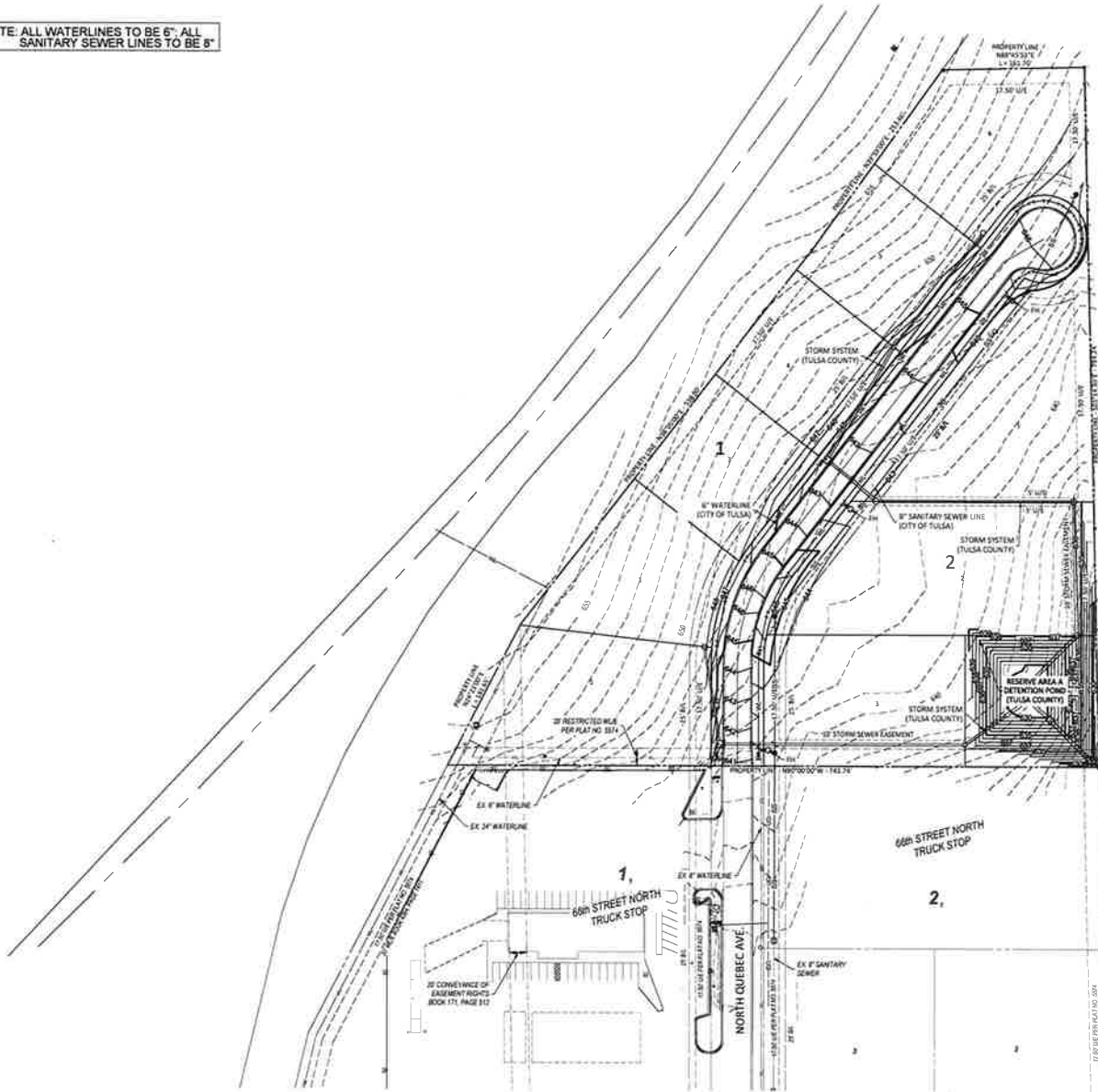
MY COMMISSION EXPIRES

6-7

Conceptual Improvement Plan
66th Street North Truck Stop Phase II

PART OF THE W/2 OF THE SW/4 OF THE SE/4 AND THE SE/4 OF THE SE/4 OF THE SW/4 OF SECTION 33, TOWNSHIP 21 NORTH, RANGE 13 EAST, OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA

NOTE: ALL WATERLINES TO BE 6". ALL SANITARY SEWER LINES TO BE 8"



Location Map
 Scale: 1" = 200'



6.8



Tulsa Metropolitan Area
Planning Commission

Case Number: CZ-488

Hearing Date: 8/7/2019

Case Report Prepared by:

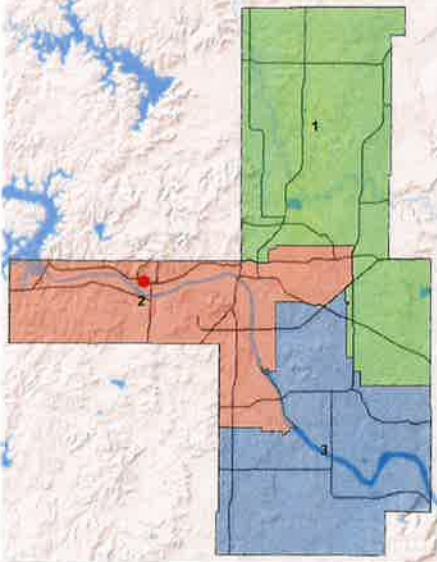
Jay Hoyt

Owner and Applicant Information:

Applicant: Ashley Hacker

Property Owner: HACKER INVESTMENTS LLC

Location Map:
(shown with County Commission Districts)



Applicant Proposal:

Present Use: Residential

Proposed Use: Law Office

Concept summary: Rezone from RS to CS to permit a law office.

Tract Size: 0.3 ± acres

Location: Southeast corner of West Wekiwa Road and West Long Street

Zoning:

Existing Zoning: RS

Proposed Zoning: CS

Comprehensive Plan:

Land Use Map: N/A

Stability and Growth Map: N/A

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 9110

CZM: 76

County Commission District: 2

Commissioner Name: Karen Keith

7.1

SECTION I: CZ-488

DEVELOPMENT CONCEPT: The applicant is proposing to rezone from RS to CS to permit a law office on the subject lot.

Typically, rezoning from RS to CS would not be encouraged in a primarily RS zoned area, however, the City of Sand Springs 2030 Comprehensive Plan designates this lot and the surrounding neighborhood as a Commercial Land Use to encourage the future development of this area to commercial uses. CS would be the least intense commercial zone that is available in Tulsa County zoning and would be compatible with the Land Use designation given to this property by the City of Sand Springs.

EXHIBITS:

- INCOG Case map
- INCOG Aerial (small scale)
- INCOG Aerial (large scale)

DETAILED STAFF RECOMMENDATION:

CZ-488 is consistent with the City of Sand Springs Comprehensive Plan;

CZ-488 is non-injurious to surrounding proximate properties;

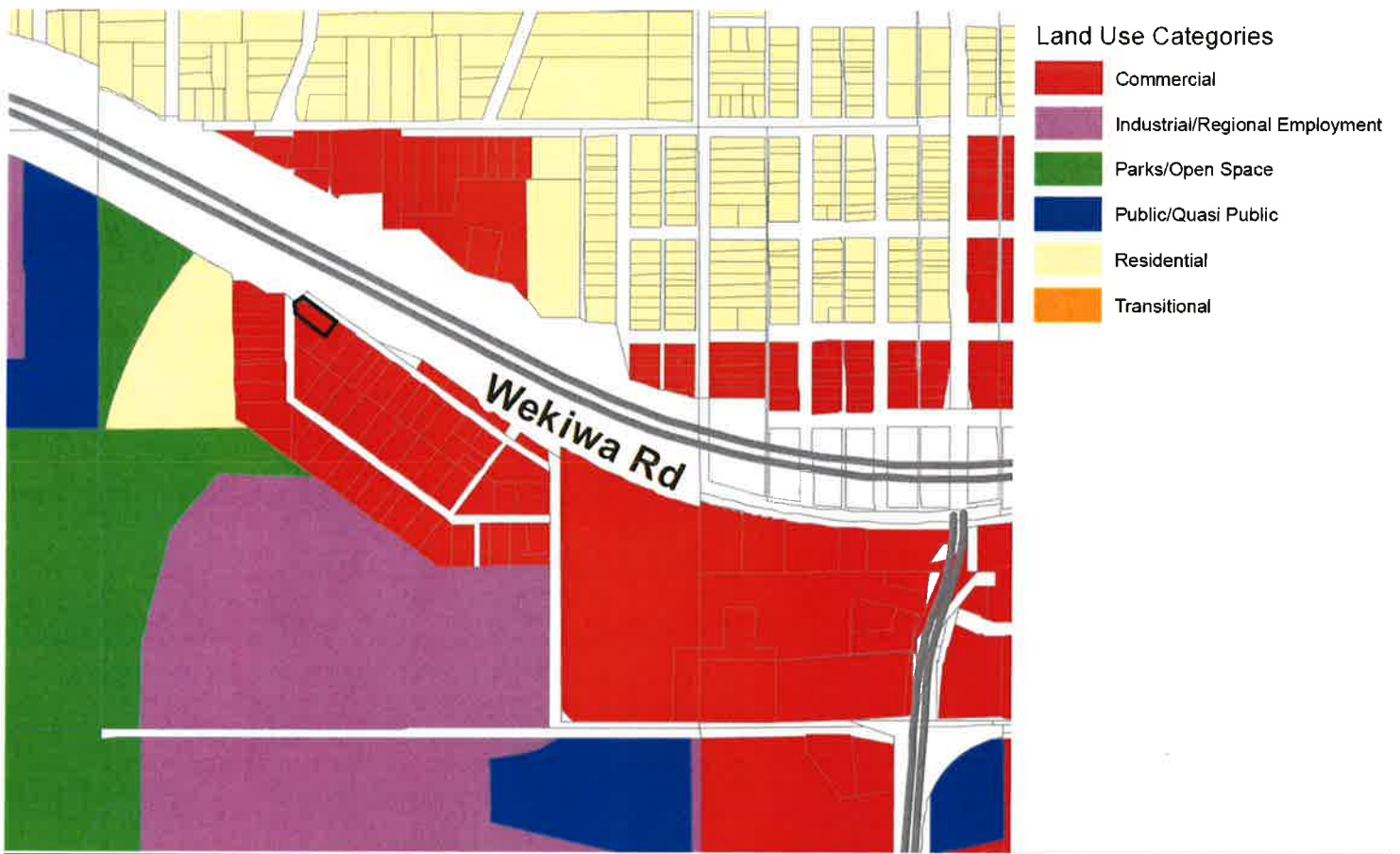
CZ-488 is consistent with the anticipated future development pattern of the surrounding property therefore;

Staff recommends Approval of CZ-488 to rezone property from RS to CS.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The site is located within the City of Sand Springs 2030 Comprehensive Plan area and is designated as Commercial in their Land Use Categories.



Land Use Vision:

Land Use Plan map designation: Commercial per City of Sand Springs 2030 Comprehensive Plan

Areas of Stability and Growth designation: N/A

Transportation Vision:

Major Street and Highway Plan:

Trail System Master Plan Considerations:

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is currently a single-family residence

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
Katy St	Secondary Arterial	100 Feet	3

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	RS	None	N/A	Highway
South	RS	Commercial (Sand Springs)	N/A	Residential
East	RS	Commercial (Sand Springs)	N/A	Residential
West	RS	Commercial (Sand Springs)	N/A	Residential

SECTION III: Relevant Zoning History

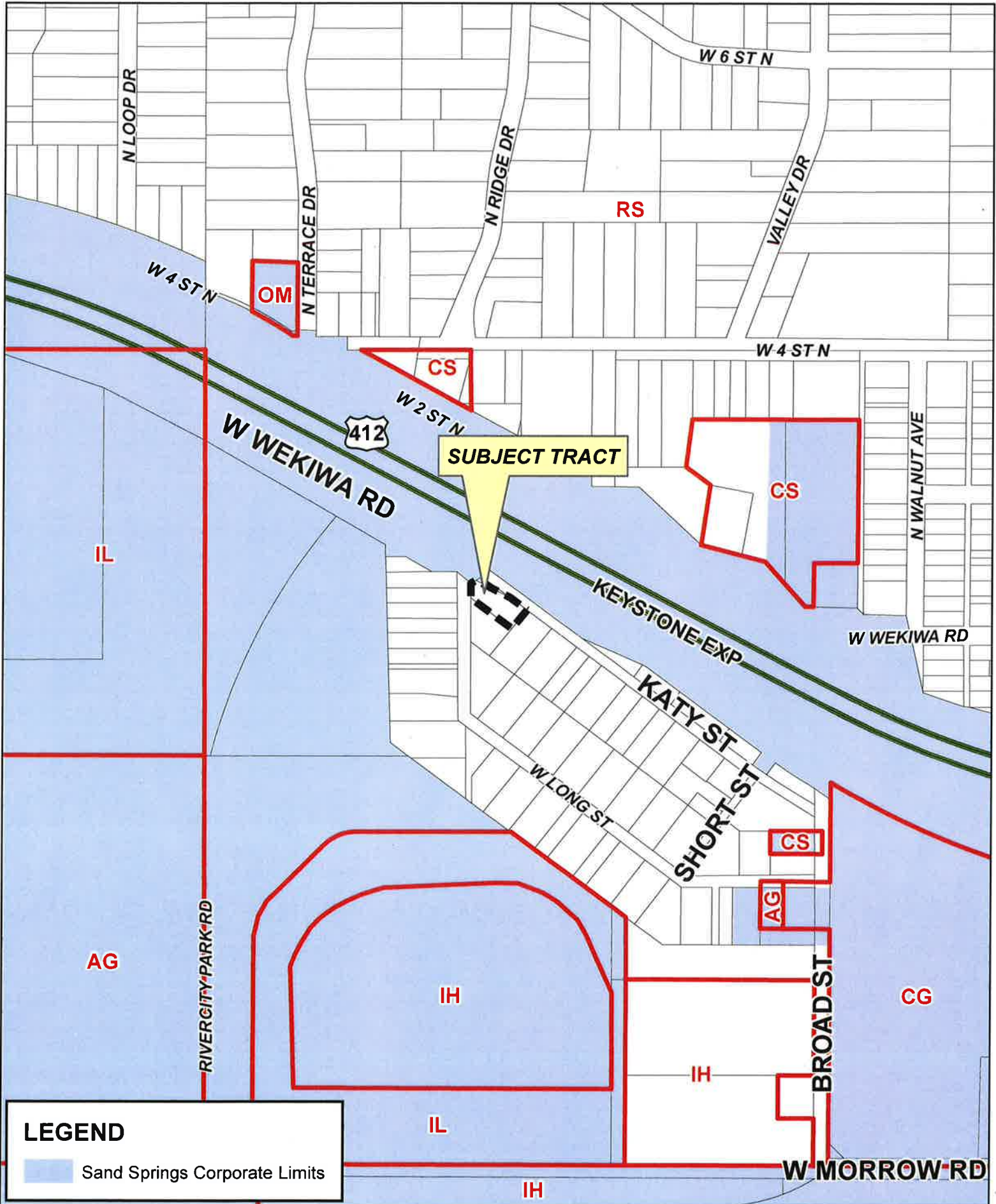
ZONING ORDINANCE: Ordinance number 11848 dated June 26, 1970 established zoning for the subject property.

Subject Property: No relevant history

Surrounding Property: No relevant history

8/7/2019 1:30 PM

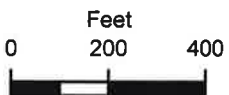
7.4



CZ-488

19-11 10





Subject
Tract

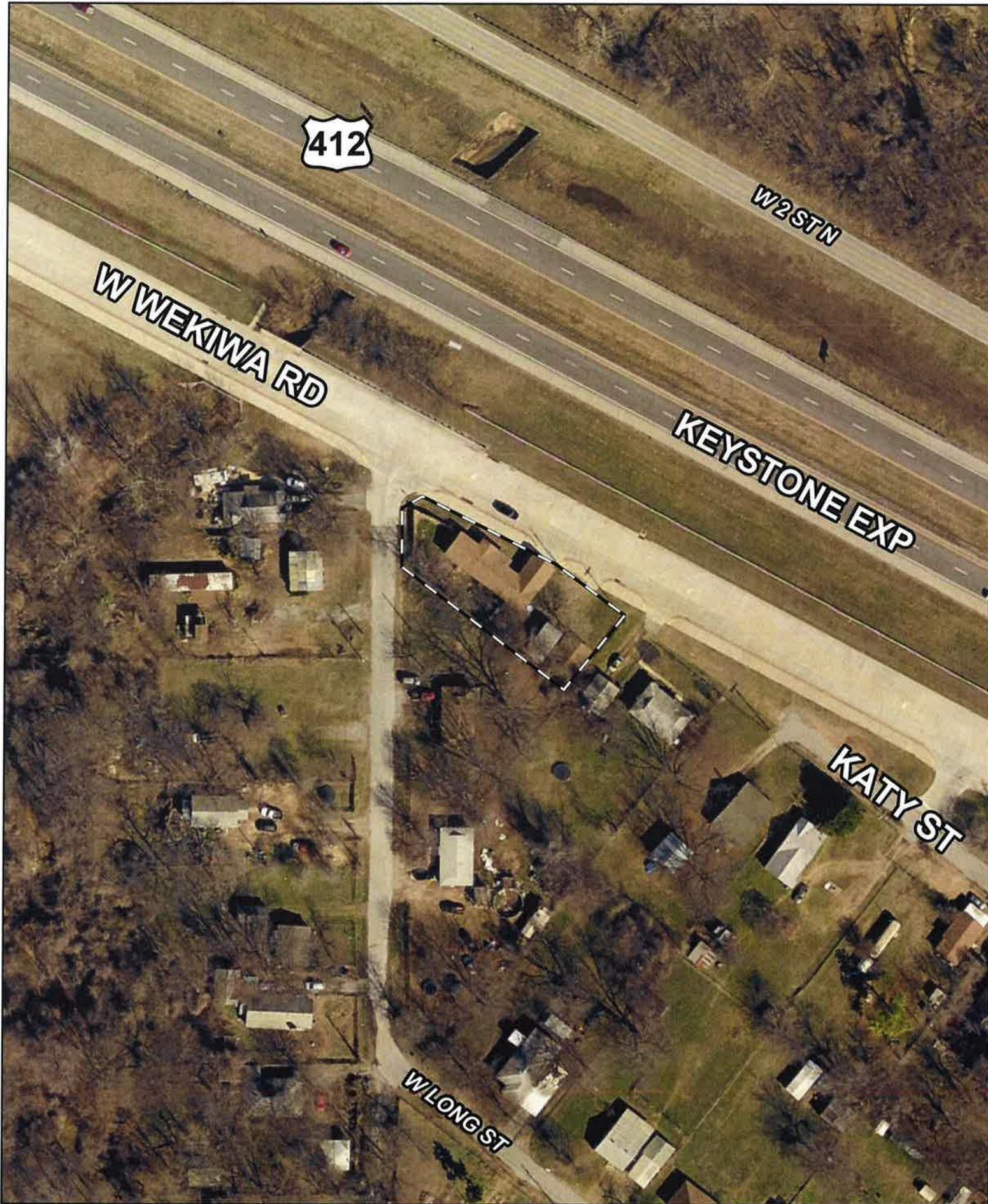
CZ-488

19-11 10

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

Aerial Photo Date: February 2018





412

W2STN

W WEKIWA RD

KEYSTONE EXP

KATY ST

WLONG ST



Subject Tract

CZ-488

19-11 10

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

Aerial Photo Date: February 2018



7.7



Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7491

Hearing Date: 8/7/2019

Case Report Prepared by:

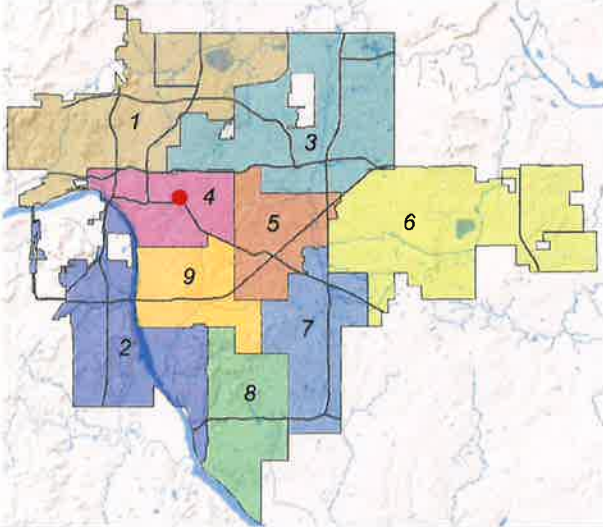
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Michael Carr

Property Owner: CARR, MICHAEL & JENNY

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Commerical/Residential

Proposed Use: Mixed Use

Concept summary: Rezoning to mixed use to support new construction infill. Unlimited height is consistent with the unlimited height provision of the existing OM property.

Tract Size: 0.55 ± acres

Location: Northwest corner of East 12th Place South and South Lewis Avenue

Zoning:

Existing Zoning: RS-3 / OM

Proposed Zoning: MX1-U-U

Comprehensive Plan:

Land Use Map: Main Street

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 9307

CZM: 37

City Council District: 4

Councilor Name: Kara Joy McKee

County Commission District: 2

Commissioner Name: Karen Keith

8.1

SECTION I: Z-7491

DEVELOPMENT CONCEPT: Requested rezoning for possible mixed used building.

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:
 - Survey exhibit
 - Neighborhood Correspondence

DETAILED STAFF RECOMMENDATION:

Z-7491 requesting MX-1-U-U is a neighborhood mixed-use zoning category and considered the least intensive MX district. The urban character designation allows vertical mixed use, commercial and civic/institutional buildings and the height is unlimited. The building types, building placement and building height are consistent with the Main Street land use designation in the comprehensive plan.

MX1-U-U allows uses that are consistent with the Tulsa Comprehensive Plan and,

MX1-U-U is consistent with the anticipated redevelopment of this area and,

MX1-U-U is considered non injurious to the surrounding properties therefore,

Staff recommends Approval of Z-7491 to rezone property from RS-3,OM/ to MX1-U-U.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: MX1-U-U is consistent with the Main Street Land Use designation in the Tulsa Comprehensive Plan.

Land Use Vision:

Land Use Plan map designation: Main Street

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

Areas of Stability and Growth designation: Area of Growth

The purpose of Areas of Growth is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement

8.2

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: Lewis avenue is considered a Multi Modal Corridor.

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

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

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: Three existing single-story buildings facing south and a Vacant lot. South Lewis has recently been reconstructed. No additional right of way is necessary to accommodate re-development.

See Snippet on following page:

Street view from southwest looking north east:



Street view snippet from southeast looking northwest:



Environmental Considerations: None that affect site redevelopment.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Lewis Ave. (frontage but no access)	Multi Modal Corridor	100 feet	4
East 12 th Street South	None	50 feet	2
Gillette Avenue	None	50 feet	2

Utilities:

The subject tract has municipal water and sewer available.

8.4

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	IL	Main Street	Growth	Light industry
East	CH	Main Street		
South	OM	Main Street and Existing Neighborhood	Growth	Single Family
West	RS-3	Existing Neighborhood	Stability	Single family

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 12158 dated July 2, 1971 and 11816 dated June 26, 1970 established zoning for the subject property.

Subject Property:

BOA-22447 June-July 2018: The Board of Adjustment first **approved** a *special exception* to allow a personal improvement use in an OM district, then voted to **reconsider** the *special exception* to allow a personal improvement use, and finally voted to modify the prior approval to remove the provision allowing for the fortune telling use, located on subject property.

Z-3940 July 1971: All concurred in **approval** of a request for *rezoning* a tract of land from RS-3 to OM on property located on subject property. (Ordinance 12158 July 1971)

BOA-485 June 1928: The Board of Adjustment **approved** to permit a filling station on part of lots 4-5-6, subject to a temporary permit for two years period for a non-conforming use, on property located on subject property.

Surrounding Property:

BOA-22669 June 2019: The Board of Adjustment **approved** a *special exception* to permit a business support service use to allow for a catering service, subject to conditions, on property located North of the Northeast corner of East 12th Street South and South Lewis Avenue.

BOA-22592 March 2019: The Board of Adjustment **approved** a *variance* to increase the allowed display surface area for a sign from 48 square feet to 80 square feet and to permit the sign to be oriented along South Lewis Avenue; a *variance* to permit a dynamic display sign to be located within 200 feet of an R district subject to conditions, on property located at the Southwest corner of South Lewis Avenue and East 12th Street South.

Z-7405 August 2017: All concurred in **approval** of a request for *rezoning* a 8.29± acre tract of land from OL, CH,IM, RM-2 to MX2-P-45 and MX2-P-U per staff recommendation on property located at the Northwest, Southeast and Southwest corners of East 11th Street South and South Lewis Avenue.

PUD-810 April 2014: All concurred in **approval** of a proposed *Planned Unit Development* on a .3± acre tract of land for commercial and industrial on property located at the Northeast corner of East 12th Street South and South Lewis Avenue.

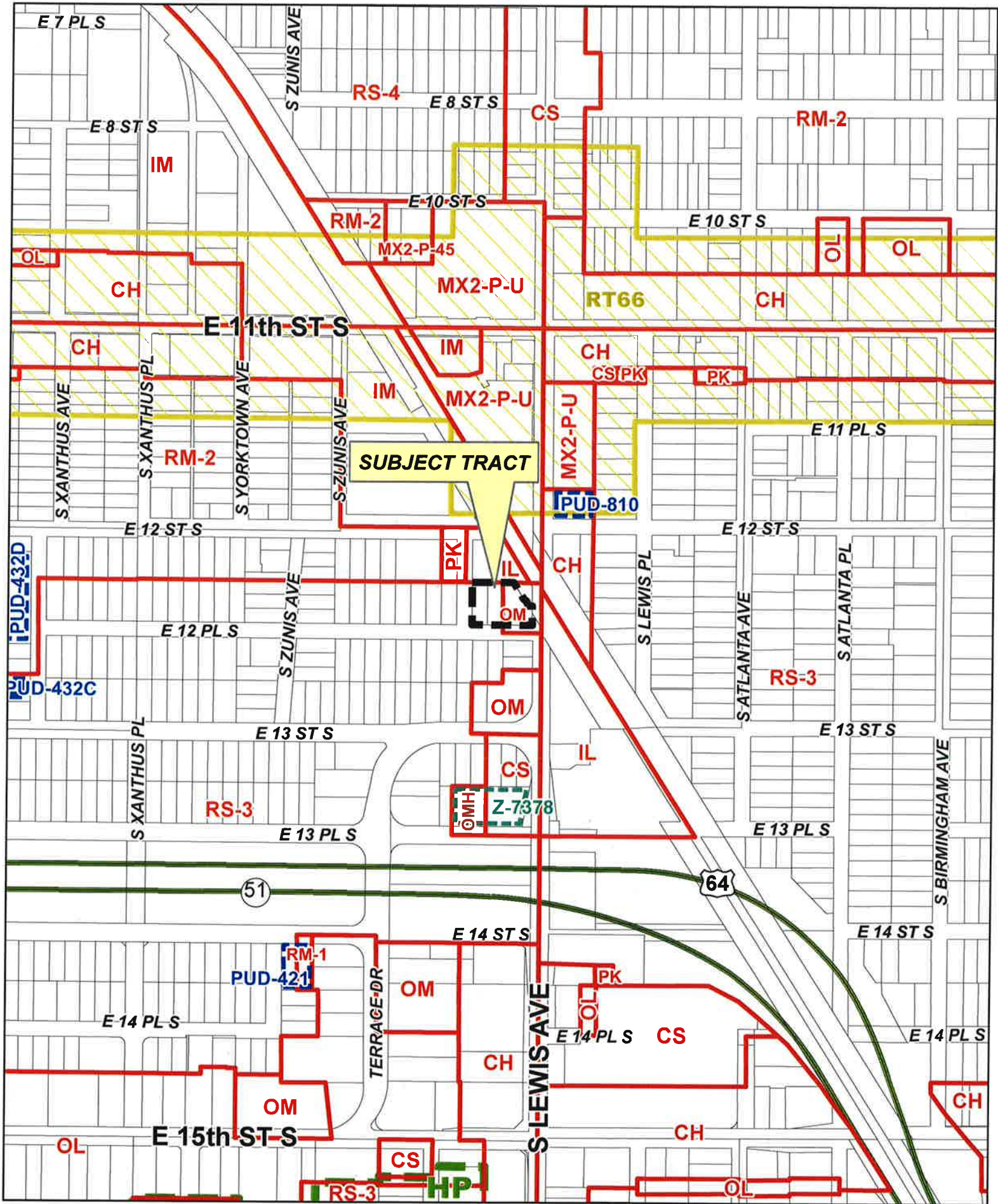
8.5

BOA-17168 September 1995: The Board of Adjustment **approved** a *variance* of the setback from the centerline of Lewis Avenue from 100' to 27.5'; a *variance* of the required setback from an abutting R district from 75' to 34' to permit an existing building; a *variance* of the required screening from an abutting R district, per plan submitted, on property located at the Southeast corner of South Lewis Avenue and East 12th Place South.

BOA-10312 January 1979: The Board of Adjustment **approved** a *variance* to permit parking on a lot not containing the use; a *variance* of the number of required parking spaces, per plan submitted, on property located at the Southwest corner of South Lewis Avenue and East 12th Street South.

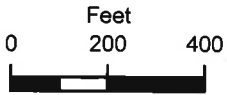
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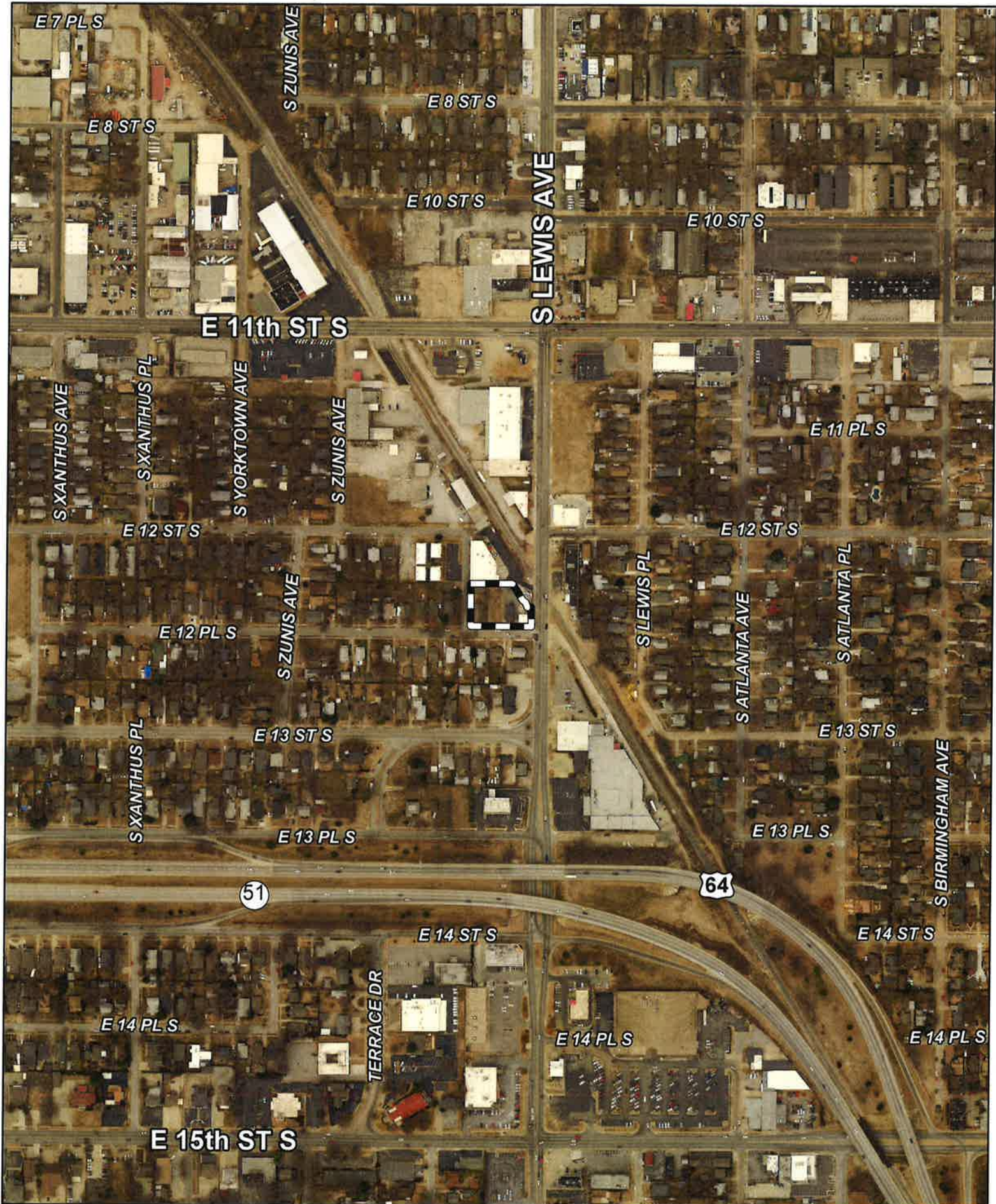
SUBJECT TRACT

Z-7491



19-13 07





E 7th St S

E 8th St S

E 8th St S

E 10th St S

E 10th St S

E 11th St S

S Xanthus Ave

S Xanthus Pl

S Yorktown Ave

S Zunis Ave

S Lewis Ave

E 11th Pl S

E 12th St S

E 12th St S

E 12th Pl S

S Zunis Ave

S Lewis Pl

S Atlanta Ave

S Atlanta Pl

S Xanthus Pl

E 13th St S

E 13th St S

E 13th Pl S

E 13th Pl S

51

64

S Birmingham Ave

E 14th St S

E 14th St S

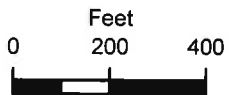
E 14th Pl S

Terrace Dr

E 14th Pl S

E 14th Pl S

E 15th St S



Subject Tract

Z-7491

19-13 07

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

Aerial Photo Date: February 2018





E12 STS

S LEWIS AVE

E12 STS

E12 PLS

E13 STS



Subject Tract

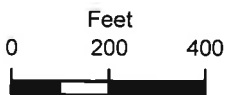
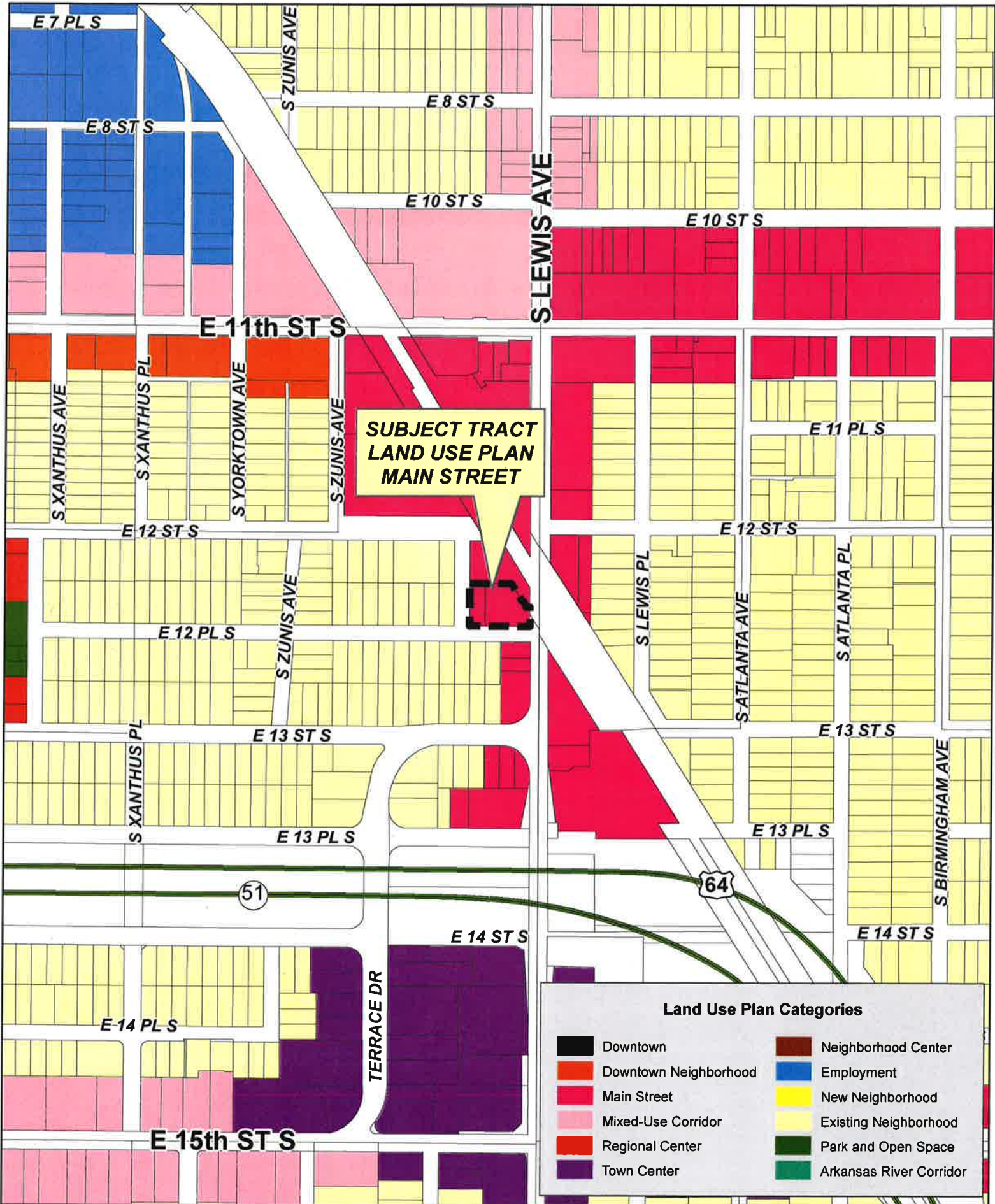
Z-7491

19-13 07

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

Aerial Photo Date: February 2018

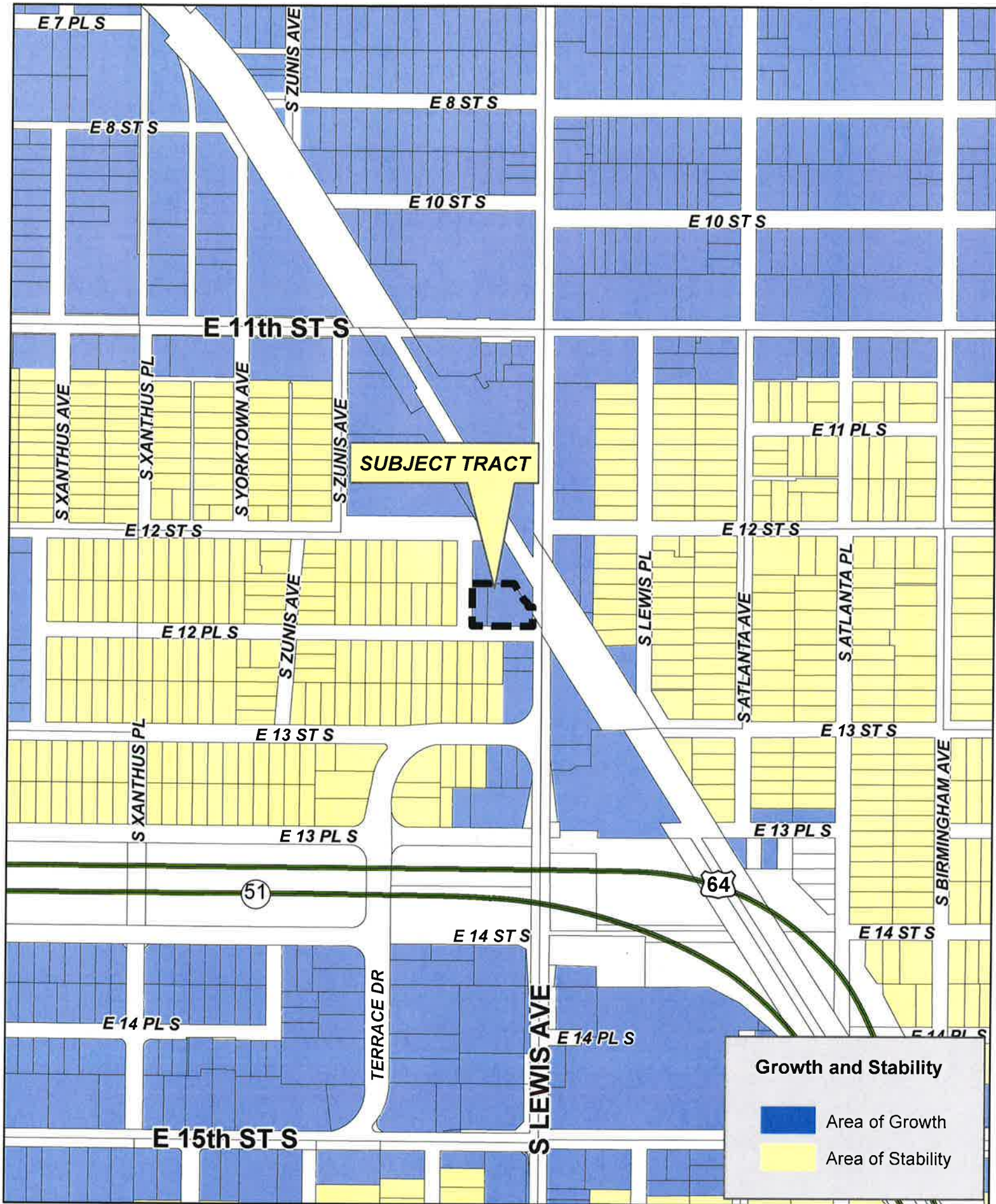




Z-7491

19-13 07

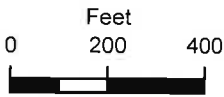




SUBJECT TRACT

Growth and Stability

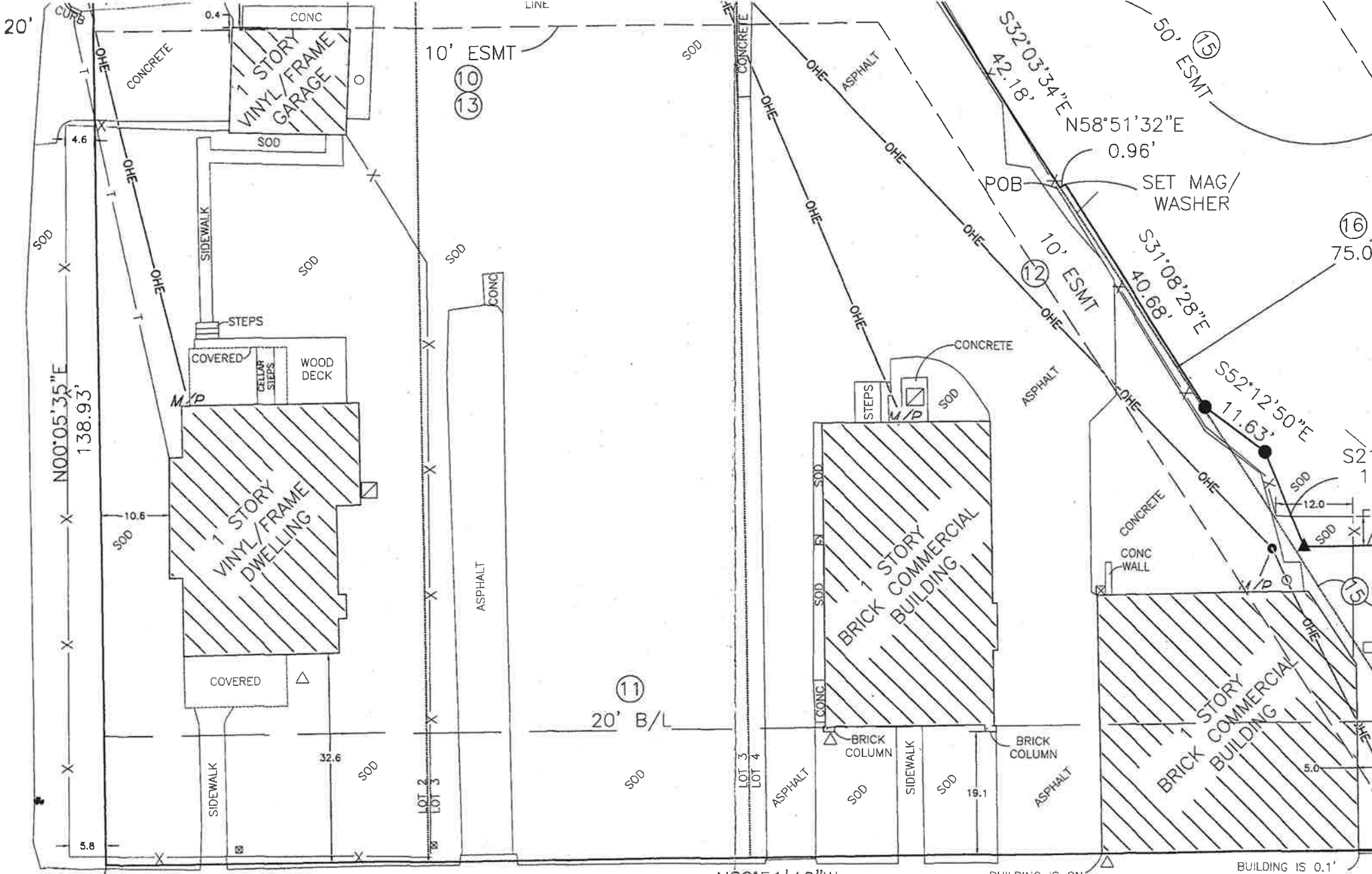
- Area of Growth
- Area of Stability



Z-7491

19-13 07





ET 3/8" RON PIN
 30'
 30'
 30'
 30'

218
 2307
 2311 E 12th PL.
 1222 S. 1st

2307
 2311 E 12th PL.
 1222 S. 1st

NEIGHBORHOOD CORRESPONDENCE

8.13

Wilkerson, Dwayne

From: Gloria DuBois <glodubois@gmail.com>
Sent: Wednesday, July 31, 2019 1:16 PM
To: Wilkerson, Dwayne
Subject: Re: Zoning Case number Z-7491
Attachments: IMG_2954[1].JPG

Oops, One of my photos is NOT as described. Attached here is Image 2954, replacing 2854.

On Wed, Jul 31, 2019 at 1:12 PM Gloria DuBois <glodubois@gmail.com> wrote:

Dear Mr. Wilkerson,

It was a pleasure to meet with you and discuss the proposed Zoning Case, the information that you provided to us was most helpful. As property owners at 2240 E 12th Pl, we are very concerned and alarmed at the proposal presented to your office to rezone the 4-5 lots at the East end of our tract. We were able to speak with several of the homeowners in the immediate area of the proposed site. We did not find that any of the them supported the proposed re-zoning. Most were opposed to it, a few were not interested, and did not express an opinion either way. We collected a few signatures and are attaching them here (scan 45). Those sheets also list the concerns we have about the impact of the proposal on our neighborhood. We also passed on the contact numbers for your office, as well as the city council. One homeowner said he is planning to attend the council meeting on the 7th. We plan to attend as well.

The encroachment of the proposed re-zoning into the neighborhood, and the unlimited height request, are the most concerning to us. I have attached several photos from the nearby neighborhoods (scan 43) where apartments have been constructed in an existing single family area, bungalow homes, much like ours. As you can see, the result is not only an eyesore to the the neighborhood, but VERY intrusive to the privacy of the neighboring properties, as well as creating parking shortage and clutter in the street.

I took several photos of the area, as exhibits to our concerns. The photos are from these vantage points:

Image 2969 E on 12th Pl, from East end of the subject area

Image 2965 W side of Lewis, looking N at 12th Pl intersection

Image 2964 Same as 2965, note large center island, recently added that restricts Lewis to single lanes in both directions.

Image 2959 Corner of 12th Pl & Lewis, looking ^EW on 12th Pl (subject property reaches to limit of view)

Image 2958,55,54 From frontage of subject property looking W on 12th Pl (subject property reaches to limit of view)

Image 2953 From front of subject property, view across Street to SF homes.

Image 2951 12th Pl, looking E at subject Property, which starts at intersection on left side of photo and runs to Lewis.

As you can see in the photos, this proposal is very intrusive into our quiet street. Anything over a single story will loom over the neighborhood, it simply does not belong there. We ask that the City Council consider a much lower height restriction on the proposal.. 2 or 3 stories at the corner is understandable, given the busy commercial street there. Anything over 1 or 2 stories at the two most westerly lots, is an invasion of our privacy, and will clearly impact the value of our property. While we understand and appreciate the growth of the downtown area, it is equally important that our quiet living spaces are also respected and maintained.

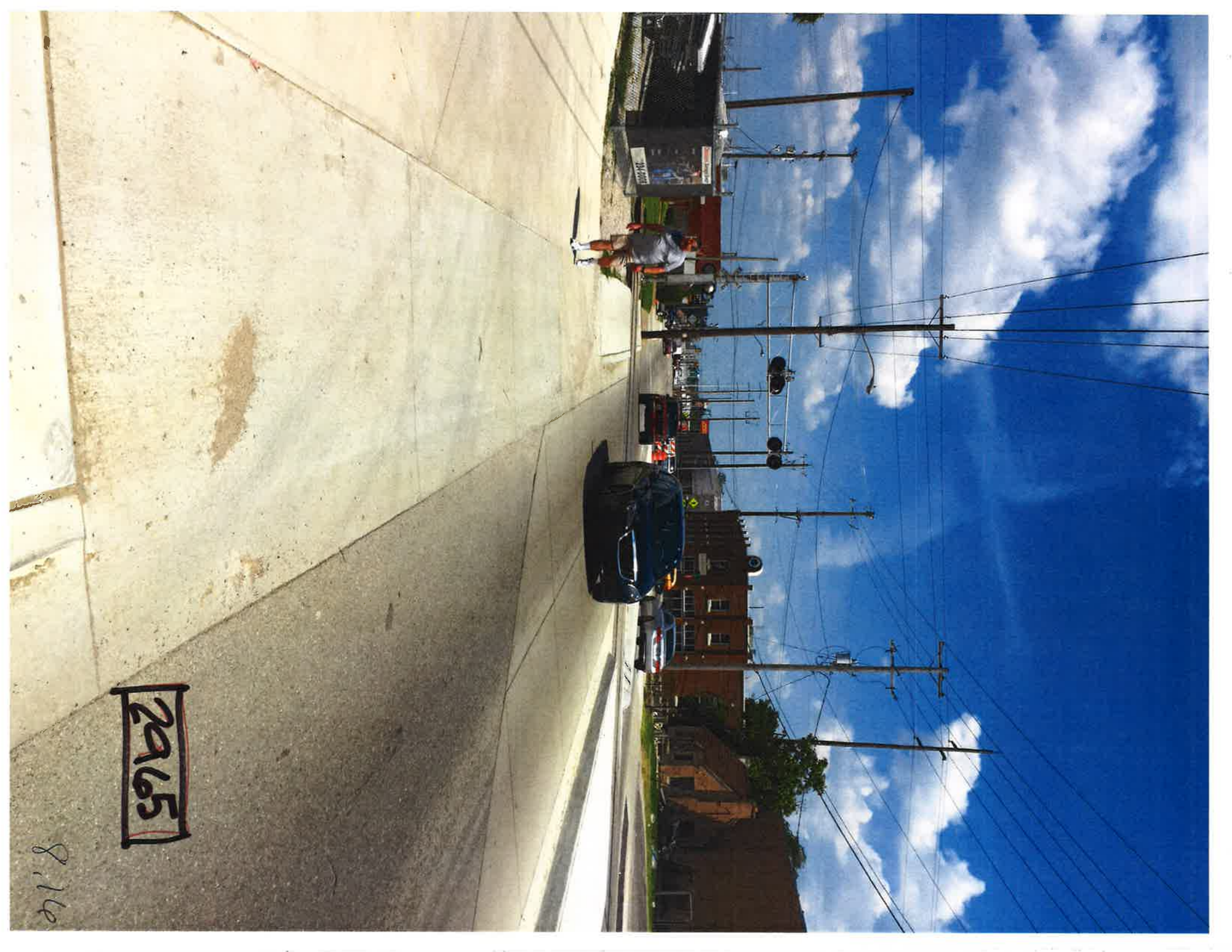
Should you have any questions regarding our concerns, please call us, Pete DuBois at 918 704-8988, and Gloria DuBois at 918 504-8226.

Thank-you for your consideration.



2969

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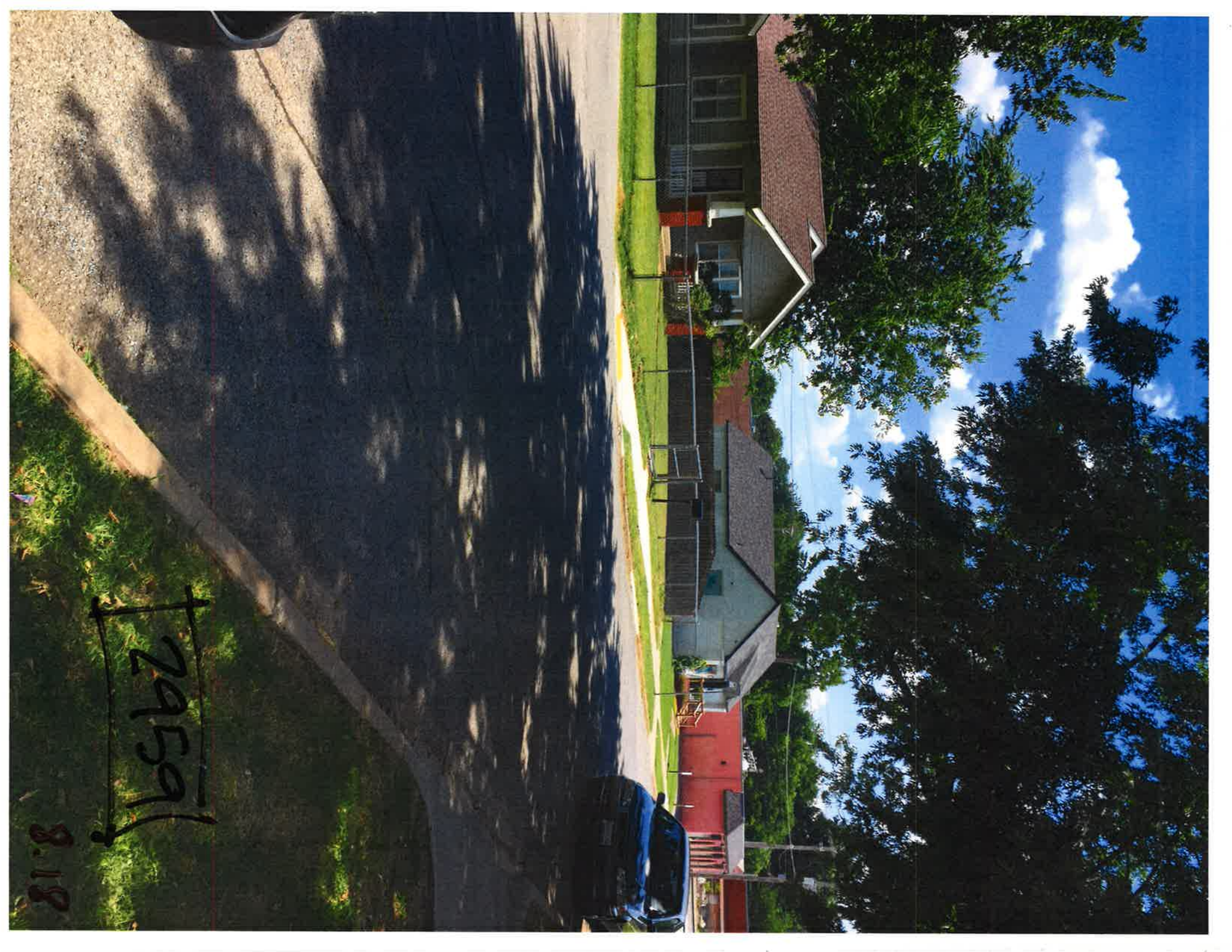
2965

8.14



2964

8.17



2959

8.18

2958

FOR SALE
CALL 800-555-1234
OR 555-123-4567
www.abc.com

8.19





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29537



2954

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128

WE, THE HOMEOWNERS AND OCCUPANTS OF THE RESIDENTIAL NEIGHBORHOODS AROUND THE PROPOSED REZONING CASE #Z-7491, LOCATED AT THE NORTHWEST CORNER OF E 12TH PLACE SOUTH AND SOUTH LEWIS AVE, BY OUR SIGNATURE BELOW TO HEREBY CONVEY OUR CONCERNS AND OBJECTIONS REGARDING THE PROPOSED REZONING:

- 1. TRAFFIC** WE HAVE FOUND NO EVIDENCE THAT A TRAFFIC STUDY HAS BEEN PERFORMED, SO WE HAVE NO DATA TO OFFER, ONLY THE CONCERN THAT, AS LEWIS NARROWS TO ONLY 1 LANE IN FRONT OF THIS AREA, ADDING ANY ADDITIONAL BUSINESSES OR APARTMENTS WOULD SEVERLY STRAIN AN ALREADY CONGESTED AREA. THE RECENT ADDITION OF THE ADJACENT MOTHER ROAD STORES, AND NOW NEW CONSTRUCTION WELL UNDERWAY ACROSS FROM IT HAVE ALREADY SIGNIFICANTLY IMPACTED THE TRAFFIC ON LEWIS.
- 2. PARKING** THE AFOREMENTIONED MOTHER ROAD STORES HAVE ALREADY CREATED A SEVERE PARKING SHORTAGE IN THE AREA. AS WE TRAVEL THE AREA FREQUENTLY, WE HAVE NOTED SEVERY HARROWING NEAR MISSES OF PEDESTRIANS. WE ARE ALSO CONCERNED THAT OUR NEIGHBORHOOD WILL BECOME OVERFLOW PARKING FOR ANY BUSINESSES OR TENANTS. E 12TH PLACE IS ALREADY A NARROW STREET, IT IS ALMOST IMPOSSIBLE TO NAVIGATE AROUND THE VEHICLES ALREADY PARKED ON OUR STREET.
- 3. INCREASE IN FOOT TRAFFIC AND TRASH** WE HAVE NOTICED THAT AS COMMERCIAL AREAS SURROUND THE NEIGHBORHOOD, THERE IS AN INCREASE IN FOOT TRAFFIC OF PERSONS PATRONIZING THOSE BUSINESSES, AND ALONG WITH IT, A DISTRESSING AMOUNT OF TRASH IS DUMPED IN THE NEIGHBORHOOD. WRAPPERS AND FOOD DEBRIS, THAT IS DISCARDED AS THOSE PEDESTRIANS MAKE THEIR WAY BACK DOWN THROUGH OUR NEIGHBORHOOD. THIS LEADS TO AN OVERALL IMPRESSION THAT THE NEIGHBORHOOD IS TRASHY, AND IN DECLINE, AS WELL AS THE TIME AND EFFORT REQUIRED TO CLEAN UP AFTER THE LITTERERS.
- 4. PRIVACY** THE APPLICANT HAS REQUESTED THAT THE ZONING ON THE NORTH SIDE OF E 12TH PL, EAST FROM S GILLETTE AVE, WHICH ENCROACHES WELL INTO THE NEIGHBORHOOD, AND CURRENTLY ZONED AS "RESIDENTIAL SINGLE FAMILY" BE CHANGED TO "NEIGHBORHOOD MIXED USE, UNLIMITED HEIGHT. THE ENTIRE NEIGHBORHOOD, INCLUDING OUR PRIVATE BACKYARDS, WOULD BE VISIBLE FROM ANYTHING ABOVE THE SECOND FLOOR OF THE STRUCTURE. **WE WOULD SUFFER A CATASTROPHIC AND IRREVERSIBLE LOSS OF PRIVACY IN AND AROUND OUR HOMES.**

SIGNED: A McKinney (PRINT NAME) ASHLEY MCKINNEY

ADDRESS: 2234 E 12TH PLACE, TULSA OK 74104 DATE 7/24/19

SIGNED: Stev G. Terry (PRINT NAME) STEVEN G. TERRY

ADDRESS: 2246 E 12TH PL. TULSA, OK 74104 DATE 7/24/19

SIGNED: Phil Dubois (PRINT NAME) PHIL DUBOIS

ADDRESS: 2028 E 12th Pl DATE 7/31/19

SIGNED: _____ (PRINT NAME) _____

ADDRESS: _____ DATE _____

8.22

West Park Apartments

All

Latest



8.23

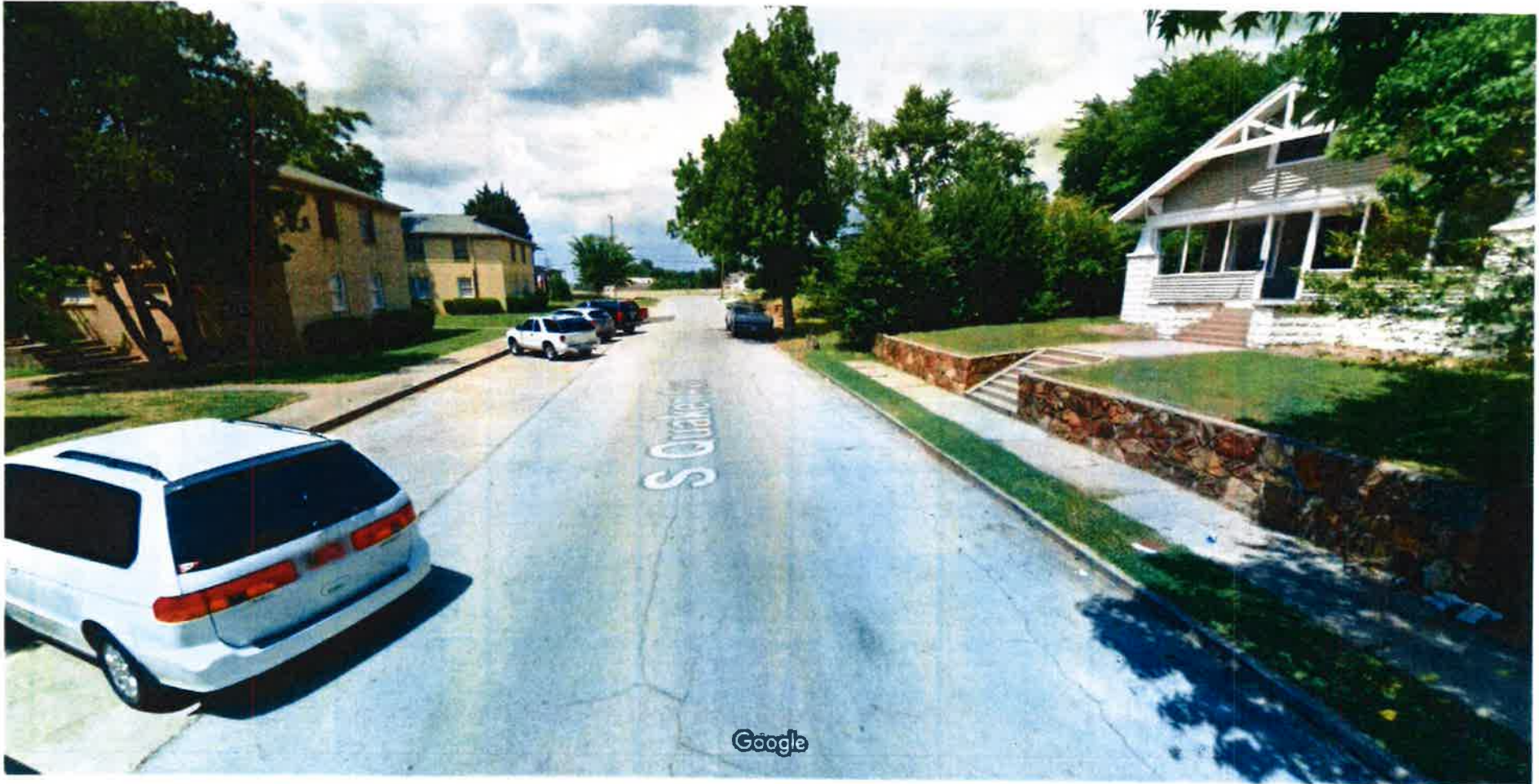
West Park Apartments

All

Latest



8-24



Tulsa, Oklahoma

Image capture: May 2018 © 2019 Google



Street View - May 2018

8.25

West Park Apartments

All

Latest



8.24



Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7492

Hearing Date: 8/7/2019

Case Report Prepared by:

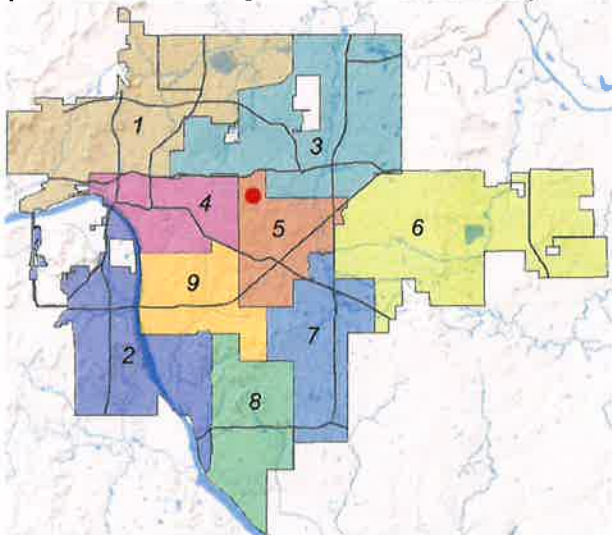
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Mohamad Soukieh

Property Owner: SOUKIEH, MOHAMAD K AND DAAD

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Commerical Warehouse

Proposed Use: Cannabis Cultivation

Concept summary: Agricultural Horticulture uses are only allowed in AG, IL, IM and IH zoning districts.

Tract Size: 2.8 ± acres

Location: North of the Northeast corner of South Hudson Avenue at East 11th Street South

Zoning:

Existing Zoning: CH

Proposed Zoning: IM

Comprehensive Plan:

Land Use Map: Employment

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends denial.

Staff Data:

TRS: 9303

CZM: 38

City Council District: 5

Councilor Name: Cass Fahler

County Commission District: 2

Commissioner Name: Karen Keith

9.1

SECTION I: Z-7492

DEVELOPMENT CONCEPT: Horticulture nursery uses are only allowed in AG, IL, IM and IH zoning districts. No options exist in the zoning code to use existing buildings in any of the commercially zoned districts for any indoor for a Horticulture Nursery. The rezoning request is to allow an indoor growing facility inside an existing building.

EXHIBITS:

INCOG Case map
INCOG Aerial (small scale)
INCOG Aerial (large scale)
Tulsa Comprehensive Plan Land Use Map
Tulsa Comprehensive Plan Areas of Stability and Growth Map
Applicant Exhibits:
None provided

DETAILED STAFF RECOMMENDATION:

Z-7492 requesting IM zoning without a development plan may be consistent with the Employment Land Use designation in the comprehensive plan and,

Uses that may be allowed in an IM district without a development plan are not consistent with the expected development in the area and,

IM zoning allows low-impact manufacturing and industry uses that may be considered injurious to the surrounding properties therefore,

Staff recommends denial of Z-7492 to rezone property from CH to IM.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: IM zoning may be consistent with the employment land use designation in the comprehensive plan however there is no industrial zoning or industrial use opportunities in the area.

Land Use Vision:

Land Use Plan map designation is 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.

9.2

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: None

Trail System Master Plan Considerations: none

Small Area Plan: None

Special District Considerations: The south portion of this lot is included in the RT 66 overlay. That overlay does not provide use opportunities and is limited to allowing signage that cannot be implemented in the rest of the city.

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The subject tract is a parking lot and car repair facility.

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP RW</u>	<u>Exist. # Lanes</u>
South Hudson	Collector	60 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

<u>Location</u>	<u>Existing Zoning</u>	<u>Existing Land Use Designation</u>	<u>Area of Stability or Growth</u>	<u>Existing Use</u>

North	RM-2	Employment	Growth	Single family
East	CH	Employment	Growth	Transitional Housing
South	CH	Employment	Growth	Used Car Lot
West	CH	Employment	Growth	Car lot and auto repair

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11816 dated June 26, 1970 established zoning for the subject property.

Subject Property:

BOA-19647 August 2003: The Board of Adjustment **approved** a *special exception* for Use Unit 20 (Commercial Recreation: Intensive) for conducting Motorcycle Safety Foundation approved rider safety courses subject to conditions, located on subject property.

BOA-15586 November 1990: The Board of Adjustment **approved** a *special exception* to permit off-street parking in an RM-2 zoned district, per plan submitted, located on subject property.

Surrounding Property:

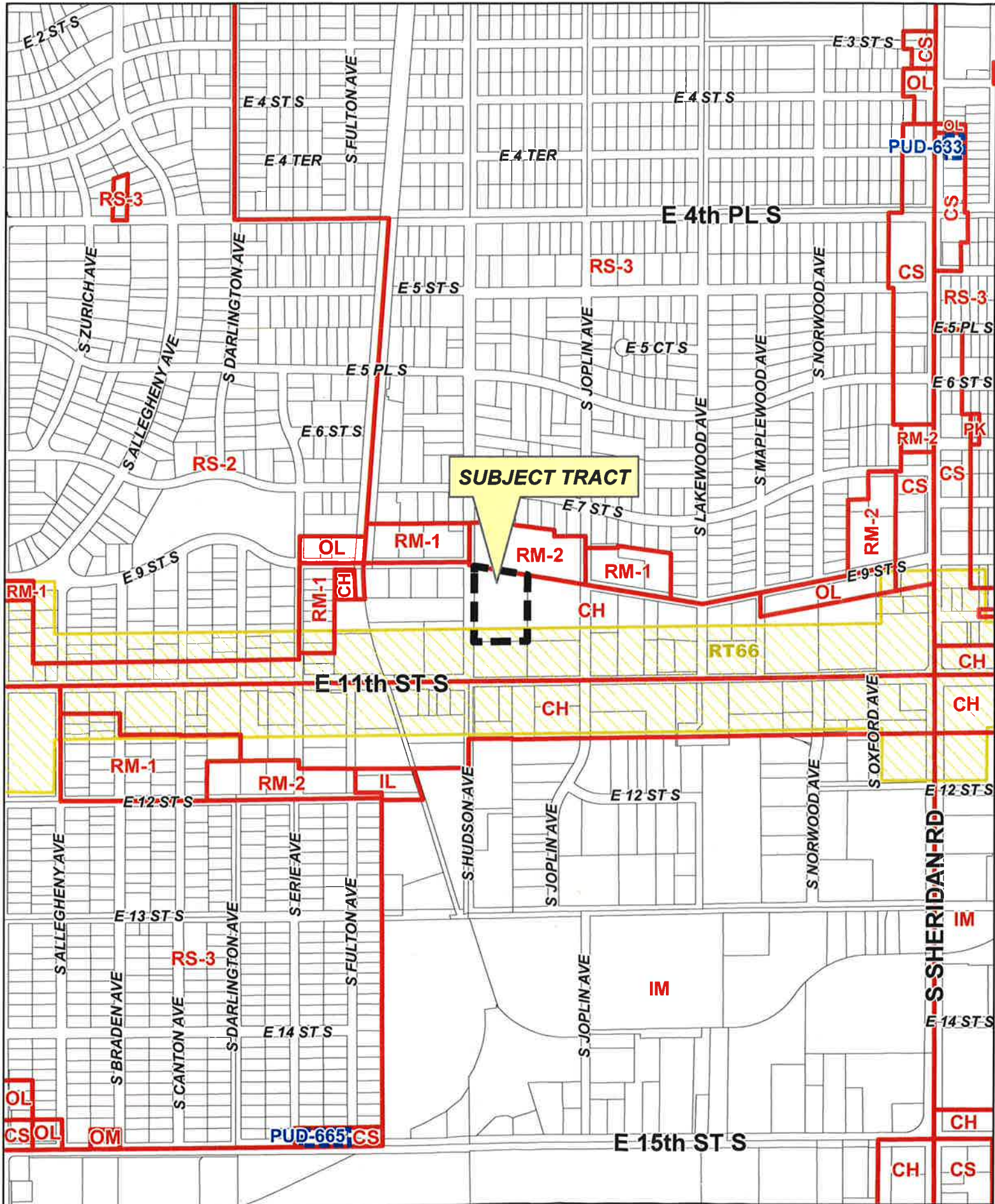
BOA-20815 January 2008: The Board of Adjustment **approved** a *special exception* to permit fixture assembly and manufacturing (Use Unit 25) in a CH District; a *special exception* to permit required parking on a lot other than the one containing the principal use, subject to conditions, on property located West of the Northwest corner of East 11th Street and South Hudson Avenue.

BOA-17761 July 1997: The Board of Adjustment **approved** a *special exception* to permit a lodge in an RM-1 District, per plan submitted, on property located at the Northeast corner of South Joplin Avenue and East 9th Street South.

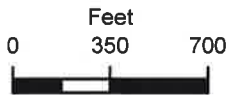
BOA-6545 January 1970: The Board of Adjustment **approved** an *exception* to permit extending a nonconforming use (manufacturing of fixtures) in a U-3E district, subject to the plot plan, on property located North of the Northwest corner of East 11th Street South and South Hudson Avenue.

BOA-5911 May 1968: The Board of Adjustment **approved** an *exception* to permit a service station canopy to extend 12' 6" over into the major street setback requirements in a U-3E district, subject to the execution of a right-of-way removal agreement, on property located at the Southeast corner of East 11th Street South and South Hudson Avenue.

8/7/2019 1:30 PM



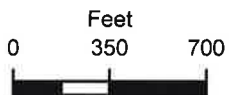
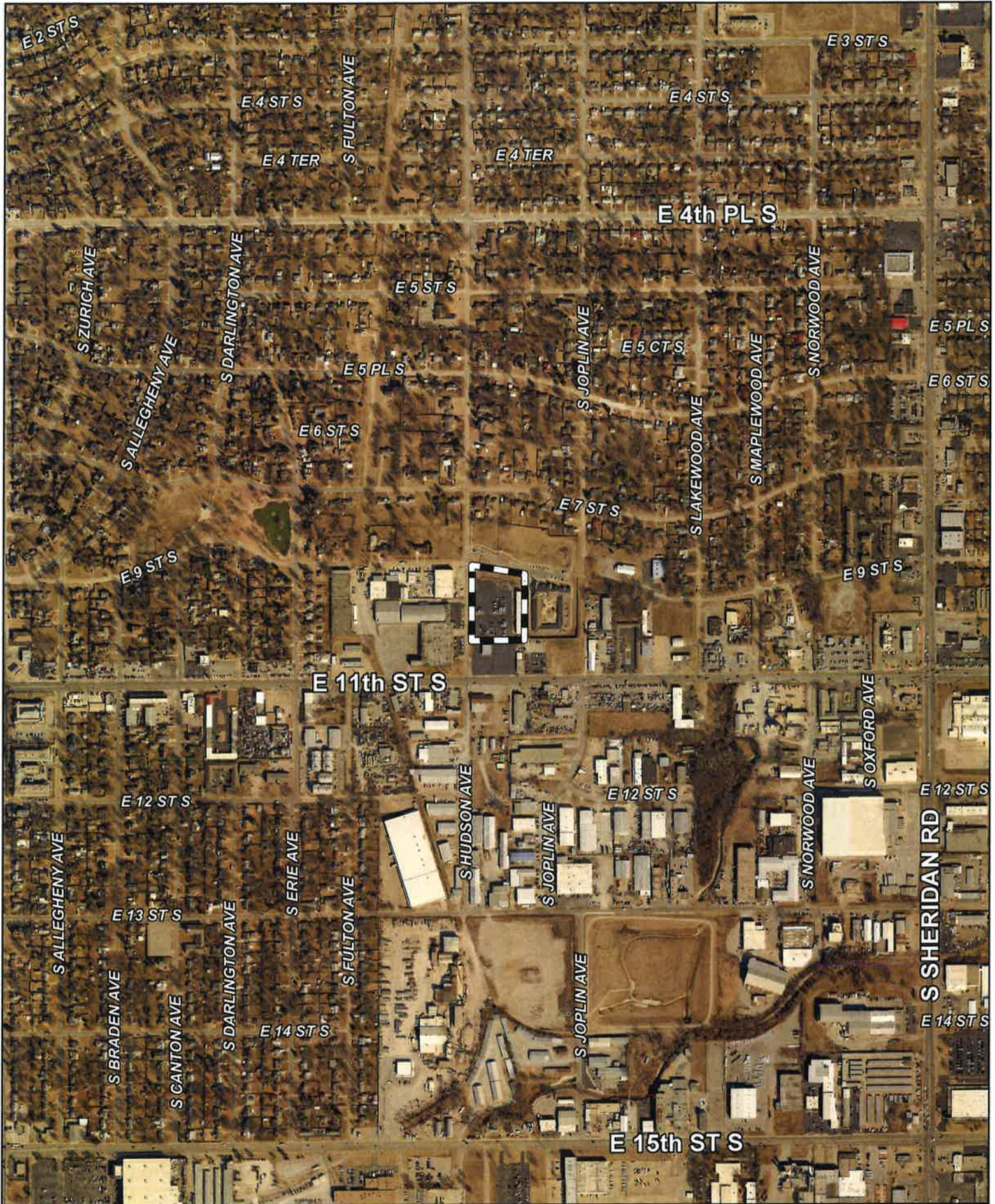
SUBJECT TRACT



Z-7492

19-13 03





Subject Tract

Z-7492

19-13 03

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

Aerial Photo Date: February 2018



SHUDSON AVE

E 11th ST S



Subject
Tract

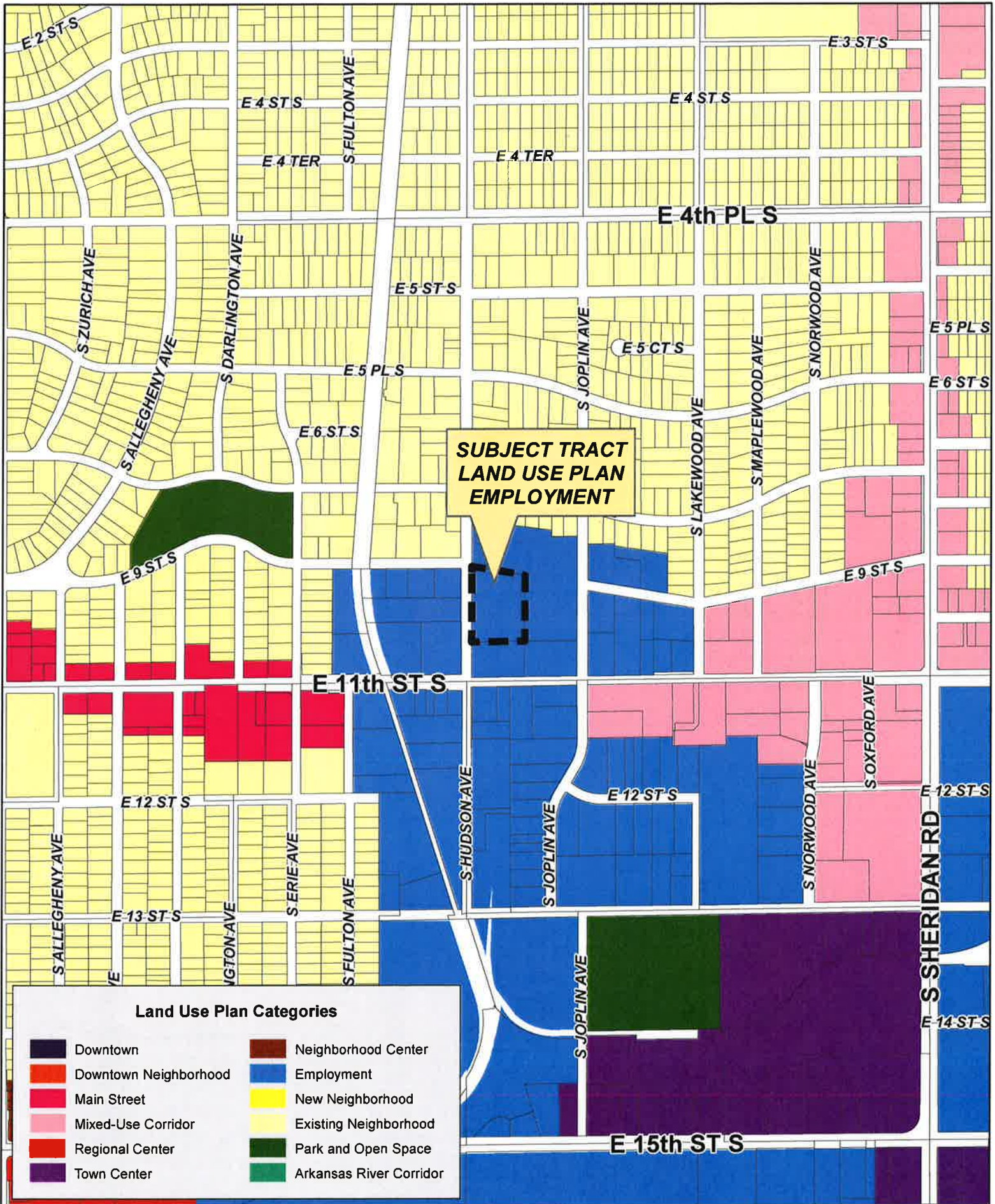
Z-7492

19-13 03

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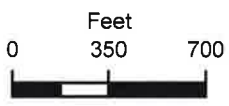
Aerial Photo Date: February 2018



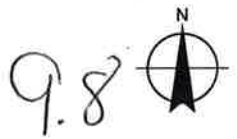


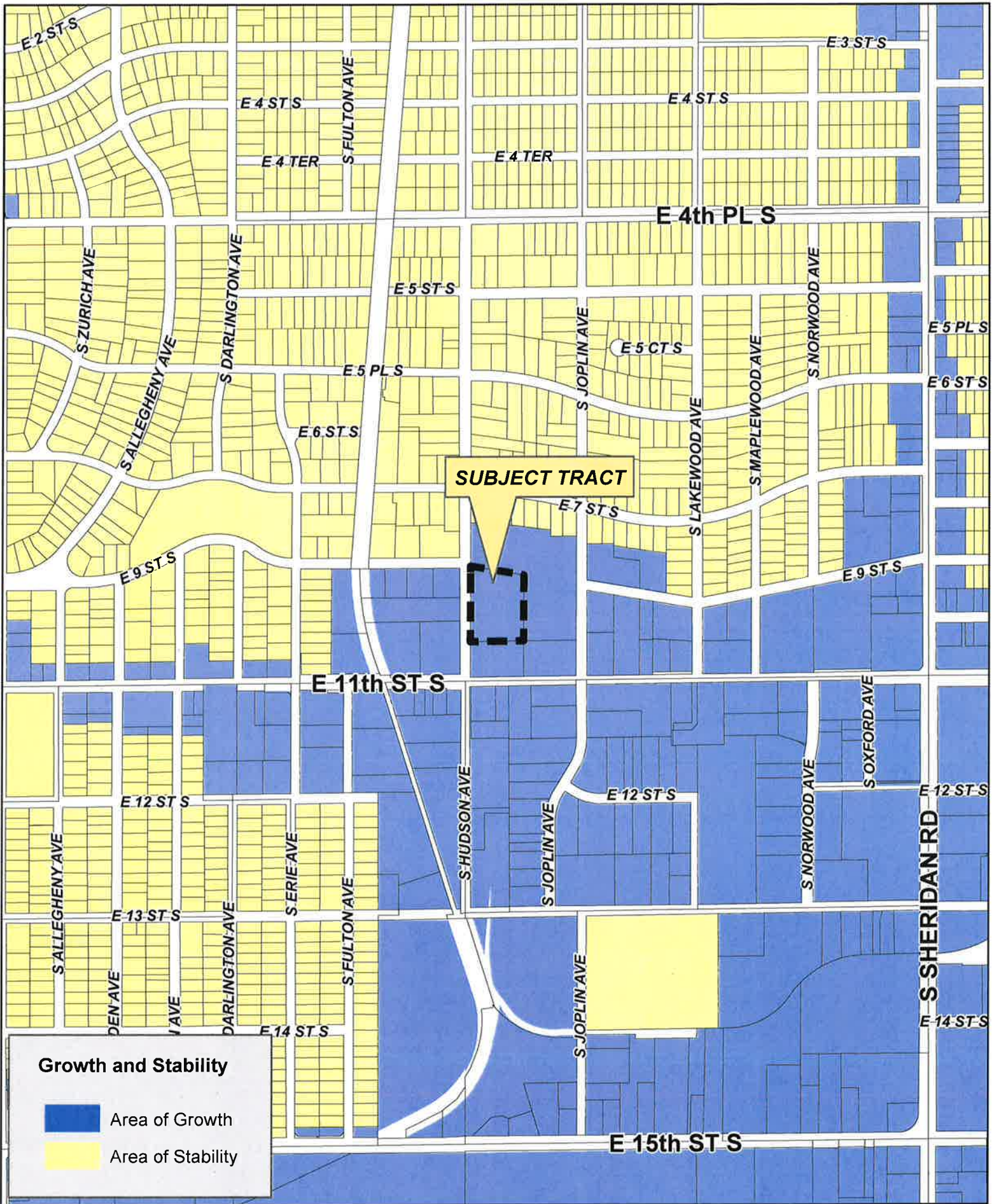
**SUBJECT TRACT
LAND USE PLAN
EMPLOYMENT**

Z-7492



19-13 03





Z-7492

19-13 03





Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7493

Hearing Date: 8/7/2019

Case Report Prepared by:

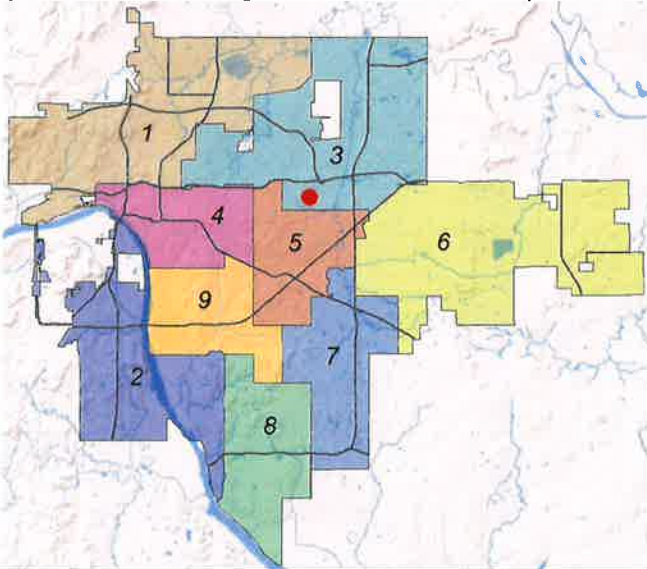
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Richard Barnard

Property Owner: JJG PROPERTIES LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Vacant

Proposed Use: Auto Sales and Service

Concept summary: Applicant is proposing rezoning to allow an auto sales and service facility.

Tract Size: 1.93 ± acres

Location: South of the Southwest corner of East 4th Place South and South Memorial Drive

Zoning:

Existing Zoning: OL

Proposed Zoning: CG

Comprehensive Plan:

Land Use Map: Mixed-Use Corridor

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends denial.

Staff Data:

TRS: 9302

CZM: 38

City Council District: 3

Councilor Name: Crista Patrick

County Commission District: 2

Commissioner Name: Karen Keith

10.1

SECTION I: Z-7493

DEVELOPMENT CONCEPT:

The applicant is requesting rezoning to allow an auto sales and maintenance facility.

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:
 - Concept Plan

DETAILED STAFF RECOMMENDATION:

Z-7493 is requesting rezoning from OL to CG. CG zoning may be consistent with the Mixed-Use Corridor land use designation in some parts of the city however,

This site is surrounded by office and residential uses with a small area of CS adjacent to the northeast corner of the site and,

Uses allowed in a CG zoning district are not consistent with the expected future development along Memorial Drive in this area and,

CG zoning allows uses that are injurious to the existing residential and office properties surrounding the site therefore,

Staff recommends denial of Z-7493 to rezone property from OL/ to CG.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: A mixed use corridor land use vision could include some CG zoned districts however In this instance CG zoning has not been permitted and the abutting property owners are education, religious assembly and residential with one exception where CS zoning is in place near the north east corner of the site. .

Land Use Vision:

Land Use Plan map designation: Mixed-Use Corridor

A Mixed-Use Corridor is a plan category used in areas surrounding Tulsa's modern thoroughfares that pair high capacity transportation facilities with housing, commercial, and employment uses. The streets usually have four or more travel lanes, and sometimes additional lanes dedicated for transit and bicycle use. The pedestrian realm includes sidewalks separated from traffic by street trees, medians, and parallel parking strips. Pedestrian crossings are designed so they are highly visible and make use of the shortest path across a street. Buildings along Mixed-Use Corridors include windows and storefronts along the sidewalk, with automobile parking generally located on the side or behind. Off the main travel route, land uses

10.2

include multifamily housing, small lot, and townhouse developments, which step down intensities to integrate with single family neighborhoods.

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:

The most widespread commercial street type is the strip commercial arterial. These arterials typically serve commercial areas that contain many small retail strip centers with buildings set back from front parking lots. Because of this, strip commercial arterials have many intersections and driveways that provide access to adjacent businesses. Historically, this type of street is highly auto-oriented and tends to discourage walking and bicycling. On-street parking is infrequent.

Commuter streets are designed with multiple lanes divided by a landscaped median or a continuous two-way left turn lane in the center. Commuter streets are designed to balance traffic mobility with access to nearby businesses. However, because there are so many intersections and access points on commuter streets, they often become congested. Improvements to these streets should come in the form of access management, traffic signal timing and creative intersection lane capacity improvements.

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 flat with little vegetation*

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Memorial Drive	Primary Arterial with Commuter Corridor	120 feet	5

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

<u>Location</u>	<u>Existing Zoning</u>	<u>Existing Land Use Designation</u>	<u>Area of Stability or Growth</u>	<u>Existing Use</u>
North	RM-2 / CS		Growth	Multi family / Tavern
East	OL		Growth	Daycare / education
South	OL		Growth	Religious Assembly
West	RS-3		Stability	Single family residential

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11816 dated June 26, 1970 established zoning for the subject property.

Subject Property:

No relevant history.

Surrounding Property:

PUD-820 / Z-7282 October 2014: All concurred in **approval** of a request for *rezoning* a tract of land from OL, CS, CH to CH; All concurred in **approval** of a proposed *Planned Unit Development* on a 25.8± acre tract of land for a beverage warehouse and distribution center, subject to conditions, on property located East of the Northeast corner of South Memorial Drive and East 4th Place South.

BOA-20993 October 2009: The Board of Adjustment **approved** a *special exception* to permit a single family dwelling in the OL district (in the existing structure); a *variance* of the requirement that parking spaces shall be positioned so that each parking space can be entered without passing through another parking space, on property located at the Southeast corner of East 4th Place South and South Memorial Drive.

BOA-20624 January 2008: The Board of Adjustment **approved** a *special exception* to permit church use in the OL district, on property located at the Northeast corner of East 7th Street South and South Memorial Drive.

BOA-18643 February 2000: The Board of Adjustment **approved** a *special exception* to permit elderly housing in OL and CS zoned districts, per plan submitted, on property located at Northwest corner of East 7th Street South and South Memorial Drive.

10.4

BOA-18274 January 1999: The Board of Adjustment **approved** a *special exception* to permit elderly housing in OL and CS zoned districts, per plan submitted, on property located at the Northwest corner of East 7th Street South and South Memorial Drive.

BOA-17888 November 1997: The Board of Adjustment **approved** a *special exception* to allow church and accessory uses in an OL zoned district, on property located at the Northwest corner of East 7th Street South and South Memorial Drive.

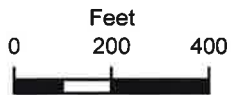
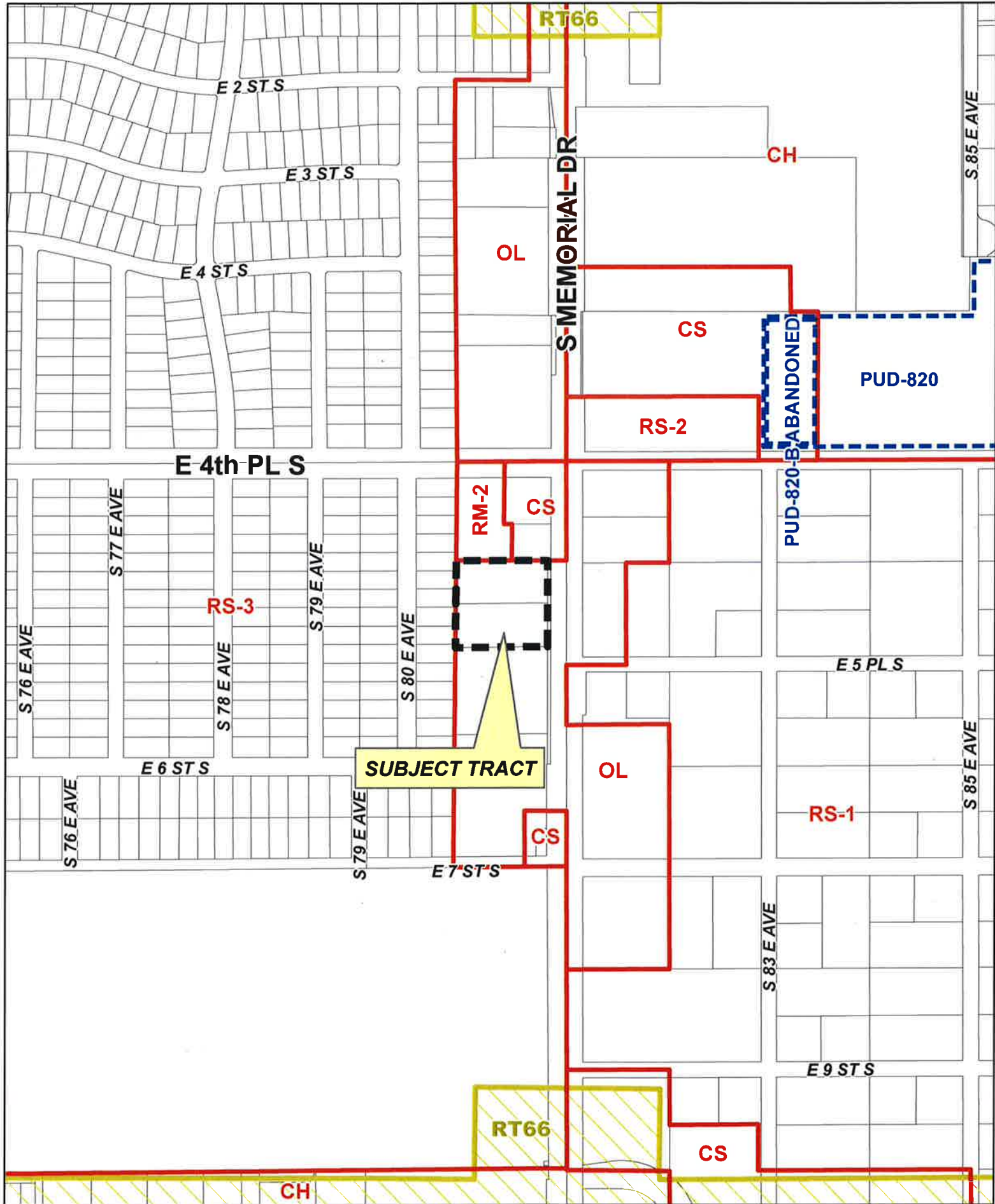
BOA-13673 July 1985: The Board of Adjustment **approved** a *special exception* to allow a 975 sq. ft. accessory building for a nonconforming use (Residence) in an OL zoned district, on property located at the Southeast corner of East 4th Place South and South Memorial Drive.

BOA-11596 September 1981: The Board of Adjustment **approved** an *exception* to permit a day care center in an OL District with the height of the top sign to be no more than 5 feet above ground level, per plan submitted, on property located South of the Southeast corner of East 4th Place South and South Memorial Drive.

BOA-11327 January 1981: The Board of Adjustment **approved** an *exception* to permit apartments in OL and CS districts; a *variance* of the number of dwelling units on one lot, on property located at the Northwest corner of East 7th Street South and South Memorial Drive.

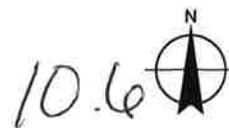
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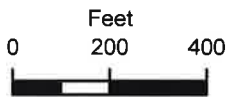
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Z-7493

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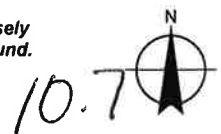
Subject
Tract

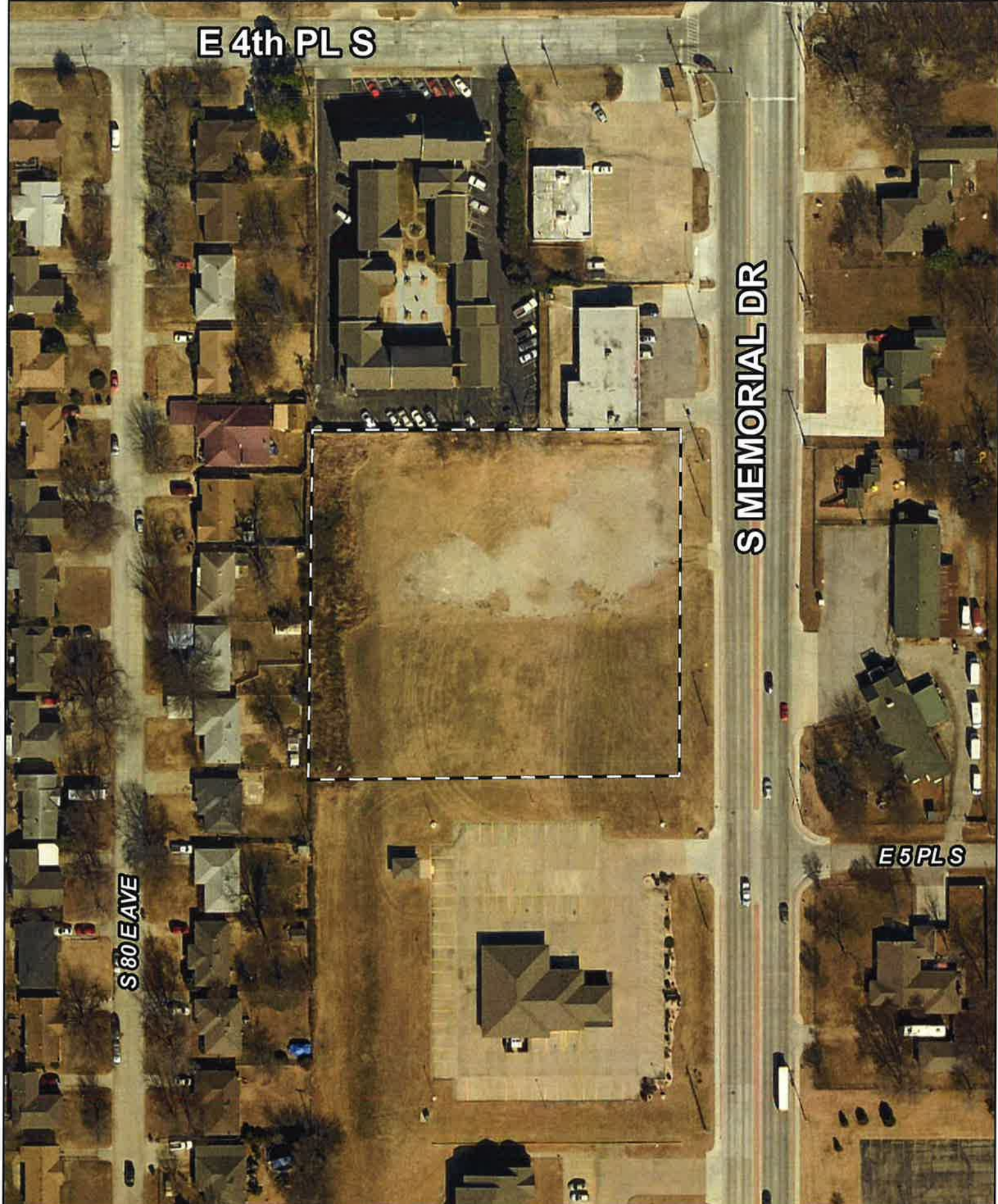
Z-7493

19-13 02

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

Aerial Photo Date: February 2018





E 4th PL S

S MEMORIAL DR

S 80 E AVE

E 5th PL S




 Subject Tract

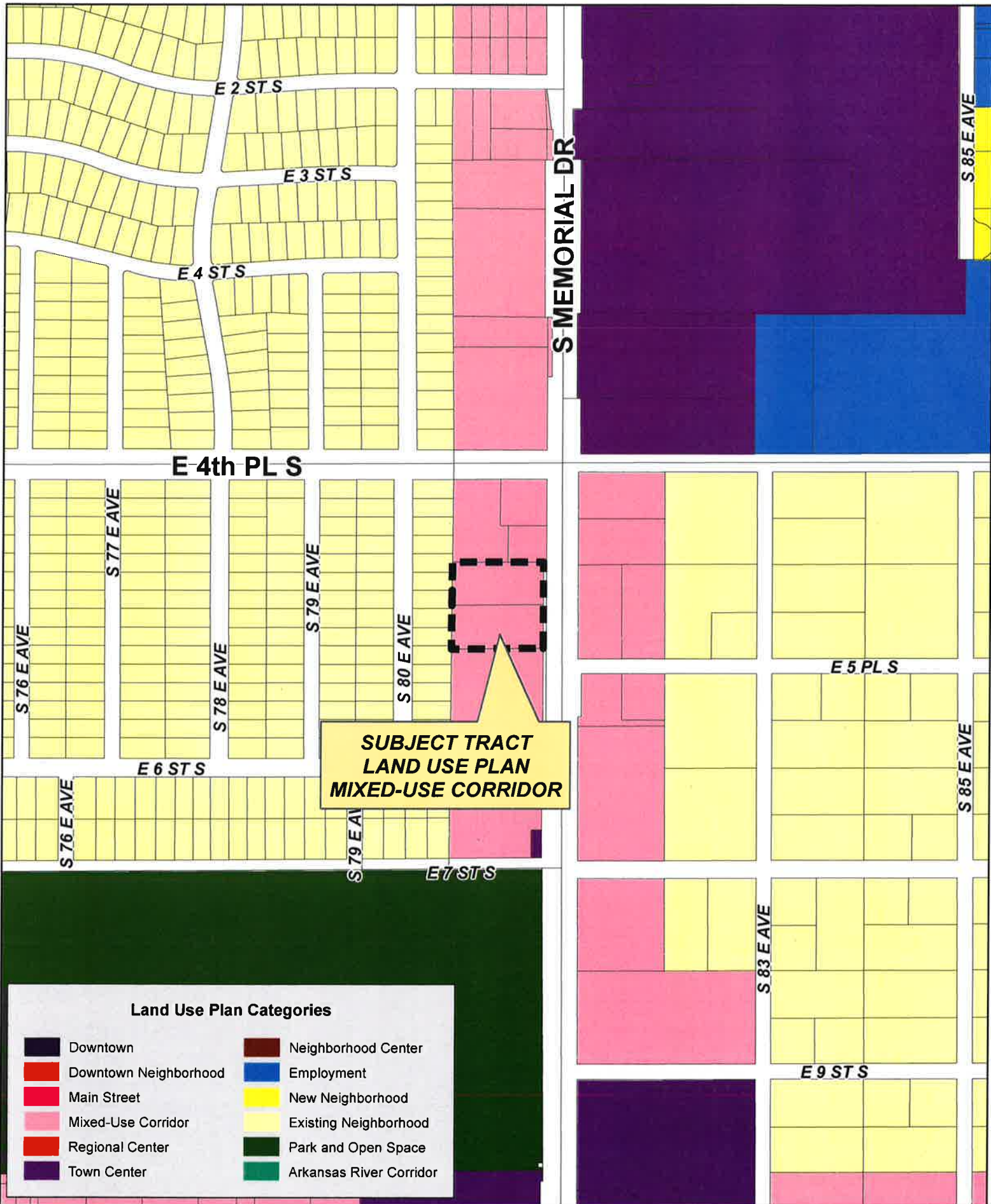
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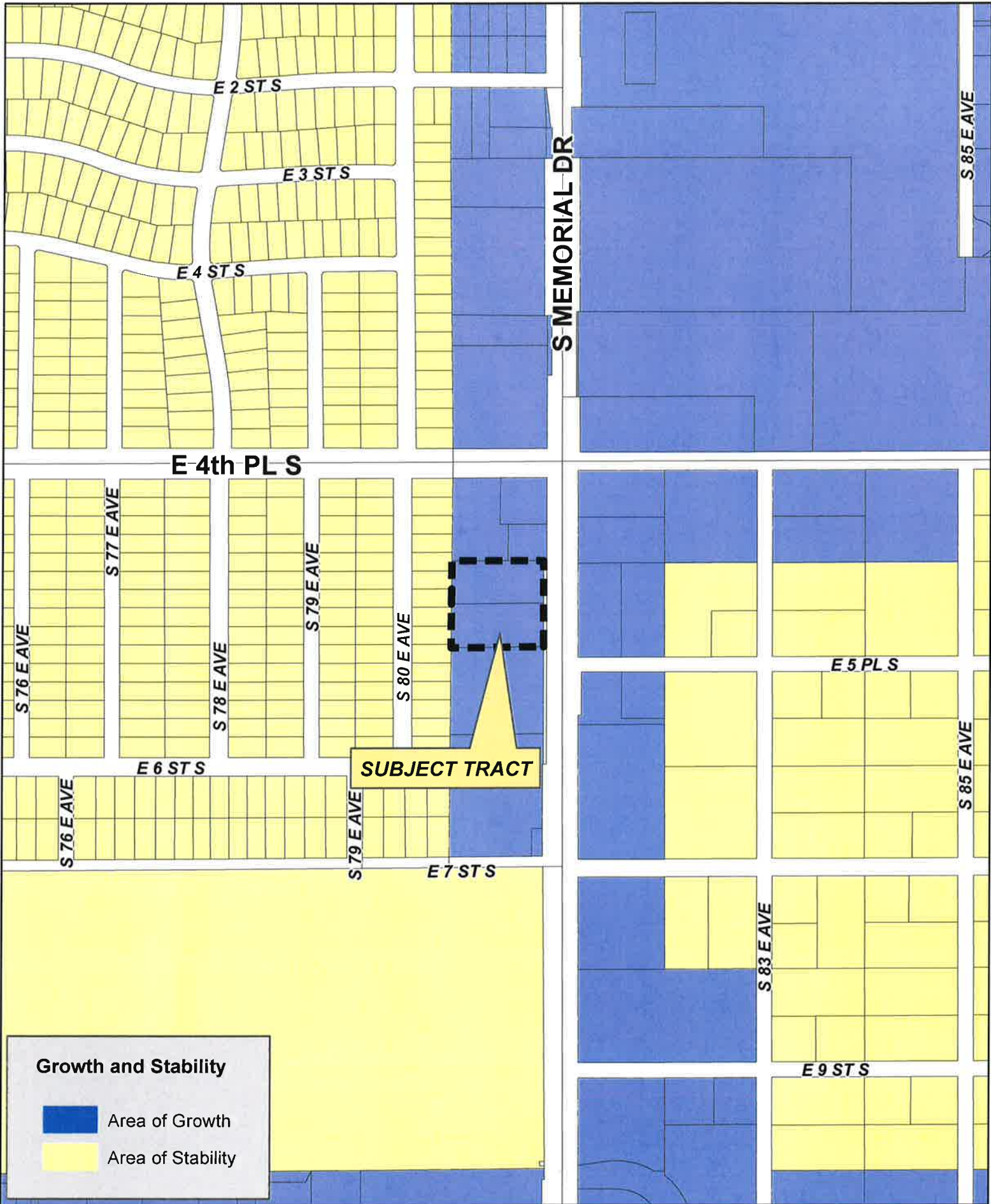
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Aerial Photo Date: February 2018

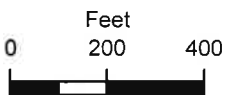
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Growth and Stability

- Area of Growth
- Area of Stability



Z-7493

19-13 02



PUD-796-A

Sawyer, Kim

From: Wilkerson, Dwayne
Sent: Wednesday, July 31, 2019 10:30 AM
To: Mark Capron; Miller, Susan; Sawyer, Kim
Cc: Scott Rodehaver; Jordan Rodich; Ted Sack; Sailka Duran
Subject: RE: River West - PUD-796-A, Z-7494 - Applicant Request for Continuance

Good morning Mark,

Staff supports your request for a continuance to the August 21st meeting.

Dwayne Wilkerson, ASLA, RLA
Principal Planner | Current Planning
Tulsa Planning Office
2 W. 2nd St., 8th Floor | Tulsa, OK 74103
918.579.9475
dwilkerson@incog.org



From: Mark Capron <mcapron@wallacesc.com>
Sent: Wednesday, July 31, 2019 9:03 AM
To: Wilkerson, Dwayne <DWilkerson@incog.org>; Miller, Susan <SMiller@incog.org>
Cc: Scott Rodehaver <srodehaver@wallacesc.com>; Jordan Rodich <jrodich@wallacesc.com>; Ted Sack <ted.sack@sackandassociates.com>; Sailka Duran <sduran@ksq.design>
Subject: River West - PUD-796-A, Z-7494 - Request for Continuance

Dwayne,

We request a continuance of the subject applications to the August 21, 2019 TMAPC meeting.

Regards,
Mark

Mark B. Capron, LLA
Land Development Planner

(please note our new address)



Wallace Engineering Structural Consultants, Inc.
Structural and Civil Consultants
123 North Martin Luther King Jr. Boulevard
Tulsa, Oklahoma 74103
918.584.5858 O | 918.806.7314 D

Tulsa | Kansas City | Oklahoma City | Denver | Atlanta

11-1

2-7494

Sawyer, Kim

From: Wilkerson, Dwayne
Sent: Wednesday, July 31, 2019 10:30 AM
To: Mark Capron; Miller, Susan; Sawyer, Kim
Cc: Scott Rodehaver; Jordan Rodich; Ted Sack; Sailka Duran
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Dwayne Wilkerson, ASLA, RLA
Principal Planner | Current Planning
Tulsa Planning Office
2 W. 2nd St., 8th Floor | Tulsa, OK 74103
918.579.9475
dwilkerson@incog.org



Shape Our Future
START HERE >



From: Mark Capron <mcapron@wallacesc.com>
Sent: Wednesday, July 31, 2019 9:03 AM
To: Wilkerson, Dwayne <DWilkerson@incog.org>; Miller, Susan <SMiller@incog.org>
Cc: Scott Rodehaver <srodehaver@wallacesc.com>; Jordan Rodich <jrodich@wallacesc.com>; Ted Sack <ted.sack@sackandassociates.com>; Sailka Duran <sduran@ksq.design>
Subject: River West - PUD-796-A, Z-7494 - Request for Continuance

Dwayne,

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Regards,
Mark

Mark B. Capron, LLA
Land Development Planner

(please note our new address)



Wallace Engineering Structural Consultants, Inc.
Structural and Civil Consultants
123 North Martin Luther King Jr. Boulevard
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