

NOTICE
GLENPOOL PLANNING COMMISSION
REGULAR MEETING

A Regular Session of the Glenpool Planning Commission will be held at 6:30 p.m. on Monday, February 13th, 2017, at Glenpool City Hall, City Council Chambers, 12205 S. Yukon Ave., 3rd Floor, Glenpool, Oklahoma.

The Planning Commission welcomes comments from citizens of Glenpool who wish to address any item on the agenda. Speakers are requested to complete one of the forms located on the agenda table and return to the Planning Director "PRIOR TO THE CALL TO ORDER"

AGENDA

- A) Call to Order – Richard Watts, Chairman
- B) Roll Call, declaration of quorum – Rick Malone, Secretary; Richard Watts, Chairman
- C) Scheduled Business
 - 1) Discussion and possible action to approve minutes from January 9th, 2017.
 - 2) Review and possible action to approve, conditionally approve, or disapprove:
GLS#220 Rock: A request to split a 13.7-acre tract located approximately 660 feet east of the northeast corner of 181st Street and 33rd West Ave zoned AG.
 - 3) Review and possible action to recommend approval, conditional approval or disapproval to the City Council: Plat Waiver: PW-2017-01 Mr. Rucker's request for a plat waiver on a 140+/- tract located east of the southeast corner of 161st Street and US 75 Highway zoned RE.
- D) Adjournment

This notice and agenda was posted at Glenpool City Hall Building, 12205 South Yukon Ave, Glenpool, Oklahoma on 2/10/17, at 3:30 pm.

Signed: Rick Malone
City Planner

MINUTES
GLENPOOL PLANNING COMMISSION REGULAR MEETING

JANUARY 9, 2017

A Regular Meeting of the Glenpool Planning Commission, agenda having been posted in prominent public view at the City Hall, Glenpool, Oklahoma, and on the City of Glenpool website, at least twenty-four (24) hours prior to the Regular Meeting, excluding Saturdays, Sundays and legal holidays, all in compliance with the Oklahoma Open Meeting Act, was held at 6:30 p.m. on Monday, January 9, 2017, at Glenpool City Hall, City Council Chambers, 12205 S. Yukon Ave., 3rd Floor, Glenpool, Oklahoma

City of Glenpool Staff Present:

√ Lowell Peterson, City Attorney and Local Counsel;
√ Rick Malone, City Planner;
√ Lynn Burrow, Director of Community Development.

Guest(s) Present:

Rex Robertson for Ford Development Corporation; Mayor Tim Fox; Members of the Public

The following items were considered by the Planning Commission at that time:

AGENDA

- A) Richard Watts, Chairman of the Glenpool Planning Commission called the meeting to order at 6:37 p.m.**

Rick Malone, City Planner/Secretary of the Commission called the roll.

The following members of the Planning Commission were present:

√ Richard Watts, Chairman,
Absent Debra Cutsor, Commissioner,
√ Howard Nelson, Commissioner,
√ Shayne Buchanan, Commissioner
√ Joyce Calvert, Vice Chair

Richard Watts, Chairman, declared a quorum.

- B) Scheduled Business**

- 1) Discussion and possible action to approve minutes from December 12th, 2016.**

MOTION: Commissioner Nelson to approve minutes as written.

SECOND: Vice Chairman Calvert

FOR:

☒ Richard Watts, Chairman,
☒ Joyce Calvert, Vice Chair
☒ Howard Nelson, Commissioner,
☒ Shayne Buchanan, Commissioner
☐ ~~Debra Cutsor, Commissioner~~

AGAINST:

ABSTAIN:

MOTION ☒ **CARRIED** ☐ **FAILED.**

- 2) Review and possible action to approve, conditionally approve, or disapprove: A Plat Waiver request from Todd Park, Pastor representing Solid Rock Baptist Church concerning a 5.2 tract of land located west of the Northwest corner of 141st street and South Elwood Ave.

MOTION: Vice Chairman Calvert to recommend approval of the Plat Waiver of Solid Rock Church to the City Council as presented.

SECOND: Commissioner Nelson

FOR:

☒ Richard Watts, Chairman,
☒ Joyce Calvert, Vice Chair
☒ Howard Nelson, Commissioner,
☒ Shayne Buchanan, Commissioner
☐ ~~Debra Cutsor, Commissioner~~

AGAINST:

ABSTAIN:

MOTION ☒ **CARRIED** ☐ **FAILED.**

- 3) Review and possible action to recommend to the City Council approval, conditional approval or disapproval of: Lot Split GLS-218. A request to split a 23.69 tract located at the northeast corner of 141st Street and 33rd W. Ave. is zoned AG (Agriculture).

MOTION: Commissioner Nelson to approve Lot Split GLS-218 per staff recommendation.

SECOND: Commissioner Buchanan

FOR:

☒ Richard Watts, Chairman,
☒ Joyce Calvert, Vice Chair
☒ Howard Nelson, Commissioner,
☒ Shayne Buchanan, Commissioner
☐ ~~Debra Cutsor, Commissioner~~

AGAINST:

ABSTAIN:

MOTION ☒ **CARRIED** ☐ **FAILED.**

- 4) Review and possible action to approve, conditionally approve, or disapprove case GZ-258. A request to change of zoning classification of three acres located west of the southwest corner of 121st Street and Elwood Ave, Glenpool, Oklahoma from AG (Agriculture) to CS (Commercial Shopping).

MOTION: Commissioner Buchanan to recommend approval of Zone Change Case GZ-258 to the City Council, as submitted.

SECOND: Commissioner Nelson

FOR:

☒ Richard Watts, Chairman,
☒ Joyce Calvert, Vice Chair
☒ Howard Nelson, Commissioner,
☒ Shayne Buchanan, Commissioner
☐ ~~Debra Cutsor, Commissioner~~

AGAINST:

ABSTAIN:

MOTION ☒ **CARRIED** ☐ **FAILED.**

- 5) Review and possible action to recommend to the City Council approval, conditional approval or disapproval of Case GZ-259, A request by South 75 Business Park, LLC, to change zoning classification of 89 acres located south and east of the southeast corner of 161st Street South and US Highway 75, Glenpool, Oklahoma from IL (Industrial Light Manufacturing and Research and Development District) and CS (Commercial Shopping Center District) to CG (Commercial General District).

MOTION: Chairman Watts to recommend approval of Zone Change Case GZ-259 to the City Council, as submitted.

SECOND: Commissioner Nelson

FOR:

☒ Richard Watts, Chairman,
☒ Joyce Calvert, Vice Chair
☒ Howard Nelson, Commissioner,
☒ Shayne Buchanan, Commissioner
☐ ~~Debra Cutsor, Commissioner~~

AGAINST:

ABSTAIN:

MOTION ☒ **CARRIED** ☐ **FAILED.**

- 6) Review and possible action to recommend to the City Council approval, conditional approval or disapproval of Request by South 75 Business Park, LLC, to abandon so much of the original overlay zoning of Planned Unit Development PUD-24 as covers approximately 89 acres of land located south and east of the southeast corner of 161st Street and US Highway 75, contingent upon change of zoning classification of 89 acres located south and east of the southeast corner of 161st Street South and US Highway 75, Glenpool, Oklahoma from IL (Industrial Light Manufacturing and

Research and Development District) and CS (Commercial Shopping Center District) to CG (Commercial General District).

MOTION: Commissioner Buchanan to recommend granting Request for Abandonment of PUD-24 to the City Council, as submitted.

SECOND: Commissioner Nelson

FOR:

✓ Richard Watts, Chairman,
✓ Joyce Calvert, Vice Chair
✓ Howard Nelson, Commissioner,
✓ Shayne Buchanan, Commissioner
 ~~Debra Cutsor, Commissioner~~

AGAINST:

ABSTAIN:

MOTION ✓ **CARRIED** **FAILED.**

- 7) Discussion and possible action to adopt Glenpool Planning Commission Resolution No. PC-17-01-01,

A Resolution Of The Glenpool Planning Commission:

- (i) Finding That Application No. GZ-259 Submitted By South 75 Business Park, LLC, To Change Zoning Classification Of Eighty-Nine (89) Acres Located South And East Of The Southeast Corner Of 161st Street South And Us Highway 75, Glenpool, Oklahoma From IL (Industrial Light Manufacturing And Research And Development District) And CS (Commercial Shopping Center District) To CG (Commercial General District) And A Request By South 75 Business Park, LLC, To Abandon So Much Of The Original Overlay Zoning Of Planned Unit Development PUD-24 As Covers The Foregoing Approximately Eighty-Nine (89) Acres Of Land, Contingent Upon The Request For Change Of Zoning Classification Being Granted, Have Been Properly Submitted With All Supporting Data, Materials And Other Pertinent Information Required By The City Of Glenpool Zoning Code And City Staff, Properly Noticed For Public Hearing And Are Consistent With The Comprehensive Plan Of The City Of Glenpool;
- (ii) Recommending Approval Of The Foregoing Change Of Zone And Grant Of Request For Abandonment Of PUD-24 By The City Council, As Submitted By The Applicant, Subject To Consideration Of Public Comment In A Duly Noticed Public Hearing; And
- (iii) Requesting Staff To Forward This Resolution, The Foregoing Application For Zone Change And Request For Abandonment Of PUD-24 To The City Council For Its Consideration

As required by the City of Glenpool Zoning Code, at Title 11, Chapter 3, Article D, Section 4 of the Code of Ordinances of the City of Glenpool, the Planning Commission reviewed, discussed and considered Application GZ-259 for change of zone from IL (Industrial Light Manufacturing

and Research and Development District) and CS (Commercial Shopping Center District) to CG (Commercial General District) and Request for abandonment of PUD-24, as submitted by the Applicant, Ford Development Corporation, with respect to property described in the foregoing application for zone change, request for abandonment of PUD-24 and in **Exhibits A and B** attached to and incorporated in the following Resolution.

Planning Commission Resolution No. PC-17-01-01 was introduced and considered by sections, as follows.

1

GLENPOOL PLANNING COMMISSION RESOLUTION NO. PC-17-01-01

A RESOLUTION OF THE GLENPOOL PLANNING COMMISSION:

(i) FINDING THAT APPLICATION NO. GZ-259 SUBMITTED BY SOUTH 75 BUSINESS PARK, LLC, TO CHANGE ZONING CLASSIFICATION OF EIGHTY-NINE (89) ACRES LOCATED SOUTH AND EAST OF THE SOUTHEAST CORNER OF 161ST STREET SOUTH AND US HIGHWAY 75, GLENPOOL, OKLAHOMA FROM IL (INDUSTRIAL LIGHT MANUFACTURING AND RESEARCH AND DEVELOPMENT DISTRICT) AND CS (COMMERCIAL SHOPPING CENTER DISTRICT) TO CG (COMMERCIAL GENERAL DISTRICT) AND A REQUEST BY SOUTH 75 BUSINESS PARK, LLC, TO ABANDON SO MUCH OF THE ORIGINAL OVERLAY ZONING OF PLANNED UNIT DEVELOPMENT PUD-24 AS COVERS THE FOREGOING APPROXIMATELY EIGHTY-NINE (89) ACRES OF LAND, CONTINGENT UPON THE REQUEST FOR CHANGE OF ZONING CLASSIFICATION BEING GRANTED, HAVE BEEN PROPERLY SUBMITTED WITH ALL SUPPORTING DATA, MATERIALS AND OTHER PERTINENT INFORMATION REQUIRED BY THE CITY OF GLENPOOL ZONING CODE AND CITY STAFF, PROPERLY NOTICED FOR PUBLIC HEARING AND ARE CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY OF GLENPOOL;

(ii) RECOMMENDING APPROVAL OF THE FOREGOING CHANGE OF ZONE AND GRANT OF REQUEST FOR ABANDONMENT OF PUD-24 BY THE CITY COUNCIL, AS SUBMITTED BY THE APPLICANT, SUBJECT TO CONSIDERATION OF PUBLIC COMMENT IN A DULY NOTICED PUBLIC HEARING; AND

(iii) REQUESTING STAFF TO FORWARD THIS RESOLUTION, THE FOREGOING APPLICATION FOR ZONE CHANGE AND REQUEST FOR ABANDONMENT OF PUD-24 TO THE CITY COUNCIL FOR ITS CONSIDERATION

WHEREAS, the City of Glenpool, Oklahoma (the “City”) desires and works to promote economic development within the City's municipal boundaries in order to provide increased

opportunity for residents and businesses of the area and to improve the overall standard of living; and

WHEREAS, the City aspires to support businesses located in the City and to attract to the City new and different types of businesses with the potential to invest in expanded retail, commercial and/or residential and industrial opportunities within the City, by offering, subject to certain conditions, economic development incentives in the form of assistance in development financing and public infrastructure improvements that will facilitate the proposed economic development activities; and

WHEREAS, on October 11, 2016, Ford Development Corporation (the “Applicant”) requested that the City approve a Project Plan and approve the terms and conditions of development financing assistance being proposed under the Local Development Act, at Title 62 Oklahoma Statutes, Sections 850 *et seq.*; and

WHEREAS, in accordance with Sections 854 and 855 of the Local Development Act and in accordance with City of Glenpool Resolution No. 16-10-02, adopted by the City Council on October 17, 2016, the Tax Incrementing Finance Review Committee, made findings and recommendations in support of the Project Plan by its Resolution No. 16-12-01, adopted on December 5, 2016; and referred the Applicant’s request to the City of Glenpool Planning Commission to review and make a recommendation to the City Council, as required by Section 858(A) of the Local Development Act; and

WHEREAS, the Planning Commission, by its Resolution No. 16-12-01, adopted on December 15, 2016, endorsed and ratified the findings and recommendations of the Review Committee and recommended approval of the Project Plan by ordinance to be adopted by the City Council; and

WHEREAS, the Applicant has applied for a change in the zoning district of the proposed Project Area from IL (Industrial Light Manufacturing and Research and Development District) and CS (Commercial Shopping Center District) to CG (Commercial General District) and has requested the abandonment of a previously granted but no longer applicable Planned Unit Development (PUD-24) to the extent it applies to the Project Area, as conditions for approval of the Project Plan by ordinance of the City Council and to ensure that zoning of the Project Area will be in compliance with the City of Glenpool Zoning Code, the City of Glenpool Comprehensive Plan and the Project Plan; and

WHEREAS, the Oklahoma Municipal Code, at Title 11 Sections 45-101, *et seq.*, provides that the Planning Commission may consider and investigate any subject matter tending to the development and betterment of the municipality, and make such recommendations as it may deem advisable concerning the adoption thereof; and

WHEREAS, the City of Glenpool Zoning Code at Title 11, Chapter 3, Article D, Section 1, directs that the Planning Commission shall, after notice and public hearing, vote to recommend that the City Council approve the foregoing application for zone change and request for abandonment of PUD as submitted, or approved as amended, or deny the application and transmit its findings and recommendations to the City Council within fifteen (15) days following the date of planning commission action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF GLENPOOL PLANNING COMMISSION THAT THE FOLLOWING RECOMMENDATIONS AND FINDINGS BE MADE TO THE CITY COUNCIL OF THE CITY OF GLENPOOL, OKLAHOMA, IN REGARD TO APPROVING ZONE CHANGE APPLICATION NO. GZ-259 AND GRANTING THE APPLICANT'S REQUEST FOR ABANDONMENT OF PUD-24

SECTION 1. Conformity of Proposed Zone Change with the City of Glenpool Comprehensive Plan and Zoning Code. The Planning Committee hereby finds that the proposed change of zone of a portion of the Project Area, as defined and set forth in the Project Plan and as described on Exhibits A and B to this Resolution and to zone change application GZ-259, from IL (Industrial Light Manufacturing and Research and Development District) and CS (Commercial Shopping Center District) to CG (Commercial General District) is in conformance with the Comprehensive Plan of the City of Glenpool and the City of Glenpool Zoning Code, Title 11 of the Code of Ordinances.

SECTION 2. Necessity of Proposed Abandonment of PUD-24. The Planning Committee hereby finds that the previously granted Planned Unit Development (PUD-24), to the extent it applies to a portion of the Project Area, is no longer applicable to such portion of the Project Area if rezoned as Commercial General (CG) District, as recommended in Section 1 of this Resolution, nor to the currently proposed use, and is therefore void and invalid if such rezone is granted.

SECTION 3. No Additional Change to Zoning or Master Plan, as Required by § 858(A)6. & 7. of the Local Development Act. The Planning Commission finds that the Applicant has previously obtained the necessary zoning (Commercial General (CG) District) and approval of the preliminary plat to allow one commercial lot and one reserve area on approximately 40 acres located in the southeast corner of 166th Street South and US Highway 75 as shown at Appendix G of the Project Plan. Development of this tract will be completed as the first phase of the Project Plan and will be the site for the anticipated automobile dealership. The Planning Commission finds that this will require no further zoning change.

The Applicant has also applied for the change of zoning classification and abandonment of Planned Unit Development PUD-24 that are represented and described by this Resolution and on Exhibits A and B to this Resolution.

The Planning Commission previously conditioned its approval of the Project Plan, and its recommendation to the City Council that the Council adopt by ordinance its approval of the Project Plan, upon the Applicant's securing the necessary change in zoning and abandonment of the Planned Unit Development. No additional zone changes or other amendments will be required for the Project Plan to proceed.

SECTION 4. Recommendation of the Planning Commission. Based on the foregoing premises and findings, the Planning Commission finds that the proposed zone change and abandonment of PUD-24 Project Plan are appropriate under applicable provisions of the City of Glenpool Zoning Code and Comprehensive Plan and the Planning Commission therefore

recommends approval of the applications as submitted and the adoption of Ordinance No. 725, approving the proposed Project Plan.

ADOPTED and APPROVED by the Planning Commission of the City of Glenpool this 9th day of January 2017.

CITY OF GLENPOOL, PLANNING COMMISSION

ORIGINAL SIGNED

Richard Watts, Chairman

ATTEST

ORIGINAL SIGNED

Rick Malone, City Planner/Secretary of the Commission

APPROVED AS TO FORM

ORIGINAL SIGNED

Lowell Peterson, City Attorney/Local Counsel

MOTION: Chairman Watts to approve Planning Commission Resolution No. 17-01-01.

SECOND: Vice Chairman Calvert

FOR:

✓ Richard Watts, Chairman,
✓ Joyce Calvert, Vice Chair
✓ Howard Nelson, Commissioner,
✓ Shayne Buchanan, Commissioner
 ~~Debra Cutsor, Commissioner~~

AGAINST:

ABSTAIN:

MOTION ✓ **CARRIED** _____ **FAILED.**

D) Adjournment

The foregoing Regular Meeting of the Planning Commission adjourned at 7:19 p.m.

The foregoing Minutes are a true and accurate record of proceedings of the Glenpool Planning Commission in Regular Meeting on January 9, 2017.

Richard Watts, Chairman

ATTEST

Rick Malone, City Planner

TO: GLENPOOL PLANNING COMMISSION

FROM: RICK MALONE, CITY PLANNER

RE: LOT SPLIT#220 (Jerry Rock)

Applicant is requesting to split a 13.7-acre tract located approximately 660 east of the northeast corner of 181st Street and 33rd W. Ave. zoned AG.

DATE: February 13th, 2017

BACKGROUND:

- The subject property is part of the old Cotton Creek Golf Course that was split up into large parcels, unplatted and zoned AG (Agriculture)

APPROVAL OR DISAPPROVAL OF A LOT SPLIT SHALL BE BASED UPON THE FOLLOWING GUIDELINES:

- 1) Lot(s) Conform to The Zoning Code And Subdivision Regulations:
*All lots are zoned AG and the proposed lot splits exceeds the minimum bulk and area requirements.
150' lot width, 1-acre lot /land area, 30 feet on a dedicated street.*
- 2) Utility Easements:
No additional easements are necessary at this time. If additional easements are required at a latter date to service the subject tract, the easements can be filed separately.
- 3) Access and Streets:
The lots will have access to 181st Street which is designated at a 100' wide secondary arterial. There is a statutory 24.75' dedication and 50' is minimum according to the Major Street and Highway Plan. Owner would need to dedicate the additional right of way in order to conform to the subdivision regulations before the lot split approval is stamped on the individual deeds.
- 4) Sewage Disposal:
The applicant is required to provide proof of the approval from ODEQ for septic or aerobic system before the lot split approval is stamped on the individual deeds.
- 5) Water Service:
The applicant will have to extend water service from the east to the subject tract before the lot split approval is stamped on the individual deeds.

STAFF RECOMMENDATION:

Staff recommends approval of Lot Split GLS-#220 subject to the staff and TAC requirements as listed above.

ATTACHMENTS:

1. Case Map
2. Lot Split Configuration diagram

LOT SPLIT APPLICATION

FEE: \$100.00

NOTE: Three copies of a sketch, plat of survey or other type of drawing that will accurately depict the proposed split **MUST BE** attached to this application.

APPLICATION NO.	GLS-220
S T R	3472
RECEIPT NO.	

THE FOLLOWING INFORMATION IS TO BE SUPPLIED BY APPLICANT

NAME OF RECORD OWNER Vacilio (Gene) E. Terronez		WHAT IS THE PRESENT USE OF THE TRACT? Agriculture	
LEGAL DESCRIPTION OF EXISTING UNDIVIDED TRACT, WHICH YOU PROPOSE TO SPLIT, AS SHOWN ON THE RECORD OF THE COUNTY CLERK. A TRACT OF LAND IN THE SOUTHWEST QUARTER (SW/4) OF SECTION THIRTY-FOUR (34), TOWNSHIP SEVENTEEN (17) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF			
FIRST TRACT TO BE CREATED	LEGAL DESCRIPTION OF PROPOSED TRACT See Attachment	STAFF USE ONLY	SOURCE OF WATER SUPPLY FOR THIS TRACT <input checked="" type="checkbox"/> CITY <input type="checkbox"/> WELL <input type="checkbox"/> OTHER
		TAC REVIEW	TYPE OF SEWAGE DISPOSAL TO BE AVAILABLE FOR THIS TRACT <input type="checkbox"/> SEWER <input checked="" type="checkbox"/> SEPTIC <input type="checkbox"/> OTHER
		PC REVIEW	STREET OR STREETS TRACT WILL FACE W. 181st Street South
		INST. RELEASED	PROPOSED USE OF THIS TRACT Residential
SECOND TRACT TO BE CREATED	LEGAL DESCRIPTION OF PROPOSED TRACT See Attachment	STAFF USE ONLY	SOURCE OF WATER SUPPLY FOR THIS TRACT <input checked="" type="checkbox"/> CITY <input type="checkbox"/> WELL <input type="checkbox"/> OTHER
		TAC REVIEW	TYPE OF SEWAGE DISPOSAL TO BE AVAILABLE FOR THIS TRACT <input type="checkbox"/> SEWER <input checked="" type="checkbox"/> SEPTIC <input type="checkbox"/> OTHER
		PC REVIEW	STREET OR STREETS TRACT WILL FACE W. 181st Street South
		INST. RELEASED	PROPOSED USE OF THIS TRACT Residential
THIRD TRACT TO BE CREATED	LEGAL DESCRIPTION OF PROPOSED TRACT See Attachment	STAFF USE ONLY	SOURCE OF WATER SUPPLY FOR THIS TRACT <input checked="" type="checkbox"/> CITY <input type="checkbox"/> WELL <input type="checkbox"/> OTHER
		TAC REVIEW	TYPE OF SEWAGE DISPOSAL TO BE AVAILABLE FOR THIS TRACT <input type="checkbox"/> SEWER <input checked="" type="checkbox"/> SEPTIC <input type="checkbox"/> OTHER
		PC REVIEW	STREET OR STREETS TRACT WILL FACE W. 181st Street South
		INST. RELEASED	PROPOSED USE OF THIS TRACT Agriculture
FOURTH TRACT TO BE CREATED	LEGAL DESCRIPTION OF PROPOSED TRACT	STAFF USE ONLY	SOURCE OF WATER SUPPLY FOR THIS TRACT <input type="checkbox"/> CITY <input type="checkbox"/> WELL <input type="checkbox"/> OTHER
		TAC REVIEW	TYPE OF SEWAGE DISPOSAL TO BE AVAILABLE FOR THIS TRACT <input type="checkbox"/> SEWER <input type="checkbox"/> SEPTIC <input type="checkbox"/> OTHER
		PC REVIEW	STREET OR STREETS TRACT WILL FACE
		INST. RELEASED	PROPOSED USE OF THIS TRACT

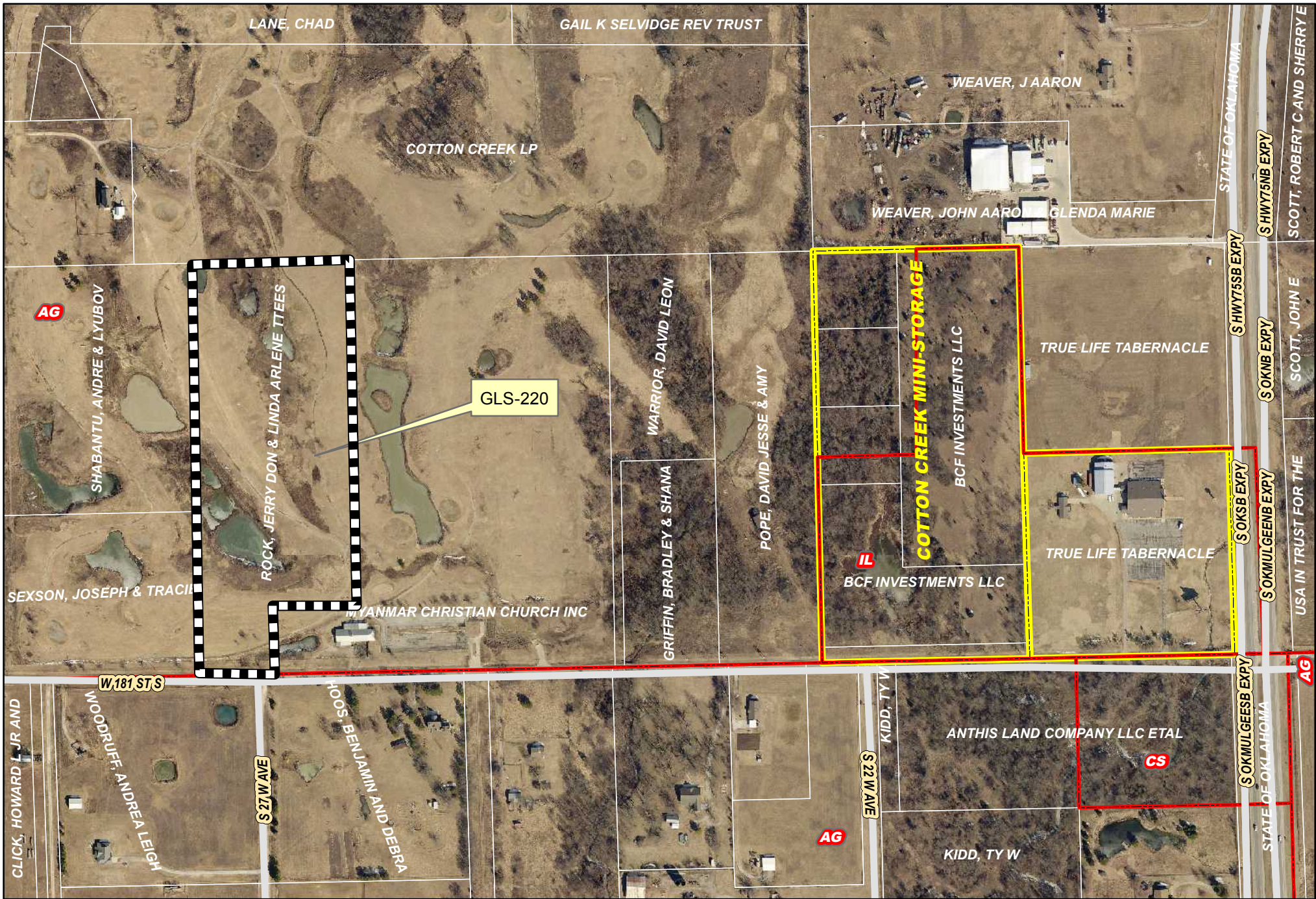
AS APPLICANT, WHAT IS YOUR INTEREST IN THIS PROPERTY?

☒ PRESENT OWNER ☒ PURCHASER ☐ ATTORNEY FOR OWNER ☐ OTHER

If other than present owner, give name, address and phone number of present owner.	NAME Jerry Rock	ADDRESS 13677 S. Maple Place Glenpool, OK 74033	PHONE (918) 291-0209
I certify that this information is true and correct.	NAME Gene Terronez III	ADDRESS 15615 S. Birch Avenue Glenpool, OK 74033	PHONE (918) 284-1197

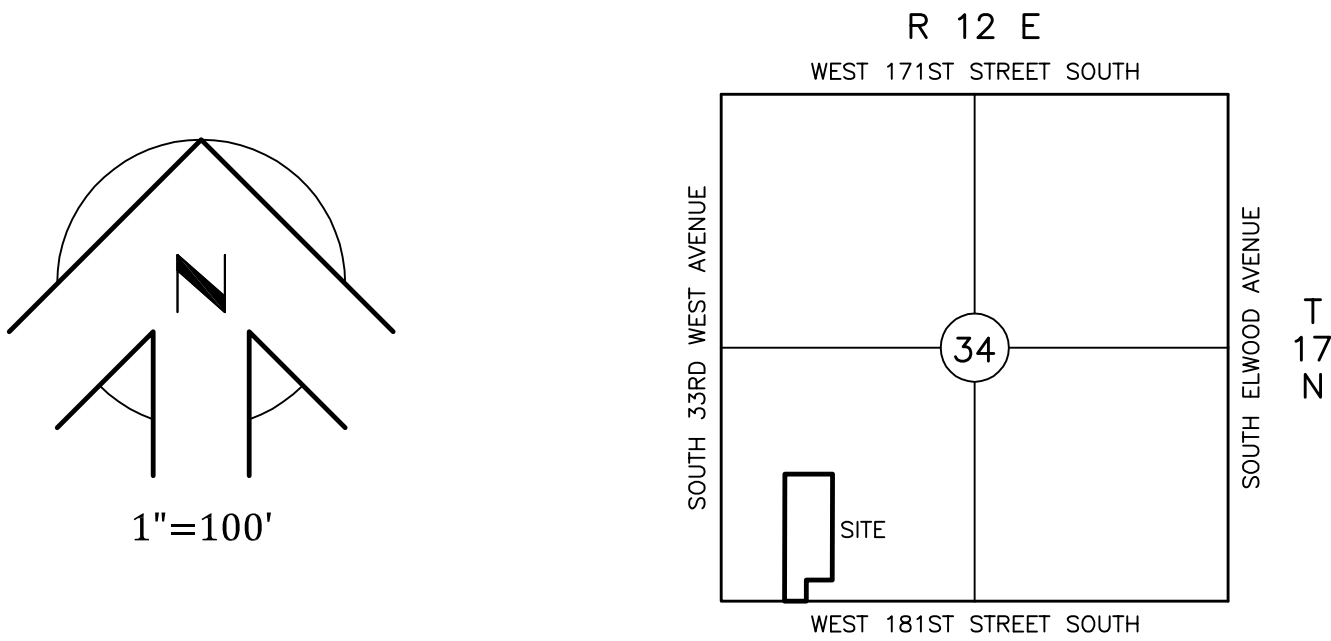
FOR COMMISSION USE

L. NO. GLS-220	S. T. R. 3472	SUBDIVISION NAME NONE/OLD COTTON CREEK GOLF COURSE	
ZONING REQUIREMENT AG	MAJOR STREET PLAN REQUIREMENT	UTILITY EASEMENT NEEDS	HEALTH DEPT. NEEDS
ACTION RECOMMENDED TO THE PLANNING COMMISSION	ACTION TAKEN BY THE PLANNING COMMISSION	DATE	CONDITION:



EXHIBIT

INVOICE NO.: STK 16-86375
CLIENT: GENE TERRONEZ



LOCATION MAP

SCALE: 1"=2000'

LEGAL DESCRIPTION

EXISTING UNDIVIDED TRACT:

A TRACT OF LAND IN THE SOUTHWEST QUARTER (SW/4) OF SECTION THIRTY-FOUR (34), TOWNSHIP SEVENTEEN (17) NORTH, RANGE 12 EAST, OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, OKLAHOMA, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SW/4; THENCE SOUTH 89°59'33" EAST ALONG THE SOUTH LINE OF SAID SECTION 34 A DISTANCE OF 661.19 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00°02'16" EAST A DISTANCE OF 1323.98 FEET; THENCE SOUTH 89°55'12" EAST A DISTANCE OF 496.19 FEET; THENCE SOUTH 00°03'01" WEST A DISTANCE OF 1103.23 FEET; THENCE SOUTH 89°59'31" WEST A DISTANCE OF 271.06 FEET; THENCE SOUTH 00°00'27" WEST A DISTANCE OF 220.00 FEET TO THE SOUTH LINE OF SAID SW/4; THENCE NORTH 89°59'33" WEST ALONG SAID SOUTH LINE A DISTANCE OF 225.00 FEET TO THE POINT OF BEGINNING.

TRACT 1:

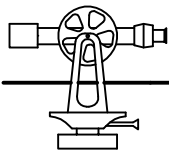
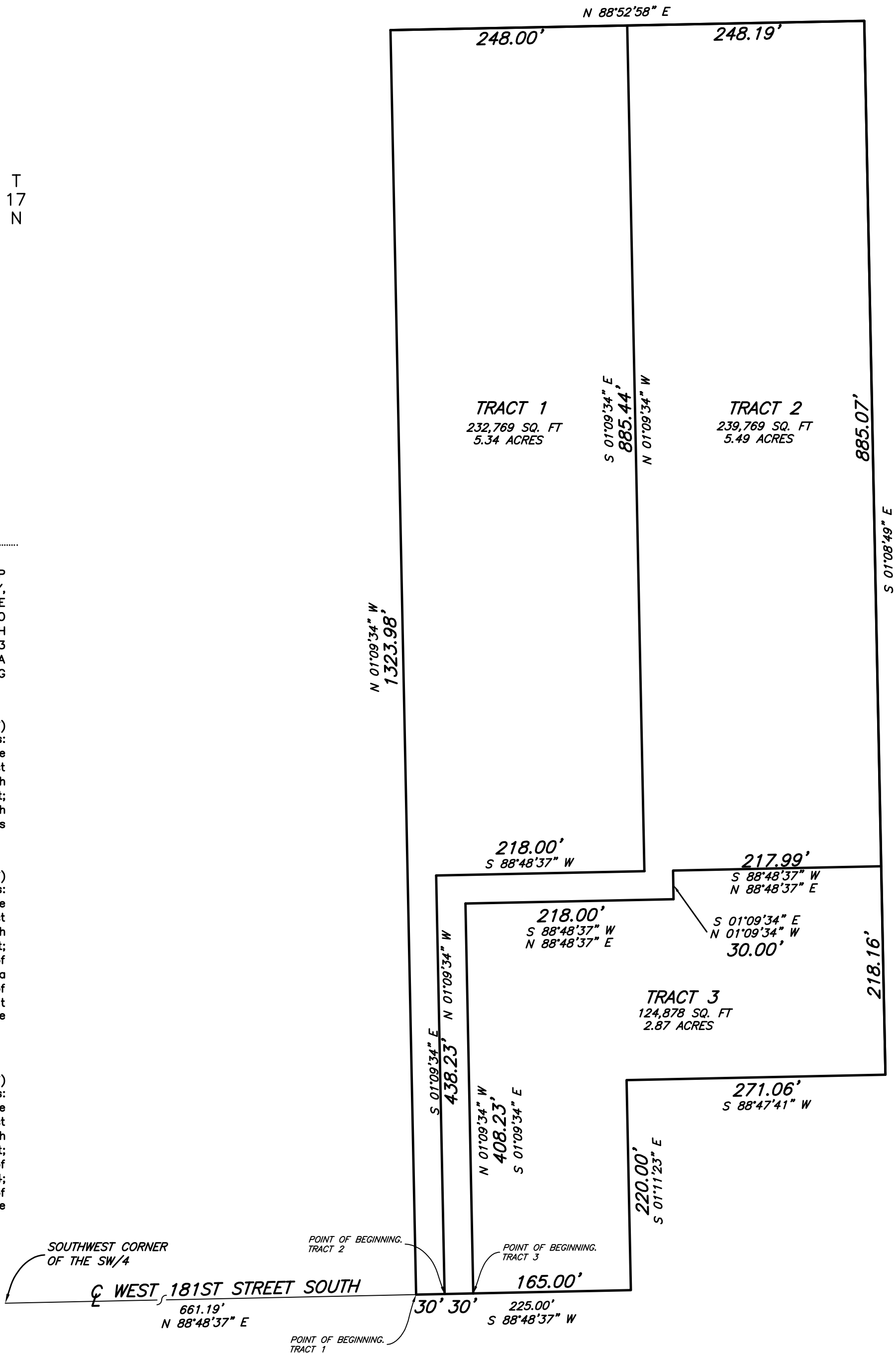
A tract of land in the Southwest Quarter (SW/4) of Section Thirty-Four (34), Township Seventeen (17) North, Range 12 East, of the Indian Base and Meridian, Tulsa County, Oklahoma, described as follows: Commencing at the Southwest corner of said SW/4; Thence North 88°48'37" East along the South line of said Section 34 a distance of 661.19 feet to the Point of Beginning; Thence North 01°09'34" West a distance of 1323.98 feet; Thence North 88°52'58" East a distance of 248.00 feet; Thence South 01°09'34" East a distance of 885.44 feet; Thence South 88°48'37" West a distance of 218.00 feet; Thence South 01°09'34" East a distance of 438.23 feet to the South line of said SW/4; Thence South 88°48'37" West along said South line a distance of 30.00 feet to the Point of Beginning. The bearings contained in this description are based on the Oklahoma State Plane Coordinate System.

TRACT 2:

A tract of land in the Southwest Quarter (SW/4) of Section Thirty-Four (34), Township Seventeen (17) North, Range 12 East, of the Indian Base and Meridian, Tulsa County, Oklahoma, described as follows: Commencing at the Southwest corner of said SW/4; Thence North 88°48'37" East along the South line of said Section 34 a distance of 691.19 feet to the Point of Beginning; Thence North 01°09'34" West a distance of 438.23 feet; Thence North 88°48'37" East a distance of 218.00 feet; Thence North 01°09'34" West a distance of 885.44 feet; Thence North 88°52'58" East a distance of 248.19 feet; Thence South 01°08'49" East a distance of 885.07 feet; Thence South 88°48'37" West a distance of 217.99 feet; Thence South 01°09'34" East a distance of 30.00 feet; Thence South 88°48'37" West a distance of 218.00 feet; Thence South 01°09'34" East a distance of 408.23 feet to the South line of said SW/4; Thence South 88°48'37" West along said South line a distance of 30.00 feet to the Point of Beginning. The bearings contained in this description are based on the Oklahoma State Plane Coordinate System.

TRACT 3:

A tract of land in the Southwest Quarter (SW/4) of Section Thirty-Four (34), Township Seventeen (17) North, Range 12 East, of the Indian Base and Meridian, Tulsa County, Oklahoma, described as follows: Commencing at the Southwest corner of said SW/4; Thence North 88°48'37" East along the South line of said Section 34 a distance of 721.19 feet to the Point of Beginning; Thence North 01°09'34" West a distance of 408.23 feet; Thence North 88°48'37" East a distance of 218.00 feet; Thence North 01°09'34" West a distance of 30.00 feet; Thence North 88°48'37" East a distance of 217.99 feet; Thence South 01°08'49" East a distance of 218.16 feet; Thence South 88°47'41" West a distance of 271.06 feet; Thence South 01°11'23" East a distance of 220.00 feet to the South line of said SW/4; Thence South 88°48'37" West along said South line a distance of 165.00 feet to the Point of Beginning. The bearings contained in this description are based on the Oklahoma State Plane Coordinate System.



WHITE SURVEYING COMPANY
providing land surveying services since 1940

9936 E. 55th Place • Tulsa, OK 74146 • 918.663.6924 • 918.664.8366 fax

MEMORANDUM

TO: THE GLENPOOL PLANNING COMMISSION

FROM: RICK MALONE, CITY PLANNER

RE: STAFF RECOMMENDATION

PLAT WAIVER OF PW-2017-01 "EDWARD RUCKER"

DATE: February 13th, 2017

Background:

This is a Plat Waiver request from Edward Rucker for a 141+/- tract that is located east of the SE/corner of 161st Street and US 75 Highway. The subject tract was originally a part of an Industrial park that was zoned IL and PUD 24 that never came to fruition. Then it was rezoned from IL to RE by virtue of GZ-243 on 12/15/14 and PUD 24 was vacated at the same time. The applicant has submitted a building permit and he wants to build a single family residence on this tract but cannot get his building permit released until this issue is resolved.

Zoning Code Reference:

11-4-9: PLATTING REQUIRED:

For the purposes of providing a proper arrangement of streets and assuring the adequacy of open spaces for traffic, utilities, and access of emergency vehicles, commensurate with the intensification of land use customarily incident to a change of zoning, a platting requirement is established as follows: For any land which has been rezoned upon application of a private party, or for any land which has been granted a special exception by the board of adjustment as enumerated within use units 2, 4, 5, 8 and 20, no building permit shall be issued until that portion of the tract on which the permit is sought has been included within a subdivision plat or replat, as the case may be, submitted to the planning commission for their review and recommendation, approved by the city council, and filed in the office of the Tulsa County clerk. Provided, that the city council, pursuant to their exclusive jurisdiction over subdivision plats, may remove the platting requirement upon a determination that the above stated purposes have been achieved by previous platting or could not be achieved by a plat or replat. (Ord. 665, 9-17-2012; amd. 2013 Code)

Technical Advisory Committee:

The Technical Advisory Committee met on Wednesday February 8th, 2017 and after review the TAC members did not have any issues with the Plat Waiver since this was only a single family residence. The only recommendation is that if the Plat Waiver is approved by the Planning Commission and City Council that this approval be subject to the owner agreeing to provide a 50' right of way dedication for future expansion of 161st street along the north side of his property and provide proof of the ODEQ approval needed for the septic tank/and or aerobic system required for residential purposes.

Staff Recommendation:

Staff recognizes the unique circumstances concerning this property, and the applicant wanting to build the new single family residence on the 141+/- acres, and supports this request subject to the conditions listed above.

Attachments:

1. Application for the plat waiver
2. Case Map
3. Site Plan

GLENPOOL COMMUNITY DEVELOPMENT DEPARTMENT

[] ZONING [] PUD [] PUD AMENDMENT **(X) PLAT WAIVER**

12205 S. Yukon Ave, 2nd Floor - Glenpool, Oklahoma 74033 - (918) 209-4610 - Fax (918) 209-4611

www.glenpoolonline.com

APPLICATION INFORMATION

RECEIVED BY: PCD DATE FILED: 2/8/17 TAC DATE: 2/8/17 HEARING DATE: 2/13/17 CASE NUMBER _____
☒ RES [] NON-RES [] COMBO RELATED ZONING OR PUD #: GZ-243 BUILDING PERMIT APPLICATION NUMBER _____
 NEIGHBORHOOD ASSOCIATIONS: _____

SUBJECT PROPERTY INFORMATION

ADDRESS OR DESCRIPTIVE LOCATION: 1102 E. 161st Street TRACT SIZE: 141.46+/-
 LEGAL DESCRIPTION: SEE PLAT

PRESENT USE: URC PRESENT ZONING: RG S-T-R: 2672

INFORMATION ABOUT YOUR PROPOSAL

PROPOSED NEW ZONING: — DEV. AREAS AFFECTED BY PUD AMENDMENT: — PUD PROPOSAL ATTACHED [] Y [X] N
 PROPOSED USE: RES NATURE OF PUD AMENDMENT: N/A

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION
NAME <u>Edward Hayden Rucker Trust I</u>	NAME <u>Same</u>
ADDRESS <u>7929 S. Hudson Ave</u>	ADDRESS _____
CITY, ST, ZIP <u>Tulsa, OK 74136</u>	CITY, ST, ZIP _____
DAYTIME PHONE <u>918 691 3532</u>	DAYTIME PHONE _____
EMAIL <u>erucker56@qol.com</u>	EMAIL _____
FAX _____	FAX _____
I, THE UNDERSIGNED APPLICANT, CERTIFY THAT THE INFORMATION ON THIS APPLICATION IS TRUE AND CORRECT.	
SIGNATURE & DATE: <u>Edward Hayden Rucker 2-8-17</u>	

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

APPLICATION FEES			
BASE APPLICATION FEE	\$		<u>100.00</u>
ADDITIONAL FEE	\$	APPLICATION SUBTOTAL	\$
NEWSPAPER PUBLICATION		BILLED LATER	
SIGNS	\$50.00 X =	\$	
300' PROPERTY OWNERS MAILING & POSTAGE	1.00 + \$ =	\$	
RECEIPT NUMBER:		TOTAL AMOUNT DUE	\$ <u>100.00</u>

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

DISPOSITION

PC REC.	COUNCIL ACTION
	DATE/VOTE
DATE/VOTE	ORDINANCE NO.
PLAT NAME	PLAT WAIVER [] Y [] N

Exhibit "A"

141 Acre Tract Rezoning Description

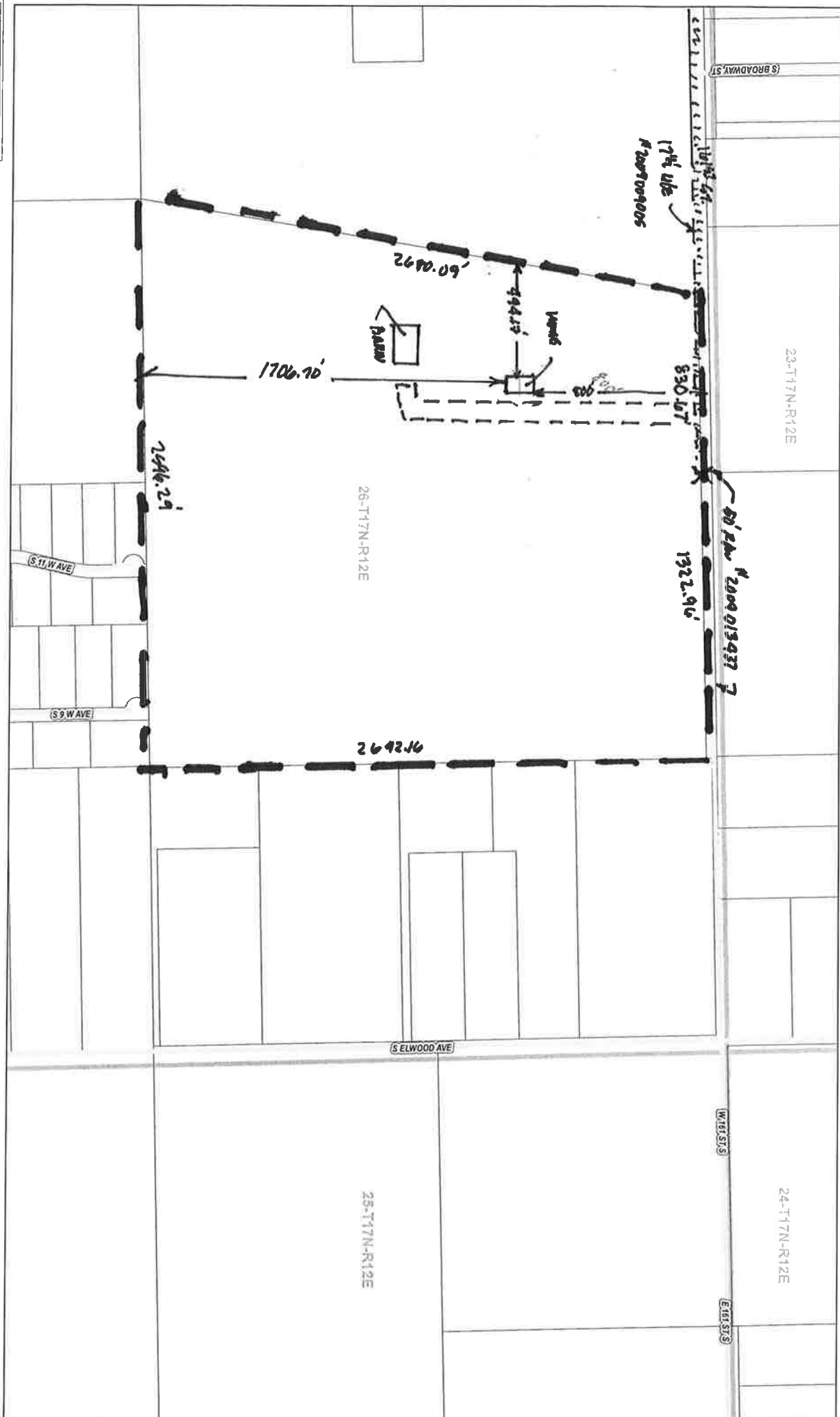
Description

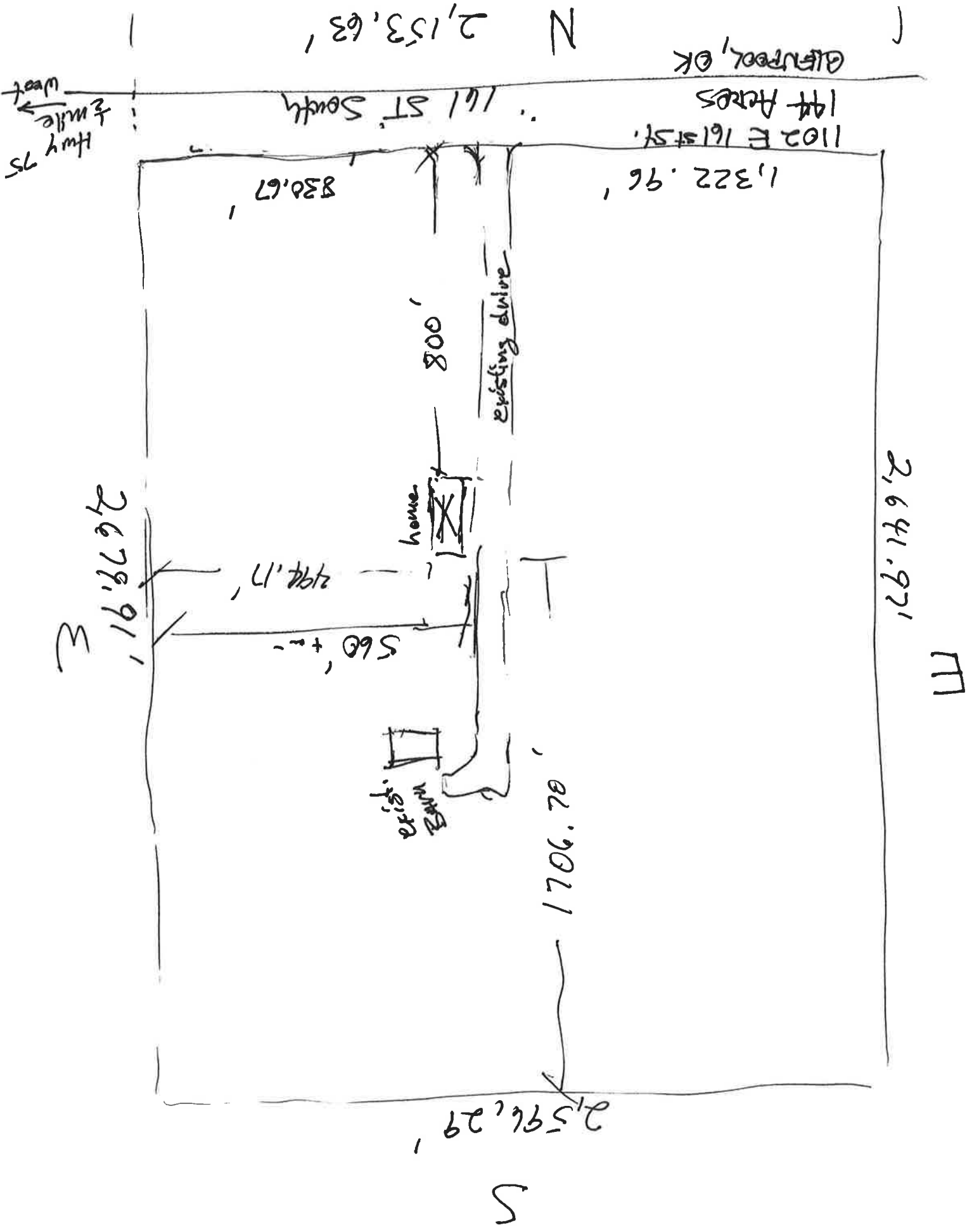
A TRACT OF LAND THAT IS THE WEST HALF OF THE NORTHEAST QUARTER (W/2 NE/4) AND A PART OF THE NORTHWEST QUARTER (NW/4) OF SECTION TWENTY-SIX (26), TOWNSHIP SEVENTEEN (17) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT OF LAND BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID NW/4; THENCE N 89° 57' 58" E ALONG THE NORTHERLY LINE OF SAID NW/4 FOR 1815.07 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND; THENCE CONTINUING N 89° 57' 58" E ALONG SAID NORTHERLY LINE FOR 830.67 FEET TO THE NORTHWEST CORNER OF SAID W/2 NE/4; THENCE N 89° 57' 43" E ALONG THE NORTHERLY LINE OF SAID W/2 NE/4 FOR 1322.96 FEET TO THE NORTHEAST CORNER OF SAID W/2 NE/4; THENCE S 00° 02' 21" W ALONG THE EASTERLY LINE OF SAID W/2 NE/4 FOR 2642.16 FEET TO THE SOUTHEAST CORNER OF SAID W/2 NE/4; THENCE S 89° 57' 06" W ALONG THE SOUTHERLY LINE OF SAID W/2 NE/4 AND ALONG THE SOUTHERLY LINE OF SAID NW/4 FOR 2596.29 FEET; THENCE N 09° 32' 46" E FOR 2680.09 FEET TO THE POINT OF BEGINNING; LESS AND EXCEPT THE NORTH 50 FEET OF THE ABOVE DESCRIBED TRACT FOR STREET RIGHT-OF-WAY; SAID TRACT CONTAINING 141.56 ACRES.



1 inch = 400 feet





**ROADWAY RIGHT-OF-WAY
DEED OF DEDICATION
CORRECTED DEED**

That the undersigned, South 75 Business Park, LLC & Rex Robertson, an individual, (Grantor), the owner and legal and equitable title of the following described real estate, for and in consideration of the sum of TEN AND NO/100.00 DOLLARS, and other good and valuable considerations, the receipt of which is acknowledged, does herein dedicate to the public for road purposes here grant a right-of way through, over, under and across the following described property:

A tract of land in the Northwest Quarter (NW/4) of Section 26, Township 17 North, Range 12 East of the Indian Base and Meridian, Tulsa County, Oklahoma, more particularly described as follows:

The north fifty feet (50.00') of the Northwest Quarter (NW/4) and the West Half of the Northeast Quarter (NE/4) of Section 26, Township 17 North, Range 12 East of the Indian Base and Meridian, Tulsa County, Oklahoma.

For the several purposes of surveying, constructing, maintaining, operating, repairing, replacing, and/or removing any and all roadways, public utilities, including storm sewers, sanitary sewers, telephone and communication lines, electric power lines and transformers, gas lines, water lines and cable communication lines, together with all fittings, including pavement, poles, wires, conduit, pipes, valves, meters and equipment and equipment for each of such facilities and any other appurtenances thereto, with rights of ingress and egress to and upon this right-of-way for the uses and purposes aforesaid, provided however, the grantor hereby reserves the right to survey.

The public and franchise utility providers are hereby given granted the exclusive position of said above described premises for the purpose aforesaid and Grantor, for itself and its heirs, administrators, successors and assigns, covenants and agrees that no building, structure, fence wall or other above ground obstructions will be placed, erected, installed, or permitted upon the above described land; and further covenants and agrees that in the event the terms of this paragraph are violated by the grantor or other persons in privity with it, such violation will promptly corrected and eliminated immediately upon receipt of notice from the City or franchisee, or city or franchisee shall have right to remove or otherwise eliminate such violation, and Grantor, its heirs, administrators, successors and assigns, shall promptly pay the actual cost thereof.

TO HAVE AND TO HOLD such easement unto to the Public, its successors or assigns as aforesaid.

Dated this 17 day of February, 2009

By: _____

South 75 Businesses Park, LLC

By: _____

Rex Robertson

[illegible]

Before me, the undersign, a Notary Public, in and for said County and State on this the 17 day of February, 2009, personally appeared

Rex Robertson Known to be the identical person who subscribed the name of the maker thereof to the foregoing as its OWNER and acknowledge to me that he executed the same as his free will and voluntary act and deed for the uses and purposes ~~therein~~ set forth.



Notary Public

My Commission Expires

12/5/10

ACCEPTED BY CITY COUNCIL:

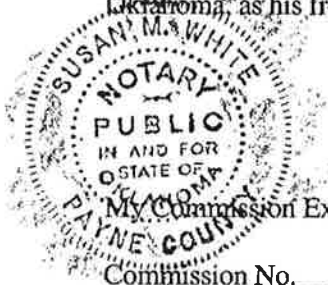
City of Glenpool, Oklahoma
A municipal Corporation

Date: 2-17-09

by: J. Shayne Buchanan
Name: J. Shayne Buchanan
Title: Mayor

[illegible]

2009 The foregoing instrument was acknowledged before me on the X day of Month, Year, by J. Shayne Buchanan, in his capacity as Mayor on behalf of the City of Glenpool, Oklahoma, as his free and voluntary act on behalf of the City of Glenpool.



Notary Public

My Commission Expires July 27, 2010
Commission No. 06007302



GENERAL UTILITY EASEMENT

W
KNOWN ALL MEN BY THESE PRESENTS:

That the undersigned, South 75 Business Park, LLC, (Grantor), the owner of the legal and equitable title of the following described real estate, fore and in consideration of the sum of TEN AND NO/100.00 DOLLARS, and other good and valuable considerations, the receipt of which is acknowledged, does hereby grant and convey to the Public, an easement through, over and under and across the following described property:

A tract of land in the Northwest Quarter (NW/4) of Section 26, Township 17 North, Range 12 East of the Indian Base and Meridian, Tulsa County, Oklahoma, more particularly described as follows:

The south Seventeen and one-half feet (17.50') of the north Sixty-Five and one-half feet (67.50') of the Northwest Quarter (NW/4) and the West Half of the Northeast Quarter (NE/4) of Section 26, Township 17 North, Range 12 East of the Indian Base and Meridian, Tulsa County, Oklahoma.

For the purpose of permitting public utility services thereon, through, over, across said property, together with all necessary and convenient appurtenances thereto; and to use and maintain the same and of affording the service providers officers, agents, employees, and/or all persons under contract with it, the right to enter said premises and strip of land for the purpose of surveying, excavating for, operating, repairing, and maintaining of such construction.

The public and franchise utility providers are hereby given granted the exclusive position of said above described premises for the purpose aforesaid and Grantor, for itself and its heirs, administrators, successors and assigns, covenants and agrees that no building, structure, fence wall or other above ground obstructions will be placed, erected, installed, or permitted upon the above described land; and further covenants and agrees that in the event the terms of this paragraph are violated by the grantor or other persons in privity with it, such violation will promptly corrected and eliminated immediately upon receipt of notice from the City or franchisee, or city or franchisee shall have right to remove or otherwise eliminate such violation, and Grantor, its heirs, administrators, successors and assigns, shall promptly pay the actual cost thereof.

TO HAVE AND TO HOLD such easement unto to the Public, its successors or assigns as aforesaid.

Dated this 26th day of January, 2009

By: 

Name: Rex F. Robertson, Manager

[illegible]

Before me, the undersign, a Notary Public, in and for said County and State on this the 26 day of January, 2005, personally appeared

Ben Roberts Known to be the identical person who subscribed the name of the maker thereof to the foregoing as its Manager and acknowledge to me that he executed the same as his free will and voluntary act and deed for the uses and purposes there in set forth.

Stephanie L. Penmonhan
Notary Public
05009559
EXP. 10/14/09
PUBLIC
STATE OF OKLAHOMA
City of Glenpool, Oklahoma
A municipal Corporation

My Commission Expires:

10-14-09

ACCEPTED BY CITY COUNCIL:

Date: Feb 2, 2009

by: _____
Name: J. Shayne Buchanan
Title: Mayor

ATTEST:

APPROVED AS TO FORM:


City Clerk


City Attorney