

Public Statement by Joel Rabin about the Court's recent decision on his City lawsuit

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The District Court's decision was discouraging and, admittedly, surprising. I am currently reviewing my legal options as we move forward. I continue to believe the 1981 "Outline Development Plan" (currently known as a "Site Development Plan") — which was issued to a defunct developer in the 1980s — is no longer appropriate for the Oak Park development or for the Oak Wood community. I am . . . as I hope every citizen of Bartlesville is . . . fully-committed to seeing that the City's zoning regulations are complied with and that people's personal property rights are protected. As the Court found, if a developer wants to build under that 1981 plan, the developer is bound by that plan's terms. Accordingly, the City is now in the unenviable position of implementing the decades old plan which may or may not be viable anymore. As I have said all along, Arcadian – or any other developer – could submit their own development plan in order to build within the Oak Wood Addition. My fear, however, is that Arcadian is looking to take advantage of certain—but not all—provisions in the 1981 Site Development Plan. I still cannot understand how anyone — whether it be Arcadian or someone else — could actually comply with the plan's provisions. Regardless, I look forward to seeing how the City tries to balance the tough provisions and requirements of the 1981 plan . . . that they have stood by so steadfastly . . . with the idea these provisions and requirements actually still remain in force.