

# **TULSA METROPOLITAN AREA PLANNING COMMISSION**

## **For Meeting No. 2589**

**Tuesday, November 2, 2010, 4:00 PM  
175 East 2<sup>nd</sup> Street, 2<sup>nd</sup> Level, One Technology Center  
Tulsa City Council Chamber**

### **CONSIDER, DISCUSS AND/OR TAKE ACTION ON**

Call to Order:

### **REPORTS**

#### **Chairman's Report:**

#### **Worksession Report:**

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

1. Minutes of October 5, 2010 Meeting No. 2587

### **CONSENT AGENDA**

**All matters under "Consent" are considered by the Planning Commission to be routine and will be enacted by one motion. Any Planning Commission member may, however, remove an item by request.**

2. **LS- 20397** – Lou Reynolds (9431) Lot-Split (CD-6)  
North of the Northeast corner of East 61<sup>st</sup> Street and South Garnett Road
3. **AC-100 – Wallace Engineering/Jim Beach/Union Public Schools** AG/RM-1  
North of the northwest corner of 71<sup>st</sup> Street South and South Mingo Road (Alternative Compliance Landscape Plan to relocate required parking area trees to the perimeter of a newly proposed parking area.) (CD-7)

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

#### **PUBLIC HEARING TO AMEND THE ZONING CODE**

4. **Proposed amendments to the Zoning Code of the City of Tulsa, Oklahoma regarding Title 41, Zoning Code, Chapter 10A, titled Historic Preservation, generally related to the composition of the Tulsa Preservation Commission, meeting requirements and the elimination of outdated references.**

### **PUBLIC HEARINGS**

5. **Hendrix Properties** – Preliminary Plat (CD 8)  
Northwest corner of East 101<sup>st</sup> Street South and South Garnett Road
6. **Village Congregation Church** – Minor Subdivision Plat (CD 2)  
1825 West 91<sup>st</sup> Street, West of South Union Avenue, North of West 91<sup>st</sup> Street South
7. **Methodist Church of Leonard** – Minor Subdivision Plat (County)  
16812 South 159<sup>th</sup> East Avenue, West of South 161<sup>st</sup> East Avenue, North of East 171<sup>st</sup> Street South
8. **Tuscany Hills -Authorization for an Accelerated Building Permit** (CD 2)  
East of South Union Avenue, North of South 81<sup>st</sup> Street

9. **PUD-397-C – Sack & Associates/Mark Capron** **RM-1/PUD-397 TO RM-1/PUD-397-C**

Southwest corner of East 61<sup>st</sup> Street and South 90th East Avenue (Major Amendment to add a bank with a drive-through facility and accessory community meeting room as permitted uses within the northern 313 feet of Development Area A.) (CD-7)

**OTHER BUSINESS**

10. Request by Tulsa City Council directing TMAPC to study and report on recommending Zoning Code amendments to protect Historic Preservation District boundaries.
11. Request from the Planning Commission to the City of Tulsa Board of Adjustment for an Interpretation of the Zoning Code. "Does the Planning Commission have the authority through the Planned Unit Development (PUD) process to permit modifications to off-street parking requirements established in Chapter 13 of the Zoning Code, in light of the provisions of Title 42 Tulsa Revised Ordinance, Section 1106 and Subsection 1303.D, thereby allowing the construction of three-car garages on single-family dwellings?"
12. **TMAPC 2011 Meeting Schedule**
13. **Commissioners' Comments**

**ADJOURN**

CD = Council District

**NOTICE: If you require special accommodation pursuant to the Americans with Disabilities Act, please notify INCOG (918) 584-7526**

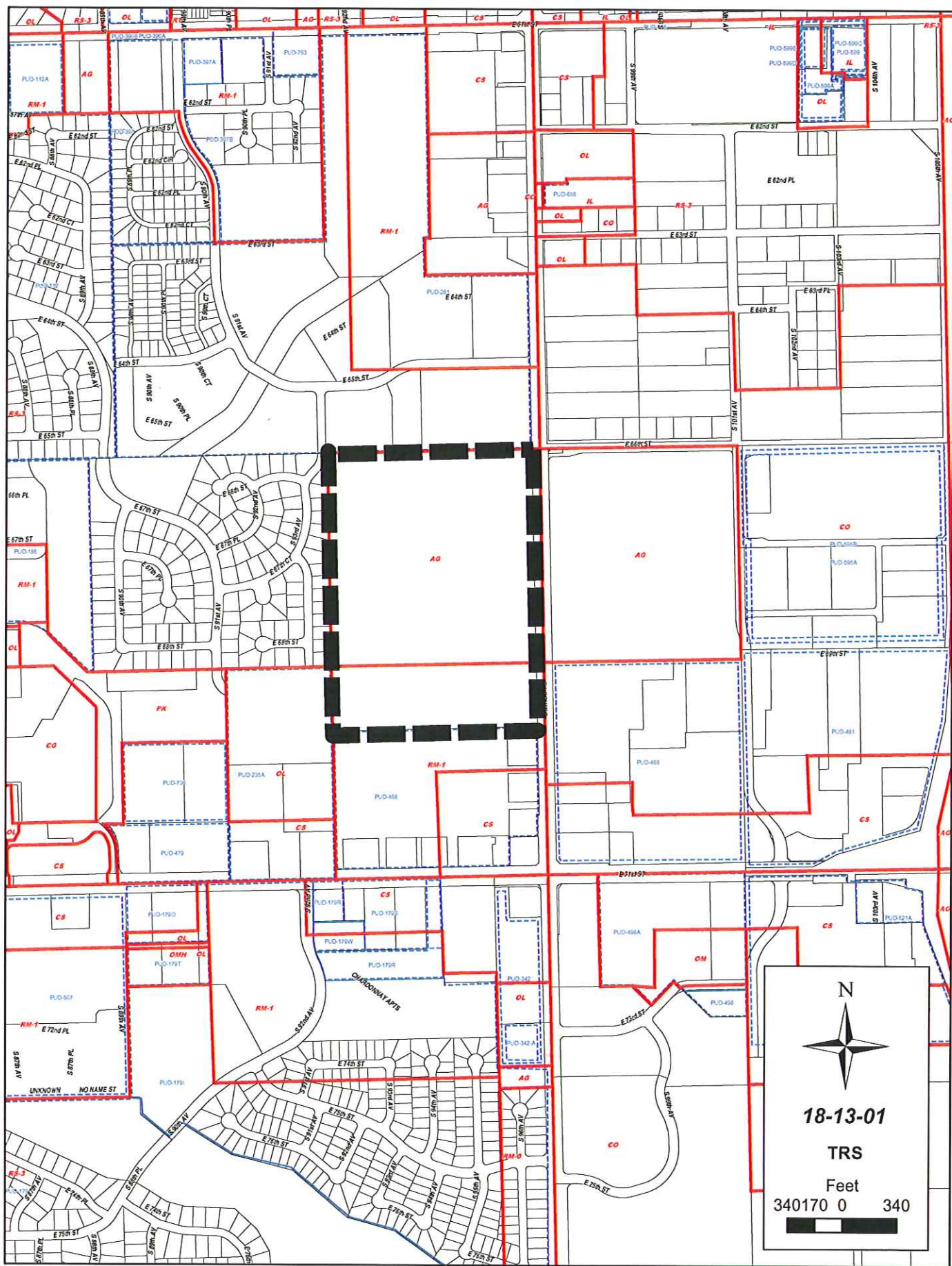
**Exhibits, Petitions, Pictures, etc., presented to the Planning Commission may be received and deposited in case files to be maintained at Land Development Services, INCOG.**

**Ringling/sound on all cell phones and paggers must be turned off during the Planning Commission.**

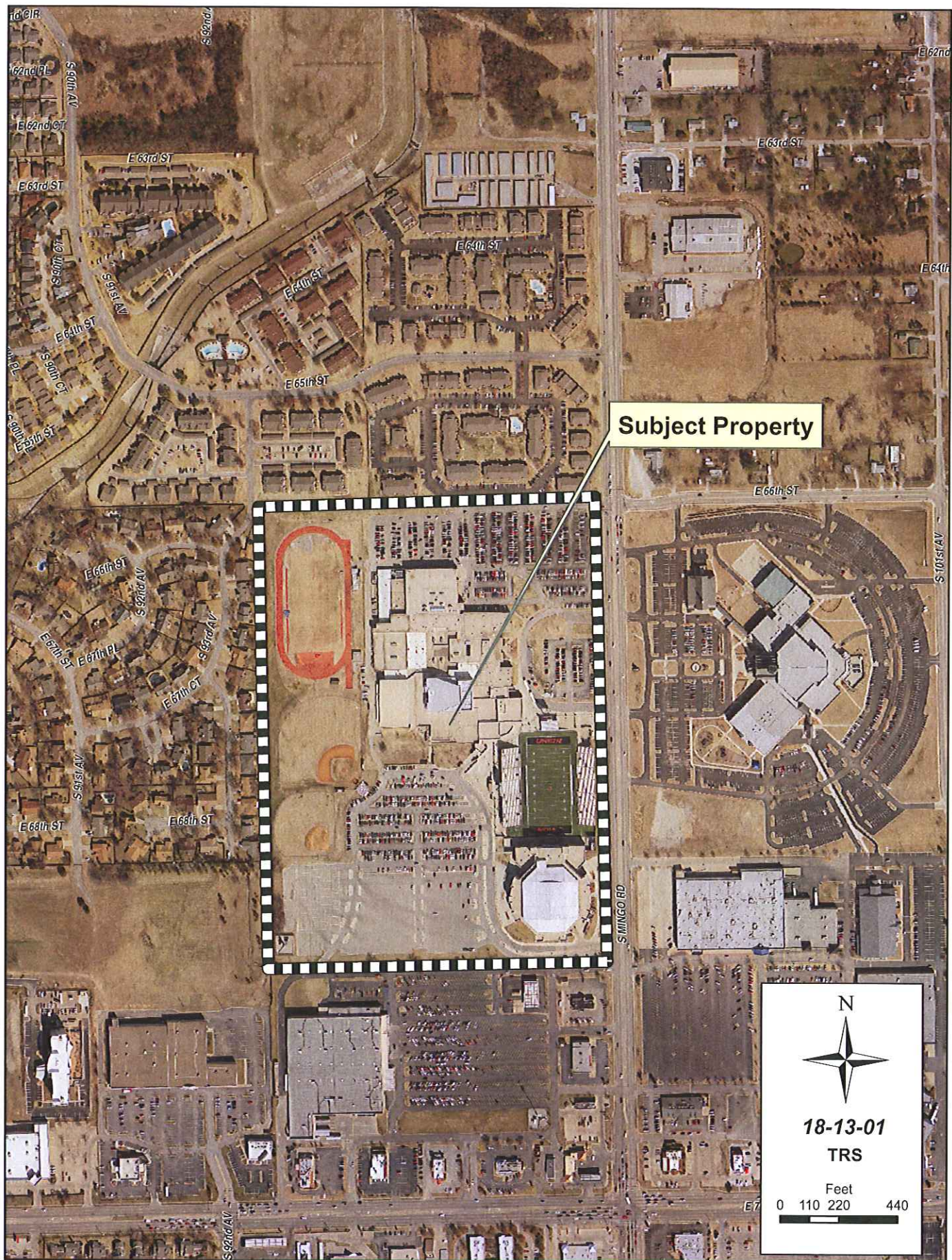
Visit our website @ [www.tmapc.org](http://www.tmapc.org)

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

**TMAPC Mission Statement**









November 2, 2010

## STAFF RECOMMENDATION

### AC- 100

Alternative Compliance Landscape Plan – North of the northwest corner of 71<sup>st</sup> Street South and South Mingo Road; Lot 1, Block 1 – Union High School Addition; TRS 18-13-01; CZM 53; Atlas 874 & 997; CD 7; AG/RM-1.

Union Public Schools is requesting TMAPC approval of an alternative compliance landscape plan to relocate required parking area trees to the perimeter of a newly proposed parking area. The trees would serve as a buffer for the single-family residences to the west.

Please refer to the attached Exhibit A which shows the area in question as well as two adjacent areas that have had landscape alternative compliance plans approved. This proposed alternative plan seeks to continue those two previous approvals to the subject area.

In 1997, the TMAPC approved AC-16 for the area located southeast of the subject area citing "stadium and athletic fields not being irrigated and not proposed for irrigation and the proposed new parking area or the areas of substitute planting not being irrigated. The approval of AC-16 was subject to "the trees installed being irrigated with an approved underground sprinkler or drip system per Section 1002, D-2 of the Tulsa Zoning Code".

In 2001, the TMAPC approved AC-58 for the area immediately adjacent to the south of the subject area. The proposal was to use more than the required trees near the borders of the school property for landscaping purposes and to avoid placing trees in the school parking lot due to these trees being more susceptible to being damaged by students and their vehicles in the parking areas. At that time staff stated that they "would like to see trees in the paved parking areas for the school site". However, there was a fear, based upon the experience of the school administration that the trees would not survive in that environment. Staff concurred and the plan was approved.

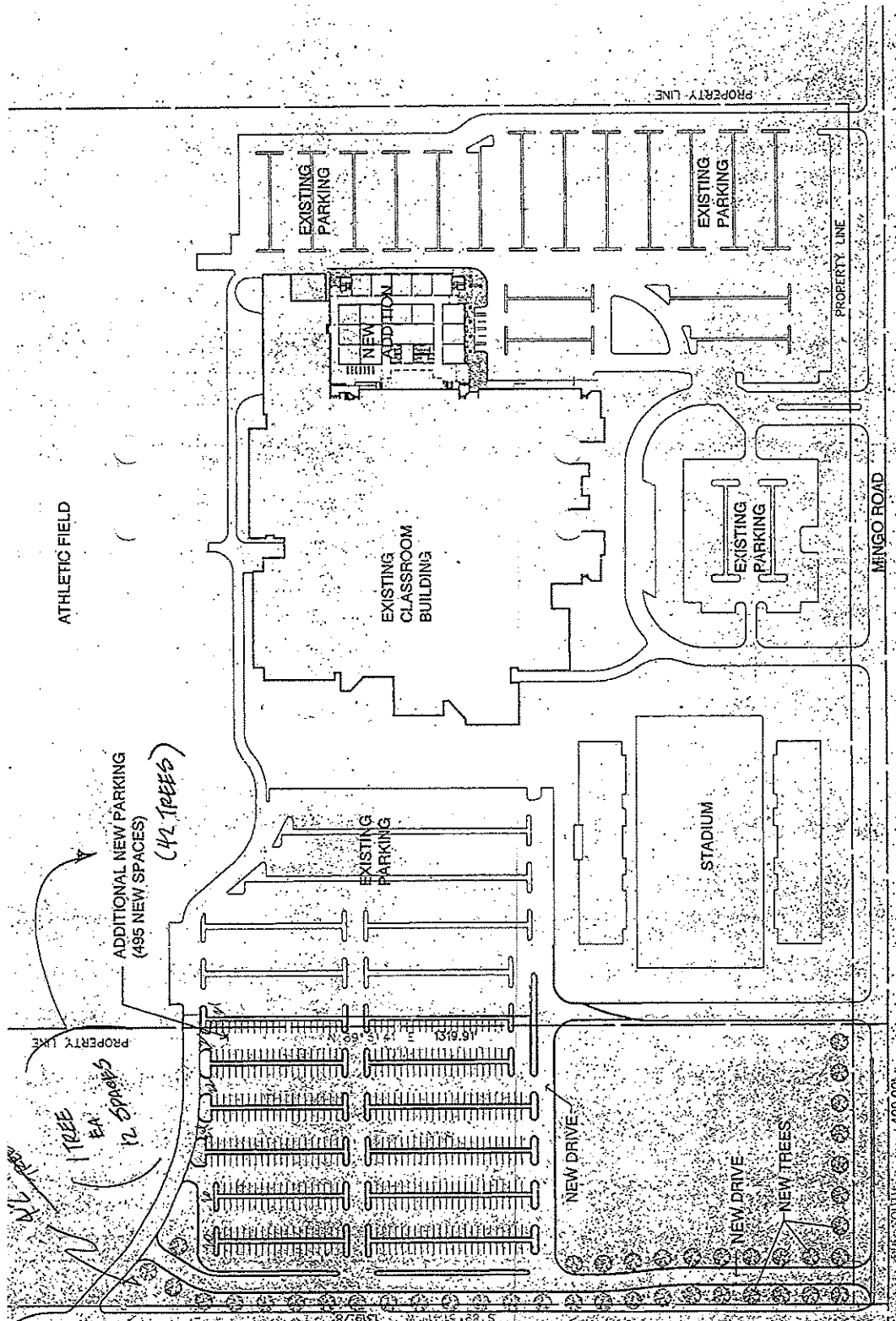
Staff can support this request since the requisite number of parking area trees are being relocated and are being used as a buffer for the residences to the west. Staff contends this use of the trees better serves this site and the home owners to the west.

Staff recommends **APPROVAL** of AC-100.



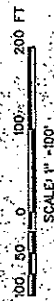






# OVERALL SITE PLAN

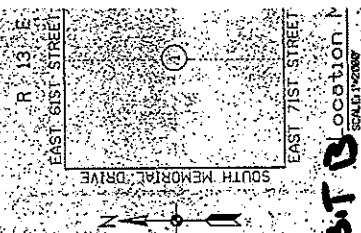
DATE: 10/1/11



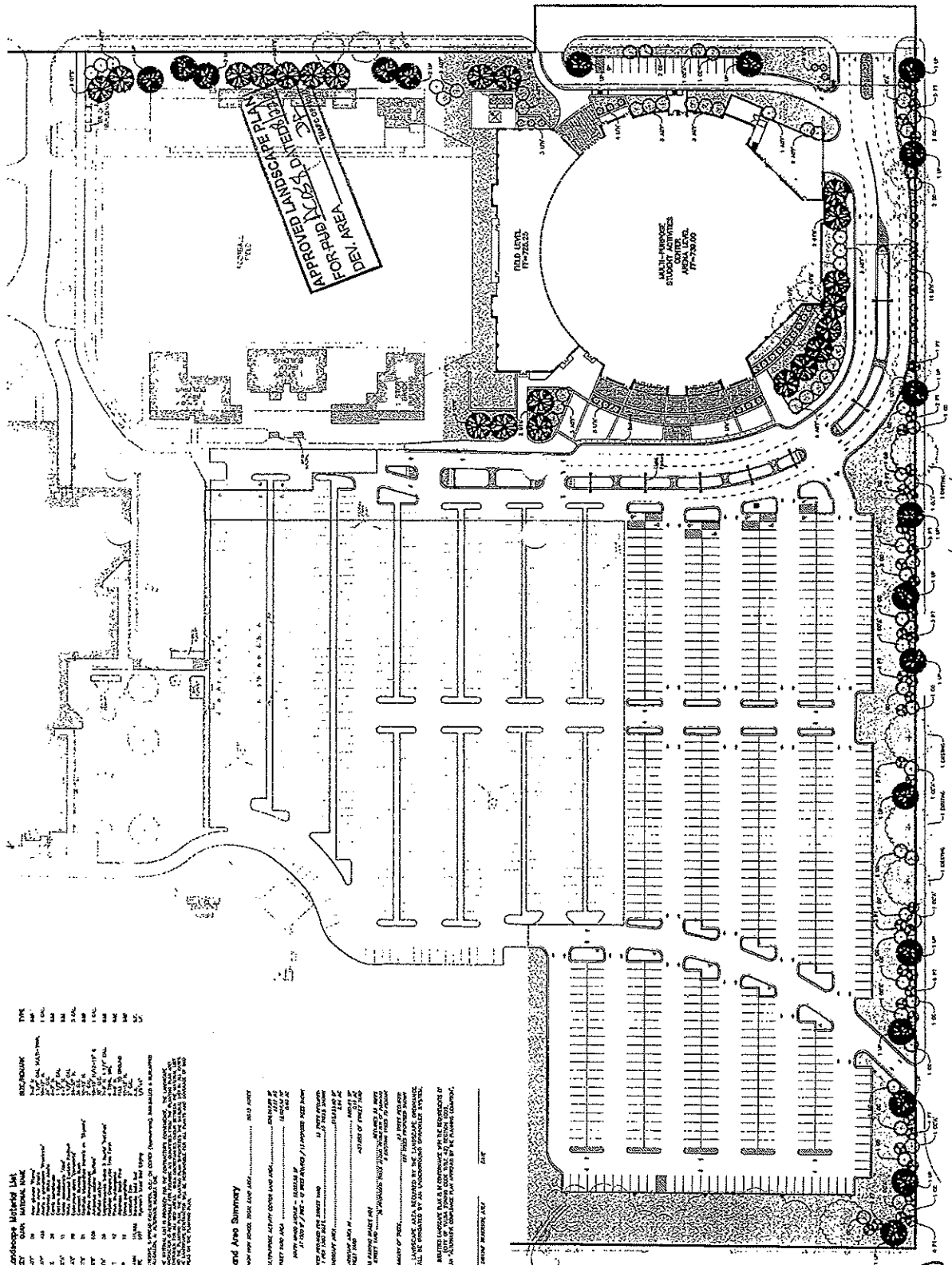
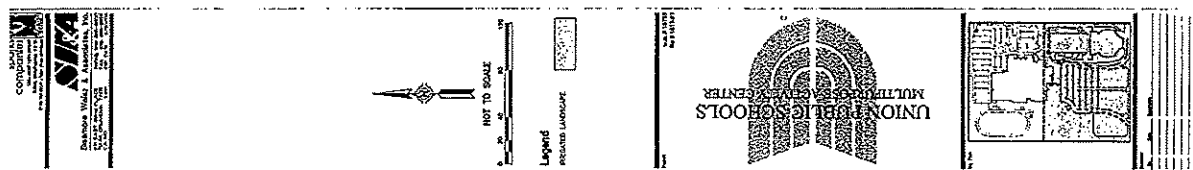
ALL COMPLIANCE

APPROVED LANDSCAPE PLAN  
FOR PUB AC-16 DATED 5/21/17  
DEV. AREA — *Churro*  
TO: HARC OFFICIAL

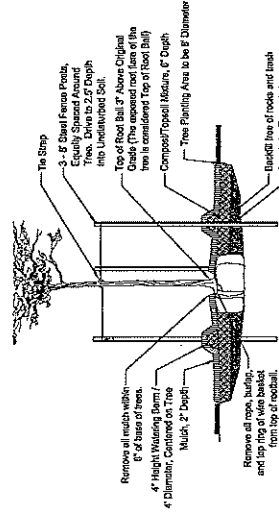
**EXHIBIT B**  
**AC-16**







3.6



- Notes:**
1. Specified material may be used for backfill if material is stable and free of rocks and sticks over 2" diameter. Provide additional special finished for backfilled area at 1" below top of root ball soil surface.
  2. At root fair, make sure roots to be a maximum of 1" below top of root ball soil surface.
  3. Compensate to be equal to back to Earth Composite Cotton Burs.
  4. Compensate to be incorporated into upper 6" of backfill by approved means of the site of 15 cubic feet.
  5. After incorporation of soil amendments apply Superfine additive at the rate of 15 gal. of water and 1 tabulapoon of Superfine per tree. Apply evenly onto rootball and planting area immediately around root ball.

## 2 Tree Planting Detail

Scale: NTS

## Landscape Requirements

Planting Spacing = 10'  
Planting Lot Tree Requirements = 1 Tree / 12 Spaces  
10' / 12' = 13.33 = 14 Trees  
Planting Lot Trees Provided = 14 Trees

## Plant Legend:

Tree	Qty	Notes	Size	Root Ball	Remarks
Jun. vfr	10	Juniperus Virginiana 'Saweeff'	5' H	B&S	Matched
Can	4	Canter Juniper			
Can can	4	Canter Juniper			
asp tex	4	Cordia alliodora esp. texensis			Matched
		Oklahoma Redbud			

## Landscape Certification

Howell & Vancuren, Inc. an Oklahoma Corporation, and its undersigned  
Joe L. Howell, registered Landscape Architect no. 10, under certificate of  
qualification no. 207, do hereby state that in our professional opinion the  
submitted landscape plan and specifications are in accordance with the requirements of the  
Zoning Code of the City of Tulsa.

*Joe L. Howell*

**Exhibit D**  
**AC-100**

Planting Plan  
Scale: 1" = 30' - 0"

0' 15' 30' 0'

3.1

Union Collegiate  
Academy  
6636 S Mingo Rd  
Tulsa, OK 74133

Parking Lot  
Landscape Buffer  
Sheet Number  
**L100**





(Published in the Tulsa Daily Commerce  
& Legal News,

\_\_\_\_\_, 2010.)

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING TITLE 42, TULSA REVISED ORDINANCES, TITLED "THE TULSA ZONING CODE", RELATED TO RESTRICTIONS ON LAND USES WITHIN THE CITY OF TULSA; AMENDING CHAPTER 10-A, TITLED "HISTORIC PRESERVATION"; AMENDING SECTION 1052, TITLED "TULSA PRESERVATION COMMISSION", SECTION 1054, TITLED "HISTORIC PRESERVATION DISTRICT-ZONING MAP AMENDMENTS"; AMENDING SECTION 1055, TITLED "CERTIFICATE OF APPROPRIATENESS (COA)"; PROVIDING FOR [XXXX] REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY OF TULSA:

*Section 1. That Title 42, Chapter 10-A, Section 1052, Tulsa Revised Ordinances, be and the same is hereby amended to read as follows:*

**"SECTION 1052. TULSA PRESERVATION COMMISSION**

A. **Creation.** There is hereby created a Tulsa Preservation Commission, hereinafter referred to as "Preservation Commission."

B. **Composition.** Members of the Preservation Commission shall have a demonstrated interest in historic preservation, as required by the Oklahoma State Historic Preservation Office, to maintain Certified Local Government status with the National Park Service. The Preservation Commission shall be ~~a 15 member commission~~ composed of nine (9) voting members and two (2) non-voting, ex officio members appointed to positions within the following three (3) groups; the Professional Group, the Community Historic Property Owners Group, and the Ex Officio Group. ~~A description of the The membership and their qualifications of each Group are shall be~~ as follows:

1. The Professional Group shall be composed of ~~seven~~ five (5) voting members as follows:

One (1) member shall be a Licensed Architect, one (1) member shall be an ~~Urban Planner~~ or Licensed Landscape Architect, one (1) member shall be a ~~Commercial or Residential Developer or Builder~~, one (1) member shall be a Licensed Real Estate Broker, ~~one member shall be a person actively engaged in banking or finance, and~~ one (1) member shall be an Architectural Historian or Architectural Historian possessing special skills, experience, and study in historical



~~research, and one member shall be an employee of or an elected board member of the Tulsa Public Schools.~~

2. The ~~Community Historic Property Owners~~ Group shall be composed of ~~six~~ four (4) voting members as follows:

~~Residents of the City of Tulsa who own property and reside in areas identified in the Tulsa Historic Preservation Plan Report, September 1980, or as amended, provided however, one of the six members shall be an owner of a non-residential structure identified in said Report. Historic Property Owners shall own an individually National Register-listed property or a property within a National Register listed or eligible historic district. For a district to be considered eligible, it must be identified as eligible for National Register listing in the 2010 Tulsa Historic Preservation Resource Guide, as amended from time to time, and agreed upon by the Oklahoma State Historic Preservation Office. At least three (3) of the four (4) Historic Property Owners must reside in their historic property, or within their listed or eligible historic district.~~

3. The non-voting Ex Officio Group shall be composed of two (2) members as follows:

A member of the Arts Commission and a member of the Planning Commission.

C. **Appointments.** The members of the Professional Group and the ~~Community Historic Property Owners~~ Group of the Preservation Commission shall be appointed by the Mayor, subject to ~~approval~~ confirmation by the City ~~Commission Council~~. ~~Members should be appointed from a list of three nominees solicited from the appropriate organizations related to the position being filled, such as: architectural, landscape architectural, planning, building and real estate organizations; neighborhood associations, Downtown Tulsa Unlimited, and other organizations with interests related to the positions being filled.~~

~~—The~~ Ex Officio Members shall be appointed by their respective commissions to serve on the Preservation Commission.

D. **Terms.**

1. **Length of Terms.** Effective October 1, 2011, the terms of office of all members of the Preservation Commission, except Ex Officio Members, shall expire and the Terms- terms of office of all subsequently appointed members shall be for three (3) years, except that effective October 1, 2011-initial the terms of office of the members shall be staggered as follows: two (2) Professional Group members and two Community one (1) Historic Property Owner Group members member shall serve for a one (1) year term of office, two (2) Professional Group members and two Community one (1) Historic Property Owner Group members member shall serve for a two (2) year term of office, and three one (1) Professional Group members member and two (2) Community Historic Property Owner Group members members shall serve a three (3) year term of office. All members shall serve until their successor takes office. Ex Officio Members shall serve terms on the Preservation Commission commensurate with their terms of



office served on their respective commissions, without any limitation provided in this paragraph. Regardless of the expiration of any term of office, except in the event of death, resignation, or removal from office, all members of the Preservation Commission shall continue to serve until their successor is duly appointed, qualified and confirmed by the City Council.

~~— The Ex Officio members shall serve terms equal to their terms on the respective commission.~~

2. **Limitation of Terms.** No member of the Preservation Commission shall serve more than three (3) consecutive terms of office on the Preservation Commission. Partial terms of office served by a member shall not be included in this limitation. After any member has served three (3) consecutive terms of office, such member shall not be eligible for reappointment to serve on the Preservation Commission until after that person has ceased to be a member of the Preservation Commission for at least one (1) calendar year. The limitation provided in this paragraph shall not be applicable to Ex Officio Group Members and terms served by a member prior to October 1, 2011.

E. **Vacancies.** In the event of a vacancy occurring in the membership of the Preservation Commission for any reason, an appointment for the remainder of the vacant term of office shall be made in the same manner as regular appointments.

F. **Compensation.** Members of the Preservation Commission shall serve without compensation.

G. **Chairman, Vice-Chairman, and Secretary.** The Preservation Commission shall annually elect from its appointed members a Chairman, Vice-Chairman and Secretary. Vacancies shall be filled in similar manner as regular election.

H. **Rules of Procedure.** The Preservation Commission shall make and adopt regulations for the conduct of its business.

I. **Meetings.** The Preservation Commission shall meet at least once a month for the purpose of transacting its business and duties as set forth in this chapter; ~~provided, however, in fulfilling its duties related to Certificate of Appropriateness applications, the Preservation Commission shall hold at least one additional meeting a month, as required, and such additional meeting shall be held no greater than 14 days after the required meeting of the month.~~

~~— All meetings, deliberation, and voting of the Preservation Commission shall be open to the public. The Preservation Commission shall keep minutes of its proceedings, showing the vote of each member upon all actions, or if failing to vote, indicating that fact, and conducted in compliance with the Oklahoma Open Meeting Act. The Preservation Commission shall keep records of its examinations and other official actions, all of which shall be filed in the Department of City Development and shall be a matter of public record open to the public in compliance with the Oklahoma Open Records Act.~~



J. **Quorum.** ~~Seven members of the Preservation Commission shall constitute a quorum for the transaction of business. A simple majority of the entire voting membership of the Preservation Commission, as provided in this section, regardless of vacancies, shall constitute a quorum for the transaction of business.~~

K. **Minimum Vote.** Issues shall be decided by a simple majority of votes by those members present.

L. **Conflict of Interest.** Members of the Preservation Commission to whom some private benefit, directly or indirectly, may come as a result of a public action taken by the Preservation Commission, should not be a participant in that action. The possibility, not actuality, of a conflict should govern. The individual experiencing a conflict of interest shall declare his interest, and abstain from voting on the matter. The individual should not discuss the matter with a fellow member or member of the City ~~Commission Council~~ or Planning Commission for the purpose of influencing a decision ~~thereof on the action~~.

M. **Staff.** ~~The Department of City Development Planning Department, or such other department, division or section as directed by the Mayor,~~ shall provide staff to the Preservation Commission to assist in the performance of its duties.

N. **Powers and Duties.** Unless otherwise specified in this chapter, the duties of the Preservation Commission shall be:

1. Prepare, or cause to be prepared, a comprehensive inventory of historical resources within the City of Tulsa and update said inventory as deemed necessary;

2. Prepare, or cause to be prepared, proposed Historic Preservation Zoning Map Amendments or other amendments to the Tulsa Historic Preservation Plan to be recommended to the Planning Commission for public hearing and adoption as part of the Comprehensive Plan for the City of Tulsa;

3. Prepare findings relating to, and make recommendations on, Zoning Map Amendments as set forth in Section 1054 of this chapter;

4. Promulgate Design Guidelines as are necessary for the review and approval of applications for Certificate of Appropriateness and to inform residents, property owners, and the general public of those Guidelines; ~~design~~ Design Guidelines shall relate to the significant characteristics of the historic resource(s) being proposed for "HP" designation; ~~the~~ Design Guidelines shall be developed by the Preservation Commission and shall include review and input of the property owner(s) or agents, ~~the District Planning Teams~~, and other parties directly affected by the proposed designation; ~~such~~ Design Guidelines shall be subject to approval and adoption by the City ~~Commission Council~~, upon the holding of a public hearing by the Planning Commission, and the recommendation of the Preservation Commission and Planning Commission;

5. Act upon applications for Certificates of Appropriateness and perform other duties as set forth in Section 1055 of this chapter;

6. Make recommendations to the ~~City-Commission Mayor and the City Council~~ concerning grants and programs from federal and state agencies, private groups and individuals and the utilization of budgetary appropriations to promote the preservation of historic resources in the City of Tulsa. Coordinate and oversee such programs and projects as may be directed by the ~~City-Commission Mayor or the City Council~~;

7. Recommend to the ~~City-Commission Mayor~~ the need for employing staff and making contracts with professional and technical experts as may be required for the furtherance of Preservation Commission work;

8. Increase public awareness of the historic resources in the City of Tulsa and disseminate information to the public concerning historic resources in the City of Tulsa deemed worthy of preservation; provide notification, as effectively as possible, to property owners within HP Zoning Districts of designation and requirements of such designation; advise and disseminate information to property owners on the preservation, conservation, protection, enhancement, perpetuation, and use of historic resources;

9. Place, or cause to be placed, monuments, markers, or other identifying elements at locations of historical resources as funds are available;

10. Coordinate, comment on and make recommendations to the appropriate body concerning actions undertaken by other City, state, and federal agencies with respect to the effect of such actions upon the historical resources in the City of Tulsa;

11. Consider methods other than those provided for in this chapter for encouraging and achieving preservation of historic resources in the City of Tulsa and make appropriate recommendations to the ~~City-Commission Mayor, the City Council~~ and to other bodies and agencies, both public and private;

12. Prepare, or cause to be prepared, studies and reports, and undertake other preservation related tasks as may be deemed appropriate;

13. Prepare, or cause to be prepared, in accordance with the goals and objectives set forth for neighborhood conservation in the Comprehensive Plan of the Tulsa Metropolitan Area, programs and plans designed to implement neighborhood stabilization, revitalization, and conservation in those neighborhoods of the City of Tulsa that are fifty (50) years or older which may lack significance according to the criteria in Section 1054, yet represent valuable resources to the City of Tulsa;

14. Perform any other duties and functions imposed by this chapter or which may be specified by both the City ~~-Commission Council and the Mayor.~~"



*Section 2. That Title 42, Chapter 10-A, Sections 1054 and 1055, Tulsa Revised Ordinances, be and the same are hereby amended to read as follows:*

**"SECTION 1054. HISTORIC PRESERVATION DISTRICT - ZONING MAP AMENDMENTS**

A. **General.** The City of Tulsa may establish, amend, or repeal an "HP" Historic Preservation Zoning District according to the following criteria and procedures, provided however, Design Guidelines for a proposed "HP" Zoning District shall be adopted prior to or concurrent with the mapping of an "HP" Zoning District.

B. **Criteria for Historic Preservation District - Zoning Map Amendments.** A building, structure, site or area containing buildings, structures or sites which are generally 50 years or older, may be zoned HP if it meets one or more of the following criteria:

1. That it has significant character, interest, or value as part of the historical development, history or cultural heritage of the City, state, or nation; or
2. That it has significance as the site of an historic event in the past of the City, state or nation; or
3. That it is associated with a person, or group of persons, who played a significant role in the historical development, history or cultural heritage of the City, state, or nation; or
4. That it is the embodiment of distinguishing characteristics, design, details, materials or craftsmanship which represent an historically significant architectural or engineering innovation, type, style or specimen; or
5. That it portrays the environment in an era of history characterized by a distinctive architectural, engineering, or construction style; or
6. That it represents a significant and distinguishable entity of historical importance whose components may lack individual distinction; or
7. That it has yielded, or is likely to yield, information important in prehistory or history; or
8. That it meets the criteria for listing on the National Register of Historic Places.

C. **HP Zoning Map Amendments Initiated by Application.** Amendments by application may be initiated in the following manner:

1. Any person, corporation, partnership, association, or any combination thereof having a legal and equitable interest in or to real property may file an application for an HP zoning classification on such property in accordance with the provisions of Subsection 1703.A.;

2. An application shall include, in addition to those items contained in Subsection 1703.A., information descriptive of the building, structure, site or area and its relationship to the historical development, history, or cultural heritage of the City of Tulsa, a statement of the criteria felt to have been met as set forth in this chapter, and may include photographs, publications about the subject building, structure, site, or area, and any information deemed worthy for proper consideration. Such information and application shall be upon forms established by the Preservation Commission and the Planning Commission.

D. **HP Amendments Initiated by Planning Commission.** In any instance, the Planning Commission, upon its own motion may, or on the written request of any person or the Preservation Commission may, or at the direction of the City-~~Commission Council~~ shall, hold a public hearing, giving notice thereof, of a proposed map amendment. After holding the public hearing, the Planning Commission shall within fifteen (15) days transmit its report and recommendation to the City-~~Commission Council~~.

E. **Preservation Commission Action on HP Zoning Map Amendments.** The Preservation Commission shall prepare, or cause to be prepared, a report and recommendation concerning a proposed HP zoning map amendment. The report and recommendation shall include specific findings as to whether the proposed amendment is consistent with the criteria for designation as set forth in this chapter. A map shall be prepared showing the boundaries of the proposed map amendment, including all lots therein, and identifying those properties whose owners may have indicated support or opposition to such amendment. Property owners may indicate their support or opposition at informal informational meetings, at public hearings, or in writing to the Preservation Commission or Planning Commission. The report, recommendation, map, and other pertinent information shall be forwarded to the Planning Commission prior to the public hearing.

F. **Notice Required on HP Zoning Map Amendments.** The Planning Commission shall give notice of public hearing on any proposed HP zoning changes as follows.

1. At least twenty (20) days notice of the date, time, and place of the hearing by publication in a newspaper of general circulation in the City of Tulsa. Said notice shall include a map of the area to be affected which indicates street names or numbers, streams, or other significant landmarks in said area.

2. At least twenty (20) days notice by posting on designated properties within the area affected by the proposed zoning reclassification. The sign and the lettering thereon shall be of sufficient size so as to be clearly visible and legible from the public street or streets toward which it faces and shall state:

- a. The date, time and place of the public hearing; and
- b. Who will conduct the public hearing; and
- c. The present zoning of the property and the supplemental HP zoning sought by the applicant; and



- d. The proposed HP designation of the property; and
  - e. Other information as may be necessary to provide adequate and timely public notice.
3. At least twenty (20) days notice by mailing written notice to all property owners included in the proposed change. The notice shall contain:
- a. A map of the area proposed for HP amendment; and
  - b. The present zoning of the property and the supplemental HP zoning sought by the applicant; and
  - c. The date, time and place of the public hearing; and
  - d. A statement that "work" generally requires a Certificate of Appropriateness.
- G. **Planning Commission Action HP Zoning Map Amendments.** After notice and public hearing, the Planning Commission shall vote to:
- 1. Recommend to the City Council that the application be approved as submitted, or as amended, or be approved subject to modification; or
  - 2. Recommend to the City Council that the application be denied.

An application recommended for approval subject to modification shall be transmitted with the report and recommendation of the Planning Commission and the Preservation Commission to the City Council within fifteen (15) days from the date of Planning Commission action.

An application recommended for denial, shall not be considered further, unless the applicant within fifteen (15) days from the date of the Planning Commission action, files a written request with the City Clerk for a hearing by the City Council. The request for hearing shall be accompanied by the payment of a \$15.00 fee. Upon notice of such request, the Planning Commission shall forthwith transmit the application and its report and recommendation, including all material and minutes received from the Preservation Commission, to the City Council.

In the event the Planning Commission arrives at a tie vote, the application shall be transmitted with a report and notation of the tie vote, to the City Council within fifteen (15) days from the date of the Planning Commission action.

H. **Appeal by Preservation Commission.** The Preservation Commission may appeal the denial of an amendment by the Planning Commission by following the procedures set forth in Subsection 1054.G.

I. **City Council Action on HP Zoning Map Amendments.** The City Council shall hold a hearing on each application transmitted from the Planning Commission and on any proposed Zoning Map amendment initiated pursuant to Subsection 1054.D. The City Council shall approve the application as submitted, or approve the application subject to modification, or deny the application. Prior to the hearing on the proposed rezoning ordinance before the City Council, the applicant shall remit to the office of the City Clerk a \$50.00 publication fee. In case of a protest against such zoning change filed at least three days prior to said public hearing by the owners of 20% or more of the area of the lots included in such proposed change, such amendment shall not become effective except by the favorable vote of three-fifths of all the members of the City Council.

J. **Recording of HP Zoning Map Amendments.** The Secretary of the Preservation Commission should file or cause to be filed, a copy of the HP zoning map Amendment ordinance and map in the office of the County Clerk.

*Ord. No. 18641*

## **SECTION 1055. CERTIFICATE OF APPROPRIATENESS (COA)**

A. **General Provisions.** The Preservation Commission shall review applications for a Certificate of Appropriateness (hereinafter designated as "COA") and may approve, approve with conditions, or deny the same in accordance with the provisions of this chapter and the Design Guidelines.

The Preservation Commission shall transmit a copy of the COA along with a set of approved plans to the ~~Protective Inspections Division~~ Building Inspector/Code Official. ~~Protective Inspections~~ The Building Inspector/Code Official shall not issue any permit in violation of this chapter or inconsistent with a COA.

B. **Application and Documents Required.** An application for a COA shall be filed with the ~~Protective Inspections Division~~ Building Inspector/Code Official upon forms established by the Preservation Commission. An application shall contain a general description of the proposed work, its location, its relationship to the structure and other additional information as required by the Preservation Commission.

An application for a COA shall be accompanied by at least two sets of plans of sufficient clarity and detail to show the nature of the work to be performed and the materials to be used. Such plans shall include:

1. A site plan, if applicable, showing the location of new and existing structures on the site and their location with respect to the building line, property lines and in the case of new construction, the location of the new building or structure with respect to the front of those buildings or structures immediately adjacent to each side of the lot to be built upon;



2. A floor plan, if applicable, identifying the location and limits of the proposed work;

3. Facade elevation(s), if applicable, of the proposed work in sufficient detail to identify the limits and location of the proposed work, and the existing and proposed materials to be used;

4. Any other drawings, photographs, material brochures or samples, specifications, or information that may be necessary to determine and provide for compliance with this chapter.

**C. Preservation Commission Action.** The Preservation Commission in its review of COA applications shall utilize the Design Guidelines to measure the appropriateness or inappropriateness of the proposed work and shall, to the highest extent possible, strive to affect a fair balance between the purposes and intent of this chapter and the desires and needs of the property owner.

In addition, the Preservation Commission shall review the application and shall consider:

1. The degree to which the proposed work is consistent with the Design Guidelines which have been approved and adopted by the City-~~Commission~~ Council;

2. The degree to which the proposed work would destroy or alter all or part of the historic resource;

3. The degree to which the proposed work would serve to isolate the historic resource from its surroundings, or introduce visual elements that are out of character with the historic resource and its setting, or that would adversely affect the physical integrity of the resource;

4. The degree to which the proposed work is compatible with the significant characteristics of the historic resource;

5. The purposes and intent of this chapter.

**D. Applications Involving Demolition - Stay.** An application for demolition, if not approved, shall automatically be stayed for a period of sixty (60) days, unless the Preservation Commission determines that the building or structure is:

1. Imminently dangerous to life and property; or,

2. That the building or structure does not contribute significantly to the district; or,

3. That the building or structure cannot be preserved.

During this period the Preservation Commission shall consult with the property owner and other interested parties to find alternatives to demolition. Should alternatives suitable to the

property owner not be found, the COA for demolition shall automatically be approved and issued upon termination of the stay period.

Prior to the expiration of the sixty (60) day period, the Preservation Commission may request the City-~~Commission Council~~ to extend the stay for a period not to exceed an additional sixty (60) days. The Preservation Commission shall, by mail, notify the property owner of such request and the date for public hearing. The City-~~Commission Council~~ shall consider whether:

- a. The Preservation Commission has presented reasonable alternatives that would preserve the structure; or,
- b. Suitable alternatives have been found and further time is required to finalize arrangements for achieving such alternatives; or,
- c. The property owner desires further time to search for or continue action on available alternatives.

After notice and public hearing, the City-~~Commission Council~~ shall vote to approve, approve with conditions, or deny such request to extend the stay period for an additional sixty (60) days. Denial shall constitute automatic approval and issuance of a COA for Demolition.

During any period of the stay of demolition the property owner may use the property in question in any legal manner, except that no action shall be taken that would place the property in danger of damage or destruction.

**E. Action on COA - Time Limits.** If no action has been taken, due to lack of quorum or otherwise, on an application within thirty (30) days of application receipt, the COA shall be deemed approved, except in those cases where a continuance has been requested by the applicant.

**F. Appeal of Preservation Commission Action.** Appeal from any decision of the Preservation Commission concerning a COA, except in the case of demolitions, may be taken to the Board of Adjustment, in accordance with the procedures and provisions of Section 1605.

**G. COA Use - Time Limitation.** A COA which has not been utilized within two (2) years from the date issued shall thereafter be void, provided that the Preservation Commission has not extended the time for utilization. For the purpose of this provision, utilization shall mean that the work authorized under a COA is being diligently carried to completion.

**H. Additional COA Provisions.**

**1. Non-Conforming Work.** Work initiated and being diligently carried to completion or work completed on any building, structure, site, or area prior to the designation as HP shall be deemed non-conforming and may continue or remain without the necessity of complying with this chapter.



Non-conforming work completed subsequent to designation of a building, structure, site, or area as HP by a previous owner of the property shall be permitted to remain without the necessity of complying with the provisions of this chapter.

2. **Preliminary Design or Conceptual Plan Review.** The Preservation Commission may approve, approve with conditions, or deny a preliminary design or conceptual plan of the proposed work; provided, however, that any such approval or approval with conditions shall be subject to the approval of the COA application.

3. **Approval of COA by Preservation Commission Staff.** ~~When such Preservation Commission staff may issue a COA when the proposed~~ work is of a rehabilitative nature on an existing structure ~~or building, and such work does not include new construction or alteration, and such work involves~~ involving the replacement of existing ~~elements materials~~ with like materials, and such work complies with the design guidelines for ~~such work the district, and such work will have no material effect on the building or structure, the Preservation Commission staff may issue a COA, noting "No Material Effect" and transmit the application to Protective Inspections for issuance.~~ In addition, Preservation Commission staff may issue a COA for minor exterior alterations as authorized by the Preservation Commission, provided such work complies with design guidelines for the district. Minor exterior alterations shall include:

a. Installation of storm windows and doors;

b. Removal of non-historic materials, including but not limited to siding, storm windows and doors, awnings, shutters, retaining walls and fences; and removal of paint from historic masonry surfaces."

*Section 3. SEVERABILITY CLAUSE. If any section, sentence, clause or phrase of this ordinance or any part thereof is for any reason found to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of this ordinance or any part thereof.*

*Section 4. REPEAL OF CONFLICTING ORDINANCES. That all ordinances or parts of ordinances in conflict herewith be and the same are now expressly repealed.*

*Section 5. EMERGENCY CLAUSE. That an emergency is now declared to exist for the preservation of the public peace, health and safety, by reason whereof this ordinance shall take effect immediately from and after its passage, approval and publication.*

ADOPTED by the Council: \_\_\_\_\_  
Date

\_\_\_\_\_  
Chairman of the Council

ADOPTED as an emergency measure: \_\_\_\_\_  
Date

\_\_\_\_\_  
Chairman of the Council

OFFICE OF THE MAYOR

Received by the Mayor: \_\_\_\_\_, at \_\_\_\_\_.  
Date Time

Dewey F. Bartlett Jr., Mayor

By \_\_\_\_\_  
Secretary

APPROVED by the Mayor of the City of Tulsa, Oklahoma: \_\_\_\_\_,  
Date

at \_\_\_\_\_.  
Time

\_\_\_\_\_  
Mayor

(Seal)  
ATTEST:

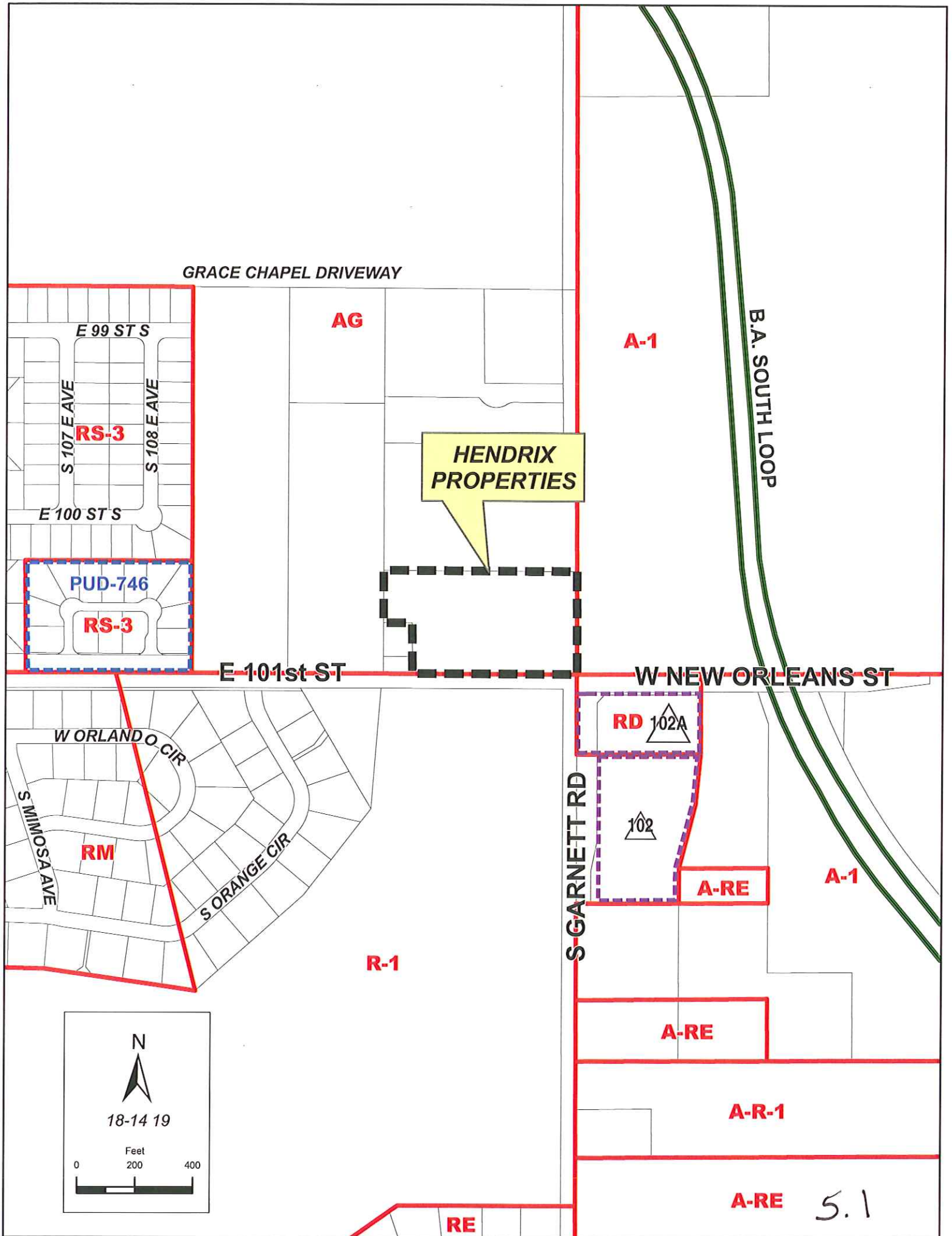
\_\_\_\_\_  
City Clerk

APPROVED:

\_\_\_\_\_  
City Attorney











HENDRIX PROPERTIES

N  
18-14 19

Feet  
0 200 400

Note: Graphic overlays may not precisely align with physical features on the ground.  
Aerial Photo Date: March 2008

5.2



## PRELIMINARY SUBDIVISION PLAT

### **Hendrix Properties - (CD 8)**

Northwest corner of East 101<sup>st</sup> Street South and South Garnett Road

This plat consists of 2 Lots, 1 Block, on 6 acres.

The following issues were discussed October 21, 2010 , at the Technical Advisory Committee (TAC) meetings:

1. **Zoning:** The property is zoned Planned Unit Development 778 (pending) and AG existing. PUD requirements must be shown in covenants.
2. **Streets:** Corner clip at South Garnett and East 101<sup>st</sup> Street should be 42.66". Just north of 101<sup>st</sup> Street where lot 2 parking lot accesses lot 1, the mutual access easement should be flush with the boundary of lot 2, otherwise access between lot 1 and 2 is not possible. Modify Section 1 1.7 there are no..."abutting lots having access to minor streets." In Section I, 1.8 clarify that the City of Tulsa has access to the FEMA floodplain through the mutual access easement. Driveway entrances must have curb and gutter. Curb and gutter must be constructed along South Garnett and 101<sup>st</sup> Street. *The County Engineer stated that the improvement to curb, gutter and sidewalks will be done by the County.*
3. **Sewer:** No comment.
4. **Water:** The two fire hydrants are to be installed under Infrastructure Development Plan #5466.
5. **Storm Drainage:** Please remove the contours from the face of plat. A CLOMR (letter of floodplain map revision) has been prepared for the proposed intersection improvements. Additional changes to the FEMA floodplain should be coordinated with that improvement so that floodplain will be accurately shown. Building construction is not allowed in a compensatory storage easement. It is acceptable to place parking lots and their required landscaping in the compensatory area, as long as the required volumes of floodplain storage are achieved. Please show and label the parking lot compensatory storage easement areas, and include bearings and distances on easement lines. An overland drainage easement will be required for all floodplain outside of the compensatory storage easement. The City of Tulsa will allow the proposed buildings to be placed in the floodplain overland drainage easement as long as all City of Tulsa regulatory and FEMA floodplain requirements are achieved, and a CLOMR for the development has been approved by the City of Tulsa and FEMA. Add standard language



for overland drainage easements, with the necessary modifications, as stated in plat comments. Revise the compensatory storage easement language to use the standard language; building construction is not allowed in this type of easement. Signs are required that state the parking lots are subject to flooding; with the depth of flooding, from the lowest point on the parking lots up to the base flood elevation; near each entrance to those lots.

6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** Standard language needs to be provided correctly for the utilities.
7. **Other: Fire:** No comment. **GIS:** The basis of bearing should be clearly described and stated in degrees, minutes, and seconds. Submit a subdivision control data form.

Staff recommends **APPROVAL** of the Preliminary Subdivision plat subject to the TAC comments and the special and standard conditions below.

**Waivers of Subdivision Regulations:**

1. Waivers are requested per the attached letter on several improvements.

**Special Conditions:**

1. The concerns of the public works department and development services staff must be taken care of to their satisfaction.

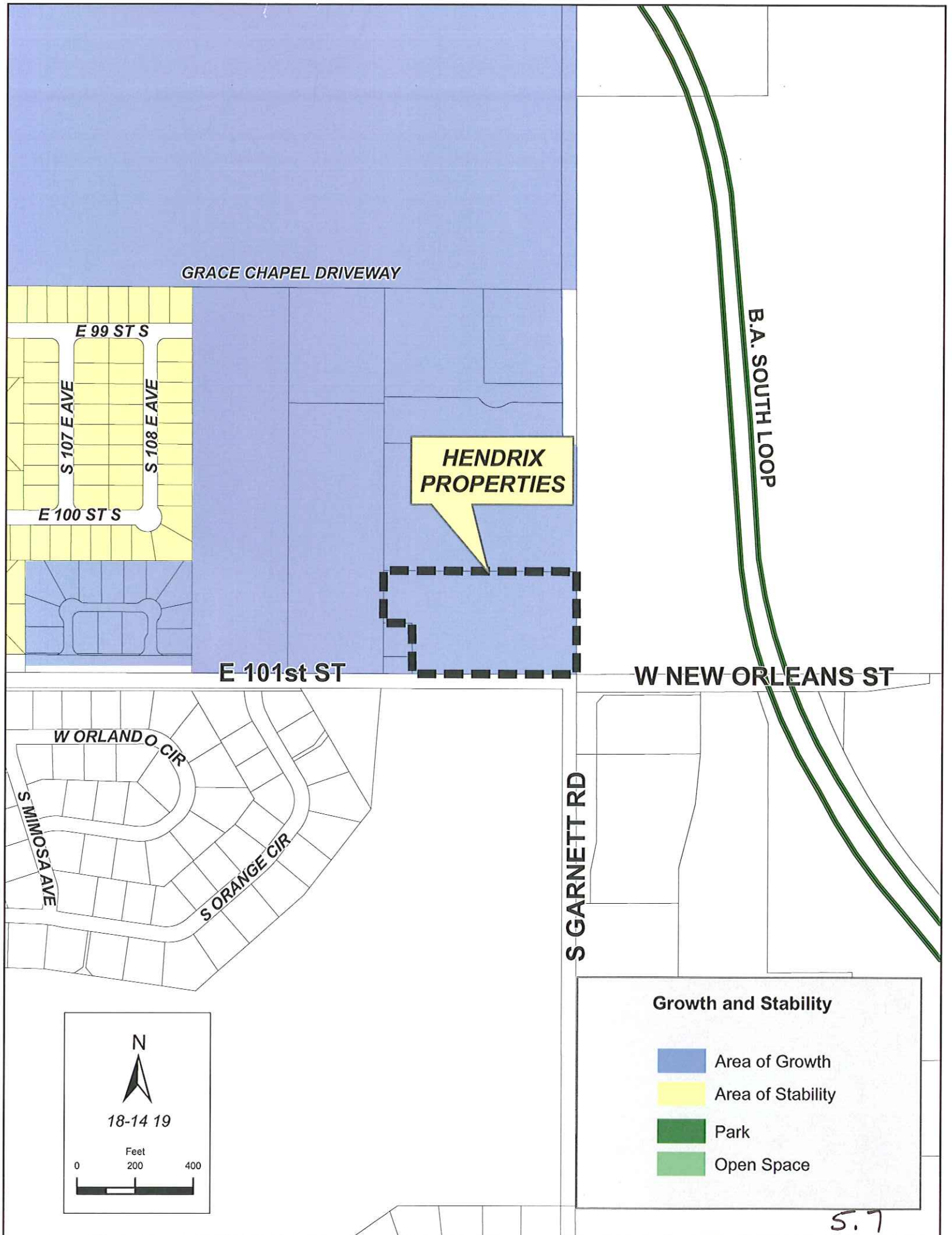
**Standard Conditions:**

1. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
2. Water and sanitary sewer plans shall be approved by the Public Works Department prior to release of final plat. (Include language for W/S facilities in covenants.)
3. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures shall be borne by the owner(s) of the lot(s).
4. Any request for creation of a Sewer Improvement District shall be submitted to the Public Works Department Engineer prior to release of final plat.
5. Paving and/or drainage plans (as required) shall be approved by the Public Works Department.

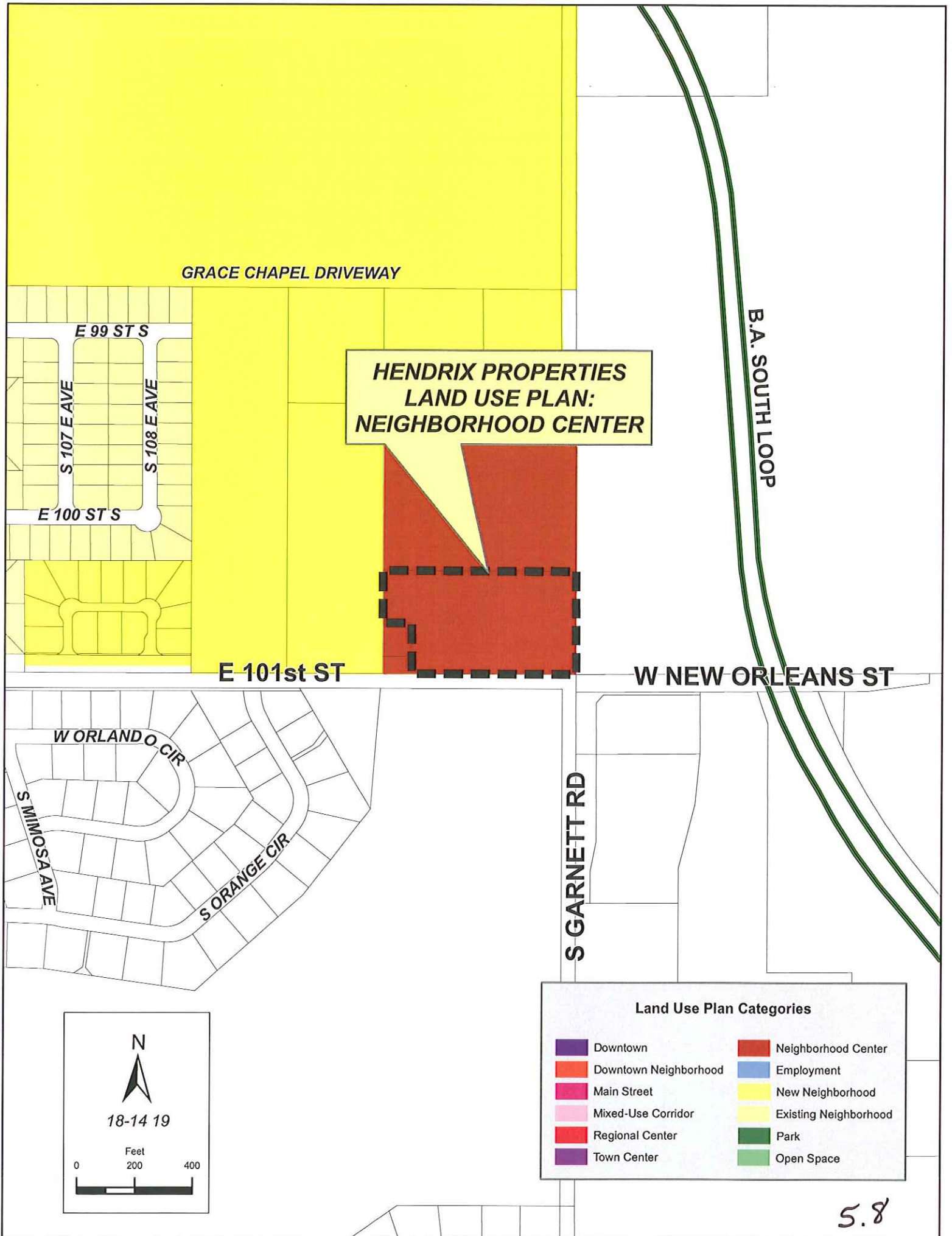
6. Any request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Public Works Department.
7. A topography map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
8. Street names shall be approved by the Public Works Department and shown on plat.
9. All curve data, including corner radii, shall be shown on final plat as applicable.
10. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.
11. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
12. It is recommended that the developer coordinate with the Public Works Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
13. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City/County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
14. The method of sewage disposal and plans therefor shall be approved by the City/County Health Department. [Percolation tests (if applicable) are required prior to preliminary approval of plat.]
15. The owner(s) shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type, size and general location. (This information to be included in restrictive covenants on plat.)
16. The method of water supply and plans therefor shall be approved by the City/County Health Department.
17. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
18. The key or location map shall be complete.
19. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.)
20. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)



21. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
22. All other Subdivision Regulations shall be met prior to release of final plat.
23. All PUD standards and conditions shall be included in the covenants of the plat and adequate mechanisms established to assure initial and continued compliance with the standards and conditions.
24. Private streets shall be built to City or County standards (depending upon the jurisdiction in which the plat is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.









DeShazo Group

Civil Engineering. Land Planning. Traffic. Water & Wastewater.

10830 East 45<sup>th</sup> Street, Suite 302, Tulsa, OK 74146 • Phone: (918) 627-0046 • Fax: (918) 628-0091  
October 27, 2010

Diane Fernandez  
INCOG  
Two West Second Street  
Suite 800  
Tulsa, Oklahoma 74103

Re: Hendrix Properties

Dear Ms. Fernandez,

Per our TAC meeting on October 21, 2010, this letter is a request for a waiver on a few requirements to the Hendrix Properties Preliminary Plat that is scheduled to be heard by the TMAPC on their November 2<sup>nd</sup> meeting.

Tulsa County is in the process of designing the widening of S. Garnett Road through 101<sup>st</sup> Street. Preliminary plans have been completed by Dewberry. The County is still going through the review process and funding schedules have placed the construction of this project roughly 3 - 5 years out. Through discussions with Tom Rains at Tulsa County, he has requested that this development not build a few aspects that are required at this time due to the fact that the County will come in in a couple of years and tear them out. Below are the items that are being discussed:

- **Sidewalks.** My client is required to build sidewalks along the frontage of his property along E. 101<sup>st</sup> Street and S. Garnett Road and has them designed in the project. Tulsa County has requested that these sidewalks not be put in now but will be put in during the construction of the S. Garnett Road widening.
- **Curb and Gutter.** The City is requiring that the driveway entrances must have curb and gutter and that curb and gutter must be constructed along S. Garnett Road and 101<sup>st</sup> Street. Again Tulsa County has requested that these items not be constructed at this time. These items will be constructed under the County's road project.

We appreciate your consideration of these matters and look forward to discussing them at the TMAPC meeting on November 2<sup>nd</sup>.

If you have any comments or questions, please let me know. Thank you.

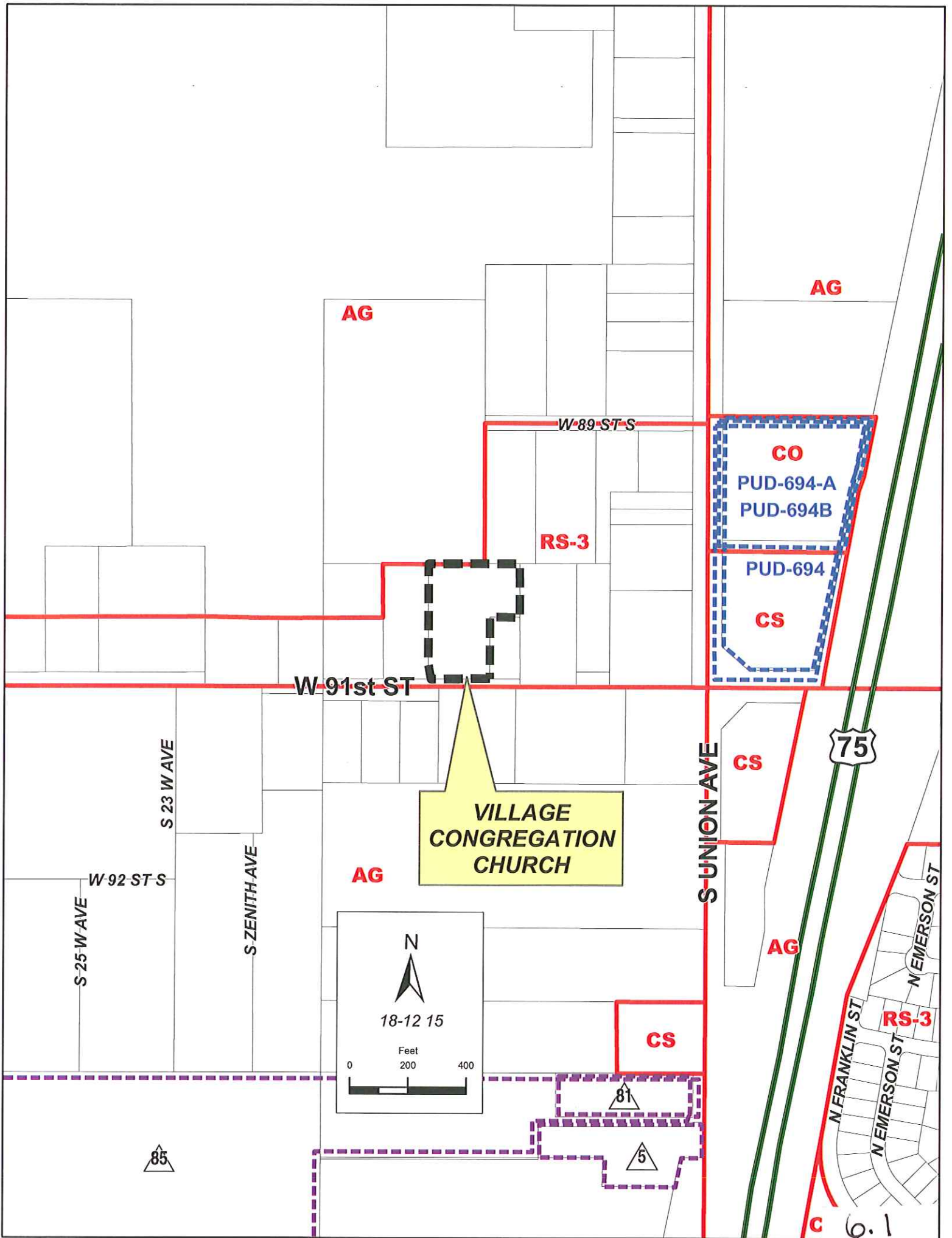
Sincerely,

A. Nicole Watts, P.E., CFM  
Associate

cc: Dane Hendrix











VILLAGE  
CONGREGATION  
CHURCH



Note: Graphic overlays may  
not precisely align with physical  
features on the ground.  
Aerial Photo Date: March 2008

6.2



## MINOR SUBDIVISION PLAT

### **Village Congregation Church - (CD 2)**

1825 West 91<sup>st</sup> Street, West of South Union Avenue, North of West 91<sup>st</sup> Street South

This plat consists of 1 Lot, 1 Block, on 2.2 acres.

The following issues were discussed October 21, 2010 , at the Technical Advisory Committee (TAC) meetings:

1. **Zoning:** The property is zoned RS-3 with Board of Adjustment #21163 pending to allow church uses.
2. **Streets:** For the existing 25 foot right-of-way provide plat number or book and page number. Access is limited to 36 feet. Section I heading should read "Public Streets, Easements..." Show 5 foot wide sidewalk along 91<sup>st</sup> Street.
3. **Sewer:** Place the septic system within an easement. The conceptual plan shows a building encroaching into the north perimeter easement. The building must be removed before the plat can be approved, since it would be in violation of Section I.1. Add language restricting the use of the septic system within 90 days of it becoming available to provide service to the platted area. In Section I.4, after the words "necessary to" add the words: "install, maintain, replace, remove..." Also, after the words "underground water" add the words: "storm sewer, sanitary sewer,". As noted in the plat section, the existing building shown within the proposed 17.5 foot utility easement must be removed before the plat can be approved.
4. **Water:** Show existing 8 inch City of Tulsa water main line along the north side of West 91<sup>st</sup> Street South.
5. **Storm Drainage:** Stormwater flowing onto the site from the north and west is public, and the runoff from the fully-urbanized 100 Year rainfall event should be conveyed across the site in either an overland drainage easement and/or a storm sewer easement. Add standard language for overland drainage easement. A conceptual stormwater drainage plan should be included on the plan.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** No

comment.

7. **Other: Fire:** If any new buildings are constructed a new fire hydrant will be required within 400 feet of any unsprinkled buildings and 600 feet of any sprinkled buildings. **GIS:** Label all subdivisions within the mile section of the location map. Please make note on the face of the plat any benchmarks and the size, location, description and identification of all monuments to be set or found in making the survey, shown to assure the re-establishment of any point or line of the survey. Add the words "Date of Preparation" before the date on the face of the plat. Add a leading zero to directions on face of plat that lead to the point of beginning to match the legal description. Show distance between point of commencement and point of beginning on face of plat. Submit subdivision control data form.

Staff recommends **APPROVAL** of the Minor Subdivision plat subject to the TAC comments and the special and standard conditions below.

**Waivers of Subdivision Regulations:**

1. None requested.

**Special Conditions:**

1. The concerns of the public works department and development services staff must be taken care of to their satisfaction.

**Standard Conditions:**

1. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
2. Water and sanitary sewer plans shall be approved by the Public Works Department prior to release of final plat. (Include language for W/S facilities in covenants.)
3. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures shall be borne by the owner(s) of the lot(s).
4. Any request for creation of a Sewer Improvement District shall be submitted to the Public Works Department Engineer prior to release of final plat.
5. Paving and/or drainage plans (as required) shall be approved by the Public Works Department.
6. Any request for a Privately Financed Public Improvement (PFPI) shall be



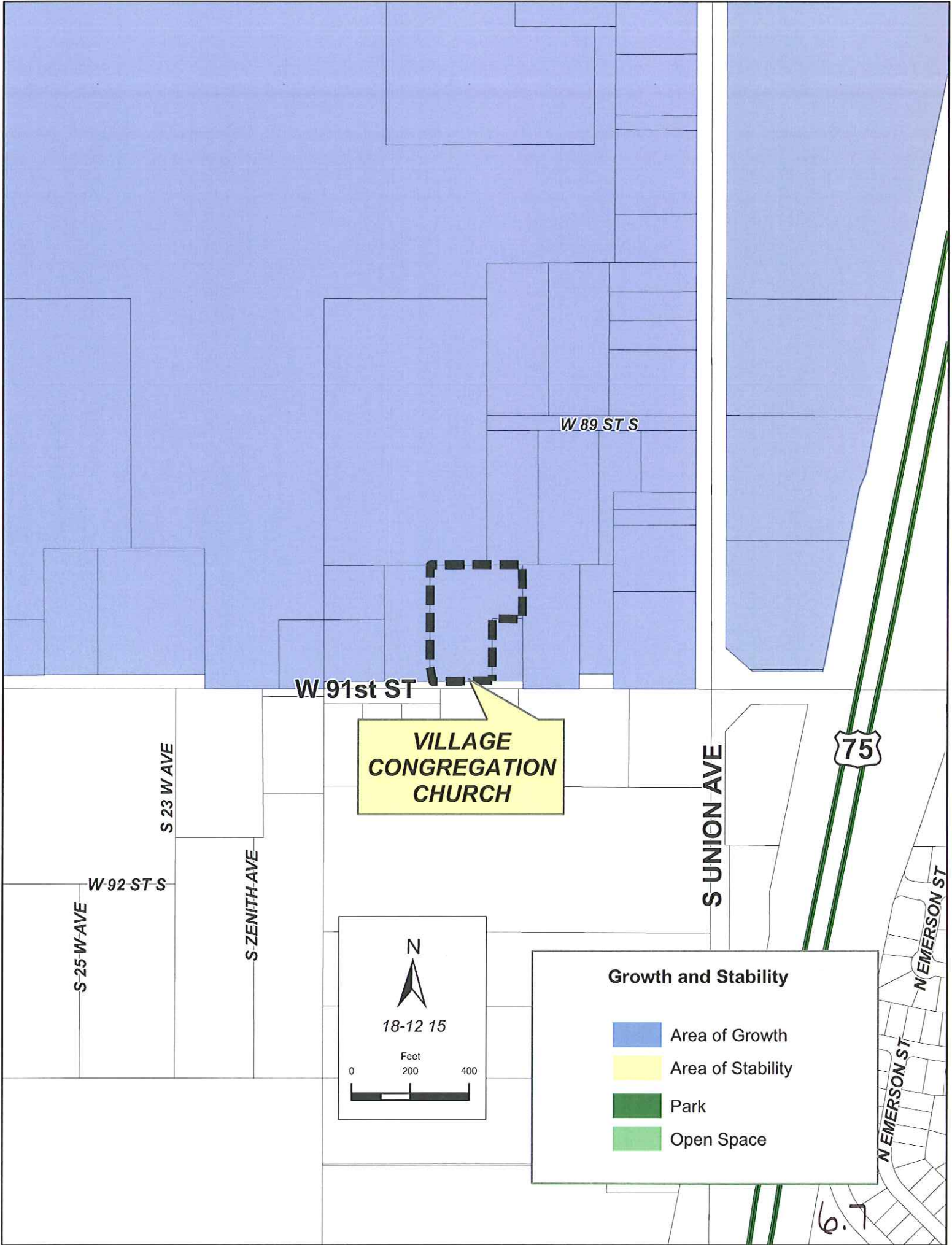
submitted to the Public Works Department.

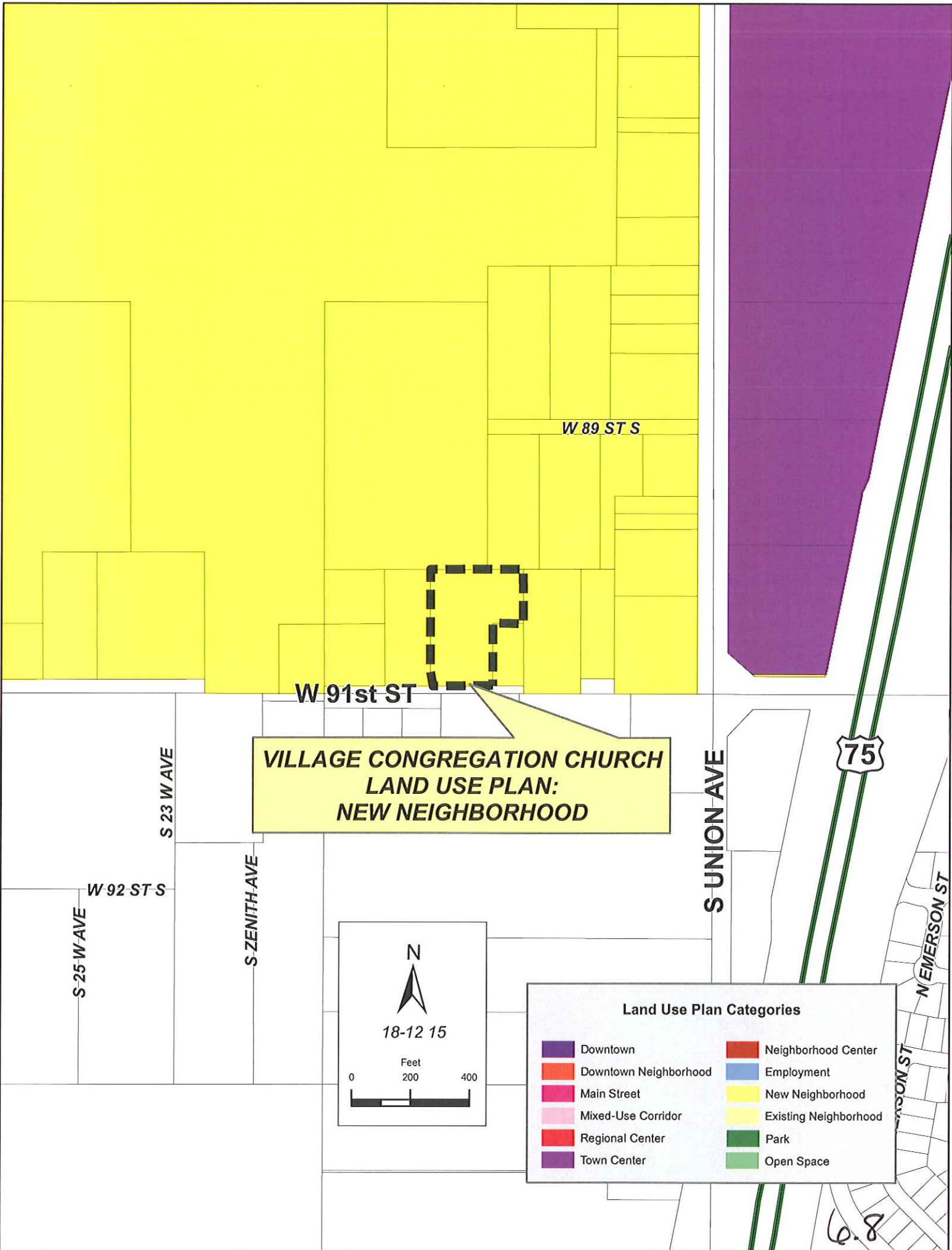
7. A topography map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
8. Street names shall be approved by the Public Works Department and shown on plat.
9. All curve data, including corner radii, shall be shown on final plat as applicable.
10. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.
11. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
12. It is recommended that the developer coordinate with the Public Works Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
13. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City/County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
14. The method of sewage disposal and plans therefor shall be approved by the City/County Health Department. [Percolation tests (if applicable) are required prior to preliminary approval of plat.]
15. The owner(s) shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type, size and general location. (This information to be included in restrictive covenants on plat.)
16. The method of water supply and plans therefor shall be approved by the City/County Health Department.
17. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
18. The key or location map shall be complete.
19. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.)
20. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
21. Applicant is advised of his responsibility to contact the U.S. Army Corps of

Engineers regarding Section 404 of the Clean Waters Act.

22. All other Subdivision Regulations shall be met prior to release of final plat.
23. All PUD standards and conditions shall be included in the covenants of the plat and adequate mechanisms established to assure initial and continued compliance with the standards and conditions.
24. Private streets shall be built to City or County standards (depending upon the jurisdiction in which the plat is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.



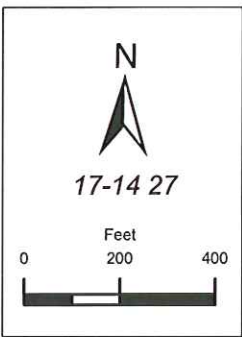
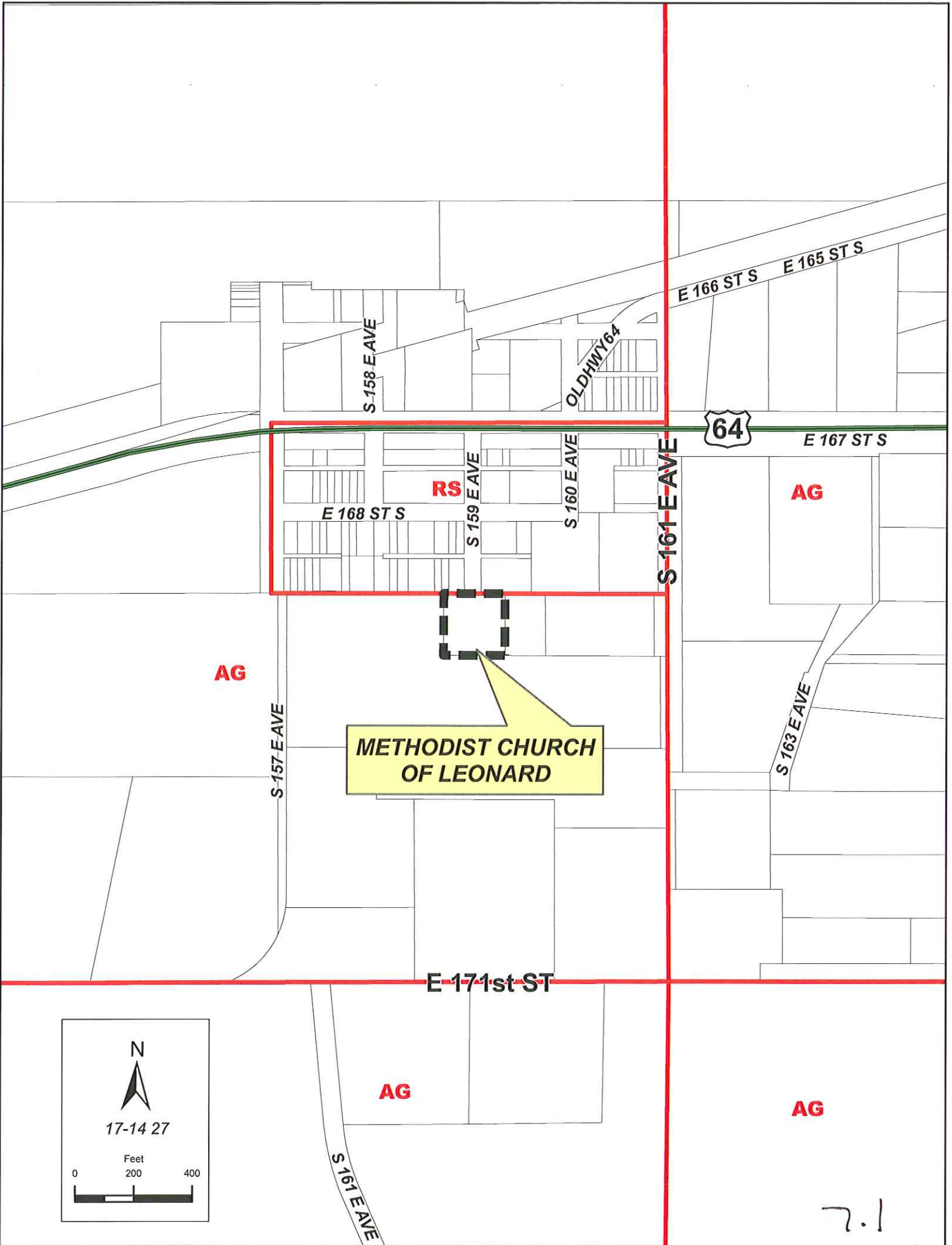




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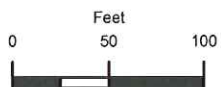


7.1





17-14 27



Note: Graphic overlays may not precisely align with physical features on the ground.  
Aerial Photo Date: March 2008



## MINOR SUBDIVISION PLAT

### **Methodist Church of Leonard - (County)**

16812 South 159<sup>th</sup> East Avenue, West of South 161<sup>st</sup> East Avenue, North of East 171<sup>st</sup> Street South

This plat consists of 1 Lot, 1 Block, on 1 acre.

The following issues were discussed October 21, 2010 , at the Technical Advisory Committee (TAC) meetings:

1. **Zoning:** The property is zoned AG (agricultural) with County Board of Adjustment case # 2387 pending to allow church uses.
2. **Streets:** No comment.
3. **Sewer:** No comment.
4. **Water:** No comment.
5. **Storm Drainage:** Offsite stormwater drainage flowing onto the site from the southeast is public stormwater drainage and as such should be collected near the property and thence be conveyed across the site in an overland drainage easement and/or a storm sewer easement. Add standard language for overland drainage easement. This plan should include a conceptual stormwater drainage system.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** No comment.
7. **Other: Fire:** Get with responding fire department for any comments.  
**GIS:** Provide the e-mail address for the engineer/surveyor. Please make note on the face of the plat any benchmarks and the size, location, description and identification of all monuments to be set or found in making the survey, shown to assure the re-establishment of any point or line of the survey. Add the words "Date of Preparation" before the date on the face of plat. Submit a subdivision control data form.

Staff recommends **APPROVAL** of the Minor Subdivision plat subject to the TAC comments and the special and standard conditions below.

**Waivers of Subdivision Regulations:**

1. None requested.

**Special Conditions:**

1. The concerns of the County Engineer must be taken care of to his satisfaction.

**Standard Conditions:**

1. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
2. Water and sanitary sewer plans shall be approved by the Public Works Department prior to release of final plat. (Include language for W/S facilities in covenants.)
3. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures shall be borne by the owner(s) of the lot(s).
4. Any request for creation of a Sewer Improvement District shall be submitted to the Public Works Department Engineer prior to release of final plat.
5. Paving and/or drainage plans (as required) shall be approved by the Public Works Department.
6. Any request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Public Works Department.
7. A topography map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
8. Street names shall be approved by the Public Works Department and shown on plat.
9. All curve data, including corner radii, shall be shown on final plat as applicable.
10. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.
11. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
12. It is recommended that the developer coordinate with the Public Works

Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)

13. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City/County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
14. The method of sewage disposal and plans therefor shall be approved by the City/County Health Department. [Percolation tests (if applicable) are required prior to preliminary approval of plat.]
15. The owner(s) shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type, size and general location. (This information to be included in restrictive covenants on plat.)
16. The method of water supply and plans therefor shall be approved by the City/County Health Department.
17. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
18. The key or location map shall be complete.
19. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.)
20. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
21. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
22. All other Subdivision Regulations shall be met prior to release of final plat.
23. All PUD standards and conditions shall be included in the covenants of the plat and adequate mechanisms established to assure initial and continued compliance with the standards and conditions.
24. Private streets shall be built to City or County standards (depending upon the jurisdiction in which the plat is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.



# Methodist Church of Leonard

A TRACT OF LAND SITUATED IN THE SE 1/4 OF THE SE 1/4 OF SECTION 27, T-17-N, R-14-E, OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA.

PLAT NO. \_\_\_\_\_

**OWNER:**  
Board of Trustees of the  
Methodist Church of Leonard  
1621 South 19th East Avenue  
Leonard, Oklahoma 74343

**ENGINEER/SURVEYOR:**  
J.R. DONELSON, INC.  
CIRCLE 20 MEMORIAL DRIVE  
DUBUQUE, OKLAHOMA 74036  
PHONE: 589-330-3030  
C.A. NO. 561 EXP. 6-30-2011

**NOTES FOR RECORD:**  
1. This plat is a true and correct copy of the original plat as shown on the map of the State of Oklahoma, T-17-N, R-14-E, of the Indian Base and Meridian, bearing of N 90°00'00" W.

This plat meets the Oklahoma minimum standards for the platting of land interests as required by the Oklahoma Statutes, Professional Engineers and Surveyors.

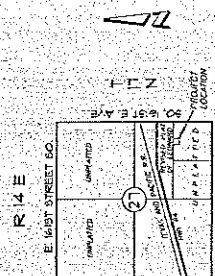
**LEGEND**

- D.C. — DEDICATED ELEC. LINE
- U.C. — UTILITY FACILITY
- R.G.W. — RAILROAD RIGHT OF WAY
- C.O. — CENTERLINE
- P.O. — POINT OF BEGINNING
- S.D. — SURVEYOR'S QUARTER
- A.D. — ADJACENTS

**CERTIFICATE**

STATE OF OKLAHOMA )  
COUNTY OF TULSA ) ss:  
I, Eugene Brown, Trust County Clerk, do hereby certify that this is a true and correct copy of a plat of the instrument.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2011.  
Eugene Brown, Trust County Clerk



**LOCATION MAP**  
SCALE: 1" = 200'

AREA: 41 ACRES OR 41,000 SF  
DATE: 10/20/2010  
BY: J.R. DONELSON, INC.  
BLOCKS: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 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1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1293, 1294, 1295, 1296, 1297, 1298, 1299, 1300, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316, 1317, 1318, 1319, 1320, 1321, 1322, 1323, 1324, 1325, 1326, 1327, 1328, 1329, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, 1347, 1348, 1349, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1380, 1381, 1382, 1383, 1384, 1385, 1386, 1387, 1388, 1389, 1390, 1391, 1392, 1393, 1394, 1395, 1396, 1397, 1398, 1399, 1400, 1401, 1402, 1403, 1404, 1405, 1406, 1407, 1408, 1409, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, 1419, 1420, 1421, 1422, 1423, 1424, 1425, 1426, 1427, 1428, 1429, 1430, 1431, 1432, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1445, 1446, 1447, 1448, 1449, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1457, 1458, 1459, 1460, 1461, 1462, 1463, 1464, 1465, 1466, 1467, 1468, 1469, 1470, 1471, 1472, 1473, 1474, 1475, 1476, 1477, 1478, 1479, 1480, 1481, 1482, 1483, 1484, 1485, 1486, 1487, 1488, 1489, 1490, 1491, 1492, 1493, 1494, 1495, 1496, 1497, 1498, 1499, 1500, 1501, 1502, 1503, 1504, 1505, 1506, 1507, 1508, 1509, 1510, 1511, 1512, 1513, 1514, 1515, 1516, 1517, 1518, 1519, 1520, 1521, 1522, 1523, 1524, 1525, 1526, 1527, 1528, 1529, 1530, 1531, 1532, 1533, 1534, 1535, 1536, 1537, 1538, 1539, 1540, 1541, 1542, 1543, 1544, 1545, 1546, 1547, 1548, 1549, 1550, 1551, 1552, 1553, 1554, 1555, 1556, 1557, 1558, 1559, 1560, 1561, 1562, 1563, 1564, 1565, 1566, 1567, 1568, 1569, 1570, 1571, 1572, 1573, 1574, 1575, 1576, 1577, 1578, 1579, 1580, 1581, 1582, 1583, 1584, 1585, 1586, 1587, 1588, 1589, 1590, 1591, 1592, 1593, 1594, 1595, 1596, 1597, 1598, 1599, 1600, 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1611, 1612, 1613, 1614, 1615, 1616, 1617, 1618, 1619, 1620, 1621, 1622, 1623, 1624, 1625, 1626, 1627, 1628, 1629, 1630, 1631, 1632, 1633, 1634, 1635, 1636, 1637, 1638, 1639, 1640, 1641, 1642, 1643, 1644, 1645, 1646, 1647, 1648, 1649, 1650, 1651, 1652, 1653, 1654, 1655, 1656, 1657, 1658, 1659, 1660, 1661, 1662, 1663, 1664, 1665, 1666, 1667, 1668, 1669, 1670, 1671, 1672, 1673, 1674, 1675, 1676, 1677, 1678, 1679, 1680, 1681, 1682, 1683, 1684, 1685, 1686, 1687, 1688, 1689, 1690, 1691, 1692, 1693, 1694, 1695, 1696, 1697, 1698, 1699, 1700, 1701, 1702, 1703, 1704, 1705, 1706, 1707, 1708, 1709, 1710, 1711, 1712, 1713, 1714, 1715, 1716, 1717, 1718, 1719, 1720, 1721, 1722, 1723, 1724, 1725, 1726, 1727, 1728, 1729, 1730, 1731, 1732, 1733, 1734, 1735, 1736, 1737, 1738, 1739, 1740, 1741, 1742, 1743, 1744, 1745, 1746, 1747, 1748, 1749, 1750, 1751, 1752, 1753, 1754, 1755, 1756, 1757, 1758, 1759, 1760, 1761, 1762, 1763, 1764, 1765, 1766, 1767, 1768, 1769, 1770, 1771, 1772, 1773, 1774, 1775, 1776, 1777, 1778, 1779, 1780, 1781, 1782, 1783, 1784, 1785, 1786, 1787, 1788, 1789, 1790, 1791, 1792, 1793, 1794, 1795, 1796, 1797, 1798, 1799, 1800, 1801, 1802, 1803, 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1813, 1814, 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823, 1824, 1825, 1826, 1827, 1828, 1829, 1830, 1831, 1832, 1833, 1834, 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1842, 1843, 1844, 1845, 1846, 1847, 1848, 1849, 1850, 1851, 1852, 1853, 1854, 1855, 1856, 1857, 1858, 1859, 1860, 1861, 1862, 1863, 1864, 1865, 1866, 1867, 1868, 1869, 1870, 1871, 1872, 1873, 1874, 1875, 1876, 1877, 1878, 1879, 1880, 1881, 1882, 1883, 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, 1894, 1895, 1896, 1897, 1898, 1899, 1900, 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1924, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933, 1934, 1935, 1936, 1937, 1938, 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2

## **AUTHORIZATION FOR ACCELERATED RELEASE OF A BUILDING PERMIT**

**PUD 636-3 – (8211) (CD 2)**

Tuscany Hills, East of South Union Avenue, North of South 81<sup>st</sup> Street

The property is zoned PUD 636-3. Full building permits are requested. A preliminary plat was approved for the site on September 7, 2010. Permits were approved for accelerated building permits for foundation permits only on the nearby Nickel Creek apartment site on December 17, 2008.

Review of this application must focus on the extraordinary or exceptional circumstances that serve as a basis for the request and must comply in all respects with the requirements of the approved preliminary plats per Section 2.5 of the Subdivision Regulations.

The applicant offers the following explanation of the extraordinary and exceptional circumstances that serve as the basis for this request: See attached explanation.

***The following information was provided by the Technical Advisory Committee in its meeting October 21, 2010.***

**ZONING:**

- *TMAPC Staff:* Full permits are requested. Development Services staff require that the construction be started on the Nickel Creek Collector street before permits are issued.

**STREETS:**

- *Public Works, Transportation:* No comment.
- *Public Works, Traffic:* No comment.

**SEWER:**

- *Public Works, Waste Water:* No comment.

**WATER:**

- *Public Works, Water:* No comment.

**STORM DRAIN:**

- *Public Works, Storm Water:* No comment.

**FIRE:**

- *Public Works, Fire:* No comment.

**UTILITIES:**

- *Franchise Utilities:* No comment.

The accelerated building permits were originally designed to accommodate large campus style type of developments and should concentrate upon "the benefits and protections to the City that may be forfeited by releasing the building permit prior to the filing of the plat". These requested permits adhere to this ideal. Staff recommends approval of the authorization to release the accelerated permits with the conditions as commented by the Technical Advisory Committee.



**TULSA METROPOLITAN AREA PLANNING COMMISSION**  
**[ ] PLAT WAIVER [x]\* ACCELERATED RELEASE OF BUILDING PERMIT\***

INCOG - 201 West 5th Street, Suite 600 - Tulsa, Oklahoma 74103 - (918) 584-7526 - FAX (918) 583-1024

www.incog.org

**APPLICATION INFORMATION**

APPLICATION DATE: 9-30-2010 SCHEDULED TAC REVIEW 10-21-2010 SCHEDULED TMAPC REVIEW: 11-02-2010

ZONING REFERENCE CASE: PUD 636-3 BOARD OF ADJUSTMENT REFERENCE CASE: \_\_\_\_\_

ZONING HEARING DATE IF PENDING: \_\_\_\_\_ PROPOSED ZONING: \_\_\_\_\_ BOA HEARING DATE IF PENDING: \_\_\_\_\_

\*A PRELIMINARY PLAT MUST BE IN PROCESS BEFORE A REQUEST FOR ACCELERATED RELEASE WILL BE CONSIDERED.

\*PLAT NAME: TUSCANY HILLS \*APPROVAL DATE: 7-07-2010 \*ANTICIPATED APPROVAL DATE: \_\_\_\_\_

**SUBJECT PROPERTY INFORMATION**

ADDRESS OR DESCRIPTIVE LOCATION: 7721 S. Union Ave. W.

LEGAL DESCRIPTION: See Attached Exhibit "A"

PRESENT ZONING CO & PUD#636-3 T-R-S 8211 CZM 51 ATLAS 0 PD 8 CD 2

**INFORMATION ABOUT YOUR PROPOSAL**

REASON FOR PLAT WAIVER APPLICATION: \_\_\_\_\_

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

Construction will take approximately 12 months. Winter is coming and we need to get infrastructure in before winter to allow completion within 2011.

\*BENEFITS AND PROTECTIONS TO THE CITY IF THE BUILDING PERMIT IS RELEASED PRIOR TO FILING THE FINAL PLAT: Mike Case is one of the country's largest apartment builders. The project is financed. With that, and Mr. Cases business holdings and reputation, the completion of the project is assured. No certificates of occupancy will be requested prior to the completion, thus no risk to the city of Tulsa.

APPLICANT INFORMATION		PROPERTY OWNER INFORMATION	
NAME	Case & Associates Properties, Inc.	NAME	Case & Associates Properties, Inc.
ADDRESS	4200 E. Skelly	ADDRESS	4200 E. Skelly
CITY, ST, ZIP	Tulsa, OK 74135	CITY, ST, ZIP	Tulsa, OK 74135
DAYTIME PHONE	918-492-1983	DAYTIME PHONE	918-492-1983
EMAIL		EMAIL	
FAX		FAX	
I, THE UNDERSIGNED APPLICANT, CERTIFY THAT THE INFORMATION ON THIS APPLICATION IS TRUE AND CORRECT.			
SIGNATURE & DATE: <u>MDG</u> <u>9-30-10</u>			

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

**APPLICATION FEES**

APPLICATION FEE: \$500.00 RECEIPT NUMBER: 221263

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

**DISPOSITION**

TMAPC ACTION: [ ] APPROVED [ ] DENIED DATE: \_\_\_\_\_ CONDITIONS: \_\_\_\_\_

EXHIBIT "A"  
LEGAL DESCRIPTION

A TRACT OF LAND LYING IN THE WEST HALF (W/2) OF SECTION ELEVEN (11), TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE SOUTHWEST CORNER OF SAID W/2 OF SECTION 11; THENCE NORTH 01°13'05" WEST ALONG THE WEST LINE OF SAID SW/4 OF SECTION 11 FOR A DISTANCE OF 1947.50 FEET TO A POINT; THENCE NORTH 88°46'55" EAST FOR A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 01°13'05" WEST FOR A DISTANCE OF 415.00 FEET TO A POINT;  
THENCE NORTH 88°46'55" EAST, FOR A DISTANCE OF 280.00 FEET TO A POINT;  
THENCE NORTH 37°17'04" EAST, FOR A DISTANCE OF 450.00 FEET TO A POINT;  
THENCE NORTH 57°58'23" EAST, FOR A DISTANCE OF 285.00 FEET TO A POINT;  
THENCE NORTH 73°38'13" EAST, FOR A DISTANCE OF 470.28 FEET TO A POINT ON THE PRESENT WESTERLY RIGHT-OF-WAY LINE OF US HIGHWAY 75;  
THENCE SOUTHERLY ALONG THE WESTERLY RIGHT-OF-WAY LINE OF US HIGHWAY 75 FOR THE FOLLOWING TWO COURSES: SOUTH 01°10'16" EAST, FOR A DISTANCE OF 135.00 FEET TO A POINT OF CURVATURE;  
THENCE ALONG A 34,202.48 FOOT RADIUS CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 02°06'48" FOR A DISTANCE OF 1261.59 FEET TO A POINT,  
THENCE NORTH 89°03'28" WEST FOR A DISTANCE OF 28.33 FEET TO A POINT;  
THENCE NORTHWESTERLY ALONG A 245.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, HAVING AN INITIAL TANGENT BEARING OF NORTH 00°56'28" EAST, A CENTRAL ANGLE OF 39°59'23", FOR AN ARC DISTANCE OF 171.00 FEET TO A POINT OF TANGENCY;  
THENCE SOUTH 89°19'20" EAST FOR A DISTANCE OF 67.76 FEET TO A POINT;  
THENCE NORTH 00°31'27" EAST FOR A DISTANCE OF 183.40 FEET TO A POINT;  
THENCE NORTH 54°40'08" WEST FOR A DISTANCE OF 384.39 FEET TO A POINT;  
THENCE SOUTH 56°36'11" WEST, FOR A DISTANCE OF 198.86 FEET TO A POINT; THENCE NORTHWESTERLY ALONG A 95.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, HAVING AN INITIAL TANGENT BEARING OF NORTH 37°53'06" WEST, A CENTRAL ANGLE OF 4°29'18", FOR AN ARC DISTANCE OF 7.44 FEET TO A POINT OF TANGENCY, SAID POINT BEING A POINT ON THE WEST 78TH STREET RIGHT-OF-WAY LINE;  
THENCE ALONG THE WEST 78TH STREET RIGHT-OF-WAY LINE FOR THE FOLLOWING 8 COURSES: NORTH 33°23'49" WEST, FOR A DISTANCE OF 142.78 FEET TO A POINT;  
THENCE SOUTH 56°36'11" WEST, FOR A DISTANCE OF 60.00 FEET TO A POINT;  
THENCE SOUTH 33°23'49" EAST, FOR A DISTANCE OF 15.00 FEET TO A POINT OF CURVATURE;  
THENCE ALONG A 25.00 FOOT RADIUS CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 90°00'00" FOR A DISTANCE OF 39.27 FEET TO A POINT OF TANGENCY;  
THENCE SOUTH 56°36'11" WEST, FOR A DISTANCE OF 244.09 FEET TO A POINT OF CURVATURE;  
THENCE ALONG A 340.00 FOOT RADIUS CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 32°10'44" FOR A DISTANCE OF 190.95 FEET TO A POINT OF TANGENCY;  
THENCE SOUTH 88°46'55" WEST, FOR A DISTANCE OF 202.48 FEET TO A POINT OF CURVATURE;  
THENCE ALONG A 30.00 FOOT RADIUS CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 90°00'00" FOR A DISTANCE OF 47.12 FEET TO A POINT OF TANGENCY, SAID POINT BEING THE POINT OF BEGINNING,  
CONTAINING 847795.31 SQUARE FEET OR 19.46 ACRES

A PART OF THE W/2 OF SECTION 11, TOWNSHIP 18 NORTH,  
RANGE 12 EAST, TULSA COUNTY, OKLAHOMA  
A PART OF P.U.D. 636-3

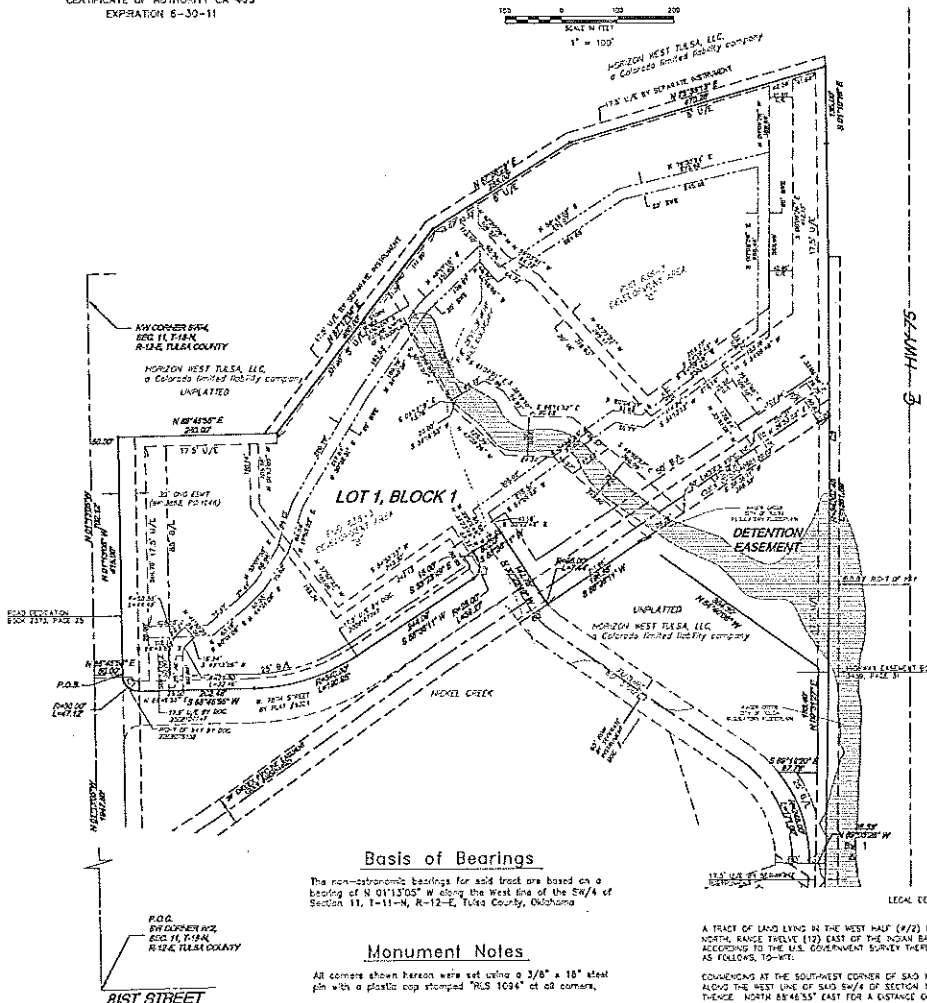
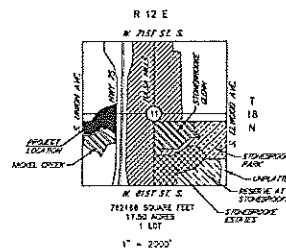
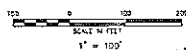
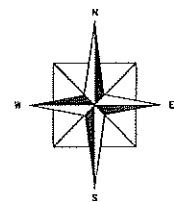
DEVELOPER

4200 E. SKELLY DRIVE  
TULSA, OKLAHOMA 74135  
PHONE: (918) 492-1983

ENGINEER/SURVEYOR

TUTTLE &amp; ASSOCIATES, INC.

9714 E. 35TH PL.  
TULSA, OKLAHOMA 74146  
PHONE: (918) 663-5557  
EMAIL: [tuttle-associates@bigcable.net](mailto:tuttle-associates@bigcable.net)  
CERTIFICATE OF AUTHORITY CA 455  
EXPIRATION 6-30-11



## Basis of Bearings

The non-astronomic bearings for said tract are based on a bearing of N 01°13'05" W along the West line of the SW/4 of Section 11, T-11-N, R-12-E, Tulsa County, Oklahoma

## Monument Notes

All corners shown hereon were set using a 3/8" x 18" steel

8.M. 1:  
3/8" IRON PIN W/RED CAP LS  
1435 LOCATED  
APPROXIMATELY 47' EAST OF  
WEST R/W OF U.S. 75 AND  
1600' NORTH OF THE  
CENTERLINE OF WEST 81ST  
STREET SOUTH.

NORTH = 383,526.04  
EAST = 2,557,550.25  
ELEVATION = 713.50 (NAD83)

B.M. 2:  
3/8" IRON PIN W/RED CAP L.S.  
1435 LOCATED  
APPROXIMATELY 47' EAST OF  
WEST R/W OF U.S. 75 AND  
850' NORTH OF THE  
CENTERLINE OF WEST 81ST  
STREET SOUTH.

NORTH = 387,655.26  
EAST = 2,557,533.19  
ELEVATION = 720.02 (NAVD  
88)

CURVE	RADIUS	DELTA	ARC	TANGENT	BEARING	CHORD
C1	33.00'	90°00'00"	47.12'	33.00'	S 45°13'05" E	42.43'
C2	25.00'	90°00'00"	39.27'	25.00'	S 11°39'11" W	35.36'
C3	18702.48'	02°06'44"	1251.59'	833.83'	S 60°05'52" E	1251.52'

**LEGEND**

- |        |  |      |
|--------|--|------|
| Q      | FOUND IRON PIN                         |      |
|        | SET 3/8" IRON PIN                      |      |
| M.H.   | MANHOLE                                |      |
| J.B.   | JUNCTION BOX                           |      |
| R.P.   | REINFORCED CONC. PIPE                  |      |
| TELE   | TELEPHONE                              | CLUB |
| G      | GAS                                    |      |
| W      | WATER                                  | C    |
| O/E    | OVERLAP DRAINAGE EASEMENT              | C    |
| U/E    | UTILITY EASEMENT                       | C    |
| O.D.E. | OVERLAND DRAINAGE EASEMENT             |      |
| R/E    | RESTRICTED WATER EASEMENT              |      |
| A/E    | ACCESS EASEMENT FOR EMERGENCY VEHICLES |      |
| P.O.B. | POINT OF BEGINNING                     |      |
|        | IMPROVEMENT                            |      |

A TRACT OF LAND LYING IN THE WEST HALF (W/2) OF SECTION ELEVEN (11), TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS TO-WIT:

COMMENCING AT THE SOUTHWEST CORNER OF SAO W/2 OF SECTION 11; THENCE NORTH 01°36' WEST ALONG THE WEST LINE OF SAO SW/4 OF SECTION 11 FOR A DISTANCE OF 1947.30 FEET TO A POINT; THENCE NORTH 89°45' EAST FOR A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING.

THENCE NORTH 01°13'25" EAST, FOR A DISTANCE OF 410.00 FEET TO A POINT;  
 THENCE NORTH 88°43'35" EAST, FOR A DISTANCE OF 205.00 FEET TO A POINT;  
 THENCE NORTH 37°10'40" EAST, FOR A DISTANCE OF 150.00 FEET TO A POINT;  
 THENCE NORTH 37°52'55" EAST, FOR A DISTANCE OF 233.00 FEET TO A POINT;  
 THENCE NORTH 73°39'15" EAST, FOR A DISTANCE OF 470.28 FEET TO A POINT ON THE STRIPED WESTERLY  
 TENDANCE SOUTHEAST ALONG THE WESTERLY NORTH-OF-WAY LINE OF US HIGHWAY 78, FOR THE FOLLOWING TWO  
 POINTS: 1. A POINT 100.00 FEET FROM THE WESTERLY NORTH-OF-WAY LINE OF US HIGHWAY 78, HAVING AN ARC  
 TENDANCE ALONG A 34.32248 FEET RADIUS CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 90°08'45"  
 FOR A DISTANCE OF 100.00 FEET TO A POINT;  
 THENCE NORTH 89°02'58" WEST, FOR A DISTANCE OF 28.33 FEET TO A POINT;  
 THENCE NORTH ALONG A 249.00 FEET RADIUS NORTH-TANGENT CURVE TO THE LEFT, HAVING AN ARC  
 TENDANCE ALONG A 249.00 FEET RADIUS CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 152°33'  
 OF 113.00 FEET TO A POINT OF TANGENCY;  
 THENCE SOUTH 89°12'07" EAST FOR A DISTANCE OF 67.76 FEET TO A POINT;  
 THENCE NORTH 03°11'27" EAST FOR A DISTANCE OF 183.40 FEET TO A POINT;  
 THENCE NORTH 54°00'00" WEST FOR A DISTANCE OF 150.00 FEET TO A POINT;  
 THENCE NORTH 54°00'00" WEST FOR A DISTANCE OF 118.86 FEET TO A POINT;  
 ALONG A 55.00 FEET RADIUS NORTH-TANGENT CURVE TO THE RIGHT, HAVING AN INITIAL TANGENT BEARING OF  
 54°00'00" WEST, HAVING A CENTRAL ANGLE OF 74.42° FOR A DISTANCE OF 55.00 FEET TO A POINT OF  
 TANGENCY, SAID POINT BEING A POINT ON THE WEST 78TH STREET NORTH-OF-WAY LINE;  
 THENCE SOUTH 89°12'07" EAST FOR A DISTANCE OF 100.00 FEET TO A POINT;  
 THENCE SOUTH 89°12'07" EAST FOR A DISTANCE OF 143.78 FEET TO A POINT;  
 THENCE SOUTH 89°12'07" WEST, FOR A DISTANCE OF 60.00 FEET TO A POINT;  
 THENCE SOUTH 89°12'07" WEST, FOR A DISTANCE OF 100.00 FEET TO A POINT OF CURVATURE;  
 THENCE ALONG A 25.00 FEET RADIUS CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 90°00'00" FOR A  
 DISTANCE OF 25.00 FEET TO A POINT OF TANGENCY;  
 THENCE SOUTH 88°33'11" WEST, FOR A DISTANCE OF 244.08 FEET TO A POINT OF CURVATURE;  
 THENCE ALONG A 25.00 FEET RADIUS CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 90°00'00" FOR A  
 DISTANCE OF 155.55 FEET TO A POINT OF TANGENCY;  
 THENCE SOUTH 88°33'11" WEST, FOR A DISTANCE OF 222.48 FEET TO A POINT OF CURVATURE;  
 THENCE ALONG A 25.00 FEET RADIUS CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 90°00'00" FOR A  
 DISTANCE OF 41.37 FEET TO A POINT OF TANGENCY, SAID POINT BEING THE POINT OF BEGINNING.

TUSCANY HILLS  
AT NICKEL CREEK  
DATE OF PREPARATION:  
07-22-2010  
Sheet 1 of 3



8.6

## TUSCANY HILLS

Tuscany Hills is an apartment project at 78<sup>th</sup> and Union Ave. Due West of the New Tulsa Hills Shopping Center.

We are requesting release of full building permits for all of the buildings in Tuscany Hills. Earth change is being applied for and will be commencing. Early release of building permit will allow foundation and slabs to start. As with Mr. Case's other multifamily projects water lines, sanitary sewer lines and parking will be installed before framing begins.

Tuscany Hills is being built by an entity owned and managed by Mike Case or one of his companies. It is anticipated that the project remain in Mr. Case's real estate portfolio.

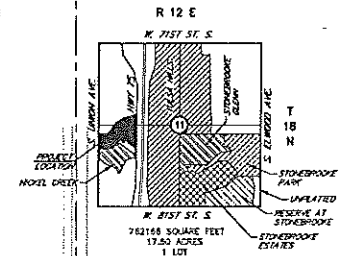
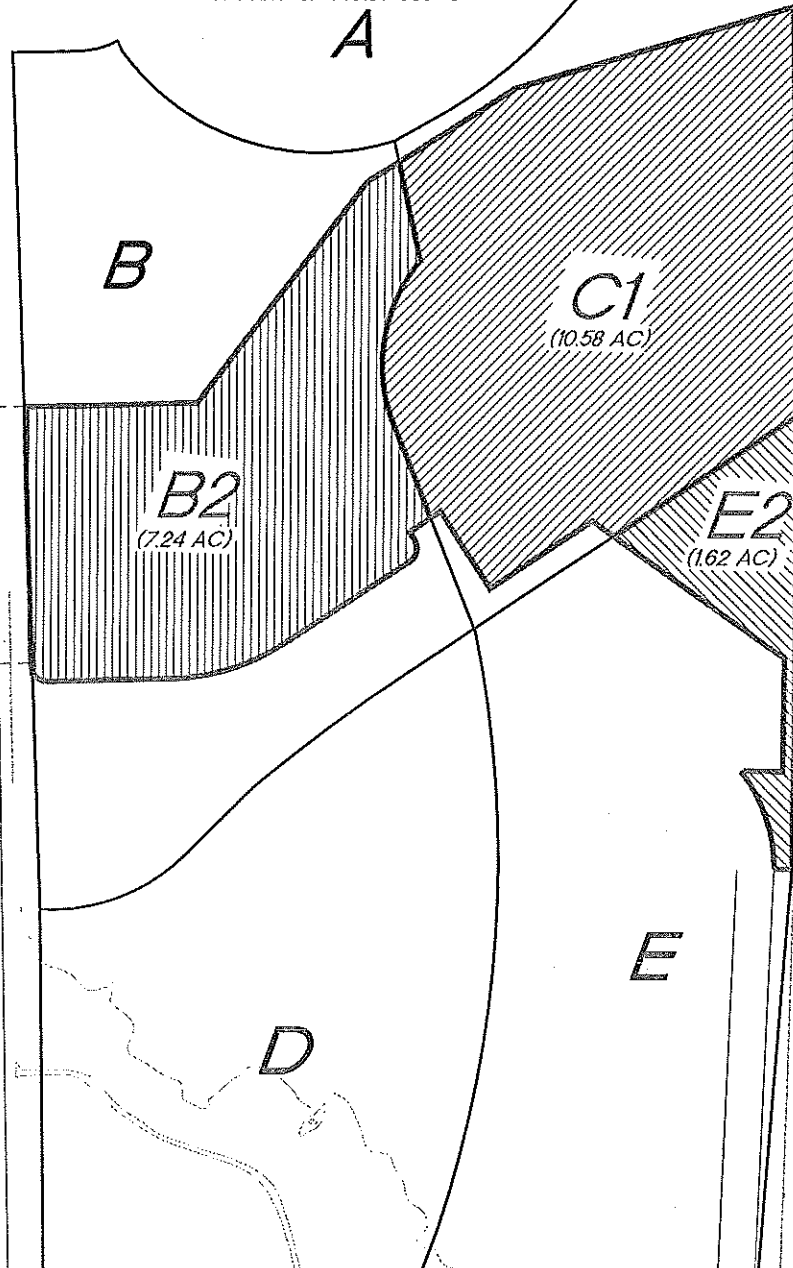
Mike Case was born and raised in Tulsa. He is a lifelong resident and through his vision, leadership and business skills has become one of the Country's largest multifamily apartment owners and managers. Today Case and Associates owns and manages 25,000 apartment units throughout the Southwestern United States. Case and Associates is the largest apartment owner/manager in Oklahoma and one of the largest in the entire country.

Mr. Case is thankful for his good fortune and has shown his gratitude by being a supporter of the city of Tulsa, the BOK Center and a major contributor to the University of Tulsa.

Enclosed is a corporate brochure.

# TUSCANY HILLS

A PART OF THE W/2 OF SECTION 11, TOWNSHIP 18 NORTH,  
RANGE 12 EAST, TULSA COUNTY, OKLAHOMA  
A PART OF P.U.D. 636-3



## DEVELOPER

TUSCANY HILLS AT NICKEL  
CREEK Limited Partnership, an  
Oklahoma Limited Partnership

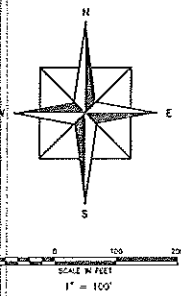
4200 E. SKELLY DRIVE  
TULSA, OKLAHOMA 74135  
PHONE: (918) 492-1983

## ENGINEER/SURVEYOR

TUTTLE & ASSOCIATES, INC.

9714 E. 55TH PL.  
TULSA, OKLAHOMA 74146  
PHONE: (918) 663-5567

EMAIL: [tuttle-associates@bcsbobol.net](mailto:tuttle-associates@bcsbobol.net)  
CERTIFICATE OF AUTHORITY CA 465  
EXPIRATION 6-30-11



AREA NAME	ACRES	DU/ACRE ALLOWED (PUD 636)	DU ALLOWED (PUD 636)	DU USED (NICKEL CREEK)	DU USED (TUSCANY HILLS)	DU REMAINING
AREA B	15.65	20	313	12	104 (AREA B2)	197
AREA C	12.62	23	290	0	212 (AREA C1)	78
AREA D	13.25	20	265	188	0	77
AREA E	16.53	30	496	110	0	386

SOONER O&G, RICKS #3  
API #143-03090  
WELL CASING LOCATED  
8-19-2009

8.8

NICKEL CREEK  
PREPARED: 09-30-2010



&"Arial,Bold"&16&ETUSCANY HILLS AT NICKEL CREEK - TULSA

Bldg Type	Bldg Address	Bldg No.	Permit No.
A2	7717	300	238700
	7747	700	238699
	7751	1000	238698
	7763	900	238639
A8	7729	500	238707
	7765	800	238706
B2	7727	400	238701
	7741	600	238702
	7755	1200	238704
	7757	1300	238705
	7761	1100	238703
B8	7709	200	238845
Club	7721	100	238723
Tower	7777	X	238722
Garage Bldg	7707	1400	238708
	7711	1500	238709
	7715	1600	238710
	7723	2700	238711
	7725	1700	238712
	7733	2600	238713
	7735	1800	238714
	7739	1900	238715
	7743	2500	238716
	7749	2400	238717
	7753	2000	238718
	7767	2100	238719
	7771	2200	238720
	7773	2300	238721











**TULSA METROPOLITAN AREA PLANNING COMMISSION  
CASE REPORT**

**APPLICATION: PUD-397-C**

**TRS 8301**

**Atlas 759**

**CZM 53**

**CD-7**

**TMAPC Hearing Date:** November 2, 2010

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

**Tract Size:** 4.34± acres

**ADDRESS/GENERAL  
LOCATION:**

Southwest corner of East 61<sup>st</sup> Street and South  
90<sup>th</sup> East Avenue

**EXISTING ZONING:** RM-1/PUD-397

**EXISTING  
USE:**

**Vacant**

**PROPOSED  
ZONING:**

**RM-1/PUD-397-C**

**PROPOSED  
USE:**

**Use Unit 5, 11  
excluding funeral  
homes**

**ZONING ORDINANCE:** Ordinance number 16565 dated March 4, 1986, established zoning for the subject property.

***RELEVANT ZONING HISTORY:***

**PUD-397-B August 2000:** All concurred in approval of a Major Amendment to PUD-397 to reallocate the development areas and permitted uses, allowing an existing banking facility on a portion of Development Area B, further expanding that development area for additional office use. Development D-1 was approved for multifamily use with office use as an alternative use; subject to the conditions as recommended by staff, on property located on the southeast corner of East 61<sup>st</sup> Street and South 90<sup>th</sup> East Avenue across East 61<sup>st</sup> Street and abutting east and southeast of subject property. The amendment

**PUD-397-A July 1997:** All concurred in approval of a request for a major amendment on a 1.6± acre tract of land, to permit a drive-in banking facility and an amendment to reallocate floor area within the PUD, subject to conditions; on property located on the southeast corner of East 61<sup>st</sup> Street South and South 90<sup>th</sup> East Avenue.

**Z-6049/PUD-397 March 1986:** A request to rezone a 19± acre tract from RS-3, RD and RM to RD, RM-1 and PUD to allow office use, mid-rise and low-rise multifamily, elderly housing and single-family residential uses. Approval was granted for a portion of RS-3 and RM-1 zoning with the PUD on the entire tract, located on the southeast corner of East 61<sup>st</sup> Street and South 91<sup>st</sup> East Avenue.

9.3

## **AREA DESCRIPTION:**

**SITE ANALYSIS:** The subject property is approximately 4.34± acres in size. The property appears to be vacant and slightly wooded.

**GENERAL AREA:** Please refer to the attached case report aerial photograph. To the north the tract is near a mixture of residential uses including single family dwellings, townhomes and multi-family units. The single family use is the most prevalent of the residential dwellings. At the northeast corner of 61<sup>st</sup> Street and South Memorial Drive is a mixed use commercial center with retail and dining uses extending to 86<sup>th</sup> East Avenue. Then continuing along the north side of 61<sup>st</sup> Street from 86<sup>th</sup> East Avenue to Mingo Road is a mixture of office, retail and various residential uses.

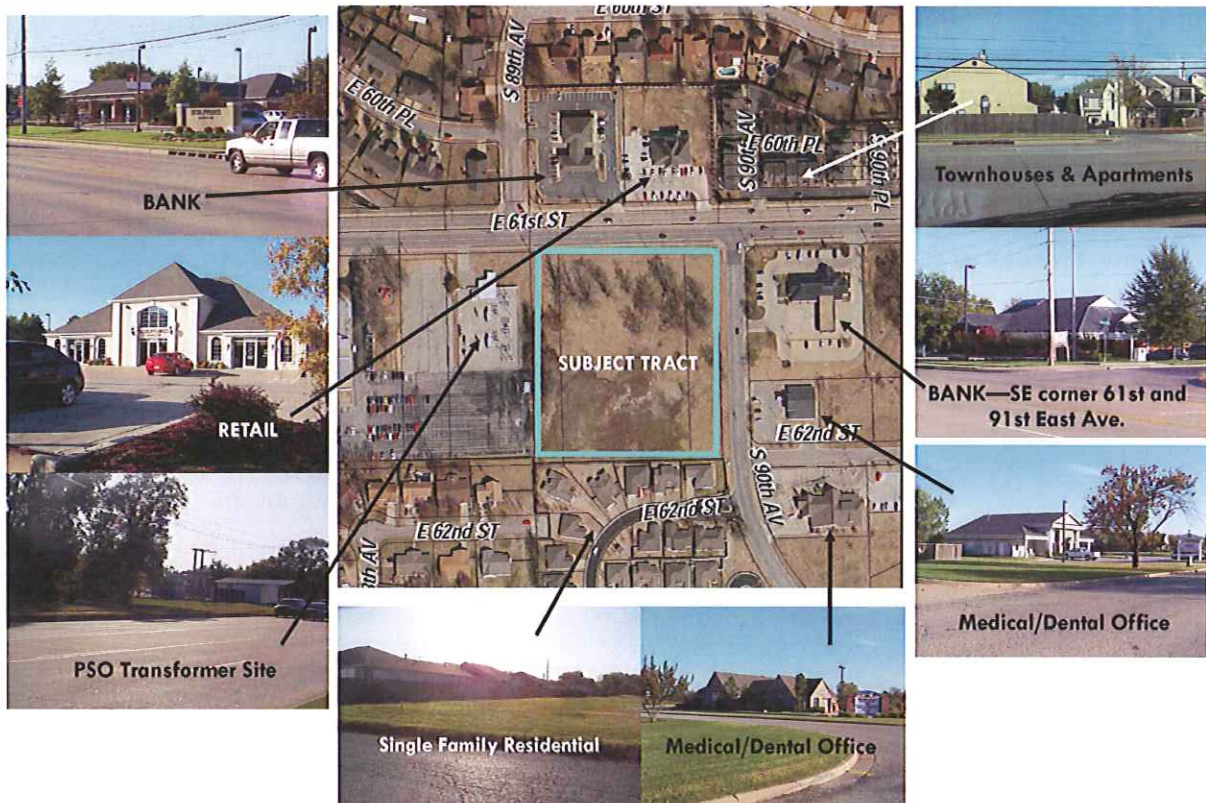
The southeast corner of 61<sup>st</sup> Street South and South Memorial Drive is also a mixed use commercial development with a restaurant at the hard corner and retail extending east to 86<sup>th</sup> East Avenue. The remainder of the area continuing along the south side of 61<sup>st</sup> Street to Mingo Road is a mixture of public facilities, vacant land, multi-family, single family, office, church and commercial uses.



9.4



**ADJACENT SURROUNDING AREA:** The subject tract is abutted on the east by Community Place and Woodland Valley Office Park, zoned RM-1/PUD-397. The properties are being used as a bank and a medical office. The subject tract is bordered on the north by 61<sup>st</sup> Street and then Superior Federal Bank, zoned OL with bank and retail uses. On the south the tract is adjacent to the Cottages at Woodland Valley zoned RS-3 with single family residential uses and on the west by unplatted property zoned AG and use as a Public Service Company of Oklahoma (PSO) transformer site. A larger version of the graphic below is attached as an exhibit.

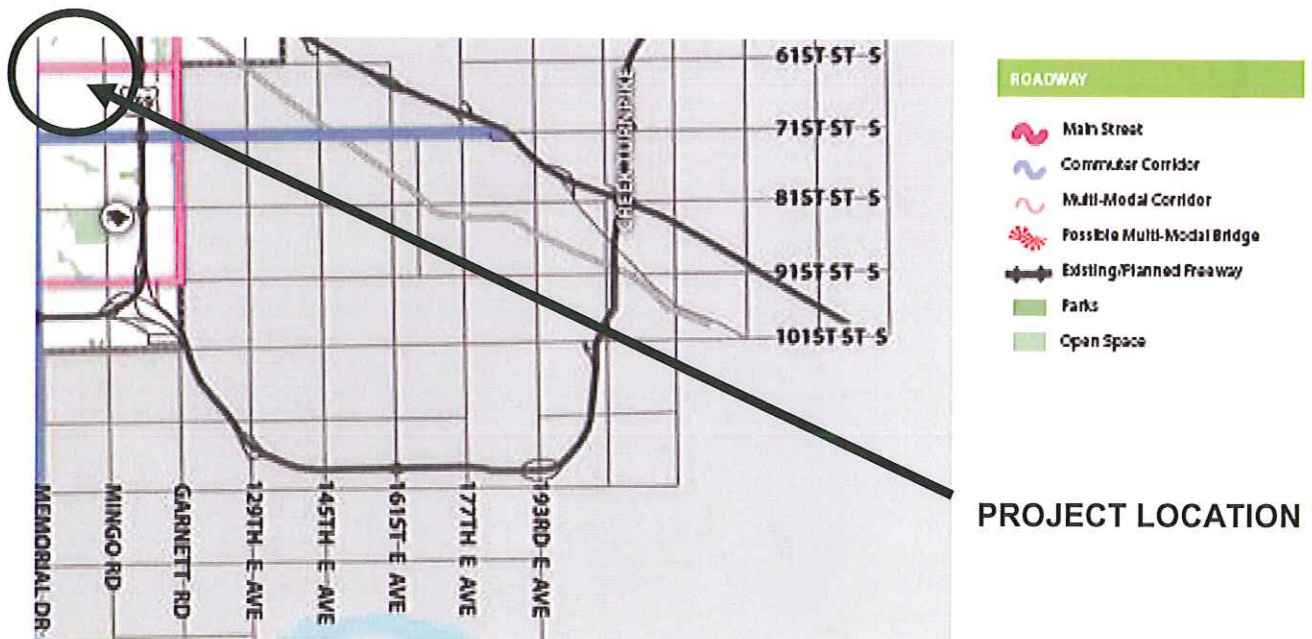


**UTILITIES:** The subject tract has municipal water and sewer available.

**TULSA COMPREHENSIVE PLAN TRANSPORTATION VISION:**

The Tulsa Comprehensive Plan designates 61<sup>st</sup> Street South as a multi-modal corridor. Multi-modal streets emphasize plenty of travel choices such as pedestrian, bicycle and transit use. Multimodal streets are located in high intensity mixed-use commercial, retail and residential areas with substantial pedestrian activity. These streets are attractive for pedestrians and bicyclists because of landscaped medians and tree lawns. Multi-modal streets can have on-street parking and wide sidewalks depending on the type and intensity of adjacent commercial land uses. Transit dedicated lanes, bicycle lanes, landscaping and sidewalk width are higher priorities than the number of travel lanes on this type of street. To complete the street, frontages are required that address the street and provide comfortable and safe refuge for pedestrians while accommodating vehicles with efficient circulation and consolidated-shared parking. South 90<sup>th</sup> East Avenue is not classified in the Plan.

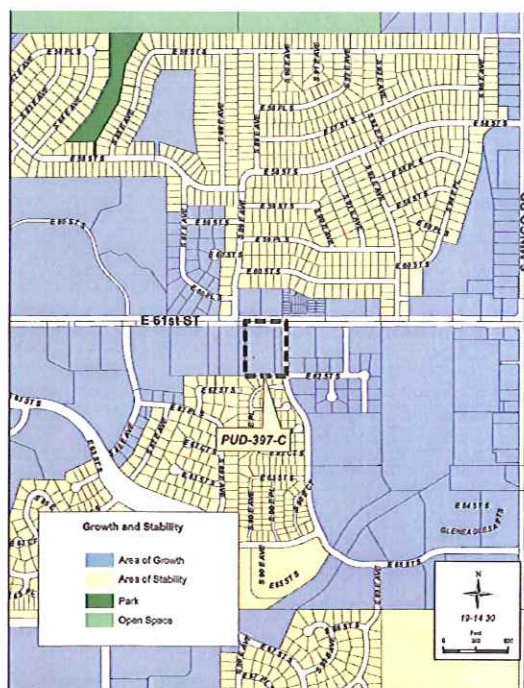




#### MAJOR STREET AND HIGHWAY PLAN - STREET CLASSIFICATIONS:

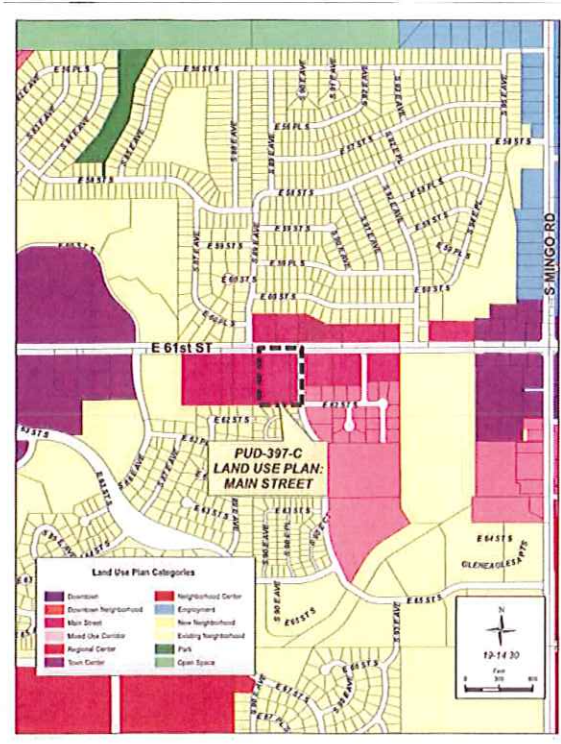
<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 61 <sup>st</sup> Street South	Secondary Arterial	100'	5
South 90 <sup>th</sup> East Avenue	Residential Collector	60'	2

RELATIONSHIP TO THE TULSA COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan designates this area as an area of growth.



9.6

The Tulsa Comprehensive Plan also designates this area as a Main Street.



Main Streets are defined on page 32 of the land use Chapter of the Plan as “Tulsa’s classic linear centers. They are comprised of residential, commercial, and entertainment uses along a transit-rich street usually two to four lanes wide, and includes much lower intensity residential neighborhoods situated behind. Main Streets are pedestrian-oriented places with generous sidewalks, storefronts on the ground floor of buildings, and street trees and other amenities. Visitors from outside the surrounding neighborhoods can travel to Main Streets by bike, transit, or car. Parking is provided on street, small private off street lots, or in shared lots or structures”.

Staff contends that the proposed development is **in accord** with the Plan.

#### **STAFF RECOMMENDATION:**

PUD-397 is located west of the southwest corner of East 61<sup>st</sup> Street South and South Mingo Road. The PUD is approximately 38 acres, is relatively flat and allows uses permitted by right in the OL district as well as retirement/elderly housing, multi-family and single family dwelling units. The PUD is divided into five development areas as depicted on the attached Exhibit A. The subject of this application is Development Area A.

PUD-397 was approved allowing a 6-story, 72-foot tall general office building with a maximum of 100,000 square feet in Development Area A. Attached as Exhibit C is a plan view comparison of what the PUD currently permits and what is being proposed.



Major amendment PUD-397-C seeks to add a bank with a drive through facility and accessory community meeting room as permitted uses within the northern 313-feet of Development Area A as depicted on the attached Exhibit B. The major amendment is required since "drive-through" banking facilities were not permitted in Development Area A of PUD-397 given the adjacent residential area to the south. The proposal also places a limit on all of Area A to 1-story and 35-feet in height with a maximum of 56,000 square feet of total floor area.

The applicant held a public information meeting at the TFCU branch located at 8321 East 61st Street South on Tuesday, October 26 at 6:30 pm. The applicant notified surrounding property owners via the attached letter (see Exhibit E).

After reviewing PUD-397 staff believes the drive-through bank was not part of the original approval in an effort to keep such facilities from being constructed immediately adjacent to residential development. This proposal restricts the southern portion of Development Area A to uses permitted in the OL district and continues to exclude drive-through banks and funeral homes.

Staff contends that major amendment PUD-397-C is better suited for the surrounding area rather than a 6-story, 72-foot tall office building directly adjacent to residential development which might appear as spot zoning. Staff supports the decrease in the intensity of the proposed development, single story height limitation placed on both tracts and the limited hours of operation that banking facilities have.

Staff finds the uses and intensities of development proposed to be in harmony with the spirit and intent of the Code. Staff finds PUD-397-C to be: (1) consistent with the Comprehensive Plan; (2) in harmony with the existing and expected development of surrounding areas; (3) a unified treatment of the development possibilities of the site; and (4) consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Therefore, staff recommends **APPROVAL** of PUD-397-C subject to the following conditions:

1. The applicant's Concept Development Plan and Text be made a condition of approval, unless modified herein.
2. Development Standards:

**Land Area (Gross):**

188,948 sf

4.34 acres

**Permitted Uses:**

Uses permitted by right within Use Unit 5 and in an OL District, excluding funeral homes and drive-through banks. However, within the northern 313' of the

9.8

development area, measured from the centerline of East 61st Street, drive in banks shall be permitted.

**Maximum Building Height:** one (1) story and 35'

**Maximum Building Floor Area:** 56,000 sf

**Parking Requirements:** Per the applicable use unit within the Tulsa Zoning Code

**Minimum Building Setbacks:**

From Centerline of E. 61st St.	100'
From Centerline of S. 90th E. Ave.	55'
From West Boundary	15'
From South Boundary	40'

**Landscaped Area:**

A minimum of 15% of the area of each lot within the development area shall be established as internal landscaped open space in accord with the provisions of the landscape chapter of the Tulsa Zoning Code. A 10' landscaped buffer shall be established along the south boundary of the development area abutting the residential area to the south.

**Pedestrian Circulation:**

A pedestrian circulation plan shall be required that includes the following:

- (a) Sidewalks along the south side of 61<sup>st</sup> Street South and the west South 90<sup>th</sup> East Avenue;
- (b) Pedestrian walkways through parking lot(s); a minimum of three (3) feet in width, separated from vehicular travel lanes to the maximum extent possible and designed to provide safe access to non-street front building entrances and/or sidewalks and trails where applicable. The three (3) foot width shall not include any vehicle overhangs. Wheel stops shall be installed in parking spaces adjacent to all pedestrian walkways.
- (c) Pedestrian walkways connecting transit stops to non-street front building entrances where applicable.
- (d) Pedestrian walkways clearly distinguished from traffic circulation, particularly where vehicular and pedestrian routes intersect.

- (e) Where applicable, sidewalks or walkways which cross vehicular aisles or driveways distinguished as follows: by a continuous raised crossing, by using contrasting paving material and/ or by using high contrast striping.

#### **Signage:**

Signs accessory to principal or permitted accessory uses shall comply with the restrictions of the Planned Unit Development provisions of the Tulsa Zoning Code.

One sign may be placed along the 61<sup>st</sup> Street frontage for the southern tract within Development Area A. The sign may not exceed 6' in height nor 64 square feet of display area. A minimum of 100' of separation must be maintained between signs per the PUD chapter of the Code.

#### **Trash and Mechanical Areas:**

All trash, mechanical and equipment areas (excluding utility service transformers, pedestals, or equipment provided by franchise utility providers), including building mounted, shall be screened from public view in such a manner that the areas cannot be seen by persons standing at ground level. Receptacle screening shall be constructed of materials having an appearance similar to the building(s) themselves and be of complementary color.

#### **Lighting:**

Lighting shall be arranged so as to shield and direct the light away from the residential area to the south.

Within the south 40' of the development area, no light standard or building-mounted light shall exceed 12' in height. Otherwise, no light standard or building-mounted light shall exceed 25' in height.

Shielding of outdoor lighting shall be designed so as to prevent the light producing element or reflector of the light fixture from being visible to a person standing at ground level in adjacent residential areas. Compliance with these standards shall be verified by submittal of a photometric plan and manufacturer's cut-sheets for the light fixtures. Consideration of topography must be considered in the spill-over calculations.

#### **Screening:**

Screening along the south boundary abutting the residential area shall be per the applicable use unit and conform to Section 212 of the Tulsa Zoning Code. Screening shall be installed prior to issuance of a Certificate of Occupancy for the tract abutting the south boundary.



3. No zoning clearance permit shall be issued until a detail site plan for the lot, which includes all buildings, parking and landscaping areas, has been submitted to the TMAPC and approved as being in compliance with the approved PUD development standards.
4. A detail landscape plan for the development area shall be approved by the TMAPC prior to issuance of a building permit. A landscape architect, architect or engineer registered in the State of Oklahoma shall certify to the zoning officer that all required landscaping and screening will be installed by a specific date in accordance with the approved landscape plan, prior to issuance of an occupancy permit. The landscaping materials required under the approved plan shall be maintained and replaced as needed, as a continuing condition of the granting of an occupancy permit.
5. No sign permits shall be issued for erection of a sign on a lot within the PUD until a detail sign plan for that lot has been submitted to the TMAPC and approved as being in compliance with the approved PUD development standards.
6. Flashing signs, changeable copy signs, running light or twinkle signs, animated signs, revolving or rotating signs or signs with movement shall be prohibited.
7. The Department of Public Works or a professional engineer registered in the State of Oklahoma shall certify to the appropriate City official that all required stormwater drainage structures or existing stormwater drainage structures and detention areas serving the development area have been installed in accordance with the approved plans prior to issuance of an occupancy permit on that lot.
8. No building permit shall be issued until the platting requirements of Section 1107-F of the Zoning Code have been satisfied and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the restrictive covenants the PUD conditions of approval and making the City beneficiary to said covenants that relate to PUD conditions.
9. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.
10. Approval of the PUD is not an endorsement of the conceptual layout. This will be done during detail site plan review or the subdivision platting process.
11. There shall be no outside storage of recyclable material, trash or similar material outside a screened receptacle. Receptacle screening shall be constructed of materials having an appearance similar to the buildings

themselves and be of complementary color. Trucks or truck trailers may not be parked in the PUD except while they are actively being loaded or unloaded. Truck trailers and shipping containers shall not be used for storage in the PUD.

**TAC Comments:**

**General:** A 15' perimeter utility easement is required around the property. Therefore the 10' building line along the west property line is not acceptable. The building line must be at least 15'.

**Water:** No comments.

**Fire:** No comments.

**Stormwater:** No comments.

**Wastewater:** No objection to the amendment. However, a sanitary sewer mainline extension will be required to serve the northern property, as it is shown on the exhibit.

**Transportation:** Corner radius of 30' required at the intersection of 61<sup>st</sup> St. and 90<sup>th</sup> E Ave.

**INCOG Transportation:**

- **MSHP:** East 61<sup>st</sup> Street is a designated secondary arterial.
- **LRTP:** E. 61<sup>st</sup> St. S., between S. Memorial Drive and S. Mingo Rd, existing 4 lanes. Sidewalks should be constructed if non-existing or maintained if existing, per Subdivision Regulations.
- **TMP:** S. 90<sup>th</sup> East Ave is a planned on-street bikeway.
- **Transit:** No existing service in this area.

**Traffic:** No comments.

**GIS:** No comments.

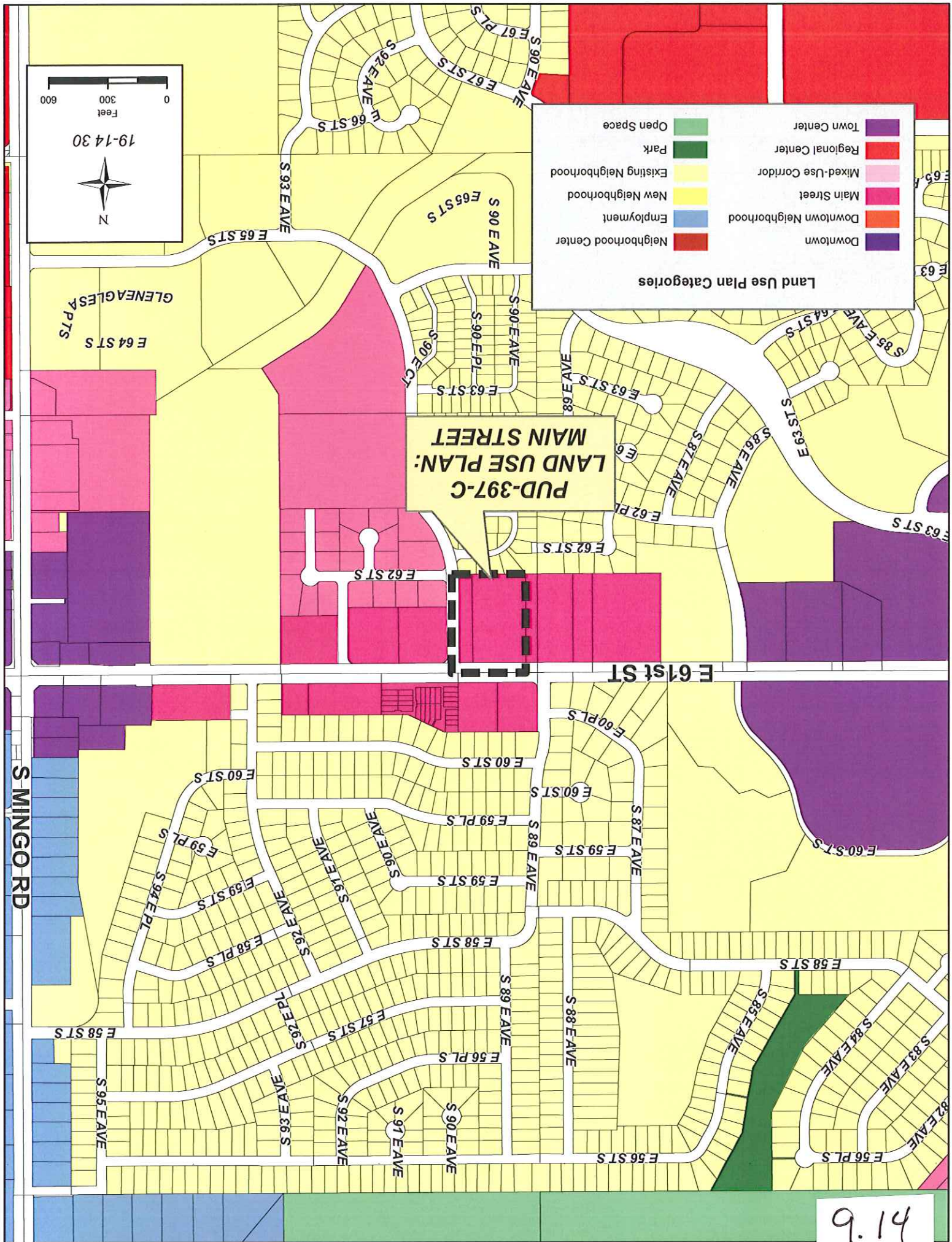
**Street Addressing:** No comments.

11/02/10

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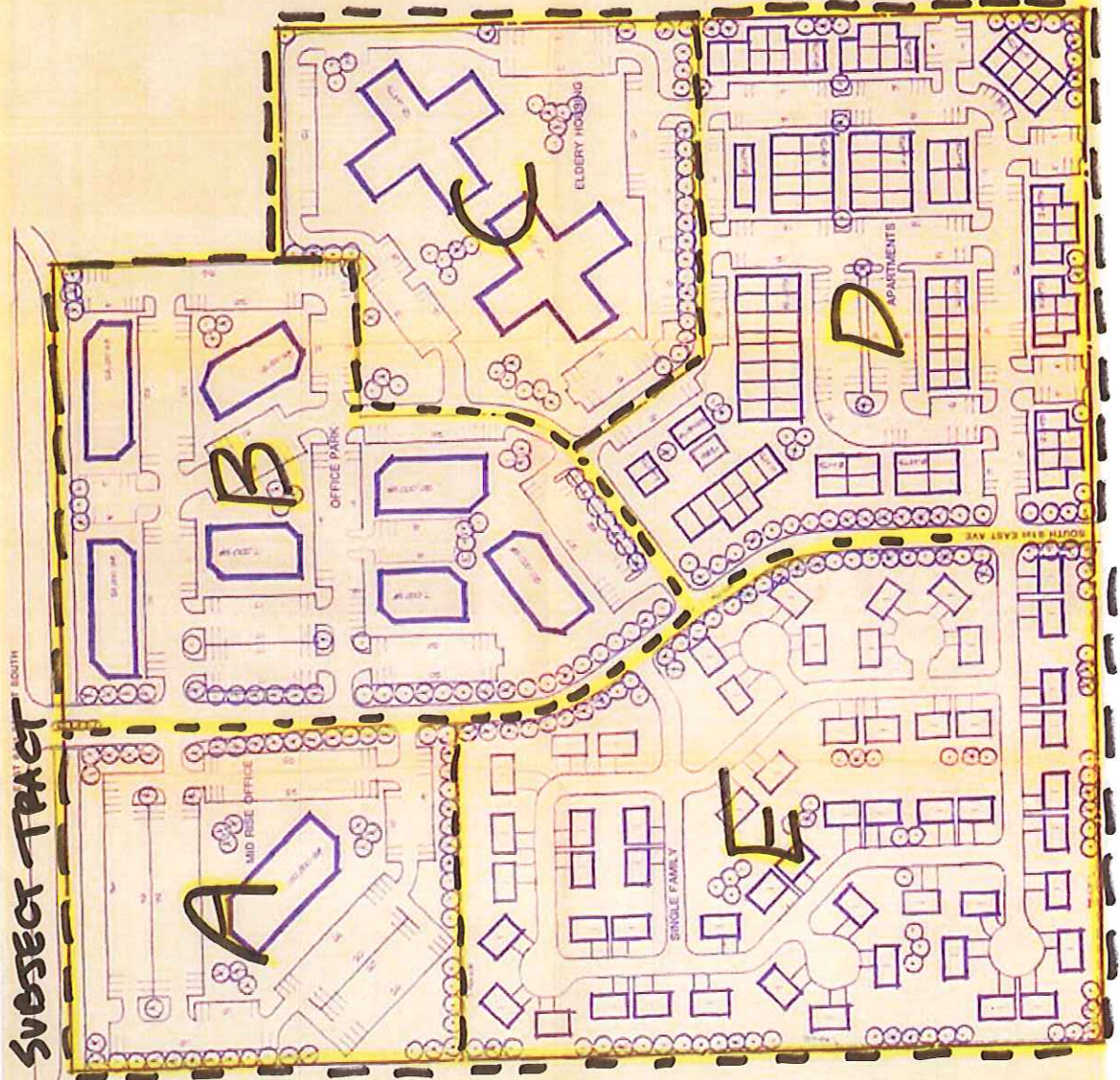








**SUBJECT TRACT**



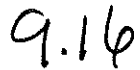
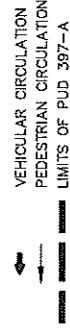
**TABULATIONS**

NO.	DESCRIPTION	AREA (SQ. FT.)	PERCENTAGE
1	ELDERLY HOUSING	1,100	1.1%
2	APARTMENTS	1,100	1.1%
3	SINGLE FAMILY	1,100	1.1%
4	OFFICE PARK	1,100	1.1%
5	LANDSCAPING	1,100	1.1%
6	ROADS	1,100	1.1%
7	PARKING	1,100	1.1%
8	UTILITIES	1,100	1.1%
9	OTHER	1,100	1.1%
10	TOTAL	11,000	100%

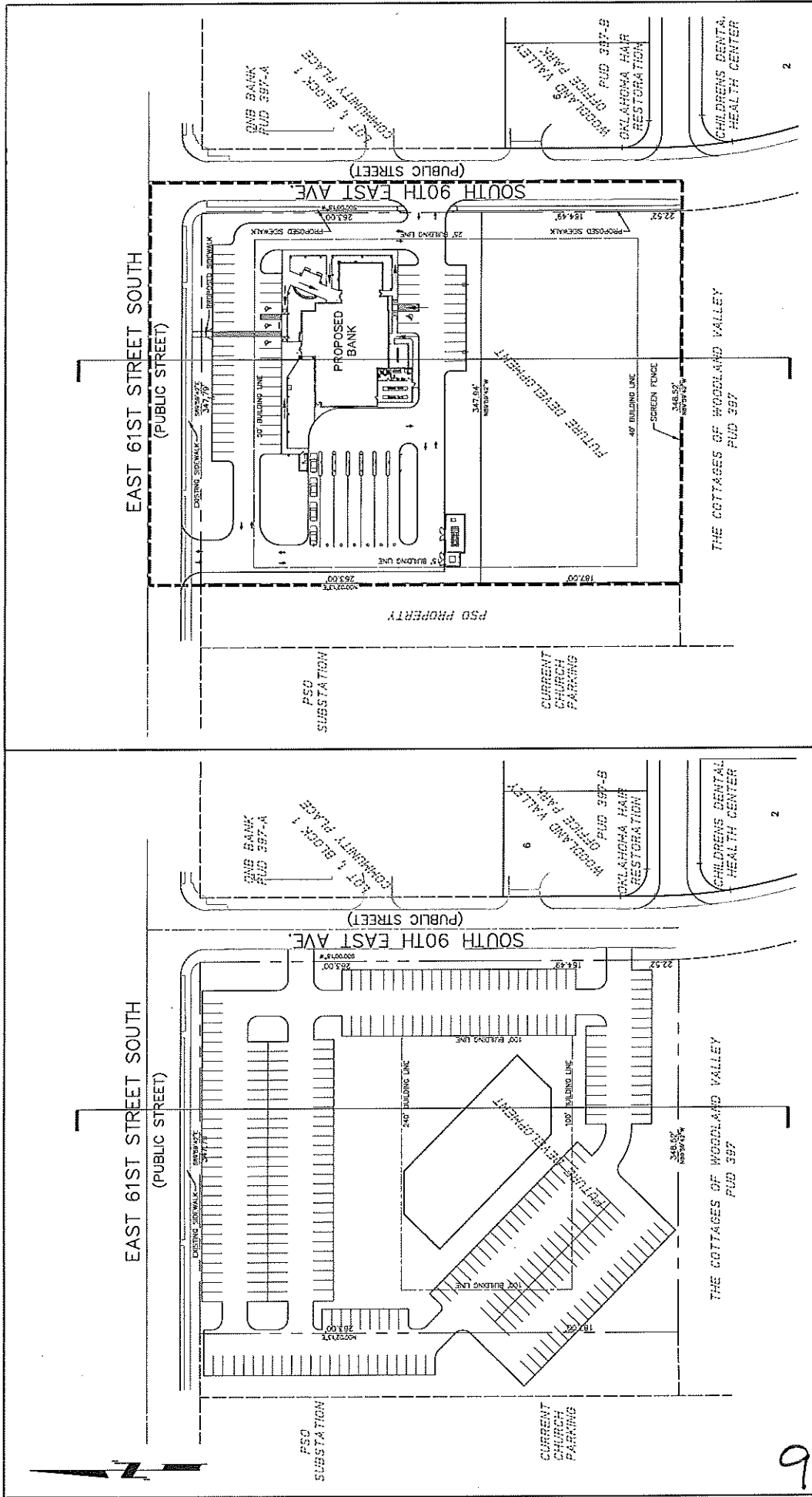


WOODLAND VALLEY  
PUD NO. 397

Read more  
PUD 397  
Change Plan Approved  
by TMC  
P.L. 10/1/01





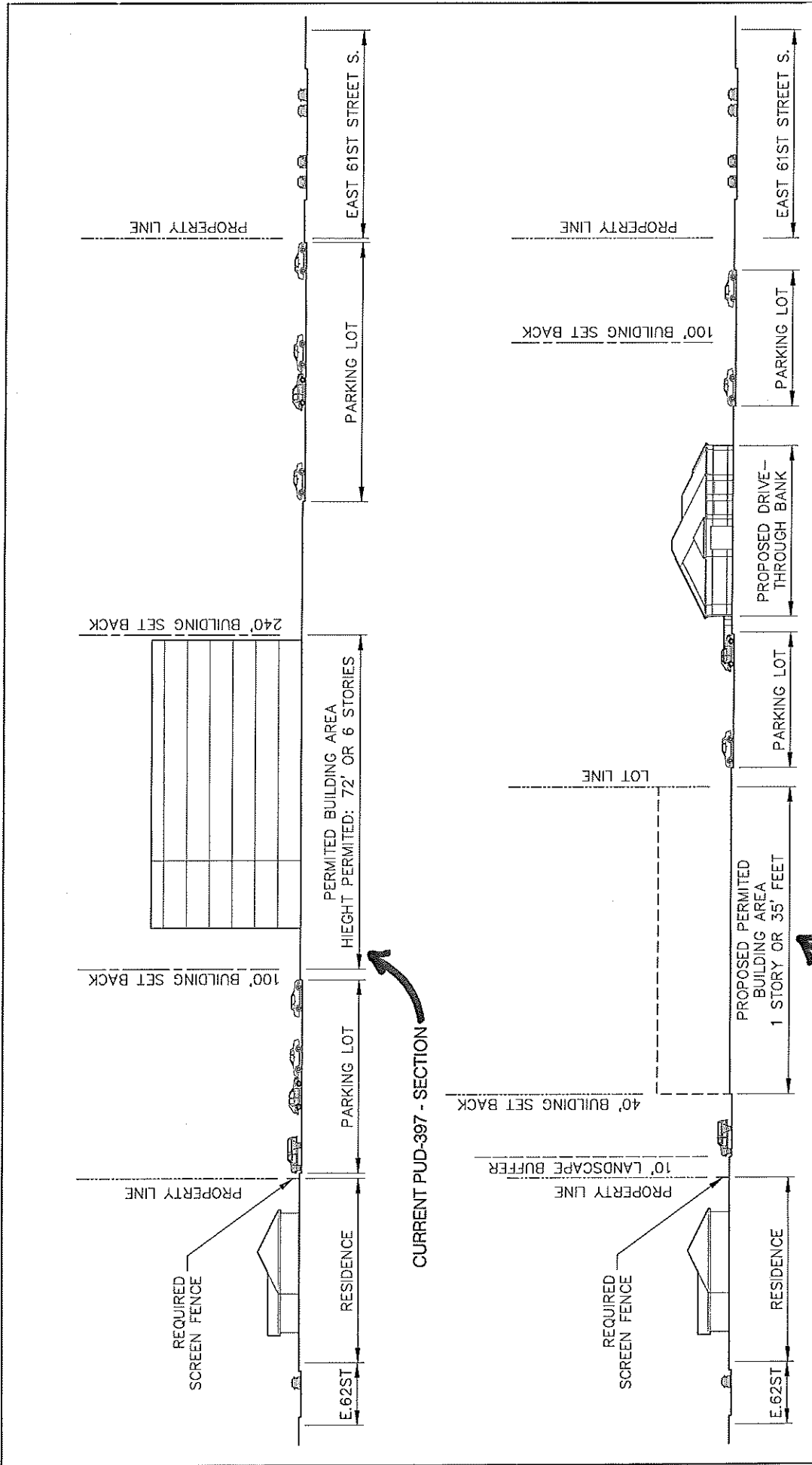


9.17

CURRENT PUD-397 - PLAN

PROPOSED PUD-397-C - PLAN

EXHIBIT C



# EXHIBIT D

OCTOBER 26, 2010  
 MAJOR AMENDMENT  
 PUD 397-C

**SACK AND ASSOCIATES, INC.**  
 111 South 100th Avenue, Suite 100, Oakton, VA 22129-1000  
 (703) 441-1111  
 Fax: (703) 441-1112  
 E-mail: info@sackandassociates.com  
 Website: www.sackandassociates.com  
 Project: 100' and 240' Building Set Back  
 Sheet: 100' and 240' Building Set Back

81.18



CA No. 1783 (PE/LS) and 1462 (LA)

**SACK AND ASSOCIATES, INC.**  
• ENGINEERING • SURVEYING • PLANNING •

111 South Elgin Avenue, Tulsa, OK 74120-1816  
P.O. Box 50070, Tulsa, OK 74150-0070  
Phone: 918.592.4111 Fax: 918.592.4229  
E-mail: [sai@sackandassociates.com](mailto:sai@sackandassociates.com)

October 18, 2010

**RE: PUD 397-C MAJOR AMENDMENT APPLICATION**

To Whom It May Concern:

On behalf of our clients, Tinker Federal Credit Union (TFCU) and 61MM LTD, we invite you to a meeting at the TFCU branch located at 8321 East 61st Street South, Suite S, Tulsa, Oklahoma, on Tuesday, October 26 from 6:30 pm to 7:30 pm. The purpose of the meeting is to share information about the PUD Major Amendment application you recently received notice of regarding the tract of land at the southwest corner of East 61st Street South and South 90th East Avenue.

The original Planned Unit Development (PUD) designated the use for the above reference tract of land to be a mid-rise office building with an allowable building height of 72' or six stories. The present application proposes to amend the PUD to allow for a drive-through bank with a community meeting room on the northern portion of the property and the remainder of the property to remain as office use. The amendment also proposes to amend the PUD to limit the building height to one story. Enclosed is a copy of the application that includes the proposed amendments.

If you are unable or do not wish to attend the meeting next week, yet still would like more information about the proposal, please contact us and we will be glad to speak with you individually.

Sincerely,  
**SACK AND ASSOCIATES, INC.**

Eric G. Sack, PE, PLS  
Vice President

Enclosure: PUD 397-C Major Amendment

EGS:MBC:mlr

F784C(09)  
1813.01





# MEMORANDUM

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**TO: Tulsa Metropolitan Area Planning Commission**

**Date: November 2, 2010**

**From: Wayne Alberty**

**RE: Historic Preservation Districts.**

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The Tulsa City Council requested that the TMAPC "study and report its recommendation on suggested text amendments to the Zoning Code, increasing the City's ability to protect the boundaries of Historic Preservation Districts from encroachment of incompatible development". On Wednesday, October 20, 2010, the Council letter was placed on the TMAPC agenda for action. Staff suggested at that meeting that the Planning Commission instruct staff to prepare a memo framing the issue and present it for discussion at the next meeting. This memo is the result of that discussion.

Since only two current members were on the Commission when the City of Tulsa adopted the Historic Preservation District we will provide a brief history. The Tulsa Zoning Code was amended on July 18, 1988 by Ordinance No. 17021 adding the HP overlay zoning district and Chapter 10A in the Zoning Code. Over a period of ten years from 1989 to 1999 five Tulsa neighborhoods were granted Historic Preservation overlay zoning – Brady Heights, Gillette, North Maple Ridge, Swan Lake and Yorktown.

Concern has been raised that four of the neighborhoods – Gillette, North Maple Ridge, Swan Lake and Yorktown – abut non-residential zoning and development. The anticipation is that there will be future development requests to extend non-residential development from outside the HP boundaries into the HP District. [The question is, should the Zoning Code be amended to protect the HP boundaries?] Although the HP District overlay restricts development to the general zoning district it is possible through the PUD to spread non-residential uses and development into the HP overlay district area.

There is the position of some that the areas within the HP Districts should remain entirely residential and not modified by removing properties from the HP District. The position that the HP District boundaries were intended to never be reduced may not be a sustainable position if challenged. However, It is clear in the Yorktown district guidelines that non-residential construction was anticipated.

"C.1.0.1. New non-residential construction need not replicate historic residential structures within the district..."

Additional sections of the Yorktown guidelines address other design guidelines for non-residential construction.

The Tulsa Zoning Code allows uses to be reallocated within a Planned Unit Development (PUD) irrespective of the general zoning district boundaries (Section 1103). The PUD was used in this manner for the office building development located at the southeast corner of 15<sup>th</sup> Street and Utica Avenue. A portion of the required parking was constructed in the HP District area. The applicant had requested removing the portion of the development within the HP District, but the City Council denied the request and approved the PUD allowing the parking lot development.

The issues now raised are:

1. Should the HP District boundaries be modified by removing properties to permit development outside the HP District control?
2. Should the Tulsa Zoning Code be amended to prevent the PUD being used to reallocate uses permitted outside the HP District into the HP District?

Whether the Zoning Code is amended or not any application for a change of zoning requires City Council approval. Applications that are considered incompatible development within the historical district can be denied without any changes to the current Zoning Code.



# 2011 SCHEDULE

## Tulsa Metropolitan Area Planning Commission (TMAPC)

Regular meetings of the TMAPC are held on the first and third Wednesday of each month at 1:30 p.m. in the One Technology Center, 175 E. 2<sup>nd</sup> Street, City Council Chambers, 2<sup>nd</sup> Level, Tulsa, Oklahoma.

Regular work sessions of the TMAPC are held on the third Wednesday of each month following regular TMAPC business in the One Technology Center, 175 E. 2<sup>nd</sup> Street, City Council Chambers, 2<sup>nd</sup> Level, Tulsa, Oklahoma.

### JANUARY

5<sup>th</sup>

19th and worksession

### FEBRUARY

2<sup>nd</sup>

16<sup>th</sup> and worksession

### MARCH

2<sup>nd</sup>

16<sup>th</sup> and worksession

### APRIL

6<sup>th</sup>

20th and worksession

### MAY

4<sup>th</sup>

18th and worksession

### JUNE

1<sup>st</sup>

15th and worksession

### JULY

6<sup>th</sup>

20th and worksession

### AUGUST

3<sup>rd</sup>

17th and worksession

### SEPTEMBER

7<sup>th</sup>

21st and worksession

### OCTOBER

5<sup>th</sup>

19th and worksession

### NOVEMBER

2<sup>nd</sup>

16th meeting and worksession

### DECEMBER

7<sup>th</sup>

21st meeting and worksession

Revised 10-06-10

12.1

