

This meeting is a worksession for Council/Trustee discussion only.
There is no opportunity for public comments at worksession.

**PUBLIC NOTICE OF THE MEETING OF THE
OWASSO CITY COUNCIL, OPWA & OPGA**

Council Chambers, Old Central Building
109 N Birch, Owasso, OK 74055
Regular Meeting
Tuesday, July 12, 2016 - 6:00 pm

1. Call to Order

Mayor/Chair Lyndell Dunn

2. Discussion relating to Community Development items

Bronce Stephenson

- A. Planned Unit Development – PUD-16-03 (OZ-16-06), Tyann Villa (immediately east of Smith Elementary School)
- B. Planned Unit Development – PUD-16-04, Owasso 140 (north side of E 76 St N approximately ¾ mile west of N 161 E Ave)
- C. Specific Use Permit – SUP-16-02, IQ Car Wash (8702 N Garnett Rd)
- D. Zoning Code and Land Use Updates

3. Discussion relating to Public Works items

Roger Stevens

- A. Bid Award – CDBG Sidewalk Project
- B. Bid Award – Bailey Golf Course Dam Repair Project
- C. FY 2016 Street Rehabilitation Project Update

4. Discussion relating to proposed utility rate increases

Linda Jones

5. Discussion relating to Council Orientation and Review

Julie Lombardi

6. Discussion relating to City Manager items

Warren Lehr

- Center for Economic Development Law (CEDL) contract
- Mission, Vision, Values
- Monthly sales tax report
- City Manager report

7. City Council/Trustee comments and inquiries

8. Adjournment

Notice of Public Meeting filed in the office of the City Clerk and the Agenda posted at the City Hall, 200 S Main (west entrance), and Police Station, 111 N Main, bulletin boards at 6:00 pm on Friday, July 8, 2016.

Sherry Bishop, City Clerk



TO: The Honorable Mayor and City Council
 City of Owasso

FROM: Bronce L. Stephenson, MPA
 Director of Community Development

SUBJECT: Planned Unit Development, PUD-16-03 (OZ 16-06) -- Tyann Villa

DATE: July 8, 2016

BACKGROUND:

The City of Owasso received a Planned Unit Development (PUD) application for review and approval of a development called Tyann Villa. This development proposes a gated single family planned residential community that will include approximately 64 lots in 2 blocks on 16.20 acres. The subject property is located immediately east of Smith Elementary School. The applicant also submitted a concurrent rezoning request (OZ 16-06) with this PUD that would rezone the property from RS-3 (Residential Single Family) and RM (Residential Multi-Family) to all RS-3 (Residential Single Family), allowing for the development of single family homes. The PUD will act as an overlay to the RS-3 zoning and govern the development of the property.

SURROUNDING ZONING:

Direction	Zoning	Use	Land Use Plan	Jurisdiction
North	CS (Commercial Shopping)	Commercial	Commercial	City of Owasso
South	RS-3 (Residential Single Family)	Single Family Homes	Residential	City of Owasso
East	AG (Agriculture)	Undeveloped	Residential	City of Owasso
West	RS-3 (Residential Single Family)	Elementary School	Public	City of Owasso

SUBJECT PROPERTY/PROJECT DATA:

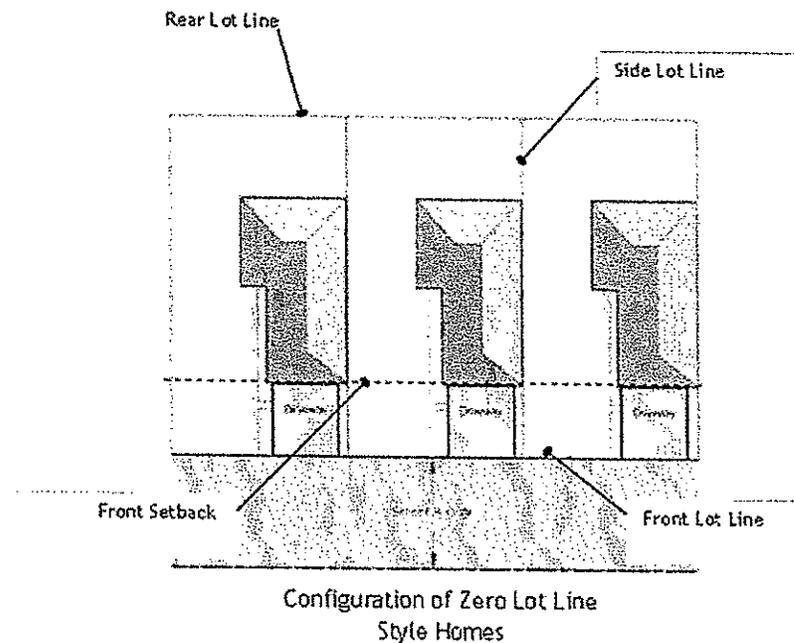
Property Size	16.20 acres
Current Zoning	RM and RS-3
Proposed Use	Single Family Homes
Lots/Blocks	64 Lots, 2 Blocks
Land Use Plan	Residential
Number of Reserve Areas	5
Gross Dwelling Units/Acre	3.95 DU/Acre
Total Building SF	N/A
Within PUD?	Yes, PUD 16-03
Within Overlay District?	No
Water Provider	City of Owasso
Applicable Paybacks	Storm siren fee of \$35/acre
Streets (public or private)	Private

CONCEPT OF A PUD:

The concept of a Planned Unit Development is to provide a creative alternative to conventional development where a particular tract is under common ownership or control and where a detailed development plan, outlining the development of the tract as a unit is proposed and submitted for public review. The use of a PUD technique is a way to amend a zoning ordinance in accordance with a complete and coordinated plan of development for a larger parcel, rather than piecemeal individual changes using the variance process. Additionally, a PUD typically produces a higher quality product with better amenities, architecture, landscaping and buffering.

ANALYSIS:

Tyann Villa is a unique single-family neighborhood targeting those who prefer larger homes with little to no exterior maintenance. Tyann Villa proposes a maximum of 64 single-family lots on a 16.20 acre tract of land, yielding a gross density of 3.95 DU/Acre. The application calls for the lots to be developed as zero lot line, which means instead of the standard five foot setbacks on either side of the home, there is a ten-foot setback on one side and a zero setback on the other side. The wall of the neighboring home is set on the lot line (see example below). The main access into the development will come from the end of E 93 St N and a secondary fire access point will come off N 125 E Ave. The secondary access point will contain a gate, landscaping and concrete ribbons with a Knox Box and will be strictly for emergency vehicles, therefore no through traffic will be allowed on the emergency access drive.



There are a total of 5 reserve areas in the development, including the private street denoted as reserve area "A." The development will be gated and the homes will be placed on zero lot line lots, similar to those found in the Fairways V subdivision. The minimum lot width has been specified as 55 feet and the front setbacks 25 feet. The proximity of the development makes it convenient for future residents to be able to walk or bike to nearby commercial areas without traveling on or adjacent to heavily congested arterial streets. All homes in the development

have been called out in the PUD development summary to be constructed of at least 80% masonry. All reserve areas, along with the internal streets, will be maintained by a private property owners association.

Along with the PUD request, the applicant has submitted a petition for underlying zoning of RS-3. A portion of the property is already zoned RS-3 and the other part is zoned RM. The proposed zoning of RS-3 unifies the entire property under one zoning and complements the development proposal. The PUD will act as an overlay governing the development of the property. A preliminary plat has also been submitted concurrently with the PUD request.

If the PUD is approved, the applicant will provide final development plans for administrative review and approval by City staff. These plans shall include all the civil engineering drawings, landscape plans, drainage plans, utility plans, a Final Plat, etc. PUD applications presented to the Planning Commission are for approval of the uses, the overall plan as it relates to the immediate area, and the concept for the development. The City of Owasso will provide sanitary sewer, water, Fire, Police and EMS service to the proposed development.

City staff published legal notices of the PUD request in the Owasso Reporter and mailed notices to property owners within a 300' radius of the subject property.

COMPREHENSIVE PLAN CONSISTENCY:

The Owasso 2030 Land Use Master Plan identifies the subject property and its surroundings as having residential uses, making the proposal consistent with the Plan.

HARMONY WITH THE EXISTING AND EXPECTED DEVELOPMENT:

This proposal appears to be consistent with the current and expected development of the area. Commercial areas lie to the north of the project, a school to the west, single-family residential to the south, and an undeveloped tract to the east. As an infill type of development, the project will actually serve as nice transition between lower density single family homes and higher intensity commercial areas to the north. Overall, this area is urban in character and the proposed project is designed accordingly.

PLANNING ISSUES:

Future planning issues must still be considered if the PUD is approved. If approved, the applicant will be required to adhere to all City of Owasso subdivision regulations and engineering requirements.

According to the Owasso Zoning Code, the Planning Commission shall hold a public hearing on any PUD application and determine the following:

1. Whether the PUD is consistent with the Comprehensive Plan.
2. Whether the PUD is in harmony with the existing and expected development of surrounding areas.
3. Whether the PUD is a unified treatment of the development possibilities of the project site.
4. Whether the PUD is consistent with the stated purpose and standards of the PUD ordinance.
 - a. To permit innovative land development while maintaining appropriate limitation on the character and intensity of use assuring compatibility with adjoining and proximate properties;

- b. To permit flexibility within the development to best utilize the unique physical features of the particular site;
- c. To provide and preserve meaningful open space; and
- d. To achieve a continuity of function and design within the development.

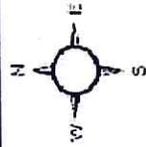
PLANNING COMMISSION:

The Owasso Planning Commission will consider this item at their meeting on July 11, 2016.

ATTACHMENTS:

Area Map
Aerial Map
Zoning Map
Land Use Plan Map
Outlined Development Plan
Conceptual Site Plan

Tyann Villa



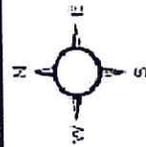
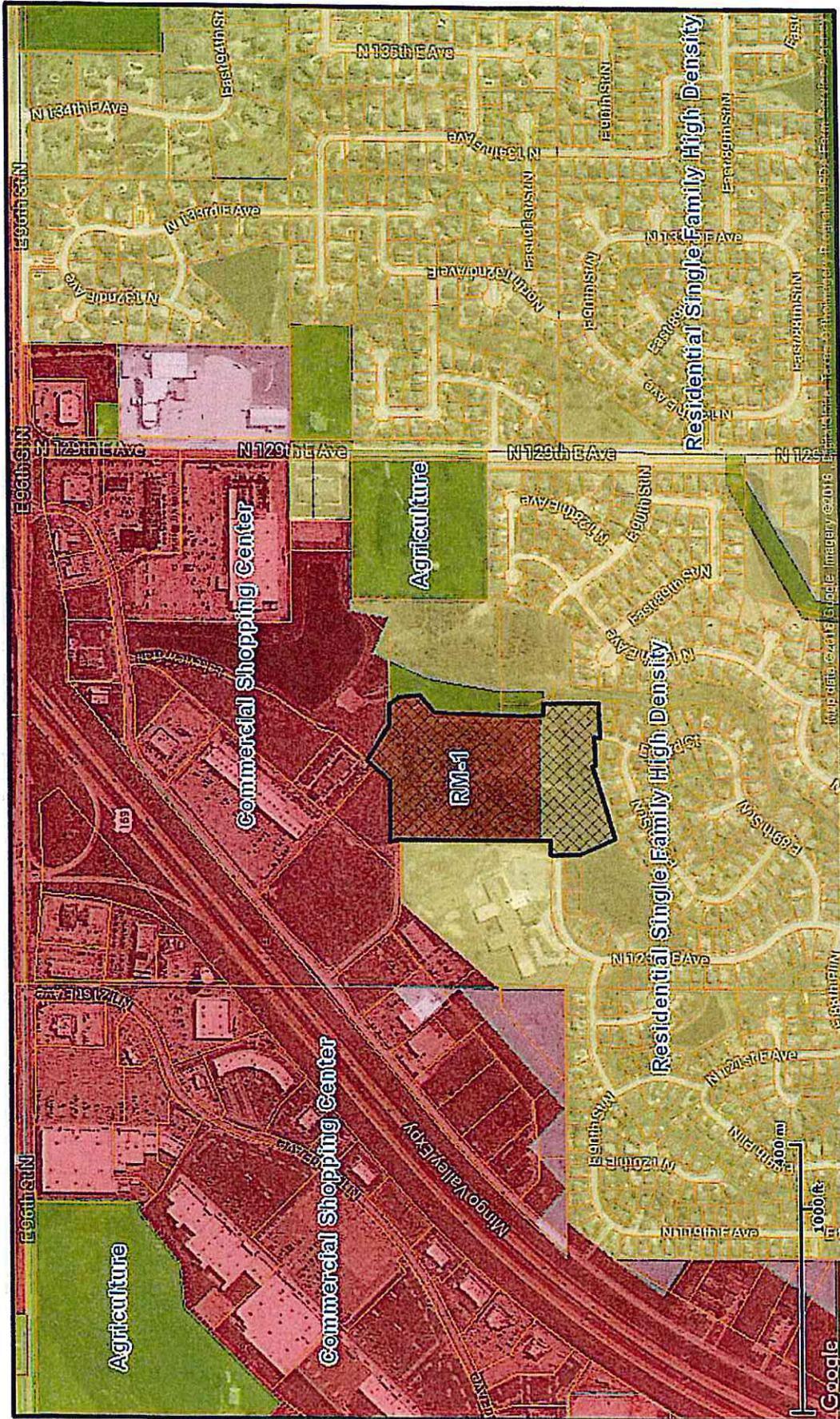
06/07/2016

PUD 16-03

1" = 1,505 ft

This map represents a visual display of related geographic information. Data provided hereon is not a guarantee of actual field conditions. To be sure of complete accuracy, please contact Owasso staff for the most up-to-date information.

OPUD 16-03, OZ 16-06



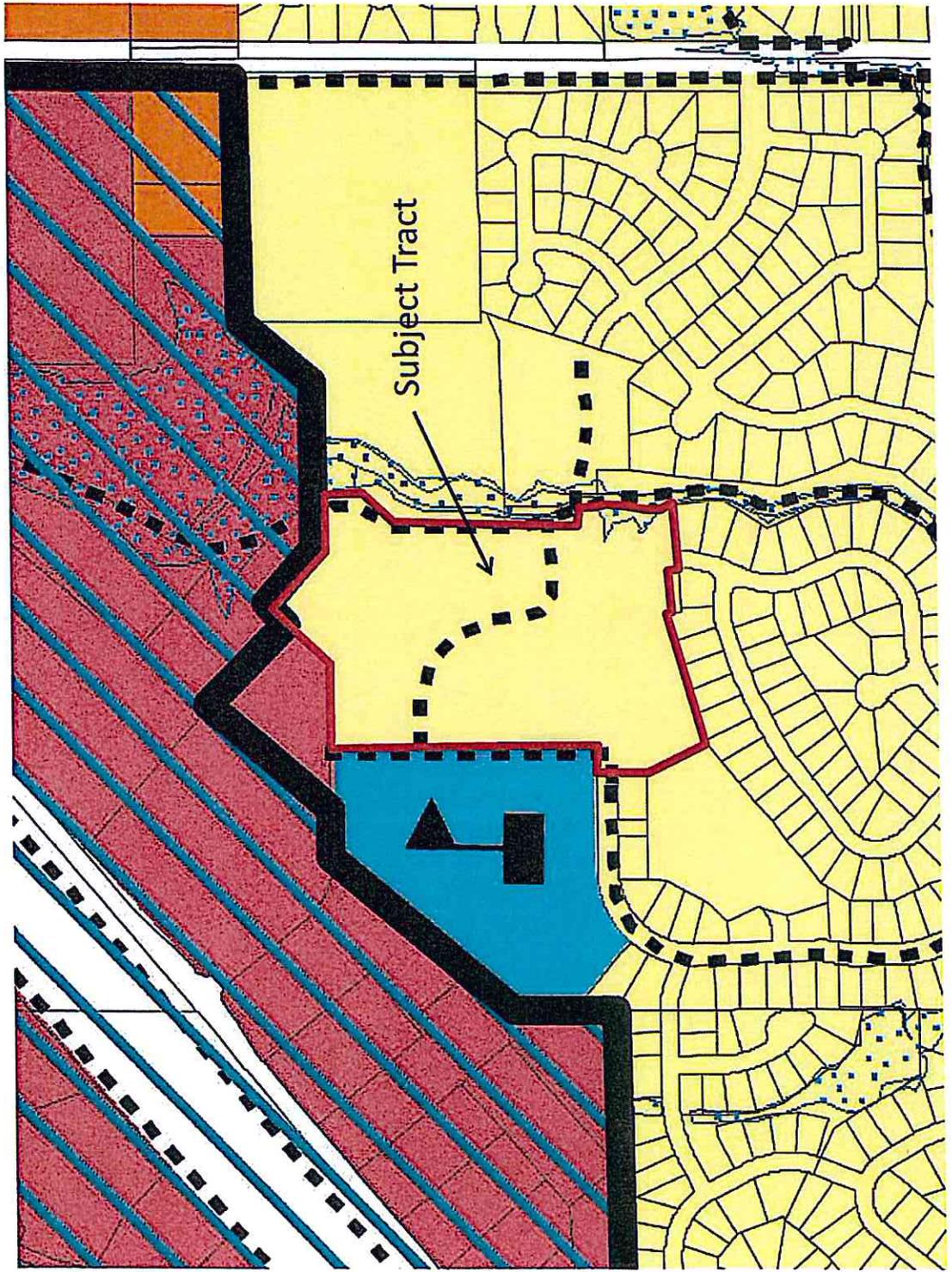
06/13/2016

Existing Zoning

1" = 752 ft

This map represents a visual display of related geographic information. Data provided hereon is not a guarantee of actual field conditions. To be sure of complete accuracy, please contact Owasso Public Staff for the most up-to-date information.

OPUD 16-03/OZ 16-06
Land Use



PLANNED UNIT DEVELOPMENT

Tyann Villa

CITY OF OWASSO

Owner/Developer:
Tyann Development Co. Inc.
P.O. Box 397
Owasso, OK 74055
Phone: (918) 274-0517

Prepared by:
Kellogg Engineering, Inc.
6755 S. 4060 Rd.
Talala, OK 74080
918.275.4080

April 15, 2016

Table of Contents

Development Concept	2
Legal Description	3
Statistical Summary	4
Existing Zoning and Land Use	5
Environmental Analysis and Topography.....	5
Access and Circulation	6
Drainage	6
Utilities	6
Development Area (<i>Single-Family</i>)	7
Property Owners Association.....	8
Storm Water Detention	8
Plat Review	8

Exhibits

- Exhibit 'A' Existing Zoning & Land Uses
- Exhibit 'B' Existing Topography
- Exhibit 'C' Existing Soils Map
- Exhibit 'D' Aerial Photograph
- Exhibit 'E' PUD Concept Plan

Development Concept

Tyann Villa is a proposed upscale privately gated single family residential Planned Unit Development (PUD) located in Owasso, Ok. The project site is currently undeveloped land consisting of 16.20 acres located between E. 96th and 86th street N. on E. 93rd St. N. within the City of Owasso. The site offers excellent development promise with exceptional access to the local shopping and recreational amenities.

The PUD is a residential community. The development will include approximately 64 lots with open space for the enjoyment of the residents.

The PUD Concept Plan shows the development area. The proposed development consists of one development area. A minimum lot size of 55 feet wide by 120 feet deep and dwelling sizes of 3,000 square feet of living space (excluding garage) are proposed for the area. A detailed plat for the development will be submitted to the Owasso City Planning commission for review and approval before construction begins.

Legal Description

A TRACT OF LAND THAT IS LOCATED IN THE NORTHEAST QUARTER (NE/4) AND THE SOUTHEAST QUARTER (SE/4) OF SECTION TWENTY (20) OF TOWNSHIP TWENTY-ONE (21) NORTH AND RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN (I.B.&M.), TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SEC. 20, TOWNSHIP 21 NORTH, RANGE 14 EAST, I.B.&M.; THENCE S 00°01'55" W ALONG THE EAST LINE OF SAID SECTION 20 A DISTANCE OF 1,662.50 FEET; THENCE N 01°25'16" W A DISTANCE OF 1,517.25 FEET TO THE POINT OF BEGINNING; THENCE S 48°41'24" E A DISTANCE OF 69.84 FEET; THENCE S 60°59'21" E A DISTANCE OF 135.44 FEET; THENCE S 89°21'07" E A DISTANCE OF 90.79 FEET; THENCE S 32°49'16" E A DISTANCE OF 67.72; THENCE S 07°46'48" E A DISTANCE OF 101.70 FEET; THENCE S 46°28'57" W A DISTANCE OF 103.25; THENCE S 04°31'05" W A DISTANCE OF 412.30; THENCE S 00°07'08" W A DISTANCE OF 119.49 FEET; THENCE N 89°21'22" E A DISTANCE OF 60.58; THENCE S 00°23'17" E A DISTANCE OF 270.74 FEET; THENCE S 88°06'26" W A DISTANCE OF 177.35 FEET; THENCE N 03°45'14" W A DISTANCE OF 25.36 FEET; THENCE S 87°50'06" W A DISTANCE OF 128.88 FEET; THENCE N 16°27'52" W A DISTANCE OF 15.16 FEET; THENCE S 72°57'54" W A DISTANCE OF 376.22 FEET; THENCE N 24°53'11" W A DISTANCE OF 189.81 FEET; THENCE N 00°03'53" E A DISTANCE OF 140.07 FEET; THENCE S 89°45'47" E A DISTANCE OF 74.41 FEET; THENCE N 00°03'58" E A DISTANCE OF 734.79 FEET; THENCE S 89°56'02" E A DISTANCE OF 75.00 FEET; THENCE N 00°03'58" E A DISTANCE OF 50.00 FEET; THENCE S 89°56'02" E A DISTANCE OF 222.70 FEET; THENCE N 41°18'07" E A DISTANCE OF 168.07 FEET TO THE POINT OF BEGINNING, AND CONTAINING 16.20 ACRES, MORE OR LESS.

BASIS OF BEARING IS THE OKLAHOMA STATE PLANE COORDINATE SYSTEM. THE REFERENCE BEARING IS THE SOUTH BOUNDARY LINE.

Statistical Summary

Project Area:	16.20 acres
Total Project Density:	3.95 DUs/acre

Land Use

Residential: <i>Housing (Single-Family)</i>	
-Total Area (approximate)	16.20 acres
-Number of Dwelling Units	64 DU
-Density	3.95 DUs/acre

Park/Open Space: <i>Included within residential acreage</i>	
-Total Area (approximate)	1.58 acres

* This Project will tie into the Tyann Plaza recreational sidewalk trails providing access to the Tyann Plaza pond and amenities.

Existing Zoning and Land Use

The existing zoning for the subject tract is RS and is currently undeveloped. The zoning type of the proposed site, along with the surrounding properties, is shown in Exhibit 'A'.

Environmental Analysis and Topography

The existing conditions of the property consist mostly of gently rolling pasture land. Elevations of the property range from 645 feet to 695 feet above mean sea level. Existing contours of the site are shown in Exhibit 'B'.

The Soil Survey of Tulsa County, Oklahoma was used to help identify soil types and consist of those listed below:

- Eram-Coweta Complex (20), 5 to 15 percent slopes
- Dennis-Radley Complex (16), 0 to 12 percent slopes
- Okemah-Parsons-Pharoah Complex (44), 0 to 1 Percent Slope

Exhibit 'C' shows a map of the existing soils of the property.

Access and Circulation

The site is bordered on the north by commercial properties, with Owasso Public Schools to the west and Lakeridge Subdivision to the south. Access to the site will be accomplished by connecting to E. 93rd St. N., at the northwest. The site will be a private community with an access gated located at this location. A reserve is proposed between lots at the southeast corner of the site connecting to N. 125th E. Ave. for emergency vehicle access. All Internal streets will be privately maintained by a Property Owners Association.

Drainage

Storm-water management will be handled with on-site storm water conveyance system.

Utilities

- Sanitary sewer service will be provided by City of Owasso
- Potable water service will be provided by City of Owasso
- Telephone service will be provided by AT&T.
- Natural gas service will be provided by ONG.
- Electrical service will be provided by PSO

Development Area (*Single-Family*)

- **Permitted Uses:** Uses as permitted in RS-3 District, City of Owasso Zoning Code, by right and by exception

- **Land Area (approximate):** 16.20 acres

- **Maximum Number of Dwelling Units:** 64

- **Minimum Lot Width:** 55 feet

- **Minimum Lot Depth:** 120 feet

- **Maximum Building Height:** 35 feet

- **Maximum Living Space:** 3,000 square feet
(Excluding Garage)

- **Off-Street Parking:** 2 spaces/DU

- **Minimum Yard Requirements:**
 - Minimum Front Yard abutting a street 25 feet
 - Minimum Rear Yard 20 feet
 - Minimum Side Yards 0/5 feet
 - Minimum Corner Lot Side Yard (back-to-back with another corner lot) 25 feet
 - Minimum Corner Lot Side Yard (not back-to-back with another corner lot) 25 feet

* Minimum lot width shall be measured at building lines for cul-de-sac lots and lots located on a curve.

Property Owners Association

A Property Owners Association shall be created to own and maintain all private streets, storm water conveyance, landscaped areas, reserve areas, and all other landscaped buffers and islands. These areas are to be constructed and attractively landscaped by the developer and turned over to the property owners association for ownership and maintenance. Covenants will be filed along with a plat which will set forth standards for these areas.

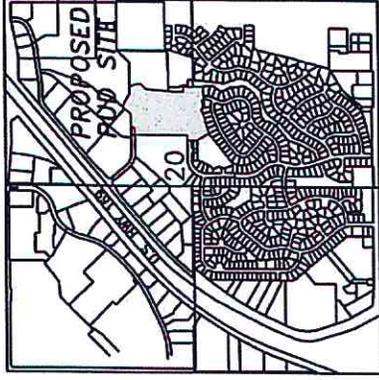
Storm Water Detention

Detention is provided by the Tyann Lake located to the Northeast of the site. A maintenance fee will be assessed on each lot based on a percentage of area. These fees will be established under the property owners association and conveyed in covenants of the plat to be filed.

Plat Review

No building permit shall be issued until a subdivision plat, which will serve as the site plan, is submitted to and approved by the City of Owasso Planning Commission and Owasso City Council and filed of record with the Tulsa County Clerk.

R 14 E
E. 96TH ST. N.

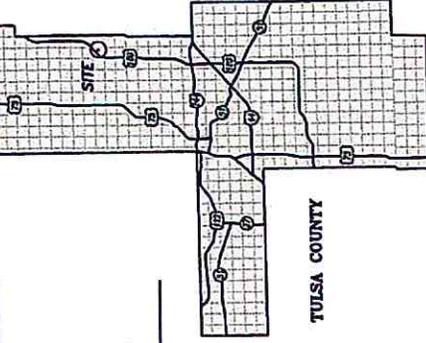


N. GARNETT EAST AVENUE

N. 129TH EAST AVENUE

T 21 N

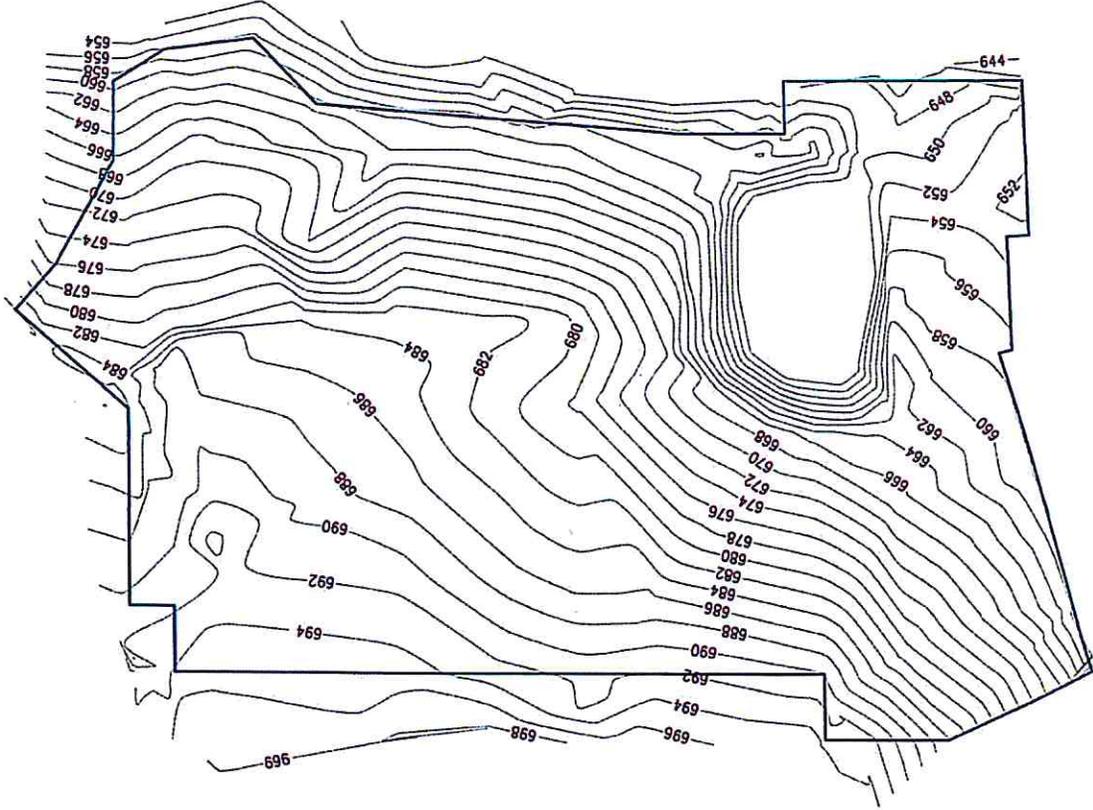
Scale: 1" = 200'



E. 86TH ST. N.
SECTION 20
TULSA COUNTY

LOCATION MAP

SCALE: 1" = 2500'



PUD NO.

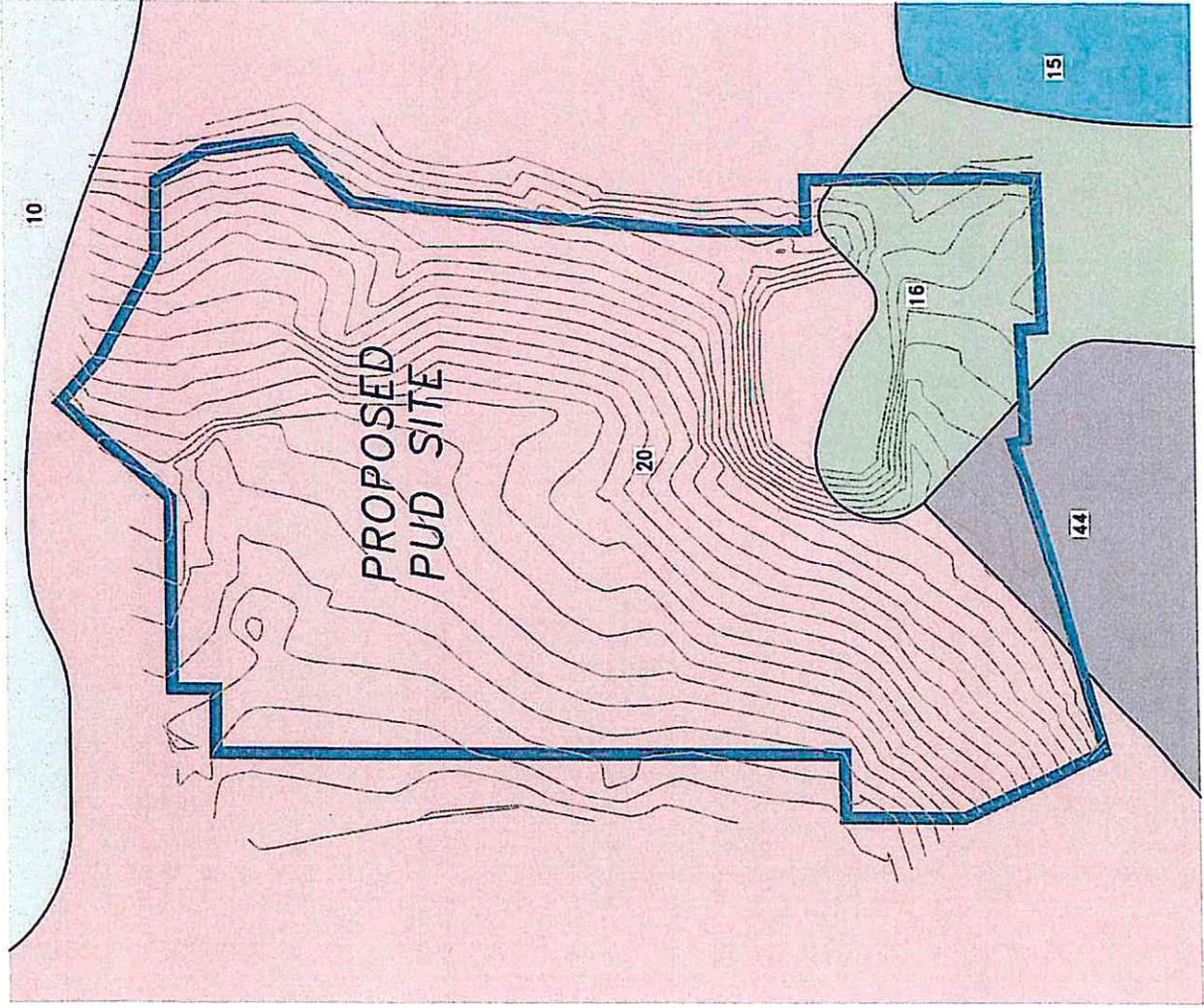
**TYANN
VILLA**

TYANN DEVELOPMENT CO., INC.

EXHIBIT 'B'

EXISTING TOPOGRAPHIC MAP

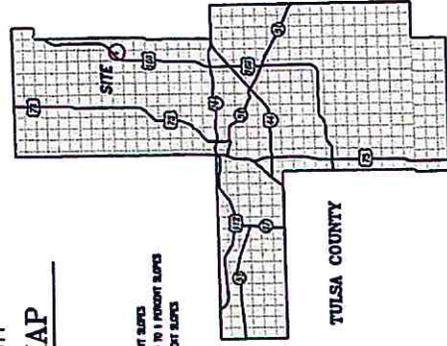
KELLOGG ENGINEERING, INC.
TALALA, OK



Scale: 1" = 200'

SECTION 20
TULSA COUNTY

LOCATION MAP
SCALE: 1" = 2500'



- SOIL INDEX**
- [16] DRAIN-CONTROL COMPLEX, 5 TO 10 PERCENT SLOPE
 - [14] DRAIN-CONTROL COMPLEX, 0 TO 1 PERCENT SLOPE
 - [18] DRAIN-CONTROL COMPLEX, 0 TO 12 PERCENT SLOPE

PUD NO.

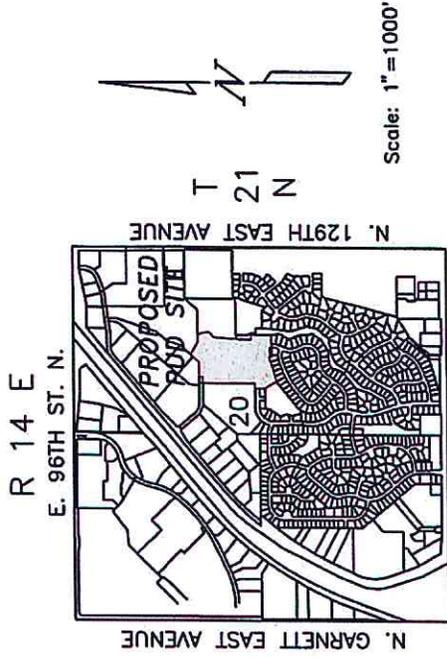
**TYANN
VILLA**

TYANN DEVELOPMENT CO., INC.

EXHIBIT 'C'

EXISTING SOILS MAP

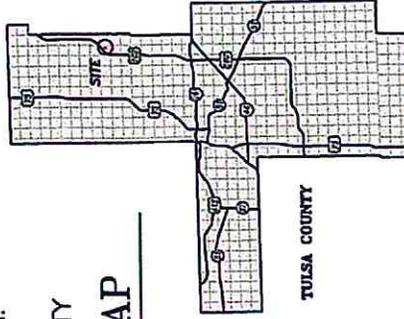
KELLOGG ENGINEERING, INC.
TALALA, OK



E. 86TH ST. N.
SECTION 20
TULSA COUNTY

LOCATION MAP

SCALE: 1" = 2500'

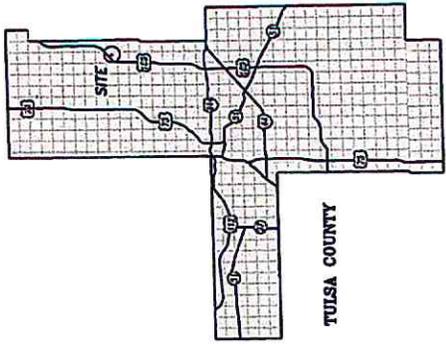
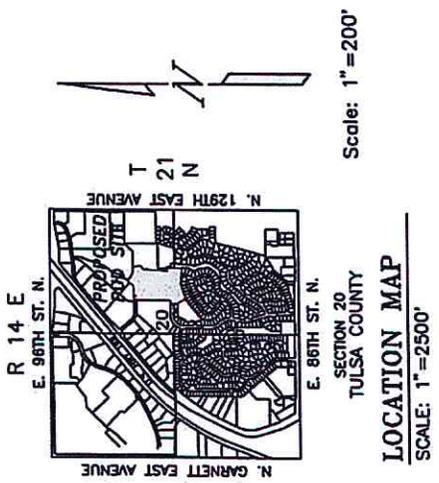


PUD NO.

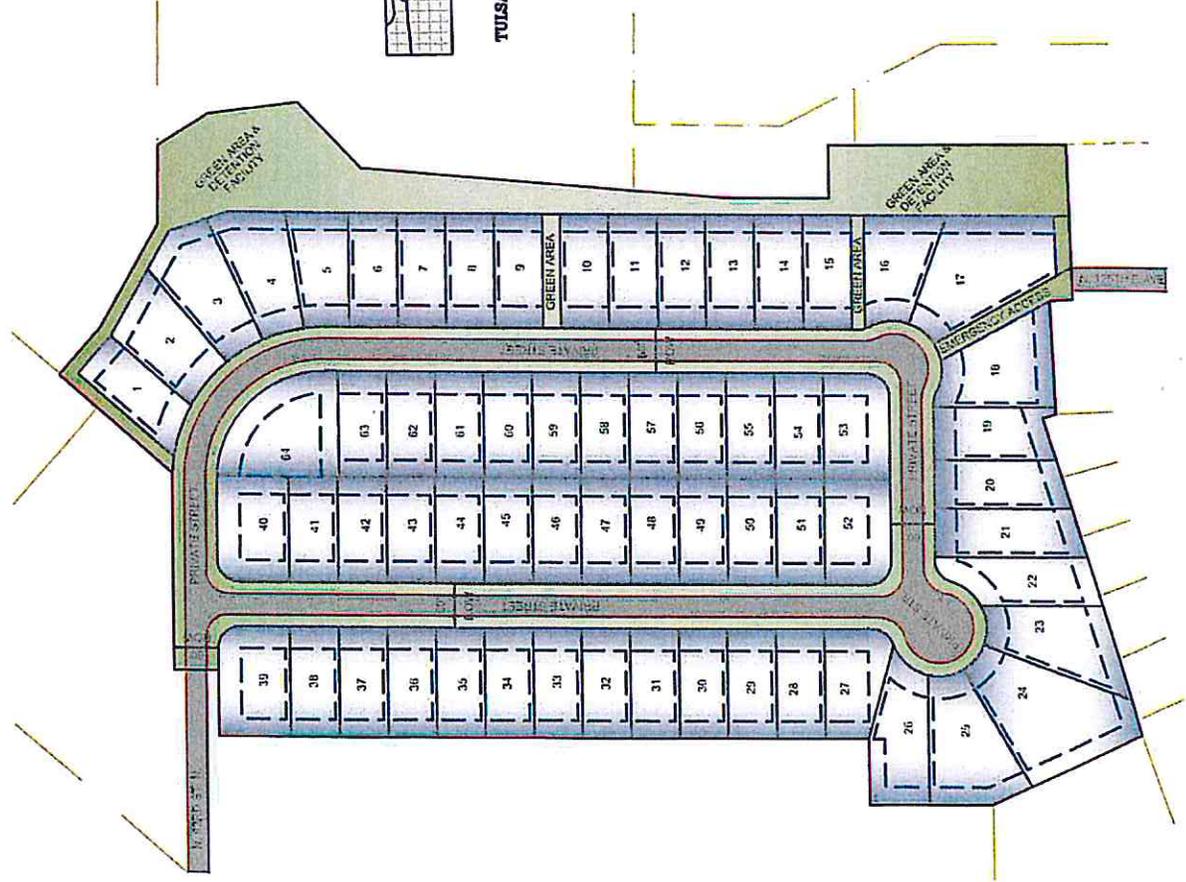
**TYANN
VILLA**

TYANN DEVELOPMENT CO., INC.

EXHIBIT 'D'
AERIAL PHOTOGRAPH
KELLOGG ENGINEERING, INC.
TALALA, OK



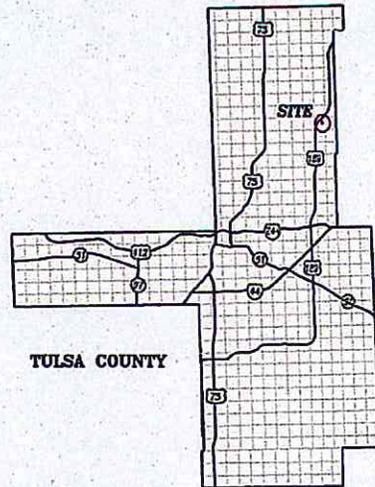
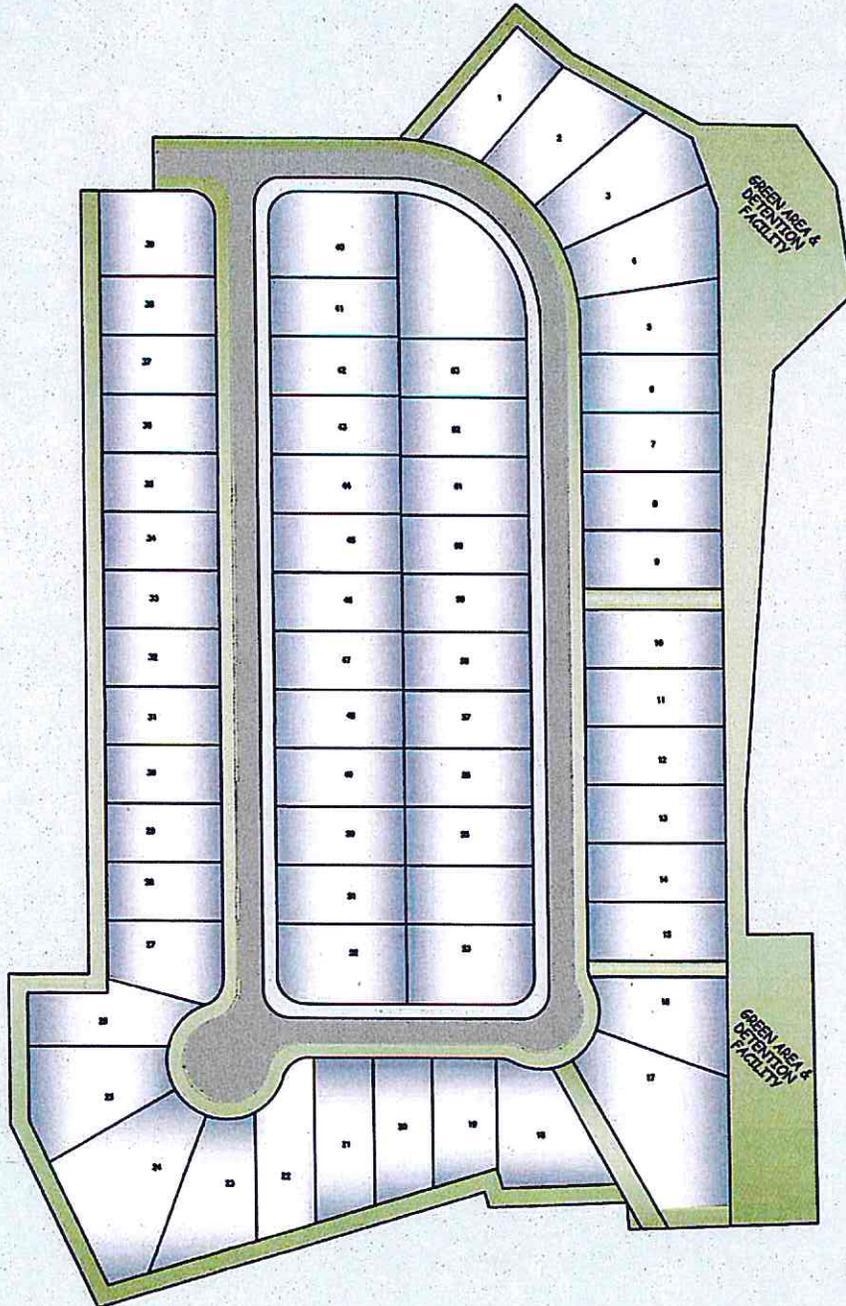
MINIMUM YARD SET BACK LINE	25 FEET
FRONT YARD ABUTTING A STREET:	20 FEET
REAR YARD:	0/5 FEET
SIDE YARD:	25 FEET
CORNER LOT SIDE YARD: (BACK TO BACK WITH ANOTHER CORNER LOT)	25 FEET
CORNER LOT SIDE YARD: (NOT BACK TO BACK WITH ANOTHER CORNER LOT)	25 FEET



GREEN AREAS:
ALL GREEN AREA SHALL BE DEEM LANDSCAPING
AND SCREENING AREAS.

PUD NO.
**TYANN
VILLA**
TYANN DEVELOPMENT CO., INC.
EXHIBIT 'E'
PRELIMINARY CONCEPT PLAN
KELLOGG ENGINEERING, INC.
TALALA, OK

TYANN VILLA



TULSA COUNTY

PUD NO.

TYANN VILLA

TYANN VILLA
RESIDENTIAL, AND RECREATIONAL AREAS
TYANN DEVELOPMENT CO., INC.



TO: The Honorable Mayor and City Council
 City of Owasso

FROM: Bronce L. Stephenson, MPA
 Director of Community Development

SUBJECT: Planned Unit Development, PUD 16-04 (OZ 16-05) - Owasso 140

DATE: July 8, 2016

BACKGROUND:

The City of Owasso received a Planned Unit Development (PUD) application for consideration of Owasso 140 from Dominion LLC. The property is located on the north side of E 76 St N approximately ¾ mile west of N 161 E Ave. This PUD is for a 140 acre master planned community to be developed into 467 lots within 17 blocks. As part of this PUD, the applicant requests an underlying zoning of RS-3.

SURROUNDING ZONING:

Direction	Zoning	Use	Land Use Plan	Jurisdiction
North	RS-10 (Residential Single-Family)	Residential/ Agriculture	Residential	Rogers County
South	RS-10 and RS-40 (Residential Single-Family)	Residential	Residential	Rogers County
East	RS-40 (Residential Single-Family)	Residential	Residential	Rogers County
West	RS-3 (Residential Single Family)	Residential	Residential	City of Owasso

SUBJECT PROPERTY/PROJECT DATA:

Property Size	140 acres
Current Zoning	AG (Agriculture)
Proposed Use	Residential
Lots/Blocks	467 lots in 17 blocks
Number of Reserve Areas	5 Reserve areas
Within PUD?	PUD 16-04
Within Overlay District?	N/A
Water Provider	Rogers Rural Water District #3
Applicable Paybacks/Fees	Elm Creek Sanitary Sewer Payback \$1580/acre City of Owasso Storm Siren Fee \$35/acre
Streets (public or private)	Public and Private

CONCEPT OF A PUD:

The concept of a Planned Unit Development is to provide a creative alternative to conventional development where a particular tract is under common ownership or control and where a detailed development plan, outlining the development of the tract as a unit is proposed and submitted for public review. The use of a PUD technique is a way to amend a zoning ordinance in accordance with a complete and coordinated plan of development for a larger parcel, rather than piecemeal individual changes using the variance process. Additionally, a PUD typically produces a higher quality product with better amenities, architecture, landscaping and buffering.

ANALYSIS:

This PUD application and rezoning request was submitted for the development of a 140 acre master planned community that proposes 467 lots in 17 blocks. The rezoning request is for the base zoning of RS-3 (Residential Single-Family). The project will be comprised of two residential development areas of similar character but different lot sizes. Development Area A, located at the northwest corner of the property is 19.48 acres in size, and consist of lots ranging from 50 to 55 feet in width. This smaller lot size falls under the minimum requirements for RS-3 zoning, but would be allowed within a PUD overlay. Development Area A will consist of 50 maximum dwelling units yielding a gross density 2.57 dwelling units per acre. All streets within this area will be privately maintained by the Homeowner's Association and would be privately gated.

Development Area B, approximately 122 acres, will consist of typical single-family residential homes with lots ranging from 65 to 70 feet in width, with many of the lots exceeding RS-3 standards. The streets within Area B will be public and will be developed to the City of Owasso design standards.

As part of the PUD there will be five designated Reserve Areas that will be established by the owner for construction of private streets, stormwater detention, and open space amenity areas. The development proposes the following amenities:

- Stocked fishing pond with dock
- Walking trails around two detention ponds that connect with neighborhood sidewalks
- Community playing fields or disc golf course
- Swimming pool or splash pad
- Clubhouse

If the PUD is approved, the applicant will provide final development plans for administrative review and approval by City staff. These plans shall include all the civil engineering drawings, landscape plans, drainage plans, utility plans, and Final Plat. PUD applications presented to the Planning Commission are for approval of the uses, the overall plan as it relates to the immediate area, and the concept for the development. This project would connect to existing Rogers County subdivisions to allow for adequate emergency access on the eastern and western perimeters. The City of Owasso will provide sanitary sewer, Fire, Police, and EMS service to the proposed development. Rogers Rural Water District #3 will provide water to the development.

COMPREHENSIVE PLAN CONSISTENCY:

The Owasso 2030 Land Use Master Plan identifies the subject property and its surroundings as having residential uses, making the proposal consistent with the Plan.

HARMONY WITH THE EXISTING AND EXPECTED DEVELOPMENT:

This proposal appears to be consistent with the current and expected development of the area. The area is developed with single-family homes of varying densities.

PLANNING ISSUES:

Future planning issues must still be considered if the PUD is approved. If approved, the applicant will be required to adhere to all City of Owasso subdivision regulations and engineering requirements.

According to the Owasso Zoning Code, the Planning Commission shall hold a public hearing on any PUD application and determine the following:

1. Whether the PUD is consistent with the Comprehensive Plan.
2. Whether the PUD is in harmony with the existing and expected development of surrounding areas.
3. Whether the PUD is a unified treatment of the development possibilities of the project site.
4. Whether the PUD is consistent with the stated purpose and standards of the PUD ordinance.
 - a. To permit innovative land development while maintaining appropriate limitation on the character and intensity of use assuring compatibility with adjoining and proximate properties;
 - b. To permit flexibility within the development to best utilize the unique physical features of the particular site;
 - c. To provide and preserve meaningful open space; and
 - d. To achieve a continuity of function and design within the development.

PLANNING COMMISSION:

The Owasso Planning Commission will consider this item at their meeting on July 11, 2016.

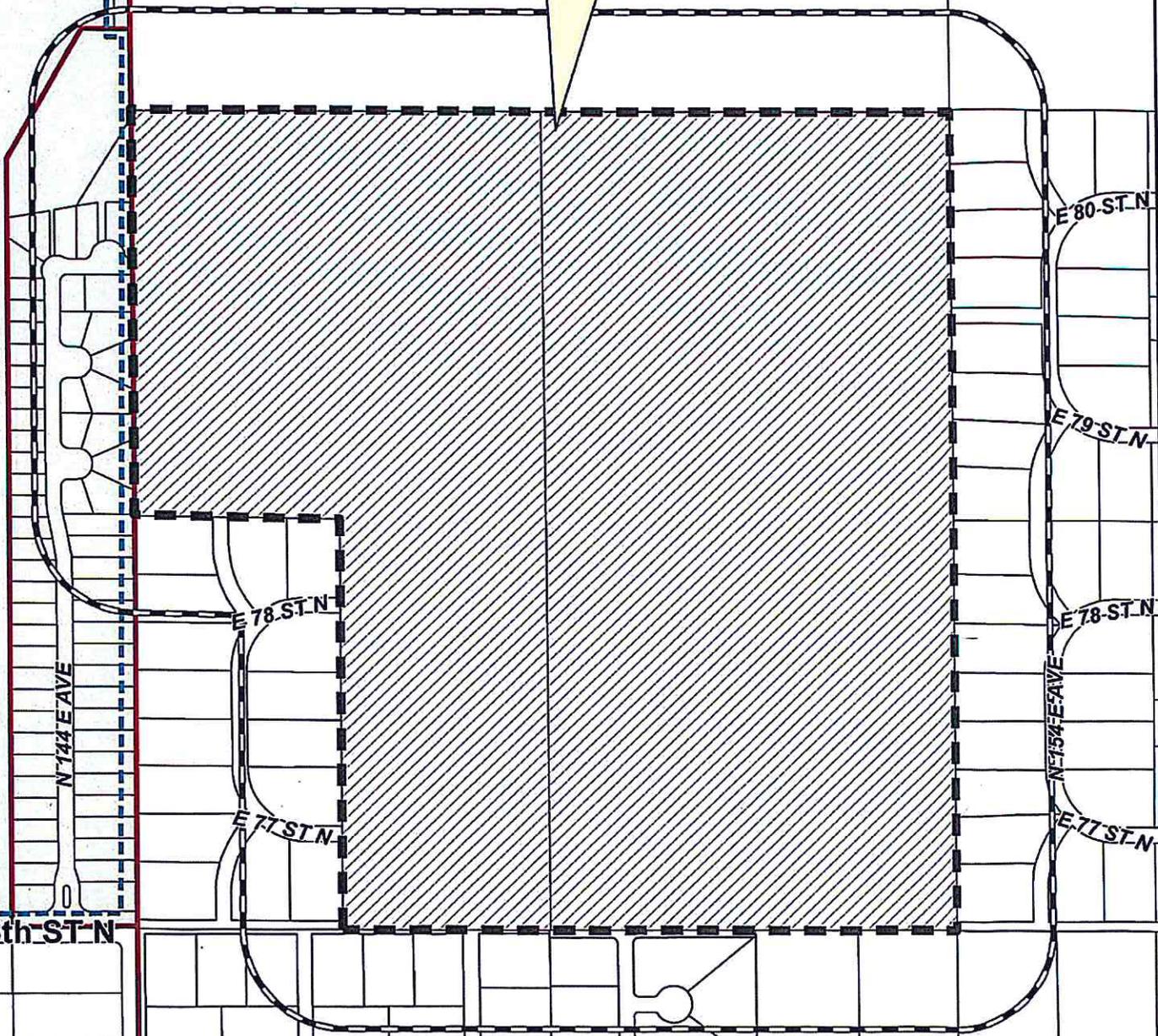
ATTACHMENTS:

Area Map
Aerial Map
Land Use Map
Planned Unit Development Submittal for Owasso 140

RM-1
E 83 PL N
E 83 ST N

Rogers County Zoning Unavailable

Subject Tract

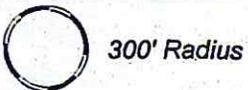


E 76th ST N

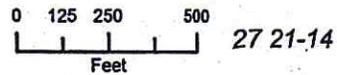
RE

LEGEND

-  Owasso Corporate Limits

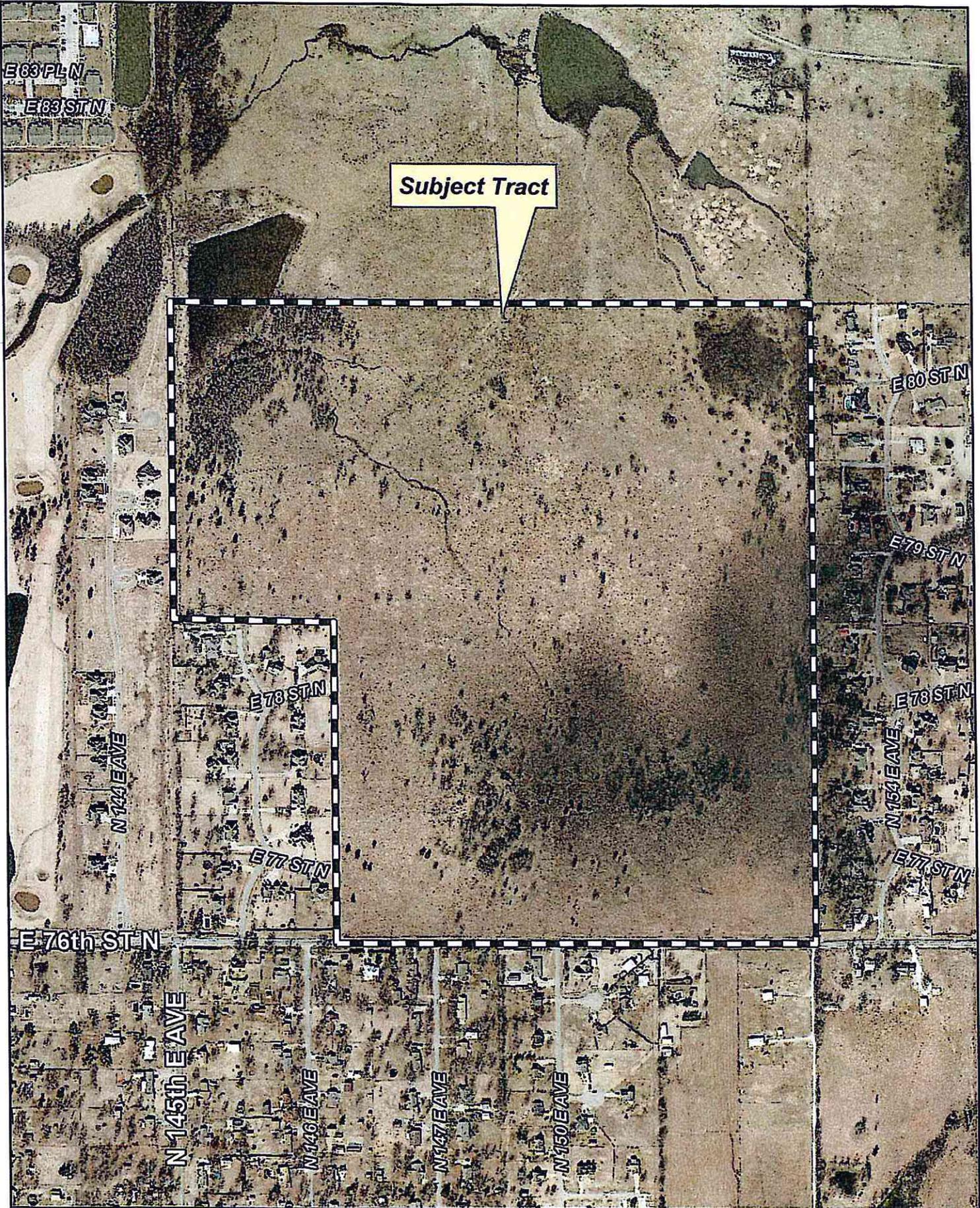


OPUD 16-04 & OZ 16-05



27 21-14





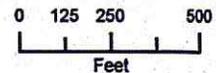
Subject Tract

Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: February 2016



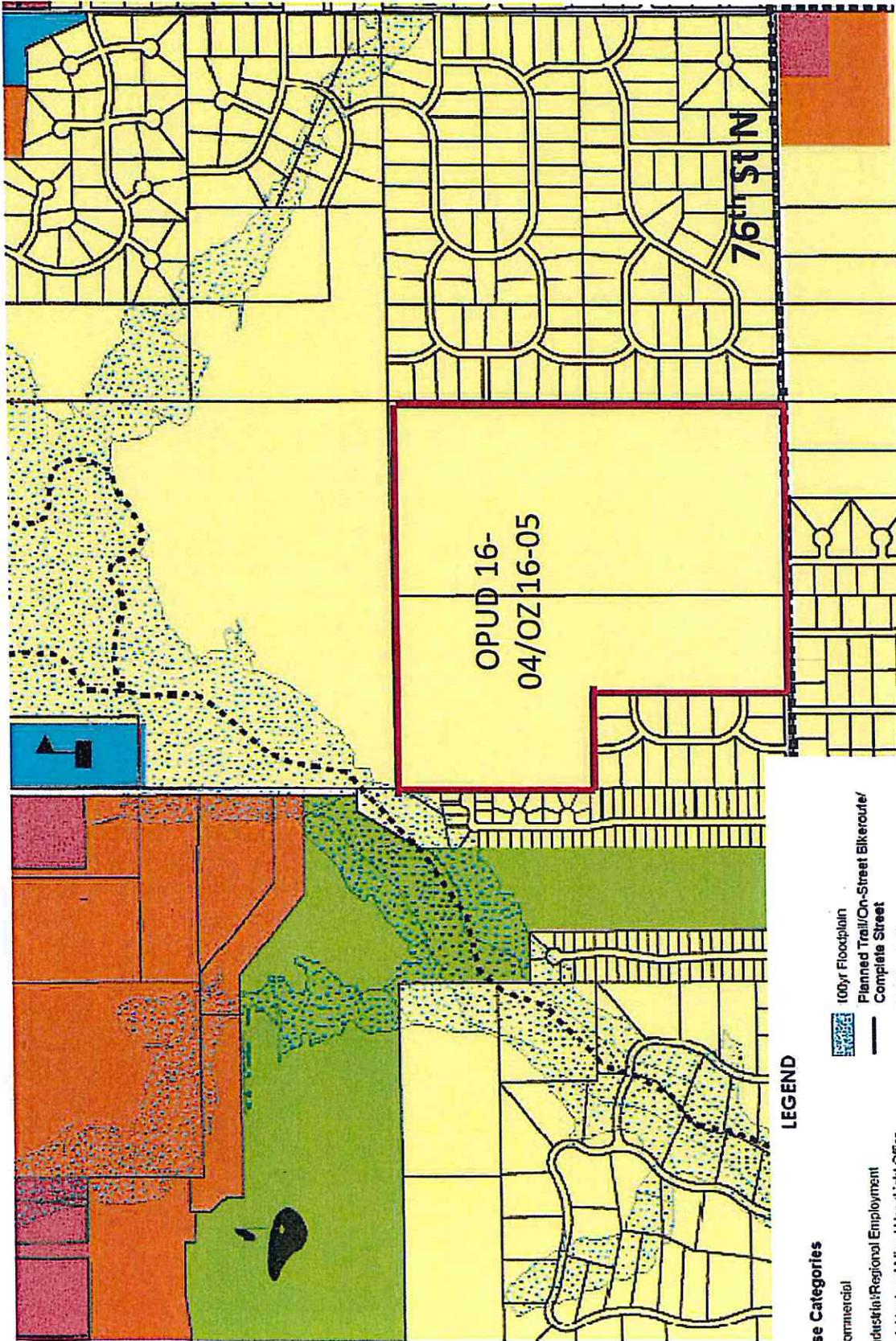
Subject Tract

OPUD 16-04 & OZ 16-05



27 21-14





OPUD 16-04/OZ 16-05

76th St N

Land Use Categories

- Commercial
- Industrial/Regional Employment
- Neighborhood Mixed Use (Light Office, Commercial Shopping, Attached Housing, SF Housing, Apartments above retail)
- Parks/Recreation
- Public/Institutional/Quasi Public
- Residential (Single family detached housing)
- Transitional (Attached housing, duplexes, offices)
- US-100 Overlay District
- Glenn-Hur Addition Special District
- Downtown Development District

LEGEND

- 100yr Floodplain
- Planned Trail/On-Street Bikeroute/Complete Street
- Existing trail
- Fire Station
- Existing Public School
- Future Public School
- Civilian Airstrip
- Future Park and Ride/Transit Stop
- Hospital
- Public Park
- Golf Course
- Cemetery

Owasso 140
Planned Unit Development #

Prepared
June 1, 2016

Location
Part of the Southwest Quarter (SW/4) of Section Thrity (27), Township Nineteen (21) North, Range Fifteen (14) East of the Indian Base and Meridian, Wagoner County, State of Oklahoma. This PUD contains 51.04 +/- Acres.

Owner
Dominion LLC
12340 E. 86th Street North
Owasso, OK 74055

Prepared By:
AAB Engineering, LLC



Engineering • Surveying • Land Planning

PO Box 2136 Sand Springs, OK 74063
Office: (918) 514-4283 Fax: (918) 514-4288

Development Concept

Owasso 140 is a 140 acre master planned community located on the north side of 76th Street north between 145th East Avenue and 161st East Avenue. The property has recently been annexed into the City Limits of Owasso. This PUD is being filed in conjunction with a rezoning request for the base zoning of RS-3. The GrOwasso 2030 Land Use plan designates this area as Residential which supports the proposed RS-3 zoning. The property is currently zoned RS-10 according to the Rogers County Zoning Code. The project will be comprised of two residential development areas of similar character but different lot sizes. Planned Unit Development sets out the development guidelines for both development areas and summarizes the amenities proposed within the project.

The project is bounded on the east by Cornerstone Addition III & IV, the southwest by Cornerstone West, the northwest by The Champions East, and the south by Willow-Wood Estates and The Meadows. Cornerstone III, IV, and Cornerstone West are residential estate size lot developments constructed in accordance with Rogers County RS-40 standards. Champions West is a residential development conforming to City of Owasso RS-3 standards. Willow-Wood Estates is a slightly more dense residential development constructed under Rogers County RS-20 standards. The tract to the north is currently undeveloped and is zoned RS-10. The proposed development conforms to the development patterns within this area as well as the GrOwasso 2030 Land Use Plan.

The development as a whole will largely conform to the development standards of RS-3 zoning. Approximately 19.5 acres of the development will be developed as a small lot gated community. The developer's intent is to market homes of a similar or slightly smaller size with smaller lots requiring less maintenance. The average home price within the gated area will be similar to those of the general RS-3 area. A significant amenity package will be provided for the benefit of both Development Areas A and B. This development concept provides for lot diversity which will decrease the time to build out the subdivision and provides amenities normally contained within a PUD to a development largely conforming to standard RS-3 zoning requirements.

Development Standards

Development Area A

Development Area A will consist of a small lot gated community concept. This section will largely consist of a mix of 55'x110' and 50'x120' lots with architectural standards similar to that of Development Area B. Lots shall conform to the development standards of the RS-3 zoning as established in the City of Owasso Zoning code Section 430 as it exists on the date of approval of this PUD, except as hereinafter modified:

Permitted uses:	Single Family Detached Dwellings
Gross Land Area	19.48 acres
Minimum gross land area per dwelling unit: (DU)	10,000 square feet (8,400 square feet by Code)
Maximum number of dwelling units	50 (101 by Code Gross Lot Area)
Minimum Lot Width	50 feet (65 feet by Code)
Minimum lot size	5500 square feet (7,000 square feet by Code)
Minimum livability space per lot	2500 square feet *(4,000 Square feet by Code)
Minimum front yard	20 feet (25 Feet by Code)

*Open Space within Reserve A has been equally allocated to these lots reducing the proposed livability space from 4,000 to 2,500. The per lot livability space provided within Reserve Area A is approximately 1,785 square feet.

Development Area B

Development Area B will consist of a mix of 70'x130' and 65'x130' lots with architectural standards similar to that of Development Area A. Lots shall conform to the development standards of the RS-3 zoning as established in the City of Owasso Zoning code Section 430 as it exists on the date of approval of this PUD.

Reserve Area 'A'

Reserve Area 'A' shall be established by the owner for the construction of private streets providing access to each lot owner with Development Area A and their invitees to and from the public streets within Development Area B. Gates, fencing, and landscaping, including all appurtenances incidental thereto, shall be allowed within Reserve Area 'A', provided all such improvements are approved by the City of Owasso prior to installation. Reserve Area 'A' shall be conveyed to the Homeowner's Association which shall be responsible for the maintenance of all improvements contained within that reserve.

Reserve Areas 'B', 'C', & 'D'

Reserve Areas 'B', 'C', and 'D' shall be established by the owner for the construction of a stormwater detention facility and open space park with walking trails. Such park shall be for the sole use and enjoyment of the lot owners with the development and their invitees. All structures or improvements related to the detention function of the facility shall be constructed according to City of Owasso standards. Reserve Areas 'B', 'C', and 'D' shall be conveyed to the Homeowner's Association which shall be responsible for the maintenance of all improvements contained within that reserve..

Reserve Area 'E'

Reserve Area 'E' shall be established by the owner for the construction of open space park, swimming pool or splash pad, and Public Gathering amenities. Such area shall be for the sole use and enjoyment of the lot owners with the development and their invitees. Reserve Area 'E' shall be conveyed to the Homeowner's Association which shall be responsible for the maintenance of all improvements contained within that reserve.

Private Streets

All streets within Development Area A of the PUD will be privately maintained by the Homeowner's Association. All streets shall be constructed according to the City of Owasso residential public street standards provided that a minimum reserve width of 30' will be sufficient in lieu of the required 50' right of way with a minimum radius of 44' for all cul-de-sacs. Streets shall be constructed with a minimum width of 26' face of curb to face of curb and a minimum radius of 40' within cul-de-sacs. Streets may be gated provided all such gates meet the access requirements of the City of Owasso.

Access and Circulation

All streets within Development Area B will be public streets conforming to the design standards of the City of Owasso. The street configuration will largely conform to the layout as shown on the attached conceptual site plan and preliminary plat. The primary entry to the subdivision will be derived from 76th Street North with Limits of No Access (LNA) being imposed along the portions of 76th Street not used for public street access. Two secondary points of access will be provided at the northern most stub street connection on the eastern side of Cornerstone-West as well as the stub street connection within Cornerstone Addition III.

All streets within the Development Area A will be private and will largely conform the with the attached conceptual site plan. The primary access point shall be the southernmost point indicated on the attached development plan. A secondary access, with an emergency access crash gate, will be provided at the northern connection to Development Area B. This will provide two points of access to all lots within Development Area A as required by the City of Owasso Fire Marshal. Gates will be constructed to limit public access to this portion of the subdivision and provide additional security for the lot owners. All such gates will be constructed according to the requirements of the City of Owasso. The location and configuration of the gates within Development Area B will require approval of the Fire Marshal and Public Works.

Sidewalks shall be constructed by the developer along 76th Street North and all Reserves adjacent to streets. Sidewalks along all internal streets shall be constructed by the individual lot owners at the time of home construction. Sidewalks shall be a minimum of four (4) feet in width, shall be ADA compliant, and shall be approved by the City of Owasso Public Works Department. Additional right-of-way width or a sidewalk easement may be required with Development Area A as necessary to accommodate the sidewalks.

Amenities

The development will contain amenities as outlined in section 8.29 M of the City of Owasso Zoning Code. The development will contain include a stocked fishing pond surrounded by open space parks containing walking trails. The Reserve Areas previously discussed will also include community playing fields or a disc golf course. The developer also proposes the construction of community swimming pool or spray ground along with a Pavilion or Clubhouse. The details of the final amenity package will be submitted along with the final plat. All amenities and Reserves will be maintained by the developer until such time as the subdivision is turned over to the Home Owner's Association.

Screening Walls and Fences

Interior fencing and/or walls shall not extend beyond that point nearest the street at each end corner of the residence. Fencing along 76th Street North shall be 6' feet in height and consist of wood, masonry or wrought iron material or a combination thereof. All entry features will be contained within a Fence Easement or Reserve designated on the final plat.

Requirement to Plat

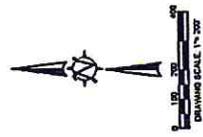
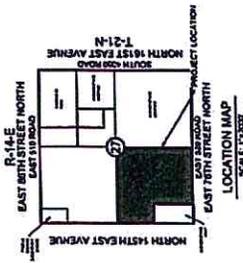
No building permit shall be issued until a plat containing restrictive covenants memorializing the above development standards is prepared and filed in accordance with the City of Owasso Subdivision Regulations.

Schedule of Development

Development Construction is expected to begin in fall or early winter 2016:2017.

Exhibit A

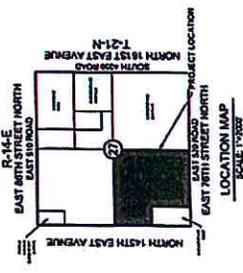
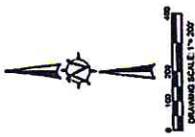
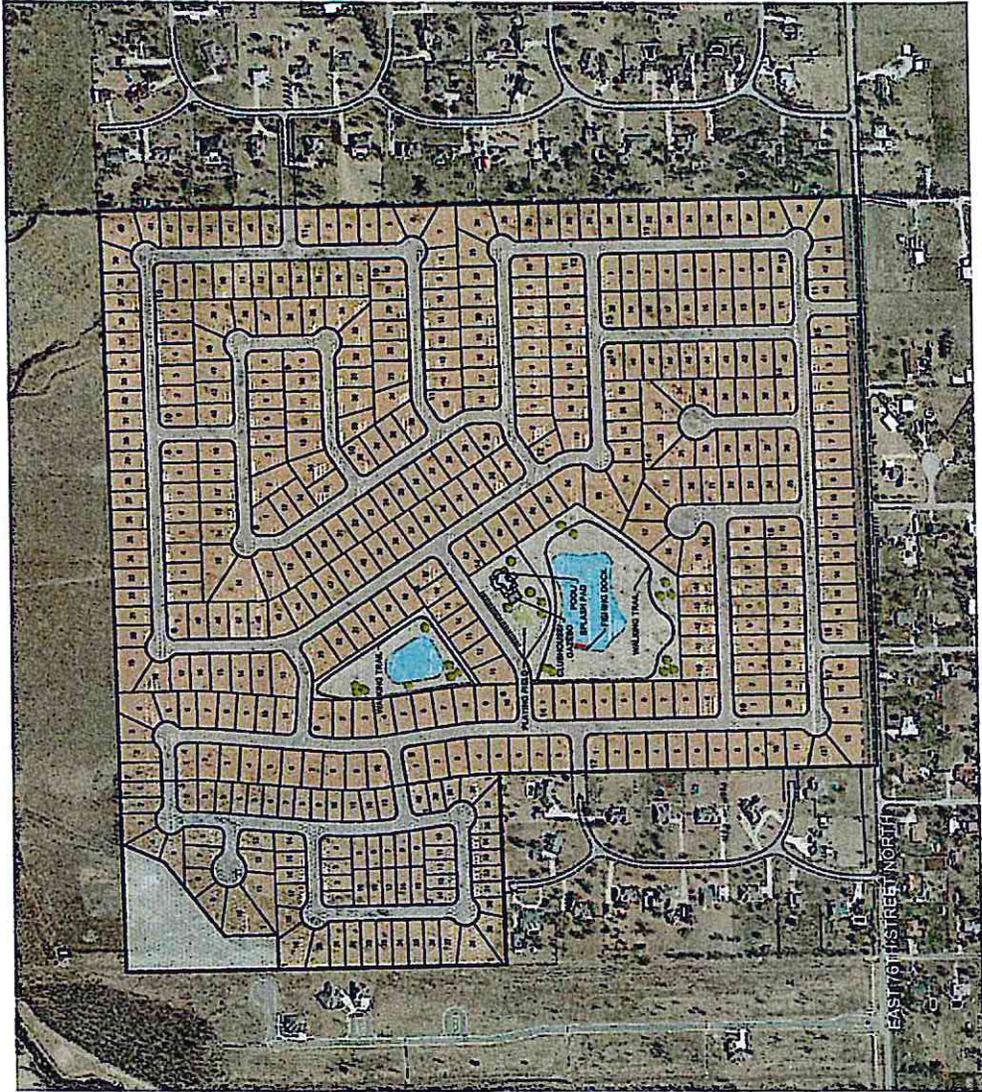
Surrounding Areas
for
Owasso 140



AAB Engineering, LLC
AAB
 Engineering, Surveying, and Planning
 10000 145th Street, Suite 100
 Owasso, Oklahoma 74059
 Phone: (405) 931-4200 Fax: (405) 931-4208



Exhibit B Conceptual Site Plan for Owasso 140



LEGEND

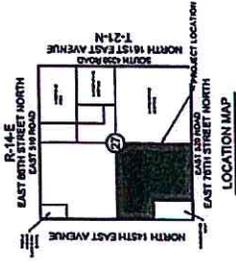
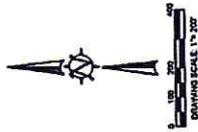
- DEVELOPMENT AREA 1
- DEVELOPMENT AREA 2

AAB Engineering, LLC
AAB
 Engineering, Surveying & Land Planning
 100 West 11th Street, Suite 100
 Owasso, Oklahoma 74758
 Phone: 918-551-3337 Fax: 918-551-0388



Exhibit C

Conceptual Utilities Plan
for
Owasso 140



LEGEND

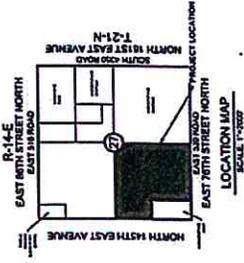
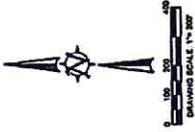
-  PROPOSED WATER LINE
-  PROPOSED SANITARY SEWER LINE



Exhibit D

Existing Topo and Aerial
for

Owasso 140



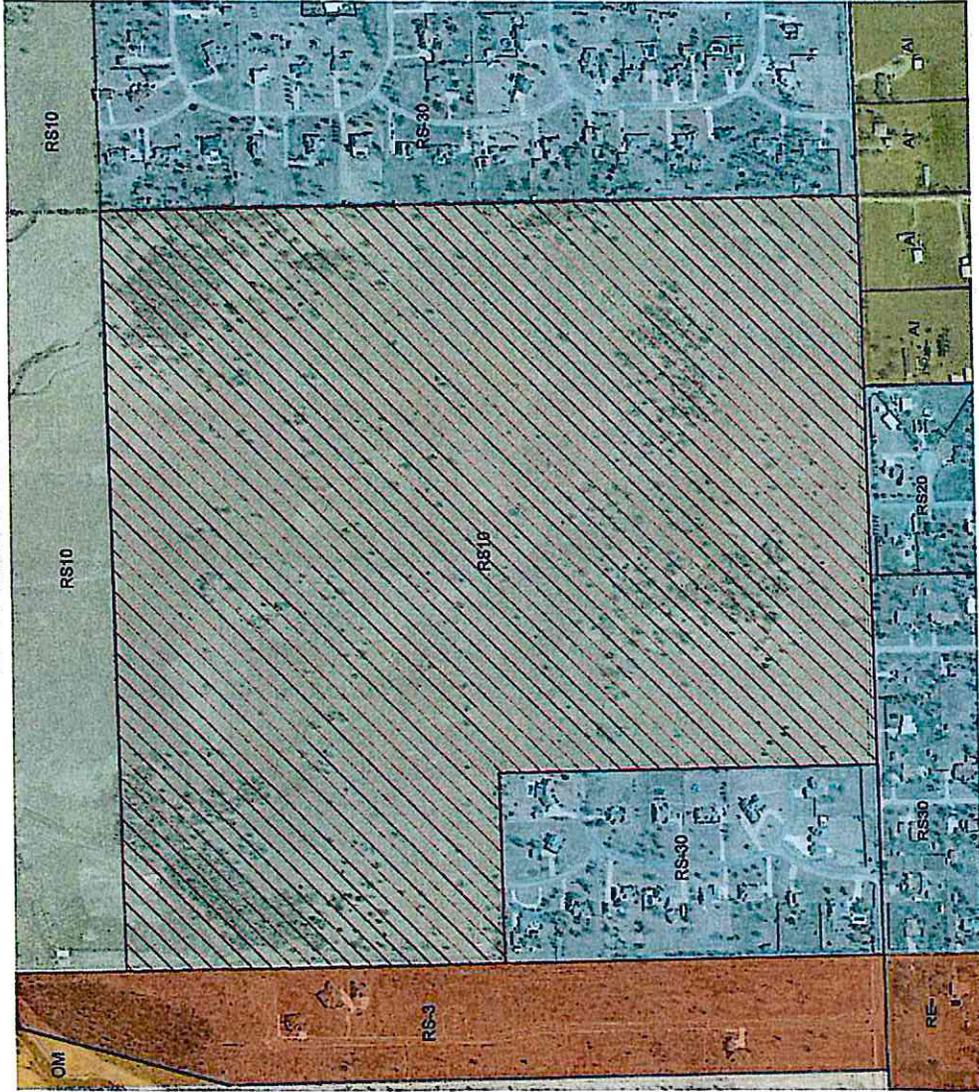
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AAB Engineering, LLC
AAB
 Engineering, Surveying, and Planning
 10000 Old Farm Road, Suite 100
 Oklahoma City, Oklahoma 73155
 Phone: (405) 764-4400
 Fax: (405) 764-4401
 www.aabeng.com



Exhibit E

Existing and Proposed Zoning
for
Owasso 140



LEGEND
 UNIMPROVED 663.2' ZONING

AAB Engineering, LLC
AAB
 Engineering • Surveying • Land Planning
 10000 S. 100th St., Suite 100
 Oklahoma City, Oklahoma 73154
 405.761.1111
 www.aabeng.com



Exhibit F

Overall Legal Description
for

Owasso 140

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER (SW/4) OF SECTION TWENTY-SEVEN (27) OF TOWNSHIP TWENTY-ONE (21) NORTH AND RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN (I.B.&M.), ACCORDING TO THE U.S. GOVERNMENT SURVEY, THEREOF, ROGERS COUNTY, STATE OF OKLAHOMA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SW CORNER OF THE SW/4 OF SEC.27, T-21-N, R-14-E, I.B.&M.; THENCE N 88°43'46" E A DISTANCE OF 662.58 FEET TO THE POINT OF BEGINNING BEING THE SE CORNER OF THE W/2 OF THE SW/4 OF THE SAID SW/4; THENCE N 01°11'25" W A DISTANCE OF 1318.80 FEET TO THE NE CORNER OF SAID W/2 SW/4 SW/4; THENCE S 88°42'25" W A DISTANCE OF 622.31 FEET TO THE NW CORNER OF SAID W/2 SW/4 SW/4; THENCE N 01°10'42" W A DISTANCE OF 1318.54 FEET TO THE NW CORNER OF SAID SW/4; THENCE N 88°41'03" E A DISTANCE OF 2648.15 FEET TO THE SE CORNER OF SAID SW/4; THENCE S 01°13'32" E A DISTANCE OF 2639.15 FEET TO THE SE CORNER OF SAID SW/4; THENCE S 88°43'46" W A DISTANCE OF 1987.74 FEET TO THE POINT OF BEGINNING, AND CONTAINING 140.391 ACRES, MORE OR LESS.

PLOT DATE: Wed, 01 Jun 2016 FILE: P:\2114\27-SOKOLOSKY\SOKOLOSKY PUD

AAB Engineering, LLC

Engineering • Surveying • Land Planning
PO Box 2136 Sand Springs, OK 74063
OK CA#0318 Exp: June 30, 2018
KS CA#2292 Exp: Dec. 31, 2018
Office: (918) 514-4283 Fax: (918) 514-4288

Exhibit F

Development Area A Legal Description
for

Owasso 140

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER (SW/4) OF SECTION TWENTY-SEVEN (27) OF TOWNSHIP TWENTY-ONE (21) NORTH AND RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN (I.B.&M.), ACCORDING TO THE U.S. GOVERNMENT SURVEY, THEREOF, ROGERS COUNTY, STATE OF OKLAHOMA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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PLOT DATE: Wed, 01 Jun 2016 FILE: P:\211427-SOKOLOSKY\SOKOLOSKY PUD

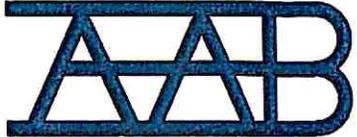
AAB Engineering, LLC

Engineering • Surveying • Land Planning
PO Box 2136 Sand Springs, OK 74053
OK CA#6318 Exp: June 30, 2018
KS CA#2292 Exp: Dec. 31, 2018
Office: (918) 514-4283 Fax: (918) 514-4288

Exhibit F

Development Area B Legal Description
for

Owasso 140

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER (SW/4) OF SECTION TWENTY-SEVEN (27) OF TOWNSHIP TWENTY-ONE (21) NORTH AND RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN (I.B.&M.), ACCORDING TO THE U.S. GOVERNMENT SURVEY, THEREOF, ROGERS COUNTY, STATE OF OKLAHOMA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SW CORNER OF THE SW/4 OF SEC.27, T-21-N, R-14-E, I.B.&M.; THENCE N 88°43'46" E A DISTANCE OF 662.58 FEET TO A POINT BEING THE SE CORNER OF THE W/2 OF THE SW/4 OF THE SAID SW/4; THENCE N 01°11'25" W A DISTANCE OF 1318.80 FEET TO THE TO THE POINT OF BEGINNING, BEING THE NE CORNER OF SAID W/2 SW/4 SW/4; THENCE S 88°42'25" W A DISTANCE OF 662.31 FEET; THENCE N 01°10'42" W A DISTANCE OF 1318.54 FEET; THENCE N 88°41'03" E A DISTANCE OF 660.19 FEET; THENCE S 01°16'14" E A DISTANCE OF 144.46 FEET; THENCE S 03°37'50" E A DISTANCE OF 50.04 FEET; THENCE S 01°16'14" E A DISTANCE OF 75.05 FEET; THENCE S 04°12'44" W A DISTANCE OF 361.05 FEET; THENCE S 03°13'36" W A DISTANCE OF 153.70 FEET; THENCE S 02°06'43" E A DISTANCE OF 100.94 FEET; THENCE S 08°54'01" E A DISTANCE OF 65.00 FEET; THENCE S 05°38'44" E A DISTANCE OF 50.08 FEET; THENCE S 08°54'01" E A DISTANCE OF 220.38 FEET; THENCE S 01°59'45" E A DISTANCE OF 102.48 FEET; TO THE POINT OF BEGINNING,
AND CONTAINING 19.48 ACRES, MORE OR LESS.

PLOT DATE: Wed, 01 Jun 2016 FILE: P:\211427-SOKOLOSKY\SOLOSKY PUD

AAB Engineering, LLC

Engineering • Surveying • Land Planning
PO Box 2136 Sand Springs, OK 74063
OK CA#0318 Exp: June 30, 2018
KS CA#2292 Exp: Dec. 31, 2016
Office: (918) 514-4283 Fax: (918) 514-4288



TO: The Honorable Mayor and City Council
 City of Owasso

FROM: Bronce L. Stephenson, MPA
 Director of Community Development

SUBJECT: Specific Use Permit – SUP-16-02, IQ Car Wash

DATE: July 8, 2016

BACKGROUND:

The City of Owasso received an application for review and approval of a Specific Use Permit for IQ Car Wash. The property is located at 8702 N Garnett Road.

SURROUNDING ZONING:

Direction	Zoning	Use	Land Use Plan	Jurisdiction
North	CG (Commercial General)	Commercial	Commercial	City of Owasso
South	CG (Commercial General)	Commercial	Commercial	City of Owasso
East	CG (Commercial General)	Commercial	Commercial	City of Owasso
West	RS3 – (Single Family Homes)	Single Family Homes	Residential	City of Owasso

SUBJECT PROPERTY/PROJECT DATA:

Property Size	1.70 acres
Current Zoning	CG (Commercial General)
Proposed Use	Commercial
Lots/Blocks	N/A
Number of Reserve Areas	N/A
Within PUD?	No
Within Overlay District?	US-169 Overlay
Water Provider	City of Owasso
Applicable Paybacks	Storm siren fee of \$35/acre
Streets (public or private)	N/A

ANALYSIS:

A Specific Use Permit (SUP) is required in certain zoning districts for uses that may be a bit more intensive than what is allowed through the City of Owasso Zoning Code. This property is located within the US-169 Overlay district which does not allow for Auto Wash developments unless

submitted with a Specific Use Permit. An auto wash within the US-169 Overlay requires an SUP because it often is associated with noise, traffic and additional lighting for the site. Although this location is near residential and other commercial developments, there appears to be little impact to the immediate surrounding area given that this development is the first on this particular piece of property. The applicant has worked with staff to design the site to try to mitigate all potential impacts that could be caused by this particular use. The applicant buffered the car wash elements from the residential uses by locating the vacuum station to the south of the property and adding a large buffer of open space landscape area. The car wash building will be located approximately 74 feet from the property line, where a typical commercial development is only required to have a 20 foot setback. The site will have 20,520 square feet of total landscape area, quite significant for a development of this size.

The development has a total of 9 car wash bays, with 3 of those bays as automatics. A covered vacuum area is located under a covered area to the south of the development with a central vacuum system located indoors. Ample stacking space on the site will ensure that there are no traffic issues along N Garnett Rd. The building will be constructed with split-faced block and asphalt shingles on the roof, meeting the US-169 Overlay standards.

RECOMMENDATION:

Staff will recommend the following conditions:

- Screening fence to provide additional buffering along the NW boundary of the site, including increased landscaping.
- Additional screening around site dumpster.

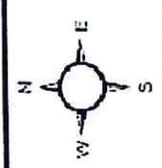
PLANNING COMMISSION:

The Owasso Planning Commission will consider this item at their meeting on July 11, 2016.

ATTACHMENTS:

Area Map
Aerial Map
SUP Site Plan and Supporting Documentation – IQ Car Wash
Building Elevations

Specific Use Permit 16-02

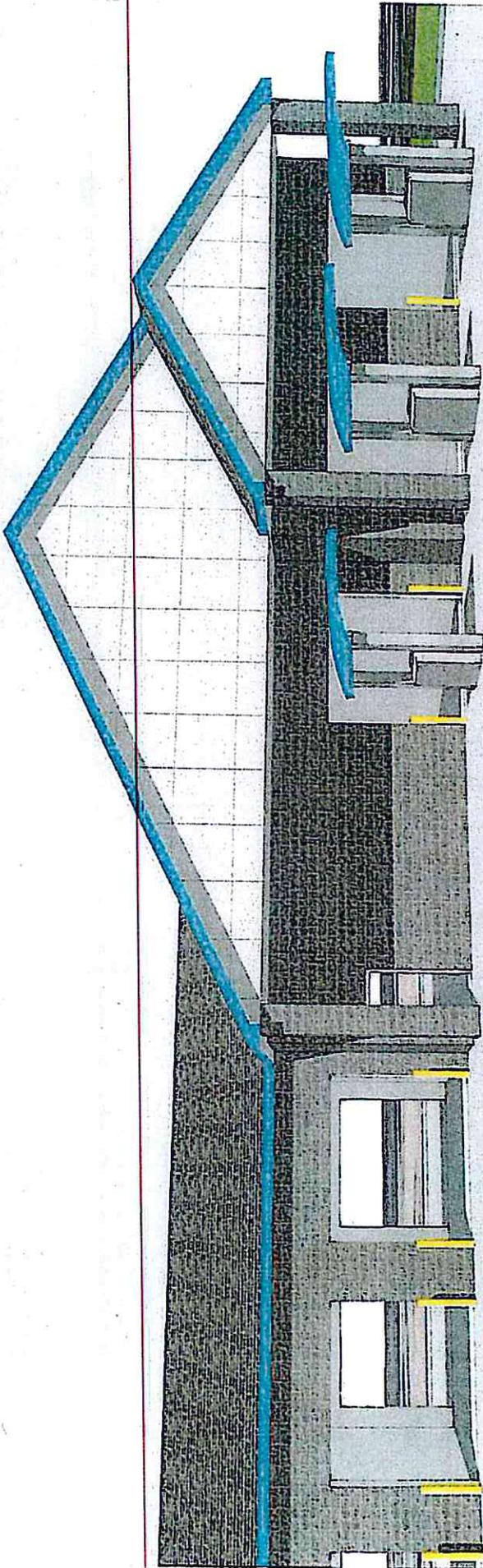


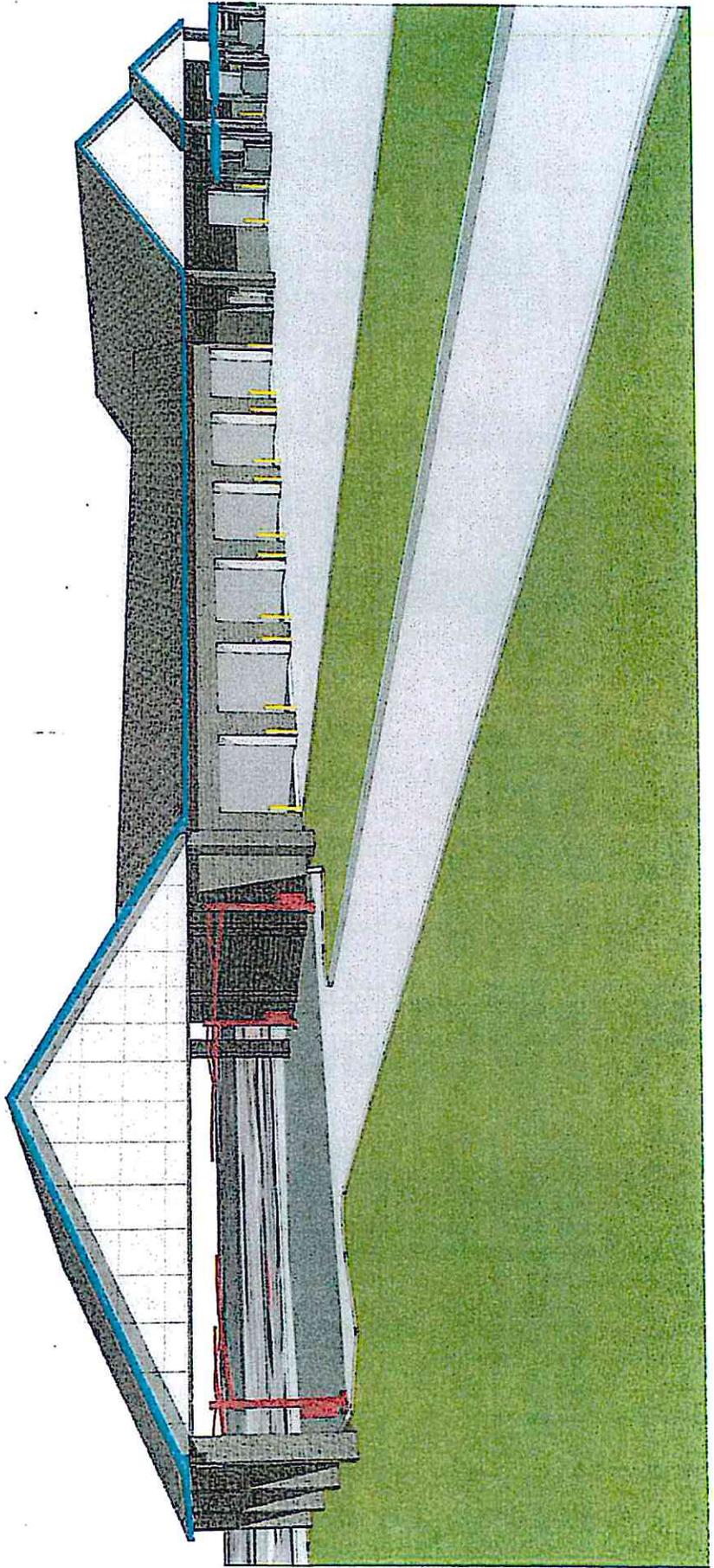
06/10/2016

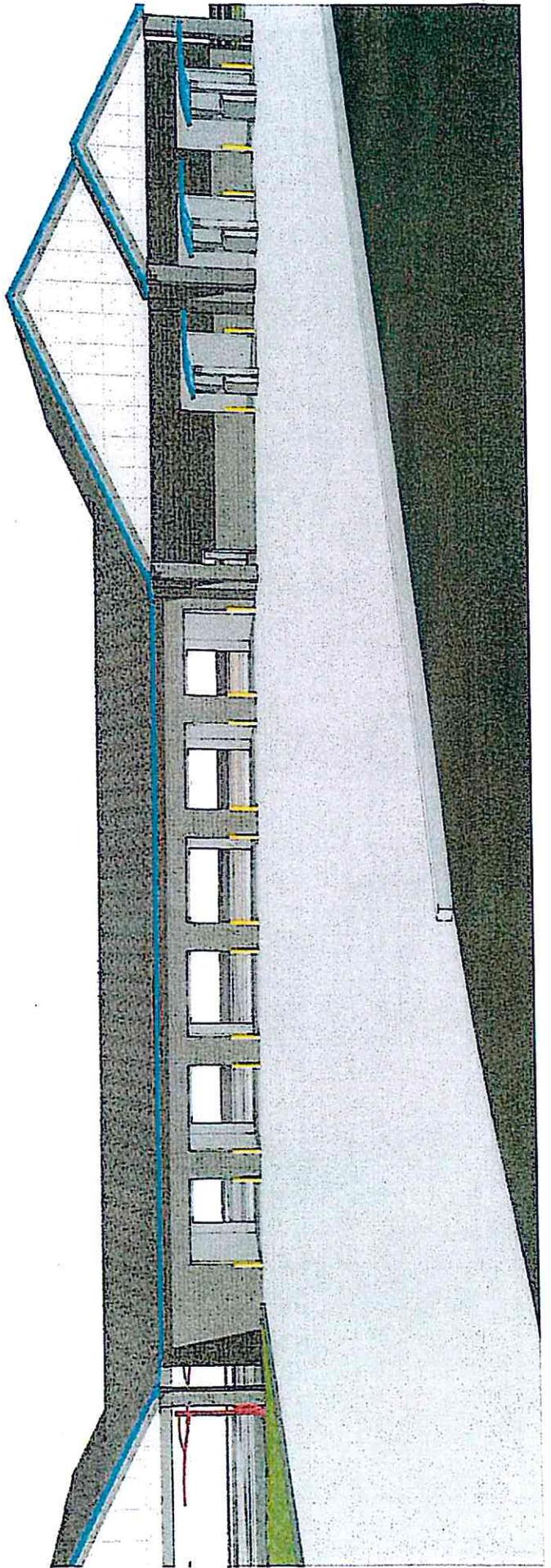
I Q Car Wash

1" = 752 ft

This map represents a visual display of related geographic information. Data provided hereon is not a guarantee of actual field conditions. To be sure of complete accuracy, please contact Owasso staff for the most up-to-date information.

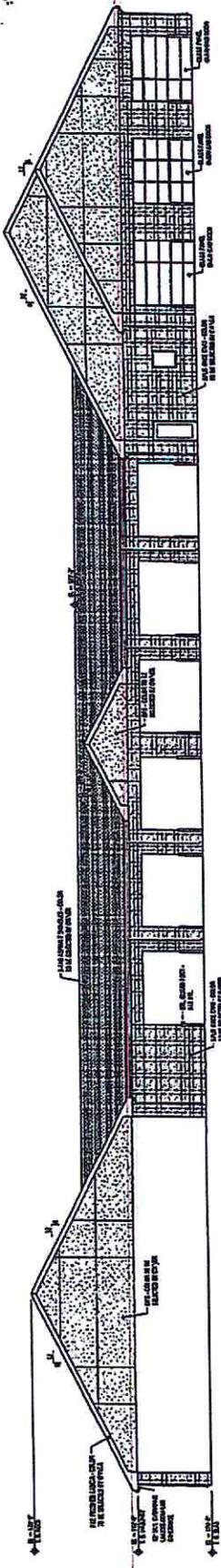




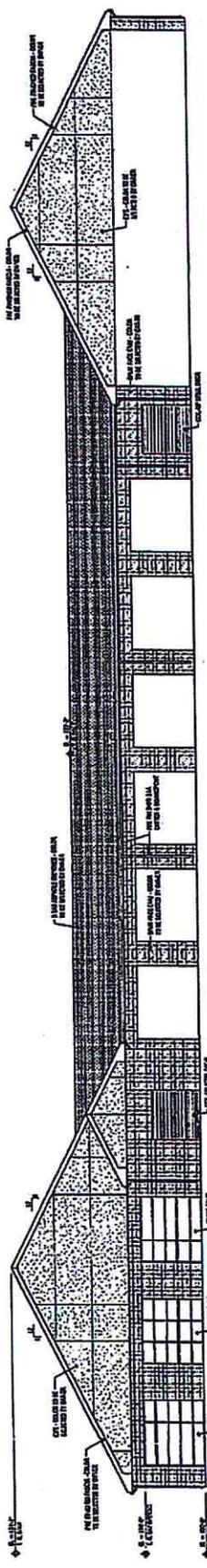


19 CAR WASH FOR
SCOTT SHEPHERD
ADDRESS

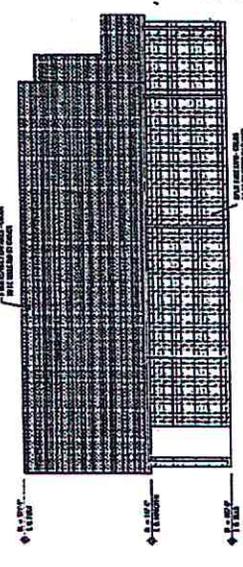
DATE 10/28/57
SCALE 1/8" = 1'-0"
SHEET NO. 1



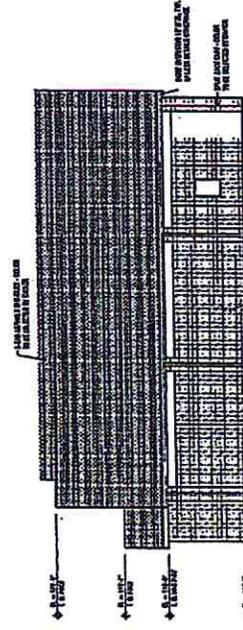
EAST ELEVATION
3/4" = 1'-0"



WEST ELEVATION
3/4" = 1'-0"



NORTH ELEVATION
3/4" = 1'-0"



SOUTH ELEVATION
3/4" = 1'-0"





TO: The Honorable Mayor and City Council
City of Owasso

FROM: Bronce L. Stephenson, MPA
Director of Community Development

SUBJECT: Zoning Code and Land Use Master Plan Updates

DATE: July 8, 2016

Based on recent discussions and realizations that the Owasso Zoning Code and the GrOwasso 2030 Land Use Master Plan has some deficiencies and inconsistencies, staff has worked to provide solutions to the existing issues so that future development is not affected. The issues mainly concerned the Land Use Master Plan and the uses defined as allowed in the residential category.

Any Land Use Master Plan is a policy document that should be used by the Planning Commission and the City Council to make land use decisions, but the document is not codified and is not considered law. The Zoning Code and the Subdivision Regulations of the City are the codified documents that govern land use and are considered law.

Any Land Use Plan is imperfect and cannot foresee all types of development, therefore, updates and variances must be made from time to time. Our Master Plan has only 5 main categories, so each must be designed with flexibility because you cannot design and plan an entire community with only 5 governing land use categories. Our Land Use Plan was kept very simple in this regard, resulting in there being many in-between type projects that fall into a bit of a gray area (ex. Condos, townhomes, garden apartments, multi-plexes, etc). These projects should not be seen as disallowed and should always be possible given the right circumstances.

The vehicle that is typically utilized for infill projects that may fall a bit outside of the norm or may not match the surrounding uses is the Planned Unit Development (PUD). A PUD may be used at any time for any project, but it gives decision makers the ability to determine if a certain project is the right fit in a certain situation. A PUD allows focus to be on the project itself, not what it is named or zoned. Use of a PUD is a wonderful tool for projects that fall outside of what is defined within codes and policy documents.

One good thing to establish is that the term 'Density' is not a dirty word, and in fact mixed uses and densities create truer community. Zoning should never be used to homogenize a City, with only single-family homes in large lots in one part of town and smaller lots in another. A mixture of housing types and densities in close proximity make for a truer community that is walkable, vibrant and sustainable. Think of great neighborhoods in Tulsa like Cherry Street, Swan Lake, Brookside and Utica Square. What they all have in common is a mix of residential uses and densities.

A Land Use Review Committee was created including members of the Planning Commission, City Council, a member of the original Land Use Master Plan steering committee and staff:

- Doug Bonebrake – City Council
- Dr. Chris Kelley – City Council
- Dr. Paul Loving – Planning Commission

- David Vines – Planning Commission
- Brant Snap – GrOwasso Land Use Master Plan Steering Committee member
- Warren Lehr – City Manager
- Julie Lombardi – City Attorney
- Bronce Stephenson – Director of Community Development
- Marsha Hensley – Assistant City Planner
- Karl Fritschen – Chief Urban and Long Range Planner

The committee held 2 meetings to discuss possible changes to the Land Use Plan and Zoning Code that would correct the current issues, allowing for future consideration of development.

The first issue discussed was the description provided in the section titled RESIDENTIAL on the land use map. The issue stemmed from discussion of the residential area being typically detached single-family homes, giving the impression that other types of housing and higher densities were not allowed. This was not the intention of the document, so corrections were made that allows for a mixture of housing types. The changes emphasize that a PUD should be used for non-single-family developments and the zoning code allows for up to 12 units per acre, so it was clarified in this section. Other allowable housing types were mentioned as well so it did not appear that only single-family homes are allowed, but with density still controlling development. (See attached.)

The next area that was corrected was the legend of the map, where the residential category gave the impression that only single-family detached housing was allowed and that only attached housing and duplexes were allowed in the transitional category. This was a mistake made in the document, as these categories should allow for a mixture of uses and densities. The incorrect language was removed to mirror what was in past Land Use Master Plans. (See attached.)

A density table was also created that will be placed on the Land Use Plan map and within the residential chapter of the Zoning Code.

Residential Densities	
Zoning District	Max Gross Density
Residential Estate (RE)	1.8 DU/AC
Residential Single Family (RS-1)	3.2 DU/AC
Residential Single Family (RS-2)	4.8 DU/AC
Residential Single Family (RS-3)	6.2 DU/AC
Residential Mobile Home (RMH)	7 DU/AC
Residential Duplex (RD)	10.3 DU/AC
Residential Neighborhood Mixed (RNX)	12 DU/AC
Residential Multi-Family	>12 DU/AC

A paragraph was also added that outlined the goals of the US-169 Overlay that was mistakenly not added to the document. (See attached.)

The booklet that is the main body of the Land Use Master Plan was updated to reflect the changes made on the map insert to insure consistency in the document.

The last changes were made to the Zoning Code itself, with the largest change being made to the Land Use category called RTH (Residential Townhome). This category was created as a sometimes higher-density category that allowed for different uses between single-family homes and true higher-density apartments. Because this category was called townhome, it created

the impression that only townhomes, as defined in code, should be allowed. This was never the intention, but nonetheless it created great confusion. Staff changed the name of the category from RTH to RNX, Residential Neighborhood Mixed and provided a new definition. The densities allowed in this category (up to 12 units per acre) did not change, but the category was clarified as to what types of housing should be considered.

Residential Neighborhood Mixed (RNX): A residential zoning category that allows a mixture of neighborhood-level uses at a density no greater than 12 units per acre. This category allows for uses that fall in between typical single-family development and higher density multi-family developments such as multi-level apartment complexes. The typical allowed uses in are duplex, triplex, multi-plex, townhome, garden apartments, cottages, apartment/bungalow court, attached senior housing, condos and similar type uses. These units can be owner-occupied or rental units. These developments are typically reviewed as a Planned Unit Development.

The last changes that were proposed were to modify the definition of townhome (which defined ownership vs. rental requirement and should not) and to add definitions for a number of housing types that were not defined. In order to take a non-biased approach to definitions, staff utilized a definitions book created by the American Planning Association. (See attached.)

PLANNING COMMISSION:

Staff introduced this item to the Planning Commission at the June 2016 meeting and will discuss the item again at the July 11, 2016 meeting.

ATTACHMENTS:

Draft of Updates to GrOwasso 2030 Land Use Master Plan
Draft of Updates to Zoning Code

CHANGES MADE TO GROWASSO 2030 LAND USE
MASTERPLAN AND OWASSO ZONING CODE

CORRECTIONS TO LAND USE TABLE

Base Zoning Districts	Land Use Categories					
	Residential	Transitional	Neighborhood Mixed Use	Commercial	Industrial/Regional Employment	Downtown Development District
Agriculture (AG)	Allowed	Allowed	Allowed	Allowed	Allowed	
Residential Estate (RE)	Allowed					
Residential Single Family (RS-1)	Allowed					
Residential Single Family (RS-2)	Allowed		Allowed			
Residential Single Family (RS-3)	Allowed		Allowed			Allowed
Residential Duplex (RD)	Possible	Allowed	Allowed			Allowed
Residential Neighborhood Mixed (RNX)	Possible	Allowed	Allowed			Allowed
Residential Mobile Home (RMH)	Possible	Allowed				
Residential Multi-Family (RM)		Allowed	Allowed			Allowed
Office Light (OL)		Allowed	Allowed	Allowed		Allowed
Office Medium (OM)		Possible		Allowed		
Commercial Shopping (CS)			Allowed	Allowed		Allowed
Commercial General (CG)				Allowed	Allowed	
Commercial High Intensity (CH)				Allowed	Allowed	
Industrial Light (IL)				Possible	Allowed	
Industrial Medium (IM)					Possible	
Industrial Heavy (IH)					Possible	

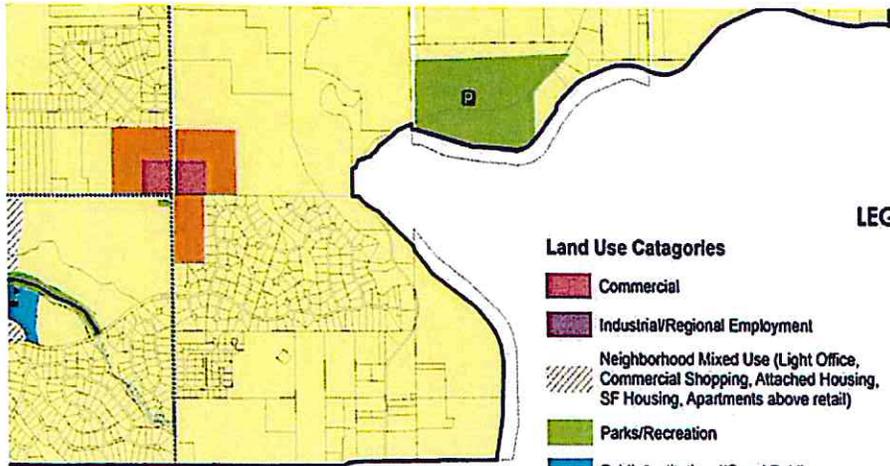
Allowed - The zoning district is appropriate within the land use district
Possible - The zoning may be possible if certain conditions are met or exist. The land use plan text should be consulted for clarification
Blank Cell - The zoning district is inappropriate for the land use district indicated

DENSITY TABLE ADDED**4.01.03 RESIDENTIAL DISTRICTS MAX GROSS DENSITY**

The following table illustrates each residential zoning district in regards to the max gross density for each designation:

Residential Densities	
Zoning District	Max Gross Density
Residential Estate (RE)	1.8 DU/AC
Residential Single Family (RS-1)	3.2 DU/AC
Residential Single Family (RS-2)	4.8 DU/AC
Residential Single Family (RS-3)	6.2 DU/AC
Residential Mobile Home (RMH)	7 DU/AC
Residential Duplex (RD)	10.3 DU/AC
Residential Neighborhood Mixed (RNX)	12 DU/AC
Residential Multi-Family	>12 DU/AC

CORRECTION OF LEGEND



Land Use Categories

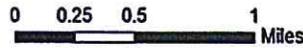
- Commercial
- Industrial/Regional Employment
- Neighborhood Mixed Use (Light Office, Commercial Shopping, Attached Housing, SF Housing, Apartments above retail)
- Parks/Recreation
- Public/Institutional/Quasi Public
- Residential
- Transitional
- US-169 Overlay District
- *Glenn-Mur Addition Special District
- **Downtown Development District

LEGEND

- 100yr Floodplain
- Planned Trail/On-Street Bikeroute/Complete Street
- Existing trail
- Fire Station
- Existing Public School
- Future Public School
- Civilian Airstrip
- Future Park and Ride/Transit Stop
- Hospital
- Public Park
- Golf Course
- Cemetery

The City Council in 2008 changing the commercial land use. This area is not included in 2008 that annexation requests occur in larger increments. Therefore subsequent zoning requests shall occur in the City of Owosso 2030 Plan document for

This area is identified as a key area where intensive commercial zoning should be implemented, office, and residential uses. Signage should be implemented in pedestrian scale. Consideration should be given to the implementation of mixed use zoning or the preparation of an overlay district.



This map is for informational purposes only and is not for engineering or surveying purposes and is not true to scale. Use of this map is without warranty or representation by the City of Owosso of its accuracy.

Prepared by the Owosso Community Development Department 5.10.14



ADDITION OF US-169 OVERLAY LANGUAGE

*US-169 Overlay District

Adopted in 2012, the US-169 Overlay District is part of the official zoning map and zoning code of the City and acts as a supplement to the existing underlying zoning along a key economic corridor in the community. The Overlay promotes higher quality architecture and site design as well as prohibiting certain uses that would be detrimental to long term economic stability of the area. Properties covered by the Overlay are subject to certain development standards and criteria and the zoning code should be consulted for development projects within this area.

DEFINITIONS

Senior Housing – Independent Living: A residential complex containing multi-family dwellings designed for and principally occupied by senior citizens. No nursing care or institutional care is provided on-site. These offer minimal convenience services, but focus on attracting elderly residents so as to provide a social support system among the residents.

Senior Housing – Nursing Home: A home or residential complex licensed for the aged or chronically or incurably ill persons in which five or more of such persons not of the immediate family are provided with food and shelter or care for compensation, but not including hospitals, clinics, or similar institutions devoted primarily to the diagnosis and treatment of the sick.

Residential Neighborhood Mixed (RNX): A residential zoning category that allows a mixture of neighborhood-level uses at a density no greater than 12 units per acre. This category allows for uses that fall in between typical single-family development and higher density multi-family developments such as multi-level apartment complexes. The typical allowed uses in are duplex, triplex, multi-plex, townhome, garden apartments, cottages, apartment/bungalow court, attached senior housing, condos and similar type uses. These units can be owner-occupied or rental units. These developments are typically reviewed as a Planned Unit Development.

Townhouse/Townhome: A one-family dwelling unit, with a private entrance, which is part of a structure whose dwelling units are attached horizontally in a linear arrangement, and having a totally exposed front and rear wall to be used for access, light and ventilation.

Triplex: A residential structure designed exclusively for or occupied exclusively by no more than three families living independently of each other in individual units.

Multi-Plex: A building containing three or more dwelling units. Included are all forms of manufactured multifamily dwelling but excluding mobile homes.

Mixed-Use Development: A single building containing more than one type of land use or a single development of more than one building and use, where the different types of land uses are in close proximity, planned as a unified complementary whole, and functionally integrated to the use of shared vehicular and pedestrian access and parking area.

Garden Apartment: An apartment building generally having a low-density (12 units/acre or less) of population and having substantial landscaped open space adjacent to the dwelling units.

Duplex: A building containing two dwelling units, designed for occupancy by not more than two families. Included are all forms of manufactured duplex dwellings but excluding mobile homes.

Cluster Housing Development: A residential development containing attached or detached units on a limited portion of land with the remaining land areas consolidated into common open space areas.

Condo: A multiple dwelling development containing individually-owned dwelling units and jointly owned and shared areas and facilities.



TO: The Honorable Mayor and City Council
City of Owasso

FROM: H. Dwayne Henderson, P.E.
City Engineer

SUBJECT: 2015-16 CDBG Baptist Children's Home Sidewalk Project
Construction Contract Bid Award

DATE: July 8, 2016

BACKGROUND:

Each year, the City of Owasso is eligible for funds through the Community Development Block Grant (CDBG), administered through INCOG and the Oklahoma Department of Commerce. CDBG funds are federal funds appropriated through the Housing and Urban Development (HUD). The funds are to be spent on infrastructure improvements in areas of low-to-moderate income. The defined low-to-moderate income areas are determined from U.S. census data. The low-to-moderate income area in Owasso for this particular year was limited to south of 76 Street North.

Funds can be used to improve roads, drainage, utilities, sidewalks, parks, etc in these areas. Previous projects in Owasso using CDBG funds are drainage and walk trail improvements to Rayola Park; the new Owasso Skate Park; Three-Lakes Village Pavement Repairs, new playground equipment at Rayola Park to list a few.

On April 7, 2015, City Council approved Resolution 2015-05 which authorized City's participation in the Tulsa County CDBG Urban County and execution of the cooperation agreement which included project description.

The 2015-16 project is to construct new sidewalk from the southwest corner of the main administration building to the sidewalk where the bus stop terminates on N 127 E Ave (see attached map). Additive alternate bids were included to continue south to the next driveway and then another to extend the sidewalk to the Baptist Retirement Center community building, if funds allow.

ADVERTISING FOR BIDS:

Advertisements for bids were published on May 25 and June 1, 2016, in accordance with state law and a mandatory pre-bid meeting was held at City Hall on June 15, 2016 with six (6) contractors in attendance. The bid opening was held on June 28, 2016, at City Hall.

BID OPENING

Three (3) bidders submitted bids on this project. The bid results are included in the following Table:

Bidder	Base Bid	Add. Alt. 1	Add. Alt. 2	Total Base Bid+Add Alts
Magnum Construction	\$45,275.00	\$19,065.00	\$20,159.00	\$84,499.00
S&L Construction	\$41,255.00	\$27,184.00	\$19,640.00	\$88,079.53
Ira Green Construction	\$41,422.50	\$24,455.75	\$22,304.00	\$88,182.25
Engineer's Estimate	\$46,006.02	\$23,254.68	\$27,043.50	\$96,304.20

The low bidder was Magnum Construction, Broken Arrow, Oklahoma. The Base Bid plus additive alternates are within the funds available from CDBG (\$106,500.00).

FUNDING:

Funds are available in the Community Development Block Grant.

PROPOSED ACTION:

An item has been included on the July 12 Council Work Session in order to discuss the bids for this project. Unless Council members express concern, staff will recommend contract award of the Base Bid plus alternates to Magnum Construction in the amount of \$84,499.00.

ATTACHMENTS:

CDBG Project Application to INCOG
Location Map

CITY OF OWASSO, OKLAHOMA
RESOLUTION 2015-05

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
2015 TULSA COUNTY URBAN COUNTY

WHEREAS, the Housing and Community Development Act of 1974, as amended (24 U.S.C. 93-383 et seq.), (the "Act"), provides that Community Development Block Grant, ("CDBG"), funds may be used for the support of activities that provide decent housing and suitable living environments and expanded economic opportunities principally for persons of low- and moderate-income; and,

WHEREAS, CDBG Regulations 24 CFR 570.307(a) allow counties having a total combined population of 200,000 or more from the unincorporated areas and participating incorporated areas to qualify as an urban county; and,

WHEREAS, Title I of the Housing and Community Development Act of 1974, Public Law 93-383, as amended, authorized the Secretary of Housing and Urban Development, as a representative of the United States of America, to grant to Tulsa County funds and administrative responsibility for the Tulsa County CDBG Urban County program; and

WHEREAS, a Cooperation Agreement between Tulsa County and the City has been executed for the purpose of participation in the Tulsa County Urban County Community Development Block Grant Program for Federal Fiscal Years 2014-2016; and,

NOW THEREFORE, BE IT RESOLVED by the City Council that the City of Owasso desires to obtain assistance in addressing community development needs and hereby requests the Tulsa County CDBG Urban County program to provide assistance.

NOW THEREFORE, BE IT FURTHER RESOLVED by the City Council that the City of Owasso affirms its commitment to take all action within its power to facilitate the receipt of the assistance of community development funds, and upon receipt to administer said grant by the rules and regulations established by the United States of America, the State of Oklahoma, Tulsa County and all empowered agencies thereof.

ADOPTED this 7th day of April, 2015, at a (regularly or specially) scheduled meeting of the governing body, in compliance with the Open Meeting Act, 25 O.S. §§ 301-314 (2001).

Ms. Jeri Moberly, Mayor
(Type) Name and Title of Chief Elected Official

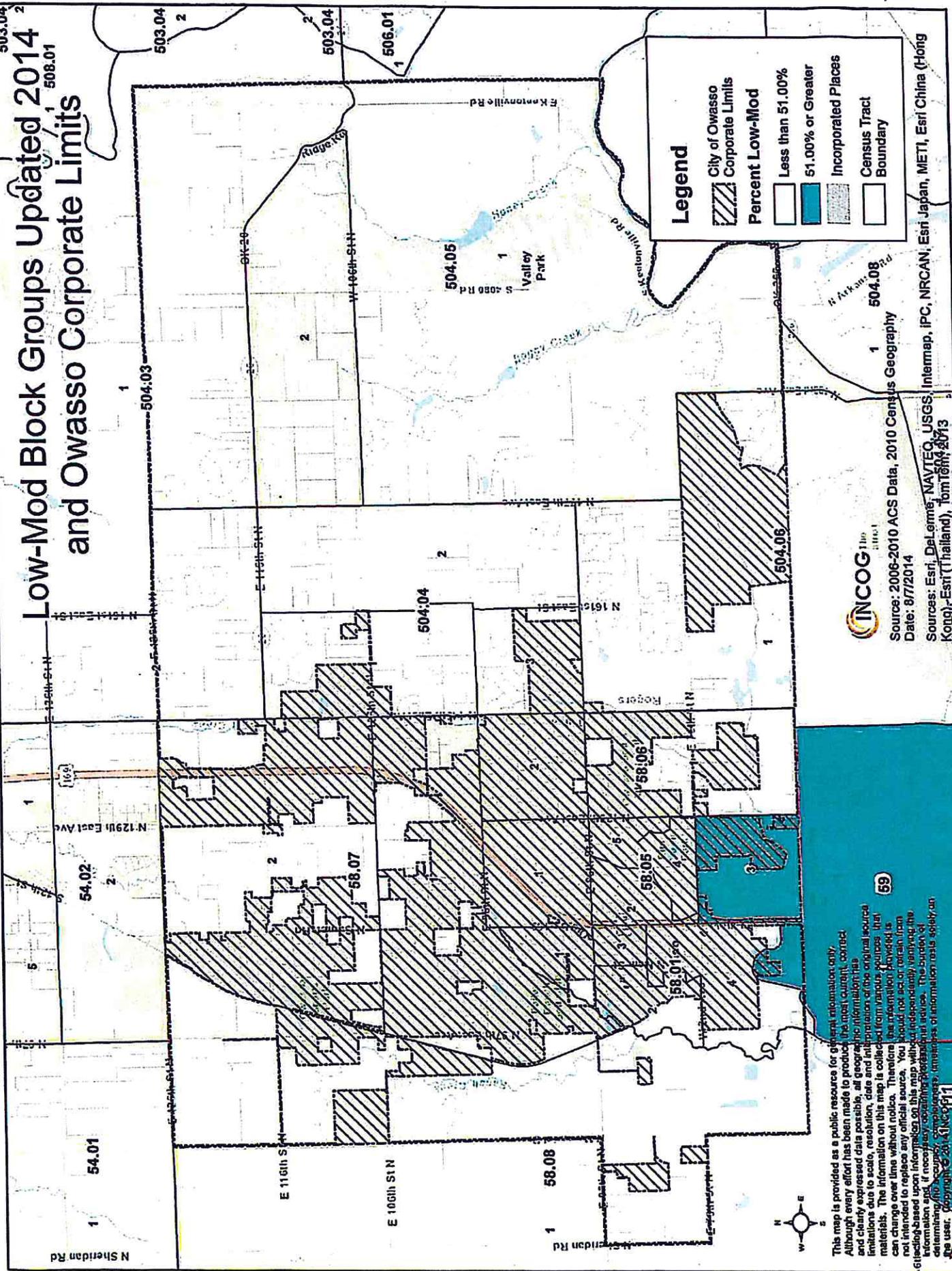
Jeri Moberly
Signature of Chief Elected Official

Attest:
Subscribed and sworn to before me April 7, 2015

Shirley Pinkney
Clerk Signature



Low-Mod Block Groups Updated 2014 and Owasso Corporate Limits



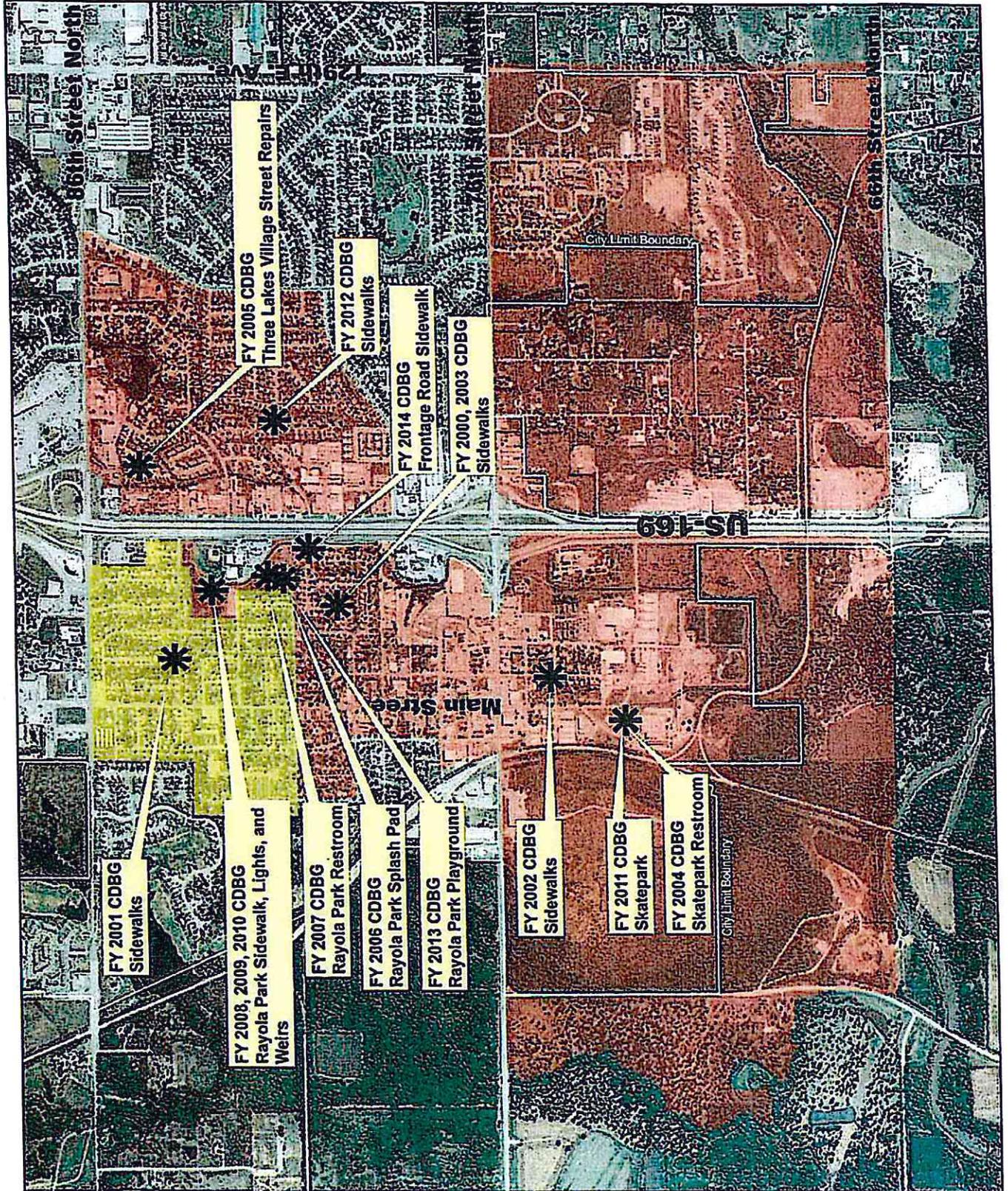
Legend

- City of Owasso Corporate Limits
- Percent Low-Mod Less than 51.00%
- Percent Low-Mod 51.00% or Greater
- Incorporated Places
- Census Tract Boundary

INCOG Inc.
 Source: 2006-2010 ACS Data, 2010 Census Geography
 Date: 8/7/2014
 Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, IPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2013

This map is provided as a public resource for general information only. Although every effort has been made to produce the most current, correct and clearly expressed data possible, all geographic information has limitations due to scale, resolution, date and interpretation of its original source materials. The information on this map is collected from various sources that can change over time without notice. Therefore, the information provided is not intended to replace any official source. You should not act or refrain from acting based upon information on this map without independently verifying the information and, if necessary, obtaining professional advice. The burden of determining the accuracy, completeness, timeliness of information rests solely on the user. Copyright © 2014 INCOG 59

City of Owassaw Former CDBG Qualifying Areas and Past Projects



Legend

CDBG Area Type

- Former Census Qualifying Areas
- Former Surveyed Qualified Areas

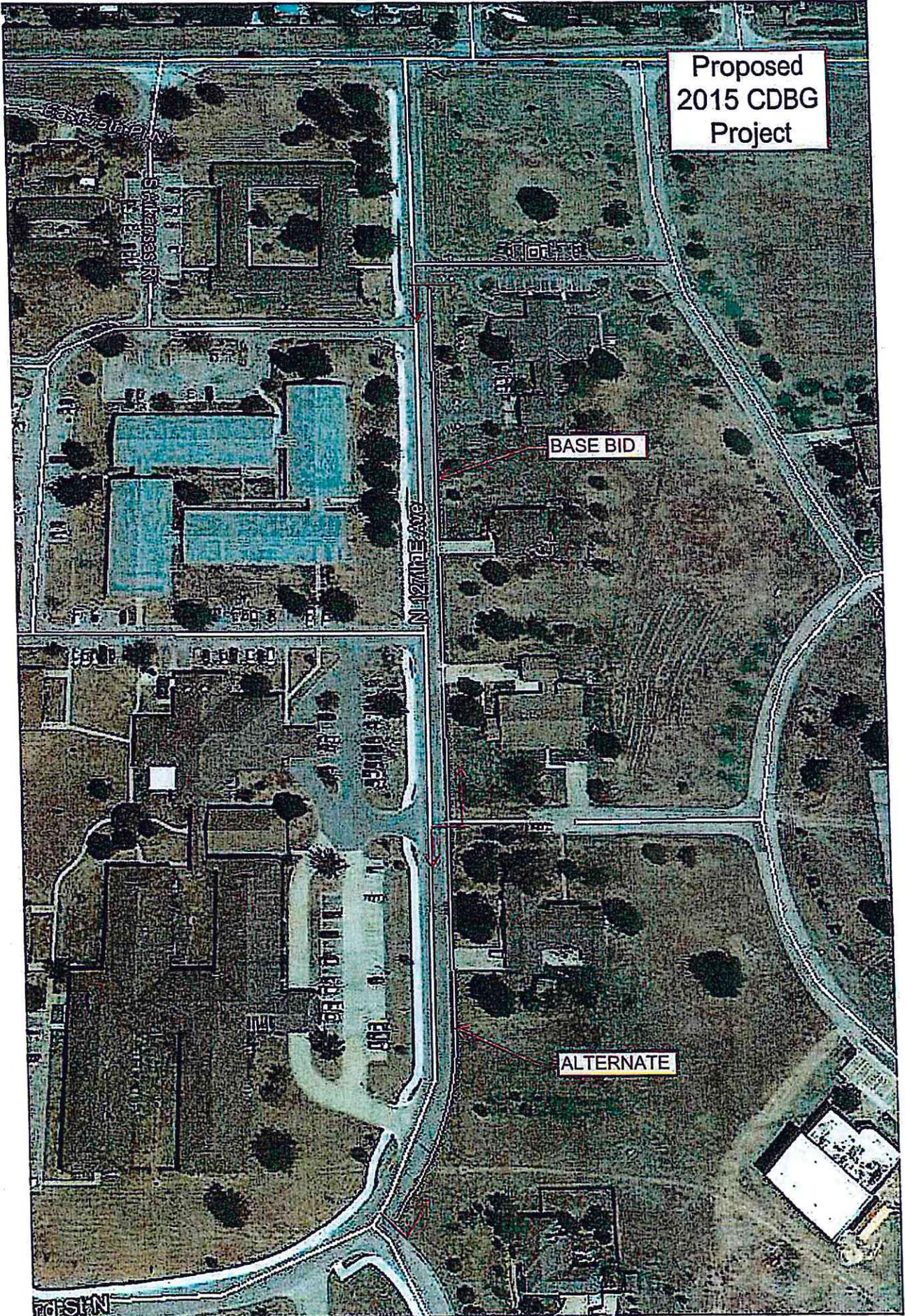


Prepared by Owsaw Community Development
Department
March 5, 2018
Source: MCOG, HUD

Proposed
2015 CDBG
Project

BASE BID

ALTERNATE



**TULSA COUNTY URBAN COUNTY
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)**

FY2015 METRO CITY APPLICATION GUIDANCE

Due date for this Application is March 20, 2015

The CDBG program is authorized under Title I of the Housing and Community Development Act of 1974, as amended.

The purpose of this Application Guidance is to provide assistance in preparing a Community Development Block Grant- Metro City application for the FY2015 Tulsa County CDBG Urban County Program.

Eligible Entities

Cities included in the Tulsa County CDBG Urban County Metro City designation, the funding allocation to the city, and the percentage of low and moderate income population for each is listed below:

	Proposed Allocation Amount	Percentage Low/Mod Population
Broken Arrow (infrast.)	\$369,450	24.60
Bixby	\$71,978	18.38
Jenks	\$44,009	18.81
Owasso	\$120,133	23.27
Sand Springs	\$70,035	28.97
Sapulpa	\$128,493	43.73

Applications should be submitted to:

INCOG
Claudia Brierre
2 West 2nd Street, Suite 800
Tulsa, OK 74103
cbrierre@incog.org

Section One

National Objective

The primary National Objective of the Community Development Block Grant (CDBG) Program is the "development of viable urban communities by providing decent housing and a suitable living environment, particularly for persons of low and moderate incomes." All project proposals submitted for funding through the CDBG Program must document the achievement of at least one of the following National objectives:

- Provide benefit to low and moderate income persons.
- Aid in the prevention or elimination of slums or blight.
- Meet other community development needs having particular urgency, posing a serious or immediate threat to the health or welfare of a community.

Most CDBG applicants qualify their project activities under the National Objective of benefit to low and moderate income persons. Applicants are cautioned that qualifying a project under slum or blight or urgent need is a difficult process that has very limited application and can only be used under special conditions and circumstances. Therefore, you are urged to qualify your proposal under benefit to low and moderate income persons. Applicants who qualify a proposal using slum and blight or urgent need must receive guidance and approval from INCOG.

To qualify for CDBG funding under the National Objective of benefit to low and moderate income persons, the proposed project activities must show a positive or general improvement of living condition in a definable geographic target area where at least 51% of the occupied households/homes are of low and moderate income families. Low and moderate income families have an income equal to or less than the current Section 8 low income limits established by the United States Department of Housing and Urban Development (HUD). Each activity proposed for funding with Community Development Block Grant(CDBG) dollars claiming the National Objective of benefit to low and moderate income persons, must provide data indicating the percentage of low and moderate income beneficiaries.

Application Criteria

1. No matching funds are required.
2. No administration expenses will be funded with CDBG funds.
3. Engineering is a permissible use of CDBG funds.
4. Income surveys of the project target area must be conducted. The use of Census Tract or Block Group data to document the percentage of low and moderate income beneficiaries for any CDBG funded activity should receive prior INCOG review and approval.
5. Applicants must hold an application phase Public Hearing informing citizens of the proposed project and submit documentation of the Public Hearing with this application. Notice must be given at least 7 days prior to the public hearing by publication in jurisdiction newspapers; or by posting at city halls. Acceptable documentation consists of the affidavit of publication or a copy of the newspaper article announcing the public hearing, or copy of certified posted notice. Tulsa County has prepared a Citizen Participation Plan on behalf of the Urban County communities; therefore, the individual community does not need to prepare a full Citizen Participation plan.

6. Specific projects identified in the application must have cost estimates derived from professional sources. Water and wastewater projects that require Oklahoma Department of Environmental Quality construction permitting must have certified cost estimates from a professional engineer licensed to work in Oklahoma. For other types of projects, professional cost estimates may be derived from architects, engineers, vendors, construction companies, or appropriate personnel qualified to make such estimates.

Use of Funds

The CDBG Program funds a broad array of projects and activities including but not limited to the following:

- Water and wastewater system improvements
- Solid waste
- Fire protection
- Streets
- Neighborhood Parks
- Housing activities including construction, emergency repair, rehabilitation
- Acquisition of real property for eligible public purposes
- Clearance, demolition and removal of buildings and improvements
- Senior citizen centers
- Gas and electrical system improvements
- Removal of architectural barriers associated with handicapped areas
- Storm water drainage improvements
- Economic Development
- Social services- (City of Broken Arrow only)

Guidance regarding eligibility requirements can be found in 24CFR 570.201 of the Federal Housing and Community Development Act of 1974, as amended.

Proposal Guidance

Applicants are encouraged to contact the staff persons listed below with questions regarding program requirements, project conceptualization, or any portion of the Application Packet and/or Guidelines.

Claudia Brierre	579-9431
Barbara Albritton	579-9420
Steve Boettcher	579-9453

Section Two

Required Application Documents

1. Application Summary

This form contains information about the specific project and includes a certification from the local government attesting to the accuracy and completeness of the application. The certification form must be completed and signed by the chief elected official of the local government.

2. Line Item Budget (Application Form Attachment A)

The description of project activities along with a budget (form provided as Attachment A) should be as specific as possible as they will form the basis of your contract. This Budget should match Professional Cost Estimates submitted with the application.

3. Direct Project Beneficiary Income Survey (Survey Summary Form Attachment B)

Income surveys for each proposed CDBG funded activity are a requirement unless using census tract or block group data.

Determination of project beneficiaries:

City-wide- An activity which will serve the entire city (such as wastewater treatment), provided that the city has a low and moderate income percentage at or above 51%. If the LMI percentage is below 51%, an income survey with a 75% response rate must be provided.

Area benefit- An activity which benefits all the residents in a particular area where at least 51 percent of the residents are low and moderate income persons. Examples would include resurfacing of a collector street or construction of a fire department substation.

Direct benefit- An activity which requires information on household size and income so that it is evident that at least 51 percent of the clientele are persons whose household income does not exceed the low and moderate income limit; or an activity which has income eligibility requirements which limit the activity exclusively to low and moderate income persons.

Presumed benefit- Benefit a clientele that is generally presumed to be principally low and moderate income persons. Activities that exclusively serve a group of persons in any one or a combination of the following categories may be presumed to benefit 51 percent low- and moderate-income persons: abused children, battered spouses, elderly persons, adults meeting the Bureau of the Census' Current Population Reports definition of "severely disabled," homeless persons, illiterate adults, persons living with AIDS, and migrant farm workers.

Guidelines to identify specific beneficiaries for various activities:

- **Water or Wastewater Line Replacement or Rehabilitation.** Those households directly tapped to or receiving improved service from the lines. Generally, beneficiaries are considered those persons residing in houses who receive their water through new, replaced or upgraded lines, or houses that discharge sewage into or through an improved collection line or main en route to the treatment plant.
- **New Wastewater or Water Extensions to Previously Un-served Areas.** The households/homes that will actually be connected to the wastewater or water line extensions. Service to newly-constructed subdivisions will not be funded due to environmental review requirements.
- **Flood and Drainage Improvements.** Households/homes within the recognized drainage basin.
- **Fire Protection.** Households/homes (buildings, vehicles and equipment) residing within the response area of the fire station; or using actual residential calls made by a fire station over the prior 12 month period, conduct a survey of those residences obtaining no less than 75% response rate.
- **Senior Citizen Centers and Community Centers.** Households/homes within the designated service area of the proposed center. If there is only one center in the community, the service area can be considered to be the entire community. If there is more than one center, then the Applicant must delineate the service area of each center. Senior Citizen Centers are presumed to benefit low and moderate income persons.
- **Demolition/Clearance/Removal of Junk and Debris and/or Abandoned Inoperative Vehicles.** Households/homes within the geographic area designated to receive the focus of the demolition, clearance and/or removal activities. Typically, the properties located within the geographic area designated to receive the demolition/removal activities are considered to be beneficiaries.
- **Provision of Accessibility for the Handicapped to Public Buildings.** The households/homes within the geographic area that receive services from the assisted public building(s). Providing handicapped access to a city hall would provide benefit to the households/homes in the entire city. Proposed handicapped access activities in connection with limited clientele facilities are presumed to benefit low and moderate income persons.
- **Street Improvements/Sidewalk Improvements.** The households/homes that have at least one property line abutting the improvement.

4. Identification of Other Project Funding Sources (Application Form Attachment C)

Match and leverage are not required for the grant, but should be identified if applicable to the project.

5. Certified Engineering Reports and Professional Cost Estimates (Application Form Attachment D)

Water and wastewater projects that require Oklahoma Department of Environmental Quality construction permitting must have certified cost estimates from a professional engineer licensed to work in Oklahoma. For projects not requiring DEQ permits, professional cost estimates must be derived from architects, engineers, vendors, construction companies, or appropriate personnel to make such estimates, and submitted with the application.

6. Applicant Resolution (Application Form Attachment E)

Applications must include a Resolution passed by the governing body requesting CDBG assistance from the Tulsa County Urban County program. A sample Resolution is provided as Attachment E of the application.

**TULSA COUNTY URBAN COUNTY
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)**

APPLICATION CHECKLIST

Required Documents (Metro Cities and Competitive Category)

- ✓ W-9 Form
- ✓ Documentation of Current Registration in SAM
- ✓ Public Hearing Documentation: Affidavit of publication or certified posted notice.
- ✓ Application Summary Page which includes
 - Project Title
 - Detailed Project Description
 - Map with target area and Census Tract/BG clearly marked
 - Number of population served
 - Census Tract(s) and Block Groups(s) identified
- ✓ Application Certification
- ✓ Attachment A: Line Item Budget
- ✓ Attachment B: Income Survey Summary Form
 - Completed form if Income Survey
 - LM Percentage (%) if using CT/BG data
- ✓ Attachment C: Other Project Funding Sources
- ✓ Attachment D: Certified Professional Cost Estimates/Engineering Report
- ✓ Attachment E: Resolution

Additional Documents Required of Competitive Category Applications

- ✓ ORANGE Competitive Bid Envelope from Tulsa County
- ✓ Affidavit for Filing with Competitive Bid form
- ✓ Health and Safety/Impact Documentation
 - Legal Enforceable order
 - Demonstrated Health and Safety Benefits documentation
 - Capital Improvements Plan or Long-Range Plan citation
- ✓ Project Timeline

**TULSA COUNTY URBAN COUNTY
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)**

APPLICATION FOR FY2015 FUNDS

1. Name of Unit of Local Government City of Owasso
 Mailing Address PO Box 180
 Physical Address 111 N. Main
Owasso, OK Zip Code +4 74055-0180
 Phone Number 918.376.1515 Fax # 918.376.1597
 FEI# 73-6069613
 DUNS 736069613
 Chief Elected Official Mayor Jeri Moberly
 Clerk Ms. Sherry Bishop

2. Name of Staff Contact Karl Fritschen, AICP
 Phone Number 918.376.1545 E-mail kfritschen@cityofowasso.com

3. Project Title, Detailed Description of Project
 (Attach additional detail as needed. Provide Map)

The project for the 2015/16 CDBG funding cycle is the construction of a new 6' wide sidewalk along N. 127th E. Ave. in the Baptist Retirement Village development. The sidewalk will serve to connect the new children home with points to the south and will be approximately 1065 linear feet in length.

4. Number of population served: Approx. 900
 x Census Tract/Block Group # 58.05 BG 3
 Household Income Survey _____

5 Project Budget Summary:

CDBG Funds	\$	<u>\$106,905</u>
Other Sources	\$	_____
	\$	_____
Total	\$	<u>106,905</u>

**TULSA COUNTY URBAN COUNTY
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)**

APPLICATION CERTIFICATION

The Applicant hereby certifies that all of the information contained in this application for community development assistance through the Tulsa County CDBG Urban County Program is true and accurate to the best of my knowledge and that all documentation supporting the information in this application is on file in the official offices of this unit of local government, available for review by Tulsa County/HUD during normal business hours. The Applicant also affirms that none of the activities set forth in this application have been initiated, nor shall they be initiated unless a grant has been awarded, a contract fully executed, and notice has been issued by Tulsa County that release of funds requirements have been met.

Jeri Moberly, Mayor
(Type) Name and Title of Chief Elected Official

4/7/15
Date

x Jeri Moberly
Signature of Chief Elected Official



State of Oklahoma
County of Tulsa

Attest:

Subscribed and sworn to before me April 7, 2015

Sherry Probst
Clerk

**COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
TULSA COUNTY URBAN COUNTY**

DIRECT PROJECT BENEFICIARY INCOME SURVEY SUMMARY FORM

ATTACHMENT B

Activity Name: _____

COMPLETE THIS SECTION BY PLACING THE TOTAL NUMBER OF HOUSEHOLDS OBTAINED FROM THE HOUSEHOLD SURVEY IN EACH APPROPRIATE COLUMN.

Insert County Income Levels	\$33,150	\$37,900	\$42,650	\$47,360	\$51,150	\$54,950	\$58,750	\$62,550
Number of People in Each Household	1	2	3	4	5	6	7	8
Below or Above the County Income Levels	Below Above							
Total Number Of Households	0						0	

Total Number of Occupied Households/Homes in Activity Target Area = _____

Total Number of Persons in Activity Target Area = _____

Total Number of Occupied Households/Homes Surveyed in Activity Target Area = _____

Total Number of Persons Accounted for by the Survey in the Activity Target Area = _____

Total Number of Households Below the Low and Moderate Income Level in the Activity Target Area = _____

Percentage of Total Households Below the Low and Moderate Income Level in the Activity Target Area = _____ %

I hereby certify that the above information was obtained from the occupants of the addresses listed and the information is accurate:

City-wide Low and Moderate Income Level _____
 (For use only when projects are of City-wide benefit.)

x HUD Census Data for Low and Moderate Income Level for Block Groups, Enumeration Districts or Census Tracts as Provided by HUD (For use only when a project's target area boundaries are identical to BG, ED or Tracts) _____ %

Signature of Chief Executive Official _____ Date _____

[Seal]

Subscribed and sworn to before me _____, 20____ My commission expires _____, 20____

Commission No. _____ Clerk/Notary Signature _____

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
TULSA COUNTY URBAN COUNTY

IDENTIFICATION OF OTHER PROJECT FUNDING SOURCES

Federal/State participation, if any (loans, grants, etc.) provide commitment letters.

Agency	Purpose	Amount	Present Status Comment

Other sources and amount of project financing including applicant's local contribution, if any.

Agency	Purpose	Amount	Present Status Comment
		\$	

X

Chief Elected Signature _____ Date _____

**COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
2015 TULSA COUNTY URBAN COUNTY**

Attach Certified Professional Cost Estimates/Engineering Report (where applicable)

The estimated cost for the project has been prepared by the Engineering Division of the Owasso Public Works Department. At this time the project is estimated to cost \$102,672.53 with the alternate.



APPROVED BY COUNCIL

APR 07 2015

TO: The Honorable Mayor and City Council
City of Owasso

FROM: Karl A. Fritschen
Chief Urban and Long Range Planner

SUBJECT: Community Development Block Grant (CDBG 15/16)
Resolution 2015-05

DATE: April 3, 2015

BACKGROUND:

As a member of the Tulsa Urban County Community Development Block Grant (CDBG) program, the City of Owasso is eligible to apply for CDBG funds for 2015/16. The application is made through Indian Nation Council of Governments (INCOG), the local agency responsible for approval of projects and distribution of funds.

The primary national objective of the CDBG Program is the "development of viable urban communities by providing decent housing and a suitable living environment, particularly for persons of low and moderate incomes." All project proposals submitted for funding through the CDBG Program must document the achievement of at least one of the following national objectives:

- Provide benefit to low and moderate income persons
- Aid in the prevention or elimination of slums or blight
- Meet other community development needs having particular urgency, posing a serious or immediate threat to the health or welfare of a community

On February 17, 2015, INCOG provided staff with information regarding the 2015-16 CDBG application cycle. INCOG indicated they need a completed application, which includes a public hearing, resolution and cooperation agreement no later than April 16, 2015. There have also been some significant changes to the CDBG program and in particular with Owasso's qualifying area.

CHANGES TO THE QUALIFIED AREA:

In 2014, the census tracts in Owasso and across the country were re-evaluated based on new income limit information provided by the Department of Housing and Urban Development (HUD), who administers the CDBG funding program. As a result of these changes, the City of Owasso lost a significant amount of area that formerly qualified under the old income limits. What this means is that the city can only spend its CDBG allocation in these newly mapped areas (see attached map), unless targeted areas are identified through Individual income surveys.

To qualify for CDBG funding under the national objective of benefit to low and moderate income persons, the proposed project activities must show a positive or general improvement of living conditions in a definable geographic target area where at least 51% of the occupied households are of low and moderate income families. Low and moderate income families have an income equal to or less than the current Section 8 low income limits established by HUD. HUD defines this as a family of three having a total household income of \$42,650 or less or a family of four having a household income of \$47,650. The old limits were \$43,500 and \$48,300 respectively.

A door to door survey was conducted about 3 years ago to qualify the area north of City Hall and adjacent to Rayola Park. At that time, based on the old income limits, these areas qualified. Staff inquired to INCOG about continuing to utilize this survey information, and was told that we could. However, upon reviewing the survey data, it was determined that these areas no longer qualified under the new income limits. As a result, CDBG funds can no longer be spent in these areas unless a new survey is conducted. Due to limited time available for this year's funding cycle and application deadline, performing a survey and compiling the data is not possible. INCOG has informed staff that Owasso will receive around \$106,905 for the 2015/16 CDBG allocation. However, this number may increase slightly, as INCOG is disputing some demographic information from HUD.

PAST CDBG PROJECTS:

In the past, Owasso has utilized CDBG monies for making sidewalk, sanitary sewer, and park improvements. In 2011/12, the project selected was a major upgrade to the skate park, a project that has provided recreational opportunities for Owasso's youth. For 2012/13, the project selected was repair and rehabilitation to sidewalks, curbs, and gutter in the qualifying area. The 2013/14 funds were used to upgrade playground equipment at Rayola Park. In 2014/15, the funds are being used to build a wide sidewalk connecting Rayola Park with N 8th Street and then sidewalk repairs along N. Elm Street. A map has been attached with this memo indicating past CDBG projects within the former qualifying area geography.

RECOMMENDED PROJECT:

Staff has developed a recommended project for the utilization of the 2015/16 CDBG funds. The qualifying area has been reduced significantly leaving only areas near Baptist Retirement Village, Keys Landing, and the Police Gun Range available. Therefore, the selected project for 2015/16 funding cycle is a sidewalk improvement in the Baptist Retirement Village development, specifically along N 127th E Avenue. This project will provide a sidewalk along the east side of N 127th E Avenue connecting the new children's home with points to the south.

Staff believes that installation of the new sidewalks will provide quality of life improvements and provide more equitable access to citizens in the qualifying area. Staff would utilize City of Owasso engineers for the design of the project, providing a major cost savings. A map has been provided with this memo indicating the general location of the proposed improvements

PUBLIC HEARING:

When a CDBG project is in the application phase, a public hearing is required allowing citizens to comment concerning the recommended project or suggest another project they feel should be considered. A public hearing is being held at the April 7, 2015 City Council Meeting in conjunction with the project selection and execution of the CDBG application.

RECOMMENDED ACTION:

Staff recommends approval of Resolution 2015-05, requesting assistance from the Tulsa County CDBG Urban County Program and approval of the application identifying a sidewalk facility along N. 127th E. Ave. as the preferred project for the 2015/16 funding cycle and authorizes the Mayor to execute the necessary documents.

ATTACHMENTS:

CDBG Application with Resolution 2015-05

Map -- CDBG Qualifying Areas (Low-Mod Block Groups Updated 2014)

Map -- Former CDBG Qualifying Areas and Past Projects

Map -- Map showing Proposed CDBG Project



TO: The Honorable Mayor and City Council
City of Owasso

FROM: H. Dwayne Henderson, P.E.
City Engineer

SUBJECT: 2016 Golf Course Dam Repair Project
Construction Contract Bid Award

DATE: July 8, 2016

BACKGROUND:

The City of Owasso Bailey Golf Course was designed and constructed in the 1990's. On hole #3, there are two ponds separated by an earthen dam. The two ponds are used for irrigation, detention and act as a water hazard on the course. The original plans show that the original project intended to have a concrete retaining wall/concrete weir between the two ponds to control water level. However, an earthen berm was constructed, assuming to reduce costs.

Over the last few years, the overflow from the north pond to the south pond has eroded the pond berm. Staff has tried to repair the erosion by filling the void with concrete, rocks and soil. As the hole has grown larger over the years, the ability for the pond to detain and hold enough water for irrigation has been diminished.

Golf course staff and Engineering have designed a project to cut the berm down, construct a retaining wall with discharge weir and reconstruct the berm. The project will control the flow of the water between the ponds and allow for more storage and detention downstream.

ADVERTISING FOR BIDS:

Advertisements for bids were published on May 25 and June 1, 2016, in accordance with state law and a mandatory pre-bid meeting was held at City Hall on June 15, 2016 with six (6) contractors in attendance. The bid opening was held on June 28, 2016, at City Hall.

BID OPENING:

Two (2) bidders submitted bids on this project. The bid results are included in the following Table:

Bidder	Base Bid	Add. Alternate	Total Base Bid+Add Alt.
Lowery Construction	\$87,049.00	\$44,014.00	\$137,699.00
Earth Smart Construction	\$96,500.00	\$89,120.00	\$197,965.00
Engineer's Estimate	\$75,000.00	\$50,000.00	\$125,000.00

The low bidder was Lowery Construction, Tulsa, Oklahoma. The Base Bid is higher than the engineering estimate and budget of \$75,000.00, but the stormwater fund has the available funds to complete this project.

FUNDING:

Funds are available in the Stormwater Fund.

PROPOSED ACTION:

An item has been included on the July 12 Council Work Session in order to discuss the bids for this project. Unless Council members express concern, staff will recommend contract award of the Base Bid to Lowery Construction in the amount of \$87,049.00. .

ATTACHMENT:

General Location Map and Location Map



TO: The Honorable Mayor and City Council
City of Owasso

FROM: Linda Jones, Finance Director

SUBJECT: Proposed Utility Rate Increases

DATE: July 8, 2016

BACKGROUND:

The Owasso Public Works Authority provides water, sewer, and refuse for the City of Owasso. While the cost of providing service has increased annually, the stormwater and refuse rates charged to customers have not increased since 2010 and 2012, respectively. Increased costs such as labor and capital have not been recovered by the City. As a result, on an accrual basis, the Owasso Public Works Authority lost \$1.7 million in operations last fiscal year.

In order for the City to begin the process of recovering increased costs, staff proposes effective October 1, 2016, a five-year plan to increase rates in water, sewer, stormwater, and refuse. In developing a recommendation, information was gathered from surrounding cities. See the attached document labeled "Comparison of Utility Rates." Owasso's proposed rates fall in the middle in comparison to neighboring cities.

As was communicated to Council in May, increased revenues from the proposed 2016 rate increase were incorporated into the FY17 Budget. The FY17 proposed rate increases are outlined below. For details of the entire five-year proposal, see the attached document labeled "Utility Rate Proposal."

OWASSO PUBLIC WORKS AUTHORITY

WATER

Increase water rates by 44 cents per thousand gallons per year for five years. Keep water meter rates flat in 2016, and increase by 22 cents per month, per year beginning October 1, 2017. This increase would equate to a 5.9% increase in year one down to 5.1% in year five. The additional revenue built into the FY17 Budget due to the proposed rate increase was \$194,400.

SEWER

Increase sewer rates for residents by 5% per year for five years. Increase non-resident rates by 10% per year until reaching 120% of residential rates in year five. The additional revenue built into the FY17 Budget due to the proposed rate increase was \$160,000.

REFUSE

Increase monthly refuse rates by \$1 for both residential and commercial on October 1, 2016, and by 50 cents each year in the subsequent four years. The additional revenue built into the FY17 Budget due to the proposed rate increase was \$100,500.

STORMWATER FUND

Increase monthly stormwater rates by 50 cents per month each October 1 for residential and by 75 cents per ESU per month each October 1 for commercial. The additional revenue built into the FY17 Budget due to the proposed rate increase was \$111,800.

Note that the \$454,900 increase in revenues in the OPWA fund does not balance the budget in the first year but over a three-year period. The five-year plan is also designed to address anticipated cost increases such as renovation of the Wastewater Treatment Plant. See the attached document entitled "Past and Future Utility Cost Increases."

ATTACHMENTS:

Comparison of Utility Rates
Utility Rate Proposal
Past and Future Utility Cost Increases

CITY OF OWASSO
COMPARISON OF UTILITY RATES

Effective Date	Owasso		Broken Arrow	Collinsville	Jenks	Sand Springs	Rogers RWD 3	Tulsa	Washington RWD 3	
	10-1-15	10-1-16								
Water Rates-Inside City										
Base for 3/4" Meter	11.94	11.94	14.72	7.70	11.17	13.29	10.87	18.50	5.51	19.00
0-1,000 gallons	-	-	-	4.00	4.15	-	-	3.25	3.64	3.40
1,001-2,000	5.46	5.90	6.97	4.00	4.15	5.41	5.62	3.25	3.64	3.40
2,001-3,000	5.51	5.95	6.97	4.00	4.15	5.46	5.62	3.25	3.64	3.40
3,001-4,000	5.51	5.95	6.97	4.00	4.15	5.61	5.62	3.25	3.64	3.40
4,001-5,000	5.51	5.95	6.97	4.00	4.15	5.90	5.62	3.25	3.64	3.40
5,001-6,000	5.56	6.00	6.97	4.00	4.15	6.25	5.62	4.25	3.64	3.40
6,001-7,000	5.56	6.00	6.97	4.00	4.15	6.25	5.62	4.25	3.64	3.40
Total monthly water cost for average residential at 7,000 gallons	45.05	47.69	56.54	35.70	40.22	48.17	44.59	43.25	30.98	41.80
	7.3%	5.9%								
Water Rates-Outside City										
Base for 3/4" Meter	14.33	14.33	9.00	8.55	11.17	13.29	23.34		7.82	
0-1,000 gallons			6.97	4.66	8.30	-	-		5.23	
1,001-2,000	6.55	7.08	6.97	4.66	8.30	5.41	-		5.23	
2,001-3,000	6.61	7.14	6.97	4.66	8.30	5.46	-		5.23	
3,001-4,000	6.61	7.14	6.97	4.66	8.30	5.61	11.23		5.23	
4,001-5,000	6.61	7.14	6.97	4.66	8.30	5.90	11.23		5.23	
5,001-6,000	6.67	7.20	6.97	4.66	8.30	6.25	11.23		5.23	
6,001-7,000	6.67	7.20	6.97	4.66	8.30	6.25	11.23		5.23	
Total monthly water cost for average residential at 7,000 gallons	54.05	57.23	62.64	41.17	69.27	48.17	68.26		44.45	
	7.4%	5.9%								
Sewer Rates - Residential										
Base	7.47	7.84	9.35	7.50	8.59	5.73	11.03		N/A	
0-1,000 gallons	3.25	3.41	3.95	2.67	2.79	1.86	-		6.15	
1,001-2,000	3.25	3.41	3.95	2.67	2.79	2.03	5.79		6.15	
2,001-3,000	3.25	3.41	3.95	2.67	2.79	2.18	5.79		6.15	
3,001-4,000	3.25	3.41	3.95	2.67	2.79	2.18	5.79		6.15	
4,001-5,000	3.25	3.41	3.95	2.67	2.79	2.18	5.79		6.15	
Total sewer for average residential at 5,000 gallons	23.72	24.91	29.10	20.85	22.54	16.16	34.19		30.75	
	9.2%	5.0%								
Sewer Rates - Commercial										
Base	7.47	7.84	9.35	7.50	8.59	5.73	11.03		N/A	
0-1,000 gallons	3.25	3.41	4.15	2.91	2.79	1.86	-		6.15	
1,001-2,000	3.25	3.41	4.15	2.91	2.79	2.03	5.42		6.15	
2,001-3,000	3.25	3.41	4.15	2.91	2.79	2.18	5.42		6.15	
3,001-4,000	3.25	3.41	4.15	2.91	2.79	2.18	5.42		6.15	
4,001-5,000	3.25	3.41	4.15	2.91	2.79	2.18	5.42		6.15	
Total sewer for average residential at 5,000 gallons	23.72	24.91	30.1	22.05	22.54	16.16	32.71		30.75	
	9.2%	5.0%								
Sewer Rates Outside City - Residential										
Base	7.47	8.22		8.10	8.59	5.73	22.07		N/A	
0-1,000 gallons	3.25	3.58		3.16	5.58	1.86	-		6.15	
1,001-2,000	3.25	3.58		3.16	5.58	2.03	-		6.15	
2,001-3,000	3.25	3.58		3.16	5.58	2.18	-		6.15	
3,001-4,000	3.25	3.58		3.16	5.58	2.18	11.59		6.15	
4,001-5,000	3.25	3.58		3.16	5.58	2.18	11.59		6.15	
Total sewer for average residential at 5,000 gallons	23.72	26.09		23.90	36.49	16.16	45.25		30.75	
	9.2%	10.0%								
Sewer Rates Outside City - Commercial										
Base	7.47	8.22		8.10	8.59	5.73	22.06		N/A	
0-1,000 gallons	3.25	3.58		3.32	5.58	1.86	-		6.15	
1,001-2,000	3.25	3.58		3.32	5.58	2.03	-		6.15	
2,001-3,000	3.25	3.58		3.32	5.58	2.18	-		6.15	
3,001-4,000	3.25	3.58		3.32	5.58	2.18	11.59		6.15	
4,001-5,000	3.25	3.58		3.32	5.58	2.18	11.59		6.15	
Total sewer for average residential at 5,000 gallons	23.72	26.09		24.70	36.49	16.16	45.24		30.75	
	9.2%	10.0%								
Administrative Fee	N/A	N/A		N/A	7.50	N/A	N/A		N/A	
Stormwater Rates										
Residential (per month)	3.00	3.50	4.00	5.01	2.00	2.00	5.30		6.45	
Commercial (per month)	2.50	3.25	4.00	5.01/unit	3.00	2.00	5.30		6.45	
Industrial (per month)	2.50	3.25	4.00	5.01/unit	4.00	2.00	5.30		6.45	
Refuse Rates										
Residential (per cart)	13.95	14.95	14.00	15.50	13.95	12.60	18.83		15.42	
Second polycart										
Multi-family (per cart)	13.95	14.95		15.50	N/A	N/A	N/A		N/A	
Commercial (per cart)	15.95	16.95		N/A	21.60	N/A	17.51		Varies	
Inside City Residential total	\$ 85.72	\$ 91.05	\$ 103.64	\$ 77.06	\$ 78.71	\$ 78.93	\$ 102.91		\$ 83.60	
Increase percent	6.3%	6.2%								
Increase per month	\$ 5.08	\$ 5.33								

CITY OF OWASSO
UTILITY RATE PROPOSAL

Effective Date	Owasso	Owasso	Owasso	Owasso	Owasso	
	10-1-15	10-1-16	10-1-17	10-1-18	10-1-19	10-1-20
<u>Water Rates--Inside City</u>						
Base for 3/4" Meter	11.94	11.94	12.16	12.38	12.60	12.82
0-1,000 gallons	-	-	-	-	-	-
1,001-2,000	5.46	5.50	6.34	6.78	7.22	7.66
2,001-3,000	5.51	5.95	6.39	6.83	7.27	7.71
3,001-4,000	5.51	5.95	6.39	6.83	7.27	7.71
4,001-5,000	5.51	5.95	6.39	6.83	7.27	7.71
5,001-6,000	5.56	6.00	6.44	6.88	7.32	7.76
6,001-7,000	5.56	6.00	6.44	6.88	7.32	7.76
Total monthly water cost for average residential at 7,000 gallons	45.05	47.69	50.55	53.41	56.27	59.13
	7.3%	5.9%	6.0%	5.7%	5.4%	5.1%
<u>Water Rates--Outside City</u>						
Base for 3/4" Meter	14.33	14.33	14.59	14.86	15.12	15.38
0-1,000 gallons	-	-	-	-	-	-
1,001-2,000	6.55	7.08	7.61	8.14	8.66	9.19
2,001-3,000	6.61	7.14	7.67	8.20	8.72	9.25
3,001-4,000	6.61	7.14	7.67	8.20	8.72	9.25
4,001-5,000	6.61	7.14	7.67	8.20	8.72	9.25
5,001-6,000	6.67	7.20	7.73	8.26	8.78	9.31
6,001-7,000	6.67	7.20	7.73	8.26	8.79	9.32
Total monthly water cost for average residential at 7,000 gallons	54.05	57.23	60.66	64.10	67.53	70.96
	7.4%	5.9%	6.0%	5.7%	5.4%	5.1%
<u>Sewer Rates - Residential</u>						
Base	7.47	7.84	8.24	8.65	9.08	9.53
0-1,000 gallons	3.25	3.41	3.58	3.76	3.95	4.15
1,001-2,000	3.25	3.41	3.58	3.76	3.95	4.15
2,001-3,000	3.25	3.41	3.58	3.76	3.95	4.15
3,001-4,000	3.25	3.41	3.58	3.76	3.95	4.15
4,001-5,000	3.25	3.41	3.58	3.76	3.95	4.15
Total sewer for average residential at 5,000 gallons	23.72	24.91	26.15	27.46	28.83	30.27
	9.2%	5.0%	5.0%	5.0%	5.0%	5.0%
<u>Sewer Rates - Commercial</u>						
Base	7.47	7.84	8.24	8.65	9.08	9.53
0-1,000 gallons	3.25	3.41	3.58	3.76	3.95	4.15
1,001-2,000	3.25	3.41	3.58	3.76	3.95	4.15
2,001-3,000	3.25	3.41	3.58	3.76	3.95	4.15
3,001-4,000	3.25	3.41	3.58	3.76	3.95	4.15
4,001-5,000	3.25	3.41	3.58	3.76	3.95	4.15
Total sewer for average residential at 5,000 gallons	23.72	24.91	26.15	27.46	28.83	30.27
	9.2%	5.0%	5.0%	5.0%	5.0%	5.0%
<u>Sewer Rates Outside City - Residential</u>						
Base	7.47	8.22	9.04	9.94	10.84	11.44
0-1,000 gallons	3.25	3.58	3.93	4.33	4.76	4.98
1,001-2,000	3.25	3.58	3.93	4.33	4.76	4.98
2,001-3,000	3.25	3.58	3.93	4.33	4.76	4.98
3,001-4,000	3.25	3.58	3.93	4.33	4.76	4.98
4,001-5,000	3.25	3.58	3.93	4.33	4.76	4.98
Total sewer for average residential at 5,000 gallons	23.72	26.09	28.70	31.57	34.73	36.33
	9.2%	10.0%	10.0%	10.0%	10.0%	4.6%
<u>Sewer Rates Outside City - Commercial</u>						
Base	7.47	8.22	9.04	9.94	10.94	11.44
0-1,000 gallons	3.25	3.58	3.93	4.33	4.76	4.98
1,001-2,000	3.25	3.58	3.93	4.33	4.76	4.98
2,001-3,000	3.25	3.58	3.93	4.33	4.76	4.98
3,001-4,000	3.25	3.58	3.93	4.33	4.76	4.98
4,001-5,000	3.25	3.58	3.93	4.33	4.76	4.98
Total sewer for average residential at 5,000 gallons	23.72	26.09	28.70	31.57	34.73	36.33
	9.2%	10.0%	10.0%	10.0%	10.0%	4.6%
Administrative Fee	N/A	N/A	N/A	N/A	N/A	N/A
<u>Stormwater Rates</u>						
Residential (per month)	3.00	3.50	4.00	4.50	5.00	5.50
Commercial (per month)	2.50	3.25	4.00	4.75	5.50	6.25
Industrial (per month)	2.50	3.25	4.00	4.75	5.50	6.25
<u>Refuse Rates</u>						
Residential (per cart)	13.95	14.95	15.45	15.95	16.45	16.95
Second polycart	-	-	-	-	-	-
Multi-family (per cart)	13.95	14.95	15.45	15.95	16.45	16.95
Commercial (per cart)	15.95	16.95	17.45	17.95	18.45	18.95
Inside City Residential total	\$ 85.72	\$ 91.05	\$ 96.15	\$ 101.32	\$ 106.55	\$ 111.85
Increase percent	6.3%	6.2%	5.6%	5.4%	5.2%	5.0%
Increase per month	\$ 5.08	\$ 5.33	\$ 5.11	\$ 5.17	\$ 5.23	\$ 5.30

PAST AND FUTURE UTILITY COST INCREASES

Past OPWA Utility Cost Increases

Material Cost Increases:

- ✓ Since 2005, water and wastewater materials have increased annually by approximately 12%. The main reason is due to energy demands to produce PVC materials such as 6" PVC pipe which has increased in cost from \$1 per linear foot to \$6. Furthermore, plastic meter cans have increased from \$32 to \$48 per can over the last 6 years.
- ✓ In February 2014, Senate Bill 3874 was passed which eliminated any use of lead material in any of the brass materials used in a public or private potable water system. As a result, material made out of brass such as water meters, setters, corp stops, tapping saddles and fire hydrants increased in cost by 40%. For example, a fire hydrant assembly cost was \$1,500 six years ago. Today, the total cost for the same material is \$2,600. Another example, a simple 2" isolation valve cost \$190 in 2010. The cost now is \$265.

Infrastructure Improvements Completed:

- ✓ In 2005, Wastewater Masterplan was updated and adopted by City Council. Within the plan, infrastructure improvements were recommended for the WWTP, Ranch Creek Interceptor, Santa Fe Lift Station and Force Main, North 117th E Ave Pump Station and Meadowcrest Relief Line by 2015. Such improvements have been completed with a cost of over \$20 million.

OPWA Future Needs

Infrastructure Improvements:

- ✓ Based on current loading and Wastewater Masterplan recommendations, WWTP needs additional upgrades by 2020. Estimated cost for the next phase of construction is \$10 million.
- ✓ Per masterplan recommendations, the collection system within several subdivisions is in need of replacement due to age, condition and capacity restriction. Over the next 10 years, OPWA needs to reinvest approximately \$23 million.
- ✓ Per the 2016 Water Distribution Model, the water distribution system needs upgrades in several different locations in order to continue to provide adequate water pressure, volume and water quality. Over the next 10 years, OPWA needs to reinvest approximately \$2.5 million.

Equipment Needs:

- ✓ OPWA funds equipment for the following divisions: Water Distribution, Wastewater Collection, Wastewater Treatment Plant, Recycle Center, Refuse, Maintenance and Wastewater Treatment Plant. Over the next 5-years, staff projects approximately \$2.5 million in equipment cost in order to continue to provide quality service to the citizens of Owasso. Such equipment includes: backhoes, trackhoes, service vehicles, refuse trucks and dump trucks etc.

Personnel Needs:

- ✓ Over the next 5-years, OPWA proposes to increase staff by 4 employees.
 - Recycle Center – 1 New Full-Time Employee
 - Wastewater Collection – 1 New-Full Time Employee
 - Maintenance – 1 New Full-Time Employee
 - Water Distribution – 1 New Full-Time Employee

Total annual cost for the 4-new employees would be approximately \$172,000.

Current and Future Stormwater Needs

Infrastructure Improvements:

- ✓ FY 2016 Stormwater Fund generated approximately \$710,000. Currently, the revenue assists with stormwater operations, equipment, personnel and small stormwater infrastructure improvements.
 - Annual Average Operating Cost: \$585,000 (cost excludes projects)

- ✓ Currently, stormwater projects that cost more than approximately \$300,000 typically are funded through the CIP fund due to the amount of revenue generated from the stormwater fee. Below are some examples:
 - Brookfield Crossing
 - Sports Park Regional Detention Facility
 - Lakeridge/Central Park Channel Improvements
 - Rayola Detention/Trib. 5A Improvements

- ✓ Per the 2005 Stormwater Masterplan, the remaining projects in need of repair total approximately \$20 million.

Equipment Needs:

- ✓ Over the next 5 years, staff projects approximately \$185,000 in equipment cost in order to continue to provide quality service to the citizens of Owasso.

Personnel Needs:

- ✓ Over the next 5 years, Stormwater Division proposes to increase staff by 2 employees. Annual estimated cost is \$80,000.



TO: The Honorable Mayor and City Council
City of Owasso

FROM: Bronce L. Stephenson, MPA
Director of Community Development

SUBJECT: Contract with Center for Economic Development Law

DATE: July 8, 2016

Economic Development Director Chelsea Levo, Community Development Director Bronce Stephenson, Assistant City Manager Sherry Bishop and City Attorney Julie Lombardi recently met with the Center for Economic Development Law (CEDL) of Oklahoma City to discuss utilizing their services and expertise for developing an incentive district for the development of downtown Owasso. With prospective new development in the downtown area after many years of disinvestment, creative incentives would further attract and encourage new development.

Looking at examples of successful development of downtown areas in Stillwater, Oklahoma City, Broken Arrow, Tulsa and many others, has shown that these areas have only developed through the introduction of incentives that attract new development. Adding new construction that would command rents of \$20 per square foot or more to an area that currently pays only \$8 per square foot is not feasible or sustainable unless enough development can be attracted to create major change in the area.

The most effective way to sustainably create place and economic change in an area is with public-private partnerships. In areas that will typically not develop or are older blighted areas, redevelopment is dependent on assistance from the public sector.

As Owasso's Redbud District is on the cusp of redevelopment, with potential developers putting together plans for proposed new construction, the creation of an incentive district increases the options for making the downtown revitalization a success. At this early stage, the creation of a Tax Increment Financing (TIF) District would provide the most benefit to a successful redevelopment of Owasso's downtown.

TIF Districts have been successfully utilized in transforming areas with economic development opportunities in areas such as El Reno, Ardmore, Norman, Lawton, Enid, Midwest City, Oklahoma City, Tulsa, Broken Arrow and numerous other communities across the State.

Staff recommends utilizing the skills of an outside firm with experience and expertise in redevelopment and incentive districts. A proposed engagement letter with the Center for Economic Development Law is attached. A contract will be brought before the Council at the July 19 regular meeting. Representatives of the firm will attend the August Council work session to present and answer questions.

PLANNING COMMISSION:

Staff will introduce this item at their meeting on July 11, 2016.

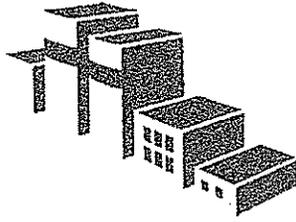
ATTACHMENTS:

CEDL Firm Brochure

Considerations and Procedure for Creating a Tax Increment Finance District (CEDL)

Engagement Letter with CEDL

Tax Increment Financing: An Introduction



CENTER FOR ECONOMIC DEVELOPMENT LAW

301 NORTH HARVEY, SUITE 100
OKLAHOMA CITY, OKLAHOMA 73102-3421
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The Center for Economic Development Law is a private law firm that provides legal services for development and redevelopment activities that involve state and local governing bodies and related public entities. Established in 1979 by Dan Batchelor, the firm offers extensive legal services in the creation of legal and financial strategies for economic and community development projects, as well as business location and expansion projects. The firm primarily advises public entities on public-private development and business incentives available in particular localities. In towns and counties around the state, the firm's expertise assists city attorneys and local counsel on specialized economic development matters. Much of the firm's recent work involves economic development projects that utilize tax increment financing (TIF) through the preparation of project plans, assistance with public hearings, and negotiation of development agreements, but the firm also has extensive experience representing clients in public master planning activities, public contracting, real estate transactions, environmental issues, land use/zoning, and a variety of related litigation matters. The attorneys at the Center for Economic Development Law have experience with public-sector legal issues and with projects requiring close coordination between the public and private sectors. Members of the firm value their relationships with clients and are committed to the highest ethical and professional standards. They particularly enjoy the opportunity to assist clients in beneficial projects for their communities.

The Center for Economic Development Law's legal team is led by its President, Leslie Batchelor, and is supported by Chairman Dan Batchelor, Senior Attorneys Emily Pomeroy and Lisa Harden, Attorney Jeff Sabin, and Senior Of Counsel Attorney John C. McMurry. The legal team is augmented by full-time legal assistants and support staff.

**CENTER FOR ECONOMIC DEVELOPMENT LAW, PLLC
ATTORNEY BIOGRAPHIES**



DAN BATCHELOR brings forty years of experience to the creation of legal and financial strategies that enable communities to execute development projects, especially those involving both private and public sectors.

As general counsel of the Oklahoma City Urban Renewal Authority since 1966, Dan has provided legal guidance for more than \$1 billion in the development and expansion of downtown Oklahoma City and the Oklahoma Health Center. He has been instrumental in developing legal and financial strategies for development of the Presbyterian Health Foundation Research Park (now the OU BioTech Research Park).

His expertise has enabled him to assist communities throughout Oklahoma in creating financing strategies for economic development projects of all types and sizes. Dan was a primary architect of the tax increment financing provisions of Oklahoma's 1992 Local Development Act. He has served as development counsel for the Oklahoma

City Downtown/MAPS Economic Development Project; the Oklahoma Health Center Economic Development Project; the Durant-Cardinal Economic Development Project; and the Guymon-Seaboard Economic Development Project. Earlier, he worked on redevelopment projects for the central business districts of Green Bay and Stevens Point, Wisconsin.

His education and related credits include: a BS degree with honors, Southeastern Oklahoma State University, 1958; University of Oklahoma College of Law, 1961; President of the American Law Student Association (designated Outstanding Officer for the years 1956-61); Board of Editors, Oklahoma Law Review; Order of the Coif; Outstanding Graduating Law Student of 1961; named Law Graduate of the Year 1961 by the Phi Delta Phi International Legal Fraternity; and member of Oklahoma's national moot court team which won first place in the region and second place in the nation in both 1959 and 1960.

Dan currently serves as a Director of FNB Financial Services, Inc., the holding company for The First National Bank in Durant and First Texoma Bank in Sherman, Texas; secretary-treasurer and board member for the Native American Cultural and Educational Authority, a state agency; and board member of A Chance to Change Foundation, a private, non-profit service organization.



LESLIE V. BATCHELOR is president of the firm and manages a wide variety of redevelopment, financing, and litigation matters. Leslie's practice encompasses local government law and public-private development projects of all types and sizes.

She is nationally recognized for her expertise in public-private partnerships, tax increment financing techniques, and other redevelopment and strategies. Representative projects include the restoration and reopening of the historic Skirvin Hotel, creation of the Dell Business Center on a former brownfield along the Oklahoma River, and formulation of Oklahoma City's Core to Shore Urban Renewal Plan.

Leslie is an experienced litigator. She represents public entities in claims arising from financing and development activities. She defends taxpayer and *qui tam* actions, and litigates claims involving land use and eminent domain.

Leslie serves as the City Attorney for the City of The Village and as development counsel to several local development authorities, including the Yukon Economic Development Authority.

Prior to founding the Center for Economic Development Law with her father, Dan Batchelor, Leslie served in the U.S. Department of Justice as Deputy Associate Attorney General, Counsel to Attorney General Janet Reno, and Counselor to the Assistant Attorney General for the Civil Division.

Before joining the Justice Department, Leslie was an associate at McAfee & Taft, where she concentrated on civil litigation. She served as a law clerk to the Honorable William J. Holloway, Jr., of the United States Court of Appeals for the Tenth Circuit. Leslie received her undergraduate degree *magna cum laude* from Brown University and her Master's and law degrees from the University of Virginia, where she was an instructor in philosophy and a teaching assistant in legal research and writing.

An active community volunteer, Leslie has served in leadership roles in a number of professional and community organizations, including Chair of the Urban Land Institute - Oklahoma, president of Historical Preservation, Inc., president of the Oklahoma County Bar Foundation, and president of Oklahoma City Housing Services Redevelopment Corporation (Positively Paseo!). She also serves on the Board of i2E, the Board of Visitors for the Honors College at the University of Oklahoma, and the Ralph Ellison Foundation. She is married to Scott E. Williams, a federal prosecutor, and is the mother of twin girls.



EMILY K. POMEROY serves as development counsel to cities, towns, and other public entities, to assist them in the strategic, procedural, and financing aspects of their redevelopment endeavors. Her transactional practice focuses on the adoption and implementation by governmental entities of public-private redevelopment projects of all types and sizes. Her litigation practice consists of representing the firm's regular clients, including the Oklahoma City Urban Renewal Authority, when litigation arises from economic development projects, redevelopment activities, or land acquisition.

Emily joined the firm in 2003 after completing her legal education at the University of Oklahoma. During one semester of law school, she served as law clerk to the Senior Attorney of the Special Projects Group of the Environmental Enforcement Section of the Environment and Natural Resources Division at the U.S. Department of Justice.

She received her undergraduate degree from Bucknell University in Lewisburg, Pennsylvania. She graduated *magna cum laude*, with recognition, including Phi Beta Kappa, Omicron Delta Kappa National Leadership Honor Society, and the Charles F. White Memorial Award for Excellence in Academics and Athletics. Emily was born in Oklahoma City and attended Casady School, where she graduated magna cum laude in 1995.

Emily is a member of the Oklahoma County Bar Association, the Oklahoma Bar Association, and the American Bar Association. Emily is an active community volunteer, serving as an officer of the Legal Assistant Services Committee of the Oklahoma Bar Association, a member and former president of the Oklahoma City Housing Services Redevelopment Corporation, an executive officer and former president of the Phi Beta Kappa Association of Oklahoma City, and a member of the Urban Land Institute.



LISA HARDEN is a real estate and business transaction attorney who has extensive experience in a broad range of commercial transactions in all phases of real estate sales and acquisitions, exchanges, construction and development, financing and refinancing, commercial leasing and real estate management.

Prior to joining the firm, Lisa served as the General Counsel for an upscale golf community and country club between 2005 and 2012, where she provided legal advice and representation on all business, corporate, development, organizational, operational, contractual, financial, and employment matters, including: negotiating and closing all real estate purchases and sales; addressing title, survey, and zoning issues; project design and development, land use planning; platting; marketing; preparation and negotiation of development, engineering, architectural and construction contracts, easements, equipment leases, office leases, vendor, supplier, entertainment, outsourcing, marketing, and other commercial agreements; handling various membership matters; and writing membership agreements.

Before serving as General Counsel to the golf community and country club, Lisa was an associate at Phillips, McFall, McCaffrey, McVay & Murrah, P.C. where she represented owners, operators, managers, developers, brokers, sellers, purchasers, landlords and tenants in all phases of commercial real estate and business transactions.

Lisa earned her Juris Doctorate, *cum laude*, from the Oklahoma City University School of Law, and her degree of Bachelor of Arts in Letters from the University of Oklahoma. Born in Chickasha, Oklahoma, Lisa lives in Oklahoma City with her husband, Larry, and their two young children.



JEFF SABIN's practice focuses primarily on real estate development and land use issues. He began working for the firm as an intern in 2012 while working to complete his law degree at Oklahoma City University School of Law, where he was the recipient of a prestigious, full-tuition Dean's Scholarship. While in law school, Jeff served as a member of the Oklahoma City University Law Review and as a research assistant for Assistant Professor Celeste Pagano. He also received CALI Excellence for the Future Awards in Legal Research and Writing, Evidence, Land Use, Oklahoma Land Titles, Tribal Law, and Commercial Paper. He received his J.D. *magna cum laude* and a Certificate in Real Estate Practice from OCU Law in 2014, and at graduation was awarded the Excellence in Real Property Law Award by the Oklahoma City Real Property Lawyers Association.

Prior to law school, Jeff received a B.A. in Geography, with distinction, from the University of Oklahoma and spent over four years as a city planner for the City of Hutto, Texas, a high-growth suburb of Austin, Texas. During his time as a city planner, Jeff participated in the development of an award-winning downtown revitalization plan for Hutto and oversaw the comprehensive rewrite of the City's development ordinances into a unified development code. He also served as a development case manager, assisting developers navigate the city's regulations and approvals process.

Jeff is a member of the Oklahoma Bar Association, American Bar Association, the American Planning Association, and the Urban Land Institute.



CENTER FOR ECONOMIC
DEVELOPMENT LAW

James Dan Batchelor
Leslie V. Batchelor
Emily K. Pomeroy
Lisa M. Harden
Jeff Sabin
OF COUNSEL
John C. McMurry

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CONSIDERATIONS AND PROCEDURE FOR CREATING A TAX INCREMENT FINANCE DISTRICT UNDER THE LOCAL DEVELOPMENT ACT

I. Background: Redevelopment Using Tax Increment Financing

The Oklahoma Constitution authorizes the development or redevelopment of areas determined by a city, town, or county to be unproductive, undeveloped, underdeveloped, or blighted. The Local Development Act provides tools to be used in cases where investment, development, and economic growth in an area are difficult but possible if the Act is used.

One of the Act's tools is tax increment financing (TIF), which allows a city, town or county to direct the apportionment of an increment of certain local taxes and fees to finance public project costs in order to stimulate development in an area (the TIF district and the project area). The increment is (a) the portion of ad valorem taxes produced by the increased value of the property in the TIF district, measured from the date the ordinance creating the district is passed, and/or (b) the portion of sales taxes collected each year that are generated by the projects in the TIF district, as determined by a formula approved by the governing body. The TIF district is established by the development and approval of a project plan, which specifies the project area, the boundaries of the increment district, the objectives for the project area, the activities to be carried out in furtherance of those objectives, and the costs.

TIF districts have been validated by court proceedings involving the two TIF districts in Oklahoma City (for economic development projects at the Oklahoma Health Center and for the Downtown/MAPS project) and the TIF district in Guymon (for the Guymon-Seaboard Economic Development project).

II. Steps for Considering and Creating a TIF District:

1. Governing Body Initiation of Process.

- a. Governing body passes resolution establishing review committee and appoints its representative.
 - i. The Review Committee consists of:
 1. A representative of the governing body, to serve as chairperson;
 2. A representative of the planning commission, if applicable;
 3. A representative designated by each taxing jurisdiction within the proposed TIF district whose ad valorem taxes might be impacted by the project; and
 4. Three members (at least one of which represents the business community) representing the public at-large and selected by the other committee members from a list of seven names submitted

by the chairperson of the committee.

2. Review Committee Consideration.

- a. Committee elects at-large members.
- b. Committee studies proposed project and makes findings on eligibility of proposed project area and TIF district.
- c. Committee makes findings on financial impacts of proposed project upon affected taxing jurisdictions and business activities in the proposed TIF district.
- d. Committee makes a recommendation regarding approval of proposed project and creation of TIF district.

3. Planning Commission Review.

- a. Planning commission determines whether proposed project plan conforms with comprehensive (master) plan, if applicable.
- b. Planning commission makes a recommendation regarding approval of proposed project plan.

4. Governing Body Consideration and Approval.

- a. Governing body must hold two public hearings before adoption of a project plan – one to provide information, including an analysis of potential impacts, and to answer questions, and a second to give interested persons the opportunity to express their views on the proposed project plan.
- b. Governing body considers the findings and recommendation of the review committee and the resolution and recommendation of the planning commission, if applicable.
- c. Governing body makes final determination that the proposed TIF district meets the eligibility criteria of the statute, including that the project area is an enterprise area, an historic preservation area, or a reinvestment area.
- d. Governing body makes finding that the improvement of the area is likely to enhance the value of other real property in the area and to promote the general public interest.
- e. Governing body adopts ordinance (or resolution) approving the project and establishing the TIF district.



CENTER FOR ECONOMIC
DEVELOPMENT LAW

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June 17, 2016

Mr. Bronce Stephenson
Director of Community Development
City of Owasso
111 N. Main Street
Owasso, Oklahoma 74055

Via Email

RE: Legal Consulting Services for City of Owasso – Proposed Downtown Redevelopment

Dear Bronce:

It was a pleasure to meet you and your colleagues to discuss the City of Owasso's efforts to promote development in your downtown. At your request, below is a proposed scope of professional services and potential actions for the consideration and possible preparation of a proposed project plan and tax increment financing district(s) pursuant to the Oklahoma Local Development Act, Title 62 O.S. §850, *et seq.* (the "Act"). The Act authorizes cities to adopt a project plan for economic development purposes and provides certain powers for the implementation of the project plan. The Act's financing mechanisms can be used as an additional tool for the City in its downtown redevelopment efforts.

I. Assessment and Recommendation of Project Eligibility and Feasibility

As an initial matter, the Center for Economic Development Law ("CEDL") will assist you in a preliminary assessment and recommendation of the fundamental issues affecting the potential project and determination of threshold questions including whether and what tools of the Act are appropriate. The focus of this effort would be to work with you, City officials and staff, as well as other interested stakeholders to build on the existing development strategy for the downtown, and would include discussions with and presentations to the City Council and other public bodies about the tools of the Act. This evaluation will be undertaken in order to determine whether the benefit potential and practicality appear sufficiently positive for the City to then undertake the formulation, procedural consideration, and adoption of a project plan with necessary financing mechanisms, possibly including tax increment financing. This is a critical phase and includes much of the groundwork for the subsequent phases.

If, and only if, the evaluation appears positive to the City and CEDL, will CEDL then continue in its representation of the City by providing the following services to the extent authorized and directed by you.

II. Negotiation and Preparation of Initial Agreements and Project Plan Preparation

A. CEDL will assist in the negotiation and preparation of conditional redevelopment agreements between the City or another public entity (if appropriate) and potential developers that state the conditions precedent to undertaking the project. The nature and extent of such agreements are extremely difficult to gauge prior to formulation of the development strategy.

B. Project plan preparation would be undertaken in two parts:

1. Schematic Plan Development

- i. Area Eligibility Report — Assistance in preparation of an eligibility report, relying on information from City staff and local and state agencies to evaluate the eligibility of the area.
- ii. Financial Impact Report — Assistance in preparation and evaluation of financial impacts, relying on assistance from City staff and other informed or specialized sources.
- iii. Basic framework of project plan including:
 - a. Area of project plan;
 - b. Size and content of increment district(s);
 - c. Project objectives;
 - d. Principal project actions;
 - e. Preliminary budget; and
 - f. Strategic sequencing.

2. Final Draft Project Plan and Increment District

- i. Preparation of complete eligibility report;
- ii. Preparation of complete financial impact report;
- iii. Preparation of complete project plan and increment district provisions; and
- iv. Final editing before release for public consideration and approval.

III. Official Review and Public Hearings

This phase will consist of legal advice and consultation with respect to procedures and actions for formal consideration of a proposed project plan including:

- A. Resolution of City Council initiating formal consideration and approval process and establishing review committee;
- B. Presentations to individuals, groups, and public bodies on the proposed plan;
- C. Attendance and preparation at review committee meetings;
- D. Preparation of documents for review committee consideration;
- E. Planning commission presentation and approval documents; and
- F. Presentation at two public City Council hearings on consideration and adoption of the proposed project plan and establishment of an increment district.

IV. Implementation

Following adoption of a project plan and an increment district, it is vitally important that the implementation steps, procedures, legal auditing, and follow-up assistance take place in order to maximize the achievement of project objectives and to minimize the difficulties of implementation. These steps would generally consist of:

- A. Negotiation and preparation of any additional economic development agreements;
- B. Advice on administration and financing;
- C. Coordination with involved public officials and entities;
- D. Preparation of implementation checklist; procedural manual, forms, and official action documents; and
- E. Assistance in financial reporting.

Depending on the complexity of the project and the extent to which the City or another public entity assumes responsibility for these activities, the City and CEDL may scope this on-going work separately.

We wish to emphasize that Phases II, III, and IV would be undertaken only if Phase I, the Assessment and Recommendation of Project Eligibility and Feasibility, appeared positive to CEDL and the City.

The cost of the services described in this engagement letter will be CEDL's time and expenses in accordance with the current CEDL fee schedule. We have attached a copy of the 2016 fee schedule. CEDL will submit statements detailing the services provided on a monthly

Mr. Bronce Stephenson
June 17, 2016
Page 4

basis. The services will consist of only the phases and undertakings authorized by the City. The City or CEDL may terminate services at any time upon thirty (30) days' notice without any further liability except for services provided.

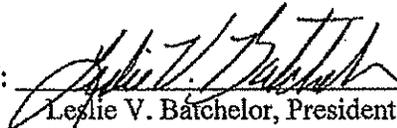
Our mission as a law firm is to assist communities in achieving their economic development objectives, and we look forward to assisting your community by working with you.

By our signature below, we are agreeing to this engagement. If you approve, please execute your acceptance in the space provided and return one original to our office.

Very truly yours,

CENTER FOR ECONOMIC DEVELOPMENT LAW

BY: _____


Leslie V. Batchelor, President

ACCEPTED THIS _____ DAY OF _____, 2016.

THE CITY OF OWASSO

BY: _____

CENTER FOR ECONOMIC DEVELOPMENT LAW
2016 SCHEDULE OF PROFESSIONAL FEES

ATTORNEYS:

Principals	Dan Batchelor	\$300.00
	Leslie V. Batchelor	\$275.00
Senior Attorneys	Emily K. Pomeroy	\$250.00
	Lisa M. Harden	\$250.00
Associate	Jeff Sabin	\$200.00
Senior Of Counsel Attorney	John C. McMurry	\$200.00

SPECIALISTS:

Development/Planning Consultant	Ian Colgan, AICP	\$200.00
Financial Analyst/Planner	Cameron H. Brewer	\$150.00
Senior Legal Assistant		\$ 95.00
Law Clerk/Legal Intern		\$ 95.00
Legal Assistant		\$ 55.00
Administrative Assistant		\$ 45.00

Reimbursement of actual and reasonable expenses.

Tax Increment Financing: An Introduction

What is Tax Increment Financing?

Tax Increment Financing (TIF) is an economic development tool authorized by the Oklahoma Constitution and State statute to permit cities, towns, and counties to use local taxes and fees to finance certain public costs of development and redevelopment. Projects financed with TIF must serve a public purpose such as redeveloping blighted areas, providing employment opportunities and improving the tax base.

How Does TIF Work?

When a TIF district is established, the assessed value of all taxable property within the district (or, in the case of a sales tax increment district, the sales tax revenue from within the district) is established as a base. For the district's duration – until the project costs are paid, not to exceed twenty-five (25) years – any increased tax revenues above the base are available to the city, town, or county to finance public project costs. Taxes generated from base assessed value (or an amount equal to the base sales tax) continue to be paid to the various taxing jurisdictions (county, school district, vo-tech district, library system, health department.)

Why TIF?

For a city, town, or county to use TIF to help finance a development or redevelopment project, it must determine that, among other things, investment, development and economic growth are difficult but possible if TIF is utilized. It must also determine that TIF is not being proposed for an area where investment, development, and economic growth would have occurred anyway and that TIF is being used to supplement and not supplant or replace normal public functions and services. Projects that meet these conditions should have no negative impact on the affected taxing jurisdictions, since they use only tax revenues that, without the use of TIF, would not have been generated.

What About Public Input?

The governing body of the city, town, or county considering a TIF project must appoint a Review Committee made up of representatives of the affected taxing jurisdictions, the planning commission with jurisdiction over the project area, the city, town, or county considering the project (whose representative serves as chairperson), and the public at large. The Review Committee then must make determinations as to the eligibility of the project and the financial impact, if any, of the project on the taxing jurisdictions, as well as a recommendation to the Governing Body whether to approve the project.

The Planning Commission must separately consider the proposed project and determine whether it conforms to the comprehensive (master) plan for the area. All meetings of the Review Committee, Planning Commission and Governing Body are subject to open meeting laws.

Prior to adoption of a TIF project, the Governing Body must hold two public meetings. The first is solely to provide the public information about the proposed project; the second is a public hearing to provide an opportunity for the public to be heard in favor of or opposition to the proposed project.

If the Governing Body votes to approve the proposed project contrary to the recommendation of the Review Committee, it must do so by a two-thirds majority. Any change to the area to be included, any substantial change in the proposed project, or any amendment of an approved plan affecting more than 5% of the district's area or 5% of the project costs must be reviewed and approved by the Review Committee, Planning Commission, and Governing Body in the same manner as the original proposal.

Any school district within the boundaries of an increment district may file with the Governing Body a protest as to the amount certified as the base assessed value of the increment district. In the event such a protest is filed, the base assessed value of the district shall be redetermined.

How May TIF Be Used?

Oklahoma's Local Development Act governs TIF uses. Tax increment revenues must be spent for approved public costs of development and redevelopment within geographic areas referred to as project areas.

TIF Uses Include:

- o Capital costs, including costs of acquisition, construction, demolition, alteration, remodeling, repair or reconstruction of public works, public improvements, public buildings, structures, and fixtures;
- o Financing costs, including costs associated with the issuance of bonds;
- o Real property assembly costs, including clearance and preparation;
- o Environmental remediation;
- o Professional services costs;
- o Direct administrative costs; and
- o Relocation costs.

Financing methods:

- **Pay-As-You-Go:** The developer pays for TIF-eligible costs, and is reimbursed from the increment of increased tax revenue generated by the development (the "Increment"). This method shifts the financing risk to the developer.
- **Bonds:** Bonds are issued "up front" to pay for public redevelopment or redevelopment costs and are repaid with the Increment.
- **Cash Financing:** A private non-profit or other entity pays costs directly and is reimbursed through tax increments or other revenue sources.

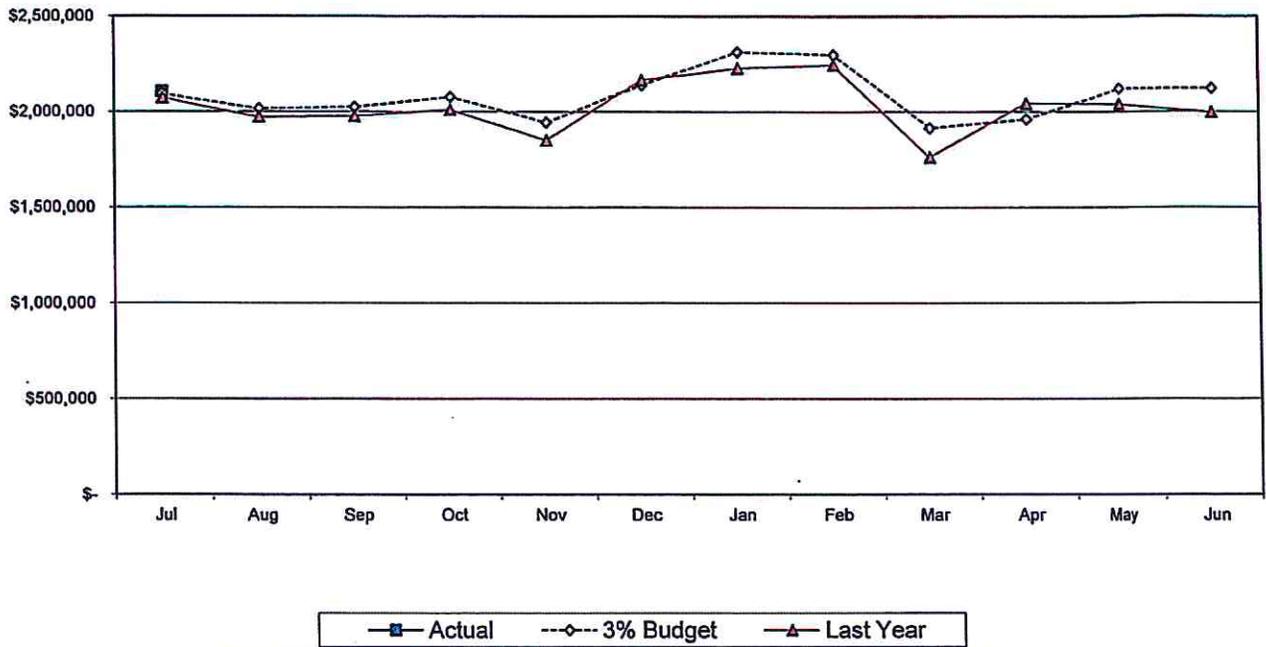
What Are Some of the Benefits of TIF?

TIF allows cities, towns and counties to simulate revitalization activities that the private sector is unwilling or unable to undertake. By using TIF, cities, towns, and counties have tools to:

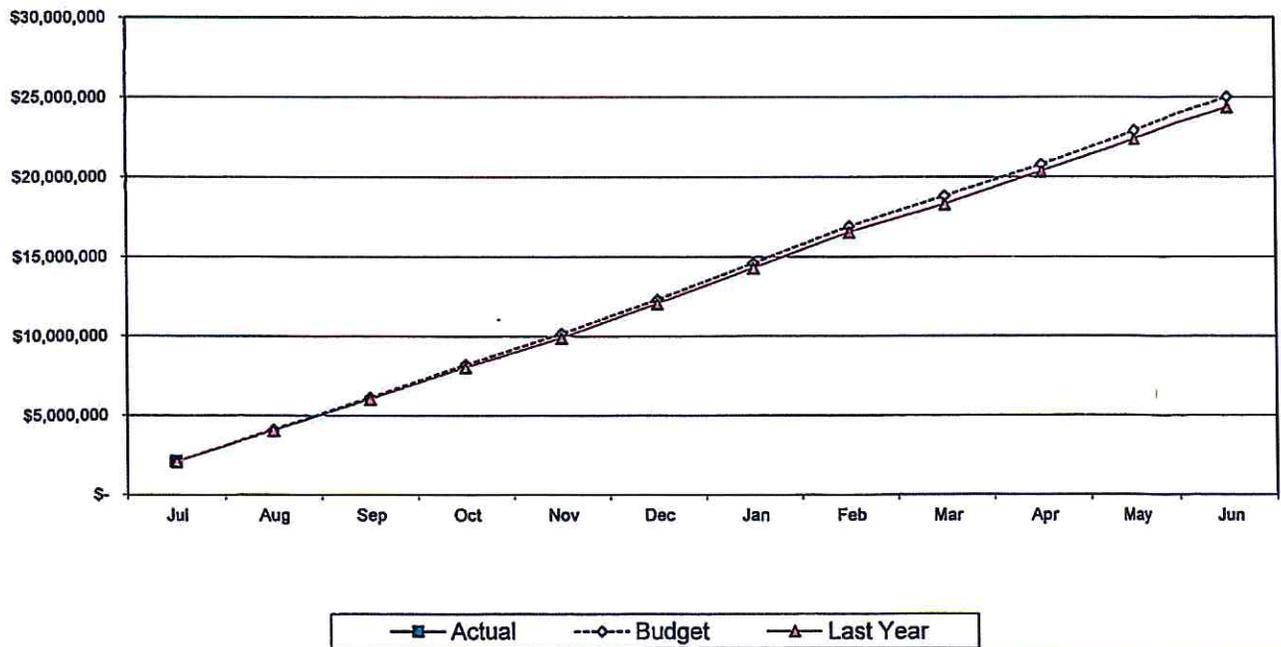
- Leverage economic revitalization;
- Develop or redevelop property which is undeveloped, underdeveloped, unproductive, or blighted;
- Supplement other public functions, services, efforts and programs, including Oklahoma Main Street Program, Oklahoma Enterprise Zone Act, historic preservation, and other locally implemented economic development efforts;
- Enhance conservation, preservation, and rehabilitation efforts;
- Encourage residential development;
- Enhance neighborhood stability;
- Remediate environmental damage;
- Enhance the tax base;
- Create and retain jobs.

By setting a base assessed value of property in redevelopment areas, cities, towns and counties in effect buffer affected taxing jurisdictions from deterioration of the local tax base.

Monthly 3% Sales Tax Comparisons



Year-to-Date 3% Sales Tax Totals



City of Owasso
 Monthly 3% Sales Tax Revenues
 Last Five Fiscal Years

	<u>2016-17</u>	<u>2015-2016</u>	<u>2014-2015</u>	<u>2013-2014</u>	<u>2012-2013</u>
Jul	\$ 2,106,867	\$ 2,073,553	\$ 1,865,194	\$ 1,704,985	\$ 1,630,957
Aug		\$ 1,973,796	\$ 1,820,788	\$ 1,678,483	\$ 1,521,846
Sep		\$ 1,978,203	\$ 1,832,861	\$ 1,617,952	\$ 1,518,488
Oct		\$ 2,011,595	\$ 1,896,451	\$ 1,677,145	\$ 1,560,824
Nov		\$ 1,851,194	\$ 1,808,171	\$ 1,612,339	\$ 1,447,596
Dec		\$ 2,166,025	\$ 1,862,936	\$ 1,748,989	\$ 1,605,740
Jan		\$ 2,228,743	\$ 2,125,525	\$ 2,073,564	\$ 1,792,034
Feb		\$ 2,246,904	\$ 2,004,466	\$ 1,990,104	\$ 1,817,864
Mar		\$ 1,762,488	\$ 1,780,454	\$ 1,544,058	\$ 1,500,014
Apr		\$ 2,044,284	\$ 1,781,713	\$ 1,696,815	\$ 1,499,708
May		\$ 2,041,458	\$ 1,950,586	\$ 1,813,883	\$ 1,629,482
Jun		\$ 1,936,362	\$ 1,998,314	\$ 1,864,533	\$ 1,643,878
	<u>\$ 2,106,867</u>	<u>\$ 24,314,606</u>	<u>\$ 22,727,460</u>	<u>\$ 21,022,850</u>	<u>\$ 19,168,431</u>

Estimated collection on 3% sales tax. Actual breakdown for half-penny collections for current month not yet available.

City of Owasso
 3% Sales Tax Report
 Budget to Actual Comparison
 July 6, 2016

	2016-17 Actual Collections		2016-17 Budget Projections		Over (Under) Projection	
	Amount	Percent	Amount	Percent	Amount	Percent
Jul	\$ 2,106,867	8.4%	\$ 2,093,447	8.4%	\$ 13,420	0.6%
Aug						
Sep						
Oct						
Nov						
Dec						
Jan						
Feb						
Mar						
Apr						
May						
Jun						
Totals	<u>\$ 2,106,867</u>	8.4%	<u>\$ 2,093,447</u>	8.4%	<u>\$ 13,420</u>	0.6%

Estimated collection on 3% sales tax. Actual breakdown for half-penny collections for current month not yet available.

City of Owasso
 3% Sales Tax Report
 Two Year Comparison
 July 6, 2016

	<u>2016-17</u>		<u>2015-16</u>		<u>Increase or (Decrease)</u>	
	<u>Amount</u>	<u>Percent of Budget</u>	<u>Amount</u>	<u>Percent of Actual</u>	<u>Amount</u>	<u>Percent</u>
Jul	\$ 2,106,867	8.4%	\$ 2,073,553	8.5%	\$ 33,314	1.6%
Aug						
Sep						
Oct						
Nov						
Dec						
Jan						
Feb						
Mar						
Apr						
May						
Jun						
Totals	<u>\$ 2,106,867</u>	8.4%	<u>\$ 2,073,553</u>	8.5%	<u>\$ 33,314</u>	1.6%

Note: Fiscal Year 2017 Sales Tax Budget is \$25.35 million; FY'16 actual was \$24.375 million.

City of Owasso
 Half-Penny Sales Tax Report
 Budget to Actual Comparison
 July 6, 2016

	2016-17 Actual Collections		2016-17 Budget Projections		Over (Under) Projection	
	Amount	Percent	Amount	Percent	Amount	Percent
Jul	\$ 351,145	9.0%	\$ 348,908	8.9%	\$ 2,237	0.6%
Aug						
Sep						
Oct						
Nov						
Dec						
Jan						
Feb						
Mar						
Apr						
May						
Jun						
Totals	<u>\$ 351,145</u>	9.0%	<u>\$ 348,908</u>	8.9%	<u>\$ 2,237</u>	0.6%

Estimated collection on Half-Penny sales tax. Actual breakdown for half-penny collections for current month not yet available.

City of Owasso
 Monthly Use Tax Revenues
 Last Five Fiscal Years

	Actual 2016-17	2015-2016	2014-2015	2013-2014	2012-2013	2011-2012
Jul	\$ 82,565	\$ 72,360	\$ 50,298	\$ 78,705	\$ 33,565	\$ 41,491
Aug		96,428	56,646	105,903	33,983	52,650
Sep		122,962	61,204	69,079	47,609	53,051
Oct		106,846	86,146	103,683	59,327	48,435
Nov		91,876	89,434	64,434	50,722	43,504
Dec		113,941	89,482	86,424	48,320	52,052
Jan		86,358	65,206	57,183	60,594	47,738
Feb		102,681	110,645	75,454	78,302	55,671
Mar**		61,748	87,044	50,121	57,199	44,140
Apr		78,834	56,776	55,507	30,577	29,497
May		92,867	75,895	63,674	51,094	55,835
Jun*		96,434	98,093	42,884	75,139	41,989
	<u>\$ 82,565</u>	<u>\$ 1,123,335</u>	<u>\$ 926,869</u>	<u>\$ 853,050</u>	<u>\$ 626,431</u>	<u>\$ 566,050</u>

**Increase in sales tax rate from 3.5% to 4.05% March 2017

*Increase in sales tax rate from 3% to 3.5% June 2015